



Town of
LOXAHATCHEE GROVES

TOWN OF LOXAHATCHEE GROVES

ROADWAY, EQUESTRIAN TRAILS & GREENWAY COMMITTEE
MEETING AGENDA

WEDNESDAY, APRIL 24, 2013

Chair Nina Corning

Vice Chair Kathy Strehlow

Committee Member Dr. Bill Louda

Committee Member Patrick Painter

Committee Member David Miles

Town Council Liaison Tom Goltzene

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



Town of Loxahatchee Groves
Roadway, Equestrian Trails & Greenway
Advisory Committee Meeting
Wednesday, April 24, 2013 at 7:00 p.m.
At
Central Palm Beach County Chamber of Commerce
13901 Southern Boulevard, Loxahatchee Groves

Chair Nina Corning
Vice Chair Kathy Strehlow
Committee Member Dr. Bill Louda
Committee Member Patrick Painter
Committee Member David Miles
Town Council Liaison Tom Goltzené

Town Manager Mark Kutney
Town Clerk Susan Eichhorn
Town Attorney Michael D. Cirullo, Jr.

PUBLIC NOTICE/AGENDA

*Vision: To Development a Recreational Greenways and Equestrian
Trail Network for the Rural Town of Loxahatchee Groves.*

1. OPENING

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

2. MINUTES – *Approval of Minutes has been postponed.*

3. PRESENTATIONS - *None*

4. OLD BUSINESS - *None*

5. NEW BUSINESS

- a. Application Number: REZ 2013-01 (Loxahatchee Groves Commons) – Proposed Change in Zoning: Agricultural Residential (AR) to Commercial Low Planned Unit Development (CL/PUD) for a 21.73 acre property located at the northwest corner of Southern Boulevard and “B” Road.

- b. Application Number: REZ 2013-02 (Groves Town Center) – Proposed Change in Zoning: Agricultural Residential (AR) to Multiple Land Use Planned Unit Development (MLU/PUD) for a 90.34 acre property located at the northeast corner of Southern Boulevard and “B” Road.

6. ADMINISTRATIVE UPDATE - Town Manager Kutney

7. CLOSING COMMENTS

- a. Public
- b. Committee Members
- c. Concluding Administrative Remarks

8. ADJOURNMENT

The next meeting is scheduled for May 22, 2013.

Comments Cards: Anyone from the public wishing to address this Committee 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 this Committee 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.



ROADWAY, EQUESTRIAN TRIALS & GREENWAY ADVISORY COMMITTEE MEETING

5.a. Application Number REZ 2013-01 – Loxahatchee Groves Commons

TO: PLANNING AND ZONING BOARD
FROM: JIM FLEISCHMANN TOWN PLANNING CONSULTANT
RE: SIMON TRUST PROPERTY REZONING APPLICATION: AGRICULTURAL RESIDENTIAL (AR) TO COMMERCIAL LOW PLANNED UNIT DEVELOPMENT (CL/PUD).
DATE: APRIL 4, 2013

I. GENERAL INFORMATION

A. Applicant: Atlantic Land Investments, LLC, contract purchaser. The applicant is being represented by Land Design South.

B. Owner: Ernest G. Simon, as Trustee of Trusts "A" and "B" u/w/o Alexander Abraham Simon.

C. Location: The property is located at the northwest corner of Southern Boulevard and "B" Road, Loxahatchee Groves, Florida (Ref: Map 1).

D. Legal Description: Simon Trust Boundary Plat, Lot 2.

E. Parcel Size: 21.73 acres.

F. Existing Future Land Use (FLU) Designation: Commercial Low (CL).

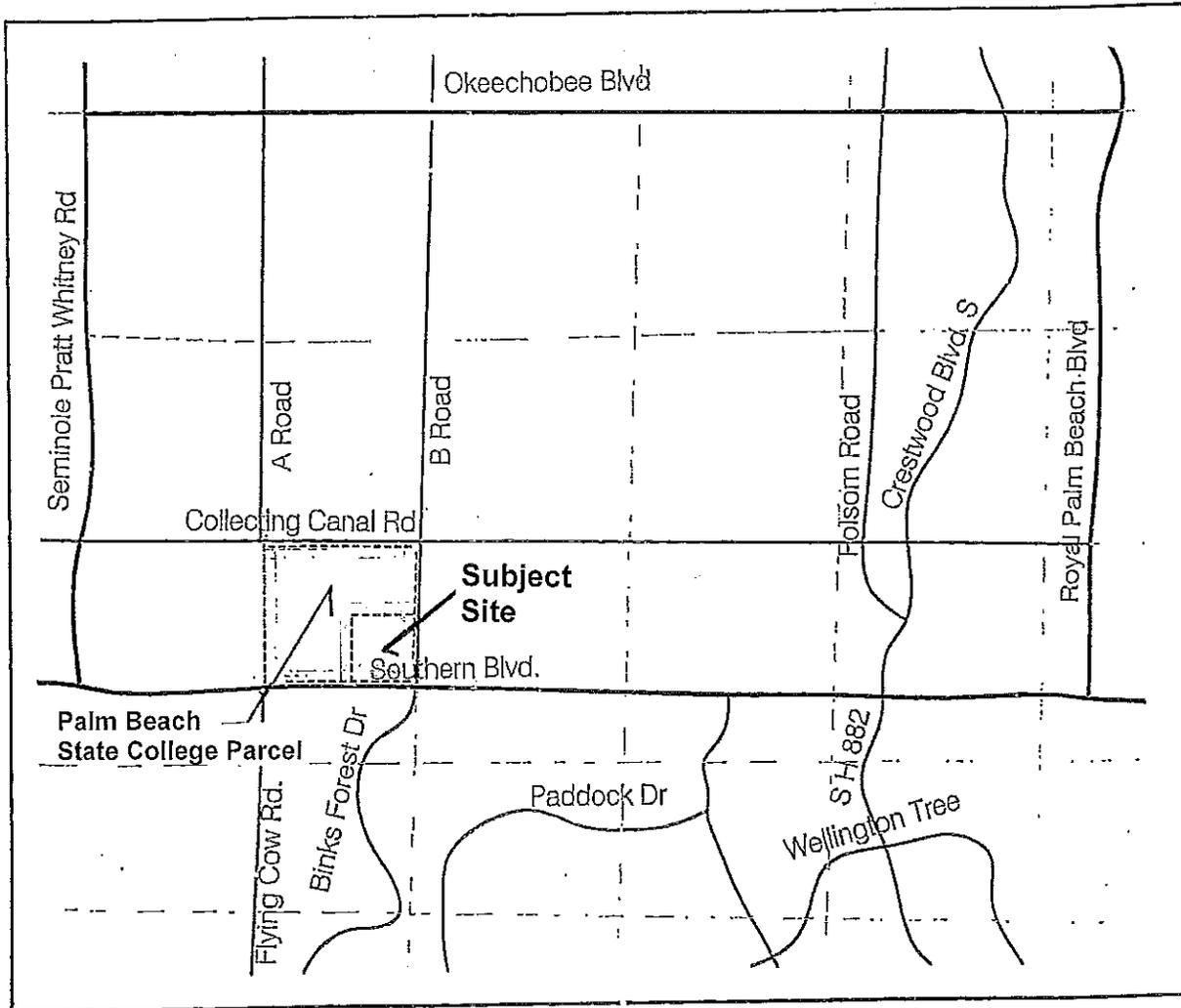
G. Existing Zoning: Agricultural Residential (AR).

H. Existing Use Vacant land.

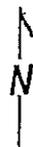
I. Adjacent Uses: The property is described as the 21.73 acre "Simon Property" located at the northwest corner of Southern Boulevard and "B" Road. Adjacent properties are described below.

- To the north, the subject site is bordered by a portion of the vacant 75 acre parcel owned by Palm Beach State College.
- To the south, the subject site is bordered by Southern Boulevard and the C-51 Canal (approximate combined 450 foot right-of-way). Bink's Forest PUD, within the Village of Wellington, is located further south, beyond the C-51 Canal right-of-way.

MAP 1
LOXAHATCHEE GROVES COMMONS SITE LOCATION



N.T.S.



- To the east, the subject site is bordered by "B" Road. Further to the east, beyond the "B" Road right-of-way is a vacant 16.4 acre parcel (Equestrian Partners) located at the northeast corner of "B" Road and Southern Boulevard. The property is a portion of the proposed 90.32 acre Groves Town Center, which is currently the subject of a Multiple Land Use Planned Unit Development (MLU/PUD) rezoning application.
- To the west, the subject site is bordered by a portion of the vacant 75 acre parcel owned by Palm Beach State College.

Adjacent properties to the north and west are currently assigned the Rural Residential 5 Future Land Use designation and an Agricultural Residential (AR). The balance of the adjacent property (16.4 acre parcel to the east) within the Town was assigned an MLU future land use designation by Land Use Plan Amendment 11-1.3. The property is a portion of the proposed Groves Town Center; a 90.32 acre proposed mixed-use planned unit development.

II. REQUESTED ACTION

The current future land Use category assigned to the subject property is Commercial Low (CL), which was assigned by Future Land Use (FLU) Amendment 2012 – 01 (Ordinance 2012-04). The applicant has requested the assignment of the Commercial Low Planned Unit Development (CL/PUD) category to implement the recently assigned CL FLU category.

Under the Comprehensive Plan, the Commercial Low FLU category allows for a maximum development intensity (Floor-Area-Ratio) of 0.10 which allows a maximum of 94,655 sq. ft. of commercial space to be developed on the property.

III. PROPOSED DEVELOPMENT PROGRAM

The proposed development program consists of a 94,665 sq. ft. retail shopping center (Loxahatchee Groves Commons). The following mix of uses is proposed in the Traffic Performance Standards (TPS) review: Retail – 72,255 sq. ft.; Pharmacy with Drive-Thru - 14,600 sq. ft; Drive-in Bank – 3,800 sq. ft.; and Fast-food Restaurant with Drive-thru - 4,000 sq. ft.

IV. INFRASTRUCTURE I IMPACTS

A. Water and Wastewater Service: The property is located within the Palm Beach County Water Utilities Department (PBCWUD) service area. In a letter dated January 30, 2013, PBCWUD stated that sufficient raw water, potable water and wastewater capacity is available to serve the future development of the subject site based upon the maximum development potential of 94,655 sq. ft. of commercial space. In order to obtain a

commitment for service, a Standard Development Agreement with PBCWUD is required. PBCWUD maintains a 12" potable water main and an 8" wastewater force main within the Southern Boulevard right-of-way adjacent to the southern boundary of the subject property.

B. Surface Water Management: A Drainage Statement has been prepared by the Applicant's engineer which states that the property is within the SFWMD C-51 Basin. A drainage system consisting of lakes, inlets and culverts that direct stormwater runoff to the C-51 Canal via a control structure is recommended.

Overall, the proposed drainage system will be designed to meet the requirements of SFWMD, LGWCD and Palm Beach County in order to incorporate all measures necessary to assure that there will be no adverse effects on either the on-site collection system or the receiving body.

C. Solid Waste Disposal: The Solid Waste Authority of Palm Beach County (SWA) is responsible for the disposal of solid waste generated in Palm Beach County. The SWA indicated in January 2013 that there is sufficient landfill capacity for the ensuing five and ten-year planning periods. At the generation rates used in SWA studies, the current lifespan of the landfill is 2046.

The Town has contracted a private hauler to collect and transport residential solid waste to the appropriate SWA facility. Commercial businesses and nurseries are required to contract for these services directly with a private hauler.

