



**FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT  
SMALL SCALE AMENDMENT**

**BCC ADOPTION PUBLIC HEARING, MAY 23, 2019**

**A. Application Summary**

**I. General**

<b>Project Name:</b>	<b>ETC Office Warehouse (SCA 2019-002)</b>
<b>Request:</b>	<b>IND to UI</b>
<b>Acres:</b>	0.68 acres
<b>Location:</b>	North side of Ohio Street, approx. 250 feet east of Congress Avenue
<b>Project Manager:</b>	Jorge Perez, Senior Planner
<b>Applicant:</b>	Deliceto, LLC
<b>Owner:</b>	366 South Congress LLC
<b>Agent:</b>	Charles Millar, Kimley-Horn & Associates, Inc.
<b>Staff Recommendation:</b>	Staff recommends <b>approval</b> based upon the following findings and conclusions found in this report.

**II. Assessment & Conclusion**

The amendment proposes to change the future land use designation on an 0.68 acre vacant site located in the Urban Redevelopment Area (URA) from Industrial (IND) to Urban Infill (UI). The applicant is seeking the UI designation in order to develop the subject site and the adjacent 0.63 acre site under the same ownership with a self-storage facility. The County adopted the UI future land use designation on properties fronting Congress Avenue, in 2008, in order to foster a more urban form promoting pedestrian activity and transit use in this area of the County. The self-storage use is allowed in both designations, the UI designation allows a greater square footage essentially in exchange for an enhanced urban design. The current IND allows up to 0.85 FAR, for a maximum of 25,177 s.f., whereas the UI designation has no maximum and the square footage is set by design. The zoning application proposes approx. 28,200 s.f. (.95) on the parcel in a 4 story building, and 97,032 s.f. overall with the combined parcels.

The proposed amendment from IND to UI represents an opportunity to foster infill development in an urban form that is consistent with the sub-objective and policies for the URA. The uses allowed in the IND designation are more intense than the proposed self-storage, and the self-storage use is considered a low-impact, low-trip generating use. The urban form techniques utilized within the associated site plan, including architectural features, pedestrian zone, and stepping down of intensity, have ensured compatibility with the adjacent residences. The amendment will change an industrially designated parcel to UI, but this change will not result in the loss of significant industrial potential. The amendment is compatible with surrounding land uses, furthers the infill policies of the URA, and is consistent with the Comprehensive Plan.

**III. Hearing History**

**Local Planning Agency:** **Approval**, motion by Barbara Roth, seconded by Angella Vann, passed in a 11 to 0 vote at the March 8, 2019 public hearing. There was minimal discussion and no public comment.

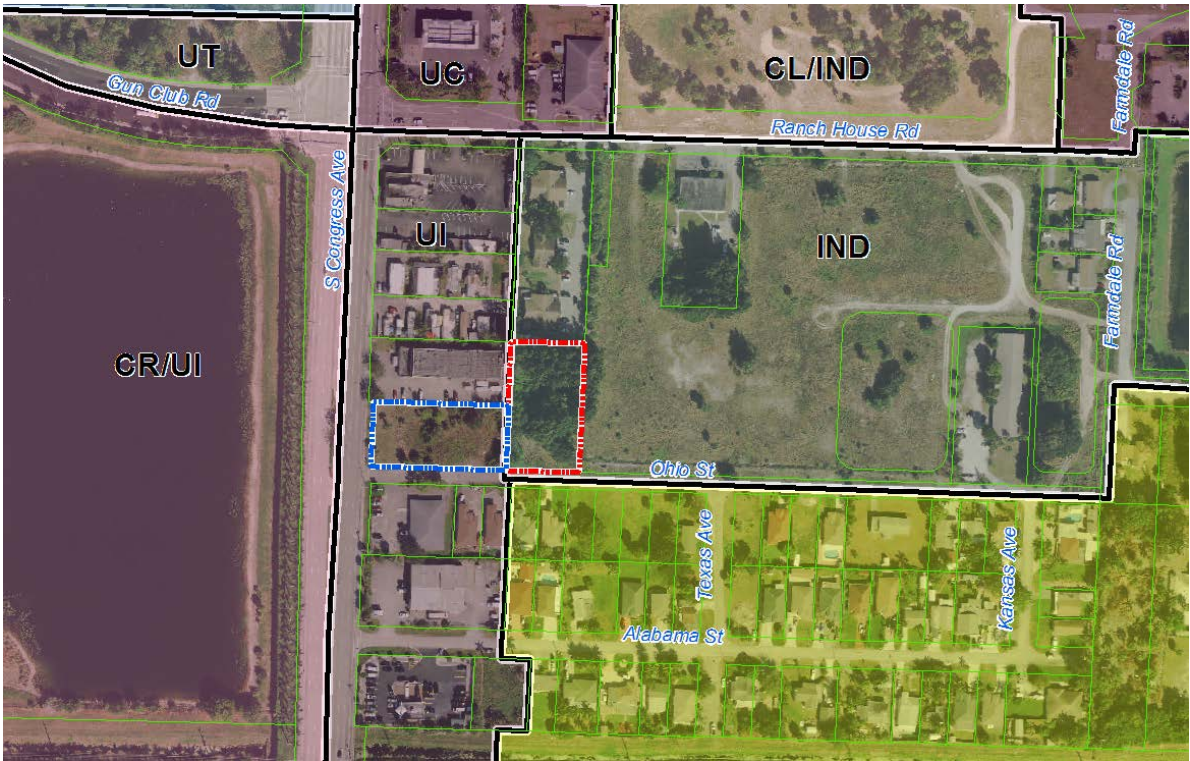
**Board of County Commissioners Adoption Public Hearing:** *Scheduled for April 25, 2019*

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B. Petition Summary

I. Site Data

Current Future Land Use	
Current FLU:	Industrial (IND)
Existing Land Use:	Vacant
Current Zoning:	Light Industrial (IL)
Current Dev. Potential Max:	Industrial or Storage, up to 25,177 s.f. (.85 FAR)
Proposed Future Land Use Change	
Proposed FLU:	Urban Infill (UI)
Proposed Use:	Self-storage facility
Proposed Zoning:	Urban Infill (UI)
Dev. Potential Max/Conditioned:	Commercial, Residential, or Storage uses per URA policies
General Area Information for Site	
Tier/Tier Change:	Urban/Suburban Tier – No Change
Utility Service:	Palm Beach County Water Utilities Department
Overlay/Study:	Urban Redevelopment Area, Revitalization and Redevelopment Overlay, Ranch House/Homewood Countywide Community Revitalization Area
Comm. District:	Commissioner Gregg K. Weiss, District 2





Southern Blvd

Australian Ave

Glen Rd

GLEN RIDGE

UT

Grace Dr

UC

LR-2

Gun Club Rd

INST

UT

UC

CL/IND

Ranch House Rd

CL/IND

IND

Ohio St

Site  
IND to UI

ETC Office Warehouse  
SVABN/ZW-2018-01211  
In Process

CR/UT

CH/5

MR-5

Kentucky St

Oklahoma St

Florida St

Summit Blvd

INST

UC

Palm Beach County

Size:	0.68 acres
Existing Use:	Vacant
Proposed Use:	Self-Storage
Current FLU:	Industrial (IND)
Proposed FLU:	Urban Infill (UI)

LR-2	Low Residential, 2 units/acre	UI	Urban Infill
MR-5	Medium Residential, 5 units/acre	UC	Urban Center
CL/IND	Commercial Low, underlying IND	IND	Industrial
CH/5	Commercial High, underlying MR-5	INST	Institutional
CR/UT	Commercial Recreation, underlying Utilities and Transportation	UT	Utilities and Transportation

Site  
Zoning Application



Planning, Zoning & Building  
2300 N. Jog Rd, WPB, FL 33411  
Phone (561) 233-5300





## C. Introduction & Review

### I. Intent of the Amendment

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The amendment proposes to change the future land use designation on a 0.68 acre site from Industrial (IND) to Urban Infill (UI) in order to develop the site together with the 0.63 acre UI property to the west of the site under the same ownership. The subject site is shown with the red outline on the prior page, and the concurrent zoning application also includes the 0.63 acre parcel in the blue outline. The site is located in the Urban Redevelopment Area (URA) of the County, just east of Congress Avenue, south of Southern Boulevard, on the north side of Ohio Street. Both parcels are currently vacant.

The development potential for the subject site under the IND future land use designation is up to 25,177 s.f. of industrial uses (.85 floor area ratio). The site with the parcels to the west are currently approved by Control Number 1984-020 for Office Warehouse uses in 2 stories for 26,700 s.f. overall.

By Zoning Application SV/ABN/Z/W-2018-01211, again with both parcels, the applicant is proposing to develop a 4 story, limited access self-storage facility with an overall 97,032 s.f. Although development in the proposed UI future land use designation is governed by form, rather than a maximum square footage, the building proposed for the subject site is approximately 28,200 s.f. (.95 floor area ratio). Self-storage is a use allowed in both IND and UI.

**Parcel Background.** At the time that the IND designation was assigned in 1989, the lots to the north of Ohio Street were generally 0.50 to 1 acre in size, with many fronting Ohio Street. Over the years, all of the industrially designated lots on the north side of Ohio Street, with the exception of the subject site, have been assembled into a single Multiple Use Planned Development called CHS Properties MUPD. The MUPD pod located immediately to the east of the subject site is approved for 134,165 square feet of office warehouse with access located onto Ranch House Road to the north. Currently the subject site is the only Industrially designated parcel fronting Ohio Street.

