

**Town of Loxahatchee Groves, Florida**  
**Town Council Agenda Item Report; Resolution 2022-54**  
**Southern Lawn Equipment Site Plan Amendment Application SPA 2022-02**

**PREPARED BY:** Jim Fleischmann

September 8, 2022

**SUBJECT:** Resolution 2022- 54 - Approval of the proposed Southern Lawn Equipment Site Plan Amendment Application SPA 2022-02

**1. BACKGROUND/HISTORY**

**History:** A site plan consisting of a 28,400 sq. ft. commercial facility (Valencia Village) was approved (Resolution 2015-36) by the Town Council on December 1, 2015. The approved site plan, consisting of three one-story commercial buildings (14,400 sq. ft.; 10,000 sq. ft.; and 4,000 sq. ft.) is illustrated on Exhibit 1 of the attached Staff Report.

**Issue Statement:** The Applicant has requested approval of proposed Site Plan Amendment SPA-2022-02 (Southern Lawn Equipment). The application has requested site plan amendment approval for a 28,000 sq. ft. commercial facility consisting of a single one-story commercial building. 22,800 sq. ft.; of warehouse/repair services and a 5,200 sq. ft. retail store. The proposed site plan is illustrated on Exhibit 4 of the attached Staff Report.

**Issue Resolution:** The Town Council should consider approval, approval with conditions, or denial of Resolution 2022-54, the subject of which is the Southern Lawn Equipment Site Plan Amendment Application SPA 2022-02.

**2. CURRENT ACTIVITY**

The Planning and Zoning Board (PZB), recommended approval of the Southern Lawn Equipment Site Plan Amendment Application SPA 2022-02 at its August 25, 2022 meeting by a 4 – 0 vote.

Based upon a review of SPA 2022-02 within the report titled “Site plan Amendment Application SPA 2022-02” (August 25, 2022), Staff finds the proposed Site Plan Amendment consistent with the Town’s Comprehensive Plan and land development regulations. Further, Staff recommends approval of Resolution 2022-54 subject to the Site Plan and Conditions of Approval included therein.

**3. ATTACHMENTS**

1. Resolution 2022-54
2. Site plan Amendment Application SPA 2022-02; August 25, 2022

- 4. RECOMMENDED ACTION:** Approval of Resolution 2022-54 as recommended by PZB and Staff.

## **TOWN OF LOXAHATCHEE GROVES**

### **RESOLUTION 2022-54**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE SOUTHERN LAWN EQUIPMENT SITE PLAN AMENDMENT FOR LAND OWNED BY LOX HOLDING LLC, CONSISTING OF 6.55 ACRES MORE OR LESS, LOCATED ON SOUTHERN BOULEVARD EAST OF D ROAD, LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT "A" TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council, as the governing body of the Town of Loxahatchee Groves, Florida ("Town"), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider applications relating to site plans, including site plan amendments, for development on property within the Town; and

**WHEREAS**, Town Council, pursuant to Article 2 (Development Review Process) of the Town of Loxahatchee Groves Unified Land Development Code (ULDC) is authorized and empowered to consider, approve, approve with conditions or deny site plans, including site plan amendments; and

**WHEREAS**, the notice and hearing requirements, as provided for in Article 2 of the ULDC have been satisfied; and

**WHEREAS**, the Town Planning and Zoning Board (P&Z Board), at its meeting of August 25, 2022 recommended approval of the Southern Lawn Equipment Site Plan Amendment Application SPA-2022-02; and

**WHEREAS**, the Southern Lawn Equipment Site Plan Amendment Application SP(A)-2022-02 was presented to the Town Council at a quasi-judicial public hearing conducted on September 8, 2022; and

**WHEREAS**, the Town Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of Town staff and Town P&Z Board; and

**WHEREAS** the ULDC requires that the action of the Town Council of Loxahatchee Groves by adopted by resolution.

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Loxahatchee Groves as follows:

**Section 1.** Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

**Section 2.** The Town Council has considered the findings in the PZB staff report dated August 25, 2022 and the Town Planning and Zoning Board recommendation and makes the following findings of fact:

1. The Site Plan Amendment is consistent with the purposes, goals, objectives and policies of the Town of Loxahatchee Groves Comprehensive Plan, including the Commercial Low Future Land Use Category, and standards for building intensity of use.
2. This Site Plan Amendment, as presented in Exhibit B hereto, complies with relevant and appropriate portions of applicable Town of Loxahatchee Groves land development regulations, including Section 25-015 "*Permitted uses*" in the Commercial Low zoning district and Article 155 "*Site Plans*". This Site Plan Amendment, along with the Conditions of Approval, as adopted and presented in Exhibit C hereto, complies with standards imposed on it by all other applicable provisions of the Town ULDC. The Town Council finds the Conditions, as presented in Exhibit C hereto, to be reasonable, and rationally related to the proposed development, and consistent with the Town's character.
3. This Site Plan Amendment, as presented in Exhibit B hereto, along with Conditions of Approval, as adopted and presented in Exhibit C hereto, are compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
4. This Site Plan Amendment, as presented in Exhibit B hereto, along with Conditions of Approval as adopted and presented in Exhibit C hereto, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Site Plan Amendment, as presented in Exhibit B hereto along with Conditions of Approval, as adopted and presented in Exhibit C hereto, minimize environmental impacts, including but not limited to water, air, storm water management, wildlife, vegetation, wetlands, noise and the natural functioning of the environment.
6. This Site Plan Amendment as presented in Exhibit B hereto along with Conditions of Approval, as adopted and presented in Exhibit C hereto, will result in logical, timely and orderly development patterns.

**Section 3.** The Town Council of the Town of Loxahatchee Groves hereby approves the Southern Lawn Equipment Site Plan Amendment SPA 2022-02, as depicted in Exhibit B subject to the Conditions of Approval as set forth in Exhibit C, for the parcel of land legally described in Exhibit A, as attached hereto and made a part hereof.

**Section 4.** This approval is subject to Section 155.030 (Effect of Approval) of the Town of Loxahatchee Groves Unified Land Development Code and other provisions requiring that development commence in a timely manner, and

**Section 5.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**Section 7.** This Resolution shall become effective upon adoption.

Council Member \_\_\_\_\_ offered the foregoing resolution. Council Member \_\_\_\_\_ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Robert Shorr, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laura Danowski, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marge Herzog, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marianne Miles, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phillis Maniglia, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLVED AND ADOPTED** by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 8th day of September 2022.

