



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT SMALL SCALE AMENDMENT

BCC ADOPTION PUBLIC HEARING, AUGUST 22, 2024

A. Application Summary

I. General

Project Name:	Boynton Beach Place (SCA 2023-020)
Request:	CH/5 on 3.96 acres and CL-O/5 on 4.90 acres to CL/5 and revisions to conditions of approval in Ordinance 1997-11
Acres:	8.86 acres
Location:	North side of Boynton Beach Blvd, approx. 0.1 miles east of Jog Road
Project Manager:	Peter Germain, Planner I
Applicant:	Job-Man Development, LLC (Carl Jobson and Daniel Mancini)
Owner:	Job-Man Development, LLC (Carl Jobson and Daniel Mancini)
Agent:	Josh Nichols, Schmidt Nichols
Staff Recommendation:	Staff recommends approval with conditions based upon the findings and conclusions contained within this report.

II. Assessment & Conclusion

The applicant is proposing to change the future land use designation on 8.86-acres located in the Urban/Suburban Tier, on the north side of Boynton Beach Boulevard and east of Jog Road, from Commercial High with underlying 5 units per acre (CH/5) on 3.96 acres and Commercial Low Office with underlying 5 units per acre on 4.90 acres to Commercial Low (CL) with underlying 5 units per acre. The concurrent zoning application is proposing a 3,275 square foot car wash, 2,500 square foot vehicle sales and rental building, a 200,000 square foot self-service storage building, a 7,500 square foot vehicle repair and maintenance building, and a 1,200 square foot drive-thru restaurant, totaling 214,475 square feet.

The applicant is also proposing to maintain the 35 foot landscape buffer adjacent to the existing residential uses as previously adopted as a condition of approval from Ordinance 1997-011 and to revise the condition to increase the wall height from 6 to 8 feet and to remove the Unity of Control requirement, due to the fact the parcel is no longer in common ownership with the adjacent parcel to the west. The amendment is generally compatible with the adjacent residential uses as it will provide a 35 foot landscape buffer and an 8 foot opaque wall in an effort to mitigate potential negative impacts. The amendment meets the commercial location criteria as the site is located adjacent to a parcel with a commercial future land use designation, does not exhibit strip commercial characteristics, and revises existing conditions to enhance compatibility. Finally, in order to meet the long range traffic standards in FLUE Policy 3.5-d, a condition limiting trips is proposed. The applicant is in agreement with all conditions of approval.

III. Hearing History

Local Planning Agency: **Approval with conditions**, motion by Penny Pompei seconded by Rick Stopek, passed in an 11 to 0 vote at the July 12, 2024 public hearing. Commission discussion included comments regarding the positive outreach between the developer and the adjacent community. Two members of the public spoke in support, representing the Coalition of Boynton West Residential Associations (COBWRA) and Country Fair HOA, both citing that they are pleased with the agreement reached with the developer and are in support of the project.

Board of County Commissioners Adoption Public Hearing:

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B. Petition Summary

I. Site Data

Current Future Land Use

- Current FLU:** Commercial High with underlying 5 units per acre (CH/5) on 3.96 acres and Commercial Low-Office with underlying 5 units per acre (CL-O/5) on 4.90 acres
- Existing Land Use:** Outdoor Storage
- Current Zoning:** Single Family Residential (RS)
- Current Dev. Potential Max:** Commercial Uses, up to 146,623 square feet; Office Uses, up to 106,722 square feet and Residential, up to 44 units

Proposed Future Land Use Change

- Proposed FLU:** Commercial Low with underlying, 5 units per acre (CL/5) on 8.86 acres
- Proposed Use:** Type I Restaurant w/ Drive-Thru, Vehicle Repair and Maintenance, Vehicle Sales and Rental, Automatic Self-Service Car Wash, and Limited Access Self-Service Storage
- Proposed Zoning:** Multiple Use Planned Development (MUPD)
- Dev. Potential Max/Conditioned:** Commercial Uses, up to 192,971 square feet (.5 FAR) and Residential, up to 44 units

General Area Information for Site

- Tier/Tier Change:** Urban/Suburban Tier - No change
- Utility Service:** Palm Beach County Water Utilities
- Overlay/Study:** Coalition of Boynton West Residential Associations (COBWRA)
- Comm. District:** Mayor Maria Sachs, District 5

Future Land Use Atlas Amendment

Boynton Beach Place (SCA 2023-020)



Site Data

Size: 8.86 acres
 Existing Use: Outdoor Storage
 Proposed Use: Commercial
 Current FLU: CH/5 & CL-O/5
 Proposed FLU: CL/5

Future Land Use Designations

MR-5 Medium Residential, 5 units/acre
 HR-8 High Residential, 8 units/acre
 CL-O Commercial Low Office
 CL-O/5 Commercial Low Office, underlying MR-5
 CH/5 Commercial High, underlying MR-5

Date: 6/13/24
 Contact: PBC Planning
 Filename: T:\Planning\AMEND\23-SCA
 Note: Map is not official, for presentation purposes only.



Planning, Zoning & Building
 2300 N. Jog Rd, WPB, FL 33411
 Phone (561) 233-5300



C. Introduction

I. Intent of the Amendment

This is a privately proposed future land use amendment for an 8.86-acre site located within the Urban/Suburban Tier, on the north side of Boynton Beach Boulevard, approximately 0.1 miles east of Jog Road. The site is currently undeveloped.

Background: The subject site had previously supported an approximately 15,000 square foot warehouse building, which has since been demolished. The 1989 Comprehensive Plan designated this site with a FLU designation of Medium Residential, 5 units per acre (MR-5). Subsequently in 1997, the property owner proposed to change the future land use designation (Kerekes Plaza, SCA 90 COM 1) on the subject site to Commercial High with underlying 5 units per acre (CH/5), in order to create a commercial MUPD with the adjacent 16-acre property to the west. The combined lots would have created a 24 acres commercial plaza with an 18 screen movie theater complex, an office building, a bank, a pharmacy, a fast-food restaurant, two sit-down restaurants, and a gas station with convenience store.

Staff forwarded a recommendation of denial to the Land Use Advisory Board (LUAB) as staff's concerns were "not related to a non-residential future land use, but more to the ultimate development potential and intensity of the site...Instead staff suggests a less intense commercial or commercial office use at this site in order to enhance compatibility with adjacent residential land uses" (1997 SCA Staff Report). The LUAB recommended approval of CL-O/5 on the easternmost 4.90 acres and CH/5 on the remaining 3.96 acres subject to the following conditions:

1. That a Unity of Control for the subject parcel and the parcels identified by Property Control Numbers 00-42-45-22-00-000-5040 and 00-42-45-22-00-000- 5020, which together with the subject parcel are the subject of Palm Beach County Zoning Petition #PDD97-04, in a form approved by the County Attorney and recorded in the public records; and two (2) recorded copies provided to the Palm Beach County Planning Division prior to final site plan certification.
2. The site plan for the properties contained within the Unity of Control described in I.B.1. shall include a 35' landscape buffer on the north and east property lines which shall include a continuous 4' berm, hedges and trees, and a solid 6' wall.

