

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

Application No.: SV/ZV/CA-2014-00660
Application Name: Pema Ling Retreat Center
Control No.: 2014-00047
Applicant: Palden Sherab Pema Ling, LLC
Owners: Buddhist Padmasambhava
Agent: Gentile Glas Holloway O'Mahoney & Assoc Inc.
 Pat Lentini, George Gentile, Dan Siemsen
Telephone No.: (561) 575-9557
Project Manager: Roger Ramdeen, Senior Site Planner

TITLE: a Type II Variance REQUEST: to allow a shell rock driveway for a Place of Worship; to allow the driveway to consist of a six inch shell rock base without a paved surface; and to allow grass parking for non-peak demand. **TITLE:** a Class A Conditional Use REQUEST: to allow a Place of Worship.

APPLICATION SUMMARY: Proposed are three Type II Variances and a Class A Conditional Use for the Pema Ling Retreat Center. The 10.66-acre property is currently developed with a single-family dwelling with three pole barns.

The Preliminary Site Plan indicates the development will be completed in two phases. Phase I indicates a 4,966 square foot (sq. ft.) sanctuary building and a 1,000 sq. ft. caretaker quarters with a 176 sq. ft. accessory office. Phase II includes a 4,163 sq. ft. sanctuary building and a 2,441 sq. ft. retreat building with nine rooms. The overall site plan will indicate two sanctuary buildings with a total of 12, 746 sq. ft. and 80 seats, the 2,441 retreat, and the 1,176 sq.ft. caretaker and accessory office. The Applicant is also requesting three Type II Variances to allow a shell rock driveway for a Place of Worship; to allow the driveway to consist of a six inch shell rock base without a paved surface; and to allow grass parking for non-peak demand. Through a subsequent Administrative application, the Applicant is requesting a Type I Waiver to reduce the dimensions of the required loading spaces from 15 ft. x 55 ft. to 12 ft. x 18.5 ft. A total of 37 parking spaces will be provided with one (1) access point to the site on 131st Trail North.

On April 14, 2014 the Applicant withdrew a previous request for a Subdivision Variance as it was determined by Land Development Staff not to be required.

SITE DATA:

Location:	East side of 131st Trail approximately 517 feet north of Indiantown Road. (Pema Ling Retreat Center)
Property Control Number(s)	00-41-40-33-00-000-5080
Existing Land Use Designation:	Rural Residential (RR-10)
Proposed Land Use Designation:	No proposed change
Existing Zoning District:	Agricultural Residential District (AR)
Proposed Zoning District:	No proposed change
Acreage:	10.66 acres
Tier:	Rural Tier
Overlay District:	N/A
Neighborhood Plan:	Jupiter Farms Neighborhood Plan
CCRT Area:	N/A
Municipalities within 1 Mile	The subject site is not within 1 mile of a Municipality.
Future Annexation Area	The subject site is not within the future annexation area of a Municipality.

RECOMMENDATION: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1; and 8 Conditions of Approval as indicated in Exhibit C-2.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received 0 contacts from the

public regarding this project.

PROJECT HISTORY:

On March 29, 1979, the BCC approved Control No. 1979-00059, for a Special Exception to allow the Excavation on a single-family lot for a pond (Resolution R-79-494).

SURROUNDING LAND USES:

NORTH:

FLU Designation: Rural Residential (RR-10)
 Zoning District: Agricultural Residential District (AR)
 Supporting: Residential (Hagan, Control No. 1979-00059)

SOUTH:

FLU Designation: Rural Residential (RR-10)
 Zoning District: Agricultural Residential District (AR)
 Supporting: Residential (Ababab-Produce Stand, Control No. 2011-00015)
 Wholesale Nursery (Ross H Dailey & Burton L Dailey, Control, No. 1978-00096)

EAST:

FLU Designation: Rural Residential (RR-10)
 Zoning District: Residential Estate District (RE)
 Supporting: Residential (Right-On Corp, Control No. 1973-00148)

WEST:

FLU Designation: Rural Residential (RR-10)
 Zoning District: Agricultural Residential District (AR)
 Supporting: Residential (Kalman Type II Excavation, Control No. 2000-00095 and Kalman Mobile Home, 2001-50017)

TYPE II VARIANCE SUMMARY

ULDC Article	Required	Proposed	Variance
V1- 6.A.1.D.12.b - Off Street Parking - Grass Parking Standards	Grass Parking is permitted for only parking spaces provided for peak demand.	To allow grass parking for non-peak demand parking.	To allow grass parking for non-peak demand parking.
V2- 6.A.1.D.14.b.3.b - Off Street Parking - Design and Construction - Paving and Drainage - Materials	All parking lots shall be improved with a minimum of a six inch shellrock or limerock base with a one inch hotplant mix asphaltic concrete surface.	To allow a 6 inch shellrock base with no hotplant mix asphaltic concrete surface.	To allow a 6 inch shellrock base with no hotplant mix asphaltic concrete surface.
V3- 6.A.1.D.14.b.4.a - Off Street Parking - Design and Construction - Construction - Maintenance - Shell Rock	Shell rock allowed for Agricultural uses less than 20 spaces; Communication towers; Accessory uses to a bona fide ag use; Nurseries; Driveways in the RSA serving residential uses on unpaved roads; and Uses in the C-51 Catch Basin subject to DRO.	To allow shell rock driveway for a Place of Worship.	To allow shell rock driveway for a Place of Worship.

FINDINGS:

Type II Concurrent Variance Standards:

When considering a Development Order application for a Type II Variance, the Zoning Commission

shall consider Standards 1 through 7 listed under Article 2.B.3.E of the ULDC. The Standards and Staff Analyses are as indicated below. A Type II Variance which fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

1. **Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure that are not applicable to other parcels of land, structures or buildings in the same zoning district:**

V1: Grass Parking Standards: Yes. The project proposes to allow 95% of the required parking to be grass parking. Grass parking is permitted only for parking spaces provided for peak demand. According to the Justification Statement, the property will be only be used on a daily basis by two people (the caretaker and an office manager) and there are no weekly services proposed at this site, the weekly services are held at an alternate location in Lake Worth. This location will be used for a total of three to five events a year as a retreat for participants to study and meditate. As a result of the limited use throughout the rest of the year, the Applicant is requesting a total of five spaces to be paved and the remaining spaces to be grass parking covered with turf.

V2: Design and Construction - Paving and Drainage - Materials: Yes. The project proposes to utilize a six inch shell rock base layer with no asphaltic or concrete layer as the main drive aisle to access the property and the grassed parking. This is a result of the Applicant's intent to preserve the natural environment to the maximum extent possible. The Applicant has also stated that preserving the existing character of the land is in line with Buddhist traditional belief and is evident in similar uses around the world.

V3: Design and Construction - Construction - Maintenance - Shell Rock: Yes. See analysis under V2. Consequently to V2, this variance is requested because the Code limits the uses where shell rock can be used for drive aisles and parking. As a result, the request is to allow the shell rock driveway to be used for this Place of Worship.

2. **Special circumstances and conditions do not result from the actions of the Applicant:**

V1 through V3: Yes. The special circumstances and conditions are not a result from the actions of the Applicant considering the location of the site in a Rural area and the belief in preservation of the natural environment (Exhibit F).

3. **Granting the variance shall not confer upon the Applicant any special privilege denied by the Comprehensive Plan and this code to other parcels of land, structures or buildings in the same zoning district:**

V1 through V3: Yes. Approval of the variances will not grant the Applicant any special privilege denied to other parcels of land, buildings, or structures in the same Zoning District. The variance approval process is available to all and individual requests may be approved by the Zoning Commission (ZC) based on the project specific criteria.

4. **Literal interpretation and enforcement of the terms and provisions of this Code would deprive the Applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship:**

V1 through V3: Yes. Literal Interpretation and enforcement of the provisions of this code would deprive the Applicant of rights commonly enjoyed by other parcels of land and would work an unnecessary and undue hardship. The project proposes to provide 95% of the required parking as grass parking and to only improve the access drives with shell rock, exclusive of an asphaltic or concrete surface. The requested variances are in line with the Applicant's intent to preserve the natural environment.

5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure:**

V1 through V3: Yes. The grant of these variances are the minimum variances that will make reasonable use of the parcel of land given the request.

6. **Grant of the variance will be consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan and this Code:**

V1 through V3: Yes. Granting the requested variances is consistent with the purposes, goals and objectives of the Comprehensive Plan and the Code. The variances will allow the Applicant to develop the property with a lesser impact to the surrounding natural environment.

7. **Granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare:**

V1 through V3: Yes. The granting of these variances will not be injurious to the area or detrimental to the public welfare.

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.*

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.

Intensity: The request for a total of 12,746 square feet equates to a FAR of approximately 0.03 (12,746 / 464,274 square feet or 10.66 acres = 0.027). The maximum Floor Area Ratio (FAR) of .10 is allowed for an Institutional project with a RR-10 FLU designation in the Rural Tier (10.66 acres x 43,560 square feet x .10 maximum FAR = 46,434.96 square feet maximum).