D. Transportation: Objective 1.2 of the Capital Improvements Element (CIE) of the Comprehensive Plan requires an applicant to obtain a concurrency reservation from Palm Beach County prior to receipt of Development Order/Permit.

Pursuant to Objective 1.2, the applicant prepared a traffic study dated October 5, 2012 consistent with the requirements and standards of the County's Traffic Performance Standards (TPS) included in Article 12 of the Palm Beach County ULDC.

Based upon its review of the traffic study, and using the proposed development concept of Retail (72,255 sq. ft.), Pharmacy with Drive-thru (14,600 sq. ft.), Drive-in Bank (3,800 sq. ft.), and Fast-food Restaurant with Drive-thru (4,000 sq. ft.), the Palm Beach County Traffic Division determined that the proposed development meets the Palm Beach County TPS standards subject to the conditions of approval presented in its November 5, 2012 letter (Ref: Attachment A). All conditions of approval must be included in any development order issued by the Town in order for the TPS approval to remain valid. Further, any request to modify the conditions of approval must be based upon a traffic study approved by the Palm Beach County Traffic Division.

E. Parks/Open Space: The proposed CL/PUD will contain no residential units. As a result, the proposed development component will have no impact upon the Town's parks/open space facilities.

F. Public Schools: The proposed CL/PUD will contain no residential units. As a result, the proposed development component will have no impact upon public schools.

G. Fire/EMS: The nearest station is Palm Beach County Fire-Rescue (PBCFR) Station #20, located at 1000 Greenview Shores Boulevard in Wellington. The subject site is approximately 2 miles from Station #20. Response time, estimated by PBCFR, is 6:44 minutes. PBCFR stated in a letter dated January 25, 2012 that the proposed land use change will have little impact upon fire rescue services.

V. MASTER PLAN REQUIREMENTS

A. Preliminary Site Plan: (Ref: Attachment J1 of the PUD Application). A copy of the Loxahatchee Groves Commons master plan (preliminary site plan) is attached (Ref: Map 2). The preliminary site plan defines seven commercial structures on the 21.734 acre property for a total of 94,655 sq. ft. (i.e. Floor-Area-Ratio = 0.10). An inventory of land uses within each proposed building is presented in Table 1.

Table 1 – Loxahatchee Groves Commons Development Concept

Building #	Use	Sq. Ft.
A1	Grocery Store	46,031
A2	Package Liquor Store	1,500
B	Local Retail	13,047
C	Local Retail	11,677
D	Fast Food w/Drive-thru	4,000
E	Financial Inst w/Drive-thru	3,800
F	Pharmacy w/Drive-thru	14,600
Total	A1-F	94,655

The preliminary site plan includes several neighborhood serving uses that have been incorporated into the plan within a new urbanism style development style. Access from B Road is accomplished by means of a Tangerine Drive extension which is designed to include retail shops fronting the street.

The preliminary site plan includes a 6.46 acre lake on the northern side of the project that will create an entry feature for the commercial development as well as for the Palm Beach State College's B Road access should they provide one.

A 0.41 acre open space area is provided to the south of the access from B Road. This area can be used by the community for a variety of activities. The site plan also includes perimeter landscape buffers along all four sides of the property in order to maintain the rural character.

B. Statement of Use: (NOTE: The following is a summary of the Applicant's Statement of Use which is included in Attachment J2 of the PUD Application). The subject property has been designed to locate a +/-6.46-acre lake tract along the northern boundary, adjacent to the future Palm Beach State College western campus.

Just south of the lake tract are two retail buildings (i.e. Buildings B and C) which contain 13,047 sq. ft. and 11,677 sq. ft. respectfully. To the south and west of Buildings B and C is the grocer building; Building A1, which consists of approximately 46,031 sq. ft. and Building A2, a 1,500 sq. ft. package liquor store.

To the south of the grocer is building D, consisting of a +/-4,000 sq. ft. fast food restaurant. Two outparcel buildings are located at the southeast corner of the property (i.e. Buildings E and F). Building E is located just west of the hard corner and consists of a +/-3,800 sq. ft. financial institution with four (4) drive-through lanes.

At the hard corner of the property is Building F, which consist of a +/-14,600 sq. ft. pharmacy with three (3) drive-through lanes. To the north of Building F and just west of B Road is an open space area consisting of +/- .41-acres which contains a landscape feature.

Parking for the retail buildings is located in the center of the subject property. All exotic vegetation will be removed from the subject property. In addition, the subject property has been designed with a 10' landscape buffer along the western boundary of the property and a 15' landscape buffer along the southern boundary of the property.

C. Consistency with PUD Design Requirements The following is an analysis of the preliminary site plan in terms of the PUD Design Requirements presented in Article 41 Section 3.A of the ULDC:

1. Compatibility and Consistency with the Comprehensive Plan. On August 21, 2012 the Town Council adopted Ordinance 2012-04 which amended the future land use designation of the subject property from Multiple Land Use (MLU) to Commercial Low (CL). By approving the amendment, The Town found the CL designation and the proposed development concept: (1) consistent with the goals, objectives and policies of the Comprehensive Plan; (2) compatible with the characteristics of the surrounding area; and (3) within the Town's ability to provide necessary services for the additional demand for public facilities. By assigning the proposed CL/PUD zoning designation, consistency between the future land use and zoning designations of the property will be attained.

2. Compatibility and Consistency with the following Town Planning Documents: Master Roadway, Equestrian and Greenway Plan (MREG); SR-80/Southern Boulevard Conceptual Access Management Plan (SBCAMP); and Guidelines for Loxahatchee Groves' Non-Residential Projects ("Rural Vista Guidelines").

The subject property has been designed to allow greenways and/or a trails system around the lake tract, consistent with the MREG. In addition, the development has been designed with a main street style entry road that provides future connection to the Palm Beach State College western campus and has provided an access drive off of Southern Boulevard, which will be utilized by both the State College and the commercial development, consistent with the SBCAMP. The architectural materials/style of the buildings will be designed to include wood siding, metal roofs, porches, cupolas/dormers, thus consistent with the "Florida Vernacular/Rural" style identified in the Rural Vista Guidelines.

3. A Vehicular Circulation System which Interconnects Each Internal Pod and Provides Access to Common Southern Boulevard Road Entrances.

The subject property does not have internal development pods. However, out-parcel uses are connected to the main retail buildings by means of internal driveways. In addition, an access road has been provided off of Southern Boulevard which will be shared by both the College and the commercial development.

4. A Vehicular Circulation System which Provides Opportunities for Connectivity

The subject property has been designed to incorporate a main street style entry road, which provides access to all the buildings within the development and provides future a connection to the Palm Beach State College western campus. In addition, an access road has been provided off of Southern Boulevard which will be shared by both the College and the commercial development.

5. Preservation of Existing Native Vegetation and Other Natural or Historic Features to the Greatest Extent Possible and Compliance with the Native Tree Preservation, Soil Stabilization and Exotic Removal Ordinance.

The subject property has been designed to preserve as much existing native vegetation as possible in compliance with the Town's Native Tree Preservation, Soil Stabilization and Exotic Removal Ordinance.

6. Screening and Buffering of Adjacent Areas from Non-Residential PUD Components.

A lake tract has been incorporated on the northern portion of the property adjacent to the future Palm Beach State College western campus. In addition, a 10' buffer has been provided along the western boundary of the subject property, adjacent to the access roadway from Southern Boulevard. Along the southern boundary, adjacent to Southern Boulevard, a 15' landscape buffer has been provided and the subject is bounded by B Road to the east. Thus, screening and buffering of adjacent areas is provided.

7. Screening and/or Buffering of Objectionable Features (e.g. mechanical equipment, loading/delivery areas, storage areas, dumpsters and compactors, etc.) From Public View. Screening of objectionable features is provided.

Additional detail may be incorporated as part of the final site plan approval process.

8. Minimize Impervious Surfaces and Maximize Open Space. The subject property is designed to minimize impervious surfaces, including an open space area with a landscape feature, landscape buffers and a lake tract. The preliminary site plan is therefore consistent with this policy. Incorporated parking dimension waivers have reduced the amount of impervious area.

D. Statement of Intent to Subdivide: The subject property is consistent with the provisions of ULDC Article 41.1.E.4.b. The development plan has been designed to allow the subdivision of outparcels (Buildings D, E, and F) by fee title conveyance of these internal lots, upon approval of the Town Manager. Each of these outparcels have been designed to be consistent with the requirements of Article 41.1.E.4.b.

E. Justification of Proposed Waivers: (NOTE: The following is a summary of the Applicant's justification which is included in Attachment J5 of the PUD Application). Article 55 of the ULDC contains specific provisions related to "Alcoholic Beverage Establishments". Specifically, Article 55 includes distance separation requirements of 750 linear feet from certain establishments, including an education center (NOTE: A branch location of Palm Beach State College is approved to the west of the subject property).

Distance is measured by following a straight line from the nearest point of the existing building or structure in which the establishment is located or has received approval to locate, to the nearest point of the building in which the alcoholic beverage establishment is located. As specific Palm Beach State College building locations have not been determined at this time, the Applicant has requested a waiver from the separation requirements in order to prevent any future conflicts with Article 55.

In addition, the Applicant has requested a waiver from the parking space size requirements of Section 95-025 of the ULDC. Specifically, the Town's Code requires a parking space to be 11.5' x 22.5' with 28' drive-aisles. The Applicant is requesting a waiver to permit a parking space size to be 10' x 20' with 26' drive aisles.

Pursuant to the requirements of Article 41, Section 2.E.2., the applicant has submitted a justification of the proposed waivers. The justification, in terms of the required evaluation criteria, is summarized as follows:

1. Identification, Protection and Enhancement of Natural Areas. The requested waivers will have no effect on the protection and enhancement of natural areas.

2. Provision of Open Space and Landscaping in Excess of Code Requirements.

The Town's parking space size requirements equate to approximately 6.50-acres of pavement on the subject property. The requested waivers will reduce that amount to approximately 5.25-acres of pavement; a 25% reduction in the amount of pavement on the site. The requested parking space size will accommodate patrons of typical neighborhood retail uses in this area and significantly reduce the amount of pavement on the subject property.

3. Provision of Pervious Area in Excess of Code Requirements. The requested waivers will have an effect on the provision of pervious area in excess of code requirements. By reducing the impervious parking area, on-site pervious area is increased.

4. Preservation of Native Vegetation. The Applicant acknowledges that the project is subject to the permitting requirements of the Town's Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal Ordinance. The proposed waivers, by allowing an increased amount of pervious area may have some positive effect on the preservation of native vegetation.

5. Joint Use of Driveways. The requested waivers will have no effect on the joint use of driveways.

6. Cross-Access Opportunities. The requested waivers will have no effect on cross-access opportunities.

7. Additional Specific Comprehensive Plan or Other Town Planning Directives. Loxahatchee Groves Commons contains typical neighborhood retail uses, including a grocery store, which by its nature will sell beer and wine, and may have a separate storefront which sells spirits. These proposed uses are within 750' of the property line of Palm Beach State College. However, as the College does not have a formal site plan at this time, it is not possible to determine if the separation requirement will impact any of the future building locations. As a result, the Applicant has requested a waiver from separation requirements

The provisions of Article 55 were created to protect existing school locations. Further, it includes a provision to allow alcoholic beverage establishments as a legal non-conformity where they exist prior to any school being constructed. However, the code did not contemplate the two uses being approved and planned simultaneously. The proposed waiver from the separation requirements will prevent any future conflicts with Article 55.

