

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

**Application No.:** DOA-2020-01546  
**Application Name:** AutoZone Pinewood Square  
**Control No./Name:** 1986-00008 (Pinewood Square)  
**Applicant:** Pinewood Palm Beach Retail LLC.  
**Owners:** Barnett Bank Palm Beach County  
 Mcdonalds Restaurants  
**Agent:** Insite Studio - Brian Terry & Camille Swanson  
**Telephone No.:** (561) 249-0940  
**Project Manager:** Brenya Martinez, Site Planner II

**TITLE:** a Development Order Amendment **REQUEST:** to modify the Site Plan; add square footage; and, modify Conditions of Approval.

**APPLICATION SUMMARY:** Proposed is a Development Order Amendment (DOA) for the AutoZone at Pinewood Square development. The 28.39-acre site was last approved by the BCC on June 26, 2014, for a DOA to modify the Site Plan and add a Requested Use in the MUPD Zoning District; and, a Requested Use to allow a Medical Center.

The Applicant is requesting a DOA to modify the approved Site Plan by removing the existing 2,750 sq. ft. Financial Institution with Drive-Through within Parcel 4. Furthermore, the request would allow the development of a single-story, 6,815 sq. ft. building for Retail uses (Building G). The Preliminary Site Plan (PSP) indicates a total of 18 proposed parking spaces for the Retail Use (AutoZone). In addition, nine existing surplus parking spaces from the overall development are intended to be utilized for the proposed Retail Use for a total of 27 required parking spaces.

The overall commercial development includes 11 buildings, consisting of 206,084 sq. ft. total Gross Floor Area (+4,065 sq. ft.). No further modifications are currently proposed for the remainder commercial buildings. Three access points along Lantana Road and two access points on Jog Road, are proposed to remain.

**SITE DATA:**

Location:	Southeast corner of Lantana Road and Jog Road.
Property Control Number(s):	Overall Site Area: 00-42-44-39-00-039-0024; 00-42-44-39-02-001-0000; 00-42-44-39-02-002-0000; 00-42-44-39-02-003-0000; 00-42-44-39-02-005-0000; 00-42-44-39-02-007-0000; 00-42-44-39-02-006-0000; 00-42-44-39-02-008-0000; 00-42-44-39-05-001-0000 Affected Area: 00-42-44-39-02-004-0000
Existing Future Land Use Designation:	Commercial High (CH)
Proposed Future Land Use Designation:	No Change
Existing Zoning District:	Multiple Use Planned Development District (MUPD)
Proposed Zoning District:	No Change
Total Acreage:	28.39 acres
Affected Acreage:	0.62 acres
Tier:	Urban/Suburban
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile	Greenacres
Future Annexation Area	Lantana

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

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

**PROJECT HISTORY:**

The 28.39-acre commercial site was first approved by the Board of County Commissioners (BCC) on January 30, 1986 for a rezoning from Agricultural Residential (AR) to the General Commercial (CG) Zoning District, with a Special Exception to allow a Planned Commercial Development. This included a large scale community shopping center in excess of 50,000 square feet (sq. ft.) of total floor area, gasoline pump island facilities and a Financial Institution with 5 drive-up teller windows. The following table indicates a summary of the approval history below:

Application No.	Request	Resolution	Approval Date
PDD-1986-00008	Rezoning from Agricultural Residential (AR) to the General Commercial (CG) Zoning District	R-1986-0573-22	January 30, 1986
	To allow a Special Exception to allow a Planned Commercial Development (PCD); Including a Large Scale Community Shopping Center in excess of 50,000 square feet (sq. ft.) of total floor area, Gasoline Pump Island Facilities and a Financial Institution with 5 drive-up teller windows.	R-1986-0573-23	January 30, 1986
SE-1986-00008 (A)	a Special Exception to amend the site Plan previously approved under Zoning Petition No. 86-8 on January 30, 1986 allow a Planned Commercial Development (PCD); Including a Large Scale Community Shopping Center in excess of 50,000 square feet (sq. ft.) of total floor area, Gasoline Pump Island Facilities and a Financial Institution with 5 drive-up teller windows; To include a Car Wash.	R-1988-1187	August 9, 1988
Z/SE-1986-00008 (C)	a Rezoning from AR-Agricultural Residential zoning district, in part, and GC-General Commercial Zoning District, in part, to entirely GC-General Commercial Zoning District	R-1990-0838	May 22, 1990
	For a special exception to amend the site plan for an existing planned commercial development to (1) increase the land area, (2) permit an auto service station (tire center), and (3) a financial institution with five (5) drive-up teller windows	R-1990-0839	May 22, 1990
DOA-1986-00008 (D)	Approved a Requested Use allowing a communication tower, commercial in the General Commercial (CG) Zoning District.	R-1994-1087	August 25, 1994
DOA-1986-00008 (E)	For a Development Order Amendment/Expedited Application Consideration (DOA/EAC) to modify/delete conditions of approval	R-2000-1709	October 26,2000,
DOA/R-2005-00774	Approved a DOA to add Square footage for an approved Special Exception (SE) for a Planned Commercial Development. (PCD).	R-2006-1190	June 22, 2006
DOA/R-2005-	Approved a Requested Use to allow a	R-2006-1191	June 22, 2006

00774	Type I Restaurant in the Multiple Use Planned Development Zoning District.		
ZV-2007-00737	Approved a Type 2 Variance to allow a reduction of an Incompatibility Buffer Width, to allow easements overlapping landscape buffers, to allow the reduction of the R-O-W Buffer widths, to allow a reduction of the requirement for 10% parking to be located at the rear or side of a building, and to allow a reduction of the number of divider medians for every 3 rows of parking.	ZR-2008-0006	January 24, 2008
	Approved a DOA to add sq. ft. and reconfigure the Site Plan.	R-2008-0126	January 24, 2008
DOA-2008-00801	Approval of a DOA to a Development Order Amendment to reconfigure the site plan, add square footage and change uses (auto service station with car wash to financial institution).	R-2008-1697	September 29, 2008
	Resolution correcting Exhibit C of Resolution R-2008-1697.	R-2009-0016	January 8, 2009
PDD/DOA/R-2011-00623	Approval of a Requested Use to allow an Indoor Entertainment Use in the MUPD Zoning District.	R-2011-1118	July 28, 2011
	Approval of an Official Zoning Amendment to a Planned Development District to allow a rezoning from the General Commercial (CG) to the Multiple Use Planned Development District (MUPD).	R-2011-1116	July 28, 2011
	Approval of a DOA to reconfigure the Site Plan and allow a requested use in the MUPD Zoning District.	R-2011-1117	July 28, 2011
ZV/DOA/R-2014-00285	Approval of a Type 2 Variance to allow business activity to be 24 hours a day within 250 feet of a residential zoning district.	ZR-2014-0028	June 5, 2014
	Approval of a Requested Use to allow a Medical Center.	R-2014-0879	June 26, 2014
	Approval of a DOA to modify the Site Plan and add a Requested Use in the Multiple Use Planned Unit Development (MUPD) Zoning District.	R-2014-0878	June 26, 2014

**SURROUNDING LAND USES:**

**NORTH: (Across Lantana Road)**

FLU Designation: Commercial High, 5 units per acre (CH/5)  
Zoning District: Multiple Use Planned Development (MUPD)  
Supporting: Commercial (Lee Square, Control No. 1981-00186)

