

RESOLUTION NO. R-2002-0131

RESOLUTION APPROVING ZONING PETITION DOA2000-089(A)
DEVELOPMENT ORDER AMENDMENT
PETITION OF WELLINGTON REGIONAL MEDICAL CENTER
BY ANNA COTTRELL, AGENT
(WELLINGTON MEDICAL OFFICE CAMPUS)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA2000-089(A) was presented to the Board of County Commissioners at a public hearing conducted on January 31, 2002; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition DOA2000-089(A), the petition of Wellington Regional Medical Center, by Anna Cottrell, agent, for a Development Order Amendment (DOA) to add land area and square footage on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on January 31, 2002, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

The motion was seconded by Commissioner Marcus and, upon being put to a vote. the vote was as follows:

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Mary McCarty	-	Absent
Burt Aaronson	-	Aye
Tony Masilotti	-	Absent
Addie L. Greene	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on January 31, 2002.

Filed with the Clerk of the Board of County Commissioners on 12 day of February, 2002.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

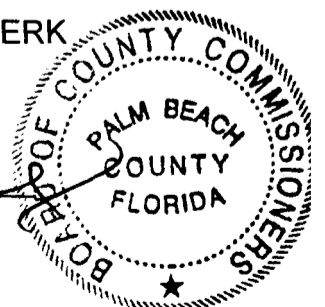


EXHIBIT A

LEGAL DESCRIPTION

(OVERALL PARCEL)

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER (1/4) OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACT 20, BLOCK 18, LESS THE SOUTH 330.6 FEET THEREOF, **AND** TRACT 17, BLOCK 18, LESS THE WEST 26.4 FEET THEREOF, **AND** ALL OF TRACTS 18 AND 19, BLOCK 18, **PALM BEACH FARMS COMPANY PLAT NO. 3**, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA, LESS AND EXCEPT THE RIGHT-OF-WAY FOR STATE ROAD 7 (U.S. 441) AS SET FORTH IN DEED BOOK 638, PAGE 158 AND OFFICIAL RECORDS BOOK 6237, PAGE 1443 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA, BEING DESCRIBED AS FOLLOWS:

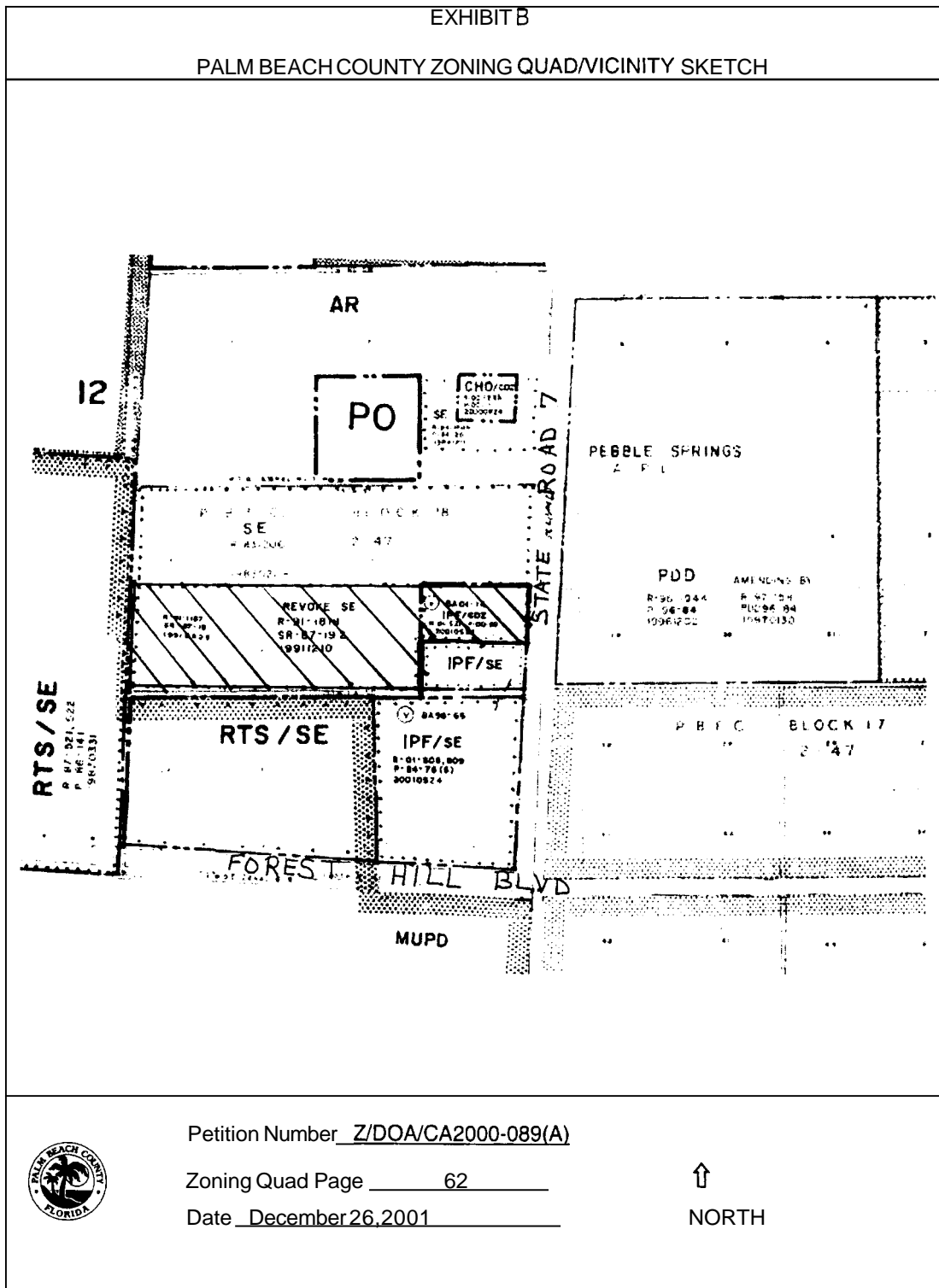
COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER (1/4) OF SAID SECTION 12; THENCE NORTH 01E41'23" EAST, ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER (1/4) OF SAID SECTION 12, A DISTANCE OF 1661.58 FEET; THENCE DEPARTING SAID EAST LINE OF THE SOUTHEAST ONE-QUARTER (1/4) OF SAID SECTION 12, SOUTH 89E00'03" WEST, A DISTANCE OF 240.33 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 7 (U.S. 441) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION MAP, SECTION 93210-2519, SHEET 15 OF 28, DATED: 4-24-95, AND THE **POINT OF BEGINNING**; THENCE CONTINUE, SOUTH 89E00'03" WEST, A DISTANCE OF 565.86 FEET TO THE EAST LINE OF SAID TRACT 19; THENCE SOUTH 01E16'18" EAST, ALONG SAID EAST LINE, A DISTANCE OF 330.60 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 19;

THENCE SOUTH 89E00'03" WEST 181.49 FEET TO THE EXISTING EAST LINE OF THE LAKE WORTH DRAINAGE DISTRICT S-5 CANAL, AS RECORDED IN OFFICIAL RECORDS BOOK 6495, PAGE 761, PALM BEACH COUNTY RECORDS; THENCE NORTH 01E31'11" EAST, ALONG THE EAST LINE OF SAID S-5 CANAL, A DISTANCE OF 660.52 FEET; THENCE DEPARTING THE EAST LINE OF THE SAID S-5 CANAL, NORTH 88E58'51" EAST, A DISTANCE OF 2361.53 FEET, TO THE WEST RIGHT-OF-WAY LINE OF SAID STATE ROAD 7 (U.S. 441); THENCE SOUTH 01E33'52" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID STATE ROAD 7 (U.S. 441), A DISTANCE OF 330.44 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,374,744 SQUARE FEET, OR, 31.560 ACRES, MORE OR LESS.

BEARINGS BASED ON THE EAST LINE OF THE SOUTHEAST ONE-QUARTER (1/4) OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 41 EAST; BEING: NORTH 01E41'23" EAST (ASSUMED).

EXHIBIT B
VICINITY SKETCH



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Date December 26, 2001



NORTH

EXHIBIT C

CONDITIONS OF APPROVAL

NOTE: All previous conditions of approval are shown in BOLD and will be carried forward with this petition unless expressly modified.

A. ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolutions R-2001-0821 (Petition 2000-089) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)
2. Condition A.1 of Resolution R-2001-0821, Petition 22000-089 which currently states:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated February 28, 2001. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING)

Is hereby amended to read:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved master plan is dated November 29, 2001 and the site plan for Phase 2 is dated November 29, 2001. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING)

B. BUILDING AND SITE DESIGN

1. Condition B.1 of Resolution R-2001-0821, Petition 22000-089 which currently states:

Total gross floor area shall be limited to a maximum of 50,000 square feet. Expansion shall be limited to five percent (5%) or 1,000 square feet, whichever is less subject to approval by Traffic Division or DRC. (DRC: ZONING)

Is hereby amended to read:

Total gross floor area shall be limited to a maximum of 230,000 square feet. Expansion shall be limited to five percent (5%) or 1,000 square feet, whichever is less subject to approval by Traffic Division or DRC. (DRC: ZONING)

2. Condition B.2 of Resolution R-2001-0821, Petition 22000-089 which currently states:

The maximum height for all structures including air conditioning, mechanical equipment and satellite dishes shall not exceed sixty-seven (67) feet. All heights shall be measured from finished grade to the highest point of the parapet wall or the **mechanical/electrical** screening. (BLDG PERMIT: BLDG - Zoning)

Is hereby amended to read:

The maximum height for all the medical office buildings including air conditioning, mechanical equipment and satellite dishes shall not exceed sixty-seven (67) feet. The maximum height for the congregate living facility including air conditioning, mechanical equipment and satellite dishes shall not exceed thirty-five (35) feet. All heights shall be measured from finished grade to the highest point of the parapet wall or the mechanical/electrical screening. (BLDG PERMIT: BLDG – Zoning)

3. All roof or ground mounted air conditioning and mechanical equipment including satellite dishes shall be screened from view on all sides in a manner consistent with the color, character and architectural style of the principal structure or equivalent landscape material. (CO: BLDG - Zoning) (Previously Condition B.3 of Resolution R-2001-0821, Petition Z2000-089)
4. Condition B.4 of Resolution R-2001-0821, Petition Z2000-089 which currently states:

Similar architectural character and treatment, including but not limited to color, material, fenestration and roof lines, shall be provided on all sides of the building. The proposed Architectural elevations shall be consistent with the Architectural Design Guidelines presented to the Board of County Commissioners on April 24,2001, as amended. (BLDG PERMIT: BLDG - Zoning)

Is hereby amended to read:

Similar architectural character and treatment, including but not limited to color, material, fenestration and roof lines, shall be provided on all sides of the building. (BLDG PERMIT: BLDG - Zoning)

5. Condition B.5 of Resolution R-2001-0821, Petition 22000-089 which currently states:

Prior to final DRC certification of the site plan, the petitioner shall submit architectural elevations to the Zoning Division for review and approval. Development shall be consistent with the approved architectural elevations. (DRC: BLDG PERMIT - Zoning)

Is hereby amended to read:

Prior to final DRC certification of the site plan, the petitioner shall submit architectural elevations for the medical office building(s) to the Architectural Review Section of the Zoning Division for review and approval. The architectural elevations for the congregate living facility (CLF) may be submitted prior to the issuance of building permit for the CLF. Elevations shall be designed to be consistent with the Architectural Design Guidelines adopted by the BCC on July 24,2001. Development shall be consistent with the approved architectural elevations. (DRC: BLDG PERMIT - Zoning)

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. All existing native vegetation depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation has been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. (DRC: ERM)
2. An upland preserve set-aside equal to or greater than 25% of the native upland vegetation shall be provided and depicted on the site plan. Final size and location to be approved by ERM. (DRC: ERM)