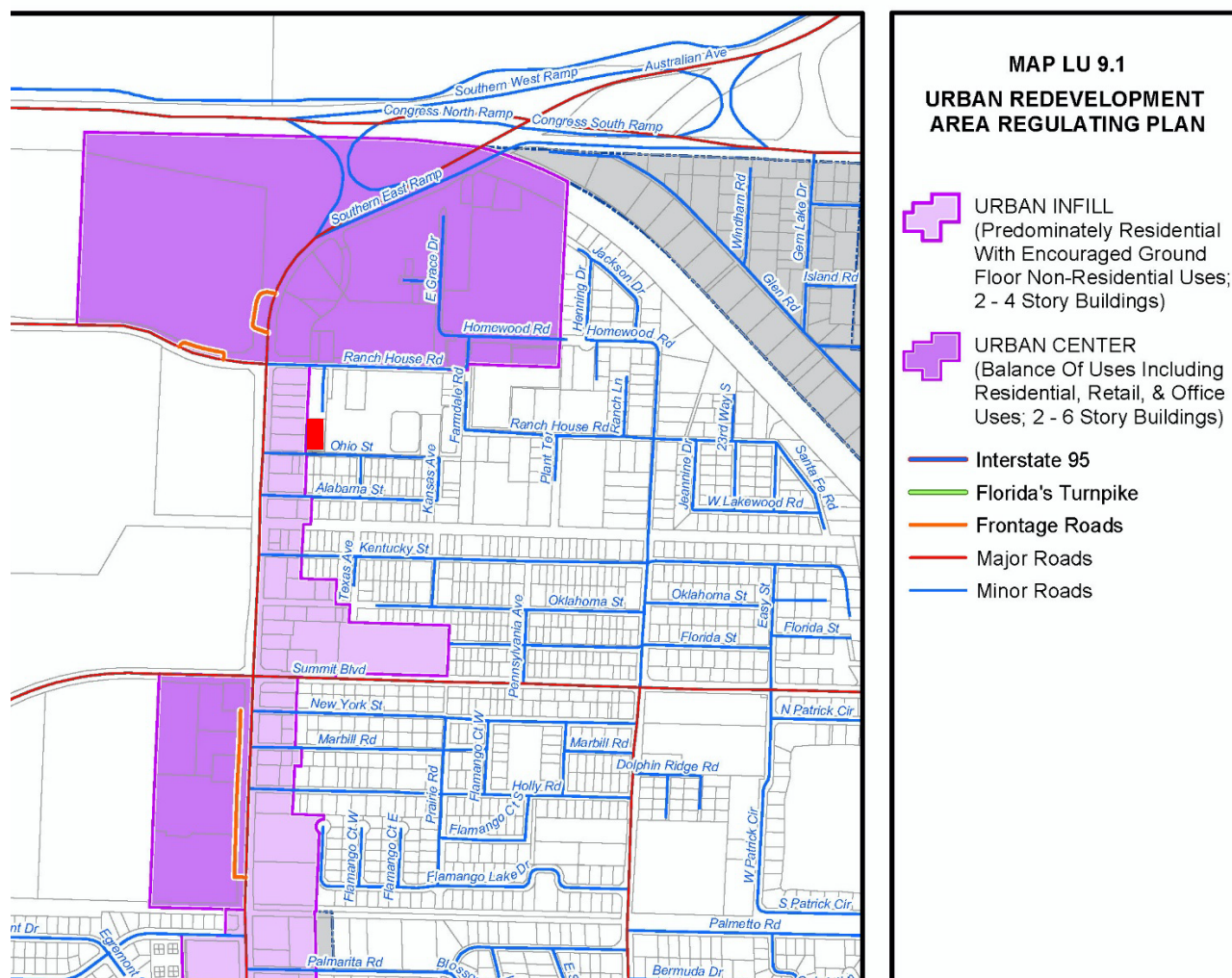
#### Atlas Sheet 65 1989 Future Land Use Map



**Urban Redevelopment Area Background.** The proposed Urban Infill future land use designation is one implementing mechanism of the County's Urban Redevelopment Area (URA). The URA Overlay in the Comprehensive Plan was adopted to implement the URA Master Plan prepared by the County and the Treasure Coast Regional Planning Council in 2004. The Master Plan, and implementing policies, adopted in 2007, named the Military Trail, Lake Worth Road, and Congress Avenue corridors as Priority Redevelopment Areas (PRAs). A **map on page E-9** identifies the boundaries of the URA, and the boundaries of the Congress Avenue are shown below, with the subject site highlighted in red.

Subsequent amendments to the Future Land Use Atlas changed the future land use designations from predominately Commercial High with an underlying 8 units per acre (CH/8) to either Urban Center (UC) at major intersections or Urban Infill (UI) along the corridors. The intent of the new land use designations was to provide an urban form based land use and zoning that would promote higher densities and square footage in a manner to promote pedestrian activity and transit use. The County did not assign the UI designation to the subject site as it was not identified at the time that the parcel was in single ownership with the property to the west.





## II. Data and Analysis Summary

This section of the report summarizes the consistency of the amendment with the County's Comprehensive Plan. The chapters in Exhibit 2 detail the consistency of the amendment with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans. The substantive factors from Exhibit 2 are summarized below.

**Appropriateness of the Amendment.** The amendment proposes to change the future land use designation on an 0.68 acre vacant site located in the Urban Redevelopment Area (URA) from Industrial (IND) to Urban Infill (UI). The applicant is seeking the UI designation in order to develop the subject site and the adjacent 0.63 acre site under the same ownership with a self-storage facility. The County adopted the UI future land use designation on properties fronting Congress Avenue, in 2008, in order to foster a more urban form promoting pedestrian activity and transit use in this area of the County.

**Compatibility.** The self-storage use is allowed in both the current IND and the proposed UI designation. The UI designation allows a greater square footage essentially in exchange for an enhanced urban design. The current IND allows up to 0.85 FAR, for a maximum of 25,177 s.f., whereas the UI designation has no maximum and the square footage is set by design. The zoning application proposes approx. 28,200 s.f. (.95) on the parcel in a 4 story building, and 97,032 s.f. overall with the combined parcels. The urban form techniques utilized within the associated site plan, including architectural features, pedestrian zone, and stepping down of intensity, have ensured compatibility with the adjacent residences.

**Assessment and Recommendation.** The proposed amendment from IND to UI represents an opportunity to foster infill development in an urban form that is consistent with the sub-objective and policies for the URA. The uses allowed in the IND designation are more intense than the proposed self-storage, and the self-storage use is a considered a low-impact, low-trip generating use. The amendment will change an industrially designated parcel to UI, but this change will not result in the loss of significant industrial potential. The amendment is compatible with surrounding land uses, furthers the infill policies of the URA, and is consistent with the Comprehensive Plan.

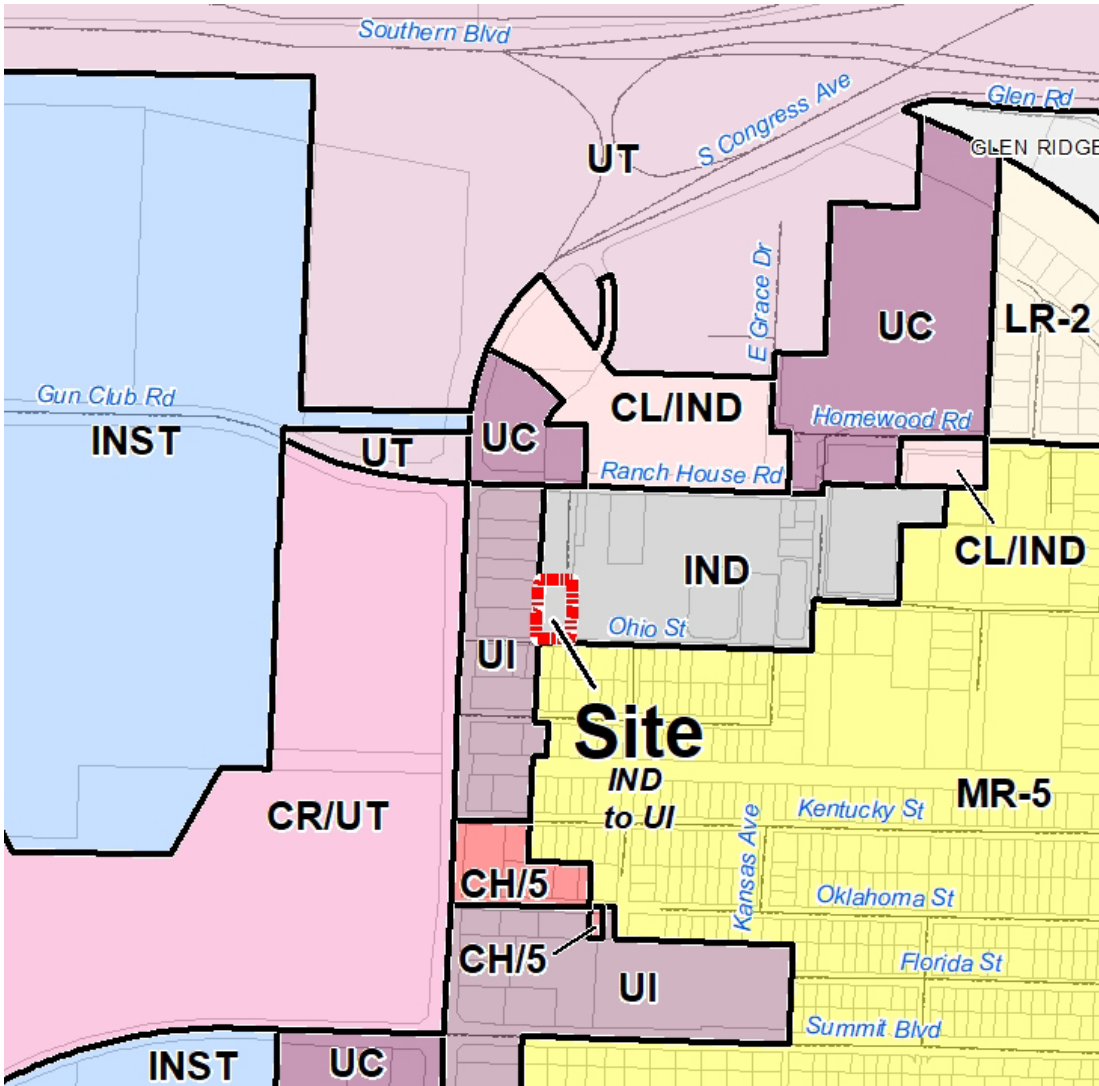
Therefore, staff recommends **approval** of the amendment.