**NORTH-EAST: (Across Lantana Road)**

FLU Designation: Medium Residential, 5 units per acre (MR-5)  
Zoning District: Single-Family Residential (RS)  
Supporting: Residential (Concept Homes of Lantana PUD, Control No. 1979-00286)

**SOUTH:**

FLU Designation: Low Residential, 3 units per acre (LR-3)  
Zoning District: Single-Family Residential (RS)  
Supporting: Residential (Winston Trails PUD, Control No. 1987-00112)

**EAST:**

FLU Designation: Medium Residential, 5 units per acre (MR-5)  
Zoning District: Single-Family Residential (RS)  
Supporting: Residential (Strawberry Lakes, Control No. 1985-00045)

**WEST: (Across S Jog Road)**

FLU Designation: Commercial High, 8 units per acre (CH/8)  
Zoning District: General Commercial (CG)  
Supporting: Commercial (Lantana Square Shopping Center, Control No. 1980-00089)

**FINDINGS:**

Conditional Uses and Development Order Amendments: When considering a Development Order application for a Development Order Amendment, the BCC and ZC shall consider Standards a – h listed in ULDC Article 2.B.7.B.2, Standards. The Standards and Staff Analyses are indicated below. A 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*

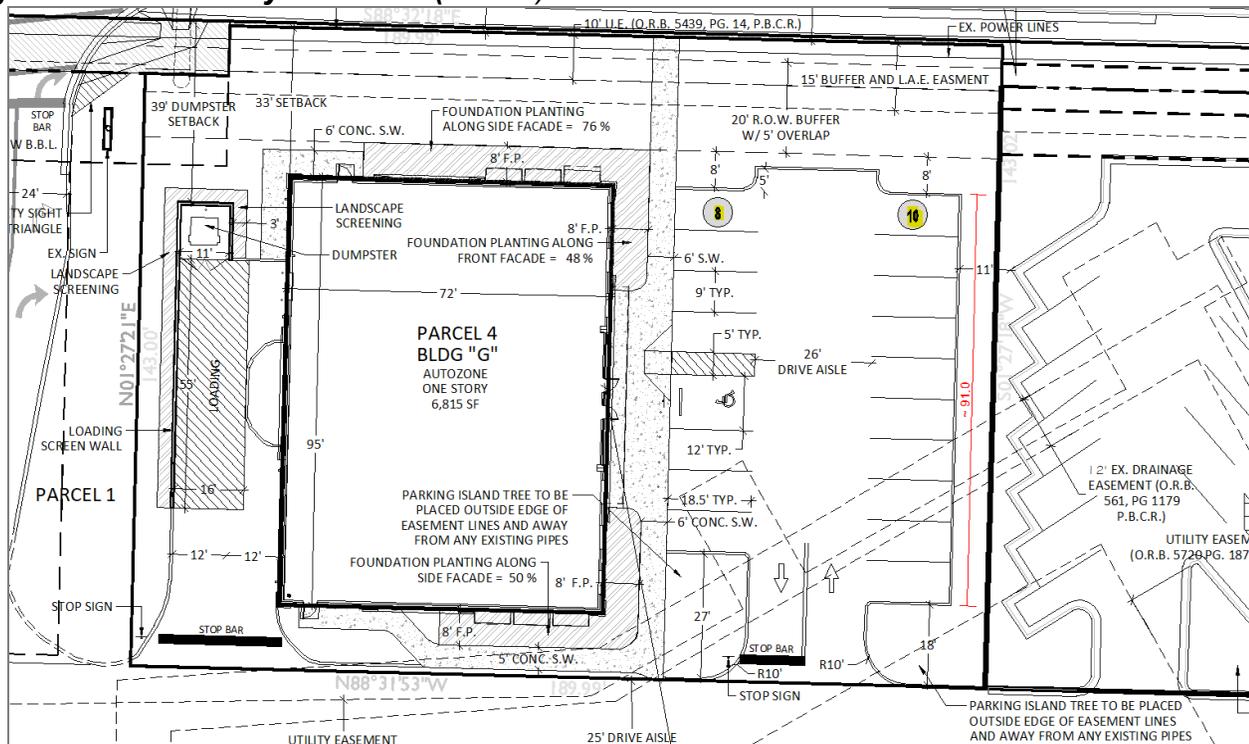
PLANNING DIVISION COMMENTS:

- o *Consistency with the Comprehensive Plan:* The proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- o *Prior Land Use Amendments:* The site was the subject of a previous County Initiated Large Scale Future Land Use amendment known as Pinewood Square (01-82 COM 2), adopted without conditions via Ord 2001-88, which amended the land use from CH/5 to CH.
- o *Intensity:* The maximum Floor Area Ratio (FAR) of .85 is permitted for the CH Future Land Use designation in the Urban Suburban Tier (1,236,668.4 square feet or 28.39 acres x .85 maximum FAR = 1,051,168 square feet maximum). The request for a total of 208,600 square feet equates to a FAR of approximately 0.17 (208,600/1,236,668.4 square feet or 28.39 acres = 0.168).
- o *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The site is not located within any neighborhood plans, overlays or plan study areas as identified in the Comprehensive Plan.
- b. **Consistency with the Code** - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*
  - o *Property Development Regulations (PDRs):* The subject site meets the minimum PDRs for a property within the MUPD Zoning District. The overall site exceeds the minimum 5-acre size requirement (28.39-acres), as well as the minimum 300 ft. frontage (1,432.40 ft. provided) and 300 ft. in depth (±897.16 ft. provided). Further, the proposed building will exceed the minimum setback requirements for structures within the MUPD Zoning District.
  - o *Architectural Review:* The Applicant has requested to obtain architectural review approval at time of application for Building Permits for the proposed structure. No Architectural elevations have been provided at this time.
  - o *Non-Conformities:* The commercial development has been previously reviewed for compliance with an earlier version of the ULDC. As a result, the Site Plan indicates non-conforming site elements outside of the affected area related to landscape buffers, landscape islands and easements (see

Figure 4, PSP, Existing Non-Conformities Chart). Any approved site element(s) outside of the affected area are considered vested per Article 1.F.

- **Landscaping & Buffering:** The PSP indicates a proposed 20 ft. R-O-W Buffer with a five feet overlap fronting Lantana Road, which is consistent Art. 7.C.2.A – R-O-W Buffer Landscape Requirements (See Figure A below) within the limits of the affected area.

**Figure A: Preliminary Site Plan (PSP-2)**



Per Table 7.C.3.B, Foundation Planting and Dimensional Requirements, a minimum of 40% is proposed toward the north frontage, east and south building facades (sides), with a minimum of 8 ft. wide Foundation Planting towards the proposed Building G.

- **Loading:** The proposed Loading Zone shall adhere to Article 6.E.4.A.3.b.1.b, Loading Area Screening requirements including loading areas visible from a street R-O-W. The Code requires that loading areas shall be screened from view with a 12 ft. high wall along the north and west side of the proposed Loading Space (As shown on Figure A above). Staff is recommending a Condition of Approval prior to final approval to modify the Site Plan to identify a 12-foot wall along the west and north side of the loading area for Parcel 4 (Building G), with foundation plantings being provided for the entirety of the walled loading zone area, at a minimum of eight feet in width.
- **Hours of Operation:** Per Table 5.E – Hours of Operation, commercial uses are limited from 6 a.m. to 11:00 p.m. Per Article 5.E.5.A, Proximity to Residential, the proposed Building G development exceeds the 250 ft. of Residential FLU or Use by approximately 412 feet from the affected area. The code requires that any non-residential use comply with the hours of operation and per the Applicant, no changes are proposed to the code required hours of operation.

