



PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

ZONING COMMISSION, JULY 3, 2025

A. Application Summary

I. General

Application Name: Tree Top Academy , DOA/CA-2024-01788
Control Name: Sarria & Cabrera Enterprises, Inc (1989-00066)
Applicant: Treetop Academy of Jupiter, LLC
Owner: Treetop Academy of Jupiter, LLC
Agent: 2GHO, Inc. - Daniel S Siemsen and Pat Lentini
Project Manager: Matthew Boyd, Senior Site Planner

Title/Request: **Title:** a Development Order Amendment **Request:** to modify the overall Site Plan for the previously approved Daycare to reduce square footage and number of children from 400 to 290 on 4.49 acres **Title:** a Class A Conditional Use **Request:** to allow a Private School (90 students K through 5th Grade) on 4.49 acres

Application Summary: he application is for the Tree Top Academy. The site received a Board of County Commissioners (BCC) approval on September 28, 2023 to add land area (2.99 acres) for a total of 4.49 acres, to reconfigure the site plan, to modify conditions of approval, and increase the number of students.

The application proposes a Development Order Amendment to modify conditions of approval to reduce the number of approved Day Care students from 400 to 290, and to allow a Private School for 90 students for a total of 380 students.

The Preliminary Site Plan (PSP) will retain the previously approved square footage and building placement. The PSP includes modifications to the drive aisles and total parking to reflect the reduction in parking spaces and drop off spaces from the reduction in Day Care children. The Recreation Area remains the same at 17,963 s.f. The main access to the site shall remain along Church Street

II. Site Data

Acres: 4.49 acres
Location: north side of Church Street east of Limestone Creek Road
Parcel Control: 00-42-40-34-00-000-7010 and 00-42-40-34-00-000-7030
Future Land Use: Medium Residential (MR-5)
Zoning District: Residential Transitional Urban District (RTU)
Proposed Zoning: RTU
Tier: Urban/Suburban
Utility Service: Town of Jupiter
Overlay/Study: Jonathan Dickinson State Park Greenline Overlay
Neighborhood Plan: N/A
CCRT Area: Limestone Creek
Comm. District: 1, Mayor Maria G. Marino

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B. determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C-1 and C-2.

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

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

IV. Hearing History

ZONING COMMISSION: *Scheduled for July 3, 2024*

BCC HEARING: *Scheduled July 24, 2024*

B. Data & Analysis

The supporting data and analysis is provided within the following Exhibits.

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Exhibit A-1 - Future Land Use Map



Exhibit A-2 - Zoning Map

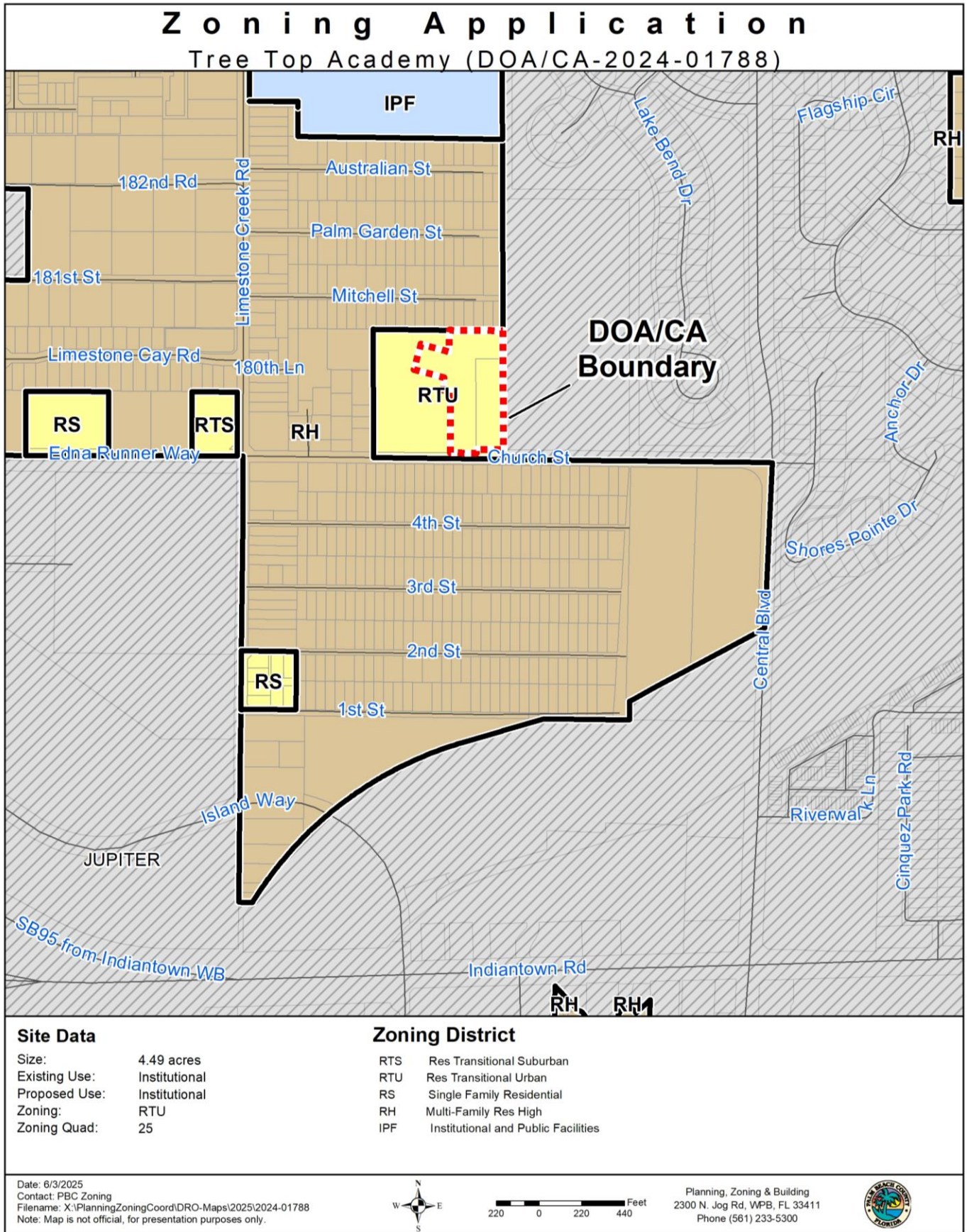


Exhibit B - Standards Analysis & Findings

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) and subject to the Findings of Fact pursuant to Article 5.G.1, 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.

The analysis provided below is for both the Development Order Amendment for the General Daycare and the Class A Conditional Use for the Private School.

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

PLANNING DIVISION COMMENTS:

○ *Consistency with the Comprehensive Plan:* The proposed use and amendment is 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:* Per 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 the ULDC". A private school use is identified as an "institutional, public, and civic use" in the ULDC, and as such is consistent with this policy.

In addition, multiple policies in the Comprehensive Plan stipulate the County's role in locating, identifying, and assessing archaeological and historic resources, or cultural resources. The Future Land Use Element County Direction 16 reflects the County's role and reads as follows:

○ *Historic Preservation.* Preserve and interpret archaeological resources as stewards of the nation's diverse cultural heritage. Retain the local sense of place by preserving and protecting historic places, buildings and structures.

Additionally, FLUE Policy 1.2-a #3 also indicates the County shall protect the character of urban and suburban communities by protecting historic and cultural resources.

Historic Preservation Element (HPE), Policy 1.3-c, identifies the appropriate procedures for protecting cultural resources from adverse development impacts via development reviews.

Policy 1.3-c: The County shall continue to review all applications for public and private development and redevelopment within its jurisdiction, and evaluate impacts to potential and identified historic and cultural resources in a timely and efficient manner through the development review processes.

The request seeks to add a private school to the previously approved site plan with no changes to the site boundaries. The site is within 500 feet of the Mt. Carmel Missionary Baptist Church and Cemetery, which is identified in Florida Master Site Files as 8PB15382. Due to the site's history, the site was evaluated as a potential location of unmarked graves, and of cultural significance within the Limestone Creek community. As such, pursuant to ULDC Article 9.A.1.B.4 and 9.A.1.B.5, and the provisions of Florida Statutes, Chapter 872.05, Offenses Concerning Dead Bodies and Graves, a Certificate to Dig (CTD) was required to ensure no cultural resources or human remains would be adversely effected by the proposed undertaking. In accordance with Planning Condition of Approval 1 contained in Zoning Resolution R-2023-414, the CTD report was submitted by Advanced Archaeology, Inc. to County Historic Preservation Officer and was deemed complete on November 27, 2023.

○ *Intensity:* The maximum Floor Area Ratio (FAR) of 0.45 is allowed for Institutional uses with the Medium Residential, 5 units per acre (MR-5) future land use designation in the Urban Suburban Tier (195,613 sq. ft. or 4.49 acres x 0.45 maximum FAR = 88,025.85 sq. ft. maximum). The request seeks no changes to previously approved 26,147 sq. ft., which equates to 0.13 FAR (26,147 sq. ft. / surveyed 195,613 sq. ft. or 4.491 acres = 0.134 FAR).

○ *Special Overlay District/Neighborhood Plan/Planning Study Area:* The request is located in two special planning areas, Countywide Community Revitalization Team (CCRT) Area #1, Limestone Creek Area, and Jonathan Dickinson State Park Greenline Overlay (JDSPGO) area.

- *CCRT #1 Limestone Creek Area* - The Office of Community Revitalization (OCR) administers CCRT areas. Reflected in correspondence items dated May 27, 2025, the OCR determined that a neighborhood meeting was unwarranted. No letters in support or objection have been received to date.

