

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	Large Scale 21-A	Intake Date	May 4, 2020
Application Name	CHS Properties MUPD	Control No.	1998-00089
Acres	10.51 acres approximately (Pod C of overall MUPD, 27.55 acres)	Concurrent Zoning application?	Yes (Rezoning)
		Text Amend?	No
PCNs	00-43-44-05-23-023-0020; 00-43-44-05-23-000-0020; 00-43-44-05-06-008-0010		
Location	South side of Ranch House Road, approximately 450 feet east of Congress Avenue and approximately ¼ mile south of Southern Boulevard (SR-80)		
	Current	Proposed	
Tier	Urban/Suburban	Urban/Suburban	
Use	Warehouse, Office, Repair & Maintenance, Heavy	Vehicle Sales & Rental, Light, Indoor Entertainment, Repair & Maintenance, Light, Warehouse	
Zoning	Multiple Use Planned Development (MUPD) Residential Medium (RM)	Multiple Use Planned Development (MUPD)	
Future Land Use Designation	Industrial (IND)	Commercial High (CH)	
Underlying Future Land Use Designation	None	Industrial (IND)	
Conditions	None	None	
Density Bonus	None	None	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	0.85 FAR x 10.51 ac. = 389,143 s.f.	0.50 FAR x 10.51 ac. = 228,908 s.f.
Maximum Dwelling Units¹ (residential designations)	None	None
Maximum Beds (for CLF proposals)	None	None
Population Estimate	None	None

Maximum Square Feet 2, 4 (non-residential designations)	None	0.50 FAR x 10.51 ac. = 228,908 s.f.
Proposed or Conditioned Potential 3, 4	0.85 FAR x 10.51 ac. = 389,143 s.f.	0.50 FAR x 10.51 ac. = 228,908 s.f. (CH w/ underlying IND)
Max Trip Generator	Light Industrial, #110 4.96 tpd/1000 SF	General Commercial, #820 $\ln(T) = 0.68\ln(X) + 5.57$ $X = 1000 \text{ SF}$
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	

1. Maximum units per acre see Future Land Use Element;
2. Maximum FAR see FLUE. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.
3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;
4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (eg. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.

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Part 2. Applicant Data

A. Agent Information

Name	Josh Nichols, LEED AP
Company Name	Schmidt Nichols
Address	1551 N Flagler Drive, Ste. 102
City, State, Zip	West Palm Beach, FL 33401
Phone / Fax Number	561.684.6141 / 561.684.6142
Email Address	jnichols@snlandplan.com

B. Applicant Information

Name	David Saunders, MR
Company Name	Ranch House Realty, LLC
Address	340 Royal Poinciana Way, Suite 317, Box #384
City, State, Zip	Palm Beach, FL 33480
Phone / Fax Number	Please Contact Agent
Email Address	Please Contact Agent
Interest	Owner

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Part 3. Site Data

A. Site Data

Built Features	The existing site is comprised of 3 parcels. None of the three included parcels contains a structure. An Inventory Summary & map are enclosed as Attachment F .
PCN	00-43-44-05-23-023-0020; 00-43-44-05-23-000-0020; 00-43-44-05-06-008-0010 See Legal Description as Application Attachment A and Survey as Attachment P
Street Address	2860 Ranch House Road, 2886 Ranch House Road
Frontage	Ranch House Road (764.82'), Property Depth: 575' The overall MUPD also fronts Congress Avenue
Legal Access	Ranch House Road (80' ROW)
Contiguous under same ownership	All contiguous property under common ownership is included in the subject request
Acquisition details	00-43-44-05-06-008-0010: Acquired via a purchase from Ranch House Realty LLC. for \$1,200,000 on December 20, 2018 See attached warranty deeds as Attachment A . 00-43-44-05-23-000-0020; 00-43-44-05-23-023-0020: Acquired via a purchase from Ranch House Realty LLC for \$5,200,000 on November 8, 2018. See attached warranty deed as Attachment A .
Size purchased	There are no residual parcels remaining as a result of the purchase or subject application. See attached warranty deeds as Attachment A.

