



**JUSTIFICATION STATEMENT
Terra Nova**

Control No. 2004-00457

Initial Submittal: September 10, 2018

Resubmittal: October 22, 2018; December 10, 2018; January 28, 2019; September 9, 2019

REQUEST

On behalf of the Applicant, WGI is requesting approval of the following:

- 1) **Development Order Amendment** to reconfigure the approved site plan to accommodate a 194 multifamily units and 23,665 square feet of commercial uses;
- 2) **Class A Conditional Use** to allow a Workforce Housing Density Bonus exceeding 30%;
- 3) **Class A Conditional Use** to utilize the Transfer of Development Rights (TDR) Program and to designate the site as a receiving area; and
- 4) **Control Name Change** to amend the control name for the project from Village Isles MUPD to Terra Nova.

SITE CHARACTERISTICS

The 17.67 acre subject site, known as “Terra Nova”, is located on the northwest corner of Atlantic Avenue and Hagen Ranch Road in unincorporated Palm Beach County. The subject site is vacant and is identified by a future land use (FLU) designation of CH/5 (Commercial High, with an underlying five units per acre) and a zoning district classification of MUPD (Multiple Use Planned Development). The site is identified by Parcel Control Number (PCN) 00-42-46-16-00-000-7070 and retains a site address of 7555 Umberto Place.

DEVELOPMENT HISTORY

The analysis below shows the previous approvals related to the subject site:

RESOLUTION	DATE	SUMMARY	CONTROL NO.
R-2005-2290	12/08/2005	Rezoning, from AR (Agricultural Residential) Zoning District to MUPD	2004-00457
Control #2006-00100	08/09/2006	Final Site Plan approval to allow the development of 155,000 SF commercial buildings	2004-00457
R-2011-0223	02/25/2011	Development Order Amendment to increase square footage, reconfigure the site plan, modify/delete conditions of approval, and restart the development clock in the MUPD Zoning District.	2004-00457
2011-00628	09/14/2011	To allow Final Site Plan approval	2004-00457

SURROUNDING PROPERTIES

The surrounding uses vary and are found to be compatible with the proposed development. The following is a summary of the uses directly surrounding the subject site:

	FLU	ZONING DISTRICT	EXISTING USE
North	MR-5	PUD	Multi-Family Residential (Villaggio Isles Pod A)
South	MR-5	RTU	Single Family Residential (Eagle Point); Atlantic Avenue ROW
West	MR-5	PUD	Multi-Family Residential (Villaggio Isles Pod D)

	CH/5	PUD	Multi-Family Residential (Villaggio Isles Pod E)
East	CH/8	CG	Commercial/Retail (Chevron Gas Station; Villages of Oriole Plaza), Hagen Ranch Road ROW
	HR-12	RH	Villages of Oriole

North: Immediately north of the subject site is the multi-family residential development, known as Villaggio Isles Pod A, located within unincorporated Palm Beach County. The Villaggio Isles Pod A is an age-restricted townhome community that encompasses 83 dwelling units and retains a FLU designation of MR-5 and a Zoning designation of PUD.

South: Immediately south of the subject site is Atlantic Avenue right-of-way. Further south, are single-family residential developments, known as Eagle Point. This property consist of 67 dwelling units and retains FLU designation of MR-5 with a Zoning designation of RTU (Residential Transitional Urban District).

West: Immediately west of the subject site is the Villaggio Isles Pod E, a multi-family residential development within unincorporated Palm Beach County. This age-restricted townhome development encompasses of a total 25 dwelling units and retains a FLU designation of CH/5 and a Zoning designation PUD. Further west are the multi-family residential developments, known as Villaggio Isles Pod D, located within unincorporated Palm Beach County. The Villaggio Pod D consist of 150 age-restricted townhome units and retain a FLU designation of MR-5 with a Zoning designation of PUD.

East: Immediately east of the subject site is Hagen Ranch Road right-of-way and a 3,841 square foot Chevron Gas station which retains an unincorporated Palm Beach County FLU designation of CH/8 (Commercial High, with underlying HR-8) and a Zoning designation of CG (General Commercial). Further east is a commercial/retail plaza, known as Villages of Oriole Plaza. This 165,103 square foot plaza retains an unincorporated Palm Beach County FLU designation of CH/8 and a Zoning designation of CG. The multi-family residential development, known as The Villages of Oriole, consists of 3,742 dwelling units and retains a FLU designation of HR-12 and Zoning District of RH (Multi-family Residential High Density District).

DEVELOPMENT PROGRAM

The 17.67 acre proposed development is comprised of a mix of both commercial and residential uses consistent with the character of the MUPD zoning district classification. The proposed development consists of 194 multifamily units and 23,665 square feet of permitted commercial uses. The development is also comprised of associated parking, open space, recreation areas, and associated infrastructural improvements for the proposed uses on the site. The following sections provide further detail on the proposed site layout and uses therein.

Multifamily Residential

In addition to commercial uses, the Terra Nova development proposes a total of 194 multifamily units spanning across five apartment-style buildings. The proposed multifamily units/buildings are interspersed on the rear portion of the subject site to allow for traditional commercial development along the Atlantic Avenue frontage. The proposed multifamily buildings are in compliance with the maximum height threshold of 35 feet associated with the MUPD zoning district, where the proposed development is exceeding additional MUPD requirements pertaining to recreation, open space, and parking.

