



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT AMENDMENT ROUND 05-1

Item Name:	S. Congress Avenue Property (LGA 2005-00020)
Request:	Remove Cross-hatching
Item Before the Board:	To hold a public hearing on a proposed County Initiated amendment to the Future Land Use Atlas (FLUA) to remove cross-hatching from approximately 0.90-acre of a 1.65-acre property located on the west side of Congress Avenue, approximately 0.40 mile south of Summit Boulevard.
Meeting Date:	BCC Adoption Public Hearing, August 22, 2005
Project Manager:	John Rupertus, AICP, Senior Planner
MOTION: To <i>adopt</i> the proposed amendment.	

- A. Planning Recommendation:** Staff recommends **approval** based on the findings and conclusions presented in this report.
- B. LPA Recommendation: LPA Recommendation:** Motion to recommend **approval** passed in a 7-1 vote (with Ms. Murray dissenting) at the February 11, 2005 Public Hearing. Board discussion focused on the removal of the crosshatching. A motion was made to *deny Staff's recommendation* however, a substitute motion was made after further clarification by staff. Staff explained that this was a corrective amendment and the crosshatching was a mapping error at the time of the adoption of the 1989 Comprehensive Plan.
- C. BCC Transmittal Action:** Motion by Comm. Koons, seconded by Comm. Marcus to **transmit** passed in a 6-0 vote (with Commissioner Greene absent) at the April 6, 2005 Public Hearing. There was minimal Board discussion and no public comment on this item.

POST TRANSMITTAL ACTION

- A. **ORC Report Findings:** None
- B. **Response to ORC Report:** None
- C. **Revisions Not Previously Reviewed:** None
- D. **BCC Adoption Action:**

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PETITION SUMMARY

Owner..... Columbian Building Association
Applicant..... Palm Beach County

Parcel's Size..... 0.90 acre (a portion of a 1.65 acre parcel)
Parcel's Location..... West side of Congress Avenue, approximately 0.40 mile south of Summit Boulevard.

Parcel's Access..... Congress Avenue
Parcel Control Number..... 00-43-44-07-12-000-0070

Tier..... Urban/Suburban
Existing Land Use..... Social Club

Current FLU Designation..... Commercial High Intensity, with an underlying 3 units per acre (CH/3), with crosshatching
Current Zoning District..... Community Commercial (CC)
Current Development Potential..... Commercial or Residential

Proposed FLU Designation..... Commercial High Intensity, with an underlying 3 units per acre (CH/3)
Proposed Zoning District..... N/A
Proposed Development Potential..... Commercial or Residential

Water/Sewer Service..... Palm Beach County Water Utilities Department

Annexation Area..... Village of Palm Springs

Overlay/Neighborhood Plan..... Revitalization and Redevelopment Overlay
Amendment History..... None
Commission District..... Commissioner Koons, District 2

I. SUMMARY REPORT

A. BACKGROUND

The property is located on the west side of Congress Avenue, approximately 0.40 mile south of Summit Boulevard. The Property Appraiser's information shows that the entire property totals 1.65 acres. The County approved rezoning the property from the General Commercial (CG) zoning district to the Community Commercial (CC) zoning district under Resolution 91-1636 for zoning petition 84-32 on November 17, 1991. The property is also approved as a planned commercial development under petition 84-32. The Planning Division designated the property *Commercial, with an underlying alternative designation of 3 units per acre (C/3)* on FLUA map 72 in preparing the FLUA for adoption with the present Comprehensive Plan in 1989 (the county subsequently approved changing the property's C designation to CH under ordinance 04-32 in August 2004). In 1989, the Planning Division also identified the property with cross-hatching for the rear 0.90-acre portion. The front 0.75-acre portion of the property is developed with a social club.

B. INTENT OF THE PROPOSED AMENDMENT

The intent of the proposed amendment (corrective action) is to remove the cross-hatching from the rear approximately 0.90 acre portion of the property. Part A of Table 2.2.2-1, "Additional Criteria for Determining the Depth, Width and Use for Commercial and Industrial Designations", on page 49-FLUE in the Future Land Use Element of the Comprehensive Plan requires that the vacant portion of a property which extends beyond the commercial designation line on the FLUA, and totals less than one acre, may be designated commercial and identified with cross-hatching, as part of a commercial development approval for the entire property. The cross-hatched area may only be used for water retention, landscaping, and/or at-grade parking.

C. ISSUE SUMMARY AND DATA/ANALYSIS

1. **Justification:** This is a County-initiated amendment. It is based on a factor of a data error. The Planning Division committed a data error by identifying the rear 0.90-acre portion of the property with cross-hatching in 1989. Cross-hatching is to be applied to a property the county approved for commercial development with a restriction that a portion of the property could only be used for water retention, landscaping, and/or at-grade parking.
2. **Demonstration of Need:** No demonstration of need is required. The amendment is intended to correct a data error from 1989. The rear 0.90-acre portion of the subject property should not have been identified with cross-hatching, since the commercial approval for the property did not restrict any portion thereof to only water retention, landscaping, and/or at-grade parking.

D. PUBLIC AND MUNICIPAL REVIEW

1. **Intergovernmental Plan Amendment Review Committee (IPARC):** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review. The IPARC functions as a clearing-house for plan amendments in Palm Beach County. A formal IPARC notice (requesting comments) was sent on January 20, 2005. To date, no objections to this amendment have been received.
2. **Other Notice:** Public notice by letter has been provided to the property owner. At the time of the printing of this report, no comments had been received.

E. ASSESSMENT AND CONCLUSIONS

There are no major land use issues associated with this proposed amendment. The purpose of the amendment is to correct a data error on FLUA Map 72. The subject property should not have been identified with cross-hatching on its rear 0.90-acre portion. The cross-hatching requirement is intended to apply only to a commercial development approval for a property whereby a portion of the property is restricted to use for water retention, landscaping, and/or at-grade parking

F. ALTERNATIVE ACTIONS

The following courses of action are available to the Board:

1. Recommendation of ***approval***;
2. Recommendation of ***approval with modifications***; or
3. Recommendation of ***denial***.

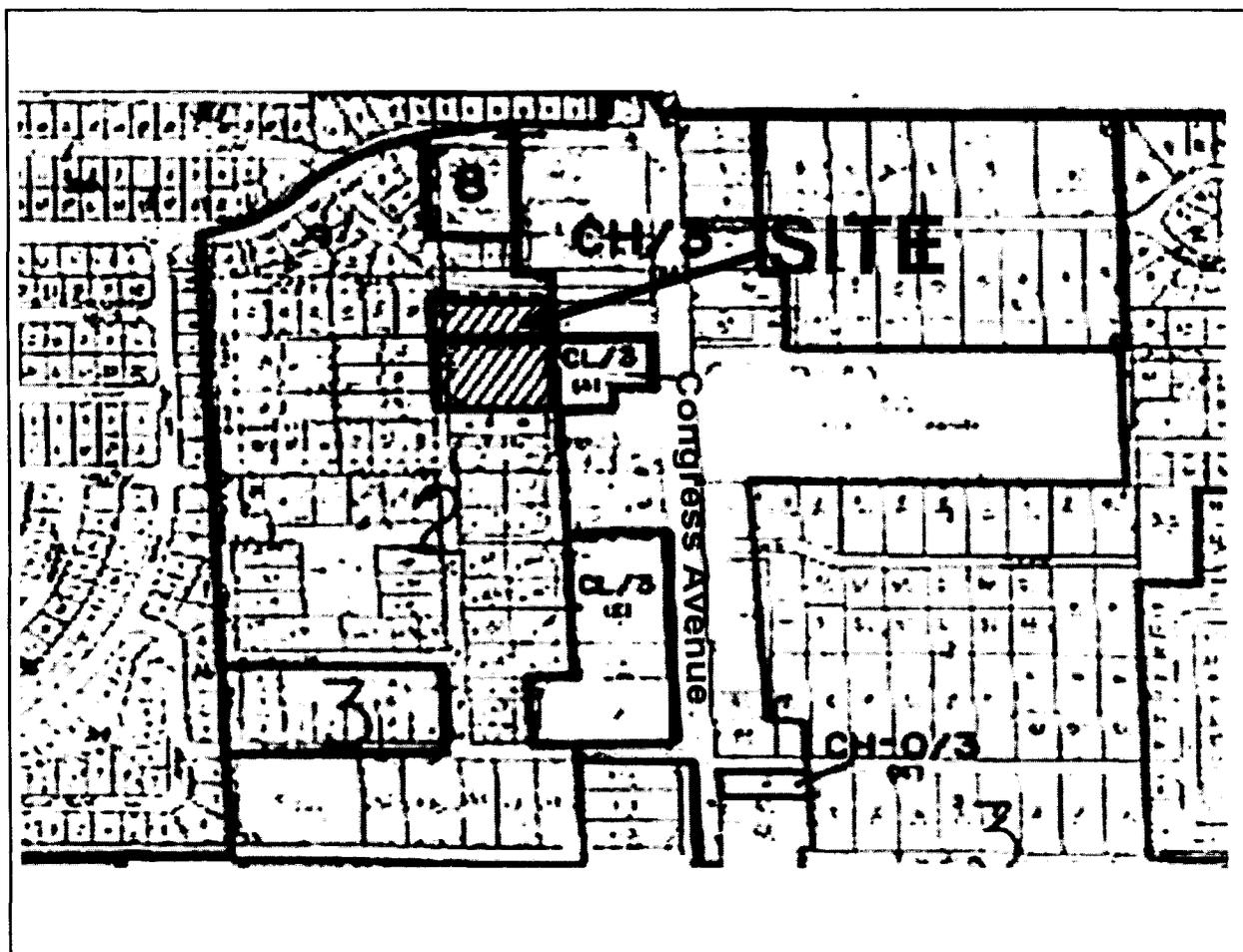
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II. EXHIBITS

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EXHIBIT 1

Amendment No.: South Congress Avenue Property (2003-00020 LGA)
FLUA Page No.: 72
Amendment: Remove cross-hatching
Location: West side of Congress Avenue, approximately 0.40 mile south of Summit Blvd.
Size: Approximately 0.90-acre portion of a 1.65-acre property
Property No.: 00-43-44-07-12-000-0070
Legal Description: Palm Acres Subdivision, Lot 7



2.D.1 WESTGATE – CRA OVERLAY TCEA



TEXT AMENDMENT STAFF REPORT AMENDMENT ROUND 05-1

Item Name:	Westgate CRA TCEA Modification
Element:	Transportation Element (TE)
Item Before the Board:	To hold a public hearing on a proposed amendment to the TE which will modify the existing Transportation Concurrency Exception Area (TCEA) for the Westgate-Belvedere Homes Community Redevelopment Area (Westgate CRA) to account for the recently adopted redevelopment plan.
Meeting Date:	BCC Adoption Public Hearing, August 22, 2005
Project Manager:	Vinod Sandanasamy, Senior Transportation Planner

MOTION: To *adopt* the proposed amendment.

- A. Planning Recommendation:** Staff recommends *approval* based on the assessments and conclusions presented in this report.
- B. LPA Recommendation:** Motion to recommend *approval* passed in a unanimous vote (11-0) at March 18, 2005 Public Hearing. Board discussion was minimal. One member of the public spoke in opposition to both the proposed TCEA amendment and the proposed land use changes in the Westgate CRA. He offered an alternative plan and a member of the Board suggested that he meet with Jose Sosa, Executive Director of the CRA for Westgate.
- C. BCC Transmittal Action:** Motion by Comm. Koons, seconded by Comm. Marcus, to *transmit* passed in a unanimous vote (6-0, with Comm. Greene absent) at the April 6, 2005 Public Hearing. Board discussion focused on the impact of this TCEA modification on the surrounding roadway network. Staff responded that there are a few roadway failures because of this TCEA and impacts on I-95 will be dealt with according to the ULDC requirements. Also staff stated that the impacts of this TCEA would be offset to some extent by the various mitigation measures proposed in this amendment. Responding to a question staff explained that TCEA already exists for this area and that we are now only adjusting the development densities to tailor it to the Westgate CRA's recently amended master plan. Comm. Koons highlighted some of the CRA's history and future plans.

POST TRANSMITTAL ACTION

- A. **ORC Report Findings:** None
- B. **Response to ORC Report:** None
- C. **Revisions Not Previously Reviewed:** None
- D. **BCC Adoption Action:**

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I. SUMMARY REPORT

A. BACKGROUND

In 2002, the Westgate/Belvedere Homes Community Redevelopment Agency (W-CRA) was designated a Transportation Concurrency Exception Area (TCEA) to facilitate redevelopment activities in the community under the 9J-5 rule of the Florida Administrative Code. The Code allows exception to the transportation concurrency requirement in selected geographic areas to reverse the negative impact that transportation may have on urban redevelopment. Traffic volumes on roadways in and around Westgate exceed or will exceed in the near future the adopted Level of Service (LOS). A TCEA modification is needed to facilitate the implementation of the CRA's recently updated redevelopment plan. The Westgate CRA redevelopment plan requires for provision and improvement of infrastructure within its boundaries. These improvements include drainage, local roadways, greenways, parks and sidewalks. The infrastructure improvements are funded through Tax Increment Financing. These funds become available when a property is improved or developed, resulting in an increased tax revenue from that property which provides the funds for infrastructure improvements within the CRA. Therefore, a TCEA modification is being proposed in order to allow development and redevelopment of properties located within the Westgate CRA consistent with recently updated CRA master plan, which will in turn allow for the provision of additional infrastructure improvements in the CRA.

B. THE PROPOSED AMENDMENT

1. Amendment Intent and Summary

The intent of the amendment is to modify the Westgate CRA's TCEA in order to allow development and redevelopment of properties located within the Westgate CRA.

2. Unified Land Development Code Implications

This proposed amendment will not result in a subsequent amendment to the County's land development regulations in the Unified Land Development Code (ULDC).

C. ISSUE AND DATA/ANALYSIS SUMMARY

Complete data and analysis to support the proposed change is provided in Exhibit 2 and in Exhibit 3 (TCEA Justification Report) and is summarized in this section. Existing traffic volumes on some segments of roadway network surrounding the Westgate CRA are already approaching or exceeding Level of Service (LOS) D volumes. Some of the projected volumes also exceed LOS D thresholds. The projected volumes incorporate the limited amount of future development and/or redevelopment as desired by the CRA as delineated in the development program TCEA pool shown in Tables 2 & 2A (also see Exhibit 3 for more details). The existing and projected volumes are provided in Exhibit 3 of this report. Following are the issues associated with this amendment:

- Development and redevelopment activities which are consistent with CRA Master Plan and County's Comprehensive Plan (as being amended in Round 05-1 for FLUA) cannot be realized due to capacity restrictions on the roadway system. The TCEA will allow a limited amount of development and redevelopment consistent with CRA Master Plan and County's Comprehensive Plan.

- A scenario utilizing maximum development and redevelopment potential accounting for the proposed land use amendments being processed concurrently in this amendment round is not considered in the TCEA at this time due to anticipated major traffic impacts on the roadway network which already has some segments, including those of I-95 (a Florida Intrastate Highway System), Australian Ave. and Palm Beach Lakes Blvd. operating above the LOS D threshold volumes. Impacts from individual projects within the TCEA may not be significant on the roadway segments of I-95 and it has to be addressed pursuant to the ULDC.

D. PUBLIC AND MUNICIPAL REVIEW

- 1. Intergovernmental Plan Amendment Review Committee (IPARC):** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review. The IPARC, of which Palm Beach County is a member, functions as a clearing-house for plan amendments. No comments have been received to date.
- 2. Other Notice:** At the time of the printing of this report, no comments had been received from other interested groups, or members of the public.

E. ASSESSMENT AND CONCLUSIONS

Based on the Data and Analysis, the following assessments and conclusions can be made:

1. The existing TCEA pool cannot achieve the development goals of the amended redevelopment plan approved by the BCC on January 11, 2005. The current pool does not have the capacity to accommodate the number of housing units nor the area of office space needed to implement the amended redevelopment plan. At the same time, the current pool has more commercial space and more industrial and warehouse space than what is anticipated by redevelopment plan. This amendment will adjust the pool and tailor it to the implementation of the amended redevelopment plan as projected through the year 2025.
2. Since the existing traffic volume on some of the roadway segments surrounding the Westgate CRA area have already exceeded the adopted level of service threshold, the projected traffic volumes on a few of the surrounding roadways are also expected to exceed Level of Service D. The TCEA would provide a concurrency exception to allow development and redevelopment activities within the Westgate CRA which, in turn, will allow for infrastructure improvements in the CRA through the additional tax revenue generated.
3. The development and redevelopment scenario which would be facilitated by this TCEA is in support of County goals, the Westgate CRA Master Plan, and regional and State efforts to encourage redevelopment and infill. The development facilitated by the proposed TCEA is consistent with the Revitalization and Redevelopment Overlay of the County's adopted Managed Growth Tier System which calls for infill in urban areas to take advantage of existing public facilities and services. The development facilitated by this TCEA may also help to reduce the pressure for sprawl in the western areas of the municipalities and the County.

4. Existing mass transit routes, including PalmTran, are available to provide some mitigation to the TCEA.
5. The CRA is proposing a number of measures that will mitigate the impacts of the TCEA. Those measures include inclusionary housing, multi-modal transportation, and functional mixed-use development. The attached TCEA Justification Report (see Exhibit 3) explains the various mitigation options available within the CRA. Exhibit 1 outlines these mitigation measures as conditions to this TCEA.

F. ALTERNATIVE ACTIONS

The following courses of action are available to the Board:

1. Recommendation of ***approval***;
2. Recommendation of ***approval with modifications***; or
3. Recommendation of ***denial***.

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EXHIBIT 1

A. Transportation Element, Westgate-Belvedere Homes Community Redevelopment Area (Westgate CRA) Transportation Concurrency Exception Area (TCEA)

REVISIONS: To revise Policy 1.2-r designating Westgate CRA as a TCEA. The added and deleted text is shown in underlined and ~~strikethrough~~ format.

Revised Policy 1.2-r: The Westgate-Belvedere Homes Community Redevelopment Area (Westgate CRA) Transportation Concurrency Exception Area (TCEA) is hereby established and designated. Contiguous with the boundaries of the CRA, the TCEA is bounded by Okeechobee Boulevard on the north side, Florida Mango Road on the east side, Belvedere Road on the South side, and Military Trail on the West side. ~~The TCEA will be limited to 96 dwelling units; 402,756 square foot of commercial retail use; 350,680 square foot of general office use; 350,680 square foot of warehouse use; and 424,797 square foot of industrial use.~~ The TCEA shall be limited to the maximum allowable number of units, square footage, total daily trips, and total pm peak hour trips identified in the Table TE-6 of this policy. A proposed project must be recommended for approval by the Community Redevelopment Agency to be eligible to benefit from this pool. Any project utilizing this TCEA and significantly impacting Interstate 95 shall be required to address its impacts pursuant to ULDC. By August 2010, the TCEA may be modified by the BCC if the CRA achieves the developments shown in Table TE-6. The TCEA may be revisited if the CRA fails to provide County an annual report by March 31 of each year starting in year 2004, showing that the development approvals utilizing this TCEA have not exceeded the pool limitation of this Policy. Beginning December 30th, 2006, The CRA shall submit an annual report to the County's Planning Director to demonstrate compliance with the conditions set forth in this policy. Upon review by the Planning Director and the County Engineer, the annual report will be submitted to the Board of County Commissioners (BCC) for consideration. In the event that any of the conditions below is not met, the BCC may amend or rescind any or all of this policy. The conditions are:

1. Development approvals utilizing the TCEA shall remain at or below the maximum allowable limits for units, square footage, total daily trips and total p.m. peak hour trips set by Table TE-6. No building permits shall be issued for new development when the applicable maximum allowable limit for that development is reached.

