

# 2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 1. Amendment Data

### A. Amendment Data

<b>Round</b>	22-A	<b>Intake Date</b>	May 12, 2021
<b>Application Name</b>	Atlantic AGR Commercial & Self Storage	<b>Control No.</b>	<b>Feurring Commercial</b> 2013-00213;  <b>Seneca Commercial /Plaza Delray</b> 2016-0078  <b>Atlantic Commercial &amp; AGR Self-Storage</b> 2000-00032; and 2015-00101
<b>Acres</b>	<b>Feurring Commercial:</b> 4.90 ac. <b>Seneca Commercial:</b> 4.51 ac. <b>Plaza Delray:</b> 0.33 ac.  <b>Atlantic AGR Commercial &amp; Self-Storage:</b> 9.89 ac.  <b>Total: 19.63 ac.</b>	<b>Concurrent Zoning application?</b>	Yes
		<b>Text Amend?</b>	No
<b>PCNs</b>	<b>Feurring Commercial:</b> 00-42-46-20-01-000-0150 <b>Seneca Commercial:</b> 00-42-46-20-19-001-0000 <b>Plaza Delray :</b> 00-42-46-20-01-000-0141  <b>Atlantic AGR Commercial &amp; Self-Storage:</b> 00-42-46-20-01-000-0130		
<b>Location</b>	South side of W Atlantic Avenue, east of Lyons Road		
	<b>Current</b>	<b>Proposed</b>	
<b>Tier</b>	Agriculture Reserve Tier	Agriculture Reserve Tier	
<b>Use</b>	<b>Feurring Commercial &amp; Seneca Commercial:</b> Retail  <b>Atlantic AGR Commercial &amp; Self-Storage:</b> Vacant  <b>Plaza Delray:</b> Parking	<b>Feurring Commercial &amp; Seneca Commercial (9.41 ac):</b> Retail  <b>Atlantic AGR Commercial &amp; Self-Storage (9.89 ac):</b> Commercial (Retail) and Self-Storage  <b>Plaza Delray (0.33 ac):</b> Parking	

<b>Zoning</b>	<p><b>Feurring Commercial; Seneca Commercial, and Plaza Delray:</b> Multiple Use Planned Development (MUPD)</p> <p><b>Atlantic AGR Commercial &amp; Self-Storage:</b> Agricultural Reserve Planned Unit Development (AGR-PUD)</p>	<p><b>Feurring Commercial; Seneca Commercial, and Plaza Delray:</b> MUPD</p> <p><b>Atlantic AGR Commercial &amp; Self-Storage:</b> MUPD</p>
<b>FLU Designation</b>	<p><b>Feurring Commercial; Seneca Commercial, and Plaza Delray:</b> Commercial Low/Agricultural Reserve (CL/AGR)</p> <p><b>Atlantic AGR Commercial &amp; Self-Storage:</b> Agricultural Reserve (AGR)</p>	<p><b>Feurring Commercial; Seneca Commercial, and Plaza Delray:</b> CL/AGR</p> <p><b>Atlantic AGR Commercial &amp; Self-Storage (9.89 ac):</b> CL/AGR</p>
<b>Underlying FLU Designation</b>	<p><b>Feurring Commercial; Seneca Commercial, and Plaza Delray (9.74 ac):</b> AGR</p> <p><b>Atlantic AGR Commercial &amp; Self-Storage (9.89 ac):</b> None</p>	<p><b>Feurring Commercial; Seneca Commercial, and Plaza Delray (9.74 ac):</b> AGR</p> <p><b>Atlantic AGR Commercial &amp; Self-Storage (9.89 ac):</b> AGR</p>
<b>Conditions</b>	<p><b>Feurring Commercial:</b> None</p> <p><b>Seneca Commercial Ord. 2017-006 (4.51 ac):</b> Development of commercial retail and/or office uses on the site are limited to a maximum of 38,538 square feet total.</p> <p><b>Plaza Delray Ord. 2021-010 (0.33 ac):</b> Development utilizing the Commercial Low future land use designation shall have no intensity or square footage.</p> <p><b>Atlantic AGR Commercial &amp; Self-Storage (9.89 ac):</b> AGR-PUD limited to Preserve Area by Zoning Resolution</p>	<p><b>Feurring Commercial:</b> Development of commercial retail and/or office uses is limited to a maximum of 36,170 SF</p> <p><b>Seneca Commercial / Plaza Delray:</b> Development of commercial retail and/or office uses on the site are limited to a maximum of 31,700 square feet total.</p> <p><b>Atlantic AGR Commercial &amp; Self-Storage (9.89 ac):</b> Development of commercial retail and/or office uses, and car wash is limited to a maximum of 13,357 SF and development of self-storage uses is limited to the maximum (0.65 FAR) of the site and equates to 280,025 SF.</p>
<b>Density Bonus</b>	None	None

## B. Development Potential

	Current FLU	Proposed FLU
<b>Density/Intensity:</b>	<b>Feurring Commercial CL/AGR:</b> 0.20 FAR x 4.9 ac. = 42,689 SF <b>Seneca Commercial CL/AGR:</b> 38,538 SF by Condition  <b>Plaza Delray: No Intensity</b>  <b>Atlantic AGR Commercial &amp; Self-Storage AGR:</b> 0.15 FAR	<b>Feurring Commercial CL/AGR:</b> 36,170 SF by condition <b>Seneca Commercial/Plaza Delray CL/AGR:</b> 31,700 SF by condition  <b>Atlantic AGR Commercial &amp; Self-Storage CL/AGR:</b> 13,357 SF Commercial and 193,864 SF Self-Storage by proposed condition
<b>Maximum Square Feet</b>	<b>Feurring Commercial CL/AGR:</b> 0.20 FAR x 4.9 ac. = 42,689 SF  <b>Seneca Commercial/Plaza Delray CL/AGR:</b> 38,538 SF by condition  <b>Atlantic AGR Commercial &amp; Self-Storage AGR:</b> 0.15 FAR x 9.89 ac = 64,621 SF	<b>Feurring Commercial CL/AGR:</b> 36,170 SF. by condition <b>Seneca Commercial/Plaza Delray CL/AGR:</b> 31,700 SF by condition  <b>Atlantic AGR Commercial &amp; Self-Storage AGR:</b> 13,357 SF Commercial and 193,864 SF Self-Storage by proposed condition  CL Self Storage: 0.65 FAR x 9.89 ac. = 280,025 SF
<b>Proposed or Conditioned Potential</b>	<b>Feurring Commercial CL/AGR:</b> 0.20 FAR x 4.9 ac. = 42,689 SF <b>Seneca Commercial/Plaza Delray CL/AGR:</b> 38,538 SF by Condition  <b>Atlantic AGR Commercial &amp; Self-Storage AGR:</b> 0.15 FAR x 9.89 ac = 64,621 SF	<b>Feurring Commercial CL/AGR:</b> 36,170 SF by Condition <b>Seneca Commercial/Plaza Delray CL/AGR:</b> 31,700 SF by Condition  <b>Atlantic AGR Commercial &amp; Self-Storage AGR:</b> Commercial: 9,100 SF Self-Storage: 99,459 SF Carwash: 3,339 SF (automated) 1 Lane
<b>Max Trip Generator</b>	Gen. Commercial ITE 820) $\text{LnT}=0.68\text{LnX}+5.57$ Nursery (Garden Cntr) (ITE 817) 108.10/Acre Nursery (Wholesale) ITE 818 19.50/Acre	Gen. Commercial ITE 820) $\text{LnT}=0.68\text{LnX}+5.57$ Warehouse (ITE 150) 1.74/1KSF Mini-Warehouse/SS (ITE 151) 1.51/1KSF
<b>Maximum Trip Generation</b>	3,648	3,315

<b>Net Daily Trips:</b>	-333 (maximum minus current) -468 (proposed minus current)
<b>Net PH Trips:</b>	35 (25 In/10 Out) AM, 83 (33 In/50 Out) PM (maximum) 24 (13 In/11 Out) AM, 63 (30 In/33 Out) PM (proposed)

## 2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

### Part 2. Applicant Data

#### A. Agent Information

<b>Name</b>	Lindsay Libes
<b>Company Name</b>	WGI, Inc.
<b>Address</b>	2035 Vista Parkway
<b>City, State, Zip</b>	West Palm Beach, FL 33411
<b>Phone / Fax Number</b>	561-537-4542
<b>Email Address</b>	<a href="mailto:Lindsay.Libes@wginc.com">Lindsay.Libes@wginc.com</a>

#### B. Applicant Information

<b>Subject Parcel</b>	<b>Atlantic AGR Commercial &amp; Self- Storage</b>	<b>Seneca Commercial / Plaza Delray</b>	<b>Feurring Commercial</b>	
<b>Name</b>	Jason Sher / Ian Wiener	Ian Wiener	Jason Sher	Jason Sher
<b>Company Name</b>	PEBB Atlantic II LLC & SOCRO LLC	PEBB Atlantic, LLC	SFD Lyons, LLC	JDR Development – DBA Banyan Development
<b>Address</b>	7900 Glades Road, STE 600	7900 Glades Road, STE 600	2200 Butts Road, STE 300	2200 Butts Road, Suite 300
<b>City, State, Zip</b>	Boca Raton, FL 33434	Boca Raton, FL 33434	Boca Raton, FL 33431	Boca Raton, FL 33431
<b>Phone / Fax Number</b>	Contact Agent	Contact Agent	Contact Agent	Contact Agent
<b>Email Address</b>	Contact Agent	Contact Agent	Contact Agent	Contact Agent
<b>Interest</b>	Owner	Owner	Owner	Contract Purchaser

