

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	21-A	Intake Date	June 10, 2020
Application Name	Atlantic Avenue Medical	Control No.	2004-616
Acres	2.05 acres	Concurrent Zoning application?	Yes
		Text Amend?	No
PCNs	00-42-46-18-09-003-0000		
Location	North side of Atlantic Avenue, approximately 1,500 feet west of Lyons Road		
	Current	Proposed	
Tier	Agricultural Reserve Tier	Agricultural Reserve Tier	
Use	Preserve Parcel for Delray MarketPlace TMD – Vacant land	Medical/Professional Office	
Zoning	Traditional Marketplace Development (TMD)	Community Commercial (CC)	
Future Land Use Designation	Agricultural Reserve (AGR)	Commercial Low (CL)	
Underlying Future Land Use Designation	None.	Agricultural Reserve (AGR)	
Conditions	None.	None.	
Density Bonus	None.	None.	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	Maximum 0.15 FAR of agricultural uses consistent with Preserve Parcel criteria	Maximum: 0.20 FAR
Maximum Dwelling Units¹ (residential designations)	None	1 du/5 acres x 2.05 ac. = 1 unit
Maximum Beds (for CLF proposals)	None	None
Population Estimate	None	1 max du x 2.39 = 2 residents
Maximum Square Feet^{2, 4} (non-residential designations)	.15 FAR x 2.05 ac. = 13,395 SF of agricultural uses consistent with Preserve Parcel criteria	Max. 0.2 FAR x 2.05 ac. = 17,860 SF of commercial uses

Proposed or Conditioned Potential 3, 4	----	None
Max Trip Generator	Nursery (Garden Center) ITE# 817 108.10 trips/acre	General Commercial ITE# 820 $\text{Ln(trips)}=0.68\text{Ln(sf)}+5.57$
Maximum Trip Generation	222 trips per day	813 trips per day
Net Daily Trips:	591 trips per day	
Net PH Trips:	1 AM, 49 PM (maximum)	

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

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Part 2. Applicant Data

A. Agent Information

Name	Lauren McClellan & Jennifer Morton
Company Name	JMorton Planning & Landscape Architecture
Address	3910 RCA Boulevard, # 1015
City, State, Zip	Palm Beach Gardens, Florida 33410
Phone Number	(561) 721-4463 & (561) 500-5060
Email Address	lmcclellan@jmortonla.com & jmorton@jmortonla.com

B. Applicant Information

Name	Garrett Bender
Company Name	TG Land LLC
Address	506 Andrews Avenue
City, State, Zip	Delray Beach, Florida 33483
Phone Number	(954) 501-5440
Email Address	gmb@rasflaw.com
Interest	Owner

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Part 3. Site Data

A. Site Data

Built Features	Property is currently vacant. See Attachment F for Built Features Map.
PCN	00-42-46-08-09-003-0000 See Attachment A for Legal Description. See Attachment P for Survey.
Street Address	No address assigned.
Frontage	Approximately 133 feet of frontage along West Atlantic Avenue and approximately 668 feet of depth.
Legal Access	West Atlantic Avenue
Contiguous under same ownership	There is no contiguous property under same ownership.
Acquisition details	The 2.05 acre Property was acquired on September 7, 2016 from Atlantic TMD, LLC via Quit Claim Deed for \$10.00. See Attachment A for Quit Claim Deed.
Size purchased	The Property was originally part of the land purchased for the development of the Delray Marketplace TMD. The Property was platted as a preserve parcel for that project and sold to the current owner.

B. Development History

Control Number	2004-616
Previous FLUA Amendments	Ord. No. 2005-040 (LGA-2005-006) – Amended future land use designation for development parcel of Traditional Marketplace Development (TMD) to Commercial Low with an underlying Agricultural Reserve (CL/AGR) and designated Property as Preserve Parcel for that TMD. Ord. No. 2006-034 (LGA-2006-009) - Amended future land use designation for addition to development parcel of Traditional Marketplace Development (TMD) to Commercial Low with an underlying Agricultural Reserve (CL/AGR); no change to Property
Concurrency	None
Plat, Subdivision	Delray Marketplace Preserve 3 Plat (ORB 111, pages 95-97). See Attachment A for copy of approved Plat.
Zoning Approvals & Requests	The Property was rezoned to Traditional Marketplace Development (TMD) and designated as a Preserve parcel for that development. The Applicant is proposing a concurrent zoning application for a Development Order Amendment to remove the Property from the TMD and rezone another 2.05 acres as replacement preservation area. Following that approval, the Applicant is proposing to rezone the Property to Community Commercial (CC). The following zoning approvals are related to the overall TMD, not directly to the subject Property.

Reso. No.	App. No.	Status	Type	Description & Changes proposed (if any)
R-2005-1626	TDD 2004-1029	Approved	Rezoning	Rezoning from Agricultural Reserve (AGR) to Commercial General (CG) and Traditional Marketplace Development (AGR-TMD)
R-2005-1627	R 2004-1029	Approved	Requested Use	Requested Use for indoor entertainment and four tenants above 25,000 SF
R-2005-1628	W 2004-1029	Approved	Waiver	Waiver from AGR-TMD requirement that a main street crosses through the entire length and width of TMD
ZR-2007-005	ZV 2006-005	Approved	Type II Variance	Variance to allow increase in building height and reduce required amount of arcaded sidewalk
R-2007-082	TDD 2006-1190	Approved	Rezoning	Rezoning from Commercial General (CG) to Traditional Marketplace Development (AGR-TMD)
R-2007-0083	DOA 2006-1190	Approved	Development Order Amendment	Add land area, reconfigure Master Plan and modify conditions
R-2007-084	R 2006-1190	Approved	Requested Use	Requested use for Type I Restaurant
R-2008-112	DOA 2007-996	Approved	Development Order Amendment	Modify conditions of approval and add temporary access point
R-2008-267	DOA 2007-1606	Approved	Development Order Amendment	Add land area
ZR-2008-042	ZV 2008-288	Approved	Type II Variance	Variance to increase building height and increase building frontage
R-2008-1136	DOA 2008-288	Approved	Development Order Amendment	Reconfigure site plan and modify conditions of approval
R-2008-1137	R 2008-288	Approved	Requested Use	Requested Use Approval for tenant above 25,000 SF
ZR-2009-036	ZV/W/DOA 2008-1900	Approved	Type II Variance	Reduce percentage of transparency of building façade
R-2009-709	ZV/W/DOA 2008-1900	Approved	Development Order Amendment	Add land area and modify conditions of approval
R-2010-446	ZV/W/DOA 2008-1900	Approved	Waiver	Waiver from structured parking requirement to allow increase of surface parking

R-2010-447	ZV/W/DOA 2008-1900	Approved	Development Order Amendment	Reconfigure the site plan, reduce the number of dwelling units and commercial SF, restart commencement clock, and modify conditions of approval
ZR-2011-015	ZV/DOA/W 2011-419	Approved	Type II Variance	Variance to allow alternative street sections, eliminate free standing structure limitation, increase in frontage for single tenant, allow streets without on-street parking, allow reduction in number of queuing spaces, and allow increase in height
R-2011-1110	ZV/DOA/W 2011-419	Approved	Development Order Amendment	Reconfigure site plan, reduce square footage, and modify conditions of approval
R-2011-1111	ZV/DOA/W 2011-419	Approved	Waiver	Waiver to allow reduction in length of main street and block length
ZR-2012-002	ZV 2011-2632	Approved	Type II Variance	Variance to allow an increase in distance from development entrances to signs
ZR-2012-008	ZV 2011-2632	Approved	Type II Variance	Variance to allow internally illuminated signage
ZR-2012-025	ZV 2012-1582	Approved	Type II Variance	Variance to allow reduction of building transparency
ZR-2012-028	ZV 2012-2098	Approved	Type II Variance	Variance to allow increase in wall signage
ZR-2013-001	ZV 2012-3120	Approved	Type II Variance	Variance to allow increase in sign projection from building façade and allow directional signage within the perimeter of the TMD
R-2014-565	ZV/W/TDD/DOA 2013-2609	Approved	Type II Waiver	Waiver from structured parking requirements
R-2014-566	ZV/W/TDD/DOA 2013-2609	Approved	Rezoning	Rezoning from Agricultural Reserve (AGR) to Traditional Marketplace Development (AGR-TMD)
R-2014-567	ZV/W/TDD/DOA 2013-2609	Approved	Development Order Amendment	Add land area and reconfigure Master Plan

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Part 4. Consistency

A. Consistency

Justification Provide as G.1.	See Attachment G, Section G.1.
Residential Density Increases Provide as G.2.	See Attachment G, Section G.2.
Compatibility Provide as G.3.	See Attachment G, Section G.3.
Comprehensive Plan Provide as G.4.	See Attachment G, Section G.4.
Florida Statutes Provide as G.5.	See Attachment G, Section G.5.

