



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

**DATE: Tuesday, August 28, 2018**

**TIME: 6:30 PM**

**PLACE: City Hall Chambers**

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- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Agenda Approval**
- 4. Approval of Minutes**
- 5. Communications and Announcements: Report from Staff**
- 6. Old Business**
- 7. New Business**

7.A. Approve Good Stone Townhomes annexation (ANNEX 18-001) Applicant: Good Stone, LLC.

Approve Good Stone Townhomes Future Land Use Map Amendment (LUAR 18-002) from Palm Beach County's Commercial High with a maximum density of 5 dwelling units/acre (CH/5) to Special High Density Residential (SHDR). Applicant: Good Stone, LLC.

Approve Good Stone Townhomes Rezoning (LUAR 18-002) from Palm Beach County's Commercial General (CG) to Infill Planned Unit Development (IPUD). Applicant: Good Stone, LLC

7.B. Approve Good Stone Townhomes New Site Plan (NWSP 18-001) to allow construction of a multi-family residential project consisting of four (4), three-story townhomes totaling 12,180 square feet and related site improvements, located on the southeast corner of Federal Highway and Chukker Road. This request is in coordination with applications for Annexation, Future Land Use Amendment, and Rezoning. Applicant: Good Stone, LLC

7.C. Approve 125 E. Boynton Beach Blvd. Major Site Plan Modification (MSPM 18-004) to construct a one-story, 1,226 square foot addition to an existing 1,780 square foot office building and related site improvements, at 125 E. Boynton Beach Blvd. in the C-3 (Community Commercial) zoning district. Applicant: Limor Drillich.

7.D. 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.E. Approve Arden Park abandonment (ABAN 18-002) allowing the abandonment of the unimproved, 10.2-foot wide alley running north / south from NE 9th Avenue, for a distance of approximately 148 feet, to the south end of Lot 2 of the Robert Wells' Subdivision, between NE 3rd Street and Railroad Avenue. Applicant: Michael Simon, CRA Executive Director.

- 8. Other**

8.A.

Discuss the role of the Board in promoting Sustainability Regulations as previously requested by the Chairman.

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: 8/28/2018**

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

Approve Good Stone Townhomes annexation (ANNEX 18-001) Applicant: Good Stone, LLC.

Approve Good Stone Townhomes Future Land Use Map Amendment (LUAR 18-002) from Palm Beach County's Commercial High with a maximum density of 5 dwelling units/acre (CH/5) to Special High Density Residential (SHDR). Applicant: Good Stone, LLC.

Approve Good Stone Townhomes Rezoning (LUAR 18-002) from Palm Beach County's Commercial General (CG) to Infill Planned Unit Development (IPUD). Applicant: Good Stone, LLC

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**EXPLANATION OF REQUEST:**

The subject 0.30 acre parcel, presently vacant, is located within the 31-acre unincorporated county pocket east of Federal Highway at the southern edge of the City. The applicant seeks to annex the parcel and obtain the City FLUM classification and zoning district to replace its current Palm Beach County's designations in order to develop the property with four (4) three-story townhomes.

The proposed annexation meets the statutory conditions: the parcel is contiguous to the City boundary and "reasonably compact" in that it does not create enclaves or pockets. In fact, the annexation action would reduce the existing county pocket.

The proposed City's FLUM category and zoning district differ significantly from the property's existing Palm Beach County's classification and zoning in that it does not allow commercial uses and permits much higher residential density—20 du/acre versus 5 du/acre.

If annexation is approved, the property will be considered for inclusion in the Community Redevelopment Area. The CRA Plan does not provide future land use recommendations for land in unincorporated areas which abut the CRA boundary. Nevertheless, the proposed SHDR future land use category may be construed to be consistent with the intent of the Plan, which recommends SHDR for the nearby City communities north and west of the subject property (the FLU designation that they already have). Moreover, the property abuts residential uses in the unincorporated County to the east and south, which further justifies the choice of residential-only classification.

**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: No**

**CLIMATE ACTION DISCUSSION: N/A**

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**Is this a grant?**

**Grant Amount:**

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**ATTACHMENTS:**

Type	Description
▣ Staff Report	Staff Report
▣ Location Map	Exhibit A. Location Map Aerial
▣ Location Map	Exhibit B. Proposed FLU
▣ Location Map	Exhibit C. Proposed Zoning
▣ Letter	Exhibit D. PBC annexation letter



**DEVELOPMENT DEPARTMENT  
PLANNING AND ZONING DIVISION  
MEMORANDUM NO. PZ 18-046  
STAFF REPORT**

TO: Chair and Members  
Planning and Development Board

THRU: Michael Rumpf  
Planning and Zoning Director

FROM: Hanna Matras, Senior Planner

DATE: August 10, 2018

PROJECT: Good Stone Townhomes  
ANNEX 18-001 / LUAR 18-002

REQUEST: Approve Good Stone Townhomes annexation, Future Land Use Map amendment from Palm Beach County's Commercial High with a maximum density of 5 dwelling units/acre (CH/5) to Special High Density Residential (SHDR), and rezoning from Palm Beach County's Commercial General (CG) to Infill Planned Unit Development (IPUD).

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**PROJECT DESCRIPTION**

Property Owner/  
Applicant: Good Stone, LLC

Agent: Christi Tuttle / Miller Land Planning, Inc.

Location: Southeast corner of Federal Highway and Chukker Road (Exhibit "A")

Existing FLU/  
Zoning: Commercial High with the underlying Medium Density Residential MR-5, max density of 5 du/ac (CH/5) / Commercial General (CG) - Palm Beach County

Proposed FLU/  
Zoning: Special High Density Residential (SHDR) / Infill Planned Unit Development (IPUD); see Exhibits "B" and "C"

Acreage: 0.30 acres

Proposed Use: Four townhomes

Adjacent Uses:

North: Right-of-way for Chukker Road and farther north, a developed multifamily residential community (Waterside), classified Local Special High Density Residential (SHDR) and zoned Infill Planned Unit Development (IPUD);

South: Developed single-family home, classified Commercial High with max density of 5 du/ac (CH/5) and zoned RS, Single-Family Residential ( Palm Beach County);

East: On the north east, developed single-family home, classified Medium Residential (MR-5) and zoned RM, Multi-Family Residential (Palm Beach County); on the south east, a finger canal leading to the Intracoastal Waterway;

West: Right-of-way for North Federal Highway; farther west, residential community of Seaborne Cove, classified Special High Density Residential (SHDR) and zoned Infill Planned Unit Development (IPUD).

### **BACKGROUND**

The subject 0.30 acre parcel, presently vacant, is located within the 31-acre unincorporated county pocket east of Federal Highway at the southern edge of the City. The applicant seeks to annex the parcel and obtain the City FLUM classification and zoning district to replace its current Palm Beach County's designations in order to develop the property with four (4) three-story townhomes. Annexation, FLUM amendment, rezoning and the new site plan are processed concurrently.

Preliminary review of the proposed annexation by staff indicates that it meets the statutory conditions: the parcel is contiguous to the City boundary and "reasonably compact" in that it does not create enclaves or pockets—on the contrary, it reduces the existing county pocket.

Voluntary annexations are regulated by Chapter 171.044, Florida Statutes; additional directions regarding the process are contained in the Palm Beach County Ordinance 2007-018. Pursuant to these requirements, on April 27, 2018 staff sent a notification of the proposed annexation to the Palm Beach County Administrator and Planning Director. County staff and service delivery agencies reviewed the application and have not identified any inconsistencies with Chapter 171 (Exhibit "D".) Note that the County will not require the City to assume ownership of Chukker Road as a prerequisite for

annexation.

If annexation is approved, the property will be considered for inclusion in the Community Redevelopment Area. The adjustment to the CRA boundary is being processed concurrently.

### **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 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 subject FLUM reclassification and rezoning are requested in conjunction with a privately-initiated annexation, which requires concurrent applications for same.

The proposed City's FLUM category and zoning district differ significantly from the property's existing Palm Beach County's classification and zoning in that it does not allow commercial uses and permits much higher residential density—20 du/acre versus 5 du/acre. The residential-only SHDR proposed for the property is consistent with the FLUM classification of the nearby communities within the City; moreover, the property abuts residential uses in the unincorporated County to the east and south, which further justifies the choice of residential-only classification (see also responses to criteria "b" and "c").

- 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.*

#### **Consistency with Comprehensive Plan/ CRA Community Redevelopment Plan**

Firstly, the FLUM amendment and rezoning are requested in conjunction with annexation, which is encouraged by the Comprehensive Plan's Land Use Element's Objective 1.15, especially if it contributes to the reduction of an existing county pocket:

**Objective 1.15**      ***The City will continue to expand through annexation of enclaves, pockets and other contiguous properties.***

The concurrent FLUM amendment and rezoning are required per Policy 1.15.3:

***Policy 1.15.3      The City shall require that property owners requesting annexation into the City concurrently apply for land use amendment and rezoning to the City's land use classification and zoning district.***

The CRA Community Redevelopment Plan does not provide future land use recommendations for lands in the unincorporated Palm Beach county which abut the CRA boundary and which may be annexed to the City and included in the CRA in the future. Nevertheless, the proposed SHDR future land use category for the subject property may be construed to be consistent with the intent of the Plan, which recommends SHDR for the nearby City communities north and west of the subject property—the FLU designation that they already have. Even though the Plan recommends Mixed Use Low (MXL) FLU category for three already annexed areas south of Turner Road on the east side of Federal Highway, staff opines that arguments supporting the proposed residential-only SHDR are stronger, including the above mentioned proximity of the SHDR-classified lands as well as the residential character of the neighborhood abutting the property to the east and south.

***Consistency with Land Development Regulations (LDR)***

The application for the new site plan complies with the regulations and intent of the IPUD zoning district.

- 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 proposed FLU and zoning district would not be contrary to the established land use pattern or create an isolated zoning district, nor would it constitute a grant of special privilege to an individual property owner. The predominant land use in the area is residential and, as stated in response to criterion “b,” the developments north and west of the subject property within the City carry the same FLU classification and zoning designation as requested by the applicant.

Also note that the the property's current County FLU of Commercial High Uses and, specifically, zoning district of Commercial General is to “encourage the development of intensive commercial uses providing a wide range of goods and services, with access from a collector or arterial street and services a consumer market of at least a three mile radius.” Arguably, although the subject property fronts on an arterial, it is too small to accommodate uses as described above (PBC Unified Land Development Code), and the presence of the single-family neighborhood abutting the property on the east would be a strong argument against commercial uses.

- 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 proposed FLUM amendment and rezoning does not meet the sustainability characteristics except for access to public transportation (the Palm Tran bus routes along Federal Highway). The proposed FLU and zoning do not allow commercial uses; as per the response to criterion "c," the parcel is too small to accommodate a mix of (complementary) uses.

- 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. The Utilities Department has confirmed long-term capacity availability for potable water and sewer at the maximum density and intensity allowed under the requested land use classification and zoning designation.

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. Traffic impact will be reviewed as part of the site plan.

**The School Capacity Availability Determination (SCAD) for PBC School District.**

The district's review of the SCAD letter submitted by the applicant concluded that the proposed development will have negative impact on the public school system. In order to address the school capacity deficiency at the high school level, the property owner is required to contribute \$11,827 to the School District of Palm Beach County prior to issuance of the first building permit. This school capacity contribution is intended to supplement the required school impact fee.

- 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.*

The response to the criterion “f(1)” is similar to the one provided in discussion of criteria “a,” “b” and “c”: the developments north and west of the subject property within the City carry the same FLU classification and zoning designation as requested by the applicant. The proposed FLU and zoning district will support a residential project in the area dominated by residential uses; moreover, the project design will be sensitive to the character of the abutting single-family neighborhood to the east. The values of adjacent and nearby properties are unlikely to be negatively affected (note, again, that the parcel could have been developed with a commercial use under the County’s zoning.)

***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.*

Since the proposed FLU amendment/rezoning will support a small residential project of four townhomes, the main economic development benefit of this action will be the project’s contribution to the City’s tax base.

***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.*

As already discussed earlier in this report, the residential future land use and zoning is appropriate for the subject property. Even though its current County's FLU supports commercial development, its small size has likely been a chief factor behind the lack of investors' interest. The presence of developed single-family homes east and south of the property was likewise not conducive to commercial development.

*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.*

N/A. The FLUM and rezoning requests are being considered in conjunction with annexation.

*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.*

The application for the new site plan complies with the regulations and intent of the IPUD zoning district.

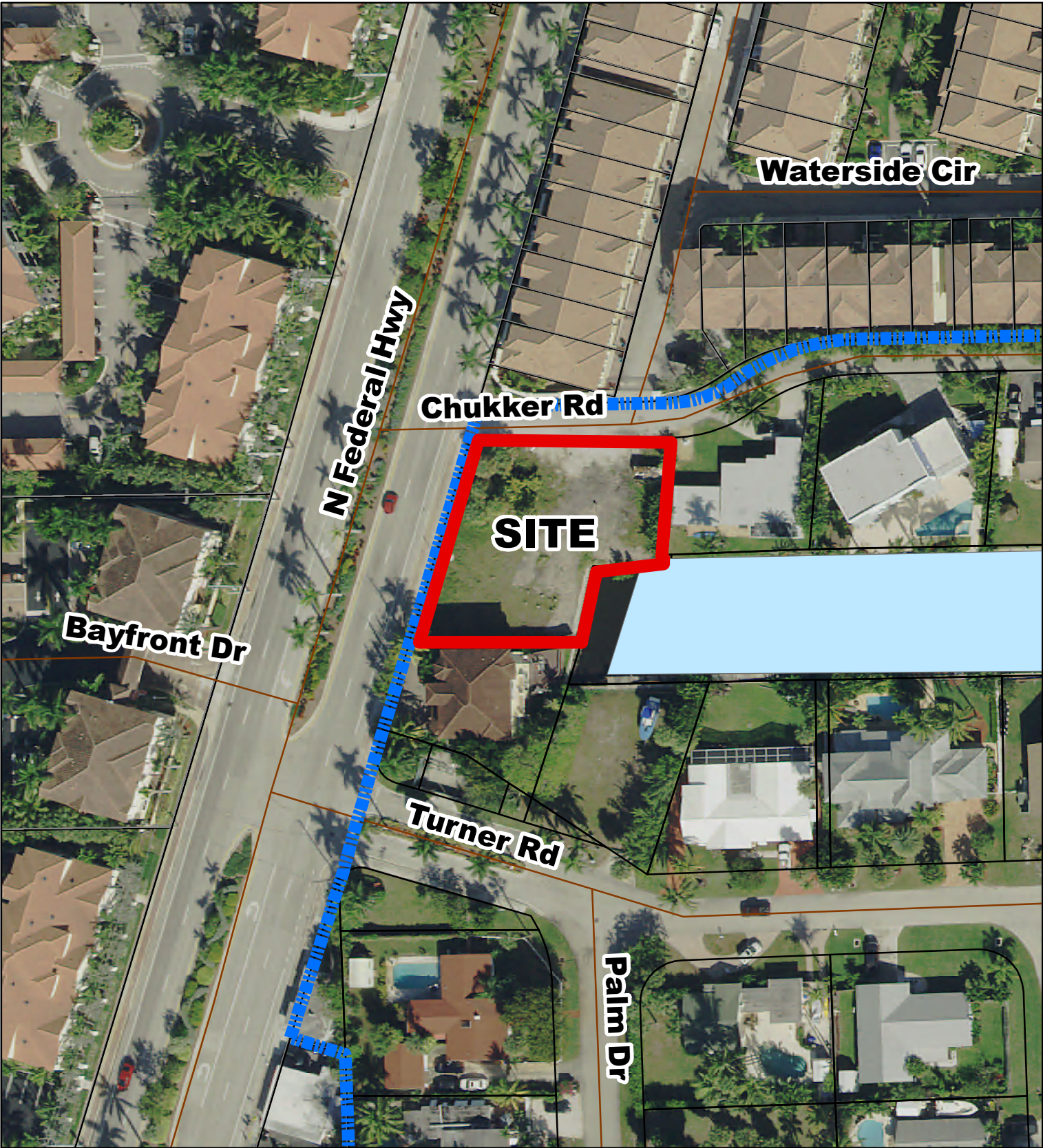
### **CONCLUSION/RECOMMENDATION**

As indicated herein, staff has reviewed the proposed annexation, future land use amendment and rezoning and determined that they are consistent with the policies of the Comprehensive Plan, and the proposed annexation reduces the size of the PB County unincorporated pocket. Therefore, staff recommends approval of the subject requests.



# LOCATION MAP

EXHIBIT A



## LEGEND

 City boundary



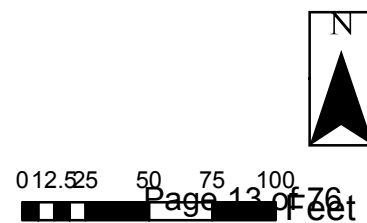


# GOOD STONE TOWNHOMES LUAR 18-002: FLU AMENDMENT



## LEGEND

- City boundary
- Special High Density Residential (SHDR) FLU
- Local Retail Commercial (LRC) FLU



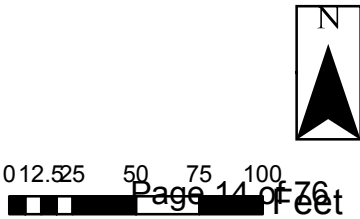


GOOD STONE TOWNHOMES LUAR 18-002: REZONING



LEGEND

- City boundary
- IPUD zoning district
- PUD zoning district
- C-3 zoning district





**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)

**Palm Beach County  
Board of County  
Commissioners**

Melissa McKinlay, Mayor

Mack Bernard, Vice Mayor

Hal R. Valeche

Paulette Burdick

Dave Kerner

Steven L. Abrams

Mary Lou Berger

**County Administrator**

Verdenia C. Baker

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Affirmative Action Employer"



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and recycled paper

Exhibit D  
RECEIVED  
MAY 24 2018  
PLANNING & ZONING

May 22, 2018

Michael Rumpf  
Planning and Zoning Director  
City of Boynton Beach  
100 E. Boynton Beach Boulevard  
Boynton Beach, FL 33425-0310

**RE: Proposed Annexation Good Stone LLC; 2018-08-001**

Dear Mr. *Michael* Rumpf:

Thank you for providing the County advance notice and the opportunity to review the annexation summarized below.

Name	Description
Good Stone LLC	Acres: 0.30
2018-08-001	Location: Southeast corner of N. Federal Hwy and Chukker Rd 1 <sup>st</sup> Reading: 7/17/2018      2 <sup>nd</sup> Reading: 8/7/2018

The proposed annexation was processed through the County's Annexation Review Process. County staff and service delivery agencies reviewed the proposed annexation. After review, County staff has not identified any inconsistencies with Chapter 171, Florida Statutes. The Engineering Department requests that the City protect the ultimate right-of-way for Federal Highway. Also, the City should assume ownership of Chukker Road.

If you have questions regarding the Department of Engineering comments, contact Tammy Lee at 561-684-4019. For any other comments or questions, please contact Patricia Behn, Deputy Planning Director, at 561-233-5332.

Sincerely,

*Lorenzo Aghemo*  
Lorenzo Aghemo  
Planning Director

cc: The Honorable Steven L. Abrams, District 4 Commissioner  
Faye W. Johnson, Assistant County Administrator  
Patrick Rutter, PZ&B Executive Director  
Ramsay Bulkeley, PZ&B Deputy Director  
Bob Banks, AICP, Chief Land Use County Attorney

Lori LaVerriere, City Manager, Boynton Beach  
Hanna Matras, Senior Planner, Boynton Beach  
Patricia Behn, PBC Deputy Planning Director  
Tammy Lee, PBC Engineering Dept.



## CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

**PLANNING AND DEVELOPMENT MEETING DATE:** 8/28/2018

**REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD:** Approve Good Stone Townhomes New Site Plan (NWSP 18-001) to allow construction of a multi-family residential project consisting of four (4), three-story townhomes totaling 12,180 square feet and related site improvements, located on the southeast corner of Federal Highway and Chukker Road. This request is in coordination with applications for Annexation, Future Land Use Amendment, and Rezoning. Applicant: Good Stone, LLC

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**EXPLANATION OF REQUEST:**

Bradley Miller, representing Good Stone, LLC, is requesting New Site Plan approval to construct a multi-family residential project consisting of four (4), three-story townhomes totaling 12,180 square feet and related site improvements. Approval of this request is subject to the approval of the corresponding applications for Annexation, Future Land Use Amendment, and Rezoning.

The site area of the project is 0.30 acre. The four (4) dwelling unit townhome building is located along Federal Highway with the front porches facing the street and the private garages internal to the site. Of the four residential units, two are three-bedroom units and two are four-bedroom units. The project proposes a communal recreation space along the water front. The recreation area includes open green areas, a deck, bench, and a trellis covering the proposed BBQ area.

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

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

**FISCAL IMPACT:** Additional revenues received from the permit and certificate of use applications, as well as the increased valuation of the property.

**ALTERNATIVES:** None recommended.

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:** N/A

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:** N/A

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**Is this a grant?**

**Grant Amount:**


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**ATTACHMENTS:**

Type	Description
▣ Staff Report	Staff Report (NWSP 18-001)
▣ 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 18-053  
STAFF REPORT**

TO: Chair and Members  
Planning and Development Board

THRU: Ed Breese  
Planning & Zoning Administrator 

FROM: Amanda Bassiely, Senior Planner 

DATE: July 23, 2018

PROJECT: Good Stone Townhomes ( NWSP 18-001)

REQUEST: New Site Plan approval for multi-family residential townhomes consisting of four (4) dwelling units within a three (3)-story building and associated recreational amenities and parking on a 0.30 acre property.

