

PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION

Application No.:	DOA-2022-01140
Application Name:	7-Eleven, Inc. 40459
Control No./Name:	2002-00032 (Holloway Property)
Applicant:	7 Eleven, Inc.
Owners:	7 Eleven, Inc.
Agent:	Gunster, Yoakley & Stewart, PA - Josh Long Common Oak Engineering - Jeremy Anderson & Morgan Hampton
Telephone No.:	(561) 650-0719 & (407) 951-5915
Project Manager:	Jordan Jafar, Senior Site Planner

Title: a Development Order Amendment **Request:** to modify the Site Plan to add pumps, and, to modify and delete Conditions of Approval on 4.62 acres

APPLICATION SUMMARY: The proposed request is for the 4.62-acre 7-Eleven, Inc. 40456 development. The site was last approved by the Board of County Commissioners (BCC) on October 22, 2015.

The request will modify the Site Plan by adding two additional pumps and parking space for commercial vehicles. The Preliminary Site Plan (PSP) indicates (existing) one building with a total of 4,998 square feet (sq. ft.) for the Convenience Store and Car Wash, and a total of ten pumps and 18 fueling positions (16 positions for cars and two for commercial vehicles). In addition the Plan indicates 22 standard parking spaces and four proposed commercial vehicle parking spaces. Access is from North Jog Road and Wallis Road.

SITE DATA:

Location:	Southeast corner of North Jog Road and Wallis Road
Property Control Number(s)	00-42-43-34-08-001-0000
Future Land Use Designation:	Commercial High (CH) with cross-hatching (CHX)
Zoning District:	Multiple Use Planned Development District (MUPD)
Total Acreage:	4.62 acres
Tier:	Urban/Suburban
Overlay District:	Palm Beach International Airport Overlay
Neighborhood Plan:	Haverhill Neighborhood Plan
CCRT Area:	N/A
Municipalities within 1 Mile	Greenacres
Future Annexation Area	Haverhill, West Palm Beach
BCC District	District 2, Mayor Greg K. Weiss

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

ACTION BY THE ZONING COMMISSION (ZC): *Scheduled November 2, 2023*

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

PROJECT HISTORY: On February 26, 2003 the subject site was originally approved by the BCC to allow a rezoning from the Agricultural Residential (AR) Zoning District and Commercial Low (CLO) Zoning District to the General Commercial (CG) Zoning District (R-2003-0116); and to allow a Convenience Store with gas sales and a Restaurant, fast food (R-2003-0117).

Subsequently, on March 24, 2008 the subject site received an approval by the BCC to rezone from the General Commercial (CG) Zoning District to the Multiple Use Planned Development District (MUPD) Zoning District (R-2008-0470), to abandon the Class A Conditional Use granted under R-2003-0117 (R-2008-0472) and to allow a Convenience Store with gas sales and to allow a Type 1 Restaurant; and to amend a Condition of Approval on March 24, 2008 (R-2008-0471). The latest approval by the BBC to modify the Site Plan to add pumps, and, to modify and delete Conditions of Approval (Signs) was received on October 22, 2015 pursuant to Resolution 2015-1533.

FINDINGS:

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

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

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

○ **Prior Land Use Amendments:** The site has been the subject of one previous Future Land Use (FLU) amendment known as Southern/Jog, SCA 2002-011, which was adopted subject to one condition via Ord. 2003-003. The amendment amended the future land use designation from Commercial Low-Office, with an underlying 8 units per acre (CL-O/8) on 1.71 acres and High Residential, 8 units per acre (HR-8) on 3.24 acres to Commercial High (CH) with crosshatching with the following conditions:

1. The easternmost 75 feet of the site shall be cross-hatched. Parking shall be prohibited in the cross-hatched area. There shall be no commercial intensity and/or square footage associated with the cross-hatched area.

The Site Plan depicts the easternmost 75 feet as cross-hatched, and that area is not being utilized for intensity consistent with the Ordinance condition. This amendment condition will be carried forward in the subject Zoning application as it was approved by the BCC.

○ **Intensity:** The request does not seek to change the previously approved 4,998 sq. ft. consisting of a 4,242 sq. ft. convenience store and a 756 sq. ft. car wash, which equates to a Floor Area Ratio (FAR) of approximately 0.03 (4,998 / 163,159 sq. ft. or 3.74 acres (4.62 ac. less eastern 75 wide stripe) = 0.031 or 0.03). The maximum FAR of 0.85 is allowed for the subject future land use designation in the Urban Suburban Tier (163,159 sq. ft. or 3.74 acres x 0.85 maximum FAR = 138,685 sq. ft. maximum).

○ **Special Overlay District/ Neighborhood Plan/Planning Study Area:** The request is located within and is consistent with the Comprehensive Plan's PBIA Approach Path Overlay, the Turnpike Aquifer Overlay, the 1995 Jog Corridor Study and the 1992 Haverhill Neighborhood Plan. No issues have been identified, as the current request is a minor site plan modification to add two diesel fueling positions, five large vehicle parking spaces, additional landscaping, and a fuel canopy for the two fueling positions to the existing convenience stores and car wash. The Town of Haverhill provided letter dated February 17, 2023 expressing no concerns with the request.

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 Development Order Amendment to the approved development is consistent with the stated purpose and intent of the Palm Beach County Unified Land Development Code (ULDC). The Property has frontage and access on both North Jog Road and Wallis Road.

The Applicant is requesting to amend the southern portion of the subject site to add four Commercial Vehicle parking spaces and two additional pumps to the existing Gas and Fuel Sales, Car Wash and Convenience Store uses. Various other site elements have been amended on the proposed site plan in addition to the Commercial Vehicle Parking spaces and the addition of pumps.

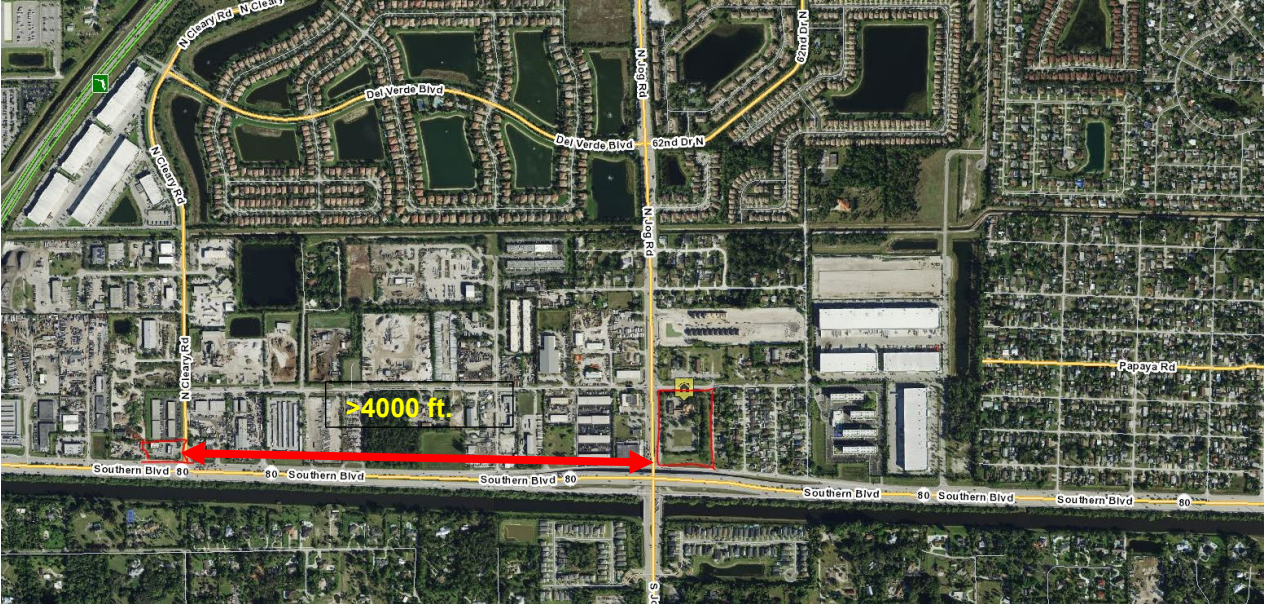
○ **Architectural Review:** The proposed DOA will comply with the requirements of Article 5.C. Furthermore, previous conditions of approval for Architectural Review have been carried forward to ensure these conditions are met at time of final DRO.

