

RESOLUTION NO. R-2002-0611

RESOLUTION APPROVING ZONING PETITION Z/COZ1998-073(3)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
WITH A CONDITIONAL OVERLAY ZONE (COZ)
PETITION OF HERBERT AND KARL KAHLERT AS CO-TRUSTEES
BY KIERAN J. KILDAY, AGENT
(MONTEREY PROFESSIONAL CENTER)

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, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition Z/COZ1998-073(3) was presented to the Board of County Commissioners at a public hearing conducted on April 25, 2002; and

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

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

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) with approved conditions is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) with approved conditions does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) with approved conditions will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11, (Adequate Public Facilities) of the Palm Beach County Unified Land Development Code, Ordinance 92-20, as amended; and,
7. This official zoning map amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) 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 Z/COZ1998-073(3), the petition of Herbert and Karl Kahlert as Co-Trustees by Kieran J. Kilday, agent, for an Official Zoning Map Amendment from Agricultural Residential to Commercial High Office Zoning District with a CONDITIONAL OVERLAY ZONE (COZ) on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on April 25, 2002, subject to the conditions of the CONDITIONAL OVERLAY ZONE (COZ) 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 Masilotti 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	-	Aye
Addie L. Greene	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on April 25, 2002.

Filed with the Clerk of the Board of County Commissioners on 29 day of May, 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

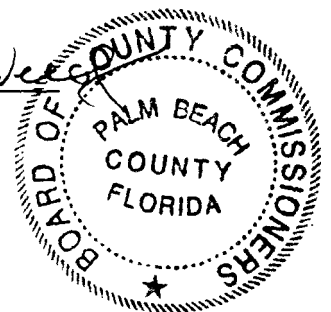


EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN PARCEL A-2, BOYNTON BEACH ENTERPRISE CENTER PLAT NO. 2, AS RECORDED IN PLAT BOOK 79, PAGES 152 THROUGH 155 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF PARCEL A-2, BOYNTON BEACH ENTERPRISE CENTER PLAT NO. 2, AS RECORDED IN PLAT BOOK 79, PAGES 152 THROUGH 155 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES, 34 MINUTES, 06 SECONDS EAST ALONG THE WEST LINE OF SAID PARCEL A-2, SAID WEST LINE ALSO BEING THE EAST LINE OF A LIMITED ACCESS RIGHT-OF-WAY AS SHOWN ON SAID BOYNTON BEACH ENTERPRISE CENTER PLAT NO. 2, A DISTANCE OF 289.75 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 527.50 FEET; THENCE SOUTHERLY ALONG SAID WEST LINE AND LIMITED ACCESS RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05 DEGREES, 27 MINUTES, 59 SECONDS, A DISTANCE OF 50.33 FEET TO A NON-TANGENT INTERSECTION; THENCE NORTH 89 DEGREES, 25 MINUTES, 54 SECONDS EAST, ALONG A LINE LYING 340.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID BOYNTON BEACH ENTERPRISE CENTER PLAT NO. 2, A DISTANCE OF 485.35 FEET; THENCE SOUTH 00 DEGREES, 34 MINUTES, 06 SECONDS EAST, ALONG A LINE 412.00 FEET WEST OF AND PARALLEL WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF ENTERPRISE CENTER BOULEVARD AS SHOWN ON BOYNTON BEACH ENTERPRISE CENTER AS RECORDED IN PLAT BOOK 78, PAGES 40 AND 41 OF SAID PUBLIC RECORDS, A DISTANCE OF 66.56 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES, 34 MINUTES, 06 SECONDS EAST, ALONG SAID PARALLEL LINE A DISTANCE OF 76.44 FEET; THENCE NORTH 89 DEGREES, 25 MINUTES, 54 SECONDS EAST, ALONG A LINE 483.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF BOYNTON BEACH ENTERPRISE CENTER PLAT NO. 2, A DISTANCE OF 133.33 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 680.00 FEET AND A RADIAL BEARING OF NORTH 86 DEGREES, 32 MINUTES, 46 SECONDS WEST AT SAID INTERSECTION; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07 DEGREES, 30 MINUTES, 10 SECONDS, A DISTANCE OF 89.04 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 10 DEGREES, 57 MINUTES, 24 SECONDS WEST, A DISTANCE OF 165.81 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 1320.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10 DEGREES, 57 MINUTES, 27 SECONDS, A DISTANCE OF 252.44 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00 DEGREES, 00 MINUTES, 03 SECONDS EAST, A DISTANCE OF 128.74 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 1040.00 FEET AND A RADIAL BEARING OF SOUTH 09 DEGREES, 47 MINUTES, 59 SECONDS EAST AT SAID INTERSECTION; THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND NORTH RIGHT OF WAY LINE OF VENTURE CENTER WAY AS SHOWN ON BOYNTON BEACH ENTERPRISE CENTER RE PLAT NO. 3, AS RECORDED IN PLAT BOOK 80, PAGES 160 AND 161 OF SAID PUBLIC RECORDS, THROUGH A CENTRAL ANGLE OF 09 DEGREES, 47 MINUTES, 56 SECONDS, A DISTANCE OF 177.86 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89 DEGREES, 59 MINUTES, 57 SECONDS EAST ALONG SAID NORTH RIGHT OF WAY LINE OF VENTURE CENTER WAY, A DISTANCE OF 68.01 FEET; THENCE NORTH 44 DEGREES, 59 MINUTES, 57 SECONDS EAST, A DISTANCE OF 35.36 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 03 SECONDS WEST, A DISTANCE OF 75.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 1040.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14 DEGREES, 58 MINUTES, 45 SECONDS, A DISTANCE OF 271.89 FEET TO THE POINT OF TANGENCY; THENCE NORTH 14 DEGREES, 58 MINUTES, 41 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF

EXHIBIT A

LEGAL DESCRIPTION

CURVATURE OF A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 960.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15 DEGREES, 32 MINUTES, 47 SECONDS, A DISTANCE OF 260.48 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES, 34 MINUTES, 06 SECONDS WEST ALONG A LINE 6.00 FEET EAST OF PARALLEL WITH SAID SOUTHERLY EXTENSION OF THE WEST LINE OF ENTERPRISE CENTER BOULEVARD, A DISTANCE OF 31.61 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF ENTERPRISE CENTER CIRCLE AS RECORDED IN PLAT BOOK 86, PAGES 4 THROUGH 6 OF SAID PUBLIC RECORDS; THENCE NORTH 45 DEGREES, 34 MINUTES, 06 SECONDS WEST ALONG SAID SOUTH RIGHT OF WAY LINE OF ENTERPRISE CENTER CIRCLE, A DISTANCE OF 35.36 FEET; THENCE SOUTH 89 DEGREES, 25 MINUTES, 54 SECONDS WEST ALONG SAID SOUTH RIGHT OF WAY LINE OF ENTERPRISE CENTER CIRCLE AND A LINE 80.00 FEET SOUTH OF PARALLEL WITH THE SOUTH LINE OF SAID BOYNTON BEACH ENTERPRISE CENTER, A DISTANCE OF 196.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 960.00 FEET; THENCE WESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF ENTERPRISE CENTER CIRCLE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04 DEGREES, 55 MINUTES, 16 SECONDS, A DISTANCE OF 82.45 FEET, TO THE POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF ENTERPRISE CENTER CIRCLE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49 DEGREES, 56 MINUTES, 50 SECONDS, A DISTANCE OF 21.79 FEET TO THE POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 53.00 FEET; THENCE SOUTHWESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF ENTERPRISE CENTER CIRCLE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 54 DEGREES, 52 MINUTES, 06 SECONDS, A DISTANCE OF 50.75 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89 DEGREES, 25 MINUTES, 54 SECONDS WEST, A DISTANCE OF 53.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 4.94 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

