

CITY OF PALM BEACH GARDENS
DEVELOPMENT APPLICATION

Planning and Zoning Department
CITY OF PALM BEACH GARDENS
10500 North Military Trail
Palm Beach Gardens, FL 33410
(561) 799-4243 Fax (561) 799-4281

Request:

- | | |
|---|---|
| <input type="checkbox"/> Planned Community Development (PCD) | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Amendment to PCD, PUD or Site Plan | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Concurrency Certificate |
| <input checked="" type="checkbox"/> Amendment to the Comprehensive Plan | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Administrative Approval | <input type="checkbox"/> Miscellaneous |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Other <input type="text"/> |

Date Submitted:

Project Name: ANCIENT TREE

Owner: Salvatore J Balsamo Trust

Applicant (if not Owner): _____

Applicant's Address: 280 Tradewind Dr. Palm Beach, FL Telephone No. 312-608-3445

Agent: Cotleur & Hearing

Contact Person: Donaldson hearing / Kathryn DeWitt E-Mail: kdewitt@cotleur-hearing.com

Agent's Mailing Address: 1934 Commerce Lane, Suite 1, Jupiter, FL 33458

Agent's Telephone Number: 561-747-6336 x 110

FOR OFFICE USE ONLY	
Petition Number: _____	Date & Time Received: _____
Fees Received	
Application \$ _____	Engineering \$ _____
Receipt Number: _____	

Justification

Information concerning all requests (attach additional sheets if needed.)
{Section 78-46, Application Procedures, Land Development Regulations.}

1. Explain the nature of the request: The Applicant is proposing a Comprehensive Map amendment to provide the Ancient Tree property with a Future Land Use category of Residential Low. See attached narrative.

2. What will be the impact of the proposed change on the surrounding area?
The proposed residential use is consistent with the existing and approved uses in the surrounding area.

3. Describe how the rezoning request complies with the City's Vision Plan and the following elements of the City's Comprehensive Plan - Future Land Use, Transportation, Housing, Infrastructure, Coastal Management, Conservations, Recreation and Open space, Intergovernmental Coordination and Capital Improvement.

The City's vision for the western portion of the City is for low density residential communities, which the proposed development is consistent with.

Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared Salvatore J Balsamo
_____ who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting Annexation / FLU / Rezoning / Site Plan / Concurrency in the City of Palm Beach Gardens, Florida.
3. That he/she has appointed Cottleur & Hearing to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner Salvatore J Balsamo Trust

Salvatore J Balsamo
Signature of Owner

280 Tradewind Drive

Street Address

Salvatore J Balsamo

By: Name/Title

Palm Beach, FL 33480

City, State, Zip Code

P. O. Box

312-608-3445

Telephone Number

City, State, Zip Code

Fax Number

E-mail Address

Sworn and subscribed before me this 4th day of April 2016

Brittany Lee
Notary Public

My Commission expires:

Nov 20, 2019





Palm Beach Gardens Planning and Zoning Department
10500 North Military Trail, Palm Beach Gardens, FL 33410
561-799-4230

Permit # _____

Financial Responsibility Form

The owner understands that all City-incurred professional fees and expenses associated with the processing of this application request are ultimately the responsibility of the owner. A security deposit shall be deposited in an interest-bearing account with any accrued interest to be retained by the City of Palm Beach Gardens.

The owner and/or designee shall be invoiced on a monthly basis for professional fees such as, but not limited to, consultant engineering services, legal services, advertising costs, and/or any other costs attributable to the processing of the permit for which the City incurred during the previous month. The owner and/or designee shall reimburse the City within thirty (30) days from date of invoice. If payment is not received, the City may utilize the security deposit for re-imbursement purposes. All activities related to the pending permit(s) will cease until any outstanding invoices are paid.

The owner/designee further understands that transfer of this responsibility shall require a completed form, signed and notarized by the responsible party, and delivered to the City Planning and Zoning Department if the name and/or address of the responsible party changes at anytime during the application review process.

Salvatore J Balsamo
Owner signature

4/4/16
Date

Salvatore J Balsamo
Owner printed name

00-41-42-14-00-000-3010
Property Control Number

DESIGNEE/BILL TO:
Salvatore J Balsamo
280 Tradewind Drive
Palm Beach, FL 33480

Designee Acceptance Signature

NOTARY ACKNOWLEDGEMENT

STATE OF Florida
COUNTY OF Palm Beach

I hereby certify that the foregoing instrument was acknowledged before me this 4th day of April, 2016 by Salvatore J Balsamo. He or she is personally known to me or has produced Florida drivers license as identification.

Brittany Lee
Notary public signature
Brittany Lee
Printed name



State of FL at-large

My Commission expires: Nov. 20, 2019



Cotleur & Hearing

Landscape Architects | Land Planners | Environmental Consultants
1934 Commerce Lane · Suite 1 · Jupiter, Florida · 33458 · Ph 561.747.6336 · Fax 561.747.1377 · www.cotleurhearing.com · Lic # LC-C000239

Ancient Tree **Comprehensive Plan Map Amendment Justification Statement** September 10, 2016

Introduction

On behalf of Salvatore J Balsamo Trust, the Applicant, we are requesting a Large Scale Comprehensive Plan Map Amendment for a 96.80-acre property. The amendment will change the land use designation from Palm Beach County Rural Residential 1 unit/10 acres to Palm Beach Gardens Residential Low. The property is located on the north side of Northlake Boulevard just west of the City's Municipal Golf Course and is currently located within unincorporated Palm Beach County.

Project Contact:

Agent/Planner - Cotleur & Hearing

Donaldson Hearing / Kathryn DeWitt

1934 Commerce Lane, Suite 1

Jupiter, FL 33458

Phone: (561) 747- 6336 ext. 102

Fax: (561) 747-1377

Email: dhearing@cotleur-hearing.com

Fees

Future Land Use Amendment	\$ 2,500.00
Rezoning	\$ 2,500.00
PUD in conj. With Rezoning	\$ 500.00
Pre-Application Meeting	\$ 200.00
GIS Review of Open Space	\$ 300.00
Residential Addressing Plan	\$ 200.00
Engineering Escrow	\$ 1,000.00
Advertising Escrow	\$ 1,000.00
Legal Escrow	\$ 1,000.00
Traffic Escrow	\$ 1,000.00
TOTAL	\$10,200.00

Location

The Ancient Tree property is located in unincorporated Palm Beach County. The property is located on the north side of Northlake Boulevard approximately 3/4-quarter miles east of Coconut Boulevard. The property is bound on its west and north sides by the Avenir development. To the east of the site is the City’s Municipal Golf Course and to the south is the Bay Hill Estates (a.k.a Stonewal Estates) community (located in unincorporated Palm Beach County). The 96.80-acre subject property is currently undeveloped and in agricultural use.

