Bryan 2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	20-B2	Intake Date	May 8, 2019
Application Name	R80 Residential PUD	Concurrent? Yes (Rezoning)	
Acres	11.46 (See Survey at Attachment P)	Text Amend?	No
PCNs	00-42-43-27-05-005-0420, 00-42-43-27-05-005-1620, 00-42-43-27-05-005-1710, 00-42-43-27-05-005-1630, 00-42-43-27-05-005-1591, 00-42-43-27-05-005-2250, 00-42-43-27-05-005-1640, 00-42-43-27-05-005-1600, 00-42-43-27-05-005-2240, 00-42-43-27-05-005-1590, 00-42-43-27-05-005-1611		
Location	Northeast Corner of 1 st Street and Southern Boulevard (westbound exit ramp to Jog Road)		
	Current	Proposed	
Tier	Urban/Suburban	Urban/Suburban	
Use	Vacant, Single Family Residential, Outdoor Storage	Multi-Family Residential	
Zoning	Agricultural Residential (AR) Single Family Residential (RS)	Planned Unit Development (PUD)	
Future Land Use Designation	Medium Density Residential, 5 units per acre (MR-5)	High Residential, 12 dwelling units per acre (HR-12)	
Underlying Future Land Use Designation	None	None	
Conditions	None	None	

B. Development Potential

Provide math for each item as indicated (e.g. 5 du/acre x 3 acres = 15 units)

	Current FLU	Proposed FLU
Density/ Intensity:	5 units per acre	12 units per acre
Maximum Dwelling Units ¹ (residential designations)	5 du/acre x 11.46 ac. = 57 D.U's	12 du/acre x 11.46 ac. = 137 du's Multi-Family Apartment Units
Maximum Beds (for CLF proposals)	None	None
Population Estimate	57 max du x 2.39 = 136 persons	137 max du x 2.39 = 327
Maximum Square Feet ^{2, 4} (non-residential designations)	None	0.45 FAR x 11.46 ac. = 224,639 SF

Proposed or Conditioned Potential ^{3, 4}	None	288 Multi-Family Apartment Units (WHP Units = 65) (TDR Units = 46)	
Max Trip Generator	Single Family Residential, # 210 10 tpd/unit	Multi-Family Mid-Rise Housing, #221 5.44 tpd/unit	
Maximum Trip Generation	570 trips per day	Maximum – 745 trips per day Proposed – 1567 trips per day	
Net Daily Trips:	Maximum: 745 tpd – 570 tpd = 175 trips per day Proposed: 1567 tpd – 570 tpd = 997 trips per day		
Net PH Trips:	AM Maximum: 49 pht – 42 pht = 7 peak hour trips AM Proposed: 104 pht – 42 pht = 62 peak hour trips PM Maximum: 60 pht – 59 pht = 1 peak hour trip PM Proposed: 127 pht – 59 pht = 68 peak hour trips		

1. Maximum units per acre see Future Land Use Element Table III.C.1;

2. Maximum FAR see FLUE Table III.C.2 for FAR. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.

3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;

4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (e.g. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.

2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 2. Applicant Data

A. Agent Information

Identify the information for the agent processing the application. The agent will be the primary contact for Planning Division staff throughout the amendment process.

Name	Josh Nichols, LEED AP
Company Name	Schmidt Nichols
Address	1551 N Flagler Drive, Ste. 102
City, State, Zip	West Palm Beach, FL 33401
Phone / Fax Number	561.684.6141 / 561.684.6142
Email Address	jnichols@snlandplan.com

B. Applicant Information

Identify the information for <u>each</u> Property Owner and Contract Purchaser. Duplicate table as needed.

	Applicant A	
Name	Ernesto Lopes, MGR	
Company Name	Southern & Jog Apartments, LLC	
Address	12895 SW 132 nd Street, Unit 202	
City, State, Zip	Miami, FL 33186	
Phone / Fax Please Contact Agent Number Please Contact Agent		
Email Address	Please Contact Agent	
Type (Owner, Contract Purchaser)	Owner	

