



**CITY OF BOYNTON BEACH  
PLANNING AND DEVELOPMENT BOARD  
MEETING AGENDA**

**DATE: Tuesday, February 27, 2018**

**TIME: 6:30 PM**

**PLACE: City Hall Chambers**

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- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Agenda Approval**
  - A. Approve Minutes from 1-23-18 Planning and Development Meeting
- 4. Approval of Minutes**
- 5. Communications and Announcements: Report from Staff**
- 6. Old Business**
- 7. New Business**
  - A. Approve One Boynton (aka Las Ventana) Rezoning (REZN 18-005) from MU-L (Mixed Use Low District) to MU-4 (Mixed Use 4 District) to complete implementation of the CRA Community Redevelopment Plan's recommendation for the subject 14.6 acre property. Applicant: City-initiated.
  - B. Approve Timeless Life Care and 601 S. Federal Mixed Use rezoning (REZN 18-006) from MU-L2 (Mixed Use Low 2 District) to MU-2 (Mixed Use 2 District) to complete implementation of the CRA Community Redevelopment Plan's recommendation for the subject 2.41 acre area. Applicant: City-initiated.
- 8. Other**
- 9. Comments by members**
- 10. Adjournment**

**The Board may only conduct public business after a quorum has been established. If no quorum is established within twenty minutes of the noticed start time of the meeting the City Clerk or her designee will so note the failure to establish a quorum and the meeting shall be concluded. Board members may not participate further even when purportedly acting in an informal capacity.**

**NOTICE**

**ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE PLANNING AND DEVELOPMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND**

**EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. (F. S. 286.0105) THE CITY SHALL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD AN INDIVIDUAL WITH A DISABILITY AN EQUAL OPPORTUNITY TO PARTICIPATE IN AND ENJOY THE BENEFITS OF A SERVICE, PROGRAM, OR ACTIVITY CONDUCTED BY THE CITY. PLEASE CONTACT THE CITY CLERK'S OFFICE, (561) 742-6060 AT LEAST TWENTY (24) HOURS PRIOR TO THE PROGRAM OR ACTIVITY IN ORDER FOR THE CITY TO REASONABLY ACCOMMODATE YOUR REQUEST.**



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**PLANNING AND DEVELOPMENT MEETING DATE:** 2/27/2018

**REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD:** Approve Minutes from 1-23-18 Planning and Development Meeting

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**EXPLANATION OF REQUEST:**

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?**

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?**

**Grant Amount:**

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**ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Minutes	Minutes 1-23-18



MINUTES  
PLANNING AND DEVELOPMENT BOARD  
COMMISSION CHAMBERS, CITY HALL  
100 E. BOYNTON BEACH BOULEVARD, BOYNTON BEACH, FLORIDA  
TUESDAY, JANUARY 23, 2018, 6:30 P.M.

**PRESENT:**

David Katz, Chair  
Kevin Fischer, Vice Chair  
Susan Oyer  
Stephen Palermo  
Trevor Rosecrans  
Ryan Wheeler  
Floyd Zonenstein  
Lucas Vogel, Alternate  
Malcolm Gropper, Alternate

**STAFF:**

Ed Breese, Principal Planner  
Amanda Bassiely, Planner II  
Colin Groff, Assistant City Manager  
Andrew Mack, Director of Development  
Farah Nerette, Assistant City Attorney  
Lisa Edmondson, Prototype, Inc.

**ABSENT:**

Chair Katz called the meeting to order at 6:30 p.m.

1. **Pledge of Allegiance**
2. **Roll Call**

Roll was called, and it was determined a quorum was present.

Chair Katz introduced two newly appointed alternates, Lucas Vogel and Malcolm Gropper; also welcomed were Mayor Steven Grant and Rick Maharajh, Member Community Redevelopment Advisory Board.

3. **Agenda Approval**

**Motion** made by Ms. Oyer, seconded by Mr. Palermo, to approve the agenda. In a voice vote, the motion passed unanimously (7-0).

4. **Approval of Minutes from Planning and Development Board Meeting Minutes**
  - A. **Approval of the November 28, 2017, minutes**

**Motion** made by Mr. Palermo, seconded by Ms. Oyer, to approve the minutes of the November 28, 2017, meeting. In a voice vote, the motion passed unanimously (7-0).

**5. Communications and Announcements: Report from Staff**

Mr. Breese reported that Ocean Breeze, Eden Ridge, Soleil Early Learning Academy, High Ridge Country Club, and the Front Porch Setbacks Code Review were all approved at the City Commission's January 2018 meetings.

Ms. Nerette reminded the Board Members and Alternates of pertinent rules that apply to each of them. As members of this board, and before voting on any particular matter that comes before them, they may inquire about specific and relevant issues within their purview with regards to the Master Plan or the site plans; members are discouraged and should not inquire that could be deemed of a personal nature; before voting on any matter, Members are required to disclose conflicts of interest, specifically publicly announce the nature of the interest in the matter from which abstaining from voting and within fifteen (15) days of the vote disclose the nature of the interest in a public record as a memorandum filed with the Clerk, who shall incorporate the memo in the minutes of the relevant meeting. Any ex parte communications with applicants must be disclosed prior to any voting on any items that come before the Board, the particular substance of the matter as well as the identity of the individuals with which the communication took place. Chair Katz clarified that the Conflict of Interest form should be filed with the City Clerk before the meeting, not afterwards.

**6. Old Business - None**

**7. New Business**

Chair Katz disclosed that he had met with Staff, Andrew Mack, about items on the agenda as they are the applicant below. Mr. Wheeler disclosed he was on the selection committee put together by the City that allowed the City to start negotiations to start working on the site plan. Ms. Oyer had conversations with John Markey, as well as other City employees (Colin Groff and others), at times over the past year.

- A. Approve the Boynton Beach Town Square Master Plan** for a mix of civic, residential and commercial uses, pending reclassification of the 15.04 acre property from Public and Private Governmental/Institutional (PPGI) and High Density Residential (HDR) to Mixed Use Medium (MXM) and rezoning from Public Usage (PU), Recreation (REC), and Multifamily (R-3) to Mixed Use 3 (MU-3) zoning district. City-initiated.