Background

In 2005, the Applicant submitted Application No. LGA-2005-10 to Palm Beach County to change the Future Land Use designation of the property. This application was withdrawn after submittal.

On August 21, 2006, Palm Beach County adopted LGA-2005-034 by Ordinance 2006-028 allowing a change of the Future Land Use Designation of the Ancient Tree property from RR-10 to LR-1. The Department of Community Affairs (DCA) issued a Statement of Intent to find the Plan Amendment not “in compliance.” Additional data and analysis was provided to DCA. Based on the additional data and analysis provided, DCA agreed to a settlement agreement, and found the Comprehensive Plan amendment “in compliance” upon execution of the agreement on March 14, 2008. However, on January 23, 2009, the Administrative Law Judge issued a final order determining that the amendment was not “in compliance.” Therefore, the subject Ordinance was repealed by Ordinance 2010-003.

In 2006, the Applicant submitted Application No. PPD-2006-1402 requesting to rezone the property from the Agricultural Residential (AR) District to the Residential Planned Unit Development (PUD) District. This application was withdrawn by the Applicant.

Land Use & Zoning

The property is currently located within unincorporated Palm Beach County (PBC). The PBC Future Land Use designation of the Ancient Tree property is Rural Residential 1 unit/10 acres (RR-10) and the zoning designation is Agricultural Residential (AR). The Applicant is proposing to annex the property into the City of Palm Beach Gardens and establish a land use designation of Residential Low (RL) and a zoning designation of Planned Unit Development (PUD) / Residential Low 2 units/acre (RL-2). The following table shows the land use and zoning designations of the surrounding properties.

DIRECTION	FUTURE LAND USE DESIGNATION	ZONING DESIGNATION
NORTH	MXD	PCD / PARCEL G - CIVIC
SOUTH	PBC RR-2.5	PBC RE
WEST	MXD	PCD / PARCEL A - RESIDENTIAL
EAST	GOLF	P/I

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 CH 15-0606
 September 10, 2016

The Applicant is proposing to amend the City's Future Land Use Map (FLUM) to include a density restriction. The amended FLUM includes a triangular asterisk symbol on the Ancient Tree property and a note stating that the property is restricted to a maximum of 97 single family dwelling units. See amended FLUM map included herein.

Subject Request

The Applicant is requesting approval of a Large Scale Future Land Use Map Amendment to assign the property with a Palm Beach Gardens land use designation following the approval of the companion pending annexation application, amend the Urban Growth Boundary shown on Map A.1, and add a density restriction to the property. The property's land use will change from PBC RR-10 to PBG RL.

Large Scale Comprehensive Plan Map Amendment

Existing and Proposed Land Use Designations

The PBC Future Land Use designation of the Ancient Tree property is Rural Residential 10 (RR-10). The Applicant is proposing to annex the property into the City of Palm Beach Gardens and establish a land use designation of Residential Low (RL). Illustrative maps showing the existing and proposed Future Land Use designations has been included within this application submittal. Because the subject property exceeds 10 acres, the request is a large scale amendment.

The RL land use designation allows a maximum density of four dwelling units per acre, or up to 387 dwelling units. However, only 97 dwelling units are proposed on the property. The area surrounding the subject site consists generally of low-density residential development and preserved natural areas. The surrounding properties are currently developed at densities between 0.5 du/ac and 1.25 du/ac. The site plan application that is accompanying the Comprehensive Plan Map amendment proposes a density of 1.0 du/ac, which is in keeping with the densities of the existing area.

To ensure the continuance of the low density residential nature of the community, the Applicant is proposing to amend the City's Future Land Use Map (FLUM) to include a density restriction. The amended FLUM includes a triangular asterisk symbol on the Ancient Tree property and a note stating that the property is restricted to a maximum of 97 single family dwelling units. See amended FLUM map included herein.

DIRECTION	COMMUNITY NAME	EXISTING USE	FUTURE LAND USE
NORTH	AVENIR	UNBUILT CIVIC	MXD
SOUTH	BAY HILL ESTATES (PBC)	RESIDENTIAL	PBC - RR-2.5
WEST	AVENIR	UNBUILT RESIDENTIAL	MXD
EAST	CITY OF PBG	GOLF	GOLF

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Compatibility with the Surrounding Area

The property to the west and north of the Ancient Tree property, Avenir PCD, is currently vacant, but has approved entitlements which includes 3,000 single-family dwelling units, 250 multifamily dwelling units, 400,000 square feet of commercial use, 200,000 square feet of medical office use, 1,940,000 square feet of office use, a 300-room hotel, a 55-acre public park, 15-acre city annex, 60-acre civic parcel, 15 acres for public elementary school, 20 acres of agricultural, and 2,407 acres of conservation. The portions of the Avenir PCD that directly abut the Ancient Tree property are Parcel A (residential) and Parcel G (civic / recreation).

To the east of the site is the City's Municipal Golf Course, which is currently being renovated to provide upgraded facilities. The golf course is highly successful and is seen as an attractant for future golf enthusiasts of the Ancient Tree community. To the south is the Bay Hill Estates residential community, which is located in unincorporated Palm Beach County.

The surrounding properties are currently developed at densities between 0.5 du/ac and 1.25 du/ac. The Ancient Tree community is proposed to be developed at a density of 1.0 du/ac. Bay Hill Estates, located south of the subject property on the south side of Northlake Boulevard, has 491 single-family dwelling units over 981 acres, equating to a gross density of 0.50 du/ac.

