

**COMPREHENSIVE PLAN AMENDMENT
TRAFFIC ANALYSIS**

ATLANTIC AVENUE MIXED USE

DELRAY BEACH, FL

PREPARED FOR:
PIERRE DELRAY TWO, LLC

Kimley»»Horn

Project #140527000
July 6, 2021
Revised December 9, 2021
Registry No. 696
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INTRODUCTION

Kimley-Horn has prepared a Future Land Use Plan Amendment and rezoning traffic analysis for the Pierre Delray Two site located on the south side of Atlantic Avenue west of SE 3rd Avenue in Delray Beach, Florida. *Figure 1* illustrates the location of the project site. The amendment site is in the City of Delray Beach which currently has the future land use designation of Community Facilities (CF). This application is being filed to amend the future land use plan to adopt a designation of Commercial Core (CC) for the entire site and to amend the site zoning from Community Facilities (CF) to Central Business District (CBD). The Parcel Control Number (PCN) for the amendment site is as follows:

- 12-43-46-16-01-085-0050

For the purposes of the Future Land Use Plan Amendment, based on the City of Delray Beach’s Comprehensive Plan, the CF designation allows a maximum floor-area-ratio (FAR) of 1.0. The CC designation allows a maximum FAR of 3.0. Table 1 summarizes the maximum development intensities assumed for the existing and proposed future land use designations.

Table 1: Maximum FLUPA Development Intensities

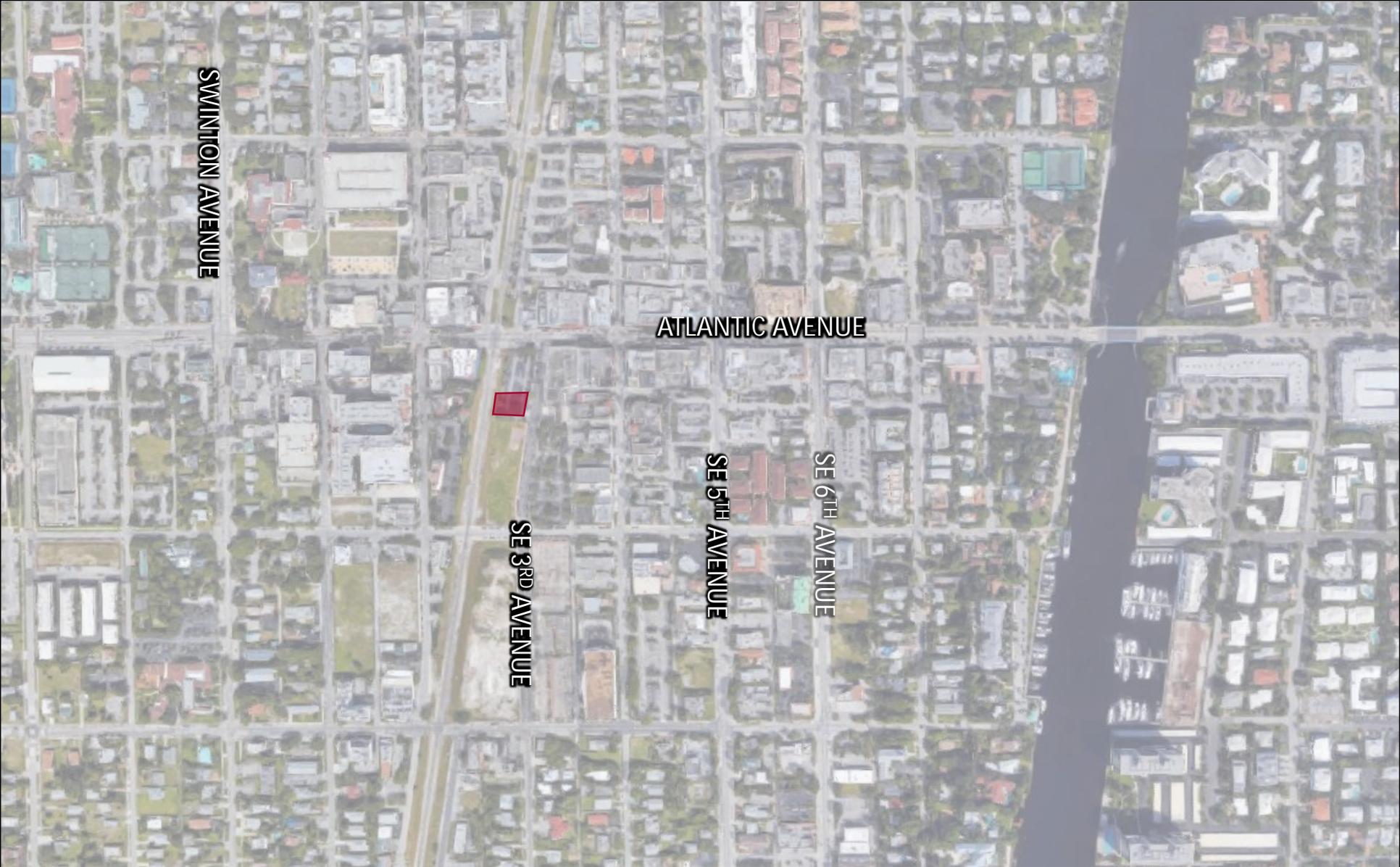
FLUPA Scenario	Maximum Intensity	Acres	Max Development
Existing Future Land Use Community Facilities (CF)	1.0 FAR	0.1109	4,831 s.f.
Proposed Future Land Use Commercial Core (CC)	3.0 FAR	0.1109	14,492 s.f.

For the purposes of the Rezoning Application, based on the City of Delray Beach’s Comprehensive Plan, the CF designation allows a maximum floor-area-ratio (FAR) of 1.0. The CBD designation allows a maximum FAR of 3.0. Table 2 summarizes the maximum development intensities assumed for the existing and proposed zoning designations.

Table 2: Maximum P&Z Development Intensities

P&Z Scenario	Maximum Intensity	Acres	Maximum Development
Existing Future Land Use Community Facilities (CF)	1.0 FAR community	0.1109	4,831 s.f.
Proposed Future Land Use Central Business District (CBD)	3.0 FAR general	0.1109	14,492 s.f.

This analysis was conducted following short-term and long-term analysis procedures typically used to evaluate comprehensive plan amendments in Palm Beach County. This report summarizes the findings of the comprehensive plan land use amendment traffic analysis. For the purposes of a methodology to conduct this study, the guidelines published in Section 3.5d of the Palm Beach County Comprehensive Plan were utilized.



LEGEND



PROJECT SITE

**FIGURE 1
SITE LOCATION
ATLANTIC AVENUE MIXED USE**



TRAFFIC GENERATION

Project traffic used in this analysis is defined as the vehicle trips expected to be generated by the project, and the distribution and assignment of that traffic over the study roadway network.

Trip Generation

The trip generation calculations are based on the trip generation rates published by Palm Beach County. *Table 2* compares the trip generation potential of the maximum development intensity allowed under the current FLU designation with the trip generation potential of the proposed FLU designation. For the existing CF designation, a maximum FAR of 1.0 of day care was utilized. For the proposed CC designation, a maximum FAR of 3.0 of general commercial use was utilized. Because the site is currently vacant, the Net New External Trips Under Proposed FLU was utilized for the short-range (year 2026) analysis. The Trip Differential was utilized for the long-range (year 2040) analysis.

As indicated in *Table 3*, the trip generation potential of the proposed FLU would allow the site to generate a maximum of 813 net new external daily trips, 6 net new external AM peak-hour trips and 69 net new external PM peak-hour trips. The net change in the maximum trip generation potential when comparing the existing FLU with the proposed FLU results in 634 net new external daily trips, -23 net new external AM peak hour trips, and 39 net new external PM peak hour trips.