○ **Parking:** Consistent with ULDC Art. 6. A.1.A, Purpose and Intent as it relates to on-site parking and site circulation, to ensure the design and function, parking, and pedestrian circulation, driveways, and access are efficient and safe. Four Commercial vehicle parking spaces are being added in addition to the previously approved twenty two (22) parking spaces, bringing the total to 26 parking spaces in total. The previously approved and proposed parking spaces are meeting minimum requirements of Article 6 as the 4,442 sq. ft. Convenience Store requires 22 parking spaces. Pedestrian walkways traversing vehicular use areas are provided to ensure a safe continuous pedestrian flow, and the subject site is encircled by a continuous two-way drive aisle. The maneuvering of the Commercial Vehicles has been designed to provide minimal conflict with the existing vehicle circulation of the existing Gas and Fuel Sales and

Convenience Store. Staff have included a condition of approval that prohibits overnight parking of Commercial Vehicles.

- **Landscape/Buffering:** No changes are proposed to the already approved Landscape buffers. The Applicant has provided the required buffers and has upgraded all of the buffers to 20 feet in order to comply with previous Landscape Conditions that have been carried forward in this application. Existing and proposed Landscape Islands meet the minimum dimensions as required per Article 7 – Landscaping the existing Foundation Planting meets the minimum requirements in Article 7 and remains unaffected
- **Hours of Operation:** Even though the proposed DOA proposes parking and fueling stations for Commercial Vehicles, the proposed use differs from a conventional Truck Stop as the Commercial Vehicles are transient and will not stay on site overnight. A condition has been added to ensure no Commercial Vehicles remain after a certain time at the end of the day. Due to the sites location to residential uses to the east, it is subject to the limitations of hours of operation as described in the ULDC, and limited to 6 am to 11 pm. As previously stated, parking after hours is prohibited and a condition of approval has been included to ensure no overnight parking of the Commercial Vehicles.
- **Lighting:** Due to the existing surrounding residential uses in close proximity to the existing subject site, prior lighting conditions have been carried forward to ensure the expansion of the existing use does not heavily impact the surrounding areas.
- **Signs:** There are no new proposed monument signs that have been requested as a part of this application. Previous signage and architectural conditions of approval were implemented due to the surrounding residential uses adjacent to the site and have been carried forward to ensure any new signage on the proposed canopy and the existing development meet the prior conditions of approvals.
- **Location Criteria:**
Retail Gas and Fuel Sales with Convenience Store - Location Criteria
Staff has evaluated the request’s compliance with Art. 4.B.2.C.16.e, Location Criteria and Art. 4.B.2.C.33.f, Location Criteria.

The subject site has existed as a Retail Gas and Fuel Sales with a Convenience Store at the intersection of North Jog Road and Wallis Road before the proposed Development Order Amendment. There are no additional Retail Gas and Fuel Sales with a Convenience Store within a 1000 foot radius of the intersection of North Jog Road and Wallis Road. The subject application is proposing to add two additional pumps and four Commercial Vehicle Parking Spaces to the existing Retail Gas and Fuel Sales with a Convenience Store and Car Wash uses and is only expanding the operation to the southern portion of the subject site.



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.

Multiple factors lead to the conclusion that the proposed Development Order to the existing development will continue to be compatible with neighboring uses. Primary access remains from North Jog Road, a major arterial road, thus directing traffic away from local roads in the vicinity. The subject site has previously been designated as an appropriate location for High Commercial future land use designation. The sites to the west have both an Industrial and a Commercial High future land use designation, with an Underlying Industrial future land use. The sites to the north and the east have existing residential uses. Even though the subject site is adjacent to residential uses to the north and east, setbacks, buffers and

landscaping requirements will dictate that on-site structures will be compatible with the neighboring properties and not create or foster undesirable health, safety, or aesthetic effects. All changes to previously approved plans do not create any new incompatibility with surrounding uses as all changes are occurring internally of the subject site.

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 Development Order Amendment will minimize adverse effects, including visual impact and intensity of the proposed buildings to adjacent lands. The proposed design will maintain the functionality of the existing development. Requirements in Article 5.C will be met. The proposed changes to the existing development does not affect the residential sites to the north and the east. Only four Commercial Vehicle parking spaces, and two additional pumps have been added from the previously approved site plan. Furthermore, no adverse impacts will occur on adjacent properties, the proposed changes do not required any modifications regarding setbacks, buffers, and separation.

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.*

- *Vegetation Protection:* The site is an existing gas station. There are native vegetation species that exist on the site. Native vegetation that cannot be preserved in place are being either relocated or mitigated. The site has been designed to maximize onsite preservation. The application for the Protection of Native Vegetation Approval will be required to be submitted prior to the final approval by the DRO, as indicated in Article 14.C.7.C.

- *Wellfield Protection Zone:* This property is not located within a Wellfield Protection Zone.

- *Irrigation Conservation Concerns And Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the 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 use or amendment will result in a logical, orderly and timely development pattern.*

The proposed Development Order Amendment to the approved MUPD and the Class A Conditional Use will result in a logical, orderly, and timely development pattern. The subject site is already approved for development a Retail Gas and Fuel with Convenience Store at this location and this application is for addition of Commercial Vehicle parking and two additional pump stations for the Commercial Vehicles only. The major intersection of North Jog Road and Wallis Road has been designated with a Commercial High future land use designation. The future land use and zoning maps show this intersection as a commercial node, with residential uses to the east Industrial uses to the west and Industrial zone lot with a Multifamily residential FLU to the north. The Applicant's Justification Statement states, "*The proposed changes are requested to meet market demand for this type of service. The subject site was previously approved for a Retail Gas and Fuel sales with a Convenience Store and a Car Wash and will now be expanded to include Commercial Parking spaces and include 2 additional pumps for the commercial vehicles.*"

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

ENGINEERING COMMENTS:

The proposed addition of two fueling positions at the existing gas station/convenience store and car wash facility is expected to generate 137 additional net daily trips, 9 additional net AM peak trips, and 10 additional net PM peak hour trips as compared to those of the existing facility on the site. Overall, the project is expected to generate 1,767 net daily, 123 net AM peak hour, and 125 net PM peak hour trips. The build out of the project is assumed to be by 2024.

The project meets Traffic Performance Standards since it will have an insignificant impact on the roadways.

