

PLANNING AND ZONING BOARD

CITY OF DELRAY BEACH

--- STAFF REPORT ---

MEETING DATE: June 20, 1994

AGENDA ITEM: V.A.

ITEM: CONDITIONAL USE for CoTran Satellite Facility.

GENERAL DATA:

Owner.....Berthe Sendzimir
c/o Scott Hawkins
Jones, Foster, Johnston
& Stubbs P. A.

Agent.....Audrey Wolf, Director
Facilities Department
Board of County Commissioners

Location.....Northwest corner of
Congress Avenue and NW
1st Street.

Property Size.....7.49 Acres

City Land Use Plan.....Commerce

City Zoning.....MIC (Mixed Industrial and
Commercial)

Proposed Zoning.....CF (Community Facilities)

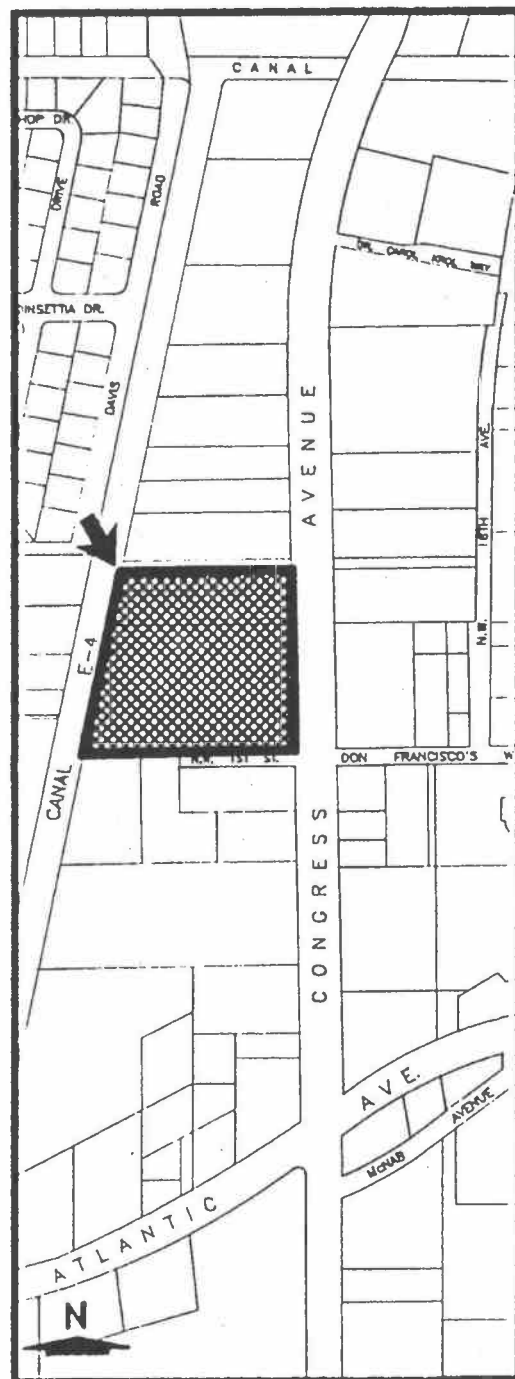
Adjacent Zoning...North: MIC
East: MIC
South: MIC
West: RM (Multiple Family
Residential - Medium
Density) and RR (Rural
Residential)

Existing Land Use.....Vacant.

Proposed Land Use.....Conditional Use approval
for the establishment of
a County bus terminal.

Water Service.....Existing 8" water mains
along Congress Avenue and
a 2' main in NW 1st Street.

Sewer Service.....Existing 8" sanitary sewer
main along the east side
of Congress Avenue,
approximately 400' south
of the subject property.



V.A.

I T E M B E F O R E T H E B O A R D :

The action before the Board is that of making a recommendation on a Conditional Use request to establish a "Transportation Terminal" (i.e., bus terminal), pursuant to Section 2.4.5 (E) of the Land Development Regulations.

The property is located on the west side of Congress Avenue north of N.W. 1st Street, immediately east of the E-4 L.W.D.D. Canal.

A sketch plan is accompanying the request and is attached as Exhibit "A". A full site plan will be required if conditional use approval is granted.