- *JDSPGO Area* - The FLUE Objective 5.4. and Objective 5.4.3. identify the JDSPGO area as the greenline buffer that rings the Jonathan Dickinson State Park and Loxahatchee River, and protects the Park's natural resources from possible detrimental uses and land uses. The request would utilize the existing future land use designation and expand the existing daycare which are not incompatible with the Park or Loxahatchee River.
- *Planning Conditions*: Staff is carrying forward prior conditions of approval that address potential archaeological resources and isolated unmarked human graves.
- 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 to the General Daycare and the Class A for a new Private School is not in conflict with the Code, and is consistent with the purpose and intent of the Code, subject to conditions of approval.

- *Property Development Regulations*: The proposed development is consistent with the Standard Zoning Districts PDR table, Table 3.D.1.A – Property Development Regulations, as it relates to lot dimensions, maximum building coverage, and minimum setbacks. The Preliminary Site Plan indicates 172.32 foot front, 45.63 foot side interior (east side), 66.19 foot side interior (west side), and 33.42 foot rear setbacks.
- *Overlays*: The subject site is not located within any Overlays as described in the ULDC. The site is located within two special planning areas, (CCRT Area #1 Limestone Creek Area and Jonathan Dickinson State Park Greenline Overlay (JDSPGO) area. These areas were discussed on Consistency with the Plan above.
- *Specific Use Requirements*:
 - *General Daycare*: The proposed request is modifying the previous approval for a 400 children Daycare and reducing the number of children to 290.
 - *Floor Area*: For Day Cares of 40 children or less, the minimum floor area exclusive of any area devoted to a kitchen, office, storage, and toilet facilities, shall be 1,500 square feet. An additional 35 square feet of floor area or the amount required by the PBCHD shall be provided for each child over 40 children. With the modifications to the designation of uses for the buildings. Before the School can be implemented on the site other structures are required to be constructed, otherwise the square footage per child for the Daycare will not be met. Staff have included a Condition of Approval regarding the timing of implementation.
 - *Outdoor Activity Area*: An outdoor activity area shall be provided on the same lot as the Day Care. The area shall not be located in the required front setback or adjacent to any outdoor storage area of any existing use. The play areas are indicated on the site plan on the east sides of Buildings 1, 2, and C. Square Footage of the play areas shall be in compliance with the Palm Beach County Rules and Regulations Governing Child Care Facilities contained in Appendix D, Chapter 1, Article X, Section B of the PBC Code, as may be amended. Location of Stationary Outdoor Play Equipment that is permanently anchored to the ground shall be set back a minimum of 25 feet from any residentially zoned or used property line, and ten feet from any other property line. Some of the existing play equipment meet this the 10 foot setback, while other equipment is non-conforming. Outdoor play equipment shall not be located in any required landscape area or easement. If the Play equipment is replaced, it must meet the required setbacks and be located outside of easements. In addition, in the outdoor areas one shade trees within the interior of the outdoor activity area for each 1,500 square feet of area provided with a four-foot fence/wall.
 - *Drop-Off Access*: One drop-off space is required for every 20 children that are a minimum 12 feet in width. With the proposed 290 children 15 spaces are required and have been provided on the site plan. In addition, the minimum four-foot sidewalk has been provided adjacent to these spaces to ensure children and parents are not walking within the drive aisles.
 - *Private School*: The proposed request is introducing a Private School for children in Kindergarten through 5th grade. Ninety students are proposed, and would be located within Building 2 and Building C.
 - *Setbacks*: The PSP indicates the School within existing Building 2 and proposed Building C. Both buildings meet the minimum 25 foot setback.
 - *Pedestrian Access/Bike Path*: The preliminary site plan indicates a sidewalk along Church Street and connects to a sidewalk/pathway from the right of way interior to the site up to Building A and Building 1.
 - *Vehicular Circulation*: The Applicant provided a Bus and Vehicular Circulation Plan (E.10) depicting. As part of the Traffic study submitted by the applicant, they have also included a drop-off pick-up management plan by the Executive Director which includes hours of operation

and typical arrival and departure patterns. These documents are to ensure that movement of the children and vehicles is safe on-site as well as approaching the site and not to stack on Church Street that would interfere with traffic flow.

- *Architecture:* The structures are required to comply with the Architectural Guidelines specified in Article 5.C, Design Standards. The Applicant indicated the desire to submit the required documents for Architectural review at time of Building Permit Approval. With modifications to the review timing for building permits. The Applicant shall submit the architectural elevations prior to submission of a building permit for review and approval.
 - *Parking:* Pursuant to Article 6.A.1.A, Minimum Parking and Loading requirements requires the following: for Daycare Generals over 100 licensed capacity; 1 space per 10 persons; plus 1 drop-off stall per 20 persons. For Private Schools 1 space per employee, 1 visitor space for every 50 students, 1 space for every 5.5 students in 11th and 12th grade; and 1 space/per 3 seats if the school has an Auditorium or stadium. The two uses require a minimum of 37 parking spaces and 15 drop off spaces. The PSP indicates a total of 81 parking spaces and 15 drop off spaces. The Daycare is allocated 29 spaces and 15 drop off, and the School is allocated 52 spaces. .
 - *Landscaping/Buffering:* The proposed development provides a 15-foot Type 2 Incompatibility buffer along the north property line abutting the residential development. A 15-foot Right-of-Way (ROW) Buffer along the south property line (Church St.), an eight-foot Compatibility buffer along the west property line, and a, five (existing vested) and eight foot compatibility buffer to the east property line. A chain link fence is located along the east property line adjacent to the public school. The north property line, will include a 6 foot barrier, in addition to the landscaping in the form of either a hedge, fence, or wall.
 - *Signs:* The site exists with one ground mounted freestanding sign. The Applicant states in their justification statement that they are proposing no additional signs, either ground mounted or building mounted. The Applicant did not request to modify the existing condition of approval for ground mounted signage. A Master Sign Plan is required, but was not submitted. Staff have carried forward the existing Signage conditions included a Condition of Approval to submit the MSP at time of Final Approval.
- c. Compatibility with Surrounding Uses - *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.***

The modification of the Daycare General and the proposed Private School uses are generally consistent and compatible with the uses, and character of the land surrounding area. The site is currently approved with a General Daycare with 400 children within the five buildings. Though the proposal will reduce the number of children for the Daycare by 110 children, the introduction of the school will propose 90 students. The overall reduction is 20 children. The intensity of the combined uses

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

The site layout and design is proposed for minor modifications from the last approval. The site has two existing buildings with parking and access directly south of Building 1. Both Buildings are used for the General Daycare. With the last application, the subject site increased land area to the west, and proposed three additional buildings labeled as A, B, and C, along with new parking and access/circulation on the added land area. With the proposed application, the number of buildings and their proposed locations are not changing. The parking and access is being modified in the area south of Building 1. The Applicant is modifying the number of children with the Daycare, reducing the number from 400 to 290, with the Daycare use being located within the existing Building 1 and the proposed Building B. The proposed school will be located within the existing Building 2 and proposed Building C. The Play areas for both the school and Daycare remain in the same location as the prior approvals.

The Applicant did not submit a Phasing Plan, which means the school use and modifications to the daycare will occur when the Property Owner implements the proposed plan in its entirety. The proposed modifications for the uses and parking on the southern portion of the property are configured in a manner to minimize adverse impacts on adjacent properties. The subject site is surrounded by Single family dwellings to the south and north, with a Cemetery abutting the west and an Elementary School to the east. With the proposed development's landscape buffers along the north, west and east followed by the Right of Way (ROW) buffer along the south, along with the hours of operation and lighting conditions minimizes any potential impact to surrounding properties.

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

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

- o **Vegetation Protection:** There are native vegetation species that exist on the site. Native vegetation that cannot be preserved in place are being either relocated or mitigated.
 - o **Wellfield Protection Zone:** This property is located within Wellfield Protection Zone 4. The Applicant provided a Wellfield Affidavit as depicted in Exhibit E.9.
 - o **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.
 - o **Environmental Impacts:** There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.
- f. **Development Patterns** – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The subject site is located north side of Church Street within the Urban Suburban Tier. The development pattern of the surrounding area is a mix of residential, recreational, and institutional uses. The site is adjacent to Limestone Creek Elementary School to the east, and Mt. Carmel Church and cemetery to the west. Single Family residential homes are located to the north and south of the site. There are two existing buildings with parking to the south of the existing buildings. The prior approval expanded the land are and square footage. The proposed request modifies the allocation of square footage from the daycare to the proposed school. No phasing plan is proposed. In order to implement the school, the Property Owner is required to implement the site plan as depicted in Exhibit E.1. The proposed modification to development to modify the number of children for the daycare and to allow a Private School is consistent with the development pattern of the area results in a logical, development pattern.

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

TRAFFIC DIVISION:

The Department of Engineering and Public Works Traffic Division Review Staff provided comments throughout the review of this application and requested modifications have been incorporated by the Applicant. Because the last approval was not implemented, the analysis for traffic is based off of the current traffic for a 240 children daycare and not a 400 child daycare of the last approval in September 2023. The proposed increase in the number of children in the existing Daycare center (240 children) and installation of a private Elementary School is expected to result in 352 additional net daily trips, 100 additional net AM peak trips, and 39 additional net PM peak hour trips when compared to those from existing development. Overall, the site is expected to generate 843 net daily trips, 193 net AM peak hour trips, and 134 net PM peak hour trips. The build out of the project is assumed to be by 2028 (3 years).

All the significantly impacted roadways will meet adopted Level of Service (LOS), except for the link of Central Blvd, which will; have background deficiency. The intersections of Church St with Limestone Creek Rd and with Central Blvd will meet adopted LOS.

