



**TOWN OF LOXAHATCHEE GROVES**

**PLANNING AND ZONING BOARD**

**MEETING AGENDA**

**Thursday, September 29 , 2016**

*Chair Dennis Lipp*

*Vice- Chair Grace Joyce*

*Board Member William Ford*

*Board Member Keith Harris*

*Board Member Veronica Close*

*Alternate Robin Crawford*

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



**Town of Loxahatchee Groves**  
**Local Planning Agency (LPA) Public Hearing**  
**and**  
**Planning and Zoning Board (PZB) Meeting**  
**Thursday, September 29, 2016, at 7:00 p.m.**  
Town of Loxahatchee Groves  
155 "F" Road, Loxahatchee Groves, FL 33470

Chair Dennis Lipp  
Board Member Veronica Close  
Board Member Grace Joyce  
Board Member Keith Harris  
Board Member William Ford  
Alternate Member: Robin Crawford  
Alternate Member: Vacant

Town Manager William F. Underwood, II  
Town Clerk Virginia Walton  
Town Planning Consultant Jim Fleischmann

The Planning & Zoning Board meets on the 2<sup>nd</sup> or 3<sup>rd</sup> Thursday of each month subject to the filing of applications. It also acts as the Local Planning Agency (LPA).

**1. OPENING**

- a. Call to Order & Roll Call
- b. Approval of Minutes: August 18, 2016
- c. Approval of Agenda
- d. Public Comments

**2. CONVENE LOCAL PLANNING AGENCY**

- a. Review of Public Hearing Procedures

**b. Folsom Road Properties Annexation and CPA 2016-03**

1. Open Public Hearing
2. Close Public Hearing
3. LPA Member Discussion
4. Consideration of Motions: a. Annexation; b CPA 2016-03
5. Close Public Hearing

**c. Country Corners CPA 2016-04**

1. Open Public Hearing
2. Close Public Hearing
3. LPA Member Discussion
4. Consideration of Motion: CPA 2016-04
5. Close Public Hearing

**3. CONVENE PLANNING AND ZONING BOARD**

- a. Old Business: None

**1. Folsom Road Properties Rezoning REZ 2016-02**

- b. New Business: None
- c. Public Comments
- d. Board Member Comments
- e. Adjournment

*The next Planning and Zoning Board Meeting is to be determined.*

**Comments Cards:** Anyone from the public wishing to address the LPA 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 LPA 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  
Planning & Zoning Board  
Thursday, August 18, 2016, at 7:00 p.m.

## MEETING MINUTES

Chair Dennis Lipp  
Vice-Chair Grace Joyce  
Board Member Veronica Close  
Board Member Keith Harris  
Board Member William Ford  
Alternate Member #1 Robin Crawford

Town Manager William F. Underwood, II  
Town Clerk Virginia Walton  
Town Planning Consultant Jim Fleischmann

### AGENDA

#### 4. OPENING

- e. Call to Order & Roll Call

Chair Dennis Lipp called the meeting to order at 7:00 p.m. Present were Board Members Veronica Close, Keith Harris and William Ford. Vice Chair Grace Joyce and Alternate Member Robin Crawford were absent.

Staff Present: Town Planning Consultant Jim Fleischmann and Town Clerk Virginia Walton. Town Manager Bill Underwood was absent.

- b. Approval of Minutes: July 19, 2016 and July 21, 2016

**Motion:** a motion to approve the minutes was made by Board Member Close and seconded by Board Member Ford. Motion passed 4 – 0.

- c. Approval of Agenda

**Motion:** a motion to approve the agenda was made by Board Member Ford and seconded by Board Member Close. Motion passed 4 – 0.

- d. Public Comments – none

## 5. CONVENE PLANNING AND ZONING BOARD

- a. Old Business: None
- b. New Business:

### 1. **Loxahatchee Groves Commons Outparcel Building F Site Plan Amendment SP(A) 2016-04**

Joe Lelonek, representing the owners of the property, stated that when the original site plan had been approved, this site was tagged for retail/restaurant only. Now the site was proposed for an Urgent Care Facility, which was a permitted use in the ULDC. This request was just to amend the site plan so the tag would now read retail/restaurant/medical office. Jim Fleischmann stated that this was a 0.82 acre outparcel with commercial low zoning. There would be no square footage change involved and the parking requirements were the same for either use.

**Motion:** a motion to recommend approval of the site plan amendment was made by Board member Ford and seconded by Board Member Close. Motion passed 4 – 0.

