PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION

Application No.:	SV/CA-2022-01490
Application Name:	Islamic Center School
Control No./Name:	2022-00007 (Islamic Center School)
Applicant:	Islamic Center of West Delray Beach Inc.
Owners:	Islamic Center of West Delray Beach Inc.
Agent:	Urban Design Studio - Bradley Miller Urban Design Studio - Ailish Villalobos
Telephone No.:	(561) 366-1100 , (561) 366-1100
Project Manager:	Vincent Stark, Site Planner I

Title: a Subdivision Variance **Request:** to allow a reduction in the legal access width on 9.85 acres

Title: a Class A Conditional Use **Request:** to allow an Elementary and Secondary School on 9.85 acres

Title: a Class A Conditional Use **Request:** to allow a General Daycare on 9.85 acres

APPLICATION SUMMARY: The proposed requests are for the 9.85-acre Islamic Center School development. The site has no prior Board of County Commissioners (BCC) approvals and is developed as a wholesale nursery.

The Subdivision Variance and Class A Conditional Use requests would allow for the development of an Elementary and Secondary School and General Day Care and allow a reduction in the legal access width. The Preliminary Site Plan (PSP) indicates two buildings with a total of 57,912 square feet (sq. ft.) 56,349 sq. ft. (382 students) for the School and 1,563 sq. ft. (32 children) for the Daycare. In addition, 219 parking spaces are provided with one access point to the site from 152nd Pl S.

SITE DATA:

Location:	South side of 152nd Place S, approximately 1,300 feet East of Lyons Road.
Property Control Number(s)	00-42-46-20-01-000-0462 and 00-42-46-20-01-000-0470
Future Land Use Designation:	Agricultural Reserve (AGR)
Zoning District:	Agricultural Reserve (AGR)
Total Acreage:	9.84 acres
Tier:	Agricultural Reserve
Municipalities within 1 Mile	N/A
Future Annexation Area	N/A
Commission District	District 5, Vice Mayor Maria Sachs

RECOMMENDATION: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibits C1 through C-3.

ACTION BY THE ZONING COMMISSION (ZC): At the July 6, 2023 ZC Hearing, this item was on the Consent Agenda. Commissioner Kern made a motion to recommend approval, seconded by Commissioner Pavlik. The motion carried by a vote of 7-0-0.

ACTION BY THE BOARD OF COUNTY COMMISSIONERS (BCC): At the July 19, 2023 BCC Hearing the Agent requested a postponement from July 19, 2023 to August 24, 2023 in order to discuss an issue regarding timing of opening of the school/daycare with construction of Lyons Road. The BCC approved the request with a motion carried by a vote of 7-0-0.

At the August 24, 2023 BCC Hearing the Agent requested a postponement from August 24, 2023 to September 28, 2023 at the request of Vice Mayor Maria Sachs for the Agent to meet with the Adjacent Property Owner (St Marys Church) and the County Engineer. The BCC approved the request with a motion carried by a vote of 7-0-0.

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

PROJECT HISTORY: The site has no prior Board of County Commissioners (BCC) approvals and is currently operating as a wholesale nursery.

SUBDIVISION VARIANCE SUMMARY: At the July 6th ZC hearing, the ZC approved the Subdivision Variance to allow a reduction in the access width and land width.

	ULDC Article	Required	Proposed	Variance
SV	Table 11.E.2.A-2	Minimum legal access width of 80-feet Right-of-Way and 12-feet wide lane widths	Access width of 55-feet Right-of-Way and 11-feet wide lane widths	Reduction of 25 feet of Right-of-Way and 1-foot of lane width per lane

FINDINGS:

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

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

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

○ *Consistency with the Comprehensive Plan:* The proposed uses are consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Relevant Comprehensive Plan Policies:* Future Land Use Element (FLUE) Policy 2.2.8-a: Institutional and Public Facility uses may be allowed in all future land use designations, provided the uses are consistent with the provisions of the Comprehensive Plan and ULDC. The use is Institutional, which falls in line with Institutional uses and may be located in the AGR future land use designation within the Agricultural Reserve Tier.

○ *Intensity:* The request for 57,912 sq. ft. equates to a FAR of approximately 0.14 (57,912/ 428,645 surveyed sq. ft. or 9.84 acres = 0.135). The maximum Floor Area Ratio (FAR) of 0.15 is allowed for Institutional uses within the AGR future land use designation in the Agricultural Reserve Tier (428,645 surveyed sq. ft. or 9.84 acres x 0.15 maximum FAR = 64,296 sq. ft. maximum).

○ *Special Overlay District/Neighborhood Plan/Planning Study Area:* The site is not located within any neighborhood plans, overlays or study areas as identified in the Comprehensive Plan.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code. The Applicant is requesting an approval for a General Daycare and an Private Elementary and Secondary School. The Preliminary Site Plan indicates two buildings. Building A is for the Elementary and Secondary School consisting of 35,403 sq. ft. and Building B a total of 22,509 sq ft. for both proposed uses, consisting of 18,698 sq.ft. for the Elementary and Secondary School, 1,563 sq. ft. is for the General Daycare (32 children), . and 2,248 sq. ft. of Administrative offices. In addition, the PSP also indicates two tennis courts, two basketball, two volleyball courts and playground area.

○ *Property Development Regulations:* Table 3.D.1.A Property Development Regulations regulates the required lot dimensions, Building Coverage and minimum setbacks. Staff has analyze the information provided under the Preliminary Site Plan (PSP) and has determine the proposed development is in compliance with the parameters established. The lot meets the minimum size for the AGR Zoning District, 5 acres with a minimum of 300 feet of frontage, width, and depth o. Buildings A and B, meet the required setbacks. The lot frontage and access is from 152nd PL.

General Daycare

The Day Care portion of the Request when review under the ULDC falls within the General Day Care definition. Which is an establishment that provides Day Care for 21 of more children. The preliminary Site Plan indicates a total of 1,563 sq.ft allocate for the Day Care use with a total of 32 children and two designated Drop-off parking spaces.. The Day Care is located within what has been label Building B with the 2,555 Playground area immediately east of the Day Care. Health Staff has indicated no issues with the proposed play-ground area and foundation planting.

The proposal is in compliance with the required Property Development Regulations for setbacks, lot size, as stated on Table 3.D.1.A Property Development Regulations. In addition Staff has analyze the proposal and has determine that the project is in compliance for all the standards for General Day Care as listed on Article 4.B.4.C.7. Including: Site Requirements, Outdoor Activity Area for Child Care and Drop-Off Access.

Private Elementary and Secondary School

The Private Elementary School as indicated on the Preliminary Site Plan occupies a total of 56,349 sq.ft. located within two separate buildings with 382 students. In addition the Applicant has provided a Pickup/Drop-off operation diagram that indicates their entrance along the eastern portion of the Site and circle on a one way loop through the site (Exhibit 6)

The proposal is in compliance with the required Property Development Regulations for setbacks, lot size, as stated on Table 3.D.1.A Property Development Regulations. In addition Staff has analyze the proposal and has determine that the project is in compliance for all the standards for General Day Care as listed on Article 4.B.4.C.14. Including: Setbacks, Pedestrian Access and Vehicular Circulation. Fire Staff has indicated that a required cross access easements is required as an alternate method of escape in the event of an active shooter event occurs. Staff has added a condition of Approval requiring the this cross access easement to be recorded prior to Final DRO approval.

- *Architectural Review:* The uses are required to comply with the Architectural Guidelines specified in Article 5.C, Design Standards. The Applicant has indicated the desire to submit the required documents for Architectural review at time of Building Permit Approval

- *Parking:* The proposed uses according to Table 6.B.1.B Minimum parking and Loading Requirements required a total of 93 spaces. The Preliminary Site Plan (PSP), indicates a total of 217 parking spaces will serve the site. The proposed site plan is also indicating a total of 2 drop off spaces for the daycare and two loading areas.

- *Landscaping and Buffering*: According to Table 7.C.2.A Regulates the required buffer width and Table 7.C.2.C Incompatibility Buffers. The proposed Preliminary Site Plan indicates a 15-foot ROW (Right-of-Way) landscape buffer along 152nd Place S., and a 20-foot Type 3 Incompatibility Buffer along the eastern and southern property lines, with a 6-foot-high wall. Along the western property line, an 8-foot Compatibility Buffer is provided. The proposed development is in compliance with the required Foundation planting.