Table 3: FLU Trip Generation Comparison

LAND USE	INTENSITY		DAILY TRIPS	AM PEAK HOUR			PM PEAK HOUR		
				TOTAL	IN	OUT	TOTAL	IN	OUT
Existing Future Land Use Designation (CF)									
Day Care	4,831 SF	1.0 FAR	358	59	31	28	60	28	32
		<i>Subtotal</i>	358	59	31	28	60	28	32
Pass-By Traffic									
Day Care	50%		179	30	16	14	30	14	16
		<i>Driveway Volumes</i>	358	59	31	28	60	28	32
<i>Net New External Trips Under Existing FLU</i>			179	29	15	14	30	14	16
Proposed Future Land Use Designation (CC)									
General Commercial (Retail)	14,492 SF	3.0 FAR	1,935	14	9	5	164	79	85
		<i>Subtotal</i>	1,935	14	9	5	164	79	85
Pass-By Traffic									
General Commercial (Retail)	58%		1,122	8	5	3	95	46	49
		<i>Driveway Volumes</i>	1,935	14	9	5	164	79	85
<i>Net New External Trips Under Proposed FLU</i>			813	6	4	2	69	33	36
<i>Trip Differential (Proposed FLU - Existing Development): 2040 ANALYSIS</i>			634	(23)	(11)	(12)	39	19	20
Trip generation calculated using the following:									
Daily									
Day Care	[PBC]	=	T = 74.06 trips/1,000 s.f.						
General Commercial (Retail)	[PBC]	=	Ln(T) = 0.65*Ln(X)+5.83						
AM Peak Hour									
Day Care	[PBC]	=	T = 12.18 trips /1,000 s.f. (53% in, 47% out)						
General Commercial (Retail)	[PBC]	=	T = 0.96 trips / 1,000 sf (62% in, 38% out)						
PM Peak Hour									
Day Care	[PBC]	=	T = 12.34 trips /1,000 s.f. (47% in, 53% out)						
General Commercial (Retail)	[PBC]	=	Ln(T) = 0.67*Ln(X)+3.31 (48% in, 52% out)						
Pass-By									
Day Care	[PBC]	=	50%						
General Commercial (Retail)	[PBC]	=	% = 83.18 - 9.3*Ln(X)						

Table 4: Zoning Change Trip Generation Comparison

Zoning Designation	INTENSITY		DAILY TRIPS	AM PEAK HOUR			PM PEAK HOUR		
				TOTAL	IN	OUT	TOTAL	IN	OUT
Existing Zoning Designation (CF)									
Day Care	4,831 SF	1.0 FAR	358	59	31	28	60	28	32
		<i>Subtotal</i>	358	59	31	28	60	28	32
Pass-By Traffic									
Day Care	50%		179	30	16	14	30	14	16
		<i>Driveway Volumes</i>	358	59	31	28	60	28	32
<i>Net New External Trips Under Existing Zoning</i>			179	29	15	14	30	14	16
Proposed Zoning Designation (CBD)									
General Commercial (Retail)	14,492 SF	3.0 FAR	1,935	14	9	5	164	79	85
		<i>Subtotal</i>	1,935	14	9	5	164	79	85
Pass-By Traffic									
General Commercial (Retail)	58%		1,122	8	5	3	95	46	49
		<i>Driveway Volumes</i>	1,935	14	9	5	164	79	85
<i>Net New External Trips Under Proposed Zoning</i>			813	6	4	2	69	33	36
<i>Trip Differential (Proposed Zoning - Existing Development): 2040 ANALYSIS</i>			634	(23)	(11)	(12)	39	19	20
Trip generation calculated using the following:									
Daily									
Day Care	[PBC]	=	T = 74.06 trips/1,000 s.f.						
General Commercial (Retail)	[PBC]	=	Ln(T) = 0.65*Ln(X)+5.83						
AM Peak Hour									
Day Care	[PBC]	=	T = 12.18 trips /1,000 s.f. (53% in, 47% out)						
General Commercial (Retail)	[PBC]	=	T = 0.96 trips / 1,000 sf (62% in, 38% out)						
PM Peak Hour									
Day Care	[PBC]	=	T = 12.34 trips /1,000 s.f. (47% in, 53% out)						
General Commercial (Retail)	[PBC]	=	Ln(T) = 0.67*Ln(X)+3.31 (48% in, 52% out)						
Pass-By									
Day Care	[PBC]	=	50%						
General Commercial (Retail)	[PBC]	=	% = 83.18 - 9.3*Ln(X)						

Traffic Distribution

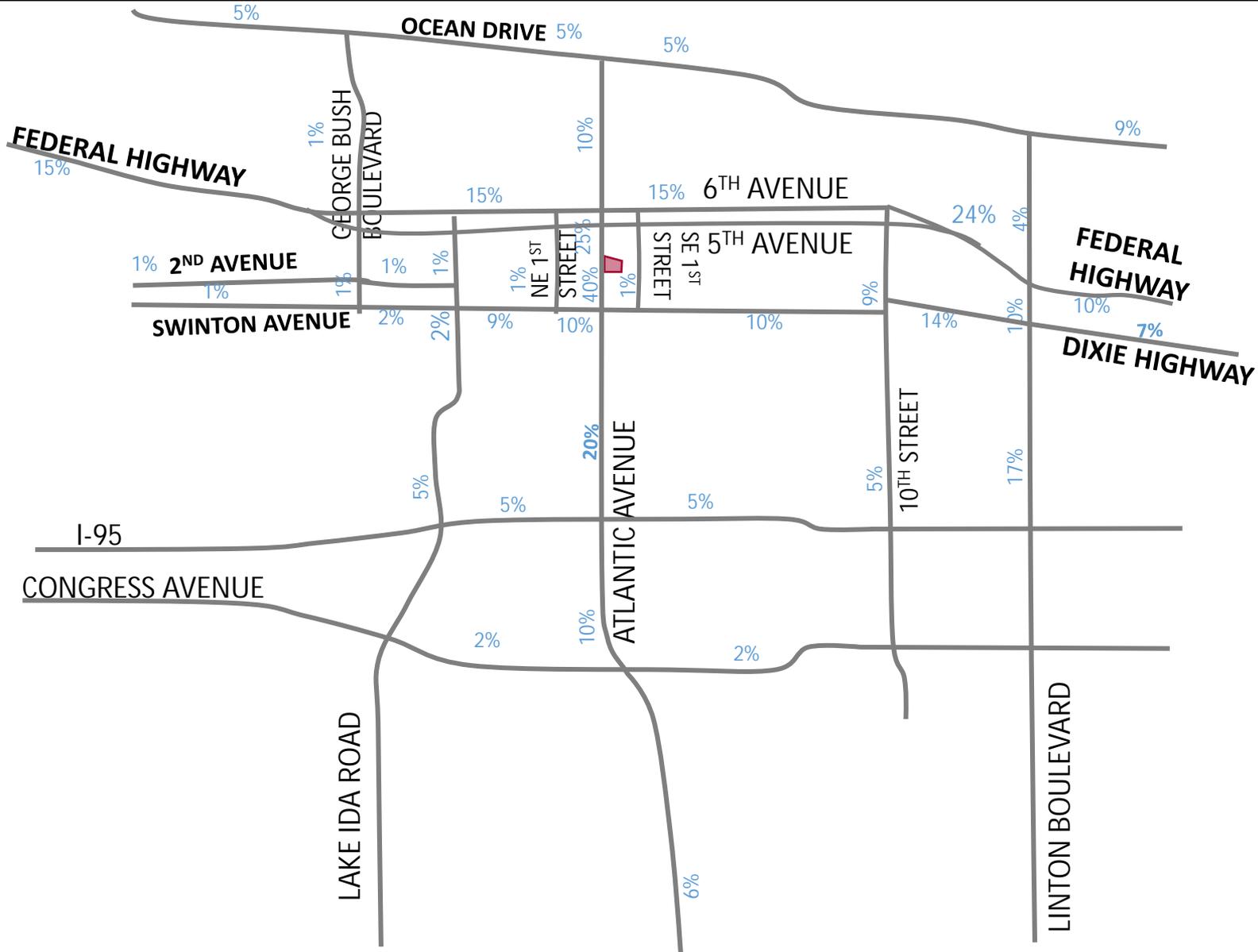
Traffic distribution is the pairing of trip ends from the subject site with other land uses in the area. These trips were assigned to the surrounding roadways based upon a review of the roadway network proposed to be in place at the time of buildout and its travel time characteristics.

The distribution according to cardinal directions is:

NORTH	-	30 percent
SOUTH	-	30 percent
EAST	-	10 percent
WEST	-	30 percent

Traffic Assignment

The daily and peak-hour trips for the project were assigned to the surrounding roadway network proposed to be in place for analysis years 2026 and 2040. *Figure 2* illustrates the project traffic assignment to the surrounding roadway network.



LEGEND

 **PROJECT SITE**

FIGURE 2
PROJECT TRIP ASSIGNMENT
ATLANTIC AVENUE MIXED USE

LEVEL OF SERVICE ANALYSIS

Consistent with comprehensive plan amendment evaluation requirements, roadway segment analyses were conducted to address the traffic conditions for the short-term planning horizon.