**TOWN OF LOXAHATCHEE GROVES,  
FLORIDA**

ATTEST:

\_\_\_\_\_  
Mayor Robert Shorr

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Vice Mayor Laura Danowski

\_\_\_\_\_  
Council Member Phillis Maniglia

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Council Member Marge Herzog

\_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Council Member Marianne Miles

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**EXHIBIT A**

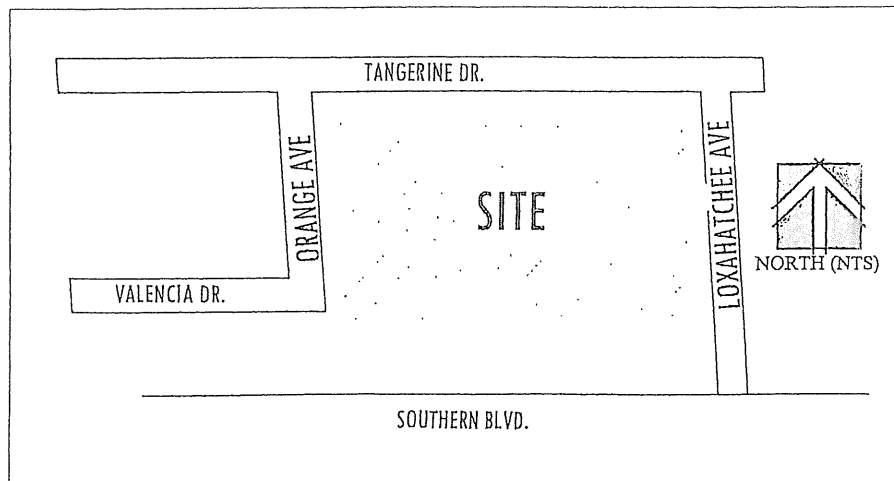
**LEGAL DESCRIPTION AND LOCATION MAP**

**. LEGAL DESCRIPTION:**

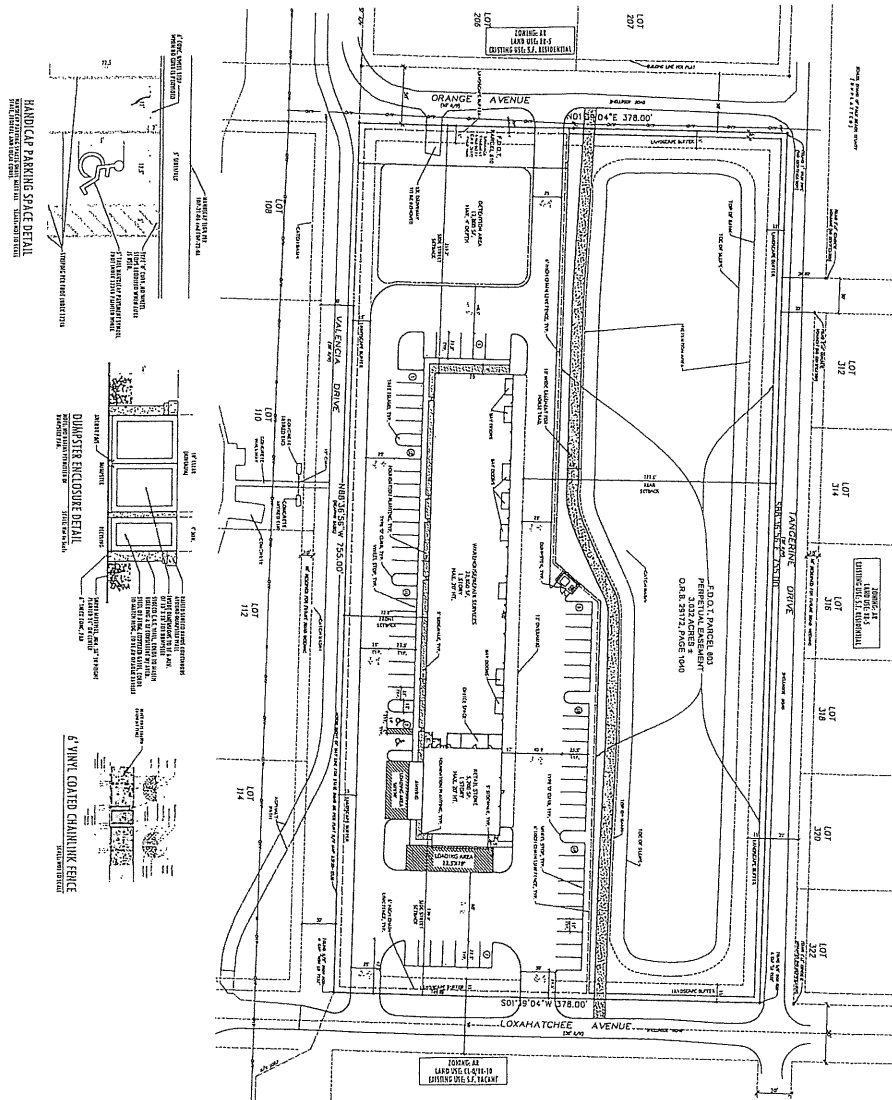
LOT 208, LOT 209, LOTS 210 TO 215, INCLUSIVE, PLAT ONE, LOXAHATCHEE HOMES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 22, PAGE 55, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Parcel Control Numbers: Lot 208: 41-41-43-32-01-000-2080  
Lot 209: 41-41-43-32-01-000-2090  
Lots 209 - 215: 41-41-43-32-01-000-2100

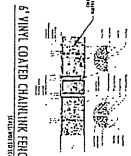
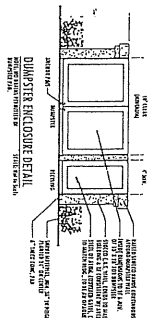
**LOCATION MAP**



# EXHIBIT B SOUTHERN LAWN EQUIPMENT SITE PLAN



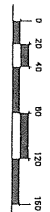
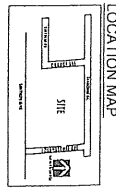
HANDICAP PARKING SPACE DETAIL



## PROJECT DATA:

OWNER: SOUTHERN LAWN EQUIPMENT, INC.  
 PROJECT: SOUTHERN LAWN EQUIPMENT, INC.  
 LOCATION: 354 CYPRESS DRIVE #6, TALLAHASSEE, FL 32309  
 PROJECT NO.: 22-002  
 DATE: 11/15/22  
 DRAWN BY: J. L. BROWN  
 CHECKED BY: J. L. BROWN  
 APPROVED BY: J. L. BROWN  
 PROJECT DATA:

PROPERTY DEVELOPMENT REGULATIONS - C.	REQUIREMENTS	COMMENTS
MINIMUM LOT AREA	10,000 SQ. FT.	10,000 SQ. FT.
MINIMUM LOT WIDTH	100 FT.	100 FT.
MINIMUM LOT DEPTH	100 FT.	100 FT.
MINIMUM LOT AREA	10,000 SQ. FT.	10,000 SQ. FT.
MINIMUM LOT WIDTH	100 FT.	100 FT.
MINIMUM LOT DEPTH	100 FT.	100 FT.
MINIMUM LOT AREA	10,000 SQ. FT.	10,000 SQ. FT.
MINIMUM LOT WIDTH	100 FT.	100 FT.
MINIMUM LOT DEPTH	100 FT.	100 FT.



SP-1  
 JOB NO. 22-002

Scale: 1" = 40'-0"



Site Plan  
 SOUTHERN  
 Town of Loxahatchee, Florida

354 Cypress Drive #6, Tallahassee, FL 32309  
 Phone: 904-222-9284/Fax: 904-348-9491

## **EXHIBIT C**

### **Southern Lawn Equipment Site Plan Amendment Conditions of Approval**

#### **PREVIOUS CONDITIONS OF APPROVAL**

1. All previous conditions of approval applicable to the subject property, as contained in Town Resolution 2015-036 have been updated and consolidated as contained herein.

#### **GENERAL**

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.

