

**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 type="checkbox"/> Amendment to PCD, PUD or Site Plan  | <input checked="" 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 type="checkbox"/> Other <input type="text"/>  |

Date Submitted:

**Project Name:** PGA Office Center - Phase II Site Plan

**Owner:** Florida Power & Light Company

**Applicant (if not Owner):** \_\_\_\_\_

**Applicant's Address:** 700 Universe Blvd., Juno Beach, FL Telephone No. 561-697-8000

**Agent:** Ken Tuma of Urban Design Studio and Jon Rosenthal of Florida Power & Light Company

**Contact Person:** Ken Tuma E-Mail: ktuma@udsflorida.com  
Jon Rosenthal Jon.Rosenthal@FPL.Com

**Agent's Mailing Address:** 610 Clematis Street, #CU-02, West Palm Beach, FL 33401  
700 Universe Blvd. B2A. Juno Beach. FL 33408

**Agent's Telephone Number:** 561-366-1100 | 561-310-1165

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

Architect: Perkins & Will  
Engineer: Kimley-Horn and Associates  
Planner: Urban Design Studio  
Landscape Architect: Perkins & Will

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

General Location: East of Military Trail, West of Alternate A1A, and south of Kyoto Gardens Drive  
Address: 4299 Kyoto Gardens Drive  
Section: 01 Township: 42 Range: 42  
Property Control Number(s): 52-42-42-01-29-001-0000

Acreage: 15.11 ac Current Zoning: PCD (M-1) Requested Zoning: Same

Flood Zone B Base Flood Elevation (BFE) – to be indicated on site plan \_\_\_\_\_

Current Comprehensive Plan Land Use Designation: Industrial

Existing Land Use: Vacant/Construction Requested Land Use: Office

Proposed Use(s) i.e. hotel, single family residence, etc.: \_\_\_\_\_  
Office

Proposed Square Footage by Use: 249,202 square feet of office.

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: The request is for site plan approval for a 249,202-square foot  
office building and parking garage within Parcel A of the PGA Office Center Planned Community Development.  
The proposed building is the second phase of the PGA Office Center project. Please see the Project  
Narrative for additional information.  
   
   
 

2. What will be the impact of the proposed change on the surrounding area?  
The proposed site plan is consistent with the approved PCD development order. No changes are proposed  
for the approved and constructed landscape buffers. Please see the Project Narrative for additional information.   
   
 

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.  
Not applicable as this is not a rezoning request.

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

The PCD is in compliance with the cited code section through the provision of the 11.01-acre upland preserve provided (Parcel C of the PCD Master Plan).

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

At the time of the issuance of the first building permit for the proposed building, the Applicant will comply with the City's Art in Public Places requirement.

6. Has project received concurrency certification?

Concurrency for the PCD was granted with Resolution 35, 2013.

Date Received: July 16, 2013

### **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 Military Trail and Kyoto Gardens Dr, on the  north,  east,  south,  west side of Kyoto Gardens Drive (street/road).

**Statement of Ownership and Designation of Authorized Agent**

Before me, the undersigned authority, personally appeared Sheri Kocher, Sr. Manager 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. authorized representative of Florida Power & Light Company, the
- 2. That he/she is requesting Site Plan Approval in the City of Palm Beach Gardens, Florida.
- 3. That he/she has appointed Ken Tuma of Urban Design Studio to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Florida Power & Light Company

Sheri Kocher  
Signature of Owner

Sheri Kocher, Sr. Manager  
By: Name/Title

700 Universe Blvd., B2A  
Street Address

Juno Beach, FL 33408  
City, State, Zip Code

P. O. Box  
321-412-6491

City, State, Zip Code

Telephone Number

Fax Number

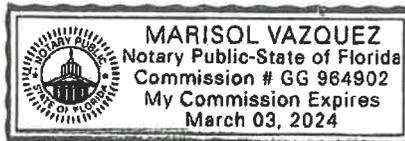
Jon.Rosenthal@fpl.com

E-mail Address

Sworn and subscribed before me this 11<sup>th</sup> day of February, 2022.

[Signature]  
Notary Public

My Commission expires:  
3/3/2024

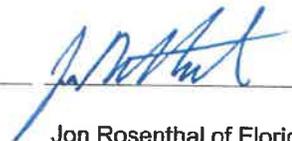


### Applicant's Certification

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

  
Jon Rosenthal of Florida Power & Light Co.

Owner

Ken Tuma of Urban Design Studio

Jon Rosenthal of Florida Power & Light Co.

Print Name of Applicant

Optionee

610 Clematis Street, #CU-02

700 Universe Blvd., B2A

Street Address

Lessee

West Palm Beach, FL 33401

Juno Beach, FL 33408

City, State, Zip Code

Agent

561-366-1100

561-310-1165

Telephone Number

Contract Purchaser

561-366-1111

561-691-2190

Fax Number

ktuma@udsflorida.com

Jon.Rosenthal@FPL.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-imbursement 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.

Sheri Kocher  
Owner signature

02/11/2022  
Date

Sheri Kocher, Sr. Manager  
Owner printed name

52-42-42-01-29-001-0000  
Property Control Number

**DESIGNEE/BILL TO:**  
Mr. Jon Rosenthal, Manager | Jon.Rosenthal@FPL.com

Florida Power & Light Company

700 Universe Blvd., B2A Juno Beach, FL 33408

\_\_\_\_\_  
Designee Acceptance Signature

**NOTARY ACKNOWLEDGEMENT**

STATE OF Florida

COUNTY OF Palm Beach

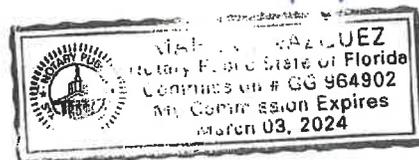
I hereby certify that the foregoing instrument was acknowledged before me this 11<sup>th</sup> day of February, 2022 by Sheri Kocher. He or she is personally known to me or has produced \_\_\_\_\_ as identification.

Marisol Vazquez  
Notary public signature  
Marisol Vazquez  
\_\_\_\_\_  
Printed name



State of Florida at-large

My Commission expires: 3/3/2024



**LEGAL DESCRIPTION**

ALL OF TRACTS "A1", "B1", "C1", "D1", "D3", "LMT" AND "WMT" AS SHOWN ON THE PLAT OF PGA OFFICE CENTER - P.U.D. AS RECORDED IN PLAT BOOK 130, AT PAGES 82 THROUGH 88, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.



