APPLICATION SUMMARY: Proposed are Type II Variances and a Development Order Amendment (DOA) for the Ferrari-Maserati-Mercedes Benz Multiple Use Planned Development (MUPD). The 13.96-acre site was last approved by the Board of County Commissioners (BCC) on April 24, 2008 to allow for a DOA to add land area, add building square footage, to allow Vehicle Sales and Rental, and to restart the Commencement of Development Clock. The approved Final Site Plan indicates a total of 147,095 square feet (sq. ft.) with eight buildings.

The Applicant is requesting to reconfigure the Site Plan, add and delete square footage, and modify Conditions of Approval (Signs), in order to increase the number of ground mounted freestanding signs from three to four. The Preliminary Site Plan indicates there will be a total of 158,997 sq. ft. located within seven buildings, which includes a 27,767 sq. ft. of sales and rental area, 18,246 sq. ft. of Repair and Maintenance, 6,710 sq. ft. of Service Write-Up Canopy, 16,760 sq. ft. of General Service and Repair area, 23,756 sq. ft. of Body Shop and General Repair, 10,238 sq. ft. of Paint and Body Shop, 8,500 sq. ft. of Showroom and Maintenance, and a 35,512 sq. ft. of Ferrari Showroom/Maintenance area. A total of 481 spaces are provided and two access points remain from Okeechobee Boulevard.

SITE DATA:

| Location: | South side of Okeechobee Blvd, near intersection of Palm Beach Lakes Blvd |
| Property Control Number(s): | 00-42-43-25-32-001-0000 |
| Existing Land Use Designation: | Commercial High, with an underlying HR-8 (CH/8) |
| Proposed Land Use Designation: | No proposed change |
| Existing Zoning District: | Multiple Use Planned Development District (MUPD) |
| Proposed Zoning District: | No proposed change |
| Acreage: | 13.96 acres |
| Tier: | Urban/Suburban |
| Overlay District: | Westgate/Belvedere Homes Overlay |
| Neighborhood Plan: | N/A |
| CCRT Area: | Westgate |
| Future Annexation Area: | Haverhill, West Palm Beach |

RECOMMENDATION: Staff recommends approval of the request subject to 84 Conditions of Approval as indicated in Exhibit C-2.

ACTION BY THE ZONING COMMISSION: At the September 1, 2016 Zoning Commission hearing, this application was on the Regular Agenda and Staff gave a presentation with a recommendation of denial for an additional sign. No one from the public was present to speak on the application. The Agent spoke on behalf of the Applicant explaining the need for an additional (fourth) sign. The Agent agreed to all of the Conditions of Approval. After a discussion and questions to the Applicant, the Zoning Commission...
approved the Type II Variance to allow the additional signage and recommended approval of the request to modify the Condition of Approval limiting the number of signs.

Based on the action of the Zoning Commission, Staff has changed their recommendation to approval to modify the Condition of Approval limiting the number of signs. The Zoning Commission adopted a resolution approving the Zoning Variance subject to 10 Conditions of Approval as indicated in Exhibit C-1 with a vote of 8-1. The Zoning Commission recommended approval of the Development Order Amendment with a vote of 8-1.

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

PROJECT HISTORY:

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Request</th>
<th>Resolutions</th>
<th>Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Z/SE-1983-00161</td>
<td>An Official Zoning Map Amendment to allow a Rezoning from RM Zoning District to the CG and a Special Exception to allow a Planned Commercial Development.</td>
<td>R-1986-0327</td>
<td>December 1, 1983</td>
</tr>
<tr>
<td>DOA/R-2007-01774</td>
<td>A Development Order Amendment to add square footage (2,500 sq. ft.) and reconfigure the Site Plan</td>
<td>R-2008-0474</td>
<td>March 24, 2008</td>
</tr>
<tr>
<td></td>
<td>A Requested Use to allow Vehicle Sales and Rental</td>
<td>R-2008-0475</td>
<td>March 24, 2008</td>
</tr>
<tr>
<td>PDD/DOA-2007-00883</td>
<td>An Official Zoning Map Amendment to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.</td>
<td>R-2008-0685</td>
<td>April 24, 2008</td>
</tr>
<tr>
<td></td>
<td>A Development Order Amendment to add land area, add building square footage, and to allow Vehicle Sales and Rental.</td>
<td>R-2008-0686</td>
<td>April 24, 2008</td>
</tr>
</tbody>
</table>

SURROUNDING LAND USES:

NORTH:
FLU Designation: (City of West Palm Beach)
Zoning District: General Commercial District (CG)
Supporting: Commercial

SOUTH:
FLU Designation: Commercial High, with an underlying HR-18 (CH/18)
Zoning District: Multiple Use Planned Development District (MUPD)
Supporting: Commercial (Midpoint Center, Control No 2001-00030)

EAST:
FLU Designation: Commercial, with an underlying HR-8 (C/8)
Zoning District: General Commercial (CG)
Supporting: Commercial (Control No NA)

FLU Designation: Commercial, with an underlying HR-8 (C/8)
Zoning District: Multi-Family Residential (High Density) District (RH)
Supporting: Residential

FLU Designation: Commercial, with an underlying HR-8 (C/8)
Zoning District: General Commercial (CG)
Supporting: Commercial (Westgate Office Warehouse, Control No 1982-00137)
FLU Designation: Commercial, with an underlying HR-8 (C/8)
Zoning District: Neighborhood Commercial (CN)
Supporting: Commercial (Control No NA)

WEST:
FLU Designation: Commercial High, with an underlying HR-8 (CH/8)
Zoning District: General Commercial District (CG)
Supporting: Public and Civic (HRS Facility, Control No 1996-00003)

FLU Designation: Commercial High, with an underlying HR-8 (CH/8)
Zoning District: General Commercial District (CG)
Supporting: Commercial/Industrial (Indian Road Office Commercial, Control No 2003-00047)

TYPE II VARIANCE SUMMARY: At the September 1, 2016 hearing the ZC adopted a resolution approving the following Zoning Variance subject to 10 Conditions of Approval as indicted in Exhibit C-1 with a vote of 8-1

<table>
<thead>
<tr>
<th>ULDC Article</th>
<th>Required</th>
<th>Proposed</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.G.2.A</td>
<td>3</td>
<td>4</td>
<td>One additional Freestanding Sign Mounted</td>
</tr>
<tr>
<td>Table 8.G.2.A Freestanding Signs:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

FINDINGS:
Conditional Uses, Requested Uses and Development Order Amendments:

When considering a Development Order application for a Conditional or Requested Use, or a Development Order Amendment, the BCC and ZC shall consider Standards 1 – 8 listed in Article 2.B.2.B. of the ULDC. The Standards and Staff Analyses are indicated below. A Conditional or Requested Use or Development Order Amendment which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved.