B. Development History

Control Number	1998-00089
Previous FLUA Amendments	There have not been any previous FLUA amendments on this property.
Concurrency	Concurrency was previously secured for a 139,165 s.f. Warehouse facility with accessory office.
Plat, Subdivision	CHS Properties, Plat Book 104, Pages 174-178
Zoning Approvals & Requests	ZR-2016-061, R-2016-1831, R-2016-1832 1. Petition No. 1998-00089, App: 2019-1456 (DRO): conversion of warehouse in part to Repair & Maintenance, Heavy Use, add square footage (max 5,000 s.f.) to the proposed

	<p>building, and reconfigure the circulation, parking, and other miscellaneous site details</p> <p>A Final Site Plan was approved on February 7, 2020 for a 139,165 s.f. Warehouse facility with accessory office.</p>				
Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)
ZR-2016-061, R-2016-1831, R-2016-1832	2019-1456	Approved	DRO	Please see above	Please see above

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Part 4. Consistency

A. Consistency – Provide responses in Attachment G as G.1 through G.5.

Justification Provide as G.1.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes
Residential Density Increases Provide as G.2.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes 1) .
Compatibility Provide as G.3.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes
Comprehensive Plan Provide as G.4.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes
Florida Statutes Provide as G.5.	Please refer to Attachment G , Consistency with Comprehensive Plan and Florida Statutes

B. Surrounding Land Uses. Indicate the following for each surrounding property:

- **Uses.** Indicate the existing land use, subdivision name, and existing units and density (residential) or square footage (non-residential).
- **FLUA Designations.** Indicate the future land use designations. No acronyms.
- **Zoning.** Indicate the Zoning and petition numbers. No acronyms.

Adjacent Lands	Use	Future Land Use	Zoning
North	Auto Paint & Body with Accessory Office & Car Wash (existing 78,514 s.f.), C-Story w/ Gas Sales (12 Fueling Positions) (existing 3,500 s.f.), Accessory Carwash (1,000 s.f.), Type I Restaurant (1,600 s.f.), Single Family Residential (existing 4.76 du/ac), CHS Properties MUPD	Commercial Low with an Underlying Industrial (IND), Industrial	Multiple Use Planned Development, Single Family Residential, 1998-00089
South	Single Family Residential (6.10 du/ac), Multi-Family Residential (existing 11.76 du/ac), Vacant, Morrison Suburban Dev In, Palm Acres Ests In	Medium Residential 5 units per acre, Industrial	Residential Medium, Single Family Residential
East	Single Family Residential (existing 5.88 du/ac) Multi-Family Residential (existing 11.76 du/ac), Lake, Morrison Suburban Dev In, CHS Properties MUPD	Medium Residential 5 units per acre, Industrial	Residential Medium, Single Family Residential, 1998-00089
West	Vacant, Self-Service Storage (97,032 s.f.), Condominiums, Morrison Suburban Dev In	Urban Infill, Industrial	Residential Medium, Urban Infill, 1984-00020

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Part 5. Public Facilities Information

A. Traffic Information		
In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the Future Land Use Element of the Comprehensive Plan. The letter must state if the traffic generation for the amendment meets Policy 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030.		
	Current	Proposed
Max Trip Generator	Light Industrial, #110 4.96 tpd/1000 SF	General Commercial, #820 $\text{Ln}(T) = 0.68\text{Ln}(X) + 5.57$ $X = 1000 \text{ SF}$
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		
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	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).	
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 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 Attachment K.
Effect on Resp. Time	PBC Fire-Rescue has determined that the proposed amendment will have minimal impact on fire rescue response time. Please see 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 Attachment M

* If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.

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 Attachment N.

