



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT SMALL SCALE AMENDMENT

PLANNING COMMISSION PUBLIC HEARING, JULY 11, 2025

A. Application Summary

I. General

Project Name:	Boca Raton Commerce Center III (SCA 2024-008)
Request:	CL-O/IND to CL-O/HR-12
Acres:	4.79 acres
Location:	0.25 miles south of Glades Road, west of Boca Rio Road
Project Manager:	Travis Goodson, Principal Planner
Applicant:	8230 210 ST S, LLC (Charles M Auchinleck, Jr. & Haviv Cohen)
Owner:	8230 210 ST S, LLC (Charles M Auchinleck, Jr. & Haviv Cohen)
Agent:	Cameron Ennis, Schmidt Nichols
Staff Recommendation:	Staff recommends <i>approval with conditions</i> based upon the findings and conclusions contained within this report.

II. Assessment & Conclusion

The proposed small scale amendment is requesting to change the future land use designation for an existing Multiple Use Planned Development (MUPD) from Commercial Low-Office with an underlying Industrial (CL-O/IND) to Commercial Low-Office with an underlying 12 units per acre (CL-O/HR-12). The northern portion of the 4.79 acre site has a 14,986 square foot office building, which will remain. The intent of the amendment is to obtain a residential density through the future land use amendment in order to develop a multifamily building on the southern portion of the site. The concurrent zoning application includes the purchase of 10 Transfer of Development Rights (TDR) and a WHP density bonus (39%) for a total of 89 units with an overall density of 18.6 units per acre.

As discussed in the report, the amendment is compatible with the surrounding land uses, contributes to the local housing supply, maximizes the efficient use of land and existing public facilities, and is consistent with Comprehensive Plan policies regarding requests for density increases. Consistent with past amendments, staff is recommending conditions of approval limiting residential development to 89 units, requiring that 25% of the units (22 units) be provided as on-site workforce housing, and purchase of all available Transfer of Development Rights (TDR) units (10 TDR units). Lastly, staff is recommending a condition to cap the maximum net daily trips and peak hour trips in order to be compliant with FLUE Policy 3.5-d.

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

III. Hearing History

Local Planning Agency:

Board of County Commissioners Adoption Public Hearing:

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B. Petition Summary

I. Site Data

Current Future Land Use

Current FLU:	Commercial Low-Office with underlying Industrial (CL-O/IND)
Existing Land Use:	Professional Office and Vacant
Current Zoning:	Multiple Use Planned Development (MUPD)
Current Dev. Potential Max:	Offices uses, up to 104,326 sf (0.50 FAR) and Industrial uses, up to 177,355 sf (0.85 FAR)

Proposed Future Land Use Change

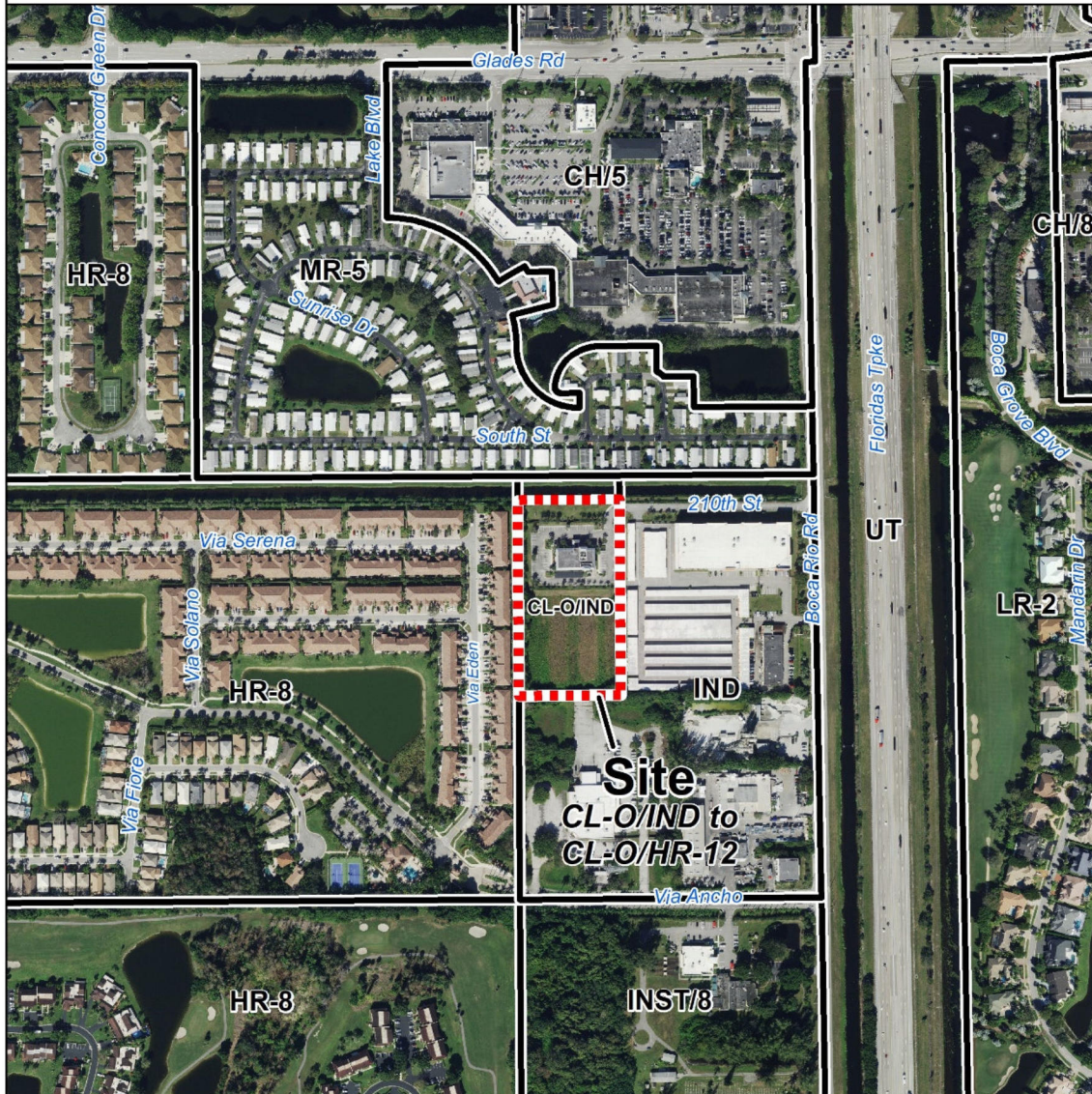
Proposed FLU:	Commercial Low-Office with underlying 12 units per acre (CL-O/HR-12)
Proposed Use:	Professional Office and Multifamily Residential
Proposed Zoning:	Multiple Use Planned Development (MUPD)
Dev. Potential Max/Conditioned:	Office uses, up to 104,326 sf (0.50 FAR) and Residential, up to 89 units with TDRs and WHP Bonus (by condition)

General Area Information for Site

Tier/Tier Change:	Urban/Suburban Tier - No change
Utility Service:	Palm Beach County Water Utilities
Overlay/Study:	None
Comm. District:	Commissioner Maria Sachs, District 5

Future Land Use Atlas Amendment

Boca Raton Commerce Center III (SCA 2024-008)



Site Data

Size: 4.79 acres
 Existing Use: Office and Vacant
 Proposed Use: Residential
 Current FLU: CL-O/IND
 Proposed FLU: CL-O/HR-12

Future Land Use Designations

LR-2	Low Residential, 2 units/acre	CH/8	Commercial High, underlying HR-8
MR-5	Medium Residential, 5 units/acre	IND	Industrial
HR-8	High Residential, 8 units/acre	INST/8	Institutional, underlying HR-8
CL-O/IND	Commercial Low Office, underlying IND	UT	Utilities and Transportation
CH/5	Commercial High, underlying MR-5		

Date: 3/13/2024
 Contact: PBC Planning
 Filename: T.Planning/Amend/24-SCA
 Note: Map is not official, for presentation purposes only.



