



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

DATE: Tuesday, September 25, 2018

TIME: 6:30 PM

PLACE: Intracoastal Park Clubhouse 2240 N. Federal Highway

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Agenda Approval**
- 4. Approval of Minutes**
- 5. Communications and Announcements: Report from Staff**
- 6. Old Business**
 - 6.A. Approve Cottage District Alley Abandonment (ABAN 18-001) allowing abandonment of the unimproved 15-foot wide alley running east / west from Seacrest Boulevard to NE 1st Street, between NE 4th Avenue and NE 5th Avenue. Applicant: Michael Simon, CRA Executive Director.
- 7. New Business**
 - 7.A. Approve NE 1st Avenue Abandonment (ABAN 18-003) abandoning the improved 45 foot wide right-of-way running east / west from NE 1st Street, for a distance of approximately 447.09 feet, towards Seacrest Boulevard. Applicant: City of Boynton Beach
 - 7.B. Approve McDonald's Restaurant Conditional Use and Major Site Plan Modification (COUS 18-006 / MSPM 18-008) consisting of the construction of a 4,490 square foot fast food restaurant and associated site improvements at 1701 S. Congress Avenue in the C-3 (Community Commercial) zoning district. Applicant: Edward Ploski, Corporate Property Services, Inc.
 - 7.C. Approve 1320 S. Federal Highway Future Land Use Map Amendment (LUAR 18-001) from Office Commercial (OC) to Mixed Use Low (MXL). Applicant: Exsorro One, Inc.

Approve 1320 S. Federal Highway Rezoning (LUAR 18-001) from C-1, Office Professional to MU-1, Mixed Use 1. Applicant: Exsorro One, Inc.
 - 7.D. Approve 1320 S. Federal Hwy. Office Building Major Site Plan Modification (MSPM 18-009) to construct a 10,898 square foot structure and associated site improvements. Applicant: Exsorro One, Inc.
 - 7.E. Approve 1320 S. Federal Hwy. Office Building Height Exception (HTEX 18-001) to construct an office building in a MU-1 (Mixed Use 1) zoning district with architectural features up to 54'-10" in height, 9'-10" above the maximum allowable height. Applicant: Exsorro One, Inc.
- 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: 9/25/2018

REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD: Approve Cottage District Alley Abandonment (ABAN 18-001) allowing abandonment of the unimproved 15-foot wide alley running east / west from Seacrest Boulevard to NE 1st Street, between NE 4th Avenue and NE 5th Avenue. Applicant: Michael Simon, CRA Executive Director.

EXPLANATION OF REQUEST:

Michael Simon, Executive Director of the Boynton Beach Community Redevelopment Agency (CRA), is requesting to abandon the unimproved 15-foot wide alley right-of-way (ABAN 18-001) running east / west from Seacrest Boulevard to NE 1st Street, between NE 4th Avenue and NE 5th Avenue. The CRA is requesting the abandonment as the majority property owner abutting the alley, in preparation for a potential redevelopment project, commonly referred to as the Cottage District.

Staff has reviewed the request and recommends approval, subject to the attached Conditions of Approval.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? Abandonment of the alley reduces the City's maintenance responsibility associated with the unimproved alley, and places the land on the tax roll.

FISCAL IMPACT: The abandoned alley will be placed on the tax roll.

ALTERNATIVES: None recommended.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION: N/A

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION: N/A

Is this a grant?

Grant Amount:

ATTACHMENTS:

Type	Description
▣ Staff Report	Staff Report
▣ Location Map	Location Map
▣ Drawings	Sketch & Legal Description
▣ Conditions of Approval	Conditions of Approval
▣ Development Order	Development Order

**DEVELOPMENT DEPARTMENT
PLANNING AND ZONING DIVISION
MEMORANDUM NO. PZ 18-048**

TO: Chair and Members
Planning & Development Board

FROM: Ed Breese
Planning & Zoning Administrator

DATE: August 2, 2018

SUBJECT: Request for abandonment of the unimproved 15-foot wide alley running east / west from Seacrest Boulevard to NE 1st Street, between NE 4th and 5th Avenues (ABAN 18-001). Applicant: Michael Simon, CRA Executive Director.

NATURE OF REQUEST

Michael Simon, Executive Director of the Boynton Beach Community Redevelopment Agency (CRA), is requesting to abandon the unimproved 15-foot wide alley right-of-way (ABAN 18-001) running east / west from Seacrest Boulevard to NE 1st Street, between NE 4th and 5th Avenues (see Exhibit "A" – Location Map). The CRA is requesting the abandonment as the majority property owner abutting the alley, in preparation for a potential redevelopment project, commonly referred to as the Cottage District. For greater detail of the abandonment request, please refer to Exhibit "B" – Legal Description & Sketch.

The following is a description of the zoning districts and land uses of the properties that surround the subject alley abandonment request:

North: Vacant residentially-zoned property, other than parking lot for the Treasure Chest Daycare along Seacrest Boulevard, all zoned R-2 (Duplex);

South: Residential structures immediately abutting Seacrest Boulevard on the west, with vacant parcels along the rest of the alley, all the way to NE 1st Street, all zoned R-2 (Duplex);

East: Right-of-way for NE 1st Street, and farther east residential properties, zoned R-2 (Duplex); and

West: Right-of-way for Seacrest Boulevard, then farther west residential properties, zoned R-1 (Single-Family Residential).

BACKGROUND

The applicant is requesting to abandon the unimproved 15-foot wide alley running east / west from Seacrest Boulevard to NE 1st Street, between NE 4th and 5th Avenues. The CRA has been acquiring

properties in the block in an effort to assemble a sizeable parcel for residential redevelopment purposes and to create additional housing opportunities for area residents.

Typically, when a right-of-way, such as this unimproved alley, is abandoned, the abandoned land is transferred in equal portions from the general public to the abutting property owner(s) per State Statute. There are usually property owners on each side which would be affected by an abandonment request, and as a result one-half of the right-of-way is conveyed to those abutting one (1) side and the other half is conveyed to those abutting the other side. However, in this instance, the 15-foot wide alley lies between two separate platted subdivisions, and the alley was dedicated solely by the plat on the south side (Shepard Addition to Boynton). As a result, and per State Statute, the entire 15 feet would be retained within the dedicating platted subdivision (Shepard Addition to Boynton) and therefore only rest with the property owners to the south side of the alley only, which consists of the CRA, and a parcel owned by 500 Ocean Properties LLC along the east side of Seacrest Boulevard.

ANALYSIS

Owners of properties within 400 feet of the subject site were mailed a notice of this request and its respective hearing dates. The applicant has certified that they posted signage and mailed notices in accordance with Ordinance No. 04-007. A summary of the responses follows:

CITY DEPARTMENTS/DIVISIONS

Engineering	No objection.
Public Works/Utilities	No objection.
Planning and Zoning	No objection.

PUBLIC UTILITY COMPANIES

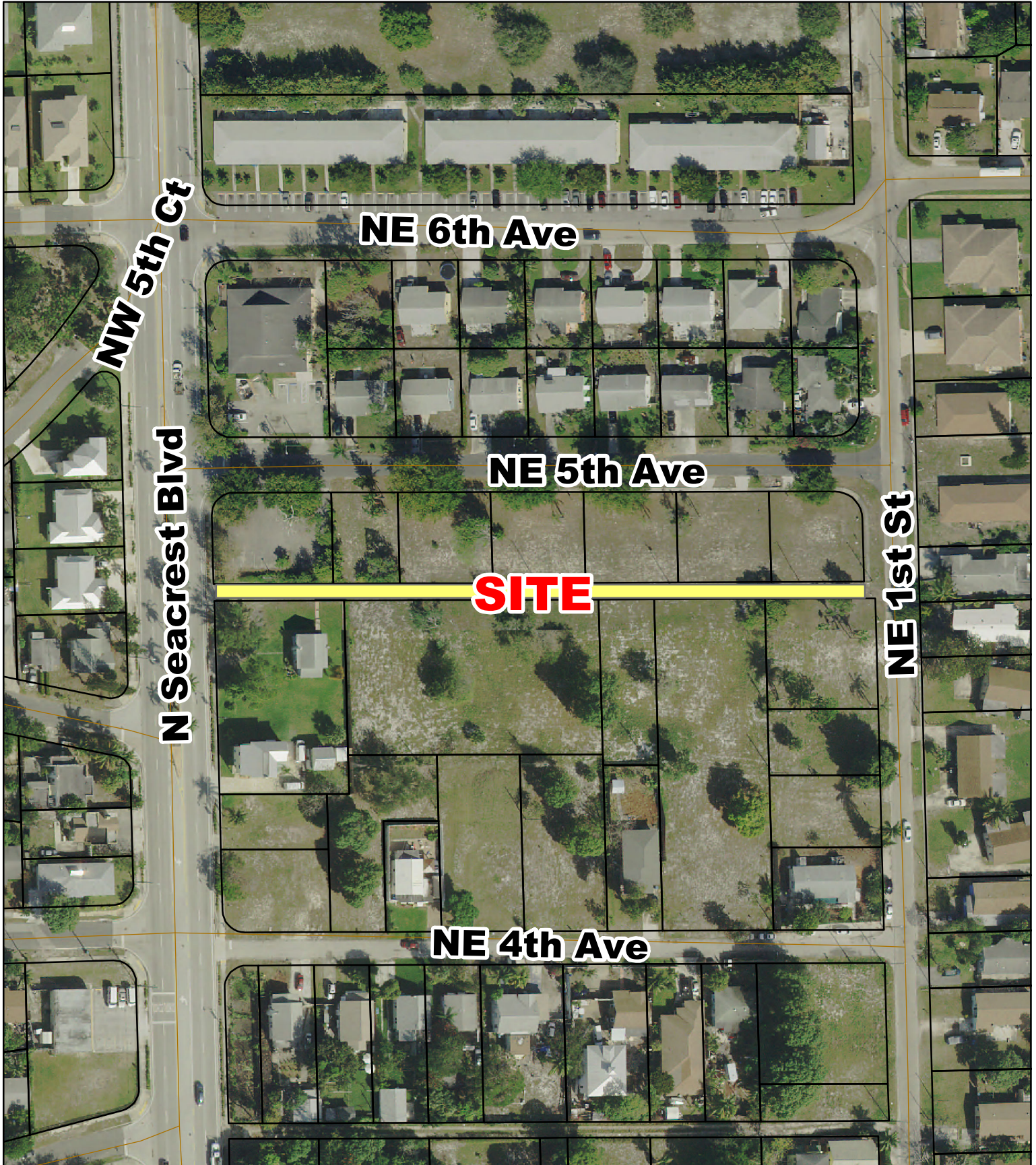
Florida Power and Light	No objection w/ provision of necessary easements and relocation of utilities at developer's cost, if necessary.
AT & T	No objection.
Florida Public Utilities	No objection.
Comcast	No objection.
Crown Castle Fiber	No objection.
Fibernet Direct	No objection.
Level 3	No objection.
Sprint	No objection.
Hotwire	No objection.
Strome Networks	No objection.
Windstream	No objection.
PBC Traffic Engineering	No objection.

RECOMMENDATION

Staff has determined that the requested abandonment would not adversely impact traffic or other City functions, and would not adversely impact other adjacent property owners. Based on the above-analysis, staff has determined that the subject alley no longer serves a public purpose and can be replaced with just a utility easement to provide access to service the FPL power poles, and therefore recommends APPROVAL of the applicant's request, subject to the attached conditions. Any conditions requested by the Planning and Development Board or required by the Commission will be placed in Exhibit "C" - Conditions of Approval.

S:\Planning\SHARED\WP\PROJECTS\CRA ABAN 18-001 (Cottage District)\ABAN 18-001\Staff Report.doc

LOCATION MAP



SKETCH & DESCRIPTION FOR:
ALLEY ABANDONMENT
SHEPARD ADDITION TO BOYNTON (PLAT BOOK 2, PAGE 59, P.B.C.R.)
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

The north 7.5 feet of that 15 foot Alley lying between the north line of Block 3, as shown on the plat, SHEPARD ADDITION TO BOYNTON, according to the plat thereof, as recorded in Plat Book 2, Page 59, of the Public Records of Palm Beach County, Florida and the south line of Block 1, SUNNY-SIDE ESTATES, according to the plat thereof, as recorded in Plat Book 26, Page 16, of the Public Records of Palm Beach County, Florida, bounded as follows:

Bounded on the east by the southerly extension of the east line of Lot 8, BLOCK 1, of said SUNNY-SIDE ESTATES; bounded on the south by the centerline of said 15 foot Alley; bounded on the west by the east right-of-way of Seacrest Boulevard as laid out and currently in use; and bounded on the north by the north line of said 15 foot Alley, also being the south line of said Block 1, SUNNY-SIDE ESTATES.

TOGETHER WITH:

The south 7.5 feet of that 15 foot Alley lying between the north line of Block 3, as shown on the plat, SHEPARD ADDITION TO BOYNTON, according to the plat thereof, as recorded in Plat Book 2, Page 59, of the Public Records of Palm Beach County, Florida and the south line of Block 1, SUNNY-SIDE ESTATES, according to the plat thereof, as recorded in Plat Book 26, Page 16, of the Public Records of Palm Beach County, Florida, bounded as follows:

Bounded on the east by the northerly extension of the east line of Lot 1, BLOCK 3, of said SHEPARD ADDITION TO BOYNTON; bounded on the south by the south line of said 15 foot Alley, also being the north line of Block 3 of said SHEPARD ADDITION TO BOYNTON; bounded on the west by the east right-of-way of Seacrest Boulevard as laid out and currently in use; and bounded on the north by the centerline of said 15 foot Alley.

Said lands situate and being in the City of Boynton Beach, Palm Beach County, Florida.

REVISIONS



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING

50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
(561) 392-2594 / www.AVIROMSURVEY.com

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JOB #: 10105-2

SCALE: N/A

DATE: 08/13/2018

BY: M.M.K.

CHECKED: M.D.A.

F.B. N/A **PG.** N/A

SHEET: Page 9 of 95

SKETCH & DESCRIPTION FOR:
ALLEY ABANDONMENT
SHEPARD ADDITION TO BOYNTON (PLAT BOOK 2, PAGE 59, P.B.C.R.)
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

SURVEYOR'S NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this sketch by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
5. Abbreviation Legend: CL = Centerline; L.B. = Licensed Business; N/A = Not Applicable; P = Per Record Plat; P.B. = Plat Book; P.B.C.R. = Palm Beach County Records; P.L.S. = Professional Land Surveyor; P.S.M. = Professional Surveyor & Mapper; R/W = Right-of-Way.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 8/14/18



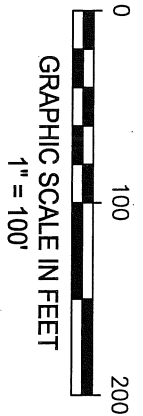
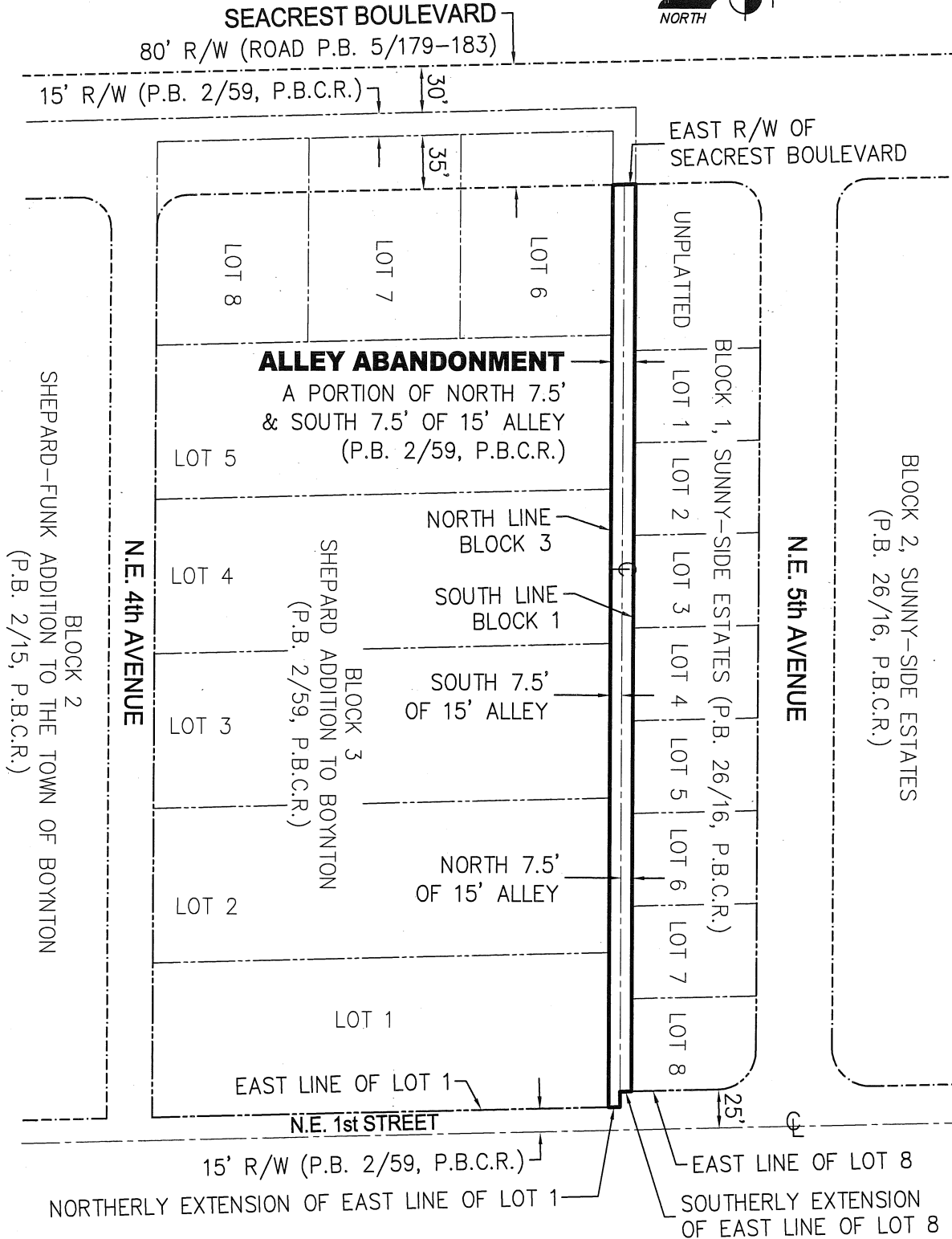
MARISHA M. KREITMAN, P.S.M.
Florida Registration No. 6555
AVIROM & ASSOCIATES, INC.
L.B. No. 3300
EMAIL: marisha@aviromsurvey.com

REVISIONS	 <p>AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIROMSURVEY.com ©2018 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.</p>	JOB #:	10105-2
		SCALE:	N/A
		DATE:	08/13/2018
		BY:	M.M.K.
		CHECKED:	M.D.A.
		F.B.	N/A
		PG.	N/A
		SHEET:	Page 10 of 95

SKETCH & DESCRIPTION FOR:

ALLEY ABANDONMENT

SHEPARD ADDITION TO BOYNTON (PLAT BOOK 2, PAGE 59, P.B.C.R.)
CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA



REVISIONS



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JOB #:	10105-2
SCALE:	1" = 100'
DATE:	08/13/2018
BY:	M.M.K.
CHECKED:	M.D.A.
F.B.	N/A
PG.	N/A
SHEET	Page 1 of 395

EXHIBIT "C"

CONDITIONS OF APPROVAL

Project Name: CRA Abandonment (Cottage District)
 File number: ABAN 18-001
 Reference: 1st review plans identified as an Abandonment with a July 2, 2018 Planning and Zoning Department date stamp marking.

DEPARTMENTS	INCLUDE	REJECT
ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES		
Comments:		
FIRE		
Comments: None.		
POLICE		
Comments: None.		
BUILDING DIVISION		
Comments: None.		
PARKS AND RECREATION		
Comments: None.		
PLANNING AND ZONING		
Comments:		
1. Any conditions of approval from the various utility companies requiring new or revised easements and developer relocation of their facilities will be required to be addressed prior to issuance of a building permit.		
COMMUNITY REDEVELOPMENT AGENCY		
Comments: None.		

DEPARTMENTS	INCLUDE	REJECT
PLANNING & DEVELOPMENT BOARD CONDITIONS		
Comments: To be determined.		
CITY COMMISSION CONDITIONS		
Comments: To be determined.		

S:\Planning\SHARED\WP\PROJECTS\CRA ABAN 18-001 (Cottage District)\ABAN 18-001\COA.doc

**DEVELOPMENT ORDER OF THE CITY COMMISSION OF THE
CITY OF BOYNTON BEACH, FLORIDA**

PROJECT NAME: CRA Abandonment – Cottage District (ABAN 18-001)

APPLICANT: Michael Simon, Executive Director Boynton Beach CRA

APPLICANT'S ADDRESS: 710 N. Federal Highway, Boynton Beach, FL 33435

DATE OF HEARING RATIFICATION BEFORE CITY COMMISSION: October 2, 2018

APPROVAL SOUGHT: Request for abandonment of the unimproved 15-foot wide alley running east / west from Seacrest Boulevard to NE 1st Street, between NE 4th and 5th Avenues (ABAN 18-001).

LOCATION OF PROPERTY: Alley running east / west from Seacrest Boulevard to NE 1st Street, between NE 4th and 5th Avenues.

DRAWING(S): SEE EXHIBIT "B" ATTACHED HERETO.

_____ THIS MATTER was presented to the City Commission of the City of Boynton Beach, Florida on the date of hearing stated above. The City Commission having considered the approval sought by the applicant and heard testimony from the applicant, members of city administrative staff and the public finds as follows:

1. Application for the approval sought was made by the Applicant in a manner consistent with the requirements of the City's Land Development Regulations.
2. The Applicant
 ___ HAS
 ___ HAS NOT

 established by substantial competent evidence a basis for the approval requested.
3. The conditions for development requested by the Applicant, administrative staff, or suggested by the public and supported by substantial competent evidence are as set forth on Exhibit "C" with notation "Included."
4. The Applicant's request is hereby
 ___ GRANTED subject to the conditions referenced in paragraph 3 above.
 ___ DENIED
5. This Order shall take effect immediately upon issuance by the City Clerk.
6. All further development on the property shall be made in accordance with the terms and conditions of this order.
7. Other: _____

DATED: _____

City Clerk



CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

PLANNING AND DEVELOPMENT MEETING DATE: 9/25/2018

REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD:

Approve NE 1st Avenue Abandonment (ABAN 18-003) abandoning the improved 45 foot wide right-of-way running east / west from NE 1st Street, for a distance of approximately 447.09 feet, towards Seacrest Boulevard. Applicant: City of Boynton Beach

EXPLANATION OF REQUEST: Request for abandonment of the improved 45 foot wide right-of-way running east / west from NE 1st Street, for a distance of approximately 447.09 feet, towards Seacrest Boulevard (ABAN 18-003). See accompanying staff report and attachments for additional explanation of this Town Square-related application. Applicant: City of Boynton Beach.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

N/A

FISCAL IMPACT: The abandonment of NE 1 Avenue will allow ultimate development of such property and a portion of said property to be added to the tax roll.

ALTERNATIVES: None recommended.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION: N/A

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION: N/A

Is this a grant?

Grant Amount:

ATTACHMENTS:

Type	Description
▣ Staff Report	Staff Report (ABAN 18-003)
▣ Location Map	Exhibit A - Location Map
▣ Drawings	Exhibit B - Legal Description & Survey
▣ Letter	Exhibit B.1- Applicant Responce to Crieria
▣ Conditions of Approval	Exhibit C - Conditions of Approval

**DEVELOPMENT DEPARTMENT
PLANNING AND ZONING DIVISION
MEMORANDUM NO. PZ 18-071**

TO: Chair and Members
Planning & Development Board

FROM: Michael Rumpf
Development Director

DATE: September 19, 2018

SUBJECT: Request for abandonment of the improved 45 foot wide right-of-way of NE 1st Avenue running east / west from NE 1st Street, for a distance of approximately 447.09 feet, towards Seacrest Boulevard (ABAN 18-003). Applicant: City of Boynton Beach.

BACKGROUND

The City of Boynton Beach is requesting to abandon (ABAN 18-003) the improved 45-foot wide right-of-way of NE 1st Avenue extending east / west from NE 1st Street, for a distance of approximately 447.09 feet, towards Seacrest Boulevard (see Exhibit "A" – Location Map). The City is requesting the abandonment in preparation to implement the Town Square Master Plan (LUAR 17-005). For greater detail of the abandonment request, please refer to Exhibit "B" – Legal Description & Sketch.

The abandoned land will be transferred in equal portions to the abutting property owner(s) per State Statute. In this case, the City owns the properties on either side of the abandonment area so the property will be conveyed to the City until such time that the land is platted, conveyed and developed for further implementation of the Town Square Master Plan.

