

**DEVELOPMENT SERVICES DEPARTMENT, BOCA RATON, FLORIDA  
-PLANNING REPORT – JORGE A. CAMEJO, AICP, DIRECTOR**

Planning & Zoning Agenda Date: June 7, 2007

CASE NO.: UC-06-04  
06-22500004

Petition of Jeffrey Evans, for a Universal Conditional Approval for Ocean Breeze located at 5800 N.W. 2nd Avenue that includes a change to the Comprehensive Plan Future Land Use Map from Open Space and Recreation (PR) to Residential Medium (RM), a rezoning from Recreational (REC) to Multifamily Residential (R3) and Site Plan Approval (SPA) to provide for the redevelop of a portion of the existing golf course into 211 residential townhouses; a change to the Comprehensive Plan Future Land Use Map from PR to Residential High (RH), a rezoning from REC to Multifamily Residential (R4), a Conditional Use Approval (CA) and Site Plan Approval (SPA) to provide for the renovation and expansion of the existing Inn, including the construction of 46 additional hotel rooms; a Planned Unit Development (PUD) Master Plan Approval and a Tentative Plat Approval (SUB) for the entire property; a CA and a SPA to renovate and expand the clubhouse and social center and construct a new nine (9) hole golf course; and

SC-07-01  
07-5000001

Petition of Jeffrey Evans, for a Text Amendment to the Transportation Element of the Boca Raton Comprehensive Plan to provide policy language to support the establishment an interim level-of-service for roadways, including a segment of Northwest 2<sup>nd</sup> Avenue

**RECOMMENDATION:**

Approval with conditions

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Carmen Annunziato, AICP  
Planning and Zoning Director

**INTRODUCTION**

The petition is a request for a Universal Conditional Approval for the Ocean Breeze property that includes the following :

- A change to the Comprehensive Plan Future Land Use Map from Open Space and Recreation (PR) to Residential Medium (RM), a rezoning from Recreational (REC) to Multifamily Residential (R3) and Site Plan Approval (SPA) to provide for

the redevelopment of a portion of the existing golf course into 211 residential townhouses;

- A change to the Comprehensive Plan Future Land Use Map from PR to Residential High (RH), a rezoning from REC to Multifamily Residential (R4), a Conditional Use Approval (CA) and Site Plan Approval (SPA) to provide for the renovation and expansion of the existing Inn, including the construction of 46 additional hotel rooms;
- A Planned Unit Development (PUD) Master Plan Approval and Tentative Plat Approval (SUB) for the entire property;
- A CA and SPA to renovate and expand the clubhouse and social center and construct a new nine (9) hole golf course; and
- A Text Amendment to the Transportation Element of the Boca Raton Comprehensive Plan (SC-07-01/07-50000001) to provide policy language to support the establishment of an interim level-of-service standard for constrained roadways, including a segment of Northwest 2<sup>nd</sup> Avenue.

The subject property was originally part of the 360-acre Boca Teeca property, generally located west of the FEC Railroad Tracks, south of Hidden Valley Boulevard, east of Interstate 95 and north of Yamato Road. On October 2, 1973, the Boca Teeca Development Master Plan was approved for a total of 1,774 dwelling units, 27-hole golf course, a clubhouse and various recreational facilities. At that time, only the residential areas of the Boca Teeca Development Master Plan were platted. In February of 1986, Boca Teeca Corporation sold all properties located therein to the Boca Teeca Country Club, Incorporated. In 2002, the name of the golf course, clubhouse and Inn was changed to the Ocean Breeze Golf and Country Club, while the residential buildings maintained the Boca Teeca name. The subject petition does not include any of the existing single-family and condominium development that was approved with the Boca Teeca Development Master Plan.

The Ocean Breeze Golf and Country Club is composed of golf, house and social memberships. Property owners of condominiums within the Boca Teeca community (Condominiums 1 through 10, San Remo and Sabal Gardens) are considered social members, and entitled to use the recreation building and tennis courts located at the "Country Club" for a period of time ending December 31, 2009 (Recorded Restrictions and Covenants, December 1985).

The proposed PUD Master Plan for Ocean Breeze consists of approximately 212.768 acres (9,268,154 square feet) of the original 360-acre site. The Ocean Breeze property currently contains three (3) nine-hole championship golf courses, a clubhouse, maintenance facilities and an existing Inn. The existing Ocean Breeze golf course property has deed restrictions in place that limit the use of the property to a golf course facility for the benefit of the Boca Teeca community. The deed restrictions can only be lifted with a majority vote from all of the Boca Teeca residents. In February of 2006, more than half of the Boca Teeca residents signed an agreement that would result in the deed restrictions being lifted provided the proceeds from the selling of the proposed 211-unit townhouse development would be reinvested into the Ocean Breeze Golf and

Country Club as proposed in the subject petition. Therefore, lifting of the deed restrictions is contingent upon the approval of the proposed Ocean Breeze project.

## **PLANNING CONSIDERATIONS**

The subject petition is a proposal to convert one of the three existing Ocean Breeze championship golf courses that is located south of Jeffrey Street into 211 townhouses, reconstruct the remaining golf course area into a new 9-hole executive golf course, renovate and expand the existing clubhouse to incorporate a new social center and renovate and expand the existing Inn at Ocean Breeze located on the east side of Northwest 2<sup>nd</sup> Avenue. As the locations for the proposed townhouses and the Inn currently have Future Land Use and zoning designations that are for recreational use only, the petitioner is requesting a change to both the Future Land Use Map and Zoning Map for these portions of the Ocean Breeze property. In addition, Conditional Use Approval is required for the renovation of the clubhouse, social center and golf course, as these uses are conditional uses within the REC zoning district. With regard to the existing Inn, this use is considered a non-conforming use in the REC zoning district. With the requested zoning district classification of R-4, hotels and motels are conditional uses, thereby requiring Conditional Use Approval. The proposed Planned Unit Development Master Plan and Tentative Plat will create one master plan and plat that encompasses the entire Ocean Breeze property.