Site

150 0 150 300 Feet



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



C. Introduction & Review

I. Intent of the Amendment

This is a privately proposed small scale amendment on a 4.79 acre site in the Urban/Suburban Tier. The subject site is generally located on the west side of Boca Rio Road at the western terminus of 210th Street South, approximately one quarter mile south of Glades Road. The northern portion of the site supports an existing professional office building and the remaining southern portion of the site is currently undeveloped.

Background. Currently, the development potential of the site under the CL-O/IND FLU designation is a maximum of 72,765 square feet of office uses and up to 176,715 square feet of industrial uses. The site was the subject of three prior land use amendments:

- **Boca Raton Commerce Center (SCA 2010-016).** In 2010, a future land use amendment was adopted via Ordinance 2010-054 with no conditions, which amended the future land use designation from Industrial (IND) to the current Commercial Low-Office with an underlying Industrial (CL-O/IND) in order to develop a two story professional office building to support the headquarters of a non-profit institution. The site was concurrently rezoned to the Multiple Use Planned Development (MUPD) Zoning District.
- **Boca Raton Commerce Center (SCA 2020-10).** In 2020, a FLUA amendment was submitted to amend the underlying IND FLU designation to Congregate Living Residential (CLR) in order to allow for the development of up to 160 congregate living beds on the unbuilt portion of the site. The amendment was withdrawn by the applicant prior to public hearings.
- **Boca Raton Commerce Center (SCA 2022-014).** Finally, in 2022, another FLUA amendment was submitted to amend the underlying IND FLU designation to High Residential, 12 units per acre (HR-12) in order to develop up to 113 multifamily residential units. The amendment was withdrawn by the applicant prior to public hearings.

Proposed Amendment. The intent of the amendment is to introduce a residential density on the site through the future land use amendment process, with additional density to be obtained through the use of Transfer of Development Rights (TDR) and Workforce Housing Program (WHP) density bonuses. The request is to change the underlying future land use designation on the entire 4.79 acre site from Industrial (IND) to High Residential, 12 units per acre (HR-12). The requested CL-O/HR-12 designation allows a base density of 57 units. The proposed amendment includes a total of 89 multifamily units, inclusive of 10 TDRs and 22 WHP (39%) bonus density units (18.6 units per acre). The existing 14,986 square feet professional office on the northern third of the site will remain.

Zoning Application. The concurrent associated Zoning application (DOA/CA-2024-0499, Control No. 1997-00032) proposes to retain the Multiple Use Planned Development (MUPD) Zoning District and the existing 14,986 square foot professional office building, and add one, 4 and 5 story multifamily building on the vacant southern portion utilizing the proposed HR-12 density calculated over the entire site. The application also include a Class A Conditional Use to allow a combined density increase greater than two units per acre through the WHP Density Bonus and TDR programs, as well as an Administrative Type 1 Waiver to reduce the minimum parking requirements by 8.4 percent.

II. Data and Analysis Summary

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

Overview of the Area. The site is located in the Urban/Suburban Tier in a largely built out area west of the Florida's Turnpike, east of State Road 7, and south of Glades Road. Uses in the area are primarily comprised of low and medium density residential, commercial, and industrial. The site is adjacent to parcels with an Industrial (IND) land use to the south and east, High Residential, 8 units per acre (HR-8) to the west, and Medium Residential, 5 units per acre (MR-5) to the north.

Compatibility: The Comprehensive Plan requires that the proposed future land use be determined to be compatible with the surrounding area, and that residential uses be protected from encroachment of incompatible future land use designations. The subject site is surrounded by medium and high residential land uses to the north and west, and by industrial land uses to the south and east. The Mizner Pointe of Boca Via Ancho Planned Unit Development (PUD) to the west is built at an overall density of 5.34 units per acre and is comprised of single family, zero lot line homes and two story townhomes. To the north, beyond the existing professional office building and the LWDD canal, is the West Lakes of Boca Raton mobile home park with a medium residential land use designation. There is an existing three story self-service storage facility to the east fronting Boca Rio Road, a post office facility to the south, and a concrete plant to the southeast. Although the requested density is greater than the adjacent residential developments, the proposal provides a transitional use between the nearby industrial uses. Furthermore, there is no connectivity between these residential developments and the subject site, and the proposed site design as indicated in the concurrent zoning application minimizes potential adverse impacts.

Appropriateness of the FLU. In the assessment of a proposed amendment, staff calculates the lowest FLU designation necessary to achieve the target density, in conjunction with available density bonuses. The lowest FLU designation required to achieve the applicant's target of 89 units, in combination with available density bonuses, is the requested CL-O/HR-12 designation.

Utilization of the County's Density Bonus Programs. The Comprehensive Plan Future Land Use Element Policy 2.4-b establishes Transfer of Development Rights (TDRs) as the mandatory method of increasing density, unless the Workforce Housing Program (WHP) or Affordable Housing Program (AHP) density bonus are used, or a plan amendment can be justified. The applicant proposes to purchase all 10 available TDRs, thus complying with Policy 2.4-b. The applicant's proposed HR-12 is the lowest FLU designation that can, in combination with TDRs and WHP density bonus, provide for the 89 units sought by the applicant. A lower density designation (HR-8) would not be sufficient to meet the applicant's request.

Workforce Housing Obligation. The ULDC would require a total of 16 Workforce Housing units for the 4.79 acre site if the site had a HR-12 future land use designation today. Recognizing that the applicant is receiving a substantial benefit in the form of a density increase (from 0 to 57 units) through the amendment process and consistent with Board direction and past amendments seeking increased densities, staff is recommending a condition of approval requiring a minimum of 25% of the total dwelling units (22 units) be provided on site as workforce housing units.

Assessment and Recommendation. The proposed amendment is requesting to change the future land use designation for an existing Multiple Use Planned Development (MUPD) from Commercial Low-Office with an underlying Industrial (CL-O/IND) to Commercial Low-Office with an underlying 12 units per acre (CL-O/HR-12). The northern portion of the 4.79 acre site has a 14,986 square foot office building, which will remain. The intent of the amendment is to obtain a residential density through the future land use amendment in order to develop a multifamily building on the southern portion of the site. The concurrent zoning application includes the purchase of 10 Transfer of Development Rights (TDR) and a WHP density bonus (39%) for a total of 89 units with an overall density of 18.6 units per acre.

As discussed in the report, the amendment is compatible with the surrounding land uses, contributes to the local housing supply, maximizes the efficient use of land and existing public facilities, and is consistent with Comprehensive Plan policies regarding requests for density increases. Consistent with past amendments, staff is recommending conditions of approval limiting residential development to 89 units, requiring that 25% of the units (22 units) be provided as on-site workforce housing, and purchase of all available Transfer of Development Rights (TDR) units (10 TDR units). Lastly, staff is recommending a condition to cap the maximum net daily trips and peak hour trips in order to be compliant with FLUE Policy 3.5-d.