<b>Exhibits</b>	<b>Page</b>
1. Future Land Use Map & Legal Description	E-1
2. Consistency with Comprehensive Plan	E-3
3. Applicant's Justification/Consistency with Comprehensive Plan	E-14
4. Applicant's Public Facility Impacts Table	E-23
5. Palm Beach County Traffic Division Letter	E-25
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Exhibit 1

Amendment No:	ETC Office Warehouse (SCA 2019-002)
FLUA Page No:	65
Amendment:	From Industrial (IND) to Urban Infill (UI)
Location:	North side of Ohio Street, approx. 250 feet east of Congress Avenue
Size:	0.68 acres
Property No:	00-43-44-05-06-006-0011
Conditions: None	



Legal Description

THE SOUTH 228.54 FEET OF LOT 6, PLAT OF MORRISON SUBURBAN DEVELOPMENT, ACCORDING TO THE MAP OR PLAT RECORDED IN PLAT BOOK 20, PAGE 40, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOTAL ACRE IS 0.6819.

## Exhibit 2

### Consistency with Comprehensive Plan

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This Exhibit examines the consistency of the amendment with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

#### A. Consistency with the Comprehensive Plan - General

1. **Justification: FLUE Policy 2.1-f:** *Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:*

1. *The natural environment, including topography, soils and other natural resources; (see Public Facilities Section)*
2. *The availability of facilities and services; (see Public Facilities Section)*
3. *The adjacent and surrounding development; (see Compatibility Section)*
4. *The future land use balance;*
5. *The prevention of urban sprawl as defined by 163.3164(51), F.S.;*
6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section)*
7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (see Public and Municipal Review Section)*

The applicant has prepared a Justification Statement (Exhibit 3). The amendment is based upon the changes in surrounding future land use designations which have occurred since the Industrial future land use designation was assigned in 1989, with specific points provided below.

- *“Since the adoption of the 1989 Palm Beach County Comprehensive Land Use Plan (“Plan”), significant changes have developed over the last 30 years which necessitate and justify the requested FLUA (See 1989 map). The most overriding factor has been the adoption of the Urban Redevelopment Area (“URA”). The intent and purpose of the URA is to designate unincorporated parcels within the central portion of Palm Beach County as targeted areas for “urban redevelopment” and “urban infill”.”*
- *“The FLUA request will provide the mechanism to offer a real and tangible redevelopment and infill project to be created in an area specifically designed and designated to address the general characteristics which the URA is seeking to eliminate.”*
- *“The subject parcel is too small and too isolated to be developed as a standalone project. It’s an orphaned property. Unless the site is purchased and combined with other parcels, it will continue to erode and deteriorate.”*

**Staff Analysis:** This policy is the umbrella policy over the entire amendment analysis and many of the items are addressed elsewhere in this report as identified above.

This amendment proposes to change the future land use designation on a 0.68 site from Industrial (IND) to Urban Infill (UI) in order to develop the site together with the 0.63 acre UI property to the west of the site under same ownership. The subject site is already part of a joint approval with the parcel to the west, for a 2 story office warehouse use. Through changing the future land use designation to UI, the amendment proposes to utilize the provisions of the URA to develop a 4 story, limited access self-storage facility.

Just over ten years ago, the County pursued the Urban Redevelopment Area (URA) Master Plan, and subsequent implementing amendments to the Comprehensive Plan, in order to promote infill and urban development in the County's urban core. The properties fronting portions of Military Trail, Congress Avenue, and Lake Worth Road within the URA were identified as “Priority Redevelopment Areas” (PRAs) and subject to County Initiated amendments to change the land use designations from largely Commercial High and High Residential 8 units per acre to either Urban Center (at intersections) and Urban Infill (along corridors). The purpose of the URA is to focus the County's redevelopment and infill efforts by promoting economic growth, improving the present conditions of infrastructure,



investment and reinvestment in the area, and discouraging urban sprawl by directing development where resources exist.

The applicant is correct in that the adoption of the URA, and the assignment of UI along this portion of Congress Avenue, have resulted in changes to this area reflecting a new vision of development not anticipated by the 1989 Comprehensive Plan. Further, due to the configuration of the site, development consistent with the 0.63 acre parcel with UI future land use is appropriate. The proposed self-storage use is allowed in both the proposed UI and the current IND future land use designations. However, the Urban Infill classification allows for more square footage of a use that is already allowed, as well as the ability to achieve multi-story development, with a more flexible design process. The specific proposal represents an investment in an area that the County has targeted for infill and redevelopment. Lastly, while self-storage uses themselves do not generate many trips or pedestrian visitors, the site is designed to address the street and the pedestrian realm. In addition, applying a single land use designation on both properties under single ownership allows for a more cohesive project rather than two future land use designations. Therefore, there is adequate justification for the proposed land use amendment.

2. **County Directions – FLUE Policy 2.1-g:** *The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.*

**Staff Analysis:** Several County Directions are relevant to the proposed amendment:

**Direction 2. Growth Management.** *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.*

**Direction 3. Infill, Redevelopment and Revitalization.** *Address the needs of developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.*

**Direction 4. Land Use Compatibility.** *Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.*

**Direction 5. Neighborhood Integrity.** *Respect the integrity of neighborhoods, including their geographic boundaries and social fabric.*

**Staff Analysis:** The proposed amendment would change the existing Industrial (IND) future land use designation to Urban Infill (UI) in order for the subject site to utilize the urban form provisions in the UI designation. The proposed self-storage use is allowed by the current designation; development under the UI regulations allows for increased square footage. The proposed amendment would further Direction 3. Infill, Redevelopment, and Revitalization by fostering the development of two vacant infill parcels. The proposed project will be consistent with the urban form of development as proposed by the URA Master Plan and implementing amendments. The Urban Infill designation and compatible zoning are the most suitable to establish this use, and will ensure that the development of this parcel is compatible with the envisioned corridor. The resulting project will also be consistent with the urban form of development as projected by the URA Master Plan and its subsequent addendum. The Urban Infill transect is formed by urban, mixed-use areas at the edges of existing neighborhoods and proximate to corridors. The UI future land use designation is intended to allow residential, office, civic, employment generating, and commercial uses. The proposed site plan provides several of the characteristics pertaining to the transect, such as: a pedestrian-friendly street network, buildings located along the sidewalk, and higher buildings in the front of the site.

3. **Piecemeal Development - Policy 2.1-h:** *The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual*

parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.

**Staff Analysis:** The definition of piecemeal development in the Comprehensive Plan describes “A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole.” The proposed amendment is proposed to be developed with an additional property to the west that is under the same ownership. Therefore the proposed amendment would not constitute piecemeal development.

4. **Residual Parcel – FLUE Policy 2.1-i:** *As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for inter-connectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.*

**Staff Analysis:** The Comprehensive Plan's Introduction and Administration Element defines residual parcel as “a property under the same or related ownership that has been left out of a development area, resulting in a parcel which has limited development options and connections to surrounding properties.” The subject site is limited in size (0.68 acres) and, with its reduced street frontage, is unlikely to develop as a free-standing industrial site. The site could, however, be aggregated to the over 11 acres of Industrial lands to the east, or to the URA corridor to the west. This application proposes the latter. Rather than creating a residual parcel, this proposed amendment would eliminate a stand-alone parcel, and would allow it to develop more appropriately together with the parcel to the west. The land development process would ensure that the proposed structures and site design adequately address nearby land uses.

## **B. Consistency with Urban/Suburban Tier Requirements for the Specific FLU**

Future Land Use Element Objective 1.1, Managed Growth Tier System, states that “Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers.....”

1. **Policy 1.2-a:** *Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:*
  1. *Allowing services and facilities consistent with the needs of urban and suburban development;*
  2. *Providing for affordable housing and employment opportunities;*
  3. *Providing for open space and recreational opportunities;*
  4. *Protecting historic, and cultural resources;*
  5. *Preserving and enhancing natural resources and environmental systems; and,*
  6. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.*

**Staff Analysis:** The proposed amendment is requesting to change the future land use designation from Industrial to Urban Infill in order to develop with the property under the same ownership with UI, and to allow a greater square footage in return for meeting the urban design requirements of the UI designation. The self-storage use is allowed in both designations, and is a low impact use compared to some of the more intense uses allowed in IND. Although the allowable square footage is higher with the amendment, the concurrent zoning review of the request has resulted in a design that demonstrates a scale, mass, intensity, and character that is consistent with the redevelopment pattern envisioned by the URA for the Congress Avenue corridor.

2. **Urban Redevelopment Area, Policy 1.2.2-a:** *The Urban Redevelopment Area is depicted on the Special Planning Areas Map LU 3.1 in the map series. Within the URA are designated Priority Redevelopment Areas (PRAs), depicted in the map series (LU 9.1 and LU 9.2 Urban Redevelopment Area Regulating Plan). The intent of redevelopment within the PRAs of the URA is to:*

- *Preserve and respect existing intact neighborhoods;*



- *Maintain and improve the character and the quality of life for those within and adjacent to redeveloped neighborhoods;*
- *Create a predictable regulatory framework for building form and the resulting physical environment;*
- *Reduce automobile trips, promote transit and/or alternative modes of transportation;*
- *Balance housing, with employment, commercial, and civic uses;*
- *Provide a variety of housing types to support residents of diverse ages, incomes, family sizes, ethnicities, and lifestyles;*
- *Create predictability and efficiency in planning and provision of infrastructure*

**Staff Analysis:** The purpose of the URA is to focus the County's redevelopment and infill efforts by promoting economic growth, improving the present conditions of infrastructure, investment and reinvestment in the area, and discouraging urban sprawl by directing development where resources are available. The proposed amendment will foster the infill development of two small vacant parcels by essentially expanding the existing Urban Infill land use designation fronting Congress Avenue. The amendment will foster the development of these parcels with an urban form that is making a more efficient use of land in a manner that is compatible with the adjacent community. The proposed amendment is consistent with this policy and the purpose of the URA.

