

RESOLUTION NO. R-2025- 1300

RESOLUTION APPROVING ZONING APPLICATION DOA/CA-2025-00415
(CONTROL NO. 1984-00132)
a Development Order Amendment
APPLICATION OF Somerset Shoppes Fla LLC
BY Becker & Poliakoff, AGENT
(Somerset Shoppes)

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 applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA/CA-2025-00415 was presented to the Board of County Commissioners at a public hearing conducted on September 25, 2025;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, the recommendations of the various County Review Agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC 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:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application DOA/CA-2025-00415, the Application of Somerset Shoppes Fla LLC, by Becker & Poliakoff, Agent, for a Development Order Amendment to modify the overall Site Plan on 19.17 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on September 25, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Sachs moved for the approval of the Resolution.

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

Commissioner Maria G. Marino, Mayor	- Aye
Commissioner Sara Baxter, Vice Mayor	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Joel G. Flores	- Aye
Commissioner Marci Woodward	- Aye
Commissioner Maria Sachs	- Aye
Commissioner Bobby Powell, Jr.	- Absent

The Mayor thereupon declared that the resolution was duly passed and adopted on September 25, 2025.

Filed with the Clerk of the Board of County Commissioners on September 25, 2025

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

MICHAEL A CARUSO,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

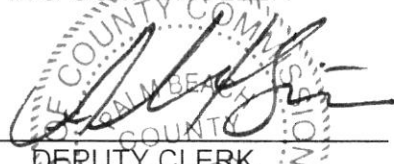
BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

PARCEL I (FEE SIMPLE)

A PORTION OF TRACTS 49, 50, 51, 52, 53, 54 AND 55, BLOCK 76, "PALM BEACH FARMS CO., PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE RIGHT-OF-WAY FOR LYONS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 2870, PAGE 1761 OF AFORESAID PUBLIC RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL; THENCE NORTH, A DISTANCE OF 38.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE WEST, A DISTANCE OF 329.98 FEET; THENCE SOUTH 13.00 FEET; THENCE WEST 930.31 FEET; THENCE NORTH 40.00 FEET; THENCE N 43°30'00" W, A DISTANCE OF 36.27 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF LYONS ROAD, THE LAST FIVE COURSES DESCRIBED BEING COINCIDENT WITH THE NORTH RIGHT-OF-WAY LINE OF GLADES ROAD (STATE ROAD 808); THENCE NORTH 03°00'00" EAST, A DISTANCE OF 344.78 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 3873.72 FEET, AN ARC DISTANCE OF 202.83 FEET TO THE POINT OF TANGENCY; THENCE NORTH, A DISTANCE OF 539.79 FEET, THE LAST THREE COURSES DESCRIBED BEING COINCIDENT WITH THE SAID EAST RIGHT-OF-WAY LINE, SAID POINT BEING ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH FROM THE LAST DESCRIBED POINT; THENCE EASTERLY AND NORTHERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 29.55 FEET; THENCE NORTH 89°10'20" EAST, A DISTANCE OF 241.06 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 140.00 FEET, AN ARC DISTANCE OF 176.43 FEET TO THE POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 315.00 FEET, AN ARC DISTANCE OF 161.91 FEET TO THE POINT OF REVERSE CURVATURE; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 60.00 FEET, AN ARC DISTANCE OF 44.02 FEET TO THE POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 400.00 FEET, AN ARC DISTANCE OF 251.31 FEET TO THE POINT OF REVERSE CURVATURE; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 335.00 FEET, AN ARC DISTANCE OF 165.07 FEET TO THE POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 197.51 FEET, AN ARC DISTANCE OF 359.29 FEET TO THE POINT OF REVERSE CURVATURE; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 185.00 FEET, AN ARC DISTANCE OF 87.88 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°11'23" EAST, A DISTANCE OF 207.46 FEET TO A POINT ON THE EAST LINE OF THE ABOVE DESCRIBED PARCEL; THENCE SOUTH, ALONG SAID EAST LINE, A DISTANCE OF 416.91 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL: (ADDITIONAL GLADES ROAD R/W)

BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL; THENCE WEST, A DISTANCE OF 329.98 FEET; THENCE SOUTH A DISTANCE OF 13.00 FEET; THENCE WEST, A DISTANCE OF 930.31 FEET; THENCE NORTH 48.00 FEET; THENCE WEST, A DISTANCE OF 1.61 FEET, THE LAST FIVE COURSES DESCRIBED BEING COINCIDENT WITH THE NORTH RIGHT-OF-WAY LINE OF GLADES ROAD (STATE ROAD 808); THENCE NORTH, A DISTANCE OF 12.69 FEET, THE LAST COURSE DESCRIBED BEING COINCIDENT WITH THE EAST RIGHT-OF-WAY LINE OF LYONS ROAD; THENCE SOUTH 43 DEGREES 30 MINUTES 00 SECONDS EAST, A DISTANCE OF 17.50 FEET; THENCE EAST, A DISTANCE OF 500.00 FEET; THENCE SOUTH 88°51'15" EAST, A DISTANCE OF 400.08 FEET; THENCE EAST, A DISTANCE OF 349.86 FEET; THENCE SOUTH, A DISTANCE OF 27.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