○ **Signage:** The Applicant submitted a revised Preliminary Master Sign Plan (PMSP) indicating wall sign allowance for the proposed building in accordance with Table 8.G.1.A, Wall Sign Standards. No changes are proposed to any other existing signage throughout the site.

○ **Parking:** The affected area provides for a total of 18 parking spaces. The proposed use requires a total of 27 parking spaces. As indicated on PSP-2, 9 parking spaces (which are surplus spaces for the overall MUPD) to the south of the proposed building, shall be utilized to meet Code requirements for parking for Building G. The ULDC requires spaces to be located with 600 ft. of the use they intend to serve, per Art. 1.C.4.B, Distance to a Specific Site Element (Parking Space). As identified on the plan, the furthest space is located 190 ft. from the affected area. Overall, the PSP indicates a total of 886 parking spaces to serve the 11 buildings for the MUPD.

○ *Type 2 Variances:* The subject site has had a total of nine (9) previous variances through prior applications ZV/DOA-2007-737 and ZV/DOA-2014-00285. These variances do not apply to the affected area. A list of all variances are provided for on PSP-1 (See Figure 4).

**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 request is to expand the commercial uses within the existing MUPD by developing a 6,815 sq. ft. of retail in place of the previously approved 2,750 sq. ft. Financial Institution. To the north of the proposed development is the Lee Square MUPD (Control No. 1981-00186), which provides for a mix of commercial and residential uses. As previously indicated, the Applicant will be providing a 20 ft. R-O-W buffer within the affected area along Lantana Road, which meets Art. 7 Landscaping requirements.

To the south is Winston Trail PUD (Control No. 1987-00112), a single-family residential development. Per previous Type 2 Variance approvals through application ZV/DOA-2007-737, a 10 ft. landscape buffer is provided along the south property limits (see Variance 1-4 identified on PSP-1). Beyond the 10 ft. buffer is a 70 ft. LWDD easement, as well as an existing 25 ft. Buffer for the residential development.

The proposed development within Parcel 4 will have no effect on the uses to the east (Strawberry Lakes, Control No. 1985-00045). A 30 ft. Landscape Buffer will remain per Condition of Approval. To the west, across Jog Road, is the Lantana Square Shopping Center (Control No. 1980-00089). The existing MUPD provides for a 10-15 ft. R-O-W buffer. The proposed development will have no detrimental effects on the lands to the west, as it is a compatible use.

The proposed request is providing for a relatively small change in overall square footage to a long-standing development that has already been determined through prior development orders to be compatible with surrounding uses.

**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 request proposes to expand the Commercial uses within the development and seeks to preserve the existing landscape configuration of the site. The proposed retail development (Building G) shall be screened with the required Foundation Planting towards the northeast and south façades as mentioned under Standard b, Consistency with the Code. The existing buffers will continue to screen the adjacent Residential uses from the Commercial Uses to the north and north-east, south and east of the MUPD Shopping Center as previously indicated in Compatibility with Surrounding Uses. Staff is also requiring a Condition of Approval to provide additional screening adjacent to the Loading Zone area (Figure A above). This is in order to provide visual screening from Lantana Road. The proposed development will have minimal to no impacts from a visual perspective from both Lantana Road and adjacent residential development.

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

#### ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

**VEGETATION PROTECTION:** This site was previously developed. All existing vegetation was planted for the purposes of Article 7.

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

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

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

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

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

The request is consistent with the development patterns of the vicinity. The site is located within an established commercial node which has already been determined through prior approvals to be consistent with the surrounding Residential and Commercial uses. As previously discussed, this development is adjacent to established commercial developments across Lantana Road to the north, and Jog Road to the west. Moreover, the proposed amendment will be consistent with the Residential uses to the northwest, northeast, across Lantana Road and the Residential uses located to the south of Lantana Road and the east side of S Jog Road corridor. The proposed site modifications will continue to be consistent with the development patterns within the area.

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

ENGINEERING COMMENTS: The proposed auto parts store is expected to have minimal additional traffic impact (160 additional net daily, 2 additional AM peak hour, and 1 additional PM peak hour). No roadway improvements are required to meet Traffic Performance Standards, since additional impacts will be insignificant.

The Property Owner shall dedicate a signal easement and temporary construction easement prior to the issuance of the certificate of occupancy.

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

FIRE PROTECTION: Staff has reviewed this application and have no comment.

SCHOOL IMPACTS: Staff has reviewed this application and have no comment.

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

**h. Changed Conditions or Circumstances** – *There are demonstrated changed conditions or circumstances, provided by the Applicant's Justification Statement that necessitate a modification.*

The subject site was previously approved as a commercial MUPD to support surrounding residential uses along Jog and Lantana Road. The proposed 6,815 sq. ft. building is intended to expand existing retail uses, as it has been indicated by the Applicant as part of the Justification Statement that the existing Financial Institution was no longer needed to service the area, and the proposed auto retail store would better service the community. Staff has determined that the justification provided by the Applicant is adequate to justify the modification. In addition, the amendment will provide the opportunity to bring the affected area into compliance with current Code requirements including but not limited to landscape buffering. As such, there are demonstrated changed conditions that necessitate the proposed modifications.

**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 this change. Staff is recommending approval of the request, subject to the recommended Conditions of Approval as indicated in Exhibit C.

## CONDITIONS OF APPROVAL

### **EXHIBIT C: Development Order Amendment (Multiple Use Planned Development)**

#### **ALL PETITIONS**

1. Previous ALL PETITIONS Condition 1 of Resolution R-2014-878, Control No.1986-00008, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2011-1117 (Control No. 1986-008), have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners 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-2014-0878 (Control No. 1986-00008), have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2014-878, Control No.1986-00008, which currently states:

The approved Preliminary Site Plan is dated April 18, 2014. 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 (DRO) as established in the Unified Land Development Code (ULDC), 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 April 26, 2021. 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 (DRO) as established in the Unified Land Development Code (ULDC), must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: MONITORING - Zoning)

#### **ARCHITECTURAL REVIEW**

1. All future development shall be designed to be consistent with Article 5.C of the Unified Land Development Code (ULDC) and the site plan approved by the Development Review Officer (DRO). (DRO: ARCHITECTURAL REVIEW - Zoning) (Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2014-878, Control No.1986-00008)

2. The six (6) foot high wall shall be given architectural treatment on both sides consistent with the front of the center. (BLDGPMT/ONGOING: BUILDING DIVISION - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2014-878, Control No.1986-00008)

3. In order to avoid an incompatible appearance upon east and south lying residential areas, the rear facades of the planned commercial development shall be given architectural treatment consistent with the front of the center. (Previous Architectural Review Condition 2 of Resolution R-2009-0016, Control No. 1986-008) (BLDGPMT/ONGOING: BUILDING DIVISION - Zoning) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 3 of Resolution R-2014-878, Control No.1986-00008)

4. At time of submittal for final Development Review Officer (DRO) approval, the architectural elevations for the Type I Restaurant on Parcel K shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the



DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCHITECTURAL REVIEW - Zoning) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 4 of Resolution R-2014-878, Control No.1986-00008)

## **ENGINEERING**

1. Prior to March 1, 1990 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 Lantana Road, 54 feet from centerline, plus right-of-way for Jog Road as indicated on Palm Beach County's Project #87-518, Parcel 135, free of all encumbrances and encroachments as shown. 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. 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-2014-878, Control No.1986-00008)

2. In order to comply with the mandatory traffic performance standards the Developer shall be restricted to the following phasing schedule:

Building Permits for more than Phase One which shall consist of 133,487 square feet of retail, a 6,000 square foot tire store and 28,000 square feet of mini warehouse, or a combination of uses which will not exceed 10,381 vehicle trips per day, shall not be issued until construction has been begun for:

a. Jog Road from Melaleuca Lane to Hypoluxo Road as a 4 lane median divided section plus the appropriate paved tapers.

b. Lantana Road from Hagen Ranch Road to Military Trail as a 4 lane median divided section plus the appropriate paved tapers. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2014-878, Control No.1986-00008)

3. The Developer shall plat the subject property in accordance with provisions of Palm Beach County's Subdivision Platting Ordinance 73-4 as amended prior to building permits for Phase 2 as defined above. (BLDGPMT: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2014-878, Control No.1986-00008)

4. The Property Owner shall convey for the ultimate right-of-way of:

a. Lantana Road, 54 feet from centerline

b. Jog Road per the existing approved alignment map on file at the office of the county Engineer.

Conveyance must be accepted by Palm Beach County prior to issuance of First Building Permit. Right-of-way to be conveyed prior to March 15, 1986. (BLDGPMT/DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2014-878, Control No.1986-00008)

5. The Developer shall align the project's entrances onto Jog Road with the entrances from the project located at the southwest corner of Lantana Road and Jog Road and the project's middle entrance on Lantana Road with the entrance for the project located at the northeast corner of Lantana Road and Jog Road. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2014-878, Control No.1986-00008)

6. The Developer shall construct a left turn lane east approach and a right turn lane south approach on Jog Road at the project's entrance road. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2014-878, Control No.1986-00008)

7. The Developer shall construct a left turn lane east approach and a right turn lane west approach on Lantana Road at each of the project's entrance Roads on to Lantana Road. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 7 of Resolution R-2014-878, Control No.1986-00008)

8. a. The Developer shall fund the Construction Plans for Jog Road as a 4 lane median divided section from Lake Worth Road south to a point 250 feet south of the centerline of Melaleuca Lane plus the appropriate tapers. These construction plans shall be per the county Engineers Approval based upon Palm Beach County's minimum construction Plan standards as they presently exist or as they may from time to time be amended. The cost of providing all plans shall be approved by the County Engineers Office. Palm Beach County shall provide these construction plans with all funding provided by the developer.

b. The Developer shall provide Palm Beach county with all associated right of way Documents, including but not limited to, surveys, property owners' maps, legal descriptions for acquisition, parceled right of way maps, required for the for the acquisition of right of way for Jog Road from Lake Worth Road to a point 250 feet south of Melaleuca Lane plus the appropriate tapers. The Developer shall enter into an agreement with Palm Beach County's Land Acquisition Section for any and all acquisition costs prior to July 1, 1986; for which this Petitioner shall provide all necessary funds.

c. Palm Beach County will then construct Jog Road as a 4 lane median section from Lake Worth Road south to a point 250 feet south of Melaleuca Lane plus the appropriate tapers per the County Engineers approval.

It is the intent that this Construction Contract shall be let during the fiscal year 1987-1988. Any funds which have not been expended for the work performed under condition No. 20 A & B shall be made available to Palm Beach County 30 days after formerly accepting all right of way documents and construction plans, or on July 1, 1987 whichever shall first occur. (DATE: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 8 of Resolution R-2014-878, Control No.1986-00008)

9. 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 January 1, 2013. 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 Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING - Engineering) (Previous ENGINEERING Condition 9 of Resolution R-2014-878, Control No.1986-00008)

10. Prior to the issuance of a building permit the Property Owner shall provide to Palm Beach County Land Development Division by warranty deed additional right of way for the construction of a right turn lane on Lantana Road at the project's middle entrance. This right-of-way shall be a minimum of 280 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. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 10 of Resolution R-2014-878, Control No.1986-00008)

11. Construct a right turn lane west approach on Lantana Road at the project's middle entrance. 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.

a. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit.

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 11 of Resolution R-2014-878, Control No.1986-00008)

12. Landscape Within the Median of both Lantana Road and Jog Road

- a. The Property Owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Lantana Road and Jog Road. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioners approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph D below.
- b. The necessary permit(s) for this landscaping and irrigation shall be applied for prior to the issuance of the first building permit.
- c. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy.
- d. At Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner.
- e. Alternately, at the option of the Property Owner, and prior to the issuance of a Building Permit, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, 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 along Lantana Road and Jog Road. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (BLDG/PMT/ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 12 of Resolution R-2014-878, Control No.1986-00008)

13. Within ninety (90) days of a request by the County Engineer, the Property Owner shall provide to Palm Beach County Traffic Division an easement for the construction of a traffic signal on Lantana Road at the project's central driveway. The area of the easement shall be based upon the design of the signal, shall extend within the driveway approaching Lantana Road a sufficient length to accommodate detector loops, shall be the area required to accommodate signalization so as not to encroach into paved parking areas and avoid conflicts with existing utility encroachments, shall be free of all encumbrances and encroachments which would prevent signalization, and may overlap required buffers, all as determined by the County Engineer. The Property Owner shall not record the required documents. After final acceptance of the location, legal sketches and easement documents, Palm Beach County shall record all appropriate documents. (ONGOING: MONITORING - Engineering) (Previous ENGINEERING Condition 13 of Resolution R-2014-878, Control No.1986-00008)

14. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for:  
55 feet, measured from centerline of the proposed right of way  
12 feet, across the projects main entrance on Lantana Road to the adjoining sidewalk located in Lantana Road right of way.

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney s fees as well

as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-ration. A check, made payable to the Tax Collector s Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT/ONGOING: MONITORING - Engineering)

15. Prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, the Property Owner shall provide a temporary construction easement to Palm Beach County as approved by the County Engineer. Construction by the property owner within this easement shall conform to all Palm Beach County standards and codes. The Property Owner shall not record this required easement or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT/ONGOING: MONITORING - Engineering)

16. Prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, the Property Owner shall provide a signal easement to Palm Beach County as approved by the County Engineer. Construction by the property owner within this easement shall conform to all Palm Beach County standards and codes. The Property Owner shall not record this required easement or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMT/ONGOING: MONITORING - Engineering)

## **HEALTH**

1. Property owners and operators of facilities generating industrial, hazardous or toxic wastes shall not deposit or cause to be deposited any such wastes into the sanitary sewer system unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection (FDEP), the Palm Beach County Health Department, and the agency responsible for sewage works are used. (ONGOING: CODE ENF - Health Department) (Previous HEALTH Condition 1 of Resolution R-2014-878, Control No.1986-00008)

## **LANDSCAPE - GENERAL**

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan and/or an Alternative Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein. (BLDGPMT: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-2014-878, Control No.1986-00008)