1. 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.

   a. 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.

   b. Intensity: The maximum Floor Area Ratio (FAR) of .50 is allowed for a non-residential project with a CH/8 FLU designation in the Urban Suburban Tier (607,991 surveyed square feet or 13.96 acres x .50 maximum FAR = 303,995.5 square feet maximum). The request for a total of 158,997 square feet equates to a FAR of approximately 0.26 (158,997 / 607,991 surveyed square feet or 13.96 acres = 0.26).

   c. Special Overlay District/ Neighborhood Plan/Planning Study Area: The property is located within the Revitalization, Redevelopment and Infill Overlay (RRIO), the Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO), and Urban Redevelopment Area (URA) and the Westgate CCRT Area. The applicant met with the CRA and provided a letter dated May 10, 2016 approving the request.

The Applicant is complying with Policy 1.2.2-h, Policy 4.3-g and Policy 4.4-k, that pertains to pedestrian and vehicular cross access, by providing a notation on the Southeast property line for a future secondary access point.

2. Consistency with the Code - The proposed use or amendment complies with all applicable standards and provisions of this Code for use, layout, function, and general development characteristics. The proposed use also complies with all applicable portions of Article 4.B, SUPPLEMENTARY USE STANDARDS.
The Development Order Amendment to the prior Conditional Use for a Vehicle Sales and Rental complies with the Code for use, function and development characteristics. The proposed and existing structures, side setbacks, drive aisle width, parking, loading, foundation planting, which are in the affected area are in compliance with all Code requirements, all Site Plan modifications comply with all applicable portions of Article 4.B, Supplementary Use Standards.

- Lot size: The minimum lot size in accordance with the Supplementary Use Standards is 3 acres. The overall acreage is 13.96-acres.

- Architectural Guidelines: Preliminary Architectural Elevations (PAE) have been evaluated for all of the affected area buildings, including details of compliance with ULDC 5.C. Roofline, Façade, Walls, Exterior Treatments, Fenestration, and all other requirements. Color and material boards have been provided. All architectural modifications within the affected area will be consistent with all existing structures on the site.

- Landscape/ Buffering: Pursuant to ULDC, Article 1.E., Prior Approvals, the site is vested by previous ordinances for approval of what is shown on the site plan or previous approval, and not subject to changes in the current Code. All areas within the affected area comply with all current Code requirements. In addition, all dead or missing landscape materials will be replaced.

- Signs: A revision of the Conditions of Approval is requested to increase in the number of freestanding monument signs from three to four freestanding signs. As the ULDC allows a maximum of three freestanding signs per Right of Way frontage a Variance must be approved as well as the condition must be modified. A Type II Variance to add an additional monument sign for the Maserati dealership. Staff did recommend denial of the request, however, at the September 1, 2016 ZC Hearing, the Applicant explained how the site is in need of additional freestanding ground mounted signs since the dealership has to meet the Maserati brand requirements. The ZC considered the testimony of the Applicant, and has determined that there is sufficient justification to warrant a fourth sign along the Okeechobee frontage. Staff, has changed the recommendation from denial to approval based on the followings findings:

1) The limitation of the number of sign is a Code requirement pursuant to the ULDC (Article 8), it limits the maximum number of sign per project located in the Urban Suburban Tier to three; therefore, the prior Sign Condition1.c is a repetition of the current Code requirements; and

2) If there was no BCC Condition of Approval, the Applicant could have applied for a Variance approval through the Type II Variance and would not need a DOA approval. Now that the Variance has been approved by the ZC, the Condition of Approval limitation will no longer be applicable to those freestanding signs on Okeechobee Boulevard.

- Parking and Loading: The total required parking has been met by the Applicant, the parking requirement per Article 6 of the ULDC for the overall site is 481 spaces and the Applicant is providing 481 parking spaces.

- Existing structures and Use Limitations: The Applicant is proposing modifications to the overall site including Canopy areas, which will bring the site from 147,095 sq. ft. to 158,997 sq. ft. (+11,902 sq. ft.). The enclosed area will be increased from 129,715 sq. ft. to 140,779 sq. ft. (+ 11,064 sq. ft) There is no new phasing requested with this proposal.

<table>
<thead>
<tr>
<th>MUPD Modification</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Mercedes Benz sales and rental area</td>
<td>Will add square footage from 15,313 sq. ft. to 27,767 sq. ft. This modification would be composed of First Floor space of 22,992 sq. ft. and Second Floor space of 4,775 sq. ft. The two vehicle sales canopies will remain at a total of 4,557 sq. ft.</td>
</tr>
<tr>
<td>The Mercedes Repair and Maintenance</td>
<td>increased from 9,408 sq. ft. (First Floor) and 7,728 sq. ft. (Second Floor); Total 17,136 sq. ft. to 10,518 sq. ft. (First Floor) with no change to the Second Floor – Total sq. ft. will be 18,246 sq. ft.</td>
</tr>
<tr>
<td>Service Write-Up Canopy</td>
<td>will be expanded from 4,364 sq. ft. to 6,710 sq. ft.</td>
</tr>
<tr>
<td>Mercedes General Service and Repair area</td>
<td>will remain at 16,760 sq. ft.</td>
</tr>
</tbody>
</table>
Mercedes’ Body Shop / General Repair and Maintenance Building will relocate Car Wash inside, add 1,951 sq. ft. Canopy, reconfigure parking and traffic lanes on west side of building, and add recycling container.

The First Floor will remain the same square footage of 20,036 sq. ft. and the Second Floor will remain the same at 3,720 sq. ft.

Existing Car Wash and Detail Canopy

Will be demolished (3,459 sq. ft.)

The Smart Car dealership will be demolished, pursuant to the Zoning Review (2,500 sq. ft.)

The Future Paint and Body Shop (8) The future Paint and Body Shop will remain at 10,238 sq. ft.

Future Car Wash Canopy

Will remain in Phase II as a 5,000 sq. ft. Canopy at the location of one of the northeast bullpen parking sites.

Maserati Showroom /Maintenance area

No changes has been proposed and it will remain at of 8,500 sq. ft.

Ferrari Showroom/Maintenance area

No changes has been proposed and it will remain at of 35,512 sq. ft.

3. **Compatibility with Surrounding Uses** – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The proposed request includes an amendment to previously approved Conditions of Approval for the existing uses that are on the site. The Applicant is requesting an additional Freestanding Sign, based on the action of the ZC; Staff has changed their recommendation to approval for the request to modify the Condition of Approval limiting the number of signs. The Applicant is also proposing to increase the overall square footage from 147,095 sq. ft. to 158,997 sq. ft. (+11,902 sq. ft.). The existing uses were determined to be compatible with the surrounding areas by the Board of County Commissioners in 2008. The proposed modifications are focused on the interior of the site and will not impact surrounding areas. The proposed DOA to reconfigure the Site Plan, and add and delete square footage is consistent and compatible with the zoning and uses surrounding the property.