With the increase in density and intensity proposed with this petition, the roadway capacity of Northwest 2<sup>nd</sup> Avenue is anticipated to fall below the accepted level of service standard. As such, the petitioner is also requesting a change to the Goals, Objectives and Policies of the Transportation Element of the Comprehensive Plan to permit an interim level of service standard for a portion of Northwest 2<sup>nd</sup> Avenue. The changes to the Transportation Element Goals, Objectives and Policies, in addition to the changes proposed to the Future Land Use Map, will require review by the Florida Department of Community Affairs and a super-majority vote (4 of 5) by the City Council for approval.

### **Comprehensive Plan Analysis**

The proposed project will involve a change to the Future Land Use Map of the Comprehensive Plan for two (2) specific areas within the Ocean Breeze property from Recreation and Open Space (PR) to Residential Medium (RM) for the townhouse development and from Recreation and Open Space (PR) to Residential High (RH) for the expansion of the Inn property. As a comprehensive plan amendment, a review to determine concurrency, compatibility and consistency with the Boca Raton Comprehensive Plan was required.

### **Townhouses at Ocean Breeze**

The area proposed for townhouse development encompasses approximately 29.58 acres and is located in the southwest portion of the property just east of Interstate-95 and south of Jeffrey Street. The development will have only one entrance from Jeffrey Street, which will provide both left and right turning movements in and out of the site.

The internal street system will include landscaped islands that will help to reduce speeds and provide a streetscape appeal. As this area is only a part of the overall Ocean Breeze PUD, the required setbacks are only measured from the west and south property lines. Recreational amenities for the residents include a community center located at the southwest corner of the development, abutting the existing single-family neighborhood. The townhouse community center area has been arranged to provide a large open space area that will give an additional buffer to the existing single-family homes to the south. The more active areas, which include the community clubhouse and pool, are further inward to the development. The architect has designed this townhouse community to be laid out in clusters of six (6), interconnected by an extensive sidewalk system, surrounded by green areas and interspersed with passive recreational amenities. The townhouses immediately adjacent to the golf course have been designed as two story units with roof elements that give an appearance of additional height. The remaining units will consist of both two and three story townhouses in each of the rows. This feature provides for varied roof heights that create diversity in the building design. Architecturally, the townhouses are reminiscent of the old Florida Caribbean style design. The typical elements of the old Florida style architecture that have been incorporated in the design include the use of large balconies, verandas, and metal roofs. The building materials include both natural stone and clapboard siding. While the PUD regulations allow a maximum height of 50 feet, the petitioner is proposing a maximum height of 35 feet three (3) inches. In addition, all of the townhouses have been designed with two car garages. The required parking for the residential development is 422 and 466 spaces are being provided. In addition, 25 additional parking spaces are provided at the townhouse community center.

As stated, the proposed 211 townhouses will require a change to the Future Land Use Map from Open Space and Recreation (PR) to Residential Medium (RM), in addition to a rezoning from Recreational (REC) to Multifamily Residential/R-3 zoning. The future land use and zoning designations for the adjacent properties are shown in the following table.

<b>Location</b>	<b>Future Land Use Designation</b>	<b>Land Use Intensity/ Density</b>	<b>Zoning District</b>	<b>Zoning Intensity /Density</b>
East	Residential Low (RL) and Open Space and Recreation (PR)	3.5 dwelling units per acre	R1D and REC	3.1 dwelling units per acre and 0.5 dwelling units per acre
South	RL	3.5 dwelling units per acre	R1D	3.1 dwelling units per acre
West	Institutional (PI)	n/a	Public Transportation (PT)	n/a
North	RL and PR	3.5 dwelling units per acre	R1D and REC	3.1 dwelling units per acre and 0.5 dwelling units per acre

A comparison of maximum density permitted under the current and proposed land use and zoning districts is shown in the table below.

	<b>Future Land Use Designation</b>	<b>Maximum Land Use Density Permitted</b>	<b>Zoning District</b>	<b>Maximum Density Permitted</b>	<b>Actual Density Proposed subject to UC approval</b>
Current Land Use	Open Space and Recreation (PR)	Determined by the Land Development Regulations	REC	0.50 units per acre	
Proposed Land Use	RM	9.5 dwelling units per acre	R-3	9.5 dwelling units per acre	7.1 dwelling units per acre

Regarding compatibility, the original plans for the Boca Teeca Master Plan contemplated both low density as well as high density residential development within this golf course community. Today, the Boca Teeca residential development consists of single-family homes, with a zoning designation of R1D, which allows up to 3.1 dwelling units per acre, and condominium development, with a zoning designation of R-3-C, allowing up to 13.5 dwelling units per acre. The proposed zoning district designation permits 9.5 dwelling units per acre, which equates to a maximum of 281 dwelling units. However, as a Universal Conditional Approval, the actual density that the petitioner is proposing will be limited to a total of 211 units, which is approximately 7.1 dwelling units per acre for this 29.58 acre area of the PUD. It is staff's professional opinion that the proposed multifamily land use and zoning designations are compatible with the existing residential development and that proposed townhouse design offers an alternative housing choice for this area.

#### Consistency with the Comprehensive Plan

A general review of the Goals, Objectives and Policies of the Comprehensive Plan indicates that the proposed change to the Future Land Use Map and Transportation Element, if adopted, is consistent with the Boca Raton Comprehensive Plan, provided the City Council adopts an interim level of service standard for the segment of Northwest 2<sup>nd</sup> Avenue that extends from Yamato Road to Jeffrey Street.