B. Surrounding Land Uses.

Adjacent Lands	Use	Future Land Use	Zoning
North	Delray Marketplace TMD – Preserve Parcel – Equestrian Training Facility	Agricultural Reserve (AGR)	Traditional Marketplace Development (TMD) - Control No. 2004-616
South	Single Family Residence & Agricultural Uses	Agricultural Reserve (AGR)	Agricultural Reserve (AGR)
East	Delray Marketplace TMD – Development Parcel (278,940 SF of commercial uses)	Commercial Low with an underlying Agricultural Reserve (CL/AGR)	Traditional Marketplace Development (TMD) - Control No. 2004-616
West	Vacant (Approved for 35,090 SF Veterinary Clinic and Kennel)	Agricultural Reserve (AGR)	Agricultural Reserve (AGR) - Control No. 2013-2746

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Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Nursery (Garden Center) ITE# 817 108.10 trips/acre	General Commercial ITE# 820 $\text{Ln}(\text{trips}) = 0.68\text{Ln}(\text{sf}) + 5.57$
Maximum Trip Generation	222 trips per day	813 trips per day

Net Daily Trips:	591 trips per day	
Net PH Trips:	1 AM, 49 PM (maximum)	
Significantly impacted roadway segments that fail Long Range	None.	None.
Significantly impacted roadway segments for Test 2	None.	None.
Traffic Consultant	Simmons & White	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Route 81 – Delray Beach via Atlantic Avenue	
Nearest Palm Tran Stop	Stop # 6409 - Oriole Plaza, Northeast corner of Hagen Ranch Road & Atlantic Avenue Approximately 2 miles to the east of Property	
Nearest Tri Rail Connection	Via Route 81 - Delray Beach TriRail Station, East side of Congress Avenue, approximately ¼ mile south of Atlantic Avenue Approximately 6.5 miles to the east of the Property	
C. Portable Water & Wastewater Information		
Potable Water & Wastewater Providers	Palm Beach County Water Utilities	
Nearest Water & Wastewater Facility, type/size	A 42" potable water main and a 12" wastewater forcemain are located within Atlantic Avenue right-of-way. See Attachment I for letter from PBCWUD.	
D. Drainage Information		
The Property is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-15 Drainage Basin. Legal positive outfall is available via discharge to the Lake Worth Drainage District L-34 Canal along the south side of Atlantic Avenue. See Attachment J for Drainage Statement.		
E. Fire Rescue		
Nearest Station	Palm Beach County Fire-Rescue Station # 42 14276 Hagen Ranch Road, Delray Beach	
Distance to Site	Approximately 2.6 miles	
Response Time	7:03 minutes	

Effect on Resp. Time	The estimated response time to the Property is 8:30 minutes which is an extended response time. See Attachment K for letter from Fire-Rescue Department.			
F. Environmental				
Significant habitats or species	The Property has previously been cleared and does not support any native vegetation or animal habitat. See Attachment L for Natural Feature Map and Inventory.			
Flood Zone*	The Property is located within Flood Zone X. Flood Zone X represents areas outside of the 500-year flood plain with less than 0.2% annual probability of flooding.			
Wellfield Zone*	The Property is not located within a Wellfield Protection Zone. See Attachment M for Wellfield Zone Map.			
G. Historic Resources				
There are no significant structures or identified historic or architecturally significant resources within 500 feet of the Property. See Attachment N for Historic Resources Letter.				
H. Parks and Recreation - Residential Only (Including CLF) – Not Applicable				
Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional		0.00339		
Beach		0.00035		
District		0.00138		
I. Libraries - Residential Only (Including CLF) – Not Applicable				
Library Name				
Address				
City, State, Zip				
Distance	<i>Indicate the distance from the site to the nearest library.</i>			
Component	Level of Service	Population Change	Change in Demand	
Collection	2 holdings per person			
Periodicals	5 subscriptions per 1,000 persons			
Info Technology	\$1.00 per person			
Professional staff	1 FTE per 7,500 persons			

All other staff	3.35 FTE per professional librarian		
Library facilities	0.34 sf per person		
J. Public Schools - Residential Only (Not Including CLF) – Not Applicable			
	Elementary	Middle	High
Name			
Address			
City, State, Zip			
Distance			

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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**
- O. **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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Attachment F

Built Feature Inventory & Map

Site

The Property is currently vacant.

Attachment G Consistency with the Comprehensive Plan and Florida Statutes

Introduction

On behalf of the Applicant, JMorton Planning & Landscape Architecture is requesting a Comprehensive Plan Future Land Use Atlas amendment for the property located on the north side of Atlantic Avenue immediately west of the Delray MarketPlace TMD (“Property”).

I. PROPOSED FLUA MAP AMENDMENT

The Applicant is requesting to amend the Future Land Use designation from Agricultural Reserve (AGR) to Commercial Low, with an underlying Agricultural Reserve (CL/AGR) for the 2.05 acre Property. The Property is currently a preserve parcel for the Delray MarketPlace TMD. The Applicant is submitting a concurrent Development Order Amendment application to relocate the 2.05 acres of preserve to another parcel within the Agricultural Reserve. Additionally, the Applicant is submitting a rezoning application to change the zoning designation of the Property from Agricultural Reserve to Community Commercial (CC) in order to develop medical office on the Property.

Description of Site Vicinity

The Property is located on the Atlantic Avenue corridor within the Agricultural Reserve. The 2.05 acre Property is flanked by approved development to the east and west. The Atlantic Avenue corridor has seen recent activity for new development. Several applications for new development have been approved within the industrial corridor to the west of Half Mile Road/Smith Sundry Road. New commercial projects have been approved and constructed at the southeast corner of Atlantic Avenue and Lyons Road. Thus, the Atlantic Avenue corridor has become more developed with a variety of commercial and industrial uses.

Land uses directly abutting the Property include the following:

Adjacent Property	Land Use Designation	Zoning Designation	Existing Use	Control Number
North	AGR	TMD – Preserve Parcel	Equestrian Training Facility	2004-616
South	AGR	AGR	Single Family Residence and Agriculture Uses	N/A
East	CL/AGR	TMD	Delray MarketPlace TMD – 278,940 SF of commercial uses)	2004-616
West	AGR	AGR	Vacant – Approved for Vet Clinic & Kennel – 35,090 SF)	2013-2746

History

The Property was rezoned to Traditional Marketplace Development (TMD) and designated as a preserve parcel in 2005. The Delray MarketPlace was one of the first two commercial projects developed in the Ag Reserve in accordance with the Agricultural Reserve Master Plan. The Master Plan established two nodes, one at Boynton Beach Boulevard and Lyons Road and the other at Atlantic Avenue and Lyons Road. Since the original approval of this Traditional Marketplace Development, multiple amendments have been made to add land area to the

development area, reconfigure the site plan, add/delete uses, and add preserve area. The table below summarizes these changes.

Control No.	Description	Action	Date	Resolution No.
74-061	Special Exception to allow Commercial Stable for the maintenance of training of horses, including grooms housing	Approved	April 25, 1974	R-1974-344
LGA-2005-006	Large Scale FLUA Amendment to change future land use from AGR and SA to CL/AGR	Approved	August 25, 2005	Ord No. 2005-040
2004-616	Rezoning from AGR and CG to AGR-TMD	Approved	August 25, 2005	R-2005-1626
2004-616	Requested Use for indoor entertainment and tenants above 25,000 SF	Approved	August 25, 2005	R-2005-1627
2004-616	Waiver from AGR-TMD requirement that a main street crosses through the entire length and width of TMD	Approved	August 25, 2005	R-2005-1628
74-061	Revoke Special Exception	Approved	May 25, 2006	R-2006-924
LGA-2006-009	Large Scale FLUA Amendment to change future land use from AGR to CL/AGR	Approved	August 21, 2006	Ord No. 2006-034
2004-616	Type II Variance to allow increase in building height and reduce required amount of arcaded sidewalk	Approved	January 5, 2007	ZR-2007-005
2004-616	Rezoning from CG to AGR-TMD	Approved	January 25, 2007	R-2007-082
2004-616	DOA to add land area, reconfigure Master Plan and modify conditions	Approved	January 25, 2007	R-2007-083
2004-616	Requested Use for Type I Restaurant	Approved	January 25, 2007	R-2007-084
2004-616	DOA to modify conditions of approval and add temporary access point	Approved	January 24, 2008	R-2008-112
2004-616	DOA to add land area	Approved	February 28, 2008	R-2008-267
2004-616	Type II Variance to increase building height and increase building frontage	Approved	June 5, 2008	ZR-2008-042
2004-616	DOA to reconfigure site plan and modify conditions of approval	Approved	June 30, 2008	R-2008-1136
2004-616	Requested Use Approval for tenant above 25,000 SF	Approved	June 30, 2008	R-2008-1137
2004-616	Type II Variance to reduce percentage of transparency of building façade	Approved	January 1, 2009	ZR2009-036
2004-616	DOA to add land area	Approved	April 23, 2009	R-2009-709
2004-616	Waiver from structured parking requirement to allow increase of surface parking	Approved	March 3, 2010	R-2010-446
2004-616	DOA to reconfigure the site plan, reduce the number of dwelling units and commercial SF, restart commencement clock, and modify conditions of approval	Approved	March 3, 2010	R-2010-447
2004-616	Type II Variance to allow alternative street sections, eliminate free standing	Approved	July 7, 2011	ZR-2011-015

	structure limitation, increase in frontage for single tenant, allow streets without on-street parking, allow reduction in number of queuing spaces, and allow increase in height			
2004-616	DOA to reconfigure site plan, reduce square footage, and modify conditions of approval	Approved	July 28, 2011	R-2011-1110
2004-616	Waiver to allow reduction in length of main street and block length	Approved	July 28, 2011	R-2011-1111
2004-616	Type II Variance to allow an increase in distance from development entrances to signs	Approved	February 3, 2012	ZR-2012-002
2004-616	Type II Variance to allow internally illuminated signage	Approved	February 3, 2012	ZR-2012-008
2004-616	Type II Variance to allow reduction of building transparency	Approved	August 2, 2012	ZR-2012-025
2004-616	Type II Variance to allow increase in wall signage	Approved	October 4, 2012	ZR-2012-028
2004-616	Type II Variance to allow increase in sign projection from building façade and allow directional signage within the perimeter of the TMD	Approved	January 4, 2013	ZR-2013-001
2004-616	Special Permit to allow Valet Parking	Approved	September 9, 2013	Special Permit # 2013-2069
2004-616	Type II Waiver for structured parking	Approved	April 24, 2014	R-2014-565
2004-616	Rezoning from AGR to AGR-TMD	Approved	April 24, 2014	R-2014-566
2004-616	DOA to add land area and reconfigure Master Plan	Approved	April 24, 2014	R-2014-567

