

**TOWN OF LOXAHATCHEE GROVES**

**PLANNING AND ZONING BOARD**

**MEETING AGENDA**

**Thursday, October 23, 2014**

*Chair Dennis Lipp*

*Vice- Chair Robin Crawford*

*Board Member Lawrence Corning*

*Board Member Keith Harris*

*Board Member Grace Joyce*

*Alternate Member Veronica Close*

*Alternate Member Byrnes Guillaume*

Mayor David Browning, Seat 4  
Vice Mayor Ronald D. Jarriel, Seat 1  
Councilman Tom Goltzené, Seat 5  
Councilman Jim Rockett, Seat 2  
Councilman Ryan Liang, Seat 3



**Town of Loxahatchee Groves**  
**Planning & Zoning Board/LPA Meeting**  
**Thursday, October 23, 2014 at 7:00 p.m.**

Central Palm Beach County Chamber of Commerce – West Office  
13901 Southern Boulevard, Loxahatchee Groves, FL 33470

**TENTATIVE -  
SUBJECT TO  
REVISION**

Chair Dennis Lipp  
Vice-Chair Robin Crawford  
Board Member Lawrence Corning  
Board Member Keith Harris  
Board Member Grace Joyce  
Alternate Member #1 Veronica Close  
Alternate Member #2 Byrnes Guillaume

Town Manager Bill Underwood  
Town Clerk Janet K. Whipple  
Town Planning Consultant Jim Fleischmann

The Planning & Zoning Board meets on the 2<sup>nd</sup> Thursday of each month subject to the filing of applications. It also acts as the Local Planning Agency (LPA). Items for each body are noted on the agenda.

**PUBLIC NOTICE/AGENDA**

**1. OPENING**

- a. Call to Order & Roll Call
- b. Approval of Agenda

**2. MINUTES - NONE**

**CONVENE LOCAL PLANNING AGENCY PORTION OF THE MEETING**

**3. OLD BUSINESS - NONE**

**4. NEW BUSINESS**

**a. AGENDA ITEM REPORT NO. LP 1: Day Property Comprehensive Plan Amendment (CPA) 14-02 (SS)**

CPA 14-02 (SS) is an application for an amendment to the Comprehensive Plan to change the Future Land Use Map designation of the Day Property from Rural Residential 5 to Commercial Low. The property is 9.30 acres in size, and located at the southwest corner of Okeechobee Boulevard and Folsom Road.

**5. COMMENTS FROM THE BOARD**

**6. ADJOURN LOCAL PLANNING AGENCY PORTION OF MEETING**

**7. CONVENE REGULAR PORTION OF PLANNING AND ZONING MEETING**

**8. OLD BUSINESS - NONE**

**9. NEW BUSINESS**

**a. AGENDA ITEM REPORT NO. PZB 1: Day Property Rezoning – REZ 2014-02**

REZ 14-02 is a companion application to CPA 14-02 (SS) for an amendment to change the Zoning Map designation of the Day Property from Agricultural Residential (AR) to Commercial Low (CL). The property is 9.30 acres in size, and is located at the southwest corner of Okeechobee Boulevard and Folsom Road.

**10. COMMENTS FROM THE BOARD**

**11. ADJOURNMENT**

*The next Planning and Zoning Board Meeting is tentatively scheduled for November 23, 2014, at 7:00 p.m.*

**Comments Cards:** Anyone from the public wishing to address the P&Z Board must complete a Comment Card before speaking. This must be filled out completely with your full name and address and given to the Town Clerk. During the meeting, before public comments, you may only address the item on the agenda in which is being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comment. Any person who decides to appeal any decision of the P&Z Board with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which included testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.

**Town of Loxahatchee Groves**  
**Local Planning Agency (LPA) Agenda Item Report**  
**Agenda Item No. LPA 1**

**Meeting Date: October 23, 2014**

**Prepared By:** Jim Fleischmann, Town Planning Consultant

**Subject:** Day Property Comprehensive Plan Amendment (CPA) 14-02 (SS)

**A. Background/History:**

**Issue Statement:** CPA 14-02 (SS) is an application for an amendment to the Comprehensive Plan to change the Future Land Use Map designation of the Day property from Rural Residential 5 to Commercial Low. The property is 9.30 acres in size and located at the southwest corner of Okeechobee Boulevard and Folsom Road.

**Potential Actions:** Recommend that the Town Council: (1) Approve CPA 14-02 (SS); (2) Deny CPA 14-02 (SS); or (3) Approve CPA 14-02 (SS) subject to conditions.

**B. Current Activity:**

CPA 14-02 (SS) and a companion rezoning application (REZ 14-02) have been filed to change the Future Land Use Map and Zoning Designations on the 9.30 acre Day property to Commercial Low (CL) designations.

**C. Attachments:**

The Staff Summary Report, which contains a detailed review of both CPA 14-02 (SS) and REZ 14-02, including a Staff recommendation.