The BCC voted unanimously (5-0) to adopt the amendment with the above conditions of approval at the April 24, 1997 public hearing.

In 2019, a Status Report (CTR-1997-0004-1) was approved by the BCC that rezoned the subject 8.86 acre site back to the RS Zoning District and revoked uses approved by prior Zoning Resolutions associated with the Kerekes Plaza MUPD. This action allowed the westerly adjacent Fountains East MUPD to proceed with development without the subject site as ownership of the two parcels changed.

Proposed Amendment: The intent of the amendment is to change the future land use designation for the subject site from Commercial High (CH/5) on 3.96 acres and Commercial Low Office (CL-O/5) on 4.9 acres to Commercial Low with underlying 5 units per acre (CL/5) on the entire site in order to develop up to 193,048 square feet of commercial uses. The applicant is also proposing to delete previously adopted Condition 1 due to fact the site is no longer associated with the adjacent parcel to the west. Condition 2 is being revised to increase the wall height from 6 to 8 feet in an effort to help further compatibility and screening with the established residential community to the north and east.

Zoning Application: The concurrent zoning application (PDD/CA-2022-01922, Control Number 2022-00112) proposes to rezone the subject site from Single Family Residential (RS) to Multiple Use Planned Development (MUPD). The proposed uses are a 3,275 square foot car wash, 2,500 square foot vehicle sales and rental building, a 200,000 square foot self-service storage building, a 7,500 square foot vehicle repair and maintenance building, and a 1,200 square foot drive-thru restaurant, totaling 214,475 square feet. While the total floor area ratio (FAR) on the site is approximately 0.56 FAR (greater than the maximum allowed 0.5 FAR), the commercial uses proposed total 14,475 sq. ft. (0.03 FAR) and the 200,000 sq. ft. of Self Storage is allowed up to 0.85 FAR per note 1 of FLUE Table 2.2.-e.1.

II. Data and Analysis Summary

This section of the report summarizes the consistency of the amendment with the County's Comprehensive Plan. Exhibit 2 details the consistency of the amendment with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans. The substantive factors from Exhibit 2 are summarized below.

Overview of the Area. The site is located on Boynton Beach Boulevard just east of Jog Road. The corridor is mostly residential with majority of the Commercial High designations located at the commercial node of Jog Road and Boynton Beach Boulevard. The remaining surrounding areas contain mostly Medium Residential, 5 units per acre (MR-5) future land uses with pockets of High Residential, 8 units per acre (HR-8) and Commercial Low-Office (CL-O).

Directly west of the site is Fountains East MUPD that has a Commercial High FLU. Previous Amendment 97S-SCA 90 COM 1 proposed to unify the sites but ultimately continued with its own development. Today the subject site proposes to connect to existing cross-access points, thus improving the pedestrian and vehicular mobility between the sites. The zoning resolution for the Fountains East MUPD contains conditions of approval to provide cross access points to the subject site in anticipation of future development.

Appropriateness of the Amendment. The amendment request is appropriate since the site is located adjacent to an established commercial node. The Applicant proposes minor modifications to enhance an existing condition of approval, which was applied in a prior amendment to promote compatibility with adjacent residential uses to the north and east. The proposed Commercial Low designation is appropriate given the site's location and conditions of approval to establish a larger buffer between the proposed uses and the existing residential to the east.

Compatibility. As mentioned, the site is located in a predominately commercial and residential corridor along Boynton Beach Boulevard east of Jog Road. The properties fronting the north and south sides of Boynton Beach Boulevard primarily support medium residential uses with commercial high uses located at the intersection of Boynton Beach Boulevard and Jog Road. More specifically, the site currently supports a split future land use with Commercial High on the western portion and Commercial Low-Office on the eastern portion adjacent to established residential uses built in the late 80s. The proposed amendment to Commercial Low on the entire site would complement the established development pattern. To help further compatibility, the applicant is proposing to maintain the previously adopted condition related to a 35 foot landscape buffer and to increase the required wall height an additional two feet along the established residential community to the north and east.

Assessment and Recommendation. The applicant is proposing to change the future land use designation on 8.86-acres located in the Urban/Suburban Tier, on the north side of Boynton Beach Boulevard and east of Jog Road, from Commercial High with underlying 5 units per acre (CH/5) on 3.96 acres and Commercial Low Office with underlying 5 units per acre on 4.90 acres to Commercial Low (CL) with underlying 5 units per acre. The concurrent zoning application is proposing a 3,275 square foot car wash, 2,500 square foot vehicle sales and rental building, a 200,000 square foot self-service storage building, a 7,500 square foot vehicle repair and maintenance building, and a 1,200 square foot drive-thru restaurant, totaling 214,475 square feet.

The applicant is also proposing to maintain the 35 foot landscape buffer adjacent to the existing residential uses as previously adopted as a condition of approval within Ordinance No. 97-11 and to revise the condition to increase the wall height from 6 to 8 feet and to remove the Unity of Control requirement, due to the fact the parcel is no longer in common ownership with the adjacent parcel to the west. The amendment is generally compatible with the adjacent residential uses as it will provide a 35 foot landscape buffer and an 8 foot opaque wall in an effort to mitigate potential negative impacts. The amendment meets the commercial location criteria, does not exhibit strip commercial characteristics, and revises existing conditions to enhance compatibility. Finally, in order to meet the long range traffic standards in FLUE Policy 3.5-d, a condition limiting trips is proposed. The applicant is in agreement with all conditions of approval.

Staff recommends **approval with conditions** based upon the findings within this report