#### Concurrency

Staff review of the Public Facilities Analysis Section of the Future Land Use Application Response provided by the petitioner indicates that the proposed development will be adequately served by potable water, sanitary sewer, drainage, solid waste facilities and park acreage. In addition, the proposed development will not negatively impact the public school facilities or natural resources. With regard to traffic concurrency, the County Traffic Engineer determined the project does meet the traffic performance standards of Palm Beach County for county roadways, provided the petitioner constructs a westbound left turn lane into the townhouse development access driveway on Jeffrey Street. A condition to this effect has been incorporated into the associated development orders. In order to meet the traffic concurrency standards of Northwest 2<sup>nd</sup> Avenue, the petitioner is proposing an interim level of service standard for that portion of Northwest 2<sup>nd</sup> Avenue that is currently failing and will continue to as a result of the

additional trips anticipated with this project. Should the City Council approve the interim level of service standard for this portion of Northwest 2<sup>nd</sup> Avenue, the proposed development will meet the concurrency standards of the Boca Raton Comprehensive Plan.

### **The Inn at Ocean Breeze**

The petitioner is also proposing a change from PR to RH and from REC to R-4 zoning to permit the expansion and renovation of the existing Inn. The Inn consists of approximately 3.09 acres and consists of 46 hotel rooms, a swimming pool and deck, and the social amenities for the Boca Teeca residents, including community meeting rooms and other community space. The petitioner is proposing to remove the social activities from the Inn and incorporate them into an expanded clubhouse and social center located across the street adjacent to the proposed new nine (9)-hole golf course.

Under the current zoning, the Inn is considered a legal non-conforming use. The petitioner is proposing to renovate the existing rooms, add 46 new hotel rooms and incorporate facilities, such as food and beverage service and conference rooms, that are typically found in resort hotels. As a non-conforming use, the changes proposed to the Inn require that the zoning and land use for the property be changed and the property be brought into conformance with current City code requirements. The proposed land use and zoning change would allow the renovation and expansion of the Inn, as a conditional use in the R-4 zoning district.

The Inn can be accessed from three driveways, one with direct access to Northwest 2<sup>nd</sup> Avenue and the two other driveways from the Jeffrey Street extension. The driveway from Northwest 2<sup>nd</sup> Avenue provides only right-in and right-out turning movements, while the two from Jeffrey Street allow traffic to turn left out of the site. As a part of the overall PUD Master Plan, the landscaped building setback requirements affect the eastern and southern property lines from the Inn. The building setback requirement is 27.5 feet. The petitioner is not proposing to deviate from this requirement.

The renovations to the Inn include a new three (3) story lobby, four (4) story hotel room addition, conversion of a portion of the existing golf course to parking, new sidewalks and landscaping and a remodeled pool and deck area. The proposed addition increases the square footage of the building from 45,883 square feet to 77,392 square feet. The maximum height of the Inn is 50 feet, which is consistent with the R-4 zoning district regulations.

With the addition of 46 new hotel rooms, the parking requirement for the Inn was increased from 113 parking spaces to 152 spaces. 157 parking spaces are being provided through an addition to the existing parking lot, which will be located in the southeast portion of the site that is currently part of the golf course.

### Land Use Compatibility

The future land use and zoning designations for the adjacent properties are shown in the following table.

Location	Future Land Use Designation	Land Use Intensity/ Density	Zoning District	Zoning Intensity /Density
East	PR	n/a	REC	0.5 dwelling units per acre
South	RH	20 units per acre	R3C	13.5 dwelling units per acre
West	PR	n/a	REC	0.5 dwelling units per acre
North	PR	n/a	REC	0.5 dwelling units per acre

A comparison of maximum density permitted under the current and proposed land use and zoning districts is shown in the table below.

	Future Land Use Designation	Maximum Land Use Density Permitted	Zoning District	Maximum Density Permitted	Actual Density Proposed subject to UC approval
Current Land Use	PR	n/a	REC	0.5 dwelling units per acre	
Proposed Land Use	RH	20 units per acre	R-4	15 dwelling units per acre.	92 hotel rooms

Hotels are exempt from the maximum density requirements of the R-4 zoning district regulations pursuant to Code Section 28-601.

### Consistency with the Comprehensive Plan

A general review of the Goals, Objectives and Policies of the Comprehensive Plan indicates that the proposed change to the Future Land Use Map and Transportation Element, if adopted, is consistent with the Boca Raton Comprehensive Plan, provided the City Council adopts an interim level of service standard for the segment of Northwest 2<sup>nd</sup> Avenue that extends from Yamato Road to Jeffrey Street.

### Concurrency

Staff review of the Public Facilities Analysis Section of the Future Land Use Application Response provided by the petitioner indicates that the proposed development will be adequately served by potable water, sanitary sewer, drainage, solid waste facilities and park acreage. In addition, the proposed development will not negatively impact the public school facilities or natural resources. With regard to traffic concurrency, the County Traffic Engineer determined the project does meet the traffic performance standards of Palm Beach County for county roadways, provided the petitioner constructs a westbound left turn lane into the townhouse development access driveway on Jeffrey Street. A condition to this effect has been incorporated into the associated development orders. In order to meet the traffic concurrency standards of Northwest 2<sup>nd</sup> Avenue, the petitioner is proposing an interim level of service standard for that portion of Northwest 2<sup>nd</sup> Avenue that is currently failing and will continue to as a result of the additional trips anticipated with this project. Should the City Council approve the interim

level of service standard for this portion of Northwest 2<sup>nd</sup> Avenue, the proposed development will meet the concurrency standards of the Boca Raton Comprehensive Plan.

