

**CITY OF PALM BEACH GARDENS  
PLANNING, ZONING, AND APPEALS BOARD  
Agenda Cover Memorandum**

**Meeting Date: October 13, 2016  
Petition: PCDA-15-03-000027**

**Subject/Agenda Item: Alton Planned Community Development Amendment Public Hearing and Recommendation to City Council:** A request for an amendment to the Alton Planned Community Development (PCD) to allow for the conversion of 715 multi-family and 350 apartment units, and 50,000 square feet of neighborhood commercial use to an additional 418 single-family units, 32,000 square feet of Industrial/Research and Development/Biotech use and a 256-bed Assisted Living Facility; provide an 8.44-acre public park on the master plan and modify Condition of Approval Number 3 of Resolution 1, 2010 to allow the provision of the public park; and modify certain PCD buffers, upland preserve areas, neighborhood district boundaries, and a waiver for a tall perimeter sound wall. The Alton PCD is generally located south of Donald Ross Road, north of Hood Road, and east and west of Interstate 95.

**[X] Recommendation to APPROVE**  
**[ ] Recommendation to DENY**

<p><b>Reviewed by:</b> Director of Planning and Zoning</p> <p>_____</p> <p>Natalie M. Crowley, AICP</p> <p>Development Compliance and Zoning Manager</p> <p>_____</p> <p>Bahareh Wolfs, AICP</p> <p>_____</p> <p>City Attorney</p> <p>_____</p> <p>R. Max Lohman, Esq.</p>	<p><b>Originating Dept.:</b> Planning &amp; Zoning: Project Manager</p> <p>_____</p> <p>Peter Hofheinz, AICP Principal Planner</p> <p>[X] Quasi – Judicial [ ] Legislative [X] Public Hearing</p> <p><b>Advertised:</b> [X] Required [ ] Not Required Date: 09/30/2016 Paper: Palm Beach Post</p>	<p><b>Finance:</b> Accountant</p> <p>_____</p> <p>Tresha Thomas</p> <p><b>Fees Paid:</b> __</p> <p><b>Funding Source:</b> [ ] Operating [X] Other <u>N/A</u></p> <p><b>Budget Acct.#:</b> <u>N/A</u></p> <p>Effective Date: <u>N/A</u></p> <p>Expiration Date: <u>N/A</u></p>	<p><b>PZAB Action:</b> [ ] Rec. Approval [ ] Rec. App. w/ Conds. [ ] Rec. Denial [ ] Continued to: _____</p> <p><b>Attachments:</b></p> <ul style="list-style-type: none"> <li>• Development Application</li> <li>• Location Map</li> <li>• Reduced Development Plans</li> </ul>
<p><b>Approved By:</b> City Manager</p> <p>_____</p> <p>Ronald M. Ferris</p>	<p><b>Affected parties:</b> [ ] Notified [X] Not Required</p>		

## **EXECUTIVE SUMMARY**

The subject petition is a request for an amendment to the Alton Development of Regional Impact/Planned Community Development (DRI/PCD). The proposed modifications include changes to the development program to permit an additional 418 single family dwelling units, 256-beds for a future Assisted Living Facility, and an additional 32,000 square feet of Industrial/Research and Development/Biotech use with a reduction of 350 apartment units, 715 multi-family units, and 50,000 square feet of Neighborhood Commercial Use. In addition to the above changes to the overall development program, the Applicant is also proposing to modify certain PCD buffers, upland preserve areas, include an 8.44-acre public park, conceptually locate lakes, and modifying neighborhood district boundaries. The Applicant is requesting one (1) waiver to allow an increase in the perimeter wall height for residential developments from eight- (8) tall to allow the construction of 16-foot tall sound wall within PCD buffers 'E1', 'E2', 'G1', 'G2', and 'O'. Staff recommends approval of the PCD Amendment and waiver.

## **BACKGROUND**

On April 1, 2010, the City Council adopted Resolution 80, 2009, thereby approving the Application for Development Approval (ADA) for the Scripps Florida Phase II/Briger Tract Development of Regional Impact (DRI). The development program for the DRI consists of 2,600,000 square feet of industrial/research and development/biotech, 1,200,000 square feet of office, 300 hotel rooms, 500,000 square feet of retail development, and 2,700 dwelling units on approximately 681 acres located along the south side of Donald Ross Road, north of Hood Road, and east and west of the Interstate 95.

