

RESOLUTION R-2014- 0726

RESOLUTION CORRECTING RESOLUTION R-2013-1761
(CONTROL NO. 2007-00018)
RESOLUTION APPROVING ZONING APPLICATION OF
Garrison West Palm Retail LLC
Shoppes at Southern Palms
APPLICATION CRB-2014-00755

WHEREAS, Garrison West Palm Retail LLC, petitioned the Palm Beach County Board of County Commissioners on December 5, 2013 for Development Order Amendment to reconfigure the Site Plan and add square footage; and

WHEREAS, Resolution R-2013-1761, adopted on December 5, 2013 confirming the action of the Board of County Commissioners inadvertently contained errors (missing Conditions of Approval) in Exhibit C; and

WHEREAS, Exhibit C of Resolution R-2013-1761, should have read as shown on attached Exhibit C.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. Exhibit C of Resolution R-2013-1761 is hereby corrected.

Commissioner Burdick moved for the approval of the Resolution.

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

Commissioner Steven L. Abrams, Mayor	- Aye
Commissioner Priscilla A. Taylor, Vice Mayor	- Aye
Commissioner Hal R. Valeche	- Aye
Commissioner Paulette Burdick	- Aye
Commissioner Shelley Vana	- Aye
Commissioner Mary Lou Berger	- Aye
Commissioner Jess R. Santamaria	- Aye

The Chairperson thereupon declared the resolution was duly passed and adopted on May 22, 2014.

Filed with the Clerk of the Board of County Commissioners on June 11th, 2014


This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



CONDITIONS OF APPROVAL

EXHIBIT C

Corrective Resolution - BCC

ALL PETITIONS

1. Previous All Petitions condition 1 of Resolution R-2013-1761, Control No.2007-00018, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2007-1879 (Control No. 2007-00018), 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 or Zoning Commission, unless expressly modified.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolutions R-2007-1879 and R-2013-1761 (Control No. 2007-00018), 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 or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Previous All Petitions Condition 1 of Resolution R-2007-1879 (Control No. 2007-00018), which currently states:

Development of the site is limited to the site design as approved by the Board of County Commissioners. The approved site plan is dated September 28, 2007. 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- Zoning.)

Is hereby amended to read:

The approved Preliminary Site Plan is dated July 29, 2013. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

3. Prior to final approval by the Development Review Officer (DRO), the site plan shall be revised to indicate all the existing drainage and utility easements. The site plan shall also indicate the easements to be retained or abandoned. (Previous All Petitions Condition 2 of R-2007-1879 (Control No. 2007-00018) (DRO: ZONING - Zoning) [Note: COMPLETED])

4. Prior to the issuance of a building permit, all easements that conflict with the location of a proposed structure or a landscape buffer shall be abandoned or relocated. (Previous All Petitions Condition 3 of R-2007-1879 (Control No. 2007-00018) (BLDG PERMIT: BLDG - Zoning) [Note: COMPLETED])

ARCHITECTURAL REVIEW

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the architectural elevations for the development shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW -Zoning) (Previous Condition Architectural Review 1 of Resolution R-2007-01879, Control No. 2007-00018).

2. Design of gutters and downspouts shall be integrated into the architectural design of each building. Painting of the gutters and downspouts shall not constitute architectural integration. (DRO: ARCH REVIEW- Zoning) (Previous Condition Architectural Review 2 of R-2007-1879, Control No. 2007-00018)

3. Building F shall be generally consistent with the elevations received on June 24, 2013. Modifications to the elevations inconsistent with the Conditions of Approval, or changes beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (Previous Condition Architectural Review 3 of R-2013-1761, Control No. 2007-00018) (ONGOING: ZONING - Zoning)

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2017. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING-Eng)

b. Building Permits for more than 6,800 square feet of gross leasable General Commercial floor area shall not be issued until the contract has been awarded for the following intersection improvements:

- i. construction of dual left turn lanes north approach on Lyons Road at Forest Hill Blvd. plus the appropriate paved tapers and receiving lanes.
- ii. construction of a right turn lane north approach on Sansbury's Way at Southern Blvd. plus the appropriate paved tapers and receiving lanes. (BLDG PERMIT: MONITORING-Eng) [Note: COMPLETED]

c. No Building Permits for the site shall be issued until the Property Owner makes a proportionate share payment in the amount of 7.54% of the total cost of the following improvements at the intersection of Southern Blvd. and Sansbury's Way:

- i. modify the north approach to make a total of two (2) left turn lanes, two (2) through lanes, and one (1) right turn lane,
- ii. modify the south approach to make a total of two (2) left turn lanes, two (2) through lanes, and two (2) right turn lanes,
- iii. modify the west approach to make a total of two (2) left turn lanes, four (4) through lanes, and one (1) right turn lane, and
- iv. modify the east approach to make a total of two (2) left turn lanes, four (4) through lanes, and one (1) right turn lane.

These modifications will also require widening of the Lyons Road bridge on the south approach to accommodate the receiving lanes as well as all necessary tapers. This proportionate share amount may be applied toward construction of this improvement or one or more other improvements that will benefit the mobility in the area impacted by the project, as determined by the County Engineer and/or the Florida Department of Transportation. The value of the improvement shall be based on an engineer's certified cost estimate provided by the applicant and approved by the County Engineer or other

method approved by the County Engineer at the time of payment. (Previous ENGINEERING Condition 1 of R-2013-1761, Control No. 2007-00018) (BLDG PERMIT: MONITORING - Eng)

2. Acceptable surety required for the offsite intersection improvements as outlined in Engineering condition number 1.b above shall be posted with the Office of the Land Development Division on or before February 23, 2008. Surety in the amount of 110% shall be based upon a Certified Cost Estimate provided by the Property owner's Engineer. (TPS - Maximum 6 month time extension) (DATE:MONITORING-Eng) (Previous ENGINEERING Condition 2 of R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

3. CORRIDOR CONVEYANCE OF RIGHT OF RIGHT OF WAY

The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

- Sansbury's Way 60 feet from centerline
- Expanded Intersection Detail along Sansbury's Way at Southern Boulevard, 64 feet from centerline plus the appropriate taper.

All right of way deed(s) and associated documents shall be provided and approved prior to January 1, 2008 or prior to the issuance of a Building Permit whichever shall first occur.

Right of way conveyance shall be along the entire frontage and shall be free of all encroachments and encumbrances. 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. The Property Owner further warrants 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 "Corner Clips." The Property Owner shall not record these required deeds or related documents. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (DATE/BLDG. PERMIT: MONITORING-Eng) (Previous ENGINEERING Condition 3 of R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

4. Prior to issuance of the first building permit, the Property Owner shall provide a temporary roadway construction easement along Sansbury's Way to Palm Beach County. This roadway construction easement shall contain an isosceles trapezoid connecting the required corner clips across this Property Owner's entrance road right of way. Construction within this easement shall conform to Palm Beach County Standards. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches, and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDG PERMIT:MONITORING-Eng) (Previous ENGINEERING Condition 4 of Resolution R-2013-1761, Control No. 2007-00018) [Note:COMPLETED]

5. Prior to the issuance of a building permit, the Property Owner shall provide to Palm Beach County Land Development Division by warranty deed additional right of way for the construction of a right turn lane on:

- Sansbury's Way at the project's south entrance road.
- Southern Boulevard at the project's east entrance road.
- Southern Boulevard at the project's west entrance road.

