



AGENDA
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
OCTOBER 11, 2022
6:30 PM

Johnnie Tieche, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Vacant, Jr. Alternate

Peter Braun, Board Member
Kim Gehrman, Board Member
Larry Saingilus, Sr. Alternate

ADMINISTRATION

Planning, Zoning, and Building Director, Iramis Cabrera Deputy Village Clerk Jane R. Worth
Village Attorney Susan Garrett

Persons who need an accommodation to attend or participate in this meeting should contact the office of the Village Clerk at (561) 584-8200 at least three (3) business days before the event to request such assistance.

CALL TO ORDER

ROLL CALL

Chairman Johnnie Tieche
Vice Chairman Richard Hughes
Ralph Lashells
Peter Braun
Kim Gehrman
Larry Saingilus, Sr. Alternate
Vacancy, Jr. Alternate

PZ&B Director, Iramis Cabrera
Village Attorney Susan Garrett
Deputy Village Clerk Jane R. Worth

NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY *EX PARTE* COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY.

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

APPROVAL OF MINUTES

2. **MINUTES:** Approval of September 13, 2022, Planning and Zoning Advisory Board Minutes

Staff: Jane Worth, Deputy Village Clerk

ORDER OF BUSINESS

REGULAR AGENDA

PUBLIC HEARINGS

3. **Planning and Zoning Board Oder No. 2022-09 - Elimination of the Outdoor Play Area Variance (PSV22-17) - Extraordinary Kids Foundation - 4218-4220 Lake Worth Road:** A motion to approve a Variance relief from Section 34-1022(f) to eliminate the required outdoor play area, located at 4218--4220 Lake Worth Road.

Staff: Iramis Cabrera, PZB Director

4. **Special Exception Use (PSSE22-08) and Site Development Plan Amendment (SPR22-15) - Extraordinary Kids Foundation (Quasi-Judicial Hearing):** Motion to approve Extraordinary Kids Foundation (Applicant), Site Plan Amendment (SPR-22-15) and concurrently requesting a Special Exception Use (PSSE22-08) to allow a 5,490 square foot child daycare with medical or skilled nursing needs.

Staff: Iramis Cabrera, PZB Director

5. **Ordinance No. 2022-12 - Land Use Amendment and Rezoning (Small-Scale) - Oxygen Development (Quasi-Judicial Hearing):** Motion to recommend for approval, Ordinance No. 2022-12; a Small-Scale Land Use change from Commercial General "(C)" and Medium Density Residential "(RM)" to Light Industrial "(LI)" and Rezoning from Commercial General (CG) and Residential Multiple-Family (RM) to Light Industrial (LI).

Staff: Iramis Cabrera, PZB Director

OTHER BUSINESS

ADJOURNMENT

**NEXT MEETING
TO BE DETERMINED AT MEETING OF OCTOBER 11, 2022**

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus

Address: 226 Cypress Lane, Palm Springs, FL 33461

Email: asaingilus@vpsfl.org

Phone: (561)584-8200 Ext. 8419

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561)584-8200 Ext. 8421

Placeholder – September 13, 2022 Planning and Zoning minutes to be provided prior to the meeting



Village of Palm Springs

Staff Report

AGENDA DATE: October 11, 2022

DEPARTMENT: Planning, Zoning & Building

ITEM #3: Planning and Zoning Board Order No. 2022-09 - Elimination of the Outdoor Play Area Variance (PSV22-17) - Extraordinary Kids Foundation - 4218-4220 Lake Worth Road

SUMMARY: Ms. Madean Gilzene, agent for the tenant, Extraordinary Kids Foundation ("Applicant"), applied for a Special Exception Use (PSSE22- 08) and Site Plan Amendment (SPR22-15) approval to allow the conversion of a 5,495 square feet or retail-office space into a child care facility located on a 4.25-acre parcel that is at 4236 Lake Worth Road. The proposed tenant will be occupying two (2) tenant bays within the existing shopping center (4218-4220 Lake Worth Road) .

In 2014, the Village annexed the 4.25-acre property as a developed parcel with 40,240 square feet of building space within two (2) commercial entities.

Child care facilities are permissible in the CG district with the special exception of approval. The applicant proposes a childcare facility to care for children with medical or skilled nursing needs who cannot attend a traditional daycare. The center will serve children from birth to age 21 with medical conditions that require nursing care and a doctor's prescription to attend. It is not open to the general public. A prescribed pediatric extended care facility is not licensed by Florida's Department of Children and Families like a traditional daycare, but rather by the Florida Agency for Health Care Administration ("AHCA"), which also regulates assisted living facilities, nursing homes, and hospitals. Health conditions include down syndrome, respiratory illness, autism, and cerebral palsy. A maximum of 60 children can be served at a time at the center from 7 a.m. to 7 p.m., Monday through Friday. Registered nurses, licensed practical nurses, and care assistants will work at the facility.

As part of the proposed project, the applicant is requesting one (1) variance:

1. PSV22-17 - Request to allow the elimination of outdoor play area required (provides relief from Section 34-1022(5))

Despite the fact that the literal interpretation of the code may cause hardship, the staff agrees that the removal of the outdoor play area is the minimum variance needed. By granting the variance we will comply with the intent of the Land Development Regulations and not harm the shopping center's balance. Conditional approval is recommended by Planning, Zoning & Building staff because there is no objection to the variance requested.

FISCAL IMPACT:

The proposed project is expected to have a minor fiscal impact on the Village as it would require various Village services that would result in increased revenue for the village.

ATTACHMENTS:

1. Planning and Zoning Board Order 2022-17 - 4218-4220 Lake Worth Road - Extraordinary Kids Foundation
2. Exhibit "A" Staff Report
3. Proposed Site Plan - Floor Plan and Letters
4. Project Narrative and Justification Statements
5. Aerial and Location Maps

**VILLAGE OF PALM SPRINGS, FLORIDA
PLANNING AND ZONING BOARD**

PZ&B Order 2022-09
(PSV22-17)

Applicant(s):

Extraordinary Kids Foundation
4218-4220 Lake Worth Road
Palm Springs, FL 33461

PCN: 70-42-44-25-00-000-1030

FINAL ORDER

THIS MATTER having come before the Village of Palm Springs Planning and Zoning Board ("The Board") on **October 11, 2022**. The Board, having considered the evidence presented by the parties; and having been fully apprised of the circumstances, makes the following finding of fact and conclusions of law.

FINDINGS OF FACT

1. The Board has jurisdiction over the following variance application **PSV22-17**.
2. The above Applicant(s) is the owner of the property legally described as: **25-44-42, W 1/2 OF NW 1/4 OF NE 1/4 OF NE 1/4 (LESS N 60 FT SR 802 R/W & W 30 FT RD R/W)**
3. The Applicant has submitted an application for one (1) variance from the Village of Palm Springs, Florida as set forth below:
 - 1) **PSV22-08** - Requesting a variance relief from Section 34-1022(5) to eliminate the required outdoor play area.
4. The Village's Land Development Code Section 34-603(b)(1) requires the Board to determine that the variance meets the following requirements:
 - (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same land development district.
 - (2) The special conditions and circumstances do not result from the actions of the applicant.
 - (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same land development district.
 - (4) Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same land development district under the terms of this chapter and would work an unnecessary and undue hardship on the applicant.

PZ&B Order 2022-09 – (PSV22-17) – 4218-4220 Lake Worth Road, Extraordinary Kids Foundation

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

(6) The grant of the variance will be in harmony with the general intent and purpose of this chapter.

(7) Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

5. _____ The Board has determined that the application for Variance **PSV22-17**, has met the requirements of Section 34-603(b)(1) of the Land Development Code.

OR _____ The Board has determined the application for Variance **PSV22-17**, has not met the requirements of Section 34-603(b)(1) of the Land Development Code.

6. The Variance is hereby **GRANTED/DENIED**.

DONE AND ORDERED in Palm Springs, Florida this 11th day of October 2022.

ATTEST:

Jane Worth, Deputy Village Clerk

Johnnie Tieche
Chairman Planning and Zoning Board

Copies furnished to:

Extraordinary Kids Foundation, 4218-4220 Lake Worth Road, Palm Springs, FL 33461

Madean Gilzene, President, The Extraordinary Kids Foundation, Inc., 6690 Rainwood Cove Lane, Lake Worth, FL 33463

Iramis Cabrera, Planning, Zoning and Building Director, 226 Cypress Lane, Palm Springs, FL 33461

Glen J. Torcivia, Village Attorney, Northpoint Corporate Center, 701 Northpoint Parkway, Suite 209, West Palm Beach, FL 33407

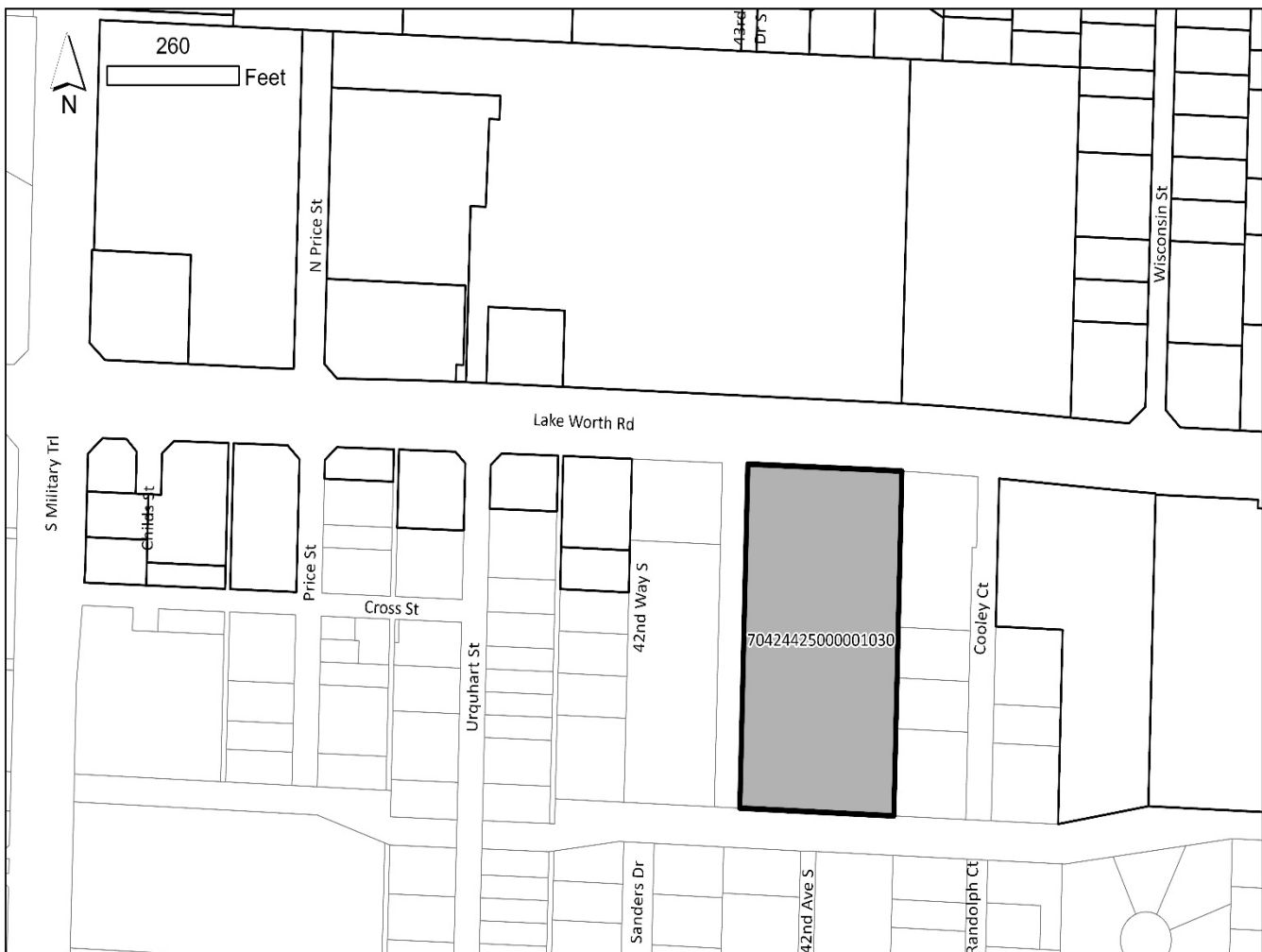


PLANNING, ZONING & BUILDING STAFF REPORT

SUBJECT: Special Exception Use and Site Development Plan Amendment with One (1) Variance - Extraordinary Kids Foundation
 – 4218- 4220 Lake Worth Road.

Application Summary																	
Applicant / Petitioner	Extraordinary Kids Foundation, Inc. (tenant)	Submittal Date	8/24/2022														
Reference Name	Extraordinary Kids Foundation	Case Number	SPR22-15, PSSE22-08, PSV22-17														
		Parcel Control No	70-42-44-25-00-000-1030														
Location	4218-4220 Lake Worth Road	Tenant Space	± 5,495 s.f.														
P&Z B Meeting	October 11, 2022	Council Meeting	November 10, 2022														
Requests																	
Proposed Use(s)	Site Development Plan Amendment and concurrent request for a Special Exception Use to allow a 5,495 square foot child day care facility for children who have medical or skilled nursing needs within two tenant's bays in the existing 40,240 square feet commercial building.																
Number of Buildings	1 child day care facility (5,495 sf) with a maximum of 60 children at a time																
Variances	<u>PLANNING & ZONING BOARD CONSIDERATION:</u> PSV22-17 Requesting a Variance relief from Section 34-1022(5) to eliminate the required outdoor play area.																
Parking																	
Code	Required	Provided	Meets Requirement														
Total Overall Parking	1/ 200 sf @ 5,495 sf = 28 spaces	237 spaces for the entire plaza	Yes														
The Applicant provides care to children who have medical or skilled nursing needs that prevent them from attending a traditional daycare. Children require a doctor's prescription to attend. The facility is not open to the general public. A Prescribed Pediatric Extended Care ("PPEC") facility is not licensed by the Florida Department of Children and Families like a traditional daycare, rather it is licensed by Florida's Agency for Health Care Administration ("AHCA") which also regulates assisted living facilities, nursing homes and hospitals. While the proposed facility is not a standard daycare, by definition of the Land Development Regulations, "childcare facility" is the best description for this use. A childcare facility is a special exception use in the CG district, and is subject to supplemental regulations: <table border="1"> <thead> <tr> <th>Requirement</th> <th>Proposal</th> </tr> </thead> <tbody> <tr> <td>1. Residential Area</td> <td>Code allows use by SE approval in CG</td> </tr> <tr> <td>2. Lot Area (10,000 s.f. min)</td> <td>Shopping Center complies</td> </tr> <tr> <td>3. Floor Area (1500 s.f. min for 40 children + additional 35 sf per child)</td> <td>5,495 s.f.</td> </tr> <tr> <td>4. Outdoor Play Area (1500 s.f. min)</td> <td>Subject of Variance Request</td> </tr> <tr> <td>5. On-Site Parking (1 sp/employee or 1 sp/200 sf)</td> <td>28 spaces minimum</td> </tr> <tr> <td>6. 1 Drop-Off Space/8 children</td> <td>8 designated drop-off spaces</td> </tr> </tbody> </table>				Requirement	Proposal	1. Residential Area	Code allows use by SE approval in CG	2. Lot Area (10,000 s.f. min)	Shopping Center complies	3. Floor Area (1500 s.f. min for 40 children + additional 35 sf per child)	5,495 s.f.	4. Outdoor Play Area (1500 s.f. min)	Subject of Variance Request	5. On-Site Parking (1 sp/employee or 1 sp/200 sf)	28 spaces minimum	6. 1 Drop-Off Space/8 children	8 designated drop-off spaces
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Site Characteristics			
Existing Use	Empty bays	Proposed Use	Child day care facility
Existing Zoning	Commercial General (CG)	Existing Future Land Use	Commercial
Surrounding Existing Land Use, Future Land Use, and Zoning			
Direction	Existing Use	Future Land Use	Zoning District
North	Home Depot (retail store)	Commercial	Commercial General (CG)
South	Canal L-12, LW Drainage District	Unincorporated PBC	Unincorporated PBC
East	Personal Services, Single Family Home	Unincorporated PBC	Unincorporated PBC
West	Multi-Family Residences, Vacant Commercial	Unincorporated PBC	Unincorporated PBC
Recommendation			
Planning, Zoning & Building Staff can appreciate the need for a skilled nursing environment for children with medical challenges. Staff finds that the proposed facility generally meets the intent and requirements for a childcare facility and recommends conditional approval for the proposed child day care facility use as depicted on the proposed plans and supports the requested variance.			



I. Site History

- **Ordinance 2014-31: Annexation**

On December 11, 2014, the property at 4236 Lake Worth Road was involuntarily annexed into the Village of Palm Springs along with thirty-two (32) other commercial and residential parcels. The parcel at 4236 Lake Worth Road was annexed with a Future Land Use Designation of Commercial and a Zoning Designation of Commercial General (CG).

- **Administrative Site Plan Amendment # 202200051**

On January 26, 2022, the Land Development Director issued conditional approval of the administrative site plan amendment for the proposed exterior remodeling work proposed for 4236 Lake Worth Road. The proposed work involves minor modifications to the exterior façade of the building, including a built-up roof, new stucco, new back light decorative grill, awning and canopy additions, and architectural tile additions to the walls.

- **Resolution 2022-13: Site Plan and Special Exception Use**

On September 8, 2022 the Village Council denied a 7,080 sf proposed restaurant with lounge within two tenant bays based on the proposed tenant doing illegal operations without proper approval and inconsistency with adjacent residential properties.

II. Comprehensive Plan Consistency

The subject property's Future Land Use designation and Zoning are Commercial and Commercial General (CG), respectively. The proposed use is permitted as special exception use and is generally consistent with goals, objectives and policies of the Village's Comprehensive Plan. With the proposed use, quality medical jobs will be provided and will benefit the residents.

III. Variances Requested

The applicant is seeking the following variance:

1. **PSV22-17** Requesting a Variance relief from Section 34-1022(5) for the elimination of outdoor play area.

The Extraordinary Kids Foundation is seeking a variance which outlines the supplemental regulations for a Child Care Facility to eliminate the minimum outdoor play area. The use of the leased premises will be as a Prescribed Pediatric Extended Care Center, known by the acronym PPEC. A PPEC is licensed by Agency for Health Care Administration [AHCA]. Traditional childcare facilities are licensed by the Department of Children and Family Services. A doctor's prescription is required to attend a PPEC. The attendees must meet specific medical requirements to attend. In most jurisdictions, a PPEC is approved as a medical center; however, the Palm Springs Code defines a childcare center as, "an establishment which provides care or instruction for more than five children, operated on a regular basis and which is consistent with all other provisions of state law." While a PPEC meets this definition, the actual operation of the facility does not need to satisfy Section 34-1022 (5) of the Palm Springs Land Development Regulations. The medical conditions of the patients that attend a PPEC do not warrant a typical childcare outdoor play area. Moreover, AHCA does not require a PPEC to have any outdoor play area

The applicant's full justification is hereto:

- a. That special condition and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same land development district.

The applicant is seeking the special exception for a child care center notwithstanding the fact that it does not operate as a child care center or hold itself out to the public to be a child care center. No state regulations require a PPEC to provide its patients with an outdoor play area regardless of the location of the PPEC. The other licensed PPECs in Palm Beach County do not have an outdoor play area.

b. That the special conditions and circumstances do not result from the actions of the applicant.

There is no State Statute or regulation promulgated by any State Regulatory Agency that requires a PPEC provide an outdoor play area. A PPEC is not required under any State law to adhere to standards as a childcare center other than the requirement that it meet fire safety codes of a non-resident child care facility. Even though it is not required the center will have an indoor play area with soft play mats within the building.

c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same land development district.

The unique nature of the PPEC use is not specifically addressed in the Code. It is regulated by the Agency for Health Care Administration (AHCA) which has not generated any regulation requiring an outdoor play area be provided for the patients. Approving the variance will not confer any special privilege on the Applicant since the provision of an outdoor play area is not required for this use.

d. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same land development district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

If the Applicant is required to provide an outdoor play area, as required by the code, it will impose a requirement on this PPEC that is not required by any other PPEC in Florida. The expense to construct an outdoor play area that will not be used by the patients will be an unnecessary and undue hardship on the Applicant.

e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Granting the variance is the minimum that will enable the Applicant to provide a medical service to a population that is underserved in Palm Beach County.

f. That the granting of the variance will be in harmony with the general intent and purpose of this chapter.

One purpose of the Code is to control and regulate development in the Village by concentrating development in areas where adequate community facilities and services can be provided. Granting this variance will allow additional medical services to be provided to an underserved segment of the population.

g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Granting this variance will not be injurious to the area nor a detriment to the public welfare. In fact, it will be a great benefit to community by providing medical care to needy children and allow their parents to work outside of the home. It will also bring jobs to the area.

Staff does not object to the applicant's request, based on the applicant intent to provide the need of this services within the community. Staff agree that special circumstances are present because the proposed PPEC is not a standard daycare and that a special privilege will not be created since the PPEC is different than a typical childcare facility. Staff understand that literal interpretation of the code may create hardship and does agree that the elimination of the outdoor play area is the minimum variance needed for this location. Granting the variance will be harmonious with the intent of the Land Development Regulations and will not be injurious to the balance of the shopping center.

Staff generally finds that the requested variance will not be contrary to public interest; however, staff believes that even special needs children should have access to fresh air and natural light during the day; but within the shopping center, there are not a desirable location for a designated outdoor play area.

IV. Neighborhood Compatibility

- 1) The proposed project is located on the south side of Lake Worth Road near the southeast corner of Lake Worth Road and Military Trail, between S 42 Way and Colley Court.
- 2) Surrounding properties are a mix of residential and commercial uses. The adjacent residential uses are currently in unincorporated Palm Beach County.
- 3) The proposed project is on one of the most important corridors within the Village limits, Lake Worth Road, that connects East and West portions of the County and surrounding cities.
- 4) Transit service is available through Palm Tran route 62 and 3.
- 5) The existing retail plaza has different tenants occupying the building providing different retail, professional and personal services.

V. Regulatory Issues

- The site plan generally conforms to the property development standards of the CG district.
 - 1) Proposed project plan generally meets required site development regulations.
 - 2) Variance for the elimination of the outdoor play area shall be approved by the Planning & Zoning Board.
 - 3) Permits from all applicable permitting agencies, including but not limited to PBC Fire Rescue and Village of Palm Springs are required prior to any construction.
 - 4) Palm Beach County Traffic division has determined that the proposed project will not generate additional trips; therefore, the project meets the TPS of Palm Beach County.

VI. Environmental Issues:

There are no environmental (wetlands, floodplains, etc.) issues identified.

VII. Community Outreach/ Notification

- The subject property was posted on September 30, 2022.
- Public Notification letters were mailed to all property owners within 300 feet radius of subject property on September 28, 2022.
- Legal advertisement was published in the paper on September 29, 2022.
- Staff has not received any inquiries or comments as a result of the notices.

VIII. Proposed Development Plan Details

The petitioner's development plans dated received on August 24, 2022 depicts the following:

- An application submitted for a Special Exception Use and concurrently Site Development Plan Amendment with one (1) variance to allow a child day care facility with a maximum of 60 children.
 1. Site Plan dated received August 24, 2022 revised and resubmitted on September 19, 2022.
 2. Floor plans dated received August 24, 2022 revised and resubmitted on September 19, 2022.
 3. Justification Statement and proposed use.
 4. Traffic Statement.

IX Recommendation

The Applicant is requesting a site plan amendment and concurrently a special exception use to allow a child day care facility to provide care to children who have medical or skilled nursing needs that prevent them from attending a traditional daycare. The center will serve children from Birth to age 21 with medical conditions that require nursing care and doctor's prescription to attend. The facility is not open to the general public. A Prescribed Pediatric Extended Care ("PPEC") facility is not licensed by the Florida Department of Children and Families like a traditional daycare, rather it is

licensed by Florida's Agency for Health Care Administration ("AHCA") which also regulates assisted living facilities, nursing homes and hospitals. Examples of types of conditions served are Down Syndrome, Respiratory Illness, Autism, Cerebral Palsy. The center will serve up to 60 children at a time Monday to Friday from 7am to 7pm. Staff will consist of Registered Nurse, Licensed Practical nurse, and Care Aides.

Village staff can appreciate the need for a skilled nursing environment for children with medical challenges and finds that the proposed PPEC generally meets the intent and requirements for a childcare facility.

Staff has found the proposed Special Exception use to be generally consistent with goals, objectives and policies of the Village's Comprehensive Plan. The proposed use is generally consistent with the Land Development and zoning regulations and all other portions of the code. The proposed special exception use does not significantly reduce light and air to adjacent properties and would not be deterrent to surrounding properties. The new project does not negatively impact natural systems.

Planning, Zoning and Building Staff recommends conditional approval of the Special Exception Use, Site Development Plan Amendment and Variance subject to the following thirteen (13) conditions below:

1. Build out date is December 31, 2023.
2. The special exception approval shall be implemented within 18 months of Council approval.
3. Permits issued by the Village are required before any renovation takes place. Renovations may be required due to change of occupancy from a Florida Building Code perspective from Business to Child Care. All renovations shall adhere to the Village Code. A life safety plan depicting arrangement of beds, play/activity area, therapy and personal hygiene areas shall be submitted prior to issuance of a business tax receipt.
4. Copies of licenses from all Authorities Having Jurisdiction are required to be provided to the Planning, Zoning and Building Department prior to occupancy. A PPEC license shall be maintained through the duration of the business. The use cannot be converted to another form of childcare facility without subsequent Village approvals.
5. The General Contractor shall be on site during any and all construction activity in accordance with FS 489.1195.
6. Permits must be obtained from the Village and Palm Beach County Fire Department **at time of permitting**.
7. Provide permits from all applicable permitting agencies **at the time of permitting**.
8. The construction dumpster shall be only provided by Waste Pro USA who is under franchise Agreement with the Village.
9. The property owner shall register an Agent of Record, prior to issuance of a permit, to establish a contact person responsible for compliance with this Development Order, including site plan/landscape plan details and conditions of approval.
10. The Applicant may be required to undertake additional security measures, based on the number of complaints or calls for service for incidents at the premises, as determined by the Police Chief. Such additional security measures, as approved by the Police Chief, may include increased on-site security at the operator's sole expense.
11. Any sidewalk broken or damaged during construction shall be replaced by the contractor **prior to CC**.
12. Absolutely no occupancy, other than construction personnel, is permitted **prior to TCC/CC**.
13. **At the time of CC**, the petitioner shall provide the Planning, Zoning and Building Department with electronic copies of as-builts.

EXTRAORDINARY KIDS FOUNDATION

4218 - 4220 Lake Worth Road,

Lake Worth, FL 33461

SCOPE OF WORK

THE SCOPE OF WORK INCLUDES THE FOLLOWING :

SITE PLAN APPROVAL FOR RE-ZONING OF VACANT UNITS 4218 AND 4220 INTO A DAY CARE CENTER (PRESCRIBED PEDIATRIC)

OWNER TO SUBMIT PERMIT SET FOLLOWING SITE PLAN APPROVAL

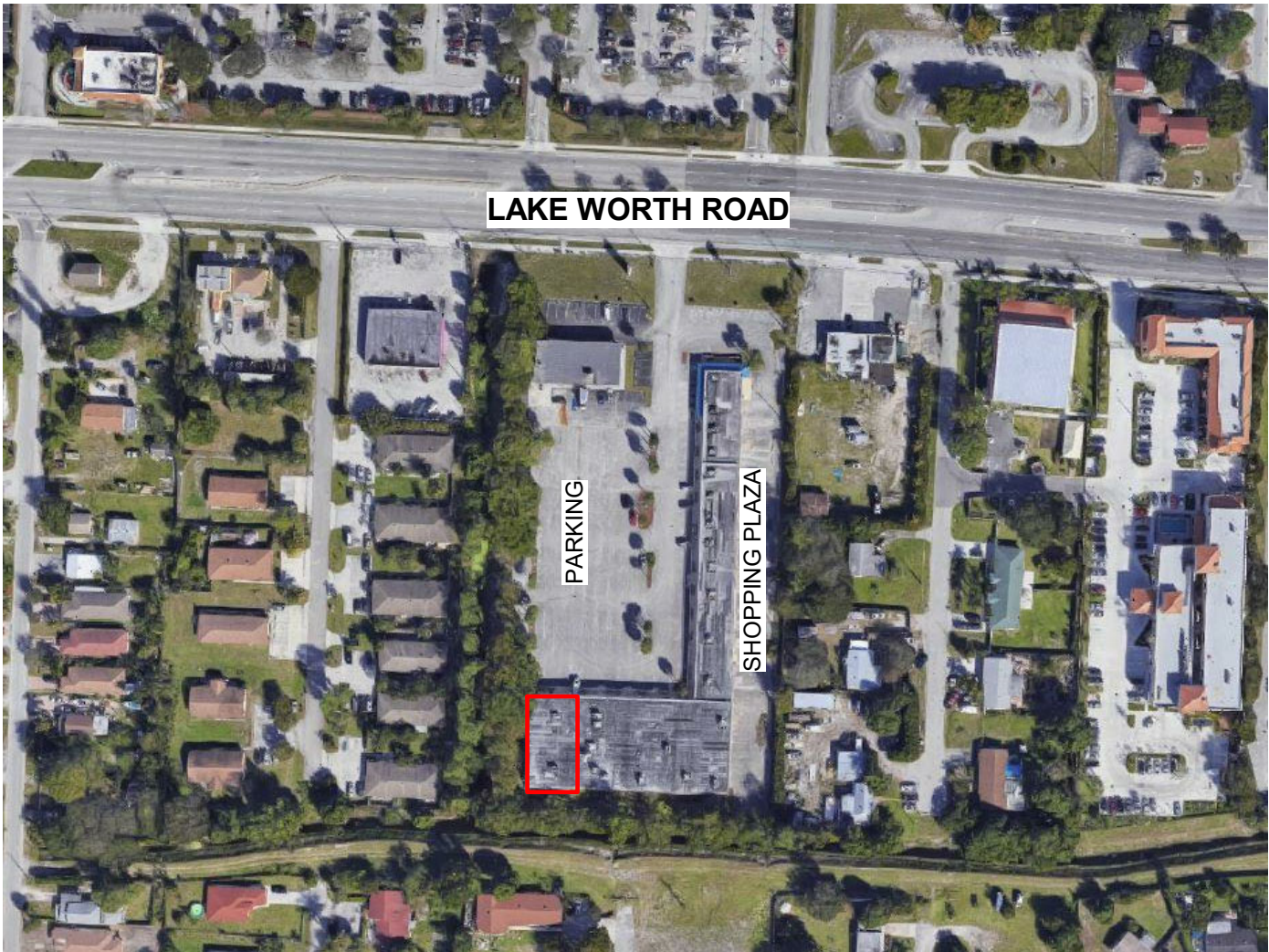
PROJECT TEAM

ARCHITECT
CONTIN ARCHITECTURE AND DESIGN
826 S FEDERAL HWY LAKE WORTH FL
(561) 249 - 4007

ALL WORK SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES HAVING JURISDICTION. INCLUDING BUT NOT LIMITED TO:

- FLORIDA BUILDING CODE- 2020 7TH EDITION
- FBC, MECHANICAL- 2020 7TH EDITION
- FBC, PLUMBING- 2020 7TH EDITION
- NFPA NATIONAL ELECTRICAL CODE, 2020 EDITION

LEVEL II ALTERATION. PER FBC SEC 603.1



ABBREVIATIONS

AB	ANCHOR BOLT	FD	FLOOR DRAIN	#	NUMBER	T & G	TONGUE & GROOVE
ABV	ABOVE	FIN	FINISH	NOM	NOMINAL	TEL	TELEPHONE
A/C	AIR CONDITIONING	FIX	FIXTURE	NTS	NOT TO SCALE	TEMP	TEMPORARY
AFF	ABOVE FINISH FLOOR	FLR	FLOOR	OA	OVERALL OUTSIDE AIR	THK	THICK-THICKNESS
ALUM	ALUMINUM	FLUOR	FLUORESCENT	OC	ON CENTER	T.O.	TOP OF
APPROX	APPROXIMATE	FTG	FOOTING	OPC	OPENING	TYP	TYPICAL
ARCH	ARCHITECTURAL/ARCHITECT	FURR	FURRING	OPP	OPPOSITE	UGND	UNDERGROUND
BD	BOARD	GA	GAGE, GAUGE	ORIG	ORIGINAL	UL	UNDERWRITERS LAB.
BLDG	BUILDING	GALV	GALVANIZED	PART	PARTITION	VERT	VERTICAL
BLK	BLOCK	GL	GLASS	PL	PLATE	WH	WITH
BOTT	BOTTOM	GR	GRADE	PLAS	PLASTER	WC	WATER CLOSET
B.O.	BOTTOM OF	GYP	GYPSUM	PLYWD	PLYWOOD	WH	WATER HEATER
BRG	BEARING	HB	HOSE BIBB	PNL	PANEL	WM	WIRE MESH
BTN	BETWEEN	HRT	HORIZONTAL	PNT	PAINT	W/O	WITHOUT
CAB	CABINET	HCP	HANDICAP	POL	POLISHED	WP	WATERPROOF
CLG	CEILING	HDW	HARDWARE	PREFAB	PREFABRICATED	WS	WEATHER STRIPPING
CEM	CEMENT	HGT	HEIGHT	PROJ	PROJECT	WWF	WELDED WIRE FABRIC
CLG	CEILING	HM	HOLLOW METAL	PSF	POUNDS PER SQUARE FOOT		
CL	CLOSET	HR	HOUR	PSI	POUNDS PER SQUARE INCH		
CLR	CLEAR	HVAC	HEATING/VENTILATING/ AIR CONDITIONING	PRTR	PRESSURE TREATED		
COL	COLUMN	IN	INCANDESCENT	PTD	PAINTED		
CONC	CONCRETE	INC	INCLUDE	PVMT	PAVEMENT		
CONSTR	CONSTRUCTION	INFO	INFORMATION	QTY	QUANTITY		
CONTR	CONTRACTOR	INSUL	INSULATE-INSULATION	REF	REFRIGERATOR		
CT	CERAMIC TILE	INT	INTERIOR	REQD	REQUIRED		
CTR	CENTER	KIT	KITCHEN	REINF	REINFORCE-REINFORCING		
DEG	() DEGREE	LAM	LAMINATED	RET	RETURN		
DEPT	DEPARTMENT	LAV	LAVATORY	REV	REVERSE, REVISION		
DET	DETAIL	LB	POUND	RIGD	RIGID		
DF	DRINKING FOUNTAIN	LINEAR	LINEAR	RM	ROOM		
DIA	DIAMETER	LT	LIVE LOAD	RO	ROUGH OPENING		
DIM	DIMENSION	LTV	LIGHT	SCHED	SCHEDULE		
DN	DOWN	LVR	LOUVER	SD	SOAP DISPENSER		
DR	DOOR	MATL	MATERIAL	SEP	SEPARATE		
DWG	DRAWING	MAX	MAXIMUM	SECT	SECTION		
EA	EACH	MECH	MECHANICAL	SHT	SHEET		
EL	ELEVATION	MEMB	MEMBRANE	SIM	SIMILAR		
ELEC	ELECTRICAL-ELECTRIC	MTL	METAL	SPEC	SPECIFICATION		
EQ	EQUAL	MFC	METAL FURRING CHANNEL	SO	SQUARE		
EQPT	EQUIPMENT	MFR	MANUFACTURER	STD	STANDARD		
EQUIV	EQUIVALENT	MIN	MINIMUM	STL	STEEL		
EW	EACH WAY	MIR	MIRROR	STOR	STORAGE		
EMB	EMBEDDED	MISC	MISCELLANEOUS	SUB	SUBSTITUTE		
EXIST	EXISTING	MO	MASONRY OPENING	SURF	SURFACE		
EXT	EXTERIOR-EXTERNAL	MR	MOISTURE RESISTANT	SUSP	SUSPEND-SUSPENDED		
		NAT	NATURAL	SYS	SYSTEM		
		NIC	NOT IN CONTRACT				

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CONTIN
ARCHITECTURE + DESIGN

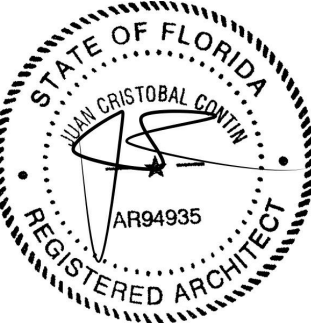
REGISTERED ARCHITECT:

JUAN CRISTOBAL CONTIN

FL LICENSE # AR94935

826 S. FEDERAL HIGHWAY

LAKE WORTH, FL 33460



CLIENT:

The Extraordinary Kids Foundation Inc.

PROJECT TITLE:

4218 & 4220 Lake Worth Road

PROJECT ADDRESS:

4218 & 4220 Lake Worth Road, Lake Worth, FL 33461

DATE: 9/21/2022 11:11:32 AM

ISSUED: ISSUED

DRAWN BY: BB

CHECKED BY: JC

REVISIONS:

△	
△	
△	
△	
△	

SCALE/NORTH POINT:

AS SHOWN

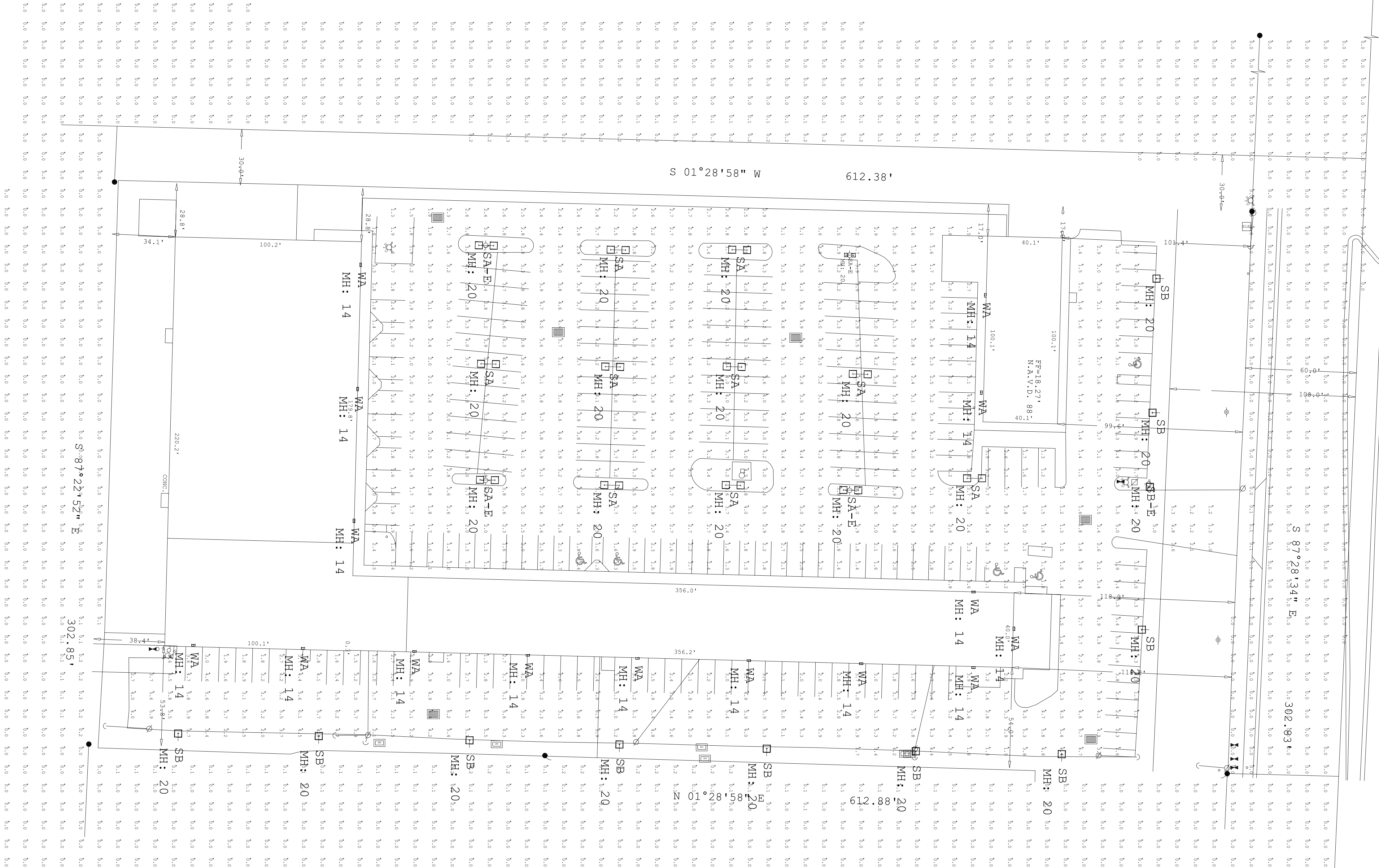
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Index Sheet

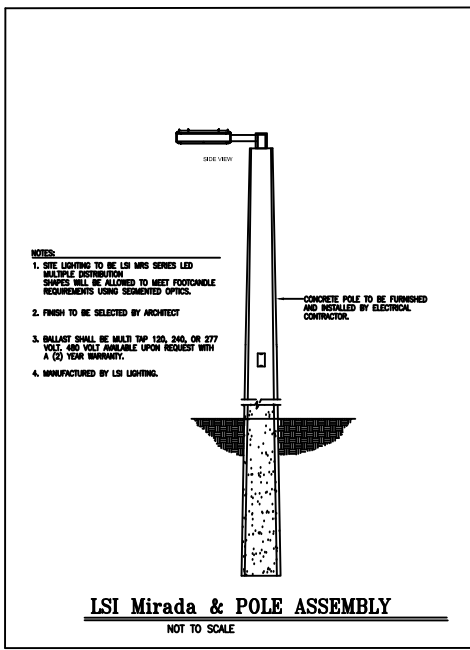
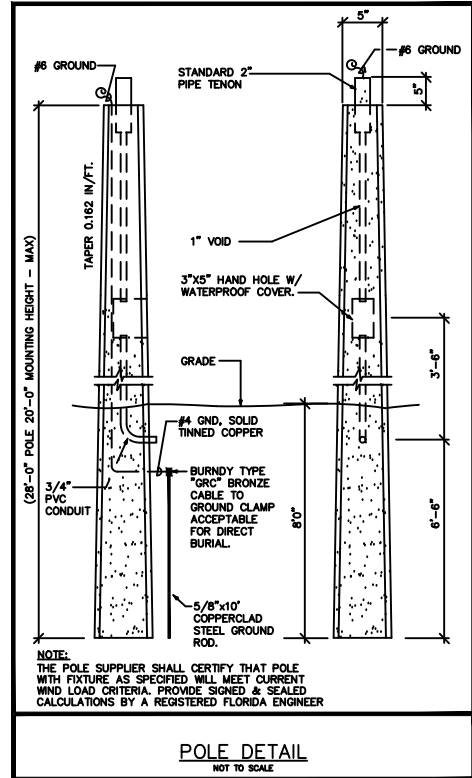
DRAWING STATUS:

DRAWING NUMBER:

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Luminaire Schedule		Calculation Summary		Units		Avg		Avg/Min		Max/Min		Tag	
Symbol	Qty	Label	Arrangement	Lum. Lumens	Lum. Watts	LLF	Description						
	9	SA	BACK-BACK	9118	63	0.900	LSI Industries MRS-LED-09L-SIL-SW-40-70CRI, 2ø180°						
	10	SB	SINGLE	11444	135	0.900	LSI Industries MRS-LED-18L-SIL-FY-40-70CRI-IL, Single Head						
	15	WA	SINGLE	609	44.7	0.900	LSI Industries MRS-LED-09L-SIL-SW-40-70CRI, 2ø180°						
	4	SA-E	BACK-BACK	9118	63	0.900	LSI Industries MRS-LED-09L-SIL-SW-40-70CRI, 2ø180°						
	1	SB-E	SINGLE	11444	135	0.900	LSI Industries MRS-LED-18L-SIL-FY-40-70CRI-IL, Single Head						



Photometric Plan

J-W Engineering, Inc.