Amanda Bassiely gave an overview of the Boynton Beach Town Square Master Plan, which includes seven City-owned parcels: City Hall Complex, Old High School, School House Museum, amphitheater, library, playground, and Senior Center. Parcel is within CRA and downtown TOD. The north block is within the Boynton Beach Blvd. District and southern blocks are all within the Cultural District. This is a City-initiated master plan and land use in preparation to redevelop this campus into a mixed-use project. Conceptual master plan was reviewed and presented at several public meetings, resulting in current modified version.

Master plan components: 1) intensity and density; 2) vehicular access; 3) building mass and heights; 4) landscape and open space; and 5) phasing of the plan. Existing uses staying are the existing high school use and structure, and the School House Museum. Three new open spaces will be added to three existing open spaces (including in front of the School House Museum). The Amphitheater open space is proposed at 40,000 square feet; the playground at 7,000 square feet; and the open space lining Seacrest and Ocean Avenues at 19,000 square feet. New City Hall and Library proposed to be 110,000 square feet.

Proposed density for the plan is 47 units per acre, equating to 705 units over 15 acres, and divided into three buildings of 225 units (ground floor commercial), 280 units (residential only), and 250 units (residential with commercial along Ocean Ave.). There will be two corresponding parking garages and a proposed hotel at Boynton Beach and Seacrest with some commercial space along Boynton Beach Blvd. Maximum height is currently at 75 feet, two buildings proposed above that height are at 24 additional feet due to the Workforce Housing Ordinance; however, approved building setbacks are incorporated as appropriate.

Phase 1: public buildings and spaces. Phase 2: residential building to the south. Phase 3: two residential buildings, parking garage, and hotel to the north. Staff recommends approval of the Master Plan, which complies with the CRA Redevelopment Plan.

At this time, those of the public wishing to speak to this issue were sworn in by Ms. Nerette. The floor was open to public comment.

- **Dr. Peter Blass**, 113 Tara Lakes West, is delighted with the plan, particularly saving the Old High School. University of Boynton is negotiating with City for some presence in this structure. Dr. Blass hopes these things will be discussed in the election coming up in one year.
- **Mike Fitzpatrick**, 175 SW 2<sup>nd</sup> Street, said this density is way too high for long-time residents' liking. Commented on marvelous job done in sandblasting the Old High School, and the stone-cast concrete looks good in its natural state (not painted).
- **Craig Sayre**, 637 NE 12<sup>th</sup> Terrace, asked for a description of the three residential areas. Ms. Bassiely said they are multi-family residential apartments, possibly condos. Chair Katz commented that the specific purchase/use is not in this Board's purview and should be addressed with the City Commission.

Floor closed to public comment. Open to questions from the Board.

- Ms. Oyer asked about Park Lane; Ms. Bassiely said Park Lane is not included in the Master Plan and Design. Ms. Oyer asked about the U-shaped building, Amphitheater, and maintaining the very large trees. Ms. Bassiely said these plans are not building footprints, but representative of the building areas, and the exact form will change, and final footprint reviewed at time of site plan.
- Mr. Fischer mentioned for consideration the northern-most parking garage at 99 feet in height as jarring right next to the playground space, perhaps the wall could be activated in some way (such as a rock-climbing wall). Ms. Bassiely said talks with the Art Commission

and Art in Public Places have already started and will forward Mr. Fischer's suggestion.

- Chair Katz had several questions:
  - The current size of the Kids' Kingdom lot is being reduced to 7,000 square feet. Some discussion followed on the current size (15,000 square feet), Chair Katz found the results unacceptable, and an insult to the people who worked on that playground. Ms. Bassiely said Master Plan reflects minimum spaces, but final design should open up playground if garage building shifts.
  - Height of buildings along SE 1<sup>st</sup> Street, what is across from the proposed buildings. Ms. Bassiely answered there are two-three story commercial buildings, and existing multi-family units which were both included in planning areas that have development rights comparable to what is proposed. To the east are small condos, duplexes, or single-family and are subject to future development. To the south is single-family and is not proposed to changes.
  - Water feature. Ms. Bassiely said it has been discussed; however, is not yet shown on the Master Plan. All such details will come out on the Site Plan.
  - Possibility of curved buildings, noting that they are more costly to build.
  - Handicap parking. Ms. Bassiely noted there will be some on-street parking spaces along Ocean and on small surface lots.
  - Traffic circle is still in plan but may be changed to more on-street parking.
- Mr. Palermo wondered about timelines for demolition and construction. Mr. Groff stated demolition and construction would be at same time, starting April/May 2018 for everything south of Ocean Avenue (public buildings) taking 36-60 months to complete, based on market for some of the private development. Ordinance requirements are for daytime construction. The High School is already under construction and should be finished and occupied by September/October 2018.
- Mr. Rosecrans asked if the vote today locks in the 7,000 square feet for the playground. Mr. Groff said the playground is under the City's purview, and the intention is to make the playground as big as possible, and the other side of the high school is part of the open space. Will try to save as much of Kids' Kingdom as the sensitivity of the space is realized, public will help to make the decision.
- Mr. Palermo asked if this is part of the City's 20 Year Plan. Ms. Bassiely said this Master Plan correlates with the Rezoning and Land Use, an implementation of the CRA Plan, and is not attached to a specific time.
- Chair Katz asked if this Board will get a second chance to go over the Site Plan. Mr. Mack confirmed within the next couple of months the team would begin submitting site plans for each phase to be reviewed before the Board and the Commission.
- Ms. Oyer asked for some assurance for the people that there be more than a "random word" for the more than 7,000 square feet for the playground, and now the increase to 25 feet elevation along Ocean Avenue from the 20 feet the people thought it would be. Ms. Bassiely said this is already in the CRA Redevelopment Plan and when any site plan comes through for approval, it must abide by all applicable standards. On Ocean there will be a 35 foot height maximum on the street and a 30-foot setback within the building. As to the playground, the Board will get to make a recommendation on the Master Plan that it is maximized to fullest extent possible and have approval on Phase 1 site plan.

- **Mike Fitzpatrick**, resident, who was general contractor on the original playground, responded to Chair Katz's question for recommendation on the Kids' Kingdom by stating he was unprepared to answer this and could get a more accurate recommendation over the next few days as it depends on what needs to be done.