# 2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 3. Site Data

### A. Site Data

<b>Built Features</b>	<b>Seneca Commercial / Plaza Delray</b>	The site is built with 30,693 SF of commercial uses.
	<b>Feurring Commercial:</b>	The site is built with 35,169 SF of commercial uses.
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	There are presently no built features on the subject site.
<b>PCN</b>	<b>Seneca Commercial / Plaza Delray</b>	00-42-46-20-19-001-0000; 00-42-46-20-01-000-0141
	<b>Feurring Commercial:</b>	00-42-46-20-01-000-0150
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	00-42-46-19-01-000-1030
<b>Site Address</b>	<b>Seneca Commercial / Plaza Delray:</b>	8854 Atlantic Avenue
	<b>Feurring Commercial:</b>	8918 Atlantic Avenue
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	8778 Atlantic Avenue
<b>Frontage</b>	The total frontage along Atlantic Avenue is 996.38 feet.	
<b>Legal Access</b>	<b>Seneca Commercial / Plaza Delray:</b>	Access provided along Atlantic Avenue
	<b>Feurring Commercial:</b>	Access provided along Lyons Road
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	Access provided along Atlantic Avenue
<b>Contiguous under same ownership</b>	<b>Seneca Commercial / Plaza Delray</b>	PEBB Atlantic, LLC
	<b>Feurring Commercial</b>	SFD Lyons, LLC
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	PEBB Atlantic II LLC & SOCRO LLC
<b>Acquisition details</b>	<b>Seneca Commercial</b>	\$4,235,500 on January 2020
	<b>Plaza Delray</b>	\$191,000 on April 2020
	<b>Feurring Commercial</b>	1,810,000 on December 2017
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	\$2,100,000 on December 2020
<b>Size purchased</b>	<b>Seneca Commercial</b>	4.51 acres

	<b>Plaza Delray</b>	0.33 acres
	<b>Feurring Commercial</b>	4.90 acres
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	9.89 acres

## B. Development History

<b>Control Number</b>	<b>Feurring Commercial</b>	2013-00213
	<b>Seneca Commercial / Plaza Delray:</b>	2016-00078
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	2000-0032 / 2015-00101
<b>Previous FLUA Amendments</b>	<b>Feurring Commercial</b>	LGA-2016-24 (AGR to CL/AGR)
	<b>Plaza Delray</b>	LGA-2021-006 (AGR to CL/AGR)
	<b>Seneca Commercial</b>	LGA-2017-001 (AGR to CL/AGR)
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	None
<b>Concurrency</b>	<b>Feurring Commercial</b>	Approved Ordinance SF: 42,689 SF
	<b>Plaza Delray</b>	None
	<b>Seneca Commercial</b>	Approved Ordinance SF: 38,538 SF
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	Preserve Area
<b>Plat, Subdivision</b>	<b>Feurring Commercial</b>	Palm Beach Farms Co. Plat No. 1 – Plat Book 2, Page 26
	<b>Plaza Delray</b>	Palm Beach Farms Co. Plat No. 1 – Plat Book 2, Page 26
	<b>Seneca Commercial</b>	Seneca Property MUPD – Plat Book 128, Page 138
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	Palm Beach Farms Co. Plat No. 1 – Plat Book 2, Page 26
<b>Zoning Approvals &amp; Requests</b>	<b>Feurring Commercial</b>	R-2016-1560 (Rezoning from AGR to MUPD; allow a Type 1 Restaurant) ZR-2018-835 (Modify ROW buffer to allow an increase of easement overlap; reduce medium shrubs; eliminate groundcover and large shrubs)
	<b>Plaza Delray</b>	R-2021-0551 (Rezoning from AGR to MUPD)

		R-2021-0552 (To reconfigure the Site Plan to add land area and parking spaces)
	<b>Seneca Commercial</b>	R-2017-0501 (Rezoning from AGR to MUPD) R-2017-0502 (To allow a Type 1 Restaurant with drive through and a Type II Restaurant) R-2017-0966 (To correct errors within Resolution R-2017-0501 to delete Engineering Condition 11)
	<b>Atlantic AGR Commercial &amp; Self-Storage</b>	R-2016-1235 (Rezoning from AGR to AGR PUD) R-2016-1236 (to reconfigure the Master Plan, add land area, add units, and add an access point) ZR-2016-046; -047 (to allow a reduction in the width of the Type 3 Incompatibility Buffer and the front setback for front loading garages for Single-Family and Zero Lot Line homes)

## 2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

### Part 4. Consistency

#### A. Consistency

<b>Justification</b> Provide as G.1.	See Attachment G
<b>Residential Density Increases</b> Provide as G.2.	See Attachment G
<b>Compatibility</b> Provide as G.3.	See Attachment G
<b>Comprehensive Plan</b> Provide as G.4.	See Attachment G

## B. Surrounding Land Uses

Adjacent Lands	Existing Use	Future Land Use	Zoning
North	<b><u>Valencia Cove AGR-PUD</u></b> Control No. 2004-00369 R-2015-11 Existing Land Use: Agriculture Approved Land Use: Preserve Area	Agriculture Reserve (AGR)	Agriculture Reserve – Planned Unit Development (AGR-PUD)
Northwest	<b><u>Dells Suburban Market</u></b> Control No. 1980-00039 R-2016-1069 Existing Land Use: Commercial	Commercial Low with an underlying Agriculture Reserve (CL/AGR)	Community Commercial (CC)
	<b><u>Fina Service Station</u></b> Control No. 1977-00147 R-1987-1173; R-2016-1070 Existing Land Use: Commercial	Commercial Low with an underlying Agriculture Reserve (CL/AGR)	Community Commercial (CC)
	<b><u>Delray Marketplace</u></b> Control No. 2004-00616 R-2015-537, 0538 Existing Land Use: Multifamily Residential, and Commercial DU: 73 Gross Density: 0.75 DU/AC 278,940 GFA, 15% FAR	Commercial Low with an underlying Agriculture Reserve (CL/AGR)	Traditional Marketplace Development (TMD)
South	<b><u>Sussman PUD</u></b> Control No. 2000-00032 R-2016-1235; - 1236 Existing Land Use: Vacant Approved Land Use: Preserve Area	Agriculture Reserve (AGR)	Agriculture Reserve – Planned Unit Development (AGR-PUD)
East	<b><u>Delray Lakes Estates</u></b> Control No. 1979-00031 R-1979-00199; R-2011- 1499 Existing Land Use: Single Family DU: 96 Gross Density: 0.74 DU/AC	Agriculture Reserve (AGR)	Residential Estate (RE)
West	<b><u>Mecca Farms</u></b> Control No. 1994-00070 ZR-1994-0009; -0010 R-1995-0011		



	Existing Land Use: Agricultural Sales and Service Center GFA: 10,000 SF	Agriculture Reserve (AGR)	Agriculture Reserve (AGR)
	Existing Land Use: Landscaping Service	Agriculture Reserve (AGR)	Agriculture Reserve (AGR)
	Existing Land Use: Vacant	Agriculture Reserve (AGR)	Agriculture Reserve (AGR)

## 2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

### Part 5. Public Facilities Information

A. Traffic Information		
<p>In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the 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.</p>		
	Current	Proposed
<b>Max Trip Generator</b>	Gen. Commercial ITE 820) $LnT=0.68LnX+5.57$ Nursery (Garden Cntr) (ITE 817) 108.10/Acre Nursery (Wholesale) ITE 818 19.50/Acre	Gen. Commercial ITE 820) $LnT=0.68LnX+5.57$ Warehouse (ITE 150) 1.74/1KSF Mini-Warehouse/SS (ITE 151) 1.51/1KSF
<b>Maximum Trip Generation</b>	3,648	3,315
<b>Net Daily Trips:</b>	-333 (maximum minus current) -468 (proposed minus current)	
<b>Net PH Trips:</b>	35 (25 in/ 10 out) AM, 83 (33 in/ 50 out) PM (maximum) 24 (13 in/ 11 out) AM, 63 (30 in/ 33 out) 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>	JFO Group, Inc.	
B. Mass Transit Information		

<b>Nearest Palm Tran Route (s)</b>	RT. 81-DLB X-TWN via Atlantic
<b>Nearest Palm Tran Stop</b>	Stop 6409 – Oriole Plaza at Rods Rest SVC RD
<b>Nearest Tri Rail Connection</b>	Delray Beach Station
<b>C. Portable Water &amp; Wastewater Information</b>	
Please see Potable Water & Wastewater Level of Service (LOS) comment letter as Attachment I.	
<b>Potable Water &amp; Wastewater Providers</b>	Palm Beach County Water Utilities Department. See attached “water and sewer availability letter” as Attachment I.
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest potable water is a 42” watermain, a 20” reclaimed water main and a 16” sanitary sewer forcemain located within the Atlantic Avenue adjacent to the subject property. This property is located in a Mandatory Reclaimed Area. See Attachment I.
<b>D. Drainage Information</b>	
<p>The Southern Crop site is located along the south side of Atlantic Avenue, and approximately 1,000-ft east of Lyons Road in unincorporated Palm Beach County, Florida. The total site area is 9.38 acres (excluding the LWDD right-of-way).</p> <p>The project is located in South Florida Water Management District’s (SFWMD) C-15 Canal Basin. The proposed stormwater management system for the site includes inlets and culverts which will collect and convey runoff into exfiltration trenches as well as an on-site dry detention area to be located at the south end of the site. The project will have legal positive outfall to the LWDD L-34 Canal which runs along the north side of the property between the site and Atlantic Avenue. See Drainage Statement as Attachment J.</p>	
<b>E. Fire Rescue</b>	
<b>Nearest Station</b>	PBC Fire Rescue Station #42
<b>Distance to Site</b>	Located at 14276 Hagen Ranch Road, approximately 2.5 miles from the subject site.
<b>Response Time</b>	Estimated response time is 7 minutes, 30 seconds.
<b>Effect on Resp. Time</b>	Some impact per Attachment K letter from Fire Rescue.
<b>F. Environmental</b>	
<b>Significant habitats or species</b>	No significant habitat occurs on the assessed parcel. The subject site predominately includes exotic and invasive species. Please see Attachment L.
<b>Flood Zone*</b>	Flood Zone X
<b>Wellfield Zone*</b>	None within or in close proximity to the subject site. See Attachment M.