3. **Policy 1.2.2-b:** *Within the PRAs, two new urban, mixed-use Future Land Use Designations are established: Urban Center and Urban Infill. These shall be transect-based land use designations and zoning districts. These transect based land use designations and their corresponding zoning districts will feature a primary emphasis on regulating building form and placement in relation to the public realm, over the regulation of specific uses. The locations of Urban Center and Urban Infill transects are depicted in the Map Series, Map LU 9.1 and LU 9.2, Urban Redevelopment Area Regulating Plan.*

- **Urban Center:** (omitted for brevity)
- **Urban Infill:** *The Urban Infill (UI) Transect should be the predominant land use in the PRAs. The UI Transect are envisioned as urban, mixed-use areas at the edges of existing neighborhoods proximate to an arterial thoroughfare; therefore, the UI Transects are transitional by nature. The UI Transect is intended to support development and redevelopment using the planning strategies documented in the URA Master Plan. The UI Transects are intended to be flexible allowing residential, office, civic, employment generating, and commercial uses. The UI Transects shall develop/redevelop with the following characteristics, and will be implemented through the ULDC to require:*
  - *Residential and/or non-residential uses;*
  - *An interconnected pedestrian-friendly street network, including vehicular connectivity;*
  - *Vehicular and pedestrian connections to adjacent parcels and roadways;*
  - *Buildings located along the sidewalk with uses that support and enhance pedestrian activity;*
  - *An emphasis on multi-modal facilities (bike racks, bus shelters, on-street parking, enhanced pedestrian environments as appropriate);*
  - *A minimum of 15% of all new housing shall be provided as very low, and moderate income housing units;*
  - *A range of one to three story buildings;*
  - *Additional height may come from the use of "green building" strategies contained in Policy 1.2.2-f (up to four stories may be allowed);*

**Staff Analysis:** The site is proposed to be developed in conjunction with the adjoining parcel to the west which already has a UI designation within the Congress Avenue Priority Redevelopment Area (PRA). The design of UI on the site is consistent with this policy. The proposed self-storage buildings have been oriented with a design that has a higher height on the current UI parcel and lower on the subject site. While the proposed self-storage use on the subject site is allowed by the Industrial future land use designation, a site-specific analysis indicates that the parcel can contain a greater amount of square footage if developed under the URA land development regulations. While self-storage is not a pedestrian/transit intensive use, the proposed project addresses the pedestrian realm and the street frontage as was envisioned by the URA Master Plan.

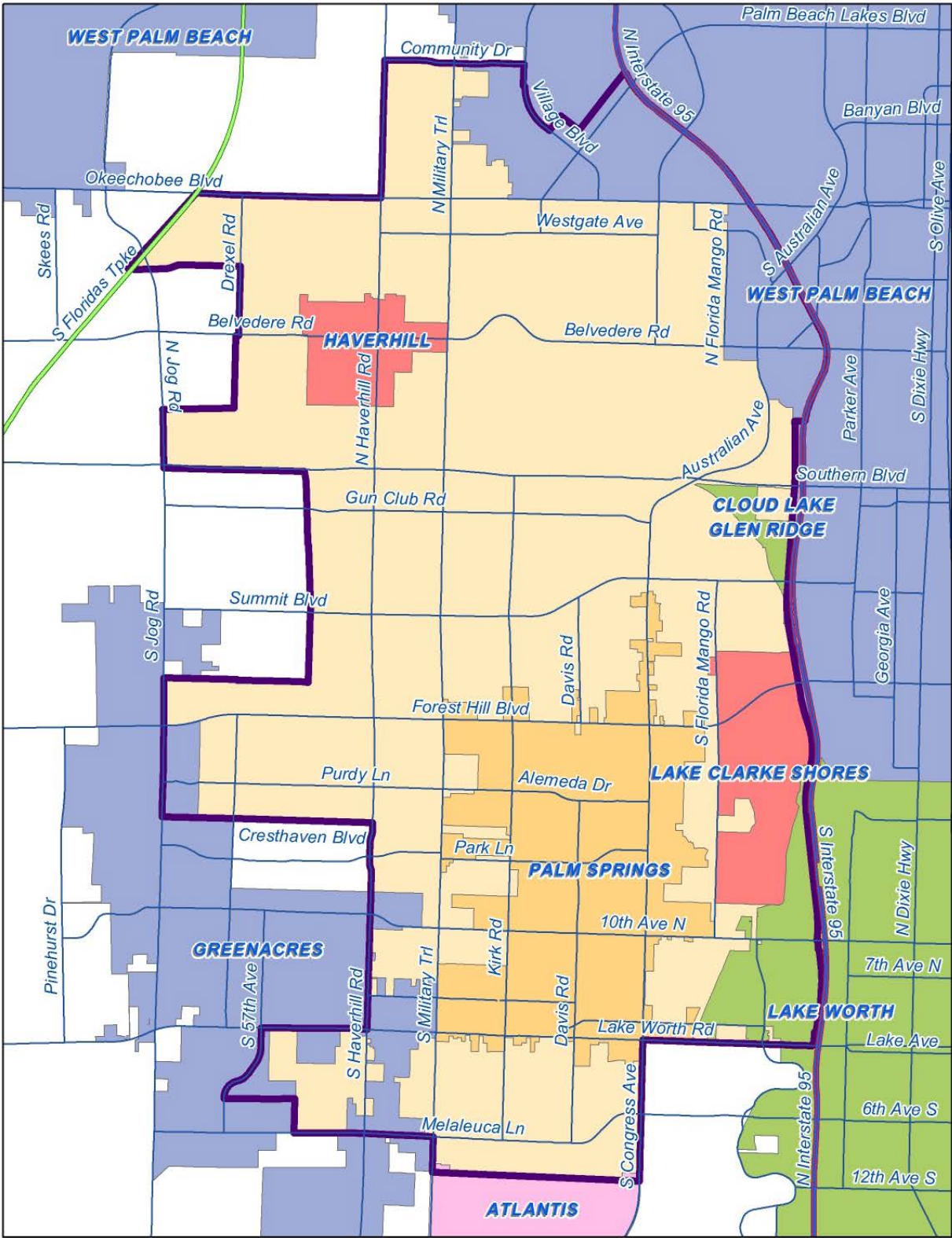
Further, the buildings will be located along the sidewalk, and the site would incorporate vegetation, to further link the residential areas and the URA corridor along Congress Avenue. The zoning application includes two (2) waiver requests from usable open space, and parking regulations. The concurrent development review process will ensure this

consistency remains throughout the site design phases. The site meets the 'green building' strategies for the 4<sup>th</sup> story.

4. **Policy 1.2.2-d** states *"In the Urban Center and Urban Infill Transects, the shaping of the public thoroughfares as part of the public/civic realm shall foster the use of mixed-use, liner buildings, where appropriate. These are buildings that are wide to the primary street but shallow to the block depth. When done in continuous sections, liner buildings can hide parking lots or blank building walls, frame the public realm, reduce gaps in the streetscape between buildings, or when interrupted, create new pockets of public open spaces in small increments. Parking shall be allowed in the front or sides of buildings as determined to be appropriate during the development review process."* And **Policy 1.2.2-e:** *The ULDC shall maintain a clear and concise set of urban, form-based regulations that implement the Urban Center and Urban Infill Transects in the PRAs. This form based-code shall establish an urban, pedestrian-friendly and transit supportive environment, through:*

- *Precise regulation of building and parking placement;*
- *Allow for flexibility in building use, and mixing of uses;*
- *Allow for reduced parking requirements and/or shared parking provisions;*
- *Stipulate streetscape components, ancillary landscaping, and allow for the creation of micro-climates through urban landscape standards;*
- *Incorporate Crime Prevention Through Environmental Design (CPTED) principles;*
- *Provide for public open spaces and recreational needs.*

Urban Redevelopment Area  
With Municipal Boundaries





**Staff Analysis:** Unlike a typical future land use designation or amendment, the URA Urban Center and Urban Infill designations require an enhanced review of site design in order to ensure consistency with the Comprehensive Plan policies. The review of the proposed site plan indicates that the proposed structures are placed to adequately address the public realm, and provides sidewalks and landscaped areas. The vehicular ingress/egress points are located to the rear of the site, which is beneficial for the pedestrian circulation on both Congress Avenue and Ohio Street.

5. **Industrial: FLUE Policy 2.2.4-a:** *The County shall apply Industrial future land use categories at appropriate locations and intensities to satisfy the need for industrial space, provide opportunities for the retention and expansion of industrial and employment based economic activities, and to promote economic development consistent with the County's economic development directives. The County shall also encourage a broad range of employment opportunities and shall discourage Future Land Use Atlas amendments that result in the loss of industrially designated land.*

**Staff Analysis:** Although the amendment proposes to change the industrial designation to Urban Infill, the proposed self-storage use is allowed under both designations. Developing this site as an individual industrial use is difficult considering the development pattern, and the site is more appropriately developed together with the parcel to the west than independently. This amendment would increase the amount of leasable floor space, while retaining the site design and building placement and proportions as these were envisioned in the URA Master Plan. Since the self-storage use is already allowed, and would be preserved, this would not in itself represent a loss of industrially designated land.

### C. Compatibility

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use.

**FLUE Policy 2.1-f states that** *“the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity.”* And **FLUE Policy 2.2.1-b** states that *“Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintain to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.”*

The surrounding land uses immediately abutting the site are the following:

**North:** Abutting the subject site to the north is the Ranch House Villas Condominium with Residential High zoning and Industrial future land use.