D. HEALTH

1. Generation and disposal of any hazardous effluent into sanitary sewer system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection and the agency responsible for sewage works are constructed and used by project tenants of owners generating such effluent. (ONGOING: HEALTH/CODE ENF) (Previously Condition C.1 of Resolution R-2001-0821, Petition 22000-089)
2. Any biomedical waste which may be generated at this site shall be properly handled and disposed of in accordance with Rule **64E-16FAC**. (ONGOING : HEALTH/ CODE ENFORCEMENT) (Previously Condition C.2 of Resolution R-2001-0821, Petition 22000-089)
3. Any toxic or hazardous waste which may be generated at this site shall be handled and disposed of in accordance with Rule 62-730 FAC. (ONGOING: HEALTH/ CODE ENFORCEMENT) (Previously Condition C.3 of Resolution R-2001-0821, Petition 22000-089)

E. ENGINEERING

Condition E.1 of Resolution R-2001-0821, Petition Z2000-089 which currently states:

1. The Property owner shall construct a left turn lane south approach on **SR 7** at the project's south entrance.
 - A) 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.
 - B)** Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING-Eng)
 - C) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

Is hereby amended to read:

1. The Property owner shall construct a left turn lane south approach on SR 7 at the project's entrance subject to approval by the Florida Department of Transportation.
 - A) 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.
 - B)** Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING-Eng)
 - C) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

2. LANDSCAPE WITHIN MEDIAN OF STATE ROAD 7

- A) Prior to September **15, 2001**, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median of SR7 Road Right-of-Ways. This permit, to be completed by the property owner, shall name Palm Beach County as the applicant. As part of this permit process, the property owner shall enter into a Right of Way, Landscape Maintenance, Removal, and Indemnification Agreement. When landscaping is permitted by the Florida Department of Transportation, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the latest revision to the Palm Beach County Engineering and Public Works Department Streetscape Standards. The property owner shall also be responsible for supplementing any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (DATE: MONITORING-Eng) (Previously Condition E.2.A of Resolution R-2001-0821, Petition 22000-089) [Complete]

Condition E.2.B of Resolution R-2001-0821, Petition 22000-089) which currently states:

- B) All required median landscaping, including an irrigation system if required, shall be installed at the property owners expense. All landscaping, paver block or similar materials shall be the perpetual maintenance obligation of the petitioner and its successors, or assigns or duly established Property Owner's Association or maintenance may be assumed by the County upon payment equal to the long term maintenance cost, in accordance with the adopted policy approved by the Board of County Commissioners. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed on **1/15/2002**. (DATE: MONITORING-Eng)

Is hereby amended to read:

All required median landscaping, including an irrigation system if required, shall be installed at the property owners expense. All landscaping, paver block or similar materials shall be the perpetual maintenance obligation of the petitioner and its successors, or assigns or duly established Property Owner's Association or maintenance may be assumed by the County upon payment equal to the long term maintenance cost, in accordance with the adopted policy approved by the Board of County Commissioners. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and

alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed on 5/1/02. (DATE: MONITORING-Eng)

- C) If the Developer does not enter into an agreement with Palm Beach County to assume the maintenance responsibility, then appropriate property owner's documents or other restrictive covenant documents, evidencing the maintenance obligation shall be established or amended as required and shall be approved and recorded prior to September **15, 2001**. (DATE: MONITORING-Eng) (Previously Condition E.2.C of Resolution R-2001-0821, Petition 22000-089)
[Complete]
3. In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule:
- A. No Building Permits shall be issued until the contract has been awarded for the construction of Forest Hill Boulevard from SR 7 to Pinehurst Drive as a 6-lane median divided section, plus the appropriate paved tapers. (BLDG PERMIT: MONITORING-Eng) (Previously Condition E.3.A of Resolution R-2001-0821, Petition 22000-089)
Note: Contract for this construction has now been awarded.
 - B. If Phase 1 of the development, 50,000 square feet of medical office, is not built out by December 31, **2001** as defined by the Traffic Performance Standards (Article 15 of the ULDC), then no further Certificates of Occupancy shall be issued unless a CRALLS designation for SR 7 from SR 80 to Forest Hill Blvd covering the impacts of this Development has been adopted. If a Cralls designation has not been adopted then the Property Owner shall only be issued additional Certificates of Occupancy unless both of the following have occurred:
 - a) Property owner has posted performance security to assure the construction of SR 7 from SR 80 to Forest Hill Blvd to a 8-lane divided cross section if no other developer or governmental entity has previously assured these improvements and,
 - b) The contract has been awarded for construction of SR 7 from **SR** 80 to Forest Hill Blvd to a 8-lane divided cross section. (Previously Condition E.3.B of Resolution R-2001-0821, Petition 22000-089)
 - c) No building permits for more than 86,000 square feet of Medical Office shall be issued until the contract has been awarded for the construction of SR 7 from SR 80 to Lake Worth Road to a 8-lane divided cross section, including the following additional laneage at the Forest Hill Blvd/SR 7 intersection:
 - third northbound left turn lane
 - fourth northbound thru lane
 - fourth southbound thru lane
4. Condition **E.4** of Resolution R-2001-0821, Petition 22000-089 which currently states:

Property owner agrees to participate in the "Pooled Effort Approach" outlined in County Engineer George Webb, P.E.'s memo of January 25,

2000 by paying his proportionate share for the intersection improvements at SR 7/SR 80. Funding in the amount of **\$53,256** or the projects impact fee whichever is greater shall be provided to the Land Development Division prior to the issuance of the first building permit or prior to December **31,2002**, whichever shall first occur. This amount may be adjusted lower by the County Engineer depending upon the number of approved project's participating in this intersection improvement. (Bldg Permit\ DATE: MONITORING-Eng) Completed

5. For Phase 2 - Property owner agrees to participate in the "Pooled Effort Approach" outlined in County Engineer George Webb, P.E.'s memo of January 25, 2000 by paying his proportionate share for the intersection improvements at SR 7/SR 80. Funding in the amount currently estimated at \$106,741 for Phase Two or the projects impact fee whichever is greater shall be provided to the Land Development Division prior to the issuance of the first building permit or prior to December 31, 2002, whichever shall first occur. This amount may be adjusted lower by the County Engineer depending upon the number of approved project's participating in this intersection improvement. (Bldg Permit\ DATE: MONITORING-Eng)
6. The Property owner shall construct a right turn lane on SR 7 at the projects North entrance road.
 - A) 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.
 - B) Permits required by FDOT for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: Monitoring-Eng)
 - C) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

F. LANDSCAPING- STANDARD

1. Fifty percent (50%) of canopy trees required to be planted in the perimeter buffer shall meet the following minimum standards at installation:
 - a. Tree height: fourteen **(14)** feet;
 - b. Trunk diameter: **3.5** inches measured **4.5** feet above grade;
 - c. Canopy diameter: seven (7) feet. Diameters shall be determined by the average canopy radius at **3** points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length; and,
 - d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previously Condition D.I of Resolution R-2001-0821, Petition Z2000-089)
2. All palms required to be planted on site by this approval shall meet the following minimum standards at installation:
 - a. Palm heights: twelve **(12)** feet clear trunk;
 - b. Clusters: staggered heights twelve **(12)** to eighteen **(18)** feet; and,

- c. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previously Condition D.2 of Resolution R-2001-0821, Petition 22000-089)
- 3. A group of three **(3)** or more palm or pine trees may not supersede the requirement for canopy tree in that location, unless specified herein. (CO: LANDSCAPE - Zoning) (Previously Condition D.3 of Resolution R-2001-0821, Petition 22000-089)

G. LANDSCAPING ALONG THE EAST PROPERTY LINE (ABUTTING SR7/US441)

- 1. Landscaping and buffering along the east property line shall be upgraded to include:
 - a. a minimum twenty (20) foot wide landscape buffer strip. No width reduction shall be permitted;
 - b. a minimum two (2) to three **(3)** foot high undulating berm with an average height of two and one half (2.5) feet measured from top of curb;
 - c. one **(1)** canopy tree planted every thirty **(30)** feet on center;
 - d. one **(1)** Booted Sabal palm for each thirty **(30)** linear feet of the property line with a maximum spacing of sixty **(60)** feet between clusters; and,
 - e. twenty-four (24) inch high shrub or hedge material installed on the plateau of the berm, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six **(36)** inches. A minimum fifty (50) percent of the shrub or hedge materials shall be planted on the plateau of the berm. (CO: LANDSCAPE) (Previously Condition F.1 of Resolution R-2001-0821, Petition 22000-089)