The Applicant originally submitted a text amendment that would allow for development of medical office on the 2.05 acre Property on June 27, 2019. The Applicant proposed two text amendment options: 1) increase the established commercial square footage cap of the Agricultural Reserve; or 2) exempt medical office from the established commercial square footage cap of the Agricultural Reserve. The Planning Commission voted to recommend approval of the first option to increase the commercial cap. This text amendment was then heard at the February 5, 2020 Board of County Commission hearing. At that hearing, another project within the Ag Reserve was on the agenda for transmittal. This project was for approval of a self-storage facility on the northwest corner of Boynton Beach Boulevard and Acme Dairy Road. The Board of County Commissioners discussed the option of approving the proposed self-storage facility and eliminating the commercial square footage previously assigned to the parcel. The purpose for this was to then allow the 2.05 acre Property to “claim” that unused square footage eliminated by the adoption of the self-storage facility.

The Applicant is submitting a concurrent Development Order Amendment application to the Zoning Division to relocate the 2.05 acre preserve area to an available 2.05 acres of a property identified by PCN 00-41-45-12-01-007-0000 owned by West Boynton Farms. Additionally, the Applicant is proposing to submit a concurrent Rezoning Application to Community Commercial (CC) as referenced above.

G.1 Justification

Each proposed FLUA amendment must be found to be consistent with the Goals, Objectives, and Policies (GOPs) of the Comprehensive Plan. Future Land Use Element Policy 2.1.f requires that adequate justification for the

proposed future land use be provided. Further, the justification statement must demonstrate that a change is warranted and demonstrate the following two factors:

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

Response: *Many changes have been made to the Agricultural Reserve Tier since its original adoption. The commercial square footage cap has been increased in order to meet the demand for retail, restaurants and other services by the residents of the Agricultural Reserve. This has allowed for more commercial parcels to be developed in addition to the two TMDs located at Boynton Beach Boulevard and Lyons Road and Atlantic Avenue and Lyons Road.*

Small 5-acre preserve parcels are now permitted to meet the preserve requirements for planned developments. This change has allowed for additional acreage to be utilized as development parcels and therefore increased the number of residential units built in the Ag Reserve. The current Ag Reserve Tier reflects a patchwork development pattern. The properties are squeezed in between development and preserve parcels which has resulted in incompatible and unsustainable development patterns. The increasing number of residents moving into the Ag Reserve creates more traffic along the main thoroughfares because the residents are required to drive east for services. In addition, the car and resident traffic conflicts with farm vehicles and other farming activity.

The proposed Future Land Use Atlas amendment will allow a 2.05-acre parcel to be developed with office uses. The Property is currently one of the preserve parcels for the Delray MarketPlace TMD and is located immediately to the west of the Delray MarketPlace and east of a vet clinic/kennel. The Applicant intends to remove the Property from the Delray MarketPlace TMD and replace that preserve acreage with 2.05 acres of another property in the Ag Reserve.

As a preserve parcel of the Delray MarketPlace TMD, the Property is not consistent with Policy 1.5.1-n. This Policy states that any portion of the preserve area “shall be utilized for crop production; pasture; equestrian purposes; if designated by the South Florida Water Management District as Water Preserve Area, or to serve regional water management purposes as certified by either Lake Worth Drainage District, or for water management purposes not directly related to the AgR-TMD; or, if approved by the Department of Environmental Resources Management, managed for environmental resource values.” This 2.05-acre Property is not utilized for any of the cited uses, thus is not consistent with this preserve parcel policy and never should have been designated as a preserve parcel.

The subject Property is currently a small 2.05 acre preserve squeezed in between the Delray MarketPlace TMD to the east and approved kennel currently under construction to the west. Next to the kennel is an additional 10 acre parcel with a Commercial Low (CL) Future Land Use designation. The series of land uses and development along Atlantic Avenue demonstrates a patchwork development pattern. The Property is not appropriate for a farming operation as it is very narrow in width, located between two developed parcels and has been fallow for too long to be farmed. Although the Applicant is able to provide the additional preserve acreage to incorporate the Property into the TMD, it is not appropriate to incorporate this Property into the approved Delray MarketPlace TMD due to the numerous site design requirements for Traditional Marketplace Developments. The proposed office buildings would not be able to meet the block structure design guidelines and would therefore be a free-standing building which is not allowed in the TMD. The existing TMD already exceeds the maximum square footage for free-standing buildings. The requirement for buildings to front on the main street is not possible because the main street terminates approximately 450 feet away and is blocked from being extended by an existing building and the Public parking lot. Additionally, the TMD has strict architectural guidelines such as requiring building transparency and pedestrian arcades.

The Applicant would provide cross access and connections to the approved Delray MarketPlace TMD should the developer and Publix agree to providing a connection in the future. In addition, the architectural style and landscape details can be included to create a consistent and cohesive design for the project.

Sustainable development patterns are those that keep services located near the residents that utilize those services thus reducing the number and length of trips on the roads and reducing the amount of carbon dioxide released into the air. The proposed Future Land Use Atlas amendment will allow for the development of office uses within the western Atlantic Avenue Corridor, thus meeting the needs of the surrounding communities and reducing their trips east on Atlantic Avenue.

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.

***Response:** As referenced above, numerous changes to existing future land use and zoning designations have occurred on properties within the Atlantic Avenue corridor since the adoption of the Agricultural Reserve Master Plan adoption in 1999. Originally, the only commercial allowed within the Ag Reserve was to be in the form of a Traditional Marketplace developed at the intersections of Atlantic Avenue and Lyons Road and at Boynton Beach Boulevard and Lyons Road. Changes were adopted to recognize small existing commercial properties as well as allow additional commercial development at these two commercial nodes in order to support the needs of the surrounding communities. Additionally, the property to the west was approved for a veterinary clinic and kennel. Therefore, this Property is the only parcel of land within this section of Atlantic Avenue that does not have an approval for development. The fact that the Property is narrow and bounded by approved developments on both sides indicates that its designation as a preserve parcel is not appropriate.*

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

***Response:** The characteristics of the area have changed since the adoption of the Agricultural Reserve Master Plan. As referenced above, Atlantic Avenue has changed significantly. Originally, the only commercial development permitted was the Delray MarketPlace TMD. However, comprehensive plan text amendments were adopted to allow smaller infill commercial development. Subsequently the properties at the southeast corner of Atlantic Avenue and Lyons Road were approved for small commercial projects as was the parcel located at the northeast corner of Smith Sundry and Atlantic Avenue. This influx of development has also caused for increased interest for the existing industrial parcels to the west of Smith Sundry and Half Mile Road. Thus, this corridor has changed from an agricultural corridor to a commercial/industrial corridor. This change impacts the viability of the parcel as a preserve parcel. The fact that it does not support an active agricultural use further negates its suitability as a preserve parcel.*

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

***Response:** The Board of County Commissioners recently approved a self-storage facility on Boynton Beach Boulevard. Once this project was approved, 28,000 square feet of commercial went back into the commercial cap. The Applicant intends to utilize a portion of this square footage which will eliminate the need to increase the commercial cap of the Agricultural Reserve.*

d. Inappropriateness of the adopted FLU designation.

***Response:** N/A*

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

***Response:** N/A*

G.2 Residential Density Increases

This proposed FLU amendment is not requesting to increase residential density.

G.3 Compatibility

Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions. The definition of “compatibility” under the repealed Rule 9J-5, FAC, is “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted, directly or indirectly by another use or condition”. With this definition in mind, the requested change would make the subject property more compatible with the surrounding properties which have undergone land use amendments.

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can complement and support each other. For example, an industrial use can provide essential services to residents of surrounding neighborhoods, as well as the community at-large. In addition, buffering, screening, setback, height, and landscaping requirements can further enhance compatibility, and reduce the potential negative effects of functionally different land uses.

Several factors lead to the conclusion that the proposed FLUA Amendment designation will be compatible with neighboring uses.

- Primary access is available from Atlantic Avenue, which is designated as an Arterial roadway, thus directing traffic away from local roads in the vicinity.
- The Property is located at one of the commercial nodes of the Agricultural Reserve (Atlantic Avenue and Lyons Road). Atlantic Avenue is currently developed with a mix of industrial, commercial and agricultural uses. Specifically, the Property is surrounded by commercial uses immediately to the east and west. On this basis, the proposed development concept at this location is determined to be compatible.
- The proposed use is consistent with the existing development pattern and adjacent uses that have occurred along the Atlantic Avenue corridor.

The above factors, coupled with setbacks, buffers and landscaping requirements will dictate that on-site structure(s) will be compatible with the neighboring properties and not create or foster undesirable health, safety, or aesthetic effects.

G.4 Comprehensive Plan

The proposed Future Land Use Atlas Amendment is consistent with various goals, objectives, and policies in the Palm Beach County Comprehensive Plan as detailed below.

Goals – The proposed FLUA amendment furthers the County’s goals as described below.