2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 3. Site Data

A. Site Data

Built Features	The existing site is comprised of 11 parcels. Only one out of the eleven (11) included parcels contains a structure. This parcel is PCN: 00-42-43-27-05-005-1620 and currently has a 2,444 square foot single-family home built on site that was constructed in 1978. An Inventory Summary & map are enclosed as Attachment F .
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PCN	00-42-43-27-05-005-0420, 00-42-43-27-05-005-1590; 00-42-43-27-05-005-1591; 00-42- 43-27-05-005-1600, 00-42-43-27-05-005-1611; 00-42-43-27-05-005-1620; 00-42-43-27- 05-005-1630, 00-42-43-27-05-005-1640; 00-42-43-27-05-005-1710; 00-42-43-27-05- 005-2240, 00-42-43-27-05-005-2250 See Legal Description as Application Attachment A and Survey as Attachment P	
Street Address	216 1 st Street, 6221 Southern Boulevard, 6179 Southern Boulevard, 6161 Southern Boulevard	
Frontage	Southern Blvd (650'), 1 st Street (756'); Property Depth: 682'	
Legal Access	Southern Blvd (80' ROW), 1 st Street	
Contiguous under same ownership	All contiguous property under common ownership is included in the subject request	
Acquisition details	00-42-43-27-05-005-1590,1591: Acquired via a purchase from Planet Kids II Inc. for \$390,000 on March 4, 2014. See attached warranty deeds as Attachment A .	
	00-42-43-27-05-005-1600: Acquired via a purchase from 4740 Weymouth LLC for \$10 on December 28, 2015. See attached warranty deed as Attachment A .	
	00-42-43-27-05-005-1611: Acquired via a purchase from Planet Kids II Inc. for \$220,000 on March 4, 2014. See attached warranty deed as Attachment A .	
	00-42-43-27-05-005-1620,1630,1710,2250: Acquired via a purchase from Discovery Quest, Inc. for \$810,000 on April 30, 2015. See attached warranty deed as Attachment A .	
	00-42-43-27-05-005-1640, 2240: Acquired via a purchase from Discovery Quest for \$10 on September 16, 2016. See attached warranty deed as Attachment A	
	00-42-43-27-05-005-1600: Acquired via a purchase from 4740 Weymouth, LLC for \$1,500,000 on January 15, 2020. See attached warranty deed as Attachment A	
	00-42-43-27-05-005-1611: Acquired via a purchase from PK Properties II, Inc. for \$1,700,000 on January 15, 2020. See attached warranty deed as Attachment A	
	00-42-43-27-05-005-0420; 1590;1591; 1620; 1630; 1640; 1710; 2240; 2250: Acquired via a purchase from Discovery Quest. Inc. for \$3,100,000 on January 15, 2020. See attached warranty deed as Attachment A	
Size purchased	The land purchased included the entire parcel, no residual parcels remain as a result of the purchase. See attached warranty deeds as Attachment A .	

III. Development History

Previous FLUA Amendments	There have not been any previous FLUA amendments on this property.
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Zoning Approvals, Control Number	 R-1973-00109, R-1989-1638, R-1989-1637, R-1993-1040, R-1998-1513 1. Petition No. 1989-027, App: 1989-027 (A): Class A Conditional Use for a 6,300 s.f. Daycare facility (120 Children) A Final Site Plan was approved on August 13, 2008 for a Daycare Center, however, this approval has since expired
Concurrency	Concurrency was previously secured for a 6,300 s.f. daycare facility (120 Kids).
Plat, Subdivision	Palm Beach Farms Co. Plat No. 3 (PB 2 Pages 45 to 54)

2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 4. Consistency

Justification Provide as G.1.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes
Residential Density Increases Provide as G.2.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes
Compatibility Provide as G.3.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes
Comprehensive Plan Provide as G.4.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes
Florida Statutes Provide as G.5.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes

A. Consistency – Provide responses in Attachment G as G.1 through G.5.

B. Surrounding Land Uses. Indicate the following for each surrounding property:

- **Uses.** Indicate the existing land use, subdivision name, and existing density (residential) or square footage (non-residential).
- FLUA Designations. Indicate the future land use designations. No acronyms.
- **Zoning.** Indicate the Zoning and petition numbers. No acronyms.

Adjacent Lands	Use	Future Land Use	Zoning
North	Vacant Industrial Park, Southern Light Industrial Park Multiple Use Planned Development & Palm Beach Farms Co Plat No 3 (218,386 s.f. existing)	Economic Development Center	Multiple Use Planned Development, 2001-64
South	Vacant, Equestrian Uses (458,251 s.f. existing), Single Family Residential (approx. 1 unit per acre)	Low Residential 1 unit per acre, Medium Residential 5 units per acre	Planned Unit Development, Residential Transitional, 1978-142
East	Industrial Park, Southern Light Industrial Park Multiple Use Planned Development (218,386 s.f. existing)	Economic Development Center	Multiple Use Planned Development, 2001-64
West	Single Family Residential, Boulevard Park In (approx. 7 units per acre)	High Residential, 8 units per acre	Agricultural Residential

2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 5. Public Facilities Information

A. Traffic Information

In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the Future Land Use Element of the Comprehensive Plan. The letter must state if the traffic generation for the amendment meets Policy 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030.

	Current	Proposed
Max Trip Generator	Single Family Residential, # 210 10 tpd/unit	Multi-Family Mid-Rise Housing, #221 5.44 tpd/unit
Maximum Trip Generation	570 trips per day	Maximum – 745 trips per day Proposed – 1567 trips per day
Net Daily Trips:	Maximum: 745 tpd – 570 tpd = 175 trips per day Proposed: 1567 tpd – 570 tpd = 997 trips per day	
Net PH Trips:	AM Maximum: 49 pht – 42 pht = 7 peak hour trips AM Proposed: 104 pht – 42 pht = 62 peak hour trips PM Maximum: 60 pht – 59 pht = 1 peak hour trip PM Proposed: 127 pht – 59 pht = 68 peak hour trips	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Simmons & White – Kyle Duncan	

B. Mass Transit Information

Nearest Palm Tran Route (s)	40 (Southern Blvd), 4 (Haverhill Road)
Nearest Palm Tran Stop	Stop 1522 (Northeast corner of Southern Boulevard Westbound Service exit and Haverhill Road) is approximately 2 miles from the subject property.
Nearest Tri Rail Connection	West Palm Beach, 209 South Tamarind Avenue

C. Portable Water & Wastewater Information

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

Potable Water & Wastewater Providers	The property is located within the Palm Beach County Water Utilities Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required at the current MR-5 and for the proposed HR-12 designation.
Nearest Water & Wastewater Facility, type/size	The nearest potable water mains are located east and west of the subject property. There is a sanitary sewer main located north of the property. Additional engineering will be required to determine if offsite sanitary sewer/lift station improvements will be required.

