

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

**Application No.:** DOA-2022-00216  
**Application Name:** South Road Office MUPD  
**Control No./Name:** 2003-00036 (South Road Office MUPD)  
**Applicant:** 5165 Homeland Plaza, LLC  
**Owners:** 5165 Homeland Plaza, LLC  
JR Eisenman Properties, LLC  
**Agent:** Insite Studio - Brian Terry  
**Telephone No.:** (561) 249-0940  
**Project Manager:** Timothy Haynes, Senior Site Planner

**TITLE:** a Development Order Amendment **REQUEST:** to reconfigure the Site Plan; add building and square footage; and, modify Conditions of Approval on 9.26 acres

**APPLICATION SUMMARY:** The proposed requests are for the 9.26 acres South Road Office MUPD Development. The development was last approved by the Board of County Commissioners (BCC) on June 27, 2019.

The request will modify the Site Plan and Conditions of Approval in order to add an additional building for a medical office. The Plan indicates five buildings with a total of 73,552 square feet of Daycare, Medical and Professional offices, including 318 parking spaces. Access will be from State Road 7 and 52<sup>nd</sup> Place South.

**SITE DATA:**

Location:	West side of State Road 7 approximately 1 mile south Lake Worth Road
Property Control Number(s)	00-41-44-36-10-002-0000; 00-41-44-36-10-016-0000; 00-41-44-36-10-021-0000; 00-41-44-36-10-001-0000
Existing Future Land Use Designation:	Commercial Low-Office (CL-O)
Existing Zoning District:	Multiple Use Planned Development District (MUPD)
Total Acreage:	9.26 acres
Tier:	Urban/Suburban
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile	Wellington
Future Annexation Area	N/A
Commission District	District 6, Maria Sachs

**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 has received no contacts from the public regarding this application.

**PROJECT HISTORY:**

Application No.	Request	Resolution	Approval Date
PDD-2003-00036	Official zoning Map Amendment to a Planned Development District rezoning from the Agricultural Residential and General commercial Zoning Districts to the Multiple use Planned Development Districts	R-2004-0157	January 29, 2004
DOA-2008-01353	Development Order Amendment to modify/delete Conditions of Approval (Landscape, Building and Site Design, Planning, and Access)	R-2009-0017	January 8, 2009
DOA/CA-2018-02137	Development Order Amendment to reconfigure the Site Plan, modify uses, add square footage, modify or delete Conditions of Approval (Building and Site Design, Landscaping, Signs, Use	R-2019-0899	June 27, 2019

	Limitations), and Restart the Commencement Clock		
	Class A Conditional Use to allow a General Day Care	R-2019-0900	June 27, 2019

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.*

PLANNING DIVISION COMMENTS:

- *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.
- *Prior Land Use Amendments:* The site has been the subject of a prior Small Scale site-specific amendment known as South Road Office II (SCA 2003-034; Ord. 2004-004). The request was to amend the future land use from Low Residential, 2 units per acre (LR-2) to Commercial Low-Office (CL-O). The amendment was adopted with no conditions.
- *Intensity:* The maximum FAR for non-residential projects with a CL-O land use designation in the Urban/Suburban Tier is 0.50 per FLUE Table 2.2-e.1. The maximum allowable intensity is 201,669 sq. ft. (9.26 platted acres or 403,337 sq. ft. x 0.50 FAR = 201,669 sq. ft. maximum). The request for a total of 73,552 sq. ft. equates to a FAR of approximately 0.18 (73,552 sq. ft. / 9.26 platted acres or 403,337 sq. ft. = 0.18), and is therefore below the maximum FAR allowed on the site.
- *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The site is not located within any neighborhood plans, overlays or planning 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.*

The MUPD was originally approved pursuant to Resolution R-2004-0157. The current site improvements reflect only the development of Phase 1 Medical Office Building C, which is a portion of the overall approval and includes 53,100 sq. ft. of Medical/Professional Office within two buildings, Building A with 24,920 sq. ft. and Building C with 28,180 sq.ft., and 11,372 sq.ft of General Day Care within Building B. The site has approval for a mix of commercial uses totaling 64,472 sq. ft.

The proposed amendment as indicated on the Preliminary Site Plan, seeks the following: to modify the Site Plan to reconfigure former Building A into two new buildings, (Building A and Building D) both with 15,000 sq. ft. each, create a new 4,000 sq. ft. Medical/Professional Office building (Building E) for a total sq. ft. of 73,552, modifications to the parking area to accommodate the new buildings and modification to the phasing line.

- *Property Development Regulations:* The site was previously approved as an MUPD, and subject to the property development regulations of Art 3, Table 3.D.1.A, Property Development Regulations. The property meets Code requirements for minimum lot dimensions of three acre size, 200 ft. of width and frontage, and 200 ft. of depth, as the site is 9.26 acre lot, as depicted in Figure 4 Preliminary Site Plan. Frontage is from State Road 7 and 52<sup>nd</sup> Place South, with access from the same, continuing to meet the requirements for the Planned Development District. The proposed modifications for Buildings A and D also meet the PDR requirements and are setback 118 ft. from the front property line abutting State Road 7 and 100 ft. from the rear property line abutting the residential uses to the west. Proposed Building E has a 74 ft. front setback and 108 ft. rear setback. The additional square footage does not exceed the overall building coverage allowed or the maximum FAR.

In addition, the Applicant has requested to modify Building and Site Design Condition No. 1 to restrict the building height of buildings C and D only to 35 ft. in height, excluding mechanical equipment and architectural features. Staff is not in support of this as the commercial MUPD is in close proximity to the residential

development to the west. Staff recommends modifying this Condition of Approval to include all structures on site, which includes the newly proposed buildings, to 35 ft. in height as to mitigate potential adverse visual impacts of the structures to the nearby residents.

- *Architectural Review:* The site, as a whole, is required to comply with the Architectural Guidelines pursuant to Article 5.C, Design Standards. Elevations are required to be consistent in Architectural Character. No Architectural elevations have been provided at this time. The Applicant indicated they intend to obtain Architectural review approval at time of building permit.
- *Parking:* Pursuant to Art. 3. E.1.C.2.h. Parking (Non-Residential Uses), a use within a Planned Development District (PDD) may utilize the parking standards indicated in Table 6.B.1.B, Minimum Parking and Loading Requirements, based on the use or the minimum/maximum parking standards below or a combination of both. The Applicant has requested to utilize the parking requirements per individual use per Article 3.

The total number of required parking spaces is a minimum of 294 spaces and a maximum of 441 spaces. The PSP indicates a total of 318 parking spaces.

- *Landscape/Buffering:* The site provides the required perimeter buffering which will remain unaffected with the proposed modifications. The PSP indicates a 15 ft. wide Right-of-Way (R-O-W) Buffer along the northern property line abutting the Lake Worth Drainage District (L.W.D.D.) S-7 Canal. A 15 ft. wide R-O-W is provided along the southern property line abutting 52<sup>nd</sup> Place South. A 20 ft. wide Landscape Buffer along State Road of the east property line. A 25 ft. Landscape Buffer is provided along the western property line.
- *Signs:* The Applicant has submitted a Preliminary Master Sign Plan (PMSP-1), which is provided in Figure 5. The Applicant proposes three new wall signs, located on the east façades of Building A, Building D, and Building E in accordance with Signs Condition of Approval No. 2 and Table 8.G.1.A - Wall Sign Standards. The Applicant has requested to amend Signs Condition of Approval No. 2 to limit the signs on the east façades of Building C and D only. However, Staff is not in support in the deletion of the Condition, as Buildings A, D, E, and C are internal to the MUPD. Limiting the signage to the east façade of these buildings allows for adequate display and visibility from State Road 7, which is major thoroughfare, and also protects the adjacent residents to the south from adverse visual impacts of commercial signage on the west, south, and north sides of the buildings. Staff recommends modifying the Condition to restrict the wall signs on Buildings A, C, D, and E to the east facades only as indicated in the Conditions of Approval of Exhibit C.

