

CITY OF PALM BEACH GARDENS
DEVELOPMENT APPLICATION

Planning and Zoning Department
CITY OF PALM BEACH GARDENS
10500 North Military Trail
Palm Beach Gardens, FL 33410
(561) 799-4243 Fax (561) 799-4281

Request:

- | | |
|--|---|
| <input type="checkbox"/> Planned Community Development (PCD) | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Rezoning |
| <input checked="" type="checkbox"/> Amendment to PCD, PUD or Site Plan | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Concurrency Certificate |
| <input type="checkbox"/> Amendment to the Comprehensive Plan | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Administrative Approval | <input type="checkbox"/> Miscellaneous |
| <input type="checkbox"/> Administrative Appeal | <input checked="" type="checkbox"/> Other <input type="checkbox"/> Master Signage Amendment |

Date Submitted: _____

Project Name: Corporate Center at the Gardens PUD

Owner: Alchemy - ABR - BCP Gardens LLC, a Delaware limited liability company

Applicant (if not Owner): Olympus Insurance Company, a Florida corporation
4200 Northcorp Parkway, Suite 400

Applicant's Address: Palm Beach Gardens, FL 33410 Telephone No. 561-231-5600

Agent: Shutts & Bowen LLP

Contact Person: Elizabeth M. Jones, Esq. E-Mail: ejones@shutts.com

Agent's Mailing Address: 525 Okeechobee Blvd., Suite 1100, West Palm Beach, FL 33401

Agent's Telephone Number: 561-671-5814

FOR OFFICE USE ONLY	
Petition Number: _____	Date & Time Received: _____
<u>Fees Received</u>	
Application \$ _____	Engineering \$ _____
Receipt Number: _____	



Architect: N/A

Engineer: Shari Dillard, Art Sign Company, Inc. (sign company)

Planner: Charles W. Millar, Shutts & Bowen LLP

LandscapeArchitect: N/A

Site Information:

Note: Petitioner shall submit electronic digital files of approved projects. See attachment for details.

General Location: Corporate Center at the Gardens PUD

Address: 4200 Northcorp Parkway, Palm Beach Gardens, FL 33410

Section: 01 Township: 42 Range: 42

PropertyControl Number(s): 52-42-42-01-13-000-0012

Acreage: 20 Current Zoning: PCD/PUD/M1 RequestedZoning: No Changes

Flood Zone N/A Base Flood Elevation (BFE) – to be indicated on site plan N/A

Current Comprehensive Plan Land Use Designation: Industrial (I)

Existing Land Use: Corporate Offices Requested Land Use: No Changes

Proposed Use(s) i.e. hotel, single family residence, etc.: N/A

Proposed Square Footage by Use: Adding new signage on Northern face of existing building

Proposed Number and Type of Dwelling Unit(s) i.e. single family, multifamily, etc. (if applicable):

N/A

Justification

Information concerning all requests (attach additional sheets if needed.)
{Section 78-46, Application Procedures, Land Development Regulations.}

1. Explain the nature of the request: Please see attached Justification Statement

2. What will be the impact of the proposed change on the surrounding area?

There is no proposed building square footage increase.

3. Describe how the rezoning request complies with the City's Vision Plan and the following elements of the City's Comprehensive Plan - Future Land Use, Transportation, Housing, Infrastructure, Coastal Management, Conservations, Recreation and Open space, Intergovernmental Coordination and Capital Improvement.

There is no rezoning requested with this application.

4. How does the proposed project comply with City requirements for preservation of natural resources and native vegetation (Section 78-301, Land Development Regulations)?

There is no change in or disturbance to natural resources or native vegetation proposed.

5. How will the proposed project comply with City requirements for Art in Public Places (Chapter 78-261, Land Development Regulations)?

N/A

6. Has project received concurrency certification?

N/A

Date Received: _____

Legal Description of the Subject Property

(Attach additional sheets if needed)

Or see attached deed for legal description.

Location

The subject property is located approximately 0 mile(s) from the intersection of RCA Blvd. and Northcorp Parkway, on the north, east, south, west side of Northcorp Parkway (street/road).

Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared Jason Haim
who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting an amendment to Resolution 60, 2014 in the City of Palm Beach Gardens, Florida.
3. That he/she has appointed Shutts & Bowen LLP to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Alchemy - ABR - BCP Gardens LLC, a Delaware limited liability company

[Signature]
Signature of Owner
c/o CBRE
4200 Northcorp Parkway, Suite 220
Street Address

Jason Haim, authorized signatory
By: Name/Title
Palm Beach Gardens, FL 33410, Attn: Cindy Hatcher
City, State, Zip Code

N/A
P. O. Box

N/A
City, State, Zip Code

561-242-1755
Telephone Number

N/A
Fax Number

cindy.hatcher@cbre.com
E-mail Address

Sworn and subscribed before me this 16 day of MAY, 2016.

[Signature]
Notary Public

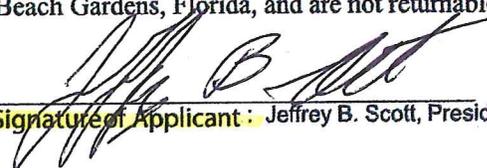
My Commission expires:
10/21/18



Applicant's Certification

I/We affirm and certify that I/we understand and will comply with the land development regulations of the City of Palm Beach Gardens, Florida. I We further certify that the statements or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments, and application filing fees become a part of the official records of the City of Palm Beach Gardens, Florida, and are not returnable.

Applicant is:


Signature of Applicant: Jeffrey B. Scott, President & CEO

Owner

Olympus Insurance Company
Print Name of Applicant

Optionee

4200 Northcorp Parkway, Suite 400
Street Address

Lessee

Palm Beach Gardens, FL 33410
City, State, Zip Code

Agent

561-231-5600
Telephone Number

Contract Purchaser

212-202-5179
Fax Number

jscott@oigfl.com
E-Mail Address



Palm Beach Gardens Planning and Zoning Department
10500 North Military Trail, Palm Beach Gardens, FL 33410
561-799-4230

Permit # _____

Financial Responsibility Form

The owner understands that all City-incurred professional fees and expenses associated with the processing of this application request are ultimately the responsibility of the owner. A security deposit shall be deposited in an interest-bearing account with any accrued interest to be retained by the City of Palm Beach Gardens.

The owner and/or designee shall be invoiced on a monthly basis for professional fees such as, but not limited to, consultant engineering services, legal services, advertising costs, and/or any other costs attributable to the processing of the permit for which the City incurred during the previous month. The owner and/or designee shall reimburse the City within thirty (30) days from date of invoice. If payment is not received, the City may utilize the security deposit for re-imbusement purposes. All activities related to the pending permit(s) will cease until any outstanding invoices are paid.

The owner/designee further understands that transfer of this responsibility shall require a completed form, signed and notarized by the responsible party, and delivered to the City Planning and Zoning Department if the name and/or address of the responsible party changes at anytime during the application review process.

Owner signature

Date

Jason Haim, authorized signatory, Alchemy - ABR - BCP Gardens, LLC

52-42-42-01-13-000-0012

Owner printed name

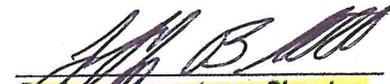
Property Control Number

DESIGNEE/BILL TO:

Olympus Insurance Company

4200 Northcorp Parkway, Suite 400

Palm Beach Gardens, FL 33410



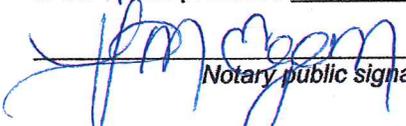
Designee Acceptance Signature
Jeffrey B. Scott, President & CEO

NOTARY ACKNOWLEDGEMENT

STATE OF Florida

COUNTY OF Palm Beach

I hereby certify that the foregoing instrument was acknowledged before me this 10th day of May, 2019 by Jeffrey B. Scott. He or she is personally known to me or has produced _____ as identification.