- *Signage:* A Preliminary Master Sign Plan indicates one free standing sign at the western access point.

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

To the north of the property exist miscellaneous Agriculture uses with Wholesale nurseries. To south there is a Place of Worship along with Nursery wholesale. The east the existing parcel is Agricultural and to the west includes Place of Worship.

The proposed uses are generally consistent and compatible with the surrounding land uses and the overall character of the area. The design and purpose of the school align with the existing surroundings and will harmoniously integrate into the community.

d. Design Minimizes Adverse Impact – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands. The proposed development is in compliance with the ULDC standards. The site has designed, considering specific building placement to facilitate efficient vehicular stacking. within the premises during drop-off and pick-up times possible impact to the adjacent lands. The Applicant has provided a Pickup/Drop-off operation diagram that indicates their entrance along the eastern portion of the Site and circle on a one way loop through the site (Exhibit 6) This approach minimizes any potential impact on 152nd Place S and the surrounding roadways. In addition the proposed buildings have been kept to a one story with a maximum height of 35 feet.

Furthermore, as part of the application, the development is providing an additional 40 feet of roadway dedication along 152nd Place S in accordance with non-plan collector standards.

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

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

○ *Site Contamination:* Based on the Phase I Environmental Site Assessment ("ESA"), dated March 12, 2017, prepared by Aspen Environmental Consulting, LLC, the soil and groundwater qualities at the subject property may have been impacted by its former use as a nursery and lawn equipment maintenance/ repair shop. "There is a potential for land contamination at the site. Further investigation may be warranted to assess the presence or absence of such contamination." The Property Owner will need to work with the Florida Department of Environmental Protection to resolve the contamination issues, as per Chapter 62-780, F.A.C. During the DRO process, ERM will confirm that the Applicant is coordinating with FDEP, if contamination is found. Additionally, ERM has conditioned a Phase II ESA to be provided to ensure that the excavation(s) meets the 300-foot distance criteria from any known contamination, inter alia.

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

○ *Irrigation Conservation Concerns and Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

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

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

The properties surrounding the site are predominantly dedicated to agricultural and civic uses on all sides. Considering the recent and future residential growth in the area, the proposed development on the site aligns with logical and orderly development patterns. It takes into account the surrounding proposed and existing development and trends and ensures that they will not be adversely affected. The project's design and implementation contribute to the overall harmony and consistency in the evolving neighborhood landscape.

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

ENGINEERING COMMENTS: The proposed 382 student private elementary school and 32 student daycare project is expected to generate 1,084 net daily trips, 396 net AM peak trip, and 105 net PM peak hour trips. The build out of the project is assumed to be by 2027.

Some segments of Atlantic Ave has background deficiency, without the project traffic. Lyons Rd between Atlantic Ave and Clint Moore Rd is currently being widened to 4 lanes divided, which will meets adopted Level of Service standards. The project meets Traffic Performance Standards using provisions in Florida Statute 163.3180. The project will be required to construct turn lanes on Lyons Rd at 152nd Pl S and provide a surety for a signal at the intersection.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)
Traffic volumes are in vehicles per hour
Segment: Lyons Rd between Atlantic Ave and Clint Moore Rd
  Existing count: Northbound=886, Southbound=591
  Background growth: Northbound=367, Southbound=245
  Project Trips: Northbound=34, Southbound=29
  Total Traffic: Northbound=1287, Southbound=865
Present laneage: 1 in each direction
Assured laneage: 2 in each direction
LOS “D” capacity: 880/1960 (present/assured) per direction
Projected level of service: Worse than LOS D in the existing condition, but LOS D or better with assured construction

The Property Owner shall plat the property prior to the issuance of the first building permit.

The Property Owner shall reconstruct 152nd Place and build a sidewalk prior to the issuance of the first certificate of occupancy.

DRAINAGE DISTRICT: The subject site is within the boundaries of the Lake Worth Drainage District. The Applicant's engineer states that the flood attenuation and water quality treatment will be provided within the dry detention area prior to offsite discharge. The legal positive outfall is available via 152nd Place South drainage system, and will drain to an existing curb inlet located along east side of Lyons Road. See Exhibit E. Prior to the issuance of any Building Permits, the site must obtain approvals from the District.

PALM BEACH COUNTY HEALTH DEPARTMENT:
This project has met the requirements of the Florida Department of Health. The subject site will be serviced by the water and wastewater utilities.

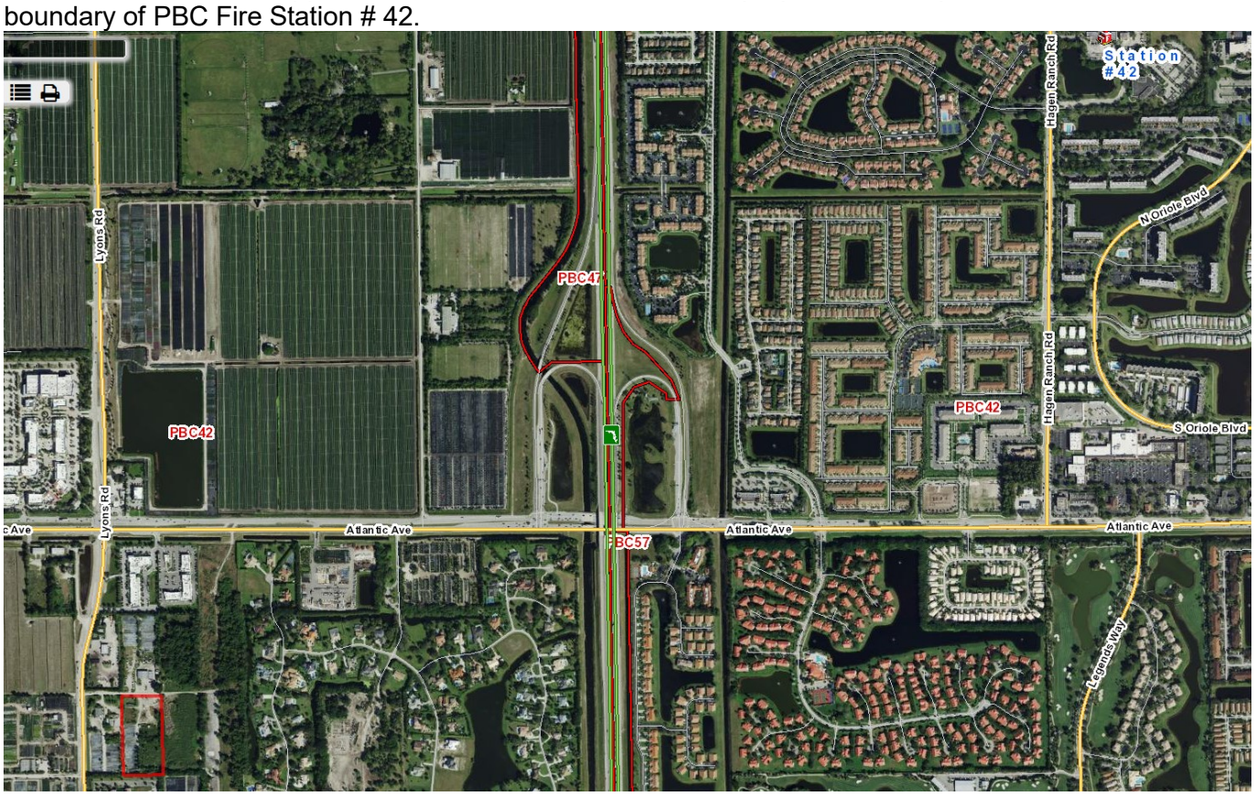
WATER AND WASTEWATER PROVIDER: Water and Wastewater to be provided by Palm Beach County Water Utilities Department. In accordance with their letter dated February 2, 2022, they have stated the following, "*..the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required for the propopsed future land use of school, elementary and secondary with gymnasium and place of worship. A 12" potable water main and an 8" wastewater forcmain are located wihin Lyons Road approximately 350 feet from the subject property. Uilities must be extended the length of the property. …"*

In order for the proposed development to commence, the Property Owner will need to hook up to the water and sewer service provided by PBCWUD.

SCHOOL IMPACTS:
The School Board has no issue with this request.

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

FIRE PROTECTION:
Staff has reviewed this application and have no comment. The proposed development is located within the boundary of PBC Fire Station # 42.