## **G. Historic Resources**

Staff reviewed the subject property to identify any cultural resources (historical and archaeological resources) located on or within 500 feet of the property.

Staff's 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 subject property.

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 property.

## **2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION**

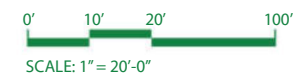
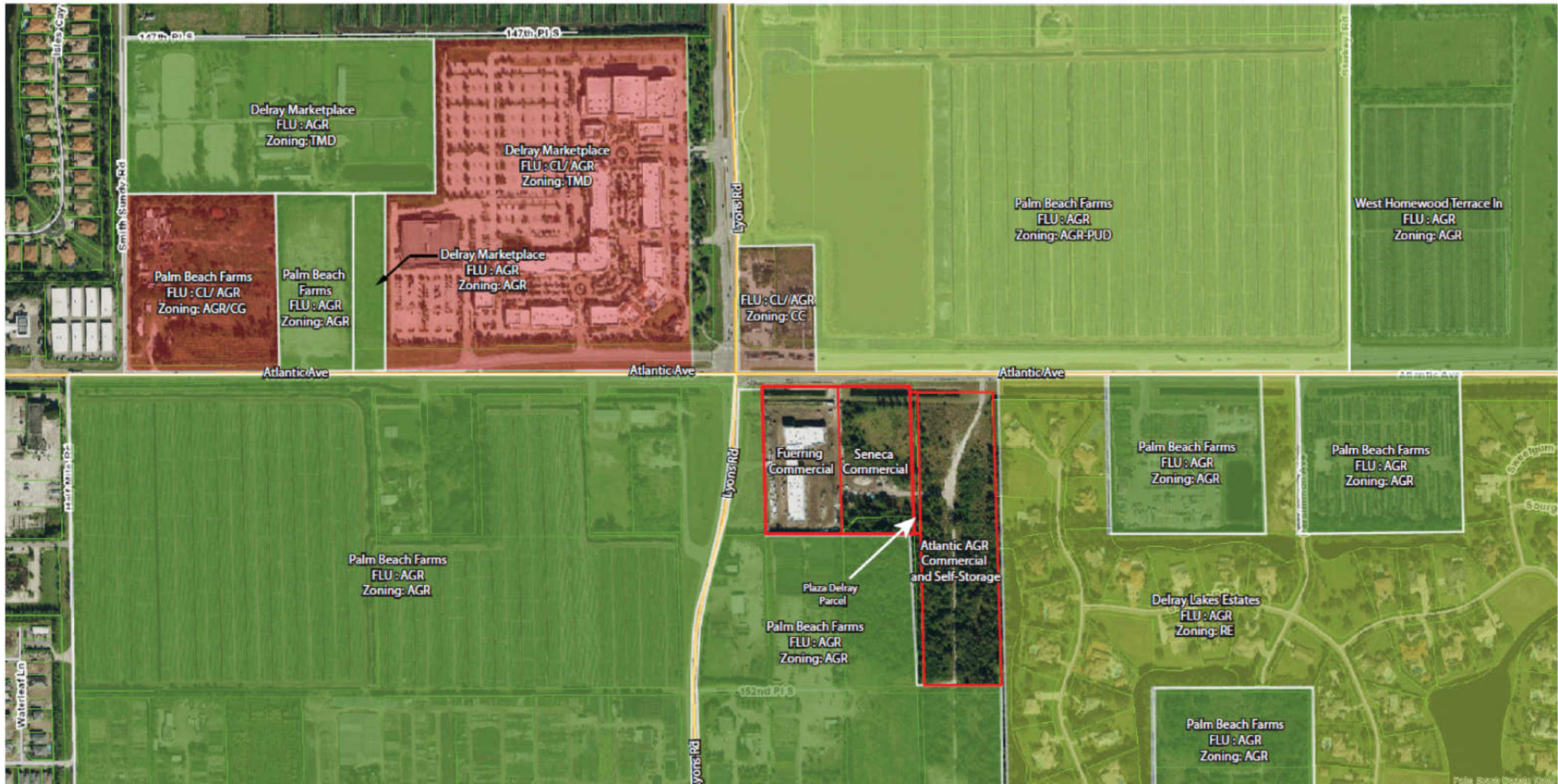
### **Part 6. Attachments**

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

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

<http://www.pbcgov.org/pzb/planning/Pages/Comprehensive-Plan-Amendment-Applications.aspx>

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**JUSTIFICATION STATEMENT  
LARGE SCALE FUTURE LAND USE ATLAS AMENDMENT  
CONTROL NO. 2000-00032 / 2015-00101**

**ATLANTIC AGR COMMERCIAL & SELF-STORAGE  
PROPOSED FLUA MAP AMENDMENT**

**Attachment G**

*Prepared by:*

WGI, INC.

2350 Vista Parkway  
West Palm Beach, FL 33411  
(561) 687-2220  
[www.wginc.com](http://www.wginc.com)

Initial Submittal: May 12, 2021  
Resubmittal: June 4, 2021  
REVISED: June 16, 2021  
REVISED: September 22, 2021



**Palm Beach County - Planning Division**

*2300 North Jog Road, WPB, FL 33411, (561) 233-5300*



## Request

On behalf of the Applicant, WGI is requesting amendments for three properties that are located within the Agricultural Reserve (AGR) Tier. This amendment requests will revise two previously adopted ordinances (Feurring Commercial, Ordinance 2016-035 and Seneca Commercial 2017-006) to reduce the allowable square footage on these sites, which allows the new commercial request (Atlantic AGR Commercial & Self-Storage, aka Atlantic Commercial) to utilize this square footage. The amendment proposes one report with three final ordinances reflecting the two existing Multiple Use Planned Developments (MUPD) and one proposed MUPD. The following provides a detailed summary of these requests:

**Feurring Commercial** at 4.9 acres, under Ord. 2016-035, Control No. 2013-0213, was approved for Commercial Low with an underlying Agricultural Reserve (CL/AGR) Future Land Use (FLU) designation in 2016 for up to 42,689 square feet (sq. ft.) of commercial uses (.20 FAR based on the 4.9 acres). The current amendment proposes to add the following condition, reflecting the approved and built site plan (35,169 sq. ft.) and a 1,000 sq. ft. reserve for potential future development thereby releasing 6,519 sq. ft. of the commercial cap per Policy 1.5-n of the Comprehensive Plan:

- Development of commercial retail and/or office uses on the site is limited to a maximum of 36,170 sq. ft. total.

**Seneca Commercial** at 4.51 acres, under Ord. 2017-006, Control 2016-00078, was approved for CL in 2017 for up to 38,538 sq. ft. of commercial uses by ordinance. This amendment proposes to revise the adopted condition of approval to reflect the approved site plan (30,700 square feet), and a 1,000 sq. ft. reserve for potential future development, thereby releasing 6,838 square feet of the commercial cap:

- Development of commercial retail and/or office uses on the site is limited to a maximum of 31,700 square feet total.

**Released from Cap.** As mentioned above, the reduction in commercial square footage adopted by the two prior ordinances will release 13,357 square feet for the Atlantic Commercial site.

**Atlantic Commercial.** This amendment proposes to change the future land use on a 9.89-acre site from AGR to Commercial Low (CL) FLU designation. The development potential for the site will be as follows: the north 1.77 acre-portion of the site will be designated for commercial and an automated one lane car wash (at .20 FAR for up to 15,420 sq. ft. of commercial). However, the Applicant proposes to limit the commercial at 13,357 sq. ft. (which equates to the same square footage that will be released from the concurrent application of Feurring Commercial and Seneca Commercial). In addition, the Applicant proposes a self-storage facility at the southern 8.12-acre portion of the site (at .65 FAR for up to 280,025 sq. ft. of self-storage). The following proposed condition of approval is.

- Development of commercial retail and/or office uses on the site is limited to a maximum of 13,357 sq. ft. total, and development of self-storage is limited to a maximum of 193,864 sq. ft. of self-storage.

It is important to note that Plaza Delray (Ordinance 2020-010) which is a 0.33-acre sliver of land contiguous to Seneca Commercial. The Seneca Commercial was changed from AGR to CL/AGR with the intent to serve as additional parking for Seneca Commercial. The ordinance includes a condition which limits the site to parking only and with no commercial intensity. For the purpose of this amendment request, Plaza Delray will be shown associated with Seneca Commercial even though they were approved under two different ordinances.

## Development History

The following Table is a summary of the development history of each parcel of land, and provides a breakdown of the approved, developed, unbuilt intensity and proposed transfer of square footage

Acres	Amend (PCN)	Ordinance	LGA	Control No.	Control Name	S.F. Total	FAR Max 0.2	Approved Square Footage under Ordinance	Zoning Site Plan/Approved S.F. & Future Dev. SF Buffer	AGR Tabular Data
4.9	Feurring Commercial (00424620010000150)	2016-035	LGA-2016-024	2013-00213	Feurring MUPD	213,444	42,689	42,689	36,170	42,776
4.51	Seneca Commercial (00424620190010000)	2017-006	LGA-2017-001	2016-00078	Plaza Delray MUPD	196,456	39,291	38,538	31,700	38,538
0.33	Plaza Delray MUPD (00424620010000141)	2021-010	LGA-2021-006	2016-00078	Plaza Delray MUPD	14,375	-	-	-	-
<b>9.74 (subtotal)</b>	-	-	-	-	-	-	<b>81,980</b>	<b>81,227</b>	<b>65,862</b>	<b>81,314</b>
	-	-	-	-	-	-	-	-	<b>13,357</b>	-
9.89	Atlantic AGR Commercial & Self-Storage (00424620010000130)	-	-	2000-00032	Sussman PUD	430,808	86,162	-	-	-
<b>19.63 (total)</b>	-	-	-	-	-	-	<b>193,864</b>	-	-	-

## Concurrent/Pending Zoning Applications

The concurrent Zoning applications will be submitted to the Zoning Division contingent upon the approval of the FLUA Amendment, and will include the following:

- A Development Order Amendment (DOA) application to swap the existing 9.89-acre preserve area of Sussman AGR PUD with new preserve parcels, which are identified under PCN 00-42-46-19-01-000-1030 and 00-42-46-19-01-000-1040 (4.99 acres each).
- Rezoning of Parcels PCN 00-42-46-19-01-000-1030 and 00-42-46-19-01-000-1040 to AGR PUD (as preserve parcels) and redesignate them for the Sussman AGR PUD under a DOA application;
- Rezoning of the 9.89-acre Atlantic AGR Commercial & Self-Storage site to Multiple Use Planned Development (MUPD); and,
- Other required Zoning applications, where deemed necessary.