C.O.A #9937
20 Balfour Road West
Palm Beach Gardens, FL 33418
561-430-3550 JWWessonPE@aol.com

B
DESIGN, INC.
R
G

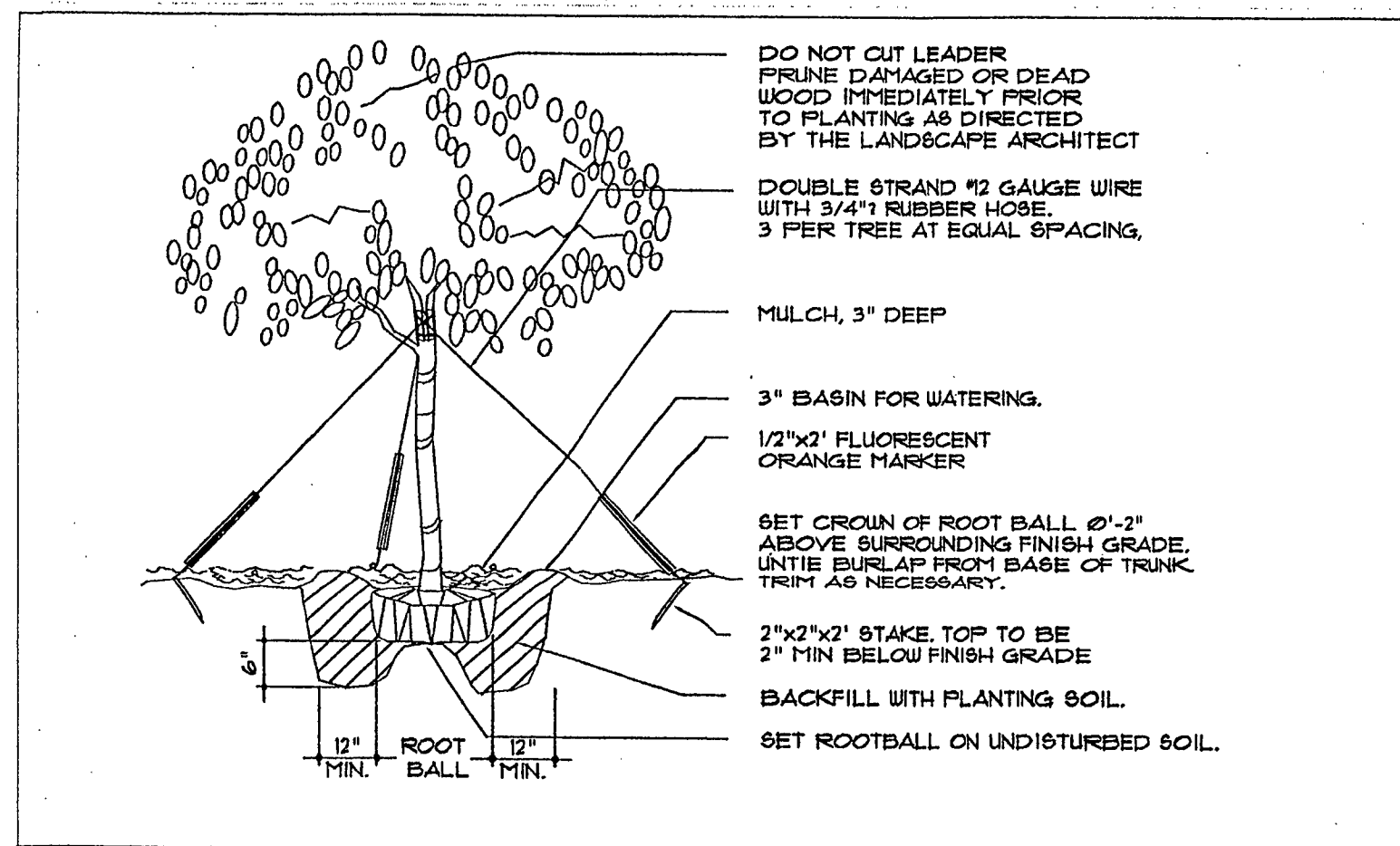
314 South F Street
Lake Worth Beach, FL 33460
BergDesign07@hotmail.com
561-480-9318

4236 Lake Worth Road
Lake Worth, FL 33461

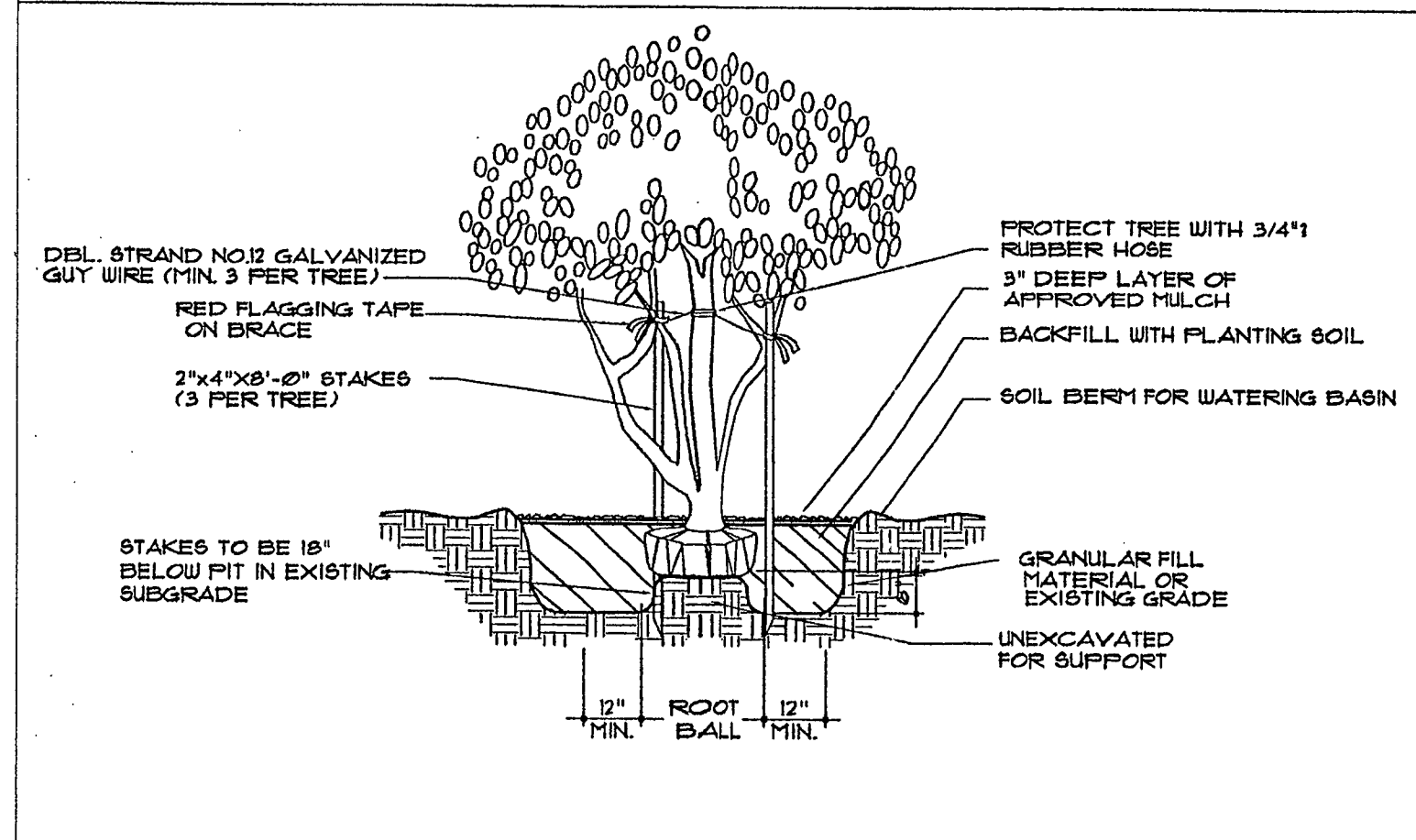
Revision	Date
Original Issue	12/16/2021

Scale: Varies As Noted

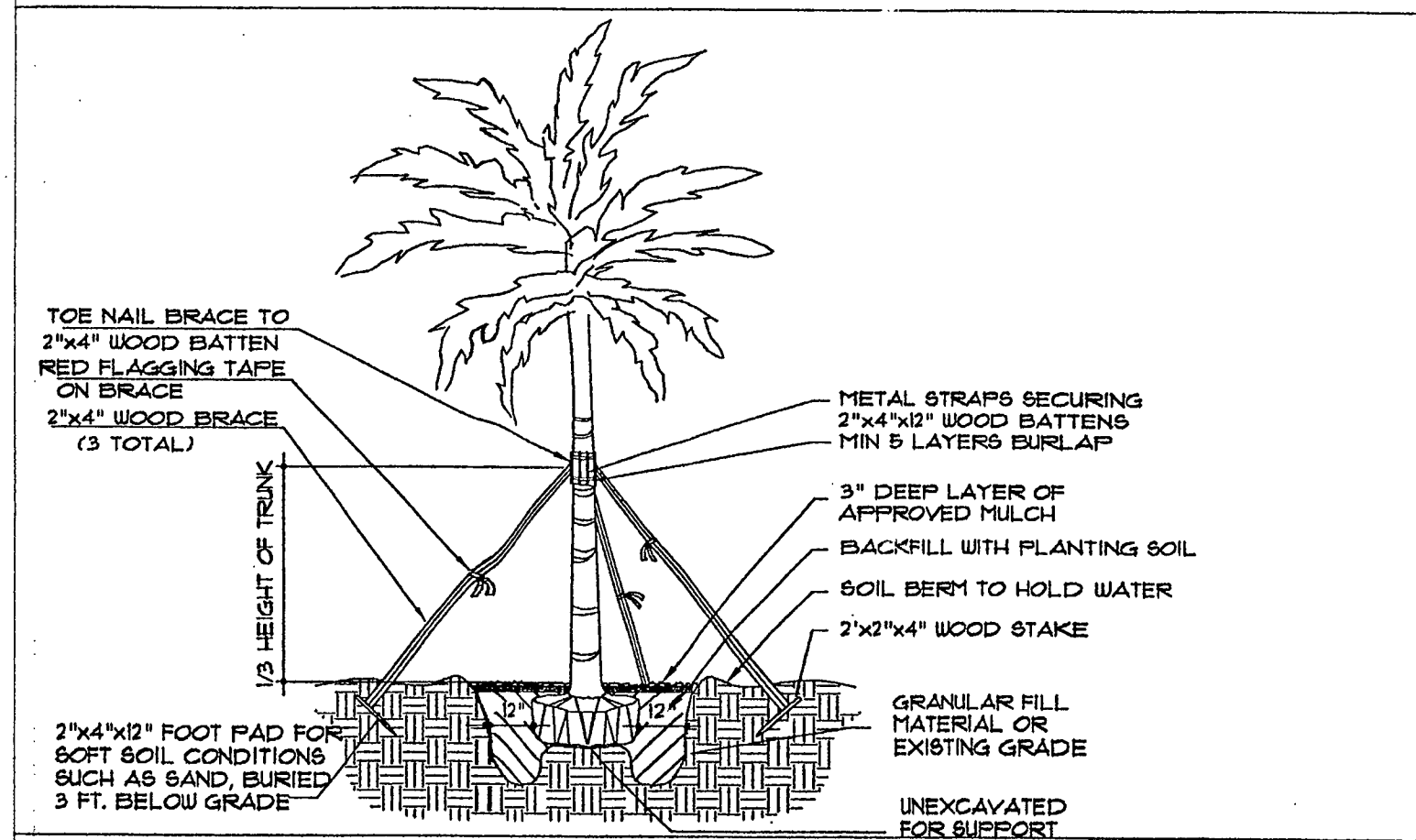
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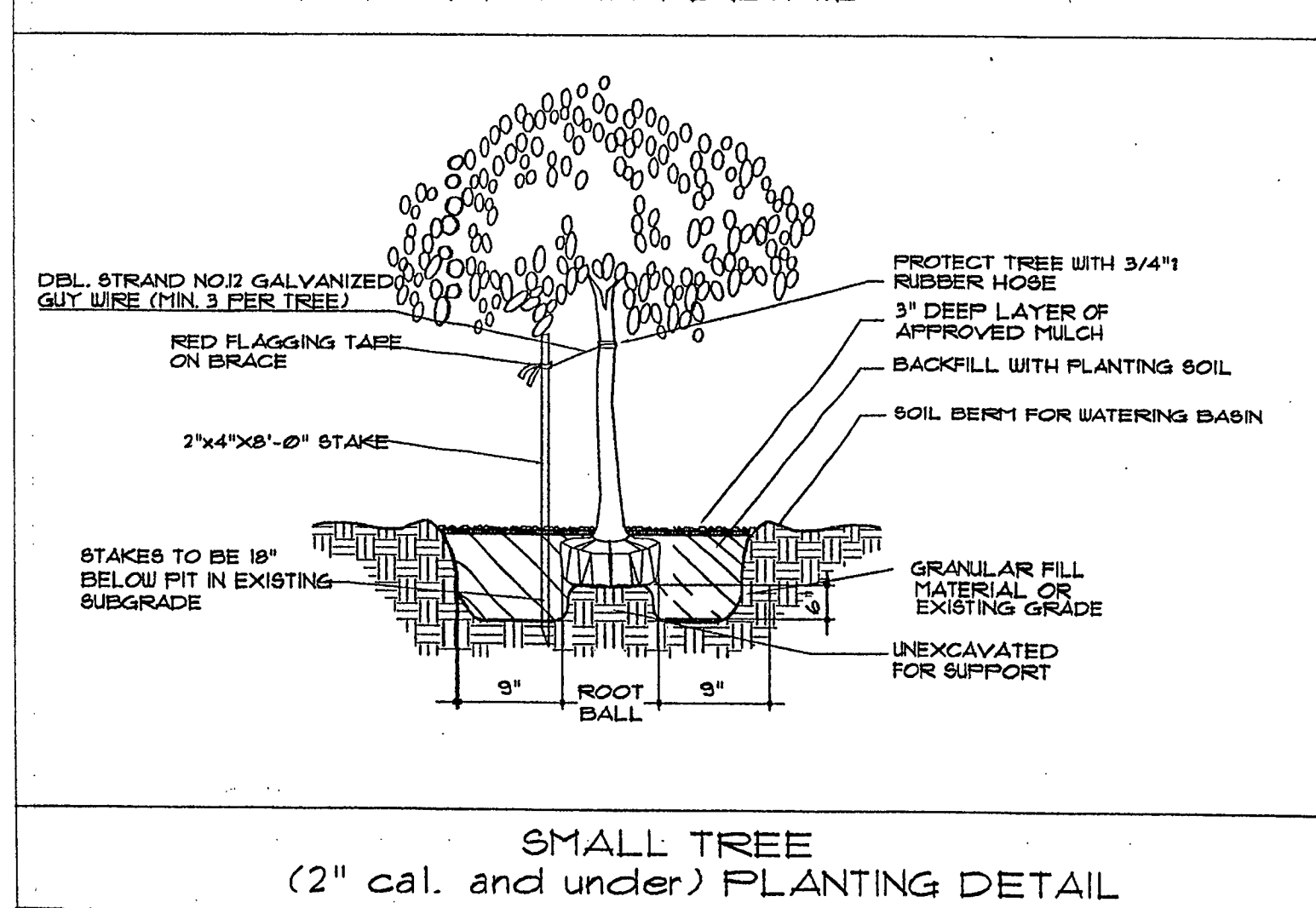
LARGE TREE
(2" cal. and over) PLANTING DETAIL



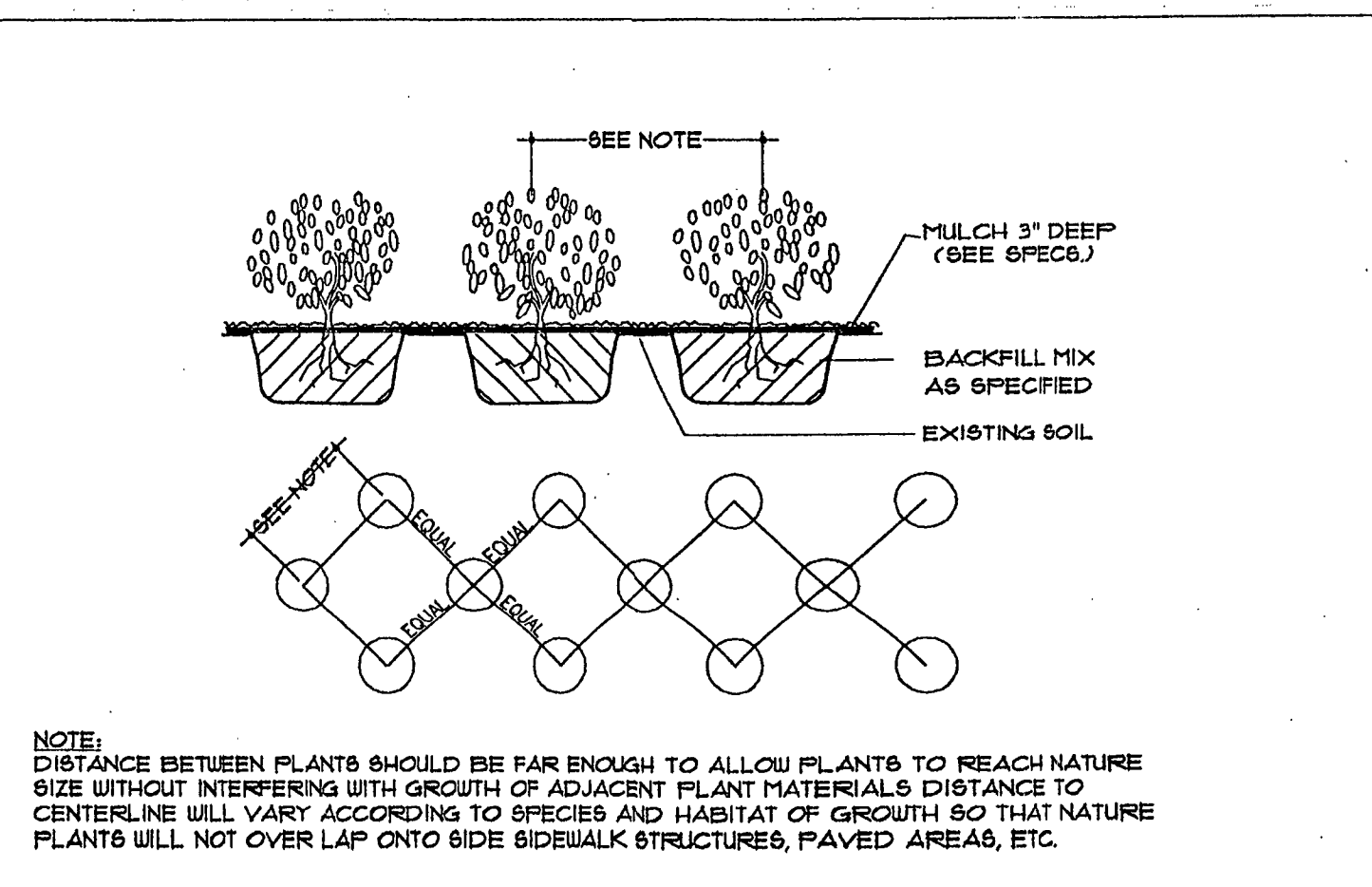
MULTI-TRUNK AND SMALL TREE
(2" cal. and under) PLANTING DETAIL



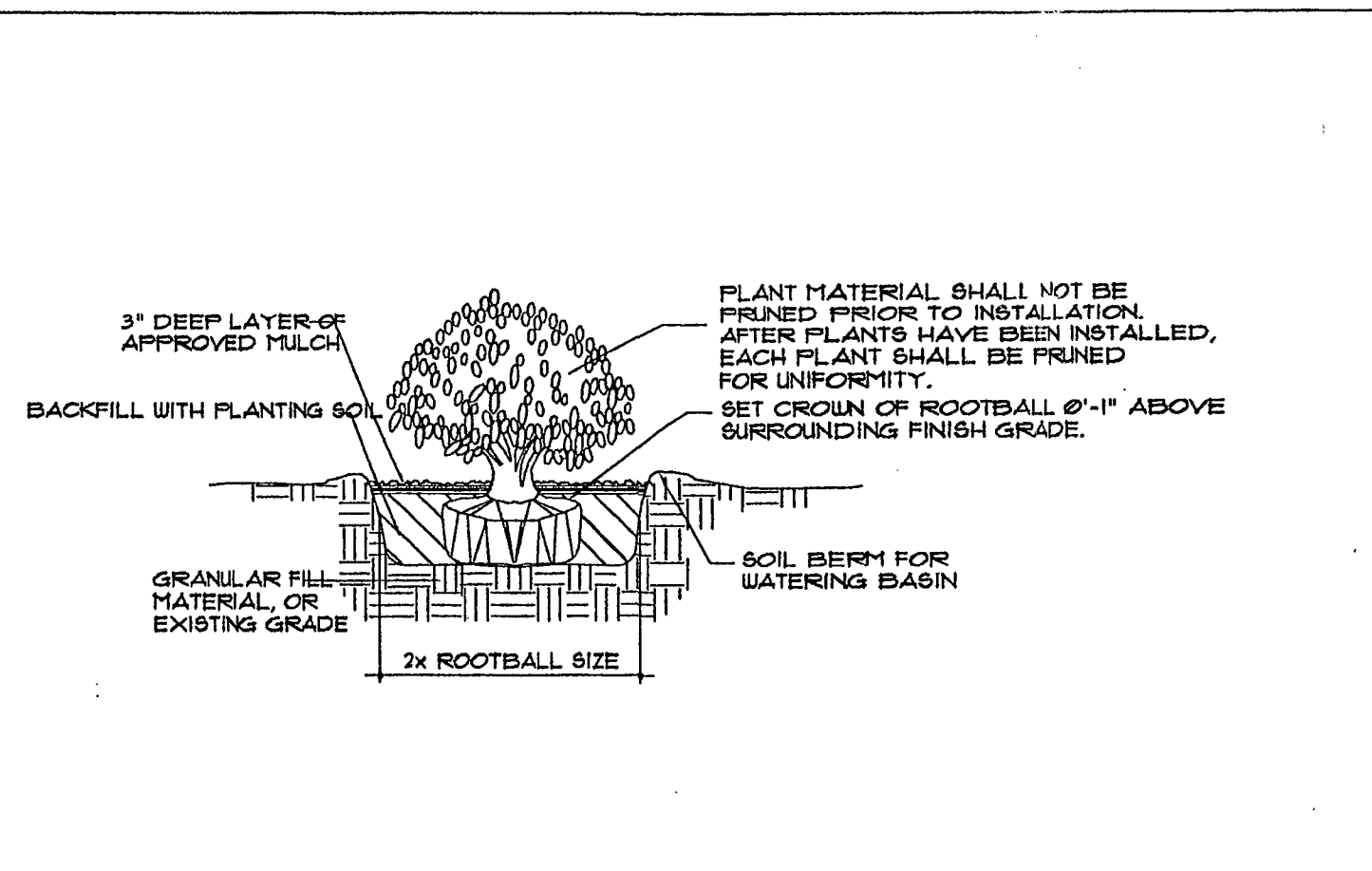
PALM PLANTING DETAIL



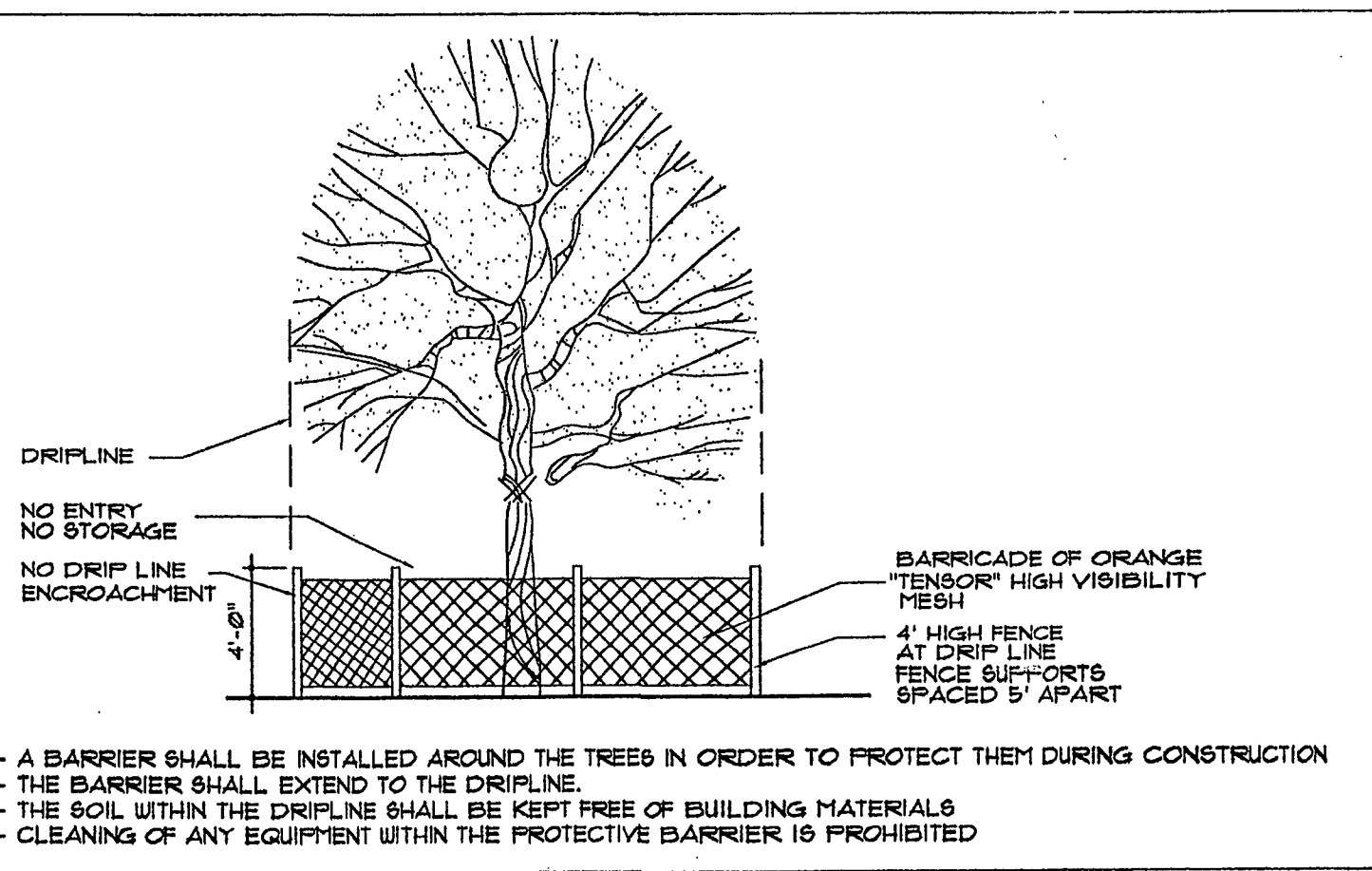
SMALL TREE
(2" cal. and under) PLANTING DETAIL



SHRUB/ GROUNDCOVER SPACING DETAIL



SHRUB PLANTING DETAIL



TREE PRESERVATION
BARRICADE FENCING DETAIL

LANDSCAPE PLANTING DETAILS

LANDSCAPE NOTES

1. PLANT MATERIAL: All plant material shall be Florida "or better" as established by "Grades and Standards for Nursery Plants" of the state of Florida, Department of Agriculture.
2. All trees, shrubs and groundcovers shall be of the sizes as specified in the Plant List.
3. Quantities listed on the Plant List are for estimating purposes. Contractor shall verify all quantities. Mulch, topsoil, fertilizer, etc. shall be included in the unit cost of the plants.
4. Where there is a discrepancy either in quantities, plant names, sizes or specifications between the plan or plant list, the plan takes precedence.
5. All planting beds and water basins for trees shall be covered with a 3" minimum depth of shredded eucalyptus or other organic mulch grade "B" or better.
6. The Planting Plan shall be installed in compliance with all existing City codes and applicable deed restrictions.
7. SOD: All areas not used for buildings, vehicular use areas, walks or planting beds shall be grassed. Grassing shall extend to any abutting street pavement edge and to the mean exterior line of any abutting canal, lake or waterway. Sod to be grade "A" weed free. All areas marked "Lawn" shall be St. Augustine "Floratum" solid sod. The Dry Retention area shall be "Bahia Grass" / "Paspalum Notatum". All sod shall be set level tight and even along planting beds.
8. Landscaping contractor is responsible for providing their own square footage takeoffs and field verifications for 100% sod coverage of all areas specified.
9. PLANTING SOIL: All trees and shrubs shall be planted with a minimum of 12" topsoil around and beneath the rootball. Minimum topsoil shall be 6" for groundcover areas, 4" for seeded grass areas and 2" for sodded grass areas.
10. Planting soil to be a weed-free mixture of 50% sand, 40% muck, and 10% Canadian peat. All plant material to receive planting soil as per details. Planting soil backfill for all proposed Date Palms, Coconut Palms, Royal Palms and Liriodendrons shall be backfilled with 80% sand and 20% muck mixed with existing soil free of rock and debris. Bougainvillea species shall be backfilled with 100% sand at time of planting.
11. Contractor is responsible for determining all utility locations and installing facilities so as to not conflict. All damage to existing utilities or improvements caused by Contractor shall be repaired at no additional cost to the Owner.
12. Contractor to notify "Sunshine" at 1-800-639-4031 (48) hours prior to digging for underground utility locations.
13. Contractor shall be responsible for providing final grading of all associated planting areas.
14. After final grade, area to be raked to 6" depth and all rock and foreign inorganic materials removed and disposed of properly off-site.
15. All planting holes to be hand dug except where machine dug holes will not adversely affect or damage utilities or improvements (see note 8).
16. No pruning of any tree or palm will be accepted. All plants to be planted at the nursery grade or slightly higher.
17. Contractor shall stake 4 guy all trees and palms at time of planting as per the appropriate detail. Contractor is responsible for the maintenance and/or repair of all staking and guying during warranty period.
18. All parking islands measuring less than 11 feet (including curbs) due to turning radii requirements shall have root barriers installed against the full perimeter of the island. All linerock shall be excavated from islands to a depth of 2-1/2 feet and backfilled with the specified planting mix.
19. Fertilizer for grass areas shall be NPK 16-4-8 @ 125 lbs/10000 s.f. or 545 lbs/acre. Nitrogen 50% slow release form 4 fertilizer to include secondary micronutrients.
20. SUBSTITUTIONS AND CHANGES: All substitutions and changes shall be approved in writing prior to installation. Any discrepancies between plans, site and specifications shall be brought to the immediate attention of the Architect, the owner and The City of Miramar.

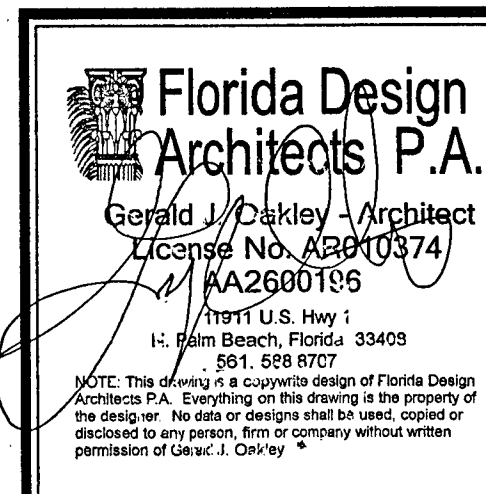
21. WATERING: All plant material shall be watered in at time of planting in accordance with standard nursery practices. In addition Contractor will continue watering of plant material until substantial completion and as needed thereafter for a period of 2 months.
22. EXISTING MATERIAL: All existing material shall be brought to current city code standards. All existing hedges must be continuous as required.
23. DRAINAGE EASEMENT: Written approval must be obtained from local water management district prior to planting within the drainage easement.
24. All new plant material shall be guaranteed for 1 year from time of final acceptance of project. Any plant material not in a healthy growing condition will be replaced by the Contractor at no additional cost to the Owner within 10 days of notification. For all replacement plant material, the warranty period shall be extended an additional 45 days beyond the original warranty period. Warranty is null and void for plant material which is damaged or dies as a result of "acts of God" limited to hail, freeze, lightning, automobile damage, and wind exceeding 15 mph as defined by the Miami Hurricane Center. All trees that lean or are blown over caused by winds less than 15 mph will be re-set and braced by the Contractor at no additional cost to the Owner.
25. Type "D" curbing and wheel stops shall be provided in the V.I.A. Refer to paving and drainage detail sheet for detail of type "D" curb and wheel stop.
26. The successful bidder shall furnish to the Owner a unit price breakdown for all materials. The Owner may, at its discretion, add or delete from the materials utilizing the unit price breakdown submitted.
27. No plant material will be accepted showing evidence of cable, chain marks, equipment scars, or otherwise damaged.
28. Plant material will not be accepted when the ball of earth surrounding its roots has been cracked, broken or otherwise damaged.
29. Root-prune all trees a minimum of (8) weeks prior to planting.
30. Tree grates shall be positioned to rest in the center of tree well and have uniform spacing around outside edges of castings. Install grates where indicated on plans flush and leveled with surrounding pavement surface. Install steel angle frame, in concrete flush and leveled with surrounding paving surface, maintain flush and leveled at all times.
31. All landscaped areas will be irrigated by an underground, automatic, rust-free irrigation system providing 100% coverage and 100% spray overlap. The system shall be maintained in good working order and designed to minimize water on impervious surfaces and not overpray walkways. A rain sensor device shall be installed to override the irrigation cycle of the system when adequate rainfall has occurred.
32. Hedge material shall be planted equal to the height of all dumpsters, transformers, mechanical equipment and other ground free-standing utility equipment or enclosures.
33. All plant material planted within the sight distance triangle areas (see plan) shall provide unobstructed cross-visibility at a horizontal level between 30 inches and 8 feet above adjacent street grade.
34. No canopy trees shall be planted within 12 feet of a light pole. No palm species shall be planted within 6 feet of a light pole.
35. Ground cover plantings shall provide not less than 75 percent coverage immediately upon planting and 100 percent coverage within 3 months after planting.
36. Tree protection barricades shall be provided around existing trees that may be impacted by the proposed construction. Prior to any construction a tree protection barricade inspection shall be conducted by the landscape architect, owner or governing municipality. Refer to landscape detail for tree preservation barricade fencing.
37. Tree removal/relocation permits must be obtained for existing trees to be removed or relocated.
38. In all pedestrian areas, all trees and palms shall be maintained to allow for clear passage at an 8 foot clear trunk.

LANDSCAPE LEGEND

KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING	QUAN.
TREES					
LO	Live Oak	Quercus Virginiana	14' / 16'	25' o.c.	32
OA	Water Oak	Existing			2
BO	Black Olive	Existing			23
SP	Sabal Palm	Existing			30
SHRUBS					
FI	Ficus Hedge	Ficus Benjamin	24' / 30'	24' o.c.	720

NOTE:
Irrigation system for new and existing landscaping is existing with multizone timers.

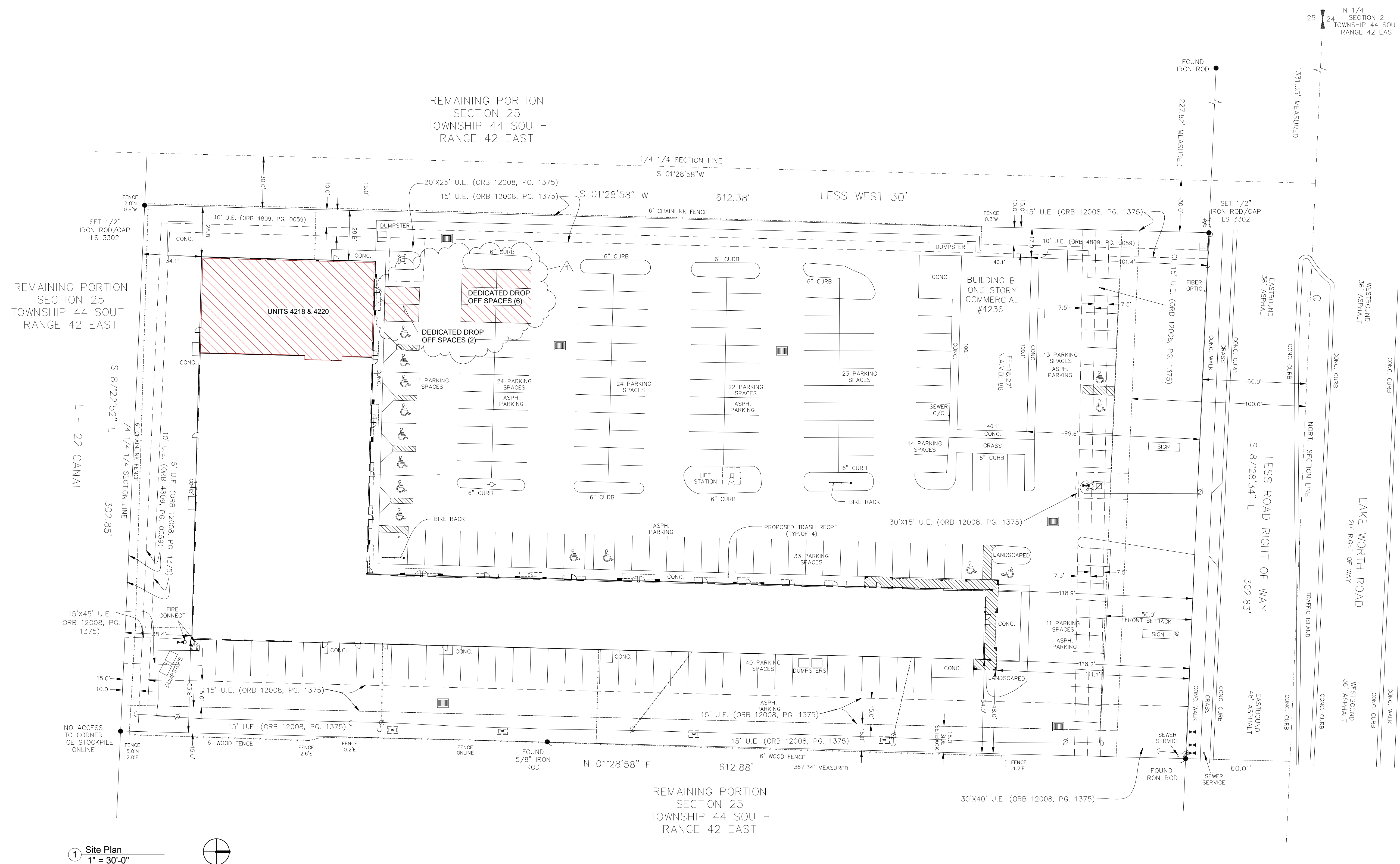
THESE PLANS HAVE BEEN
REVIEWED FOR COMPLIANCE
OCT 29 2007
WITH PALM BEACH COUNTY
FIRE CODE COMPLIANCE IS
THE RESPONSIBILITY OF THE
PERMIT APPLICANT
REVIEWER: DAVID A. SAULS



Proposed
COMMERCIAL
INTERIOR RENOVATIONS
for
NEW STATE OFFICES
4236 Lake Worth Road
Lake Worth, Florida

DATE	REVISION
JOB NO. DATE	A.385.07 Aug. 2007
SHEET L10	
OF SHEETS All dimensions shown on these drawings shall take precedence over notes. The contractor shall notify design firm of any changes in dimensions of job conditions before any work is begun. Without the notification, Contractor takes responsibility for any changes in drawing or job conditions.	

RECORD OFFICE
COPY



CODE INFORMATION

APPLICABLE CODES				REQUIRED SEPARATION OF OCCUPANCIES	
NFPA 101 (2021) FLORIDA BUILDING CODE 7TH ED., (2020) FLORIDA BUILDING CODE 7TH ED., (2020) PLUMBING				SEPARATION HOURS PER FBC TABLE 508.4 EDUCATIONAL GROUP E / BUSINESS GROUP B SPRINKLERED BUILDING 1 HR. FIRE RATING	
AGENCY HAVING JURISDICTION				CONSTRUCTION TYPE	
PALM SPRINGS, FL				TYPE II-B CONSTRUCTION FIRE SPRINKLERED ONE STORY BUILDING	
EXIT ACCESS TRAVEL DISTANCE (FBC, TABLE 1017.2)				PARKING REQUIREMENTS	
SUB-OCCUPANCY		W/O SPRINKLER	W/ SPRINKLER	OVERALL SHOPPING PLAZA 1/200 SQ FT. 40,240 SQ. FT. = REQUIRED SPACES = 202 PROVIDED SPACES = 237	
EDUCATIONAL GROUP E		200	250		
CODE ANALYSIS				UNIT 4218 & 4220 - CHILD CARE FACILITY 1/200 SQ FT. 5,495 SQ. FT. REQUIRED SPACES = 27.5 PROVIDED SPACES = 237	
OCCUPANCY CLASSIFICATION:		EDUCATIONAL GROUP E (DAY CARE) FBC SEC. 305.2			
OCCUPANCY LOAD (FBC, TABLE 1004.5)				HANDICAPPED SPACES = 13 REGULAR SPACES = 224 DEDICATED DROP OFF SPACES = 8	
ALLOWABLE OCCUPANCY BASED ON AREA	DAY CARE	35 NET SF/OCCUPANT			
SQUARE FOOTAGES:		NUMBER OF OCCUPANTS			
UNIT 4218 & 4220		5495 SF	157		

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CONTIN
ARCHITECTURE + DESIGN

REGISTERED ARCHITECT:
JUAN CRISTOBAL CONTIN
FL LICENSE # AR94935
826 S. FEDERAL HIGHWAY
LAKE WORTH, FL 33460

STATE OF FLORIDA
JUAN CRISTOBAL CONTIN
AR94935
REGISTERED ARCHITECT

CLIENT:
The Extraordinary Kids Foundation Inc.