The proposed private school will have a staggered time of operation compared to that of the adjacent Limestone Creek Elementary School, reducing the potential queuing related problems on Church St. The exiting site entrance will be moved farther west, increasing the separation from the Limestone Creek School driveway.

ADJACENT ROADWAY LEVEL OF SERVICE (AM PEAK)

Traffic volumes are in vehicles per hour
Segment: Church Street from Limestone Creek Rd to Central Blvd
Existing count: Eastbound=379, Westbound=425
Background growth: Eastbound=27, Westbound=36
Project Trips: Eastbound=37, Westbound=46
Total Traffic: Eastbound=443, Westbound=507
Present laneage: 1 in each direction
Assured laneage: 1 in each direction
LOS "D" capacity: 880
Projected level of service: LOS D or better in both directions

LAND DEVELOPMENT:

The Department of Engineering and Public Works Land Development Division provided comments throughout the review of this application and requested modifications have been incorporated by the applicant. The property is located within the jurisdictional boundaries of the South Florida Water Management District and Northern Palm Beach County Improvement District. The existing permitted onsite drainage system will be improved by the Property Owner accommodate the impervious area being added by this application. The proposed system includes dry detention area and exfiltration trench.

The property associated with the application was found to comply with the regulations and code requirements of the ULDC under the authority of the Land Development Division.

DRAINAGE:

The subject site is located within the Northern Palm Beach County Improvement District and the South Florida Water Management District C-18 Drainage Basin. The Applicant's Engineer states (Exhibit E-4): "The site will comply with the required levels of service for pavement, perimeter and building floor elevations. The system will be designed to provide water quality treatment based on the required volume determined by the greater of 1" over the site or 2.5" over the proposed impervious area (less buildings and lakes). The system is expected to include exfiltration trenches and dry detention storage to meet these requirements." Prior to the issuance of any building permits, the Applicant is responsible for obtaining required permits and approvals from each District.

MASS TRANSIT:

Palm Tran Review Staff were provided this application for review and had no comments. There are no bus stops within a 1/2 mile of the subject site. The closest bus stop is approximately 0.80 mile away along West Indiantown Road for Route #10



PALM BEACH COUNTY HEALTH DEPARTMENT:

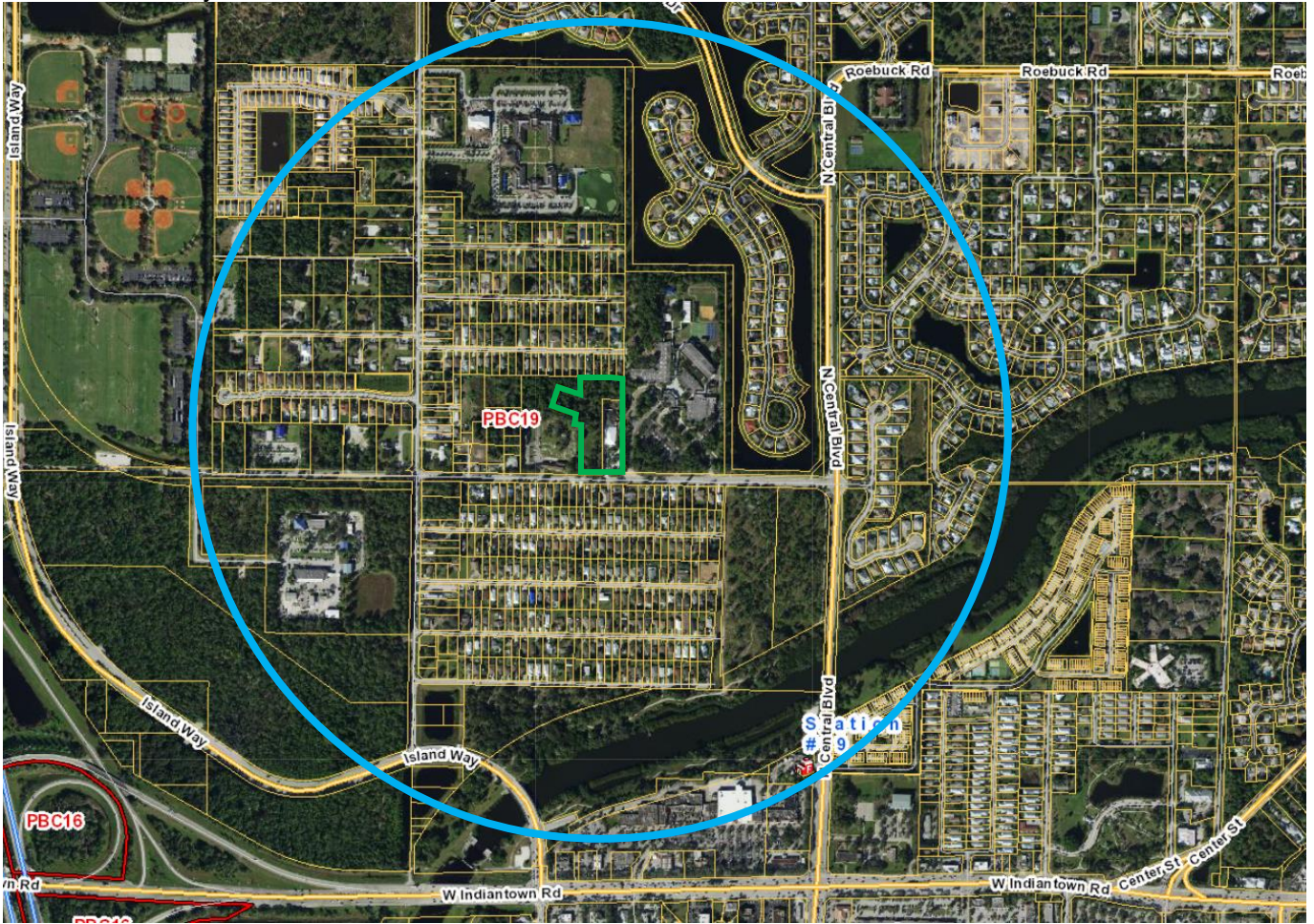
The Florida Department of Health Review Staff were provided this application for review and had no comments.

PARKS AND RECREATION:

The Parks and Recreation Department Review Staff were provided this application for review. During the review and for the Staff Report Analysis they stated, "This is a non-residential application, therefore Park and Recreation Department ULDC standards do not apply."

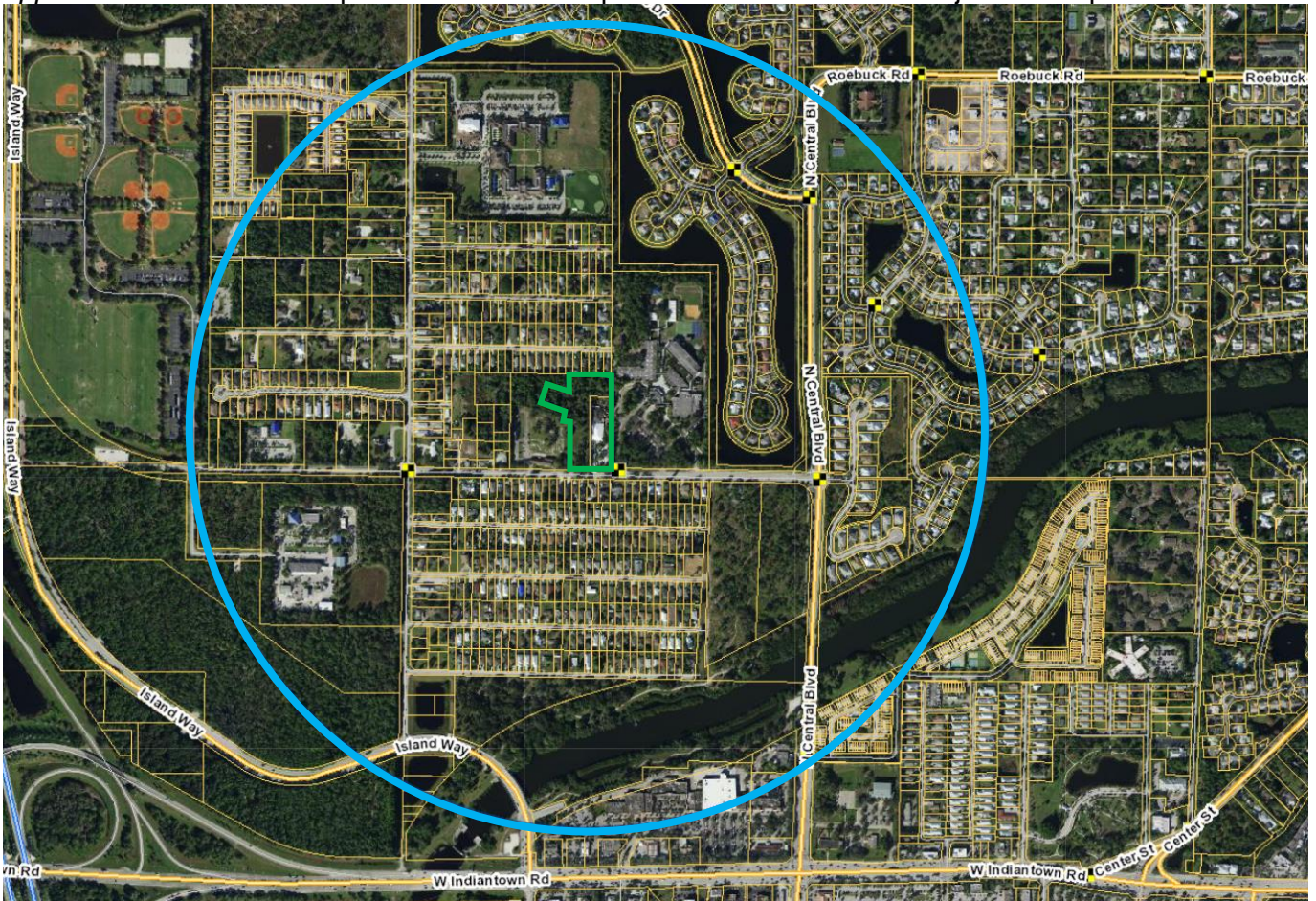
FIRE-RESCUE:

The Fire Rescue Review Staff were provided this application for review. During the review they provided the following comment, "Site plan review and approval by the AHJ shall not relieve the owner and design team of the responsibility of compliance with the Florida Fire Prevention Code, adopted NFPA standards and local Palm Beach County fire rescue amendments (NFPA 1, section 1.14.4). Any design seeking relief from a specific fire code requirement shall obtain an approved waiver." The development is within the service boundary of Palm Beach County Fire Rescue Station # 19.



