



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT AMENDMENT ROUND 21-A

DEO TRANSMITTAL, OCTOBER 28, 2020

A. Application Summary

I. General

Project Name:	CHS Properties MUPD (LGA 2021-001)
Request:	IND to CH/IND
Acres:	10.51 acres
Location:	South side of Ranch House Road, approx. 450 feet east of Congress Avenue
Project Manager:	Carolina Valera, Senior Planner
Applicant/Owner:	Ranch House Realty, LLC
Agent:	Josh Nichols, LEED AP, Schmidt Nichols
Staff Recommendation:	Staff recommends approval based upon the following findings and conclusions found in this report.

II. Assessment & Conclusion

This amendment proposes to assign a Commercial High future land use designation to a 10.51 acre site with an Industrial future land use designation, thereby retaining Industrial as an underlying designation (CH/IND). The site is located within the Urban Suburban Tier in the Urban Redevelopment Area (URA) and the Revitalization, Redevelopment, and Infill Overlay. The subject site is part of the existing CHS Properties Multiple Use Planned Development (MUPD) which consists of industrial, and commercial future land use designations. The site is located in an area with non-residential and residential future land uses.

The applicant is seeking the amendment to allow for development of a luxury car storage facility, with membership abilities to allow members to store and showcase their vehicles with the intent of a 'country club' atmosphere. The request for a commercial designation is consistent with the remainder of the MUPD and the surrounding non-residential future land use designations.

As demonstrated in this report, there is an adequate justification for the amendment, the amendment is consistent with the character of the area, compatible with surrounding land uses, meets all levels of service standards, and consistent with applicable policies in the Comprehensive Plan.

III. Hearing History

Local Planning Agency: *Approval*, motion by Jim Knight, seconded by Spencer Siegel, passed in a 12 to 0 vote at the September 18, 2020 public hearing. Under discussion, one PLC member expressed questions regarding the proposed use and landscaping. There was no public comment.

Board of County Commissioners Transmittal Public Hearing: *Transmit*, motion by Comm. Weiss, seconded by Vice Mayor Weinroth passed in a 6 to 0 vote with Comm. Berger absent at the October 28, 2020 public hearing. Under discussion, questions were raised regarding potential noise from outdoor events and operation hours. One member of the public representing the Business Development Board (BDB) spoke in support.

State Review Comments:

Board of County Commissioners Adoption Public Hearing:

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B. Petition Summary

I. Site Data

Current Future Land Use

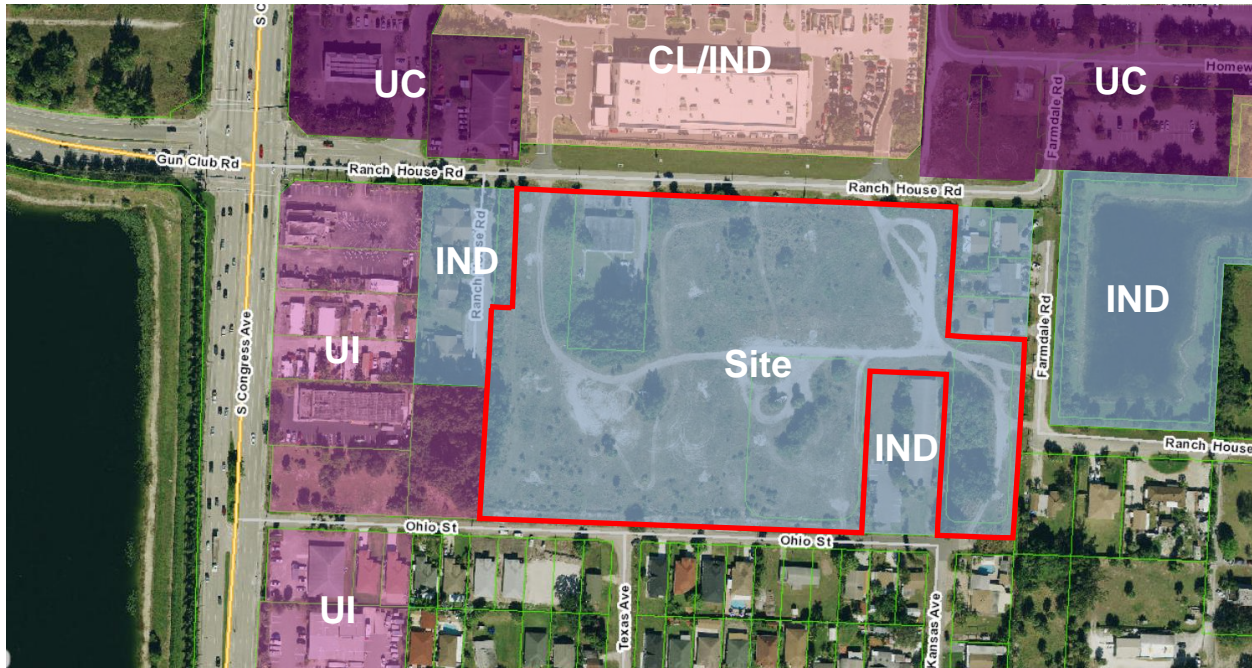
Current FLU: Industrial (IND)
Existing Land Use: Vacant
Current Zoning: Multiple Use Planned Development (MUPD) and Residential Multifamily (RM)
Current Dev. Potential Max: Industrial, up to 389,143 sf (.85 FAR)

Proposed Future Land Use Change

Proposed FLU: Commercial High with and underlying Industrial (CH/IND)
Proposed Use: Vehicle sales, Indoor Entertainment, Repair & Maintenance, Warehouse
Proposed Zoning: Multiple Use Planned Development
Dev. Potential Max/Conditioned: Commercial, up to 228,908 sf (.50 FAR); or Industrial, up to 389,143 sf (.85 FAR)

General Area Information for Site

Tier/Tier Change: Urban/Suburban Tier – No Change
Utility Service: Palm Beach County Water Utilities Department
Overlay/Study: Urban Redevelopment Area (URA) Priority Redevelopment Area (PRA)
Comm. District: Commissioner Greg Weiss, District 2



Future Land Use Atlas Amendment

CHS Properties MUPD (LGA 2021-001)



Site Data

Size: 10.51 acres
 Existing Use: Vacant
 Proposed Use: Vehical Sales & Rental
 Current FLU: Industrial
 Proposed FLU: Commercial High, with underlying Industrial

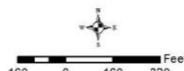
Future Land Use Designations

LR-2	Low Residential, 2 units/acre	UI	Urban Infill
LR-3	Low Residential, 3 units/acre	UC	Urban Center
MR-5	Medium Residential, 5 units/acre	IND	Industrial
CL/IND	Commercial Low, underlying IND	INST	Institutional
CH/5	Commercial High, underlying MR-5	UT	Utilities and Transportation
CH-O	Commercial High - Office		
CR/UT	Commercial Recreation, underlying Utilities and Transportation		
CH/IND	Commercial High, underlying Industrial		

Date: 5/19/2020
 Contact: PBC Planning
 Filename: Amend/21-A1/Site/21-01
 Note: Map is not official, for presentation purposes only.



Site
 1998-0089 CHS Properties MUPD



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



C. Introduction & Review

I. Intent of the Amendment

This is a privately proposed amendment for a 10.51 acre site located in the Urban/Suburban Tier, on the south side of Ranch House Road, approximately 450 feet east of Congress Avenue and approximately ¼ mile south of Southern Boulevard (SR-80).

Proposed Amendment: The applicant is seeking the amendment to allow for development of a luxury car storage facility, with membership, to store and showcase their vehicles with the intent of a 'country club' atmosphere. Specifically, the amendment proposes to assign a Commercial High future land use designation to a 10.51 acre site with an Industrial future land use designation, thereby retaining Industrial as an underlying designation (CH/IND). The amendment will change the development potential of the site from 389,143 sf (.85 FAR) of industrial use and commercial uses up to 228,908 sf (.50 FAR), or up to 389,143 sf (.85 FAR) of industrial uses.

Background. The subject site is comprised of three parcels of land. Two of these parcels (9.63 acres) are part of a larger 27.55 acre platted development known as CHS Properties MUPD. The parcels are currently vacant and have not been the subject of prior land use amendments. The third 0.83 acre parcel is proposed to be added to the MUPD and is developed with a multi-family building.

Zoning Application. The applicant has an approved site plan (Control 1998-00089) for 139,000 sf of warehouse space with accessory office, and vehicle repair and maintenance in which building permits were applied for in June 2020. The applicant submitted a zoning application (DOA/PDD/CA-2020-00882) to request a Development Order Amendment to reconfigure the site plan to add 499 sf of warehouse space; add 0.83 acres of land area to the MUPD; add an access point from Ranch House Road; and to modify conditions of approval of the zoning resolution. The requests also seeks to rezone 0.83 acres of the subject site from Residential Multi-family (RM) to Multiple Use Planned Development (MUPD); and a Class A Conditional Use to allow 10,000 sf of Light Vehicle Sales and Rental. The applicant proposes warehouse, light vehicle sales and rental, light repair and maintenance, and indoor entertainment uses.