### **The Clubhouse, Social Center and new 9-hole Golf Course**

The existing single story clubhouse is located at the southwest corner of Jeffrey Street and Northwest 2<sup>nd</sup> Avenue and consists of approximately 19,955 square feet. The petitioner is proposing an addition to the clubhouse that will be located west of the existing building. The renovation and expansion requires a Conditional Use and Site Plan Approval. The first floor will be enlarged to include a net new square footage of approximately 6,565 square feet. In addition, a second story is proposed that will consist of 10,697 square feet, for a total building area of 37,217 square feet. With the additional square footage, the petitioner is proposing to relocate the social activities that historically were conducted at the Inn to the new social center. In addition, the renovated and expanded clubhouse and social center will offer new social amenities for the members, including: meeting rooms, a library, fitness center and locker rooms, private dining rooms and bar area, a card room, social club room, a golf shop and a golf cart storage area. Non-members are currently permitted and will continue to be permitted access to the golf courses, in addition to the new golf shop, locker rooms, outside dining and bar areas. The public use of the dining areas will be limited to only special events, such as weddings. The parking requirement for the clubhouse and social center is 188 spaces and 199 spaces are being provided on site and at the existing parking lot located on the north side of Jeffrey Street. A condition of approval has been incorporated into the Site Plan Approval Resolution requiring the parking lot be redesigned to meet the requirements of the current City Code.

In addition, plans for the redevelopment of the clubhouse and social center at Ocean Breeze include a new nine (9)-hole Executive golf course on the south side of Jeffrey Street. Currently, this golf course is designed as a larger championship golf course, similar to the design of the remaining golf course areas to the east and north. The Executive golf course design will provide members with the option of a shorter course and a putting green area. As a condition of approval, the petitioner will be required to obtain Site Plan Approval for the redesigned golf course.

### **Planned Development Regulations**

The subject application includes a petition for a Planned Unit Development Master Plan Approval. The purpose of the master plan is to consolidate the clubhouse, new social center, the Inn at Ocean Breeze, the proposed 211 townhouses, the existing golf courses, the proposed nine- (9) hole golf course, and other recreational amenities and a new maintenance area, into a single plan for the Ocean Breeze Golf and Country Club property. The Master Plan will include the total approved density for the entire 212.768 -acre property, will identify the location for the multimodal transportation mitigation improvements and will provide one plat for the entire property.

City Code Section 28-1711, of the Planned Development section of the Code, establishes the criteria by which building and perimeter landscape setbacks can be

modified. Pursuant to City Code Section 28-422, the required setbacks for structures in the R-3 zoning district are: front or street 25 feet, sides 10 feet and rear 25 feet; and from City Code Section 28-604, the required setbacks for structures in the R-4 zoning district are: front or street 25 feet, sides 25 feet and rear 25 feet. For all buildings in the R-3 and R-4 districts that over 25 feet in height, all front, side and rear yards shall each be increased at the rate of 1 foot for each additional 2 feet in height. The perimeter setbacks are a specific requirement of the PUD regulations and are not based upon the underlying zoning district. The required PUD perimeter setback is 25 feet from all property lines. For buildings greater than 30 feet in height, additional setbacks are required. Pursuant to the PUD regulations, all perimeter setbacks are required to be landscaped.

The PUD proposed for Ocean Breeze incorporates the entire 212.768 acres. As such, the building and perimeter landscaping setbacks are measured from both the perimeter boundary line and where applicable, public rights-of-way. Both the Inn and the townhouse development front Jeffrey Street. At these two locations, deviations from the required building and perimeter landscaping requirement are being sought. As indicated in the table below, for the townhouse development, the required landscaped building setback at Jeffrey Street is 27.5 feet and 15 feet is being provided. The required landscaped building setback for the Inn along Jeffrey Street is 35 feet and 10 feet is being provided. The remaining perimeter landscaping setbacks are 27.5 feet along the FEC railroad right of way and along the existing residential development south of the proposed townhouses. At both of these locations, 27.5 feet or more is being provided.

**REQUIRED SETBACKS**

<b>Building and Perimeter Landscaping Setbacks</b>	<b>Required per Section 28-422 (R-3 Requirement)</b>	<b>Provided</b>
<b>TOWNHOUSES</b>		
From Jeffrey Street	27.5 feet	15 feet
<b>Building and Perimeter Landscaping Setbacks</b>	<b>Required per Section 28-604 (R- Requirement)</b>	<b>Provided</b>
<b>INN</b>		
From Jeffrey Street	35 feet	10 feet

**Traffic Analysis**

A traffic concurrency study was required for this project. The project traffic engineer, Carter & Burgess, Inc., estimated the development’s trip generation potential as provided in the following table:

**Trip Generation  
Ocean Breeze Master Plan**

Development	Trip Generation (trips)		
	Daily	AM Peak Hour	PM Peak Hour
Existing Development	389	29	30
Proposed Development	2,257	153	172
<b>Net New Trips</b>	<b>+ 1,868</b>	<b>+ 124</b>	<b>+ 142</b>

The traffic study showed that Northwest 2<sup>nd</sup> Avenue, from Yamato Road to Jeffrey Street is currently operating at LOS F. The study indicates that all remaining links and intersections within the study area meet the requirements of the Palm Beach County Traffic Performance Standards Ordinance. The Palm Beach County Traffic Engineer determining that the development meets the concurrency standards for County roadways. All project driveways, site circulation, turn lanes, and parking meet requirements of City Code.

The City Comprehensive Plan (Policy TRAN. 1.4.8) constrains Northwest 2<sup>nd</sup> Avenue from Yamato Road to the northern City Limit to a two (2)-lane undivided facility, in order to maintain the residential character of the adjacent neighborhoods. To proceed with a development order approval, it will be necessary for this petitioner to amend the City's Comprehensive Plan to lower the level-of-service on the failing link of Northwest 2<sup>nd</sup> Avenue, specifically for this project. However, it is recommended that the petition be conditioned to construct intersection improvements at the intersection of Northwest 2<sup>nd</sup> Avenue at Jeffrey Street and Multimodal Transportation District (MMTD) improvements.

### **Transportation Element Text Amendment Data and Analysis**

Florida Administrative Code (FAC) Rules 9J-5.055(2)(c) and 9J-5.019(4)(c)1 state that local governments shall adopt level of service standards to ensure that adequate facility capacity will be provided to serve the existing and future land uses as demonstrated by the supporting data and analysis of the comprehensive plan. This means that for local arterial and collector roads, local governments are permitted to adopt level of service standards that are lower than the generalized volumes typically employed.