2. Development of the site is limited to the uses approved by the Town of Loxahatchee Groves in Exhibit 4 (Southern Site Plan). The approved Site Plan is dated March 28, 2022. All modifications to the Site Plan shall be approved by the Town Council with the following exceptions which may be approved by the Town Manager:

(a) Administrative amendments permitted under Section 155-005 of the ULDC;

(b) Amendments necessary to comply with Site Plan Conditions of Approval; and

(d) Infrastructure and utility improvements which are in accordance with the ULDC.

3 The Town Manager and his designated agents shall review and approve all building permit applications prior to processing by the Building Official for consistency with the following: (1) Site Plan and Conditions of Approval; (2) Landscape Plan; and (3) Elevations.

4. Direct ingress and egress to a future commercial development from Tangerine Drive shall be prohibited.

5. The landscape buffer along the northern parking area identified on the Final Landscape Plan dated May 27, 2022 shall be credited to meeting the requirement for a 0.20 acre preserve area.

6. Prior to submittal of any building permit applications for processing by the Building Official, the Town Engineer shall review and approve the following plans for consistency with the approved Site Plan Site Plan, Paving, Drainage, Water and Wastewater Plans, Irrigation Plan, and Photometric Plan.

7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be reviewed and approved by the Town Engineer and the Town prior to applying for an initial building permit.

8. A 10-foot easement for a greenway and horse trail shall be granted by the property owner at the time of platting consistent with the general location indicated on the Landscape Plan dated May 27, 2022.

## **USE LIMITATIONS**

1. Land use and intensity of development on the property shall be regulated by the application of the following:
  - a. Intensity of development shall not exceed a floor-area- ratio (F.A.R.) of 0.10 in order to accommodate a maximum of 28,000 sq. ft. of warehouse/repair services and retail store uses.
  - b. Building height shall be limited to one story.

## **ARCHITECTURAL**

1. Architectural features and floor plans shall comply with the Floor Plan prepared by Architectural Consultants, Inc. (Sheet A1.0) dated May 28, 2022.

## **ENGINEERING**

1. Consistent with the Palm Beach County Mandatory Traffic Performance Standards criteria in place at the time of this approval, no building permits for the site shall be issued after December 31, 2025. A time extension for this condition shall be acknowledged by the Town of Loxahatchee Groves pursuant to a State of Emergency Order issued by the Governor of Florida upon written notification by the Owner, or approval of a traffic study which complies with the Palm Beach County Mandatory Traffic Performance Standards in place at the time of the request.
2. Prior to receiving the first Certificate of Occupancy, the property owner shall fund the total cost to design, permit, construct and inspect Loxahatchee Avenue as a 2-laned paved roadway from Southern Boulevard north to the Loxahatchee Avenue entrance to the project , as indicated on the Site Plan, dated March 28, 2022. Alternatively, if funding for this project has been received by the Town from a prior source, the property owner shall fund the total cost to design, permit, construct and inspect Loxahatchee Avenue as a 2-laned paved roadway from the Loxahatchee Avenue entrance to the project, as indicated on the Site Plan, dated March 28, 2022 north to Tangerine Drive.
3. Prior to the issuance of the Site Development Permit and Building Permit for this project, the Applicant shall provide itemized infrastructure cost estimates and surety per Town Code Section 100-060.
- 4 Prior to the commencement of construction of this project the Applicant shall:
  - a. Provide the Town Engineer with copies of all permits, permit applications, and requests for additional information to and from the regulatory agencies regarding issues on all permit applications, certification, and approvals for this project including, but not limited to, the South Florida Water Management District, Palm Beach County Water Utilities Department, Florida Department of Transportation, Palm Beach County Fire Rescue, Palm Beach County Health Department, etc.



b. Schedule a pre-construction meeting with the Town. Inspections related to the Site Development Permit for this project will not be performed until the pre-construction meeting has occurred. Failure to comply with this condition could result in a Stop Work Order for all work and construction activity related to this project.

5. The Applicant shall comply with all Federal EPA and State of Florida Department of Environmental Protection NPDES requirements including, but not limited to, preparation of a stormwater pollution prevention plan and identification of appropriate Best Management Practices, as generally accepted by the Environmental Protection Agency (EPA) and local regulatory agencies, for construction activities, implementation of the approved plans, inspection, and maintenance of controls during construction, including a Notice of Intent prior to the start of construction and a Notice of Termination prior to the certification of the Site Development Permit.

6. The construction, operation, and maintenance of any elements of this project shall not have any negative impacts on the existing drainage of the surrounding areas. If at any time during the project development, it is determined by the Town that any of the surrounding areas are experiencing negative drainage impacts caused by this project, it shall be the applicant's responsibility to resolve said impacts in a period of time and a manner that is acceptable to the Town prior to additional construction activities. The Town may issue a Stop Work Order or cease issuance of any related Building Permits until all drainage concerns are resolved.

7. Prior to the issuance of the Certificate of Completion for the Site Development Permit, the application shall:

a. Provide copies of the required test results as provided for on the plans and specification and in accordance with FDOT for review by the Town Engineer.

b. Submit to the Town any required recorded easements and easement modifications.

c. Provide electronic certified civil design as-built drawings in both PDF and AutoCAD formats for review and approval by the Town Engineer.

8. Prior to the issuance of the Certificate of Occupancy for this project, an ADA pedestrian sidewalk to Southern Boulevard and the vehicular driveway connections to Loxahatchee Avenue and Orange Avenue must be constructed, certified, and approved by the Town.

9. Survey, plat, site lighting plans, civil engineering plans, and mechanical, electrical and plumbing plans and details shall be included with documents submitted to the Town Engineer and/or Building Official during the Land Development Review Process/

## **LAND CLEARING AND LANDSCAPING**

1. Any land clearing activities shall comply with the permit requirements of Article 87 "Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal" of the Loxahatchee Groves Unified Land Development Code coincident with the Town's land development review process.

2. Project landscaping shall conform to the Landscape Plan dated May 27, 2022.

## **EXTERIOR LIGHTING**

1. All lighting shall conform to the Photometric Plan prepared by E & C Engineers, Inc. dated April 13, 2022, or as revised based upon Town Engineer direction.
2. All exterior lighting shall be directed downward and contain shields to contain lighting within the property boundaries.

## **PALM TRAN**

1. Not Applicable at this time. A future bus shelter may be developed within the Southern Boulevard right-of-way at the discretion of Palm Tran and the Florida Department of Transportation.

## **PARKING AND LOADING**

1. The Site Plan shall indicate 67 parking spaces at the standard size of 11' x 22.5' unless a variance is approved by the Town Council allowing a smaller size.
2. Paved parking on the property shall not exceed the code-required 67 spaces.

## **SIGNS**

1. Sign permit applications shall be submitted to the Town as required by ULDC Section 90-070 *Sign permit requirements*.
2. A Mandatory Building Identification Sign (maximum sign face of 4 sq. ft.) shall be attached to the structure.
3. The number of monument signs shall be limited to the following:
  - a. Two Free-Standing Monument Signs with a maximum sign face of 60 and 12 sq. ft. respectively.
  - b. Two attached building wall signs with a maximum of 36 sq. ft. each.