The Property Owner shall convey right-of-way by deed for Wallis Road and the right-turn lane on Jog Road.

DRAINAGE DISTRICT: The overall development is located within the Lake Worth Drainage District and the South Florida Water Management District (SFWMD) C-51 Basin. The Applicant’s engineer states, *“The project is located in sub-basin 23 within the C-51 Canal Basin of the South Florida Water Management District.*

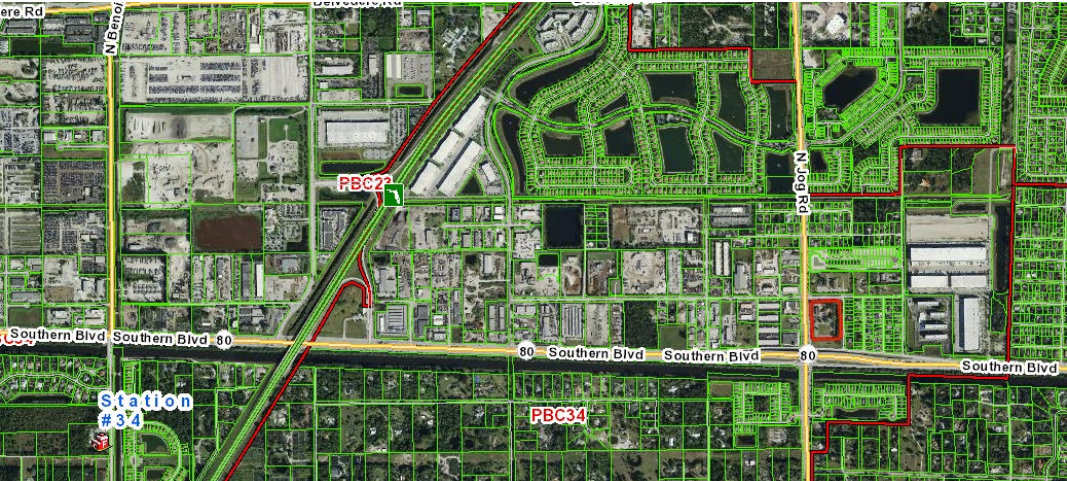
The proposed runoff will be collected via drainage inlets which will flow through a series of drainage pipes to the canal. Legal positive outfall is through the proposed control structure, a series of outfall drainage pipes which discharge to the SFWMD C-51 Basin. (Exhibit E) Prior to the issuance of any building permits, the Applicant must obtain applicable permits and approvals from the Districts.

WATER AND WASTEWATER PROVIDER:
The Water and Wastewater provider is Palm Beach County Water Utilities Department (PBC WUD). (Exhibit F) As stated in their letter service is available for water, wastewater and reclaimed water service are provided for this site. They have stated that capacity if available. Prior to the issuance of any building permits, the Applicant must obtain applicable permits and approvals from the PBC WUD.

SCHOOL IMPACTS:
The School Board has no comment regarding this non-residential application.

PARKS AND RECREATION: Non-residential project therefore, Park and Recreation ULDC requirements do not apply

FIRE PROTECTION:
Staff has reviewed this application and have no comment. The development is within the service boundary of Palm Beach County Fire Rescue Station 34.



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 that the proposed Development Order Amendment is necessary to add Commercial Vehicle Parking and additional pumps to meet market demands. As stated in the Applicant’s Justification Statement, *“The commercial corridor along North Southern Boulevard has changed over the last couple of decades and is now host to multiple commercial and industrial businesses which serve the Population of Palm Beach County. Many of the vehicles that provide those commercial and industrial services are large or carry trailers. The applicant’s request to provide diesel fueling positions provides an efficient location for those large vehicles to obtain fuel.”*

CONCLUSION: Staff has evaluated the standards listed under Article 2.B, and determined that there is a balance between the need for change and the potential impacts generated by the 7-Eleven, Inc. 40459 development. Therefore, Staff is recommending approval of the requests subject to Conditions of Approval as indicated in Exhibit C.

CONDITIONS OF APPROVAL

EXHIBIT C

Development Order Amendment

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2019-169, Control No.1979-00106, which currently states:

The approved Preliminary Site Plan is dated August 13, 2015. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING- Zoning)

Is hereby amended to read:

The approved Preliminary Site Plan is dated September 13, 2023. 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)

2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2008-0471 (Control 2002-00032), 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)

ARCHITECTURAL REVIEW

1. Gas station canopy design shall be consistent with the following standards:

- a. a maximum height of twenty-five (25) feet with a pitched roof. Roofs shall be peaked or hip on deck with a minimum slope of 4:12 and a maximum slope of 6:12. The fascia for any canopy may not exceed twenty percent (20%) of the overall roof height;
- b. the clearance of the canopy shall be a maximum of sixteen (16) feet, measured from finished grade to the underside of the canopy;
- c. all lighting for the gas station canopy shall be recessed; and,
- d. canopy signage shall be limited to a maximum of one (1) wall sign (recommend one and a maximum of 2 signs facing road frontages) sign per right-of-way frontage with a maximum height of eighteen (18) inches. (DRO: ARCHITECTURAL REVIEW- Zoning) (Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2015-1533, Control No.2002-00032)

BUILDING AND SITE DESIGN DESIGN

1. Prior to final approval by the Development Review Officer (DRO), the site plan shall be amended to indicate facilities for the provision of free air and water for customer convenience. (DRO: CODE ENF – Zoning) [Note: COMPLETED] (Previous BUILDING AND SITE DESIGN Condition 1 of Resolution R-2015-1533, Control No.2002-00032)

ENGINEERING

1. Prior to the issuance of a building permit the property owner shall convey to Palm Beach County Land Development Division by warranty deed additional right of way for the construction of a right turn lane on Jog Road at the project's entrance road.

This right-of-way shall be a minimum of 200 feet in storage length, twelve feet in width and a taper length of 50 feet or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and shall include "Corner Clips" where appropriate as determined by the County Engineer. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (BLDGPMT: MONITORING - Engineering) (Previous ENGINEERING Condition 1 of Resolution R-2015-1533, Control No.2002-00032)

2. The property owner shall convey to Palm Beach County Land Development Division by warranty deed for Wallis Road, 40 feet from centerline on or before June 15, 2003 or prior to the issuance of the first Building Permit whichever shall first occur. Right of way conveyance shall be along the projects entire frontage and shall be 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. Thoroughfare Plan Road right-of-way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include provisions for Expanded Intersection Details and "Corner Clips" at Wallis Road and

Sunbeam Avenue (BLDGPMT/DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2015-1533, Control No.2002-00032)

3. The Property owner shall construct:

- a. A left turn lane East Approach on Wallis Road at Jog Road;
- b. Right turn lane South Approach on Jog Road at Projects Entrance;
- c. Right turn lane west Approach on Wallis Road at Projects Entrance;
- d. Wallis road from Jog Road to the projects east property line.