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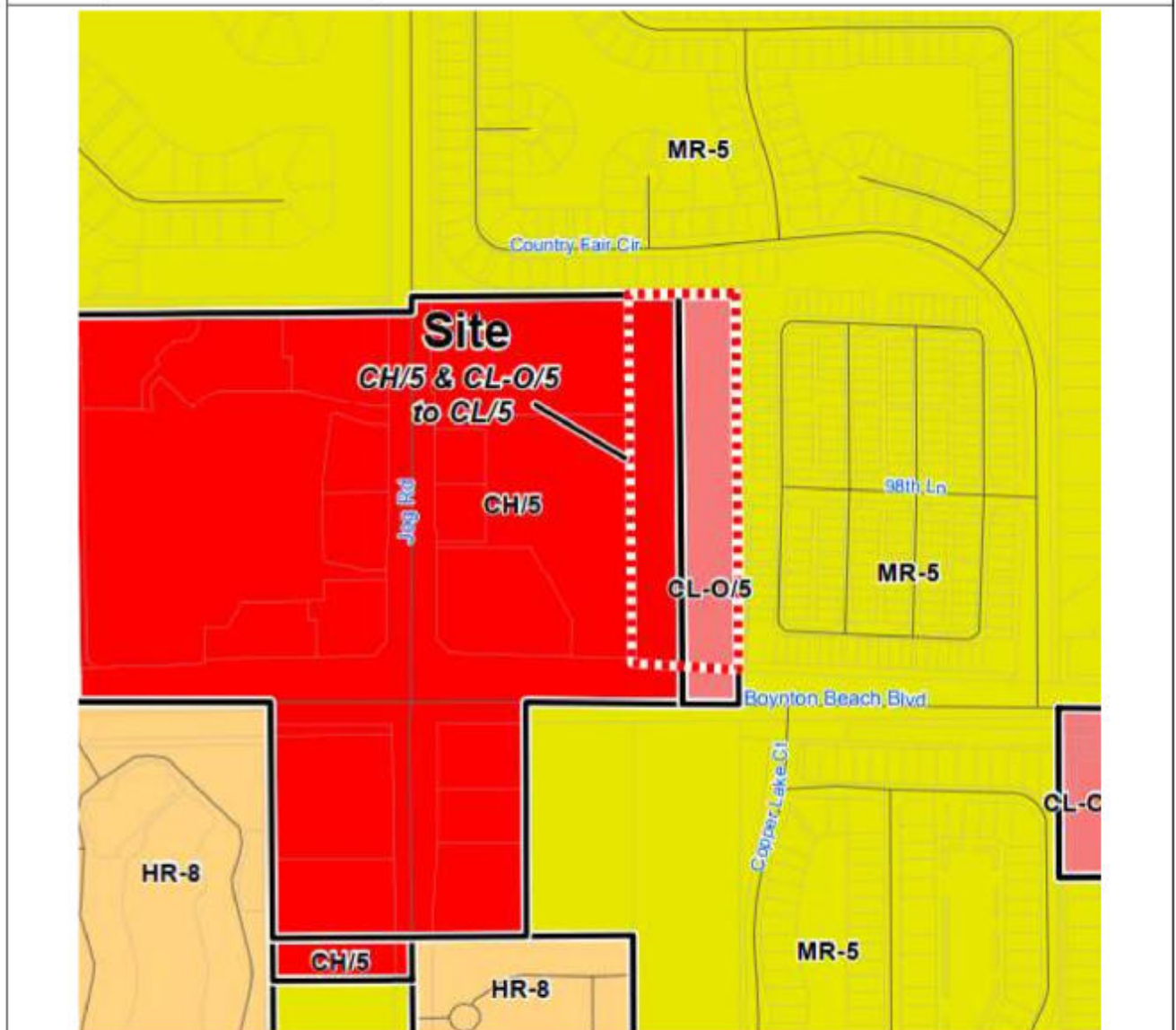
Exhibit 1

Amendment No:	Boynton Beach Place (SCA 2023-020)
FLUA Page No:	90
Amendment:	Commercial High with an underlying 5 units per acre (CH/5) on 3.96 acres and Commercial Low-Office (CL-O/5) with underlying 5 units per acre 4.90 acres to Commercial Low with underlying 5 units per acre (CL/5) and to revise conditions of approval in Ordinance No. 1997-011
Location:	North side of Boynton Beach Boulevard, approx. 0.1 miles east of Jog Road
Size:	8.86 acres approximately
Property No:	00-42-45-22-00-000-5030

Conditions: The conditions adopted by Ordinance No. 1997-011 are to be modified with deleted text ~~stricken out~~ and added conditions with text underlined as shown below.

Development of the site under the Commercial Low future land use designation is subject to the following conditions:

1. ~~That a Unity of Control for the subject parcel and the parcels identified by Property Control Numbers 00-42-45-22-00-000-5040 and 00-42-45-22-00-000-5020, which together with the subject parcel are the subject of Palm Beach County Zoning Petition #PDD97-04, in a form approved by the County Attorney and recorded in the public records; and two (2) recorded copies provided to the Palm Beach County Planning Division prior to final site plan certification.~~
2. 1. The site plan for the properties contained within the Unity of Control described in I.B.1. shall include a 35' foot landscape buffer on along the north and east property lines, which shall include a continuous 4' foot berm, hedges and trees, and an solid opaque 6' 8 foot wall.
2. The site is limited to a maximum of 7,366 net daily trips, 98 net AM peak hour trips, and 86 net PM peak hour trips.



Legal Description

ALSO DESCRIBED AS:

A PARCEL OF LAND SITUATE IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 22; THENCE NORTH 00°41'13" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER (SE 1/4), 1333.46 FEET TO THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 22; THENCE NORTH 89°34'27" EAST, ALONG SAID SOUTH LINE OF THE NORTHWEST ONE-QUARTER 616.20' TO THE NORTHEAST CORNER OF "FOUNTAINS EAST MUPD", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 130, PAGE 93, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE CONTINUE, NORTH 89°34'27" EAST, ALONG SAID SOUTH LINE OF THE NORTHWEST ONE-QUARTER, 334.10 FEET TO A POINT ON THE WEST LINE OF "BRIARRIDGE PLAT ONE", ACCORDING THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGE 57, SAID PULBIC RECORDS AND THE EAST LINE OF THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 22; THENCE SOUTH 00°27'36" EAST, ALONG SAID EAST LINE OF SAID WEST ONE-HALF (W 1/2) AND SAID WEST LINE OF "BRIARRIGE PLAT ONE", A DISTANCE OF 1169.95 FEET TO THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 804, "BOYNTON BEACH BOULEVARD", ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTAION RIGHT-OF-WAY MAP SECTION No.: 97931-2347 AND OFFICIAL RECORDS BOOK 4215, PAGE 575, OF SAID PUBLIC RECORDS; THENCE NORTH 86°24'21" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 333.43 FEET TO THE SOUTHEAST CORNER OF SAID "FOUNTAINS EAST MUPD" AND A POINT ON THE WEST LINE OF THE WEST ONE-HALF (W 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 22; THENCE NORTH 00°32'07" WEST, ALONG SAID EAST LINE OF SAID "FOUNTAINS EAST MUPD" AND SAID WEST LINE OF THE WEST ONE-HALF (W 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 22, A DISTANCE OF 1146.58 FEET, TO SAID NORTHEAST CORNER OF SAID "FOUNTAINS EAST MUPD" AND THE POINT OF BEGINNING.

SAID LANDS LYING AND SITUATE IN PALM BEACH COUNTY FLORIDA, AND CONTAINING 386,096 SQUARE FEET, (8.8635 ACRES) MORE OR LESS.