PROJECT TITLE:
4218 & 4220 Lake Worth Road

PROJECT ADDRESS:
4218-4220 Lake Worth Road,
Lake Worth, FL 33461

DATE: 9/21/2022 11:11:54 AM
ISSUED: ISSUED
DRAWN BY: BB
CHECKED BY: JC

REVISIONS:
1 09-21-2022

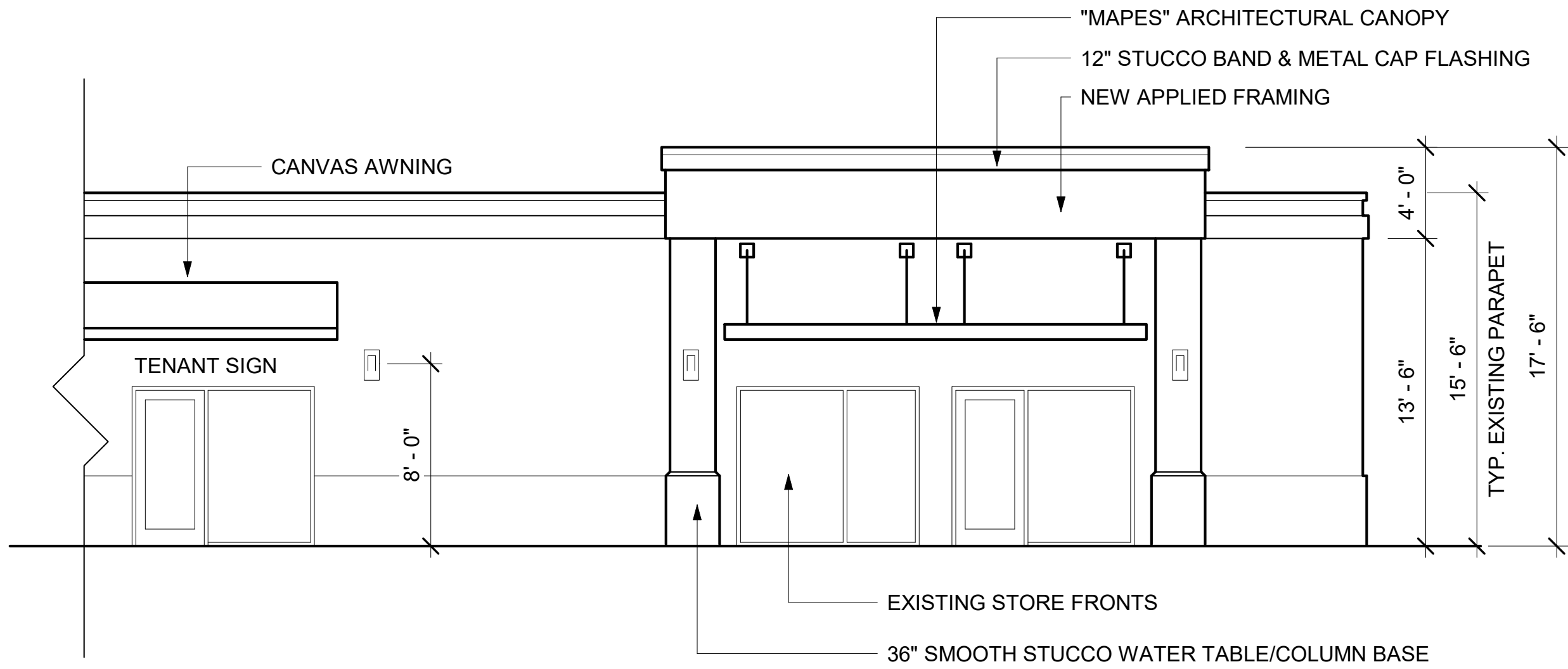
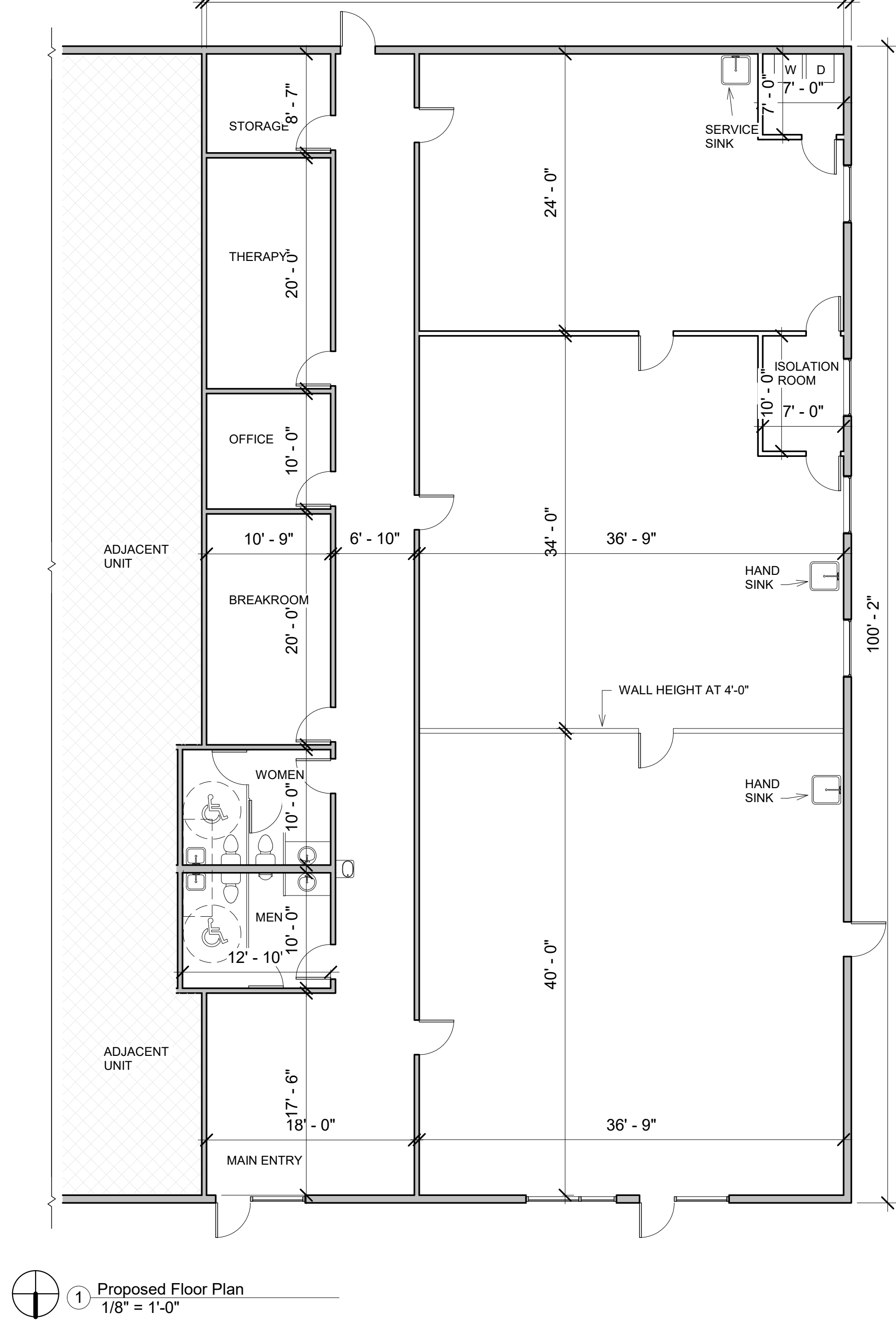
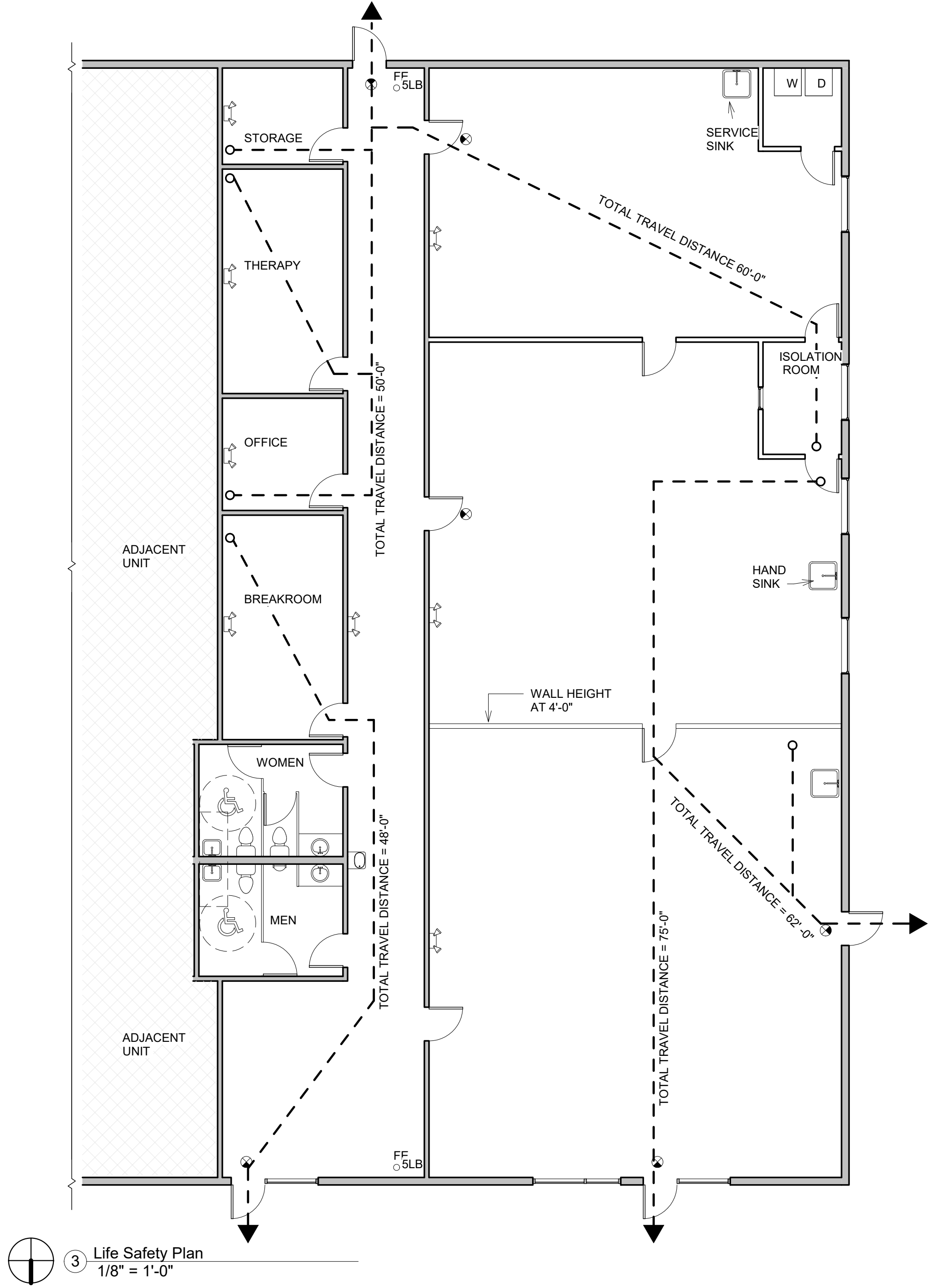
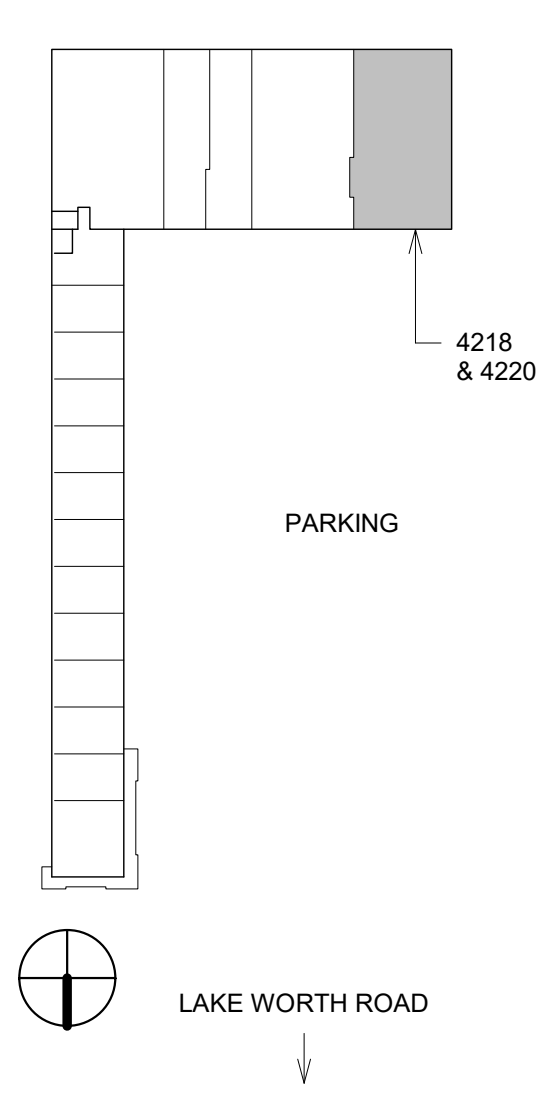
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AS SHOWN

DRAWING TITLE
Site Plan

DRAWING STATUS:

DRAWING NUMBER:
A101

CODE INFORMATION			
APPLICABLE CODES			
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AGENCY HAVING JURISDICTION			
PALM SPRINGS, FL			
EXIT ACCESS TRAVEL DISTANCE (FBC, TABLE 1017.2)			
SUB-OCCUPANCY	W/O SPRINKLER 200	W/ SPRINKLER 250	
EDUCATIONAL GROUP E			
CODE ANALYSIS		EDUCATIONAL GROUP E (DAY CARE) FBC SEC. 305.2	
OCCUPANCY CLASSIFICATION:			
OCCUPANCY LOAD (FBC, TABLE 1004.5)			
ALLOWABLE OCCUPANCY BASED ON AREA	DAY CARE	35 NET SF/OCCUPANT	
SQUARE FOOTAGES:		NUMBER OF OCCUPANTS	
UNIT 4218 & 4220		5495 SF 157	
REQUIRED PLUMBING FIXTURES (FBC PLUMBING TABLE 403.1)			
EDUCATIONAL GROUP E			
WATER CLOSETS: 1/50			
REQUIRED: 3.14 (OCCUPANT LOAD OF 157)			
PROVIDED: 3 + 1 URINAL			
LAVATORIES: 1/50			
REQUIRED: 3.14 (OCCUPANT LOAD OF 157)			
PROVIDED: 4			
DRINKING FOUNTAINS: 1/100			
REQUIRED: 1			
PROVIDED: 1			
SERVICE SINK			
REQUIRED: 1			
PROVIDED: 1			
REQUIRED SEPARATION OF OCCUPANCIES			
SEPARATION HOURS PER FBC TABLE 508.4			
EDUCATIONAL GROUP E / BUSINESS GROUP B			
SPRINKLERED BUILDING			
1 HR. FIRE RATING			
CONSTRUCTION TYPE			
TYPE II-B CONSTRUCTION			
FIRE SPRINKLERED ONE STORY BUILDING			
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OVERALL SHOPPING PLAZA		HANDICAPPED SPACES = 13	
1/200 SQ FT. 40,240 SQ. FT. =		REGULAR SPACES = 224	
REQUIRED SPACES = 202			
PROVIDED SPACES = 237		DEDICATED DROP OFF SPACES = 8	
UNIT 4218 & 4220 - CHILD CARE FACILITY			
1/200 SQ FT. 5,495 SQ. FT.			
REQUIRED SPACES = 27.5			
PROVIDED SPACES = 237			
WALL TYPES			
	EXISTING WALLS TO REMAIN		
	PROPOSED WALLS		

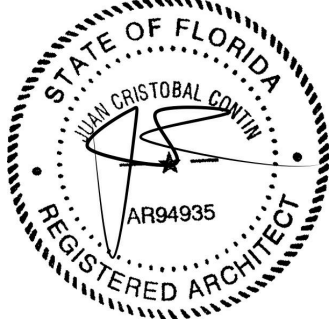


② Elevation
3/16" = 1'-0" NOTE: ALL EXTERIOR IMPROVEMENTS UNDER SEPARATE PERMIT FOR OVERALL PLAZA

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REGISTERED ARCHITECT:
JUAN CRISTOBAL CONTIN
FL. LICENSE # AR94935
826 S. FEDERAL HIGHWAY
LAKE WORTH, FL 33460



CLIENT:
The Extraordinary Kids Foundation Inc.

PROJECT TITLE:
4218 S.4220 Lake Worth Road

PROJECT ADDRESS:
4218-4220 Lake Worth Road,
Lake Worth, FL 33461

DATE: 9/21/2022 11:12:00 AM
ISSUED: ISSUED
DRAWN BY: BB
CHECKED BY: JC

REVISIONS:	
1	09-21-2022

SCALE/NORTH POINT:
AS SHOWN

DRAWING TITLE
Proposed Floor Plan &
Life Safety Plan

DRAWING STATUS:

DRAWING NUMBER:
A102

The Extraordinary Kids Foundation, Inc
4218/4220 Lake Worth Rd
Lake Worth, FL 33461

**Re: The Extraordinary Kids Foundation
4220 Lake Worth Rd (Palm Springs)
Traffic Concurrency
PCN 70-42-44-25-00-000-1030**

JFO Group Inc. has been retained to evaluate a traffic impact analysis to determine compliance with City of Palm Springs standards as required by the application to make interior improvements on 5,495 SF that will be converted to 5,495 SF of Prescribed Pediatric Extended Care uses that will operate as The Extraordinary Kids Foundation, a Conditional Use in the Village of Palm Springs.

The site is located on the south side of Lake Worth Road, ± 0.30 miles east of Military Trail in the City of Palm Springs, Florida. Figure 1 shows the project location in relation to the transportation network. Parcel Control Number associated with this project is 70-42-44-25-00-000-1030. A copy of the property appraiser information for the site is included as Exhibit 1. According to the Property Appraiser, the subject site was built in 1985 and it consists of 40,240 SF of General Commercial uses.

Exhibit 2 includes a copy of the proposed site plan showing the location of the proposed interior renovations within the context of the existing shopping center.

According to provisions in Article 12 of the PBC ULDC – Section 3.B, if a structure or building has not been discontinued or abandoned for five (5) or more years prior to the time of the application, then the project is eligible for an existing use credit against project traffic. Exhibit 3 includes a 2017 aerial of the subject site.



Figure 1 : Project Location

Project trip generation rates used for this analysis were based on *PBC Trip Generation Rates* dated July 25, 2022. Exhibit 4 includes a copy of the PBC trip generation rates. Table 1 shows the rates used in order to determine the trip generation for Daily, AM, and PM peak hour conditions while Table 2 summarizes the net Daily, AM, and PM peak trips potentially generated by the existing and proposed development. According to Table 2, the proposed changes will not generate additional traffic.

Table 1: Trip Generation Rates

Land Use	ITE Code	Daily Trip Gen.	Pass-By %	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Shop Plaza (40-150ksf) w/out Sup Market	821	67.52	39%	62%	38%	1.73	49%	51%	5.19

Table 2: Trip Generation

Land Use	Intensity	Daily Traffic	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
EXISTING/VESTED DEVELOPMENT								
Shop Plaza (40-150ksf)	40,240 SF	2,717	43	27	70	102	107	209
Pass-By	39%	1,060	17	10	27	40	42	82
Net Existing Traffic		1,657	26	17	43	62	65	127
PROPOSED DEVELOPMENT								
Shop Plaza (40-150ksf)	40,240 SF	2,717	43	27	70	102	107	209
Pass-By	39%	1,060	17	10	27	40	42	82
Net Proposed Traffic		1,657	26	17	43	62	65	127
Net Traffic		-	-	-	-	-	-	-

Lake Worth Road (SR-802) in front of the site is a state road with a 40-mph posted speed limit. According to the Florida Department of Transportation Access Management Guidebook, a right-turn lane is required at each driveway where the number of right turns per hour is between 80 and 125. The lower threshold of 80 right-turn vehicles per hour would be most used for higher volume (greater than 600 vehicles per hour, per lane in one direction on the major roadway) or two-lane roads where lateral movement is restricted. The 125 right-turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with a large entry radius (50 feet or greater). Similarly, the proposed changes to the subject site will not exceed the Significant Change thresholds as defined in Section 335.182, F.S. Therefore, the proposed changes are exempt from Access Management Standards where additional turn lanes are not required at the project driveway.

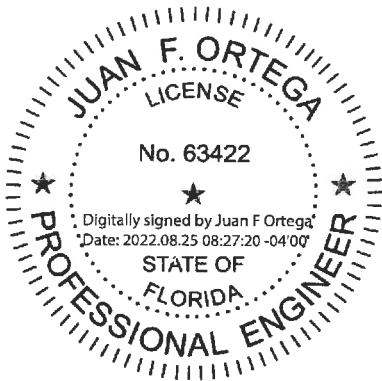


Figure 2: Project Driveway Volumes

The proposed changes to the subject site have been evaluated following *PBC TPS - Article 12 of the PBC ULDC*. This analysis shows that the proposed request to allow interior renovations on ±5,495 SF to accommodate a Conditional Use (Prescribed Pediatric Extended Care) will not generate additional traffic. Therefore, the proposed development will be in compliance with *PBC TPS - Article 12 of the PBC ULDC*. Project build-out for the interior improvements is expected in the year 2023.

Sincerely,

JFO GROUP INC
COA Number 32276



Enclosures: Exhibit 1: Property Appraiser Information
 Exhibit 2: Proposed Site Plan
 Exhibit 3: 2017 Aerial
 Exhibit 4: PBC Trip Generation Rates

Property Detail

Location Address 4236 LAKE WORTH RD
Municipality PALM SPRINGS
Parcel Control Number 70-42-44-25-00-000-1030
Subdivision
Official Records Book 31552 Page 238
Sale Date JUL-2020
Legal Description 25-44-42, W 1/2 OF NW 1/4 OF NE 1/4 OF NE 1/4 (LESS N 60 FT SR 802 R/W & W 30 FT RD R/W)

Owner Information

Owners	Mailing address
MAMPG LLC	400 POST AVE STE 303 WESTBURY NY 11590 2226

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-2020	\$0	31552 / 00238	CERT OF TITLE	MAMPG LLC
APR-2019	\$2,800,200	30559 / 00047	CERT OF TITLE	MAMPG LLC
SEP-2018	\$10	30124 / 01561	WARRANTY DEED	KB INVESTMENT PROPERTY LLC
NOV-2014	\$2,800,000	27181 / 01025	WARRANTY DEED	KB INVESTMENT PROPERTY LLC
NOV-2013	\$1,200,000	26452 / 01228	CERT OF TITLE	WPB INVESTORS LLC
JUN-2006	\$3,365,000	20472 / 01791	WARRANTY DEED	DIWATCH INTERNATIONAL CONSULTANTS INC
FEB-1993	\$675,000	07596 / 01424	WARRANTY DEED	
FEB-1987	\$1,590,200	05167 / 01683	CERT OF TITLE	
SEP-1984	\$490,000	04364 / 01256	WARRANTY DEED	
MAY-1982	\$100	03742 / 00197	WARRANTY DEED	

Exemption Information

No Exemption information available

Property Information

Number of Units 0
*Total Square Feet 40240
Acres 4.25
Use Code 1100 - STORES
Zoning CG - Commercial General (70-PALM SPRINGS)

Appraisals

Tax Year	2021	2020	2019
Improvement Value	\$1,146,450	\$0	\$0
Land Value	\$1,481,032	\$0	\$0
Total Market Value	\$2,627,482	\$2,650,000	\$2,650,000

All values are as of January 1st each year

Assessed and Taxable Values

Tax Year	2021	2020	2019
Assessed Value	\$2,627,482	\$2,650,000	\$2,650,000
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$2,627,482	\$2,650,000	\$2,650,000

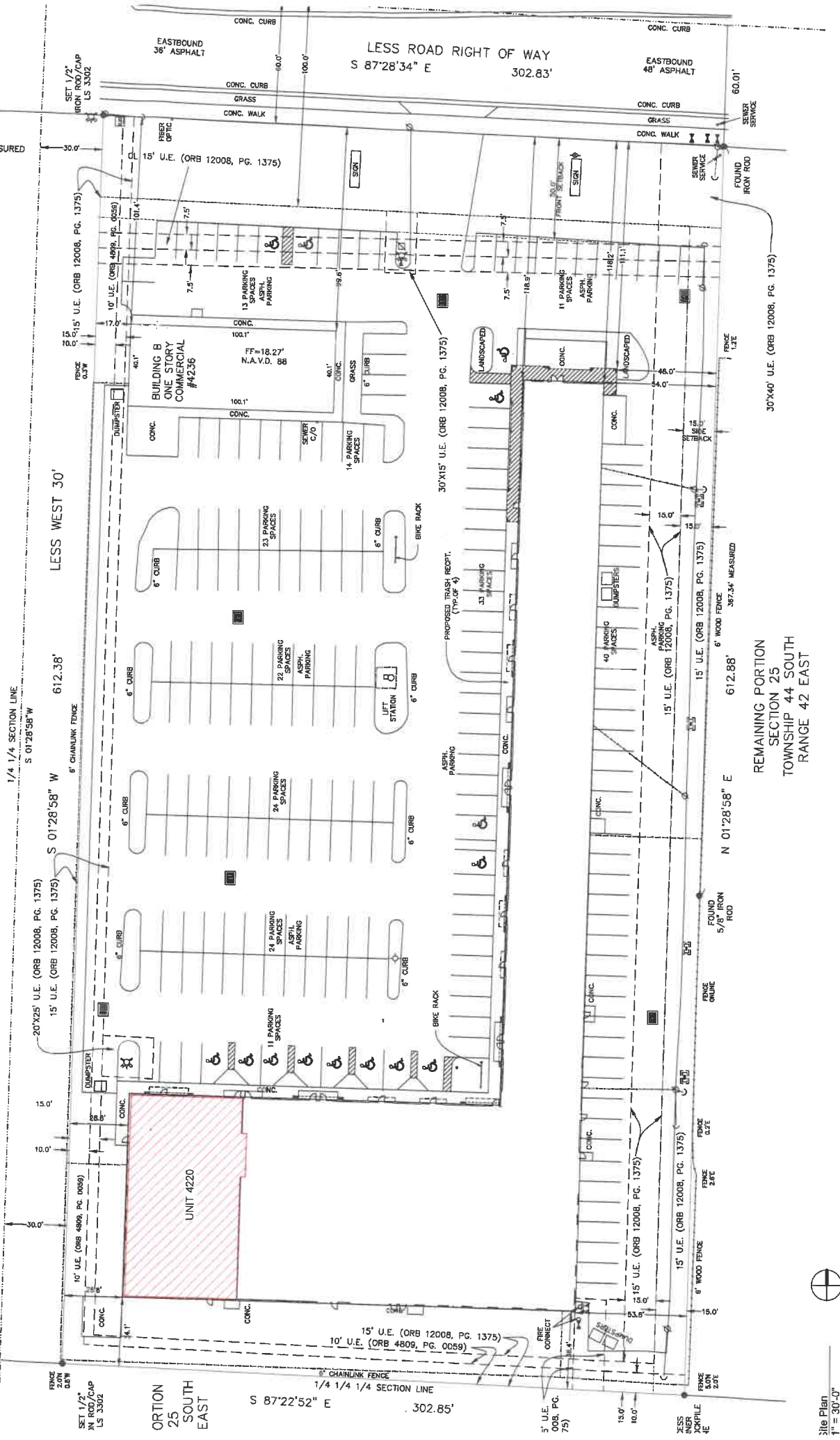
Taxes

Tax Year	2021	2020	2019
Ad Valorem	\$54,089	\$55,030	\$55,665
Non Ad Valorem	\$8,334	\$8,133	\$8,415
Total tax	\$62,423	\$63,163	\$64,080

12' MEASURED

TOWNSHIP 44 SOUTH
RANGE 42 EAST

SECTION 25
SOUTH
EAST



Site Plan
1" = 30'-0"

REMAINING PORTION
SECTION 25
TOWNSHIP 44 SOUTH
RANGE 42 EAST



4220 LAKE WORTH ROAD

CODE INFORMATION

APPLICABLE CODES
NFPA 101 (2021) FLORIDA BUILDING CODE 7TH ED., (2020) FLORIDA BUILDING CODE 7TH ED., (2020) PLUMBING
REQUIRED SEPARATION OF OCCUPANCIES
SEPARATION REQUIRED PER FBC TABLE 508.4 EDUCATIONAL GROUP E / BUSINESS GROUP B SPRINKLERED BUILDING 1 HR. FIRE RATING
CONSTRUCTION TYPE
TYPE I-B CONSTRUCTION FIRE SPRINKLERED ONE STORY BUILDING
PARKING REQUIREMENTS
EDUCATIONAL GROUP E W/O SPRINKLER 200 W/ SPRINKLER 250
CODE ANALYSIS
EDUCATIONAL GROUP E

REQUIRED SEPARATION OF OCCUPANCIES
SEPARATION REQUIRED PER FBC TABLE 508.4 EDUCATIONAL GROUP E / BUSINESS GROUP B SPRINKLERED BUILDING 1 HR. FIRE RATING
CONSTRUCTION TYPE
TYPE I-B CONSTRUCTION FIRE SPRINKLERED ONE STORY BUILDING
PARKING REQUIREMENTS
EDUCATIONAL GROUP E W/O SPRINKLER 200 W/ SPRINKLER 250
CODE ANALYSIS
EDUCATIONAL GROUP E



Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Retail	Nursery (Garden Center)	817	Acre	108.1	0%	50/50	2.82	50/50	8.06
	Nursery (Wholesale)	818	Acre	19.50	0%	50/50	0.23	50/50	0.36
	Landscape Services	PBC	Acre ^c	121.70	0%	40/60	34.4	58/42	15.1
	Shop Center (>150ksf)	820	1000 S.F.	37.01	24%	62/38	0.84	48/52	3.4
	Shop Plaza (40-150ksf) w/Sup Market	821	1000 S.F.	94.49	39%	62/38	3.53	48/52	9.03
	Shop Plaza (40-150ksf) w/out Sup Market	821	1000 S.F.	67.52	39%	62/38	1.73	49/51	5.19
	Strip Retail Plaza (<40ksf)	822	1000 S.F.	54.45	63%	60/40	2.36	50/50	6.59
	Automobile Sales (New)	840	1000 S.F.	27.84	15%	73/27	1.86	40/60	2.42
	Automobile Parts Sales	843	1000 S.F.	54.57	28%	55/45	2.51	48/52	4.9
	Tire Store	848	1000 S.F.	27.69	28%	64/36	2.61	43/57	3.75
	Supermarket	850	1000 S.F.	93.84	36%	59/41	2.86	50/50	8.95
	Pharmacy + DT	881	1000 S.F.	108.40	50%	52/48	3.74	50/50	10.25
Services	Drive-In Bank	912	1000 S.F.	100.35	47%	58/42	9.95	50/50	21.01
	Fine Dining Restaurant	931	1000 S.F.	83.84	44%	50/50	0.73	67/33	7.8
	High Turnover Sit-Down Rest.	932	1000 S.F.	107.2	43%	55/45	9.57	61/39	9.05
	Fast Food Restaurant w/o DT	933	1000 S.F.	450.49	45%	58/42	43.18	50/50	33.21
	Fast Food Restaurant + DT	934	1000 S.F.	467.48	49%	51/49	44.61	52/48	33.03
	Coffee/Donut Shop w/o DT	936	1000 S.F.	441.88 ^d	45%	51/49	93.08	50/50	32.29
	Coffee/Donut Shop + DT	937	1000 S.F.	533.57	49%	51/49	85.88	50/50	38.99
	Coffee/Donut Shop + DT w/No Seat	938	DT Lanes	179	49%	50/50	39.81	50/50	15.08
	Gas Station w/Convenience Store ^e	FDOT	FP, 1000 S.F.	14.3*PM Trips	61%	50/50	Note f	50/50	12.3*FP+15.5*(X)
	Carwash (Automated) ^g	PBC	Lane	166.00	0%	50/50	11.97	50/50	13.65

Footnotes

- a) Based on Daily to AM peak ratio for LUC 532 (Private School (K-12))
- b) Weekend peak hour rate = 10.36 per 1,000 s.f. with a 48/52 directional split
- c) Landscape Services acreage consists of overnight vehicle and equipment storage as well as areas (covered or uncovered) for chemicals, fertilizers, landscape materials (excluding plants) and other items needed for day-to-day operations. Not included are drive aisles, customer/employee parking, structures shared by nursery and landscape services, facilities that solely serve the onsite landscape activities or any nursery growing areas.
- d) Based on Daily to PM ratio for ITE Code 937 (Coffee Donut Shop + DT)
- e) FP=Fueling Position. Use both FP and Convenience Store size in estimating trips using the provided equation. Note that no internalization between the gas pumps and convenience store, as per ULDC Article 12, should be applied to estimate the net trips.
- f) Use PM rates
- g) Daily rate taken from PBC trip gen. study. Peak hour rates derived by applying peak to daily ratios for gas station to daily carwash rate from older ITE TGM. New PBC rate study underway.
- h) Based on PBC analysis of ITE TGM data plots

Modification History

3/2/2020: Added Landscape Services, modification history, edited formatting

7/25/2022: Updated with ITE TG Manual 11th ed information

8/29/2022

Good morning Iramis,

No fire rescue comments. Thank you.

Wesley Jolin, IAAI-CFI®

Fire Safety Specialist

Palm Beach County Fire Rescue

wjolin@pbcgov.org

561.233.2695

2300 North Jog Road: Suite 1E-40

West Palm Beach FL 33411



**Department of Engineering
and Public Works**

P.O. Box 21229

West Palm Beach, FL 33416-1229

(561) 684-4000

FAX: (561) 684-4050

www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Robert S. Weinroth, Mayor

Gregg K. Weiss, Vice Mayor

Maria G. Marino

Dave Kerner

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

September 9, 2022

Dr. Juan F. Ortega, PE
JFO Group Inc.
6671 W Indiantown Road, Suite 50-324
Jupiter, FL 33458

**RE: The Extraordinary Kids Foundation
Project #: 220818
Traffic Performance Standards (TPS) Review**

Dear Dr. Ortega:

The Palm Beach County Traffic Division has reviewed the above referenced project Traffic Impact Statement, dated August 25, 2022, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality:	Palm Springs
Location:	South side of Lake Worth Road, about 0.26 miles east of Military Trail
PCN:	70-42-44-25-00-000-1030
Access:	As existing (one right-in/right-out access driveway connection onto Lake Worth Road) <u>(As used in the study and is NOT necessarily an approval by the County through this TPS letter)</u>
Existing Uses:	General Commercial = 40,240 SF
Proposed Uses:	Repurpose 5,495 SF of existing retail space for Prescribed Pediatric Extended Care uses
New Daily Trips:	0
New Peak Hour Trips:	0 AM; 0 PM
Build-out:	December 31, 2023

Based on our review, the Traffic Division has determined that the proposed project will not generate additional trips; therefore, the project **meets** the TPS of Palm Beach County.

Please note the receipt of a TPS approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the Village after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

"An Equal Opportunity
Affirmative Action Employer"



Dr. Juan F. Ortega, PE
September 9, 2022
Page 2

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email HAkif@pbcgov.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hanane Akif".

Hanane Akif, P.E.
Professional Engineer
Traffic Division

QB:HA:cw

cc:

Iramis Cabrera, Interim PZ&B Director, Village of Palm Springs
Quazi Bari, P.E., PTOE, Manager – Growth Management, Traffic Division
Alberto Lopez, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
F:\TRAFFIC\H\MUNICIPALITIES\APPROVALS\2022\220818 - THE EXTRAORDINARY KIDS FOUNDATION.DOCX

Project Name: The Extraordinary Kids Foundation, Inc
4218-4220 Lake Worth Road
Palm Springs, FL 33461

Narrative

This project is for a location of a Prescribed Pediatric Extended Care (P.P.E.C.) Center. The shopping center is a Commercial General Zone. The Commercial General zone allows for this use with a Special Exception.

We are requesting a Special Exception to allow for us as a Prescribed Pediatric Extended Care Center that services special needs children.

The center will serve children from Birth to age 21 with medical conditions that require nursing care. Examples of types of conditions served are Down Syndrome, Respiratory Illness, Autism, Cerebral Palsy.

The center will serve up to 60 children at a time. The center is open Monday to Friday from 7am to 7pm. The center will have staff that consists of Registered Nurse, Licensed Practical nurse, and Care Aides.

SECTION 9

1. The proposed special exception use is consistent with goals, objectives, and polices of the village's comprehensive plan. The use will not have a major impact on the village's comprehensive plan.
2. The proposed special exception use is consistent with the Planning, Building, & Zoning and zoning regulations and all other portions of this code. The use does not have a major impact on the land development and zoning regulations.
3. The proposed special exception use is compatible with the character and use (existing and future) of the surrounding properties in its function, hours of operation, type and amount of traffic to be generated; building location, mass, height, and setback; and other relevant actors peculiar to the proposed special exception use and the surrounding property.

The center hours will be Monday to Friday 7am to 7pm. There should not be any significant impact to traffic.

4. The establishment of the proposed special exception use in the identified location does not create a concentration or proliferation of the same or similar type of special exception use which may be deemed detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.

There is no other similar centers in the immediate area. As of our knowledge there is only 1 other Prescribed Pediatric Extended Care Center in Palm Springs.

5. The proposed special exception use does not have a detrimental impact on surrounding properties based on.
 - a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;
 - b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and
 - c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.

The Number of people, using and working at the property is consistent with the use of a Shopping Center. There is no known detrimental impact on surrounding properties based on traffic, noise, odor, visual or other potential nuisance factors.

6. That the proposed special exception use:
 - a. Does not significantly reduce light and air to adjacent properties.
 - b. Does not adversely affect property values in adjacent areas.
 - c. Would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations.
 - d. Does not negatively impact adjacent natural systems or public facilities, including parks and open spaces.
 - e. Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

The P.P.E.C. Center does not have any input to the general property since it has already been developed. There is no significant effect on the Light and/or Air quality to the adjacent properties. There is no effect to Parks, Recreation, Open Space or other Pedestrian activities.

7. The proposed use would enhance and/or promote redevelopment of the village, fulfill redevelopment objectives, and/or have a positive economic impact on the Village, including creating new jobs, economic growth and provide needed community-serving (neighborhood retail and commercial) uses and businesses.

This use should not have a major impact on the village redevelopment objectives. The proposed use will create jobs in the clinical sector for employees such as nurses and therapists as well as non-clinical aide positions. The center will provide access to quality care for the special needs population of Palm Springs.

**Re: The Extraordinary Kids Foundation
Site Plan Amendment/Special Exception
4218, 4220 Lake Worth Rd. Lake Worth Fl, 33461**

REQUEST FOR VARIANCE

The Extraordinary Kids Foundation is seeking a variance from Section 34-VII which outlines the supplemental regulations for a Child Care Facility to eliminate the minimum outdoor play area. The use of the leased premises will be as a Prescribed Pediatric Extended Care Center, known by the acronym PPEC. A PPEC is licensed by Agency for Health Care Administration [AHCA]. Traditional child care facilities are licensed by the Department of Children and Family Services. A doctor's prescription is required to attend a PPEC. The attendees must meet specific medical requirements to attend. In most jurisdictions, a PPEC is approved as a medical center; however, the Palm Springs Code defines a child care center as, "an establishment which provides care or instruction for more than five children, operated on a regular basis and which is consistent with all other provisions of state law." While a PPEC meets this definition, the actual operation of the facility does not need to satisfy Section 34-1022 (5) of the Palm Springs Land Development Code Section 34-VII.

Section 34-1022 (5) Outdoor play area requires a minimum outdoor play area. The medical conditions of the patients that attend a PPEC do not warrant a typical child care outdoor play area. Moreover, AHCA does not require a PPEC to have any outdoor play area. We are requesting a variance to eliminate this requirement.

1. *"Special Condition and circumstances exist that are peculiar to the parcel of land, building or structure, that are not applicable to other parcel of land, structures or buildings in the same zoning district."*

Yes. The applicant is seeking the special exception for a child care center notwithstanding the fact that it does not operate as a child care center or hold itself out to the public to be a child care center. No state regulations require a PPEC to provide its patients with an outdoor play area regardless of the location of the PPEC. The other licensed PPECs in Palm Beach County do not have an outdoor play area.

2. *"Special Circumstances and conditions do not result from the actions of the Applicant."*

Yes. There is no State Statute or regulation promulgated by any State Regulatory Agency that requires a PPEC provide an outdoor play area. A PPEC is not required under any State law to adhere to standards as a child care center other than the requirement that it meet fire safety codes of a non-resident child care facility. Even though it is not required the center will have an indoor play area with soft play mats within the building.

3. *"Granting the variance shall not confer upon the Applicant special privilege(s) denied by the comprehensive plan and the code to other parcels of land, building, or structure, in the same district."*

Yes. The unique nature of the PPEC use is not specifically addressed in the Code. It is regulated by the Agency for Health Care Administration (AHCA) which has not generated any regulation requiring an outdoor play area be provided for the patients. Approving the variance will not confer any special privilege on the Applicant since the provision of an outdoor play area is not required for this use.

4. *“Literal interpretation and enforcement of the terms and provisions of this code would deprive the Applicant of rights commonly enjoyed by other parcels of land in the same district, and would work an unnecessary and undue hardship.”*

Yes. If the Applicant is required to provide an outdoor play area, as required by the code, it will impose a requirement on this PPEC that is not required by any other PPEC in Florida. The expense to construct an outdoor play area that will not be used by the patients will be an unnecessary and undue hardship on the Applicant.

5. *“Granting the variance is the minimum required to make reasonable use of the parcel of land, building or structure.”*

Yes. Granting the variance is the minimum that will enable the Applicant to provide a medical service to a population that is underserved in Palm Beach County.

6. *“Granting of the variance will be in harmony with the general intent and purpose of this chapter.”*

Yes. One purpose of the Code is to control and regulate development in the Village by concentrating development in areas where adequate community facilities and services can be provided. Granting this variance will allow additional medical services to be provided to an underserved segment of the population.