To: WHOM IT MAY CONCERN

Date: May 3, 2021

Re: FLORIDA POWER & LIGHT COMPANY  
ZONING, SITE PLAN APPROVAL AND  
PERMITTING: AUTHORIZATION TO SIGN

I, W. Scott Seeley, Vice President, Compliance & Corporate Secretary for Florida Power & Light Company, do verify that the following listed individual:

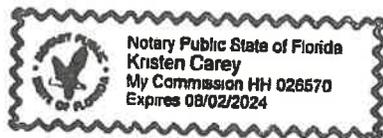
SHERI KOCHER, SENIOR MANAGER, CORPORATE REAL ESTATE

is authorized to represent, sign for, and authorize on behalf of Florida Power & Light Company, in matters relating to the zoning, site plan approval, and permitting of any and all Florida Power & Light Company property.

W. Scott Seeley  
Vice President, Compliance &  
Corporate Secretary

STATE OF FLORIDA            )  
                                          ) ss  
COUNTY OF PALM BEACH    )

The foregoing instrument was acknowledged before me on May 3, 2021, by W. Scott Seeley, Vice President, Compliance & Corporate Secretary for Florida Power & Light Company, a Florida corporation. He is personally known to me and did not take an oath.



Notary Public  
State of Florida

# Perkins&Will

## PGA Office Center - Phase 2

### Site Plan Application

### Project Narrative

July 25, 2022

#### Request/Location

On behalf of Florida Power & Light Company (FPL), the Applicant, please accept this request for Site Plan Approval for PGA Office Center Planned Community Development (PCD) – Phase 2.

The project is generally located east of Military Trail, west of Alternate A1A and north and south of Kyoto Gardens Drive. The subject site is located within the Parcel A of the PGA Office Center PCD.

The subject site is approximately 86.34 acres and contains a six-story 266,340-square-foot office building and a three-story parking garage that are under construction (aka Building 1). The site has an Industrial (I) Future Land Use designation and a PCD (M-1) zoning designation. In 2013, the subject site received PCD approval for 993,000-square-foot of office space and accessory uses. In 2019 the PCD Master Plan was updated, and site plan approval was obtained for Phase 1 which included the six-story 266,340-square-foot office building, three-story parking garage, and an internal roadway network that begins at the northwest corner of the site and extends south and then easterly along the south perimeter of the site. Furthermore, the Phase 1 site plan was amended in September 2021 through ADMIN-21-04-000921. The roadway network through the site, the off-site traffic improvements, and PCD buffers have been constructed and are in use.

With the submittal of Phase 2, the Applicant proposes to construct a new 249,202-square-foot office building (aka Building 2), a three-story parking garage, two building connectors, and an above ground fixed fuel system on the site. The new office building is planned to be six levels with a height of 74'-6" to the last occupied level and 101.75' to the highest portion of the roof. The proposed office building in Phase 2 is generally of the same size and design characteristics as Building 1. Parking required by the PCD for the office building will be provided in a three story-parking garage with a roof located adjacent to the office building and in the small service yard located just east of the parking garage. In addition, additional on-site parking is provided for visitors in the small surface parking lot just off the visitor drop off plaza and shared with Building 1. The two connectors will create enclosed and open-air connections for individuals to travel between Buildings 1 and 2 and add additional accessory spaces for collaboration, dining, exhibitions, etc. by the building occupants. The fixed fuel system is being proposed for the southwest corner of the site and will include a 3,000-gallon double walled steel tank with two dispensers. The fuel system enables the Applicant to provide fuel to company vehicles during storm events where fuel can be unavailable or in low supply.

## **History**

The PGA Office Center PCD was approved on July 16, 2013, through the adoption of Resolution 35, 2013. This approval allows for the development of up to 993,000 square feet of professional and corporate office space, which is to be developed in phases. In December 2013, a three-year administrative time extension was granted for the project. Since the PCD approval, the project has received an administrative time extension and several state-of-emergency development order extensions. As a result, the current build-out date for the project per TIME-20-06-000121 is August 4, 2022.

On July 11, 2019, the City Council adopted Resolutions 45 and 46, 2019, which updated the PCD Master Plan to eliminate an outparcel (formerly known as Parcel B) and approved the Phase 1 site plan for a six-story, 270,000-square-foot office building with a parking garage and internal loop road.

Construction of the Phase 1 site plan, including the modifications to public roadways, the internal roadway network that link Kyoto Gardens Drive and RCA Center Drive with the site, and Building 1 are well underway. Public water, sewer, and drainage systems are in place. The Applicant installed lake fountains in December 2014 and is currently installing a new fountain in the expanded lake area as part of Phase 1 site plan approval.

The off-site traffic mitigation for the southbound left turn lane extension on Military Trail leading to Kyoto Gardens Drive has been constructed along with the Alternate A1A median and west road shoulder landscaping and irrigation. The PCD landscape buffers have been installed. The project replat was approved on December 1, 2016, through the adoption of Resolution 84, 2016 and further amended on April 2, 2020, through the adoption of Resolution 25, 2020.

## **Project Vision**

The project goals were defined by the imperative to place resiliency from the elements at the forefront, which will allow the Applicant to anticipate, plan, and adapt for the future. The project is hardened to the threshold of Category 5 hurricane winds and includes a combination of strategies such as communication carrier diversity, elevating the building above the flood plain, and increasing water retention to plan for a 500-year storm flood event.

The project promotes wellbeing for its occupants both within the built environment and within the site design. The proposed building nestles in the landscape and enhances the existing lake and vegetation to provide destinations for respite and fitness. From the interior, the landscape creates a focal point for the workplace. The main level is linked to the exterior by a double-height, fully glazed space that opens onto a landscaped courtyard, creating a relationship between outdoor and indoor spaces. Furthermore, links to the outside are established through the roof-top terrace areas established on the top of the two connections at the third level of both Building 1 and 2. The

connections promote the outdoor environment by providing walking paths and workplace amenities like meeting areas and quiet zones surrounded and enhanced by landscaping, outdoor WIFI and other features.