The following is a description of the zoning districts and land uses of the properties that surround the subject alley abandonment request:

North: Portion of the approved Town Square Master Plan with a Land Use classification of Mixed Use Medium and a zoning designation of MU-3 (Mixed Use 3);

South: Portion of the approved Town Square Master Plan with a Land Use classification of Mixed Use Medium and a zoning designation of MU-3 (Mixed Use 3);

East: Right-of-way for NE 1st Street, then farther east developed multifamily with a Land Use classification of Medium Density Residential (MDR) and a zoning designation of R-3 (Multi family)

West: Right-of-way for Seacrest Boulevard, then farther west a developed church and multi family with a Land Use classification of Medium Density Residential (MDR) and a zoning designation of R-3 (Multi family)

ANALYSIS

Owners of properties within 400 feet of the subject site will be mailed a notice of this request and signs posted for the Board hearing and the second reading of the corresponding ordinance and its respective hearing dates. The applicant has certified that they posted signage and mailed notices in accordance with Ordinance No. 04-007. A summary of the responses follows:

CITY DEPARTMENTS/DIVISIONS

Engineering	No objection.
Public Works/Utilities	No objection, with the provision of the necessary easements for the existing or future utilities.
Planning and Zoning	No objection.

PUBLIC UTILITY COMPANIES

Florida Power and Light	No response received as of the date of this report. If easements and relocation of utilities are necessary they will be at the developer's cost.
AT&T	No response received as of the date of this report. If easements and relocation of utilities are necessary they will be at the developer's cost.
Florida Public Utilities	No response received as of the date of this report.
Comcast	No response received as of the date of this report.
Crown Castle Fiber	No response received as of the date of this report.
Fibernet Direct:	No response received as of the date of this report.
Level 3	No response received as of the date of this report.
Sprint	No response received as of the date of this report.
Hotwire	No response received as of the date of this report.
Strome Networks	No response received as of the date of this report.
Windstream	No response received as of the date of this report.
PBC Traffic Engineering	No response received as of the date of this report.

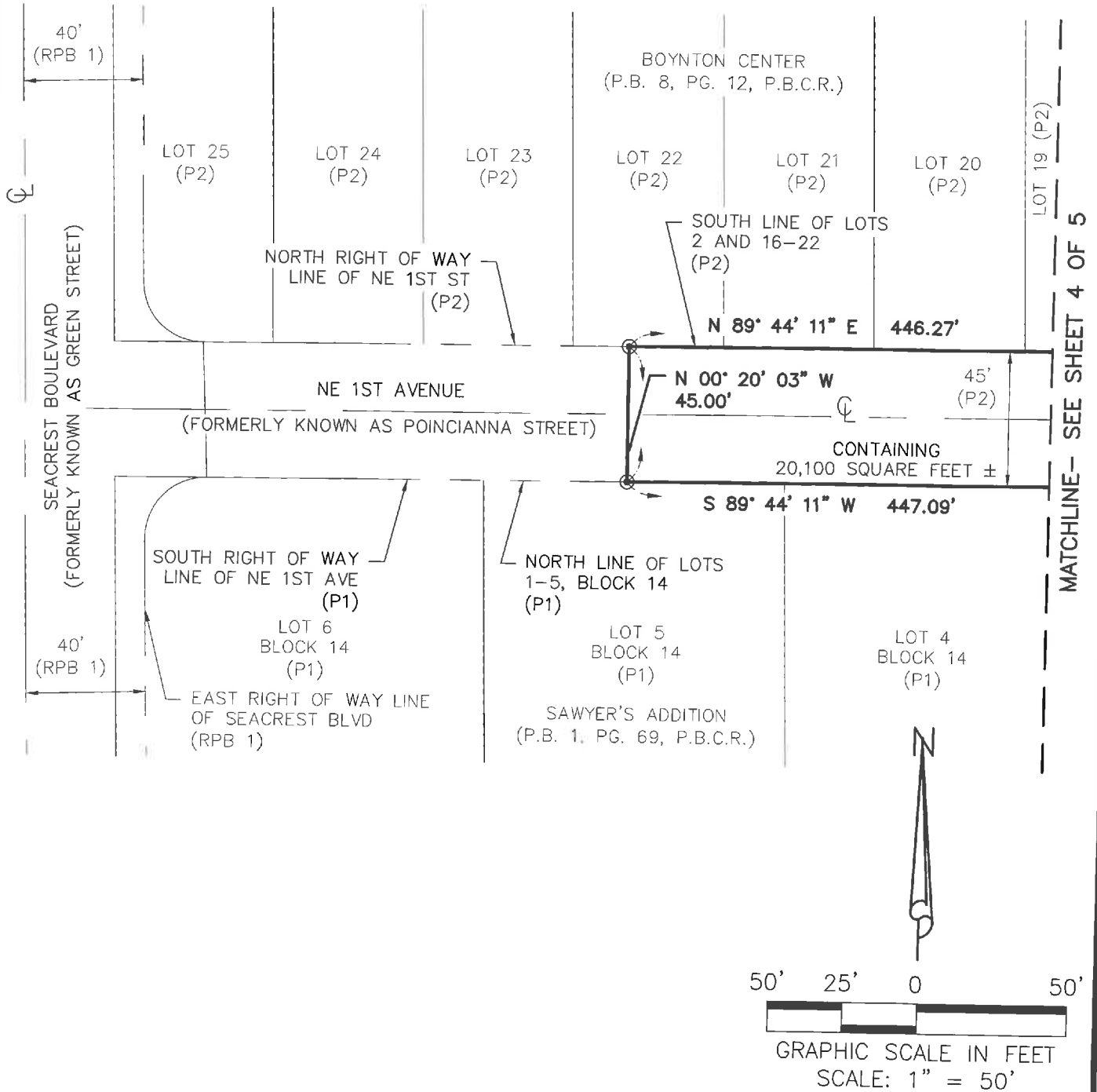
RECOMMENDATION

Staff has determined that the requested abandonment would not adversely impact traffic or other City functions, and would not adversely impact other adjacent property owners. Based on the above-analysis, staff has determined that the subject alley no longer serves a public purpose other than retention of a utility easement to service City utilities, AT&T and FPL facilities, if warranted and therefore recommends APPROVAL of the applicant's request, subject to the attached conditions. Any conditions requested by the Planning and Development Board or required by the Commission will be placed in Exhibit "C" - Conditions of Approval.

LOCATION MAP
PROPOSED ABANDONMENT OF A SEGMENT OF NE 1ST AVENUE



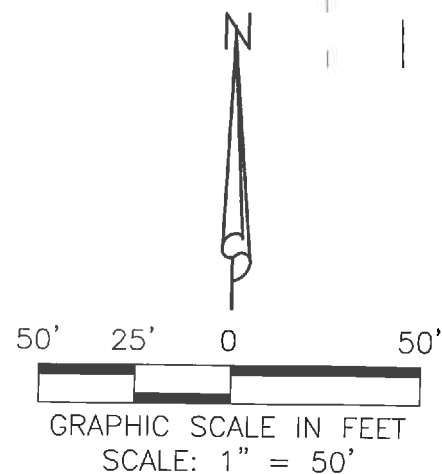
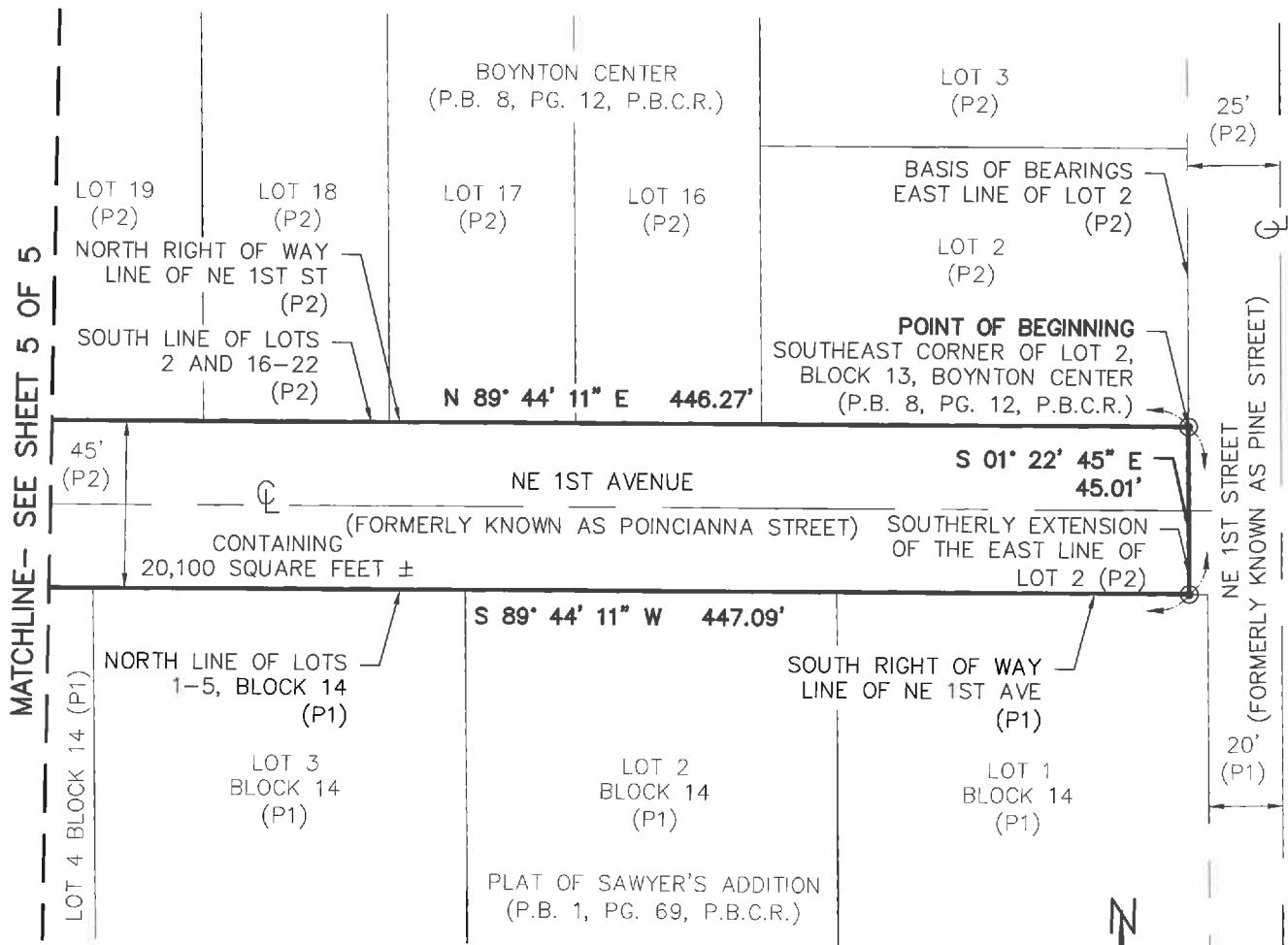
EXHIBIT "B"



Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers
460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION
For: THE CITY OF BOYNTON BEACH

DRAWN: MT	SCALE: 1" = 50'	DATE: 08/29/18
CHK: DAB	JOB# 18-056 SD 1	SHEET: 5 OF 5



Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers

460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION
For: THE CITY OF BOYNTON BEACH

DRAWN: MT	SCALE: 1" = 50'	DATE: 08/29/18
CHK: DAB	JOB# 18-056 SD 1	SHEET: 4 OF 5

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17.050 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

9/13/18
David A. Bower

DAVID A. BOWER
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA
CERTIFICATE NO. LS 5888

DESCRIPTION:

A 45.00 FOOT WIDE STRIP OF LAND LYING WITHIN A PORTION OF NE 1ST AVENUE (FORMERLY KNOWN AS POINCIANNA STREET AS SHOWN ON THE PLAT OF) BOYNTON CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 12 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2 OF SAID PLAT OF BOYNTON CENTER; THENCE SOUTH 01°22'45" EAST (AS A BASIS OF BEARINGS) ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 2, A DISTANCE OF 45.01 FEET TO A POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF NE 1ST AVENUE (FORMERLY KNOWN AS POINCIANNA STREET), SAID SOUTH LINE ALSO BEING THE NORTH LINE OF LOTS 1 THOUGH 5, BLOCK 14 OF THE PLAT OF SAWYER'S ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 69 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 89°44'11" WEST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 447.09 FEET; THENCE NORTH 00°20'03" WEST, A DISTANCE OF 45.00 FEET TO A POINT BEING ON THE THE NORTH RIGHT OF WAY LINE OF NE 1ST STREET (FORMERLY KNOWN AS POINCIANNA STREET), SAID NORTH LINE ALSO BEING THE SOUTH LINE OF LOTS 2 AND 16 THOUGH 22, ACCORDING TO SAID PLAT OF BOYNTON CENTER; THENCE NORTH 89°44'11" EAST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 446.27 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING SECTION 28, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA.

CONTAINING 20,100 SQUARE FEET MORE OR LESS.

1	09/13/18	REVISE CONFIGURATION	MT
NO.	DATE	REVISIONS	BY

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers

460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION
For: THE CITY OF BOYNTON BEACH

DRAWN: MT	SCALE: N/A	DATE: 08/29/18
CHK: DAB	JOB# 18-056 SD 1	SHEET: 1 OF 5

SURVEYOR'S NOTES:

1. BEARINGS DEPICTED HEREON ARE BASED UPON THE EAST LINE OF LOT 2 OF THE PLAT OF BOYNTON CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 12 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE HAVING A BEARING OF SOUTH 01°22'45" EAST.
2. THIS INSTRUMENT NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
4. THE LICENSED BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599, THE CERTIFYING SURVEYORS LICENSE NUMBER IS LS #5888.
5. THIS IS NOT A SURVEY.

LEGEND

- (P1) PER THE PLAT OF SAWYER'S ADDITION
(P.B. 1, PG 69, P.B.C.R.)
- (P2) PER THE PLAT OF BOYNTON CENTER
(P.B. 8, PG. 12, P.B.C.R.)
- (RPB 1) PER ROAD PLAT BOOK
(R.P.B. 5, PG. 179, P.B.C.R.)
- P.B. PLAT BOOK
- P.B.C.R. PALM BEACH COUNTY RECORDS
- PG. PAGE
- R.P.B. ROAD PLAT BOOK
- ☉ CENTERLINE
- ± MORE OR LESS

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers

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Royal Palm Beach, Florida 33411
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SKETCH & DESCRIPTION
For: THE CITY OF BOYNTON BEACH

DRAWN: MT	SCALE: N/A	DATE: 08/29/18
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EXHIBIT “B”

NE 1st Avenue Abandonment Request

Application Supplement – Responses to Review Criteria

3. Review Criteria. The vacation and abandonment of a right-of-way, special purpose easement, or other non-fee interest of the city shall be based on a demonstration that the above interest no longer serves a public purpose and there is no encumbrance which would prohibit the clear transfer of ownership of such land. The following review criteria shall be used to justify an application:

a. Access. Does the subject land provide a legal means of access to a lot of record, subdivision, or development? Would the vacation and abandonment cause or result in a permanent stoppage, interruption, or an unacceptable level of service for the subject lot or on neighboring lots, subdivisions, or developments with respect to police, fire, or other emergency services; or solid waste removal?

Response - No interruption of access will take place as the abandoned portion of NE 1st Ave. right-of-way is to be replaced with a platted access right-of-way to be recorded immediately after recording the proposed abandonment. Physical access will be maintained during that recording process and thereafter by construction of Boynton Town Center.

b. Utilities. Does the subject land contain, support, or allow potable water, sanitary sewer, or any other utility (e.g. cable, telephone, electricity, gas, etc.), which would be permanently stopped or interrupted, or cause an unacceptable level of service to the subject lot or neighboring lots, subdivisions, or developments?

Response - The to be abandoned portion of NE 1st Ave right-of-way contains utilities, but no interruption of service will occur. The abandoned right-of-way will be replaced immediately after recording the to be recorded plat which provides additional easements for utilities. Additionally, no physical interruption of utilities will occur prior to utilities replacement.

c. Drainage and Wastewater Management. Does the subject land contain, support, or allow a legal means of drainage or wastewater management for such lot or on neighboring lots, subdivisions, or developments, which would cause or result in a stoppage, interruption, or unacceptable level of service?

Response - No, this abandonment will not result in drainage or wastewater service.

d. Conservation. Does the subject land contain, support, or allow the means for the conservation or preservation of flora or fauna?

Response - No, the abandonment of this portion of NE 1st Ave right-of-way will not compromise conservation or preservation of flora or fauna.

EXHIBIT "C"

CONDITIONS OF APPROVAL

Project Name: NE 1st Avenue (Town Square)
 File number: ABAN 18-003
 Reference: 1st review plans identified as an Abandonment with a September 7, 2018 Planning and Zoning Department date stamp marking.

DEPARTMENTS	INCLUDE	REJECT
ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES		
Comments: None.		
FIRE		
Comments: None.		
POLICE		
Comments: None.		
BUILDING DIVISION		
Comments: None.		
PARKS AND RECREATION		
Comments: None.		
PLANNING AND ZONING		
Comments:		
1. Any conditions of approval from the various utility companies requiring new or revised easements and developer relocation of their facilities will be required to be addressed prior to issuance of a building permit.	X	
COMMUNITY REDEVELOPMENT AGENCY		
Comments: None.		

DEPARTMENTS	INCLUDE	REJECT
PLANNING & DEVELOPMENT BOARD CONDITIONS		
Comments: To be determined.		
CITY COMMISSION CONDITIONS		
Comments: To be determined.		

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CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

PLANNING AND DEVELOPMENT MEETING DATE: 9/25/2018

REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD: Approve McDonald's Restaurant Conditional Use and Major Site Plan Modification (COUS 18-006 / MSPM 18-008) consisting of the construction of a 4,490 square foot fast food restaurant and associated site improvements at 1701 S. Congress Avenue in the C-3 (Community Commercial) zoning district. Applicant: Edward Ploski, Corporate Property Services, Inc.

EXPLANATION OF REQUEST:

Mr. Edward Ploski, representing McDonald's Corporation, is seeking Conditional Use / Major Site Plan Modification approval for the construction of a 4,490 square foot McDonald's fast food restaurant and associated site improvements at 1701 S. Congress Avenue, directly across South Congress Avenue from its shared location in the Marathon gas station.

The proposed new location is part of a larger site (4.945-acre), which was originally approved in 2002 for a Walgreens building and attached 4,800 square feet of retail/office space on the north end of the property abutting Woolbright Road as Phase I, and a future Phase II consisting a 4 story, 40,000 square foot retail/office building on the southern portion of the site. As part of the construction of the Walgreens building, the remainder of the site work was completed, including all landscaping, lighting, parking, drainage, and the building pad in preparation for the Phase II building. With the 107,000 square foot Woolbright Corporate Center built on the property immediately to the south and the 79,000 square foot Woolbright Professional Building constructed one block to the east, the demand for additional office space in the immediate vicinity apparently was not warranted and the Phase II parcel has continued to sit vacant.

Staff has reviewed the requests and recommends approval.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? N/A

FISCAL IMPACT: Revenue associated with the permit fees, certificate of use fees and increased taxable value above that of the vacant building pad.

ALTERNATIVES: None recommended.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

ATTACHMENTS:

Type	Description
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Location Map	Location Map
<input type="checkbox"/> Drawings	Site Plan
<input type="checkbox"/> Drawings	Survey
<input type="checkbox"/> Drawings	Civil Plan
<input type="checkbox"/> Drawings	Landscape Plan
<input type="checkbox"/> Drawings	Photometric Plan
<input type="checkbox"/> Drawings	Color Building Elevations 1
<input type="checkbox"/> Drawings	Color Building Elevations 2
<input type="checkbox"/> Drawings	Bus Shelter Detail
<input type="checkbox"/> Drawings	Existing Monument Sign
<input type="checkbox"/> Drawings	New Monument Sign
<input type="checkbox"/> Drawings	Floor Plan
<input type="checkbox"/> Letter	Applicant Justification
<input type="checkbox"/> Conditions of Approval	Conditions of Approval
<input type="checkbox"/> Development Order	Development Order

**DEVELOPMENT DEPARTMENT
PLANNING AND ZONING DIVISION
MEMORANDUM NO. PZ 18-051**

STAFF REPORT

TO: Chair and Members
Planning and Development Board

FROM: Ed Breese
Planning & Zoning Administrator

DATE: August 23, 2018

PROJECT NAME/NO: McDonald's – 1701 S. Congress Avenue (COUS 18-006 / MSPM 18-008)

REQUEST: Conditional Use approval associated with a request for Major Site Plan Modification approval for the construction of a 4,490 square foot McDonald's fast food restaurant and associated site improvements, located at 1701 S. Congress Avenue in the C-3 (Community Commercial) zoning district.

PROJECT DESCRIPTION

Property Owner: 1701 S Congress Ave LLC

Applicant/Agent Edward Ploski, Corporate Property Services, Inc.

Location: 1701 S. Congress Avenue (see Exhibit "A")

Existing Land Use/Zoning: LRC (Local Retail Commercial) / C-3 (Community Commercial)

Proposed Land Use/Zoning: No change proposed

Proposed Uses: Fast Food Restaurant

Acreage: 1.30-acres / 56,335 square feet

Adjacent Uses:

North: Existing commercial development (Walgreens Plaza), zoned C-3 (Community Commercial), and farther north Right-of-way for Woolbright Road;

South: Vacant lease parcel of the Walgreens Plaza zoned C-3 (Community Commercial), and farther south developed commercial office buildings (Woolbright Plaza), zoned C-3 (Community Commercial);

East: Right-of-way for Congress Avenue, and farther east developed commercial property (Boynton Shoppes), zoned PCD (Planned Commercial Development); and

West: Lake feature associated with Quail Run, and farther west Quail Run residential development, zoned PUD (Planned Unit Development).

PROPERTY OWNER NOTIFICATION

Owners of properties within 400 feet of the subject project were mailed a notice of this request and its respective hearing dates. The applicant has certified that signage is posted and notices mailed in accordance with Ordinance No. 04-007 and 05-004.

BACKGROUND/ PROPOSAL

Mr. Edward Ploski, representing McDonald's Corporation, is seeking Conditional Use / Major Site Plan Modification approval for the construction of a 4,490 square foot McDonald's fast food restaurant and associated site improvements, located at 1701 S. Congress Avenue in the C-3 (Community Commercial) zoning district. Restaurants with drive-through facilities are listed as a Conditional Use within the C-3 zoning district. McDonald's proposes to relocate from its shared location with the Marathon gas station directly across South Congress Avenue, on the SE corner of Woolbright Road and Congress. The proposed new location is part of a larger site (4.945-acre), which was originally approved in 2002 for a Walgreens building and attached 4,800 square feet of retail/office space on the north end of the property abutting Woolbright Road as Phase I, and a future Phase II consisting a 4 story, 40,000 square foot retail/office building on the southern portion of the site. As part of the construction of the Walgreens building, the remainder of the site work was completed, including all of the landscaping, lighting, parking, drainage, and construction of the building pad in preparation for the Phase II building. With the 107,000 square foot Woolbright Corporate Center built on the property immediately to the south and the 79,000 square foot Woolbright Professional Building constructed one block to the east, the demand for additional office space in the immediate vicinity apparently was not warranted and the Phase II parcel has continued to sit vacant. The applicant is working with the property owner to create a lease parcel over the northerly portion of the building pad to construct a McDonald's restaurant, while the property owner creates another potentially leaseable parcel on the remainder of the building pad and the southern extent of the site. The applicant has prepared a drawing (Sheet C-100), which depicts a possible scenario for the buildable space allocation remaining for the future southern lease parcel.

STANDARDS FOR EVALUATING CONDITIONAL USES AND ANALYSIS

Section 11.2.D of the Land Development Regulations contains the following standards to which conditional uses are required to conform. Following each of these standards is the Planning and Zoning Division's evaluation of the application as it pertains to each of the standards. In addition, the applicant has submitted a separate detailed justification statement that addresses each of these standards (see Exhibit "C" – Justification Statement).

The Planning & Development Board and City Commission shall consider only such conditional uses as are authorized under the terms of these zoning regulations and, in connection therewith, may grant conditional uses absolutely or conditioned upon adherence to conditions of approval including, but not limited to, the dedication of property for streets, alleys, recreation space and sidewalks, as shall be determined necessary for the protection of the surrounding

area and the citizens' general welfare, or deny conditional uses when not in harmony with the intent and purpose of this section. In evaluating an application for conditional use approval, the Board and Commission shall consider the effect of the proposed use on the general health, safety and welfare of the community and make written findings certifying that satisfactory provisions have been made concerning the following standards, where applicable:

1. *Ingress and egress to the subject property and proposed structures thereon, with particular reference to automobile and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

The subject property currently has three (3) points of ingress and egress via cross-access easements; one (1) of the driveways is located on the east side of the parcel, abutting South Congress Avenue, through the existing drive entrance for Walgreens on the north part of the site (see Exhibit "B"). The second driveway is located on the north side, abutting Woolbright Road, and running along the west side of Walgreens. Lastly, there is a driveway connection/cross access to the south with the office complex (Woolbright Plaza), which connects to the main access drive for the office complex, and then to South Congress Avenue. There are no new vehicular access points proposed. However, Palm Beach County Traffic Engineering is requiring the installation of a southbound right turn lane at the existing entrance to Walgreens from South Congress Avenue. As a result, the PalmTran bus stop is being relocated further south on the property and a bus shelter installed. Pedestrian access to the site is proposed to be enhanced through the construction of a walkway connecting from the sidewalk along South Congress Avenue to the front building entry walk.