Recreation

While the commercial component of the proposed development is not subject to recreational requirements, the 194-unit residential portion requires a total of 1.16 acres of recreation area. The proposed residential portion of the site is providing 1.43 acres of recreation area, which includes open play area, a clubhouse and pool, bike racks, pedestrian pathways, seating area, and designated parking.

Workforce Housing Density Bonus & TDR Program

The Applicant is requesting two Class A Conditional Use requests to allow a workforce housing density bonus in excess of 30%, as well as to designate the subject site as a receiving area for Transfer of Development Rights (TDR).

The Applicant is requesting a 60% bonus density through the County's Workforce Housing Program (WHP), which would yield an additional 53 units to the 88 "by-right" permitted dwelling units. Additionally, the Applicant is requesting the transfer of 53 TDR units which would yield a total development potential of 194 units for the subject site.

The following table provides a preliminary analysis of the required WHP units for the proposed development, which utilizes the Full Incentive Option:

Density		Workforce Requirement	
	# of du	% required as WFH	# of WFH du
Standard Density			
17.67 ac. x 4 du/ac	71 du	5%	3.55 du
Maximum Density			
17.67 ac. x 1 du/ac	17 du	16%	2.72 du
Bonus Density			
88 du x 60%	53 du	34%	18.02 du
TDR Density			
	54 du	35%	18.55 du
Total	275 du		43 du

The utilization of the density bonus program results in a workforce housing obligation of 43 dwelling units. The Applicant wishes to provide 19 of the required workforce housing units onsite, and provide the remaining 24 units off-site at a location to be determined at time of final DRO review and approval for the proposed development.

Commercial Uses

The proposed development program includes 23,665 square feet of permitted commercial uses along the sites' Atlantic Avenue frontage. The commercial uses consist of 17,890 square feet of retail uses and 5,775 square feet of Type 1 Restaurant uses. The proposed commercial uses are situated between two buildings with associated parking, bike racks, loading zones, and both non-vehicular and vehicular circulation.

Access

Access to the proposed commercial uses are being provided along Atlantic Avenue to the south, and Umberto Place in the southwest portion of the site. The residential portion of the site has two proposed access points, one is internal to the site once bypassing the commercial frontage uses, and the other is provided exclusively along Hagen Ranch Road. These residential entry points are gated and restricted to the residents/guests of the proposed multifamily units.

Parking

The proposed development requires a total of 534 spaces across the site. The proposed development exceeds the required parking by providing a total of 743 parking spaces.

Residential Parking Breakdown

The residential component of the proposed development requires a total 439 parking spaces, comprised of 388 spaces for residents, 49 spaces for guests, two spaces for the proposed clubhouse, and a minimum of 10 ADA accessible spaces.

The residential component of the proposed development is providing a total of 471 parking spaces, a surplus of 32 spaces. 81 spaces are being provided as guest spaces, two spaces are being provided for the proposed clubhouse, and 11 ADA accessible spaces.

Commercial Parking Breakdown

The commercial component of the proposed development requires a total of 95 spaces at one space per 250 square feet of proposed commercial square footage. Of the 95 required spaces, a minimum of four spaces are required to be ADA accessible spaces.

The commercial component of the proposed development is proposing a total of 272 spaces, of which eight spaces are being designated as ADA accessible spaces.

Setbacks

Pursuant to Table 3.E.2.D of the Palm Beach County ULDC, PUD zoning district setbacks are measured from the inside edge of the landscape buffer. The current development proposal meets all setback requirements, as shown below:

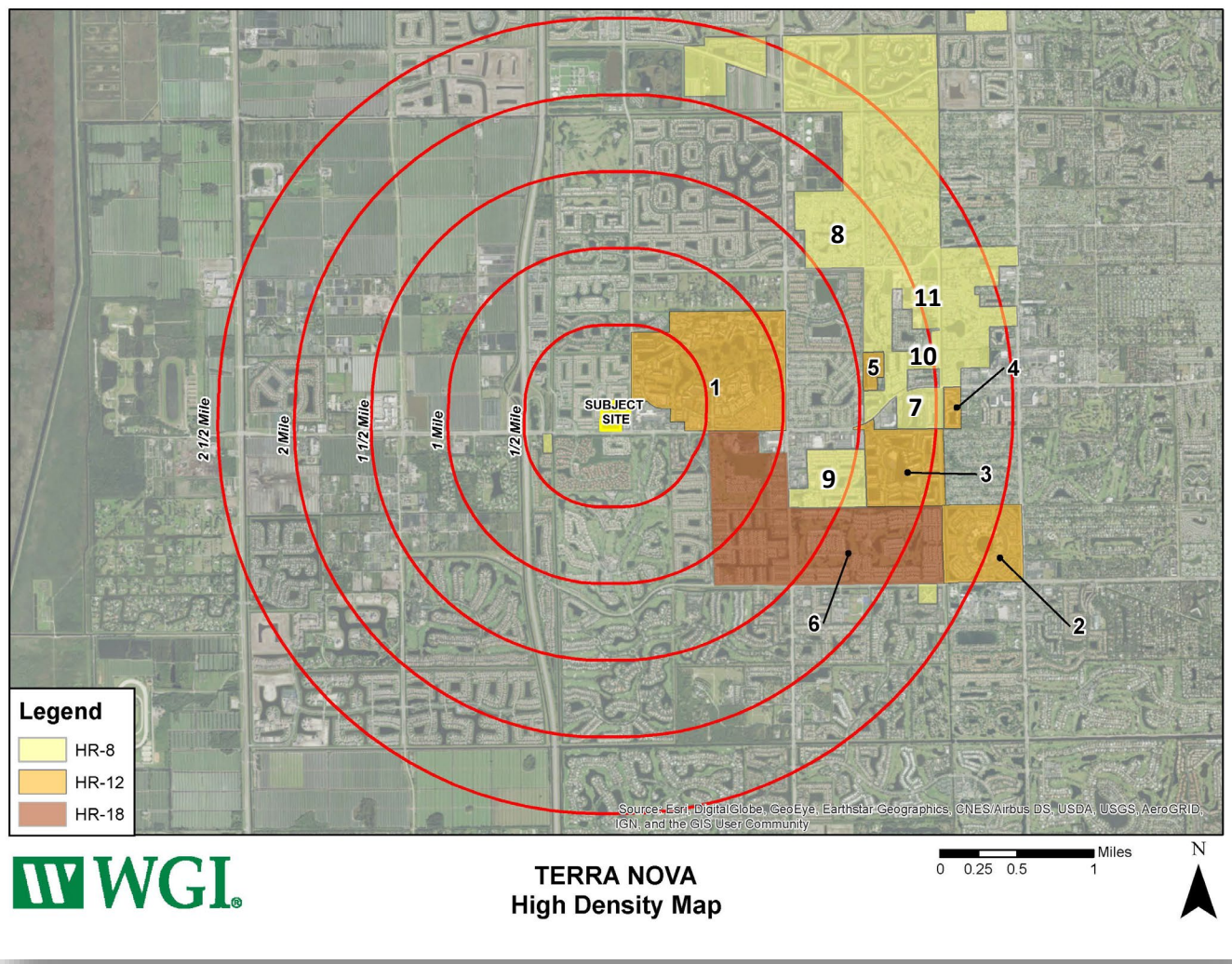
Setback Requirements				
MUPD Zoning District	Setbacks/Separation			
	Front	Side	Side Street	Rear
Required	30'	C – 15' R – 30'	30'	C – 20' R – 30'
Proposed	84'	C - 63' R – 62'	N/A	C – 81' R – 81'

ADDITIONAL JUSTIFICATION

In light of the County’s housing shortage, rising scarcity of developable land, and rising unaffordability in housing, the Applicant is proposing to amend the previously approved development order for the subject site to accommodate a mix of residential and commercial uses. Currently, the approved development order and site plan for the subject site provides a purely commercial development. The approved 175,800 square foot commercial development is comprised of big box retail uses, as well as in-line commercial retail uses, and commercial outparcels. In contrast, the proposed development program reduces the commercial component from 175,800 square feet to just 23,665 square feet and proposes 194 multifamily residential units on the remaining land area not occupied for commercial space.

The proposed development, specifically the residential component, introduces a much-needed housing type to an otherwise homogenous residential context. As coastal areas in the County become overwhelmingly unaffordable for residents of Palm Beach County, this development allows for an alternative housing type in the western area of the Urban/Suburban tier. Not only does this multifamily-style development provide an alternative housing type for prospective residents, it also provides for an integrated site layout that provides for the seamless integration between residential and commercial uses on the site. Furthermore, the proposed development provides a well-integrated system of pedestrian pathways, recreation area, and open space that will help foster the multiple use nature of the development.

In regards to residential density, the proposed development is not requesting a change in the FLU designation of the subject site from CH/5. While the Applicant is request density bonuses through the County’s WHP and TDR programs, the proposed residential use and density is not out of character for the surrounding area. The following map and analysis depicts higher density FLU designations in close proximity to the subject site.



The following table identifies developments in close proximity to the subject site, which have density exceeding that which is being proposed.

Map Key	Project Name	Control #	FLU/ Zoning	Acreage	#DU	Density	Approx. Distance from subject site
1	Villages of Oriole	1981-00139; 1981-00140	HR-12/RH	448.13	4,263	9.51	.002 miles
2	Las Verde	1978-00186	HR-12/RM	Varies			2.25 miles
3	Lakes of Delray	1992-00045	HR-12/RM	146.23	1408	8.3	1.6 miles
4	Enclave PUD	1998-40	HR-12/PUD	23.67	224	10.36	2.12 miles
5	Heritage Park of West Delray	1986-00128	HR-12 & MR/5 / RM&PUD	18.89	289	15.3	1.52 miles
6	Kings Point Place	1978-00186	HR-18/RH	Varies			.57 miles
7	Cameron Park	1993-0039	HR-8/PUD	40.55	324	8.0	1.91 miles

8	Delray Villas	1975-00151	HR-8/RS	272.16	1,308	4.08	1.75 miles
9	Floral Lakes PUD	1991-00040	HR-8/RM	101.8	589	5.78	1.25 miles
10	Heritage Park CLF	1984-00085	HR-8/RM	18.40	140 (170 beds)	FAR-0.13	1.80 miles
11	High Point of Delray	1974-00066	HR-8/RM	170.5	1084	6.33	2.25 miles

DEVELOPMENT ORDER AMENDMENT STANDARDS

The standards for a Development Order Amendment request are set forth pursuant to the standards indicated in Art. 2.B.7.B.2, Standards, Conditional Uses and Rezoning to a PDD or TDD. This proposal meets the following requirements set forth in Section 2.B.1.B of the Palm Beach County Unified Land Development Code (ULDC) for Rezoning Approval.