Special Overlay District/ Neighborhood Plan/Planning Study Area: The property is located within the Jupiter Farms Neighborhood Plan. The request is not inconsistent with the neighborhood plan recommendations. The Applicant met with the Jupiter Farms neighborhood group June 23, 2014 and no objections or concerns have been received to date.

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.*

Contingent upon the approval of the requested Type II Variances, the proposed request would not be in conflict with the layout requirements of the ULDC, and is consistent with the stated purpose and intent of the ULDC. The proposed Place of Worship use complies with the standards and the provision of the Code for function and general development characteristics.

According to the Justification Statement, the site will not have weekly services and will only be utilized a total of three to five times a year as a retreat. There will be a full time care taker on site and occasionally an office manager at this location. Staff notes that the Preliminary Site Plan indicates two phases. Phase I proposes to convert the existing single-family home (1,176 sq. ft.) into a care takers quarters (1,000 sq. ft.) with a small accessory office (176 sq. ft.) and the associated grass parking. In addition, the existing pole barns will be converted to sanctuary buildings (4,966 sq. ft) with a total of 65 seats. The 65 seat total will be reduced to 40 as a part of Phase II. A Condition of Approval has been added to ensure that a Certificate of Occupancy is received for the conversion of

these existing buildings. Phase II includes the construction of a new 4,163 sq. ft. sanctuary building which will have a total of 40 seats and a 2,441 sq. ft. retreat building which contains nine rooms. The 40 seat total in the new sanctuary building includes 25 seats transferred from Phase I. In total, there will be 80 seats and 12,746 sq. ft. inclusive of Phase I and Phase II.

Parking: The proposed development proposes a total of 37 spaces which includes five paved spaces and 32 grassed parking spaces. Grass Parking is permitted for only parking spaces provided for peak demand. A Type II Variance is being requested to allow the grass parking spaces to be counted towards the required parking. See the analysis provided under the Type II Variance criteria.

Landscaping: The Preliminary Master Site Plan indicates the required 15 foot (ft.) incompatibility buffer to the north, south and east and to the west is a 15 ft. Right-of-Way (ROW) buffer. The proposed request complies with these requirements.

Architectural Review: The Applicant acknowledges the Zoning Commission's request to provide Preliminary Architectural Elevations for review during the ZC/BCC approval process. Elevations have been provided and reviewed by Staff and found to be compliant with Article 5.C (Figure 7). Staff has also included a Condition of Approval within Exhibit C-2 for submission of the Final Architectural Elevations prior to final approval by the DRO.

Signage: The Preliminary Site and Master Sign Plans provide the detail of the proposed signage which complies with the requirements Article 8. The Applicant is proposing one monument sign located at the entrance at this time.

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 Place of Worship is a Civic use. These uses are considered complimentary to the surrounding residential uses because the intent of Civic uses are to serve the surrounding residential. The required incompatibility buffers are proposed to address compatibility issues between the uses. The proposed Place of Worship request is generally consistent with the residential uses and character of the land surrounding and in the vicinity of the parcel of land proposed for development.

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 proposed request does not visually impact the surrounding uses as the modifications will not impact the external appearance of the site. The Preliminary Site Plan indicates that the buildings in Phase II (the Sanctuary and the Retreat building) comply with the maximum height of 35 ft. and meet the minimum setback requirements of 50 ft. Any existing or proposed issues with regard to compatibility have also been addressed through the required landscape incompatibility buffers which will reduce any visual impacts to the adjacent properties.

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 property has been previously cleared of the understory. Significant amounts of native trees remain scattered around the site. The proposed buildings have been located in areas that preserve most of the trees.

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

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

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

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

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

The proposed use will result in a logical, orderly and timely development pattern as the surrounding properties are already developed with single-family homes on larger lots. In addition, the site will only be utilized three to five times per year as a Buddhist retreat for studying and meditating purposes. Staff also notes that it is not uncommon to have appropriately scaled concentrations of civic uses such as a Place of Worship distributed in proximity to individual neighborhoods.

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

ENGINEERING COMMENTS:

TRAFFIC IMPACTS

The Property Owner has estimated the build-out of the project to be December 31, 2017. Previously approved traffic from this project was 10 trips per day, 2 trips in the PM peak hour. Additional traffic expected from the proposed project is 97 trips per day, 5 trips in the PM peak hour, for grand total impact of 107 daily and 7 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 has an insignificant impact on the surrounding roadway network.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)

Segment: Indiantown Rd from Pratt Whitney Rd to Alexander Run

Existing count: Eastbound=327, Westbound=198

Background growth: Eastbound=705, Westbound=254

Project Trips: Eastbound=2, Westbound=3

Total Traffic: Eastbound=1034, Westbound=455

Present laneage: 2

Assured laneage: 2

LOS "D" capacity: 1140 vehicles per hour (directional)

Projected level of service: LOS D or better

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.

PALM BEACH COUNTY HEALTH DEPARTMENT: Staff has included a Condition of Approval within Exhibit C-2 to ensure compliance with the requirements of the Health Department.

FIRE PROTECTION: No Staff Review Analysis

SCHOOL IMPACTS: No Staff Review Analysis

PARKS AND RECREATION: No Staff Review Analysis

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

Subject to the approval of the Type II Variances, the Applicant states that the proposed Place of Worship and Retreat will be in keeping with the surrounding existing community. The Preliminary Master Site Plan indicates minimal impact to the existing character of the property with the predominant improvements being the new buildings as part of Phase II. There is a proposal to

redevelop the existing three pole barns into sanctuary buildings as part of Phase I and a proposal for a new sanctuary building with a separate new retreat building as part of Phase II. According to the Justification Statement and the letter from the Owner, the intent is to preserve the existing character of the land as much as possible since this in line with the Buddhist tradition.

CONCLUSION: Staff has evaluated the standards listed under Article 2.B.2.B 1-8 and determined that there is a balance between the need of change and the potential impacts generated by this change; therefore, Staff is recommending approval of the proposed Conditional Use. Staff has also determined that any of the potential impact and incompatibility issues will be adequately addressed subject to the recommended Conditions of Approval as indicated in Exhibit C-1 and C-2.

CONDITIONS OF APPROVAL

Exhibit C-1

Type II Variance - Concurrent

ALL PETITIONS

1. The approved Preliminary Site Plan is dated August 21, 2014. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)
2. Prior to Final Approval by the Development Review Officer, the Variance chart in the Preliminary Site Plan and the Justification Statement shall be revised so that the Variance numbering and request (V1, V2 and V3) matches the numbering and request as shown in the Staff report. (DRO: ZONING - Zoning)

VARIANCE

1. The Development Order for this Variance shall be tied to the Time Limitations of the Development Order for SV/ZV/CA-2014-00660. (ONGOING: ZONING - Zoning)
2. This Variance is approved for a Place of Worship. Any change to the use(s) shall require reconsideration of the Variance by the Zoning Commission. (ONGOING: ZONING - Zoning)
3. 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)
4. 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)
5. 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.

Conditional Use Class A

ALL PETITIONS

1. The approved Preliminary Site Plan is dated August 21, 2014. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations shall be submitted for final review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Architectural Elevations dated July 25, 2014. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning)

BUILDING

1. Prior to commencing the new use and not later than August 1, 2015, building permits shall be obtained and certificates of completion/occupancy issued for converting the existing agricultural buildings to a Place of Worship, for adding a business office in the existing caretakers dwelling, and for removal or permitting of the existing wood deck on dwelling and undocumented outbuilding. (BLDGPM: MONITORING - Building Division)

ENGINEERING

1. 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, 2017. 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. (BLDGPM/DATE: MONITORING - Engineering)

HEALTH

1. An onsite sewage treatment and disposal system (OSTDS) permit and a limited use water well system permit will be required prior to the Final Development Review Officer hearing. (DRO: HEALTH DEPARTMENT - Health Department)

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: ZONING - Zoning)

