

TOWN OF LOXAHATCHEE GROVES

TOWN HALL CHAMBERS

PLANNING AND ZONING BOARD MEETING

AGENDA

March 3, 2022 – 6:00 P.M.



PZB MEMBERS

William Ford (Seat 1) - Chair
Matthew Otero (Seat 3)
William Bell (Seat 5) – Vice Chair

Brett Raflowitz (Seat 2)
Neil O’Neal III (Seat 4)
Laura Cacioppo (Alt.)

Administration

Town Manager Jamie Titcomb
Town’s Planning Consultant, Jim Fleishmann
Town Clerk, Lakisha Q. Burch

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That's why we say "Character Counts" in Town of Loxahatchee. Civility is practiced at all Town meetings.

Special Needs: In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, contact the Town Clerk’s Office, 155 F Road, Loxahatchee Groves, Florida, (561) 793-2418.

The Planning & Zoning Board meets on the 2nd or 3rd Thursday of each month subject to the filing of applications. It also acts as the Local Planning Agency (LPA).

OPENING

- 1. Call to Order & Roll Call**
- 2. Approval of Agenda**
- 3. Public Comments**

REGULAR AGENDA

1. Wawa/Autozone/Aldi Site Plan (FKA Wawa/Chase/Aldi)Amendment – Pod A of Groves Town Center MLUPUD

2. Public Comments

COMMITTEE MEMBER COMMENTS

SET NEXT MEETING DATE (Tentative – April 22, 2022)

ADJOURN PLANNING AND ZONING BOARD

**TOWN OF LOXAHATCHEE GROVES
PLANNING AND ZONING BOARD (PZB)
March 3, 2022**

**AGENDA ITEM STAFF SUMMARY:
Site Plan Amendment Review ASPA 2021-0506
Wawa/Autozone/Aldi at Groves Town Center**

I. Site and Applicant Information

Current Project Name	Wawa/Chase/ALDI @ Groves Town Center
Proposed Project Name	Wawa/Autozone/ALDI @ Groves Town Center
Project No.	Administrative Site Plan Amendment ASPA 2021-0506
Agent	Beth Schrantz Director of Planning Services at Dunay, Miskel & Backman, LLP
Applicant	BW Southern Binks LLC: Contact – Sergio Martinez
Owner	. BW Southern Binks LLC; Loxahatchee Equestrian Partners; Joan Hemmingway, LLC
Parcel Control No.	41-41-43-31-12-001-0000; 41-41-43-31-12-012-0030; portion of 41-41-43-31-12-002-0020; 41-41-43-31-12-018-0000; 41-41-43-31-12-012-0041; and a portion of 41-41-43-31-12-012-0010; 41-41-43-31-12-001-0030
Location	Northeast corner of Southern Boulevard and “B” Road
Size (Acreage)	Proposed Site Plan includes the “Onsite Development Area” consisting of the 5.30 acre Wawa/Autozone/ALDI Site Area; 0.38 acre storm pond; 0.1.01 acre ring road impervious area; and the 1.40 acre road swale/green space pervious area. A total Site Plan area (Onsite Development Area) of 8.09 acres.
Zoning	Multiple Land Use Planned Unit Development (MLU/PUD)
Future Land Use	Multiple Land Use
Site Area Existing Use	Aldi Grocery. – 2.63 acres. The balance of the 8.09 acre Onsite Development Site Area consists of approved commercial space and developed and developing infrastructure areas.
Site Area Approved Use	Wawa Gas/Convenience – 6,119 sq. ft.; Chase Bank – 3,470 sq. ft.; and Aldi Grocery – 21,730 sq. ft. Total of 31,319 sq. ft. of commercial space
Site Area Proposed Use	Wawa Gas/Convenience – 6,119 sq. ft.; Autozone – 7,381 sq. ft.; and Aldi Grocery – 21,730 sq. ft. Total of 35,230 sq. ft. of commercial uses and 2.79 acres of infrastructure (drainage pond, buffer and driveways)...