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

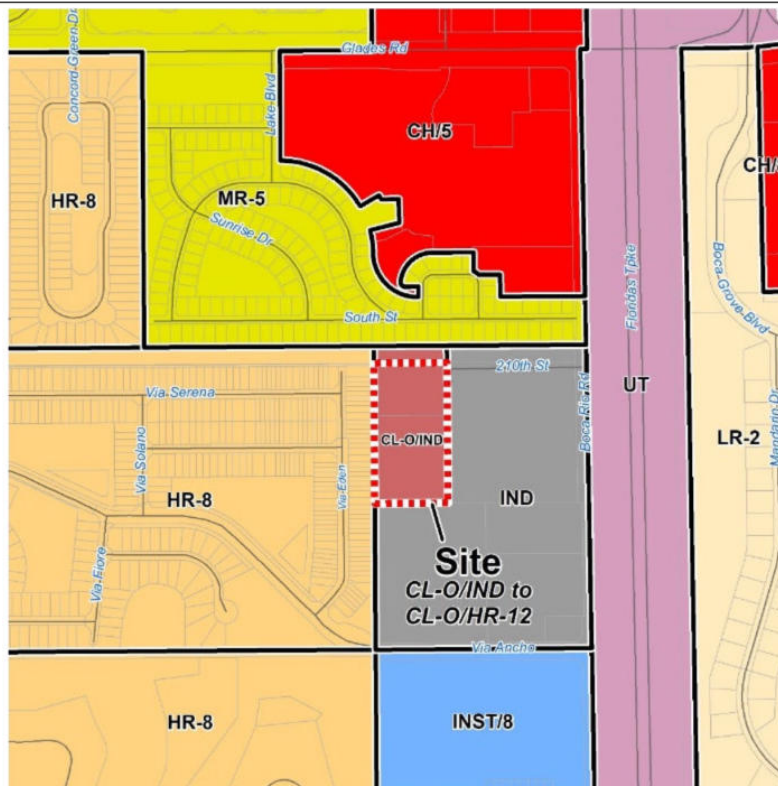
Exhibits	Page
1. Future Land Use Map & Legal Description	E-1
2. Consistency with Comprehensive Plan	E-3
3. Applicant's Justification/Consistency with Comprehensive Plan and Florida Statutes	E-11
4. Applicant's Public Facility Impacts Table	E-18
5. Palm Beach County Traffic Division Letter	E-21
6. Water & Wastewater Provider LOS Letter	E-23
7. School District Letter	E-24
8. Applicant's Disclosure of Ownership Interests	E-25
9. Correspondence	E-33

Exhibit 1

Amendment No:	Boca Raton Commerce Center III (SCA 2024-008)
FLUA Page No:	114
Amendment:	From Commercial Low-Office with underlying Industrial (CL-O/IND) to Commercial Low-Office with underlying 12 units per acre (CL-O/HR-12)
Location:	0.25 miles south of Glades Road, west of Boca Rio Road
Size:	4.79 acres approximately
Property No:	00-42-47-20-20-001-0000; 00-42-47-20-20-000-0011; and 00-42-47-20-20-000-0012

Conditions:

1. Residential dwelling units shall be limited to a maximum of 89 units with no further density increases through density bonus programs.
2. The zoning development order shall require a minimum of 25% of the total dwelling units to be built as on-site workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of ULDC.
3. A total of 10 Transfer of Development Rights (TDR) units shall be purchased and constructed. Thirty-four percent (34%) of the TDR units shall be purchased at the WHP rate and shall apply to the minimum number of workforce housing units required by this ordinance; some or all of the remaining TDRs may be purchased at the WHP rate subject to ULDC requirements, but do not apply toward the 25% minimum number of workforce housing units required by this ordinance.
4. Development of the site shall be limited to a maximum of 3,937 net daily trips and 59 net peak hour trips.



Legal Description

ALL OF TRACT 1 AND TRACT A OF BOCA RATON COMMERCE CENTER, M.U.P.D.,
ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 115, PAGE
17, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 208,652 SQUARE FEET / 4.7900 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND
RIGHTS- OF-WAY OF RECORD.

Exhibit 2

Consistency with Comprehensive Plan

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

A. Consistency with the Comprehensive Plan - General

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

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

The applicant has prepared a Justification Statement (Exhibit 3) which is summarized as follows:

- *"The subject property was originally planned to be developed as a light industrial warehouse use ... the adjacent property owner to the east has constructed a limited access self-storage facility in addition to the existing multi-access self-storage facility that already existed which, as a result, filled the market demand for this use."*
- *"The subject property is located in a transitional zone between a legacy industrial pocket surrounded by mostly medium and high density residential FLU designations. The proposed future land use designation of HR-12 is appropriate for the site based on surrounding uses as it creates a transition between the existing industrial uses to the east and south and the high and medium density residential uses to the west and north."*
- *"A recent boom in population has occurred in Palm Beach County that has put significant strain on the housing market, which is struggling with limited supply."*
- *"With regards to the Transfer of Development Rights and Workforce Housing programs, the applicant proposes to utilize both of these programs to increase the proposed density, while also helping to provide much needed dwelling units that are affordable to the County's workforce."*

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

The site currently has a CL-O/IND future land use designation and is developed with a professional office building on the northern third of the property, and the remaining southern two-thirds of the site is undeveloped. Since the site's existing land use designations offer no residential density, the applicant is requesting residential density through the future land use amendment process and proposing to increase the base density through the Transfer of Development Rights (TDR) and Workforce Housing (WHP) density bonus programs.

The applicant's justification statement indicates that the subject site is no longer suited for the originally planned industrial development considering its adjacency to industrial development to the east and south, and established residential uses to the west and north. The applicant further justifies that the proposed multifamily residential development could serve as a transitional use between the self-storage facility with an IND designation along Boca Rio Road to the east and existing residential development to the west. In addition, the applicant cites that the proposed project will help to address the demand for additional housing units in the County.

Upon review of the applicant's justification and merits of the request, staff concurs that the requested residential land use and proposed density are appropriate at this location, and as further discussed in the Compatibility Section, are compatible with adjacent land uses. Furthermore, the applicant is maximizing the use of the TDR program and utilizing additional bonus units through the WHP program, which will create additional workforce housing opportunities. The applicant is proposing the lowest land use designation that allows for the target number of units in combination with the density bonuses. The parcel's location will also maximize the use of existing public facilities and services available in the area. Therefore, the applicant has met the requirements for an adequate justification.

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

Staff Analysis: Several County Directions are relevant to the proposed amendment:

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

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

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

Direction 7. Housing Opportunity. *Ensure that housing opportunities are compatible with the County's economic opportunities by providing an adequate distribution of very-low and low-income housing, Countywide, through the Workforce Housing Program.*

Staff Analysis: This amendment and proposed development represents a form of infill development, contributing toward the efficient use of land and existing public facilities and services. With regard to housing opportunity, the applicant intends to construct 89 rental units, 22 of which will be WHP units, which will increase housing opportunities for residents in the south county area. The additional units may also lend economic and workforce support for the office, commercial and industrial uses along the Glades Road corridor. Land use compatibility is discussed in Section C of this report.

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

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

4. **Policy 1.2-a:** *Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:*
1. *Allowing services and facilities consistent with the needs of urban and suburban development;*
 2. *Providing for affordable housing and employment opportunities;*
 3. *Providing for open space and recreational opportunities;*
 4. *Protecting historic, and cultural resources;*
 5. *Preserving and enhancing natural resources and environmental systems; and,*
 6. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.*

Staff Analysis: The proposed amendment to CL-O/HR-12 would foster a development that would be compatible with the scale, mass, and intensity consistent with the characteristics of the corridor, and provide additional housing opportunities in the area.