7. *“Granting of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.”*

Yes. Granting this variance will not be injurious to the area nor a detriment to the public welfare. In fact, it will be a great benefit to community by providing medical care to needy children and allow their parents to work outside of the home. It will also bring jobs to the area.

Section 14

Consistency with Palm Springs CRA Community Redevelopment Plan

The Community Redevelopment Plan has 5 key goals. The Day Care will not have any major effect on utilities, infrastructure, workforce housing, and the overall partnership with Palm Beach County.

The Day Care Center will be beneficial for Economic Growth for Palm Springs by providing jobs for its residents. The center employs staff in various capacities from entry level to clinical positions. The center will also provide quality care for special needs residents from birth to age 21 as well as support and resources for the parents of these individuals.

5 Key Goals established in the CRA Plan

- I. Improving Utilities and Infrastructure

Not Applicable

- II. Expanding Job Development and Economic Growth

The center will provide quality jobs with Medical and other benefits for the residents of Palm Springs.

- III. Enhancing Public Safety

Not Applicable

- IV. Increasing and Maintaining Work Force Housing

Not Applicable

- V. Advancing the Partnership with Palm Beach County

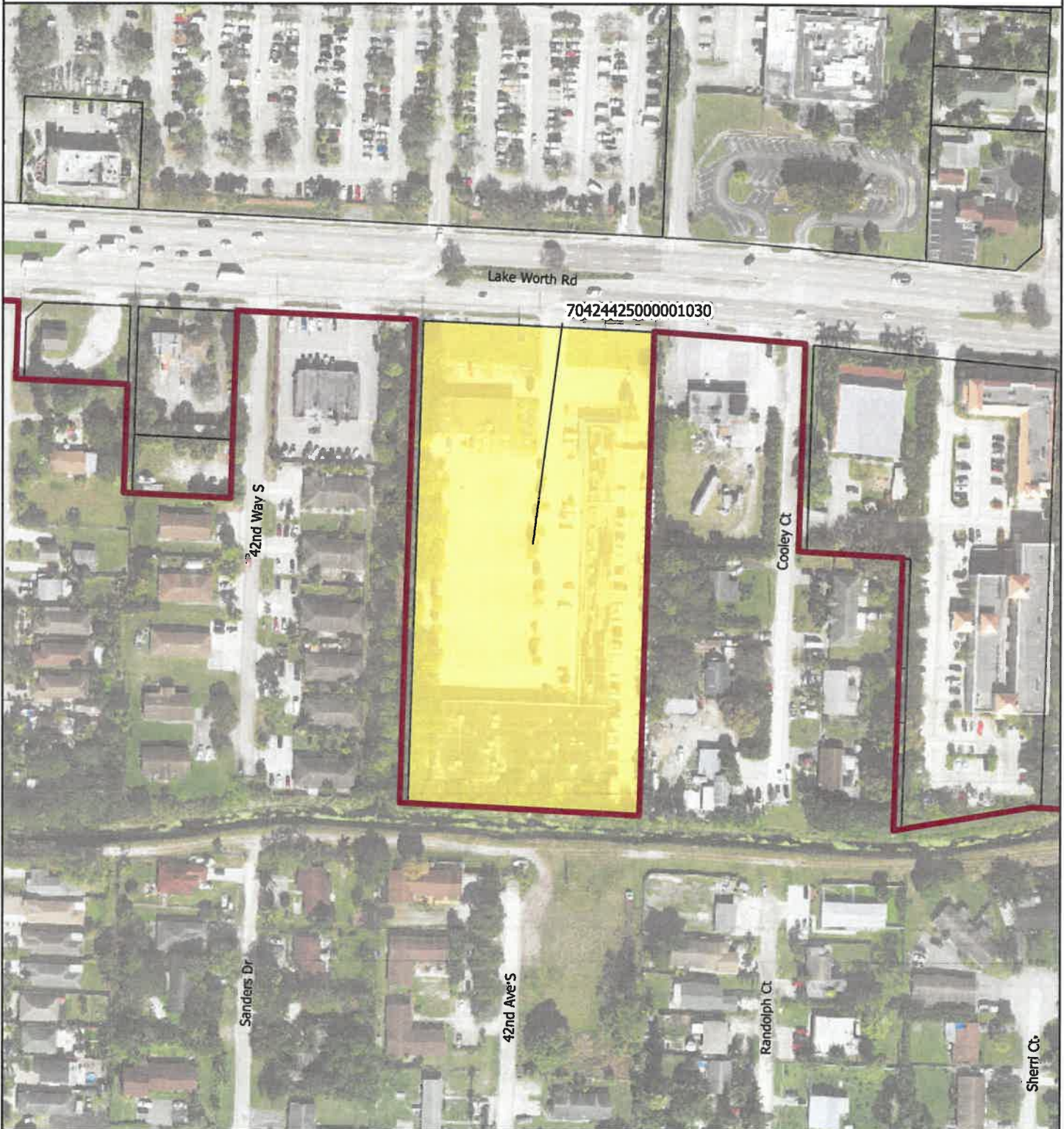
Not Applicable

The tenant is consistent with the Economic Development Strategic Plan for Palm Springs Community Redevelopment Agency which is built upon key economic development drivers which contribute to advancing economic growth, improving quality of life and building wealth.



VILLAGE OF PALM SPRINGS

Extraordinary Kids Foundation



Legend

-  Proposed Parcels
-  Parcels
-  Village Boundary

Date: 9/23/2022

When Printed on 8 1/2" x 11"
1 inch equals 200 feet

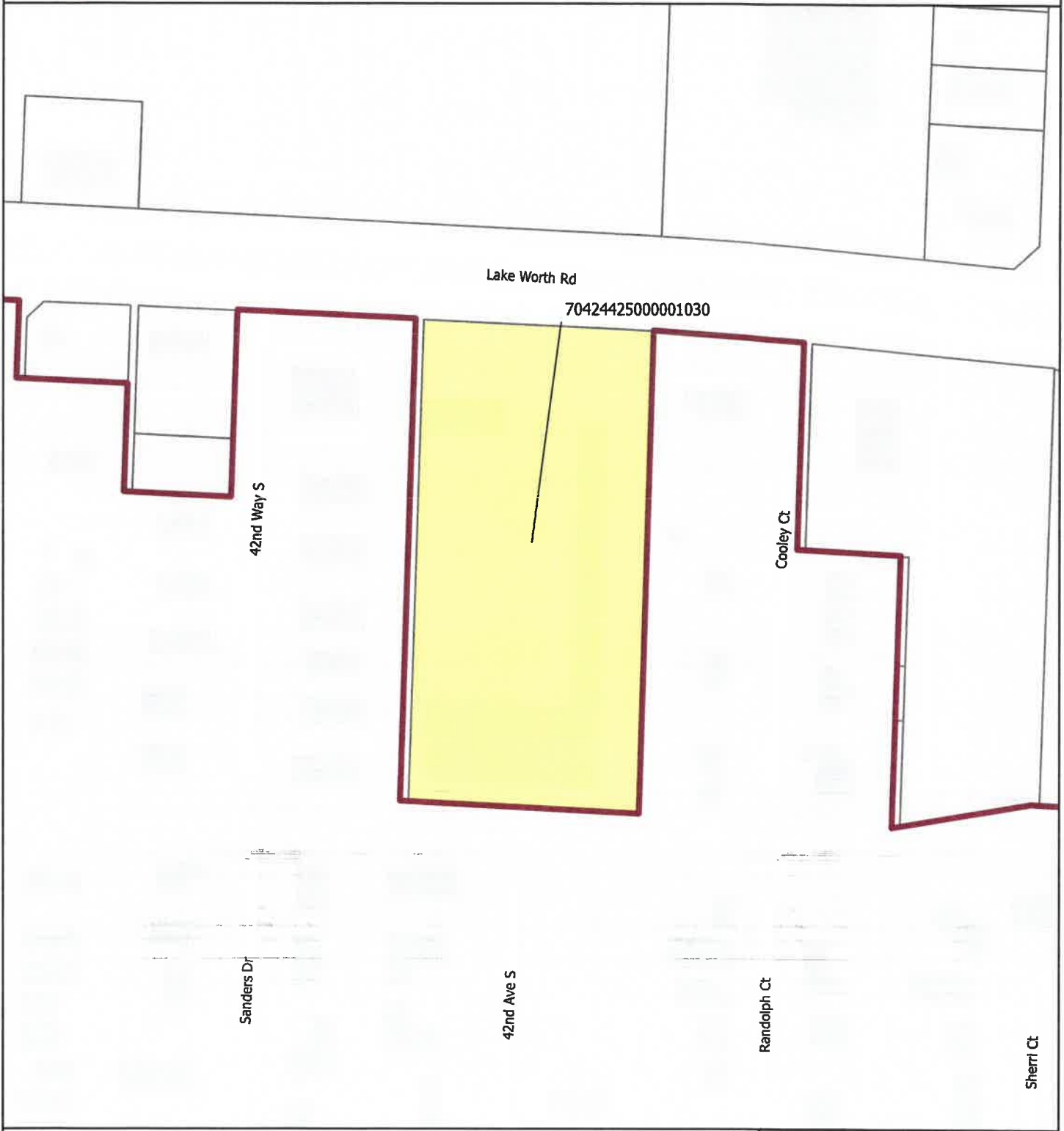


 Florida Technical Consultants



VILLAGE OF PALM SPRINGS

Extraordinary Kids Foundation



Legend

-  Proposed Parcels
-  Parcels
-  Village Boundary

Date: 9/23/2022

When Printed on 8 1/2" x 11"

1 inch equals 200 feet

0 250 Feet

 Florida Technical Consultants



Village of Palm Springs

Staff Report

AGENDA DATE: October 11, 2022

DEPARTMENT: Planning, Zoning & Building

ITEM #4: Special Exception Use (PSSE22-08) and Site Development Plan Amendment (SPR22-15)
- Extraordinary Kids Foundation

SUMMARY: Ms. Madean Gilzene, agent for the tenant, Extraordinary Kids Foundation, ("Applicant"), has submitted an application for a Special Exception Use (PSSE22-08) and Site Plan Amendment (SPR22-15) approval, to allow the conversion of a 5,495 square feet of retail-office space into a child care facility located on a 4.25-acre parcel that is located at 4236 Lake Worth Road. The proposed tenant will be occupying two (2) tenant bays within the existing shopping center (4218-4220 Lake Worth Road).

Note: The 4.25-acre property was annexed into the Village in 2014 as a developed parcel with a total of 40,240 square feet of building area within two (2) commercial structures.

Child care facilities are permissible in the Commercial General (CG) district with the special exception of approval. The applicant is proposing a childcare facility to provide care for children who have medical or skilled nursing needs that prevent them from attending a traditional daycare. The center will serve children from birth to age 21 with medical conditions that require nursing care and a doctor's prescription to attend. The facility is not open to the general public. A prescribed pediatric extended care facility is not licensed by Florida's Department of Children and Families like a traditional daycare, instead, it is licensed by Florida's Agency for Health Care Administration ("AHCA"), which also regulates assisted living facilities, nursing homes, and hospitals. Examples of the types of conditions served are down syndrome, respiratory illness, autism, and cerebral palsy. The center will serve up to 60 children from Monday to Friday, from 7 am to 7 pm. Staff will consist of registered nurses, licensed practical nurses, and care aides.

As part of the proposed project, the applicant requests one (1) variance subject to a separate agenda item.

The Planning, Zoning & Building staff do not object to the proposed Special Exception Use and Site Development Plan Amendment and recommend conditional approval of the proposed project.

FISCAL IMPACT:

The proposed project is expected to have a minor fiscal impact on the Village as it would require various Village services that would result in increased revenue for the village.

ATTACHMENTS:

1. Exhibit "A" Staff Report
2. Proposed Site Plan - Floor Plan and Letters

3. Project Narrative and Justification Statements
4. Aerial and Location Maps

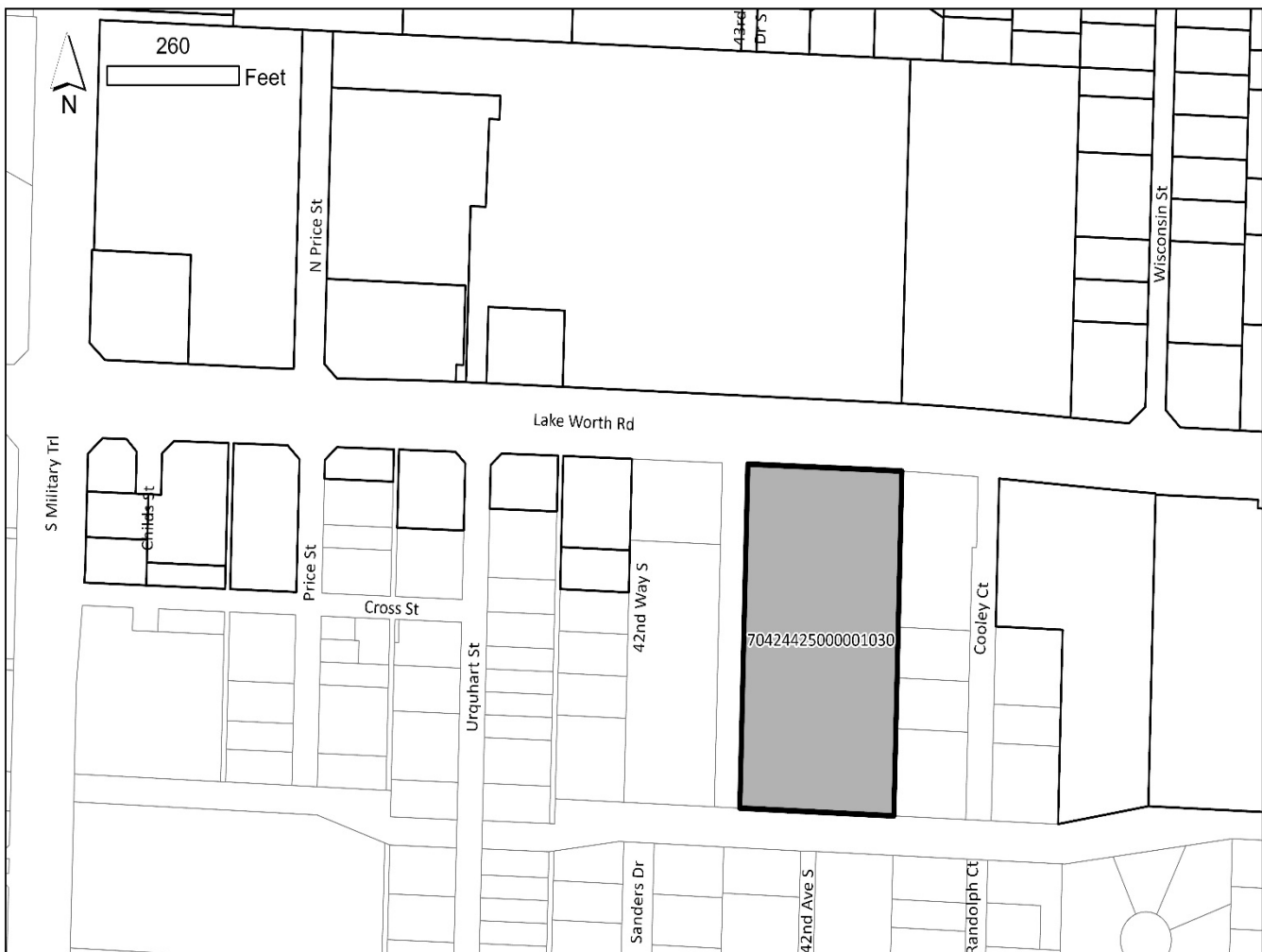


PLANNING, ZONING & BUILDING STAFF REPORT

SUBJECT: Special Exception Use and Site Development Plan Amendment with One (1) Variance - Extraordinary Kids Foundation
 – 4218- 4220 Lake Worth Road.

Application Summary																	
Applicant / Petitioner	Extraordinary Kids Foundation, Inc. (tenant)	Submittal Date	8/24/2022														
Reference Name	Extraordinary Kids Foundation	Case Number	SPR22-15, PSSE22-08, PSV22-17														
		Parcel Control No	70-42-44-25-00-000-1030														
Location	4218-4220 Lake Worth Road	Tenant Space	± 5,495 s.f.														
P&Z B Meeting	October 11, 2022	Council Meeting	November 10, 2022														
Requests																	
Proposed Use(s)	Site Development Plan Amendment and concurrent request for a Special Exception Use to allow a 5,495 square foot child day care facility for children who have medical or skilled nursing needs within two tenant's bays in the existing 40,240 square feet commercial building.																
Number of Buildings	1 child day care facility (5,495 sf) with a maximum of 60 children at a time																
Variances	<u>PLANNING & ZONING BOARD CONSIDERATION:</u> PSV22-17 Requesting a Variance relief from Section 34-1022(5) to eliminate the required outdoor play area.																
Parking																	
Code	Required	Provided	Meets Requirement														
Total Overall Parking	1/ 200 sf @ 5,495 sf = 28 spaces	237 spaces for the entire plaza	Yes														
The Applicant provides care to children who have medical or skilled nursing needs that prevent them from attending a traditional daycare. Children require a doctor's prescription to attend. The facility is not open to the general public. A Prescribed Pediatric Extended Care ("PPEC") facility is not licensed by the Florida Department of Children and Families like a traditional daycare, rather it is licensed by Florida's Agency for Health Care Administration ("AHCA") which also regulates assisted living facilities, nursing homes and hospitals. While the proposed facility is not a standard daycare, by definition of the Land Development Regulations, "childcare facility" is the best description for this use. A childcare facility is a special exception use in the CG district, and is subject to supplemental regulations: <table border="1"> <thead> <tr> <th>Requirement</th> <th>Proposal</th> </tr> </thead> <tbody> <tr> <td>1. Residential Area</td> <td>Code allows use by SE approval in CG</td> </tr> <tr> <td>2. Lot Area (10,000 s.f. min)</td> <td>Shopping Center complies</td> </tr> <tr> <td>3. Floor Area (1500 s.f. min for 40 children + additional 35 sf per child)</td> <td>5,495 s.f.</td> </tr> <tr> <td>4. Outdoor Play Area (1500 s.f. min)</td> <td>Subject of Variance Request</td> </tr> <tr> <td>5. On-Site Parking (1 sp/employee or 1 sp/200 sf)</td> <td>28 spaces minimum</td> </tr> <tr> <td>6. 1 Drop-Off Space/8 children</td> <td>8 designated drop-off spaces</td> </tr> </tbody> </table>				Requirement	Proposal	1. Residential Area	Code allows use by SE approval in CG	2. Lot Area (10,000 s.f. min)	Shopping Center complies	3. Floor Area (1500 s.f. min for 40 children + additional 35 sf per child)	5,495 s.f.	4. Outdoor Play Area (1500 s.f. min)	Subject of Variance Request	5. On-Site Parking (1 sp/employee or 1 sp/200 sf)	28 spaces minimum	6. 1 Drop-Off Space/8 children	8 designated drop-off spaces
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5. On-Site Parking (1 sp/employee or 1 sp/200 sf)	28 spaces minimum																
6. 1 Drop-Off Space/8 children	8 designated drop-off spaces																

Site Characteristics			
Existing Use	Empty bays	Proposed Use	Child day care facility
Existing Zoning	Commercial General (CG)	Existing Future Land Use	Commercial
Surrounding Existing Land Use, Future Land Use, and Zoning			
Direction	Existing Use	Future Land Use	Zoning District
North	Home Depot (retail store)	Commercial	Commercial General (CG)
South	Canal L-12, LW Drainage District	Unincorporated PBC	Unincorporated PBC
East	Personal Services, Single Family Home	Unincorporated PBC	Unincorporated PBC
West	Multi-Family Residences, Vacant Commercial	Unincorporated PBC	Unincorporated PBC
Recommendation			
Planning, Zoning & Building Staff can appreciate the need for a skilled nursing environment for children with medical challenges. Staff finds that the proposed facility generally meets the intent and requirements for a childcare facility and recommends conditional approval for the proposed child day care facility use as depicted on the proposed plans and supports the requested variance.			



I. Site History

- **Ordinance 2014-31: Annexation**

On December 11, 2014, the property at 4236 Lake Worth Road was involuntarily annexed into the Village of Palm Springs along with thirty-two (32) other commercial and residential parcels. The parcel at 4236 Lake Worth Road was annexed with a Future Land Use Designation of Commercial and a Zoning Designation of Commercial General (CG).

- **Administrative Site Plan Amendment # 202200051**

On January 26, 2022, the Land Development Director issued conditional approval of the administrative site plan amendment for the proposed exterior remodeling work proposed for 4236 Lake Worth Road. The proposed work involves minor modifications to the exterior façade of the building, including a built-up roof, new stucco, new back light decorative grill, awning and canopy additions, and architectural tile additions to the walls.

- **Resolution 2022-13: Site Plan and Special Exception Use**

On September 8, 2022 the Village Council denied a 7,080 sf proposed restaurant with lounge within two tenant bays based on the proposed tenant doing illegal operations without proper approval and inconsistency with adjacent residential properties.

II. Comprehensive Plan Consistency

The subject property's Future Land Use designation and Zoning are Commercial and Commercial General (CG), respectively. The proposed use is permitted as special exception use and is generally consistent with goals, objectives and policies of the Village's Comprehensive Plan. With the proposed use, quality medical jobs will be provided and will benefit the residents.

III. Variances Requested

The applicant is seeking the following variance:

1. **PSV22-17** Requesting a Variance relief from Section 34-1022(5) for the elimination of outdoor play area.

The Extraordinary Kids Foundation is seeking a variance which outlines the supplemental regulations for a Child Care Facility to eliminate the minimum outdoor play area. The use of the leased premises will be as a Prescribed Pediatric Extended Care Center, known by the acronym PPEC. A PPEC is licensed by Agency for Health Care Administration [AHCA]. Traditional childcare facilities are licensed by the Department of Children and Family Services. A doctor's prescription is required to attend a PPEC. The attendees must meet specific medical requirements to attend. In most jurisdictions, a PPEC is approved as a medical center; however, the Palm Springs Code defines a childcare center as, "an establishment which provides care or instruction for more than five children, operated on a regular basis and which is consistent with all other provisions of state law." While a PPEC meets this definition, the actual operation of the facility does not need to satisfy Section 34-1022 (5) of the Palm Springs Land Development Regulations. The medical conditions of the patients that attend a PPEC do not warrant a typical childcare outdoor play area. Moreover, AHCA does not require a PPEC to have any outdoor play area

The applicant's full justification is hereto:

- a. That special condition and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same land development district.

The applicant is seeking the special exception for a child care center notwithstanding the fact that it does not operate as a child care center or hold itself out to the public to be a child care center. No state regulations require a PPEC to provide its patients with an outdoor play area regardless of the location of the PPEC. The other licensed PPECs in Palm Beach County do not have an outdoor play area.

b. That the special conditions and circumstances do not result from the actions of the applicant.

There is no State Statute or regulation promulgated by any State Regulatory Agency that requires a PPEC provide an outdoor play area. A PPEC is not required under any State law to adhere to standards as a childcare center other than the requirement that it meet fire safety codes of a non-resident child care facility. Even though it is not required the center will have an indoor play area with soft play mats within the building.

c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same land development district.

The unique nature of the PPEC use is not specifically addressed in the Code. It is regulated by the Agency for Health Care Administration (AHCA) which has not generated any regulation requiring an outdoor play area be provided for the patients. Approving the variance will not confer any special privilege on the Applicant since the provision of an outdoor play area is not required for this use.

d. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same land development district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

If the Applicant is required to provide an outdoor play area, as required by the code, it will impose a requirement on this PPEC that is not required by any other PPEC in Florida. The expense to construct an outdoor play area that will not be used by the patients will be an unnecessary and undue hardship on the Applicant.

e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Granting the variance is the minimum that will enable the Applicant to provide a medical service to a population that is underserved in Palm Beach County.

f. That the granting of the variance will be in harmony with the general intent and purpose of this chapter.

One purpose of the Code is to control and regulate development in the Village by concentrating development in areas where adequate community facilities and services can be provided. Granting this variance will allow additional medical services to be provided to an underserved segment of the population.

g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Granting this variance will not be injurious to the area nor a detriment to the public welfare. In fact, it will be a great benefit to community by providing medical care to needy children and allow their parents to work outside of the home. It will also bring jobs to the area.

Staff does not object to the applicant's request, based on the applicant intent to provide the need of this services within the community. Staff agree that special circumstances are present because the proposed PPEC is not a standard daycare and that a special privilege will not be created since the PPEC is different than a typical childcare facility. Staff understand that literal interpretation of the code may create hardship and does agree that the elimination of the outdoor play area is the minimum variance needed for this location. Granting the variance will be harmonious with the intent of the Land Development Regulations and will not be injurious to the balance of the shopping center.

Staff generally finds that the requested variance will not be contrary to public interest; however, staff believes that even special needs children should have access to fresh air and natural light during the day; but within the shopping center, there are not a desirable location for a designated outdoor play area.

IV. Neighborhood Compatibility

- 1) The proposed project is located on the south side of Lake Worth Road near the southeast corner of Lake Worth Road and Military Trail, between S 42 Way and Colley Court.
- 2) Surrounding properties are a mix of residential and commercial uses. The adjacent residential uses are currently in unincorporated Palm Beach County.
- 3) The proposed project is on one of the most important corridors within the Village limits, Lake Worth Road, that connects East and West portions of the County and surrounding cities.
- 4) Transit service is available through Palm Tran route 62 and 3.
- 5) The existing retail plaza has different tenants occupying the building providing different retail, professional and personal services.

V. Regulatory Issues

- The site plan generally conforms to the property development standards of the CG district.
 - 1) Proposed project plan generally meets required site development regulations.
 - 2) Variance for the elimination of the outdoor play area shall be approved by the Planning & Zoning Board.
 - 3) Permits from all applicable permitting agencies, including but not limited to PBC Fire Rescue and Village of Palm Springs are required prior to any construction.
 - 4) Palm Beach County Traffic division has determined that the proposed project will not generate additional trips; therefore, the project meets the TPS of Palm Beach County.

VI. Environmental Issues:

There are no environmental (wetlands, floodplains, etc.) issues identified.

VII. Community Outreach/ Notification

- The subject property was posted on September 30, 2022.
- Public Notification letters were mailed to all property owners within 300 feet radius of subject property on September 28, 2022.
- Legal advertisement was published in the paper on September 29, 2022.
- Staff has not received any inquiries or comments as a result of the notices.

VIII. Proposed Development Plan Details

The petitioner's development plans dated received on August 24, 2022 depicts the following:

- An application submitted for a Special Exception Use and concurrently Site Development Plan Amendment with one (1) variance to allow a child day care facility with a maximum of 60 children.
 1. Site Plan dated received August 24, 2022 revised and resubmitted on September 19, 2022.
 2. Floor plans dated received August 24, 2022 revised and resubmitted on September 19, 2022.
 3. Justification Statement and proposed use.
 4. Traffic Statement.

IX Recommendation

The Applicant is requesting a site plan amendment and concurrently a special exception use to allow a child day care facility to provide care to children who have medical or skilled nursing needs that prevent them from attending a traditional daycare. The center will serve children from Birth to age 21 with medical conditions that require nursing care and doctor's prescription to attend. The facility is not open to the general public. A Prescribed Pediatric Extended Care ("PPEC") facility is not licensed by the Florida Department of Children and Families like a traditional daycare, rather it is

licensed by Florida's Agency for Health Care Administration ("AHCA") which also regulates assisted living facilities, nursing homes and hospitals. Examples of types of conditions served are Down Syndrome, Respiratory Illness, Autism, Cerebral Palsy. The center will serve up to 60 children at a time Monday to Friday from 7am to 7pm. Staff will consist of Registered Nurse, Licensed Practical nurse, and Care Aides.

Village staff can appreciate the need for a skilled nursing environment for children with medical challenges and finds that the proposed PPEC generally meets the intent and requirements for a childcare facility.

Staff has found the proposed Special Exception use to be generally consistent with goals, objectives and policies of the Village's Comprehensive Plan. The proposed use is generally consistent with the Land Development and zoning regulations and all other portions of the code. The proposed special exception use does not significantly reduce light and air to adjacent properties and would not be deterrent to surrounding properties. The new project does not negatively impact natural systems.

Planning, Zoning and Building Staff recommends conditional approval of the Special Exception Use, Site Development Plan Amendment and Variance subject to the following thirteen (13) conditions below:

1. Build out date is December 31, 2023.
2. The special exception approval shall be implemented within 18 months of Council approval.
3. Permits issued by the Village are required before any renovation takes place. Renovations may be required due to change of occupancy from a Florida Building Code perspective from Business to Child Care. All renovations shall adhere to the Village Code. A life safety plan depicting arrangement of beds, play/activity area, therapy and personal hygiene areas shall be submitted prior to issuance of a business tax receipt.
4. Copies of licenses from all Authorities Having Jurisdiction are required to be provided to the Planning, Zoning and Building Department prior to occupancy. A PPEC license shall be maintained through the duration of the business. The use cannot be converted to another form of childcare facility without subsequent Village approvals.
5. The General Contractor shall be on site during any and all construction activity in accordance with FS 489.1195.
6. Permits must be obtained from the Village and Palm Beach County Fire Department **at time of permitting**.
7. Provide permits from all applicable permitting agencies **at the time of permitting**.
8. The construction dumpster shall be only provided by Waste Pro USA who is under franchise Agreement with the Village.
9. The property owner shall register an Agent of Record, prior to issuance of a permit, to establish a contact person responsible for compliance with this Development Order, including site plan/landscape plan details and conditions of approval.
10. The Applicant may be required to undertake additional security measures, based on the number of complaints or calls for service for incidents at the premises, as determined by the Police Chief. Such additional security measures, as approved by the Police Chief, may include increased on-site security at the operator's sole expense.
11. Any sidewalk broken or damaged during construction shall be replaced by the contractor **prior to CC**.
12. Absolutely no occupancy, other than construction personnel, is permitted **prior to TCC/CC**.
13. **At the time of CC**, the petitioner shall provide the Planning, Zoning and Building Department with electronic copies of as-builts.

EXTRAORDINARY KIDS FOUNDATION

4218 - 4220 Lake Worth Road,

Lake Worth, FL 33461

SCOPE OF WORK

THE SCOPE OF WORK INCLUDES THE FOLLOWING :

SITE PLAN APPROVAL FOR RE-ZONING OF VACANT UNITS 4218 AND 4220 INTO A DAY CARE CENTER (PRESCRIBED PEDIATRIC)

OWNER TO SUBMIT PERMIT SET FOLLOWING SITE PLAN APPROVAL

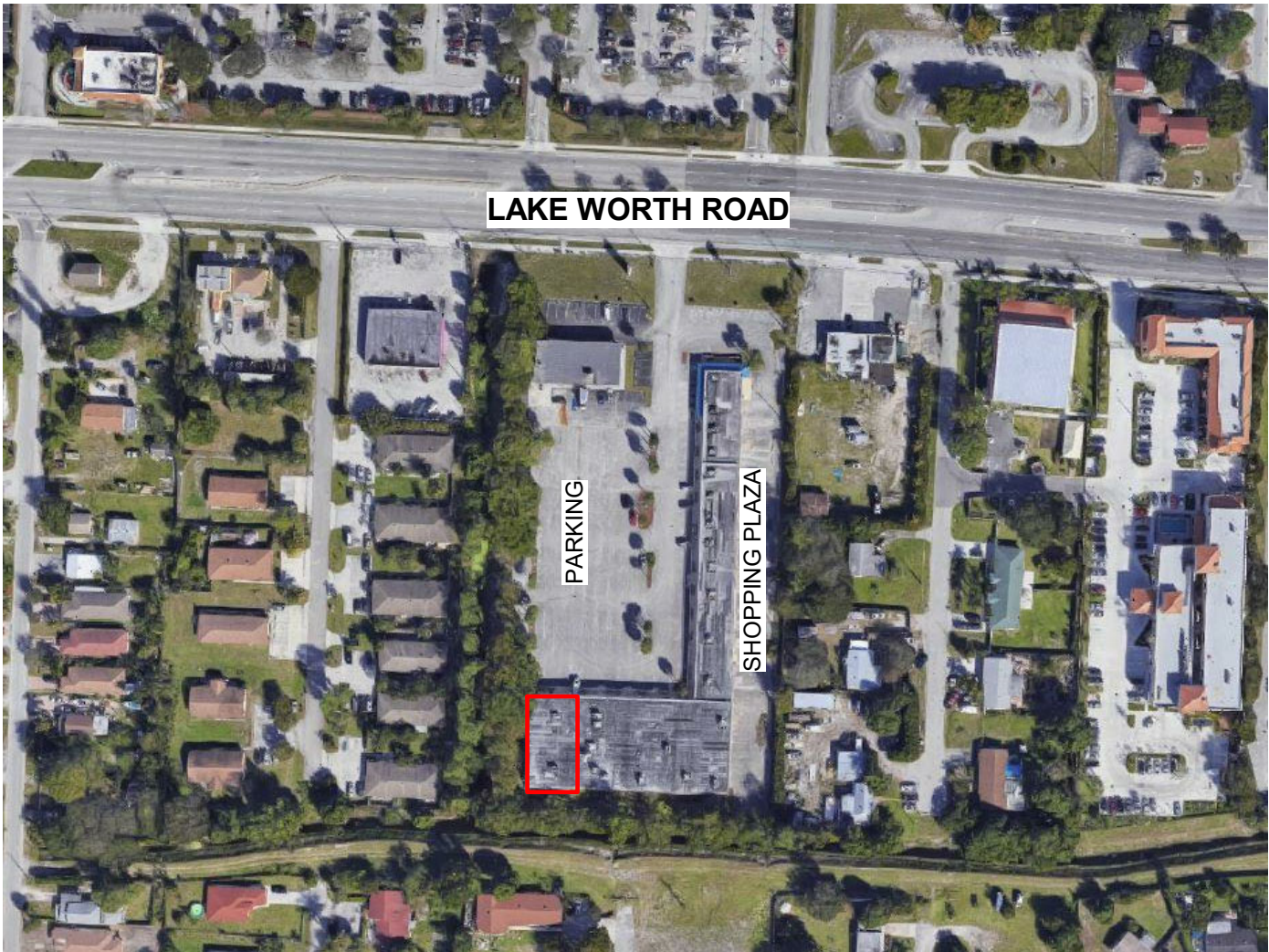
PROJECT TEAM

ARCHITECT
CONTIN ARCHITECTURE AND DESIGN
826 S FEDERAL HWY LAKE WORTH FL
(561) 249 - 4007

ALL WORK SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES HAVING JURISDICTION. INCLUDING BUT NOT LIMITED TO:

- FLORIDA BUILDING CODE- 2020 7TH EDITION
- FBC, MECHANICAL- 2020 7TH EDITION
- FBC, PLUMBING- 2020 7TH EDITION
- NFPA NATIONAL ELECTRICAL CODE, 2020 EDITION

LEVEL II ALTERATION. PER FBC SEC 603.1



ABBREVIATIONS

AB	ANCHOR BOLT	FD	FLOOR DRAIN	#	NUMBER	T & G	TONGUE & GROOVE
ABV	ABOVE	FIN	FINISH	NOM	NOMINAL	TEL	TELEPHONE
A/C	AIR CONDITIONING	FIX	FIXTURE	NTS	NOT TO SCALE	TEMP	TEMPORARY
AFF	ABOVE FINISH FLOOR	FLR	FLOOR	OA	OVERALL OUTSIDE AIR	THK	THICK-THICKNESS
ALUM	ALUMINUM	FLUOR	FLUORESCENT	OC	ON CENTER	T.O.	TOP OF
APPROX	APPROXIMATE	FTG	FOOTING	OPC	OPENING	TYP	TYPICAL
ARCH	ARCHITECTURAL/ARCHITECT	FURR	FURRING	OPP	OPPOSITE	UGND	UNDERGROUND
BD	BOARD	GA	GAGE, GAUGE	ORIG	ORIGINAL	UL	UNDERWRITERS LAB.
BLDG	BUILDING	GALV	GALVANIZED	PART	PARTITION	VERT	VERTICAL
BLK	BLOCK	GL	GLASS	PL	PLATE	WH	WITH
BOTT	BOTTOM	GR	GRADE	PLAS	PLASTER	WC	WATER CLOSET
B.O.	BOTTOM OF	GYP	GYPSUM	PLYWD	PLYWOOD	WH	WATER HEATER
BRG	BEARING	HB	HOSE BIBB	PNL	PANEL	WM	WIRE MESH
BTN	BETWEEN	HRT	HORIZONTAL	PNT	PAINT	W/O	WITHOUT
CAB	CABINET	HCP	HANDICAP	POL	POLISHED	WP	WATERPROOF
CLG	CEILING	HDW	HARDWARE	PREFAB	PREFABRICATED	WS	WEATHER STRIPPING
CEM	CEMENT	HGT	HEIGHT	PROJ	PROJECT	WWF	WELDED WIRE FABRIC
CLG	CEILING	HM	HOLLOW METAL	PSF	POUNDS PER SQUARE FOOT		
CL	CLOSET	HR	HOUR	PSI	POUNDS PER SQUARE INCH		
CLR	CLEAR	HVAC	HEATING/VENTILATING/ AIR CONDITIONING	PRTR	PRESSURE TREATED		
COL	COLUMN	IN	INCANDESCENT	PTD	PAINTED		
CONC	CONCRETE	INCLD	INCLUDE	PVMT	PAVEMENT		
CONSTR	CONSTRUCTION	INFO	INFORMATION	QTY	QUANTITY		
CONTR	CONTRACTOR	INSUL	INSULATE-INSULATION	REF	REFRIGERATOR		
CT	CERAMIC TILE	INT	INTERIOR	REQD	REQUIRED		
CTR	CENTER	KIT	KITCHEN	REINF	REINFORCE-REINFORCING		
DEG	() DEGREE	LAM	LAMINATED	RET	RETURN		
DEPT	DEPARTMENT	LAV	LAVATORY	REV	REVERSE, REVISION		
DET	DETAIL	LB	POUND	RIGD	RIGID		
DF	DRINKING FOUNTAIN	LM	LINEAR	RM	ROOM		
DIA	DIAMETER	LIN	LINEAR	RO	ROUGH OPENING		
DIM	DIMENSION	LL	LIVE LOAD	SCHED	SCHEDULE		
DN	DOWN	LT	LIGHT	SD	SOAP DISPENSER		
DR	DOOR	LVR	LOUVER	SEP	SEPARATE		
DWG	DRAWING	MATL	MATERIAL	SECT	SECTION		
EA	EACH	MAX	MAXIMUM	SHT	SHEET		
EL	ELEVATION	MECH	MECHANICAL	SIM	SIMILAR		
ELEC	ELECTRICAL-ELECTRIC	MEMB	MEMBRANE	SPEC	SPECIFICATION		
EQ	EQUAL	MTL	METAL	SO	SQUARE		
EQPT	EQUIPMENT	MFC	METAL FURRING CHANNEL	STD	STANDARD		
EQUIV	EQUIVALENT	MFR	METAL FURRING CHANNEL	STL	STEEL		
EW	EACH WAY	MIR	MIRROR	STOR	STORAGE		
EMB	EMBEDDED	MISC	MISCELLANEOUS	SUB	SUBSTITUTE		
EXIST	EXISTING	MO	MASONRY OPENING	SURF	SURFACE		
EXT	EXTERIOR-EXTERNAL	MR	MOISTURE RESISTANT	SUSP	SUSPEND-SUSPENDED		
		NAT	NATURAL	SYS	SYSTEM		
		NIC	NOT IN CONTRACT				

GENERAL NOTES:

These drawings have a local state and federal copyright. **Juan Contin**, Architect, and are property of the. They are not to be used on other projects or extension of this project except by written agreements with **Juan Contin**, Architect. No design changes which alter the intent of the drawings or specifications are to be made without obtaining written permission from **Juan Contin**, Architect.

CONTIN
ARCHITECTURE + DESIGN

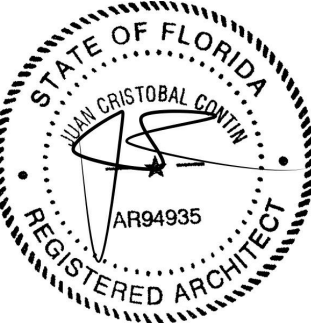
REGISTERED ARCHITECT:

JUAN CRISTOBAL CONTIN

FL LICENSE # AR94935

826 S. FEDERAL HIGHWAY

LAKE WORTH, FL 33460



CLIENT:

The Extraordinary Kids Foundation Inc.