II. Site Area Adjacent Properties (Refer to Exhibit 1)

LAND USE	NORTH	SOUTH	EAST	WEST
EXISTING USE	Groves Town Center Avacado Avenue (part) and Vacant (part)	Southern Blvd. followed by C-51 Canal	Groves Town Center – Coconut Way followed by vacant	“B” Road followed by Loxahatchee Groves Commons shopping plaza
APPROVED USE	Avocado Avenue , pond and Pod C (Commercial)	Southern Boulevard	Coconut Way followed by Southern Palms Carwash	“B” Road followed by 95,000 sq. ft. Groves Town Center shopping plaza.
FUTURE LAND USE	Multiple Land Use	N/A	Multiple Land Use (MLU)	Commercial Low

ZONING	Multiple Land Use Planned Unit Development (MLU/PUD)	N/A – Southern Boulevard	Multiple Land Use Planned Unit Development (MLU/PUD)	Commercial Low Planned Unit Development CL/PUD)
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III. Submitted Support Documents

ITEM	CONTENT
Justification Statement	The Wawa/Chase/Aldi Site Plan was initially approved by Town Resolution 2018-83 and subsequently amended by Administrative Site Plan Amendment SPA 20-02 (July 2, 2020). The currently approved tenant mix is as follows: Wawa – 6,119 sq. ft.; Chase – Bank – 3,470 sq. ft.; and Aldi Grocery – 21,730 sq. ft. Total project of 31,319 sq. ft. ASPA 2021-0506 proposes to revise the tenant mix as follows: Wawa – 6,119 sq. ft.; Autozone – 7,381 sq. ft.; and Aldi – 21,730 sq. ft. Total project of 35,230 sq. ft.; an increase of 3,911 sq. ft. The revision is essentially replacement of the Chase Bank with Autozone vehicle parts sales. The revision includes an increase of 3,911 sq. ft. of commercial space and the addition of 2.79 acres to the current Development Area. The increase in sq. ft. is within the overall maximum of 103,000 sq. ft. of CL space authorized by Special Policy 1.15 of the Future Land Use Element of the Comprehensive Plan and the Groves Town Center MLU/PUD. Autozone, an auto parts store is a permitted CL use. The increase of commercial space requires an increase in the size of the parcel in order to accommodate the Autozone tenant and meet land development regulations.
Site Plan Amendment	Descriptions and delineation of the “ Onsite Development Area” which Includes the following 43 development parcels; “Site Area” (Wawa, Autozone and ALDI developments); “Storm Pond”; and “Ring Road and Road Swale (pervious and impervious areas). Tabular computations, including lot coverage, F.A.R., impervious areas, open space, location and height of structures, vehicular use areas and circulation system and connections to public r-o-w, locations, dimensions, and access of parking and loading areas, and location of monument and traffic control signs.
Engineering Plans	Drainage Statement; Photometric Plan; Drive-aisle cross sections; Paving, Grading and Drainage Plan and Details; Traffic Study
Architectural Plans	Floor Plans and Elevations for Autozone. Plans for WAWA and ALDI. Previously submitted. Signage Plans for Autozone. Plans for WAWA and ALDI previously submitted.
Service Provider Letters	Previously submitted
Natural Features Inventory	Previously submitted
Landscape Plans	Landscape Plan dated 6/22/2020; Landscape Details and Notes
Consistency with Rural Vista Guidelines	Previously submitted and supplemented for Autozone.

IV. Proposed Uses

.Descriptions of the existing Site Plan and Site Plan Amendment ASPA 21-0506 components are summarized in Tables 1 and 2 and illustrated on Exhibits 2 and 3.

TABLE 1 - Wawa/Chase/ALDI Site Area @ Groves Town Center

Onsite Development Component	Acres	Building sq. ft.
Wawa Gas/Convenience	1.79	6,119
Chase Bank	1.03	3,470
Aldi Grocery Store	2.21	21,998
Pond, Ring Road, and Swale	2.34	0
Totals	7.37	31,587

TABLE 2 - Wawa/Autozone/ALDI Site Area @ Groves Town Center

Onsite Development Component	Acres	Building sq. ft.
Wawa Gas/Convenience	1.91	6,119
Autozone Auto Parts Store	0.76	7,381
Aldi Grocery Store	2.63	21,730
Pond, Ring Road, and Swale	2.79	0
Totals	8.09	35,230

In summary, Site Plan ASPA 21-0506 increases the Onsite Development area by 0.72 acres and the total building size by 3,643 sq. ft.