B. Consistency with Density Provisions of the Comprehensive Plan

The Comprehensive Plan offers several methods to increase density, including the TDR program and the WHP density bonus program. Per Policy 2.4-b, TDRs are the required method unless using the WHP density bonus to increase density, or an amendment has been justified. To further certain County objectives, density increases obtained through the TDR program and the WHP density bonus are subject to higher percentages of WHP than future land use density. This section addresses consistency with the Comprehensive Plan density policies.

1. Density Increases - Policy 2.4-b: *The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:*

1. *an applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or*
2. *an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or*
3. *an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:*
 - a. *West Lake Worth Road Neighborhood Plan.*

Staff Analysis: This policy requires that density increases be accomplished through the use of TDRs, unless an applicant meets the criteria for an amendment, is using the workforce or affordable housing programs, or proposes density up to, but not exceeding, density proposed and supported by the West Lake Worth Road Neighborhood Plan.

The current land use of CL-O/IND has no available density potential. The applicant is seeking the future land use amendment in order to introduce residential density on the site to change from a base future land use density of CL-O/IND (0 units) to CL-O/HR-12 (57 units), purchase all 10 available TDRs and to also apply a WHP density bonus (39%) to achieve the requested 89 units. By purchasing all available TDRs and requesting the lowest FLU designation that will achieve the target density in combination with the TDRs and WHP density bonuses, this project is consistent with Policy 2.4-b.

2. Housing Element, Policy 1.1-o: *The County shall preserve affordability of affordable housing units developed through the Workforce Housing Program and the Affordable Housing Program as follows:*

1. *The Workforce Housing Program will target households with incomes ranging from 60%-140% of area median income.*
2. *The Affordable Housing Program will target households at or below 60% of area median income.*

The Workforce Housing Program and Affordable Housing Program units shall be made available at a rate affordable to the specified income groups, and only to income-eligible households for a period of time to be set forth in the Unified Land Development Code (ULDC). All Workforce Housing Program and Affordable Housing Program criteria shall be subject to the review and approval of the Board of County Commissioners.

Staff Analysis: The County has a mandatory workforce housing requirement for all housing developments in the Urban/Suburban Tier with 10 units and greater (whether they are increasing density or not) and offers a density bonus in exchange for additional workforce housing units. The density bonus is based on how the WHP units to be provided further County objectives, with the highest density bonuses (up to 100%) available for projects that will provide the workforce units as on-site, for sale, single family units in areas

with low concentrations of workforce housing. The WHP is also supported by the TDR program, in that a minimum of 34% of TDRs used must also be provided as workforce housing units.

Table 1 provides a comparison of the density available on the subject site using a combination of the TDR and WHP bonus programs to increase density, at various future land use designations.

Table 1. Current and Potential Density with TDR and WHP Bonus

	FLU	FLU Units	TDR Bonus	WHP Bonus	Total Units	Density - du/ac	Workforce	
						Gross	Units	%
Current FLU	CL-O/IND	0	0	0	0	0	0	0
Potential FLU	CL-O/HR-8	38	10	30 (80%)	78	16.3	20	25%
Proposed by Applicant	CL-O/HR-12	57	10	22 (39%)	89	18.6	22	25%
Staff Recommendation and BCC Directive	CL-O/HR-12	57	10	22 (39%)	89	18.6	22	25%

As demonstrated in the table above, the lowest future land use designation to achieve the requested 89 dwelling units is the CL-O/HR-12 future land use designation. Using the CL-O/HR-12 designation, all available TDRs and 39% WHP density bonus is sufficient to reach the applicant's 89-unit target.

In recent years, staff sought direction from the Board of County Commissioners on the suitable minimum percentages of workforce housing to be required when density increases are being requested through the future land use amendment process. The Board directed staff to recommend a minimum of 10% for single family projects, 20% for townhomes, and 25% for multifamily developments. Therefore, staff is recommending a condition requiring a minimum of 25% of the total dwelling units to be provided as onsite workforce housing units. The applicant's concurrent zoning application currently indicates this intent.

C. Compatibility

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

Surrounding Land Uses: Immediately abutting the site are the following:

North: To the north, beyond the existing 14,000 square foot office building on the site, is the West Lakes of Boca Raton Mobile Home with a Medium Residential, 5 units per acre future land use. To the north beyond this subdivision is the Lakeside Center, a commercial shopping center with a Commercial High future land use.

South: To the south, contiguous to the subject site, is the US Postal Service Office and Distribution Center with a land use designation of Industrial (IND).

East: To the east, contiguous to the subject site, is a single and multistory self-service storage facility fronting Boca Rio Road with a land use designation of Industrial (IND).

West: To the west is the Mizner Pointe of Boca Via Ancho PUD with a future land use designation of High Residential, 8 units per acre (HR-8). The PUD is comprised of 372 dwelling units spread across single-family, zero lot line and two story townhomes, the latter being located adjacent to the subject site. The PUD was previously the subject of a land use amendment, which amended the land use designation from Low Residential, 3 units per acre (LR-3) to High Residential, 8 units per acre (HR-8) and adopted via Ordinance 1995-55.

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

Applicant’s Comments: The Applicant states that “The subject property is located between high and medium density residential uses to the west and north and industrial uses to the east and south. The site inherently serves as a transition between the residential uses and the industrial uses due to its unique location. The proposed HR-12 FLU designation is compatible with surrounding and adjacent uses as it creates a buffer between the residential to the west and the more intense industrial uses to the east.”

Staff Analysis: The subject site is situated between light industrial uses to the south and east and by medium and high residential uses to the north and west. The overall MUPD is comprised of an existing single-story professional office building on the northern third of the site, and the proposed multifamily building will be built on the remaining two-thirds. Although the requested density is greater than the adjacent residential developments, there is no connectivity between these developments and the subject site. The proposed building, as shown in the concurrent zoning application, is set back approximately 100 feet from the western property line and transitions vertically from four to five stories, with the five story portion of the building being furthest away from Mizner Point of Boca Via Ancho PUD. Additionally, there is an existing 15 foot landscape buffer within the Mizner Pointe residential development and the proposed building is oriented as such that there are no balconies on the westernmost ends of the structure.

D. Consistency with County Overlays, Plans, and Studies

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

Staff Analysis: The property is not located within an overlay.

- 2. Neighborhood Plans and Studies – FLUE Policy 4.1-c** states *“The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County*

Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval.....”

Staff Analysis: The property is not located within a Neighborhood Plan or Study Area listed within the Comprehensive Plan.

E. Public Facilities and Services Impacts

The proposed amendment will change the Future Land Use designation from Commercial Low-Office with underlying Industrial (CL-O/IND) to Commercial Low-Office with underlying 12 units per acre (CL-O/HR-12). The amendment proposes to introduce residential density while maintaining the current office use. Public facilities impacts are detailed in the table in Exhibit 4.

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

Staff Analysis: The proposed amendment was distributed to the County service departments for review on March 14, 2024. There are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

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

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

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

Staff Analysis: The Traffic Division reviewed this amendment based on the existing maximum potential of 177,355 square feet of light industrial and 104,326 square feet of medical office uses under the existing CL-O/IND FLU designation, and the proposed maximum potential of 104,326 square feet of medical office and 110 dwelling units under the requested CL-O/HR-12 designation. According to the County’s Traffic Engineering Department (see letter dated July 1, 2024 in Exhibit 5) the amendment would result in no change in net daily trips, and an increase of 37 AM and 39 PM net peak hour trips.

The Traffic letter concludes *“Based on the review, the Traffic Division has determined the proposed amendment meets Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan at the **proposed potential density** shown above. Therefore,*

based on Transfer of Development Rights (TDR) and density bonus programs, this amendment requires a condition of approval to cap the project at the equivalent trips for the proposed potential.”