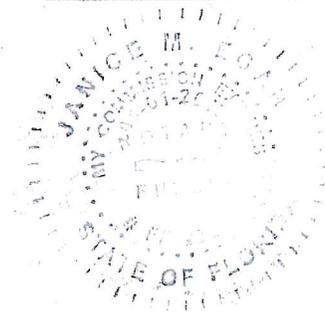
Notary public signature

Printed name



State of _____ at-large

My Commission expires: _____



Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared JOEL BREITKOPF who,
Being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting PUD AMENDMENT (MASTER SIGN PLAN) in the City of Palm Beach Gardens, Florida.
3. That he/she has appointed LAW FIRM OF SHUTTS & BOWEN LLP to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner: ALCNEY-ABR-BCP GARDENS GP, LLC

[Signature]
Signature of Owner

JOEL BREITKOPF, MANAGER
By: Name/Title

641 LEXINGTON AVENUE
Street Address

NEW YORK, NY 10022
City, State, Zip Code

P.O. Box

City, State, Zip Code

SEE AGENT
Telephone Number

SEE AGENT
Fax Number

SEE AGENT
E-mail Address

Sworn and subscribed before me this 8 day of August, 2016.

[Signature]
Notary Public

My Commission expires:
3/14/18



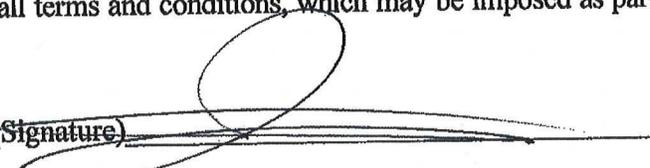


AGENT'S AUTHORIZATION OWNER'S CONSENT

I hereby give consent to the Law Firm of Shutts & Bowen LLP to act as my agent and on my behalf, to submit or have submitted all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the applicable application(s). Furthermore, I hereby give consent to the Law Firm of Shutts & Bowen LLP to agree to all terms and conditions which may arise as part of the approval of this application(s) as submitted.

I further certify the statements or information made in all application materials are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

(Name) Joel Breitkopf

(Signature) 

(Title) Manager of Alchemy-ABR-BCP Gardens GP, LLC

(Address) 641 Lexington Avenue City, State, Zip) New York, NY 10022

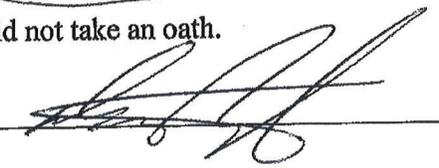
NOTARY PUBLIC INFORMATION:

STATE OF New York

COUNTY OF Richmond

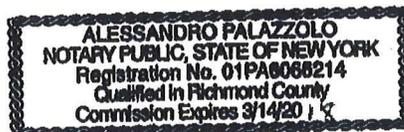
The foregoing instrument was acknowledged before me this 8th day of August, 2016, by Joel Breitkopf (name of person acknowledging). He/she is personally known to me or has produced identification) _____ as identification and did/did not take an oath.

(Name) Alessandro Palazzolo

(Signature) 

My Commission Expires on: 3/14/18

NOTARY'S SEAL OR STAMP





OLYMPUS INSURANCE COMPANY JUSTIFICATION STATEMENT CORPORATE CENTER AT THE GARDENS PUD MASTER SIGNAGE PLAN AMENDMENT

EXECUTIVE SUMMARY & PURPOSE

Shutts & Bowen LLP is the authorized agent and representative for Olympus Insurance Company (“Applicant”), a significant and established tenant at Corporate Center at the Gardens, 4200 Northcorp Parkway. Corporate Center at the Gardens is owned by Alchemy-ABR-BCP Gardens LLC (“Owner”). This request seeks to amend Resolution 60, 2014 (approved and adopted November 6, 2014) to allow an additional tenant wall sign no greater than 90 square feet on the northern elevation of the existing building.

SURROUNDING EXISTING LAND USES

North: Marriott Hotel
South: Northcorp PCD Lake Tract
East: Northcorp Center;
West: Interstate I-95 Right-of-way

SURROUNDING LAND USE / ZONING DESIGNATIONS

North: Industrial (I) / PCD, PUD & M-1
South: Industrial (I) / PCD, PUD & M-1
East: Industrial (I) / PCD, PUD & M-1
West: I-95 / I-95

PROJECT HISTORY

The subject site is located within the Northcorp Corporate Park PCD. The Northcorp PCD is 103 acres in size and is located north of Burns Road, south of PGA Boulevard, east of I-95, and west of Alternate A1A. It was originally approved on January 18, 1990, with the adoption of Ordinance 1, 1990.