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

The Applicant states, over the past 20 years, the number of residential units in the west Delray area has experienced a significant exponential growth, and this trend continues with the ongoing development in the Agricultural Reserve. Considering this evolving development pattern from 1995 to the present day, the Applicant's request to permit the proposed institutional, civic, and public uses on the site will serve the surrounding residential and working communities effectively.

CONCLUSION: Staff has evaluated the standards listed under Articles 2.B and has determined that there is a balance between the need for change and the potential impacts generated by the Islamic Center School for the subdivision variance and two Class A Conditional Uses. Therefore, Staff is recommending approval subject to Conditions of Approval as indicated in Exhibits C-1 through C-3.

CONDITIONS OF APPROVAL

EXHIBIT C-1

Subdivision Variance on 9.85 acres

ALL PETITIONS

1. The approved Preliminary Site Plan is dated May 18, 2023. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Zoning Commission. (ONGOING: ZONING - Zoning)

ENGINEERING

1. The subdivision variance approval shall remain in effect as long as the Final Site Plan remains valid in accordance with the applicable time limitations of Article 2.E., of the ULDC. (ONGOING: ENGINEERING - Engineering)

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 Zoning Commission 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.

CONDITIONS OF APPROVAL

EXHIBIT C-2

Class A Conditional Use-Elementary and Secondary School on 9.85 acres

ALL PETITIONS

1. The approved Preliminary Site Plan is dated May 18, 2023. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ACCESS

1. Prior to recordation of the Plat, the Property Owner shall record a Cross Access Agreement from the subject property to the property to the south in a form and manner that is acceptable to the County Attorney's office. (PLAT: ZONING - Zoning)

ENGINEERING

1. No Building Permits for the site may be issued after December 31, 2027, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. The Property Owner shall construct i) right turn lane south approach on Lyons Rd at 152nd Place ii) left turn lane north approach on Lyons Rd at 152nd Place.

This construction shall be concurrent with the paving and drainage improvements for the site. As of writing of this condition, Lyons Rd was under construction for widening from 2 lanes to 4 lanes divided. Coordination with the County should be done to find the best way to accommodate the above turn lanes within the project limits. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

3. The Property Owner shall fund the cost of signal installation, if warranted, as determined by the County Engineer at 152nd Place and Lyons Rd. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPMT: MONITORING - Engineering)

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

4. 152nd Place shall have two exiting lanes on the east approach at Lyons Rd intersection of adequate storage length, as approved by the County Engineer. (ONGOING: ENGINEERING - Engineering)

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

6. The Property Owner shall reconstruct 152nd PL from Lyons Road to the east driveway connection, plus tapers, to be consistent with Palm Beach County standards for a local commercial street. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

b. The Property Owner shall maintain this section of roadway in perpetuity unless the maintenance obligation is reassigned to another entity as approved by the County Engineer. (ONGOING: ENGINEERING - Engineering)

7. Property Owner shall construct a minimum 8 foot wide pathway/sidewalk along the south side of 152nd Place from Lyons Road to their east property line. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. The sidewalk shall be completed prior to the issuance of the first certificate of occupancy. (CO: MONITORING - Engineering)

8. No Certificate of Occupancy for the Day Care and The Private School shall be issued prior to the completion of the widening of Lyons Rd from a 2 lane section to a 4 lane divided section from Atlantic Ave to L-38 canal, currently under construction as of the issuance date of this resolution or earlier than 2 years after the issuance date of this resolution, whichever is earlier. (ONGOING: MONITORING – Engineering)

ENVIRONMENTAL
1. Prior to the final approval by the Development Review Officer, a Phase II Environmental Site Assessment shall be provided to the Department of Environmental Resources Management for review. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

LANDSCAPE - PERIMETER-EAST AND SOUTH PROPERTY LINES
1. In addition to the requirements for a 20-foot wide Type 3 Incompatibility buffer for the east and south property lines the Development shall provide a 6-foot wall. (BLDGPMT/DRO: ZONING - Zoning)

2. Buffer reduction and/or easement encroachments within the east and south 20-foot wide Type 3 Incompatibility Buffers are prohibited. (BLDGPMT: ZONING - Zoning)

LANDSCAPE - PERIMETER-SOUTH PROPERTY LINE
3. In addition to the requirements for the Type 3 Incompatibility buffer for the south property line the following shall apply:
a. the emergency access to the south property shall include an opaque gate; and
b. the gate shall align with the wall included within the buffer. (BLDGPMT: ZONING - Zoning)

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

CONDITIONS OF APPROVAL

EXHIBIT C-3

Class A Conditional Use-General Daycare on 9.85 acres

ALL PETITIONS

1. The approved Preliminary Site Plan is dated May 18, 2023. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ACCESS

1. Prior to recordation of the Plat, the Property Owner shall record a Cross Access Agreement from the subject property to the property to the south in a form and manner that is acceptable to the County Attorney's office. (PLAT: ZONING - Zoning)

ENGINEERING

1. No Building Permits for the site may be issued after December 31, 2027, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. The Property Owner shall construct i) right turn lane south approach on Lyons Rd at 152nd Place ii) left turn lane north approach on Lyons Rd at 152nd Place.

This construction shall be concurrent with the paving and drainage improvements for the site. As of writing of this condition, Lyons Rd was under construction for widening from 2 lanes to 4 lanes divided. Coordination with the County should be done to find the best way to accommodate the above turn lanes within the project limits. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

3. The Property Owner shall fund the cost of signal installation, if warranted, as determined by the County Engineer at 152nd Place and Lyons Rd. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPMT: MONITORING - Engineering)

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

4. 152nd Place shall have two exiting lanes on the east approach at Lyons Rd intersection of adequate storage length, as approved by the County Engineer. (ONGOING: ENGINEERING - Engineering)

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

6. The Property Owner shall reconstruct 152nd PL from Lyons Road to the east driveway connection, plus tapers, to be consistent with Palm Beach County standards for a local commercial street. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT: MONITORING - Engineering)

b. The Property Owner shall maintain this section of roadway in perpetuity unless the maintenance obligation is reassigned to another entity as approved by the County Engineer. (ONGOING: MONITORING - Engineering)

7. Property Owner shall construct a minimum 8 foot wide pathway/sidewalk along the south side of 152nd Place from Lyons Road to their east property line. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. The sidewalk shall be completed prior to the issuance of the first certificate of occupancy. (CO: MONITORING - Engineering)

8. No Certificate of Occupancy for the Day Care and The Private School shall be issued prior to the completion of the widening of Lyons Rd from a 2 lane section to a 4 lane divided section from Atlantic Ave to L-38 canal, currently under construction as of the issuance date of this resolution or earlier than 2 years after the issuance date of this resolution, whichever is earlier. (ONGOING: MONITORING – Engineering)

ENVIRONMENTAL
1. Prior to the final approval by the Development Review Officer, a Phase II Environmental Site Assessment shall be provided to the Department of Environmental Resources Management for review. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

LANDSCAPE - PERIMETER-EAST AND SOUTH PROPERTY LINES
1. In addition to the requirements for a 20-foot wide Type 3 Incompatibility buffer for the east and south property lines the Development shall provide a 6-foot wall. (BLDGPMT/DRO: ZONING - Zoning)

2. Buffer reduction and/or easement encroachments within the east and south 20-foot wide Type 3 Incompatibility Buffers are prohibited. (BLDGPMT: ZONING - Zoning)

LANDSCAPE - PERIMETER-SOUTH PROPERTY LINE
3. In addition to the requirements for the Type 3 Incompatibility buffer for the south property line the following shall apply:
a. the emergency access to the south property shall include an opaque gate; and
b. the gate shall align with the wall included within the buffer. (BLDGPMT: ZONING - Zoning)

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



Site Data

Size:	4.63 acres
Existing Use:	Vacant
Proposed Use:	School and Day Care, General
Zoning:	AGR
Zoning Quad:	52

Future Land Use Designations

AGR	Agricultural Reserve
CL/AGR	Commercial low, underlying AGR
CL-O/AGR	Commercial Low Office, underlying AGR
MLU	Mixed Land Use
INST/CLR	Institutional, underlying CLR

Date: x/xx/xxxx
Contact: PBC Zoning
Filename: X:\Planning Zoning Coordination\DRO-Maps\2023\7-July
Note: Map is not official, for presentation purposes only.