## Atlantic Avenue/Lyons Road Commercial Node & Surrounding Uses

The three subject properties as mentioned under **Request** are located within the Agriculture Reserve Tier, which currently includes agricultural, and a mix of residential, commercial, and industrial uses. All the sites have frontage and access on the Atlantic Avenue corridor and are within proximity to the intersection of Atlantic Avenue and Lyons Road, a major intersection that is a commercial node within the Agriculture Reserve. The Agriculture Reserve includes large residential planned unit developments that have been approved and built over the last few years to the north, south, and west of the subject properties. See the aerial below for the subject properties.



**PROPERTY OWNERS AND PROPERTY CONTROL NUMBERS (PCN)**

The subject properties under this application from east to west are: Atlantic AGR Commercial & Self-Storage; Plaza Delray; Seneca Commercial and Feurting Commercial.

<b><u>Parcel (East to West)</u></b>	<b><u>PCN</u></b>	<b><u>Current Owners</u></b>	<b><u>O.R.B.</u></b>
Atlantic AGR Commercial & Self-Storage (Sussman PUD Preserve Parcel #9) – 9.89 acres	00-42-46-19-01-000-1030;	PEBB Atlantic II LLC & Socro LLC	O.R.B. 32041, PG. 01111
Seneca Commercial – 4.51 acres and Plaza Delray - 0.33 acre portion of a 0.71 acre PCN)	00-42-46-20-01-000-0141; 00-42-46-20-01-000-0142	SFD Lyons LLC	O.R.B. 29544, PG. 00069
Feurting Commercial – 4.9 acres	00-42-46-20-01-000-0150	PEBB Atlantic LLC	O.R.B. 31188, PG. 01144

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## SURROUNDING PROPERTIES

Adjacent Lands	Existing Use	Future Land Use	Zoning
North	<b><u>Valencia Cove AGR-PUD</u></b> Control No. 2004-00369 R-2015-11 Existing Land Use: Agriculture Approved Land Use: Preserve Area	Agriculture Reserve (AGR)	Agriculture Reserve – Planned Unit Development (AGR-PUD)
Northwest	<b><u>Dells Suburban Market</u></b> Control No. 1980-00039 R-2016-1069 Existing Land Use: Commercial	Commercial Low with an underlying Agriculture Reserve (CL/AGR)	Community Commercial (CC)
	<b><u>Fina Service Station</u></b> Control No. 1977-00147 R-1987-1173; R-2016-1070 Existing Land Use: Commercial	Commercial Low with an underlying Agriculture Reserve (CL/AGR)	Community Commercial (CC)
	<b><u>Delray Marketplace</u></b> Control No. 2004-00616 R-2015-537, 0538 Existing Land Use: Multifamily Residential, and Commercial DU: 73 Gross Density: 0.75 DU/AC 278,940 GFA, 15% FAR	Commercial Low with an underlying Agriculture Reserve (CL/AGR)	Traditional Marketplace Development (TMD)
South	<b><u>Sussman PUD</u></b> Control No. 2000-00032 R-2016-1235; - 1236 Existing Land Use: Vacant Approved Land Use: Preserve Area	Agriculture Reserve (AGR)	Agriculture Reserve – Planned Unit Development (AGR-PUD)
East	<b><u>Delray Lakes Estates</u></b> Control No. 1979-00031 R-1979-00199; R-2011- 1499 Existing Land Use: Single Family DU: 96 Gross Density: 0.74 DU/AC	Agriculture Reserve (AGR)	Residential Estate (RE)
West	<b><u>Mecca Farms</u></b> Control No. 1994-00070 ZR-1994-0009; -0010 R-1995-0011	Agriculture Reserve (AGR)	Agriculture Reserve (AGR)

	Existing Land Use: Agricultural Sales and Service Center GFA: 10,000 SF		
	Existing Land Use: Landscaping Service	Agriculture Reserve (AGR)	Agriculture Reserve (AGR)
	Existing Land Use: Vacant	Agriculture Reserve (AGR)	Agriculture Reserve (AGR)

#### **G1. Justification for Future Land Use Atlas Amendment**

Pursuant to Policy 2.1-f, which states:

***“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).”***

This Justification Statement provides analyses of each applicable policy as follows:

#### **Feurring Commercial and Seneca Commercial.**

The requests are to allow the release of unused square footage of Feurring Commercial and Seneca Commercial back to the commercial cap which is under Policy 1.5-n of the Comprehensive Plan. The amendment will allow the release of 13,357 sq. ft. to be utilized by the concurrent application of Atlantic Commercial.

Under this request, the Applicant proposes to add a condition of approval limiting Feurring Commercial to what is site planned and built, along with a buffer for potential future development totaling 36,170 sq. ft. In addition, the Applicant proposes to amend a prior condition of approval under Seneca Commercial, Ordinance 2017-006, and reduces the approved intensity of 39,538 sq. ft. to 31,700 sq. ft. which accurately reflected what is site planned and yet to be developed.

The release of 13,357 square feet will be “returned” to the commercial cap, and allows the concurrent application of Atlantic Commercial to utilize without exceeding the commercial cap as stated in Policy 1.5-n of the Comprehensive Plan.

#### **Atlantic Commercial.**

This amendment proposes to change the future land use on the 9.89-acre site to the CL FLU designation. The development potential for the site will allow 1.77 acres of the site to be designated for commercial uses up to 13,357 sq. ft. of commercial. However, the Applicant proposes to utilize the concurrently released 13,357 sq. ft., and proposes a self-storage facility at the remainder 8.12-acre portion of the site (at .45 FAR

for up to 280,025 sq. ft. of self-storage). At this time, the Applicant proposes the self-storage building to be 99,459 square feet in size, but is requesting the intensity be kept at 193,864 sq. ft.

The requests to release the square footage of Feurring Commercial and Seneca Commercial, subject to new and amended conditions are consistent with the County's direction in setting limitations for commercial development within the AGR Tier. The concurrent request to change the FLU designation of Atlantic Commercial to CL will expand the need to provide more neighborhood type uses along the commercial node of Atlantic Avenue and Lyons Road. Establishment of uses such as pharmacy, restaurants, retail, offices and self-storage facility will better serve the residential community of the Tier.

The request is compliant with FLUE 2.1-f, as outlined below:

**1. The proposed use is suitable and appropriate for the subject site; and**

**Applicant's Response:**

Feurring Commercial, Seneca Commercial and Plaza Delray were subject of a FLU Amendment application in 2016, 2017 and 2020 respectively, analyses on the site and its proposed uses were performed and were determined that each site and its proposed use(s) and affiliated intensity were appropriate.

Feurring Commercial is developed under its allowable intensity and has 7,519 sq. ft. leftover from the original approval. Seneca Commercial has a site plan approved for 30,700 square feet with 7,838 square feet remaining unused. As a result, a total of 13,357 sq. ft. will be released back to the commercial cap and allow the concurrent application for Atlantic Commercial to utilize for the development of more neighborhood type of commercial uses.

The 9.89-acre Atlantic Commercial site represents a tract of underutilized land and suited for redevelopment; however, it is no longer viable for agricultural nor residential uses due to its location at a major intersection of Atlantic Avenue and Lyons Road. This intersection acts as a commercial node in the Agricultural Reserve and includes the Delray Marketplace TMD at the northwest corner, which is a regional draw for the County. Although there are existing commercial uses situated within the Delray Marketplace TMD, such as are not neighborhood serving in nature. Over time, the need for neighborhood serving commercial uses has increased because of the influx of residents and new residential developments within the Agricultural Reserve Tier, including the following:

Name of Application	Control Number	Resolution No.	Number of Units
Sussman AGR PUD	2000-00032	2016-1235, -1236	743 units
Monticello AGR PUD	2005-00014	2005-1418, -1135, 1136; 2012-776; 2018-1703, 2018-1704	653 units
Valencia Cove AGR PUD	2004-00369	R-2020-0336; R-2020- 0337	1,404 units
Bridges-Mizner AGR PUD	2004-00250	R-2017-974, -975, -976, - 977	1,866 units
Hyder AGR PUD	2005-00455	R-2006-278, 2014-729, 2017-972	1,205 units

The proposed amendment is consistent with the Board of County Commissioners' (BCC) direction to allow for additional, neighborhood serving commercial uses within the Agricultural Reserve. One of the intents is to keep traffic trips localized and reducing impacts on the Countywide roadway network. In 2016, the BCC adopted revisions to the County's Comprehensive Plan, known as the "County Initiated Agriculture Reserve Commercial Text amendments. The adopted amendment

revised the Future Land Use Element (FLUE) policies regarding commercial and non-residential development within the Agriculture Reserve Tier. The amendment changes consisted of:

- Retain the following commercial requirements:
  - Location within ¼ mile of Lyons/Boynton and Lyons/Atlantic intersections
  - Scale, character, design, and concurrent zoning application
  - Minimum preserve area
- Allow ability for smaller commercial sites through:
  - Increasing the total maximum allowable square footage
  - Eliminating the Traditional Marketplace requirements and allowing Multiple Use Planned Developments (MUPD)
  - Allowing pre-existing commercial sites to be 'squared off'

**2. *There is a basis for the proposed FLU change for the particular subject site based upon one or more of the following:***

***a. Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;***

**Applicant's Response:**

**Feurring Commercial and Seneca Commercial.** When the FLU Amendment application for these three sites: Feurring Commercial, Seneca Commercial and Plaza Delray were reviewed in 2016, 2017 and 2020 respectively, changes in FLU designations on adjacent properties and associated impacts were analyzed and therefore were approved by the BCC.