AND LESS THE FOLLOWING DESCRIBED PARCEL: (ADDITIONAL LYONS ROAD R/W)

COMMENCING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL; THENCE WEST, A DISTANCE OF 329.98 FEET; THENCE SOUTH 13.00 FEET; THENCE WEST, A DISTANCE OF 930.31 FEET; THENCE NORTH 40.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 43°30'00" WEST, A DISTANCE OF 36.27 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF LYONS ROAD; THENCE NORTH 03°00'00" EAST, A DISTANCE OF 344.78 FEET TO THE POINT OF CURVATURE OF

A CIRCULAR CURVE TO THE LEFT; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 3873.72 FEET, AN ARC DISTANCE OF 202.83 FEET TO THE POINT OF TANGENCY; THENCE NORTH, A DISTANCE OF 260.92 FEET, THE LAST FIVE COURSES DESCRIBED BEING COINCIDENT WITH THE EAST RIGHT-OF-WAY LINE OF LYONS ROAD; THENCE SOUTH 01°08'46" EAST, A DISTANCE OF 400.60 FEET; THENCE SOUTH 03°00'00" WEST, A DISTANCE OF 400.00 FEET; THENCE SOUTH 43°30'00" EAST, A DISTANCE OF 18.77 FEET; THENCE SOUTH, A DISTANCE OF 12.69 FEET; THENCE EAST, A DISTANCE OF 1.61 FEET; THENCE SOUTH, A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

AND LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT 55; THENCE NORTH, A DISTANCE OF 65.00 FEET; THENCE WEST, A DISTANCE OF 349.86 FEET; THENCE NORTH 88°51'15" WEST, A DISTANCE OF 400.08 FEET; THENCE WEST, A DISTANCE OF 315.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE WEST, A DISTANCE OF 185.00 FEET; THENCE NORTH 43°30'00" WEST, A DISTANCE OF 36.27 FEET; THENCE NORTH 03°00'00" EAST, A DISTANCE OF 187.34 FEET; THENCE EAST, A DISTANCE OF 200.16 FEET; THENCE SOUTH, A DISTANCE OF 213.39 FEET TO THE POINT OF BEGINNING.

PARCEL II: (EASEMENT)

BENEFICIAL, NON-EXCLUSIVE EASEMENT RIGHTS SET FORTH IN IRRIGATION EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 5774, PAGE 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR IRRIGATION OF ALL LANDSCAPING AND SOD LOCATED ON THE SOMERSET LAND OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED LANDS;

A PARCEL OF LAND 12.00 FEET WIDE LYING IN BLOCK 76, "PALM BEACH FARMS CO., PLAT NO. 3", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING 6.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT 55 OF SAID BLOCK 76; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 454.90 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 23 SECONDS WEST A DISTANCE OF 207.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 185.00 FEET AND A CENTRAL ANGLE OF 27 DEGREES 13 MINUTES 04 SECONDS; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 87.88 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 197.51 FEET AND A CENTRAL ANGLE OF 104 DEGREES 13 MINUTES 35 SECONDS; THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 359.29 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 335.00 FEET AND A CENTRAL ANGLE OF 28 DEGREES 13 MINUTES 58 SECONDS; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 165.07 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 35 DEGREES 59 MINUTES 49 SECONDS; THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 251.31 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST; HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 42 DEGREES 02 MINUTES 06 SECONDS; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 19 DEGREES 26 MINUTES 59 SECONDS, A DISTANCE OF 20.37 FEET TO THE POINT OF BEGINNING "EE"; THENCE NORTH 63 DEGREES 01 MINUTES 48 SECONDS EAST, A DISTANCE OF 54.94 FEET TO A POINT OF TERMINATION.