180 0 180 360 Feet

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

Figure 2 - Zoning Map

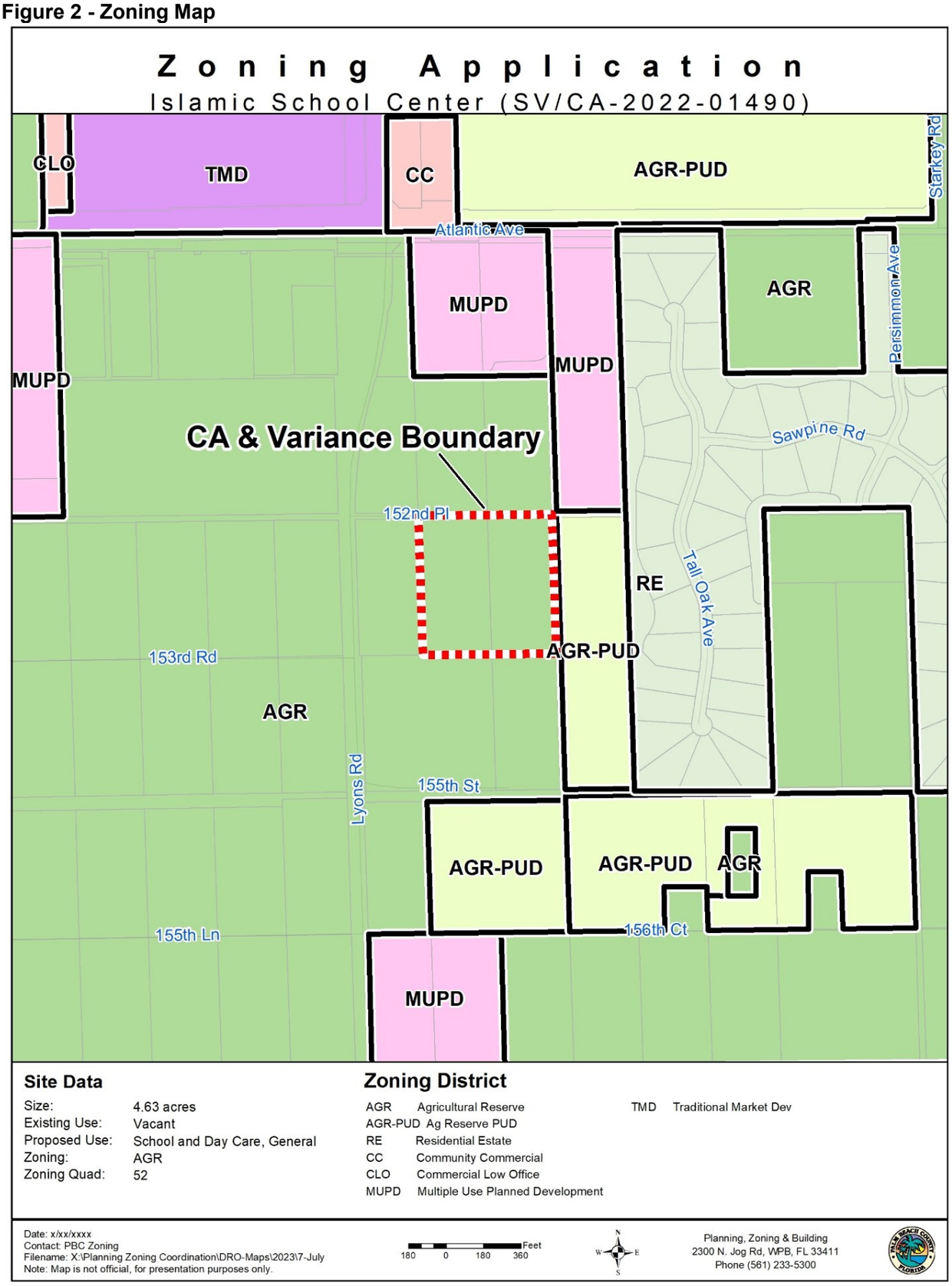


Figure 3 – Preliminary Site Plan dated (05-18-2023)

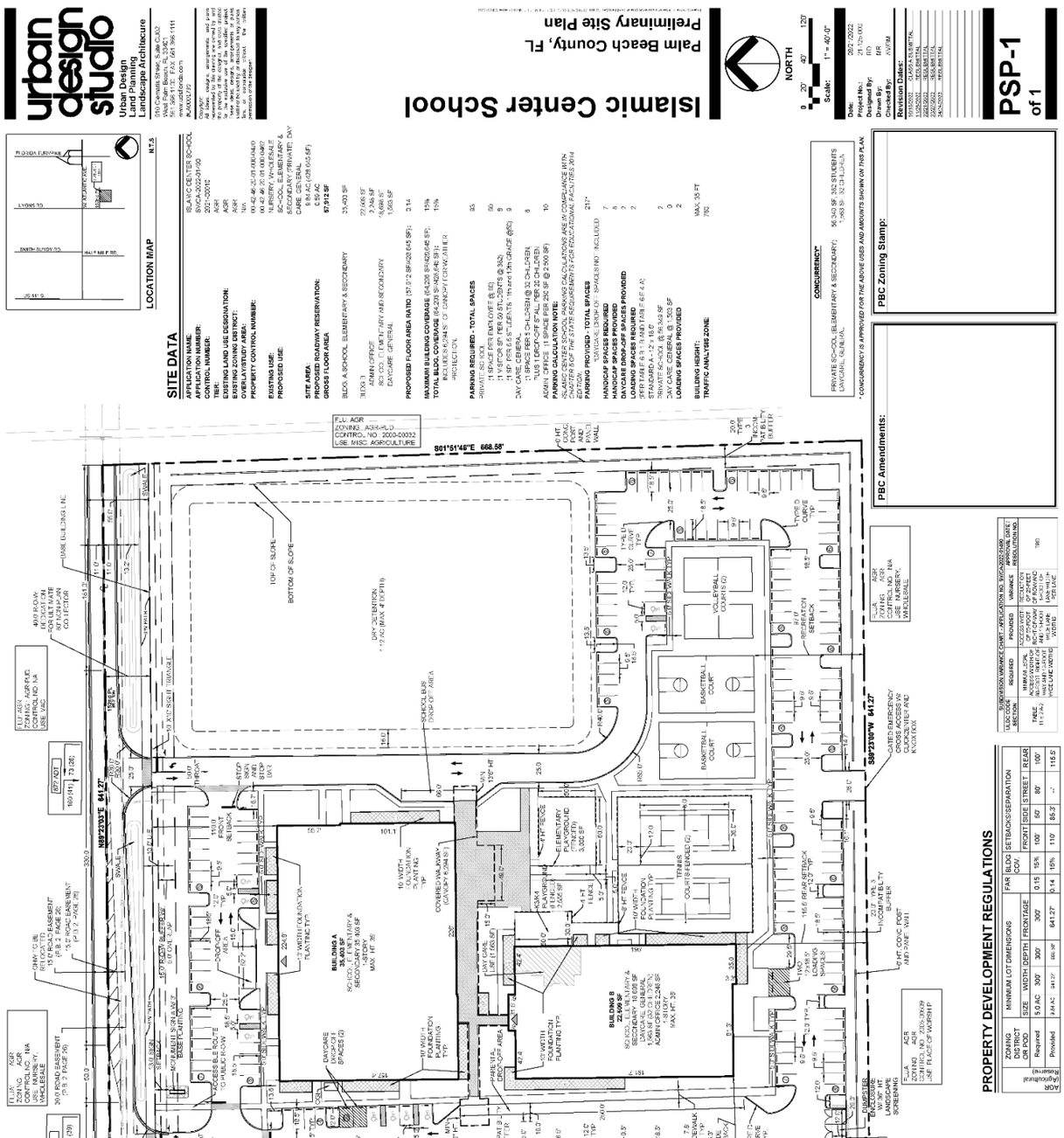
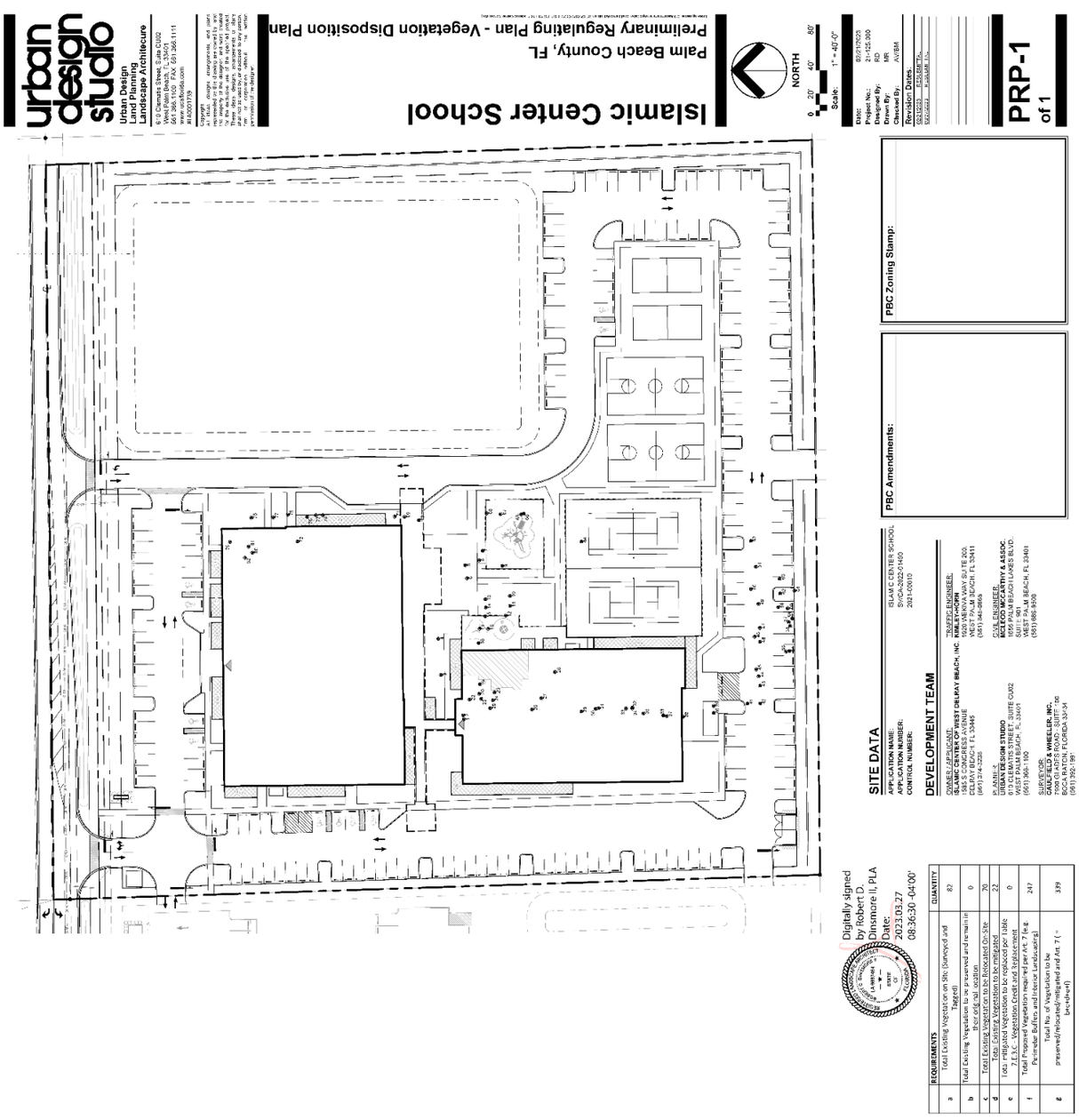
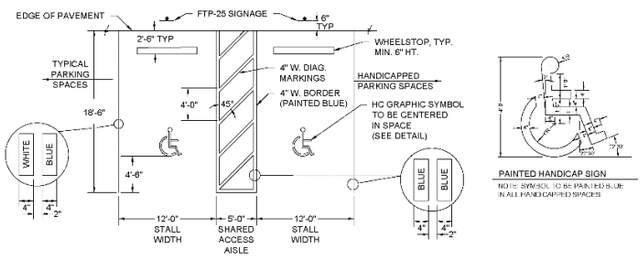