Site Plan ASPA 21-0506, consists of 35,230 sq. ft. of commercial building space; 34.2% of the 103,000 sq. ft. of approved commercial space in Groves Town Center.

V. Staff Review Summary

B. Infrastructure Impacts

Infrastructure Service	Summary
Water/wastewater	Property can be served by County central water/wastewater along Southern Boulevard. Applicant currently negotiating a Standard Developers Agreement (SDA) with PBCWUD. An executed SDA is requires approval by the Town Council.
Surface Water Management	Drainage statement and Engineering Plans provided. Project is within SFWMD C-51 Basin. Legal positive outfall for Subject Site to Southern Boulevard with outfall to C-51 Canal. Exfiltration trenches to be provided to meet storage and treatment requirements. The proposed system will be designed to meet SFWMD conveyance, water quality and storage requirements, C-51 Basin requirements and Town requirements.
Solid Waste Disposal	Solid Waste Authority annual confirmation of capacity. Applicants to execute contract with private hauler for collection and disposal.
Transportation	Traffic Statement provided by PTC Transportation Consultants. The Statement concludes that trips generated by approved and proposed (i.e. including ASPA 21-0506) Groves Town Center site plans do not exceed the approved thresholds and therefore, Palm Beach County Traffic Performance Standards have been met
FIRE/EMS	Previous letter from Palm Beach County Fire/Rescue indicating an estimated response time less than the average for the nearest station.
Flood Zone	A Floodplain Development Application (FDA) is to be submitted to the Town prior to approval of any building permits/

D. Comprehensive Plan, Zoning, and Site Plan Approvals

The proposed Wawa/Autozone/ALDI at Groves Town Center Site Plan Amendment ASPA 2021-00506) is consistent with the Comprehensive Plan and Unified Land Development Code (ULDC).

- The current Future Land Use Map designation of the property is Multiple Land Use. ASPA 2021-0506 is consistent with the Future Land Use designation.
- The Zoning Map designation of the property is Multiple Land Use Planned Unit Development (MLU/PUD). ASPA 2021-0506 is consistent with the Zoning designation.
- Proposed commercial uses (Wawa Gas/Convenience/Restaurant; Autozone Automotive Parts Sales; and ALDI Grocery) are permitted uses within the Commercial component (i.e. CL zoning district permitted uses) of the Groves Town Center MLU/PUD.
- Per the Staff Report supporting Ordinances 2013-010, 2018-08, and 2019-08 the Groves Town Center MUPUD has met the PUD requirements.
- Per the Staff Report supporting Resolution 2018-83, the Wawa/Chase/Aldi at Groves Town Center has met the site plan requirements.
- The Wawa/Chase/Aldi at Groves Town Center Site Plan Amendment SP (A) 2020-02 was approved administratively.

E. Zoning Requirements: Commercial (i.e. CL Zoning District) Regulations

Regulation	Standard	Property Complies?
Minimum lot size	1 acre	Yes – 8.09 acre Onsite Development Area including the 5.30 acre Site Area.
Frontage and Access	ULDC Section 100-35: legal access from a publically dedicated street	Yes – Approved access to both Southern Blvd. and “B” Road
Site Area Minimum lot frontage/width	200 feet	Yes – 544 ft. on Southern Blvd. and 297 ft. on “B” Road
Site Area Minimum lot depth	200 feet	Yes - 333 feet
Maximum Floor-Area-Ratio	0.10	Yes – 0.099 of Onsite Development Area;
Maximum building and roofed structures lot coverage	25%	Yes – 11.6% of Development Area; 20.4% of Site Area
Front setback	50 feet	Yes – 179 feet (Site Area)

Side street setback	25 feet	Yes – 112 feet (Site Area)
Rear setback	50 feet	Yes – 75 feet
Minimum pervious area	30%	Yes - 32.4% of Onsite Development Area
Maximum building height	35 feet	Yes – 35 feet maximum

F. ULDC Section 155-020: Substantive Requirements (Site Plan)

Criterion	Compliance
Section 150-020 (A) Conformance to the approved and/or recorded plat, if applicable	Site Plan ASPA 21-0506 is consistent Pod A and Tract LB3 of Groves Town Center PUD Amendment No. 1 Plat recorded in the Public Records of Palm Beach County.
Section 150-020 (B) Consistency with the Loxahatchee Groves Comprehensive Plan	Yes – Refer to Section D, above.
Section 150-020 (C) Conformance with the Town of Loxahatchee Groves ULDC	Yes – Refer to Section D, and E above and Section G, below.
Section 150-020 (D) Conformity with the water control district's requirements and regulations.	Proposed site drainage discharge to C-51 Canal. The ultimate system to serve the 90.33 acre Groves Town Center is designed to meet SFWMD conveyance, water quality and storage requirements, C-51 Basin requirements and Town requirements.