- **Balanced Growth** – “...to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.”

Response: *Approval of this proposed FLU amendment will allow for the development of a medical office project. Residential development in the Agricultural Reserve has been growing substantially without the service and job opportunities needed to protect livable communities and contribute to an overall balanced growth trend. Residents of the Agricultural Reserve continue to travel outside of the Tier for necessary services such as employment, medical needs, restaurants, etc. The proposed FLU amendment will bring additional job opportunities and services to the Agricultural Reserve Tier catering to the residents of the Tier thus enhancing the quality of life for those that have chosen to live within the western Delray Beach area.*

- **Land Planning** – “...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, and environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities.”

***Response:** The Property is located within the Agricultural Reserve Tier which is a Limited Urban Service Area (LUSA) where services and public facilities are already available. The Property’s location at one of the Ag Reserve’s commercial nodes with access/frontage on Atlantic Avenue contributes to timely, cost effective service provision. The proposed medical office project will better serve the immediate and future needs of the community as it will provide employment opportunities and services west of the Florida Turnpike. Traffic on the east-west roadways in the Agricultural Reserve Tier is caused by the number of residents leaving the Tier in the mornings for work and other necessary services. This proposed amendment to CL will allow for the creation of employment and service opportunities thus keeping residents west of the Florida Turnpike and off the major east-west roadways.*

Objectives – The proposed FLUA amendment furthers the County’s objectives as further described below.

- **FLUE Objective 1.5 Agricultural Reserve Tier** – “Development areas should be concentrated east of SR7 (in the vicinity of Boynton Beach Boulevard and in the vicinity and south of Atlantic Avenue) in order to protect the environmentally sensitive lands within and surrounding the Loxahatchee National Wildlife Refuge, foster the preservation of agriculture in the center of the Tier, and to reduce infrastructure costs and impacts on tax payers.”

***Response:** The Property is located on Atlantic Avenue and the commercial node. The Atlantic Avenue corridor was identified by the professional consultant of the Agricultural Reserve master plan as the location for non-residential land uses to serve the neighboring residential communities. This proposed amendment will keep development close to transportation nodes and major intersections as described by FLUE Policy 1.5-p. The Agricultural Reserve Master Plan originally intended that more intense uses and development would occur at nodes within the Tier. The Master Plan further intended for lower density residential to develop outside of the higher intensity core eventually transitioning to the environmentally sensitive parcels. This development pattern has not occurred, as the subject 2.05 acre Property has been designated as a preserve parcel while development has been approved and developed on either side.*

- **FLUE 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.”

***Response:** The Property is located within the Agricultural Reserve Tier which is a Limited Urban Service Area (LUSA) where services and public facilities are already available. The Property’s location at a major transportation node with access/frontage on Atlantic Avenue contributes to timely, cost effective service provision. The proposed medical office project will better serve the immediate and future needs of the community as it will provide additional medical office which is significantly lacking within this portion of the Ag Reserve. Traffic on the east-west roadways in the Agricultural Reserve Tier is caused by the number of residents leaving the Tier in the mornings for work and service providers traveling into the area. This proposed amendment to CL will allow for the creation of employment and service opportunities thus keeping residents west of the Florida Turnpike and off the major east-west roadways and ultimately having a positive impact on the safety and welfare of the existing residents.*

Policies – The proposed FLUA amendment furthers the County’s policies as further described below.

- FLUE Policy 2.2.2-d:** “The County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development.”
Response: *The small 2.05 acre Property is located on Atlantic Avenue, a major east-west arterial roadway. The Property is surrounded by approved and developed commercial uses to the east and west, thus amending the FLUA designation to CL would not result in infill development and not encourage the proliferation of strip commercial development.*
- FLUE Policy 4.3-g:** “Where appropriate, similar and/or complementary neighboring land uses shall employ access management techniques such as shared entrances (to reduce the number of curb cuts) and vehicular and/or pedestrian cross access between like developments (to encourage inter-connectivity both within and between sites, and reduce the need to use the primary street system to access adjacent sites).
Response: *The Applicant is proposing vehicular cross access to the Delray MarketPlace TMD to the east. Should the TMD ever redevelop in the future, cross access would be provided.*
- FLUE Policy 4.3-k:** “The County shall require, where feasible, that commercial land uses employ access management techniques, such as shared entrances and vehicular cross access, between adjacent existing and proposed commercial land uses.”
Response: *The Applicant is proposing vehicular cross access to the Delray MarketPlace TMD to the east. Should the TMD ever redevelop in the future, cross access would be provided.*

G.5 Florida Statutes

Data and analysis demonstrating that the proposed development can be supplied by necessary services without violating adopted LOS standards are presented in Attachment H (Traffic Letter and Study), J (Drainage Statement), K (Fire Rescue Letter), and I (Water and Wastewater Provider Letter). Data and analysis discussing environmental and historical resources impacts are presented in Attachments J (Drainage Statement), M (Wellfield Zone), L (Natural Features Inventory and Map) and N (Historic Resource Evaluation Letter). No negative environmental impacts are identified.

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

- Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single use development or uses.
 - Response:** *The applicant is requesting to change the FLU of the Property from AGR to CL/AGR which will provide additional services along the Atlantic Avenue corridor of the Agricultural Reserve Tier. The Agricultural Reserve is an existing area of low intensity/density and single-use development, however the proposed amendment will provide a medical office use which will allow for job employment opportunities and provide additional services within the Atlantic Avenue corridor of the Agricultural Reserve Tier.*
- Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
 - Response:** *The Property is located in the Agricultural Reserve Tier which is a Limited Urban Service Area (LUSA) and within the Atlantic Avenue corridor which is not rural in nature and urban services such as police, fire rescue and water/wastewater/drainage utilities exist in the immediate area.*
- Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - Response:** *The development is not isolated in nature as development surrounds the Property immediately to the east and west. Specifically, commercial uses have been approved and developed at the intersection of Atlantic Avenue and Lyons Road just to the east of the Property. Several industrial uses have been*

developed along the corridor further to the west and additional commercial uses have been approved at the intersection of Atlantic Avenue and Lyons Road. The proposed development would be considered infill development as the properties to the east and west of this small 2.05 acre property have been approved and/or developed with commercial uses.

- Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
 - **Response:** *This amendment does not fail to protect and conserve natural resources as the proposed development will have no negative impact on any other significant natural system. The Property does not support any environmentally sensitive areas. No listed species were located on the property and it is located outside of any wellfield protection zone. The Property is currently vacant, fallow land.*
- Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
 - **Response:** *The Property is located within the Agricultural Reserve Tier. Although it is currently designated as a preserve parcel, the Property is not utilized for agricultural purposes. The Property's small size and location on a major right-of-way, bordered by development to the east and west is not an optimal location for agricultural uses. The overall development pattern for this corridor has been determined by the recent County approvals and existing uses (commercial, industrial and residential).*
- Fails to maximize use of existing public facilities and services.
 - **Response:** *Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. The proposed medical office development will not negatively impact public facilities and services.*
- Fails to maximize use of future public facilities and services.
 - **Response:** *Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. The proposed medical office development will not negatively impact public facilities and services.*
- Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
 - **Response:** *Public services and facilities are already available in the immediate vicinity. The proposed amendment will provide for infill development and fit in with the existing land use pattern.*
- Fails to provide a clear separation between rural and urban uses.
 - **Response:** *The Property is located within the Agricultural Reserve Tier which is a Limited Urban Service Area (LUSA). The Property is not adjacent to the Rural Tier therefore, the proposal discourages the proliferation of Urban Sprawl by locating goods, services and employment in close proximity to where people live.*
- Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
 - **Response:** *This amendment will allow for infill development as development exists both east and west of the Property. The proposed project will serve the current and future needs for the surrounding communities.*
- Fails to encourage a functional mix of uses.
 - **Response:** *Approval of this proposed amendment will allow the development of a medical office use within an area of the County that has historically only been developed with low intensity/density residential development. This project will contribute to a functional mix of uses within the Atlantic Avenue corridor.*
- Results in poor accessibility among linked or related land uses.
 - **Response:** *The proposed development will be designed with pedestrian connections as required through the site plan approval process.*
- Results in the loss of significant amounts of functional open space.
 - **Response:** *This amendment does not result in a loss of any functional open space as the subject property is currently not utilized as functional open space.*

Florida Statutes, Section 163.3177.(6).(a).9.b: Of those criteria listed in this section the subject property will meet the following criteria which shows that it will discourage the proliferation of urban sprawl:

- Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
 - **Response:** *This amendment does not fail to protect and conserve natural resources as the property is vacant of natural resources. The site is undeveloped and it is located outside of any wellfield protection zone..*
- Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
 - **Response:** *The request for a FLUA amendment will maximize the use of future public facilities and services existing and within a relatively urban corridor. No facilities would be required to be installed in rural or sparsely populated areas, thereby maximizing the use of the existing facilities. Therefore, the proposal discourages the proliferation of Urban Sprawl by locating goods, services and employment adjacent to existing public infrastructure.*
- Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
 - **Response:** *The development will be designed to provide pedestrian connections, bike racks, and other elements that support a compact development.*
- Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
 - **Response:** *Approval of this proposed amendment will allow the development of a medical office use within an area of the County that has historically only been developed with low intensity/density residential development. The proposed uses will better serve the surrounding residential community and Agricultural Reserve as it will provide for additional services and employment opportunities.*

Conclusion

As described above, the proposed FLU amendment from Agricultural Reserve (AGR) to Commercial Low, with an underlying Agricultural Reserve (CL/AGR) is consistent with the Goals, Objectives, and Policies of Palm Beach County's Comprehensive Plan and the Florida State Statutes. The proposed amendment is also compatible with the surrounding area. The proposed amendment does not contribute to urban sprawl. The amendment is consistent with the Agricultural Reserve Master Plan as well as provide a much needed service to the area residents that will not negatively impact service provision.