TABLE TE-6
WESTGATE/BELVEDERE HOMES CRA –TCEA
MONITORING TABLE

<u>Allowable Land Use Intensities</u>	<u>Residential/ Rental Units</u>	<u>Hotel Rooms</u>	<u>Industrial</u>	<u>Office</u>	<u>Other Non- Residential</u>
Planned Land Use Totals ¹	<u>2937</u>	<u>200</u>	<u>572,633</u>	<u>1,137,785</u>	<u>2,819,577</u>
Allowable variance +/- (%)	<u>15%</u>	<u>25%</u>	<u>10%</u>	<u>10%</u>	<u>10%</u>
Maximum Allowable	<u>3377</u>	<u>250</u>	<u>629,896</u>	<u>1,251,563</u>	<u>3,101,535</u>
Minimum Allowable	<u>2496</u>	<u>150</u>	<u>515,369</u>	<u>1,024,006</u>	<u>2,537,619</u>
<u>Allowable Vehicle Trips</u>		<u>Daily Traffic</u>		<u>PM Peak Hour Traffic</u>	
Planned Land Use Net New Trips		<u>3538</u>		<u>345</u>	

Allowable Land Use Ratios	Residential/Office	Residential/Other Non-Residential (Incl. Industrial)
<u>Maximum Allowable Ratios²</u>	<u>3.30</u>	<u>1.11</u>
<u>Minimum Allowable Ratios²</u>	<u>1.99</u>	<u>0.67</u>

¹ Includes existing development

² Residential units divided by 1000 sft of Office or Other Non-Residential uses.

2. Beginning with the March 31, 2010 annual report, and at the end of each reporting period thereafter, the cumulative ratio of approved residential units to 1,000 square foot approved office space shall remain between the maximum and minimum allowable ratios identified in Table TE-6.
3. Beginning with the March 31, 2010 annual report, and at the end of each reporting period thereafter, the cumulative ratio of approved residential units to 1,000 square foot approved other non-residential space shall remain between the maximum and minimum allowable ratios identified in Table TE-6.
4. By January 2008, the CRA Board shall adopt a inclusionary housing policy that require all major residential development (proposing more than 10 dwelling units) that do not participate in the bonus density program to set aside at least 10% of their development for occupancy by very low income (less than or equal to 50% of the County's median annual adjusted gross income) households and low income (more than 50% but less than or equal to 80% percent of the County's median annual adjusted gross income) households, and 10% for moderate income (more than 80% but less than or equal to 120% percent of the County's median annual adjusted gross income) households. Units meeting this requirement shall include no more than 40% renter occupied units for low income and very low income households and no more than 30% renter occupied units for moderate income households. The remaining units must be owner occupied. The renter occupied units must continue to be attainable for a period of at least 20 years, and the owner occupied units must continue to be attainable for a period of at least 10 years. Attainability shall be assured through deed restrictions on these properties.
5. The CRA Board shall implement its inclusionary housing policy that requires developers participating in the bonus density pool to set aside 40% of the density bonus units for very low and low income households. The annual report starting March 31, 2008 must also show the number of the density bonus units for very low and low income households created annually through the bonus density pool.
6. By January 2008, the CRA Board shall implement an incentive program that rewards developers who mix two or more uses on one site for trip internalization.
7. By January 2010, the CRA shall establish a local transit circulator service that runs through the CRA to transport visitors and resident to the main commercial corridors.
8. By January 2008, the CRA shall undertake a detailed transit study to develop a local transit connector to downtown West Palm Beach.
9. The CRA shall continue to coordinate with the County Engineering Department to improve the sidewalk network and street features to create safe, balanced, livable streets that can be used for all forms of travel including non-vehicular modes of travel.
10. By January 2007, the CRA shall obtain rights to use property for the development of the greenway and shall complete the design of the greenway alongside the L-2 Canal. The design should show how the bike/walking path will connect the residential neighborhoods to the commercial corridors.
11. By January 2007, the CRA shall develop a parking plan that will incorporate shared parking, parking garage and parking reduction programs tailored to encourage businesses, residents and visitors to use alternative mode of transportation by locating

- parking away from pedestrian and bike pathways, providing incentives for bikers and carpoolers, and by designing an environment that reduces dependency on automobiles.
12. The CRA Board in coordination with the County should evaluate the feasibility of extending Westgate Ave. from Haverhill Road to Jog Road. The CRA Board should coordinate with County to implement the recommendations of the feasibility study for the eastern extension of Westgate Ave up to Old Okeechobee Road.

EXHIBIT 2

SUPPORT DATA AND ANALYSIS

The TCEA modification is being proposed in order to allow development and redevelopment of properties located within the Westgate CRA consistent with recently updated CRA master plan, which will in turn allow for the provision of additional infrastructure improvements in the CRA.

The 2002 TCEA was based on the 1991 CRA master plan and its related land use assumption which followed a “Euclidian” or “use-based” zoning approach. It encouraged an increase in commercial and industrial developments in separate areas and limited housing development to 96 dwelling units (see Table 1 below).

Table 1

Existing Westgate TCEA Pool

	Dwelling Units	Commercial Retail	General Office	Office Warehouse	Industrial
TCEA Pool	96	402,756	350,680	350,680	424,797

On January 11, 2005, the BCC approved an amendment to the 1991 plan. The amended redevelopment plan follows smart growth principles and “form-based” zoning that use appealing urban design and mixed-use development to achieve urban revitalization. The plan promotes pedestrian friendly compact mixed-use developments and it presupposes higher land use intensity/density resulting in a stronger output of housing. Those additional units will provide needed attainable housing for the County’s low-to moderate-income population.

A development program has been prepared in conjunction with the redevelopment plan as a tool to facilitate the implementation of the plan. The development program forecasts the type and the intensity of uses that will be most suitable for redeveloping the area on a short- and long-term basis. The following table summarizes the development program and the TCEA pool required to accommodate the plan.

Table 2

Proposed Modifications to the Westgate TCEA

	Existing Development and Existing TCEA Pool	2025 Development	Proposed Changes
Single family Residential (units)	1924	1,622	-302
Multi-family Residential (units) (Apartments)	429	1,315	886
General Office (sft)	832,680	1,137,785	305,105
Commercial/ Retail (sft)	2,439,756	2,351,060	-88,696
Hotel (rooms)	0	200	200
Industrial (sft)	748,692	572,633	-176,059
Warehouse (sft)	615,685	468,517	-147,168

The following table provides details about short and long term plans based on the development program.

**Table 2a
Short and Long Term Development Goals**

	Existing Land Use	TCEA Pool	Existing & TCEA	2010 Potential	2025 Potential	2010 Pool	2025 TCEA Pool
Single family Residential	1,924		1,924	1,635	1,622	-289	-302
Multi-family Residential	333	96	429	1,126	1315	793	982
General Office	482,000	350,680	832,680	878,675	1,137,785	396,675	655,785
Commercial/Retail	2,037,000	402,756	2,439,756	2,068,190	2,351,060	31,190	314,060
Hotel	-	-	0	100	200	100	200
Industrial	323,895	424,797	748,692	402,765	572,633	78,870	248,738
Warehouse	265,005	350,680	615,685	329,535	468,517	64,530	203,512

ULDC REVIEW CRITERIA AND ANALYSIS

Article 15 of the Palm Beach County Land Development Code specifies three Determination Criteria that shall be addressed when designating a Transportation Concurrency Exception Area (TCEA). The criteria analyzed below reflect the County’s analysis which relied upon a detailed analysis (see Exhibit 3 – TCEA Justification Report) provided by the Westgate CRA.

Criteria:

A. The designation of a Transportation Concurrency Exception Area must be supported by data and analysis which:

(1) Demonstrate that the TCEA is compatible with and furthers the various portions and elements of the County Comprehensive Plan. When in a municipality, it shall also demonstrate that the TCEA is compatible with and furthers the various portions and elements of the local government’s Comprehensive Plan.

Staff Analysis/Comment: The Westgate-Belvedere Homes Community Redevelopment Area (Westgate CRA) TCEA is being proposed in order to allow development and redevelopment activities in the CRA consistent with and/or provide support for the following directives, policies, and objectives of County’s Comprehensive Plan:

Introduction and Administration Element:

The Goals, Objectives and Policies presented in the Plan Elements reflect the directives of the citizenry and the Board of County of Commissioners. These directives, which are discussed in greater detail in the Land Use Element, are:

- Redirect growth to the East where services and facilities can be provided and encourage the revitalization/redevelopment of the coastal communities,

Future Land Use Element:

Policy 1.2.2-b: The Planning, Zoning, and Building Department shall continue to work with other local governments and appropriate agencies to develop programs consistent with, but not limited to, the Front Porch Florida Initiative, which create safe, livable communities by improving the functional relationship among land uses through design, improving infrastructure and/or services, and providing a range of housing and economic opportunities for urbanized areas.

SUB-OBJECTIVE 1.2.4 Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO)

The Westgate/Belvedere Homes Community Redevelopment Area Overlay was created to encourage development and redevelopment of the Westgate area. The special land use provisions for the Overlay are designed to arrest deterioration of property values, and preserve affordable housing and complement the efforts to prepare and implement a community redevelopment plan for the Westgate area.

Policy 1.2.4-a: The Westgate Community Redevelopment Area Overlay shall be depicted on the FLUA. The area is bounded on the south by Belvedere Road, on the north by Okeechobee Boulevard, on the east by Florida Mango Road and on the west by Military Trail.

Policy 1.2.4-b: The Board of County Commissioners has the authority within the WCRAO to approve residential densities higher than those shown on the Future Land Use Atlas for areas designated residential. These additional units must be obtained from a density pool of 300 bonus units assigned to the Westgate/Belvedere Homes Area by this Element. A proposed residential project must be recommended for approval by the Community Redevelopment Agency to be eligible to receive bonus units from the density pool. The pool of units may be increased through amendments to the Comprehensive Plan text.

Policy 1.2.4-c: The total amount of acreage shown as Commercial on the Future Land Use Atlas, at the time of Plan adoption may be increased 20 percent, through the rezoning process, without an amendment to the FLUA. The Board may approve a zoning change from an Industrial or Residential zoning district to a Commercial zoning district using this provision, once the CRA determines that the proposed change is eligible. The 20 percent increase may be further increased through amendments to the Comprehensive Plan text.

Transportation Element:

Policy 1.2-k: The Palm Beach County Board of County Commissioners shall allow for the designation of Transportation Concurrency Exception Areas (TCEAs) within Palm Beach County consistent with the requirements of Rule 9J-5.0055(6), F.A.C. as specified in the Unified Land Development Code (ULDC). TCEAs allow an exception from the concurrency requirements for transportation facilities if the proposed development is

consistent with the adopted local government comprehensive plan and is located within an area designated in a comprehensive plan for urban infill development, urban redevelopment, or downtown revitalization.

(2) Provide justification for the size and boundary of the TCEA for consistency with the purpose of promoting the stated purpose of a TCEA.

Staff Analysis/Comment: Consistent with the provisions of Rule 9J-5.0055(6)2, the proposed TCEA is a designated urban redevelopment area through its designation as a CRA. The boundaries of the proposed TCEA are contiguous with the boundaries of the CRA.

Also, consistent with the requirement of the above-referenced Rule, the proposed TCEA is within an existing urban service area (attached Figure 1) which does not contain more than 40 percent developable vacant land. Based upon the information obtained from the Palm Beach County Property Appraiser's office, currently vacant land (approximately 174 acres) amount only about 13% of total land (approximately 1300 acres) of the proposed TCEA.

(3) Identify the impacts on other local governments, if any.

Overcapacity roadway network will be a constraint on development of properties within the Westgate CRA. This TCEA will allow the Westgate CRA to develop and redevelop consistent with the Westgate CRA Master Plan.

This TCEA will not apply to properties in the area which are outside Westgate CRA. Most of these properties are located within the City of West Palm Beach, and are either developed or have development approvals. The additional traffic resulting from the TCEA designation may potentially restrict development and redevelopment activities on the north side of Okeechobee Boulevard (within City of West Palm Beach). However, due to overcapacity segments of Okeechobee Boulevard west of Palm Beach Lakes Boulevard, some of this development and redevelopment may already be facing concurrency obstacles regardless of the proposed TCEA.

- B. To implement the TCEA, the local government's comprehensive plan must contain guidelines and policies which specify programs to meet the transportation needs of the TCEA. The guidelines may contain a wide range of strategies that include: timing and staging plans, parking control and pricing policies, Transportation System Management (TSM), Transportation Demand Management (TDM), incentives to promote public transit, and the utilization of creative financing tools for the provision of transportation services and facilities.**

Staff Analysis/Comment: Westgate Community Redevelopment Study Area Overlay included in the PB County Comprehensive Land Use Plan includes a provision that allows an additional twenty percent (20%) of the area that was designated as commercial in the Land Use Plan at the time of plan adoption, to be re-zoned for commercial Mixed-Use development. This was included to aid in the redevelopment of the CRA area. Any reductions in density and intensity will be inconsistent with the intent of redevelopment of the area and urban infill, as described in the Future Land Use Sub-Objective 1.2.4.

Westgate Avenue, which is the receiving area for the bonus density and the main commercial corridor inside the CRA area, is designated for Mixed-use Commercial. It is anticipated that the incorporation of the Mixed-Use area as an area eligible to receive the bonus density units would moderate the intensity of commercial uses and would provide the opportunity for the small-scale retail, commercial and office uses that are considered to be appropriate. The CRA has indicated that it will pursue a strategy that would allot limited prime land for retail uses (commercial nodes) and dedicate other commercial areas for low-trip uses like warehouses, light industrial uses, and offices. This action would further the redevelopment goals as stated in the Comp Plan.

The CRA periodically reviews its plan and those of other entities that impact the area. As redevelopment unfolds and the community grows, the need to support and encourage public transportation grow as well. The Westgate CRA is in the Redevelopment and Revitalization Overlay of the Urban/Suburban Tier and the area is served by various Palm Tran bus routes. Palm-Tran, in coordination with Tri-Rail, is working on implementation of the Palm Beach County Bus/Rail interface Plan. One of the proposed modifications calls for additional peak hour service (from hourly to half hourly) through the metropolitan West Palm Beach area. That additional service runs through Westgate Avenue and Cherry Road which are the two major East/West streets in the CRA area.

The CRA's proximity to the Tri-Rail line and the additional peak hour service by Palm-Tran, will be helpful as alternative transportation modes become more popular. In light of that, the Board of the CRA just issued a Request for Proposal (RFP) for a traffic consultant who, among other things, will conduct a feasibility study regarding possible connection/extension of the trolley service from downtown WPB to the Westgate commercial corridor. This service is anticipated to compliment the pedestrian friendly open-market atmosphere that the CRA wants its commercial corridor to embrace. It should increase pedestrian traffic without a corresponding increase in vehicular traffic.

The redevelopment plan charrette's most significant project was the concept of creating a long, linear park that ran through the community from one end to the other. The linear park, called "The Greenway" would follow the L-2 Canal at Florida Mango Road and extend to the West, connecting with a north-south canal, located west of Golfview Heights. The Greenway will provide a pathway for school children to walk or bike to the elementary school on the L-2 Canal or to visit the Westgate Community Center. The Greenway will also provide a safe pathway for residents to walk and bike to Military, Congress and Florida Mango, three of the major business centers with the CRA.

The CRA is working with County Departments to develop a parking plan that will locate the parking in the back and limit curb cuts in the front of the businesses to make it safer for pedestrians using the front sidewalks and arcades. The parking plan will also incorporate shared parking, parking garage and parking reduction programs tailored to encourage businesses, residents and visitors to use alternative mode of transportation by locating parking away from pedestrian and bike pathways, providing incentives for bikers and carpoolers, and by designing an environment that reduce dependency on automobiles.

The CRA will improve the infrastructure and construct trails that will provide for bicycle transportation. Included in the 'TCEA Justification Report' is a map that depicts the routes, trails and sidewalks that bicycle travelers can use. The redevelopment plan suggests that bicycle pathways be established along Cherry Road and Seminole Road, connecting in the future to the Greenway along the L-2 Canal. Furthermore, the CRA will

promote the Palm Tran's "Bikes on Buses" program to encourage residents to combine bicycle with public transportation uses to reduce their dependency on automobiles. Additionally, the CRA has included in its TCEA goals that will require bike racks at businesses to encourage bicycle travel.

A fundamental objective of the redevelopment plan is to improve pedestrian connectivity, and to de-emphasize vehicular mobility in favor of alternative modes of transport. The CRA is actively improving the pedestrian system. The development of sidewalks is an integral part of the infrastructure improvement in the North Westgate area. Staff will work with the County to improve existing sidewalks and install missing links that will make the sidewalk network more utilitarian.

The CRA is collaborating with the County to extend Westgate Ave. east to Old Okeechobee Road and west to Jog Road. These extensions will provide some relief for Okeechobee Blvd and move traffic more effectively in and out of the Westgate CRA. The County is currently preparing feasibility study for the eastern extension. The CRA will work with the County to study the feasibility of the western extension also.

- C. The guidelines and policies and programs to implement the TCEA must demonstrate by supporting data and analysis, including short and long range traffic analysis, that consideration has been given to the impacts of the proposed development within the TCEA on the Florida Intrastate Highway System.**

Staff Analysis/Comment: The attached TCEA Justification Report (see Exhibit 3) provides a detailed summary of data and traffic analysis. Based on the detailed analysis, I-95, Florida Turnpike and SR-80 (Southern Blvd.) are the three Florida Intrastate Highway System (FIHS) roadways in the area. I-95 is currently operating below adopted level of service and is projected to operate as such. However, any project impacting I-95 will be required to address its impacts consistent with the Palm Beach County Traffic Performance Standards. Also I-95, currently operating upto 30% over-capacity, is only projected to be 4% over capacity in year 2025 due to programmed widening. Florida Turnpike and SR-80 are projected to operate within LOS D capacity in 2025.

EXHIBIT 3

**Westgate CRA – TCEA Justification Report
(Upon request to Westgate CRA, available to general public at a cost)**

EXHIBIT 4

Letters in Support or Opposition

W.G.H.N.A.

(Westgate / Golfview Heights Neighborhood Association) two

Palm Beach County Board Of County Commissioners
301 North Olive Ave.
12th Floor
West Palm Beach, FL 33401

Wednesday, April 6, 2005

Honorable Members of the Board:

The purpose of this letter is to express residents' concerns with the proposed future land use amendments, the extension of the TCEA (traffic control exception area) guidelines, and Bonus Density Pool extension from 300 to 1300.

