



WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY
Monday, February 14, 2022 Board Meeting
1280 N. Congress Ave. Suite 215
West Palm Beach FL 33409

NOTE: Agenda Summary (Pages 3-7)
Staff Report (Pages 8-14)

I. CALL TO ORDER / ROLL CALL

II. AGENDA APPROVAL

- 1. Additions, Deletions, Substitutions to Agenda**
- 2. Adoption of Agenda**

III. ADOPTION OF W/BH CRA MINUTES (Pages 15-18)

IV. PUBLIC COMMENTS

V. DISCLOSURES

VI. CONSENT AGENDA

VII. REGULAR AGENDA

- 1. Approval of the Hangar & Airfield Business Park for Vehicle Sales & Rental, Light, for Warehouse & Assembly Membership Not for Profit Uses and related Waivers and Variances (Pages 19-74)**
- 2. Schmidt Nichols Work Authorization and Proposal for Planning Services for Unified Land Development Code (ULDC) Amendments (Page 75-77)**
- 3. Approval of Time Extension for All Site Construction Contract (Pages 78-79)**

VIII. REPORTS

A. Staff Reports



Correspondence

B. Attorney's Report

C. Committee Reports and Board Comments

1. **Administrative/Finance –**
2. **Capital Improvements – Chair, Mr. Daniels**
3. **Land Use –**
4. **Real Estate – Chair, Mr. Kirby**
5. **Marketing –**
6. **Community Affairs –**
7. **Special Events – Chair, Ms. Ruffy**
8. **Correspondences**

IX. ADJOURNMENT

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE BOARD WILL BE BARRED FROM FURTHER AUDIENCE BEFORE THE BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD AS GRANTED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, HE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ON JUNE 7, 1994, THE BOARD OF COUNTY COMMISSIONERS APPROVED RESOLUTION NO. 94-693, KNOWN AS THE CODE OF ETHICS. UNDER SECTION 11, IT IS REQUIRED THAT PAID AND UNPAID LOBBYISTS REGISTER. PLEASE REFER TO SECTIONS 11.01 AND 11.02 IN THE CODE OF ETHICS FOR REGISTRATION SPECIFICS. FOR YOUR USE, REGISTRATION FORMS ARE AVAILABLE FROM THE CRA'S ADMINISTRATIVE ASSISTANT.



AGENDA ITEMS

Westgate/Belvedere Homes CRA Board Meeting

February 14, 2022

CONSENT AGENDA

REGULAR AGENDA

1. Approval of the Hangar & Airfield Business Park for Vehicle Sales & Rental, Light, for Warehouse & Assembly Membership Not for Profit Uses and related Waivers and Variances

A. Background and Summary: The subject +/- 11.7-acre site is located on the east side of Congress Avenue near the northeast corner of Congress Ave. and Belvedere Rd. The site, once a collateral property to the larger +/- 47-acre Palm Beach Kennel Club (PBKC or Kennel Club) property to the west, was recently purchased from the owners of the Kennel Club by The Hangar Bravo, LLC., the applicant.

The entire site is within the UG (Urban General) Sub-area of the WCRAO, and within multiple zoning districts: RM (Multifamily Residential), CN (Neighborhood Commercial), and CG (General Commercial). The site has a Future Land Use designation (FLU) of CH/8 (commercial high with an underlying residential land use of 8 du's/acre). The site is in the U/S (Urban/Suburban) Tier, the RRO (Revitalization and Redevelopment Overlay), the URA (Urban Redevelopment Area), and in the Westgate CCRT area.

The applicant proposes to develop the former Kennel Club collateral property with a mix of complimentary, collocated uses, anchored by "The Hangar" on the northern portion of the site described by the applicant as "a unique private garage country club comprised of warehouses for condominium ownership by private collectors", which also includes an owner's lounge for common use, meetings and socializing.

On the southern portion of the site additional warehouse, and boutique vehicle repair and sales uses; these uses would be open to the public, whereas the Hangar units would be privately owned and inaccessible by the general public.

Given its acreage and location, the site, once developed, will dramatically bolster the CRA's TIF, which allows the Agency to continue redevelopment activities that benefit



the entire community. The CRA also projects that development on this site will be met with enthusiasm in real estate investments circles, shining a light on the redevelopment area and the potential it holds, ideally generating cascading economic development and ancillary uses. CRA Staff estimates that based on current County millage rates, purchase price, assessed and improvement values, and anticipated construction costs, the taxable value of the property, once fully built, equates to close to \$300,000 in annual TIF contributions to the CRA, with predicted increases as hangar units are bought and sold over time.

Summary of Petition

The application requests the following approvals:

1. Rezoning from the CG, General Commercial, CN, Neighborhood Commercial, and RM, Multi-Family Residential, zoning districts to the MUPD, Multiple Use Planned Development, zoning district ("Rezoning");
2. Class A Conditional Use approval to allow +/- 14,750 square feet of Vehicle Sales and Rental Light use ("Conditional Use");
3. Type 2 Waiver from Unified Land Development Code ("ULDC") Table 7.C.2.C.3 to allow a seven foot (7') height fence with opaque landscape plantings in lieu of the required six foot (6') height opaque wall within the Incompatibility Buffer along the east property line;
4. Type 2 Variance from ULDC Section 7.C.4.A.1.a to allow one (1) landscape island per nineteen (19) parking spaces with a maximum spacing of four hundred seventy-five feet (475') in lieu of the requirement for one (1) landscape island per ten (10) parking spaces with a maximum spacing of one hundred feet (100');
5. Development Review Officer ("DRO") Approval for +/- 6,000 square feet of Assembly Membership Non-Profit use; and
6. DRO Approval for +/- 205,720 square feet of Warehouse use. (Approvals collectively referred to herein as "Project"); and,
7. 941 net external daily trips; 86 net am peak hour and 108 net pm peak hour trips to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.

Also, a code amendment is needed to allow the project to move forward since warehouse is not allowed in the WCRA Overlay in the UG sub-area where the project is located. There are two options for amendments that can facilitate the project. The first option is a text amendment



to the WCRA overlay use regulations table that would allow warehouse use in the UG sub-area, but it is not prudent to open up the whole UG area for warehouse or light industrial uses. The second option, favored by staff, is to redraw the sub-area map and include the Hangar site into the UI (Urban Industrial) where warehouse is already allowed. Though, option two is preferred, staff will continue to work with the developer and County staff to find a path where the project can be approved without delay.

CRA Staff will seek Board approval of the necessary companion WCRAO amendment when justification for such amendment has been fully developed by CRA Staff and vetted by the County's Zoning Division, prior to routing through the LDBRAB/LDRC review process.

B. Recommendation: . Staff requests CRA Board recommendation of **approval** for the following:

1. Rezoning from the CG, General Commercial, CN, Neighborhood Commercial, and RM, Multi-Family Residential, zoning districts to the MUPD, Multiple Use Planned Development, zoning district ("Rezoning");
2. Class A Conditional Use approval to allow +/- 14,750 square feet of Vehicle Sales and Rental Light use ("Conditional Use");
3. Type 2 Variance from ULDC Section 7.C.4.A.1.a to allow one (1) landscape island per nineteen (19) parking spaces with a maximum spacing of four hundred seventy-five feet (475') in lieu of the requirement for one (1) landscape island per ten (10) parking spaces with a maximum spacing of one hundred feet (100');
4. Development Review Officer ("DRO") Approval for +/- 6,000 square feet of Assembly Membership Non-Profit use; and
5. DRO Approval for +/- 205,720 square feet of Warehouse use. (Approvals collectively referred to herein as "Project"); and,
6. 941 net external daily trips; 86 net am peak hour and 108 net pm peak hour trips to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.

Staff requests that the CRA Board **not recommend approval** for following request made by the petitioner:



1. Type 2 Waiver from Unified Land Development Code (“ULDC”) Table 7.C.2.C.3 to allow a seven-foot (7’) height fence with opaque landscape plantings in lieu of the required six foot (6’) height opaque wall within the Incompatibility Buffer along the east property line;

2. Schmidt Nichols Work Authorization and Proposal for Planning Services for Unified Land Development Code (ULDC) Amendments

B. Background and Summary: The CRA has requested the services of Schmidt Nichols to assist with efforts to incorporate proposed ULDC amendments into the WCRA Overlay to address Supplementary Standards, Split Zoning, Parking Regulations, Sub Area Property Development Regulations, landscape modifications and/or other regulations. Their services are needed also to ensure that code related Comprehensive Plan Policies are concurrently addressed. Their work will include the possibility of drafting of Code language, meetings with County staff and various associated agencies. Represent the amendments through the Land Development Regulations Advisory Board (LDRAB) and the Board of County Commissioners (BCC). The Agreement should commence in February 2022 and end tentatively in December 2022 or after amendments are adopted.

The Scope of work includes specifically the following tasks. 1. Prepare for and attend reoccurring meetings with WCRA staff as well as coordination with other County agencies as proposed Code language is developed. This task will include round table discussions and brainstorming sessions with the CRA to develop the code language and prepare justification and formatting of the proposed Code amendments for submittal to County Zoning. Attend workshops as necessary with WCRA Board and interested parties. The second task is to conduct research regarding the ULDC as it relates to the amended sections of the Overlay as well as cross referencing other section of the Code to ensure compliance and compatibility. The Third task covers public transportation at applicable Boards, Committees and Commissions.

The firm proposed to complete these services for an amount not to exceed \$25,000. It is important to note that the firm only billed the CRA of that amount for the last Code Amendment assistance.



C. Recommendation: Staff recommends that the Board approve a Work Authorization to engage Schmidt Nichols to assist staff with this year ULDC Amendments for an amount not to exceed \$25,000.

3. Approval of Time Extension for All Site Construction Contract

A. Background and Summary: The CRA had entered a contract with All Site Construction to complete a dog park on Oswego Ave. and Seminole Blvd. on September 13, 2021. However, certain circumstances not controlled by staff, or the contractor have caused some delays to the project. According to the contract the project should have reached substantial completion on January 14, 2022, but the contractor was not able to meet that deadline. Additional electric work took more time to design. Some delays were experienced in obtaining quotes and installation of water meter. The Master Permit was not issued until November 24, 2021. Because of these delays, the contractor was not able to meet the completion deadline. The contractor is asking to have until March 24, 2022, to substantially complete the project.

The project is now back on track. Staff is confident that the Contractor is progressing well enough to meet the new deadline.

B. Recommendation: Staff recommends that the Board approve a time extension to allow All Site Construction to substantially complete the dog park by March 24, 2022.

WESTGATE/BELVEDERE HOMES CRA BOARD MEETING
February 14, 2022

Staff Update on In-House Projects

2022 WCRAO/ULDC Amendments (INITIATED)

Update: CRA Staff will work with the Zoning Division to process an amendment to the Overlay which will allow a warehouse use on the site located at 1050 N Congress Ave. concurrent with entitlements for the Hangar project. This amendment will follow a separate timeline from the proposed amendments below.

Background: CRA staff submitted a request letter for amendments to the CRA's zoning overlay in early December 2021 with the optic of adoption by the BCC at the end of 2022. The Zoning Division is under new directorship, and the two-round policy for UDLC amendments is replaced by a prioritization scale. The CRA will work with County Code Revision staff and County departments to develop amendment language for Board review in the coming months. Staff will utilize one of its continuing planning consultants to assist; a proposal for planning technical assistance services will be brought to the Board in February. The following is a working list of amendments being contemplated:

- create an allowance for split zoning districts particularly when a project is mixed use
- delete or revise the requirement for an arcade or gallery in the NC Sub-area
- dilute Parks & Recreation requirements for open space in the WCRAO
- add parking deviations when a site in the WCRAO is repurposed for a new use and/or when on-street/curbside parking is available, allow on street parking to count towards parking ratios
- additional deviations from ROW buffers and foundation plantings when a project fronts a street with ROW landscaping, additional deviations from incompatibility/compatibility buffers to better support horizontal integration of mixed use, deviations from Art. 7 requirements internal to site, eg. islands, which constrain development on small infill sites
- BBL exception for Westgate Ave. to extend to entire NC sub-area
- amend Art. 8 language related to freestanding signage in the NC
- amend language related to office-warehouse use in WCRAO, % of office per bay
- create a WCRAO pilot program for a new "food truck hub" use
- possible tweaks to WCRAO sub-areas intent and goals to reflect changing trends

FY21 TCRPC Brownfields Site Assessment Grant (APPROVED)

Update: Cardno conducted a Phase II assessment in early December. Findings indicate trace amounts of contamination (arsenic) in the soil; the groundwater is said to be clear. CRA Staff is pursuing additional a more thorough soils study through funding available through TCRPC prior to issuing an RFP.

Phase I ESA findings indicate the need to conduct further assessment of the site to determine if historical adjacent uses have negatively impacted the site. The CRA was approved by the TCRPC for a Phase I Environmental Assessment on September 9, 2021. Brownfields environmental consultants Cardno, completed the Phase I assessment in mid-October 2021.

On August 25, 2021, CRA staff submitted an application for funding from the TCRPC (Treasure Coast Regional Planning Council) Brownfields Program for a Phase I Environmental Assessment for the Chickagmauga redevelopment site. Due to historic auto salvage and a dry cleaning use on Okeechobee on the site now occupied by Cumberland Farms, there is a likelihood that the site has some degree of contamination. The grant would fund a Phase I assessment, and a possible Phase II

assessment depending upon initial findings. Any remediation timelines and cost to be determined. State funding is possible.

Background: The Chickagmauga site consists of 3 parcels, one containing an occupied single family dwelling, purchased by the CRA in December 2019 for \$550,000. The site is located directly south of Spencer Square facing the Dennis Koehler Preserve to the south. The site is earmarked for the CRA for mixed use or high density residential redevelopment. CRA staff anticipates issuing an RFP in FY22.

CDBG Funding for Demolition of CRA-Properties (STARTED)

In April 2021 the Board approved a request to authorize PBC DHES to demolish 4 vacant homes on CRA-owned properties on Cherokee and Westgate Avenues. The CRA purchased the properties in 2018 with the optic of holding the land for private redevelopment. The homes are severely dilapidated, structurally unsafe, and have become a magnet for criminal activity, contributing to slum and blight in the community, particularly on Westgate Avenue. Staff applied to a DHES program to access CDBG funding for the demolition of the homes. The process is to be administered and managed by DHES staff who will be responsible for procuring contractors, administering the mitigation of asbestos and lead based paint, and ensuring that the demolition process follows all federal guidelines. The DHES contractor will acquire all necessary permits and complete the work. The CRA will likely plant grass following site clearance. The demolition is anticipated to cost \$60-80,000.

2021 Comprehensive Plan Amendments (ONGOING)

Update: The amendments were transmitted to the BCC at their meeting on November 3, 2021 and adopted by the BCC on at their February 2, 2022 meeting. The WCRA TCEA amendment was recommended for approval by the Planning Commission on August 13, 2021. BCC adoption of the TCEA amendments to occur later this year. Amendments to the FLUE are on hold.

The PBC Planning Division is moving forward to amendments to the WCRA TCEA program that would remove all conditions of approval in this Comp. Plan amendment cycle. CRA staff would still be required to submit annual reports on the status of built projects and remaining daily and pm peak trips, until the pool is exhausted. Planning has determined that due to the legislative introduction of proportionate share, there is no longer a cost benefit to continue TCEA incentive programs. All TCEA programs Countywide are anticipated to sunset over time.

Background: The Planning Division is initiating amendments to the WCRAO in the Future Land Use and Transportation Elements of the Comp Plan. FLUE amendments will address an outdated policy allowing a 20% commercial bonus increase without amendments to the FLUA, and TE amendments will update policies related to WDRAO Density Bonus Program income categories following the adoption of the 2020-02 amendments to the DBP in the ULDC. Amendments may also include updates to the WCRAO narratives in both elements. Planning will take the lead in drafting amendment language.

Public Assistance Grant (ONGOING)

FEMA has approved nearly \$100,000 to pay for debris removal, and clean up detention ponds as a result of Hurricane Irma. Staff is working with the Florida Department of Emergency Management to implement this project.

Community Garden/Greenmarket (ONGOING)

Update: The Plat is recorded! Following the completion of corner clip dedications, the project can move into the permitting phase. Electricity, an irrigation pump and an irrigation system have been installed.

Staff is working on developing a design and securing a contractor for site improvements and installation of a pre-manufactured structure to act as a permanent greenmarket.

Background: Staff engaged Schmidt-Nichols (SN) to prepare a site plan for the community garden and the green market. The CRA initiated new regulations to allow green markets to operate as an accessory to community gardens without having to buffer surrounding residential uses with an opaque wall and 20 ft landscape buffer. The site plan includes an enclosed structure with a bathroom and a walk-in cooler. The community garden/greenmarket received site plan approval in March 2018.

CRA staff proposed amendment language, adopted in the 2018-02 Round, to eliminate the community garden use from landscaping requirements, and modified code language regarding hours of operation and building size and placement for the accessory greenmarket use. Schmidt Nichols submitted an administrative amendment (ZAR) to remove the landscape buffers and ROW utility easement. The ZAR was approved in April 2019. The permits have been approved to operate the community garden. The electrician and plumbing contractors are working with the utility companies. The CRA will begin to work with a contractor/architect to design the greenmarket structure and prepare plans to submit for building permit. Platting is a condition of approval and is underway.

PBC Solid Waste Authority (SWA) Blighted & Distressed Properties Grants

FY 18/19 – Oswego Avenue Properties Clean-up - Westgate Dog Park (IN CONSTRUCTION)

Update: A contract time extension is requested to bring final completion to 3/24/21, allowing for inspections and punch list. Water meter installation and electrical power to the site is expected to be completed by week ending 2/11/22. Remaining work, including irrigation system installation and landscaping are scheduled to begin immediately following. The remaining lots will be cleared and fenced commensurate with the original scope.

The master permit was issued at the end of November; sub-permits for irrigation and fencing are also issued. Electrical sub-permit is under review. WUD installation of water meter is delayed and has caused a minor delay in project completion; irrigation and landscaping/sod cannot be installed water is available.

The Board approved the bid proposal in the amount of \$189,468 submitted by All-Site Construction and authorized staff to execute the construction contract at its September meeting. Earth work has begun on site and permit review is well underway.

To move the project forward and prevent further delay, CRA staff entered into an LOI (letter of intent) with All-Site Construction on August 20, 2021 that allows the contractor to submit for permit and begin ordering materials and equipment that have a long lead time, ahead of Board approval of the contract. The permit has been submitted and is under review: the CRA paid the permit fees directly.

CRA staff issued an ITB (Invitation to Bid) to construct the park on June 26th, following Board approval on June 14th. Bids were due on July 26th. Despite interest from several contractors (there were 8 plan holders at bid close), only one contractor, All-Site Construction, submitted a bid proposal for consideration. CRA staff has reviewed the bid and is verifying references. The proposal amount is \$189,468 which is in excess, although not substantially, of the CRA's original cost estimate for the project, however, due to current construction costs, the proposal is reasonable. Given the SWA grant timeline, already extended, and the risk of no response should the bid be reissued, Staff is recommending that the contractor be selected.

A revised cost estimate, generalized to reflect increases in construction and materials costs, prepared by Schmidt Nichols projects the budget on the project to reach approximately \$143,500 with contingency. The SWA grant will fund \$92,700 of the project with the CRA's responsibility at \$50,800. Staff will review bid submittals 30 days after ITB issuance, and bring the tabulations to the Board for

final selection at their August meeting.

The CRA has paid a landscape contractor to remove invasive trees, vegetation and debris on the sites. An additional time extension of the grant agreement has been provided by the SWA. Staff worked with SN on the dog park design. A site and landscape plan, along with cost estimate have been provided.

Background: The CRA was awarded in the amount of \$92,700 to clean-up, clear, sod and fence 6 vacant CRA-owned properties on Oswego Avenue east of Seminole Blvd. previously earmarked for the L-2 Canal Expansion project. The CRA is proposing match funds in the amount of \$34,460. An Interlocal Agreement between the CRA & SWA was approved by the BCC in March 2018. The CRA received a 50% disbursement of total funds in April 2018.

SWA has approved an extension to the grant timeline and a change of scope to develop a dog park on three of the Oswego Avenue parcels targeted for the properties clean-up. The dog park will include areas and equipment for small and large dogs, fencing, landscaping, and benches. By the fall of 2018, the LWDD cleared a majority of the vegetation overgrowth along the L-2 canal leaving a window of opportunity in the budget to create a simple dog park and still maintain the overall budgeted amount.

PBC Transportation Planning Agency (TPA) Transportation Alternatives (TAP) & Local Initiatives (LI) Grants

FY20 Cherry Road Pedestrian & Safety Improvements (FUNDED)

Update: PBC Engineering has expressed concerns regarding crosswalks on the approved cross section that requires resolution in order for the project to move forward on the TPA grant timeline.

The Cherry Road project received approval for funding by the TPA Governing Board in July, 2020. The CRA engaged consultants, WGI to refine the Cherry Rd. improvements project for TPA TAP grant application submittal in the 2020 cycle. CRA Staff and WGI worked with Engineering on improving the proposed typical sections. The project proposes reduced with travel lanes for traffic calming, new sidewalks on the south side of Cherry Rd east and west of the bridge to the intersection of Country Club Rd., a new 12' shared multi-use path on the north side of the corridor, new crosswalks, pedestrian scale lighting, and shade trees where allowed. The total project cost is \$1.96 million. The grant reimburses \$1 million. The application was submitted to the TPA on February 28, 2020.

FY19 and Seminole Blvd. Complete Streets (FUNDED/STARTED)

Update: PBC Engineering has requested administration and design fees to initiate the project. The County will issue an RFP for engineering design in early 2022.

The Transportation Planning Agency Governing Board approved funding for the Seminole Blvd project at their July 18th meeting. The Seminole project was ranked #1. Staff and WGI presented the projects to FDOT and BTPAC in early April; Seminole was ranked #1 and Cherry Rd was #4. The Board recommended that the Seminole Blvd project should be prioritized since it ranked higher and is a larger project.

Background: The Board approved a two-fold work assignment with WGI in November 2018 to prepare a feasibility analysis to identify the best two projects to submit to the TPA for the 2019 Transportation Alternatives Program (TAP) cycle. Based on findings presented by WGI, the Board selected the following project:

Seminole Blvd Complete Streets which expands existing sidewalks to 10-12 ft. multi-use paths on each side of the roadway, adds high visibility crosswalks at each intersection, adds pedestrian scale lighting, and shade trees. The project boundaries are from Okeechobee Blvd. to Oswego Ave. Total construction cost is \$1,622,979. The grant reimburses \$1 million.

TAP grant projects are designed and constructed within 3 years of prioritized funding. Design will begin

in 2020 with construction completion in 2022.

FY18 – Westgate Avenue Corridor Complete Streets (DESIGN 75% COMPLETE)

Update: American Consulting Engineers (ACE) has completed design plans to 100% constructability. PBC Engineering Streetscape section is reviewing. The design engineers have finished phase 2 of the constructability plans. Due to the number of driveways and regulations for safe sight lines, the CRA must now work with certain owners to get approval to close access from Westgate where side and rear access is available in an effort to add more landscaping and on-street parking. The project cost estimate is now \$4,752,321 with \$2,324,351 in participating costs funded by FDOT. The CRA is responsible for PBC Engineering administrative, design and CEI costs.

Design is moving forward without a roundabout. CRA Staff met with County Roadway Production and the project consulting engineers in February to discuss the design, scope and timeline of the project. The CRA has been asked to provide input on lighting design and landscaping.

A County Selection Committee met in November 2019 and selected American Consulting Engineers of Florida (ACE) to design the project. CRA staff was in attendance for the presentations and scoring. The County Engineering Department had shortlisted three firms for the project, including CRA consultants WGI, however, volume of previous work was an overriding factor in selection.

Background Information: Staff engaged WGI to coordinate the preparation of travel demand forecast modelling to determine the impact of reducing Westgate Ave from 5 lanes to 3 lanes utilizing a road diet approach. WGI facilitated communication with PBC TPA and Engineering to determine the best design alternative, held a public input meeting, and drafted the final design for the project be used to obtain funding. WGI met with the Engineering Department to present the lane elimination plan. County staff is in support of the lane reduction from Wabasso to Congress, but they are not in support of the elevated landscape median. An alternative design, which allows for 3 lanes (2 thru lanes and one center turn lane), bike lanes, and floating landscape islands on both sides of the ROW alternating with on street parking was presented to County Engineering for approval and support. With assistance from WGI, the LI grant application was submitted on March 2, 2018. CRA staff is working with County Engineering and Administration to design and administer all 3 of the TPA grant projects.

The TPA Governing Board voted to adopt the TPA List of Priority Projects for the LRTP FY 2020-2024 at their September 20, 2018 meeting. Projects that met TPA and FDOT eligibility requirements were ranked by internal advisory boards, committees and TPA Staff to be forwarded the Governing Board. The Westgate Avenue Complete Streets project was ranked #1 of 6 entries to receive Local Initiatives Program funding. This project has been moved up the timeline due to the inability of other funded projects to proceed. Design can start in July 2019 for FY 2019/20. Construction funding will be approved after the design is completed.

FY18 – Phase II Belvedere Heights Streetlights & Sidewalks AND Water Mains/Drainage (MOBILIZED)

Update: The contractor has begun construction of Phase II of the water mains and drainage project. Phase II of the TPA sidewalks and streetlights project will begin in the spring of 2022. Engenuity Group will continue to represent the CRA as PM on the drainage work.

The BCC is considering an agenda item on June 16th for the design of this second phase. The TPA Governing Board voted to adopt the TPA List of Priority Projects for the LRTP FY 2020-2024 at their September 20, 2018 meeting. Projects that met TPA and FDOT eligibility requirements were ranked by internal advisory boards, committees and TPA Staff to be forwarded the Governing Board. Phase II of the Belvedere Heights Streetlights and Sidewalks project was ranked #3 of 4. This project has been moved up the timeline due to the inability of other funded projects to proceed. Design can start in July 2019. Construction funding will be approved after the design is completed. The CRA needs to execute

an MOU and provide upfront funding to the County for design.

Background Information: CRA staff prepared and submitted a Transportation Alternatives Program (TAP) grant application for Phase II – Wellington Road to Bridgeman Road, of the Belvedere Heights Neighborhood for sidewalks and streetlights to PBC TPA in March 2018.

FY17 – Phase I Belvedere Heights Streetlights & Sidewalks AND Water Mains/Drainage (IN CONSTRUCTION)

Update: The water main and drainage work is complete. Phase I of the TPA grant project for sidewalks and streetlights project has mobilized. This phasing allowed the water main and drainage construction to take place prior to the work of the TPA grants, keeping the TPA projects on the timeline set by the FDOT.