On August 15, 2013, the City Council adopted Resolution 44, 2013, approving a Notice of Proposed Change (NOPC) to the DRI Development Order to modify three (3) conditions of approval related to intersection improvements: Donald Ross Road and Heights Boulevard Extension, and Donald Ross Road and the entrance to Florida Atlantic University.

On April 3, 2014, the City Council adopted Resolution 21, 2014, approving modifications to utility easements, roadway cross-sections and buffers, lakes, open space, and revisions to conditions of approval.

On June 5, 2014, the City Council adopted Resolution 30, 2014, approving a site plan to allow the development of 360 townhome and single-family dwelling units within Parcel C – Town Center District.

On August 8, 2015, the City Council adopted Resolution 31, 2015, approving a Community Design Elements and signage package for the Alton PCD.

On October 8, 2015, the City Council adopted Resolution 44, 2015 and Resolution 45, 2015, approving a PCD conversion of four (4) multifamily dwelling units to three (3) additional apartment units for a total of 353 apartment units for the Atlantico at Palm Beach Gardens site plan within Parcel C – Town Center District.

On October 8, 2015, the City Council adopted Resolution 46, 2015, approving the site plan for a 241,400-square-foot Center for Intelligent Buildings Technology Complex within Parcel B of the Alton Planned Community Development.

On April 7, 2016, the City Council adopted Resolution 24, 2016, approving a site plan amendment to reduce the Center for Intelligent Buildings Technology Complex building square footage to 224,066 square feet, and to provide architectural, site, and landscape plan modifications in Parcel B of the Alton PCD.

On May 5, 2016, the City Council adopted Resolution 31, 2016, approving a site plan for a 3.5-acre community recreation and fitness facility to serve the residential residents of the Alton Community. The facility is located at the intersection of Alton Road and Grandiflora Road.

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## **LAND USE & ZONING**

The land-use designation of the subject site, as shown on the City's Future Land Use Map, is Mixed Use (MXD) with a zoning designation of Planned Community Development (PCD) overlay with an underlying zoning designation of Mixed Use (MXD). The existing land uses and zoning designation of the properties surrounding the subject site are provided in the table below.

**Table 1. Existing Zoning & Future Land-Use Designations**

<b>EXISTING USE</b>	<b>ZONING</b>	<b>LAND USE</b>
<u>Subject Property</u> Alton DRI	Planned Community Development (PCD) / Mixed Use (MXD)	Mixed Use (MXD)
<u>North</u> Donald Ross Road Abacoa DRI (Town of Jupiter)	Mixed Use (MXD)	Mixed Use (MXD)
<u>South</u> Mandel Jewish Community Center	Planned Unit Development (PUD) / Mixed Use (MXD)	Mixed Use (MXD)
Westwood Lakes and Gardens	Planned Unit Development (PUD) / Residential Medium (RM)	Residential Medium (RM)
Trevi at the Gardens	Planned Unit Development (PUD) / Residential Medium (RM)	Residential Medium (RM)
Franklin Academy	Planned Unit Development (PUD) / Public/Institutional (P/I)	Mixed Use (MXD)
<u>East</u> Legends at the Gardens	Planned Unit Development (PUD) / Mixed use (MXD)	Mixed Use (MXD)
San Michele	Planned Unit Development (PUD) / Residential Low Density 3 (RL-3)	Mixed Use (MXD)
Benjamin School	Planned Unit Development (PUD) / Public Institutional (P/I)	Residential Low (RL)
<u>West</u> East Pointe Country Club (Palm Beach County)	Mixed Use (MXD) Planned Community Development (PCD)	Mixed Use (MXD)

## **TRAFFIC CONCURRENCY**

The project utilized a Proportionate Share Agreement between Palm Beach County, the Florida Department of Transportation, the Florida Turnpike Authority, and the City to meet the Development of Regional Impact (DRI) requirements and local concurrency in 2009. The subject requests do not affect the project's concurrency approval.

## **PROJECT DETAILS**

The Alton PCD is a mixed use development approximately 681 acres and located south of Donald Ross Road, north of Hood Road and east and west of Interstate 95. The project's current development program includes 2,600,000 million square feet of industrial/research and development/biotech, 1,200,000 million square feet of office, 300 hotel rooms, 500,000 square feet of commercial/retail development, and 2,700 dwelling units. Each of the Applicant's requested modifications are listed below and described in the following paragraphs.