SCHOOL DISTRICT:

The School Board Review Staff were provided this application for review. During the review and for the Staff report analysis they stated, "The School Board has no comment regarding this non-residential application." There are six public school bus stops within a ½ mile of the subject development.



- 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’s Justification Statement indicates the following justification for their changed conditions of circumstances: *“The Applicant is requesting a proposed DOA to allow a private school use to be included with the previously approved day care general. The proposed change to Tree Top Academy will meet the needs of the residents in the area. Due to the rapid residential development in Palm Beach County, the public school system is operating at a deficit level at the elementary school. The proposed use of a private school from K through 5th Grade is a viable solution to the current circumstance.”*

Exhibit C-1 - Conditions of Approval

Development Order Amendment – General Daycare

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2023-414, Control No.1989-00066, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2002-1008 (Control 1989-066), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners, unless expressly modified.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2023-0414 (Control No. 1989-00066), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: ZONING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2023-414, Control No.1989-00066, which currently states:

The approved Preliminary Site Plan is dated March 24, 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.

Is hereby amended to read:

The approved Preliminary Site Plan is dated April 25, 2025. 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)

3. Prior to the implementation of the Private School, the Applicant shall obtain building permits implementing the Preliminary Site Plan and associated conditions. (BLDG/PMT/ONGOING: ZONING - Zoning)

4. If the Applicant intends to develop the site in phases, prior to final approval by the DRO a Phasing Plan shall be submitted, reviewed and approved. (DRO: ZONING - Zoning)

BUILDING AND SITE DESIGN

1. All trash receptacles shall be located away from the residential areas and completely screened by a six (6) foot high solid wood fence and landscaped. (ONGOING: ZONING - Zoning) (Previous BUILDING AND SITE DESIGN Condition 1 of Resolution R-2023-414, Control No.1989-00066)

2. The site shall be limited to one access point along the western half of the property onto Church Street or a safe vehicular design acceptable to the Palm Beach County Engineering Department and the Palm Beach County School Board. (ONGOING: ZONING - Zoning) (Previous BUILDING AND SITE DESIGN Condition 2 of Resolution R-2023-414, Control No.1989-00066)

ENGINEERING

1. Deleted by Resolution R-2002-1008. (Previous ENGINEERING Condition 1 of Resolution R-2023-414, Control No.1989-00066)

2. Prior to December 1, 1989 or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Church Street, 50 feet from centerline free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners"* where appropriate at intersections as determined by the County Engineer. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2023-414, Control No.1989-00066)

3. The Property owner shall:

- a. Pipe the existing open ditch which runs through this property and the adjacent ditch along the south property line subject to approval by the County Engineer; and, (BLDGPM/CO: MONITORING - Engineering) [Note: COMPLETED]
 - b. Re-construction of any pedestrian pathways along the site which may be damaged by this petitioner. All concurrent with onsite paving and drainage improvements. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2023-414, Control No.1989-00066)
4. Deleted by Resolution R-2002-1008. (Previous ENGINEERING Condition 4 of Resolution R-2023-414, Control No.1989-00066)
5. In order to comply with the mandatory traffic performance standards the Developer shall be restricted to the following phasing schedule:
- a. Building Permits for more than 2,900 square feet shall not be issued until construction has begun for Central Boulevard as a 4 lane median section from Indiantown Road to the River Walk development entrance plus the appropriate paved tapers. [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2023-414, Control No.1989-00066)
6. 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. (BLDGPM/CO: MONITORING - Engineering) (Previous ENGINEERING Condition 6 of Resolution R-2023-414, Control No.1989-00066)
7. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.
- a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering) [Note: COMPLETED]
 - b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - Engineering) (Previous ENGINEERING Condition 7 of Resolution R-2023-414, Control No.1989-00066)
8. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for Church Street, 50 feet, measured from centerline of the proposed right of way on an alignment approved by the County Engineer.

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM/ONGOING: MONITORING - Engineering) (Previous ENGINEERING Condition 8 of Resolution R-2023-414, Control No.1989-00066)

9. Previous ENGINEERING Condition 9 of Resolution R-2023-414, Control No.1989-00066, which currently states:

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.

Is hereby amended to read:

Pursuant to the Traffic Analysis dated April 22, 2025, the Buildout Date is December 31, 2028. No Building Permits for the site may be issued after December 31, 2028. 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)

HEALTH

1. Previous HEALTH Condition 1 of Resolution R-2023-414, Control No.1989-00066, which currently states:

Sewer service is available to the property. Therefore, no septic tank shall be permitted to the site. (ONGOING: HEALTH DEPARTMENT - Health Department)

Is hereby deleted. [REASON: Code Requirement]

2. Previous HEALTH Condition 2 of Resolution R-2023-414, Control No.1989-00066, which currently states:

Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING: HEALTH DEPARTMENT - Health Department)

Is hereby deleted. [REASON: Code Requirement]

LANDSCAPING - EASTERN PROPERTY LINE

1. Alternative Perimeter Landscape No. 3 shall be provided along the north and west property lines, supplemented with additional landscape buffering. The landscape buffering shall include a mixture of relocated Slash pines that are (2) to six (6) inches in diameter at breast height and Sabal palms from within the site. (Previous LANDSCAPING - EASTERN PROPERTY LINE Condition 1 of Resolution R-2023-414, Control No.1989-00066)

2. Previous LANDSCAPING - EASTERN PROPERTY LINE Condition 2 of Resolution R-2023-414, Control No.1989-00066, which currently states:

The petitioner shall provide a six (6) foot high wooden fence along the property lines where the outdoor play area is adjacent to residentially zoned property (north, west).

Is hereby deleted. [REASON: No longer applicable, as the play area has been relocated]

ZONING - LANDSCAPING

3. All native vegetation shall be preserved to the greatest extent possible. All sabal palms and slash pines, two (2) inches to six (6) inches diameter at breast height, shall be relocated to landscape areas on site. (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2023-414, Control No.1989-00066)

4. Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2023-414, Control No.1989-00066, which currently states:

Prior to any clearing operation, the petitioner shall be required to coordinate a site visit with the Zoning Division, to locate preservation areas and verify conditions of approval.

Is hereby deleted. [REASON: Deleted - as this is a code requirement]

5. Previous ZONING - LANDSCAPING Condition 3 of Resolution R-2023-414, Control No.1989-00066, which currently states:

All slash pines and sabal palms shall be preserved within the outdoor play area. All native vegetation shall be preserved along the perimeter of the site.

Is hereby deleted. [REASON: Deleted - as this is a code requirement]

6. Previous ZONING - LANDSCAPING Condition 4 of Resolution R-2023-414, Control No.1989-00066, which currently states:

All new palms required to be planted on site by this approval shall meet the following minimum standards at installation: a. 5. c. Palm heights: twelve (12) feet clear trunk; Clusters: staggered heights twelve (12) to eighteen (18) feet; and, Credit may be given for existing or relocated palms provided they meet current ULDC requirements.

Is hereby deleted. [REASON: Deleted - Must comply with Code]

7. Previous ZONING - LANDSCAPING Condition 5 of Resolution R-2023-414, Control No.1989-00066, which currently states:

All new trees, shrubs or hedge materials in perimeter buffers shall be planted in continuous masses and/or in a meandering and naturalistic pattern, consisting of a minimum of three (3) varying heights. Shrub materials shall be continuously maintained to achieve the following heights and hierarchical effect: a. b. e. d. Eighteen (18) to twenty-four (24) inches - groundcover and small shrub; Thirty-six (36) inches - medium shrub; Forty-eight (48) to seventy-two (72) inches - large shrub; and, This condition does not apply to five (5) foot wide compatibility buffers.

Is hereby deleted. [REASON: Deleted - Must comply with Code]

LANDSCAPING ALONG SOUTH PROPERTY LINE

8. Previous LANDSCAPING ALONG SOUTH PROPERTY LINE Condition 1 of Resolution R-2023-414, Control No.1989-00066, which currently states:

Condition 8.of Resolution R-90-0530, Petition 89-066, which currently states: A thirty-six (36) inch high hedge shall be provided within the fifteen (15) foot landscape strip along Church Street to supplement the relocated native overstory vegetation. Is hereby amended to read: Landscaping and buffering along the south property line shall be upgraded to include: a. b. c. A minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted; One (1) native canopy tree for each thirty (30) linear feet of the property line; One (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; One (1) small shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation; One (1) medium shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation: and, One (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation.

Is hereby deleted. [REASON: Deleted - Must comply with Code]

LIGHTING

1. Previous LIGHTING Condition 1 of Resolution R-2023-414, Control No.1989-00066, which currently states:

All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy the Palm Beach County Security Code, low intensity, shielded and directed down and away from adjacent properties and streets.