Based on the approved entitlements for Avenir, the residential density is 0.68 du/ac. This density is based on the entire acreage of the Avenir PCD. More than 50 percent of the PCD lands will be preserved and undeveloped as part of the project build out. If only the developable land is evaluated (i.e. conservation land acreage is removed from the calculation), the residential density is approximately 1.38 du/ac. Furthermore, if only the residential parcels themselves are evaluated (i.e. Parcels A and B acreage), the density increases to 1.82 du/ac.

Other residential communities located within the surrounding area include Osprey Isles (developed at 1.0 du/ac), Ibis (developed at 1.25 du/ac), and Carleton Oaks (developed at 1.0 du/ac). As indicated by this information, the surrounding area is characterized by low-density residential development that engages natural areas and greenspaces. Therefore, the 1.0 du/ac proposed for Ancient Tree is consistent with the densities and development patterns of the surrounding area.

Consistency with City's Comprehensive Plan

Goal 1. 1: Continue to ensure a high quality living environment through a mixture of land uses that will maximize Palm Beach Gardens' natural and manmade resources while minimizing any threat to the health, safety, and welfare of the City's citizens that is caused by incompatible land uses which consider the intensities and densities of land use activities, their relationship to surrounding properties and the proper transition of land uses.

The proposed density of 1.0 du/ac is consistent with the low-density nature of the surrounding properties. The additional residential density in this portion of the City will help continue the

balance of uses that result from the existing residential communities and the future development of Avenir, which will include several hundred thousand square feet of nonresidential square footage that will be supported by the residential uses. The proposed density also provides for a natural transition of densities from more urban areas of the City to more rural / natural areas.

Policy 1.1.1.3.: Residential Low (RL):

The predominant dwelling type in the Residential Low category is single-family detached housing and those uses are consistent with the Land Development Regulations. The category is intended to accommodate developments comparable to PGA National, and the older residential communities of the City. The compatible zoning districts for this land use category shall be the RL1, RL2, and RL3 zoning districts. Non-residential uses may be permitted as part of a planned community, pursuant to the City's Land Development Regulations.

The Applicant is proposing a land use designation of RL, which is supported by the accompanying site plan application. The single-family detached housing product proposed on the subject site is in keeping with the RL land use category and will have a consistent zoning district of RL2.

Policy 1.1.2.8: Urban Growth Boundary (UGB): The City designates on the Future Land Use Map an Urban Growth Boundary (UGB) which generally coincides with the Northlake Boulevard, east of the Hungryland Slough Natural Area, west of the Sweetbay Natural Area, and south of Beeline Highway.

The subject property is located within the described area that constitutes the UGB; however, the graphical depiction of the UGB on the Future Land Use Map will need to be amended to include the Ancient Tree property. A revised map has been included with the subject submittal.

Policy 1.2.4.4.(b): In order to prevent urban sprawl and promote cost effective and efficient service delivery, the City has designated an Urban Growth Boundary (UGB) which generally coincides with the eastern boundary of the Loxahatchee Slough, and generally includes areas fronting Northlake Boulevard, east of the Hungryland Slough Natural Area, west of the Sweetbay Natural Area, and south of the Beeline Highway. The UGB is designated on the Future Land Use Map (Map A.1). The UGB divides the City into distinct areas, urban and rural. These two distinct areas are designated with land uses (densities and intensities) consistent with urban and rural characteristics and shall receive public services and facilities at levels appropriate for such urban and rural uses, as defined in the Capital Improvement Element.

The subject property is located within the described area that constitutes the UGB; however, the graphical depiction of the UGB on the Future Land Use Map will need to be amended to include the Ancient Tree property. A revised map has been included with the subject submittal. All of the City's level of service standards for urban services have been met based on the documents provided within the Applicant's submittal.

Comprehensive Plan Level of Service Analysis

The following is an analysis of the maximum impact potential on facilities and services based on the proposed RL Future Land Use designation.

Water and Wastewater

Seacoast Utility Authority (SUA) is the water and wastewater service provider for the proposed project and will be the owner, operator and maintenance entity of the water and sewer systems upon construction completion and certification. As outlined in a letter from Seacoast Utility Authority (SUA), dated February 17, 2016 and provided to staff, the proposed project will create a demand of 0.033 MGD (Million Gallons per Day) of potable water and 0.024 MGD of wastewater on the SUA system as a whole. Please see the table below for more details. The proposed project's demand is well within the limits of the existing SUA system capacity.

	CAPACITY	COMMITTED AND IN USE	THIS PROJECT	BALANCE
Potable Water	21.09	18.72	0.033	2.33
Sewer	12.00	7.98	0.024	3.99

Solid Waste

As of September 30, 2015, the Solid Waste Authority's north county landfills had an estimated 25,557,627 cubic yards of landfill capacity remaining. In addition, the Authority has completed the construction of a second Waste-to-Energy facility, and began operation of the facility in 2015. This will significantly extend the useful life of the landfill (letter from the Solid Waste Authority dated January 6, 2016). The letter also confirms that sufficient capacity exists for concurrency management and comprehensive planning purposes related to this project.

The City's Comprehensive Plan standard for solid waste is 7.13 lbs per day/twice per week. Based on the maximum number of dwelling units permitted under the Residential Low land use category, a total of 0.812 cubic yards of fill per day will be required. This is substantially less than the current and future land use capacity available today. Therefore, the proposed development meets the level of service requirements as adopted by the City's Comprehensive Plan.

$$\begin{aligned} \text{Maximum DU per RL-2} &= \text{FLU } 96.80 \text{ gross acres} * 1 \text{ du/ac} \\ \text{Maximum DU per RL-2} &= 97 \text{ DU} \end{aligned}$$

$$\begin{aligned} \text{Total Number of Residents} &= 97 \text{ DU} * 2.35 \text{ person per household} \\ \text{Total Number of Residents} &= 227.95 \text{ persons} \end{aligned}$$

Solid Waste LOS = 7.13 GPD per capita
Solid Waste LOS = 227.95 persons*7.13 GPD/2,000 lbs
Solid Waste LOS = 0.812 tons per day

Drainage

The subject property is located within the boundaries of the South Florida Water Management District (SFWMD) and the Northern Palm Beach County Improvement District (PBCID). Legal positive outfall is available via discharge to the water management system in the adjacent Avenir residential development with ultimate outfall northeasterly to the water catchment area. Site drainage will include on site attenuation of the required design storm events, including the 25 year, 3 day storm event as well as provision of the minimum water quality treatment volume. Allowable discharge to be in accordance with the SFWMD and NPBCID criteria. A statement of Legal Positive Outfall has been included herein.

