



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

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BCC ADOPTION PUBLIC HEARING, JANUARY 24, 2019

### A. Application Summary

#### I. General

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<b>Project Name:</b>	<b>PBIA-Treetown (SCA 2019-004)</b>
<b>Request:</b>	<b>CH/IND to UT</b>
<b>Acres:</b>	3.63 acres
<b>Location:</b>	North side of Belvedere Rd, approx. 0.35 mile west of Congress Ave
<b>Project Manager:</b>	David Wiloch, Senior Planner
<b>Applicant:</b>	Palm Beach County Department of Airports
<b>Owner:</b>	Palm Beach County
<b>Agent:</b>	Urban Design Kilday Studios
<b>Staff Recommendation:</b>	Staff recommends <i>approval</i> based upon the findings and conclusions contained within this report.

#### II. Assessment & Conclusion

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This is a County Initiated amendment to change the future land use designation on a 3.63 acre County owned property to Transportation and Utilities Facilities (UT) at the request of the Department of Airports (DOA) in order to facilitate the development of the property as part of the Palm Beach International Airport (PBIA) Master Plan. The properties are located on Belvedere Road just north of the PBIA Airport. The amendment has a concurrent zoning application to rezone the site to Public Ownership (PO). Although the PO Zoning District is consistent with all future land use designations, the DOA is requesting the Zoning change to be consistent with other holdings.

Based upon the data and analysis contained in this report, the proposed amendment is suitable for the subject site, consistent with the Comprehensive Plan, compatible with surrounding land uses, does not negatively impact public facilities, and consistent with the PBIA Master Plan.

### III. Hearing History

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**Local Planning Agency:** *Approval*, motion by Dagmar Brahs, seconded by Richard Ryles, passed in a 7-0 vote at the December 14, 2018 public hearing. The Board questioned need for the amendment since the Public Ownership zoning district is allowed in all future land use designations. The representative for the Department of Airports clarified that the change to UT was necessary for inclusion in the Airport Zoning Overlay. There was no public comment.

**Board of County Commissioners Adoption Public Hearing:**

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## B. Petition Summary

### I. Site Data

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#### Current Future Land Use

**Current FLU:** Commercial High with an underlying Industrial (CH/IND)  
**Existing Land Use:** Vacant  
**Current Zoning:** Commercial General (CG)  
**Current Dev. Potential Max:** Commercial/Industrial up to 55,343 sf (0.35 FAR)

#### Proposed Future Land Use Change

**Proposed FLU:** Transportation and Utilities (UT)  
**Proposed Use:** Airport related facilities  
**Proposed Zoning:** Public Ownership (PO)  
**Dev. Potential Max/Conditioned:** Transportation and Utilities, up to 71,155 sf (0.45 FAR)

#### General Area Information for Site

**Tier/Tier Change:** Urban/Suburban Tier - No change  
**Utility Service:** Palm Beach County Water Utilities Department  
**Overlay/Study:** Westgate Belvedere Homes Community Redevelopment Area, Urban Redevelopment Area (URA)  
**Annexation Area:** City of West Palm Beach  
**Comm. District:** Comm. Mack Bernard, District 7

# Future Land Use Atlas Amendment

PBIA Treetown (SCA 2019-004)



### Site Data

Size: 3.58 acres  
 Existing Use: Vacant  
 Proposed Use: Public Utilities  
 Current FLU: Commercial High, underlying Industrial  
 Proposed FLU: Utilities and Transportation

### Future Land Use Designations

MR-5	Medium Residential, 5 units per acre
HR-8	High Residential, 8 units per acre
CH/5	Commercial High, underlying 5 units per acre
CH/8	Commercial High, underlying 8 units per acre
CH/IND	Commercial High, underlying Industrial
IND	Industrial
UT	Utilities and Transportation

Date: 9/24/2018  
 Contact: Planning  
 Filename: Planning\AMEND\19-SCA\Site\19-04  
 Note: Map is not official, for presentation purposes only.



0 100 200 400 Feet

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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This is a County Initiated future land use amendment requested by the Palm Beach County Department of Airports (DOA) to reflect the County's purchase of the property. The request is to revise the future land use designation on 3.63 acres from Commercial High with underlying Industrial (CH/IND) to Transportation and Utilities (UT). This amendment reflects the change in ownership of the subject property from private to public (Palm Beach County) and the future intended plan of development.

It has been the DOA policy to change the designation on parcels that they acquire to a UT designation, and to the Public Ownership (PO) Zoning District. Although the PO Zoning District is consistent with all future land use designations, the DOA is requesting the Zoning change to be consistent with other holdings. This amended designation and Zoning allows for these parcels to be incorporated into the Airport Master Plan and to utilize the provisions of the Airport Zoning Overlay (AZO). Many parcels close to PBI have been addressed in this same manner.

**Background:** The subject site was acquired by the County in 2016 and consists of a 3.57 acre parcel and a .06 acre portion of another parcel for a total of 3.63 acres. This site was purchased for redevelopment and incorporation into the Palm Beach International Airport (PBI) Master Plan. This site is identified on the Master Plan map as parcel 5, which was marked for acquisition when the Master Plan was last updated in 2006. The DOA has been in the process of purchasing properties in the vicinity of the airport due to compatibility and noise issues and for redevelopment.

Previous approvals reflect the commercial office and warehouse uses that have existed on the subject site. Among the first approvals on this site, a rezoning was done in 1977, which changed the zoning district from Residential (High Density) Multiple Family Dwelling (RH) to General Commercial (GC), with a special exception to allow an Office/Warehouse development. Two existing 2-story buildings that had previously served as military barracks were then repurposed to commercial office and warehouse uses utilizing this approval. In 2001, an amendment was initiated by the County on 1,672 parcels to assign one of the new commercial categories; this amendment changed the future land use designation on the subject site from Commercial with underlying Industrial (C/IND) to the current designation of Commercial High with underlying Industrial (CH/IND). The two commercial structures on the subject site were demolished after the County purchased the property in 2016. The site is currently vacant with the exception of a billboard, a Palm Tran bus shelter and a lift station located in the southwest corner, proximate to Belvedere Road.

### II. Data and Analysis Summary

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This section of the report provides a summary of the consistency of the amendment with the County's Comprehensive Plan. The sections 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 proposed future land use designation is appropriate and suitable on the subject site. The uses and zoning allowed on the subject site are allowed under the Public Ownership (PO) designation without a future land use amendment. The amendment will assign a uniform designation to facilitate the development of the site as part of the PBI Master Plan at the request of the Department of Airports (DOA).

**Assessment and Recommendation.** This is a County Initiated amendment to change the future land use designation on a 3.63 acre County owned property to Transportation and Utilities Facilities (UT) at the request of the DOA in order to facilitate the development of the property as part of the PBI Master Plan. The properties are located on Belvedere Road just north of the airport. The amendment has a concurrent zoning application to rezone the site to Public Ownership (PO). Although the PO Zoning District is consistent with all future land use designations, the DOA is requesting the Zoning change to be consistent with other holdings.