**West:** There are two parcels to the west of the site which have Urban Infill future land use are part of the Congress Avenue Priority Redevelopment Area. The southwestern parcel is the 0.63 acre property under the same ownership and part of the zoning application. The northwestern parcel is developed with commercial uses.

**South:** Immediately south of the site across Ohio Street are two new residential homes with the Medium Residential, 5 units per acre, future land use designation. Southwest of the site, across Ohio Street are two additional new residential homes with the Urban Infill designations.

**East:** The eastern boundary of the site abuts a pod of the CHS Properties MUPD Multiple Use Planned Development (Control Number 2008-457) which is currently vacant, but approved for 134,165 s.f. of office warehouse with access located onto Ranch House Road to the north.

**Staff Analysis:** The proposed self-storage use is allowed in both the current Industrial future land use designation and the proposed Urban Infill (UI) designation. Under the current designation, the site is proposed to be developed with the 0.63 acre parcel to the west as an office warehouse facility, although more intense uses are allowed in the IND designation. The proposed UI designation allows a greater square footage, but through the form based provisions of the URA, allows for a greater emphasis on design to ensure that compatibility is achieved with adjacent neighborhoods. The proposed UI amendment is consistent with the 0.63 property already designated UI, and through the provisions of the ULDC, the concurrent zoning application demonstrates that the buildings taper with the higher heights toward Congress, and the lower height on the subject site. Further, the proposed self-storage use is allowed in both the current and proposed designations, and

lessens the impacts on surrounding residents. The proposed urban design and self-storage use, through the UI designation is compatible with the surrounding properties.

#### **D. Consistency with County Overlays, Plans, and Studies**

1. **Overlays – FLUE Policy 2.1-k** states *“Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.”*

**Staff Analysis:** The subject site is located within the Urban Redevelopment Area (URA) and the Revitalization, Redevelopment, and Infill Overlay. The County has designated the URA and implemented land use regulations to foster redevelopment in a more urban fashion, which is pedestrian and transit friendly. The proposed facility brings investment and improvements to the area. The site design places the main building close to the corridor, and the project contributes to the development of the public realm facing Congress Avenue, as called for by the URA Master Plan. The site is also located within the Ranch House/Homewood Countywide Community Revitalization Area.

2. **Neighborhood Plans and Studies – FLUE Policy 4.1-c** states *“The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval.....”*

**Staff Analysis:** The subject site is located within the Urban Redevelopment Area (URA). The county has designated the URA and implemented land use regulations to foster redevelopment in a more urban fashion, which is pedestrian and transit friendly. The site design places the main building close to the corridor, and the project contributes to the development of the public realm facing Congress Avenue, as called for by the URA Master Plan.

#### **E. Public Facilities and Services Impacts**

The proposed amendment will change the future land use designation from Industrial to Urban Infill. For the purposes of the public facilities analysis, the maximum development potential for the current IND designation utilized 13,329 s.f. of light industrial (.45 FAR), and for the proposed UI designation, 11,848 s.f. of General Commercial Retail (.40 FAR), which is the maximum trip generation for UI. Public facilities impacts are detailed in the table in Exhibit 4.

1. **Facilities and Services – FLUE Policy 2.1-a:** *The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.*

**Staff Analysis:** The proposed amendment was distributed to the County service departments for review. There are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. Staff sent a request for departmental review of the proposed amendment to various County departments and external agencies for review of public facility impacts. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Mass Transit (Palm Tran), Potable Water & Wastewater (Seacoast Utilities), Environmental (Environmental Resource Management), Historic Resources (PBC Archaeologist), Parks and Recreation, Office of Community Revitalization (OCR), ULDC (Zoning), Land Development (Engineering), School Board, Health (PBC Dept. of Health), Fire Rescue, Lake Worth Drainage District.

2. **Long Range Traffic - Policy 3.5-d:** *The County shall not approve a change to the Future Land Use Atlas which:*

- 1) *results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard “D” based upon cumulative traffic comprised of the following parts a), b), c) and d):.....*

**Staff Analysis:** For the purposes of the Traffic analysis, the maximum development potential for the current IND designation utilized 13,329 s.f. of light industrial (.45 FAR), and for the proposed UI designation, 11,848 s.f. of General Commercial Retail (.40 FAR), which is the maximum trip generation for UI. The proposed amendment passes Policy 3.5-d long range traffic analysis (see County Engineering's letter dated May 31, 2018 in Exhibit 5). Using these figures, the amendment would result in an increase of 595 net daily trips, and additional 4 am and 61 pm trips.

In addition, the County examined the actual trips from the proposed self-storage use and proposed square footage. The trip generation for self-storage is much less than the General Commercial Retail. That analysis indicates that the amendment would result in only 64 net daily trips, and an 4 am and 6 pm trips.

The Traffic Study was prepared by Kimley Horn, 1920 Wekiva Way, West Palm Beach Florida 33411. Traffic studies and other additional supplementary materials for site-specific amendments are available on the Planning web page at: <http://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

## Public and Municipal Review

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The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *“Palm Beach County will continue to ensure coordination between the County’s Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities.....”*

- A. Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on February 19, 2019. In addition, written notice was sent to all of the municipalities within 1 mile, consisting of the Village of Palm Springs, City of West Palm Beach, Town of Cloud Lake, Town of Glen Ridge, and the Town of Lake Clarke Shores. To date, no comments have been received.
- B. Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on February 19, 2019. Any letters received will be added to Exhibit 8 during the course of the amendment process.
- C. Informational Meeting:** The Planning Division hosted a meeting with area residents and interested parties to relay information regarding the amendment and development approval process on February 26, 2019. One member of the public, a property owner of a condominium to the north of the site attended.



**Exhibit 3**  
**Applicant's Justification**

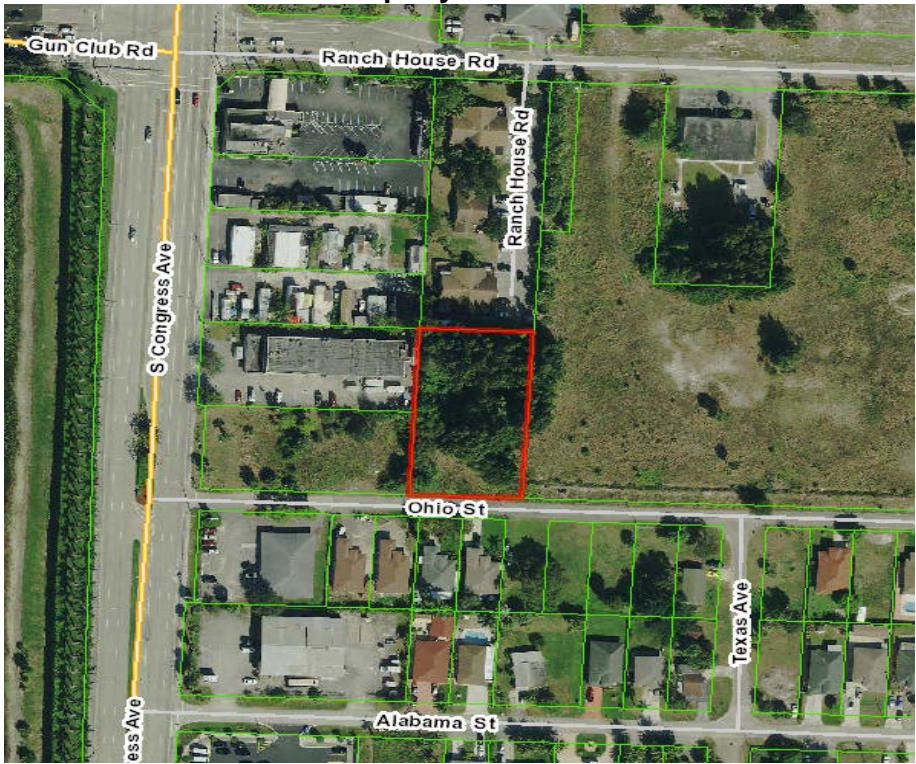
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**REQUEST SUMMARY:**

This proposed Future Land Use Atlas (“FLUA”) amendment request is essential, necessary and justified to amend the FLUA designation for a .68-acre site (“Property”) to accommodate the demonstrated and proven need for additional Urban Infill (“UI”) uses. The subject site is under the jurisdiction Palm Beach County (“County”). The Property is, in the applicant’s opinion, incorrectly designated with an Industrial (I) FLUA and would be more appropriately and properly designated with the UI designation. That new FLUA designation will allow redevelopment, foster urban infill and add improvement value to the subject site. Attempting to redevelop a site within an urban infill area under two (2) separate land use designations is inefficient and creates a potential conflict with respect to the development standards.

The Property is referenced by Parcel Control Number 00-43-44-05-06-006-0011. The Property is located just East of the intersection of South Congress Ave. and Ohio Street.

**Property Location**

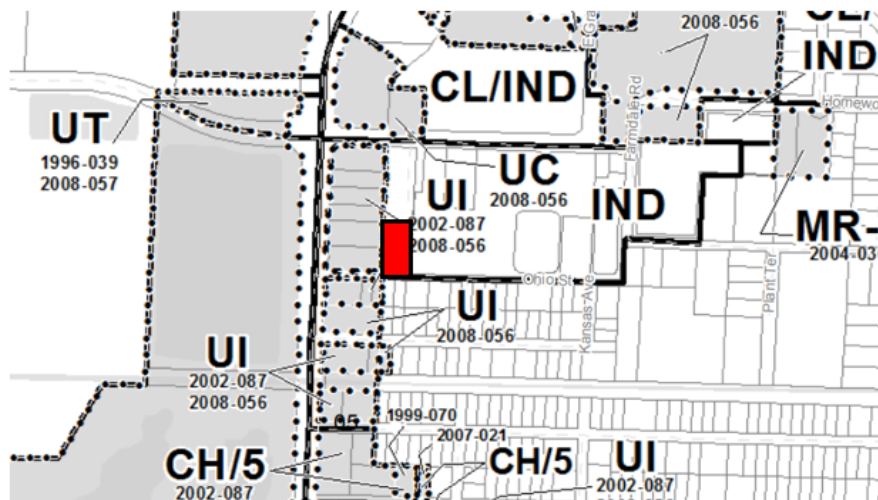


**PURPOSE AND INTENT OF REQUEST:**

The purpose and intent of the FLUA request is to amend the FLUA designation on Tract “B” to be consistent and compatible with Tract “A”, thus allowing for a unified plan of redevelopment for an area designated and intended for urban infill. When combined, both tracts will almost double in size, thus allowing for a total site area of 1.3 acres. The subject request establishes a logical and orderly pattern of redevelopment and furthers the goals, objectives and policies of the Urban Redevelopment Area (“URA”).