Traffic / Roadway Needs

The submitted land use traffic analysis identified the need for improvements on Northlake Boulevard from Coconut to Ibis and Ibis to SR 7. The City of Palm Beach Gardens Comprehensive Plan states in Policy 2.1.1.7 that if the traffic analysis for a Land Use Plan Amendment demonstrates that a roadway will operate below the adopted level of serve, then the necessary roadway improvement or alternative measures to maintain the adopted level of service should be identified and if the necessary measure is a capital improvement it should be included within the first five years of the financially feasible capital improvement program on the long range transportation map depending on the timing of the need for the improvement to the roadway. The Applicant is proposing to utilize proportionate share to mitigate its impacts. The proportionate share process is an alternative measure in which the municipal agencies agree to take payment for various projects and apply them to a series of specific improvements that provide mobility within the general study area. The Ancient Tree project is expected to have a land use impact of 880 trips (66 AM peak hour trips and 90 PM peak hour trips).

Recreation

The City's Comprehensive Plan standard for recreation areas is 5.0 acres of improved neighborhood and community parks for each 1,000 permanent city residents. The City currently maintains approximately 348.39 acres of recreation and park areas within its municipal boundaries. Based on the proposed RL-2 Future Land Use designation, the required LOS is 1.14 acres of improved neighborhood recreation areas/facility. The Applicant is proposing to dedicate 14.30 acres of the property to the City for its use as a golf recreation amenity. Below are the calculations used to come to the thresholds discussed above.

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Maximum DU per RL-2 = FLU 96.80 gross acres * 1 du/ac
 Maximum DU per RL-2 = 97 DU

Total Number of Residents = 97 DU * 2.35 person per household
 Total Number of Residents = 227.95 persons

Recreation LOS = Total Residents / 1,000 * 5 AC
 Recreation LOS = 227.95 persons / 1,000 * 5 AC
Recreation LOS = 1.14 AC

Fire Rescue

The City’s Fire Rescue department has provided a letter confirming their ability to service the subject property through the automatic aid agreement with Palm Beach county Fire Rescue. This letter has been included as part of this application.

Schools

Policy 11.1.1.1 of the City’s Comprehensive Plan states that the LOS standard shall be established for all schools of each type within the School district as 110 percent utilization, measured as the average for all schools of each type within each Concurrency Service Area. No individual school shall be allowed to operate in excess of 110% utilization, unless the school is the subject of a School Capacity Study (SCS) undertaken by the School District.

The subject property is zoned for Pierce Hammock Elementary School, Western Pines Middle School, and Palm Beach Gardens High School. Based on the 2015 Concurrency Service Area tables, Pierce Hammock is projected to be at 68 percent utilization through the 2020 school year. Western Pines is projected to be at 104 percent utilization through the 2020 school year. Lastly, Palm Beach Gardens High School is projected to be at 110 percent utilization through the 2020 school year. Based on the 97 single-family homes proposed for the Ancient Tree Community, the following table demonstrates the student generation rates for elementary, middle, and high school. The Applicant has submitted a School Concurrency application to the School District based on the 97 single family homes proposed.

STUDENT GENERATION				
HOUSING TYPE	ELEMENTARY	MIDDLE	HIGH	TOTAL
MULTIPLIER	(0.15)	(0.06)	(0.08)	(0.29)
SINGLE FAMILY	14.55 Students	5.82 Students	7.76 Students	28.13 Students

Ancient Tree
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CH 15-0606
September 10, 2016

Conclusion

This Applicant is requesting approval of a large scale future land use map amendment. The proposed amendment is consistent with the City's Comprehensive Plan. The Applicant looks forward to working with Staff to respond to any questions or issues that might arise as a result of your review.

CITY OF PALM BEACH GARDENS
DEVELOPMENT APPLICATION

Planning and Zoning Department
CITY OF PALM BEACH GARDENS
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Date Submitted:

Project Name: ANCIENT TREE

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Applicant (if not Owner): _____

Applicant's Address: 280 Tradewind Dr. Palm Beach, FL Telephone No. 312-608-3445

Agent: Cotleur & Hearing

Contact Person: Donaldson hearing / Kathryn DeWitt E-Mail: kdewitt@cotleur-hearing.com

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FOR OFFICE USE ONLY	
Petition Number: _____	Date & Time Received: _____
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Application \$ _____	Engineering \$ _____
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Architect: N/A

Engineer: Simmons & White

Planner: Cotleur & Hearing

Landscape Architect: Cotleur & Hearing

Site Information:

Note: Petitioner shall submit electronic digital files of approved projects. See attachment for details.

General Location: Northwest corner of the intersection of Northlake Blvd and Golf Course Road

Address: 11401 Northlake Blvd.

Section: 14 Township: 42 Range: 41

Property Control Number(s): 00-41-42-14-00-000-3010

Acreage: 96.80 Current Zoning: PBC - AR Requested Zoning: PBG RL-2 / PUD

Flood Zone _____ Base Flood Elevation (BFE) – to be indicated on site plan _____

Current Comprehensive Plan Land Use Designation: PBC - RR-10

Existing Land Use: PBC - RR-10 Requested Land Use: PBG RL

Proposed Use(s) i.e. hotel, single family residence, etc.: Residential

Proposed Square Footage by Use: N/A

Proposed Number and Type of Dwelling Unit(s) i.e. single family, multifamily, etc. (if applicable):
97 Single Family Residences

Justification

Information concerning all requests (attach additional sheets if needed.)
{Section 78-46, Application Procedures, Land Development Regulations.}

1. Explain the nature of the request: The Applicant is proposing approval of a PUD Site Plan
and Concurrency for the Ancient Tree property. See attached narrative.

2. What will be the impact of the proposed change on the surrounding area?
The proposed residential use is consistent with the existing and approved uses in the surrounding area.

3. Describe how the rezoning request complies with the City's Vision Plan and the following elements
of the City's Comprehensive Plan - Future Land Use, Transportation, Housing, Infrastructure,
Coastal Management, Conservations, Recreation and Open space, Intergovernmental Coordination
and Capital Improvement.
The City's vision for the western portion of the City is for low density residential communities, which the

proposed development is consistent with.