Exhibit 2

Consistency with Comprehensive Plan

This Exhibit examines the consistency of the amendment with Palm Beach County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

A. Consistency with the Comprehensive Plan - General

1. **Justification: FLUE Policy 2.1-f:** *Before approval of a future land use amendment, the applicant shall provide an **adequate justification** for the proposed future land use and for residential density increases **demonstrate that the current land use is inappropriate**. In addition, the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:*

1. *The natural environment, including topography, soils and other natural resources; (see Public Facilities Section)*
2. *The availability of facilities and services; (see Public Facilities Section)*
3. *The adjacent and surrounding development; (see Compatibility Section)*
4. *The future land use balance;*
5. *The prevention of urban sprawl as defined by 163.3164(51), F.S.; (See Consistency with Florida Statutes)*
6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section)*
7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (see Public and Municipal Review Section)*

The applicant includes a Justification Statement (Exhibit 3) which provides the following factors as justification:

- *“The subject amendment proposed for the site to (CL/5) overall site is compatible with the surrounding Future Land Uses as the subject site is located near a commercial corner on Boynton Beach Boulevard and Jog Road.”*
- *“The proposed change in the FLU to (CL/5) will make the overall site consistent.”*
- *“ Additionally, the previous condition of approval for buffering provided a total opaque screen of 10’ (4’ berm and 6’ wall) and the applicant has proposed 12’ of opaque screening (4’ berm with 8’ wall).*

Staff Analysis: This policy is the umbrella policy over the entire FLUA amendment analysis and many of the items are addressed elsewhere in this report as identified above.

The applicant states the purpose of the proposed amendment is to amend the Future Land Use split caused by the amendment adopted in 1997 to create a consistent Comprehensive Plan designation over the entire 8.86 acres. The applicant also states the proposed uses are suitable and appropriate for the subject site as they complement what has been commercially developed to the west and serves as an extension of those commercial services with two recorded cross access points along the shared property line.

Lastly, the applicant states they understand that the intent of the previous FLUA was to allow compatible commercial uses adjacent to existing residential. Additionally, the previous condition of approval for buffering provided a total opaque screen of 10 feet (4 foot berm and 6 foot wall), the applicant has proposed 12 feet of opaque screening (4 foot berm with 8 foot wall). Since the 1997 FLUA Amendment, the western site Fountains East MUPD has developed separately than previously intended due to change in ownership, thereby leaving a split FLU designation on the subject site. The applicant's request for Commercial Low on the entire site with buffer and screening conditions will allow the site to develop at commercial low intensities compatible with adjacent residential uses. Therefore, the applicant has met the requirements for adequate justification.

2. **County Directions - FLUE Policy 2.1-g:** *The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.*

Direction 2. Growth Management. *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.*

Direction 3. Infill, Redevelopment and Revitalization. *Address the needs of developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.*

Direction 4. Land Use Compatibility. *Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.*

Staff Analysis: The proposed amendment to allow commercial uses would be consistent with the character and development pattern of this particular area, and at an established commercial node. The amendment is consistent with **Direction 2. Growth Management** and **Direction 3. Infill, Redevelopment and Revitalization** as the site is located near a major intersection within the Urban/Suburban Tier and in proximity to where urban public facilities and services currently exist. The proposed amendment meets the intent of **Direction 4. Land Use Compatibility** as the applicant has amended the conditions of approval to increase the buffer wall height while keeping the enhanced buffer and berm as previously conditioned, thus furthering compatibility. Overall, this amendment is generally consistent with the County Directions.

3. **Piecemeal Development - Policy 2.1-h:** *The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.*

Staff Analysis: The definition of piecemeal development in the Comprehensive Plan describes “A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole.” No parcel under same ownership is left out of the proposed amendment. Therefore, the proposed amendment is not piecemeal, and does not create a residual parcel pursuant to this policy and definition.

4. **Strip Commercial – FLUE Policy 2.2.2-d:** *The County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development. Strip Commercial Development is defined in the Comprehensive Plan Introduction and Administration Element as follows:*

STRIP COMMERCIAL DEVELOPMENT - A form of development that is designed primarily for vehicular access and is hazardous or inconvenient for pedestrians to use. Strip commercial development may include any of the following:

1. *intense, largely non-residential development, which is shallow in depth, and lies along a length of roadway*
2. *poorly coordinated site plan, with buildings organized in a linear pattern or in isolated “islands”*
3. *separate driveways or curb cuts from adjacent properties*
4. *separate parking lots from adjacent properties*
5. *inadequate accessibility and circulation for pedestrians and bicycles*

Staff Analysis: The proposed amendment does not exhibit any of the characteristics of strip commercial development. Therefore, the amendment does not violate this policy.

B. Consistency with Urban/Suburban Tier Requirements for the Specific FLU

Future Land Use Element Objective 1.1, Managed Growth Tier System, states that “*Palm Beach County shall implement the Managed Growth Tier System strategies to protect*

viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers.....”

1. Policy 1.2-a: *Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:*

1. *Allowing services and facilities consistent with the needs of urban and suburban development;*
2. *Providing for affordable housing and employment opportunities;*
3. *Providing for open space and recreational opportunities;*
4. *Protecting historic, and cultural resources;*
5. *Preserving and enhancing natural resources and environmental systems; and,*
6. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.*

Staff Analysis: The proposed development is compatible with the scale, mass, intensity of use, height and character of the neighboring community considering the conditions of approval to increase the buffer to mitigate the proposed uses from the adjacent residential uses. In addition, the applicant is proposing two cross access points that line up with the adjacent commercial development in order to provide vehicular and pedestrian interconnectivity. The proposed development is compatible with the services and facilities consistent with the needs of urban and suburban development. The proposed amendment does represent development that is *“compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities,”* and is therefore consistent with this policy.

2. Policy 2.2.2-a: *In order to discourage strip commercial development, to limit commercial development to nodes, to foster interconnectivity, and to promote the development of innovative mixed use projects inside the Urban Service Area, all new commercial future land use designations shall meet one of the following location requirements:*

- *Intersection Location:*
 - *Commercial Low, High Office, or High future land use designations shall have frontage on built roadway segments identified as an arterial road and a collector road, or two arterial roads.*
- *Contiguous Location – All new commercial future land use designations shall be contiguous to a lot(s) with a commercial future land use designation. Contiguous is defined as lot(s) that share a common border. Lots that touch point-to-point, and lots which are separated by waterways, streets, or major easements are not considered contiguous.; or*
- *Flexible Location – Mixed-use development patterns identified in the Future Land Use Element (e.g. LCC, TMD, TND) or Commercial Low-Office future land use designations may be allowed in any location along all arterial or collector roads.*

Roadway classifications are listed in Figure TE 3.1, Functional Classification of Roads.

Staff Analysis: The proposed amendment is consistent with this policy as the site shares a common border with a parcel to the west, which has a Commercial High future land use designation. Therefore, this site meets the **contiguous** location criteria.

C. Compatibility

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use.