Based upon the data and analysis contained in this report, the proposed amendment is suitable for the subject site, consistent with the Comprehensive Plan, compatible with surrounding land uses, does not negatively impact public facilities, and consistent with the PBI Master Plan.

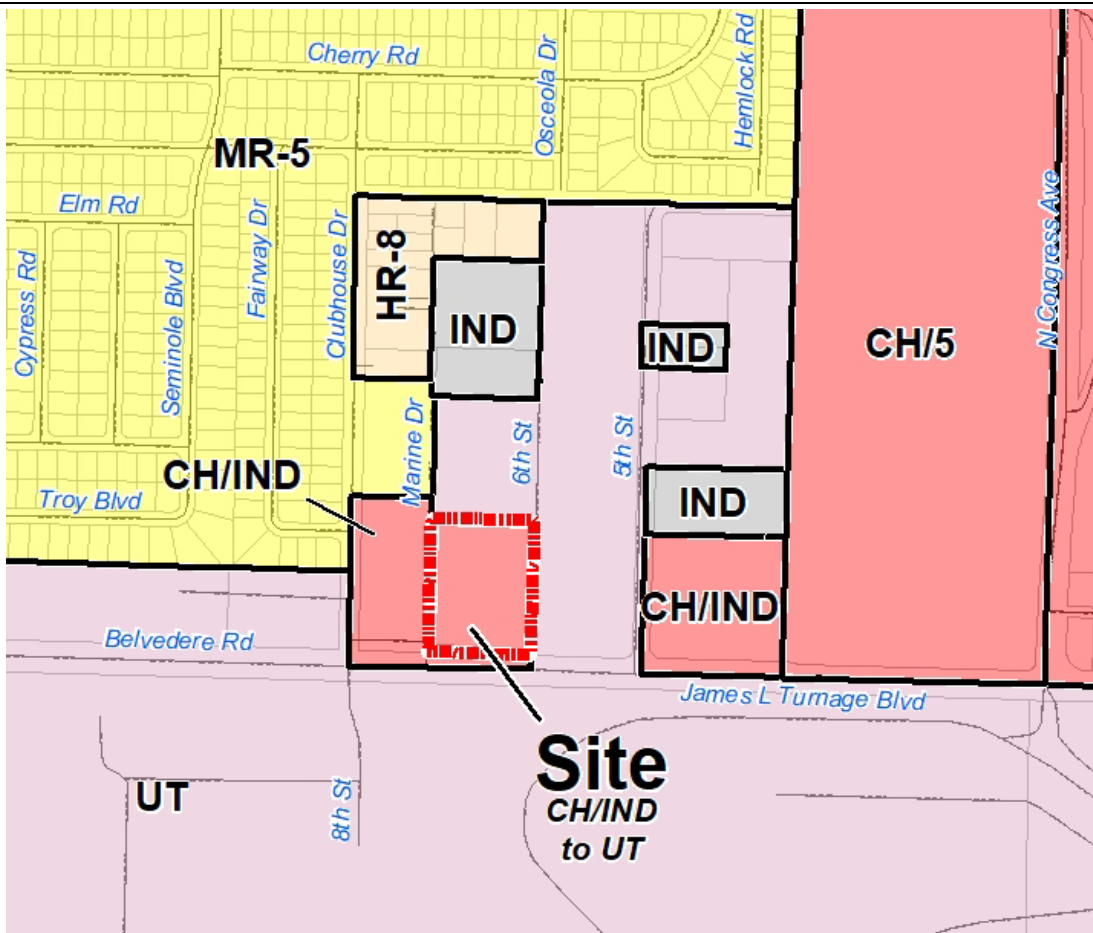
Staff recommends **approval** based upon the findings within this report.

<b>Exhibits</b>	<b>Page</b>
1. Future Land Use Map & Legal Description	E-1
2. Consistency with the Comprehensive Plan	E-3
3. Applicant's Justification/Consistency with Comprehensive Plan and Florida Statutes	E-10
4. Correspondence	E-25

### Exhibit 1

<b>Amendment No:</b>	<b>PBIA Treetown (SCA 2019-004)</b>
<b>FLUA Page No:</b>	58
<b>Amendment:</b>	Commercial High with underlying Industrial (CH/IND) to Transportation and Utilities (UT).
<b>Location:</b>	North side of Belvedere Rd, approx. 0.35 mile west of Congress Ave
<b>Size:</b>	3.63 Acres
<b>Property No:</b>	00-43-43-30-00-000-5090 00-43-43-30-00-000-7000 (a 0.06 acre portion)

**Conditions:** None



## Legal Description

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THAT PART OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30, THENCE NORTH 87°58'54" WEST ALONG THE SOUTH BORDER OF SECTION 30, A DISTANCE OF 1747.09 FEET; THENCE NORTH 02°00'51" EAST, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 02°00'51" EAST, A DISTANCE OF 486.34 FEET TO A POINT; THENCE NORTH 87°58'54" WEST, A DISTANCE OF 349.10 FEET TO A POINT; THENCE SOUTH 02°00'51" WEST, A DISTANCE OF 425.34 FEET; THENCE SOUTH 87°58'54" EAST, A DISTANCE OF 84.50 FEET; THENCE SOUTH 02°00'51" WEST, A DISTANCE OF 61.00 FEET; THENCE SOUTH 87° 58'54" EAST, A DISTANCE OF 264.60 FEET TO THE POINT OF BEGINNING.

LESS THE SOUTH 33.00 FEET THEREOF FOR RIGHT OF WAY OF BELVEDERE ROAD.

TOGETHER WITH: PROPERTY PER ORB.801, PG. 731

THAT CERTAIN TRACT OR PARCEL OF LAND, A PORTION OF THE FORMER PALM BEACH AIR FORCE BASE, SITUATE, LYING AND BEING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, IN THE COUNTY OF PALM BEACH, IN THE STATE OF FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30; THENCE N 87°58'54"W ALONG THE SOUTH BOUNDARY OF SAID SECTION 30, A DISTANCE OF 2,011.69 FEET; THENCE N 2°00' 51" E, A DISTANCE OF 33.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 2°00' 51" E, A DISTANCE OF 61.00 FEET; THENCE N 87°58'54" W, A DISTANCE OF 84.5 FEET; THENCE S 2°00'51" W, A DISTANCE OF 61.00 FEET; THENCE S 87°58'54" E, TO POINT OF BEGINNING;

LESS AND EXCEPT THE SOUTH 33.00 FEET AS RECORDED IN OFFICIAL RECORDS BOOK 4764, PAGE 655 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

THE PROPERTY CONTAINS 158,271 SQ. FT. OR 3.63 ACRE



## 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 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) which is summarized as follows:

- The subject site is vacant and owned by Palm Beach County. Surrounding uses include PBIA and other non-residential uses, which include governmental services, and airport related uses.
- The site is located within the URA which supports infill development.
- The site is located within the Westgate Community Redevelopment Area Overlay (WCRAO) and the Belvedere Homes Countywide Community Revitalization Team (CCRT) area. Properties that are zoned PO are exempted from the provisions of the WCRAO.
- The proposed development with airport or non-airport related uses will not have a negative effect on the development patterns in the area. The parcels are surrounded by government owned developed lands and exist within an urban area.

