



## 2016 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

**Palm Beach County Planning Division**  
2300 North Jog Road, WPB, FL 33411, (561) 233-5300

### I. Amendment Data

<b>Round</b>	18-B	<b>Intake Date</b>	August 4, 2017
<b>Application Name</b>	<b>Bayan Cove</b>	<b>Concurrent?</b>	<b>Yes</b>
<b>Acres</b>	6.68 acres	<b>Text Amend?</b>	No
<b>Location</b>	The subject site is located on the east side of Barwick Road, 0.55 miles north of Lake Ida Road.		
	<b>Current</b>	<b>Proposed</b>	
<b>Tier</b>	Urban/Suburban	Urban/Suburban	
<b>Use</b>	Single Family	Multi-Family	
<b>Zoning</b>	Agricultural Residential (AR), Residential High (RH)	Residential Medium (RM)	
<b>FLU</b>	Medium Residential – 5 Dwelling Units per acre (MR-5)	High Residential – 8 Dwelling Units per acre (HR-8)	
<b>Underlying FLU</b>	None	None	
<b>Conditions</b>	None	None	

### II. Site Data

<b>Built Features</b>	The built features existing on the subject site include 2 1-story single-family homes on parcel control number 00-42-46-12-00-000-1060 built in 1959 and 1970, per the Palm Beach County Property Appraiser records. Parcel control numbers 00-42-46-12-00-000-1020/1050 are vacant. A Built Features and Inventory Map is provided as Attachment F.
<b>PCN</b>	<u>Parcel Control Numbers</u> 00-42-46-12-00-000-1020 00-42-46-12-00-000-1050 00-42-46-12-00-000-1060  Legal Description is provided as Attachment A.  Survey (dated within 18 months of the intake date) is provided as Attachment P.
<b>Street Address</b>	13132 Barwick Road and 13038 Barwick Road
<b>Frontage</b>	Approximately 982.40' feet of frontage along Barwick Road and 297.46' feet in depth.

<b>Legal Access</b>	The site has legal access from Barwick Road.
<b>Contiguous under same ownership</b>	The subject parcels are under contiguous ownership. The Applicant does not own any additional contiguous land.  PCN: 00-42-46-12-00-000-1020    Size: 2.69 acres PCN: 00-42-46-12-00-000-1050    Size: 0.8505 acres PCN: 00-42-46-12-00-000-1060    Size: 3.1347 acres
<b>Acquisition details</b>	Andrew V. Podray purchased PCN 00-42-46-12-00-000-1020 and -1050 properties on July 12, 2012 from Pathways to Recovery, Inc. A copy of the Warranty Deed (ORB 25364 Page 1371) is provided as Attachment A.  Andrew V. Podray purchased PCN 00-42-46-12-00-000-1060 on November 15, 2011 from Robert B. Reed, individually and as personal representative of the Estate of Joanna Ploski. A copy of the Warranty Deed (ORB 24860 Page 0872) is provided as Attachment A.
<b>Size purchased</b>	The subject site totals 6.68 acres. A copy of the Warranty Deeds (ORB 25364 Page 1371 and ORB 24860 Page 0872) are provided as Attachment A.

### III. Development History

<b>Previous FLUA Amendments</b>	No previous history on the subject parcels.
<b>Zoning Approvals, Control Number</b>	No previous history on the subject parcels. Control Number 2014-0078
<b>Concurrency</b>	The required concurrency will be applied for during the Final Site Plan approval process.
<b>Plat, Subdivision</b>	The subject parcel is not currently platted.

### IV. Development Potential Data and Analysis

	Current	Proposed
<b>Max Trip Generator</b>	Multi-Family Residential ITE #220 6.65 tpd / Dwelling Unit	Multi-Family Residential ITE #220 6.65 tpd / Dwelling Unit
<b>Maximum DU <sup>1</sup></b>	5 du/acre x 6.68 ac. = 33 du's	8 du/acre x 6.68 ac. = 53 du's
<b>Population Estimate</b>	33 max du x 2.39 = 78 people	53 max du x 2.39 = 126 people
<b>Maximum Beds</b>	33 max du x 2.39 = 78 beds	53 max du x 2.39 = 126 beds
<b>Maximum SF <sup>2,4</sup></b>		
<b>Max Trip Generation</b>	219 trips per day	352 trips per day
<b>Conditioned DU <sup>3,4</sup></b>		
<b>Conditioned Beds <sup>3,4</sup></b>		

<b>Conditioned SF</b> <sup>3,4</sup>		
<b>Conditioned Trip G.</b> <sup>3,4</sup>		
<b>Trip Increase Max.</b>	133 trips per day	
<b>Trip Inc. Conditioned or Concurrent</b>		

**Notes**

1. Maximum units per acre see Future Land Use Element Table III.C.1;
2. Maximum FAR see FLUE Table III.C.2 for FAR. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.
3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;
4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (eg. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.