### DRI Conversion Matrix

During the review and approval of the Development of Regional Impact (DRI) development order, Resolution 80, 2009, it was anticipated that as market conditions fluctuate and change it would be important to provide flexibility to the total amount of approved residential and non-residential uses. To provide this flexibility, a conversion matrix was created and approved allowing increases and decreases to the development program. The conversion matrix sets forth the standards that allow for conversions of uses to occur within the PCD that do not result in an increase in traffic, water, sewer or solid waste impacts from the approved capacity.

On October 8, 2015, the City Council adopted Resolution 44, 2015 that permitted the conversion of four (4) multi-family dwelling units to three (3) additional apartment dwelling units for the Atlantico project. The Applicant, with this Planned Community Development Amendment, is requesting to utilize the conversion matrix, to convert (reduce) a total of 715 multifamily dwelling units, 350 apartment units, and 50,000 square feet of Neighborhood Commercial Use (Parcel H) to an additional (increase) 418 single family dwelling units, 256 Assisted Living Facility beds, and 32,000 square feet of additional Industrial/Research and Development/Biotech Use. The City's Traffic Engineer has reviewed the Applicant's conversion and found that it is consistent with the DRI development order and there are no impacts to the project's concurrency certification with the proposed conversion. An approval letter was issued on August 18, 2016.

Removal of Parcel H

The Applicant's proposed conversion of 50,000 square feet of Neighborhood Commercial Use described above will eliminate five (5) acre Parcel H that is depicted on the approved master plan. Staff supports the Applicant's proposed elimination of the Parcel H Neighborhood Commercial District. With the development of the Franklin Academy Charter School and the Applicant's anticipated development of Parcel G as a 485 residential dwelling unit community, the need for the Neighborhood Commercial uses is not necessary.

#### PCD Landscape Buffer Modifications

The Alton PCD was approved with an overall PCD landscape buffer plan that included approximately 17 individual buffer sections along the entire portion of the PCD boundary lines. The Applicant is proposing several modifications and new buffer sections to accommodate the anticipated future design and development of vacant parcels within the PCD. These changes include additional notes on PCD buffers that are adjacent to upland preserve areas to permit the additional infill of native shrubs and trees as necessary to ensure screening between land uses, the inclusion of the proposed 16-foot tall decorative sound wall for the PCD buffer sections adjacent to Interstate 95 and the Florida Turnpike, and other revisions that include modifications to include screening walls (i.e., adjacent to the Franklin Academy), fences, and roadway beautification to account for the expansion of Hood Road. City Staff and the City Forester have reviewed the proposed modifications and support the revisions. The modifications are consistent with the original design intent of the approved PCD buffers.

#### Upland Preserve Modifications

The Applicant is proposing modifications to the upland preserve areas within the Alton PCD. The modifications are based on the need to accommodate utility corridor locations and the design of the PCD's lakes that is required for the project's drainage system. The proposed upland preserve modifications maintain the same general preserve layout within the PCD and remain consistent with Section 78-250 of the City's Code.

There are two (2) primary modifications being proposed. The first modification is the relocation of preserve area from the southeastern corner of Parcel G to the southwestern corner and south-central area of Parcel G. This relocation increases the preserve area around the archaeological site and provides new preserve area in the south-central area of Parcel G that abuts the Franklin Academy's preserve area creating a more contiguous and larger preserve area. The second modification is a relocation of a small portion of the preserve area from the southern boundary of Parcel F to be adjacent to the wetland area located in Parcel E. The relocation provides new preserve areas around the existing wetland and the preserve areas surrounding it. A larger portion of the preserve area will remain in its existing location on Parcel F and included on the future public park site identified on the master plan.

The proposed preserve area modifications outlined above are being offset with comparable

or better native habitat with a significant increase (+6.4 acres) of Upland Pine and Hardwoods and a decrease of poorer quality habitats. The proposed modifications have been reviewed by the City's environmental consultant and is agreement with the overall preservation plan and issued an approval letter on September 21, 2016. In addition, City Staff and Forester have reviewed the Applicant's environmental assessment and concluded no adverse impacts will result from the proposed change and that the proposed modifications remain consistent with Section 78-250 of the City's Code. There will be no net loss of acreage to the upland preserve area for the PCD and the modifications result in a 0.1-acre increase in preserve area.