II. Data and Analysis Summary

This section of the report provides a summary of the consistency of the amendment with the County's Comprehensive Plan. The chapters in Exhibit 2 detail the consistency of the amendment with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans.

Overview of the Area. The subject site is part of an urban commercial and industrial area south of the Palm Beach International Airport and State Road 80. The bulk of the land area has had commercial and/or industrial designations since the adoption of the 1989 Comprehensive Plan. The uses are largely vehicular based, and include a car dealer ship and bus storage by the Palm Beach County School District. The residential uses to the south of the site are within what is known as the Ranch House/Homewood Countywide Community Revitalization Area.

Appropriateness of the Amendment. The area consists of a mix of land uses including Commercial Low, Urban Center, Urban Infill, Industrial and Medium Residential. The subject site is part of a larger CHS Properties MUPD, an approved and intense use non-residential approval. The proposed amendment will maintain the adopted Industrial (IND) future land use designation

as underlying, and will assign a Commercial High (CH) future land use designation as well. The IND land use allows for more intense uses than CH. Further, the site will retain the Industrial future land use designation as an underlying designation, and expand employment opportunities; therefore, not resulting in the loss of Industrial lands. There is an adequate justification for the amendment, the amendment is compatible with surrounding land uses, and the amendment meets the applicable policies in the Comprehensive Plan.

Compatibility. The subject site has an Industrial future land use designation that was determined to be compatible with the adjacent residential properties at the time the designation was assigned with the adoption of the 1989 Comprehensive Plan. Properties to the north, northwest and northeast of the subject site are developed with commercial and office uses. The uses that would be allowed in the proposed CH designation are no more intense than those allowed in the IND designation. The request is compatible with adjacent and surrounding uses, and is consistent with the character of the area.

Assessment and Recommendation. The applicant is seeking the amendment to allow for development of a luxury car storage facility, with membership, to store and showcase their vehicles with the intent of a 'country club' atmosphere. The request to introduce a commercial designation and uses is consistent with the remainder of the MUPD and the surrounding non-residential land use designations, and will not create any incompatibilities with adjacent residences.

As demonstrated in this report (see Exhibit 2), there is an adequate justification for the amendment, the amendment is consistent with the character of the area, is compatible with surrounding land uses, meets all levels of service standards, and is consistent with applicable policies in the Comprehensive Plan.

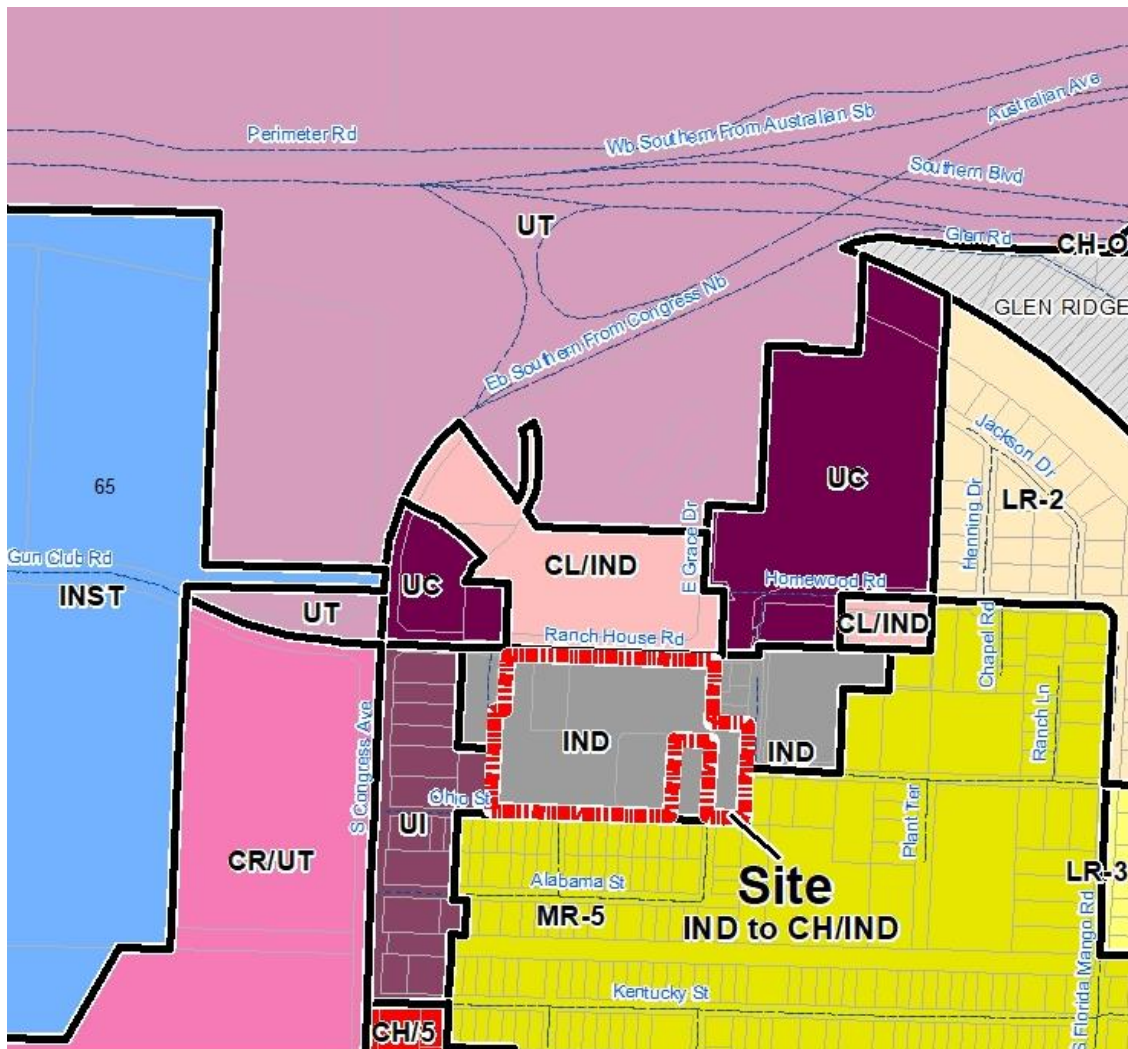
Staff recommends **approval** based upon the findings within this report.

Exhibits	Page
1. Future Land Use Map & Legal Description	E-1
2. Consistency with Comprehensive Plan	E-6
3. Applicant's Justification/Consistency with Comprehensive Plan and Florida Statutes	E-15
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Exhibit 1

Amendment No:	CHS Properties (LGA 2021-001)
FLUA Page No:	65
Amendment:	From Industrial (IND) to Commercial High with an underlying Industrial (CH/IND)
Location:	South side of Ranch House Road, approx. 450 feet east of Congress Avenue
Size:	10.51 acres
Property No:	00-43-44-05-23-023-0020; 00-43-44-05-23-000-0020; 00-43-44-05-06-008-0010

Conditions: None



Legal Description

A PARCEL OF LAND BEING PARCEL 2, AS SHOWN ON THE PLAT OF CHS PROPERTIES MUPD, AS RECORDED IN PLAT BOOK 104, PAGES 174 THROUGH 178, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH WATER MANAGEMENT TRACTS "B" AND "C", AS RECORDED IN OFFICIAL RECORDS BOOK 18026, PAGE 966, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID PARCEL 2; SAID POINT ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF OHIO STREET, A 30 FOOT RIGHT OF WAY AS SHOWN ON THE PLAT OF MORRISON SUBURBAN DEVELOPMENT, AS RECORDED IN PLAT BOOK 20, PAGE 40, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 03°26'12" EAST, ALONG THE WESTERLY BOUNDARY OF SAID PARCEL 2, A DISTANCE OF 368.05 FEET; THENCE SOUTH 87°33'00" EAST, ALONG THE BOUNDARY OF SAID PARCEL 2, A DISTANCE OF 33.00 FEET; THENCE NORTH 03°26'12" EAST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 205.04 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF RANCH HOUSE ROAD, AS SHOWN ON THE PLAT OF MORRISON SUBURBAN DEVELOPMENT; THENCE SOUTH 87°33'00" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 99.97 FEET; THENCE SOUTH 03°26'12" WEST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 272.00 FEET; THENCE SOUTH 87°33'00" EAST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 132.97 FEET; THENCE NORTH 03°26'12" EAST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 272.00 FEET TO A POINT ON THE AFORESAID SOUTHERLY RIGHT OF WAY LINE OF RANCH HOUSE ROAD; THENCE SOUTH 87°33'00" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 531.88 FEET;