**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 overall MUPD still consistent and compatible with the surrounding area. There are other commercial developments with commercial FLUs directly south of the site as well and along the State Road 7 corridor. The amendments to the overall MUPD will provide additional square footage with the same previously approved commercial use. The amendment maintain consistency with the commercial land uses of the surrounding area. Although the surrounding land use to the immediate west is residential, the internal improvements and site design of the subject site will allow the commercial use function harmoniously with the character of the area and not adversely.

**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 overall development, has been designed to minimize adverse impacts to the adjacent properties. The development meets all the minimum PDRs as previously discussed. The previously approved Site Plan and PSP indicates perimeter landscape buffering exceeding Code requirements through previous Conditions of Approval for visual screening of the added site subject to modifications.

**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.*

**ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:**

- *Vegetation Protection:* This property was previously cleared under an ERM prior approval and mitigation credits were planted off-site at Okeeheelee South Park. Please see attached support documents in Exhibit E.
- *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. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

- o *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

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

The requests to modify the approved MUPD is not out of character with the uses located in the commercial uses in the immediate vicinity. The changes proposed will not alter the general development pattern of this overall area, and therefore these requests meet a logical, and orderly and timely development pattern of the surrounding properties.

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

ENGINEERING COMMENTS:

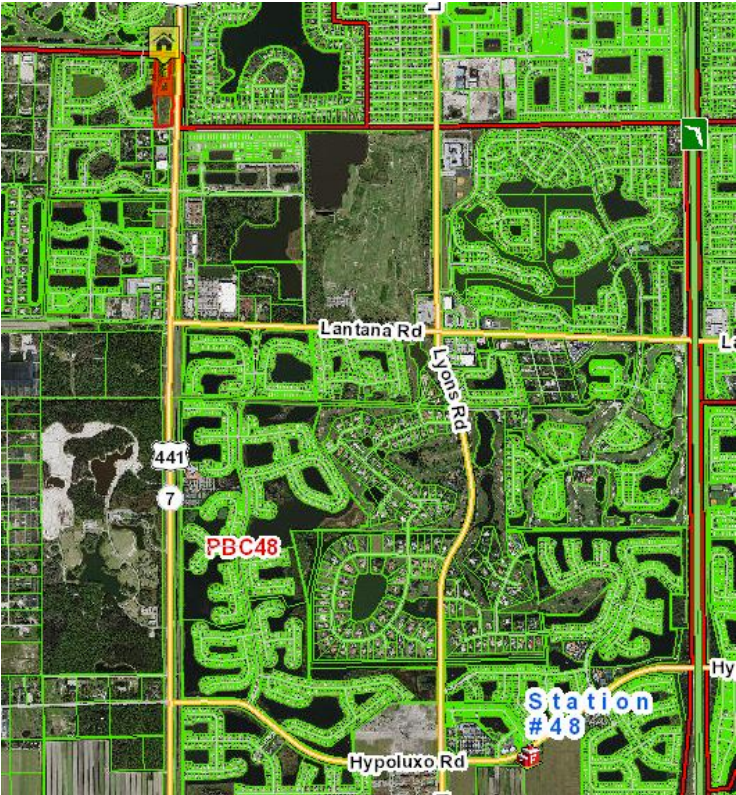
The Property Owner shall replat the property prior to Phase 4 prior to the issuance of the building permit.

PALM BEACH COUNTY HEALTH DEPARTMENT:

This project has met the requirements of the Florida Department of Health.

FIRE PROTECTION:

Staff has reviewed this application and have no comment. The subject site is located within boundaries of PBC Fire Station #48.



SCHOOL IMPACTS:

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

PARKS AND RECREATION:

Staff has reviewed this application and have no comment.

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 DOA to the overall MUPD, necessitates the proposed amendments. Staff finds the Applicant’s proposal to provided additional services to the surrounding community is warranted in the requests. The site exists as a commercial plaza with various commercial uses. The site design as proposed requires modifications to be consistent and functional with the surrounding developments, and these changes necessitate the proposed amendments.

**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. Therefore, Staff is recommending approval of the requests as per the Conditions of Approval as indicated in Exhibits C.

## CONDITIONS OF APPROVAL

### EXHIBIT C: Development Order Amendment

#### ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2019-899, Control No.2003-00036, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2009-0017(Control 2003-036), 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-2019-0899 (Control 2003-036), have been consolidated as contained herein. The Property Owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2019-899, Control No.2003-00036, which currently states:

The approved Preliminary Site Plan is dated April 8, 2019. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission.

#### Is hereby amended to read:

The approved Preliminary Site Plan is dated August 11, 2022. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

#### ARCHITECTURAL REVIEW

1. Design of gutters and downspouts shall be integrated into the architectural design of the buildings. Painting of the gutters and downspouts shall not constitute architectural integration. (BLDGPMT: ARCHITECTURAL REVIEW - Zoning) (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2019-899, Control No.2003-00036)

#### BUILDING AND SITE DESIGN

1. Previous BUILDING AND SITE DESIGN Condition 1 of Resolution R-2019-899, Control No.2003-00036, which currently states:

The maximum height for buildings A, B, and C, as shown on the Site Plan dated April 8, 2019 shall be thirty-five (35) feet including air conditioning, mechanical equipment, satellite dishes and architectural features. All heights shall be measured from finished grade to highest point, excluding decorative elements.

#### Is hereby amended to read:

The maximum height for buildings A, B, C, D and E as shown on the Site Plan dated August 11, 2022 shall be thirty-five (35) feet including air conditioning, mechanical equipment, satellite dishes and architectural features. All heights shall be measured from finished grade to highest point, excluding decorative elements. (BLDGPMT: ZONING - Zoning)

2. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall not be located within seventy-five (75) feet of the west property line and shall be confined to the areas designated on the site plan. (BLDGPMT/ONGOING: ZONING - Zoning) (Previous BUILDING AND SITE DESIGN Condition 3 of Resolution R-2019-899, Control No.2003-00036)

3. Previous BUILDING AND SITE DESIGN Condition 4 of Resolution R-2019-899, Control No.2003-00036, which currently states:

Prior to final DRO approval, the site plan shall be amended to reflect a reduction in impervious surface area at the ingress and egress to the bank queuing and by-pass lanes. The adjacent median to the south shall be

expanded to the maximum extend permissible to accommodate this reduction, subject to approval by the County Engineer and Zoning Division. (DRO: ENGINEERING - Zoning)

**Is hereby deleted.** [REASON: No longer applicable as the Financial Institution use is no longer requested.]

4. Prior to approval of the site plan by the Development Review Officer (DRO), the site plan shall be amended to remove: both vehicular and pedestrian connections, decorative paving and add parking spaces to be in alignment with the westernmost parking spaces across from the access to the adjacent PUD property to the west. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous BUILDING AND SITE DESIGN Condition 5 of Resolution R-2019-899, Control No.2003-00036)

5. Previous BUILDING AND SITE DESIGN Condition 6 of Resolution R-2019-899, Control No.2003-00036, which currently states:

Prior to approval of the site plan by the Development Review Officer (DRO), the Final Site Plan shall be amended to indicate a trellis or similar pedestrian amenity acceptable to the Zoning Division which has a direct connection to the sidewalk system on the property consistent with the site plan dated April 8, 2019.