The site plan for the Corporate Center at the Gardens PUD, formerly known as Wackenhut Center, was approved by the City Council on March 16, 1995, with the adoption of Resolution 39, 1995. The site was constructed in accordance with the approval, and currently consists of three (3) office buildings (Buildings A through C) totaling 121,229 square feet.

On September 14, 1995, the City Council approved Resolution 93, 1995, which allowed modifications of the building elevations and landscape plans. Subsequently, several other amendments to the site have occurred, such as the approval of covered parking and minor changes to the building signage.

On October 6, 2011, the City Council approved Resolution 63, 2011, which allowed site plan modifications, including landscaping and parking modifications. The subject petition also revised certain conditions of approval and amended the Master Signage Program for the site to relocate ground and wall signage.

On November 6, 2014, the City Council approved Resolution 60, 2014, which allowed the PUD's Master Signage Program to be amended to approve a tenant wall sign of 136 square feet.

OLYMPUS INSURANCE

The Applicant, Olympus Insurance Company, is a Florida domestic insurance company organized in 2007. The company was originally headquartered in Orlando, Florida, but recently relocated its corporate headquarters to Palm Beach Gardens, Florida. The company's uniquely disciplined organic growth strategy differentiates them from many other Florida insurers. The emphasis on steady, conservative expansion continually strengthens the company's financial position and enables it to provide the finest possible service to Florida property owners. As of March 31, 2016, the company has more than \$30.5 million in policyholders' surplus and \$79 million in net admitted assets. The company also maintains a conservative level of aggregate exposure relative to their capital capacity.

REQUEST

The request seeks to amend Resolution 60, 2014 to allow an additional tenant wall sign no greater than 90 square feet on the northern elevation of the existing building. As previously mentioned, the Applicant is a significant tenant of Corporate Center at the Gardens leasing 18,648 square feet of office space, which is approximately 19.61% of the total leasable area in the building. Olympus has recently relocated its corporate headquarters from Orlando to Palm Beach Gardens. As a result of Applicant's relocation to Palm Beach Gardens, approximately 75 new jobs have been added to Palm Beach Gardens, and is still growing. In addition, the Applicant has created new relationships with local insurance agencies and other vendors and service providers in Palm Beach Gardens.

In order to continue to attract talented personnel and maintain its position in the market, Applicant requires prominent signage for its corporate headquarters. In agreement with the Owner, the proposed sign will:

- Maintain the architectural character of the building
- Maintain the buildings appearance by matching the existing blue glass exterior
- Comply with the City's sign code (Section 78-285)
- Maintain the integrity of the overall PUD
- Maintain the proportionality of the sign to building ratio
- The proposed sign not result in sign clutter

- The proposed sign is consistent with several other notable buildings within the City (Marriott Hotel, DoubleTree Hotel, and Gander Mountain).
- The City has allowed multiple principal tenant signs recently (Gardens Plaza PUD, Gander Mountain, and BNY Mellon)
- Per the FDOT's 2016, Average Annual Daily Traffic (AADT) along I-95, almost 100,000 cars will travel past this site on a daily basis greatly increasing the visibility of the Applicant and the building.

Therefore, the applicant requests that the City Council of the City of Palm Beach Gardens approve this request by amending Resolution 60, 2014 to allow an additional tenant wall sign no greater than 90 square feet on the northern elevation of the existing building.



ELIZABETH M. JONES
ATTORNEY AT LAW
Shutts & Bowen LLP
1100 CityPlace Tower
525 Okeechobee Boulevard
West Palm Beach, Florida 33401
DIRECT (561) 671-5814
FAX (561) 822-5526
EMAIL ejones@shutts.com

November 7, 2016

VIA HAND DELIVERY & E-MAIL

Dawn C. Sonneborn, AICP
Principal Planner
City of Palm Beach Gardens
10500 N Military Trail
Palm Beach Gardens, FL 33410

**RE: MISC-16-07-000127
Corporate Center at the Gardens PUD
Master Signage Amendment**

Dear Ms. Sonneborn:

We are in receipt of your memorandum dated August 29, 2016 specifying the City's comments to the Development Application. In response to the City's comments, Olympus Insurance Company (the "Applicant") provides the following:

Planning & Zoning Comments

1. To clarify our request, we are requesting an amendment to the Corporate Center at the Gardens PUD Master Signage Plan and a waiver of the City's Code of Ordinances, specifically Section 78-285, Table 24, to allow for an additional principal tenant building sign. As mitigation for our request, we propose installation of a recycled outdoor bench with surrounding landscaping on the site. Enclosed are the specifications for the bench. A sketch of the proposed location and landscaping will be provided shortly under separate cover. Our request for a waiver complies with a majority of the criteria set forth in Section 78-158(i) as follows:
 - (1) Our request is consistent with the City's Comprehensive Plan because our request does not seek to amend or modify the City's Comprehensive Plan or the Future Land Use Map.
 - (2) Our request is consistent with the purpose and intent of Section 78-158 because the proposed sign will greatly benefit the City and its residents and visitors. The proposed sign will enhance the appearance of Corporate Center at the Gardens and make the building more noticeable from I-95, which in

turn improves the overall appearance of the City and the perception of the City's residents and visitors. The proposed sign meets all of the other Code requirements and the City's Design Guidelines for Non-Residential Development. The City has recently allowed multiple principal tenant signs for similar sites, such as the Gardens Plaza PUD, Gander Mountain, and BNY Mellon. The proposed sign will be the only sign on the north side of the building and does not crowd the building or detract from the other tenant signs.

- (3) Our request is in support of and furthers the City's goals, objectives, and policies. Since relocating its corporate headquarters from Orlando to the City, the Applicant has created over 88 new jobs and still seeking to fill additional positions. The proposed sign would help the Applicant attract additional talent and create more jobs in the City. The proposed sign would create a sense of place for its residents and visitors knowing that the Applicant, a well-respected Florida domestic insurance company, is located in their community. In addition, the proposed bench provides an additional pedestrian amenity to the building and creates a sense of place for the building's tenants and visitors to rest and observe their surroundings.
- (4) Our request exceeds the minimum requirements for PUDs because the proposed sign and bench will add to the aesthetically-pleasing shopping and working environment established within the Corporate Center at the Gardens PUD.
- (5) Our request results from innovative design in which additional PUD standards are exceeded as it complements the building's glass façade, incorporates calming blue tones, and conveys updated branding designs.
- (6) Our request does not detrimentally affect valuable natural resources. In fact, the proposed bench is made of recycled materials.
- (7) Our request includes a public benefit as it is a value-added improvement to the site and creates a distinctive place for tenants and visitors.
- (8) Our request does not require screening and buffering of adjacent uses because there are no adverse impacts caused by our request.
- (9) Our request is not based solely or predominately on economic reasons because branding brings a sense of place and increases morale. As mentioned, the Applicant is establishing itself in the local market area and identifying the new corporate headquarters is a key element to the Applicant's relocation success and further employment opportunities for the City's residents.

- (10) Our request is compatible with existing and potential land uses adjacent to the development site because our request does not conflict with or seek to amend or modify existing land uses.
 - (11) Our request will not be injurious or otherwise detrimental to the public health, safety, and welfare because the proposed sign is not inherently dangerous or hazardous to life or property.
2. Enclosed please find an updated rendering specifying the dimensions of the proposed sign from the edge of the wall surface consistent with the City's Design Guidelines for Non-Residential Development.
 3. Enclosed please find an amended Master Signage Plan which includes the proposed sign.

Forestry Comments

As noted above, we propose installation of a recycled outdoor bench on the site with surrounding landscaping. The building's owner has requested reasonable accommodations to allow the bench to be relocated on its property in the future.

Building Department Comments

Comment acknowledged.

GIS Department Comments

Comment acknowledged.

Fire Department Comments

Comment acknowledged.

Police Department Comments

Comment acknowledged.

Conditions of Approval Comments

Comment acknowledged.

We trust that the additional information provided addresses and resolves the City's comments. Therefore, we request that this matter be placed on the December Planning and

Dawn C. Sonneborn
November 7, 2016
Page 4

Zoning Department public hearing agenda. Should you have any questions or require additional information, please do not hesitate to call me.

Sincerely,

Shutts & Bowen LLP

/s/ Elizabeth M. Jones

Elizabeth M. Jones

Enclosures as noted

Copy to: M. Richard Sapir, Esq. (via-e-mail: mrs@fcohenlaw.com)

WPBDOCS 9075872 3