

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	23-B	Intake Date	November 9, 2022
Application Name	Boynton Place MUPD	Control No.	1997-00004
Acres	8.86 (See Survey at Attachment P)	Concurrent Zoning application?	Yes
		Text Amend?	No
PCNs	00-42-45-22-00-000-5030		
Location	Generally located on the north side of Boynton Beach Boulevard, east of Jog Road		
	Current	Proposed	
Tier	Urban/Suburban	Urban/ Suburban	
Use	General Industrial	Commercial	
Zoning	Single Family Residential (RS)	Multiple Use Planned Development (MUPD)	
Future Land Use Designation	3.96 acres (West side of property)- Commercial High (CH) 4.90 acres (East side of property) – Commercial Low Office (CLO)	8.86 acres Commercial Low (CL)	
Underlying Future Land Use Designation	Medium Residential, 5 units per acre (MR-5)	Medium Residential, 5 units per acre (MR-5)	
Conditions	<p><u>Condition of Approval #B.1 (per Ordinance No. 1997-011):</u> That Unity of Control for the subject parcel and the parcels identified by Property Control Numbers 00-42-45-22-00-000-5040 and 00-4~45-22-00-000-5020, which together with the subject parcel are the subject of Palm Beach County Zoning Petition #PDD97-04, in a form approved by the County Attorney and recorded in the public records; and two (2) recorded copies provided to the Palm Beach County Planning Division prior to final site plan certification.</p> <p><u>Condition of Approval #B.2 (per Ordinance No. 1997-011):</u> The site plan for the properties contained within the Unity of Control described in I.B.I. shall include a 35' landscape buffer on the north and east property lines which shall include a continuous 4' berm, hedges and trees, and solid 6' wall.</p>	<p>Condition of Approval #B.1: That Unity of Control for the subject parcel and the parcels identified by Property Control Numbers 00-42-45-22-00-000-5040 and 00-4~45-22-00-000-5020, which together with the subject parcel are the subject of Palm Beach County Zoning Petition #PDD97-04, in a form approved by the County Attorney and recorded in the public records; and two (2) recorded copies provided to the Palm Beach County Planning Division prior to final site plan certification.</p> <p><u>Condition of Approval #B.2:</u> The zoning site plan shall include a 35-foot landscape buffer with a 3.5-foot berm, hedges and trees, and an opaque 8-foot wall along the north property line, and a 25-foot landscape buffer with a 3.5-foot berm, hedges and trees, and an opaque 8-foot wall along the east property line</p>	
Density Bonus	None	None	
Total Number of Units	None	None	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	0.5 FAR or 5 DU/acre	0.5 FAR (0.85 FAR for self-storage) or 5 DU/acre
Maximum Dwelling Units¹ (residential designations)	5 DU x 8.86 ac.= 44 units	5 DU x 8.86 ac.= 44 units
Maximum Beds (for CLF proposals)	Not applicable	Not applicable
Population Estimate	44 max DU x 2.39= 105 persons	44 max DU x 2.39= 105 persons
Maximum Square Feet^{2,4} (non-residential designations)	0.5 FAR x 4.90 ac. = 106,722 SF Medical Office. 0.5 FAR x 3.96 ac. = 86,249 SF Retail.	0.5 FAR x 8.86 ac. = 192,971 SF Medical Office.
Proposed or Conditioned Potential^{3,4}	----	200,000 SF Mini-Warehouse/SS, 2,500 SF Automobile Sales, 1,200 SF Fast Food With DT, 7,500 SF Automobile Care Center and a 3,275 SF (One lane) Carwash.
Max Trip Generator	Medical Office [ITE Code 720]: T=42.97X-108.01 Shop Plaza (40-150ksf) W/Sup Market [ITE Code 821]: 94.49 Per 1000 sf	Medical Office [ITE Code 720]: T=42.97X-108.01
Maximum Trip Generation	8,325 daily trips	7,366 daily trips
Net Daily Trips:	-959 (maximum - current) -7,388 (maximum - proposed)	
Net PH Trips:	<u>538 (425 In/113 Out) AM, 682 (173 In/510 Out) PM (maximum)</u> <u>73 (42 In/31 Out) AM, 82 (40 In/42 Out) PM (proposed)</u>	

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

Identify the information for the agent processing the application. The agent will be the primary contact for Planning Division staff throughout the amendment process.