The Traffic Study, dated July 1, 2024, was prepared by Rebecca J. Mulcahy, P.E. of Pinder Troutman Consulting, Inc. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at: <http://www.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

II. Public and Municipal Review

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

- A. Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on March 14, 2024. In addition, on the same date, the City of Boca Raton was notified by mail. To date, no objections through the IPARC process to this amendment have been received.
- B. Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on June 20, 2025. In addition, on the same date, the Homeowners Association of Mizner Pointe of Boca Via Ancho and the West Lakes of Boca Raton mobile home park were notified by mail. Any letters received throughout the amendment process will be included in Exhibit 9.

Exhibit 3

Applicant's Justification

Request

The 4.79-acre subject property (PCN 00-42-47-20-20-001-0000; 00-42-47-20-20-000-0011; 00-42-47-20-20-000-0012) is located 0.25 miles south of Glades Road, west of Boca Rio Road at the western terminus of 210th Street South. Currently the subject property supports a Future Land Use Atlas (FLUA) designation of Commercial Low Office with an underlying Industrial (CL-O/IND) and is currently has a Multiple Use Planned Development (MUPD) Zoning designation as approved via Resolution No. R-2010-1764 on October 28, 2010. Final site plan approval for a 14,986 square foot, two-story office building was approved on November 19, 2011. The two-story office building was constructed and is proposed to remain on the site.

8230 210 ST S, LLC, herein referred to as the "Applicant," requests a FLUA amendment from Commercial Low Office with Underlying Industrial (CL-O/IND) to Commercial Low Office with underlying High Density Residential, 12 units per acre (CL-O/HR-12) for the purposes of constructing a multifamily residential development. A companion application to the PBC Zoning Division for a Development Order Amendment will be submitted alongside the subject FLUA Amendment application. Below is a summary of surrounding properties:

Adjacent Lands	Uses	FLU	Zoning
Subject Property	Office; Vacant	CL-O/IND (Existing) CL-O/HR-12 (Proposed)	MUPD (Existing/Proposed)
North	Single Family	MR-5	AR
South	Post Office	IND	IG
East	Self Service Storage, Multi-Access; Self Service Storage, Limited Access	IND	IL
West	Residential Townhomes	HR-8	Residential PUD

Justification, Consistency & Compatibility

G.1 - Justification: The applicant is requesting to amend the FLUA designation of the subject property from CL-O/IND to CL-O/HR-12. 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.

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

Response: The proposed multifamily residential use is suitable and appropriate for the subject site. The subject property was originally planned to be developed as a light industrial warehouse use with access through the office property to the

north. However, a lack of market interest and the less than ideal access situation resulted in this plan being abandoned. In contrast, the proposed multifamily residential use is generally considered to be a low traffic generator, particularly with regards to truck traffic. Furthermore, demand for housing has increased exponentially in recent years, while supply has not been able to keep up. As a result of the recent population and employment boom in Palm Beach County, thousands of new residential units are needed to keep up with demand. The subject site is an ideal location for multifamily residential, as it is situated between low-impact industrial uses to the east, and high density residential uses to the west. Therefore, the proposed multifamily use would act as a transition zone between the two neighboring uses. Moreover, the office use to the north creates little impact to the proposed residential use, as offices are typically considered to be compatible with multifamily uses.

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 associated impacts on the subject site;*

Response: The Future Land Use designations on adjacent properties and on properties in the immediate area generally follow a residential development pattern. The subject property is located in a transitional zone between a legacy industrial pocket surrounded by mostly medium and high density residential FLU designations. The proposed future land use designation of HR-12 is appropriate for the site based on surrounding uses as it creates a transition between the existing industrial uses to the east and south and the high and medium density residential uses to the west and north. Multifamily uses typically have minimal impacts to public facilities when compared to industrial-type uses. Furthermore the site's existing underlying Industrial FLU designation, although compatible with the existing industrial uses to the east, is not ideal to be directly abutting residential to the west of the site.

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

Response: The area surrounding the subject property has changed significantly over the past 50 years. The subject site is situated within a small pocket of legacy industrial uses which have existed as such for approximately 40 years. Surrounding this small pocket of industrial development are a variety of residential subdivisions which were constructed in the decades following said legacy uses. Furthermore, the Applicant's original plan for the subject property was to construct a self-service storage facility. Since then, the adjacent property owner to the east has constructed a limited access self-storage facility in addition to the existing multi-access self-storage facility that already existed which, as a result, filled the market demand for this use. Demand for housing in Palm Beach County is rising, while supply lags behind, resulting in greater market pressure for housing in this area. Considering the high and medium density uses surrounding the site that have been developed over the last several decades, the site is an ideal location for a multifamily use.

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

Response: The subject site is situated in a small pocket of industrial land uses surrounded on nearly all sides by residential land uses of a suburban character. The site directly abuts a residential townhome development to the west with an HR-8 FLU designation. The subject site serves as a transitional zone between the industrial uses to the east and the adjacent residential uses to the west. Furthermore, the site's existing Industrial FLU designation is no longer the highest and best use for the site due to changes in the market. The Applicant had previous plans to develop the site as a self-service storage facility which would similarly have minimal external impact on the surrounding area. However, the property adjacent to the east recently constructed a limited access self-storage facility in addition to the existing multi-access facility which significantly impacted the supply of this use in the market. A recent boom in population has occurred in Palm Beach County that has put significant strain on the housing market, which is struggling with limited supply. Due to the COVID-19 pandemic, a large number of employers either moved their operations to Palm Beach County, or moved to a remote-work environment, both of which resulted in a large migration of new residents into the County from elsewhere. These new residents now compete with existing residents for a limited supply of housing, resulting in price increases and other market impacts. Therefore, recent changed circumstances have significantly increased the feasibility of constructing new housing units, particularly in the multifamily housing sector. Therefore the proposed HR-12 FLU designation is the highest and best use for the site.

- *Inappropriateness of the adopted FLU designation;*

Response: The adopted FLU designation on the site is CL-O with an underlying IND. Generally, these two land uses produce relatively significant traffic demand, especially during peak hours. The subject site does not front a right-of-way which results in traffic being funneled through the existing office site to the north. Furthermore, the site is directly adjacent to a residential townhome development to the west which is not an ideal location for industrial development. Therefore, the proposed HR-12 FLU designation would be reasonable as it would create a transition between the residential uses to the west and the industrial uses to the east. Additionally, the proposed HR-12 FLU designation would allow for a multifamily residential development, which combined with the existing professional office, should result in minimal compatible traffic patterns with less overall impact to the vehicular circulation system and public facilities.

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

Response: The site's existing underlying IND FLU designation was assigned to the property when it was part of a larger industrial parcel. Since this time, the Applicant was approved to apply a Commercial Low Office FLU designation to the site and to change to zoning from Light Industrial (IL) to Multiple Use Planned Development (MUPD). Furthermore, prior to the applicant requesting the subject property be amended to allow a professional office, residential uses adjacent to the west were approved and constructed. This further reduces the compatibility of the subject property's existing underlying Industrial land use and surrounding uses.

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: Within the last several years, Palm Beach County has seen a population boom. The county is a prime destination for people migrating out of the northern states in search of better weather, better taxes, and better public facilities. As a result of the COVID-19 pandemic, this migration pattern has been amplified, as a number a large employers have moved their operations into Palm Beach County, while others have gone to a remote-work environment which allows employees to live in a location of their choosing. These factors have resulted in a significant and novel increase in housing demand and have spurred a secondary significant and novel increase in housing prices. Housing supply remains low as a result of the development lull that occurred in the last decade following the Great Recession. Therefore, there is significant and unprecedented market demand for housing in Palm Beach County. While much of the market consists of fee-simple single family residences, the market for rental apartments has seen a very significant increase in demand and a subsequent increase in prices. As home prices have risen, a growing number of buyers have been pushed to the rental market as they need a place to live while working their way towards an ever increasing financial goal of homeownership. Moreover, a large percentage of Americans do not have enough savings to cover a major unexpected expense, indicating that renting is still a highly desired form of housing, as it requires less up-front costs to tenants. Therefore, there is a significant need for multifamily housing, as supply is lagging behind demand in Palm Beach County.