**Is hereby amended to read:**

Prior to approval of the site plan by the Development Review Officer (DRO), the Final Site Plan shall be amended to indicate a trellis or similar pedestrian amenity acceptable to the Zoning Division which has a direct connection to the sidewalk system on the property consistent with the site plan dated August 11, 2022. (DRO: ZONING - Zoning)

6. Prior to final Development Review Officer Approval (DRO), the Site Plan shall be modified to include a turn around space at the south side of the dumpster area adjacent to Building E. (DRO: ZONING - Zoning)

## **ENGINEERING**

1. Previous ENGINEERING Condition 1 of Resolution R-2019-899, Control No.2003-00036, 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 for the site may be issued after December 31, 2021, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

**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 for the site may be issued after December 31, 2025, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. Prior to the issuance of a building permit, the property owner shall convey to Palm Beach County Land Development Division by warranty deed for 52nd Place South, 40 feet from centerline. Right of way conveyance shall be free of all encumbrances and encroachments. The 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. The Grantor further warrants 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 Grantor, the Grantor agrees to hold the Grantee 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 provisions for Expanded Intersection Details and "Corner Clips". (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2019-899, Control No.2003-00036)

## **3. LANDSCAPE WITHIN THE MEDIAN OF STATE ROAD 7**



a. The petitioner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of SR 7. This landscaping and irrigation shall strictly conform with 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 the petitioner shall be perpetually maintained by the petitioner, his successors and assigns, without recourse to Palm Beach County, unless petitioner provides payment for maintenance as set forth in Paragraph D.

b. The necessary permit(s) for this landscaping and irrigation shall be applied for prior to the issuance of the first building permit. (BLDG PERMIT: MONITORING - Eng)

c. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (CO: MONITORING - Eng)

d. At petitioner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the petitioner 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 petitioner. The petitioner 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 Petitioner.

e. Alternately, at the option of the petitioner, and prior to the issuance of a Building Permit, the petitioner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beatification 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 SR 7. 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 PERMIT: MONITORING - Eng) (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2019-899, Control No.2003-00036)

4. The Property Owner shall fund the construction plans, construction and construct 52nd Place South from State Road 7 to the western-most driveway connection to be consistent with Palm Beach County standards for a non-plan collector street plus appropriate tapers. 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 for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. (BLDGPMT: MONITORING - Monitoring) [Note: COMPLETED]

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Monitoring) (Previous ENGINEERING Condition 4 of Resolution R-2019-899, Control No.2003-00036)

5. Property Owner shall construct a minimum 5 foot wide concrete sidewalk along the north side of 52nd Place South from State Road 7 to the west property line. 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. These improvements shall be completed concurrently with the onsite paving and grading and shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPMT/CO: MONITORING - Engineering) (Previous ENGINEERING Condition 5 of Resolution R-2019-899, Control No.2003-00036)

6. Prior to the issuance of the first building permit in Phase 4 (square footage exceeding 69,552), the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPMT: MONITORING - Engineering)

## **ENVIRONMENTAL**

1. All existing native vegetation, including understory, depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation have been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. (ONGOING:ERM-ERM) (Previous Condition F.1 of Resolution No. R-2004-0157, Control No. 2003-036) (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 1 of Resolution R-2019-899, Control No.2003-00036)

2. A 25% upland set-aside equal to or greater than 0.78 acres is required for this site. However, a 0.44-acre portion of this required set-aside is proposed for cash buy-out and a 0.34-acre portion is shown on the site plan to remain. Should the cash buy-out option not be exercised, an upland preserve set-aside equaling or greater to 0.78 acres shall be depicted on the site plan in a location that contains the highest quality native vegetation and is approved by ERM. (ONGOING: ERM-ERM) (Previous Condition No. F.2 of Resolution No. R-2004-



0157, Control No. 2003-036) (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 2 of Resolution R-2019-899, Control No.2003-00036)

3. A Preserve Management Plan and form of recordation such as Conservation Easement, Restrictive Covenant or Plat, shall be approved by ERM prior to final site plan approval. (DRO:ERM-ERM) (Previous Condition F.3 of Resolution No. R-2004-0157, Control No. 2003-036) (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 3 of Resolution R-2019-899, Control No.2003-00036)

4. Should the proposed buy-out of 0.44 acres of required upland set-aside be requested by the petitioner, the buy-out shall be executed and completed prior to final site plan approval. (DRO:ERM-ERM) (Previous Condition No. F.4 of Resolution No. 2004-0157, Control No. 2003-036) (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 4 of Resolution R-2019-899, Control No.2003-00036)

5. Should the proposed buy-out of 0.44 acres of required upland set-aside be requested by the petitioner, three (3) separate appraisals of the entire property at the proposed zoning to establish the property value of upland set-aside, shall be submitted to ERM for approval prior to accepting a cash buy-out in lieu of establishing an upland set-aside. (DRO:ERM-ERM) (Previous Condition No. F.5 of Resolution No. R-2004-0157, Control No. 2003-036) (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) [Note: COMPLETED] (Previous ENVIRONMENTAL Condition 5 of Resolution R-2019-899, Control No.2003-00036)

### **ZONING - LANDSCAPING**

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. (BLDGPM/CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2019-899, Control No.2003-00036)

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/CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2019-899, Control No.2003-00036)

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 to landscape buffers where a single row of shrubs is required along either side of a fence or wall. (BLDGPM/CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 3 of Resolution R-2019-899, Control No.2003-00036)

4. All trees and palms shall be planted in a meandering and naturalistic pattern. (BLDGPM/CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 4 of Resolution R-2019-899, Control No.2003-00036)

5. A group of three (3) or more palm trees may not supersede the requirement for a canopy tree in that location, unless specified herein. (BLDGPM/CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 5 of Resolution R-2019-899, Control No.2003-00036)

6. Field adjustment of berms, walls and/or plant materials may be permitted for bisecting pedestrian sidewalks and bike paths, and to accommodate transverse utility or drainage easements crossings and existing vegetation. (CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 7 of Resolution R-2019-899, Control No.2003-00036)

7. Prior to final DRO approval, an Alternative Landscape Plan shall be submitted for landscaping along the east property line and any portion of the property where existing vegetation may affect the proposed landscaping. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous ZONING - LANDSCAPING Condition 8 of Resolution R-2019-899, Control No.2003-00036)

**ZONING - LANDSCAPING-LANDSCAPING ALONG THE EAST PROPERTY LINE (FRONTAGE OF STATE ROAD 7/U.S. 441)**

8. Landscaping and buffering along the east property line shall be upgraded to include:

- a. a minimum twenty (20) foot wide landscape buffer strip with a maximum five (5) feet of utility easement encroachment;
- b. a minimum two (2) to three (3) foot high undulating berm with an average height of two and one-half (2.5) feet measured from top of curb;
- c. one (1) canopy tree for each thirty (30) linear feet of property line;
- d. one (1) palm or pine tree for each thirty (30) linear feet of property line with a maximum spacing of sixty (60) feet between clusters;
- 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/CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 9 of Resolution R-2019-899, Control No.2003-00036)