Subject Parcel  
Future Land Use Atlas Page 65



Proposed change from Industrial (I) to Urban Infill (UI)

#### JUSTIFICATION SUMMARY:

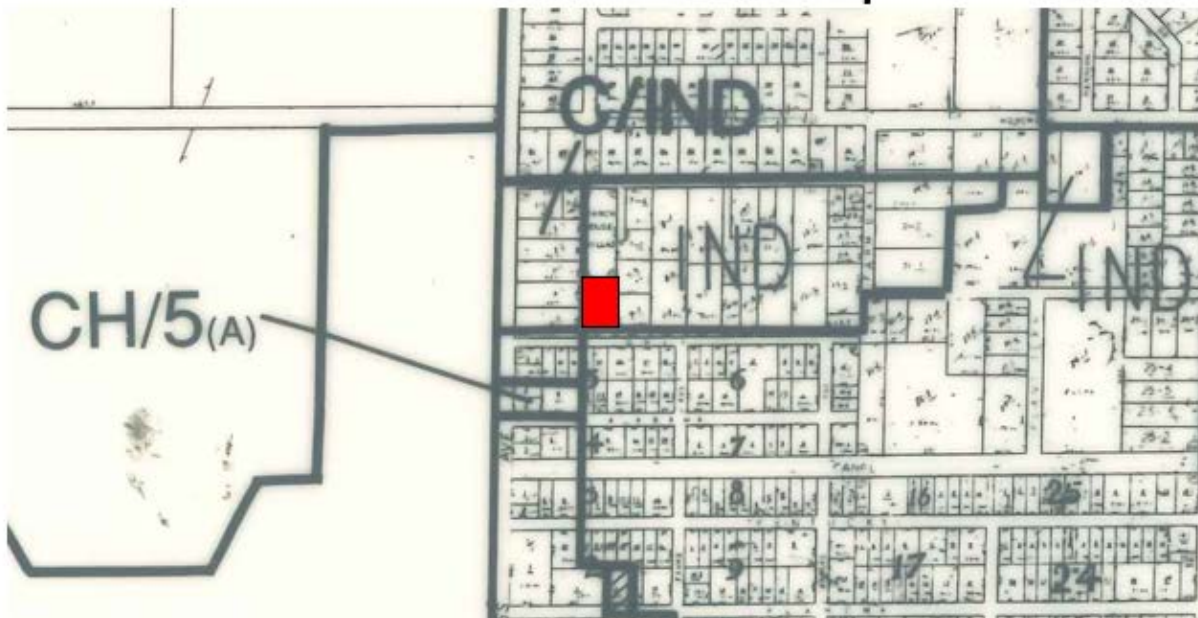
The proposed FLUA amendment is suitable and appropriate for the subject site which allows for a combining of a tract already designated as UI. The basis and justification for the proposed amendment is:

1. Changes have occurred in FLUA designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;
2. Changes have taken place in characteristics of the general area and associated impacts on the subject site;
3. Based upon the purpose and intent of the URA, the adopted FLUA is Inappropriate.



## Atlas Sheet 65

### 1989 Future Land Use Map



- **Changes have occurred in FLUA designations on adjacent properties or properties in the immediate area and associated impacts on the subject site:**

Since the adoption of the 1989 Palm Beach County Comprehensive Land Use Plan ("Plan"), significant changes have developed over the last 30 years which necessitate and justify the requested FLUA (See 1989 map). The most overriding factor has been the adoption of the Urban Redevelopment Area ("URA"). The intent and purpose of the URA is to designate unincorporated parcels within the central portion of Palm Beach County as targeted areas for "urban redevelopment" and "urban infill". This targeted area, which includes the subject parcel, was identified with the following general characteristics:

- ✓ Represents an area of older urbanized development patterns
- ✓ Exhibits physical deterioration of properties
- ✓ Older structures in need of rehabilitation
- ✓ Underutilization of vacant urban lands
- ✓ Contains redevelopment incentives which are not used

Moreover, since the 1989 Plan, this parcel, along with the companion parcel to the West have remained undeveloped. The FLUA request will provide the mechanism to offer a real and tangible redevelopment and infill project to be created in an area specifically designed and designated to address the general characteristics which the URA is seeking to eliminate.

- **Changes have taken place in characteristics of the general area and associated impacts on the subject site:**

The subject parcel is too small and too isolated to be developed as a standalone project. It's an orphaned property. Unless the site is purchased and combined with other parcels, it will continue to erode and deteriorate.

The site is surrounded by commercial, industrial and some vacant properties. No significant development or redevelopment activities have occurred within this block since the adoption of the 1989 Plan. Therefore, there have been no changes in the general area which confirms that a redevelopment and infill project is drastically needed as the impetus to fulfill the purpose and intent of the URA.

The entire Congress Avenue corridor, South of Southern Boulevard, is clearly an area which demands revitalization, redevelopment and infill. This FLUA request will help meet those needs.

- **Based upon the purpose and intent of the URA, the adopted FLUA is Inappropriate:**



Redevelopment is a stated priority of the Board of County Commissioners (“BCC”). The BCC adopted standards and requirements which are intended to foster the redevelopment and infill of properties located within the URA. The overall general goals of the BCC’s URA is to:

- Provide and enhance viable redevelopment opportunities to discourage further westward expansion;
- Provide new incentives for urban infill and urban redevelopment projects;
- Support existing Comprehensive Plan and Managed Growth Tier System provisions for sustainable urban redevelopment;
- Fully utilize and enhance existing infrastructure facilities and services;
- Attract new businesses and services to improve the quality of life for the current population in the URA;
- Utilize a “form based” code to provide further incentives for the development community to target the URA as a desirable area for capital investments.

The Industrial Land Use designation for this subject property has not fostered or allowed for new development in over 30 years. Therefore, that inappropriate FLUA is preventing this parcel, when combined with an adjacent tract, from meeting the goals and objectives of the URA.

As referenced in the conclusion of this document, the FLUA request will allow for the following:

- Provide for reinvestment into the existing commercial neighborhood
- Bring a value-added improvement to the South Congress Avenue corridor
- Improve the character and development potential of the adjacent neighborhoods
- Offer a predictable benchmark for reinvestment and redevelopment resulting in an upgraded urban infill environment
- Provide new employment opportunities
- Foster redevelopment in area specifically targeted for revitalization and renovation
- Support the existing Plan provisions for sustainable urban development
- Fully utilize and enhance existing infrastructure facilities and services
- To the greatest extent possible, comply with the URA Planning Study
- Fulfill the goals, objectives and policies of the URA Plan
- Accomplish the intent of the Transportation Element Policy
- Satisfy the needs established within the URA
- Offer unique building design and building placement
- Incorporate unique landscaping components through urban landscape standard
- Incorporate Crime Prevention Through Environmental Design (CPTED) principles
- Provide and enhance viable redevelopment opportunities

**URBAN REDEVELOPMENT AREA:**

The subject parcel falls within the URA. The purpose of the URA is to focus the County’s redevelopment and infill efforts by promoting economic growth, improving the present conditions of infrastructure, investment and reinvestment in the area by encouraging redevelopment where resources exist.

**Policy 1.2.2-a:** The proposed FLUA is consistent and in compliance with Policy 1.2.2-a as the proposed amendment will:

- Provide for reinvestment into the existing commercial neighborhood
- Improve the character and development pattern of the adjacent redeveloped neighborhoods
- Offer a predictable benchmark for building form and the resulting physical environment;
- Provide new employment opportunities
- Foster redevelopment in area specifically targeted for this request

**Policy 1.2.2-c:** The proposed FLUA is consistent and in compliance with Policy 1.2.2-c as the proposed amendment will:

- To the greatest extent possible, comply with the URA Planning Study
- Fulfill the goals, objectives and policies of the URA Plan
- Accomplish the intent of the Transportation Element Policy
- Satisfy the needs established within the URA

**Policy 1.2.2-e:** The proposed FLUA is consistent and in compliance with Policy 1.2.2-e as the proposed amendment will:

- Offer unique building design and building placement
- Incorporate unique landscaping components through urban landscape standards
- Incorporate Crime Prevention Through Environmental Design (CPTED) principles

#### **CONSISTENCY AND COMPATIBILITY**

The applicant is requesting to amend the FLUA designation on the subject Property (.68 acres) from Industrial (I) to Urban Infill (UI). The request complies with Policy 2.1-F of the Future Land Use Element of the Palm Beach County Comprehensive Plan, as provided below:

**1. The proposed uses are suitable and appropriate for the subject Property.**

**REPLY:**

The proposed UI designation is suitable and appropriate for the subject Property. The proposed request will further the overall goals of the URA and will provide an impetus for redevelopment and reinvestment.