**Motion** made by Ms. Oyer, seconded by Mr. Zonenstein, to approve the Boynton Beach Town Square Master Plan for a mix of civic, residential and commercial uses, pending reclassification of the 15.04 acre property from Public and Private Governmental/Institutional (PPGI) and High Density Residential (HDR) to Mixed Use Medium (MXM) and rezoning from Public Usage (PU), Recreation (REC), and Multifamily (R-3) to Mixed Use 3 (MU-3) zoning district, with the condition that a maximum Kids' Kingdom playground space be as close to 10,000 to 12,000 square feet as possible. In a voice vote, the motion passed unanimously (7-0).

**B. Approve Boynton Beach Gateway Police Station Community Design Appeal (CDPA 17-010)** of Chapter 4, Article III, Section 3.G., "Overhead doors facing rights-of-way", located at the SE corner of Gateway Boulevard and High Ridge Road in the PID (Planned Industrial Development) zoning district. Applicant: City of Boynton Beach.

Mr. Breese gave a presentation of the site at the southeast corner of Gateway and High Ridge Road; next to Fire Station #5 (FS#5) and two vacant lots that in 2007 were planned for the future police station. The Police Station will be a mix of one- and two-story buildings, 53,800 square feet on the 4.92 acre site. The Community Design Plan Appeal was described for the garage doors on the police station on the sally port where prisoners are brought in and the three-bay storage building at the rear for secured evidence. History of previously approved site plans for Fire Department and Police Station doors as well as ingress and egress for the Police Station were discussed. Staff recommends approval of the Community Design Plan Appeal.

The floor was open to public comment.

- **Dr. Peter Blass**, 113 Tara Lakes West, said the plan was excellent and could be viewed as a beginning to strengthen the police and fire presence to reduce crime.

Floor closed to public comment. Open to questions from the Board.

- Mr. Zonenstein wondered if the amount of traffic on Gateway during rush hour has been considered; the added egress of the fire vehicles could be horrendous. Mr. Breese believes the police would say in most instances their patrols are out in the field, it's not like they're all leaving the Police Station to go to a call, and traffic is not seen as an impediment.
- Mr. Fischer noted that in 2022 there are construction dollars allocated for the redesign and reconstruction of the Gateway and I-95 Interchange.
- Ms. Oyer had several points to address:
  - Also has traffic concerns, wondering about signal preemption. Mr. Groff explained how this will work for fire and police, again noting that the police for the most part will not be responding from the station unless there is a huge incident of some kind.



- There traffic use will be low impact, shift changes are not during rush hour, and while the traffic is bad, this site offers the least impact and is a good use for the site.
- Car charger spaces. Mr. Groff said one is already there and the City will be adding many as more electric vehicles are being purchased.
  - Solar panels installed on the flat roof. Mr. Groff noted this has been asked in public meetings and the City intends to make the buildings as green as possible, including solar where feasible. There is some money in the budget for such things. FS#5 already has solar on the roof.
  - Provision for installation of roof-top antennas or small microwave dish, and the powering and grounding of electronic equipment between the two buildings. Mr. Groff said the communication center for FS#5 is already installed for police and fire, it is well-grounded, well-protected, and the antennas and dishes are already on FS#5 for communication during emergency events. There will be underground fiber cables to the new Police Station, and police dispatch is already within FS#5.
- Mr. Wheeler wondered about the abundance of existing parking, is there an intended use, can green area be added. Mr. Breese said on a typical day that parking lot isn't used; however, there is a community room within FS#5 and one will be within the Police Station that will host community meetings when the lots fills up. The Design Plan allows for a green area to be left in a natural state if all the parking is not needed; it will be reevaluated.
  - Mr. Palermo had questions about grid failure, if it is a good idea to have two emergency facilities without power on the same grid, despite emergency generators. Mr. Breese noted that FS#5 is the City's emergency operations center and is designed to be occupied and operational during any kind of emergency and tying the fire station into that does not pose any problems. Mr. Groff said the advantage of having these two services together is that there will be back-up generators to each other, as well as other sources of energy. Also, this is a split grid, so power does not come from a single substation, though it is all FP&L. The station can operate three weeks without fuel, and the City owns a site with enough fuel to go another couple of months. This is better for the City because of multiple redundant systems.
  - Chair Katz had several questions that Mr. Groff answered:
    - Will the crime scene vehicles will be stored at this facility? Yes.
    - Does the fire station have as much glass as the police station? Square footage-wise for the size of buildings, about the same; FS#5 has less because of the communication center areas for public safety standpoint, not designed like an office building.
    - Handicap parking, if there is enough per code, is there room for two-three more? There are enough per code and more can be added as needed. Chair Katz will add extra spaces as a condition for approval.
  - Mr. Palermo wondered about traffic on High Ridge and Gateway, or Gateway and I-95, if there is a major accident, how will there be access for emergency vehicles. Mr. Groff said if the access is blocked, there are multiple ways in and out of FS#5, which has already been operating for 10 years (and the situation has yet to happen). The four other fire stations can respond very quickly.
  - Mr. Palermo also asked about a helipad for emergency lift somewhere on the 4.92 acres.

Mr. Groff said the City doesn't have any helipads right now because helicopters aren't used (the County does). There are places on this site that can be used if needs arise, like on the parking lot several places. Mr. Groff thinks this is a good item to bring before PD for future consideration, noting helicopters are very expensive.

**Motion** made by Mr. Fischer, seconded by Mr. Palermo, to approve Boynton Beach Gateway Police Station Community Design Appeal (CDPA 17-010) of Chapter 4, Article III, Section 3.G., "Overhead doors facing rights-of-way", located at the SE corner of Gateway Boulevard and High Ridge Road in the PID (Planned Industrial Development) zoning district. In a voice vote, the motion passed unanimously (7-0).

**C. Approve Boynton Beach Gateway Police Station Major Site Plan Modification (MSPM 17-010)** to construct a two-story, 53,800 square foot police station and associated site improvements immediately north of Fire Station #5, at the SE corner of Gateway Boulevard and High Ridge Road in the PID (Planned Industrial Development) zoning district. Applicant: City of Boynton Beach

Chair Katz noted that the background for this item has already been addressed in Item B.

The floor was open to public comment.

- **Dr. Peter Blass**, 113 Tara Lakes West, had an idea to use dome-shaped buildings for hurricane resistance for emergency centers, and may want to modify plans for a strong building.

Floor closed to public comment. Open to questions from the Board.