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**PROJECT DESCRIPTION**

Property Owner: Good Stone, LLC

Applicant: Good Stone, LLC

Agent: Christi Tuttle / Miller Land Planning, Inc.

Location: Southeast corner of North Federal Highway and Chukker Road (Exhibit "A")

Existing FLU/Zoning: Commercial High with the underlying Medium Density Residential MR-5, max density of 5 du/ac (CH/5) / Commercial General (CG) - Palm Beach County

Proposed FLU/Zoning: Special High Density Residential (SHDR) / Infill Planned Unit Development (IPUD); see Exhibits "B" and "C"

Acreage: 0.30 acres

Proposed Use: Four (4) townhomes

**Adjacent Uses:**

- North:** Right-of-way for Chukker Road and farther north, a developed multifamily residential community (Waterside) classified Special High Density Residential (SHDR) and zoned Infill Planned Unit Development (IPUD);
- South:** Developed single-family home, classified Commercial High with max density of 5 du/ac (CH/5) and zoned RS, Single-Family Residential (Palm Beach County);
- East:** On the north east, developed single-family home, classified Medium Residential (MR-5) and zoned RM, Multi-Family Residential (Palm Beach County); on the south east, a finger canal leading to the Intracoastal Waterway;
- West:** Right-of-way for Federal Highway; farther west, residential community of Seaborne Cove, classified Special High Density Residential (SHDR) and zoned Planned Unit Development (PUD).

**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**

The subject 0.30 acre parcel, presently vacant, is located within the 31-acre unincorporated county pocket east of Federal Highway at the southern edge of the City. The applicant seeks to annex the parcel and obtain the City FLUM classification and zoning district to replace its current Palm Beach County's designations in order to develop the property with four (4) three-story townhomes. Annexation, FLUM amendment, rezoning and the new site plan are processed concurrently.

**BACKGROUND**

**Proposal:** Miller Land Planning, Inc., agent for the applicant of several concurrent applications for the development of the Good Stone Townhomes project, is requesting to be annexed into the City of Boynton Beach from Palm Beach County with concurrent Land Use/Re-Zoning Amendment and New Site Plan application approvals. The parcel is currently designated with Commercial

High (CH/5) Land Use and General Commercial Zoning (CG) within Palm Beach County. The applicant is requesting a Future Land Use designation of Special High Density Residential (SHDR) with a maximum of 20 units per acre and Rezoning to Infill Planned Unit Development (IPUD). The applicant is also requesting approval of a New Site Plan for the proposed development consisting of one building with four three-story townhomes totaling 12,180 square feet, parking, and site amenities.

### **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 does not have significant peak hour traffic impact on the roadway network and therefore meets the Traffic Performance Standards of Palm Beach County.

**School:** The School District of Palm Beach County review of the School Capacity Availability Determination letter submitted by the applicant concluded that the proposed development will have negative impact on the public school system. In order to address the school capacity deficiency at the high school level, the property owner is required to contribute \$11,827 to the School District of Palm Beach County prior to issuance of the first building permit. This school capacity contribution is intended to supplement the required school impact fee.

**Utilities:** The City's water capacity 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:** One (1) point of ingress/egress is proposed for the project along Chukker Road. This two-way driveway serves as the only point of access to the four (4) townhome development.

Sidewalks are provided along both right-of-ways, with the sidewalk proposed along Federal Highway at a minimum of eight (8) feet in width and five (5) feet in width along Chukker Road. The sidewalk along Federal Highway is proposed to be lined with landscaping and the front porches of the four (4) proposed townhomes.

**Parking:** Off-street parking for the IPUD zoning district requires two (2) parking spaces for two or more bedroom units. The project proposes four, three-bedroom units, which would require eight (8) parking spaces. Additionally, the code requires the provision of guest parking at a rate of 0.15 spaces per unit, which adds one (1) parking space to the total of nine (9) required parking spaces. The site plan proposes 12 parking spaces, or an excess of three (3) spaces. Three of the units have two-car garages and one unit has a one-car garage. The remaining spaces are located in a surface parking area at the northeastern portion of the site.

**Landscaping:** The Plant List (Sheet L-2) indicates that the project would add a total of 43 canopy and palm trees, 143 accent and shrub specimens, and 690 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: Live Oak, Crepe Myrtle, and Green Buttonwood. Palm species would include Coconut Palm, Cabbage Palm, Alexander (triple trunk) Palm, and Areca Palm. The Areca Palms are placed along the south and east property lines to provide a buffer against the single-family neighborhood. Additional planting in the east buffer include existing mature seagrape plants.

Projects proposed in the Federal Highway District of the Community Redevelopment Area are encouraged to have a streetscape design which reduces building setbacks and encourage building placement abutting the street, thus creating an urban setting. The purpose being to create a landscape design that encompasses both the private and public domain, to blend the two areas into one unified landscape scheme and enhance the 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, wide paver sidewalks, and front porches along the building and between the street and sidewalk, in an effort to provide maximum clear pedestrian pathways.

**Building and Site:** The site area of the project is 0.30 acre. The four (4) dwelling units are located along Federal Highway with the front porches facing the street and the private garages internal to the site. Of the four residential units, two are three-bedroom units and two are four-bedroom units. Each unit also has a balcony or terrace that either faces towards Federal Highway or towards the Intracoastal Waterway.

**Building Height:** The maximum building height allowed in the IPUD zoning district is 45 feet. The proposed building elevations depict the typical median height of the pitched roof at 33 feet, comparable with the 30 foot maximum height allowed within the City's single-family zoning districts.

**Setbacks:** The IPUD zoning district has flexible setback requirements. However, development along Federal Highway has a zero (0) foot build-to line. The building setbacks may be increased up to 15 feet, 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, the proposed building setback along the length of the building is 11.3 feet. Along Chukker Road, the building setback is 13.2 feet; from the southern property line the building is setback 10.6 feet; and from the eastern property line the building is setback a minimum of 30.5 feet from the finger canal, ranging to approximately 70 feet to the single-family structure to the east.

**Amenities:** As noted above, the building is setback from the eastern property line along the intracoastal waterway. Within this setback the project proposes a communal recreational space along the water front. The recreation area includes open green areas, a deck, bench, and a trellis covering the proposed BBQ area.

**Design:** The proposed building has a Mediterranean design, featuring a smooth stucco finish, terra cotta color 's' roof tile, decorative cornices and banding, arched windows and porte cocheres, modulation of the facades, balconies with decorative aluminum

railings, and an earth tone color palette.

**Lighting:** The photometric plan (Sheets A-6) includes 11 wall-mounted fixtures placed 7.5 feet in height, all of which would have a bronze finish and designed to match the architecture of the building. There are no pole lights proposed. The on-site illumination would not “spill over” onto adjacent properties and rights-of-way as required by code. There are no spot readings in excess of the maximum 5.9 foot-candles.

**Signage:** A site sign is proposed along Federal Highway, setback ten feet from the property line. Signage design has not been finalized at this time. The design will need to be submitted for staff review and approval prior to requesting any sign permits for the site (see Exhibit “C” – Conditions of Approval).

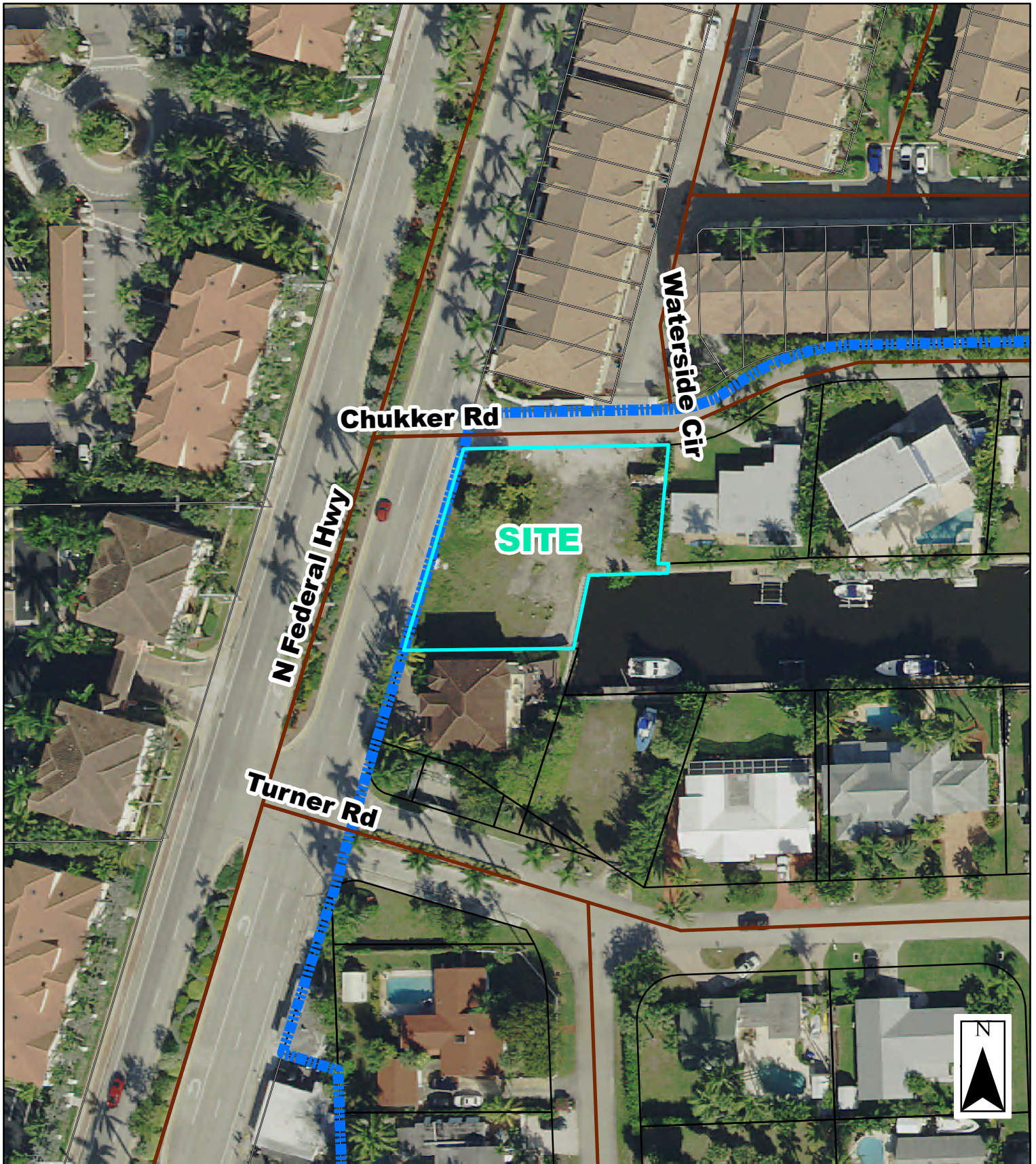
**Public Art:** The project is subject to the Art in Public Places requirement, and the applicant has been in discussions with the Public Arts Administrator regarding the art and its placement. The proposed location and description of the art will be reviewed by the Public Arts Commission. According to the proposed construction estimates, the project would have an art budget of approximately \$11,088.

### **RECOMMENDATION**

Staff has reviewed this request for a new site plan 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.

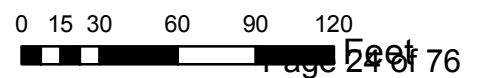


# EXHIBIT "A" PROPOSED ANNEXATION



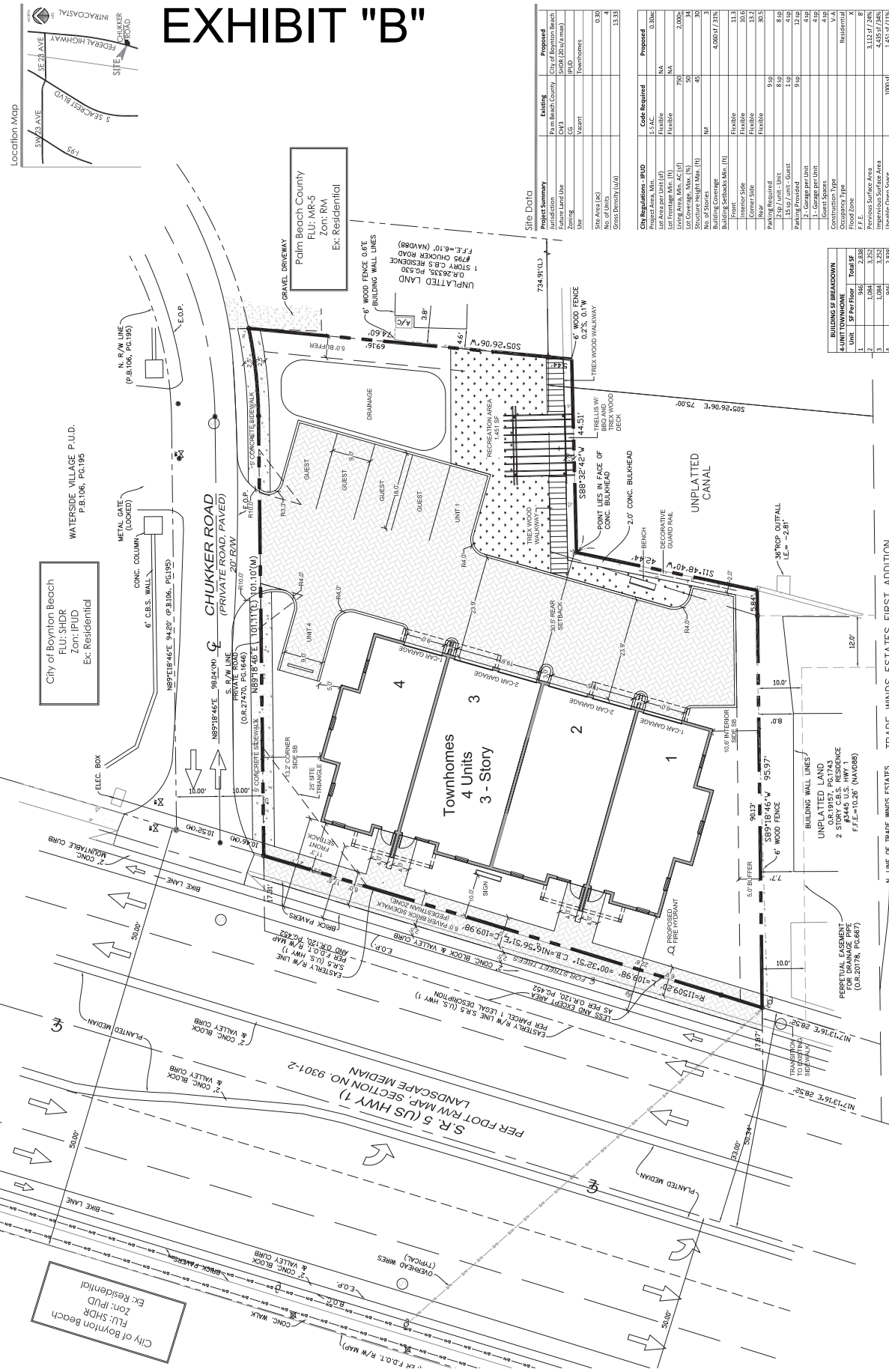
## LEGEND

---- City boundary



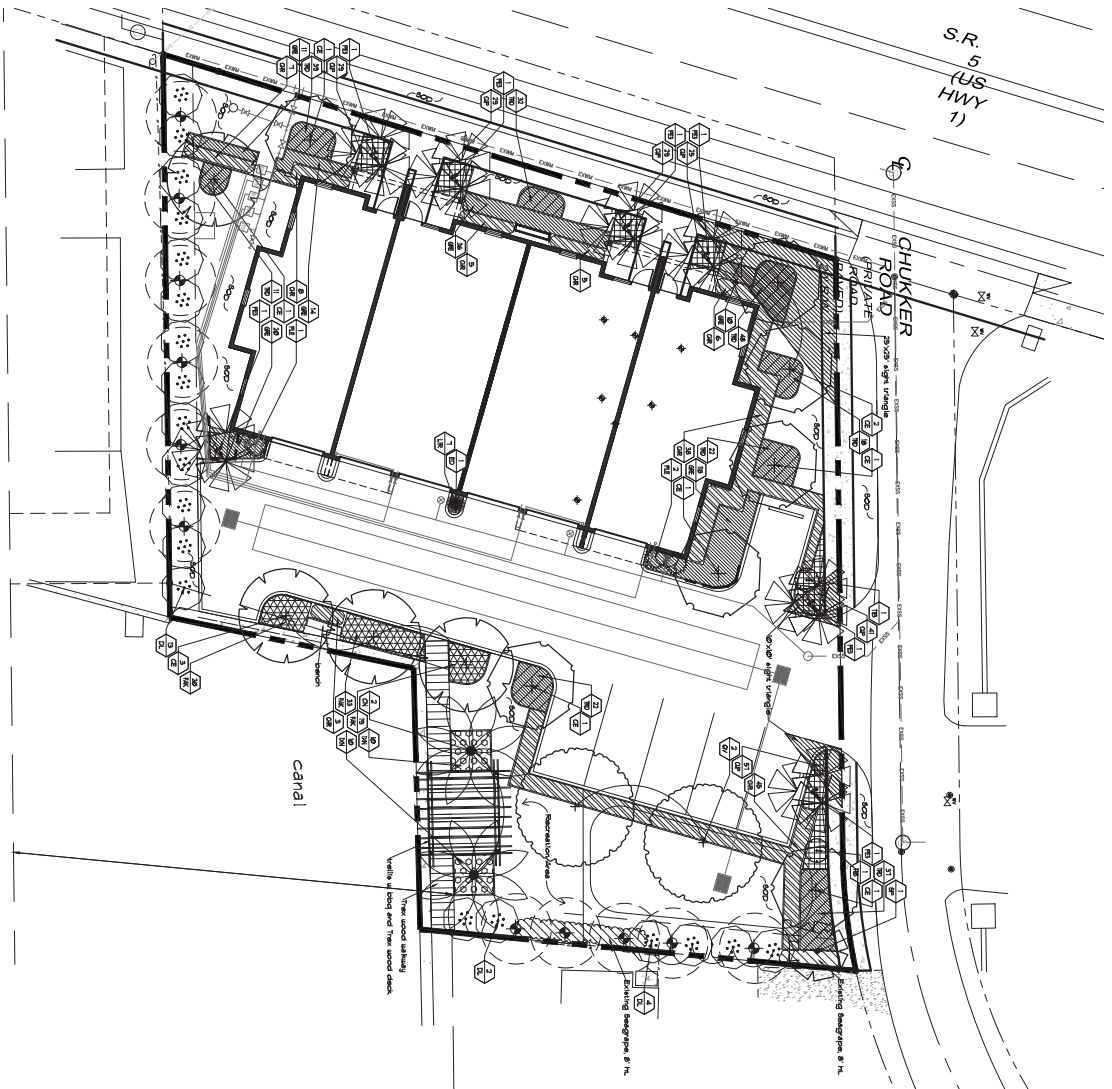


# EXHIBIT "B"



- 1) This plan is based on survey information provided by WrightPSM, LLC dated 02.07.18.
- 2) All plans submitted for permitting shall meet the City's codes and the applicable building codes in effect at the time of permit application.
- 3) Back-flow preventers shall be painted to match the principal structure. All above-ground mechanical equipment shall be visually screened.
- 4) Roll-out rooftops of the exterior, parking areas and waterfront docking facilities if the planned development shall be of the lowest height, intensity, and energy use adequate for its purpose, and shall not create conditions of glare that extend onto abutting properties.

S.R.  
5  
(US  
HWY  
1)



# PLANT LIST - TREES

QTY	NATIVE	WATER NEEDED
1	Y	low
2	Y	low

Notes: 1. All trees are to be planted in the ground. 2. All trees are to be planted in the ground. 3. All trees are to be planted in the ground. 4. All trees are to be planted in the ground.

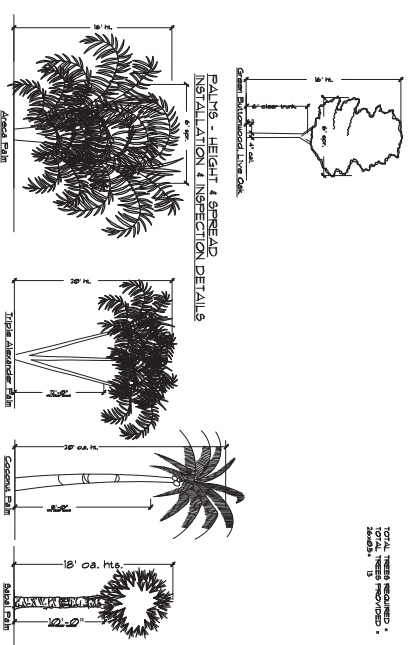
# CODE COMPLIANCE

1. All trees are to be planted in the ground.
2. All trees are to be planted in the ground.
3. All trees are to be planted in the ground.
4. All trees are to be planted in the ground.
5. All trees are to be planted in the ground.
6. All trees are to be planted in the ground.
7. All trees are to be planted in the ground.
8. All trees are to be planted in the ground.
9. All trees are to be planted in the ground.
10. All trees are to be planted in the ground.