1. Consistency with the Plan

Pursuant to Table 3.A.3.C of the Palm Beach County ULDC, the MUPD zoning designation is consistent with the CH FLU designation, as shown below:

Table 3.A.3.C - FLU Designation and Corresponding Planned Development Districts (1)

	AGR (2)	RR	WCR	AGE	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU
PUD	√	√	√	(3)	√	√	√	√	√	√	√	√
MHPD		√			√	√	√	√	√	√	√	
<hr/>												
	AGR (1)	RR	AGE	CL	CH	CLO	CHO	IND	INST	CRE	MLU	EDC
MUPD			(3)	√	√	√	√	√	√	√	√	√
MXPD					√		√				(4)	
PIPD								√			√	√
RVPD		√								√		
[Ord. 2008-037] [Ord. 2009-040] [Ord. 2009-040] [2010-005] [Ord. 2010-022] [Ord. 2014-025] [Ord. 2017- 025]												
Notes:												
1.	Check (√) indicates the PDD corresponds to the FLU designations. Any application for a rezoning to a PDD shall be to a PDD that corresponds to a FLU designation. [Ord. 2008-037]											
2.	PDDs in the AGR Tier are limited to the 80/20 PUD OR 60/40 PUD. [Ord. 2006-004]											
3.	A PUD or MUPD Pod may be permitted within a TTD with an AGE FLU designation in accordance with Table 3.F.5.D, Traditional Town Development Land Use Allocation. [2014-031]											
4.	A MXPD is consistent with the MLU FLU designation in the Urban/Suburban Tier only. [Ord. 2017-025]											

The requests are consistent with the Purposes, Goals, Objectives and Policies of the County’s Comprehensive Plan as the proposed development is providing a well-integrated, livable community in the Urban/Suburban Tiers’ western area.

2. Consistency with the Code

The zoning district classification of the subject site is MUPD. The proposed development program meets and exceeds the Design Objectives requirements for a PDD Pursuant to Article 3.E.1.C.1. The following is a summary of the elements required by said standards:

- a. Contain sufficient depth, width, and frontage on a public street, or appropriate access thereto, as shown on the PBC Thoroughfare Identification Map to adequately accommodate the proposed use(s) and design.**

The proposed development is consistent with this PDD Design Objective, as the PUD proposes frontage along Hagen Ranch Road, which is considered an arterial roadway.

- b. Provide a continuous, non-vehicular circulation system which connects uses, public entrances to buildings, recreation areas, amenities, usable open space, and other land improvements within and adjacent to the PDD.**

The development program provides for a continuous, non-vehicular circulation system to all commercial and residential buildings, building entrances, to the clubhouse, to the mail/maintenance building and throughout the recreation areas. The internal pedestrian circulation system connects to the existing sidewalk fronting Hagen Ranch Road and Atlantic Avenue.

c. Provide pathways and convenient parking areas designed to encourage pedestrian circulation between uses.

Sidewalks, crosswalks and pathways are provided throughout the entire proposed development and allows for the safe travel of pedestrians throughout the site.

d. Preserve existing native vegetation and other natural/historic features to the greatest possible extent.

The proposed development will not result in significantly adverse impacts on the natural environment nor the surrounding existing developments as the site is already cleared.

e. Screen objectionable features (e.g. mechanical equipment, loading/delivery areas, storage areas, dumpsters, compactors) from public view and control objectionable sound.

The proposed development has appropriate screening walls and/or foundation planting where ground mounted mechanical equipment, loading, and dumpsters are being proposed. Any proposed mechanical equipment positioned on the roof of the buildings will be screened on all sides by an opaque barrier constructed of material and color compatible with the building or structure.

f. Locate and design buildings, structures, uses, pathways, access, landscaping, water management tracts, drainage systems, signs and other primary elements to minimize the potential for any adverse impact on adjacent properties.

Buildings, structures, pathways, access, landscaping, drainage systems, and signs will be designed to minimize the potential for any adverse impact on adjacent properties. All other setback, buffers, landscaping, building location and site elements have been designed in such a way as to minimize adverse impacts and comply with PBC ULDC requirements.

g. Minimize parking through shared parking and mix of uses.

Parking demand is being minimized with a well-integrated layout of a mix of residential and commercial uses.

h. For PDD only, a minimum of one pedestrian amenity for each 100,000 square feet of GFA or fraction thereof shall be incorporated into the overall development to create a pedestrian friendly atmosphere. Suggested amenities include, but are not limited to:

- 1) public art;
- 2) clock tower;
- 3) water feature/fountain;
- 4) outdoor patio, courtyard or plaza; and
- 5) tables with umbrellas for open air eating in common areas and not associated with tenant use (i.e. restaurant) or outdoor furniture.