THENCE SOUTH 03°26'12" WEST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 224.50 FEET; THENCE SOUTH 87°33'00" EAST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 132.97 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF FARMDALE ROAD, AS SHOWN ON THE AFORESAID PLAT OF MORRISON SUBURBAN DEVELOPMENT; THENCE SOUTH 03°26'12" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE AND ITS SOUTHERLY PROLONGATION AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 345.00 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF OHIO STREET, A 30 FOOT RIGHT OF WAY AS SHOWN ON THE AFORESAID PLAT OF MORRISON SUBURBAN DEVELOPMENT; THENCE NORTH 87°46'16" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 132.98 FEET; THENCE NORTH 03°26'12" EAST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 280.00 FEET; THENCE NORTH 87°46'16" WEST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 132.98 FEET; THENCE SOUTH 03°26'12" WEST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 280.00 FEET TO A POINT ON THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF OHIO STREET; THENCE NORTH 87°46'16" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 664.90 FEET TO THE POINT OF BEGINNING. LYING IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS

A PARCEL OF LAND BEING PARCEL 2, AS SHOWN ON THE PLAT OF CHS PROPERTIES MUPD, AS RECORDED IN PLAT BOOK 104, PAGES 174 THROUGH 178, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH WATER MANAGEMENT TRACTS "B" AND "C", AS RECORDED IN OFFICIAL RECORDS BOOK 18026, PAGE 966, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE NORTH 88°19'27" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 132.98 FEET; THENCE NORTH 02°53'01" EAST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 280.00 FEET; THENCE NORTH 88°19'27" WEST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 132.98 FEET; THENCE SOUTH 02°53'01" WEST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 280.00 FEET TO A POINT ON THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF OHIO STREET; THENCE NORTH 88°19'27" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 664.90 FEET TO THE POINT OF BEGINNING. LYING IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

CONTAINING 421,675 SQUARE FEET, 9.680 ACRES, MORE OR LESS.

DESCRIPTION: ORB 30244, PAGE 1209

A PARCEL OF LAND BEING PARCEL 2, AS SHOWN ON THE PLAT OF CHS PROPERTIES MUPD, AS RECORDED IN PLAT BOOK 104, PAGES 174 THROUGH 178, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH WATER MANAGEMENT TRACTS "B" AND "C", AS RECORDED IN OFFICIAL RECORDS BOOK 18026, PAGE 966, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TOGETHER WITH (O.R.B.30324, PAGE 1543)

THE NORTH 272 FEET OF LOT 8, MORRISON SUBURBAN DEVELOPMENT, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 20, PAGE 40. SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 457,837 SQUARE FEET/10.5105 ACRES, MORE OR LESS. LYING IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS

PARCEL 2, CHS PROPERTIES, MUPD, AS RECORDED IN PLAT BOOK 104, PAGES 174 THROUGH 178 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

THE NORTH 272 FEET OF LOT 8, MORRISON SUBURBAN DEVELOPMENT, ACCORDING TO THE PLAT, AS RECORDED IN PLAT BOOK 20, PAGE 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.
CONTAINING 457,837 SQUARE FEET/10.5105 ACRES, MORE OR LESS.

Exhibit 2

Consistency with Comprehensive Plan

This Exhibit examines the consistency of the amendment with the 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, and 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.;*
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 has prepared a Justification Statement (Exhibit 3) which is summarized as follows:

- The subject site is appropriate for commercial development as the remainder of the CHS Properties MUPD are developed with commercial uses and will allow a greater mix of uses on the site.
- The proposed development will be mostly warehouse, a use recently added to the list of permissible uses within a Commercial High MUPD zoning district.
- The balance of proposed uses are commercial and operations will be conducted within an enclosed building.
- The .83 acre parcel being added to CHS Properties MUPD currently has IND future land use designation, and has been utilized for multi-family residences for several decades.

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.

The 10.51 acre subject site has the development potential for up to 389,143 square feet (.85 FAR) of industrial uses under the adopted Industrial (IND) future land use designation. The proposed amendment will retain IND as underlying, and assign Commercial High designation (CH/IND) as well. This amendment will allow the site to be developed with up to 228,908 square feet (.50 FAR) of commercial uses or the industrial square footage

already allowed. The amendment would allow the site to be developed with a unique membership based automobile club, that would allow vehicle warehousing, showcasing, and sales in a club style atmosphere. This combination of uses is not allowed in any zoning district consistent with the IND designation; therefore the applicant is requesting the CH designation which allows this combination of uses as a CH Multiple Use Planned Development.

The site has had an Industrial future land use designation since the adoption of the 1989 Comprehensive Plan, and the amendment will allow the addition of commercial uses. The bulk of the non-residential sites in the vicinity have commercial/industrial designations, or the Urban Infill or Urban Center future land use designations which were assigned to foster commercial-mixed use development along this Priority Redevelopment Area (PRA) corridor of the Urban Redevelopment Area (URA). The applicant's basis for the amendment is due to changed conditions since 1989 through the adoption of a series of amendments to introduce additional commercial and mixed uses in the area. The introduction of a commercial designation on the site is consistent with the other non-residentially designated properties in the area, and will not negatively impact adjacent residences. Further, the site will retain the Industrial future land use designation as an underlying designation, and expand employment opportunities; therefore, not resulting in the loss of Industrial lands. Therefore, the amendment meets the requirements of 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.*

Staff Analysis: The following County Directions are relevant to the proposed amendment:

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 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 would allow commercial uses consistent with the character and development pattern in the vicinity of the subject site, and along the Congress Avenue corridor. Furthermore, the amendment would direct the location, type, intensity of development that would respect the characteristics of the surrounding residential development. In this regard, the proposed amendment furthers the Growth Management and Land Use Compatibility directions and would not detract from any of 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 Comprehensive Plan's Introduction and Administration Element defines piecemeal development in part as "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. and Rule 73C-40.0275 F.A.C.), is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole." The proposed amendment includes a parcel of land owned by the applicant that was utilized as multi-family residence. The incorporation of the .83 acre parcel into the amendment is consistent with this policy as it will not create a residual parcel or encourage piecemeal development.

4. **Residual Parcel – FLUE Policy 2.1-i:** *As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for inter-connectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.*

Staff Analysis: The Comprehensive Plan's Introduction and Administration Element defines residual parcel as "a property under the same or related ownership that has been left out of a development area, resulting in a parcel which has limited development options and connections to surrounding properties." The proposed amendment will not create residual parcels as the incorporation of the .83 acre parcel into the amendment would remove adjacent sites under common ownership. Therefore, the proposed amendment is consistent with 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. **FLUE 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 amendment site is part of a larger development with frontage on Congress Avenue, and located in an area with a variety of non-residential and residential future land uses. The proposed amendment to assign a commercial future land use designation is consistent with the surrounding non-residential future land uses and would not result in uses more intense than the uses already allowed under the adopted Industrial future land use designation. Therefore, this amendment is consistent with this policy.

2. **FLUE 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 innovated 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 two built roadway segments identified as an arterial road and a collector road, or two arterial roads.*
 - *Alternatively, new commercial future land use designations may be located on the north side of Southern Boulevard/State Road 80 at the intersection of Cleary Road on parcels no more than two acres in size.*
- *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.*
- *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 subject site meets the location requirements for the Commercial High land use designation as the site is within the boundary of the CHS Properties MUPD development that has frontage on Congress Avenue, which is located at the northeast corner of the intersection with Gun Club Road. The boundaries of the overall MUPD are depicted on the location map on Page 4.

3. **FLUE Policy 2.2.2-b:** *All new Commercial High future land use designations shall be located on a roadway classified as an arterial on Figure TE 3.1 – Functional Classification of Roads.*

Staff Analysis: The subject site is within the boundary of the CHS Properties MUPD development. The development has frontage on Congress Avenue, an arterial roadway per Figure TE 3.1. Therefore, the proposed amendment is consistent with this policy.

4. **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.*

Staff Analysis: The proposed amendment does not exhibit the characteristics of strip commercial development as defined in the Introduction and Administration Element of the

Comprehensive Plan, and would not result in or encourage the proliferation of strip commercial development. The subject site is part of the larger CHS properties MUPD, which is developed with a variety of uses, including a gas station, car wash, and a paint and body facility. The MUPD shares access and driveways with the properties to the north and has multiple access points from Congress Avenue and Ranch House Road.

5. **FLUE Industrial, Policy 2.2.4-a:** *The County shall apply Industrial future land use categories at appropriate locations and intensities to satisfy the need for industrial space, provide opportunities for the retention and expansion of industrial and employment based economic activities, and to promote economic development consistent with the County's economic development directives. The County shall also encourage a broad range of employment opportunities and shall discourage Future Land Use Atlas amendments that result in the loss of industrially designated land.*

Staff Analysis: The proposed amendment is requesting to retain the adopted Industrial future land use designation as an underlying designation; therefore, the ability to develop industrial uses on the site shall be retained. The change would allow a greater mix of uses than currently allowed by the Industrial designation, and the proposed development plan includes uses such as warehousing that are allowed in Industrial. Further, the site will retain the Industrial future land use designation as an underlying designation, and expand employment opportunities; therefore, not resulting in the loss of Industrial lands. The amendment is appropriate at this location, and the amendment is consistent with this policy.

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.

