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**Meeting Name:** Town Council

**Meeting Date:** August 28, 2024

**Prepared By:** Davila, F. CFM.

**Item Title:** Future Land Use Amendment Request by Juno Square LLP – The Dunes at Juno Beach

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**Background**

Coutler and Hearing (Agent) has submitted a petition on behalf of Juno Square LLP (Owner) requesting to amend the Town of Juno Beach’s Future Land Use Map (FLUM) for a parcel under the ownership of Juno Square LLP and one public right-of-way (the Cocoanut Avenue ROW). The applicant has submitted a separate application requesting to amend the Town’s Zoning Designation for the parcel and the existing ROW. A copy of the petition to amend the Future Land Use Map is attached and labeled as “Attachment I” along with a copy of a map identifying the location of the parcel labeled as “Attachment II”.

The existing 4.32-acre subject site, known as “Juno Square,” is located at the southwest intersection of Donald Ross Road and U.S. Highway One at 13951 U.S. Highway One in the Town of Juno Beach. It presently consists of one parcel with a Parcel Control Number (PCN) of 28-43-41-28-10-007-0111. This parcel retains the Town of Juno Beach FLU classification of Commercial (COM), and a zoning district designation of Commercial General (CG). Juno Square is part of the Juno Square Commercial Plaza located at 13955 U.S. Highway One and it currently contains a vacant building (former location for Anchor Commercial Bank), parking, and a shared driveway.

Along with the Future Land Use Amendment request, the contract purchaser is the parcel is also requesting that the Town abandon the 50’ Cocoanut Avenue ROW (separate application). The Cocoanut ROW contains approximately .3789 acres and, if abandoned, the ROW will be incorporated into the parcel owned by Juno Square LLP, creating a new total site area of 4.70 acres.

The applicant is proposing to assign the Moderate Density Residential (MODR, up to 15 units per acre) Future Land Use (FLU) classification to the 4.7 acres of land (subject site and the Cocoanut Avenue ROW). As a separate application, the applicant is also proposing to down-zone the property from Commercial General (CG) to Residential Multiple-Family – Moderate Density (RM-2).

The following table outlines the site information in relation to each parcel that is part of the proposed Future Land Use Map Amendment request:

Table 1.

PCN	Owner Information	Address	FLU	Zoning	Area
28-43-41-28-10-007-0111	Juno Square LLP	13951 US Highway 1	COM	CG	4.32 AC.
Cocoanut Av. ROW	Town of Juno Beach	Unassigned	N/A	N/A	0.378 AC.
<b>Total</b>					<b>4.7 AC.</b>

The following is a summary of the uses surrounding the subject site.

Table 2.

	FLU	Zoning	Existing Use
<b>North</b>	Commercial (COM)	Commercial Office (CO)	Under Construction (mixed-use)
<b>South</b>	Low Density Residential (LDR), up to 5 Units Per Acre. Commercial (COM)	Residential Single-Family (RS-5), Residential Duplex (R-DUP), and Commercial General (CG)	Single Family Residential and Commercial Plaza
<b>East</b>	Commercial (COM)	Commercial General (CG)	Restaurant, Commercial Plaza, and Hotel
<b>West</b>	Low Density Residential (LDR), up to 5 Units Per Acre. Conservation (CON)	Residential Single-Family (RS-5), Environmental Sensitive Land (ESL)	Single Family Residential, and Preserve

At the August 5<sup>th</sup>, 2024, Planning and Zoning Board meeting, the Board reviewed and discussed the petition to amend the Town's Future Land Use map and on a 4-1 vote recommended approval to the Town Council.

### **Discussion**

The applicant submitted the following as justification for this request:

The project proposes 40 townhome units within the 4.70-acre parcel. To do so, the applicant is proposing to down-zone the property from Commercial General (CG) to Residential Multiple-Family-Moderate Density (RM-2) and amend the Future Land Use Map from Commercial (COM) to Moderate Density Residential (MODR), thus allowing a transitional density for the site, given its location to the single-family subdivision (Palm Beach Heights) located to the south. It should be noted that the maximum permitted density within this site is 56 units, however, the applicant's proposal of 40 total units is significantly less than the maximum permitted.