4. How does the proposed project comply with City requirements for preservation of natural resources and native vegetation (Section 78-301, Land Development Regulations)?

A detailed environmental application has been included with the concurrent Rezoning/Site Plan application submitted to the City.

5. How will the proposed project comply with City requirements for Art in Public Places (Chapter 78-261, Land Development Regulations)?

N/A

6. Has project received concurrency certification?

No.

Date Received: _____

Legal Description of the Subject Property

(Attach additional sheets if needed)

Or see attached deed for legal description.

Location

The subject property is located approximately 00 mile(s) from the intersection of Northlake Blvd and Golf Course Road, on the north, east, south, west side of Northlake Blvd.

(street/road).

Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared Salvatore J Balsamo
_____ who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting Annexation / FLU / Rezoning / Site Plan / Concurrency in the City of Palm Beach Gardens, Florida.
3. That he/she has appointed Cottleur & Hearing to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner Salvatore J Balsamo Trust

Signature of Owner _____

280 Tradewind Drive

Street Address _____

P. O. Box _____

312-608-3445

Telephone Number _____

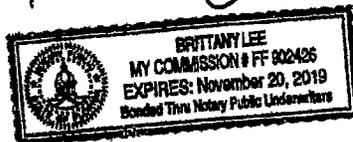
E-mail Address _____

Sworn and subscribed before me this 4th day of April 2016

Brittany Lee
Notary Public

My Commission expires:

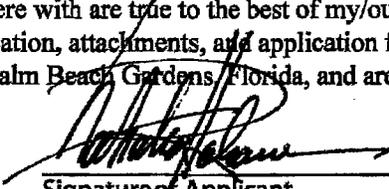
Nov 20, 2019



Applicant's Certification

I/We affirm and certify that I/we understand and will comply with the land development regulations of the City of Palm Beach Gardens, Florida. I We further certify that the statements or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments, and application filing fees become a part of the official records of the City of Palm Beach Gardens, Florida, and are not returnable.

Applicant is:



Signature of Applicant

Owner

Salvatore J Balsamo

Print Name of Applicant

Optionee

280 Tradewind Drive

Street Address

Lessee

Palm Beach, FL 33480

City, State, Zip Code

Agent

312-608-3445

Telephone Number

Contract Purchaser

Fax Number

E-Mail Address



Palm Beach Gardens Planning and Zoning Department
10500 North Military Trail, Palm Beach Gardens, FL 33410
561-799-4230

Permit # _____

Financial Responsibility Form

The owner understands that all City-incurred professional fees and expenses associated with the processing of this application request are ultimately the responsibility of the owner. A security deposit shall be deposited in an interest-bearing account with any accrued interest to be retained by the City of Palm Beach Gardens.

The owner and/or designee shall be invoiced on a monthly basis for professional fees such as, but not limited to, consultant engineering services, legal services, advertising costs, and/or any other costs attributable to the processing of the permit for which the City incurred during the previous month. The owner and/or designee shall reimburse the City within thirty (30) days from date of invoice. If payment is not received, the City may utilize the security deposit for re-imbursement purposes. All activities related to the pending permit(s) will cease until any outstanding invoices are paid.

The owner/designee further understands that transfer of this responsibility shall require a completed form, signed and notarized by the responsible party, and delivered to the City Planning and Zoning Department if the name and/or address of the responsible party changes at anytime during the application review process.

Salvatore J Balsamo
Owner signature

4/4/14
Date

Salvatore J Balsamo
Owner printed name

00-41-42-14-00-000-3010
Property Control Number

DESIGNEE/BILL TO:
Salvatore J Balsamo

280 Tradewind Drive

Palm Beach, FL 33480

Designee Acceptance Signature

NOTARY ACKNOWLEDGEMENT

STATE OF Florida
COUNTY OF Palm Beach

I hereby certify that the foregoing instrument was acknowledged before me this 4th day of April, 2014 by Salvatore J Balsamo. He or she is personally known to me or has produced Florida drivers license as identification.

Brittany Lee
Notary public signature
Brittany Lee
Printed name



State of FL at-large

My Commission expires: Nov. 20, 2019



Cotleur & Hearing

Landscape Architects | Land Planners | Environmental Consultants
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Ancient Tree **Rezoning and Concurrency Application Justification Statement** September 10, 2016

Introduction

On behalf of Salvatore J Balsamo Trust, the Applicant, we are requesting to rezone a 96.80-acre property from Palm Beach County Agricultural Residential to Palm Beach Gardens Residential Low-2 with a Planned Unit Development Overlay. The property is located on the north side of Northlake Boulevard just west of the City's Municipal Golf Course. The property is currently located within unincorporated Palm Beach County.

Project Contact:

Agent/Planner - Cotleur & Hearing

Donaldson Hearing / Kathryn DeWitt

1934 Commerce Lane, Suite 1

Jupiter, FL 33458

Phone: (561) 747- 6336 ext. 102

Fax: (561) 747-1377

Email: dhearing@cotleur-hearing.com

Fees

Future Land Use Amendment	\$ 2,500.00
Rezoning	\$ 2,500.00
PUD in conj. With Rezoning	\$ 500.00
Pre-Application Meeting	\$ 200.00
GIS Review of Open Space	\$ 300.00
Residential Addressing Plan	\$ 200.00
Engineering Escrow	\$ 1,000.00
Advertising Escrow	\$ 1,000.00
Legal Escrow	\$ 1,000.00
Traffic Escrow	\$ 1,000.00
TOTAL	\$10,200.00

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Location

The Ancient Tree property is located in unincorporated Palm Beach County. The property is located on the north side of Northlake Boulevard approximately 3/4-quarter miles east of Coconut Boulevard. The property is bound on its west and north sides by the Avenir development. To the east of the site is the City’s Municipal Golf Course and to the south is the Bay Hill Estates (a.k.a Stonewal Estates) community (located in unincorporated Palm Beach County). The 96.80-acre subject property is currently undeveloped and in agricultural use.

Background

In 2005, the Applicant submitted Application No. LGA-2005-10 to Palm Beach County to change the Future Land Use designation of the property. This application was withdrawn after submittal.