2) Demonstrate that the current FLUA designation is inappropriate.

Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site.

Response: The existing underlying Industrial designation is no longer appropriate for this site. Industrial development typically results in high amounts of peak hour traffic demand, particularly for larger vehicles like tractor-trailers, box trucks, and delivery vans. The subject site has only one point of access, which is through the adjacent parcel to the north which holds an existing professional office use. This is not an ideal access and circulation situation for an industrial use and could result in negative external impacts to the neighboring parcel within the same MUPD. Therefore, the underlying IND designation is not appropriate for this site. With regards to the Transfer of Development Rights and Workforce Housing programs, the applicant proposes to utilize both of these programs to increase the proposed density, while also helping to provide much needed dwelling units that are affordable to the County's workforce.

G.3 – Compatibility with Surrounding and Adjacent Uses: The subject property is located between high and medium density residential uses to the west and north and industrial uses to the east and south. The site inherently serves as a transition between the residential uses and the industrial uses due to its unique location. The proposed HR-12 FLU designation is compatible with surrounding and adjacent uses as it creates a buffer between the residential to the west and the more intense industrial uses to the east. High density residential uses can serve as a transition between lower density residential uses and non-residential uses, as their property values are typically less sensitive to external impacts from adjacent uses and they are typically marketed as rental units. Therefore, the proposed HR-12 FLU is compatible with surrounding and adjacent uses.

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:

- **Objective 2.1 - Balanced Growth:** *Palm Beach County shall designate on the Future Land Use Atlas sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth. This shall be done to plan for population growth and its need for services, employment opportunities, and recreation and open space, while providing for the continuation of agriculture and the protection of the environment and natural resources through the long-range planning horizon.*

Response: Demand for housing has increased significantly in the last decade, mostly due to a new population boom from residents moving to Palm Beach County from other parts of the United States, Latin America, the Caribbean, and other parts of the state. Housing supply in Palm Beach County, however, has not kept up and resulted in rising housing costs and increased competitiveness amongst homebuyers and renters. Therefore, it is necessary to properly designate vacant developable lands in the County for residential development to meet the demand. The proposed FLU amendment from CL-O/IND to CL-O/HR-12 would do just that. Furthermore, the ideal housing density and type for this parcel of land is high density multifamily residential due to a number of factors. Its compact size makes it infeasible for low or medium density development, as the cost of construction infrastructure improvements would be infeasible for the current market. Furthermore, the site is located in a transitional zone between non-residential uses to the east and south and medium to high density residential uses to the north and west. This type of transitional zone is best suited to a high density multifamily rental community as it is less sensitive to external impacts and creates a buffer to the adjacent residential uses.

- **Future Land Use Element (FLUE) Policy 2.1-f:** *The following will detail how the impact of the proposed FLUA on the items listed:*
 - *The natural environment, including topography, soils and other natural resources;*
 - **Applicant's Description:** Please see Attachment L of the application for the Natural Feature Inventory & Map.
 - *The availability of facilities and services;*
 - **Applicant's Description:** As part of the previous development the availability of facilities and services had to be confirmed. Below is more detailed information on each of those facilities and services:
 - **Traffic:** Please see Attachment H of the application for the FLUA Amendment Traffic Analysis.
 - **Mass Transit:** The nearest Palm Tran bus routes are Route 91 and Route 92 and the closest Tri-Rail connection is the Deerfield Beach Tri-Rail Station.
 - **Potable Water and Wastewater:** Please see level of service letter from the Palm Beach County Water Utilities Department in Attachment I of the application that confirms that the proposed FLUA can be accommodated by existing facilities and

services.

- **Drainage:** Legal positive outfall is available to the site via discharge to the Boca Rio Road drainage system along the north side of the property. The proposed project will meet all applicable rules and regulations for that outfall. Please refer to the Drainage Statement prepared by Simmons & White being included as Attachment J of the application for more details.
- **Fire Rescue:** The nearest PBC Fire Rescue station is West Palm Beach Fire Rescue Station #57 located at 9030 Vista Del Lago that is approximately 2.1 miles from the subject property.

○ *The adjacent and surrounding development;*

▪ **Applicant's Description:**

To the north (across an 80 foot wide Lake Worth Drainage District canal) are seven single family homes; directly abutting the site to the south is a United States Post Office facility; directly abutting the site to the west are twenty five residential townhomes part of the Mizner Pointe of Boca Via Ancho subdivision; Directly abutting the site to the east is a self service storage facility which includes both multi-access and limited access facilities. Below are the existing FLUA designations for the surrounding properties:

- North: Medium Density Residential, 5 units per acre (MR-5)
- South: Industrial (IND)
- East: Industrial (IND)
- West: High Density Residential, 12 units per acre (HR-12)

Of the properties listed above the subject property only directly abuts the properties to the east, south, and west. Proper assurances will be made to ensure that the proposed development does not have a negative impact on the adjacent uses. Any incompatibilities among the properties will be addressed through landscaping, traffic circulation, and lighting.

○ *The future land use balance;*

- **Applicant's Description:** The area surrounding the site is mainly residential in nature. The subject property is part of a small pocket of bona-fide industrial uses which pre-date the medium to high density residential development that surrounds it. The demand for industrial designated properties has continually declined in the vicinity of the site. As the area surrounding the subject pocket of industrial development has been enveloped by residential uses, the viability and compatibility of these legacy industrial uses has been diminished. Therefore, it is reasonable for the applicant to propose the subject amendment to a Congregate Living Residential underlying FLU designation to create an ideal transition between the residential uses to the north and west and the industrial uses to the east and south. As the area surrounding the site continues to develop a primarily residential character, the appropriateness of industrial land uses is reduced significantly.

- *The prevention of urban sprawl as defined by 163.3164(52) in the Florida Statutes (F.S.);*
 - **Applicant's Description:** The request is not in conflict with Florida Statutes Section 163.3177.(6).(a).9.b in that:
 - As an infill development on a previously cleared site the proposed congregate living development would be directed to a geographic location that would not have an impact on natural resources or ecosystems;
 - The site is easily serviced by existing infrastructure;
 - Does not remove land intended for agricultural uses; and
 - Creates a balance of uses for the residential population in the area in that there are minimal commercial properties in the immediate area of the site.
- *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and*
 - **Applicant's Description:** The subject property is not within the boundaries of a community plan or planning area special study recognized by the Board of County Commissioners.
- ***FLUE Policy 2.2.1-b: Areas designated for residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintained to protect residential areas from adverse impacts of adjacent land uses.***

Response: The proposed HR-12 FLU designation is consistent with this policy. The subject FLU amendment will allow for the development of a high density multifamily residential complex. As a result, the site will serve as a transition from the industrial and commercial uses to the east and south to the residential uses to the west and north. In contrast, the site's current underlying IND designation would allow for uses which are not considered compatible with the residential uses to the west.

In conclusion it is the agent's contention that the requested FLUA Amendment from CL-O/IND to CL-O/12 is justified, consistent with the Plan and State of Florida laws and is compatible with surrounding uses.