The master plan showed beautiful pictures depicting mixed type of uses for Westgate and Congress Avenues, with first floor retail stores and multi-floored apartments or condos above them. This type of uses is certainly very appealing to most of us, as it would make our area more appealing and desirable to businesses and residents alike while leaving the "old time charm" of the residential Westgate intact.

We understand, and support, the tax dollars new businesses can bring into our CRA budget, and we even support the existing commercial land uses along our CRA thoroughfares, including Okeechobee Blvd., Military Trail, Congress Avenue, Westgate Avenue, Belvedere Road and the industrial park off Church Street. These businesses are easily accessed from other county and state thoroughfares without much traffic through our residential streets. Our concern with the proposed amendments, however, is their impact to the residential community, as the proposed commercial land uses extend beyond our mayor thoroughfares.

Post Office Box 22132 West Palm Beach FL 33416

Bringing commercial opportunities to the interior of Westgate will certainly bring an increase in "nonresidential" traffic coming in and out of our residential community on a daily basis posing a threat to the pedestrian. Every speed hump we put in has resulted in an increase of high-speed traffic on parallel streets. If commercial businesses bring in more traffic, we may be renamed "humpville - an undesirable place to shop." This would be a short-lived revitalization.

If our area would not be a TCEA (the only one in Palm Beach County), our community would be already "overbuilt" and in violation of Palm Beach County Traffic Control codes. If the TCEA would not be expanded, and existing properties would be the only ones allowed to be "grand-fathered" in, the proposed future land use amendments would probably not be a threat to our quiet little neighborhood.

We are also concerned with the proposed expansion of the density bonuses. There are many vacant lots and business parks for sale already zoned for commercial use along our mayor thoroughfares. Our "bonus Density Pool" is the only one we know of in the entire state. If that does not attract new businesses, we don't know what quadrupling it will do other than attracting another super Walmart.

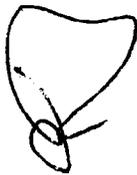
In summary, we, the residents of the Westgate/Golfview Heights Neighborhood Association consider that the future impact of these changes will not only erode the residential neighborly charm of this area but also create public safety issues.

In closing, we respectfully ask that if you are to approve the proposed amendments in part or in full to please have some provisions in place to:

1) ensure that new development will not pose a negative impact on our neighborhood streets; 2) limit the amount of units per acre to allow the development of townhouses to only one block from our thoroughfares to allow easy ingress and egress from those thoroughfares rather than through our single family homes; 3) new development or redevelopment that occurs as a result of the approved changes are compatible with and build upon the residential character of our community; and 4) to avoid the commercial uses to create unpleasant commercial strip environments. Hopefully, these and other provisions will help ensure that future development does not negatively impact our residential community and the overall ambiance of our community.

We thank you for your consideration to this request. If you have any questions or would like to discuss the content of this letter in greater detail, please do not hesitate to contact me at (561) 616-2549. We thank you for your cooperation and support to our desire to bring safety, and hope, to our community!

Cordially,

A handwritten signature in black ink, appearing to be 'Edward Kaye', written in a cursive style.

Edward Kaye, President

W.G.H.N.A

To Whom It May Concern:

In regards to the future land use in Westgate, I respectfully ask you not to pass and adopt changes to the land use in the proposed Westgate areas. I also oppose extending the traffic control exemption area guidelines. The impact of these changes will only erode the residential charm of the neighborhood and create safety issues.

Businesses bring tax dollars into the CRA budget but it accessed from other thoroughfares without having more traffic through our neighborhood. There are business parks already zoned commercial. Westgate Ave and Congress Ave were in the master plan so why not leave the residential Westgate intact.

A lot of the residence in Westgate, feel traffic is above what our streets were designed to handle. We need to curb the additional traffic that businesses will bring in by not amending and extending the traffic control exemption area.

Bringing commercial opportunities into Westgate will increase nonresidential traffic coming in and out of the community daily. There are a lot of kids and pedestrian safety issues. More businesses, more traffic, where will this end in a small community like ours.

Barbara Kreiner

Barbara Kreiner

Treasurer WGHNA

2.D.2 WESTGATE – CRA OVERLAY AMENDMENT



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT AMENDMENT ROUND 05-1

Item Name:	Westgate Community Redevelopment Area-Overlay (LGA 2005-00021-24)
Request:	INST/IND to CH/8; HR-8 and CH to CH/8; HR-8 to CL/8; IND to CH/IND
Item Before the Board:	<p>To hold a public hearing on a proposed County Initiated amendment to the Future Land Use Atlas (FLUA) to change the future land use designation for four (4) areas totaling 270.49 acres from:</p> <ol style="list-style-type: none">1) Institutional, with underlying Industrial (INST/IND) to Commercial High, with an underlying 8 units per acre (CH/8) for an area located on FLUA map 57, totaling 13 acres, and located in the SW quadrant of Westgate Avenue and Country Club Road, immediately west of Country Club Road;2) High Residential, 8 dwelling units per acre (HR-8) and Commercial High (CH) to Commercial High, with an underlying 8 dwelling units per acre (CH/8) for an area located on FLUA map 57 and FLUA map 58, totaling 92.06 acres, and located in the SW quadrant of Okeechobee Boulevard and Congress Avenue, south of Okeechobee Boulevard extending west from Congress Avenue to Country Club Road;3) High Residential, 8 dwelling units per acre (HR-8), to Commercial Low, with an underlying 8 units per acre (CL/8) for an area located on FLUA map 58, totaling 110.43 acres, and located in the SW quadrant of Nokomis Avenue and Congress Avenue; and4) Industrial (IND) to Commercial High, with underlying Industrial (CH/IND) for an area located on FLUA map 58, totaling 55 acres, and located on the SW quadrant of Old Okeechobee Boulevard and Florida Mango Road.
Meeting Date:	BCC Adoption Public Hearing, August 22, 2005
Project Manager:	Audley G. Reid, Planner I

MOTION: To **adopt** the proposed amendment, subject to 2 conditions.

- A. Planning Recommendation:** Staff recommends **approval** based on the findings and conclusions presented in this report, subject to the following 2 conditions:
1. For each project in Area 1 (LGA 2005-00021), non-residential uses shall be limited to a maximum 0.86 F.A.R.
 2. For each project in Area 4 (LGA 2005-00024), non-residential uses shall be limited to a maximum 0.92 F.A.R.

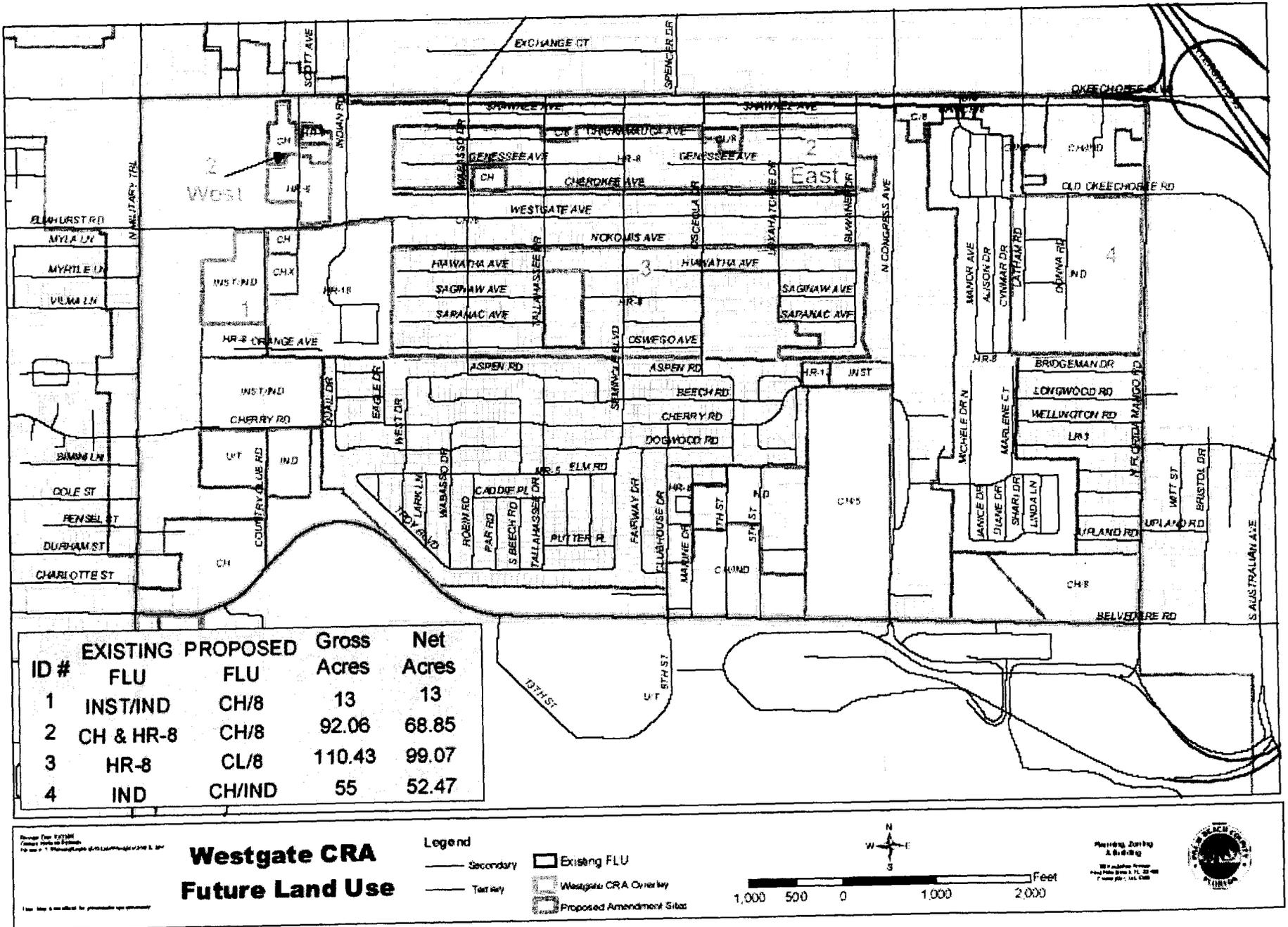
- B. **LPA Recommendation:** Motion to recommend *approval, subject to conditions*, passed in a unanimous vote (11-0) at March 18, 2005 Public Hearing. There was minimal Board discussion and no public comment on this item.

- C. **BCC Transmittal Action:** Motion by Comm. Koons, seconded by Comm. Aaronson, to *transmit* passed in a unanimous vote (6-0, with Comm. Greene absent) at the April 6, 2005 Public Hearing. There was minimal Board discussion. The President of the Westgate/Golfview Heights Neighborhood Association (WGHNA) spoke against the proposed amendment.

POST TRANSMITTAL ACTION

- A. **ORC Report Findings:** None
- B. **Response to ORC Report:** None
- C. **Revisions Not Previously Reviewed:** None
- D. **BCC Adoption Action:**

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PETITION SUMMARY

Owner..... Multiple Owners
Applicant..... Palm Beach County

Parcels' Size..... 270.49 acres (collectively)
Parcels' Location..... Four areas located within the Westgate Community
Redevelopment Area Overlay.
Parcel Control Numbers..... See Exhibit 1
Tier Designation..... Urban/Suburban
Existing Land Use..... Residential, Industrial, Institutional, Office
Current FLU Designations..... Institutional, with underlying Industrial (INST/IND); High
Residential, 8 units per acre (HR-8); Industrial (IND);
Commercial High (CH)
Current Zoning District..... General Commercial (CG); Light Industrial (IL); Multi-
Family Residential-High Density (RH); Public Ownership
(PO); Multi-Family Residential-Medium Density (RM);
Multiple Use Planned Development (MUPD)
Proposed FLU Designation..... Commercial High, with an underlying 8 units per acre
(CH/8); Commercial Low, with an underlying 8 units per
acre (CL/8); Commercial High, with underlying Industrial
(CH/IND)
Proposed Development Potential..... Commercial or Residential or Industrial
Water/Sewer Service..... Palm Beach County Water Utilities Department
Annexation Area..... City of West Palm Beach
Overlay/Neighborhood Plan..... Westgate Community Redevelopment Area Overlay
Commission District..... Commissioner Koons, District 2

I SUMMARY REPORT

A. BACKGROUND

The Westgate Community Redevelopment Area Overlay (WCRAO) amendment involves 4 separate areas, which total approximately 270.49 acres combined. Each area is a collection of individually owned parcels belonging to multiple owners that for elucidatory purposes have been grouped together. All 4 areas are located within the boundaries of the Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO), which is bounded by Okeechobee Boulevard to the north, Belvedere Road to the south, Florida Mango Road to the east, and by Military Trail to the west.

Area 1 is 13 acres in total size and consists of 33 separate parcels. It is located North of Orange Avenue, South of Westgate Avenue, East of Military Trail, and west of Country Club Road. The site north of Area 1 has a land use designation of Commercial High, with an underlying 8 units per acre (CH/8). The site to the south of Area 1 is designated High Residential 8 units per acre (HR-8) and was the subject of a previous land use amendment; Ordinance 92-31. The site is 5.20 acres in size and was changed through a County initiated amendment from Industrial (IND) to High Residential 8 units per acre (HR-8). Land use designations for sites east of Area 1 include Commercial High (CH) and High Residential 18 units per acres (HR-18).

Two sites immediately to the East of Area 1 were also the subject of a previous land use amendment. The first is a 1.41 acre site (SCA ORD. 04-48) originally designated as Commercial High with Cross-Hatching (CH) that was subsequently changed to Commercial High (CH) without cross-hatching. The second amendment involved a 3.07 acre site located immediately to the south of the site just described. The site was part of an amendment (P-77-133 (G)) that changed the land use designation of several parcels of land from Commercial (C) to Commercial High (CH).

Area 2 East and West is 92.06 acres in total size and consists of 572 separate parcels. It is bounded by Shawnee Avenue to the north, Cherokee Avenue and Westgate Avenue to the south, Congress Avenue to the east, and Military Trail to the west. Regarding Area 2 East, the sites to the north, south, east, and west are designated Commercial High, with an underlying 8 units per acre (CH/8). Regarding Area 2 West, the sites to the north, east, and west are designated Commercial High, with an underlying 8 units per acre (CH/8). The site to the south is designated Commercial High (CH).

Furthermore, regarding Area 2 West, there are 9 adjacent sites that have been or currently are the subject of a land use amendment described as follows: The 2 sites to the immediate west of Area 2 West have a CH/8 designation and were the subject of previous land use amendments. These sites, totaling approximately 38.6 acres, were originally designated as Commercial, with an underlying 8 units per acre (C/8). They were subsequently changed through County initiated amendments ((Petition 77-133(G) and Petition 77-133(C)) to Commercial High, with an underlying 8 units per acre (CH/8), in order to better reflect the commercial future land use characters of each area.

The third site, located immediately northeast of Area 2 West, is 3.04 acres in size and was changed through a County initiated amendment (Ordinance 97-43) from High Residential 8 units per acre (HR-8) to Commercial High, with an underlying 8 units per acre (CH/8). The amendment also removed the existing cross-hatching from the property. This site and the site to its immediate east (4th site) was also the subject of a previous amendment (Ordinance 01-

87). This amendment included approximately 435.44 acres and sought to change the designation of various parcels from Commercial, with an underlying 8 units per acre (C/8) to Commercial High, with an underlying 8 units per acre.

The 5th and 6th site were amended in Round 04-2 (LGA 2004-00040). The first, is a 5.62 acre property, located at the northeast corner of Westgate Avenue and Indian Road and the second, is a 2.16 acre property, located at the northwest corner of Westgate Avenue and Indian Road were changed from High Residential, 8 units per acre (HR-8) to Commercial High, with an underlying 8 units per acre (CH/8) in order to reflect their development approvals under their respective zoning petitions. Both properties combined total approximately 7.78 acres.

The 7th and 8th sites adjacent to Area 2 are the subjects of an amendment being processed in the Amendment Round 05-1 (LGA 2005-00018). The two properties, totaling 1.16 acres collectively, are located on the east side of Donnell Road, approximately 200 feet south of Okeechobee Boulevard. The proposed land use change is from High Residential, 8 units per acre (HR-8) to Commercial High, with an underlying 8 units per acre (CH/8). These changes are being proposed in order to better reflect their development approvals according to their zoning designation, which is General Commercial (CG).

The 9th site is being processed in the current Amendment Round 05-1 (LGA 2005-00019) concerns a property that lies outside the boundaries of Area 2 West at the southeast corner of Westgate Avenue and Indian Road. The property is 2.74 acres in size and the proposed land use change is from High Residential, 18 units per acre (HR-18) to Commercial High, with an underlying 18 units per acre (CH/8). Like the previous sites, the change is intended to bring the land use into conformity with the existing zoning designation.

Area 3 is 110.43 acres in total size and consists of 827 separate parcels. It is bounded by Nokomis Avenue to the north, Aspen Road to the south, Congress Avenue to the east, and runs parallel to Quail Drive to the west. To the North and East of Area 3 are sites designated Commercial High, with an underlying 8 units per acre (CH/8). To the south are sites designated Medium Residential 5 units per acres (MR-5) and two smaller parcels on the eastern portion of Area 3 designated High Residential 12 units per acre (HR-12) and Institutional (INST), respectively. Finally, the site to the west is designated High Residential 18 units per acre (HR-18).

Area 4 is 55 acres in total size and consists of 143 separate parcels. It is bounded by Old Okeechobee Boulevard to the north, Bridgeman Road to the south, Florida Mango Road to the east, and Cymar Drive to the west. To the north of Area 4 is land with a Commercial High, with underlying Industrial designation (CH/IND). The land use designation south of Area 4 is Low Residential 3 units per acre (LR-3). To the east lies the City of West Palm Beach and land designated Industrial (IND) and to the west of Area 4 is land designated High Residential 8 units per acre (HR-8).

The 4 subject Amendment areas all lie within the boundaries of the Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO). The WCRAO is formally recognized in the Palm Beach County Comprehensive Plan Land Use Element and the Palm Beach County Unified Land Development Code (ULDC). Under Sub-Objective 1.2.4 of the Comprehensive Plan Land Use Element, the WCRAO was created to encourage development and redevelopment of the Westgate area. The provisions of Sub-Objective 1.2.4 are designed to arrest deterioration of property values, preserve affordable housing, and complement relevant community redevelopment efforts.

The Westgate/Belvedere Homes Community Redevelopment Area is an Overlay (WCRAO) district that is included in the Palm Beach County Comprehensive Plan. The area was established in 1988 by the Board of County Commissioners (BCC) as a special district for the

redevelopment of the area. The area is approximately 1,007 acres (1.573 square miles) in size with a population of 8,158. The CRA was created to encourage development and redevelopment of the Westgate/Belvedere Homes area with special land use provisions designed to arrest deterioration of property values and preserve affordable housing in the area.