PARCEL III: (EASEMENT)

BENEFICIAL, NON-EXCLUSIVE EASEMENT RIGHTS SET FORTH IN RETENTION RIGHT, DRAINAGE FLOWAGE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 5774, PAGE 19 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR THE DRAINAGE AND FLOW OF WATERS FROM THE SOMERSET LANDS OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED LANDS:

A) A PARCEL OF LAND 12.00 FEET WIDE LYING IN BLOCK 76, "PALM BEACH FARMS CO., PLAT NO. 3", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING 6.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT 55 OF SAID BLOCK 76; THENCE

NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 454.90 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 23 SECONDS WEST A DISTANCE OF 207.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 185.00 FEET AND A CENTRAL ANGLE OF 27 DEGREES 13 MINUTES 04 SECONDS; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 87.88 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 197.51 FEET AND A CENTRAL ANGLE OF 104 DEGREES 13 MINUTES 35 SECONDS; THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 14 DEGREES 58 MINUTES 43 SECONDS, A DISTANCE OF 31.63 FEET TO POINT OF BEGINNING "AA"; THENCE NORTH 13 DEGREES 36 MINUTES 55 SECONDS WEST A DISTANCE OF 151.26 FEET TO A POINT OF TERMINATION.

B) A PARCEL OF LAND 12.00 FEET WIDE LYING IN BLOCK 76, "PALM BEACH FARMS CO., PLAT NO. 3", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING 6.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT 55 OF SAID BLOCK 76; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 454.90 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 23 SECONDS WEST A DISTANCE OF 207.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 185.00 FEET AND A CENTRAL ANGLE OF 27 DEGREES 13 MINUTES 04 SECONDS; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 87.88 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 197.51 FEET AND A CENTRAL ANGLE OF 104 DEGREES 13 MINUTES 35 SECONDS; THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 73 DEGREES 50 MINUTES 11 SECONDS A DISTANCE OF 254.53 FEET TO POINT OF BEGINNING "BB"; THENCE NORTH 43 DEGREES 54 MINUTES 34 SECONDS EAST A DISTANCE OF 65.19 FEET TO A POINT OF TERMINATION.

C) A PARCEL OF LAND 12.00 FEET WIDE LYING IN BLOCK 76, "PALM BEACH FARMS CO., PLAT NO. 3", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING 6.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT 55 OF SAID BLOCK 76; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 454.90 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 23 SECONDS WEST A DISTANCE OF 207.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 185.00 FEET AND A CENTRAL ANGLE OF 27 DEGREES 13 MINUTES 04 SECONDS; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 87.88 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 197.51 FEET AND A CENTRAL ANGLE OF 104 DEGREES 13 MINUTES 35 SECONDS; THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 359.29 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 335.00 FEET AND A CENTRAL ANGLE OF 28 DEGREES 13 MINUTES 58 SECONDS; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 21 DEGREES 53 MINUTES 20 SECONDS A DISTANCE OF 127.98 FEET TO POINT OF BEGINNING "CC"; THENCE NORTH 56 DEGREES 23 MINUTES 14 SECONDS EAST A DISTANCE OF 65.73 FEET TO A POINT OF TERMINATION.

D) A PARCEL OF LAND 12.00 FEET WIDE LYING IN BLOCK 76, "PALM BEACH FARMS CO., PLAT NO. 3", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING 6.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT 55 OF SAID BLOCK 76; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 454.90 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 23 SECONDS WEST A DISTANCE OF 207.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 185.00 FEET AND A CENTRAL ANGLE OF 27 DEGREES 13 MINUTES 04 SECONDS; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 87.88 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 197.51 FEET AND A CENTRAL ANGLE OF 104 DEGREES 13 MINUTES 35 SECONDS; THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 359.29 FEET TO A POINT OF REVERSE

CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 335.00 FEET AND A CENTRAL ANGLE OF 28 DEGREES 13 MINUTES 58 SECONDS; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 165.07 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 35 DEGREES 59 MINUTES 49 SECONDS; THENCE NORTHWESTERLY ALONG SAID CURVE AND THROUGH A CENTRAL ANGLE OF 21 DEGREES 29 MINUTES 46 SECONDS A DISTANCE OF 150.07 FEET TO POINT OF BEGINNING "DD"; THENCE NORTH 71 DEGREES 25 MINUTES 37 SECONDS EAST A DISTANCE OF 66.03 FEET TO A POINT OF TERMINATION.

E) A PARCEL OF LAND 20.00 FEET WIDE LYING IN BLOCK 76, "PALM BEACH FARMS CO., PLAT NO. 3", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING 10.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT 55 OF SAID BLOCK 76; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 454.90 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 23 SECONDS WEST A DISTANCE OF 207.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 185.00 FEET AND A CENTRAL ANGLE OF 27 DEGREES 13 MINUTES 04 SECONDS; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 87.88 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 197.51 FEET AND A CENTRAL ANGLE OF 104 DEGREES 13 MINUTES 35 SECONDS; THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 359.29 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 335.00 FEET AND A CENTRAL ANGLE OF 28 DEGREES 13 MINUTES 58 SECONDS; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 165.07 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 35 DEGREES 59 MINUTES 49 SECONDS; THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 251.31 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 42 DEGREES 02 MINUTES 06 SECONDS; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 44.02 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 315.00 FEET AND A CENTRAL ANGLE OF 29 DEGREES 27 MINUTES 04 SECONDS; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND THROUGH A CENTRAL ANGLE OF 05 DEGREES 02 MINUTES 16 SECONDS A DISTANCE OF 27.70 FEET TO POINT OF BEGINNING "FF"; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT OF TERMINATION.