Is hereby deleted. [REASON: the Applicant will comply with current Code]

2. All outdoor, freestanding lighting fixtures shall not exceed twelve (12) feet in height measured from finished grade to highest point. (CO: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 2 of Resolution R-2023-414, Control No.1989-00066)

3. All outdoor lighting shall be extinguished no later than 9:00 p.m. excluding security lighting only. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 3 of Resolution R-2023-414, Control No.1989-00066)

4. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 4 of Resolution R-2023-414, Control No.1989-00066)

PLANNING

1. Prior to Final Site Plan approval, the property owner shall obtain a Certificate to Dig (CTD) from the County Archaeologist. (DRO: PLANNING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 1 of Resolution R-2023-414, Control No.1989-00066)

2. Should any archaeological artifacts be uncovered during development or soil disturbing activity, excavation shall halt; the County Archaeologist contacted and allowed to comment on the significance of the find as provided for in Article 9 of the ULDC. (ONGOING: PLANNING - Planning) (Previous PLANNING Condition 2 of Resolution R-2023-414, Control No.1989-00066)

SIGNS

1. Previous SIGNS Condition 1 of Resolution R-2023-414, Control No.1989-00066 which currently states:

No additional signage shall be permitted on Church Street. Replacement or relocation of the existing freestanding sign shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point - six (6) feet;
- b. Maximum total sign face area - 60 square feet;
- c. Maximum number of signs - one (1);
- d. Style - monument style only; and,
- e. Location - Church Street. (BLDGPMT/DRO: ZONING –Zoning)

Is hereby amended to read:

Signage for the entire development shall be limited as follows:

- a. No additional signage shall be permitted on Church Street. Replacement or relocation of the existing freestanding sign shall be limited as follows:
 - 1) Maximum sign height, measured from finished grade to highest point - six (6) feet;
 - 2) Maximum total sign face area - 60 square feet;
 - 3) Maximum number of signs - one (1); Style - monument style only; and, Location - Church Street. (BLDGPMT/DRO: ZONING –Zoning)
- 2. Prior to final approval by the Development Review Officer, the Property Owner shall submit a Master Sign Plan, in compliance with the proposed Conditions of Approval, to indicate the signage for the entire development. (DRO: ZONING – Zoning)

USE LIMITATIONS

- 1. Previous USE LIMITATIONS Condition 1 of Resolution R-2023-414, Control No.1989-00066, which currently states:

The day care center shall be limited to a maximum of 400 children.

Is hereby amended to read:

The General Daycare shall be limited to a maximum 290 children. (ONGOING: ZONING - Zoning)

- 2. Hours of operation for outdoor activities shall be limited to 7:00 a.m. to 7:00 p.m. daily, (ONGOING: ZONING - Zoning) (Previous USE LIMITATIONS Condition 2 of Resolution R-2023-414, Control No.1989-00066)
- 3. No outdoor loudspeaker system shall be permitted on site. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2023-414, Control No.1989-00066)
- 4. Replacement of any play equipment shall obtain the applicable building permits and meet the required setbacks and location outside easements at time of installation. (ONGOING/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: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

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

DISCLOSURE

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

Exhibit C-2 Conditions of Approval

Class A Conditional Use – Private School

ALL PETITIONS

1. The approved Preliminary Site Plan is dated May 21, 2025. 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)

ENGINEERING

1. Pursuant to the Traffic Analysis dated April 22, 2025, the Buildout Date is December 31, 2028. No Building Permits for the site may be issued after December 31, 2028. 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 Private School shall have adequate school staff stationed at strategic locations to guide vehicular queue for a smooth operation during drop-off and pick-up periods. (ONGOING: ENGINEERING - Engineering)

3. The Private Elementary School shall have a minimum of 30 minutes of staggered operation regarding start and end times compared to those of the adjacent Limestone Creek Elementary School (ONGOING: ENGINEERING - Engineering)

PLANNING

1. Prior to Final Site Plan approval, the property owner shall obtain a Certificate to Dig (CTD) from the County Archaeologist. (DRO: PLANNING - Planning)

2. Should any archaeological artifacts be uncovered during development or soil disturbing activity, excavation shall halt; the County Archaeologist contacted and allowed to comment on the significance of the find as provided for in Article 9 of the ULDC. (ONGOING: PLANNING)

SIGNS

1. Signage for the entire development shall be limited as follows:

a. No additional signage shall be permitted on Church Street. Replacement or relocation of the existing freestanding sign shall be limited as follows:

1) Maximum sign height, measured from finished grade to highest point - six (6) feet;

2) Maximum total sign face area - 60 square feet;

3) Maximum number of signs - one (1); Style - monument style only; and, Location - Church Street. (BLDG/PMT/DRO: ZONING –Zoning)

2. Prior to final approval by the Development Review Officer, the Property Owner shall submit a Master Sign Plan, in compliance with the proposed Conditions of Approval, , to indicate the signage for the entire development. (DRO: ZONING – Zoning)

USE LIMITATIONS

1. The Private School shall be limited to Kindergarten through 5th grade with a maximum of 90 children. (ONGOING: ZONING - Zoning)

2. Hours of operation for outdoor activities shall be limited to 7:00 a.m. to 7:00 p.m. daily, (ONGOING: ZONING - Zoning)

3. No outdoor loudspeaker system shall be permitted on site. (ONGOING: CODE ENF - 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: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any

- other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
 - c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
 - d. Referral to Code Enforcement; and/or
 - e. Imposition of entitlement density or intensity.

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

DISCLOSURE

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

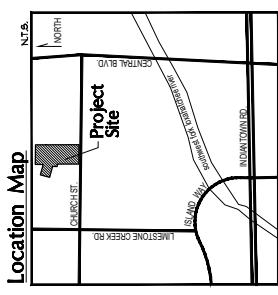
Exhibit D - Project History

Application No.	Title & Request	Resolution	Decision	Approval Date
Z/SE-1989-00066	Title: Official Zoning Map Amendment Request: DAY CARE (240 CHILDREN)(12,125 INST. REQ)	R-1990-00529	Complete	08/31/1989
Z/SE-1989-00066	Title: Special Exception Request: DAY CARE (240 CHILDREN)(12,125 INST. REQ)	R-1990-00530	Complete	08/31/1989
Z/DOA-1989-00066	Title: Official Zoning Map Amendment Request: REZONING RTS TO RTU; MODIFY/DELETE CONDITION; ADD CHILDREN	R-2002-01007	Complete	06/19/2002
Z/DOA-1989-00066	Title: Development Order Amendment Request: REZONING RTS TO RTU; MODIFY/DELETE CONDITION; ADD CHILDREN	R-2002-01008	Complete	06/19/2002
DOA-2022-01078	Title: a Development Order Amendment Request: to add land area (2.99 acres) for a total of 4.49 acres; to reconfigure the site plan, to modify conditions of approval; and increase the number of students	R-2023-00414	Adopted With Conditions	09/28/2023

Exhibit E-1 – Preliminary Site Plan

Exhibit E-2 – Preliminary Regulating Plan

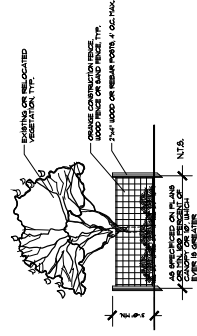
Designed:	DS
Drawn:	BS
Approved:	SSZ/COM/MLH
Date:	8.26.22
Job No.:	17-01028
Revisions:	1.01.22
	2.01.22
	3.01.22
	5.24.22