**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.

The subject site was purchased by the County for use by the Department of Airports (DOA). Pursuant to the Future Land Use Element of the Comprehensive Plan, the Transportation and Utilities (UT) future land use designation allows airports and related facilities, including, but not limited to, airport and aircraft operations and maintenance

facilities, cargo distribution terminals, car rental operations, warehouses, hotels and offices. It further states that County-owned or operated airports may include additional allowable uses, provided such uses are included in the Unified Land Development Code (ULDC) Article 3, Airport Zoning Overlay (AZO) and on the Airport Master Plans. The subject property is identified in the PBIA Master Plan to become a part of the AZO. This site will be identified as a Subsidiary Development Area (SDA) for Palm Beach International Airport (PBIA) for airport and/or non-airport related development. The appropriateness of the subject site for the uses cited above, as well as compatibility with the adjacent airport, and with existing and planned development serves as justification for the proposed 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.*

**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.

**Staff Analysis:** The proposed amendment would promote County Direction 2 by allowing the “*the location, type, intensity, timing and phasing, and form of development*” for the subject site while providing additional area for Airport uses. In addition, the subject site is currently vacant but previously contained two older buildings that were demolished in 2017. The proposed amendment would assign a Transportation and Utilities designation to the subject site consistent with the PBIA Airport Master Plan and provisions of the Airport Zoning Overlay, thereby supporting Direction 3. This will allow for redevelopment of the subject site in a manor compatible with existing airport operations.

## **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. **Future Land Use Element, 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 consistent with these tier requirements, as it would allow for facilities and services needed by the DOA, while ensuring that the redevelopment of the subject site is consistent and compatible with airport operations.

2. **Future Land Use Designations, 8. Utilities and Transportation Facilities (UT) Transportation Uses.** *Transportation uses include streets and other transportation corridors, expressways, interchanges, public and private airports and landing strips, ports, and railroad facilities. Airports and related facilities include, but are not limited to, airport and aircraft operations and maintenance facilities, cargo distribution terminals, car rental operations, warehouses, hotels, and offices. County owned or operated airports may include additional allowable uses, provided such uses are included in ULDC Article 3, Airport Zoning Overlay (AZO) and on the Airport Master Plans.*

**Staff Analysis:** The proposed amendment would revise the future land use designation for two properties acquired by the DOA totaling 3.63 acres, to assign the UT designation. The properties are located adjacent to PBIA as shown in the graphics within this report. This amendment will change the land use designation on these properties to be consistent with the designation assigned to DOA owned and operated properties. The proposed amendment will allow the DOA to utilize the properties consistent with the language stating: *“Related facilities, designated either to serve the needs of airport users and airport employees or to provide enterprise activities to support the operation of the County’s airports, may be permitted within areas designated Transportation and Utilities.”*

3. **Transportation Element, Policy 1.15-a:** *The Future Land Use Plan Map shall delineate airport locations as depicted in adopted airport master plans, and ensure that adjacent areas are restricted to compatible land uses such as industrial, commercial, recreation, and open space. The County shall use the mechanisms established in Goal 1, Objectives 1 to 4 of the Intergovernmental Coordination Element and its policies to coordinate compatible land use designations with municipalities.*

**Staff Analysis:** The subject site is depicted in the most recent version (2006) of the Palm Beach International Airport Master Plan for acquisition and redevelopment for DOA related uses. By acquiring the subject property and managing its redevelopment, the DOA can ensure that the redevelopment will be compatible with airport operations and compatible with surrounding land uses.

## 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:** To the north of the subject property are governmental services and airport related uses (Control No. 2008-00362). The parcel is owned by Palm Beach County and has a UT Future Land Use via Ordinance No 2008-057 and a PO Zoning designation. It is designated as SDA Parcel C on the PBA Airport Master Plan.

**South:** To the south of the subject property is the Palm Beach International Airport (Control No. 1982-00190). The parcel is owned by Palm Beach County and has a UT Future Land Use and a PO Zoning designation.

**East:** To the east of the subject property are governmental services, airport and non-airport related uses including professional office, contractor storage and a warehouse. (Control No. 2008-00362). The parcel is owned by Palm Beach County and has a UT Future Land Use via Ordinance No 2008-057 and a PO Zoning designation. It is designated as SDA Parcel C on the PBA Airport Master Plan.

**West:** To the west of the subject property are U.S. Government uses for the Marine Corps Training Center, classified as an office/warehouse complex (Control No. 1977-00092). The parcel is owned by the U.S. Government and has a Commercial High with an underlying Industrial (CH/IND) land use via Ordinance No. 2001-087 and a Multifamily Residential High Density (RH) Zoning Designation. Although zoned residential, the future land use designation would not allow residential development.

**Applicant’s Comments:** The anticipated airport and/or non-airport related development will not create or foster undesirable effects and will be very similar to existing and anticipated surrounding uses and will not cause any negative impacts on these properties or businesses. The subject property is not contiguous to any properties developed as residential or that have the potential to develop residentially.

**Staff Analysis:** The subject properties were acquired by the County for the purpose of maintaining compatibility with the adjacent airport for the DOA. The County has been acquiring properties to eliminate existing or future uses that do not co-exist with airport operations due to incompatibility and noise issues. The subject site falls within, or adjacent to, the existing and proposed Runway Protection Zones (RPZ). Height and use restrictions in this zone must be maintained for safe airport operations.

Several policies in the Transportation Element of the Comprehensive Plan address compatibly between airports and surrounding properties, including:

**TE Policy 1.15-a.** which states that *“The Future Land Use Plan Map shall delineate airport locations as depicted in adopted airport master plans, and ensure that adjacent areas are restricted to compatible land uses such as industrial, commercial, recreation, and open space. The County shall use the mechanisms established in Goal 1, Objectives 1 to 4 of the Intergovernmental Coordination Element and its policies to coordinate compatible land use designations with municipalities.”*

**TE Policy 1.15-h**, which states that *“The County shall conduct land use analyses and studies to evaluate options for including industrial land uses in the development plans for airport property, based on recommendations and standards for land use designation set forth in the FAA FAR Part 150 study on aviation noise effects.”*

**Staff Analysis:** Much like the subject site, many of the properties surrounding PBI A have been acquired in the past to maintain compatibility with the airport. Acquiring the subject parcels and changing the future land use designation with the purpose of incorporating these properties into the Airport Master Plan furthers the goals of seeking compatibility with surrounding areas.