**ZONING - LANDSCAPING-LANDSCAPING ALONG THE NORTH AND SOUTH PROPERTY LINES (ABUTTING LWDD S-7 CANAL AND 52ND PLACE SOUTH)**

9. Landscaping and buffering along the north and south property lines shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip with a maximum five (5) feet of utility easement encroachment;
- b. a minimum one (1) to two (2) foot high undulating berm with an average height of one and one-half (1.5) feet measured from top of curb;
- c. one (1) canopy tree for each thirty (30) linear feet of property line;
- d. one (1) palm or pine for each thirty (30) linear feet of property line with a maximum spacing of sixty (60) feet between clusters;
- e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- f. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (BLDGPM/CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 10 of Resolution R-2019-899, Control No.2003-00036)

**ZONING - LANDSCAPING-LANDSCAPING ALONG THE NORTH HALF (PHASE I) OF THE WEST PROPERTY LINE (ABUTTING SOUTH ROAD PUD)**

10. In addition to Code requirements, landscaping and buffering along the north half (Phase I) of the west property line shall be upgraded to include:

- a. a minimum twenty-five (25) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
- b. a continuous two (2) foot high berm measured from finished grade;
- c. a six (6) foot high opaque concrete panel wall shall be located on the plateau of the berm. The exterior side of the wall shall be given a finished architectural treatment that is compatible and harmonious with abutting development;
- d. one (1) canopy tree planted for each twenty (20) linear feet of the property line, alternating on both sides of the wall; and,
- e. 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. (BLDGPM/CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 11 of Resolution R-2019-899, Control No.2003-00036)

**ZONING - LANDSCAPING-LANDSCAPING ALONG THE SOUTH HALF (PHASE II) OF THE WEST PROPERTY LINE (ABUTTING SOUTH ROAD PUD)**

11. By July 27, 2023, the Property Owner shall obtain a certificate of completion for buffering along the south half (Phase II) of the west property line (abutting South Road PUD) which shall include:

- a. a minimum 25-foot wide landscape buffer strip. A maximum six foot wide easement overlap may be permitted provided a minimum of 19 feet remain clear for planting materials;
- b. a continuous two (2) foot high berm measured from finished grade;

c. a six (6) foot high opaque barrier shall be located on the plateau of the berm. The exterior side of the barrier shall be given a finished architectural treatment that is architecturally consistent with the abutting development. (DATE: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 12 of Resolution R-2019-899, Control No.2003-00036)

**ZONING - LANDSCAPING-LANDSCAPING ALONG THE SOUTH HALF (PHASE II) OF THE WEST PROPERTY LINE (ABUTTING SOUTH ROAD PUD)**

12. In addition to Code requirements, the Property Owner shall upgrade and complete landscape and buffering along the south half (Phase II) of the west property line to include:

- a. one (1) canopy tree planted for each twenty (20) linear feet of the property line, alternating on both sides of the opaque barrier;
- b. 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 barrier; and,
- c. installation of irrigation for berm; and
- d. field adjustment of new plants and trees shall be permitted to provide for maximum screening. (BLDGPMT/CO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 13 of Resolution R-2019-899, Control No.2003-00036)

**ZONING - LANDSCAPING-INTERIOR**

13. Previous ZONING - LANDSCAPING Condition 15 of Resolution R-2019-899, Control No.2003-00036, which currently states:

Foundation planting or grade level planters for Buildings A and C as indicated on the Site Plan dated April 8, 2019 shall be upgraded to include:

- a. Foundation planting area along all facades;
- b. The minimum width of the required landscape areas shall be eight (8) feet;
- c. The length of the required landscaped areas shall be no less than seventy-five (75) percent of the total length of each applicable facade; and,
- d. Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear feet of building facade and appropriate ground cover.

**Is hereby amended to read:**

Foundation planting or grade level planters for Buildings C as indicated on the Site Plan dated August 11, 2022 shall be upgraded to include:

- a. Foundation planting area along all facades;
- b. The minimum width of the required landscape areas shall be eight (8) feet;
- c. The length of the required landscaped areas shall be no less than seventy-five (75) percent of the total length of each applicable facade; and,
- d. Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear feet of building facade and appropriate ground cover. (BLDGPMT: ZONING - Zoning)

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

- a. one (1) canopy or flowering tree for each 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. (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 16 of Resolution R-2019-899, Control No.2003-00036)

**LIGHTING**

1. All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy the Palm Beach County Security Code, low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 1 of Resolution R-2019-899, Control No.2003-00036)

2. All outdoor, freestanding lighting fixtures shall not exceed twenty (20) feet in height measured from finished grade to highest point. (CO: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 2 of Resolution R-2019-899, Control No.2003-00036)

3. All outdoor, freestanding lighting fixtures shall be setback a minimum of thirty (30) feet from the west property line. (CO: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 3 of Resolution R-2019-899, Control No.2003-00036)

4. All outdoor lighting shall be extinguished no later than one half (1/2) hour after business hours, excluding security lighting only. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 4 of Resolution R-2019-899, Control No.2003-00036)

## **MULTPLE USE PLANNED DEVELOPMENT**

1. Prior to approval of the site plan by the Development Review Officer (DRO), the petitioner shall record in the public record a covenant requiring architectural consistency between all buildings, signage and project identification. Consistency shall include, at a minimum, an overall unified image and character created by the use of common elements such as building materials, roof lines, muted colors, fenestration, architectural features, and architectural elements. The covenant shall be recorded in a form and manner acceptable to the Zoning Division and County Attorney. The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRO: COUNTY ATTORNEY - Zoning) [Note: COMPLETED] (Previous MULTPLE USE PLANNED DEVELOPMENT Condition 1 of Resolution R-2019-899, Control No.2003-00036)

2. Prior to approval of the site plan by the Development Review Officer (DRO), the property owner shall record a covenant/unity of control in the public record indicating that all structures, uses and parking areas within the project are part of a single unified planned development, regardless of ownership. The covenant/unity of control shall be recorded in the public record in a manner and form acceptable to the County Attorney. The covenant/unity of control shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRO: ZONING - County Attorney) [Note: COMPLETED] (Previous MULTPLE USE PLANNED DEVELOPMENT Condition 2 of Resolution R-2019-899, Control No.2003-00036)

## **PALM TRAN**

1. The location of easements for Bus Stop, Boarding and Alighting Areas, subject to the approval of Palm Tran, shall be shown on the site plan prior to the final approval of the DRO. The purpose of these easements 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-2019-0899, Control No.2003-00036)

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 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:ENG -Palm Tran) [Note: COMPLETED] (Previous PALM TRAN Condition 2 of Resolution R-2019-0899, Control No.2003-00036)

## **SIGNS**

1. Freestanding point of purchase signs fronting on State Road 7/U.S. 441 shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point - twelve (12) feet;
- b. maximum sign face area per side - 120 square feet;
- c. maximum number of signs - two (2) for the entire site;
- d. style - monument style only;
- e. location - a maximum of one (1) sign within fifty (50) feet to the north or south side of each driveway from State Road 7/U.S. 441; and,
- f. Signs shall be limited to identification of tenants only. (CO: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-2019-899, Control No.2003-00036)

2. Previous SIGNS Condition 2 of Resolution R-2019-899, Control No.2003-00036, which currently states:

Wall signs shall be limited to east facade of buildings A and C, and the south and east facades of Building B, as shown on the Site Plan dated April 8, 2019. Individual lettering size shall be limited to a maximum of twenty-four (24) inches high.