#### Future Municipal Park

The Applicant is proposing to amend the PCD master plan to depict the portion of the future 8.44-acre public park that is located within the Alton PCD. The public park is being located on the south boundary of the Parcel F Neighborhood District at the corner of Hood Road and the future extension of Alton Road. When accounting for Gross Pointe Road, the public sidewalk, and landscape buffer the total area of the public park will be over ten (10)- acres. The public park will be located on the east side of Interstate 95 where the majority of residential dwelling units are anticipated to be constructed within the PCD. The park will be dedicated to the City once constructed.

#### Parcel Lakes

During the original approval of the PCD master plan, the lake locations illustrated on the plan were conceptual and for illustrative purposes. As the design and engineering and South Florida Water Management District permitting process continues, the Applicant is now able to identify and account for the required lake size and approximate locations to provide the drainage area required for the development of the project. The Applicant is updating the PCD master plan to include these lakes. The ultimate and final design of these lakes will be reviewed during the subsequent site plan reviews of the remain vacant PCD parcels.

#### Update to Condition of Approval

The Applicant is requesting to modify Condition of Approval (COA) Number 3 in Resolution 1, 2010. Condition of Approval No. 3 requires that a five (5) acre community park be provided on the project east of Interstate 95 and a five (5) acre community park be provided on the west side of Interstate 95. The COA is presented below (the language to be deleted is ~~struck~~ and language to be added underlined):

3. At least one (1) public ~~community~~ park shall be provided east of Interstate 95 and ~~one (1) community park shall be provided on the west side of Interstate 95.~~ The ~~Each~~ public ~~community~~ park shall be no less than eight (8) ~~five (5)~~ acres. Examples of the types of facilities found in a community/neighborhood park include, but are not limited to, basketball or tennis courts, picnic areas, multi-purpose fields, playgrounds, and nature areas, including upland preserves or wetlands with nature trails. Additionally, at least one (1) neighborhood park shall be located within 1/4-mile radius of each residential home within the project. The

minimum size for each neighborhood park shall be one (1) acre except for those neighborhood parks located within the Town Center District, which shall be a minimum 1/3 acre in size and located within a 1/4-mile walk from any residential home located within the District. Community parks may also be counted toward satisfaction of the neighborhood park requirement. Maintenance, ownership, and operation of all parks provided within the PCD shall be the responsibility of the Master Property Owners Association or other entity as approved by the City Attorney. Prior to each site plan approval within the in PCD, the Applicant shall demonstrate this requirement has been met. (Planning & Zoning)

The COA amendment will provide for consistency with the updated PCD master plan that is being amended to depict the 8.44-acre portion of the public park within the Alton PCD and the total park site will be over ten (10)- acres when accounting for Gross Pointe Road, the public sidewalk, and landscape buffer; in lieu of providing two (2) smaller individual five (5) acre community parks. The public park will be located on the east side of Interstate 95 where the majority of residential dwelling units are anticipated to be constructed within the PCD. The park will be dedicated to the City once constructed.

Waiver Request/Staff Analysis

The Applicant is requesting one (1) waiver with this petition.

Code Section	Requirement	Proposed	Waiver	Staff Support
78-186(b)(7)(a), Yards	Maximum of eight (8) height for perimeter fences and walls in residential zoning districts	16-feet	Eight (8) Feet	Approval

- 1) The Applicant is requesting a waiver to City Code Section 78-186(b)(7)(a), *Fences and Walls*, to allow for the construction of a 16-foot tall decorative wall to be constructed within PCD buffers along the portions of Parcel G within the Alton PCD that are adjacent to Interstate 95 and the Florida Turnpike. Parcel G is located on the north side of Hood Road, south of Donald Ross Road, and in between the Florida Turnpike and Interstate 95. The proposed wall will assist with providing a sound and visual barrier to the adjacent highways and consistent with existing Florida Department of Transportation (FDOT) wall that run the length of Interstate 95 when adjacent to residential communities. The wall will be landscaped on both sides and decorated with a stamped pattern. The wall will be painted to match the color of similar walls along the highways. *Staff recommends approval.*

**COMMENTS FROM THE DEVELOPMENT REVIEW COMMITTEE (DRC)**

On Friday, April 17, 2015, the subject petition was reviewed by the DRC. At this time, all comments related to the project have been satisfied.

**STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of petition PCDA-15-03-000027, with one (1) waiver.