B A C K G R O U N D :

The property is part of a larger tract which includes property located on the east side of Congress Avenue. While the 7.49 acre site is currently vacant, the southwest corner has been used in the past as an extension of the junk yard which was previously located on the east side of Congress (Auto Save, Inc.), and the center of the site was used as a construction storage area for Congress Avenue widening.

In November 8, 1988, the parcel was annexed into the City of Delray Beach with an LI (Light Industrial) zoning designation.

The site's Industrial land use designation was changed to Commerce with the adoption of a new Future Land Use Map in November, 1989. With the adoption of the Land Development Regulations in October, 1990, the Mixed Industrial and Commercial District (MIC) was applied to this property.

A rezoning from MIC to CF to accommodate a proposed CoTran bus transfer terminal is before the Board as a separate item.

P R O J E C T D E S C R I P T I O N :

The Conditional Use request is to establish a 7.49 acre CoTran satellite facility which will serve the South County area. The facility will have a total of 59 buses of which 49 will be dispatched daily and 10 will serve as spares. The facility will contain a 6-bay 10,000 sq.ft. maintenance building, a 4,000 sq.ft. operations building, parking for employees and busses, and landscape buffer areas.

Of the 59 buses, 44 will be 23-person passenger busses, 5 will be 31 person intermediate size busses, and 5 will be 40 person buses. The remaining 5 buses will be spares and be a combination of the above as needed. The facility will also have 10 para-transit vans which provide door to door service for handicapped persons. The bus drivers will operate in two shifts. The shifts will begin at approximately 5:30 A.M. and end between 7:30 and 9:00 P.M. Buses would begin pulling out between 6:00 A.M. and 7:30 A.M., and remain out on the routes most of the day.

Some buses which serve the peak hour demand will return to the site after the morning peak period and return to their routes during the the afternoon peak hour. All buses will return to the site between 7:30 to 9:00 P.M. where they will be fueled, washed, and parked for the night.

The maintenance employees will work on two shifts. The day shift will work from 7:30 A.M. through 3:30 P.M., and the evening shift will work from 3:30 to 11:00 P.M. Light maintenance only will be carried out on the site. No major repairs to engines, transmissions, or vehicle repainting will be accomplished at this facility. All major repairs will occur at the main facility in West Palm Beach. The basic function of the maintenance facility will be to fuel and wash buses upon their return to the site. This activity will take place between the hours of 6:00 P.M. and 10:00 P.M., Monday through Saturday, and will be complete by 5:00 P.M. on Sunday. In addition to washing and fueling buses, the following light maintenance work would be conducted;

- * Scheduled preventive maintenance (oil changes, inspections, etc.)
- * Minor electrical and air conditioning repair
- * Tire repair and mounting
- * Brake repair

The application is accompanied by a sketch plan showing the general location of the components of the operation. Wide landscape buffer areas are proposed along Congress Avenue, and particularly along the west property line where a berm, trees, and hedges will be provided in addition to a large green belt which will be dedicated to L.W.D.D.

CONDITIONAL USE ANALYSIS:

REQUIRED FINDINGS: (Chapter 3)

Pursuant to Section 3.1.1 (Required Findings), prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the following four areas.

Future Land Use Map: (The use or structures must be allowed in the zoning district and the zoning district must be consistent with the land use designation).

The Future Land Use Map designation for the property is "Commerce". The allowable zoning designations which are deemed consistent with the Commerce Land Use designation are:

RT Resort Tourism
OS Open Space
PCC Planned Commerce Center
MIC Mixed Industrial and Commercial (current zoning)
CF Community Facilities

The site is presently zoned MIC (Mixed Industrial and Commercial). The Conditional Use request is accompanied by a request to rezone the property to CF (Community Facility). The proposed use of a "Transportation Terminal" is allowed as a Conditional Use within the CF zoning district.

Concurrency: (Facilities which are provided by, or through, the City shall be provided to new development concurrent with issuance of a Certificate of Occupancy. These facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.)

Water: Potable water service exists to the site via a 8" water main which runs along the front of the property and the west side of Congress Avenue. The fire hydrant spacing in this area currently meets the minimum 300' spacing required for industrial uses. Installation of a fire hydrant on site may be required.