G. ULDC Supplementary Requirements

1. ULDC Article 85: Landscape Plan Requirements

Requirement	Response
Plots of 3 acres or more shall preserve or create and maintain an ecological community of at least 3% of area of the property.	N/A. Preserve area included within the Conservation Land Use portion (23.2 acres) of the 90.33 acre Groves Town Center MLU/PUD
A tree survey, including trees to be removed or relocated, including proposed relocation sites	The inventory and tabular were included in the Clearing Permit previously issued for Pod A of the Groves town Center PUD (i.e. Onsite Development Area).
The location, including height, caliper and canopy spread of all landscape materials	Specifications provided on provided on the Landscape Plan dated July 23, 2021
Irrigation plan if irrigation system to be used	Automatic underground irrigation system per Landscape General Notes L-2.2
Primary structures treated with shrubs @ 2.5 foot height along 40% of the structure frontage	Buildings meet code requirement per Landscape Plan details.
Interior open space area defined and located.	Provided in the Landscape Plan @ 6,306 sq. ft.
interior open space ground cover and/or hedge	Provided in the Landscape Plan – Meets

requirements	requirements.
Dumpsters, mechanical equipment and electrical transformers screened	Provided in the Landscape Plan – Meets requirements
Section 85-055 (G) Signs screened	Provided in the Landscape Plan – Monument signs screened. Directional sign needs to be screened on the Landscape Plan.
Existing vegetation credit requested and calculated	Not requested in the Clearing Permit.
Landscape buffer along property line abutting AR District	No AR zoned property adjacent to the Subject Site.
25 foot vehicular use area landscape strip required	Provided along Southern Boulevard and “B” Road per Landscape Plan.
Vehicular use area landscape requirements	Parking islands provided in the Landscape Plan - Meets requirement.
Site distance requirements	Requirements met per Landscape Plan.

2. ULDC Article 90 Signs

Allowed Signs	Response
Permits required and Sign permit requirements	Condition of Approval
Standards by sign type and zoning district (CL District shopping center or other multi-tenant center)	
Mandatory attached building identification (i.e. address) sign : 1 per structure or business @ maximum sign face of 4 sq. ft.	Condition of Approval
Attached awning sign (optional): Maximum 1 per structure or business @ maximum sign face of 4 sq. ft.	To be determined at the time of Sign Permit Application per ULDC Section 90-070 requirements.
Shopping Center attached building wall sign(s): 1 per tenant, 2 if corner location: Anchor tenants @ maximum sign face of 60 sq. ft.; other tenants sign face @ 18 sq. ft. to 36 sq. ft.	To be determined at the time of Sign Permit Application per ULDC Section 90-070 requirements.
Attached canopy sign: 1 per canopy or 2 per building which ever is less @ 16 sq. ft. to 24 sq. ft.	To be determined at the time of Sign Permit Application per ULDC Section 90-070 requirements.
Shopping Center free-standing monument or panel sign(s): Primary sign - 1 per tenant: @ maximum sign face of 72 sq. ft.	3 Primary Signs allowed –. Condition limiting to 3 signs with sign face maximum of 72 sq. ft.
Real Estate or Project Sign (to be removed after sale or project completion) 1 per street frontage @ maximum sign face of 12 sq. ft.	To be determined at the time of Sign Permit Application per ULDC Section 90-070 requirements.