The concurrent Atlantic Commercial is the purpose of the current request to add a new condition and amend the limitation and/or conditions of approval that are associated with Feurring Commercial and Seneca Commercial sites and allow the remainder intensity to be released back to the commercial cap. The request will not create any negative impacts to any adjacent properties. In fact, the release of square footage will allow the concurrent application of Atlantic Commercial to obtain the unused intensity without exceeding the limit of 1,015,000 commercial square footage pursuant to Policy 1.5-n.

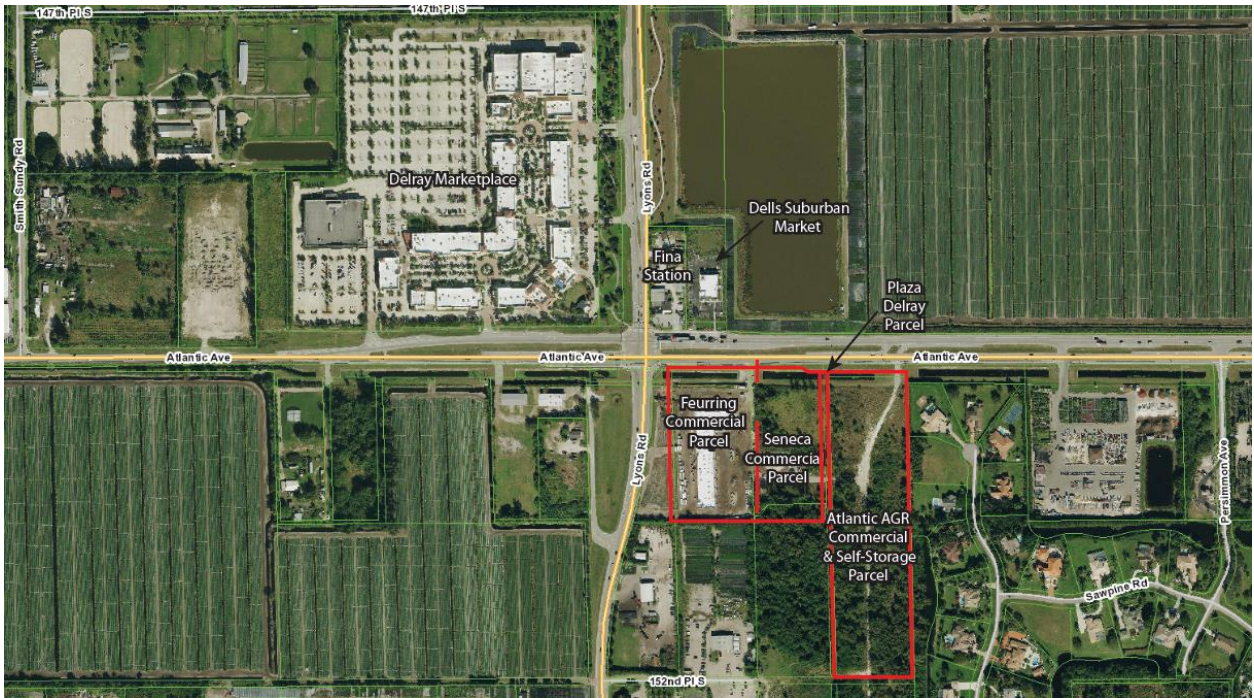
**Atlantic Commercial.** The concurrent FLUA Amendment for the 9.8-acre Atlantic Commercial site is to modify its FLU designation to CL for additional neighborhood serving commercial uses and a self-service storage facility. The 9.8-acre site was dedicated as a preserve parcel for the Sussman AGR PUD since 2000; however, it remains vacant for many years.

With the approval of the Delray Marketplace TMD at the northwest corner of Lyons Road and Atlantic Avenue, and subsequent requests for FLU amendments of properties in the immediate area, have created a new development pattern along the Atlantic and Lyons corridors; thereby completing a commercial node at this intersection. There are existing commercial uses situated within the Delray Marketplace TMD; however, such uses are not neighborhood serving in nature. Neighborhood based uses such as a self-service storage facility and general retail uses would support the viability of the Delray Marketplace TMD, by providing supportive commercial uses, while maintaining the entertainment destination nature of Delray Marketplace TMD.

With the change in FLU designations of AGR to CL/AGR of those parcels (Feurring Commercial, Seneca Commercial and Plaza Delray) that are located to the west of Atlantic Commercial, it is logical and reasonable to request a change of the site's FLU to CL so that the uses on the site is in line with the neighboring properties.

Shown below is a map illustrating the four subject properties' proximity to the commercial node of Delray Marketplace and the intersection of Atlantic Avenue and Lyons Road.





See the aerial below for Feurring Commercial, Seneca Commercial and Plaza Delray in line with the Atlantic AGR Commercial & Self-Storage site.



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

**Applicant's Response:**

**Feurring Commercial and Seneca Commercial.** These sites were both approved with an intensity that has been evaluated under the prior CL/AGR Ordinances, both developments were either constructed or site-planned with intensity that are less than what had been allowed. Plaza Delray was approved with no intensity but with the intent to serve as additional parking for Seneca Commercial.

The current request is to add/modify conditions of approval associated with commercial square footage, and allow the remainder unused intensity to be released, and be utilized by the proposed Atlantic Commercial for additional neighborhood serving type of commercial uses and a self-storage facility, these services and facilities will further benefit the residential communities in the AGR Tier. Under this request, there should be no impacts created from the concurrent FLU Amendment application of Atlantic Commercial.

**Atlantic Commercial.** The development of additional residential communities and the Delray Marketplace TMD have changed the characteristics of the general area. The need for neighborhood serving commercial uses has increased as a result of the influx of residents within the Tier. Although there are existing commercial uses situated within the Delray Marketplace TMD, such uses are not neighborhood in nature and represent more of an entertainment destination. Needed neighborhood-based uses, such as a self-service storage facility, general retail uses and a car wash, would better serve the surrounding area. The proposed uses would continue the commercial development that is already built along Atlantic Avenue, while create a contiguous block with both the Feurring and Seneca Commercial properties. The proposed self-service storage facility is exempt from the Tier's commercial cap per Policy 1.5-n of the County's Comprehensive Plan, while the proposed commercial square footage will remain within the commercial cap of the Tier. The Atlantic Commercial currently has access onto Atlantic Avenue and no additional access points will be requested.

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

**Applicant's Response:**

**Feurring Commercial and Seneca Commercial.** The new Atlantic Commercial development is the reason for the request to modify the conditions of approval for Seneca Commercial and add a new condition to Feurring Commercial. Although Feurring Commercial, Seneca Commercial and Plaza Delray were approved under their individual CL/AGR ordinances; however, the allowable intensity under each Ordinance was never fully utilized. The Amendment will allow the remaining unused commercial square footage to be released back to the commercial cap.

**Atlantic Commercial.** As mentioned before, the 9.8-acre Atlantic Commercial parcel was utilized as a preserve for the Sussman AGR PUD, it was never actively being used for agricultural related uses that are permitted under the "preserve" zoning category. Uses within this area of the Tier have changed over time from predominately agriculturally based uses to new residential developments and commercial serving uses. The subsequent land use change approvals of Feurring Commercial, Seneca Commercial and Plaza Delray Commercial create a change in circumstances demonstrating that the site is more appropriate for non-agricultural uses.

**d. *Inappropriateness of the adopted FLU designation; or***

**Applicant's Response:**

**Feurring Commercial and Seneca Commercial.** By requesting the addition and amendment of conditions relating to the square footage that were associated with the two prior CL/AGR Ordinances, the adopted FLU designation of Feurring Commercial and Seneca Commercial will remain appropriate for these sites.

**Atlantic Commercial.** AGR is not the most appropriate FLUA designation for the Atlantic Commercial site as it would not create an appropriate balance of land uses within the Agriculture Tier. The Atlantic Commercial site is not practical for agricultural uses and is more in line with the existing commercial uses within the commercial node of the Agricultural Tier. Based upon additional demand and need for neighborhood serving commercial retail uses and the location and size of the property in relation to the BCC's direction, the CL FLU designations are more appropriate for the Atlantic AGR Commercial & Self-Storage site.

**e. Whether the adopted FLU designation was assigned in error.**

**Applicant's Response:**

**Feurring Commercial and Seneca Commercial.** The adopted AGR FLUA designation was not assigned in error for these sites, but the adopted amendment is more in line with the change in development pattern at the commercial node and the BCC's direction for smaller commercial uses within the Agricultural Tier. The current request to add and amend conditions of approval relating to square footage will not negatively impact the adopted CL/AGR FLU designation of these sites.

**Atlantic Commercial.** The adopted AGR FLUA designation was not assigned in error for the 9.8-acre site, but the proposed amendment will be more in line with the change in development pattern at this commercial node of the AGR Tier, and will be consistent with the BCC's direction in allowing smaller commercial uses and/or neighborhood type uses within the Agricultural Tier.

**G.2 Residential Density Increases**

**Applicant's Response:**

There are no residential density increases requested as part of this application for all three sites.

**G.3 Compatibility and Surrounding Uses**

**Applicant's Response:**

Pursuant to the Unified Land Development Code (ULDC), Compatibility is defined 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.*"

**Feurring Commercial and Seneca Commercial.** When Feurring Commercial, Seneca Commercial and Plaza Delray were subject of a FLU Amendment application in 2016, 2017 and 2020 respectively, analyses of the parcels and its proposed uses were performed and were determined that each site and its proposed use(s) and affiliated intensity were compatible with the surrounding uses. The compatibility issues of these parcels have been addressed during the prior zoning review.