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

Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2015-1533, Control No.2002-00032)

4. Construction of improvements listed in Condition E.3 above shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2015-1533, Control No.2002-00032)

5. Previous ENGINEERING Condition 5 of Resolution R-2015-1533, Control No.2002-00032, which currently states:

In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule:

- a. No Building Permits shall be issued until construction has begun for Southern Boulevard as an 8 lane section from State Road 7 to Congress Avenue plus the appropriate paved tapers. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]
- b. No Building Permits for the site may be issued after December 31, 2018. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Section 5.8 of the Unified Land Development Code. (BLDGPMT/DATE: MONITORING - Engineering)

Is hereby amended to read:

In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule:

- a. No Building Permits shall be issued until construction has begun for Southern Boulevard as an 8 lane section from State Road 7 to Congress Avenue plus the appropriate paved tapers. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]
- b. No Building Permits for the site may be issued after December 31, 2024, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Section 5.8 of the Unified Land Development Code. (DATE: MONITORING - Engineering)

6. Previous ENGINEERING Condition 6 of Resolution R-2015-1533, Control No.2002-00032, which currently states:

PROJECT SIGNALIZATION

- a. Prior to the issuance of any further Building Permits the developer shall provide acceptable surety in the form of a cash bond or escrow agreement to the Traffic Division in an amount as determined by the Director of the Traffic Division for the installation of a traffic signal at Jog Road and Wallis Road. (BLDG PERMIT: MONITORING - Eng)
- b. In order to request release of the surety for the traffic signal at Jog Road and Wallis Road, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at Jog Road and Wallis Road. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. (ONGOING: ENGINEERING - Engineering)

Is hereby amended to read:

The Property Owner shall fund the cost of signal installation, if warranted, as determined by the County Engineer at Wallis Rd and Jog Rd.. Signalization shall be a mast arm structure installation. The cost of

signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

a. Prior to the issuance of any additional building permit or any other permit related to the construction of the two additional fuel pumps or within 30 days of the request by the County Engineer in case when no such permit issuance are necessary, the Property Owner shall provide acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPMT/ONGOING: MONITORING - Engineering)

b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner. (ONGOING: ENGINEERING - Engineering)

7. Prior to issuance of a Building Permit the Developer shall plat the subject property in accordance with provisions of Article 8 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 7 of Resolution R-2015-1533, Control No.2002-00032)

8. Prior to DRC approval of the final site plan the property owner shall abandon the underlying Robert Street road right-of-way that falls within the Boundary of this site. (DRO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 8 of Resolution R-2015-1533, Control No.2002-00032)

9. The Property Owner agreed to a condition to design, install and perpetually maintain the median landscaping within the median of Jog Road. This landscaping shall strictly conform with the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program.

The landscaping was installed by FDOT with the modifications to Jog Road, and the County currently maintains the landscaping in conformance with its OTIS program along this project's frontage. This was completed prior to the Property Owner installing this landscaping and irrigation. The option for the Property Owner to install and maintain shall no longer be available without Board of County commissioners approval, and the Property Owner shall contribute to the County's beautification program as outlined in the second part of this condition, as follows :

a. Prior to the issuance of a building permit, the Property Owner shall make a contribution to the County's Only Trees, Irrigation and Sod (OTIS) unincorporated thoroughfare beautification program. This payment, for the County's installation of landscaping and irrigation on qualifying thoroughfares shall be based on the project's front footage length along Jog Road. The payment shall be in the amount and manner that complies with the schedule for such payments, as it currently exists or from time to time may be amended. (BLDGPMT: MONITORING - Engineering) (Previous ENGINEERING Condition 9 of Resolution R-2015-1533, Control No.2002-00032)

ENVIRONMENTAL

1. Prior to the final approval by the Development Review Officer, a Mitigation Planting Status Report shall be provided to ERM for review and approval. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. All mitigation plantings that are identified on the Vegetation Disposition Chart shall be revised to indicate the Department of Environmental Resources Management as the regulatory authority. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

LANDSCAPE-STANDARD

1. Fifty (50) percent of canopy trees to be planted in the landscape buffers shall be native and meet the following minimum standards at installation:

a. Tree height: Fourteen (14) feet;

b. Trunk diameter: 3.5 inches measured at 4.5 feet above grade;

c. Canopy diameter: Seven (7) feet diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of 3.5 feet in length; and

d. Credit may be given for existing or relocated trees provided they meet ULDC requirements. (BLDGPMT: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 1 of Resolution R-2008-471, Control No.2002-00032)

2. All palms required to be planted on site by this approval shall meet the following minimum standards at installation:

- a. Palm heights: twelve (12) feet clear trunk;
- b. Clusters: staggered heights twelve (12) to eighteen (18) feet; and
- c. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (BLDGPM: ZONING - Zoning) (Previous LANDSCAPE - STANDARD Condition 2 of Resolution R-2015-1533, Control No.2002-00032)

3. All shrub or hedge materials shall be planted in continuous masses and in a meandering and naturalistic pattern, consisting of a minimum of two (2) to three (3) varying heights.

Shrub materials shall be continuously maintained to achieve the following heights and hierarchical effect:

- a. Eighteen (18) to twenty-four (24) inches groundcover and small shrub;
- b. Twenty-four (24) to thirty-six (36) inches medium shrub;
- c. Forty-eight (48) to seventy-two (72) inches large shrub; and
- d. This condition shall not apply where a single row of shrubs is required along either side of a fence or wall. (BLDGPM: ZONING - Zoning) (Previous LANDSCAPE – STANDARD Condition 3 of Resolution R-2015-1533, Control No.2002- 00032)

4. All trees and palms shall be planted in a meandering and naturalistic pattern, excluding palm trees planted along either side of the project's main entrance from Jog Road. (BLDGPM: ZONING - Zoning) (Previous LANDSCAPE - STANDARD Condition 4 of Resolution R-2015-1533, Control No.2002-00032)

5. A group of three (3) or more palm or pine trees may not supersede the requirement for a canopy tree in that location, unless specified herein. (BLDGPM: ZONING -Zoning) (Previous LANDSCAPE-STANDARD Condition 5 of Resolution R-2015-1533, Control No.2002-00032)

6. Prior to final DRO approval, the petitioner shall meet with Landscape Section staff to ensure that the maximum amount of existing native vegetation is incorporated into the final site design. (DRO: ZONING-Zoning) [Note: COMPLETED] (Previous LANDSCAPESTANDARD Condition 6 of Resolution R-2008-471, Control No.2002-00032)

ZONING- LANDSCAPING-LANDSCAPING ALONG NORTH, SOUTH, EAST AND WEST PROPERTY LINES (FRONTAGES OF WALLIS ROAD, SOUTHERN BOULEVARD, SUNBEAM AVENUE AND JOG ROAD)

7. Landscaping and buffering along the north, south, east and west property lines shall be upgraded to include:

- a. A minimum twenty (20) foot wide landscape buffer strip. No width reduction shall be permitted. No easement encroachment shall be permitted along the south, east and west property lines;
- b. A continuous two (2) foot high berm measured from top of curb. Field adjustment of berm location may be permitted for transverse utility easements or to accommodate pedestrian walkways and/or existing vegetation;
- c. One (1) native canopy tree for each thirty (30) feet of the property line;
- d. One (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. Credit may be given for existing pine trees and existing/relocated palm trees;
- e. One (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
- f. One (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- g. One (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (BLDGPM/ONGOING: ZONING -Zoning) (Previous ZONING - LANDSCAPING Condition 7 of Resolution R-2015-1533, Control No.2002-00032)

LANDSCAPE -INTERIOR

8. Foundation planting or grade level planters shall be provided along the north, south and west facades of all structures to consist of the following:

- a. The minimum width of the required landscape areas shall be eight (8) feet;
- b. The length of the required landscaped areas shall be no less than forty (40%) percent of the total length of each side of the structure;
- c. Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear foot of building facade and appropriate ground cover; and
- d. This condition does not apply to the car wash building or the south side of the retail building. (BLDGPM/ONGOING: ZONING - Zoning) (Previous LANDSCAPE -INTERIOR Condition 8 of Resolution R-2015-1533, Control No.2002-00032)

9. Landscaping for terminal islands in the parking area shall consist of the following:

- a. One (1) canopy tree for each ten (10) linear feet of the island; and,

b. A continuous hedge between all trees within the islands where applicable. Shrub or hedge materials or groundcover shall be maintained at a maximum height of thirty (30) inches. (BLDGPMPT: ZONING- Zoning) (Previous LANDSCAPEINTERIOR Condition 9 of Resolution R-2015-1533, Control No.2002-00032)

10. A landscape buffer strip shall be provided along the western edge of the dry detention area and shall include the following:

- a. A minimum ten (10) foot wide landscape buffer strip;
- b. A six (6) foot high opaque concrete panel wall, the wall shall measure a minimum of five hundred and fifty (550) linear feet. The exterior side of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure;
- c. One (1) canopy tree, multi-trunk or flowering tree planted for each twenty (20) linear feet of the landscape buffer, alternating on both sides of the wall and shall be grouped in a naturalistic pattern;
- d. One (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, alternating on both sides of the wall and shall be grouped in a naturalistic pattern;
- e. One (1) small shrub for each two (2) linear feet of landscape buffer. Shrub shall be a minimum height of twenty-four (24) inches at installation, planted on both sides of the wall.
The row of shrubs located on the western side of the required wall shall be exempted from the naturalistic planting pattern. The row of shrubs located on the eastern side of the wall shall be planted pursuant to Landscaping - Interior Condition 10.g.;
- f. One (1) medium shrub for each four (4) linear feet of landscape buffer. Shrub shall be a minimum height of twenty-four (24) inches at installation, planted on the eastern side of the wall pursuant to Landscaping- Interior Condition 10.g.;
- g. Boulders shall be provided on both edges of the dry detention area to create a naturalistic pattern. Shrubs/groundcover and/or ornamental grasses shall be planted adjacent or in between the boulders; and
- h. Prior to final ORO approval of the site plan, the petitioner shall submit to the Landscape Review Section a planting plan showing the requirements pursuant to Landscaping - Interior Condition 10.a. to 10.g. (BLDGPMPT/ONGOING: ZONING - Zoning) (Previous LANDSCAPE -INTERIOR Condition 10 of Resolution R-2015-1533, Control No.2002-00032)

11. Landscaping in the divider median (approximately one hundred and eighty (180) linear feet in length) located between the carwash drive isle and the access driveway from Wallis Road shall consist of the following:

- a. One (1) native canopy tree, multi-trunk or flowering tree for each twenty (20) linear feet of divider median;
- b. One (1) shrub for each two (2) linear feet of divider median. Shrub shall be a minimum height of twenty-four (24) inches at installation; and shall be maintained at a maximum height of thirty (30) inches at maturity,
- c. Shrubs shall be exempted in areas where fire hydrants, light poles, and any above or underground utilities are located. (BLDGPMPT: ZONING - Zoning) (Previous LANDSCAPE - INTERIOR Condition 11 of Resolution R-2015-1533, Control No.2002-00032)

12. Landscaping in the divider median (approximately one hundred and forty (140) linear feet in length) located adjacent to the queuing lane of the fast-food restaurant shall consist of the following:

- a. One (1) native canopy tree, multi-trunk or flowering tree for each twenty (20) linear feet of divider median;
- b. One (1) shrub for each two (2) linear feet of divider median. Shrub shall be a minimum height of twenty-four (24) inches at installation; and shall be maintained at a maximum height of thirty (30) inches at maturity,
- c. Shrubs shall be exempted in areas where fire hydrants, light poles, and any above or underground utilities are located. (BLDGPMPT: ZONING - Zoning) (Previous LANDSCAPE - INTERIOR Condition 12 of Resolution R-2015-1533, Control No.2002-00032)

13. A total of six (6) trees, three (3) palms, and three (3) green button wood) are to be relocated on site in locations approved by the Landscape Section. (BLDGPMPT: ZONING-Zoning) (Previous LANDSCAPE - INTERIOR Condition 13 of Resolution R-2015-1533, Control No.2002-00032)

LIGHTING

1. All outdoor, freestanding lighting fixtures be setback ninety (90) feet from the east property line. (ONGOING: BUILDING DIVISION- Zoning) (Previous LIGHTING Condition 1 of Resolution R-2015-1533, Control No.2002-00032)

2. All outdoor lighting shall be extinguished one-half hour after business hours, excluding security lighting only. (ONGOING: CODE ENF- Zoning) (Previous LIGHTING Condition 2 of Resolution R-2015-1533, Control No.2002-00032)

PALM TRAN

1. The location of an easement for a Bus Stop Boarding and Alighting Area, subject to the approval of Palm Tran shall be shown on the Master Plan and/or site plan prior to final approval of the Development Review Officer (ORO). The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. (DRO: PALM TRAN- Palm Tran) [Note: COMPLETED] (Previous PALM TRAN Condition 1 of Resolution R-2015-1533, Control No.2002-00032)

2. Prior to Plat Recordation, the property owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not limited to a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran is required. (PLAT: ENGINEERING - Palm Tran) [Note: COMPLETED] (Previous PALM TRAN Condition 2 of Resolution R-2015-1533, Control No.2002-00032)

PLANNING

1. Per SCA 2002-011, ORD 2003-003: the easternmost seventy-five (75) feet of the site shall be cross-hatched. Parking shall be prohibited in the cross-hatched area. There shall be no commercial intensity and/or square footage associated with the cross-hatched area. (ONGOING: PLANNING - Planning) (Previous PLANNING Condition 1 of Resolution R-2015-1533, Control No.2002-00032)

SIGNS

1. Freestanding signs shall be limited as follows:

- a. Maximum sign height: ten (10) (southwest sign) and fifteen (15) feet (northwest sign);
- b. Maximum total sign face area per sign: one-hundred (100) square feet;
- c. Maximum number of signs: two (2);
- d. Location: Jog Road frontage only;
- e. Style: monument; and
- f. Signs shall be limited to tenant identification only, with exception to any state requirements for gas station advertising. (BUILDING PERMIT: BUILDING DIVISION- Zoning) (Previous SIGNS Condition 1 of Resolution R-2015-1533, Control No.2002-00032)

2. Wall signs shall be limited to the west facade of the convenience store. Individual lettering size shall be limited to twenty-four (24) inches high. Wall signs shall be limited to tenant identification only. (BUILDING PERMIT: BUILDING DIVISION- Zoning) (Previous SIGNS Condition 2 of Resolution R-2015-1533, Control No.2002-00032)

3. Signs on Gas Canopy shall be limited to the south and west sides of the canopy. Lettering size shall be limited to twenty-four (24) inches high. Canopy signs shall be limited to identification of tenants only. (BLDG PERMIT: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 3 of Resolution R-2015-1533, Control No.2002-00032)

USE LIMITATIONS

1. Previous USE LIMITATIONS Condition 1 of Resolution R-2015-1533, Control No.2002-00032 which currently states:

Gasoline sales shall be limited to a maximum of eight (8) pumps (16 fueling stations).