### 2. **Loxahatchee groves Commons Inline Retail Building B Site Plan Amendment SP(A) 2016-05**

Joe Lelonek, representing the owners of the property, stated that this site was in between Publix and Tractor Supply, being two bays away from Tractor Supply. A Pool Supply Company was proposed for the site, and was requesting a 1,000 gallon chlorine tank to be completely contained and located in an alcove behind the building. The Town Engineer had recommended two alternative conditions regarding the tank, which were presented to the Board. Mr. Lelonek stated they had no problem with the alternative conditions, with the exception he would prefer to have a chain link fence rather than a wall, because of air flow. In response to questions from the Board, Mr. Lelonek responded that the tank was 10.2 ft. in height and approximately 6 feet in diameter.

Planning Consultant Fleischmann stated that the Health Department had suggested a wall, but the DEP and the Town Engineer had recommended a screened fence, which was consistent with the ULDC Code. Also bollocks were suggested to protect the area from vehicles.

**Motion:** a motion to require a wall instead of chain link fence was made by Board Member Close. Motion failed for lack of a second.

**Motion:** a motion to recommend approval, subject to the alternative conditions, a chain link fence and bollocks was made by Board Member Ford and seconded by Board Member Harris. Motion passed 4 – 0.

### 3. **Dunkin Donuts Menu Board Sign Variance**

Ryan Parente, with the sign company, and Steven Rubiano, with Dunkin Donuts, would speak as the Applicants. The ULDC had a maximum of twelve (12) sq. ft. allowed and the Applicant was requesting 45 sq. ft. for the menu board backlit sign. The store itself was 1800 sq. ft.

Mr. Parente brought several renderings for the Board to review showing different sizes of menu boards and different designs with or without side and top panels. He stated that the company only manufactured signs in either a 24 sq. ft. size or a 45 sq. ft. size, so meeting the ULDC requirement would be problematic for them. Extensive discussion about whether dimensions included side and top panels or the frame holding the sign. Board was not in favor of the side panels, and it was determined that the frame holding the sign was not calculated in the sign requirements. Also the canopy over the signage was separate and in addition to the sign.

**Motion:** a motion to recommend approval a 24 sq. ft. menu board sign instead of the 45 sq. ft. requested was made by Board Member Harris and seconded by Board Member Ford.

After further discussion by the Board, Board Member Harris withdrew his motion.

The Board was not in favor of the 45 sq. ft. sign, but would consider a 24 sq. ft. variance. However, granting variances sets a precedent, which Board was reluctant to do. Planning Consultant Fleischmann stated while he appreciated the caution, one way to minimize precedent would be to specify and clarify conditions for granting variance. Joe Lelonek, representative for the owners of the property, reminded the Board that this was actually the first large project ever for the Town and new problems would arise as never before requests were presented.

**Motion:** a motion to recommend approval a variance for a 24 sq. ft. menu board sign, with language to justify this specific and unique variance was made by Board Member Ford and seconded by Board Member Harris. Motion passed 4 – 0.

Justification for this particular variance is as follows:

1. The menu board is located at the rear (north side) of Building F and is blocked from view from Southern Boulevard.
2. Due to the location of the sign and type (all commercial) and distance (a minimum of 500 feet) to neighboring buildings, the proposed sign is not incompatible with surrounding uses.
3. Due to the distances involved and view obstructions, the menu board does not interfere with the quiet enjoyment of any neighboring residential properties.
4. The menu board is a proprietary sign intended for the exclusive use of drive-thru customers of Dunkin' Donuts. A 24 sq. ft. sign will appropriately serve drive-thru customers.
5. The proposed variance to 24 sq. ft. will serve to expedite traffic flow through the drive-thru lane and prevent excessive queuing.

c. Public Comments – none

d. Board Member Comments

Chair Lipp advised everyone that a friend of the Town, Klaus Van Grout, was in the hospital.

e. Adjournment

Planning Consultant Fleischmann advised the Board he had a conflict with the date for the next Planning and Zoning Board Meeting and requested it be changed to a date between September 26 and September 29, 2016. After Discussion, the Board agreed on September 29, 2016.

Having no further business and hearing no further comments, the meeting was adjourned at 8:26 pm.