D. Drainage Information

The site is within the boundaries of the Lake Worth Drainage District (LWDD) and South Florida Water Management District C-51 Drainage Basin. Legal positive outfall is available to the site via discharge to the South Florida Water Management District C-51 canal along the south side of Southern Boulevard. Please refer to the Drainage Statement prepared by Simmons and White, Inc. being included as Attachment J with this application for more details.

E. Fire Rescue

Nearest Station	Station 34, 231 S. Benoist Farms Rd.		
Distance to Site	Station 34 is 2.75 miles from the subject site		
Response Time	Based on the information provided by PBC Fire-Rescue the estimated response time is 8 minutes. PBC Fire Letter provided at Attachment K.		
Effect on Resp. Time	PBC Fire-Rescue has determined that the proposed amendment will have minimal impact on fire rescue response time. Please see Attachment K.		

F. Environmental

Significant habitats or species	The subject property does not support any significant habitats or Listed Species. According to historic aerials, the subject property was drained and cleared of natural vegetation at some point before 1952. The topography and soils remain relatively unchanged since the clearing of the site. Therefore, there will be minimal impact to the natural environment if the site is developed as intended.	
Flood Zone*	The subject parcel is located in Flood Zone X & Flood Zone AE	
Wellfield Zone*	The subject property does not lay within any wellfield protection zones. The proposed planned development will have no negative impacts on the wellfield zones. A detailed map has been provided at Attachment M	

* If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.

G. Historic Resources

The subject parcels do not contain any historic or architecturally significant resources located on or within 500 feet of the site. To the best of our knowledge the parcels do not contain or are located within 500 of the subject properties. Comment Letter as Attachment N.

H. Parks and Recreation - Residential Only

Park Type	Name & Locatior	Level of Svc. (ac. per person)	Population Change	Change in Demand	
Regional	Okeeheelee Park	0.00339	184	0.62	
Beach	R.G. Kreusler Park	0.00035	184	0.06	
District	Haverhill Park	0.00138	184	0.25	
I. Libraries - Residential	Only				
Library Name	Okeechobee Boulev	ard Branch Library			
Address	5689 Okeechobee B	oulevard			
City, State, Zip	West Palm Beach, F	West Palm Beach, FL, 33417			
Distance	3.3 Miles	3.3 Miles			
Component	Level	of Service	Population Change	Change in Demand	
Collection	2 holding	s per person	184	368	
Periodicals	5 subscriptions	per 1,000 persons	184	0.92	
Info Technology	\$1.00 p	per person	184	\$184.00	
Professional staff	1 FTE per	7,500 persons	184	0.02	
All other staff	3.35 FTE per pr	ofessional librarian	184	616.4	
Library facilities	0.34 sf per person 184 62.56 s.f.			62.56 s.f.	
J. Public Schools - Resid	dential Only				
	Elementary	Middle		High	
Name	Benoist Farms Elementary School	Jeaga Middle Scho	ool Royal Palm	Royal Palm Beach High School	
Address	1765 Benoist Farms Road	3777 N Jog Road	10600 Okee	10600 Okeechobee Boulevard	
City, State, Zip	West Palm Beach,	West Palm Beach,	West Palm E	West Palm Beach, FL, 33411	

FL, 33411

Part 6. Attachments

A. PCN's, Legal Description and Warranty Deed (include Legal in PDF & Word)

FL, 33411

- B. Agent Consent Form
- C. Applicant's Ownership Affidavit
- D. Applicant's Notice Affidavit, Property Appraiser List, and Labels
- E. Disclosure of Ownership Interests
- F. Built Feature Inventory & Map
- G. Consistency with the Comprehensive Plan and Florida Statutes (include in PDF & Word)
- H. Traffic Approval Letter & Traffic Study
- I. Water & Wastewater Provider LOS Letters
- J. Drainage Statement
- K. Fire Rescue Letter
- L. Natural Feature Inventory & Map
- M. Wellfield Zone
- N. Historic Resource Evaluation Letter
- O. Palm Beach County School District LOS Letter
- P. Survey
- **Q.** Text Amendment Application (Part 7, if applicable, in PDF & Word)

Forms for Attachments B, C, D, and E are located on the web at: <u>http://www.pbcgov.org/pzb/planning/Pages/Comprehensive-Plan-Amendment-Applications.aspx</u>

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Attachment F – Built Feature Inventory & Map Detail R80 Residential PUD Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal Original Submittal: May 8, 2019

Below is an aerial photograph taken in January 2019 with the subject property highlighted in red. Only one out of the eleven (11) included parcels contains a structure. This parcel is PCN: 00-42-43-27-05-005-1620 and currently has a 2,444 square foot single-family home built on site that was constructed in 1978. Please see the following Aerial images for the entire site and each individual parcel.

Entire Site



























Attachment G Consistency with Comprehensive Plan & Florida Statutes R80 Residential PUD Palm Beach County (PBC) Future Land Use Atlas (FLUA) Amendment Submittal Original Submittal: May 8, 2019 Sufficiency Submittal: February 10, 2020

Introduction

On behalf of the Applicant and Owner, Southern & Jog Apartments, LLC ("Applicant"), Schmidt Nichols respectfully requests your consideration of an application for a Large-Scale Future Land Use Atlas (FLUA) Amendment. The 11.46-acre subject property is entirely platted as part of the Palm Beach Farms Co. Plat No. 3. within unincorporated Palm Beach County ("subject property").