On August 21, 2006, Palm Beach County adopted LGA-2005-034 by Ordinance 2006-028 allowing a change of the Future Land Use Designation of the Ancient Tree property from RR-10 to LR-1. The Department of Community Affairs (DCA) issued a Statement of Intent to find the Plan Amendment not “in compliance.” Additional data and analysis was provided to DCA. Based on the additional data and analysis provided, DCA agreed to a settlement agreement, and found the Comprehensive Plan amendment “in compliance” upon execution of the agreement on March 14, 2008. However, on January 23, 2009, the Administrative Law Judge issued a final order determining that the amendment was not “in compliance.” Therefore, the subject Ordinance was repealed by Ordinance 2010-003.

In 2006, the Applicant submitted Application No. PPD-2006-1402 requesting to rezone the property from the Agricultural Residential (AR) District to the Residential Planned Unit Development (PUD) District. This application was withdrawn by the Applicant.

Land Use & Zoning

The property is currently located within unincorporated Palm Beach County (PBC). The PBC Future Land Use designation of the Ancient Tree property is Rural Residential 1 unit/10 acres (RR-10) and the zoning designation is Agricultural Residential (AR). The Applicant is proposing to annex the property into the City of Palm Beach Gardens and establish a land use designation of Residential Low (RL) and a zoning designation of Planned Unit Development (PUD) / Residential Low 2 units/acre (RL-2). The following table shows the land use and zoning designations of the surrounding properties.

DIRECTION	FUTURE LAND USE DESIGNATION	ZONING DESIGNATION
NORTH	MXD	PCD / PARCEL G - CIVIC
SOUTH	PBC RR-2.5	PBC RE
WEST	MXD	PCD / PARCEL A - RESIDENTIAL
EAST	GOLF	P/I

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The Applicant is also proposing to amend the City's Future Land Use Map (FLUM) to include a density restriction in a companion petition. The amended FLUM includes a triangular asterisk symbol on the Ancient Tree property and a note stating that the property is restricted to a maximum of 97 single family dwelling units. See amended FLUM map included herein.

Subject Request

The Applicant is requesting approval to assign the subject property a City zoning designation of PUD / RL-2. The Applicant is proposing to create a 97-home community that is designed to attract residents acclimated to the gated, upscale lifestyle by providing an alternative option to the typical golf course, expansive country club community. Ancient Tree will have all the amenities and opportunities of a traditional country club community without the annual dues. To facilitate the creation of the Ancient Tree community, the Applicant is requesting:

1. Rezoning to assign the property a City zoning designation. The property's zoning will change from AR to RL-2 with a PUD overlay.
2. Concurrency request for 97 single-family dwelling units.

Rezoning Application

The property has a Palm Beach County zoning designation of Agricultural Residential (AR). The Applicant is proposing to annex the property into the City of Palm Beach Gardens and establish a zoning designation of Planned Unit Development (PUD) / Residential Low 2 units/acre (RL2). The Residential Low Future Land Use designation has three compatible zoning designations: RL1, RL2, and RL3. Based on the property development standards of the various residential zoning districts and the proposed development scheme, the Applicant found the RL2 district to be the most compatible. The rezoning application is accompanied by a site plan showing the layout of the community, typical lot sizes, amenities, openspace, etc. The site plan is intended to provide staff with more assurance as to the ultimate design of the property.

Site Plan

The Applicant is proposing to create a 97-custom-built home community that is designed to attract residents acclimated to the gated, upscale lifestyle by providing an alternative option to the typical golf course, expansive country club community. Ancient Tree will have all the amenities and opportunities of a traditional country club community without the elaborate annual dues. The community is uniquely located adjacent to the City's Municipal Golf course, which will be easily accessible from the community. A resident-only golf cart pathway is proposed that would connect the clubhouse to the municipal golf course. A portion of the Ancient Tree property, approximately 14.30 acres, is proposed to be dedicated to the City of Palm Beach Gardens for the purposes of an expanded golf amenity.

The Applicant is proposing to construct 97 single-family dwelling units, which equates to a density of 1.0 du/ac. The proposed density will be far less than the maximums permitted by the underlying land use and zoning designations, but it is important to the Applicant that the

community maintains its large lot configuration, which the lower densities allow for. The typical lot size is 90 feet wide by 150 feet deep. The homes will be one- and two-story in height and will be built-custom to suit the specific needs of each resident. To accommodate this custom home building style, Design Guidelines will be submitted which establish architectural standards and procedures for the community. Samples of the architectural style, materials, and colors will be included in the Design Guidelines.

The community has been designed with a series of four cul-de-sacs that terminate on the west side of the site. Large lakes weave between the homes to provide expansive water views for the residents. The only lots which do not abut lake will abut the golf amenity site. The littoral zones within the lakes have been concentrated at the western extremities of the lake, to provide a more viable habitat while avoiding placement behind residential homes.

Recreation Center

The Applicant is proposing a 2.43-acre recreation parcel that will be centrally located within the community. The recreation parcel will include a 3,900-square-foot clubhouse, a resort-style pool, tennis court, and tot lot. The clubhouse requires 13 parking spaces (3,900 sf / 300 sf); however, 29 spaces have been provided to accommodate any community events that may take place in the clubhouse. In addition, seven golf cart parking spaces have been provided southeast of the clubhouse. These golf cart spaces are adjacent to an eight-foot path that provides a connection to the City's municipal golf course to the east of the PUD.

Model Row

While the homes will be custom built for each homeowner, the Applicant will construct a maximum of five model units to facilitate sales for the community. These homes will be custom spec homes indicative of the architectural style and character of the community. Model row will be located on the west side of the community right off the main entrance. The location of these units has been reflected on the site plan as well as a proposed parking area.

Land Dedication

A portion of the Ancient Tree property, approximately 14.30 acres, is proposed to be dedicated to the City of Palm Beach Gardens for the purposes of an expanded golf amenity. This parcel will be dedicated via plat as the land is today. No improvements are intended to be made by the Applicant.