**Town of Loxahatchee Groves, Florida**  
**Local Planning Agency & Planning and Zoning Board**  
**Agenda Item Report Folsom Road Properties Applications**

**PREPARED BY:** Jim Fleischmann

**September 28, 2016**

**SUBJECT:** The following Folsom Road Properties applications

1. Voluntary Annexation: ANNEX 2016-01 (Local Planning Agency consideration)
2. Future Land Use Map Amendment: CPA 2016-03 (SS) (Local Planning Agency consideration)
3. Rezoning: REZ 2016-02 (Planning and Zoning Board consideration)

**1. BACKGROUND**

**History:** The property is located on the west side of Folsom Road, immediately north of its intersection with Crestwood Boulevard, in the unincorporated area of Palm Beach County. Current Palm Beach County Future Land Use (FLU) and zoning designations are as follows: FLU – Rural Residential 5; and Zoning – Agricultural Residential.

Historically (i.e. Warranty Deed dated August 16, 1974), the property consisted of 4.96 acres. The property was reduced in size to 4.27 acres (Aerial attached) by the dedication of its easterly 50.02 feet for the Folsom Road right-of-way. Per the taking, lot depth from Folsom Road was reduced from 360 feet to 309.98 feet.

The current and historical use of the property is a veterinarian clinic (Palms West Veterinary Hospital) which offers services to both small and large animals. According to documentation (i.e. Board of Veterinary Medicine Premise Certificate #VE 0925 and Palm Beach County Occupational Licenses/Business Tax Receipts) provided by the Applicant, a veterinary business has been operating on the property since 1983.

The veterinary business was initially a permitted use pursuant to County Ordinance 73-2, which made no distinction as to the size or species of animal treated. Supplement 7 (March 14, 1986) of the Palm Beach County ULDC lists veterinary offices as a permitted use in the AR District. Again, no distinction was made as to the size or species of animal treated.

County Ordinance 95-8 (March 10, 1995) limited veterinary clinics in the AR District to the treatment of large animals. The Palm Beach County ULDC in effect at the time of incorporation of Loxahatchee Groves limited veterinary clinics in the AR District to the treatment of large animals on a minimum lot size of 5 acres. However, a Palm Beach County Planning Zoning and Building Code Enforcement Violation History Screen (August 9, 2002) states that the veterinary hospital use on the property is “grandfathered in”.

No limitation on the size or species of animal was made in the History Screen. The term “grandfathered in” is interpreted to mean that the veterinary hospital, providing services to both large and small animals, without a species limitation, was determined by the County to be a legal and conforming use.

The Loxahatchee Groves Unified Land Development Code (ULDC), adopted on November 16, 2010, does not list veterinary clinic as a permitted use in the Agricultural Residential (AR) zoning district (Section 20-015: *Permitted uses*). Further, the minimum lot size is stated as 5 acres. However, ULDC Section 75-010: *Uses and structures existing as of October 1, 2006* states:

“ . . . all uses, structures and plots of land that were legal and conforming to the Palm Beach County Land Development Code as of October 1, 2006, shall be deemed to be legal and conforming to these regulations, as may be amended from time to time.”

In addition, ULDC Section 20-025 (C) (1) *Nonconforming plots of prior record* states:

“Plots which were of public record prior to, and became nonconforming as a result of the adoption of Town of Loxahatchee Groves Unified Land Development Regulations may be developed for residential use despite not meeting the minimum plot and dimensional requirements.”

In addition, ULDC Section 75-030 (A) states:

“A nonconforming plot of record may be used for any use permitted by the zoning district within which the plot is located, provided the plot complies with all development standards except for plot size and dimensions, and provided that specific uses required to have different plot area or dimensional requirements than generally required for other uses within the same zoning district, shall not be permitted on a nonconforming plot of record that does not comply with said plot size and dimensional requirements, unless the Town grants a variance for the size, setback, or dimensional requirement pursuant to the procedures and standards of Article 150, Variances ”

As a result of the research summarized above, it is concluded by Staff that the current veterinary business use, which serves animals without a limitation on size or species is legal and conforming to the Town’s Unified Land Development Code (ULDC) under the provisions of Section 75-010 *Uses and structures existing as of October 1, 2006* and Sections 20-025 (C) (1) *Nonconforming plots of prior record* and Section 75-030 (A).

**Problem Statement:** (1) The Local Planning Agency should consider the proposed Annexation ANNEX 2016-01 and FLU Map Amendment CPA 2016-03 (SS); and (2) The Planning and Zoning Board should consider the proposed Zoning Map Amendment REZ 2016-02.