Figure 4 – Preliminary Regulating Plan 1 of 3 dated (03-27-2023)



PBC STANDARD HANDICAPPED PARKING SPACE DETAIL

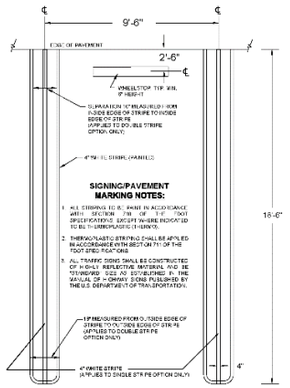


PAINTED HANDICAP SIGN

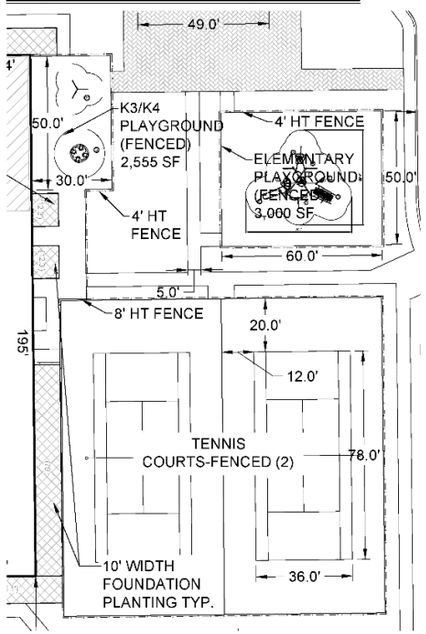
NOTE: SYMBOL TO BE PAINTED BLUE IN ALL HANDICAPPED SPACES

PBC STANDARD PARKING SPACE DETAIL

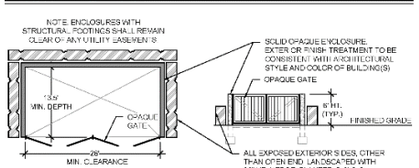
(SINGLE OR DOUBLE STRIPE ALLOWED PER CODE)



RECREATION AREA/PLAYGROUND DETAIL

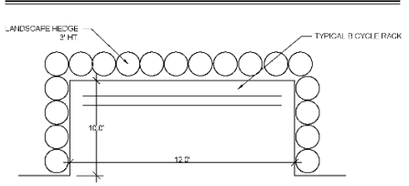


DUMPSTER DETAIL



NOTE: DUMPSTERS FOR PROPOSED C.F. TYPE 3 WILL BE ENCLOSED

BICYCLE PARKING DETAIL:



SITE DATA

APPLICATION NAME:	ISLAMIC CENTER SCHOOL
APPLICATION NUMBER:	SV/CA-2022-01490
CONTROL NUMBER:	2021-00013

PBC Amendments:	PBC Zoning Stamp:

urban design studio
Urban Design
Land Planning
Landscape Architecture

510 Clematis Street, Suite CU02
West Palm Beach, FL 33401
561.366.1100 FAX: 561.366.1111
www.udsflorida.com
LA0001739

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Islamic Center School

Palm Beach County, FL
Preliminary Regulating Plan

NORTH

0 20' 40' 80'
Scale: 1" = 40'-0"

Date:	02/21/2023
Project No.:	21-126.000
Designed By:	RD
Drawn By:	MR
Checked By:	AW/BM

Revision Dates:
09/21/2023 RESUBMITTAL

PRP-2
of 3

Figure 4 – Preliminary Regulating Plan 2 of 3 dated (02-21-2023)

Tree Protection Management Plan

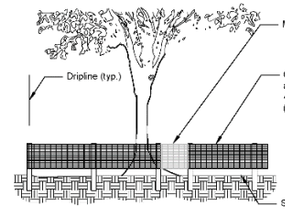
Prior to clearing any of the property for development. the contractor will do the following items:

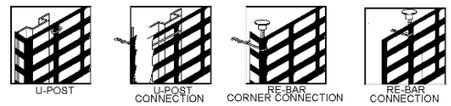
Clearly identify and mark all trees to be preserved consistent with the approved Landscape Plan.

Install appropriate protective barriers around individual and groups of trees to be preserved.

A suitable protective barrier of metal. wood or other material shall be placed around individual protected trees:

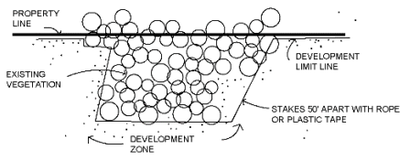
- a distance of 6' or more from all species of mangroves
- a distance of 6' or more, or at a distance outside of 2/3 of the radius of the dripline, whichever is greater, from all protected hardwoods
- a distance of 6' or more, or at a distance outside of 2/3 of the radius of the dripline, whichever is greater, of all protected conifers



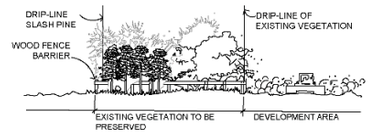


TREE PROTECTION BARRIER DETAIL

Unless conditioned in the vegetation removal permit, groups of trees or areas of vegetation to be preserved shall not require protective barriers. These areas will be marked by stakes installed at a maximum of 50' apart with rope or plastic tape attached to said stakes around the perimeter of the protected area.