Further, the requested waivers are consistent with Article 41.2.E.4, as the requested waivers will not increase the maximum development intensity limitation imposed by the Comprehensive Plan or application of property development regulations in the ULDC.

F. Conceptual Driveway Permit: A conceptual driveway permit from the Florida Department of Transportation has been received for the following three Southern Boulevard driveways: #1 – Right in, right-out, 120 feet west of B Road; #2 - Right in, right-out, 1,105 feet west of B Road; and #3 - Right in, right-out, 545 feet west of Driveway #2.

G. Town Council Workshop and RETAG Review: (Ref: Attachment J7 of the PUD Application). The proposed Groves Town Center PUD was presented to the Town Council at its February 5, 2013 regular meeting. The proposed development is scheduled to be presented to the RETAG at its April 24, 2013 meeting.

H. Market Study: A market study prepared by Land Design South dated March 2013, was submitted as part of the CL/PUD Application.

The Market Study determined that there is sufficient demand to substantiate the proposed commercial facility. The trade area was defined utilizing specific criteria which took into consideration the characteristics and the natural divides of the area, as well as the location of residential areas including access to primary roadways from these residential areas and convenience of similar commercial facilities. The demand for commercial facilities was calculated utilizing the neighborhood space multiplier defined by Palm Beach County for the western communities. The existing demand for neighborhood commercial facilities within this area is adequate for the addition of approximately 348,360 square feet including the demand to support a grocery store.

I. Environmental Assessment: The purpose of the environmental assessment is to document occurrences of any significant environmental resources including vegetative communities, jurisdictional wetland areas, and listed plant or wildlife species. An Environmental Assessment Report (EAR) was prepared in June of 2012 by EW Consultants as part of Future Land Use Amendment Application 2012-01. No animal species listed as protected by federal, state or local environmental regulatory agencies, nor any signs of such animals were observed on the property.

A majority of the first 300 feet into the property along the Southern Boulevard frontage has been used for grazing and is not heavily vegetated. However, the portion further into the development includes an area of pines, oaks, sabal palms, other native species and exotic plants such as Brazilian Pepper. This area is primarily located where the Applicant is proposing a 6.5 acre lake in order to satisfy South Florida Water Management (SSFWMD) regulations, including compensating storage and retention requirements. The lake will also buffer and transition to the Palm Beach State College property.

Most of the native plant material is located within the area of the proposed lake and is not suitable for preservation. The areas in and around the development area will be re-graded to meet SFWMD drainage requirements to prevent on-site and off-site flooding.

The Applicant has provided several open space areas and perimeter buffers where trees can be preserved. However, most of these areas include primarily brazilian pepper and not native vegetation. The Applicant intends on removing all exotic vegetation from the open space areas and installing new, healthy native vegetation. Existing sabal palms will be relocated from the proposed lake area to the extent possible.

The Applicant requested and received an historical sites review by the Palm Beach County Archaeologist. His review, dated January 25, 2012, identified one known archaeological site (i.e. No. 8PB11426 -West Palm Beach Canal) located on or within 500 feet of the subject property. The site is potentially eligible for inclusion on the National Register of Historic Places by the State of Florida. If development activities on the subject property impact the Canal, mitigation work may be required by the Florida Division of Historic Resources.

VI. COMPLIANCE WITH REZONING CRITERIA

The proposed rezoning is reviewed in accordance with the following criteria, as directed in Section 160-020(A) (1) – (6) of the ULDC. To meet the requirements for a rezoning, an application must meet criteria A and B, and at least one of criteria C – F.

A. Consistency with the Comprehensive Plan. The request is consistent with the Town's Comprehensive Plan. On August 22, 2012 the Town adopted Ordinance 2012-04 changing the FLU designation of the subject property from Multiple Land Use (MLU) to Commercial Low (CL). In approving the Land Use Amendment, The Town found the CL designation and the proposed development consistent with the goals, objectives and policies of the Comprehensive Plan. The current zoning designation of the property is Agricultural Residential (AR). In order to attain consistency with the FLU designation, the property must be rezoned to a district that implements the CL land use category. The CL/PUD district is an appropriate zoning district to attain consistency with the CL future land use category.

B. Unwarranted Privileges or Creation of an Isolated District. The request 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. Similar to the subject property, any owner of a parcel meeting the qualification criteria for the CL future land use designation may apply for the assignment. Once assigned a CL future land use designation, the owner may then apply for a CL or CL/PUD zoning designation.

C. Correction of an Error or Ambiguity. Not applicable.

D. Changed or Changing Conditions. A changed condition was created when the property was assigned the CL future land use category.

E. Inappropriateness of Existing Zoning. The property cannot be used in accordance with the existing zoning designation, as uses approved by assigning the CL future land use category cannot be developed in the AR district.

F. Appropriateness of the Rezoning. The CL/PUD rezoning appropriately implements the CL future land use category assigned to the property.

VII. COMPATIBILITY ANALYSIS

An inventory of land uses adjacent to the 21.73 acre subject property is presented in Section I.I of this analysis. The adjacent property to the north and west is currently assigned a Future Land Use designation of Rural Residential 5 (density of one dwelling unit per five acres). However, the property is owned by Palm Beach State College and is the site of a proposed branch campus. The 16.4 acre parcel adjacent to the subject site to its east, at the northeast corner of Southern Boulevard and "B" Road, is a portion of the 90.32 acre proposed Groves Town Center. The property is assigned a Multiple Land Use land use designation and the Owner has filed an application for a MLU/PUD zoning designation including retail and office commercial and assisted living uses.

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, 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 and businesses of surrounding neighborhoods.

In addition, 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. Due to the size of the subject property, each of these techniques and directives can be used to insure compatibility with neighboring properties.

The preliminary site plan includes a large lake along the northern boundary of the project that will create an entry feature for Loxahatchee Groves Commons as well as the Palm Beach State College's B Road entrance.

The preliminary site plan also includes perimeter landscape buffers along all four sides of the property in order to maintain the rural character of the area. In addition to perimeter

buffers, the preliminary site plan includes landscape planting areas adjacent to the buildings that will compliment the architecture of each building.

VIII. PRELIMINARY STAFF FINDING AND RECOMMENDATION

Planning staff finds REZ 2013-01 to be generally consistent with the intent and direction of the Comprehensive Plan, the rezoning criteria, as depicted in Section 160-020(A) (1) – (6) and the objectives and standards of a PUD, as depicted in Section 41-3 of the ULDC.

However to insure consistency with the Comprehensive Plan and land development regulations, and the results of the various studies and analysis completed in the review of this application, Staff recommends approval of REZ 2013-01 (Ref: Attachment C) subject to the conditions listed in Attachment B.

The Applicant has requested a waiver from the parking space size requirements of the ULDC. Specifically, the Town's Code requires a parking space to be 11.5' x 22.5' with 28' drive-aisles. The Applicant is requesting a wavier to permit a parking space size to be 10' x 20' with 26' drive aisles. Staff can support reducing the parking space size to 10' x 20'; however, it is recommended that the drive aisle size remain at 28' to insure adequate space to maneuver in and out of the parking spaces.

The Applicant has also requested a waiver from the alcoholic beverage establishment 750' distance separation requirement from an education center. Staff supports the request, as it relates to the proposed location of Building A2 in relation to Palm Beach State College. As specific State College building locations have not been determined at this time, the requested waiver will prevent any separation requirement issues.

IX. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

:

The LPA at its meeting of April 11, 2013 and following a public hearing on the matter, recommended approval/denial of REZ 2013-01 by a x-y vote.

X. FINAL STAFF RECOMMENDATION

Staff recommends approval/denial of REZ 2013-01 subject to the conditions of approval presented in Attachment B.

XI. TOWN COUNCIL ACTION

The Town Council, at its meeting of xxx, yy, 2013 and following a public hearing on the matter, voted to approve/deny REZ 2013 – 01 on first reading (i.e. Ordinance 2013-00x) by a x-y vote. The Town Council, at its meeting of xxx, yy, 2013 and following a public hearing on the matter, voted to approve/deny REZ 2013 – 01 on second reading (i.e. Ordinance 2013-00x) by a x-y vote.

**ATTACHMENT A
LOXAHATCHEE GROVES COMMONS
TRAFFIC PERFORMANCE STANDARDS REVIEW**



Department of Engineering and Public Works

P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

Palm Beach County Board of County Commissioners

- Shelley Vana, Chair
Steven L. Abrams, Vice Chairman
Karen T. Marcus
Paulette Burdick
Burt Aaronson
Jess R. Santamaria
Priscilla A. Taylor

County Administrator

Robert Weisman

An Equal Opportunity Affirmative Action Employer

November 5, 2012

Juan Ortega, P.E., Ph.D.
Director, Land Design South
400 Columbia Drive, Suite 110
West Palm Beach, FL 33409

RE: Loxahatchee Groves Commons
PBC Project No. 120904
Traffic Performance Standards Review

Dear Dr. Ortega:

The Palm Beach County Traffic Division has reviewed the revised traffic impact analysis prepared by Land Design South and dated October 5, 2012 for the Proposed Development entitled Loxahatchee Groves Commons pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code. The traffic analysis was submitted to increase the project intensity and extend the buildout to year 2017. The project is summarized as follows:

Location: Northwest corner of Southern Blvd. and B Road
PCN: portions of 41-41-43-17-01-801-0010 and -803-0010 (21.73 ac total)
Municipality: Loxahatchee Groves
Existing Uses: Vacant
Proposed Uses: 72,255 sf Retail, 14,600 sf Pharmacy w/ Drive-thru, 3,800 sf Drive-in Bank, and 4,000 Fast-Food Restaurant w/ Drive-thru
New Daily Trips: 4,677 tpd
New PH Trips: 167 AM (92/75) and 476 PM (233/243)
Build-Out: December 31, 2017

Based on our review, the Traffic Division has determined the proposed development meets the Traffic Performance Standards of Palm Beach County subject to the following conditions. Note that all these conditions must be included in any development order(s) issued for this project or the TPS approval will be invalidated. Any future request to modify these conditions of approval must be based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request.

- 1. In order to comply with the Mandatory Traffic Performance Standards in place at the time of this approval, no Building Permits for the site shall be issued after December 31, 2017.
2. No Building Permits shall be issued until construction commences for a north approach exclusive left turn lane and shared through/right turn lane on B Road at Southern Boulevard. Construction commences is defined as awarding the contract for construction, the acquisition of all right of way and construction easements and the acquisition of all required permits.



Dr. Juan Ortega, P.E., Ph.D.
November 5, 2012
Page 2 of 2

In addition to the above conditions required by TPS, the town is encouraged to impose the following condition to mitigate project impacts:

1. The property owner shall construct:
 - i. B Road as a continuous 2-lane paved roadway between Southern Blvd. and Okeechobee Blvd., including a traffic separator from Southern Blvd. to a minimum 660 feet north of Southern Blvd.,
 - ii. A south approach left turn lane on B Road at the project's first access connection north of the terminus for the traffic separator, and
 - iii. A west approach right turn lane on Southern Blvd. at each of the project access connections.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

- a. Permits required for this construction shall be obtained prior to the issuance of the first building permit.
- b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy.

Finally, FDOT District Four has provided the attached review comments and recommendations for the development. FDOT recommends that the Town condition this project to provide cross access connections to the proposed state college satellite campus. FDOT further recommends that the project show connections to a future shared use path planned for the north side of SR 80 adjacent to the site.

Please contact me at 684-4030 with any questions.