2. For purposes of meeting foundation planting requirements, the south facade of the proposed Parcel K restaurant shall be considered the front. Prior to issuance of the Building Permit for the restaurant, the required foundation plantings on the east and west sides shall be provided, or an Alternative Landscape Plan shall be reviewed and approved by the Landscape Section in accordance with the ULDC. (BLDGPMT/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - GENERAL Condition 2 of Resolution R-2014-878, Control No.1986-00008)

## **LANDSCAPE – PERIMETER**

### **3. NORTH PROPERTY LINE OF OUTPARCEL K (FRONTAGE OF LANTANA ROAD)**

In addition to code requirements, landscaping along the north property line of Parcel K shall be upgraded to include:

a. No width reduction or easement encroachment shall be permitted.

b. a minimum one (1) to three (3) foot high undulating berm with an average height of two and one-half (2.5) feet.

c. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (BLDGPMT/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - PERIMETER Condition 3 of Resolution R-2014-878, Control No.1986-00008)

#### 4. ZONING - LANDSCAPING-EAST PROPERTY LINE OF OUTPARCEL K, ABUTTING RESIDENTIAL

In addition to code requirements, landscaping along the east property line of Parcel K shall be upgraded to include one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (BLDGPM/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - PERIMETER Condition 4 of Resolution R-2014-878, Control No.1986-00008)

#### 5. SOUTH PROPERTY LINE (ABUTTING CANAL)

In addition to the existing landscaping, landscaping along the south property line, abutting the canal, shall be upgraded to include:

- a. a six (6) foot high chain link fence shall be installed along the property line, subject to approval of the easement holder.
- b. the existing hedge shall be maintained at a minimum six (6) feet in height. (BLDGPM/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - PERIMETER Condition 5 of Resolution R-2014-878, Control No.1986-00008)

#### 6. OUTPARCEL F, FINANCIAL INSTITUTION

Prior to final approval by the Development Review Officer (DRO), the site plan shall show a divider median between each drive thru lane as follows:

- a. a minimum width of five (5) feet, excluding curb;
- b. a minimum length of thirty-five (35) feet;
- c. Each end of the median shall have a minimum five (5) feet by five (5) feet of planting area extended beyond the boundary of the overhead canopy;
- d. one (1) palm tree with a minimum ten (10) feet of greywood and appropriate ground cover shall be installed in each planting area; and,
- e. the remaining portion of the median shall be paved with decorative paving such as precast concrete pavers, stamped concrete or any other materials acceptable to the Landscape Section. (DRO/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - PERIMETER Condition 6 of Resolution R-2014-878, Control No.1986-00008)

#### LIGHTING

1. Security lighting along the western property line shall be low intensity, no greater than twelve (12) feet in height and directed away from surrounding residential properties. (BLDGPM/ONGOING: BUILDING DIVISION - Zoning) [Note: COMPLETED] (Previous LIGHTING Condition 1 of Resolution R-2014-878, Control No.1986-00008)

#### SITE DESIGN

1. Prior to site plan certification, a tree survey shall be submitted indicating the preservation of existing vegetation and the incorporation of said vegetation into the project design including the western portion of the site. Parking spaces in excess of the required minimum shall be utilized to incorporate existing vegetation in the overall design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction. (DRO/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-2014-878, Control No.1986-00008)

2. The outdoor seating area of the restaurant on Parcel K shall not be covered with a solid roof. (BLDGPM/ONGOING: BUILDING DIVISION - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 2 of Resolution R-2014-878, Control No.1986-00008)

3. Prior to final approval by the Development Review Officer, the Site Plan shall be revised to identify a twelve (12) foot wall along the west and north side of the loading area for Parcel 4 (Building G), with foundation plantings being provided for the entirety of the walled loading zone area, a minimum of eight (8) feet in width. (DRO: ZONING - Zoning)

## **USE LIMITATIONS**

1. Prior to site plan certification, the petitioner shall submit documentation to the Zoning Division which demonstrates that the proposed facility does not violate FAA Regulations or the Palm Beach County Airport Zoning Regulations. This documentation shall be subject to approval by the Palm Beach County Department of Airports. (ONGOING: AIRPORTS - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2014-878, Control No.1986-00008)

2. All accessory electrical equipment shall be screened with a six (6) foot high concrete panel wall. (BLDG/PMT/ONGOING: BUILDING DIVISION - Zoning) [Note: COMPLETED] (Previous USE LIMITATIONS Condition 2 of Resolution R-2014-878, Control No.1986-00008)

3. The communication tower shall be limited to a monopole structure, a maximum of one hundred and fifty (150) feet in height measured from finished grade to highest point. Only one tower shall be permitted on the subject property. (BLDG/PMT/DRO/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous USE LIMITATIONS Condition 3 of Resolution R-2014-878, Control No.1986-00008)