The neighborhood has experienced chronic poor drainage and the water mains have reached the end of their useable life and must be replaced. Mock Roos, the contractor for the sidewalks/streetlights project requested that PBC Water Utilities do the water main work prior to the installation of sidewalks and they have agreed; Mock Roos will also do this work. Engenuity Group has been working on a drainage design for the area and a request has been made for Water Utilities in collaboration with Engineering to do this work ahead of sidewalk installation as well. Water main replacement will occur January thru March, 2021 with drainage in March thru July, 2021. Construction on the sidewalks project is set to begin in August 2021.

Engineers are preparing the second part of the design. The Engineering Department has engaged several consultants through a CRA/County MOU to implement the project. Design is almost completed. The County is currently reaching out to the residents.

Background Information: An application was submitted to the TPA Transportation Alternatives Grant to request almost \$1 Million to install sidewalks and streetlights in Belvedere Heights in 2017. The funds will not be available until 2019. The BCC approved Engineering Department sponsorship of the project via resolution in May 2018.

CRA Strategic Plan (ONGOING – TO BE REVISITED IN FY22)

CRA staff is continuing to work on a 5-year strategic plan that will implement the goals and objectives of the amended Redevelopment Plan. A strategic plan will outline the specific tasks, timeline and budget required for redevelopment activities over the next 5 years. It can also serve as a platform for the CRA to refine its vision and mission statement in a way that is current with its shifting priorities. Staff has received some initial input from Board members. Work on the Strategic Plan is ongoing.

Streetlights for Belvedere Homes (ONGOING)

The Engineering Department is partnering with Office and Community Revitalization to install streetlight in Belvedere Homes. An initial meeting has been held. Citizens are currently gathering signatures and easement authorization from residents and property owners.

Proposed Private Redevelopment Projects

Below is list of private development projects in the Westgate CRA that are in the entitlements or the permitting process:

Projects	Address	Status
The Hangar & Airfield Business Park	1050 N. Congress Ave. (former PBKC collateral property)	<ul style="list-style-type: none"> 2/14/22 CRA Board meeting 60,000+ sf of privately owned warehouse units (The Hangar) with collocated additional warehouse, vehicle sales/repair, community and assembly membership non-profit space
EZ Express Carwash	1098 N. Military Trail (Walmart MUPD)	<ul style="list-style-type: none"> In Zoning – review for ABN of restaurant use & DRO approval for a 2,700 sf automatic carwash
Cherry Road Plaza MUPD	Cherry Rd	<ul style="list-style-type: none"> In Zoning – review for ABN, DOA, Variances, DRO approval for a 161,000 sf (phased) self-service storage facility
Broward Motorsports	2300 Okeechobee Blvd	<ul style="list-style-type: none"> In Zoning – DOA to address phased plan, additional square footage for storage & retail, access
Murphy Express Gas Station/C-store	1010 Military Trail (Walmart MUPD)	<ul style="list-style-type: none"> In Zoning - demolish vacant Walgreens & relocate and expand existing Murphy Express and add c-store
Palm Key Apartments	Cherokee Ave	<ul style="list-style-type: none"> In Zoning – review for DRO approval 7 townhome-style multifamily units on .46 ac – utilizing CRA density bonus units
Museo Vault self-service storage (now Uovo Art)	4200 Westgate Ave	<ul style="list-style-type: none"> BCC approval of ABN- Sept. '21 meeting proposing a 4-story, 50,000 sf fine art and antique storage facility
Autumn Ridge LITC mixed use	Congress Ave	<ul style="list-style-type: none"> DRO approval – LITC funded, will move forward with permitting 106 units by Landmark Construction, 90% of units at or below 60% of AMI – 77 DBP units, TCEA and rezoning from RM to CG
Soapy Shark Car Wash (formerly KFC/Jack's)	2200 Okeechobee Blvd.	<ul style="list-style-type: none"> In construction DRO Approval & 6 variances required
Duplex development	1115 Osceola	<ul style="list-style-type: none"> In permitting, amount outstanding, Property was sold in Dec. '21 Utilizing 1 WCRA density bonus unit, non-conforming lot
Cottage Home project	Saginaw/Saranac	<ul style="list-style-type: none"> All units are now completed and owner occupied 1-acre site newly subdivided into 14 25 ft. lots for small homes
Congress Avenue - Greene Apartments	1710 N. Congress Ave	<ul style="list-style-type: none"> In construction 198 units (138 density bonus units from WCRA pool; 55 income restricted) SFWMD permit utilizes available acre feet from the Preserve
MacDonald Ind./McArthur Dairy	N. Florida Mango	<ul style="list-style-type: none"> On hold
Mi Pais Express Mixed Use	2633 Westgate Ave	<ul style="list-style-type: none"> Construction complete
Dos Hermanos Mixed Use	Westgate & Seminole Blvd	<ul style="list-style-type: none"> Administratively withdrawn

**WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY
1280 N. CONGRESS AVE., SUITE 215, WEST PALM BEACH, FL. 33409
MINUTES OF THE MONTHLY MEETING**

January 10, 2022

I. CALL TO ORDER (IN PERSON MEETING BROADCASTED ON ZOOM PLATFORM)

Mr. Daniels, the Board Chair, called the meeting to order at 5:14p.m. The roll was called by Ms. Bui.

Present: Ronald L. Daniels
Joanne Rufty
Ralph Lewis
Ruth Haggerty

Absent: Enol Gilles
Joseph Kirby
Yeraldi Benitez

Staff Present: Elizée Michel, Executive Director
Denise Pennell, Senior Planner
Carmen Geraine, Bookkeeper
Mai Bui, Administrative Assistant
Thomas J. Baird, Esq., General Counsel

Others Present: Dorritt Miller, Assistant County Administrator, Deputy George Gomez, Deputy Adam Robinson, Keith Jackson, PE, Engenuity Group, CRA Engineer, Chuck Lesnick, (All Virtually Via Zoom)

II. AGENDA APPROVAL

1. Additions, Deletions, Substitutions to Agenda

- No Additions, Deletions, Substitutions to Agenda

2. Adoption of Agenda

- It was moved by Ms. Rufty and seconded by Ms. Haggerty to adopt the Agenda as amended. Motion carried (4-0)

III. ADOPTION OF W/BH CRA MINUTES

- It was moved by Ms. Haggerty and seconded by Ms. Ruffy to adopt the December 13, 2021 minutes. Motion carried (4-0)

IV. PUBLIC COMMENT

- The Westgate Community express their concerns in the neighborhood. The concerns were:
 - Garbage dumping
 - The Preserve is unkempt
 - The outside of the community garden needs to be cleaned up and trimmed.
 - There has been car speeding on Chickamauga Road
 - Babbling Brooks is filled with garbage, and needs to be kept up
 - Westgate and Osceola needs signal lights
 - There needs to be more garbage cans placed around the community preserve
 - Violence in the community
 - Need to add more street lights in the community
 - Add "No Parking" signs around the lake

Deputy Gomez and Mr. Michel addressed the community's concerns. Mr. Michel added that staff will work with the and the Sheriff's Office to address and resolve the resident's concerns.

- PBSO Deputy Gomez and Deputy Robinson gave a brief report to the Board about police activities in the Westgate CRA area for the previous month.

V. DISCLOSURES

- No disclosures

VI. CONSENT AGENDA

- No consent agenda

VII. REGULAR AGENDA

1. Approval of Extension of the Option Period and the Option Agreement with the Danza Group

Mr. Michel introduced the item and Aaron Taylor with Danza Group made a presentation to the Board.

The CRA Board executed an Agreement with the Danza Group on February 24, 2021. The Agreement provides that the Group has one year from the date of the execution of the Agreement to exercise the option to acquire the properties from the CRA. This Option Period will expire on February 24, 2022.

Prior to the expiration of the Option Period, Danza needs to demonstrate to the reasonable satisfaction of the WCRA, first, that the Group has cash on hand sufficient to acquire and redevelop the property substantially as set forth in the Agreement and second, that the Group has obtained from Palm Beach County and other applicable land development regulators approvals which allows Danza to develop the project detailed in the Option Agreement.

Danza has indicated that they can meet the first condition, but they have not submitted applications for land development entitlement.

Last month, the Group wanted to exercise the option. A request that the Board denied at the December meeting where it was suggested that they request an extension to give them time to secure the land development approvals they need. A one-year extension will give them enough time to request and secure the approvals they need for the project.

Staff recommends that the Board approve a one-year extension of the Option Period and the Option Agreement with the Danza Group.

Ms. Haggerty asked how comfortable is Danza with a one-year extension, and Danza can accomplish the approval within the time frame?

Mr. Taylor answered if the entitlement definition is for zoning approval, it can be accomplished within the time frame. If it is for zoning and building permit, they may need more time.

Mr. Baird responded land use, zoning, site plan and all entitlements would include plat. Building permit would not be an entitlement, a plat would be entitlement.

Mr. Daniels would like to make sure that the project move forward and not wait until October to ask for another time extension.

Mr. Lewis asked what happen if the Danza Group does not the deadline. Does the CRA get the property back?

Mr. Baird responded that contracts provide that if you extend this period, you're extending for a year the period in which Danza can elect to exercise the option. They will have from February 2022 to February 2023 to exercise the option. If they do not exercise the option, the CRA will keep the properties.

Mr. Lewis asked if Danza does not exercise the option, what would happen?
Mr. Baird responded if Danza does not exercise the option that would leave the Board in a position of having to solicit proposal for a new development partner to move forward.

It was moved by Ms. Haggerty and seconded by Ms. Rufty to approve the one-year extension of the Option Period and the Option Agreement with the Danza Group. The motion passed unanimously (4-0)

2. Approval of 2022 Westgate CRA Board Meeting Calendar

Mr. Michel presented the item. The 2022 Board Meeting Calendar is submitted for approval. There is a Holiday on October 10. The October meeting can be moved to October 3. The November meeting stays on the second Monday since it will not interfere with Veteran's Day.

Staff recommends that the Board approve the 2022 Board Meeting Calendar as presented or with changes from the Board.

It was moved by Ms. Haggerty and seconded by Ms. Rufty to approve the 2022 Board Meeting Calendar. The motion passed unanimously (4-0)

VIII. STAFF REPORTS

There was an incident on one of the WCRA owned vacant property at 2426 Cherokee at the corner of Westgate and Loxahatchee and Cherokee. The incident happened on 12/10/2021. Limited information is being released because the incident involved minors. The house is going to a demolition process.

Dog park is coming along.

Belvedere Heights Phase I of the drainage and water main replacement has been completed. The second phase is underway. The street lights and sidewalks project is ready to begin construction.

IX. AJOURNMENT

It was moved by Ms. Rufty and seconded by Ms. Haggerty to adjourn the meeting. The meeting adjourned at 6:35p.m.

Mai Bui Administrative Assistant, Westgate CRA



Westgate CRA Board Meeting February 14, 2022

AGENDA ITEM SUMMARY

The Hangar & Airfield Business Park

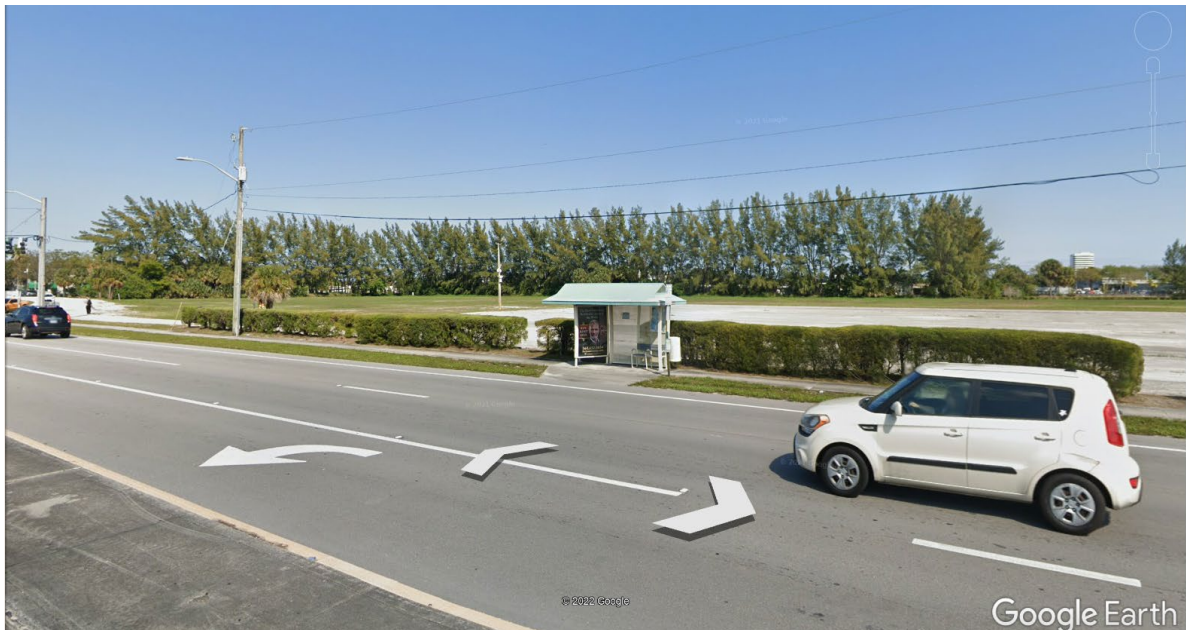
1050 N. Congress Ave.

Rezoning to MUPD, Class A Conditional Use Approval for Vehicle Sales & Rental, Light,
DRO Approval for Warehouse & Assembly Membership Not for Profit Uses,
Type 2 Waiver & Type 2 Variance

Control No. 1983-00050



Location Map



Existing Conditions

Site Background

The subject +/- 11.7-acre site is located on the east side of Congress Avenue near the northeast corner of Congress Ave. and Belvedere Rd. The site, once a collateral property to the larger +/- 47-acre Palm Beach Kennel Club (PBKC or Kennel Club) property to the west, was recently purchased from the owners of the Kennel Club by The Hanger Bravo, LLC., the applicant. The site is partially paved and sodded, but vacant, without a structure, and historically utilized for temporary vehicle inventory storage by nearby car rental or dealerships and seasonal circus events.

The entire site is within the UG (Urban General) Sub-area of the WCRAO, and within multiple zoning districts: RM (Multifamily Residential), CN (Neighborhood Commercial), and CG (General Commercial). The site has a Future Land Use designation (FLU) of CH/8 (commercial high with an underlying residential land use of 8 du's/acre). The site is in the U/S (Urban/Suburban) Tier, the RRO (Revitalization and Redevelopment Overlay), the URA (Urban Redevelopment Area), and in the Westgate CCRT area. There are commercial uses to the north and south of the site; the Congress Business Center is to the north and is zoned MUPD with a CH/8 FLU, and a commercial plaza is to the south, zoned CG with a CH/8 FLU. To the west, across Congress Ave., and stretching from Cherry Rd. to the corner of Belvedere



Rd, is the Palm Beach Kennel Club site. To the west lies the Palm Beach Colony Mobile Home Park with an RM zoning and a HR/8 FLU. There are no previous or existing zoning approvals related to the subject site, however, in 1983, the BCC approved Resolution R-83-803 for a Special Exception to allow an Open Air Flea Market on the Palm Beach Kennel Club property located across Congress Avenue from the Property; both properties share the same control number.



Proposed main entry from Congress Avenue

Proposed Development – The Hangar & Airfield Business Park

The applicant proposes to develop the former Kennel Club collateral property with a mix of complimentary, collocated uses, anchored by “The Hangar” on the northern portion of the site described by the applicant as “a unique private garage country club comprised of warehouses for condominium ownership by private collectors”, which also includes an owner’s lounge for common use, meetings and socializing. Over 200,000 sf of warehouse with approximately 80 “hangars” in 4 separate buildings is proposed for the northern portion of the site. Each



individually owned warehouse unit also includes a mezzanine level; the entire unit can be customized or built out based on each owner's vision of how to display their collections. Collections may include automobiles, motorcycles, instruments, art, etc. or a combination of the above. Units may also be combined to create larger units. Unit owners would not be permitted to either live in or operate a business out of their units, although many install bathroom and kitchen facilities, and dependent upon size can incorporated interior living and entertainment spaces.

On the southern portion of the site additional warehouse, and boutique vehicle repair and sales uses are proposed; these uses would be open to the public, whereas the Hangar units would be privately owned and inaccessible by the general public. The warehouse and commercial uses in the southern portion of the site are meant as a "natural extension of The Hangar in that specialty, boutique car repair and sales companies are needed to service the expansive high-end collections of The Hangar's owners." The developer has incorporated a generously sized indoor area for community use into the 84,000 sf structure proposed for the southern portion of the site, complimented by an adjacent outdoor public plaza creating a space that can potentially be utilized by Westgate residents for events and gatherings.

The CRA Board was introduced to the Hangar concept in late 2021, and expressed a general support for the project. The original Hangar, built in 2019, is located in the Haverhill Business Park just south of the Beeline Highway, consists of 41 hangar units of varying sizes, and is now sold out. Each unit was purchased from the low \$200,000s into the \$500,000s dependent upon size. The project expected to be built out by 2026.

Summary of Petition

The application requests the following approvals:

1. Rezoning from the CG, General Commercial, CN, Neighborhood Commercial, and RM, Multi-Family Residential, zoning districts to the MUPD, Multiple Use Planned Development, zoning district ("Rezoning");
2. Class A Conditional Use approval to allow +/- 14,750 square feet of Vehicle Sales and Rental Light use ("Conditional Use");
3. Type 2 Waiver from Unified Land Development Code ("ULDC") Table 7.C.2.C.3 to allow a seven foot (7') height fence with opaque landscape plantings in lieu of the required six foot (6') height opaque wall within the Incompatibility Buffer along the east property line;



4. Type 2 Variance from ULDC Section 7.C.4.A.1.a to allow one (1) landscape island per nineteen (19) parking spaces with a maximum spacing of four hundred seventy-five feet (475') in lieu of the requirement for one (1) landscape island per ten (10) parking spaces with a maximum spacing of one hundred feet (100');
5. Development Review Officer ("DRO") Approval for +/- 6,000 square feet of Assembly Membership Non-Profit use; and
6. DRO Approval for +/- 205,720 square feet of Warehouse use. (Approvals collectively referred to herein as "Project"); and,
7. 941 net external daily trips; 86 net am peak hour and 108 net pm peak hour trips to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.

Staff Analysis & Review

Consistency with the CRA Community Redevelopment Plan

The Palm Beach Kennel Club is a historic institution in Palm Beach County dating back to its creation 1932. Despite recent changes made by the Florida legislature that now prohibits dog racing, the Kennel Club still hosts successful off-track betting simulcast events and operates poker rooms. Given their sheer size relative to most other parcels in the redevelopment area, with the exception of those which are publicly owned and used for institutional or airport related uses, the Kennel Club properties, both the larger still-active piece, and the vacant former collateral property, have always been considered by the CRA and its Boards to be 'redevelopment catalyst properties', meaning the development or redevelopment of these sites have the potential to define the trajectory and character of redevelopment not only along Congress Avenue, but in the district. The Kennel Club properties, are described in Section 3 of the CRA's 2017 Redevelopment Plan in the following manner: "The historic Palm Beach Kennel Club on Congress Avenue at Belvedere Road is the major landowner along the corridor holding a total of 58 acres of land...Future development and redevelopment of these large vacant parcels will dictate the future character of the corridor, and by ripple effect the entire redevelopment area." And again in Section 4 of the Plan: "The expansion of the Kennel Club to include a casino, hotel, retail and residential is an ongoing objective of the owners, and an effort supported by the CRA. However, years of lobbying and attempts to amend State legislation that would loosen gambling regulations have, to date, proven unsuccessful. Looking to the future, the CRA must remain ever cognizant of the eventual development of Palm Beach Kennel Club lands when planning for housing, business recruitment, and streetscape design."



In the early 2000's, the Kennel Club owners created a master planned vision for their site which included a mix of casino gambling and Jai-Lai entertainment areas, a hotel, high-density residential, and complimentary retail commercial and restaurant uses. Through this vision, the property which is the subject of this application would have been developed with an off-site parking structure to include a transit station and ancillary neighborhood commercial uses. The site was purchased in December 2021 by The Hangar Bravo, LLC for \$12,000,000, so while the proposed project will fully develop former Kennel Club collateral land to the east, the main Kennel Club site remains untouched by this application, and open to development opportunity.

The warehouse and specialty auto-related uses that comprise the proposed development undoubtedly contradict the vision of the CRA's Redevelopment Plan for the Congress Avenue corridor and the intent of the UG Sub-area which established Congress Avenue as an "additional redevelopment area allowing for mixed use development with more intense commercial and residential uses, including multi-story towers where feasible". Given the location of the site adjacent to PBIA, and near I-95, and the potential for development that includes high intensity commercial land use, the availability of up to 150 DUs/ac of additional residential density through the WCRAO DBP, WCRAO PDR's that allow structures to reach heights not permitted elsewhere in unincorporated PBC, and an overlay code that permits and encourages mixed use, it could be argued the highest and best use for the land is not achieved with this project. Yet, market forces and demand are at play here. The site is perfectly positioned to attract a light industrial developer, since no comparable land is generally available for such development in most areas of the County, and location is key for the end-user. This, combined with The Hangar Group's niche storage/display/purchase/maintenance solution that satisfies a market demand for high-end, luxury automobile collectors are indicators that the project is likely to be very successful. This type of warehouse use is clean and quiet, with lower traffic counts and minimal impact to the residential community to the east. Similarly, collocated vehicle sales and repair uses are proposed to operate in much the same manner with no exterior vehicle display and anticipated low daily customer counts.

Vacancy is the enemy of redevelopment and over time encourages disinvestment and furthers blight in communities. This is particularly true when vacant land fronts prime arterial roadways. Given its acreage and location, the site, once developed, will dramatically bolster the CRA's TIF, which allows the Agency to continue redevelopment activities that benefit the entire community. The CRA also projects that development on this site will be met with enthusiasm in real estate investments circles, shining a light on the redevelopment area and the potential it holds, ideally generating cascading economic



development and ancillary uses. CRA Staff estimates that based on current County millage rates, purchase price, assessed and improvement values, and anticipated construction costs, the taxable value of the property, once fully built, equates to close to \$300,000 in annual TIF contributions to the CRA, with predicted increases as hangar units are bought and sold over time.

Consistency with WCRAO Use Regulations & Potential Amendments

Following amendments made to the Comprehensive Plan that allowed certain light industrial uses to operate in CG zoning districts with a CH FLU, the CRA, in an effort to monitor Comp Plan policy to ensure appropriate implementation of the Redevelopment Plan in the zoning overlay, amended the WCRAO Use Regulations table to restrict or prohibit certain industrial uses where not compatible with the intent of the Sub-area or the goals of the Redevelopment Plan. This amendment was part of a larger WCRAO amendment in the 20-02 ULDC amendment cycle, and through due process was ultimately adopted by the BCC in early 2021. Distribution Facility, Manufacturing and Processing, Warehouse, and Wholesaling are currently prohibited in the NRM, NG, NC, and UG Sub-areas, but allowed by Class A Conditional Use approval in the UH Sub-area, and by DRO approval in the UI Sub-area where more intense commercial and industrial type uses exist and are anticipated. ULDC zoning overlays and the provisions within them are established via the objectives and policies of the Comp Plan; the Westgate/Belvedere Homes Community Redevelopment Area Overlay is referenced in the Future Land Use, Housing and Transportation Elements. Each overlay has its own purpose, permitted uses, conditional uses, and regulations that control the use of the land. Overlay regulations always supersede when in conflict with another section of the ULDC. CRA Staff has a real administrative role in the implementation of the provisions of the WCRAO in collaboration with the County. The WCRAO provides the CRA with some measure of agency over the combination of uses and regulations that are best for redevelopment.

The Hangar development team has likely exhausted all available use classifications in an effort to fit the project into a use classification permitted within the UG Sub-area, including office-warehouse, and assembly Membership Non-Profit; required parking ratios were too difficult to overcome, impacting building size and project pro forma. The best classification for the Hangar use, beyond perhaps Multi-Access Self Service Storage, also prohibited in the UG Sub-area, is Warehouse. In building typology and base use, the hangars are warehouse units. So then, integral to the success of the application is a companion CRA-initiated amendment to the WCRAO to somehow allow a warehouse use on the subject site. This amendment would travel alongside the approvals for the project separately from other amendments proposed by CRA Staff for the 2022 year.



There are seemingly two paths a CRA-initiated amendment can take to facilitate this project. The first option, is a text amendment to the WCRAO Use Regulations table that would allow a Warehouse use, likely by Class A, but at minimum by DRO approval, in the UG Sub-area. This would do exactly what CRA Staff feared prior to the 2021 adopted amendment: open up the Congress Avenue corridor to further light industrial development. The second option, currently favored by CRA Staff, is simplistic, but perhaps more complex to justify: a WCRAO Sub-area map amendment that would redraw the Sub-area boundaries of Figure 3.B.14.C to include the Hangar site within the UI (Urban Industrial) Sub-area rather than the UG Sub-area. The WCRAO describes the UI Sub-area as “existing commercial and industrial areas that will be encouraged to be redeveloped by the recent adoption of FLU amendments allowing CH or IND development.” Through this amendment, the site would become subject to the use regulations, PDRs and supplementary standards for the UI Sub-area which allows Warehouse by DRO approval. There is no historical precedent for altering the WCRAO Sub-area boundary map, which exists today as it was incorporated into the ULDC in 2006. However, the UI Sub-area boundaries were drawn to include two non-contiguous areas of the district that share similar existing and predicted development patterns: the northeast industrial district surrounding Old Okeechobee Rd, and the airport owned runway extension lands located at the Belvedere Rd. curve, so there is some supporting rationale for expanding those boundaries to include another industrial-like area into the UI. There may also be some concern that since the PDRs of a WCRAO Sub-area govern development in the district, a Sub-area map amendment may be akin to spot zoning. Note that CRA Staff continues to work with the Zoning Division to explore variations of these alternatives concurrent with the Hangar project entitlements timeline and will seek Westgate CRA Board approval of the necessary companion WCRAO amendment when justification for such amendment has been fully developed and vetted by the County’s Zoning Division, prior to routing through the LDBRAB/LDRC review process. ***Staff only requests Board recommendation for the development application as presented by the petitioner at this time.***

Since the site is within three zoning districts, the applicant is proposing a rezoning to a Multiple Use Planned Development (MUPD) to capture the mix of uses and build in a more flexible development model for compatible uses, parking ratios, site design, access, and architecture. Rezoning to MUPD is justified by the site’s future land use and proposed structural densities and intensities and is generally consistent with policies for infill development outlined in the Comprehensive Plan. The subject site may currently within the UG Sub-area, but, since it is now contemplated to be within the UI Sub-area, it was designed to meet the UI Sub-area PDRs and standards. Other proposed uses contained within the southern portion of the site are permitted in the UI Sub-area with varying use approvals: the WCRAO



Use Regulations table reverts back to the Zoning District for the Vehicle Repair and Maintenance, Light use which is permitted by right in MUPDs with a CH FLU; Vehicle Sales and Rental, Light also reverts back to the Zoning District and is permitted by Class A approval in MUPDs with a CH FLU. The WCRAO Use Regulations table is silent on the Assembly Membership Non-Profit use, which is proposed as a classification for the owner's common use area in Building C; permitted by DRO approval. Other uses such as office and community space are considered accessory. Industrial, commercial and office uses are permitted on the 1st floor in the UI Sub-area. ***CRA Staff has no objection to the proposed rezoning to MUPD, requests for Class A Conditional Use approval for the Vehicle Sales & Rental, Light use, and, DRO approval for the Warehouse Use and Assembly Membership Non-Profit use, and recommends approval.***

Consistency with WCRAO Sub-area PDRs & Supplementary Standards

Although the project is proposed to rezone to a MUPD zoning district, WCRAO UI Sub-area PDRs supersede and are applicable to this application. The 11.7-acre site is an irregularly shaped rectangle and has a lot frontage or width of approximately 1012 ft. with a portion of the frontage along N. Congress Avenue and a portion along the Old Congress Avenue slip road; a minimum of 300 ft. is required. A 10 ft. ROW dedication is shown on the site plan; the BBL is 10 ft. from the original property boundary. The lot depth is over 400 ft. where 300 ft. is required, and the building footprint or coverage is 40% of the total lot square footage of 511,263 sf.; a maximum of 45% is allowed in the UI Sub-area. A front and side street build to line range of 10-25 ft. is required, with 15-25 ft. generally provided along the frontage, and a 28 ft. side street BTL, 3 ft. back from the maximum allowed, is provided along the north property line at the corner of Old Congress Ave. and Riviera Blvd. The applicant argues that this side street serves as a lesser access road for the mobile home park, however, it is publicly accessible, and the Land Development Division may determine otherwise. A 67.5 ft. side setback is provided along the south property line where a min. of 15 ft. is required and a 70 ft. rear setback is provided along the east property boundary abutting the residential neighborhood where a min. of 25 ft. is required. A drainage detention area is also provided between Building D and the east property line adding further buffering; a 20 ft. incompatibility buffer will also screen the site from the adjacent residential use.