DISCLOSURE

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

Figure 1 Future Land Use Map

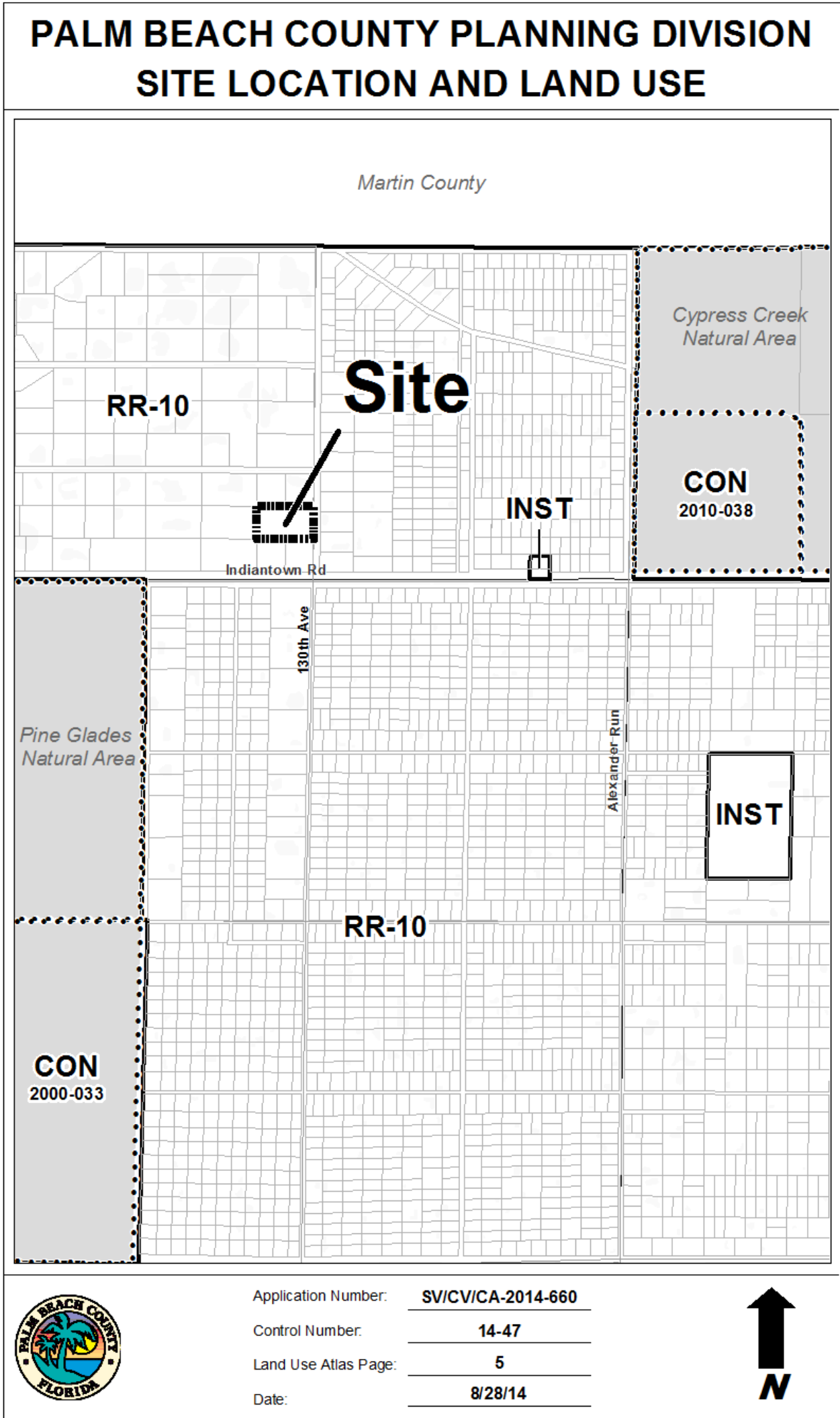


Figure 2 Zoning Map

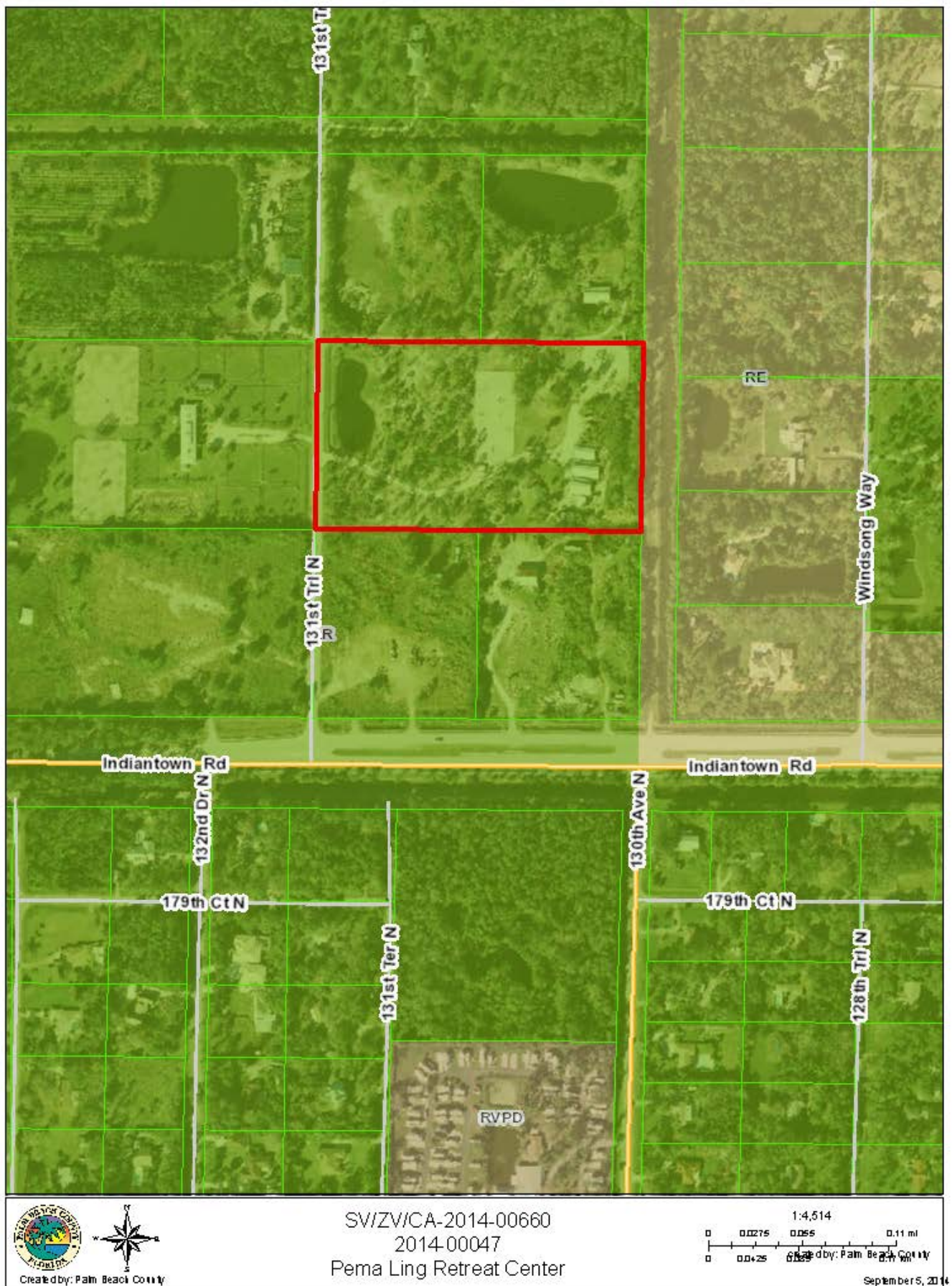


Figure 3 Aerial

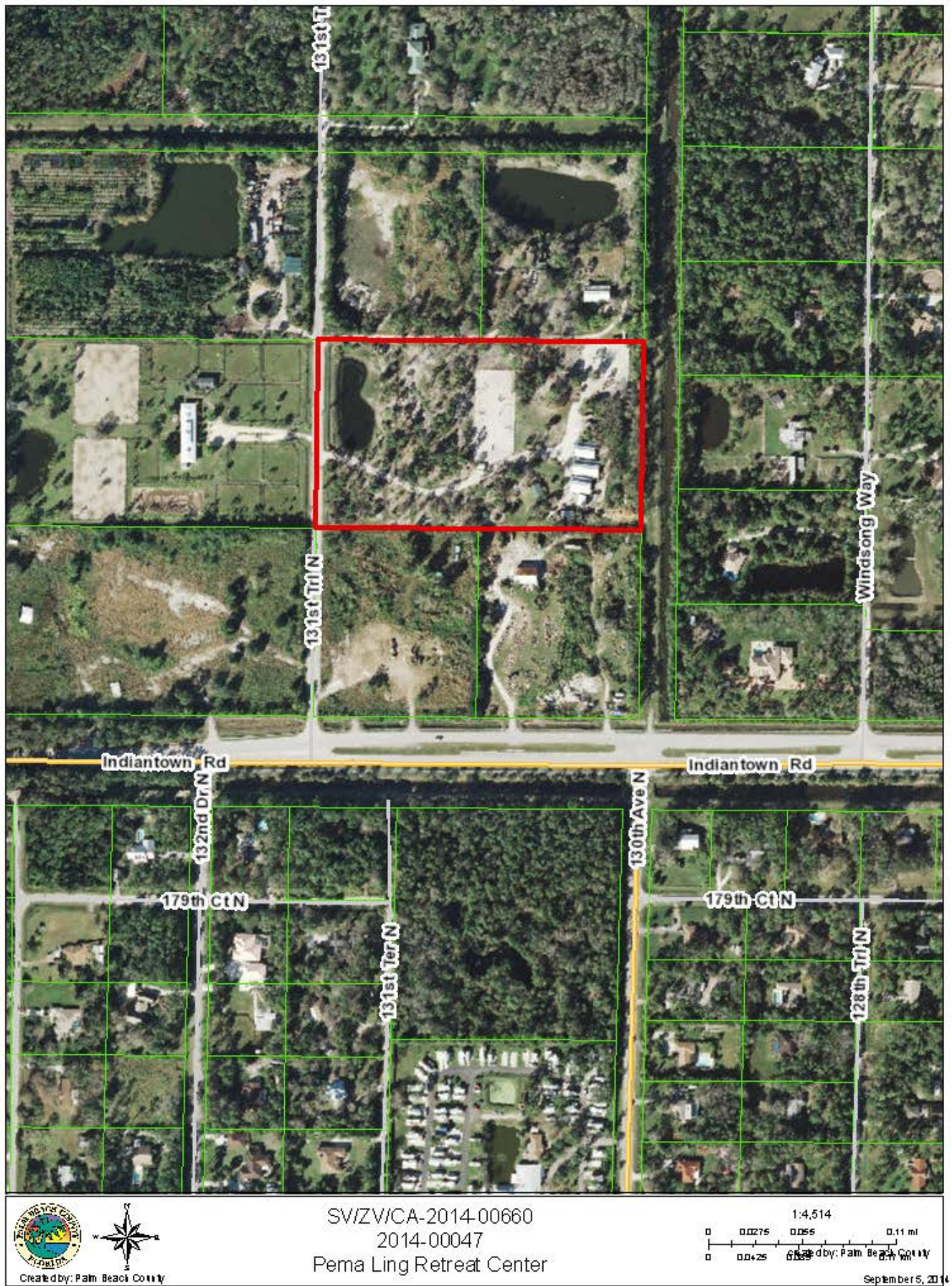