2. *Off-street parking and loading areas where required, with particular attention to the items in standard #1 above, and the economic, glare, noise, and odor effects the conditional use will have on adjacent and nearby properties, and the city as a whole.*

The minimum parking required for restaurant uses is calculated at one (1) parking space per 100 square feet of gross floor area or one (1) parking space for every 2.5 seats, whichever is greater. The plan indicates 64 seats are proposed, therefore 26 spaces would be required based on the seat count. However, the building is proposed to be 4,490 square feet, requiring 45 spaces. Therefore, required parking is calculated to be 45 spaces based on the building square footage. The site plan depicts the provision of 50 parking spaces within the proposed lease parcel boundaries, including two (2) handicap spaces, in compliance with code requirements. The Walgreens parcel, including the attached retail/office space requires 96 parking spaces and 98 are provided, including six (6) handicap spaces, two (2) more than required by code. Additionally, there are 109 parking spaces already in place for the future development of the south lease parcel, including five (5) handicap spaces, in compliance with code requirements. Relative to impacts on adjacent properties, the nearest residential structure to the west is approximately 800 feet away from the proposed building, across a large lake for the Quail Run development. The closest residential building to the east is approximately 400 feet away from the proposed building, across South Congress Avenue, and south. Any proposed lighting will have to comply with the City's lighting regulations, which are designed to reduce the impact of glare in adjacent properties. The noise associated with the proposed business should not be much different from the current Walgreens business on the north part of the parcel. The west buffer consists of a six (6) foot tall concrete wall with an existing landscape buffer. A Condition of approval has been added to ensure all existing plant material on site not Florida No. 1 Quality will be replaced and any gaps in the existing landscape buffer will be filled in with comparable material.

3. *Refuse and service areas, with particular reference to the items in standards 1 and 2 above.*

The applicant intends to have two (2) dumpster enclosures to the west of the building and drive-through lanes, for waste removal purposes. As a condition of approval, staff has requested the applicant slightly rotate the orientation of the enclosures for improved maneuverability of the waste removal trucks (see Exhibit "D" – Conditions of Approval). Trash would be removed on a standard schedule and solid waste is not anticipated to be an issue. As noted above, the wall and landscape buffer should minimize any impacts associated with waste removal operations for the residents approximately 800 feet to the west.

4. *Utilities, with reference to locations, availability, and compatibility.*

The City of Boynton Beach Utility Department currently serves the site, and utilities would continue to be available and provided, consistent with Comprehensive Plan policies and City regulations. No additional impacts are anticipated with this application. As a condition of approval, Utility staff notes that any water and sewer lines to be owned and operated by the City shall be included within 12 foot minimum width easements (see Exhibit "D" – Conditions of Approval).

5. *Screening, buffering and landscaping with reference to type, dimensions, and character.*

The property has existing landscaping around the perimeter of the entire site. As noted previously, the site was master planned and all infrastructure (parking, drainage, lighting and landscaping) were installed with the construction of the Walgreens at the north end of the site. The Landscape Plan (Sheet L-1) depicts the addition of landscape plantings along the west and east property lines, to fill in any gaps and further enhance the existing material. Additionally, the plan depicts landscaping along the north and south sides of the lease parcel, including screening of the drive-through operation as required by code, and landscaping of the parking lot islands and service area at the rear of the building. Typical landscape material utilized in the design include Live Oak, Silver Buttonwood, Gumbo Limbo, Crepe Myrtle and Pigeon Plum trees, Montgomery and Alexander palms, Cocoplum, Silver Buttonwood, Thryallis, Simpson Stopper, Schefflera Arboricola, Fakahatchee Grass, Saw Palmetto and Croton shrubs, as well as Jasmine, Pittosporum, Green Island Ficus and Coontie groundcovers. There are also existing Live Oak trees that will remain in place in the final site design.

6. *Signs, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with adjacent and nearby properties.*

The project proposes the installation of seven (7) new light poles and modification of two (2) existing light poles on the site. The new poles will be comparable in height (25 feet tall) to the existing light poles already on site. In an effort to minimize glare and impact on surrounding properties, the light fixtures will be full cutoff design, as required by code. The light levels depicted on Sheet C-500 exceed the code maximum allowable 5.9 foot-candles, and staff has inserted a condition of approval that the Photometric Plan be corrected to comply with code requirements prior to submittal for building permits (see Exhibit "D" – Conditions of Approval). Relative to signage for the project, the applicant proposes to insert a sign face in the existing Walgreens monument sign, located at the corner of Woolbright Road and South Congress Avenue, in the manually changeable-copy portion of the sign, located near the bottom, under the "Walgreens" sign panel. Additionally, the applicant proposes to install a new 8 foot tall monument sign on their lease parcel, along the South

Congress Avenue frontage, at the entry drive. This sign is designed to match the existing sign in color, materials and architectural elements, and will display the “golden arches” in the top tenant panel, with Walgreens underneath. The intent is to eventually utilize the bottom panel for the future tenant of the southernmost parcel. The wall signage allowance for the building has been determined to be a maximum of 69 square feet, and the applicant is proposing a total of 60 square feet. Above the building entrances, on the east and north sides of the building, the building elevations depict 9 square foot “golden arches” logos. Also, on the west end of the north façade, another 9 square foot “golden arches” logo is proposed, to inform customers entering from the north driveway. Finally, a 33 square foot, white “McDonald's” sign, is proposed on the south building façade, between the drive-through windows.

7. Required setbacks and other open spaces.

The proposed restaurant building is designed to meet or exceed the minimum setback requirements of the C-3 zoning district. Minimum setbacks are: front (east) required 20' – provided 170'; rear (west) required 30' – provided 152'; side (north and south) required 15' on one side and zero on the other – provided 51' on the north and 22' on the south. The closest residential structure to the west is nearly 800 feet, across a lake, and to the east, approximately 400 feet away, across South Congress Avenue, and south. The west side has a 6' tall buffer wall and existing landscaping that will be further enhanced with this project. The east side also has an existing landscape buffer that will be further enhanced to provide a nice streetscape along South Congress Avenue.

8. General compatibility with adjacent properties, and other property in the zoning district.

The restaurant use is generally compatible with the remainder of the commercial uses on all four (4) corners of the intersection, with the existing Walgreens on the northern portion of the site, and with the residential properties in the vicinity. Additionally, the building's large setbacks, intervening rights-of-way and lake, along with the appropriate buffering further the compatibility. The building's design is typical of most commercial structures with a smooth plaster finish, control joints and cornices and soft earthtone colors; a creamy beige primary body color Benjamin Moore “*Monroe Bisque*”, and a medium tan secondary body/accent color Benjamin Moore “*Alexandria Beige*”, and aluminum batten accents at the corners painted umber grey, similar to the dark bronze of the store front and window trim. The canopies and awning are proposed to be white.

9. Height of building and structures, with reference to compatibility and harmony with adjacent and nearby properties, and the city as a whole.

The drive-through restaurant is designed as a one-story structure, with the typical parapet wall designed at a height of 19' - 6" and the top of the accent parapets at 21' – 6", which is compatible with the structures on the same and adjacent properties, and under the maximum allowable height of 45' in the C-3 zoning district.

10. Economic effects on adjacent and nearby properties, and the city as a whole.

The overall economic effects of the proposed use on adjacent and nearby properties, and the City as a whole, will be enhanced with the increased activity on this property and the development of the partially vacant site. The City will also benefit from the collection of permit fees, certificate of use fees, and increased assessable value of the property.

11. Conformance to the standards and requirements, which apply to site plans, as set forth in Part III, Chapter 4. Site Plan Review, of the City's Land Development Regulations.

Relative to concurrency requirements, a traffic statement for the proposed project was sent to the Palm Beach County Traffic Division for concurrency review in order to ensure an adequate level of service. A traffic concurrency approval letter from Palm Beach County has not been received as of the drafting of this staff report. A condition of approval has been added that requires receipt of the concurrency approval letter in advance of the issuance of any building permits. The applicant will be responsible for compliance with any conditions outlined in the approval letter. School concurrency is not required for this type of project. As for the City's water and sewer concurrency review, the City's water capacity would meet the projected potable water demand for this project. Sufficient sanitary sewer and wastewater treatment capacity is also currently available to serve the project, subject to the applicant making a firm reservation of capacity, following site plan approval. Solid Waste disposal capacity has been evidenced through the issuance of a certificate of availability by Palm Beach County Solid Waste Authority. Staff reviewed the site plan and determined that current staffing levels would be sufficient to meet the expected demand for services. Conceptual drainage information was provided for the City's review. The Engineering Division has found the conceptual information to be adequate and is recommending that the review of specific drainage solutions be deferred until time of permit review. With incorporation of staff comments noted within Exhibit "D" – Conditions of Approval, the proposed project would comply with the requirements of applicable sections of city code and Land Development Regulations.

12. Compliance with, and abatement of nuisances and hazards in accordance with, the performance standards of Chapter 2, Section 4.N. of the City's Land Development Regulations and conformance to the City of Boynton Beach Noise Control Ordinance.

The project would not create smoke, odors, fumes, or toxic matter that would negatively impact the neighboring properties. As noted above, with the distance to residential units, and the buffer wall and intervening landscaping, noise associated with operation should not be an issue. With incorporation of all conditions and staff recommendations contained herein, the proposed use would exist in a manner that is in compliance with the above-referenced codes and ordinances of the City of Boynton Beach.

RECOMMENDATION

Based on the information contained herein, compliance with development regulations and conditional use standards, staff recommends APPROVAL of this request for conditional use and major site plan modification, subject to satisfying all conditions of approval recommended by staff as contained in Exhibit "D" – Conditions of Approval. Any additional conditions of approval recommended by the Board and required by the City Commission will be placed in Exhibit "D" accordingly. Furthermore, pursuant to Chapter 2, Article II, Section 2.C Conditional Uses, a time limit is to be set within which the proposed project is to be developed. Staff recommends that a period of 18 months be allowed to receive the necessary building permits.

LOCATION MAP



1. TOPOGRAPHIC INFORMATION IS TAKEN FROM A TOPOGRAPHIC SURVEY BY LAND SURVEYORS. IF THE CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON THE PLANS, WITHOUT EXCEPTION, THEN THE CONTRACTOR SHALL SUPPLY, AT THEIR EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR TO THE OWNER FOR REVIEW. THE CONTRACTOR IS SPECIFICALLY CAUTIONED NOT TO ASSUME ANY LIABILITY FOR THE ACCURACY OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING RECORDS OF UTILITIES. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

2. CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES AND BE CONSTRUCTED TO SAME.

3. THE CONTRACTOR SHALL ADHERE TO ALL TERMS & CONDITIONS AS OUTLINED IN THE EPA OR APPLICABLE STATE GENERAL N.D.P.E. PERMIT FOR STORM WATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.

4. ALL MATERIALS AND CONSTRUCTION WITHIN THE FOOT RIGHT-OF-WAY SHALL CONFORM TO THE LATEST DESIGN STANDARDS AND LATEST STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.

5. FIELD DENSITY TESTS SHALL BE TAKEN AT INTERVALS IN ACCORDANCE WITH THE SPECIFICATIONS AND LOCAL JURISDICTIONAL AGENCY. IN THE EVENT THAT THE CONTRACTOR HAS ANY DISCREPANCIES WITH THE JURISDICTIONAL AGENCY REQUIREMENTS, THE MOST STRINGENT SHALL GOVERN.

6. CONTRACTOR IS RESPONSIBLE FOR DEMOLITION OF EXISTING STRUCTURES INCLUDING EXISTING UTILITIES. SEVERAL TYPES OF EXISTING UTILITIES ARE REQUIRED TO REMAIN. EXISTING PIPES TO BE CLEANNED OUT TO REMOVE ALL SILT AND DEBRIS. IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS REQUIRED TO RETURN IT TO EXISTING CONDITION.

7. PRECAST STRUCTURES MAY BE USED AT CONTRACTORS OPTION.

8. ALL STORM PIPE ENTERING STRUCTURES SHALL BE GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATER TIGHT.

9. ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH PAVEMENT, AND SHALL HAVE TRAFFIC BEARING RIG & COVERS. MANHOLES IN UNPAVED AREAS SHALL BE 6" ABOVE FINISH GRADE. LIDS SHALL BE LABELED "STORM SEWER".

10. ALL EXPOSED TRUCK TRAILERS SHALL HAVE CYCLE PROOF GRATES.

11. ALL STORM STRUCTURES SHALL HAVE A SMOOTH UNIFORM Poured MORTAR INVERT FROM INVERT IN TO INVERT OUT.

12. CONTRACTOR TO FLUSH AND VACUUM ENTIRE ON-SITE STORM WATER SYSTEM UPON COMPLETION OF PROPOSED WORK.

13. EXISTING DRAINAGE PIPES AND INLETS TO BE JET CLEANED AND VACUUMED TO REMOVE ALL SILT AND DEBRIS.

14. CONTRACTOR SHALL ADJUST AND/OR CUT EXISTING PAVEMENT AS NECESSARY TO ASSURE A SMOOTH FIT AND CONTINUOUS GRADE.

15. CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS.

16. AREAS INDICATED AS PAVEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE TYPICAL PAVEMENT SECTIONS AS INDICATED ON THE DRAWINGS.

17. WHERE EXISTING PAVEMENT IS INDICATED TO BE REMOVED AND REPLACED, THE CONTRACTOR SHALL REMOVE THE EXISTING PAVEMENT TO THE PROPOSED FINISH GRADE AND REPLACE THE PAVEMENT WITH THE SAME TYPE AND DEPTH OF MATERIAL AS EXISTING OR AS INDICATED.

18. WHERE NEW PAVEMENT MEETS THE EXISTING PAVEMENT, THE CONTRACTOR SHALL SAW-CUT THE DEPTH OF EXISTING PAVEMENT FOR A SMOOTH AND STRAIGHT JOINT AND MATCH THE EXISTING PAVEMENT ELEVATION WITH THE PROPOSED PAVEMENT UNLESS OTHERWISE INDICATED.

19. AREAS SHOWN AT CURB LINE ARE EDGE OF PAVEMENT UNLESS SPECIFIED OTHERWISE.

20. CONTRACTOR SHALL EXCAVATE EXISTING PAVEMENT/SIDEWALK AREAS THAT ARE TO BE LANDSCAPED A MINIMUM OF 30" OR AS DEEP AS NECESSARY TO ENSURE ALL STONE BASE / PAVEMENT MATERIAL IS REMOVED (WHICHEVER IS GREATER) AND BACKFILL WITH CLEAN / FILL SAND TO TOP OF CURB OR TOP OF CURB TO ENSURE PROPER SLOPE FOR PLANT MATERIALS. THE CONTRACTOR SHALL ENSURE THAT ISLAND PLANTING AREAS AND OTHER PLANTING AREAS ARE NOT OVER-COMPACTED AND DO NOT CONTAIN ROAD BASE MATERIALS. THE CONTRACTOR SHALL ALSO EXCAVATE AND REMOVE ALL UNSERVICEABLE MATERIAL FROM ALL AREAS ON THE PROJECT AND PROPERLY DISPOSED OF IN A LEGAL MANNER.

21. ALL CUT OR FILL SLOPES SHALL BE 4H:1V OR FLATTER UNLESS OTHERWISE NOTED.

22. ALL UN-SURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES OF TOP SOIL. CONTRACTOR SHALL MAINTAIN STABLE STAND OF VEGETATION ON STEEPER SLOPES. CONTRACTOR SHALL STABILIZE DISTURBED AREAS IN ACCORDANCE WITH GOVERNING SPECIFICATIONS UNTIL A HEALTHY STAND OF VEGETATION IS OBTAINED.

23. THE CONTRACTOR SHALL GRADE THE SITE TO THE ELEVATIONS INDICATED AND SHALL REMOVE ALL DEBRIS WHERE WASHES OCCUR TO PREVENT RUNOFF UNTIL A GRASS STAND IS WELL ESTABLISHED OR ADEQUATE STABILIZATION OCCURS.

24. LANDSCAPE ISLANDS IN PARKING AREA TO BE BERMED MINIMUM OF 6" ABOVE BACK OF CURB ELEVATION.

25. SEE LANDSCAPE PLAN FOR TREE REMOVAL AND PLANTING.

26. THE CONTRACTOR SHALL INSTALL ALL UNDERGROUND STORMWATER PIPING PER SPECIFICATIONS.

27. ALL TOP SPOTS TO BE EDGE OF CURB UNLESS OTHERWISE INDICATED.

28. ALL PROPOSED MANHOLE COVERS SHALL BE CYCLE PROOF PER THE 2010 LDR CHAPTER 4 ARTICLE 15 SECTION 2.01.

29. THE TERRACE CROWN OF ROAD ON CONGRESS AVE IS 12.39 NAVD. THE F.F.E IS 14.00 NAVD. THE F.F.E ELEVATION ABOVE THE 18" MIN ROAD CROWN ELEVATION REQUIREMENT.

1. CONTRACTOR TO CONSTRUCT DRAINAGE STRUCTURES WITH USF GRATES. RIMS AND COVERS AS CALLED OUT OR APPROVED ELEV. SHOP DRAWINGS ARE TO BE PROVIDED TO ENGINEER FOR APPROVAL PRIOR TO ANY CONSTRUCTION.
2. COVER SHALL BE REFERRED TO FOOT DESIGN STANDARD (AND NOT LIMITED TO) INDEXES NO. 201, 210, 211, 214, 232 & 233 FOR MANHOLE, INLET AND GRATE SPECIFICATIONS.
3. ALL DRAINAGE STRUCTURES SHALL BE CONSTRUCTED WITH (4) SIDED BENCHING. HEAVY DUTY TRAFFIC RATED TRAFFIC RIMS AND GRATES.
4. CONTRACTOR TO VERIFY ALL EXISTING UTILITY RINGS AND COVERS ON SITE ARE HEAVY DUTY TRAFFIC RATED. CONTRACTOR TO REPLACE DEFICIENT RINGS AND COVERS WITH HEAVY DUTY TRAFFIC RATED RIMS AND COVERS. CONTRACTOR TO VERIFY ALL EXISTING UTILITY RINGS AND UTILITIES THAT CHANGE IN ELEVATION DURING CONSTRUCTION.
5. ALL CLEAN-OUT COVERS SHOULD BE RATED FOR HEAVY DUTY TRAFFIC. ALL MANHOLE AND CLEAN-OUT COVERS SHALL BE 30" MIN. DIAMETER. NOR SHALL EXCEED 2% IN ANY DIRECTION. IN CASES OF SIDEWALK

LANDINGS AT BUILDING ENTRANCES, GRADES SHALL NOT EXCEED 2% IN ANY DIRECTION. ACCESSIBLE CURB RAMPS SHALL NOT EXCEED 6% IN LENGTH AND 6% IN RISE (1:12 MAX SLOPE). LANDINGS AT CHANGES IN GRADE SHALL BE MINIMUM 60"x90" AND SHALL NOT EXCEED 2% SLOPE IN ANY DIRECTION.

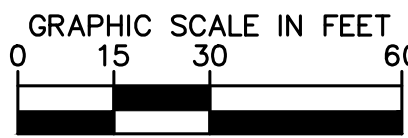
ROOF DRAIN CONNECTIONS TO DRAINAGE PIPE SHALL BE AS FOLLOWS:

FOR ADS N-12 CORRUGATED POLYETHYLENE DRAINAGE PIPE USE 4" DIA. WALL FABRICATED REDUCING SADDLE TYPE 4'-24" DIAMETER.

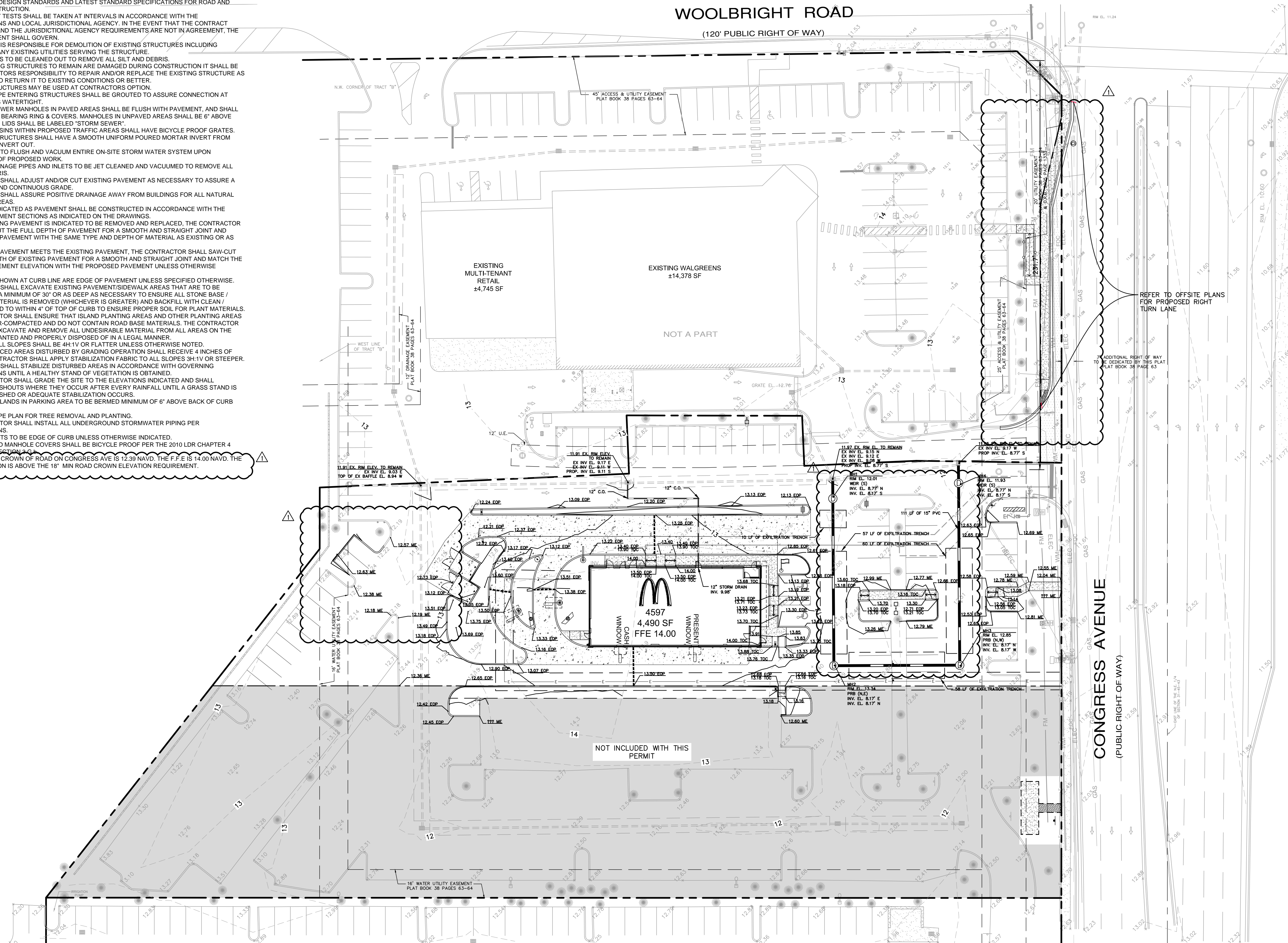
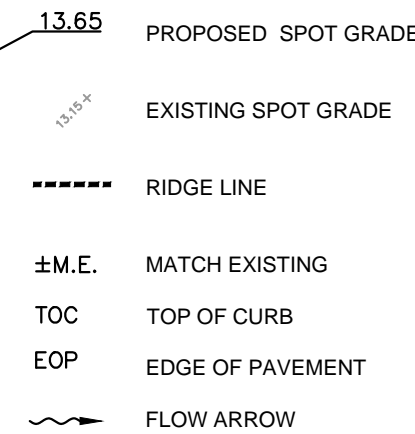
FOR RCP DRAINAGE PIPE MAKE CONNECTION PER FDOT INDEX 208. CONCRETE COLLAR FOR JOINING MAINLINE PIPE AND STUB PIPE DETAIL.

NOTIFY CONSULTANT FOR CONNECTION METHOD TO STEEL PIPE.

ADDITIONAL PIPE JOINTS SHALL BE FILTER FABRIC WRAPPED PER ACP 100.0. ALL JOINTS NEED TO BE FILTER FABRIC WRAPPED REGARDLESS OF MATERIAL.



(120' PUBLIC RIGHT OF WAY)



811.
Know what's below
Call before you dig

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

© 2018 KIMLEY-HORN AND ASSOCIATES, INC.
1445 24TH STREET, SUITE 200, VERO BEACH, FL 32960
PHONE: 772-794-4100
WWW.KIMLEY-HORN.COM CA 00000696

BLAINE BERGSTRESSER

FLORIDA LICENSE NUMBER
84598

MCDONALD'S
BOYNTON BEACH RELO
PREPARED FOR
MCDONALD'S USA, LLC

SHEET NUMBER
C-200

NOTE:
1. SOD IN SWALES AND ALONG PERMIETER SIDEWALKS SHALL BE WEED FREE, HEALTHY AND GREEN AT TIME OF INSPECTION.
2. EXISTING SOD IN GOOD CONDITON MAY BE PLACED ON A WEED AND FEED PROGRAM WITH A CONDITION OF APPROVAL UPON INSPECTION BY THE CITY ARBORIST IN 3 MONTHS OR ON APRIL 15TH 2013.
3. ALL EXISTING SHRUBS NOT FL. NO. 1 QUALITY AT TIME OF INSPECTION DUE TO LEAF COLOR OR WEED INFESTATION SHALL BE APPROPRIATELY FERTILIZED AND OR CLEANED AND PRUNED.