At the workplace levels the building maximizes daylight, resulting in enhanced performance and healthy environments. The workplace programs are linked through large atrium spaces, allowing sunlight to flood the core of the workplace environment and ensure that all regularly occupied spaces within the building receive daylight. The floorplate dimensions were optimized to provide a column free space that will be flexible and adaptable into the future, as well as a depth, which will maximize daylight penetration into the space. The buildings' facades capitalize on their orientation to provide self-shading to the building and reduce glare for the occupants.

The healthy environments are enhanced through interconnecting stairs in the atrium and roof-top terraces, which incentivize movement between floors, offering opportunities for spontaneous interactions with colleagues. The atrium spaces allow for common spaces to be visually and physically connected to promote integration and a successful culture of collaboration. The outdoor stairs connecting the ground to the terrace areas allow for greater movements outside between buildings and the outdoor spaces. Careful consideration was taken to provide visual passive design to enhance the workplace experience, providing diversity of work and collaboration areas.

The project uses a series of sustainable strategies to reduce energy consumption and provide for a healthier environment, such as reducing lighting power density by using LED light fixtures, low flow plumbing fixtures, healthy materials, and high-performance mechanical systems.

In support of the overall project goals, the site design continues to prioritize three parallel themes: Resilience, Wellness and Natural Habitat.

**Implement resilient site strategies** to protect the physical facility and support continuous operations during and after extreme weather events. Specifically protect from high winds, by prioritizing hurricane resistant plant materials, and from flooding, by integrating storm management strategies that accommodate extreme rainfall and storm surge conditions.

**Promote wellness** for staff and visitors by integrating outdoor-based opportunities for recreation, fitness, and connection with nature.

**Increase habitat** on-site by preserving healthy natural areas and individual specimen trees, restoring other natural areas, and relocating trees from areas that can't be preserved nor restored due to the extent of proposed construction. Existing Cabbage Palms (*Sabal palmetto*) and Saw Palmetto (*Serenoa repens*) will be relocated on site when practical.

The three strategies are mutually supportive and will create an integrated site with a rich matrix of opportunities for staff, visitors, and wildlife.

## **Site Access**

Concurrent with the PGA Office Center Phase 1 Site Plan Approval, the PCD was amended to update the access points in recognition of security needs associated with the use. These changes were based on a traffic analysis that included the distribution of trips on the complete build out of PGA Office Center using two points of access: (1) the main entrance at the northwest corner at Kyoto Gardens Drive and (2) a secondary point of access at the southeast corner at RCA Center Drive. An important part of the Phase II design, which will also accommodate future phases, is an interior loop road that will allow for vehicular movements between buildings on site rather than forcing traffic to one of the abutting public rights-of-way. This also provides for the necessary security needed for the site, including for an extension of the Phase 1 north berm and landscaping to the east. The berm, along with the proposed landscaping, act as natural barriers and deterrents to individuals looking to enter the property along the south side of Kyoto Gardens Drive. These features also assist with creating a “dome effect” that helps contend with severe weather, adding to the capability of withstanding Category 5 hurricane-level winds, which is critical for the uses housed at the site and for public safety. The Applicant notes that separate from the Site Plan for Phase 1 and this submission for Phase 2, the Applicant is relocating the Seacoast Utility Authority (SUA) water transmission line from the center of the site to the eastern perimeter of Parcel A. The new water transmission line is currently under construction with its completion expected in late 2022. This will allow for the continuation of the landscape berm eastward towards the proposed mid-point drive.

For several months, the Applicant evaluated various options to construct a second access point along Kyoto Gardens Drive that would allow for the desired security and the City’s interest to have another access point out to Kyoto Gardens Drive. The Applicant has tried to accommodate the interest of both parties through the creation of a right-in / right-out driveway just east of the north/south Seacoast Utility Easement running through the property. The location allows for the creation of a controlled four-way intersection on site with ample queuing capacity and additional queuing support off-site by the existing right-in decelerate lane on Kyoto Gardens Drive. Furthermore, the establishment of the access drive in this location permits modifications to the Kyoto Gardens Drive median to be made that will provide a west bound “U” turn for those desiring to utilize this access coming from the east. Once on site, the driveway intersects with the proposed on-site loop road where concrete islands, signage, and striping manage traffic movements entering and exiting the site, accessing the Phase 2 Garage and Service Yard, and manage access to the remaining developable land.

In an effort to enhance certain necessary security at the access drives to the property including the planned mid-point and northeast driveways along with the access driveways created as part of Phase 1, the project will include motorized rolling gates at the entry points to prevent the use of the in-bound and out-bound driveway lanes during occasions when the property needs to be locked down and/or access into and out of the property needs to be limited. The gates will be left in the open position

surrounded by landscaping. Only in those occasions where the property goes into a lock down or a limited access mode would they be activated and rolled out into the driveway lanes preventing vehicle access onto the property.

With the completion of Phase 2, one new access point will be created on both RCA Center Drive and Kyoto Gardens Drive. Thus, a total of four access points will be established in support of the PGA Office Center and staff will be able to use any of the access drives into the property. For further information on the properties access points, please see the PGA Office Center Phase 2 Traffic Impact Statement by Kimley Horn dated March 7, 2022.

**Kyoto Gardens Drive/Military Trail Intersection (including Kyoto Gardens Drive Bridge)**

The intersection of Kyoto Gardens Drive with Military Trail was constructed around 2006 as a Linkage Road, established in the City’s Comprehensive Plan, to divert a significant amount of traffic from the portion of PGA Boulevard extending from Military Trail to Alternate A1A. The construction of Kyoto Gardens Drive, along with the portion of RCA Center Drive abutting PGA Office Center property, were conditions of approval for the subject site and RCA Center PUD (a/k/a Parcel 5B, which was initially approved via Resolution 16, 2004) to offset the traffic impacts associated with those developments; the same traffic offset from the site that is proposed to be generated from the development of the overall PGA Office Center PCD, which was approved via a traffic equivalency.

Since its completion in 2008, Kyoto Gardens Drive has been used by many traveling to destinations in the area and certain enhancements and improvements have been completed in accordance with conditions contained in development orders related to the site.

At staff’s request, we have looked at the intersection at a high level. While we recognize the intersection’s importance to the subject site as well as other development initiatives being pursued by the City and other developers in the area, we believe further analysis is needed and other parties should be consulted and engaged.