The Westgate/Belvedere Homes Community Redevelopment Agency (CRA) was created in May of 1989 by the Palm Beach County Board of County Commissioners through the authority of Chapter 163, Part III, of the Florida Statutes. The Westgate CRA serves in a quasi-independent capacity to promote social and economic development in the WCRAO. With the creation of the CRA, the BCC appointed a CRA Board of Commissioners as an advisory board to act as a policy making body. Subsequently, with the assistance of the County and private consultants, the CRA Board commissioned the preparation of a Redevelopment Plan for the district. The resulting document was the 1989 Redevelopment Plan, the original Plan that was adopted by the BCC by Ordinance No. 89-6 on May 9, 1989.

The WCRAO Redevelopment Plan was mainly a physical plan that concentrated on land issues, infrastructure needs, transportation, and the methods of financing improvements to address those needs. The Redevelopment Master Plan provides for future desired land uses, receiving areas for commercial and residential bonus provisions, a comprehensive and realistic infrastructure improvement schedule, and updated economic forecasts. Florida Statutes, Section 163.361(3) provides for the modification of the Redevelopment Plan. Consequently, at a January 2003 workshop, the CRA Board directed its staff to update and amend the original 1989 Redevelopment Plan to include a Master Plan that reflects current conditions and demographics. In April of 2003, the CRA hired Civic Design Associates, an Economic Development and Urban Design Planning firm to prepare a Redevelopment Plan update that amended the 1989 original Plan. In December 2003, Civic Design Associates presented a final amended Redevelopment Plan to the CRA Board that ratified the plan. The amended Redevelopment Plan was presented to the Board of County Commissioners at a workshop on February 17, 2004. A resolution adopting the Community Redevelopment Agency's 2005 Amended Redevelopment Plan was heard and approved by the BCC on January 11, 2005 at a public hearing meeting.

The 2005 Amended Redevelopment Plan is a visionary plan developed during a public Charrette held in September 11-18, 2003 after numerous meetings with the residents, business owners, CRA staff, and County personnel. The participants shared their perspectives on the immediate needs of the community, as well as their visions for the CRA for the next 10-20 years planning horizon. Through this process, the stakeholders identified a number of pressing needs, which not surprisingly, were similar to the needs and concerns in the original redevelopment plan namely, poor drainage and signs of socio-economic distress in some neighborhoods. The 2005 Amended Redevelopment Plan follows smart growth principles and "form-based" zoning that use appealing urban design and mixed-use development to achieve urban revitalization; it promotes pedestrian friendly compact mixed-use developments, and presupposes higher land use intensity and density resulting in a stronger output of housing units than currently allowed. Those additional units will provide needed attainable housing for the County's low-to-moderate income population.

The 2005 Amended Redevelopment Plan has several broad goals including a comprehensive solution to the area's storm drainage problems as well as maintaining and improving stable and relatively affordable single-family residential neighborhoods. Many of the programs and plans are conceptual in nature and will need further study. Several elements of the updated plan involve changes to the existing physical development pattern that will require modifications to the land development regulations. More specifically, the updated plan will permit additional development intensity/density in many areas throughout the CRA. New zoning sub-districts are being proposed since none of the existing districts allow for the combination of lot coverage, setbacks, and development intensity sought.

The 2005 Redevelopment Plan calls for land uses that will provide more development opportunities. The CRA will develop incentives to involve the business community in the commercial corridor planning process. While the amended plan is a starting point for initiating action and evaluating progress, it is clear that the plan and programs contained therein will take time and additional funding to develop. Additionally, implementation of the plan will depend on a partnership of public, non-profit, and private-for-profit entities to make redevelopment happen.

The goals and objectives of the 2005 Amended Redevelopment Plan form the basis for the proposed changes in land use designations for the 4 subject areas. In order to proceed with redevelopment as outlined in the 2005 Amended Redevelopment Plan, it is necessary to revise existing land uses within the WCRAO and put in place land use designations that would allow for a mix of residential and commercial units in several zoning-sub-districts, thus, bringing the designations of the 4 subject areas into conformity with those that are required for smart growth and form-based zoning strategies.

In addition to the proposed changes in land uses that is the subject of this amendment, there are 2 companion amendment items each of which are geared towards reaching the goals and principles set forth in the 2005 Amended Redevelopment Plan:

1. the Westgate Community Redevelopment Area TCEA Modification, and
2. the Westgate Community Redevelopment Agency Overlay Increase of Bonus Pool Units.

The TCEA Modification amendment proposes to revise the existing Traffic Concurrency Exception Area (TCEA) in Westgate. The Westgate TCEA is based on the 1991 CRA Master Plan for the area, which seeks to encourage increased commercial and industrial development in various areas of the Westgate community. Based on Euclidian or use-based zoning approaches, the Westgate TCEA established numerical limits on specific types of development.

Currently, traffic volumes on roadways in and around Westgate already exceed or will exceed the adopted Level of Service (LOS) in the near future. Moreover, the proposed land use changes and future development goals encouraged in the 2005 Amended Redevelopment Plan, which calls for pedestrian friendly compact mixed-use developments, presupposed higher land use intensity and density resulting in a stronger output of housing units than allowed by the existing TCEA. Thus, in order to achieve the goals of the 2005 Plan represented by the WCRAO Amendment, a companion amendment calling for revision of the existing TCEA to accommodate expected density and intensity increases is being sought.

The Westgate CRA TCEA is a text amendment seeking to revise Policy 1.2-r of the Comprehensive Plan Transportation Element, which outlines the Westgate CRA TCEA. Specifically, the proposed amendment revises the existing numerical limits on specific types of development in the existing TCEA.

Development approvals utilizing the TCEA would allow development at the maximum allowable limits for units, square footage, total daily trips, and total p.m. hour trips set by the revised TCEA pool. The proposed TCEA revisions would allow a developer to combine lots or choose instead to develop on one (1) parcel or one (1) lot, which would be considered one (1) project.

As the proposed TCEA caps development at a specified number according to type, the potential cumulative impact of the proposed TCEA combined with the proposed land use designation changes of the WCRAO amendment could result in the development limits of the TCEA being exceeded.

Finally, the WCRAO Density Bonus Pool Increase amendment proposes to revise Policy 1.2.4-b in the County Comprehensive Plan to increase the density bonus pool units for the Westgate Community Redevelopment Agency Overlay. Currently Future Land Use Policy 1.2.4-b assigns a density pool of 300 units to the WCRAO. A proposed residential project must be recommended for approval by the Community Redevelopment Agency to be eligible to receive bonus units from the density pool. The proposed amendment is requesting an additional 1000 bonus units for a total of 1300 bonus units for the CRA. This request is necessary in order to allow for the implementation of redevelopment programs earmarked for the WCRAO as articulated in the 2005 Amended Redevelopment Plan.

B. INTENT OF THE PROPOSED AMENDMENT

The intent of the proposed amendment is to amend the land use designation for 4 areas in the WCRAO in order to facilitate the implementation of the 2005 Amended Redevelopment Plan.

C. ISSUE SUMMARY AND ASSESSMENT

The following offers a summary of the issues and concerns regarding the proposed amendment, followed by staff assessment. Full discussion of each of the items listed below can be found in the **Support Data and Analysis Section** of this report. The primary considerations surrounding this proposed FLUA amendment are as follows:

Factor of Consideration	Staff Assessment
<p>Justification Statement: The County's Comprehensive Plan requires that a land use amendment be justified. The applicant based the proposed amendment on the factor of "new issues".</p>	<p>The 1989 Westgate CRA Redevelopment Plan dealt principally with improving the physical infrastructure of the Westgate area including drainage and street paving.</p> <p>The Westgate CRA Board, following a 2003 community charrette, recognized the need to place more emphasis on commercial corridor development as well as mixed-use and infill development due to Westgate's increasing population and growing concerns within the community over arresting socio-economic distress.</p> <p>The Westgate CRA Board revised the 1989 Redevelopment Plan with these concerns in mind and developed the 2005 Amended Redevelopment plan.</p> <p>The revised plan continues to promote needed infrastructure improvements but places renewed emphasis on strategies aimed at safeguarding and improving the commercial and residential quality of life of the Westgate area. Part of this strategy includes greater intensity and density in terms of land use through infill development and mixed-use development.</p> <p>In order to move forward with this type of development, the existing land use designations must be changed.</p> <p><i>Thus, the justification for a land use change for the proposed amendment is valid.</i></p>
<p>Demonstration of Need: A demonstration of need is required for a land use amendment.</p>	<p>This is a County initiated amendment to carry out the goals and policies of the 2005 Amended Redevelopment Plan developed by the Westgate CRA. The proposed amendment seeks to provide the necessary land use designations that would allow for the development of mixed-use and infill projects.</p> <p><i>Thus, there is sufficient Demonstration of Need for the proposed amendment.</i></p>
<p>Urban Sprawl Rule: One of the principles of the Comprehensive Plan is to prevent urban sprawl. As well, State Statutes require that all site specific amendments be reviewed against the 13 indicators of urban sprawl.</p>	<p>The proposed amendment calls for redevelopment and infill that does not indicate urban sprawl. <i>Thus, the proposed amendment is consistent with this directive</i></p>
<p>Encouraging Sustainable Urban Development and Infill Development: FLU Sub-Objective 1.2.2 states that Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.</p>	<p>The proposed amendment utilizes existing infrastructure within the WCRAO. Furthermore, infill and mixed-use development is the primary form of development called for in the 2005 Amended Redevelopment Plan. <i>Thus, the proposed amendment is consistent with this directive.</i></p>
<p>Revitalization and Redevelopment Overlay: Sub-Objective 1.2.3 states that PBC shall establish the Revitalization and Redevelopment Overlay to identify neighborhoods that are considered distressed [and to provide]---comprehensive and coordinated assistance. This assistance shall involve a partnership of local residents, the County, and other interested stakeholders to reverse blighted conditions and promote the creation of desirable and safe places to live, work, and play.</p>	<p>The WCRAO boundaries fall wholly within the RRO. Furthermore, the 2005 Amended Redevelopment Plan resulted in part from a series of meetings with community residents and businesses in 2003. One of the main points of focus of these meetings was how to safeguard and improve the overall quality of life of the Westgate community. The 2005 Amended Redevelopment Plan addresses this, among other concerns. <i>Thus, the proposed amendment is consistent with this directive.</i></p>

Factor of Consideration	Staff Assessment
<p>Piecemeal Development/Creation of Residual Parcels: FLU Policy 2.2-f states that PBC shall not approve site specific Future Land Use Atlas amendments, which encourage piecemeal development or create residual parcels.</p>	<p>The proposed amendment changes the designation of several parcels to encourage mixed-use development, as part of an overall strategy of the 2005 Amended Redevelopment Plan. This strategy does not include the creation of piecemeal or residual parcels. <i>Thus, this proposed amendment is consistent with the goals of this Directive.</i></p>
<p>Compatibility: Ensuring land use compatibility is a County Direction. The proposed designations for the four subject areas will allow mixed-use development. The land uses surrounding each of these sites show commercial and residential designations that are generally compatible with the proposed designations.</p>	<p>Although there are residential sites adjacent to Area 4, and Area 4 has a proposed CH/IND FLU designation, the proposed FLU designations for the proposed amendment generally do not create conflicting densities and intensities between the 4 subject areas and the surrounding sites. <i>Thus, the proposed amendment is consistent with the goals of this Directive.</i></p>
<p>ULDC Conformance: The proposed zoning category must be consistent with the Comprehensive Plan designation.</p>	<p>The intent of the amendment is to implement the 2005 Amended Redevelopment Plan, which supports mixed-use development. There will be future ULDC amendments to implement the 2005 Amended Redevelopment Plan.</p>
<p>Services and Infrastructure: County directives require that adequate services and infrastructure be in place before development occurs.</p>	<p>The WCRAO is located in the Palm Beach County Water Utilities District. Water/Sewer lines and septic systems serve the area. The Westgate CRA is currently implementing a 6-phase drainage program designed to provide adequate drainage to the entire Westgate area. According to this criterion, the proposal would be consistent with County directives.</p>
<p>Department Review and Comments: This amendment has been disseminated to the other Palm Beach County Departments that have jurisdiction over areas covered in this amendment.</p>	<p>To date all County Departments have provided comments. Comments are provided in the Service Impacts section of this report.</p>
<p>Neighborhood Plans, Overlays, and Special Studies: The proposed amendment must be consistent with the goals, policies, and objectives of existing neighborhood plans, overlays, and special studies.</p>	<p>The proposed amendment falls within the boundaries of the WCRAO and the Revitalization and Redevelopment Overlay (RRO). Each overlay area was created encourage development and redevelopment and to provide coordinated assistance to neighborhood areas identified as distressed. <i>Thus, the proposed amendment is consistent with the goals of this Directive.</i></p>

D. PUBLIC AND MUNICIPAL REVIEW

1. **Intergovernmental Plan Amendment Review Committee (IPARC):** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review. The IPARC functions as a clearing-house for plan amendments in Palm Beach County. A formal IPARC notice (requesting comments) was sent on January 20, 2004. To date, no objections to this amendment have been received.
2. **Other Notice:** Public notice by letter has been provided to each property owner and interested parties. At the time of the printing of this report, no written comments had been received. However, there were numerous phone calls and in-person inquiries.

E. ASSESSMENT AND CONCLUSIONS

This is an amendment proposing to change the future land use designations of 4 areas totaling 270.49 acres within the Westgate Community Redevelopment Area Overlay (WCRAO). The proposed changes are as follows:

Area 1, 13 acres in size, from Institutional/Industrial (INST/IND) to Commercial High, with underlying 8 units per acre (CH/8);

Area 2, 92.06 acres, from High Residential, 8 units per acre (HR-8) and Commercial High (CH) to Commercial High, with an underlying 8 units per acre (CH/8);

Area 3, 110.43 acres, from High Residential, 8 units per acre (HR-8) to Commercial Low, with an underlying 8 units per acre (CL/8); and,

Area 4, 55 acres, from Industrial (IND) to Commercial High, with underlying Industrial (CH/IND).

The proposed amendment would introduce the flexibility to develop residential and/or commercial projects in the WCRAO. Increasing the density and intensity of uses through infill and mixed-use development in the 4 subject areas is a primary goal of the 2005 Amended Redevelopment Plan.

The amendment is based on the factor of new issues. Since the passage of the Westgate CRA 1989 Redevelopment Plan, Westgate residents and the Westgate CRA have recognized the need to implement a more comprehensive infill and redevelopment strategy in order to ensure that Westgate remains a viable area for future residential and commercial investment and development. The 2005 Amended Redevelopment Plan ostensibly came into being to address the need for A) quality workforce housing and B) increased development-related investment. Both of these concerns, which are linked to the pressures previously listed, must be addressed in order to maintain the business and residential quality of life in the WCRAO for current and future populations.

The demonstration of need for the proposed amendment has been established. The 2005 Amended Redevelopment Plan promotes the use of infill and mixed-use development to encourage residential and commercial redevelopment. The existing FLU designations on the four subject areas allow only singular uses or non-residential uses only. The proposed FLU designations would allow for residential and non-residential uses, specifically commercial uses, which are needed to create and implement infill and mixed-use development strategies.

F. ALTERNATIVE ACTIONS

The following courses of action are available to the Board:

1. Recommendation of **approval**;
2. Recommendation of **approval with modifications**; or
3. Recommendation of **denial**.

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II. EXHIBITS

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EXHIBIT 1

A. Future Land Use Atlas, Westgate Community Redevelopment Area-Overlay

Amendment No.: LGA 2005-00021 (Area 1)

FLUA Page No.: 57

Amendment: From Institutional, with underlying Industrial (INST/IND) to Commercial High, with an underlying 8 units per acre (CH/8)

Location: North of Orange Avenue, south of Westgate Avenue, east of Military Trail and west of Country Club Road.

Size: Approximately 13 acres, 33 separate parcels

Existing Zoning: Multi-Family Residential-Medium Density (RM)

Existing Use: School

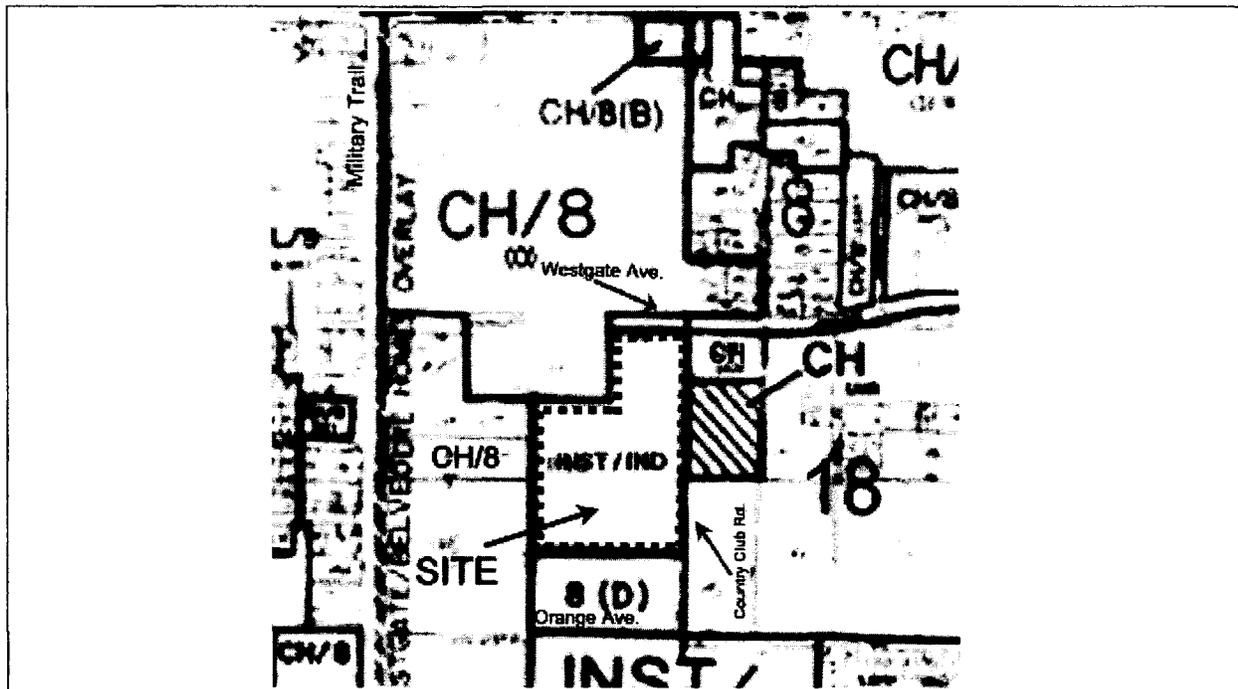
Present Dev. Potential: Industrial or Institutional uses: 254,826 sq. ft. max (.45 FAR)

Proposed Dev. Potential: Commercial Uses: 566,280 sq. ft. max (1.0 FAR)*

Potential: Residential Uses: 104 d.u. (8 du/ac)*

*Can only achieve maximum for both if project is developed as mixed-use with at least 20% vertical integration

Property Control No.: See Exhibit 3



C. Future Land Use Atlas, Westgate Community Redevelopment Area-Overlay

Amendment No.: LGA 2005-00023 (Area 3)

FLUA Page No.: 58

Amendment: From High Residential 8 units per acre (HR-8), to Commercial Low with an underlying 8 units per acre (CL/8)

Location: North of Aspen Road, south of Nokomis Avenue, east of Quail Drive and west of Congress Avenue.