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

Wall signs shall be limited to east facade of buildings A, C, D, and E and the south and east facades of Building B, as shown on the Site Plan dated August 11, 2022. Individual lettering size shall be limited to a maximum of twenty-four (24) inches high. (BLDGPMT/ONGOING: BUILDING DIVISION - Zoning)

## **USE LIMITATIONS**

1. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on the property. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2019-899, Control No.2003-00036)

2. The storage of rental trucks/trailers or outside vendors shall not be permitted on the property. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2019-899, Control No.2003-00036)

3. Storage or placement of any material, refuse, equipment or debris shall not be permitted on the property. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2019-899, Control No.2003-00036)

4. No outdoor business activities shall be allowed on site, excluding deliveries and Day Care operations within the designated Outdoor Activity Area. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 4 of Resolution R-2019-899, Control No.2003-00036)

5. 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 5 of Resolution R-2019-899, Control No.2003-00036)

6. Business hours of operation shall be limited to 7:00 a.m. to 8:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m., Saturdays and Sundays. This condition shall not apply to employees working overtime. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 6 of Resolution R-2019-899, Control No.2003-00036)

## **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.



# Zoning Application

South Road Office MUPD

DOA-2022-00216

## Site Data

Size: 9.26  
 Existing Use: Commercial / Institutional  
 Proposed Use: Commercial / Institutional  
 Zoning: MUPD  
 Future Land Use: CL-O

## Future Land Use Designations

LR-1 Low Residential, 1 unit/acre  
 LR-2 Low Residential, 2 units/acre  
 LR-3 Low Residential, 3 units/acre  
 CL/2 Commercial Low, underlying LR-2  
 CL/IND Commercial Low, underlying IND  
 CL-O Commercial Low Office

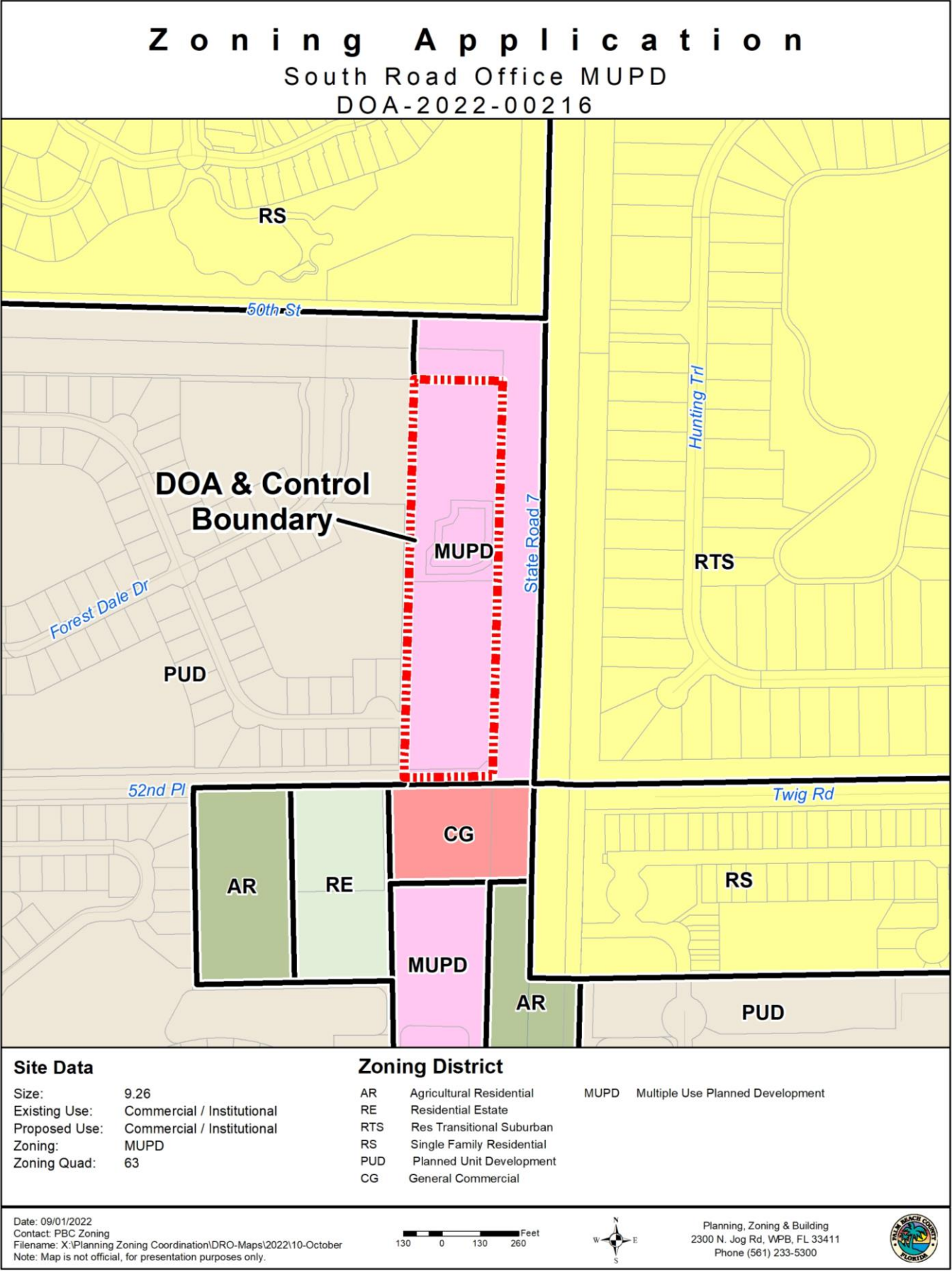
Date: 09/01/2022  
 Contact: PBC Zoning  
 Filename: X:\Planning Zoning Coordination\DRO-Maps\2022\10-October  
 Note: Map is not official, for presentation purposes only.