PROJECT TITLE:

4218 & 4220 Lake Worth Road

PROJECT ADDRESS:

4218-4220 Lake Worth Road,
Lake Worth, FL 33461

DATE: 9/21/2022 11:11:32 AM

ISSUED: ISSUED

DRAWN BY: BB

CHECKED BY: JC

REVISIONS:

△	
△	
△	
△	
△	

SCALE/NORTH POINT:

AS SHOWN

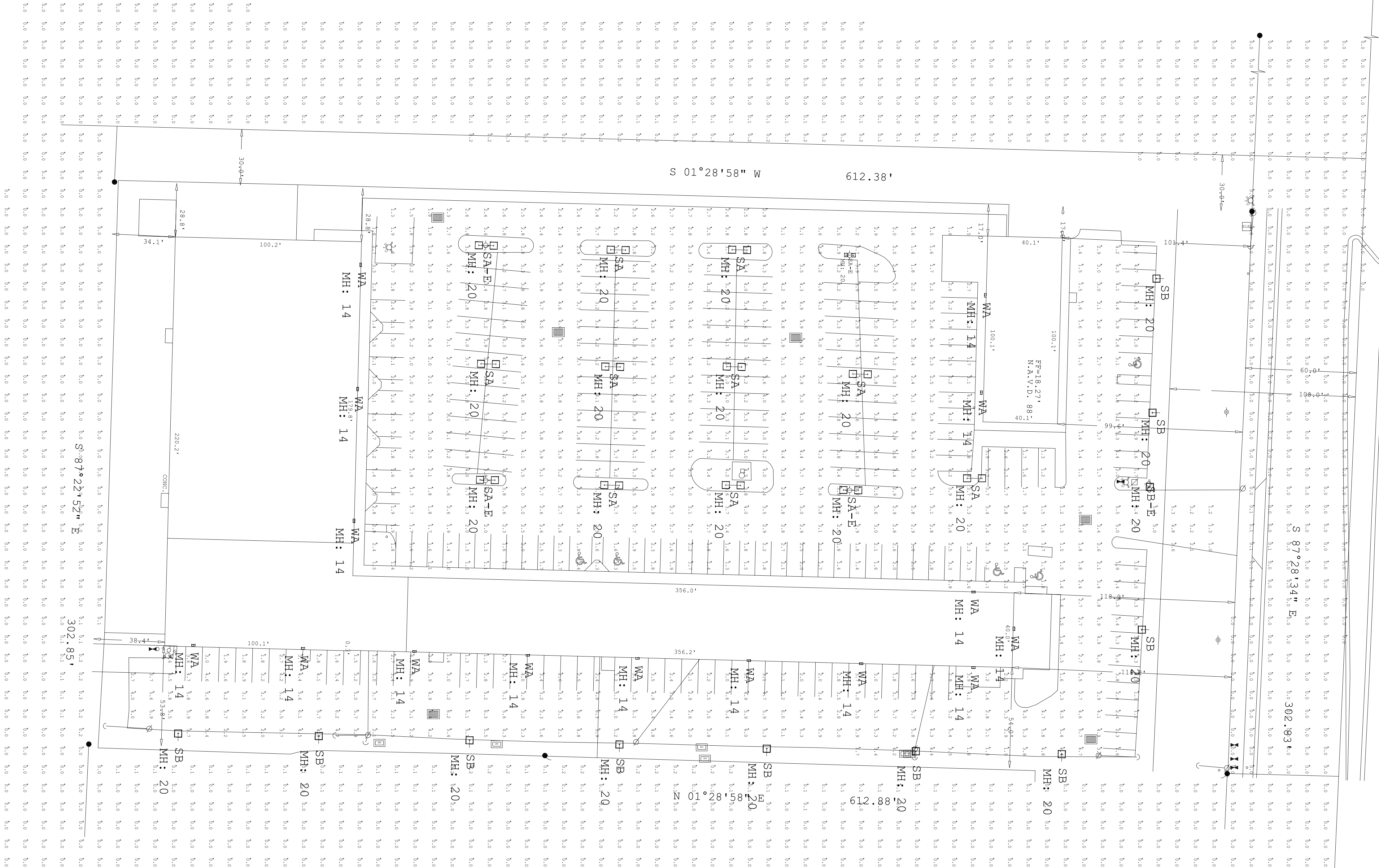
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Index Sheet

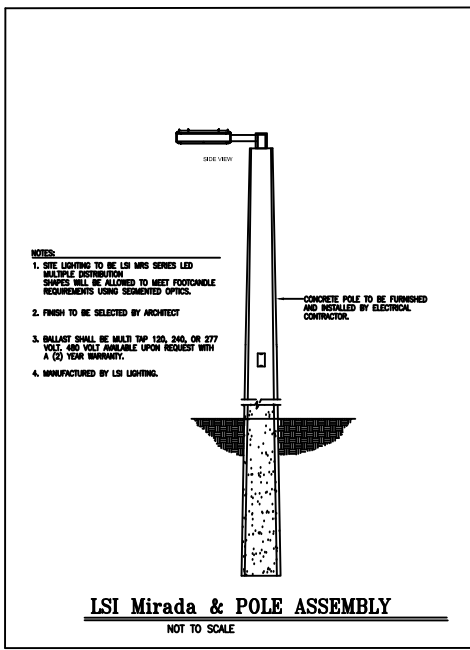
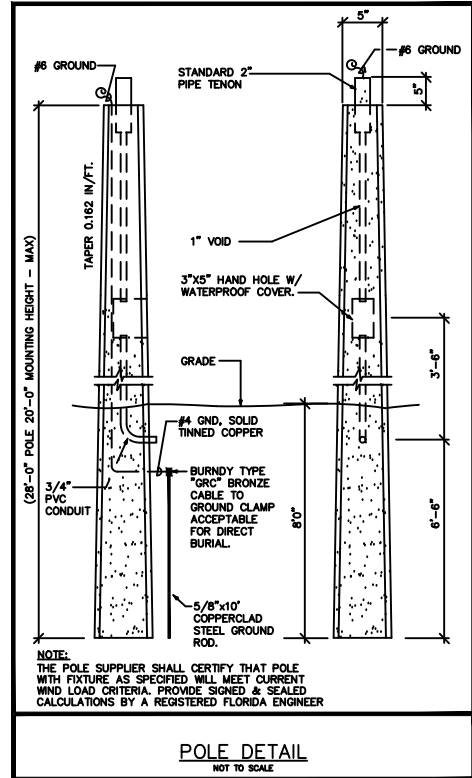
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DRAWING NUMBER:

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Luminaire Schedule		Calculation Summary		Units		Avg		Avg/Min		Max/Min		Description		Tag	
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SA	9	SA	BACK-BACK	9118	63	0.900	3.29	3.29	1.0	3.29	6.30	LSI Industries MRS-LED-09L-SIL-SW-40-70CRI, 2@180°			
SB	10	SB	SINGLE	11444	135	0.900	6.3	6.3	2.0	6.3	12.6	LSI Industries MRS-LED-18L-SIL-SW-40-70CRI, Single Head			
WA	15	WA	SINGLE	609	44.7	0.900	3.29	3.29	1.0	3.29	6.30	LSI Industries MRS-LED-09L-SIL-SW-40-70CRI, 2@180°			
SA-E	4	SA-E	BACK-BACK	9118	63	0.900	3.29	3.29	1.0	3.29	6.30	LSI Industries MRS-LED-09L-SIL-SW-40-70CRI, 2@180°			
SB-E	1	SB-E	SINGLE	11444	135	0.900	6.3	6.3	2.0	6.3	12.6	LSI Industries MRS-LED-18L-SIL-SW-40-70CRI, Single Head			



Photometric Plan

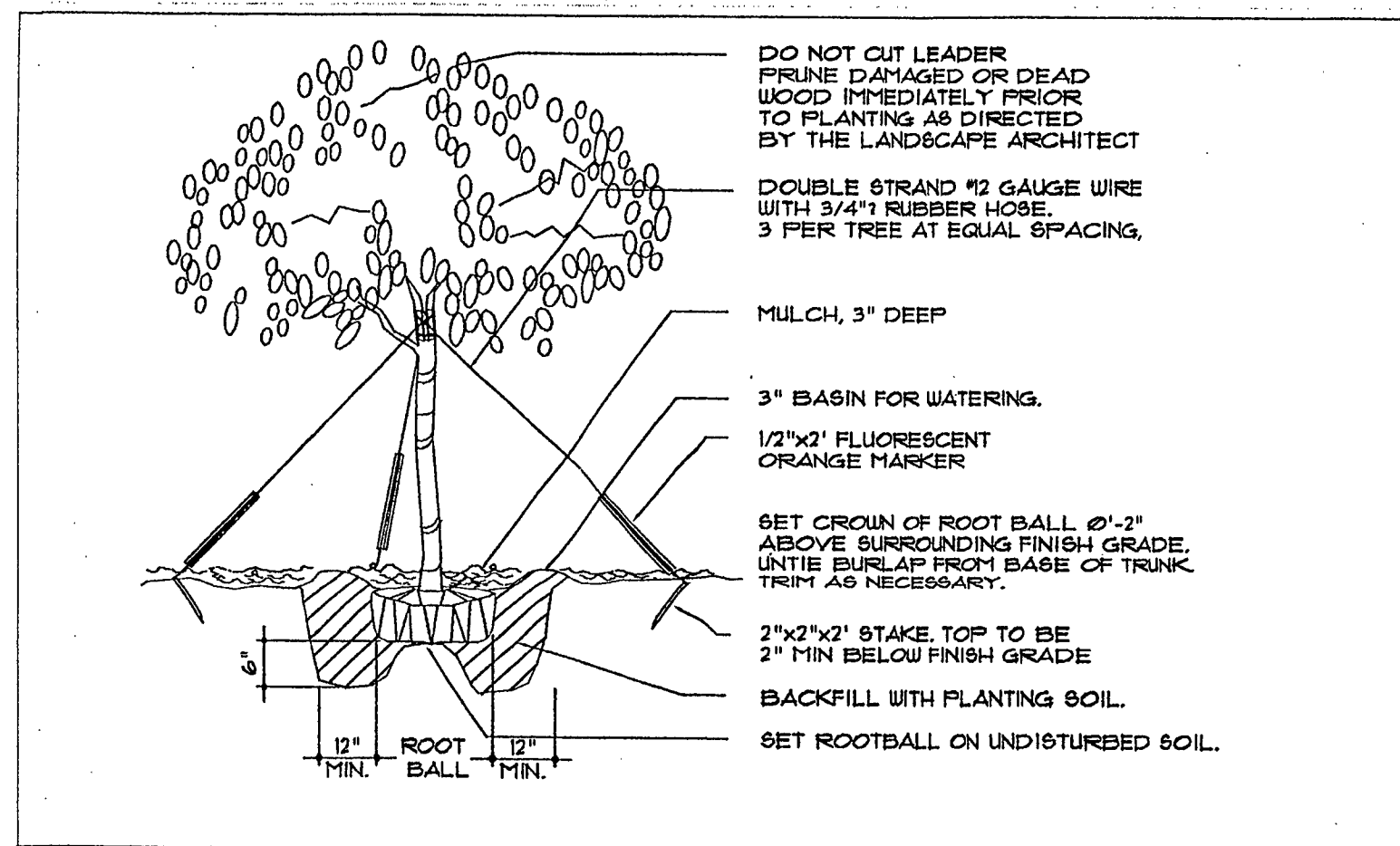
J-W Engineering, Inc.

C.O.A #9937
20 Balfour Road West
Palm Beach Gardens, FL 33418
561-430-3550 JWWessonPE@aol.com

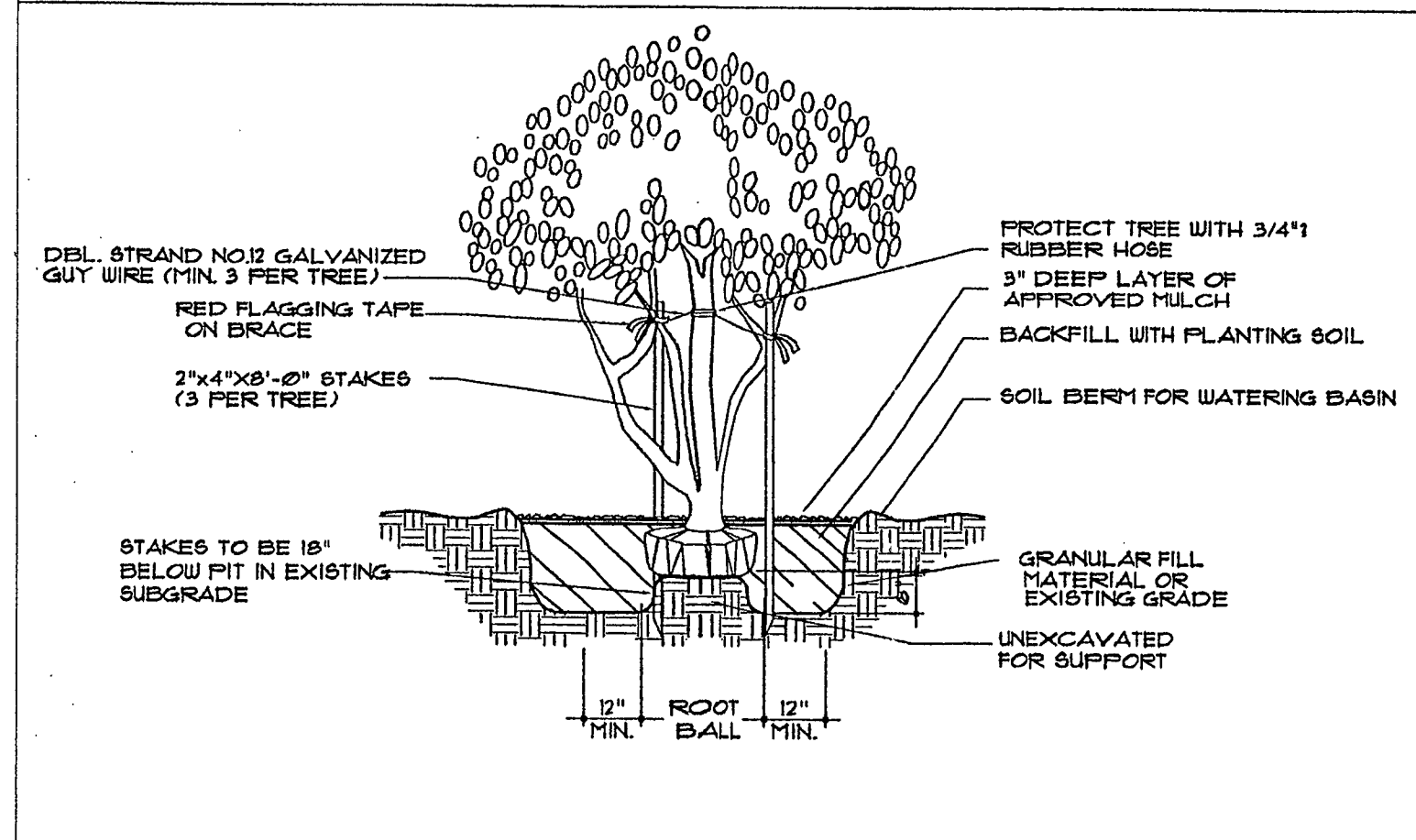
4236 Lake Worth Road
Lake Worth, FL 33461

B
DESIGN, INC.
R
G

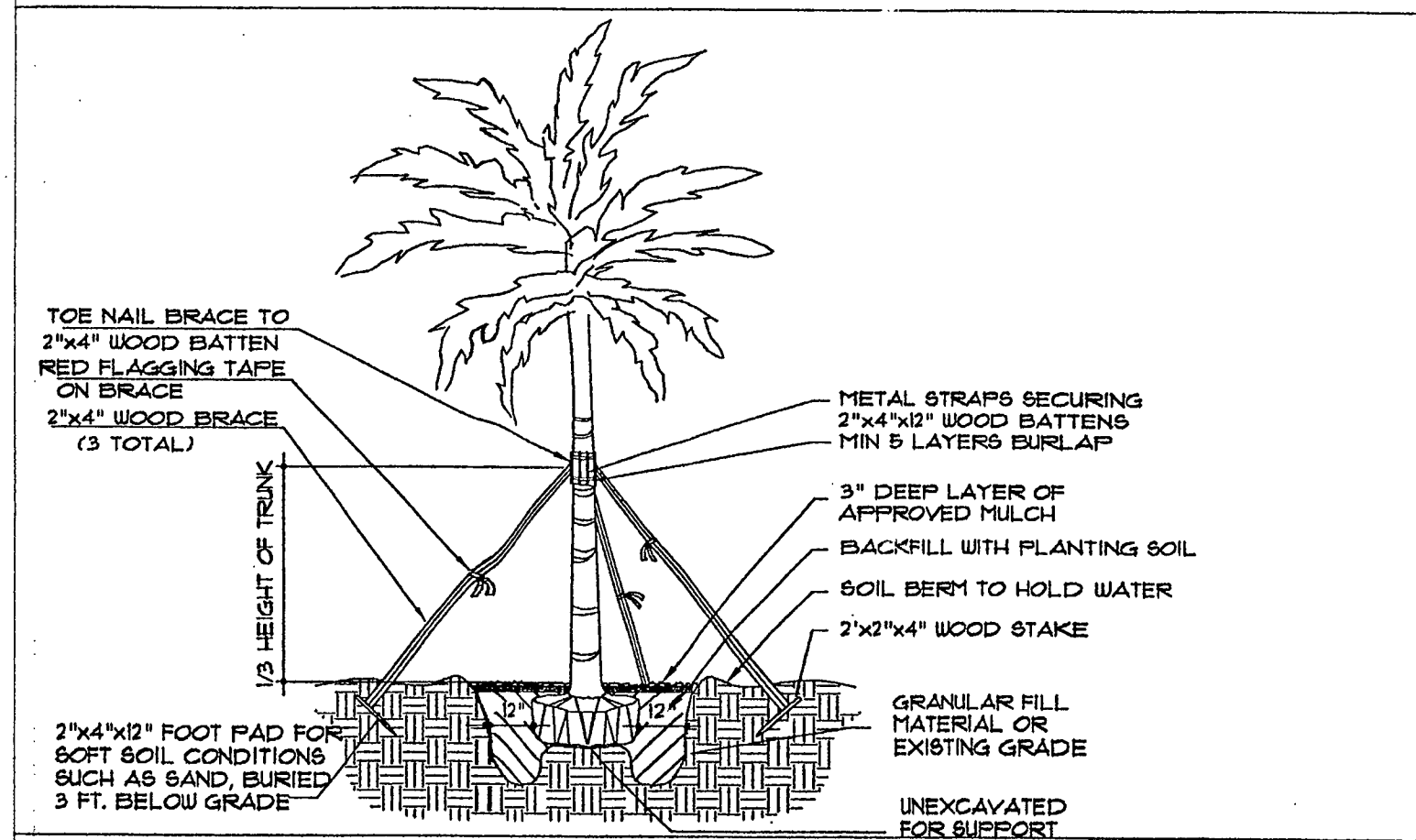
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Lake Worth Beach, FL 33460
BergDesign07@hotmail.com
561-480-9318



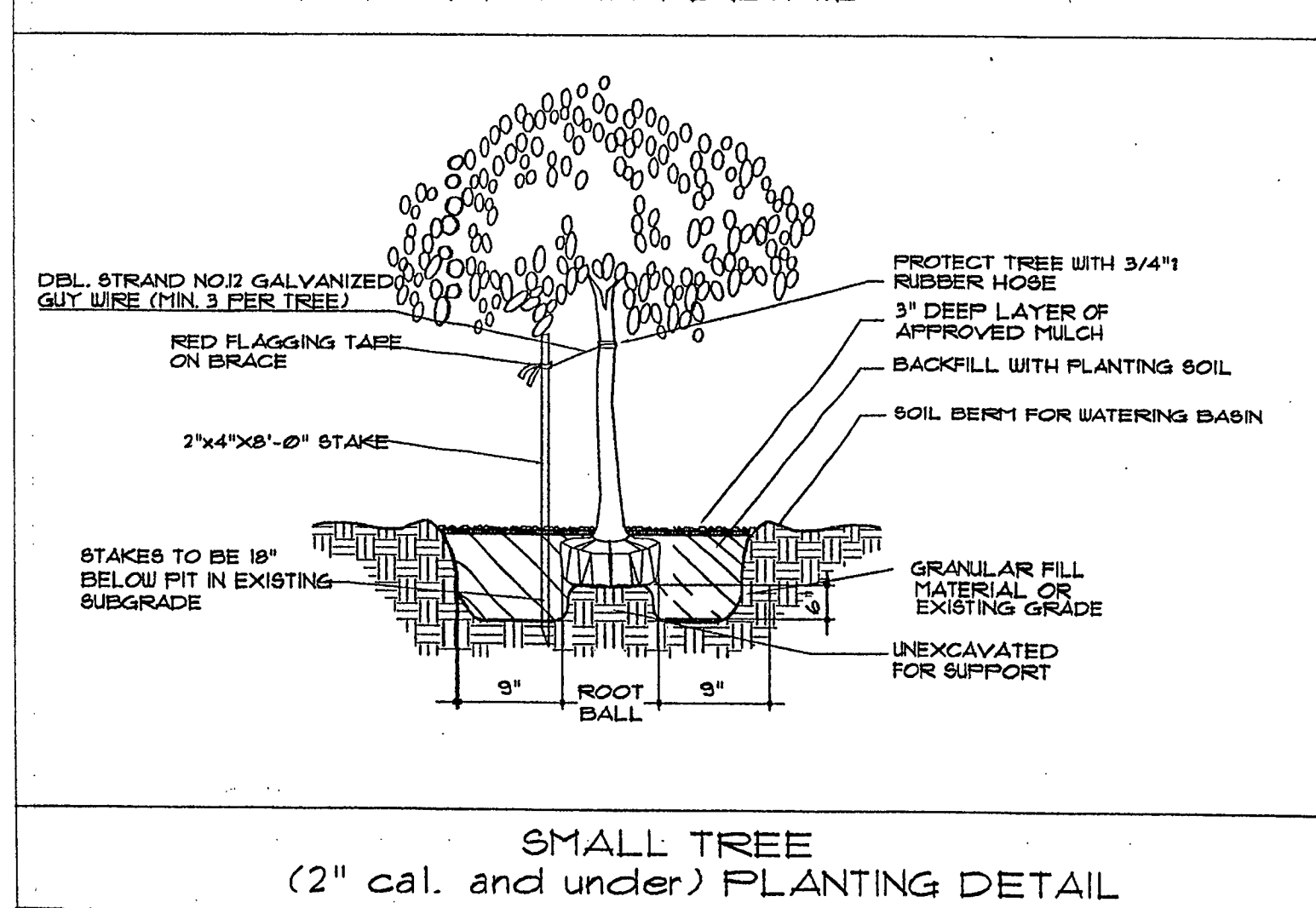
LARGE TREE
(2" cal. and over) PLANTING DETAIL



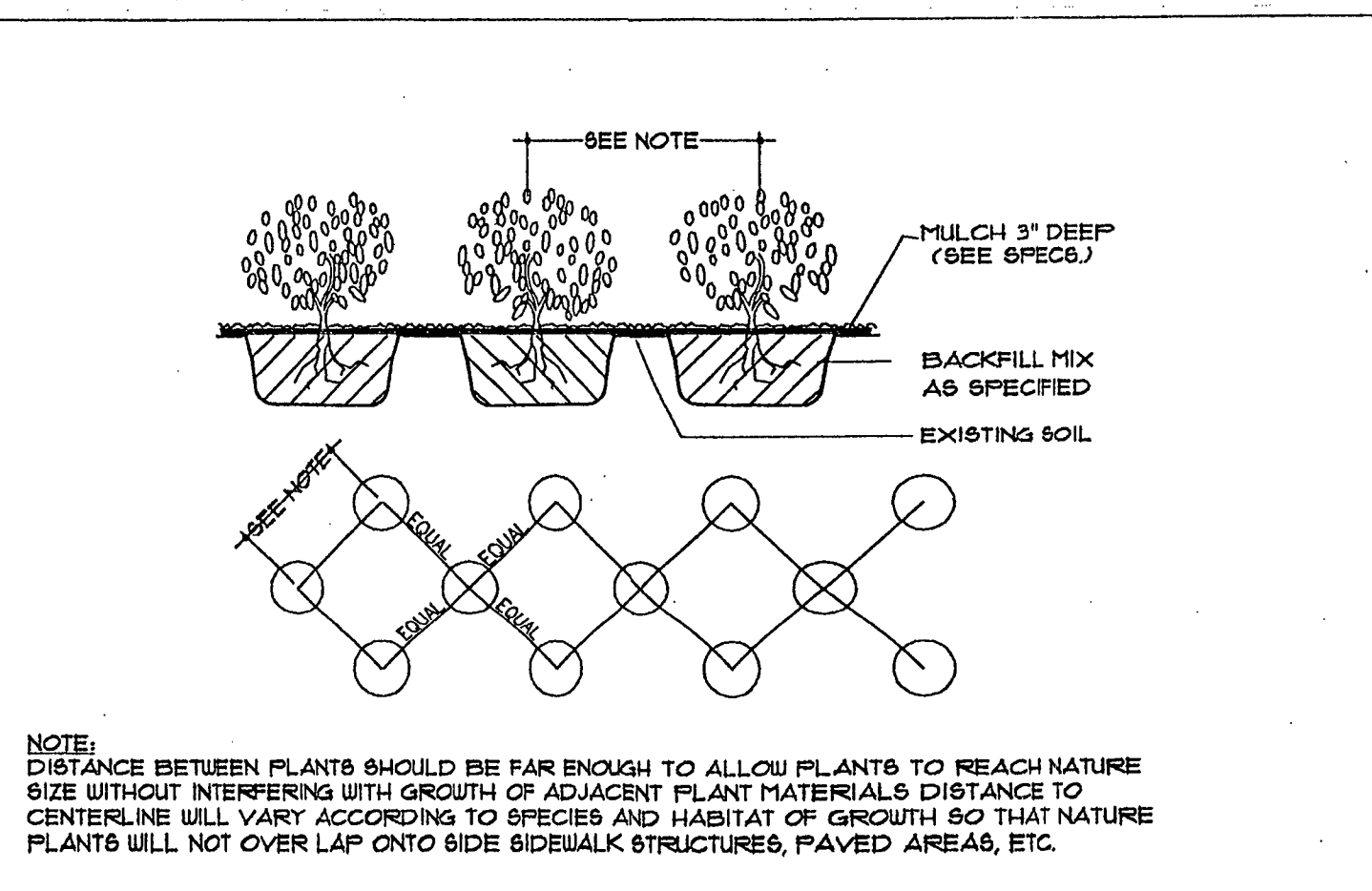
MULTI-TRUNK AND SMALL TREE
(2" cal. and under) PLANTING DETAIL



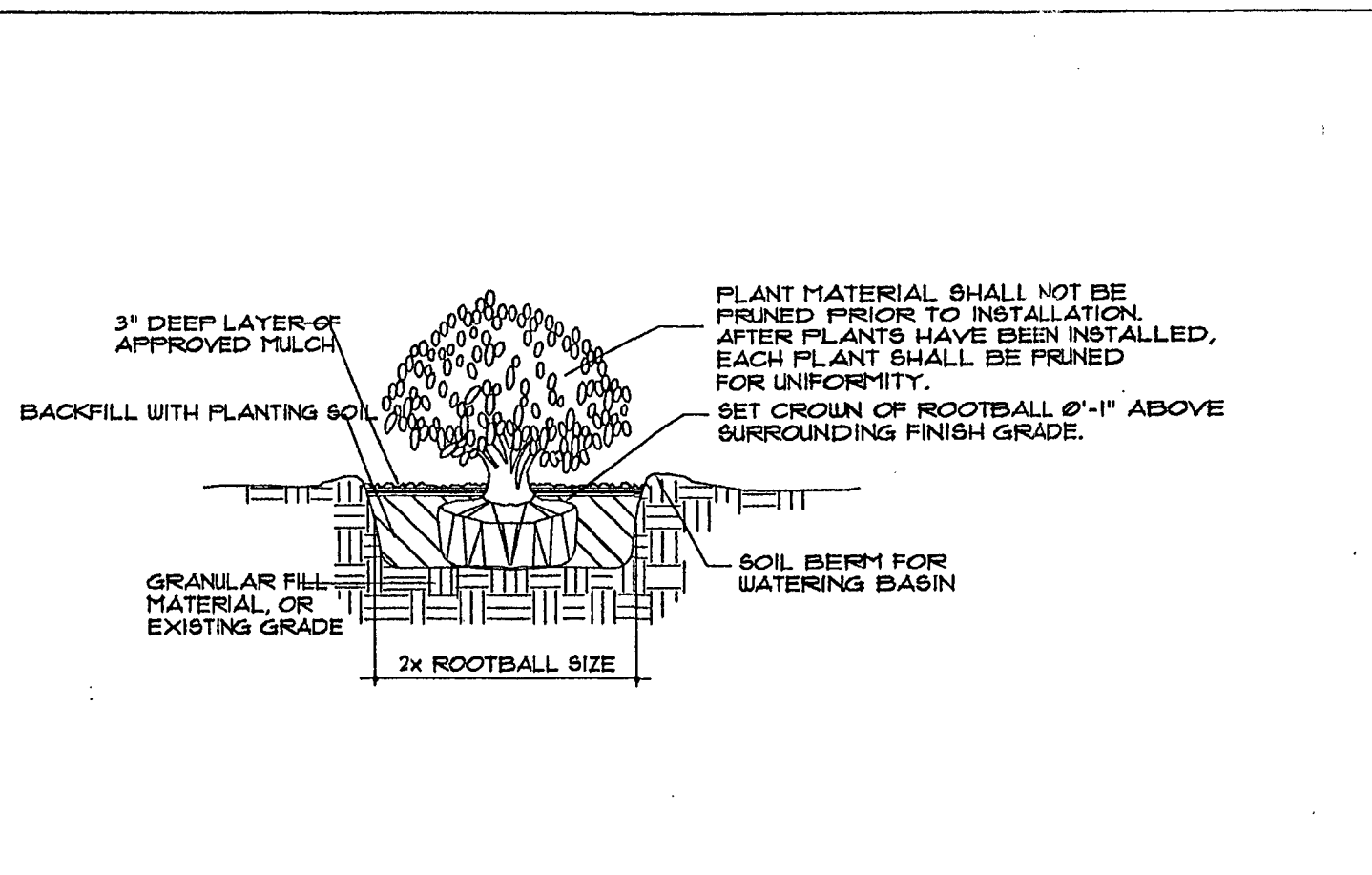
PALM PLANTING DETAIL



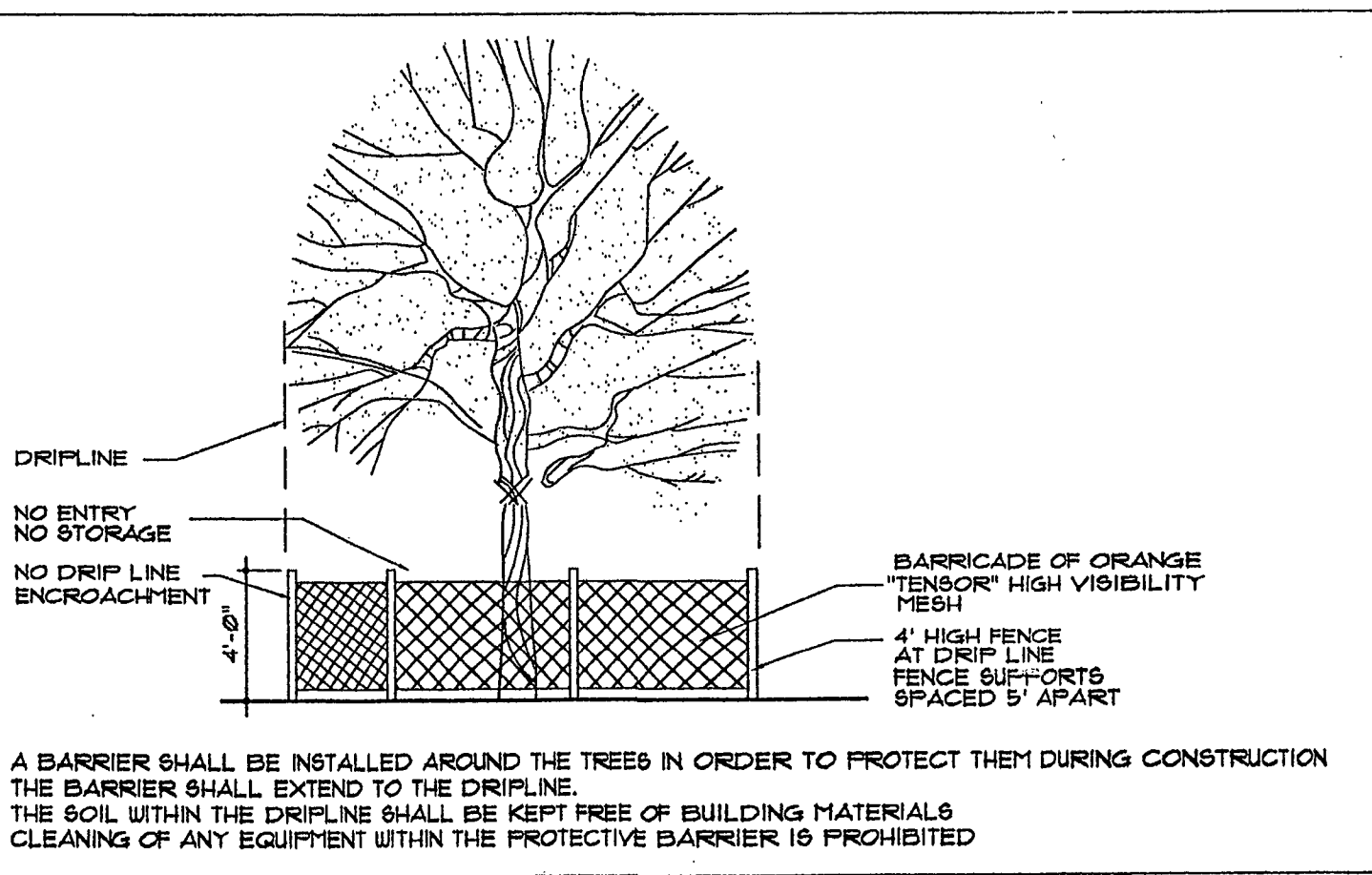
SMALL TREE
(2" cal. and under) PLANTING DETAIL



SHRUB/ GROUNDCOVER SPACING DETAIL



SHRUB PLANTING DETAIL



TREE PRESERVATION
BARRICADE FENCING DETAIL

LANDSCAPE PLANTING DETAILS

LANDSCAPE NOTES

1. PLANT MATERIAL: All plant material shall be Florida "or better" as established by "Grades and Standards for Nursery Plants" of the state of Florida, Department of Agriculture.
2. All trees, shrubs and groundcovers shall be of the sizes as specified in the Plant List.
3. Quantities listed on the Plant List are for estimating purposes. Contractor shall verify all quantities. Mulch, topsoil, fertilizer, etc. shall be included in the unit cost of the plants.
4. Where there is a discrepancy either in quantities, plant names, sizes or specifications between the plan or plant list, the plan takes precedence.
5. All planting beds and water basins for trees shall be covered with a 3" minimum depth of shredded eucalyptus or other organic mulch grade "B" or better.
6. The Planting Plan shall be installed in compliance with all existing City codes and applicable deed restrictions.
7. SOD: All areas not used for buildings, vehicular use areas, walks or planting beds shall be grassed. Grassing shall extend to any abutting street pavement edge and to the mean exterior line of any abutting canal, lake or waterway. Sod to be grade "A" weed free. All areas marked "Lawn" shall be St. Augustine "Floratum" solid sod. The Dry Retention area shall be "Bahia Grass" / "Paspalum Notatum". All sod shall be set level tight and even along planting beds.
8. Landscaping contractor is responsible for providing their own square footage takeoffs and field verifications for 100% sod coverage of all areas specified.
9. PLANTING SOIL: All trees and shrubs shall be planted with a minimum of 12" topsoil around and beneath the rootball. Minimum topsoil shall be 6" for groundcover areas, 4" for seeded grass areas and 2" for sodded grass areas.
10. Planting soil to be a weed-free mixture of 50% sand, 40% muck, and 10% Canadian peat. All plant material to receive planting soil as per details. Planting soil backfill for all proposed Date Palms, Coconut Palms, Royal Palms and Liriodendrons shall be backfilled with 80% sand and 20% muck mixed with existing soil free of rock and debris. Bougainvillea species shall be backfilled with 100% sand at time of planting.
11. Contractor is responsible for determining all utility locations and installing facilities so as to not conflict. All damage to existing utilities or improvements caused by Contractor shall be repaired at no additional cost to the Owner.
12. Contractor to notify "Sunshine" at 1-800-639-4031 (48) hours prior to digging for underground utility locations.
13. Contractor shall be responsible for providing final grading of all associated planting areas.
14. After final grade, area to be raked to 6" depth and all rock and foreign inorganic materials removed and disposed of properly off-site.
15. All planting holes to be hand dug except where machine dug holes will not adversely affect or damage utilities or improvements (see note 8).
16. No pruning of any tree or palm will be accepted. All plants to be planted at the nursery grade or slightly higher.
17. Contractor shall stake 4 guy all trees and palms at time of planting as per the appropriate detail. Contractor is responsible for the maintenance and/or repair of all staking and guying during warranty period.
18. All parking islands measuring less than 11 feet (including curbs) due to turning radii requirements shall have root barriers installed against the full perimeter of the island. All linerock shall be excavated from islands to a depth of 2-1/2 feet and backfilled with the specified planting mix.
19. Fertilizer for grass areas shall be NPK 16-4-8 @ 125 lbs/10000 s.f. or 545 lbs/acre. Nitrogen 50% slow release form 4 fertilizer to include secondary micronutrients.
20. SUBSTITUTIONS AND CHANGES: All substitutions and changes shall be approved in writing prior to installation. Any discrepancies between plans, site and specifications shall be brought to the immediate attention of the Architect, the owner and The City of Miramar.

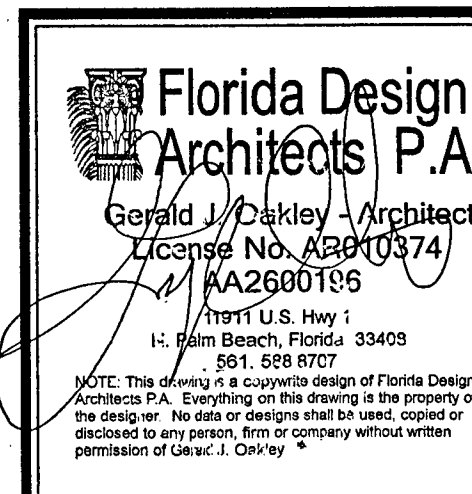
21. WATERING: All plant material shall be watered in at time of planting in accordance with standard nursery practices. In addition Contractor will continue watering of plant material until substantial completion and as needed thereafter for a period of 2 months.
22. EXISTING MATERIAL: All existing material shall be brought to current city code standards. All existing hedges must be continuous as required.
23. DRAINAGE EASEMENT: Written approval must be obtained from local water management district prior to planting within the drainage easement.
24. All new plant material shall be guaranteed for 1 year from time of final acceptance of project. Any plant material not in a healthy growing condition will be replaced by the Contractor at no additional cost to the Owner within 10 days of notification. For all replacement plant material, the warranty period shall be extended an additional 45 days beyond the original warranty period. Warranty is null and void for plant material which is damaged or dies as a result of "acts of God" limited to hail, freeze, lightning, automobile damage, and wind exceeding 15 mph as defined by the Miami Hurricane Center. All trees that lean or are blown over caused by winds less than 15 mph will be re-set and braced by the Contractor at no additional cost to the Owner.
25. Type "D" curbing and wheel stops shall be provided in the V.I.A. Refer to paving and drainage detail sheet for detail of type "D" curb and wheel stop.
26. The successful bidder shall furnish to the Owner a unit price breakdown for all materials. The Owner may, at its discretion, add or delete from the materials utilizing the unit price breakdown submitted.
27. No plant material will be accepted showing evidence of cable, chain marks, equipment scars, or otherwise damaged.
28. Plant material will not be accepted when the ball of earth surrounding its roots has been cracked, broken or otherwise damaged.
29. Root-prune all trees a minimum of (8) weeks prior to planting.
30. Tree grates shall be positioned to rest in the center of tree well and have uniform spacing around outside edges of castings. Install grates where indicated on plans flush and leveled with surrounding pavement surface. Install steel angle frame, in concrete flush and leveled with surrounding paving surface, maintain flush and leveled at all times.
31. All landscaped areas will be irrigated by an underground, automatic, rust-free irrigation system providing 100% coverage and 100% spray overlap. The system shall be maintained in good working order and designed to minimize water on impervious surfaces and not overpray walkways. A rain sensor device shall be installed to override the irrigation cycle of the system when adequate rainfall has occurred.
32. Hedge material shall be planted equal to the height of all dumpsters, transformers, mechanical equipment and other ground free-standing utility equipment or enclosures.
33. All plant material planted within the sight distance triangle areas (see plan) shall provide unobstructed cross-visibility at a horizontal level between 30 inches and 8 feet above adjacent street grade.
34. No canopy trees shall be planted within 12 feet of a light pole. No palm species shall be planted within 6 feet of a light pole.
35. Ground cover plantings shall provide not less than 75 percent coverage immediately upon planting and 100 percent coverage within 3 months after planting.
36. Tree protection barricades shall be provided around existing trees that may be impacted by the proposed construction. Prior to any construction a tree protection barricade inspection shall be conducted by the landscape architect, owner or governing municipality. Refer to landscape detail for tree preservation barricade fencing.
37. Tree removal/relocation permits must be obtained for existing trees to be removed or relocated.
38. In all pedestrian areas, all trees and palms shall be maintained to allow for clear passage at an 8 foot clear trunk.

LANDSCAPE LEGEND

KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING	QUAN.
TREES					
LO	Live Oak	Quercus Virginiana	14' / 16'	25' o.c.	32
OA	Water Oak	Existing			2
BO	Black Olive	Existing			23
SP	Sabal Palm	Existing			30
SHRUBS					
FI	Ficus Hedge	Ficus Benjamin	24' / 30'	24' o.c.	720

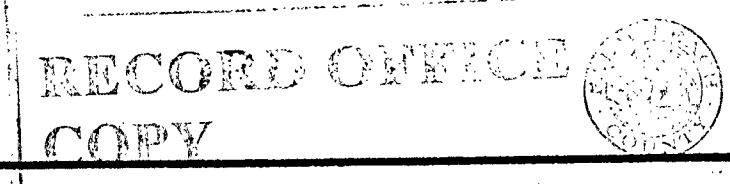
NOTE:
Irrigation system for new and existing landscaping is existing with multizone timers.