II. ULDC CHANGES

No ULDC changes are needed in response to this proposed comprehensive plan future land use atlas amendment.

Attachment G Consistency with the Comprehensive Plan and Florida Statutes

Introduction

On behalf of the Applicant, JMorton Planning & Landscape Architecture is requesting a Comprehensive Plan Future Land Use Atlas amendment for the property located on the north side of Atlantic Avenue immediately west of the Delray MarketPlace TMD (“Property”).

I. PROPOSED FLUA MAP AMENDMENT

The Applicant is requesting to amend the Future Land Use designation from Agricultural Reserve (AGR) to Commercial Low, with an underlying Agricultural Reserve (CL/AGR) for the 2.05 acre Property. The Property is currently a preserve parcel for the Delray MarketPlace TMD. The Applicant is submitting a concurrent Development Order Amendment application to relocate the 2.05 acres of preserve to another parcel within the Agricultural Reserve. Additionally, the Applicant is submitting a rezoning application to change the zoning designation of the Property from Agricultural Reserve to Community Commercial (CC) in order to develop medical office on the Property.

Description of Site Vicinity

The Property is located on the Atlantic Avenue corridor within the Agricultural Reserve. The 2.05 acre Property is flanked by approved development to the east and west. The Atlantic Avenue corridor has seen recent activity for new development. Several applications for new development have been approved within the industrial corridor to the west of Half Mile Road/Smith Sundry Road. New commercial projects have been approved and constructed at the southeast corner of Atlantic Avenue and Lyons Road. Thus, the Atlantic Avenue corridor has become more developed with a variety of commercial and industrial uses.

Land uses directly abutting the Property include the following:

Adjacent Property	Land Use Designation	Zoning Designation	Existing Use	Control Number
North	AGR	TMD – Preserve Parcel	Equestrian Training Facility	2004-616
South	AGR	AGR	Single Family Residence and Agriculture Uses	N/A
East	CL/AGR	TMD	Delray MarketPlace TMD – 278,940 SF of commercial uses)	2004-616
West	AGR	AGR	Vacant – Approved for Vet Clinic & Kennel – 35,090 SF)	2013-2746

History

The Property was rezoned to Traditional Marketplace Development (TMD) and designated as a preserve parcel in 2005. The Delray MarketPlace was one of the first two commercial projects developed in the Ag Reserve in accordance with the Agricultural Reserve Master Plan. The Master Plan established two nodes, one at Boynton Beach Boulevard and Lyons Road and the other at Atlantic Avenue and Lyons Road. Since the original approval of this Traditional Marketplace Development, multiple amendments have been made to add land area to the

development area, reconfigure the site plan, add/delete uses, and add preserve area. The table below summarizes these changes.

Control No.	Description	Action	Date	Resolution No.
74-061	Special Exception to allow Commercial Stable for the maintenance of training of horses, including grooms housing	Approved	April 25, 1974	R-1974-344
LGA-2005-006	Large Scale FLUA Amendment to change future land use from AGR and SA to CL/AGR	Approved	August 25, 2005	Ord No. 2005-040
2004-616	Rezoning from AGR and CG to AGR-TMD	Approved	August 25, 2005	R-2005-1626
2004-616	Requested Use for indoor entertainment and tenants above 25,000 SF	Approved	August 25, 2005	R-2005-1627
2004-616	Waiver from AGR-TMD requirement that a main street crosses through the entire length and width of TMD	Approved	August 25, 2005	R-2005-1628
74-061	Revoke Special Exception	Approved	May 25, 2006	R-2006-924
LGA-2006-009	Large Scale FLUA Amendment to change future land use from AGR to CL/AGR	Approved	August 21, 2006	Ord No. 2006-034
2004-616	Type II Variance to allow increase in building height and reduce required amount of arcaded sidewalk	Approved	January 5, 2007	ZR-2007-005
2004-616	Rezoning from CG to AGR-TMD	Approved	January 25, 2007	R-2007-082
2004-616	DOA to add land area, reconfigure Master Plan and modify conditions	Approved	January 25, 2007	R-2007-083
2004-616	Requested Use for Type I Restaurant	Approved	January 25, 2007	R-2007-084
2004-616	DOA to modify conditions of approval and add temporary access point	Approved	January 24, 2008	R-2008-112
2004-616	DOA to add land area	Approved	February 28, 2008	R-2008-267
2004-616	Type II Variance to increase building height and increase building frontage	Approved	June 5, 2008	ZR-2008-042
2004-616	DOA to reconfigure site plan and modify conditions of approval	Approved	June 30, 2008	R-2008-1136
2004-616	Requested Use Approval for tenant above 25,000 SF	Approved	June 30, 2008	R-2008-1137
2004-616	Type II Variance to reduce percentage of transparency of building façade	Approved	January 1, 2009	ZR2009-036
2004-616	DOA to add land area	Approved	April 23, 2009	R-2009-709
2004-616	Waiver from structured parking requirement to allow increase of surface parking	Approved	March 3, 2010	R-2010-446
2004-616	DOA to reconfigure the site plan, reduce the number of dwelling units and commercial SF, restart commencement clock, and modify conditions of approval	Approved	March 3, 2010	R-2010-447
2004-616	Type II Variance to allow alternative street sections, eliminate free standing	Approved	July 7, 2011	ZR-2011-015

	structure limitation, increase in frontage for single tenant, allow streets without on-street parking, allow reduction in number of queuing spaces, and allow increase in height			
2004-616	DOA to reconfigure site plan, reduce square footage, and modify conditions of approval	Approved	July 28, 2011	R-2011-1110
2004-616	Waiver to allow reduction in length of main street and block length	Approved	July 28, 2011	R-2011-1111
2004-616	Type II Variance to allow an increase in distance from development entrances to signs	Approved	February 3, 2012	ZR-2012-002
2004-616	Type II Variance to allow internally illuminated signage	Approved	February 3, 2012	ZR-2012-008
2004-616	Type II Variance to allow reduction of building transparency	Approved	August 2, 2012	ZR-2012-025
2004-616	Type II Variance to allow increase in wall signage	Approved	October 4, 2012	ZR-2012-028
2004-616	Type II Variance to allow increase in sign projection from building façade and allow directional signage within the perimeter of the TMD	Approved	January 4, 2013	ZR-2013-001
2004-616	Special Permit to allow Valet Parking	Approved	September 9, 2013	Special Permit # 2013-2069
2004-616	Type II Waiver for structured parking	Approved	April 24, 2014	R-2014-565
2004-616	Rezoning from AGR to AGR-TMD	Approved	April 24, 2014	R-2014-566
2004-616	DOA to add land area and reconfigure Master Plan	Approved	April 24, 2014	R-2014-567

The Applicant originally submitted a text amendment that would allow for development of medical office on the 2.05 acre Property on June 27, 2019. The Applicant proposed two text amendment options: 1) increase the established commercial square footage cap of the Agricultural Reserve; or 2) exempt medical office from the established commercial square footage cap of the Agricultural Reserve. The Planning Commission voted to recommend approval of the first option to increase the commercial cap. This text amendment was then heard at the February 5, 2020 Board of County Commission hearing. At that hearing, another project within the Ag Reserve was on the agenda for transmittal. This project was for approval of a self-storage facility on the northwest corner of Boynton Beach Boulevard and Acme Dairy Road. The Board of County Commissioners discussed the option of approving the proposed self-storage facility and eliminating the commercial square footage previously assigned to the parcel. The purpose for this was to then allow the 2.05 acre Property to “claim” that unused square footage eliminated by the adoption of the self-storage facility.

The Applicant is submitting a concurrent Development Order Amendment application to the Zoning Division to relocate the 2.05 acre preserve area to an available 2.05 acres of a property identified by PCN 00-41-45-12-01-007-0000 owned by West Boynton Farms. Additionally, the Applicant is proposing to submit a concurrent Rezoning Application to Community Commercial (CC) as referenced above.

G.1 Justification

Each proposed FLUA amendment must be found to be consistent with the Goals, Objectives, and Policies (GOPs) of the Comprehensive Plan. Future Land Use Element Policy 2.1.f requires that adequate justification for the

proposed future land use be provided. Further, the justification statement must demonstrate that a change is warranted and demonstrate the following two factors:

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

Response: *Many changes have been made to the Agricultural Reserve Tier since its original adoption. The commercial square footage cap has been increased in order to meet the demand for retail, restaurants and other services by the residents of the Agricultural Reserve. This has allowed for more commercial parcels to be developed in addition to the two TMDs located at Boynton Beach Boulevard and Lyons Road and Atlantic Avenue and Lyons Road.*

Small 5-acre preserve parcels are now permitted to meet the preserve requirements for planned developments. This change has allowed for additional acreage to be utilized as development parcels and therefore increased the number of residential units built in the Ag Reserve. The current Ag Reserve Tier reflects a patchwork development pattern. The properties are squeezed in between development and preserve parcels which has resulted in incompatible and unsustainable development patterns. The increasing number of residents moving into the Ag Reserve creates more traffic along the main thoroughfares because the residents are required to drive east for services. In addition, the car and resident traffic conflicts with farm vehicles and other farming activity.