NOTES:
1. ALL LANDSCAPE AREAS SHALL BE MULCHED WITH GRADE 'A' NATURAL PINE OR EUCALYPTUS
2. ALL SHRUBS/TREES IN POOR CONDITION OR LESS THAN FL. NO. 1 QUALITY SHALL BE REPLACED WITH SAME SPECIES AND SIZE (OR EQUIVALENT)
3. ALL MULCHED PLANTER BEDS SHALL BE KEPT 1" BELOW THE TOP OF CURBS
4. CONTRACTOR SHALL ADJUST OR ADD IRRIGATION EQUIPMENT TO ENSURE ALL LANDSCAPE MATERIALS RECIEVE 100% COVERAGE
5. REFER TO SHEET IR-1 AND IR-2 FOR IRRIGATION DESIGN, DETAILS AND SPECIFICATIONS

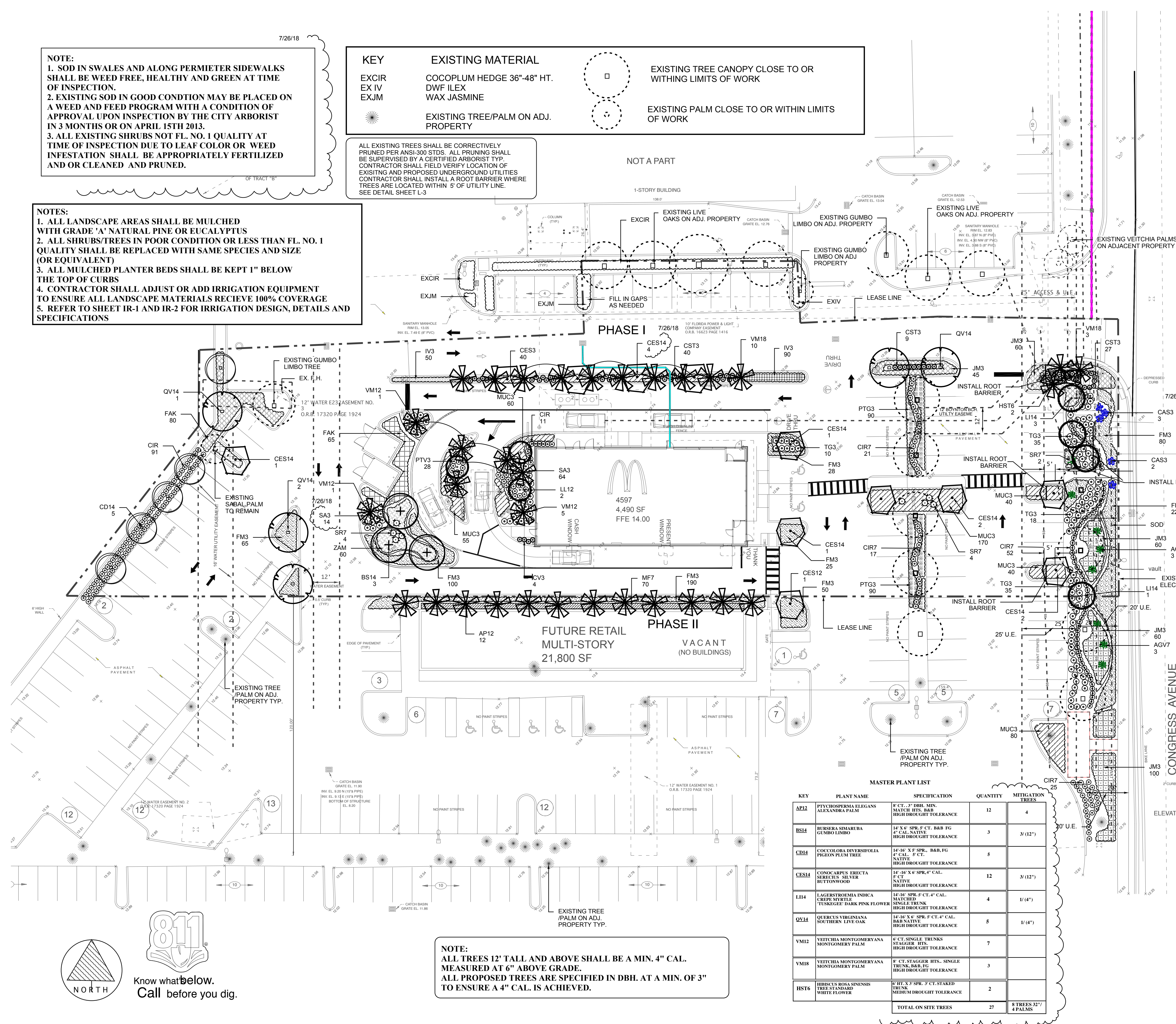
KEY

EXCIR
EX IV
EXJM

EXISTING MATERIAL
COCOPLUM HEDGE 36"-48" HT.
DWF ILEX
WAX JASMINE
EXISTING TREE/PALM ON ADJ. PROPERTY

EXISTING TREE CANOPY CLOSE TO OR WITHING LIMITS OF WORK
EXISTING PALM CLOSE TO OR WITHIN LIMITS OF WORK

ALL EXISTING TREES SHALL BE CORRECTIVELY PRUNED PER ANSI-300 STD. ALL PRUNING SHALL BE SUPERVISED BY A CERTIFIED ARBORIST TYP. CONTRACTOR SHALL FIELD VERIFY LOCATION OF EXISTING AND PROPOSED UNDERGROUND UTILITIES. CONTRACTOR SHALL INSTALL A ROOT BARRIER WHERE TREES ARE LOCATED WITHIN 5' OF UTILITY LINE. SEE DETAIL SHEET L-3



LANDSCAPE DATA
CITY OF BOYNTON BEACH

ZONING: C-3 COMMUNITY COMMERCIAL

SITE AREA: 56,354SF.
PERVIOUS AREA REQUIRED 8,805 SF. (15.6%)

TREES REQUIRED: 4" CAL. 6" ABOVE GROUND
PALMS 6" CT. MIN.

INGRESS ENTRANCE REQUIREMENTS:
(1) SIGNATURE TREE 1" CAL. MIN. + COLORFUL SHRUBS
PROPOSED: (2) SIGNATURE TREES

OFF STREET PARKING REQUIREMENTS:
(1) TREE PER 25 SF. PER PARKING STALL
50 PARKING STALLS X 25 = 1,250 SF. REQUIRED
PROVIDED = 1,250 SF.

(1) TREE PER PARKING ISLAND = 12 REQUIRED
PROVIDED = 12

BUFFERS ADJ. TO A ROADWAY
(1) TREE PER 25 LF. (FPL APPROVED)
CONGRESS AVE. 108'/25 = 5 REQUIRED
EXISTING = 2
PROPOSED = 3

BUFFERS ADJ. TO ABUTTING PROPERTIES
(1) TREE PER 30 LF. + 6" HT. HEDGE
PROPOSED = 5

SOUTH: N/A

NORTH: 100' /30 = 3 REQUIRED
EXISTING = 3

BASE OF SIGN REQUIREMENTS:
24" HT. COLORFUL SHRUBS
PROPOSED = 24" COLORFUL SHRUBS

TOTAL TREES REQUIRED FOR SITE = 27
TREES PROPOSED + EXISTING = 20
PALMS PROPOSED = 7 (3:1)
TOTAL TREES PROPOSED ON SITE = 31

TREE MITIGATION DATA:
TREES REMOVED = (4) TREES OR 31" CAL.
PROPOSED TREE CAL. ON SITE = 31" ABOVE MIN. CODE
PALMS REMOVED = 4
PROPOSED PALMS ABOVE LANDSCAPE REQUIREMENTS = 4

NOTE: ALL PROPOSED TREES SHALL MAINTAIN A MIN. OF 10' SEPARATION TO UNDER GROUND UTILITY LINES

MASTER PLANT LIST			
KEY	PLANT NAME	SPECIFICATION	QUANTITY
AGV7	AGAVE ATTENUATA SPINELESS AGAVE	15 GAL. SPECIMEN HIGH DROUGHT TOLERANCE	6
CAS3	CRINUM ANASTACUM CRINUM LILLY QUEEN EMMA PURPLE	36" X 30" O.A. 5 PPM MIN. HIGH DROUGHT TOLERANCE	5
CES3	CONOCARPUS ERECTUS SERECUS SILVER BUTTONWOOD SHRUB	24" X 24" 24" O.C. FULL TO BASE NATIVE HIGH DROUGHT TOLERANCE	40
CIR	CHRYSOBALANUS ICACO COCOPLUM HEDGE	24" X 24" 24" O.C. NATIVE HIGH DROUGHT TOLERANCE	102
CIR7	CHRYSOBALANUS ICACO COCOPLUM HEDGE	36" X 24" SPR. 24" O.C. FULL TO GROUND NATIVE HIGH DROUGHT TOLERANCE	116
CST3	CODIAEUM SHOESTRING CROTON	36" X 24" 24" O.C. HIGH DROUGHT TOLERANCE	76
FAK	TRIPSACUM DACTYLOIDES FAKAHATCHEE GRASS	36" X 24" 24" O.C. NATIVE HIGH DROUGHT TOLERANCE	145
FM3	FICUS MICROCARPA GREEN ISLAND FICUS	12" X 18" SPR. 18" OC. HIGH DROUGHT TOLERANCE	763
IV3	ILEX VOMITORIA SHELLSIES DWARF	10" X 18" SPR. MIN 12" O.C. NATIVE HIGH DROUGHT TOLERANCE	140
JM3	JASMINE MULTIFLORUM DOWNY JAS.	18" X 20" SPR. 24" O.C. MEDIUM DROUGHT TOLERANCE	325
MF7	MYRCANTHES FRAGRANS- SIMPSON STOPPER	36" X 24" 24" O.C. NATIVE HIGH DROUGHT TOLERANCE	70
MUC3	MUHLENBERGIA CAPILLARIS MULV GRASS	24" X 24" SPR. 18" O.C. NATIVE HIGH DROUGHT TOLERANCE	445
PTG3	PITTSOPORIUM TOBIRA GREEN PITTSOPORIUM	20" HT X 20" SPR. 24" O.C. MEDIUM DROUGHT TOLERANCE	180
PTV3	PITTSOPORIUM T. VARIEGATA VAR. PITT	20" X 20" SPR. MIN. 7 GAL. 24" O.C. MEDIUM DROUGHT TOLERANCE	28
SOD	ST. AUGUSTINE FLORITAM	CONTRACTOR TO VERIFY QUANTITY. SHADSEEN	
SA3	SCHIFFERIA ARBORICOLA VAR. ARBORICOLA	24" X 24" 24" O.C. MEDIUM DROUGHT TOLERANCE	78
SR7	SERENOA REPENS SAV PALMETTO	24" X 24" 30" O.C. NATIVE HIGH DROUGHT TOLERANCE	6
TG3	GALPHIMIA GRACILIS THRIFALLIS	36" X 24" SPR. 7" OC FULL TO GROUND SHRUB MEDIUM DROUGHT TOLERANCE	98
ZAM	ZAMIA FLORIDANA COONTIE FERN	20" X 20" 24" OC.. NATIVE HIGH DROUGHT TOLERANCE	60

MASTER PLANT LIST				
KEY	PLANT NAME	SPECIFICATION	QUANTITY	MITIGATION TREES
AP12	PYCHOSPERMA ELEGANS ALEXANDRA PALM	8" CT., 3" DBH. MIN. MATCH HTS. B&B HIGH DROUGHT TOLERANCE	12	4
BS14	BURSERA SIMARUBA GUMBO LIMBO	14" X 6" SPR. 5" CT. B&B FG 4" CAL. 8" CT. NATIVE HIGH DROUGHT TOLERANCE	3	3 (12")
CD14	COCOLOBIA DIVERSIFOLIA PIGION PLUM TREE	14-16" X 5" SPR., B&B, FG 4" CAL. 8" CT. NATIVE HIGH DROUGHT TOLERANCE	5	
CES14	CONOCARPUS ERECTA SERECUS SILVER BUTTONWOOD	14-16" X 6" SPR. 4" CAL. 5" CT. NATIVE HIGH DROUGHT TOLERANCE	12	3 (12")
LI14	LAGERSTROEMIA INDICA CRIPE MYRTLE TUSSEEGEE DARK PINK FLOWER	14-16" SPR. 5" CT. 4" CAL. MATCHED SINGLE TRUNK HIGH DROUGHT TOLERANCE	4	1 (4")
QV14	QUERCUS VIRGINIANA SOUTHERN LIVE OAK	14-16" X 6" SPR. 5" CT. 4" CAL. B&B NATIVE HIGH DROUGHT TOLERANCE	5	1 (4")
VM12	VEITCHIA MONTGOMERYANA MONTGOMERY PALM	6" CT. SINGLE TRUNKS STAGGER HTS. HIGH DROUGHT TOLERANCE	7	
VM18	VEITCHIA MONTGOMERYANA MONTGOMERY PALM	8" CT. STAGGER HTS., SINGLE TRUNK, B&B, FG HIGH DROUGHT TOLERANCE	3	
HST6	HIBISCUS ROSA SINENSIS TREE STANDARD WHITE FLOWER	6" HT. X 3" SPR. 3" CT. STAKED TRUNK MEDIUM DROUGHT TOLERANCE	2	
TOTAL ON SITE TREES			27	8 TREES 32"/ 4 PALMS

NOTE:
ALL TREES 12' TALL AND ABOVE SHALL BE A MIN. 4" CAL. MEASURED AT 6" ABOVE GRADE.
ALL PROPOSED TREES ARE SPECIFIED IN DBH. AT A MIN. OF 3" TO ENSURE A 4" CAL. IS ACHIEVED.

811

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LA 6666695 USA 0827A
1016 N 45TH STREET
ORLAND PARK, IL 60164
TEL 954-763-1071
954-763-1072
e-mail: mcdonalds@lga.com
mcdonalds.com
landscape architecture

REVISIONS:
CITY COMMENTS: 7/31/18

SHEET TITLE:
LANDSCAPE PLAN

PROJECT:
MCDONALD'S
1661 S. CONGRESS AVE.
BOYNTON BEACH, FL.

SEAL:

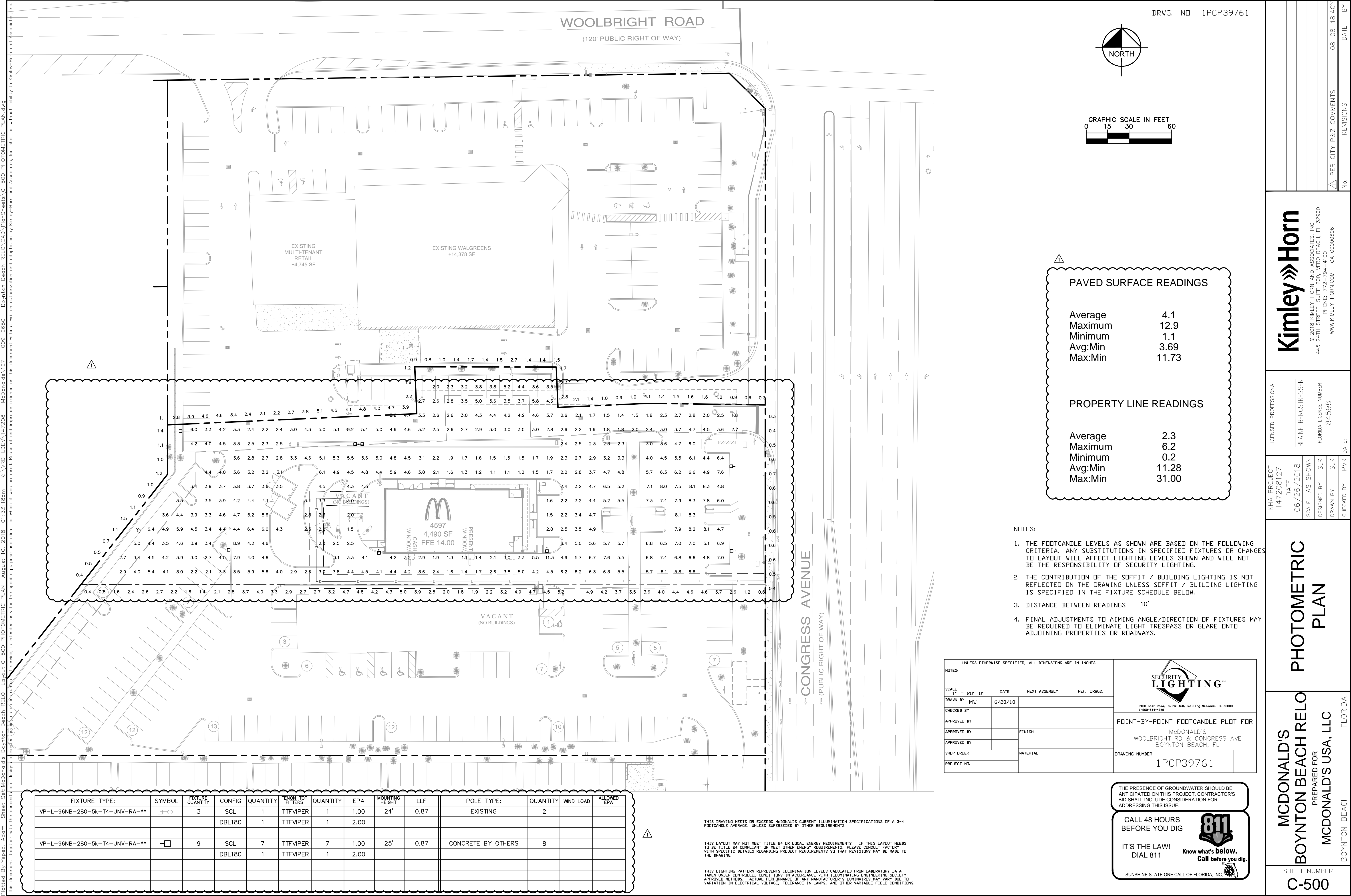
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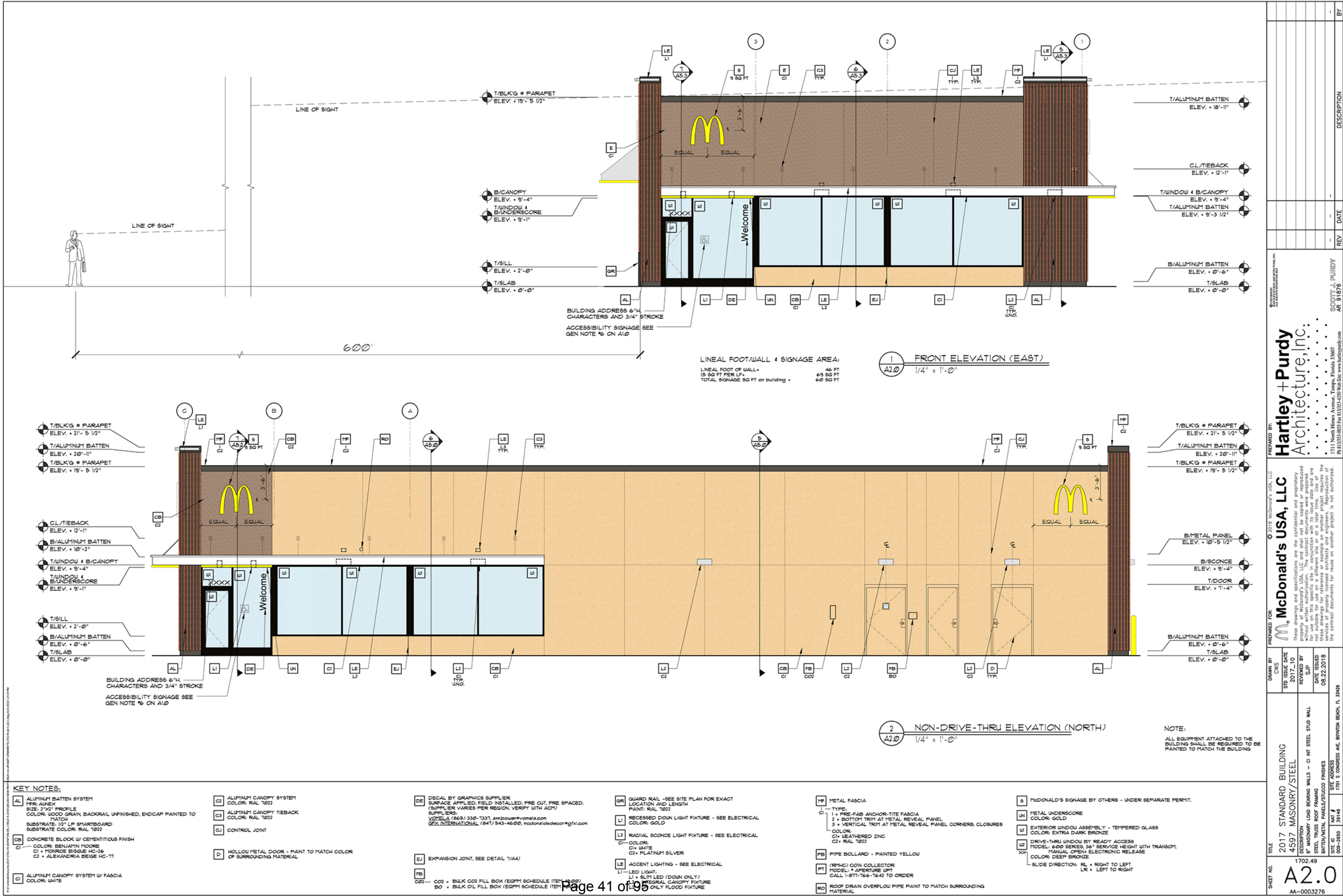
SCALE: 1"=20'

DATE DRAWN: 3/26/18

SHEET NO.
L-1

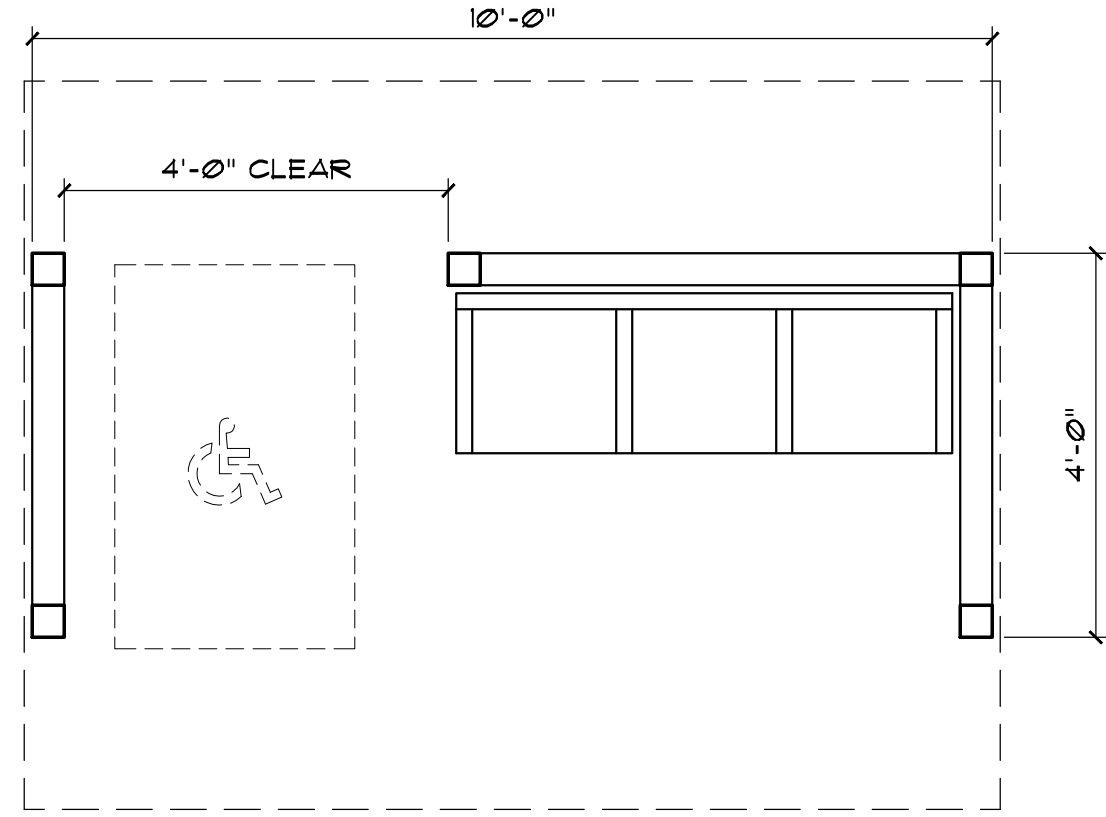
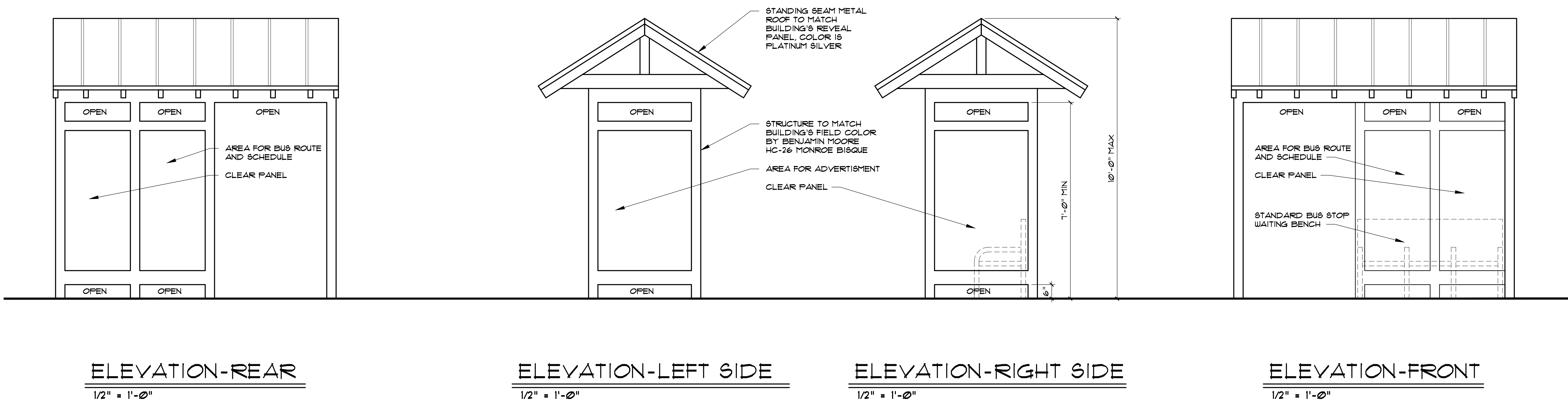
of 3