H. Parks and Recreation - Residential Only (Including CLF)

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional		0.00339		
Beach		0.00035		
District		0.00138		

I. Libraries - Residential Only (Including CLF)			
Library Name			
Address			
City, State, Zip			
Distance			
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person		
Periodicals	5 subscriptions per 1,000 persons		
Info Technology	\$1.00 per person		
Professional staff	1 FTE per 7,500 persons		
All other staff	3.35 FTE per professional librarian		
Library facilities	0.34 sf per person		
J. Public Schools - Residential Only (Not Including CLF)			
	Elementary	Middle	High
Name			
Address			
City, State, Zip			
Distance			

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 6. Attachments

- A. **PCN's, Legal Description and Warranty Deed** (include Legal in PDF & Word)
- B. **Agent Consent Form**
- C. **Applicant's Ownership Affidavit**
- D. **Applicant's Notice Affidavit, Property Appraiser List, and Labels**
- E. **Disclosure of Ownership Interests**
- F. **Built Feature Inventory & Map**
- G. **Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- H. **Traffic Approval Letter & Traffic Study**
- I. **Water & Wastewater Provider LOS Letters**
- J. **Drainage Statement**
- K. **Fire Rescue Letter**
- L. **Natural Feature Inventory & Map**
- M. **Wellfield Zone**
- N. **Historic Resource Evaluation Letter**
- O. **Palm Beach County School District LOS Letter**
- P. **Survey**
- Q. **Text Amendment Application** (Part 7, if applicable, in PDF & Word)

Forms for Attachments B, C, D, and E are located on the web at:

<http://www.pbcgov.org/pzb/planning/Pages/Comprehensive-Plan-Amendment-Applications.aspx>

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**Attachment F – Built Feature Inventory & Map Detail
CHS Properties MUPD
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: May 4, 2020**

Below is an aerial photograph taken in January 2019 with the subject property highlighted in red. None of the three (3) included parcels contains a structure. Please see the following Aerial images for the entire site and each individual parcel.