H. LANDSCAPING ALONG NORTH PROPERTY LINE AND THE SOUTH 330 FEET OF THE EAST PROPERTY LINE (ABUTTING EXCAVATION SITE AND THE WELLINGTON REGIONAL MEDICAL CENTER)

- 1. Condition G.1 of Resolution R-2001-0821, Petition 22000-089 which currently states:

Landscaping and buffering along the north property line shall be upgraded to include:

 - a. a minimum fifteen (15) foot wide landscape buffer strip. No width reduction shall be permitted on the north property line;
 - b. a minimum two (2) foot high continuous berm measured from top of curb;
 - c. one **(1)** small canopy tree planted every thirty **(30)** feet on center;
 - d. one **(1)** Booted Sabal palm for each thirty **(30)** linear feet of the property line with a maximum spacing of sixty **(60)** feet between clusters; and,
 - e. twenty-four (24) inch high shrub or hedge material installed on the plateau of the berm, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six **(36)** inches. A minimum fifty (50) percent of the shrub or hedge materials shall be planted on the plateau of the berm. (CO: LANDSCAPE)

Is hereby amended to read:

Landscaping and buffering along the north property line and the south 330 feet of the east property line shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip. No width reduction shall be permitted on the north property line. Easement encroachment may be permitted only along the 4.35 acre portion of the site and the south 330 feet of the east property line;
- b. a minimum two (2) foot high continuous berm measured from top of curb;
- c. one (1) native canopy tree for every twenty (20) linear feet of the property line to be planted in a staggered manner;
- d. one (1) palm or pine for every thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
- e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation;
- f. one (1) mediumlarge shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of thirty six (36) inches at installation; and,
- g. All shrub or hedge material shall be planted in meandering, overlapping masses with varying heights:

eighteen (18) to thirty-six (36) inches – groundcover and small shrub;
and,
forty-eight (48) to seventy-two (72) inches – mediumlarge shrub.

These heights shall be continuously maintained to achieve the tiered effect. (CO: LANDSCAPE - Zoning)

I. LANDSCAPING ALONG THE WEST 1,800 FEET OF THE SOUTH AND THE WEST PROPERTY LINE (ABUTTING RESIDENTIAL)

1. Condition H.I of Resolution R-2001-0821, Petition Z2000-089 which currently states:

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

- a. a minimum fifteen (15) foot wide landscape buffer strip. Width reduction to a maximum of five (5) feet may be permitted upon the BCC approval of the Large Scale future land use amendment (01-69 INST 2, Wellington Medical Phase II) of the west 27 acre parcel;
- b. a minimum two (2) foot high continuous berm measured from top of curb. Berm may be exempted should the buffer be reduced to ten (10) foot wide;
- c. one (1) canopy tree planted every thirty (30) feet on center;
- d. one (1) Booteed Sabal palm for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; and,
- e. twenty-four (24) inch high shrub or hedge material installed on the plateau of the berm, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. A minimum fifty (50) percent of the shrub or hedge materials shall be planted on the plateau of the berm. Shrubs or hedge materials to be planted at grade should the buffer be reduced to ten (10) foot wide. (CO: LANDSCAPE)

Is hereby amended to read:

Landscaping and buffering along the west 1,800 feet of the south property line and the west property line shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
- b. a minimum two (2) foot high continuous berm measured from top of curb;
- c. one (1) native canopy tree for every twenty (20) linear feet of the property line to be planted in a staggered manner;
- d. one (1) palm or pine for every thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
- e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation;
- f. one (1) medium/large shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of thirty six (36) inches at installation; and,
- g. All shrub or hedge material shall be planted in continuous tiered layers consisting of a minimum of two (2) varying heights as follows:

 - eighteen (18) to thirty-six (36) inches – groundcover and small shrub;
 - and,
 - forty-eight (48) to seventy-two (72) inches – medium/large shrub.