Sewer: A 20" force main currently exists along the west side of Congress Avenue in front of this site. Access into force mains is not available without the installation of an on-site lift station. Sewer service to the property will require construction of a lift station at the southeast corner of the site. The lift station is to be designed at sufficient depth to accommodate gravity flows from the north, west and south. Gravity mains are to be provided along N.W. 1st Street from the operations building and along Congress Avenue from the maintenance building. Mains in these locations are needed to meet the requirements of the Public Facilities Element of the Comprehensive Plan, Policy C-3.3, and LDR Section 5.3.3 (F) which require extension of mains to the furthest property line.

Streets and Traffic:

Pursuant to LDR Section 5.3.1(E), Improvement Obligations, development shall provide for the construction of street improvements associated with the project. When a full local street standard (i.e., a new road) is required to carry traffic to and from the project, the project has to provide the necessary travel lanes to accommodate vehicles accessing the site. If it is impractical to construct the improvements, the obligation may be met by payment of cash funds equal to the current cost of such improvements.

The development proposal will be taking access from N.W. 1st Street which is an undeveloped local street. This development will be responsible for the construction of N.W. 1st Street from Congress Avenue to the west terminus at approximately the E-4 Canal. Accommodation of the road will require an additional dedication of 5' along the south property line, and a 100' diameter right-of-way dedication to accommodate a cul-de-sac required pursuant to LDR Section 6.1.2 (B)(4).

The location of the cul-de-sac is to be determined during the platting and site plan process. The property south of the site in which a portion of the cul-de-sac would be located, is currently undeveloped and has not dedicated 1/2 of the right-of-way for the cul-de-sac. Several design alternatives are available including;

- * Off set the cul-de-sac and build the entire cul-de-sac on the CoTran property, utilizing only the existing 25' dedication provided by the southern parcel.
- * Have CoTran dedicate 1/2 the right-of-way for a cul-de-sac and build an acceptable temporary T-turn around. With development of the parcel to the south, require dedication and construction of the cul-de-sac.
- * Require the applicant to obtain the additional right of-way from the property owner to the south and construct the full cul-de-sac.

Right-of-way:

Pursuant to Section 5.3.1 (D)(2), a minimum right-of-way dimension of 60' is required for all local streets. The proposed total dedication width for N.W. 1st Street is 50'. Pursuant to Section 5.3.1(D)(4), where the City Engineer supports a reduction in the required width and where there are no safety hazards associated with such a reduction, the body approving the development application may grant a reduction.

Given the limited length of N.W 1st Street and the limited numbers of properties it serves the City Engineer supports the reduction to a 50' width. A formal reduction request will have to be processed for approval by the Site Plan and Appearance Board.

Drainage: The drainage for the site will be accommodated by on site retention area. The drainage will be pre-treated prior to entering the retention area by a series of grease and solid waste traps. The on site retention area will overflow into the adjacent E-4 canal. If the conditional use is approved a site plan with associated engineering plans will be required.

Parks and Open Space:

Parks and Open Space dedications do not apply to commercial or industrial properties.

Solid Waste:

The proposed use is anticipated to generate 38.6 pounds per sq.ft. of floor area (operations building) and 9.3 pounds (maintenance building) per year or a total of 518,040 pounds. This volume is approximately 100,000 pounds per year higher than the current allowed uses under the MIC zoning district (82,000 * 5.1 pds per year). However, adequate capacity exists at the landfill to accommodate waste.

Consistency: Compliance with the performance standards set forth in Section 2.4.5(E)(5) (Conditional Use Findings) shall be the basis upon which a finding of overall consistency is to be made. Other objectives and policies found in the adopted Comprehensive Plan may be used in the making of a finding of overall consistency.

A review of objectives and policies of the adopted Comprehensive Plan was conducted and the following applicable policies were found:

Traffic Element Policy A-1.4: The City, through this policy statement, endorses the continued operations of the CoTran Transit system and its operations in Delray Beach.

While this policy does not address expansion of the CoTran system it does affirm the City's commitment to the mass transit system.

Future Land Use Element Policy C-1.5: The City shall concentrate efforts in the heavy industrial and undeveloped areas along arterial roadways in order to provide a better image of the community. Such efforts should include:

- * enhanced and continuous code enforcement efforts;
- * legislation which requires heavy industrial uses to provide perimeter landscaping of their sites;
- * owners of vacant property shall provide a landscaped appearance of their properties.