### **Staff Analysis:**

The subject parcels for this FLUM Amendment total approximately 4.7 acres and if approved by the Board and the Town Council, will adopt the FLU classification of Moderate Density Residential (MODR, up to 15 units per acre).

Based on the proposed FLUM amendment, Staff requests that the Board and Town Council review the criteria applicable to proposed amendments to the Town of Juno Beach Comprehensive Plan. The criteria for consideration of a proposed FLUM Amendment include, but are not limited to, the following (staff's responses are in **bold**, the applicant has provided their responses within their Statement of Use):

- Indicate whether proposed classifications would require text modifications (amendments) to existing classifications, or whether new future land use classifications are requested. If a text amendment or new classification is proposed, specify the proposed modification or classification. See Future Land Use Plan, Town of Juno Beach Comprehensive Development Plan for definitions of currently adopted future land use classifications.

**The proposed classification does not require any text amendment to any existing land use classification, and no new future land use classifications are being requested. The applicant is seeking to assign an existing future land use classification currently applicable to other residential projects with an RM-2 Zoning Classification.**

- Describe how the proposed future land use is compatible with adjacent future land use classifications, the effect the amendment will have on the current distribution of residential and commercial future land uses, and if the proposed future land use is compatible with existing land uses, including those within and adjacent to the subject property.

**The applicant is proposing a Moderate Density Residential (MODR) FLU classification for the subject property, the adjacent FLU classifications surrounding the property are Commercial and Low Density Residential. As indicated by the applicant, the MODR designation creates an appropriate transition between adjacent land uses. The Town has approximately 126.22 acres (10.48%) of commercial land uses, with the proposed land use amendment, the total acres will be reduced to 121.52 acres (9.18%). The proposed residential future land use is compatible with adjacent residential uses and does not create incompatible land uses.**

- Indicate any other goals, objectives or policies in the Future Land Use Element of the Town of Juno Beach Comprehensive Plan that may require modification (amendment) as a result of the proposed amendment. Indicate the specific modifications requested, and the justification (including appropriate revisions to supporting data and analyses) for each modification. Also indicate any additional modifications required, and the justification for that modification, to other portions of the Future Land Use map series of the Comprehensive Plan. The Future Land Use map series includes: the Town of Juno Beach Future Land Use Map, Generalized Soils Distribution, Natural Resources, and Surface Water Bodies and Flood Plains.

**No additional modifications are required or needed as part of this request.**

- Indicate all goals, objectives or policies in other portions of the Town of Juno Beach Comprehensive Development Plan that may require modification (amendment) as a result of the proposed amendment. Indicate the specific modifications requested, and the justification (including appropriate revisions to supporting data and analyses) for each modification. Other portions of the adopted Town of Juno Beach Comprehensive Development Plan that could be affected include: Traffic Circulation Element, including the Future Traffic Circulation Map, functional classifications of roadways, number of lanes; Housing Element; Infrastructure Element, including Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge; Conservation Element; Recreation and Open Space Element; Coastal Management Element; Intergovernmental Coordination Element; Capital Improvements Element; Five-Year Schedule a/Capital Improvements; Population Projections and Definitions.

**No additional modifications are required or needed as part of this request.**

- Analyze the impact of the proposed amendment on any existing blighted areas.

**The proposed parcels are not considered to be blighted areas by definition; consequently, there is no impact on any blighted areas.**

- Analyze the character of the developed and undeveloped land included in the amendment, including: the ability to be served by existing or proposed public water, sewer, transportation, and drainage facilities; the types of soils and the ability to support the proposed amendment; topography; the impact of the proposed amendment on existing natural resources, including flood prone areas, wetlands, uplands, native vegetation and protected plant and animal species; and the impact of the proposed amendment on existing historic resources.