4. **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 site design minimizes adverse impact by meeting the standards and requirements of the ULDC for parking, and landscaping and is subject to Conditions of Approval. Preliminary Architectural elevations have been included with the request. No new access points are proposed with the request.

5. **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: The site has been previously cleared for the existing facility.

WELLFIELD PROTECTION ZONE: The property is not located with 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.

6. **Development Patterns** – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*
The facility has existed on the site since 1983 and was expanded to include adjacent property to the east to add the Ferrari and Maserati facilities to the site. The amendment to modify the Site Plan, to add and delete square footage will be consistent with the development pattern for the area. The site's uses and intensities are consistent with the High Commercial uses to the north, east and west. The site's southern boundary is buffered by a large water retention area and bullpen parking, both of which are screened from the Westgate Community Redevelopment Association (CRA). The Westgate CRA has approved the proposed changes to the site and the addition of the square footage does not impact the properties to the south, because the changes are internal to the site's center on Okeechobee Boulevard and do not produce any negative traffic impacts to the south of the project.

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

The proposed Development Order Amendment complies with Article 2.F. of the ULDC, Concurrency (Adequate Public Facility Standards) and does not create any additional impact on public facilities.

**ENGINEERING COMMENTS:**

**TRAFFIC IMPACTS**

Property Owner has assumed the build-out of the project to be December 31, 2018. Existing traffic from this project 3,561 trips per day, 289 trips in the PM peak hour. Additional traffic expected from this project is 304 trips per day, 25 trips in the PM peak hour, for grand total impact of 3,865 daily and 314 PM peak hour trips. Additional traffic is subject to review for compliance with the Traffic Performance Standard.

There are no improvements to the roadway system required for compliance with the Traffic Performance Standards because this project may have an insignificant impact on the surrounding roadway network. This project is located in the Westgate-Belvedere Homes Community Redevelopment Agency Transportation Concurrency Exception Area and therefore, was not required to meet Transportation LOS standards.

In the build-out year of 2018, Okeechobee Blvd is expected to have the highest directional peak hour volume of 3,527 in the eastbound direction during AM peak hour. This volume would be very close to the LOS D directional Service Volume of 3,590 vehicles per hour for an 8 lane divided facility.

The Property Owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department, Permit Section, prior to the application of a Building Permit.

The Property Owner shall obtain a Right of Way Permit from the Palm Beach County Engineering Department, Permit Section, for access onto or work within Indian Road or Westgate Avenue and a permit from the Florida Department of Transportation for access onto or work within Okeechobee Boulevard.

The Property Owner shall dedicate an additional 4.5 feet of right of way to FDOT for Okeechobee Boulevard.

The Property Owner shall close the Okeechobee Boulevard access point located 530 feet east of Indian Road.

The Property Owner shall abandon or release, and relocate if necessary, any and all easements shown in conflict with the existing or proposed structures.

**PALM BEACH COUNTY HEALTH DEPARTMENT:** Project meets all Florida Department of Health requirements.

**FIRE PROTECTION:** The application has been reviewed by the Fire Department and meets the requirements at this time.

**SCHOOL IMPACTS:** This is a nonresidential project, therefore Palm Beach County School Board standards do not apply.
PARKS AND RECREATION: This is a nonresidential project, therefore Park and Recreation Department ULDC standards do not apply.

CONCURRENCY: Concurrency has been approved for a 140,779 sq. ft. Vehicle Sales and Rental.

8. **Changed Conditions or Circumstances** – *There are demonstrated changed conditions or circumstances that necessitate a modification.*

The Applicant states that this area along Okeechobee Boulevard is one of the main areas in Palm Beach County that provides the public with automobile dealerships, maintenance, and service. It has grown over the last thirty years to deal with the County’s expanding population and need for automobile choices. This proposal will help meet their needs by providing better sales, service and maintenance for purchasers of their products.

CONCLUSION

Staff has evaluated the standards listed under Article 2.B.1.B and determined that there is a need for change and the potential impacts generated by the DOA and will be adequately addressed subject to the recommended Conditions of Approval as indicated in Exhibit C-2 and meets the standards listed under Article 2.B.1.B. Therefore, Staff is recommending approval of the request.
CONDITIONS OF APPROVAL

Exhibit C-1
Type II Variance - Concurrent

ALL PETITIONS
1. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated July 14, 2016. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING - Zoning)

SIGNS
1. One additional Ground Mounted Freestanding sign fronting on Okeechobee Boulevard shall be limited as follows:
   a. maximum sign height six (6) feet, measured from finished grade to highest point;
   b. maximum sign face area per side fifty (50) square feet;
   c. maximum number of signs - one (1) (in addition to the existing three (3) Ground Mounted Freestanding signs); and,
   d. style - monument style only. (BLDGPMT: BUILDING DIVISION - Zoning)

VARIANCE
1. The Development Order for this Variance shall be tied to the Time Limitations of the Development Order for ZV/DOA-2016-00658. (ONGOING: ZONING - Zoning)

2. This Variance is approved based on the layout as shown on the Preliminary Site Data Plan dated July 14, 2016. Only minor modifications by Board of County Commissioners or Development Review Officer shall be permitted provided the changes are consistent with this Preliminary Site Plan. (ONGOING: ZONING - Zoning)

3. Prior to the submittal for Final Approval by the Development Review Officer (DRO), the approved Variance(s) and any associated Conditions of Approval shall be shown on the Final Site Plan. (ONGOING: ZONING - Zoning)

4. At time of application for a Building Permit, the Property Owner shall provide a copy of this Variance approval along with copies of the approved Plan to the Building Division. (ONGOING: ZONING - Zoning)

5. This Variance is approved for the Vehicle Sales and Rental use. Any change to the use shall require reconsideration of the Variance by the Zoning Commission. (ONGOING: ZONING - Zoning)

COMPLIANCE
1. In Granting this Approval, the Zoning Commission 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: ZONING - 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; and/or
d. Referral to Code Enforcement; and/or
e. Imposition of entitlement density or intensity.

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

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

Exhibit C-2
Development Order Amendment

ALL PETITIONS
1. Previous ALL PETITIONS Condition 1 of Resolution R-2008-686, Control No.1983-00161, which currently states:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated February 15, 2008. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC.