DRAWN BY CNS		STD ISSUE DATE 2017-10		REVIEWED BY SJP		DATE ISSUED 08.22.2018		TITLE 2017 STANDARD BUILDING 4597 MASONRY/STEEL		DESCRIPTION 8" MASONRY LOAD BEARING WALLS - C1 INT STEEL STUD WALL STEEL TRUSS ROOF FRAMING BATTEN/METAL PANELS/STUCCO FINISHES		SITE ADDRESS 1701 S CONGRESS AVE, BOYNTON BEACH, FL 33486		NAT # 39146		SHEET NO. 1702.49 A2.0		AA-0003276	
PREPARED FOR McDonald's USA, LLC		PREPARED BY Hartley + Purdy Architecture, Inc.		DATE 08.22.2018		REV 1		BY SCOTT J. PURDY		DESCRIPTION		DATE		REV		BY		DESCRIPTION	

P:\Client\McDonalds\2017\BUS SHELTER\04_1702.49_2650.DWG (REV. 08.22.2018) DESIGNED BY: JWP, CHECKED BY: JWP, DATE: 08.22.2018 10:09 AM



SHEET NO.	TITLE	DRAWN BY	CWS	STD ISSUE DATE	REVIEWED BY	DATE ISSUED	NAT #	SITE ADDRESS	REV	DATE	BY
A0.1	2017 STANDARD BUILDING 4597 MASONRY/STEEL	1702.49			SJP	08.22.2018	39146	1701 S CONGRESS AVE, BONTON BEACH, FL 33426	-	-	-
PREPARED FOR: McDonald's USA, LLC											
PREPARED BY: Hartley + Purdy Architecture, Inc.											
1711 North Himes Avenue, Tampa, Florida 33607											
Ph: 813.353-0035 Fax: 813.353-4350 Web Site: www.hartleypurdy.com											
SCOTT J. PURDY AR 91876											
DESCRIPTION											

EXISTING ROAD SIGN WOOLBRIGHT & CONGRESS



EXISTING ROAD SIGN PROPOSED FACE CHANGE WOOLBRIGHT & CONGRESS



1740 HILL AVENUE
WEST PALM BEACH, FL.
33407
561-840-6382
(FAX) 561-840-6385

CUSTOMER:
MCD BOYNTON RELO
SWC OF CONGRESS AVE
& WOOLBRIGHT RD
BOYNTON BEACH, FL

SALES PERSON:
STEPHEN KEMP
DRAWN BY: HEATHER COLLAZO
SCALE: AS NOTED
DATE DRAWN:
06.27.18



REVISION:
#1 00.00.00
#1 00.00.00
#1 00.00.00

CUSTOMER APPROVAL:

☒

DATE:

☒

PROPOSED ROAD SIGN ON CONGRESS AVE

Note:

In the future when new tenant comes in the parcel south of the McDonald's parcel, the sign will be revised to add a new Panel to the sign.



3' x 10' = 30 SQFT

3' x 10' = 30 SQFT

OAH: 8'
TOTAL SQFT: 70

**MEASUREMENTS ARE ROUGH ESTIMATES, NOT BASED OFF ORIGINAL SURVEY
**IMAGES ABOVE ARE FOR VISUAL PURPOSES ONLY; NOT BASED OFF SURVEY
** THE SIGN WILL BE CHANGED TO ACCOMMODATE ANY FUTURE TENANTS, BY SHARING A PANEL FOR THAT NEW BUSINESS



1740 HILL AVENUE
WEST PALM BEACH, FL.
33407
561-840-6382
(FAX) 561-840-6385

CUSTOMER:
MCD "BOYNTON RELO"
SWC OF CONGRESS AVE
& WOOLBRIGHT RD
BOYNTON BEACH, FL

SALES PERSON:
STEPHEN KEMP
DRAWN BY: HEATHER COLLAZO
SCALE: AS NOTED
DATE DRAWN:
06:27, 18



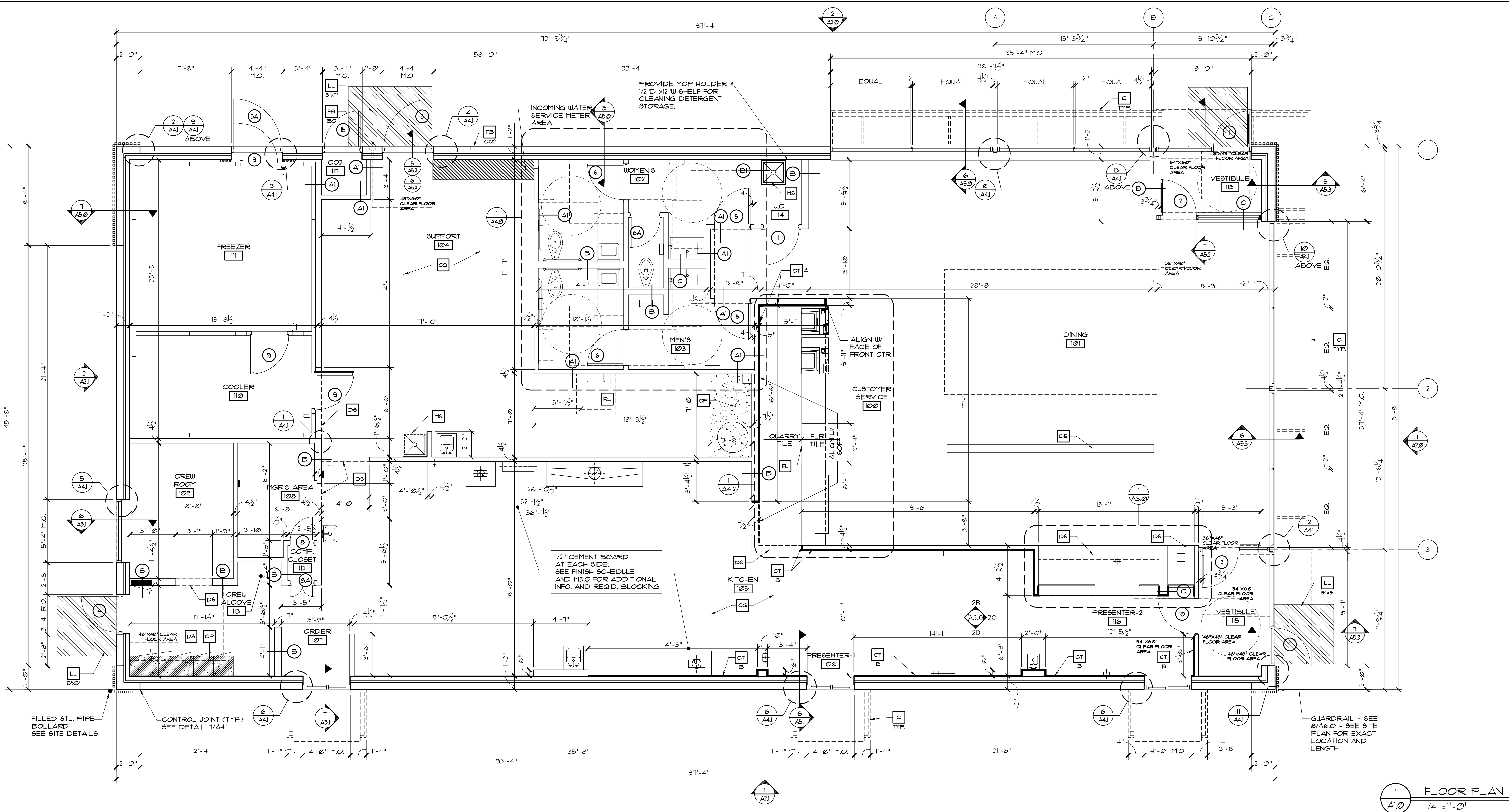
REVISION:
#1 00.00.00
#2 00.00.00
#3 00.00.00
#4 00.00.00

CUSTOMER APPROVAL:

☒

DATE:

☒



1 FLOOR PLAN
1/4" = 1'-0"

FLORIDA BUILDING CODE DATA

CLASSIFICATION BY OCCUPANCY	ASSEMBLY	GROUP	A-2
MIXED OCCUPANCY	NO	SEPARATION BY OCCUPANCY	NONE
TYPE OF CONSTRUCTION			
PROTECTED	HR	UNPROTECTED	V (B)
SPRINKLERED	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
BUILDING VARIABLES	REQUIRED & ALLOWED	PROVIDED	
BUILDING HEIGHT & HEIGHT INCREASES	40'	19'-6"	
NUMBER OF STORIES	1	1	
BUILDING AREA / FLOOR AREA INCREASES	6,000 GSF	4,445 GSF±	
PROTECTED OPENING AREA	NO BUILDING WITHIN 30', ALLOWABLE AREA HAS "NO LIMIT"		

KEY NOTES

- C** ALUMINUM CANOPY W/ FASCIA SYSTEM ABOVE - SEE 4/A5.0 FOR NOTES - SEE ROOF PLAN FOR DIMENSIONS, SEE ELEVATION FOR COLORS
- CG** G.C. TO PROVIDE 4"x4"x5'-0" HIGH STAINLESS STEEL CORNER GUARDS AT ALL EXPOSED LOCATIONS IN KITCHEN/SUPPORT AREA. CORNER GUARDS TO START AT FINISH FLOOR. ATTACH WITH WOOD SCREWS INTO WOOD BLOCKING. BULLNOSE COVE BASE WHERE TILE MEETS STAINLESS STEEL CORNER
- CP** CONCRETE EQMT PAD - SEE STRUCTURAL
- CT** WALL TILE: EUROQUEST - LANDSTONE COLLECTION
COLOR: COAL NATURAL, SIZE 4"x12", PATTERN: STACK BOND
A GROUT: MAPEI 41 CHARCOAL - JOINT TO BE 1/8" MAX. COORDINATE WITH THE McDONALD'S AREA CONSTRUCTION MANAGER
- CT** WALL TILE: CROSSVILLE - COLOR BY NUMBERS
COLOR: SIXTH SENSE, SIZE 4"x12", PATTERN: RUNNING BOND
B GROUT: MAPEI 41 CHARCOAL - JOINT TO BE 1/8" MAX. COORDINATE WITH THE McDONALD'S AREA CONSTRUCTION MANAGER
- CT** CERAMIC WALL TILE: EUROQUEST - FRENCH CLAY
COLOR: GLACE, SIZE: 4"x12", PATTERN: 1/2" MAX. OFFSET RUNNING BOND
C GROUT: MAPEI 41 CHARCOAL - JOINT TO BE 1/16" MAX. COORDINATE WITH THE McDONALD'S AREA CONSTRUCTION MANAGER
- DE** DECOR ELEMENT - VERIFY SIZE AND PLACEMENT WITH DECOR PLANS
- D8** DROPPED SOFFIT ABOVE - SEE REFLECTED CEILING PLAN

- FB** CO2 FILL BOX (EQUIPMENT SCHEDULE ITEM 49.00)
- FB** CO2 FILL BOX (EQUIPMENT SCHEDULE ITEM 100.18)
CONFIRM USE WITH McDONALD'S AREA CONSTRUCTION MANAGER
- FL** FLOOR LINE - CHANGE IN MATERIAL - SEE DECOR DRAWINGS
- LL** LEVEL LANDING @ EXT. DOOR W/ MAX. 2% RUNNING/CROSS SLOPE AWAY FROM BUILDING
- M8** MOP SINK - SEE DETAIL 8/A6.1 AND PLUMBING DRAWINGS.
- RL** ROOF ACCESS LADDER W/HATCH ABOVE SEE STRUCTURAL FRAMING PLAN FOR LOCATING DIMENSIONS

SYMBOL LEGEND

- A** PARTITION TYPE TAG SEE 2/A1.0
- 1** DOOR TAG - SEE DOOR SCHEDULE ON A6.0
- X** KEY NOTE

GENERAL NOTES

- EXTERIOR DIMENSIONS ARE TO COLUMN REFERENCE LINES AND EXTERIOR FACE OF FINISH UNLESS OTHERWISE NOTED. INTERIOR DIMENSIONS ARE TO FACE OF INTERIOR FINISH BOARD
- SEE 4/A5.0 FOR EXTERIOR WALL ASSEMBLY TYPES. SEE 2/A1.0 FOR INTERIOR PARTITION TYPES. INTERIOR PARTITIONS ARE TYPE 'A' UNLESS NOTED OTHERWISE.
- SEE EXTERIOR ELEVATIONS FOR WINDOW TYPES
- SEE SHEET A6.0 FOR DOOR AND ROOM FINISH SCHEDULES
- SEE SITE PLAN FOR SIDEWALKS, RAMPS, ETC.
- G.C. TO PROVIDE ADA SIGNAGE PACKAGE AND INSTALL SIGNS AT LOCATIONS AND POSITIONS INDICATED IN PACKAGE OR AS REQUIRED BY LOCAL CODES. SIGNAGE PACKAGE SUPPLIED BY: FORREST PERMA-SIGN, 1-800-214-8765 3293 1ST ST, BOX 500, NEW ROCHELLE, NY 10802 www.forrestperma-signs.com
- MAXIMUM OCCUPANCY SIGN TO BE POSTED PER LOCAL CODE. SIGN FURNISHED AND INSTALLED BY GENERAL CONTRACTOR.
- ALL HANDSINK LOCATIONS SHALL HAVE CEMENT BOARD BACKING 48" IN HEIGHT AFF.
- G.C. TO COORDINATE ALL REQUIRED BLOCKING FOR WALL HUNG EQUIPMENT, SHELVES, ETC. FOR PROPER INSTALLATION HEIGHTS.
- KNOX BOX TO BE INSTALLED PER LOCAL CODE AS REQUIRED. MODEL AND LOCATION TO BE COORDINATED WITH FIRE MARSHALL.

PREPARED BY: Hartley + Purdy Architecture, Inc. 1711 North Himes Avenue, Tampa, Florida 33607 PH 813.335.4035 FAX 813.335.4350 Web Site: www.hartleypurdy.com		REVISIONS DATE REV DESCRIPTION	
PREPARED FOR: McDonald's USA, LLC © 2018 McDonald's USA, LLC These drawings and specifications are the confidential and proprietary property of McDonald's USA, LLC and shall not be copied or reproduced without written authorization. The contract documents were prepared for the use of the contractor on a different site or at a later date. Use of these drawings for reference or example on another project requires the contractor to obtain written permission from McDonald's USA, LLC. The contractor documents for reuse on another project is not authorized.		DATE REV DESCRIPTION	
DRAWN BY: CNVS	STD ISSUE DATE 2017-10	REVIEWED BY: SJP	DATE ISSUED 08.13.2018
TITLE 2017 STANDARD BUILDING 4597 MASONRY/STEEL		DESCRIPTION 8" MASONRY LOAD BEARING WALLS - C1 INT STEEL STUD WALL STEEL TRUSS ROOF FRAMING BATTEN/METAL PANELS/STUCCO FINISHES	
SHEET NO. 1702.49 A1.0 AA-0003276		SITE ADDRESS 1701 S CONGRESS AVE, BONTON BEACH, FL 33406 NAT # 39146	



July 2, 2018

Mr. Michael W. Rumpf Director
Planning and Zoning City of Boynton Beach
100 E. Boynton Beach Boulevard
Boynton Beach, FL 33435

RE: STANDARDS FOR EVALUATING CONDITIONAL USES
McDonald's L/C 009-2650
SW CORNER OF WOOLBRIGHT ROAD & CONGRESS AVENUE
Boynton Beach, Florida
Parcel Control Number # 08-43-45-31-17-002-0020
Corporate Property Services Project Number: 1711-39

Dear Mr. Rumpf:

The subject site 1.294 acre site is located near the southwest corner of Woolbright Road and Congress Avenue. The purpose of the application is to request approval for the development of a McDonald's restaurant with a drive-thru. The property is zoned C-3, Community Commercial, and has a LRC -Local Retail Commercial Future Land Use Designation. Based on the current zoning district a restaurant with a drive-thru requires a conditional use approval. Therefore, a Conditional Use Application is hereby submitted, based on the following criteria:

1. Ingress and egress to the subject property and proposed structures thereon, with particular reference to automobile and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;

Response: The subject site is located within the master planned Woolbright Plaza. The northern phase of the development is constructed along with the overall parking is constructed for the project. The Woolbright Plaza development has a recorded Declaration of Easements with Covenants, Conditions and Restrictions which permits, ingress and egress overall paved driveways and sidewalks. The McDonald's has access to Woolbright Road to the north through the Walgreen's portion of the development and also access to Congress Avenue just northeast of the proposed McDonald's building and south on the access frontage driveway which connects to office building south of south phase parcel. The McDonald's restaurant has (3) access points in case of fire or catastrophe. The McDonald's project is required to construct a south bound right turn lane at the existing driveway connection on Congress

1

Corporate Property Services, Inc.
1239 East Newport Center Drive • Suite 113 • Deerfield Beach, FL 33442
Tel: 954-426-5144 • Fax: 954-570-3391
Land Use Planning • Permit Expediting • Project Management



Avenue. Based on the discussions and meeting with staff, the site plan has been prepared on this dialogue and will provide safe ingress and egress to the proposed use, for both vehicles and pedestrians.

2. Off-street parking and loading areas where required, with particular attention to the items in subsection C.1 above, and the economic, glare, noise, and odor effect the conditional use will have on adjacent and nearby properties, and the city as a whole;

Response: The proposed off-street parking layout will not have any adverse impact on economic, glare, noise and odor of the commercial and office uses to the north, east and west of the proposed McDonald's parcel. The proposed building far exceeds the Land Development code required for required front and rear setbacks. The property is currently developed without a building. The original approved building use was never constructed. There are no significant impacts to the adjacent and nearby properties and the City as a whole. The parking area adjacent to western property line is buffered by an existing 5' concrete panel wall and has mature trees and landscaping on the west side of the wall which provides a visual and noise buffer to existing multi-family residential units west across the existing lake. The McDonald's will not have a designated loading area. Deliveries will be made adjacent to the north side of the building in non-peak customer service times. A request to the City Engineer is being submitted to delete the loading zone requirement for this project.

3. Refuse and service areas, with particular reference to the items in subsection C.1 and C.2 above;

Response: The two (2) proposed dumpsters are located at the rear of the building and are not visible by the general public along Woolbright Road and S. Congress Avenue. The dumpster are designed to meet Land Development Code requirement for proper back-up service of 60 feet. The dumpster and service area for the proposed McDonald's is buffered along the western property line by a 5' concrete panel wall and mature trees and landscaping on the west side of the wall to provide a visual and noise buffer.

4. Utilities, with reference to locations, availability, and compatibility;



Response: Adequate infrastructure for water, sanitary sewer and drainage already in place within existing Woolbright Plaza development to serve the 4,490 square foot restaurant with a drive-thru. Underground electric and telephone service is available.

5. Screening, buffering and landscaping with reference to glare , traffic safety, economic effect, and compatibility and harmony with adjacent and nearby properties;

Response: The McDonald's parcel within the Woolbright Plaza development has an existing 5' concrete panel wall along the western boundary of the property. On the west side of the wall are mature ficus trees and landscape buffer. This provides excellent buffer against noise and glare. Along the eastern boundary are mature oak trees along Congress Avenue and additional landscaping to buffer the McDonald's restaurant from Congress Avenue. The City of Boynton Beach Comprehensive Plan Future Land Use Map indicates this area for LRC - Local Retail Commercial. The proposed McDonald's restaurant meets the future land use goal to enhance the city's aesthetic appeal while supporting a vibrant economic tax base. The proposed conditional use request will be in harmony with the general character of the surrounding area. The site plan, landscape plan and architectural elevations will protect the neighboring property values by enhancing the aesthetic appeal of this area.

6. Signs, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with adjacent and nearby properties;

Response: The proposed McDonald's will have one monument sign along Congress Avenue and the building exterior lights will not impact glare or traffic safety. The parking lot lighting will provide a safe lighting level for the restaurant and will not spill light off the property. The project's signage and lighting will be in harmony with the adjacent and nearby properties.



7. Required setbacks and other open spaces;

Response: The proposed McDonald exceeds zoning code setback requirements:

<u>Setbacks</u>	<u>Required</u>	<u>Provided</u>
Front (build to line)	20'	170.8'
Rear	20'	152.8'
Side Interior (south)	0'	22.0'
Side Interior (north)	20'	51.5'

8. General compatibility with adjacent properties, and other property in the zoning district;

Response: The subject site is bounded on the north by a Walgreen's & retail use, on the south by two (4) story office buildings. On the east it is bounded by Congress Avenue which is a 6 lane divided arterial roadway with commercial retail uses east of the McDonald's site. The commercial uses are north and south of the McDonald's on the east side of S. Congress Avenue. The west the site is bounded by a large lake and multifamily residential development. The McDonald's parcel is buffered from the multifamily residential development by a 5' concrete panel wall along with mature ficus trees and the landscape buffer on the west side of the wall adjacent to a lake. The proposed commercial use is compatible with the existing, abutting commercial uses.

9. Height of buildings and structures, with reference to compatibility and harmony to adjacent and nearby properties, and the city as whole;

Response: The proposed McDonald's restaurant is just below 20' in height and is similar to the height of adjacent building surrounding the site. The color pattern of the building is also similar to the surrounding commercial buildings. The proposed McDonald's restaurant is compatible with its neighbors and general architect theme of south Florida and the City of Boynton Beach.

10. Economic effects on adjacent and nearby properties, and the city as a whole;

Response: The site is currently vacant parking lot without a building and is located between a Walgreen's Pharmacy and Multi-Story office building. This property invites illegal parking of vehicles and trash dumping. The



proposed McDonald's restaurant use will improve the property through the use of attractive architectural and environmental landscape designs. The proposed restaurant will meet the demands for residents as well as those who work in the area. The drive-thru provides an alternative to those consumers on the run. In addition, this establishment will provide employment opportunities, as well as added tax revenue to the City

11. Where applicable, the proposed use furthers the purpose and intent of a corresponding mixed use zoning district or redevelopment plan; **N/A**
12. Compliance with and abatement of nuisances and hazards in accordance with the operational performance standards as indicated in Chapter 3, Article IV, Section 1 and the Noise Control Ordinance and City code of Ordinances Part II, Chapter 15, Section 15-8; and

Response: The proposed McDonald's will not be a nuisance or hazard to persons, animals, vegetation or property located on adjacent or nearby properties or rights-of-way. It will not interfere with the reasonable use or enjoyment of adjacent or nearby property by reason of noise, vibration, smoke, dust or other particulate matter. Toxic or noxious matter; odors, glare, heat or humidity radiation, electromagnetic interference, fire or explosions hazard, liquid waste discharge or solid waste accumulation will not be generated by the proposed McDonald's fast food restaurant with drive-thru. Hazardous/Toxic Waste and substances are not produced or used by the proposed McDonald's restaurant.

13. Required sound study and analysis. All conditional use applications for bars, nightclubs and similar establishment shall include the following analysis performed by a certified acoustic engineer: **N/A**

The proposed change in this application provides for a use that is permitted within the existing zoning district, and is in compliance and within the scope of the uses and request(s) specified in the Zoning Hearing and the conditions imposed as listed in the Resolution. Also, this application complies with all requirements of the applicable restrictive covenant, as no covenants are requested to be modified or canceled. Based on the foregoing, the applicant



believes the proposed plans are in substantial compliance with the controlling plans approved at public hearing pursuant to Resolution No. 4ZAB-122-89. As such, the applicant respectfully requests your favorable consideration of this application. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'E. Ploski', is written over the word 'Sincerely,'.

Edward P. Ploski,
Agent for McDonald's Corporation

Enclosure

EXHIBIT "D"**Conditions of Approval**

Project Name: McDonald's 1701 S. Congress Avenue
 File number: COUS 18-006 / MSPM 18-008
 Reference: 3rd review plans identified as a Major Site Plan Modification with an August 14, 2018 Planning and Zoning Department date stamp marking.