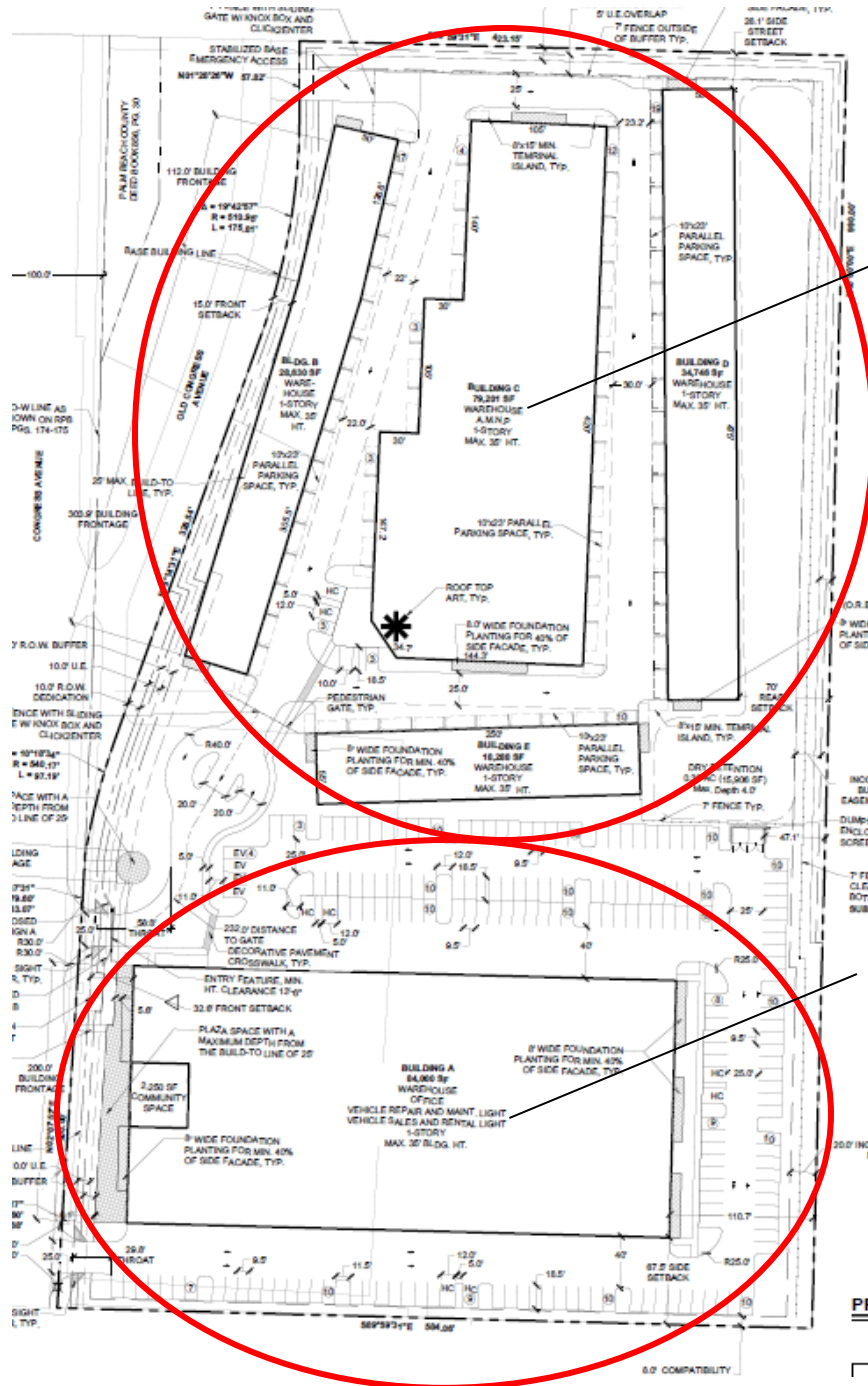
Most WCRAO Sub-areas now require projects to be built at or 10 ft. from the property boundary. Similarly, a minimum building frontage, meant to create building massing and presence is also required in most Sub-areas including the UI. The frontage requirement for the UI is 60%; 607 ft. is required and 615 ft. of building along the frontage is provided, although not all within the 10-25 ft. build to line. The



UG Sub-area would have offered a mechanism for relief from the requirement in the form of optional plazas or squares (up to 25% of the building frontage required to be placed on the BTL may be set back to accommodate a plaza feature), however, that build to line exception does not extend to the UI Sub-area. Any Sub-area with a required build to line should also offer some relief from the requirement. This is a glitch in WCRAO code that will need to be addressed through a WCRAO amendment. The applicant is utilizing this provision regardless and it makes for a better design by placing a public plaza between the community space in Building A and the landscaping buffer. A 25 ft. wide plaza area is also proposed near the entrance to the side, also utilizing the same provision. All proposed buildings are in excess of 300 ft. in length with the exception of Building E. There is no maximum building length requirement for the UI Sub-area; in the UG Sub-area the maximum is 300 ft. All structures are proposed to be 1 story or 35 ft. high, although the UI Sub-area allows buildings to be 15 stories or 180 ft. in height. The minimum building depth is 50 ft. (Building B) where a minimum of 30 ft. is required.

A landscape plan was not submitted to the CRA for review. The site is adjacent to residential uses and residential zoning districts as well as commercial uses. The front and north ROW buffers are 15 ft. wide; the east buffer, directly adjacent to the mobile home park is considered a Type 3 incompatibility buffer at 20 ft. in width; and, along the south property line, adjacent to the commercial use, the compatibility buffer is 8 ft. in width. Few WCRAO landscape deviations apply in UI Sub-area except a perimeter buffer width reduction provision that allows a required ROW or incompatibility buffer to be reduced by up to 50% for commercial or mixed use projects. The applicant has not indicated the use of this available deviation on the site plan given the mix of industrial and commercial.

Approval of a Type 2 Waiver to allow a 7 ft. high fence with opaque landscaping in lieu of the required 6 ft. high opaque wall within the incompatibility buffer along the east property line is requested as a part of this application. The applicant argues that a fence with opaque landscaping planted on either side, rather than a wall with required landscaping will provide a more attractive buffer for the mobile home park, would assist with natural drainage, and would not have a detrimental effect of the overall design of the project. Type 2 Waivers require BCC approval. Notwithstanding the very tall line of Australian pines that meander along the entire property line which may or may not remain, a wall may offer the only real screening for the mobile home park from the industrial development with some homes placed less than 10 ft. from the property line. WCRAO supplementary standards prohibit chain link fencing in all Sub-areas of the overlay with few exceptions; black or green vinyl coated chain link is allowed in the UI Sub-area. ***CRA Staff is not recommending approval of the Type 2 Waiver request at this time.***



The Hangar
warehouses &
common area-
approx. 80 units,
160,865 sf,
fenced/gated area

Ancillary
warehouse, vehicle
sales & repair, and
community space
84,000 sf, open to
the public

Preliminary Site Plan – entire site



Architecture & Design

The Hangar & Airfield Business Park are conceived to attract a very specific demographic of end-user. The use may be technically described as warehouse, but the project offers more than warehousing to its high wealth clientele and is well designed in all aspects, with attention to detail, amenities, and security features. Article 5 architectural review will be conducted at permitting for this project, however, the developer has provided architectural renderings for review by the CRA Board. From the outset of discussions with the developer, their agents, and site designers, CRA Staff encouraged the best possible design for the project, both to offset the use, and to compliment redevelopment projects along the Congress Avenue corridor. The Greene Apartments, now under construction are modern in design and color palette as are the Autumn Ridge apartments, now in permit review.

The Hangar warehouses and common area are accessible through a keyed access sliding gate; the interior and access to individual units are contained within a perimeter fence. No fencing is proposed for the Congress Avenue frontage. The color palette is modern white and grey with red accents. Metal architectural features speak to an automobile/aviation theme, owing to the proximity of the site to PBIA. Building B which fronts Congress Avenue, was designed with horizontal paneling along the façade, and spandrel windows to add visual interest and the appearance of windows; for security and privacy reasons, windows are not contemplated for individual units. The addition of a plane break featuring the Hangar's logo provides visual relief along the 431 ft. long façade; blank walls more than 20 ft. in length are not permitted by code. Building C, the largest of the warehouses features a rooftop helicopter art piece above the owner's common area.

PDD's are required by the ULDC to incorporate one pedestrian amenity for every 100,000 sf of GFA. The project incorporates three pedestrian amenities: two public plazas and public art. Building A, the structure containing warehousing, commercial uses and community space, and also fronts Congress Avenue, features a metal awning designed to emulate the wing of an airplane. All bay doors to the Hangar units are proposed to be oriented internally for security purposes; bay doors for Building A are not indicated, but none are permitted to face any residential use or any lot with a residential FLU, except when separated by utilities, a canal, or County drainage, and screened from view.



Architectural renderings – Building B facing Old Congress Ave. (above) & Building A facing N. Congress Ave. (below)





Access & Parking

The main access to the site is from N. Congress Avenue just south of the lighted intersection at Old Congress Avenue and the Kennel Club. There is a secondary access proposed near the south property boundary and an emergency access point indicated at the north property boundary. In this scenario, southbound traffic would need to U-turn at Belvedere Rd. to access the property. The County may require that the reorient the entry to the existing intersection, and may even require that the developer improve that intersection. The main access point as proposed, orients the user to either enter the security gated Hangar area where parking is provided adjacent to each hangar unit or access the commercial uses via parking along the north side of Building C. The site is minimally over-parked with 257 spaces required and 264 provided. One space per 2,000 sf is provided for the warehouse use. Most parking encircles Building C where the most intense activity by use is anticipated.

A Type 2 Variance request to allow one landscape island per 19 parking spaces with a maximum spacing of 475 ft. in lieu of the requirement for one landscape island per 10 parking spaces with a maximum spacing of 100 ft. is included as a part of the application. The request only applies to curbside parking in front of individual hangars in Buildings B, C and D. With an understanding of how the Hangar operates for its owners, this request, while it doesn't necessarily show hardship, is reasonable. ***CRA Staff recommends approval of the Type 2 Variance request.***

Traffic & Drainage Considerations

The project is expected to generate 941 net external daily trips; 86 net am peak hour and 108 net pm peak hour trips to be allocated from the Westgate CRA's Transportation Concurrency Exception Area (TCEA) trip pool.

A drainage statement has been provided with the application. The site does not have an active permit with SFWMD or the County. The proposed drainage system will be designed in accordance with Palm Beach County Land Development, LWDD, and SFWMD C-51 drainage basin requirements. Runoff is proposed to be collected by means of paved and grass swales with inlets and storm sewer and directed to on-site dry retention. Legal positive outfall for overflow and bleed-down is available via connection to the Congress Avenue drainage system. Drainage leaving the proposed dry retention pond will be routed through outfall structures to meet water quality requirements before discharging offsite into existing exfiltration system and ultimately the SFWMD C-10 Canal.



Staff Recommendation

CRA Staff will seek Board approval of the necessary companion WCRAO amendment when justification for such amendment has been fully developed by CRA Staff and vetted by the County's Zoning Division, prior to routing through the LDBRAB/LDRC review process.

Staff requests CRA Board recommendation of **approval** for the following:

1. Rezoning from the CG, General Commercial, CN, Neighborhood Commercial, and RM, Multi-Family Residential, zoning districts to the MUPD, Multiple Use Planned Development, zoning district ("Rezoning");
2. Class A Conditional Use approval to allow +/- 14,750 square feet of Vehicle Sales and Rental Light use ("Conditional Use");
3. Type 2 Variance from ULDC Section 7.C.4.A.1.a to allow one (1) landscape island per nineteen (19) parking spaces with a maximum spacing of four hundred seventy-five feet (475') in lieu of the requirement for one (1) landscape island per ten (10) parking spaces with a maximum spacing of one hundred feet (100');
4. Development Review Officer ("DRO") Approval for +/- 6,000 square feet of Assembly Membership Non-Profit use; and
5. DRO Approval for +/- 205,720 square feet of Warehouse use. (Approvals collectively referred to herein as "Project"); and,
6. 941 net external daily trips; 86 net am peak hour and 108 net pm peak hour trips to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.

Staff requests that the CRA Board **not recommend approval** for following request made by the petitioner:

1. Type 2 Waiver from Unified Land Development Code ("ULDC") Table 7.C.2.C.3 to allow a seven foot (7') height fence with opaque landscape plantings in lieu of the required six foot (6') height opaque wall within the Incompatibility Buffer along the east property line;



Palm Beach County Zoning Division
2300 N. Jog Road
West Palm Beach, Florida 33411
Phone: (561) 233-5200
Fax: (561) 233-5165

GENERAL APPLICATION
PUBLIC HEARING AND DRO ADMINISTRATIVE PROCESSES

1. REQUEST(S)

✓ *Check Type(s) of Application Request(s) and complete as applicable:*

PUBLIC HEARING REQUESTS:

- ☐ **Official Zoning Map Amendment** from _____ Zoning District to _____ Zoning District
- ☐ With a **Concurrent Land Use Amendment** from _____ Land Use to _____ Land Use
- ☐ **Class A Conditional Use (CA)** for _____
- ☐ **Class B Conditional Use (CB)** for: _____
- ☐ **Development Order Abandonment (ABN)** of Resolution No: _____ which allowed _____
- ☐ **Expedited Application Consideration (EAC)** for: _____
- ☐ **Development Order Amendment (DOA)** to a previously approved:

☐ **COZ** ☐ **PDD/TDD** ☐ **Class A** ☐ **Class B** ☐ **Other:** _____

☐ To modify and/or delete Conditions of Approval;

☐ To add and/or delete land area;

☐ To reconfigure Plan(s) ☐ Master ☐ Site ☐ Subdivision

☐ To add and/or delete units;

☐ Landscape ☐ Regulating ☐ Sign Plan

☐ To add, delete, or modify Uses;

☐ To add and/or delete square footage;

☐ To add access points;

☐ Other: _____
- ☐ **Type 2 Variance:** *(Submit Form #43 Variance Supplemental)* **Concurrent** ☐ **Standalone** ☐
- ☐ **Subdivision Variance:** *(Submit Form #43 Variance Supplemental)* **Concurrent** ☐ **Standalone** ☐
- ☐ **PO Deviations:** *(Submit Form #92 PO Deviation)* from Article(s) _____
- ☐ **Pre-Application Conference (PAC) IRO or PRA:** *With Questions?* ☐ Yes ☐ No
- ☐ **Type 2 Waiver:** *(Submit Form #19 Waiver Supplemental)* **Concurrent** ☐ **Standalone** ☐
- ☐ **Unique Structure:** _____
- ☐ **Other:** _____

DRO ADMINISTRATIVE REQUESTS:

- ☐ **Expedited Development Review Officer** approval (DROE) *(within 2 months of BCC/ZC approval)*
- ☐ **Use** subject to **Development Review Officer (DRO)** approval for _____
- ☐ **Pre-Application Conference (PAC) - Concurrent Review:** *With Questions?* ☐ Yes ☐ No
- ☐ **Type 2 Concurrent Review:** ☐ with Building Permit # _____ **or** ☐ with Plat, Name/No. _____
- ☐ **Type 3 Concurrent Review** *(Zoning, Land Development and Building)*
- ☐ **Administrative Modification** to a Plan approved by the ZC / BCC / DRO for _____
- ☐ **Administrative Abandonment (ABN)** of a DRO Approval _____
- ☐ **Subdivision** _____
- ☐ **Transfer of Development Rights (TDR)** *(Submit Form #16 TDR Supplemental)* _____
- ☐ **Type 1 Waiver** *(Submit Form #19 Waiver Supplemental)* from Article _____ for _____
- ☐ **Other** _____

2. APPLICANT INFORMATION

Current Property Owner(s) Name: _____
Address: _____ City: _____
State: _____ Zip: _____
Phone: _____ Cell Phone: _____
Email Address: _____

Applicant's name (if other than property owner(s): _____
Address: _____ City: _____
State: _____ Zip: _____
Phone: _____ Cell Phone: _____
Email Address: _____

☐ Check (✓) here if Applicant is a contract purchaser. Consent is required from the contract purchaser if a contract is pending to purchase the subject property. Home Owners Association (HOA) or Property Owners Association (POA) consent will be required if subject property is under common ownership or request is to modify any aspect of the project which applies to the entire development (i.e. condition of approval, internal roadway, etc.)

Agent:* _____ Name of Firm: _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Cell Phone #: _____
Email Address: _____

Agent:* _____ Name of Firm: _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Cell Phone #: _____
Email Address: _____

* All correspondence will be sent to the Agent(s) unless otherwise specified.

3. PROPERTY INFORMATION (* Required Fields)	
A. *Property Control Number (PCN): <i>(List additional PCN(s) on separate sheet)</i>	
B. *Control Number:	
C. *Control Name :	
D. Application Number:	
E. *Application Name:	
F. Project Number:	
G. *Gross Acreage:	
H. Gross Acreage of affected area:	
I. *Location of subject property: <i>(proximity to closest major intersection/ road)</i>	
J. *Address:	
K. *BCC District:	
L. Overlay (Special Study Area):	
M. Tier	<input type="checkbox"/> U/S <input type="checkbox"/> R/EX <input type="checkbox"/> AGR <input type="checkbox"/> GLADES

4. LAND USE AND ZONING INFORMATION			
Current Future Land Use designation:		Proposed Future Land Use designation:	
Current Zoning District:		Proposed Zoning District:	
Existing Use(s):		Proposed Use(s):	
Existing Square Footage:		Proposed Square Footage:	
Existing Number of Units:		Proposed Number of Units:	

5. ARCHITECTURAL REVIEW

This application is subject to the requirements of Article 5.C, Design Standards and request review of the proposed elevations concurrent with:

- ☐ Type 1 Projects Requiring BCC Approval
- ☐ Type 2 Projects Requiring ZC Approval
- ☐ Type 3 Projects Requiring DRO or Site Plan Approval
- ☐ Type 4 Projects Requiring Building Permit Approval

This application also includes request(s) for Elevation review and consideration, as indicated below:

- ☐ Revise previously approved Elevations;
- ☐ Non-conforming structures that are subject to Article 5.C, Percentage of Renovations;
- ☐ Approval for Green Architecture (*Type 1 Waiver*, Art.5.C.1.E.3)
- ☐ Approval for Unique Structure (Art.5.C.1.E.2)

Note: *All application documents shall be consistent with the current Technical Manual, refer to the Zoning Web Page.*

6. ADJACENT PROPERTIES								
Complete the chart below to identify the Use and Zoning information for the surrounding properties to the project.								
Adjacent Property	FLU	Zoning District	Existing Use (Res, Comm, Ind, etc.)	Approved Use (Res, Comm, Ind, etc.)	Existing Sq. ft. or DU/AC	Approved Sq. ft. or DU/AC	Control # (FKA Petition #)	Resolution # R _
EAST								
NORTH								
SOUTH								
WEST								

7. COMPLIANCE	
YES <input type="checkbox"/> NO <input type="checkbox"/>	Is the property in compliance with all previous Conditions of Approval and applicable Code Requirements? <i>If no, please explain in the Justification Statement.</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	Is the property currently the subject of Code Enforcement action? <i>If yes, provide Code Enforcement Case Number: _____</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	Will the request require modification(s) to a recorded plat or plat with Technical Compliance? <i>If yes, explain in the Justification Statement.</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	Is the subject property an existing legal lot of record? <i>If no, submit Legal Lot Review Application to the Land Development Division.</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	Does the proposed improvements exceed the allowable improvement value of the existing structure as identified in ULDC, Article 1? <i>If yes, comply with Article 1.F – Nonconformities.</i>

8. PROPOSED USE DETAILS					
Building Name	Use(s) (as per ULDC)	Square Footage	Number of Units	Phase Name	Outparcel

9. CONCURRENCY			
Concurrency Reservation <input type="checkbox"/>		Concurrency Equivalency <input type="checkbox"/>	
		Concurrency Exemption <input type="checkbox"/>	
A. Water Provider:			
B. Waste Water Provider:			
C. Drainage District:			
D. Traffic Provider:		Traffic Trips Existing:	
E. Mass Transit Provider:		Traffic Trips Proposed:	
F. Traffic Capacity:		Number of Gross Peak Hour Trips = <i>(If greater than 30; a traffic study will be required)</i>	
G. Public School:			
H. Public Health Provider:		Well /Septic tank :	
I. Parks			
J. Fire Rescue			
K. Solid Waste:			
L. Check the proposed means of achieving access from the development site to a point of Legal Positive Outfall for storm water discharged from the site: <input type="checkbox"/> Property is contiguous to a natural waterway, or a canal owned and operated by a water control district. <input type="checkbox"/> Property owner has legally established drainage rights to convey storm water through all intervening properties between the development site and natural waterway or water control district canal. <input type="checkbox"/> Property abuts a road with a functioning drainage system, and property owner has obtained written confirmation from the entity responsible for maintaining the road that the proposed development is eligible to utilize the road drainage system, subject to meeting all permit requirements for drainage connection. <input type="checkbox"/> Other (specify): _____			

10. ENVIRONMENTAL ANALYSIS	
ENVIRONMENTAL RESOURCE MANAGEMENT (ERM) – Art. 14.B.8.C	
Is there Native Vegetation on Site?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes; a Pre-Application Appointment with ERM is required; Enter date of PAA meeting with ERM _____;
General Vegetation Statement:	
Existing and Proposed Grade/Elevation where existing Native Vegetation is to be preserved:	
Is site in a Wellfield protection zone?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes; submit Wellfield Protection Affidavit , available from ERM
HEALTH DEPARTMENT – Art.15	
In Justification Statement, under heading “Hazardous Material”, address type(s) and amount of: 1) all industrial, manufacturing, special or hazardous waste that may be generated; 2) airborne pollutants that may be generated (i.e. dust or other unconfined particulates such as NOx, SOx, CO, VOC’s, heavy metals, etc.); and, 3) any special handling of solid waste that may be required.	

This application is not complete without the following documents as attachments:

1. **Justification Statement:** to address the purpose, project history, intent and design objectives of this request, refer to Art.2.A.6.A.1 for the required information.
2. **Status of Conditions of Approval (COA):**

a. Provide letter/document which includes the status of all current Conditions of Approval;

b. Include the exact language for any modification(s) to any Condition of Approval;

c. If the application request requires time extension for Commencement of Development or recording a Plat, then provide further explanation. (This explanation may be added to the Justification Statement.)

Note: Please refer to PZB Zoning Website for all ULDC Articles <http://www.pbcgov.com/uldc/index.htm> referenced in this document and the Technical Manual for helpful information <http://www.pbcgov.com/techmanual/index.htm>



Palm Beach County Zoning Division

2300 N. Jog Road

West Palm Beach, Florida 33411

Phone: (561) 233-5200

FAX: (561) 233-5165

WAIVER SUPPLEMENTAL

An Applicant may apply for a Waiver from the requirements indicated in the various sections of the Unified Land Development Code (ULDC). Applicants submitting this Waiver Supplemental Application (**Form # 19**) are required to also submit the General Application, Public Hearing & DRO Administrative Processes (**Form # 1**).