Size: Approximately 110.43 acres, 827 separate parcels

Existing Zoning: Multi-Family Residential-High Density (RH), Multi-Family Residential-Medium Density (RM), Public Ownership (PO)

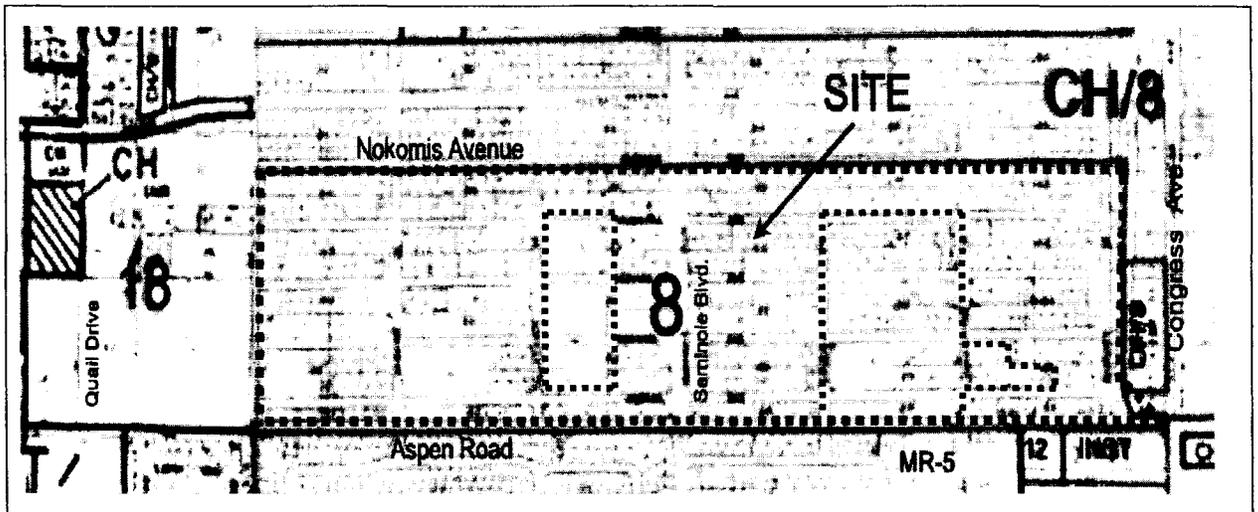
Existing Use: Residential, churches, school, park, vacant

Present Dev. Potential: Residential Uses: 883 d.u. (8 du/ac)

Proposed Dev. Potential: Commercial: 4,810,330 sq.ft. max (1.0 FAR)*
Residential Uses: 883 d.u. (8 du/ac)*

*Can only achieve maximum for both if project is developed as mixed-use with at least 20% vertical integration

Property Control No: See Exhibit 3



D. Future Land Use Atlas, Westgate Community Redevelopment Area-Overlay

Amendment No.: LGA 2005-00024 (Area 4)
FLUA Page No.: 58
Amendment: From Industrial (IND) to Commercial High, underlying Industrial (CH/IND)
Location: North of Bridgeman Road, south of Old Okeechobee Blvd., east of Cynmar Drive and west of Florida Mango Road.
Size: Approximately 55 acres, 143 separate parcels
Existing Zoning: Light Industrial (IL), Commercial General (CG), Commercial General/Special Exception (CG/SE), Special Exception (SE)
Existing Use: Industrial, office, vacant
Present Dev. Potential: Industrial Uses: 1,078,110 sq.ft. max (.45 FAR)
Proposed Dev. Potential: Commercial Uses: 2,395,800 sq. ft. max (1.0 FAR) or Industrial Uses: 1,078,110 sq. ft. max (.45 FAR)
Property Control No: See Exhibit 3

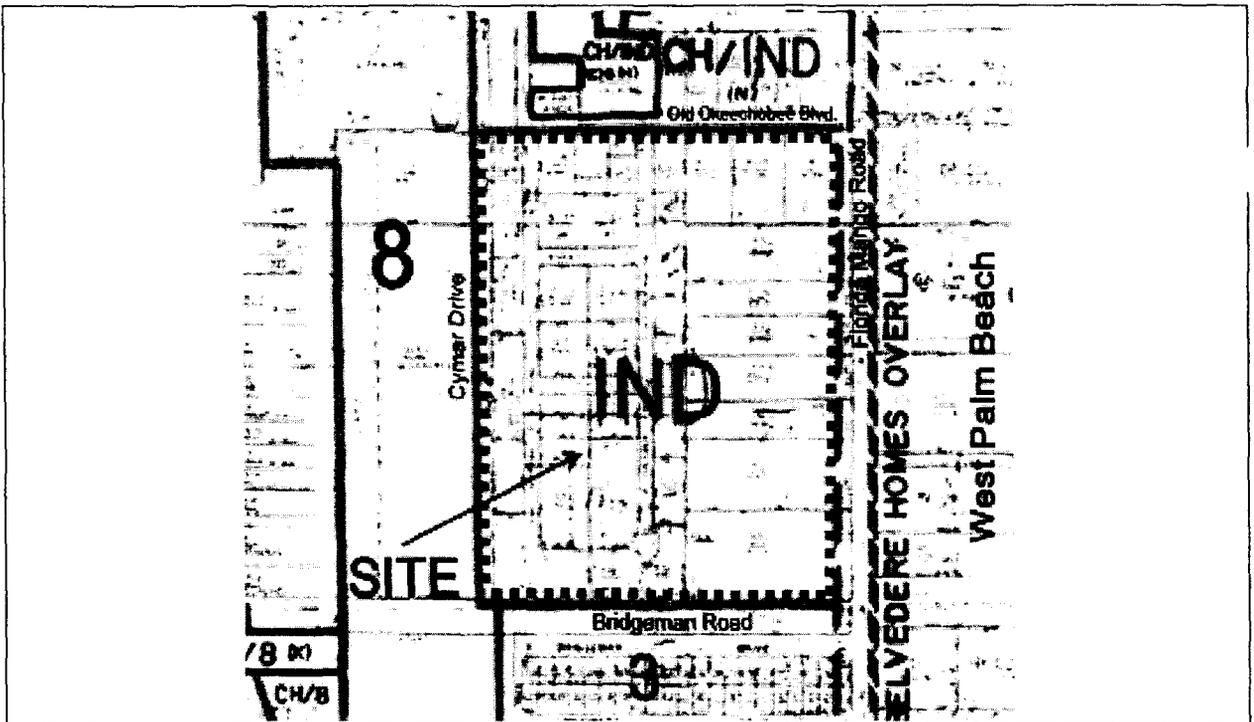


EXHIBIT 2

SUPPORT DATA AND ANALYSIS

Rule 9J-5, F.A.C., requires a land use analysis for each plan amendment, and that land use determinations are based upon this analysis. The analysis of the proposed Future Land Use Atlas amendment addresses, among other items, the following factors, each of which are addressed in detail on the following pages.

A. Consistency with Justification/Need Requirements:	Justification Statement and Demonstrated Need requirements in the Introduction and Administration Element of the 1989 Comprehensive Plan. Justification must be based on one or more of the following factors:
	<ul style="list-style-type: none">• Changed projections. Changed projections in the Comprehensive Plan, including but not limited to amendments that would ensure provision of public facilities;• Changed assumptions. Changed assumptions in the Comprehensive Plan, including but not limited to the fact that an area's growth has altered the character such that the proposed development is now reasonable and consistent with land use characteristics;• Data errors. Data errors, including errors in mapping, vegetative types and natural features in the Comprehensive Plan;• New issues. New issues that have arisen since adoption of the Comprehensive Plan;• Additional Detail or Comprehensiveness. Recognition of a need for additional detail or comprehensiveness in the Comprehensive Plan; or• Data updates. Data updates.
B. Consistency, County Plans:	Palm Beach County 1989 Comprehensive Plan; and other County Plans and Programs;
C. Consistency, State Statutes:	Urban Sprawl Rule, Administrative Rule 9-J5, Sections 163.3177 F.S., and the State Comprehensive Plan, Section 187.201, F.S.;
D. Compatibility:	Adjacent and nearby land uses, both existing and planned;
E. Service Impacts:	Impacts of the proposed amendment on public facilities and services.

A. CONSISTENCY WITH THE JUSTIFICATION/NEED REQUIREMENTS

1. Review of the Justification

This is a County initiated amendment based on **New Issues**.

The proposed Westgate Community Redevelopment Area-Overlay (WCRAO) amendment implements the recommendations and overall vision of the 2005 Amended Redevelopment Plan passed by the Westgate CRA following a public charrette in September of 2003. The 2005 Amended Redevelopment Plan is a revision of the Westgate CRA's 1989 Redevelopment Plan. The latter focused on attending to physical infrastructure needs such as poor drainage, excessive flooding, and pavement of streets. In 1996, these needed improvements were successfully accomplished in some areas of the Westgate area, however, it became apparent to the Westgate CRA Board that due to changing conditions and demographics within the WCRAO, revisions to the 1989 Plan were necessary in order for continued redevelopment activity to be effective in the Westgate area.

Following the September 2003 charrette called for by the Westgate CRA Board, participants recommended that a new Redevelopment Plan should continue to make infrastructure improvements a priority in the WCRAO. However, there should also be more emphasis placed on encouraging commercial corridor development in specific areas of Westgate, and mixed-use and infill development throughout Westgate. The new recommendations flow out of the realization that population growth has been and will continue to be robust in the Westgate area for the foreseeable future and that existing development intensity and density are relatively low for an area that is part of a large metropolitan area. Because of this recognition by the Westgate CRA and charrette participants, the 2005 Amended Redevelopment Plan calls for land use designations that allow for infill and mixed-use development, which are the goals of the land use designations being proposed in the present amendment.

2. Demonstration of Need

Based on the information provided regarding the goals of the 2005 Amended Redevelopment Plan and FLU data for the WCRAO, there is sufficient Demonstration of Need for the proposed land use changes. The existing FLU designations of the 4 subject areas do not allow for the building of mixed-use developments called for in the 2005 Amended Redevelopment Plan. Except for Area 1, which has an INST/IND designation, thus allowing a mixture of Institutional and Industrial uses, none of the four areas allow for the mixing of residential with commercial uses, a mainstay of mixed-use development strategies endorsed by the 2005 Amended Redevelopment Plan.

B. CONSISTENCY WITH COUNTY PLANS AND PROGRAMS

Policies, which pertain to the provision of services and/or development of the site itself, are addressed, where appropriate, in following sections of this report. Other more general policies and growth management directives, which have a relationship to the petition, are addressed below.

1. Consistency with the 1989 Comprehensive Plan

- a. **Introduction and Administration Element Growth Directive:** encourages redirected “growth to the East where services and facilities can be provided and encourage the revitalization/redevelopment of the coastal communities” (p. 1 - 1A). Such redirection of growth also supports the *County Land Use Element Infill Directive* in the Land Use Element that encourages “infill development in urban areas to increase efficient use of land, and existing public facilities and services.” (p. 6-FLUE).

Staff Analysis/Comment: The subject properties are in the Urban/Suburban Tier, and will make use of existing infrastructure. *Thus, the proposed land use designations for the subject areas are consistent with this Directive.*

- b. **Future Land Use Element Sub-Objective 1.2.2:** “Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.”

Staff Analysis/Comment: The proposed amendment would encourage utilization of existing infrastructure in developing infill and mixed-use commercial and residential structures. This proposal is also part of a larger redevelopment strategy, which intends to provide water/sewer lines to existing homes in specified locations that currently depend on septic tanks. *Thus, the proposed amendment is consistent with the goals of this Directive.*

- c. **Future Land Use Element Sub-Objective 1.2.3:** The County shall establish the Revitalization and Redevelopment Overlay to identify neighborhoods that are considered distressed so that they may be targeted for comprehensive and coordinated assistance. This assistance shall involve a partnership of local residents, the County, and other interested stakeholders to reverse blighted conditions and promote the creation of desirable and safe places to live, work, and play.

Staff Analysis/Comment: The proposed amendment includes areas that lie within the Revitalization and Redevelopment Overlay. The proposed land use changes are part of a series of recommendations that were developed subsequent to a community charrette involving residents and businesses that took place in September 2003. The overall aim of the charrette was to create strategies that would improve and sustain the physical and socio-economic quality of life of the Westgate area. *Thus, the proposed amendment is consistent with the goals of this Directive.*

- d. **Future Land Use Element Policy 2.2-f:** The County shall not approve site specific Future Land Use Atlas amendments, which encourage piecemeal development or create residual parcels.

Staff Analysis/Comment: The proposed amendment changes the designation of several parcels in the WCRAO from Industrial (IND) to Commercial High, with underlying Industrial (CH/IND), or Commercial High, with an underlying 8 units per acre (CH/8). As a result of these proposed changes, which aim to encourage mixed-use development, these areas are less likely to develop as pockets of isolation. In addition, the overall strategy of the 2005 Amended Redevelopment Plan is intended to encourage development of mixed-use projects. *Thus, this proposed amendment is consistent with the goals of this Directive.*

2. Consistency with Applicable Neighborhood Plans, Overlays, and Studies

The four areas that are the subject of this amendment fall within the boundaries of two existing overlays; the Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO) per Sub-Objective 1.2.4, and the Revitalization and Redevelopment Overlay (RRO) per Sub-Objective 1.2.3. The boundaries of the two overlays as they relate to the Westgate area are identical: each overlay is bounded on the south by Belvedere Road, on the north by Okeechobee Boulevard, on the east by Florida Mango Road, and on the west by Military Trail.

The overall goals of each overlay area are related; each involves efforts to reverse blighted conditions and revitalize and/or redevelop areas where residents live, work, and play. Under the Comprehensive Plan, the WCRAO, Sub-Objective 1.2.4, states:

The Westgate/Belvedere Homes Community Redevelopment Area Overlay was created to encourage development and redevelopment of the Westgate area. The special land use provisions for the Overlay are designed to arrest deterioration of property values, and preserve affordable housing and complement the efforts to prepare and implement a community redevelopment plan for the Westgate area.

Similarly, under the Comprehensive Plan, the RRO, Sub-Objective 1.2.3, states:

The County shall establish the Revitalization and Redevelopment Overlay to identify neighborhoods that are considered distressed so that they may be targeted for comprehensive and coordinated assistance. This assistance shall involve a partnership of local residents, the County, and other interested stakeholders to reverse blighted conditions and promote the creation of desirable and safe places to live, work, and play.

The Comprehensive Plan, under Policy 1.2.4-e, recognizes the similarities of interest that exist between the RRO and the WCRAO:

The policies of Objective 1.2., the Urban/Suburban Tier, as well as the policies of Sub-objective 1.2.3, the Revitalization and Redevelopment Overlay, shall apply within the Westgate/Belvedere Homes Community Redevelopment Overlay (WCRAO).

Thus, the overall goals of this amendment, as previously articulated in this report, is consistent with those of the WCRAO and the RRO under the Comprehensive Plan.

C. CONSISTENCY WITH THE URBAN SPRAWL RULE

Florida's Department of Community Affairs evaluates local land use amendments for consistency with Administrative Rule 9J-5, which sets out criteria for determining when a proposed plan amendment contributes to urban sprawl, in order to comply with the mandates of Sections 163.3177 Florida Statutes, and the State Comprehensive Plan, Section 187.201, Florida Statutes. The State of Florida regulations (9J-5.006.5) require a thirteen-point analysis of development to assure that such development does not contribute to urban sprawl. An evaluation of each point is provided below.

Urban Sprawl Criteria	Staff Assessment	Sprawl Indicated?
Criteria Related to Land Use Patterns		
9J-5.006.5.1: Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.	The proposed amendment encourages the development of higher density and intensity of mixed-use projects and will not allow for development or uses in excess of the demonstrated need.	No
9J-5.006.5.3: Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.	The proposed amendment promotes mixed-use development within desired areas that will not result in radial, strip, isolated, or ribbon patterned development.	No
9J-5.006.5.10: Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.	The proposed amendment encourages infill development and advocates for the redevelopment of existing areas.	No
9J-5.006.5.11: Fails to encourage an attractive and functional mix of uses.	The proposed amendment encourages and facilitates the creation of mixed-use developments.	No
9J-5.006.5.12: Results in poor accessibility among linked or related land uses.	The proposed mixed-use development pattern will promote and require accessibility among related land uses.	No
9J-5.006.5.13: Results in the loss of significant amounts of functional open space.	The proposed amendment will not result in significant loss of functional space.	No
Criteria related to sites located outside or at the edge of the Urban/Suburban Tier		
9J-5.006.5.2: Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.	The proposed amendment is within the Urban/Suburban Tier in an area that is already developed with residential uses.	No
9J-5.006.5.4: As a result of premature or poorly planned conversion of rural land to other uses, fails adequately to 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.	The proposed amendment is within the Urban/Suburban Tier that is already mostly developed and does not exhibit rural area characteristics.	No
9J-5.006.5.5: Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.	The proposed amendment is within the Urban/Suburban Tier and is not considered, nor is it adjacent to, an agricultural area.	No
9J-5.006.5.9: Fails to provide a clear separation between rural and urban uses.	The proposed amendment lies within the Urban/Suburban Tier surrounded by urban uses.	No

Urban Sprawl Criteria	Staff Assessment	Sprawl Indicated?
Criteria Related to Public Facilities		
9J-5.006.5.6: Fails to maximize use of existing public facilities and services.	Palm Beach County Water Utilities is the service provider. The proposed amendment encourages mixed-use and infill development which takes advantage of existing facilities and services.	No
9J-5.006.5.7: Fails to maximize use of future public facilities and services.	Palm Beach County Water Utilities is the service provider. The proposed amendment encourages mixed-use and infill development which takes advantage of existing and future facilities and services.	No
9J-5.006.5.8: 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, wastewater, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.	This amendment recognizes an existing land use pattern that is within the Urban/Suburban Tier where urban services are planned.	No
Overall Assessment: The proposed amendment does not encourage urban sprawl		

D. COMPATIBILITY

Compatibility Directive, Land Use Element, page 1-LU: This directive requires that the densities and intensities of land uses not be in conflict with those of surrounding areas, whether incorporated or unincorporated.

Staff Analysis/Comment: The 4 areas that are the subject of the proposed amendment are generally compatible with the surrounding areas as they primarily have higher density or intensity FLU designations. Area 1 (see Exhibit 1) -proposed FLU CH/8- is surrounded by HR-8 designations on the north, west, and south borders and by CH designations on the east. Area 2-proposed FLU CH/8-is surrounded by CH/8 designations to the north, south, east, and west. Area 3-proposed FLU CL/8- is surrounded by CH/8 to the north and east, by HR-18 to the west, and MR-5 to the south. Area 4-proposed FLU CH/IND-has CH/IND designated land to the north, HR-8 to the west, and LR-3 to the south. It is bounded on the east by the City of West Palm Beach which has an IND FLU designation.

Although there are residential sites adjacent to Area 4, which has a proposed CH/IND FLU designation, the proposed FLU designations for the proposed amendment do not generally create conflicting densities and intensities between the 4 subject areas and the surrounding sites.