**2. Changes in Future Land Use Designation on adjacent properties where Property is in the immediate area and associated impacts on subject Property.**

**REPLY:**

The proposed amendment will comply with the Future Land Use Element provisions applicable to the Urban Redevelopment Area (URA) Priority Redevelopment Areas (PRAs). That amendment created a process to eliminate hurdles to infill and redevelopment by:

- Allowing properties to utilize the future land use designation of UI to foster redevelopment and reinvestment within the URA
- Encourage FLUA amendments to redevelop Property that reflect unique constraints within the URA

**3. Changes in the access or characteristics of the general area and associated impacts on the subject site.**

**REPLY:**

The proposed FLUA amendment for the Property is based on ongoing changes to the character of the general area and specifically, the URA designated components of the County. The Congress Ave corridor, South of Southern Blvd., has significantly and drastically changed since the Comprehensive Plan adoption in 1989, including the intensity of the roadway network and the County's attempt to generate redevelopment and reinvestment into the Congress Ave. corridor. Combining the two (2) parcels into one unified project is a logical and orderly pattern of development and allows for the goals of the URA to be achieved.

**4. Inappropriateness of the adopted FLUA designation.**

**REPLY:**

The existing land use is not an appropriate designation. An industrial land use designation does not allow for the Property to achieve its full potential while generating the need for reinvestment into the URA community. The Property is bounded on three (3) sides by either existing IL or UI designation. Therefore, the request is in character with the surrounding FLUA designations. The current IL classification would seem to be inappropriate to help generate infill redevelopment.

**5. Residential Density Increase:**

**REPLY:**

No residential density is proposed. FLUA Element Policy 2.4-b does not apply for the proposed amendment.

**6. Policy 2.1-H: The County shall not improve sites specific future land use amendments that encourage piecemeal development or approve such**

amendments for properties under the same or related ownership that create residual parcels.

**REPLY:**

The Property is located within the URA. The purpose and intent of the FLUA request is to amend the FLUA designation on Tract “B” to be consistent and compatible with Tract “A”, thus allowing for a unified plan of redevelopment for an area designated and intended for urban infill. When combined, both tracts will almost double in size allowing for a total site area of 1.3 acres. The subject request establishes a logical and orderly pattern of redevelopment and furthers the goals, objectives and policies of the Urban Redevelopment Area (“URA”) (see below).



**Policy 2.1.f: Before approval of a Future Land Use amendment, the applicant shall provide a justification for the proposed Future Land Use. In addition, the County shall review and make a finding that the proposed Future Land Use is compatible with existing development in an immediate vicinity and shall evaluate its impact on:**

- 1. The natural environment including topography, soils and other natural resources.

**REPLY:**

See Attachment L for the Natural Feature Inventory and Map along with Attachment N for the Historic Resource Evaluation.

- 2. The availability of the facility and services.

**REPLY:**

- A. Please see Attachment H for the Comprehensive Plan Traffic Impact Analysis prepared by Kimley-Horn.
- B. Mass Transit: Route 2 provides a stop at Gun Club Road and South Florida Water Management Northeast Entrance approximately 0.5 miles from the site. West Palm Beach Tri Rail Station is the nearest north Tri Rail connection, accessible through Palm Tran Bus Route 2 to 1. Lake Worth Tri Rail Station is the nearest south Tri Rail connection accessible through Palm Tran Route 2 to 62.
- C. Potable Water and Wastewater: Please see Attachment I.
- D. Drainage: Please see Attachment J.
- E. Fire Rescue: Please see Attachment K for Fire Rescue Letter.

- 3. The adjacent and surrounding development.

**REPLY:**

The proposed FLUA Amendment to UI will be in conformance with all the required provisions of the applicable FLUA Policies. Amending the FLUA designation on the subject Property will be consistent with and compatible with the surrounding neighborhood elements. See Attachment F for the Built Features and Inventory Map.

- 4. The future land use balance:

**REPLY:**



As mentioned above, the proposed FLUA Amendment to UI will be in conformance with all the provisions of the applicable FLUA Policies. Amending the FLUA designation on the subject Property will continue to provide balanced land use in the area as it will provide for common non-residential uses found elsewhere in the area and will provide the needed “jump start” for urban infill and urban redevelopment and financial reinvestment as designated by the URA.

**5. The prevention of urban sprawl as defined by 163.3164(51), F.S.**

**REPLY:**

The proposed amendment will provide for urban redevelopment and infill within the Plan’s designated area. The Property is serviced by existing public facilities and urban services with access to both Ohio Street and Congress Ave. The Property exemplifies infill development by providing a desired land use intended to be consistent with the existing parcel under common ownership to the West.

**6. Community Plans and/or Planning Areas Special Studies Recognized by the Board of County Commissioners:**

**REPLY:**

Not applicable.

**7. Municipalities in accordance with Inter-Governmental Coordination Element Objective 1.1**

**REPLY:**

The subject site is not adjacent to any local municipality.

**CONCLUSION:**

The requested FLUA Amendment from IL to UI is consistent with the Comprehensive Plan, Florida Statutes and is harmonious with the surrounding uses. The following summary concludes that the amendment will:

- Provide for reinvestment into the existing commercial neighborhood
- Meet the redevelopment and infill goals as a stated priority by the Board of County Commissioners
- Meet the open demands for urban revitalization projects along the Congress Ave. corridor
- Bring a value-added improvement to the South Congress Avenue corridor
- Improve the character and development potential of the adjacent neighborhoods
- Offer a predictable benchmark for reinvestment and redevelopment resulting in an upgraded urban infill environment
- Provide new employment opportunities
- Foster redevelopment in area specifically targeted for revitalization and renovation
- Support the existing Plan provisions for sustainable urban development
- Fully utilize and enhance existing infrastructure facilities and services
- To the greatest extent possible, comply with the URA Planning Study
- Fulfill the goals, objectives and policies of the URA Plan
- Accomplish the intent of the Transportation Element Policy
- Satisfy the needs established within the URA
- Offer unique building design and building placement
- Incorporate unique landscaping components through urban landscape standard
- Incorporate Crime Prevention Through Environmental Design (CPTED) principles
- Provide and enhance viable redevelopment opportunities

This proposed Future Land Use Atlas (“FLUA”) amendment request is essential, necessary and justified to amend the FLUA designation for a .68-acre site (“Property”) to accommodate the demonstrated and proven need for additional Urban Infill (“UI”) uses.

Exhibit 4

Applicant’s Public Facility Impacts Table

Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Light Industrial (Land Use 110) Daily: 6.97 trips/1,000 SF AM: 0.92 trips / 1,000 SF PM: 0.97 trips / 1,000 SF	General Commercial Daily: $\text{Ln}(\text{T}) = 0.65 * \text{Ln}(\text{X}) + 5.83$ AM: 0.96 trips / 1,000 SF PM: $\text{Ln}(\text{T}) = 0.67 * \text{Ln}(\text{X}) + 3.31$
Maximum Trip Generation	(Daily: 84 AM: 11 PM: 12	Daily: 679 AM: 4 PM: 61
Net Daily Trips:	595 (maximum minus current) (proposed minus current)	
Net PH Trips:	-7 AM, +49 PM (maximum) AM, PM (proposed)	
Significantly impacted roadway segments that fail Long Range	None	
Significantly impacted roadway segments for Test 2	None	
Traffic Consultant	Christopher Heggen, P.E., Kimley-Horn and Associates, Inc.	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Route 2	
Nearest Palm Tran Stop	Palm Tran Bus Stop 624 at Gun Club Road and South Congress Avenue is approximately 625 feet north of the subject site.	
Nearest Tri Rail Connection	West Palm Beach Tri Rail Station is the nearest north Tri Rail connection, accessible through Palm Tran Bus Route 2 to 1. Lake Worth Tri Rail Station is the nearest south Tri Rail connection accessible through Palm Tran Route 2 to 62.	

<b>C. Portable Water &amp; Wastewater Information</b>	
<b>Potable Water &amp; Wastewater Providers</b>	Palm Beach County Water Utilities Department has the capacity to provide the level of service to the subject site. See Application Attachment I. The nearest potable water main is a 4" potable watermain adjacent to the property on Congress Avenue right-of-way. There is also a 10" potable watermain located within Ohio Street right-of-way approximately 140 feet east of the subject property.
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	Palm Beach County Water Utilities Department has the capacity to provide the level of service to the subject site. See Application Attachment I. The nearest wastewater facilities are located within Congress Avenue right-of-way.
<b>D. Drainage Information</b>	
As stated in the Drainage Statement, Application Attachment J, the drainage system has a proposed outfall into the Congress drainage system for a positive outfall and meets SFWMD C-51 drainage basin criteria, Lake Worth Drainage District Criteria and PBC drainage criteria.	
<b>E. Fire Rescue</b>	
<b>Nearest Station</b>	Palm Beach Fire Rescue Station No. 33, located at 830 Kirk Road. See Application Attachment K.
<b>Distance to Site</b>	1.75 miles. See Application Attachment K.
<b>Response Time</b>	6 minutes. See Application Attachment K.
<b>Effect on Resp. Time</b>	Changing the land use will have minimal impact on Fire Rescue. See Application Attachment K.
<b>F. Environmental</b>	
<b>Significant habitats or species</b>	Dense non-native forest community. No critical type habitat within the subject site. See Application Attachment L.
<b>Flood Zone*</b>	A portion of the site is located within Flood Zone AE. See Application Attachment L.
<b>Wellfield Zone*</b>	The site is not located in a wellfield zone. See Application Attachment M.
<b>G. Historic Resources</b>	
Per Historic Resources Evaluation letter, staff review has identified no historic or architecturally significant resources within 500 feet of the subject site. See Application Attachment N.	