Check (X) below for the Type(s) of Waiver request:

TYPE 1 WAIVERS

- ☐ **Glades Area Overlay (GAO) Industrial Pod Development Standards** (Art.3.B.4.F, Type 1 Waivers for Industrial Pods)
- ☐ **Native Ecosystem Overlay (NEO)**¹ (Art.3.B.7.D, Property Development Regulations (PDR's))
- ☐ **Northlake Boulevard Overlay Zone (NBOZ) Design Guidelines**¹ (Art.3.B.8.E, Type 1 Waivers for NBOZ Design Guidelines)
- ☐ **Infill Redevelopment Overlay (IRO)**¹ (Art.3.B.15.G, Type 1 Waivers)
- ☐ **Urban Redevelopment Area Overlay (URAO)**¹ (Art.3.B.16.G, Type 1 and 2 URAO Waivers)
- ☐ **Structural Setbacks – Reduction not to exceed 5% less than the minimum requirement** (Art.3.D.1.A)
- ☐ **RVPD Type 3 Incompatibility Buffer** (Art. 3.E.7.F.2, Perimeter Buffer)
- ☐ **Parking Proximity for a Type 1 Restaurant with Drive through** (Art.4.B.2.C.33.f.3.a.2, Location Criteria – Exceptions, Design Criteria)
- ☐ **Commercial Greenhouse Loading Zones** (Art.4.B.6.C.17.c.4.b)
- ☐ **Solid Waste Transfer Station Landscaping** (Art.4.B.7.C.10.d, Buffer)
- ☐ **Green Architecture** (Art.5.C.1.E.3, Type 1 Waiver – Green Architecture)
- ☐ **Parking for Community Vegetable Gardens** (Table 6.B.1.B, Minimum Parking and Loading Requirements, Note 10)
- ☐ **Loading Space for a Type 3 CLF, or Nursing Home or Convalescent Facility with More than 20 Beds.** (Table 6.B.1.B, Minimum Parking and Loading Requirements, Note 12)
- ☐ **Reduction in Number of Required Parking Spaces** (Art.6.C.1.A, Type 1 Waiver)
- ☐ **Reduction in Number of Minimum Required Loading Spaces (uses < 10,000sqft)** (Art.6.E.2.B.3, Type 1 Waiver – Reduction of Minimum Number of Required Loading Spaces)
- ☐ **Reduction of Loading Space Width or Length (for uses that require limited loading)** (Art.6.E.4.A.1.d, Type 1 Waiver – Reduction of Loading Space Width or Length)
- ☐ **Landscaping**¹ (Table 7.B.4.A, Type 1 Waivers for Landscaping)
- ☐ **PUD Informational Signs** (Art.8.G.3.B.5.b)
- ☐ **Billboard Location - Replacement Criteria** (Art.8.H.2.D.4)

TYPE 2 WAIVERS

- ☐ **WCRAO Addition of Parking to a Non-Conforming Structure**¹ (Art.3.B.14.B.1.a, Expansion of Existing Non-Conforming Parking)
- ☐ **WCRAO Density Bonus Program**¹ (Art.3.B.14.H.2, Other Density Bonus Programs)
- ☐ **IRO – Minimum Residential Setbacks from Outdoor Use** (Art.3.B.15.F.6.a.4.a, Residential Setbacks)
- ☐ **Urban Redevelopment Area Overlay (URAO)**¹ (Table 3.B.16.G, Type 1 and 2 URAO Waivers)
- ☐ **PDD Minimum Frontage** (Art.3.E.1.C.2.a.1.a, Type 2 Waiver – Infill Development)
- ☐ **PDD Cul-de- Sac Maximum Percentage for Local Streets** (Art.3.E.1.C.2.a.5.b)
- ☐ **MUPD Type 3 Incompatibility Buffer** (Art. 3.E.3.B.2.c, Landscape Buffers)
- ☐ **AGR Tier - Parking Structure** (Art.3.F.2.A.2.d.1.a, Type 2 Waiver)
- ☐ **TMD Maximum Building Height in the U/S Tier** (Art. 3.F.4.C.3.a.1, U/S Tier)
- ☐ **AGR TMD - Block Structure** (Art.3.F.4.D.9.a, Type 2 Waiver)
- ☐ **Medical Marijuana Dispensing Facility Minimum Distance from an Elementary or Secondary School** (Art. 4.B.2.C.35.i.2, Location)
- ☐ **Commercial Communication Tower Dimensional Criteria** (Art.4.B.9.H.5, Type 2 Waiver from Required Dimensional Criteria)
- ☐ **Non-Emergency Government-Owned Tower Dimensional Criteria** (Table 5.B.1.A, New, Modified, or Relocated Government Towers Not Subject to an Emergency)
- ☐ **Review Process for a Unique Structure** (Art.5.C.1.E.2, Unique Structure)
- ☐ **Hours of Operations** (Art.5.E.5.E, Type 2 Waiver)
- ☐ **Large Scale Commercial Development Parking** (Art.6.B.2.A.1.b.1.d, Type 2 Waiver)
- ☐ **Type 3 Incompatibility Buffer Landscape Barrier Wall** (Table 7.C.2.C.3, Incompatibility Buffer Landscape Requirements)
- ☐ **Electronic Message Sign** (Table 8.G.3.B, Type 2 Waivers for Electronic Message Signs)
- ☐ **Minimum Legal Access for Collocated Landscape Services in AR/RSA and AR/USA**¹ (Table 11.E.2.A-2, Chart of Minor Streets)

¹ Required to have a Pre-Application Appointment (PAA) prior to submission of an application.

1. WAIVER INFORMATION

Complete the chart below with the information requested for each Waiver. If more than five (5) Waivers are requested, provide the information on a separate sheet of paper and attach to this form. Address the three (3) applicable Standards pursuant to Article 2.C.5.F or Article 2.B.7.D, in the Justification Statement for each Waiver requested.

ULDC SECTION	REQUIRED	PROPOSED	WAIVER

2. WAIVER JUSTIFICATION STANDARDS

The Palm Beach County Unified Land Development Code (ULDC), Article 2.C.5.F, Type 1 Waivers and Article 2.B.7.D, Type 2 Waivers, requires a statement of special reason or basis for the waiver required. When considering whether to approve, approve with conditions, or deny a Waiver request, the Development Review Officer (Type 1 Waiver) or the Board of County Commissioners (Type 2 Waiver) shall consider the following standards below.

NOTE: The Applicant is required to provide a Justification Statement which outlines how each Waiver standard is being addressed, as applicable to the Waiver request(s).

All Type 1 and Type 2 Waivers must meet the general standards below as indicated in ULDC Article 2.C.5.F and Article 2.B.7.D:

1. The Waiver does not create additional conflicts with the specified Section(s) of the ULDC, and is consistent with the stated purpose and intent and standards;
2. The Waiver will not cause a detrimental effect on the overall design and development standards of the project, and will be in harmony with the general site layout and design details of the development; and,
3. The alternate design option recommended as part of the Waiver approval, if granted, will not adversely impact users of the project or adjacent properties.
4. Additional standards for Type 2 Waivers for Medical Marijuana Dispensing Facilities as contained in **Article 2.B.7.D.3.d**; or, Unique Structures as contained in **Article 2.B.7.D.4**, need to be addressed.

In addition to the above, the following Waiver requests require additional criteria to be addressed (refer to ULDC section listed below):

- A. Cul-de-sacs Criteria:
 - Cul-de-Sac Waivers shall comply with the additional criteria as provided in **Article 3.E.1.C.2.a.5, Cul-de-sacs**.
- B. Block Structure Criteria:
 - Block Structure Waivers shall comply with the additional criteria as provided in **Art. 3.F.4.d.9.a, Type 2 Waiver**.
- C. Communication Tower Criteria:
 - Communication Tower Waivers shall comply with the additional criteria as provided in **Article 4.B.9.H.5, Type 2 Waiver from Required Dimensional Criteria**.
- D. Electronic Message Sign Criteria:
 - Electronic Message Sign Waivers shall comply with the criteria in **Article 8, Table 8.G.3.B, Type 2 Waivers for Electronic Message Signs**.
- E. Landscaping Criteria:
 - Landscaping Waivers Applicants shall comply with the criteria in **Table 7.B.4.A, Type 1 Waivers for Landscaping**.
- F. Access Waiver for Collocated Landscape Service in the AR Zoning District:
 - The Access Waiver for Collocated Landscape Service in the AR Zoning District dimensional requirement pursuant to **Art. 11.E.2.A.26**.



TYPE 2 VARIANCE SUPPLEMENTAL APPLICATION

Variance applications may be submitted separately or concurrently with a request for a Development Order (DO) unless determined by the DRO that the variance is subject to a Standalone Application, and must be approved prior to the submittal of the DO application.

☐ To allow **TYPE 2 VARIANCE:**

☐ Concurrent☐ Standalone

☐ for the reduction or increase in _____

☐ for the elimination of _____

☐ for _____

☐ To allow **SUBDIVISION VARIANCE:**

☐ Concurrent☐ Standalone

for _____

Applicant must complete the chart below with the information requested for each variance. If there are more than five (5) variances requested, please provide the information on a separate sheet of paper.

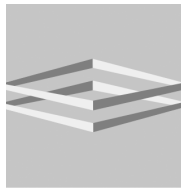
ULDC CODE SECTION	REQUIRED	PROPOSED	VARIANCE

Building Permit # (If applicable): _____

Code Violation Notice # (If applicable): _____

TYPE 2 VARIANCE STANDARDS (Art.2.B.7.E.6)

The Palm Beach County Unified Land Development Code (ULDC) Article 2.B.7.E.6, requires a statement of special reason or the basis for the variance(s) required. Article 2.B.7.E states that in order to authorize a variance, the Zoning Commission shall and must find that all seven criteria listed in Art.2.B.7.E.6 have been satisfied by the Applicant prior to making a motion for approval of a Zoning or Subdivision Variance. These seven Standards are one of the factors staff uses in formulating their recommendations and opinions. **The Applicant must address each standard separately and completely in the Justification Statement and submit as an attachment.** (Refer to Art.2.B.7.E.6, Standards for Zoning or Subdivision Variance).



**The Hangar and Airfield Business Park
Statement of Use and Justification for Rezoning to Multiple Use Planned Development,
Class A Conditional Use for Vehicle Sales and Rental Light,
Type 2 Waiver for Fence in Incompatibility Buffer, Type 2 Variance for Landscape Island Spacing, and
Development Review Officer Approval for Assembly Membership Non-Profit and Warehouse Uses**

INTRODUCTION

THE HANGAR BRAVO, LLC ("Petitioner") is the owner of a +/- 11.74-acre property located at 1050 North Congress Avenue ("Property"), which is generally located on the east side of North Congress Avenue approximately 0.1 miles north of Belvedere Road within unincorporated Palm Beach County ("County"). The Property is identified by Parcel Control Number 00-43-43-29-00-000-7061. The Property is designated CH/8, Commercial High with an underlying HR-8, on the County's Future Land Use ("FLU") Map and located within the CG, General Commercial, CN, Neighborhood Commercial, and RM, Multi-Family Residential, zoning districts. The Property is also located within the UG, Urban General, sub-area of the WCRAO, Westgate Community Redevelopment Area Overlay, and within the RRO, Revitalization and Redevelopment Overlay. The Property is located along an existing commercially developed corridor, is currently vacant, and has historically been used for temporary circus events.

The Property is in need of development to provide a catalyst for redevelopment and revitalization of this stretch of the Congress Avenue corridor. Petitioner proposes to develop the Property with a complementary mix of uses including "The Hangar", a unique private garage country club comprised of warehouses for condominium ownership by private collectors and an owner's lounge in the northern portion of the Property, and a warehouse building for more traditional warehouse use, along with boutique car repair/service and sales uses, in the southern portion of the Property. A community space and public plaza are also proposed along the Congress Avenue frontage to promote community involvement and enrichment opportunities.

The Hangar is a unique warehouse use in that it is a private garage condominium that truly functions as a private club for collectors of all types of things (cars, art, guitars, records, etc.) and is intended to not only provide a highly secure space for these things to be stored, but also a place for one to enjoy their collection and socialize with a community of like-minded enthusiasts. Each hangar warehouse bay is individually owned and is customized, designed, built-out, and decorated based upon each owner's vision for how to display and enjoy their collection. These hangar bays then become an extension of one's home, a place they can come any time to enjoy their collection and bring friends to share it with. However, The Hangar use does not allow individuals to live in or run a business out of a hangar warehouse bay. A centralized owner's lounge is provided in conjunction with The Hangar use to create a shared place for hangar owners to socialize. This area includes a lounge, conference room, catering kitchen, and rooftop deck for owners to gather, relax, host a philanthropic or social event, or have a meeting.

The warehouse and commercial uses proposed in the southern portion of the Property are a natural extension of The Hangar in that specialty, boutique car repair and sales companies are needed to service the expansive high-end car collections of The Hangar's owners. As such, the function of these uses is vastly different from a traditional auto repair or vehicle sales use with 100% of the use operations occurring indoors, no exterior vehicle display, and very low daily customer counts.

PROPERTY HISTORY

The FLU designation for the southern and western portion of the Property has been modified once since the adoption of the 1989 Comprehensive Plan, as reflected on the most recently updated Future Land Use Atlas Map Number 58. On December 5, 2001, the Board of County Commissioners (“BCC”) adopted Ordinance Number 2001-087 approving a County-wide FLU Atlas amendment to assign commercial categories for properties designated Commercial, which resulted in an amendment of the Property’s FLU designation from the C/8 designation to the existing CH/8 designation (see page 14 of Ordinance 2001-087).

There has been one public hearing zoning approval for portions of the Property granted by the Board of County Commissioners (“BCC”) between 1977 and 1991. On July 19, 1983, the BCC approved Resolution R-83-803 allowing a Special Exception to allow an Open Air Flea Market on the Palm Beach Kennel Club property located across Congress Avenue from the Property. As the Property has historically been owned by the entity that owns the Palm Beach Kennel Club, the control number is shared by both properties, though the current proposal for the Property is unrelated to the existing Palm Beach Kennel Club use.

SURROUNDING USES

The surrounding uses vary yet are consistent and compatible with the Project as it is designed to address any potential impacts on the surrounding area. The following table summarizes the nature of the development surrounding the Property:

Adjacent Property	Uses	FLU	Zoning
North	Congress Business Center MUPD	CH/8	MUPD
South	Strip Commercial Uses	CH/8	CG
West	Palm Beach Kennel Club	CH/5	CG
East	Palm Beach Colony Mobile Home Park	HR-8	RM

The foregoing table demonstrates that the Project is located within an established commercial corridor with an MUPD comprised of a mix of office, warehouse, and charter school uses located across Riviera Boulevard to the north, a strip commercial development located contiguous to the Property to the south, the Palm Beach Kennel Club located across Congress Avenue to the west, and Palm Beach Colony Mobile Home Park located contiguous to the Property to the east. The proposed uses are complementary with the surrounding land uses and promote development that will make a positive contribution to the character of the locality while also providing a valuable resource to collectors within the County, as well as a new community space and employment opportunities to members of the Westgate community. While the Project is generally complementary with the surrounding uses, the proposed commercial and warehouse uses are not strictly compatible with the adjacent residential use to the east. As such, the site plan is designed to locate the buildings along Congress Avenue to the west, place drainage areas within the eastern portion of the Property, and provide an incompatibility buffer along the east property line.

APPLICATION REQUEST

On behalf of Petitioner, Dunay, Miskel and Backman, LLP (“Agent”) respectfully submits this application requesting approval for:

- **Rezoning from the CG, General Commercial, CN, Neighborhood Commercial, and RM, Multi-Family Residential, zoning districts to the MUPD, Multiple Use Planned Development, zoning district (“Rezoning”);**
- **Class A Conditional Use approval to allow +/- 14,750 square feet of Vehicle Sales and Rental Light use (“Conditional Use”);**
- **Type 2 Waiver from Unified Land Development Code (“ULDC”) Table 7.C.2.C.3 to allow a seven foot (7’) height fence with opaque landscape plantings in lieu of the required six foot (6’) height opaque wall within the Incompatibility Buffer along the east property line;**
- **Type 2 Variance from ULDC Section 7.C.4.A.1.a to allow one (1) landscape island per nineteen (19) parking spaces with a maximum spacing of four hundred seventy-five feet (475’) in lieu of the requirement for one (1) landscape island per ten (10) parking spaces with a maximum spacing of one hundred feet (100’);**
- **Development Review Officer (“DRO”) Approval for +/- 6,000 square feet of Assembly Membership Non-Profit use; and**
- **DRO Approval for +/- 205,720 square feet of Warehouse use. (Approvals collectively referred to herein as “Project”)**

In addition, Petitioner is working with the Westgate CRA to concurrently process a sub-area map amendment to amend the Property’s sub-area designation from the UG sub-area to the UI, Urban Industrial, sub-area through an amendment to Figure 3.B.14.C of the County’s ULDC. As such, all requests and analysis detailed herein assume that the Property is located within the UI sub-area.

REZONING STANDARDS

Pursuant to ULDC Section 2.B.7.B.2, Petitioner will demonstrate that the Rezoning: (a) is consistent with the County’s Comprehensive Plan; (b) is consistent with the County’s ULDC; (c) is compatible with surrounding uses; (d) is designed to minimize environmental impacts; (e) will result in a logical, orderly and timely development pattern; (f) is compliant with the County’s concurrency standards; and (g) is necessitated by changed conditions.

- 1. Consistency with the Plan** – Approval of the Rezoning 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. As noted above, the Property is designated CH/8, Commercial High with an underlying HR-8, on the County’s FLUA. The Project proposes complementary mix of uses including “The Hangar”, a unique private garage country club comprised of warehouses for condominium ownership by private collectors and an owner’s lounge in the northern portion of the Property, and a warehouse building for more traditional warehouse use, along with boutique car repair and sales uses and a community space with a public plaza, in the southern portion of the

Property. A community space and public plaza are also proposed along Congress Avenue to promote community involvement and enrichment opportunities. The Project is designed to provide a transition from the highly travelled and intense Congress Avenue right-of-way to the existing residential uses to the east through provision of passive drainage areas and an incompatibility buffer to ensure an appropriate transition. The Project will serve community and regional commercial demand for individuals and businesses in need of a highly secure collector's private garage club, or high quality warehouse space in accordance with the requirements of the CH land use category.

Approval of the Rezoning is not only consistent with the existing FLU designation of the Property, but also with Policy 2.2.c of the PBC Comprehensive Plan, which requires the PBC Code to be consistent with appropriate elements of the PBC Comprehensive Plan including compatibility with adjacent future land uses. The Rezoning is consistent with Policy 1.2-b of the Plan, which requires that the County encourage and support sustainable urban development, including infill redevelopment. Further, the Project promotes Sub-Objective 1.2.3 of the Future Land Use Element as it involves development within the WCRAO that will expand upon the goods and services currently provided along the Congress Avenue commercial corridor within the WCRAO area and increase the value of the Property and surrounding area. The proposed Rezoning will allow for the unified infill redevelopment of the Property to provide the goods and services required by the surrounding community, consistent with Policy 1.2-b. In addition, the Project complies with the maximum 0.85 FAR provided in TABLE 2.2-e.1 of the Future Land Use Element. Considering the foregoing, the Rezoning is consistent with the County's Plan.

2. ***Consistency with the Code*** - The Rezoning complies with the applicable standards and provisions of the County ULDC for use, layout, function, and general development characteristics. The following analysis details the Rezoning's compliance with the County's ULDC.

Article 1: The Project complies with Article 1 as there are no prior public hearing approvals and Petitioner is not seeking to vest any existing nonconformities.

Article 2: The Project complies with the Development Review procedures outlined in Article 2 through the processing of this application.

Article 3: The Project is subject to the provisions of ULDC Section 3.B.14, Westgate Community Redevelopment Area Overlay, and ULDC Section 3.E, Planned Development Districts, as applicable.

Compliance with ULDC Section 3.B.14, Westgate Community Redevelopment Area Overlay

- ULDC Section 3.B.14.C: Concurrent with this Rezoning application, the CRA is processing an amendment to the County's ULDC to redesignate the Property from the UG sub-area to the UI sub-area.
- ULDC Section 3.B.14.D: The Rezoning complies with the requirement for a recommendation from the Westgate CRA prior to submittal as it is being submitted for consideration at the February 14, 2022 CRA Board meeting.

- ULDC Section 3.B.14.E: The Rezoning is not a Mixed Use project, which is prohibited in the proposed UI sub-area. As such, the Rezoning complies with this requirement.
- ULDC Table 3.B.14.E, WCRAO Sub-area Use Regulations: Once located within the UI sub-area, the Project is permitted with the proposed Vehicle Sales and Rental, Light, allowed subject to Class A Conditional Use approval, the proposed Warehouse and Assembly Membership Non-Profit uses allowed subject to DRO Approval, and the proposed Vehicle Repair and Maintenance, Light, and Office Uses permitted by right.
- ULDC Table 3.B.14.E, WCRAO Sub-area Uses Permitted by Floor: Commercial, Industrial, and Office Use are proposed on the 1st floor where Commercial, Industrial, and Office Use are allowed on the 1st floor within the UI-Sub-Area.
- ULDC Table 3.B.14.F, WCRAO Non-Residential and Mixed-Use Sub-area PDRs (UI Sub-Area):
 - Lot Dimensions
 - Min. Lot Frontage/Lot Width: +/- 990' where 300' is required
 - Min. Lot Depth: +/- 423' where 300' is required
 - Max. Building Coverage: 40% where 45% is allowed
 - Build-to-Line/Setbacks
 - Front (Congress Avenue): 15' to 25' where 10' to 25' is required
 - Side (North and South): 67.5' where 15' minimum is required
 - Rear (East): 70' where 25' minimum is required
 - Minimum Building Frontage
 - Min. Frontage: 640.9' where 607.3' minimum is required*
 - Maximum Stories/Height
 - Max. Stories: 1 story where 15 stories are allowed
 - Max. Height: 35' where 180' is allowed

* Up to 25% of the building frontage required to be placed at the build-to-line may be set back to accommodate the plaza feature provided pursuant to ULDC Section 3.B.14.F.2.a(1)(b).
- ULDC Table 3.B.14.F, WCRAO Supplementary Standards by Sub-area (UI Sub-Area):
 - Min. Building Depth: 50' minimum provided where 30' minimum required
- ULDC Section 3.B.14.J.2.: The required ROW buffer width along Congress Avenue and Old Congress Avenue is proposed to be 10' with 5' clear for planting with no encroachments.

Compliance with ULDC Section 3.E, Planned Development Districts

ULDC Section 3.E.1.A: The Project is consistent with the purpose of the MUPD zoning district to provide opportunities for enlightened and imaginative approaches to community planning and site design by: allowing flexibility from standard property development regulations; applying property

development regulations to the entire project rather than individual lots, such as: access, parking, lot dimensions, lot frontage, and landscaping; and encouraging the creation of a unified image between buildings and signage through architecture and linkages between land uses. The proposed MUPD district is also consistent with the CH/8 FLU designation.

Article 3.E.1.C.1 – Design Objectives for a PDD

The development proposal meets **Article 3.E.1.C.1 – Design Objectives** for a PDD as follows:

- 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. The MUPD proposes frontage on North Congress Avenue and Old Congress Avenue, which are identified on the County's Thoroughfare Identification Map and adequately accommodate the Project.

- 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 Project is designed to provide for connection of uses and usable open space areas/plaza spaces by a continuous non-vehicular circulation system within and adjacent to the Project.

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

The Project is designed to provide convenient parking and pedestrian connections to promote pedestrian circulation between uses.

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

The Property is currently vacant. As shown on the Tree Disposition Plan included with this application as PRP-1, all existing native vegetation, which is comprised of Cabbage Palms and Live Oaks are proposed to be preserved through relocation on-site.

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

The Project is designed to provide appropriate screening in those cases where mechanical equipment, loading, and dumpsters exist.

- 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 have been designed to minimize the potential for any adverse impact on adjacent properties. The plan submitted herein was developed after a detailed assessment of the surrounding built community and a determination where new development could be constructed with minimal impact on adjacent properties.

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

Parking throughout the Project has been designed to accommodate the proposed uses in compliance with ULDC requirements. The proposed Warehouse, Office, Vehicle Sales and Rental Light, Vehicle Repair and Maintenance Light, Assembly Membership Non-Profit, and Community Center uses provide a complementary mix of uses on the Property that will promote shared parking and reduce parking demand.

h. Creation of a strong pedestrian system through the design and placement of buildings connected to a common public space or usable open spaces;

The Project is designed to create a strong pedestrian system through the design and placement of buildings connected to the common public open space.

i. 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 Project is comprised of +/- 244,895 square feet of GFA and is designed to include three (3) pedestrian amenities including two (2) outdoor plaza spaces along Congress Avenue within the Property and one (1) piece of public art mounted on the roof of Building C.

Article 3.E.1.C.2 – Performance Standards for a PDD

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 Project exceeds this standard.

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

The Project is designed to provide an access point on North Congress Avenue, which meets this requirement for access on an arterial or collector.

- 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 Project is designed to meet all standards for road design.

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

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

- 5) *Cul-de-sacs*

No local streets or cul-de-sacs are proposed. As such, the Project meets this Performance Standard.

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

The property to the north is a residential access road, and as such cross access is not required or desired as the uses are not strictly compatible. The property to the south is developed such that it is not possible to provide cross access in a safe manner.

- 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 achieved.

- 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.*

No public streets are proposed as a part of the Project.

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 proposed with the Project will comply with Article 5.E.

c. Median Landscaping

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

This Performance Standard is not applicable as no public roads are proposed.

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.*

This Performance Standard is not applicable as no public roads are proposed. The internal parking lot and vehicular use areas 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.

This Performance Standard is not applicable as no public roads are proposed.

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 MUPD is designed to provide a Palm Tran easement adjacent to the public plaza south of the main entry adjacent to Congress Avenue.

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 Project will be designed to 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.

This Performance Standard is not applicable as no residential uses are proposed in conjunction with the Project.

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.

Compliance with parking standards is indicated on the proposed site plan.

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 proposed development provides for parking areas that are open to the public to be interconnected and have cross access.

4) *Cross Access*

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

The property to the north is a residential access road, and as such cross access is not required or desired as the uses are not strictly compatible. The property to the south is developed such that it is not possible to provide cross access in a safe manner.

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 Project complies with this standard and provides the required parking at the sides of the buildings.

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 and paved pedestrian pathways comply with this standard and provide parking areas with appropriate access to public entrances of buildings.

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.

The signage for the proposal shall comply with this standard.

j. *Emergency Generators - A permanent emergency generator shall be required for all Type II and Type III CLFs, Nursing or Convalescent Facilities, and PDD clubhouses 20,000 square feet or greater, and shall meet the standards of Art. 5.B.1.A.18, Permanent Generators.*

This Performance Standard is not applicable to the Project.

Article 3.E.3.B.1 – Design Objectives for a MUPD

The development proposal meets **Article 3.E.3.B.1 – Design Objectives** for a MUPD as follows:

a. *Allow for both residential and non-residential uses within a project that is designed to incorporate vertical or horizontal integration of residential uses, to foster compatibility within and adjacent to the project;;*

The proposed MUPD is non-residential in nature.

b. *Provide innovative building location and orientation;*

Innovative architectural design and site layout is utilized to provide for orientation onto active pedestrian and plaza spaces, where possible.

- c. *Protect adjacent residential uses from potential adverse impacts;*

The proposed MUPD is designed to orient the active components of the proposed uses in the western portion of the Property to protect the existing neighborhood to the east from potential adverse impacts. An incompatibility buffer is also proposed to mitigate any potential impacts.

- d. *Provide interconnection between uses in and adjacent to the project;*

The proposed MUPD provides a cross access between uses within the Project. The property to the north is a residential access road, and as such cross access is not required or desired as the uses are not strictly compatible. The property to the south is developed such that it is not possible to provide cross access in a safe manner.

- e. *Allow for landscape design that enhances the appearance of the project;*

Landscaping is proposed to provide an attractive streetscape and enhance the design features of the Project.

Article 3.E.3.B.2 – Performance Standards for a MUPD

The development proposal meets **Article 3.E.3.B.2 – Performance Standards** for a MUPD as follows:

- a. *Non-vehicular circulation;*

The proposed site design provides for a high level of circulation for pedestrians, including appropriate connections across vehicular use areas. Internal sidewalks connect to the sidewalks along public streets. Where sidewalks cross vehicular use areas, they are designed to be constructed of pavers, brick, decorative concrete, or similar pavement treatment.

- b. *Landscape buffers;*

Landscaping is proposed to provide an attractive streetscape and enhance the design features of the Project. A Type 2 Waiver is sought to provide a privacy fence with opaque hedge plantings in lieu of the opaque wall required along the east property line in order to provide better permeability on the ground and a more attractive view from the residential use to the east.