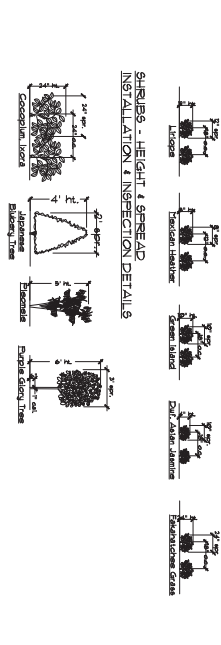
# PLANT LIST - SHRUBS

QTY	NATIVE	WATER NEEDED
1	Y	low
2	Y	low
3	Y	low
4	Y	low
5	Y	low
6	Y	low
7	Y	low
8	Y	low
9	Y	low
10	Y	low

# TREES - HEIGHT & SPREAD INSTALLATION & INSPECTION DETAILS



# SHRUBS - HEIGHT & SPREAD INSTALLATION & INSPECTION DETAILS





**A.A.A.**  
**ALLEN ARCHITECTS**  
ARCHITECTS  
1000 N. W. 10th Ave., Suite 100  
Fort Lauderdale, FL 33304  
Phone: (954) 561-1234  
Fax: (954) 561-1235  
www.aaaarchitects.com

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**STANLEY KNIGHT & ASSOCIATES**  
FLORIDA P.A.#15112  
ARCHITECT  
17,000 S.W. 11th Ave.  
Project: 17,000 S.W. 11th Ave.

**GOODSTONE TOWNHOMES**  
PROJECT: 17,000 S.W. 11th Ave.

**NEW TOWNHOMES**  
HOLBROOK PROJECT  
PROJECT ADDRESS: 17,000 S.W. 11th Ave.  
NORTH FERRIS LANE AND DONOVAN BLVD.  
DOWNTOWN MIAMI, FL

**OWNERS:**  
GOODSTONE, LLC

**DATE:**  
JULY 2018

**REVISION:**

**DATE:**  
JULY 2018

**DATE:**  
JULY 2018

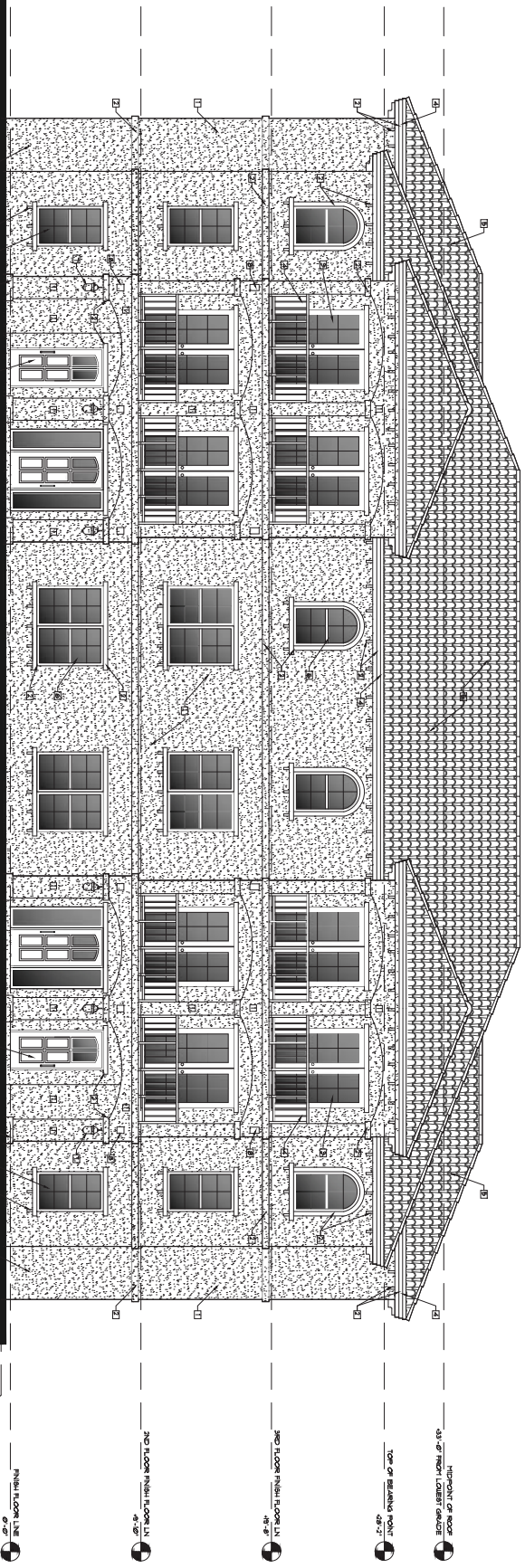
**DATE:**  
JULY 2018

**DATE:**  
JULY 2018

**DATE:**  
JULY 2018

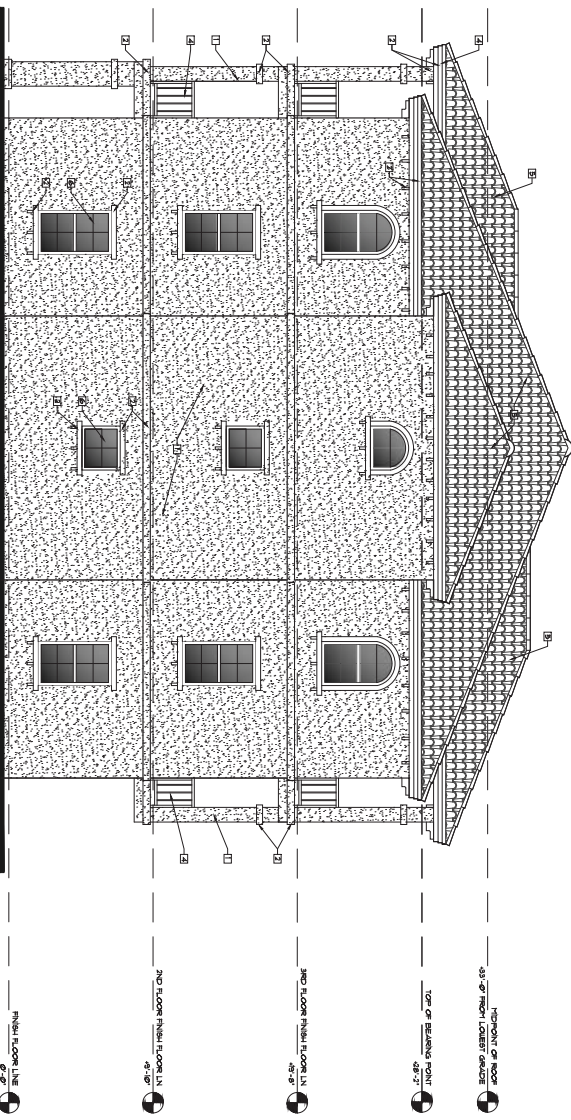
**DATE:**  
JULY 2018

**DATE:**  
JULY 2018

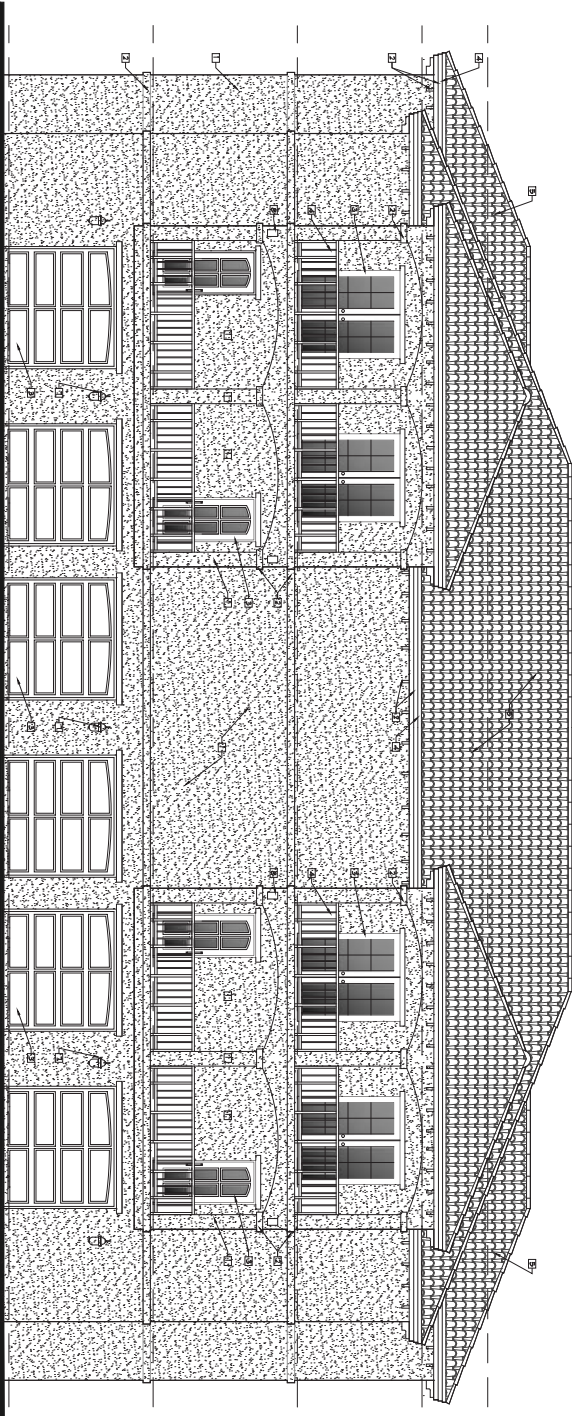


1 WEST ELEVATION BLDG NO. 1  
SCALE: 1/4" = 1'-0"

COLOR AND MATERIAL LEGEND	
MARK	MATERIAL DESCRIPTION
1	SMOOTH TEXTURE STUCCO SCORED METAL PAINTED EXTERIOR WALLS
2	SMOOTH TEXTURE STUCCO SCORED METAL PAINTED EXTERIOR WALLS
3	ENTRY DOORS AND GARAGE DOORS, POT INDUSTRIES IMPACT RESISTANT PAINTED
4	METAL WORK AND DRIP EDGE PAINTED MATCHES AND DRIP EDGE BY MANUFACTURER
5	ROOF: TERRA COTTA COLOR ENTEGRA ROOF TILE BELLA HIGH S-TILE
6	ALUMINUM WINDOWS, SCREENS, AND LIGHT FIXTURES BY MANUFACTURER
7	HARDWARE AND LIGHT FIXTURES BY MANUFACTURER
8	PREFABRICATED MEDALLION BY MANUFACTURER

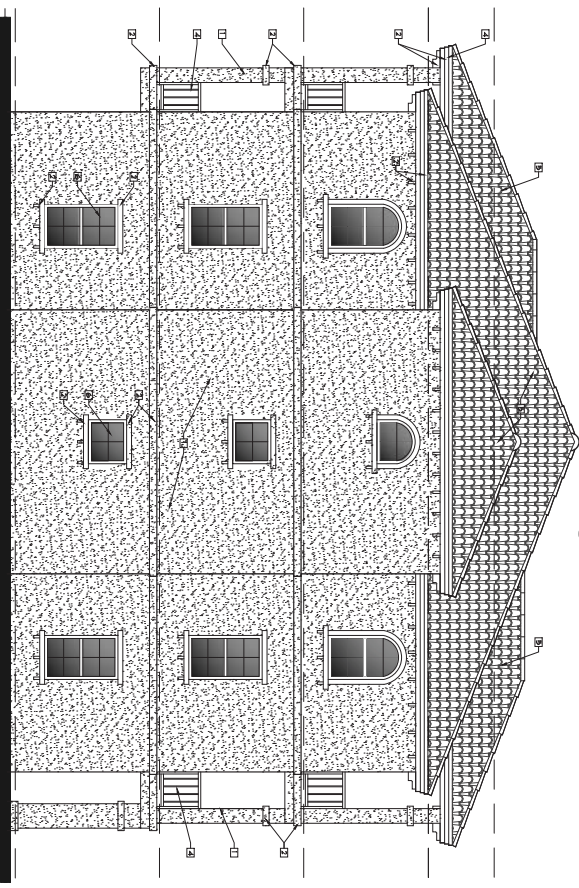


2 SOUTH ELEVATION BLDG NO. 1  
SCALE: 1/4" = 1'-0"



1 EAST ELEVATION BLDG NO. 1  
SCALE: 1/4" = 1'-0"

MARK	MATERIAL DESCRIPTION	COLOR/FINISH
1	SMOOTH TEXTURE STUCCO, SCORED LINES PAINTED ON 1ST FLOOR WALLS	DIAMOND WEAVE, EXTERIOR SATIN, SHERWIN WILLIAMS
2	SMOOTH TEXTURE STUCCO, SCORED LINES PAINTED ON 2ND AND 3RD FLOOR WALLS	BLUE INS, EXTERIOR SATIN, SHERWIN WILLIAMS
3	SMOOTH TEXTURE STUCCO, PAINTED ON COLUMNS, TRIM, FUSION, CHARGE DOORS	EXTRA WHITE, EXTERIOR SATIN, SHERWIN WILLIAMS
4	IMPACT RESISTANT PAINTED TERRAZZO, 1ST FLOOR, EXTERIOR SATIN, SHERWIN WILLIAMS	SOFTWAVE, EXTERIOR SATIN, SHERWIN WILLIAMS
5	METAL WORK AND PARTS, PAINTED ON RAILINGS, SHUTTERS, AND ACCESSORY PARTS	QUARRY GRAY, OXFORD, SINGLES, OWENS CORNING
6	ROOF:	WHITE ALUMINUM
7	ALUMINUM WINDOWS AND DOORS, RESISTANT IMPACT	WHITE ALUMINUM
8	HARDWARE AND LIGHT FIXTURES, MANUFACTURES VARY	RUSTIC BLACK



2 NORTH ELEVATION BLDG NO. 1  
SCALE: 1/4" = 1'-0"

ALLEN'S ARCHITECTURE, P.C.  
ARCHITECTS

1001 N. W. 10th Ave., Suite 100  
Fort Lauderdale, FL 33304  
Phone: 954.571.1111  
Fax: 954.571.1112  
www.allensarchitecture.com

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STANLEY KNIGHT & ASSOCIATES  
FLORIDA P.A. #15112  
ARCHITECT

PROJECT  
17.0073

GOODSTONE  
TOWNHOMES

PROJECT DESCRIPTION  
NEW TOWNHOME  
HOLBROOK PROJECT  
PROJECT ADDRESS  
NORTH FEDERAL HWY AND  
DOWNINGDALE E.

OWNER  
GOODSTONE, LLC

REVISION

DATE  
JUL 26, 2018

DESIGNER  
J. SMITH

PROJECT NO.  
CONCEPTUAL  
DESIGN

SHEET COMMENTS  
EAST AND NORTH  
ELEVATION  
BUILDING 1

SHEET NO.  
A-5



Luminaire Schedule										
Project: GOOD STONE TOWNHOMES 03-21-2018										
Symbol	Qty	Label	Description	Lumens/Lamp	LLD	LDD	BF	LLF	Lum. Watts	Total Watts
	6	2W	DOVER CAST 1 - LIGHT OUTDOOR WALL LANTERN 3023CDBZ WALL MOUNT 7'6 AFG TO TOP	N.A.	0.900	0.900	1.000	0.810	28	168
	5	4W	DOVER CAST 1 - LIGHT OUTDOOR WALL LANTERN 3023CDBZ WALL MOUNT 7'6 AFG TO TOP	N.A.	0.900	0.900	1.000	0.729	28	140

Calculation Summary							
Project: GOOD STONE TOWNHOMES 03-21-2018							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
PROPERTY LINE	Illuminance	Fc	0.04	0.3	0.0	N.A.	N.A.
SITE & PARKING_Planar	Illuminance	Fc	2.37	5.9	0.5	4.74	11.80



Lighting Your Life Since 1970

Product Specifications - 3023CDBZ

Job Name:	Job Type:
Quantity:	Comments:



3023CDBZ  
Dover Cast 1-Light Outdoor Wall Lantern

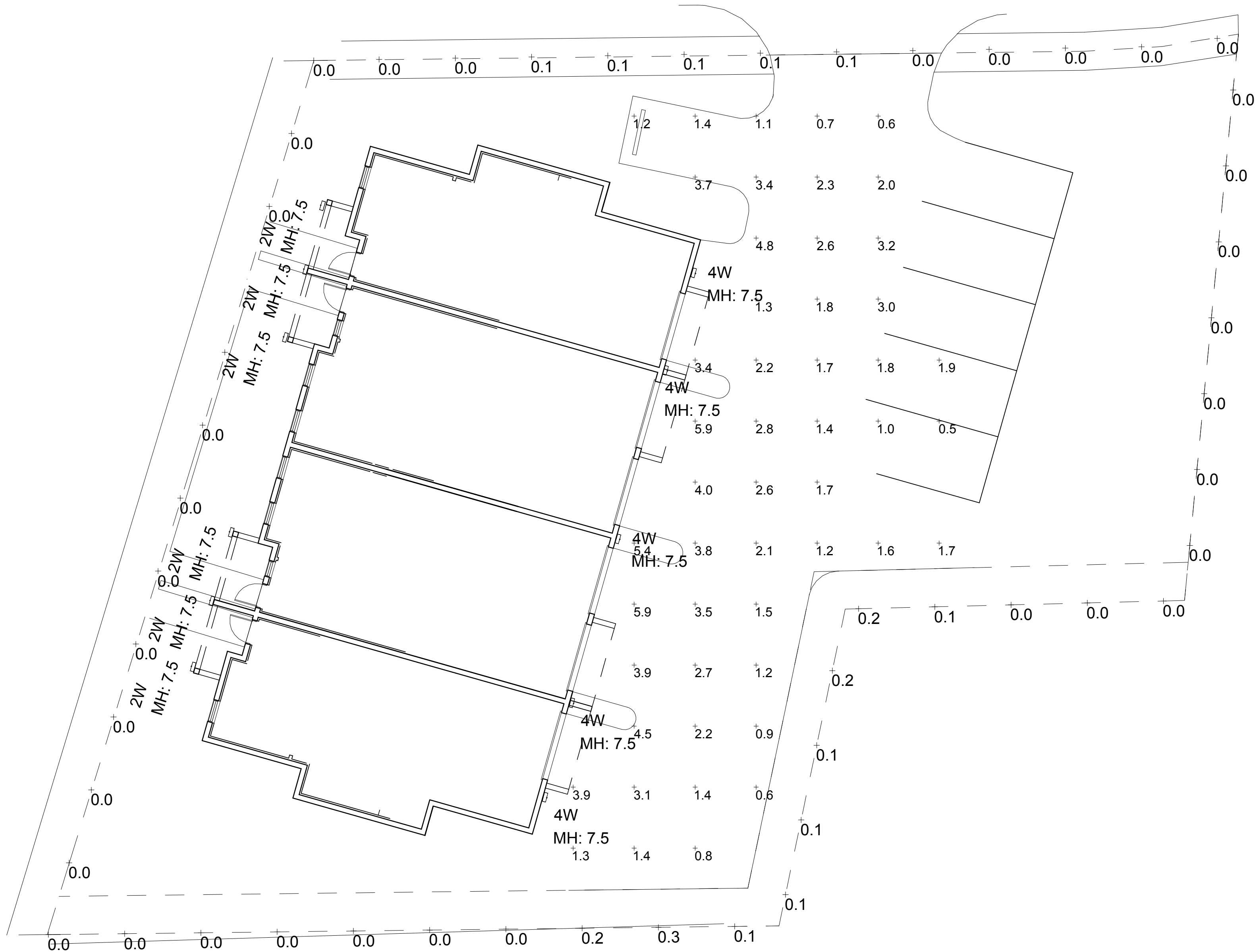
Finish	Glass/Shade	Product Category
Bronze	Seedy	Outdoor Wall Mount

Lamping		Measurements		Shipping	
Number of Bulbs	1	Width	8.0"	Carton Weight	1.0 lbs
Light Type	Incandescent	Height	19.5"	Carton Width	10"
Bulb Type	MB	Length	N/A	Carton Height	30"
Max Bulb Wattage	100	Extension	10"	Carton Length	14"
Max Fixture Wattage	100	Back Plate Width	5.0"	Carton Cubic Feet	2.43
Rated Life	±2,500 Hours	Back Plate Height	10.5"	Master Pack	1
Rated Lumens	±1,150	HCO	11.5"	Master Pack Weight	N/A
Color Temp	±2,700 K	Min Overall Height	N/A	Master Pack Width	N/A
Bulb(s)	Not Included	Max Overall Height	N/A	Master Pack Height	N/A
Light Up/Down	N/A	Hanging Weight	1.0 lbs	Master Pack Length	N/A
Beam Spread	N/A	Height Adjustable	N/A	Master Cubic Feet	N/A
CRI	N/A	Slope	N/A	UPS Shippable	Yes
Photo Cell Included	N/A	Chain Length	N/A		
Ballast/Driver/Transformer	No	Wire Length	N/A		
Dimmable	Standard	Canopy Width	N/A		
		Canopy Height	N/A		
		Canopy Length	N/A		

Certification	Other	Equivalents
Safety Rating	Wet	UPC Code 783209302303
Energy Star	No	Shades Included N/A
CA Title 24	No	Crystals Included N/A
CA Title 20	No	Diffuser Included N/A
ADA	No	Conversion Kit N/A
Dark Sky	N/A	Material Die Cast Aluminum

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Always consult a qualified, licensed electrician before installation of any product weighing 35 pounds or more. We recommend that a qualified, licensed electrician do the installation. Always install to a mechanically sound structure.