## **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

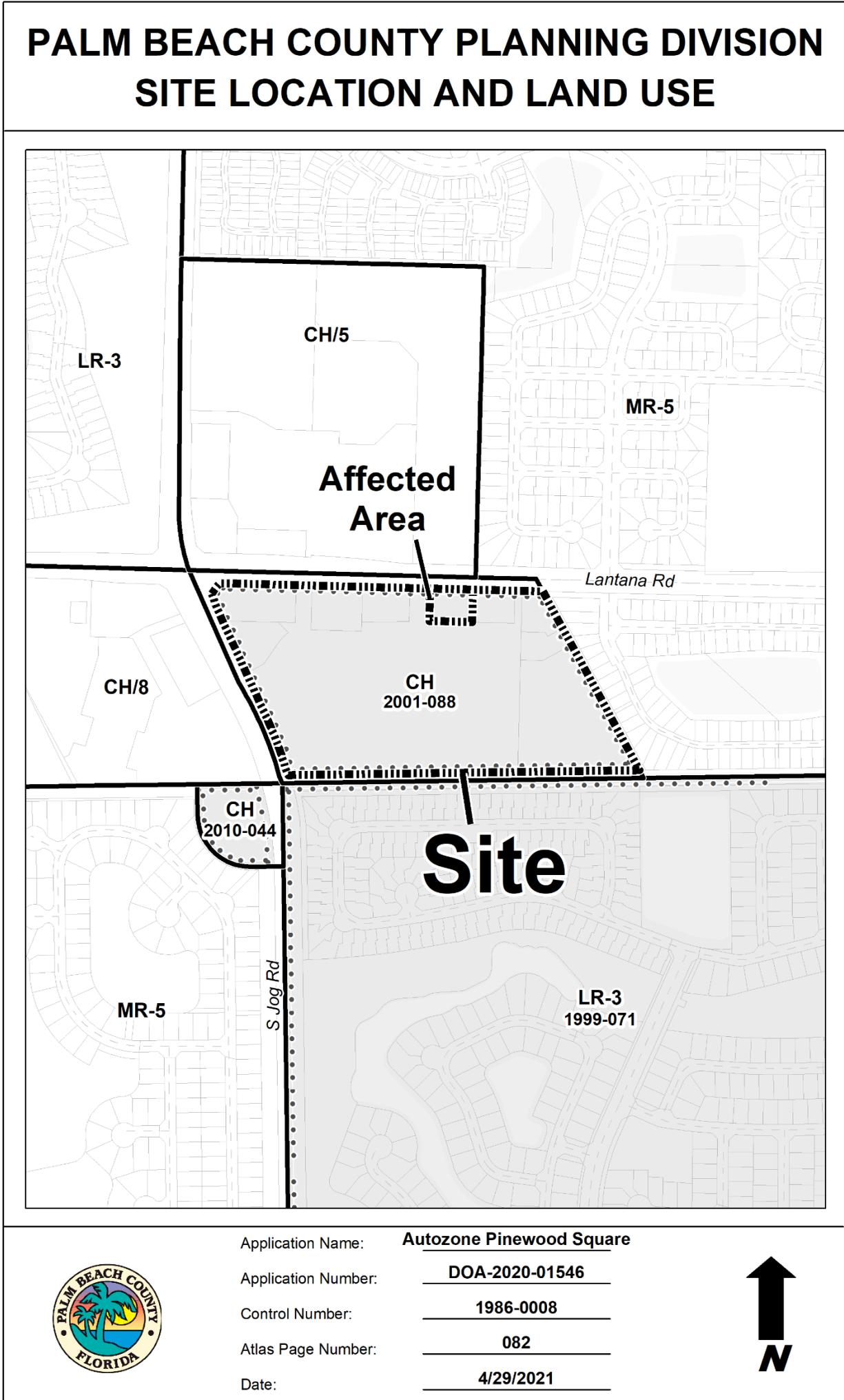


Figure 2 - Zoning Map

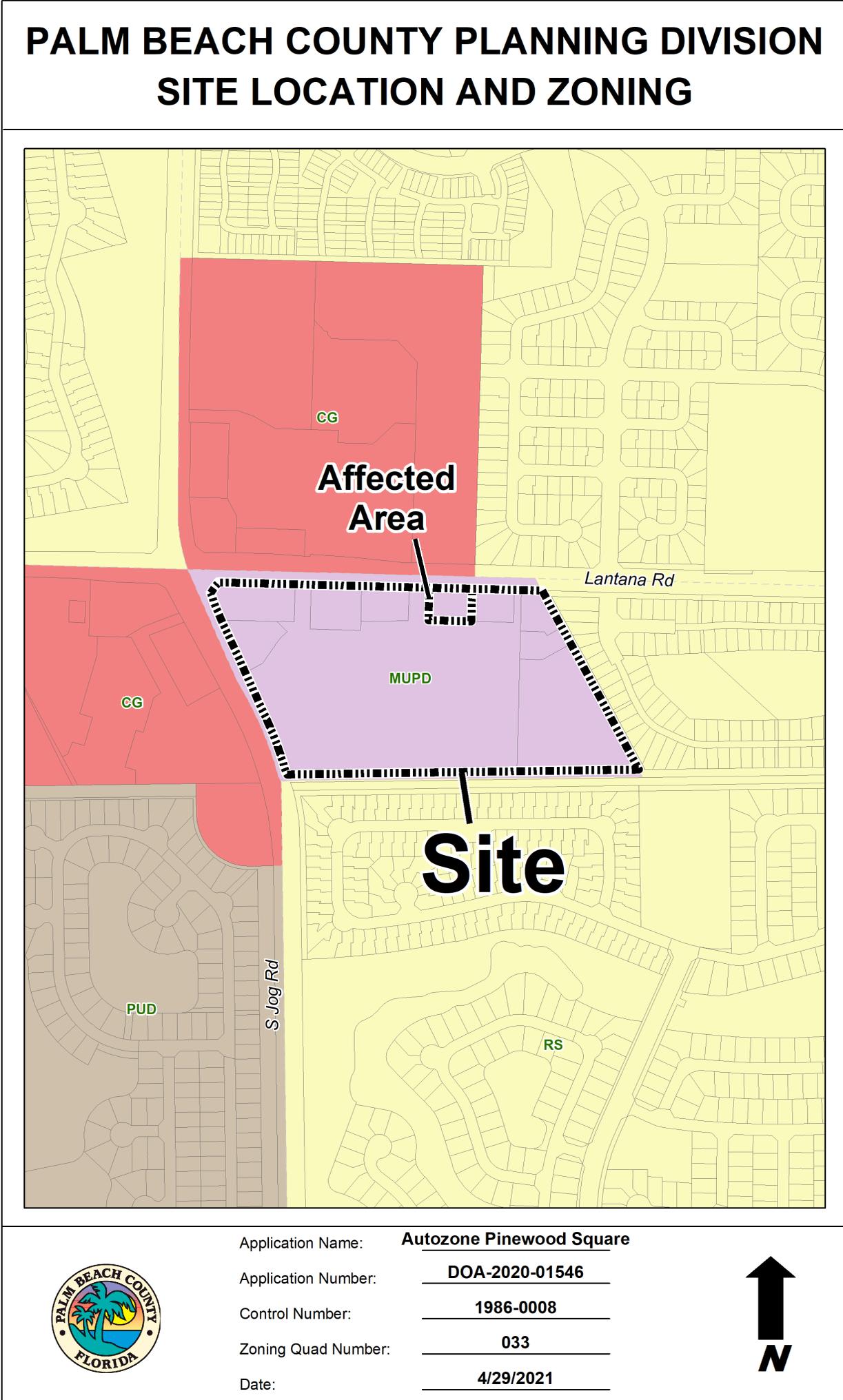
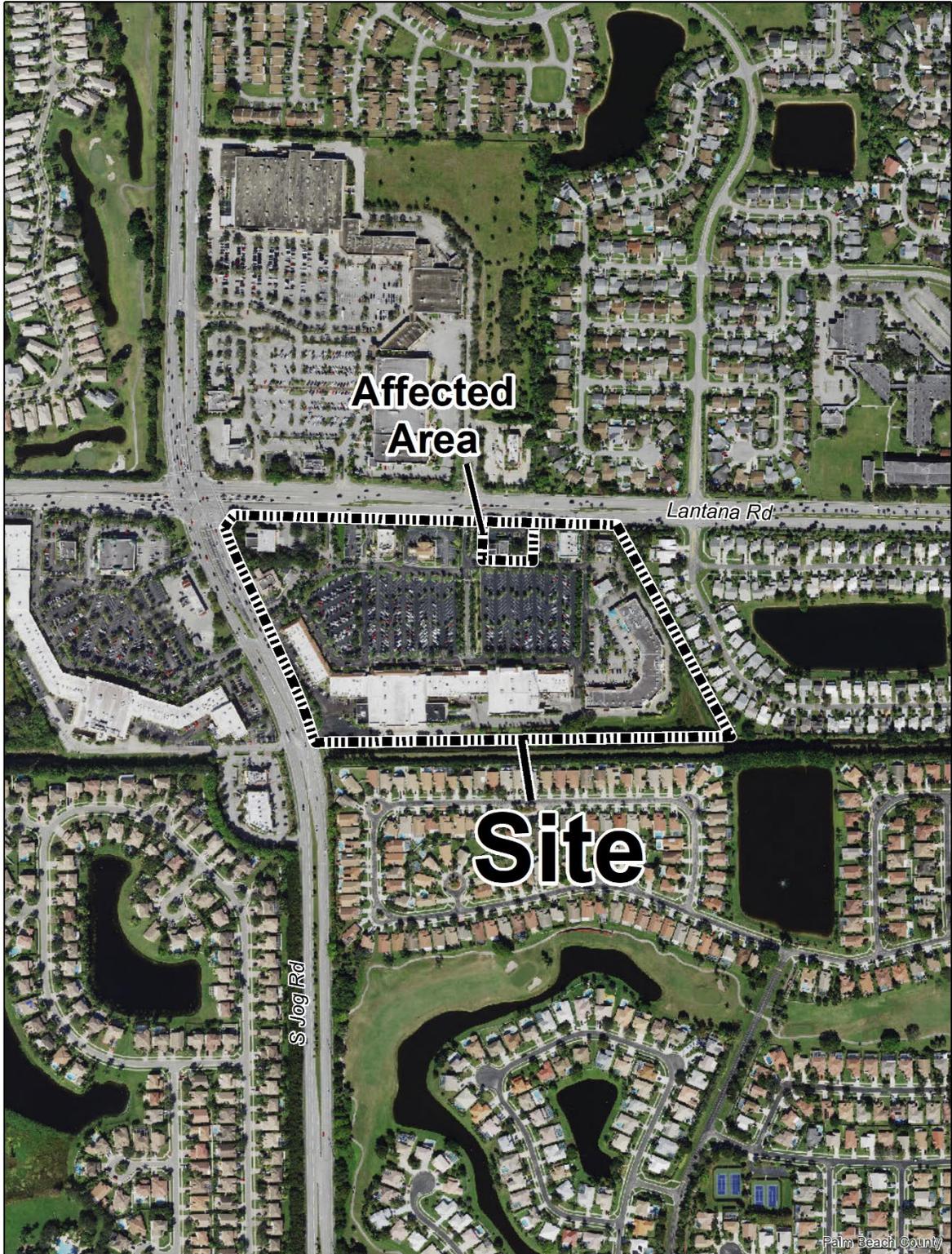