Is hereby amended to read:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated July 14, 2016. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2008-686, Control No.1983-00161, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2008-686 (Resolution number pending) and R-2004-0149, (Control No. 1983-161), 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.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2008-686 (Control No. 1983-161), 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)

3. Previous ALL PETITIONS Condition 3 of Resolution R-2008-686, Control No.1983-00161, which currently states:

3. Based on Article 2.E of the Unified Land Development Code, this development order meets the requirements to receive a new three (3) year review date from the date of approval of this resolution. (DATE/ONGOING: MONITORING - Monitoring) (Previous ALL PETITIONS Condition 3 of Resolution R-2008-686, Control No.1983-00161)

Is hereby amended to read:

Based on Article 2.E of the Unified Land Development Code, this Development Order meets the requirements to receive a new three (3) year review date from the date of approval of this resolution. (DATE/ONGOING: MONITORING - Monitoring)

ARCHITECTURAL REVIEW
1. Compliant with the Zoning Technical Manual and indicating a color and finish schedule keyed to each surface, a roof plan for the proposed Maserati dealership building, the floor plan for the proposed Maserati dealership building shall be submitted simultaneously with the site plan. The elevations and the site plan shall be designed to be consistent with Article 5.C. of the ULDC. Development shall be consistent with the approved architectural elevations and the approved DRO
2. Similar architectural composition and treatment shall be provided on all sides of building “B” (Maserati dealership). (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2008-686, Control No.1983-00161)

3. All building mounted electrical, air conditioning, and fixed mechanical equipment, such as satellite dishes, shall be screened from view on all sides by an opaque barrier constructed of compatible materials, color and character on building "B" building and building “C”. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 3 of Resolution R-2008-686, Control No.1983-00161)

4. Prior to final DRO approval the building elevations shall provide an articulation of the parapet roof treatment along all sides of building “B”:
   a. The minimum combined length of the articulation of the parapet shall be no less than 30 percent;
   b. The maximum spacing between any articulation of the parapet shall be no greater than 100 feet;
   c. No parapet length used as part of wall signage shall be counted as an articulation; and
   d. All parapets shall be comprised of a decorative molding. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 4 of Resolution R-2008-686, Control No.1983-00161)

5. Prior to final DRO approval the building elevations shall provide recesses and/or projections along each side of building “B”:
   a. The total length of the recesses and/or projections shall be a minimum of 20 percent of the total length of each facade; and
   b. Recesses and/or projections shall be distributed along each facade with a maximum distance of 100 feet between each recession and/or projection. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 5 of Resolution R-2008-686, Control No.1983-00161)

6. Prior to final DRO approval the building elevations shall indicate one of the following on all sides of building "B”:
   a. Provide a primary and secondary exterior treatment of at least two different materials textures or finishes.
      i. Minimum treatment to be 20 percent. Note location and treatment on the elevations;
   b. Provide fenestration details to each facade.
      i. Minimum treatment to be 60 percent of the length of the front, side and rear facades. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 6 of Resolution R-2008-686, Control No.1983-00161)

7. Building “B” shall have a minimum of one clearly defined, easily identifiable primary public entrance feature. The entry feature shall provide:
   a. Canopies, porte-cochere, or porticos;
   b. Wall recess or projection with a minimum of 12 inches in depth; and
   c. Special pavers, bricks, decorative concrete, or other similar pavement treatment. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 7 of Resolution R-2008-686, Control No.1983-00161)

8. All buildings shall have exterior paint colors and/or materials that are compatible with the surrounding area and complement the project. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 8 of Resolution R-2008-686, Control No.1983-00161)
9. Revise the site plan to include the locations of a pedestrian amenity. Provide details for the pedestrian amenity on the regulating plan. The pedestrian amenity shall come in the form of either:
   a. A clock tower with pedestrian plaza;
   b. A water feature or fountain with pedestrian plaza;
   c. An outdoor patio, courtyard or plaza containing tables with umbrellas for open air eating in common areas and not associated with tenant use (i.e., restaurant);
   d. Outdoor furniture; or
   e. Other pedestrian amenity acceptable to the Architecture Review section. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 9 of Resolution R-2008-686, Control No.1983-00161)

10. Revise the site plan to include a continuous internal pedestrian walkway system that connects the various uses to other uses on the site. The walkways shall:
   a. Provide one (1) native canopy tree for every twenty-five (25) linear feet of walkway with a maximum spacing of 50 feet between trees;
   b. Provide one (1) bench every two-hundred (200) feet between the public sidewalk and building; and
   c. Walkways that traverse vehicular use areas shall be accented with special pavers, bricks, or decorative concrete, stamped concrete or similar decorative pavement treatment. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 10 of Resolution R-2008-686, Control No.1983-00161)

11. The site plan shall be revised to provide one five-bike bicycle rack per each two-hundred (200) parking spaces. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 11 of Resolution R-2008-686, Control No.1983-00161)

12. Bay doors shall be located and oriented away from residential property lines or setback a minimum of 50 feet and screened from view. Please revise your elevations or provide details for the screening of these doors. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 12 of Resolution R-2008-686, Control No.1983-00161)

13. The exterior elevations of all buildings shall integrate the gutters and downspouts into the architectural design of the building. Painting the gutters shall not constitute integration. (DRO: ZONING - Architectural Review) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 13 of Resolution R-2008-686, Control No.1983-00161)

14. The following elements shall be prohibited:
   a. Neon lights and colors;
   b. High intensity, metallic or fluorescent colors; and
   c. Mirror or solar glass with a reflectivity or opacity greater than 60 percent. (ONGOING: ZONING - Architectural Review) (Previous ARCHITECTURAL REVIEW Condition 14 of Resolution R-2008-686, Control No.1983-00161)

ENGINEERING
1. Previous ENGINEERING Condition 1 of Resolution R-2008-686, Control No.1983-00161, which currently states:

   Previous Condition E1, 4, 5, and 9 of Resolution R-. R-2004-0149 , Petition PDD1983-161D were deleted (ONGOING: ENGINEERING - Engineering)

   Is hereby deleted. [REASON: Previously deleted]

2. Within 90 days of approval, the Property Owner shall convey:
   a) for the ultimate right-of-way for Okeechobee Boulevard, 70 feet from centerline approximately an additional 10 feet; conveyance must be accepted by Palm Beach County prior to issuance of the first building permit.
b) for the ultimate right-of-way for Indian Road, 40 feet from centerline approximately an additional 10 feet; conveyance must be accepted by Palm Beach county prior to issuance of the first building permit.

c) a drainage easement along the East property line to Palm Beach County as required by the County Engineer in accordance with the proposed Westgate Areawide Drainage Improvements Program for purposes of providing a piped legal positive outfall to serve the adjacent properties. The Petitioner shall also be responsible for all costs incurred with the piping of this easement. Palm Beach County shall permit the Petitioner the use of this easement for required parking purposes and the required ten (10) foot wide landscape strip. (BLDGPM'T/ONGOING: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2008-868, Control No.1983-00161)