Short-term (Year 2026) Horizon

This analysis is based on the Test 2 standards of the Palm Beach County Traffic Performance Standards Ordinance (TPSO) and was conducted using the directional peak-season peak-hour traffic volumes published by Palm Beach County. Consistent with Palm Beach County standards, this analysis compares the trip generation potential of the existing site development with the maximum development potential of the proposed FLU designation. Since the trip generation potential for the site is consistent between the FLU amendment change and rezoning application, the level of service analysis is the same for both scenarios.

Long-term (Year 2040) Horizon

This analysis was conducted using the 2040 model volumes and the net increase in the daily trip generation potential between the existing and proposed FLU designations and the existing and proposed zoning designations.

SHORT-TERM (YEAR 2026) HORIZON

The proposed future land use is projected to generate 6 net new external trips in the AM peak hour (+4 in, +2 out) and 69 net new external trips in the PM peak hour (+33 in, +36 out). The radius of development influence and the significantly impacted roadway links were determined based on Policy 3.5-d of the Palm Beach County Comprehensive Plan. For this analysis scenario, the radius of development influence for the analysis is one mile. Significance was determined in accordance with the Test 2 (5-Year Analysis) LOS E peak-hour peak-directional service volumes indicated in the Palm Beach County TPSO. As indicated in *Table 3*, none of the roadway's segments are significantly impacted by the proposed FLU or zoning amendments.

Table 5: Short-Term (Year 2023) Significance Analysis

ROADWAY SEGMENT		COMMITTED NUMBER OF LANES	FACILITY TYPE	LOS E GEN. SVC. VOLUME	% ASSIGNMENT	NB/EB IN/OUT?	PROJECT TRIPS											
							AM PEAK HOUR						PM PEAK HOUR					
							TRIPS		% IMPACT		TRIPS		% IMPACT					
NB/EB	SB/WB	NB/EB	Sig?	SB/WB	Sig?	NB/EB	SB/WB	NB/EB	Sig?	SB/WB	Sig?							
Atlantic Avenue																		
Homewood Boulevard	Congress Avenue	6LD	Class II	2,830	6%	i	0	0	0.00%	No	0.00%	No	2	2	0.07%	No	0.07%	No
Congress Avenue	I-95	6LD	Class II	2,830	10%	i	0	0	0.00%	No	0.00%	No	3	4	0.11%	No	0.14%	No
I-95	Swinton Avenue	4LD	Class II	1,870	20%	i	1	0	0.05%	No	0.00%	No	7	7	0.37%	No	0.37%	No
Swinton Avenue	SE 3rd Avenue	2L	Class II	860	40%	i	2	1	0.23%	No	0.12%	No	13	14	1.51%	No	1.63%	No
SE 3rd Avenue	SE 5th Avenue	2L	Class II	860	40%	o	1	2	0.12%	No	0.23%	No	14	13	1.63%	No	1.51%	No
Alt. A1A	SE 6th Avenue	4L	Class II	1,780	25%	o	1	1	0.06%	No	0.06%	No	9	8	0.51%	No	0.45%	No
SE 6th Avenue	Ocean Drive	4L	Class II	1,780	10%	o	0	0	0.00%	No	0.00%	No	4	3	0.22%	No	0.17%	No
NE 1st Street																		
Swinton Avenue	SE 5th Avenue	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
SE 5th Avenue	SE 6th Avenue	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
SE 1st Street																		
Swinton Avenue	SE 3rd Avenue	2L	Class II	860	1%	i	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
SE 3rd Avenue	SE 5th Avenue	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
SE 5th Avenue	SE 6th Avenue	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
Lake Ida Road																		
Congress Avenue	Swinton Avenue	4LD	Class I	1,960	5%	i	0	0	0.00%	No	0.00%	No	2	2	0.10%	No	0.10%	No
NE 4th Street																		
Swinton Avenue	NE 2nd Avenue	2L	Class II	860	2%	o	0	0	0.00%	No	0.00%	No	1	1	0.12%	No	0.12%	No
NE 2nd Avenue	NE 5th Avenue	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
NE 5th Avenue	NE 6th Avenue	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
George Bush Boulevard																		
Swinton Avenue	NE 2nd Avenue	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
NE 2nd Avenue	NE 5th Avenue	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
NE 5th Avenue	NE 6th Avenue	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
NE 6th Avenue	Ocean Drive	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
Linton Boulevard																		
I-95	Dixie Highway	6LD	Class II	2,830	17%	i	1	0	0.04%	No	0.00%	No	6	6	0.21%	No	0.21%	No
Dixie Highway	Federal Highway	6LD	Class II	2,830	10%	o	0	0	0.00%	No	0.00%	No	4	3	0.14%	No	0.11%	No
Federal Highway	Ocean Drive	6LD	Class II	2,830	4%	o	0	0	0.00%	No	0.00%	No	1	1	0.04%	No	0.04%	No
SW 10th Street																		
Congress Avenue	Swinton Avenue	2L	Class II	860	5%	i	0	0	0.00%	No	0.00%	No	2	2	0.23%	No	0.23%	No
Swinton Avenue	Dixie Highway	2L	Class II	860	5%	i	0	0	0.00%	No	0.00%	No	2	2	0.23%	No	0.23%	No
Dixie Highway	NE 5th Avenue	2L	Class II	860	9%	o	0	0	0.00%	No	0.00%	No	3	3	0.35%	No	0.35%	No
NE 5th Avenue	NE 6th Avenue	2L	Class II	860	0%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
Congress Avenue																		
SW 10th Street	Atlantic Avenue	6LD	Class II	2,830	2%	i	0	0	0.00%	No	0.00%	No	1	1	0.04%	No	0.04%	No
Atlantic Avenue	Lake Ida Road	6LD	Class II	2,830	2%	o	0	0	0.00%	No	0.00%	No	1	1	0.04%	No	0.04%	No
NE 2nd Avenue																		
NE 4th Street	George Bush Boulevard	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
George Bush Boulevard	NE 22nd Street	2L	Class II	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
Ocean Drive																		
Linon Boulevard	Atlantic Avenue	2L	Class II	860	5%	i	0	0	0.00%	No	0.00%	No	2	2	0.23%	No	0.23%	No
Atlantic Avenue	George Bush Boulevard	2L	Class II	860	5%	o	0	0	0.00%	No	0.00%	No	2	2	0.23%	No	0.23%	No
George Bush Boulevard	Woolbright Road	2L	Class II	860	5%	o	0	0	0.00%	No	0.00%	No	2	2	0.23%	No	0.23%	No
Swinton Avenue																		
SE 10th Street	SE 1st Street	2L	Class II	860	10%	i	0	0	0.00%	No	0.00%	No	3	4	0.35%	No	0.47%	No
SE 1st Street	Atlantic Avenue	2L	Class II	860	10%	i	0	0	0.00%	No	0.00%	No	3	4	0.35%	No	0.47%	No
Atlantic Avenue	NE 1st Street	2L	Class II	860	10%	o	0	0	0.00%	No	0.00%	No	4	3	0.47%	No	0.35%	No
NE 1st Street	Lake Ida Road	2L	Class II	860	9%	o	0	0	0.00%	No	0.00%	No	3	3	0.35%	No	0.35%	No
Lake Ida Road	George Bush Boulevard	2L	Class I	860	2%	o	0	0	0.00%	No	0.00%	No	1	1	0.12%	No	0.12%	No
George Bush Boulevard	NE 22nd Street	2L	Class I	860	1%	o	0	0	0.00%	No	0.00%	No	0	0	0.00%	No	0.00%	No
Dixie Highway																		
Jeffrey Street	Linon Boulevard	2L	Class II	860	7%	i	0	0	0.00%	No	0.00%	No	2	3	0.23%	No	0.35%	No
Linon Boulevard	SE 10th Street	2L	Class II	860	14%	i	1	0	0.12%	No	0.00%	No	5	5	0.58%	No	0.58%	No
Federal Highway																		
Jeffrey Street	Linon Boulevard	4LD	Class II	1,870	10%	i	0	0	0.00%	No	0.00%	No	3	4	0.16%	No	0.21%	No
Linon Boulevard	SE 10th Street	4LD	Class II	1,870	24%	i	1	0	0.05%	No	0.00%	No	8	9	0.43%	No	0.48%	No
George Bush Boulevard	Gulfstream Boulevard	4LD	Class II	1,870	15%	o	0	1	0.00%	No	0.05%	No	5	5	0.27%	No	0.27%	No
SE 5th Avenue																		
SE 10th Street	SE 1st Street	2LO	Class II	2,240	15% (out)	i	0	0	0.00%	No	0.00%	No	0	5	0.00%	No	0.22%	No
SE 1st Street	Atlantic Avenue	2LO	Class II	2,240	15% (out)	i	0	0	0.00%	No	0.00%	No	0	5	0.00%	No	0.22%	No
Atlantic Avenue	NE 1st Street	2LO	Class II	2,240	15% (in)	o	0	1	0.00%	No	0.04%	No	0	5	0.00%	No	0.22%	No
NE 1st Street	NE 4th Street	2LO	Class II	2,240	15% (in)	o	0	1	0.00%	No	0.04%	No	0	5	0.00%	No	0.22%	No
NE 4th Street	George Bush Boulevard	2LO	Class II	2,240	15% (in)	o	0	1	0.00%	No	0.04%	No	1	5	0.04%	No	0.22%	No
SE 6th Avenue																		
SE 10th Street	SE 1st Street	2LO	Class II	2,240	15% (in)	i	1	0	0.04%	No	0.00%	No	5	0	0.22%	No	0.00%	No
SE 1st Street	Atlantic Avenue	2LO	Class II	2,240	15% (in)	i	1	0	0.04%	No	0.00%	No	5	0	0.22%	No	0.00%	No
Atlantic Avenue	NE 1st Street	2LO	Class II	2,240	15% (out)	o	0	0	0.00%	No	0.00%	No	5	0	0.22%	No	0.00%	No
NE 1st Street	NE 4th Street	2LO	Class II	2,240	15% (out)	o	0	0	0.00%	No	0.00%	No	5	0	0.22%	No	0.00%	No
NE 4th Street	George Bush Boulevard	2LO	Class II	2,240	15% (out)	o	0	1	0.00%	No	0.04%	No	5	1	0.22%	No	0.04%	No