The City of Boca Raton, through Transportation Element Policy 1.3.1, has adopted a LOS E standard for city collector facilities. In addition, a constrained roadway is defined as a roadway that operates below level of service standards as a result of existing plus approved development traffic and which is constrained from adding at least two additional through-lanes *due to physical or policy* constraints. Furthermore, the Transportation Element states that the City shall not further degrade conditions on constrained facilities.

The traditional strategy to address traffic congestion in Palm Beach County and throughout Florida, which has been increasing roadway capacity and only approving development where enough roadway capacity exists to carry the traffic generated by new development, has had the unintended consequence of pushing growth further

away from major destinations, increasing trip lengths and automobile dependence. In Boca Raton, officials, staff, and residents have recognized the inability to provide enough roadway capacity to meet the traffic demands of this pattern of development, and have resisted further road widening in favor of maintaining and enhancing the vibrant community character. While the City will continue working with county, state and regional agencies to strategically widen roads where appropriate, the City is now looking towards alternative strategies to address its transportation challenges through an approach that better reflects overall community goals for a livable city. The Major Issue identified in Boca Raton's 2005 Evaluation and Appraisal Report (EAR) is:

Addressing the impacts of urban growth and redevelopment through the establishment of an innovative system that enhances mobility by linking local and regional transportation networks, incorporating alternative transportation modes, and promoting traffic management.

Through the EAR-based amendment process, this issue presents the City with a tremendous opportunity to take a different and more proactive multimodal approach to meeting its mobility needs that better fits local land use and redevelopment objectives.

During the process of identifying the City's major issue, there was a general consensus that in order to accommodate the growing number of people who live and/or work in the City and still maintain the quality of life that makes the City of Boca Raton so attractive to residents and visitors alike, the City needed to address the issue of traffic congestion. Acknowledging that the traditional approach of mitigating the impacts of increasing traffic volumes, which is limited to roadway construction projects, was becoming less acceptable, it became apparent that the ability to provide residents with more choices in travel, other than the automobile, may prove to be the most viable alternative. It was further recognized that there is a direct relationship between transportation and land use planning and the decisions made can have a profound impact on mobility or the lack thereof. The major issue for the City was identified and the focus became one of mobility: multi-modal mobility.

The City's vision for the transportation system is one that gives people more accessible transportation options, more linkages to the network of local and regional transportation systems, better management of existing transportation corridors, and a complementary mix of land uses in order to better manage the future growth and development within the City of Boca Raton. As such, the City is currently considering and working toward establishing a Multimodal Transportation Districts (MMTD). The purpose of the MMTD transportation concurrency option is to elevate the priority of the pedestrian, cyclist and transit rider in the transportation network by creating a safe, comfortable, and attractive environment. Vehicle mobility is still provided, however, it is not the primary priority.

The MMTD concepts and requirements identified in Florida Statutes create a regulatory framework for a local government to put in place a transportation system that includes an interconnected automobile, pedestrian, bicycle and transit network to increase mobility.

The following are the elements of a MMTD:

1. Complementary Mix of Land Uses
  - ◆ Appropriate Scale of development
  - ◆ Variety of land uses
  - ◆ Transit and pedestrian friendly design
2. Appropriate Density and Intensity of Land Uses
  - ◆ Appropriate densities to demonstrate transit ridership
  - ◆ Appropriate intensities in and around central cores
  - ◆ Appropriate organization of land uses along major transit corridors
3. Network Connectivity
  - ◆ Proper pattern of roadways
  - ◆ Continuous systems for pedestrians, bicyclists and automobiles.
  - ◆ Convenient connections between modes
  - ◆ Convenient connections to regional transportation
4. Areawide Level of Service
  - ◆ Integrates individual level of service standards for pedestrian, bicycle, transit and automobile facilities
5. Design
  - ◆ Transit stations or stops as part of development or a neighborhood
  - ◆ Direct and convenient access to transit stations or stops
  - ◆ Continuous and safe pedestrian and bicycle infrastructure
  - ◆ Accommodations for bicycles, including storage
  - ◆ Transit stops or stations that are safe and comfortable
  - ◆ An active, visually pleasing, interesting, and safe environment

While the ultimate goal of the City is to establish MMTDs, the process requires significant public involvement and an amendment to the Comprehensive Plan to support the implementation of the Citywide MMTD District which will take additional time to implement. In the interim, the City chooses to allow development and redevelopment to proceed in situations where multimodal techniques can be used to achieve the City's transportation goal. As such, the City is proposing to adopt interim traffic concurrency measures that are compatible with, and supportive of, MMTD concepts and principles to provide flexibility while the City prepares for the adoption of a Citywide MMTD District.

#### Ocean Breeze Development Data and Information

With regard to the Ocean Breeze project, the City desires to maintain the segment of Northwest 2<sup>nd</sup> Avenue (Northwest Boca Raton Boulevard) between Yamato Road and Hidden Valley Boulevard as a two (2)-lane, undivided facility to support the character of the area. Northwest 2<sup>nd</sup> Avenue is pleasantly landscaped and pedestrian/bicycle facilities line the road, providing alternate mobility options and recreational opportunities. To support redevelopment of and enhancements to portions of the Ocean Breeze Golf and County Club, the City is proposing to adopt an interim level-of-service for this segment. (Note: Other projects impacting Northwest 2<sup>nd</sup> Avenue/Northwest Boca Raton Boulevard will be required to maintain the LOS E

standard or request a comprehensive plan amendment modifying the interim level-of-service volumes).