- Ms. Oyer wondered if there are any kinds of provisions for sniper attacks or shootings from I-95 or overpasses, preparing for worst-case scenarios. Mr. Groff said, without details, yes.

**Motion** made by Ms. Oyer, seconded by Mr. Palermo, to approve Boynton Beach Gateway Police Station Major Site Plan Modification (MSPM 17-010) to construct a two-story, 53,800 square foot police station and associated site improvements immediately north of Fire Station #5, at the SE corner of Gateway Boulevard and High Ridge Road in the PID (Planned Industrial Development) zoning district, with the condition that three additional handicap parking spaces be added to the plan. In a voice vote, the motion passed unanimously (7-0).

**D. Approve MLK South Rezoning (REZN 18-003)** from MU-L2 (Mixed Use-Low Intensity 2 District) to MU-2 (Mixed Use 2 District) to complete implementation of the CRA Community Redevelopment Plan's recommendation for the subject 2.97 acre area. Applicant: City-initiated.

Ms. Bassiely gave an overview on the item which is a clean-up from a CRA implementation of land use, where this parcel was overlooked in the July 2017 restructuring.

**Motion** made by Ms. Oyer, seconded by Mr. Palermo, to approve MLK South Rezoning (REZN 18-003) from MU-L2 (Mixed Use–Low Intensity 2 District) to MU-2 (Mixed Use 2 District) to complete implementation of the CRA Community Redevelopment Plan’s recommendation for the subject 2.97 acre area. In a voice vote, the motion passed unanimously (7-0).

**E. Approve Neelam (fka Schnars) Business Center Rezoning (REZN 18-004)** from MU-L (Mixed Use Low District) to MU-1 (Mixed Use 1 District) to complete implementation of the CRA Community Redevelopment Plan’s recommendation for the subject 0.52 acre property. Applicant: City-initiated.

Ms. Bassiely gave an overview on the item which is also a clean-up from a CRA implementation of land use, where this parcel was overlooked in the July 2017 restructuring, making the rezoning consistent with new CRA Plan recommendations.

**Motion** made by Mr. Palermo, seconded by Ms. Oyer, to approve Neelam (fka Schnars) Business Center Rezoning (REZN 18-004) from MU-L (Mixed Use Low District) to MU-1 (Mixed Use 1 District) to complete implementation of the CRA Community Redevelopment Plan’s recommendation for the subject 0.52 acre property. In a voice vote, the motion passed unanimously (7-0).

#### **8. Other – Election of Chair and Vice Chair**

**Motion** made by Mr. Wheeler to nominate David Katz for Chair and Kevin Fischer for Vice Chair. There were no other nominations. In a voice vote, the motion passed unanimously (7-0).

#### **9. Comments by Members – None**

#### **10. Adjournment**

Upon motion duly made and seconded, the meeting was adjourned at 7:43 pm.

[Minutes transcribed by M. Moore, Prototype, Inc.]



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**PLANNING AND DEVELOPMENT MEETING DATE:** 2/27/2018

**REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD:** Approve One Boynton (aka Las Ventana) Rezoning (REZN 18-005) from MU-L (Mixed Use Low District) to MU-4 (Mixed Use 4 District) to complete implementation of the CRA Community Redevelopment Plan's recommendation for the subject 14.6 acre property. Applicant: City-initiated.

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### **EXPLANATION OF REQUEST:**

The subject property, developed in 2009 with the mixed use project Las Ventanas (recently renamed as One Boynton), is located in the Federal Highway South District as designated by the 2016 CRA Community Redevelopment Plan (the CRA Plan). The project's "built" density is approximately 38 dwelling units per acre (du/acre).

The request is City-initiated and represents the continuation of the "house cleaning" tasks following major changes to the City's future land use/zoning structure as part of the implementation of the CRA Plan. It seeks rezoning of the subject property consistent with the said new structure and with the Plan's site-specific recommendations.

The MU-4 zoning district requested for Las Ventanas was adopted into the LDRs on January 3, 2017, as a first step in implementation of the CRA Plan; it was applied immediately thereafter to the adjacent Riverwalk project ultimately approved for the southeast corner of US-1 and Woolbright Road.

The MU-4 district is conceived to be an important part in the overall strategy for increasing the development intensity in areas in and around downtown, including the "activity node" at the intersection of US-1 and Woolbright Road. *The CRA Plan recommends Mixed Use High future land use and MU-4 zoning for all four corners of this intersection.*

Finally, note that the Las Ventanas development carries the Mixed Use Low zoning district with the density cap of 40 du/acre; it is an "old" designation which has effectively been defunct since the 2004 code amendments.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** There will be no impact on City's programs or services.

### **FISCAL IMPACT:**

There will be no fiscal impact. The project is built out; expanding it to a higher density is not likely in the foreseeable future. The assessment of the property will not automatically increase.

**ALTERNATIVES:** Staff does not recommend any alternatives.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:** N/A

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:** N/A

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**Is this a grant?**

**Grant Amount:**

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**ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Location Map	Exhibit A. Location Map Aerial
<input type="checkbox"/> Location Map	Exhibit B. Location Map Rezoning

**DEVELOPMENT DEPARTMENT  
PLANNING AND ZONING DIVISION  
MEMORANDUM NO. PZ 17-068**

**STAFF REPORT**

TO: Chair and Members  
Planning and Development Board

THRU: Michael Rumpf  
Planning and Zoning Director

FROM: Hanna Matras, Senior Planner

DATE: February 1, 2018

PROJECT: One Boynton  
(REZN 18-005)

REQUEST: Approve One Boynton (aka Las Ventanas) Rezoning (REZN 18-005) from MU-L (Mixed Use Low District) to MU-4 (Mixed Use 4 District) to complete implementation of the CRA Community Redevelopment Plan's recommendation for the subject 14.6 acre property. Applicant: City-initiated.