The proposed development consist of a focal point along the Atlantic Avenue frontage, and is provided ample open space, clubhouse area, and recreation and open space areas.

PDD Performance Standards

The project meets and exceeds the Performance Standards requirements for a PDD Pursuant to **Article 3.E.1.C.2**. The following is a summary of the elements required by said standards:

The development proposal meets **Article 3.E.1.C.2 – Performance Standards** for a PDD as follows:

a. Access and Circulation

1) Minimum Frontage

PDDs shall have a minimum of 200 linear feet of frontage along an arterial or collector street unless stated otherwise herein.

The current development proposal meets this requirement.

2) PDDs shall have legal access on an arterial or collector street.

The site is located on the northwest corner of Atlantic Avenue and Hagen Ranch Road. The development program has been designed to provide legal access from Atlantic Avenue and Hagen Ranch Road, both arterial roadways.

3) Vehicular access and circulation shall be designed to minimize hazards to pedestrians, non-motorized forms of transportation, and other vehicles. Merge lanes, turn lanes and traffic medians shall be required where existing or anticipated heavy traffic flows indicate the need for such controls.

The proposed development provides for the safe integrating and coexistence of non-vehicular, pedestrian pathways and vehicular driveways. Ample open space, medians, and separated pedestrian walkways will ensure that the site is designed to minimize hazards for both pedestrians and motorists.

4) Traffic improvements shall be provided to accommodate the projected traffic impact.

Please refer to the Traffic Study for discussion regarding traffic improvements, if any.

5) Cul-de-sacs

The objective of this provision is to recognize a balance between dead end streets and interconnectivity within the development. In order to determine the total number of local streets that can terminate in cul-de-sacs, the applicant shall submit a Street Layout Plan, pursuant to the Technical Manual. The layout plan shall indicate the number of streets terminating in cul-de-sacs, as defined in Article 1 of this Code, and how the total number of streets is calculated. During the DRO certification process, the addressing section shall confirm the total number of streets for the development, which would be consistent with how streets are named. Streets that terminate in a T-intersection providing access to less than four lots, or a cul-de-sac that abuts a minimum 20 foot wide open space that provides pedestrian cross access between two pods shall not be used in the calculation of total number of cul-de-sacs or dead end streets.

a) 40 percent of the local streets in a PDD may terminate in a cul-de-sac or a dead-end by right.

No cul-de-sacs or dead-ends are being proposed by this project.

6) Nonresidential PDDs shall provide cross access to adjacent properties where possible, subject to approval by the County Engineer.

Proposed cross access is being provided along the western boundary of the commercial component of the project along Umberto Place.

7) Streets shall not be designed nor constructed in a manner which adversely impacts drainage in or adjacent to the project.

All streets and internal vehicular use areas are designed to ensure appropriate drainage is accommodated.

8) Public streets in the project shall connect to public streets directly adjacent to the project. If no adjacent public streets exist, and the County Engineer determines that a future public street is possible, a connection to the property line shall be provided in a location determined by the County Engineer. This standard may be waived by the BCC.

The proposed development is proposing access to existing public streets, Hagen Ranch Road and Atlantic Avenue.

b. Street Lighting

Streetlights shall be a maximum of 25 feet in height and shall be installed along all streets 50 feet in width or greater. The light fixture shall be designed to direct light away from residences and onto the sidewalk and street and shall comply with Article 5.E, PERFORMANCE STANDARDS.

Any future street lighting will comply with Article 5.E. for illumination levels and height.

c. Median Landscaping

Refer to the most recent Engineering and Public Works Operations - Streetscape Standards available from the PBC Engineering Department.

Acknowledged.

d. Street Trees

Street trees shall meet the Canopy tree requirements of Article 7, LANDSCAPING and planting standards pursuant to Engineering and Public Works Operations – Streetscape Standards, and as follows:

- 1) **Street trees shall be spaced an average of 50 feet on center. Palms meeting the requirements of Article 7, LANDSCAPING and Engineering and Public Works Operations - Streetscape Standards, may be planted as street trees if spaced an average of 40 feet on center.**
- 2) **Street trees shall be located along both sides of all streets 50 feet in width or greater and shall be planted between the edge of pavement and sidewalk. Appropriate root barrier techniques shall be installed where applicable.**
- 3) **Street trees shall be installed in accordance with the phasing of the Planned Development pursuant to Art. 7.E.4.B.1, Planned Developments. For Residential PDDs, planting of street trees shall be completed prior to the issuance of the final certificate of occupancy within that phase or pursuant to conditions of approval.**
- 4) **This requirement may be waived or modified by the County Engineer if the location of the proposed street trees conflict with requirements of Art.11, SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS.**

The proposed development will be landscaped in accordance with Article 7, LANDSCAPING.

e. Bike Lanes

Bike lanes shall be provided in all streets 80 feet in width or greater, unless an alternative is approved by the County Engineer in accordance with Article 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS.