To determine the appropriate level-of-service standard volumes, transportation impact analyses were performed. Roadway link analyses show that the surrounding transportation network can support the Ocean Breeze project with the exception of Northwest 2<sup>nd</sup> Avenue/Boca Raton Boulevard. Table 1, provided as Attachment 1, to this report, shows the existing (2006) daily traffic volume on Northwest 2<sup>nd</sup> Avenue/Boca Raton Boulevard from Yamato Road to Jeffrey Street as 17,647, which corresponds to a LOS F, and Jeffrey Street to Hidden Valley Boulevard as 12,916, corresponding to a LOS E. With the proposed Ocean Breeze project and committed development, the projected daily traffic volumes are 18,925 and 13,958 in 2011 and 19,627 and 16,090 in 2025. The Concurrency Traffic Impact Analysis shows that there will be an increase of 124 net AM peak hour trips and 142 net PM peak hour trips resulting from the project. Table 2, provided as Attachment 2, shows the projected PM peak hour volumes for Northwest 2<sup>nd</sup> Avenue/Boca Raton Boulevard. For Yamato Road to Jeffrey Street, the 2010 projected PM peak hour volume is 1,917, and for Jeffrey Street to Hidden Valley Boulevard, the projected PM peak hour volume is 1,556. (2010 corresponds to the project's build out date.) Full traffic impact analyses have been provided for the project and are part of the support material for this comprehensive plan amendment.

To address potential traffic congestion, the Ocean Breeze project will be required to construct Transportation Systems Management (TSM) improvements, such as turn lanes and driveway reconfigurations (access management). In addition, the developer of Ocean Breeze will be required to construct MMTD improvements including providing on-site and off-site bikeways to tie the development into the City's pedestrian and bikeway system and contribute funds for the redevelopment of Northwest 2<sup>nd</sup> Avenue should the City decide to do so, among other items. Finally, all such conditions of approval will have to be reduced to a mitigation agreement between the developer and the City. Specific MMTD requirements are found in proposed Policy TRAN. 5.1.1, below.

To address multimodal accessibility on the Ocean Breeze site itself, the developer proposes several improvements, as shown in Attachment 3, the proposed MultiModal Transit System Site Plan. New sidewalks are proposed along Jeffrey Street, so that facilities are available on both sides of the street from Northwest 2<sup>nd</sup> Avenue/Boca Raton Boulevard to the west end of the project. Similarly, existing sidewalks are proposed on Jeffrey Street east of Northwest 2<sup>nd</sup> Avenue/Boca Raton Boulevard to provide convenient and safe connections to the Inn. Golf cart paths are planned through the new nine (9)-hole executive golf course from the proposed townhome development to the Clubhouse, Social Center, and Inn. A pedestrian shelter and transit stop will be located at the Inn near the intersection of Jeffrey Street and Northwest 2<sup>nd</sup> Avenue/Boca Raton Boulevard. This facility will provide facilities for people waiting for transit services provided to the community. In the near term, it will provide shelter and seating for residents using the Mae Volen Senior Center's transportation services for community and personal activities, such as doctor's visits and senior center functions. In the future, community buses or shuttles may stop at the site. The waiting area at the shelter also will provide information on transit routes in the area, including Palm Tran,

Tri-Rail, City or other services. Other Transportation Demand Management activities include providing ride-sharing information at the shelter. The site can serve as a meeting point for residents sharing rides to work or other activities, such as major sporting events or cultural activities.

Attachment 4, which displays the proposed Multi Modal Transportation Network, provides a graphic depiction of the Ocean Breeze site and the surrounding multimodal transportation network. This figure shows pedestrian, bicycle and transit facilities in proximity to the site, including existing Palm Tran routes and Tri-Rail service and the nearby Boca Raton station. The figure also illustrates how the Ocean Breeze site is served by various modal choices, giving residents and visitors a variety of means to travel to, from and through the area.

To address multimodal mobility in the area, pedestrian facilities (multi-use paths) are located along Northwest 2<sup>nd</sup> Avenue/Boca Raton Boulevard. Facilities exist on both sides of the road near Yamato Road and are on the east side north of there. Pedestrian facilities are located on both sides of Yamato Road, US 1 and portions of Clint Moore Road/Jeffrey Street and Dixie Highway. Other portions of Dixie Highway and Clint Moore Road/Jeffrey Street have pedestrian facilities located on only one side of the road. The Palm Beach Metropolitan Planning Organization (MPO) 2030 Long Range Transportation Plan (LRTP) cost feasible plan identifies pedestrian facility improvements to Dixie Highway.

Dedicated, marked bike lanes are available along Yamato Road and the 2030 LRTP includes future bicycle facilities on Dixie Highway, US 1, and Clint Moore Road/Jeffrey Street in the cost feasible plan. There is a small gap in existing bike lanes on Yamato Road on the south side at the railroad tracks/I-95 interchange, in the approximate location of a trail to the Tri-Rail station. Improvements to this section also are in the 2030 LRTP cost feasible plan. The City's Bicycle, Pedestrian, Greenways and Trails Master Plan (1996) shows multi-use paths along the FEC railroad, west of I-95, and along the canal east of Congress Avenue, potentially providing additional multimodal connections to the larger community directly and via transit services.

The pedestrian and bicycle facilities mentioned above connect to US 1, Yamato Road and Clint Moore Road/Jeffrey Street, providing access to the larger area. Transit service is available along Yamato Road and US 1, both less than ½ mile away from the project, and along Congress Avenue, less than one mile away. Route 1 travels US 1 from Palm Beach Gardens to Boca Raton and provides service at US 1 and Yamato Road from 6:45 am until 9:45 pm, with 20-minute headways all day. Route 2 provides service from Palm Beach Gardens to Boca Raton (Town Center Mall) via Congress Avenue. Service along the route, and at the Boca Raton Tri-Rail station in particular, is available from 5:55 am until 8:55 pm, with 30-minute headways all day. Route 94 provides service between the Boca Raton Tri-Rail station and Florida Atlantic University, along Yamato Road, NW 2<sup>nd</sup> Avenue/Boca Raton Boulevard, Spanish River Boulevard, US 1, and 20<sup>th</sup> Street. Hourly service is available from 6:45 am until 6:33 pm at the Tri-Rail Station. As part of redevelopment plans for the North Boca Village and to enhance multimodal access, the City is considering establishing shuttle (or community bus)

services from the North Boca Village area to the Boca Raton Tri-Rail station. This service may incorporate access to the Ocean Breeze area.