Shrub materials shall be planted in meandering, overlapping masses with varying heights. These heights shall be continuously maintained to achieve the tiered effect. (CO: LANDSCAPE - Zoning)

J. LANDSCAPING ALONG THE EAST 565 FEET OF THE SOUTH PROPERTY LINE (ABUTTING THE WELLINGTON REGIONAL MEDICAL CENTER)

- 1. Landscaping and buffering along the east 565 feet of the south property line shall be upgraded to include:
 - a. a minimum five (5) foot wide compatibility landscape buffer strip pursuant to the ULDC. No width reduction or easement encroachment shall be permitted;
 - b. Shrub materials may be exempted to be planted in meandering, overlapping masses with varying heights. (CO: LANDSCAPE - Zoning)

K. LANDSCAPING - INTERIOR

- 1. Condition I.1 of Resolution R-2001-0821, Petition 22000-089 which currently states:

A minimum of one (1) landscape island shall be provided for every eleven (11) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred (100) linear feet. (DRC: ZONING)

Is hereby amended to read:

A minimum of one (1) landscape island shall be provided for every eleven (11) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred and five (105) linear feet. (DRC: ZONING)

- 2. **Foundation planting or grade level planters shall be provided along the front and side facades of all structures to consist of the following:**
 - a. **The minimum width of the required landscape areas shall be eight (8) feet;**
 - b. **The length of the required landscaped areas shall be no less than 50% of the total length of each side of the structure; and,**

- c. Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear foot of building facade and appropriate ground cover. (DRC/CO: ZONING/LANDSCAPE) (Previously Condition 12 of Resolution R-2001-0821, Petition 22000-089)

L. LIGHTING

1. All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy the Palm Beach County Security Code, low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BLDG/CODE ENF - Zoning) (Previously Condition J.1 of Resolution R-2001-0821, Petition 22000-089)
2. All outdoor lighting fixtures shall not exceed thirty (30) feet in height measured from finished grade to highest point. (CO: BLDG - Zoning) (Previously Condition J.2 of Resolution R-2001-0821, Petition 22000-089)
3. All outdoor lighting shall be extinguished no later than 10:00 p.m. excluding security lighting only. (ONGOING: CODE ENF) (Previously Condition J.3 of Resolution R-2001-0821, Petition 22000-089)
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) (Previously Condition J.4 of Resolution R-2001-0821, Petition 22000-089)

M. PLANNING

1. The maximum Floor Area Ratio (FAR) for non-residential development of the 22.2 acre portion of the overall site shall be limited to 0.35. (DRC:ONGOING-PLANNING)
2. Total acreage for the Congregate Living Facility (CLF) shall be limited to a maximum of five (5) acres and to ninety (90) beds. Residential use on this portion of the site shall be limited to a CLF, or to uses governed by the LR-2 category. (DRC:ONGOING-PLANNING)
3. Prior to final site plan approval by the Development Review Committee, the petitioner shall revise the master plan to indicate a future pedestrian/vehicular connection to the adjacent Wellington Regional Medical Center. (DRC: PLANNING)
4. Prior to the issuance of a certificate of occupancy for Phase 2, the petitioner shall pave the property to the edge of the eastern property line where adjacent to the Wellington Regional Medical Center to provide vehicular and pedestrian access to the Wellington Regional Medical Center. (CO: MONITORING-BUILDING-Planning)
5. Prior to final DRC certification of the master/site plans, the petitioner shall revise the master/site plans to clearly indicate the development limit for the 5 acre congregate living facility and the 22.2 acre medical offices. (DRC: PLANNING)

N. SIGNS

1. Freestanding point of purchase signs fronting on SR7/US441 shall be limited as follows:
 - a. Maximum sign height, measured from finished grade to highest point - ten (10) feet;
 - b. Maximum sign face area per side - 100 square feet;

- c. Maximum number of signs - one (1) for the overall site; and
- d. Style - monument style only. (CO: BLDG)

O. COMPLIANCE

- 1. Condition K.I of Resolution R-2001-0821, Petition Z2000-089 which currently states:

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; 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 ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; **and/or**
- d. Referral to code enforcement; **and/or**
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of **PZ&B** or the Code Enforcement Division 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 5.8 of the ULDC, in response to any flagrant violation **and/or** continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (MONITORING)

Is hereby amended to read:

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; 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 ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a 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 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (MONITORING)

- 2. **In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner 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) (Previously Condition K.2 of Resolution R-2001-0821, Petition 22000-089)**