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

North:

- Directly north of the subject site along Ranch House Road is Pensky Collision auto paint and body facility, which is part of the CHS Properties MUPD (Pod B) that has a Commercial Low with an underlying Industrial (CL/IND) land use designation and has no prior amendments.
- To the northwest and northeast of the subject site there are several properties that were the subject of a 2008 County initiated land use amendment known as Urban Redevelopment Area (URA) Priority Redevelopment Area (PRA) (LGA-2008-032b) Congress North, that changed their designation to Urban Center (UC).
- The property located directly northwest of the subject site, west of the paint and body facility, is the Little Angels Daycare and Learning Center.
- The two properties located along Congress Avenue are part of the CHS Properties MUPD and are utilized for a gas station and carwash (Pod A) and a vehicle outdoor storage (Pod B).
- To the northeast, is the Palm Beach County School District's East Transportation Facility and Administration Offices. This provides approximately 15 acres of bus parking, storage and administrative offices.
- Directly north of the CHS Properties MUPD boundary are Public Ownership (PO) zoned properties with direct internal access to the MUPD, and which Palm Beach County leases to the Toyota auto dealership. Said properties were the subject of

the 2008 County initiated land use amendment known as PBI Properties (LGA 2008-028), and a subsequent 2009 County initiated small scale amendment known as PBIA Parcel G-3 (SCA-2014-009), that changed the land use designation to Transportation and Utilities Facilities (UT).

- North east of these properties, across Congress Avenue, the C-51 canal and Southern Boulevard, is the Palm Beach International Airport.

East: Adjacent to the site are four lots less than $\frac{1}{4}$ acre in size with Industrial land use designation, and one just below $\frac{1}{2}$ acre with a Medium Residential, 5 units per acre land use designation. These sites are utilized as single-family residences. To the east of the subject site, and across Farmdale Road, is 4.5 acre lot that is part of the CHS Property MUPD (Tract A) that has Industrial, Commercial Low with underlying Industrial, and Medium Residential, 5 units per acre land use designations. This parcel of land is utilized for the development's water management. Further east of these properties are single-family residential uses and a few vacant lots with Medium Residential, 5 units per acre land use designation. Residential development continues eastward to the edge of the C-51 canal.

West: There are three properties along the west side of the subject site. Two of these properties, a 0.16 acre vacant parcel of land, and the Ranch House Villas Condominium development, have Industrial designation and no previous land use amendments. To the south of these properties, is a vacant parcel of land that was the subject of a small land use scale amendment known as ETC Office Warehouse (SCA 2019-002) that changed the designation from IND to Urban Infill (UI), in order to develop a self-storage facility on this site and the parcel to the west that fronts Congress Avenue and Ohio Street. Further west of the subject site, and along Congress Avenue, are a series of properties between Ranch House Road to the north and Ohio Street to the south, that were the subject of the 2008 County initiated land use amendment known as URA PRA (LGA-2008-032b) Congress North, that changed their designation to UI, and mostly developed with commercial retail and office uses. Across Congress Avenue there is a large parcel of land owned by Palm Beach County and utilized for water management and adjacent to the west to the Palm Beach County Criminal Justice Complex.

South:

- On the north side of Ohio Street and abutting the subject site on three sides, is a .85 acre lot with Industrial land use designation and utilized as multi-family residences.
- To the south of the subject site, across Ohio Street, all properties along the road have a Medium Residential 5 units per acre land use designation and are utilized as single-family residences. The lots south of these properties also have MR-5 land use designation and developed with single-family uses.
- To the southwest, there are two lots developed with single-family residences that have Urban Infill land use designation, and that were also the subject of the 2008 County initiated land use amendment known as URA PRA (LGA-2008-032b) Congress North that changed their designation to UI, along with the properties west and south of these lots. These properties are along Congress Avenue between Ohio Street and Alabama Street, and are developed with commercial retail and office uses. The UI land use designation continues south along the east side of Congress Avenue down to Kentucky Street, where there are five properties with Commercial High with underlying Medium Residential 5 units per acre land use designation.

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.”*

Applicant’s Comments: The applicant states that site plan and design of the site will ensure compatibility to the residential development to the south and east, and that the proposed amendment will complement surrounding non-residential properties north of the subject site, and those along Congress Avenue.

Staff Analysis: The subject site has an Industrial future land use designation that was determined to be compatible with the adjacent residential properties at the time the designation was assigned with the adoption of the 1989 Comprehensive Plan. The property is located on the south side of Ranch House Road, where there is one multi-family development to the west, and a few single-family lots to the east. The properties along the north side of Ranch House Road are developed with commercial, office, and a daycare use. The subject site is part of a commercial development fronting Congress Avenue, a corridor that is mostly developed with commercial and offices uses, north and south the CHS Properties MUPD. Commercial development continues north and south along the Congress Avenue corridor. Properties to the east and south are mostly residential. The proposed future land use amendment will allow commercial uses on the site as well. The introduction of these commercial uses is compatible with existing developments in the immediate vicinity since the bulk of the surrounding non-residential uses are also commercial. The warehouse and commercial uses allowed within the proposed Commercial High land use designation, are compatible with the adjacent uses and consistent with the character of the area.

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 subject site is located within the Urban Redevelopment Area (URA) and the Revitalization, Redevelopment, and Infill Overlay. The County has designated the URA and implemented land use regulations to foster redevelopment and infill efforts. The subject site was not included in the list of specific properties that were the subject of a 2008 County initiated land use amendment known as Urban Redevelopment Area (URA) Priority Redevelopment Area (PRA) (LGA-2008-032), that changed their designation to Urban Center (UC) and Urban Infill (UI), and for which the directives of the URA were established in the Comprehensive Plan. However, the proposed development would foster investment and improvements to the area, as sought by the general directives of the URA. The site is also located within the Ranch House/Homewood Countywide Community Revitalization Area.

- 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: Although the subject site is located within the boundaries of the URA, it is not designated as UC or UI. Furthermore, the amendment does not seek to change the land use designation to UC or UI. However, the proposed development would foster investment and improvements to the area, as sought by the general directives of the URA.

E. Public Facilities and Services Impacts

The proposed amendment would change the future land use designation from IND to CH/IND. For the purposes of public facilities impact analysis, the maximum intensity is based on 228,908 sf (.50 FAR) of commercial uses. Currently the potential development of the site is industrial uses, up to 389,143 sf (.85 FAR). 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. The amendment does not exceed natural or manmade constraints. Staff sent a request for departmental review of the proposed amendment to the following County departments and external agencies for review of public facility impacts and no adverse comments were received:

Mass Transit (Palm Tran), Potable Water & Wastewater (PBC Water Utilities Dept.), Environmental (Environmental Resource Management), Land Development (Engineering), Historic Resources (PBC Archaeologist), Parks and Recreation, Office of Community Revitalization (OCR), Zoning, School Board, Palm Beach County Department of Health, Fire Rescue, and Lake Worth Drainage District.

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 floor area ratio of 0.50 and at a trip generation rate using the General Commercial use, and limited to a maximum of 228,908 sq. ft. According to the County’s Traffic Engineering Department (see letter dated June 11, 2020 in Exhibit 5), the amendment would result in an increase of 5,374 net daily trips at the maximum potential of the proposed CH/IND future land use designation, with net peak hour trips of 100 AM and 456 PM.

The Traffic letter concludes *“Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment meets Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan...”*

The Traffic Study was prepared by Bryan G. Kelley, P.E. with Simmons and White, 2581 Metrocentre Boulevard West, Suite 3, West Palm Beach, FL 33407. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:

<http://discover.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:** On August 28, 2020, the Town of Cloud Lake, the Town of Glen Ridge, the Town of Lake Clarke Shores, the Village of Palm Springs, and the City of West Palm Beach were notified of the amendment by mail. On August 28, 2020, email notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC). As of the publication of the Planning Commission Report, no objections to this amendment have been received through the IPARC process attended.
- B. Other Notice:** Public notice by letter was mailed to the owner of properties within 500 feet of the perimeter of the site on August 28, 2020. At the time of the printing of the Planning Commission Report, no public correspondence had been received. Correspondence received is added to the exhibits.
- C. Informational Meeting:** The Planning Division hosted a virtual web based meeting with area residents on September 8, 2020 to relay information regarding the amendment and development approval processes. Five members of the public attended. One member inquired if Ohio Street would be utilized as access to the project; the type of landscape buffering and wall would be required along the south side of the property; and, if Ohio Street could be improved with a contribution towards improvement provided by the applicant. As of the publication of the Planning Commission Report, no letters from the public had been received. Letters received are added to the Exhibits during the course of the amendment process. (see Exhibit 8)

Exhibit 3

Applicant's Justification

Consistency with Comprehensive Plan & Florida Statutes CHS Properties MUPD

Introduction

On behalf of the Applicant and Owner, Ranch House Properties, LLC ("Applicant"), Schmidt Nichols respectfully requests your consideration of an application for a Large-Scale Future Land Use Atlas (FLUA) Amendment. The Applicant currently has site plan approval for 9.63 acres as a warehouse, vehicle repair and maintenance, and accessory office. The CHS Multiple Use Planned Development (MUPD) is comprised of four pods with Pods A and B on the north side of Ranch House Road and Pods C and D on the south side. The subject application is applicable to Pod C only. The applicant has also purchased a .83-acre property which was surrounded by Pod C and will now be incorporated into Pod C. The 10.51-acre subject property which includes the additional .83-acre parcel will become part of the plat as part of the CHS Properties MUPD and Morrison Suburban Development subdivisions. within unincorporated Palm Beach County ("subject property"). The overall CHS MUPD is 27.55 acres, however, the affected area of the amendment is 10.51 acres. The overall CHS MUPD also maintains frontage on Congress Avenue and Gun Club Road (Ranch House Road east of Congress). This continuity with the affected area is what creates the applicable frontage for commercial development as an MUPD.