**Problem Solution:** (1) The Local Planning Agency should hear testimony and make recommendations of approval or denial to the Town Council of the proposed Annexation ANNEX 2016-01 and FLU Map Amendment CPA 2016-03 (SS); and (2) The Planning and Zoning Board should hear testimony and make a recommendation of approval or denial to the Town Council of proposed Zoning Map Amendment REZ 2016-02.

## 2. CURRENT ACTIVITY

The Applicant, Folsom Road Properties, LLC has submitted voluntary Annexation Application ANNEX 2016-01 to incorporate the subject property within the Town of Loxahatchee Groves.

The annexation requires two separate actions by the Town Council; an Annexation ordinance, and an ordinance for the FLU Map and Zoning Map amendments.

**a. Annexation Application:** The Applicant has submitted Annexation Application ANNEX 2016-01 for the subject 4.27 acre property. The property is located within the County's designated Unincorporated Protection Area (UPA), which generally lies outside of the County's Urban Service Area.

Voluntary annexations in the UPA require the consent of the Palm Beach County Board of County Commissioners by a super majority vote per County Ordinance 2007-018. County Staff will present the application for Board of County Commissioners consideration following First Reading of the Annexation Ordinance by the Loxahatchee Groves Town Council. According to County Staff, a five-week notice is required to place an item on a County Commission agenda.

Per Ordinance 2007-018, Town staff filed a Preliminary Notification of Annexation with Palm Beach County in May 2016. In response, the proposed annexation was processed through the County's Annexation Review Process, including a review by County Staff and service delivery agencies. Based upon the review, County staff has not identified any inconsistencies with Chapter 171, Florida Statutes: *Municipal Annexation or Contraction*. County Staff found the property to be located within an existing unincorporated pocket and its annexation will reduce the size of the pocket and recommended that the annexed area include those portions of the Folsom Road and Canal rights-of-way that abut the subject property to its east.

The County Engineering Department provided the following comments: (1) The Town should protect the ultimate expanded right-of-way for the intersection of Folsom Road and Crestwood Avenue; and (2) the Town should assume maintenance responsibility and ownership of Folsom Road.

**b. Future Land Use and Zoning Applications:** It is the Town's responsibility to assign land use and zoning designations to all properties within its corporate limits. Therefore, upon annexation, the Town must assign Future Land Use and Zoning designations to the property. Upon a review of the Loxahatchee Groves Comprehensive Plan and Future Land Use Map, it is determined that a Rural Residential 5 (RR 5) Future Land Use Designation and an Agricultural Residential (AR) zoning designation are the most appropriate.

Although the veterinary clinic is determined to be legal and conforming to the Town's Unified Land Development Code (ULDC) under the provisions of Section 75-010, the use is not listed as a permitted use in the AR zoning district. Therefore, to clearly state the applicability of the ULDC to the subject property, a Special Policy Future Land Use Element text amendment is proposed to accompany the Future Land Use Map amendment.

Based upon its planning and zoning responsibilities, the Town is the Applicant for the following:

- **Future Land Use Map Amendment CPA 2016-03 (SS):** Revise the Town's Future Land Use Map to include the subject property and assign a Rural Residential 5 (RR 5)/Special Policy 1.15.6 future land use designation and revise the text of the Future Land Use Element to include the following Special Policy to insure consistency with the AR zoning district:

“The existing veterinary clinic use on the property delineated as “Special Policy 1.15.6” on the Future Land Use Map, Map #FLU-1.10, is determined to be legal and conforming to the Loxahatchee Groves Unified Land Development Code (ULDC) and may expand subject to the land development regulations therein.”

- **Zoning Map Amendment REZ 2016-02:** Revise the Town's Zoning Map to include the subject property and assign an Agricultural Residential (AR) zoning designation.

### **3. ATTACHMENTS**

1. Map of “Folsom Road Properties” proposed annexation
2. Future Land Use Map and Text Amendment CPA 2016-03(SS)
3. Zoning Map Amendment REZ 2016-02

### **4. FINANCIAL IMPACT**

Work on this project is funded by Applicant's Cost Recovery Account

### **5. RECOMMENDED ACTIONS:**

1. That the LPA recommend approval of Annexation Application ANNEX 2016-01.
2. That the LPA recommend approval of Future Land Use Map Amendment CPA 2016-03 (SS).
3. That the P&Z Board recommend approval of Rezoning REZ 2016-02.