The development of this property with the CoTran facility will eliminate the ability of the site to be developed with heavier industrial uses. Permitted uses allowed under the MIC zoning district include manufacturing of ceramics, fiberglass, glass, woodworking, machine shops, automobile paint, body and repair shops, boat repair and service.

The sketch plan accompanying the request provides a green buffer along Congress Avenue which is to be heavily landscaped. It is recommended as a condition of approval that the landscaping include a berm, heavy plantings of trees 25' on center and in staggered rows with mid level plantings. A similar landscape scheme is proposed to the west perimeter of the site adjacent to the E-4 canal.

Section 2.4.5(E)(5) (Standards for Conditional Use Actions):

Pursuant to Section 2.4.5(E)(5) (Findings) in addition to provisions of Section 3.1.1, the City Commission must make findings that establishing the Conditional Use will not:

- A. Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located; and
- B. Nor that it will hinder development or redevelopment of nearby properties.

This site is bordered by MIC (Mixed Industrial and Commercial) zoning to the north, south and east, and the E-4 L.W.D.D. Canal, Rural residential and RM - Medium Density Residential property to the west.

In order to assess the potential impacts of this operation on adjacent properties, the applicant was asked to provide specific information with respect to traffic, noise, and air quality. The following is a summary of the information provided.

Traffic:

The current development potential for this parcel as currently zoned could generate up to 2,532 daily trips. The proposed CoTran facility will generate 508 daily trips representing a potential net reduction of 2,024 daily trips. Capacity exists on adjacent roadways to accommodate this facility. In addition to the reduction of trips in the immediate vicinity the facility by nature of the use will also reduce traffic both City and South County wide.

Noise Levels:

A noise analysis was conducted consisting of ambient monitoring of existing conditions and projecting future noise levels using Florida Department of Transportation (FDOT) and Federal Highway Administration (FHWA) predictive models. Ambient noise monitoring was conducted at two locations: the existing CoTran facility near the intersection of Florida Mango Road, and in Delray Beach along Davis Road, west of the proposed satellite facility location. The testing was conducted using sound meters placed at approximately 5' from the ground representing average human ear height.

Noise levels were monitored at the existing facility site between 5:00 A.M. and 6:30 A.M. on June 1, 1994. This time period was chosen as it represented peak bus usage at this site. Background noise levels near the proposed satellite facility site were monitored between 5:55 A.M. and 7:00 A.M. on June 2, 1994. Monitoring levels were generally between 50-60 decibels at both the Delray and West Palm Beach locations, and were the result of traffic noise on Belvedere Road and Florida Mango Roads at the existing facility, and Interstate 95 and Congress Avenue at the Davis Road site. Both locations showed the influence of rush hour traffic, with increases of 2-3 decibels levels over the monitoring periods.

Pursuant to Section 99.01 (Noise Ordinance) (A) & (B) the receiving residential land uses shall not receive decibel readings which exceed 70 decibels between the hours of 10:00 P.M. and 7:00 A.M. and 75 decibels between 7:00 A.M. and 10:00 A.M.

In summary, the study found that the noise levels at both sites were similar, ranging from 55 to 57 decibels averaged over the monitoring period. From observations at the existing facility, a total contribution from bus movements was estimated at .7 decibels. Noise modeling at the proposed new facility indicated a potential increase of .8 decibels at the monitored station and a maximum of 2.3 decibels at the closest point off-site. With the addition of a proposed earthen noise berm and associated vegetation, changes of less than one half decibel are predicted. Decibel changes in this range are not discernible.

Air Quality & Odors:

An air quality study was conducted which measured current air quality at both sites and projected of impacts of emissions using FDOT and FHWA predictive models.

Existing air quality in the Delray Beach area is considered good with ambient levels of automobile and bus-producing pollutants, such as particulate, nitrogen oxides and carbon monoxide, at well below national and state ambient air quality standards. The study concluded that the entire facility would contribute 56 pounds of carbon monoxide pollutants per day; 15 pounds of nitrogen oxides and 9 pounds of volatile organic compounds. This is very light compared with the 3,200 pounds of carbon monoxide generated daily from existing vehicles on Congress Avenue. It is further noted that emissions from vehicle trips which would be generated from potential development of the site under the the existing MIC designation would exceed these levels.