The proposed Future Land Use Atlas amendment will allow a 2.05-acre parcel to be developed with office uses. The Property is currently one of the preserve parcels for the Delray MarketPlace TMD and is located immediately to the west of the Delray MarketPlace and east of a vet clinic/kennel. The Applicant intends to remove the Property from the Delray MarketPlace TMD and replace that preserve acreage with 2.05 acres of another property in the Ag Reserve.

As a preserve parcel of the Delray MarketPlace TMD, the Property is not consistent with Policy 1.5.1-n. This Policy states that any portion of the preserve area “shall be utilized for crop production; pasture; equestrian purposes; if designated by the South Florida Water Management District as Water Preserve Area, or to serve regional water management purposes as certified by either Lake Worth Drainage District, or for water management purposes not directly related to the AgR-TMD; or, if approved by the Department of Environmental Resources Management, managed for environmental resource values.” This 2.05-acre Property is not utilized for any of the cited uses, thus is not consistent with this preserve parcel policy and never should have been designated as a preserve parcel.

The subject Property is currently a small 2.05 acre preserve squeezed in between the Delray MarketPlace TMD to the east and approved kennel currently under construction to the west. Next to the kennel is an additional 10 acre parcel with a Commercial Low (CL) Future Land Use designation. The series of land uses and development along Atlantic Avenue demonstrates a patchwork development pattern. The Property is not appropriate for a farming operation as it is very narrow in width, located between two developed parcels and has been fallow for too long to be farmed. Although the Applicant is able to provide the additional preserve acreage to incorporate the Property into the TMD, it is not appropriate to incorporate this Property into the approved Delray MarketPlace TMD due to the numerous site design requirements for Traditional Marketplace Developments. The proposed office buildings would not be able to meet the block structure design guidelines and would therefore be a free-standing building which is not allowed in the TMD. The existing TMD already exceeds the maximum square footage for free-standing buildings. The requirement for buildings to front on the main street is not possible because the main street terminates approximately 450 feet away and is blocked from being extended by an existing building and the Public parking lot. Additionally, the TMD has strict architectural guidelines such as requiring building transparency and pedestrian arcades.

The Applicant would provide cross access and connections to the approved Delray MarketPlace TMD should the developer and Publix agree to providing a connection in the future. In addition, the architectural style and landscape details can be included to create a consistent and cohesive design for the project.

Sustainable development patterns are those that keep services located near the residents that utilize those services thus reducing the number and length of trips on the roads and reducing the amount of carbon dioxide released into the air. The proposed Future Land Use Atlas amendment will allow for the development of office uses within the western Atlantic Avenue Corridor, thus meeting the needs of the surrounding communities and reducing their trips east on Atlantic Avenue.

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.

***Response:** As referenced above, numerous changes to existing future land use and zoning designations have occurred on properties within the Atlantic Avenue corridor since the adoption of the Agricultural Reserve Master Plan adoption in 1999. Originally, the only commercial allowed within the Ag Reserve was to be in the form of a Traditional Marketplace developed at the intersections of Atlantic Avenue and Lyons Road and at Boynton Beach Boulevard and Lyons Road. Changes were adopted to recognize small existing commercial properties as well as allow additional commercial development at these two commercial nodes in order to support the needs of the surrounding communities. Additionally, the property to the west was approved for a veterinary clinic and kennel. Therefore, this Property is the only parcel of land within this section of Atlantic Avenue that does not have an approval for development. The fact that the Property is narrow and bounded by approved developments on both sides indicates that its designation as a preserve parcel is not appropriate.*

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

***Response:** The characteristics of the area have changed since the adoption of the Agricultural Reserve Master Plan. As referenced above, Atlantic Avenue has changed significantly. Originally, the only commercial development permitted was the Delray MarketPlace TMD. However, comprehensive plan text amendments were adopted to allow smaller infill commercial development. Subsequently the properties at the southeast corner of Atlantic Avenue and Lyons Road were approved for small commercial projects as was the parcel located at the northeast corner of Smith Sundry and Atlantic Avenue. This influx of development has also caused for increased interest for the existing industrial parcels to the west of Smith Sundry and Half Mile Road. Thus, this corridor has changed from an agricultural corridor to a commercial/industrial corridor. This change impacts the viability of the parcel as a preserve parcel. The fact that it does not support an active agricultural use further negates its suitability as a preserve parcel.*

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

***Response:** The Board of County Commissioners recently approved a self-storage facility on Boynton Beach Boulevard. Once this project was approved, 28,000 square feet of commercial went back into the commercial cap. The Applicant intends to utilize a portion of this square footage which will eliminate the need to increase the commercial cap of the Agricultural Reserve.*

d. Inappropriateness of the adopted FLU designation.

***Response:** N/A*

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

***Response:** N/A*

G.2 Residential Density Increases

This proposed FLU amendment is not requesting to increase residential density.

G.3 Compatibility

Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions. The definition of “compatibility” under the repealed Rule 9J-5, FAC, is “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted, directly or indirectly by another use or condition”. With this definition in mind, the requested change would make the subject property more compatible with the surrounding properties which have undergone land use amendments.

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can complement and support each other. For example, an industrial use can provide essential services to residents of surrounding neighborhoods, as well as the community at-large. In addition, buffering, screening, setback, height, and landscaping requirements can further enhance compatibility, and reduce the potential negative effects of functionally different land uses.

Several factors lead to the conclusion that the proposed FLUA Amendment designation will be compatible with neighboring uses.

- Primary access is available from Atlantic Avenue, which is designated as an Arterial roadway, thus directing traffic away from local roads in the vicinity.
- The Property is located at one of the commercial nodes of the Agricultural Reserve (Atlantic Avenue and Lyons Road). Atlantic Avenue is currently developed with a mix of industrial, commercial and agricultural uses. Specifically, the Property is surrounded by commercial uses immediately to the east and west. On this basis, the proposed development concept at this location is determined to be compatible.
- The proposed use is consistent with the existing development pattern and adjacent uses that have occurred along the Atlantic Avenue corridor.

The above factors, coupled with setbacks, buffers and landscaping requirements will dictate that on-site structure(s) will be compatible with the neighboring properties and not create or foster undesirable health, safety, or aesthetic effects.

G.4 Comprehensive Plan

The proposed Future Land Use Atlas Amendment is consistent with various goals, objectives, and policies in the Palm Beach County Comprehensive Plan as detailed below.

Goals – The proposed FLUA amendment furthers the County’s goals as described below.

- **Balanced Growth** – “...to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.”

Response: *Approval of this proposed FLU amendment will allow for the development of a medical office project. Residential development in the Agricultural Reserve has been growing substantially without the service and job opportunities needed to protect livable communities and contribute to an overall balanced growth trend. Residents of the Agricultural Reserve continue to travel outside of the Tier for necessary services such as employment, medical needs, restaurants, etc. The proposed FLU amendment will bring additional job opportunities and services to the Agricultural Reserve Tier catering to the residents of the Tier thus enhancing the quality of life for those that have chosen to live within the western Delray Beach area.*

- **Land Planning** – “...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, and environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities.”

***Response:** The Property is located within the Agricultural Reserve Tier which is a Limited Urban Service Area (LUSA) where services and public facilities are already available. The Property’s location at one of the Ag Reserve’s commercial nodes with access/frontage on Atlantic Avenue contributes to timely, cost effective service provision. The proposed medical office project will better serve the immediate and future needs of the community as it will provide employment opportunities and services west of the Florida Turnpike. Traffic on the east-west roadways in the Agricultural Reserve Tier is caused by the number of residents leaving the Tier in the mornings for work and other necessary services. This proposed amendment to CL will allow for the creation of employment and service opportunities thus keeping residents west of the Florida Turnpike and off the major east-west roadways.*

Objectives – The proposed FLUA amendment furthers the County’s objectives as further described below.

- **FLUE Objective 1.5 Agricultural Reserve Tier** – “Development areas should be concentrated east of SR7 (in the vicinity of Boynton Beach Boulevard and in the vicinity and south of Atlantic Avenue) in order to protect the environmentally sensitive lands within and surrounding the Loxahatchee National Wildlife Refuge, foster the preservation of agriculture in the center of the Tier, and to reduce infrastructure costs and impacts on tax payers.”

***Response:** The Property is located on Atlantic Avenue and the commercial node. The Atlantic Avenue corridor was identified by the professional consultant of the Agricultural Reserve master plan as the location for non-residential land uses to serve the neighboring residential communities. This proposed amendment will keep development close to transportation nodes and major intersections as described by FLUE Policy 1.5-p. The Agricultural Reserve Master Plan originally intended that more intense uses and development would occur at nodes within the Tier. The Master Plan further intended for lower density residential to develop outside of the higher intensity core eventually transitioning to the environmentally sensitive parcels. This development pattern has not occurred, as the subject 2.05 acre Property has been designated as a preserve parcel while development has been approved and developed on either side.*

- **FLUE 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.”

***Response:** The Property is located within the Agricultural Reserve Tier which is a Limited Urban Service Area (LUSA) where services and public facilities are already available. The Property’s location at a major transportation node with access/frontage on Atlantic Avenue contributes to timely, cost effective service provision. The proposed medical office project will better serve the immediate and future needs of the community as it will provide additional medical office which is significantly lacking within this portion of the Ag Reserve. Traffic on the east-west roadways in the Agricultural Reserve Tier is caused by the number of residents leaving the Tier in the mornings for work and service providers traveling into the area. This proposed amendment to CL will allow for the creation of employment and service opportunities thus keeping residents west of the Florida Turnpike and off the major east-west roadways and ultimately having a positive impact on the safety and welfare of the existing residents.*

Policies – The proposed FLUA amendment furthers the County’s policies as further described below.