The entire property (11.46 acres) supports a Future Land Use Atlas designation of Medium Residential 5 units per acre (MR-5). The majority of the property (10.37 acres) is designated under the Agricultural Residential (AR) Zoning District with the balance (0.88 acres) zoned Single Family Residential (RS).

Below is a summary of surrounding properties:

Adjacent Lands	Uses	FLU	Zoning
Subject Property	Single Family Residential, Vacant (Existing) Multifamily Residential (Proposed)	MR-5 (Existing) HR-12 (Proposed)	AR, RS (Existing) PUD (Proposed)
North	Vacant, Industrial Park	EDC	MUPD
South	Vacant, Equestrian Uses, Single Family Residential	LR-1, MR-5	PUD, RT
East	Industrial Park	EDC	MUPD
West	Single Family Residential	HR-8	AR

<u>Request</u>

The Applicant is requesting the following:

• A large-scale Future Land Use Atlas (FLUA) Amendment from MR-5 to HR-12.

The proposed FLU would allow for a maximum development potential of 132 residential units and a maximum floor area of 215,814 square feet.

A concurrent application to the Palm Beach County Zoning Division for an Official Zoning Map Amendment (rezoning) has been submitted on July 8, 2019, which is within the required ninety (90) days from this submission. This rezoning would change the subject property's zoning designation from AR and RS to PUD.

<u>History</u>

On September 12, 1989 a portion of the subject property (0.88 acres) was approved by the Board of County Commissioners (BCC) for a rezoning from Agricultural Residential (AR) to Single Family Residential (RS) for the development of a daycare with a maximum of 115 children. A concurrent Special Use Permit was approved on the same date for a Daycare in the RS zoning district, however this approval was revoked. On September 24, 1998 the Board of County Commissioners approved a Class A Conditional Use for a General Daycare (maximum 170 children) in the RS zoning district. For another portion of the subject property (4.02 acres) The Board of County Commissioners approved a Special Exception for a security kennel to be located on the property.

G.1 - Justification

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.

Below is the Applicant's justification and response to **Policy 2.1-f**:

The subject property is located within the Urban/Suburban Tier with frontage along Southern Boulevard, an Urban Principal Arterial roadway as identified by Map TE 3.1, Functional Classification of Roads. The subject property is ideal for residential development due to its size, location adjacent to residential uses to the west and to the south. The fact that the property is 11.46 acres enables the subject property to develop as a Planned Unit Development ("PUD") as the minimum lot size for a PUD is 5 acres. Therefore, it is appropriate to amend the subject property's Future Land Use from MR-5 to HR-12 to allow the reasonable development of multifamily residential apartments.

1) The proposed FLU is appropriate and suitable for the subject site. Objective 1.2 of the Comprehensive Plan Future Land Use Element ("FLUE") states: "this tier [Urban/Suburban] is expected to accommodate the bulk of the population and its need for...goods and services..." When residents need to identify places to live, they will find multifamily residential apartments available to accommodate their growing needs. This amendment will provide a good transition from these residential uses to the west and to the south. Furthermore, this amendment is not piecemealed as there are clearly defined boundaries of industrial to the north and east. Attachment G – Consistency with Comprehensive Plan & Florida Statutes R80 Residential PUD Palm Beach County (PBC) Future Land Use Atlas (FLUA) Amendment Submittal Original Submittal: May 8, 2019

2) Basis for the land use change. The basis for the proposed amendment is based upon changed circumstances within the vicinity of the proposed development such as the creation of employment centers to the east, as well as those noted in the WHP bonus sector analysis. The subject site is also strategically located with nearby access to Florida's Turnpike for ease of service throughout the region. The current FLU of the property is Medium Density Residential, 12 units per acre (MR-5) for the entire site. The County is also under tremendous pressure to create housing options which seek to address the range of workforce housing income levels.

The site is adjacent to residential to the west and south which allows for the subject site to serve as a transition to increased density abutting industrial to the east and north. The size of the property and adjacency to residential avails itself to transitional residential density to buffer from the Turnpike and industrial to the west and north. If the County is going to seek solutions to workforce housing needs then density needs to be prescribed to properties with the characteristics inherent to the subject site such as:

1. The property is located immediately adjacent to the Southern Boulevard and is only approximately 1.5 miles from the Turnpike. This assists for access to the Turnpike and Southern Boulevard's flyovers at major intersections allow for easy access to the east and west.

2. The proposed density of the site will serve as a reasonable transition from the lower density, single family residential uses to the west and the newly constructed Liberty Commerce Center to the east.

3. Higher density residential should be located near employment centers and have efficient access to the road network.

4. Compact infill development site with access to adequate public facilities without straining existing infrastructure.

The Applicant has determined that it is the appropriate time to change the future land use designation to HR-12, and to develop the property consistent with the surrounding residential uses.

<u>G.2 – Residential Density Increases</u>

Demonstrate a need for the amendment

The subject property is located in an ideal area for high-density residential development. With frontage along Southern Boulevard, a Major Urban Arterial thoroughfare, and close proximity to major centers of employment between Southern Boulevard and Okeechobee Boulevard, high density residential

development would be ideal to meet demand for housing. As the county reaches build-out, and the population continues to inflate at a rapid pace, infill residential development is required to meet the demand for housing and to keep housing affordable for prospective residents by increasing the housing stock where appropriate.