Figure 4 Preliminary Site Plan dated August 21, 2014

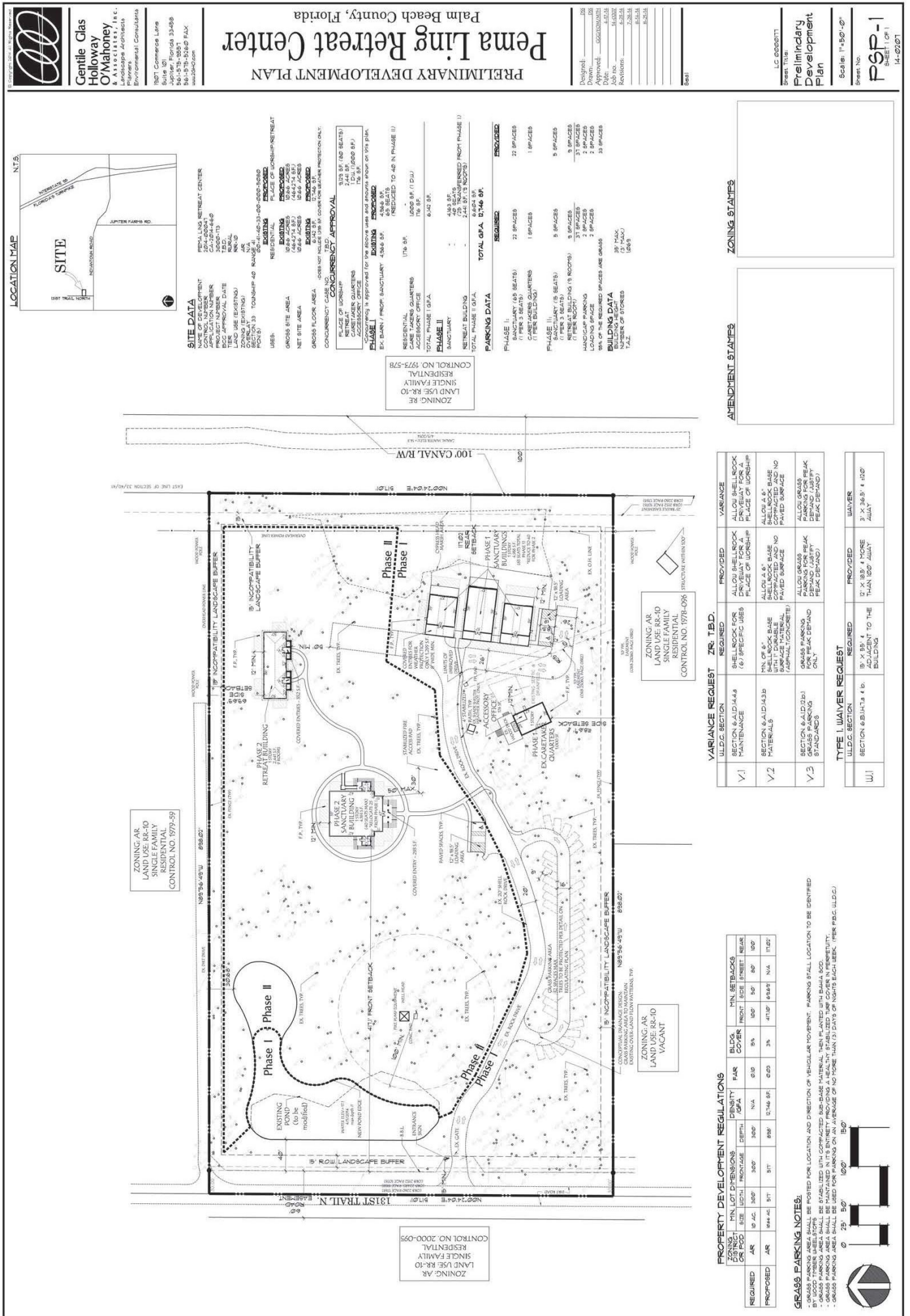
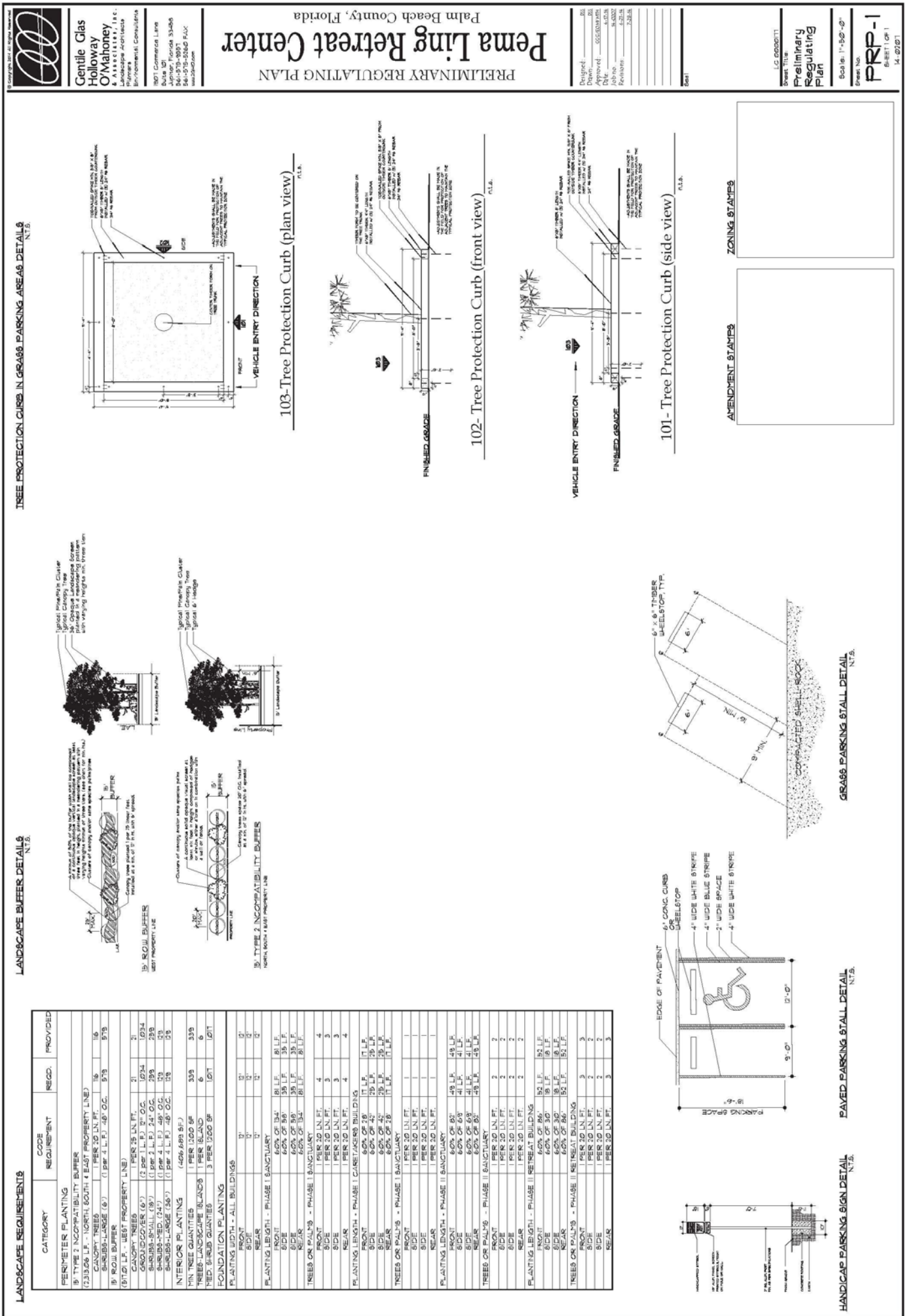


Figure 5 Preliminary Regulating Plan dated July 28, 2014



TREE PROTECTION CURB IN GRASS PARKING AREAS DETAILS
NTS

103-Tree Protection Curb (plan view)
N.T.S.