The entire property (10.51 acres) supports a Future Land Use Atlas designation of Industrial (IND). The proposed FLUA is a request to change the 10.51 acres to Commercial High with an underlying Industrial (CH/IND). Below is a summary of surrounding properties:

Adjacent Lands	Uses	FLU	Zoning
North	Auto Paint and Body Facility, Single Family Residential	CL/IND& IND	MUPD & RS
South	Single Family, Multifamily Residential, Vacant	MR-5 & IND	RS & RM
East	Single Family, Multifamily Residential, Lake	IND & MR-5	RS & RM
West	Vacant, Self-Service Storage, Condominiums	UI & IND	UI & RM

Request

The current FLU designation on the site is IND with the other pods within the same MUPD also supporting a Commercial designation. The applicant has an approved site plan for 139,000 s.f. of warehouse with accessory office, and vehicle repair and maintenance in which building permits are to be applied for in June 2020. The applicant has a unique business plan which calls for the warehousing of high end vehicles which has been deemed by PBC Zoning Division as use

permissive in commercial MUPDs. The business plan also calls for membership facilities to accompany the warehousing such lounge, catering kitchen, vehicles sales, repair and maintenance, ability to host car clubs and events. This is a relatively new concept in the high end vehicle space where not only do you store the vehicles but they are showcased and the applicant wants to provide a country club atmosphere.

The proposed future land use amendment requests the following:

- A large-scale Future Land Use Atlas (FLUA) Amendment to assign a Commercial High future land use designation to a site with Industrial future land use, thereby retaining the Industrial designation as underlying (CH/IND). The proposed CH/IND FLU would allow for a maximum development potential of 228,908 s.f. of commercial uses and retain the ability to develop up to 389,143 sf (.85 FAR) of industrial uses. The Commercial High designation was chosen over the Commercial Low (CL) designation since CL would not allow a mix of uses in the same building with split land use. Single future land use designation was necessary to develop the site, and CH is the only designation that would allow the requested uses (warehouse with the vehicle sales, service, indoor entertainment).

A concurrent application to the Palm Beach County Zoning Division for an Official Zoning Map Amendment (rezoning, Development Order Amendment (DOA) to add land area, Conditional Uses) will be submitted within the required ninety (90) days from this submission. This rezoning would change the subject property's zoning designation from RH to MUPD for the .83-acre parcel to be incorporated.

History

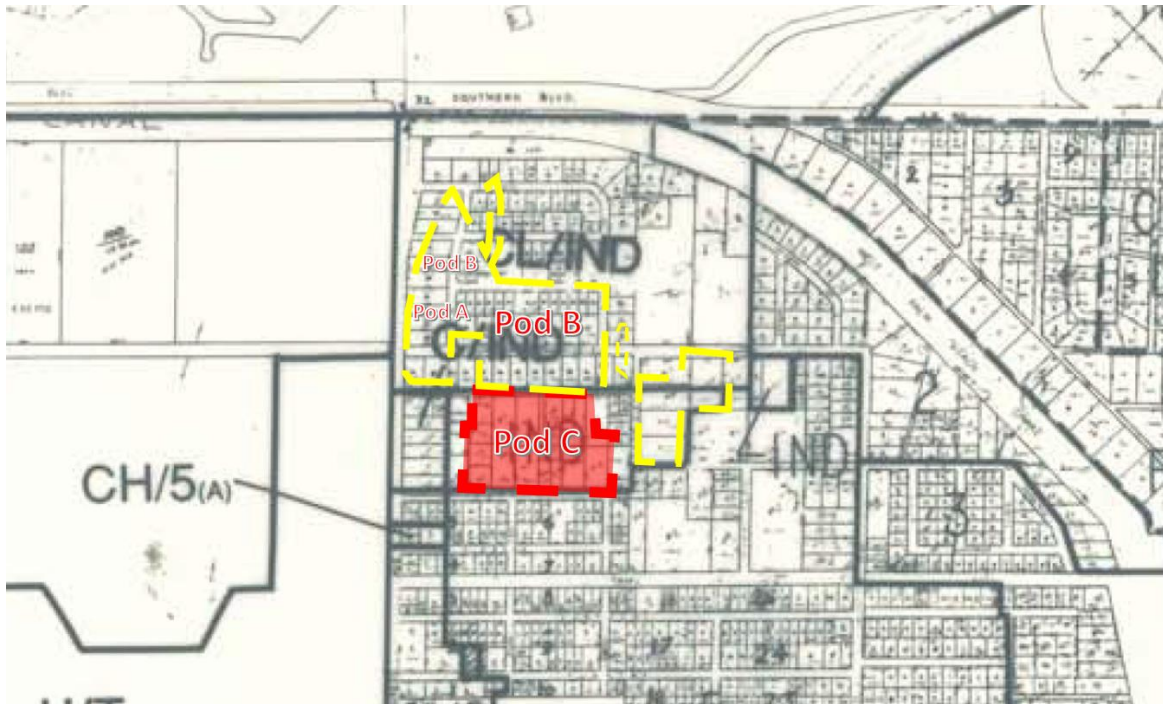
While there is very little detail on the history of any comprehensive plan amendments on the subject property has undergone several zoning amendments with the most recent in 2016 for a Development Order Amendment (DOA) and conditional use for Pod B. More specifically to the subject Pod C, the site plan was recently amended/approved on February 7, 2020 to make some minor reconfigurations to the plan and add the permitted use of vehicle repair and maintenance light. The total s.f. currently approved on the property is 139,165 s.f. The remainder of the history below relates to CHS MUPD as a whole. Based on historical aerials from the 1989 FLUA Map, please see the below overall CHS MUPD boundary indicating that the subject Pod C maintained the IND FLUA designation and Pods A and B maintained the CL/IND FLUA designation, indicating there has been no FLUA change for Pods A, B, and C.

Application No.	Resolution and Request	Resolution	Approval Date
PDD-1998-00089	Official Zoning Map Amendment from the Community Commercial (CC), Multifamily Residential High Density (RH), Single Family Residential (RS) to the Multiple Use Planned Development (MUPD)	R-1999-0707	04/22/1999
Corrective	A Corrective Resolution amending R-1999-0707 to amend Exhibit C – Conditions of Approval	R-1999-1147	04/22/1999
DOA-1998-00089(A)	Development Order Amendment to delete land area and modify/delete Conditions of Approval	R-2001-0001	01/04/2001
DOA-1998-00089(B)	Development Order Amendment to reconfigure master plan, re-designate land uses and to allow a restaurant, fast food	R-2002-1009	06/19/2002
DOA-2008-00457	Development Order Amendment to amend the site plan for Pod B, to change uses for Pod B, to modify a condition of approval for Pod B (Height Limitation and Wall Signage) and to request extension of commencement for the next phase	R-2008-1360	07/24/2008
Z-2010-00667	Official Zoning Map Amendment to allow a rezoning from multiple Zoning Districts to the Urban Center (UC) Zoning District for the Convenience store with gas sales parcel only.	R-2010-1344	8/26/2010