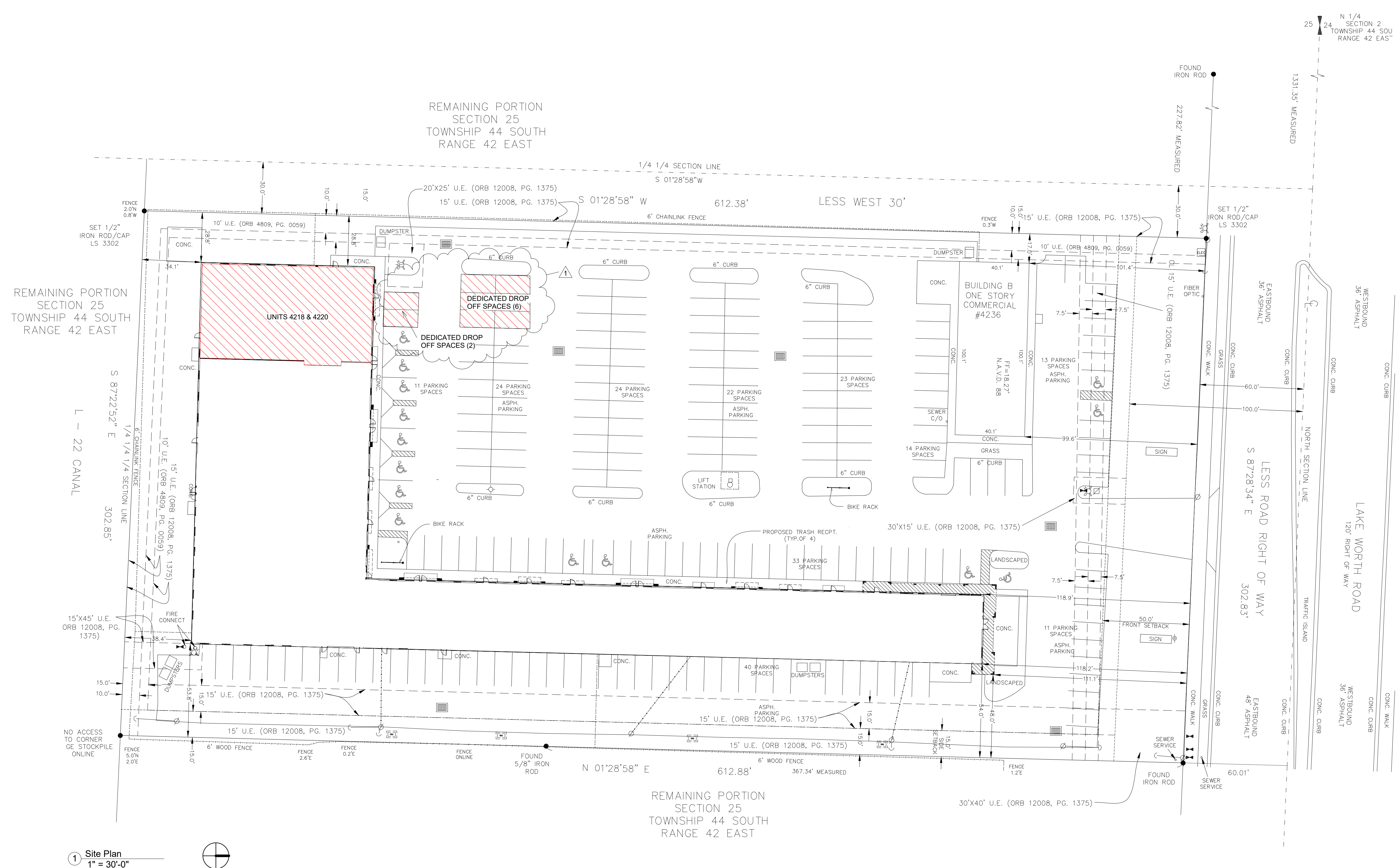
THESE PLANS HAVE BEEN
REVIEWED FOR COMPLIANCE
OCT 29 2007
WITH PALM BEACH COUNTY
FIRE CODE COMPLIANCE IS
THE RESPONSIBILITY OF THE
PERMIT APPLICANT
REVIEWER: DAVID A. SAULS



Proposed
COMMERCIAL
INTERIOR RENOVATIONS
for
NEW STATE OFFICES
4236 Lake Worth Road
Lake Worth, Florida

DATE	REVISION
JOB NO. DATE	A.385.07 Aug. 2007
SHEET L10	
OF SHEETS	





CODE INFORMATION

APPLICABLE CODES			REQUIRED SEPARATION OF OCCUPANCIES	
NFPA 101 (2021) FLORIDA BUILDING CODE 7TH ED., (2020) FLORIDA BUILDING CODE 7TH ED., (2020) PLUMBING			SEPARATION HOURS PER FBC TABLE 508.4 EDUCATIONAL GROUP E / BUSINESS GROUP B SPRINKLERED BUILDING 1 HR. FIRE RATING	
AGENCY HAVING JURISDICTION			CONSTRUCTION TYPE	
PALM SPRINGS, FL			TYPE II-B CONSTRUCTION FIRE SPRINKLERED ONE STORY BUILDING	
EXIT ACCESS TRAVEL DISTANCE (FBC, TABLE 1017.2)			PARKING REQUIREMENTS	
SUB-OCCUPANCY	W/O SPRINKLER	W/ SPRINKLER	OVERALL SHOPPING PLAZA 1/200 SQ. FT. 40,240 SQ. FT. = REQUIRED SPACES = 202 PROVIDED SPACES = 237	
EDUCATIONAL GROUP E	200	250	UNIT 4218 & 4220 - CHILD CARE FACILITY 1/200 SQ. FT. 5,495 SQ. FT. = REQUIRED SPACES = 27.5 PROVIDED SPACES = 237	
CODE ANALYSIS			HANDICAPPED SPACES = 13 REGULAR SPACES = 224	
OCCUPANCY CLASSIFICATION:			DEDICATED DROP OFF SPACES = 8	
OCCUPANCY LOAD (FBC, TABLE 1004.5)				
ALLOWABLE OCCUPANCY BASED ON AREA				
	DAY CARE	35 NET SF/OCCUPANT		
SQUARE FOOTAGES:		NUMBER OF OCCUPANTS		
UNIT 4218 & 4220	5495 SF	157		

GENERAL NOTES:
These drawings have a local state and federal copyright. Juan Contin, Architect, and are property of the. They are not to be used on other projects or extension of this project except by written agreements with Juan Contin, Architect. No design changes which alter the intent of the drawings or specifications are to be made without obtaining written permission from Juan Contin, Architect.

CONTIN
ARCHITECTURE + DESIGN

REGISTERED ARCHITECT:
JUAN CRISTOBAL CONTIN
FL LICENSE # AR94935
826 S. FEDERAL HIGHWAY
LAKE WORTH, FL 33460

STATE OF FLORIDA
JUAN CRISTOBAL CONTIN
AR94935
REGISTERED ARCHITECT

CLIENT:
The Extraordinary Kids Foundation Inc.

PROJECT TITLE:
4218 & 4220 Lake Worth Road

PROJECT ADDRESS:
4218-4220 Lake Worth Road,
Lake Worth, FL 33461

DATE: 9/21/2022 11:11:54 AM
ISSUED: ISSUED

DRAWN BY: BB
CHECKED BY: JC

REVISIONS:
1 09-21-2022

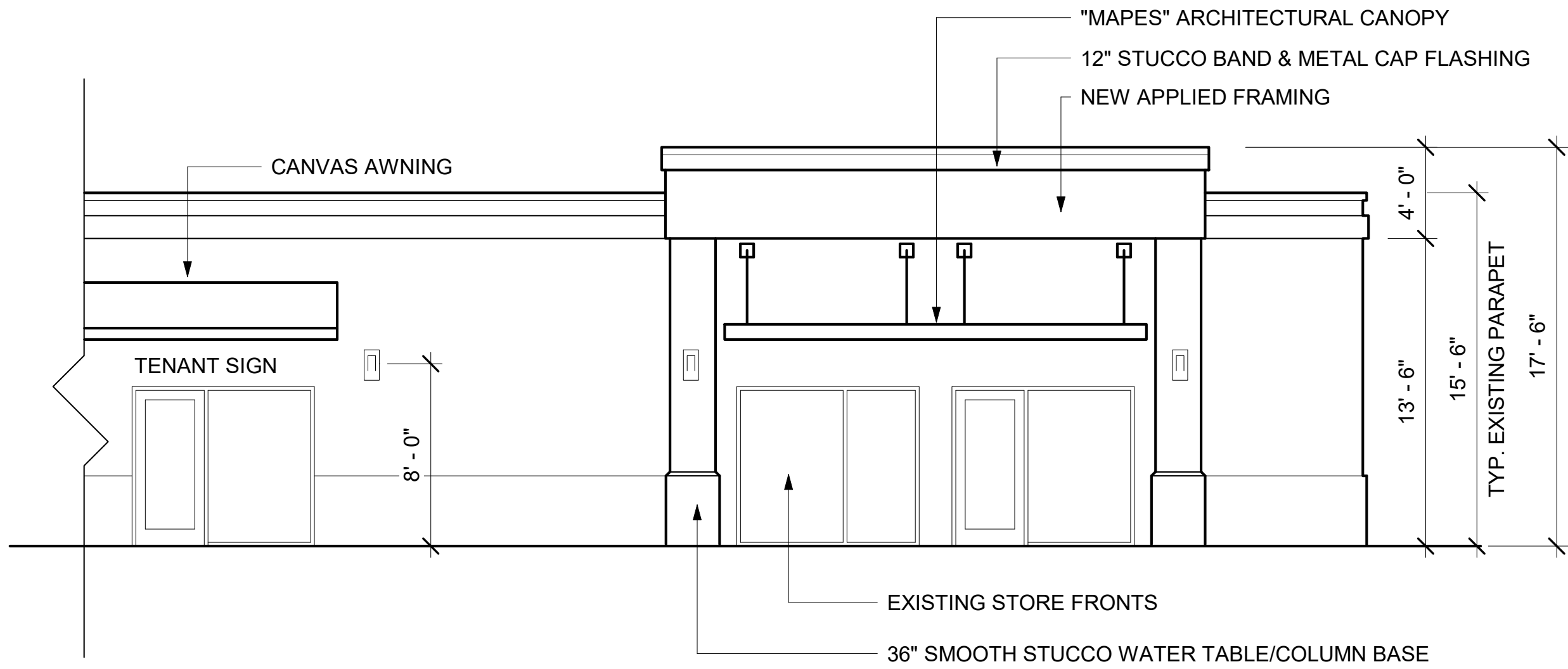
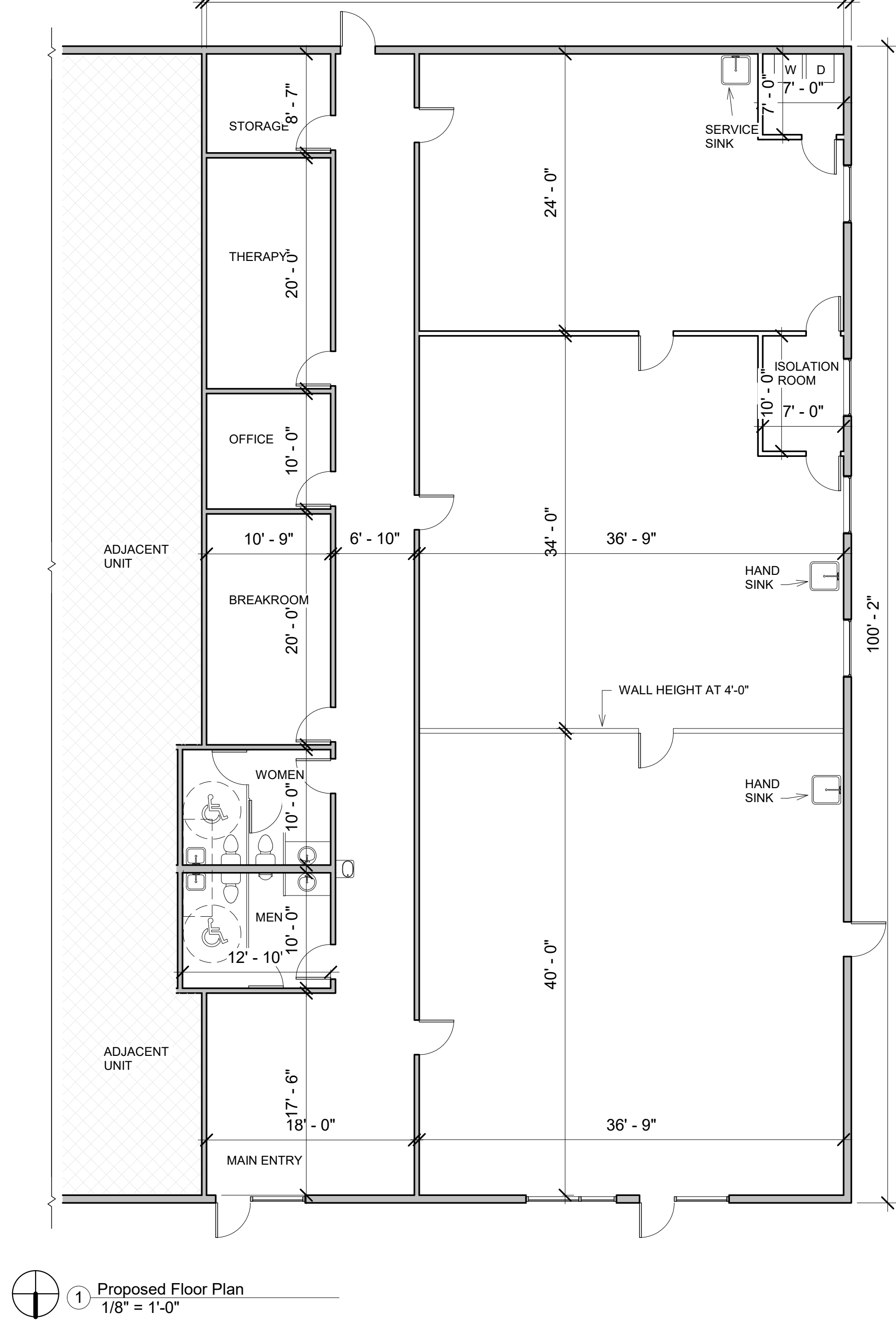
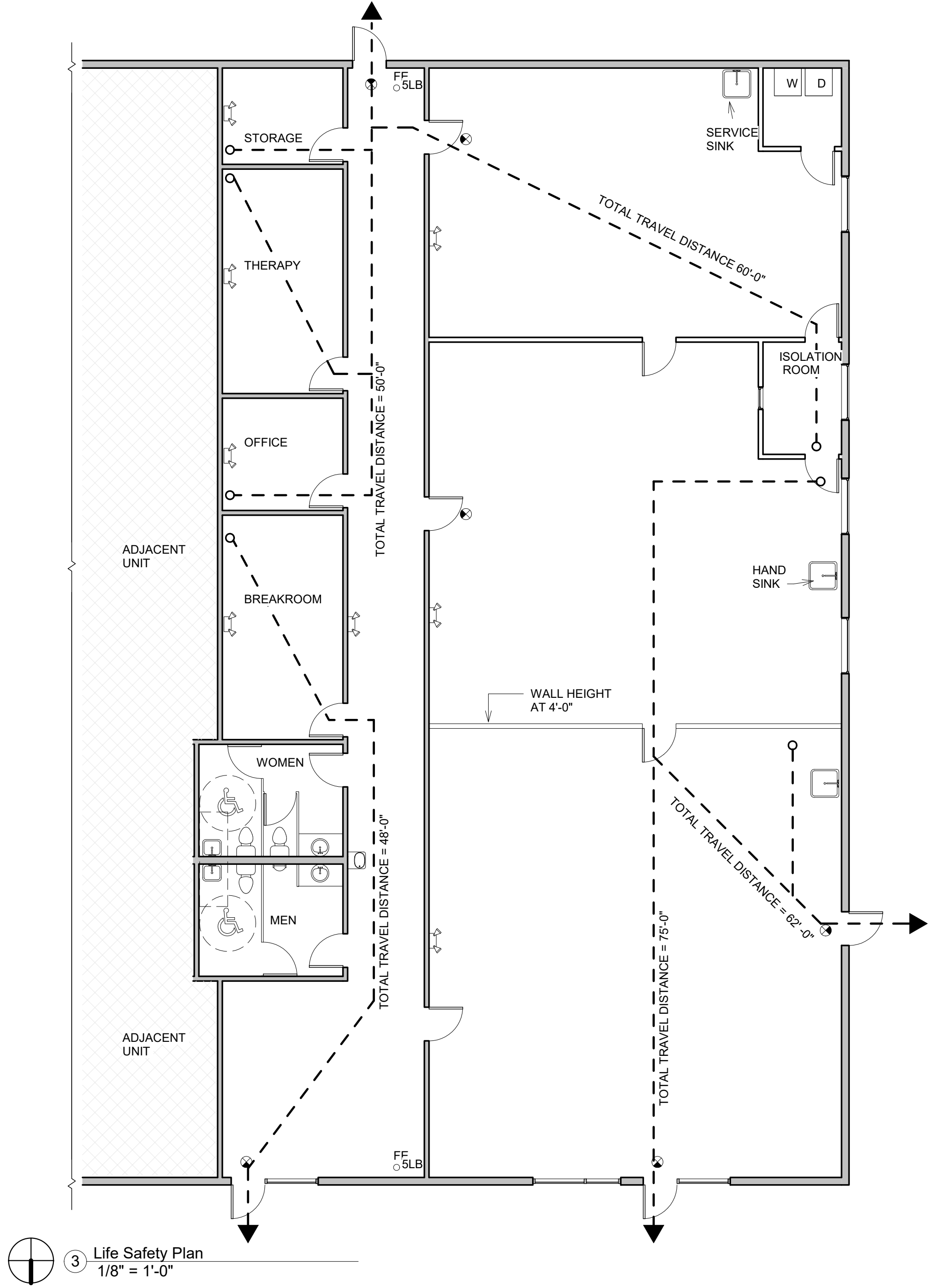
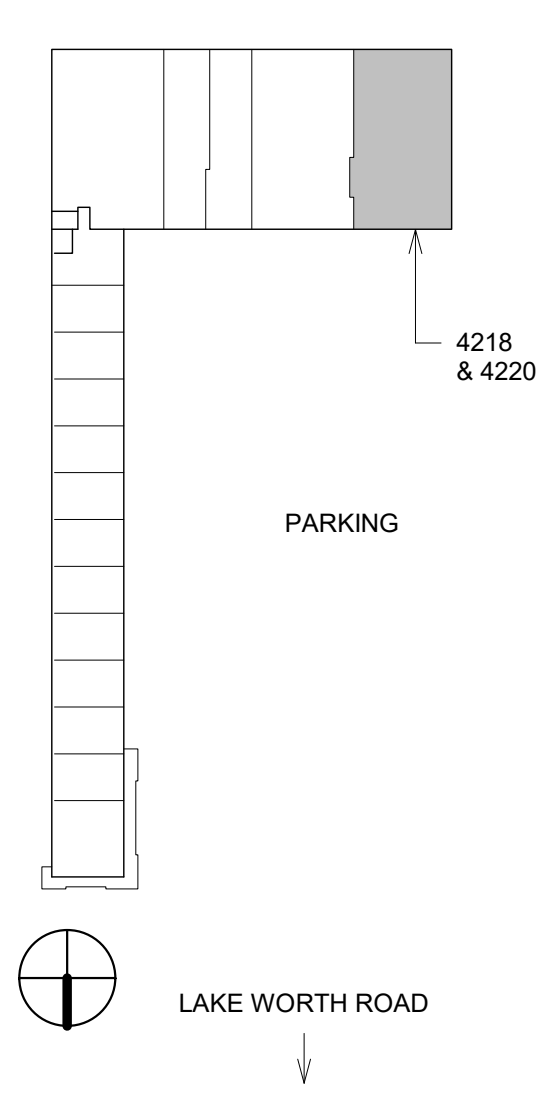
SCALE/NORTH POINT:
AS SHOWN

DRAWING TITLE
Site Plan

DRAWING STATUS:

DRAWING NUMBER:
A101

CODE INFORMATION			
APPLICABLE CODES			
NFPA 101 (2021) FLORIDA BUILDING CODE 7TH ED., (2020) FLORIDA BUILDING CODE 7TH ED., (2020) PLUMBING			
AGENCY HAVING JURISDICTION			
PALM SPRINGS, FL			
EXIT ACCESS TRAVEL DISTANCE (FBC, TABLE 1017.2)			
SUB-OCCUPANCY	W/O SPRINKLER 200	W/ SPRINKLER 250	
EDUCATIONAL GROUP E			
CODE ANALYSIS		EDUCATIONAL GROUP E (DAY CARE) FBC SEC. 305.2	
OCCUPANCY CLASSIFICATION:			
OCCUPANCY LOAD (FBC, TABLE 1004.5)			
ALLOWABLE OCCUPANCY BASED ON AREA	DAY CARE	35 NET SF/OCCUPANT	
SQUARE FOOTAGES:		NUMBER OF OCCUPANTS	
UNIT 4218 & 4220		5495 SF 157	
REQUIRED PLUMBING FIXTURES (FBC PLUMBING TABLE 403.1)			
EDUCATIONAL GROUP E			
WATER CLOSETS: 1/50			
REQUIRED: 3.14 (OCCUPANT LOAD OF 157)			
PROVIDED: 3 + 1 URINAL			
LAVATORIES: 1/50			
REQUIRED: 3.14 (OCCUPANT LOAD OF 157)			
PROVIDED: 4			
DRINKING FOUNTAINS: 1/100			
REQUIRED: 1			
PROVIDED: 1			
SERVICE SINK			
REQUIRED: 1			
PROVIDED: 1			
REQUIRED SEPARATION OF OCCUPANCIES			
SEPARATION HOURS PER FBC TABLE 508.4			
EDUCATIONAL GROUP E / BUSINESS GROUP B			
SPRINKLERED BUILDING			
1 HR. FIRE RATING			
CONSTRUCTION TYPE			
TYPE II-B CONSTRUCTION			
FIRE SPRINKLERED ONE STORY BUILDING			
PARKING REQUIREMENTS			
OVERALL SHOPPING PLAZA 1/200 SQ FT. 40,240 SQ. FT. = REQUIRED SPACES = 202 PROVIDED SPACES = 237		HANDICAPPED SPACES = 13 REGULAR SPACES = 224	
UNIT 4218 & 4220 - CHILD CARE FACILITY 1/200 SQ FT. 5,495 SQ. FT. REQUIRED SPACES = 27.5 PROVIDED SPACES = 237		DEDICATED DROP OFF SPACES = 8	
WALL TYPES			
		EXISTING WALLS TO REMAIN	
		PROPOSED WALLS	

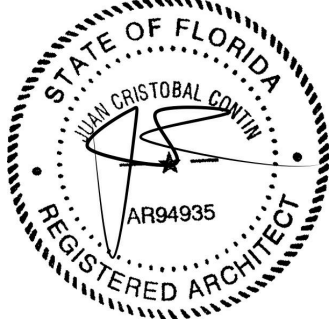


② Elevation
3/16" = 1'-0" NOTE: ALL EXTERIOR IMPROVEMENTS UNDER SEPARATE PERMIT FOR OVERALL PLAZA

GENERAL NOTES:
These drawings have a local state and federal copyright. Juan Contin, Architect, and are property of the. They are not to be used on other projects or extension of this project except by written agreements with Juan Contin, Architect. No design changes which alter the intent of the drawings or specifications are to be made without obtaining written permission from Juan Contin, Architect.



REGISTERED ARCHITECT:
JUAN CRISTOBAL CONTIN
FL. LICENSE # AR94935
826 S. FEDERAL HIGHWAY
LAKE WORTH, FL 33460



CLIENT:
The Extraordinary Kids Foundation Inc.

PROJECT TITLE:
4218 & 4220 Lake Worth Road

PROJECT ADDRESS:
4218-4220 Lake Worth Road,
Lake Worth, FL 33461

DATE: 9/21/2022 11:12:00 AM
ISSUED: ISSUED
DRAWN BY: BB
CHECKED BY: JC

REVISIONS:	
1	09-21-2022

SCALE/NORTH POINT:
AS SHOWN

DRAWING TITLE
Proposed Floor Plan &
Life Safety Plan

DRAWING STATUS:

DRAWING NUMBER:
A102

The Extraordinary Kids Foundation, Inc
4218/4220 Lake Worth Rd
Lake Worth, FL 33461

**Re: The Extraordinary Kids Foundation
4220 Lake Worth Rd (Palm Springs)
Traffic Concurrency
PCN 70-42-44-25-00-000-1030**

JFO Group Inc. has been retained to evaluate a traffic impact analysis to determine compliance with City of Palm Springs standards as required by the application to make interior improvements on 5,495 SF that will be converted to 5,495 SF of Prescribed Pediatric Extended Care uses that will operate as The Extraordinary Kids Foundation, a Conditional Use in the Village of Palm Springs.

The site is located on the south side of Lake Worth Road, ± 0.30 miles east of Military Trail in the City of Palm Springs, Florida. Figure 1 shows the project location in relation to the transportation network. Parcel Control Number associated with this project is 70-42-44-25-00-000-1030. A copy of the property appraiser information for the site is included as Exhibit 1. According to the Property Appraiser, the subject site was built in 1985 and it consists of 40,240 SF of General Commercial uses.

Exhibit 2 includes a copy of the proposed site plan showing the location of the proposed interior renovations within the context of the existing shopping center.

According to provisions in Article 12 of the PBC ULDC – Section 3.B, if a structure or building has not been discontinued or abandoned for five (5) or more years prior to the time of the application, then the project is eligible for an existing use credit against project traffic. Exhibit 3 includes a 2017 aerial of the subject site.



Figure 1 : Project Location

Project trip generation rates used for this analysis were based on *PBC Trip Generation Rates* dated July 25, 2022. Exhibit 4 includes a copy of the PBC trip generation rates. Table 1 shows the rates used in order to determine the trip generation for Daily, AM, and PM peak hour conditions while Table 2 summarizes the net Daily, AM, and PM peak trips potentially generated by the existing and proposed development. According to Table 2, the proposed changes will not generate additional traffic.

Table 1: Trip Generation Rates

Land Use	ITE Code	Daily Trip Gen.	Pass-By %	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Shop Plaza (40-150ksf) w/out Sup Market	821	67.52	39%	62%	38%	1.73	49%	51%	5.19

Table 2: Trip Generation

Land Use	Intensity	Daily Traffic	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
EXISTING/VESTED DEVELOPMENT								
Shop Plaza (40-150ksf)	40,240 SF	2,717	43	27	70	102	107	209
Pass-By	39%	1,060	17	10	27	40	42	82
Net Existing Traffic		1,657	26	17	43	62	65	127
PROPOSED DEVELOPMENT								
Shop Plaza (40-150ksf)	40,240 SF	2,717	43	27	70	102	107	209
Pass-By	39%	1,060	17	10	27	40	42	82
Net Proposed Traffic		1,657	26	17	43	62	65	127
Net Traffic		-	-	-	-	-	-	-

Lake Worth Road (SR-802) in front of the site is a state road with a 40-mph posted speed limit. According to the Florida Department of Transportation Access Management Guidebook, a right-turn lane is required at each driveway where the number of right turns per hour is between 80 and 125. The lower threshold of 80 right-turn vehicles per hour would be most used for higher volume (greater than 600 vehicles per hour, per lane in one direction on the major roadway) or two-lane roads where lateral movement is restricted. The 125 right-turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with a large entry radius (50 feet or greater). Similarly, the proposed changes to the subject site will not exceed the Significant Change thresholds as defined in Section 335.182, F.S. Therefore, the proposed changes are exempt from Access Management Standards where additional turn lanes are not required at the project driveway.

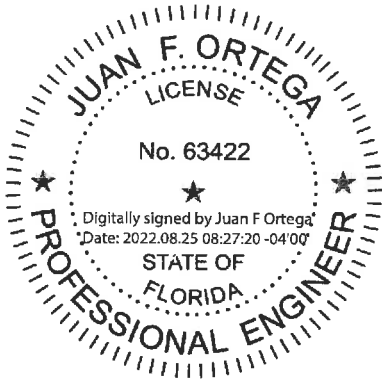


Figure 2: Project Driveway Volumes

The proposed changes to the subject site have been evaluated following *PBC TPS - Article 12 of the PBC ULDC*. This analysis shows that the proposed request to allow interior renovations on ±5,495 SF to accommodate a Conditional Use (Prescribed Pediatric Extended Care) will not generate additional traffic. Therefore, the proposed development will be in compliance with *PBC TPS - Article 12 of the PBC ULDC*. Project build-out for the interior improvements is expected in the year 2023.

Sincerely,

JFO GROUP INC
COA Number 32276



Enclosures: Exhibit 1: Property Appraiser Information
 Exhibit 2: Proposed Site Plan
 Exhibit 3: 2017 Aerial
 Exhibit 4: PBC Trip Generation Rates

Property Detail

Location Address 4236 LAKE WORTH RD
Municipality PALM SPRINGS
Parcel Control Number 70-42-44-25-00-000-1030
Subdivision
Official Records Book 31552 Page 238
Sale Date JUL-2020
Legal Description 25-44-42, W 1/2 OF NW 1/4 OF NE 1/4 OF NE 1/4 (LESS N 60 FT SR 802 R/W & W 30 FT RD R/W)

Owner Information

Owners	Mailing address
MAMPG LLC	400 POST AVE STE 303 WESTBURY NY 11590 2226

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUL-2020	\$0	31552 / 00238	CERT OF TITLE	MAMPG LLC
APR-2019	\$2,800,200	30559 / 00047	CERT OF TITLE	MAMPG LLC
SEP-2018	\$10	30124 / 01561	WARRANTY DEED	KB INVESTMENT PROPERTY LLC
NOV-2014	\$2,800,000	27181 / 01025	WARRANTY DEED	KB INVESTMENT PROPERTY LLC
NOV-2013	\$1,200,000	26452 / 01228	CERT OF TITLE	WPB INVESTORS LLC
JUN-2006	\$3,365,000	20472 / 01791	WARRANTY DEED	DIWATCH INTERNATIONAL CONSULTANTS INC
FEB-1993	\$675,000	07596 / 01424	WARRANTY DEED	
FEB-1987	\$1,590,200	05167 / 01683	CERT OF TITLE	
SEP-1984	\$490,000	04364 / 01256	WARRANTY DEED	
MAY-1982	\$100	03742 / 00197	WARRANTY DEED	

Exemption Information

No Exemption information available

Property Information

Number of Units 0
*Total Square Feet 40240
Acres 4.25
Use Code 1100 - STORES
Zoning CG - Commercial General (70-PALM SPRINGS)

Appraisals

Tax Year	2021	2020	2019
Improvement Value	\$1,146,450	\$0	\$0
Land Value	\$1,481,032	\$0	\$0
Total Market Value	\$2,627,482	\$2,650,000	\$2,650,000

All values are as of January 1st each year

Assessed and Taxable Values

Tax Year	2021	2020	2019
Assessed Value	\$2,627,482	\$2,650,000	\$2,650,000
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$2,627,482	\$2,650,000	\$2,650,000

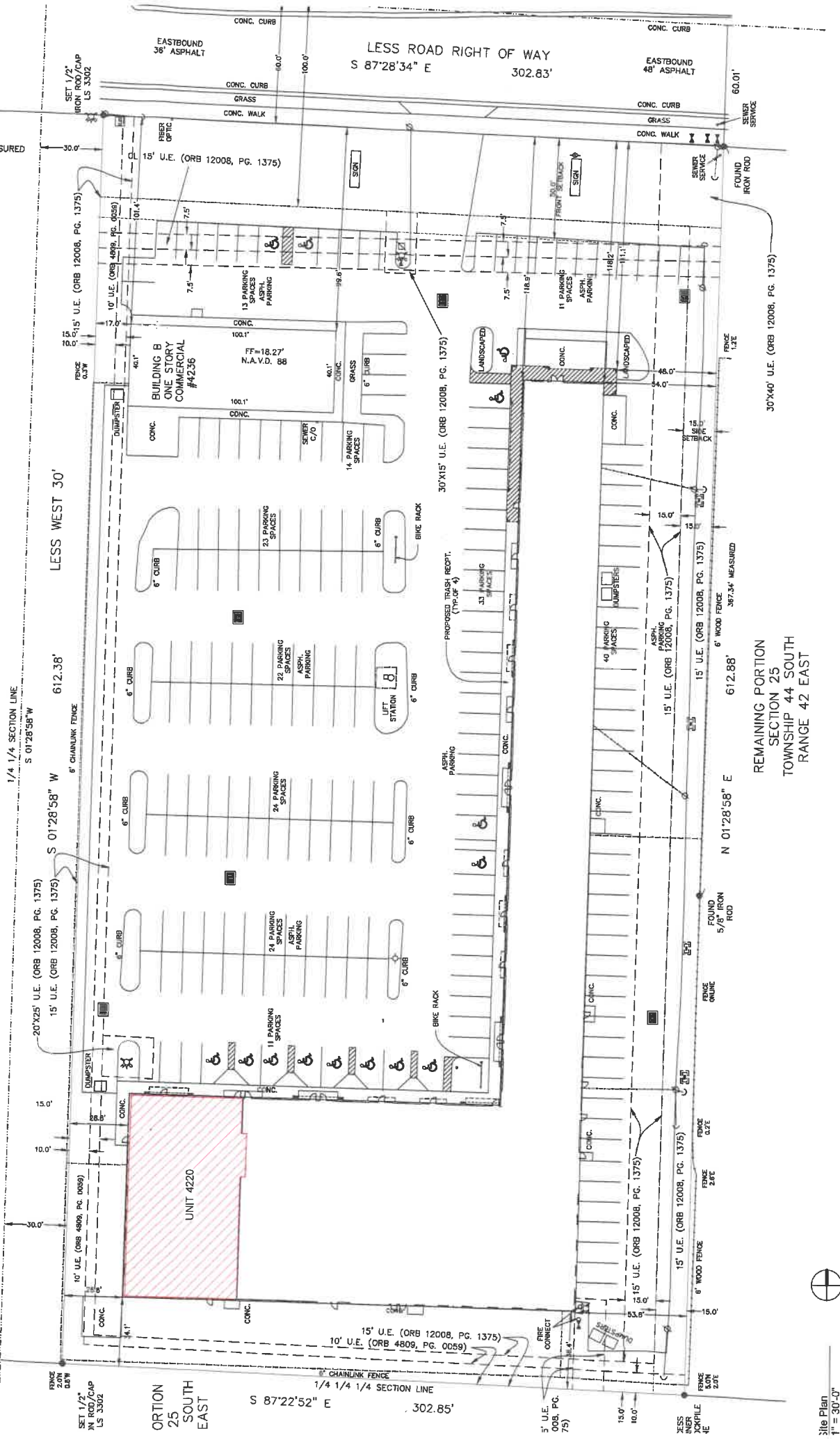
Taxes

Tax Year	2021	2020	2019
Ad Valorem	\$54,089	\$55,030	\$55,665
Non Ad Valorem	\$8,334	\$8,133	\$8,415
Total tax	\$62,423	\$63,163	\$64,080

12' MEASURED

TOWNSHIP 44 SOUTH
RANGE 42 EAST

SECTION 25
SOUTH
EAST



Site Plan
1" = 30'-0"

CODE INFORMATION

APPLICABLE CODES	
NFPA 101 (2021)	FLORIDA BUILDING CODE 7TH ED., (2020)
FLORIDA BUILDING CODE 7TH ED., (2020)	PLUMBING
AGENCY HAVING JURISDICTION	
PALM SPRINGS, FL	
CONSTRUCTION TYPE	
TYPE I-B CONSTRUCTION FIRE SPRINKLERED ONE STORY BUILDING	
PARKING REQUIREMENTS	
EXIT ACCESS TRAVEL DISTANCE (FBC, TABLE 1017.2)	W/O SPRINKLER 200
SUB-OCCUPANCY	EDUCATIONAL GROUP E
EDUCATIONAL GROUP E	EDUCATIONAL GROUP E
CODE ANALYSIS	

REQUIRED SEPARATION OF OCCUPANCIES	
SEPARATION REQUIRED PER FBC TABLE 508.4	EDUCATIONAL GROUP E / BUSINESS GROUP B
SPRINKLERED BUILDING	
1 HR. FIRE RATING	
CONSTRUCTION TYPE	
TYPE I-B CONSTRUCTION FIRE SPRINKLERED ONE STORY BUILDING	
PARKING REQUIREMENTS	
EXIT ACCESS TRAVEL DISTANCE (FBC, TABLE 1017.2)	W/O SPRINKLER 200
SUB-OCCUPANCY	EDUCATIONAL GROUP E
EDUCATIONAL GROUP E	EDUCATIONAL GROUP E
CODE ANALYSIS	



4220 LAKE WORTH ROAD



Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Retail	Nursery (Garden Center)	817	Acre	108.1	0%	50/50	2.82	50/50	8.06
	Nursery (Wholesale)	818	Acre	19.50	0%	50/50	0.23	50/50	0.36
	Landscape Services	PBC	Acre ^c	121.70	0%	40/60	34.4	58/42	15.1
	Shop Center (>150ksf)	820	1000 S.F.	37.01	24%	62/38	0.84	48/52	3.4
	Shop Plaza (40-150ksf) w/Sup Market	821	1000 S.F.	94.49	39%	62/38	3.53	48/52	9.03
	Shop Plaza (40-150ksf) w/out Sup Market	821	1000 S.F.	67.52	39%	62/38	1.73	49/51	5.19
	Strip Retail Plaza (<40ksf)	822	1000 S.F.	54.45	63%	60/40	2.36	50/50	6.59
	Automobile Sales (New)	840	1000 S.F.	27.84	15%	73/27	1.86	40/60	2.42
	Automobile Parts Sales	843	1000 S.F.	54.57	28%	55/45	2.51	48/52	4.9
	Tire Store	848	1000 S.F.	27.69	28%	64/36	2.61	43/57	3.75
	Supermarket	850	1000 S.F.	93.84	36%	59/41	2.86	50/50	8.95
	Pharmacy + DT	881	1000 S.F.	108.40	50%	52/48	3.74	50/50	10.25
Services	Drive-In Bank	912	1000 S.F.	100.35	47%	58/42	9.95	50/50	21.01
	Fine Dining Restaurant	931	1000 S.F.	83.84	44%	50/50	0.73	67/33	7.8
	High Turnover Sit-Down Rest.	932	1000 S.F.	107.2	43%	55/45	9.57	61/39	9.05
	Fast Food Restaurant w/o DT	933	1000 S.F.	450.49	45%	58/42	43.18	50/50	33.21
	Fast Food Restaurant + DT	934	1000 S.F.	467.48	49%	51/49	44.61	52/48	33.03
	Coffee/Donut Shop w/o DT	936	1000 S.F.	441.88 ^d	45%	51/49	93.08	50/50	32.29
	Coffee/Donut Shop + DT	937	1000 S.F.	533.57	49%	51/49	85.88	50/50	38.99
	Coffee/Donut Shop + DT w/No Seat	938	DT Lanes	179	49%	50/50	39.81	50/50	15.08
	Gas Station w/Convenience Store ^e	FDOT	FP, 1000 S.F.	14.3*PM Trips	61%	50/50	Note f	50/50	12.3*FP+15.5*(X)
	Carwash (Automated) ^g	PBC	Lane	166.00	0%	50/50	11.97	50/50	13.65

Footnotes

- a) Based on Daily to AM peak ratio for LUC 532 (Private School (K-12))
- b) Weekend peak hour rate = 10.36 per 1,000 s.f. with a 48/52 directional split
- c) Landscape Services acreage consists of overnight vehicle and equipment storage as well as areas (covered or uncovered) for chemicals, fertilizers, landscape materials (excluding plants) and other items needed for day-to-day operations. Not included are drive aisles, customer/employee parking, structures shared by nursery and landscape services, facilities that solely serve the onsite landscape activities or any nursery growing areas.
- d) Based on Daily to PM ratio for ITE Code 937 (Coffee Donut Shop + DT)
- e) FP=Fueling Position. Use both FP and Convenience Store size in estimating trips using the provided equation. Note that no internalization between the gas pumps and convenience store, as per ULDC Article 12, should be applied to estimate the net trips.
- f) Use PM rates
- g) Daily rate taken from PBC trip gen. study. Peak hour rates derived by applying peak to daily ratios for gas station to daily carwash rate from older ITE TGM. New PBC rate study underway.
- h) Based on PBC analysis of ITE TGM data plots

Modification History

3/2/2020: Added Landscape Services, modification history, edited formatting

7/25/2022: Updated with ITE TG Manual 11th ed information

8/29/2022

Good morning Iramis,

No fire rescue comments. Thank you.

Wesley Jolin, IAAI-CFI[®]

Fire Safety Specialist

Palm Beach County Fire Rescue

wjolin@pbcgov.org

561.233.2695

2300 North Jog Road: Suite 1E-40

West Palm Beach FL 33411



**Department of Engineering
and Public Works**

P.O. Box 21229

West Palm Beach, FL 33416-1229

(561) 684-4000

FAX: (561) 684-4050

www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Robert S. Weinroth, Mayor

Gregg K. Weiss, Vice Mayor

Maria G. Marino

Dave Kerner

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

September 9, 2022

Dr. Juan F. Ortega, PE
JFO Group Inc.
6671 W Indiantown Road, Suite 50-324
Jupiter, FL 33458

**RE: The Extraordinary Kids Foundation
Project #: 220818
Traffic Performance Standards (TPS) Review**

Dear Dr. Ortega:

The Palm Beach County Traffic Division has reviewed the above referenced project Traffic Impact Statement, dated August 25, 2022, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality:	Palm Springs
Location:	South side of Lake Worth Road, about 0.26 miles east of Military Trail
PCN:	70-42-44-25-00-000-1030
Access:	As existing (one right-in/right-out access driveway connection onto Lake Worth Road) <u>(As used in the study and is NOT necessarily an approval by the County through this TPS letter)</u>
Existing Uses:	General Commercial = 40,240 SF
Proposed Uses:	Repurpose 5,495 SF of existing retail space for Prescribed Pediatric Extended Care uses
New Daily Trips:	0
New Peak Hour Trips:	0 AM; 0 PM
Build-out:	December 31, 2023

Based on our review, the Traffic Division has determined that the proposed project will not generate additional trips; therefore, the project **meets** the TPS of Palm Beach County.

Please note the receipt of a TPS approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the Village after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

"An Equal Opportunity
Affirmative Action Employer"



Dr. Juan F. Ortega, PE
September 9, 2022
Page 2

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email HAkif@pbcgov.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hanane Akif".

Hanane Akif, P.E.
Professional Engineer
Traffic Division

QB:HA:cw

cc:

Iramis Cabrera, Interim PZ&B Director, Village of Palm Springs
Quazi Bari, P.E., PTOE, Manager – Growth Management, Traffic Division
Alberto Lopez, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
F:\TRAFFIC\H\MUNICIPALITIES\APPROVALS\2022\220818 - THE EXTRAORDINARY KIDS FOUNDATION.DOCX

Project Name: The Extraordinary Kids Foundation, Inc
4218-4220 Lake Worth Road
Palm Springs, FL 33461

Narrative

This project is for a location of a Prescribed Pediatric Extended Care (P.P.E.C.) Center. The shopping center is a Commercial General Zone. The Commercial General zone allows for this use with a Special Exception.

We are requesting a Special Exception to allow for us as a Prescribed Pediatric Extended Care Center that services special needs children.

The center will serve children from Birth to age 21 with medical conditions that require nursing care. Examples of types of conditions served are Down Syndrome, Respiratory Illness, Autism, Cerebral Palsy.

The center will serve up to 60 children at a time. The center is open Monday to Friday from 7am to 7pm. The center will have staff that consists of Registered Nurse, Licensed Practical nurse, and Care Aides.

SECTION 9

1. The proposed special exception use is consistent with goals, objectives, and policies of the village's comprehensive plan. The use will not have a major impact on the village's comprehensive plan.
2. The proposed special exception use is consistent with the Planning, Building, & Zoning and zoning regulations and all other portions of this code. The use does not have a major impact on the land development and zoning regulations.
3. The proposed special exception use is compatible with the character and use (existing and future) of the surrounding properties in its function, hours of operation, type and amount of traffic to be generated; building location, mass, height, and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property.

The center hours will be Monday to Friday 7am to 7pm. There should not be any significant impact to traffic.

4. The establishment of the proposed special exception use in the identified location does not create a concentration or proliferation of the same or similar type of special exception use which may be deemed detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.

There is no other similar centers in the immediate area. As of our knowledge there is only 1 other Prescribed Pediatric Extended Care Center in Palm Springs.