3. Article 95 Parking and Loading

Requirement	Response
Minimum parking space requirements – 155 spaces required. 5 handicap spaces required (Ref: PBC ULDC – 2% of total)	168 spaces provided. 8 handicap spaces provided. Exceeds ULDC requirement
Size of parking spaces – Standard space = 11' x 22.5". Handicap space = 14' x 22.5'	Standard spaces @ 11' x 22.5' (meets ULDC standard space requirement). Handicap spaces @ 14' x 22. 5' (meets ADA requirements)

Minimum loading space requirements (i.e. for uses that receive materials by truck).- 1 space	1 provided @ ALDI building (meets ULDC standard)
Size of loading spaces – 12' x 45' with 14' vertical clearance	1 space @ 25 feet x 45 feet (meets ULDC requirement)
Parking Aisle requirements = 28 feet; Drive Aisle requirements (2-way) = 24 feet.	Parking Aisle (28 feet) and Two-way Drive Aisle (24 feet) widths meet ULDC requirements.
Driveway. Minimum distance from street line to interior drive aisle = 22 feet.	"B" Road ingress/egress driveway = 44 feet. Exceeds ULDC requirement.

H. Architecture (Discussion of Rural Vista Guidelines by Applicant)

The Applicant has prepared the document entitled: "Wawa Chase and Aldi Groves Town Center Statement of Compliance with Rural Vista Design Guidelines: October 9, 2018". The document presents a review of the architectural features of each of the three development components (i.e. Wawa, Chase, and Aldi buildings) as they relate to the Rural Vista Guidelines. Each development is discussed in terms of the following: Exteriors; roofs and roofing materials; windows; porches and entries; and screening. The Applicant's summary statement for each of the development components follows:

1. Wawa Component

The single-story structure and design elements such as a gable porch entrance, sloped metal roof extending over outdoor seating, planters at the seating area, rustic materials and farm-style lighting fixtures reflect a rural style that is residential in scale. In addition, an outdoor seating area serves as a pedestrian amenity.

2. Autozone Component

The proposed exterior elevations utilize the same materials and design on all sides of the building. The single-story structure and design elements such as split face concrete masonry with wood appearance at the base of the building, wood-look post and railing at the entry, and standing seam metal roof with mansard type roofline along the Southern Boulevard façade and portions of the remaining facades reflect a rural style that is residential in nature.

3. Aldi Component

The single story structure and design elements such as cornice trim, wood-look posts and railings at the shopping cart area, window shutters, and low canopies near the entry help to maintain a residential scale.

I. Compatibility

An inventory of land uses adjacent to the subject property is presented in Section B of this analysis. The adjacent properties to the north and east, both within the Groves Town Center MLU/PUD, are assigned a Future Land Use designation of Multiple Land

Use (MLU) and a Zoning designation of Multiple Land Use Planned Unit Development (MLU/PUD). Both adjacent properties are designated Commercial Low (CL) under the MLU/PUD designation. A summary statement for each development component follows:

“B” Road is adjacent to the subject property on the west. The 21 acre parcel following “B” Road is assigned a CL Future Land Use designation and a CL/PUD zoning designation. Loxahatchee Groves Commons, a Publix-anchored shopping center has been developed on the property.

Southern Boulevard followed by the C-51 Canal and the Village of Wellington are adjacent to the subject property on the south. Southern Boulevard is currently being improved to a 6-lane segment.

Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety, or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions.

The Site Plan indicates perimeter landscape buffers, including a berm, along Southern Boulevard and “B” Road. Landscaping and buffers within the Groves Town Center MLU/PUD will insure internal compatibility with abutting future commercial uses.

Proposed Wawa/Autozone/ALDI at Groves Town Center commercial uses will contain open air parking lot lighting. A waiver to ULDC Section 50-030(D) (5) has been approved to allow open air lighting to remain lit during the hours of 11:00 p.m. and dawn.

V. Staff Finding and Recommendation

Staff finds proposed Site Plan Amendment ASPA 2021-0506 (Wawa/Autozone/ALDI at Groves Town Center) consistent with the Town’s Comprehensive Plan and land development regulations, including the Groves Town Center MLU/PUD (i.e. Town Ordinance 2013-10, as amended by Ordinances 2018-08 and 2019-08) subject to the Conditions of Approval presented in Exhibit 4.

VI. Planning and Zoning Board Recommendation

To be determined.

EXHIBIT 1
Groves Town Center Multiple Land Use PUD

EXHIBIT 2
Approved Wawa/Chase/Aldi at Groves Town Center
Site Plan

EXHIBIT 3
Proposed Wawa/Autozone/Aldi at Groves Town Center
Site Plan

EXHIBIT 4
PROPOSED CONDITIONS OF APPROVAL
Wawa/Autozone/Aldi at Groves Town Center
Conditions of Approval

A. GENERAL

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.