#### **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 Westgate Community Redevelopment Area Overlay (WCRAO), the Airport Zoning Overlay, and the Urban Redevelopment Area (URA). The DOA is seeking a change to the Public Ownership Zoning District concurrent with this land use amendment. Properties that are zoned PO are exempted from the provisions of the WCRAO. Regarding 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, and discouraging urban sprawl by directing development where resources exist”*. The proposed amendment would allow incorporation of the subject site into the PBI A Master Plan and subsequent redevelopment consistent with the provisions of the URA.

FLUE Policy 2.1-k states *“The Airport Zoning Overlay (AZO) has been established to promote the maximum safety of aircraft using publicly-owned airports, the safety of residents and property in areas surrounding the airports, the full utility of the airports and airport properties, and to promote development of complimentary and compatible uses within Airport Master Plans. The AZO shall apply to properties within the boundaries of the Airport Master Plans identified in Transportation Element Objective 1.7. The AZO may allow uses that support the Airports’ major function as a regional transportation facility, further growth and modernization, and/or to generate revenue to support airport operations and maintenance. Related facilities, designated either to serve the needs of airport users and airport employees or to provide enterprise activities to support the operation of the County’s airports, may be permitted within areas designated Transportation and Utilities.”*

**Staff Analysis:** It is the intention that once the land use and zoning designations are changed, and the parcels incorporated into the PBI A Master Plan, that the provisions of the Airport Zoning Overlay (AZO) in the Unified Land Development Code will apply and direct development.

- 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 not located within the boundaries of a Neighborhood Plan or Planning Area Special Study.

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

The proposed amendment will change the future land use designation from Commercial High with underlying Industrial (CH/IND) to the Transportation and Utilities (UT) designation on the 3.63 acre subject site. For the purposes of the public facilities impact analysis, the maximum intensity of the CH/IND designation is based on a 0.35 floor area ratio (FAR) developed as Commercial General (CG) Retail as listed in the Future Land Use Element, Table III.C.2. The proposed designation of UT, with PO zoning, allows up to a 0.45 FAR.

Public facilities impacts are detailed in the table in Exhibit 3.

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 (Palm Beach County Water Utilities Department), 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:** The Traffic Division reviewed this amendment based on the existing potential of 55,343 SF of retail development, which would produce 2,411 net daily trips, 65 AM peak hour trips and 41 PM peak hour trips. According to the County’s Traffic Engineering Department (see letter dated August 27, 2018 in Exhibit 6) the amendment would result in 1,588 net daily trips, 57 AM net peak hour trips and 49 PM net peak hour trips for the most intense proposed use (option B).

The Traffic letter concludes *“Based on the review, the Traffic Division has determined the proposed amendment meets Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan at the maximum potential shown above”*.

The Traffic Study (see Exhibit 5) was prepared by Pinder Troutman Consulting, INC., 2005 Vista Parkway, Suite 111, West Palm Beach, FL 33411. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:

<http://www.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

#### **E. Public and Municipal Review**

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.....”*

1. **Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on November 20, 2018.
2. **Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on 29, 2018. In addition, the Westgate Community Redevelopment Area (CRA) was notified by mail on November 29, 2018. To date, no letters or phone calls of opposition have been received.

## Exhibit 3

### Applicant's Justification

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#### **REQUEST**

On behalf of the property owner/applicant, Palm Beach County Department of Airports, Urban Design Kilday Studios, as Agent, has prepared and respectfully submits this application for a County Initiated Small Scale Future Land Use Atlas (FLUA) Amendment for a 3.63 acre property (hereinafter referred to as the subject property) on the north side of Belvedere Road, west of 6<sup>th</sup> Street and east of Marine Drive (7<sup>th</sup> Street), approximately .35 miles west of Congress Avenue in the unincorporated area of Palm Beach County (PBC). The subject property currently has a FLU designation of Commercial High (CH) with an underlying Industrial (IND) and a General Commercial (CG) zoning designation. The subject property is comprised of two (2) parcel control numbers (PCN) identified as 00-43-43-30-00-000-5090 for the larger area that is approximately 3.58 acres in size, and a portion of 00-43-43-30-00-000-7000 for the smaller parcel in the southwest corner that is approximately 0.06 acres. The 00-43-43-30-00-000-7000 PCN is tied to a larger parcel of land known as Subsidiary Development Area (SDA) Parcel D located west of the subject site, and also owned by the County. Prior to Palm Beach County's acquisition of the property in 2016, the subject property supported a commercial development. There were two 2-story commercial structures totaling 34,476 square feet as determined through the Palm Beach County Property Appraiser's records. These structures were demolished in May 2017.

The applicant is requesting approval of the following:

1. To amend the FLUA designation of 3.63 acres of the subject property from Commercial High (CH) with an underlying Industrial (IND) land use designation to the Transportation/Utility (UT) land use designation.

On July 23, 2018, the BCC recommended initiation of this proposed FLU amendment request.

The applicant will be submitting a concurrent Zoning Map Amendment application on September 10, 2018 to accompany the future land use amendment request. This zoning map amendment will be to change the zoning from General Commercial (CG) to Public Ownership (PO) zoning district. Also, a Development Order Abandonment (DOA) application will accompany this Rezoning application to abandon a prior Special Exception that allowed an Office/Warehouse Complex. The subject property will be included into the Palm Beach International Airport (PBIA) Airport Master Plan to become a part of the Airport Zoning Overlay (AZO). This site will be identified as a Subsidiary Development Area (SDA) for PBIA for airport and/or non-airport related development. It is anticipated that the site would be most viable for non-airport related development.

#### **PROJECT HISTORY:**

The site was developed for commercial purposes supporting two buildings that had a variety of commercial tenants. Palm Beach County acquired the property on July 25, 2016 and these buildings were demolished in 2017. The site currently supports remnants of the parking areas and the former building pads are grassed. An existing billboard is located along the site's Belvedere Road frontage. An existing Palm Tran bus stop is located at the southwest corner of the site fronting Belvedere Road and an existing Palm Beach County Water Utility Department lift station is directly north of the bus stop.



An overview of past approvals for the site is as follows:

- On August 25, 1977, the Palm Beach County Board of County Commissioners (PBC BCC) approved a rezoning of the subject property from (RH) Residential Multiple Family Dwelling District (High Density) to CG-General Commercial District under Petition No. 77-92, through Resolution No. R-77-943. Additionally, as part of the same application and Resolution, a Special Exception was approved to allow an Office/Warehouse Complex. Although records available in EZPB indicate that there were several inquiries regarding abandoning the Special Exception, there is no record that this occurred.
- On December 5, 2001, the BCC adopted Ordinance No. 2001-087, an amendment to assign a Commercial Low (CL), Commercial High (CH) or Commercial High Office (CH-O) to approximately 1,672 parcels. This amendment changed the future land use from Commercial/Industrial (C/IND) to Commercial High (CH/IND) for the subject parcels.