3. The Developer shall construct concurrent with on site paving and drainage improvements pursuant to a paving and drainage permit issued from the Office of the County Engineer:

a) an extension of the existing left turn lane, East approach, on Okeechobee Boulevard, at the project's existing west entrance road, per the County Engineer's approval.

b) right turn lane, West approach, on Okeechobee Boulevard at the project's existing West entrance road.

c) On Indian Road, at the project's entrance road, a left turn lane, north approach and a right turn lane, South approach. (ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2008-868, Control No.1983-00161)

4. Previous ENGINEERING Condition 4 of Resolution R-2008-868, Control No.1983-00161, which currently states:

The Developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties. (ONGOING: ENGINEERING - Engineering)

Is hereby deleted. [REASON: Code requirement]

5. Previous ENGINEERING Condition 5 of Resolution R-2008-868, Control No.1983-00161, which currently states:

The Developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring properties. (ONGOING: ENGINEERING - Engineering)

Is hereby deleted. [REASON: Code requirement]

6. Prior to certification, site plan shall be amended to reflect the following:

a) The proposed drainage easement along the East property line and a ten (10) foot wide landscape strip along the East property line which abuts RM Zoned property and along the South property line.

b) Relocation of the proposed dumpster enclosure to the Western portion of the site. (DRO/ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2008-868, Control No.1983-00161)

7. If permitted by the Florida Department of Transportation (FOOT) and the County Engineer, the Petitioner shall landscape the median of Okeechobee Boulevard consistent with FOOT Index Standard #546. Trees, if permitted, may be planted singly or in clusters, with a maximum spacing of sixty (60) feet on center. All landscape material shall be selected and installed according to xeriscape principles. This landscaping shall be maintained by the Developer for a period of eighteen (18) months from the time of planting and shall be installed prior to August 1, 1995. (DATE/ONGOING: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 7 of Resolution R-2008-868, Control No.1983-00161)

8. Prior to issuance of a building permit, the Property Owner shall convey a temporary roadway construction easement along Indian Road to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final
9. Prior to the issuance of a building permit, the Property Owner shall convey to Palm Beach County 
Land Development Division by warranty deed for a 25 foot corner clip at the intersection of Westgate 
Avenue and Indian Road. Right of way conveyance shall 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'T: MONITORING - Engineering] [Note: COMPLETED] (Previous ENGINEERING Condition 8 of Resolution R-2008-686, Control No.1983-00161)

10. Previous ENGINEERING Condition 10 of Resolution R-2008-686, Control No.1983-00161, which currently states:

Condition E.1 4 of Resolution R-2004-0149, Petition No. 1983-1 61 (0)) which currently states:

In order to comply with the mandatory Traffic Performance Standards, the 
Developer shall be restricted to the following phasing schedule:
No Building Permits for the site may be issued after January 29, 2007. A time extension for this 
condition may be approved by the County Engineer based upon an approved Traffic Study, which 
complies with Mandatory Traffic Performance Standards in place at the time of the request. This 
extension request shall be made pursuant to the requirements of Section 5.8 of the Unified Land 
Development Code. 
(DATE: MONITORING-Eng)

Is hereby amended to read:

A) No Building Permits for the site may be issued after April 25, 2011. 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-Eng) (BLDGPM'T/DATE: MONITORING - 
Engineering)

Is hereby deleted. [REASON: Replaced by a new condition number 16.]

11. The Property Owner shall replace Palm Beach County's existing Indian Road Drainage system 
along the existing Car Dealership's south property line in accordance with the approval of the County 
Engineer.

a. This construction shall be concurrent with the paving and drainage improvements for the site. Any 
and all costs associated with this construction shall be paid by the property owner. Construction shall 
include the relocation of the existing drainage easement to eliminate the 2-90 degree bends within the 
site. The relocated drainage easement shall be shown on the final site plan.

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

c. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. 
(BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING 
Condition 11 of Resolution R-2008-686, Control No.1983-00161)
12. The Property Owner shall close the existing drive to the site on Okeechobee Boulevard 530 feet east of Indian Road in accordance with the Florida Department of Transportation requirements. Driveway closure shall be concurrent with the paving and drainage improvements for the Smart Car Dealership. Any and all costs associated with the construction shall be paid by the Property Owner.

a. Permits required from Palm Beach County for this driveway closure shall be obtained prior to the issuance of the Building Permit for the Smart Car Dealership. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]

b. Any construction associated with this driveway closure shall be completed prior to the issuance of the first Certificate of Occupancy for the Smart Car Dealership. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 12 of Resolution R-2008-686, Control No.1983-00161)

13. Prior to issuance of a Building Permit the Property Owner shall plat the subject property in accordance with provisions of Article 8 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 13 of Resolution R-2008-686, Control No.1983-00161)

14. The Property Owner shall provide to the Florida Department of Transportation (FDOT), a road right of way deed and all associated documents as required by FDOT for Okeechobee Boulevard, an additional 4.5 feet of additional right of way, or as approved by FEOT and the County Engineer.

All right of way deed(s) and associated documents shall be provided and approved prior to the issuance of the first building permit. Right of way conveyance shall be along the project’s entire frontage and shall be free and clear of all encumbrances and encroachments. Property Owner shall provide FDOT with sufficient documentation, including, at a minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from Tax Collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed, and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Property Owner must warrant that the property being conveyed to FDOT 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 and FDOT 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 coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDGPMT: MONITORING - Engineering)

15. Prior to the issuance of the first building permit, the Property Owner shall abandon or release, and relocate if necessary, any and all easements shown in conflict with the existing or proposed structures. (BLDGPMT: MONITORING - Engineering)

16. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2018. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)
ENVIRONMENTAL
1. Secondary containment for stored regulated substances—fuels, oils, solvents, or other hazardous chemicals is required. Environmental Resources management Department staff are willing to provide guidance on appropriate protective measures. (ONGOING: ERM-ERM) (Previous Condition D.1 of Resolution R-2004-0149, Petition No. 1883-161(D)) (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) (Previous ENVIRONMENTAL Condition 1 of Resolution R-2008-474, Control No.1983-00161)

2. Plans for underground storage tanks must be signed off by the Department of Environmental Resources Management prior to installation. The Petitioner shall perform all necessary preventative measures to reduce the chances of contamination of the groundwater. Double walled tanks and piping with corrosion protection or their equivalent shall be a part of those measures. (ONGOING: ERM-ERM) (Previous Condition D.2 of Resolution R-2004-0149, Petition No. 1883-161(D)) (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) (Previous ENVIRONMENTAL Condition 2 of Resolution R-2008-474, Control No.1983-00161)

3. 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 D.3 of Resolution R-2004-0149, Petition No. 1883-161(D)) (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) (Previous ENVIRONMENTAL Condition 3 of Resolution R-2008-474, Control No.1983-00161)

HEALTH
1. Previous Health condition F. 1. of Resolution R 2004-0149 which reads:

Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents. (ONGOING: HEALTH-CODE ENF)

Is hereby amended to read:

Owners and operators of facilities generating hazardous, industrial, or toxic wastes shall not deposit or cause to be deposited into the sanitary sewer system any such wastes unless adequate 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: HEALTH-Health) (ONGOING: HEALTH DEPARTMENT - Health Department)

4. The Owner, occupant, or tenant of the facility shall participate in an oil recycling program which ensures proper re-use or disposal of waste oil.