E. SERVICE IMPACTS

The following section examines the impacts of the proposed amendment on public facilities.

- Traffic Findings:** The Westgate Community Redevelopment Area-Overlay (WCRAO) was divided into 4 separate areas with each area containing a collection of individually owned parcels belonging to multiple owners. Even though land use changes are being

done areawise, the parcels will come in for development individually. Hence staff examined the traffic impacts of the largest parcel in each area for the year 2025 and found that there would be no significant impacts on the roadway system for Area 2 and Area 3. There would be significant impacts on the roadway system for Area 1 and Area 4 assuming a 1.0 FAR. But if the largest parcel in Area 1 and Area 4 are conditioned to 0.86 FAR and 0.92 FAR, respectively, then the traffic will not exceed the capacity of the surrounding roadway network. However it has to be noted that Okeechobee Blvd. has a CRALLS designation and is targeted for Corridor Master Plan. Projects utilizing the CRALLS designations will be subject to mitigation, which may include measures such as reducing density/intensity. The proposed land use amendment increasing the intensity may negatively impact the projects utilizing the CRALLS and may result in requiring further reduction of density/intensity of these projects. A land use amendment increasing the trips on the CRALLS segments, therefore, may create a negative impact on other developments in the area.

- 2. Traffic Impacts, Land Use Element Policy 3.5-d:** “The County shall not approve a change to the Future Land Use Atlas which results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at the adopted level of service standard based upon the adopted Long Range Transportation Plan.” (p. 72-FLUE)

Staff Analysis/Comment:

Area 1

Future 2025 Traffic Projections: Based upon the 2025 volume estimates provided at the maximum intensity (1.0 FAR) of 566,280 sq. ft. of commercial on the 13 acre parcel, which is the largest parcel in the area, the following roadway segments within the impacted area (3 mile radius) will not operate at an acceptable Level of Service.

Okeechobee Blvd from Military Trail to Palm Beach Lakes Blvd.
Military Tr from Okeechobee Blvd to Westgate Ave.
Military Tr from Belvedere Rd to Southern Blvd.
Palm Beach Lakes from Village Blvd to I-95

The project traffic on Okeechobee Blvd. and Military Tr. will be more than 3% of the adopted Level of Service ‘D’ volumes, if developed at the maximum 1.0 FAR, and will, therefore, be significant.

Conclusion: At the maximum intensity (566,280 sq. ft. of commercial) the project would generate traffic in excess of the allowable 3% of the adopted Level of Service volumes on Okeechobee Blvd. and Military Tr. for the year 2025. As a result this amendment at the maximum intensity would be inconsistent with the traffic requirements of the Comprehensive Plan for land use amendments.

However, the application will be consistent with the traffic requirements of the Comprehensive Plan if it is conditioned to 0.86 FAR. Based on this condition, the traffic analysis shows that the following roadway segments will exceed the capacity in 2025.

Okeechobee Blvd. from Military Trail to Palm Beach Lakes Blvd.
Military Trail from Belvedere Road to Southern Blvd.
Palm Beach Lakes from Village Blvd to I-95

The project traffic on these segments will be less than 3% of the adopted LOS and therefore, will not be significant. As a result, this conditional amendment will be consistent with the traffic requirements of the Comprehensive Plan for land use amendments.

Area 2

Future 2025 Traffic Projections: Based upon the 2025 volume projections provided in Exhibit 6B (at the maximum intensity of 1.0 FAR of 181,645 sq. ft. of commercial), on the 4.17-acre parcel, which is the largest parcel in Area 2, Palm Beach Lakes Blvd from Village Blvd. to I-95 will not operate at an acceptable Level of Service.

However, the project traffic on this segment is projected to be less than 3% of the LOS D volumes of the segments and will, therefore, not be significant.

Conclusion: The applicant's traffic analysis indicates that one roadway segment is projected to exceed capacity in the year 2025. However, the project traffic on this segment would be less than 3% of LOS D volumes and, therefore, would not be significant. As a result, this amendment will be consistent with the traffic requirements of the Comprehensive Plan for land use amendments.

Area 3

Future 2025 Traffic Projections: Based upon the 2025 volume projections provided in Exhibit 6C(at the maximum intensity of 1.0 FAR of 116,741 sq. ft. of commercial), on the 2.68-acre parcel, which is the largest parcel in Area 3, all road segments within the affected area (2 miles) will operate at an acceptable level of service.

Conclusion: The applicant's traffic analysis indicates that all affected road segments are projected to operate within LOS D capacity in 2025. As a result, this amendment is consistent with the traffic requirements of the comprehensive plan for land use amendments.

Area 4

Future 2025 Traffic Projections: Based upon the 2025 volume estimates provided in Exhibit 6D, at the maximum intensity (1.0 FAR) of 387,684 sq. ft. of commercial on the 8.9-acre parcel, which is the largest parcel in Area 4, Australian Ave from Belvedere Rd. to Southern Blvd. will not operate at an acceptable Level of Service. The project traffic will be more than 3% of the adopted Level of Service 'D' volumes and will, therefore, be significant.

Conclusion: At the maximum intensity (387,684 SF of commercial) the project would generate traffic in excess of the allowable 3% of the adopted Level of Service volumes on Australian Ave from Belvedere Rd. to Southern Blvd. for the year 2025. As a result this amendment at the maximum intensity would be inconsistent with the traffic requirements of the Comprehensive Plan for land use amendments.

However, the application will be consistent with the traffic requirements of the Comprehensive Plan if it is conditioned to 0.92 FAR. Based on this condition, the traffic analysis in Exhibit 8B shows that Australian Ave from Belvedere Rd. to Southern Blvd. will exceed the capacity in 2025. The project traffic on this segment will be less than 3% of the adopted LOS and therefore, will not be significant. As a result, this conditional amendment will be consistent with the traffic requirements of the Comprehensive Plan for land use amendments.

- 3. Mass Transit Impact:** The Westgate CRA points out that five bus lines operated by Palm Tran lies within the WCRAO. They are Routes 3, 40, 43, 44, and 53.

Staff Analysis/Comment: Palm Tran had no concerns with the proposed amendment

- 4. Potable Water & Sanitary Wastewater Impacts:** Palm Beach County Water Utilities Department is the potable water and sewer provider (PBCWUD).

Staff Analysis/Comment: There are no potable water or wastewater issues with the proposed land use change as all 4 areas either have or are planned to receive these services.

5. **Health Impacts:** Water and wastewater service is available in the WCRAO, there do not appear to be health concerns.

Staff Analysis/Comment: Palm Beach County Health Department had no concerns with the proposed amendment.
6. **Fire-Rescue Impact:** The WCRAO is currently served by PBC Fire Rescue Station #24 located at 1734 Seminole Blvd., W. Palm Beach, 33409.

Staff Analysis/Comment: The subject properties are approximately within a ½-mile radius from the station. In fiscal year 2004, the station had an average response of 5:29 to its entire service area. The proposed amendment has no impact on Fire Rescue.
7. **Environmental Impacts - Wellfield Protection:** The WCRAO is not located in a Wellfield Zone.

Staff Analysis/Comment: ERM has been contacted and has stated that there are no issues of significance associated with the proposed amendment.
8. **Conservation Policy 2.1-d - 25% Set Aside:** "The County shall require that all developments set aside as preserve areas a minimum of 25 percent of the total upland native plant communities on-site or 25 percent of each native plant community that occurs on-site." ERM

Staff Analysis/Comment: ERM has been contacted and has stated that there are no vegetation issues associated with the proposed amendment.
9. **Parks and Recreation, School System, Library Impacts:** The proposed amendment is requesting land use changes to Commercial High (CH) and Commercial Low (CL) as its primary use. The proposed amendment should have little or no effect on these services because it is primarily a land use change from a residential category to a commercial category with underlying residential. However, Area 1 (13 acres) is proposed to change from INST/IND to CH/8, thus introducing residential uses but that generate little need for those services.

Staff Analysis/Comment: The Parks and Recreation Department, the PBCSD, and the County Library System had no concerns regarding the proposed amendment.
10. **Historic Resources Impacts:** There have been no historic or architecturally significant resources identified on or within 500 feet of the subject site.

Staff Analysis/Comment: Historic Resources staff indicated there are no issues regarding this proposed amendment.
11. **Overall Impacts, Land Use Element Policy 2.1-f:** "The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services."

Staff Analysis/Comment: The proposed amendment is not within a Wellfield Protection Zone. Water/sewer lines and septic tanks serve the WCRAO. The proposed

amendment is part of a larger series of projects that includes expansion of or delivery of the water and sewer infrastructure in specified areas of the WCRAO.

12. **Other Impacts - Unified Land Development Code:** The intent of the amendment is to implement the 2005 Amended Redevelopment Plan which supports mixed-use development. There will be future ULDC amendments to implement the 2005 Amended Redevelopment Plan.

Staff Analysis/Comment: Zoning Staff Comments.

1. Amendments should be conditioned to prohibit any rezoning and associated redevelopment, pending the adoption of a revised WCRA-O in the ULDC to be consistent with the goals and objectives of the WCRA Master Plan. Note: Staff has responded to the first draft of the proposed WCRA-O rewrite prepared by the CRA consultants, and expects to receive a revised draft soon.

2. To be consistent with proposed mixed use redevelopment outlined in the Master Plan, Code Revision staff recommends the following:

- a) Any commercial uses in the proposed redevelopment area north and south of Westgate Avenue, lying between Congress Avenue and Canal, should be required to incorporate residential uses (vertically or horizontally). Staff suggests, that the amount be one unit, or 25% of overall project, whichever is greater. See also, affordable housing provision comments under TCEA amendment.
- b) Commercial uses should be limited to the ground floor only, with office uses permitted on the 2nd Floor.
- c) Policy 1.2-a: Please ensure that 40% requirement applies to each specific project, not a developer. Whereas, one developer may have more than one density pool project, and this language would allow for the percentage to be met on only one project site. Also, add language to ensure that the required affordable housing is equitably distributed throughout a project.

3. Creation of Non-conforming uses: The proposed Master Plan and related WCRA-O amendments may result in the creation of several non-conforming uses. Existing residential uses should be allowed to remain if the owner desires, and be renovated or expanded in accordance with existing PDR's.

4. Institutional Land Uses: Consideration needs to be made for existing INST and publically owned uses proposed for Commercial designation, including but not limited to: High School on Westgate, elementary school south of Westgate Ave., fire station, park, and any INST churches.

13. **Community Services Department:** The Community Services Department was contacted for comment on the proposed Amendment.

Staff Analysis/Comment: The CSD commented that there was no conflict between the goals and policies of the proposed amendment and those of the Department.

14. **Office of Community Revitalization:** There are two County Community Revitalization Team (CCRT) Areas in the WCRAO: Belvedere Homes and Westgate.

Staff Analysis/Comment: The OCR staff indicated that there are no issues regarding this proposed amendment.

Public Facilities Impacts Table

Public Facility	Demand - Existing FLU INST/IND, HR-8 & CH, HR-8, and IND	Demand - Proposed FLU CH/8, CL/8, and CH/IND	Demand Change	LOS Standard	Meets LOS?	
Traffic				See Traffic Analysis	Yes	
Mass Transit	No additional requirements	No additional requirements	None	Countywide headways of 60 min. with shorter headways in urban areas.	Yes	
Potable Water (Palm Beach County Water Utilities)	Area1 .1 gal x 566,280 sf x .45 FAR = 25,482.6 gpd	.1 gal x 566,280 s.f. x 1 FAR = 56,628 gpd 104 du x 2.34gph x 180 gpd = 43,804.8 gpd	Increase of 74,950.2 gpd	.1 gal/day/sf (com) 180 gal/day/pers (res)	Yes	
	Area2 691.12 du x 2.34gph x 180 gpd = 291,099.7 gpd Area2 .1 gal x 246,985.2 s.f. x 1 FAR = 24,698.52 gpd	.1 gal x 4,010,133.6 s.f. x 1 FAR = 401,013.36 gpd 736.48 du x 2.34gph x 180gpd = 310,205.37 gpd	Increase of 395,420.51 gpd			
	Area3 883.44 du x 2.34gph x 180 gpd = 372,104.9 gpd	.1 gal x 4,810,330.8 s.f. x 1 FAR = 481,033.08 gpd 883 du x 2.34gph x 180gpd = 372,104.92 gpd	Increase of 481,033.08 gpd			
	Area4 .1 gal x 2,395,800 s.f. x .45 FAR = 107,811 gpd	.1 gal x 2,395,800 s.f x 1 FAR = 239,580 gpd	Increase of 131,769gpd			
Wastewater (Palm Beach County Water Utilities)	Area1 .1 gal x 566,280s.f. x .45 FAR = 25,482.6 gpd	.1 gal x 566,280 s.f. x 1 FAR = 56,628 gpd 104 du x 2.34gph x 100 gpd = 24,336 gpd	Increase of 55,481.4 gpd	.1 gal/day/sf (com) 100 gal/day/pers (res)	Yes	
	Area2 691.12 du x 2.34 gph x 100 gpd = 101,722 gpd .1 gal x 246,985 s.f. x 1 FAR = 24,698.5 gpd	.1 gal x 4,010,133.6 s.f. x 1 FAR = 401,013.36 gpd 736.48 du x 2.34 gph x 100 gpd = 172,336.32 gpd	Increase of 446,929.18 gpd			
	Area3 883.44 du x 2.34 gph x 100 gpd = 206,724.96 gpd	.1 gal x 4,810,330.8 s.f. x 1 FAR = 481,033.08 gph 883 du x 2.34gph x 100 gpd = 206,724.96 gph	Increase of 481,033.08 gpd			
	Area4 .1 gal x 2,395,800 s.f. x .45 FAR = 107,811 gpd	.1 gal x 2,395,800 s.f. x 1 FAR = 239,580 gph	Increase of 131,769 gpd			
Drainage (LWDD)	The site falls within the C-51 drainage basin. Legal positive outfall will be provided using a direct connection to the L-2 canal along the south side of Oswego Avenue. LPO will also be achieved utilizing the E3 ½ 8 Canal along Congress Avenue that runs into the L2 Canal. The L2B Canal will also be utilized for LPO. Each canal drains directly or indirectly into the C-51 basin. Much of the drainage will also be retained on-site.			Conveyance of all off-site discharge to a point of legal positive outfall	Yes	
Solid Waste	Solid Waste Authority uses a per capita LOS standard and does not differentiate by use.	N/A	7.13 lb/person/day		Yes	
Fire/Rescue	Avg. response time for station #24 to its entire service area: 5:29 min.	Palm Beach County Station #24 located at 1734 Seminole Boulevard within a 0.5 mile radius from the specified areas.		No impact	Countywide average response time: 7.5 min.	Yes
Wellfield Protection	Not located in a wellfield zone.	N/A	N/A		N/A	
Historic Resources	No known historical resources have been found on site.	N/A	N/A		N/A	

EXHIBIT 3

Parcel Control Numbers: LGA 2005-00021 (Area 1)

0042432500001050
00424325190000000
0042432500001341
0042432500001600
0042432500001430
0042432500001290
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0042432500001490
0042432500001340
00424325190000000
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00424325190000000
0042432500001481
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Parcel Control Numbers: LGA 2005-00022 (Area 2)

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00434330030240310	00434329050000180	00424324010000020	00434330030150570	00434330010040290
00434330030320310	00434330030210250	00434330030230580	00424325000001030	00434330080000012
00434330030270530	00434330030300220	00434330030270070	00434330030230120	00434330030250330
00434330030310461	00434330030170310	00434330010050210	00434330030130010	00434330030230010
00424325220010000	00434330030300490	00434330030100050	00434330030350530	00434330010010220
00424325000001650	00424325000001013	00434330030250310	00434330070000023	00434330010040110
00434330010050250	00434330030230180	00424325000001320	00434330030370400	00434330030170160
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00434330030320240	00434330030180460	00434330030670022	74434319040010010	00434329050000190
00434330030240061	00434330030350081	00434330010020130	00434330010020050	00434330030250250
00434330030270010	00434330030130170	00434330030220530	00434330010020010	00434330030100410
00434330010010010	00434330020000130	00434330030270510	00424325000001110	00434330030190470
00434330030270370	74434319080000030	00434330030200010	00434330030230200	00434330030190380
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00434330030230400	00434330030170310	00434330030340160	00434330030130200	00434330070000012
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Parcel Control Numbers: LGA 2005-0022 (Area 2 Continued)

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00434330030130140	00424325000001670	00434330030070361	00434330030320230	00434330030280070

Parcel Control Numbers: LGA 2005-0022 (Area 2 Continued)

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00434330030340310	00434330030360160	00434330030110310	00424325000001010	00434330030270110
00424325000001040	00434330030240200	00434330030340112	00434330030280280	00434330030150390
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00424325000001200	00434330030200561	00434330020000150	00434330030180050	00434330030200261
74434319040030081	00424324010000042	00434330030240460	00434330010010101	74434319040030010
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00434330030220440	00434330030320090	00434330030280560	00434330030290120	00434330030340070
00434330070000022	00434330030070290	00434330030360240	00434330030230060	00434330030160130
00434330030310030	00434330050000026	00424325000001490	00434330030140010	00434330030260270
00434330030250170	00434330030210120	00434330030290010	00434330030140050	00434330030130230
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Parcel Control Numbers: LGA 2005-00023 (Area 3)

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00424325070140040	00434330150110200	00434330030580580	00434330030600120
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00434330150120130	00434330030290010	00434330030260570	00434330120000210
00434329000003210	00434330030280160	00434330030320270	00434329000003240
00434330030510160	00434330030270460	00434330030640160	00434329000003160
00434330030620160	00434330060000022	00434330150120100	00434330030430590
00434330030540550	00434330150110420	00434330030350561	00434330030290390
00434330150080300	00434330150080060	00434330030550440	00434330140010070
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00434330030330090	00434330030260270	00434330150130140	00434330030580050
00434330030400440	00434330030370250	00434330030420310	00434330150110310
00434330030400310	00434330030280100	00434330150130080	00424325070150110
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00434330030420240	00434330030640090	00434330120000160	00424325070150040
00434330030520160	00434330150080030	00434330150100060	00434330130020320
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00434330030570010	00434330030290310	00434330130020120	00434330150110060
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00434330150080160	00434330130030060	00434330150120110	00434330030540490
00434330150090030	00434330030430540	00434330150080270	00434330030280230
00434330150090160	00434330150130110	00434330020000110	00434330030640010
00434330030570240	00434330030350530	00434330030420190	00434330030380550
00434330030270010	00434330030460390	00434330030580480	00434330030370070
00434330150110270	00434330030580430	00434330030330202	00434330150090110
00434330030420110	00434330100000013	00434330030370090	00434330030420160
00434330030270370	00434330040000032	00434330030410340	00434330030620010
00434330030320050	00434330030370400	00434330030370480	00434330030330310

Parcel Control Numbers: LGA 2005-00023 (Area 3 Continued)