Existing Tree Symbol Legend
 REFER TO TREE PROTECTION DETAIL AND SPECIFICATIONS

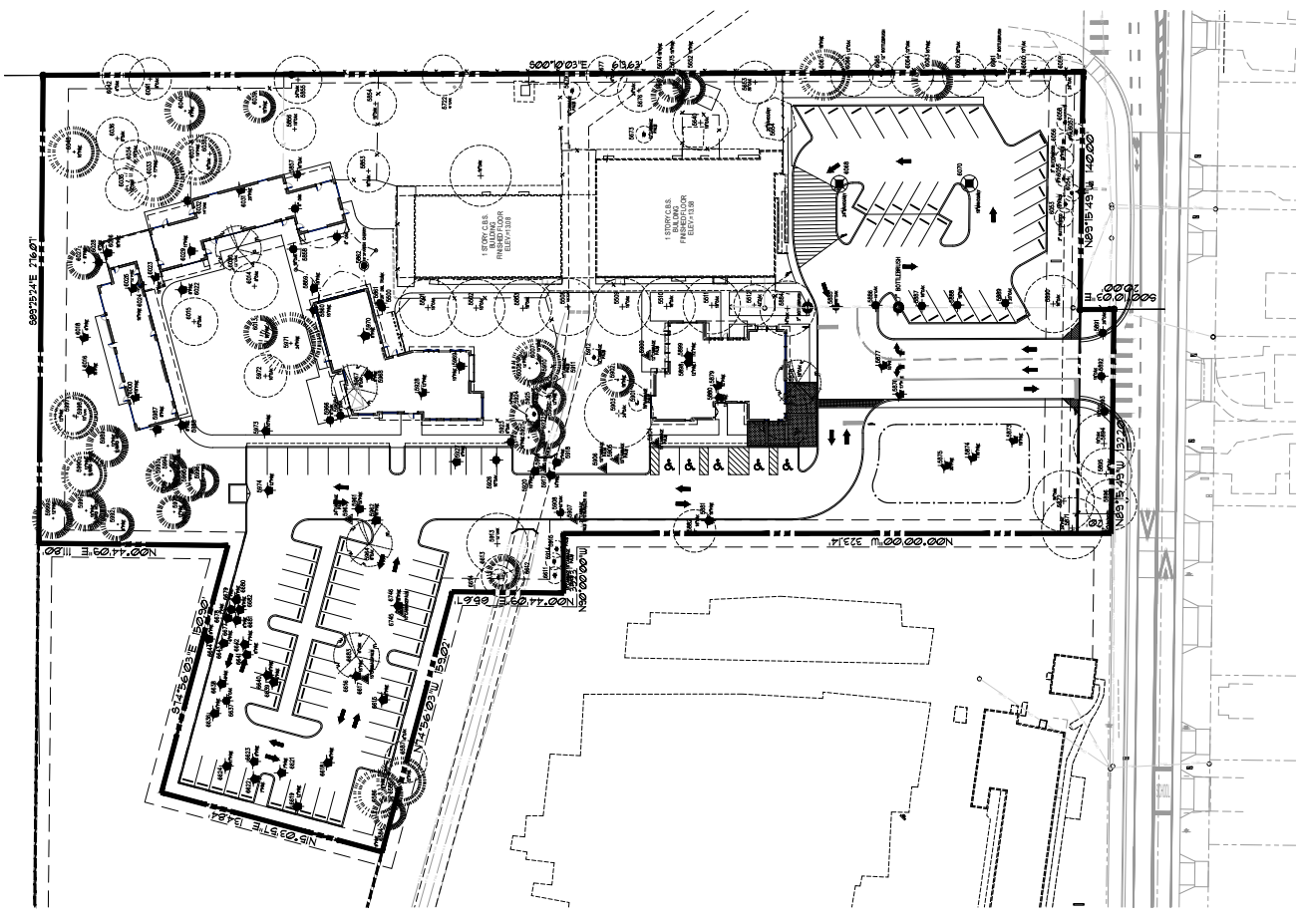
- EX PINE TREE (TO REMAIN)
 - EX MAHOGANY (TO REMAIN)
 - EX OAK TREE (TO REMAIN)
 - EX CABBAGE PALM (TO REMAIN)
 - EX BOTTLEBRUSH
 - EX SILVER BUTTWOOD
- REMOVE & MITIGATE OR RELOCATE EXISTING TREE LEGEND**
- EX PINE TREE (TO BE REMOVED)
 - EX OAK TREE (TO BE REMOVED)
 - EX OAK TREE (TO BE RELOCATED)
 - TREE DEATH BY NATURAL CAUSES (TO BE REMOVED)
 - SABAL PALM TO BE RELOCATED
 - EX BOTTLEBRUSH TREE (TO BE REMOVED)
 - EX SPANISH CHERRY TREE (TO BE REMOVED)
 - EX MAHOGANY TREE (TO BE REMOVED)

Tree Protection Detail



FENCING OF UNDISTURBED AREAS.
 PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL ENCLOSE THE ENTIRE UNDISTURBED AREA, EXCEPT FOR EXISTING DRIVEWAYS, WITH A FENCE OF 4' WOODEN OR EQUIVALENT POSTS, STEEL REBAR OR WOOD AT 4' ON CENTER. THE FENCE SHALL BE 2' HIGH AND SHALL BE BUILT TO REMAIN ABOVE THE GROUND. THE PROTECTIVE POSTS SHALL BE SPACED TOGETHER BY ORANGE NET FENCING OR OTHER LIGHTWEIGHT EQUIPMENT. STORAGE OF MATERIALS, ETC. SHALL BE TAKEN WHEN WORKING NEAR THE BASE OF OR WITHIN THE DIAMETER OF THE TREE CANOPY.

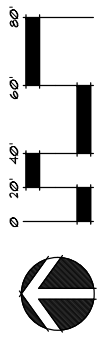
UTILITY WORK WITHIN THE CANOPY & TREE BARRICADE.
 UTILITY WORK WITHIN THE CANOPY & TREE BARRICADE SHALL BE DONE WITH EXTREME CARE TO MINIMIZE DISTURBANCE TO THE ROOTS BY EXCAVATING, CONTRACTING OR TEMPORARILY TO ALLOW ONLY THE MINIMUM WORK ZONE NECESSARY TO COMPLETE THE WORK. NO FILL, EVEN TEMPORARY, SHALL BE PLACED IN ANY PROTECTED ZONE. AT THE END OF THE WORK, ALL EXCAVATIONS SHALL BE CLEARED UP & TREE BARRICADES REPLACED TO THEIR ORIGINAL CONFIGURATION.



AMENDMENT STAMPS

ZONING STAMP

Site Data
 APPLICATION NUMBER
 2020-01788
 APPLICATION NUMBER



Tree Top Academy

Palm Beach County, Florida
 Preliminary Regulating Plan

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

Sheet Title:
Tree Disposition Chart
 LC 20200525-20
 Scale: AS SHOWN
PRP-2
 Street No. _____
 IT-04-028

Tree No.	Common Name	Scientific Name	DBH (Inch)	ERM	Zoning	Proposed Disposition	ERM Mitigation	Zoning Replacement	Credit	Notes
MAHOGANY										
5654	MAHOGANY	<i>Swietenia mahagoni</i>	20	No	Yes	Preserve	0	5	4	
5658	MAHOGANY	<i>Swietenia mahagoni</i>	18	No	Yes	Preserve	0	4	4	
6070	MAHOGANY	<i>Swietenia mahagoni</i>	24	No	Yes	Preserve	0	9	4	
TOTALS: MAHOGANY										
BUTTONWOOD										
Calculations per Table 7.1.3.C - Vegetation Credit and Replacement										
ERM Mitigation										0
Zoning Replacement										9
Credit										4
NON-NATIVE TREES										
Calculations per Table 7.1.3.C - Vegetation Credit and Replacement										
ERM Mitigation										0
Zoning Replacement										0
Credit										2
TOTALS: NON-NATIVE TREES										
Calculations per Table 7.1.3.C - Vegetation Credit and Replacement										
ERM Mitigation										0
Zoning Replacement										0
Credit										11

NOTES:
 -ALL TREES ARE MEASURED WITH 0.8 ft.
 -ERM TREE REPLACEMENT CREDITS - (1) CREDIT = (1) 12" O.A. TREE, 2" D.B.H.
 -ZONING CREDITS SHALL BE UTILIZED TOWARDS PBC LDC CHAPTER 7 LANDSCAPE REQUIREMENTS

Tree No.	Common Name	Scientific Name	DBH (Inch)	ERM	Zoning	Proposed Disposition	ERM Mitigation	Zoning Replacement	Credit	Notes
SLASH PINES										
Calculations per Table 7.1.3.C - Vegetation Credit and Replacement										
ERM Mitigation										8
Zoning Replacement										3
Credit										4
SLASH PINES										
Calculations per Table 7.1.3.C - Vegetation Credit and Replacement										
ERM Mitigation										216
Zoning Replacement										0
Credit										13

NOTES:
 -ALL TREES ARE MEASURED WITH 0.8 ft.
 -ERM TREE REPLACEMENT CREDITS - (1) CREDIT = (1) 12" O.A. TREE, 2" D.B.H.
 -ZONING CREDITS SHALL BE UTILIZED TOWARDS PBC LDC CHAPTER 7 LANDSCAPE REQUIREMENTS

Tree No.	Common Name	Scientific Name	DBH (Inch)	ERM	Zoning	Proposed Disposition	ERM Mitigation	Zoning Replacement	Credit	Notes
SABAL PALMS										
Calculations per Table 7.1.3.C - Vegetation Credit and Replacement										
ERM Mitigation										0
Zoning Replacement										0
Credit										6
SLASH PINES										
Calculations per Table 7.1.3.C - Vegetation Credit and Replacement										
ERM Mitigation										2
Zoning Replacement										3
Credit										3

NOTES:
 -ALL TREES ARE MEASURED WITH 0.8 ft.
 -ERM TREE REPLACEMENT CREDITS - (1) CREDIT = (1) 12" O.A. TREE, 2" D.B.H.
 -ZONING CREDITS SHALL BE UTILIZED TOWARDS PBC LDC CHAPTER 7 LANDSCAPE REQUIREMENTS

Tree No.	Common Name	Scientific Name	DBH (Inch)	ERM	Zoning	Proposed Disposition	ERM Mitigation	Zoning Replacement	Credit	Notes
SLASH PINES										
Calculations per Table 7.1.3.C - Vegetation Credit and Replacement										
ERM Mitigation										2
Zoning Replacement										3
Credit										3

NOTES:
 -ALL TREES ARE MEASURED WITH 0.8 ft.
 -ERM TREE REPLACEMENT CREDITS - (1) CREDIT = (1) 12" O.A. TREE, 2" D.B.H.
 -ZONING CREDITS SHALL BE UTILIZED TOWARDS PBC LDC CHAPTER 7 LANDSCAPE REQUIREMENTS

PRINTED AT 4:25 PM TUESDAY, FEBRUARY 25, 2025
 FILED IN: 2025-02-25 10:00 AM
 PBC COUNTY CLERK'S OFFICE
 400 N. W. 1st Street, Palm Beach, Florida 33480

Site Data
 TREE TOP ACADEMY
 CONTROL NUMBER
 APPLICATION NUMBER

AMENDMENT STAMPS

ZONING STAMP

Exhibit E-3 – Previously Approved Site Plan

Exhibit E-4 – Disclosure of Ownership

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 Jeff Turner, 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] Manager Treetop Academy of Jupiter LLC *[position - e.g., president, partner, trustee]* of Treetop Academy of Jupiter LLC *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 6769 Church Street Jupiter FL 33458

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.

Jeff Turner
Jeff Turner, 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 19th day of November, 2024 by Jeff Turner (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).