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**PROJECT DESCRIPTION**

Property Owner: CH Realty VII-Psreg Boynton Beach Las Ventanas, LLC

Applicant: City-initiated

Location: Northwest corner of South Federay Highway and East Woolbright Road (Exhibit "A")

Existing Land Use/  
Zoning: Mixed Use High (MXH)/ MU-L (Mixed Use Low District)

Proposed Land Use/  
Zoning: Mixed Use High (MXH)/ MU-4 (Mixed Use 4 District)

Acreage: +/- 14.6 acres

Adjacent Uses:

North: To the northeast, developed commercial property classified Local Retail Commercial (LRC) and zoned C-3 Community Commercial, and

developed residential property classified and rezoned similarly. To the northwest, the right-of-way of SE 12th Avenue, then developed residential property classified Medium Density Residential (MeDR) and zoned R-2 Single and Two-Family Residential;

South: The right-of-way of Woolbright Road, then developed commercial property (Sunshine Square), classified Local Retail Commercial (LRC) and zoned C-3 Community Commercial;

East: The right-of-way of South Federal Highway, then to the southeast, developed commercial property (Shell Service Station), classified Local Retail Commercial (LRC) and zoned C-3 Community Commercial; to the northeast, developed condominiums of Bermuda Cay and Snug Harbor, classified High Density Residential (HDR) and zoned R-3 Multi-Family Residential; and

West: The right-of-way of the Florida East Coast (FEC) railroad, then developed property classified Industrial (I) and zoned M-1 Industrial.

### **BACKGROUND AND PROCESS**

The subject property, developed in 2009 with a mixed use project Las Ventanas (recently renamed as One Boynton), is located in the Federal Highway South District as designated by the 2016 CRA Community Redevelopment Plan (the CRA Plan). The project's "built" density is approximately 38 dwelling units per acre (du/acre).

The request is city-initiated, consistent with the procedural provisions of the Land Development Regulations (LDRs). Since 2015, LDRs allow the City to proactively initiate and process future land use reclassification and rezoning to planned zoning districts for selected sites—if recommended by a significant planning document(s)—without a concurrent review of a master plan.

The request meets the latter condition as it will implement the recommendation of the CRA Plan. It explicitly meets criterion "b"—consistency with redevelopment plans—of the criteria for review of Comprehensive Plan Map amendments and rezonings listed in the LDR, Chapter 2, Article II. Meeting criterion "b" is the minimum requirement for city-initiated applications.

Lastly, the request represents the continuation of the "house cleaning" tasks following major changes to the City's future land use/zoning structure as part of the implementation of the CRA Plan. Another, similar city-initiated application—seeking rezoning of properties consistent with the said new structure and with the site-specific recommendations of the CRA Plan—is being processed concurrently.

### **EXPLANATION**

This request, if approved, would constitute the final action to bringing the subject property in line with the recommendations of the CRA Plan.

The previous actions executing the said recommendations and affecting the property included:

- The July 18, 2017 adoption by the City Commission of the Comprehensive Plan text/ Future Land Use (FLU) map amendment package which implemented the modified FLU structure recommended by the CRA Plan. The package included the FLU map amendment reclassifying the subject property from its previous Mixed Use (MX) category, which the Plan eliminated, to the Mixed Use High (MXH) category, per the area-specific FLU recommendations of the Plan.
- The subsequent adoption, on September 19, 2017, of amendments to the Land Development Regulations (LDRs), codifying the new structure of the FLU categories and implementing the corresponding changes to zoning designations as recommended by the CRA Plan. The changes included reconfiguration of the FLU classification/zoning district scheme, establishment of new districts, redefining the maximum densities of some districts and minor changes to the district titles for consistency within the system.

*The MU-4 zoning district requested for Las Ventanas was actually adopted into the LDRs prior to the latter action, on January 3, 2017, as a first step in implementation of the CRA Plan; it was applied immediately thereafter to the property of the new Riverwalk project located on the southeast corner of US-1 and Woolbright Road.*

The MU-4 district—at 60 du/acre the second most intensive zoning district after the Mixed Use Core (MXC) with the maximum density of 80 du/acre—is conceived to be an important part in the overall strategy for increasing the development intensity in areas in and around downtown, including the “activity node” at the intersection of US-1 and Woolbright Road. *The CRA Plan recommends Mixed Use High future land use and MU-4 zoning for all four corners of this intersection.*

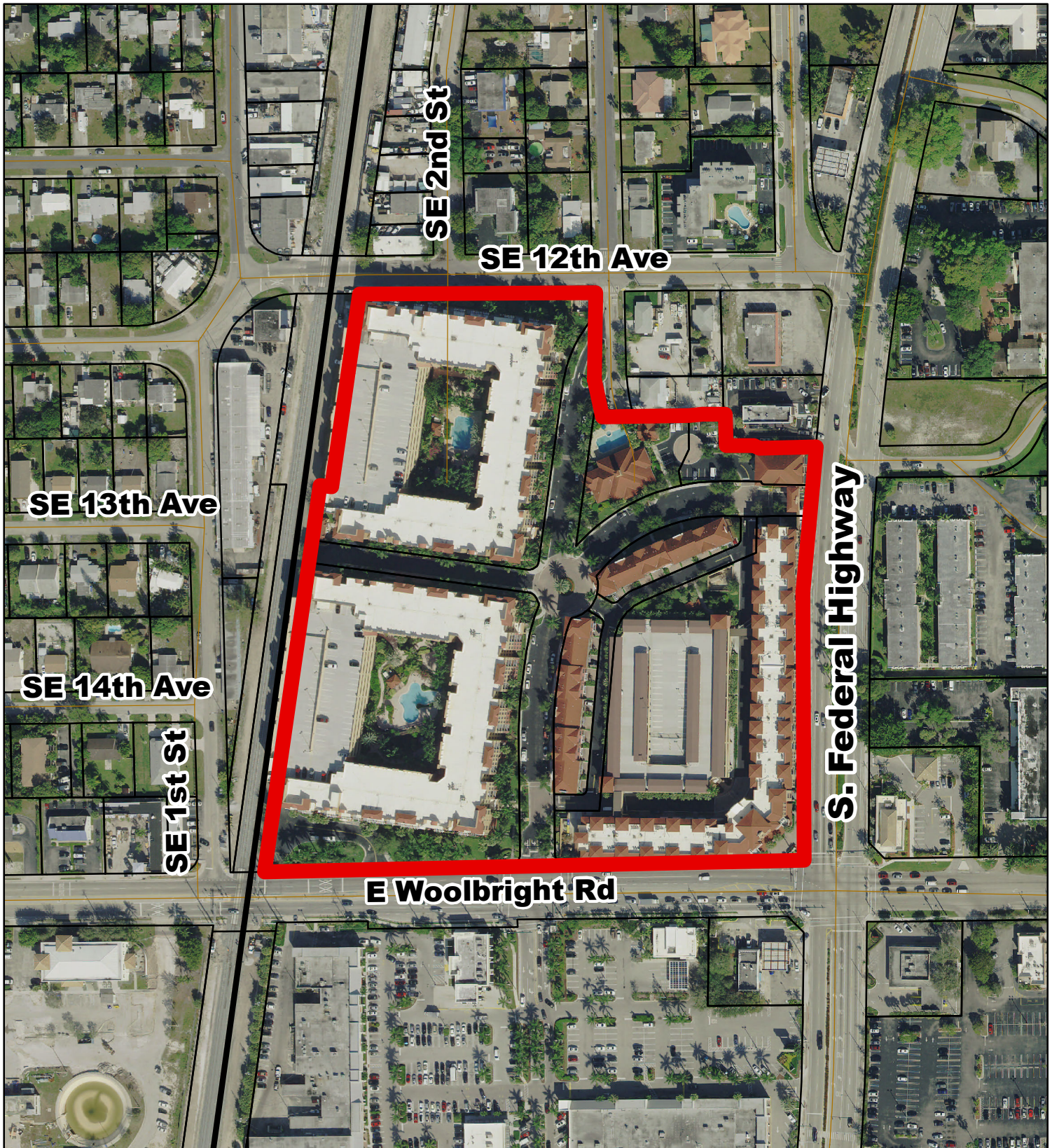
Finally, note that the Las Ventanas development carries the Mixed Use Low zoning with the density cap of 40 du/acre; it is an “old” designation which has effectively been defunct since the 2004 code amendments.