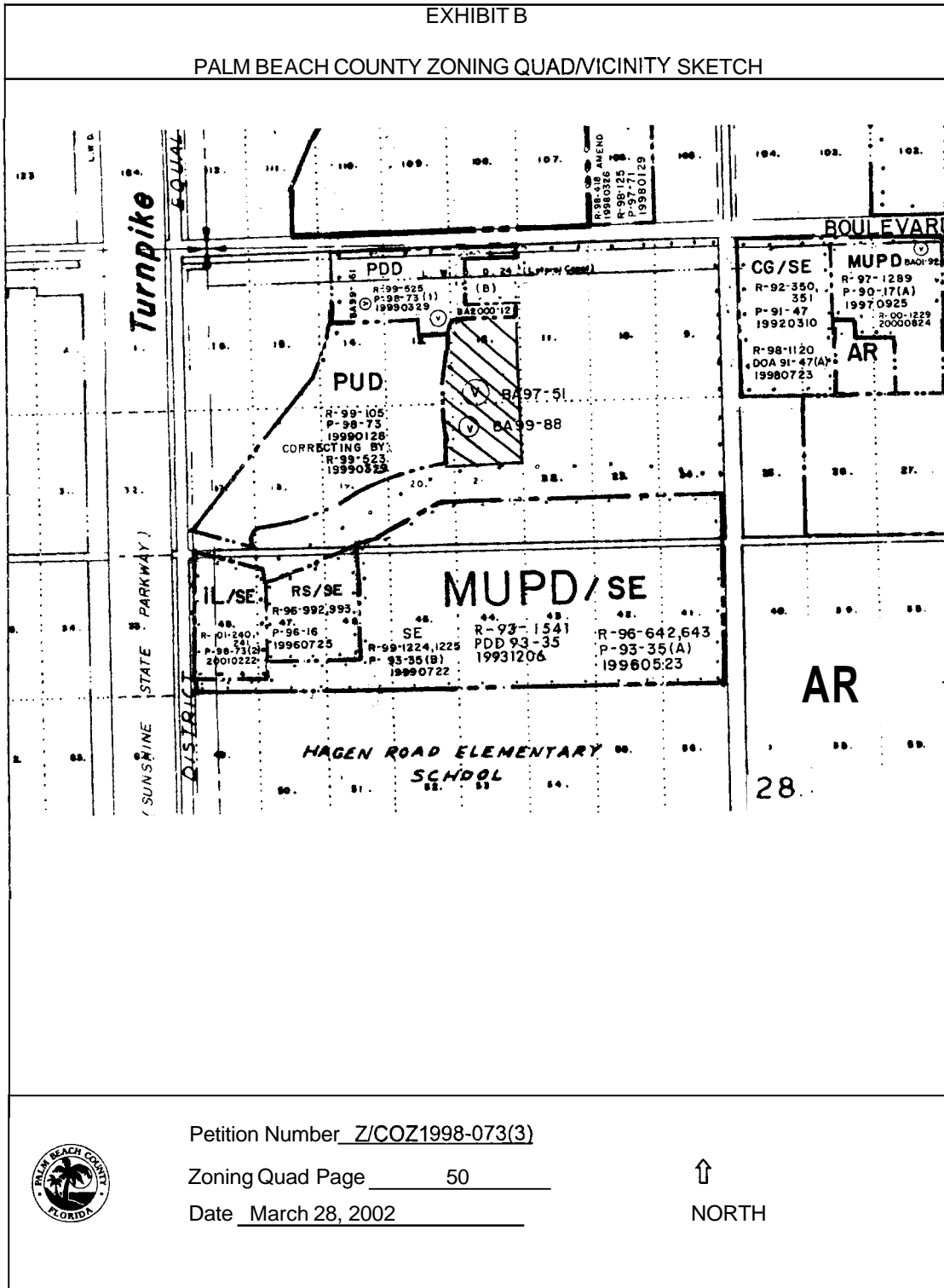


EXHIBIT C

CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated October 25, 2001 and the Preliminary Development Plan for the LSMU is dated October 25, 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. ARCHITECTURAL REVIEW

1. At time of submittal for final DRC certification of the site plan, the architectural elevations for all the buildings shall be submitted simultaneously with the site plan for final architectural review. Elevations shall be designed to be consistent with Sc. 6.E.E of the ULDC. Development shall be consistent with the approved architectural elevations. (DRC: ZONING - 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-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 or owners generating such effluent. (ONGOING: HEALTH/CODE ENF-Health)
2. 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-Health)
3. 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-Health)

E. ENGINEERING

1. 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 the equivalent of 5777 trips per day shall not be issued until construction commences on Boynton Beach Boulevard from Lyons Road to the Turnpike as a 4-lane section.
 - B) Building permits for no more than 5808 trips per day may be issued until construction commences on Woolbright Road from El Clair Ranch Road to Military Trail as a 4-lane section.