**V. Agent Information**

<b>Name</b>	Bradley D. Miller, AICP
<b>Company Name</b>	Miller Land Planning, Inc.
<b>Address</b>	508 E. Boynton Beach Blvd.
<b>City, State, Zip</b>	Boynton Beach, FL 33435
<b>Phone / Fax Number</b>	561/736-8838
<b>Email Address</b>	<a href="mailto:ailish@mlpc.net">ailish@mlpc.net</a>

**VI. Applicant Information**

	<b>Applicant A</b>	<b>Applicant B</b>
<b>Name</b>	Andrew V. Podray	
<b>Company Name</b>	None	
<b>Address</b>	800 North Road	
<b>City, State, Zip</b>	Boynton Beach, FL 33435	
<b>Phone / Fax Number</b>	561/523-5140	
<b>Email Address</b>	<a href="mailto:Pod4270@aol.com">Pod4270@aol.com</a>	
<b>Type (Owner, Contract Purchaser)</b>	Owner	

## VII. Consistency & Compatibility

<b>Justification</b>	Provided as Attachment G.		
<b>Residential Density Increases</b>	Provided as Attachment G.		
<b>Comprehensive Plan</b>	Provided as Attachment G.		
<b>Florida Statutes</b>	Provided as Attachment G.		
<b>Compatibility</b>	Provided as Attachment G.		
<b>Adjacent Lands</b>	<b>Uses</b>	<b>FLU</b>	<b>Zoning</b>
<b>North</b>	<u>LWDD L-30 Canal</u>	MR-5	AR
<b>South</b>	<u>Single-Family Residential Golf Club Estates</u> Density: 5 du/ac	MR-5	AR
<b>East</b>	<u>Elementary School</u> Banyan Creek Elementary (City of Delray Beach)	INST (City of Delray Beach)	CF (City of Delray Beach)
<b>West</b>	<u>Single-Family Residential Golf Club Estates</u> Density: 5 du/ac  <u>Multi-Family Residential</u> Bexley Park (City of Delray Beach) Zero Lot Line & Townhomes Density: 5 du/ac	MR-5  LD (City of Delray Beach)	AR  PRD (City of Delray Beach)

## VIII. Public Facilities Information

<b>A. Traffic Information</b>			
<p>In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the FLUE of the Comprehensive Plan. The letter must state if the traffic generation for the amendment meets FLUE 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030 or visit <a href="http://www.pbcgov.com/pzb/planning/FLU.htm">http://www.pbcgov.com/pzb/planning/FLU.htm</a></p>			
	<b>Current FLU</b>	<b>Maximum</b>	<b>Conditioned or Concurrent</b>
<b>Max Trip Generation</b>	219 trips per day	352 trips per day	NA
<b>Trip Increase Max.</b>	133 trips per day		
<b>Trip Inc. Conditioned or Concurrent</b>	None		
<b>Significantly impacted roadway segments that fail Long Range</b>	None	None	NA
<b>Significantly impacted roadway segments for Test 2</b>	None	None	NA
<b>Traffic Consultant</b>	Simmons & White – Bryan Kelley, P.E.		
<b>B. Mass Transit Information</b>			
<b>Nearest Palm Tran Route (s)</b>	Route 3 – BCR via Military Trail Distance: 0.55 miles		
<b>Nearest Palm Tran Stop</b>	Stop #1164 – Military Trail @ Modern Dr. Distance: 0.516 miles		
<b>Nearest Tri Rail Connection</b>	Delray Beach Station Accessible by Palm Tran Route 80 Northbound and then Route 81 Eastbound Distance: 3.5 miles		

### C. Portable Water & Wastewater Information

The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as Attachment I. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.