FLUE Policy 2.1-f states that *“the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity.”* And **FLUE Policy 2.2.1-b** states that *“Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintain to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.”*

The surrounding land uses immediately abutting the site are the following:

North: To the north of the subject site, is Country Fair at Boynton (Control No. 1983-058), a single family residential community built in the late 1980s and consists of approximately 193 homes. The Planned Unit Development has a FLU designation of MR-5

East: To the east of the subject site built in the late 80's is Country Fair, formally known as Briar Ridge PUD (Control No. 1983-085), a single family townhouse community with 212 units. Zoned Residential (RS) with a Medium Residential (MR-5) FLU. Further east is Sun Valley PUD (Control No. 1985-0162), which consist of apartments, single-family homes, and townhomes totaling to 576 dwelling units.

West: To the west of the site is the Fountains East MUPD (Control No. 1997-04), this site contains various retail and commercial uses anchored by Sprouts Farmers Market and includes a 158 bed congregate living facility. The site has a Commercial High with an underlying MR-5 (CH/5) future land use designation and two cross access points with the subject site to allow for pedestrian and vehicular connectivity.

South: Directly to the south across Boynton Beach Boulevard, built in 2009 is Faith United Methodist Church (Control No. 1991-042), with various other adjacent uses including a CVS Pharmacy and U.S. Postal Service.

Applicant's Comments: The applicant lists the surrounding uses and future land use designations in Exhibit 3. The applicant indicates that "the subject amendment proposed for the site to (CL/5) overall site is compatible with the surrounding Future Land Uses as the subject site is located near a commercial corner on Boynton Beach Boulevard and Jog Road." Furthermore the applicant states that "the proposed change in the FLU to (CL/5) will make the overall site consistent."

Staff Analysis: The site is located along a corridor that contains a mixture of medium and high residential future land uses as well as low and high commercial land uses. Considering the existing built environment, the applicant is proposing to increase the previously conditioned wall height and retain the expanded buffers on the north and east property lines to mitigate the proposed uses. Staff finds that the proposed amendment is generally compatible with adjacent residential uses.

D. Consistency with County Overlays, Plans, and Studies

- 1. Overlays – FLUE Policy 2.1-k** states *"Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series."*

Staff Analysis: The proposed amendment is not located within an overlay.

- 2. Neighborhood Plans and Studies – FLUE Policy 4.1-c** states *"The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval....."*

Staff Analysis: The property is located within the West Boynton Area Community Plan (WBACP), which is administered by the Coalition of Boynton West Residential Association (COBWRA). The site meets Recommendation 15 of the WBACP, as the site is located between designated transit bus stops on Boynton Beach Boulevard. Two stops are east of the site and the other two to the west, all less than half a mile away from the subject site. The request brings the total proposed development of the site to 214,475 square feet, of which 200,000 square feet is self-service storage. This is less than the 300,000 square foot maximum identified by the WBACP Recommendation 25, which "discourages regional-retail/commercial centers that exceed 300,000 square feet."

Recommendation 37 and 42 of the WBACP recommends improvement of pedestrian linkages between residential and non-residential uses and encourages new commercial developments to have a complete pedestrian network to parking and mass transit. The site proposes connections to two existing cross access points to improve pedestrian and vehicular linkages with the adjacent commercial property to the west. The applicant has provided sidewalks throughout the development with connections to Boynton Beach Boulevard to allow a pedestrian network that leads to residential communities and bus stops. The applicant has advised they are in contact with the neighborhood group and are having ongoing discussions. No issues or concerns from the neighborhood group have been received by staff as of the writing of this report.

E. Public Facilities and Services Impacts

The proposed amendment will change the future land use designation from CH-5 and CL-O/5 to CL/5 for the entire site. For the purposes of public facilities impact analysis, the maximum intensity is based on 192,971 square feet (.50 FAR) of general commercial uses. Public facilities impacts are detailed in the table in Exhibit 4.

1. **Facilities and Services – FLUE Policy 2.1-a:** *The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.*

Staff Analysis: The proposed amendment has been distributed to the County service departments for review and there are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Zoning (ULDC), Mass Transit (Palm Tran), Potable Water & Wastewater (PBC Water Utilities Dept.), Environmental (Environmental Resource Management), Traffic (Engineering), Historic Resources (PBC Archeologist), Parks and Recreation, Health (PBC Dept. of Health), Community Services (Health & Human Services) and Fire Rescue.

2. **Long Range Traffic - Policy 3.5-d:** *The County shall not approve a change to the Future Land Use Atlas which:*

- 1) *results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c) and d):.....*

Staff Analysis: The Traffic Division reviewed this amendment at a maximum of 192,971 square feet of general commercial or medical office. According to the County's Traffic Engineering Department (see letter dated April 25, 2024 in Exhibit 5) the amendment would result in an increase of 1,023 (general commercial) or 723 (medical office) net daily trips.

The Traffic letter concludes *"Based on the review, the Traffic Division has concluded that the proposed amendment will have a negligible impact on traffic. The Long Range analysis suggests reduced impact, while Test 2 analysis shows insignificance on the roadway network. These findings **meet** Policy 3.5-d of the Palm Beach County Comprehensive Plan's Future Land Use Element at the **proposed potential** intensity shown above. As such, a condition of approval is required to restrict this amendment to the proposed development potential or use(s) generating equivalent trips."*

The Traffic Study was prepared by Juan F. Ortega of JFO Group Inc. Traffic studies and other supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:

<http://www.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

II. Public and Municipal Review

The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *"Palm Beach County will continue to ensure coordination between the County's Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities....."*

- A. **Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on June 21, 2024.
- B. **Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site and interested parties on June 21, 2024. Also on July 25, 2024, the Planning Division sent notices to interested parties including Alden Ridge HOA, Country Fair at Boynton HOA, Sun Valley HOA, The Club at Indian Lakes HOA,

Strathmore Estates HOA, and The Enclave at Boynton Waters HOA. Correspondence received will be added to Exhibit 8 throughout the public hearing process.

Exhibit 3

Applicant’s Justification and Consistency with Comprehensive Plan

Request

On behalf of the Applicant and Owner, Job-Man Development LLC (“Applicant”), Schmidt Nichols respectfully requests your consideration of an application for a Small-Scale Future Land Use Atlas (FLUA) Amendment. The 8.89-acre subject property (PCN 00-42-45-22-00-000-5030) is located at the north side of Boynton Beach Boulevard, approximately 620 feet east of Jog Road in Palm Beach County.

The Property (8.89-acres) currently support two Future Land Use Atlas Designations split between the West and the East half of the property, consisting of Commercial Low- Office with an underlying of medium residential 5 units per acre (CL-O/5) for the easternmost portion of the parcel, measuring 183 feet wide from the east property line, approximately 4.9 acres; and Commercial High with an underlying Medium Residential 5 units per acre (CH/5) on the west side of the parcel (approximately 3.96 acres). The subject site retains a zoning designation of Residential Single Family Residential (RS) over the entire site. As part of the subject application, the applicant requests to unify the Future Land Use designation from CH/5 and CL-O/5 to CL/5 over the entire site. The applicant also intends to rezone the subject property from (RS) to (MUPD) through a concurrent application which will be submitted within the required ninety (90) days from this submission. The initial submission of the application sought to modify the FLU to CH/5. However, subsequent discussions with both neighbors and staff led to the decision to instead pursue a change to CL/5.