F) PARCELS OF LAND 20.00 FEET IN WIDTH LYING IN TRACTS 50 AND 51, BLOCK 76, "PALM BEACH FARMS CO., PLAT NO. 3", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING 10.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT 55 OF SAID BLOCK 76; THENCE NORTH A DISTANCE OF 65.00 FEET TO A POINT ON THE ULTIMATE NORTHERLY RIGHT-OF-WAY LINE OF GLADES ROAD; (1) THENCE WEST A DISTANCE OF 349.86 FEET; (2) THENCE NORTH 88 DEGREES 51 MINUTES 15 SECONDS WEST, A DISTANCE OF 400.08 FEET; (3) THENCE WEST, A DISTANCE OF 500.00 FEET; THE THREE (3) PREVIOUSLY DESCRIBED COURSES BEING COINCIDENT WITH THE ULTIMATE NORTHERLY RIGHT-OF-WAY LINE OF GLADES ROAD; (1) THENCE NORTH 43 DEGREES 30 MINUTES 00 SECONDS WEST A DISTANCE OF 36.27 FEET; (2) THENCE NORTH 03 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 400.00 FEET; (3) THENCE NORTH 01 DEGREES 08 MINUTES 46 SECONDS WEST A DISTANCE OF 400.60 FEET; (4) THENCE NORTH A DISTANCE OF 395.71 FEET; THE FOUR (4) PREVIOUSLY DESCRIBED COURSES BEING COINCIDENT WITH THE EASTERLY RIGHT-OF-WAY LINE OF LYONS ROAD; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 177.92 FEET TO POINT OF BEGINNING "A"; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 101.22 FEET TO A POINT OF TERMINATION. THE SIDELINES OF SAID 20 FEET WIDE EASEMENTS ARE TO BE EXTENDED OR SHORTENED TO MEET AT ANGLE POINTS AND TO MEET THE DEEDED PROPERTY LINES, TRACT LINES, AND THE LAKE WORTH DRAINAGE DISTRICT CANAL L-45 RIGHT-OF-WAY.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 834,955 SQUARE FEET (19.168 ACRES), MORE OR LESS.

LEGAL DESCRIPTION: (MORE PARTICULARLY DESCRIBED AS NAD 83/90)

A PORTION OF TRACTS 49, 50, 51, 52, 53, 54 AND 55, BLOCK 76, "PALM BEACH FARMS CO., PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT 55; THENCE NORTH 00°23'54" WEST ALONG THE EAST LINE OF SAID TRACT 55 FOR 65.00 FEET TO THE POINT OF BEGINNING AND POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF GLADES ROAD (STATE ROAD NO. 808); THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) DESCRIBED COURSES AND DISTANCES; (1) SOUTH 89°36'06" WEST 349.85 FEET; (2) NORTH 89°15'09" WEST 400.08 FEET; (3) SOUTH 89°36'06" WEST 315.01 FEET; THENCE NORTH 00°23'54" WEST 213.39 FEET; THENCE SOUTH 89°36'06" WEST 200.16 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF LYONS ROAD; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) DESCRIBED COURSES AND DISTANCES; (1) NORTH 02°36'06" EAST 212.66 FEET; (2) NORTH 01°32'40" WEST 400.60 FEET; (3) NORTH 00°23'55" WEST ALONG A RADIAL LINE TO FOLLOWING DESCRIBED CURVE 278.87 FEET TO A POINT ON A CIRCULAR NON-TANGENT CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 56°25'54", FOR AN ARC DISTANCE OF 29.55 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 88°46'26" EAST 241.06 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 140.00 FEET, A CENTRAL ANGLE OF 72°12'14", FOR AN ARC DISTANCE OF 176.43 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 315.00 FEET, A CENTRAL ANGLE OF 29°26'58", FOR AN ARC DISTANCE OF 161.91 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 42°02'18", FOR AN ARC DISTANCE OF 44.02 FEET TO A POINT OF REVERSE CURVATURE OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF 35°59'50", FOR AN ARC DISTANCE OF 251.31 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 335.00 FEET, A CENTRAL ANGLE OF 28°13'55", FOR AN ARC DISTANCE OF 165.07 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 197.51 FEET, A CENTRAL ANGLE OF 104°13'37", FOR AN ARC DISTANCE OF 359.29 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHERLY; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 185.00 FEET, A CENTRAL ANGLE OF 27°12'59", FOR AN ARC DISTANCE OF 87.88 FEET TO A POINT OF TANGENCY; THENCE NORTH 88°47'25" EAST 207.49 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID TRACT 55; THENCE SOUTH 00°23'54" EAST ALONG SAID EAST LINE 389.91 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 834,955 SQUARE FEET (19.168 ACRES), MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