<b>Potable Water &amp; Wastewater Providers</b>	Water & Waste Water will be provided by Delray Beach Utilities. LOS comment letter is provided as Attachment I.
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<b>Nearest Water &amp; Wastewater Facility, type/size</b>	Potable water main and gravity sewer main along Barwick Road, north of Atlantic Avenue.
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### D. Drainage Information

The drainage provider will be Lake Worth Drainage District with legal positive outfall to the L-30 canal along the north property line. Please refer to the Statement of Legal Positive Outfall prepared by Simmons & White provided as Attachment J.

### E. Fire Rescue

<b>Nearest Station</b>	Station #114 located at 4321 Lake Ida Road
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<b>Distance to Site</b>	Approximately 1.0 miles from the station
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<b>Response Time</b>	Estimated response time to the subject property is 4 minutes 30 seconds
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<b>Effect on Resp. Time</b>	Changing the land use will have minimal impact on Fire Rescue. A Fire Rescue letter is provided as Attachment K.
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### F. Environmental

<b>Significant habitats or species</b>	There are no known occurrences of significant species inhabiting the subject site however this is existing vegetation on the site that will be cleared as necessary. A natural inventory map is provided as Attachment L.
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<b>Flood Zone*</b>	This site is located within Flood Zone X500.
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<b>Wellfield Zone*</b>	The site is not located within a Wellfield Zone. A Wellfield Map is provided as Attachment M.
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*\* If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.*

### G. Historic Resources

There are no historic or architecturally significant resources on or within 500 feet of the subject site. Historic Resource Letter is provided as Attachment N.

## H. Parks and Recreation - Residential Only

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	W. Delray Regional Park 10875 W Atlantic Ave	0.00339	+48 people	+0.16
Beach	Gulfstream Park 4489 N Ocean Blvd	0.00035	+48 people	+0.01
District	Canyon District Park 8802 Boynton Beach Blvd.	0.00138	+48 people	+0.06

## I. Libraries - Residential Only

Library Name	Hagen Rach Road Branch		
Address	14350 Hagen Ranch Road		
City, State, Zip	Delray Beach, FL 33446		
Distance	4.4 miles		
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	+48 people	396 holdings
Periodicals	5 subscriptions per 1,000 persons	+48 people	0.24 subscription
Info Technology	\$1.00 per person	+48 people	\$48
Professional staff	1 FTE per 7,500 persons	+48 people	0.0064 FTE
All other staff	3.35 FTE per professional librarian	+48 people	0.02 FTE
Library facilities	0.34 sf per person	+48 people	16.32 sf

## J. Public Schools - Residential Only

Public School Determination Letter has been requested from The School Board of Palm Beach County and still pending receipt. To be provided as Attachment O.

	Elementary	Middle	High
Name	Banyan Creek	Carver Middle	Atlantic Community
Address	4243 Sabal Lake Road	101 Barwick Road	2455 W. Atlantic Ave.
City, State, Zip	Delray Beach, FL 33445	Delray Beach, FL 33445	Delray Beach, FL 33445
Distance	0.5 miles	1.6 miles	3.0 miles

## IX. Attachments

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- A. **PCN's, Legal Description and Warranty Deed** (include Legal in Word)
- B. **Agent Consent Form**  
*www.pbcgov.com/pzb/planning/FLU\_docs/Affidavits.pdf*
- C. **Applicant's Ownership Affidavit**  
*www.pbcgov.com/pzb/planning/FLU\_docs/Affidavits.pdf*
- D. **Applicant's Notice Affidavit and Property Appraiser Information List**  
*www.pbcgov.com/pzb/planning/FLU\_docs/Affidavits.pdf*
- E. **Disclosure of Ownership Interests**  
**Applicant** - *www.pbcgov.com/pzb/Zoning/newapps/Form-08.pdf*  
**Owner** - *www.pbcgov.com/pzb/Zoning/newapps/Form-09.pdf*
- F. **Built Feature Inventory & Map**
- G. **Consistency with the Comprehensive Plan and Florida Statutes**
- H. **Traffic Approval Letter & Traffic Study**
- I. **Water & Wastewater Provider LOS Letters**
- J. **Drainage Statement**
- K. **Fire Rescue Letter**
- L. **Natural Feature Inventory & Map**
- M. **Wellfield Zone**
- N. **Historic Resource Evaluation Letter**
- O. **Palm Beach County School District LOS Letter**
- P. **Survey**
- Q. **Text Amendment Application (not applicable)**

Forms for Attachments B, C, D, and E are located on the web at:

<http://www.pbcgov.com/pzb/planning/FLU.htm>

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