Access & Vehicular Circulation

Vehicular access into the community will be provided from Northlake Boulevard. The main entrance will be a shared entrance with the adjacent Municipal Golf Course. This will be a signalized intersection. It is the Applicant's understanding that the signal mast arm will be installed and funded by the City of Palm Beach Gardens. The developer has committed to providing the maintenance for the entrance way, signage, and associated landscaping. The entrance will have a round-a-bout, at which point, the residential and golf course traffic will

divide. The gate to the residential community is past the round-a-bout to avoid any confusion for golf course traffic. Should golf course traffic enter into the main community driveway, there is a divided median where a U-turn could be made prior to the gate.

There are three main streets within the community, which have been designed with a series of cul-de-sacs that terminate on the west side of the site. Large lakes weave between the homes to provide expansive water views for the residents. The street design and home locations have been designed to maximize lake views and exposure to open space.

Pedestrian Connectivity

Five-foot sidewalks have been provided on both sides of the street to encourage walkability within the community. All the sidewalks connect to the internal clubhouse building. With proximity to the municipal golf course, it is anticipated that some residents may utilize golf carts to travel to and from the clubhouse. To this end, a golf cart path has been included that connects the clubhouse to the adjacent golf course. This connection will be available to Ancient Tree residents only.

Architecture

The Ancient Tree community will consist of single-family custom homes. The homes will be one- and two-story in height and will be built-custom to suite the specific needs of each resident. To accommodate this custom home building style, Design Guidelines have been submitted as part of this application which establish general architectural standards. Samples of the architectural style, materials, and colors have been included in the Design Guidelines. In an effort to facilitate sales within the community, a model row will be constructed, which is depicted on the site plan.

Landscaping and Buffers

In keeping with the parkway buffer established with the Avenir community to the west, the Applicant is proposing to include a 90-foot parkway buffer along the Northlake Boulevard frontage. The buffer will be similar to the parkways that are provided throughout the eastern portion of the City. It will include a 12-foot meandering sidewalk, berms, and lush vegetation that will provide a consistent theming along this western section of Northlake Boulevard. The buffer will also serve to screen the residential homes from the roadway and lessen noise impacts. In addition, a 20-foot wide buffer has been provided along the east, north, and west property boundaries.

Upon entering the Ancient Tree community, the driver will face the round-a-bout, which has a large central landscape island. The island will contain a specimen Strangler Fig tree that will emphasize the majestic nature of the Ancient Tree community. The internal streets will be lined with a series of Live Oaks that will grow to create a tree canopy over the pedestrian walking area and the adjacent roadway. Each pedestrian crossing has four Sylvester palms (at least one at each corner) to differentiate the pedestrian area for vehicular traffic. The overall community

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landscape palette will contain predominately native species such as Cathedral Oaks, Magnolia trees, Live Oaks, Slash Pines, and Cabbage Palms.

Environmental

The property is vacant and has been in agricultural use for many years, which included the growing of row crops and animal pasture and is currently used for cattle grazing. Portions of the site contain sparse canopies of slash pines, oaks, and cabbage palms. However, there is no intact native understory or groundcover that would be expected in typical native habitat. Due to this lack of viable habitats, no native preserve areas are proposed. The wetland areas will be mitigated off-site at a wetland mitigation bank that will provide superior habitat quality and wetland function. In the upland areas, native trees will be identified and incorporated into the site plans where feasible to minimize environmental damages. An environmental report has been included herein for staff's review.

Historical and Archeological Resources

There are no historical or archeological resources existing on the property.

Traffic

The 97-unit community is projected to generate a total of 970 daily trips. Of the daily trips, there are 73 AM peak hour trips and 102 PM peak hour trips. The expected buildout date is 2021. The traffic analysis identified the need for improvements on Northlake Boulevard from Coconut to Ibis and Ibis to SR 7. The Applicant is proposing to utilize proportionate share to mitigate its impacts. The project share is \$317,496.00.

Roadways

There are three main streets within the community, which have been designed with a series of cul-de-sacs that terminate on the west side of the site. A typical 56-foot wide right-of-way will be utilized throughout the community. The right-of-way is comprised of two 10-foot wide travel lanes, an eight-foot wide landscape buffer for street trees, and a five-foot wide pedestrian sidewalk on either side of the street. A series of cul-de-sacs will be located at the termini of each street. The diameter of the cul-de-sac ranges between 100-110 feet, with a 19.5-foot inside radius. The center islands have been designed to maintain a 20-foot radius to accommodate Fire Truck turning radii. See the right-of-way plan included with this submittal for more details.

Security

The Ancient Tree community will be secured with gates at the entry. The gates will be accessible by resident electronic openers and a key pad for guests. At this time, a guard house is not anticipated. However, the site has been designed to permit a guard house should the residents decide to have one constructed in the future. For the purposes of Fire Rescue and Police emergency services, a click-to-enter system will be utilized. Emergency personnel will have the ability to quickly and easily enter the property with this technology.

Lighting

A photometric plan has been included depicting the location and details of the light poles within the community and along the Northlake Boulevard corridor. The recreation tennis courts are proposed to be lit with a 20-foot pole along the perimeter of the courts. To ensure lighting spillover is not an issue for residents, the sport courts lights will be on a timer. In addition, the lights will automatically turn off between the hours of 9:00 p.m. and 6:00 a.m. This will reduce any potential light nuisance to the surrounding homeowners.

Signage

One residential entry monument sign is proposed on the subject property to identify the community. The sign will be located at the project's entrance off of Northlake Boulevard. The proposed entry sign has an overall size of 23'5" wide and 9'8" tall. The sign copy area is approximately 15 square feet (2'3" x 6'3"), well below the 60 square feet permitted by Section 78-285. The sign will have two columns on either side that are topped with decorative light fixtures giving a stately entrance appearance. The columns will be made of stacked Carolina Flagging stone with a Carolina tile cap. The sign will have a 1'8" white stucco base and the face of the sign will be made of Indiana Limestone. A coral stone saw cut frame will surround the community name on the sign. A dimensioned detail of the sign is located on the Site Details sheet. The proposed entry sign will establish the high quality of architecture and design present within the community.

A monument sign will also be located at the entrance to the City's municipal golf course. The sign will be located on the north side of the road connecting the round-a-bout to the golf course parcel. The sign will be constructed and maintained by the City of Palm Beach Gardens. The surrounding landscaping will be installed and maintained by the Ancient Tree HOA. A sign easement will be reflected on the Ancient Tree plat and dedicated to the City.