Prior to DRC certification of the final site plan an approved Traffic Study detailing a Phasing Plan for New Albany Large Scale/Multiple Use development for which this project is a part of. The traffic study shall also contain all the previously approved uses for the New Albany Large Scale/Multiple Use development. (DRC APPROVAL: ENGINEERING)

2. Acceptable surety for the design; right of way acquisition; and the Construction Engineering and Inspection Costs as well as the construction of the 4 lane widening of Boynton Beach Boulevard from Lyons Road to the Turnpike shall be posted with the Office of the **Land Development Division** on or before October 25, 2002. Surety in the amount of 110% shall be based upon a Certified Cost Estimate provided by the Developer's Engineer. At any time during the duration of the surety the County Engineer shall have the authority to determine that sufficient progress has not been made for any and all required work. In the event such a determination is made Palm Beach County shall have the right to request funds be drawn for the surety (surety drawn) and Palm Beach County may then complete all required work. (TPS) (DATE: MONITORING-Eng) (Complete)
3. Prior to issuance of a Building Permit the Developer shall plat the subject property in accordance with provisions of Article 8 of the Unified Land Development Code. (BLDG PERMIT: MONITORING-Eng)

F. LANDSCAPE –STANDARD

1. Fifty-percent of trees to be planted in the perimeter buffer shall be native canopy trees and meet the following minimum standards at installation:
 - a. Tree height: Fourteen (14) feet;
 - b. Trunk diameter: 3.5 inches measured at 4.5 feet above grade;
 - c. Canopy diameter: Seven (7) feet – diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of 3.5 feet in length; and
 - d. Credit may be given for existing or relocated trees provided they meet ULDC requirements. (CO: LANDSCAPE – Zoning)
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) (CO: LANDSCAPE - Zoning)
3. All shrub or hedge materials shall be planted in continuous masses and 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. eighteen (18) to twenty-four (24) inches – groundcover and small shrub;
 - b. twenty-four (24) to thirty-six (36) inches – medium shrub;
 - c. thirty-six (36) to seventy-two (72) inches – large shrub; and,
 - d. this condition does not apply to the five (5) foot wide compatibility buffer. (CO: LANDSCAPE - Zoning)
4. All trees and palms shall be planted in a meandering and naturalistic pattern. (CO: LANDSCAPE - Zoning)
5. 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)

6. Field adjustment of plant materials may be permitted to provide pedestrian sidewalks and to accommodate transverse utility or drainage easements crossings. (DRC/CO: LANDSCAPE-Zoning)
7. Prior to final Development Review Committee (DRC) certification, the petitioner shall meet with the Landscape Section staff to ensure that the maximum amount of existing native vegetation and/or specimen trees are incorporated into the final site design. (DRC: LANDSCAPE – Zoning)

G. LANDSCAPING ALONG THE NORTH, SOUTH AND EAST PROPERTY LINES (FRONTAGE OF ENTERPRISE CENTER CIRCLE, ENTERPRISE CENTER BOULEVARD AND VENTURE CENTER WAY)

1. Landscaping and buffering along the north, south and east property lines shall be upgraded to include:
 - a. a minimum fifteen (15) foot wide landscape buffer strip. No width reduction shall be permitted;
 - b. one (1) canopy tree for each thirty (30) feet of the property line;
 - c. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; and,
 - d. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twelve (12) inches at installation;
 - e. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
 - f. one (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (CO: LANDSCAPE-Zoning)
2. The landscape buffer strip shall be located on the exterior side of the 50 foot conservation easement located along the east and south property line. Required landscaping and the undulating berm may encroach into the conservation open space. (CO: LANDSCAPE – Zoning)

H. LANDSCAPING ALONG THE WEST PROPERTY LINE (ABUTTING RESIDENTIAL)

1. Landscaping and buffering along the west property line shall be upgraded to include:
 - a. a minimum twenty (20) foot wide landscape buffer strip. No width reduction shall be permitted;
 - b. one (1) canopy tree for each thirty (30) feet of the property line
 - c. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; and,
 - d. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twelve (12) inches at installation;
 - e. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
 - f. one (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (CO: LANDSCAPE-Zoning)

I. LANDSCAPING - INTERIOR

1. A minimum of one (1) landscape island shall be provided for every ten (10) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred (100) 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 feet of building facade and appropriate ground cover. (DRC / CO: ZONING / LANDSCAPE-Zoning)
3. Prior to final site plan certification by the Development Review Committee (DRC), the site plan shall be amended to indicate a focal point at the roundabout area of the main access. The focal points shall be in the form of a plaza, fountain, arcade or any other site element or similar pedestrian oriented public areas. (DRC: ZONING-Zoning)
 4. Decorative pavers shall be provided along the drop-off area, circular driveway and at the main access point on EnterpriseCenter Boulevard. (CO: LANDSCAPE-Zoning)