1 PHOTOMETRIC SITE PLAN  
SCALE: 1" = 10'-0"

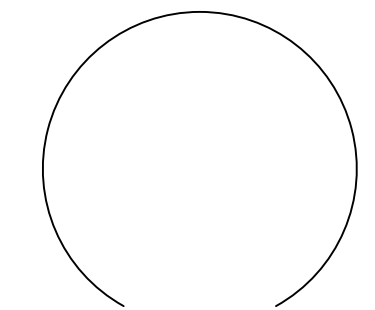


ALEXIS KNIGHT  
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BOYNTON BEACH, FL 33435  
PHONE: (561) 374-9242  
www.AKARCHITECTSINC.COM

TO THE BEST OF MY KNOWLEDGE THE PLANS  
AND SPECIFICATIONS COMPLY WITH THE  
APPLICABLE MINIMUM BUILDING CODES AS  
DETERMINED BY THE LOCAL AUTHORITY IN  
ACCORDANCE WITH THE 2017 FLORIDA  
BUILDING CODE, 6TH EDITION, ALL  
AMENDMENTS AND SECTION 633 OF THE  
FLORIDA STATUTES.



STEVEN W. KNIGHT R.A.  
FLORIDA R.A. #15312  
ARCHITECT

PROJECT 17.0073

PROJECT

GOODSTONE  
TOWNHOMES

PROJECT DISCRPTION  
NEW TOWNHOME  
HOUSING PROJECT

PROJECT ADDRESS  
NORTH FEDERAL HWY AND  
CHUKKER ROAD,  
BOYNTON BEACH, FL.

OWNER  
GOODSTONE, LLC

KEY PLAN

REVISION

Project Number 17.0073

Filename

Scale AS SHOWN

Date JULY 10, 2018

LAYOUT	CP
DRAWN	CP
REVIEWED	SWK

SUBMITTAL PHASE

CONCEPTUAL  
DESIGN

SHEET CONTENTS

PHOTOMETRIC  
SITE PLAN

SHEET NO.

## EXHIBIT C

### Conditions of Approval

Project Name: Good Stone Townhomes  
 File number: NWSP 18-001  
 Reference: 3<sup>rd</sup> review plans identified as a New Site Plan with an August 3, 2018 Planning and Zoning Department date stamp marking.

DEPARTMENTS	INCLUDE	REJECT
<b>ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES</b>		
Comments: None. All previous comments addressed at DART meeting.		
1. At time of permitting, provide an access easement over the portions of the sidewalk along Federal Highway and along Chukker Road that are built within the property.		
<b>FIRE</b>		
Comments: None. All previous comments addressed at DART meeting.		
<b>POLICE</b>		
Comments: None. All previous comments addressed at DART meeting.		
<b>BUILDING DIVISION</b>		
Comments: None. All previous comments addressed at DART meeting.		
<b>PARKS AND RECREATION</b>		
Comments:		
2. Park impact fees will be required at time of building permit.		
<b>PLANNING AND ZONING</b>		
Comments:		
3. Coordinate with Palm Tran to relocate the existing bus stop further south.		
4. At time of permitting, provide details of all proposed signage.		
5. At time of permitting, provide details of the proposed trellis.		
6. At time of permitting, update the photometric calculations to		

<b>DEPARTMENTS</b>	<b>INCLUDE</b>	<b>REJECT</b>
accurately reflect the revisions to the site plan.		
7. Approval of this New Site Plan application is subject to the approval of the corresponding Annexation, Future Land Use Amendment, and Rezoning.		
8. The Good Stone Home Owners Association documentation shall restrict the use of garages to vehicular storage.		
<b>COMMUNITY REDEVELOPMENT AGENCY</b>		
Comments: None. All previous comments addressed at DART meeting		
<b>PLANNING &amp; DEVELOPMENT BOARD CONDITIONS</b>		
Comments: To be determined.		
<b>CITY COMMISSION CONDITIONS</b>		
Comments: To be determined.		

S:\Planning\SHARED\WP\PROJECTS\Goodstone Townhomes\NWSP\StaffReport\Exhibit C - NWSP 18-001 COA.doc

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

PROJECT NAME: Good Stone Townhomes (NWSP 18-001)

APPLICANT: Good Stone, LLC

APPLICANT'S ADDRESS: 1 Sunset Lane, Pompano Beach, FL 33062

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

APPROVAL SOUGHT: Request for approval of a New Site Plan for the construction of a multi-family development consisting four (4) three (3)-story townhomes, parking, and related site improvements.

LOCATION OF PROPERTY: Southeast corner of South Federal Highway and Chukker Road

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:** 8/28/2018

**REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD:** Approve 125 E. Boynton Beach Blvd. Major Site Plan Modification (MSPM 18-004) to construct a one-story, 1,226 square foot addition to an existing 1,780 square foot office building and related site improvements, at 125 E. Boynton Beach Blvd. in the C-3 (Community Commercial) zoning district. Applicant: Limor Drillich.

---

**EXPLANATION OF REQUEST:**

Limor Drillich, representing Fins Properties, LLC, is requesting Major Site Plan Modification approval to construct a one-story, 1,226 square foot addition to an existing 1,780 square foot office building and related site improvements. The building addition is completely obscured by the existing building. The proposed plan also includes the addition of a new front façade for the building, comprised of a parapet wall entry feature, crown molding at the top of the parapet, arched openings and new columns, in an effort to provide an updated look to the building.

The site plan depicts the existing point of ingress/egress along the south side of the property connecting to Boynton Beach Boulevard to remain, and a secondary ingress/egress point will be added at the alley on the north side of the parking lot. Both the Fire and Engineering Departments requested the dedication of a small strip of land along the rear of the property in order to improve traffic movements in the alley. The applicant has agreed to provide the dedication and will submit the required documents to the City Attorney for review before recording, and before any permits are issued (see Exhibit "C" - Conditions of Approval).

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

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

**FISCAL IMPACT:** Additional revenues received from the permit and certificate of use applications, as well as the increased valuation of the property.

**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	Survey
<input type="checkbox"/> Drawings	Site Plan
<input type="checkbox"/> Drawings	Civil Plan
<input type="checkbox"/> Drawings	Demolition Plan
<input type="checkbox"/> Drawings	Landscape Plan
<input type="checkbox"/> Drawings	Photometric Plan
<input type="checkbox"/> Drawings	Floor Plan
<input type="checkbox"/> Drawings	Building Elevations 1
<input type="checkbox"/> Drawings	Building Elevations 2
<input type="checkbox"/> Drawings	Color Rendering 1
<input type="checkbox"/> Drawings	Color Rendering 2
<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 18-050**

**STAFF REPORT**

TO: Chair and Members  
Planning and Development Board and City Commission

FROM: Ed Breese  
Planning & Zoning Administrator

DATE: August 10, 2018

PROJECT NAME/NO: 125 E. Boynton Beach Blvd. / MSPM 18-004

REQUEST: Major Site Plan Modification

---

**PROJECT DESCRIPTION**

**Property Owner:** Fins Properties, LLC

**Applicant:** Limor Drillich

**Location:** 125 E. Boynton Beach Blvd. (see Exhibit "A" – Location Map)

**Existing Land Use:** Local Retail Commercial (LRC)

**Proposed Land Use:** No change proposed

**Existing Zoning:** Community Commercial (C3)

**Proposed Zoning:** No change proposed

**Proposed Use:** Request for Major Site Plan modification approval to construct a one-story, 1,226 square foot addition to an existing 1,780 square foot office building and related site improvements.

**Acreage:** 11,997 square feet

**Adjacent Uses:**

**North:** Alley right-of-way, then farther north developed residential properties with a Medium Density Residential (MeDR) future land use classification, and zoned Duplex Residential (R2);

**South:** Right-of-way for Boynton Beach Boulevard, then farther south existing City Hall Complex (now Master Planned as a mixed use development known as Boynton Town Square) with a High Density Residential (HDR) future land use classification, and zoned Mixed Use Medium (MXM);

**East:** Developed commercial building (KFC Restaurant) with a Local Retail Commercial (LRC) future land use classification, and zoned Community Commercial (C3); and

**West:** Developed retail center with a Local Retail Commercial (LRC) future land use classification, and zoned Community Commercial (C3).

**Site Details:** The subject site is currently developed with a 1,780 square foot office building and a parking lot on the east side. The parcel has 100 foot of frontage along Boynton Beach Boulevard and a lot depth of 120 feet, abutting an alley to the north.

### **BACKGROUND**

**Proposal:** Limor Drillich, representing Fins Properties, LLC, is requesting Major Site Plan Modification approval to construct a one-story, 1,226 square foot addition to an existing 1,780 square foot office building and related site improvements.

### **ANALYSIS**

**Concurrency:**

**Traffic:** 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 was received from Palm Beach County indicating that ten (10) AM peak hour trips and five (5) PM peak hour trips would be generated as a result of this project and that no permits are to be issued after the build-out date of 2020.

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

**Utilities:** The City's water capacity would meet the projected potable water 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.

**Police / Fire:** Staff reviewed the site plan and determined that current staffing levels would be sufficient to meet the expected demand for services.

**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.

**Vehicular Access:** The site plan (Sheet SP1) shows that the existing point of ingress/egress along the south side of the property connecting to Boynton Beach Boulevard will remain, and a secondary ingress/egress point will be added off the alley on the north side of the parking lot.

**Circulation:** Vehicular circulation would include two-way circulation that continues along the east side of the building to the parking spaces at the rear of the site. Waste removal trucks will not be required to access the site, as rollout containers will be



utilized for the office space, as it is today, with the containers placed out on the scheduled day of pickup. The Fire Department has reviewed the site circulation and is satisfied with the design. Both the Fire and Engineering Departments requested the dedication of a small strip of land along the rear of the property in order to improve traffic movements in the alley. The applicant has agreed to provide the dedication and will submit the required documents to the City Attorney for review before recording, and before any permits are issued (see Exhibit “C” - Conditions of Approval).

**Parking:**

The site plan (Sheet SP1) depicts a total of 3,006 square feet of office building, with the addition of 1,226 square feet proposed with this application. An office building of this size would require ten (10) parking spaces, based upon the applicable minimum parking standard of one (1) parking space per 300 square feet of building. The site plan depicts the provision of ten (10) parking spaces, including one (1) designated for handicap use. All parking spaces are located on the east side of the building, and the parking stalls, including the size and location of the handicap space, 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.

**Landscaping:**

The landscape plan (Sheet L-1) depicts the buffer adjacent to Boynton Beach Boulevard planted with Yellow Elder, Crepe Myrtle and double-trunk Alexander Palm trees, variegated Croton, Ilex Schellings, Dwarf Lavender Bougainvillea, Blueberry Flax, variegated Bromeliads and Green Island Ficus shrubs and groundcovers. In addition, there is a landscape strip within the widened sidewalk area consisting of Silver Buttonwood trees, Green Island Ficus and Perennial Peanut groundcover. A six (6)-foot wide buffer is provided along the east side of the property, screening the parking lot, and containing Live Oak trees to complement those in the adjacent property landscape buffer and small leaf Clusia, Schefflera Arbuticola and Ilex Schellings shrubs. The rear of the property behind the existing building and new addition will be enhanced with double-trunk Alexander Palm trees.

The pervious area would total 26% of the entire site and consist of landscaped areas. Additionally, the landscape code requires that 50% or more of the plant material be native species or low to medium water demand varieties, as denoted in the South Florida Water Management District's WaterWise Guide. The plant list (Sheet L-1) indicates that 100% of the proposed plant material is drought tolerant. The code also limits the use of sod to larger open spaces for passive or active recreation purposes, as well as swales, water detention and retention areas, in an effort to reduce water consumption. The plan depicts a limited amount of sod, confined to the swale area between the building and the structure to the west, and small area at the rear of the building to catch any water leaving the alley surface.

**Building and Site:**

The proposed building addition is designed as a one (1)-story structure with a front parapet wall depicted at 15'- 8" in height, designed to add architectural character to the structure. The building addition is designed along the west side of the existing structure, and the proposed placement complies with the minimum setbacks of the C3 zoning district and Urban Commercial Overlay, with the building setback five (5) feet from the west (side) property line and 30 feet from the north (rear) property line

abutting the alley. The floor plan (Sheet A1) indicates the total building footprint will consist of a total of 3,006 square feet of office building, with the addition of the 1,226 square feet proposed with this application, with separate entry doors for each of the two (2) tenants, located at the front (south side) of the building, and the existing parking lot improved and expanded along the east side of the building.

- Building Height:** The building elevations (Sheet A3) indicate the highest point of the structure would be the top of the parapet element at the front of the building, at 15'- 8" in height. The typical roof height is proposed at 12'- 6", well below the maximum of 45 feet allowed in the C3 zoning district, and comparable to buildings in the immediate vicinity.
- Design:** The building addition is completely obscured by the existing building. The proposed plan however includes the addition of a new front façade for the building, including a parapet wall entry feature, with crown molding at the top of the parapet, arched openings and new columns, in an effort to provide an updated look to the building. According to the details on Sheet A3, the body paint color would be a light gray, "*Silverpointe*" – Sherwin-Williams 7653. A secondary body color used solely for the new parapet front wall and returns would be a light blue-gray color, "*Take Five*" – Sherwin-Williams 6513. All of the trim is proposed as a creamy white, "*Snowbound*" – Sherwin-Williams 7004.
- Public Art:** The applicant has indicated they do not anticipate the costs of the improvements to exceed the threshold of \$250,000 required to provide Art in Public Places.
- Site Lighting:** The photometric plan (Sheet PM-1) proposes a total of two (2) freestanding lights in the parking lot, along the east side of the property. The freestanding lights would consist of a clay color Mission Revival Bell style light fixture by Environmental Lighting, mounted at 15 feet in height. In addition, there are five (5) wall light fixtures proposed at eight (8) feet in height. The lighting levels proposed comply with the City requirement of a maximum allowance of 5.9 foot-candle spot readings.
- Signage:** Wall signage on the south building elevation has not been designed at this point. The applicant has depicted the proposed locations of the wall for signage. Staff has placed a couple of Conditions of Approval associated with any future signage. First, at time of permit, the applicant shall revise the building elevations to correctly depict the maximum sign square footage allowance and then scale down the sign box to accurately depict the sign area. Secondly, the applicant shall submit a proposed Sign Program for the building, prior to issuance of any sign permits. No monument sign is planned for the site.

### **RECOMMENDATION**

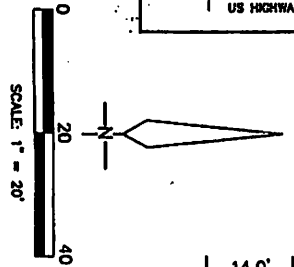
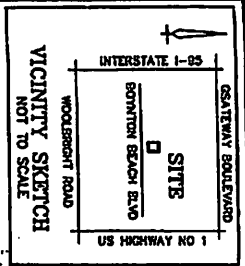
The Development Application Review Team (DART) has reviewed this request for Major Site Plan Modification approval and recommends approval contingent upon satisfying all comments indicated in Exhibit "C" – Conditions of Approval. Any additional conditions recommended by the Board or City Commission shall be documented accordingly in the Conditions of Approval.



# LOCATION MAP







**LEGEND:**  
 CONC. = CONCRETE  
 MEAS = MEASURED  
 CALC = CALCULATED  
 WM = WATER METER

**PREPARED FOR**  
 GRADE DILLICH  
 2875 S. CONGRESS AVENUE  
 SUITE C  
 DELRAY BEACH, FL 33445

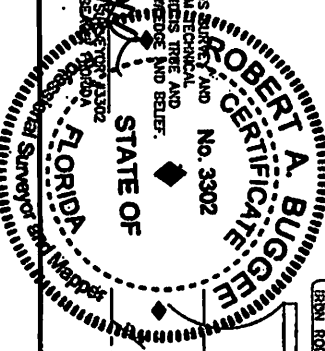
**FLOOD ZONE**  
 FLOOD ZONE C  
 PANEL NUMBER: 120198 0003  
 PANEL DATE: 8/20/1982

**ELEVATIONS:**  
 PARENT BENCHMARK:  
 PALM BEACH COUNTY BENCHMARK B-25  
 ELEVATION 18.83 MGD 1928  
 SITE BENCHMARK: X CUT AT BACK OF WALK  
 NS E CORNER OF PROPERTY ELEVATION:  
 ELEVATIONS SHOWN THIS

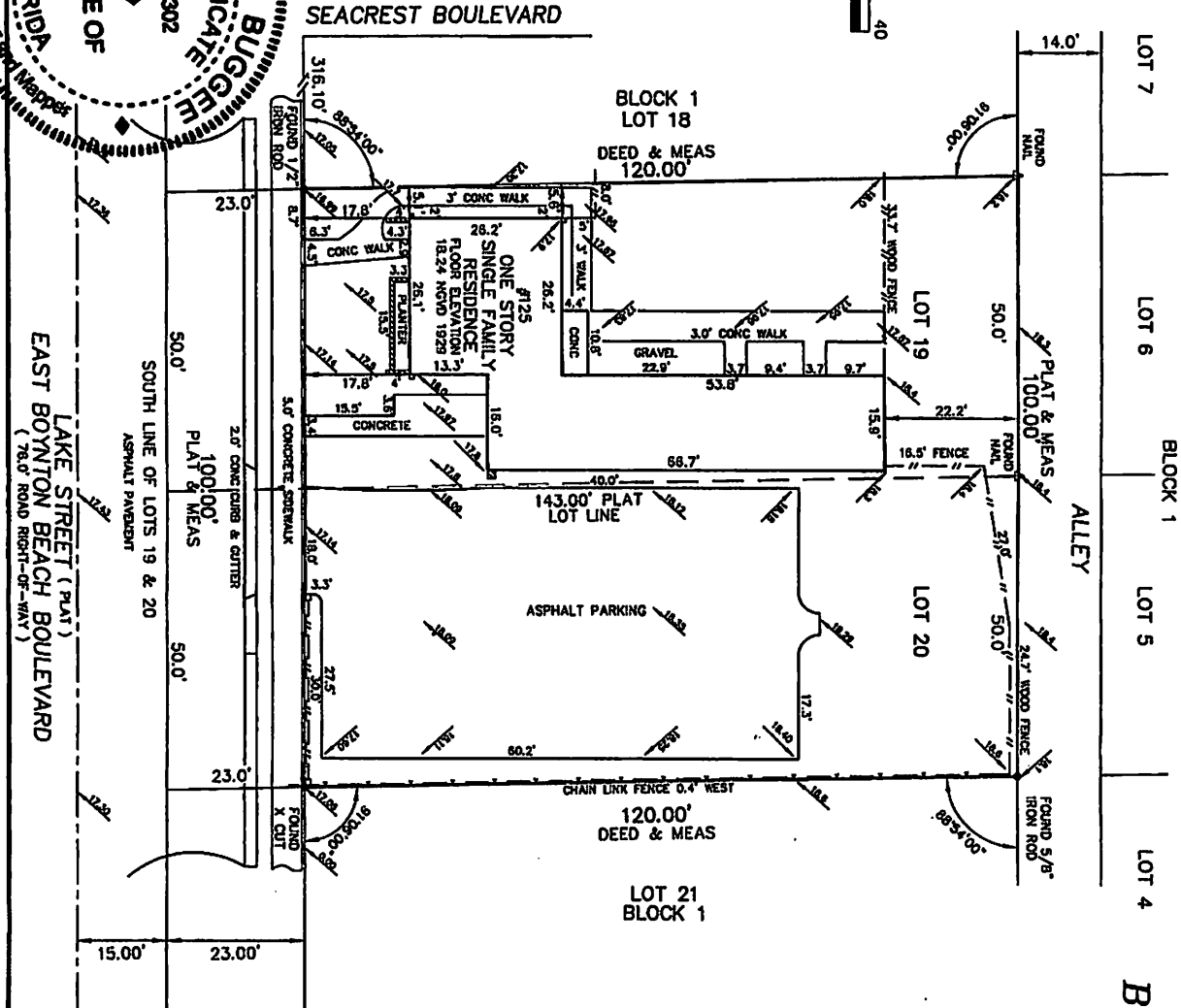
**CERTIFICATION**

I HEREBY CERTIFY THAT I HAVE THIS SURVEY AND THAT IT COMPLIES WITH THE MIDDLE TECHNICAL STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND ENGINEERS OF THE STATE OF FLORIDA.