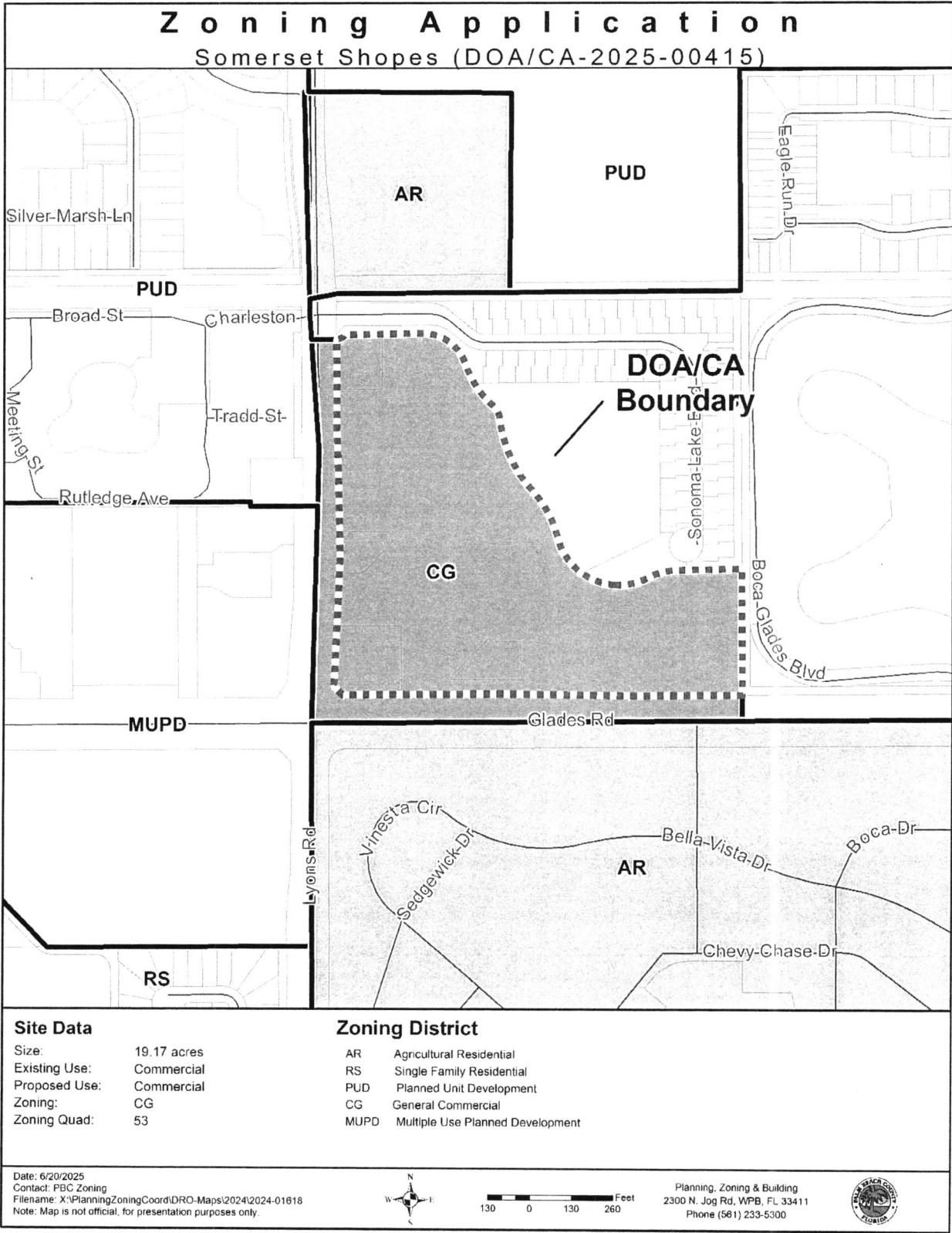


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment – Overall MUPD, and the Special Exceptions for Financial Institution with drive-up teller windows, Automobile Service Station with accessory mechanical repair, and an Auto Service Station (gas)

ALL PETITIONS

1. The approved Preliminary Site Plan is dated August 7, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

2. Previous Condition 1 of Resolution R-1990-518, Control No.1984-00132, which currently states:

All previous conditions of approval shall remain in effect unless expressly modified herein.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-1986-1118-A (Control 1984-00132), R-1989-1258 (Control 1984-00132), and R-1990-0518 (Control 1984-00132), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

3. Previous ALL PETITIONS Condition 1 of Resolution R-1989-1258, Control No.1984-00132, which currently states:

The petitioner shall comply with all previous conditions of approval unless expressly modified herein.