Entire Site



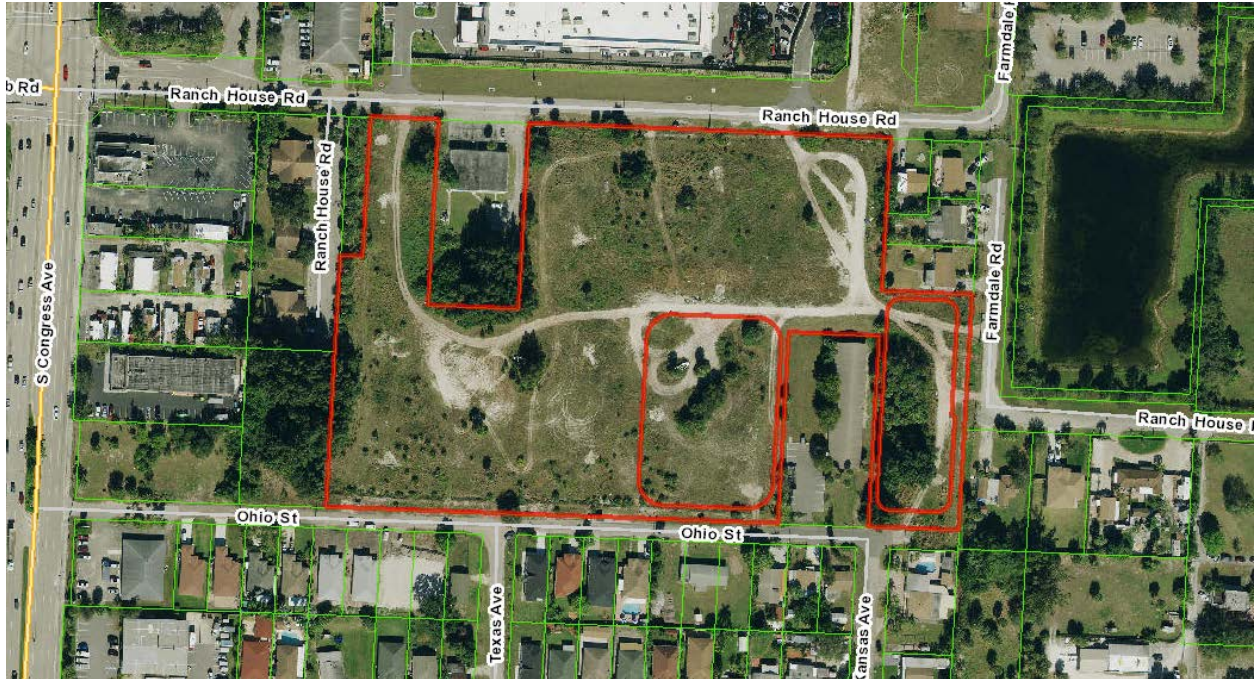
PCN: 00-43-44-05-06-008-0010



Aerial Photo of the site. Photo dated January 2019 downloaded from Google Earth Pro



PCN: 00-43-44-05-23-000-0020



Aerial Photo of the site. Photo dated January 2019 downloaded from Google Earth Pro

PCN: 00-43-44-05-23-023-0020



Aerial Photo of the site. Photo dated January 2019 downloaded from Google Earth Pro



Attachment G
Consistency with Comprehensive Plan & Florida Statutes
CHS Properties MUPD
Palm Beach County (PBC) Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: May 4, 2020
Revised: September 1, 2020

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 27.29 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

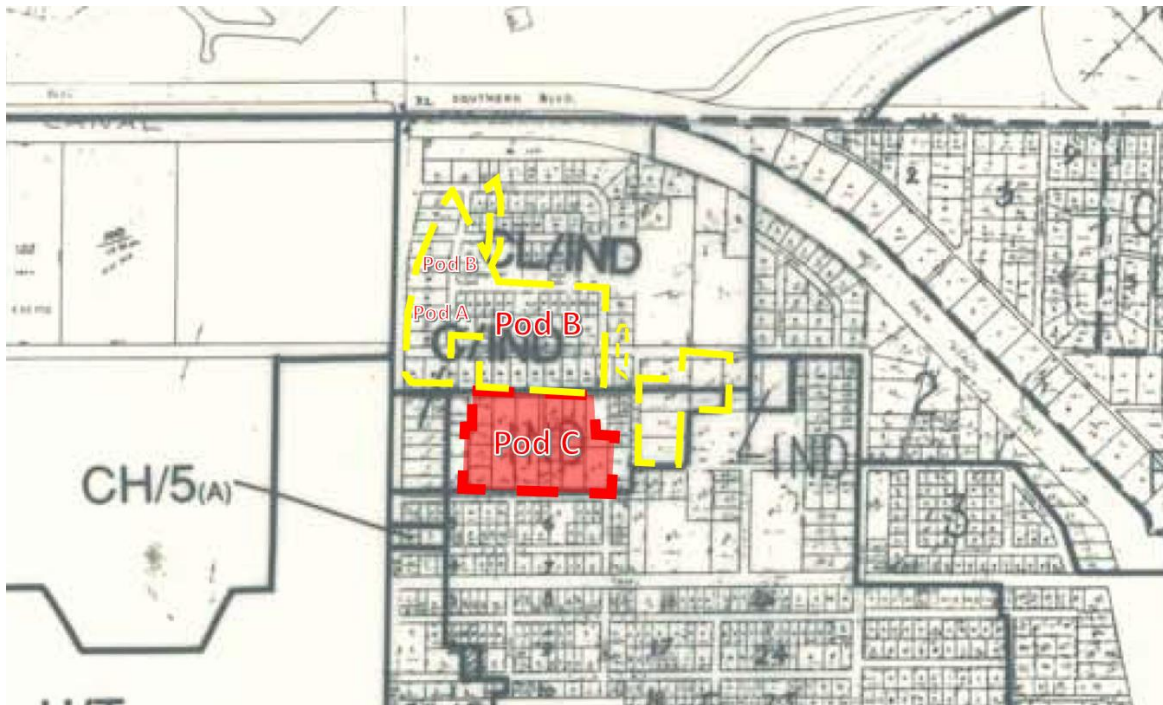
While there is very little detail on the history of any comprehensive plan amendments on the subject property has undergone several zoning amendments with the most recent in 2016 for a Development Order Amendment (DOA) and conditional use for Pod B. More specifically to the subject Pod C, the site plan 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