ROBERT A. BUGGEE  
 STATE OF FLORIDA  
 PROFESSIONAL SURVEYOR  
 NO. 33902  
 DATE OF FIELD SURVEY: 04/25/17



DWG #0407517



**BOUNDARY SURVEY**

for  
**FINN PROPERTIES LLC**

**SURVEYOR'S NOTES**

LEGAL DESCRIPTION PROVIDED BY CLIENT.  
 SURVEYOR HAS NOT ABSTRACTED THIS SURVEY FOR EASEMENTS AND RIGHTS OF WAYS OF RECORD.  
 SURVEY IS NOT VALID WITHOUT A RAISED SEAL BEARING, IF SHOWN, ARE BASED ON THE RECORD PLAT.  
 ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD, USING FEET.  
 ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

**LEGAL DESCRIPTION**

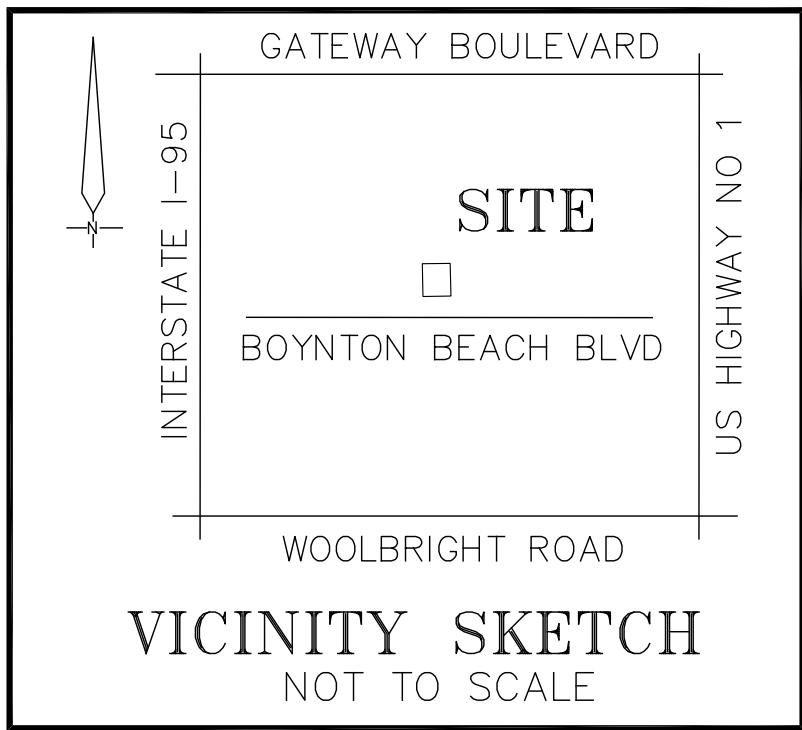
LOT 19, LESS THE SOUTH 23 FEET, BLOCK 1, AND LOT 20, LESS RIGHT OF WAY FOR STATE ROAD 804, AS DESCRIBED IN OFFICIAL RECORD BOOK 1324, PAGE 3, BLOCK 1, SHEPARD FUNK ADDITION TO BOYNTON ACCORDING TO THE PLAT HEREIN ON FILE RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 15.

**CERTIFIED TO**  
 FINN PROPERTIES LLC

**PROPERTY ADDRESS**  
 125 E BOYNTON BEACH BLVD.  
 BOYNTON BEACH, FLORIDA 33435

CANCELLED CERTIFICATIONS 1-15-17

PREPARED BY:  
**Bob Buggie, Inc.**  
 the "SURVEYOR"  
 P.O. BOX 3887  
 BOYNTON BEACH, FLORIDA 33435  
 SURVEY & MAPPING BUSINESS 77890  
 861-722-7877

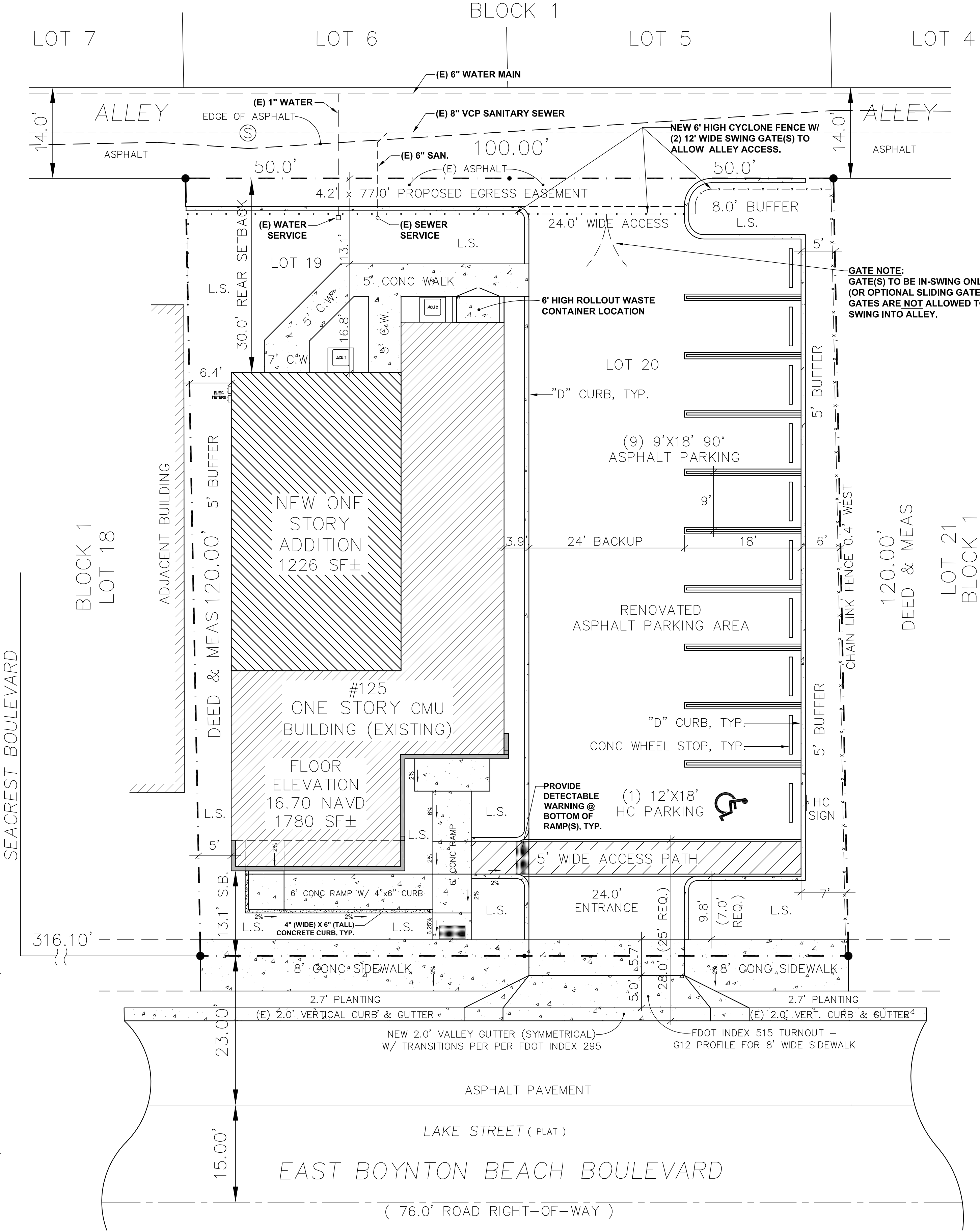


ALL ABOVE GROUND MECHANICAL EQUIPMENT SUCH AS, BUT NOT LIMITED TO, EXTERIOR UTILITY BOXES, METERS, AND TRANSFORMERS SHALL BE DEPICTED ON ALL PLANS AND SHALL BE VISUALLY SCREENED. BACK-FLOW PREVENTERS SHALL BE PAINTED TO MATCH THE PRINCIPAL STRUCTURE.

ALL PLANS SUBMITTED FOR PERMITTING SHALL MEET THE CITY'S CODES AND THE APPLICABLE BUILDING CODES IN EFFECT AT THE TIME OF PERMIT APPLICATION.

ZONING DATA

	(MIN./MAX) STANDARD	REQUIRED	PROPOSED
BUILDING HEIGHT:	1 STORY / 45' MAX.		15.8'
LOT WIDTH:	50' MIN.	50' MIN.	100.00'
BUILDING SETBACKS			
FRONT (SOUTH)	15' MAX.	0'-15' MIN.	13.1'
REAR (NORTH)	0' MIN.	0' MIN.	22'
SIDE (WEST)	0' MIN.	0' MIN.	5'
SIDE (EAST)	0' MIN.	0' MIN.	51.9'



1 PROPOSED SITE PLAN  
SCALE: 1" = 10'-0"

BOUNDARY PLAN PREPARED  
& PROVIDED BY:  
**Bob Buggee, Inc.**  
the "SURVEYOR"  
  
P.O. BOX 3887  
BOYNTON BEACH, FLORIDA, 33426  
SURVEY & MAPPING BUSINESS #7890  
561-732-7877

LEGAL DESCRIPTION

LOT 19, LESS THE SOUTH 23 FEET, BLOCK 1, AND LOT 20, LESS RIGHT OF WAY FOR STATE ROAD 804, AS DESCRIBED IN OFFICIAL RECORD BOOK 1324, PAGE 3, BLOCK 1 SHEPARD FUNK ADDITION TO BOYNTON ACCORDING TO THE PLAT THEREOF ON FILE RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 15.

CONTAINING 11997 SQUARE FEET (0.275 ACRES) MORE OR LESS

PCN: 08-43-45-21-30-001-0190

PROPERTY ADDRESS

125 E BOYNTON BEACH BLVD.  
BOYNTON BEACH,  
FLORIDA 33435

PREPARED FOR

CRAIG DRILLICH  
2875 S. CONGRESS AVENUE  
SUITE. C  
DELRAY BEACH, FL 33445

FLOOD ZONE

FLOOD ZONE: X  
PANEL NUMBER: 12099C 0789  
EFFECTIVE DATE: 10/5/2017

PARKING TABULATION

PARKING REQUIREMENTS:  
BUSINESS OCCUPANCY: 3006 SF  
3006 SF ÷ 300 SF PER SPACE = 10.02 SPACES REQ.

PARKING PROVIDED:	
HANDICAP ACCESSIBLE PARKING (12'X19')	1
W/ 5' ACCESS PATH:	9
90° PARKING (9'X19'):	9

TOTAL PARKING PROVIDED THIS PLAN: 10

PROJECT SITE DATA

SITE ZONING:	1700 - OFFICE ONE STORY
ZONING C3-COMMUNITY COMMERCIAL (08-BOYNTON BEACH)	
CONSTRUCTION TYPE:	"II-A" UNPROTECTED
OCCUPANCY:	BUSINESS
R.O.W. DEDICATION AREA:	300 SF (3' X LOT WIDTH)
BUILDING COVERAGE:	3,006 SF 25.7%
TOTAL SITE AREA:	11,997 SF 100%
EXISTING BUILDING	1,748 SF
NEW BUILD. EXPANSION	1,258 SF
PAVED (HARDSCAPE) AREA:	5,798 SF 48.3%
GREEN (LANDSCAPE) AREA:	3,193 SF 26.0%
BUILDING HEIGHT:	15.8' (TOP OF PARAPET)

**J-W Engineering, Inc.**  
Civil and Structural Engineering  
C.O.A. #9337

**PDG** PROPERTY DAMAGE  
CONSULTANTS  
2875 S Congress Ave., Suite C  
Delray Beach FL, 33445  
Tel: 561-451-4700

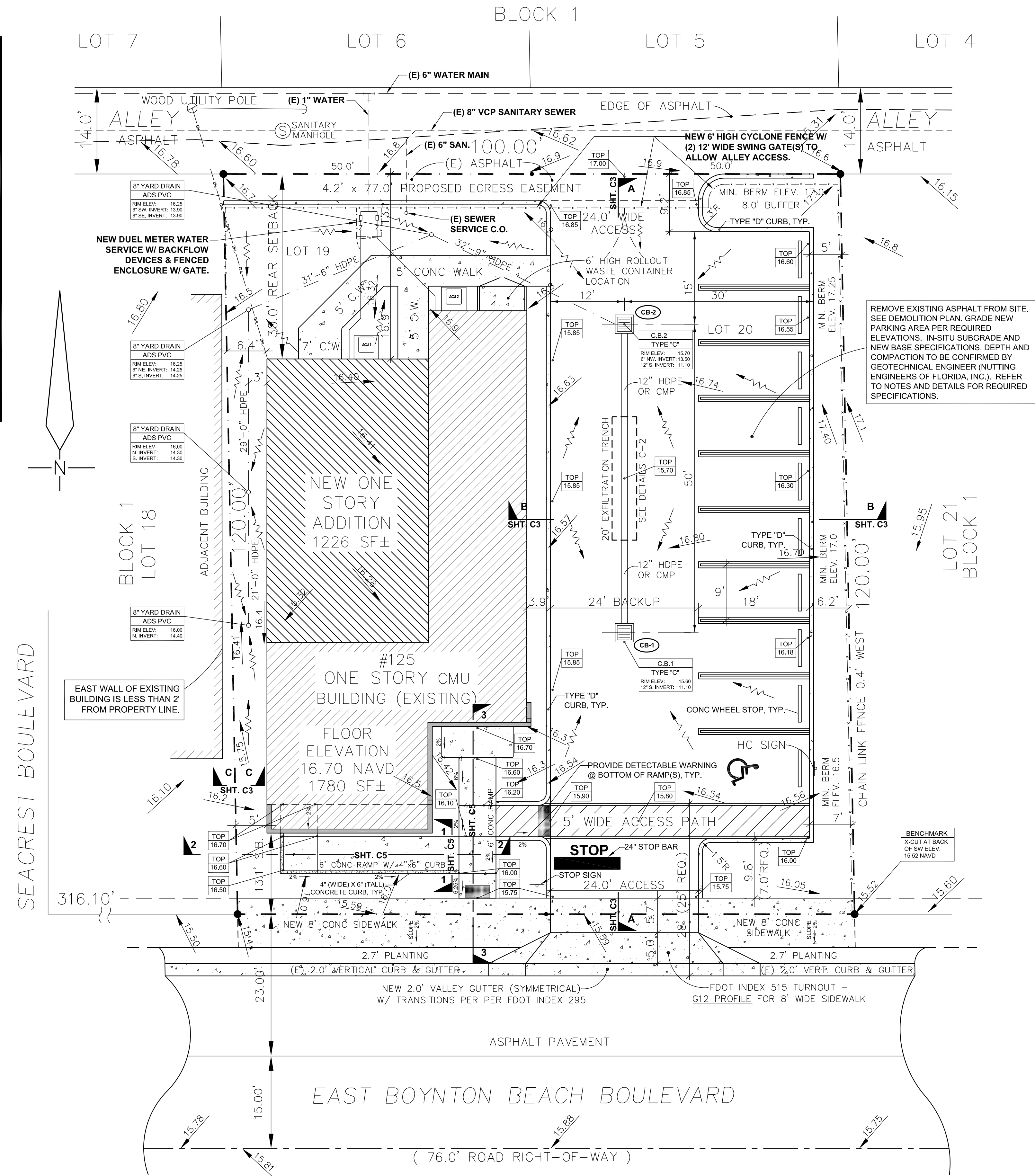
**COMMERCIAL RENOVATION**  
125 E. BOYNTON BEACH BOULEVARD  
BOYNTON BEACH, FL 33435

DRAWN BY: R.K.W.  
CHECKED BY: J.W.W.  
SCALE: 1" = 10'-0"  
DATE: 07-16-2018  
JOB NUMBER: 1709738  
SHEET NUMBER:

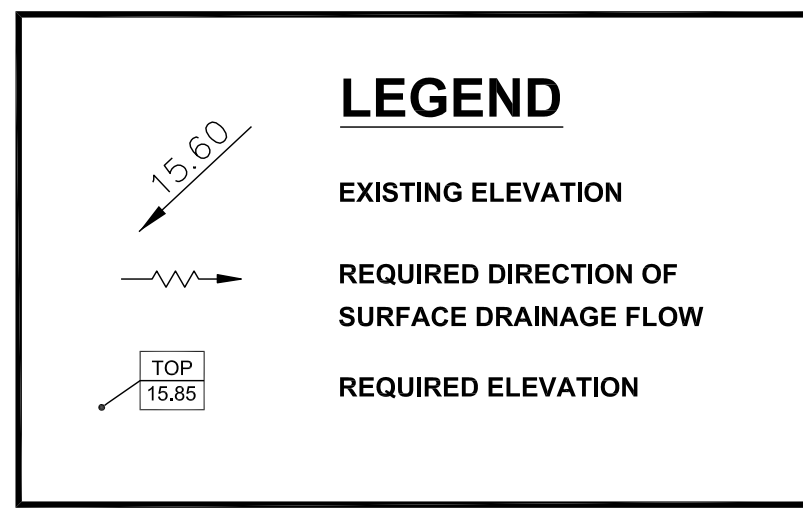
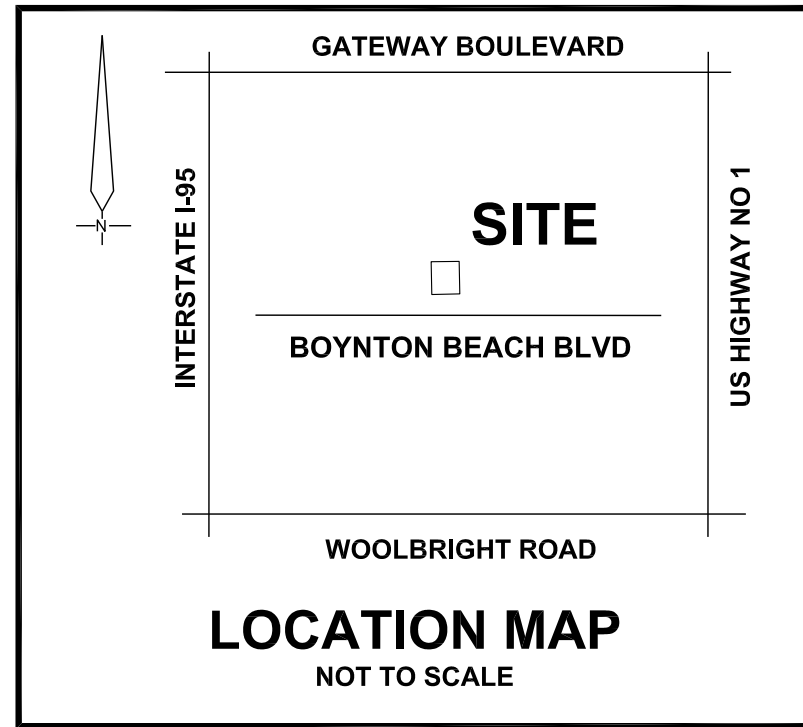
**SP1**  
SHEET 1 OF 1

SEAL  
James W. Wesson, P.E.  
Florida Lic. No. 46487

- Area Drainage Notes:**
- Catch Basins shall be ADS PVC basins with traffic bearing cast iron grates. Rim elevations shall be set at 0.1 feet below adjacent grade elevation. Pour 2.5' x 2.5' x 8" thick concrete collar (over well compacted soil) around basins after installation [confirm with Owner]. Reinforce concrete with #3 rebar at 4" O.C. See Catch Basin Table for invert and rim elevations.
  - Drainage Pipe shall be ADS N-12 HDPE pipe with diameters per the plan; and shall be installed with a linear slope between catch basins.
  - Perforated pipe within exfiltration trench shall have the ADS Standard Perforation Pattern (AASHTO Class II perforation).
  - Backfill for basins, drains and pipe shall be clean in-situ soil free of topsoil and organics. Compact backfill in 12" lifts a density equal to that of adjacent undisturbed soil.
  - Location of drainage system (basins, drains and pipe) shall be coordinated with landscape plans. Order basin lengths 12" longer than required by plan and adjust rim elevations to accommodate area drainage conditions. Landscape architect should be consulted prior to finalizing installation of drainage system.
  - Contractor shall install an ADS in-line "Y" fitting within a drain line, where applicable, to allow for a lateral tie-in of an adjacent downspout.



- General Notes**
- Benchmark data is North American Vertical Datum of 1988 (NAVD-88).
  - Dimensions and offsets refer to the centerline of conduit or structure unless otherwise shown and noted on the plans.
  - The location of any existing utilities shown on the plans are approximate only; the exact locations shall be determined by the contractor prior to construction. In addition, the contractor shall be responsible to verify if "other" utilities (not shown on the plans) exist within the area of construction. Should there be utility conflicts, the contractor shall inform the engineer and notify the respective utility owners to resolve those utility conflicts and the utility adjustments, as required.
  - Utility locations may be determined by calling Sunshine State One-Call Center of Florida (Sunshine) and specific utility company. Forty-eight (48) hours prior to construction, the contractor shall contact Sunshine to locate underground utilities:  
  
Utility Phone Numbers: Sunshine 1-800-432-4770
  - Utilities to be adjusted by others, as directed by the engineer, unless otherwise noted.
  - Prior to commencement of any excavation, the contractor shall comply with Florida Statute 553.851 for the protection of underground gas lines and underground telecommunication lines.
  - The use of trench box or other approved means to comply with the Florida Trench Safety Act (Florida Statutes 553.60 – 553.63), and OSHA Trench Safety Standards, shall be used where excavations exceed 5 feet in depth.
  - The contractor shall schedule his operations to minimize any inconvenience to adjacent walkways or bikeways where pedestrians access public right-of-ways.
  - Maintenance of traffic shall be in accordance with current Florida D.O.T. Standards and the "Manual of Uniform Traffic Control Devices for Streets and Highways," and any local jurisdictions (as applicable).
  - It shall be the contractor's responsibility to secure all permits necessary to complete the work in accordance with required regulations.
  - The contractor shall warranty all work including materials and labor for a minimum period of one (1) years from the date of acceptance of the project by the engineer and the appropriate governing department.