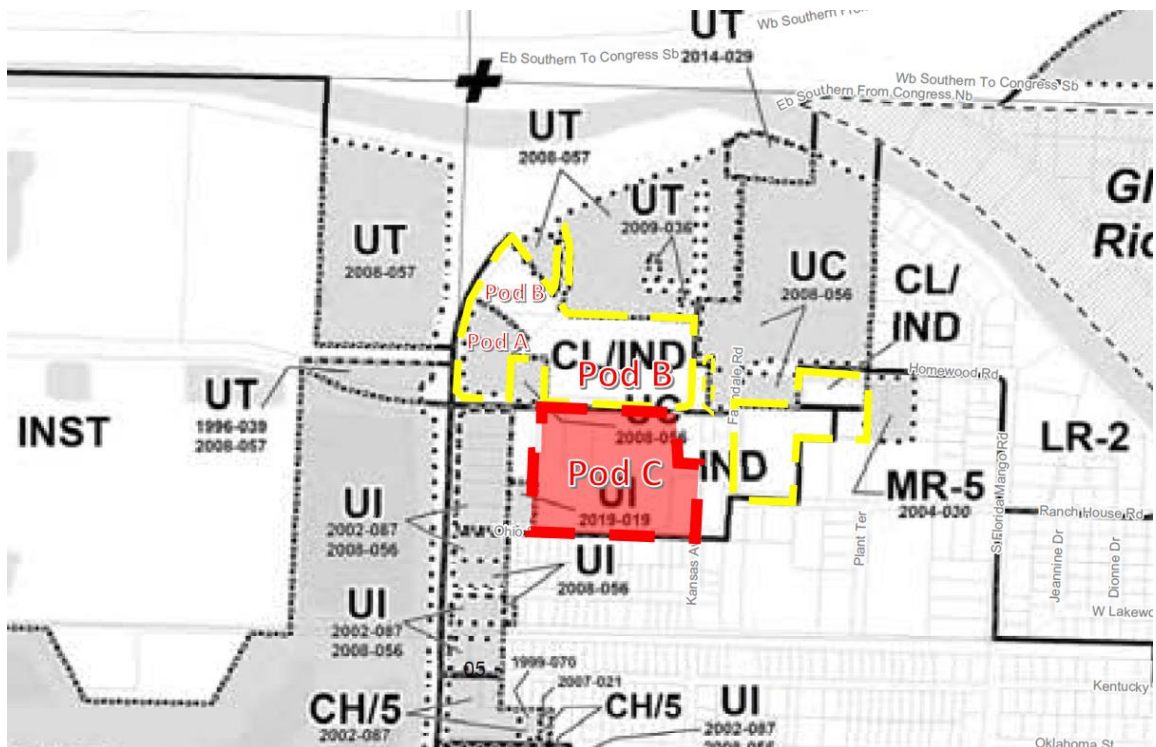
CHS Overall MUPD Boundary

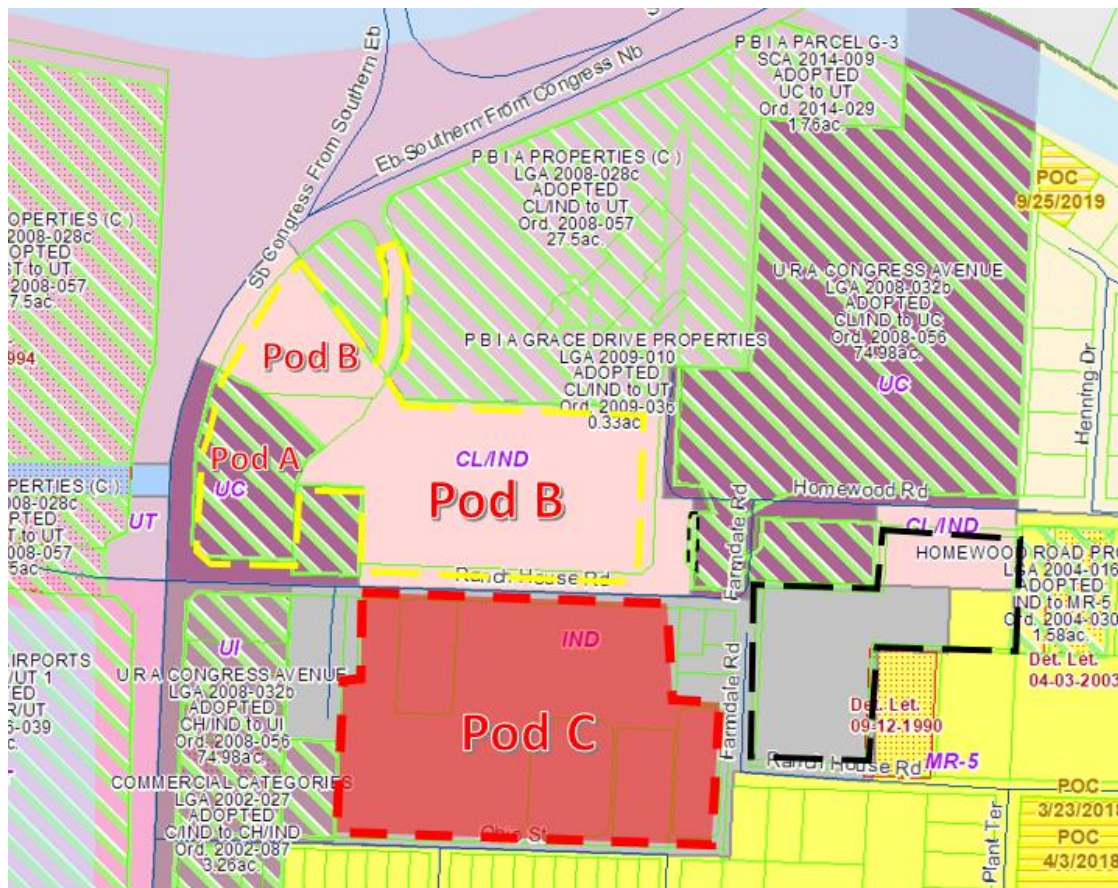


FLUA Map 1989 (Page 65)



FLUA Map 2019 (Page 65)





G.1 – Justification: The applicant is requesting to amend the FLUA designation of the subject property along with the additional .83 acre parcel from IND to CH/IND. Per Policy 2.1-f of the Future Land Use Element (FLUE) of the PBC Comprehensive Plan (Plan) an applicant must provide adequate justification for the proposed future land use. To be considered adequate, the justification must demonstrate consistency with the factors 1 and 2.

The subject property is located within the Urban/Suburban Tier with overall MUPD frontage along Congress Avenue, an Urban Principal Arterial roadway as identified by Map TE 3.1, Functional Classification of Roads. The subject property is ideal for commercial development as the other two pods which support development are currently built out with commercial uses. The proposed development is mostly warehouse which has recently been added to the list of permissible uses within a Commercial High MUPD. That said the balance of the uses are all commercial in nature and all are conducted within an enclosed building. The parcel being added to Pod C (.83 acres) currently supports an IND FLU, however, up until the property was purchased by the current owner, the property was utilized for multifamily residential for the past several decades.

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

Objective 1.2 of the Comprehensive Plan Future Land Use Element (“FLUE”) states: “this tier [Urban/Suburban] is expected to accommodate the bulk of the population and its need

for...goods and services...” When residents need to identify places to live, they will find multifamily residential apartments available to accommodate their growing needs. This amendment with the introduction of commercial uses will provide a good transition from these residential uses to the east and to the south. Furthermore, this amendment is not piecemealed as there are clearly defined boundaries of commercial to the north and east. The zoning code has recently been updated to accommodate warehouse uses in commercial and with the currently approved uses and proposed the Commercial High with underlying Industrial FLU is the appropriate designation to support the currently approved and proposed complement of uses. The change the future land use designation to CH/IND will allow the site to be developed consistent with the surrounding commercial uses fronting along Congress and Ranch House as well as to transition from the residential to the east and south as well as match balance of the MUPD and already approved uses on the property is appropriate.

2) There is a basis for the proposed amendment for the particular subject site based upon one or more of the following:

- *Changes in FLU designations on adjacent properties or properties in the immediate area and associate impacts on the subject site;*

Response: The basis for the proposed amendment is based upon changed circumstances within the vicinity of the proposed development with the build out of the remainder of the MUPD with commercial uses. The subject Pod is currently approved for warehouse and accessory office with warehouse recently being permitted within with a commercial MUPD. Since the adoption of the 1989 Plan, there has been several future land use amendments adopted in the vicinity to introduce more commercial type uses in the area. Amendments adopted have changed much of the Congress frontage to Urban Infill or Urban Center, and the majority of the non-residential designations north of the subject site, including the balance of the CHS MUPD, have commercial/industrial future land use designations.

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.*

Response: This amendment will seek to incorporate an additional parcel owned by the applicant into the overall Pod C. This additional parcel was utilized as a residential multifamily until recently when it was demolished to incorporate into Pod C. The .83 acre parcel is surrounded on three sides by Pod C

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

Response: The changes in the characteristics in the area since 1989 are largely based upon the future land use amendments adopted in the vicinity as discussed in bullet one. The subject parcels have supported Industrial FLU designations for several decades, however, residential and commercial have monopolized the built environment surrounding these sites. The frontage of Congress has transitioned to Urban Center (UC) and Urban Infill (UI) and those developments have predominately been commercial. The current approvals to the north are commercial in nature along with the balance of the CHS MUPD. This area has not seen substantial investment other than the CHS MUPD and PBIA Parcel G. The other Pods of the CHS MUPD support commercial FLU designations.

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

Response: Zoning recently amended the Unified Land Development Code (ULDC) to include warehousing as a permissible use within a CH MUPD. This really opens the door for a cross-breed of commercial uses which necessitate larger warehouse style buildings but operations are internalized which mitigates any negative impacts to the surrounding properties.

- *Inappropriateness of the adopted FLU designation;*

Response: Not applicable.

- *Whether the adopted FLU designation was assigned an error.*

Response: Not applicable.