Jennifer Rivera
(Name - type, stamp or print clearly)

Jennifer Rivera
(Signature)

My Commission Expires on: 8/4/2026

NOTARY'S SEAL OR STAMP



JENNIFER RIVERA
Notary Public
State of Florida
Comm# HH297521
Expires 8/4/2026

EXHIBIT "A"
PROPERTY

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
	Treetop Academy of Jupiter LLC 6769 Church Street Jupiter FL 33458

Exhibit E-5 – Drainage Statement



November 18, 2024

Re: **Drainage Study for Tree Top Academy – Update for Private K-5 School & Daycare**
6769 Church Street, Jupiter, Florida 33458
PCN: 00-42-40-34-00-000-7030 / Section 24, Township 45S, Range 41E

1. SITE DESCRIPTION

The project site currently consists of approximately 1.5 acres and is generally located on the north side of Church Street between Limestone Creek Road and Central Boulevard in unincorporated Palm Beach County. The site has been expanded north and west to include a portion of the adjacent Mt. Carmel Baptist Church property for a proposed total of ±4.49 acres. The plat is currently under Technical Compliance review.

There are no changes to the previous stormwater management system design and the site plan changes are minor in nature to accommodate the addition of a private K-5 school in addition to the daycare.

2. LEGAL, POSITIVE OUTFALL

Legal, positive outfall is currently provided by both Church Street (southern portion of the site drains into the swale along the north side of Church Street) which borders the southern property line and an existing onsite ditch with a 24 inch diameter culvert located near the center of the property. This pipe travels east through Limestone Creek Elementary School and outfalls into The Shores lake system. The Shores drainage system has several control structures with outfall to the C-18 canal.

3. BASIN / ALLOWABLE DISCHARGE / MINIMUM FINISHED FLOOR

The property is located within the SFWMD's C-18 Drainage Basin with a maximum allowable discharge of 41.6 cubic feet per second per square mile (CSM) for the 25-year, 3-day design storm. There is no specified finished floor elevation and it will be set based on the 100Y-3D zero discharge stage calculated for the site.

4. FEMA / FLOOD DESIGNATION

The property appears to lie in Zone X with no stated minimum finished floor elevation requirement.

5. MINIMUM LEVELS OF SERVICE

The minimum required levels of service include:

1. The parking lot elevations at or above the projected 5-year, 1-day storm event;
2. The perimeter elevations at or above the projected 25-year, 3-day storm event; and
3. The finished floors elevations at or above the projected 100-year, 3-day storm event.

6. SYSTEM DESIGN

The site will comply with the required levels of service for pavement, perimeter and building floor elevations. The system will be designed to provide water quality treatment based on the required volume determined by the greater of 1" over the site or 2.5" over the proposed impervious area (less buildings and lakes). The system is expected to include exfiltration trenches and dry detention storage to meet these requirements.

ADJACENT PARCELS & OFF-SITE FLOWS – REFER TO CROSS SECTION ON FOLLOWING PAGES

a. NORTH

The property is bounded to the north by the existing Palm Gardens subdivision which is part of Basin C of the Limestone Creek drainage basin. These properties drain to Mitchell Street which has a stormwater conveyance system. Mitchell Street drains to Limestone Creek Road which has its own stormwater management system before discharge to the C-18 canal.

b. SOUTH

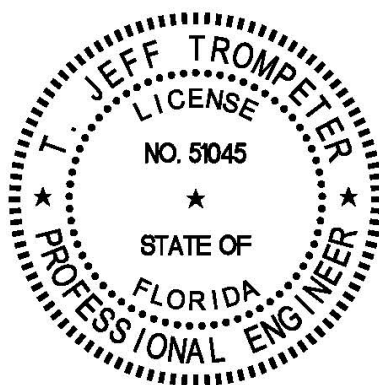
The property is bounded to the south by Church Street. Church Street drains to both Central Boulevard and Limestone Creek Road which both have stormwater management systems before discharging to the C-18 canal.

c. EAST

The property is bounded to the east by Limestone Creek Elementary School. The school presently drains into The Shores lake system before discharging into the C-18 canal. A non-exclusive drainage easement has been provided by the School Board to allow this historical drainage onto the school property as recorded in ORB 33853 PGS 184-192.

d. WEST

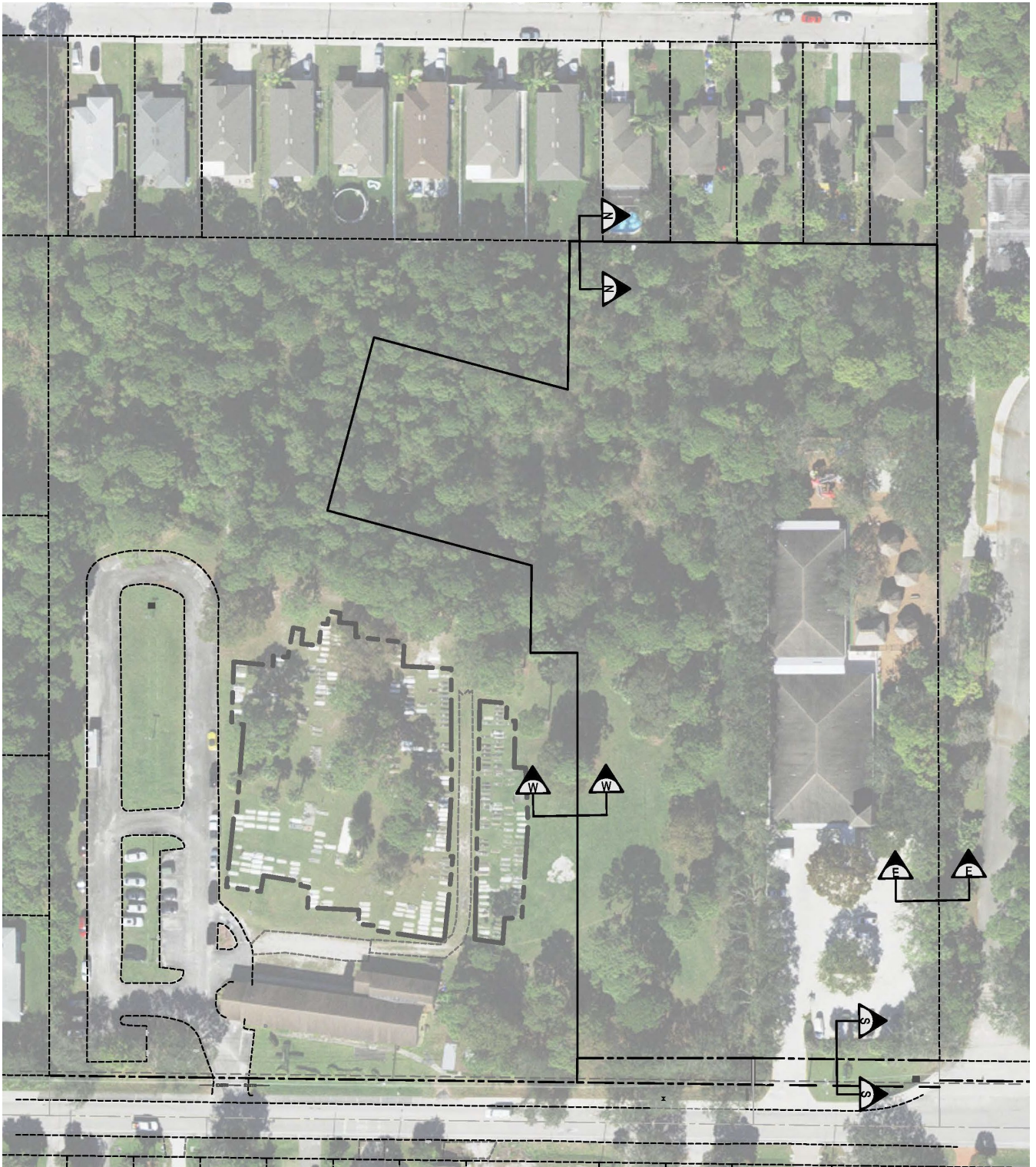
The property to the west is Mt. Carmel Baptist Church which presently drains to both Church Street and through the same 24" culvert on the Tree Top Academy site and into The Shores lake system before discharging to the C-18 canal. A proposed public drainage easement has been provided for the existing drainage from Mount Carmel to continue to flow through the Tree Top Academy site.

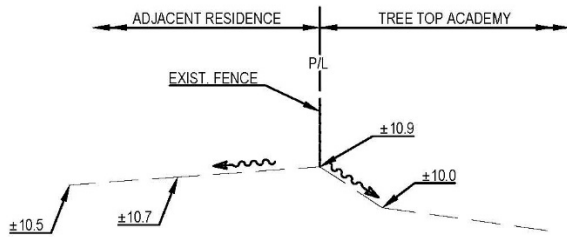


THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY T. JEFF TROMPETER, P.E. ON THE DATE ADJACENT TO THE SEAL.