5. The proposed special exception use does not have a detrimental impact on surrounding properties based on.
 - a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;
 - b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and
 - c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.

The Number of people, using and working at the property is consistent with the use of a Shopping Center. There is no known detrimental impact on surrounding properties based on traffic, noise, odor, visual or other potential nuisance factors.

6. That the proposed special exception use:
 - a. Does not significantly reduce light and air to adjacent properties.
 - b. Does not adversely affect property values in adjacent areas.
 - c. Would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations.
 - d. Does not negatively impact adjacent natural systems or public facilities, including parks and open spaces.
 - e. Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

The P.P.E.C. Center does not have any input to the general property since it has already been developed. There is no significant effect on the Light and/or Air quality to the adjacent properties. There is no effect to Parks, Recreation, Open Space or other Pedestrian activities.

7. The proposed use would enhance and/or promote redevelopment of the village, fulfill redevelopment objectives, and/or have a positive economic impact on the Village, including creating new jobs, economic growth and provide needed community-serving (neighborhood retail and commercial) uses and businesses.

This use should not have a major impact on the village redevelopment objectives. The proposed use will create jobs in the clinical sector for employees such as nurses and therapists as well as non-clinical aide positions. The center will provide access to quality care for the special needs population of Palm Springs.

**Re: The Extraordinary Kids Foundation
Site Plan Amendment/Special Exception
4218, 4220 Lake Worth Rd. Lake Worth Fl, 33461**

REQUEST FOR VARIANCE

The Extraordinary Kids Foundation is seeking a variance from Section 34-VII which outlines the supplemental regulations for a Child Care Facility to eliminate the minimum outdoor play area. The use of the leased premises will be as a Prescribed Pediatric Extended Care Center, known by the acronym PPEC. A PPEC is licensed by Agency for Health Care Administration [AHCA]. Traditional child care facilities are licensed by the Department of Children and Family Services. A doctor's prescription is required to attend a PPEC. The attendees must meet specific medical requirements to attend. In most jurisdictions, a PPEC is approved as a medical center; however, the Palm Springs Code defines a child care center as, "an establishment which provides care or instruction for more than five children, operated on a regular basis and which is consistent with all other provisions of state law." While a PPEC meets this definition, the actual operation of the facility does not need to satisfy Section 34-1022 (5) of the Palm Springs Land Development Code Section 34-VII.

Section 34-1022 (5) Outdoor play area requires a minimum outdoor play area. The medical conditions of the patients that attend a PPEC do not warrant a typical child care outdoor play area. Moreover, AHCA does not require a PPEC to have any outdoor play area. We are requesting a variance to eliminate this requirement.

1. *"Special Condition and circumstances exist that are peculiar to the parcel of land, building or structure, that are not applicable to other parcel of land, structures or buildings in the same zoning district."*

Yes. The applicant is seeking the special exception for a child care center notwithstanding the fact that it does not operate as a child care center or hold itself out to the public to be a child care center. No state regulations require a PPEC to provide its patients with an outdoor play area regardless of the location of the PPEC. The other licensed PPECs in Palm Beach County do not have an outdoor play area.

2. *"Special Circumstances and conditions do not result from the actions of the Applicant."*

Yes. There is no State Statute or regulation promulgated by any State Regulatory Agency that requires a PPEC provide an outdoor play area. A PPEC is not required under any State law to adhere to standards as a child care center other than the requirement that it meet fire safety codes of a non-resident child care facility. Even though it is not required the center will have an indoor play area with soft play mats within the building.

3. *"Granting the variance shall not confer upon the Applicant special privilege(s) denied by the comprehensive plan and the code to other parcels of land, building, or structure, in the same district."*

Yes. The unique nature of the PPEC use is not specifically addressed in the Code. It is regulated by the Agency for Health Care Administration (AHCA) which has not generated any regulation requiring an outdoor play area be provided for the patients. Approving the variance will not confer any special privilege on the Applicant since the provision of an outdoor play area is not required for this use.

4. *“Literal interpretation and enforcement of the terms and provisions of this code would deprive the Applicant of rights commonly enjoyed by other parcels of land in the same district, and would work an unnecessary and undue hardship.”*

Yes. If the Applicant is required to provide an outdoor play area, as required by the code, it will impose a requirement on this PPEC that is not required by any other PPEC in Florida. The expense to construct an outdoor play area that will not be used by the patients will be an unnecessary and undue hardship on the Applicant.

5. *“Granting the variance is the minimum required to make reasonable use of the parcel of land, building or structure.”*

Yes. Granting the variance is the minimum that will enable the Applicant to provide a medical service to a population that is underserved in Palm Beach County.

6. *“Granting of the variance will be in harmony with the general intent and purpose of this chapter.”*

Yes. One purpose of the Code is to control and regulate development in the Village by concentrating development in areas where adequate community facilities and services can be provided. Granting this variance will allow additional medical services to be provided to an underserved segment of the population.

7. *“Granting of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.”*

Yes. Granting this variance will not be injurious to the area nor a detriment to the public welfare. In fact, it will be a great benefit to community by providing medical care to needy children and allow their parents to work outside of the home. It will also bring jobs to the area.

Section 14

Consistency with Palm Springs CRA Community Redevelopment Plan

The Community Redevelopment Plan has 5 key goals. The Day Care will not have any major effect on utilities, infrastructure, workforce housing, and the overall partnership with Palm Beach County.

The Day Care Center will be beneficial for Economic Growth for Palm Springs by providing jobs for its residents. The center employs staff in various capacities from entry level to clinical positions. The center will also provide quality care for special needs residents from birth to age 21 as well as support and resources for the parents of these individuals.

5 Key Goals established in the CRA Plan

- I. Improving Utilities and Infrastructure

Not Applicable

- II. Expanding Job Development and Economic Growth

The center will provide quality jobs with Medical and other benefits for the residents of Palm Springs.

- III. Enhancing Public Safety

Not Applicable

- IV. Increasing and Maintaining Work Force Housing

Not Applicable

- V. Advancing the Partnership with Palm Beach County

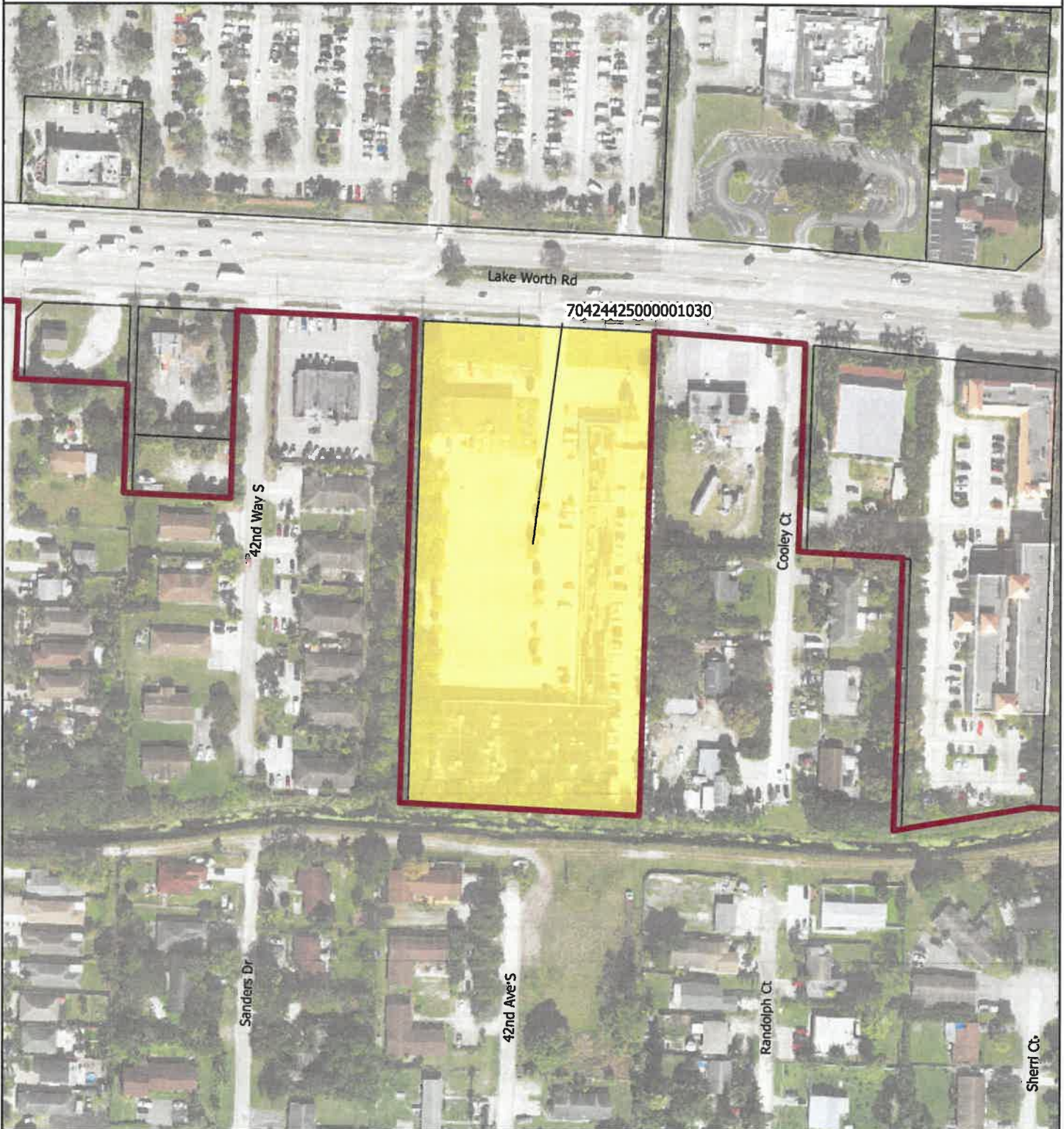
Not Applicable

The tenant is consistent with the Economic Development Strategic Plan for Palm Springs Community Redevelopment Agency which is built upon key economic development drivers which contribute to advancing economic growth, improving quality of life and building wealth.



VILLAGE OF PALM SPRINGS

Extraordinary Kids Foundation



Legend

-  Proposed Parcels
-  Parcels
-  Village Boundary

Date: 9/23/2022

When Printed on 8 1/2" x 11"

1 inch equals 200 feet

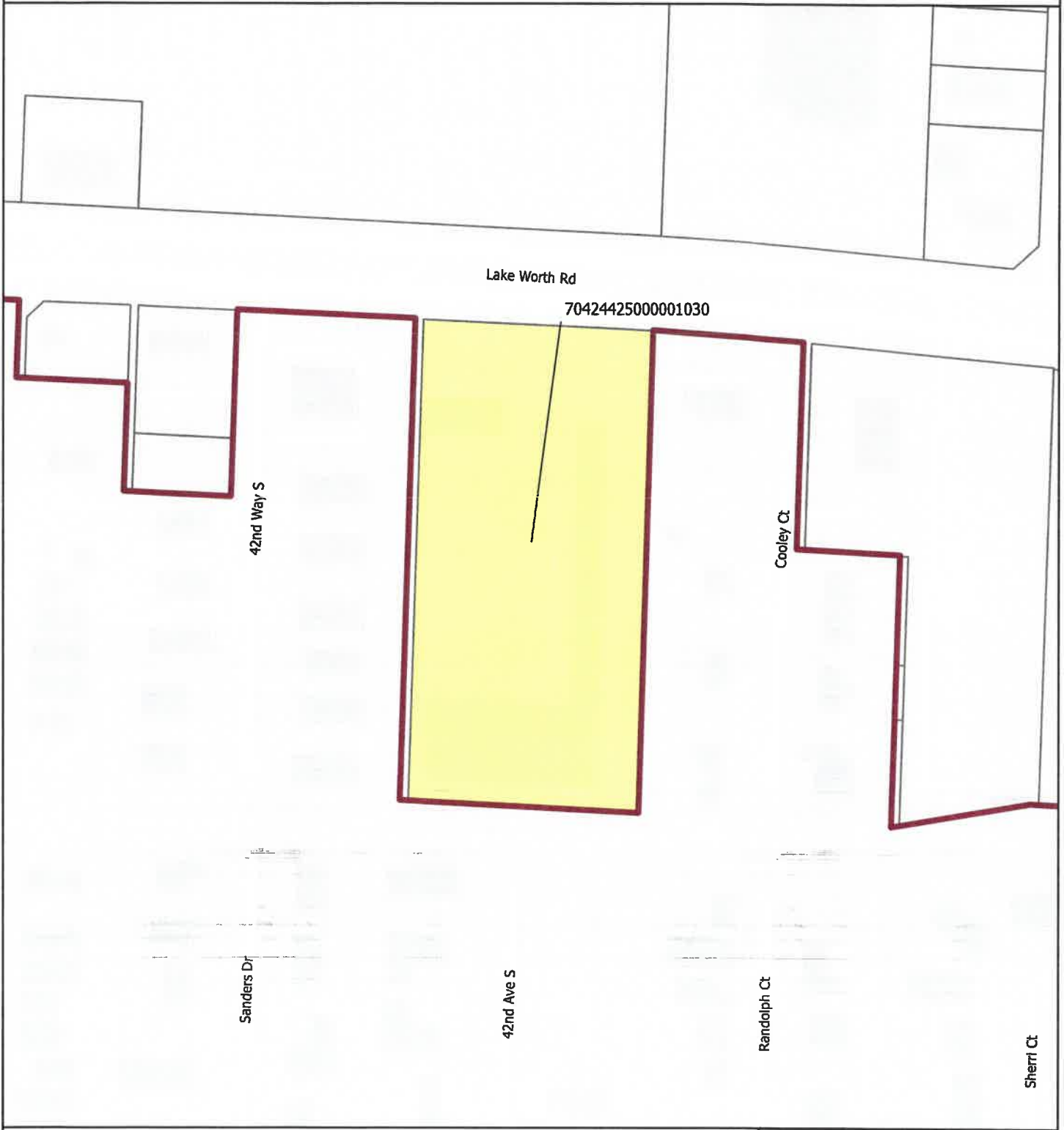


 Florida Technical Consultants



VILLAGE OF PALM SPRINGS

Extraordinary Kids Foundation



Legend

-  Proposed Parcels
-  Parcels
-  Village Boundary

Date: 9/23/2022

When Printed on 8 1/2" x 11"

1 inch equals 200 feet

0 250 Feet

 Florida Technical Consultants



Village of Palm Springs

Staff Report

AGENDA DATE: October 11, 2022

DEPARTMENT: Planning, Zoning & Building

ITEM #5: Ordinance No. 2022-12 - Land Use Amendment and Rezoning (Small-Scale) - Oxygen Development

SUMMARY: Mr. Marty Minor from Urban Design Studio, agent for Oxygen Holdings, LLC. ("Applicant"), is requesting a Small-Scale land use plan amendment and rezoning on 17.76 acres (comprised of thirteen parcels) to facilitate an industrial development project.

The proposed small-scale land use change would be from Commercial and Medium Density Residential to Light Industrial, concurrent with Rezoning from Commercial General (CG) and Residential Multiple-Family (RM) to Light Industrial (LI). The combined properties are less than 50 acres in size (17.76 acres total) and are planned for a mix of manufacturing and warehouse use.

The applicant is concurrently requesting Site Plan approval to allow a 150,780 square foot warehouse in addition to the 211,363 square foot existing warehouse-manufacturing building. The proposed site plan is presented (within this item) for informational purposes only (no action is required at this time).

Note: The Village does not typically place conditions of approval on future land use map changes. The legislative decision as to the appropriateness of the land use map and rezoning amendments are approved on the 2nd and final reading, and the proposed Site Plan will be presented for consideration at a future date.

The proposed request was submitted through the PBC Intergovernmental Plan Amendment Review Committee (IPARC) for intergovernmental review and no comments were received.

Note: IPARC is designated to provide coordination of proposed plan amendments, cooperation between affected local governments and service providers and provides opportunities to resolve potential disputes only within the plan amendment.

The Local Planning Agency (LPA) and Village Council will consider the proposed small-scale land use map and rezoning amendments during their November 10, 2022 meeting, and recommendations from the Planning & Zoning Advisory Board will be shared.

FISCAL IMPACT:

The proposed land use and zoning amendments are not expected to provide a direct fiscal impact on the Village; however, it would facilitate development that will increase the Village's property valuation.

ATTACHMENTS:

1. Ordinance No. 2022-12 - Small Scale Land Use Amendment and Rezoning - Oxygen Development

2. EXHIBIT 'A' - Thirteen Parcels - Parcel Control Numbers and Addresses
3. Oxygen Development - Project Narrative
4. Proposed Site Plan (informational only)
5. Aerial, Location, FLU and Zoning Maps

ORDINANCE NO. 2022-12

(SMALL SCALE LAND USE AMENDMENT & REZONING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE “SMALL SCALE” COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, FOR 17.76 ACRES (COMPRISED OF THIRTEEN PARCELS) TO ALLOW FOR A MIX OF MANUFACTURING AND WAREHOUSE USE AND PLANNED FOR “LIGHT INDUSTRIAL”, SEE EXHIBIT “A” FOR LOCATIONS, AND BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO, FROM A FUTURE LAND USE DESIGNATION OF “COMMERCIAL GENERAL (CG) AND RESIDENTIAL MULTIPLE-FAMILY (RM)” TO A FUTURE LAND USE DESIGNATION OF “LIGHT INDUSTRIAL (LI)”; FURTHER CHANGING THE ZONING DESIGNATION FROM “COMMERCIAL GENERAL (CG)” DISTRICT TO PROVIDE FOR A ZONING DESIGNATION OF “LIGHT INDUSTRIAL (LI)” DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village has determined the need to amend the land use and zoning designations for a parcel less than 50 acres in size (17.76 acres) that is currently vacant, and is currently proposed for “Light Industrial (LI)”, use located at west of Congress Avenue and North of Forest Hill Boulevard; and

WHEREAS, the Village will initiate the small-scale land use and zoning changes from the existing Village of Palm Springs designations. The subject property is less than 50 acres in size; and

WHEREAS, the Village has adopted a Comprehensive Plan pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (the “Act”); and

WHEREAS, the Village Council, sitting as the Village’s Local Planning Agency (the “LPA”) will consider this item on November 10, 2022, and their recommendation will be provided to the Council prior to consideration; and

WHEREAS, the Village Council has considered the request of Village Staff for small-scale land use amendments and re-zoning designation; and

WHEREAS, the Village Council has determined that granting the request for land use amendment and rezoning serves a valid public purpose and is consistent with the

Ordinance No. 2022-12 – Land Use Amendment and Rezoning (Small-Scale) – Oxygen Development goals, policies and objectives of the Village Comprehensive Plan .

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. Findings. The Village Council finds the above statements are true and correct and serve as a basis for consideration of this ordinance.

Section 2. Future Land Use. The Future Land Use designation in the Village's Comprehensive Land Use Plan for the lands described herein, as more particularly designated in "**Exhibit A**" shall be established as "Light Industrial (LI)" land uses.

Section 3. Zoning. Concurrent with said small-scale land use amendment, the Land Development (Zoning) District designation on the official Village of Palm Springs Zoning Map shall be established as "Light Industrial (LI)", more particularly designated in **Exhibit "A"**, subject to the approval and appeal period stated in Section 2, above.

Section 4. Directions to the Village Clerk. The Village Clerk is hereby authorized and directed to forthwith cause the designation of the zoning of the property described in the attached "**Exhibit A**", as set forth in Section 3 of this Ordinance, on the official Village of Palm Springs Zoning Map.

Section 5. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 6. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective 31 days after adoption, or, if timely appealed, when the state land planning agency or Administration Commission issues an order finding compliance as provided by section 163.3187(5), Florida Statutes.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	☐	☐	☐
DOUG GUNTHER, VICE MAYOR	☐	☐	☐
JONI BRINKMAN, MAYOR PRO TEM	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐
GARY READY, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, this _____ day of _____, 2021.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

First Reading _____

Second Reading _____

ATTEST:

BY: _____
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
GLEN J. TORCIVIA, VILLAGE ATTORNEY

EXHIBIT “A”

The 17.76 acres combined parcels are located as follows:

PCN	Existing FLU	Proposed FLU	Existing Zoning	Proposed Zoning
70-43-44-07-37-006-0000 70-43-44-07-37-012-0000 70-43-44-07-37-007-0000 70-43-44-07-37-008-0000	Light Industrial	Light Industrial	Commercial General (CG)	Light Industrial (LI)
70-43-44-07-00-000-5101 70-43-44-07-00-000-5100 70-43-44-07-00-000-5110 70-43-44-07-04-000-0060 70-43-44-07-04-000-0050 70-43-44-07-04-000-0070 70-43-44-07-04-000-0040	Medium Density Residential		Residential Multiple-Family (RM)	
70-43-44-07-03-003-0061 70-43-44-07-03-003-0060	Commercial		Commercial General (CG)	

PROJECT NARRATIVE

OXYGEN DEVELOPMENT EXPANSION FUTURE LAND USE PLAN AMENDMENT AND REZONING

September 22, 2022



Urban Planning and Design
Landscape Architecture
Communication Graphics

Request

Please accept this request by the Applicant and property owner, Oxygen Holdings, Inc., for a Future Land Use Amendment and Rezoning of 19.518 acres of land, including the existing Oxygen Development building, to the Light Industrial land use and zoning designation to facilitate the development of a warehouse on the subject site.

Currently, Oxygen Development leases warehouse space off-site and would like to bring that use to their existing campus in the Village. To achieve this desired expansion, the Applicant is requesting development applications for a Future Land Use Plan amendment and rezoning applications to change the designations for the subject site from Commercial and Medium Density Residential land uses and Commercial and RM (Residential Multi-family) zoning districts to a consistent Light Industrial future land use and zoning designations.

On February 26, 2009, the Village Council adopted Resolution 2008-87, which approved the Oxygen Development site plan on 14.36 acres. With this approval, the site had two parcels with a Commercial Future Land Use designation and a parcel with a Medium Density Residential designation was changed so all parcels within this site plan have a Light Industrial Future Land Use designation. At the same time, the western 4.27 acres of the site was rezoned from Residential Medium to a General Commercial zoning designation. As a result, the entire, existing Oxygen Development site has a General Commercial zoning designation. During the 2009 approval process, a Special Exception was granted to the site to allow for a Planned Unit Development for the Light Industrial use. With these approvals, the Village approved the 211,363 square feet Oxygen Development building, which consists of 44,485 square feet of office space and 166,878 square feet of warehouse/manufacturing space for the development of personal care services on the site.

With the proposed applications, the Applicant is seeking to follow the similar application processes to expand the site by 5.158 acres to facilitate the construction of the proposed warehouse, which will be reviewed under the Site Plan Application process.

The proposed future land use amendment and rezoning will help continue to facilitate economic development with the Village, consistent with the Village Comprehensive Plan and Community Redevelopment Agency plan. In addition, the expansion of this light industrial use will provide additional revenues to the Village on subject properties which are either vacant or underdeveloped. This economic development will also help diversify the Village's land use mix, which provides for a stable economic base for the Village.

Location

The 19.518-acre site is generally located west of Congress Avenue and north of Forest Hills Boulevard. The proposed site is located within the Urban Redevelopment Area and the Village's Community Redevelopment Area's Congress Avenue District. The subject site has a Future Land Use Designation of Light Industrial, Commercial and Medium Density Residential and a zoning designation of General Commercial and Residential Multi-Family. With this request, the Applicant is looking to have the entire site with a Light Industrial Future Land Use designation and Light Industrial zoning district.

West Palm Beach Office: 610 Clematis Street Suite CU-02 West Palm Beach, FL 33401 P. 561-366-1100

Boynton Beach Office: 508 E. Boynton Beach Blvd. Boynton Beach, FL 33435 P. 561-736-8838

www.udsfllorida.com LCC000035

Access

Access to the proposed site plan will use the existing two entrances off of Congress Avenue with the trucks servicing the proposed warehouse using the same truck entrance as the existing Oxygen Development building. An additional access to the site will be provided from the extension of Lone Pine Way into the subject site, which will improve the circulation on the site.

Parcel Information

The following table provides information regarding the individual parcels, all owned by the Applicant, which consist of the subject site.

PCN#	Address	Acreage	Existing Use	Existing FLU	Proposed FLU	Existing Zoning District	Proposed Zoning District
70-43-44-07-37-006-0000	1525 S. Congress Avenue	6.99 acres	Oxygen Development	Light Industrial	Same	Commercial General (CG)	Light Industrial
70-43-44-07-37-008-0000	None	0.57 acres	Vacant	Light Industrial	Same	Commercial General (CG)	Light Industrial
70-43-44-07-37-007-0000	None	5.50 acres	Vacant	Light Industrial	Same	Commercial General (CG)	Light Industrial
70-43-44-07-37-012-0000	None	1.43 acres	Lake	Light Industrial	Same	Commercial General (CG)	Light Industrial
70-43-44-07-00-000-5100	1636 Lone Pine Way	0.31 acres	SF home	Medium Density Residential	Light Industrial	Residential Multi-Family (RM)	Light Industrial
70-43-44-07-00-000-5101	None	0.58 acres	Vacant	Medium Density Residential	Light Industrial	Residential Multi-Family (RM)	Light Industrial
70-43-44-07-00-000-5110	None	0.88 acres	Vacant	Medium Density Residential	Light Industrial	Residential Multi-Family (RM)	Light Industrial
70-43-44-07-04-000-0050	1660 Dalinda Lane	0.33 acres	4-Plex	Medium Density Residential	Light Industrial	Residential Multi-Family (RM)	Light Industrial
70-43-44-07-04-000-0040	1690 Dalinda Lane	0.33 acres	SF Home	Medium Density Residential	Light Industrial	Residential Multi-Family (RM)	Light Industrial
70-43-44-07-04-000-0060	1659 Dalinda Lane	0.33 acres	4-Plex	Medium Density Residential	Light Industrial	Residential Multi-Family (RM)	Light Industrial
70-43-44-07-04-000-0070	1677 Dalinda Lane	0.33 acres	4-Plex	Medium Density Residential	Light Industrial	Residential Multi-Family (RM)	Light Industrial
70-43-44-07-03-003-0060	3144 Melaleuca Road	1.17 acres	Vacant	Commercial	Light Industrial	Commercial General (CG)	Light Industrial
70-43-44-07-03-003-0061	3116 Melaleuca Road	0.7 acres	Duplex	Commercial	Light Industrial	Commercial General (CG)	Light Industrial
Dalinda Lane ROW	None	0.18 acres	Local Street	None	Light Industrial	None	Lighting Industrial

Consistency with the Village Comprehensive Plan

The requested future land use amendment and rezoning of the Oxygen Development site to include the proposed warehouse facility is consistent with several of the Village's Comprehensive Plan goals, objectives and policies regarding land use, redevelopment activities and economic development.

Some of the applicable objective and policies have been provided below in **bold** and our statements of compliance follow in *italics*.

Objective C: The Light Industrial Future Land Use category shall allow as permitted uses establishments which will accommodate employment centers using light- assembly, manufacturing, warehouse, distribution, showroom, and non-local office needs of the Village.

The request will help facilitate the construction for a warehouse use which is permitted within the existing and proposed Light Industrial future land use category described within this Objective.

Policy A.6: Continually maintain and update, when necessary, development regulations which assure efficient, high quality residential design construction, and redevelopment activities.

The request will provide a modern, high-quality warehouse facility on underutilized lands within the Forest Hill Boulevard and Congress Avenue employment center. The proposed warehouse will be located on vacant land west of the existing Oxygen Development facility. These amendments will help facilitate this development.

Policy P.1: The Urban Redevelopment Area (URA) – The purpose of the URA is to focus on redevelopment and infill efforts by promoting economic growth, improving the present conditions of infrastructure, investment and reinvestment in the area, and discouraging urban sprawl by directing development where resources exist.

The subject site is located within the identified URA, which encourages infill and redevelopment activities such as the proposed Oxygen Development expansion. The addition of warehouse facilities to the subject site reflects the Applicant's investment in the Village and its economic growth.

Policy P. 3: Mixed-use centers and employment centers shall be encouraged in the Urban Redevelopment Area (URA) where appropriate.

The proposed request represents an expansion of the existing employment center along Congress Avenue in the Urban Redevelopment Area. The facilities are close to public transit stops, transportation routes and workforce housing.

Consistent with the Village Community Redevelopment Area plan

The requested amendments for the Oxygen Development campus and the Congress Avenue and Forest Hill Boulevard employment center are consistent with the Village's Community Redevelopment Area (CRA) plan and strategies.

As required by the Village's development application, the following are CRA criteria which have been provided below in **bold** and our responses follow in *italics*.

1) Detailed Description of Proposal's Consistency with Five (5) Key Goals of CRA

a. Improving Utilities and Infrastructure

New utilities and infrastructure will be provided for the proposed warehouse use. The drainage from the site will be located at the southeast corner of the site, which will help buffer the adjacent residential uses from the proposed use.

b. Expanding Job Development and Economic Growth

The expansion of the Oxygen Development campus to bring the company's warehouse facilities to the Village. The warehouse use will bring jobs to the Village along with the jobs created during the construction phase. This investment in the Village and use of infill property meets the goals of the CRA.

c. Enhancing Public Safety

With the expansion of the project, an additional access point to the Oxygen Development site has been provided from Lone Pine Way. Currently, the site has two access points from Congress Avenue. The additional access point will allow for improved traffic circulation for the site and provide public safety vehicles another access points in the case of emergencies.

d. Increasing and Maintaining Workforce Housing

Although residential is not proposed, the request will result in new jobs within the Village which will help reduce any transportation costs for residents working there.

e. Advancing the Partnership with Palm Beach County

The Applicant will continue work with Palm Beach County with regards to the proposed request. Palm Beach County Traffic Division has issued a TPS approval letter for the proposed development.

2) Proposal's effect on existing conditions (identified in CRA Community Redevelopment Plan) in the CRA District

The proposed development will convert approximately 7 acres of vacant land and existing drainage lake to the proposed warehouse building. The 3.4 acres of existing residential land owned by the Applicant will be converted to a 1.66-acre lake, a dry detention area and landscape buffers. The proposed expansion reflects the plan's desire for urban development with the CRA.

3) Proposal's ability to assist in achieving strategies and objectives of the Palm Springs CRA

The proposed expansion will bring additional jobs to the Village, which is consistent with Goal II of CRA plan. In addition, the request is consistent with Goal VI which states: "Increase redevelopment activity on Lake Worth Road and Congress Avenue through incentives and the encourages of parcel assemblage for quality redevelopment." The Applicant has assembled adjacent parcels to allow for the expansion of the Oxygen Development campus to bring its warehouse use to the Village.

Future Land Use Plan Amendment

The subject request includes a re-designation of the 19.518 acres of land from Medium Density Residential and General Commercial to Light Industrial for subject site. These 19.518 acres represent less than 1% of the total area of the Village and the proposed change will create minimal impact to the surrounding area and Village.

Below is analysis of the existing and proposed uses for the subject 19.518 acres of the Future Land Use Plan amendment. The subject referenced area has two (2) single family homes and 12 multi-family units.

Service	Existing Use LOS	Existing Use Impact	Proposed Use LOS	Proposed Use Impact	Difference in amendment
Potable Water	82 gallons per capita daily	14 units X 3.11 persons per unit = 43 persons x 82 gpcd = 3,526 gpcd	No LOS is provided for non-residential development.	No water use is proposed within the subject 5.15 acres.	Reduction of 3,536 gpcd impact
Sanitary Sewer	350 gallons per day per SF unit & 250 gallons per MF unit	350 gpd x 2 SF units = 700 gpd & 250 gpd x 12 MF units = 3,000 gpd. Total 3,700 gpd	0.20 gallons per acre per day for non-residential development	3.4 acres x 0.2 gallons per day = 1.03 gallons per day	Reduction of 3,699 gallons per day
Solid Waste	4.92 lbs per capita per day for garbage and 1.75 lbs per capita per day for trash	4.92 lbs pcd x 43 persons = 211 pounds pcd for garbage & 1.75 lbs pcd x 43 persons = 75 lbs for trash	No LOS is provided for non-residential trash and garbage generation	No buildings are proposed within subject area	Reduction of 211 lbs pcd of garbage and 75 lbs pcd for trash generation.
Drainage	3-year, 24-hour rain event	3-year, 24-hour rain event	3-year, 24-hour rain event	3-year, 24-hour rain event	Proposal is consistent with all applicable drainage

					requirements
--	--	--	--	--	--------------

As indicated earlier, the proposed expansion has received a TPS approval letter from the Palm Beach County Traffic Division. A copy of the approval letter is included in the submittal package. In addition, the proposed future land use change will result in a reduction to the Village's recreational needs as the subject proposed are proposed to be designated as Light Industrial.

As indicated above, the proposed Future Land Use amendment for the subject 5.15 acres will create little impact to the Village and will lessen the potential impact for municipal services.

Rezoning

With the proposed future land use change, a corresponding rezoning of these 5.15 acres is proposed to change the designation from Residential Medium Family (RM) to Light Industrial (LI). The proposed rezoning also includes the existing Oxygen Development site, which is currently zoned as General Commercial. Within the 5.15 acres, no buildings are proposed to be developed so there will be limited impact. The 5.15 acres are proposed to be development with a lake, dry detention area and landscaping which will buffer the adjacent residential properties from the proposed warehouse. Please note that the closest adjacent residential property will be 360 feet from the proposed warehouse.

Photos of Subject Site



1 Southwest View of Existing Building from northeast corner of the site.



2_Northwest View of Existing Building



3 View along LWDD canal on north property line



4 Looking southwest across existing lake



5 Northern view from vacant land west of existing site



6 View of Vacant Land on Lone Pine Way.



7 Existing structure on Lone Pine Way



8 Looking west on Dalinda Lane.



9 Looking West on Dalinda Lane.

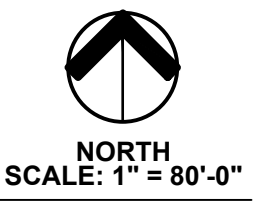
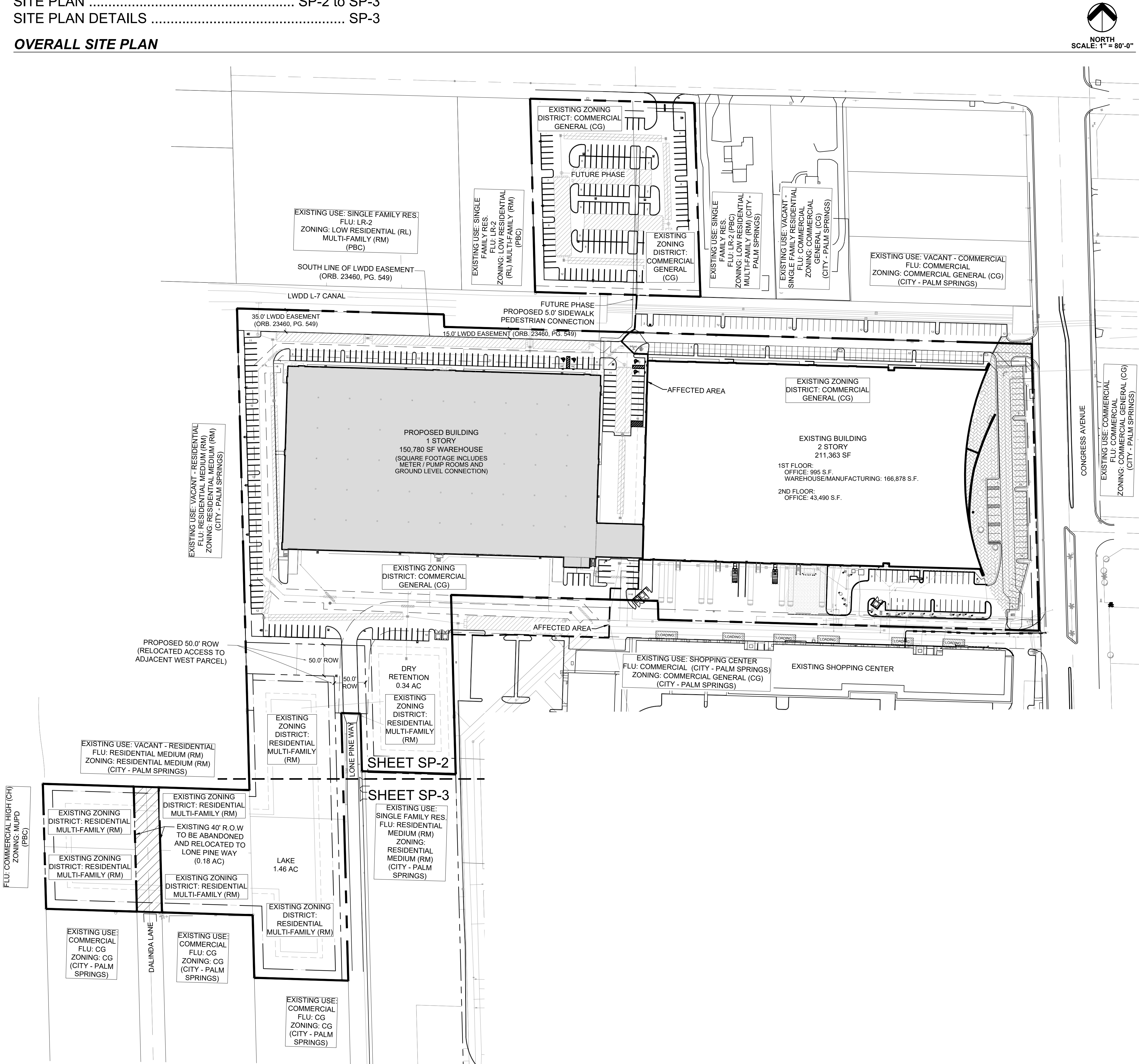
SHEET INDEX

OVERALL SITE PLAN SP-1

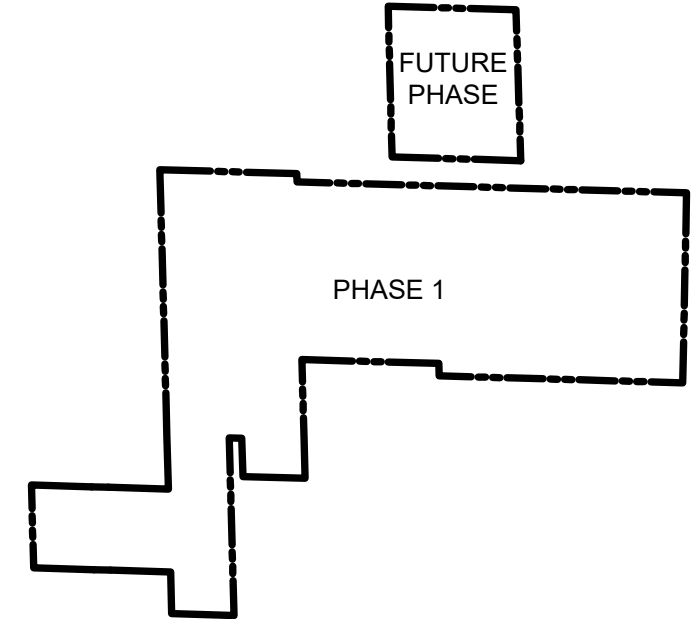
SITE PLAN SP-2 to SP-3

SITE PLAN DETAILS SP-3

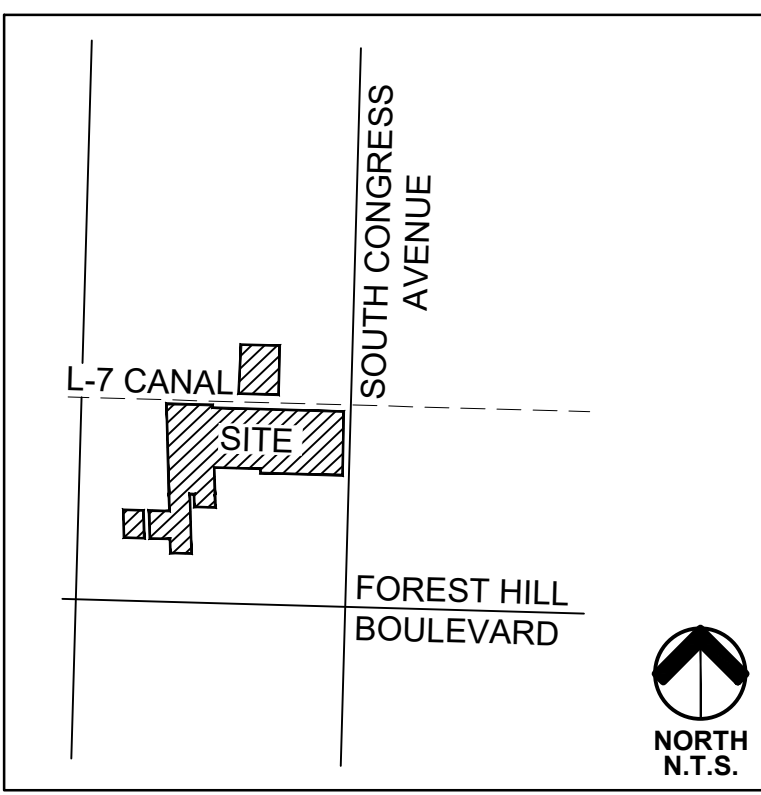
OVERALL SITE PLAN



PHASING MAP



LOCATION MAP



SITE DATA

APPLICATION NAME:	OXYGEN DEVELOPMENT
EXISTING FUTURE LAND USE:	LIGHT INDUSTRIAL
EXISTING ZONING DISTRICT:	CG
OVERLAY:	URA/TCEA
SECTION/TOWNSHIP/RANGE:	07/44/43
PCN:	70-43-44-07-03-003-0010 70-43-44-07-03-003-0020 70-43-44-07-03-003-0030
TOTAL GROSS SITE AREA:	17.76 AC (773,625.60 SF)
PROPOSED BUILDING COVERAGE:	41.1% (318,653 SF)
INCLUDES EXISTING & PROPOSED BLDG.	
PERMITTED BUILDING HEIGHT:	45'-0"
EXISTING BUILDING HEIGHT:	35'-0" MAX. (2 STORIES)
PROPOSED BUILDING HEIGHT:	ENTRY FEATURES 45'-0" MAIN PARAPET 42'-6"
REQUIRED PARKING:	354 TOTAL SPACES
OFFICE 1/200	223 SPACES
EXISTING BLDG @ 44,485 SF	
PROPOSED BLDG @ 0 SF	
WAREHOUSE/MANUFACTURING	131 SPACES
EXISTING BLDG @ 166,878 SF	
1/3000 = 56 *VARIANCE APPROVED	
PROPOSED BLDG @ 150,780 SF	
1/2000 = 75	
PROPOSED PARKING:	354 TOTAL SPACES
EXISTING PARKING	201 SPACES (ORIGINALLY 280 SPACES)
-79 SP. FROM EXISTING	
PROPOSED PARKING	153 SPACES
HC SPACES @ 11	
IMPERVIOUS AREA:	69% / 12.34 AC (537,849.72 SF)
PERVIOUS / OPEN SPACE:	31% / 5.42 AC (235,775.88 SF)
INCLUDES LAKE & DRY RETENTION	
WATER SURFACE AREA:	1.46 AC
LAKE TRACT AREA:	2.56 AC
INCLUDES L.M.E. & SLOPE	
FUTURE PHASE	
*THIS INFORMATION IS IN ADDITION TO THE ABOVE SITE DATA	
TOTAL SITE AREA:	1.86 AC (103,039.34 SF)
TOTAL GROSS SITE AREA:	19.62 AC (876,664.94 SF)
INCLUDES SITE & FUTURE PHASE	
PROPOSED BUILDING COVERAGE:	N/A
PROPOSED PARKING:	143 TOTAL SPACES
IMPERVIOUS AREA:	60% / 1.13 AC (53,816.54 SF)
PERVIOUS / OPEN SPACE:	40% / 0.73 AC (49,222.80 SF)

DEVELOPMENT TEAM

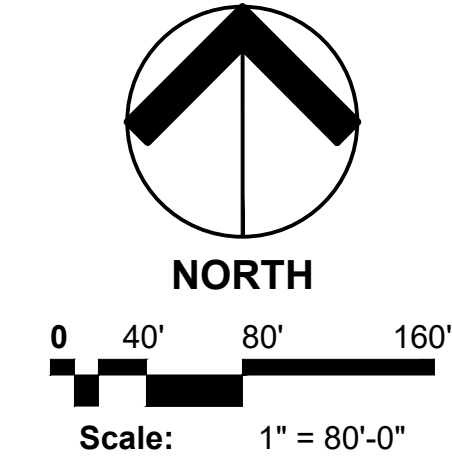
OWNER / APPLICANT:	SURVEYOR:
OXYGEN DEVELOPMENT	ENGENUITY GROUP INC.
1525 S CONGRESS AVE.	1201 BELVEDERE RD.
PALM SPRINGS, FL 33406	WEST PALM BEACH, FL 33405
	561.655.1151
LANDSCAPE ARCHITECT & PLANNER:	CIVIL ENGINEER:
URBAN DESIGN STUDIO	LDI LAST DEVENPORT, INC.
610 CLEMATIS STREET, SUITE CU02	1860 OLD OKEECHOBEE RD., SUITE 504
WEST PALM BEACH, FL 33401	WEST PALM BEACH, FL 33409
(561) 366-1100	561.615.6567
ARCHITECT:	TRAFFIC ENGINEER:
HNM ARCHITECTURE	SIMMONS & WHITE, INC.
4208 SIX FORKS RD. SUITE 1000	2581 METROCENTRE BLVD., SUITE 3
RALEIGH, NC 27609	WEST PALM BEACH, FL 33407
919.480.8538	561.478.7848

GENERAL NOTES

- BASE INFORMATION OBTAINED FROM SURVEY PREPARED BY ENGENUITY GROUP INC. DATED 03.28.22
- ALL STOP BARS SHALL BE SETBACK 4' IN ADVANCE OF PEDESTRIAN CROSSWALKS.
- ACCESSIBLE PAVED ROUTES SHALL NOT EXCEED A 20:1 SLOPE.
- STOP BAR WILL BE WHITE PAVERS OR THERMOPLASTIC ON ASPHALT.
- CURBING DETAILS TO BE SHOWN ON ENGINEERING CONSTRUCTION PLANS.
- SEE ENGINEERING PLANS FOR ROADWAY CROSS SECTIONS.
- SURROUNDING INFORMATION AND PLANS ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY.
- HANDICAP PARKING SIGNS SHALL BE PLACED BEHIND THE SIDEWALK IN AREAS WHERE SIDEWALK ABUTS THE STALL AND OUTSIDE THE TWO (2)' FOOT OVERHANG AREA WHERE WHEEL STOPS ARE NOT PROVIDED.