This right-of-way shall be a minimum of 280 feet in storage length, twelve feet in width and a taper length of 50 feet or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and shall include "Corner Clips" where appropriate as determined by the County Engineer. 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. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches, and dedication documents, Palm Beach County shall record all appropriate deeds and documents (BLDG PERMIT: MONITORING-Eng) (Previous ENGINEERING Condition 5 of Resolution R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

6. The Property Owner shall construct:

i. a right turn lane east approach on Southern Boulevard at both the projects east and west entrance road

ii. a right turn lane south approach on Sansbury's Way at the projects south entrance road

iii. left turn lane north approach on Sansbury's Way at both the projects north and south entrance road

iv. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. 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) (Previous ENGINEERING Condition 6.a of Resolution R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng) (Previous ENGINEERING Condition 6.B of Resolution R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

7. On or before January 1, 2009, the Property Owner shall provide to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Sansbury's Way along the property frontage; and a maximum 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient retention/detention, compensating storage within this projects retention system as required by all permitting agencies, and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer, the Property Owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches, and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (DATE:MONITORING-Eng)

(Previous ENGINEERING Condition 7 of Resolution R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

8. Landscape Within the Median of Southern Boulevard

a. The Property Owner shall design, install, and perpetually maintain the median landscaping within the median of all abutting right of way of Southern Boulevard. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioners approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph d below. (ONGOING: ENG-Eng) (Previous ENGINEERING Condition 8.a of Resolution R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

b. The necessary permit(s) for this landscaping and irrigation shall be applied for prior to the issuance of the first building permit. (BLDG PERMIT: MONITORING-Eng) (Previous ENGINEERING Condition 8.b of Resolution R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

c. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (CO: MONITORING -Eng) (Previous ENGINEERING Condition 8.c of Resolution R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

d. At Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner. (ONGOING: ENG-Eng) (Previous ENGINEERING Condition 8.d of Resolution R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

e. Alternately, at the option of the Property Owner, and prior to the issuance of a Building Permit, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beautification program. This payment, for the County's installation of landscaping and irrigation on qualifying thoroughfares shall be based on the project's front footage along Southern Boulevard. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (ONGOING: ENG-Eng) (Previous ENGINEERING Condition 8.e of Resolution R-2013-1761, Control No. 2007-00018) [Note: COMPLETED]

9. The Property Owner shall restripe the north approach of the intersection of Southern Blvd and Benoist Farms Rd to include one left turn lane and one shared left/through/right lane consistent with Palm Beach County standards within sixty (60) days notice from the County Engineer. Any and all costs associated with this work 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. (Previous ENGINEERING Condition 9 of R-2013-1761, Control No. 2007-00018) (ONGOING: ENGINEERING-Eng)

LANDSCAPING-STANDARDS

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be

prepared in compliance with all landscape related conditions of approval as contained herein. (Previous Landscape-Standard Condition 1 of R-2007-1879 (Control No. 2007-00018) (BLDG PERMIT: LANDSCAPE - Zoning) [NOTE: COMPLETED]

2. A minimum of fifty (50) percent of all trees to be planted in the landscape buffers shall meet the following minimum standards at installation:

- a. tree height: Fourteen (14) feet;
- b. trunk diameter: three and one-half (3.5) inches measured at four and one-half (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 three and one-half (3.5) feet in length; and,
- d. credit may be given for existing or relocated trees provided they meet ULDC requirements. (Previous Landscape-Standard Condition 2 of R-2007-1879 (Control No. 2007-00018) (BLDG PERMIT: LANDSCAPE - Zoning)

3. All palms required to be planted on the property 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. (Previous Landscape-Standard Condition 3 of Resolution R-2007-00018, Control No. 2007-00018) (BLDG PERMIT: LANDSCAPE - Zoning)

4. Field adjustment of berm and plant material locations may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings and existing vegetation. (Previous Landscape-Standard Condition 4 of Resolution R-2007-1879 (Control No. 2007-00018) (BLDG PERMIT: LANDSCAPE - Zoning)

LANDSCAPING ALONG THE SOUTH AND WEST PROPERTY LINES (ABUTTING SOUTHERN BOULEVARD AND SANSBURY'S WAY)

5. In addition to code requirements, the landscape buffers along the south and west property lines shall be upgraded to include:

- a. a two (2) to three (3) foot high undulating berm with an average height of two and one-half (2.5) feet; and,
- b. one (1) palm or pine tree for each twenty (20) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (Previous Landscaping along the South and West Property Lines Condition 5 of Resolution R-2007-1879 (Control No. 2007-00018) (BLDG PERMIT: LANDSCAPE- Zoning)

6. Prior to final approval by the Development Review Officer (DRO), the plan(s) shall be revised to show the following shade structures in each location:

- a. a minimum of two (2) trellis along the western access driveway of Southern Boulevard and the southern access driveway of Sansbury's Way. These trellis structures shall be located both sides of the western access point of Southern Boulevard and both sides of the southern access point of Sansbury's Way. Trellis shall have a minimum of nine (9) feet in length and eleven (11) feet in width;
- b. a minimum of two (2) trellis/gazebo along the western access driveway of Southern Boulevard These trellis/gazebo structures shall be located adjacent to the north end of the main parking lot area. Trellis/ gazebo shall have a minimum dimension of nine (9) feet in length and twenty-nine (29) feet in width;
- c. design/details of these structures shall be consistent with the structures as shown on the Regulating Plan dated September 19, 2007. (Previous Landscaping along the South and West Property Lines Condition 6 of Resolution R-2007-1879 (Control No. 2007-00018) (DRO: ZONING-Zoning) [NOTE: COMPLETED]

7. Special planting treatment shall be provided in the following locations and shall include:

a. One (1) specimen Medjool or Canary Date Palm on both sides of each of the access points of Southern Boulevard and Sansbury's Way, and also on the southwest corner of Building F. (Previous Landscaping along the South and West Property Lines Condition 7 of Resolution R-2007-1879 (Control No. 2007-00018) (BLDG PERMIT: LANDSCAPE - Zoning))

8. Special planting treatment shall be provided in the following locations and shall include:

a. Royal Palms or a similar species acceptable to the Landscape Section shall be planted in the median of the access point of Sansbury's Way, and along both sides of the western access driveway of Southern Boulevard for a minimum length of three hundred and thirty (330) feet;

b. Each palm shall be planted at a maximum spacing of thirty (30) apart. Palms shall have a minimum height of twenty (20) feet with a minimum greywood of twelve (12) feet. (Previous Landscaping along the South and West Property Lines Condition 8 of Resolution R-2007-1879 (Control No. 2007-00018) (BLDG PERMIT: LANDSCAPE - Zoning))

9. Prior to final approval by the Development Review Officer (DRO), the site plan shall be revised to show a focal point in the midpoint of the western access driveway of Southern Boulevard. The focal point shall include, but not limited to, a fountain; a bell tower; a plaza or a decorative paving pattern that reflects the architectural theme of the principal structures. If a paving pattern is being provided, paving should consist of a minimum area of 1,960 square feet with a minimum radius of twenty-five (25) feet. Details of this focal point shall be subject to the Architectural Review Section for review and approval. (Previous Landscaping along the South and West Property Lines Condition 9 of Resolution R-2007-01879, Control No. 2007-00018) (DRO: ARCH REVIEW-Zoning) [NOTE: COMPLETED]

10. Decorative pavers or stamped concrete shall be provided along the internal driveway in areas where shown on the site plan dated September 28, 2007. The property owner shall also provide additional decorative paving in two other areas as follows:

a. a minimum of 3,000 square feet at the Sansbury's Way access driveway; and,
b. A minimum of 3,000 square feet at the drive aisle adjacent to the south entrance area of Building B. (Previous Landscaping along the South and West Property Lines Condition 10 of Resolution R-2007-01879, Control No. 2007-00018) (DRO: ZONING-Zoning) [NOTE: COMPLETED]