102-Tree Protection Curb (front view)
N.T.S.

101-Tree Protection Curb (side view)
N.T.S.

GRASS PARKING STALL DETAIL
NTS

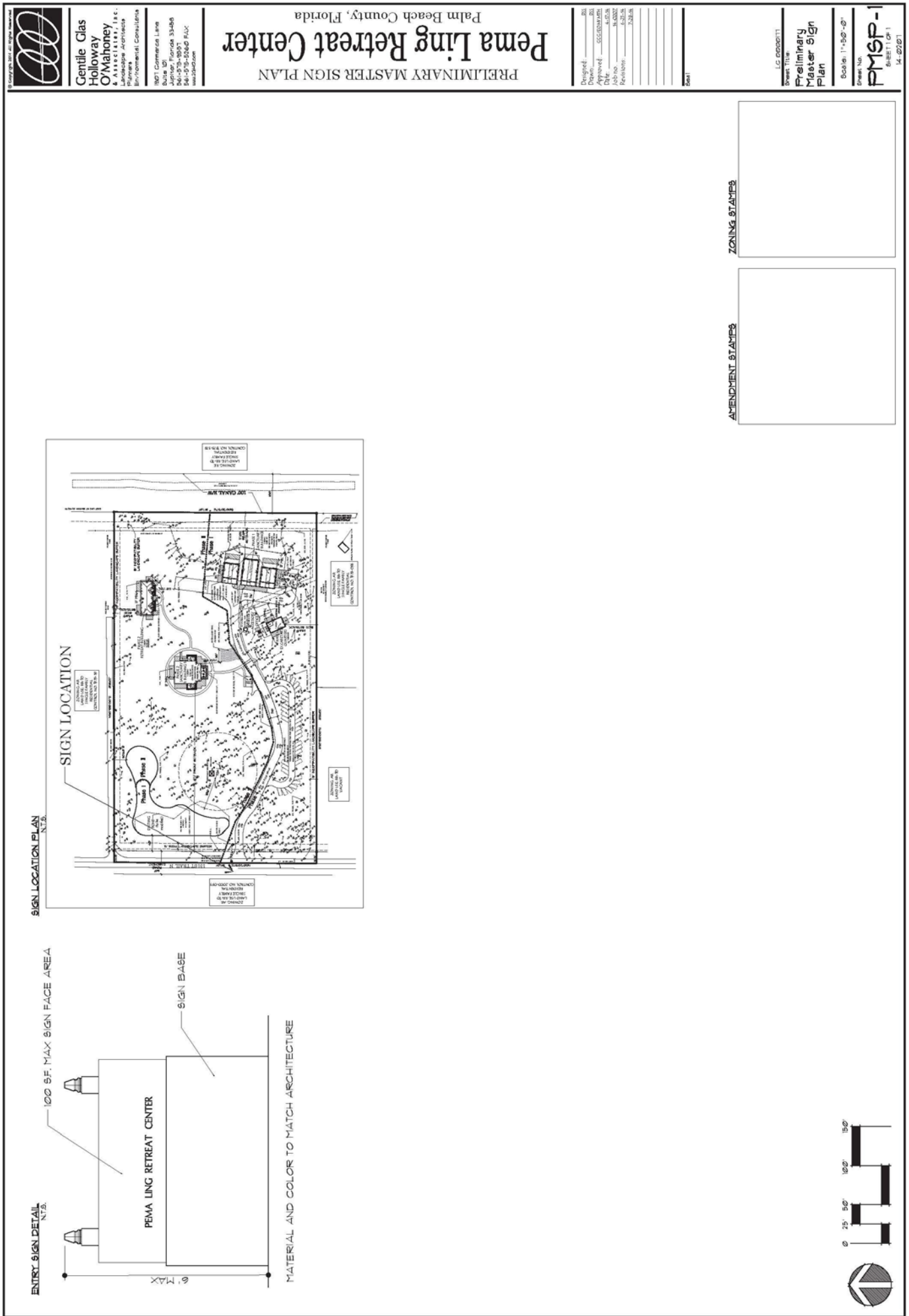
PAVED PARKING STALL DETAIL
NTS

HANDICAP PARKING SIGN DETAIL
NTS

AMENDMENT STAPLES

ZONING STAPLES

Figure 6 Preliminary Master Sign Plan dated July 28, 2014




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 Planning, Architecture, Environmental Consultants
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 Atlantic Beach, Florida 32006
 407-975-5907
 407-975-5909 FAX
 www.ggho.com

Pema Ling Retreat Center
 PRELIMINARY MASTER SIGN PLAN
 Palm Beach County, Florida

Designed: _____
 Drawn: _____
 Approved: _____
 Job No: _____
 Revision: _____
 Date: _____

Sheet Title:
Preliminary Master Sign Plan
 Scale: 1"=50'-0"
 Date: 10/2/14
FMSP-11
 SHEET 1 OF 1
 14-07101

AMENDMENT STAMPS ZONING STAMPS

FILE: M:\03000\03000\PROJECT DRAWINGS\PRELIMINARY SITE PLAN.DWG
 PLOTTED: 7/27/14 AT 10:30 AM BY: DSIBSEN

Figure 7 Preliminary Elevations dated July 25, 2014 (Sheet 1)



LANG ARCHITECTURAL GROUP LLC
ARCHITECTURE AND PLANNING
200 CAMINO CORDERO BLVD.
BOCA RATON, FLORIDA 33433
PHONE: (561) 730-0800
FAX: (561) 730-0807
WWW.LANGARCHITECT.COM

**DOMINO DESIGN LLC, AN
AFFILIATE OF LANG ARCHITECT**

**PEMA LING
RETREAT CENTER**

PALM BEACH COUNTY, FLORIDA
PROJECT NO.: 14-0001
PROJECT AREA: DE
DRAWN BY: PL

SUBMITTAL DATE:
DATE: 07/25/14
BY: PL

PAE1

MEDITATION HALL
PROPOSED FRONT ELEVATION

MEDITATION HALL
PROPOSED REAR ELEVATION

SANCTUARY
PROPOSED FRONT ELEVATION

SANCTUARY
PROPOSED REAR ELEVATION

MEDITATION HALL
PROPOSED FRONT ELEVATION

MEDITATION HALL
PROPOSED REAR ELEVATION

ZONING STAMPS

AMENDMENTS

DESIGN ELEMENTS TABLE SC.14	PRIMARY ENTRY FEATURE DESIGN ELEMENT	ROOF DESIGN ELEMENT	FACADES SINGLE STORY BUILDINGS
1	PITCHED ROOF WITH MINIMUM 12 INCH OVERHANGING EAVES	10	COLUMNS OR PILLARS
2	TWO OR MORE FLAME RESISTANT FACADE ELEVATIONS	11	HORIZONTAL BANDS
3	SECONDARY ROOF TREATMENT	12	PORCHES AND ENTRYWAYS
4	SECONDARY ENTRY FEATURE DECORATIVE TREATMENT	13	WINDOWS AND DOORS
5	SECONDARY ROOF TREATMENT	14	ARCHITECTURAL DETAILS SUCH AS PANELS, TRANSOMS, CORNICES, BRACKETED
6	SECONDARY ENTRY FEATURE DECORATIVE TREATMENT	15	ALL CLEAR AREAS SHALL APPEAR TO BE MULTIPANELED.
7	SECONDARY ROOF TREATMENT	16	
8	SECONDARY ENTRY FEATURE DECORATIVE TREATMENT	17	
9	SECONDARY ROOF TREATMENT	18	
10	SECONDARY ENTRY FEATURE DECORATIVE TREATMENT	19	
11	SECONDARY ROOF TREATMENT	20	
12	SECONDARY ENTRY FEATURE DECORATIVE TREATMENT	21	
13	SECONDARY ROOF TREATMENT	22	
14	SECONDARY ENTRY FEATURE DECORATIVE TREATMENT	23	
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18	SECONDARY ENTRY FEATURE DECORATIVE TREATMENT	27	
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88	SECONDARY ENTRY FEATURE DECORATIVE TREATMENT	97	
89	SECONDARY ROOF TREATMENT	98	
90	SECONDARY ENTRY FEATURE DECORATIVE TREATMENT	99	
91	SECONDARY ROOF TREATMENT	100	