The current request to add and amend conditions relating to reduction of square footage will not create any incompatibility issues.

**Atlantic Commercial.**

Potential compatibility issues are generally addressed or mitigated through spatial separation such as setbacks and installation of landscape buffers. The following provide an analysis explaining how the proposed uses will not generate any additional potential impact to the commercial node of the Atlantic Avenue corridor.

**North:** To the north, across from Atlantic Avenue, is the Valencia Cove Preserve and two existing commercial sites (Fina Station LGA 2016-013 and Dells Suburban Market, LGA-2016-009). Both of these commercial sites were the subject of a County Initiated FLU amendment to vest those commercial uses

that were established prior to the creation of the AGR Tier and Master Plan. Currently, the Dells Suburban Market site remains vacant and the Fina Station site is utilized as an auto repair service station.

**South:** To the south, across from 152nd Place, is a 4.98-acre preserve parcel of Sussman AGR PUD, and is currently vacant.

**East:** To the east is the Delray Lakes Estates PUD, which exists prior to the creation of the AGR PUD provisions. Any compatibility issues that may be generated from the proposed AGR/CL FLU change and affiliated uses will be addressed at the Zoning applications, and the Applicant will address these potential impacts by limiting the height of the buildings and by providing an adequate landscape buffer along the east Residential property line.

**West:** Further to the west is a 1.57-acre strip of land owned by Palm Beach County that is a leftover resulting from the extension of Lyons Road. West across Lyons Road is the Delray Fields, which had a LGA application (LGA 2016-030) but was withdrawn. A Class B Conditional Use for Ag Sales and Services (Z/CB 1994-70) remains valid for this AGR site.

#### **G.4 CONSISTENCY WITH DIRECTIVES, GOALS, OBJECTIVES, AND POLICIES OF THE PBC COMPREHENSIVE PLAN**

*The Future Land Use Element (FLUE) of the Comprehensive Plan establishes the framework for future development within Unincorporated Palm Beach County and includes Goals, Objectives and Policies which guide this future growth. Section I.C of the FLU Element also establishes County Directions which reflect the type of community residents wish to see within Palm Beach County. The Directions particularly relevant to this application include:*

- **Livable Communities;**
- **Growth Management;**
- **Infill Development;**
- **Land Use Compatibility;**
- **Neighborhood Integrity; and**
- **Housing Opportunity.**

#### **Applicant's Response:**

The following analysis demonstrates the proposal's consistency with the relevant Goals, Objectives and Policies of the Future Land Use Element of the Plan, as demonstrated throughout this report. Additionally, the proposed FLUA Amendment to change the FLU designation from AGR to CL for Atlantic Commercial is consistent with the general development pattern and characteristics of the surrounding area.

#### **Consistency with the PBC Future Land Use Element**

**Goals** – The proposed Amendment requests further the County's goals as further described below.

- **Land Planning** – *"It is the GOAL of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services."*

#### **Applicants Response:**

The request to add and amend a condition as it relates to the reduction of unused square footage for Feurring Commercial and Seneca Commercial is consistent with the intensities of the Agriculture Reserve Tier since it will maintain the commercial cap. The reduced commercial square footage will be released to allow the concurrent application for Atlantic Commercial to proceed with a change from AGR to CL FLU designation and to utilize the released square footage.



Allowing compact and appropriately situated neighborhood commercial uses within the Agricultural Reserve Tier will encourage and provide for the appropriate distribution of land uses that promotes the quality of life for the residents in the area. In addition, the Atlantic Commercial site is located on the south side of Atlantic Avenue, which is a major east-west corridor with access to I-95, the Florida Turnpike, and U.S 441. Infrastructure is already in place along this corridor, which was established to accommodate the existing residential, TMD-commercial center, and place of worship that are already developed within the vicinity of the site.

**Objectives** – The proposed Amendment requests further the County's objectives as further described below.

***Objective 2.1 Balanced Growth*** – “Palm Beach County shall designate on the Future Land Use Atlas sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth. This shall be done to plan for population growth and its need for services, employment opportunities, and recreation and open space, while providing for the continuation of agriculture and the protection of the environment and natural resources through the long-range planning horizon.”

**Applicants Response:**

Both Feurring and Seneca Commercial were analyzed and found to be consistent with Objective 2.1 of the County's Comprehensive Plan. The current request to add and amend conditions in relation to the reduction of previously approved commercial square footage is consistent with the Objective to achieve balanced growth, since the commercial cap of the AGR Tier is maintained.

Development of the 9.8-acre Atlantic Commercial site is inevitable since it remains vacant and not been utilized for agricultural related activities. In addition, the site is located in close proximity to the commercial node of Atlantic Avenue and Lyons Road, with the development of new residential communities in the AGR Tier, these corridors will continue to generate increased demand for neighborhood type of commercial uses and services. Residents and the workforce within the AGR Tier need support services in the vicinity without having to travel a significant distance. Therefore, both of these requests will maintain and/or provide a balance growth in the AGR Tier and is consistent with Objective 2.1.

***Objective 3.1 Service Areas - General*** – “Palm Beach County shall establish graduated service areas to distinguish the levels and types of services needed within a Tier, consistent with sustaining the characteristics of the Tier. These characteristics shall be based on the land development pattern of the community and services needed to protect the health, safety and welfare of residents and visitors; and, the need to provide cost effective services based on the existing or future land uses.”

**Applicants Response:**

The reduction in commercial square feet for both Feurring and Seneca Commercial would allow for the release of unused square feet back to the commercial cap of the AGR Tier. The release of square footage will allow for additional neighborhood type commercial uses such as Atlantic Commercial, which will help serve the residents in the Tier and continue the development pattern along the Atlantic Avenue corridor. The current land development pattern within the immediate vicinity of the intersection of Lyons Road and Atlantic Avenue is generally non-agricultural. The proposed low commercial use and self-storage facility for the 9.8-acre Atlantic Commercial site will provide needed services to the residents in the surrounding area and not require them to travel long distances to obtain such services, thus ensuring that the characteristics of the Agriculture Reserve Tier are sustained, and creates a mix of uses that are compact and self-contained.

**Policies** – The proposed FLUA Amendment furthers the County’s policies as further described below:

***Policy 1.5-k: Commercial and mixed uses in the Agricultural Reserve Tier shall be located central to the Tier and designed at a neighborhood or community scale in order to be limited to serving the needs of the farmworker community, existing residents, and future residents the Tier.***

**Applicants Response:**

Feurring Commercial and Seneca Commercial, with the subsequent Plaza Delray, were analyzed and found to consistent with Policy 1.5-k under the 2016, 2017 and 2020 ordinances. The current request to reduce the previously approved square footage for both Feurring and Seneca Commercial allows for the release of commercial square footage back to the commercial cap of the AGR Tier. The release of unused commercial square feet will allow the development of neighborhood/community scale type of commercial uses, such as Atlantic Commercial, for the residents of the AGR Tier. In addition, these three sites are centrally located within the commercial node of the Tier. Therefore, the current requests are consistent with this policy.

***Policy 1.5-n: The County shall ensure a sustainable development pattern is achieved in the Agricultural Reserve by allowing commercial uses while ensuring that the supply of commercial square footage does not exceed the demand of the farm workers and residents of the Tier. The County may approve a maximum of 1,015,000 square feet of commercial uses (retail, service and office) within the Tier. Self-storage uses are not subject to the commercial cap.***

**Applicants Response:**

The current request to add and amend conditions relating to reduction of previously approved square footage for Feurring Commercial and Seneca Commercial is consistent with this Policy, as the release of unused square footage will discourage new applications that request amending the commercial cap limit.

The second request to allow the 9.8-acre Atlantic Commercial site be changed to CL and be limited to the released square footage will also uphold the requirement of this policy. The request to allow a self-storage facility be developed on the same site will not be subject to the commercial cap as noted in this policy.

***Policy 1.5-o: All future land use amendments seeking a Commercial designation in the Agricultural Reserve Tier are encouraged to be accompanied by a concurrent zoning application in order to demonstrate that the proposal meets the design, scale, and character requirements of the Tier.***

**Applicant’s Response:**

These sites will be accompanied by a concurrent zoning application to ensure all proposed addition and amendment of conditions will not create a conflict with the prior Zoning approvals for Feurring Commercial/MUPD and Seneca Commercial/Plaza Delray MUPD, a separate request will be submitted for the Atlantic Commercial site to ensure the proposed meet all prior resolutions and zoning requirements; therefore, this Policy will be met.

***Policy 1.5.1-m: Agricultural Reserve Commercial and Mixed Use Planned Developments: “All commercial and mixed use Planned Developments are intended to provide one or more uses in a manner that is compatible with the scale and character of the surrounding residential uses and designed to promote a sense of place. The commercial and mixed use Planned Developments provide uses that can include shopping, entertainment, business, services, employment, cultural, civic, schools, places of worship, government services, and/or housing opportunities in a manner that increases a sense of community by creating a stronger pedestrian orientation through design, placement and organization of buildings connected to a common public space, while dispersing parking and respecting and maintaining the character of the surrounding area. The commercial and mixed use Planned Developments are intended to provide neighborhood and community serving scaled uses. Regional and large-scale big-box uses are not permitted.”***

**Applicants Response:**

Feurring Commercial, Seneca Commercial, and Plaza Delray, have been analyzed and approved to be consistent with Policy 1.5.1-m of the County's Comprehensive Plan. The commercial uses that exist on both Feurring Commercial and Seneca Commercial are compatible with the scale and character of the surrounding residential uses and are consistent with the conditions per their approved ordinances. To add conditions to Feurring Commercial and modify the conditions for Seneca Commercial in limit to what will be built will not alter the existing commercial uses on both current developments.

The release of unbuilt commercial square footage back to the Agriculture Reserve Tier's commercial cap allows the Atlantic Commercial site to develop a mix of commercial and self-storage uses that are consistent with Policy 1.5.1-m of the County's Comprehensive Plan, since the self-storage facility is not considered a big box commercial development.