LONG-TERM (YEAR 2040) HORIZON

The net increase in daily trip generation potential between the existing FLU designation and the proposed FLU designation is 634 net new external daily trips. The radius of development influence and the significantly impacted roadway links were determined based on Policy 3.5d of the Palm Beach County Comprehensive Plan. For this analysis scenario, the radius of development influence for the analysis is the directly accessed links.

Year 2040 model volumes (see Appendix B) were obtained from the 2040 Palm Beach MPO Model and then reviewed for each of the study roadways within the radius of influence.

The daily project trips were then assigned to the surrounding roadway network within the study radius. As indicated in *Table 4*, none of the roadway links are significantly impacted.

Table 6: Long-Term (Year 2040) Significance Analysis

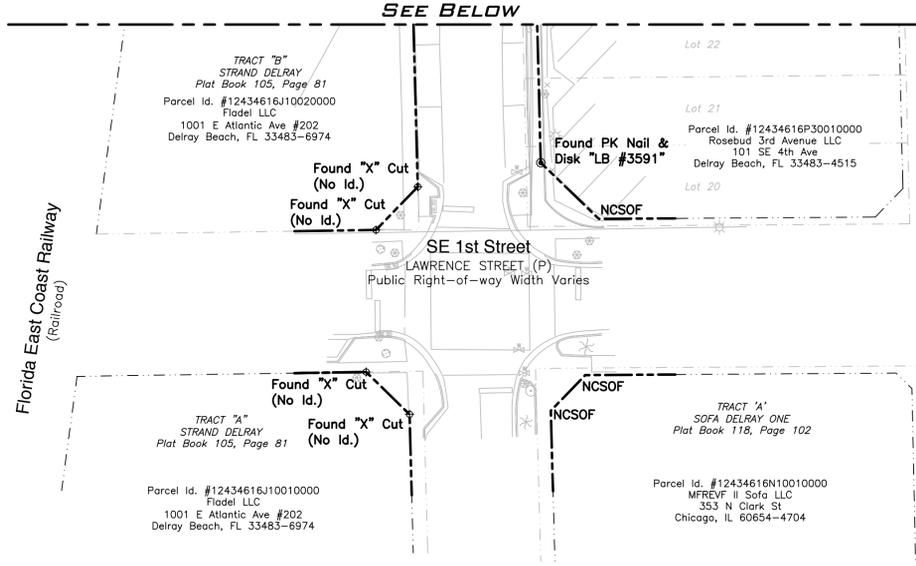
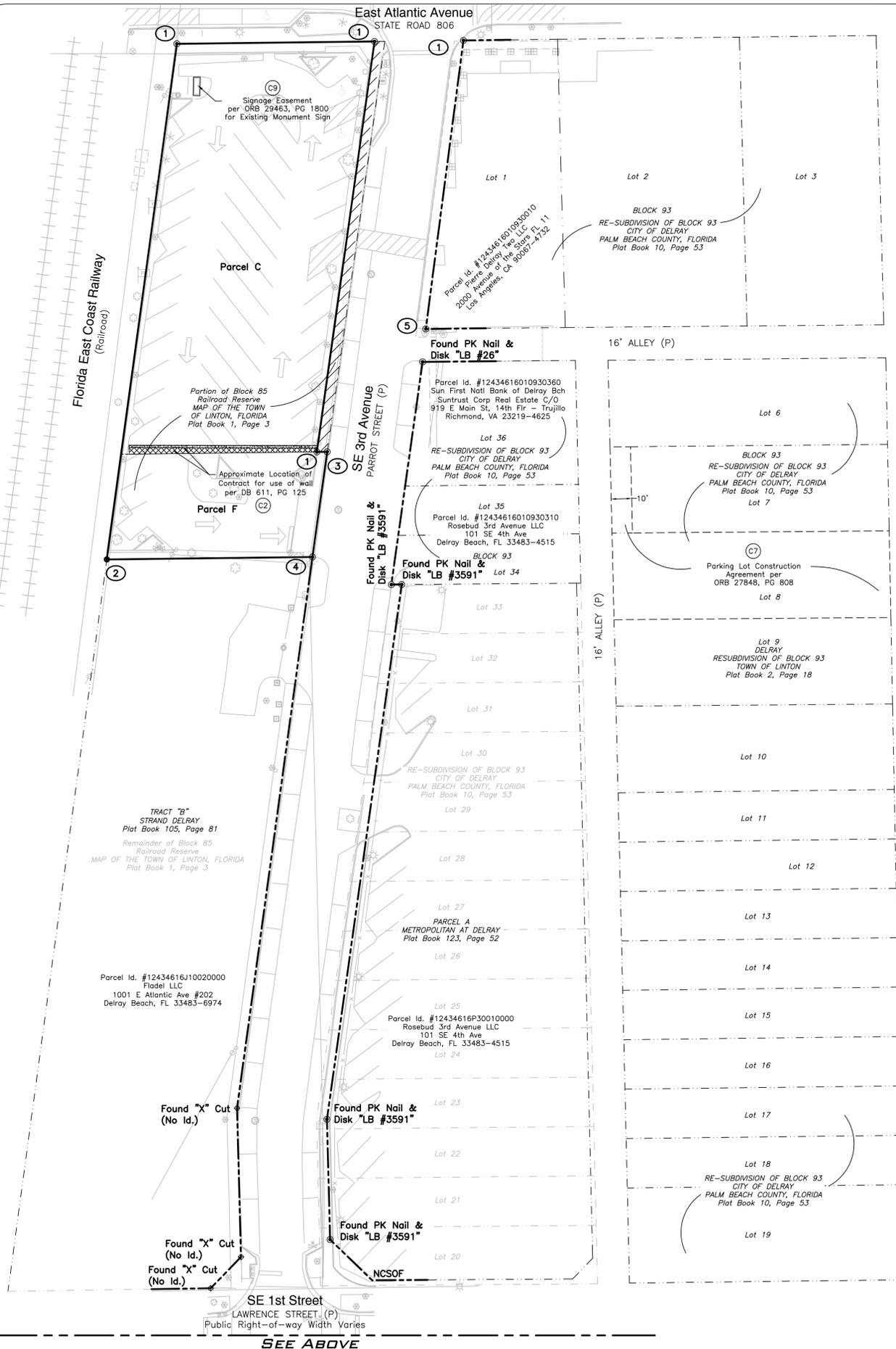
ROADWAY SEGMENT	COMMITTED NUMBER OF LANES	FACILITY TYPE	LOS D GEN. SVC. VOLUME	PROJECT TRIPS			PROJECT IMPACT		2040 MODEL VOLUME	TOTAL DAILY TRAFFIC	V/C	MEETS LOS D STANDARD?	
				% ASSIGNMENT	DAILY TRIPS	%	SIGNIF. THRESHL D.	SIGNIFI-CANT?					
Atlantic Avenue													
I-95	Swinton Avenue	4LD	Class II	33,200	20%	127	0.38%	3.00%	No	14700	14,827	0.45	-
	Swinton Avenue Project Driveway	2L	Class II	15,200	40%	254	1.67%	3.00%	No	14700	14,954	0.98	-
	Project Driveway SE 5th Avenue	2L	Class II	15,200	40%	254	1.67%	3.00%	No	14700	14,954	0.98	-
	SE 5th Avenue S Ocean Drive	2L	Class II	15,200	10%	63	0.41%	3.00%	No	14700	14,763	0.97	-