Demonstrate that the current FLUA designation is inappropriate

As build-out is reached in Palm Beach County, residential densities must logically Increase in areas ideal for infill. The subject property is one such case. The type of development typically associated with the site's existing MR-5 designation consists of single-family homes, often in a zero-lot-line configuration. The site is no longer ideal for this type of development for a few reasons. The site's frontage along Southern Boulevard, which in today's configuration is nearer an urban expressway rather than a typical arterial thoroughfare makes it unattractive to the typical prospective single-family home buyer. Additionally, the area around the site has developed as a major center of employment, such as the Liberty Airport Center planned development adjacent to the east. High density residential is less sensitive to frontages on major roadways and are also ideally located as close to job centers as possible, mainly due to the typical home renter who makes up the majority of the demand for these types of developments. Therefore, the site's existing MR-5 designation is inappropriate.

<u>Provide a written explanation of why the Transfer of Development Rights,</u> <u>Workforce Housing, and Affordable Housing Programs cannot be utilized to</u> <u>increase density on the site.</u>

The main reason for the Applicant not utilizing the above-mentioned programs is cost. The Applicant plans to develop this project as a high density, multifamily residential development which targets members of the workforce with market or just below market rate units. By changing the FLUA designation of the site, and not adding any additional red tape or cost to the development of the site, the Applicant feels they can better meet the County's planning goals.

G.3 - Compatibility

Continuation of Policy 2.1-f Stated Above: 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;

a. Response: The property has been cleared over the years for the existing uses and very few natural features remain on the site. The proposed FLUA amendment will have a minimal impact on the natural environment on the subject property. There are a few trees which remain on the site, however,

at preliminary review appear to be non-native ficus trees.

2. The availability of facilities and services;

- a. Response: Below is more detailed information on the availability of each of these facilities and services:
 - i. <u>Traffic:</u> Please see attached traffic analysis indicating compliance with Policy 3.5-d of the FLUE of the Comprehensive Plan.
 - ii. <u>Mass Transit:</u> The nearest Palm Tran Route is Route #40 (Southern Blvd) and Route #44 (East on Belvedere Rd).
 - iii. <u>Potable Water and Wastewater:</u> Potable water and wastewater service will be provided by Palm Beach County Water Utilities Department. See attached water and sewer capacity letter request to PBCWUD under Attachment I.
 - iv. Drainage: Legal positive outfall for the project is available within the First Street right-of-way. Conveyance will be via piped drainage system constructed in First Street and discharging to the LWDD L-4 Canal, located north of the site. The site is located within the boundaries of Lake Worth Drainage District and the South Florida Water Management District C-51 Basin. On-site retention using exfiltration trench will not exceed the 3-year, 1-hour rainfall event. Any additional retention required will be achieved using dry retention located within the project. The recreational area is intended to be used as a portion of the dry retention area. The dry retention area invert elevation is designed to be at 13.1 NGVD, but the recreational area component within the dry retention area has its elevation set at 15.1 NGVD. The 3-Year, 1-Day peak stage is at 14.9, therefore the recreational field area will be dry during this event, conforming to Palm Beach County design criteria per the comprehensive plan. Allowable discharge and site grading to be in accordance with the SFWMD C-51 drainage basin criteria.
 - v. <u>Fire Rescue:</u> The nearest Palm Beach County Fire Rescue station is Station #34 located approximately 2.75 miles from the subject property. Palm Beach County Fire Rescue has determined that the amendment will have minimal impact on Fire Rescue. See Palm Beach County Fire Rescue letter (Attachment K).

3. The adjacent and surrounding development;

- a. Response: To the south and west of the subject property are residential land uses, to the west is Florida's Turnpike. Directly adjacent to the north and east is a light industrial flex space. Below are the existing FLUA designations for the surrounding properties:
 - i. North: EDC
 - ii. South: LR-1, MR-5 (across Southern Blvd.)
 - iii. East: EDC
 - iv. West: HR-8

The proposed development will be compatible with both the residential and non-residential uses that surround the subject property.

4. The future land use balance;

a. Response: This FLUA amendment request is to allow high density multifamily residential development to occur on the subject property. The subject portion of the County is currently lacking in high density multifamily residential development potential relative to other uses such as single family residential and commercial. The proposed amendment would help to balance the future land uses by creating additional industrial development potential area of the unincorporated Palm Beach County.

5. The prevention of urban sprawl a s defined by 163.3164(51), F.S.;

a. Response: The proposed FLUA amendment will prevent urban sprawl by allowing the development of high-density multifamily residences within a dense area of other industrial centers for employment. The clustering of residential development close to centers of employment in this area makes sense as it would allow for employees to locate close to their jobs and for employers in the area to have a higher density of potential employees close by.

6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and

a. Response: The subject property is located within the Palm Beach International Airport Overlay (PBIAO). The overlay was created to promote non-residential development within the approach path of the airport due to airplane noise concerns. Despite this, the subject property is located on the outer edge of the overlay, and a significant distance from the western edge of the runway. Additionally, modern construction materials and technology are capable of mitigating aircraft noise. The subject property is also located within the boundaries of the Haverhill Area Neighborhood Plan. The proposed amendment is in alignment with the goals of the plan in that it will improve the overall quality of life in the plan area. By converting the land use on the subject parcel from medium density residential to high density residential, some of the issues identified in the plan can be alleviated, such as improving the quality of life in the plan area by maintaining a quality housing stock.

7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.

a. Response: The proposed amendment will have minimal impact on surrounding municipalities. The subject property is surrounded entirely by unincorporated Palm Beach County and is not located within any future incorporation areas.