In addition, the proposed FLU amendment for the Atlantic Commercial is consistent in the character and scale of the adjacent neighboring commercial uses. The adjacent MUPD and TMD have existing commercial uses that include retail, restaurants, and are interconnected with a safe vehicular and pedestrian circulation system. The commercial and mixed use Planned Developments are intended to provide neighborhood and community serving scaled uses.

***Policy 1.5.1-q: AGR-Multiple Use Planned Development.*** *New Agricultural Reserve Multiple Use Planned Developments (AgR-MUPD) in the Ag Reserve Tier shall meet the following requirements:*

1. *Preserve Areas shall not be required for a property that is 16 acres or less in size as of January 1, 2016. For purposes of this policy, the term 'property' is defined as a property control number as configured on January 1, 2016. The acreage shall be exclusive of right-of-way as shown on the Thoroughfare Right of Way Identification Map;*
2. *Preserve Areas shall be required for a property that is greater than 16 acres in size as of January 1, 2016. For proposed of this policy, the term 'property' is defined as a property control number as configured on January 1, 2016. For such properties, the Development Area shall not exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map;*
3. *The Development Area for Commercial and mixed use projects shall meet the Ag Reserve Design Elements; and*
4. *Required Preserve Areas shall be subject to the standards and requirements of an AGR TM preserve.*

**Applicants Response:**

Feurring Commercial, Seneca Commercial, and Plaza Delray, were subject to individual FLUA applications and less than 16 acres in size. Therefore, preserve areas were not required for their approvals. The current request to add/amend condition that is associated with the reduction of commercial square footage will not trigger the requirement of this Policy.

The Atlantic AGR Commercial and Self-Storage site is less than 16 acres, and therefore, preserve areas are not required.

***Policy 1.5.1-r: Ag Reserve Design Elements:*** *"In order to maintain the character of the Tier and quality of life for farm workers and residents, all new commercial and mixed use development the Ag Reserve Tier must demonstrate consistency with the following Ag Reserve Design Elements during the development review process. Conditions of approval to further define compliance with these elements may be adopted as part of the associated future land use amendment ordinance and/or zoning resolution."*

1. *A minimum of 5% usable open space as defined by the Introduction and Administration Element, prominently located within the project to act as a community gathering place;*

2. *Landscaped, pervious surfaces that incorporate native landscape species in the site design, with an emphasis along roadway frontages, at entry features, and the provision of exceptional landscape buffers to ensure compatibility with adjacent residential or agricultural properties;*
3. *Interconnected, well landscaped pedestrian systems that link buildings with useable open space, sidewalks and other trail systems, to promote pedestrian circulation and encourage pedestrians to walk between uses;*
4. *Building placement designed to foster pedestrian connectivity with surrounding parcels;*
5. *Compatible building heights consistent with the character of the community; and*
6. *Public amenities such as sidewalks, lighting, seating, signage, gathering space, water features, landscaping, public art, and provisions for outdoor dining and merchant displays.*

**Applicants Response:**

The approvals for Feurring Commercial, Seneca Commercial, and Plaza Delray were consistent and compliant with Policy 1.5.1-r of the County's Comprehensive Plan. Both Feurring Commercial and Seneca Commercial are approved and site planned with design elements that meet Policy 1.5.1-r. The current request to add and amend condition as it relates to the reduction of commercial square footage will not modify any design elements that exist on the built or site-planned developments.

Per this Policy, the 9.8-acre Atlantic Commercial site with the proposed neighborhood type commercial uses and a self-storage facility will be required to demonstrate consistency with the AGR Reserve Design Elements and will be reviewed during the Zoning development review process.

***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."*

**Applicants Response:**

The parcels of Feurring Commercial and Seneca Commercial are approved with commercial uses per their respective ordinances of Ordinance 2016-035 and Ordinance 2017-006. As stated above, construction of the Feurring MUPD is completed, and Seneca Commercial is site planned and pending to be developed, both sites have unused approved square footage and are currently requesting to release the unused commercial square footage back to the commercial cap.

The land development pattern that has been established within the immediate vicinity of the intersection of Atlantic Avenue and Lyons Road is generally non-agricultural in nature. Therefore, allowing the 9.8-acre Atlantic Commercial site for the development of additional neighborhood type of commercial uses will further provide conveniently located facilities and services that will support the daily needs of the community of the AGR Tier.

**G.5. Florida Statutes – Consistency with Chapter 163.3177, F.S.**

All mandatory elements for a FLUA amendment have been provided within this application and include, but is not limited to surveys, studies, community goals and vision, and all other pertinent data as required by Ch. 163.3177 of the Florida Statutes. The proposed amendment allows for the consolidation of non-residential development that will maximize the utility of existing network of roadways and other infrastructural improvements. These amendments are in compliance with Chapter 163.3177 of the Florida Statutes.

### **Conclusion**

On the basis of this assessment, it is considered that the requests as listed below are consistent with the relevant Goals, Objectives and Policies of the Palm Beach County Comprehensive Plan:

1. Allowing the addition of a condition limiting Feurring Commercial to what has been or may potentially be developed (36,170 sq. ft.), and releasing 6,519 sq. ft. back to the commercial cap;
2. Allowing the amendment of a previously approved condition that limits Seneca Commercial from 38,538 sq. ft. to the site-planned/ unbuilt 31,700 sq. ft. and releasing the remainder 6,838 sq. ft. to the commercial cap; and
3. Allowing the 9.8-acre Atlantic Commercial site be changed from AGR to CL and utilize the released 13,357 square footage for commercial uses, a car wash, and a self-storage facility, and subject to a condition.

The importance of developing the 9.8-acre site with neighborhood based commercial uses will help to keep the traffic trips localized and lessen the impact of the County road network, and is also consistent with the changed development pattern along the Atlantic Avenue corridor and the commercial node of the AGR Tier.



**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  
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Melissa McKinlay  
Mack Bernard

**County Administrator**

Verdenia C. Baker

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May 11, 2021

WGI  
2035 Vista Parkway  
West Palm Beach, FL 33411

RE: Atlantic AGR  
PCN 00-42-46-20-01-000-0130 (Subject Parcel- Sussman), 00-42-46-20-  
19-001-0000 (Plaza Delray MUPD) and 00-42-46-20-01-000-0150  
(Feurring Commercial)  
Service Availability Letter

Dear Mr. Bailey,

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 for the existing land use of Agricultural Reserve (AGR) and for the proposed FLU designation of commercial Low (CL) for the front along Atlantic Avenue and Industrial (IND) in the back only for the Subject Parcel (Sussman).

The nearest potable water is a 42" watermain, a 20" reclaimed water main and a 16" sanitary sewer forcemain located within Atlantic Ave. adjacent to the subject property. This property is located in a Mandatory Reclaimed Area.

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.,  
Project Manager



Celebrating  
**35**  
years

**CAULFIELD & WHEELER, INC.**  
Consulting Engineers • Surveyors & Mappers

Engineering EB0003591  
Surveying LB0003591  
Landscape Architecture LC0000318

May 12, 2021

Mrs. Joanne Keller, P.E.  
Palm Beach County Land Development  
2300 North Jog Road, 3<sup>rd</sup> Floor  
West Palm Beach, Florida 33411-2745

**Subject: Drainage Statement  
Southern Crop Property  
PCN #s 00-42-46-20-01-000-0130  
Palm Beach County, Florida  
Our Project #9086**

Dear Mrs. Keller:

The Southern Crop site is located along the south side of Atlantic Avenue, and approximately 1,000-ft east of Lyons Road in unincorporated Palm Beach County, Florida. The total site area is 9.38 acres (excluding the LWDD right-of-way). The project is located in South Florida Water Management District's (SFWMD) C-15 Canal Basin. The proposed stormwater management system for the site includes inlets and culverts which will collect and convey runoff into exfiltration trenches as well as an on-site dry detention area to be located at the south end of the site. The project will have legal positive outfall to the LWDD L-34 Canal which runs along the north side of the property between the site and Atlantic Avenue.

The SFWMD criteria for this project will be a water control elevation of El. 14.50' NAVD. The proposed minimum pavement, and finished floor criteria will exceed the calculated 5-year and 100-year design storms, respectively, as required by code. A control structure will be installed to regulate the discharge into the LWDD L-34 Canal, in compliance with the allowable discharge of 70 CSM for the C-15 Basin which equates to an allowable peak discharge rate of 1.03 cfs for the project.

Submitted By:  
Caulfield & Wheeler, Inc.

---

Ryan D. Wheeler, P.E.  
Professional Engineer #71477  
State of Florida

RDW:rw

P:\09086-00-00-00\Eng Docs\Permits\PBCLD\Drainage Statements\2021.05.12\_9086 drain state\_PBCLD.doc



**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  
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Dave Kerner, Vice Mayor  
Hal R. Valeche  
Gregg K. Weiss  
Robert S. Weinroth  
Mary Lou Berger  
Melissa McKinlay

**County Administrator**

Verdenia C. Baker

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May 4, 2021

WGI  
Connor Bailey  
2035 Vista Parkway  
West Palm Beach, FL 33411

Re: Atlantic AGR Commercial & Self-Storage

Dear Connor Bailey:

Per your request for response time information to the subject property with PCN's: 00-42-46-20-01-000-0130, 00-42-46-20-19-001-0000 and 00-42-46-20-01-000-0150. This property is served currently by Palm Beach County Fire-Rescue station #42, which is located at 14276 Hagen Ranch Road. The subject property is approximately 2.50 miles from the station. The estimated response time to the subject property is 7 minutes 30 seconds. For fiscal year 2020, the average response time (call received to on scene) for this stations zone is 7:15.