**ATTACHMENT 1**  
**FOLSOM ROAD PROPERTIES PROPOSED ANNEXATION**

**ATTACHMENT 2.A - FUTURE LAND USE MAP AMENDMENT 2016-03(SS)**

**FOLSOM ROAD PROPERTIES**

**Amendment 2016-03:  
Palm Beach County RR 5  
to Loxahatchee Groves RR 5  
Parcel Size: 4.27 Acres  
Ref: Special Policy 1.15.6**

**Subject  
Site**

**ATTACHMENT 2.B - FUTURE LAND USE ELEMENT**

**TEXT AMENDMENT 2016-03(SS)**

**FOLSOM ROAD PROPERTIES**

1. Addition of Special Policy 1.15.6 to the Future Land Use Element to clarify the use status and future development potential of the Folsom Road annexation parcel.

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

*1.15.6 Special Policy:*

The existing veterinary clinic use on the property delineated as “Special Policy 1.15.6” on the Future Land Use Map, Map #FLU-1.10, is determined to be legal and conforming to the Loxahatchee Groves Unified Land Development Code (ULDC) and may expand subject to the land development regulations therein.

**ATTACHMENT 3 - ZONING MAP AMENDMENT REZ 2016-02**

**FOLSOM ROAD PROPERTIES**

**REZ 2016-02  
Palm Beach County AR  
to Loxahatchee Groves AR  
Parcel Size: 4.27 Acres**

**Subject  
Site**

**TOWN OF LOXAHATCHEE GROVES  
LOCAL PLANNING AGENCY (LPA)  
September 28, 2016**

**AGENDA ITEM STAFF SUMMARY: COUNTRY CORNER  
LARGE-SCALE FUTURE LAND USE MAP AMENDMENT CPA 2016-04**

**I. General Information**

- A. Project Name:** Country Corner.
- B. Agent:** Jon E. Schmidt & Associates, Inc.
- C. Applicant:** Seth Brier
- D. Owner:** Elaine Smiley and K & J Ranches , LLC
- E. Parcel Control Numbers (PCN):** 41-41-43-17-01-804-0010 and 41-41-43-17-01-804-0040.
- F. Project Location:** 444 "B" Road and 556 "B" Road, Loxahatchee Groves. East side of "B" Road, approximately 0.2 mile north of Southern Boulevard (Ref: Map 1).
- G. Size of Property:** 15.62 acres.
- H. FLU Map Designation:** Rural Residential 5 (RR 5).
- I. Zoning Map Designation:** Agricultural Residential (AR)
- J. Existing Uses:**
1. 556 "B" Road (south 7.5 acres): Single-family residence (2,282 sq. ft.); Single-family residence (2,704 sq. ft.); Stables (13,200 sq. ft.); Office trailer (664 sq. ft.); Country Corner Variety store (4,400 sq. ft./2 stories); Horse paddock; Horse arena; Food Truck.
  2. 444 "B" Road (north 8.12 acres): Single-family residence (2,648 sq. ft.); Caretaker residence (794 sq. ft.); Barn/stables (2,940 sq. ft.); Dressage training area; Turnout paddock.
- Summary: Four residential units (8,428 sq. ft.); Two Barn/stables (16,140 sq. Ft.); Variety store (4,400 sq. ft.); and Office trailer (664 sq. ft.). Total structures = 29,452 sq. ft. Additional facilities: Horse paddock, Horse arena, Dressage training area, Turnout paddock; and Food Truck.
- K. Maximum Development Potential Proposed Land Use:** 68,041 sq. ft. sq. ft. of CL space (15.62 acres x 43,560 sq. ft. per acre x 0.1 FAR)

## Map 1 – Site Location

## **II. Adjacent Land Uses**

The property is bordered on its east and south by the approved 90.32 acre Groves Town Center Multiple Land Use Planned Unit Development (MLU/PUD), which consists of the following uses: Commercial Low (34.34 acres/103,000 sq. ft. of retail commercial space); Commercial Low Office (16.0 acres/44,000 sq. ft. of office space); and Institutional (40 acres/128 assisted living beds)..

To the north is a 5.03 acre property assigned a wholesale nursery Use Code (6900). The property is owned by Red Clover Lawn Service, Inc.

The property is bordered by "B" Road on the west followed by the Palm Beach State College Campus. "B" Road is currently being paved from Sothern Boulevard north to the Collecting Canal.