Figure 7 Preliminary Elevations dated July 25, 2014 (Sheet 2)



LANG ARCHITECTURAL GROUP LLC
 ARCHITECTURE AND PLANNING
 295 CAMINO CORDERO BLVD.
 BOCA RATON, FLORIDA 33433
 PHONE: 561.974.7000
 FAX: 561.974.7007
 WWW.LANGARCHITECT.COM

DOMINO DESIGN LLC, AN
 REGISTERED FLORIDA ARCHITECT
 ARCHITECT

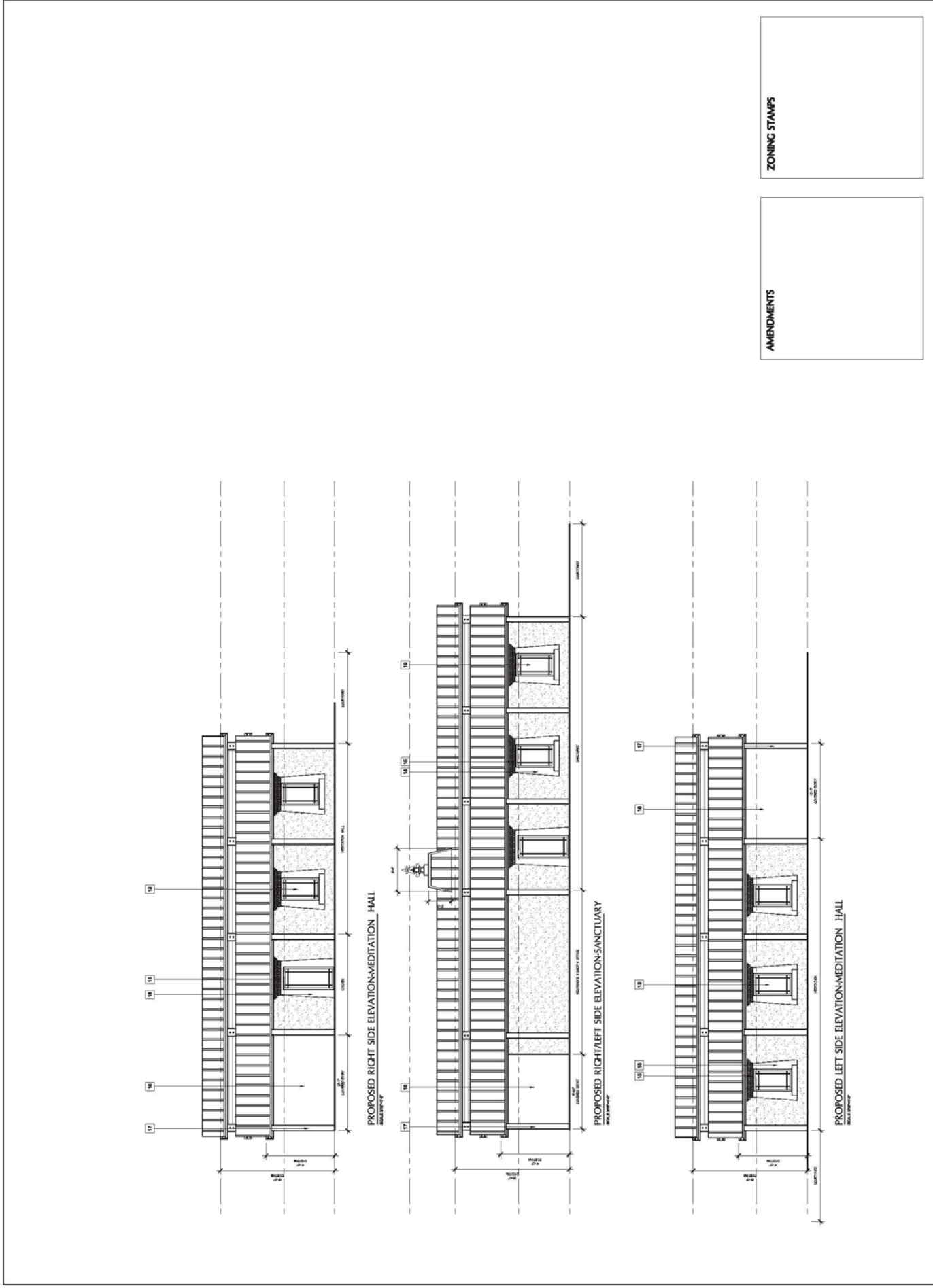
PEMA LING
 RETREAT CENTER

PALM BEACH COUNTY, FLORIDA
THIS DOCUMENT IS THE PROPERTY OF LANG ARCHITECTURAL GROUP LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF LANG ARCHITECTURAL GROUP LLC.

PROJECT NO: 141001
 PROJECT AREA: DL
 DRAWING NO: PL

SUBMITTAL DATE:
 FOR ZONING: 08/15/14
 FOR PERMITS: 08/15/14
 FOR ZONING: 08/15/14
 FOR ZONING: 08/15/14

SHEET
PAE2



DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

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

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Timothy Tavis, 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] Retreat Manager [position—e.g., president, partner, trustee] of Palden Sherab Pema Ling [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 18190 131st Trail North Jupiter FL 33478
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Timothy Tavis _____, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 22 day of April, 2014, by Timothy Tavis, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.

Notary Public

Patricia Y. Lentini

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: _____

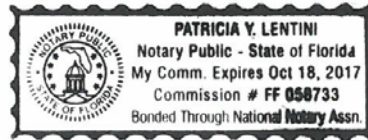


EXHIBIT "A"
PROPERTY

THE NORTH 517 FEET OF THE SOUTH 1034 FEET OF THE EAST 898 FEET OF THAT PART OF SECTION 33, TOWNSHIP 40 SOUTH RANGE 41 EAST, LYING NORTH OF STATE ROAD NO. 706.

PROPERTY CONTAINS 464,274 SQUARE FEET OR 10.658 ACRES

Disclosure of Beneficial Interest - Applicant form
Page 3 of 4

Revised 08/25/2011
Web Format 2011

Justification Statement
PEMA LING RETREAT CENTER
Conditional Use "A" – Place of Worship
~~April 16, 2014~~
~~June 23, 2014~~
July 28, 2014

Gentile Glas Holloway O'Mahoney & Associates, Inc. as agent for the owner, Padmasambhava Buddhist Center is requesting the following applications for consideration through Palm Beach County on 10.66 acres of land located on east side of 131st Trail North, approximately 517 feet north of Indiantown Road (S.R. 706) in unincorporated Palm Beach County:

- a Conditional Use "A" for a Place of Worship;
- Type II Variances from Article 6 of the ULDC;
- Type I Waiver for the reduction in the size;
- Abandonment of an existing Special Exception for the Excavation previously approved under Resolution No. 79-494/Petition No. 79-59. The reason for this request is that the existing pond will be reconfigured with the new use and would not be needed.

Project History:

Currently there is an existing single family dwelling and three (3) pole barns. There was a previous approval for a Special Exception to allow an Excavation. This Special Exception was approved on March 29, 1979 by Petition No. 79-59, Resolution No. 79-494. There is a pond on site and some areas were cleared. We have contacted Environmental Resource Management Department (ERM) to establish the permitting unfortunately ERM was not a department when this was approved.

Summary of Project:

The Applicant is requesting a Conditional Use "A" for a Place of Worship on the subject site. As the ULDC states "a place of worship means a sanctuary which may include a retreat, convent, seminary or other similar uses, owned or operated by a tax-exempt religious group that is used periodically, primarily or exclusively for religious worship, activities and related services." Pema Ling Retreat Center will be developed in two (2) Phases. The proposed overall facility will be approximately 11,570 square feet including covered entry areas and no more than 80 seats once the second phase is developed.

The first phase will be the conversion of the existing barns for use as the sanctuary and services. The second phase will be developed at some point in the future when membership increases. It is not anticipated at this time that the Center will have weekly services. Weekly services are held at the main Center at Padmasambhava Buddhist Center in Lake Worth. Pema Ling will have a full time caretaker in the existing single family dwelling. Retreats will be offered at various times throughout the year. Visitors attending retreats will stay at the site for the purposes of studying and mediating.

Retreats typically consist of a mixture of individual and group activities and involve considerable time spent in individual meditation. Therefore, the proposed facility combines a large meeting space with individual retreat rooms for private meditation.

Phase 1 - The existing barns will be converted for use by the Center and will meet current Building and Fire Code standards for assembly. The existing buildings will be for the sanctuary, restrooms and offices and will accommodate 65 seats.

Phase 2 will consist of two (2) proposed buildings. The footprints have been included on the Preliminary Site Plan for purposes of showing the future square footage amounts. At this time, the floor plans and elevations have not been developed.