**Existing Zoning and Land Use Designations**

EXISTING USE	ZONING	FUTURE LAND USE
SUBJECT PROPERTY: Existing Vacant/under construction Requested –Office Campus	Planned Community Development (PCD) with underlying zoning of Research and Light Industrial (M-1)	Industrial (I) and Recreation Open Space (ROS)

TO THE NORTH: Gardens Woods Residential Development Winchester Courts Residential Development	Residential Low Density-3 (RL-3)  Residential Medium RM with a Planned Unit Development overlay	Residential Low (RL)
TO THE SOUTH: Interstate 95 On-Ramp, PGA Boulevard and PGA Professional & Design Center (Parcel 5B)	Research and Light Industrial Park (M-1) with Planned Unit Development overlay	Mixed Use (MXD)
TO THE WEST: Interstate 95/Military Trail Gardens Lakes Residential Development & Doubletree North	Residential Medium (RM) with PUD overlay & General Commercial (CG-1) with PUD overlay	Residential Medium (RM) & Commercial (C)
TO THE EAST: Alternate A1A Regional Center Development of Regional Impact	Planned Community Development (PCD)	Professional Office (PO) /Commercial (C)/Residential High (RH)

**Analysis of Conformance with the PGA Office Center PCD**

Below is an analysis of the proposed PGA Office Center site plan and its compliance with the PCD’s Design Guidelines.

**Development regulations (In reference to section A.3 of Design Guidelines)**

PROPERTY DEVELOPMENT REGULATION	PGA OFFICE CENTER PCD MASTER PLAN & DESIGN GUIDELINES	PROJECT
Min. Building Site Area	1 Ac.	86.34 Ac.
Minimum Lot Width	100 feet	
Minimum Lot Depth	200 feet	
Max. Lot Coverage	40% for PCD	7.99% for PCD
Min. Open Space	40% for PCD 15% per Parcel	71.29% for PCD 69.85% of Parcel A
Max. Building Height (Ft)	90 feet for building on parcels less than 5 acres in size. 165 feet for buildings on parcels 5 acres and larger	101.75 feet
Min. Building Setback from Residential District	400 feet	572 feet

<p>Setbacks* for Parcels greater than 5 acres in size</p> <p>Front                  Side                  Side (Street Facing)</p> <p>Rear</p> <p>*Setbacks to be measured from right-of-way lines, lot lines, property lines and access easement lines.</p>	<p>50 feet - from Kyoto Gardens Drive                  30 feet</p> <p>30 feet - from PGA Boulevard, Interstate 95, RCA Center Drive, Alternate A1A, and access easement lines.</p> <p>30 feet</p>	<p>107.7 feet                  424.2 feet                  749.3 feet</p> <p>37.5 feet  <i>Fuel Station</i></p>
<p>Additional setbacks* for building heights taller than 50 feet.</p> <p>* Setbacks to be measured from right-of-way lines, lot lines, property lines and access easement lines.</p>	<p><b>South from the Kyoto Gardens Drive right-of-way:</b></p> <p>A maximum 50-foot-high building at 50-foot setback. For each additional foot of building height, the setback from Kyoto Gardens Drive shall increase 1.5 feet. As an example, an 80-foot-high building shall be located a minimum of 95 feet from the Kyoto Gardens Drive. A maximum 165-foot tall building shall be setback from Kyoto Gardens Drive a minimum of 222 feet.</p> <p><b>From Interstate 95, PGA Boulevard, and RCA Center Drive Right-of-ways:</b></p> <p>A maximum 50-foot-high building at the 30-foot setback. A maximum 165-foot high at 75- foot setback</p>	<p>Exceeds Code Minimum (See Sheet G-002 for further reference)</p>

**Parking Ratios (In reference to section A.4.a of Design Guidelines); These values are for the new Phase 2 Building only. Please refer to SP-01 for details regarding Phase 1 and 2**

USE	PARKING REQUIRED		
	AREA	RATE	SPACES
OFFICE USE	209,602 SF	1/300 SF	699
ACCESSORY USES	50,291 SF	NONE	0
TOTAL	259,893 SF		699

	PARKING PROVIDED		
	STANDARD	AMERICANS WITH DISABILITIES ACCESSIBLE (ADA)	TOTAL
PARKING GARAGE	686	15	701
SURFACE PARKING	7	0	7
TOTAL PARKING	693	15	708

	ANCILARY PARKING REQUIRED			PROVIDED
		RATE	SPACES	
ACCESSIBLE (ADA) PARKING		2% of TOTAL 501-1000 PARKING SPACES	14	15
EV CHARGING SPACES		-	-	70
BICYCLE PARKING		5% of TOTAL PARKING SPACES	36	36
LOADING		2 SPACES FOR 50,000 – 100,000 SF 0.5 SPACE FOR EACH ADDITIONAL 100,000 SF	3	3

**Parking Dimensions (In reference to Section A.4.c of Design Guidelines)**

All parking stalls comply with the dimensions outlined in the Design Guidelines (9' x 18.5' with 26' drive aisles). Striping in the structured parking garage and the visitor surface lot shall be double striped.

**Mechanical Equipment & Site Elements (In reference to Section A.5 of Design Guidelines)**

- a. The mechanical equipment is in the energy plant on level 1 of the parking garage and in the enclosed mechanical and service rooms on level 3, beneath the roof of the parking structure. All exhaust fans are located within the building and ducted to louvers on the exterior walls of the building and are indicated on the Building Elevations.
- b. As defined by section 78-374 there are no covered parking structures on the site.
- c. There will be no public telephones, vending machines, newspaper racks or facilities dispensing merchandise or services at the exterior of the building or in public view.
- d. The loading and service areas are located at the rear of the parking garage (northeast corner) and are screened from view by buildings, site walls, berms, gates, and landscaping. The entrance to the service yard is secured and enclosed by a sliding gate. Please refer to sheet A-206 for conceptual graphic example of sliding gate.
- e. All solid waste and recycling facilities will be placed inside the loading area. The loading area will be shielded from view by site wall.
- f. An above ground fuel system is being proposed at the southwest corner of the site, just off the loop road established in Phase 1. The fuel system will be constructed on a concrete pad and be properly screened from view through an assortment of existing and proposed landscaping planted around the proposed location. Fuel is an essential resource in carrying out restoration plans after a storm and having it on site helps us mitigate risk and ensure a better response time. Please refer to sheet SP-07 for a conceptual graphic example of the fuel system.
- g. A Drone in the Box will be placed on a concrete slab behind a 4' chain link fence with black vinyl slats and perimeter landscaping to properly screen the Drone in Box equipment from view.