## **A. CONSISTENCY**

### **G.1 - Justification**

Per Policy 2.1-f of the FLUE of the PBC Plan, 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. The applicant is requesting to amend the FLUA designation of the subject site from Commercial High (CH) with an underlying Industrial (IND) to Transportation/Utility (UT). This amendment reflects the change in ownership of the subject property from private to public (Palm Beach County) and the future intended plan of development.

The site was acquired by the Palm Beach County Department of Airports for incorporation into the PBI Airport Master Plan for redevelopment. Although the PO zoning district is consistent with all Future Land Use designations, it has been the Department of Airports policy to change the designation on parcels that they acquire to UT in conjunction with rezoning them. This allows for the parcels to be incorporated into the corresponding Airport Master Plan and to utilize the provisions of the AZO. Many parcels east and west of Military Trail have been addressed in this same manner. The subject property is not located within the boundaries of any Neighborhood Plan. The site is located within the Westgate Community Redevelopment Area Overlay (WCRAO) and Belvedere Homes (CCRT). Properties that are zoned PO are exempted from the provisions of the WCRAO. The WCRAO policy in the Comprehensive Plan will not apply to this subject site as a concurrent Zoning Map Amendment application request will be submitted in September to rezone to the PO zoning district.

The proposed FLUA amendment meets the required standard as follows:

#### **1) The proposed use is suitable and appropriate for the subject site:**

**Applicant's Description:** Palm Beach County Department of Airports purchased the subject property in 2016 and had the two 2- story commercial structures demolished. The current FLUA designation is not appropriate as the Department of Airports intends to include the site in the PBI Airport Master Plan to be redeveloped under the provisions of the Airport Zoning Overlay (AZO), with a further intention to market the property for non-airport related uses. Uses allowed by the AZO on properties within the Airport Master Plan are suitable and appropriate in proximity to airports and would be suitable and appropriate for this site.

Page 128 of the Future Land Use Element of the PBC Comprehensive Plan (FLUE) states:

**“7. Transportation and Utilities Facilities (UT)**

Transportation uses include streets and other transportation corridors, expressways, interchanges, public and private airports and landing strips, ports, and railroad facilities. Airports and related facilities include, but are not limited to, airport and aircraft operations and maintenance facilities, cargo distribution terminals, car rental operations, warehouses, hotels, and offices. **County owned or operated airports may include additional allowable uses, provided such uses are included in ULDC Article 3, Airport Zoning Overlay (AZO) and on the Airport Master Plans.”**

***(emphasis is added)***

As the subject property is publicly owned and will be rezoned to the PO district, the existing Commercial High (CH) with an underlying Industrial (IND) is inappropriate for the intended plan of development. The more appropriate future land use designation is UT that would allow for both airport and non-airport related development.

The proposed plan of development will not negatively impact the natural environment as the site was previously developed for commercial use, and all of the surrounding properties area developed. Palm Beach County Department of Airports owns the properties to the north and east. The Marine Corps Training Center is located to the west. Public facilities already exist in proximity and utility services are in place and capacity is available to serve the non-airport related development. The site has existing access from two (2) streets, Marine Drive (also known as 7<sup>th</sup> Street) to the west and 6<sup>th</sup> Street to the east. Both of these streets directly connect to an arterial roadway, Belvedere Road.

**2) The basis for the requested change for this particular site is based upon the following criteria:**

- ***New information or change in circumstances which affect the subject site.***

**Applicant’s Description:** A change in circumstances has occurred that affects the subject site. Palm Beach County Department of Airports acquired the subject property for redevelopment as part of the PBI Airport Master Plan. The amendment proposes to assign the subject property a UT land use designation consistent with the change in ownership by a public agency, incorporation of the site into the Airport Master Plan, and in expectation of rezoning the site to the PO district.

As noted above, another change in circumstance is that the BCC recommended initiation of this proposed FLU amendment request on July 23, 2018. This initiation process allows the Board to consider department proposed changes to the Comprehensive Plan. As this initiation has been recommended to move forward through the amendment process, the BCC recognizes that the UT designation is consistent and compatible with the development pattern of the surrounding area, which is projected to be airport and/or non-airport related development.

- ***Inappropriateness of the adopted FLU designation.***

**Applicant’s Description:**

The Commercial High (CH) with an underlying Industrial (IND) designation is inappropriate as the DOA now owns the property. As has been done for other DOA owned properties that are to be

incorporated into the Airport Master Plan, a change to the UT designation is appropriate. As the surrounding properties that are owned by the DOA are already UT and identified in the Airport Master Plan as SDA's for airport and/or non-airport related development, a UT land use designation will be appropriate on the subject property.

The County Directions recognize that redevelopment will occur, and infill development in urban areas is encouraged to make efficient use of land and existing public facilities and services. The opportunity to redevelop this site for airport or non-airport related uses furthers this goal.

### **G.2 - Residential Density Increases**

The application is not requesting to increase residential density. This site does not currently have an underlying residential density nor is one proposed. Therefore, this section does not apply to this request to change the land use designation to Transportation/Utility (UT).

### **G. 3 - Compatibility**

Compatibility is defined in the County's Unified Land Development code as: "*Land uses that are congruous, similar and in harmony with one another because they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar, contradictory, incongruous, or discordant activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise, vibration, smoke, hazardous odors, radiation, function and other land use conditions.*" Based on this definition and accepted growth management ideals, the proposed amendment to change the FLUA designation from Commercial High (CH) with an underlying Industrial (IND) to the Transportation/Utility (UT), and to include the site into the Airport Master Plan and identified as an SDA for airport and/or non-airport related development under the AZO is compatible with the surrounding and adjacent lands. Other SDAs are located to the east and north. PBIA Airport is located directly south of Belvedere Road. Publicly owned property, the Marine Corps Training Center, is to the west. All of these sites are similar in use and in harmony with each other.

The anticipated airport and/or non-airport related development will not create or foster undesirable effects and will be very similar to existing and anticipated surrounding uses and will not cause any negative impacts on these properties or businesses. The subject property is no contiguous to any properties developed as residential or that have the potential to develop residentially.

### **G.4 - Comprehensive Plan**

The proposed amendment furthers several Goals of the Comprehensive Plan and is consistent with several Objectives and Policies. The site is located within the Westgate Community Redevelopment Area Overlay (WCRAO) and Belvedere Homes (CCRT). Properties that are zoned PO are exempted from the provisions of the WCRAO. The concurrent Zoning Map Amendment application being submitted in September will request that the site be rezoned from CG to PO. Therefore, the WCRAO policy in the Comprehensive Plan will not apply. The following is optional data and analysis to demonstrate consistency with specific objectives and policies in the Plan:

- **C. County Directions**

**Applicant's Description:** The County Directions in the Future Land Use Element provide the basis for the Goals, Objectives and Policies in the Plan. The County Directions recognize that redevelopment will occur, and infill development in urban areas is encouraged to make efficient

use of land, and existing public facilities and services. Several of these Directions support the proposed amendment, specifically the Infill, Redevelopment and Revitalization; Land Use Compatibility; and Neighborhood Integrity Directions.