### **CONCLUSION/RECOMMENDATION**

As indicated herein, the proposed rezoning finalizes the implementation of the recommendation of the CRA Community Redevelopment Plan for the Las Ventanas property. Therefore, staff recommends that the subject request be approved.



# LOCATION MAP



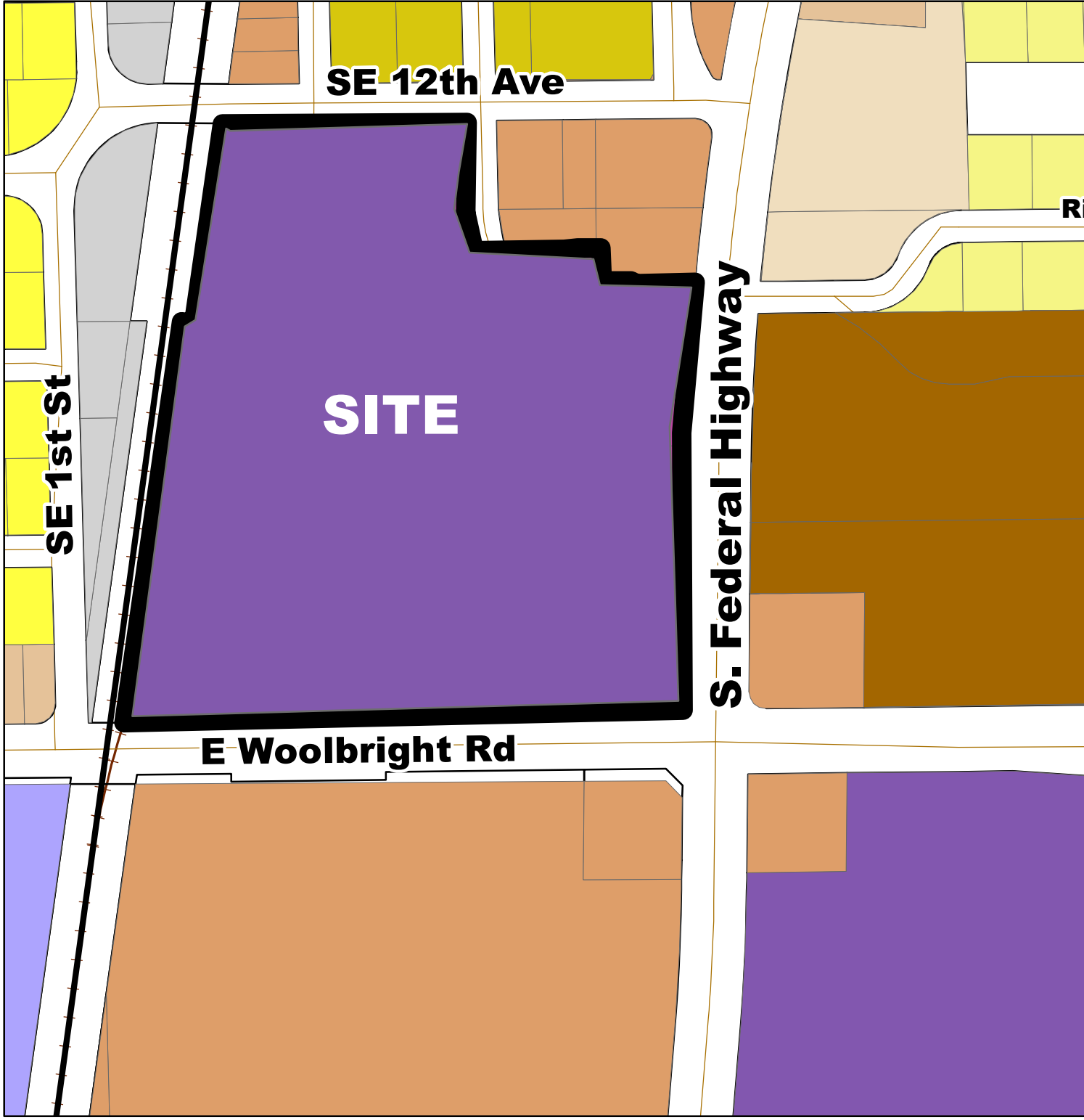
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Feet

N










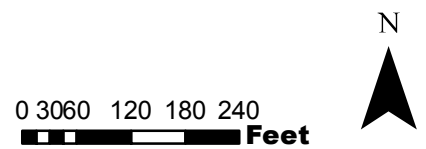


# LOCATION MAP (REZONING 18-005)



## LEGEND:

-  R1A Single Family, 6 du/ac
-  R2 Duplex, 10 du/ac
-  R3 Multi Family, 11 du/ac
-  C1 Office Professional
-  C2 Neighborhood Commercial
-  C3 Community Commercial
-  MU-4 Mixed Use 4, 60 du/ac





## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**PLANNING AND DEVELOPMENT MEETING DATE: 2/27/2018**

**REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD:**

Approve Timeless Life Care and 601 S. Federal Mixed Use rezoning (REZN 18-006) from MU-L2 (Mixed Use Low 2 District) to MU-2 (Mixed Use 2 District) to complete implementation of the CRA Community Redevelopment Plan's recommendation for the subject 2.41 acre area. Applicant: City-initiated.