Site Aerial

Property History:

Prior to 2021 the subject property was owned by the same entity with a total site acreage of 24.63 acres. The property underwent a Future Land Use Map amendment in 1997 which allowed Commercial High with an underlying 5 du/ac for 80% of the property and the remaining 4.9 acres was given a Commercial Low-Office designation as a transitional land use designation to the residential to the east. In 2021 the 8.9 acres which makes up the subject site was purchased and no longer has any relationship to the property to the west. The subject parcel is only 332’ in width with a split land use approximately running north/south through the middle of the parcel. This split land use presents an issue with FLU consistency over the property for future development. The County requires a change in the FLU to provide one unified FLU designation over the entire parcel. The subject site is taking the brunt of the transitional area for the larger shopping center to the west and the applicant has elected to reduce the intensity of the overall 8.9 acres to Commercial Low/5 (CL/5) to maintain the spirit and intent of the historic land use change while providing a viable development platform for the property.

Below is a summary of surrounding properties:

Adjacent Lands	Uses	FLU	Zoning
Subject Property (Proposed)	Industrial (Existing) Commercial (Proposed)	CH/5 & CL-O/5 (Existing) CL/5 (Proposed)	RS
North	Single Family Residential	MR-5	RS

South	Institutional	MR-5	RS
East	Single Family Residential	Medium Residential (MR-5)	RS
West	Commercial	CH/5	MUPD

Request

The applicant is requesting the following:

1. A Small-Scale Future Land Use Atlas (FLUA) Amendment from Commercial High with underlying medium density residential 5 units per acre (CH/5) and Commercial Low Office with an underlying medium density residential 5 units per acre (CL/5) to Commercial Low /5 overall site.
2. Requesting to delete Condition #1 and to modify Condition #2 of Ordinance No. 1997-11 keep the perimeter landscape buffer at 35’ with a 3.5’ tall berm and an 8’ wall for the east property line. The north property line will maintain the 35’ buffer with a 4’ tall berm and an increased wall height from 6’ to 8’.

A concurrent application to the Palm Beach County Zoning Division for an Official Zoning Map Amendment (rezoning) will be submitted within the required ninety (90) days from this submission. The rezoning would change the subject property’s zoning designation from Single Family Residential District to MUPD. The zoning applications will also include requests for Conditional Uses for car wash, Type I Restaurant, and Self-Service Storage.

G.1- Justification

Provide a justification for the amendment as required by Future Land Use Element **Policy 2.1- f**. The adopted designations are presumed to be correct, and the justification statement must demonstrate that a change is warranted.

Below is the applicant’s justification and response to policy 2.1-f:

1. The proposed use is suitable and appropriate for the subject site.

Response: Policy 2.2.c.2 of the Comprehensive Plan Future Land Use Element (“FLUE”) states: that county shall ensure future land uses are consistent with the Future Land Use Atlas; the subject site currently has a split Future Land Use Atlas of (CH/5) on the west side of the subject parcel, and (CL-O) on the East Side of the parcel due to an amendment adopted in 1997; this amendment unified two parcels causing the split. The purpose of this Future Land Use Amendment application is to amend the Future Land Use split caused by the amendment adopted in 1997 to create a consistent Comprehensive Plan designation over the entire 8.9 acres. The proposed uses are suitable and appropriate for the subject site as they complement what has been commercially developed to the west and serves as an extension of those commercial services with two recorded cross access points along the shared property line.

2. There is a basis for the proposed amendment for the particular subject site based upon one or more of the following:
 - a) Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;

Response: The current Future Land Use Designation is unusual because of a FLUA amendment that was adopted in 1997 which caused the property to have a split future land use. The site was unified by condition which resulted the Subject site to have a (CH/5) on the west side and (CL-O/5) on the East side. The purpose of this application is to change the Future Land Use to (CL /5) for the overall site to have consistency. The subject site is located on a commercial corner on the Boynton Beach Boulevard and Jog Road; there are several commercial properties existing. The applicant understands that the intent of the previous FLUA was to create a transitional FLU to the residential development to the east, however, the applicant has gone a step further and reduced the FLU intensity below what is currently allowed by the existing FLU designations by requesting Commercial Low across the entire site. Additionally, the previous condition of approval for buffering provided a total opaque screen of 10’ (4’ berm and

6' wall) and the applicant has proposed 11.5' of opaque screening (3.5' berm with 8' wall).

- b) Changes in the access or characteristics of the general area and associated impacts on the subject site;

Response: The surrounding area in the immediate vicinity of the site is almost entirely developed and consists of the unincorporated county's most urban development pattern with the highest density and intensity development. The subject site is located near a commercial corner between Boynton Beach Boulevard and Jog Road. The purpose of this amendment application is to change the split Future Land use designation and have a consistent reduced intensity CL/5 FLU over the entire site.

- c) New information or change in circumstances which affect the subject site;

Response: Subject to 1997 FLU Amendment and unification by condition, Approval of this application will correct the record to provide consistent CL/5 FLU over the entire site. The bifurcation of the site creates the need for the FLUA for one consistent FLU across the site. The applicant has elected to decrease the intensity of the site to CL/5 to meet the spirit and intent of the previous 1997 amendment while allowing for a mix of uses indicative of a commercial center.

- d) Inappropriateness of the adopted FLU designation; or

Response: As previously mentioned, the site currently has a split FLU where it is (CH/5) on the West side of the property and (CL-O/5) on the East side of the property. This split resulted from an amendment that was adopted in 1997. The Palm Beach County comprehensive plan requires a consistent FLU over the entire parcel for redevelopment. The purpose of this Amendment application is to rectify the Future Land Use Designation of the overall site to allow future redevelopment. The adopted FLU doesn't allow for the property to be developed as PBC Planning requires one FLU across the entire parcel.

- e) Whether the adopted FLU designation was assigned in error.

Response: The subject property currently has a split Future Land Use designation consisting of (CH/5) on the West side of the property and (CL-O/5) on the east side of the property. This existing split in the FLU designation is not typical of properties in the unincorporated county and is not something that is permitted to occur during a standard amendment process. While the FLU was not designated in error at the time based on the previous property owner's subdivision of the land and subsequent sale the designation has become an inconsistent with allowances of the Comprehensive Plan requiring unified land use designation over the entire property.

G.2- Residential Density Increases

Per Future Land Use Element Policy 2.4-b, provide a written analysis of the following:

1. Demonstrate a need for the amendment.

Response: The purpose of this amendment is to rectify the Future Land use of the site as it has a (CH/5) on the west side and (CL-O) on the east side of the parcel to an overall site FLU of Commercial Low with an underlying medium residential 5 units per acre. No increase in density is proposed so this is no applicable.