(ONGOING: HEALTH-Health) (Previous condition F.4 of Resolution R-2004-0149, Control number 1983-161) (ONGOING: HEALTH DEPARTMENT - Health Department)

LANDSCAPE – STANDARD
1. In Granting this Approval, the Zoning Commission 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: ZONING - 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; and/or
d. Referral to Code Enforcement; and/or
e. Imposition of entitlement density or intensity.

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

3. Fifty (50) percent of canopy trees to be planted in the perimeter landscape buffers shall be native, and meet the following minimum standards at installation (This condition is not applicable to areas adjacent to an FPL easement):

a.) Tree height: Fourteen (14) feet;
b.) Trunk diameter: three and one-half (3.5) Inches measured at four and one-half (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 three and one-half (3.5) feet in length; and

d.) Credit may be given for existing or relocated trees provided they meet ULDC requirements. (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 1 of Resolution R-2008-686, Control No.1983-00161)

4. Ali palms required to be planted on the property 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. (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 2 of Resolution R-2008-686, Control No.1983-00161)

5. 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. legmen (18) (0 twenty-four (24) manse -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 does not apply to the five (5) foot wide compatibility buffer or where a single row of hedge is required on one or both Sides of the wall. (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 3 of Resolution R-2008-686, Control No.1983-00161)

6. All trees and palms shall be planted in a meandering and naturalistic pattern. (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 4 of Resolution R-2008-686, Control No.1983-00161)

7. A group of three (3) or more palm or pine trees may not supersede the requirement for a canopy tree in that location, unless specified here in. (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 5 of Resolution R-2008-686, Control No.1983-00161)
8. All canopy trees to be planted within overhead utilities easement shall be consistent with FP&L’s tree list suggested in the Plant the Right Tree in the Right Place of guidelines and pursuant to Section 7.3.E.12.a of the ULDC. (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 6 of Resolution R-2008-686, Control No.1983-00161)

9. Field adjustment of plant materials may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings. (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 7 of Resolution R-2008-686, Control No.1983-00161)


11. In addition to the existing Royal Palms, landscaping and buffering along the north property line shall be upgraded to include:

a. a minimum twenty (20) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;

b. 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;

c. 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,

d. 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. (CO: LANDSCAPE - Zoning) (Previous Condition 1.1 of Resolution R-2004-149, Control No.1983-161) [NOTE: Completed] (CO: ZONING - Zoning) (Note: COMPLETED) (Previous LANDSCAPE - STANDARD Condition 9 of Resolution R-2008-686, Control No.1983-00161)

12. Landscaping and buffering along the south property line shall be upgraded to include:

a. a minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;

b. one (1) native canopy tree for each thirty (30) linear feet of the property line;

c. 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;

d. 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; and,

e. 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. (CO: LANDSCAPE- Zoning) (Previous Condition J.1 of Resolution R-2004-149, Control No.1983-161) [NOTE: Completed] (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 10 of Resolution R-2008-686, Control No.1983-00161)

13. Landscaping and buffering along the west property line shall be upgraded to include:

a. a minimum fifteen (15) foot wide landscape buffer strip along the south 560 linear feet of the west property line. No width reduction or easement encroachment shall be permitted;

b. one (1) native canopy tree for each thirty (30) linear feet of the property line;

c. 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;

d. 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; and,

e. 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. (CO: LANDSCAPE - Zoning) (Previous Condition K.1 of Resolution R-2004-149, Control No.1983-161) [NOTE: Completed] (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 10 of Resolution R-2008-686, Control No.1983-00161)
14. Landscaping and buffering along the south 520 linear feet of the east property line shall be upgraded to include:

a. a minimum of fifteen (15) foot wide landscape buffer strip. No width reduction shall be permitted. A maximum of five (5) foot easement encroachment may be permitted;
b. an eight (8) foot high opaque concrete block or concrete panel wall to be located at the north end of the retention area, and shall extend a minimum of 270 linear feet northwards. Both sides of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure;
c. one (1) canopy tree planted for each twenty (20) linear feet of the property line;
d. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
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. In area where a wall is located, shrubs shall be planted on both sides of the wall;
f. one (1) medium shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of thirty-six (36) inches at installation; and
g. one (1) climbing vine supported by decorative trellis shall be installed at ten (10) feet on center at the exterior side of the required wall. (CO: LANDSCAPE - Zoning) (Previous Condition L.1 of Resolution R-2004-149, Control No.1983-161) [NOTE: Completed] (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 12 of Resolution R-2008-686, Control No.1983-00161)

15. Landscaping and buffering along the north 670 feet of the east property line shall be upgraded to Include:

a. a minimum of ten (10) foot wide landscape buffer strip;
b. a minimum eight (8) foot high opaque concrete or concrete panel wall. excluding the northernmost 200 linear feet. The exterior side of the wall shall be given a finished architectural treatment which is compatible and harmonious with abutting development;
c. plant materials shall be installed pursuant to the 2003 ULDC requirements. (DRO/CO: ZONING.-Zoning) (Previous Condition M.1 of Resolution R-2004-149, Control No.1983-161) [NOTE: Completed] (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 13 of Resolution R-2008-686, Control No.1983-00161)

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

a. A minimum of one (1) canopy tree for each Island. Additional tree may be required in each island, subject to review and approval by the Landscape Section at final DRC approval,
b. 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. (CO: LANDSCAPE - Zoning) (Previous Condition N.4 of Resolution R-2004-149, Control No.1983-161) [NOTE: Completed] (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 14 of Resolution R-2008-686, Control No.1983-00161)

17. Landscaping for divider median in the parking area (between the existing body shop, vehicle sales and the proposed body shop) shall consist of the following:

a. the existing wall shall be renovated or painted to a color consistent with the principal structure;
b. one (1) flowering or canopy tree for each twenty-five (25) linear feet of the median-Trees to be planted alternating on both sides of the wall;
c. one (1) palm for each thirty-five (35) linear feet of the median. Palms may be planted in clusters and shall be planted alternating on both sides of the wall;
d. a continuous hedge between all trees within the median where
applicable. Shrub or hedge materials or ground cover shall be maintained at a maximum height of thirty (30) inches; and
e. one (1) climbing vine supported by decorative trellis shall be installed at ten (10) feet on center on both sides of the required wall. (DRO/CO: ZONING/LANDSCAPE - Zoning) (Previous Condition N.5 of Resolution R2004-149, Control No.1983-161) [NOTE: Completed] (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 15 of Resolution R-2008-686, Control No.1983-00161)