Name	Josh Nichols, LEED AP
Company Name	Schmidt Nichols
Address	1551 N Flagler Drive, Suite 102
City, State, Zip	West Palm Beach FL 33401
Phone / Fax Number	561-684-6141
Email Address	jnichols@snlandplan.com

B. Applicant Information

Identify the information for each Property Owner and Contract Purchaser. Duplicate table as needed.

	Applicant A
Name	Carl Jobson, MGR
Company Name	Job-Man Development, LLC
Address	10000 Madarin Street
City, State, Zip	Parkland, FL33076
Phone / Fax Number	Please Contact Agent
Email Address	Please Contact Agent
Interest	Property Owner, 50%

	Applicant B
Name	Daniel Mancini, MGR
Company Name	Job-Man Development, LLC
Address	3100 S.W. 15 th Street
City, State, Zip	Deerfield Beach, FL 33442
Phone / Fax Number	Please Contact Agent
Email Address	Please Contact Agent
Interest	Property Owner, 50%

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Part 3. Site Data

A. Site Data

Built Features	The existing site is comprised of 1 parcel. This parcel is PCN: 00-42-45-22-00-000-5030 and currently has a +/- 15,048 s.f. warehouse building built on site that were constructed in 1972. An Inventory Summary & map are enclosed as Attachment F
PCN	00-42-45-22-00-000-5030. See Legal Description as Application Attachment A and Survey as Attachment P.
Street Address	6345 Boynton Beach Boulevard
Frontage	Boynton Beach Boulevard (333.36'), Property Depth: 1,144.98'
Legal Access	Boynton Beach Boulevard (120' ROW)
Contiguous under same ownership	<i>None</i>
Acquisition details	00-42-45-22-00-000-5030; Acquired via special warranty deed from Maurice O. Rhinehardt, as successor trustee of Kerekes Kand Trust No. 9 to Kerekes Land Trust Properties East, LLC; on December 30, 2021 the ownership transferred to Lake Park 1100 LLC. See warranty deed attached as Attachment A .
Size purchased	The land purchased included the entire parcel (8.86 acres), no residual parcels remain as a result of the purchase. See attached deed as Attachment A .

B. Development History

Control Number	00-42-45-22-00-000-5030				
Previous FLUA Amendments	Ordinance No. 1997-011 (SCA 90 COM 1) from Medium Residential, 5 units per acre (MR-5) to Commercial High and Commercial-Low Office with an Underlying MR-5 (CH/5): Approved April 24, 1997. The applicant is proposing to remove Condition of Approval #B.1 on page 3 of Ordinance No. 1977-011 and is proposing to amend Condition of Approval #B.2 on pages 3-4 from a 35' landscape buffer to a 20' landscape buffer, reduce the continuous berm from 4' to 3', and increase the wall height from 6' to 8' on the north and east property lines.				
Concurrency	None				
Plat, Subdivision	None				
Zoning Approvals & Requests	Please see below				
Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)