2. The Final Conditions of Approval in Town Ordinances 2018-08 and 2019-08 are adopted and incorporated herein by reference. The Ordinances assigned a Multiple Land Use Planned Unit Development (MLU/PUD) zoning designation to the site.

3. Development of the site is limited to the uses depicted and stated in Exhibit 2, hereto (Wawa/Autozone/Aldi Site Plan). The Site Plan is dated August 20, 2021. All modifications to the Site Plan shall be approved by the Town Council with the following exceptions which may be approved by the Town Manager:

- (a) Administrative amendments permitted under Section 155-005 of the ULDC;
- (b) Amendments required to conform to the Conceptual Master Plan;
- (c) Amendments necessary to comply with Site Plan Conditions of Approval; and
- (d) Infrastructure and utility improvements which are in accordance with the ULDC.

4. Any subdivision by fee title conveyance of an internal lot which is subject to a final site plan approval shall have received prior written approval by the Town Manager based upon the application of criteria contained in Section 41.1.E.4.b of the Town Unified Land Development Code. Prior to fee title conveyance, a lot shall be platted.

5. Prior to submittal of any building permit applications for processing by Loxahatchee Groves, the Town Manager and his designated agents shall review and approve the following plans for consistency with these Conditions of Approval, Site Plan, Landscape Plan, Floor Plans, and Elevations.

6. Prior to submittal of any building permit applications for processing by Loxahatchee Groves, the Town Manager, Town Public Works Director and Town Engineer shall review and approve all land development plans.

7. Consistent with the Palm Beach County Mandatory Traffic Performance Standards criteria in place at the time of this approval, as extended by Governor's Executive Orders, no building permits for the site shall be issued after October 28,

2025.. Additional time extensions for this condition may be approved by the Palm Beach County Engineer based upon an approved traffic study which complies with Mandatory Traffic Performance Standards in place at the time of the request, or additional States of Emergency declared by the Governor of Florida.

8. All parking and loading shall occur on site as indicated on the approved Site Plan dated August 20, 2021.

B. LAND USE AND SITE PLANNING

1. Development of the site shall be limited to a maximum of **35,230** sq. ft. of commercial low uses consistent with the Site Plan dated August 20, 2021.

2. Bars and night clubs are prohibited.

3. Potentially objectionable features (e.g. mechanical equipment, loading/delivery areas, storage areas, dumpsters, and compactors, etc.) shall be indicated on project site plans and screened from public view.

4. All on-site deliveries during construction shall be made from project entrances off of Southern Boulevard.

C. ENGINEERING

1 Prior to the issuance of any Site Development Permit or an initial Building Permit for any of the project uses, the applicant shall provide itemized cost estimates and surety for the affected portion of Pod A per Town Code Section 100-060.

2. Prior to the commencement of construction of any of the project uses the Applicant shall:

- a. Provide the Town Engineer and Building Official with copies of all permits, permit applications, and requests for additional information to and from regulatory agencies regarding issues on all permit applications, certification, and approvals for this project including, but not limited to, the South Florida Water Management District, Palm Beach County Water Utilities Department, Florida Department of Transportation, Palm Beach County Fire Rescue, and Palm Beach County Health Department, etc.
- b. Schedule a pre-construction meeting with the Town. Inspections related to the Site Development Permit for this project will not be performed until the pre-construction meeting has occurred. Failure to comply with this condition could result in a Stop Work Order for all work and construction activity related to this project.

3. The applicant shall comply with all Federal EPA and State of Florida Department of Environmental Protection NPDES requirements including, but not limited to, preparation of a stormwater pollution prevention plan and identification of appropriate

Best Management Practices, as generally accepted by the Environmental Protection Agency (EPA) and local regulatory agencies, for construction activities, implementation of the approved plans, inspection, and maintenance of controls during construction, including a Notice of Intent prior to the start of construction and a Notice of Termination prior to the certification of the Site Development Permit.

4. The construction, operation, and maintenance of any elements of this project shall not have any negative impacts on the existing drainage of the surrounding areas. If at any time during the project development, it is determined by the Town that any of the surrounding areas are experiencing negative drainage impacts caused by this project, it shall be the applicant's responsibility to resolve said impacts in a period of time and a manner that is acceptable to the Town prior to additional construction activities. The Town may issue a Stop Work Order or cease issuance of any related Building Permits until all drainage concerns are resolved.