CONCLUSION

The foregoing comprehensive plan traffic analysis has been conducted to evaluate the proposed future land use change from the existing CF designation to the proposed CC designation for the amendment site located on the south side of Atlantic Avenue west of SE 3rd Avenue in Delray Beach, Florida. Additionally, a similar analysis was conducted to evaluate the proposed zoning change from the existing CF designation to the proposed CBD designation. Based on the analyses conducted for the short-term and long-term planning horizons, the adopted level of service standards is anticipated to be met on any roadways and none of the surrounding links are significantly impacted by project traffic during the short-term (Test 2-Five Year Analysis, Year 2026) or long-term (2040) planning horizons. Therefore, the change in future land use for the subject parcel meets applicable criteria for an amendment to the City of Delray Beach's comprehensive plan.

APPENDIX A: PCN DATA

Liens, Encumbrances & Zoning Information Detail



Zoning Information

(Parcel C) Parcel Control #12434616010850040
 (Parcel F) Parcel Control #12434616010850050
 ZONING: CF: Community Facilities
 Land Use: Parking Lots
 Per zoning verification letter, no setback other zoning information supplied, except that per zoning verification letter, dated 10-24-17, Parcel Control #12434616010850040 and #12434616010850050 are not required to provide parking for 302 E. Atlantic Avenue.

Note: Zoning information is depicted hereon for informational purposes only. Surveyor makes no guarantees to accuracy or interpretation of the zoning regulations.

Note: Zoning information is depicted per Zoning Verification Letters provided by: Timothy Stilling, AICP, Planning, Zoning and Building Director, Phone: 561-243-7040, dated 10-10-17 and 10-24-17.

Zoning Contact: City of Delray Beach Zoning Department, 101 NW 1st Avenue, Delray Beach, FL 33444
 Phone: 561-243-7000

Note 1: Per zoning verification letter, dated 10-24-17, the Parking Compliance Agreement, as recorded in Official Records 27848, Page 767, was terminated, October 17, 2017, per Termination Agreement and Mutual Release, as recorded in Official Records Book 29431, Page 1837.

- ### Parcel C Liens & Encumbrances
- per Property Information Report Order No. 7685250-REVISION A, revised June 12, 2019, issued by Commonwealth Land Title Insurance Company AND per Title Certificate by Dunay, Miskel and Backman LLP, signed on June 28th, 2019. Items not listed below are standard title exceptions and/or are not matters or issues that pertain to this survey.
- (C1) Dedications contained on the Plat of MAP OF TOWN OF LINTON (now Delray Beach), recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida. **Affects subject property, however no easements depicted on said plat which affect subject property.**
 - (C2) Contract of Use of Wall, dated July 15, 1940, by and between W. Seward Webb and Thelma A. Priest, joined by her husband O.D. Priest, recorded in Deed Book 611, Page 125, together with rights of the owner of property adjoining the land to the party wall located partly on insured land and partly on adjoining property to as much of the insured land as is required for lateral support of the wall and the building attached to it. **Affects subject property as depicted hereon.**
 - (C3) Subject to an Unrecorded Agreement dated September 6, 1940, by and between W. Seward Webb and American Telephone & Telegraph Company, a New York corporation, as referenced in Warranty Deeds recorded in Deed Book 931, Page 597 and Deed Book 931, Page 603. **Deed Book 931, Page 597 does not affect subject property. Deed Book 931, Page 603, document describes a piece of machinery. Surveyor does not believe affects subject property however unable to determine.**
 - (C4) Terms and conditions of that certain 99 year Lease dated December 20, 1963, by and between O.D. Priest Sr. and Thelma A. Priest, his wife, as Lessors, and Atlantic Realty Company of Delray Beach, Inc., as Lessee, recorded December 30, 1963, in Official Records Book 956, Page 338; further assigned to First National Bank of Delray Beach (n/k/a SunTrust Bank), recorded in Official Records Book 1402, Page 115; assignment of Lessor's Interest to O.D. Priest, Jr., Felice P. Ledbetter and William P. Priest, as Assignees, by virtue of Assignment of Interest under Lease recorded in Official Records Book 1851, Page 758; as affected by Assignment of Lease Rights by Sheri Rock, as Personal Representative of the Estate of William P. Priest, deceased, to Sheri Rock, as Assignee, recorded in Official Records 27275, Page 821; further assigned by Caren M. Kilpatrick, Melissa L. Merritt and Adria L. Merritt, as Co-Trustees of the Priest Family Irrevocable Trust Agreement dated December 22, 1988; Sheri Priest Rock; David C. Ledbetter, Montael J. Johnson, George P. Johnson, Christian A. Johnson and Tyler J. Johnson, as Co-Trustees of the David C. Ledbetter Trust dated July 21, 1999; and David C. Ledbetter, Montael J. Johnson, George P. Johnson, Christian A. Johnson and Tyler J. Johnson, as Co-Trustees of the Felice P. Ledbetter Trust dated July 21, 1999, and as Co-Trustees of the Residuary Trust - Trust B under the Felice P. Ledbetter Trust dated the 21st day of July, 1999 ("Assignors"), to The Metropolitan at Delray LLC, a Florida limited liability company, ("Assignee"), by virtue of Assignment of Lease recorded August 27, 2015, in Official Records Book 27767, Page 25; Ground Lease Assignment and Assumption Agreement by and between SunTrust Bank, a Georgia banking corporation, and Pierre Delray One LLC, a Delaware limited liability company, recorded November 13, 2017, in Official Records Book 29463, Page 1774; further assigned by Ground Lease Assignment and Assumption Agreement by and between Pierre Delray One LLC, a Delaware limited liability company, and Pierre Delray Two LLC, a Delaware limited liability company, recorded November 16, 2017, in Official Records Book 29472, Page 1159; still further assigned by Ground Lease Assignment and Assumption Agreement by and between The Metropolitan at Delray, LLC, a Florida limited liability company, and Rosebud 3rd Avenue, LLC, a Florida limited liability company, recorded December 11, 2017, in Official Records Book 29520, Page 1333. **Affects/benefits subject property, blanket in nature over Parcel C and Parcel F.**
 - (C5) Terms, conditions, provisions and obligations of that certain Parking Compliance Agreement, by and among the City of Delray Beach, Florida, The Metropolitan at Delray, LLC, a Florida limited liability company, and SunTrust Bank, a Georgia banking corporation, recorded October 6, 2015, in Official Records Book 27848, Page 767. **Affects subject property, however unable to plot; information based on proposed site plans and other recitals. *See Zoning Information: Note 1***
 - (C6) Covenants, restrictions, conditions, reservations, easements, liens for assessments and other provisions set forth in Declaration of Easements, Covenants, Conditions and Restrictions by The Metropolitan at Delray, LLC, a Florida limited liability company, and SunTrust Bank, a Georgia banking corporation, as recorded October 6, 2015, in Official Records Book 27848, Page 790; and in allied instruments referred to in said restrictions, as may be subsequently amended. **Affects subject property however unable to plot, due to nature of document.**
 - (C7) Terms, conditions, provisions and obligations set forth in Parking Lot Construction Agreement by and between The Metropolitan at Delray, LLC, a Florida limited liability company, and SunTrust Bank, a Georgia banking corporation, recorded October 6, 2015, in Official Records Book 27848, Page 808. **Benefits subject property as depicted hereon.**
 - (C8) Terms, covenants, conditions, easements, restrictions, reservations and other provisions, according to that certain Declaration of Easements, Covenants, Conditions and Restrictions, by and between SunTrust Bank, a Georgia banking corporation, and Pierre Delray One LLC, a Delaware limited liability company, recorded November 13, 2017, in Official Records Book 29463, Page 1774; as amended by First Amendment recorded February 7, 2019, in Official Records Book 30405, Page 867; as amended by Second Amendment recorded June 10, 2019, in Official Records Book 30671, Page 1012 (not verified); and as may be further amended. **Affects subject property however not a matter of survey, therefore not plotted.**
 - (C9) Terms, covenants, conditions, easements, restrictions, reservations and other provisions, according to that certain Limited Declaration of Easements, Covenants, Conditions and Restrictions recorded November 13, 2017, in Official Records Book 29463, Page 1800; and as may be further amended. **Affects subject property as depicted hereon.**