	ZC-2007-946	Complete		Request for zoning verification letter" for each property.	Request for zoning verification letter for each property.
R-2008-1378	ZV/DOA/R-2007-1596	Adopted with conditions		To allow a general daycare and a type I restaurant	To allow a general daycare and a Type I restaurant
	ZV/DOA/R-2007-1596	Adopted With Conditions		To allow a reduced setback for a tower and to allow 24-hour operation for commercial adjacent to residential for the drug store drive-through lane	To allow a reduced setback for a tower and to allow 24-hour operation for commercial adjacent to residential for the drug store drive-through lane
R-2008-1377	ZV/DOA/R-2007-1596	Adopted With Conditions		To reconfigure the site plan, amend conditions of approval, to add an access point and to revise the development timeline (restart the commencement clock)	To reconfigure the site plan, amend conditions of approval, to add an access point and to revise the development timeline (restart the commencement clock)
	DRO-2008-1694	Approved With Conditions		Final Site Plan	Final Site Plan
	PCN-2018-2135	Complete		Abandonment of prior Resolutions, Rezoning to MUPD, and Class A Conditional uses	Abandonment of prior Resolutions, Rezoning to MUPD, and Class A Conditional uses
	PCN-2019-183	Complete		Development Order Abandonment of the Fountains East MUPD (applies to all three parcels); concurrent with this abandonment application two rezoning applications will also be filed; Rezoning from MUPD to AR for	Development Order Abandonment of the Fountains East MUPD (applies to all three parcels); concurrent with this abandonment application two rezoning applications will also be filed; Rezoning from MUPD to AR for

				the parcel located at 6345 Boynton Blvd; and Rezoning from MUPD to MUPD for the parcels located at 6495 and 6405 Boynton Beach Blvd.	the parcel located at 6345 Boynton Blvd; and Rezoning from MUPD to MUPD for the parcels located at 6495 and 6405 Boynton Beach Blvd.
	PCN-2020-351	Complete		Abandonment of an approved Class A Conditional Use and DRO approval of a bank with drive-thru as its replacement.	Abandonment of an approved Class A Conditional Use and DRO approval of a bank with drive-thru as its replacement.

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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.
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	Single Family Residential (8.54 du/ac)	Medium Residential, 5 units per acre	Single Family Residential
South	Multi-Purpose Church (927 seats, 52,724 s.f.), Daycare (170 Children, 6,050 s.f.)	Medium Residential, 5 units per acre	Single Family Residential, 1991-00042
East	Single Family Residential (16.67 du/ac)	Medium Residential, 5 units per acre	Single Family Residential
West	Commercial	Commercial High with an underlying MR-5	MUPD

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Part 5. Public Facilities Information

A. Traffic Information		
<p>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.</p>		
	Current	Proposed
Max Trip Generator	Medical Office [ITE Code 720]: T=42.97X-108.01 Shop Plaza (40-150ksf) W/Sup Market [ITE Code 821]: 94.49 Per 1000 sf	Medical Office [ITE Code 720]: T=42.97X-108.01
Maximum Trip Generation	8,325 daily trips	7,366 daily trips
Net Daily Trips:	-959 (maximum - current) -7,388 (maximum - proposed)	
Net PH Trips:	<u>538 (425 In/113 Out) AM, 682 (173 In/510 Out) PM (maximum)</u> <u>73 (42 In/31 Out) AM, 82 (40 In/42 Out) PM (proposed)</u>	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	
Traffic Consultant	Juan Ortega- JFO Group INC	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	73 (Boynton Beach Boulevard)	
Nearest Palm Tran Stop	Stop 6780 (South side of Boynton Beach Boulevard approx. 540 feet west of the intersection of Boynton Beach Boulevard & Jog Road located on the subject site's frontage on Boynton Beach Boulevard).	
Nearest Tri Rail Connection	Boynton Beach Tri-Rail, 2800 High Ridge Road	
C. Potable Water & Wastewater Information		
The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as Attachment I. This letter should state the provider/s of potable water and wastewater is/are able to maintain		

their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.

Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department
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Nearest Water & Wastewater Facility, type/size	There is an existing 16” potable water main and a 12” sanitary sewer forcemain located within Boynton Beach Boulevard adjacent to the subject property.
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D. Drainage Information

The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-16 Drainage Basin. Legal positive outfall is available via discharge to the Lake Worth Drainage District L-24 Canal along the south side of Boynton Beach Boulevard. Please refer to **Attachment J** with this application for more details.