In summary, the study found that the increases in carbon monoxide levels from the addition of the proposed facility will be less than one part per million in the residential area west of the site. Significant impacts are expected to occur only within 10 feet of the facility.

In addition to the above, compatibility concerns also center around the aesthetic aspects of the development proposal. Of greatest concern is the west property line which abuts residential property and the treatment along the Congress Avenue corridor. The accompanying sketch plan provides the following;

West property line:

The development proposal will be separated from abutting residential properties by 80' of Davis Road right-of-way, an 80' existing L.W.D.D. ROW, and an additional 55' L.W.D.D. ROW (to be dedicated), for a total of 215' to the property line. Within the property line an additional 15' landscape area, 140' of lake (northwest corner) or 140' of employee parking area are proposed before the first bus parking space. This represents a minimum distance between bus parking to any residential property line of 370'. Within L.W.D.D. easement area and on site landscape area a 8' earth berm is proposed with extensive trees and mid level plantings. Staggered rows of tree 25' on center should be considered. This landscape feature will provide a visual screen as well as act as a noise abating feature.

East property line (Congress Avenue):

A minimum of 30' of landscape buffer area is proposed along Congress Avenue. It is recommended this buffer area contain a substantial berm and trees and mid level planting.

Given the above studies and components of the sketch plan a positive finding with respect to compatibility with adjacent properties can be made.

Compliance with Land Development Regulations:

The sketch plan submitted with the Conditional Use request is in general conformity with the LDR's. However, the following LDR requirements are highlighted at this time so they can be incorporated in subsequent site plan submittals.

Pursuant to Section 4.6.16 (H)(4)(d) foundation plantings are required at the base of all buildings which can be seen from the adjacent right-of-ways.

Pursuant to Section 4.6.16 (H)(3)(i)&(j)&(k) all vehicular parking spaces are to have a landscape island a maximum of every 10 spaces, end in terminal landscape islands and have a central landscape island were they abut head to head.

Pursuant to Section 4.3.4.(H)(6) a perimeter landscape buffer along Congress a minimum of 30' is required.

OTHER:

In March, 1994 the Planning and Zoning Board considered a zoning change from MIC to LI for this property and others within the Congress Avenue Corridor. The City-initiated rezonings were in response to concerns with compatibility of the outside uses within the MIC district. The rezoning proposals were not passed and alternative changes are under consideration to modify the MIC district to require that properties zoned MIC have all uses conducted in an enclosed building (excluding outside storage).

If the zoning on this property is changed to CF (Community Facility) it will not be subject to the proposed text amendment. However, the use can be found to be generally consistent with the amendment in that while this facility has an outside component (Bus parking) it will be well screened from Congress Avenue. In addition, most components of the use, dispatching and maintenance will be conducted inside.

South County Service area:

The greater Delray Beach area will be served by 47 busses daily (Monday through Friday). Twenty five of these buses will be housed at the South County Facility while the balance will be located at the West Palm Beach Facility. More than half of the buses operating from this site, will directly serve the greater Delray Beach area.

Employment aspects:

The facility will create 115 additional bus driver positions, 14 maintenance positions and 4 supervisor positions. While it is not clear how many existing employees will bid work assignments out of the Delray site, based on the residential addresses of CoTran's existing work force it is believed that at a minimum at least 60% of the satellite facility positions (80 positions) will be new jobs. The estimated annual payroll for the eighty (80) new positions in the Delray area is approximately \$2,250,000 excluding benefits. CoTran is currently in discussion stages with the Private Industry Council to work out an arrangement wherein they would select and train the new bus drivers and entry level maintenance staff needed for this site from the local area.

Location criteria:

One of the primary reasons to locate a satellite facility in the south county area is to minimize the non-revenue miles now travelled by the buses which serve the South County area. Analysis of the planned new routing structure has determined that two dispatch sites would yield an annual savings of \$801,103 (based on 1993 operating costs). The "optimum" locations for these facilities based on the starting and ending points of each of the planned new routes are:

- * Main site: Intersection of I-95 and Palm beach Lakes Blvd., West Palm Beach.
- * Satellite Facility: Intersection of I-95 and Atlantic Avenue, Delray Beach.

Depending on the road configuration to and from the "optimum" location, annual operating costs would increase between \$35,000 and \$50,000 for each mile the site is located away from the "optimum" site.