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**EXPLANATION OF REQUEST:**

The area subject to the proposed rezoning is located in the Downtown District as designated by the 2016 CRA Community Redevelopment Plan (the CRA Plan); it consists of three (3) contiguous properties. On the southern property, the assisted living facility Timeless Life Care is currently under construction. The two properties on the north side were approved in 2016 for a mixed use project with a 28-unit residential building and an 11,000 square foot medical/professional office building.

The request is city-initiated and represents the continuation of "house cleaning" tasks following major changes to the City's future land use/zoning structure as part of the implementation of the CRA Plan. It seeks rezoning of the subject lands consistent with the said new structure and with the Plan's site-specific recommendations.

The "new" Mixed Use Medium future land use classification now on the properties allows a maximum density of 50 dwelling units per acre (du/ac); its two corresponding zoning designations, MU-2 and MU-3, have the respective maximum densities of 40 and 50 du/ac. The proposed MU-2 zoning district, essentially the same as the phased-out MU-L2 designation, nevertheless allows for a significantly higher maximum density (40 versus 30 du/ac). Since the new zoning structure does not include a district with the same density cap, MU-2 is the appropriate choice, consistent with the recommendations of the CRA Plan.

Note the CRA Plan recommendation of Mixed Use Medium (MXM) future land use extends further north of the subject properties, from SE 5<sup>th</sup> Avenue to SE 2<sup>nd</sup> Avenue. For future redevelopment projects in this area, staff is likely to support the MU-3 zoning designation due to the proximity of the core of the downtown, where the highest intensity future land use category—Mix Use High (MXH)—is recommended.

**HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?** No impact on City's programs or services.

**FISCAL IMPACT:** No fiscal impact unless modifications to the approved site plans are requested. The assessment of the properties will not automatically increase.

**ALTERNATIVES:** Staff recommends no alternatives.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:** N/A

**CLIMATE ACTION:** No

**CLIMATE ACTION DISCUSSION:** N/A

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**Is this a grant?**

**Grant Amount:**

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**ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Location Map	Exhibit A. Location Map Aerial
<input type="checkbox"/> Location Map	Exhibit B. Location Map Rezoning

**DEVELOPMENT DEPARTMENT  
PLANNING AND ZONING DIVISION  
MEMORANDUM NO. PZ 17-069**

**STAFF REPORT**

TO: Chair and Members  
Planning and Development Board

THRU: Michael Rumpf  
Planning and Zoning Director

FROM: Hanna Matras, Senior Planner

DATE: February 1, 2018

PROJECT: Timeless Life Care and 601 S. Federal Mixed Use (REZN 18-006)

REQUEST: Approve Timeless Life Care and 601 S. Federal Mixed Use rezoning (REZN 18-006) from MU-L2 (Mixed Use Low 2 District) to MU-2 (Mixed Use 2 District) to complete implementation of the CRA Community Redevelopment Plan's recommendation for the subject 2.41 acre area. Applicant: City-initiated.

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**PROJECT DESCRIPTION**

Property Owners: Timeless Life Care: Club at Boynton Beach LLC  
601 S. Federal Mixed Use: Exsorro One, Inc.

Applicant: City-initiated

Location: 601 and 623 South Federal Highway, and 606 SE 4<sup>th</sup> Street  
(Exhibit "A")

Existing Land Use/  
Zoning: Mixed Use Medium (MXM))/ MU-L2 (Mixed Use-Low Intensity 2 District)

Proposed Land Use/  
Zoning: Mixed Use Medium (MXM))/ MU-2 (Mixed Use 2 District)

Acreage: +/- 2.41 acres

Adjacent Uses:

- North: Right-of-way for SE 5<sup>th</sup> Avenue; farther north a developed commercial property (offices) and two undeveloped parcels, all classified Local Retail Commercial (LRC) and zoned C-3 (Community Commercial);
- South: Developed commercial properties classified Local Retail Commercial (LRC) land use and zoned C-3 (Community Commercial);
- East: Right-of-way for South Federal Highway; further east, developed multi-family community (Sterling Village) classified Medium Density Residential (HDR) land use and zoned Multi-family Residential (R-3);
- West: Right-of-way for SE 4th Street; farther west a City park (Pence Park) classified Recreational (R) land use and zoned Recreation (REC).

### **BACKGROUND AND PROCESS**

The area subject to the proposed rezoning is located in the Downtown District as designated by the 2016 CRA Community Redevelopment Plan (the CRA Plan); it consists of three (3) contiguous properties. On the southern property, the assisted living facility Timeless Life Care is currently under construction. The two properties on the north side were approved in 2016 for a mixed use project with a 28-unit residential building and medical/professional office building.

The subject request is city-initiated and consistent with the procedural provisions of the Land Development Regulations (LDRs). Since 2015, the LDRs have allowed the City to proactively initiate and process future land use reclassification and rezoning to planned zoning districts for selected sites—if recommended by a significant planning document(s)—without a concurrent review of a master plan.

This request meets the latter condition as it will implement a recommendation of the CRA Plan. It explicitly meets criterion “b”—consistency with redevelopment plans—of the criteria for review of Comprehensive Plan Map amendments and rezonings listed in the LDR, Chapter 2, Article II. Meeting criterion “b” is the minimum requirement for city-initiated applications.

Lastly, the request represents the continuation of “house cleaning” tasks following major changes to the City’s future land use/zoning structure as part of the implementation of the CRA Plan. Another similar city-initiated application—seeking rezoning for properties in consistency with the said new structure and with the site-specific recommendations of

the CRA Plan—is being processed concurrently.

### **EXPLANATION**

This request, if approved, would constitute the final action to bringing the subject properties in line with the recommendations of the CRA Plan.