- **FLUE Objective 1.2 Urban/Suburban Tier - Urban Service Area:** The Urban/Suburban Tier is intended to accommodate the bulk of the County's population and its needs for employment, goods and services.

**Applicant's Description:** Assigning a UT designation to the site will allow for it to become a viable redevelopment opportunity within the Urban/Suburban Tier and accommodate the employment opportunities and/or provision of goods and services. This site is intended for redevelopment for non-airport related non-residential uses, which will be compatible with the surrounding and adjacent properties. This proposed amendment promotes infill redevelopment on a site that was previously developed and in an area that is almost built out.

- **FLUE Policy 2.2.9-c:** Transportation and Utilities uses may be permitted in all future land use designations, provided the uses are consistent with the provisions of the Comprehensive Plan and the ULDC.

**Applicant's Description:** The site will be identified as a Subsidiary Development Area (SDA) within the PBI Airport Master Plan and the proposed amendment is consistent with the provisions of the Comprehensive Plan and the ULDC that require a UT future land use designation and a PO zoning designation to utilize the provisions of the AZO, which is intended for development of lands within an Airport Master Plan.

- **FLUE Policy 2.2.9-d:** The Airport Zoning Overlay (AZO) has been established to promote the maximum safety of aircraft using publicly-owned airports, the safety of residents and property in areas surrounding the airports, the full utility of the airports and airport properties, and to promote development of complimentary and compatible uses within Airport Master Plans. The AZO shall apply to properties within the boundaries of the Airport Master Plans identified in Transportation Element Objective 1.7. The AZO may allow uses that support the Airports' major function as a regional transportation facility, further growth and modernization, **and/or to generate revenue to support airport operations and maintenance** (*emphasis added*). Related facilities, designated either to serve the needs of airport users and airport employees or to provide enterprise activities to support the operation of the County's airports, may be permitted within areas designated Transportation and Utilities.

**Applicant's Description:** The proposed amendment furthers this goal by promoting the redevelopment of the subject property for airport and/or non-airport related uses that will generate revenue to support airport operations and maintenance. This site will be identified as an SDA for PBI for airport and/or non-airport related development. It is anticipated that the site would be most viable for non-airport related development.

- **Transportation Element Policy 1.15-a:** The Future Land Use Plan Map shall delineate airport locations as depicted in adopted airport master plans, and ensure that adjacent areas are restricted to compatible land uses such as industrial, commercial, recreation, and open space.

**Applicant's Description:** By acquiring the subject property and managing its redevelopment, the Department of Airports can ensure that the redevelopment will be compatible with airport operations.

## **G.5. - Florida Statues**

The following is optional data and analysis to demonstrate consistency with Chapter 163.3177, F.S.

- **Florida Statutes, Section 163.3177.(6).(a).9** provides that “the future land use element and any amendments to the future land use element shall discourage the proliferation of urban sprawl.”

**Florida Statutes, Section 163.3177.(6).(a).9.a:** The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below along with the applicant’s descriptions. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment discourages urban sprawl.

**Florida Statutes, Section 163.3164(52)** defines “Urban sprawl” as follows: a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.

**(I):** Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

**Applicant’s Description:** The applicant is proposing to redevelop the site with non-airport related uses. To the north, west, and east are existing industrial uses on publicly owned properties. The sites to the north and east, Parcel C, are already identified as SDAs in the Airport Master Plan. PBIA Airport exists to the south. This proposed amendment will be consistent with the surrounding area and discourages the proliferation of Urban Sprawl as it is an infill redevelopment scenario within an existing pattern of development of airport and non-airport related uses.

**(II):** Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

**Applicant’s Description:** The property is within the Urban/Suburban Tier surrounded by developed lands. The site is not located in or near a designated rural area. The property is located in close proximity to urban services such as police, fire rescue, schools, hospitals, institutional uses and water/wastewater/drainage utilities. Therefore, the proposal discourages the proliferation of Urban Sprawl as no development of rural or remote areas is proposed, and it does not fail to provide a clear separation between urban and rural uses.

**(III):** Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

**Applicant’s Description:** The development is not isolated nor is the proposed pattern of development strip or ribbon. This site is characterized more as an infill project as it was previously developed for commercial use. The site is served by existing public services and will be redeveloped for non-airport related uses anticipated to be similar in character to commercial uses in the area. The sites to the north, south and east are developed, and to the south is PBIA

Airport. Therefore, the proposal discourages the proliferation of Urban Sprawl and does not result in a radial, strip, isolated or ribbon pattern of development.

**(IV):** Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

**Applicant's Description:** This amendment does not fail to protect and conserve natural resources as there are no existing areas of natural upland vegetation on the subject property, nor are there any wetlands or other significant natural systems. The site is located within the 500-year flood plain. Drainage can be accommodated for the proposed improvements by e-directing the discharges from Basin B03 to the west into the Belvedere Ditch. Therefore, the proposal discourages the proliferation of Urban Sprawl by allowing for redevelopment of a site that does not negatively impact natural resources and does not require the extension of public facilities or services through natural or environmentally sensitive areas.

**(V):** Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

**Applicant's Description:** There are no adjacent sites that are currently being used for agricultural purposes. The sites to the north, south, west and east are developed. The proposed FLUA Amendment does not fail to adequately protect agricultural activities nor does it fail to provide a clear separation between urban and rural uses. Therefore, the proposal discourages the proliferation of Urban Sprawl as no redevelopment of agricultural land is proposed nor any agricultural uses are in the adjacent area.

**(VI):** Fails to maximize use of existing public facilities and services.

**Applicant's Description:** This amendment will maximize the use of existing public facilities and services. Public facilities and infrastructure already exist in this area and currently serve this site. Utility providers have confirmed that they have the capacity to service the proposed redevelopment on the subject property under its proposed FLUA amendment. Major roadways and mass transit service is available to serve this site. Therefore, the proposal discourages the proliferation of Urban Sprawl by maximizing the use of existing public facilities and services.

**(VII):** Fails to maximize use of future public facilities and services.

**Applicant's Description:** This amendment will maximize the use of future public facilities and services as the property is located in a developed area where facilities already exist. No facilities would be required to be installed in rural or sparsely populated areas, thereby maximizing the use of the existing and future facilities. Therefore, the proposal discourages the proliferation of Urban Sprawl.

**(VIII):** Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

**Applicant's Description:** As a result of the previous development on site and those located within the surrounding area, the proposed amendment will not increase the costs of providing services as they already exist. Therefore, the proposal discourages the proliferation of Urban

Sprawl by utilizing and supporting existing infrastructure and services and does not cause the extension of services in an inefficient manner.

**(IX):** Fails to provide a clear separation between rural and urban uses.

**Applicant's Description:** This site is located internal to the boundaries of the Urban/Suburban Tier. Therefore, the proposed amendment discourages the proliferation of Urban Sprawl as it is not adjacent to rural lands and therefore does not fail to provide a clear separation between rural and urban uses.