## **UTILITIES AND SERVICES**

1. A fully executed Potable Water and Wastewater Development Agreement between the Property Owner and the Palm Beach County Water Utility Department shall be provided to the Town of Loxahatchee Groves for the provision of central water and wastewater services to the project prior to issuance of the first project building permit.
2. Solid waste collection and disposal shall be accomplished by contract between the Property Owner and a third-party hauler prior to issuance of the initial certificate of occupancy
3. Buildings of 5,000 sq. ft. and larger shall contain automatic sprinkler systems.

**TOWN OF LOXAHATCHEE GROVES  
PLANNING AND ZONING BOARD  
August 25, 2022**

**Site Plan Amendment Application SPA 22-02  
Southern Lawn Equipment (a.k.a. Drysdale Property; Valencia Village)**

**I. DESCRIPTION OF THE PROPERTY**

***Project Name:*** Southern Lawn Equipment.

***Agent:*** James G. Hackett

***Applicant:*** Lox Holdings, LLC.

***Owner:*** Lox Holdings, LLC.

***Parcel Control Numbers (PCN):*** 41-41-43-32-01-000-2080 (0.67 acres);  
41-41-43-32-01-000-2090 (0.67 acres); 41-41-43-32-01-000-2100 (5.21 acres).

***Project Location:*** Northwest Corner of Valencia Drive (Southern Blvd.) and  
Loxahatchee Avenue.

***Size of Property:*** 6.55 acres.

***FLU Map Designation:*** Commercial Low (CL); Town Ordinance 2014-01.

***Zoning Map Designation:*** Commercial Low (CL); Town Ordinance 2014-02.

***Existing Use:*** Single-family, in part; 1,751 sq. ft. residence; and vacant, in part.

***Maximum Existing Development Potential:*** 28,400 sq. ft. of general retail and office  
space per Town Resolution 2015-36

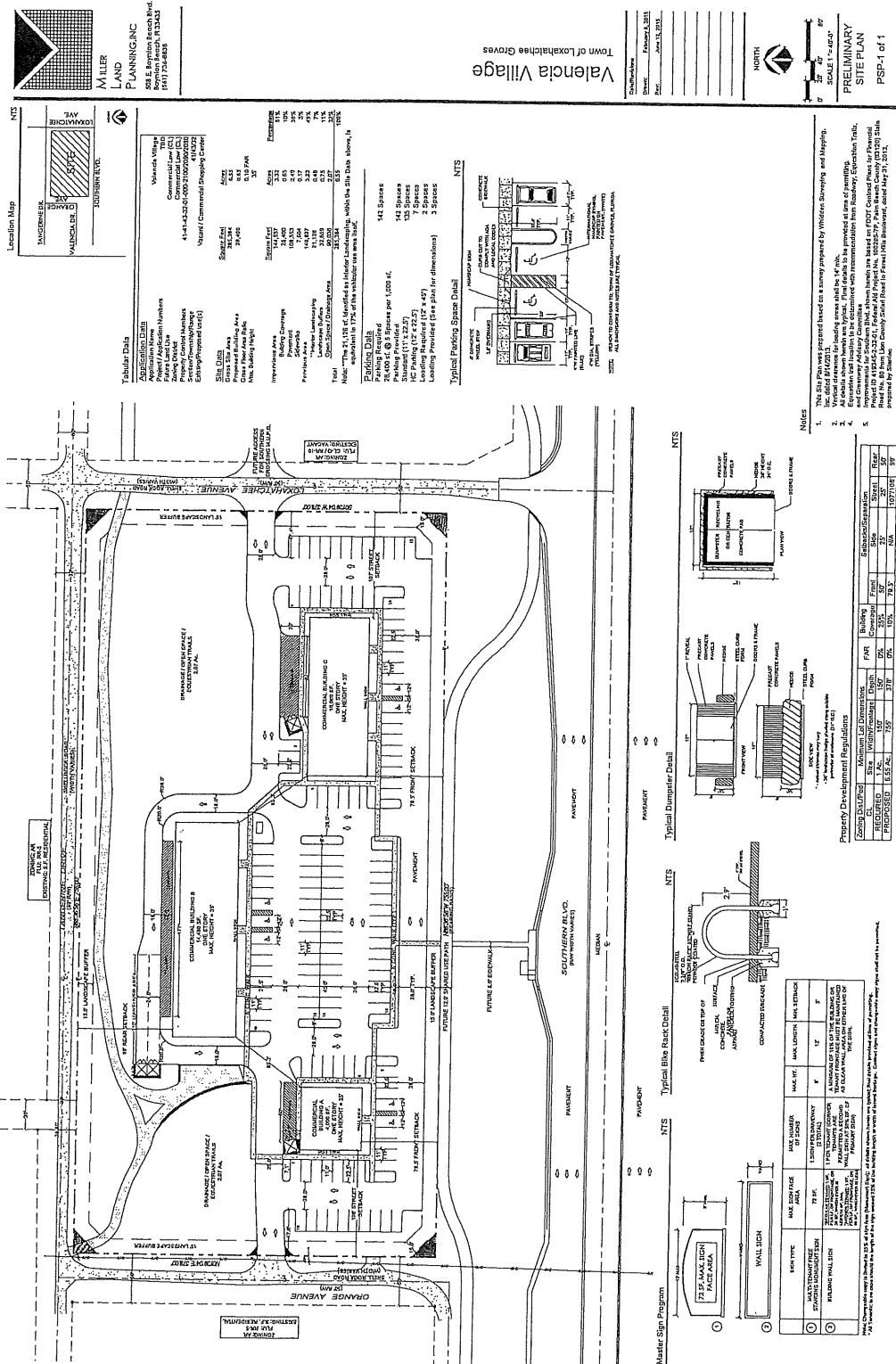
***Maximum Proposed Development Potential:*** 28,000 sq. ft. of space for the purpose  
of developing a single commercial and residential outdoor power equipment, golf carts,  
and trailers sales and service tenant

**II. APPROVAL HISTORY**

The property was granted Future Land Use Map (Town Ordinance 2014-01; from Rural Residential 5 to Commercial Low) and rezoning (Town Ordinance 2014-02; from Agricultural Residential to Commercial Low).

A site plan consisting of a 28,400 sq. ft. commercial facility (Valencia Village) was approved (Resolution 2015-36) by the Town Council on December 1, 2015. The approved site plan, consisting of three one-story commercial buildings (14,400 sq. ft.; 10,000 sq. ft.; and 4,000 sq. ft.) is illustrated on Exhibit 1.

# FINAL SITE PLAN 2015-03



After site plan approval by the Town Council, a 3.032 acre portion of the property was identified by the Florida Department of Transportation (FDOT) as a preferred location for a compensation pond to accommodate additional stormwater runoff from the Southern Boulevard expansion. A Perpetual Easements (O.R.B. 29172 Pages 1040 - 1048) was executed between FDOT and the previous owner to implement the drainage concept illustrated on Exhibit 2. The 3.032 acre area has not been deducted from the 6.55 acre site area for the purposes of calculating buildable area (i.e. the 0.1 F.A.R. maximum is still applied to the entire 6.55 acre site to determine maximum buildable space).