### **Helistop (In reference to Section A.6 of Design Guidelines)**

As part of Phase 1, a helistop located at grade on the east side of Building 1 is being established (SPLN-18-10-000032). The helistop is complying with the setback requirement from the northern boundary of the PCD of a minimum of 800 linear feet. The setback provided is 1,162 linear feet. There will be no facilities on the property associated with the repair, refueling or overnight parking of the helicopter. Also, no changes are being proposed to the helistop as part of this site plan submittal.

### **Landscaping (In reference to Section A.7 of Design Guidelines)**

- 100% of the trees and palms are native species and more than 90% of the understory is native. All non-native species are specifically called out on the plant schedule on sheet L-201.
- All invasive exotic species will be removed within the site disturbance limits, and natural areas will be maintained to prohibit the establishment of such species.
- The office building and parking garage are surrounded entirely by green spaces designed to maximize habitat and characterized by meadow plantings, cypress domes, and Sabal Palms.

### **Buffers (In reference to Section A.7.a of Design Guidelines)**

- The entire required perimeter buffer landscaping has been installed in advance of any development occurring on-site. All existing buffer landscaping will be protected during construction. If any damage occurs, areas disturbed will be replaced in kind.
- The landscape buffers will be modified in order to create the proposed driveways at Kyoto Gardens Drive and RCA Center Drive, the placement of the Art In Public Places along Kyoto Gardens Drive and the integration of the motorized gate at the existing vehicle driveway with RCA Center Drive at the southeast corner of the property. The Applicant does not anticipate any modifications due to the fuel system at the southwest corner.

In proceeding with the completion of the above mentioned work in the PCD landscape buffer easement areas the Applicant intends to relocate existing trees to other areas on the property and acknowledge that the areas disturbed that are not being improved will be restored to previous condition.

### **Preserve (In reference to Section A.7.b of Design Guidelines)**

Preserve: The adoption of Resolution 1, 2001 dated February 1, 2001 established the required upland preserve area for the site, along with Parcels 5B and 28.01. The resolution identified the 10-acre preserve area at the northeast corner of the site. The approved 10-acre preserve area shall be maintained and no additional preservation is required.

- The 10-acre preserve in the northeast corner of the site has been established, and actively maintained to the required standards.

### **Foundation Landscaping (In reference to Section A.7.c of Design Guidelines)**

- The building is set back approximately 107 feet from the property line with landscape berms and multiple layers of native vegetation serving as a buffer from the road, including the existing required landscape buffer. The berms are planted with new and relocated Sabal Palms and the site is enriched with several Cypress Domes and a matrix of meadow plantings. To further add to the landscape, designated areas of the existing Pineland will be cleaned of invasive exotic species.
- Installed trees and palms will meet or exceed the required one tree or palm cluster per 30 linear feet of façade at the required sizes. Additional plant material, both larger and smaller than the requirement will be planted to increase habitat, blend varied sizes of plant materials, soften walls and accent building facades.

### **Site Landscaping (In reference to Section A.7.d of Design Guidelines)**

- The landscape design is meeting the minimums or exceeding the requirements as outlined in the City Landscape Code.
  - Less than 1% of Parcel A is covered in sod
  - Open Space exceeds 72% for Parcel A (Developed area + Undeveloped area)
  - The surface parking lot exceeds landscape requirements
  - All prohibited species will be removed from the site

### **Linkages (In reference to Section A.8 of Design Guidelines)**

- Direct access to the site is provided from existing curb cuts at Kyoto Gardens Drive and RCA Center Drive. An internal roadway connects the access from the main entrance at Kyoto Gardens Drive and the employee / service access from RCA Center Drive.
- With the elimination of Parcel B and unification of the site under one owner approved in 2019 the intent of the linkage requirement has been met in the following manner:
  - One sidewalk connection from Kyoto Gardens Drive directing pedestrians to the visitor surface lot and onto the main building entrance and a second sidewalk from RCA Center Drive will connect pedestrians to a secondary building access point. Visitors and/or guests to Building 2 will enter the Building through the main entrance monitored by security in Building 1 and cross over into Building 2 through the enclosed west connector.

### **Lighting (In reference to Section A.9 of Design Guidelines)**

All lighting within the site complies with the standards outlined in the Design Guidelines.

Site lights will be provided along all internal roadways as well as at the surface parking lot. Pedestrian poles consistent with the design of the site lights will be provided along the sidewalks and walkways.

Wall mounted light fixtures within the same product line will be provided at the loading and service area.

Please refer to sheets LP01-LP06 for photometric study and lighting fixture schedule.

### **Signage (In reference to Section A.10 of Design Guidelines)**

The signage within the PCD will be consistent and compatible. There are monument signs being installed at the main entrance off Kyoto Gardens Drive and the employee/service entrance at the southeast corner of the site and RCA Center Drive as part of Phase 1. One new monument sign is planned for the new RCA Center Drive entrance as part of Phase 2. Additionally, there will be wayfinding signage, consistent with the Phase 1 signage, installed along the internal roadway being constructed as part of Phase 2.

Building Signage will be developed consistent with the provisions of the design guidelines.

### **Sustainability Measures (In reference to Section A.11 of Design Guidelines) UPDATE FOR P2**

Per the Design Guidelines the PCD shall incorporate a minimum of four measures from the listed sustainability measures in section A.11. The project has incorporated eleven of those measures as indicated below:

- Bicycle Storage and Changing Rooms – Bicycle racks are provided on the ground level of the parking structure adjacent to entry vestibule.
- Low-Emission and Fuel-Efficient Vehicles – 70 electric vehicle (EV) charging stations are provided within the parking garage for Building 2.
- Parking Capacity – The parking garage size is minimized by meeting but not substantially exceeding the minimum parking requirement per section A.4.c of the Design Guidelines. Please refer to site Data Table on Sheet SP-01.
- Maximize Open Space – The development footprint is minimized, and open space exceeds the 25% minimum requirement. Please refer to site Data Table on Sheet G-002.
- Stormwater Design—Quantity Control (Implement 2 strategies) –
  - The proposed dry detention area is set one foot above control water elevation and promotes natural infiltration.