**D. Town Financial Impact:**

None. Review of CPA 14-02 (SS) is funded by the Town's Cost Recovery system.

**E. Recommended Action:**

Staff recommends approval of CPA 14-02 subject to the following conditions:

1. The applicant shall record a Deed Restriction which will provide that the Intensity of development shall not exceed a floor-area-ratio (F.A.R.) of 0.74 in order to accommodate a maximum of 30,000 sq. ft. of commercial low intensity uses; provided that this restriction would automatically increase to whatever F.A.R. may be subsequently granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.

2. A Conceptual Site Plan reflecting a 0.74 F.A.R. shall be approved as part of the initial rezoning process. Subject to potential future F.A.R. increases permitted by Condition A.1, all future development uses, access and intensity shall be consistent with the Conceptual Site Plan.

3. Any increase in development intensity above a 0.74 F.A.R., as permitted in Condition A.1, shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

**Town of Loxahatchee Groves**  
**Planning and Zoning Board (PZB) Agenda Item Report**

**Agenda Item No. PZB 1**

**Meeting Date: October 23, 2014**

**Prepared By:** Jim Fleischmann, Town Planning Consultant

**Subject:** Day Property Rezoning – REZ 2014-02

**A. Background/History:**

**Issue Statement:** REZ 14-02 is a companion application to CPA 14-02 (SS) for an amendment to change the Zoning Map designation of the Day property from Agricultural Residential (AR) to Commercial Low (CL). The property is 9.30 acres in size and is located at the southwest corner of Okeechobee Boulevard and Folsom Road.

**Potential Actions:** Recommend that the Town Council: (1) Approve REZ 14-02; (2) Deny REZ 14-02; or (3) Approve REZ 14-02 subject to conditions.

**B. Current Activity:**

CPA 14-02 (SS) and a companion rezoning application (REZ 14-02) have been filed to change the Future Land Use Map and Zoning Designations on the 9.30 acre Day property to Commercial Low (CL) designations. Approval of REZ 14-02 will make the Zoning Map designation consistent with the Future Land Use Map designation of the property, provided that CPA 14-02 is first approved by the Town Council

**C. Attachments:**

The Staff Summary Report, which contains a detailed review of both CPA 14-02 (SS) and REZ 14-02, including a Staff recommendation.

**D. Town Financial Impact:**

None. Review of REZ 14-02 is funded by the Town's Cost Recovery system.

**E. Recommended Action:**

Staff recommends approval of REZ 14-02 subject to the following conditions:

1. A County Traffic Performance Standards (TPS) review, including a concurrency determination, shall be completed at the time of site plan review, when a specific plan of development is proposed, in order to establish traffic-based building potential and the timing thereof.

2. Building height shall be limited to one story.
3. The Rural Vista Guidelines, as directed by the Town Council, shall be incorporated within the design of the development at the time of site plan approval.
4. Incorporation of on-site connectivity with the Red Barn commercial property to the west within the design of the project shall be investigated at the time of site plan approval.
5. Incorporation of a Palm Tran bus shelter within the design of the project shall be investigated at the time of site plan approval.
6. A vegetative survey, including a Slash Pine inventory, shall be completed at the time of site plan approval, including identification of a Slash Pine preservation program.
7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be filed with the Town.
8. Prior to submitting a site plan application, the Roadway Equestrian Trails and Greenways (RETAG) Advisory Committee shall be consulted regarding the feasibility of incorporating equestrian facilities within the development program.

**TOWN OF LOXAHATCHEE GROVES  
LOCAL PLANNING AGENCY AND PLANNING AND ZONING BOARD  
MEETINGS  
October 23, 2014**

**AGENDA ITEMS STAFF SUMMARY:**

- 1. Small-Scale Comprehensive Plan Amendment (CPA) 14-2(SS); and**
- 2. Rezoning (REZ) 14-2.**

***Project Name:*** Day Property

***Agent:*** Urban Design Kilday Studios

***Applicant:*** Willie and Frankie Day

***Owners:*** Willie and Frankie Day

***Parcel Control Number (PCN):*** 41-41-43-17-01-633-0010

***Project Location:*** Southwest Corner of Okeechobee Blvd. and Folsom Road

***Size of Property:*** 9.30 acres.

***Current FLU Map Designation:*** Rural Residential 5 (RR5).

***Current Zoning Map Designation:*** Agricultural Residential (AR).

***Existing Use:*** Single-Family residential; 2,000 sq. ft. residence

***Proposed Land Use Designation:*** Commercial Low (CL).

***Proposed Zoning Designation:*** Commercial Low (CL).

***Maximum Proposed Development Potential:*** 30,000 sq. ft. of CL space (9.30 acres x 43,560 sq. ft. per acre x 0.074 FAR)

**History of the Application**

The Comprehensive Plan Amendment application (CPA 2011-02 SS), as initially submitted, requested a change in the future land use designation from a Rural Residential 5 (RR 5) designation to a combination of Commercial Low (4.96 acres) and Commercial Low Office (4.34 acres). A companion rezoning application was not submitted at that time.