**1 PROPOSED PAVING, DRAINAGE & UTILITIES PLAN**  
SCALE: 1" = 10'-0"

**JW Engineering, Inc.**  
Civil and Structural Engineering  
C.O.A. #9937  
20 Balfour Road West  
Palm Beach Gardens, FL 33418  
Tel: (561) 630-3550 JWessonPE@aol.com

**PDG PROPERTY DAMAGE CONSULTANTS**  
2875 S Congress Ave., Suite C  
Delray Beach FL, 33445  
Tel: 561-451-4700

**COMMERCIAL RENOVATION**  
125 E. BOYNTON BEACH BOULEVARD  
BOYNTON BEACH, FL 33435

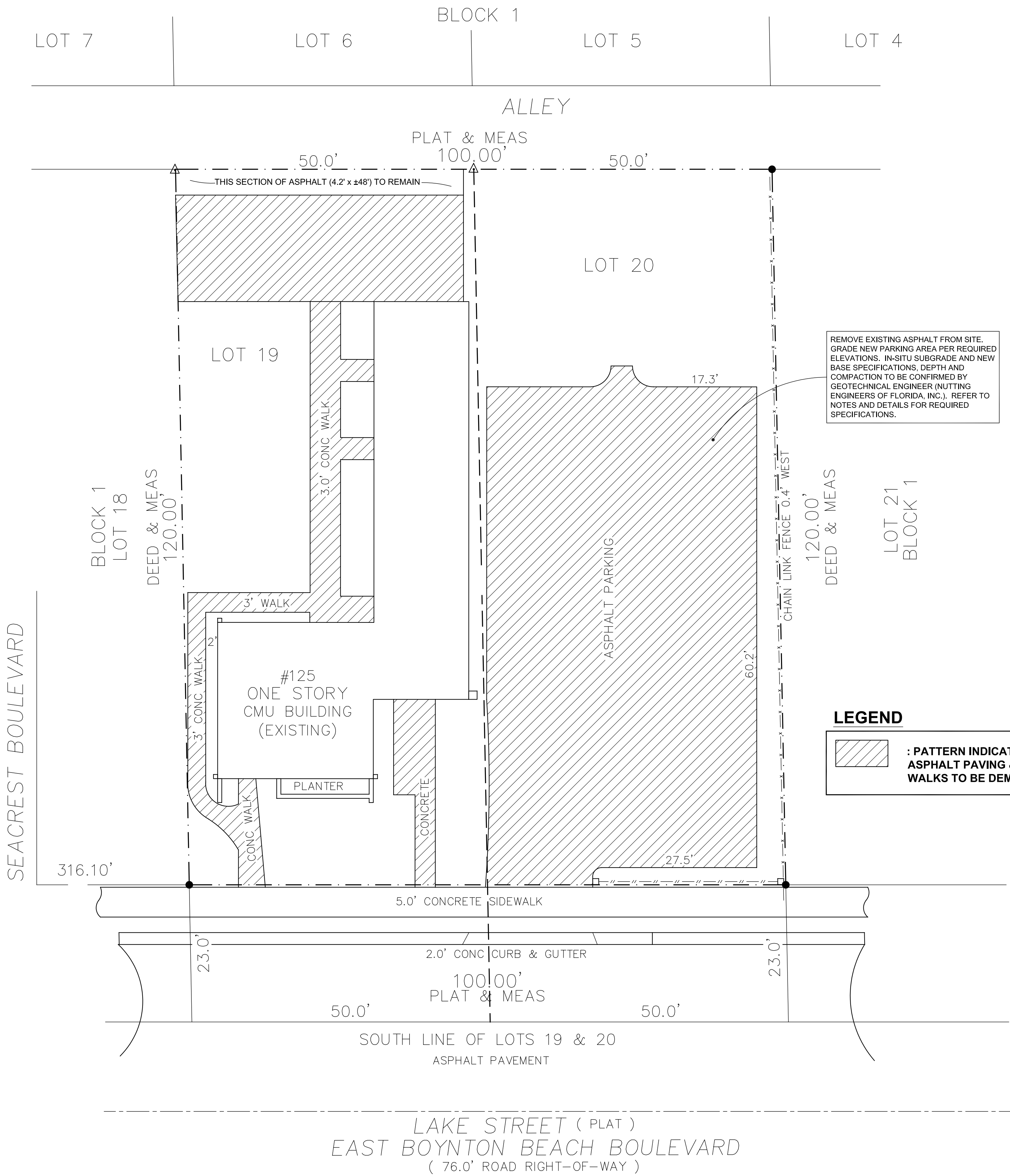
**PROPOSED PAVING, DRAINAGE & UTILITIES PLAN**

DRAWN BY: R.K.W.  
CHECKED BY: J.W.W.  
SCALE: 1" = 10'-0"  
DATE: 07-16-2018  
JOB NUMBER: 1709738  
SHEET NUMBER: C1

SHEET 1 OF 5

James W. Wesson, P.E.  
Florida Lic. No. 46487





1 PAVING DEMOLITION PLAN

SCALE: 1"=10'-0"

PLAN REVISIONS PER COMMENTS			07-25-2018
REV.	DESCRIPTION	APRV	DATE
STATUS :			

SEAL

James W. Wesson, P.E.  
Florida Lic. No. 46487

J-W Engineering, Inc.  
Civil and Structural Engineering  
C.O.A. #9937  
20 Balfour Road West  
Palm Beach Gardens, FL 33418  
Tel: (561) 830-3550 JWWessonPE@aol.com

PDC PROPERTY DAMAGE CONSULTANTS  
2875 S Congress Ave., Suite C  
Delray Beach FL, 33445  
Tel: 561-451-4700

COMMERCIAL RENOVATION  
125 E. BOYNTON BEACH BOULEVARD  
BOYNTON BEACH, FL 33435  
PAVING DEMOLITION PLAN

DRAWN BY: R.K.W.  
CHECKED BY: J.W.W.  
SCALE: N.T.S.  
DATE: 07-16-2018  
JOB NUMBER: 1709738  
SHEET NUMBER:

D1  
SHEET 1 OF 1









GENESIS  
LIGHT



**PROPERTY DAMAGE  
CONSULTANTS**

**2875 S Congress Ave., Suite C**

**Delray Beach FL, 33445**

**Tel: 561-451-4700**

# COMMERCIAL RENOVATION

**125 E. BOYNTON BEACH BOULEVARD**

**BOYNTON BEACH, FL 33435**

## **PROPOSED PHOTOMETRIC PLAN**

# PM-1

**SHEET 1 OF 1**

### 3 P-1\_1 POLE MOUNT FIXTURE

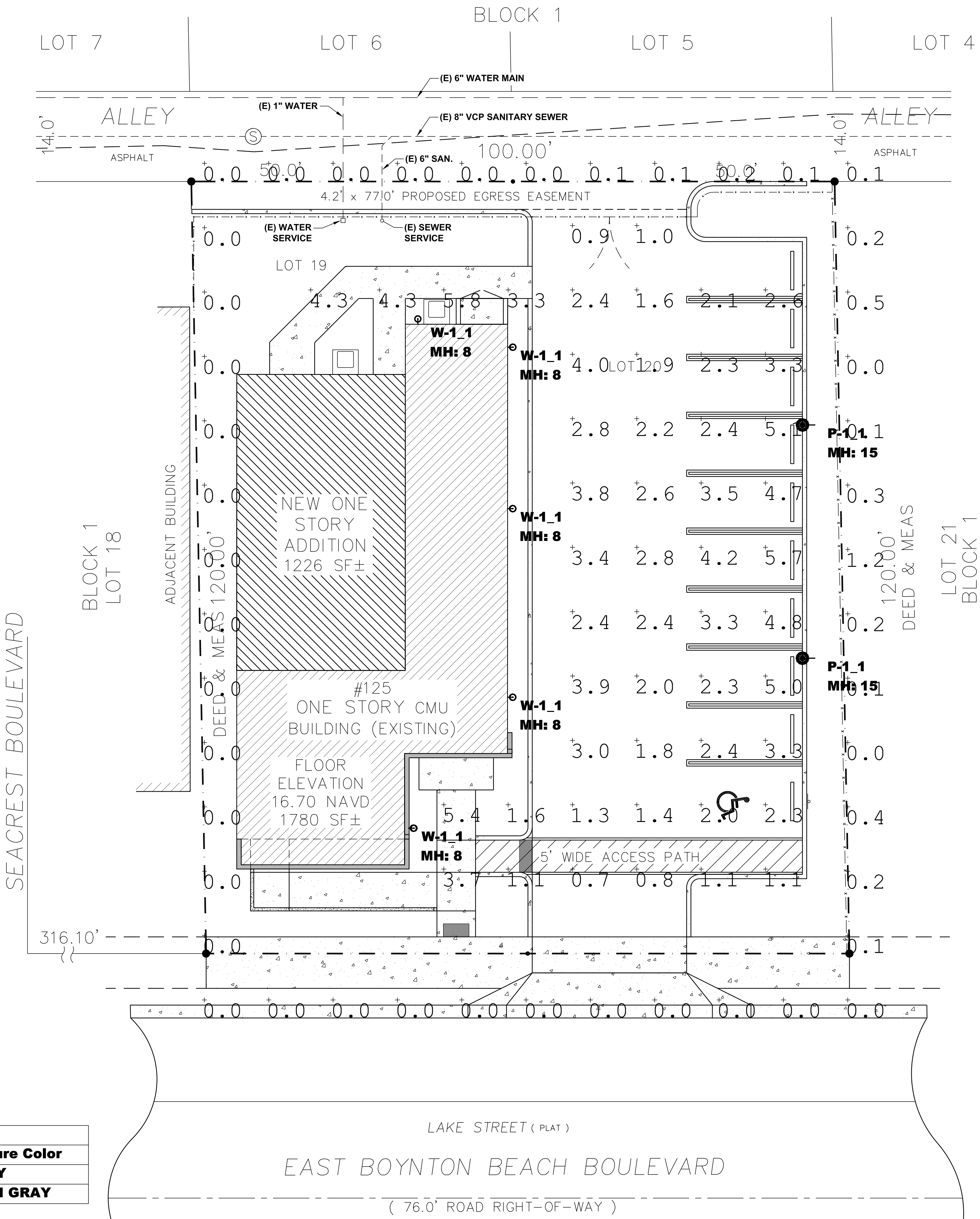
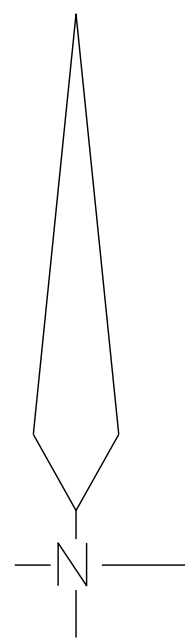
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## 2 W-1\_1 WALL MOUNT FIXTURE

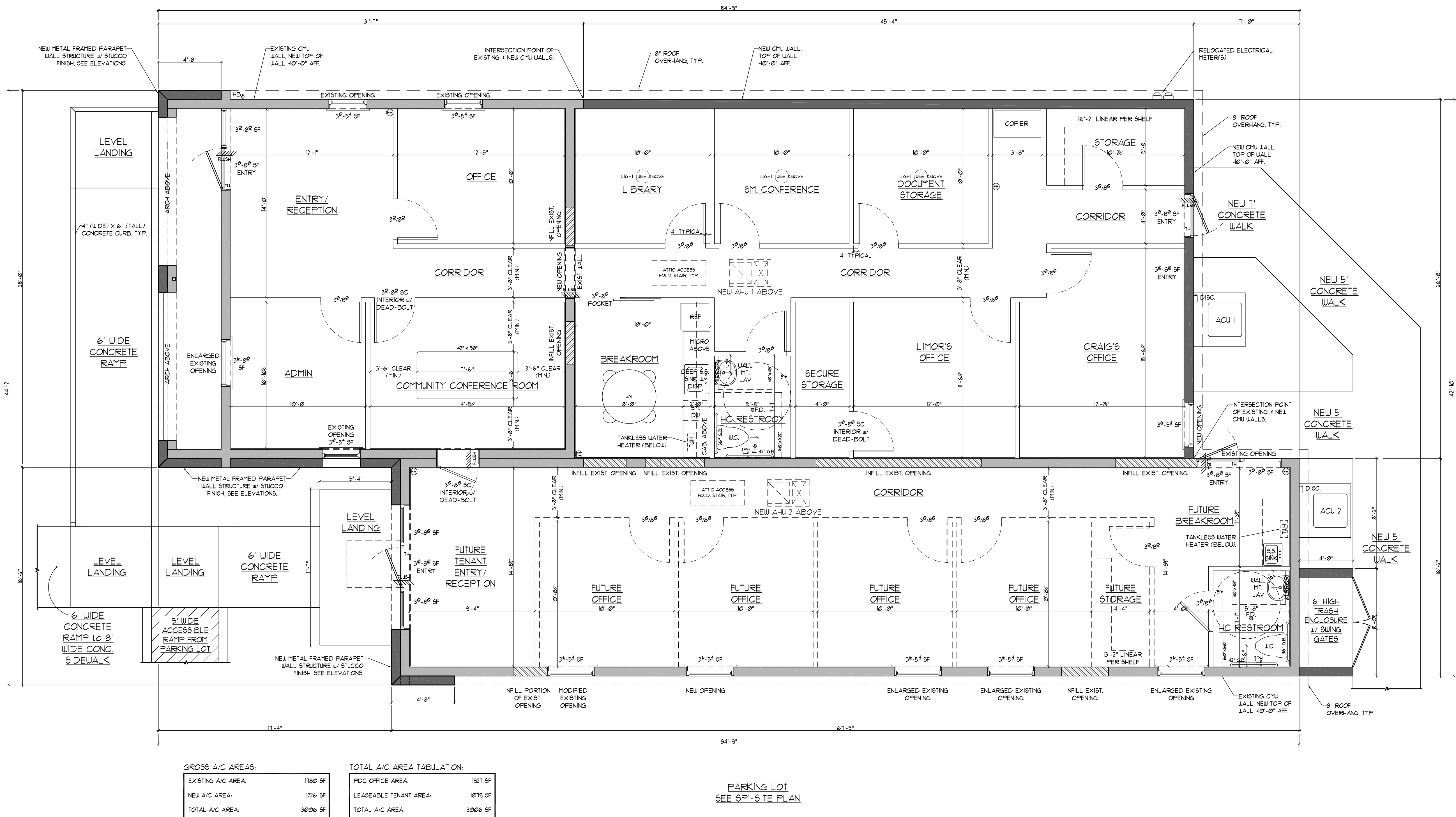
SCALE: 1" = 10'-0"

## Luminaire Schedule

# 1 PROPOSED PHOTOMETRIC PLAN



# 1 PROPOSED PHOTOMETRIC PLAN



GROSS A/C AREAS:	
EXISTING A/C AREA:	1780 SF
NEW A/C AREA:	1226 SF
TOTAL A/C AREA:	3006 SF

TOTAL A/C AREA TABULATION:	
PDC OFFICE AREA:	1927 SF
LEASEABLE TENANT AREA:	1079 SF
TOTAL A/C AREA:	3006 SF

1

## PROPOSED FLOOR PLAN

SCALE: 1/4" = 1'-0"

REV.	DESCRIPTION	APRV	DATE
STATUS :			

SEAL

J-W Engineering, Inc.

Civil and Structural Engineering

C.O.A. #9937

James W. Wesson, P.E.

Florida Lic. No. 46487

PDC

PROPERTY DAMAGE

CONSULTANTS

2875 S Congress Ave., Suite C

Delray Beach FL, 33445

Tel: 561-451-4700

COMMERCIAL RENOVATION

125 E. BOYNTON BEACH BOULEVARD

BOYNTON BEACH, FL 33435

PROPOSED FLOOR PLAN

DRAWN BY: R.K.W.

CHECKED BY: J.W.W.

SCALE: 1/4" = 1'-0"

DATE: 07-16-2018

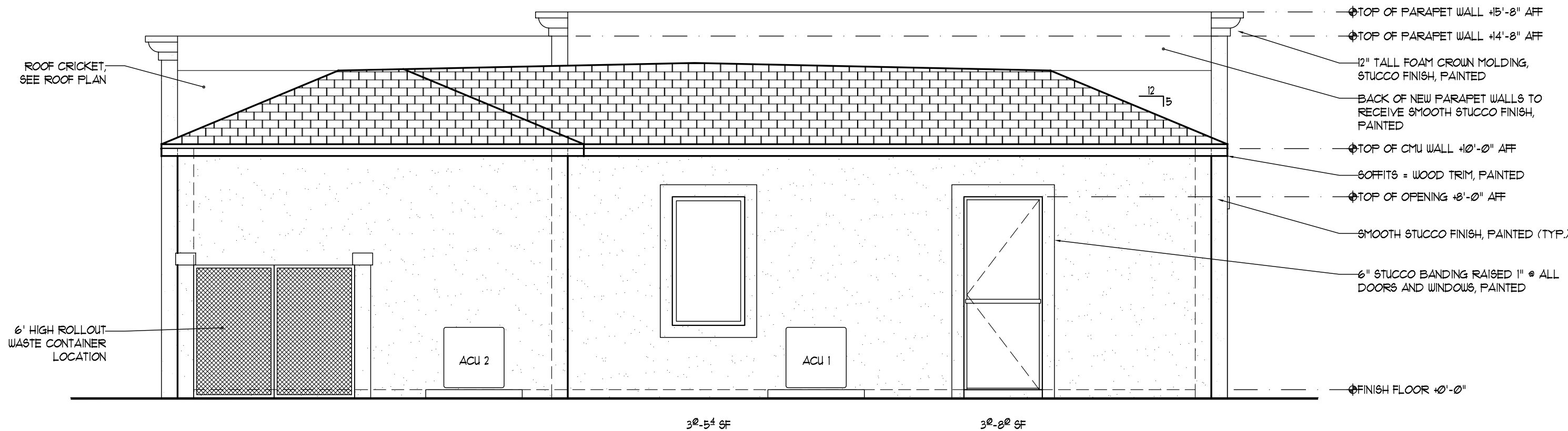
JOB NUMBER: 1709738

SHEET NUMBER:

A1

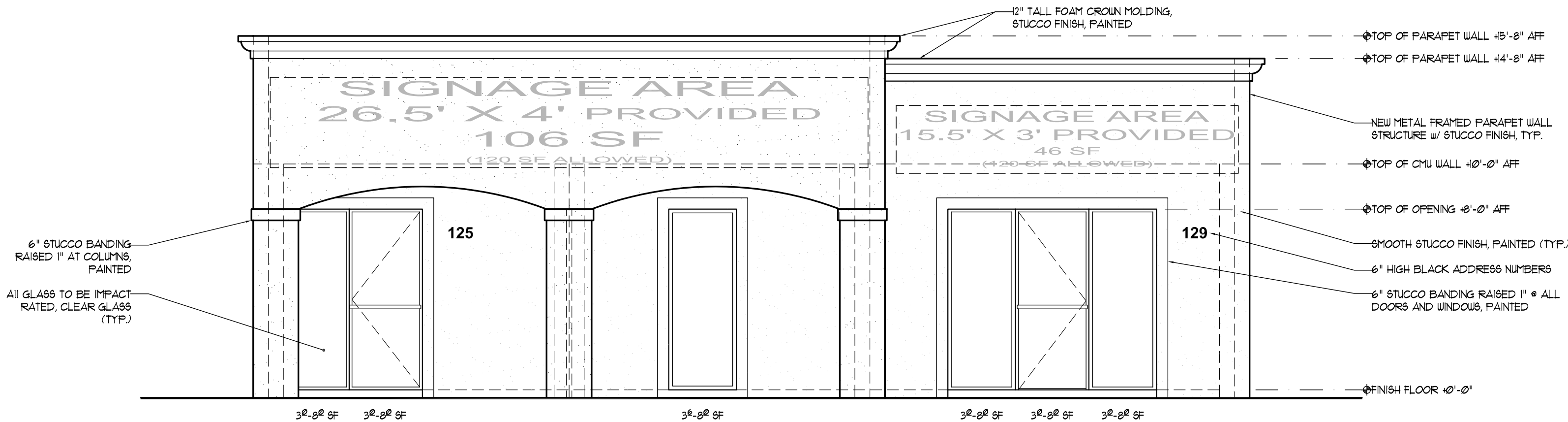
SHEET 1 OF 4

PLAN REVISIONS PER COMMENTS			07-25-2018
REV.	DESCRIPTION	APRV	DATE
STATUS :			



**2** PROPOSED REAR ELEVATION (NORTH)  
SCALE: 1/4" = 1'-0"

ELEVATION NOTES:  
  
EQUIPMENT NOTE:  
ALL EQUIPMENT ATTACHED TO THE BUILDING SHALL BE PAINTED TO MATCH THE BUILDING.  
  
RAIN WATER LEADER NOTE:  
ALL RAIN LEADERS/DOWNSPOUTS ARE INTERNAL OR ENCASED WITHIN ARCHITECTURAL ELEMENTS, TYP.