- ### Parcel F Liens & Encumbrances
- per Property Information Report Order No. 7679783-REVISION A, revised June 12, 2019, issued by Commonwealth Land Title Insurance Company. Items not listed below are standard title exceptions and/or are not matters or issues that pertain to this survey.
- (F1) Restrictions, covenants, conditions, easements and other matters as contained on the Plat of MAP OF TOWN OF LINTON (now Delray Beach), recorded in Plat Book "B", Page 39, of the Public Records of Miami-Dade County, a certified copy recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida. **Affects subject property, however no easements depicted on said plat which affect subject property.**
 - (F2) Terms and conditions of that certain 99 year Lease dated December 20, 1963, by and between O.D. Priest Sr. and Thelma A. Priest, his wife, as Lessors, and Atlantic Realty Company of Delray Beach, Inc., as Lessee, recorded December 30, 1963, in Official Records Book 956, Page 338; further assigned to First National Bank of Delray Beach (n/k/a SunTrust Bank), recorded in Official Records Book 1402, Page 115; assignment of Lessor's Interest to O.D. Priest, Jr., Felice P. Ledbetter and William P. Priest, as Assignees, by virtue of Assignment of Interest under Lease recorded in Official Records Book 1851, Page 758; as affected by Assignment of Lease Rights by Sheri Rock, as Personal Representative of the Estate of William P. Priest, deceased, to Sheri Rock, as Assignee, recorded in Official Records 27275, Page 821; further assigned by Caren M. Kilpatrick, Melissa L. Merritt and Adria L. Merritt, as Co-Trustees of the Priest Family Irrevocable Trust Agreement dated December 22, 1988; Sheri Priest Rock; David C. Ledbetter, Montael J. Johnson, George P. Johnson, Christian A. Johnson and Tyler J. Johnson, as Co-Trustees of the David C. Ledbetter Trust dated July 21, 1999; and David C. Ledbetter, Montael J. Johnson, George P. Johnson, Christian A. Johnson and Tyler J. Johnson, as Co-Trustees of the Felice P. Ledbetter Trust dated July 21, 1999, and as Co-Trustees of the Residuary Trust - Trust B under the Felice P. Ledbetter Trust dated the 21st day of July, 1999 ("Assignors"), to The Metropolitan at Delray LLC, a Florida limited liability company, ("Assignee"), by virtue of Assignment of Lease recorded August 27, 2015, in Official Records Book 27767, Page 25; Ground Lease Assignment and Assumption Agreement by and between SunTrust Bank, a Georgia banking corporation, and Pierre Delray One LLC, a Delaware limited liability company, recorded November 13, 2017, in Official Records Book 29463, Page 1774; further assigned by Ground Lease Assignment and Assumption Agreement by and between Pierre Delray One LLC, a Delaware limited liability company, and Pierre Delray Two LLC, a Delaware limited liability company, recorded November 16, 2017, in Official Records Book 29472, Page 1159; still further assigned by Ground Lease Assignment and Assumption Agreement by and between The Metropolitan at Delray, LLC, a Florida limited liability company, and Rosebud 3rd Avenue, LLC, a Florida limited liability company, recorded December 11, 2017, in Official Records Book 29520, Page 1333. **Affects/benefits subject property, blanket in nature over Parcel C and Parcel F.**
 - (F3) Terms, conditions, provisions and obligations of that certain Parking Compliance Agreement, by and among the City of Delray Beach, Florida, The Metropolitan at Delray, LLC, a Florida limited liability company, and SunTrust Bank, a Georgia banking corporation, recorded October 6, 2015, in Official Records Book 27848, Page 767. **Affects subject property, however unable to plot; information based on proposed site plans and other recitals. *See Zoning Information: Note 1***
- Metropolitan at Delray, LLC, has an option of purchasing fee simple title to Parcels 1, 6, 7 and 8, in accordance with the terms of an Agreement between an affiliate of Metropolitan and SunTrust, as reflected in above Paragraph 2 of Parking Compliance Agreement.*
- (F4) Terms, covenants, conditions, easements, restrictions, reservations and other provisions, according to that certain Declaration of Easements, Covenants, Conditions and Restrictions by and between The Metropolitan at Delray, LLC, a Florida limited liability company, and SunTrust Bank, a Georgia banking corporation, recorded October 6, 2015, in Official Records Book 27848, Page 790, and as may be further amended. **Affects subject property however unable to plot, due to nature of document.**
 - (F5) Terms, covenants, conditions, easements, restrictions, reservations and other provisions, according to that certain Declaration of Easements, Covenants, Conditions and Restrictions, by and between SunTrust Bank, a Georgia banking corporation, and Pierre Delray One LLC, a Delaware limited liability company, recorded November 13, 2017, in Official Records Book 29463, Page 1774; as amended by First Amendment recorded February 7, 2019, in Official Records Book 30405, Page 867; and as may be further amended. **Affects subject property however not a matter of survey, therefore not plotted.**

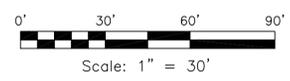
Property Corner Designations

- ① Found PK Nail & Disk "LB7340"
- ② Found 5/8" Capped Iron Rod "LB7340" Found 5/8" Capped Iron Rod (illegible) 0.57' South 0.05' East
- ③ Found PK Nail & Disk "LB7340" Found PK Nail & Disk "LB26" 0.25' East 0.24' South
- ④ Found PK Nail & Disk "LB7340" Found PK Nail & Disk "LB26" 0.53' East 0.28' South
- ⑤ Found PK Nail & Disk "LB7340" Found PK Nail & Disk "LB26" 0.70' East Found PK Nail (No Id.) 4.51' West 1.16' South

Parcel Ownership Information

Parcel C
 Parcel Control #12434616010850040
 PIERRE DELRAY TWO LLC
 2000 AVENUE OF THE STARS FL 11
 LOS ANGELES, CA 90067 4732

Parcel F
 Parcel Control #12434616010850050
 ROSEBUD 3RD AVENUE LLC
 101 SE 4TH AVE
 DELRAY BEACH, FL 33483 4515



ALTA/NSPS Land Title Survey & Route Survey
 Delray Parcels C & F

SURVTECH SOLUTIONS, INC.
 10220 U.S. Highway 92 East
 Tampa, FL 33610
 Licensed Business #7340
 phone: (813)-621-4929
 fax: (813)-621-7194
 email: sbrown@survtechsolutions.com
 http://www.survtechsolutions.com

Tree & Topographic Detail

Benchmark Information: NAVD 1988

TBM #1
Elevation = 14.90'
Found PK Nail & Disk "LB7340" marking the Northeast corner of subject property near the Southwest corner of the intersection of East Atlantic Avenue & SE 3rd Avenue; 10'± Southeast of a light pole; 13'± Northwest of unknown vaults.

TBM #2
Elevation = 16.08'
Found PK Nail & Disk "LB3591" on the East side of SE 3rd Avenue, 260'± South of the intersection of East Atlantic Avenue & SE 3rd Avenue; 48'± Southeast of a sanitary manhole; 46'± Easterly of a light pole.

TBM #3
Elevation = 16.07'
Found PK Nail & Disk "LB3591" on the East side of SE 3rd Avenue; 105'± North of the intersection of SE 3rd Avenue & SE 1st Street; 2'± Easterly of a light pole; 35'± East of a sanitary manhole.

Statement of Potential Encroachments

- (A) Open & Notorious Evidence of Overhead Utility Lines without benefit of easement.
- (B) Open & Notorious Evidence of Pedestrian Ingress/Egress without benefit of easement.
- (C) Overhead utility lines (attached to East side of Pole) potentially fall within the airspace of Parcel C & Parcel F.
- (D) Masonry wall falls West of property boundary.