Day Property 1  
CPA 2014-02(SS) and REZ 2014-02 Applications  
October 23, 2014

Following a review of the initial application and presentation to the Local Planning Agency (LPA), staff found Future Land Use Amendment 2011-02(SS) to be generally consistent with the intent and direction of the Comprehensive Plan. However to insure consistency with the Town's planning documents and its review, staff recommended approval subject to several conditions of approval.

The Town's Local Planning Agency (LPA), at its meeting of December 8, 2011, recommended that Town Council approve Amendment 2011-02(SS), by a 3- 2 vote, subject to two additional conditions of approval.

Town Council, at its meeting of January 3, 2012, voted on first reading to approve Amendment 2011-02(SS) (i.e. Ordinance 2012-01) by a 3-2 vote. (NOTE: Final approval of a Comprehensive Plan Amendment, per the Town's Charter, requires a minimum of 4 votes of the Town Council).

Among the issues discussed at the Council meeting were the intensity of development, proposed two-story height on some of the buildings, the irregular delineation of the two commercial parcels and the general appropriateness of commercial development.

Following the January 3<sup>rd</sup> Town Council meeting, and in response to the issues discussed, the applicant revised the application. The application, as revised in March 2012, requested a change in the current RR5 land use designation to a single commercial category on the entire parcel - Commercial Low. The revision required that the application be returned to Town Council for first reading.

Town Council, at its meeting of April 3, 2012, considered a motion to approve Amendment 2011-02(SS) on first reading. The motion failed by a 2-2 vote.

Following the April 2012 Town Council vote, the Applicant filed a lawsuit which, among other things, sought judicial review of the Council's decision to deny the proposed land use amendment. A proposed settlement agreement was reached whereby the applicant would simultaneously file, and the Town to simultaneously process Commercial Low (CL) Small-Scale Future Land Use Map and Zoning Map amendment applications.

### **Current Applications Summary**

Consistent with the Settlement Agreement, applications have been filed requesting changes to the Future Land Use Map (FLUM) designation of Rural Residential 5 and the Zoning Map designation of Agricultural Residential (AR) to FLUM and Zoning Map designations of Commercial Low.

## Staff Findings and Recommendations

Proposed FLUM (text and map) and Zoning Map amendments are presented in Attachments A1, A2 and B1. Following a review of the applications, Town staff finds Amendments CPA 2014-02 and REZ 2014-02 to be generally consistent with the intent of the Comprehensive Plan, direction provided by the August 2014 Settlement Agreement and rezoning criteria, as stated in Section 160-020(A) (1) – (6) of the Unified Land Development Code (ULDC). Based upon these findings, staff recommends the following:

A. Approval of FLUM Amendment Application CPA 2014-02(SS) subject to the following conditions:

1. The applicant shall record a Deed Restriction which will provide that the Intensity of development shall not exceed a floor-area-ratio (F.A.R.) of 0.74 in order to accommodate a maximum of 30,000 sq. ft. of commercial low intensity uses; provided that this restriction would automatically increase to whatever F.A.R. may be subsequently granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.
2. A Conceptual Site Plan reflecting a 0.74 F.A.R. shall be approved as part of the initial rezoning process. Subject to potential future F.A.R. increases permitted by Condition A.1, all future development uses, access and intensity shall be consistent with the Conceptual Site Plan.
3. Any increase in development intensity above a 0.74 F.A.R., as permitted in Condition A.1, shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

B. Approval of Rezoning Application REZ 2014-02 subject to the following conditions:

1. A County Traffic Performance Standards (TPS) review, including a concurrency determination, shall be completed at the time of site plan review, when a specific plan of development is proposed, in order to establish traffic-based building potential and the timing thereof.
2. Building height shall be limited to one story.
3. The Rural Vista Guidelines, as directed by the Town Council, shall be incorporated within the design of the development at the time of site plan approval.

4. Incorporation of on-site connectivity with the Red Barn commercial property to the west within the design of the project shall be investigated at the time of site plan approval.
5. Incorporation of a Palm Tran bus shelter within the design of the project shall be investigated at the time of site plan approval.
6. A vegetative survey, including a Slash Pine inventory, shall be completed at the time of site plan approval, including identification of a Slash Pine preservation program.
7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be filed with the Town.
8. Prior to submitting a site plan application, the Roadway Equestrian Trails and Greenways (RETAG) Advisory Committee shall be consulted regarding the feasibility of incorporating equestrian facilities within the development program.

#### **Local Planning Agency (LPA) Recommendation**

The LPA, at its meeting of October 23 2014, recommended that the Council approve/approve with conditions/deny CPA Amendment 2014-02(SS) and REZ Amendment 2014-032 each by an x - y vote.