**1** PROPOSED FRONT ELEVATION (SOUTH)  
SCALE: 1/4" = 1'-0"

SEAL

James W. Wesson, P.E.  
Florida Lic. No. 46487

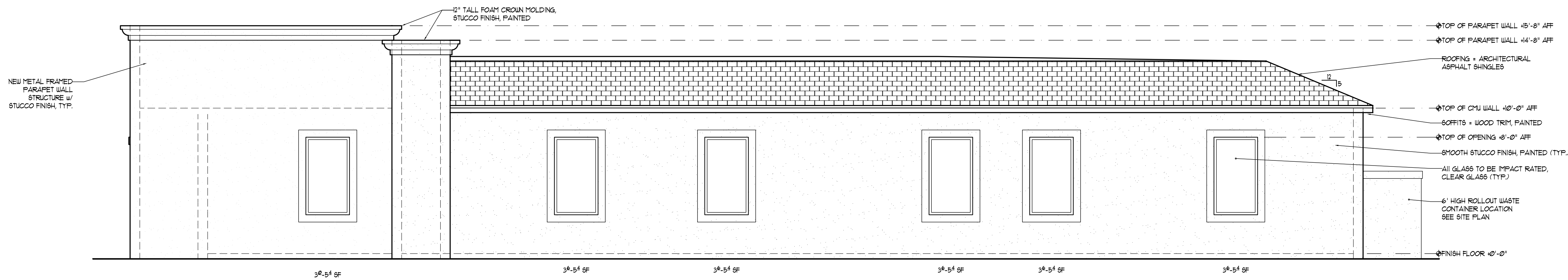
**J-W Engineering, Inc.**  
Civil and Structural Engineering  
C.O.A. #9937  
20 Balfour Road West  
Palm Beach Gardens, FL 33418  
Tel: (561) 630-3550 JWWessonPE@aol.com

**PDC** PROPERTY DAMAGE  
CONSULTANTS  
2875 S Congress Ave., Suite C  
Delray Beach FL, 33445  
Tel: 561-451-4700

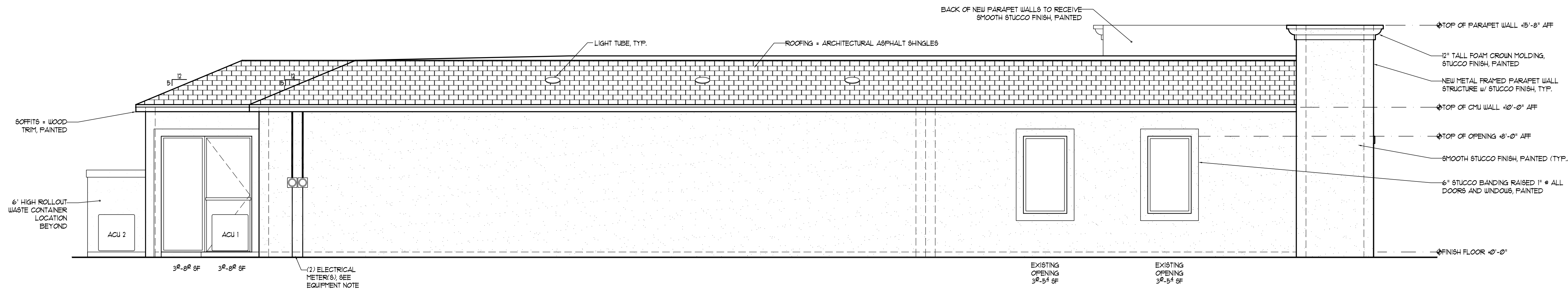
**COMMERCIAL RENOVATION**  
125 E. BOYNTON BEACH BOULEVARD  
BOYNTON BEACH, FL 33435  
PROPOSED ELEVATIONS

DRAWN BY: R.K.W.  
CHECKED BY: J.W.W.  
SCALE: 1/4" = 1'-0"  
DATE: 07-16-2018  
JOB NUMBER: 1709738  
SHEET NUMBER:

**A3**  
SHEET 3 OF 4



2 PROPOSED SIDE ELEVATION (EAST)  
SCALE: 1/4" = 1'-0"



1 PROPOSED SIDE ELEVATION (WEST)  
SCALE: 1/4" = 1'-0"

PLAN REVISIONS PER COMMENTS		07-25-2018
REV.	DESCRIPTION	APRV DATE
STATUS :		

SEAL  
James W. Wesson, P.E.  
Florida Lic. No. 46487

J-W Engineering, Inc.  
Civil and Structural Engineering  
C.O.A. #9937  
20 Balfour Road West  
Palm Beach Gardens, FL 33418  
Tel: (561) 630-3550 JWWessonPE@aol.com

PDG PROPERTY DAMAGE  
CONSULTANTS  
2875 S Congress Ave., Suite C  
Delray Beach FL, 33445  
Tel: 561-451-4700

COMMERCIAL RENOVATION  
125 E. BOYNTON BEACH BOULEVARD  
BOYNTON BEACH, FL 33435  
PROPOSED ELEVATIONS

DRAWN BY: R.K.W.  
CHECKED BY: J.W.W.  
SCALE: 1/4" = 1'-0"  
DATE: 07-16-2018  
JOB NUMBER: 1709738  
SHEET NUMBER:

A4  
SHEET 4 OF 4



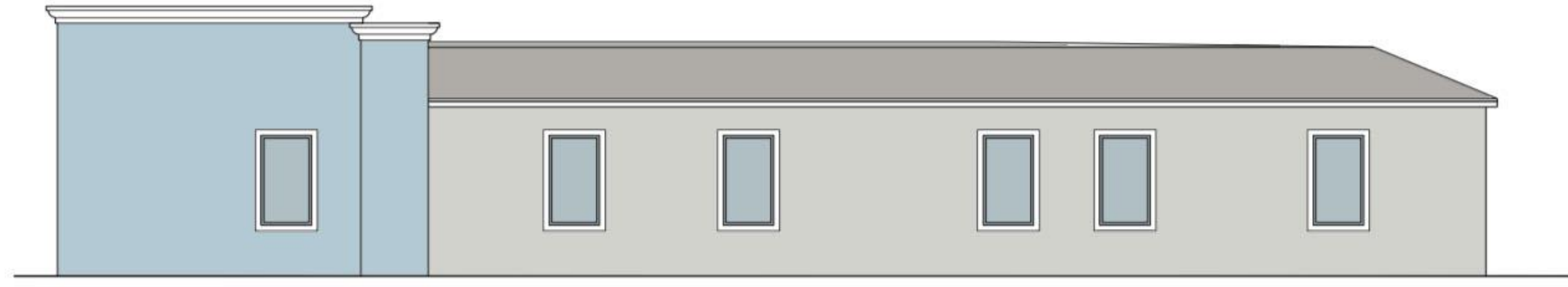


REV.	DESCRIPTION	APRV	DATE
STATUS:			

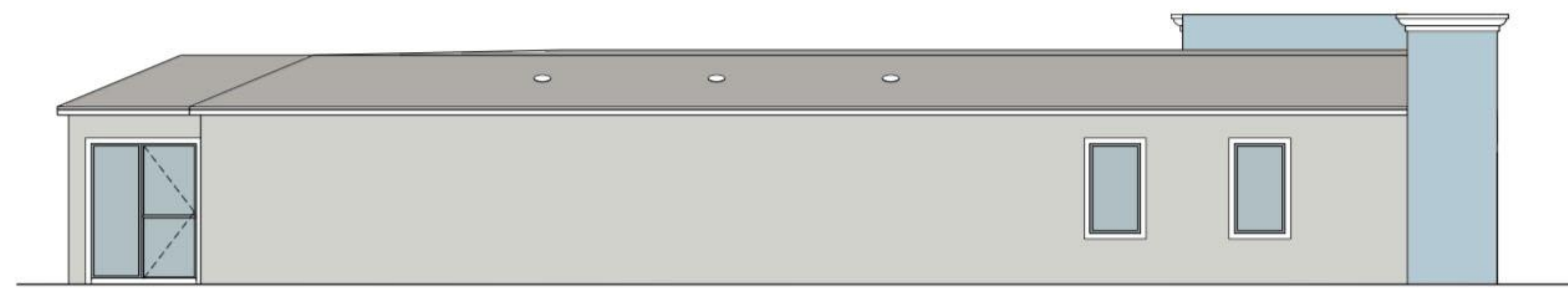
15

**J-W Engineering, Inc.**  
Civil and Structural Engineering  
C.O.A. #9937


James W. Wesson, P.E.  
Florida Lic. No. 46487



**2 PROPOSED SIDE ELEVATION (EAST)**  
SCALE: 1/4" = 1'-0"



**1 PROPOSED SIDE ELEVATION (WEST)**  
SCALE: 1/4" = 1'-0"



**PDC** PROPERTY DAMAGE  
CONSULTANTS

**2875 S Congress Ave., Suite C  
Delray Beach FL, 33445  
Tel: 561-451-4700**

**COMMERCIAL RENOVATION**  
125 E. BOYNTON BEACH BOULEVARD  
BOYNTON BEACH, FL 33435

### PROPOSED COLOR ELEVATIONS

DRAWN BY: R.K.W.  
 CHECKED BY: J.W.W.  
 SCALE: 1/4" = 1'-0"  
 DATE: 07-16-2018  
 JOB NUMBER: 1709730  
 SHEET NUMBER:

**CE-2**

SHEET 2 OF 2

**EXHIBIT "C"****Conditions of Approval**

Project Name: 125 E. Boynton Beach Boulevard  
 File number: MSPM 18-004  
 Reference: 3<sup>rd</sup> review plans identified as a Major Site Plan Modification with a August 1, 2018 Planning and Zoning Department date stamp marking.

<b>DEPARTMENTS</b>	<b>INCLUDE</b>	<b>REJECT</b>
<b>ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES</b>		
Comments:		
1. There is existing city irrigation in the small chaise area between the curb and sidewalk which has 3 existing crepe myrtles. Coordinate with appropriate city staff to cut this off and irrigate with your own irrigation system. Proposed irrigation plan will require more than a drip system for the trees. At time of permit submittal, please revise the irrigation plan.		
<b>FIRE</b>		
Comments: None, all previous comments addressed at DART Meeting.		
<b>POLICE</b>		
Comments: None, all previous comments addressed at DART Meeting.		
<b>BUILDING DIVISION</b>		
Comments: None, all previous comments addressed at DART Meeting.		
<b>PARKS AND RECREATION</b>		
Comments: None		
<b>PLANNING AND ZONING</b>		
Comments:		
2. 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.		

DEPARTMENTS	INCLUDE	REJECT
3. On Sheet A3, please correct the signage detail on the south building elevation, as each tenant would be allowed 1.5 times the lineal tenant lease building frontage facing Boynton Beach Boulevard, which appears to be 26.5 lineal feet for Tenant A and 15.5 lineal feet for Tenant B.		
4. Prior to submittal of any sign permits, please submit a Sign Program for the building outlining a singular sign type for the tenants (i.e. Channel Letters), maximum and minimum letter sizes, choice of two colors plus black and white, and single font style. Include an exception for Nationally Registered trademarks/tenants.		
5. At time of permit submittal, please remove any sod depicted forward of the front building line and plant shrubs, or a combination of shrubs and groundcovers.		
6. Prior to issuance of a building permit, please provide a fully executed and recorded egress easement, as depicted on the Site Plan.		
<b>COMMUNITY REDEVELOPMENT AGENCY</b>		
Comments: None, all previous comments addressed at DART Meeting.		
<b>PLANNING &amp; DEVELOPMENT BOARD CONDITIONS</b>		
Comments: To be determined.		
<b>CITY COMMISSION CONDITIONS</b>		
Comments: To be determined.		

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

PROJECT NAME: 125 E. Boynton Beach Boulevard (MSPM 18-004)

APPLICANT: Limor Drillich, Fins Properties, LLC

APPLICANT'S ADDRESS: 9165 Talwag Circle, Boynton Beach, FL 33472

DATE OF HEARING RATIFICATION BEFORE CITY COMMISSION: September 20, 2018

APPROVAL SOUGHT: Request for Major Site Plan modification approval to construct a one-story, 1,226 square foot addition to an existing 1,780 square foot office building and related site improvements, in the C3 (Community Commercial) zoning district.

LOCATION OF PROPERTY: 125 E. Boynton Beach Boulevard

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:** 8/28/2018

**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 1<sup>st</sup> Street, between NE 4<sup>th</sup> Avenue and NE 5<sup>th</sup> 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 1<sup>st</sup> Street, between NE 4<sup>th</sup> and 5<sup>th</sup> 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 1<sup>st</sup> Street, between NE 4<sup>th</sup> and 5<sup>th</sup> 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 1<sup>st</sup> Street, all zoned R-2 (Duplex);

**East:** Right-of-way for NE 1<sup>st</sup> 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 1<sup>st</sup> Street, between NE 4<sup>th</sup> and 5<sup>th</sup> 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.

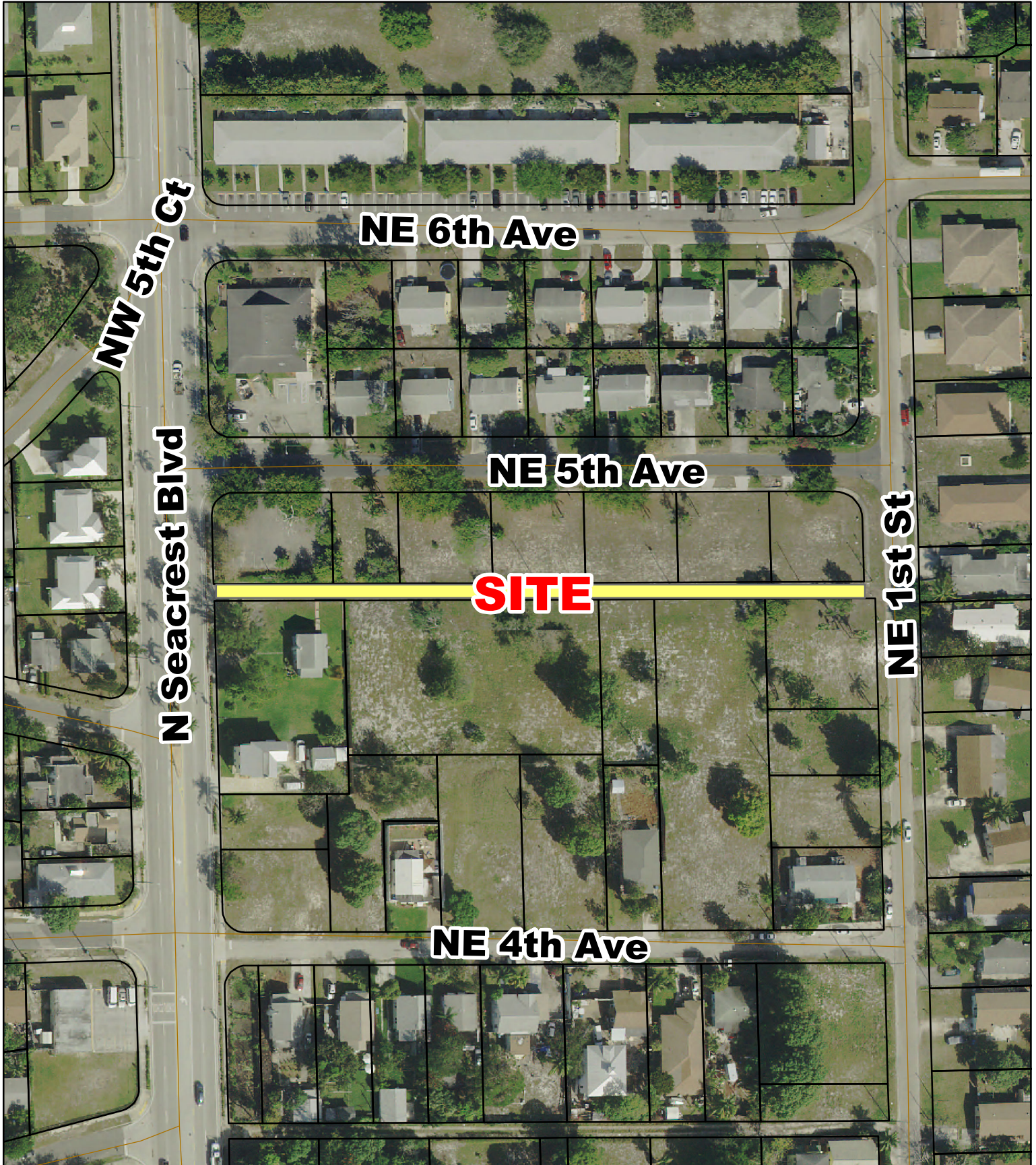
### **RECOMMENDATION**

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](http://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 6 of 376

**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



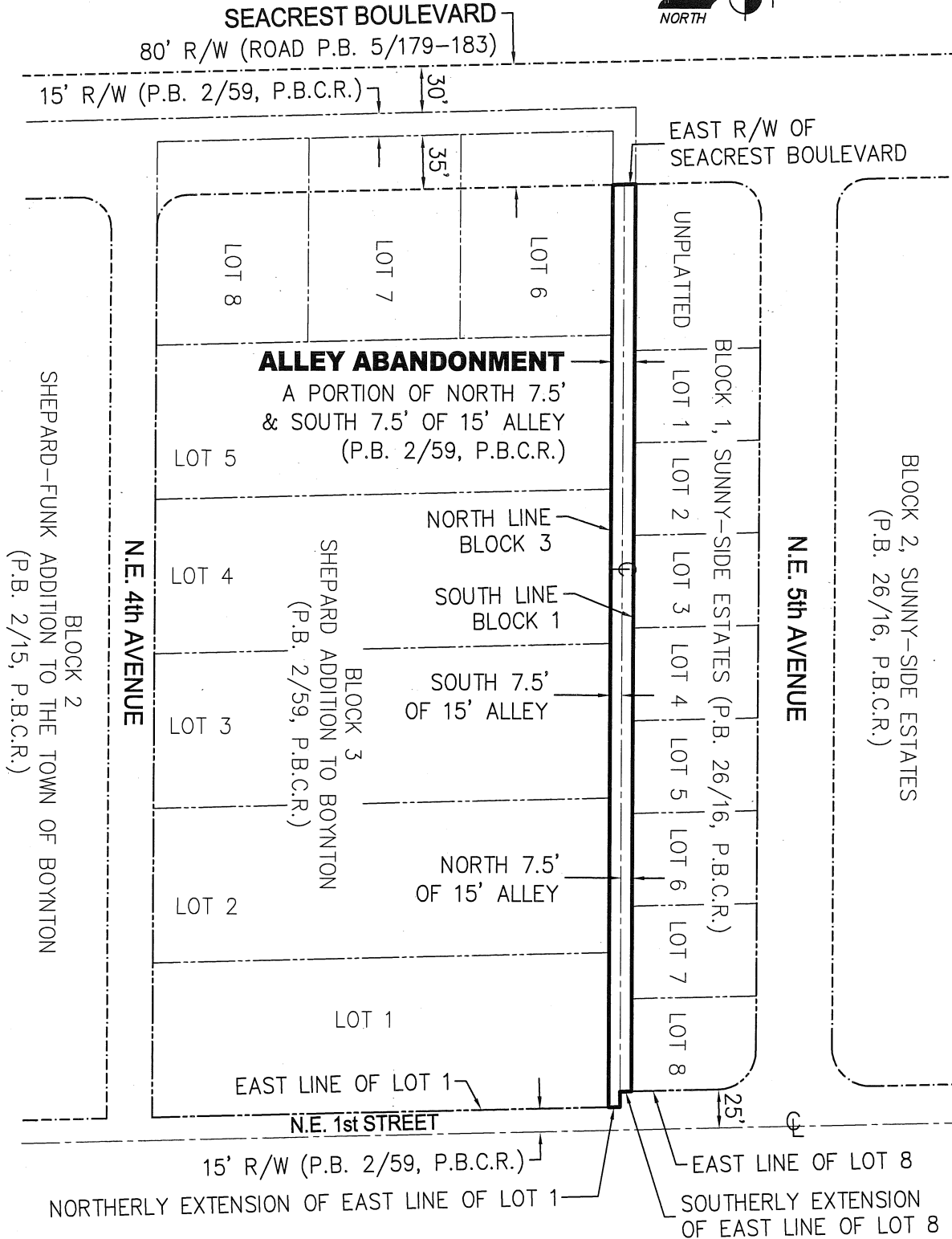
MARISHA M. KREITMAN, P.S.M.  
Florida Registration No. 6555  
AVIROM & ASSOCIATES, INC.  
L.B. No. 3300  
EMAIL: marisha@aviromsurvey.com

REVISIONS	 <p><b>AVIROM &amp; ASSOCIATES, INC.</b> <b>SURVEYING &amp; MAPPING</b> 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / <a href="http://www.AVIROMSURVEY.com">www.AVIROMSURVEY.com</a> ©2018 AVIROM &amp; ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM &amp; 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 60 of 76

# 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



**AVIROM & ASSOCIATES, INC.**  
SURVEYING & MAPPING

50 S.W. 2nd AVENUE, SUITE 102  
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and should not be reproduced or copied without written permission.

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 62 of 376

# EXHIBIT "C"

## CONDITIONS OF APPROVAL

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

DEPARTMENTS	INCLUDE	REJECT
<b>ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES</b>		
Comments:		
<b>FIRE</b>		
Comments: None.		
<b>POLICE</b>		
Comments: None.		
<b>BUILDING DIVISION</b>		
Comments: None.		
<b>PARKS AND RECREATION</b>		
Comments: None.		
<b>PLANNING AND ZONING</b>		
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.		
<b>COMMUNITY REDEVELOPMENT AGENCY</b>		
Comments: None.		