Is hereby amended to read:

Gasoline sales shall be limited to a maximum of ten pumps and 18 fueling positions. (ONGOING: ZONING- Zoning)

2. No outdoor retail business activities shall be allowed on site, except for deliveries for all uses and gasoline sales. (ONGOING: CODE ENF- Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2015-1533, Control No.2002-00032)

3. Storage or placement of any material, refuse, equipment or debris shall not be permitted in the rear of the facility. (ONGOING: CODE ENF- Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2015-1533, Control No.2002-00032)

4. Outdoor speaker or public address systems which are audible from any property line shall not be permitted on site. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 4 of Resolution R-2015-1533, Control No.2002-00032)

5. Overnight parking of delivery vehicles or trucks shall not be permitted. (ONGOING: CODE ENF- Zoning) (Previous USE LIMITATIONS Condition 5 of Resolution R-2015-1533, Control No.2002-00032)

6. The storage of rental trucks/trailers or outside vendors shall not be permitted on the property. (ONGOING: CODE ENF- Zoning) (Previous USE LIMITATIONS Condition 6 of Resolution R-2015-1533, Control No.2002-00032)

7. There shall be no overnight parking of Commercial Vehicles. (ONGOING: CODE ENF - Zoning)

COMPLIANCE

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

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

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

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

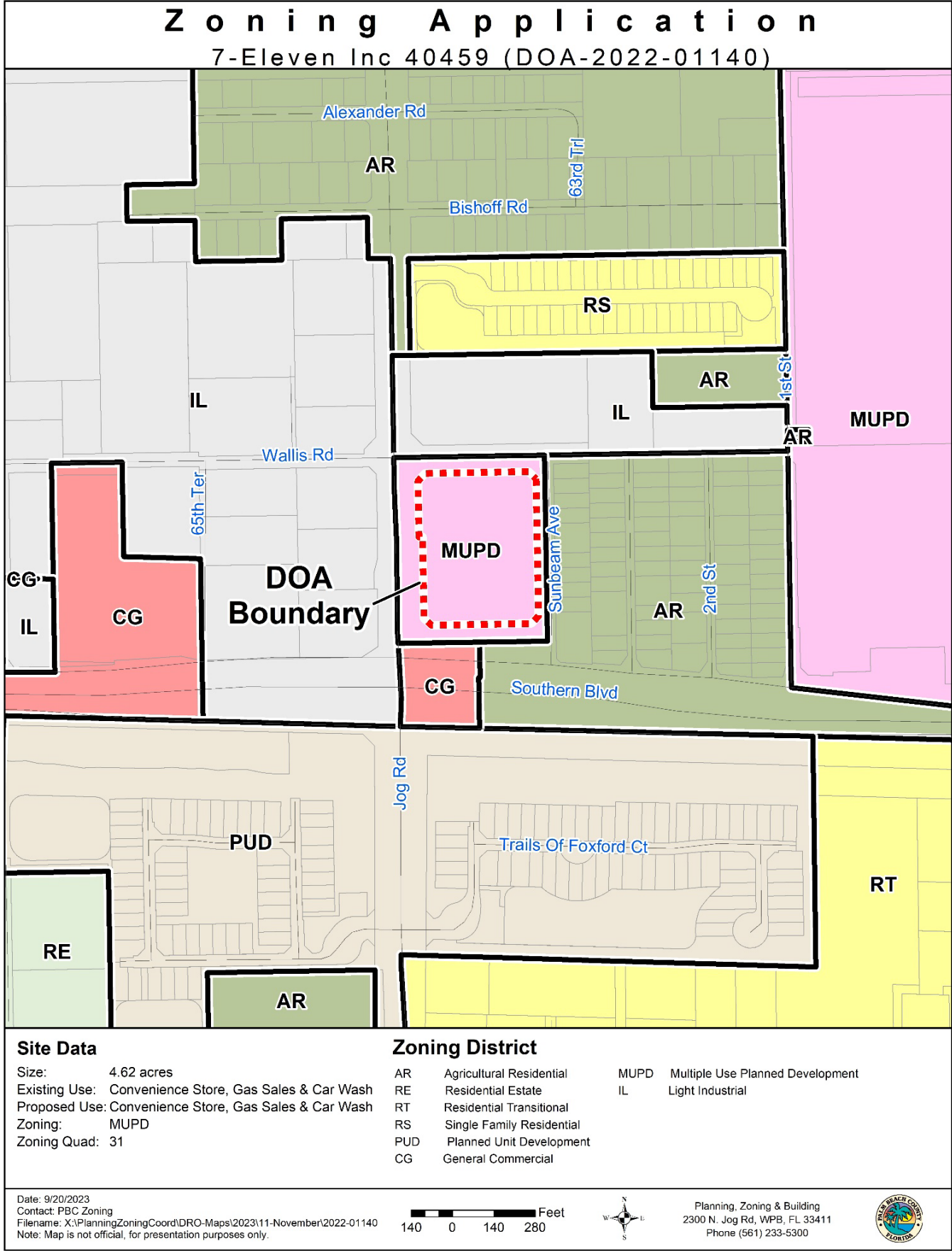
DISCLOSURE

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

Figure 1 - Land Use Map



Figure 2 - Zoning Map



Zoning Commission

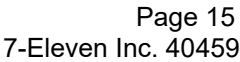
Application No. DOA-2022-01140

November 2, 2023

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7-Eleven Inc. 40459

Zoning Commission
Application No. DOA-2022-01140

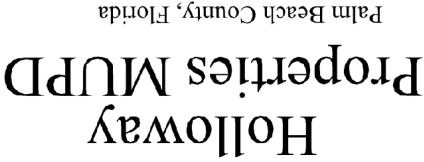


Zoning Commission
Application No. DOA-2022-01140





Ton E. Schmidt and Associates
 Ecological Architecture & Site Planning
 7742 Van Borch: Lakes West - Suite 131
 San Francisco, CA 94133
 Tel: (415) 684-6141 Fax: (415) 684-6142
 E-mail: ton@tonschmidt.com
 License No.: LC24600232