G.2 – Residential Density Increases

This section is not applicable, the proposed amendment does not propose any residential density.

G.3 – Compatibility with Surrounding and Adjacent Uses:

Response: The subject property is currently supporting an IND FLU which is the most intense of the non-residential land uses and the applicant is proposing to incorporate CH. The proposed amendment will complement the commercial properties which are adjacent to the property and hopefully spur additional investment in this portion of the County. This trend can be seen in the recent build out of Pod B, which is a large commercial auto paint and body facility run by Penske automotive which state of the art equipment and buildings. This investment played a role in the purchase and development of the subject property for additional automotive commercial uses. The location of the property also lends itself to access to Congress Avenue, Southern Boulevard, and Interstate 95, as well as ease of access to the Town of Palm Beach. The proposed commercial FLU will fit within the existing urban fabric which is starting to take shape along Congress Avenue.

G.4 - Consistency with Policies in the Comprehensive Plan: The proposed FLUA amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan as follows:

Future Land Use Element (FLUE) Policy 2.1-f: In addition, and 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:

- **The natural environment, including topography, soils and other natural resources;**

Response: The property has been cleared over the years for the existing uses and very few natural features remain on the site. The proposed FLUA amendment will have a minimal impact on the natural environment on the subject property. The site has had a non-residential future land use designation since 1989.

- **The availability of facilities and services;**

Response: Below is more detailed information on the availability of each of these facilities and services:

- Traffic: Please see attached traffic analysis indicating compliance with Policy 3.5-d of the FLUE of the Comprehensive Plan.
- Mass Transit: The nearest Palm Tran Route is Route #2 (Congress Ave.).
- Potable Water and Wastewater: Potable water and wastewater service will be provided by Palm Beach County Water Utilities Department. See attached water and sewer capacity letter request to PBCWUD under Attachment I.
- Drainage: Legal positive outfall for the project is available to the L-5 canal and is part of a larger drainage system throughout CHS MUPD.
- Fire Rescue: The nearest Palm Beach County Fire Rescue station is Station #33 located approximately 2 miles from the subject property. Palm Beach County Fire Rescue has determined that the amendment will have minimal impact on Fire Rescue. See Palm Beach County Fire Rescue letter (Attachment K).

- **The adjacent and surrounding development;**

Response: The surrounding properties are an eclectic mix of commercial, residential, and light industrial:

- North: CL/IND
- South: MR-5 (across Ohio Rd.)
- East: MR-5
- West: UI & IND

The proposed development will be compatible with both the residential and non-residential uses that surround the subject property.

- **The Future Land Use Balance;**

Response: The subject parcels are an oddly shaped previous assemblage of parcels which were historically residential, however, the subject parcels have supported an IND FLU for several decades with the parcels supporting residential units also

designated as IND. The FLU balance in this immediate area is very diverse with the UC and UI along Congress and transitioning to MR-5 along Ohio Road with pockets of residential which are intertwined with the subject parcel. The proposed amendment will seek to add a commercial FLU to relate to the immediately adjacent parcels. The balance to assist this neighborhood and the surrounding developments is to introduce commercial which is consistent with the urban fabric in this pocket of the County. This commercial development will also serve to provide some additional security and eyes on the neighborhood.

- **The prevention of urban sprawl as defined by 163.3164(51), F.S.;**

Response: The proposed FLUA amendment will seek to prevent urban sprawl as the development is surrounded by built out residential/commercial or recently approved commercial within the URA which will be constructed in the near future. Public facilities and capacities are all in place and suitable to support the proposed amendment and development. The site currently has an approved site plan which has undergone review for the elements of urban sprawl (such as concurrency) and this site is a great example of utilizing an infill site which was previously developed to prevent sprawl. The properties also reside within the Urban Redevelopment Area and the Redevelopment and Revitalization Overlays which are specifically designed to have the utilities and infrastructure to support and direct development to these parts of the County.

- **Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and**

- ***Urban Redevelopment Area***

Response: The subject properties are currently subject to the Urban Redevelopment Area provisions. The subject properties are removed from the traditional corridor which supports similar FLU designations and also reside in the URA. The proposed suit future development of the site. The proposed amendment is not prohibited by either of the directives of these special planning areas.

- ***Redevelopment and Revitalization Overlay (RRIO)***

Response: In accordance with Sub-Objective 1.2.1, the RRIO was established to encourage redevelopment for infill sites such as the subject amendment. Incentives and resources are to be established to assist with investment in the areas identified with this overlay. The subject application seeks to make significant investment into the RRIO based on the proposed addition of Commercial High future land use.

- ***Countywide Community Revitalization Team (CCRT) Areas***

Response: The subject properties are within the Ranch House – Homewood Area CCRT area. Per Policy 1.2.1-a, the Office of Community Revitalization (OCR) is tasked with neighborhood liaison to the County Commission. The OCR in this case will meet with the applicant to discuss the proposed amendment to ensure that the larger

neighborhood is aware of the amendment, understands the proposal and what this investment brings into the community.

2. Municipalities in accordance with Intergovernmental Coordination Element Objective

1.1.

- a. Response: The proposed amendment will have minimal impact on surrounding municipalities. The subject property is surrounded entirely by unincorporated Palm Beach County and is not located within any future incorporation areas.

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 Plans or Overlays identified in the Future Land Use Element.

- Policy 2.2.2-a: This policy seeks to limit commercial development to nodes to foster interconnectivity and to promote the development of innovated mixed use project in the urban service area and all new commercial FLU designations shall be one of the following location requirements:
 - The subject property is part of the larger CHS MUPD which has frontage and access on Congress Avenue and is at the intersection of Gun Club Road (Ranch House Road east of Congress). Both roadways are indicated in Figure TE 3.1, Functional Classification of Roads on the PBC Thoroughfare Map.
 - Contiguous Location – The subject parcels are contiguous to the west and north to existing commercially designated properties.
- Policy 2.2.2-d: County should not encourage proliferation of strip commercial development.
 - The proposed development is a large single user and not strip commercial. The site and location do not lend themselves to strip commercial. The proposed use will serve a need for the storage of high end vehicles and will integrate into the community well without any negative impacts on adjacent properties.

On behalf of the Applicant, Ranch House Realty, LLC, Schmidt Nichols requests your consideration of this amendment for a Large Scale Future Land Use Atlas Amendment.

Exhibit 4
Applicant's Public Facility Impacts Table

Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Light Industrial, #110 4.96 tpd/1000 SF	General Commercial, #820 $\text{Ln}(\text{T}) = 0.68\text{Ln}(\text{X}) + 5.57$ $\text{X} = 1000 \text{ SF}$
Maximum Trip Generation	1737 trips per day	Maximum – 7111 trips per day
Net Daily Trips:	Maximum: 7111 tpd – 1737 tpd = 5374 trips per day	
Net PH Trips:	AM Maximum: 145 pht – 245 pht = -100 peak hour trips PM Maximum: 676 pht – 220 pht = 456 peak hour trip	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Simmons & White – Kyle Duncan	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	2 (Congress Avenue)	
Nearest Palm Tran Stop	Stop 850 (approximately 200 feet from the intersection of S Congress Avenue and Gun Club Road) is approximately 470 feet from the subject property.	
Nearest Tri Rail Connection	West Palm Beach, 209 South Tamarind Avenue	
C. Portable Water & Wastewater Information		
Potable Water & Wastewater Providers	The property is located within the Palm Beach County Water Utilities Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required at the current FLUA designation of IND and for the proposed FLUA designation of Commercial High (CH) with an underlying FLUA of Industrial (IND). See Application Attachment I.	

Nearest Water & Wastewater Facility, type/size	The nearest potable water is a 10" watermain located within the subject property and the nearest sanitary sewer is an 8" gravity main also located within the subject property.
D. Drainage Information	
The site is within the boundaries of the Lake Worth Drainage District (LWDD) and South Florida Water Management District C-51 Drainage Basin. Legal positive outfall is available via connection to the overall CHS MUPD Properties master drainage system with ultimate legal positive outfall to the Lake Worth Drainage District L-5 canal. Please refer to the Drainage Statement prepared by Simmons and White, Inc. being included as Application Attachment J with this application for more details.	
E. Fire Rescue	
Nearest Station	Station 33, 830 Kirk Road
Distance to Site	Station 33 is 2 miles from the subject site
Response Time	Based on the information provided by PBC Fire-Rescue the estimated response time is 6 minutes and 30 seconds. PBC Fire Letter provided at Application Attachment K.
Effect on Resp. Time	PBC Fire-Rescue has determined that the proposed amendment will have minimal impact on fire rescue response time. Application Attachment K.
F. Environmental	
Significant habitats or species	The subject property does not support any significant habitats or Listed Species. The topography and soils remain relatively unchanged since the clearing of the site. Therefore, there will be minimal impact to the natural environment if the site is developed as intended. The subject property has sporadic trees that are located on all sides of the property. The applicant understands that there is a significant amount of native vegetation on the site that will be mitigation in accordance to ULDC standards.
Flood Zone*	The subject parcel is located in Flood Zone X & Flood Zone AE
Wellfield Zone*	The subject property does not lay within any wellfield protection zones. The proposed planned development will have no negative impacts on the wellfield zones. A detailed map has been provided at Application Attachment M
G. Historic Resources	
The subject parcels do not contain any historic or architecturally significant resources located on or within 500 feet of the site. To the best of our knowledge the parcels do not contain or are located within 500 of the subject properties. Comment Letter as Application Attachment N.	