- FLUE Policy 2.2.2-d:** “The County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development.”
Response: *The small 2.05 acre Property is located on Atlantic Avenue, a major east-west arterial roadway. The Property is surrounded by approved and developed commercial uses to the east and west, thus amending the FLUA designation to CL would not result in infill development and not encourage the proliferation of strip commercial development.*
- FLUE Policy 4.3-g:** “Where appropriate, similar and/or complementary neighboring land uses shall employ access management techniques such as shared entrances (to reduce the number of curb cuts) and vehicular and/or pedestrian cross access between like developments (to encourage inter-connectivity both within and between sites, and reduce the need to use the primary street system to access adjacent sites).
Response: *The Applicant is proposing vehicular cross access to the Delray MarketPlace TMD to the east. Should the TMD ever redevelop in the future, cross access would be provided.*
- FLUE Policy 4.3-k:** “The County shall require, where feasible, that commercial land uses employ access management techniques, such as shared entrances and vehicular cross access, between adjacent existing and proposed commercial land uses.”
Response: *The Applicant is proposing vehicular cross access to the Delray MarketPlace TMD to the east. Should the TMD ever redevelop in the future, cross access would be provided.*

G.5 Florida Statutes

Data and analysis demonstrating that the proposed development can be supplied by necessary services without violating adopted LOS standards are presented in Attachment H (Traffic Letter and Study), J (Drainage Statement), K (Fire Rescue Letter), and I (Water and Wastewater Provider Letter). Data and analysis discussing environmental and historical resources impacts are presented in Attachments J (Drainage Statement), M (Wellfield Zone), L (Natural Features Inventory and Map) and N (Historic Resource Evaluation Letter). No negative environmental impacts are identified.

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

- Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single use development or uses.
 - Response:** *The applicant is requesting to change the FLU of the Property from AGR to CL/AGR which will provide additional services along the Atlantic Avenue corridor of the Agricultural Reserve Tier. The Agricultural Reserve is an existing area of low intensity/density and single-use development, however the proposed amendment will provide a medical office use which will allow for job employment opportunities and provide additional services within the Atlantic Avenue corridor of the Agricultural Reserve Tier.*
- Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
 - Response:** *The Property is located in the Agricultural Reserve Tier which is a Limited Urban Service Area (LUSA) and within the Atlantic Avenue corridor which is not rural in nature and urban services such as police, fire rescue and water/wastewater/drainage utilities exist in the immediate area.*
- Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - Response:** *The development is not isolated in nature as development surrounds the Property immediately to the east and west. Specifically, commercial uses have been approved and developed at the intersection of Atlantic Avenue and Lyons Road just to the east of the Property. Several industrial uses have been*

developed along the corridor further to the west and additional commercial uses have been approved at the intersection of Atlantic Avenue and Lyons Road. The proposed development would be considered infill development as the properties to the east and west of this small 2.05 acre property have been approved and/or developed with commercial uses.

- Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
 - **Response:** *This amendment does not fail to protect and conserve natural resources as the proposed development will have no negative impact on any other significant natural system. The Property does not support any environmentally sensitive areas. No listed species were located on the property and it is located outside of any wellfield protection zone. The Property is currently vacant, fallow land.*
- Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
 - **Response:** *The Property is located within the Agricultural Reserve Tier. Although it is currently designated as a preserve parcel, the Property is not utilized for agricultural purposes. The Property's small size and location on a major right-of-way, bordered by development to the east and west is not an optimal location for agricultural uses. The overall development pattern for this corridor has been determined by the recent County approvals and existing uses (commercial, industrial and residential).*
- Fails to maximize use of existing public facilities and services.
 - **Response:** *Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. The proposed medical office development will not negatively impact public facilities and services.*
- Fails to maximize use of future public facilities and services.
 - **Response:** *Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. The proposed medical office development will not negatively impact public facilities and services.*
- Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
 - **Response:** *Public services and facilities are already available in the immediate vicinity. The proposed amendment will provide for infill development and fit in with the existing land use pattern.*
- Fails to provide a clear separation between rural and urban uses.
 - **Response:** *The Property is located within the Agricultural Reserve Tier which is a Limited Urban Service Area (LUSA). The Property is not adjacent to the Rural Tier therefore, the proposal discourages the proliferation of Urban Sprawl by locating goods, services and employment in close proximity to where people live.*
- Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
 - **Response:** *This amendment will allow for infill development as development exists both east and west of the Property. The proposed project will serve the current and future needs for the surrounding communities.*
- Fails to encourage a functional mix of uses.
 - **Response:** *Approval of this proposed amendment will allow the development of a medical office use within an area of the County that has historically only been developed with low intensity/density residential development. This project will contribute to a functional mix of uses within the Atlantic Avenue corridor.*
- Results in poor accessibility among linked or related land uses.
 - **Response:** *The proposed development will be designed with pedestrian connections as required through the site plan approval process.*
- Results in the loss of significant amounts of functional open space.
 - **Response:** *This amendment does not result in a loss of any functional open space as the subject property is currently not utilized as functional open space.*

Florida Statutes, Section 163.3177.(6).(a).9.b: Of those criteria listed in this section the subject property will meet the following criteria which shows that it will discourage the proliferation of urban sprawl:

- Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
 - **Response:** *This amendment does not fail to protect and conserve natural resources as the property is vacant of natural resources. The site is undeveloped and it is located outside of any wellfield protection zone..*
- Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
 - **Response:** *The request for a FLUA amendment will maximize the use of future public facilities and services existing and within a relatively urban corridor. No facilities would be required to be installed in rural or sparsely populated areas, thereby maximizing the use of the existing facilities. Therefore, the proposal discourages the proliferation of Urban Sprawl by locating goods, services and employment adjacent to existing public infrastructure.*
- Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
 - **Response:** *The development will be designed to provide pedestrian connections, bike racks, and other elements that support a compact development.*
- Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
 - **Response:** *Approval of this proposed amendment will allow the development of a medical office use within an area of the County that has historically only been developed with low intensity/density residential development. The proposed uses will better serve the surrounding residential community and Agricultural Reserve as it will provide for additional services and employment opportunities.*

Conclusion

As described above, the proposed FLU amendment from Agricultural Reserve (AGR) to Commercial Low, with an underlying Agricultural Reserve (CL/AGR) is consistent with the Goals, Objectives, and Policies of Palm Beach County's Comprehensive Plan and the Florida State Statutes. The proposed amendment is also compatible with the surrounding area. The proposed amendment does not contribute to urban sprawl. The amendment is consistent with the Agricultural Reserve Master Plan as well as provide a much needed service to the area residents that will not negatively impact service provision.

II. ULDC CHANGES

No ULDC changes are needed in response to this proposed comprehensive plan 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**

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Hal R. Valeche
Gregg K. Weiss
Mary Lou Berger
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

March 24, 2020

Morton
3910 RCA Boulevard
Palm Beach Gardens, FL 33410

RE: TG Land Office
00-42-46-18-09-003-0000
Service Availability Letter

Dear Ms. McClellan:

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 for the existing Agricultural reserve (AGR) and the proposed Commercial Low with an underlying Agricultural Reserve (CL/AGR). The proposed land use change will allow for a maximum development 17,860 SF of commercial users.

A 42" potable water main and a 12" wastewater forcemain are located within Atlantic Ave. Extensions to the existing infrastructure may be required. The property is located in a Mandatory Reclaimed Area and there is a 12" reclaimed water main located within Atlantic Ave..

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Jackie Michels".

Jackie Michels, P.E.,
Plan Review Manager



June 4, 2020
Job No. 20-038

LAND USE PLAN AMENDMENT APPLICATION
STATEMENT OF LEGAL POSITIVE OUTFALL

Atlantic Avenue Medical
2.05 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the north side of Atlantic Avenue, west of Lyons Road in Palm Beach County and contains approximately 2.05 acres. The Property Control Number (PCN) for the subject parcel is 00-42-46-18-09-003-0000.

The property is currently designated Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 2.05 acre parcel's designation to Commercial Low (CL) on the Palm Beach County Comprehensive Plan.

SITE DRAINAGE

The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-15 Drainage Basin. Legal positive outfall is available via discharge to the Lake Worth Drainage District L-34 Canal along the south side of Atlantic Avenue. Drainage design is to address the following:

1. On-site retention of the runoff from the 3 year, 1 hour rainfall event.
2. No runoff to leave the site except through an approved control structure up to the level produced by the 25 year, 3 day rainfall event.
3. Building floor revelations to be at or above the level produced by the 100 year 3 day rainfall event.
4. Parking lots to be protected from flooding during a 3 year, 24 hour event, or the 5 year, 24 hour event if exfiltration trench is used.

DRAINAGE (CONTINUED)

5. Allowable discharge to be in accordance with South Florida Water Management District Basin criteria.
6. Compliance with the South Florida Water Management District C-15 Drainage Basin criteria with required to compensating storage.
7. Due to consideration to water quality.

Robert F. Rennebaum, P.E.
FL Reg. No. 41168

**Robert F. Rennebaum, P.E., State of Florida,
Professional Engineer, License No. 41168**

**This item has been electronically signed and
sealed by Robert F. Rennebaum, P.E. on 06/04/2020
using a SHA-1 Authentication Code.**

**Printed copies of this document are not considered signed
and sealed and the SHA-1 Authentication Code must
be verified on any electronic copies.**



June 4, 2020
Job No. 20-038

LAND USE PLAN AMENDMENT APPLICATION
FLOOD PLAIN STATEMENT

Atlantic Avenue Medical
2.05 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the north side of Atlantic Avenue, west of Lyons Road in Palm Beach County and contains approximately 2.05 acres. The Property Control Number (PCN) for the subject parcel is 00-42-46-18-09-003-0000.