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7-Eleven Inc. 40459

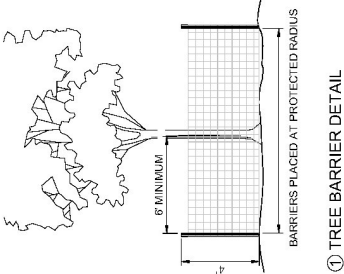
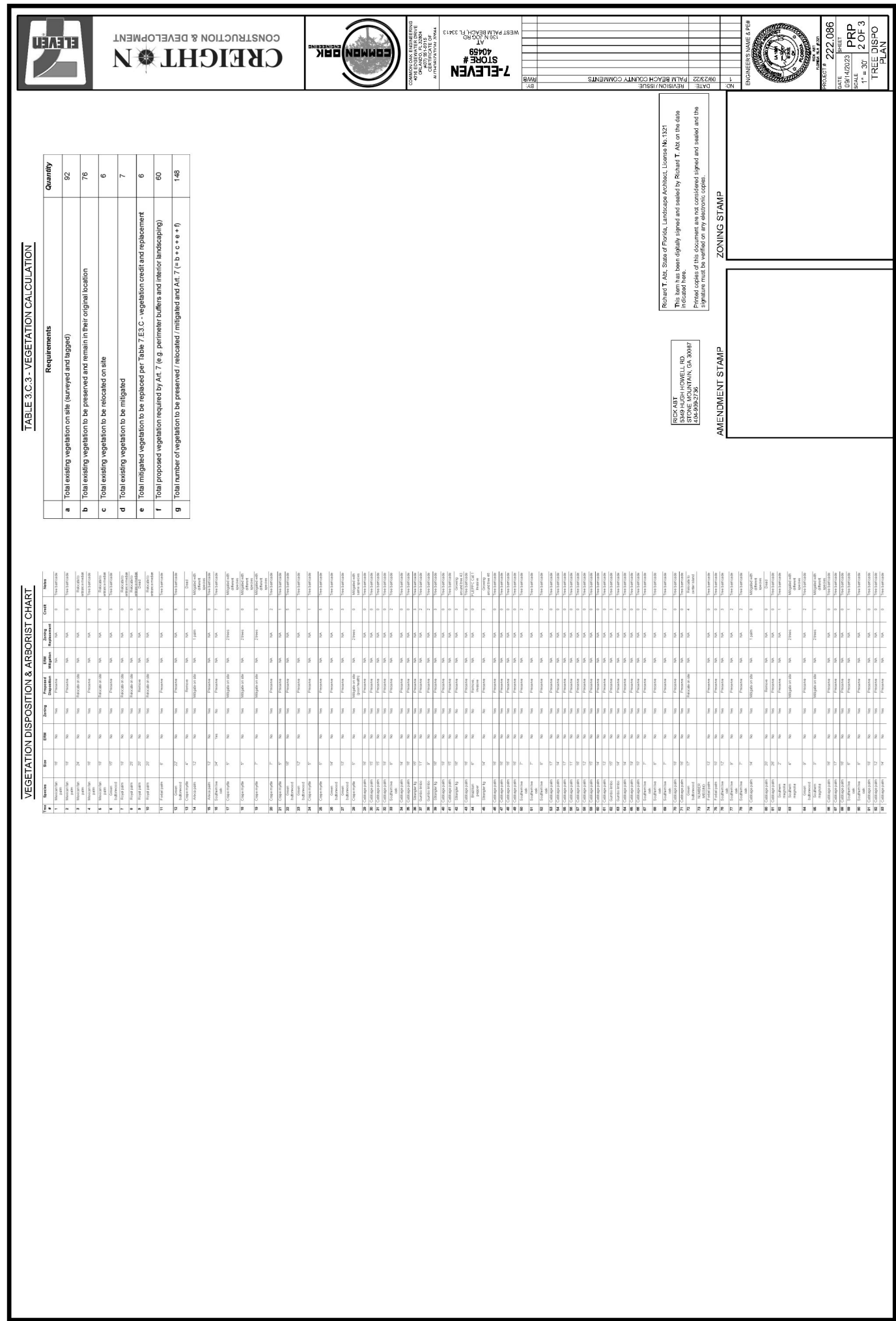


Figure 6 – Preliminary Regulating Plan dated 9/13/2023 (Page 2 of 3)



Zoning Commission
Application No. DOA-2022-01140



Exhibit D – Disclosure of Ownership - Applicant

PALM BEACH COUNTY - ZONING DIVISION

FORM # 8

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

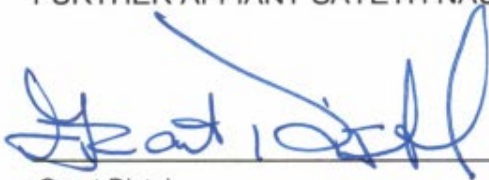
[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Grant Distel, 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 [] Sr. Development Director [position—e.g., president, partner, trustee] of 7-Eleven, Inc. [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
- 2. Affiant's address is: 3200 Hackberry Road
Irving, TX 75063
- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- 6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
- 7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.



Grant Distel, 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 10 day of November, 2022 by
Grant Distel (name of person acknowledging). He/she is personally
known to me or has produced _____ (type of identification) as
identification and did/did not take an oath (circle correct response).

Kelli J. Frost

(Name - type, stamp or print clearly)



(Signature)

My Commission Expires on: 2/26/2024

NOTARY'S SEAL OR STAMP



EXHIBIT "A"
PROPERTY



EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

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

Name

Address

Not applicable. 7-Eleven, Inc. is a publicly traded company on the Tokyo Stock Exchange.

Please see attached Disclosure of Interest document which identifies 7-Eleven's corporate structure.

Disclosure of Beneficial Interest - Applicant form
Form # 8

Page 4 of 4

Revised 12/27/2019
Web Format 2011



7-Eleven, Inc.

Disclosure of Interest

February 24, 2016

TO WHOM IT MAY CONCERN:

7-Eleven, Inc. (the "Company") is a Texas corporation, incorporated in 1961. The Company does business under the names "7-Eleven, Inc." and "7-Eleven", and maintains its principal place of business at 3200 Hackberry Road, Irving, Texas 75063. The Company was formerly known as The Southland Corporation and changed its name to 7-Eleven, Inc. on April 28, 1999.

The Company's direct parent is SEJ Asset Management & Investment Company ("SAM"), a Delaware corporation formed in 2012, with its principal place of business at 1209 Orange St., Wilmington, DE 19801. SAM is wholly controlled by Seven-Eleven Japan Co., Ltd. ("Seven-Eleven Japan"). Seven-Eleven Japan is a Japanese corporation formed in 1973, with its principal place of business at 8-8, Nibancho, Chiyoda-ku, Tokyo 102-8452, Japan. Seven-Eleven Japan is a wholly owned subsidiary of Seven and i Holdings Co. Ltd., whose stock is publicly traded on the Tokyo Stock Exchange.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Donald Stevenson, Jr.', is written over a horizontal line.

J. Donald Stevenson, Jr.
Assistant Secretary
7-Eleven, Inc.

3200 Hackberry Road | Irving, TX 75063 • Mailing Address: P. O. Box 711 | Dallas, TX 75221-0711
Main Phone Number: (214) 828-7011

Exhibit E – Disclosure of Ownership – Property Owner

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 Grant Distel, 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 [] Sr. Development Director [position - e.g., president, partner, trustee] of 7-Eleven, Inc. [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
- 2. Affiant's address is: 3200 Hackberry Road
Irving, TX 75063
- 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.



Grant Distel, 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 10 day of November, 2022 by Grant Distel (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Kelli J. Frost
(Name - type, stamp or print clearly)


(Signature)

My Commission Expires on: 2/26/2024

NOTARY'S SEAL OR STAMP

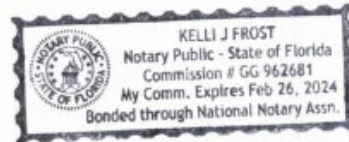


EXHIBIT "A"
PROPERTY



EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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

Name	Address
Not applicable. 7-Eleven, Inc. is a publicly traded company on the Tokyo Stock Exchange.	
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7-Eleven, Inc.

Disclosure of Interest

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Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Donald Stevenson, Jr.', is written over a horizontal line.