DEPARTMENTS	INCLUDE	REJECT
ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES		
Comments:		
1. At time of permit submittal, please rotate the dumpster enclosures clockwise approximately 20 – 30 degrees in order that waste removal vehicles empty the dumpster and back out without a turning motion.		
2. Please provide a copy of the notice of concurrency to the Traffic Performance Standards of Palm Beach County prior to submittal for any permits (NOTE: The applicant will be required to comply with any recommendations outlined in the concurrency approval deemed necessary by the City and will be at the City's sole discretion).		
3. Water and sewer lines to be owned and operated by the City shall be included within 12 feet minimum utility easements in accordance with the 2010 LDR, Chapter 4, Article VIII, Section 3.B.4. The easements shall be dedicated via separate instrument to the City as stated in the Code of Ordinances, Section 26-33(e).		
FIRE		
Comments:		
4. Please understand this review is for the Site Plan only. The Floor Plan will be reviewed in detail at time of permit submittal.		
POLICE		
Comments: None, all previous comments addressed at DART meeting.		
BUILDING DIVISION		
Comments: None, all previous comments addressed at DART meeting.		

DEPARTMENTS	INCLUDE	REJECT
PARKS AND RECREATION		
Comments: None		
PLANNING AND ZONING		
Comments:		
5. It is the applicant's responsibility to ensure that the application requests are publicly advertised in accordance with Ordinance 04-007 and Ordinance 05-004, and an affidavit with attachments (ownership list, radius map, and copy of mailing labels) is required to be provided to the City Clerk and Planning & Zoning one (1) week prior to the first public hearing.		
6. At time of permit submittal, on Sheet C-100, under the "Site Data", please verify the number of handicap parking spaces listed, as there are six (6) depicted on Parcel 1, while the Site Data table only lists four (4).		
7. At time of permit submittal, please depict the required covered bike rack, and the required bench and waste receptacle.		
8. At time of permit submittal, please revise the Photometric Plan to comply with the code maximum allowance of 5.9 foot-candles.		
9. At time of permit submittal, please ensure downspouts are internal or encased in architectural elements.		
10. At time of permit submittal, please provide documentation that all customer areas will have vision glass, and said glass will only have a light tint for visibility into the restaurant. Also, any faux, non-transparent glass shall be designed to mimic the color of the vision glass.		
11. At time of permit application, please remove the note on the proposed bus shelter indicating advertising space.		
12. The applicant shall be responsible for the replacement of landscape material in poor condition or less than Florida Number 1 Quality, including the entire eastern and western buffer, not just within the leased parcel, and shall fill in of any gaps in both of these two (2) buffers.		

DEPARTMENTS	INCLUDE	REJECT
COMMUNITY REDEVELOPMENT AGENCY		
Comments: N/A		
PLANNING & DEVELOPMENT BOARD CONDITIONS		
Comments: To be determined.		
CITY COMMISSION CONDITIONS		
Comments: To be determined.		

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**DEVELOPMENT ORDER OF THE CITY COMMISSION OF THE
CITY OF BOYNTON BEACH, FLORIDA**

PROJECT NAME: McDonald's Restaurant (COUS 18-006 / MSPM 18-008)

APPLICANT: Edward Ploski, Corporate Property Services, Inc.

APPLICANT'S ADDRESS: 1239 E. Newport Center Drive, Suite 113, Deerfield Beach, FL 33442

DATE OF HEARING RATIFICATION BEFORE CITY COMMISSION: October 16, 2018

APPROVAL SOUGHT: Conditional Use approval associated with a request for Major Site Plan Modification approval for the construction of a 4,490 square foot McDonald's fast food restaurant and associated site improvements, located at 1701 S. Congress Avenue in the C-3 (Community Commercial) zoning district.

LOCATION OF PROPERTY: 1701 S. Congress Avenue

DRAWING(S): SEE EXHIBIT "B" ATTACHED HERETO.

_____ THIS MATTER was presented to the City Commission of the City of Boynton Beach, Florida on the date of hearing stated above. The City Commission having considered the approval sought by the applicant and heard testimony from the applicant, members of city administrative staff and the public finds as follows:

1. Application for the approval sought was made by the Applicant in a manner consistent with the requirements of the City's Land Development Regulations.
2. The Applicant
 ___ HAS
 ___ HAS NOT

 established by substantial competent evidence a basis for the approval requested.
3. The conditions for development requested by the Applicant, administrative staff, or suggested by the public and supported by substantial competent evidence are as set forth on Exhibit "D" with notation "Included."
4. The Applicant's request is hereby
 ___ GRANTED subject to the conditions referenced in paragraph 3 above.
 ___ DENIED
5. This Order shall take effect immediately upon issuance by the City Clerk.
6. All further development on the property shall be made in accordance with the terms and conditions of this order.
7. Other: _____

DATED: _____

City Clerk



CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

PLANNING AND DEVELOPMENT MEETING DATE: 9/25/2018

REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD:

Approve 1320 S. Federal Highway Future Land Use Map Amendment (LUAR 18-001) from Office Commercial (OC) to Mixed Use Low (MXL). Applicant: Exsorro One, Inc.

Approve 1320 S. Federal Highway Rezoning (LUAR 18-001) from C-1, Office Professional to MU-1, Mixed Use 1. Applicant: Exsorro One, Inc.

EXPLANATION OF REQUEST:

The subject 0.51-acre property is located in the Federal Highway Corridor District (South) of the Community Redevelopment Area (CRA). The applicant proposes the future land use (FLU) amendment and rezoning to develop the property with a three-story structure to be predominantly occupied by medical offices (for a total of 8,078 square feet), with 1,920 square feet of retail space on the first floor and a small, 900 square foot art museum.

The 2016 CRA Community Redevelopment Plan (the Plan) provides site-specific future land use recommendations for the entire CRA area. Consistently with the vision for economic revitalization embedded in the Plan, mixed use FLU categories are recommended for most areas close to downtown as well as for those along the major corridors.

The applicant is requesting the Mixed Use Low (MXL) future land use category rather than the higher intensity, Plan-recommended Mixed Use Medium (MXM). The latter option is not feasible, as the subject property falls short of the minimum size required for the zoning district corresponding to the MXM classification. Nevertheless, the request substantially conforms to the intent of the Plan: all mixed use FLU categories promote intensification of redevelopment and walkable environments in support of public transit and lead to higher property values. Also—arguably—the lower intensity MXL classification is preferable given the proximity of a single-family neighborhood to the east of the subject property.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

No significant impact on either programs or services.

FISCAL IMPACT:

The project will contribute to the City's tax base.

ALTERNATIVES: None recommended

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION: N/A

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION: N/A

Is this a grant?

Grant Amount:

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. Proposed FLU
<input type="checkbox"/> Location Map	Exhibit C. Proposed Zoning

**DEVELOPMENT DEPARTMENT
PLANNING AND ZONING DIVISION
MEMORANDUM NO. PZ 18-057**

STAFF REPORT

TO: Chair and Members
Planning and Development Board

THRU: Ed Breese
Planning and Zoning Administrator

FROM: Hanna Matras, Senior Planner

DATE: September 18, 2018

PROJECT: 1320 S. Federal Highway
LUAR 18-003

REQUEST: Approve 1320 S. Federal Highway Future Land Use Map Amendment from Office Commercial (OC) to Mixed Use Low (MXL) and Rezoning from C-1 Office Professional to MU-1, Mixed Use 1.

PROJECT DESCRIPTION

Property Owner/
Applicant Exsorro One, Inc.

Agent: Christi Tuttle, Miller Land Planning, Inc.

Location: Northeast corner of the intersection of Riviera Drive and Federal Highway (Exhibit "A")

Existing Land Use/
Zoning: Office Commercial (OC) / C-1 Office Professional

Proposed Land Use/
Zoning: Mixed Use Low (MXL) / MU-1 Mixed Use 1 (Exhibits "B" and "C")

Acreage: 0.51 acre

Adjacent Uses:

- North: Developed office condominiums (Colonial Center) classified Office Commercial (OC) and zoned C-1 Office Professional;
- South: Right-of-way of Riviera Drive, then developed residential condominiums (Snug Harbor Gardens) classified High Density Residential (HDR) and zoned R-3 Multi-family Residential;
- East: Right-of-way of Riviera Drive, then common grounds (green space) of the Snug Harbor Garden condominiums; farther east, developed single family homes, classified Low Density Residential (LDR) and zoned R-1-AA Single Family Residential; and
- West: Right-of-way of Federal Highway, then farther west developed commercial property (Dunkin Donuts & convenience store), classified Local Retail Commercial (LRC) and zoned C-3 Community Commercial.

BACKGROUND

The subject 0.51-acre property is located in the Federal Highway Corridor District (South) of the Community Redevelopment Area (CRA). The property has been vacant since the 2005 demolition of the structure which up until then housed an I-HOP restaurant. The same year, a mixed use project with office, retail and eight townhomes was proposed for the site; application was later abandoned in the midst of the real estate collapse. Note that the Mixed Use Low zoning requested in the previous application (a designation no longer on the books) had a maximum density of 40 dwelling units per acre, twice as high as the maximum density of the currently proposed MU-1 designation.

Residential use is not part of the subject request. Instead, the applicant proposes a three-story structure to be predominantly occupied by medical offices (for a total of 8,078 square feet), with 1,920 square feet of retail space on the first floor and a small, 900 square foot art museum.

In addition to the FLU amendment, rezoning and a major site plan modification, the requests include an application for height exception. All applications are being processed concurrently (see respective staff reports.)

REVIEW BASED ON CRITERIA

The following criteria used to review Comprehensive Plan Map amendments and rezonings are listed in the Land Development Regulations, Chapter 2, Article II, Section 2.B and Section 2.D.3:

- a. Demonstration of Need.*** A demonstration of need may be based upon changing

conditions that represent a demand for the proposed land use classification and zoning district. Appropriate data and analysis that adequately substantiates the need for the proposed land use amendment and rezoning must be provided within the application.

The 2016 CRA Community Redevelopment Plan (the Plan) provides site-specific future land use recommendations for the entire CRA area. Consistently with the vision for economic revitalization embedded in the Plan, mixed use FLU categories are recommended for most areas close to downtown as well as for those along the major corridors. They will promote intensification of redevelopment and walkable environments in support of public transit and lead to higher property values.

Even though—in terms of a specific mixed use FLU category—the request under consideration is not fully consistent with the recommendation for the subject property, it nevertheless substantially conforms to the intent of the Plan. (See responses to criteria “b” and “c” for further discussion.)

Furthermore, the use choice of “medical office” for the project supported by the amendments reflects trends in the medical office building sector, as reported by Marcus & Millichap in its Medical Office Research National Report for the second quarter of 2018. The report states:

“The expanding 65 and older population base remains a stalwart demand driver of medical office space. Evolving technology, new practices and a shifting healthcare insurance landscape that favors outpatient services all point to deeper medical office expansion into local communities. (...) A rise in outpatient services and procedures has encouraged medical office development in off-campus locations over the past few years. Hospitals and medical providers seek to place offices in neighborhoods and suburban areas, closer to where people live and work, in order to reduce costs and appeal to patients seeking medical care.”

b. Consistency. *Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would be consistent with the purpose and intent of, and promote, the applicable Comprehensive Plan policies, Redevelopment Plans, and Land Development Regulations.*

The proposed FLU amendment and rezoning are consistent with, and promote, the general intent of the policies of the Comprehensive Plan’s Future Land Use Element, which recognize and support commercial uses as goods/services providers and job generators. Although the requested MXL FLU category permits residential uses, the master plan—an intrinsic part of the rezoning—proposes a mixed use (office/retail) commercial building. The requested MU-1 zoning allows a higher development intensity with the maximum FAR of 1.0, as compared to the maximum FAR of 0.40 allowed in the existing C-1 district.

The proposed FLU amendment and rezoning are also consistent with the “purpose and

intent” of the recommendation of the CRA Plan, even though the requested mixed use category is Mixed Use Low (MXL) and not, as recommended by the Plan, Mixed Use Medium (MXM). (The subject property falls short of the size required for the MU-2, the less intensive of the two zoning designations corresponding to the MXM classification.) Nevertheless, as noted earlier in this report, all mixed use FLU categories aim to promote intensification of redevelopment and walkable environments in support of public transit and lead to higher property values.

Lastly, the proposed future land use amendment and rezoning supports “Strong Local Economy,” one of the objectives of the City’s Strategic Plan.

Consistency with Land Development Regulations (LDR)

As submitted, the proposed master plan/site plan includes a building height that exceeds the 45 ft maximum permitted height for the MU-1 zoning district. The applicant submitted a Height Exception application which is being processed concurrently.

c. Land Use Pattern. *Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would be contrary to the established land use pattern, or would create an isolated zoning district or an isolated land use classification unrelated to adjacent and nearby classifications, or would constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare. This factor is not intended to exclude FLUM reclassifications and rezonings that would result in more desirable and sustainable growth for the community.*

The land use pattern in adjacent and nearby areas is eclectic, already “mixed”: it incorporates commercial uses of office and retail/restaurants along Federal Highway as well as multifamily and single-family residential uses of varying densities, with the nearby Las Ventanas mixed use development built at 40 dwelling units per acre (du/ac) and the Snug Harbor Gardens condominiums to the south of the subject property built at the non-conforming density of 19 du/ac (well above the maximum of 11 du/ac in the R-3 zoning designation). The current FLU and zoning designations reflect this diversity.

Given the existing “mixed” land use patterns, neither the proposed Mixed Use Low (MXL) nor the Plan-recommended Mixed Use Medium (MXM) FLU classifications would likely support projects with use profiles and building scale at odds with the existing and future built environment. (Specifically, the proposed MXL would support development consistent with the land use of properties facing Federal Highway.) The MXL (as well as MXM), if applied to the subject property, would result in an “isolated district”; however, neither land use classification may necessarily meet the criteria of a “spot zoning,” since: (1) as just noted, neither would allow land uses inconsistent with those in the surrounding area; (2) the designations would not confer a special benefit on the owner, since the owners of properties extending north and west of the subject parcel may enjoy similar benefits upon redevelopment, and (3) the MXM classification is consistent with the CRA Plan recommendations while MXL, as argued before, is likewise consistent with the vision and intent of the Plan.

- d. Sustainability.** *Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would support the integration of a mix of land uses consistent with the Smart Growth or sustainability initiatives, with an emphasis on 1) complementary land uses; 2) access to alternative modes of transportation; and 3) interconnectivity within the project and between adjacent properties.*

The project, albeit small, would arguably have some sustainability-supporting characteristics. There is an easy access to public transportation, currently Palm Tran bus service on Federal Highway but also, in the future, the Tri-Rail Coastal Link commuter train with the planned station on Ocean Avenue, less than a mile away. The project would support the latter through job creation, improving the jobs-to-housing ratio in the area close (less than ¼ of a mile) to the Downtown Transit Oriented Development District. Lastly, the office location makes it easily accesible to residents of the adjacent neighborhoods seeking medical services.

- e. Availability of Public Services / Infrastructure.** *All requests for Future Land Use Map amendments shall be reviewed for long-term capacity availability at the maximum intensity permitted under the requested land use classification.*

Water and Sewer. Long-term capacity availability for potable water and sewer for the subject request has been confirmed by the Utilities Department.

Solid Waste. The Palm Beach County Solid Waste Authority determined that sufficient disposal capacity will be available at the existing landfill through approximately the year 2046.

Drainage. Drainage will be reviewed in detail as part of the site plan, land development, and building permit review processes.

Traffic. The property is under the Traffic Concurrency Exception (TCEA) designation and is therefore exempted from the concurrency requirements of the Palm Beach County Traffic Performance Standards Ordinance. (The applicant submitted a traffic statement required for TCEA-designated properties.) The monitoring of the maximum allowable residential uses and square footage of commercial, industrial and other non-residential uses as well as applicable use ratios under the TCEA Planned 2025 Land Use Table indicate that the current (cumulative) numbers remain significantly below the allowable thresholds.

- f. Compatibility.** *The application shall consider the following factors to determine compatibility:*

(1) Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would be compatible with the current and future use of adjacent and nearby properties, or would negatively affect the property values of adjacent and nearby properties; and

(2) Whether the proposed Future Land Use Map amendment (FLUM) and rezoning is of a scale which is reasonably related to the needs of the neighborhood and the City as a whole.

See response to criteria “b” and “c.” The FLU amendment and rezoning would generally be compatible with the current and future use of adjacent and nearby properties and would not negatively affect property values in the surrounding area.

See the response to criterion “d”: through supporting the medical office/commercial project, the amendments could facilitate the neighborhood’s access to medical services, while newly created jobs would be of importance for supporting the planned Tri-Rail Coastal Link commuter service.

With regard to criterion “f”(2): the amendments implement the publicly endorsed redevelopment Plan, with the underlying premise that the implementation will generate benefits locally, CRA-wide and, possibly, also citywide.

g. Direct Economic Development Benefits. For rezoning/FLUM amendments involving rezoning to a planned zoning district, the review shall consider the economic benefits of the proposed amendment, specifically, whether the proposal would:

- (1) Further implementation of the Economic Development (ED) Program;*
- (2) Contribute to the enhancement and diversification of the City’s tax base;*
- (3) Respond to the current market demand or community needs or provide services or retail choices not locally available;*
- (4) Create new employment opportunities for the residents, with pay at or above the county average hourly wage;*
- (5) Represent innovative methods/technologies, especially those promoting sustainability;*
- (6) Be complementary to existing uses, thus fostering synergy effects; and*
- (7) Alleviate blight/economic obsolescence of the subject area.*

As already argued in this report, the impacts of the subject amendment and of the project it supports, while limited in magnitude, adhere to criteria “g1”, “g3” and “g4” (the average pay in a medical office will likely be at or above the county’s average). It will also effect an enhancement of the City’s tax base (criterion “g2”).

h. Commercial and Industrial Land Supply. The review shall consider whether the proposed rezoning/FLUM amendment would reduce the amount of land available for commercial/industrial development. If such determination is made, the approval can be recommended under the following conditions:

(1) The size, shape, and/or location of the property makes it unsuitable for commercial/industrial development; or

(2) The proposed rezoning/FLUM amendment provides substantiated evidence of satisfying at least four of the Direct Economic Development Benefits listed in subparagraph "g" above; and

(3) The proposed rezoning/FLUM amendment would result in comparable or higher employment numbers, building size and valuation than the potential of existing land use designation and/or rezoning.

The requested MXL future land use category at the subject location permits residential-only development and could consequently result in the reduction of the amount of land available for commercial development. However, in the case under consideration, the amendment would support a commercial-only development and, in addition, allow for more intensity than the current C-1 Office Professional zoning district.

*i. **Alternative Sites.** Whether there are adequate sites elsewhere in the City for the proposed use in zoning districts where such use is already allowed.*

There are vacant parcels within the city carrying the zoning districts where such use is allowed. These may not be currently on the market or may not be considered as suitable as the subject property by the applicant.

*j. **Master Plan and Site Plan Compliance with Land Development Regulations.** When master plan and site plan review are required pursuant to Section 2.D.1.e above, both shall comply with the requirements of the respective zoning district regulations of Chapter 3, Article III and the site development standards of Chapter 4.*

For the site plan review, see the corresponding staff report.

CONCLUSION/RECOMMENDATION

As indicated herein, staff has reviewed the proposed FLU amendment and rezoning and determined that they satisfy the review criteria for the subject applications. Therefore, staff recommends approvals of the subject requests.

LOCATION MAP

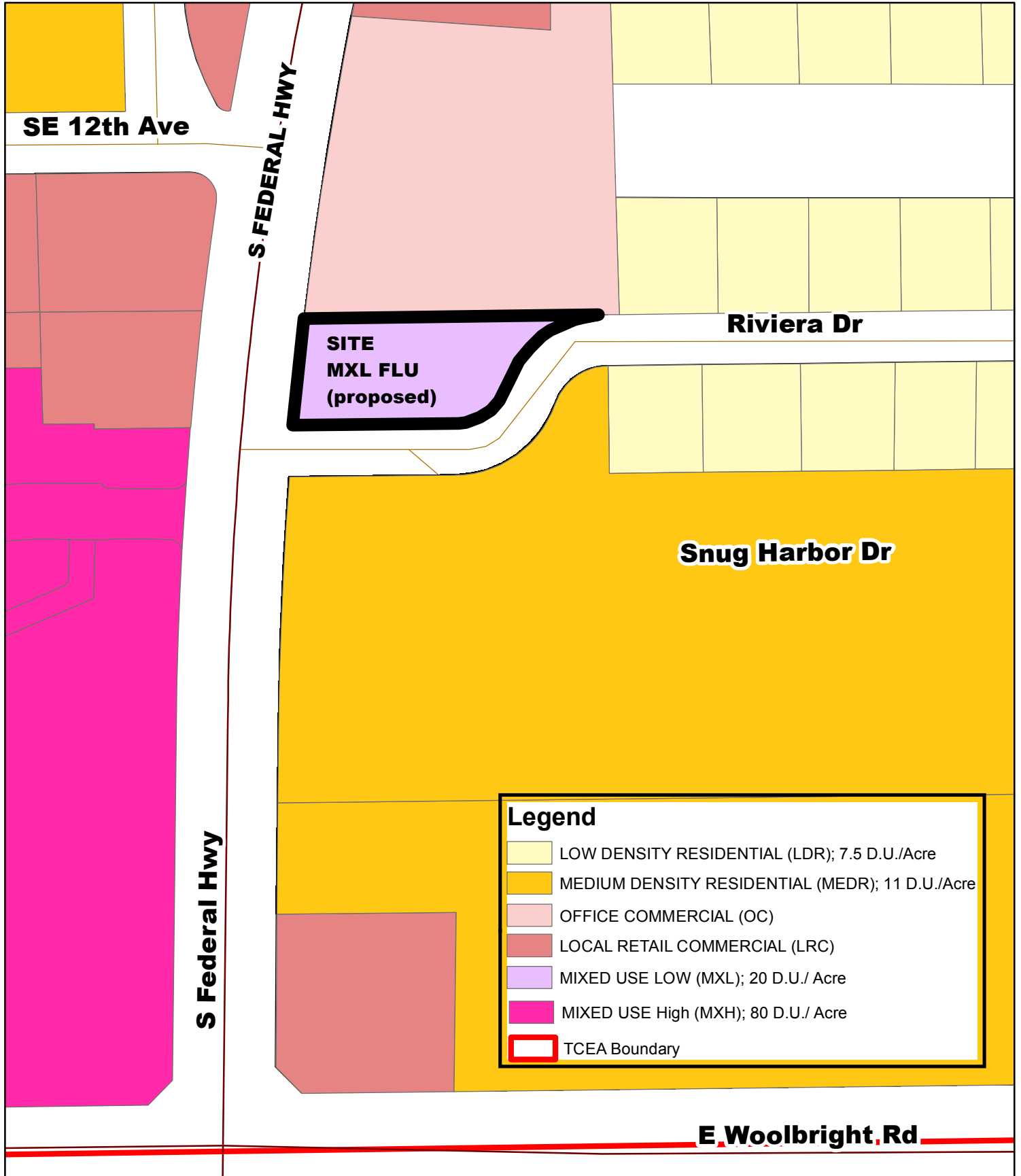


Legend

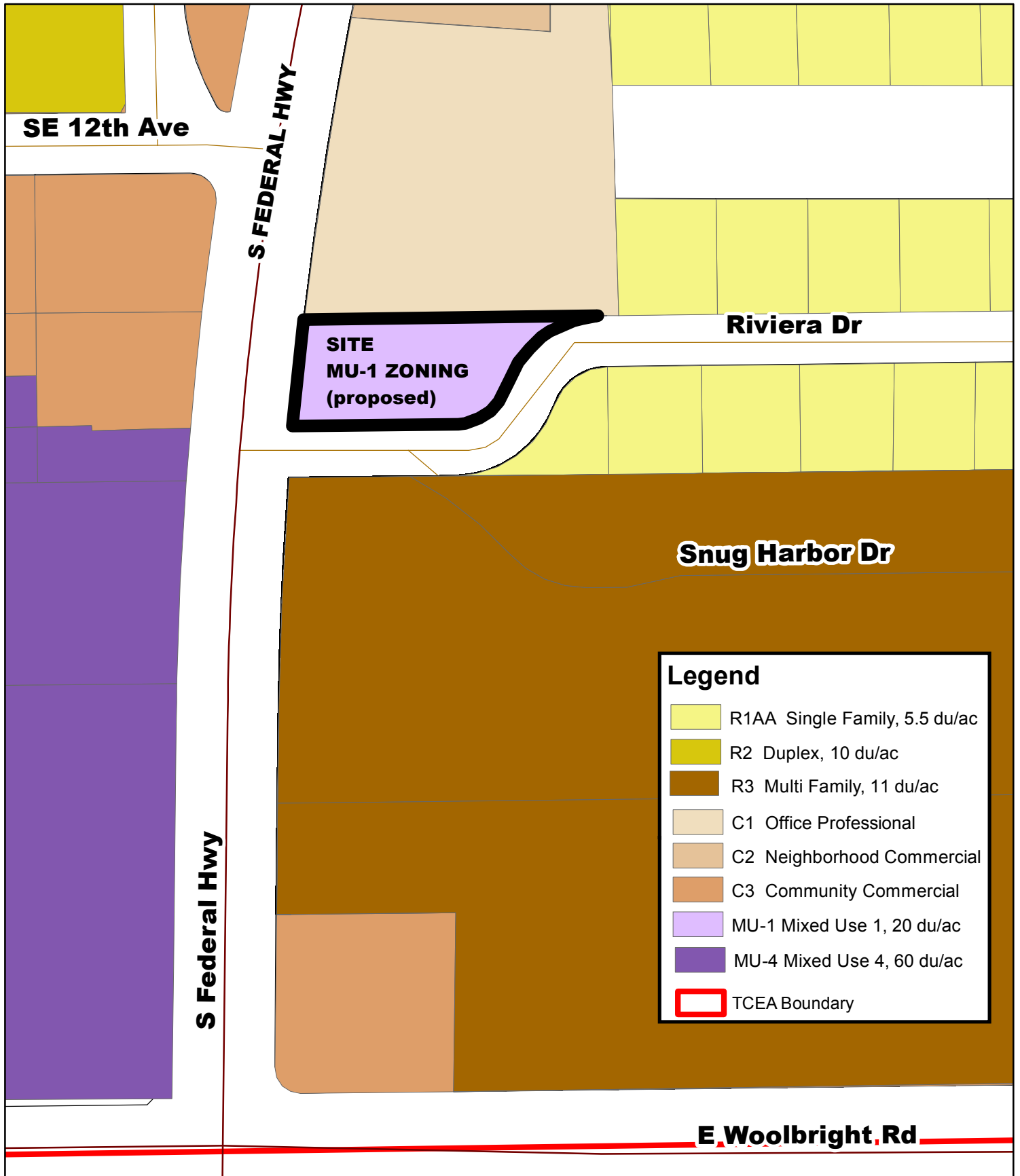
TCEA Boundary



1320 S. FEDERAL HIGHWAY LUAR 18-003: FLU AMENDMENT



1320 S. FEDERAL HIGHWAY LUAR 18-003: REZONING



Legend	
	R1AA Single Family, 5.5 du/ac
	R2 Duplex, 10 du/ac
	R3 Multi Family, 11 du/ac
	C1 Office Professional
	C2 Neighborhood Commercial
	C3 Community Commercial
	MU-1 Mixed Use 1, 20 du/ac
	MU-4 Mixed Use 4, 60 du/ac
	TCEA Boundary





CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

PLANNING AND DEVELOPMENT MEETING DATE: 9/25/2018

REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD: Approve 1320 S. Federal Hwy. Office Building Major Site Plan Modification (MSPM 18-009) to construct a 10,898 square foot structure and associated site improvements. Applicant: Exsorro One, Inc.