11 . Prior to final approval by the Development Review Officer (DRO), the site plan shall be revised to show a divider median between each drive thru lane of Bank Building G, and as follows:

a. a minimum width of five (5) feet, excluding curb;
b. a minimum length of eighty (80) feet;
c. each end of the median shall have a minimum five (5) feet by five (5) feet of planting area extended beyond the boundary of the overhead canopy;
d. one (1) palm tree with a minimum ten (10) feet of greywood and appropriate ground cover shall be installed in each planting area; and,
e. the remaining portion of the median shall be paved with decorative paving such as precast concrete pavers, stamped concrete or any other materials acceptable to the Landscape Section. (Previous Landscaping along the South and West Property Lines Condition 11 of Resolution R-2007-1879, Control No. 2007-00018) (DRO: LANDSCAPE-Zoning) [NOTE: COMPLETED]

12. The property owner may replace the tree diamonds that are adjacent to the pedestrian walkway located in the southeast parking lot. If any of the tree diamonds are

eliminated, the property owner shall provide a minimum of two (2) trellis structures. The trellis dimensions shall be consistent and pursuant to Landscape Condition 6.a. Prior to final approval by the-Development Review Officer (DRO), the property owner may revise the site plan to reflect this option. (Previous Landscaping along the South and West Property Lines Condition 12 of Resolution R-2007-01879, Control No. 2007-00018) (DRO: LANDSCAPE - Zoning) [NOTE: COMPLETED]

LIGHTING

1. All outdoor lighting shall be extinguished no later than 11:30 p.m. excluding security lighting only. (Previous Lighting Condition 1 of Resolution R-2007-01879, Control No. 2007-00018) (ONGOING: CODE ENF- Zoning)

2. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (Previous Lighting Condition 2 of Resolution R-2007-01879, Control No. 2007-00018) (ONGOING: CODE ENF- Zoning)

PLANNING

1. Per LGA 2004-007, Ordinance 2004-029, Development shall be limited to a 0.22 Floor Area Ratio (FAR) for a maximum 321,037 gross buildable square footage for this 33.52 acre site. (ONGOING: PLANNING-Planning)

SIGNS

1. Freestanding signs fronting on Southern Boulevard shall be limited as follows:

- a. maximum number of signs- three (3);
- b. location - shall be as shown on the approved site plan dated September 28, 2007; sign 'A' near the eastern property line, sign 'B' near the central entrance and sign 'C'- near the western property line.
- c. maximum sign height, measured from finished grade to highest point -shall be twelve (12) feet for sign 'A'; twelve (12) feet for sign 'B' and eight (8) feet for sign 'C';
- d. maximum sign face area per side - shall be eighty square feet (80) feet for sign 'C' and one hundred twenty square feet (120) feet for signs 'A' and 'B'; and
- e. style - monument style only. (Previous Sign Condition 1 of R-2007-1879 (Control No. 2007-00018) (BLDG PERMIT: BLDG - Zoning)

2. Freestanding signs fronting on Sansbury's Way shall be limited as follows:

- a. maximum number of signs- two (2);
- b. location - shall be as shown on the approved site plan dated September 28, 2007; sign 'D' south of the entrance, sign 'E' north of the entrance.
- c. maximum sign height, measured from finished grade to highest point - shall be twelve (12) feet for sign 'D' and eight (8) feet for signs 'E';
- d. maximum sign face area per side - shall be one hundred twenty square feet (120) feet for sign 'D' and eighty square feet (80) feet for sign 'E'; and
- e. style- monument style only. (Previous Sign Condition 2 of R-2007-1879 (Control No. 2007-00018) (BLDG PERMIT: BLDG- Zoning)

USE LIMITATIONS

1. Outdoor retail business activities shall not be allowed on the property, excluding activities approved by a Special Permit, deliveries and drive-thru activities only. (Previous Use Limitation Condition 1 of Resolution R-2007-01879, Control No. 2007-00018) (ONGOING: CODE ENF- Zoning)

2. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site, except within designated loading and delivery areas. (Previous Use Limitation Condition 2 of Resolution R-2007-01879, Control No. 2007-00018) (ONGOING: CODE ENF- Zoning)