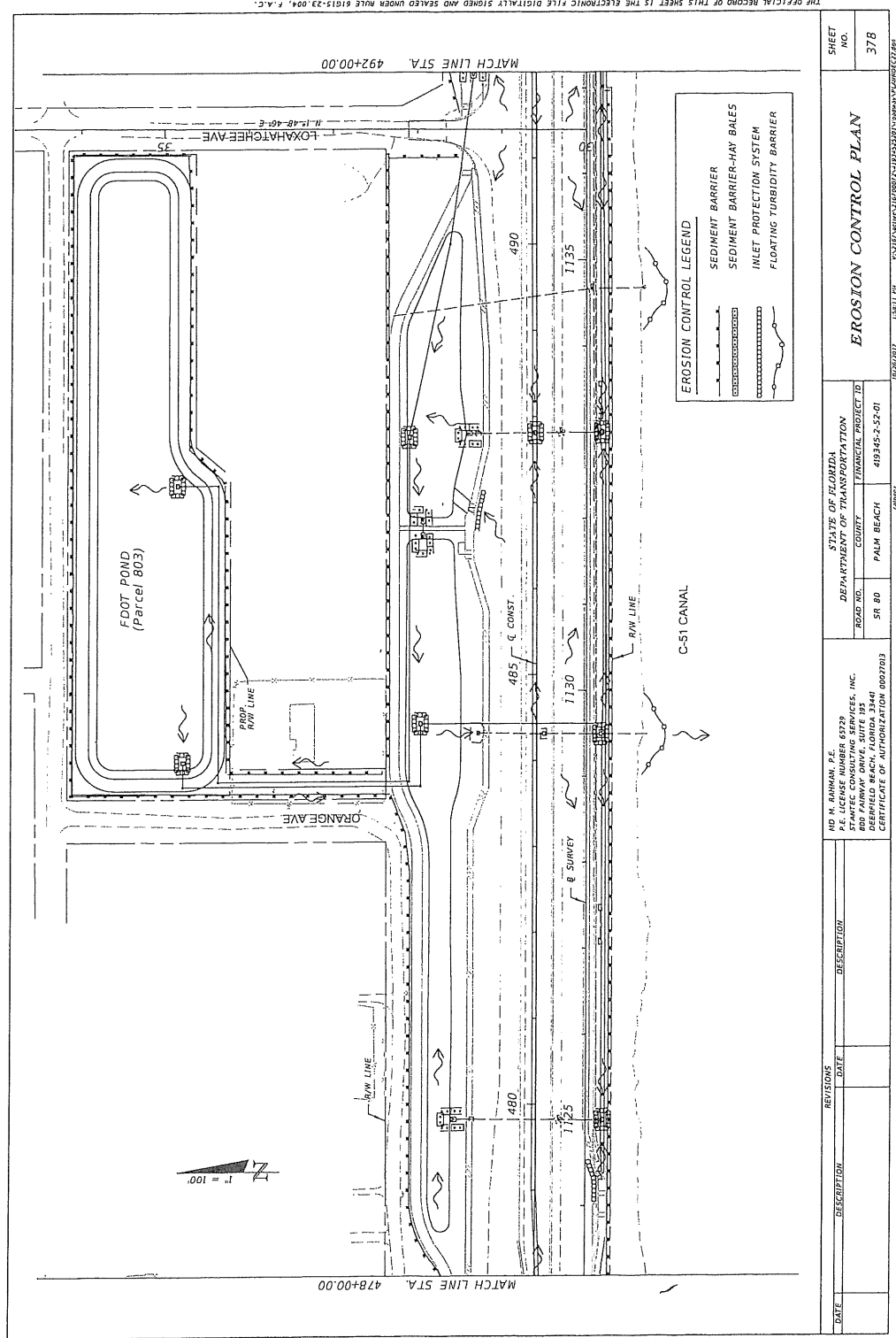
### **III. APPLICATION SUMMARY**

The application has requested site plan amendment approval for a 28,000 sq. ft. commercial facility consisting of a single one-story commercial building. 22,800 sq. ft.; of warehouse/repair services and a 5,200 sq. ft. retail store. Refer to the Statement of Use (Exhibit 3) and Proposed Site Plan (Exhibit 4)

### **IV. SUBMITTED SUPPORT DOCUMENTS**

<b>Item</b>	<b>Content</b>
Boundary and Topographic Survey dated December 30, 2021	Legal description, elevations and location of the Perpetual Easement
Site Plan dated March 28, 2022	Proposed Site Plan dated March 28, 2022
Statement of Use	Ref: Exhibit 3
Architectural Plans/Elevations and Floor Plans dated May 28, 2022	Example elevations illustrating typical architectural elements and a floor plan.
Landscape Plan dated May 27, 2023	Landscape Plan calculating and illustrating the following landscape requirements: Plant list and locations Interior open space; vehicular use area. .
Preliminary Grading and Drainage Plan dated May 17, 2022	Identification of existing and proposed grade. Locations of storm water management facilities and legal positive outfall.
Photometric Plan dated April 13, 2022	Location of outdoor lighting fixtures and distribution of lumens throughout the property
Traffic Statement dated April 11, 2022 and TPS Letter dated May 10, 2022	Consultant Traffic Statement by Pinder Troutman Consulting, Inc. Conclusion – No significant Peak-hour trip impacts on the area roadway network. County TPS Approval letter received – meets TPS requirements.
Description of the Proposed Site Plan Amendment dated June 1, 2022	Description of the modification to the current Valencia Village approved Site Plan including incorporated Rural Vista Guidelines architectural features.

# EXHIBIT 2 – FDOT COMPENSATION STORAGE POND



DATE		REVISIONS		DESCRIPTION		DATE		DESCRIPTION	

### **EXHIBIT 3**

#### **APPLICANT'S STATEMENT OF USE**

The Applicant is requesting to modify the approved site plan to allow a single tenant retail and retail service type use on the subject site. Established in 2009 as a locally and privately owned company, Southern has been a leader in the sales and service of both commercial and residential outdoor power equipment, golf carts and trailers. The vision for the new facility is to continue to provide a service that is needed throughout the community by both the residents and local companies, as well as our equestrian visitors who rely heavily on us to keep their trailers safe and well maintained.

The proposed site plan modifications remain consistent with the Unified Land Development Code of the Town of Loxahatchee Groves. Certain design elements were incorporated throughout the site which are consistent with the local environment such as landscape material, rural architectural features and proposed horse trail.

The proposed building will be designed with a country environment. The design of the building will have two main entrances, enhanced by 50-foot wide entrance awning with gable centers. A hitching post style rail will surround each entry giving the building a front porch theme, while each exterior entry façade will be covered with natural stone. A ventilation stack on the roof will be concealed with a clock tower, reminiscent of an old town square.

The site plan modification request remains consistent with the CL Future Land Use Designation, as well as the CL Zoning District. Historically, the subject site has been developed with a single-family home. More recently, FDOT has developed a retention area along the north half of the property to be used as compensation area for the adjacent roadway systems.