#### **Town Council Action**

First Readings of ordinances to consider proposed CPA Amendment 2014-02(SS) and REZ Amendment 2014-032 are scheduled for the November 4, 2014 Town Council meeting.

## Staff Review Summary

### A. Adjacent Land Uses

Direction	Existing Uses	FLU and Zoning Designations
North	Okeechobee Boulevard (120-foot ultimate right-of-way). Beyond the right-of way is a single vacant 19.33 acre parcel.	Rural Residential 5 FLU and Agricultural Residential AR zoning
South	Folsom Farms, a 9.4 acre commercial landscape nursery. To its immediate south, beyond Bryan Road, are three single-family homes, on parcels from 1.98 to 5.0 acres.	Rural Residential 5 FLU and Agricultural Residential AR zoning
East	Folsom Road. Beyond the right-of-way and adjacent canal (combined 110-foot ultimate right-of-way) is the Crestwood residential planned development located in the Village of Royal Palm Beach (Density of 5 units/acre).	Single-Family Residential FLU and RS-2 zoning (maximum of 5 units per acre) in Royal Palm Beach
West	Red Barn, a 35,000 sq. ft. retail commercial center on 4.91 acres. Beyond the Red Barn is a 10,000 sq. ft. religious facility (Acts 2) located on a 4.91 acre parcel (Intensity - 0.162 F.A.R.).	Rural Residential 5 FLU and Agricultural Residential AR zoning. Legal non-conforming use (MUPD approval by Palm Beach County)

### B. Infrastructure Impacts

Infrastructure Service	Summary
Water/wastewater	Property served by County central water/wastewater system. Developer's Agreement in place. Capacity available.
Surface Water Management	Drainage Statement provided (Attachment E of the Amendment Application). Legal positive outfall available to Folsom Rd. canal. No issues identified.
Solid Waste Disposal	Solid Waste Authority letter confirms disposal capacity available. Applicant to execute contract with private hauler for collection.
Transportation	Traffic Analysis provided (Attachment D of the Amendment Application) which determines consistency with the Town's LOS standards. Confirmation of Applicant's conclusion received from Town's Consulting Engineer
Parks and Recreation	Not Applicable
Public Schools	Not Applicable
FIRE/EMS	Letter from Palm Beach County Fire/Rescue indicating adequate estimated response time. Meets County's LOS standard for response time

### C. Environment

Item	Summary
Natural Resources	Vegetation inventory is provided (Attachment G of the Amendment Application). Site predominantly cleared, with limited amounts of vegetation. No state or federal listed plant or animal species identified
Historical Resources	Letter from the County Archaeologist provided(Attachment G of the Amendment Application) stating that there are no known archaeological sites on or within 500 feet of the property
Flood Zone	Zone B, per FEMA Flood Insurance Rate Map Panel 50 of 245 (County). Zone B is the area lying between the limits of the area flooded by 100-year and 500-year storms

## **D. Comprehensive Plan Consistency**

The following is a summary of Loxahatchee Groves Comprehensive Plan policies determined to be pertinent to the consideration of proposed amendments CPA 2014-02 and REZ 2014-02:

### **1. Future Land Use Element:**

**Objective 1.1** directs the Town to adopt future land use categories with appropriate uses, densities and intensities that protect residential and agricultural uses and encourage limited economic development.

**Policy 1.1.2** (Ref: Table 1-8) adopts the Town's future land use categories, including non-residential intensity (i.e. floor-area-ratio) limits reflective of the Town's rural character.

**Policy 1.1.3** directs the Town to ensure that future land use designations are compatible with adjacent land uses within and outside of the Town.

**Policies 1.1.4(b) and (j)** direct the Town to adopt land development regulations to assure that development is consistent with the Comprehensive Plan and compatible with adjacent land uses, provides for open spaces, and buffers residential from non-residential uses.

**Policy 1.1.5** directs the Town to consider all relevant factors, including but not limited to, consistency and with all elements of the Comprehensive Plan and compatibility with adjacent land uses.

**Objective 1.3** directs the Town to encourage a rural community design and look.

**Policy 1.3.1** directs the Town to adopt regulations for non-residential development that reflect the Rural Vista Guidelines.]

**Objective 1.12** directs the Town to consider changes to the future land use plan that create energy-efficient land use patterns.

### **2. Transportation Element:**

**Objective 2.5** directs the Town to coordinate the transportation system with the Future Land Use Map to ensure that land uses are consistent with transportation modes and services.

**Policy 2.5.1** directs the Town to encourage connectivity among all new developments in order to minimize impacts to the roadway network.

**Policy 2.5.3** directs the Town to pursue all opportunities to provide adequate bus shelters.

**Objective 2.7** directs the Town to maintain a safe local roadway network.

**Policy 2.7.2** directs the Town to encourage joint use of driveways and cross access agreements among adjoining property owners to allow circulation between sites.