J. Donald Stevenson, Jr.
Assistant Secretary
7-Eleven, Inc.

3200 Hackberry Road | Irving, TX 75063 • Mailing Address: P. O. Box 711 | Dallas, TX 75221-0711
Main Phone Number: (214) 828-7011

Drainage Calculations

Project:
7-11 at
130 N Jog Rd, West Palm Beach, FL 33413

Prepared for:
Creighton Construction & Management, LLC
2240 West First Street, Suite 101
Fort Myers, FL 33901

Calculations performed:
July 20,2022

Prepared by:



4016 Edgewater Drive
Orlando, FL 32804
(407) 951-5915

Jeremy R. Anderson, State of Florida, Professional Engineer, License No. 71636
This item has been digitally signed and sealed by Jeremy R. Anderson on the date indicated here.
Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Jeremy
Anderson, P.E. Digitally signed by
Jeremy Anderson, P.E.
Date: 2022.07.20
10:29:42 -04'00'

Jeremy R. Anderson, P.E.
License No. 71636
Common Oak Engineering No. 222.086
Certificate of Authorization No. 32644

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 - a. Project Location
 - b. Existing SFWMD ERP Number
 - c. Stormwater System Description
 - d. Permitted Project Areas
 - e. Permitted Project Elevations
 - f. FEMA FIRM
- 2. Proposed Conditions**
 - a. Narrative
 - b. Proposed Land Use Table
 - c. Permitted and Proposed Land Use Areas Comparison Table
 - d. Conclusion
- 3. Appendix**
 - a. Location Map
 - b. FEMA FIRM
 - c. Stormwater Calculations Associated with ERP 50-07880-P

Common Oak Engineering, LLC
4016 Edgewater Dr, Orlando, FL 32804
Tel: (407) 951-5915

1. Existing Conditions

Project Location

The subject property is a developed 7-11 convenience store with a car wash and 18 MPD fuelling canopy, comprising approximately +4.62 acres in size. The address is 130 N Jog Rd, West Palm Beach, FL 33413, and the property is located on the north side of Joseph Street and east of N Jog Road. The property is located in Section 34, Township 43 South, Range 42 East, Palm Beach County, Florida.

Existing SFWMD ERP Number

The existing stormwater drainage system has been designed and put into operation with SFWMD under ERP 50-07860-P.

Stormwater System Description

The project is located within the Eastern C-5 1 basin and was permitted for a 12,480 sf general retail store and a gas station with support facilities including a dry detention basin and drainage outfall to Jog Road drainage system. The operating stormwater management system consists of catch basins which convey the water through the on-site S.W.M. system to the dry detention pond.

Permitted Project Areas

Permitted Impervious Areas		
Description	Area (ac)	Area (sf)
Buildings	0.405	17,642
Paved Areas	2.083	90,735
Sidewalks	0.101	4,400
Total Impervious	2.591	112,864

Table 1

Permitted Pervious Areas		
Description	Area (ac)	Area (sf)
Dry Detention	0.651	28,358
Open Space	1.423	61,986
Total Pervious	2.074	90,343

Table 2

Total Site Area: 4.665 ac

Permitted Project Elevations

Based on the 2007 ERP 50-07860-P, the project was permitted to re-grade the site to provide dry detention between elevations 13.50 to 20.00 in designated areas and to construct building

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Tel: (407) 951-5915

pads, drive aisles and parking between elevations 18.75 and 20.90 N.G.V.D. as detailed in the permitted Grading and Drainage Plan. The buildings associated with this ERP included a 12,460 sf general retail store and the existing 4,000 sf convenience store and 998 sf car wash, with supporting facilities.

Average Site Elevation: 18.25 to 18.42 ft. NGVD

Groundwater Elevation: 9.84 ft. NGVD

FEMA FIRM

According to FEMA, the site is located within Flood Zone X which is an area of minimum flood hazard and Flood Zone AE which is an area subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. The flood map became effective on October 5, 2017. A copy of the FEMA map can be referenced in the "Appendix" section of this report.

2. Proposed Conditions

Narrative

The proposed modifications to the permitted conditions include the replacement of the 12,460 sf commercial retail store and parking with two (2) Commercial Fueling Lanes, five (5) commercial truck parking stalls and associated modifications to the paved areas. There are no impacts proposed to the existing landscape buffers and there are no impacts proposed to the existing dry detention pond.

Proposed Land Use Table

Proposed Land Use Table			
	Proposed		
	Area (sf)	Area (ac)	Percentage
Site	201,159	4.62	100%
Buildings	4,000	0.09	1.99%
Car Wash	998	0.02	0.50%
Pavement, loading, sidewalks	105,593	2.42	52.49%
Impervious (Does not include Pond)	110,581	2.54	54.98%
Pervious	90,568	2.08	45.02%
Total	201,159	4.62	100.00%

Table 3

Permitted and Proposed Land Use Areas Comparison Table

Land Use Table Comparison

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ERP 50-07880-R Permitted Areas		
Total Impervious	2.591	112,884
Total Pervious	2.074	90,343
Total Areas	4.665	203,207
Proposed Areas		
Total Impervious	2.539	110,591
Total Pervious	2.079	90,568
Total Areas	4.618	201,159
Difference between Proposed and Permitted Areas (Proposed minus Permitted)		
Total Impervious	-0.052	-2,273
Total Pervious	0.005	225
Total Areas	-0.047	-2,048

Table 4

Conclusion

The results of the Land Use Table Comparison demonstrate the proposed Commercial Fuelling modification to the site produces a reduction in the Impervious surfaces and an associated increase in the pervious surfaces.

There is a discrepancy between the total site area, which is that the current boundary is approximately 2,048 sf smaller than the previously ERP permitted boundary. We analyzed the areas associated with the ERP Permit 50-07880-P and found this discrepancy appears to be in the dry pond area; however, even if we assigned this 2,048 sf area discrepancy as 100% Impervious, the calculations demonstrate a reduction in Impervious surfaces.

After comparing the permitted areas with the areas associated with the requested amendment, the calculations demonstrate a reduction in Impervious surfaces. There are no changes associated with the existing and permitted dry pond, and there are no changes proposed to the existing stormwater outfall. Additionally, the changes to the elevations of the average paved surfaces will be in compliance with the permitted conditions; therefore, the contents of this report demonstrate compliance with the permitted conditions of the stormwater system.

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3. Appendix

a. Location Map



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b. FEMA



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Exhibit F –Water and Wastewater letter from PBCWUD dated October 16, 2023



**Water Utilities Department
Engineering**
8100 Forest Hill Blvd.
West Palm Beach, FL 33413
(561) 493-6000
Fax: (561) 493-6085
www.pbcwater.com

**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor

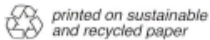
Maria G. Marino
Michael A. Barnett
Marci Woodward

Sara Baxter
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*



*printed on sustainable
and recycled paper*

October 16, 2023

Re: Service Availability
7-Eleven
PCN 00424334080010000
DOA- 2022-1140

To Whom It May Concern,

This is to confirm that Palm Beach County Water Utilities Department (PBCWUD) is the potable water, wastewater and reclaimed water service provider for the referenced property. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity for the proposed modifications to the existing site.

The property is currently connected to potable water and sanitary sewer.

If you have any questions, please give me a call at (561)493-6116.
Sincerely,

A handwritten signature in blue ink, appearing to read "Jackie Michels".

Jackie Michels, P.E.
Project Manager