EXPLANATION OF REQUEST:

The subject 0.51-acre property is located in the Federal Highway Corridor District of the Community Redevelopment Area (CRA). The property has been vacant since the 2005 demolition of the structure which up until then housed an I-HOP restaurant. The same year, a mixed use project with office, retail and eight townhomes was proposed for the site; application was later abandoned in the midst of the real estate collapse. Note that the Mixed Use Low zoning requested in the previous application (a designation no longer within the City's Zoning Regulations) had a maximum density of 40 dwelling units per acre, twice as high as the maximum density of the currently proposed MU-1 designation.

Residential use is not part of the subject request. Instead, the applicant proposes a three-story structure to be predominantly occupied by medical offices (for a total of 8,078 square feet), with an additional 1,920 square foot retail space on the first floor and a small, 900 square foot art museum.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? N/A

FISCAL IMPACT:

ALTERNATIVES: None recommended.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

ATTACHMENTS:

Type	Description
▣ Staff Report	Staff Report (MSPM 18-009)
▣ Location Map	Exhibit A - Location Map
▣ Drawings	Exhibit B - Plans
▣ Conditions of Approval	Exhibit C - Conditions of Approval
▣ Development Order	Development Order

**DEVELOPMENT DEPARTMENT
PLANNING AND ZONING DIVISION
MEMORANDUM NO. PZ 18-059**

STAFF REPORT

TO: Chair and Members
Planning and Development Board

THRU: Ed Breese *MULB*
Planning and Zoning Administrator

FROM: Amanda Bassiely, Principal Planner *AB*

DATE: September 5, 2018

PROJECT: 1320 S. Federal Highway Office Building (MSPM 18-009)

REQUEST: Approve 1320 S. Federal Hwy. Office Building Major Site Plan Modification to construct a 10,898 square foot structure and associated site improvements.

PROJECT DESCRIPTION

Property Owner: Exsorro One, Inc.

Agent: Christi Tuttle, Miller Land Planning

Location: Northeast corner of the intersection of Riviera Drive and Federal Highway (Refer to Exhibit "A": Location Map)

Existing Land Use: Office Commercial (OC)

Existing Zoning: C-1 Office Professional

Proposed Land Use: Mixed Use Low (MXL)

Proposed Zoning: MU-1 Mixed Use 1

Acreage: 0.51 acre

Adjacent Uses:

- North:** Developed office condominiums (Colonial Center) classified Office Commercial (OC) and zoned C-1 Office Professional;
- South:** Right-of-way of Riviera Drive, then developed residential condominiums (Snug Harbor) classified High Density Residential (HDR) and zoned R-3 Multi-family Residential;
- East:** Right-of-way of Riviera Drive, then common grounds (green space) of the Snug Harbor condominiums and farther east developed single family homes, classified Low Density Residential (LDR) and zoned R-1-AA Single Family Residential; and
- West:** Right-of-way of Federal Highway, then farther west developed commercial property (Dunkin Donuts & convenience store), classified Local Retail Commercial (LRC) and zoned C-3 Community Commercial.

PROPERTY OWNER NOTIFICATION

Owners of properties within 400 feet of the subject request were mailed a notice of this request and its respective hearing dates. The applicant certifies that they posted signage and mailed notices in accordance with Ordinance No. 04-007.

BACKGROUND

Proposal: The subject 0.51-acre property is located in the Federal Highway Corridor District of the Community Redevelopment Area (CRA). The property has been vacant since the 2005 demolition of the structure which up until then housed an I-HOP restaurant. The same year, a mixed use project with office, retail and eight townhomes was proposed for the site; application was later abandoned in the midst of the real estate collapse. Note that the Mixed Use Low zoning requested in the previous application (a designation no longer on the books) had a maximum density of 40 dwelling units per acre, twice as high as the maximum density of the currently proposed MU-1 designation.

Residential use is not part of the subject request. Instead, the applicant proposes a three-story structure to be predominantly occupied by medical offices (for a total of 8,078 square feet), with an

additional 1,920 square feet retail space on the first floor and a small, 900 square foot art museum.

In addition to FLU amendment, rezoning and a major site plan modification, the request includes an application for height exception. All applications are being processed concurrently (see respective staff reports.)

ANALYSIS

Concurrency:

Traffic: A traffic study was sent to the Palm Beach County Traffic Division for their review and information and they have responded that the project is located within the boundaries of the City of Boynton Beach TCEA (Traffic Concurrency Exception Area) and therefore meets the Palm Beach County Traffic Performance Standards. The traffic study was performed and indicates that the project would generate a total of 18 AM Peak Hour trips and 41 PM Peak Hour trips.

School: School concurrency is not required for this type of project.

Utilities: The City's water capacity, as increased through the purchase of up to five (5) million gallons of potable water per day from Palm Beach County Utilities, would meet the projected potable water for this project. Sufficient sanitary sewer and wastewater treatment capacity is also currently available to serve the project.

Police/Fire: The Police Department has reviewed the site plan and all review comments have been acknowledged by the applicant and will be addressed at the time of permitting. The Fire Department notes that they will be able to provide an adequate level of service for this project with current or expected infrastructure and/or staffing levels. Further plan review by Police and Fire will occur during the building permit process.

Drainage: Conceptual drainage information was provided for the City's review. The Engineering Division has found the conceptual information to be adequate and is recommending that the review of specific drainage solutions be deferred until time of permit review.

Access: The site plan (Sheet SP-1) shows that one point of ingress/egress is proposed. The two-way driveway is located on Riviera Drive at the eastern end of the site. Vehicular circulation from the driveway would include one-way circulation that continues throughout the parking lot with a portion of the circulation being two-ways.

Sidewalks are provided along Riviera Drive, Federal Highway, and around the east (back) façade of the building at a minimum of 5 feet in width (see Exhibit C - Conditions of Approval). The sidewalk along Federal Highway is proposed at 11 feet in width, with additional space in which street trees are proposed in rhythm along the front of the building. The majority of the sidewalk along Federal Highway will be covered by a building cantilever, with a minimum of 8 feet of clear/uninterrupted walk underneath. There is also a proposed plaza located at the southwest corner of the site to encourage pedestrian interaction. The walkways along Federal highway and around the building are proposed to be pavers while the sidewalk along Riviera Drive is proposed to be stamped concrete.

Parking:

The site plan (Sheet SP-1) proposes a 9,998 square feet of office space and a 900 square foot museum, which would require 53 parking spaces, based upon the standard of one (1) parking space per 200 square feet of office and one parking space per 300 square feet of museum area. However, the applicant has elected to take advantage of the City's sustainable parking provisions which includes a reduced minimum parking ratio resulting in a reduction of 10 parking spaces when the sustainable criteria are met (thereby requiring a minimum of 43 parking spaces). The site plan provides 45 parking spaces including 13 on-street parking spaces, two (2) handicap parking spaces, one (1) motor cycle parking space, and 29 on-site parking spaces with one (1) electric charging station.

All proposed parking stalls, including the size and location of the handicap spaces, were reviewed and approved by both the Engineering Division and Building Division. In addition, all necessary traffic control signage and pavement markings will be provided to clearly delineate areas on site and direction of circulation. All standard and compact parking spaces will utilize a continuous curb and overhang in lieu of wheel stops (Refer to Exhibit C - Conditions of Approval).

Landscaping:

The Plant List (Sheets L-1 & L2) indicates that the project would add a total of 44 trees to the property, 31 of them being canopy trees, 265 accent and shrub specimens, and 2,302 small shrubs/groundcover plants. All plant materials to be used in the landscape design are required to be Florida number one grade and must be identified as having "low" or "medium" watering needs in the South Florida Water Management's "Waterwise" publication. The proposed tree species would include the following: Bougainvillea Standard, Green Buttonwood, Satin Leaf, and East Palatka Holly trees. Palm species would include Alexander Palms, Silver Date Palms, and Thrinax Palms.

Projects proposed in the Federal Highway District of the Community Redevelopment Area are encouraged to have a streetscape design which reduces the building setbacks and encourages building placement to be abutting the street, thus creating a more notable urban setting. The purpose of the streetscape design concept is to create a landscape design that encompasses both the private and public domain, to blend the two areas

into one unified landscape scheme and pedestrian experience. This is accomplished through hardscape and landscape choices, covered walkways (arcades, awnings, tree canopy), and streetscape amenities (benches/seatwalls, lighting, accent plantings). The landscape design proposed by the applicant depicts the use of street trees and covered walkways to create the streetscape theme in an effort to provide maximum clear pedestrian pathways. The applicant has worked with staff to provide the street trees and covered walkways necessary to meet the required 50% shaded sidewalk along building frontages of arterial roadways.

Building and Site: The proposed building is designed as a three (3)-story structure with roof access and a parapet wall and architectural feature extending past the third story. The main entrance to the building is at the corner of Federal Highway and Riviera Drive. The building is placed so that it fronts Federal highway with a maximum separation from the residential neighborhood located to the east of the site. The building occupies most of the frontage of the site and has the vehicular circulation, including the parking and drop off area, contained behind the building.

Building Height: The maximum building height allowed in the Mixed Use 1 (MU-1) zoning district is 45 feet. The proposed building elevations (Sheet A1.2) depict the typical flat roof deck height of 40'-8", with typical parapet walls at approximately 44'-8". Tower elements/architectural treatments would extend up to 54'-9" in height, 9'-9" above the maximum allowable height in the MU-1 district. The applicant is concurrently requesting approval of a height exception (HTEX 18-001) for the proposed architectural features and stair towers. See corresponding staff report for additional information.

Setbacks: The MU-1 zoning district requires no building setbacks, but rather a zero (0) build-to line. However, the building setbacks may be increased up to 15 feet administratively, without benefit of a community design appeal, in areas where the intent is to 1) enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas; 2) optimize landscape design; 3) maximize on-site drainage solutions; and/or 4) accommodate architectural features and building enhancements. This requirement would apply to all building facades fronting on a street. The building setback is measured from the property line to the exterior surface of the building or supporting columns. Along Federal Highway (west property line), the proposed building would be setback two (2) feet from the edge of the building cantilever, 4.3 feet setback along the south property line, and two (2) feet from the north property line, in compliance with code requirements. The building is set back approximately 170 feet from the east property line, which is the nearest point to the residential neighborhood.

Amenities: As noted above, the site plan depicts the inclusion of a public plaza at the corner of Federal Highway and Riviera Drive. The building also contains an art exhibit that will be visible from the public sidewalks along Federal Highway.

- Design:** The proposed building has a contemporary design, featuring a lightly textured painted stucco finish, storefront glass, and louvers wrapping the two stair towers at either end of the building. The building has a flat accessible roof with a trellis and architectural elements above the parapet. The proposed building utilizes many similar design features as other office buildings, including a neutral color palette. According to the "Color & Material Schedule", the primary building color would be two tones of grey, Sherwin Williams "Dovetail" and "Mindful Grey" and the main architectural feature is proposed to be Sherwin Williams "Origami White" white .
- Lighting:** The photometric plans (Sheets E -1) include 5 freestanding pole light fixtures, all of which would be 20 feet in height, with the light fixture at 18 feet. The LED light fixture has a flat lens and cut-off feature to inhibit any light spillage/trespass. Additional exterior lighting would be provided through the installation of building mounted and under canopy fixtures, placed at a height of approximately 7 feet. The Photometric Plan is in compliance with the City's lighting ordinance, and designed to prevent glare or spillage onto abutting properties.
- Signage:** Site and building signage has not been finalized and a Sign Program will be required for the site, approved prior to requesting any sign permits for the site (see Exhibit "C" – Conditions of Approval).
- Public Art:** The project is subject to the Art in Public Places requirement, and the applicant has been in discussions with the Public Arts Administrator regarding the art and its placement. According to the proposed construction estimate, the project would have an art budget of approximately \$12,950.

RECOMMENDATION

Staff has reviewed this request for a Major Site Plan Modification and recommends APPROVAL, subject to approval of the accompanying applications and satisfying all comments indicated in Exhibit "C" – Conditions of Approval. Any additional conditions recommended by the Board or required by the City Commission shall be documented accordingly in the Conditions of Approval.

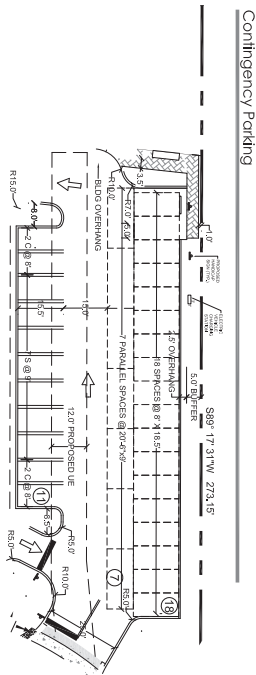
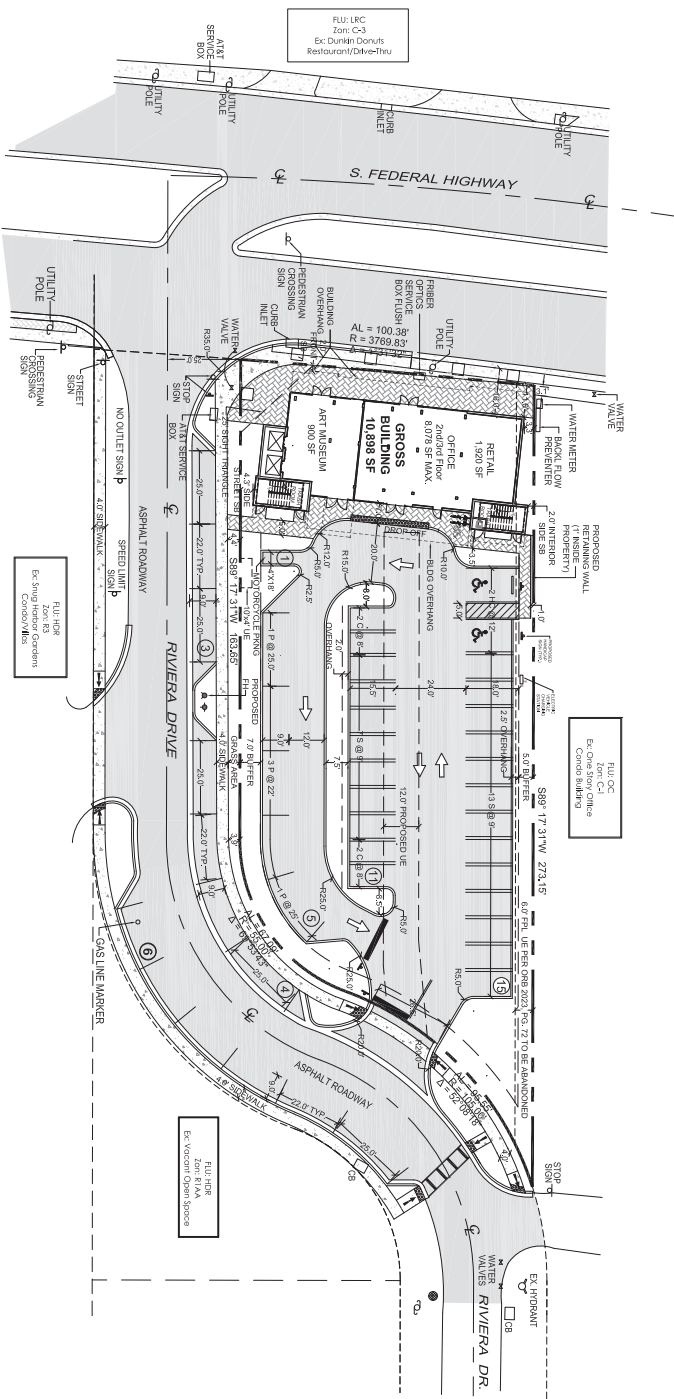
LOCATION MAP



Legend

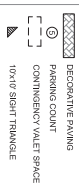
 TCEA Boundary

Exhibit B



Contingency Parking

Key



Location Map



Tobular Data

Application Data	OC
Existing Land Use	ML-1
Existing Zoning District	C-1
Proposed Zoning District	ML-1
Property Parcel Numbers	09-04-27-09-000-0021
Existing (Units)	0
Proposed (Units)	0

Site Data	OC
Proposed Gross Site Area	22,072 sf
Proposed Building Area	10,098 sf
1st Floor Art Museum	1,000 sf
2nd & 3rd Floors - Museum Offices	9,098 sf
Gross Floor Area Ratio	0.46 FAR
Net Building Area	4,554 sf
Proposed Building Height	45 ft
Occupancy Type	ML - Sprinklered
Fire Alarm	AL - 200 WACO / 7.50 WACO
Fire Protection	AL - 200 WACO / 7.50 WACO
Fire Alarm	AL - 200 WACO / 7.50 WACO
Fire Protection	AL - 200 WACO / 7.50 WACO

Parking Data	OC
Proposed Standard	50 spaces
Proposed Sustainability	40 spaces
Proposed Total	90 spaces
Proposed Total	90 spaces

Property Development Regulations	OC
Zoning District	ML-1
Size	50,000 sq ft
Depth	100 ft
Front Setback	0 ft
Side Setback	0 ft
Rear Setback	0 ft
Proposed	51 ft

NOTES

- 1) This plan is based on survey information provided by Prunescu Surveying, LLC, dated 5/20/16.
- 2) All dimensions are in feet unless otherwise noted.
- 3) Back-flow prevention shall be installed to match the principle structure. All above ground piping shall be installed to match the principle structure.
- 4) Paved areas shall be finished to match the principle structure.
- 5) Indicates compact parking spaces (8' x 18').
- 6) The limits of construction shall be within the property line, plus improvements as required by the City within the adjacent Right-of-Way.
- 7) The project is located per the FEMA flood zone maps in zone C which has minimal flood risk.
- 8) The project is located per the FEMA flood zone maps in zone C which has minimal flood risk.
- 9) The project is located per the FEMA flood zone maps in zone C which has minimal flood risk.
- 10) The project is located per the FEMA flood zone maps in zone C which has minimal flood risk.

1320 S. Federal Highway
Boynton Beach, FL



RONALD L. LEINSON, P.E.
590 S. Federal Highway
Suite No. 100
Fort Lauderdale, FL 33446-4660
PH: (561) 379-5650
FAX: (561) 582-3700
leinsonrpe@gmail.com

FL P.E. NO. 34871

PROJECT:

1320 South Federal Highway

SITE LIGHTING

Boynton Beach Florida

Date: 6-24-2018

Drawn By: RLL

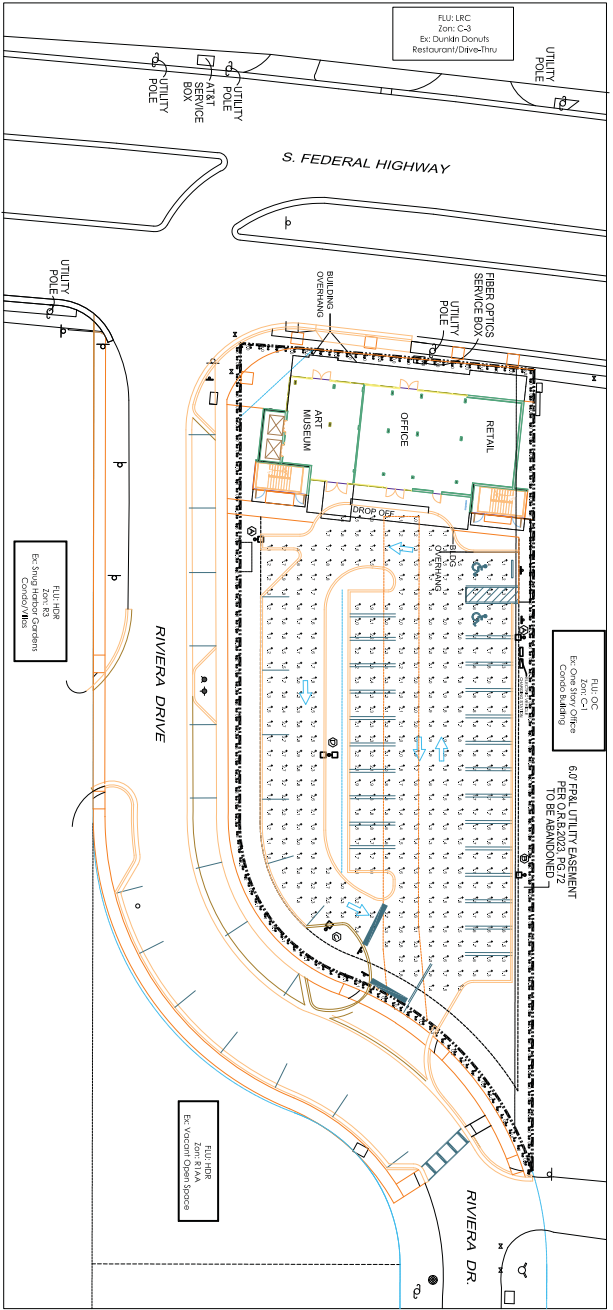
Checked By: RLL

Project No.: 180601

Revised: 8-20-2018

SHEET NO. 1 of 1

E-1



1 SITE LIGHTING PLAN

2 POLE MOUNTED LIGHTING FIXTURE DETAIL

NOTE: MANUFACTURER SHALL PROVIDE MINIMUM LOAD CALCULATIONS FOR POLE SIZED AND SEALED BY FLORIDA LICENSED ENGINEER.

21 SQUARE TAPERED CONCRETE POLE WITH INTERIOR JACKBOLT AND ANCHORED TO WITHSTAND 60 MPH WIND LOADS PER FLORIDA BUILDING CODE.

44 ANG. CL. SOLID GROUND IN POLE OR EMBEDDED

6"x4"x4" HP. PILE. HUB BOX PROVIDE IN LINE PIPE PER MFG'S. SPECS.