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,

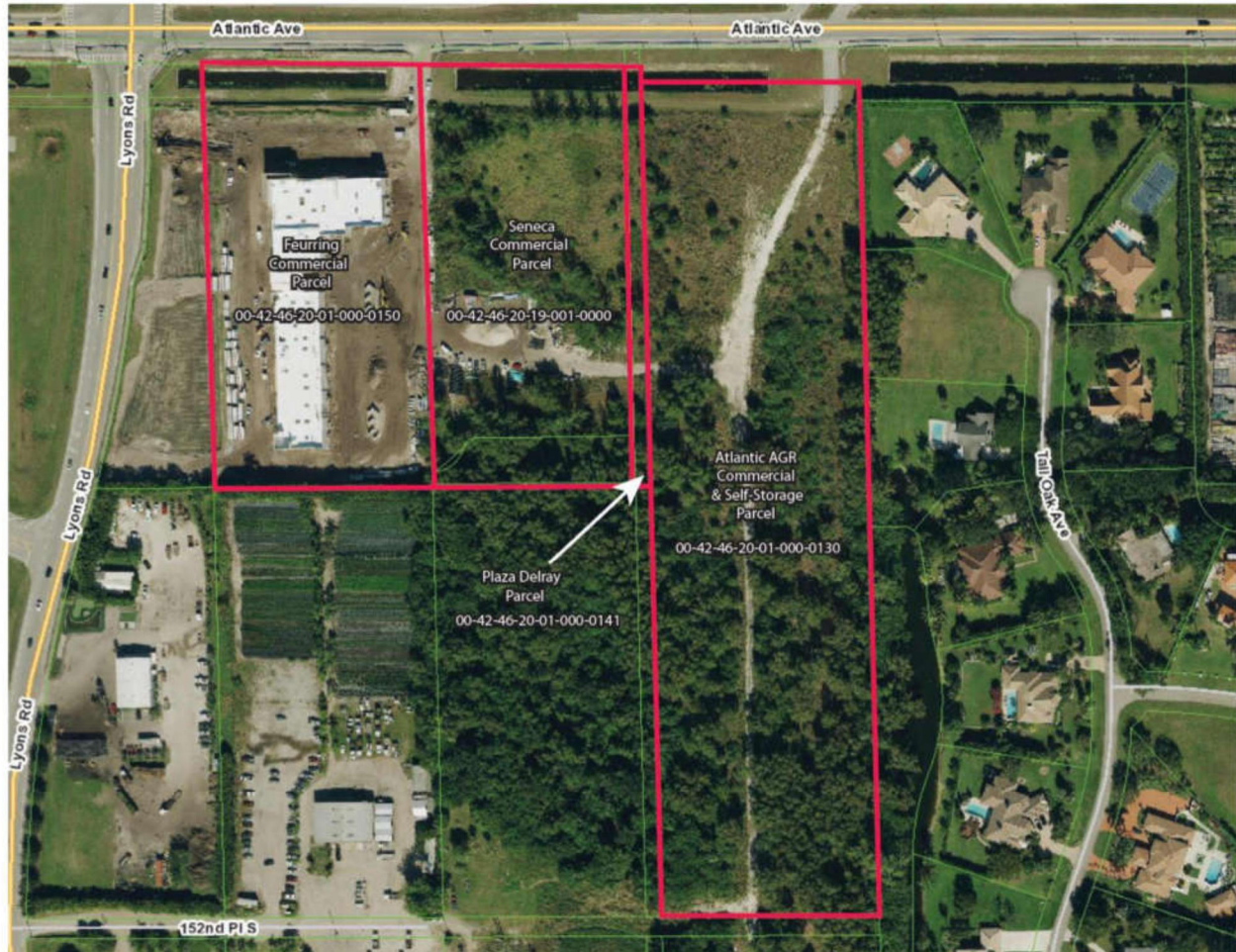
Cheryl Allan, Planner  
Palm Beach County Fire-Rescue





## ATTACHMENT L

### Natural Feature Inventory & Map



#### Atlantic Commercial

PCN: 00-42-46-20-01-000-0130

The Atlantic Commercial is undeveloped and covered with vegetation. A dirt pathway (bordered by shrubs and trees) cuts through this vegetation on the center portion of the subject site.

#### Plaza Delray

PCN: 00-42-46-20-01-000-0141

The Plaza Delray parcel is undeveloped and covered with vegetation.



**Seneca Commercial**

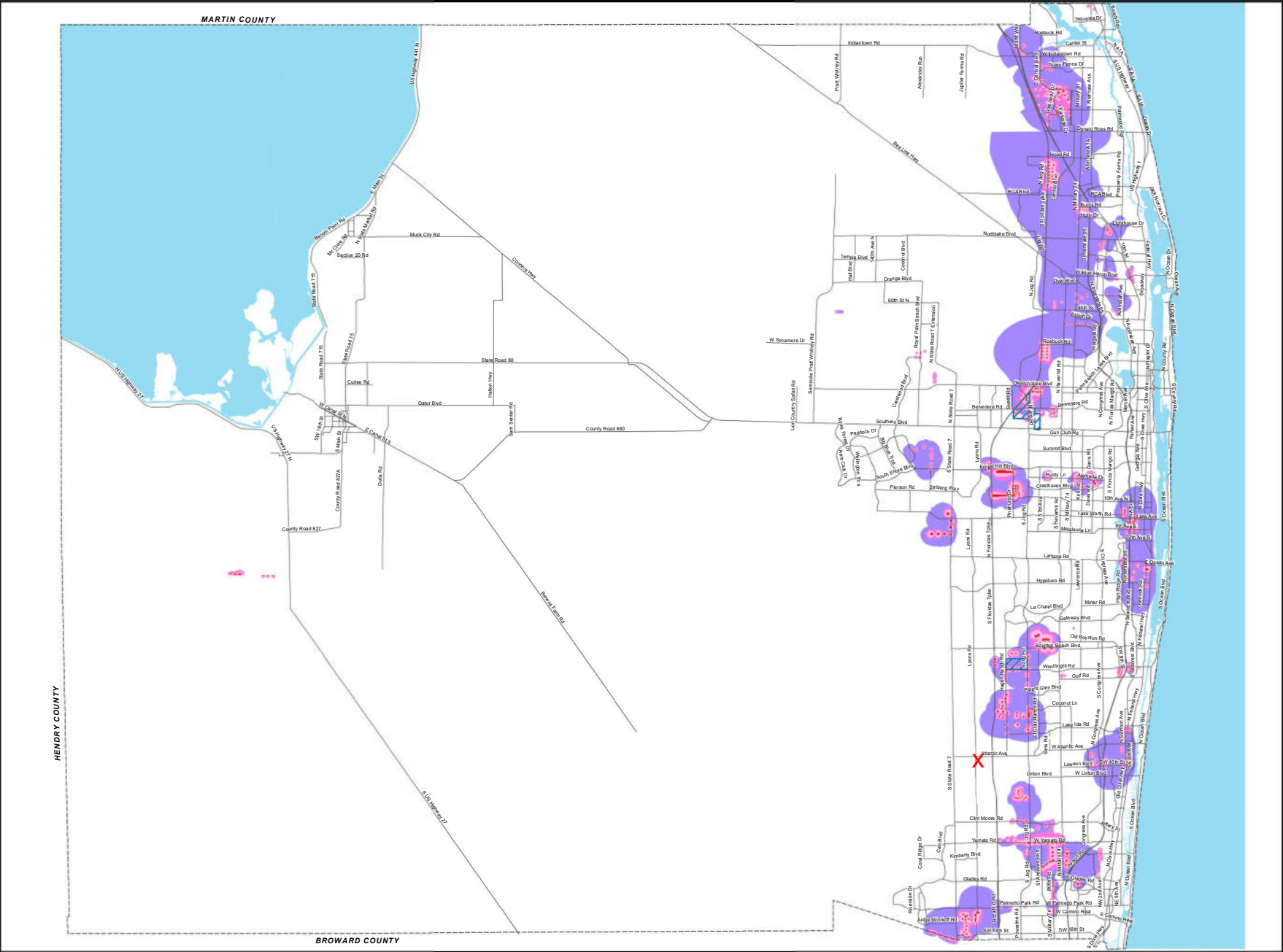
**PCN:** 00-42-46-20-19-001-0000

The Seneca Commercial is currently under construction/improved with commercial uses and landscaping.

**Feurring Commercial**

**PCN:** 00-42-46-20-01-000-0150

The Feurring Commercial is improved with commercial uses and landscaping.



**MAP LU 4.1**  
**GENERALIZED**  
**WELLFIELD MAP**

- Zone 1
- Zone 2
- Zone 3
- Zone 4
- Turnpike Aquifer Protection Overlay

**X** Location of Subject Site

**SOURCES:**  
PBC Dept. of Environmental Resources Management

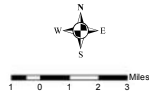
Note: Official Wellfield Protection Maps are kept at, and can be obtained from, the Palm Beach County Department of Environmental Resources Management.

The information presented represents the most readily available data. No guarantee is made as to the completeness or accuracy of the information displayed. Consult appropriate County staff for final determination.

Last Amended in Round 15-1 by Ord. 2015-015



**PALM BEACH COUNTY**  
**COMPREHENSIVE PLAN**  
**MAP SERIES**



Effective Date: 6/12/2015  
Filename: N-Map Series\MXD\Adopted  
Contact: PBC Planning Dept.





**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](http://www.pbcgov.com/pzb)

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Maria Sachs

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**County Administrator**

Verdenia C. Baker

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printed on sustainable  
and recycled paper

May 6, 2021

Connor Bailey  
WGI  
2035 Vista Parkway  
West Palm Beach, FL 33411

**RE: Historical and Archaeological Resource Review for the following project named: Atlantic AGR Commercial & Self Storage locations include 8778 Atlantic Ave, 8854 Atlantic Ave and 8918 Atlantic Ave under PCN's #: 00-42-46-20-01-000-0130, 00-42-46-20-19-001-0000 and 00-42-46-20-01-000-0150.**

Dear Mr. Bailey:

This correspondence is in response 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's 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 Statute 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/ Archaeologist

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