DEPARTMENTS	INCLUDE	REJECT
<b>PLANNING &amp; DEVELOPMENT BOARD CONDITIONS</b>		
Comments: To be determined.		
<b>CITY COMMISSION CONDITIONS</b>		
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:** 8/28/2018

**REQUESTED ACTION BY PLANNING AND DEVELOPMENT BOARD:** Approve Arden Park abandonment (ABAN 18-002) allowing the abandonment of the unimproved, 10.2-foot wide alley running north / south from NE 9th Avenue, for a distance of approximately 148 feet, to the south end of Lot 2 of the Robert Wells' Subdivision, between NE 3rd Street and Railroad 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 10.2-foot wide alley right-of-way (ABAN 18-002) running north / south from NE 9<sup>th</sup> Avenue, for a distance of approximately 148 feet, to the south end of Lot 2 of the Robert Wells' Subdivision, between NE 3<sup>rd</sup> Street and Railroad Avenue. The CRA is requesting the abandonment as the abutting property owner, along with the City of Boynton Beach, which owns the remainder of the property that abuts the west side of the subject alley. The subject abandonment is in preparation for a potential redevelopment project, which involves accommodating the relocation of the Community Caring Center from a parcel within the proposed Cottage District redevelopment project to the parcels owned by the CRA and City.

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 18-049**

**TO:** Chair and Members  
Planning & Development Board

**FROM:** Ed Breese  
Planning & Zoning Administrator

**DATE:** August 7, 2018

**SUBJECT:** Request for abandonment of the unimproved 10.2-foot wide alley running north / south from NE 9<sup>th</sup> Avenue, for a distance of approximately 148 feet, to the south end of Lot 2 of the Robert Wells' Subdivision, between NE 3<sup>rd</sup> Street and Railroad Avenue (ABAN 18-002). 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 (ABAN 18-002) the unimproved 10.2-foot wide alley running north / south from NE 9<sup>th</sup> Avenue, for a distance of approximately 148 feet, to the south end of Lot 2 of the Robert Wells' Subdivision, between NE 3<sup>rd</sup> Street and Railroad Avenue (see Exhibit "A" – Location Map). The CRA is requesting the abandonment as the property owner, along with the City of Boynton Beach, abutting the alley on the west side for its entire distance, in preparation of a potential redevelopment project, which would relocate the Community Caring Center from a parcel within the proposed Cottage District redevelopment project to the parcels owned by the CRA and City. There are two (2) other property owners abutting the alley on the east side consisting of a total of three (3) lots, two (2) of which are vacant parcels. 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:** Developed commercially-zoned property (Church), zoned C2 (Neighborhood Commercial);

**South:** Right-of-way for NE 9<sup>th</sup> Avenue, then farther south warehouse structures and storage lot zoned M-1 (Industrial);

**East:** Three (3) parcels, two (2) vacant, zoned C2 (Neighborhood Commercial), then farther east right-of-way for Railroad Avenue; and

**West:** Vacant parcels owned by the CRA and City, zoned C2 (Neighborhood Commercial), then right of way for NE 3<sup>rd</sup> Street, and father west vacant residential properties, zoned R-2 (Duplex);



## **BACKGROUND**

The applicant is requesting to abandon the unimproved 10.2-foot wide alley running north /south from NE 9<sup>th</sup> Avenue, for a distance of approximately 148 feet, to the south end of Lot 2 of the Robert Wells' Subdivision, between NE 3<sup>rd</sup> Street and Railroad Avenue. The abandonment request will facilitate the potential relocation of the Community Caring Center to properties located on the west side of the alley owned by the CRA and City, freeing up land within the Cottage District for a larger CRA initiated redevelopment plan.

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. As this alley falls completely within the Arden Park plat, that would be the situation in this case, and the underlying land would be divided equally amongst the property owners on the east and west side of the platted alley, again, with the retention of a utility easement for the existing facilities.

## **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, with the provision of the necessary easements for the existing utilities.
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 w/ provision of necessary easements and relocation of utilities at developer's cost, if necessary.
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  
Windstream  
PBC Traffic Engineering

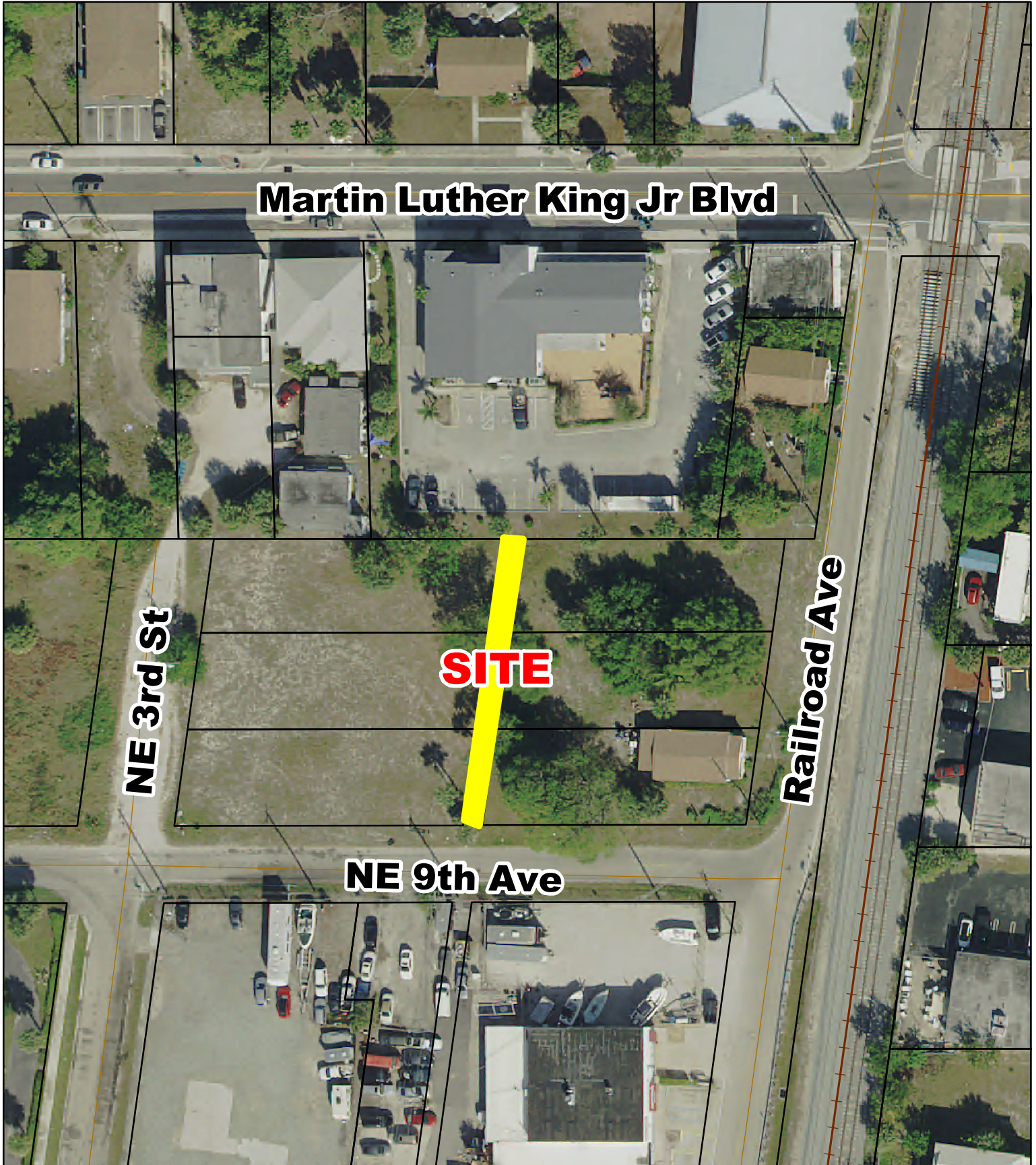
No objection.  
No objection.  
No objection.

### **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 other than retention of a utility easement to service City utilities, AT&T and FPL facilities, 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.

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# LOCATION MAP

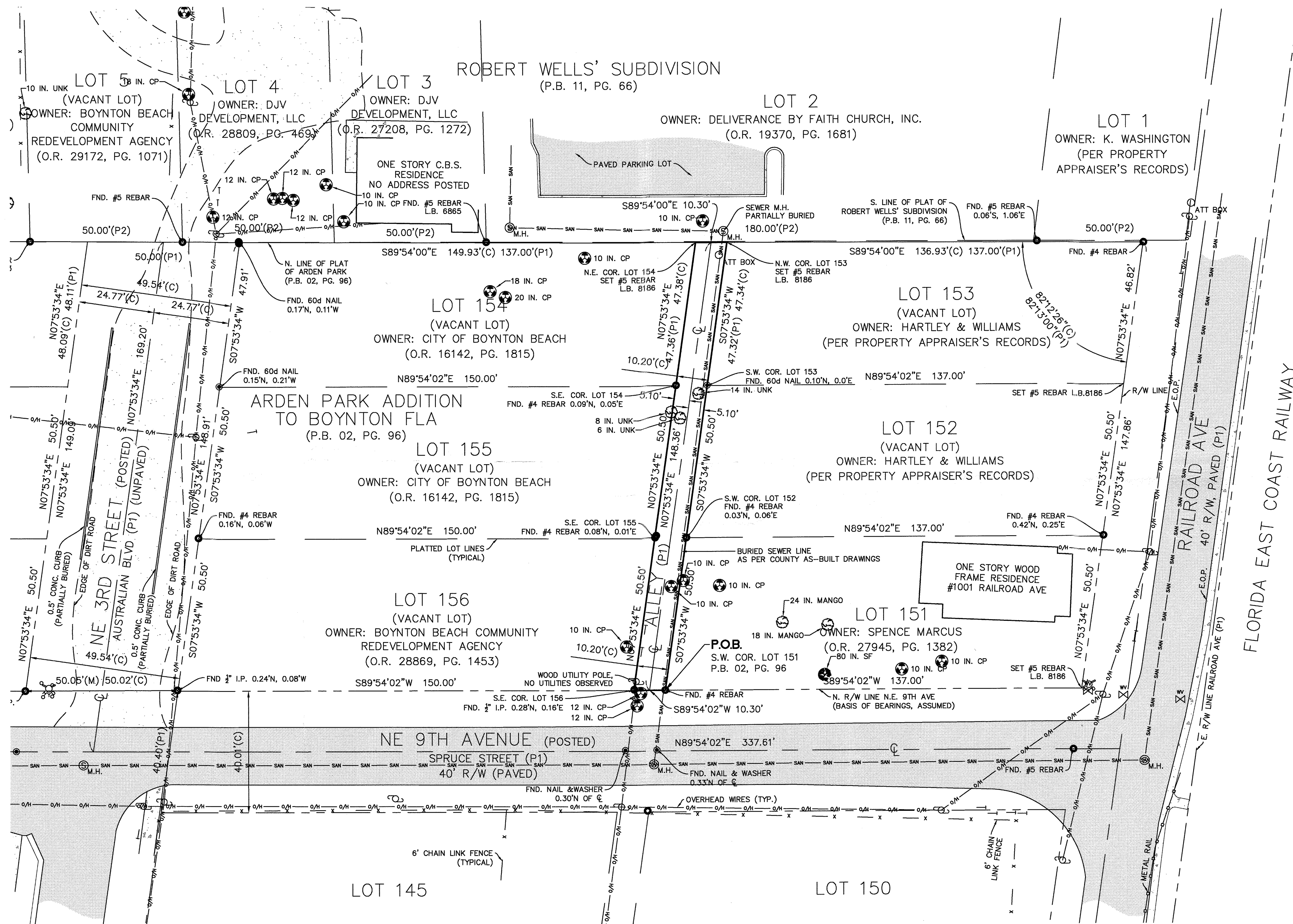




LEGAL DESCRIPTION:

A PORTION OF THE PLAT OF ARDEN PARK ADDITION TO BOYNTON FLA, AS RECORDED IN PLAT BOOK 02, PAGE 96, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING AN ALLEY 10.20' WIDE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 151 OF SAID PLAT, THENCE S89°54'02"W, ALONG THE NORTH RIGHT OF WAY LINE OF NORTH 9TH AVENUE, BEING THE BASIS OF BEARINGS, FOR A DISTANCE OF 10.30 FEET TO THE SOUTHEAST CORNER OF LOT 156 OF SAID PLAT; THENCE N07°53'54"E FOR A DISTANCE OF 50.50 FEET TO THE SOUTHEAST CORNER OF LOT 155 OF SAID PLAT; THENCE CONTINUE N07°53'54"E FOR A DISTANCE OF 50.50 FEET TO THE SOUTHEAST CORNER OF LOT 154 OF SAID PLAT; THENCE CONTINUE N07°53'54"E FOR A DISTANCE OF 47.38 FEET TO THE NORTHEAST CORNER OF LOT 154 OF SAID PLAT; THENCE S89°54'00"E, ALONG THE NORTH LINE OF SAID PLAT FOR A DISTANCE OF 10.30 FEET TO THE NORTHWEST CORNER OF LOT 153 OF SAID PLAT; THENCE S07°53'54"W FOR A DISTANCE OF 47.34 FEET TO THE SOUTHWEST CORNER OF LOT 153 OF SAID PLAT; THENCE CONTINUE S07°53'54"W FOR A DISTANCE OF 50.50 FEET TO THE SOUTHWEST CORNER OF LOT 152 OF SAID PLAT; THENCE CONTINUE S07°53'54"W FOR A DISTANCE OF 50.50 FEET TO THE POINT OF BEGINNING.



LAND TABULATIONS:

AREA OF ALLEYWAY: 1,514 S.F. (0.03 ACRES)±

FEMA FLOOD\_ZONE DETERMINATION

FLOOD\_ZONE "X"  
PANEL # 12099C 0791F  
EFFECTIVE 10/05/2017  
COMMUNITY # 120196, CITY OF BOYNTON BEACH

ABBREVIATIONS LEGEND

P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING  
I.P. = IRON PIPE  
I.R. = IRON ROD  
C.M. = CONCRETE MONUMENT  
FND. = FOUND  
TYP. = TYPICAL  
P.R.M. = PERMANENT REFERENCE MONUMENT  
P.C.P. = PERMANENT CONTROL POINT  
B.M. = BENCHMARK  
E.L. = ELEVATION  
F.F.E. = FINISHED FLOOR ELEVATION  
S.F. = SQUARE FEET  
E.O.W. = EDGE OF WATER  
U.E. = UTILITY EASEMENT  
F.P.&L. = FLORIDA POWER AND LIGHT COMPANY  
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION  
C.B.S. = CONCRETE BLOCK CONSTRUCTION  
S/T = SEPTIC TANK  
D/F = DRAINFIELD  
P.P. = POWERPOLE  
M.H. = MANHOLE  
C.B. = CATCH BASIN  
F.H. = FIRE HYDRANT  
E.O.P. = EDGE OF PAVEMENT  
B.O.C. = BACK OF CURB  
R/W = RIGHT OF WAY  
C.L. = CENTERLINE  
P.L. = PROPERTY LINE  
P.D. = PLAT DATA  
L.D. = LEGAL DESCRIPTION DATA  
M.D. = MEASURED DATA  
C.D. = CALCULATED DATA  
S.D. = SECTION  
TWP. = TOWNSHIP  
RANGE = RANGE  
RADIUS = RADIUS  
LENGTH = LENGTH  
CENTRAL ANGLE = CENTRAL ANGLE  
CHORD = CHORD  
CHORD BEARING = CHORD BEARING  
NON-RADIAL = NON-RADIAL  
P.T. = POINT OF TANGENCY  
P.C. = POINT OF CURVATURE  
P.R.C. = POINT OF REVERSE CURVATURE  
P.R.C. = POINT OF COMPOUND CURVATURE  
STA. = STATION  
F.B. = FIELDBOOK  
P.B. = PLAT BOOK  
O.R. = OFFICIAL RECORDS BOOK  
PG. = PAGE  
CP. = CABBAGE PALM  
SF. = STRANGLER FIG  
UNK. = UNKNOWN TREE SPECIES  
(P1) = PLAT DATA PER P.B. 02, PG. 96  
(P2) = PLAT DATA PER P.B. 11, PG. 66

SYMBOLS LEGEND

WOOD UTILITY POLE  
GUY WIRE ANCHOR  
SEWER MANHOLE

SURVEYOR'S NOTES:

- ALL BEARINGS SHOWN HEREON ARE CALCULATED, AND REFERENCED TO THE NORTH R/W LINE OF N.E. 9TH AVENUE, HAVING AN ASSUMED BEARING OF S89°54'02"W.
- THE PURPOSE OF THIS SURVEY IS TO SHOW DIMENSIONS OF THAT 10.2' WIDE ALLEYWAY DESCRIBED, FOR A PROPOSED RIGHT-OF-WAY ABANDONMENT.
- LEGAL DESCRIPTION WRITTEN AND PREPARED BY A LICENSED SURVEYOR, OF THIS FIRM.
- THE BLOCK CONTAINING LOTS 151 THROUGH 156 OF ARDEN PARK (P.B. 02, PG. 96) DOES NOT CLOSE GEOMETRICALLY. DIMENSIONS SHOWN AS CALCULATED REFER TO A CLOSED GEOMETRICAL FIGURE.
- ONLY ABOVE GROUND IMPROVEMENTS LOCATED. UNDERGROUND UTILITIES SHOWN ARE FOLLOWING AS-BUILT DRAWINGS SUPPLIED BY CLIENTS.
- THERE IS NO OBSERVED PHYSICAL EVIDENCE OF LAND USE INDICATING A CEMETERY, WASTE DUMP, OR LANDFILL ON PREMISES AT THE TIME OF FIELDWORK.
- NO TITLE SEARCH WAS PERFORMED BY THIS FIRM, SURVEY PERFORMED WITHOUT BENEFIT OF DEED.
- ACCURACY OF SURVEY CONTROL VERIFIED BY TRAVERSE CLOSURE EXCEEDS THAT OF COMMERCIAL/HIGH RISK LINEAR (1 FOOT IN 10,000 FEET), AS PER FLORIDA RULE 5J-17.051.
- THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1:120 OR SMALLER

SURVEYOR'S CERTIFICATE

I, WILLIAM J. WRIGHT, DO HEREBY CERTIFY THAT I AM A DULY LICENSED AND PRACTICING PROFESSIONAL SURVEYOR AND MAPPER IN THE STATE OF FLORIDA; ALSO THAT THE SKETCH OF THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 5J-17 OF FLORIDA ADMINISTRATIVE CODE, AND THAT UNDER MY SUPERVISION DID MAKE AN ACTUAL SURVEY OF THE LAND DESCRIBED HEREIN, AND THAT SAID SURVEY WAS PHYSICALLY MADE ON THE GROUND PER RECORD DESCRIPTION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THERE EXIST NO ENCROACHMENTS EITHER WAY ACROSS THE PROPERTY LINES OR BUILDING SETBACK LINES, EXCEPT AS SHOWN ON SAID SKETCH OF SURVEY.

WILLIAM J. WRIGHT, PROFESSIONAL SURVEYOR AND MAPPER, P.S.M. 6868

THIS SURVEY IS NOT VALID WITHOUT ORIGINAL SIGNATURE AND RAISED SEAL.  
ELECTRONIC COPIES OF THIS SURVEY NOT VALID WITHOUT DIGITAL AUTHENTICATION PROCESS, AS PER 5J-17.062

# EXHIBIT "C"

## CONDITIONS OF APPROVAL

Project Name: CRA Abandonment (Arden Park)  
File number: ABAN 18-002  
Reference: 1<sup>st</sup> review plans identified as an Abandonment with a July 2, 2018 Planning and Zoning Department date stamp marking.

DEPARTMENTS	INCLUDE	REJECT
<b>ENGINEERING / PUBLIC WORKS / FORESTRY / UTILITIES</b>		
Comments:		
<b>FIRE</b>		
Comments: None.		
<b>POLICE</b>		
Comments: None.		
<b>BUILDING DIVISION</b>		
Comments: None.		
<b>PARKS AND RECREATION</b>		
Comments: None.		
<b>PLANNING AND ZONING</b>		
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.		
<b>COMMUNITY REDEVELOPMENT AGENCY</b>		
Comments: None.		



DEPARTMENTS	INCLUDE	REJECT
<b>PLANNING &amp; DEVELOPMENT BOARD CONDITIONS</b>		
Comments: To be determined.		
<b>CITY COMMISSION CONDITIONS</b>		
Comments: To be determined.		

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

PROJECT NAME: CRA Abandonment – Arden Park (ABAN 18-002)

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 10.2-foot wide alley running north / south from NE 9th Avenue, for a distance of approximately 148 feet, to the south end of Lot 2 of the Robert Wells' Subdivision, between NE 3rd Street and Railroad Avenue (ABAN 18-002).

LOCATION OF PROPERTY: Alley running north / south from NE 9th Avenue, for a distance of approximately 148 feet, to the south end of Lot 2 of the Robert Wells' Subdivision, between NE 3rd Street and Railroad 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 "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: 8/28/2018**

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

Discuss the role of the Board in promoting Sustainability Regulations as previously requested by the Chairman.

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**EXPLANATION OF REQUEST:**

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

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STRATEGIC PLAN:**

**STRATEGIC PLAN APPLICATION:**

**CLIMATE ACTION:**

**CLIMATE ACTION DISCUSSION:**

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**Is this a grant?**

**Grant Amount:**

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