[illegible]



## **V. STAFF REVIEW SUMMARY**

### **A. Adjacent Land Uses**

<b>Direction</b>	<b>Existing Uses</b>	<b>FLU and Zoning Designations</b>
North	Tangerine Drive. Beyond Tangerine Drive are 6 0.35 acre lots (Five with a single family residence and one vacant). To the west is a 2.06 acre parcel owned by the School District	Rural Residential 5 FLU and Agricultural Residential AR zoning
South	Valencia Drive and Southern Boulevard rights-of-way.	NA – Road rights-of-way
East	Loxahatchee Avenue. Beyond Loxahatchee Avenue is a vacant 9.23 acre property with the following development approval: Southern Crossings MUPD: 29,856 sq. ft. of medical office space and 7,552 sq. ft. of bank space.	Commercial Low Office (CL-O) FLU and Multiple Use Planned Development (MUPD) zoning (County zoning designation).
West	Orange Avenue. Beyond Orange Avenue are two 0.54 acre lots (One with a single-family residence and one vacant)	Rural Residential 5 FLU and Agricultural Residential AR zoning.

### **B. Infrastructure Impacts**

<b>Infrastructure Service</b>	<b>Summary</b>
Water/wastewater	Property can be served by County central water/wastewater along Southern Boulevard. Letter from Palm Beach County Water Utilities Department provided with previous approvals.
Surface Water Management	Preliminary Grading and Drainage Plan submitted. Drainage statement included in previous approvals. Property currently drained by sheet flow to adjacent public rights-of-way. The property is within the SFWMD C-51 Basin. A drainage system will be designed and approved by the Town's Consulting Engineer as part of the land development review process prior to filing an initial building permit.
Solid Waste Disposal	Solid Waste Authority letter confirms disposal capacity available. Applicant must execute contract with private hauler for collection.
Transportation	Traffic Analysis provided by Pinder Troutman Consultants, Inc. Study concludes that projected P.M. peak-hour traffic will have no significant impacts. . County TPS Approval letter received. No significant road impacts identified. Project buildout date set at 12.31.2025.
FIRE/EMS	Letter from Palm Beach County Fire/Rescue stated that service is provided by Station #21, located at 14200 Okeechobee Blvd. A letter from Fire/Rescue was submitted with a previous approval indicating an estimated response time less than the average for the nearest station.

### C. Environment

Item	Summary
Natural Resources	The applicant stated in a previous application that the property has no wetlands or surface waters and was previously cleared and filled and periodically mowed. Existing vegetation is primarily upland grasses, with limited areas of Cabbage Palm, Slash Pine, and exotics, including Brazilian Pepper. A tree survey, indicating Live Oak, Slash Pine, Acacia, Sable Palm and Florida Holly locations is included in the initial site plan application.
Historical Resources	A letter from the County Archaeologist was submitted in a previous application. No known sites on or within 500 feet of the property
Flood Zone	Zone X-500.

### D. Comprehensive Plan Consistency

The subject property currently is assigned Future Land Use Map and Zoning designations of Commercial Low (CL). The Site Plan, which proposes a 28,400 sq. ft. commercial development, is consistent with the assigned designations and the following Comprehensive Plan directives:

- FLU Objective 1.2 The Town shall support development of rural style commercial center along the Southern Boulevard Corridor.
- FLU Policy 1.2.1 The Town shall limit new commercial development to areas south of East Citrus Road border to border.
- FLU Policy 1.12.3 The Town shall encourage development of a rural-style commercial center along the Southern Boulevard Corridor to provide a center of accessible shopping, recreation, and employment opportunities for Loxahatchee Groves' residents.

### E. Zoning Requirements: CL Zoning District

Regulation	Standard	Property Complies?
Minimum lot size	1 acre	Yes/6.55 acres
Frontage and Access	Paved Collector or Arterial	Yes/Southern Blvd.
Minimum frontage/width	150 feet	Yes/755 feet
Minimum depth	150 feet	Yes/378 feet
Maximum Floor-Area-Ratio	0.10	Yes/0.0995
Maximum building and roofed structures lot coverage	25%	Yes/0.0995
Front setback	50 feet	Yes/72.9 feet
Side street setback (east)	40 feet	Yes/139.8 feet
Side street setback	40 feet	Yes/215.2 feet
Rear setback	50 feet	Yes/223.1 feet
Minimum pervious area	30%	Yes/60%
Maximum building height	35 feet	Yes/25.7 feet

#### F. ULDC Section 110-025(B). Minimum Application Requirements

Requirement	Response
Vehicular and pedestrian access	Property is bordered by four roads: Southern Boulevard (Valencia Drive); Tangerine Drive; Loxahatchee Avenue; and Orange Avenue. Access to Tangerine prohibited by Ordinance 2014-01. Proposed Site Plan indicates access from Orange Avenue and Loxahatchee Avenue. An on-site Equestrian Trail within the FDOT Perpetual Easement and shared-use path along Southern.
On-site circulation	Proposed Site Plan illustrates the locations of drive aisles providing on-site circulation and site access drives.
Parking	Proposed Site Plan illustrates the locations of parking areas and the number and size of parking spaces and drive aisles.
Off-site roadway improvements and traffic impacts in adjacent neighborhoods.	Traffic Analysis provided. Conclusion - no improvements necessary. TPS Approval letter from Palm Beach County. Previous Condition of Approval; owner to fund the cost to construct Loxahatchee Avenue as a 2-laned paved roadway from Southern Boulevard north to the Loxahatchee Avenue entrance to the project.

#### G. ULDC Article 85: Landscape Plan Requirements (See Exhibit 5)

Requirement	Response
Section 85-025 (C) Plots of 2 acres or more shall preserve or create and maintain an ecological community of at least 3% of area of the property	Credit to be given for landscape buffer (Not required) between the parking lot and the FDOT Easement.
Section 85-040 (D) (2) and (3) A tree survey, including trees to be removed or relocated, including proposed relocation sites	Native Tree Survey provided in previous Site Plan application. Mitigation plan, including trees to be removed or relocated shall be completed as part of the Town's Floodplain Development Application (FDA) and Tree Removal Permit review.
Section 85-040 (D) (7) The location, including height, caliper and canopy spread of all landscape materials	Provided in Landscape Plan, Landscape Specifications and Planting Details.
Section 85-040 (E) Irrigation plan if irrigation system to be used	Condition of Approval. To be reviewed by Town Engineer at the time of Land Development Review.
Section 85-050 (A) (1) No substances that prevent water percolation in areas not containing structures or paving	Per Site Plan, structures and paving constitute impervious area.

Section 85-050 (A) (2) Primary structures treated with shrubs @ 2.5 foot height along 20% of the structure frontage	Landscaping along 3 sides of the proposed building– meets requirement
Section 85-050 © Interior open space area @ 10% of the area of vehicular use areas, excluding landscape strip or perimeter buffers	Calculated in Site Plan – Interior open space at 22% - meets requirement.
Section 85-050 (B) interior open space tree and shrub requirements: 20% of building frontage	Meets requirement – 100% of frontage except at entrances. Calculated in Landscape Plan – meets requirement: 14 trees; 195 shrubs.
Section 85-050 (D) Dumpsters, mechanical equipment and electrical transformers screened	One dumpster. To be screened per Section 85-050 (D) – meets requirement
Section 85-050 (E) Signs screened	Two monument signs allowed. To be screened per Section 85-050 (E) – meets requirement. Administrative Amendment allowed.
Section 85-055 (B) Landscape buffer along property line abutting AR District	15 foot landscape buffers provided on north and west property lines per Site Plan and Landscape Plan. – meets requirement
Section 85-050 (C) 15 foot vehicular use landscape strip (not counted as interior open space)	15 feet provided on south, east and west parking lots per Site Plan and Landscape Plan. - meets requirement.
Section 85-050 (C) (1) Vehicular use landscape requirements	Vehicular use areas provided with landscape islands per Site Plan and Landscape Plan – meets requirement