Type II Variances as follows:

ULDC REQUIREMENTS				
	CODE	REQUIRED	PROPOSED	VARIANCE
V.1	Section 6.A.1.D.14.4.a Maintenance	Shell Rock for (6) specific uses	Allow shell rock driveway for a Place of Worship	Allow shell rock driveway for Place of Worship
V.2	Section 6.A.1.D.14.3.b Materials	Min. of 6" shellrock base with 1" durable surface material (asphalt/concrete)	Allow a 6" shellrock based compacted and no paved surface	Allow a 6" shellrock based compacted and no paved surface
V.3	Section 6.A.1.D.12.b.1 Grass Parking standards	Grass parking for peak demand only	Allow grass parking for peak demand (justify peak demand)	Allow grass parking for peak demand

Justification Statement

This project is guided by two sets of principles, internal and external. The internal principles are those of the organization itself. In Buddhist architecture, natural settings are preserved and human impact is minimized. That attitude is central to this project, which involves periodic small gatherings, low traffic, and little additional construction. It is demonstrated in our current work to restore the cypress hammock on the property to its natural condition by removing exotics and planting appropriate flora.

The external principles include the Jupiter Farms Neighborhood Plan and the character of the immediate neighborhood. The Jupiter Farms Neighborhood Plan emphasizes the preservation of the area's rural character and minimization of pavement. Roads in the area are nearly all unpaved, and the widening and paving of 131st Trail N. will significantly change the character of this road and of the larger community, as well as setting precedent for other widening and paving projects, thus opening the door to greater commercial development.

The other properties along 131st Trail N. are primarily rural and equestrian, with large swathes of green and no paved internal roads. In fact, if this project is required to pave its internal driveway, it will be the only property along 131st Trail N. that does so, and will be sharply incongruent with the rest of the neighborhood. This result seems to contradict one of the core values of the ULDC.

In light of the minimal impact and traffic of the proposed project and the incompatibility of widening and paving with the area's rural character, we respectfully request that we be allowed to not widen or pave 131st Trail N., and not to pave our internal driveway or over and above the required parking spaces.

Variance No. 1 and 2

1. SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST THAT ARE PECULIAR TO THE PARCEL OF LAND, BUILDING OR STRUCTURE, THAT ARE NOT APPLICABLE TO OTHER PARCELS OF LAND, STRUCTURES OR BUILDINGS IN THE SAME ZONING DISTRICT:

There are no special conditions or circumstances peculiar to this parcel of land. In fact, the basis of this variance application is that the subject property is no different from the surrounding properties, and this variance would allow this consistency to be maintained. The proposed buildings and structures are designed to be very consistent with the surrounding area, in both design and density.

On the other hand, the proposed project is significantly different from other nonresidential uses or Places of Worship in the area. This project is a retreat center, emphasizing the natural, rural character of the setting and involving only occasional use by individuals or small groups for contemplative activities. Therefore, the traffic volumes and other factors that usually lead to paving and widening requirements do not apply to this property.

2. SPECIAL CIRCUMSTANCES AND CONDITIONS DO NOT RESULT FROM THE ACTIONS OF THE APPLICANT:

The Jupiter Farms Neighborhood Plan's emphasis on the rural character of the area, and the quality and characteristics of the properties along 131st Trail N., are all factors beyond the control of the applicant. By requesting these variances, the applicant is trying to comply with the spirit as well as the letter of the JFNP and the ULDC.

3. GRANTING THE VARIANCE SHALL NOT CONFER UPON THE APPLICANT ANY SPECIAL PRIVILEGE DENIED BY THE COMPREHENSIVE PLAN AND THIS CODE TO OTHER PARCELS OF LAND, BUILDINGS OR STRUCTURES IN THE SAME ZONING DISTRICT:

The requested variance would not confer any special privilege on the applicant; instead, it would require the applicant to be more consistent with the rural character of the setting.

4. LITERAL INTERPRETATION AND ENFORCEMENT OF THE TERMS AND PROVISIONS OF THIS CODE WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PARCELS OF LAND IN THE SAME DISTRICT, AND WOULD WORK AN UNNECESSARY AND UNDUE HARDSHIP:

The proposed use actually creates less traffic than the previous use of this property. The proposed project, while classed as a Place of Worship, will not involve weekly gatherings and the attendant traffic volume. Instead, this will be a retreat, to be used periodically by individuals or relatively small groups of people who will be meditating or engaged in other quiet activities that do not involve a lot of driving/parking. The volume of traffic generated by this project, both on-site and off-site, would be too low to require widening or paving on the merits, and such widening and paving is only required because of the code's assumption that nonresidential uses generate high traffic volume.

These considerations also apply to the requested variance regarding paving of the internal driveway and the paving of parking spaces.

5. GRANTING OF VARIANCE IS THE MINIMUM VARIANCE THAT WILL MAKE POSSIBLE THE REASONABLE USE OF THE PARCEL OF LAND, BUILDING OR STRUCTURE:

The requested variances do not grant permission to add anything – no additional buildings, square footage, or parking, for example. It would only grant permission to not add things – widening and asphalt. As such, the requested variance is the minimum that will allow this project to go forward while maintaining compatibility with the Jupiter Farms Neighborhood Plan and the character of the immediate area.

6. GRANTING OF THE VARIANCE WILL BE CONSISTENT WITH THE PURPOSES, GOALS, OBJECTIVES, AND POLICIES OF THE COMPREHENSIVE PLAN AND THIS CODE:

The requested variances will bring this project more closely into alignment with the Jupiter Farms Neighborhood Plan and will increase its compatibility with the character of the immediate neighborhood.

7. GRANTING OF THE VARIANCE WILL NOT BE INJURIOUS TO THE AREA INVOLVED OR OTHERWISE DETRIMENTAL TO THE PUBLIC WELFARE:

The projected traffic and usage for this project will actually be lower than the traffic generated by the previous use of this property (as an equestrian facility with rental stalls, lessons, and a competition team). Therefore, having 131st Trail N. continue in its current condition will not create negative effects on the area or the public welfare. Similarly, the interior driveway and parking will actually have less use than previously, and so leaving it in its current state.

Variance No. 3

1. SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST THAT ARE PECULIAR TO THE PARCEL OF LAND, BUILDING OR STRUCTURE, THAT ARE NOT APPLICABLE TO OTHER PARCELS OF LAND, STRUCTURES OR BUILDINGS IN THE SAME ZONING DISTRICT:

There are no special conditions or circumstances peculiar to this parcel of land. In fact, the basis of this variance application is that the subject property remain consistent with –the character of surrounding properties. The site will have a minimum of one regular occupant (the caretaker) and likely one other person (office manager) on a regular basis. The site is accommodating two paved spaces in phase one to be provided for the caretaker and office manager.

2. SPECIAL CIRCUMSTANCES AND CONDITIONS DO NOT RESULT FROM THE ACTIONS OF THE APPLICANT:

The basis of peak use for this site is no different than other similar places of worship. It's based on primary assembly times. Some places of worship meet weekly (i.e. Sunday Service), while others may meet more sporadically. This applicant will have a peak demand for parking between 3 and 5 times a year, as stated in the attached letter.

3. GRANTING THE VARIANCE SHALL NOT CONFER UPON THE APPLICANT ANY SPECIAL PRIVILEGE DENIED BY THE COMPREHENSIVE PLAN AND THIS CODE TO OTHER PARCELS OF LAND, BUILDINGS OR STRUCTURES IN THE SAME ZONING DISTRICT:

The requested variance would not confer any special privilege on the applicant; instead, it would coincide with other projects in the area of similar use: i.e. Jupiter Seventh Day Adventist – Control #2009-121.

4. LITERAL INTERPRETATION AND ENFORCEMENT OF THE TERMS AND PROVISIONS OF THIS CODE WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PARCELS OF LAND IN THE SAME DISTRICT, AND WOULD WORK AN UNNECESSARY AND UNDUE HARDSHIP:

The requested variance will bring this project more closely into alignment with the Jupiter Farms Neighborhood Plan and will maintain its compatibility with the character of the neighborhood. The surrounding properties, of higher peak use, do not have paved parking. Requiring this applicant to pave the parking area would deprive them of rights provided their neighbors.

5. GRANTING OF VARIANCE IS THE MINIMUM VARIANCE THAT WILL MAKE POSSIBLE THE REASONABLE USE OF THE PARCEL OF LAND, BUILDING OR STRUCTURE:

The requested variance does not grant permission to add anything – no additional buildings, square footage, or parking, for example. It would only grant permission to not add things – widening and asphalt. As such, the requested variance is the minimum that will allow this project to go forward while maintaining compatibility with the Jupiter Farms Neighborhood Plan and the character of the immediate area.

6. GRANTING OF THE VARIANCE WILL BE CONSISTENT WITH THE PURPOSES, GOALS, OBJECTIVES, AND POLICIES OF THE COMPREHENSIVE PLAN AND THIS CODE:

The requested variance will bring this project more closely into alignment with the Jupiter Farms Neighborhood Plan and will increase its compatibility with the character of the immediate neighborhood.