J. 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)
2. All outdoor, freestanding lighting fixtures shall not exceed twenty five (25) feet in height measured from finished grade to highest point. (CO: BLDG - Zoning)
3. All outdoor lighting shall be extinguished no later than 10:00 p.m. excluding security lighting only. (ONGOING: CODE ENF-Zoning)
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)

K. PLANNING

1. The underlying Commercial High Office land use for the MLU designation for the entire subject property shall be as follows:

Land Use	Minimum Acreage	Maximum sq ft/ units	Maximum Acreage
Commercial High Office (CH-O)	3 acres	65,340 sq. ft. min. 200,000 sq. ft. max	30 acres

Based on the above information, if Petition 98-073(3) is approved, additional Commercial High Office development can still be permitted provided the above thresholds and a FAR of .50 are not exceeded. In addition, all future pods of development must comply with the mix of other uses as specified in Ordinance 96-66. (DRC: PLANNING-Planning)

2. Prior to final certification of the site plan by the Development Review Committee, all plans (preliminary development plan, site plan, conceptual master plan, and land use allocation master plan) shall be amended to indicate that the minimum allowable CH-O FAR for the entire MLU site is 65,340 square feet or .50 FAR. (DRC: PLANNING-Planning)

3. Prior to final certification of the site plan by the Development Review Committee, the Planning Division shall ensure that this site plan conforms with recommendations of the West Boynton Area Community Plan (Rec.# 35, 37, 39, and 47) regarding pedestrian access and shaded pedestrian connections as depicted on the site plan dated October 25, 2001. (DRC: PLANNING-Planning)
4. Prior to final certification of the site plan by the Development Review Committee, in order to comply with Recommendations 35, 37, 39, and 47 from the West Boynton Area Community Plan, the applicant shall provide street cross-section details depicting shaded sidewalks for pedestrian and bicycle circulation along Enterprise Center Boulevard and along all pathways internal to the site, as indicated on the site plan dated October 25, 2001. These details shall also provide for pedestrian crossing breaks in perimeter buffer areas. No fences shall be located in the 20' buffer area on the western portion of the site adjacent to the apartment complex. (DRC: PLANNING-Planning)
5. All buildings and structures shall be designed and constructed in accordance with Section 4 - "Architectural Design Guidelines" of the Boynton Beach Turnpike Interchange Corridor - Design Guidelines and Standards Manual, dated November 12, 1996 and shall be a Spanish Mission or Mediterranean style. (BLDG PERMIT: BLDG - Zoning - Planning)
6. All signage shall be designed and constructed in accordance with Section 5 - "Signage Guidelines" of the Boynton Beach Turnpike Interchange Corridor - Design Guidelines and Standards Manual, dated November 12, 1996 (BLDG PERMIT: BLDG - Planning)
7. All landscaping shall be subject to the Boynton Beach Turnpike Interchange Corridor - Design Guidelines and Standards Manual, dated November 12, 1996. All trees within the perimeter landscape buffers shall be provided at a maximum of one per twenty-five (25) linear feet. (CO/ONGOING: LANDSCAPE-Planning)

L. SIGNS

1. Freestanding signs fronting on Enterprise Center Boulevard shall be limited as follows:
 - a. maximum sign height, measured from finished grade to highest point - ten (10) feet;
 - b. maximum total sign face area - 100 square feet;
 - c. maximum number of signs - one (1);
 - d. style - monument style only; and,
 - e. location - within fifty (50) feet of main entrance;
 - f. Signs shall be limited to identification of tenants only. (CO: BLDG-Zoning)
2. Project identification 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 - one hundred (100) square feet;
 - c. maximum number of signs for the entire site - two (2);
 - d. style - monument style only; and,
 - e. location - at the intersection of Enterprise Center Circle and Enterprise Center Boulevard; at the intersection of Enterprise Center Boulevard and Venture Center Way;
 - f. Signs shall be limited to identification of the project only, and not for individual tenants. (CO: BLDG-Zoning)

3. Wall signs shall be limited to north and east facades of the building and individual lettering size shall be limited to twenty-four (24) inches high. Wall signs shall be limited to only identification of tenants only. (CO: BLDG-Zoning)

M. COMPLIANCE

1. 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)
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; 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. (ONGOING: MONITORING - Zoning)