00434330030370370	00434330030310420	00434330030350010	00434330030370340
00424325070150060	00434330030480530	00434330030400281	00424325070140020
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00434330130020260	00434330030460410	00434330030550150	00434330130020150
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00434330030600090	00434330030480350	00434330030370220	00434330030290160
00434330030340350	00434330110570021	00434330030410311	00434330070000051
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00434330030490250	00434330030310010	00434330030320390	00434330030270110
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00434329050000360	00434330030250010	00434330030540360	00434330030540420
00424325000001380	00434330160010140	00434330150120430	00434330030400360
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00434330030620190	00434330030580280	00424325070130060	00424325070150010
00434330030550400	00434330030350240	00434330130020110	00434330040000023
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00434330030610230	00434330030340210	00434330150100120	00434330020000420
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00434330120000271	00434330160010110	00434330030320090	00434330130040010
00434330030540310	00434330150130060	00434330030620090	00434330150110130
00434330030290350	00434330030600160	00434330030610160	00434330030610030

Parcel Control Numbers: LGA 2005-00023 (Area 3 Continued)

00434330020000570	00434330150100100	00424325070150130	00434330030320010
00434330030480180	00434330030400460	00434330030600510	00434330150080240
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00434330030500560	00434330160030040	00434330030380250	00434330080000032
00434330030310190	00434330130010100	00434330100000032	00434330130020160
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00434330030300571	00434330130020230	00434329000007330	00434330030540160
00434330030430480	00434330150110370	00434330030370190	00434330030540240
00434329000003180	00434330150110100	00434330100000015	00434330030250550
00434330030490230	00434330150090060	00434330160020050	00434330040000025
00434330130030130	00434330150110410	00434330030270070	00434330130020130
00434330030420220	00434330030490060	00434330030660220	00434330150120030
00434330150110160	00434330030480130	00434330040000024	00434330150120170
00434330030320530	00434330030500350	00424325070130050	00434330030330010
00434330150100080	00434330030280070	00434330120000260	00434330160050060
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00434330030310270	00434330160020030	00424325070130090	00434330060000044
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00434330030490010	00434330130020300	00434330030460570	00434330030320410
00434330030640050	00434330030480090	00434330030490180	00434330030350500
00434330030270272	00434330030500580	00434330150090050	00434330030380010
00434330030430520	00434330030260160	00434330160010160	00434330030310120
00424325000001360	00434330030360510	00434330130020040	00434330030490100
00434330150110300	00434330130010110	00434330150110380	00434330030250390
00434330150130180	00434330150120180	00434330150110210	00434330150090020
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00434330030310150	00434330030260010	00434330030360420	00434330040000026
00434330030300530	00434330150080190	00434330130010010	00434330030380571

Parcel Control Numbers: LGA 2005-00023 (Area 3 Continued)

00434330030600581	00434330030460520	00434330130030150	00434330150110180
00434330030480261	00434330050000050	00434330030420410	00434330160010090
00434330030490150	00434330150130190	00434330070000081	00434330130020340
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00424325070150020	00434330070000060	00434330030420270	00434330030580240
00424325070150120	00434330130030080	00434330030580540	00434330160010170
00424325070140010	00434330030340400	00434330030640200	00434330160020070
00434330130010020	00434330150110050	00434330030330510	00434330150120150
00434330130030020	00434330030610280	00434330030370600	00434330030460290
00434330150110340	00434330030310030	00434330030660260	00434330030260180
00434330150090010	00434330030250170	00434330040000020	00434330100000012
00434330030480570	00434330030580410	00434330130030140	00434330040000035
00434330030270200	00424325070130070	00434330020000230	00434330140010060
00434330030380160	00434330150120190	00434330030290431	00434330030540440
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00434330030390160	00434330030380430	00434330030340420	00434330030400282
00434330130030070	00434330030480281	00434330030490030	00434330030310370
00434330150110120	00434330160030010	00434330030290160	00434330150130050
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00434330100000038	00434330120000130	00434330150080070	00434330030330110
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00434330030490270	00434330030600470	00434330030600070	00434330150080120
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00434330030300220	00434330030430320	00434330030380310	00434330030460360
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00434330030540280	00434330030580010	00434330150090140	00434330030270310
00434330030300490	00434330030330050	00434330150100030	00434330030430020
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00424325070150140	00434330030400180	00434330030520240	00434330030460030
00434330150100050	00434330030460260	00434330030390520	00434330150090080
00434330030280320	00434330030390270	00434330030360010	00434330070000074
00434330030350081	00434330030250330	00434330030250370	00434330130020350

Parcel Control Numbers: LGA 2005-0023 (Area 3 Continued)

00434330150130160	00434330100000033	00434330070000053	00434330030580120
00434330020000130	00434330100000031	00434330150080110	00434330030430010
00434329000003190	00434330150120140	00434330030340480	00434330150120120
00434330030520200	00434330030370440	00434330030380530	00434330030550420
00434330080000033	00434330030620050	00434330030260470	00434330130020020
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00434330150080150	00434330150100040	00434330030580070	00434330030540460
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00434330030480420	00434330030250250	00434330030420010	00434330030360160
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00434330150110020	00434330130030100	00434330030540260	00434330030420460
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00434330030380350	00434330030580310	00434330150120160	00434330030380050
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00434330030480380	00434330150110080	00434330030300273	00434330160030030
00434330030340010	00434330150080080	00434330030340270	00434330160060020
00434330030400080	00434330040000031	00434330030520500	00434330130020030
00434330030460240	00434330020000610	00434330030450460	00434330130030170
00434330060000026	00434330150110290	00434330030270440	00434330030330550
00434330160060030	00434330030660160	00424325070150050	00434330030270240
00434330130020190	00434330030350460	00434330130020310	00434330100000036
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00434330150130120	00434330030310530	00434330150120410	00434330170010232
00434330150120070	00434330030430090	00434330150110280	00434330160010130
00434330030280400	00434330030490210	00434330020000190	00434330150110150
00434330030370460	00434330030280370	00434330030290120	00434330030610010
00434329000007190	00434330070000076	00434330030340112	00434330040000027
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00434330080000035	00434330100000014	00434330030400520	00434330030480510
00434330030620070	00424325070140050	00434330030370540	00434330030450160
00434330030550010	00434330150130070	00434330150110170	00434330030320550
00434330030550410	00434330150120060	00434330150080200	00434330120000160
00434329000003230	00434330150110140	00434330030350200	00434330130010050
00434330150120020	00434330150080050	00434330030290410	00434330130010040
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00434330030420380	00434330160030050	00434330030390570	00434330150100070
00434330030280560	00434330030390010	00434330030480310	00434330030400130
00434330130040040	00434330030270410	00434330030510010	00434330030330440

Parcel Control Numbers: LGA 2005-00023 (Area 3 Continued)

00434330030360240	00434330130020170	00434329000007250	00434330030600250
00434330130030160	00434330030580160	00434330030480330	00434330030470160
00434330030600550	00424325240010000	00434330030550050	00434330030470160
00434330030620220	00424325000001670	00434330110570010	00434330030550070
00434330030620110	00434330030600270	00434330040000034	00434330030550030
00434330030280460	00434330030580461	00434330030310220	00434330030410160

Parcel Control Numbers: LGA 2005-00024 (Area 4)

00434329020080120	00434329000003440	00434329000003050	00434329000003116
00434329020080350	00434329020080160	74434329000001330	00434329000003840
00434329020080020	00434329000003790	00434329000003030	00434329020070360
00434329000003112	00434329020080180	00434329020070390	00434329020080060
00434329020080240	00434329000003104	00434329020070420	00434329000003750
74434329000001030	00434329060000030	00434329020080040	00434329020080050
00434329050000330	00434329050000320	00434329050000230	00434329000003740
00434329050000310	00434329000003036	00434329000003410	00434329020080150
00434329000003360	00434329000003037	00434329020080110	00434329020080290
00434329020080280	00434329050000280	00434329020080330	00434329000003040
00434329020070280	00434329000003720	00434329000003117	00434329020080190
00434329020080140	00434329000003113	74434329000001060	00434329000003120
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00434329050000240	00434329020080130	00434329000003550	00434329000003710
00434329000003910	00434329020080090	00434329020080390	74434329000001350
00434329020070270	00434329020080250	00434329000003092	00434329000003131
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00434329020070250	00434329000003730	00434329020080380	00434329000003360
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00434329020070400	00434329020070320	74434329000001050	74434329000005120
00434329020070350	00434329000003760	00434329020070240	00434329020070220
00434329020080310	00434329020080340	00434329000003080	00434329000003030
00434329020070380	00434329000003034	00434329000003940	74434329000003610
00434329000003390	00434329020080100	00434329020080260	00434329050000260
00434329030000010	00434329020080010	00434329000003038	00434329020080300
00434329000003115	00434329000003111	00434329020080030	00434329000003105
74434329000005130	00434329020070340	74434329000001070	00434329020070310
00434329000003032	74434329000001270	00434329000003093	00434329020080220
00434329000003033	74434329000001280	00434329020080080	
00434329020080170	00434329020070230	00434329020070330	
00434329000003114	00434329000003920	00434329060000010	
00434329020070290	00434329020080070	00434329020080270	

Parcel Control Numbers: LGA 2005-00024 (Area 4 Continued)

00434329020080200	00434329020070300
00434329000003039	00434329020080210
00434329020080410	00434329020080320
00434329000003110	74434329000001120
00434329020070370	74434329000001053
00434329020080230	00434329000003900
74434329000001290	00434329000003031
00434329000003041	74434329000005131
00434329020080360	

EXHIBIT 4

LETTERS IN SUPPORT OR OPPOSITION

W.G.H.N.A.

(Westgate / Golfview Heights Neighborhood Association) of two

Palm Beach County Board Of County Commissioners
301 North Olive Ave.
12th Floor
West Palm Beach, FL 33401

Wednesday, April 6, 2005

Honorable Members of the Board:

The purpose of this letter is to express residents' concerns with the proposed future land use amendments, the extension of the TCEA (traffic control exception area) guidelines, and Bonus Density Pool extension from 300 to 1300.

The master plan showed beautiful pictures depicting mixed type of uses for Westgate and Congress Avenues, with first floor retail stores and multi-floored apartments or condos above them. This type of uses is certainly very appealing to most of us, as it would make our area more appealing and desirable to businesses and residents alike while leaving the "old time charm" of the residential Westgate intact.

We understand, and support, the tax dollars new businesses can bring into our CRA budget, and we even support the existing commercial land uses along our CRA thoroughfares, including Okeechobee Blvd., Military Trail, Congress Avenue, Westgate Avenue, Belvedere Road and the industrial park off Church Street. These businesses are easily accessed from other county and state thoroughfares without much traffic through our residential streets. Our concern with the proposed amendments, however, is their impact to the residential community, as the proposed commercial land uses extend beyond our mayor thoroughfares.

Post Office Box 22132 West Palm Beach FL 33416

Bringing commercial opportunities to the interior of Westgate will certainly bring an increase in "nonresidential" traffic coming in and out of our residential community on a daily basis posing a threat to the pedestrian. Every speed hump we put in has resulted in an increase of high-speed traffic on parallel streets. If commercial businesses bring in more traffic, we may be renamed "humpville - an undesirable place to shop." This would be a short-lived revitalization.

If our area would not be a TCEA (the only one in Palm Beach County), our community would be already "overbuilt" and in violation of Palm Beach County Traffic Control codes. If the TCEA would not be expanded, and existing properties would be the only ones allowed to be "grand-fathered" in, the proposed future land use amendments would probably not be a threat to our quiet little neighborhood.

We are also concerned with the proposed expansion of the density bonuses. There are many vacant lots and business parks for sale already zoned for commercial use along our mayor thoroughfares. Our "bonus Density Pool" is the only one we know of in the entire state. If that does not attract new businesses, we don't know what quadrupling it will do other than attracting another super Walmart.

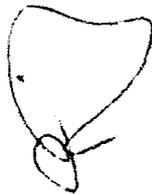
In summary, we, the residents of the Westgate/Golfview Heights Neighborhood Association consider that the future impact of these changes will not only erode the residential neighborly charm of this area but also create public safety issues.

In closing, we respectfully ask that if you are to approve the proposed amendments in part or in full to please have some provisions in place to:

1) ensure that new development will not pose a negative impact on our neighborhood streets; 2) limit the amount of units per acre to allow the development of townhouses to only one block from our thoroughfares to allow easy ingress and egress from those thoroughfares rather than through our single family homes; 3) new development or redevelopment that occurs as a result of the approved changes are compatible with and build upon the residential character of our community; and 4) to avoid the commercial uses to create unpleasant commercial strip environments. Hopefully, these and other provisions will help ensure that future development does not negatively impact our residential community and the overall ambiance of our community.

We thank you for your consideration to this request. If you have any questions or would like to discuss the content of this letter in greater detail, please do not hesitate to contact me at (561) 616-2549. We thank you for your cooperation and support to our desire to bring safety, and hope, to our community!

Cordially,

A handwritten signature in black ink, appearing to read "Edward Kaye". The signature is stylized with a large, sweeping initial "E" and a smaller "K" and "A" following.

Edward Kaye, President

W.G.H.N.A

To Whom It May Concern:

In regards to the future land use in Westgate, I respectfully ask you not to pass and adopt changes to the land use in the proposed Westgate areas. I also oppose extending the traffic control exemption area guidelines. The impact of these changes will only erode the residential charm of the neighborhood and create safety issues.

Businesses bring tax dollars into the CRA budget but it accessed from other thoroughfares without having more traffic through our neighborhood. There are business parks already zoned commercial. Westgate Ave and Congress Ave were in the master plan so why not leave the residential Westgate intact.

A lot of the residence in Westgate, feel traffic is above what our streets were designed to handle. We need to curb the additional traffic that businesses will bring in by not amending and extending the traffic control exemption area.

Bringing commercial opportunities into Westgate will increase nonresidential traffic coming in and out of the community daily. There are a lot of kids and pedestrian safety issues. More businesses, more traffic, where will this end in a small community like ours.

Barbara Kreiner

Barbara Kreiner
Treasurer WGHNA

EXHIBIT 5

TRAFFIC STUDY

Available to the LPA and BCC upon request.

2.D.3 WESTGATE – CRA OVERLAY BONUS POOL UNITS



TEXT AMENDMENT STAFF REPORT AMENDMENT ROUND 05-1

Item Name:	Westgate Community Redevelopment Area Overlay Bonus Pool Units
Elements:	Future Land Use Element
Item Before the Board:	To hold a public hearing on a proposed amendment to the Future Land Use Element (FLUE) which will: <ul style="list-style-type: none">• Revise Policy 1.2.4-b to increase the number of bonus pool units for the Westgate Community Redevelopment Area (CRA) from 300 units to 1300 units.
Meeting Date:	BCC Adoption Public Hearing, August 22, 2005
Project Manager:	Etim S. Udoh, Senior Planner
MOTION: To <i>adopt</i> the proposed amendment.	

- A. **Planning Recommendation:** Staff recommends *approval* based on the findings and conclusions presented in this report.
- B. **LPA Recommendation:** Motion to recommend *approval* passed in a unanimous vote (11-0) at March 18, 2005 Public Hearing. There was minimal Board discussion and no public comment on this item.
- C. **BCC Transmittal Action:** Motion by Comm. Koons, seconded by Comm. Aarosan, to *transmit* passed in a unanimous vote (6-0, with Commissioner Greene absent) at the April 6, 2005 Public Hearing. There was minimal Board discussion and no public comment on this item.

POST TRANSMITTAL ACTION

- A. **ORC Report Findings:** None
- B. **Response to ORC Report:** None
- C. **Revisions Not Previously Reviewed:** None
- D. **BCC Adoption Action:**

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I. SUMMARY REPORT

A. BACKGROUND

The Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRA-O) is bounded on the north by Okeechobee Boulevard, on the south by Belvedere Road, on the east by Florida Mango Road and on the west by Military Trail. The area is approximately 1,300 acres (2.031 square miles) in size with an approximate population of 8,158. The area was established in 1988 by the Board of County Commissioners (BCC) as a special district for the redevelopment of the area. It was created to encourage development and redevelopment of the Westgate/Belvedere Homes area with special land use provisions designed to arrest deterioration of property values and preserve affordable housing in the area.

With the creation of the CRA, the BCC appointed a CRA Board of Commissioners as advisory board to act as a policy making body. Subsequently, with the assistance of the County and private consultants, the CRA Board commissioned the preparation of a Redevelopment Plan for the district. The resulting document was the 1989 Redevelopment Plan adopted by the BCC on May 9, 1989 (by Ordinance No. 89-6). The WCRA-O Redevelopment Plan was mainly a physical plan that concentrated on land issues, infrastructure needs, transportation, and the methods of financing improvements to address those needs. Florida Statutes, Section 163.361(3) provides for the modification of the Redevelopment Plan. Consequently, at a January 2003 workshop, the CRA Board directed its staff to update and amend the original 1989 Redevelopment Plan to include a Master Plan that reflects current conditions and demographics. The Redevelopment Master Plan provides for future desired land uses, receiving areas for commercial and residential bonus provisions, a comprehensive and realistic infrastructure improvement schedule and updated economic forecast. On April of 2003, the CRA hired Civic Design Associates, an Economic Development and Urban Design Planning firm to prepare a Redevelopment Plan update that amended the 1989 original Plan. On December 2003, Civic Design Associates presented a final amended Redevelopment Plan to the CRA Board that ratified the plan. The amended draft Redevelopment Plan was presented to the Board of County Commissioners at a workshop on February 17, 2004. A resolution adopting the 2005 Amended Redevelopment Plan was heard and approved by the BCC on January 11, 2005.

The amended plan is a visionary plan developed from a public Charrette held September 11-18, 2003 after numerous meetings with the residents, business owners, CRA staff and County personnel. The participants shared their perspectives on the immediate needs of the community, as well as their visions for the CRA for the next 10-20 years planning horizon. Through this process, the stakeholders identified a number of pressing needs, which not surprisingly, were similar to the needs and concerns in the original redevelopment plan namely poor drainage, and overall blighted appearance of the neighborhoods. The redevelopment plan follows smart growth principles and "form-based" zoning that use appealing urban design and mixed-use development to achieve urban revitalization. The plan calls for land uses that will provide more development opportunities. It presupposes higher land use intensity and density resulting in a stronger output of housing units than currently allowed. Those additional units will provide needed attainable housing for the County's low-to-moderate income population.

The County and the CRA have a goal of improving the CRA redevelopment area, particularly the older, deteriorated housing and in providing new housing for low to moderate income residents. This amendment is consistent with the Future Land Use Element Policy 1.2.4-b that establishes that “the pool of units may be increased through amendments to the Comprehensive Plan text.” Additional bonus density units are needed to enable the CRA to accomplish its development and redevelopment goals. The CRA is proposing to use existing future land use and to make other land use changes to maximize residential density in other underutilized areas in order to accommodate additional units in the community.

The CRA goal is to protect existing affordable housing and provide additional attainable housing units for the County residents. Currently in progress are efforts to develop zoning codes and comprehensive plan amendment to accommodate attainable housing development in the WCRA.