E. Fire Rescue

Nearest Station	West Palm Beach Fire Rescue Station #41, 5105 Woolbright Road.
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Distance to Site	Station #41 is 2.75 miles from the subject site.
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Response Time	Based on the information provided by PBC Fire-Rescue, the estimated response time is 8 minutes. PBC Fire Letter provided at Attachment K
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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 .
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F. Environmental

Significant habitats or species	The subject property does not support any significant habitats or Listed Species. The applicant will utilize their best efforts to preserve the existing vegetation if the site is developed as intended. Please refer to Attachment L for further details.
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Flood Zone*	The subject parcel is located in Flood Zone X.
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Wellfield Zone*	The subject property lies within Wellfield Protection Zones 3 and 4. Please see Attachment M . A detailed map has been provided at Attachment M
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* 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 ft of the subject properties. Please refer to **Attachment N**.

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

Indicate the name and location of each of the applicable parks. Information is available from Parks and Recreation at (561) 966-6600. Indicate the population change from Development Potential Data and Analysis. Multiply the population change by the LOS.

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)

Indicate the name and location of the closest County Library. Information is available from the PBC Library System at (561) 233-2600. Indicate the population change from Development Potential Data and Analysis. Multiply the population change by the LOS.

Library Name			
Address			
City, State, Zip			
Distance	Indicate the distance from the site to the nearest library.		
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person		
All staff	0.6 FTE per 1,000 persons		
Library facilities	0.6 square feet per person		

J. Public Schools - Residential Only (Not Including CLF)

Summarize School Comment Letter here and provide as Application Attachment O. Please contact Joyce Cai at the School District of Palm Beach County at (561) 434-8000 to obtain a comment letter. Identify the name of the public schools that would educate potential school age children based on the current boundaries and the distance from each to the site. This information is available from the School District of Palm Beach County at (561) 434-8000.

	Elementary	Middle	High
Name			
Address			
City, State, Zip			
Distance			

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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>

Attachment F – Built Feature Inventory & Map Detail
Boynton Beach Place
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: November 9, 2022

Below is an aerial photograph taken in November 2022 with the subject property highlighted in “red”. This parcel is PCN: 00-42-45-22-00-000-5030 and currently has a +/- 15,048 s.f. warehouse building built on site that were constructed in 1972.

Entire Site



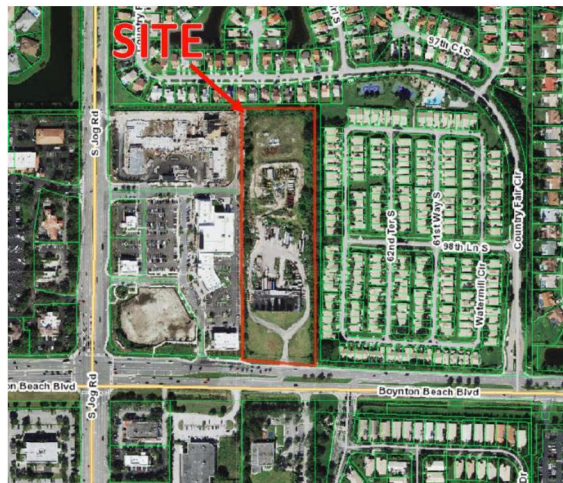
Aerial Imagery Photo of the site. Photo dated November 1, 2022 downloaded from GeoNav

Attachment G
Consistency with Comprehensive Plan & Florida Statutes
Boynton Place MUPD
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: November 9, 2022
Resubmittal March 1, 2024
Revised: May 10, 2024

Request

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

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



Site Aerial

Property History:

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

Below is a summary of surrounding properties:

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

Request

The applicant is requesting the following:

1. A Small-Scale Future Land Use Atlas (FLUA) Amendment from Commercial High with underlying medium density residential 5 units per acre (CH/5) and Commercial Low Office with an underlying medium density residential 5 units per acre (CL/5) to Commercial Low /5 overall site.

2. Requesting to delete Condition #1 and to modify Condition #2 of Ordinance No. 1997-11 to reduce the perimeter landscape buffer from 35' to 25' with a 3.5' tall berm and an 8' wall for the east property line. The north property line will maintain the 35' buffer with a 3.5' tall berm and an increased wall height to 8'.