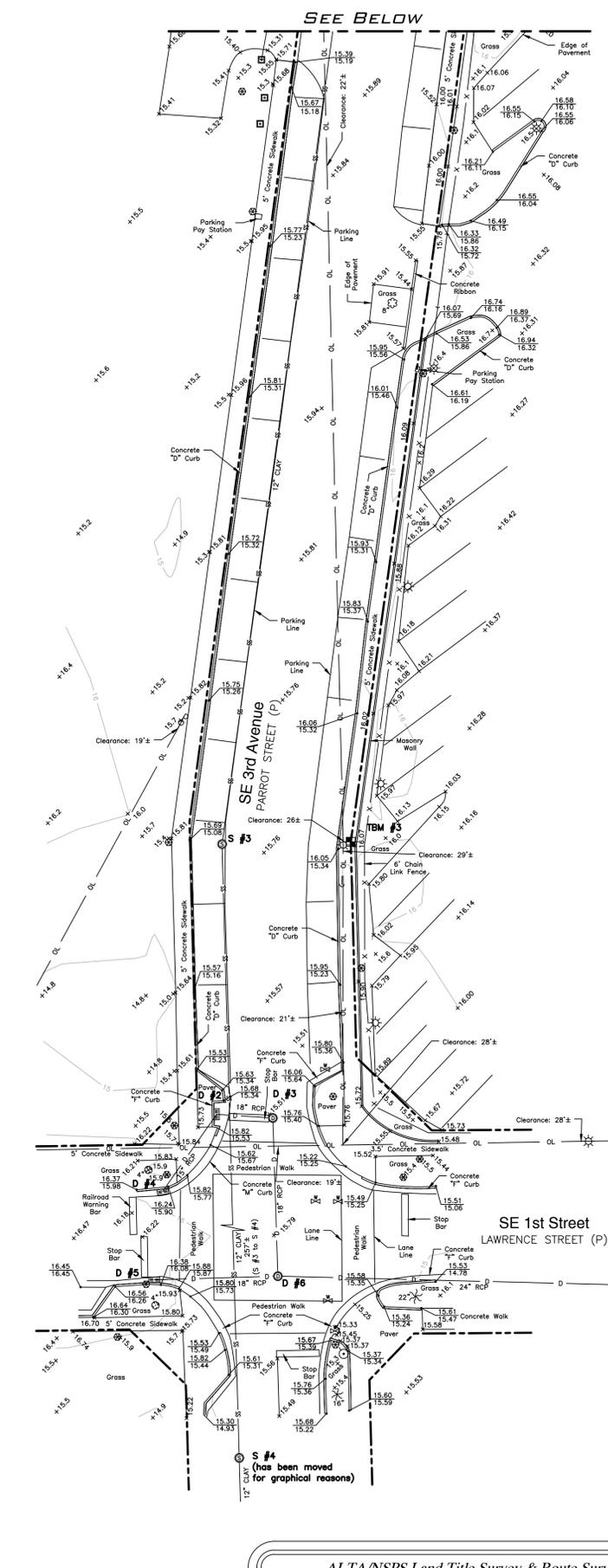
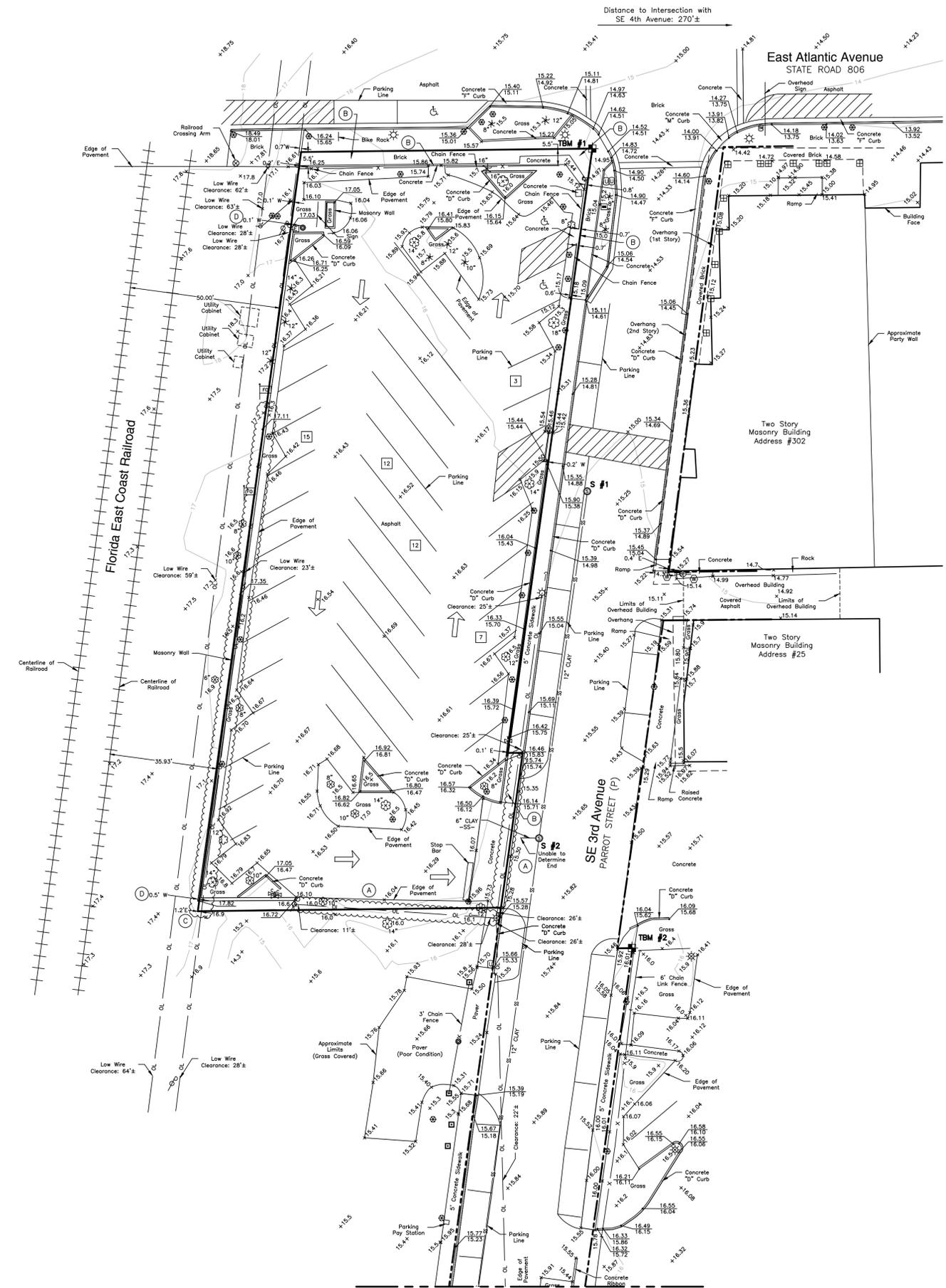
Drainage Information: NAVD 1988

Structure	Top EL. (ft.)	Pipe Size, Material	IE. (ft.)	Direction
D #1	13.52	24" RCP	6.63	West
		24" RCP	8.30	East
		30" CMP	6.29	South
D-2	15.41	12" CMP	10.63	South
		18" RCP	10.49	East
D-3	15.55	15" RCP	10.70	Southwest
		18" RCP	9.94	West
D-4	15.88	15" RCP	9.25	South
		15" RCP	10.77	Northeast
D-5	16.06	18" RCP	10.74	East
		18" RCP	8.81	North
D-6	15.53	18" RCP	10.27	West
		24" RCP	7.61	East

Sanitary Information: NAVD 1988

Structure	Top EL. (ft.)	Pipe Size, Material	IE. (ft.)	Direction
S #1	15.18	12" CLAY	11.10	South
S #2	15.65	12" CLAY	10.61	North
		12" CLAY	10.65	South
S #3	15.52	6" CLAY	11.45	West
		12" CLAY	9.62	North
S #4	15.13	12" CLAY	9.60	South
		12" CLAY	8.49	North
S #4	15.13	12" CLAY	8.48	South
		12" CLAY	8.48	South

S #4 has been moved for graphical reasons.