The above requirement is not applicable as there are no streets within the residential development that are 80 feet in width or greater.

f. Mass Transit

All nonresidential PDDs over five acres and 50,000 square feet, and all PUDs over 50 units, shall comply with the following, unless waived by the DRO:

- 1) **The location of a Bus Stop, Boarding and Alighting Area shall be shown on the master plan and/or final site plan prior to approval by the DRO, unless written conflicts that one is not required. The purpose of this easement is for the future construction of Mass Transit infrastructure in a manner acceptable to Palm Tran;**
- 2) **Prior to the issuance of the first building permit, the property owner shall convey to PBC an easement for a Bus Stop, Boarding and Alighting Area, in a location and manner approved by Palm Tran. As an alternative, prior to Technical Compliance of the first plat, the property owner shall record an easement for a Bus Stop, Boarding and Alighting Area in a manner and form approved by Palm Tran. The property owner shall construct continuous paved pedestrian and bicycle access compliant with the Americans with Disabilities Act (ADA) to and through the Bus**

Stop Boarding and Alighting Area; and

3) All PDDs with more than 100 units shall comply with the following requirement:

Prior to the issuance of the building permit for the 100th unit, the petitioner shall construct a Palm Tran approved mass transit shelter with appropriate access lighting, trash receptacle and bicycle storage. The location of the shelter shall be within an approved Bus Stop Boarding and Alighting Area easement. Any and all costs associated with the construction and perpetual maintenance shall be funded by the petitioner.

The proposed development will comply with these requirements.

g. Utilities

All utility services located in a utility easement, such as telephone, cable, gas, and electric, shall be installed underground or combination/alternative acceptable to the DRO.

Utility services for the subject site will comply with this standard.

h. Parking

1) Residential Uses

Parking for residential uses shall comply with Article 6, PARKING. The DRO may require a covenant to be recorded limiting the affected area to a specific use or uses.

All aspects of the proposed development comply with Article 6, Parking.

2) Nonresidential Uses

Nonresidential uses located within a PDD may apply the parking standards indicated in Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements or the minimum/maximum parking standards below. The site plan shall clearly indicate which parking standards are being utilized for the entire site.

The non-residential uses proposed on the site will comply with Article 6, Parking and provides accessible parking for the future patrons of the anticipated uses.

3) Design

Parking areas open to the public shall be interconnected and provide safe efficient flow of traffic. Parking areas directly adjacent to other parking areas in the same project shall have cross access.

The development program provides interconnected public parking areas for the residents and patrons of the commercial component of the project.

4) Cross Access

Cross access shall be provided to adjacent internal uses/properties, if required by the DRO.

The applicant acknowledges the above requirement and will comply if required by the DRO.

5) Location-Non-residential PDDs

A minimum of ten percent of the required parking shall be located at the rear or side of each building it is intended to serve.

The development program provides for parking to be located in close proximity to the uses proposed.

6) Distance

All parking spaces shall be located within 600 linear feet of a public entrance of the building which it is intended to serve.

a) Remote Parking Areas

Paved pedestrian pathways shall be provided to all parking areas in excess of 400 feet from

a public entrance. Pathways shall be unobstructed grade separated and/or protected by curbs, except when traversing a vehicular uses area, and clearly marked.

The proposed parking is located within 600 linear feet of all entrances. Furthermore, paved pedestrian pathways provide the appropriate connections and comply with this standard.

i. Way Finding Signs

Off-site directional signs, consistent with the on-site directional sign standards in Article 8, SIGNAGE, may be allowed along internal streets in the R-O-W, subject to approval by the County Engineer.

Any proposed signage will comply with this standard.

PUD Purpose and Intent

The project meets and exceeds the relevant Purpose and Intent requirements for a PUD pursuant to **Article 3.E.2.A.1**. The following is a summary of the elements required by said standards:

a. the preservation of the natural environment;

The subject site is currently cleared and the development proposal does not cause any adverse impacts on the natural environment.

b. the integration and connection of land uses with perimeter landscape areas which provide vegetation preservation, buffering, and circulation areas;

The proposed development will meet all landscaping requirements. The PBC ULDC, pursuant to Article 7, Table 7.C.2.C.3, requires a 10' Type 1 Incompatibility Buffer abutting commercial and a compatibility buffer abutting residential; this requirement has been met as a 15' Incompatible Buffer has been provided towards the south and east and a 15' compatibility buffer provided towards the north and west.

c. the creation of a continuous non-vehicular circulation system;

The development program provides for a continuous, non-vehicular circulation system all building entrances, to the clubhouse, to the mail/maintenance building and throughout the recreation areas. The internal pedestrian circulation system connects to the existing sidewalk fronting Hagen Ranch Road and Atlantic Avenue.

d. the establishment of private civic and/or public civic and recreation area to serve the PUD;

The need for private/public civic area has been waived by Palm Beach County PREM as of 2018.

e. provide for a limited amount of commercial uses to serve the residents of the PUD;

23,665 square feet of permitted commercial uses are being proposed for the use of the residents and surrounding communities.

f. provide for efficient use of land and public resources by co-locating harmonious uses to share civic uses and public facilities and services for the residents of PBC;

The subject site represents infill style development, located along an arterial roadway, within the Urban Suburban Tier and is surrounded by an existing built environment. Developing the proposed uses at this location further the harmonious integration of a mix of uses.

g. the reduction of land consumption by roads and other impervious surface areas; and

The proposed development meets all pervious requirements.

h. the provision for flexible PDRs to promote innovative and quality site design.

The current development proposal meets all ULDC PDR requirements.