### **3. Housing Element:**

**Policy 6.2.8** directs the Town to encourage job creation at locations identified on the Future Land Use Map as a means of assisting very-low, low and moderate income residents in finding employment opportunities proximate to their homes.

Proposed amendments CPA 2014-02 (SS) and REZ 2014-02 are generally consistent with the Comprehensive Plan in that the proposals will:

- Provide the opportunity for commercial development in area that is compatible with adjacent land uses.
- Assist in coordinating the Town's future land uses with the transportation system by locating a commercial property at the intersection of two paved roadways (i.e. a County Urban Collector and an Urban Local Road).
- Restrict the non-residential intensity (i.e. 0.074 floor-area-ratio) to less than the maximum defined to reflect the Town's rural character (i.e. 0.10 F.A.R.).
- Assist in providing accessible commercial services to Town residents particularly in the areas north of Okeechobee Boulevard.
- Encourage economic development and employment opportunities for Town residents.
- Create energy-efficient Town land use patterns by locating commercial, services proximate to residences.
- Not result in urban sprawl, as further discussed in Section VIII.C of the Staff Report.

Additional consistency with the Comprehensive Plan can be established by determining the feasibility of incorporating the following within the development concept:

- On-site connectivity with the Red Barn commercial property to the west.
- An on-site bus shelter.

**E. Zoning Requirements: CL Zoning District**

Regulation	Standard	Property Complies?
Minimum lot size	1 acre	Yes
Frontage and Access	Paved Collector or Arterial	Yes
Minimum frontage/width	150 feet	Yes
Minimum depth	150 feet	Yes
Maximum Floor-Area-Ratio	0.10	Yes/Conceptual Site Plan*
Maximum building and roofed structures lot coverage	25%	Yes/Conceptual Site Plan*
Front setback	50 feet	Yes/Conceptual Site Plan*
Side setback	25 feet	Yes/Conceptual Site Plan*
Side street setback	25 feet	Yes/Conceptual Site Plan*
Rear setback	50 feet	Yes/Conceptual Site Plan*
Minimum pervious area	30%	To be determined at Site Plan
Maximum building height	35 feet	To be determined at Site Plan

\* - Ref: Attachment B2.

**F. ULDC Section 160-020 Rezoning Criteria**

A rezoning petition is reviewed in accordance with the following criteria:

1. Must comply with both of the following:

Criterion	Can Property Comply?
Consistency with the Comprehensive Plan	Yes – See Section D Above
Approval would not give privileges not generally extended to similarly situated property in the area, or result in an isolated district unrelated to adjacent or nearby districts.	Yes – Other properties may apply for zoning. Adjacent property to the west has a commercial zoning approval from Palm Beach County

2. Must comply with one or more of the following:

Criterion	Can Property Comply?
An error or ambiguity must be corrected	Not Applicable
There exist changed or changing conditions which make the approval of the request appropriate.	No
Substantial reasons exist why the property cannot be used in accordance with the existing zoning.	No - Property can be developed under the AR Zoning District.
The rezoning is appropriate for the orderly development of the Town and is compatible with existing and conforming adjacent land uses, and planned adjacent land uses.	Yes – The rezoning is consistent with Comprehensive Plan (Ref: Section D) The property adjacent to the west is developed for commercial purposes. The property is bordered by a County Urban Collector (Okeechobee Blvd.) and a Town Urban Local Road (Folsom Road).

**G. ULDC Section 110-025(B). Minimum required information.**

Requirement	Response
Vehicular and pedestrian access	Property is bordered by two paved roads: Okeechobee Boulevard and Folsom road. Potential access available from each of these roads. No approved site plan at this time.
On-site circulation	To be defined at the time of site plan approval.
Parking	To be quantified and sited at the time of site plan approval.
Proposed roadway or easement vacations or road closures	None at this time
Off-site roadway improvements and traffic impacts in adjacent neighborhoods.	To be determined at the time of site plan approval, including Traffic Performance Standards (TPS) review and Concurrency determination by Palm Beach County.

**H. Compatibility**

An inventory of existing adjacent land uses is presented in Section A and summarized as follows: North - Okeechobee Boulevard (120-foot ultimate right-of-way), a designated County Urban Collector; South - Folsom Farms, a 9.4 acre commercial landscape nursery; East - Folsom Road, a paved designated Urban Local Road; and West - the Red Barn, a 35,000 sq. ft. retail commercial center with a 0.165 floor-area-ratio.

Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety, or aesthetic effects

arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions.

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can compliment and support each other. For example, a residential use can help support a commercial use and, conversely, the commercial use can provide essential goods and services to residents of surrounding neighborhoods.