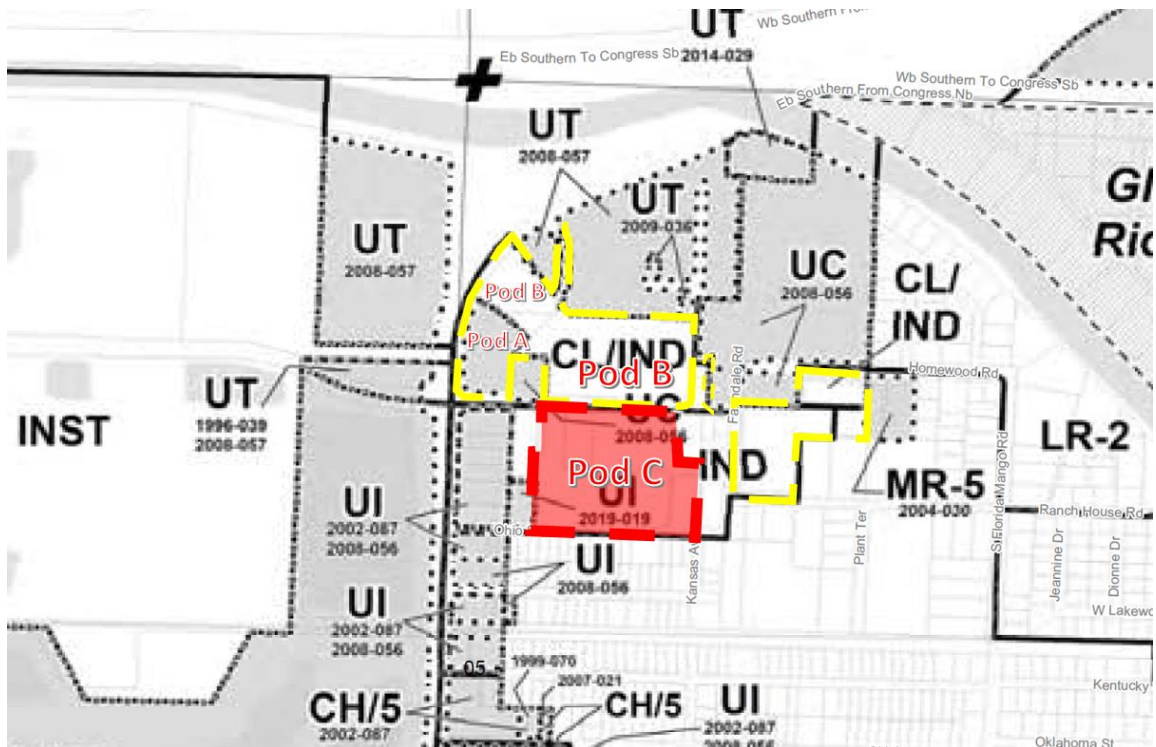
CHS Overall MUPD Boundary

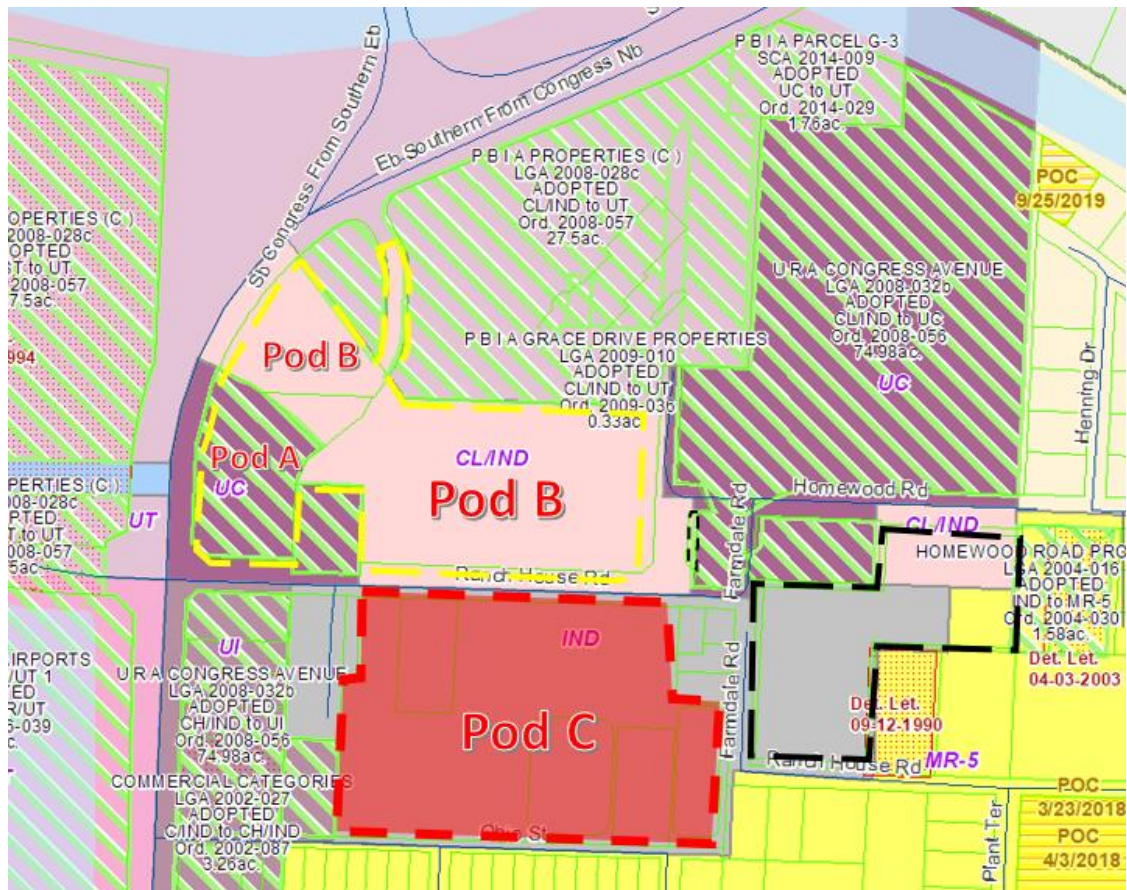


FLUA Map 1989 (Page 65)



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: Not applicable. 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:
 - i. Traffic: Please see attached traffic analysis indicating compliance with Policy 3.5-d of the FLUE of the Comprehensive Plan.
 - ii. Mass Transit: The nearest Palm Tran Route is Route #2 (Congress Ave.).
 - iii. 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.
 - iv. 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.
 - i. 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:
 - v. North: CL/IND
 - vi. South: MR-5 (across Ohio Rd.)
 - vii. East: MR-5
 - viii. 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.