Figure 3 – Aerial

# PALM BEACH COUNTY PLANNING DIVISION SITE LOCATION



Application Name:	<b>Autozone Pinewood Square</b>
Application Number:	<b>DOA-2020-01546</b>
Control Number:	<b>1986-0008</b>
Atlas Page Number:	<b>082</b>
Date:	<b>4/29/2021</b>









Figure 7– Preliminary Regulating Plan (PRP-1) dated April 26, 2021

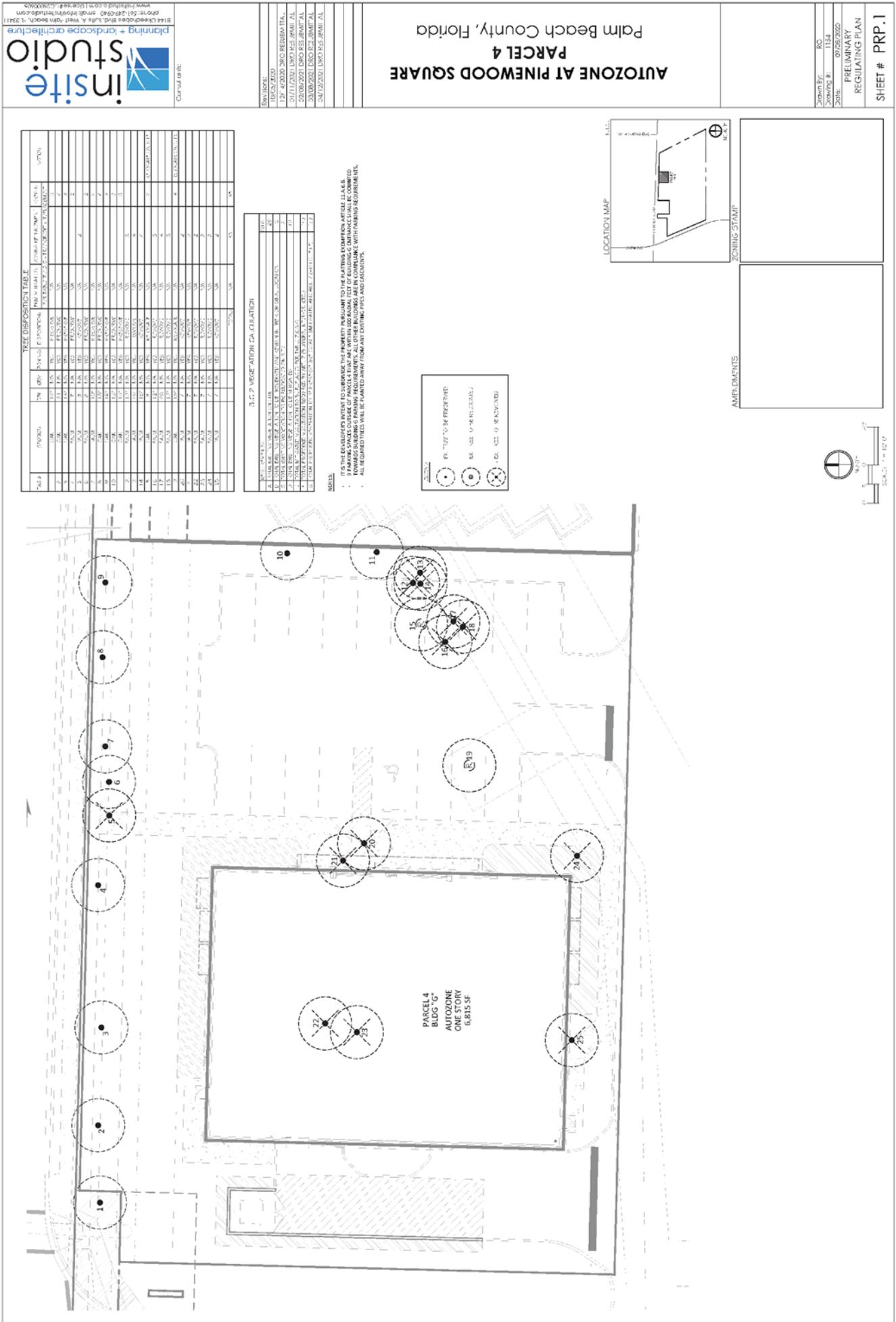
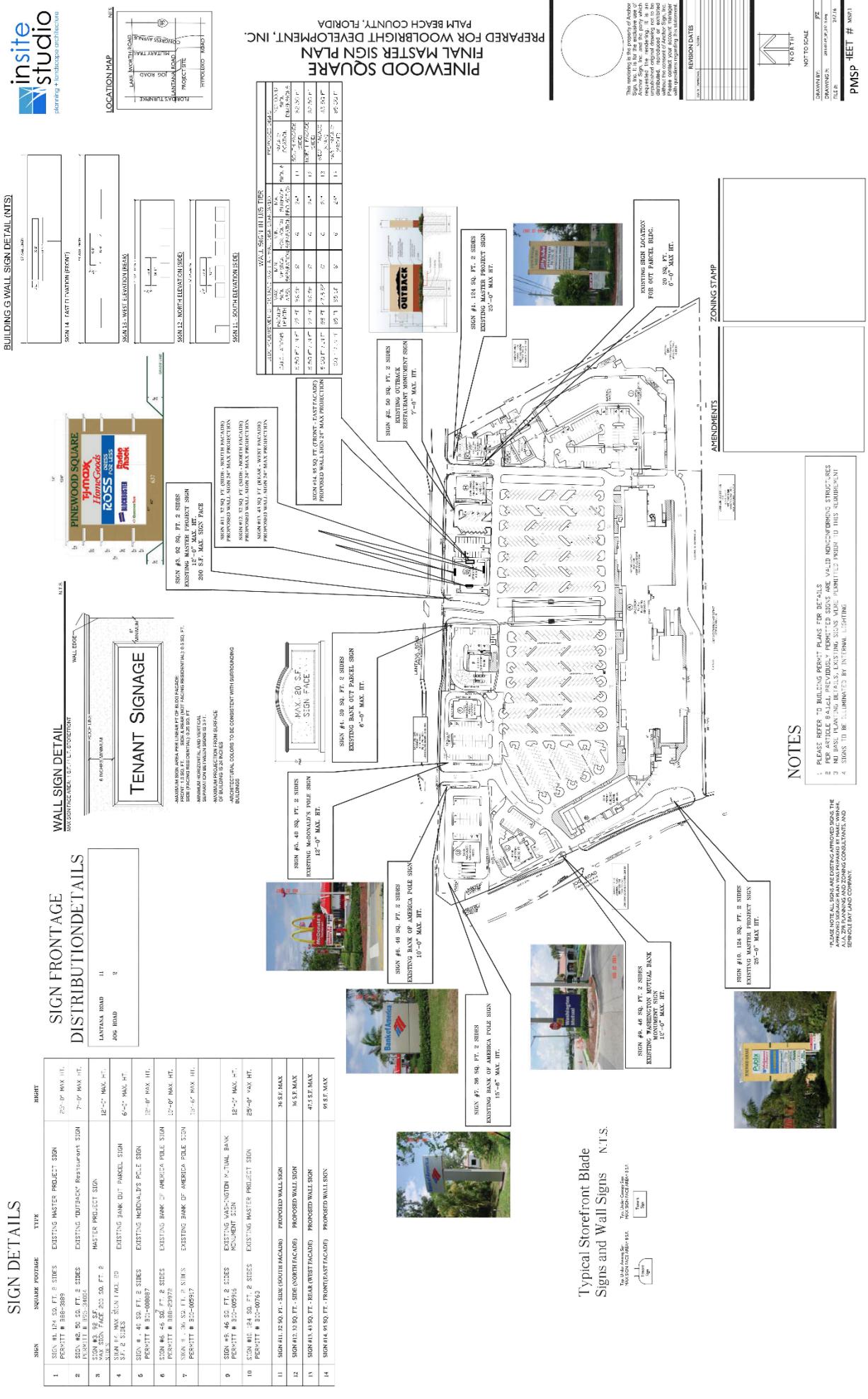