Sturdy wood posts and rails shall be used to ensure that barricades can withstand construction activity.



Protective barriers or markings shall remain in place until they are authorized to be removed by staff or receipt of a CO.

There shall be limited development within tree preservation areas:

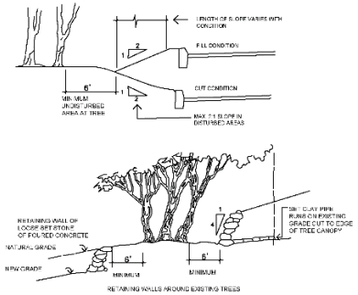
- maintained in its natural state
- provide permeable landscape natural. i.e., grass, mulch
- conform to governing landscape code.

There will be no attachment of signs, etc. to vegetation unless of a non-damaging character.

Light machinery or hand-labor is to be used if vegetation is to be installed in preservation areas.

No grade changes shall be made within tree preservation areas, which require trenching or cutting of roots unless conditioned. Utility lines shall be installed to protect root systems as much as possible.

No removal of soil or fill in tree preservation areas shall occur.



No clearing shall commence until all protection devices are installed , inspected and approved by the Zoning Division and Environmental Resource Management Department.

TREE RELOCATION PROGRAM

Plant Species Requirements

Live Oaks - Best time to move is in their dormant season. Worst time to move is in the spring because of their flush of new growth and lack of precipitation. They should be root pruned at least two weeks in advance of the move and need to be watered in heavily the first two weeks after transplanting.

Root Pruning and Transplanting

When it is determined that a tree or palm needs to be transplanted. it is beneficial and sometimes required that the plant be root pruned. Root pruning is done to reduce the size of an existing root ball in preparation for transplanting. The root ball is reduced to create a new root system large enough to sustain life in the tree/palm while making its move more effective for transportation. The time it takes for the root system to develop before transplanting will vary from tree to tree, depending on soil moisture content. An estimated wait time follows in the schedule listed below.

1. Clear the area around the tree that has been selected.

2. Determine the size of the root ball that is being prepared.

Tree Caliper	Root Ball
2-4"	36-42"
4-6"	42-48"
6-8"	48-60"
8-10"	72-84"
12-14"	84-96"
14-16"	96-108"
16-18"	108-120"
18-20"	120-132"
20-24"	132-144"
24-28"	144-156"
28-32"	156-168"
32-36"	168-180"

Sabal Palms	4' Root Ball
Coconut Palms	4-5' Root Ball
Queen Palms	4' Root Ball
Canary Island Date Palms	5-6' Root Ball
Reclinata Palms	6-8' Root Ball
Paurotis Palms	6-8' Root Ball
Sago Palms	3-4' Root Ball
Royal Palms	5-6' Root Ball

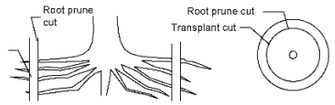
3. Palms may be cut on three sizes leaving the open side toward the strongest northeast winds.

4. Broadleaf trees should be cut on two sides initially opposite each other.



Transplant cut

5. Once the ball size has been determined, mark the spot around the ball and prepare for a 1' trench around the tree. Use sharp spades for root pruning and do not cut under the root ball. Leave old cut roots on top of root ball.



6. Fill trench with existing soil with 1/3 peat humus mixed in. Leave a depression to hold water.

7. Irrigate with a mist head at root ball to help promote feeder roots and maintain watering.

8. Wait time after root pruning until transplanting per individual specifications, for differing types of plant material.

Ficus Trees	6 weeks to 90 days
Palms	6 weeks to 90 days
Oaks, 6" and under	6 weeks to 90 days
Oaks, 6" - 12"	90 days to 6 months
Oaks, 12" and above	6 months to 1 year

9. Fertilize top of ball with milorganite after root pruning.

10. Some bracing may be required after root pruning.

11. A full top will encourage feeder root growth. Previous to transplanting, remove enough top growth to balance the smaller root system. Thin out and trim back unwanted foliage and branches.

12. Cut trench for transplanting outside of root pruned trench to allow for feeder roots.

13. Lift tree from one side to break suction and peel off root ball. If it doesn't break then dig under to sever roots.

Specifications:

1. Contractor shall be responsible for locating any and all underground utilities or obstructions prior to commencing work. In case of conflict with proposed work, notify landcape architect prior to commencement of work.

2. Contractor shall provide adequate irrigation to assure the healthy establishment of relocated trees.

3. Pruning of limbs shall occur only as necessary to facilitate relocation and shall maintain the natural shape and character of tree.

4. Finish grade for top of tree plug shall meet the proposed finsih grade after relocation.

5. All plant materials shall be relocated to freshly dug holes with similiar size and type of tree moving equipment. The holes should be filled 1/3 with water, place tree, back fill and water in thoroughly, being sure to avoid air pockets. Provide 4"-6" dish around newly dug plant material to retain water. Water thoroughly after planting as specified.

6. All trees exhibiting shallow root systems shall be staked as required.

7. Prune, thin out and shape relocated trees, shrubs and understory in accordance with desired effect of the landscape architect and to retain natural character. Remove all vines and exotic vegetation. Maintain relocated plant materials for a period of not less than 90 days. Maintain by watering, removing of exotic vegetation or weeds, providing insecticide applications and mulching.

8. The contractor shall protect trees during relocation procedures from scrapes, scars and undue breakage. Understory plant material moved with primary species shall be protected against damage.

9. Landscaping contractor shall provide a one (1) year warranty on all relocated material.

SITE DATA

APPLICATION NAME:	ISLAMIC CENTER SCHOOL
APPLICATION NUMBER:	SV/CA-2022-01490
CONTROL NUMBER:	2021-00016

PBC Amendments:	PBC Zoning Stamp:

urban design studio
Urban Design
Land Planning
Landscape Architecture
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401
561.366.1100 FAX: 561.366.1111
www.udstudio.com
ALA0001739

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Islamic Center School

Palm Beach County, FL
Preliminary Regulating Plan

NORTH

0 20' 40' 120'
Scale: 1" = 40'-0"

Date:	02/21/2023
Project No.:	21-125.000
Designed By:	RD
Drawn By:	MR
Checked By:	AW/BM

Revision Dates:
02/21/2023 RESUBMITTAL

PRP-3
of 3

Figure 4– Preliminary Regulating Plan 3 of 3 dated (02-21-2023)

BUILDING MOUNTED SIGNS - SIGN TYPE 'W'

WALL SIGNAGE ALLOWANCE. BUILDING MOUNTED SIGNS CONSIST OF WALL SIGNS, AWNING AND CANOPY SIGNS. PROJECTING SIGNS, AND MARQUEE SIGNS. THERE IS NO LIMIT ON THE MAXIMUM NUMBER OF WALL SIGNS AND AWNING AND CANOPY SIGNS PROVIDED THAT THE TOTAL SIZE OF ALL SUCH SIGNS DOES NOT EXCEED THE TOTAL MAXIMUM SIGNAGE AREA PERMITTED FOR WALL SIGNS. PROJECTING SIGNS OVER A PEDESTRIAN SIDEWALK AND NOT UNDER A CANOPY, AWNING, OR ARCADE, AND MARQUEE SIGNS ARE NOT INCLUDED IN THE MAXIMUM SIGN AREA CALCULATION FOR BUILDING MOUNTED SIGNS.