Is hereby deleted. [REASON: Superseded by new All Petitions Condition 2]

4. Prior to final approval by the Development Review Officer, the site tabular data shall be corrected. (DRO: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. The rear facades of the shopping center shall be given architectural treatment consistent with the front of the center to avoid an incompatible industrial appearance impact upon nearby residential development. (BLDGPMT/DRO/ONGOING: ZONING - Zoning) (Previous SITE DESIGN Condition 4 of Resolution R-1986-1118-A, Control No.1984-00132)

ENGINEERING

1. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division. (BLDGPMT: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 10 of Resolution R-1986-1118-A, Control No.1984-00132)

2. The property owner shall convey for the ultimate right of way of:

(A) Lyons Road, 54 feet from centerline.

(B) Glades Road, 80 feet from centerline.

(C) Glades Road and Lyons Road per the "Special Intersections" as shown on the Thoroughfare Right of Way Protection Map.

(1) Glades Road, 88 feet from centerline.

(2) Lyons Road, 64 feet from centerline.

All within 90 days of adoption of the Resolution by the Board of County Commissioners; all conveyances must be accepted by Palm Beach County prior to issuance of first Building Permit. (BLDGPMT: MONITORING - Building Division) [Note: COMPLETED] (Previous ENGINEERING Condition 11 of Resolution R-1986-1118-A, Control No.1984-00132)

3. The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer:

(A) Left Turn Lane, North approach on Lyons Road at both project's entrance road.

(B) Continuous right Turn Lane, South approach into the project's entrances along Lyons Road for the entire length of the project's frontage. (BLDGPM: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 12 of Resolution R-1986-1118-A, Control No.1984-00132)

4. The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently, the Fair Share Fee for this project is \$137,500.00. This amount shall be paid at the time of issuance of the first building permit. If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount shall be credited toward the increased Fair Share Fee. Based on the amount of traffic generated by this development, the Developer has agreed to contribute an additional \$175,000.00 toward Palm Beach County's existing Roadway Improvement Program. This \$175,000.00 is to be paid within six months of approval date by the Board of County Commissioners. [Note: COMPLETED] (Previous ENGINEERING Condition 13 of Resolution R-1986-1118-A, Control No.1984-00132)

5. The Petitioner shall provide Palm Beach County with a road drainage easement through this project's internal lake system to legal positive outfall for the road drainage of Lyons Road and Glades Road. This drainage easement shall be subject to all governmental agency requirements. (BLDGPM: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 14 of Resolution R-1986-1118-A, Control No.1984-00132)

6. At the time of construction of the driveway connections onto Glades Road, the median treatments will be as required by the County Engineer. This construction will include, but not be limited to curbing of the median, left turn lane, west approach, on Glades at the projects entrance road. (CO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 15 of Resolution R-1986-1118-A, Control No.1984-00132)

7. This project shall be limited to the following phasing plan in order to meet the mandatory Traffic Performance Standards:

(A) There shall be no more than 48,364 square feet of gross building area until Glades Road has been constructed as a 4-lane median divided section from Lyons Road to S.R. 7. It is the intent that Palm Beach County will draw all necessary plans, including the expanded intersection at Glades Road and Lyons Road, and use this Petition's Impact Fee as outlined in Condition No. 13 for this construction.

(B) There shall be no more than 18,900 square feet of gross building area until Lyons Road has been constructed as a LANE

(1) median divided section from Glades Road to Kimberly Road.

(C) There shall be no more than 90,000 square feet of gross building area until Palmetto Park Road has been constructed as a LANE

(1) median divided section from S.R. 7 to Jog/Powerline Road.

(D) This project shall be limited to 163,700 square feet of General Retail Commercial uses upon the final buildout of the project. (BLDGPM: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 16 of Resolution R-1986-1118-A, Control No.1984-00132)

8. The developer shall repair any bike path or sidewalks damaged during construction along with Glades Road or Lyons Road. (CO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 21 of Resolution R-1986-1118-A, Control No.1984-00132)

9. The developer shall install signalization at the intersection of Glades Road and the project's easterly entrance when warranted by the County Engineer. (BLDGPM: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 20 of Resolution R-1986-1118-A, Control No.1984-00132)

10. Previous ENGINEERING Condition 9 of Resolution R-1989-1258, Control No.1984-00132, which currently states:

The Developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of

Transportation will also be required. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.