Exhibit 5

Palm Beach County Traffic Division Letter



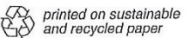
Department of Engineering  
and Public Works  
P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbcgov.com

Palm Beach County  
Board of County  
Commissioners

Melissa McKinlay, Mayor  
Mack Bernard, Vice Mayor  
Hal R. Valeche  
Paulette Burdick  
Dave Kerner  
Steven L. Abrams  
Mary Lou Berger

County Administrator  
Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"



May 31, 2018

Christopher W. Heggen, P.E.  
Kimley-Horn and Associates, Inc.  
1920 Wekiva Way, Suite 200  
West Palm Beach, FL 33411

RE: ETC Warehouse  
FLUA Amendment Policy 3.5-d Review  
Round 2019-A

Dear Mr. Heggen:

Palm Beach County Traffic Division has reviewed the Comprehensive Plan Amendment Traffic Analysis for the proposed Future Land Use Amendment for the above referenced project, dated April 18, 2018, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

<b>Location:</b>	North of Ohio Street, east of S Congress Avenue	
<b>PCN:</b>	00-43-44-05-06-006-0011	
<b>Acres:</b>	0.68 acres	
	<b>Current FLU</b>	<b>Proposed FLU</b>
<b>FLU:</b>	Industrial (IND)	Urban Infill (UI)
<b>Zoning:</b>	Light Industrial (IL)	Urban Infill (UI)
<b>Density/ Intensity:</b>	0.45 FAR	0.4 FAR
<b>Maximum Potential:</b>	Light Industrial Total: 13,329 SF	General Commercial Total: 11,848 SF
<b>Proposed Potential:</b>	N/A	N/A
<b>Net Daily Trips:</b>	595 (maximum - current)	
<b>Net PH Trips:</b>	4 (3/1) AM, 61 (29/32) PM (maximum)	
<i>* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities in the zoning application.</i>		

Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment meets Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the maximum potential density shown above.



ETC WAREHOUSE / OHIO ST SELF-STORAGE -- SUPPLEMENTAL TRIP GENERATION CALCULATION - 0.68-ACRE PARCEL										
LAND USE	INTENSITY		DAILY TRIPS	AM PEAK HOUR			PM PEAK HOUR			
				TOTAL	IN	OUT	TOTAL	IN	OUT	
<u>Future Land Use Designation - Maximum Intensity</u> General Commercial (Retail)	11,883	SF	Subtotal	1,701	11	7	4	153	73	80
				1,701	11	7	4	153	73	80
	60%	1,021	7	4	3	92	44	48		
		Driveway Volumes	1,701	11	7	4	153	73	80	
<u>Net New External Trips Under Proposed FLU - Max Intensity</u>				680	4	3	1	61	29	32
<u>Proposed Development (on 0.68-acre parcel)</u> Mini-Warehouse / Self-Storage	28,200	SF	Subtotal	71	4	2	2	7	4	3
				71	4	2	2	7	4	3
	10%	7	0	0	0	1	0	1		
		Driveway Volumes	71	4	2	2	7	4	3	
<u>Net New External Trips - Proposed Site Development</u>				64	4	2	2	6	4	2
<u>Trip Differential (Proposed Max FLU - Proposed Development on 0.68-acre parcel)</u>				(616)	0	(1)	1	(55)	(25)	(30)
Trip generation calculated using the following:										
<b>Daily</b>										
General Commercial (Retail)	[PBC]	=	$\ln(T) = 0.65 * \ln(X) + 5.83$							
Mini-Warehouse / Self-Storage	[PBC]	=	$T = 2.5 \text{ trips} / 1,000 \text{ SF}$							
<b>AM Peak Hour</b>										
General Commercial (Retail)	[PBC]	=	$T = 0.96 \text{ trips} / 1,000 \text{ sf} (62\% \text{ in}, 38\% \text{ out})$							
Mini-Warehouse / Self-Storage	[PBC]	=	$T = 0.14 \text{ trips} / 1,000 \text{ SF} (55\% \text{ in}, 45\% \text{ out})$							
<b>PM Peak Hour</b>										
General Commercial (Retail)	[PBC]	=	$\ln(T) = 0.67 * \ln(X) + 3.37 (48\% \text{ in}, 52\% \text{ out})$							
Mini-Warehouse / Self-Storage	[PBC]	=	$T = 0.26 \text{ trips} / 1,000 \text{ SF} (50\% \text{ in}, 50\% \text{ out})$							
<b>Pass-By</b>										
General Commercial (Retail)	[PBC]	=	$\% = 83.18 - 9.3 * \ln(X)$							
Mini-Warehouse / Self-Storage	[PBC]	=	10%							

**Exhibit 6**  
**Water & Wastewater Provider LOS Letter**

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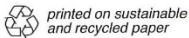
**Water Utilities Department  
Engineering**  
8100 Forest Hill Blvd.  
West Palm Beach, FL 33413  
(561) 493-6000  
Fax: (561) 493-6085  
www.pbcwater.com



**Palm Beach County  
Board of County  
Commissioners**  
  
Melissa McKinlay, Mayor  
Mack Bernard, Vice Mayor  
  
Hal R. Valeche  
Paulette Burdick  
  
Dave Kerner  
Steven L. Abrams  
Mary Lou Berger

**County Administrator**  
  
Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*



May 8, 2018

HSQ Group, Inc.  
1001 Yamato Road Suite 105  
Boca Raton, FL 33431

RE: Northeast Corner of Congress Avenue and Ohio Street  
PCN 00434405060050010  
Service Availability Letter

Dear Ms. Casusus,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required however potable water and sanitary sewer extensions maybe required. The nearest potable water main is a 4" potable watermain adjacent to the property in Congress Ave. road right of way. This may not provide adequate fire flow protection. There is a 10" potable water main located within Ohio St. road right of way approximately 140 feet east of the subject property. The nearest wastewater facilities are located within Congress Ave. road right of way and will require the construction of a lift station.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD.

If you have any questions, please give me a call at (561)493-6116.

Sincerely,

  
Jackie Michels, P.E,  
Plan Review Manager

Exhibit 7

Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Alejandro Zurita, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [ ] individual or [x] Authorized Agent \_\_\_\_\_ [position—e.g., president, partner, trustee] of Deliceto, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 101 Pugliese's Way, 2nd Floor  
Delray Beach, FL 33444
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
Alejandro Zurita, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 3 day of May, 2018, by Alejandro Zurita, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification and who did take an oath.



  
\_\_\_\_\_  
Notary Public  
  
Jennifer Eppert  
\_\_\_\_\_  
(Print Notary Name)  
NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: July 17, 2018



EXHIBIT "A"

PROPERTY

**LEGAL DESCRIPTION:**  
THE SOUTH 228.54 FEET OF LOT 6, PLAT OF MORRISON SUBURBAN DEVELOPMENT, ACCORDING TO THE MAP OR PLAT RECORDED IN PLAT BOOK 20, PAGE 40, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOTAL ACRE IS 0.6819.



**EXHIBIT "B"**

**DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT**

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
<u>Deliceto, LLC is a Mississippi Limited-Liability Company</u>	
<u>Roman Master Property Holding Co, LLC - owns 100% of Applicant</u>	
<u>Roman Master Property Holding Co, LLC is owned by Anthony V. Pugliese, III and Laura K. Puliese, as tenants by</u>	
<u>the intireties.</u>	
<u>The address for all of the companies and persons is:</u>	
<u>101 Puliese's Way, 2nd Floor</u>	
<u>Delray Beach, FL 33444</u>	

**DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT**

*[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]*


**TO:** PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared David H. Cloran, II, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- 1. Affiant is the ☐ individual or ☒ Vice President \_\_\_\_\_ *[position—e.g., president, partner, trustee]* of Deliceto, LLC, a MS Limited-Liab *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]*, (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
- 2. Affiant's address is: 101 Pugliese's Way, 2nd Floor  
Delray Beach, FL 33444
- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- 6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
- 7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

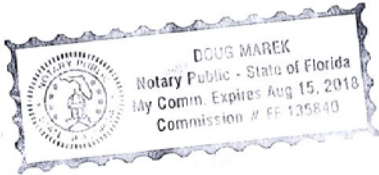
FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
David H. Cloran, II, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of MAY, 2018, by David H. Cloran, II, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification and who did take an oath.

  
\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(Print Notary Name)  
NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: \_\_\_\_\_





**EXHIBIT "B"**

## DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name

### Address

Deliceto, LLC is a Mississippi Limited-Liability Company

Roman Master Property Holding Co, LLC - owns 100% of Applicant

Roman Master Property Holding Co, LLC is owned by Anthony V. Pugliese, III and Laura K. Puliese, as tenants by

the intireties.

The address for all of the companies and persons is:

101 Puliese's Way, 2nd Floor

Delray Beach, FL 33444

## DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION  
FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE  
DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE


STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared  
William Maronet, hereinafter referred to as "Affiant," who  
being by me first duly sworn, under oath, deposes and states as follows:

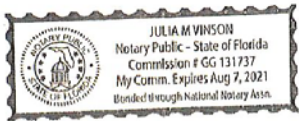
1. Affiant is the [ ] individual or [☒] Managing Member [position - e.g.,  
*president, partner, trustee*] of 366 South Congress LLC [name and type of  
entity - e.g., *ABC Corporation, XYZ Limited Partnership*] that holds an ownership  
interest in real property legally described on the attached Exhibit "A" (the "Property").  
The Property is the subject of an application for Comprehensive Plan amendment or  
Development Order approval with Palm Beach County.
2. Affiant's address is: 366 South Congress Avenue  
West Palm Beach, FL 33406
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of  
every person or entity having a five percent or greater interest in the Property.  
Disclosure does not apply to an individual's or entity's interest in any entity  
registered with the Federal Securities Exchange Commission or registered pursuant  
to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County  
policy, and will be relied upon by Palm Beach County in its review of application for  
Comprehensive Plan amendment or Development Order approval affecting the  
Property. Affiant further acknowledges that he or she is authorized to execute this  
Disclosure of Ownership Interests on behalf of any and all individuals or entities  
holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to  
reflect any changes to ownership interests in the Property that may occur before the  
date of final public hearing on the application for Comprehensive Plan amendment  
or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the  
penalties provided by the laws of the State of Florida for falsely swearing to  
statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
William Maronet, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of April, 2018, by William Maronet, [X] who is personally known to me or [ ] who has produced \_\_\_\_\_ as identification and who did take an oath.



  
\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(Print Notary Name)  
NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: \_\_\_\_\_



EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
William Maronet - Managing Member of LLC	



**Exhibit 8**  
**Correspondence**

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