Separation of potentially incompatible uses can act to fully or partially mitigate potential incompatibilities. A 17-foot easement (5-foot utility and 12-foot drainage) is located along the southern boundary of the subject property. The easement is bordered to its south by the driveway and parking area for the Folsom Farms Nursery. To the east and north, the subject property is separated from adjacent properties by extensive road and/or canal rights-of-way (110 feet to the east and 120 feet to the north).

In addition to separation of uses, access management, buffering, screening, setback, height, landscaping, and architectural requirements can further enhance compatibility, and reduce the potential negative effects of functionally different land uses.

A review of the subject site vicinity leads to the conclusion that the area is comprised of a mixture of land uses, including low and moderate intensity residential, commercial (retail and nursery) and institutional (public school and religious institution).

The proposed CL Future Land Use and Zoning designations (maximum intensity of 0.10 F.A.R.) provide the Town with an opportunity to establish a rural-style commercial node at the intersection of Okeechobee Boulevard and Folsom Road. CPA Amendment 2012-02 will further reduce the intensity to an F.A.R. of 0.074.

Implementation of Comprehensive Plan directives regarding compatibility with neighboring properties and incorporation of Rural Vista Guidelines architectural, buffering and screening techniques within the design concept can be used as the basis to insure compatibility.

**ATTACHMENT A1 - FUTURE LAND USE ELEMENT  
TEXT AMENDMENT 2014-02(SS)  
DAY PROPERTY**

1. Amendment of Special Policy 1.15.3 to the Future Land Use Element to limit the uses and intensity of development on the subject property and incorporate staff/LPA recommendations.

Words underlined are additions to the current text of the Comprehensive Plan.

*1.15.3 Special Policy: Reserved.*

Land use and intensity of development on the property delineated as "Special Policy 1.15.3" on the Future Land Use Map, Map # FLU -1.10, shall be regulated by the application of the following: (a) The applicant shall record a Deed Restriction which shall provide that the Intensity of development shall not exceed a floor-area- ratio (F.A.R.) of 0.74 in order to accommodate a maximum of 30,000 sq. ft. of commercial low intensity uses; and (b) this restriction shall automatically increase to whatever F.A.R. may be subsequently granted by the Town Council to any other Commercial Low designated property fronting on Okeechobee Boulevard and lying within the Town limits.

(1). A Conceptual Site Plan reflecting the 0.74 F.A.R. shall be approved as part of the initial rezoning approval. Subject to potential future F.A.R. increases permitted by Special Policy 1.15.3(b), development uses, access and intensity shall be consistent with the Conceptual Site Plan.

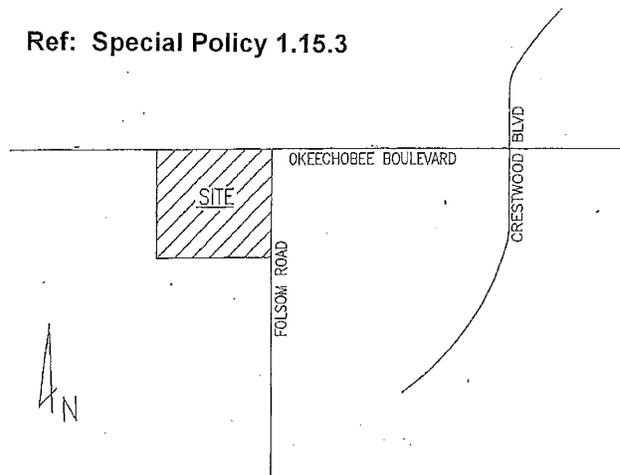
(2). Any increase in development intensity above a 0.74 F.A.R., as permitted in Special Policy 1.15.3(b), shall be processed through the Town's site plan or site plan amendment approval process, as appropriate.

**ATTACHMENT A2 - FUTURE LAND USE ELEMENT  
MAP AMENDMENT 2014-02(SS)  
DAY PROPERTY  
(Ref: Following Page)**

1. Assignment of Special Policy 1.15.3 and the CL future land use category to the subject site on Future Land Use Map FLU-1.10, as illustrated below.

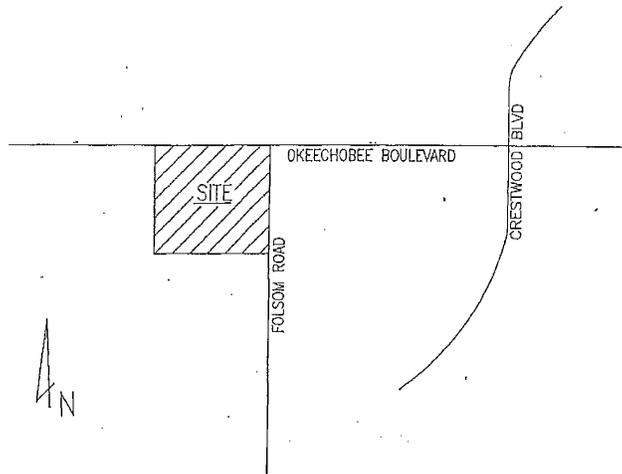
**Parcel Size: 9.30 Acres  
From: Rural Residential 5 (RR 5)  
To: Commercial Low (CL)**