Exhibit 4

Applicant's Public Facility Impacts Table

A. Traffic Information	
See Exhibit 5	
B. Mass Transit Information	
Nearest Palm Tran Route (s)	Route 91 (Glades Road), Route 92 (Palmetto Park Road)
Nearest Palm Tran Stop	Stop 8326 (north side of Glades Road, approximately 130' west of the intersection of Glades Road & Boca Rio Road) is approximately 0.4 miles from the subject property.
Nearest Tri Rail Connection	Deerfield Beach Station, 1300 Hillsboro Road, Deerfield Beach, FL 33442 (approx. 6.3 miles)
C. Potable Water & Wastewater Information	
Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department
Nearest Water & Wastewater Facility, type/size	PBCWUD has the capacity to provide the level of service required for the proposed land use designation of Commercial Low-Office (CL-O) w/ an underlying High Residential, 12 dwelling units per acre (HR-12). Potable water and sanitary sewer are currently provided to the northern parcel. Watermain extensions and lift station upgrades may be required.
D. Drainage Information	
<p>The project drainage system will involve a reconfiguring of the current dry detention area and exfiltration trench current on the site as needed to support the new project site plan. The proposed drainage system will also include inlets and culverts. The site is proposing to maintain current legal positive outfall to Lake Worth Drainage Districts L-46 canal via an existing stormwater outfall/control structure at the northwest corner of the property. The propose project is covered under the original South Florida Water Management District Permit No. 50-07377-P with reference application numbers 050726-9 & 101123-3 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 update to the existing layout on site currently 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.</p>	
E. Fire Rescue	
Nearest Station	Station 57, 9030 Vista Del Lago
Distance to Site	Station 57 is 2.50 miles from the subject site

Response Time	Based on the information provided by PBC Fire-Rescue the estimated response time is 7 minutes and 30 seconds.
Effect on Resp. Time	PBC Fire-Rescue has determined that the proposed amendment will have some impact on fire rescue response time.

F. Environmental

Significant habitats or species	The subject property does not support any significant habitats or Listed Species. According to historic aerials, the subject property was drained and cleared of natural vegetation at some point between 1979 and 1969. 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.
Flood Zone*	The subject parcel is located in Flood Zone X
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.

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.

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

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Burt Aaronson South County Regional Park	0.00339	270	0.915
Beach	South Inlet Park	0.00035	270	0.095
District	Logger's Run Park	0.00138	270	0.373

I. Libraries - Residential Only (Including CLF)

Library Name	Glades Road Branch Library			
Address	20701 95 th Avenue S.			
City, State, Zip	Boca Raton, FL 33434			
Distance	2.0 miles			
Component	Level of Service	Population Change	Change in Demand	
Collection	2 holdings per person	270	540	
All staff	0.6 FTE per 1,000 persons	270	0.162	

Library facilities	0.6 square feet per person	270	162
J. Public Schools - Residential Only (Not Including CLF)			
	Elementary	Middle	High
Name	Del Prado Elementary School	Omni Middle School	Olympic Heights High School
Address	7685 S Military Trail,	5775 Jog Rd	20101 Lyons Road
City, State, Zip	Lake Worth, FL 33463	Boca Raton, FL 33496	Boca Raton, FL 33434
Distance	3.1 Miles	4.6 Miles	2.0 Miles

Exhibit 5

Palm Beach County Traffic Division Letter



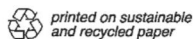
**Department of Engineering
and Public Works**
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

Maria Sachs, Mayor
Maria G. Marino, Vice Mayor
Gregg K. Weiss
Michael A. Barnett
Marcy Woodward
Sara Baxter
Mack Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



July 2, 2024

Rebecca J. Mulcahy, P.E.
Pinder Troutman Consulting, Inc.
601 Heritage Drive, Suite 493
Jupiter, FL 33458

**RE: Boca Commerce Center - Revised
FLUA Amendment Policy 3.5-d Review
Round 2024-24-B2**

Dear Ms. Mulcahy:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Analysis for the proposed Future Land Use Amendment for the above-referenced project, revised July 1, 2024, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

Location:	West end of 210 th St S. approximately 1,450 feet S of Glades Road	
PCN:	00-42-47-20-20-000-0011 & 0012 (<i>others on file</i>)	
Acres:	4.79 acres	
	Current FLU	Proposed FLU
FLU:	Commercial Low Office (CL-O)/Industrial (IND)	Commercial Low Office (CL-O)/High Residential, 12 units per acre (HR-12)
Zoning:	Multiple Use Planned Development (MUPD)	Multiple Use Planned Development (MUPD)
Density/ Intensity:	0.85 FAR (<i>for Industrial</i>) 0.50 FAR (<i>for Commercial/Office</i>)	12 DUs/acre (<i>for Residential</i>) 0.50 FAR (<i>for Commercial/Office</i>)
Existing Development:	General Office (10k-250k SF) = 14,986 SF	General Office (10k-250k SF) = 14,986 SF
Maximum Potential:	Light Industrial = 177,355 SF OR Medical Office = 104,326 SF	Resid. Multi Family = 57 DUs OR Medical Office = 104,326 SF
Proposed Potential:	None	Resid. Multi Family = 110 DUs OR Medical Office = 104,326 SF (<i>Using WFH Density Bonus</i>)
Net Daily Trips:	-519 (maximum – current) -279 (proposed – current)	
Net PH	17 (3/14) AM, 18 (11/7) PM (maximum - existing)	



Rebecca J. Mulcahy, P.E.
July 2, 2024
Page 2

Trips:	37 (7/30) AM, 39 (24/15) PM (proposed - existing)
<i>* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities anticipated in the zoning application.</i>	

Based on the review, the Traffic Division has concluded that the proposed amendment **meets** Policy 3.5-d of the Palm Beach County Comprehensive Plan's Future Land Use Element at the **proposed potential density** shown above. Therefore, based on Transfer of Development Rights (TDR) and density bonus programs, this amendment requires a condition of approval to cap the project at the equivalent trips for the proposed potential.

Please do not hesitate to reach out with any questions or concerns at 561-684-4030 or DSimeus@pbcgov.org.

Sincerely,

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

Dominique Simeus, P.E.
Professional Engineer
Traffic Division

DS:jb

ec:

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

File: General - TPS – Unincorporated - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\24-B2\Boca Commerce Center - Revised.docx

Exhibit 6

Water & Wastewater Provider LOS Letter



**Water Utilities Department
Engineering**

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



**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor

Maria G. Marino
Michael A. Barnett
Marci Woodward

Sara Baxter
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*



February 12, 2024

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

Project: Boca Raton Commerce Center
PCN 00-42-47-20-20-001-0000, 00-42-47-20-20-000-0011, 00-42-47-20-20-001-0012

Dear Mr. Ennis,

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 serve this property based on the current FLU designation of Commercial Low Office with underlying Industrial (CL-O/IND) and the proposed amendment only changing the underlying designation to High Density, 12 units per acre for an overall designation of CL-O/HR-12.

Potable water and sanitary sewer are currently provided to the northern parcel. Water main extensions, lift station upgrades, new lift station and force main extensions may be required.