18. Prior to final site plan approval by the Development Review Committee (DRC), an Alternative Landscape Plan (ALP) for the north side of the 1.38-acre dry detention area to the landscape Section for review and approval. Bay door orientation towards the south of the automotive paint and body shop building shall be permitted subject to the approval of the ALP. (DRC/CO: LANDSCAPE - Zoning) (Previous Condition N.6 of Resolution R-2004-149, Control No.1983-161) [NOTE: Completed] (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 16 of Resolution R-2008-686, Control No.1983-00161)

19. A concrete block wall or concrete panel wall with a minimum height of eight (8) feet shall be installed along the northern edge of the retention area. This wall shall connect to the wall as required pursuant to Condition N.8. Both sides of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure. Planting shall include the following:

a. one (1) canopy tree planted for each twenty (20) linear feet of the wall, and shall be planted on the exterior side of the wall;
b. one (1) palm or pine tree for each thirty (30) linear feet of the wall with a maximum spacing of sixty (60) feet between clusters, and shall be one (1) small shrub for each two (2) linear feet of the wall. Shrub shall be a minimum height of twenty-four (24) inches at installation, and shall be planted on both sides of the wall;
d. one (1) medium shrub for each two (2) linear feet of the wall. Shrub shall be a minimum height of thirty-six (36) inches at installation, and shall be planted on both sides of the wall; and
e. one (1) climbing vine supported by decorative trellis shall be installed at ten (10) feet on center, and to be located on both sides of the walls. (CO: LANDSCAPE - Zoning) (Previous Condition N.8 of Resolution R-2004-149, Control No.1 983-161 ) [NOTE: Completed] (CO: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - STANDARD Condition 17 of Resolution R-2008-686, Control No.1983-00161)

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. (ONGOING: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 1 of Resolution R-2008-686, Control No.1983-00161)

2. All outdoor, free standing lighting fixtures shall not exceed twenty-five (25) feet in height measured from finished grade to highest point. (Previous LIGHTING Condition 2 of Resolution R-2008-686, Control No.1983-00161)

3. All outdoor, freestanding lighting fixtures shall be setback fifty (50) feet from the east property line. (ONGOING: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 3 of Resolution R-2008-686, Control No.1983-00161)

4. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 4 of Resolution R-2008-686, Control No.1983-00161)

PARKING
1. Customer parking shall be marked with an above grade sign and shall be physically separated from the vehicle sales, storage and display areas. (BLDGPM'T: BUILDING DIVISION - Zoning) (Previous PARKING Condition 1 of Resolution R-2008-686, Control No.1983-00161)
2. Previous PARKING Condition 2 of Resolution R-2008-686, Control No.1983-00161, which currently states:

The equipment yard shall be screened by a twelve (12) foot high wing wall consistent with the color and character of the principle structure. The open end shall have an obscure opaque gate. (BLDGPMT: ARCHITECTURAL REVIEW - Zoning)

Is hereby deleted. [REASON: There is no equipment yard space within the Site.]

3. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site except within the loading and delivery areas designated on the site plan. (ONGOING: CODE ENF - Zoning) (Previous PARKING Condition 3 of Resolution R-2008-686, Control No.1983-00161)

SIGNs
1. Previous SIGNS Condition 1 of Resolution R-2008-686, Control No.1983-00161, which currently states:

Freestanding signs fronting on Okeechobee Boulevard shall be limited as follows:

a. maximum sign height, measured from finished grade to highest point fifteen (15) feet;
b. maximum sign face area per side ninety (90) square feet;
c. maximum number of signs three (3);
d. style - monument style only;
e. any replacement or modification to the non-conforming 25 foot high freestanding sign shall comply with the limitations listed above.

Is hereby amended to read:

Freestanding Signs fronting on Okeechobee Boulevard shall be limited as follows:

a. Maximum sign height measured from finished grade to highest point: Mercedes Benz Monument Sign 25 feet; Smart Car Monument Sign 14 feet; Ferrari Monument sign 14 feet; and Maserati Monument sign 6 feet;
b. Maximum sign area per side: Mercedes Benz, Smart Car and Ferrari Monument signs 90 square feet and Maserati Monument sign 50 square feet;
c. Maximum number of signs: four (4)
d. Any replacement or modification to Mercedes Benz Monument Sign (non-conforming twenty (25) foot high freestanding sign) shall comply with the limitations listed above. (CO: BUILDING DIVISION - Zoning)

2. Signs fronting on Indian Road shall be limited as follows:

a. Maximum sign height - ten (10) feet.
b. Maximum total sign area per face - 35 square feet per face.
c. Maximum number of signs one (1). (CO: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 2 of Resolution R-2008-686, Control No.1983-00161)

3. Prior to final site plan approval of the Development Review Committee (DRC), the petitioner shall submit a Master Sign Program containing sign location and sign dimensions, all proposed details shall be in conformance to all sign related conditions of approval. (DRO: ZONING-Zoning) (Previous Condition R.3 of Resolution R-2004-149, Control No.1983-161) (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SIGNS Condition 3 of Resolution R-2008-686, Control No.1983-00161)

4. No signs shall encroach into the minimum required perimeter landscape buffers. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SIGNS Condition 4 of Resolution R-2008-686, Control No.1983-00161)
5. All on site signs shall comply with the Palm Beach County Sign Code and shall indicate principal uses only. No snipe signs, balloons, banners or other prohibited types of advertisement or signs shall be permitted onsite. (ONGOING: CODE ENF - Zoning) (Previous SIGNS Condition 5 of Resolution R-2008-686, Control No.1983-00161)

6. No advertising flags, foreign flags, pennants, banners, streamers, balloons, flashing signs, electronic message boards, signs upon any vehicles, prices or vehicle stock numbers or other Information shall be displayed on vehicles for sale except as required to be posted on such vehicles by law and the year of the automobile. (ONGOING: CODE ENF - Zoning) (Previous SIGNS Condition 6 of Resolution R-2008-686, Control No.1983-00161)

7. No objects, gimmicks or advertising designed to attract the public's attention off-site shall be displayed outdoors, or upon any building, vehicle or wall, except as may be permitted by the Sign Code. (ONGOING: CODE ENF - Zoning) (Previous SIGNS Condition 7 of Resolution R-2008-686, Control No.1983-00161)

8. No vehicle shall be parked with its hood or trunk open, nor elevated off the ground in any way. Vehicles shall only be parked or displayed in the approved areas designated on the certified site plan. (ONGOING: CODE ENF - Zoning) (Previous SIGNS Condition 8 of Resolution R-2008-686, Control No.1983-00161)