## H. ULDC Supplementary Requirements

### a. ULDC Article 90 Signs

Allowed Signs	Response
Sections 05-040 Permits required and 90-070 Sign permit requirements	Condition of Approval
<b>Section 90-040(B) Standards by sign type and zoning district (CL District shopping center or other multi-tenant center)</b>	<b>Section 90-040(B) Standards by sign type and zoning district (CL District shopping center or other multi-tenant center)</b>
(1) Mandatory attached building identification (i.e. address) sign : 1 per structure or business @ maximum sign face of 4 sq. ft.	(1) Mandatory attached building identification (i.e. address) sign : 1 per business @ maximum sign face of 4 sq. ft. Requires sign permit
(2) Attached awning sign (optional): Maximum 1 per structure or business @ maximum sign face of 4 sq. ft.	(2) Attached awning sign (optional): Maximum 1 per business @ maximum sign face of 4 sq. ft. Requires sign permit

<b>Allowed Signs (continued)</b>	<b>Response (continued)</b>
(3a) Outparcel or individual stand-alone building wall sign(s): 1 per building, 2 if corner location @ maximum sign face of 18 sq. ft. to 36 sq. ft.	2 signs allowed @ maximum sign face of 18 sq. ft. to 36 sq. ft. Requires sign permit.
(5a) Individual building free-standing monument or panel sign(s): 1 @ maximum sign face area of 60 sq. ft. and 1 secondary @ 12 sq. ft.	2 signs allowed @ maximum sign face area of 60 sq. ft. and 12 sq. ft. Requires sign permit. Administrative Amendment allowed.
Sections 90-065 Landscaping around signage to meet the requirements of Section 85-050 Landscape design for interior open space	Sections 90-065 Landscaping around monument signs to be determined with sign permit. Administrative Amendment allowed.

**b. ULDC Article 95 Parking and Loading**

<b>Requirement</b>	<b>Response</b>
Section 95-010 Minimum parking space requirements – 142 spaces required. 3 handicap spaces required (Ref: Table 208.2 PBC ULDC – 2% of total)	67 spaces provided. 67spaces provided 2 handicap spaces provided – meets requirement
Section 95-025 Size of parking spaces – Standard space = 11' x 22.5". Handicap space = 14' x 22.5'	Proposed parking space distribution: 1. Standard spaces. 11 x 22.5 spaces = 67 spaces; and 2. 14' x 22.5' Handicap spaces = 2 spaces
Section 95-050 Minimum loading space requirements (i.e. for uses that receive materials by truck).	2 loading spaces provided. Meets requirement
Section 95-070 Size of loading spaces – 12' x 45' with 14' vertical clearance	Loading spaces at 20' x 50', 20' and 22.5' x 78' – meets requirement.

**I. ULDC Section 155-020: Substantive Requirements (Site Plan)**

<b>Criterion</b>	<b>Compliance</b>
Section 150-020 (A) Conformance to the approved and/or recorded plat, if applicable	The property consists of lots 208 – 215 Plat One Loxahatchee Homes; Plat Book 22 Page 55 of the Public Records of Palm Beach County, Florida.
Section 150-020 (B) Consistency with the Loxahatchee Groves Comprehensive Plan	Yes – Refer to Section D, above.
Section 150-020 (C) Conformance with the Town of Loxahatchee Groves ULDC	Yes – Refer to Sections E to G.
Section 150-020 (D) Conformity with the water control district's requirements and regulations.	Proposed drainage discharge to be permitted by LGWCD.

## **J. Architecture (Discussion of Rural Vista Guidelines by Applicant)**

The proposed development plans are consistent with the Rural Vista Guidelines with major architectural features as outlined below. Additional detail is presented in Attachment C.

- Gable centered between two hips.
- Shed metal roof with overhangs on all sides.
- Building entries will have two separate roof elements to create covered decks or porches with metal roofing.
- The covered porches will be framed with natural finished wood beams and posts. Stone cladding to match.
- The building will have a 48" stone base water table across the south elevation and east side of the building.

## **K. Compatibility**

An inventory of land uses adjacent to the subject property is presented in Section A. All adjacent properties lie beyond street rights-of way. Properties to the west and north are currently assigned Future Land Use designations of Rural Residential 5 (density of one dwelling unit per five acres) and Zoning designations of Agricultural Residential (AR). Actual densities are considerably higher, however, as all properties are considerably smaller than 5 acres (i.e. 0.35 to 0.54 acres each).

The adjacent property to the east, beyond Loxahatchee Avenue, is a vacant 9.23 acre property (i.e. Southern Crossings MUPD) with the following development approval: 29,856 sq. ft. of medical office space and 7,552 sq. ft. of bank space.

Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety, or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions.

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can compliment and support each other. For example, a residential use can help support a commercial use and, conversely, the commercial use can provide essential goods and services to residents of surrounding neighborhoods.

Separation of potentially incompatible uses can act to fully or partially mitigate potential incompatibilities. To the west and north the subject property is separated from adjacent

residential properties by fifty foot rights-of-way (i.e. Orange Avenue and Tangerine Drive). A condition of the FLU Map amendment prohibits site access from Tangerine Drive

In addition to separation of uses, access management, buffering, screening, setback, height, landscaping, and architectural requirements can further enhance compatibility, and reduce the potential negative effects of functionally different land uses.

A review of the subject site vicinity leads to the conclusion that the area is comprised of a mixture of existing and planned land uses along Southern Boulevard, including commercial (retail and office), institutional (government) and recreation with moderate intensity (i.e. 2 to 3 units per acre) residential and agricultural uses behind frontage parcels to the north of Tangerine Drive.

The CL Future Land Use and Zoning designations (maximum intensity of 0.10 F.A.R.) combined with the Rural Vista Guidelines provides the Town with an opportunity to establish rural-style commercial uses along Southern Boulevard. Comprehensive Plan directives regarding compatibility with neighboring properties and implementation of Rural Vista Guidelines directives along with implementation of buffering and screening techniques are used to insure compatibility.

## **VI. STAFF CONCLUSION AND RECOMMENDATION**

Staff finds proposed Site Plan Amendment SPA 2022-02 (Southern Lawn Equipment) consistent with the Town's Comprehensive Plan and land development regulations and recommends approval subject to the Conditions of Approval presented in Exhibit 6.

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## **EXHIBIT 6**

### **CONDITIONS OF APPROVAL**

#### **PREVIOUS CONDITIONS OF APPROVAL**

1. All previous conditions of approval applicable to the subject property, as contained in Town Resolution 2015-036 have been updated and consolidated as contained herein.