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

G.1- Justification

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

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

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

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

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

Response: The current Future Land Use Designation is unusual because of a FLUA amendment that was adopted in 1997 which caused the property to have a split future land use. The site was unified by condition which resulted the Subject site to have a (CH/5) on the west side and (CL-O/5) on the East side. The purpose of this application is to change the Future

Land Use to (CL /5) for the overall site to have consistency. The subject site is located on a commercial corner on the Boynton Beach Boulevard and Jog Road; there are several commercial properties existing. The applicant understands that the intent of the previous FLUA was to create a transitional FLU to the residential development to the east, however, the applicant has gone a step further and reduced the FLU intensity below what is currently allowed by the existing FLU designations by requesting Commercial Low across the entire site. Additionally, the previous condition of approval for buffering provided a total opaque screen of 10' (4' berm and 6' wall) and the applicant has proposed 11.5' of opaque screening (3.5' berm with 8' wall).

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

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

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

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

- d) Inappropriateness of the adopted FLU designation; or

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

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

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

G.2- Residential Density Increases

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

1. Demonstrate a need for the amendment.

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

2. Demonstrate that the current FLUA designation is inappropriate.

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

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

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

G.3- Compatibility:

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

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

G.4- Comprehensive Plan

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

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

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

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

SCA 90 COM 1 Conditions of Approval:

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

Furthermore, the applicant is proposing to amend Condition of Approval #B.2 on pages 3-4 of Ordinance No. 97-11 as shown below to reduce the landscape buffer from 35' to 25' only along the east property line, reduce the continuous berm from 4' to 3.5', and increase the wall height from 6' to 8' on the north and east property lines:

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

The original condition was provided when the subject lot was part of a larger 25-acre parcel owned by the same entity. At that time, a 35-foot buffer on the north and east side was not expected to significantly impact the development potential of the subject site. However, now that the site has been subdivided, the available space for development is considerably reduced. Implementing a 35-foot buffer on the east would further restrict the development potential of the site, given its smaller size post-subdivision. Therefore, the bellow is the proposed revision to the condition.

Proposed Condition: The zoning site plan shall include a **35-foot** landscape buffer with a 3.5-foot berm, hedges and trees, and an opaque **8-foot** wall along the north property line, and a **25-foot** landscape buffer with a 3.5-foot berm, hedges and trees, and an opaque **8-foot** wall along the east property line

Pursuant to Art.7.C.2.C.2.A, the required buffer width on the north and east property lines may be reduced by 50 percent when a lot or a development is separated from another parcel of land that has an incompatible use (commercial abutting residential). Therefore, the applicant is only required to provide a 7.5' landscape buffer ($15' \times 50\% = 7.5'$) on the north and east property lines. The applicant is going above and beyond code by providing a 25' Type 2 Incompatibility landscape buffer. Furthermore, the proposed continuous 3.5' berm is the greatest width for a berm that can be accommodated in the proposed landscape buffer. The berm with proposed wall provides the same screening as the previous condition.

The applicant is also proposing to increase the conditioned wall height from 6' to 8' to provide additional visual buffering from the adjacent residential neighboring uses.

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



**Water Utilities Department
Engineering**

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



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Mack Bernard

County Administrator

Verdenia C. Baker

November 15, 2022

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

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

Dear Mr. Sperling,

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

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

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

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

Sincerely,

Jackie Michels, P.E,
Project Manager

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CAULFIELD & WHEELER, INC.

Consulting Engineers • Surveyors & Mappers

Engineering EB0003591
Surveying LB0003591
Landscape Architecture LC0000318

October 31, 2023

Scott Cantor, P.E.
Director of Land Development
Palm Beach County, Department of Engineering & Public Works
2300 N Jog Road, 3W
West Palm Beach, FL 33411
561-684-4090
SCantor@pbcgov.org

**Re: Drainage Statement
Boynton Place
650' East of the NEC Boynton Beach Boulevard & Jog Road
Palm Beach County, Florida
CWI Project #10624**

Dear Mr. Cantor:

My client is proposing to redevelop the existing 8.89 acre parcel approximately 650' east of the northeast corner of Boynton Beach Boulevard & Jog Road as "Boynton Place" to include a new commercial development along with parking lots, landscaping and stormwater management controls necessary to support the development.