Sincerely,

Nick Uhren, P.E.
Sr. Professional Engineer - Traffic Division

NU:sf

Attach: FDOT Comment Letter

Ec: Recipient (jortega@landdesignsouth.com)
Mark Kulney – Loxahatchee Groves Town Manager (mkulney@loxahatcheegroves.org)
Jim Fleischmann – Loxahatchee Groves Consultant (lmijim@bellsouth.net)
Lisa Dykstra – FDOT District Four (lisa.dykstra@dot.state.fl.us)

File: General - TPS - Mun - Traffic Study Review
N:\TRAFFIC\ADMIN\APPROVALS\2012\120904.DOC

ATTACHMENT B
LOXAHATCHEE GROVES COMMONS
PROPOSED CONDITIONS OF APPROVAL

A. GENERAL

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.

2. Final site plans shall conform to the Site Plan (Preliminary Site Plan) dated March 5, 2013 and the Statement of Use included as Attachment J2 of the PUD Rezoning Application. Any modifications to the approved Preliminary Site Plan or Statement of Use must be approved by the Town Council unless the proposed changes are required to meet conditions of approval or are required for compliance with the ULDC.

3. #17 from PUD

4 3. Any subdivision by fee title conveyance of internal lots which are subject to a final site plan approval shall have received prior written approval by the Town Manager. *(ADD #5, FROM PUD)
#6*

5 4. Prior to submitting an initial final site plan approval application and all subsequent final site plan applications, the Applicant shall contact Palm Tran to obtain written confirmation regarding the need for a bus stop on Southern Boulevard. Palm Tran's response shall be included in the final site plan application(s).

B. ENGINEERING

1. No Building Permits for the site shall be issued after December 31, 2017.

2. No Building Permits shall be issued until construction commences for a north approach exclusive left turn lane and shared through/right turn lane on B Road at Southern Boulevard. Construction commences is defined as awarding the contract for construction, the acquisition of all right of way and construction easements and the acquisition of all required permits.

3. The property owner shall construct B Road as a 2-lane paved roadway, including a traffic separator, from Southern Blvd. to a minimum 660 feet north of Southern Boulevard.

3. The property owner shall enter into an agreement with Palm Beach State College and the owner of the Groves Town Center property to construct B Road as a continuous 2-lane roadway surface between a point 660 feet north of Southern Boulevard to Okeechobee Boulevard prior to site plan approval of the first development phase.

4. The property owner shall construct a south approach left turn lane on B Road at the project's first access connection north of the terminus for the traffic separator.

5. The property owner shall construct a west approach right turn lane on Southern Boulevard at each of the project access connections.

6. Construction of items 3 - 5, above shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Permits required for this construction shall be obtained prior to the issuance of the first building permit. Construction shall be completed prior to the issuance of the first Certificate of Occupancy.

7. Any future request to modify Conditions 1 – 5 must be based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request.

C. LAND CLEARING AND LANDSCAPING

1. Any land clearing activities must comply with the Loxahatchee Groves Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal regulations (Ordinance 2010-008).

2. In conjunction with a final site plan application for any development parcel or pod, the property owner shall submit a Landscape Plan application to the Town of Loxahatchee Groves for review and approval.

3. Any proposed impacts upon jurisdictional wetlands shall require permits or authorizations from the South Florida Water Management district or U.S. Army Corps of Engineers

4. Prior to the permitting of any development or earthmoving activities, a Phase 1 Archaeological Survey of the property shall be completed.

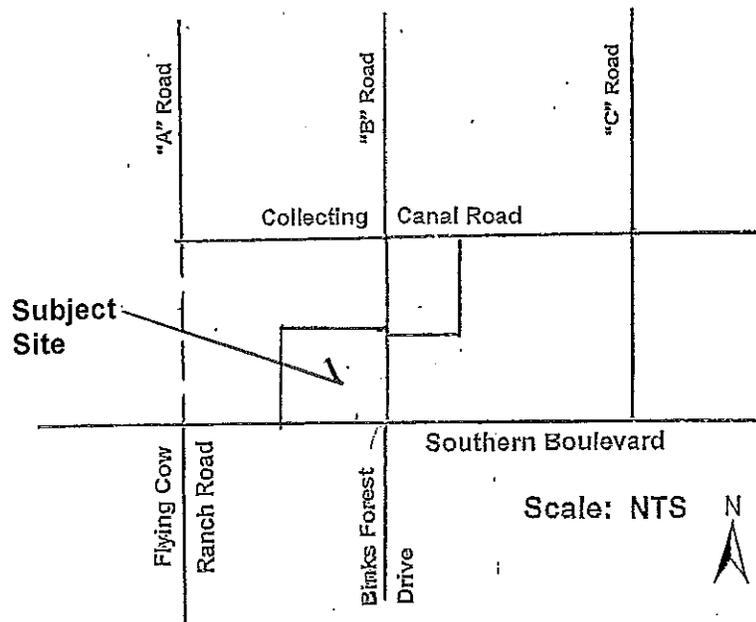
D. PUD WAIVERS

1. A waiver to Section 95-025: "*Size of parking spaces*" of the Unified Land Development Code reducing the standard space size from eleven feet by twenty-two and one-half feet (11' x 22.5') to ten feet by twenty feet (10' x 20') is granted.

2. A waiver to Section 55-010: "*Separation requirements*" of the Unified Land Development Code is granted eliminating the 750 foot separation requirement as it may pertain to Building A2 of Loxahatchee Groves Commons, as shown on the Preliminary Site Plan dated March 5, 2013, and any future education center buildings located on the adjacent Palm Beach State College property.

**ATTACHMENT C
LOXAHATCHEE GROVES COMMONS
ZONING MAP AMENDMENT**

**REZ 2013-01
Agricultural Residential (AR)
TO
Commercial Low Planned Unit Development (CL/PUD)**





ROADWAY, EQUESTRIAN TRIALS & GREENWAY ADVISORY COMMITTEE MEETING

5.b. Application Number REZ 2013-02 – Groves Town Center

TO: PLANNING AND ZONING BOARD

FROM: JIM FLEISCHMANN TOWN PLANNING CONSULTANT

RE: STAFF REPORT: LOXAHATCHEE EQUESTRIAN PARTNERS LLC/SOLAR SPORTSYSTEMS, INC. REZONING APPLICATION: AGRICULTURAL RESIDENTIAL (AR) TO MULTIPLE LAND USE PLANNED UNIT DEVELOPMENT (MLU/PUD).

DATE: APRIL 4, 2013

I. GENERAL INFORMATION

A. Applicant: Solar Sportsystems, Inc. and Loxahatchee Equestrian Partners, LLC, property owners. The applicant is being represented by F. Martin Perry of the firm Perry and Taylor, P.A.

B. Owner: Solar Sportsystems, Inc. and Loxahatchee Equestrian Partners, LLC.

C. Location: The property is located at the northeast corner of Southern Boulevard and "B" Road, south of Collecting Canal, Loxahatchee Groves, Florida (Ref: Map 1).

D. Legal Description: The property is legally described as including the following parcels of land: (1) The south 1000 feet of Tract 4, Block I of the Loxahatchee Groves Plat; (2) a portion of Lot 5, Block I of the Loxahatchee Groves Plat; and (3) a portion of Lot 6, Block I, of the Loxahatchee Groves Plat. The full legal description is included as Attachment A of the associated General Application.

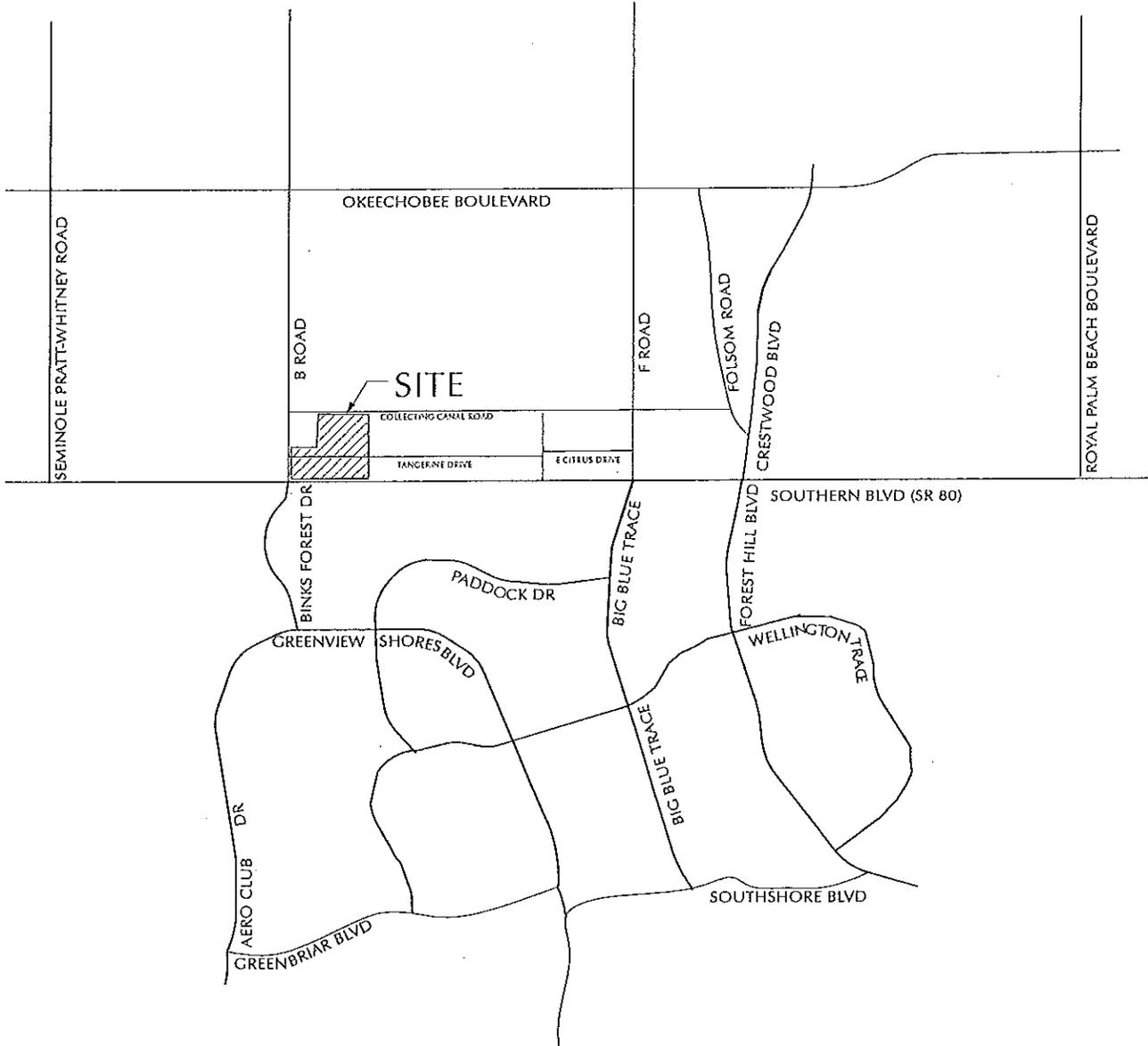
E. Parcel Size: 90.32 acres.

F. Existing Future Land Use (FLU) Designation: The Multiple Land Use (MLU) future land use designation was assigned to the property by Future Land Use Amendment 11-1.3 (Ordinance 2011-017).

G. Existing Zoning: Agricultural Residential.

H. Existing Use: Vacant/pasture land.

**MAP 1
GROVES TOWN CENTER SITE LOCATION**



I. Adjacent Uses: The property is an L-shaped parcel generally bordered by Collecting Canal and Collecting Canal Road (north), Southern Boulevard (south), "C" Road (east) and "B" Road (west) . Beyond these bordering facilities is a mixture of residential and agricultural uses and vacant properties.