Comprehensive Plan Amendment: The CRA is also proposing other comprehensive plan amendments to streamline redevelopment efforts in the area. The CRA is seeking an amendment to its Traffic Concurrency Exception Area (TCEA) housing pool to allow for more trips/traffic that should provide for more housing. Additionally, the CRA is proposing another amendment that involves four (4) separate areas/sites with an approximate combined land area of 270.49 acres. The land use designations for these areas are proposed to be changed from INST/IND to CH/8; HR-8 and CH to CH/8; HR-8 to CL/8; and from IND to CH/IND respectively (as detailed and fully described under Agenda Item 111.B.1-LGA 2005-00021-24). These amendments are in progress and are scheduled concurrently with this text amendment. Moreover, the CRA has drafted a zoning overlay ordinance that will allow mixed-use, vertical integration, higher density and increased floor area ratio in the Westgate/Belvedere Homes neighborhoods. In some areas, like Congress Avenue, this zoning overlay will allow the CRA to build higher building that will accommodate more housing units. The zoning overlay will require developers to set aside a percentage of their development for attainable housing and keep them affordable for a number of years.

B. THE PROPOSED AMENDMENT

1. Amendment Intent and Summary

The intent of this amendment is to revise Policy 1.2.4-b in the County Comprehensive Plan to increase the density bonus pool units for the Westgate Community Redevelopment Agency Overlay. Currently Future Land Use Policy 1.2.4-b assigned a density pool of 300 units to the Westgate/Belvedere Homes Area. A proposed residential project must be recommended for approval by the Community Redevelopment Agency to be eligible to receive bonus units from the density pool. The proposed amendment is requesting an additional 1000 bonus units for a total of 1300 bonus units for the CRA. This request is necessary in order to allow the implementation of the development and redevelopment programs earmarked for the area consistent with the 2005 Amended Redevelopment Plan.

2. Unified Land Development Code Implications

Several elements of the Redevelopment Plan vision for the CRA involve changes to the existing physical development pattern. The revised plan will permit additional development intensity/density in many areas in the CRA higher than what is currently permitted/allowed. New zoning districts are being proposed since none of the existing districts allows for the combination of lot coverage, setbacks, and development intensity sought. These changes would necessitate some future changes to the Comprehensive Plan, and subsequently to the Unified Land Development Code (ULDC).

C. ISSUE AND DATA/ANALYSIS SUMMARY

Complete data and analysis to support the proposed change are provided in Exhibit 2. The data and analysis for the proposed amendment are based on the justification that an increase in bonus density pool units is necessary in order to implement the development and redevelopment activities consistent with the CRA Redevelopment Master Plan and the County's Comprehensive Plan.

The CRA is proposing to use the existing future land use and make other land use changes to maximize residential density in other underutilized areas in order to accommodate additional units in the community. However, maximizing density on existing developable land alone will not bring that much desired residents in the area due to some constraints. The area is impacted by many constraints including lack of vacant lots, scarcity of developable land, drainage problems, lack of adequate density incentives, and the construction of retention projects that have taken too much of available developable land. Because of these limitations/difficulties, the CRA needs an additional 1000 bonus density units to accomplish its development and redevelopment goals. In order for the Westgate CRA to accomplish its goal of revitalizing the area, it will need to attract more residents and businesses to the area. This action is consistent with the BCC endorsement of the modified Redevelopment Plan.

D. PUBLIC AND MUNICIPAL REVIEW

- 2. **Intergovernmental Plan Amendment Review Committee (IPARC):** Notification of this amendment has been sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review. The IPARC, of which Palm Beach County is a participating member, functions as a clearing-house for plan amendments. A formal notice (requesting comments) was mailed to IPARC on January 10, 2005. At the time of the printing of this report, no objections to the amendment had been received.
- 3. **Other Notice:** At the time of printing this report, no written comments had been received from other interested groups, or members of the public.

E. ASSESSMENT AND CONCLUSIONS

The development and redevelopment scenario proposed by the CRA is in support of County goals, the CRA Redevelopment Plan goals, and the regional and state efforts to encourage redevelopment and infill. The development proposals to be enhanced by the proposed density bonus pool units are consistent with the Revitalization and Redevelopment Overlay of the County's adopted Managed Growth Tier System that calls for infill in urban areas to take advantage of existing public facilities and services. The CRA amended redevelopment plan follows smart growth principles and "form-based" zoning that use appealing urban design and mixed-use development to achieve urban revitalization. The plan promotes pedestrian friendly compact mixed-use development concept that are compatible with the County's Comprehensive Plan. It presupposes higher land use intensity and density resulting in a stronger output of housing units than allowed by the existing CRA. The required additional units will help provide housing for the County's population.

F. ALTERNATIVE ACTIONS

The following courses of action are available to the Board:

1. Recommendation of ***approval***;
2. Recommendation of ***approval with modifications***; or
3. Recommendation of ***denial***.

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II. EXHIBITS

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2.	Support Data and Analysis	9
3.	Letters in Support/Opposition	13

EXHIBIT 1

A. Future Land Use Element, Westgate Community Redevelopment Area Overlay Bonus Pool Units

PROPOSED REVISION: To revise and update. The revision is numbered below and shown with the added text underlined, and the deleted text ~~struck-out~~.

Sub-Objective 1. 2.4 Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO).

1. **REVISED Policy 1.2.4-b:** The Board of County Commissioners has the authority within the WCRAO to approve residential densities higher than those shown on the Future Land Use Atlas for areas designated residential. These additional units must be obtained from a density pool of ~~300~~ 1300 bonus units assigned to Westgate/Belvedere Homes Area by this Element. A proposed residential project must be recommended for approval by the Community Redevelopment Agency (CRA) to be eligible to receive bonus units from the density pool. The pool units may be increased through amendments to the Comprehensive Plan text.

EXHIBIT 2

SUPPORT DATA AND ANALYSIS

- A. Staff Analysis/Comment:** The Westgate-Belvedere Homes Community Redevelopment Area (Westgate CRA) is requesting 1300 bonus density units in order to allow development and redevelopment activities in the CRA consistent with its 2005 Amended Redevelopment Plan and/or provide support for the following directives, policies, and objectives of the County's Comprehensive Plan:

Introduction and Administration Element:

The Goals, Objectives and Policies presented in the Plan Elements reflect the directives of the citizenry and the Board of County of Commissioners. These directives, which are discussed in greater detail in the Land Use Element, are:

- Redirect growth to the East where services and facilities can be provided and encourage the revitalization/redevelopment of the coastal communities.
- Implement County-wide growth management strategies while providing the opportunities for flexibility within the Plan that recognize and maintain the diversity of lifestyles.

SUB-OBJECTIVE 1.2.4 Westgate/Belvedere Homes Community Redevelopment Area Overlay (WCRAO)

The Westgate/Belvedere Homes Community Redevelopment Area Overlay was created to encourage development and redevelopment of the Westgate area. The special land use provisions for the Overlay are designed to arrest deterioration of property values, and preserve affordable housing and complement the efforts to prepare and implement a community redevelopment plan for the Westgate area.

Future Land Use Element:

Policy 1.2.2-b: The Planning, Zoning, and Building Department shall continue to work with other local governments and appropriate agencies to develop programs consistent with, but not limited to, the Front Porch Florida Initiative, which create safe, livable communities by improving the functional relationship among land uses through design, improving infrastructure and/or services, and providing a range of housing and economic opportunities for urbanized areas.

Transportation Element:

Policy 1.2-k: The Palm Beach County Board of County Commissioners shall allow for the designation of Transportation Concurrency Exception Areas (TCEAs) within Palm Beach County consistent with the requirements of Rule 9-J5.0055(6), F.A.C. as specified in the Unified Land Development Code (ULDC). TCEAs allow an exception from the concurrency requirements for transportation facilities if the proposed development is inconsistent with the adopted local government comprehensive plan and is located

within an area designated in a comprehensive plan for urban infill development, urban redevelopment, or downtown revitalization.

Redevelopment Plan Elements: Elements of the amended Redevelopment Plan include several broad goals including a comprehensive solution to the area's storm drainage problems as well as maintaining and improving the stable and relatively affordable-single family residential neighborhoods. The amended Redevelopment Plan is an evolving document that will be evaluated and amended on a regular basis in order to accurately reflect changing conditions, community objectives, and funding opportunities. Several elements of the updated plan involve changes to the existing physical development pattern that will require modifications to the land development regulations. More specifically, the updated plan will permit additional development intensity/density in many areas throughout the CRA. The Redevelopment Plan while providing opportunities for growth, will maintain the diversity of lifestyles throughout the redevelopment area. The plan continues to prioritize the most pressing needs such as infrastructure improvements, and neighborhood revitalization while providing some funding for other programs including commercial corridor development intended to attract immediate attention and investment in the CRA. Several short-term programs intended to continue the momentum of the planning process such as the beautification of the Congress Avenue medians and other neighborhood areas as well as street lighting programs are proposed.

New zoning sub-districts are being proposed since none of the existing districts allow for the combination of lot coverage, setbacks, and development intensity sought. The CRA's Zoning Overlay will require developers participating in its Bonus Density Program to set aside a percentage of the bonus units for affordable housing (if the development is not already affordable) to alleviate the shortage of attainable housing that exists throughout the County.

The Redevelopment Plan calls for land uses that will provide more development opportunities. The CRA will develop incentives to involve the business community in the commercial corridor planning process. While the amended plan is a starting point for initiating action and evaluating progress, it is clear that the plan and programs contained therein will take time and additional funding to develop. Implementation of the plan will depend on partnerships with public non-profit, and private-for-profit entities, to make redevelopment happen.

It is pertinent to mention that throughout the redevelopment efforts, drainage/flooding issues continue to impact and in some cases delay progress. The entire CRA is within the C-51 basin with overcapacity problems. In 2004, the CRA and the County Water Resource Management have convened meetings with South Florida Water Management District (SFWMD), Lake Worth Drainage District, County Engineering, and the Department of Airports to discuss approaches to the drainage concerns which affect the entire basin. Several ideas are currently being reviewed. Completion of the current CRA improvements relative to storm-water management is necessary for effective redevelopment.

Justification for the request for additional 1000 Bonus Density:

The Westgate/Belvedere Homes Redevelopment Area needs an additional 1000 bonus density units to accomplish its redevelopment goals. In order for the CRA to accomplish its goals of revitalizing the area, it will need to attract more residents and businesses to the area. Currently, the single-family residential areas located south of Aspen Road are completely built out. The CRA proposes to use the existing future land use element (FLUE) and make other land use changes to maximize residential density in other underutilized areas to accommodate additional units in the community. However, maximizing density on existing developable land alone will not bring that much needed residents in the area because of the existing constraints in the area.

These constraints lend themselves to scarcity of developable lands in the area, few vacant lots, drainage problems, lower density incentives, and likely replacement of residents to provide land for water storage. Retention projects in the area have taken a greater percentage of available developable land in the area. For example, the C-51 rule requires as much as 30 % of building parcels to be set aside in the area for water retention, consequently, less land will be left for actual development. The CRA engineers have also indicated that more than 15% of the land area needs are to be set aside for water retention that accounts for almost 200 acres. The CRA has built a number of retention ponds in the South Westgate area and is building some more in North Westgate. There is a plan also by the County's Stub Canal Task Force to acquire additional residential land in the Westgate CRA to build a water retention lake to provide additional storage for the C-51 Basin. These drainage projects will utilize most of the vacant parcels and some low lying built out residential land.

The density provision allowed by the FLUE in the Westgate CRA, even when combined with other approved incentives such as the Transfer of Development Rights (TDR) and Workforce Housing (WFH) density incentives, is relatively too low. The highest density allowed in the FLUE is 8 units per acre. With the TDR and the WFH incentives, the maximum density can reach up to 20 units per acre but they will not be available in every case. Additionally, CRA anticipates that residents in the area may have to be relocated to provide land for water storage. The CRA would like to replace those units within its boundaries. Many areas cannot add more residential units either because they are saturated or because they are incompatible lands not suitable for residential development. The CRA can only encourage housing development in clusters, especially in areas designated for higher density to accomplish its housing development goals.

The CRA is proposing to amend the bonus density pool to accomplish its 2005 Amended Redevelopment Plan goals. Currently, the CRA has 300 units in the pool. A redevelopment project construction is ready to commence and the developer has requested most of the 300 units. Additional units are needed to accommodate other development that implements the Master Plan objectives to provide more housing units in the community. The table below (Table1) illustrates the number of units needed to accomplish housing development program by selected Transportation Analysis Zones (TAZ) where clustered housing is encouraged according to CRA Redevelopment Plan. The other areas can be developed with the existing FLU density. The CRA needs about 1317 units in total but since it already has 300 units in the pool, the CRA is requesting 1000 units to make up for the difference.

BONUS DENSITY ANALYSIS

Table 1

Bonus Density Analysis	TAZ 209	TAZ 211	TAZ 215	TAZ 909	TAZ 911	TAZ 912	TOTAL
Existing Acreage (Developable Land)	28.6	24.8	9.2	23.18	24.84	11.56	122.18
Base Density	8	8	8	8	8	8	8
Enhanced Density (TDR, WFH)	12	12	12	12	12	12	12
Density Output (Acres X Enhanced Density)	343.2	297.6	110.4	278.16	298.08	138.72	1466.16
Bonus Units Needed	648.8	105.4	15.6	170.84	225.92	151.28	1317.84
Build out Units (Development Program)	992	403	126	449	524	290	2784

Source: Prepared by CRA staff

Assumptions

8 units per acre is highest density allowed by FLU in selected TAZs

12 units per acre can be achieved by adding TDRs units and Workforce Housing bonus units to the FLU based density.

Pool units are needed to make up the difference between what's allowed by right in the FLU and what the Redevelopment Plan calls for.

Developers should try to achieve their density by FLU, TDRs, and Workforce Housing first and contact CRA thereafter if they want additional density units.

The development and redevelopment programs proposed by the CRA may also help to reduce the pressure for sprawl in the western areas of the municipalities and the County. From a regional perspective, the intensification of development in the Westgate/Belvedere Homes CRA offers several advantages:

- (i) It accommodates a significant increment of growth in an area that is already developed, without impacting agricultural land or open space.
- (ii) It is strategically located, close to employment centers, the airport and downtown West Palm Beach.
- (iii) The majority of the proposed development is vertically integrated mixed-use, which helps to accommodate growth with a minimum impact on surrounding traffic patterns.
- (iv) Elements of the new development can help to enhance the surrounding development, such as the airport, the commercial corridor of Okeechobee Boulevard, and the gateway into downtown West Palm Beach.

Westgate provides a great location for working families. With its easy access to all the major thoroughfares and employment centers, it can be redeveloped into a successful residential hub. Traffic concurrency is currently one of the biggest hurdles for developers who want to build housing in the area. By modifying the TCEA pool, the CRA will remove this barrier and enable developers to consider Westgate when looking for housing development site.

EXHIBIT 3

LETTERS IN SUPPORT/OPPOSITION

W.G.H.N.A.

(Westgate / Golfview Heights Neighborhood Association)

Palm Beach County Board Of County Commissioners
301 North Olive Ave.
12th Floor
West Palm Beach, FL 33401

Wednesday, April 6, 2005

Honorable Members of the Board:

The purpose of this letter is to express residents' concerns with the proposed future land use amendments, the extension of the TCEA (traffic control exception area) guidelines, and Bonus Density Pool extension from 300 to 1300.

The master plan showed beautiful pictures depicting mixed type of uses for Westgate and Congress Avenues, with first floor retail stores and multi-floored apartments or condos above them. This type of uses is certainly very appealing to most of us, as it would make our area more appealing and desirable to businesses and residents alike while leaving the "old time charm" of the residential Westgate intact.

We understand, and support, the tax dollars new businesses can bring into our CRA budget, and we even support the existing commercial land uses along our CRA thoroughfares, including Okeechobee Blvd., Military Trail, Congress Avenue, Westgate Avenue, Belvedere Road and the industrial park off Church Street. These businesses are easily accessed from other county and state thoroughfares without much traffic through our residential streets. Our concern with the proposed amendments, however, is their impact to the residential community, as the proposed commercial land uses extend beyond our mayor thoroughfares.

Post Office Box 22132 West Palm Beach FL 33416

Bringing commercial opportunities to the interior of Westgate will certainly bring an increase in "nonresidential" traffic coming in and out of our residential community on a daily basis posing a threat to the pedestrian. Every speed hump we put in has resulted in an increase of high-speed traffic on parallel streets. If commercial businesses bring in more traffic, we may be renamed "humpville - an undesirable place to shop." This would be a short-lived revitalization.

If our area would not be a TCEA (the only one in Palm Beach County), our community would be already "overbuilt" and in violation of Palm Beach County Traffic Control codes. If the TCEA would not be expanded, and existing properties would be the only ones allowed to be "grand-fathered" in, the proposed future land use amendments would probably not be a threat to our quiet little neighborhood.

We are also concerned with the proposed expansion of the density bonuses. There are many vacant lots and business parks for sale already zoned for commercial use along our mayor thoroughfares. Our "bonus Density Pool" is the only one we know of in the entire state. If that does not attract new businesses, we don't know what quadrupling it will do other than attracting another super Walmart.

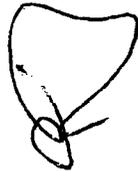
In summary, we, the residents of the Westgate/Golfview Heights Neighborhood Association consider that the future impact of these changes will not only erode the residential neighborly charm of this area but also create public safety issues.

In closing, we respectfully ask that if you are to approve the proposed amendments in part or in full to please have some provisions in place to:

1) ensure that new development will not pose a negative impact on our neighborhood streets; 2) limit the amount of units per acre to allow the development of townhouses to only one block from our thoroughfares to allow easy ingress and egress from those thoroughfares rather than through our single family homes; 3) new development or redevelopment that occurs as a result of the approved changes are compatible with and build upon the residential character of our community; and 4) to avoid the commercial uses to create unpleasant commercial strip environments. Hopefully, these and other provisions will help ensure that future development does not negatively impact our residential community and the overall ambiance of our community.

We thank you for your consideration to this request. If you have any questions or would like to discuss the content of this letter in greater detail, please do not hesitate to contact me at (561) 616-2549. We thank you for your cooperation and support to our desire to bring safety, and hope, to our community!

Cordially,

A handwritten signature in black ink, appearing to be 'Edward Kaye', written in a cursive style.

Edward Kaye, President

W.G.H.N.A

To Whom It May Concern:

In regards to the future land use in Westgate, I respectfully ask you not to pass and adopt changes to the land use in the proposed Westgate areas. I also oppose extending the traffic control exemption area guidelines. The impact of these changes will only erode the residential charm of the neighborhood and create safety issues.

Businesses bring tax dollars into the CRA budget but it accessed from other thoroughfares without having more traffic through our neighborhood. There are business parks already zoned commercial. Westgate Ave and Congress Ave were in the master plan so why not leave the residential Westgate intact.

A lot of the residence in Westgate, feel traffic is above what our streets were designed to handle. We need to curb the additional traffic that businesses will bring in by not amending and extending the traffic control exemption area.

Bringing commercial opportunities into Westgate will increase nonresidential traffic coming in and out of the community daily. There are a lot of kids and pedestrian safety issues. More businesses, more traffic, where will this end in a small community like ours.

Barbara Kreiner
Barbara Kreiner
Treasurer WGHNA