**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
Hal R. Valeche
Gregg K. Weiss
Mary Lou Berger
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

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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,

Jackie Michels, P.E.,
Plan Review Manager



May 1, 2020
Job No. 18-145D

LAND USE PLAN AMENDMENT APPLICATION
STATEMENT OF LEGAL POSITIVE OUTFALL

CHS MUPD Pod C
10.51 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the south side of Ranch Road approximately 400 feet east of Congress Avenue in West Palm Beach, Florida and contains approximately 10.51 acres. The Property Control Numbers (PCN) for the subject parcels are summarized below:

00-43-44-05-23-000-0020 00-43-44-05-23-023-0020
00-43-44-05-06-008-0010

The subject property is currently designated as Industrial (IND) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Commercial High with an Industrial underlying land use (CH/IND).

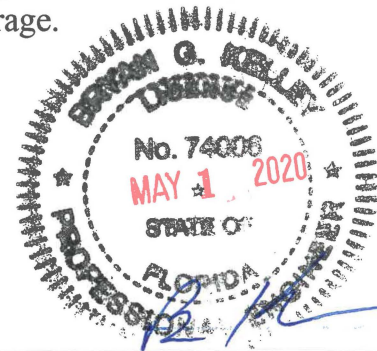
SITE DRAINAGE

The site is located within the boundaries of the Lake Worth Drainage District 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. Drainage Design is to address the following:

1. On-site retention of the runoff from the 3 year, 1 hour rainfall event.
2. No runoff to leave the site except through an approved control structure up to the level produced by the 25 year, 3 day rainfall event.

DRAINAGE (CONTINUED)

3. Building floor revelations to be at or above the level produced by the 100 year 3 day rainfall event.
4. Parking lots to be protected from flooding during a 3 year, 24 hour event, or the 5 year, 24 hour event if exfiltration trench is used.
5. Allowable discharge to be in accordance with South Florida Water Management District Basin criteria.
6. Compliance with the South Florida Water Management District C-51 Drainage Basin criteria with required to compensating storage.
7. Due to consideration to water quality.



Bryan G. Kelley, P.E.
FL Reg. No. 74006



May 1, 2020
Job No. 18-145D

LAND USE PLAN AMENDMENT APPLICATION
FLOOD PLAIN STATEMENT

CHS MUPD Pod C
10.51 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the south side of Ranch Road approximately 400 feet east of Congress Avenue in West Palm Beach, Florida and contains approximately 10.51 acres. The Property Control Numbers (PCN) for the subject parcels are summarized below:

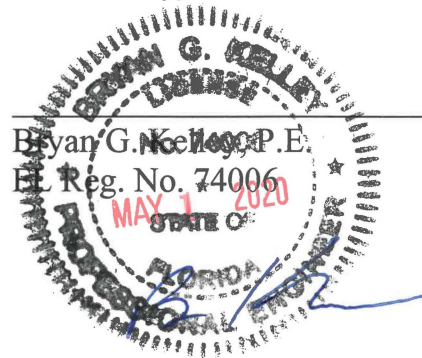
00-43-44-05-23-000-0020
00-43-44-05-06-008-0010

00-43-44-05-23-023-0020

The subject property is currently designated as Industrial (IND) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Commercial High with an Industrial underlying land use (CH/IND).

FLOOD ZONE

The above referenced project is located in Flood Zones X and AE as shown on the FEMA Flood Rate Insurance Map Panel 165B of 245 (Palm Beach County).



sa: x:/docs/trafficanddrainage/lupafps.18145d



Fire Rescue

Chief Reginald K. Duren
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7000
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

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

County Administrator

Verdenia C. Baker

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Official Electronic Letterhead

March 31, 2020

Schmidt Nichols
Attention: Jordan Sperling
1551 N Flagler Dr.
Ste. 102
West Palm Beach, FL 33401

Re: Gun Club and Congress Avenue

Dear Jordan Sperling:

Per your request for response time information to the subject property located on the NEC of Gun Club and Congress Ave./Australian Ave Flyover. This property is served currently by Palm Beach County Fire-Rescue station #33, which is located at 830 Kirk Road. The subject property is approximately 2 miles from the station. The estimated response time to the subject property is 6 minutes 30 seconds. For fiscal year 2019, the average response time (call received to on scene) for this stations zone is 6:28.