- To the north, the subject site is bordered, in part by Collecting Canal and Collecting Canal Road (approximate 80 foot right-of-way), and in part by the 7.50 acre "Smiley" property, which contains a single-family residence and agricultural business. Six properties are located to the north of Collecting Canal Road, ranging in size from 2.5 (one parcel) to 5.0 acres. Each property contains a single-family residence.
- To the south, the subject site is bordered by Southern Boulevard and the C-51 Canal (approximate combined 450 foot right-of-way). The Landings PUD, within the Village of Wellington, is located further south, beyond the C-51 Canal right-of-way.
- To the east, the subject site is bordered by "C" Road. Five properties are located further to the east, beyond the "C" Road right-of-way, ranging in size from 0.54 to 7.83 acres, including two single-family homes and vacant land uses.
- To the west, the subject site is bordered by "B" Road Canal, followed to the west by "B" Road and the vacant 21.73 acre Loxahatchee Groves Commons property (i.e. currently the subject of a CL/PUD rezoning application), and three parcels of land, followed by "B" Road Canal. The three parcels, from north to south, contain a commercial nursery, a single-family residence, and a commercial stable and tack and feed supply business.

Each of the adjacent properties within the Town of Loxahatchee Groves, with the exception of the 21.73 Loxahatchee Groves Commons property (Commercial Low), is currently assigned a Future Land Use designation of Rural Residential 5 (density of one dwelling unit per five acres).

II. REQUESTED ACTION

The Future Land Use category assigned to the subject property is Multiple Land Use (MLU). The applicant has requested the assignment of a Multiple Land Use Planned Unit Development (MLU/PUD) zoning designation in order to accommodate the integrated development concept assigned to the property by Comprehensive Plan Amendment 11-1.3 (CPA 11-1.3). CPA 11-1.3 assigned the MLU future land use designation to the property and imposed the following development limitations by incorporating Special Policy 1.15.2 within the text of the Future Land Use Element.

1. Development on the property shall be regulated by the application of the following criteria:

- Commercial Low (CL) – Maximum of 34.34 acres/103,000 sq. ft. of retail commercial space.
- Commercial Low Office - Maximum of 16.0 acres/44,000 sq. ft. of professional and medical office commercial space.
- Institutional – Minimum of 40.0 acres/Maximum of 128 congregate living beds.

2. A 300 foot wide buffer shall be incorporated within the master plan along that portion of the MLU adjacent to the Collecting Canal.

III. PROPOSED DEVELOPMENT PROGRAM

The proposed development program presented in Table 1 consists of three components and limits the associated maximum intensities to those imposed by Special Policy 1.15.2 of the Comprehensive Plan:

Table 1 – Proposed Mix of Uses/Density and Intensity

Use	Square Feet/Units
Commercial Retail	Maximum of 103,000 sq. ft.
Commercial Office (Medical/Professional)	Maximum of 44,000 sq. ft.
Congregate Living Facility (CLF)	Maximum 128-Beds

IV. Infrastructure Impacts

A. Water and Wastewater Service: The property is located within the Palm Beach County Water Utilities Department (PBCWUD) service area. PBCWUD. In a letter dated June 19, 2012, PBCWUD stated that sufficient raw water, potable water and wastewater capacity is available to serve the future development of the subject site based upon the usage calculations submitted. In order to obtain a commitment for service, a Standard Development Agreement with PBCWUD is required.

PBCWUD maintains a 12” potable water main and an 8” wastewater force main within the Southern Boulevard right-of-way adjacent to the southern boundary of the subject property.

B. Surface Water Management: There are no existing drainage facilities on-site, and storm runoff generally drains southward via overland sheetflow into the swale along Southern Boulevard and westward into the ditch along “B” Road.

A Drainage Statement has been prepared by the applicant which recommends a drainage pattern that will direct stormwater runoff from the developed areas by means of paved or grass swales and/or inlets and storm sewer to an on-site dry retention (and/or a water

management lake) system for water quality treatment and storage. Legal positive outfall for overflow and bleed down is available via the Loxahatchee Groves Water Control District Collecting Canal.

Overall, the proposed drainage system will be designed to meet the requirements of SFWMD, LGWCD and Palm Beach County in order to incorporate all measures necessary to assure that there will be no adverse effects on either the on-site collection system or the receiving body.

C. Solid Waste Disposal: The Solid Waste Authority of Palm Beach County (SWA) is responsible for the disposal of solid waste generated in Palm Beach County. The SWA indicated in a letter dated January 2013 that there is sufficient landfill capacity for the ensuing five and ten-year planning periods. At the generation rates used in SWA studies, the current lifespan of the landfill is 2046.

The Town has contracted a private hauler to collect and transport residential solid waste to the appropriate SWA facility. Commercial businesses and nurseries are required to contract for these services directly with a private hauler.

D. Transportation: Objective 1.2 of the Capital Improvements Element (CIE) of the Comprehensive Plan requires an applicant to obtain a concurrency reservation from Palm Beach County prior to receipt of Development Order/Permit.

Pursuant to Objective 1.2, the applicant prepared a traffic study dated December 17, 2012 consistent with the requirements and standards of the County's Traffic Performance Standards (TPS) included in Article 12 of the Palm Beach County ULDC.

Based upon its review of the traffic study, and using the proposed concept of retail (103,000 sq. ft.), professional office (21,000 sq. ft.), medical office (21,000 sq. ft.), and congregate care facility (128 units), the Palm Beach County Traffic Division determined that the proposed development meets the Palm Beach County TPS standards subject to the conditions of approval presented in its February 13, 2013 letter. (Ref: Attachment A). All conditions of approval presented in the February 13, 2013 letter must be included in any development order issued by the Town in order for the TPS approval to remain valid. Further, any request to modify the conditions of approval must be based upon a traffic study approved by the Palm Beach County Traffic Division.

E. Parks/Open Space: The proposed MLU/PUD will contain a 128 unit CLF for a maximum total of 128 residents. Due to the resident age and mobility expectations, the CLF development component will have no impact upon the Town's parks/open space facilities. As a result, no additional facilities required to service the CLF component.

F. Public Schools: The proposed Future Land Use Map amendment will contain only a CLF residential component. As a result, there will be no impact upon public schools.

G. Fire/EMS: The nearest station is Palm Beach County Fire-Rescue (PBCFR) Station #20, located at 1000 Greenview Shores Boulevard in Wellington. The subject site is approximately 2 miles from Station #20. Response time, estimated by PBCFR, is 6:44 minutes. PBCFR stated in a letter dated July 9, 2012 that the proposed land use change will have little impact upon fire rescue services.

V. MASTER PLAN REQUIREMENTS

A. Preliminary Site Plan: (Ref: Attachment J1 of the PUD Application). A copy of the Groves Town Center preliminary site plan is attached (Ref: Map 2). The preliminary site plan delineates following three Development Parcels on the 90.32 acre property:

1. Commercial Retail (33.99 acres/maximum of 103,000 sq. ft.);
2. Commercial Office (15.86 acres/maximum of 44,000 sq. ft.); and
3. Institutional (40.47 acres/maximum of 128 CLF units).

In addition to specified retail, office or institutional development pods, each of the development parcels includes right-of-way (R.O.W.) and/or buffer areas. Finally, a 3.60 acre "Town Center Commons" area is located in Development Parcel 1. An inventory of land uses within each Development Parcel is presented in Table 2.

Table 2 – Groves Town Center Development Parcels

Parcel	Acres					
	Retail	Office	Institutional	Commons	R.O.W.	Buffer
1	23.98	0	0	3.60	2.87	3.55
2	0	7.20	0	0	3.10	5.57
3	0	0	21.98	0	0	18.49
Total	23.98	7.2	21.98	3.60	5.97	27.61

B. Statement of Use: (NOTE: The following is a summary of the Applicant's Statement of Use which is included in Attachment J2 of the PUD Application). The proposed development concept is consistent with and implements the future land use amendment for the property (Ordinance Number 2011-017), which changed the site's Future Land Use designation from Rural Residential 5 (RR 5) to Multiple Land Use (MLU). The amendment specifically provides that the site shall be developed pursuant to a unified development plan with the following uses: Commercial Low, Commercial Low Office and Institutional.

Further, per Section 4 of Ordinance 2011-017, development on the 90.32 acre property shall be limited to a maximum of 103,000 square feet of commercial retail, a maximum of 44,000 square feet of commercial office for professional and medical uses, and a 128-bed congregate living facility.

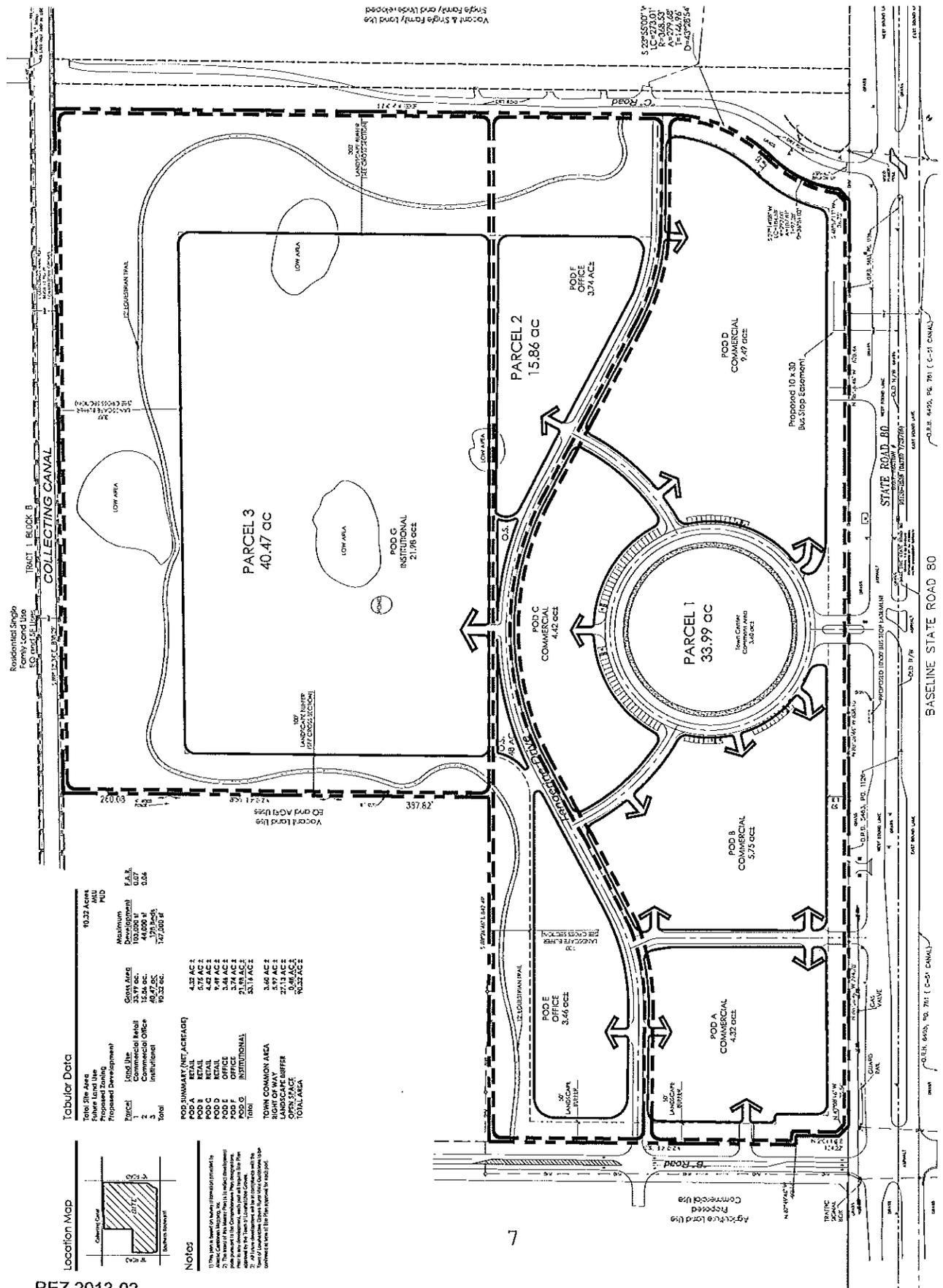
MAP 2 GROVES TOWN CENTER PRELIMINARY SITE PLAN