The previous actions executing said recommendations and affecting the property included:

- The July 18, 2017 adoption of the Comprehensive Plan text/ Future Land Use (FLU) map amendment package which implemented the modified FLU structure recommended by the CRA Plan. The package included the FLU map amendment reclassifying the subject properties from their previous Mixed Use (MX) category, which the Plan eliminated, to the Mixed Use Medium (MXM) category, per the area-specific FLU recommendations of the CRA Plan.
- The subsequent adoption, on September 19, 2017, of amendments to the Land Development Regulations (LDRs), codifying the new structure of the FLU categories and implementing the corresponding changes to zoning designations as recommended by the CRA Plan. The changes included reconfiguration of the FLU classification/zoning district scheme, establishment of new districts, redefining the maximum densities of some districts and minor changes to district titles for consistency within the system.

The Mixed Use Medium future land use classification of the properties allows a maximum density of 50 dwelling units per acre (du/ac); its two corresponding zoning designations, MU-2 and MU-3, have the respective maximum densities of 40 and 50 du/ac. The current MU-L2 zoning—with a maximum density of 30 du/ac—is part of the “old” structure and as such is being phased out.

The proposed MU-2 zoning district, essentially the same as MU-L2, nevertheless allows for a significantly higher maximum density than the existing designation (40 versus 30 du/ac). Since the new zoning structure does not include a district with the same density cap, MU-2 is the appropriate choice, consistent with the recommendations of the CRA Plan.

Note the CRA Plan’s recommendation of Mixed Use Medium (MXM) future land use extends further north of the subject properties, from SE 5<sup>th</sup> Avenue to SE 2<sup>nd</sup> Avenue. For future redevelopment projects in this area, staff is likely to support the MU-3 zoning designation due to the proximity of the core of the downtown, where the highest intensity future land use category—Mix Use High (MXH)—is recommended.

### **CONCLUSION/RECOMMENDATION**

As indicated herein, the proposed rezoning finalizes the implementation of the recommendation of the CRA Community Redevelopment Plan for the subject area. Therefore, staff recommends that the subject request be approved.

S:\Planning\SHARED\WPI\PROJECTS\CRA Plan\_Rezonings\_HouseCleaning\Timeless Life Care PLUS 18-006\REZN 18-006 Timeless Life Care and 601 SF Mixed Use Staff Report.doc



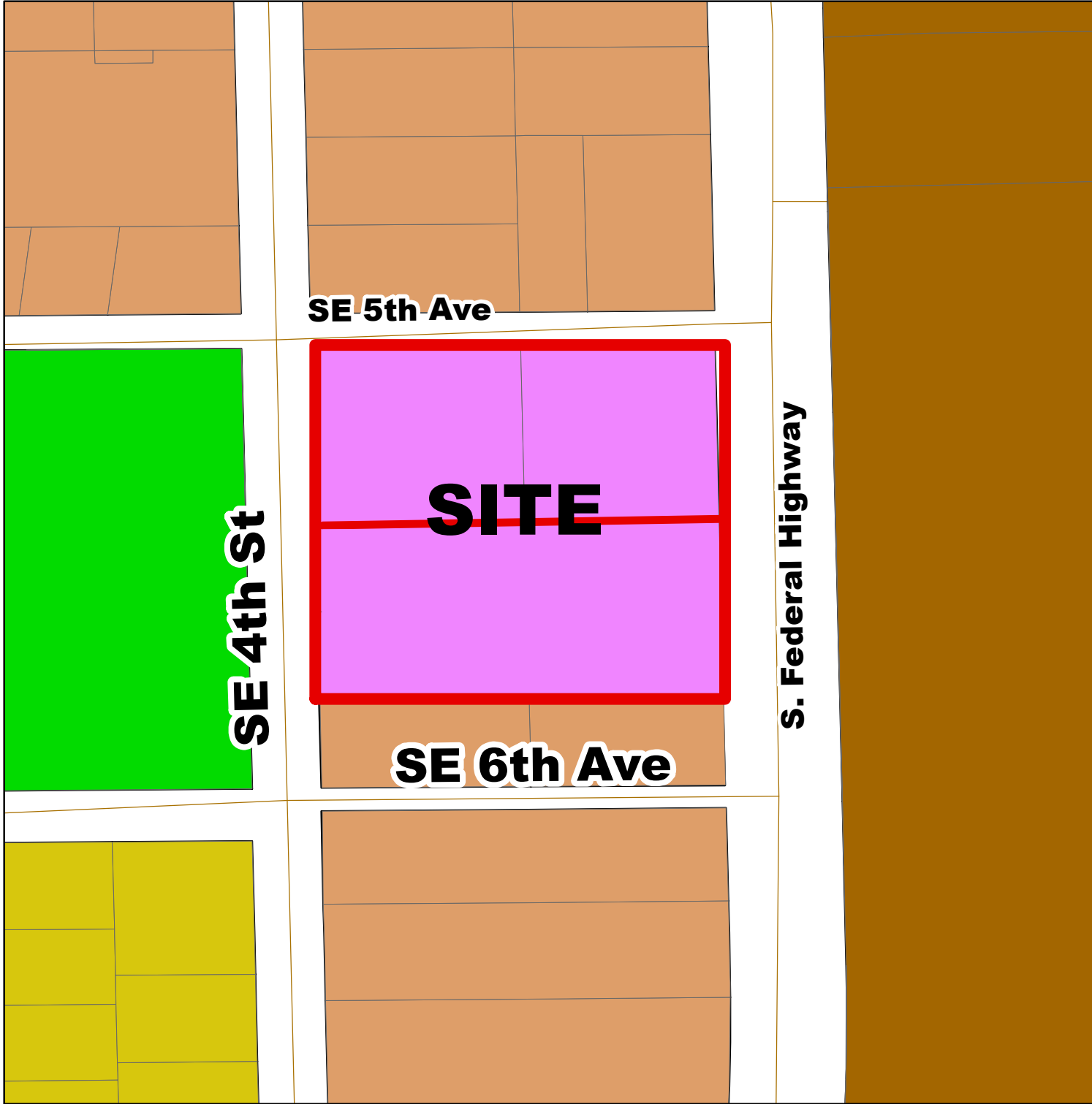
# LOCATION MAP








0 150 300 450 Feet



# LOCATION MAP (Rezoning 18-006)



## LEGEND

-  R2 Duplex, 10 du/ac
-  R3 Multi Family, 11 du/ac
-  C3 Community Commercial
-  MU-2 Mixed Use 2, 40 du/ac
-  REC Recreation