Commuter rail service also is located within a mile of the site, with a station south of Yamato Road, immediately west of I-95. Service areas for buses is generally considered to be a ¼-mile walk to a stop and commuter rail service draws from a much larger area of ½ mile or more. Tri-Rail operates on a scheduled basis, with 20- or 30-minute headways in the morning and evening peak hours. Tri-Rail and Palm Tran both permit bikes on their transit vehicles and bicycle parking is available at Tri-Rail stations; both techniques support bicycle/transit commuting.

The Florida Department of Transportation is undertaking a study to evaluate providing passenger service in the FEC corridor. This corridor is adjacent to Dixie Highway and is within ¼ mile of the site. If such service is established, the City of Boca Raton proposes stations in downtown Boca Raton and/or the North Boca Village district. This latter choice would provide a transit station in proximity to the site, providing another mobility choice for residents, workers and visitors to the area.

In order to implement interim concurrency measures for constrained roadways generally and the Ocean Breeze development specifically, the City is proposing a revision to one policy in addition to a new goal, objective and policies related to interim concurrency measures for constrained roadways generally and the Ocean Breeze development specifically, as follows:

Policy TRAN.1.3.1: The following level-of-service standards shall be maintained on roadways during peak hour and daily conditions, except as identified by roadways which are constrained or backlogged, or are approved pursuant to Goal 5 of the Transportation Element. The City shall maintain service levels and not further degrade operating conditions on constrained facilities and shall maintain and improve service levels (not further degrade operating conditions until the roadway is upgraded) on backlogged facilities.

<u>FACILITY TYPE</u>	<u>LOS STD</u>
Limited access state principal arterial	D
State principal arterial	D
County minor arterial	D
County collector	D
State minor arterial	E
City collector	E

GOAL TRAN. 5.0.0: IT IS THE GOAL OF THE CITY OF BOCA RATON TO IMPLEMENT INTERIM CONCURRENCY MEASURES FOR CONSTRAINED ROADWAYS IDENTIFIED IN THE COMPREHENSIVE PLAN, PENDING THE ADOPTION BY THE CITY COUNCIL OF A MULTI-MODAL TRANSPORTATION DISTRICT (“MMTD”) FOR THE CITY.

OBJECTIVE TRAN. 5.1.0: The City Council shall adopt interim traffic concurrency measures that are compatible with, and supportive of, MMTD concepts and principles.

including the provision of alternative modes of transportation, funding mechanisms to support transit, applicable roadway improvements and transportation mode connectivity.

POLICY TRAN. 5.1.1: The Boca Raton City Council established as its “Major Issue” pursuant to the 2005 Evaluation and Appraisal Report, the adoption of an MMTD for the City. As an interim measure, pending adoption of MMTD Goal, Objective and Policy amendments to the Comprehensive Plan, the City Council desires to implement a procedure for the approval of an alternative traffic concurrency standard (“ATCS”) over roadways that are constrained and exceed the adopted level-of-service as provided in Policy TRAN. 1.3.1. Any development approved pursuant to the ATCS shall employ mitigation measures as provided below and must be consistent with all other provisions of the Comprehensive Plan.

Any development approved pursuant to the ATCS shall implement mitigation measures including, but not limited to, the following.

a. All development shall include on-site and off-site non-vehicular transportation improvements including sidewalks, shared use pathways, transit facilities and/or bike lanes. These improvements shall be constructed to either tie into or expand existing public facilities as a means to provide connectivity to existing regional transit facilities.

b. All development shall continue to test for concurrency pursuant to the Palm Beach County Traffic Performance Standards Ordinance.

c. Any required roadway network improvements, otherwise consistent with the Comprehensive Plan, such as turn lanes and signalization improvements shall be constructed by, and at the expense of, the petitioner.

d. All development shall include a Transportation Demand Management program, traffic calming techniques, a complementary mix of land uses, appropriate densities and intensities of land, access to transit facilities, access management plans and pedestrian friendly site design.

e. Any development approved pursuant to this Comprehensive Plan goal shall enter into an agreement documenting any and all mitigation measures, including any funding necessary to implement MMTD improvements (i.e. mitigation measures) proposed to mitigate roadway level-of-service impacts.

POLICY TRAN. 5.1.2: The City shall adopt appropriate Land Development Regulations prior to the approval of any development pursuant to this Goal.

POLICY TRAN. 5.1.3: Any request for development approval pursuant to the ATCS shall be authorized by the City Council through an amendment to the Comprehensive Plan, and shall be processed in accordance with the Conditional Land Use Amendments and Rezoning provisions found at Chapter 23, Article VI, of the Land Development Code.

POLICY TRAN. 5.1.10: Policy TRAN. 1.4.8. establishes NW 2<sup>nd</sup> Avenue from Yamato Road to the northern City Limit as a 2-lane, undivided, constrained roadway, in order to,

among other reasons, maintain the residential character of the adjacent neighborhoods. The following establishes the ATCS for the proposed Ocean Breeze development ("Development") (Universal Conditional Approval Request (UC-06-04) to satisfy traffic concurrency under Goal 5 of the Transportation Element, pursuant to the purposes stated in this Goal and Objective, subject to the following mitigation measures and conditions:

a. The level-of-service for NW 2<sup>nd</sup> Avenue between Yamato Road and Jeffrey Street is hereby established as 1,950 two-way peak hour.

b. The Ocean Breeze developer shall enter into a written mitigation agreement to implement the below described mitigation measures, including but not limited to those measures provided in POLICY TRAN. 5.1.1., as more specifically defined below.