Is hereby deleted. [REASON: No longer applicable]

11. The Developer shall design the drainage system such that drainage from those areas which may contain hazardous or undesirable waste shall be separate from stormwater runoff from the remainder of the site. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 10 of Resolution R-1989-1258, Control No.1984-00132)

12. The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. (BLDGPM: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 11 of Resolution R-1989-1258, Control No.1984-00132)

13. Pursuant to the Traffic Analysis dated December 18, 2024, the Buildout Date is December 31, 2028. No Building Permits for the site may be issued after December 31, 2028. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

HEALTH

1. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents. (Previous HEALTH Condition 6 of Resolution R-1989-1258, Control No.1984-00132)

2. Previous HEALTH Condition 7 of Resolution R-1989-1258, Control No.1984-00132, which currently states:

Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.

Is hereby deleted. [REASON: Code Requirement]

3. Previous HEALTH Condition 8 of Resolution R-1989-1258, Control No.1984-00132, which currently states:

Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.

Is hereby deleted. [REASON: Code Requirement]

4. The owner, occupant or tenant of the facility shall participate in an oil recycling program which ensures proper re-use or disposal of waste oil. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous Condition 3 of Resolution R-1990-518, Control No.1984-00132)

5. Reasonable precautions shall be exercised during site development to ensure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 17 of Resolution R-1986-1118-A, Control No.1984-00132)

6. Reasonable measures shall be employed during site development to ensure that no pollutants from this property shall enter adjacent or nearby surface waters. Reasonable measures shall be employed during site development to ensure that no pollutants from this property shall enter adjacent or nearby surface waters. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous HEALTH Condition 18 of Resolution R-1986-1118-A, Control No.1984-00132)

LANDSCAPING - GENERAL

1. Previous ZONING - LANDSCAPING Condition 23 of Resolution R-1986-1118-A, Control No.1984-00132, which currently states

The developer shall comply with prospective amendments to the Palm Beach County Landscape Code.

Is hereby deleted. [REASON: No longer applicable]

2. The landscape strip along the north property line in the area adjacent to the gas station and convenience store shall be planted in the following manner:

- a. Native canopy trees planted twenty (20) feet on center, a minimum of fifteen (15) feet in height at the time of planting; and
- b. Palm trees twenty (20) feet in height at the time of planting, planted an average of twenty (20) feet on center: (BLDGPM: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 12 of Resolution R-1989-1258, Control No.1984-00132)

3. The proposed landscape plan on Glades Road presented at the Planning Commission and Board of County Commissioners public hearing shall be completed on or before the date of issuance of the first building permit for the final phase under Condition No. 16(D). (BLDGPM: ZONING - Zoning) (Previous SITE DESIGN Condition 3 of Resolution R-1986-1118-A, Control No.1984-00132)

LAKE WORTH DRAINAGE DISTRICT

1. The developer shall convey to the Lake Worth Drainage District the required right-of-way for Lateral Canal No. 45, adjacent to the subject property, by Quit Claim Deed or an Easement Deed in the form provided by said district. (ONGOING: LAKE WORTH DRAINAGE DISTRICT - Lake Worth Drainage District) (Previous LAKE WORTH DRAINAGE DISTRICT Condition 9 of Resolution R-1986-1118-A, Control No.1984-00132)

LIGHTING

1. Security lighting shall be directed away from nearby residences (ONGOING: ZONING - Zoning) (Previous LIGHTING Condition 8 of Resolution R-1986-1118-A, Control No.1984-00132)

SIGNS

1. The developer shall not place any off-premises advertising signs (billboards) on this site. (BLDGPM/DRO/ONGOING: ZONING - Zoning) (Previous SIGNS Condition 22 of Resolution R-1986-1118-A, Control No.1984-00132)

2. No off-premise signs shall be permitted on the site. (BLDGPM/DRO/ONGOING: ZONING - Zoning) (Previous SIGNS Condition 15 of Resolution R-1989-1258, Control No.1984-00132)

3. No temporary, A-frame, portable, paper, cloth, or plastic streamers, banners, or any type of additional off-premise signs shall be permitted on any portion of the property. (ONGOING: CODE ENF - Zoning) (Previous SIGNS Condition 16 of Resolution R-1989-1258, Control No.1984-00132)

SIGNS - RETAIL GAS AND FUEL WITH CONVENIENCE STORE

1. There shall be only one sign; the point of purchase sign for the gas and convenience store. The sign shall be limited to monument type signage a maximum of eight (8) feet in height and may be located within the required landscape strips. (BLDGPM/DRO/ONGOING: ZONING - Zoning) (Previous SIGNS Condition 14 of Resolution R-1989-1258, Control No.1984-00132)