## **III. Requested Comprehensive Plan Amendments**

Proposed CPA 2016-04 consists of adding two Special Policy Text Amendments to the Future Land Use Element and a Map Amendment to the Future Land Use Map.

### **A. Future Land Use Element Text Amendments**

#### 1.15.7: Special Policy:

Properties within the area defined by the following features, in combination, are defined as a "Mixed-Use Superblock" where a planned mixture of non-residential land use designations, including Commercial Low (CL), Commercial Low Office (CLO), Institutional and Public Facilities (INST) and Conservation (CON), currently predominates. In keeping with the planned character of the "Mixed-Use Superblock", properties assigned an RR 5 future land use designation may apply for a change in land use to a CL, CLO, INST or CON Future Land Use designation.

#### 1.15.8: Special Policy:

Existing residential and commercial equestrian uses on the property delineated as "Special Policy 1.15.7" on the Future Land Use Map, Map # FLU-1.10, may remain subject to Sections 75-020: Nonconforming uses and 75-025: Nonconforming Structures of the Loxahatchee Groves Unified Land Development Code (ULDC). The existing residential and commercial land uses shall not be included in the floor-area-ratio (F.A.R.) calculation for the property.

### **B. Future Land Use Map Amendment**

The current future land Use category assigned to the subject property is Rural Residential 5. The applicant has requested the assignment of a Commercial Low (CL) Future Land Use (FLU) Map designation to the subject property.

Uses permitted under the requested CL FLU category are described in Table 1-8 of the Future Land Use Element of the Comprehensive Plan, as follows:

- Commercial Low (CL): “A limited range of neighborhood-oriented commercial activities designed primarily to provide services to adjacent residential areas and public schools. Limited institutional and public facilities allowed.

Under the Comprehensive Plan, the Commercial Low FLU category allows for a maximum development intensity (Floor-Area-Ratio) of 0.10. The maximum development intensity under the proposed CL Future Land Use designation is 68,041 sq. ft. of retail commercial space.

#### **IV. Proposed Development Program**

The applicant has requested the assignment of a CL FLU designation for the 15.62 acre parcel. A specific plan of development has not been submitted to the Town at this point. However, via proposed Special Policy 1.15.8, the Applicant proposes two conditions: (1) to be allowed to maintain the existing residential and commercial equestrian land uses until development of a development concept under the CL designation; and (2) be allowed a 0.1 commercial F.A.R. in addition to maintaining existing residential and commercial uses. Detailed plans will be submitted with the rezoning and site plan approval applications.

#### **V. Support Data**

The Applicant has submitted the following support documents: Justification Statement; Built features inventory and map and list of structures currently located on the property; Transportation Analysis (Pinder Troutman Consulting, Inc.; 3/13/2015); Drainage Statement (Engenuity Group, Inc.); Wellfield Zone Map; Natural Features Inventory and Map (Jon E. Schmidt & Associates); Request for Historic Resources letter from Palm Beach County; Fire Rescue response letter; and Request for water and sewer letter from Palm Beach County;

The Transportation Analysis evaluated the impacts of a mixed development concept consisting of the following components: 49,984 sq. ft. of retail space; 4 single-family dwellings; 3 groom’s quarters; equestrian stables (40 stalls); and a 1.39 acre wholesale/retail nursery. All impacted roadway segments are projected to meet the adopted LOS “D” standard for the long-range (2035) analysis. A TPS analysis will be required when a specific plan of development (i.e. Site Plan approval application) is submitted to the Town.

#### **VI. Staff Analysis**

##### **A. Appropriateness of the Current Future Land Use (FLU) Map Designation**

The subject property consists of two parcels (a total of approximately 15 acres) located on the east side of “B” Road, approximately 0.2 miles north of Southern Boulevard. The current FLU Map designation is Rural Residential 5 (RR 5). At the time of the adoption of the Town’s Comprehensive

Plan, "B" Road was not improved and all surrounding properties were assigned the RR 5 FLU designation.

The principal justification for the proposed FLU amendment is that a substantial change in circumstances in the surrounding area since the adoption of the Town's Comprehensive Plan (Town Plan) leads to the conclusion that the current FLU designation is no longer the most appropriate.. Within the area bounded by Collecting Canal (north), Southern Boulevard (south), "C" Road (east), and "A" Road (west), the following approvals have occurred since the Town Plan was adopted: Palm Beach State College campus (75 acres); Loxahatchee Groves Commons shopping center (22 acres); and Groves Town Center mixed use development (90 acres). Combined, these approvals encompass approximately 187 acres, or 90% of the 207 acres within the area described above. Only 20 acres of conventional RR 5 land remain; the subject site at 15 acres and the 5 acre property to its immediate north.