ALTA/NPS Land Title Survey & Route Survey
Delray Parcels C & F

SURVTECH SOLUTIONS, INC.
10220 U.S. Highway 92 East
Tampa, FL 33610
phone: (813)-621-4929
fax: (813)-621-7194
email: sbrown@survtechsolutions.com
http://www.survtechsolutions.com
Licensed Business #7340

Property Detail

Parcel Control Number: 12-43-46-16-01-085-0050 Location Address: SE 3RD AVE
 Owners: ROSEBUD 3RD AVENUE LLC
 Mailing Address: 101 SE 4TH AVE, DELRAY BEACH FL 33483 4515
 Last Sale: DEC-2017 Book/Page#: 29520 / 1328 Price: \$4,600,000
 Property Use Code: 1000 - VACANT COMMERCIAL Zoning: CF - CF - COMMUNITY FACILITIES (12-DELRAY BEACH)
 Legal Description: TOWN OF DELRAY S 51 FT OF N 250 FT E OF RY BLK 85 Total SF: 0 Acres 0.1109

2020 Values (Current)

Improvement Value \$0
 Land Value \$522,365
 Total Market Value \$522,365
 Assessed Value \$522,365
 Exemption Amount \$0
 Taxable Value \$522,365

All values are as of January 1st each year.

2020 Taxes

Ad Valorem \$11,151
 Non Ad Valorem \$13
 Total Tax \$11,164

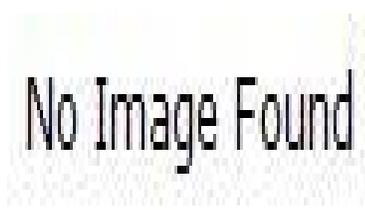
2021 Qualified Exemptions

No Details Found

Applicants

No Details Found

Building Footprint (Building 0)



Subarea and Square Footage (Building 0)

Description	Area	Sq. Footage
No Data Found.		

Extra Features

Description	Year Built	Unit
No Extra Feature Available		

Structural Details (Building 0)

Description

MAP



APPENDIX B: PALM BEACH MPO 2040 COST FEASIBLE VOLUMES

Station	Roadway	From	To	Owner	Cost Feasible Lanes	Observed 2005 Counts	Observed 2010 Counts	Observed 2015 Counts	2040 SERPM 6.5 Adjusted Volume	2040 SERPM7+ Adjusted Volume
6800	A1A	Camino Real	Palmetto Park Rd	FDOT	2	13,398	10,248	11,093	15,800	12,500
6816	A1A	Palmetto Park Rd	Spanish River Park Ent	FDOT	2	12,585	10,966	12,079	18,300	13,000
6812	A1A	Spanish River Park Ent	Spanish River Blvd	FDOT	2	12,575	11,054	12,017	18,600	14,200
6316	A1A	Spanish River Blvd	Highland Beach	FDOT	2	16,710	13,625	13,358	20,600	15,400
6308	A1A	Highland Beach	Delray Beach	FDOT	2	12,728	10,009	11,042	16,800	11,400
5836	A1A	Delray Beach	Linton Blvd	FDOT	2	15,811	12,573	13,695	19,700	15,100
5834	A1A	Linton Blvd	Atlantic Ave	FDOT	2	12,557	8,984	12,312	14,900	9,800
5832	A1A	Atlantic Ave	Seaspray Ave	FDOT	2	11,098	8,117	10,710	13,800	9,400
5814	A1A	Seaspray Ave	George Bush Blvd	FDOT	2	10,089	7,506	9,734	12,700	8,300
5826	A1A	George Bush Blvd	Woolbright Rd	FDOT	2	10,718	8,717	9,639	13,700	10,000
5820	A1A	Woolbright Rd	Ocean Ave (Boynton)	FDOT	2	11,224	7,355	9,393	11,700	8,400
5306	A1A	Ocean Ave (Boynton)	Boynton Inlet	FDOT	2	8,203	7,457	8,686	8,100	8,700
4814	A1A	Boynton Inlet	E Ocean Ave	FDOT	2	7,392	5,856	7,323	7,700	6,900
4812	A1A	E Ocean Ave	Palm Beach limits	FDOT	2	13,212	9,200	10,897	11,900	10,100
4810	A1A	Palm Beach limits	Lake Worth Rd	FDOT	2	13,150	7,300	12,018	11,500	9,100
4808	A1A	Lake Worth Rd	Phipps Ocean Park Ent	FDOT	2	12,459	8,800	12,405	14,200	10,400
4302	A1A	Phipps Ocean Park Ent	Sloans Curve	FDOT	2	13,343	9,051	10,104	13,600	10,900
3888	A1A	Sloans Curve	SR 80	FDOT	2	13,106	9,512	0	13,500	11,300
3886	A1A	SR 80	Ocean Blvd	FDOT	2	17,445	12,657	14,911	17,700	10,500
3918	A1A	Ocean Blvd	Worth Ave	FDOT	4	12,421	15,200	12,123	11,700	14,400
3884	A1A	Worth Ave	Royal Palm Way	FDOT	2	17,445	N/A	0	18,000	4,300
3916	A1A	Royal Palm Way	US 1	FDOT	4	15,180	10,505	13,750	15,500	10,600
2801	A1A	US 1	S Harbor Dr	FDOT	4D	22,338	14,700	22,954	25,500	18,900
2846	A1A	S Harbor Dr	Bimini Ln	FDOT	2	12,363	N/A	0	11,700	11,800
2842	A1A	Bimini Ln	Island Dr	FDOT	2	10,920	10,278	9,117	12,500	10,100
2816	A1A	Island Dr	Lost Tree Village	FDOT	2	16,711	16,729	18,492	18,600	19,200
2809	A1A	Lost Tree Village	US 1	FDOT	2	5,742	5,466	4,210	5,700	5,800
1314	A1A	Donald Ross Rd	Marcinski Rd	PBC	2	6,000	N/A	4,867	6,000	1,500
1818	A1A	Marcinski Rd	Ocean Way	PBC	2	9,047	7,801	6,475	10,300	8,300
1812	A1A	Ocean Way	Indiantown Rd	PBC	2	10,915	10,087	9,079	9,900	11,700
1804	A1A	Indiantown Rd	US 1	PBC	2	6,993	6,920	7,322	11,900	7,900
1809	A1A	US 1	Jupiter Inlet Colony	PBC	2	2,203	2,341	2,501	6,200	2,600
1306	A1A	Jupiter Inlet Colony	Martin County Line	PBC	2	N/A	N/A	0	5,700	4,000
7017	AIRPORT RD	SR 715	Main St	NON	2	7,225	8,060	10,661	7,200	8,900
6880	AIRPORT RD	Glades Rd	Spanish River Blvd	BR	2	N/A	N/A	0	8,000	9,200
6908	AIRPORT RD	Spanish River Blvd	Section Line	NON	4	14,702	13,478	16,435	23,500	22,400
5403	ATLANTIC AVE	SR 7	Lyons Rd	FDOT	4	21,156	18,619	29,886	51,300	39,200
5101	ATLANTIC AVE	Lyons Rd	Turnpike	FDOT	6D	34,081	32,206	0	58,600	48,900
5209	ATLANTIC AVE	Turnpike	Hagen Ranch Rd	FDOT	6D	36,415	32,777	36,572	60,400	53,900
5643	ATLANTIC AVE	Hagen Ranch Rd	Jog Rd	FDOT	6D	40,036	33,426	40,737	53,900	46,600
5631	ATLANTIC AVE	Jog Rd	El Clair Ranch Rd	FDOT	6D	42,199	40,649	44,644	53,800	53,600
5637	ATLANTIC AVE	El Clair Ranch Rd	Military Tr	FDOT	6D	40,873	43,812	41,810	52,100	51,600
5609	ATLANTIC AVE	Military Tr	Barwick Rd	FDOT	6D	38,363	40,012	44,038	50,200	50,600
5659	ATLANTIC AVE	Barwick Rd	Congress Ave	FDOT	6D	37,485	44,769	49,366	47,700	52,800
5211	ATLANTIC AVE	Congress Ave	I-95	FDOT	6D	34,140	34,662	46,557	36,200	43,800
5309	ATLANTIC AVE	I-95	8th Ave SW	FDOT	4D	28,429	23,780	27,464	30,200	26,600
5815	ATLANTIC AVE	8th Ave SW	Swinton Ave	FDOT	4D	12,252	13,213	12,015	13,000	14,700
5817	ATLANTIC AVE	Swinton Ave	US-1	FDOT	2					