130 0 130 260 Feet

Planning, Zoning & Building  
 2300 N. Jog Rd, WPB, FL 33411  
 Phone (561) 233-5300

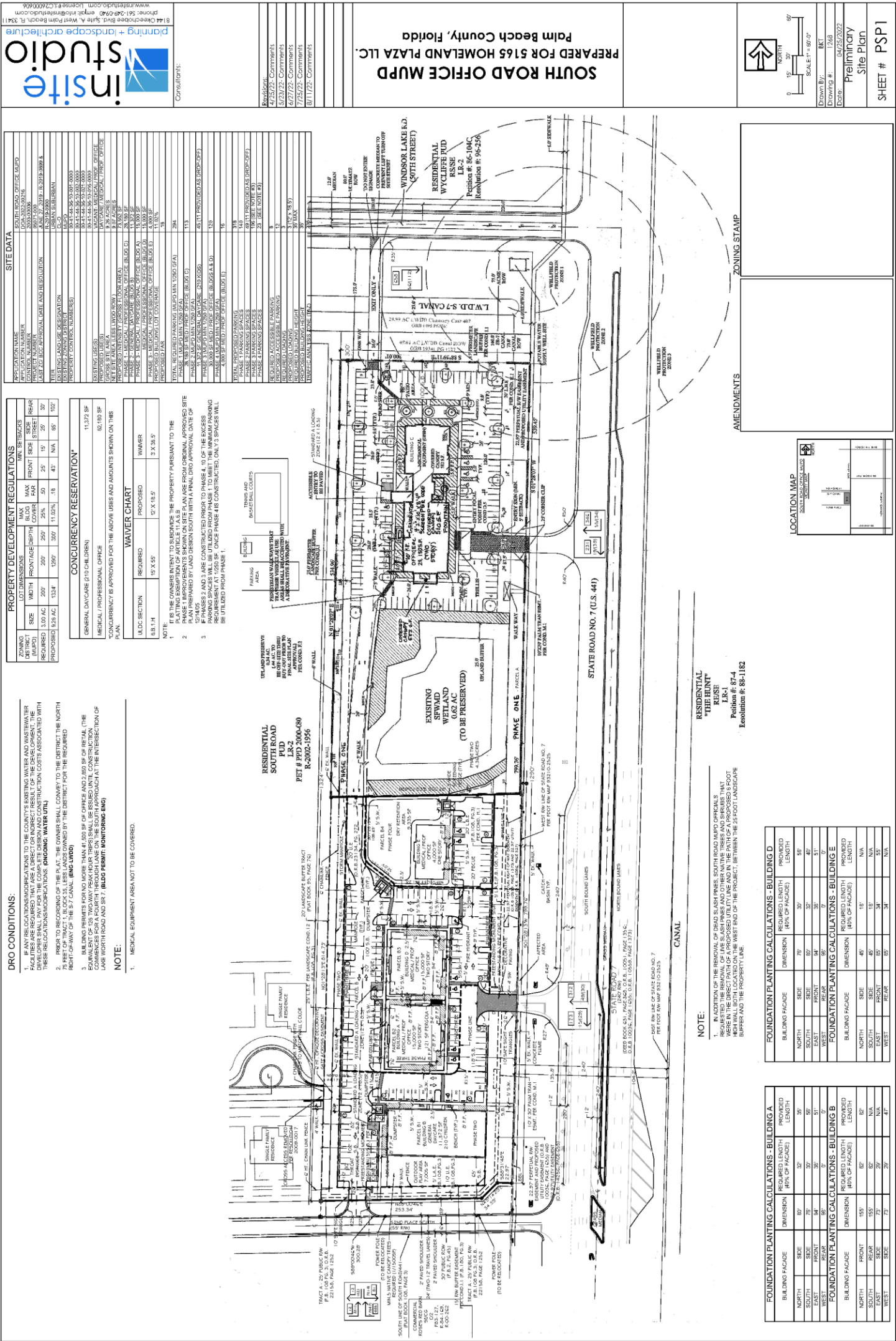


Figure 2 - Zoning Map

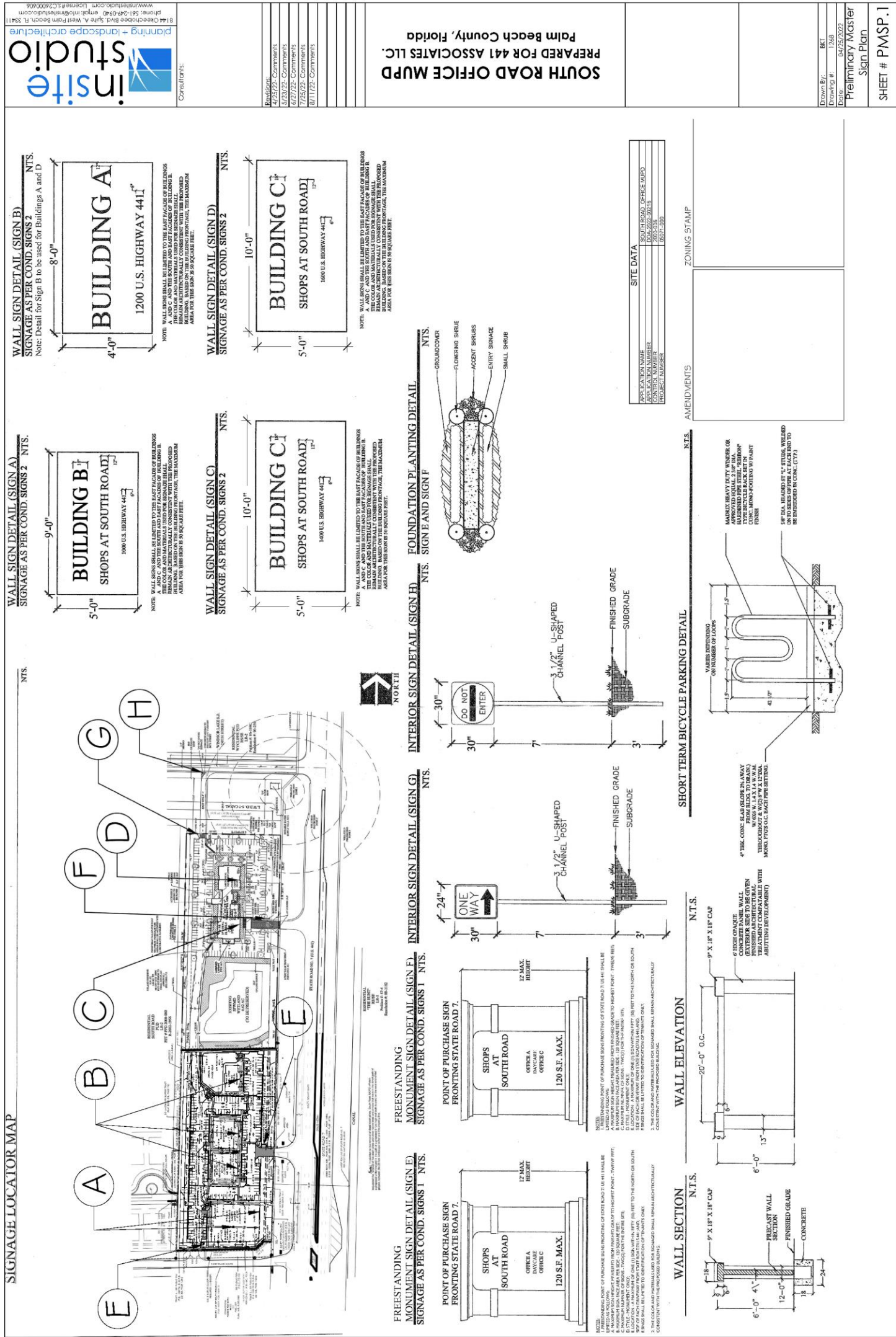




**Figure 3 – Preliminary Site Plan dated August 11, 2022**



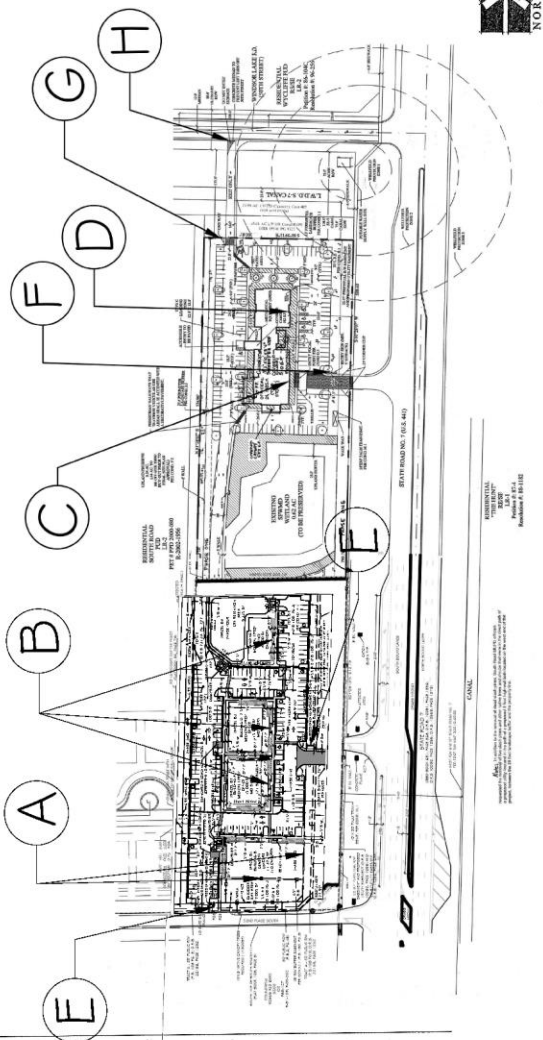
**Figure 4 – Preliminary Master Sign Plan (1 of 2) dated August 11, 2022**





SIGNAGE LOCATOR MAP

NTS



FREESTANDING SIGNS - U/S TIER									
STREET NAME/LENGTH OF FRONTAGE	MAX. NO. PER PROJECT FRONTAGE			MAX. SIGN HEIGHT			MIN. SETBACK		MIN. SEPARATION
	ALLOWED	EXISTING	SIGN AREA	ALLOWED	EXISTING	ALLOWED	EXISTING	ALLOWED	
U.S. 441 (887' 1,200' IN. FT.)	3	1	800 SF	12'	-	9	-	50'	-
SIGN E	2	-	120 SF	-	12'	-	12'	-	7'10"
SIGN F	-	1	120 SF	-	12'	-	25'	-	-

WALL SIGNS - U/S TIER									
LUDC REQUIREMENTS PER TABLE E.G. 1 A - WALL SIGN STANDARDS									
SIGN DIMENSIONS, SEPARATION BETWEEN SIGNS									
	SIGN A	SIGN B	SIGN C	SIGN D					
MAXIMUM SIGN AREA (PER LINEAR FT. OF THE WALL TO WHICH THE SIGN IS ATTACHED)	45 SF	32 SF	50 SF	50 SF					