WALL SIGNAGE, IN CONFORMANCE WITH THESE PROVISIONS, TO BE DETERMINED ON FINAL BUILDING ELEVATIONS REVIEWED AT TIME OF PERMITTING FOR EACH INDIVIDUAL BUILDING

Wall Sign Standards (AGR Tier - Per ULDC Table 8.G.1.A)	
Maximum Sign Area (Per Linear ft. of the wall to which the sign is attached) *Includes awning and canopy signs	0.75 sq. ft. - any one facade 0.5 sq. ft. - any remaining facades 0.25 sq. ft. - walls adjacent to residential zoning district or use
Min. wall sign per tenant space	24 sq. ft.
Min. horizontal and vertical separation between signs	3 ft.
Max. projection from surface of building	2 ft.
Min. vertical separation between sign and roof line	6"
Min. horizontal separation between sign and wall edge	6"

*** Awning and Canopy Signs Standards :**

Awning and canopy signs are included in the maximum allowable signage area for wall signs. Awning and canopy signs are permitted on the ground floor of buildings and shall be made of durable, long lasting fabric and designed to fit the storefront. Awning and canopy signs shall be subject to the standards in Table 8.G.1.B, Awning and Canopy Signs Standards. **[Ord. 2006-004]**
Max. Sign Area (per sign): 24 SF / Max. Height (per sign): 20' above grade

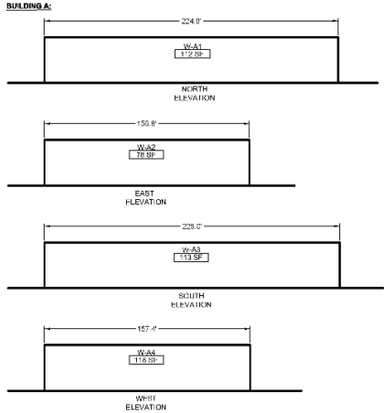
WALL SIGN CALCULATION TABLE

(SEE LOCATION MAP FOR PLAN VIEW LOCATIONS)

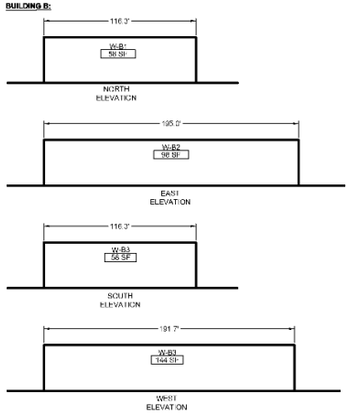
WALL SIGN CALCULATIONS (AGR TIER - PER ULDC TABLE 8.G.1.A AND TECHNICAL MANUAL TABLE 5.A.-1)										
BLDG. ID	ELEVATION	LENGTH OF WALL (LF)	SIGN AREA FORMULA - SF PER LF PER ULDC 8.G.1.A	MAX. SIGN AREA PER WALL (SF) ALLOWED	MIN. SIGN AREA PER TENANT ALLOWED	MIN. SEPARATION BETWEEN SIGNS ALLOWED	MAX. PROJECTION FROM BLDG. ALLOWED	MIN. SEPARATION FROM ROOF ALLOWED	MIN. SEPARATION FROM WALL EDGE ALLOWED
A1	NORTH (FRONT)	224.8	0.50	112	24 SF	3'	24"	6"	6"
A2	EAST (SIDE)	156.8	0.50	78					
A3	SOUTH (REAR)	226	0.50	113					
A4	WEST (SIDE)	137.4	0.75	118					
B1	NORTH (FRONT)	116.3	0.50	58	24 SF	3'	24"	6"	6"
B2	EAST (SIDE)	195	0.50	98					
B3	SOUTH (REAR)	116.3	0.50	58					
B4	WEST (SIDE)	191.7	0.75	144					

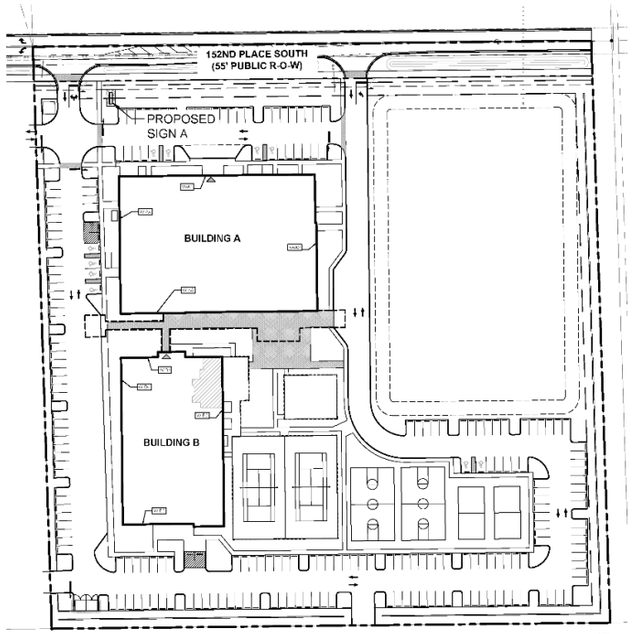
NOTE: FRONT ELEVATION IS BASED ON LOCATION OF MAIN PEDESTRIAN ENTRANCE. PRIMARY WALL TBD AT TIME OF PERMITTING.

BUILDING A:



BUILDING B:

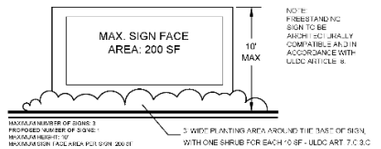




SIGN LOCATION KEY N.T.S.

MASTER SIGN PROGRAM

PROPOSED FREESTANDING MONUMENT SIGN - SIGN A



MAXIMUM NUMBER OF SIGNS: 3
PROPOSED NUMBER OF SIGNS: 1
MAXIMUM HEIGHT: 10'
MAXIMUM SIGN FACE AREA PER SIGN: 200 SF
BUILDING FACADE SIGNS PER CODE
MINIMUM SETBACK: 5
PROVIDED SETBACK: 10'

SITE DATA

APPLICATION NAME:	ISLAMIC CENTER SCHOOL
CONTROL NO:	2021-00019
APPLICATION NO:	SV/CA-2022-01490

PBC Amendments:	PBC Zoning Stamp:

urban design studio
Urban Design
Land Planning
Landscape Architecure

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West Palm Beach, FL 33401
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Islamic Center School

Palm Beach County, FL
Preliminary Master Sign Plan

Date:	08/31/2022
Project No.:	21-125.000
Designed By:	RD
Drawn By:	RD
Checked By:	AW/BM

Revision Dates:

10/18/2022	CLIENT COMMENTS
12/21/2022	RESUBMITTAL
03/27/2023	RESUBMITTAL

PMSP-1
of 1

Figure 5 – Preliminary Master Sign Plan dated (03-27-2023)