2. Demonstrate that the current FLUA designation is inappropriate.

Response: The current Future Land Use is split as it is (CH/5) on the west side of the site and (CL-O/5) on the east portion of the site. The purpose of this amendment application is to amend the future land use and change it to Commercial Low/5 for the overall site to be consistent. No increase in density is proposed.

3. Provide a written explanation of why the Transfer of Development Right Workforce Housing, and affordable housing programs cannot be utilized to increase density on site.

Response: The submitted application is to amend the Future Land Use of the subject site as it has two Future Land Use designation; CH/5 on the west side of the property and CL-O/5 on the East side of the property. No increase in density is proposed.

G.3- Compatibility:

Provide Written data and analysis to demonstrate compatibility with the surrounding and adjacent land use.

Response: As mentioned above, the subject site has a split Future Land Use designation with (CH/5) on the west side and (CL-O/5) on the east side. In the immediate vicinity to the west of the property is a (CH/5) property. To the north and east of the subject property large concentration of Medium Residential 5 unit per acre. To the south is a combination of (CH/5) and Medium Residential 5 units per acre. The subject amendment proposed for the site to (CL/5) overall site is compatible with the surrounding Future Land Uses as the subject site is located near a commercial corner on Boynton Beach Boulevard and Jog Road. As previously mentioned, the split in the Future Land Use of the site resulted from the amendment that was adopted in 1997 which included a condition to unify two parcels. The proposed change in the FLU to (CL/5) will make the overall site consistent. Therefore, the proposed amendment to the CL/5 FLU designation of the site is compatible with the surrounding and adjacent land uses.

G.4- Comprehensive Plan

The applicant has the option of including written data and analysis to demonstrate consistency with specific objectives and policies in the comprehensive plan, and special plan or overlays identified in the Future Land Use Element (see the special planning areas map, LU3.1)

Response: the proposed amendment demonstrates consistency with the following objectives and policies of the comprehensive plan:

Policy 2.2.a: Future Land Use Provisions – General - All development approvals and actions within the unincorporated limits of the County shall be consistent with the provisions contained within the Comprehensive Plan, as amended. Such approvals shall also be consistent with any restrictions or special conditions attached to a Comprehensive Plan amendment, as referenced on the Future Land Use Atlas and contained within the Ordinance adopting the amendment.

Response: Per the above policy of the comprehensive plan, it will be impossible to get development approval on a split FLU. Therefore, an approval of this amendment application is required to comply with the comprehensive plan.

SCA 90 COM 1 Conditions of Approval:

The proposed FLUA amendment is proposing to remove Condition of Approval #B.1 on page 3 of Ordinance No. 97-11 as this condition is no longer applicable to the proposed development. The PCN's referenced in this condition (PCN# 00-42-45-22-00-000-5040, 5020) are no longer valid and were previously associated with the adjacent parcel to the west, which is no longer a part of this application.

Furthermore, the applicant is proposing to amend Condition of Approval #B.2 on pages 3-4 of Ordinance No. 97-11 as shown below to keep the landscape buffer at 35' along the east property line, with a continuous berm of 4', and increase the wall height from 6' to 8' on the north and east property lines:

Proposed Condition:

- ~~1. That a Unity of Control for the subject parcel and the parcels identified by Property Control Numbers 00-42-45-22-00-000-5040 and 00-42-45-22-00-000-5020, which together with the subject parcel are the subject of Palm Beach County Zoning Petition #PDD97-04, in a form approved by the County Attorney and recorded in the public records; and two (2) recorded copies provided~~

~~to the Palm Beach County Planning Division prior to final site plan certification.~~

~~2. 1. The site plan for the properties contained within the Unity of Control described in I.B.1. shall include a 35' -foot landscape buffer on along the north and east property lines, which shall include a continuous 4-foot berm, hedges and trees, and a solid opaque 6' 8-foot wall.~~

~~2. The site is limited to a maximum of 7,366 net daily trips, 98 net AM peak hour trips, and 86 net PM peak hour trips.~~

On behalf of the Job-Man Development LLC (“Applicant”), Schmidt Nichols (“Agent”) requests your approval of this application for a Small-Scale Future Land Use Atlas Amendment.

Exhibit 4
Applicant's Public Facility Impacts Table

A. Traffic Information	
See Exhibit 5	
B. Mass Transit Information	
Nearest Palm Tran Route (s)	73 (Boynton Beach Boulevard)
Nearest Palm Tran Stop	Stop 6780 (South side of Boynton Beach Boulevard approx. 540 feet west of the intersection of Boynton Beach Boulevard & Jog Road located on the subject site's frontage on Boynton Beach Boulevard).
Nearest Tri Rail Connection	Boynton Beach Tri-Rail, 2800 High Ridge Road
C. Potable Water & Wastewater Information	
The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as Attachment I. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.	
Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department
Nearest Water & Wastewater Facility, type/size	There is an existing 16" potable water main and a 12" sanitary sewer force main located within Boynton Beach Boulevard adjacent to the subject property.
D. Drainage Information	
The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-16 Drainage Basin. Legal positive outfall is available via discharge to the Lake Worth Drainage District L-24 Canal along the south side of Boynton Beach Boulevard.	
E. Fire Rescue	
Nearest Station	West Palm Beach Fire Rescue Station #41, 5105 Woolbright Road.
Distance to Site	Station #41 is 2.75 miles from the subject site.
Response Time	Based on the information provided by PBC Fire-Rescue, the estimated response time is 8 minutes.
Effect on Resp. Time	PBC Fire-Rescue has determined that the proposed amendment will have minimal impact on fire rescue response time.
F. Environmental	
Significant habitats or species	The subject property does not support any significant habitats or Listed Species. The applicant will utilize their best efforts to preserve the existing vegetation if the site is developed as intended.
Flood Zone*	The subject parcel is located in Flood Zone X.
Wellfield Zone*	The subject property lies within Wellfield Protection Zones 3 and 4.
G. Historic Resources	
The subject parcels do not contain any historic or architecturally significant resources located on or within 500 feet of the site.	