The proposed drainage system will consist of a combination of an above ground dry detention basin located at the north end of the development, underground exfiltration trenches, inlets and culverts. The site is proposing legal positive outfall to the northwest corner of the property via an existing inlet installed recently there for the purposes of this project's legal positive outfall. From there, water is conveyed through the neighbor property to the west, then through a pipe covered under an existing 12' drainage easement north/central to the western neighbor parcel. From this existing pipe, water is conveyed through the existing community to the north, Briaridge Plat Two (PB.54/PG.55), via a 12' drainage easement per O.R.B. 4692, PG. 1525 before being conveyed through the next community to the north, Boynton Waters (PB.69/PG.74), via the same 12' drainage easement per O.R.B. 4692, PG. 1525. The conveyance by this easement ultimately discharges into the existing C Stanley Weaver Canal on the north side of Boynton Waters which makes the C Stanley Weaver Canal the ultimate legal positive outfall for the project. The entire proposed development along with the existing communities to the north, west and east are covered under the original South Florida Water Management District Permit No. 50-01323-S with reference permit numbers 50-01196-S, 50-01377-S & 50-102669-P such that there are no "off-site" historical drainage concerns for this project. The property is included in FEMA flood zone 'X', an area of minimal flood hazard.

The stormwater management design will be in compliance with SFWMD, LWDD and PBC requirements for attenuation and discharge while also staying in conformance with the existing permits in place over the site.

Submitted By:
Caulfield & Wheeler, Inc.



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Date: 2023.10.31 15:14:25 -04'00'
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2022.001.20085

Matthew V. Kahn, P.E.
Professional Engineer
License #82227
State of Florida
(on behalf of Caulfield & Wheeler, Inc.)

MVK

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Landscape Architecture LC0000318

February 27, 2024

Scott Cantor, P.E.
Director of Land Development
Palm Beach County, Department of Engineering & Public Works
2300 N Jog Road, 3W
West Palm Beach, FL 33411
561-684-4090
SCantor@pbcgov.org

Re: Flood Plain Statement
Boynton Place
650' East of the NEC Boynton Beach Boulevard & Jog Road
Palm Beach County, Florida
CWI Project #10624

Dear Mr. Cantor:

My client is proposing to redevelop the existing 8.86 acre parcel approximately 650' east of the northeast corner of Boynton Beach Boulevard & Jog Road as "Boynton Place" to include a new commercial development along with parking lots, landscaping and stormwater management controls necessary to support the development. The Property Control Number (PCN) for the subject parcel is 00-42-45-22-00-000-5030. The western portion of the parcel is 3.96 acres and is designated as Commercial High with underlying medium residential, 5 dwelling units per acre (CH/5) on the Palm Beach County Comprehensive Plan. The eastern portion of the parcel is 4.9 acres and is currently designated as Commercial Low with underlying medium residential, 5 dwelling units per acre (CL-O/5) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 4.9-acre eastern portion's designation to Commercial High with underlying medium residential, 5 dwelling units per acre (CH/5) on the Palm Beach County Comprehensive Plan.

The above referenced project is located in Flood Zone X as shown on the FEMA Flood Rate Insurance Map Panel 185A of 245 (Palm Beach County).

Submitted By:
Caulfield & Wheeler, Inc.



Digitally signed by Matthew V. Kahn
Date: 2024.02.27 17:26:36 -0500
Adobe Acrobat version: 2023.008.20470

Matthew V. Kahn, P.E.
Professional Engineer
License #82227
State of Florida
(on behalf of Caulfield & Wheeler, Inc.)