- All stormwater is being directed to the lake, which will be the source for landscape irrigation.
- Stormwater Design—Quality Control –
  - Stormwater runoff is being managed by dry pretreatment which is provided on-site prior to discharge to the master system.
  - The paving, grading and drainage plans are designed in accordance to South Florida Water Management District Criteria for both water quantity and water quality.
- Heat Island Effect – Roof – Most of the roof of the main building will be a white SBS modified bituminous membrane or TPO roofing. The garage rooftop deck will be precast with a white TPO roofing.
- Water Use Reduction – Employ the use of low-flow plumbing fixture which will use 20% less water than the water use baseline calculated for the building.

Water Efficient Landscaping - The landscape utilizes over 90% native plant material, which, after establishing will not need to be irrigated. Irrigation will be provided only at the Drop-Off and courtyard plantings for use during times of drought.

- Innovative Wastewater Technologies – Please see above response for Water Efficient Landscaping.

#### **Building Design Principles (In reference to Section B.3 of Design Guidelines)**

- a. Per a design guideline requirement, the facades of the building are broken down in scale by using a series of vertical fins. The fins modulate from more to less dense based on the following:
  - Orientation of the façade.
  - Shading and glare reduction needs within the building.
  - Vulnerable locations on the façade during wind events.
  - Ventilation requirements within the parking garage.
- b. The exterior spaces and buildings will be enhanced with landscaping dominated by native vegetation that creates seasonal interest and habitat, walking paths, water features, seating and meeting areas, pedestrian scale lighting and quality hardscape materials such as decorative concrete and pavers.
- c. The site context is primarily defined by an existing Pineland forest. The building is designed to nestle within that context and frame minimal views from the public access. The vertical fins reflect the scale and proportion of the forest. The glass and white metal facades will reflect the colors and textures of the forest and sky.
- d. The main level is linked to the exterior by a double-height, fully glazed space that opens onto a landscaped courtyard, creating a relationship between outdoor and indoor spaces and promoting outdoor activities, by providing walking paths, workplace amenities like meeting areas, quiet zones and nature paths.

- e. The mullion pattern (horizontal and vertical breaks) at building lower levels and the connectors, transparent glazing allowing views into the building useable spaces, low level and stepping up of landscaping with tree groupings scattered throughout, walkways with pedestrian bollards and decorative surfaces and pedestrian doors and open stairs from courtyard and connector terraces spaces the project design has established many features and locations that are at a human scale.
- f. The amenity programs on the first two levels of the building are set back from the tower to create a deep overhang along the length of the building at ground level. The overhang serves many purposes from providing a covered drop-off for the main entry, to shading the interior and exterior spaces, which can be used for outdoor seating, meetings, and walking.
- g. The double-height glass entry and building overhang accentuates the primary building entry.
- h. There are no anticipated unbuilt phases at this time, all building elements are designed to provide a complete and cohesive project.
- i. The site is separated from the closest adjacent building by PGA Blvd and at minimum 500 feet. The building was intentionally kept low in height so as not to overwhelm the adjacent neighbors.
- j. While the building is being treated on all sides with architectural elements and design treatments, it is primarily internalized to the site with minimal visibility from the exterior.

### **Architectural Design (In reference to Section B.4 of Design Guidelines)**

#### **Building Design Elements (In reference to Section B.4.a of Design Guidelines)**

- Façade / Wall Height Transition (Section B.4.a.1) – There are no neighboring buildings located within 100 feet of other buildings.
- The mean roof height elevation of the sloped roof is 101'-9", as indicated on G-002, A-201 and A-202. This elevation is the same of the Phase 1 Office building.
- Design Treatments (Section B.4.a.2) - Per the Design Guidelines the PCD shall incorporate a minimum of four elements from the listed design elements in section B.4.a.2. The project has incorporated the following:
  - Extensive overhangs proportional in size to the mass of the building. (Overhang covers 27 feet).
  - A pitched roof form (a single pitched roof facing the southern side of the property which integrates in form and material with the southern facade).
  - Articulated exterior facades (vertical articulation at tower levels as well as garage facades).
  - Amply sized glass curtain wall openings on all facades.
  - The use of four basic building materials: Transparent Glass, Metal Panel System (White), Lightweight Architectural Precast Concrete (White), Aluminum Louvers.

**Preferred building exterior materials (In reference to Section B.4.a.3 of Design Guidelines)**

The project complies with the preferred building materials per the listed items in section B.4.a.3.

**Pedestrian Entrances (In reference to Section B.4.a.4 of Design Guidelines)**

The main entry roadway and primary pedestrian paths converge into a drop-off plaza which includes a landscaped island and a reflecting water feature that emphasize the primary building entrance.

The water feature is roughly 10,000 square ft and is approximately 12” above the finished grade of the drop off pavement, with groundcovers, low shrubs, accent plants and grasses surrounding it. Two spill edges are planned at the East and South/West sides further accentuating the features reflectivity and scale and reinforcing buildings’ primary entrance. Specific materiality is still being explored. As the design advances, hydrologic engineering will be developed to assure adequate aeration and circulation. This water feature is designed as a shallow reflecting pool with dark interior finish.

**Gutters and Downspouts (In reference to Section B.4.a.5 of Design Guidelines)**

All roof drainage systems are internal and not visible at the exterior facades.

**Covered parking structures (In reference to Section B.4.a.6 of Design Guidelines)**

Parking is housed within a multi-level parking garage, which is adjacent to the building and on a small visitor surface lot. There are no proposed covered parking structures.

**Preferred Roof Styles (In reference to Section B.4.b/c/d of Design Guidelines)**

**Mansard Roofs (In reference to Section B.4.b.1 of Design Guidelines)**

There are no mansard roofs on the project.

**Roof Treatments (In reference to Section B.4.b.2 of Design Guidelines)**

The sloped roof pitches to one side and is integrated with the adjacent northern façade by using similar materials. The slope of the roofs and walls create a bold profile that is showcased as you enter the site.