**(X):** Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

**Applicant's Description:** This amendment is considered infill development as the area surrounding the site is developed with a mix airport and non-airport related uses. The site was previously developed for commercial use and this request will not promote the redevelopment of existing neighborhoods or communities.

**(XI):** Fails to encourage a functional mix of uses.

**Applicant's Description:** It is intended that the subject property will be redeveloped with airport related or non-airport related uses, consistent with the surrounding properties and area. There is an existing mix of uses within the surrounding area that provides for a functional mix of uses and therefore, the proposal discourages the proliferation of Urban Sprawl. It is anticipated that the site will be most viable for non-airport related use, which could be retail, restaurant, office or the like, which would further encourage a function mix of uses along this corridor.

**(XII):** Results in poor accessibility among linked or related land uses.

**Applicant's Description:** The site has existing access by two streets, Marine Drive (also known as 7<sup>th</sup> Street) to the west and 6<sup>th</sup> Street to the east. Both of these streets directly connect to Belvedere Road, an existing arterial roadway with a sidewalk on the north side. There is an existing Palm Tran mass transit stop located on southwest corner of the subject site connected to the sidewalk. As such, redevelopment of this site will connect into the existing vehicular, pedestrian and mass transit circulation systems and therefore the proposal discourages the proliferation of Urban Sprawl.

**(XIII):** Results in the loss of significant amounts of functional open space.

**Applicant's Description:** Redeveloping this site with non-airport related uses will not result in a loss of functional open space. The site was previously developed with commercial uses and does not support any functional open space, nor does it connect with any other open space system off site as the site is surrounded by commercial, industrial and airport uses.

In conclusion the requested FLUA Amendment from Commercial High (CH) with an underlying Industrial (IND) to the Transportation/Utility (UT) land use designation on the subject property is justified, consistent with the Plan and State of Florida laws, and is compatible with surrounding uses. The proposed amendment discourages the proliferation of Urban Sprawl.

## B. SURROUNDING USES

Adjacent Lands	Use	Future Land Use	Zoning
<b>North</b>	Governmental services and airport related uses	UT – Utility & Transportation (Ordinance No. 2008-057)	PO-Public Ownership (Control No. 2008-00362)
<b>South</b>	Palm Beach International Airport	UT – Utility & Transportation	PO-Public Ownership (Control No. 1982-00190)
<b>East</b>	Governmental services and non-airport related uses - professional office, contractor storage and a warehouse	U– Utility & Transportation (Ordinance No. 2008-057)	PO-Public Ownership (Control No. 2008-00362)
<b>West</b>	U.S. Government – Office/Warehouse Complex	CH/IND-Commercial High with an underlying Industrial land use (Ordinance No. 2001-087)	RH-Multifamily Residential High Density (Control No. 1977-00092)

Below is a description of the uses on the adjacent properties to the north, south, east and west of the overall property consistent with Attachment F.

- **North:** To the north of the subject property are governmental services and airport related uses (Control No. 2008-00362). The parcel is owned by Palm Beach County and has a UT Future Land Use via Ordinance No 2008-057 and a PO Zoning designation. It is designated as SDA Parcel C on the PBIA Airport Master Plan.
- **South:** To the south of the subject property is the Palm Beach International Airport (Control No. 1982-00190). The parcel is owned by Palm Beach County and has a UT Future Land Use and a PO Zoning designation.
- **East:** To the east of the subject property are governmental services, airport and non-airport related uses including professional office, contractor storage and a warehouse. (Control No. 2008-00362). The parcel is owned by Palm Beach County and has a UT Future Land Use via Ordinance No 2008-057 and a PO Zoning designation. It is designated as SDA Parcel C on the PBIA Airport Master Plan.
- **West:** To the west of the subject property are U.S. Government uses for the Marine Corps Training Center, classified as an office/warehouse complex (Control No. 1977-00092). The parcel is owned by the U.S. Government and has a Commercial High with an underlying Industrial (CH/IND) land use via Ordinance No. 2001-087 and a Multifamily Residential High Density (RH) Zoning Designation. Although zoned residential, the future land use designation would not allow residential development.

On behalf of the applicant, Urban Design Kilday Studios, respectfully requests approval of this request to amend the FLUA designation on the subject property. The Project Managers at Urban Design Kilday Studios are Collene Walter and Shayne Broadnix who can be reached at (561) 366-1100 or via email at [cwalter@udkstudios.com](mailto:cwalter@udkstudios.com) or [sbroadnix@udkstudios.com](mailto:sbroadnix@udkstudios.com).



**Exhibit 4**  
**Applicant's Public Facility Impacts Table**

<b>A. Traffic Information</b>		
	<b>Current</b>	<b>Proposed</b>
<b>Max Trip Generator OPTION A</b>	Retail: $\text{Ln}(T) = 0.65\text{Ln}(x) + 5.83$	Retail: $\text{Ln}(T) = 0.65\text{Ln}(x) + 5.83$ General Office: $\text{Ln}(T) = 0.76\text{Ln}(x) + 3.68$
<b>Maximum Trip Generation</b>	2,501 ADT	Max: 90 ADT Proposed: 1,847 ADT
<b>Net Daily Trips:</b>	(2,411) (maximum minus current) _ (654) (proposed minus current)	
<b>Net PH Trips:</b>	(65) AM, (41) PM (maximum) 27 AM, 118 PM (proposed)	
<b>Max Trip Generator OPTION B</b>	Retail: $\text{Ln}(T) = 0.65\text{Ln}(x) + 5.83$	Retail: $\text{Ln}(T) = 0.65\text{Ln}(x) + 5.83$ General Office: $\text{Ln}(T) = 0.76\text{Ln}(T) = 0.76\text{Ln}(x) + 3.68$
<b>Maximum Trip Generation</b>	2,501 ADT	Max: 90 ADT Proposed: 913 ADT
<b>Net Daily Trips:</b>	(2,411) (maximum minus current) (1,588) (proposed minus current)	
<b>Net PH Trips:</b>	(65) AM, (41) PM (maximum) 57 AM, 39 PM (proposed)	
<b>Significantly impacted roadway segments that fail Long Range</b>	None	None
<b>Significantly impacted roadway segments for Test 2</b>	None	None
<b>Traffic Consultant</b>	Linda Riccardi, P.E. – Pinder Troutman Consulting, Inc.	
<b>B. Mass Transit Information</b>		
<b>Nearest Palm Tran Route (s)</b>	The Palm Tran Bus Route that services this property is Route 42-West Palm Beach to Military Trail.	
<b>Nearest Palm Tran Stop</b>	There is an existing bus stop located on the southwest corner of the subject site (portion of PCN 00-43-43-30-00-000-7000).	