GRADE

5/8" x 10'-0" CONDUIT TO GROUND ROD

PROVIDE GROUND ROD

BACK-FILL EXCAVATION WITH CLEAN FILL - HAND TAMP

BRANCH CIRCUIT CONDUIT (TYPE)

RAZAR SERIES-LED

LED/TECHNICAL SPECIFICATIONS

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE
1	RAZAR SERIES-LED LIGHTING FIXTURE	1	EA	100.00
2	RAZAR SERIES-LED LIGHTING FIXTURE	1	EA	100.00
3	RAZAR SERIES-LED LIGHTING FIXTURE	1	EA	100.00
4	RAZAR SERIES-LED LIGHTING FIXTURE	1	EA	100.00
5	RAZAR SERIES-LED LIGHTING FIXTURE	1	EA	100.00
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100	RAZAR SERIES-LED LIGHTING FIXTURE	1	EA	100.00

CALCULATION SUMMARY:

AREA NAME	DESCRIPTION	AMOUNT	UNIT	PRICE	TOTAL
MAIN LOT	100' x 100'	1	EA	100.00	100.00
PROPERTY LINE (HORIZONTAL)	100' x 100'	1	EA	100.00	100.00
PROPERTY LINE (VERTICAL)	100' x 100'	1	EA	100.00	100.00

LUMINAIRE SCHEDULE:

TYPE	MANUFACTURER	DESCRIPTION	AMOUNT	UNIT	PRICE	TOTAL
A	U.S. ARCHITECTURAL LIGHTING	100' x 100'	1	EA	100.00	100.00
B	U.S. ARCHITECTURAL LIGHTING	100' x 100'	1	EA	100.00	100.00
C	U.S. ARCHITECTURAL LIGHTING	100' x 100'	1	EA	100.00	100.00
D	U.S. ARCHITECTURAL LIGHTING	100' x 100'	1	EA	100.00	100.00



COLORED ELEVATIONS

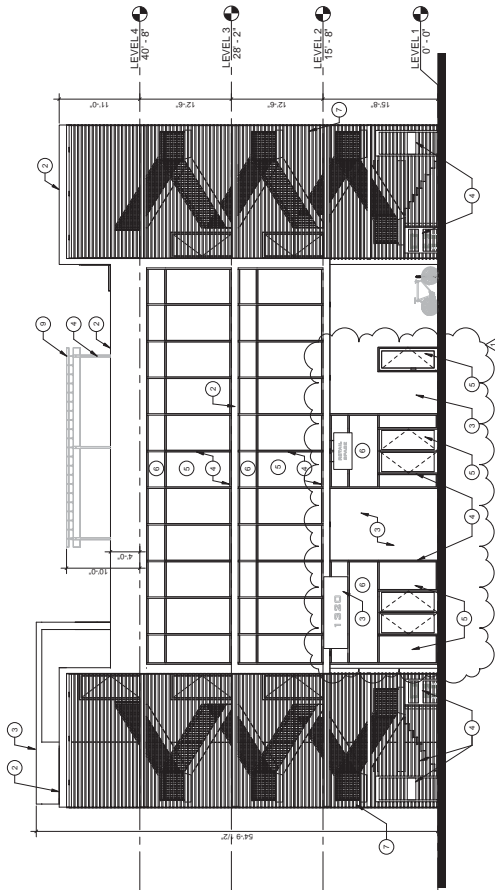
1320 SOUTH FEDERAL OFFICE BUILDING



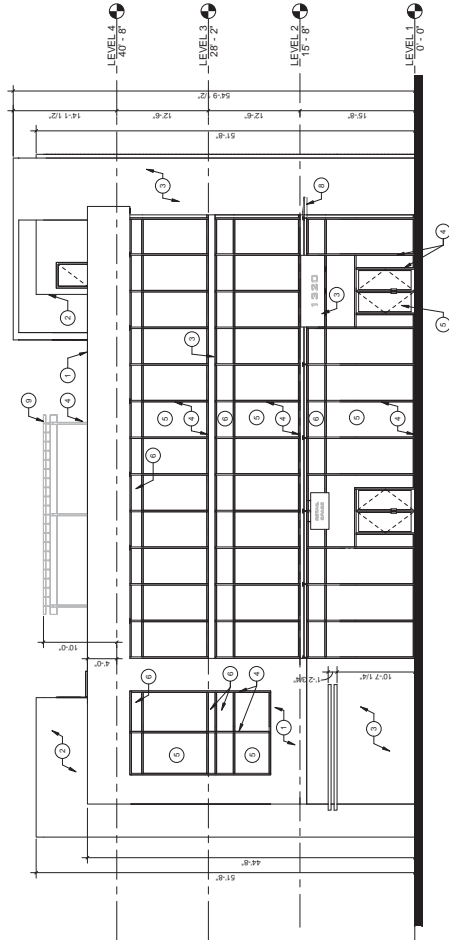
MARK	DESCRIPTION	COLOR & MATERIAL LEGEND	MATERIAL / COLOR
1	LIGHT TEXTURE PAINTED STUCCO		SHERWIN WILLIAMS 'ORIGAMI WHITE' SW 7638
2	LIGHT TEXTURE PAINTED STUCCO		SHERWIN WILLIAMS 'MIDFALL GRAY' SW 7016
3	LIGHT TEXTURE PAINTED STUCCO		SHERWIN WILLIAMS 'DOVETAIL' SW 7018
4	MULLIONS, TRELLIS POST, DOOR & WINDOW FRAME, SHERWIN WILLIAMS 'IRON ORE' SW 7069		ANODIZED ALUMINUM FINISH SHERWIN WILLIAMS 'IRON ORE' SW 7069
5	STOREFRONT GLASS		VITRO - SOLARGRAY GLASS
6	STOREFRONT GLASS		VITRO - GLASS WITH OPAQUE FILM
7	LOUVER		ANODIZED ALUMINUM FINISH SHERWIN WILLIAMS 'IRON ORE' SW 7069
8	SUN CONTROL LOUVER		PAINTED ALUMINUM - SHERWIN WILLIAMS 'IRON ORE' SW 7069
9	TRELLIS RAFTER		ANODIZED CLEAR ALUMINUM FINISH SHERWIN WILLIAMS 'IRON ORE' SW 7069

GENERAL NOTES

- EXTERIOR WALL OPENINGS SHALL COMPLY WITH THE IRC 6TH EDITION (2015), TABLE 706.8.
- ALL EQUIPMENT ATTACHED TO THE BUILDING SHALL BE REQUIRED TO MATCH THE BUILDING. SUBJECT TO BOYNTON BEACH UTILITIES APPROVAL.
- ALL ABOVE GROUND MECHANICAL EQUIPMENT SHALL BE NOT LIMITED TO, EXTERIOR UTILITY BOXES, METERS, CONDENSATE PANS, ETC. SHALL BE REQUIRED TO MATCH THE BUILDING. SUBJECT TO BOYNTON BEACH UTILITIES APPROVAL.
- BUILDING STRUCTURES AN PARTS OF THEREOF SHALL BE DESIGNED TO WITHSTAND THE MINIMUM WIND LOADS OF 170 MPH, WIND FORCES ON EVERY BUILDING OR STRUCTURE SHALL BE DETERMINED BY THE PROVISIONS OF ASCE 7 AND THE PROVISIONS OF THE IRC 6TH EDITION (2015), SECTION 1609 (WIND LOADS).



2 | EAST ELEVATION
SCALE: 1/8" = 1'-0"



1 | WEST ELEVATION
SCALE: 1/8" = 1'-0"

EXHIBIT "C"

Conditions of Approval

Project Name: 1320 S. Federal Hwy. Office Building
 File number: MSPM 18-009
 Reference: 3rd review of plans identified as a Major Site Plan Modification with an August 20, 2018 Planning and Zoning Department date stamp marking.

DEPARTMENTS	INCLUDE	REJECT
ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES		
Comments:		
1. At time of permitting, provide copy of FDOT drainage connection and/or driveway connection permit.		
2. At time of permitting, provide pre/post drainage calculations and a geotechnical report.		
3. Longitudinal grading on Riviera Drive shall be reconstructed to facilitate proper drainage.		
4. Retaining wall shall be offset away from the northern property line so as not to encroach on neighboring property.		
5. At time of permitting, provide cross sections on all property lines		
6. At time of permitting, show the minimum radius for access to the site for emergency vehicles and sanitation trucks.		
7. At time of permitting, show all utility easements and utility lines on the site plan, landscape plans, and water and sewer plans.		
8. At time of permitting, provide an irrigation plan which follows the Waterwise principals.		
FIRE		
Comments:		
9. At time of permitting, show fire access turning radii on the site plan throughout the parking area.		
POLICE		
Comments: All previous comments addressed at DART meeting.		
BUILDING		
Comments: All previous comments addressed at DART meeting.		

DEPARTMENTS	INCLUDE	REJECT
PARKS AND RECREATION		
Comments: All previous comments addressed at DART meeting.		
PLANNING AND ZONING		
Comments:		
10. Coordinate with the City's Public Art's Manager to develop a Public Art proposal for the property.		
11. At time of permitting, provide details of the proposed roof-top trellis.		
12. At time of permitting, provide elevations of the north and south façade of the building.		
13. A sign program for the property is required prior to issuance of sign permits.		
14. Revise the sidewalk along Riviera Drive to be a minimum of five (5) in width.		
COMMUNITY REDEVELOPMENT AGENCY		
Comments: All previous comments addressed at DART meeting.		
PLANNING & DEVELOPMENT BOARD CONDITIONS		
Comments: To be determined.		
CITY COMMISSION CONDITIONS		
Comments: To be determined.		

**DEVELOPMENT ORDER OF THE CITY COMMISSION OF THE
CITY OF BOYNTON BEACH, FLORIDA**

PROJECT NAME: 1320 S. Federal Hwy Office Building (MSPM 18-009)

APPLICANT: Exsorro One, Inc.

APPLICANT'S ADDRESS: 217 N. Seacrest Blvd. Boynton Beach, FL 33425

DATE OF HEARING RATIFICATION BEFORE CITY COMMISSION: November 7, 2018

APPROVAL SOUGHT: Approve the 1320 S. Federal Hwy. Office Building Major Site Plan Modification to construct a 10,898 square foot structure and associated site improvements.

LOCATION OF PROPERTY: Northeast corner of the intersection of Riviera Drive and Federal Highway

DRAWING(S): SEE EXHIBIT "B" ATTACHED HERETO.

_____ THIS MATTER was presented to the City Commission of the City of Boynton Beach, Florida on the date of hearing stated above. The City Commission having considered the approval sought by the applicant and heard testimony from the applicant, members of city administrative staff and the public finds as follows:

1. Application for the approval sought was made by the Applicant in a manner consistent with the requirements of the City's Land Development Regulations.
2. The Applicant
 ☒ HAS
 _____ HAS NOT

 established by substantial competent evidence a basis for the approval requested.
3. The conditions for development requested by the Applicant, administrative staff, or suggested by the public and supported by substantial competent evidence are as set forth on Exhibit "C" with notation "Included."
4. The Applicant's request is hereby
 ☒ GRANTED subject to the conditions referenced in paragraph 3 above.
 _____ DENIED
5. This Order shall take effect immediately upon issuance by the City Clerk.
6. All further development on the property shall be made in accordance with the terms and conditions of this order.
7. Other: _____

DATED: _____

City Clerk

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CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

PLANNING AND DEVELOPMENT MEETING DATE: 9/25/2018

REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD: Approve 1320 S. Federal Hwy. Office Building Height Exception (HTEX 18-001) to construct an office building in a MU-1 (Mixed Use 1) zoning district with architectural features up to 54'-10" in height, 9'-10" above the maximum allowable height. Applicant: Exsorro One, Inc.

EXPLANATION OF REQUEST:

The proposed building is designed as a three (3)-story structure with roof access, a parapet wall and architectural feature extending past the third story. The main entrance to the building is at the corner of Federal Highway and Riviera Drive. The building is placed so that it fronts Federal Highway with an extensive setback to the residential neighborhood located to the east of the site. The building occupies most of the frontage of the site and has the vehicular circulation, including the parking and drop off area, contained behind the building.

The proposed building elevations (Sheet A1.2) depict the typical flat roof deck height as 40'-8", with typical parapet walls at approximately 44'-8" feet. Tower elements and architectural features are proposed to extend up to 54'-10" in height, 9'-10" above the maximum allowable height in the MU-1 zoning district. The plans indicate that the requested height exception is not necessary for the entire roof of the proposed structure, but only relatively small areas near the north and south ends of the building.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? N/A

FISCAL IMPACT: The ultimate project will contribute to permit and business tax revenues, and the City's property tax base.

ALTERNATIVES: None recommended.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION: N/A

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION: N/A

Is this a grant?

Grant Amount:


ATTACHMENTS:


Type	Description
▣ Staff Report	Staff Report (HTEX 18-001)
▣ Location Map	Exhibit A - Location Map
▣ Location Map	Exhibit B - Plans
▣ Conditions of Approval	Exhibit C - Conditions of Approval
▣ Development Order	Development Order

**DEVELOPMENT DEPARTMENT
PLANNING AND ZONING DIVISION
MEMORANDUM NO. PZ 18-060**

STAFF REPORT

TO: Chair and Members
Planning and Development Board

THRU: Ed Breese 
Planning and Zoning Administrator

FROM: Amanda Bassiely, Principal Planner 

DATE: September 5, 2018

PROJECT: 1320 S. Federal Highway Office Building (HTEX 18-009)

REQUEST: Approve 1320 S. Federal Hwy. Office Building Height Exception to construct an office building in a MU-1 (Mixed Use 1) zoning district with architectural features up to 54'-10" in height, 9'-10" above the allowable maximum height.

PROJECT DESCRIPTION

Property Owner: Exsorro One, Inc.

Agent: Christi Tuttle, Miller Land Planning

Location: Northeast corner of the intersection of Riviera Drive and Federal Highway (Refer to Exhibit "A": Location Map)

Existing Land Use: Office Commercial (OC)

Existing Zoning: C-1 Office Professional

Proposed Land Use: Mixed Use Low (MXL)

Proposed Zoning: MU-1 Mixed Use 1

Acreage: 0.51 acre

Adjacent Uses:

- North: Developed office condominiums (Colonial Center) classified Office Commercial (OC) and zoned C-1 Office Professional;
- South: Right-of-way of Riviera Drive, then developed residential condominiums (Snug Harbor) classified High Density Residential (HDR) and zoned R-3 Multi-family Residential;
- East: Right-of-way of Riviera Drive, then common grounds (green space) of the Snug Harbor condominiums and farther east developed single family homes, classified Low Density Residential (LDR) and zoned R-1-AA Single Family Residential; and
- West: Right-of-way of Federal Highway, then farther west developed commercial property (Dunkin Donuts & convenience store), classified Local Retail Commercial (LRC) and zoned C-3 Community Commercial.

BACKGROUND

The subject 0.51-acre property is located in the Federal Highway Corridor District of the Community Redevelopment Area (CRA). The property has been vacant since the 2005 demolition of the structure which up until then housed an I-HOP restaurant. The same year, a mixed use project with office, retail and eight townhomes was proposed for the site; application was later abandoned in the midst of the real estate collapse. Note that the Mixed Use Low zoning requested in the previous application (a designation no longer on the books) had a maximum density of 40 dwelling units per acre, twice as high as the maximum density of the currently proposed MU-1 designation.

Residential use is not part of the subject request. Instead, the applicant proposes a three-story structure to be predominantly occupied by medical offices (for a total of 8,078 square feet), with an additional 1,920 square feet retail space on the first floor and a small, 900 square foot art museum.

In addition to FLU amendment, rezoning and a major site plan modification, the request includes an application for height exception. All applications are being processed concurrently (see respective staff reports.)

ANALYSIS

The proposed building is designed as a three (3)-story structure with roof access and a parapet wall and architectural feature extending past the third story. The main entrance

to the building is at the corner of Federal Highway and Riviera Drive. The building is placed so that it fronts Federal Highway with an extensive setback to the residential neighborhood located to the east of the site. The building occupies most of the frontage of the site and has the vehicular circulation, including the parking and drop off area, contained behind the building. The proposed building has a contemporary design, featuring a lightly textured painted stucco finish, storefront glass, and louvers wrapping the two stair towers at either end of the building. The building has a flat accessible roof with a trellis and architectural elements above the parapet.

The Land Development Regulations, Chapter 3, Article III, Section 5.C.1, Mixed Use (Urban) Districts Building and Site Regulations, limits all structures located within the MU-1 zoning district to a maximum height of forty-five (45) feet above the minimum finished floor. Noted exceptions to the maximum building height include provisions for architectural enhancements such as church spires, domes, cupolas and rooftop equipment. However, the noted exceptions are allowed only through obtaining approval from the City Commission. In considering an application for exception to the district height regulation, the City Commission shall make findings indicating the proposed exception has been studied and considered in relation to minimum standards, where applicable.

The proposed building elevations (Sheet A1.2) depict the typical flat roof deck height as 40'-8", with typical parapet walls at approximately 44'-8" feet. Tower elements and architectural features are proposed to extend up to 54'-10" in height, 9'-10" above the maximum allowable height in the MU-1 zoning district. The plans indicate that the requested height exception is not necessary for the entire roof of the proposed structure, but only relatively small areas near the north and south ends of the building.

As evidenced by previous approvals, this request for height exception would not constitute a granting of special privilege, nor would it impact the air or light of adjacent properties, due to the small percentage of the overall roof area that is subject to the height exception and the distance separation from other commercial or industrial structures. The sizeable distance to the nearest residential structure further diminishes any potential incompatibilities associated with this request and allows the roof deck of building to be accessed and shaded during use.

RECOMMENDATION

Staff has reviewed this request for a Height Exception and recommends APPROVAL, subject to approval of the accompanying applications and satisfying all comments indicated in Exhibit "C" – Conditions of Approval. Any additional conditions recommended by the Board or required by the City Commission shall be documented accordingly in the Conditions of Approval.

LOCATION MAP



Legend

 TCEA Boundary



COLORED ELEVATIONS

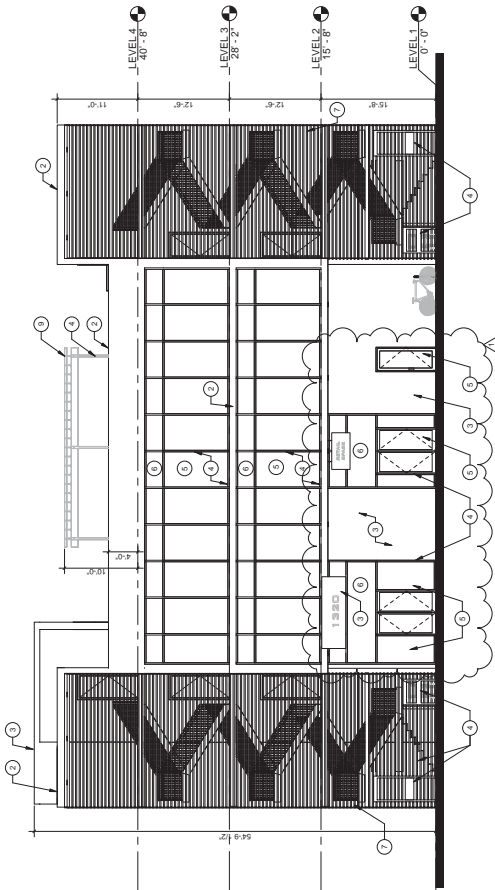
1320 SOUTH FEDERAL OFFICE BUILDING



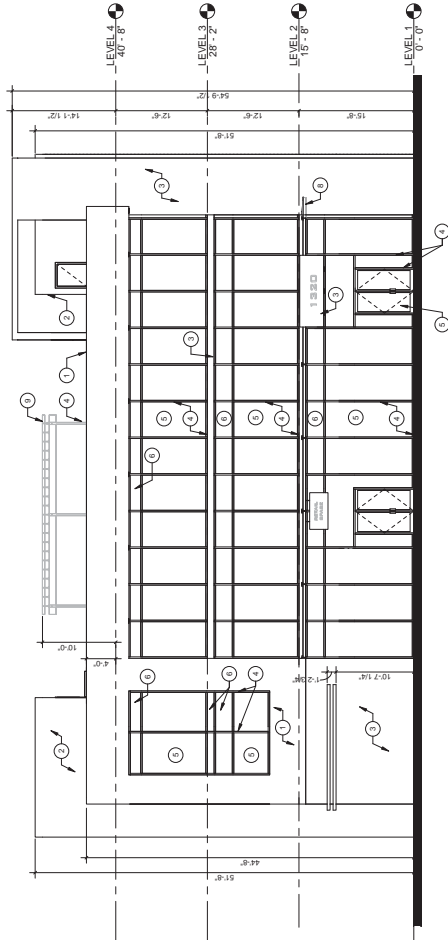
MARK	DESCRIPTION	COLOR & MATERIAL LEGEND	MATERIAL / COLOR
1	LIGHT TEXTURE PAINTED STUCCO		SHERWIN WILLIAMS 'ORIGAMI WHITE' SW 7638
2	LIGHT TEXTURE PAINTED STUCCO		SHERWIN WILLIAMS 'MIDFALL GRAY' SW 7016
3	LIGHT TEXTURE PAINTED STUCCO		SHERWIN WILLIAMS 'DOVETAIL' SW 7018
4	MULLIONS, TRELLIS POST, DOOR & WINDOW FRAME, SHERWIN WILLIAMS		ANODIZED ALUMINUM FINISH SHERWIN WILLIAMS 'IRON ORE' SW 7069
5	STOREFRONT GLASS		VITRO - SOLARGRAY GLASS
6	STOREFRONT GLASS		VITRO - GLASS WITH OPAQUE FILM
7	LOUVER		ANODIZED ALUMINUM FINISH SHERWIN WILLIAMS 'IRON ORE' SW 7069
8	SUN CONTROL LOUVER		ANODIZED CLEAR ALUMINUM FINISH SHERWIN WILLIAMS 'IRON ORE' SW 7069
9	TRELLIS RAFTER		PAINTED ALUMINUM - SHERWIN WILLIAMS 'MIDFALL GRAY' SW 7016

GENERAL NOTES

- EXTERIOR WALL OPENINGS SHALL COMPLY WITH THE IRC 6TH EDITION (2015), TABLE 706.8.
- ALL EQUIPMENT ATTACHED TO THE BUILDING SHALL BE REQUIRED TO BE PAINTED TO MATCH THE BUILDING. SUBJECT TO BOYNTON BEACH UTILITIES APPROVAL.
- ALL ABOVE GROUND MECHANICAL EQUIPMENT SUCH AS, BUT NOT LIMITED TO, EXTERIOR UTILITY BOXES, METERS, CONDENSATE PIPES, ETC. SHALL BE PAINTED TO MATCH THE BUILDING. ALL EXTERIOR UTILITY BOXES, METERS, PREVENTERS SHALL BE PAINTED TO MATCH THE PRINCIPAL STRUCTURE SUBJECT TO BOYNTON BEACH UTILITIES APPROVAL.
- BUILDING STRUCTURES AN PARTS OF THEREOF SHALL BE DESIGNED TO WITHSTAND THE MINIMUM WIND LOADS OF 170 MPH, WIND FORCES ON EVERY BUILDING OR STRUCTURE SHALL BE DETERMINED BY THE PROVISIONS OF ASCE 7 AND THE PROVISIONS OF THE IRC 6TH EDITION (2015), SECTION 1609 (WIND LOADS).



2 | EAST ELEVATION
SCALE: 1/8" = 1'-0"



1 | WEST ELEVATION
SCALE: 1/8" = 1'-0"

EXHIBIT "C"

Conditions of Approval

Project Name: 1320 S. Federal Hwy. Office Building
 File number: HTEX 18-003
 Reference: 3rd review of plans identified as a Major Site Plan Modification & Height Exception with an August 20, 2018 Planning and Zoning Department date stamp marking.

DEPARTMENTS	INCLUDE	REJECT
ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES		
Comments: None		
FIRE		
Comments: None		
POLICE		
Comments: None		
BUILDING		
Comments: None		
PARKS AND RECREATION		
Comments: None		
PLANNING AND ZONING		
Comments: None		
COMMUNITY REDEVELOPMENT AGENCY		
Comments: None		
PLANNING & DEVELOPMENT BOARD CONDITIONS		
Comments: To be determined.		
CITY COMMISSION CONDITIONS		
Comments: To be determined.		

S:\Planning\SHARED\WP\PROJECTS\1320 S. Federal Hwy Office Bldg\HTEX 18-001\ExhibitC_HTEX 18-003 COA.doc

**DEVELOPMENT ORDER OF THE CITY COMMISSION OF THE
CITY OF BOYNTON BEACH, FLORIDA**

PROJECT NAME: 1320 S. Federal Hwy Office Building (MSPM 18-009)

APPLICANT: Exsorro One, Inc.

APPLICANT'S ADDRESS: 217 N. Seacrest Blvd. Boynton Beach, FL 33425

DATE OF HEARING RATIFICATION BEFORE CITY COMMISSION: November 7, 2018

APPROVAL SOUGHT: Approve the 1320 S. Federal Hwy. Office Building Height Exception to construct an office building in a MU-1 (Mixed Use 1) zoning district that has architectural features up to 54'-10" in height, 9'-10" above the allowable height maximum.

LOCATION OF PROPERTY: Northeast corner of the intersection of Riviera Drive and Federal Highway

DRAWING(S): SEE EXHIBIT "B" ATTACHED HERETO.

THIS MATTER was presented to the City Commission of the City of Boynton Beach, Florida on the date of hearing stated above. The City Commission having considered the approval sought by the applicant and heard testimony from the applicant, members of city administrative staff and the public finds as follows:

1. Application for the approval sought was made by the Applicant in a manner consistent with the requirements of the City's Land Development Regulations.
2. The Applicant
 ☒ HAS
 ☐ HAS NOT

established by substantial competent evidence a basis for the approval requested.
3. The conditions for development requested by the Applicant, administrative staff, or suggested by the public and supported by substantial competent evidence are as set forth on Exhibit "C" with notation "Included."
4. The Applicant's request is hereby
 ☒ GRANTED subject to the conditions referenced in paragraph 3 above.
 ☐ DENIED
5. This Order shall take effect immediately upon issuance by the City Clerk.
6. All further development on the property shall be made in accordance with the terms and conditions of this order.
7. Other: _____

DATED: _____

City Clerk