

Staff Recommendation

Staff recommends the approval of a twelve month time extension to record a plat from September 12 1992 to September 12 1993 and the amendment of condition number 5 of Resolution R-89-1616 as follows

Condition number 5 which currently states

Use of the site shall be limited to a Congregate Living Facility for two hundred twenty (220) residents In the case of conversion the site shall be limited to a maximum of twelve (12) dwelling units per acre

Is hereby amended to state

Use of the site shall be limited to a Congregate Living Facility for one hundred five (105) residents In the case of conversion the site shall be limited to a maximum of eight (8) dwelling units per acre

This recommendation is based on the following

- 1 With the amendment of condition number 5 the approval will be consistent with the Comprehensive Plan
- 2 The project meets the Countywide Traffic Performance Standard
- 3 The property owner has complied with conditions of approval

Development Approval Being Reviewed. Zoning Petition 89-35 was approved by the adoption of Resolutions R-89-1615 and R-89-1616 on September 12 1989 The resolutions rezoned the property to a RM-Multiple Family Residential Zoning District and granted a Special Exception to permit a Planned Unit Development consisting entirely of a Congregate Living Facility-Type 3 (Maximum 20 residents) The zoning action is now being reviewed pursuant to Unified Land Development Code Section 5 8 Compliance with time limitations for failure to meet platting requirements

Property Description. The subject property is approximately 7.4 acres in size and is on the west side of Haverhill Road approximately 0.9 of a mile south of 45th Street (SR 702)

Property Owner(s). Forty Six Eighty Five Haverhill Inc

Required Action. Unified Land Development Code Section 5 8 requires that the Board of County Commissioners take one or more of the following actions grant a time extension of up to twelve months rezone the property and/or revoke the Special Exception impose entitlement density/intensity add or modify conditions of approval permit the property owner to file a petition to add or modify conditions of approval

REVIEW FACTORS

Consistency with Land Use Plan

The Land Use Plan category for the subject property is High Residential 8 The current approval for a Planned Unit Development would not be allowed today based on the PUD minimum acreage requirements of the Palm Beach County Land Development Code (Table 6 8-4) In the High Residential 8 category, the minimum number of acres for a PUD is ten This project is proposed on 7.37 acres Table 6 4-5 permits a maximum of 14.3 residents per acre in a standard zoning district This permits

a maximum of 105 residents on this property. The current approval for 220 residents is therefore inconsistent with both the Comprehensive Plan and Land Development Code. In addition, condition number 5 for conversion purposes references a maximum number of dwelling units per acre which may be permitted. The condition states that this is twelve, but the Comprehensive Plan would allow a maximum of eight (8).

Performance Standards

The current approval, which will generate approximately 473 trips per day, meets the Countywide Traffic Performance Standard.

Supplemental Information

Condition number 11 of Resolution R-89-1616 required the conveyance of right-of-way for Haverhill Road and 47th Place. This has been done.

Condition number 13 required the conveyance of road drainage easements. This has been done.

November 1992