**MILLER
LAND
PLANNING, INC.**
5000 Bayshore Blvd.
Jacksonville, FL 32217
904/724-8838

Groves Town Center
Loxahatchee Groves, Florida

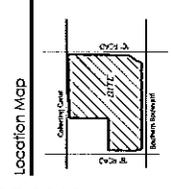
North Arrow
Scale: 1" = 100'
0' 50' 100' 200'

MASTER PLAN



Tabular Data

Proposed Development	Area (AC)	Area (SQ FT)	F.A.R.	MSD
Total Site Area	90.32			
Water Land Use				
Proposed Development				
POD A	4.32	187,000	0.07	10
POD B	5.75	250,000	0.08	10
POD C	9.48	413,000	0.08	10
POD D	3.46	150,000	0.08	10
POD E	3.74	164,000	0.08	10
POD F	3.46	150,000	0.08	10
POD G	3.46	150,000	0.08	10
POD H	3.46	150,000	0.08	10
POD I	3.46	150,000	0.08	10
POD J	3.46	150,000	0.08	10
POD K	3.46	150,000	0.08	10
POD L	3.46	150,000	0.08	10
POD M	3.46	150,000	0.08	10
POD N	3.46	150,000	0.08	10
POD O	3.46	150,000	0.08	10
POD P	3.46	150,000	0.08	10
POD Q	3.46	150,000	0.08	10
POD R	3.46	150,000	0.08	10
POD S	3.46	150,000	0.08	10
POD T	3.46	150,000	0.08	10
POD U	3.46	150,000	0.08	10
POD V	3.46	150,000	0.08	10
POD W	3.46	150,000	0.08	10
POD X	3.46	150,000	0.08	10
POD Y	3.46	150,000	0.08	10
POD Z	3.46	150,000	0.08	10
TOWN COMMON AREA	3.46	150,000	0.08	10
RIGHT OF WAY	3.46	150,000	0.08	10
LANDSCAPE BUFFER	3.46	150,000	0.08	10
OPTIONAL SPACE	3.46	150,000	0.08	10
TOTAL AREA	3.46	150,000	0.08	10



- NOTES**
- This plan is based on the information provided by the applicant.
 - The intent of this Master Plan is to provide a conceptual framework for the development of the site.
 - The site is located within the Groves Town Center, which is a designated area for development.
 - The site is located within the Groves Town Center, which is a designated area for development.
 - The site is located within the Groves Town Center, which is a designated area for development.

The proposed preliminary plan (i.e. regulating plan) is divided into commercial, office and institutional pods consistent with Ordinance 2011-017 and consistent with the provisions of the Town's Planned Unit Development (PUD) Ordinance. Interconnectivity is provided among the various parcels within the site as well as an extension of Tangerine Drive, roughly through the center of the project.

The preliminary site plan provides for natural areas, open space and the following landscape buffers:

- A 50 foot landscape buffer on the west side of the site, adjacent to "B" road, as well as along Southern Boulevard.
- A 300 foot buffer predominantly along the northern and eastern boundaries of the site.
- A 100 foot buffer abutting the western boundary of the proposed Assisted Living Facility as well as along the northern boundary abutting the northwestern office pod.

A 12 foot wide equestrian trail is indicated within the 100 foot and 300 foot buffers. The design concept also includes a 3.6 acre Town Center Commons Area including pedestrian walkways and seating and gathering areas. The two way vehicular travel lanes within the project are proposed at a minimum of 24 feet. The conceptual plan proposes a Bus Stop and Boarding and Alighting Area at the southeastern portion of the site.

Each of the proposed development pods is subject to an individual site plan approval process, allowing specific compliance with the Town's Rural Vista Guidelines and land development regulations. Individual site plan approvals will assure that the appropriate setbacks, buffers, building designs, architectural treatments, pedestrian amenities, and other such features are incorporated within each of the pods while maintaining consistency with the overall development concept contained in the PUD approval.

C. Consistency with PUD Design Requirements The following is an analysis of the preliminary site plan in terms of the PUD Design Requirements presented in Article 41 Section 3.A of the ULDC:

1. Compatibility and Consistency with the Comprehensive Plan. On September 20, 2011 the Town Council adopted Ordinance 2011-017 which amended the future land use designation of the subject property from Rural Residential 5 (RR 5) to Multiple Land Use (MLU). By approving the amendment, The Town found the MLU designation and the proposed development concept: (1) consistent with the goals, objectives and policies of the Comprehensive Plan; (2) compatible with the characteristics of the surrounding area; and (3) within the Town's ability to provide necessary services for the additional demand for public facilities. By assigning the proposed MLU/PUD zoning designation, consistency between the future land use and zoning designations of the property will be attained.

2. Compatibility and Consistency with the following Town Planning Documents: Master Roadway, Equestrian and Greenway Plan (MREG); SR-80/Southern Boulevard Conceptual Access Management Plan (SBCAMP); and Guidelines for Loxahatchee Groves' Non-Residential Projects ("Rural Vista Guidelines").

The Staff Report in support of Ordinance 2011-017 concluded that the proposed multiple land use development is generally consistent with the intent and direction of the Town's planning documents, including the MREG and the SBCAMP. Further, each development pod within the project is subject to an individual site plan approval process, allowing the Applicant and the Town the opportunity jointly achieve compliance with the Rural Vista Guidelines, including , building designs, architectural treatments, and other such features oriented to preserving the Town's rural character.

3. A Vehicular Circulation System which Interconnects Each Internal Pod and Provides Access to Common Southern Boulevard Road Entrances.

The preliminary site plan is divided into commercial, office and institutional pods consistent with the MLU FLU designation. Interconnectivity among the various development pods within the site is provided, as well as access to common Southern Boulevard entrances to the PUD.

4. A Vehicular Circulation System which Provides Opportunities for Connectivity

The proposed conceptual plan encourages interconnectivity between adjacent properties by indicating an extension of Tangerine Drive, which runs roughly through the center of the proposed development. In addition, a 12 foot wide equestrian trail, which traverses the northern and eastern boundaries of the project, is designed to encourage interconnectivity.

5. Preservation of Existing Native Vegetation and Other Natural or Historic Features to the Greatest Extent Possible and Compliance with the Native Tree Preservation, Soil Stabilization and Exotic Removal Ordinance.

The Applicant acknowledges that the project is subject to the permitting requirements of the Town's Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal Ordinance and intends, to the fullest extent possible, to plan the project around the existing tree canopy, which shall preserve the natural beauty of the existing eco-system, consistent with the Town's objectives and the Rural Vista Guidelines.

6. Screening and Buffering of Adjacent Areas from Non-Residential PUD Components.

The preliminary site plan provides for natural areas, open space and enhanced landscape buffers. The conceptual plan provides for a 50 foot landscape buffer on the west side of the site, adjacent to "B" road, as well as along Southern Boulevard; a 300 foot buffer predominantly along the northern and eastern boundaries of the site; and a 100 foot buffer abutting the western boundary of the proposed Assisted Living Facility as well as along the northern boundary abutting the northwestern office pod. A total of 27.61 acres, or 30.6% of the site area, is dedicated to landscape buffers and open space.

7. Screening and/or Buffering of Objectionable Features (e.g. mechanical equipment, loading/delivery areas, storage areas, dumpsters and compactors, etc.) From Public View. Each proposed pod within the project will be subject to an individual site plan approval process, allowing the Applicant and the Town to achieve compliance with the Town's Land Development Regulations and the Rural Vista Guidelines. This will assure that the appropriate setbacks, screening, buffering, building designs, architectural treatments, and other such features are incorporated within the site to preserve, promote and reflect the Town's rural character, and to protect against objectionable features such as those listed.

8. Minimize Impervious Surfaces and Maximize Open Space. As noted in item 6 above, the development concept for the proposed PUD provides for natural areas, open space and enhanced landscape buffers by incorporating a total of 27.61 acres of perimeter landscape buffers and a 3.6 acre Town Center Common Area. Additionally, the project design maintains a floor to area ratio of .07 for the Commercial Retail portion of the project (where .10 is otherwise permitted by the ULDC) and .06 for the Commercial Office portion of the project (where .20 is otherwise permitted by the ULDC). This extensive open and natural area combined with a low floor to area ratio incorporates a design which minimizes impervious surfaces and maximizes open space.

D. Statement of Intent to Subdivide: It is the applicants' intent to subdivide the subject property in accordance with the provisions of Article 41, Section 1.E.4.b of the Town's ULDC. Section 1.E.4.b allows internal lots which are subject to a final site plan approval to be subdivided by fee title conveyance upon approval of the Town Manager provided that certain conditions are met. At a minimum, the property will likely be subdivided to reflect the three development parcels. Further subdivision to reflect the development pods or other geographies is possible.

E. Justification of Proposed Waivers: (NOTE: The following is a summary of the Applicant's justification which is included in Attachment J5 of the PUD Application).

The Applicant requests a waiver from Section 95-025 of the ULDC, which requires that parking spaces be sized at minimum of 11 feet by 22.5 feet and that handicap parking spaces be sized at a minimum of 14 feet by 22.5 feet. The applicant proposes that parking spaces be sized at 10 feet by 20 feet and handicap parking spaces at 12 by 20 feet. A waiver is therefore requested from the minimum parking space size requirements set forth in Section 95-025 of the ULDC.

Pursuant to the requirements of Article 41, Section 2.E.2., the applicant has submitted a justification of the proposed waivers. The justification, in terms of the required evaluation criteria, is summarized as follows:

1. Identification, Protection and Enhancement of Natural Areas. To the fullest extent possible, final site plans will be designed around the existing tree canopy. The proposed development concept, as illustrated by the preliminary site plan, provides for large landscape buffers and open spaces and provides for a lower floor to area ratio (F.A.R.) than permitted by the Comprehensive Plan. The project design maintains an F.A.R. of .07 for the Commercial Retail portion of the project (where .10 is the maximum allowed) and .06 for the Commercial Office portion of the project (where .20 is the maximum allowed). A 12 foot equestrian trail also traverses the rear and eastern portion of the project providing for a natural and rural appeal.

2. Provision of Open Space and Landscaping in Excess of Code Requirements. The proposed development concept provides for natural areas, open space and enhanced landscape buffers: a 50 foot landscape buffer on the west side of the site, adjacent to B Road, as well as along Southern Boulevard; a 300 foot buffer predominantly along the northern and eastern boundaries of the site; and a 100 foot buffer abutting the western boundary of the ALF, as well as along the northern boundary abutting the northwestern office pod.

A total of 27.61 acres of the site is dedicated to perimeter landscape buffers. The design concept also includes a 3.6 acre Town Center Common Area. As the Statement of Use describes, the project will also incorporate pedestrian walkways and seating and gathering areas.