MVK

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Fire Rescue

Chief Patrick J. Kennedy
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7000
www.pbcgov.com



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Verdenia C. Baker

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Official Electronic Letterhead

November 2, 2022

Schmidt Nichols
Landscape Architecture and Urban Planning
Attention: Josh Nichols
1551 N Flagler Drive
Suite 102
West Palm Beach, FL 33401

Re: Boynton Beach Place

Dear Josh Nichols:

Per your request for response time information to the subject property located on the north side of Boynton Beach Boulevard, east of Jog Road in unincorporated Palm Beach County. (PCN: 00-42-45-22-22-000-5030). This property is served currently by Palm Beach County Fire-Rescue station #41, which is located at 5105 Woolbright Road. The maximum distance traveled to subject property is approximately 2.75 miles from the station. The estimated response time to the subject property is 8 minutes. For fiscal year 2021, the average response time (call received to on scene) for this stations zone is 7:51.

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

If you have any further questions, please feel free to contact me at 561-616-6971.

Sincerely,

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

Cheryl Allan, Planner II
Palm Beach County Fire-Rescue

Attachment L - Significant Habitats or Species Detail
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Boynton Beach Place
Original Submittal: November 9, 2022

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 applicant will utilize their best efforts to preserve the existing vegetation if the site is developed as intended.





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Engineering EB0003591
Surveying LB0003591
Landscape Architecture LC0000318

February 27, 2024

Scott Cantor, P.E.
Director of Land Development
Palm Beach County, Department of Engineering & Public Works
2300 N Jog Road, 3W
West Palm Beach, FL 33411
561-684-4090
SCantor@pbcgov.org

**Re: Wellfield Statement
Boynton Place
650' East of the NEC Boynton Beach Boulevard & Jog Road
Palm Beach County, Florida
CWI Project #10624**

Dear Mr. Cantor:

My client is proposing to redevelop the existing 8.86 acre parcel approximately 650' east of the northeast corner of Boynton Beach Boulevard & Jog Road as "Boynton Place" to include a new commercial development along with parking lots, landscaping and stormwater management controls necessary to support the development. The Property Control Number (PCN) for the subject parcel is 00-42-45-22-00-000-5030. The western portion of the parcel is 3.96 acres and is designated as Commercial High with underlying medium residential, 5 dwelling units per acre (CH/5) on the Palm Beach County Comprehensive Plan. The eastern portion of the parcel is 4.9 acres and is currently designated as Commercial Low with underlying medium residential, 5 dwelling units per acre (CL-O/5) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 4.9-acre eastern portion's designation to Commercial High with underlying medium residential, 5 dwelling units per acre (CH/5) on the Palm Beach County Comprehensive Plan.

The above referenced project is located within Wellfield Protection Zones 3, and 4 as shown on the "Wellfield Protection Zones of Influence in Palm Beach County, Florida," exhibit, adopted June 12, 2015.

Submitted By:
Caulfield & Wheeler, Inc.



Digitally signed by Matthew V. Kahn
Date: 2024.02.27 17:27:15
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Matthew V. Kahn, P.E.
Professional Engineer
License #82227
State of Florida
(on behalf of Caulfield & Wheeler, Inc.)

MVK

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November 3, 2022

**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
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County Administrator

Verdenia C. Baker

Josh Nichols
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 Boynton Beach Place, PCN: 00-42-45-22-00-000-5030.**

Dear Mr. Nichols:

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

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 property.

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 property.

However, should any artifacts or skeletal remains be encountered during construction, per Florida Statute 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,

A handwritten signature in black ink, appearing to read "Christian Davenport".

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

cc: Kevin Fischer, AICP, Planning Director, PBC Planning Division
Jeff Gagnon, AICP, Deputy Planning Director, PBC Planning Division
Bryan Davis, CNU-A, Principal Planner, PBC Planning Division

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T:\Planning\Archaeology\County Departments\Planning\Land Use Amendments and Development Review\Schmidt Nichols\PCN0042452200005030\Boynton Beach Place Letter11-3-2022.doc