The property is currently designated Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 2.05 acre parcel's designation to Commercial Low (CL) on the Palm Beach County Comprehensive Plan.

FLOOD ZONE

The above referenced project is located in Flood Zone X as shown on the FEMA Flood Rate Insurance Map Panel 200A of 245 (Palm Beach County).

Robert F. Rennebaum, P.E.
FL Reg. No. 41168

Robert F. Rennebaum, P.E., State of Florida,
Professional Engineer, License No. 41168

This item has been electronically signed and
sealed by Robert F. Rennebaum, P.E. on 06/04/2020
using a SHA-1 Authentication Code.

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and sealed and the SHA-1 Authentication Code must
be verified on any electronic copies.

sa: x:/docs/trafficanddrainage/lupafps.20038



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**

Mack Bernard, Mayor
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Hal R. Valeche
Gregg K. Weiss
Robert S. Weinroth
Mary Lou Berger
Melissa McKinlay

County Administrator

Verdenia C. Baker

March 19, 2020

JMorton
Attention: Lauren McClellan
3910 RCA Boulevard
Suite 1015
Palm Beach Gardens, FL 33410

Re: TG Land Office

Dear Lauren McClellan:

Per your request for response time information to the subject property located on the north side of Atlantic Avenue, west of Lyons Road. 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 3 miles from the station. The estimated response time to the subject property is 8 minutes 30 seconds. For fiscal year 2019, the average response time (call received to on scene) for this stations zone is 7:03.

There will be an extended response time to this location.

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

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Allan".

Cheryl Allan, Planner
Palm Beach County Fire-Rescue

Attachment L Natural Feature Inventory & Map

Site

The Property was previously cleared and
absent of any significant vegetation or habitat.



June 4, 2020
Job No. 20-038

LAND USE PLAN AMENDMENT APPLICATION
WELLFIELD PROTECTION ZONE STATEMENT

Atlantic Avenue Medical
2.05 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the north side of Atlantic Avenue, west of Lyons Road in Palm Beach County and contains approximately 2.05 acres. The Property Control Number (PCN) for the subject parcel is 00-42-46-18-09-003-0000.

The property is currently designated Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 2.05 acre parcel's designation to Commercial Low (CL) on the Palm Beach County Comprehensive Plan.

WELLFIELD PROTECTION ZONE

The above referenced project is not located within any Wellfield Protection Zones as shown on the "Wellfield Protection Zones of Influence in Palm Beach County, Florida, "exhibit, adopted June 12, 2015.

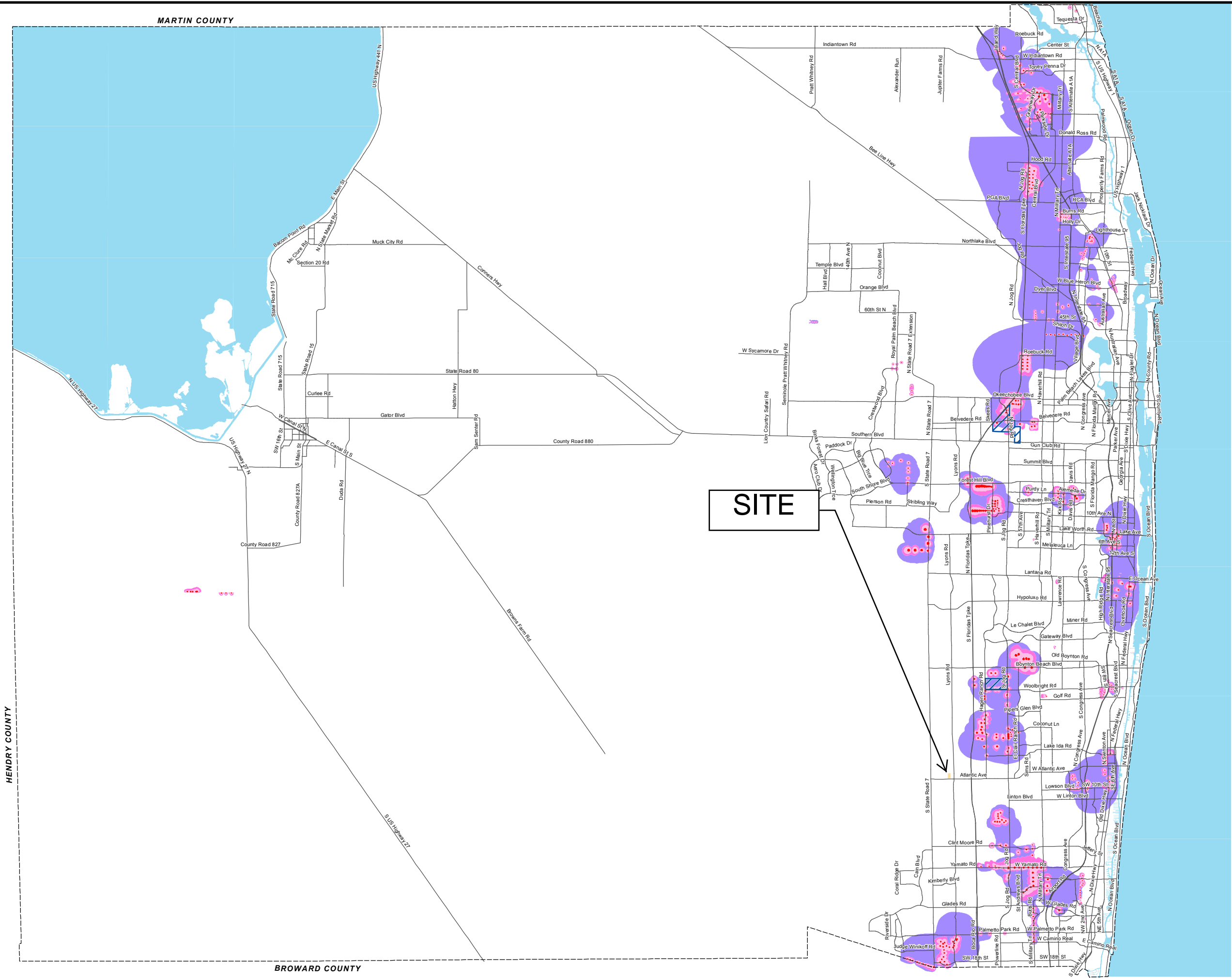
Robert F. Rennebaum, P.E.
FL Reg. No. 41168

Robert F. Rennebaum, P.E., State of Florida,
Professional Engineer, License No. 41168

This item has been electronically signed and
sealed by Robert F. Rennebaum, P.E. on 06/04/2020
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be verified on any electronic copies.

sa: x:/docs/trafficanddrainage/lupawellfield.20038



MAP LU 4.1

GENERALIZED
WELLFIELD MAP

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

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



1 0 1 2 3 Miles

Effective Date: 6/12/2015
Filename: N:\Map Series\WXDs\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

**Palm Beach County
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Gregg K. Weiss

Mary Lou Berger

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

March 19, 2020

Lauren McClellan
J. Morton, Planning & Landscape Architecture
3910 RCA Boulevard, Suite 1015
Palm Beach Gardens, Florida 33410

RE: Historical and Archaeological Resource Review for property located on the north side of Atlantic Avenue, west of Lyons Road, project named: TG Land Office under PCN: 00-42-46-18-09-003-0000.

Dear Ms. McClellan:

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

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 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.

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 contacted.

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

Sincerely,

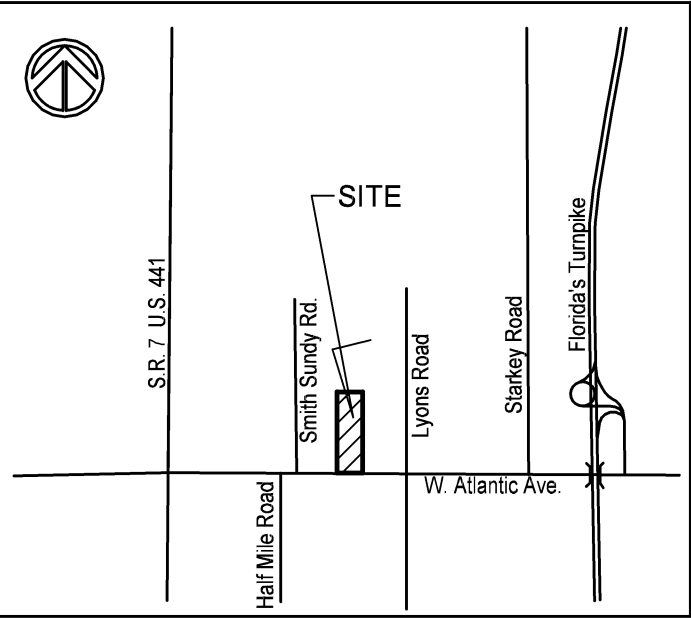
A handwritten signature in black ink, appearing to read "Christian Davenport", followed by a horizontal line.

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

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

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T:\Planning\Archaeology\County Departments\Planning\Land Use Amendments and Development Review\J. Morton\TG Land Office_PCN_00424618090030000_03-19-2020.doc



SHEET 1 OF 1