9. Wall signs shall be limited to south and west facades of the new auto paint and body building. Individual lettering size shall be limited to twenty-four (24) inches high. Wall signs shall be limited to only identification of tenants only. (CO/ONGOING: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 9 of Resolution R-2008-686, Control No.1983-00161)


USE LIMITATIONS

1. When this facility is not open, the principal inventory parking areas shall be locked and gated. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2008-686, Control No.1983-00161)

2. All display, inventory, parking, spaces, loading area and specialized vehicular use area, shall be limited to the locations as shown on the site plan dated December 23, 2003. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2008-686, Control No.1983-00161)

3. No vehicles, other than for customer/employee parking and those which are intended for sale and are in running condition, shall be stored or displayed outdoors on-site. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2008-686, Control No.1983-00161)


5. No outside storage of disassembled vehicles, or parts thereof, shall be permitted on site. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 5 of Resolution R-2008-686, Control No.1983-00161)

6. Vehicles shall not be tested off-site on residential streets. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 6 of Resolution R-2008-686, Control No.1983-00161)

7. Any automatic car wash facility on the site shall utilize a 100% water recycling system. (ONGOING: CODE ENF - Health Department) (Previous USE LIMITATIONS Condition 7 of Resolution R-2008-686, Control No.1983-00161)
8. No retail business activities shall be allowed on the site, including deliveries, prior to 6:00 am. nor continue later than 10:00 p.m., except deliveries to the “Dedicated Delivery Area” indicated on the master site plan. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 8 of Resolution R-2008-686, Control No.1983-00161)

10. No storage or placement of any, refuse, equipment or debris shall be permitted in the rear of the facility. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 10 of Resolution R-2008-686, Control No.1983-00161)

USE LIMITATIONS-NOISE CONTROL

11. No outdoor speaker or public address systems which are audible off-site shall be permitted. (ONGOING: CODE ENF - Zoning) (Previous UNITY OF CONTROL Condition 1 of Resolution R-2008-686, Control No.1983-00161)

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: ZONING - 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 3 – Aerial

PALM BEACH COUNTY PLANNING DIVISION
SITE LOCATION

Application No. ZV/DOA-2016-00658
Control No. 1983-00161
Project No. 05026-000

Ferrari-Maserati-Benz
ZV/DOA-2016-658
83-161
57 & 58
8/4/2016
Figure 4 – Preliminary Site Plan dated July 14, 2016
Figure 5 Preliminary Regulating Plan dated June 27, 2016
Figure 6 Preliminary Master Sign Program dated May 23, 2016 (Page 1 of 3)
Figure 6 Preliminary Master Sign Program dated May 23, 2016 (Page 3 of 3)
Figure 7 Preliminary Architectural Elevations dated June 27, 2016 (Page 1 of 2)
Exhibit D: Disclosures

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 Jennifer Bolton, 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] Secretary [position - e.g., president, partner, trustee] of XYZ 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: 308 Broadway, Suite 403
   Seaville Springs, NY 11756

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 671, 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 the 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.

Disclosure of Beneficial Interest - Ownership form
Page 1 of 4

Revised: 09/25/2011
Well Printed: 2011
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.

Jennifer L. Boston
Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 26th day of April, 2016, by Jennifer Boston, [X] who is personally known to me or [ ] who has produced [ ] as identification and who did take an oath.

______________________________
Notary Public

NY State ID: 07640093

Certified in Warren County

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 01/31/18
LEGAL DESCRIPTION:
A PARCEL OF LAND SITUATE IN SECTION 25, TOWNSHIP 43 SOUTH,
RANGE 42 EAST, AND IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43
EAST, BEING ALL OF TRACT A, MERCEDES BENZ OF PALM BEACH,
M.U.P.D. PLAT TWO, ASRecordedinPLATBOOK112, PAGES 57 TO 59,
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 607,991 SQUARE FEET, OR 13.96 ACRES, MORE OR LESS
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

New Country Motor

Address

4000 Okeechobee Boulevard

Cars of Palm Beach, LLC

West Palm Beach, FL 33409

Disclosure of Beneficial Interest - Ownership form

Page 4 of 4

Revised 08/25/2011

Web-Format 2011
May 10, 2016

Mr. Gary Brandenburg
Brandenburg & Associates, PA
11891 US Hwy 1, Suite 100
North Palm Beach, FL 33408

RE: New Country Motor Cars of the Palm Beaches (Mercedes/Ferrari/Maserati/Smart Car)
3974 Okeechobee Blvd.
MUPD Development Order Amendment (DOA) with Concurrent Type II Variance Request
& Final DRO Site Plan Approval
ZV/DOA/FRDO/TCEA (Control No. 1983-00161)

Dear Mr. Brandenburg:

Please be advised that this letter is prepared to address the requirement of Article 3.B.14.D.1 of the
Unified Land Development Code (ULDC), as amended.

The Westgate CRA Board of Commissioners reviewed the site plan dated March 31, 2016, and other
supporting documents, as submitted by your office, at its May 9, 2016 Board meeting. Based on the
information and documents provided, the following requests for the above referenced property have
been determined to be generally consistent with the WCRA Redevelopment Plan, as approved by the
Board of County Commissioners, and the WCRA’s Zoning Overlay regulations.

An amendment of the Development Order associated with Res. #R 2008-0685 and Res. #R 2008-0686 for
a Multiple Use Planned Development pursuant to the following requests:

1. To allow the Mercedes Benz Vehicle Sales and Rental area to be enlarged from 15,313 sf to 27,767
   sf;
2. To allow the Mercedes Benz General Repair and Maintenance area to be increased from 15,456 sf
to 16,566 sf;
3. To allow the Mercedes Benz Service Write-Up Canopy (an accessory use to General Repair and
   Maintenance) to be expanded from 4,364 sf to 6,710 sf;
4. To allow a concurrent Type II Variance for an additional monument sign to total four (4) where a
   maximum of three (3) are permitted per Art. 8.G.2.A.;
5. To allocate an increase of 303 net trips per day; 18 am peak hour trips and 24 pm peak hour trips
   from the WCRA’s Traffic Concurrency Exception Area (TCEA) pool;
6. To modify or delete previous conditions of approval that have been satisfied or completed
   pertaining to Architectural Review, Engineering, Zoning, Lighting, Palm Tran, Parking, Signs and
   Unity of Control; and,

1
7. Final DRO Site Plan Approval.

We appreciate the interest you have in redeveloping in our area. If you need additional assistance, feel free to contact me at (561) 640-8181.

Sincerely,

Elizeé Michel, AICP
Executive Director

cc: CRA Board of Commissioners
    Wendy Hernandez, Zoning Manager (via email)