**Building Program**

The use of some of the interior programs of Phase 2 can be described in the following manner:

- a. Pre-function Space – Area that is open and flexible, capable of supporting social and/or collaborative activities prior to an event taking place in the multi-purpose room or other space in the building.
- b. White Box – Is a real estate term used describe a general base build out condition consisting of floors, walls, and ceiling. It is used on many occasions when the use or

- space configuration is unknown. Since the initial submittal, the use of the space has been identified and it is now being design as a UPS Room. UPS stands “Uninterruptible Power Supply” and are large scale batteries used to retain constant power supply to IT equipment in highly sensitive environments. The room will be used to house these UPSs and associated equipment to maintain them.
- c. MDF Room – MDF stands for “Main Distribution Frame” and it is another way of describing a building’s main IT/communication room. It is the main technology room established in the building. All of the Intermediate Distribution Frame (IDF) rooms have low voltage cabling that runs back to the MDF room.
  - d. IDF Room – IDF stands for “Intermediate Distribution Frame” and it is another way of describing a typical IT/communication room. It is an intermediate room that distributes low voltage cabling throughout a floor area. There are IDF rooms on each floor based on cabling capabilities and standards.
  - e. BOH – stands for “Back of House”. It is an area associated with the Moments Café space that houses various café equipment and products used with the operations of the café.
  - f. Moments Café – Is a company provided café that provides various beverages, snacks, pastries, etc. to employees and visitors at the property.

#### **Parking Garage (In reference to Section B.5 of Design Guidelines)**

- a. The parking garage was employed to minimize impact to the site and provide a comfortable environment for the staff to park.
- b. The façade treatment of lightweight architectural precast vertical fin panels (located at four intervals) is used to break up the massing as well as to provide open area for ventilation. The garage massing is integrated with the main building through the proportion of the lower-level massing as well as through the façade fins that wrap around to the building lobby.
- c. Lighting is oriented toward the interior of the garage. Please see photometric studies on Sheets LP01-LP03 for light fixture locations.
- d. The top level of the garage will have a roof covering the parking spaces and mechanical equipment established on the top level of the garage. The roof will provide protection from the sun and other weather events and will have a white non-reflective low absorbent cover.
- e. The quantity and size of shade trees and palms along the façade of the parking garage exceeds the minimum required by the Design Guidelines.
- f. The garage’s vehicle entrance areas on the east and west ends will be built and configured with the applicable infrastructure and internal vehicle queuing space in lanes to support the deployment of gate arms to manage access into the garage if security issues arise in the future.

### **Project Sub Phase Plan**

A Sub Phase Site Plan has been integrated into the drawings to allow for the fixed fuel system to obtain a certificate of completion and be used by the Applicant while other site areas and the proposed building and connectors remain under construction. Please see sheet G-003 for reference.

### **Waivers**

With this request, the Applicant is requesting two waivers from City's Land Development Regulations. The requested waivers are as follows:

**#1 - Inclusion of the Electric Vehicle (EV) Charging stations within project's total parking requirement**  
Section 78-381, Electric vehicle charging station, of the City Zoning Code does not permit electric vehicle charging stations to be included in satisfying the development project's total parking requirement. The Applicant is requesting a waiver from this prohibition to allow for the establishment of up to 150 EV spaces to be included in the total parking requirement. The Applicant intends to establish 70 EV spaces with the initial construction of the Project and have the remaining 80 spaces for future growth. The Applicant is seeking this waiver as it is anticipated that Applicants' vehicles and some employees with electric vehicles will charge their vehicles while the vehicle is parked at the property for work. At FPL's Juno Beach campus, 122 EV charging spaces have been established for use by Applicant vehicles and employees to charge their vehicles while parked for work. In addition, the total parking requirement in the City Code does not address ride sharing, carpooling, enhanced pedestrian facilities and nearby access to bus stops and the future rail station in the calculation of the total parking requirements. These factors occur within or near the subject site. As a result, there are multiple transportation options which do not rely on parking a car for each employee. In addition, the proposed site plan exceeds the code minimums for open space and landscape points. As such, the Applicant has justified this waiver request.

**#2 - Allowance of a 10-foot-high Fence Adjacent to Interstate 95**  
Section 78-186(b)(7) of the City Zoning Code limits fence heights on lands with a non-residential zoning designation, such as the subject site, to a maximum of 8 feet. The Applicant is requesting a waiver to allow for a 10-foot-high, aluminum, picket fence along the southern and western boundaries of the PGA Office Center site adjacent to the on-ramps to Interstate 95, which includes a large open and flat area between the interstate and the south property line of the site. The additional fence height will provide needed security for the subject site from those who wish to illegally access the site and escape directly to the interstate highway. The proposed fence will be a decorative, aluminum picket fence and will be located on the outer edge of the site's perimeter buffer. The added security will help the PGA Office Center to operate as a safe and secure employment center in the City. As such, the waiver request is justified.

### **Waiver Criteria Compliance**

Consistent with the requirements of Section 78-158 of the City's LDRs, the waiver request shall comply with a majority of the criteria listed within the code. The City's waiver criteria are listed below in **bold** and the responses for each waiver request follow.

**(1) The request is consistent with the city's comprehensive plan.**

#1 - The request is consistent with the City's comprehensive plan, which calls for a variety of transportation options to be provided within the City. The requested inclusion of the EV spaces within the project's total parking requirement will allow employees to charge their electric vehicles during the workday. This will encourage the use of EVs to the subject site. As such, the subject request meets this criterion.

#2 – Policy 1.3.9.12. of the Future Land Use element within the City's Comprehensive Plan encourages development which contribute to a unique sense of place and result in safe, accessible and attractive places. The provision of the 10-foot-high fence along the southern and western site boundaries will help create a safer campus on the subject site. As such, the request meets this criterion.

**(2) The request is consistent with the purpose and intent of this section.**

#1 - The purpose and intent of this Section 78-158 is to promote creative and innovative design through the planned development process. With the waiver request, the Applicant can provide additional charging stations within the proposed parking garage for the employees. The provision of parking garage allows for additional open space within Parcel A of the PGA Office Center PCD. Within Parcel A, 15% open space is required and more than 70.14% open space is provided. As such, the waiver request is consistent with the purpose and intent of Section 78-158.

#2 – The purpose and intent of this Section 78-158 is to promote creative and innovative design through the planned development process. With this waiver request, the Applicant is providing an attractive, aluminum picket fence to provide security along the southern and western site boundaries instead of a chain-link or barbed wire fence, which is permitted within the site's industrial zoning designation. By finding a creative and attractive means to provide the necessary safety measures for the proposed facility, the referenced criterion has been met.