1. The developer shall contribute \$6,000,000 to the City to offset roadway capacity constraints. These dollars shall be used by the City to improve NW 2<sup>nd</sup> Avenue as a 4-lane divided roadway or to fund MMTD improvements that will impact the Development. Should the City decide to not construct NW 2<sup>nd</sup> Avenue by December 31, 2010, the City will reimburse to the developer up to \$3,000,000. The remaining funds will be utilized by the City, in the City's discretion, to fund MMTD initiatives that will impact the Development, including but not limited to the purchase, operation and maintenance of a shuttle system and/or other multi-modal transportation improvements. The \$6,000,000 contribution will become due upon the issuance of the first Certificate of Occupancy (subject to the terms and conditions of the Mitigation Agreement) for either a newly constructed townhouse or the improvements to the Inn. The Mitigation Agreement shall specify the disposition of funds in the event the Development Order expires.

2. The City of Boca Raton shall consider a fair share reimbursement to the developer for the cost to construct NW 2<sup>nd</sup> Avenue based on contributions from other developers so long as the cost to construct NW 2<sup>nd</sup> Avenue remains totally funded.

3. The developer shall construct the following off-site MMTD public improvement: sidewalks along NW 2<sup>nd</sup> Avenue and Jeffrey Street to tie the proposed development into the City's pedestrian and bikeway system.

4. The Mitigation Agreement shall not be transferable or assignable without the written consent of the City and it shall be entered into prior to the issuance of a Development Order.

## CRITERIA

Section 23-62(7), Boca Raton Code of Ordinances, stipulates that the Planning and Zoning Board hold a public hearing on Comprehensive Plan amendment(s) and provide to the City Council a recommendation on the proposed amendment(s), which shall set forth:

(a) Its findings in regard to whether the proposed amendment will be consistent with the City Charter.

(b) Its findings, where applicable, in regard to whether the proposed amendment will preserve and enhance present advantages; encourage the most appropriate use of land, water and resources consistent with the public interest; overcome present handicaps; deal effectively with future problems that may result from the use and development of land within the area of jurisdiction of the city; preserve, promote, protect and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; prevent the overcrowding of land and avoid undue concentration of population; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing and other requirements and services; conserve, develop, utilize and protect natural resources; protect human, environmental, social and economic resources; and maintain through orderly growth and development the character and stability of present and future land use and development findings with respect to the foregoing factors may be limited to those factors found to be appropriate to each proposal.

(c) Its findings in regard to whether the amendment is consistent with all other elements of the plan previously adopted, including whether the amendment is based upon the unique circumstances applicable to the particular parcel, or whether the amendment sets a precedent, the cumulative effect of which would be inconsistent with other elements of the plan previously adopted.

(d) Any modifications or conditions to the amendment suggested by the board, and the reasons therefore.

Pursuant to Section 28-54, the Planning and Zoning Board, after review of the site plan, application and other materials, shall either approve the site plan, not approve the site plan or approve the site plan conditioned upon the faithful adherence to and fulfillment of such restrictions and conditions as the Board may determine to be reasonable and necessary to protect and further the Comprehensive plan. The Planning and Zoning Board shall consider, but the consideration shall not be limited to, the following factors when reviewing a site plan:

- (a) All code and other technical regulation requirements.
- (b) The method of pedestrian and vehicular ingress and egress.
- (c) Internal traffic circulation and vehicular parking, and the traffic impact upon abutting properties, particularly where the abutting properties are residential.
- (d) Screening, landscaping and lighting.
- (e) Environmental pollution, including noise, light and air.

- (f) Garbage and refuse collection.
- (g) Surface water drainage.
- (h) Water supply and sewer collection.
- (i) Energy conservation and efficiency.
- (j) Location of structures and uses on the site plan.
- (k) The relationship of the site plan to existing or planned transportation, utility and public facilities, any deficiencies in such location, and the curing of such deficiencies.
- (l) Compatibility of proposed use with adjacent uses.
- (m) The availability of utility easements to provide municipally franchised electric, telephone, cable television, or other services.
- (n) Any other factor that would promote and further the health, safety, and welfare of the community and the comprehensive plan.

Section 28-1741(2)(d)(1), Code of Ordinances, states that the "board shall consider all aspects of the master plan necessary to meet the intent and the requirements of this article and the comprehensive plan and shall also consider the recommendations and comments of the staff and the recommendations of the parks and recreation board and the environmental advisory board."

Section 28-1741(2)(e)(3), Code of Ordinances, states that the "city council shall either approve, approve with modifications or conditions, or deny the master plan, or may refer the master plan to any board of the city for further consideration. In making its decision, the city council shall consider all aspects of the master plan necessary to meet the intent and requirements of this article and comprehensive plan. The city council shall consider the recommendations and comments of the city departments, parks and recreation board, environmental advisory board and planning and zoning board. The city council shall make such investigations as may be deemed reasonably necessary to ensure the conformity with the intent and requirements of this article and comprehensive plan."

## **SUMMARY AND RECOMMENDATION**

In summary, the subject petition is a proposal to create a PUD Master Plan for the Ocean Breeze Golf and Country Club that involves changes to the Future Land Use Map and Zoning Map, among other requirements, in order to renovate and expand the existing Ocean Breeze Inn into resort-like hotel facility. In addition, a portion of one of the three championship golf courses will be converted to a 211-unit townhouse development. The residential component of this project was found to be compatible with the immediate and surrounding residential densities and will offer an alternative unit type, as the majority of the housing units are either high density condominiums or low density single-family residents. Lastly the Ocean Breeze clubhouse will be upgraded and expanded to include a social center, complete with an array of golf club amenities for the members of Ocean Breeze.

In order to address the additional impacts to the surrounding roadway network, MMTD design concepts will be incorporated into the Ocean Breeze development to provide residents to travel to the social and recreational facilities on-site without accessing the public roadway, through a vast system of sidewalks, golf cart paths and bike lanes, as well as linking to the existing and proposed off-site sidewalk, trail and bike path network.

Development Services is recommending approval of subject petition, UC-06-04/06-22500004, with the conditions provided for in the accompanying ordinances and resolutions.

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Report Prepared by: Jennifer H. Simon, AICP  
Senior Planner