G.5 - Florida Statutes

Florida Statutes, Section 163.3177(6)(a)9.a: The indicators provided in this statute pertain to findings that would indicate a plan or plan amendment does not discourage the proliferation of urban sprawl.

Response: The subject amendment is to allow development of property within the urban service boundary which is able to be serviced by existing public facilities and services with direct access to Southern Boulevard. The subject property is located along a major arterial and surrounded by a mix of suburban uses which provide job opportunities and community serving commercial to complement the proposed multifamily development with ease of access to an international airport and West Palm Beach City center. This amendment seeks to add needed workforce housing units to the market while maximizing the use of the land to avoid the need to develop additional properties in a sprawling manner elsewhere in the County. This location within the urban/suburban tier along with the exceptional access provides a unique opportunity to not only allocate HR-12 but seek to add workforce units to an area where the workforce can seek transit routes to employment centers.

Other applicable policies related to this request are as follows:

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.

Response: This amendment is not piecemealed as there are clearly defined boundaries of residential land uses to the west, Southern Boulevard to the south, and an industrial employment center to the north and east. The subject amendment is an assemblage of properties which includes all of the remaining lots within the block.

On behalf of the Applicant and Contract Purchaser, Village at Banyan Ridge LLC ("Applicant") and the property owners, Southern & Jog Apartments, LLC ("Owners"), Schmidt Nichols requests your approval of this application for a Large Scale Future Land Use Atlas Amendment.



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

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Mary Lou Berger

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer" February 24, 2020

Simmons and White 2581 Metrocentre Blvd. West, Suite 3 West Palm Beach, Fl. 33407

RE:11.46 Acre Site Located in the Northeast Corner of 1st Street and Westbound Exit Ramp of Southern Blvd at Jog Rd R80 PUD

PCN 00-42-43-27-05-005-0420, 00-42-43-27-05-005-1620, 00-42-43-27-05-005-1630, 00-42-43-27-05-005-1710, 00-42-43-27-05-005-1591, 00-42-43-27-05-005-2250, 00-42-43-27-05-005-1640, 00-42-43-27-05-005-1600, 00-42-43-27-05-005-2240, 00-42-43-27-05-005-1590, 00-42-43-27-05-005-1611. Service Availability Letter

Dear Mr. Cole,

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 MR-5(Medium residential, 5 dwelling units per acre) designation and for the proposed HR-12 (High Residential, 12 units per acre) designation. The nearest potable water mains are located east and west of the subject property. There is a sanitary sewer main located north of the property. Additional engineering will be required to determine if offsite sanitary sewer/lift station improvements will be required.

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



REIKENIS & ASSOCIATES, LLC

CONSULTING ENGINEERS

801 South Olive Avenue, See. 105 West Palm Beach, FL 33401 (561) 818-5381 • www.reikenis.com

February 10, 2020

LAND USE PLAN AMMENDMENT

APPLICATION STATEMENT OF LEGAL

POSITIVE OUTFALL

R80 Residential PUD Palm Beach County, Florida

SITE DATA

The subject parcel is located on the northeast comer of First Street and Southern Blvd. in Palm Beach County and contains approximately 11.46 acres. The Property Control Numbers (PCNs) for the subject parcel include the following:

00-42-43-27-05-005-1620	00-42-43-27-05-005-1590
00-42-43-27-05-005-1630	00-42-43-27-05-005-1591
00-42-43-27-05-005-1710	00-42-43-27-05-005-1640
00-42-43-27-05-005-2250	00-42-43-27-05-005-1620

00-42-43-27-05-005-0420

The property is currently zoned as AR (Agricultural Residential) and RS- (Low Residential). The property owner is requesting a change in the zoning to PUD (Planned Unit Development).

The property is currently designated as Medium Residential, 5 dwelling unit per acre (MR-5) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 11.46-acre parcel's designation to High Residential, 12 dwelling units per acre (HR-12) on the Palm Beach County Comprehensive Plan

STATEMENT OF LEGAL POSITIVE OUTFALL

Legal positive outfall for the project is available within the First Street right-of-way. Conveyance will be via piped drainage system constructed in First Street and discharging to the LWDD L-4 Canal, located north of the site.

The site is located within the boundaries of Lake Worth Drainage District and the South Florida Water Management District C-51 Basin.

On-site retention for the 3-year, 1-hour rainfall event will be required and will be achieved using exfiltration trench systems located within the project. Allowable discharge and site grading to be in accordance with the SFWMD C-51 drainage basin criteria.

NININI VYTAUTAS No. 26978 * UN STATE OF FLORID SIONAL ENRICHARD V. Reikenis, PE FL Reg No. 26978

REIKENIS & ASSOCIATES, LLC

CONSULTING ENGINEERS

801 South Olive Avenue, See. 105 West Palm Beach, FL 33401 (561) 818-5381 • www.reikenis.co m

February 10, 2020

LAND USE PLAN AMMENDMENT APPLICATION

FLOOD ZONE

R80 Residential PUD Palm Beach County, Florida

SITE DATA

The subject parcel is located on the northeast corner of First Street and Southern Blvd. in Palm Beach County and contains approximately 11.46 acres. The Property Control Numbers (PCNs) for the subject parcel include the following:

00-42-43-27-05-005-1620 00-42-43-27-05-005-1630 00-42-43-27-05-005-1710 00-42-43-27-05-005-2250 00-42-43-27-05-005-1590 00-42-43-27-05-005-1591 00-42-43-27-05-005-1640 00-42-43-27-05-005-2240

00-42-43-27-05-005-0420

The property is currently zoned as AR (Agricultural Residential) and RS-(Low Residential). The property owner is requesting a change in the zoning to PUD (Planned Unit Development).