**(3) The request is in support of and furthers the city's goals, objectives, and policies to establish development possessing architectural significance, pedestrian amenities and linkages, employment opportunities, reductions in vehicle trips, and a sense of place.**

#1 - With this request, the Applicant is seeking to include the proposed additional EV charging stations within the parking garage and the total project parking requirement. The parking garage is part of the innovative design of the proposed building, which is planned to withstand hurricane winds and operate during emergency storm events. The building's innovative design also encourages a cooperative working environment for the future employees. It should be noted that the Applicant is proposing enhanced bicycle and pedestrian facilities to serve alternative transportation options. As such, the proposed waiver meets this criterion.

#2 – With the approval of the PGA Office Center master plan, an office campus was created with linkages to surrounding properties, pedestrian amenities, and employment opportunities. With the past approvals, buildings of architectural significance have been created and are proposed

with this application. The requested waiver will allow for the master plan to have the security measures it needs to safely operate. As such, this criterion has been met.

**(4) The request demonstrates that granting of the waiver will result in a development that exceeds one or more of the minimum requirements for PUDs.**

#1 - As stated above, the proposed site plan provides more than four and half (4.5) times the required open space for the site plan parcel. With Parcel A of the PCD, 15% open space is required and 70.14% is proposed. As a result, the overall proposed landscaping points exceed the City standard. Please note that the Applicant is provided EV charging stations, paver sidewalk crossings, and walking trails for the future employees. The proposed site plan exceeds the minimum requirements in several areas.

#2 – As indicated above, the proposed Phase 2 site plan exceeds the minimum requirements for planned developments. For example, the site exceeds the landscaping points requirement, open space standards, and the minimum setbacks. The requested waiver will provide for an attractive security fence along the property’s southern and western perimeter buffers. As indicated above, the proposed site plan exceeds several of the City requirement for land development and, therefore, meet this criterion.

**(5) The request for one or more waivers results from innovative design in which other minimum standards are exceeded.**

#1 - As indicated above, the proposed site plan exceeds the City’s minimum standards for open space and landscaping points. The provision of EV charging stations is another benefit for employees working at the site, which is not required by the City Code. The provision of these EV stations will encourage the use of electric vehicles, which will reduce the potential pollutants created by gasoline-burning vehicles. The proposed innovative design of the proposed building exceeds several City code requirements.

#2 – With this waiver request, the Applicant is addressing a site issue (security concern from interstate highway facilities) through an innovative design decision to incorporate an attractive, aluminum picket fence into the site security system. This innovative design requires a waiver request for the 10-foot-high fence, which will help to safely secure the site without sacrificing the aesthetics of the property. As such, the criterion has been addressed.

**(6) The request demonstrates that granting of the waiver will result in preservation of valuable natural resources, including environmentally sensitive lands, drainage and recharge areas, and coastal areas.**

#1 - The proposed waiver and site plan will not impact the existing 10-acre upland preserve on Parcel C. As such, this criterion has been met.

#2 – The waiver request for the attractive security fence along the south and west boundaries of the site will not impact the existing upland preservation on the site, nor will it impact any drainage or recharge area. This criterion has been addressed.

**(7) The request clearly demonstrates public benefits to be derived, including but not limited to such benefits as no-cost dedication of rights-of-way, extensions of pedestrian linkages outside of the project boundaries, preservation of important natural resources, and use of desirable architectural, building, and site design techniques.**

#1 - The request will provide several public benefits, including the encouragement of the use of EVs to the site. This benefit will result in lower emissions from vehicles using the site, which is a benefit for the community. In addition, the site plan includes enhanced pedestrian facilities which will link to existing and future mass transit options. As stated above, the project has a 10-acre preserve area on Parcel C and an 11-acre Lake and Open Space area on Parcel D that buffer the project from the residential neighborhood to the north of the site. This criterion has been addressed with this request.

#2 – The PGA Office Center site has provided public benefits throughout its history of development. In addition to the public benefits outline above, the Applicant has provided at no cost the improved right-of-way to the City for the reconfiguration of RCA Center Drive and Kyoto Gardens Drive, landscaping in AIA median and west shoulder, a public bus shelter, etc. The requested waiver for the 10-foot-high security fence will not impact any of the public benefits provided on the site. As such, this criterion has been met.

**(8) Sufficient screening and buffering, if required, are provided to screen adjacent uses from adverse impacts caused by a waiver.**

#1 - The requested waiver occurs internal to the parking garage and will not need specific buffering. The parking garage, along with the total site, has been buffered by landscaping at the building foundation, within the site plan and at the PCD perimeters. The proposed waiver will not adversely affect any uses located off site.

#2 – The proposed security fence will be an attractive, aluminum picket fence which will enhance the aesthetics of the site and not detract. The proposed fence will be along the on-ramps of Interstate 95 and will not adversely affect adjacent properties.

**(9) The request is not based solely or predominantly on economic reasons.**

#1 - The requested waiver allows for the inclusion of EV charging stations within the proposed parking garage. These stations are being provided at the expense of the Applicant. As such, the EV charging stations are not provided for solely or predominately economic reasons.

#2 – The Applicant has identified a safety concern for the subject site and is addressing it through the provision of an attractive, aluminum picket fence. The design and height of the fence cost more than a standard security fence, which is permitted by the code. As such, this waiver request is not based on economic reasons.

**(10) The request will be compatible with existing and potential land uses adjacent to the development site.**

#1 - The waiver request is consistent with the development of a modern, innovative office building. The subject EV charging stations will be located within the parking garage and will not affect any adjacent land uses.

#2 – As indicated above, the proposed security fence will be located along the site’s southern and western buffers adjacent to the Interstate 95 on-ramps. This location adjacent to the busy transportation corridor will not adversely affect the property adjacent to the site.

**(11) The request demonstrates the development will be in harmony with the general purpose and intent of this section, and that such waiver or waivers will not be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare.**

#1 - The waiver request will allow for the provision of EV charging stations within the proposed parking garage for the benefits of the future employees. This encouragement of additional transportation options is in harmony with the development of a modern, innovative office building but also provides benefits to the public health, safety and welfare.

#2 – The waiver request for the attractive, aluminum picket, 10-foot-high security fence is consistent with the quality of the approved and proposed development. The proposed fence will help ensure the health, safety and welfare for those in the approved, modern office complex.