5. Prior to the issuance of the Certificate of Completion for the Site Development Permit, the application shall:

- a. Provide copies of the required test results as provided for on the plans and specification and in accordance with FDOT for review by the Town Engineer.
- b. Submit to the Town all required recorded easements and easement modifications.
- c. Provide electronic certified civil design as-built drawings in both PDF

D. LAND CLEARING AND LANDSCAPING

1. Project landscaping shall comply with the Landscape Plan dated July 23, 2021, to include a landscape buffer berm within the 25-foot buffer on Southern Boulevard shown on the Site Plan dated August 20,, 2021. The perimeter buffer berm along the Southern Boulevard frontage shall be constructed to a minimum height of 3 feet above the grade of the internal parking lot. The 3-foot berm shall be topped by a c hedge consistent with that used atop the Aldi berm. A rendering of the berm and hedge shall be provided prior to any building permit activity based upon a point of view from Southern Boulevard. The rendering shall clearly note the level of maturity of the plant materials and how long it will take for the installed materials to reach maturity.

2. The remainder of the landscaping shall comply with the Landscape Plan dated July 23, 2021.

E. EXTERIOR LIGHTING

1. Exterior lighting shall comply with the Photometric Plan dated August 20, 2021.

2. All exterior lighting shall be directed downward and contain shields to contain lighting within the property boundaries.

F. PARKING AND LOADING

1. All parking and loading shall occur on site, as indicated on the approved Site Plan dated August 20, 2021.

G. ARCHITECTURAL

Architectural elevations shall be designed to be consistent with the Town's Rural Vista Guidelines. Elevations shall be reviewed and approved for consistency with approved plans by the Town Manager with applications for building permit approval. The Town Manager may refer subsequent building elevations to the Town Council for approval if he determines that an inconsistency with approved plans is proposed.

H. SIGNAGE

The Sign Permit submittal for any development use shall include a master sign program detailing the location, number, colors and size of proposed monument signage. All signage shall be reviewed during the sign permit review process.

1. Per Sections 05-040 and 90-070 of the ULDC, permits for all wall signs shall be obtained prior to building permit application.

2. Attached building identification signs shall be provided for each business with a maximum sign face of 4 sq. ft.

3. The number of monument signs shall be limited to the following:

(a) One monument sign on Southern Boulevard, for each business per the Site Plan dated August 20, 2021 with a maximum sign face of 72 sq. ft.

4. Internal directional signs may be approved by administrative amendment of the Site Plan dated August 20, 2021, provided that sign permits are procured pursuant to ULDC Section 90-070.

I. UTILITIES AND SERVICES

1. A Developer's Agreement shall be executed by the Property Owner and the Palm Beach County Water Utility Department and approved by the Town Council of the Town of Loxahatchee Groves for the provision of central potable water and wastewater service to the project prior to the issuance of the first building permit.

2. Solid waste collection and disposal shall be accomplished by contract between the Property Owner and the Town's third-party hauler prior to issuance of the initial certificate of occupancy.

H. ULDC WAIVERS

Per Ordinance 2018-08, the Property Owner has been granted the right to request the following two waivers: (1) Relief from ULDC Section 50-303(D) (5) “*Glare*”, and (2) ULDC Section 95-100(E) “*Wheelstops and curbing*”.

The following two waivers are granted:

1. A waiver to ULDC Section 50-030(D) (5) “*Glare*”, which states “Open air parking lighting shall be controlled by automatic devices that extinguish the lighting between 11:00 p.m. and dawn.” A waiver is granted to allow open air lighting to remain lit during the hours of 11:00 p.m. and dawn within the Wawa development component. Open air parking lot lighting included in the Autozone and ALDI development components, shall comply with Section 50-030(D)(5).

2. A waiver to ULDC Section 95-100(E) “*Wheelstops and curbing*”, which states: “Parking stalls which abut sidewalks or structures shall be designed with wheel stops or contiguous curbing to help prevent accidental human injury or property damage. The required wheel stops shall be located at least two and one-half feet from any sidewalk or structure.” A waiver is granted in order to provide bollards in lieu of wheel stops or curbing.