- c. *Cross access;*

The proposed MUPD provides a cross access between uses within the Project. The property to the north is a residential access road, and as such cross access is not required or desired as the uses are not strictly compatible. The property to the south is developed such that it is not possible to provide cross access in a safe manner.

- d. *Parking;*

Parking is proposed in compliance with Code requirements, except as noted for the requested Type 2 Variance to increase the minimum required spacing for landscape islands provided for parallel parking spaces adjacent to The Hangar warehouse bays.

MUPD Property Development Regulations

The proposed development is consistent with Table 3.E.3.D – MUPD Property Development Regulations. Therefore, the Petitioner demonstrates consistency with the Code.

The Project proposes redevelopment of a vacant and underutilized property located along the North Congress Avenue thoroughfare with the WCRAO area. The Project's proposed mix of commercial uses will result in the provision of a wider range of goods and services than is currently available in this area of the County.

Article 4: The Project also complies with all applicable portions of Article 4.b, Supplementary Use Standards, as described in more detail below and under the CONDITIONAL USE STANDARDS section.

4.B.2.C.26 Office –

- a. Definition – An establishment providing executive, management, administrative, or professional services.

The Office included in the use mix for the Project is for the administrative, management, and executive staff of the Warehouse, Vehicle Sales and Rental Light, and Vehicle Repair and Maintenance Light uses.

- b. Typical Uses – A Business or Professional Office may include but is not limited to property and financial management firms; employment, travel, advertising, or real estate agencies; payday lending offices, check cashing services, and currency exchange agencies; contract post offices; professional or consulting services; and, business offices of private companies, utility companies, public agencies, and trade associations.

The Office included in the use mix for the Project is for the administrative, management, and executive staff of the Warehouse, Vehicle Sales and Rental Light, and Vehicle Repair and Maintenance Light uses.

- c. Approval Process The use may be Permitted by Right if limited to the following:
 - 1) A maximum of 10,000 square feet of GFA per parcel in the CN Zoning District.
 - 2) A maximum of 15,000 square feet of GFA per parcel in the CLO Zoning District.
 - 3) A maximum of 20,000 square feet of GFA per parcel in the CC Zoning District.

The proposed Office use is permitted by right in the MUPD zoning district with a CH FLU designation. As such, this criterion is not applicable.

- d. Employment Agencies Business or Professional Offices that include employment agencies for temporary day or manual labor service for the construction, maintenance, agricultural, or industrial trades, shall be subject to the additional standards:

- 1) Westgate Overlay Shall be prohibited within the boundaries of the WCRAO, as per Table 3.B.14.E, WCRAO Subarea Use Regulations.
- 2) Outdoor Activities Outdoor loitering, waiting, or seating shall be prohibited on site. Outdoor seating areas may be allowed provided the site includes one or more architectural focal points such as fountains, architectural shaded structures, or gazebos.

No employment agency use is proposed. As such, the Project complies with this criterion.

- e. Accessory Office Business or Professional Office Supplementary Use Standards shall not apply to:
 - 1) A temporary office in temporary structures associated with the construction of a building or real estate sales; or
 - 2) Areas of a building dedicated to the administrative operation of a use listed in the Use Matrix.

The proposed Office is within area of the buildings dedicated to the administrative operation of a use listed in the Use Matrix. As such, the Supplementary Use Standards for this use do not apply.

4.B.2.C.31 Repair and Maintenance, Light –

- a. Definition An indoor establishment engaged in the minor repair or maintenance of automobiles, light duty commercial vehicles rated one ton capacity or less, boats, motorcycles, personal watercraft, golf carts, mopeds, lawn mowers, major household appliances, or household furniture.

The proposed Repair and Maintenance Light use is an indoor establishment engaged in the minor repair or maintenance of the items listed above.

- b. Typical Uses Light Repair and Maintenance establishments may include but are not limited to tune-up stations, glass shops, quick-lube stations, muffler shops, upholstery shops, tire installation and service, alignment shops, replacement of brake linings, and lawn mower repair and maintenance.

The proposed Repair and Maintenance Light use may include, but not be limited to the foregoing listed uses.

- c. Overlay – Westgate Community Redevelopment Area Overlay (WCRAO) Light Repair Maintenance uses are prohibited in the NR, NRM, NG, and NC Sub-areas, as outlined in Table 3.B.14.E, WCRAO Sub-area Use Regulations.

The Property is not located within the NR, NRM, NG, or NC sub-area. As such, this criterion does not apply.

- d. Zoning Districts – CN and CC District and Commercial Pod of PUD Shall be limited to a maximum of 5,000 square feet of GFA.

The Property is not located within the CN, CC, or PUD Commercial Pod zoning districts. As such, this criterion does not apply.

- e. Accessory Use Light Repair and Maintenance may be Permitted by Right as an accessory use to Heavy Repair and Maintenance.

No Heavy Repair and Maintenance is proposed in conjunction with the Project. As such, this criterion does not apply.

- f. Setbacks – No repair or maintenance building, structure, or activity shall be allowed within 100 feet of any parcel of land with a residential FLU designation or use.

The building proposed to include Repair and Maintenance Light use is setback over 100 feet from the residential use to the east. As such, the Project complies with this criterion.

4.B.2.C.41 Vehicle Sales and Rental, Light –

- a. Definition An establishment engaged in the sale, retail or wholesale, rental, or lease of new or used motor vehicles as may be defined by the Florida Department of Motor Vehicles, or boats, and recreational vehicles, including but not limited to the following vehicles typically acquired for personal noncommercial use: 1) Automobiles, sport utility vehicles (SUVs), and light trucks or vans with a curb weight of 8,000 pounds or less; or 2) Boats, personal watercraft, recreational vehicles (RVs), off-highway vehicles (OHVs), motorcycles, golf carts, or swamp buggies.

The proposed Vehicle Sales and Rental Light use is comprised of an establishment engaged in the sale, retail or wholesale, rental, or lease of the type of vehicles listed above.

- b. Typical Uses Typical uses include independent dealers, franchise dealers, wholesale dealers, or new and used recreational vehicle dealers, auto and truck rental, and boat or personal watercraft rental and sales.

The proposed Vehicle Sales and Rental Light use is intended for boutique car dealer with an indoor display area.

- c. Approval Process

- 1) Indoor Vehicle Showroom: An indoor Vehicle Sales and Rental facility located in the CG or MUPD districts shall be exempt from the minimum three-acre lot size requirement, and may be allowed subject to DRO approval and the following criteria:

- a. Floor Area - A maximum of 30,000 square feet and 15 display vehicles.

The proposed Vehicle Sales and Rental use is +/- 14,750 square feet. Pursuant to subsection (e) below, the proposed Vehicle Sales and Rental use, which is proposed to be an indoor facility located in the MUPD zoning district, is exempt from this criterion as it is a Stand Alone use.

- b. Test Drives - Test drives shall not be permitted from the Indoor Vehicle Showroom or on site.

Pursuant to subsection (e) below, the proposed Vehicle Sales and Rental use, which is proposed to be an indoor facility located in the MUPD zoning district, is exempt from this criterion as it is a Stand Alone use.

- c. Vehicle Operations - Display vehicles shall not operate engines during store hours. Engines shall only be permitted to operate during the transport of vehicle into or out of the showroom.

Pursuant to subsection (e) below, the proposed Vehicle Sales and Rental use, which is proposed to be an indoor facility located in the MUPD zoning district, is exempt from this criterion as it is a Stand Alone use.

- d. Parking - Vehicles for sale or lease shall not be parked or displayed outside of the showroom.

Vehicles for sale or lease are not proposed to be parked or displayed outside of the showroom.

- e. Stand Alone Exception - A Stand Alone facility may be exempt from the limitations of a) through c) above, provided that all vehicle display, storage, detailing, or other collocated uses or activities occur indoors.

The proposed Vehicle Sales and Rental use is a Stand Alone showroom, not associated with another use or dealership on the Property. As such, the proposed Vehicle Sales and Rental use may be allowed subject to DRO approval and is exempt from criteria a) through c) above.

- 2) Neighborhood Vehicle Rental Facility – A Neighborhood Vehicle Rental Facility may be allowed in the CN, CC, and CG Zoning Districts; the Commercial Pod of a PUD; PDDs with a CH or CL FLU designation; or the Neighborhood Center (NC) of a TDD, subject to DRO approval and the following:

- a. Vehicle Limitations – A maximum of six vehicles stored on site, limited to cars, SUVs, standard pick-up trucks, and minivans.
- b. Minimum Lot Size – The lot size shall comply with the minimum required for the applicable zoning district. Legal non-conforming Lots of Record shall be able to develop a Neighborhood Vehicle Rental Facility provided all other minimum site development regulations can be met.
- c. Parking The rental vehicles shall be parked in specifically designated spaces or located in Bull Pen Storage.
- d. Outdoor Activities Maintenance, repair, detailing, washing, cleaning, or related activities shall not be conducted on site.

A Neighborhood Vehicle Rental Facility is not proposed in conjunction with the Project. As such, this criterion does not apply.

- d. Overlay – Westgate Community Redevelopment Area (WCRA) Overlay Light Vehicle Sales and Rental is prohibited in the NR, NRM, NG, and NC Sub-areas, as per Table 3.B.14.E, WCRAO Sub-area Use Regulations.

The Property is not located within the NR, NRM, NG, or NC sub-areas. As such, this criterion does not apply.

- e. Zoning Districts

- 1) Commercial Pod of PUD and Neighborhood Center of TND Shall be limited to a Neighborhood Vehicle Rental Facility.
- 2) TMD Shall be limited to Indoor Vehicle Showroom.
- 3) Districts with Commercial Low FLU Designation The sale or rental of OHVs, RVs, boats, or motorcycles shall be subject to the standards for accessory uses.
- 4) IL District – Automobile Rental - An Automobile Rental may be allowed in the IL Zoning District where the front or side street property line is adjacent to a Major Street, subject to a Class A Conditional Use approval. [Ord. 2021-006]

The Property is not located within the PUD Commercial Pod, TND Neighborhood Center, TMD, or IL zoning and is not designed CL on the County's FLU Map. As such, this criterion does not apply.

- f. Lot Size - A minimum of three acres, excluding the following:

- 1) Indoor Vehicle Showrooms;
- 2) Motorcycle or OHV sales and rental;
- 3) Boat or watercraft sales and rental when collocated with a Marina Facility; or,
- 4) Where otherwise stated within this Subsection.

The Property exceeds the minimum 3-acre requirement. As such, the Project complies with this criterion.

- g. Accessory Uses

- 2) Marinas – Vehicle Sales and Rental limited to boats and personal watercraft may be permitted as an accessory use to Marina Facilities in the CRE district or an MUPD with CR FLU designation and shall be exempt from the minimum three-acre lot size requirement.

No Marina facilities are proposed in conjunction with the Project. As such, the Project complies with this criterion.

- 3) Accessory to Heavy Repair and Maintenance – Limited Light Vehicle Sales and Rental, may be permitted as an accessory use to Heavy Repair and Maintenance facilities, subject to DRO approval, and the following:

- a) Limited to the display or advertising of a maximum of five vehicles per lot.
- b) All storage spaces shall be located indoors or set back a minimum of 100 feet from the front and side street property lines, or in a location which is screened from view from any public street by a combination of buildings or walls, or opaque fences or landscaping.
- c) Vehicles on display shall be located within 100 feet of a repair bay.

No Heavy Repair or Maintenance facilities are proposed in conjunction with the Project. As such, the Project complies with this criterion.

- h. Nuisances – Test Drives Test drives of motor vehicles shall be prohibited on Residential Streets.

The proposed Vehicle Sales and Rental use will not include test drives on Residential Streets. As such, the Project complies with this criterion.

- i. Storage or Display Outdoor storage or display of vehicles shall only be permitted in areas designated for storage or display on an approved Development Order, subject to the following requirements:

- 1) General

- a. Vehicle Operating Conditions

- (1) The storage or display of inoperable vehicles or equipment shall be prohibited, with exception to designated storage areas permitted under an approved accessory or collocated use.

No inoperable vehicles or equipment will be stored or displayed in the Vehicle Sales and Rental use Area. As such, the Project complies with this criterion.

- (2) No vehicles or equipment shall be stored or displayed on site except those intended for sale, rental, or lease. An exception shall be permitted for new motor vehicle or equipment inventory owned by another dealership, provided that such vehicles or equipment is of the same type approved for the subject site.

No vehicles or equipment will be stored or displayed except those intended for sale, rental, or lease. As such, the Project complies with this criterion.

- b. Loading Spaces Loadings spaces shall be set back a minimum of 100 feet from an existing residential use or vacant parcel with a residential FLU designation.

Loading for this use is proposed to occur outside of business operating hours and will take place in a drive aisle or parking area a minimum of 100 feet from the adjacent residential uses to the east. As such, the Project complies with this criterion.

- c. Required Parking - Parking for vehicle storage, sales, or display may not be counted toward meeting the number of on-site parking spaces required for customers and employees.

No exterior vehicle storage, sales, or display areas are proposed. No required parking spaces will be used for vehicle storage, sales, or display areas. As such, the Project complies with this criterion.

2) Standards for Bull Pen Storage

- a. Location or Design – Bull Pen Storage areas shall be located towards the side or rear of the property and designed in a manner that clearly distinguishes the storage area from vehicle showroom or Outdoor Display areas, by placement behind buildings, or through use of opaque fences, walls, or landscape barriers a minimum of six feet high.

No Bull Pen Storage is proposed in conjunction with the proposed Vehicle Sales and Rental Light. As such, the Project complies with this criterion.

- b. Outdoor Storage - Bull Pen Storage areas shall comply with the Outdoor Storage area requirements of Art. 5, Supplementary Standards. This shall not preclude the ability to seek Variance relief.

No Bull Pen Storage is proposed in conjunction with the proposed Vehicle Sales and Rental Light. As such, the Project complies with this criterion.

3) Standards for Display Areas

- a. General - No vehicle shall be parked, stored, or displayed with its hood or trunk open. Motor vehicles on display shall not be elevated in full or in part.

No exterior display areas are proposed. No vehicles will be parked, stored, or displayed with the hood or trunk open. No elevated outdoor display areas are proposed. As such, the Project complies with this criterion.

b. Barrier - A barrier shall be provided between display areas, and customer parking, related driveway access, or drive aisles. This barrier may be in the form of a landscape strip, curbing, removable bollards, or other suitable barrier approved by the DRO.
No exterior display areas are proposed. As such, the Project complies with this criterion.

c. Design Standards - Display areas shall conform to Art. 6, Parking, Loading, and Circulation, except for space striping
No exterior display areas are proposed. As such, the Project complies with this criterion.

4.B.4.C.3 Assembly Membership Non-Profit –

a. Definition - An establishment owned or operated by a non-profit organization for social, education, or recreational purposes where paid membership is required.
The proposed Assembly Membership Non-Profit component of the Project is comprised of an establishment operated by a non-profit organization for social and recreational purposes where paid membership is required.

b. Typical Uses - An Assembly Membership Nonprofit use may include but is not limited to fraternal or cultural organizations, and union halls.
The proposed Assembly Membership Non-Profit use is a fraternal organization for private collectors.

c. Zoning Districts

1. AR/RSA District - May be allowed in the AR/RSA with an SA FLU, subject to a Class A Conditional Use approval.
2. TND District - Nonprofit Membership Assembly shall be limited to a maximum of 10,000 square feet of GFA.

The Property is not located within the AR/RSA or TND zoning districts. As such, these criteria are not applicable.

d. Frontage and Access - The use shall have frontage on and access from a Collector, Arterial, or Local Commercial Street. An Assembly Membership Nonprofit with collocated uses, or more than 15,000 square feet of GFA or 350 seats, including accessory uses, shall have frontage on and access from a Collector or Arterial Street.
The Property has frontage on and access from Congress Avenue, which is an Arterial roadway. As such, the Project complies with this criterion.

4.B.5.C.17 Warehouse –

a. Definition - An establishment used for the storage of raw materials, equipment, or products.

The proposed warehouse uses located in the secure northern portion of the Property are to be used for the storage and display of collectibles, along with accessory components such as kitchens, bars, and other social areas for use by the owner of each hangar warehouse bay. The proposed warehouse uses in the southern portion of the Property include storage of raw materials, equipment, and products.

- b. Typical Uses - Typical uses include moving companies, cold storage, and dead storage facilities, but excludes Self-Service Storage facilities.

The proposed uses include private hangar warehouse bays located in the northern portion of the Property and typical warehouse uses in the southern portion of the Property.

- c. Overlay – WCRAO - Office/Warehouse uses shall be allowed as specified in Table 3.B.14.E, WCRAO Sub-area Use Regulations. The Office/Warehouse development shall have a minimum of 25 percent office space per gross floor area for each bay.

The proposed Warehouse is not an Office/Warehouse. As such, this criterion does not apply.

- d. Zoning Districts with a CH FLU Designation A facility located in these zoning districts: CG, IRO, MUPD, or Commercial Pod of a PIPD shall comply with the following additional requirements:
(1) Outdoor Storage and activities shall be prohibited.

No Outdoor Storage is proposed in conjunction with the Warehouse use. As such, the Project complies with this criterion.

- e. Accessory Use

- 1) Office - Unless approved as a Class A Conditional Use, or as specified in the Overlay – WCRAO standard, office space in each Warehouse bay shall be a maximum of 30 percent of the GFA of that bay.

No more than 30% of the Warehouse bays are proposed to be used for Office. As such, the Project complies with this criterion.

- 2) General Retail Sales shall be prohibited, except where allowed in conjunction with flex space.

No retail sales is proposed in conjunction with the Warehouse use. As such, the Project complies with this criterion.

Article 5: The Project complies with ULDC Sections 5.B.1.A.8.A, 5.B.1.A.8.B, 5.B.1.A.8.C.2, and 5.B.1.A.8.D as all refuse containers will be stored in a storage area with a minimum dimension of ten feet (10') by ten feet (10'), located to minimize turning and backup movements by pick-up and removal vehicles, set back a minimum of twenty-five feet (25') from the property line, and screened from view by a solid enclosure and a swing-gate screening with a three foot (3') hedge on the exposed exterior sides of the enclosure. In accordance with ULDC Section 5.C Architectural Review will be completed at time of Building Permit; however, exhibits illustrating conceptual elevations are included for presentation to the Westgate CRA, Zoning Commission, and Board of County Commissioners to provide additional context regarding the buildings proposed.

Article 6: The Project complies with the parking regulations in Article 6 with the provision of 264 parking spaces where 257 parking spaces are required for the proposed uses. The parking stalls proposed in the southern portion of the Property are proposed to be 90-degree with a minimum stall size of 9.5-foot width and 18.5-foot depth. These parking stalls are served by drive aisles with a minimum width of 25 feet as required for 90-degree parking stalls that are 9.5 feet wide by 18.5 feet deep. The parking stalls proposed in the northern portion of the Property are proposed to be parallel parking spaces with a minimum length of 23 feet and a minimum width of 10 feet. These parking stalls are served by one-way drive aisles with a minimum width of 22 feet, which exceeds the minimum required width. Further, the access complies with the standards of Table 6.B.3.A with the provision of a 25-foot-wide two-way access way where a 25-foot-wide access way is required. In accordance with ULDC Section 6.E.3.C., loading is proposed to occur during non-business hours and will take place within the drive aisles or parking spaces. Loading shall be prohibited during the hours of operation.

Article 7: The Project is designed to comply with or exceed the landscape standards within Article 7, except as requested under the Type 2 Variance included with this application. The proposed ROW buffer width along Congress Avenue is 10 feet, with 5 feet clear of encroachments, in accordance with the WCRAO regulations, which allow the required perimeter buffers to be reduced by 50%. The provided incompatibility buffer along the east property line meets the 20-foot width requirement, the provided ROW buffer along the north property line meets the 15-foot width requirement with a 5-foot easement overlap, and compatibility buffer along the south property line meets the 8-foot minimum width requirement. The Project provides the required 8-foot-wide foundation planting areas along 40 percent of the facade for the east and west facades of Buildings A and E, and for the north and south facades of buildings B, C, and D. The internal sides of all buildings are exempt from providing foundation plantings pursuant to ULDC Section 7.C.3.B.2, which provides that industrial buildings that are not visible from a public street or residential zoning district are exempt from the foundation planting requirements. Interior and terminal landscape islands are provided for all 90-degree parking stalls with a maximum of 10 parking spaces in a row where a maximum of 10 are permitted and meet the minimum dimensional requirements of the ULDC with the provision of a minimum 8-foot width and 15-foot depth. Landscape islands for the parallel parking stalls located in the northern portion of the Property are provided with a maximum of nineteen (19) parking spaces in a row and a maximum spacing of four hundred seventy-five feet (475'). A Type 2 Variance is included with this application to allow this proposed configuration.

Article 8: A small wall sign is proposed along the north facade. A Preliminary Master Sign Plan is included for review. As such, the Project complies with the signage requirements in Article 8.

3. ***Compatibility with Surrounding Uses*** – The Rezoning is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the Property. The surrounding uses vary yet are consistent and compatible with the Project as it is designed to address any potential impacts on the surrounding area. The following table summarizes the nature of the development surrounding the Property:

Adjacent Property	Uses	FLU	Zoning
North	Congress Business Center MUPD	CH/8	MUPD
South	Strip Commercial Uses	CH/8	CG
West	Palm Beach Kennel Club	CH/5	CG
East	Palm Beach Colony Mobile Home Park	HR-8	RM

The foregoing table demonstrates that the Project is located within an established commercial corridor with an MUPD comprised of a mix of office, warehouse, and charter school uses located across Riviera Boulevard to the north, a strip commercial development located contiguous to the Property to the south, the Palm Beach Kennel Club located across Congress Avenue to the west, and Palm Beach Colony Mobile Home Park located contiguous to the Property to the east. The proposed uses are complementary with the surrounding land uses and promote development that will make a positive contribution to the character of the locality while also providing a valuable resource to collectors within the County, as well as a new community space and employment opportunities to members of the Westgate community. While the Project is generally complementary with the surrounding uses, the proposed commercial and warehouse uses are not strictly compatible with the adjacent residential use to the east. As such, the site plan is designed to locate the buildings along Congress Avenue to the west, place drainage areas within the eastern portion of the Property, and provide an incompatibility buffer along the east property line.

4. **Design Minimizes Adverse Impacts** – The design of the Project minimizes adverse impacts, including visual impact and intensity of the proposed use on adjacent lands. The Project is designed to be compatible with existing residential uses to the east with the location of drainage areas oriented to provide a wide buffer between the proposed uses and the residences. In addition, a 20' wide incompatibility buffer is provided to ensure no adverse impacts to the adjacent residential. Further, the buildings are oriented to provide building frontage and public plaza spaces along North Congress Avenue, consistent with the WCRAO regulations, in order to provide an attractive streetscape passersby. The Project is also designed to provide the required dimensional and landscaping components to the maximum extent possible, which ensure that the Project is aesthetically pleasing and compatible with other uses in the area.
5. **Effect on Natural ~~rev~~Environment** – The Rezoning minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment. Furthermore, the Project is designed to comply with all County, State, and federal environmental requirements.
6. **Development Patterns** – The Rezoning will result in a logical, orderly, and timely development pattern. Petitioner proposes to redevelop a vacant and underutilized property with a mix of commercial, institutional, recreational, and industrial uses, which will result in the provision of a wider range of goods and services than is currently available in the County. The Property is located within an identified redevelopment adjacent to a major thoroughfare with multiple commercial and

residential uses nearby. Furthermore, approval of the Project will promote efficient use of the County's land by developing an infill property with a vibrant mix of complementary uses.

7. **Adequate Public Facilities** – The Rezoning will not have an adverse effect on the ability of the County to provide adequate public facilities to the residents or businesses in the surrounding area. Please refer to the Traffic Statement and Drainage Statement that are included with this proposal.
8. **Changed Conditions or Circumstances** – There are changed conditions or circumstances that necessitate the Rezoning. The Property is currently vacant and underutilized. As the area has grown, the need for additional specialized warehouse uses has increased such that Petitioner is seeking to develop the Property to provide better and improved services to the community. The growth of the County and surrounding area are changed circumstances that necessitate the requested Rezoning.
9. **Hazardous Material** –The proposed mix of uses on the Property will not generate noxious odors, noises, airborne pollutants, chemicals, or waste. As such, no special handling of waste will be required.

CONDITIONAL USE STANDARDS

Pursuant to ULDC Section 2.B.7.B.2, Petitioner will demonstrate that the Class A Conditional Use for a +/- 14,750 square feet of Vehicle Sales and Rental Light use is: (1) is consistent with the County's Comprehensive Plan; (2) is consistent with the County's Unified Land Development Code ("ULDC"); (3) is compatible with surrounding uses; (4) is designed to minimize adverse impacts; (5) is designed to minimize environmental impacts; (6) will result in a logical, orderly and timely development pattern; (7) is compliant with the County's concurrency standards; and (8) is necessitated by changed conditions.

- 1) **Consistency with the Plan** – Approval of the Conditional Use 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. As noted above, the Property is designated CH/8, Commercial High with an underlying HR-8, on the County's FLUA. The Project proposes complementary mix of uses including "The Hangar", a unique private garage country club comprised of warehouses for condominium ownership by private collectors and an owner's lounge in the northern portion of the Property, and a warehouse building for more traditional warehouse use, along with boutique car repair and sales uses and a community space with a public plaza, in the southern portion of the Property. A community space and public plaza are also proposed along Congress Avenue to promote community involvement and enrichment opportunities. The Project is designed to provide a transition from the highly travelled and intense Congress Avenue right-of-way to the existing residential uses to the east through provision of passive drainage areas and an incompatibility buffer to ensure an appropriate transition. The Project will serve community and regional commercial demand for individuals and businesses in need of a highly secure collector's private garage club, vehicle sales, and high-quality warehouse space in accordance with the requirements of the CH land use category.

Approval of the Conditional Use is not only consistent with the existing FLU designation of the Property, but also with Policy 2.2.c of the PBC Comprehensive Plan, which requires the PBC Code to be consistent with appropriate elements of the PBC Comprehensive Plan including compatibility with adjacent future land uses. The Conditional Use is consistent with Policy 1.2-b of the Plan, which requires that the County encourage and support sustainable urban development, including infill redevelopment. Further, the Project promotes Sub-Objective 1.2.3 of the Future Land Use Element

as it involves development within the WCRAO that will expand upon the goods and services currently provided along the Congress Avenue commercial corridor within the WCRAO area and increase the value of the Property and surrounding area. The proposed Conditional Use will allow for the unified infill redevelopment of the Property to provide the goods and services required by the surrounding community, consistent with Policy 1.2-b. In addition, the Project complies with the maximum 0.85 FAR provided in TABLE 2.2-e.1 of the Future Land Use Element. Considering the foregoing, the requested Conditional Use is consistent with the County's Plan.