SITE DESIGN

1. Prior to Site Plan Certification, a revised site plan shall be submitted reflecting the following:

- a) 21 handicap parking spaces with the appropriate signage.
- b) Master signage program.
- c) Denotation of Lyons Road centerline with the ultimate right-of-way shown to the base building line of the property. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-1986-1118-A, Control No.1984-00132)

2. All mechanical and air conditioning equipment shall be roof mounted and screened with parapets or be contained within the enclosed loading and service area. (BLDGPM/ONGOING: ZONING - Zoning) (Previous SITE DESIGN Condition 2 of Resolution R-1986-1118-A, Control No.1984-00132)

3. No Storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the shopping center. (ONGOING: CODE ENF - Zoning) (Previous SITE DESIGN Condition 6 of Resolution R-1986-1118-A, Control No.1984-00132)

4. No parking of any vehicles along the rear of the shopping center shall be permitted except in designated spaces or unloading areas. (ONGOING: CODE ENF - Zoning) (Previous SITE DESIGN Condition 7 of Resolution R-1986-1118-A, Control No.1984-00132)

5. Prior to site plan certification, exact copies of all graphics presented at the Planning

Commission and the Board of County Commissioner's Public Hearings shall be submitted to the Zoning Division and made part of the permanent petition file. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 19 of Resolution R-1986-1118-A, Control No.1984-00132)

6. Prior to Site Plan Review submittal, the site plan shall be amended to indicate:

- a. The reduction in width of the southwestern access point to the service station from thirty (30) feet to twenty (20) feet.
- b. The location of signage labeling the southwestern drive as "Exit Only". This signage shall be prominently displayed to direct incoming traffic away from the exit.
- c. The location of a handicapped parking space adjacent to the north side of the retail building.
- d. The modification of existing lease parcel footprints to accurately reflect building floor areas assigned to each parcel as indicated in the site data. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 2 of Resolution R-1989-1258, Control No.1984-00132)

7. Prior to site plan certification, the site plan shall be revised to reflect:

a. Tabular data that clearly identifies:

- (1) what comprises the "in-line" retail. (A-N: 175,731 square feet - 2,363 square feet = 173,368 square feet); and
- (2) the total square footage requested (202,763) square feet) (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous Condition 2 of Resolution R-1990-518, Control No.1984-00132)

8. The square footage of the uses shall be limited to:

- (1) General Retail Commercial: 190,950 square feet
- (2) Office: 2,363 square feet
- (3) Financial Institution: 9,450 square feet

These totals may be revised in accordance with the traffic performance ordinances and Site Plan Review Committee standards. (DRO/ONGOING: ZONING - Zoning) (Previous Condition 4 of Resolution R-1990-518, Control No.1984-00132)

UNITY OF CONTROL

1. Prior to Site Plan certification, the Property Owner shall record a Unity of Control on the subject property subject to approval by the County Attorney. (DRO: ZONING - County Attorney) [Note: COMPLETED] (Previous UNITY OF CONTROL Condition 5 of Resolution R-1989-1258, Control No.1984-00132)

USE LIMITATIONS

1. No stock loading or dumpster pickup will be permitted between the hours of 8:00 p.m. and 8:00 a.m. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 5 of Resolution R-1986-1118-A, Control No.1984-00132)

2. Previous Condition 13 of Resolution R-1989-1258, Control No.1984-00132, which currently states

There shall be no car wash and no service bays at the gas station. There shall be no storage of inoperative vehicles on site.

Is hereby amended to read:

There shall be no storage of inoperative vehicles on site. (ONGOING: ZONING - Zoning)

3. Previous USE LIMITATIONS Condition 4 of Resolution R-1989-1258, Control No.1984-00132, which currently states:

The General Retail Commercial Use square footage shall be reduce from 164,700 to 163,700 square feet for the entire planned development.

Is hereby deleted. [REASON: No longer applicable.]

USE LIMITATIONS - RETAIL GAS AND FUEL WITH CONVENIENCE STORE

1. The retail square footage for the gasoline sales lease parcel shall be limited to 1,000 square feet, and six (6) gasoline service pumps. (ONGOING: ZONING - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-1989-1258, Control No.1984-00132)

2. Previous Condition 13 of Resolution R-1989-1258, Control No.1984-00132, which currently states:

There shall be no car wash and no service bays at the gas station. There shall be no storage of inoperative vehicles on site.

Is hereby amended to read:

There shall be no car wash and no service bays at the gas station. (ONGOING: ZONING - Zoning)

COMPLIANCE

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

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

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

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

3. Previous Condition 17 of Resolution R-1989-1258, Control No.1984-00132, which currently states:

Failure to comply with any conditions of approval may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code.

Is hereby deleted. [REASON: Replaced with Compliances conditions 1 and 2]

DISCLOSURE

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