#### **GENERAL**

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.
2. Development of the site is limited to the uses approved by the Town of Loxahatchee Groves in Exhibit 4 (Southern Site Plan). The approved Site Plan is dated March 28, 2022. All modifications to the Site Plan shall be approved by the Town Council with the following exceptions which may be approved by the Town Manager:
  - (a) Administrative amendments permitted under Section 155-005 of the ULDC;
  - (b) Amendments necessary to comply with Site Plan Conditions of Approval; and
  - (d) Infrastructure and utility improvements which are in accordance with the ULDC.
- 3 The Town Manager and his designated agents shall review and approve all building permit applications prior to processing by the Building Official for consistency with the following: (1) Site Plan and Conditions of Approval; (2) Landscape Plan; and (3) Elevations.
4. Direct ingress and egress to a future commercial development from Tangerine Drive shall be prohibited.
5. The landscape buffer along the northern parking area identified on the Final Landscape Plan dated May 27, 2022 shall be credited to meeting the requirement for a 0.20 acre preserve area.
6. Prior to submittal of any building permit applications for processing by the Building Official, the Town Engineer shall review and approve the following plans for consistency with the approved Site Plan Site Plan, Paving, Drainage, Water and Wastewater Plans, Irrigation Plan, and Photometric Plan.
7. A plat pursuant to Article 140 of the Town's Unified Land Development Code shall be reviewed and approved by the Town Engineer and the Town prior to applying for an initial building permit.

8. A 10-foot easement for a greenway and horse trail shall be granted by the property owner at the time of platting consistent with the general location indicated on the Landscape Plan dated May 27, 2022.

## **USE LIMITATIONS**

1. Land use and intensity of development on the property shall be regulated by the application of the following:

a. Intensity of development shall not exceed a floor-area- ratio (F.A.R.) of 0.10 in order to accommodate a maximum of 28,000 sq. ft. of warehouse/repair services and retail store uses.

b. Building height shall be limited to one story.

## **ARCHITECTURAL**

1. Architectural features and floor plans shall comply with the Floor Plan prepared by Architectural Consultants, Inc. (Sheet A1.0) dated May 28, 2022.

## **ENGINEERING**

1. Consistent with the Palm Beach County Mandatory Traffic Performance Standards criteria in place at the time of this approval, no building permits for the site shall be issued after December 31, 2025. A time extension for this condition shall be acknowledged by the Town of Loxahatchee Groves pursuant to a State of Emergency Order issued by the Governor of Florida upon written notification by the Owner, or approval of a traffic study which complies with the Palm Beach County Mandatory Traffic Performance Standards in place at the time of the request.

2. Prior to receiving the first Certificate of Occupancy, the property owner shall fund the total cost to design, permit, construct and inspect Loxahatchee Avenue as a 2-laned paved roadway from Southern Boulevard north to the Loxahatchee Avenue entrance to the project , as indicated on the Site Plan, dated March 28, 2022. Alternatively, if funding for this project has been received by the Town from a prior source, the property owner shall fund the total cost to design, permit, construct and inspect Loxahatchee Avenue as a 2-laned paved roadway from the Loxahatchee Avenue entrance to the project, as indicated on the Site Plan, dated March 28, 2022 north to Tangerine Drive.

3. Prior to the issuance of the Site Development Permit and Building Permit for this project, the Applicant shall provide itemized infrastructure cost estimates and surety per Town Code Section 100-060.

4 Prior to the commencement of construction of this project the Applicant shall:

a. Provide the Town Engineer with copies of all permits, permit applications, and requests for additional information to and from the regulatory agencies regarding issues on all permit applications, certification, and approvals for this project including, but not limited to, the South Florida Water Management District, Palm

Beach County Water Utilities Department, Florida Department of Transportation, Palm Beach County Fire Rescue, Palm Beach County Health Department, etc.

b. Schedule a pre-construction meeting with the Town. Inspections related to the Site Development Permit for this project will not be performed until the pre-construction meeting has occurred. Failure to comply with this condition could result in a Stop Work Order for all work and construction activity related to this project.

5. The Applicant shall comply with all Federal EPA and State of Florida Department of Environmental Protection NPDES requirements including, but not limited to, preparation of a stormwater pollution prevention plan and identification of appropriate Best Management Practices, as generally accepted by the Environmental Protection Agency (EPA) and local regulatory agencies, for construction activities, implementation of the approved plans, inspection, and maintenance of controls during construction, including a Notice of Intent prior to the start of construction and a Notice of Termination prior to the certification of the Site Development Permit.

6. The construction, operation, and maintenance of any elements of this project shall not have any negative impacts on the existing drainage of the surrounding areas. If at any time during the project development, it is determined by the Town that any of the surrounding areas are experiencing negative drainage impacts caused by this project, it shall be the applicant's responsibility to resolve said impacts in a period of time and a manner that is acceptable to the Town prior to additional construction activities. The Town may issue a Stop Work Order or cease issuance of any related Building Permits until all drainage concerns are resolved.

7. Prior to the issuance of the Certificate of Completion for the Site Development Permit, the application shall:

a. Provide copies of the required test results as provided for on the plans and specification and in accordance with FDOT for review by the Town Engineer.

b. Submit to the Town any required recorded easements and easement modifications.

c. Provide electronic certified civil design as-built drawings in both PDF and AutoCAD formats for review and approval by the Town Engineer.

8. Prior to the issuance of the Certificate of Occupancy for this project, an ADA pedestrian sidewalk to Southern Boulevard and the vehicular driveway connections to Loxahatchee Avenue and Orange Avenue must be constructed, certified, and approved by the Town.

9. Survey, plat, site lighting plans, civil engineering plans, and mechanical, electrical and plumbing plans and details shall be included with documents submitted to the Town Engineer and/or Building Official during the Land Development Review Process/

## **LAND CLEARING AND LANDSCAPING**

1. Any land clearing activities shall comply with the permit requirements of Article 87 "Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal" of the Loxahatchee Groves Unified Land Development Code coincident with the Town's land development review process.
2. Project landscaping shall conform to the Landscape Plan dated May 27, 2022.

## **EXTERIOR LIGHTING**

1. All lighting shall conform to the Photometric Plan prepared by E & C Engineers, Inc. dated April 13, 2022, or as revised based upon Town Engineer direction.
2. All exterior lighting shall be directed downward and contain shields to contain lighting within the property boundaries.

## **PALM TRAN**

1. Not Applicable at this time. A future bus shelter may be developed within the Southern Boulevard right-of-way at the discretion of Palm Tran and the Florida Department of Transportation.

## **PARKING AND LOADING**

1. The Site Plan shall indicate 67 parking spaces at the standard size of 11' x 22.5' unless a variance is approved by the Town Council allowing a smaller size.
2. Paved parking on the property shall not exceed the code-required 67 spaces.

## **SIGNS**

1. Sign permit applications shall be submitted to the Town as required by ULDC Section 90-070 *Sign permit requirements*.
2. A Mandatory Building Identification Sign (maximum sign face of 4 sq. ft.) shall be attached to the structure.
3. The number of monument signs shall be limited to the following:
  - a. Two Free-Standing Monument Signs with a maximum sign face of 60 and 12 sq. ft. respectively.
  - b. Two attached building wall signs with a maximum of 36 sq. ft. each.

## **UTILITIES AND SERVICES**

1. A fully executed Potable Water and Wastewater Development Agreement between the Property Owner and the Palm Beach County Water Utility Department shall be

provided to the Town of Loxahatchee Groves for the provision of central water and wastewater services to the project prior to issuance of the first project building permit.

2. Solid waste collection and disposal shall be accomplished by contract between the Property Owner and a third-party hauler prior to issuance of the initial certificate of occupancy

3. Buildings of 5,000 sq. ft. and larger shall contain automatic sprinkler systems.