**Ref: Special Policy 1.15.3**



**ATTACHMENT B1  
ZONING MAP AMENDMENT 2014-02(SS)  
DAY PROPERTY**

**Parcel Size: 9.30 Acres  
From: Agricultural Residential (AR)  
To: Commercial Low (CL)**



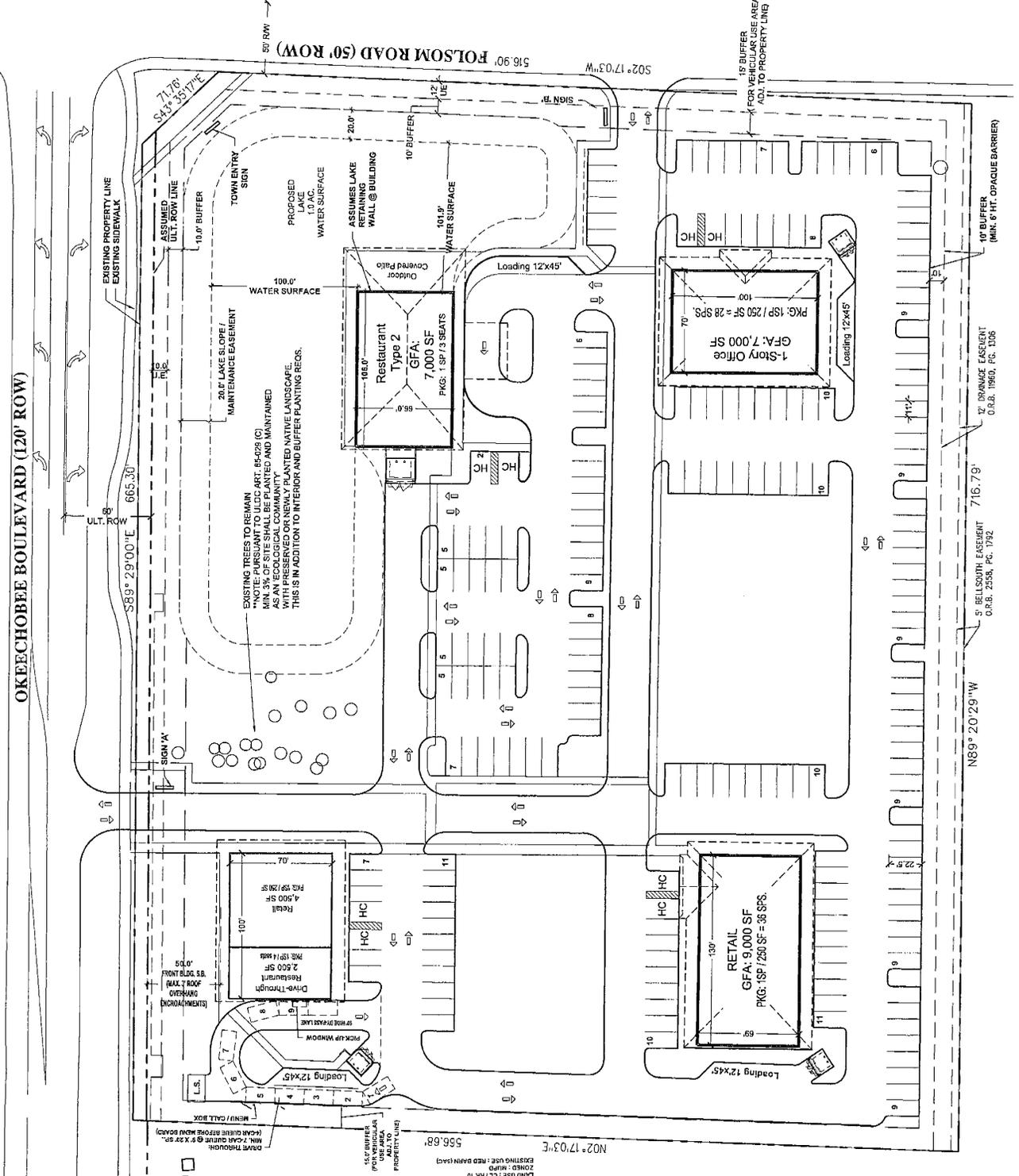
**ATTACHMENT B2  
DAY PROIPERTY  
ZONING CONDITIONS OF APPROVAL AND CONCEPTUAL SITE PLAN**

**A. Conditions of Approval**

1. A County Traffic Performance Standards (TPS) review, including a concurrency determination, shall be completed at the time of site plan review, when a specific plan of development is proposed, in order to establish traffic-based building potential and the timing thereof.
  