- 2) **Consistency with the Code** – The Conditional Use complies with the applicable standards and provisions of the County ULDC for use, layout, function, and general development characteristics. Please see the consistency with the code analysis within the Rezoning Standards section above for more information. Considering the information detailed herein, the Project is consistent with the ULDC.
- 3) **Compatibility with Surrounding Uses** – The Conditional Use is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the Property. Please see the compatibility with surrounding uses paragraph within the Rezoning Standards section above for more information.
- 4) **Design Minimizes Adverse Impacts** – The design of the Conditional Use minimizes adverse impacts, including visual impact and intensity of the proposed use on adjacent lands. The Project is designed to be compatible with existing residential uses to the east with the location of drainage areas oriented to provide a wide buffer between the proposed uses and the residences. In addition, a 20' wide incompatibility buffer is provided to ensure no adverse impacts to the adjacent residential. Further, the buildings are oriented to provide building frontage and public plaza spaces along North Congress Avenue, consistent with the WCRAO regulations, to provide an attractive streetscape passersby. The Conditional Use is also designed to provide the required dimensional and landscaping components to the maximum extent possible, which ensure that the Conditional Use is aesthetically pleasing and compatible with other uses in the area.
- 5) **Design Minimizes Environmental Impact** – The design of the Project minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment. Furthermore, the Project is designed to comply with all County, State and federal environmental requirements.
- 6) **Development Patterns** – The Conditional Use will result in a logical, orderly, and timely development pattern. Petitioner proposes to redevelop a vacant and underutilized property with a mix of commercial, institutional, recreational, and industrial uses, which will result in the provision of a wider range of goods and services than is currently available in the County. The Property is located within an identified redevelopment adjacent to a major thoroughfare with multiple commercial and residential uses nearby. Furthermore, approval of the Project will promote efficient use of the County's land by developing an infill property with a vibrant mix of complementary uses.
- 7) **Adequate Public Facilities** – The Conditional Use will not have an adverse effect on the ability of the County to provide adequate public facilities to the residents or businesses in the surrounding area. Please refer to the Traffic Statement and Drainage Statement that are included with this proposal.

- 8) ***Changed Conditions or Circumstances*** – There are changed conditions or circumstances that necessitate the Conditional Use. The Property is currently vacant and underutilized. As the area has grown and new and car sales increasingly take place online with only small indoor display areas required, the need for additional specialized Vehicle Sales and Rental uses has increased such that Petitioner is seeking to develop the Property to provide better and improved services to the community. The growth of the County and surrounding area, and modernization of the vehicle purchasing process are changed circumstances that necessitate the requested Conditional Use.
- 9) ***Hazardous Material*** –The proposed mix of uses on the Property will not generate noxious odors, noises, airborne pollutants, chemicals, or waste. As such, no special handling of waste will be required.

TYPE 2 WAIVER STANDARDS

As detailed above, Petitioner respectfully requests approval of a Type 2 Waiver from ULDC Table 7.C.2.C.3 to allow a seven-foot (7') height fence with opaque landscape plantings in lieu of the required six-foot (6') height opaque wall within the Incompatibility Buffer along the east property line. In accordance with ULDC Section 2.B.7.D.3, Petitioner will demonstrate below that the requested Type 2 Waiver: (a) does not create additional conflicts with other requirements of the ULDC, and is consistent with the stated purpose and intent for the zoning district or overlay; (b) will not cause a detrimental effect on the overall design and development standards of the Project, and will be in harmony with the general site layout and design details of the development; and (c) the alternative design option recommended as part of the Waiver approval, if granted, will not adversely impact adjacent properties.

- a. The Waiver does not create additional conflicts with other requirements of the ULDC and is consistent with the stated purpose and intent for the zoning district or overlay.
The requested Type 2 Waiver does not create additional conflicts with other requirements of the ULDC. Petitioner has designed a plan that is consistent with all other requirements of the ULDC while providing for the feasibility and long-term viability of the Project. The Project is consistent with the stated purposes and intent for the MUPD zoning district and WCRAO area as discussed in detail under Rezoning Standards above. The Type 2 Waiver entails only a material change from a concrete wall to a privacy fence with opaque landscape plantings for the required Incompatibility Buffer along the east property line. Considering the foregoing, the requested Type 2 Waiver does not create additional conflicts with other requirements of the ULDC and is consistent with the stated purpose and intent for the MUPD zoning district and the WCRAO area.
- b. The Waiver will not cause a detrimental effect on the overall design and development standards of the project and will be in harmony with the general site layout and design details of the development.
The requested Type 2 Waiver will not cause a detrimental effect on the overall design and development standards of the Project and will be in harmony with the general site layout and design details of the development. The Project involves a development of a large Property that will serve as a catalyst for future development along the Congress Avenue corridor within the WCRAO area. As detailed above, the Type 2 Waiver entails replacing the required opaque wall within the east Incompatibility Buffer with a privacy fence and opaque planting material, which will provide a more attractive buffer for the properties to the east. Further, allowing a fence in lieu of a wall eliminates the need for a concrete footer and allows for greater natural water percolation and drainage. As such, approval of the requested Type 2 Waiver will not cause a detrimental effect on the overall design and development standards of the Project and will be in harmony with the general site layout and design details of the development.

- c. The alternative design option recommended as part of the Waiver approval, if granted, will not adversely impact adjacent properties.

The proposed design will not adversely impact adjacent properties. As detailed above, the Type 2 Waiver entails replacing the required opaque wall within the east Incompatibility Buffer with a privacy fence and opaque planting material, which will provide a more attractive buffer for the residential properties to the east. As such, the proposed alternative design option will have a beneficial impact on adjacent properties.

TYPE 2 VARIANCE STANDARDS

As mentioned above, the Project is designed to provide parallel parking spaces for The Hangar bays located in the secured private garage country club in the northern portion of the Property. Each hangar is provided with one (1) parallel parking space adjacent to the overhead bay door and direct access via a pedestrian door. To place a landscape island between the parallel stalls would block the pedestrian access points to each bay. As such, the building function does not provide for internal landscape islands to be placed every ten (10) parking spaces with a maximum spacing of one hundred feet (100') as required under the strict interpretation of the ULDC. As such, Petitioner respectfully requests approval for a Type 2 Variance from ULDC Section 7.C.4.A.1.a to allow one (1) landscape island per nineteen (19) parking spaces with a maximum spacing of four hundred seventy-five feet (475'). The requested Type 2 Variance is mitigated through the provision of wide swaths of landscape area in highly visible areas of the Project rather than hidden behind the buildings.

Petitioner will demonstrate for the Type 2 Variance that: (a) special conditions and circumstances exist which are peculiar to the Property; (b) the special conditions and circumstances do not result from the actions of the Petitioner; (c) the granting of the variances will not confer on the Petitioner any special privileges; (d) the literal interpretation would deprive the Petitioner of rights commonly enjoyed by others in the zoning district; (e) the variances are the minimum variances that would make reasonable use of the Property; (f) the granting of the variances would be consistent with the intent of the Comprehensive Plan and Land Development Regulations; and (g) the granting of the variances will not be injurious to the area involved or otherwise detrimental to the public welfare.

1. Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure, and that are not applicable to other parcels of land, structures or buildings in the same zoning district.

Special conditions and circumstances exist which are peculiar to the Property, building, or structure and are not applicable to other lands, structures, or buildings in the MUPD zoning district. Petitioner has striven to meet or exceed all requirements of the ULDC. However, Petitioner is requesting relief to provide a maximum of nineteen (19) parking space in a row, with a maximum spacing between landscape islands of four hundred seventy-five (475'). Each hangar is provided with one (1) parallel parking space adjacent to the overhead bay door and direct access via a pedestrian door. To place a landscape island between the parallel stalls would block the pedestrian access points to each bay. As such, the building is unique and does not provide for internal landscape islands to be placed every ten (10) parking spaces with a maximum spacing of one hundred feet (100') as required under the strict interpretation of the ULDC. The increased spacing proposed results in twenty-three (23) less landscape islands than would typically be required, and 2,760 square feet less landscaped area in this parking area. However, it is important to note that this landscape area is still being provided with extra landscaped area at the north and south ends of Buildings B, C, and D, as well as additional planting

area at the west end of Building E, that exceeds the planting area that would have been required to provide landscape islands. Considering the unique building function, and that the Project is designed to exceed the landscape area that would be required for the landscape islands, there are special condition and circumstance that are peculiar to the Property and are not applicable to other parcels of land within the zoning district.

2. Special circumstances and conditions do not result from the actions of Petitioner.

The special conditions and circumstances noted above do not result from the actions of Petitioner. The special conditions and circumstances detailed above involve the nature of the use demands and the availability of peripheral spaces for additional landscaping. These conditions and circumstances do not result from the actions of Petitioner.

3. Granting the variances shall not confer upon Petitioner any special privilege denied by the comprehensive plan and the ULDC to other parcels of land, buildings or structures in the same zoning district.

Granting the Type 2 Variance would not confer upon Petitioner any special privilege that is denied to other properties within the MUPD zoning district. As described above, Petitioner has designed the Project to comply with the ULDC requirements to the greatest extent possible. However, it is not possible to meet the strict provisions of the ULDC due to the unique function of The Hangar use. The same consideration would be provided to any other property under similar constraints. As such, granting the Type 2 Variance would not confer on Petitioner any special privilege denied by the Comprehensive Plan and the ULDC to other parcels of land, buildings, or structures in the MUPD zoning district.

4. Literal interpretation and enforcement of the terms and provisions of the ULDC would deprive the Petitioner of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship.

Literal interpretation and enforcement of the terms and provisions of the ULDC would deprive the Petitioner of rights commonly enjoyed by other parcels of land in the MUPD zoning district, and would work an unnecessary and undue hardship. The literal interpretation of the provisions of the ULDC would prevent logical and safe parking and access to the building and would preclude development of the Property with the proposed Project. Requiring Petitioner to provide the required landscape islands adversely impact the design of The Hangar by eliminating access points to each bay such that the Project would not be viable. As mentioned above, Petitioner is seeking relief from the landscape island requirements simply to reallocate the planting area along the north and south sides of Buildings B, C, and D, and the west end of Building E such that the proposed planting areas will actually exceed the minimum landscape island requirements. Requiring Petitioner to provide the landscape islands at the standard spacing would work unnecessary and undue hardship on Petitioner. As such, Petitioner respectfully requests approval of the Type 2 Variance.

5. Grant of the variances is the minimum variances that will make possible the reasonable use of the parcel of land, building or structure.

The Type 2 Variance requested is the minimum variance that will allow Petitioner to make reasonable use of the Property. Petitioner is simply seeking to relocate the planting area for the required landscape

islands in order to develop a Project that complies with the ULDC requirements to the greatest extent possible including circulation, parking, signage, streetscape, and buffering requirements. As mentioned above, Petitioner is actually exceeding the minimum landscape area that would be required for the landscape islands and is simply requesting to reallocate these landscape islands to aggregated landscape area at the north and south ends of Buildings B, C, and D, and at the west end of Building E. Considering that Petitioner is actually exceeding the planting area requirements, the requested Type 2 Variance is the minimum variance that will make possible the reasonable use of the Property.

6. Granting the variances will be consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan and the ULDC.

Granting the Type 2 Variance will be consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan and the ULDC. As noted above, the Property is designated CH/8, Commercial High with an underlying HR-8, on the County's FLUA. The Project proposes complementary mix of uses including "The Hangar", a unique private garage country club comprised of warehouses for condominium ownership by private collectors and an owner's lounge in the northern portion of the Property, and a warehouse building for more traditional warehouse use, along with boutique car repair and sales uses and a community space with a public plaza, in the southern portion of the Property. A community space and public plaza are also proposed along Congress Avenue to promote community involvement and enrichment opportunities. The Project is designed to provide a transition from the highly travelled and intense Congress Avenue right-of-way to the existing residential uses to the east through provision of passive drainage areas and an incompatibility buffer to ensure an appropriate transition. The Project will serve community and regional commercial demand for individuals and businesses in need of a highly secure collector's private garage club, vehicle sales, and high-quality warehouse space in accordance with the requirements of the CH land use category.

Approval of the Project is not only consistent with the existing FLU designation of the Property, but also with Policy 2.2.c of the PBC Comprehensive Plan, which requires the PBC Code to be consistent with appropriate elements of the PBC Comprehensive Plan including compatibility with adjacent future land uses. The Conditional Use is consistent with Policy 1.2-b of the Plan, which requires that the County encourage and support sustainable urban development, including infill redevelopment. Further, the Project promotes Sub-Objective 1.2.3 of the Future Land Use Element as it involves development within the WCRAO that will expand upon the goods and services currently provided along the Congress Avenue commercial corridor within the WCRAO area and increase the value of the Property and surrounding area. The proposed Project will allow for the unified infill redevelopment of the Property to provide the goods and services required by the surrounding community, consistent with Policy 1.2-b. In addition, the Project complies with the maximum 0.85 FAR provided in TABLE 2.2-e.1 of the Future Land Use Element. The requested variance is minimal and the Project will be compatible with the surrounding land uses. Approval of the Type 2 Variance is vital to the Project, which is consistent with the County's Comprehensive Plan and the ULDC.

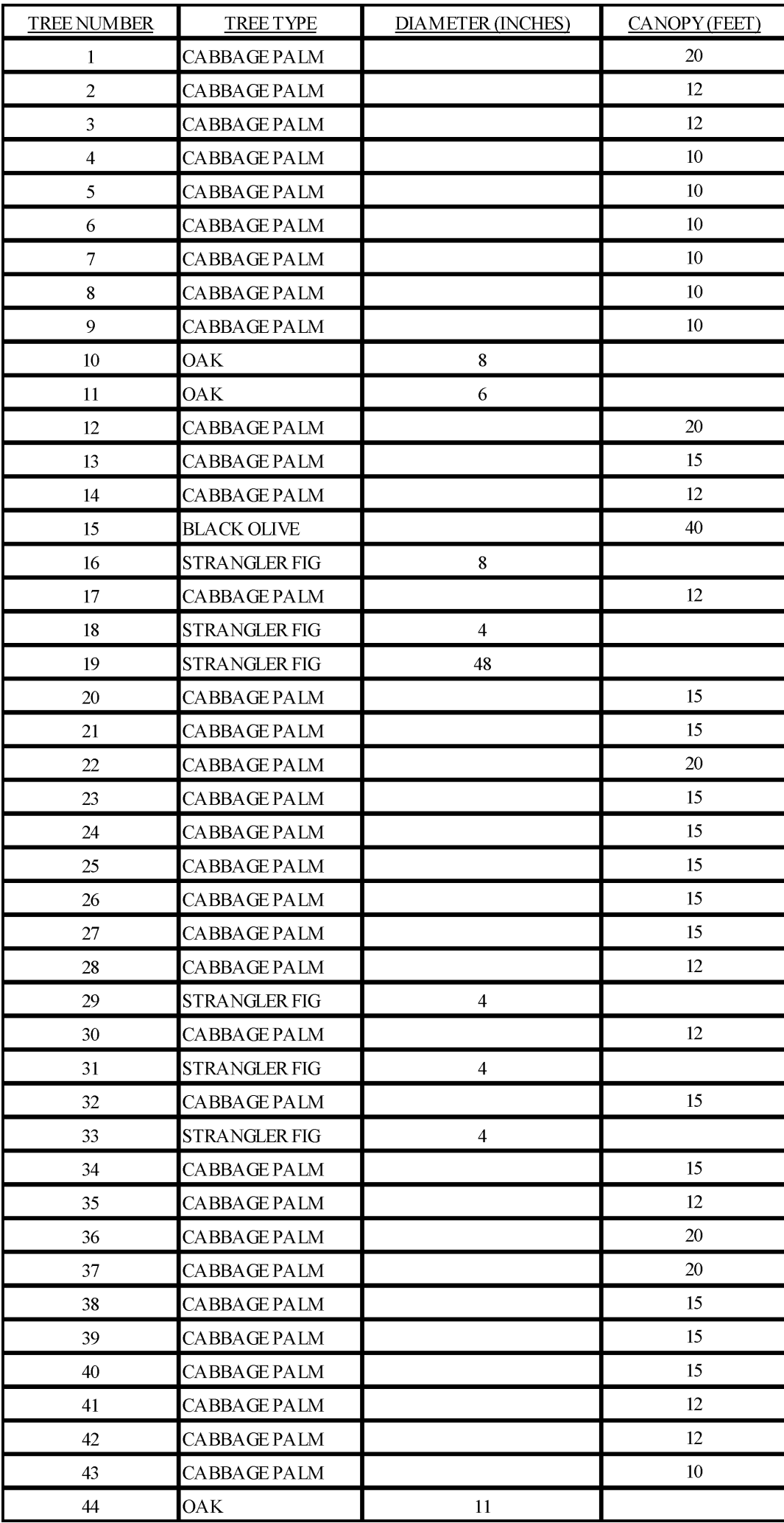
7. Granting the variances will not be injurious to the area involved or otherwise detrimental to the public welfare.

Granting the Type 2 Variance will not be injurious to the area involved or otherwise detrimental to the public welfare. As described above, the Type 2 Variance simply seeks to increase the maximum spacing for landscape islands and to reallocate the required landscape planting areas. Approval of the Type 2 Variance will allow for development of the proposed infill redevelopment Project and will not be

injurious to the surrounding area or the public welfare. As described above, the Project is consistent and compatible with the surrounding land uses and the Project will provide a much needed catalyst for redevelopment of this section of the Congress Avenue corridor. As such, granting the Type 2 Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

CONCLUSION

This application is consistent with the Goals and Objectives of The Plan and meets the technical requirements of the ULDC. Based on the above and attached information, Petitioner respectfully requests approval of the Rezoning to MUPD, Conditional Use, Type 2 Waiver, and Type 2 Variance requests detailed above and DRO Approval of the proposed Assembly and Warehouse uses and Project as a whole.



TREE NUMBER	TREE TYPE	DIAMETER (INCHES)	CANOPY (FEET)
1	CABBAGE PALM		20
2	CABBAGE PALM		12
3	CABBAGE PALM		12
4	CABBAGE PALM		10
5	CABBAGE PALM		10
6	CABBAGE PALM		10
7	CABBAGE PALM		10
8	CABBAGE PALM		10
9	CABBAGE PALM		10
10	OAK	8	
11	OAK	6	
12	CABBAGE PALM		20
13	CABBAGE PALM		15
14	CABBAGE PALM		12
15	BLACK OLIVE		40
16	STRANGLER FIG	8	
17	CABBAGE PALM		12
18	STRANGLER FIG	4	
19	STRANGLER FIG	48	
20	CABBAGE PALM		15
21	CABBAGE PALM		15
22	CABBAGE PALM		20
23	CABBAGE PALM		15
24	CABBAGE PALM		15
25	CABBAGE PALM		15
26	CABBAGE PALM		15
27	CABBAGE PALM		15
28	CABBAGE PALM		12
29	STRANGLER FIG	4	
30	CABBAGE PALM		12
31	STRANGLER FIG	4	
32	CABBAGE PALM		15
33	STRANGLER FIG	4	
34	CABBAGE PALM		15
35	CABBAGE PALM		12
36	CABBAGE PALM		20
37	CABBAGE PALM		20
38	CABBAGE PALM		15
39	CABBAGE PALM		15
40	CABBAGE PALM		15
41	CABBAGE PALM		12
42	CABBAGE PALM		12
43	CABBAGE PALM		10
44	OAK	11	

1. THIS SURVEY OR REPRODUCTIONS THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAJOR PLAT.
2. BEARINGS SHOWN HEREON ARE RELATIVE TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, HAVING AN ASSUMED BEARING OF NORTH 00°00'00" EAST. THE DESCRIPTION SHOWN HEREON IS IN ACCORD WITH THE DESCRIPTION PROVIDED BY THE CLIENT.
3. UNDERGROUND FOUNDATIONS WERE NOT LOCATED.
4. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
5. LANDS SHOWN HEREON WERE ABSTRACTED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NUMBER 9933010 WITH AN EFFECTIVE DATE OF 10/08/2021 AT 8:00 AM (REVISION NUMBER 4 NOVEMBER 18, 2021). THE SURVEYOR HAS REVIEWED SCHEDULE BI EXCEPTIONS AND ALL LOCATABLE EASEMENTS ARE SHOWN HEREON: FLOOD ZONE: ZONE X (UNSHADED), ZONE AE (EL 11.9) AND ZONE AE (EL 12.7). FLOOD INSURANCE RATE MAP 120990579F WITH AN EFFECTIVE DATE OF OCTOBER 19, 2017.
6. PROPERTY ADDRESS: 1050 NORTH CONGRESS AVENUE, WEST PALM BEACH, FLORIDA, 33409.

ALL THAT CERTAIN PLOT OR PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH,
RANGE 43 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF SECTION 29, TOWNSHIP 43 SOUTH, RANGE 43 EAST, WHICH POINT 396 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION; THENCE EAST PARALLEL TO THE WEST LINE OF SAID SECTION A DISTANCE OF 660 FEET; THENCE NORTH PARALLEL TO THE SOUTH LINE OF SAID SECTION A DISTANCE OF 660 FEET; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID SECTION A DISTANCE OF 660 FEET TO THE WEST LINE OF SAID SECTION; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 990 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM, HOWEVER, THE RIGHT-OF-WAY FOR THE ROAD KNOWN AS CONGRESS AVENUE AS THE SAME IS PRESENTLY SITUATE AND RIGHTS-OF-WAY FOR DRAINAGE CANALS, EGRESS FACILITIES AND LAND PURCHASED FEBRUARY 25, 1944 BY THE STATE ROAD DEPARTMENT FOR ROAD PURPOSES RECORDED IN DEED BOOK 682, PAGE 289.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAINING
11.737 ACRES, MORE OR LESS.

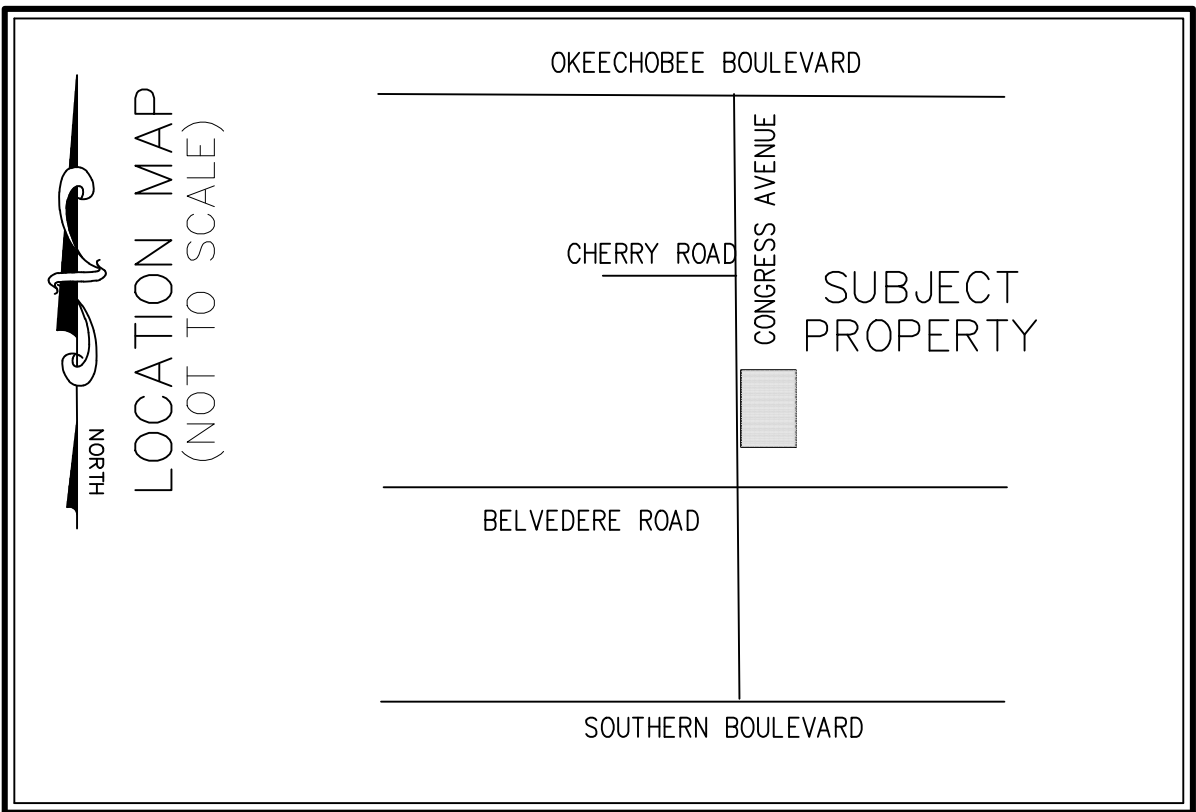
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

TO: THE HANGER DEVELOPMENT, AND ITS SUCCESSORS AND ASSIGNS
GREENBERG TRAURIG, P.A.
FIDELITY NATIONAL TITLE INSURANCE COMPANY THE HANGAR DEVELOPMENT, INC.,
A FLORIDA CORPORATION

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 8, 9, 10, 11(a), 11(b), 12, 13, 16, 17 and 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 12-21-2021.

DATE OF PLAT OR MAP: 1-24-2022


DAVID P. LINDLEY, PLS
REG. LAND SURVEYOR #5005
STATE OF FLORIDA - LB#3591



6. EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 3305, PAGE 125, CORRECTED IN OFFICIAL RECORDS BOOK 3528, PAGE 990. (DOES AFFECT. PLOTTED HEREON).

7. LAKE WORTH DRAINAGE DISTRICT RECORDED IN OFFICIAL RECORDS BOOK 6495, PAGE 761, OFFICIAL RECORDS BOOK 6495, PAGE 1165, TOGETHER WITH AFFIDAVIT RECORDED IN OFFICIAL RECORDS BOOK 6495, PAGE 1545. (DOES NOT AFFECT).

8. TERMS AND CONDITIONS AS SET FORTH IN THAT CERTAIN DEED
TO THE STATE ROAD DEPARTMENT RECORDED IN DEED BOOK 682
PAGE 289. (DOES AFFECT LANDS EXCEPTED FROM LEGAL
DESCRIPTION. SHOWN HEREON).



CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE — SURVEYING
7900 GLADES ROAD — SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

1050 N CONGRESS AVENUE
ALTA/NSPS LAND TITLE SURVEY

DATE	11/4/21
DRAWN BY	TMS
F.B./ PG.	ELEC.
SCALE	0000

JOB # 9735
SHT.NO. 1
OF 1 SHEETS

DEVELOPMENT TEAM

PLANNER:
DUNAY, MISKEL, AND BACKMAN, LLP
14 SE 4TH STREET, SUITE 36
BOCA RATON, FL 33432
786.763.0565

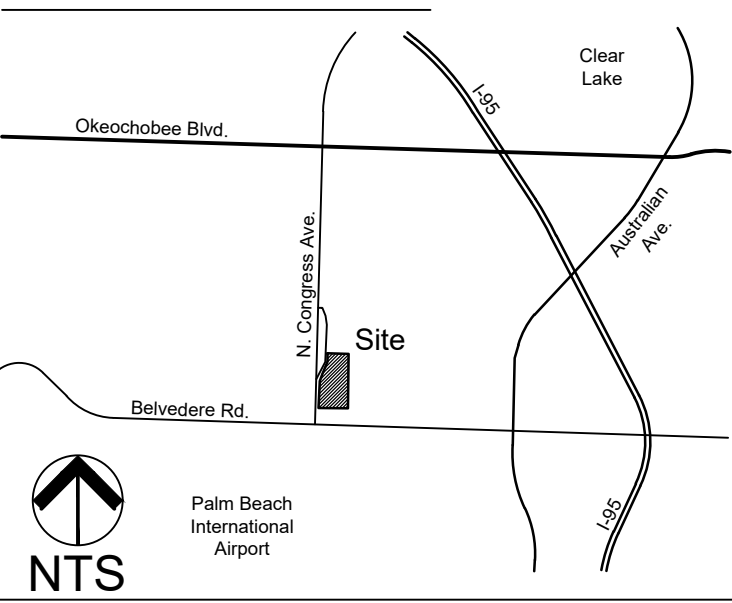
CIVIL ENIGINEER:
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561.478.7848

SITE DESIGN/LANDSCAPE ARCHITECT:
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561.379.5178

SURVEYOR:
CAULFIELD & WHEELER, INC.
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
561.392.1991

LOCATION MAP:



Urban
design
studio

Urban Design
Land Planning
Landscape Architecture

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SITE DATA

APPLICATION NAME:	THE HANGAR AND AIRFIELD BUSINESS PARK
APPLICATION NUMBER:	MUPD
CONTROL NUMBER:	TBD
PROJECT NUMBER:	1983-00050
TIER:	URBAN/SUBURBAN
EXISTING LAND USE DESIGNATION:	CN/8
EXISTING ZONING DISTRICT:	CN/CG/RM
PROPOSED ZONING DISTRICT:	MUPD
OVERLAY/STUDY AREA:	WCRAO-UG
PROPERTY CONTROL NUMBER:	00-43-43-29-00-000-7061
PROPOSED USE:	ASSEMBLY MEMBERSHIP NON-PROFIT, WAREHOUSE, OFFICE, VEHICLE REPAIR AND MAINTENANCE LIGHT, VEHICLE SALES & RENTAL LIGHT

TOTAL SITE AREA:
REQUIRED SITE AREA:
GROSS FLOOR AREA

BUILDING A	50,825 SF
WAREHOUSE	2,675 SF
OFFICE	2,250 SF
COMMUNITY SPACE	13,500 SF
VEHICLE REPAIR AND MAINT. LIGHT	14,750 SF
VEHICLE SALES & RENTAL LIGHT	

BUILDING B
WAREHOUSE
(INCLUDES 7,103 SF OF MEZZANINE)

BUILDING C
ASSEMBLY MEMBERSHIP NON-PROFIT
WAREHOUSE
(INCLUDES 18,960 SF OF MEZZANINE)

BUILDING D
WAREHOUSE
(INCLUDES 8,621 SF OF MEZZANINE)

BUILDING E
WAREHOUSE
(INCLUDES 4,538 SF OF MEZZANINE)

TOTAL FLOOR AREA RATIO:
TOTAL BLDG. COVERAGE (204,505 SF/511,263.72 SF):

PARKING REQUIRED:	257
WAREHOUSE (1 SP PER 2,000 SF)	103
COMMUNITY SPACE (1 PS PER 250 SF)	9
OFFICE (1 SP PER 250 SF)	11
VEHICLE REPAIR AND MAINT. LIGHT (1 SP PER 250 SF)	54
VEHICLE SALES & RENTAL LIGHT (1 SP PER 250 SF)	59
ASSEMBLY MEM. NON-PROFIT (1 SP PER 200 SF)	21
HANDICAP SPACES REQUIRED	7
LOADING REQUIRED	6
STANDARD A (12'x18.5')	1
VEH. SALES & RENTAL @ 14,750	1
STANDARD B (15'x55')	5
WAREHOSE @ 203,660	4
VEH. REP. AND MAINT. @13,500	1
LOADING SPACES PROVIDED	6*
*PROVIDED IN DRIVE AISLES PER ART.6.E.3.C	

PARKING PROVIDED:
STANDARD
HANDICAP
BUILDING HEIGHT:
TRAFFIC ANALYSIS ZONE:

BUILDING FRONTAGE:
REQUIRED (60% @ 1012.11)
PROVIDED
*MAXIMUM 50% OF FRONTAGE CAN BE PLAZA TO
A MAX. DEPTH OF 25' (ALLOWED: 303.5'; UTILIZED: 225')

PROPOSED VARIANCE CHART					
VARIANCE #	ULDC Code Reference Article/Section	Required	Proposed	Variance or Waiver	Approval Date/Resolution No.
1	7.C.4.A.1.a	1 Landscape Island per 10 spaces (maximum 100 feet apart)	1 Landscape Island per 19 Parallel Parking Spaces (maximum 475 feet apart)	+375' Between Landscape Islands for Parallel Parking Spaces	(pending)

PROPOSED TYPE 2 WAIVER CHART					
WAIVER #	ULDC Code Reference Article/Section	Required	Proposed	Variance or Waiver	Approval Date/Resolution No.
1	Table 7.C.2.C.3	6' Height Opaque Wall	7' Height Opaque Fence with Hedge	Substitute for 6' Opaque Wall	(pending)

PROPERTY DEVELOPMENT REGULATIONS

WCRAO MUPD (FLU - CH)	MINIMUM LOT DIMENSIONS				FAR	BLDG COV.	SETBACKS/SEPARATION*			
	SIZE	WIDTH	DEPTH	FRONTAGE			FRONT	SIDE	STREET	REAR
Required	N/A	100'	100'	200'	.85	40%	MIN. 10' MAX. 25'	25'	25'	25'
Provided	11.74 AC	990.00'	423.15'	1,012.11'	0.48	40%	15.0'	67.5'	28.1'	70'

* FOR BUILDINGS OVER 35' IN HEIGHT, ONE FOOT (1') ADDITIONAL SETBACK FOR EACH ONE FOOT (1') IN HEIGHT OVER 35'.

CONCURRENCY*	
WAREHOUSE	205,720 SF
ACCESSORY OFFICE	2,675 SF
VEHICLE REPAIR AND MAINT. LIGHT	13,500 SF
VEHICLE SALES AND RENTAL LIGHT	14,750 SF
ASSEMBLY MEMBERSHIP NON-PROFIT	6,000 SF

* CONCURRENCY IS APPROVED FOR THE ABOVE USES AND AMOUNTS SHOWN ON THIS PLAN.

PBC Amendments:

PBC Zoning Stamp:

NOTES

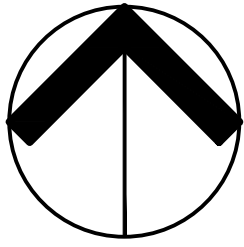
1. BASE INFORMATION OBTAINED FROM A SURVEY PREPARED BY CAULFIELD AND WHEELER, INC. DATED 11/04/2021.
2. PRIVATE EASEMENTS TO BE DEDICATED AT TIME OF PERMIT.

The Hangar and Airfield Business Park

MUPD

Palm Beach County, Florida

Preliminary Site Plan



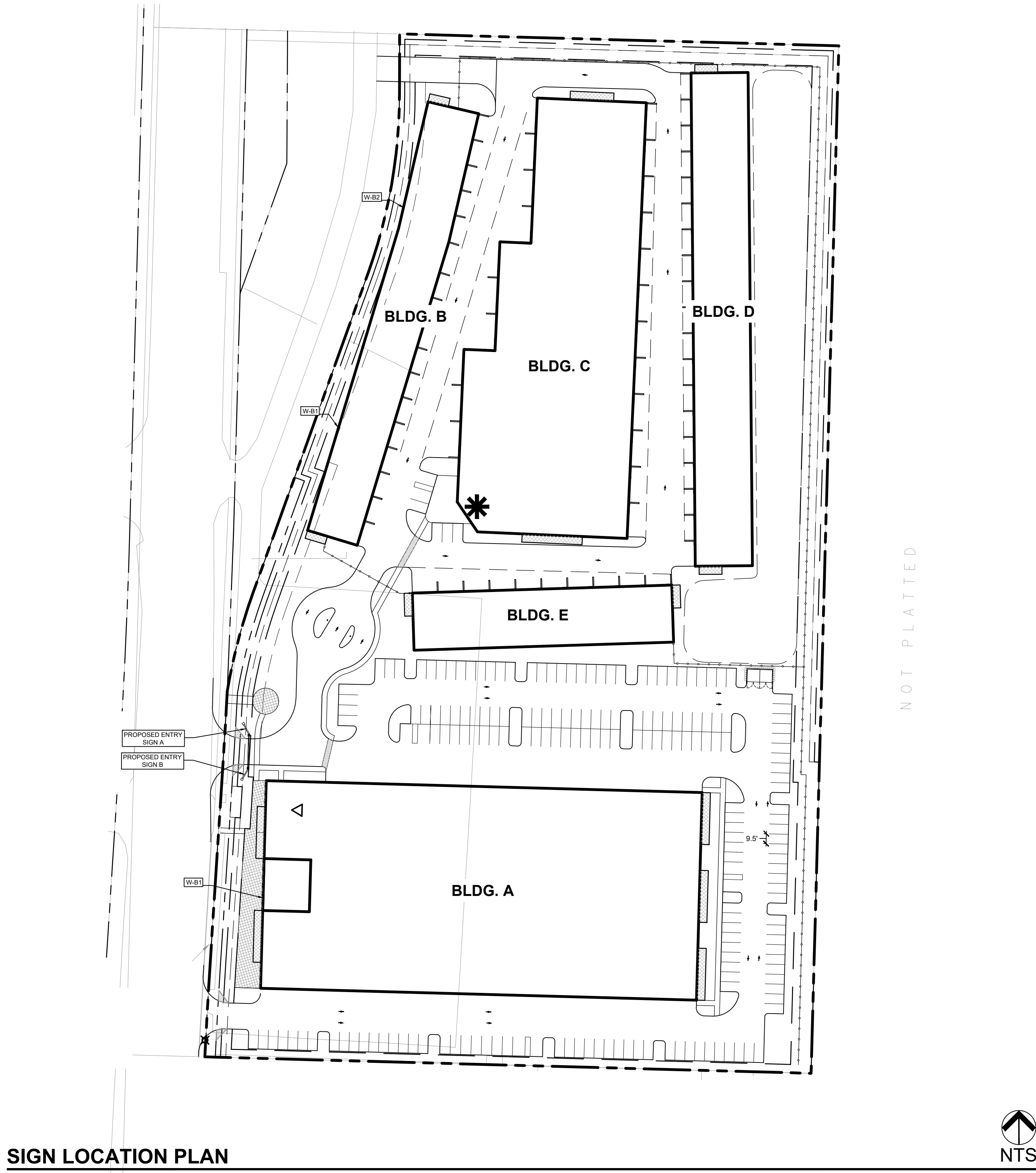
NORTH

0 25' 50' 100'
Scale: 1" = 50'-0"

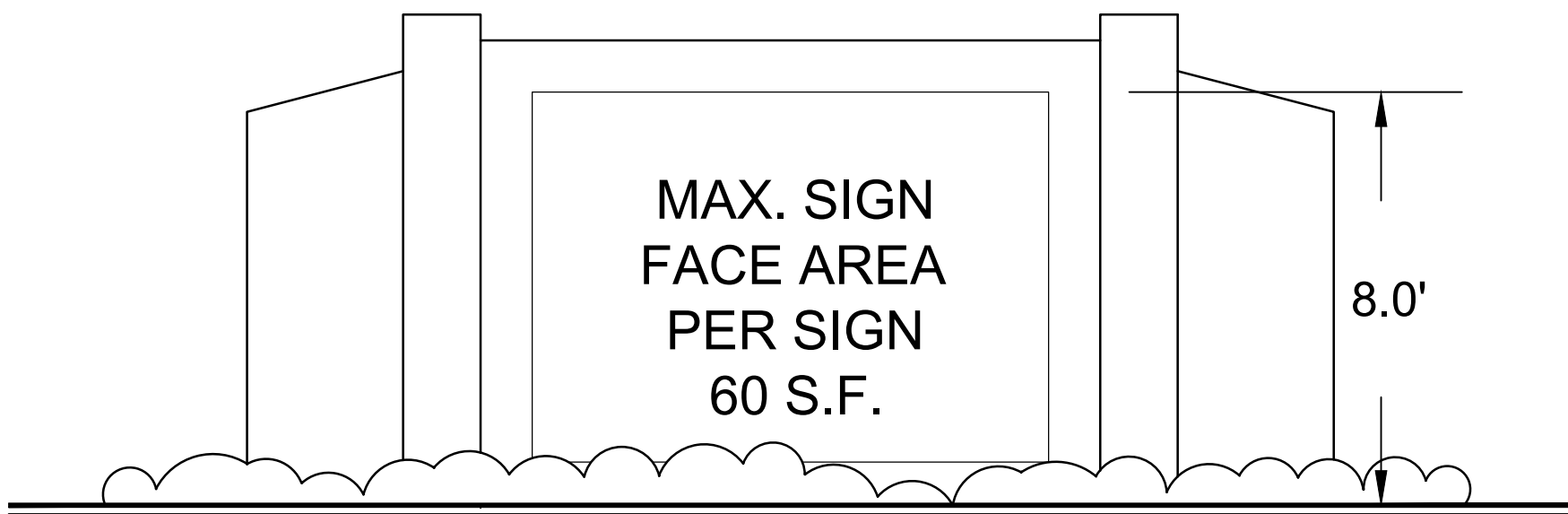
Date: 01/24/2022
Project No.: 21-065.000
Designed By: RD
Drawn By: RD
Checked By: JB

Revision Dates:
01/24/2022 CRA SUBMITTAL

PSP-1
of 1



SIGN LOCATION PLAN



STANDARD PROJECT ENTRANCE SIGN
MAXIMUM NUMBER OF SIGNS - 2 PER ENTRANCE
MAX SIGN FACE AREA - 60 S.F.
MAXIMUM SIGN HEIGHT 8'

* DETAIL REFLECTED ABOVE IS TO CONVEY GENERAL COMPLIANCE WITH CODE REQUIREMENTS AND DOES NOT REFLECT ANY DESIGN INTENT.
FINAL SIGN DESIGN WILL BE DETERMINED AT TIME OF PERMITTING.

BUILDING MOUNTED SIGNS - SIGN TYPE 'W'

WALL SIGNAGE ALLOWANCE: BUILDING MOUNTED SIGNS CONSIST OF WALL SIGNS, AWNING AND CANOPY SIGNS, PROJECTING SIGNS, AND MARQUEE SIGNS. THERE IS NO LIMIT ON THE MAXIMUM NUMBER OF WALL SIGNS AND AWNING AND CANOPY SIGNS PROVIDED THAT THE TOTAL SIZE OF ALL SUCH SIGNS DOES NOT EXCEED THE TOTAL MAXIMUM SIGNAGE AREA PERMITTED FOR WALL SIGNS. PROJECTING SIGNS OVER A PEDESTRIAN SIDEWALK AND NOT UNDER A CANOPY, AWNING, OR ARCADE, AND MARQUEE SIGNS ARE NOT INCLUDED IN THE MAXIMUM SIGN AREA CALCULATION FOR BUILDING MOUNTED SIGNS.

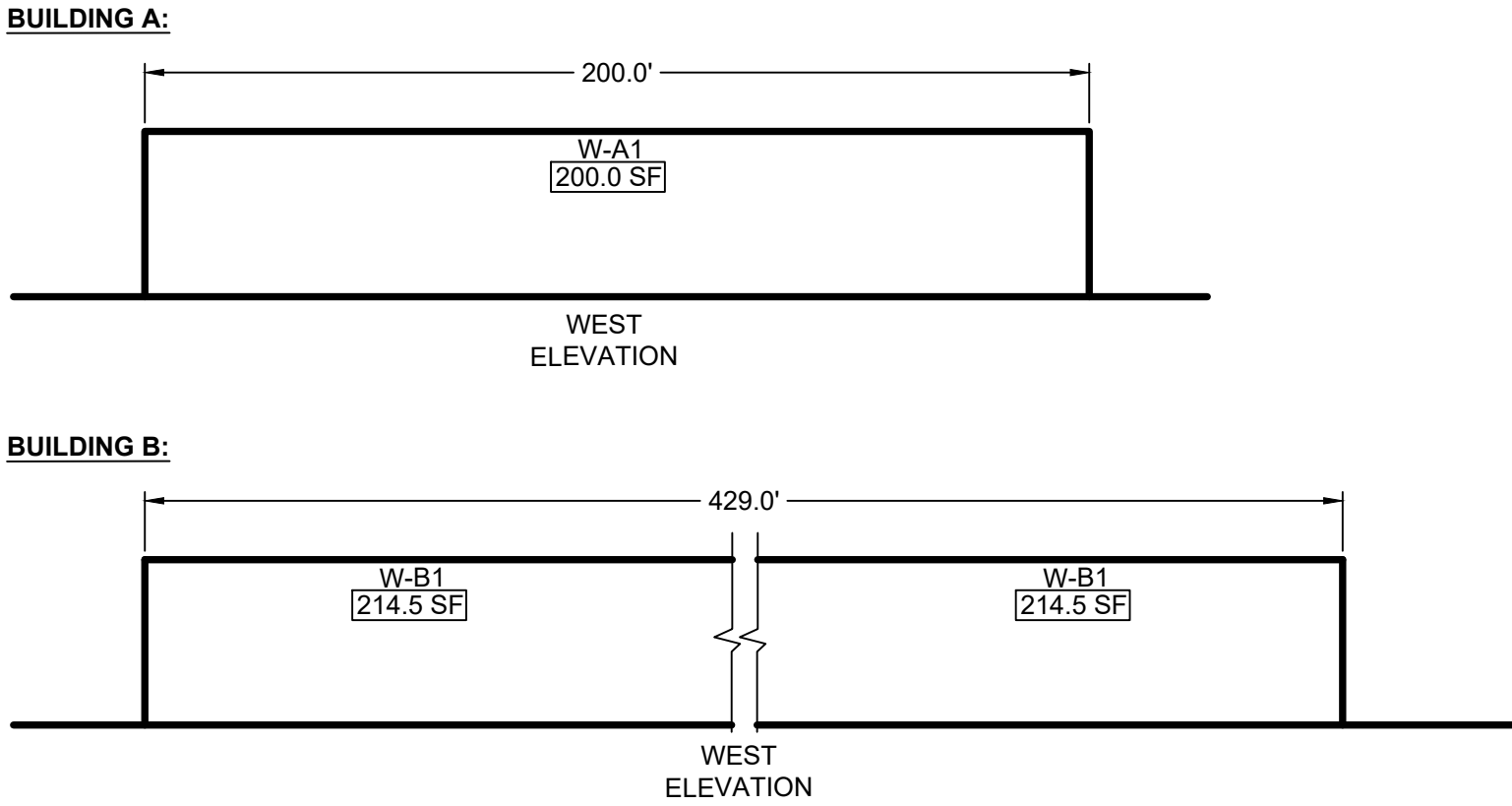
WALL SIGNAGE, IN CONFORMANCE WITH THESE PROVISIONS, TO BE DETERMINED ON FINAL BUILDING ELEVATIONS REVIEWED AT TIME OF PERMITTING FOR EACH INDIVIDUAL BUILDING:

Wall Sign Standards (U/S Tier - Per ULDC Table 8.G.1.A)	
Maximum Sign Area (Per Linear ft. of the wall to which the sign is attached) *Includes awning and canopy signs	1.0 sq. ft. - any one facade 0.5 sq. ft. - any remaining facades 0.25 sq. ft. - walls adjacent to residential zoning district or use
Min. wall sign per tenant space	24 sq. ft.
Min. horizontal and vertical separation between signs	3 ft.
Max. projection from surface of building	2 ft.
Min. vertical separation between sign and roof line	6"
Min. horizontal separation between sign and wall edge	6"

* Awning and Canopy Signs Standards :
Awning and canopy signs are included in the maximum allowable signage area for wall signs. Awning and canopy signs are permitted on the ground floor of buildings and shall be made of durable, long-lasting fabric and designed to fit the storefront. Awning and canopy signs shall be subject to the standards in Table 8.G.1.B, Awning and Canopy Signs Standards. [Ord. 2006-004]
Max. Sign Area (per sign): 24 SF / Max. Height (per sign): 25' above grade

WALL SIGN CALCULATION TABLE

(SEE LOCATION MAP FOR PLAN VIEW LOCATIONS)						
BUILDING ID	ELEVATION	SIGN(S) ID	LENGTH OF WALL IN LINEAR FEET	SIGN AREA FORMULA PER ULDC 8.G.1.A	ALLOWABLE SIGN AREA	PROPOSED SIGN AREA
A	FRONT/WEST	W-A1	200.0'	1.0 SF	200.0 SF	200.0 SF
B	REAR/WEST	W-B1	429.0'	1.0 SF	429.0 SF	214.5 SF
B	REAR/WEST	W-B2	429.0'	1.0 SF	429.0 SF	214.5 SF



SITE DATA

APPLICATION NAME: AIRFIELD BUSINESS PARK MUPD
CONTROL NUMBER: 1983-00050
PROJECT NUMBER: —

DEVELOPMENT TEAM

PLANNER:
DUNAY, MISKEL, AND BACKMAN, LLP
14 SE 4TH STREET, SUITE 36
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786.763.0565

CIVIL ENGINEER:
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561.478.7848

SITE DESIGN/LANDSCAPE ARCHITECT:
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WEST PALM BEACH, FL 33401
561.366.1100

TRAFFIC ENGINEER:
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12773 FOREST HILL BLVD., SUITE 204
WELLINGTON, FL 33414
561.379.5178

SURVEYOR:
CAULFIELD & WHEELER, INC.
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
561.392.1991

PBC Amendments:

PBC Zoning Stamp:

Date: 01/24/2021
Project No.: 21-065.000
Designed By: RD
Drawn By: RD
Checked By: JB

Revision Dates:
01/24/2021 CRA SUBMITTAL

PMSP-1
of 1

urban
design
studio

Urban Design
Land Planning
Landscape Architecture

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The Hangar and Airfield Business Park

MUPD

Palm Beach County, Florida

Preliminary Master Sign Plan

Drawing name: H:\0055\Congress & Seaside_21486\The Hangar Group_CD_000\Drawings\Site Plan\0222.01_20_Prel_Plan.dwg

VEGETATION CALCULATION:

	REQUIREMENTS	QUANTITY
a	Total Existing Vegetation on Site (Surveyed and Tagged)	44
b	Total Existing Vegetation to be preserved and remain in their original location	0
c	Total Existing Vegetation to be Relocated On-Site	37
d	Total Existing Vegetation to be mitigated	0
e	Total mitigated Vegetation to be replaced per Table 7.E.3.C - Vegetation Credit and Replacement	0
f	Total Proposed Vegetation required per Art. 7 (e.g. Perimeter Buffers and Interior Landscaping)	183
g	Total No. of Vegetation to be preserved/relocated/mitigated and Art. 7 (= b+c+e+f)	220*

*RELOCATED MATERIAL TO BE UTILIZED TO MEET INTERIOR AND BUFFER LANDSCAPE REQUIREMENTS.

VEGETATION DISPOSITION TABLE:

Tag #	Species	Size*	ERM Tree	Zoning Tree	Proposed Disposition	ERM Mitigation	Zoning Replacement	Credit	Notes
						Per Table 14.C.7.B - Native Vegetation Mitigation	Per Table 7.E.3.C - Vegetation Credit and Replacement	Per Table 7.E.3.C - Vegetation Credit and Replacement	
1	Cabbage Palm	20'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
2	Cabbage Palm	12'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
3	Cabbage Palm	12'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
4	Cabbage Palm	10'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
5	Cabbage Palm	10'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
6	Cabbage Palm	10'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
7	Cabbage Palm	10'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
8	Cabbage Palm	10'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
9	Cabbage Palm	10'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
10	Live Oak	8"	YES	N/A	RELOCATE ON-SITE	N/A	N/A	2	Area TBD at Permitting
11	Live Oak	6"	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
12	Cabbage Palm	20'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
13	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
14	Cabbage Palm	12"	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
15	Black Olive	40"	N/A	N/A	REMOVE	N/A	N/A	0	Prohibited Species
16	Strangler Fig	8"	N/A	N/A	REMOVE	N/A	N/A	0	Non-Native Invasive Roots
17	Cabbage Palm	12'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
18	Strangler Fig	4"	N/A	N/A	REMOVE	N/A	N/A	0	Non-Native Invasive Roots
19	Strangler Fig	48"	N/A	N/A	REMOVE	N/A	N/A	0	Non-Native Invasive Roots
20	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
21	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
22	Cabbage Palm	20'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
23	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
24	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
25	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
26	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
27	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
28	Cabbage Palm	12'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
29	Strangler Fig	4"	N/A	N/A	REMOVE	N/A	N/A	0	Non-Native Invasive Roots
30	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
31	Strangler Fig	4"	N/A	N/A	REMOVE	N/A	N/A	0	Non-Native Invasive Roots
32	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
33	Strangler Fig	4"	N/A	N/A	REMOVE	N/A	N/A	0	Non-Native Invasive Roots
34	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
35	Cabbage Palm	12'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
36	Cabbage Palm	20'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
37	Cabbage Palm	20'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
38	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
39	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
40	Cabbage Palm	15'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
41	Cabbage Palm	12'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
42	Cabbage Palm	12'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
43	Cabbage Palm	10'	YES	N/A	RELOCATE ON-SITE	N/A	N/A	1	Area TBD at Permitting
44	Live Oak	11"	YES	N/A	RELOCATE ON-SITE	N/A	N/A	2	Area TBD at Permitting
*Canopy Tree or Pine - Use DBH Palms - Use clear trunk or grey wood depending on species									
In conjunction with the submission of the Vegetation Barricade Permit application, a Final Tree Disposition Table will be provided that indicates the anticipated status of the existing trees and palms.									