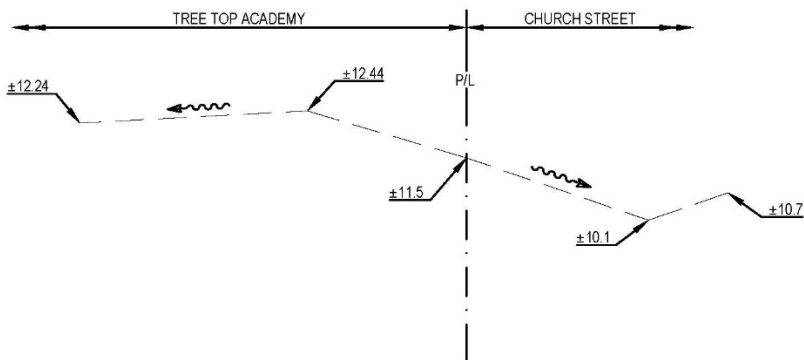
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Civil Design, Inc.
1400 Centrepark Blvd., Suite 905
West Palm Beach, FL 33401
(561) 659-5760
Registry No. 9664

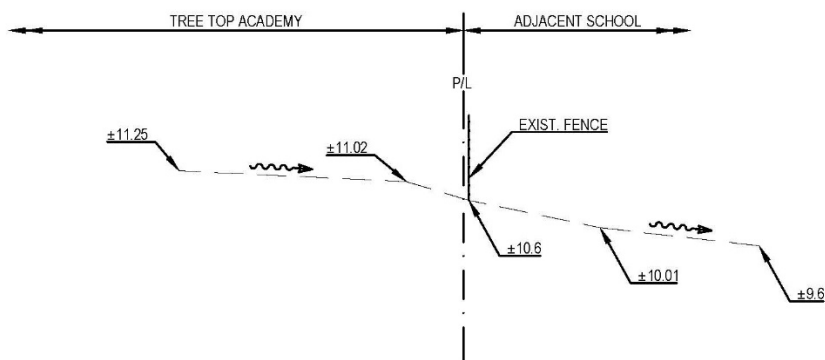




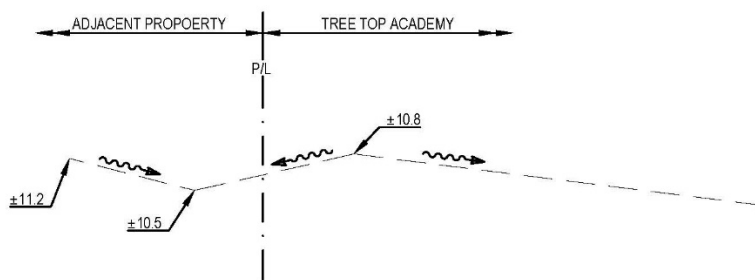
NORTH PROPERTY LINE - LOOKING EAST



SOUTH PROPERTY LINE - LOOKING EAST



EAST PROPERTY LINE - LOOKING NORTH



WEST PROPERTY LINE - LOOKING NORTH

Exhibit E-6 – Utility Letter



UTILITIES DEPARTMENT

August 2, 2022

Jeff Trompeter, P.E.
Civil Design, Inc.
1400 Centrepark Boulevard, Suite 905
West Palm Beach, FL, 22401

Re: Tree Top Academy – 6769 Church Street

Dear Mr. Trompeter:

Please let this letter serve to confirm that the Town of Jupiter Utilities Department will serve potable water to the proposed project site of Tree Top Academy located at 6769 Church Strteet.

Should you any further questions or require additional information, please feel free to contact me at (561) 741-2702 or johng@jupiter.f.us

Sincerely,

John Gaddis
Utility Services Manager

cc: David Brown

Exhibit E-7 – Utility Letter - Sewer



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458

TEL: (561) 747-5700

FAX: (561) 747-9929

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

August 4, 2022

Treetop Academy of Jupiter LLC
6769 Church Street
Jupiter, FL 33458

Email: jtrompeter@civil-design.com

Re: Treetop Academy
Parcel No. 00424034000007010
Sewer Availability

To Whom It May Concern:

This letter is provided in response to a recent request by Jeff Trompeter, P.E., of Civil Design, Inc., concerning sanitary sewer service availability for the subject property.

Please be advised that, as of this date, sanitary sewer service can be made available to the subject property upon payment of certain costs and installation and/or modification of infrastructure in accordance with the District Rules. Copies of District Rules Chapter 31-10 are available for your review on our web site at www.loxahatcheeriver.org.

Consistent with District policy, the Developer will be responsible for all costs associated with connecting to the existing wastewater system of the District.

Should you require additional information on this matter, please contact the District Engineering Department at (561) 747-5700 Ext. 4052.

Very truly yours,

Kris Dean, P.E.
Deputy Executive Director/Director of Engineering Services

Cc: Jeff Trompeter, P.E.

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Gordon M. Boggie
CHAIRMAN

Stephen B. Rockoff
BOARD MEMBER

Dr. Matt H. Rostock
BOARD MEMBER

James D. Snyder
BOARD MEMBER

Water Reclamation – Environmental Education – River Restoration

Exhibit E-8 – Certificate to Dig



**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb



**Palm Beach County
Board of County
Commissioners**

- Gregg K. Weiss, Mayor
- Maria Sachs, Vice Mayor
- Maria G. Marino
- Michael A. Barnett
- Marci Woodward
- Sara Baxter
- Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*



PALM BEACH COUNTY STANDARD CERTIFICATE TO DIG

Certificate To Dig Application: Tree Top Academy DRO 2023-01618
Limestone Creek, FL

Submitted By: Pat Lentini, 2GHO.Inc

Date of Staff Determination: November 27, 2023



Background: Per Article, 9 of the Unified Land Development Code (ULDC) **Tree Top Academy DRO 2023-01618 Limestone Creek, FL** was determined to be within 500' of the Mt. Carmel Missionary Baptist Church & Cemetery. As such, a Certificate To Dig (CTD) was required to ensure no cultural resources or human remains would be adversely effected by the proposed undertaking.

A Certificate To Dig (CTD) report was submitted by Advanced Archaeology Inc. The survey found no cultural remains or human skeletal remains within the project area. The work and report was found to comply with Article 9 of the ULDC.

Determination: Given these findings, the CTD is considered complete.

Per R-2023-414, Planning Condition 2, if skeletal remains were to be encountered during construction, Florida Statute 872 still applies. Article 9 of the ULDC would also apply if such a discovery were to be made.

Christian Davenport MA. RPA
County Historic Preservation Officer/ Archaeologist

c: file

t:\planning\archaeology\larch essentials\forms\ctd\ctd 2023\tree top academy.doc

Exhibit E-9 – Wellfield Affidavit

AFFIDAVIT OF NOTIFICATION

Pursuant to the Palm Beach County Unified Land Development Code, Article 14 Chapter B, Wellfield Protection, you shall provide notification to the Palm Beach County Department of Environmental Resources Management for the following activities should you store, handle, use, or produce Regulated Substances that exceed the threshold of 5 gallons, if liquid, or 25 pounds, if solid, within a wellfield zone:

- a. Application for nonresidential building permits.
- b. Application for residential building permits of 25 units or more.
- c. Applications for development subject to review by advisory planning bodies and approval by local governing authority or zoning board of appeals.

A. Project Information: **TreeTop Academy of Jupiter**
 1. Name of Project _____
 2. Property Control # 00-42-40-34-00-000-7030 and 00-42-40-34-00-000-7010
 3. Address of Project 6769 Church Street Jupiter FL 33458
 (Street) (City) (State) (ZIP)

B. Owner of Property, Developer or Agent Signing Affidavit (If agent, a letter of authorization to sign for the owner must be attached.)

1. If individual, provide full legal name Patricia Y. Lentini, Agent - 2GHO, Inc.
 Address 1907 Commerce Lane Suite 101 Jupiter FL 33458
 (Street) (City) (State) (ZIP)
 Telephone 561-575-9557
 Owner of Property (if signed by agent) TreeTop Academy of Jupiter

2. If corporation or partnership, provide full name of corporation or partnership and relationship to corporation or partnership.
 Name of Corporation or Partnership TreeTop Academy of Jupiter
 Address Same
 Telephone _____
 Relationship to corporation or partnership _____

3. List any Regulated Substances (chemicals, fuels, oils, paints, etc.) that you intend to store, handle, use or produce at this site:

<u>Type of Substance</u>	<u>Approximate Quantity</u>
<u>No regulated substances are proposed</u>	_____ gallons _____ pounds
_____	_____ gallons _____ pounds
_____	_____ gallons _____ pounds

I have received a copy of "Palm Beach County Unified Land Development Code, Article 14 Chapter B, Wellfield Protection Prohibitions, Restrictions, and Best Management Practices." I understand that there are restrictions and prohibitions concerning the use, handling and storage of regulated substances pursuant to the Wellfield Protection Ordinance. I also understand that certain facilities are prohibited or subject to restrictions in the various wellfield zones.

Patricia Y. Lentini

 Affiant

Sworn to and subscribed before me this 21 day of January, 2025.

George J. [Signature]

 Notary Public, State of Florida



Return Original to Department of Environmental Resources Management
 2300 N. Jog Road West Palm Beach, Florida 33411-2743 telephone (561) 233-2400
 Copy to Applicant/ Copy to Local Agency
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Exhibit E-10 – Vehicular Circulation Plans



TREE TOP academy

A LEADER IN EARLY CHILDHOOD EDUCATION

February 18, 2025

To Whom It May Concern,

Treetop Academy currently experiences the following staggered arrival and departure times for our preschool program.

Hours of Operation (current and anticipated)

Daycare (Approx. 130 students): 8 AM to 5 PM

Daycare/PreSchool (Approx. 160 students): 8:45 AM to 2:15 PM

Elementary School (Approx. 90 students): 8:30 AM to 3:15 PM

Aftercare Program (Approx. 35 students): 2:15 PM to 5:00 PM

Typical Arrival Pattern in 2025:

7:45 – 7:59 AM	5%
8:00 – 8:14	20%
8:15 – 8:29	20%
8:30 – 8:44	17%
8:45 – 9:00	11%
9:00 – 9:15	9%
2:15 – 2:30 PM	18%

Typical Departure Pattern in 2025:

12:15 PM	5%
12:30	13%
1:15	11%
2:15	10%
3:00	9%
3:30	23%
> 3:30	29%

Please note that the 2:15 arrival represents our aftercare students who walk over (escorted) from Limestone Creek Elementary School. It is anticipated that, at a minimum, 20% of the elementary school students will participate in the aftercare program.

I hope this information is helpful. Please let me know if there are any questions.

Sincerely,

Jeff Turner

Executive Director, Tree Top Academy

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