Exhibit 5

Palm Beach County Traffic Division Letter



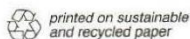
**Department of Engineering
and Public Works**
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

Dave Kerner, Mayor
Robert S. Weinroth, Vice Mayor
Hal R. Valeche
Gregg K. Weiss
Mary Lou Berger
Melissa McKinlay
Mack Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



June 11, 2020

Bryan G. Kelley, P.E.
Simmons & White
2581 Metrocentre Boulevard West, Suite 3
West Palm Beach, Florida 33407

**RE: CHS Properties MUPD
FLUA Amendment Policy 3.5-d Review
Round 2020-21-A**

Dear Mr. Kelley:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Statement for the proposed Future Land Use Amendment for the above referenced project, revised June 11, 2020, 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:	South of Ranch House Road, east of S. Congress Avenue	
PCN:	00-43-44-05-23-023-0020 <i>(Others on file)</i>	
Acres:	10.51 acres	
	Current FLU	Proposed FLU
FLU:	Industrial (IND)	Commercial High (CH)/Industrial (IND)
Zoning:	Multiple Use Planned Development (MUPD) Residential Medium (RM)	Multiple Use Planned Development (MUPD)
Density/ Intensity:	0.85 FAR	0.50 FAR
Maximum Potential:	Light Industrial = 389,143 SF	General Commercial = 228,908 SF
Proposed Potential:		General Commercial = 225,000 SF
Net Daily Trips:	5,374 (maximum – current) 5,274 (proposed – current)	
Net PH Trips:	145 (90/55) AM, 676 (324/352) PM (maximum) 142 (88/54) AM, 665 (319/346) PM (proposed)	
<i>* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities anticipated in the zoning application.</i>		

Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment meet Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at **proposed potential** density shown above.



Bryan G. Kelley, P.E.
June 11, 2020
Page 2

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

Sincerely,

A handwritten signature in blue ink, appearing to be "DS", is written over a horizontal line.

Dominique Simeus, P.E.
Professional Engineer
Traffic Division

DS/rb

cc: Addressee
Quazi Bari, P.E., PTOE – Manager – Growth Management, Traffic Division
Steve Bohovsky – Technical Assistant III, Traffic Division
Lisa Amara – Senior Planner, Planning Division
Khurshid Mohyuddin – Principal Planner, Planning Division
Jorge Perez – Senior Planner, Planning Division

File: General - TPS – Unincorporated - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\21-A\CHS Properties MUPD.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**

Dave Kerner, Mayor
Robert S. Weinroth, Vice Mayor

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Mary Lou Berger

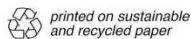
Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



April 28, 2020

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

Project: CHS Properties MUPD 10.51 Acres
00-43-44-05-23-000-0020, 00-43-44-05-23-023-0020 &
00-43-44-05-06-008-0010
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. PBCWUD has the capacity to provide the level of service required at the current FLUA designation of Industrial (IND) and the proposed Future Land Use Designation Commercial High/Industrial (CH/IND)

The nearest potable water is a 10" potable watermain located within the subject property. The nearest sanitary sewer is an 8" gravity main also located within 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.

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.,
Plan Review Manager

Exhibit 7

Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

***[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR
COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]***

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE
DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE


STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared
David Saunders, hereinafter referred to as "Affiant," who
being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ MR. _____ [position -
e.g., president, partner, trustee] of Ranch House Realty LLC [name
and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an
ownership interest in real property legally described on the attached Exhibit "A" (the
"Property"). The Property is the subject of an application for Comprehensive Plan
amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 340 Royal Poinciana Way, Ste. 317, Box#384
Palm Beach, FL 33480
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of
every person or entity having a five percent or greater interest in the Property.
Disclosure does not apply to an individual's or entity's interest in any entity registered
with the Federal Securities Exchange Commission or registered pursuant to
Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County
policy, and will be relied upon by Palm Beach County in its review of application for
Comprehensive Plan amendment or Development Order approval affecting the
Property. Affiant further acknowledges that he or she is authorized to execute this
Disclosure of Ownership Interests on behalf of any and all individuals or entities holding
a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to
reflect any changes to ownership interests in the Property that may occur before the
date of final public hearing on the application for Comprehensive Plan amendment or
Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the
penalties provided by the laws of the State of Florida for falsely swearing to statements
under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

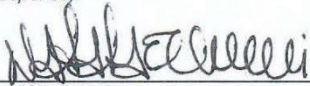

 David Saunders, Affiant
 (Print Affiant Name)

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 7th day of April, 2020 by Natalia Echeverri (name of person acknowledging). He/she is personally known to me or has produced Driver's License (type of identification) as identification and did/did not take an oath (circle correct response).




 (Signature)

My Commission Expires on: Sept 18, 2022

EXHIBIT "A"

PROPERTY

A PARCEL OF LAND BEING PARCEL 2, AS SHOWN ON THE PLAT OF CHS PROPERTIES MUPD, AS RECORDED IN PLAT BOOK 104, PAGES 174 THROUGH 178, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH WATER MANAGEMENT TRACTS "B" AND "C", AS RECORDED IN OFFICIAL RECORDS BOOK 18026, PAGE 966, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGIN AT THE SOUTHWEST CORNER OF SAID PARCEL 2; SAID POINT ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF OHIO STREET, A 30 FOOT RIGHT OF WAY AS SHOWN ON THE PLAT OF MORRISON SUBURBAN DEVELOPMENT, AS RECORDED IN PLAT BOOK 20, PAGE 40, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;
 THENCE NORTH 03°26'12" EAST, ALONG THE WESTERLY BOUNDARY OF SAID PARCEL 2, A DISTANCE OF 368.05 FEET;
 THENCE SOUTH 87°33'00" EAST, ALONG THE BOUNDARY OF SAID PARCEL 2, A DISTANCE OF 33.00 FEET;
 THENCE NORTH 03°26'12" EAST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 205.04 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF RANCH HOUSE ROAD, AS SHOWN ON THE PLAT OF MORRISON SUBURBAN DEVELOPMENT;
 THENCE SOUTH 87°33'00" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 99.97 FEET;
 THENCE SOUTH 03°26'12" WEST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 272.00 FEET;
 THENCE SOUTH 87°33'00" EAST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 132.97 FEET;
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 THENCE SOUTH 03°26'12" WEST, ALONG SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 224.50 FEET;
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 THENCE NORTH 87°46'16" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 132.98 FEET;
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 THENCE NORTH 87°46'16" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE AND SAID BOUNDARY OF PARCEL 2, A DISTANCE OF 664.90 FEET TO THE POINT OF BEGINNING.
 LYING IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS

A PARCEL OF LAND BEING PARCEL 2, AS SHOWN ON THE PLAT OF CHS PROPERTIES MUPD, AS RECORDED IN PLAT BOOK 104, PAGES 174 THROUGH 178, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH WATER MANAGEMENT TRACTS "B" AND "C", AS RECORDED IN OFFICIAL RECORDS BOOK 18026, PAGE 966, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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EXHIBIT "A"

PROPERTY

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 LYING IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.
 CONTAINING 421,675 SQUARE FEET, 9.680 ACRES, MORE OR LESS.

DESCRIPTION: ORB 30244, PAGE 1209

A PARCEL OF LAND BEING PARCEL 2, AS SHOWN ON THE PLAT OF CHS PROPERTIES MUPD, AS RECORDED IN PLAT BOOK 104, PAGES 174 THROUGH 178, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH WATER MANAGEMENT TRACTS "B" AND "C", AS RECORDED IN OFFICIAL RECORDS BOOK 18026, PAGE 966, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TOGETHER WITH

(O.R.B. 30324, PAGE 1543)

THE NORTH 272 FEET OF LOT 8, MORRISON SUBURBAN DEVELOPMENT, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 20, PAGE 40. SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 457,837 SQUARE FEET/10.5105 ACRES, MORE OR LESS.

LYING IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS

PARCEL 2, CHS PROPERTIES, MUPD, AS RECORDED IN PLAT BOOK 104, PAGES 174 THROUGH 178 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

THE NORTH 272 FEET OF LOT 8, MORRISON SUBURBAN DEVELOPMENT, ACCORDING TO THE PLAT, AS RECORDED IN PLAT BOOK 20, PAGE 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 457,837 SQUARE FEET/10.5105 ACRES, MORE OR LESS.

EXHIBIT "B"**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address	
David Saunders	340 Royal Poinciana Way, Ste. 317, Box#384, Palm Beach, FL 33480	100%

Exhibit 8
Correspondence