DEVELOPMENT TEAM

PLANNER:
DUNAY, MISKEL, AND BACKMAN, LLP
14 SE 4TH STREET, SUITE 36
BOCA RATON, FL 33432
786.763.0565

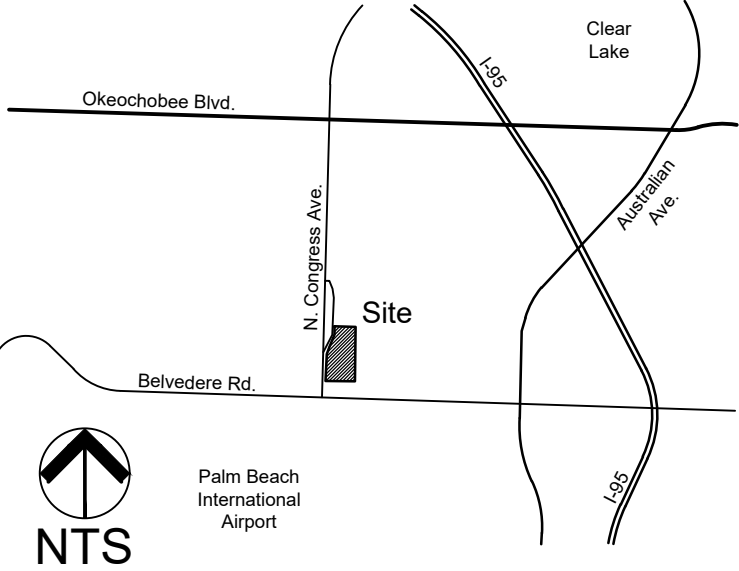
SITE DESIGN/LANDSCAPE ARCHITECT:
URBAN DESIGN STUDIOS
610 CLEMATIS STREET, SUITE CU02
WEST PALM BEACH, FL 33401
561.366.1100

SURVEYOR:
CAULFIELD & WHEELER, INC.
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
561.392.1991

CIVIL ENIGNEER:
SIMMONS AND WHITE, INC.
2581 METROCENTRE BLVD, SUITE 3
WEST PALM BEACH, FL 33407
561.478.7848

TRAFFIC ENGINEER:
JMD ENGINEERING, INC.
12773 FOREST HILL BLVD., SUITE 204
WELLINGTON, FL 33414
561.379.5178

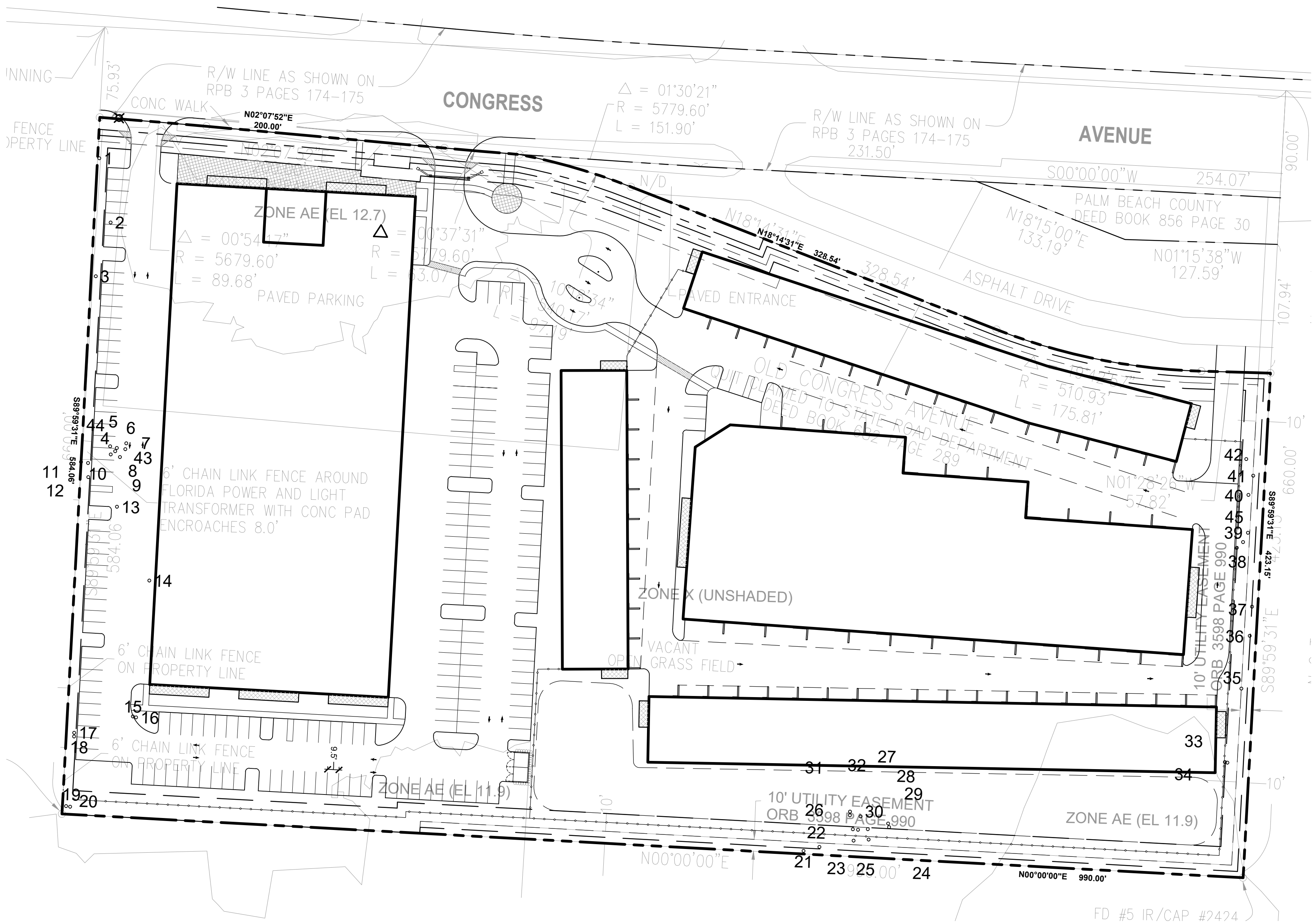
LOCATION MAP:



SITE DATA

APPLICATION NAME:	THE HANGAR AND AIRFIELD BUSINESS PARK
APPLICATION NUMBER:	MUPD
CONTROL NUMBER:	TBD
PROJECT NUMBER:	1983-00050
	TBD

TREE LOCATION PLAN:



NOTES:

- BASE INFORMATION OBTAINED FROM A SURVEY BY CAULFIELD & WHEELER, INC. DATED 11/04/21.
- TREE SPECIES VERIFIED BY JUSTIN ROGERS, ISA CERTIFIED ARBORIST FL9547A, HORTICULTURAL ASPECTS, LLC. ON JANUARY 21, 2022.

PBC Amendments:

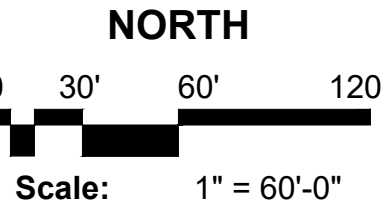
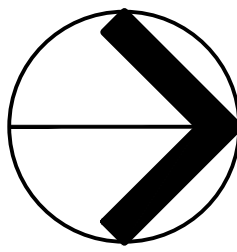
PBC Zoning Stamp:

The Hangar and Airfield Business Park

MUPD

Palm Beach County, Florida

Preliminary Regulating Plan - Tree Disposition Plan



Date: 01/24/2022
Project No.: 21-065.000
Designed By: RD
Drawn By: RD
Checked By: RD/UB

Revision Dates:
01/24/2022 CRA SUBMITTAL

PRP-1
of 1





Airfield
Business Park

Airfield
Business Park







JMD ENGINEERING, INC.

TRAFFIC IMPACT ANALYSIS (WESTGATE TCEA)

**1050 N. CONGRESS AVENUE
AIRFIELD BUSINESS PARK MUPD**

**PCN
00-43-43-29-00-000-7061**

PALM BEACH COUNTY, FLORIDA

**TP-21-44
January 21, 2022
© JMD ENGINEERING, INC.
Certificate of Authorization
Number 00009514**



This document has been electronically signed by the signatory and the signatory is responsible for the accuracy of the information contained herein. The signatory is not responsible for the accuracy of the information contained herein.

Digitally signed
by JOHN M
DONALDSON:A
01410D000001
7826F4E4FA00
003C3D
Date:
2022.01.24
08:58:19 -05'00'

**John M. Donaldson, P.E.
Florida Registration Number 40568**

INTRODUCTION

The Hanger is a proposed commercial development project and is located on the west side of Congress Avenue north of Belvedere Road in Palm Beach County, Florida (See Figure 1). The PCN for the property is 00-43-43-29-00-000-7061.

The proposed development plan is for the following uses:

Assembly Membership	6,000 s.f.
Warehouse	205,720 s.f.
General Office	2,675 s.f.
Community Space	2,250 s.f.
Vehicle Repair	13,500 s.f.
<u>Used Auto Sales</u>	<u>14,750 s.f.</u>
Total	244,895 s.f.

JMD Engineering, Inc. (JMD) was retained to prepare a traffic impact analysis for the project. As the project site is within the Westgate Traffic Concurrency Exemption Area (see attached map in Appendix), Per Article 12. Chapter K. Section 5 (Traffic Study Information) this report provides Trip Generation, Assignment throughout the Test 1 Radius of Development Influence and projections of future traffic at the site access.

This document presents the methodology used and the findings of the traffic impact analysis. The analysis was conducted in accordance with the requirements of the Countywide Traffic Performance Standards Ordinance (TPSO) of Palm Beach County. The analysis used current data available from Palm Beach County. The projected is expected to be built by December 2026.

INVENTORY AND PLANNING DATA

The data used in this analysis were obtained from Palm Beach County and collected in the field. The data included:

- 2020 peak hour traffic volumes
- Roadway geometrics

Urban Design Studio provided project development information.

PROJECT TRAFFIC

Traffic Generation

The daily and peak hour traffic generation for the development was based on trip generation rates published and accepted by Palm Beach County. The proposed development plan consists of:

Assembly Membership	6,000 s.f.
Warehouse	205,720 s.f.
General Office	2,675 s.f.
Community Space	2,250 s.f.
Vehicle Repair	13,500 s.f.
<u>Used Auto Sales</u>	<u>14,750 s.f.</u>
Total	244,895 s.f.

The Assembly membership is a unique private garage country club. The “hangars” are condos for storage and display. The 6,000 square foot Assembly membership lounge is for warehouse cond owners only. We have treated this as mini-warehouse for trip generation purposes.

The proposed project is expected to generate 941 net external daily trips, 86 net a.m. peak hour trips and 108 net p.m. peak hour trips. Table 1 presents the proposed project's trip generation.

Traffic Distribution

Traffic distribution was determined from a review of the roadway network, previous similar automotive submittals and travel time characteristics along with the various attractions. The distribution according to the cardinal directions is:

NORTH	-	10 percent
SOUTH	-	10 percent
EAST	-	40 percent
WEST	-	40 percent

Traffic Assignment

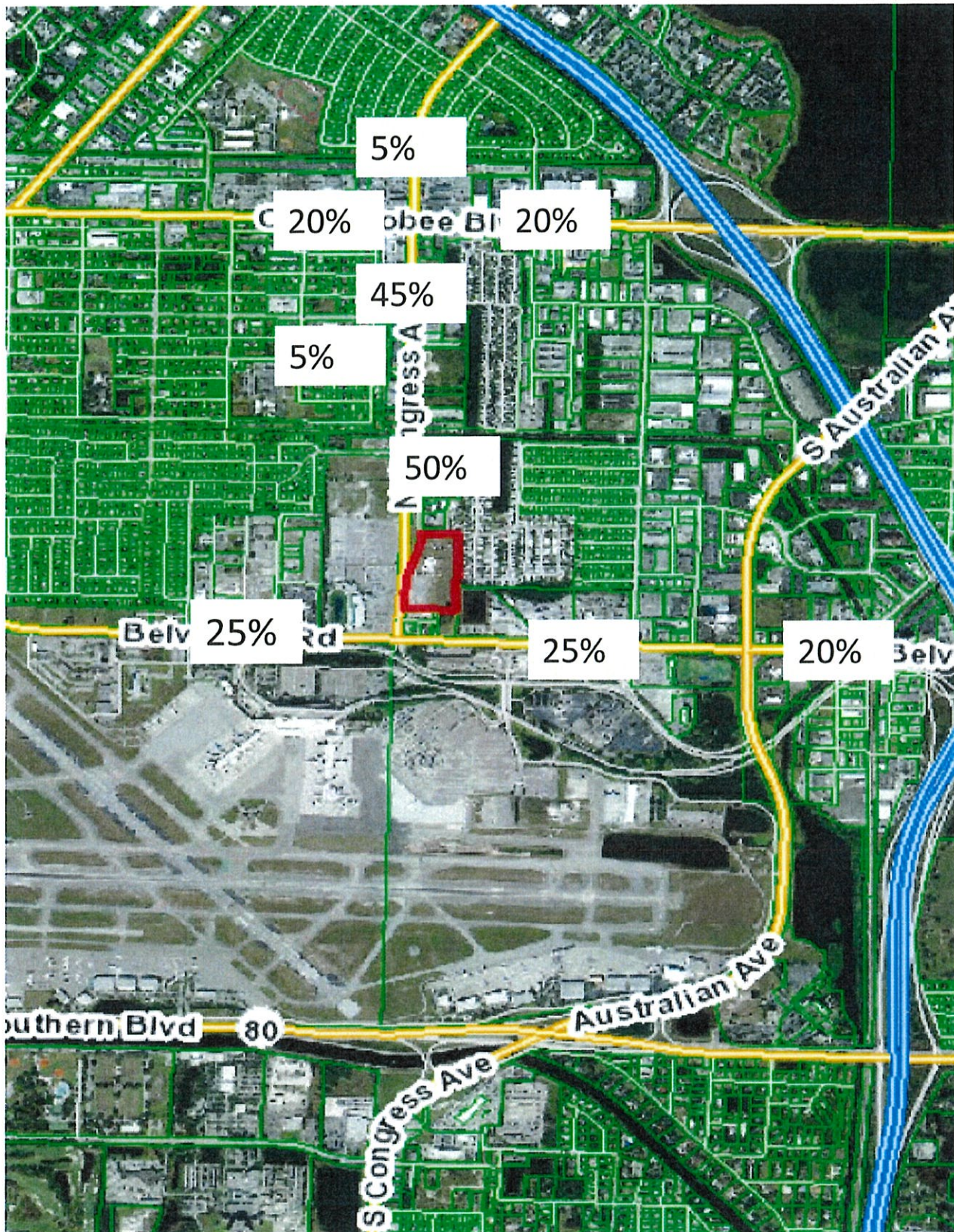
The net trips for the project were assigned to the surrounding roadway network in terms of a.m. and p.m. peak hour external trips. Figure 2 illustrates the project assignment. Based on the net traffic generation, it was determined that the maximum radius of development influence for Test 1 of the Traffic Performance Standards is two miles.

CONCLUSION

The applicant is proposing to develop one parce in the Westgate TCEA in Palm Beach County, Florida.

Assembly Membership	6,000 s.f.
Warehouse	205,720 s.f.
General Office	2,675 s.f.
Community Space	2,250 s.f.
Vehicle Reair	13,500 s.f.
<u>Used Auto Sales</u>	<u>14,750 s.f.</u>
Total	244,895 s.f.

Based on the traffic impact analysis prepared for the proposed project development, the proposed development meets the requirements of the Countywide Traffic Performance Standards of Palm Beach County.



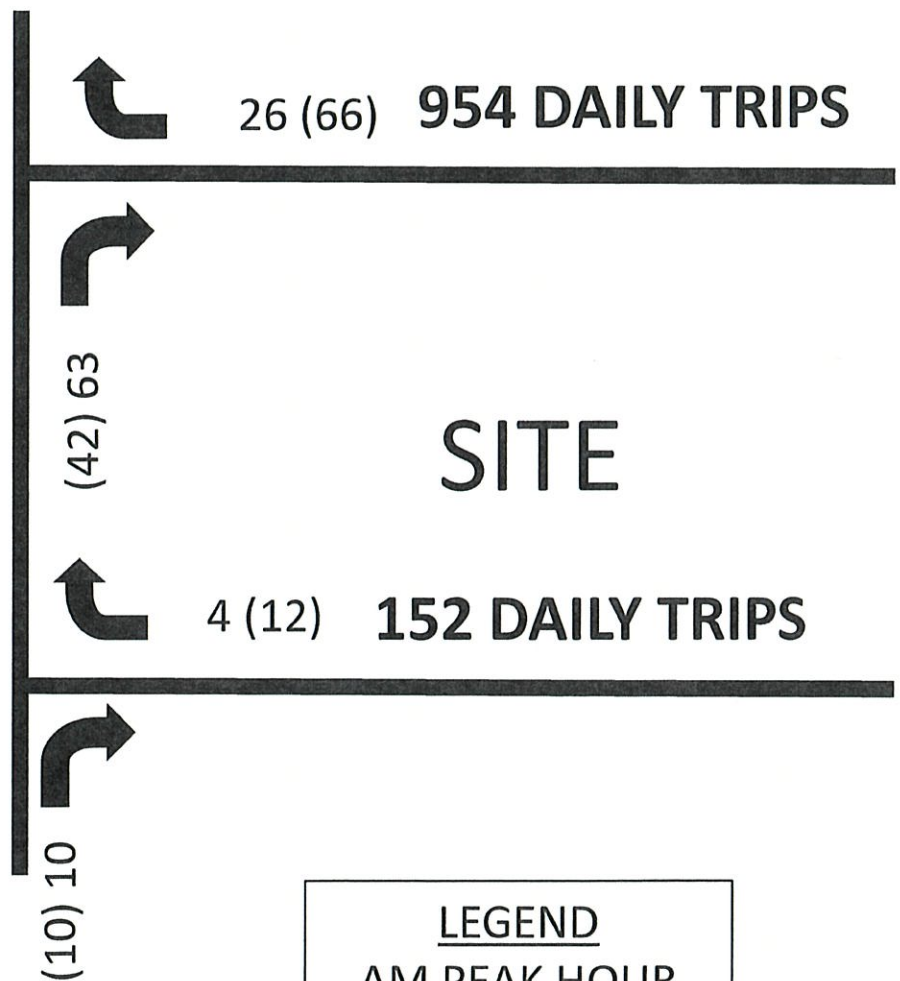
ENGINEERING, INC.

PROJECT ASSIGNMENT

FIGURE 2
1050 N. CONGRESS AVE
PALM BEACH COUNTY, FL



CONGRESS AVENUE



ENGINEERING, INC.

PROJECT
DRIVEWAY VOLUMES

FIGURE 3
1050 N. CONGRESS AVE.
PALM BEACH COUNTY, FL

TABLE 1
1050 N. CONGRESS AVENUE
TRIP GENERATION

Land Use	Intensity		Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
PROPOSED DEVELOPMENT									
Assembly Membership*	6,000	SF	9	1	1	0	1	0	1
Warehouse	205,720	SF	358	35	27	8	39	11	28
General Office	2,675	SF	43	5	4	1	7	2	5
Community Space	2,250	SF	65	4	3	1	5	2	3
Vehicle Repair**	13,500	SF	220	30	20	10	42	20	22
Vehicles Sales	14,750	SF	411	28	18	10	36	17	19
Subtotal	244,895		1,106	103	73	30	130	52	78
Pass-By									
Assembly Membership	10%		1	0	0	0	0	0	0
Warehouse	10%		36	4	3	1	4	1	3
General Office	10%		4	1	0	0	1	0	1
Community Space	0%		0	0	0	0	0	0	0
Vehicle Repair**	28%		62	8	6	3	12	6	6
Vehicles Sales	15%		62	4	3	2	5	3	2
Subtotal			165	17	12	6	22	10	12
TOTAL NET PROPOSED TRIPS			941	86	61	24	108	42	66

Palm Beach County Trip Generation Rates

Landuse	ITE CODE	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
					In/Out	Rate/Equation	In/Out	Rate/Equation
Warehouse	150	1000 S.F.	1.74	10%	77/23	0.17	27/73	0.19
Mini-Warehouse/SS	151	1000 S.F.	1.51	10%	60/40	0.1	47/53	0.17
Community Center	465	1000 S.F.	28.82	0%	66/34	1.76	47/53	2.31
General Office (>5,000 SF GFA)	710	1000 S.F.	$\ln(T) = 0.97 \ln(X) + 2.50$	10%	86/14	$\ln(T) = 0.94(X) + 26.49$	16/84	1.15
Automobile Sales (New)	840	1000 S.F.	27.84	15%	73/27	1.87	40/60	2.43
Automobile Care Center	942	1000 S.F.	N/A	0%	66/34	2.25	48/52	3.11
Tire Store**	848	1000 S.F.	28.52	0%	-	-	-	-

Footnotes:
 * - Mini Warehouse used for Member Assembly
 ** - Tire Store used for Daily for Auto Care (Vehicle Repair)

c:\documents\jmd_2009\2021 projects\tp-21-44 (hangar 1050 n congress) \jan 2022 trip gen.xlsx\trip gen

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JMD ENGINEERING, INC.

January 21, 2022
Job No. 21-143

DRAINAGE STATEMENT

The Hangar and Airfield Business Park MUPD
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the east side of Congress Avenue, approximately 350 feet north of Belvedere Road in Palm Beach County, Florida and contains approximately 11.74 acres. The Property Control Number for the subject parcel is 00-43-43-29-00-000-7061. Proposed site development on the currently unimproved parcel consists of a 244,895 SF office/warehouse development with ancillary vehicle repair, sales and rental. For additional information concerning site location and layout, please refer to the site plan prepared by Urban Design Studio.

PROPOSED DRAINAGE

The site is located within the boundaries of the Lake Worth Drainage District and the South Florida Water Management District C-51 Drainage Basin. It is proposed that runoff be collected by means of paved and grass swales with inlets and storm sewer and directed to on-site dry retention. Legal positive outfall for overflow and bleed-down is available via connection to the Congress Avenue drainage system adjacent to the parcel's west property line. Drainage design is to address the following:

1. On-site retention of the runoff from the 3 year, 1 hour rainfall event.
2. No runoff to leave the site except through an approved control structure up to the level produced by the 25 year, 3 day rainfall event.
3. Building floor elevations to be at or above the level produced by the 100 year, 3 day rainfall event.
4. Parking lots to be protected from flooding during a 3 year, 24 hour.

PROPOSED DRAINAGE (CONTINUED)

5. Allowable discharge to be in accordance with South Florida Water Management District and Lake Worth Drainage District criteria.
6. Due consideration to water quality (including ½” dry pre-treatment per South Florida Water Management District criteria).
7. Compliance with the South Florida Water Management District C-51 Drainage Basin Criteria with regard to compensating storage via on-site dry detention. The Site Plan as proposed will meet the requirements of the C-51 Drainage Basin.

Required permits/approvals shall include the following:

1. Palm Beach County Engineering Department On-Site Drainage Approval
2. Lake Worth Drainage District Permit
3. South Florida Water Management District Environmental Resource Permit

Robert F. Rennebaum, P.E.
FL Reg. No. 41168

Robert F. Rennebaum, P.E., State of Florida,
Professional Engineer, License No. 41168

This item has been electronically signed and
sealed by Robert F. Rennebaum, P.E. on 01/21/2022
using a SHA-1 Authentication Code.

Printed copies of this document are not considered signed
and sealed and the SHA-1 Authentication Code must
be verified on any electronic copies.

al: x:/docs/trafficanddrainage/ds.21143

Professional Services Agreement - Continuing Services Contract

Date: February 3, 2022

Name of Project: Westgate CRA – Unified Land Development Regulations (ULDC) Amendments (2022 ULDC Amendment Round)

Client Name: Mr. Elizee Michel, Executive Director, Westgate/Belvedere Homes CRA
Mrs. Denise Pennell, Senior Planner, Westgate/Belvedere Homes CRA

Client Address: 1280 N Congress Ave. Suite 215
West Palm Beach, FL 33409

Phone Number: (561) 640-8181

Email: emichel@pbcgov.org
dpennell@pbcgov.org

Type of Project: Assist WCRA staff with proposed amendments to the WCRAO portion of the ULDC.

Brief Description: Westgate CRA has requested consulting services to assist with efforts to incorporate proposed ULDC amendments into the WCRA Overlay to address Supplementary Standards, Density Bonus Programs, Signage, Split Zoning, Parking Regulations, Sub-area PDR, and landscape modifications to name a few. Also ensure that Code related Comprehensive Plan Policies are concurrently addressed. This will include drafting of Code language, meetings with County staff and various associated agencies. Represent the amendments through the LDRAW and BCC. The scope of work will be accomplished over a period of time commencing in February 2022 with final adoption of said Code Amendments tentatively in December 2022.

Task 1: Prepare for and attend reoccurring meetings with WCRA staff as well as coordination with other County agencies as proposed Code language is developed. This task will include round table discussions and brainstorming sessions with the WCRA to develop the code language and prepare justification and formatting of the proposed Code amendments for submittal to County Zoning. Attend workshops as necessary with WCRA Board and interested parties. The amendments to be reviewed and modified are those found in the letter issued to Palm Beach County Principal Site Planner, dated November 29, 2021. **Hourly Budget: \$ 15,000.00**

Task 2: Conduct research regarding the ULDC as it relates to the amended sections of the Overlay as well as cross referencing other section of the Code to ensure compliance/compatibility. **Hourly Budget: \$4,000.00**

Task 3: Public representation at applicable Boards/Committees/Commissions (WCRAO Board, LDRAW / LDRC, BCC 2 readings) **Hourly Budget: \$6,000.00**

Fee Estimate: The tasks referenced above will be billed on an hourly basis (not to exceed \$25,000.00) based on the previously contractually agreed upon fee structure below plus reimbursable expenses. Fees required to address building permit review comments will be billed on an hourly basis as detailed below.

Hourly Rates:

Principal	\$135.00	Planner	\$115.00
Landscape Arch	\$ 75.00	Drafting	\$ 65.00
Clerical	\$ 45.00		

Reimbursable: Photography/ Reproduction/ Printing/Mileage/Color Graphics

1551 N. Flagler Drive, Ste 102 West Palm Beach, Florida 33401 ■ Tel. (561) 684-6141 ■ jschmidt@snlandplan.com

Payment: Payment for all services rendered is required within thirty (30) days of receipt of billing statement. If the project described in this contract is for any reason terminated or delayed beyond a reasonable time. Schmidt Nichols reserves the right to bill and be paid for that portion of the documents and services that have been completed.

Acceptance:
If the terms of this additional work agreement are acceptable, please have an authorized representative of the client sign one (1) copy and return it to our attention as our authorization to proceed with the tasks detailed above.

Accepted by: _____
Jon E. Schmidt, President

Accepted by: _____

Date: _____

Date: _____



2/1/2022

Westgate CRA
1280 N Congress Avenue Suite 215
West Palm Beach, FL 33409

PROJECT: CRA 2021-01 Westgate Dog Park
SUBJECT: Request for Time Extension

Denise,

This letter is to notify CRA Westgate that the following circumstances have added delays to the project.

- Electrical Work - The time it took JRLD to design the electrical plan and to distribute to FPL and county added 21 days.
- Water Meter - Delay from the county to get a quote and the meter install set up is adding 30 days which we may or may not need.
- Master Permit – Issued 11/24. Critical path items were delayed because of permit review process.

As a result we expect to be complete by 3/24/22.

If you have any questions, please contact me at 561-848-1110.

Sincerely,

Ezra Saffold

President

All-Site Construction

2915 E Tamarind Avenue West Palm Beach, FL 33407