PUD Objectives and Standards

The project meets and exceeds the relevant Objectives and Standards requirements for a PUD pursuant to **Article 3.E.2.B.1**. The following is a summary of the elements required by said standards:

a. Designed as a predominantly residential district;

The proposed development will be predominantly residential in nature.

b. Provide a continuous non-vehicular circulation system for pedestrians and non-motorized vehicles;

A continuous non-vehicular circulation system has been provided for pedestrians and non-motorized vehicles. The non-vehicular circulations system provides connections between buildings, from parking areas to residential uses and provides connections to recreation areas and the neighborhood park. Additionally, connection is provided to the public sidewalk system along Hagen Ranch Road.

c. Provide perimeter landscape areas to buffer incompatible land uses, or where residential uses are adjacent to other incompatible design elements such as roadways, usable open space areas, where a more intense housing type is proposed, or where residential setbacks are less than adjacent residential development outside the perimeter of the PUD.

The project provides the appropriate 15' Type 1 Incompatible buffer where applicable. All required setbacks are either met or exceeded.

d. May offer limited commercial uses for the population of the PUD;

23,665 square feet of permitted commercial uses are being proposed for the use of the residents and surrounding communities.

e. Establish neighborhood character and identity;

The proposed development is consistent with the residential nature of the existing, surrounding community and provides continuity to the established neighborhood character and identity. As has been discussed, the area immediately surrounding the site is primarily residential in nature. The proposed mix of uses are represent a continuance of the current development pattern of the area. The proposed multi-family residential component provides for a diversity of housing options for a variety of residents that reside in PBC's Urban Suburban Tier.

f. Preserve the natural environment to the greatest extent possible; and

The subject site is currently cleared and represents the potential for an infill style of development. The surrounding area is built out and the current development proposal does not create any adverse impacts to the natural environment.

g. Provide incentives for civic uses to reduce public capital improvements and expenditures by encouraging joint acquisition, development and operation of publicly owned and operated facilities to serve the residents of the PUD and PBC.

The development proposal relates to approval of a residential PUD.

PUD Required Performance Standards

The project meets and exceeds the relevant Performance Standard requirements for a PUD pursuant to **Article 3.E.2.B.2**, as the project provides for buffering, internal recreational opportunities, aesthetics, creative design and safety. The following is a summary of the elements required by said standards (note that standards a – d must be met and 2 of 4 standards listed in e – h must be met):

a. Proximity to Other Uses

The ULDC requires that all residential pods within a PUD that propose five dwelling units per acre or more, be located within 1,320 feet of a neighborhood park, recreation pod, private civic pod, commercial pod or public recreational pod. The current development proposal meets this requirement, as there is the adjacent proposed commercial development and the onsite recreation area provided within the project.

b. Focal Points

A focal point must be provided at the terminus of 15% of the streets within the project. The project as proposed meets this requirement, with one landscape focal point situated along the Atlantic Avenue access.

c. Neighborhood Park

An MUPD does not require a neighborhood park, as such this policy is not applicable.

d. Decorative Street Lighting

Decorative street lights will be provided at the development entrances, therefore this standard has been met.

e. Decorative Paving

Not applicable.

f. Fountains

Not applicable.

g. Benches or Play Structures

This standard has been met, as there are benches proposed within the recreation areas and throughout the site.

h. Interspersed Housing

Multi-family residential housing with a workforce housing component is being provided.

i. Pedestrian Circulation System

An interconnected pedestrian sidewalk system is proposed throughout the project and provides the appropriate connection to recreation areas and the neighborhood park, as well as between parking areas and buildings.

3. Compatibility with Surrounding Uses

The subject site represents the ideal location in which to site the proposed Terra Nova development. The subject site is located at the intersection of Atlantic Avenue and Hagen Ranch Road, both heavily travelled arterial roadways. The proposed development accommodates the established development patterns within the area. The site is surrounded by the multi-family residential development, known as Villaggio Isles, located to the north and west; a Chevron gas station, the commercial plaza, known as Villages of Oriole Plaza, and the Hagen Ranch Road ROW, located towards the east; and Atlantic Avenue ROW located towards the south. All surrounding properties are located within the Urban/Suburban Tier. It is not uncommon for varying densities and use types to be found adjacent to one another. The extent to which the densities transition from one to another are mitigated by the use of property development regulations including setbacks, height limitations and landscape buffer requirements. The development proposal ensures compatibility by providing a mix of uses.

4. Effect on Natural Environment

The subject site is cleared and represents the potential for an infill style of development. The surrounding area is built out and the current development proposal does not create any adverse impacts to the natural environment.

5. Development Patterns

The proposed project provides for a logical and orderly development of the site. Land uses immediately surrounding the site are consistent with the proposed use due to residential zoning designations, and the

proposed development will contribute to establishing a consistent and well planned overall pattern of development in the area. Thus the proposed development promotes a logical development pattern by encouraging infill development and it complements the surrounding communities by enhancing the areas built environment.

6. Adequate Public Facilities

The Petitioner is applying for a concurrency reservation; adequate public facilities exist.

7. Changed Conditions or Circumstances

The proposed amendment to the approved development order for the site affords the Petitioner the opportunity to provide an appropriate development to the currently underutilized property.