<b>Nearest Tri Rail Connection</b>	Tri-Rail Shuttle Route BR-1 connecting at the main terminal of the Palm Beach International Airport.
<b>C. Portable Water &amp; Wastewater Information</b>	
The site lies within the water and sewer services area of PBC Water Utilities Department, who have confirmed available capacity in their letter dated July 30, 2018. Please see Potable Water & Wastewater Level of Service (LOS) comment letter in Application Attachment I.	
<b>Potable Water &amp; Wastewater Providers</b>	Palm Beach County Water Utilities Department. See Attachment I for confirmation of LOS.
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest PBC WUD potable water is a 10" watermain located along the western boundary of the property and a 6" watermain located along the southern and eastern boundary of the property. There is an existing 8" gravity sanitary sewer main along the southern boundary of the property and an existing PBCWUD lift station located in the southwest corner of the property.
<b>D. Drainage Information</b>	
The site is located within the boundaries of the South Florida Water Management District (SFWMD) C-51 Drainage Basin. The existing infrastructure for Basin B03 consists of an internal canal that discharges to the LWDD L-2 Canal, immediately west of Congress Avenue, the proposed improvements include re-directing the discharges from Basin B03 to the west into the Belvedere Ditch for permitted positive outfall. Please see Drainage Statement in Application Attachment J for additional information on the standards proposed.	
<b>E. Fire Rescue</b>	
<b>Nearest Station</b>	Fire House Station #24 (1734 Seminole Boulevard)
<b>Distance to Site</b>	Station #24 is located approximately 1.25 miles from the subject site.
<b>Response Time</b>	Average response time is five (5) minutes.
<b>Effect on Resp. Time</b>	Estimated response time is 6.07 minutes.
<b>F. Environmental</b>	
<b>Significant habitats or species</b>	No significant habitat exists on the property. See Attachment L for the Environmental Assessment.
<b>Flood Zone*</b>	According to Palm Beach County's MyGeoNav system, the subject property is located within Flood Zone X500.
<b>Wellfield Zone*</b>	The subject site is not located in or near any wellfields. See Attachment M for Wellfield Protection Map.
<b>G. Historic Resources</b>	
Staff review has identified no known archaeological resources located on or within 500 feet of the subject property. Please see the Historical Preservation Data & Analysis Letter included as Attachment N.	

## **Exhibit 5**

### **Traffic Study**

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Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:

<http://www.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

# Exhibit 6

## Palm Beach County Traffic Division Letter



August 27, 2018

Linda Riccardi, P.E.  
Pinder Troutman Consulting, Inc.  
2005 Vista Parkway, Suite 111  
West Palm Beach, FL 33411

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

**RE: PBIA - Treetown  
FLUA Amendment Policy 3.5-d Review  
Round 2019-A2**

Dear Ms. Riccardi:

Palm Beach County Traffic Division has reviewed the Comprehensive Plan Amendment Transportation Analysis for the proposed Future Land Use Amendment for the above referenced project, revised August 15, 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:

**Palm Beach County  
Board of County  
Commissioners**

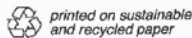
- Melissa McKinlay, Mayor
- Mack Bernard, Vice Mayor
- Hal R. Valeche
- Paulette Burdick
- Dave Kerner
- Steven L. Abrams
- Mary Lou Berger

**County Administrator**

Verdenia C. Baker

<b>Location:</b>	N of Belvedere Road, between Marine Drive and 6 <sup>th</sup> Street	
<b>PCN:</b>	00-43-43-30-00-000-5090 and portion of 00-43-43-30-00-000-7000	
<b>Acres:</b>	3.63 acres	
	<b>Current FLU</b>	<b>Proposed FLU</b>
<b>FLU:</b>	Commercial High/Industrial (CH/IND)	Utility & Transportation (U/T)
<b>Zoning:</b>	General Commercial (CG)	Public Ownership (PO)
<b>Density/ Intensity:</b>	CH – 0.35 FAR	U/T – 0.45 FAR
<b>Maximum Potential:</b>	Retail Total: 55,343 SF Retail	Utility Total: 3.63 Acres
<b>Proposed Potential:</b>	N/A	<b>Option A:</b> General Office Total: 46,155 SF Retail Total: 25,000 SF <b>Option B:</b> General Office Total: 71,155 SF
<b>Net Daily Trips:</b>	-2,411 (maximum - current) -654 (maximum – proposed) <i>Option A</i> -1,588 (maximum – proposed) <i>Option B</i>	
<b>Net PH Trips:</b>	-65 (-59/-6) AM, -41 (-6/-35) PM (maximum) 27 (23/4) AM, 118 (52/66) PM ( <i>Proposed Option A</i> ) 57 (50/7) AM, 49 (8/41) PM ( <i>Proposed Option B</i> )	
	* <i>Maximum</i> indicates typical FAR and maximum trip generator. <i>Proposed</i> indicates the specific uses and intensities/densities in the zoning application.	

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Linda Riccardi, P.E.  
August 27, 2018  
Page 2

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 proposed potential density shown above for either option A or option B or equivalent trips.

Please contact me at 561-684-4030 or email to [gbari@pbcgov.org](mailto:gbari@pbcgov.org) with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Quazi Bari".

Quazi Bari, P.E.  
Senior Professional Engineer - Traffic Division

QB:DS/bc

cc: Dominique Simeus – Project Coordinator II, Traffic Division  
Steve Bohovsky – Technical Assistant III, Traffic Division  
Lisa Amara – Senior Planner, Planning Division  
Khurshid Mohyuddin – Principal Planner, Planning Division  
Jorge Perez – Senior Planner, Planning Division

File: General - TPS – Unincorporated - Traffic Study Review  
N:\TRAFFIC\Development Review\Comp Plan\19-A2\PBIA - Treetown.docx

**Exhibit 7**  
**Water & Wastewater Provider LOS Letter**

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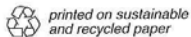


**Water Utilities Department**  
**Engineering**  
8100 Forest Hill Blvd.  
West Palm Beach, FL 33413  
(561) 493-6000  
Fax: (561) 493-6085  
www.pbcwater.com



**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

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July 30, 2018

Urban Design Kilday Studios  
610 Clematis Street Suite CU02  
West Palm Beach, Fl. 33401

RE: PBIa- Treetown  
PCN 00-43-43-30-00-000-5090 and a portion of 00-43-43-30-00-000-7000 3.63 Acres  
Service Availability Letter

Dear Shayne,

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 at the current FLUA designation Commercial High (CH) with an underlying Industrial (IND) land use designation and the proposed Transportation/Utility land use designation.

Water and wastewater service is currently provided to this property. The nearest potable water is 10" watermain located along the western boundary of the property and a 6" watermain located along the southern and eastern boundary of the property. There is an existing 8" gravity sanitary sewer main along the southern boundary of the property and an existing PBCWUD lift station located in the southwest corner of the property.

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,

A handwritten signature in blue ink that reads "Jackie Michels".

Jackie Michels, P.E,  
Plan Review Manager

**Exhibit 9  
Correspondence**

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