MINIMUM SIGN AREA (PER LINEAR FT. OF THE WALL TO WHICH THE SIGN IS ATTACHED)	0.5 SQ. FT. ALONG ANY OF THE REMAINING 1.0 SQ. FT. ALONG ANY ONE SIDE OF THE BUILDING								
MINIMUM WALL SIGN PER TENANT SPACE	24 SQUARE FEET	24 SQUARE FEET	24 SQUARE FEET	24 SQUARE FEET					
MINIMUM HORIZONTAL AND VERTICAL SEPARATION BETWEEN SIGNS	3 FT.	3'	3'	3'					
MAXIMUM PROJECTIONS FROM SURFACE OF BUILDING	24 IN.	9 1/4 IN.	9 1/4 IN.	9 1/4 IN.					
MINIMUM VERTICAL SEPARATION BETWEEN SIGNS	6 IN.	1 FT.	1 FT.	1 FT.					
MINIMUM HORIZONTAL SEPARATION BETWEEN SIGN AND ROOF LINE	6 IN.	1 FT.	1 FT.	1 FT.					

SITE DATA	
APPLICATION NUMBER	1 SOUTH ROAD OFFICE MUPD
CONTROL NUMBER	2022-001
PROJECT NUMBER	16971-000

AMENDMENTS

ZONING STAMP

Figure 4 – Preliminary Master Sign Plan (2 of 2) dated August 11, 2022

insite studio  
 planning + landscape architecture  
 814 Creechcreek Blvd, Suite A, West Palm Beach, FL 33411  
 phone: 561-249-0740 email: info@insitestudio.com  
 www.insitestudio.com license # LC24000606

Consultants:

Revisions:

4/25/22: Comments

5/23/22: Comments

6/27/22: Comments

7/25/22: Comments

8/11/22: Comments

SOUTH ROAD OFFICE MUPD  
 PREPARED FOR 441 ASSOCIATES LLC  
 Palm Beach County, Florida