2. Building height shall be limited to one story.
  
3. The Rural Vista Guidelines, as directed by the Town Council, shall be incorporated within the design of the development at the time of site plan approval.
  
4. Incorporation of on-site connectivity with the Red Barn commercial property to the west within the design of the project shall be investigated at the time of site plan approval.
  
5. Incorporation of a Palm Tran bus shelter within the design of the project shall be investigated at the time of site plan approval.
  
6. A vegetative survey, including a Slash Pine inventory, shall be completed at the time of site plan approval, including identification of a Slash Pine preservation program.
  
7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be filed with the Town.
  
8. Prior to submitting a site plan application, the Roadway Equestrian Trails and Greenways (RETAG) Advisory Committee shall be consulted regarding the feasibility of incorporating equestrian facilities within the development program.

**B. Conceptual Site Plan (Ref: Following Page)**

# ZONING MAP AMENDMENT 2014-02(SS) CONCEPTUAL SITE PLAN



CONCEPTUAL SITE DATA  
SEPTEMBER 2014

LOT SIZE: 0.30 AC (608,108 SF)  
 EXISTING LAND USE: RESIDENTIAL (UNITS/AGES)  
 EXISTING ZONING: AR  
 PROPOSED LAND USE: COMMERCIAL LOW (C3)  
 FUTURE ZONING DESIGNATION: COMMERCIAL LOW (C3)

PROPERTY CONTROL NUMBER: 41-1-43-17-01-833-0010  
 477 S. ROSEMARY AVE., SUITE 225  
 WEST PALM BEACH, FL 33401  
 P 561-330-1130  
 F 561-330-1111  
 WWW.URBANDSIGNSTUDIOS.COM

PREVIOUS (MAX. 30%)  
 13,500 SF  
 RETAIL  
 2,800 SF  
 DRIVE-THROUGH RESTAURANT  
 7,800 SF  
 OFFICE  
 30,000 SF

FLOOR AREA RATIO: 0.074 FAR  
 48%  
 150 SPACES  
 150 SPACES  
 1 SP/3 SEATS @ 75 SEATS = 28 SPACES  
 ACTUAL NUMBER OF SEATS (190)  
 RESTAURANT DRIVE THROUGH  
 1 SP/4 SEATS @ 40 SEATS = 10 SPACES  
 ACTUAL NUMBER OF SEATS (190)

RETAIL - GENERAL  
 7,577,250 SF @ 72,500 SF = 54 SPACES  
 OFFICE  
 7,577,250 SF @ 7,000 SF = 28 SPACES  
 PARKING PROPOSED  
 (PRELIMINARY): 208 SPACES

CONCEPTUAL PLAN BASED ON THESE ASSUMPTIONS:  
 • EXISTING NATIVE TREES THAT CAN'T BE PRESERVED WILL BE MITIGATED FOR.  
 • EXISTING OVERHEAD POWER LINES & HOLES THAT RUN NORTH-SOUTH THROUGH THE MIDDLE OF THE SITE WILL BE BURIED AS PART OF THE PERMIT - SUBJECT TO REVIEW BY CIVIL ENGINEER.  
 • NO ADDITIONAL ROW WILL BE REQUIRED TO BE DEDICATED FOR FOLSOM RD.  
 • NO ADDITIONAL ROW WILL BE REQUIRED FOR ADDITIONAL OKEECHOBEE BLVD. ROW. ADDITIONAL ROW MAY BE REQUIRED PER IOWING REVIEW BY ENGINEER FOR EXPANDED INTERSECTION OPTION.

ENGINEER REQUIRED  
 DRAINAGE/LAKE SIZE - REVIEW BY CIVIL ENGINEER REQUIRED  
 8' DEEP FRONT PORCH RECORD AT ENTRANCE FACADE OF EACH BUILDING  
 MAX. 35' HT.

SITE DESIGN AND DATA BASED ON PROVISIONS AS SET FORTH IN THE CURRENT LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE.  
 SITE PLAN BASED ON BOUNDARY SURVEY AS PREPARED BY LIDBERG LAND SURVEYING INC. DATED 10-02-2014

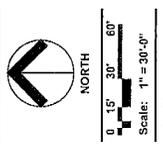


Urban Planning & Design  
 Communication Graphics

Project No: 14-10-04  
 Prepared By: MLC  
 Checked By: MLC

Site Address: 477 S. ROSEMARY AVE., SUITE 225  
 WEST PALM BEACH, FL 33401  
 PROJECT: COMMERCIAL LOW (C3)  
 PREPARED BY: URBAN DESIGN KILCDAY STUDIOS

Conceptual Site Plan  
 Loxahatchee, Florida  
 Okeechobee Folsom  
 Commercial



CSP-1  
 of 1

Day Property  
 CPA 2014-02(SS) and REZ 2014-02 Applications  
 October 23, 2014