7. GRANTING OF THE VARIANCE WILL NOT BE INJURIOUS TO THE AREA INVOLVED OR OTHERWISE DETRIMENTAL TO THE PUBLIC WELFARE:

The projected traffic and usage for this project will actually be lower than the traffic generated by the previous use of this property (as an equestrian facility with rental stalls, lessons, and a competition team). Therefore, having 131st Trail N. continue in its current condition will not create negative effects on the area or the public welfare. Similarly, the interior driveway will actually have less use than previously, and so leaving it in its current state.

Parking:

The parking spaces will be installed with each phase of development. It is anticipated that the development will have grass parking for peak demand hours. The total parking for the overall development is as follows:

Parking Spaces	Required	Provided	Grass Parking for peak demand (95%)
Phase 1 – 65 seats	22	22	20 spaces
Phase 1 – caretaker unit	1	1	
Phase 2 – 15 seats	5	5	13 spaces
Phase 2 – retreat rooms	9	9	

Grass Parking

The grass parking will facilitate the project being a very natural environment without removing vegetation to accommodate parking.

Article 6. A.1.D.12. of the Palm Beach County Unified Land Development Code (ULDC) establishes **standards** by which an **application** for grass parking shall be considered as follows:

a. Application

In addition to the application requirements for a site plan/final subdivision plan, the applicant shall submit the following:

- 1) ***A site plan showing the area proposed for grass parking; [Ord. 2007-013]***
A site plan has been provided that shows the area proposed for grass parking. Refer to plan PSP-1.
- 2) ***The proposed method of traffic control to direct vehicular flow and parking;***
As noted on the provided site plan, the applicant shall post the location of the grass parking entrance and exit to identify location and traffic flow. The parking spaces shall be identified by 6" x 6" wood timber wheelstops. Refer to regulating plan PRP-1 for parking details.
- 3) ***Description of the method to ensure that the grass parking surface will be maintained in its entirety with a viable turf cover; [Ord. 2007-013]***
As stated on the provide site plan, the grass parking area turf cover shall be maintained in healthy condition by the applicant in perpetuity.
- 4) ***A conceptual drainage plan for the entire parking area; and [Ord. 2007-013]***
As mentioned by the previously submitted drainage statement, the amount of minimal proposed improvements requires only minor adjustments to the existing drainage

overland flows of stormwater. The grass parking area shall be designed to maintain the existing overland flows of stormwater. Please refer to the PSP-1 for the conceptual drainage design and note.

- 5) **A written statement that the area proposed for grass parking shall be used for parking on an average of no more than (3) days or nights each week. [Ord. 2007-013]**

The above-statement is provided on the latest submittal of the PSP-1.

b. Standards

The following standards shall apply to grass parking:

- 1) **Only parking spaces provided for peak demand may be allowed as grass parking.**

The site will typically have a minimum of one regular occupant (the caretaker) and likely one other person (office manager) on a regular basis. The site will for the most part be unused for the conditional use (Place of Worship) with the exception of 3 to 5 peak occupancy events annually. The site is accommodating two paved spaces in phase one to be provided for the caretaker and office manager. Technically only two paved spaces are needed for the site to operate, however the applicant felt it necessary to provide at least one in phase two. This would equate to three total standard spaces to be paved and of course the two required handicap spaces (which are based on total parking provided) for a total of 5 paved spaces. Refer also to the attached letter from the applicant.

- 2) **Paved parking shall be provided for average daily traffic, including weekday employees and visitors;**

The average daily traffic parking spaces have been provided as paved parking spaces consisting of 5 parking spaces including 2 handicap spaces for a total of 5 paved spaces.

- 3) **A grass parking area shall not include any existing or proposed landscaped area, surface water management area or easement, other than a utility easement;**

The proposed grass spaces are not within any surface water management tracts or easements.

- 4) **Handicap parking shall not be located in a grass parking area;**

The 2 required handicap spaces are not included in the grass parking area.

- 5) **Grass parking areas shall meet the landscape requirements in Article 7, LANDSCAPING. Grass parking areas shall not be counted toward meeting minimum landscape or open space standards;**

The proposed grass parking area meets the landscape requirements and the grass parking is not being counted toward the minimum requirements.

- 6) **All access aisles or lanes shall either:**

- a. **Be paved and meet the same sub-structural and surface standards required for paved parking surfaces; or**
- b. **Be surfaced with paver block or other semi-pervious coverage approved by the DRO and County Engineer; or**
- c. **Be stabilized with sub-base underlayment subject to approval by Land Development.**

The grass parking will be stabilized with sub-base underlayment.

- 7) **Grass parking shall be located a minimum of 100 feet from the overland flow prior to entering into a body of water or water systems.**

The proposed grass parking is located a minimum of 100 feet from any body of water.

- 8) **Materials utilized in the construction of grass parking shall be drought tolerant and subject to approval by Land Development.**

The materials for grass parking will be drought tolerant.

Type I Waiver - Loading Space Reduction:

This development will require two (2) loading spaces. The Applicant is requesting a reduction in the width and length of the single loading space that is required for the overall development. It is anticipated that this type of use will have minimal deliveries if any at all. We are proposing a loading space size of 12'x18.5'.

Surrounding Land Use and Zoning Information:

	FUTURE LAND USE	ZONING
SUBJECT PROPERTY: <i>Residential</i>	RR-10	AR
TO THE NORTH : <i>Residential</i>	RR-10	AR
TO THE SOUTH : <i>Single family and Vacant</i>	RR-10	AR
TO THE EAST : <i>Canal/residential</i>	RR-10	RE
TO THE WEST : <i>Residential</i>	RR-10	AR

Standards for Conditional Uses, Requested Uses Development Order Amendments, Unique Structures and Type II Waivers:

Article 2.B.2.B. of the Palm Beach County Unified Land Development Code (ULDC) establishes standards by which an application for Conditional Use shall be considered as follows:

1. Consistency with the Plan:

The existing Future Land Use designation on the subject property is Rural Residential – 1du/10 acres. The proposed Place of Worship is consistent with the purposes, goals, objective and policies of the Comprehensive Plan. The existing Tier for the development is a Rural Tier. The subject property does not fall within the boundary of a neighborhood plan.

2. Consistency with the Code.

The proposed development is consistent with current ULDC requirements. The conversion of the pole barns for use as a Place of Worship will be reconstructed to meet current Building and Fire Code for safety.

3. Compatibility with Surrounding Uses.

The proposed development is compatible with the surrounding lands and in the vicinity of the development. The proposed development is on over 10 acres of land surrounded by property developed with horse farms and dwellings. To the east of the subject site is a 100' canal right of way that will be used for outfall. There are other places of worship in the vicinity of the subject site.

4. Design Minimizes Adverse Impact.

The proposed conversion of the pole barns have been designed to further develop an established architectural character that will complement the existing built community. As stated above, the Applicant is proposing to convert the existing pole barns to sanctuary and services.

5. Design Minimizes Environmental Impact.

The existing vegetation of the site has been considered when laying out the required parking spaces for Phase 1 and the Phase 2 development and parking. The Applicant will minimize the removal of vegetation throughout the site. With the previous horse farm on the subject site the Live Oaks and Cabbage Palms have no understory.

6. Development Patterns.

The proposed place of worship is located within a residential area and is a logical, orderly and timely pattern of development in the area.

7. Adequate Public Facilities.

A concurrency reservation application has been submitted with the Conditional Use A along with a traffic statement. The development will have a well and septic tank for water and sewer since there are not utility lines near the development.

8. Changed Conditions and Circumstances.

The property owner purchased the property in March 2014 with the intention of converting the existing buildings into a Place of Worship. With the acreage they felt that the property would offer a great location for a facility that would work well with the main facility in Lake Worth.

On behalf of the applicant, Gentile Glas Holloway O'Mahoney & Associates, Inc. respectfully request approval of this application. The Project Managers at Gentile Glas Holloway O'Mahoney & Associates, Inc. are George G. Gentile, Dan Siemsen and Pat Lentini.



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PADMASAMBHAVA BUDDHIST CENTER

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September 11, 2014

Roger Ramdeen
Principal Planner
Palm Beach County Planning Zoning and Building Department
2300 N. Jog Rd.
West Palm Beach, FL 33411

RE: Proposed Retreat Center

Dear Mr. Ramdeen:

I have been asked to explain some of our reasoning in requesting reduced paving on this site.

The intended use of this property is a retreat center that will be used for group retreats four to five times per year. There are no plans to hold weekly services at this location.

There will only be two people onsite on an ongoing basis, as support staff for the organization.

Living in harmony with the natural world is an important Buddhist principle, reaching back to Buddha Shakyamuni twenty-five hundred years ago and evident in Buddhist retreat centers, monasteries, and temples all over the world. One of our goals with this project, in line with this tradition, is minimize our impact on the beautiful setting, preserving the existing character of the land as much as possible.

I hope that this explanation is helpful to you. Thank you for your continuing courtesy and kindness in this matter.

Warmly,

Tim Tavis
Retreat Manager

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