**During the Development Review Committee review process, all utility providers confirmed their ability to service the proposed area. In addition, the applicant has been working with Palm Beach County Department of Environmental Resources Management (PBC ERM) and have addressed PBC ERM's concerns regarding the proximity of the project to the Juno Dunes Natural Area regarding landscaping and lighting. The proposed amendment would not create an adverse impact on the topography of the land, existing natural resources, or existing historic resources.**

- Indicate how water and sewer will be provided. If from a public supply system, describe how an existing system will be expanded to provide service to the subject property. If from an expanded or from a new system, describe any facilities (including new treatment plants) that will be constructed to provide service, an approximation of the cost and the funding source(s).

**As indicated by the applicant, potable water service is provided by the Town of Jupiter Utilities. There is an existing 6" water main along U.S. Highway One and a 12" water main along Donald Ross Road. Connections will be made to both these mains and an 8" water main will be looped through the site.**

**Sanitary sewer service is provided by the Loxahatchee River District. There is an existing 8" gravity sewer line along the south side of the site that extends north through the site. A new 8" gravity sewer main will be extended from the southeast corner of the site through the project.**

- Describe the existing drainage pattern of the subject property. Describe the impacts the proposed amendment will have on the quality and quantity of storm water runoff, and the anticipated general approach to be taken regarding storm water management.

**The proposed Drainage Plans have been reviewed by the Town Engineer and have received technical approval to enable Board's review of the application.**

- Demonstrate that levels of service for public facilities and services can be met by development permissible because of the proposed amendment. Public facilities and services for which levels of service are established include transportation (roads), solid waste, recreation, public supply water, public supply sewer, and drainage.

**The proposed project does not affect or impact the Town of Juno Beach level of service standards. Palm Beach County Traffic Division has conducted a Traffic Performance Standard (TPS) review and has determined the proposed development will have insignificant impact on the area roadways, and therefore, meets the Palm Beach County**

**TPS. Jupiter Water Utilities and Loxahatchee River District have confirmed their ability and capacity to provide water and sewer services.**

- Describe how the proposed amendment is consistent with state and regional goals (Treasure Coast Comprehensive Regional Policy Plan and the State Comprehensive Plan).

**In accordance with Section 187.201, Florida Statutes – State Comprehensive Plan adopted, the proposed future land use amendment supports and is consistent with the goals and policies contained within the plan, as outlined below:**

**PROPERTY RIGHTS.—**

**Goal.—Florida shall protect private property rights and recognize the existence of legitimate and often competing public and private interests in land use regulations and other government action.**

**LAND USE.—**

**Goal.—In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.**

**Enhance the livability and character of urban areas through the encouragement of an attractive and functional mix of living, working, shopping, and recreational activities.**

In addition to the State and Regional goals, the applicant included within their Statement of Use how the proposed amendment is consistent the Goals, Objectives, and Policies of the Town's Comprehensive Development Plan.

The Application for Development and Site Plan Review approval is contingent on the Future Land Use Amendment approval by the Town Council. Please note that as part of the conditions of approval for the proposed Dunes at Juno Beach project, staff will recommend to Town Council that all applications (ROW Abandonment, Future Land Use Amendment, Rezoning Request, Development and Site Plan Review, and Special Exception Request) be contingent on each other – if one application/request is denied that all previously approved applications be denied and/or revoked.

**Recommendation**

Staff recommends that the Town Council review and consider the Future Land Use amendment application for the proposed Future Land Use Map amendment to change the Future Land Use classification from Commercial (COM) to Moderate Density Residential (MODR).

Attachments:

- I. Amendment to the Town of Juno Beach Comprehensive Plan (FLUM) Application
- II. Site Map
- III. Proposed Ordinance No. 789

*Please note that a copy of the Statement of Use is within the Development and Site Plan Application backup material.*