Changing the land use of this property will have little impact on Fire Rescue.

If you have any further questions, please feel free to contact me at 561-616-6909.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Allan".

Cheryl Allan, Planner
Palm Beach County Fire-Rescue

Attachment L - Significant Habitats or Species Detail
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
CHS Properties MUPD
Original Submittal: May 4, 2020

Significant habitats or species:

Below is an aerial photograph with the subject property highlighted in red. 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.

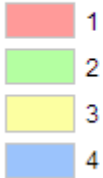


**Attachment M - Wellfield Zone Map
CHS Properties MUPD
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: May 4, 2020**

The subject property does not lay within any wellfield protection zones. The proposed planned development will have no negative impacts on the wellfield zones.



Wellfield Protection Zones





May 1, 2020
Job No. 18-145D

LAND USE PLAN AMENDMENT APPLICATION
WELLFIELD PROTECTION ZONE STATEMENT

CHS MUPD Pod C
10.51 Acre Site
Palm Beach County, Florida

SITE DATA

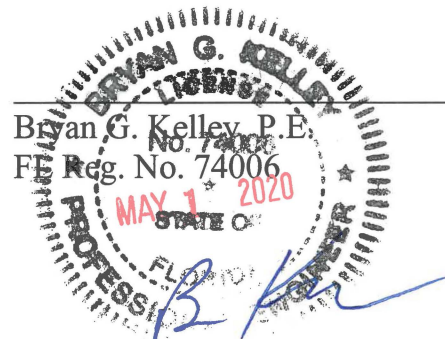
The subject parcel is located on the south side of Ranch Road approximately 400 feet east of Congress Avenue in West Palm Beach, Florida and contains approximately 10.51 acres. The Property Control Numbers (PCN) for the subject parcels are summarized below:

00-43-44-05-23-000-0020 00-43-44-05-23-023-0020
00-43-44-05-06-008-0010

The subject property is currently designated as Industrial (IND) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Commercial High with an Industrial underlying land use (CH/IND).

WELLFIELD PROTECTION ZONE

The above referenced project is not located within any Wellfield Protection Zones as shown on the "Wellfield Protection Zones of Influence in Palm Beach County, Florida, "exhibit, adopted June 12, 2015.



sa: x:/docs/trafficanddrainage/lupawellfield.18145d

2581 Metrocentre Boulevard West Suite 3 West Palm Beach Florida 33407
T: 561.478.7848 F: 561.478.3738 www.simmonsandwhite.com
Certificate of Authorization Number 3458



**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb



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March 27, 2020

Jordan Sperling
Schmidt Nichols, Landscape Architecture & Urban Planning
1551 N. Flagler Dr., Suite 102
West Palm Beach, Florida 33401

**RE: Historical and Archaeological Resource Review for the project
named CHS Properties MUPD, under PCN's: 00-43-44-05-23-000-
0020, 00-43-44-05-23-023-0020, and 00-43-44-05-06-008-0010.**

Dear Mr. Sperling:

This correspondence is in reply to your request for a review of the above referenced properties in regards to the identification of any cultural resources (historical and archaeological resources) located on or within 500 feet of the properties.

Staff review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), has identified no historic or architecturally significant resources on or within 500 feet of the above referenced properties.

Staff review of the County's map of known archaeological sites has identified no known archaeological resources located on or within 500 feet of the above referenced properties.

However, should any artifacts or skeletal remains be encountered during construction, per Florida Statue 872, construction must stop around the remains and the local sheriff and medical examiner be contacted.

Should you have any questions or comments, please contact me at (561) 233-5331.

Sincerely,

Christian Davenport, MA, RPA
County Historic Preservation Officer/ Archeologist

cc: Patricia Behn, Planning Director, PBC Planning Division
Bryan Davis, Principal Planner, PBC Planning Division