The property is currently designated as Medium Residential, 5 dwelling unit per acre (MR-5) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 11.46-acre parcel's designation to High Residential, 12 dwelling units per acre (HR-12) on the Palm Beach County Comprehensive Plan.

FLOOD ZONE

The majority of the above referenced project is located in Flood Zone X as shown on the FEMA Flood Rate Insurance Map. Minor portions of the property are designated in Flood Zone AE.

1111111 No. 26978 ard V. Reikenis, PE Registration No 26978 TATE OF



Fire Rescue Chief Reginald K. Duren 405 Pike Road West Palm Beach, FL 33411 (561) 616-7000 www.pbcgov.com



Palm Beach County Board of County Commissioners

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Dave Kerner, Vice Mayor

Hal R. Valeche

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Melissa McKinlay

County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer" February 18, 2020

Schmidt Nichols Attention: Josh Nichols 1551 N Flagler Drive Suite 102 West Palm Beach, FL 33401

Re: R80 Residential PUD

Dear Josh Nichols:

Per your request for response time information to the subject property located at the northeast corner of 1st Street and Southern Boulevard (westbound exit ramp to Jog Road) in unincorporated Palm Beach County. This property is served currently by Palm Beach County Fire-Rescue station #34, which is located at 231 Benoist Farms Rd. The subject property is approximately 2.75 miles from the station. The estimated response time to the subject property is 8 minutes. For fiscal year 2019, the average response time (call received to on scene) for this stations zone is 6:46.

Changing the land use of this property will have some impact on Fire Rescue.

If you have any further questions, please feel free to contact me at 561-616-6909.

Sincerely,

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Cheryl Allan, Planner Palm Beach County Fire-Rescue



Attachment L - Significant Habitats or Species Detail Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal R80 Residential PUD Original Submittal: May 8, 2019

Significant habitats or species:

Below is an aerial photograph with the subject property highlighted in red. The subject property does not support any significant habitats or Listed Species.

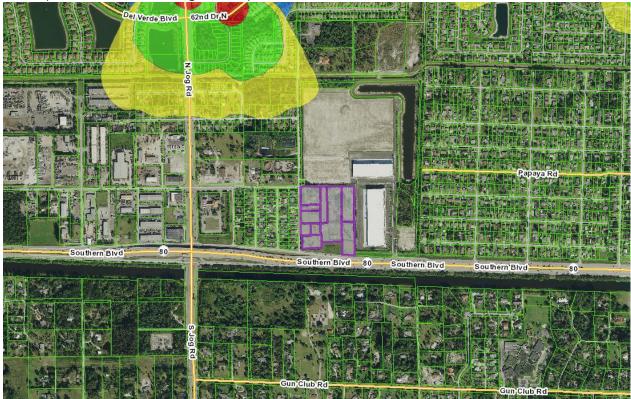
According to historic aerials, the subject property was drained and cleared of natural vegetation at some point before 1952. The topography and soils remain relatively unchanged since the clearing of the site. Therefore, there will be minimal impact to the natural environment if the site is developed as intended.



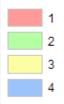


Attachment M - Wellfield Zone Map R80 Residential PUD Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal Original Submittal: May 8, 2019

The subject property does not lay within any wellfield protection zones. The proposed planned development will have no negative impacts on the wellfield zones.



Wellfield Protection Zones







REIKENIS & ASSOCIATES, LLC

CONSULTING ENGINEERS

801 South Olive Avenue, Ste. 105 West Palm Beach, FL 33401(561) 818-5381 • www.reikenis.com

February 10, 2020

LAND USE PLAN AMMENDMENT APPLICATION

WELLFIELD PROTECTION ZONE STATEMENT

R80 Residential PUD Palm Beach County, Florida

SITE DATA

The subject parcel is located on the northeast corner of First Street and Southern Blvd. in Palm Beach County and contains approximately 11.46 acres. The Property Control Numbers (PCNs) for the subject parcel include the following:

00-42-43-27-05-005-1620 00-42-43-27-05-005-1630 00-42-43-27-05-005-1710 00-42-43-27-05-005-2250 00-42-43-27-05-005-1590 00-42-43-27-05-005-1591 00-42-43-27-05-005-1640 00-42-43-27-05-005-2240

00-42-43-27-05-005-0420

The property is currently zoned as AR (Agricultural Residential) and RS-(Low Residential). The property owner is requesting a change in the zoning to PUD (Planned Unit Development).

The property is currently designated as Medium Residential, 5 dwelling unit per acre (MR-5) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 11.46-acre parcel's designation to High Residential, 12 dwelling units per acre (HR-12) on the Palm Beach County Comprehensive Plan.

WELLFIELD PROTECTION ZONE STATEMENT

The subject parcel is not located within any Wellfield Protection Zones based on the "Wellfield Protection Zones in Palm Beach County" map of the Palm Beach County Comprehensive Plan (Map LU 4.1) adopted June 12, 2015.