3. Provision of Pervious Area in Excess of Code Requirements. The Town's minimum parking space requirements are larger than necessary to accommodate most vehicles and will result in less overall pervious area than if the waivers are granted. As noted above, the proposed development concept provides for natural areas, open space and enhanced landscape buffers by incorporating a total of 27.61 acres of perimeter landscape buffers and a 3.6 acre Town Center Common Area. Additionally, the project will maintain a low F.A.R. and extensive open and natural areas which minimize impervious surfaces and maximize open space.

4. Preservation of Native Vegetation. The Applicant acknowledges that the project is subject to the permitting requirements of the Town's Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal Ordinance. Further, the Applicant intends, to the fullest extent possible to plan the project around the existing tree canopy, which shall preserve the natural beauty of the existing eco-system, consistent with the Town's objectives and the Rural Vista Guidelines.

5. Joint Use of Driveways. The preliminary site plan incorporates the use of joint driveways and promotes a vehicular circulation system which interconnects each pod within the PUD and provides common access to Southern Boulevard. A main drive aisle (Tangerine Drive) bisects the overall PUD and provides centralized access to all pods

within the PUD, as well as two common access point from Tangerine Drive to the Town Center Common Area.

6. Cross-Access Opportunities. The proposed preliminary site plan includes a main drive aisle (Tangerine Drive) which dissects the overall PUD and affords an opportunity for interconnectivity to adjacent land uses. The equestrian trail traversing the northern and eastern boundary is also designed to encourage interconnectivity to adjacent projects.

7. Additional Specific Comprehensive Plan or Other Town Planning Directives. In changing (i.e. Ordinance 2011-017) the future land use designation of the property, the Town found the MLU designation and the proposed development concept: (1) consistent with the goals, objectives and policies of the Comprehensive Plan; (2) compatible with the characteristics of the surrounding area; and (3) within the Town's ability to provide necessary services for the additional demand for public facilities. The Applicant has provided a thorough assessment of the project's consistency with the Comprehensive Plan in Attachment B of the MLU/PUD Rezoning Application.

F. Conceptual Driveway Permit: A conceptual driveway permit is currently being negotiated with the Florida Department of Transportation. Upon receipt, the permit will be included within the MLU/PUD application.

G. Town Council Workshop and RETAG Review: (Ref: Attachment J7 of the PUD Application). The proposed Groves Town Center PUD was presented to the Town Council at its February 5, 2013 regular meeting. The proposed development is scheduled to be presented to the RETAG at its April 24, 2013 meeting.

H. Market Study: The following two market studies prepared by Warner Real Estate Advisors, Inc., dated October 2012, were submitted as part of the MLU/PUD Application; "Market Study for 147,000 SF Neighborhood/Community Shopping Center" and "Market Study For 120 Unit Residence Adult Living Facility."

Based upon the included analyses related to the proposed shopping center component, the author concludes that there currently is support for the proposed Groves Town Center within the trade areas analyzed at this time. Further, it is projected that trade area support is adequate during the ensuing five-year projection period, even assuming development of the proposed Loxahatchee Groves Commons. Retail support for the proposed Groves Town Center is adequate, assuming that the design, management, tenant mix, project financing, construction, development and leases are properly prepared and executed.

In addition, the author concludes that demand is adequate to support the proposed assisted living component of Groves Town Center within the trade areas analyzed at this time. Market support is adequate assuming that the facility has an amenity package similar to competitive facilities in the vicinity, a competitive market-rate rent structure, and is properly managed, and well marketed, designed and constructed.

I. Environmental Assessment: An Environmental Assessment Report (EAR), prepared in June of 2012 by EW Consultants, is included in Attachment J9 of the MLU/PUD Application). The purpose of the EAR is to document occurrences of any significant environmental resources including vegetative communities, jurisdictional wetland areas, and listed plant or wildlife species.

No animal species listed as protected by federal, state or local environmental regulatory agencies, nor any signs of such animals were observed on the property. Nine vegetative communities listed in Table 3 were found on the subject site.

Table 3 – Groves Town Center Vegetative Communities

Vegetative Community	Acres	General Location
Improved Pasture	47.3	Western and central portions of the property.
Brazilian Pepper	5.9	Near or around property boundaries
Temperate Hardwoods	22.9	Northeast and southeast portions of the property
Australian Pine	0.6	North central portion of the property
Reservoir less than 10 acres	0.2	Southwest portion of the property
Exotic Wetland Hardwoods	4.9	Central eastern portion of the property
Freshwater Marsh	1.0	North central and north east portion of the property
Wetland Prairie	2.0	Center of the property
Disturbed Land	5.5	East central portion of the property
Total Acres	90.3	

Two listed plant species (common wild-pine and inflated wild-pine) were observed on the property. Common wild-pine is listed as Endangered and Inflated wild-pine is listed as Threatened by the Florida Department of Agriculture and Consumer Services. These airplants are generally found growing in pine trees throughout the temperate hardwoods vegetative community.

The Town regulates impacts to native vegetation, as detailed in Article 87 of the ULDC. The site planning process should take into account areas of high quality native vegetation and preserve or relocate native trees and habitat where feasible. Native trees that cannot be preserved or relocated will require replacement.

A tree removal permit and associated fee is required by the Town prior to land clearing. All native trees three inches in diameter and larger located in proposed development areas will require replacement or mitigation. Replacement ratios, which are determined by the diameter and height of each native tree, are found in Section 87-030 of the ULDC.

Article 85, Section 85-025 of the ULDC requires plots of two acres or more to preserve a minimum of three percent of the area as an ecological community. The preserve requirement is in addition to buffers and interior landscape requirements. The ULDC

language is vague and does not specify if the ecological community may be upland or wetland. The interpretation and intent of this section of the ULDC may require discussions with Town staff. However, for planning purposes it is concluded that a preservation area of approximately 2.70 acres should be incorporated within the final site plan.

Two wetland areas are delineated on the property. The wetland systems consist of 7.9 acres of freshwater marsh, wetland prairie, and exotic wetlands hardwoods. These areas will be considered as jurisdictional wetlands for the SFWMD and possibly the USACE. The reservoir located in the southwest portion of the property will be classified as Other Surface Waters (OSW) by SFWMD and USACE.

On-site meetings were held with SFWMD in February and March, 2013 to verify wetland boundaries. Any proposed wetland impacts will require permits or authorizations from SFWMD and USACE. Acquiring a permit to impact wetlands will require that the property owner or developer demonstrate avoidance and minimization of wetland impact to the maximum extent practicable. Any proposed wetland impacts will also require compensatory mitigation, which may consist of on-site or off-site enhancement of wetlands, or purchase of credits from a permitted mitigation bank. Alternatively, the wetlands and a minimum 25-foot-wide upland buffer surrounding the wetland area may be preserved in place.

The applicant requested and received an historical sites review by the Palm Beach County Archaeologist. His review, dated June 18, 2012, identified one known archaeological site (i.e. No. 8PB11426 -West Palm Beach Canal) located on or within 500 feet of the subject property. The site is potentially eligible for inclusion on the National Register of Historic Places by the State of Florida. If development activities on the subject property impact the Canal, mitigation work may be required by the Florida Division of Historic Resources.

Further, due to the relative proximity (approximate one-mile radius) of three additional archaeological sites (i.e. No. 8PB2- Barbour; 8PB6252 – Tommy Rhea; and 8PB8212 – Sunburst) and the probability that the eastern portion of the subject property has never been farmed or cleared, the County Archaeologist recommends that a Phase 1 Archaeological Survey be completed prior to any development or earthmoving activities are permitted.

The property is identified as being in Flood Zone X-500 as identified by FEMA Flood Insurance Rate Map Number 12111C0275 F. Flood Zone X-500 (i.e. a "Moderate" flood hazard area) is defined as the area between the limits of the base flood, or area flooded by a 100-year frequency storm, and that flooded by a 500-year storm.

VI. COMPLIANCE WITH REZONING CRITERIA

The proposed rezoning is reviewed in accordance with the following criteria, as directed in Section 160-020(A)(1) – (6) of the ULDC. To meet the requirements for a rezoning, an application must meet criteria A and B, and at least one of criteria C – F.

A. Consistency with the Comprehensive Plan. The request is consistent with the Town's Comprehensive Plan. On September 20, 2011 the Town adopted Ordinance 2011-017 changing the FLU designation of the subject property from Rural Residential to MLU. In approving the Land Use Amendment, The Town found the MLU designation and the proposed development consistent with the goals, objectives and policies of the Comprehensive Plan. The current zoning designation of the property is Agricultural Residential (AR). In order to attain consistency with the FLU designation, the property must be rezoned to a district that implements the MLU land use category. The MLU/PUD district is the most appropriate zoning category to attain consistency with the MLU future land use category.

B. Unwarranted Privileges or Creation of an Isolated District. The request 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. Similar to the subject property, any owner of a parcel meeting the qualification criteria for the MLU future land use designation may apply for the assignment. Once assigned an MLU future land use designation, the owner may then apply for an MLU/PUD zoning designation.

C. Correction of an Error or Ambiguity. Not applicable.

D. Changed or Changing Conditions. A changed condition was created when the property was assigned the MLU future land use category.

E. Inappropriateness of Existing Zoning. The property cannot be used in accordance with the existing zoning designation, as uses approved by assigning the MLU future land use category cannot be developed in the AR district.

F. Appropriateness of the Rezoning. The MLU/PUD rezoning appropriately implements the MLU future land use category assigned to the property.

VII. COMPATIBILITY ANALYSIS

An inventory of land uses adjacent to the 90.32 acre subject property is presented in Section I.I of this analysis. All adjacent properties within the Town are currently assigned Future Land Use designations of Rural Residential (density of one dwelling unit per ten acres) with the previously noted exception of the 21.73 acre parcel located at the northwest corner of Southern Boulevard and "B" Road (Commercial Low land use designation and proposed CL/PUD zoning designation).

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, 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 and businesses of surrounding neighborhoods.

In addition, 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. Due to the size of the subject property, each of these techniques and directives can be used to insure compatibility with neighboring properties.

The development concept for the proposed MLU/PUD provides for natural areas, open space and enhanced landscape buffers. The conceptual plan provides for the following: a 50 foot landscape buffer on the west side of the site, adjacent to B Road, as well as along Southern Boulevard; a 300 foot buffer predominantly along the northern and eastern boundaries of the site; and a 100 foot buffer abutting the western boundary of the proposed ALF, as well as along the northern boundary abutting the northwestern office pod. A total of 27.03 acres of the site is dedicated to landscape buffers.

VIII. PRELIMINARY STAFF FINDING AND RECOMMENDATION

Planning staff finds REZ 2013-02 to be generally consistent with the intent and direction of the Comprehensive Plan, the rezoning criteria, as depicted in Section 160-020(A)(1) – (6) of the ULDC, and the objectives and standards of a planned unit development, as depicted in Section 41-3 of the ULDC.

However to insure consistency with the Comprehensive Plan and land development regulations, and the results of the various studies and analysis completed in the review of this application, Staff recommends approval of REZ 2013-02 (Ref: Attachment C) subject to the conditions listed in Attachment B.

The Applicant has requested a waiver from the minimum standard parking space dimensions of 11 feet by 22.5 feet and handicap parking spaces dimensions of 14 feet by 22.5 feet. The applicant proposes that standard parking spaces be sized at 10 feet by 20 feet and handicap parking spaces at 12 by 20 feet. Due to the current lack of detail in the preliminary site plan, including building and bay sizes and locations and expected tenant

mix, staff cannot support the proposed waivers at this time. However, staff can support providing the Applicant with an additional opportunity to request the proposed waivers during the site plan review process when greater project detail is available.