Oxygen Development

Palm Springs, Florida
Site Plan



Date:	09.2020
Project No.:	07-066.002
Designed By:	JEB
Drawn By:	JEB
Checked By:	WJT

Revision Dates:	
05-12-2022	SUBMITTAL
07-29-2022	SUBMITTAL
09-09-2022	RESUBMITTAL

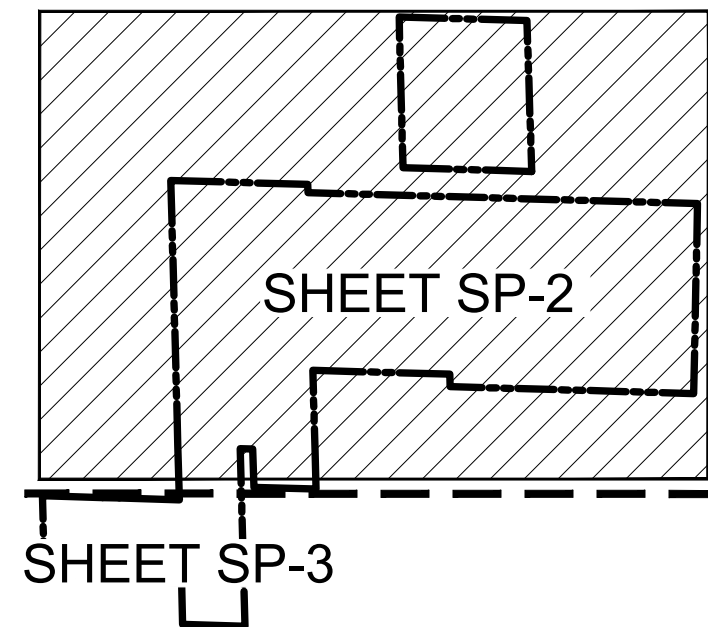
urban
design
studio

Urban Planning & Design
Landscape Architecture
Communication Graphics

610 Clematis Street, Suite CU02
West Palm Beach, FL 33401
561.366.1100 FAX 561.366.1111
www.udsfllorida.com
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SHEET KEY



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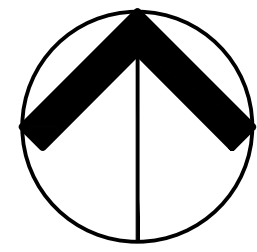
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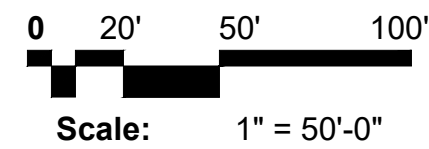
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Oxygen Development

Palm Springs, Florida
Site Plan



NORTH

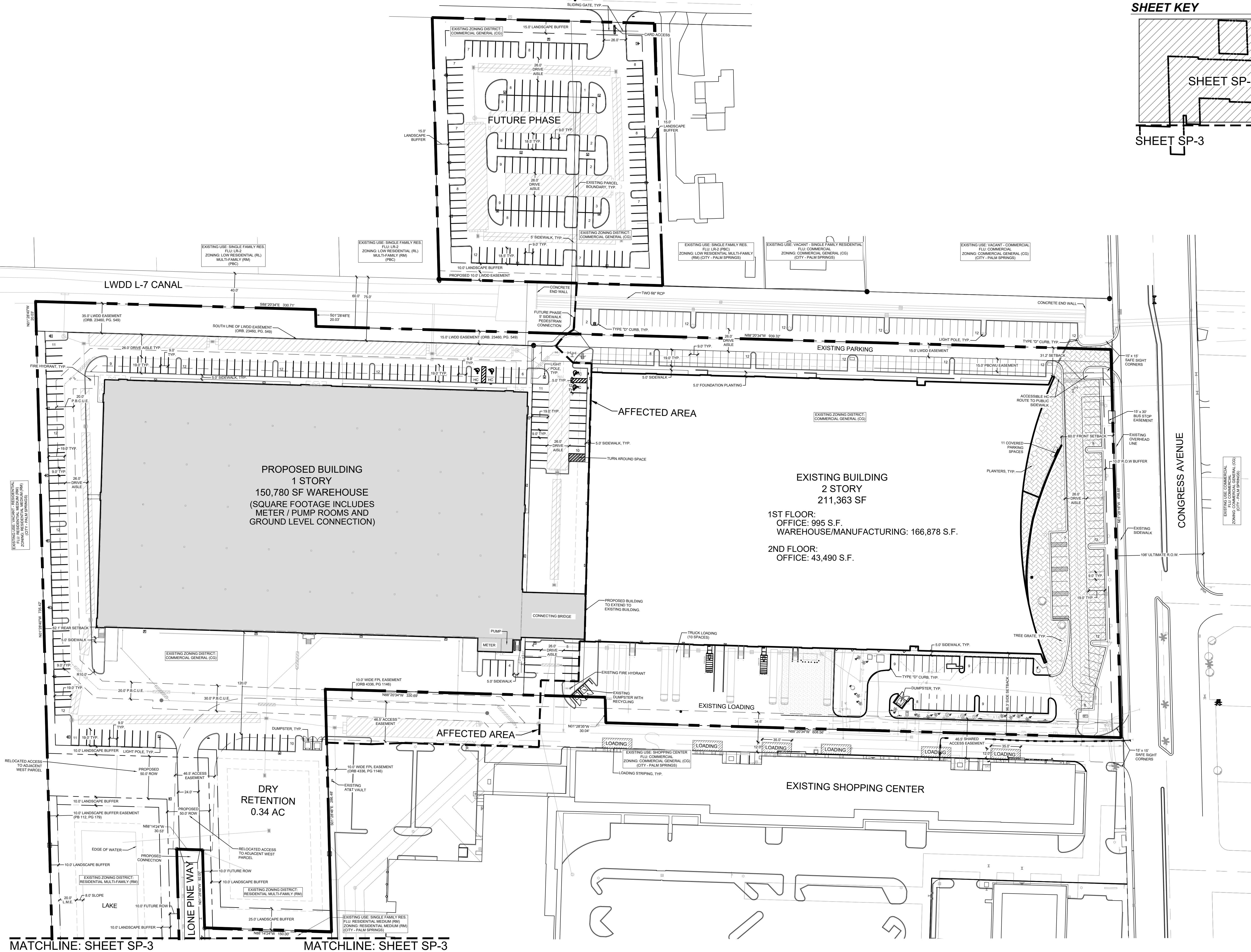


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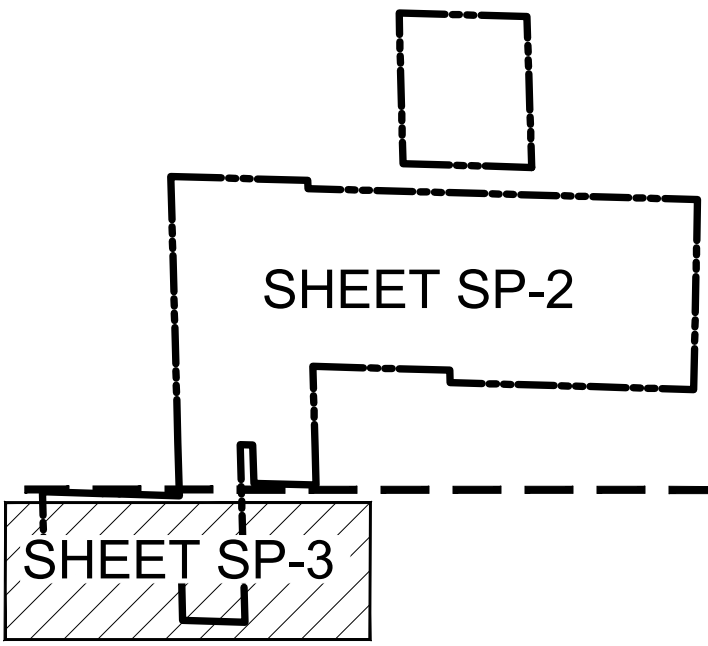
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Designed By: JEB
Drawn By: JEB
Checked By: WJT

Revision Dates:
05-12-2022 SUBMITTAL
07-29-2022 SUBMITTAL
09-09-2022 RESUBMITTAL

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of 3



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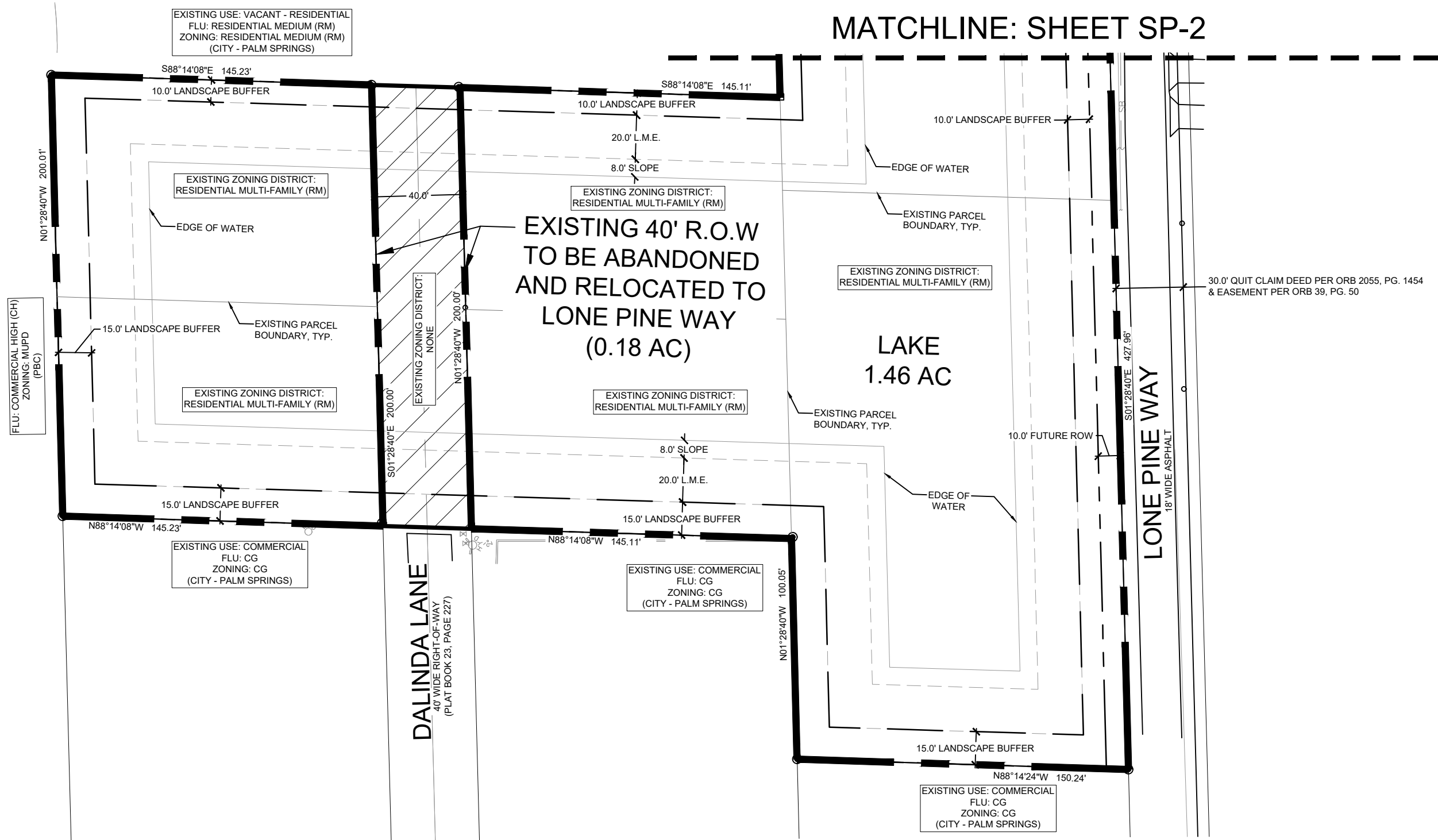


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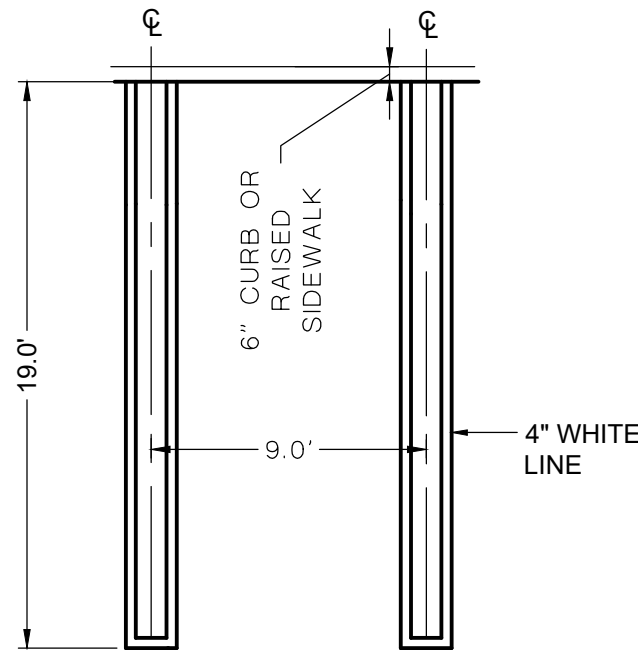
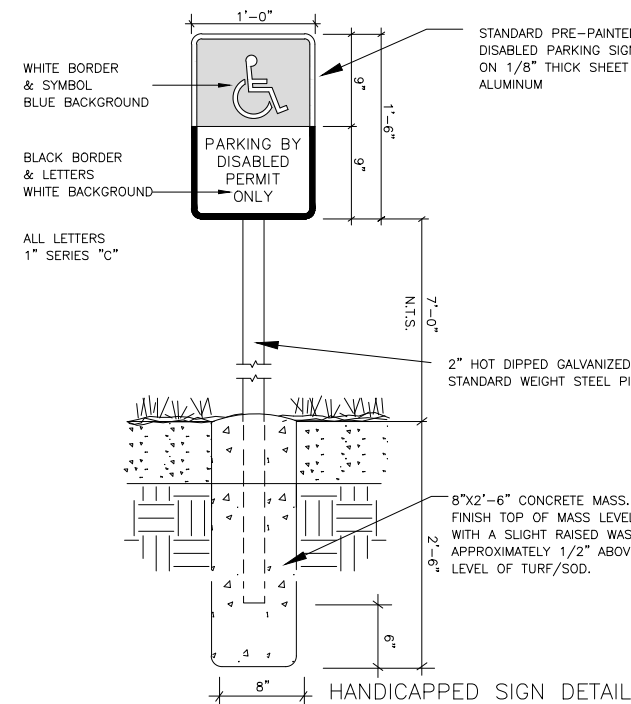
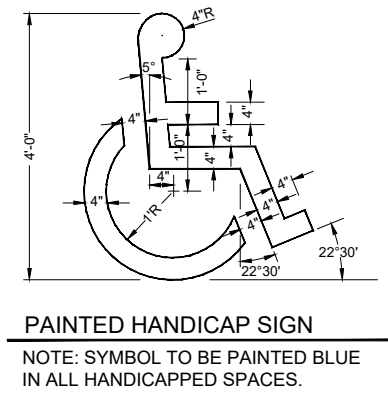
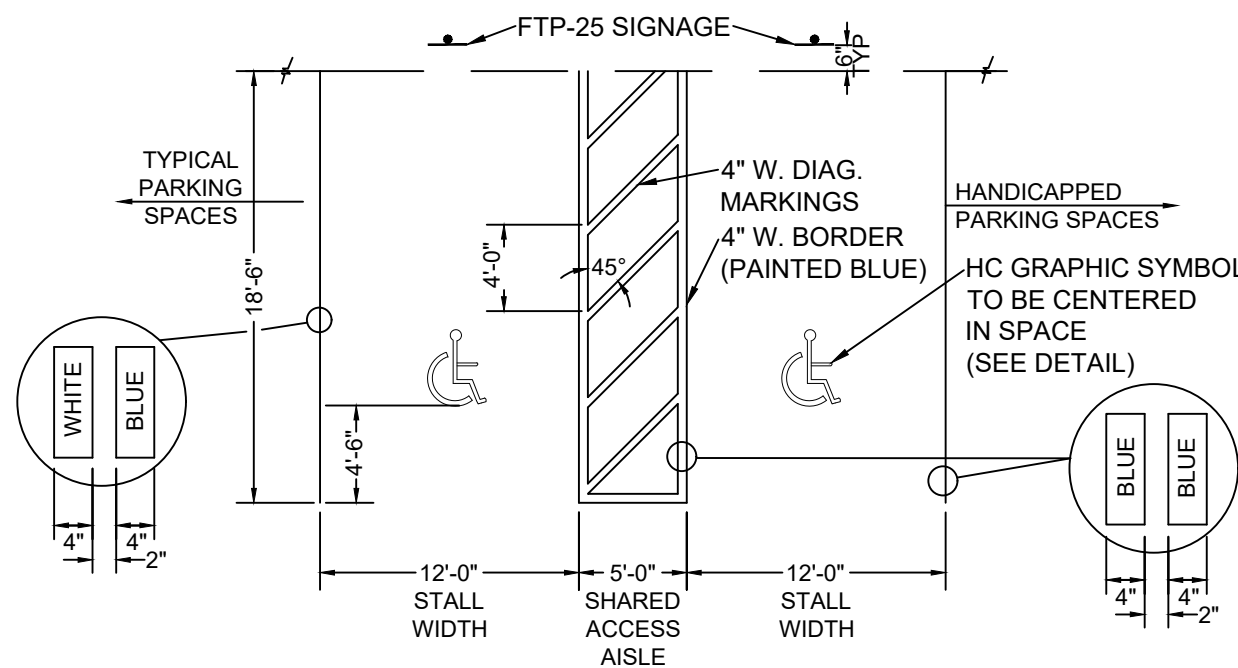
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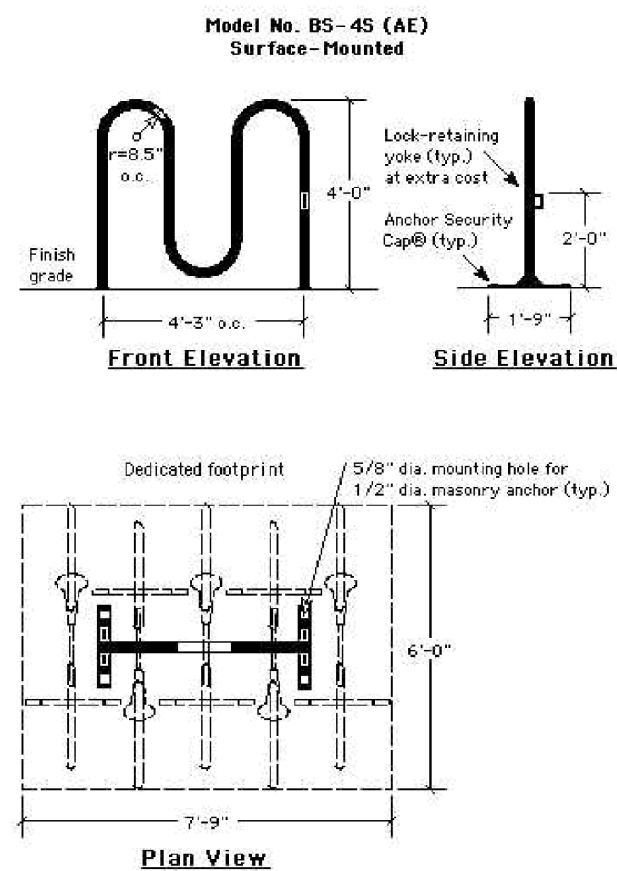
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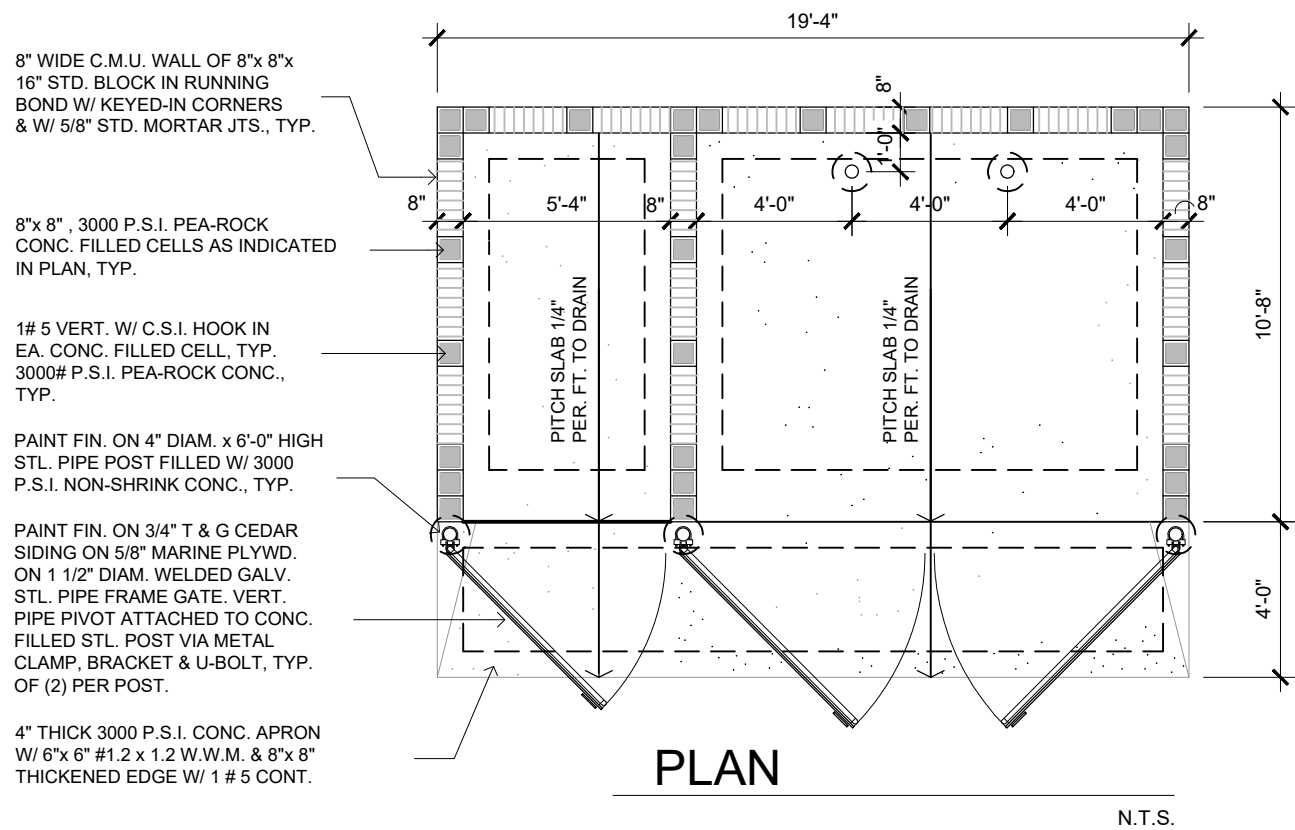
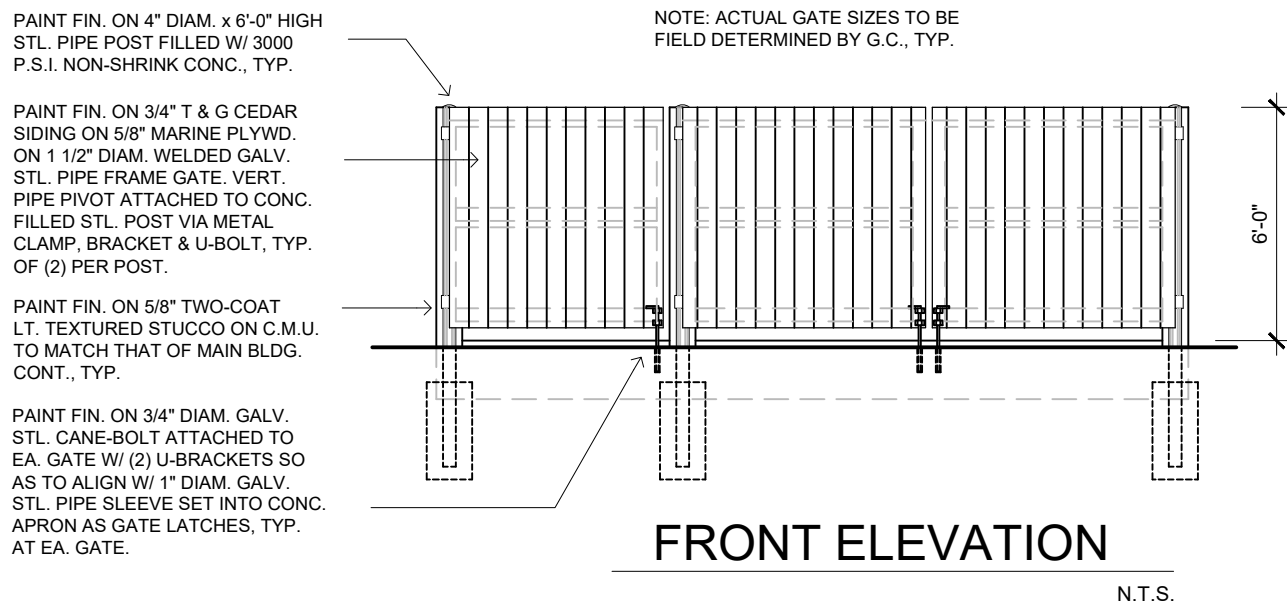
TYPICAL PARKING DETAIL (HC AND REGULAR PARKING SPACE)



BIKE RACK DETAIL

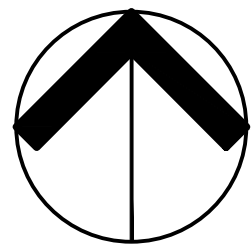


DUMPSTER ENCLOSURE WITH RECYCLING AREA



Oxygen Development

Palm Springs, Florida
Site Plan & Site Plan Details



NORTH

0 20' 50' 100'
Scale: 1" = 50'-0"

Date: 09.2020
Project No.: 07-066.002
Designed By: JEB
Drawn By: JEB
Checked By: WJT

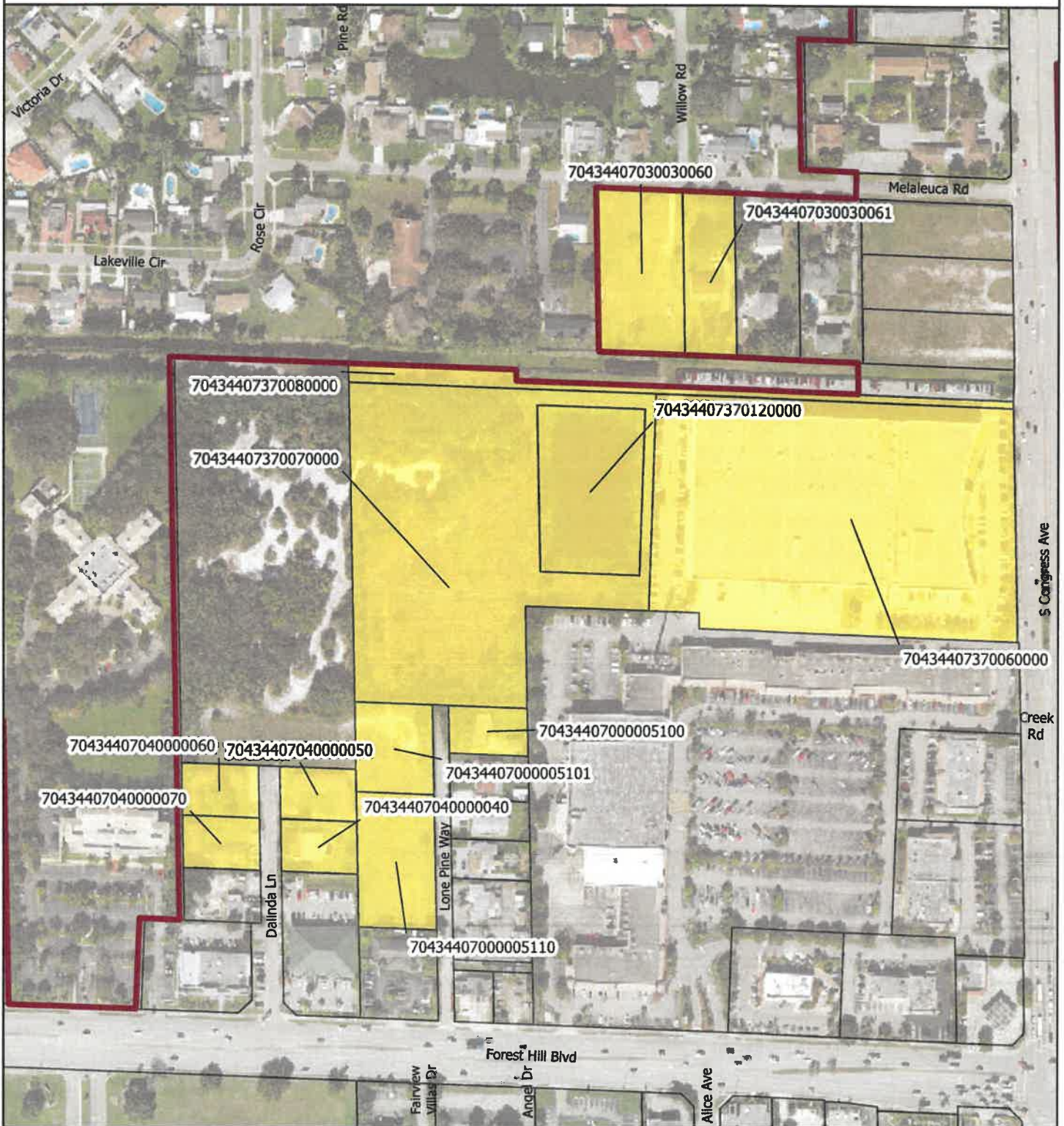
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07-29-2022 SUBMITTAL
09-09-2022 RESUBMITTAL

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of 3



VILLAGE OF PALM SPRINGS

Oxygen Development



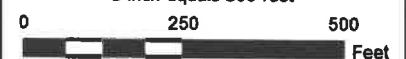
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-  Proposed Parcels
-  Parcels
-  Village Boundary

Date: 9/20/2022

When Printed on 8 1/2" x 11"

1 Inch equals 300 feet

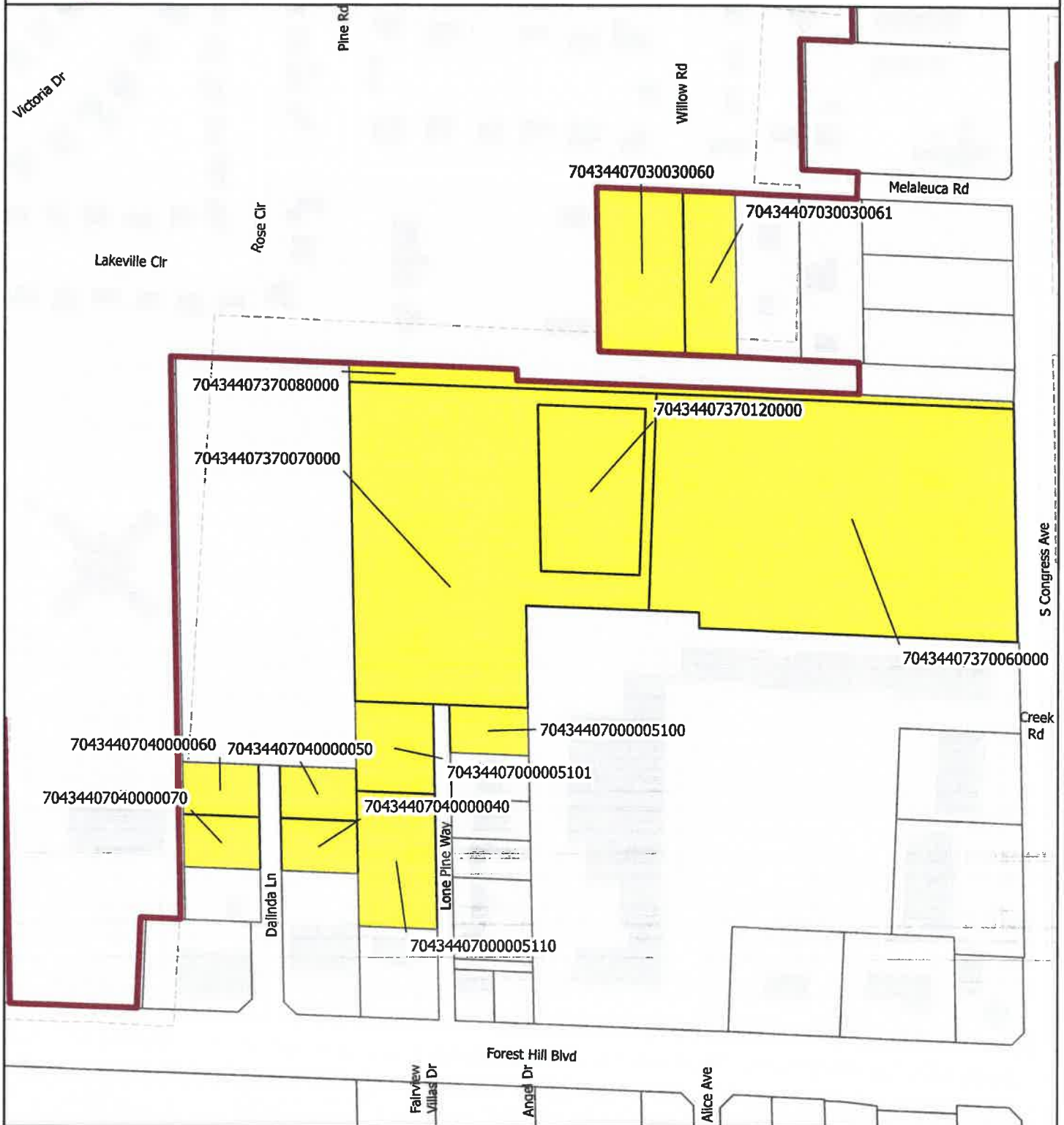


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VILLAGE OF PALM SPRINGS

Oxygen Development



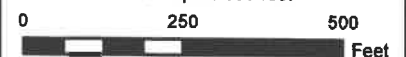
Legend

-  Proposed Parcels
-  Parcels
-  Village Boundary

Date: 9/20/2022

When Printed on 8 1/2" x 11"

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VILLAGE OF PALM SPRINGS

Oxygen Development



Legend

Future Land Use

Commercial

Light Industrial

Medium Density Residential

Public Buildings and Facilities

County FLU

Proposed Parcels

Parcels

Village Boundary

Date: 9/22/2022

When Printed on 8 1/2" x 11"

1 inch equals 300 feet

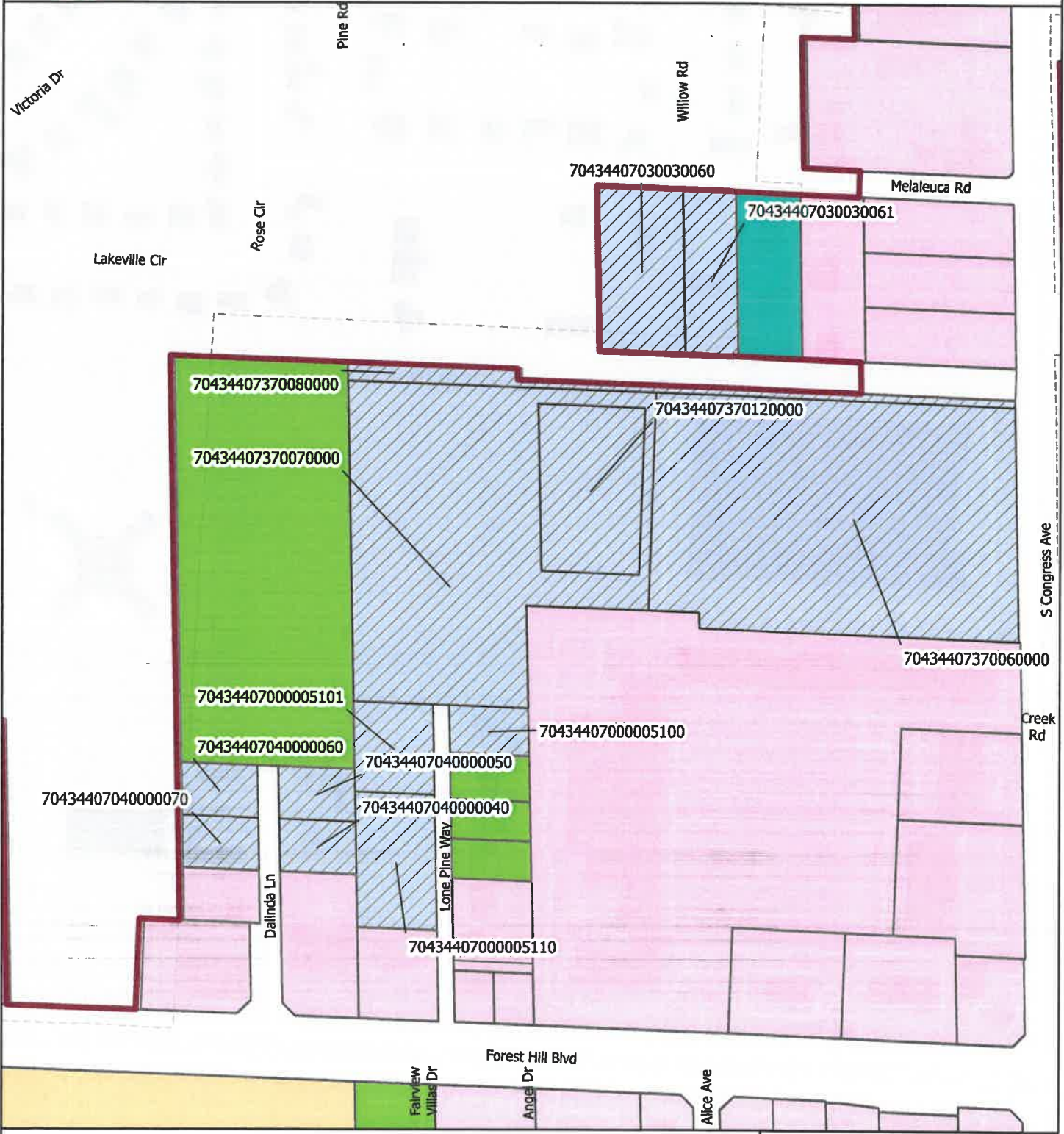
0 250 500 Feet

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VILLAGE OF PALM SPRINGS

Oxygen Development



Legend

Zoning

- CG (Commercial General)
- G (Governmental)

LI (Light Industrial)

RM (Residential Multi-Family)

Other

Proposed Parcels

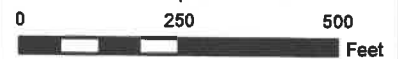
Parcels

Village Boundary

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