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

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

Sincerely,

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

Jackie Michels, P.E,
Project Manager

Exhibit 7

School Capacity Availability Determination (SCAD) Letter



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

KRISTIN K. GARRISON, AICP
DIRECTOR

MICHAEL J. BURKE
SUPERINTENDENT

PLANNING & INTERGOVERNMENTAL RELATIONS
3661 INTERSTATE PARK ROAD NORTH, 200
RIVIERA BEACH, FL 33404

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

PHONE: 561-434-8020 / FAX: 561- 434-8942
WWW.PALMBEACHSCHOOLS.ORG

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	02/23/2024		
	SCAD No.	24020701F / FLU and 24020701D/ D. O.		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	Property Control Number	00-42-47-20-20-001-0000; 00-42-47-20-20-000-0011, 0012		
	Development Name	Boca Raton Commerce Center		
	Owner / Agent Name	8230 210 ST S LLC / Cameron Ennis		
	SAC No.	331B		
Impact Review	Proposed FLU	Maximum 113 Residential Units		
	Proposed D. O.	110 Mid-Rise Apt/Condo Units		
		Del Prado Elementary School	Omni Middle School	Olympic Heights High School
	New Students Generated	3	2	2
School District Staff's Recommendation	Capacity Available	236	264	-517
	Utilization Percentage	75%	81%	123%
	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Given the recent increases in school impact fees, effective January 1, 2023, much of these impacts will be mitigated. The impact fees, however, will not fully cover impacts to the school system. Therefore, if the proposed development is approved by Palm Beach County government and if the Developer voluntarily agrees, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District high school level, the property owner shall contribute \$27,156.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This voluntary school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).</p> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on September 13, 2022.</p>			
Validation Period	<p>1) This determination is valid from 02/27/2024 to 02/26/2025 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 02/26/2025 or this determination will expire automatically on 02/26/2025.</p>			
Notice	<p>1) This letter replaces the previous one under 21121701F and 21121701D issued on 2/7/22.</p> <p>2) School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

Joyce Cai

February 27, 2024

School District Representative Signature

Date

Joyce C. Cai, Senior Planner

joyce.cai@palmbeachschools.org

Print Name & Title

Email Address

CC: Jeff Gagnon, Interim Planning Director, Palm Beach County
Vismary Dorta, Site Plan Technician, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County

The School District of Palm Beach County, Florida
A High-Performing School District
An Equal Opportunity Education Provider and Employer

Exhibit 8

Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

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

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


STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the ☐ individual or ☒ Manager *[position -
e.g., president, partner, trustee]* of 8230 210 ST S LLC *[name
and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an
ownership interest in real property legally described on the attached Exhibit "A" (the
"Property"). The Property is the subject of an application for Comprehensive Plan
amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 8230 210 St S, Boca Raton, FL 33433
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of
every person or entity having a five percent or greater interest in the Property.
Disclosure does not apply to an individual's or entity's interest in any entity registered
with the Federal Securities Exchange Commission or registered pursuant to
Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County
policy, and will be relied upon by Palm Beach County in its review of application for
Comprehensive Plan amendment or Development Order approval affecting the
Property. Affiant further acknowledges that he or she is authorized to execute this
Disclosure of Ownership Interests on behalf of any and all individuals or entities holding
a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to
reflect any changes to ownership interests in the Property that may occur before the
date of final public hearing on the application for Comprehensive Plan amendment or
Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the
penalties provided by the laws of the State of Florida for falsely swearing to statements
under oath.

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

FURTHER AFFIANT SAYETH NAUGHT.


Charles Auchincloss Jr., MGR of 8230 210 ST S LLC, Affiant

(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 29th day of JANUARY, 2024 by CHARLES AUCHINCLOSS JR. (name of person acknowledging). He/she is personally known to me or has produced DRIVER LICENSE (type of identification) as identification and ☒ did not take an oath (circle correct response).

Luiza Loyd
(Name - type, stamp or print clearly)


(Signature)

My Commission Expires on: 09/24/2027



EXHIBIT "A"

PROPERTY

LOT 1, "BOCA RATON COMMERCE CENTER, M.U.P.D.," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 115, PAGES 17 AND 18 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 207,900 SQUARE FEET / 4.7727 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

[illegible]

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

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

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the ☐ individual or ☒ Manager *[position - e.g., president, partner, trustee]* of 8230 210 ST S LLC *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 8230 210 St S, Boca Raton, FL 33433
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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

FURTHER AFFIANT SAYETH NAUGHT.



Haviv Cohen, MGR of 8230 210 ST S LLC, Affiant

(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 29th day of January, 20 24 by Haviv Cohen (name of person acknowledging). He/she is personally known to me or has produced Driver License (type of identification) as identification and ☒ did not take an oath (circle correct response).

Luiza Loyd

(Name - type, stamp or print clearly)


(Signature)

My Commission Expires on: 09/24/2027



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SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND
RIGHTS-OF-WAY OF RECORD.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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

Name

Address

Haviv Cohen	8230 210 St S, Boca Raton, FL 33433	100%
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Disclosure of Beneficial Interest – Property form
Form # 9

Page 4 of 4

Revised 12/27/2019
Web Format 2011

Exhibit 9 Correspondence

Stephanie Gregory

From: Travis Goodson
Sent: Monday, June 30, 2025 11:06 AM
To: Stephanie Gregory
Subject: FW: Boca Commerce Public Contact

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

From: Husni Hassan <husni76@gmail.com>
Sent: Thursday, June 26, 2025 5:51 PM
To: Travis Goodson <TGoodson@pbc.gov>
Subject: Future Land Use Atlas Amendment

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

Mr. Goodson,

Good afternoon, I live at 8296 Via Serena, Boca Raton FL 33433 and I'm responding to a letter received today, June 26, 2025.

I'd like to make my opposition known in writing to this attempt to convert the land located behind the Public Storage site on Boca Rio Rd to Residential land!

Boca Rio Rd is already busy from Glades Rd south to SW 18th Street, adding a residential apartment complex will add to traffic. There have been accidents in this area, we have trucks that sit in the middle of Boca Rio Rd while they wait to get loaded, the construction company has trucks that go back and forth throughout the day!

Please reject this request from the owner to change the land from commercial to residential! There is no room for dozens of vehicles or hundreds of people!

I'd also like to make a formal request to determine if that land is able to be built on or if there are any protected animals there.

Thank you,

Husni Hassan
954-805-8335

Stephanie Gregory

From: Travis Goodson
Sent: Tuesday, July 1, 2025 4:36 PM
To: Thuy Shutt; Jeff Gagnon; Stephanie Gregory
Subject: FW: Boca Commerce Center III (SCA 2024-08) - Land Use Amendment

FYI.

From: Caroline Werth <calwerth@gmail.com>
Sent: Tuesday, July 1, 2025 12:35 PM
To: Travis Goodson <TGoodson@pbc.gov>
Cc: Joan Teitelbaum <teitelbaumshomeservices@gmail.com>; Jill Morgenstein <jillmorgie18@aol.com>; Maria Sachs <MSachs@pbc.gov>
Subject: Re: Boca Commerce Center III (SCA 2024-08) - Land Use Amendment

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

Travis,

Thank you for promptly following up with me after yesterday's conversation by sending the new, and heretofore "secretive" information about the latest reiteration of **Boca Raton Commerce Center Multifamily RENTAL Complex.**

There is a Yiddish word that aptly defines what is transpiring: "**A SHANDA!**" This translates to "shame, disgrace, or scandal" in English. It's used to describe a situation, behavior, or action that is considered dishonorable.

This entire project is yet further indication that the "elected officials" responsible for protecting, preserving, nurturing, and promoting the quality of life for the constituents in the communities they've taken an oath to serve **ONLY** wish to personally enrich themselves to the detriment of those they should be protecting!

I will proactively ensure that every stakeholder destined to be catastrophically impacted by this boondoggle will be informed of these unlawful procedures, and continue to do everything possible to prevent this grossly conceived project from getting approval.

Yours truly,
Caroline Werth, Mizner Pointe Resident

Caroline Werth
21240 Via Eden,
Boca Raton, FL 33433
Cell: 203/668-8282
calwerth@gmail.com