Drawn By: BCT

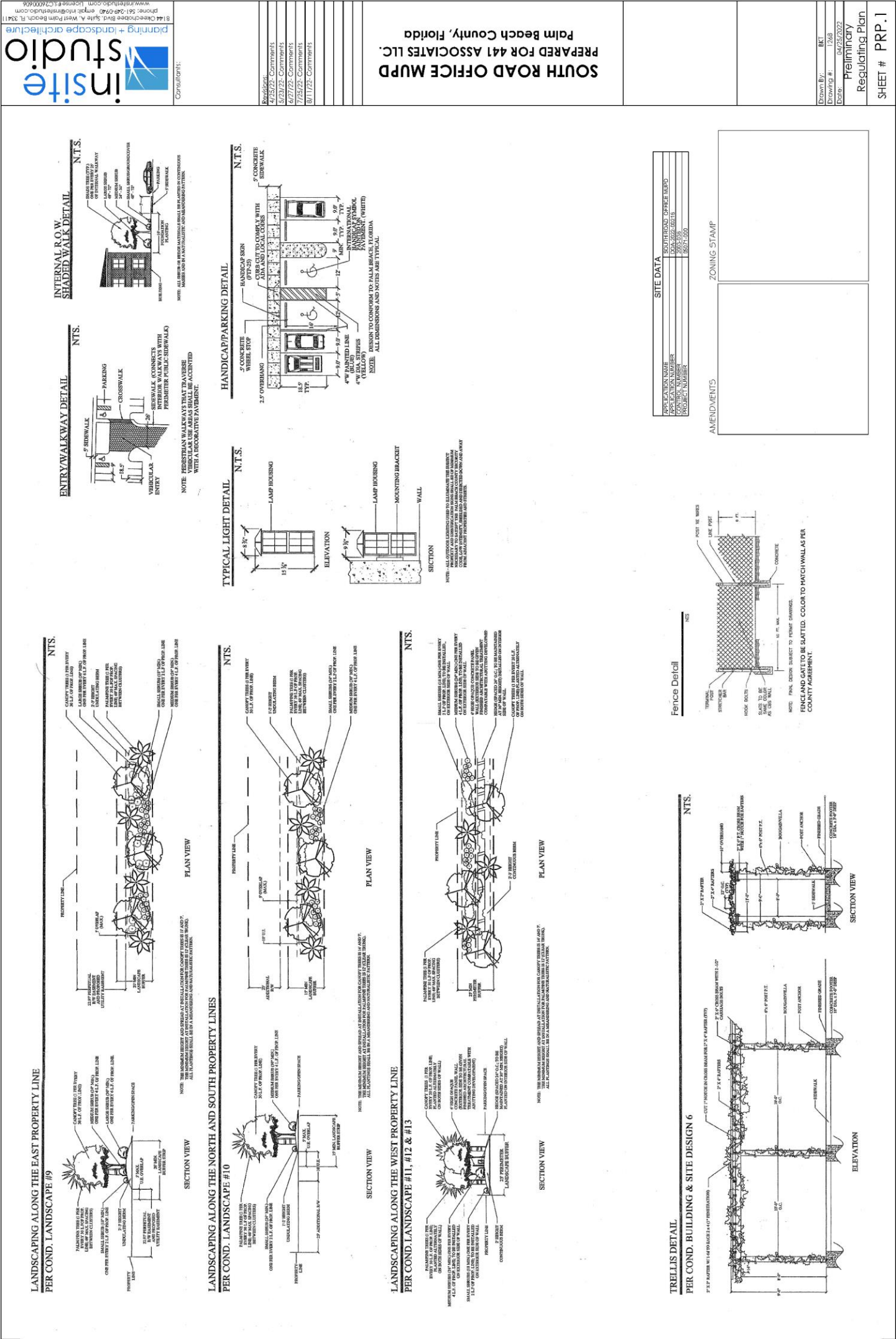
Drawing #: 1268

Date: 04/25/2022

Preliminary Master Sign Plan

SHEET # PMSP.2

**Figure 5– Preliminary Regulating Plan dated August 11, 2022**



Zoning Commission  
Application No. DOA-2022-00216



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 Jason Gorscak, 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 ☒ MGR \_\_\_\_\_ [position - e.g., president, partner, trustee] of 5165 Homeland Plaza, 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: 701 Edgebrook Lane  
West Palm Beach, FL 33411
- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the 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.

  
JASON GORSCAK, Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

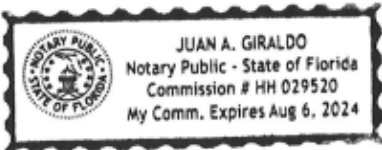
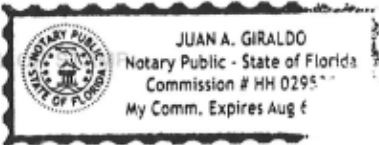
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2nd day of December, 2021 by Jason J. Gorscak (name of person acknowledging). He/she is personally known to me or has produced Driver License (type of identification) as identification and did/did not take an oath (circle correct response).

JUAN GIRALDO  
(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: Aug 6, 2024

NOTARY'S SEAL





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

PARCEL B, OF SOUTH ROAD/441, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 108, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOTAL CONTAINING: 4.36 ACRES, OR 189,889 SQUARE FEET, MORE OR LESS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD.

**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
	5165 Homeland Plaza, LLC - 701 Edgebrook Lane, West Palm Beach, FL 33411

Exhibit E – Environmental Resource Management 360 Day Monitoring Report Package



February 15, 2010

Mr. Mark Godwin  
Palm Beach County ERM  
2300 North Jog Road – 4<sup>th</sup> Floor  
West Palm Beach, FL 33411

**Re: South Road MUPD; 360 Day Tree Monitoring Report; SVP # C-0005-06**

Mr. Godwin:

Find enclosed the 360 day monitoring report for the above referenced project site. Land Design South environmental staff performed a site visit on Monday, February 15, 2010. As stipulated in the Standard Vegetation Permit specific condition 26, the permittee shall provide for 1,154 replacement trees or equivalency. Replacement trees must be of a minimum of twelve feet in height and 2.5 inches DBH in compensation for the removal of 392 native trees on site. Nine Dahoon Holly and 4 Slash Pine were planted onsite for an equivalent of 13 mitigation trees. In addition, 1,125 mitigation tree equivalents were installed in Okecheelee South Park. These trees were initially monitored under a separate report submitted in October 2008, they will be included in this report for 90 Day, 180 Day and 360 Day. The permittee has also relocated 46 sabal palms into the buffers and preserved 25 slash pines onsite. All of the preserved, relocated and mitigation trees were in good health showing no outward signs of disease or physical injury. The relocated trees are staked in place and are free of invasive weeds.

The following outlines the mitigation breakdown:

<b>Mitigation Required</b>	<b>1,154</b>
Mitigation Provided:	
Offsite	1,125
Onsite	13
Relocated Sabal Palms	16 (46/3=16)
<b>Total Provided</b>	<b>1,154</b>

A copy of the landscape plan with the approximate location and number of relocation and mitigation trees is enclosed. Photographs of the relocated and mitigation trees have been enclosed as well. With the submittal of this report the permittee is satisfying their obligation for monitoring of the relocated and mitigation trees per requirement of the Standard Vegetation Permit No. C-0005-06.

Sincerely,  
**LAND DESIGN SOUTH**

Rick Harman  
Environmental Scientist II

2101 Centrepark West Drive, Suite 100 | West Palm Beach, Florida 33409 | 561-478-8501 FAX 561-478-5012  
1100 St. Lucie West Blvd., Suite 202 | Port St. Lucie, Florida 34986 | 772-871-7778 FAX 772-871-9992



**Site Photographs**



Photostation 1



Photostation 2





Photostation 3



Photostation 4



Photostation 5



Photostation 6





Photostation 7



**Plant Schedule**

750 - 4' Slash Pine - *Pinus elliottii*  
2,100 - 5' Pond Cypress - *Taxodium distichum*  
 $(2,100 \times 5') + (750 \times 4') = 13,500$  boardfeet provided  
 $1,100 \times 12' = 13,200$  boardfeet required  
*\*Spacing to be field adjusted at discretion of Park Director*

*Source: Aerials Express*

 = Photostation  
 = Planting Areas


**OKEEHEELEE SOUTH**

---

**South Road MUPD**

**Planting Area Locations**

1100 ST LUCIE WEST BLVD., SUITE 202 PORT ST LUCIE, FLORIDA 34986 P: (772) 871-7770 F: (772) 871-7772



SCALE: 1" = 800'

**LAND  
DESIGN  
SOUTH**

Planning | Landscape Architecture  
Environmental Services | Transportation

DRAWN BY:	RMH
DRAWING #:	
FILE #:	1118.1 EC
DATE:	10/27/2008

**SITE PHOTOGRAPHS OKEEHHEELER PARK (SOUTH ROAD MUPD)**



Photostation 1 – Cypress and pine plantings



Photostation 2 – Cypress and pine plantings along graded shelf.



**SITE PHOTOGRAPHS OKEEHEELEE PARK (SOUTH ROAD MUPD)**



Photostation 3 – Cypress and pine plantings added to existing planted area.



Photostation 4 – Pine planted at south end of Boy Scout island.

**SITE PHOTOGRAPHS OKEEHHEEL PARK (SOUTH ROAD MUPD)**



Photostation 5 – Pine planted at northwest end of Boy Scout Island.



Photostation 6 – Cypress and pine plantings mixed in with mature relocated cypress.



**SITE PHOTOGRAPHS OKEEHHEEL PARK (SOUTH ROAD MUPD)**



Photostation 7 – Cypress and pine plantings.



Photostation 8 – Cypress and pine planted on island.

**SITE PHOTOGRAPHS OKEEHHEELER PARK (SOUTH ROAD MUPD)**



Photostation 9 – Cypress and pine planted in graded restoration area.



Photostation 10 – Cypress and pine planted on and around isolated island.