### **B. Appropriateness of the Proposed Amendment**

The changed nature of the surrounding area is also the principal justification for the proposed CL FLU Map designation. In addition to the large-scale non-residential approvals cited above, "B" Road improvements (i.e. paving and the addition of turn lanes, from Southern Boulevard to Collecting Canal and Collecting Canal bridge improvements) and central water and sewer improvements along "B" Road increase site accessibility, desirability and marketability of the property. The character of the surrounding area has dramatically changed from that of agriculture to mixed-use (Institutional and Retail and Office Commercial). The proposed FLU Map amendment is consistent with the recent areal change in character.

### **VII. Staff Findings**

Planning staff finds proposed Special Policy 1.15.7 and Future Land Use Map Amendment 2016-04 generally consistent with the Comprehensive Plan and the changing nature of the surrounding area. Further, Staff finds proposed Special Policy 1.15.8 consistent with the Comprehensive Plan and land development regulations, with the exception that the maximum F.A.R. should not exceed 0.10, for all onsite uses, including those retained existing structures.

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

To be included following the LPA meeting on the subject.

### **IX. Town Council Transmittal**

To be determined by the Town Council at its meeting on the subject.

### **X. Regional And State Agency Review**

To be included if the Town Council decides to transmit the application for appropriate regional and state agency review.

## **XI. Staff Recommendation**

Staff recommends approval of proposed Special Policy 1.15.7 and FLU Map Amendment 2016-04.. It is further recommended that proposed Special Policy 1.15.8 be revised to read as follows:

### 1.15.8: Special Policy:

Existing residential and commercial equestrian uses on the property delineated as "Special Policy 1.15.7" on the Future Land Use Map, Map # FLU-1.10, may remain subject to Sections 75-020: Nonconforming uses and 75-025: Nonconforming Structures of the Loxahatchee Groves Unified Land Development Code (ULDC). ~~The existing residential and commercial land uses shall not be included in the floor-area-ratio (F.A.R.) calculation for the property.~~

## **XII. Town Council Adoption**

To be included if, and when the Town Council has second reading of the related adoption ordinance.

# ATTACHMENT A1

## FUTURE LAND USE ELEMENT TEXT AMENDMENT 2016-4

### 1. Addition of Special Policies 1.15.7 and 1.15.8 of the Future Land Use Element

Words underlined are added to the current text of the Future Land Use element of the Loxahatchee Groves Comprehensive Plan.

#### 1.15.7: Special Policy:

Properties within the area defined by the following features, in combination, are defined as a “Mixed-Use Superblock” where a planned mixture of non-residential land use designations, including Commercial Low (CL), Commercial Low Office (CLO), Institutional and Public Facilities (INST) and Conservation (CON), currently predominates. In keeping with the planned character of the “Mixed-Use Superblock”, properties assigned an RR 5 future land use designation may apply for a change in land use to a CL, CLO, INST or CON Future Land Use designation.

#### 1.15.8: Special Policy:

Existing residential and commercial equestrian uses on the property delineated as “Special Policy 1.15.6” on the Future Land Use Map, Map # FLU-1.10, may remain subject to Sections 75-020: Nonconforming uses and 75-025: Nonconforming Structures of the Loxahatchee Groves Unified Land Development Code (ULDC). The existing residential and commercial land uses shall not be included in the floor-area-ratio (F.A.R.) calculation for the property.

**ATTACHMENT A2**  
**FUTURE LAND USE MAP #FLU-1.10 AMENDMENT 2016-04**

1. Amendment of the Future Land Use Map FLU-1.10 of the Future Land Element of the Loxahatchee Groves Comprehensive Plan to assign the Commercial Low (CL) Future Land Use designation to the subject property and incorporate a specific reference to Special Policy 1.15.8.