IX. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

The LPA at its meeting of April 11, 2013 and following a public hearing on the matter, recommended approval/denial of REZ 2013-02 by a x-y vote.

X. FINAL STAFF RECOMMENDATION

Staff recommends approval/denial of REZ 2013-02 subject to the conditions of approval presented in Attachment B.

XI. TOWN COUNCIL ACTION

The Town Council, at its meeting of xxx, yy, 2013 and following a public hearing on the matter, voted to approve/deny REZ 2013 – 02 on first reading (i.e. Ordinance 2013-00x) by a x-y vote. The Town Council, at its meeting of xxx, yy, 2013 and following a public hearing on the matter, voted to approve/deny REZ 2013 – 02 on second reading (i.e. Ordinance 2013-00x) by a x-y vote.

**ATTACHMENT A
GROVES TOWN CENTER
TRAFFIC PERFORMANCE STANDARDS REVIEW**



**Department of Engineering
and Public Works**

P.O. Box 21229
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**Palm Beach County
Board of County
Commissioners**

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Hal R. Valeche

Paulette Burdick

Shelley Vana

Mary Lou Berger

Jess R. Santamaria

County Administrator

Robert Weisman

*"An Equal Opportunity
Affirmative Action Employer"*

February 21, 2013

Ms. Becky Mulcahy, P.E.
Pinder Troutman Consulting, Inc.
2005 Vista Parkway, Suite 111
West Palm Beach, FL 33411

**RE: Groves Town Center
PBC Project No. 120802
Traffic Performance Standards Review – REVISED Condition 4**

Dear Ms. Mulcahy:

The Palm Beach County Traffic Division has reviewed the revised traffic impact analysis prepared by Pinder Troutman Consulting, Inc. and dated December 17, 2012 for the Proposed Development entitled **Groves Town Center** pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code. The project is summarized as follows:

Location: Northeast corner of Southern Blvd. and B Road
PCNs: 41-41-43-17-01-804-0030, -805-0010, and -806-0010
Municipality: Loxahatchee Groves
Existing Uses: Vacant
Proposed Uses: 103,000 sf Retail, 23,000 sf Prof. Office, 21,000 sf Med. Office, and 128 unit congregate care facility
New Daily Trips: 5,260 tpd
New PH Trips: 149 AM (111/38) and 510 PM (218/292)
Build-Out: December 31, 2017

Based on our review, the Traffic Division has determined the proposed development meets the Traffic Performance Standards of Palm Beach County subject to the following conditions. Note that all these conditions must be included in any development order(s) issued for this project or the TPS approval will be invalidated. Any future request to modify these conditions of approval must be based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request.

1. No Building Permits for the site shall be issued after December 31, 2017.
2. Building Permits for more than 14,600 sf of General Office, 21,000 sf of Medical Office, and the 128 unit congregate care facility (or development generating an equivalent number of external PM peak hour outbound trips, as approved by the County Engineer) shall not be issued until the Property Owner makes a proportionate share



payment to the Palm Beach County Board of County Commissioners to pay for its proportionate share of the required improvement to widen Southern Blvd. from a 4-lane divided highway to a 6-lane divided highway from ¼ mile west of Big Blue Trace to the existing 6-lane section east of Palms West Parkway. The proportionate share payment shall be 7% of the total cost to construct the additional eastbound lane and 5.3% of the total cost to construct the westbound lane. The amount of the proportionate share payment shall be \$314,635 if submitted prior to August 1, 2013. Otherwise the amount shall be recalculated at the time of payment based on the best estimate of the total cost of the required improvement as approved by the County Engineer.

3. Building Permits for more than 21,000 sf of Retail, 23,000 sf of General Office, 21,000 sf of Medical Office, and the 128 unit congregate care facility (or development generating an equivalent number of total PM peak hour outbound trips, as approved by the County Engineer) shall not be issued until construction commences for a second west approach left turn lane (and appropriate receiving lanes) and an exclusive north approach left turn lane, through lane and right turn lane at the intersection of Southern Blvd. and B Road. Construction shall include any required signal modifications in conjunction with the roadway improvements, and may also include installation of mast arms. "Construction commences" is defined as awarding the contract for construction, the acquisition of all right of way and construction easements and the acquisition of all required permits.
4. Acceptable surety for the design, right of way acquisition, the Construction Engineering and Inspection Costs, as well as the construction for the offsite road improvements as outlined in Condition No. 3 shall be posted with the County Traffic Division prior to August 1, 2013 within six months of Development Order Approval. Surety in the amount of 110% shall be based upon a Certified Cost Estimate provided by the Developer's Engineer and approved by the County Engineer. At any time during the duration of the surety the County Engineer shall have the authority to determine that sufficient progress has not been made for any and all required work. In the event such a determination is made, Palm Beach County shall have the right to request funds be drawn for the surety (surety drawn) and Palm Beach County may then complete all required work. The County Engineer shall also have the authority to require that the surety amount be updated to reflect current anticipated costs at any time during the duration of the surety.



In addition to the above conditions required by TPS, the town is encouraged to impose the following condition to mitigate project impacts:

1. The property owner shall construct:
 - i. B Road as a continuous 2-lane paved roadway between Southern Blvd. and Okeechobee Blvd., including a traffic separator from Southern Blvd. to a minimum 660 feet north of Southern Blvd.,
 - ii. C Road as a continuous 2-lane paved roadway between Southern Blvd. and Tangerine Drive, and
 - iii. Tangerine Drive as a continuous 2-lane paved roadway between C Road and E Road, and
 - iv. A west approach left turn lane and directional median opening on Southern Blvd. at the central project access connection.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required for this construction shall be obtained prior to the issuance of the first building permit.

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy.

Please contact me at 684-4030 with any questions.

Sincerely,

Nick Uhren, P.E.
Sr. Professional Engineer - Traffic Division

NU:sf

ec: Recipient (mulcahy@pindertroutman.com)
Mark Kutney – Lox. Groves Town Manager (mkutney@loxahatcheegroves.org)
Lisa Dykstra, P.E. – FDOT District 4 (Lisa.Dykstra@dot.state.fl.us)

File: General - TPS - Mun - Traffic Study Review
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**ATTACHMENT B
GROVES TOWN CENTER
PROPOSED CONDITIONS OF APPROVAL**

A. GENERAL

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.

2. Final site plans shall conform to those approved by the Town of Loxahatchee Groves in the Master Plan (Preliminary Site Plan) dated April 4, 2013 and the Statement of Use included as Attachment J2 of the PUD Rezoning Application. Any modifications to the approved Master Plan or Statement of Use must be approved by the Town Council unless the proposed changes are required to meet conditions of approval or are required for compliance with the ULDC.

3. Any subdivision by fee title conveyance of internal lots which are subject to a final site plan approval shall have received prior written approval by the Town Manager.

4. Prior to submitting the initial site plan approval application and all subsequent site plan applications, the Applicant shall contact Palm Tran to obtain written confirmation regarding the need for a bus stop on Southern Boulevard. Palm Tran's response shall be included in the site plan application.

B. ENGINEERING

1. No Building Permits for the site shall be issued after December 31, 2017.

2. Building Permits for more than 14,600 sq. ft. of general office, 21,000 sq. ft. of medical office, and the 128 unit congregate care facility (or development generating an equivalent number of external PM peak hour outbound trips, as approved by the County Engineer) shall not be issued until the Property Owner makes a proportionate share payment to the Palm Beach County Board of County Commissioners to pay for its proportionate share of the required improvement to widen Southern Blvd. from a 4-lane divided highway to a 6-lane divided highway from ¼ mile west of Big Blue Trace to the existing 6-lane section east of Palms West Parkway. The proportionate share payment shall be 7% of the total cost to construct the additional eastbound lane and 5.3% of the total cost to construct the westbound lane. The amount of the proportionate share payment shall be \$314,635 if submitted prior to August 1, 2013. Otherwise the amount shall be recalculated at the time of payment based on the best estimate of the total cost of the required improvement as approved by the County Engineer.

3. Building Permits for more than 21,000 sq. ft. of retail, 23,000 sq. ft. of general office, 21,000 sq. ft. of medical office, and the 128 unit congregate care facility (or development generating an equivalent number of total PM peak hour outbound trips, as approved by the County Engineer) shall not be issued until construction commences for a second west approach left turn lane (and appropriate receiving lanes) and an exclusive north approach left turn lane, through lane and right turn lane at the intersection of Southern Blvd. and B Road. Construction shall include any required signal modifications in conjunction with the roadway improvements, and may also include installation

of mast arms. "Construction commences" is defined as awarding the contract for construction, the acquisition of all right of way and construction easements and the acquisition of all required permits.

4. Acceptable surety for the design, right of way acquisition, the Construction Engineering and Inspection Costs, as well as the construction for the offsite road improvements as outlined in Condition No. 3 shall be posted with the County Traffic Division prior to August 1, 2013 within six months of Development Order Approval. Surety in the amount of 110% shall be based upon a Certified Cost Estimate provided by the Developer's Engineer and approved by the County Engineer. At any time during the duration of the surety the County Engineer shall have the authority to determine that sufficient progress has not been made for any and all required work. In the event such a determination is made, Palm Beach County shall have the right to request funds be drawn for the surety (surety drawn) and Palm Beach County may then complete all required work. The County Engineer shall also have the authority to require that the surety amount be updated to reflect current anticipated costs at any time during the duration of the surety.

5. The property owner shall construct B Road as a 2-lane paved roadway, including a traffic separator, from Southern Blvd. to a minimum 660 feet north of Southern Boulevard.

6. The property owner shall enter into an agreement with Palm Beach State College and the owner of the Loxahatchee Groves commons property to construct B Road as a continuous 2-lane roadway surface between a point 660 feet north of Southern Boulevard to Okeechobee Boulevard prior to site plan approval of the first development phase.

7. The property owner shall construct C Road as a continuous 2-lane paved roadway between Southern Blvd. and Tangerine Drive, and Tangerine Drive as a continuous 2-lane paved roadway between B Road and C Road.

8. The property owner shall construct a west approach left turn lane and directional median opening on Southern Blvd. at the central project access connection.

9. Construction of items 5 – 8, above shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Permits required for this construction shall be obtained prior to the issuance of the first building permit. Construction shall be completed prior to the issuance of the first Certificate of Occupancy.

10. Any future request to modify Conditions 1 – 9 must be based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request.

C. LAND CLEARING AND LANDSCAPING

1. Any land clearing activities must comply with the Loxahatchee Groves Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal regulations (Ordinance 2010-008).

2. In conjunction with a final site plan application for any development parcel or pod, the property owner shall submit a Landscape Plan application to the Town of Loxahatchee Groves for review and approval.

3. Any proposed impacts upon jurisdictional wetlands shall require permits or authorizations from the South Florida Water Management district or U.S. Army Corps of Engineers

4. Prior to the permitting of any development or earthmoving activities, a Phase 1 Archaeological Survey of the property shall be completed.

D. PUD WAIVERS

1. The Applicant may propose, and the Town Council may consider waivers to standard and handicapped parking minimum space requirements during the site plan approval process for a specific development parcel or pod.

ATTACHMENT C GROVES TOWN CENTER ZONING MAP AMENDMENT

**REZ 2013-02
Agricultural Residential (AR)
To
Multiple Land Use Planned Unit Development (MLU/PUD)**