Figure 9 – Preliminary Master Sign Plan (PMSP) dated April 26, 2021



# Exhibit D – Disclosure of Ownership (Applicant)

DocuSign Envelope ID: DE0A5CCF-0BB7-434C-B5B2-D0F3F8EA6378

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 Timothy J. Goddard, 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  Vice President *[position—e.g., president, partner, trustee]* of AutoZone Stores, LLC *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]*, (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 123 South Front Street, 3rd Floor  
Memphis, TN 38103
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.



DocuSigned by:  
Timothy J. Goddard  
Timothy J. Goddard, Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF TENNESSEE  
COUNTY OF SHELBY

The foregoing instrument was acknowledged before me by means of  physical presence or  
 online notarization, this 23<sup>rd</sup> day of November, 2020 by  
Timothy J. Goddard (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).

Jeff McClanahan  
(Name - type, stamp or print clearly)

Jeff McClanahan  
(Signature)

My Commission Expires on: \_\_\_\_\_

My Commission Expires  
January 18, 2022



**EXHIBIT "A"**

**PROPERTY**

Parcel A: Parcels 1 through 5, inclusive, and Parcel 7 of Pinewood Square, according to the Plat thereof as recorded in Plat thereof as recorded in Plat Book 84, Page 129, of Public Records of Palm Beach County, FL.

Parcel B: Easement rights created by and subject to the terms of Access Easement recorded Sept. 13, 1988 in Official Records Book 5805, at Pg 1343, of the Public Records of Palm Beach County, FL over the following described Parcel of Land:

A parcels of land lying within Lot 2, Tract 39, of the "Hiatus", Township 44 1/2 South, Range 42 East, Palm Beach County, FL according to the original Government Plat of "Hiatus" otherwise known as Township 44 1/2 South, Range 42 East, (Between Township 44 South and 45 South) and being more particularly described as follows:

Commence at the South one-quarter corner of Section 34, Township 44 South, Range 42 East, Palm Beach County, FL; thence South 88 degrees 32 minutes 23 seconds East, along the South line of said Section 34, said South line also being the Centerline of Lantana Rd, a distance of 869 feet; thence South 01 degree 27 minutes 37 seconds West, at right angles to the previous course, a distance of 54 feet to a point on the Southerly Right of Way line of said Lantana Rd; thence continue South 01 degree 27 minutes 37 seconds West, a distance of 155.14 feet to the Point of Beginning; thence continue South 01 degree 27 minutes 37 seconds East, a distance of 30.92 feet; thence North 89 degrees 11 minutes 43 seconds East, a distance of 223.67 feet to the Point of Beginning.

Parcel C: Easement rights created by and subject to the terms of Utility of Control Declaration of Cross Easements recorded in Official Records Book 6336, at Page 1306 of the Public Records of Palm Beach County, FL.

Parcel D: Easement rights created by and subject to the terms of Cross Parking and Easement Agreement recorded in Official Records Book 4809, t Page 1367, as amended by instrument recorded in Official Records Book 4878, at Page 827, ,all of the Public Records of Palm Beach County, FL.

Parcel E: Easement rights created by and subject to the terms of Reciprocal Easement Agreement entitled "Declaration of Cross Easements and Restrictions" recorded April 2, 1998 in Official Records Book 10318, at Page 1939 of the Public Records of Palm Beach County, FL.

**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
AutoZone Stores, LLC	123 South Front St., 3rd Floor
	Memphis, TN 38103

Exhibit E – Disclosure of Ownership (Owner)

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

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 IOWA
COUNTY OF PALM BEACH POLK

BEFORE ME, the undersigned authority, this day personally appeared Nate Adams, 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 [x] Investment Director - Asset Management - e.g., president, partner, trustee] of Pinewood Palm Beach Retail LLC [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: 801 Grand Ave
Des Moines, IA 50309

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.

Nate Adams  
Nate Adams, Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

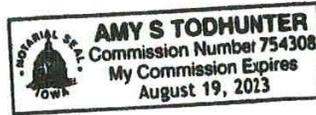
STATE OF ~~FLORIDA~~ Iowa  
COUNTY OF ~~PALM BEACH~~ Polk

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this 2 day of December, 2020 by Nate Adams (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).

Amy S. Todhunter  
(Name - type, stamp or print clearly)

Amy S. Todhunter  
(Signature)

My Commission Expires on: 8-19-2023



**EXHIBIT "A"****PROPERTY**

Parcel A: Parcels 1 through 5, inclusive, and Parcel 7 of Pinewood Square, according to the Plat thereof as recorded in Plat Book 84, Page 129, of Public Records of Palm Beach County, FL.

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Parcel E: Easement rights created by and subject to the terms of Reciprocal Easement Agreement entitled "Declaration of Cross Easements and Restrictions" recorded April 2, 1998 in Official Records Book 10318, at Page 1939 of the Public Records of Palm Beach County, FL.

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
Pinewood Palm Beach Retail, LLC	
801 Grand Ave	
Des Moines, IA 50309	

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