Art in Public Places

The City's Art in Public Places does not apply to residential projects.

Phasing

The project will be completed in one phase.

Waivers

The following waivers are being requested.

WAIVER TABLE				
	Code Section	Requirement	Proposed	Deviation
1	78-141, Table 10 Front Setback	25 feet	15 ft for SLG	10 feet for SLG
2	78-141, Table 10 Side Setback	10 feet	7.5 feet	2.5 feet
3	78-141, Table 10 Side Street Setback	20 feet	15 feet	5 feet

- 1. Section 78-141, Table 10, Front Setback**, allows a minimum front building setback of 25 feet. In order to create a community that generates interest along the streetscape and incorporates a variety of building elevations, both side-load and front-load garage homes will be constructed. This differentiation of architectural and elevation styles helps to eliminate monotony. To accommodate the side-load garage product, it is necessary that the front building setback line is brought closer to the street. This also helps to engage the street, which is an important urban design element. Therefore, the Applicant is requesting a 10-foot reduction in the front building setback for the side-load garage product only. The front-load garage product will continue to meet the 25-foot setback standards. The Applicant respectfully requests a waiver from this code provision.
- 2. Section 78-141, Table 10, Side Setback**, allows a minimum side building setback of 10 feet. The Applicant is proposing side setbacks of 7.5 feet on each side. This lot configuration is supportive of the type of design the Applicant is pursuing within the Ancient Tree community. The 15-foot separation created between the homes, allows adequate room for screening of outside mechanical equipment. In addition, all foundation landscaping will also have sufficient room to be planted between the homes. The Applicant respectfully requests a waiver from this code provision.
- 3. Section 78-141, Table 10, side street Setback**, allows a minimum side street building setback of 20 feet. The Applicant is proposing side street setback of 15 feet. This slight reduction will bring homes closer to the street, which allows the street to be better framed and enhances the streetscape environment. The 15-foot setback still allows more than sufficient room for street trees to be planted, any mechanical equipment to be screened, and foundation landscaping to be planted. The Applicant respectfully requests a waiver from this code provision.

Waiver Criteria

A request for the city council to approve a waiver from one or more of the standards and requirements applicable to a planned development, PUD, or PCD shall comply with a majority of the criteria listed below.

- (1) The request is consistent with the city's comprehensive plan.*

The requests are consistent with Future Land Use Element of the City's Comprehensive Plan. The proposed project will further the intent of the Residential Low (RL) land use category by providing low density residential uses within the western portion of the City. The proposed project density of 1.0 du/ac is consistent with the built communities that surround the subject site.

- (2) *The request is consistent with the purpose and intent of this section.*

The waiver requests are consistent with the purpose and intent of this section. The Applicant is requesting waivers from the code to provide for an exemplary development and design features that surpasses most of the minimum code standards. The waivers will help to create diversity in housing types, enhance the streetscape, and engage the pedestrian experience as residents walk down their streets.

- (3) *The request is in support of and furthers the city's goals, objectives, and policies to establish development possessing architectural significance, pedestrian amenities and linkages, employment opportunities, reductions in vehicle trips, and a sense of place.*

The proposed site plan will serve to achieve the City's desire for pedestrian amenities and linkages and sense of place. Pedestrian sidewalks have been provided along both sides of the streets that connect to the larger pedestrian network along Northlake Boulevard. A 12-foot meandering pedestrian trail is located within the 90-foot parkway buffer along Northlake Boulevard. In addition, to maximize the community's proximity to the Municipal Golf Course, a golf cart path has been included that connects the clubhouse to the golf course.

- (4) *The request demonstrates that granting a waiver will result in development that exceeds one or more of the minimum requirements for PUDs.*

Granting of the requested waivers will result in architecturally significant and differentiated custom homes and provide for an enhanced streetscape environment that includes homes that front the street. All of these elements exceed the minimum requirements for PUDs.

- (5) *The request for one or more waivers results from innovative design in which other minimum standards are exceeded.*

The waivers are required to allow for innovative design throughout the project. Significant architecture and engaging streets will help the community exceed the minimum requirements of a traditional single-family home.

- (6) *The request demonstrates that granting a waiver will result in preservation of valuable natural resources, including environmentally-sensitive lands, drainage and recharge areas, and coastal areas.*

While the property lacks viable habitats and existing vegetation, due to its long history of agricultural use, the Applicant is proposing to dedicate 14.30 acres of the property to the

City. In addition, the littoral zones designed within the lake areas will create more viable habitats within the site that currently do not exist.

- (7) The request clearly demonstrates public benefits to be derived, including but not limited to such benefits as no-cost dedication of rights-of-way, extensions of pedestrian linkages outside of the project boundaries, preservation of important natural resources, and use of desirable architectural, building, and site design techniques.*

The proposed site plan includes a 90-foot parkway buffer, 12-foot meandering sidewalks, and internal sidewalks that will extend the existing pedestrian linkages outside the project boundaries. Natural habitats will be created through the lakes and littoral zones, as a result of the project, that currently do not exist on site.

- (8) Sufficient screening and buffering, if required, are provided to screen adjacent uses from adverse impacts caused by a waiver.*

The waivers requested do not impact the proposed buffering. A significant landscape buffer has been provided along Northlake Boulevard in keeping with the Avenir project to the west. In addition, 20-foot buffers will line the north, west, and east property lines.

- (9) The request is not solely based or predominately on economic reasons.*

The request is not based solely or predominately on economic reasons. The waivers will enable diversity in housing facades, elimination of housing monotony, and creation of streetscape form.

- (10) The request will be compatible with existing and potential land uses adjacent to the development site.*

The request is compatible with the adjacent residential communities which are also low density in nature.

- (11) The request demonstrates that development will be in harmony with the general purpose and intent of this section, and that such waiver or waivers will not be injurious to the area involved or otherwise detrimental to the public health, safety and welfare.*

Not one of the waivers proposed will be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare of the city's residents.

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Conclusion

This Applicant is requesting approval of the rezoning, site plan, and concurrency necessary to allow the development of a 97-unit single family community. The proposed amendments are consistent with the City's Comprehensive Plan and zoning regulations. The Applicant looks forward to working with Staff to respond to any questions or issues that might arise as a result of your review.