Exhibit 5 Palm Beach County Traffic Division Letter



**Department of Engineering
and Public Works**
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

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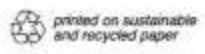
**Palm Beach County
Board of County
Commissioners**

Maris Sachs, Mayor
Maria G. Marino, Vice Mayor

Gregg K. Weiss
Michael A. Barnett
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator
Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*



April 25, 2024

Dr. Juan F. Ortega, P.E.
JFO Group, Inc.
6671 W Indiantown Road Suite 50-324
Jupiter, FL 33458

**RE: Boynton Beach Place - Revised
FLUA Amendment Policy 3.5-d Review
Round 2022-23-B**

Dear Dr. Ortega:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Study for the proposed Future Land Use Amendment for the above-referenced project, revised on April 3, 2024, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

Location:	North side of Boynton Beach Boulevard, east of Jog Road	
PCN:	00-42-45-22-00-000-5030	
Acres:	8.86 Acres	
	Current FLU	Proposed FLU
FLU:	(Commercial High (CH) on 3.96 acres And Commercial Low Office (CL-O) on 4.9 acres)/Medium Residential, 5 units per acre (MR-5)	Commercial Low (CL)/Medium Residential, 5 units per acre (MR-5)
Zoning:	Single Family Residential (RS)	Multiple Use Plan Development (MUPD)
Density/ Intensity:	0.5 FAR for 3.96 acres And 0.5 FAR for 4.9 acres	0.5 FAR for 8.86 acres
Maximum Potential:	Medical Office (Stand-Alone) = 106,722 SF Shop Plaza (40-150ksf) w/Sup Market = 86,249 SF	Medical Office (Stand-Alone) = 192,971 SF
Proposed Potential:	None	Mini-Warehouse/SS = 200,000 SF Automobile Sales (New) = 2,500 SF Coffee/Donut Shop + DT = 1,200 SF Automobile Care Center = 7,500 SF



		Carwash (Automated) = 1 Lane
Net Daily Trips:	-959 (maximum – current) -7,347 (maximum – proposed)	
Net PH Trips:	538 (425/113) AM, 682 (173/510) PM (maximum) 98 (55/43) AM, 86 (42/44) PM (proposed)	
* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities anticipated in the zoning application.		

Based on the review, the Traffic Division has concluded that the proposed amendment will have a negligible impact on traffic. The Long Range analysis suggests reduced impact, while Test 2 analysis shows insignificance on the roadway network. These findings **meet** Policy 3.5-d of the Palm Beach County Comprehensive Plan's Future Land Use Element at the **proposed potential** intensity shown above. As such, a condition of approval is required to restrict this amendment to the proposed development potential or use(s) generating equivalent trips.

Please contact me at 561-684-4030 or email me at DSimeus@pbcgov.org with any questions.

Sincerely,

Dominique Simeus, P.E.
 Professional Engineer
 Traffic Division

DS:jb
 cc:

- Quazi Bari, P.E., PTOE - Manager – Growth Management, Traffic Division
- Bryan Davis – Principal Planner, Planning Division
- Stephanie Gregory – Principal Planner, Planning Division
- Khurshid Mulyuddin – Principal Planner, Planning Division
- Kathleen Chang – Senior Planner, Planning Division
- David Wiloch – Senior Planner, Planning Division
- Alberto Lopez Tagle - Technical Assistant III, Traffic Division

File: General - TPS – Unincorporated - Traffic Study Review
 N:\TRAFFIC\Development Review\Comp Plan\23-B\Boynton Beach Place - Revised.docx

Exhibit 6
Water & Wastewater Provider LOS Letter



**Water Utilities Department
Engineering**
8100 Forest Hill Blvd.
West Palm Beach, FL 33413
(561) 493-6000
Fax: (561) 493-6085
www.pbcwater.com



**Palm Beach County
Board of County
Commissioners**

Robert S. Weinroth, Mayor
Gregg K. Weiss, Vice Mayor
Maria G. Marino
Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

November 15, 2022

Schmidt Nichols
1551 N Flagler Dr. Ste. 102
West Palm Beach, Fl. 33401

RE: PCN 00-42-45-22-00-000-5030
6345 Boynton Beach Blvd.
Service Availability Letter

Dear Mr. Sperling,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity to provide the level of service required for the proposed change to the eastern 4.9 acres of the subject site from Commercial Low with an underlying Medium Residential, 5 dwelling units per acre (CL-O/5) to Commercial High with an underlying Medium Residential, 5 dwelling units per acre (CH/5). The proposed development consists of a car wash, vehicle repair and maintenance facility and limited access self-storage building.

There is an existing 16" potable water main and a 12" sanitary sewer forcemain located within Boynton Beach Blvd. adjacent to the subject property.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. In addition, the addition of new developments/customers prior to service initiation to the property may affect the available capacity. PBCWUD does not make any representations as to the availability of capacity as of the future service initiation date.

If you have any questions, please give me a call at (561)493-6116.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jackie Michels".

Jackie Michels, P.E.
Project Manager



Carl Jobson, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or
 online notarization, this 20th day of OCTOBER, 2022 by
CARL JOBSON (name of person acknowledging). He/she is personally
known to me or has produced _____ (type of identification) as
identification and did/did not take an oath (circle correct response)

PAUL EWING II
(Name - type, stamp or print clearly)


(Signature)

My Commission Expires on: 04/02/2024



Exhibit 8 Correspondence



April 25, 2024

Palm Beach County Board of County Commissioners
Attn: Mayor Maria Sachs
301 North Olive Avenue, Suite 1201
West Palm Beach, FL 33401

RE: Letter of Support - Boynton Beach Place MUPD located at 6345 Boynton Beach Blvd., Boynton Beach, Florida (the "Proposed Development") - Future Land Use Amendment (SCA 2023-020) & Zoning Applications (PDD/CA-2022-1922)

Dear Mayor Sachs and County Commissioners:

This letter is submitted on behalf of the Board of Directors (the "Board") of Country Fair at Boynton Homeowners Association (the "Association") which is charged with the administration and management of that certain community known as Country Fair (the "Community"), said Community being located immediately adjacent to the North and East boundaries of the above-referenced Proposed Development. Over the past several months, the representatives of Lake Park 1100, LLC (the "Developer"), the owner and developer of said Proposed Development, and their team have worked in good faith with the Board and our legal counsel, Joshua Gerstin, Esq., to review and discuss all aspects of the Proposed Development and to address any concerns of the Board as to potential impacts upon the Community. In response to such discussions, the Developer has agreed to incorporate numerous design characteristics in their site plan for the Proposed Development in order to satisfactorily address all such concerns of the Board. As a result, the Board is pleased to provide this letter in support of the Developer's efforts to secure approvals for the following formal Palm Beach County application requests:

1. Small Scale Land Use Map Amendment from Commercial High with underlying 5 du/ac (CH/5) and Commercial Low Office with underlying 5 du/ac (CL-O/5) to entirely Commercial Low with an underlying 5 du/ac (CL/5).
2. Rezoning from Agricultural Residential to the Multiple Use Planned Development (MUPD) District.
3. Conditional Use requests for Car Wash, Type I Restaurant with drive-thru, Light Vehicle Sales & Rental, and Limited Access Self-Service Storage.
4. Staff Level use requests for Light Vehicle Repair & Maintenance
5. Site Plan Approval

The Community and the Board are looking forward to a continued relationship with the Developer as they proceed through approvals and into construction. The Community is excited by the introduction of new businesses that will serve our community and the surrounding neighborhoods. Not only will the Proposed Development complete the commercial corner of Jog Road and Boynton Beach Boulevard but, as an infusion of new investment in the area, it will almost assuredly increase property values.

Thank you for your consideration herein.

Sincerely,

Board of Directors of Country Fair at Boynton Homeowners Association

By: 

Name: C. DEBAUGH

Title: PRESIDENT