Figure 6 – Pickup/Drop-off Operations Diagram

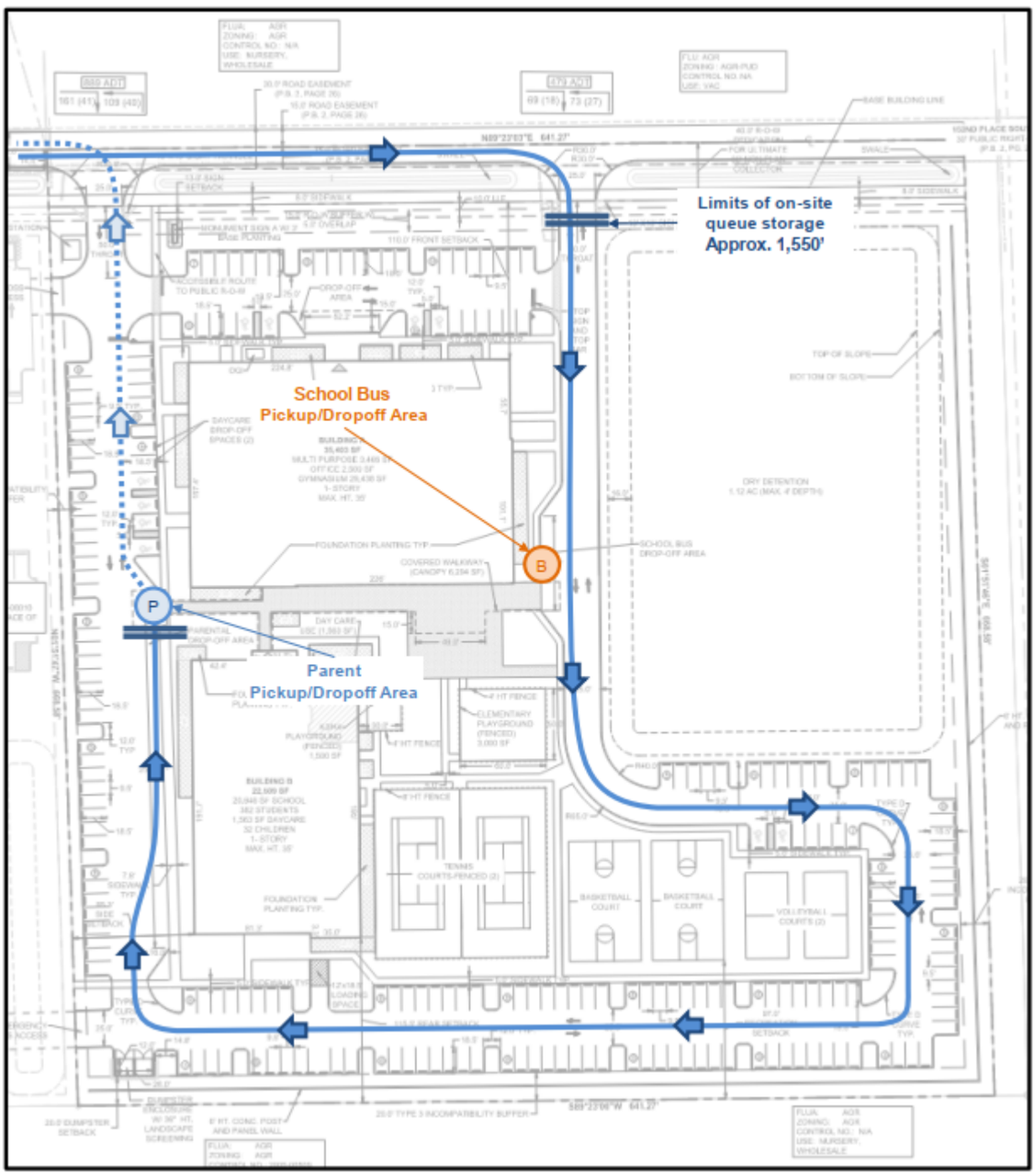


Exhibit D – Disclosure of Ownership

PALM BEACH COUNTY - ZONING DIVISION FORM # 9

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Saed Khalil, 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] Director *[position - e.g., president, partner, trustee]* of Islamic Center of West Delray Beach, Inc. *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 1515 S Federal Highway, Suite 106
Boca Raton, FL 33432

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Saed Khalil, Affiant

(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [×] physical presence or [ ] online notarization, this 12 day of November, 2022 by Saed Khalil *(name of person acknowledging)*. ~~He/she is personally known~~ to me or has produced _____ *(type of identification)* as identification and ~~did~~/did not take an oath *(circle correct response)*.

Bassam Kattoura
(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: 7/23/2024

NOTARY'S SEAL OR STAMP

BASSAM KHALIL KATTOURA
Notary Public - State of Florida
Commission # HH 23074
My Comm. Expires Jul 23, 2024
Bonded through National Notary Assn.

EXHIBIT "A"

PROPERTY

TRACT 47 AND THAT PORTION OF TRACT 46 (LESS THE EAST 23.4 FEET OF TRACT 46), LYING WITHIN THE WEST 990 FEET OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 20, TOWNSHIP 46 SOUTH, RANGE 42 EAST, THE PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 26 TO 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
SAID LANDS SITUATE IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.
CONTAINING 428,645 SQUARE FEET/9.8403 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 **Address**

Islamic Center of West Delray, Inc.

1515 S Federal Highway, Suite 106

Boca Raton, FL 33432

Exhibit E – Drainage Statement dated September 19, 2022

McLeod • McCarthy & Associates, P.A.
Civil Engineers

September 19, 2022

Re: Drainage Statement for Islamic Center School
152nd Place South
Palm Beach County, Florida (MMA #22-004)

Site Description

The subject site contains 9.84 acres on the south side of 152nd Place South, east of Lyons Road in unincorporated Palm Beach County, Florida. The site is bordered to the west by the previously approved Lyons Islamic Center (DRO-2021-1114), to the north by 152nd Place South, to the south by the St. Mary Orthodox Church, and to the east by an existing agricultural facility. The site is previously developed with a cluster of small agricultural/nursery buildings. The existing site grades range from 16.5 NAVD to 21.0 NAVD with a system of small ditches along the southern and western property lines.

Proposed Drainage

The parcel is located within the South Florida Water Management District's (SFWMD) C-15 Drainage Basin with an allowable discharge rate of 70 CF/mile² (CSM) and is within the boundaries of the Lake Worth Drainage District (LWDD). Existing SFWMD Environmental Resource Permit (ERP) No. 50-00347-S was issued for J&N Farms, Inc. in 1988 and covers the subject parcel.

The site is planned for a private elementary/secondary school with educational buildings, sports fields, gymnasium, and parking facilities. In addition to the school campus, the project will include the improvement of 152nd Place South, along the subject site's frontage, to meet Palm Beach County requirements.

Stormwater runoff will be collected and conveyed via a network of inlets and culverts to a dry detention area located at the northeast corner of the campus. Flood attenuation and water quality treatment will be provided within the dry detention area prior to offsite discharge. Legal positive outfall is available via the 152nd Place South drainage system at the site's northern boundary. The western portion of 152nd Place South will soon be improved and will drain to an existing curb inlet located along the east side of Lyons Road approximately 475' south of 152nd Place South. This curb inlet discharges to the Lyons Road stormsewer system via an existing 18" RCP culvert leading to a 36" RCP culvert along the western edge of Lyons Road. Invert elevation at the point of connection to the curb inlet is approximately 15.1 NAVD per the Lyons Road roadway plans. A control structure and outfall culvert will be constructed to regulate discharge to the offsite stormsewer system.

152nd Place South will be improved to Palm Beach County Non-Plan Collector Road standards with curb and gutter and an 8' wide sidewalk. Drainage will be collected and treated in a dry swale along the south side of the reconstructed roadway prior to discharging to the on-site stormwater management system associated with the Lyons Islamic Center. A drainage easement will be recorded over this drainage system connecting 152nd Place South to Lyons Road.

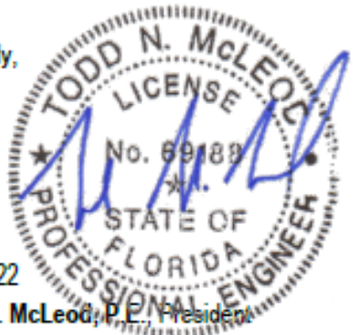
The Forum III | 1655 Palm Beach Lakes Blvd, Suite 810 | West Palm Beach, FL 33401
T 561 689 9500 | F 561 689 8080
todd@mcleodmccarthy.com • www.mcleodmccarthy.com

The stormwater management system will be designed in accordance with SFWMD & ULDC criteria with the following requirements:

- Minimum Parking Lot Elevation set at or above the 3 year – 1 day peak flood stage
- Minimum Perimeter Berm set at or above the 25 year – 3 day peak flood stage
- Minimum Finished Floor Elevation at or above the 100 year – 3 day (zero discharge) peak flood stage
- Water Quality Treatment and Flood Attenuation within dry detention area
- Legal Positive Outfall to the Lyons Road stormsewer system via 152nd Place South and the proposed Control Structure and culvert
- No offsite discharge up to the 25 year – 3 day flood stage except through an approved control structure
- Drainage Permits will be obtained from SFWMD, LWDD, and Palm Beach County prior to construction

If you have any questions regarding this application, feel free to contact me at 561.689.9500 or todd@mcleodmccarthy.com.

Sincerely,



Digitally signed by Todd McLeod
Date: 2022.09.19 09:00:31 -04'00'

9/19/2022
Todd N. McLeod, P.E., President
FL License No. 69188 | CA 30535

Exhibit F – Water and Waster Water Letter dated February 2, 2022

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

Palm Beach County
Board of County
Commissioners

Robert S. Weinroth, Mayor
Gregg K. Weiss, Vice Mayor
Maria G. Marino
Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

printed on sustainable and recycled paper

February 2, 2022

Urban Design Kilday Studios
610 Clematis Street Suite CU02
West Palm Beach, Fl. 33401

RE: Islamic Center School
PCN 00-42-46-20-01-000-0462 & 00-42-46-20-01-000-0470
Service Availability Letter

Dear Ailish,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required for the proposed future land use of school, elementary and secondary with gymnasium and a place of worship.

A 12" potable water main and an 8" wastewater forcemain are located within Lyons Road approximately 350 feet from the subject property. Utilities must be extended the length of the property.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD.

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

Sincerely,

Jackie Michels, P.E,
Project Manager