**Amendment 2016-04:**  
**Loxahatchee Groves RR 5 to CL**  
**Parcel Size: 4.27 Acres**  
**Ref: Special Policy 1.15.8**

**Subject**  
**Site**

ATTACHMENT 1

FOLSOM ROAD PROPERTIES PROPOSED ANNEXATION

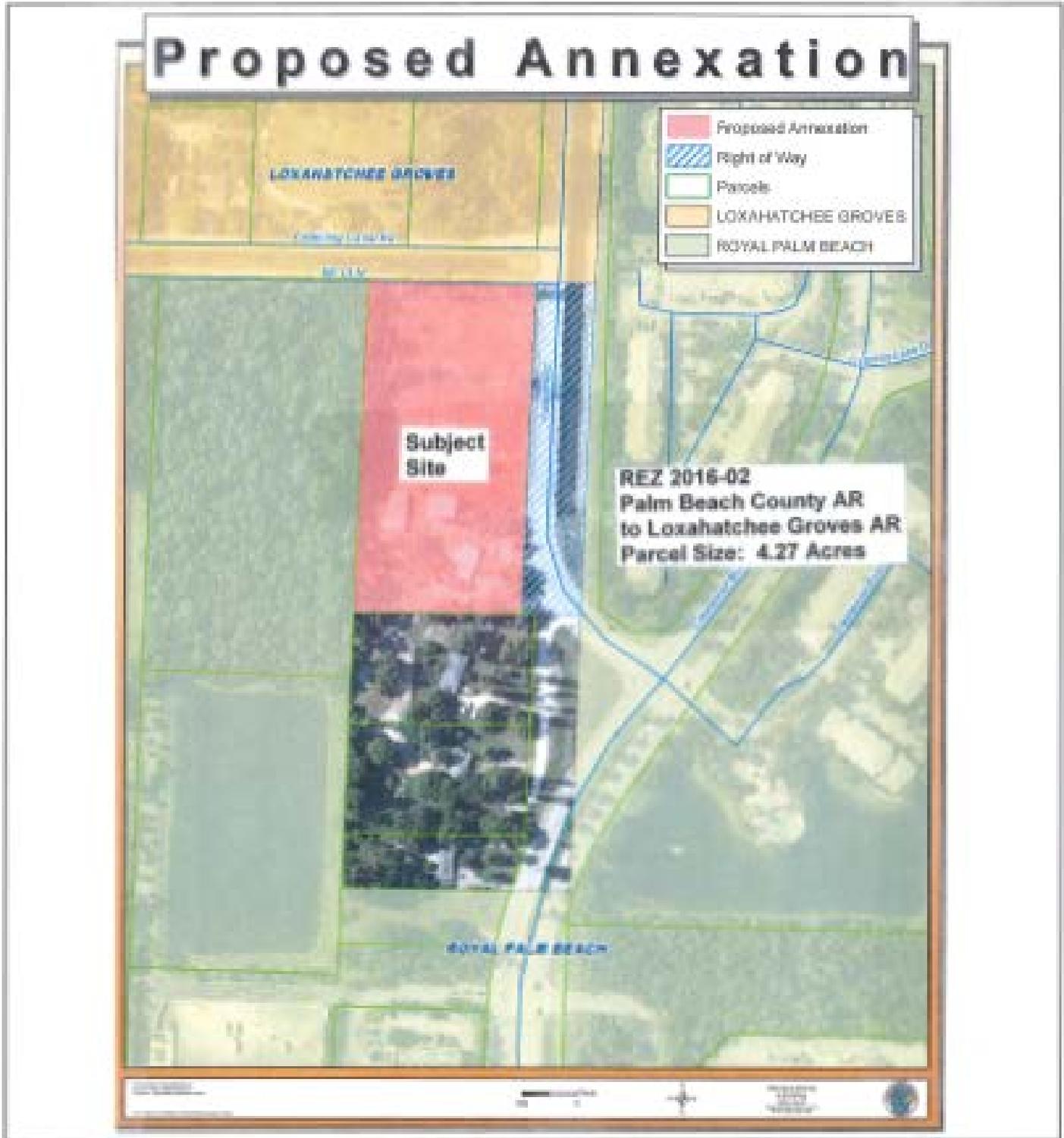


FOLSOM ROAD PROPERTIES



ATTACHMENT 3 - ZONING MAP AMENDMENT REZ 2016-02

FOLSOM ROAD PROPERTIES



# Map 1 – Site Location



**ATTACHMENT A2**  
**FUTURE LAND USE MAP #FLU-1.10 AMENDMENT 2016-04**

1. Amendment of the Future Land Use Map FLU-1.10 of the Future Land Element of the Loxahatchee Groves Comprehensive Plan to assign the Commercial Low (CL) Future Land Use designation to the subject property and incorporate a specific reference to Special Policy 1.15.8.