CLASS A CONDITIONAL USE – WORKFORCE HOUSING (GREATER THAN 30%)

As part of the current development proposal, the Applicant is requesting a 60% density bonus through the County’s WHP. This request requires a Pre-Application be filed with PBC Planning in order for a Sector Analysis to be performed. Further, the proposed WFH density request is consistent with the standards for Class A Conditional Uses, as follows.

1. Consistency with the Plan

The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.

The Applicant is requesting a 60% bonus density through the County’s Workforce Housing Program (WHP), which would yield an additional 53 units to the 88 “by-right” permitted dwelling units. Additionally, the Applicant is requesting the transfer of 53 TDR units which would yield a total development potential of 194 units for the subject site.

The following table provides a preliminary analysis of the required WHP units for the proposed development, which utilizes the Full Incentive Option:

Density		Workforce Requirement	
	# of du	% required as WFH	# of WFH du
Standard Density			
17.67 ac. x 4 du/ac	71 du	5%	3.55 du
Maximum Density			
17.67 ac. x 1 du/ac	17 du	16%	2.72 du
Bonus Density			
88 du x 60%	53 du	34%	18.02 du
TDR Density			
	54 du	35%	18.55 du
Total	275 du		43 du

The utilization of the density bonus program results in a workforce housing obligation of 43 dwelling units. The Applicant wishes to provide 19 of the requires workforce housing units onsite, and provide the remaining 24 units off-site at a location to be determined at time of final DRO review and approval for the proposed development.

2. Consistency with the Code

The proposed development and associated WHP units will be provided in compliance with all aspects of the Code.

3. Compatibility with Surrounding Uses

The proposed residential component of the project is compatible with the surrounding uses and is in compliance with the densities and intensities set forth in the Plan, as well as the development regulations set forth in the Code.

4. Design Minimizes Adverse Impact

The proposed development will minimize adverse effects, including visual impact and intensity of the proposed use on adjacent lands. At the time of architectural review, it is the intent of the Applicant to propose a design that is compatible other developments within the context area. Requirements in Article 5.C will be met. Furthermore, no adverse impacts will occur on adjacent properties, as the site design meets or exceeds all requirements regarding setbacks, buffers and separation.

5. Design Minimizes Environmental Impact

The subject site has been previously cleared of all naturally occurring vegetation. The proposed development will not create any additional adverse impacts to the environment.

6. Development Patterns

The subject site is located at the intersection of Atlantic Avenue and Hagen Ranch Road, both heavily travelled arterial roadways. The site is surrounded by the multi-family residential development, known as Villaggio Isles, located to the north and west; a Chevron gas station, the commercial plaza, known as Villages of Oriole Plaza, and the Hagen Ranch Road ROW, located towards the east; and Atlantic Avenue ROW located towards the south.

7. Adequate Public Facilities

The Applicant is applying for a concurrency equivalency.

8. Changed Conditions or Circumstances

The proposed increase in density through the County's WHP to gives the Petitioner the opportunity to provide much needed housing in the tiers' western area, as well as allocate additional workforce housing stock in the Tier.

CLASS A CONDITIONAL USE – TDR RECIEVING AREA DESIGNATION

As part of the current development proposal, the Applicant is requesting an additional Class A Conditional Use to designate the site as a Transfer of Development Rights receiving area. The granting of the Class A Conditional Use will comply with the following criteria as set forth by the ULDC:

1. Consistency with the Plan

The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use. The proposed purchase of 53 TDR units will not create any adverse impacts in built form and surrounding area.

2. Consistency with the Code

The purchase of TDR units is consistent with the PBC ULDC and the granting of such will not create inconsistencies. The location at the intersection of Atlantic Avenue and Hagen Ranch Road, east of the Florida Turnpike allows for the purchase of the requested TDR units. The five workforce housing units required as part of the TDR Program will be provided onsite.

3. Compatibility with Surrounding Uses

The proposed residential component of the project is compatible with the surrounding uses and is in compliance with the densities and intensities set forth in the Plan, as well as the development regulations set forth in the Code.

4. Design Minimizes Adverse Impact

The proposed multi-family component (and TDR units) will minimize adverse effects, including visual impact and intensity of the proposed use on adjacent lands. At the time of architectural review, it is the intent of the Applicant to propose a design that is compatible with existing developments within the context area. Requirements in

Article 5.C will be met. Furthermore, no adverse impacts will occur on adjacent properties, as the site design meets or exceeds all requirements regarding setbacks, buffers and separation.

5. Design Minimizes Environmental Impact

The subject site has been previously cleared of all naturally occurring vegetation. The proposed development will not create any additional adverse impacts to the environment.

6. Development Patterns

The subject site is located at the intersection of Atlantic Avenue and Hagen Ranch Road, both heavily travelled arterial roadways. The site is surrounded by the multi-family residential development, known as Villaggio Isles, located to the north and west; a Chevron gas station, the commercial plaza, known as Villages of Oriole Plaza, and the Hagen Ranch Road ROW, located towards the east; and Atlantic Avenue ROW located towards the south.

7. Adequate Public Facilities

The Applicant is applying for a concurrency equivalency.

8. Changed Conditions or Circumstances

The proposed increase in density through the County's TDR program to gives the Petitioner the opportunity to provide much needed housing in the tiers' western area, as well as allocate additional workforce housing stock in the Tier.

Based on the above and attached information, the Petitioner respectfully requests the approval of the request.