Letters of objection:

Several letters of objection have been received from residents and copies are attached.

REVIEW BY OTHERS:

This proposal is not located in a geographic area requiring review by either the HPB (Historic Preservation Board), DDA (Downtown Development Authority) or the CRA (Community Redevelopment Agency).

If the Conditional Use request is approved, a site plan must be submitted for review by the Site Plan Review and Appearance Board. The site is to be generally consistent with the sketch plan and conditions of Conditional Use approval.

Neighborhood Notice:

Formal public notice has been provided to property owners within a 500' radius of the subject property. A courtesy notice has been sent to the following Homeowner associations:

P.R.O.D.
United Property Association
Rainberry Lake Homeowners Association
Rainberry Bay
Villas of Rainberry Homeowners Association
Chatelaine Homeowners Association
Pines of Delray North
Sudan Subdivision
High Point
Delray Shores Subdivision

ASSESSMENT AND CONCLUSIONS:

The compatibility of the use is centered around concerns with respect to potential noise, air quality, odors, traffic and aesthetic impacts on adjacent residential uses to the west.

A noise study has been provided which indicates that with the installation of a landscaped berm along the west property line the adjacent residential uses will receive less than a .5 decibel increase. Decibel differences in this range are not discernible.

The air quality and odor study indicates that significant impacts with respect to air quality will only occur within 10' of the site. The overall increase in carbon monoxide from this facility will be approximately one part per million. This level is less than could be expected from traffic associated with development of the site under the current zoning designation.

With respect to traffic the terminal facility is estimated to generate 20% of the potential traffic expected to be generated under development of the property with a industrial / commercial use. In addition to a potential traffic reduction in the vicinity of the site, the use itself will promote a reduction in traffic in the city and south county area.

The aesthetic concerns of the residential properties to the west will be addressed through a buffer area consisting of minimum of 150' (135' of L.W.D.D. canal right-of-way and additional 15' on site buffer) which will contain an 8' berm with heavy tree and mid level plantings.

A L T E R N A T I V E C O U R S E S O F A C T I O N S :

- A. Continue with direction.
- B. Recommend approval of the Conditional Use request based upon positive findings with respect to Section 3.1.1 and Section 2.4.5(D)(5) (Conditional Use Finding) and policies of the Comprehensive Plan subject to conditions.
- C. Recommend denial of the Conditional Use request based upon a failure to make positive findings.

S T A F F R E C O M M E N D A T I O N :

Recommend approval of the Conditional Use request based upon positive findings with respect to Section 3.1.1 and Section 2.4.5(D)(5) (Conditional Use Finding) and policies of the Comprehensive Plan subject to the following conditions.

- 1. The approved use is to contain a maximum of 59 buses and 10 para-transit vans. These buses are to made up of 44 small buses (approx. 22 person capacity) 5 intermediate buses (approx. 33 person capacity) and 5 large buses (approx. 40 person capacity). The five additional buses which will serve as 5 of the 10 spares can be a combination of the above as needed.

The on-site maintenance is limited to the following activities;

- * Scheduled preventive maintenance (oil changes, inspections, etc.)
- * Minor electrical and air conditioning repair
- * Tire Repair and mounting
- * Brake repair

Public announcement (PA) systems are prohibited.

The hours of operation are limited to 6:00 A.M. to 9:00 P.M. for bus dispatch and 7:30 A.M. to 11:00 P.M. for maintenance operation.

2. That a site plan be processed which in substantial conformity with the accompanying sketch.
3. That landscape and engineering plan be provided which accommodates the following items:
 - * Installation of a 8' earth berm with trees and mid level plantings which substantially exceeds minimum landscape requirements along the west property line. A double row of trees staggered 25' on center with extensive mid level planting is recommended.
 - * Installation of a berm with trees and mid level plantings along Congress Avenue which exceeds minimum landscape requirements.
 - * Construction of N.W. 1st Street to City Standards including an acceptable turn around at the western terminus.
 - * Construction of a lift station at the southeast corner of the site and design to a sufficient depth to allow gravity flows from properties to the south and north.
4. Continued compliance with all applicable noise and air quality standards as currently in existence and as may be amended or added in the future.

a:cotran1

EXHIBIT "A"