No. 26978 ard V. Reikenis, PE TATE OF Registration No 26978



Department of Planning, Zoning & Building

2300 North Jog Road West Palm Beach, FL 33411-2741 (561) 233-5000

Planning Division 233-5300 Zoning Division 233-5200 Building Division 233-5100 Code Enforcement 233-5500 Contractors Certification 233-5525 Administration Office 233-5005 Executive Office 233-5228 www.pbcgov.com/pzb

Palm Beach County Board of County Commissioners

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County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

y printed on sustainable and recycled paper February 18, 2020

Jordan Sperling Schmidt Nichols, Landscape Architecture & Urban Planning 1551 N. Flagler Dr., Suite 102 West Palm Beach, Florida 33401

RE: Historical and Archaeological Resource Review for the following project named R80 Residential PUD, under PCN: 00-42-43-27-05-005-0420, 1590, 1591, 1600, 1611, 1620, 1630, 1640, 2240, 2250, and 1710.

Dear Mr. Sperling:

This correspondence is in reply to your request for a review of the above referenced properties in regards to the identification of any cultural resources (historical and archaeological resources) located on or within 500 feet of the properties.

Staff review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), has identified no historic or architecturally significant resources on or within 500 feet of the above referenced properties.

Staff review of the County's map of known archaeological sites has identified no known archaeological resources located on or within 500 feet of the above referenced properties.

However, should any artifacts or skeletal remains be encountered during construction, per Florida Statue 872, construction must stop around the remains and the local sheriff and medical examiner be contacted.

Should you have any questions or comments, please contact me at (561) 233-5331.

Sincerely,

Christian Davenport, MA, RPA County Historic Preservation Officer/ Archeologist

cc: Patricia Behn, Interim-Planning Director, PBC Planning Division Bryan Davis, Principal Planner, PBC Planning Division

T:\Planning\Archaeology\County Departments\Planning\Land Use Amendments and Development Review\Schmidt & Nichols\PCN-00-42-43-27-05-005-0420,1590,1591,1600,1611,1620,1630,1640,2240,2250,1710\R80 Residential PUD Ltr 2-18-2020.doc



PLANNING AND INTERGOVERNMENTAL RELATIONS 3300 Forest Hill Boulevard, Suite B-102 West Palm Beach, FL 33406

PHONE: 561-434-8020 / FAX: 561-434-8815 WWW.PALMBEACHSCHOOLS.ORG/PLANNING

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

	Submittal Date	03/06/2020			
	SCAD No.	20030601F – FLU and 20030601D – D. O.			
Application	FLU /Rezoning/D.O. No.	Not Provided - Palm Beach County			
	PCN No.	00-42-43-27-05-005-1600 / 6179 SOUTHERN BLVD			
	Development Name	R80 Residential PUD			
	Property Owner	Southern & Jog Apartments, LLC / Josh Nichols			
	SAC No.	145C			
	Proposed Amendment Proposed Unit No. & Type	Max. 288 Residential Units 288 High-Rise Apartment Units			
		Benoist Farms Elementary School	Jeaga Middle School	Royal Palm Beach High School	
Impact Review	New Students Generated	4	2	2	
	Capacity Available	336	323	-196	
	Utilization Percentage	61%	74%	109%	
School District Staff's Recommendation	 impact on the public school system. Therefore, if the proposed development is approved by the Palm Beach County government, School District staff recommends the following condition to mitigate such impact. In order to address the school capacity deficiency generated by this proposed development at the District high school level, the property owner shall contribute \$26,180 to the School District of Palm Beach County prior to the issuance of first building permit. This school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied). Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on April 16, 2019. 				
Validation Period	 This determination is valid from 03/13/2020 to 03/12/2021 or the expiration date of the site-specific development order approved during the validation period. A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 03/12/2021 or this determination will expire automatically on 03/12/2021. 				
Notice	School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.				

KB

March 13, 2020

Date

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

joyce.cai@palmbeachschools.org

Email Address

CC: Nancy Frontany, Site Plan Technician, Palm Beach County Joyell Shaw, PIR Manager, School District of Palm Beach County

> The School District of Palm Beach County, Florida A Top-Rated District by the Florida Department of Education Since 2005 An Equal Education Opportunity Provider and Employer



THE SCHOOL DISTRICT OF PALM BEACH COUNTY, FL

PLANNING AND INTERGOVERNMENTAL RELATIONS 3661 INTERSTATE PARK RD. N., STE 200 RIVIERA BEACH, FL. 33404

PHONE: 561-434-8020 / FAX: 561-357-1193 https://www.palmbeachschools.org/departments/planning_and_intergovernmental_relations

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD) Sufficiency Checklist

Intake Date:	03/06/2020
Project Name:	R80 Residential PUD
Application Type:	FLU and DO
Case No.	20030601F and 20030601D
Application Status:	COMPLETE
Application Completion Date:	03/06/2020

Insufficient application will be returned if not completed within 1 month from the 1st submittal date
 SCAD review fee is non-refundable

Required Documents	Submitted	
Application Form		
- Signed by Agent in Part I	. ∎	
- Signed by Local Government in Part II		
Brief Statement	•	<u> </u>
Application Fee		\$400 Ck# 24895
Property Deed	•	
Owner/Agent Consent Form	-	
Location Map	•	
PCN List (if applicable)		
Previous approval letter(s) (if applicable)		
Phasing Plan (if Applicable)		
Site Plan (if applicable)		
Survey (if applicable)	•	
Note: SCAD 19051001F issued on 5/15/19 for 288 SF		

The School District of Palm Beach County, Florida A Top-Rated District by the Florida Department of Education Since 2005 An Equal Education Opportunity Provider and Employer