

2025 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	26-A2	Intake Date	August 13, 2025
Application Name	Bulk Candy Store	Revised Date	None
Acres	1.28	Control Number	1995-00004
		FLUA Page	64
		Text Amend?	No
PCNs	00-42-43-27-05-005-1653		
Location	Southwest corner of N Jog Road and Wallis Road		
BCC District	2 (Commissioner Weiss)		
	Current	Proposed	
Tier	Urban/Suburban	Urban/Suburban	
Use	Accessory Retail & Wholesale Warehouse	Same + Type I Restaurant without drive-through	
Zoning	Multiple Use Planned Development (MUPD)	Multiple Use Planned Development (MUPD)	
Future Land Use Designation	Industrial (IND)	Commercial High with an Underlying Industrial (CH/IND)	
Conditions	None	None	

B. Development Potential

	Current FLU	Proposed FLU
Maximum Square Feet (for non-residential)	0.85 FAR x 1.28 ac. = 47,393 s.f.	0.85 FAR x 1.28 ac. = 47,393 s.f.
Maximum Units (for residential)	None	None
Maximum Beds (for CLF proposals)	None	None

Part 2. Applicant Data

A. Agent Information

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

B. Applicant Information

Name	Kenneth Shenkman, President, Pops Real Estate Holdings LLC
Company Name	Pops Real Estate Holdings LLC
Address	235 North Jog Road
City, State, Zip	West Palm Beach, FL 33413
Phone / Fax Number	Please Contact Agent
Email Address	Please Contact Agent
Interest	Property Owner

Part 3. Site Data

A. Site Data

Built Features	The existing site is comprised of 1 parcel. The subject parcel (PCN: 00-42-43-27-05-005-1653) is an existing wholesale/warehouse structure with accessory retail consisting of a total of 17,167 s.f. that was constructed in 1985.
Street Address	235 North Jog Road
Frontage	N Jog Road (207.43' Frontage, Property Depth: 270.15')
Legal Access	N Jog Road (120' ROW), Wallis Road (40' ROW)
Contiguous under same ownership	None
Acquisition details	00-42-43-27-05-005-1653: Acquired via a purchase from Pops Real Estate Holdings, LLC on December 19, 2012
Size purchased	The land purchased included the entire parcel, no residual parcels remain as a result of the purchase.

B. Development History

Previous FLUA Amendments	None
Concurrency	Wholesale/Warehouse with accessory retail sales consisting of a total of 17,167 s.f.
Plat, Subdivision	Palm Beach Farms Co Plat No. 3 (Plat Book 2, Page 45)

C. Zoning Approvals & Requests

Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)
N/A	1995-00004	Approved	ZZR	Wholesale/Warehouse with accessory retail sales consisting of a total of 17,167 s.f.	None

Part 4. Consistency

A. Surrounding Land Uses.

Adjacent Lands	Use	Future Land Use	Zoning
North	Light Manufacturing (3,965 s.f.) Palm Beach Farms Co. Plat No. 3	Industrial	Light Industrial, 1973-032
South	Office, Business and Professional (1,275 s.f.), Personal Services (1,275 s.f.), Repair and Maintenance, Limited 1,275 s.f.), Retail Sales, General (1,275 s.f.), John Jarvis & Son LLC	Commercial High, With An Underlying Industrial	Light Industrial, 1973-032
East	Convenience Store (4,242 s.f.) with 16 regular fueling positions and 2 commercial fueling positions, Car Wash (756 s.f.), Holloway Plaza	Commercial High	Multiple Use Planned Development, 2002-00032
West	Warehouse (64,944 s.f.), Palm Beach Farms Co. Plat No. 3	Industrial	Light Industrial, 1973-00063

Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Light Industrial (ITE #110) 4.87 trips per 1000 SF	Strip Retail Plaza (ITE #822) 54.45 trips per 1000 SF
Maximum Trip Generation	208 daily trips 31 AM Peak Hour Trips 28 PM Peak Hour Trips	955 daily trips 41 AM Peak Hour Trips 115 PM Peak Hour Trips
Net Daily Trips:	747 daily trips (maximum minus current)	
Net PH Trips:	10 AM, 87 PM (maximum)	
Significantly impacted roadway segments that fail Long Range		
Significantly impacted roadway segments for Test 2		
Traffic Consultant		
B. Mass Transit Information		
Nearest Palm Tran Route (s)	40 (Southern Boulevard)	
Nearest Palm Tran Stop	Stop 4053 (North side of Belvedere Road approximately 1 miles east of the subject site's frontage on N Jog Road)	
Nearest Tri Rail Connection	West Palm Beach, 209 S Tamarind Avenue	
C. Potable Water & Wastewater Information		
Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department	
Nearest Water & Wastewater Facility, type/size	The nearest point of connection to potable water is an 8" water main located along the west side of N. Jog Rd. approximately 20 ft east of the property. The nearest point of connection to sanitary sewer is a 6" force main located along the north side of Wallis Rd. approximately 25 ft north of the property.	
D. Drainage Information		

The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-51 Drainage Basin. Legal positive outfall is available via discharge to the Wallis Road drainage system along the north side of the subject parcel.

E. Fire Rescue

Nearest Station	Station #34, 231 S Benoist Farms Road
Distance to Site	Station #34 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 30 seconds.
Effect on Resp. Time	PBC Fire-Rescue has determined that the proposed amendment will have minimal impact on fire rescue response time.

F. Environmental

Significant habitats or species	There are native trees and palms scattered throughout the project site. The applicant will utilize their best efforts to preserve the existing vegetation if the site is developed as intended.
Flood Zone*	The subject parcel is located in Flood Zone X.
Wellfield Zone*	The subject property is not located within any Wellfield Protection 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.

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

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

I. Libraries - Residential Only (Including CLF)

Library Name	N/A
Address	
City, State, Zip	
Distance	

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)			
	Elementary	Middle	High
Name	N/A		
Address			
City, State, Zip			
Distance			

Part 6. Attachments (see instructions on next page)

- A. PCN List, Legal Description and Warranty Deed**
- B. Consent Form**
- C. Affidavit of Completeness and Accuracy**
- 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**
- 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**

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>

T:\Planning\AMEND\00Administration\Application-FLUA-Web\2025 Application\2025-FLUA-App-Form-with-instructions.docx

Part 6. Attachments **INSTRUCTIONS (do not submit these pages)**

The following attachments must be provided as a digital file.

Do not submit cover pages for attachments.

Do not submit service delivery request letters.

A. PCN's, Legal Description and Warranty Deed (provide each as separate digital file)

- Provide a list of Property Control Numbers (include PDF and Word)
- Provide the **Legal Description with Acres** (include PDF and Word)
- Provide Warranty Deeds as evidence of both purchase (e.g. purchase and sale agreement) and ownership (deed).

B. Consent Form

- Provide the consent forms from property owner(s) and contract purchaser.
- If the signatory is representing an LLC or organization, provide documentation that the undersigned is authorized to sign on the LLC or organization's behalf and provide Sunbiz registration information.
- Consent forms must be notarized and are only valid for one year after date of notary.

C. Affidavit of Completeness and Accuracy

- Provide notarized affidavit of completeness and accuracy from property owner or authorized agent(s).

D. Applicant's Notice Affidavit, Property Appraiser List, and Labels (provide each as separate digital file)

- Provide a notarized affidavit stating that the said list is complete and accurate, and is based on the latest official tax rolls;
- Provide a copy of all of the address labels printed and in PDF (in addition to the ones placed on the envelopes) for all property:
 - within 500 feet if subject site is located within the Urban/Suburban, Agricultural Reserve or Glades Tiers or
 - within 1,000 feet if subject site is located within the Rural or Exurban Tiers; and
 - if the area within the 500 feet is owned by the applicant or partner in interest, the 500 foot notification boundary shall be extended from these parcels.
- Provide legal size, white, self-adhesive envelopes that are addressed with return address on the upper left-hand corner to: Palm Beach County Planning Division, 2300 N Jog Rd, West Palm Beach, Florida 33411; and
- Provide stamps with first class postage (**forever stamps only**) for each envelope.

E. Disclosure of Ownership Interests

- Provide notarized disclosure of ownership interests for each applicant listed in Part 2.B of the FLUA Application. Provide as separate PDFs for each applicant.
- If the signatory is representing an LLC or organization, the person authorized to represent an LLC or corporation in the consent form should be the same person that signs the disclosure of ownership interest forms in Attachment E and shall be listed as one of the applicants in Part 2.B of the FLUA Application.

F. Built Feature Inventory & Map

- Provide an inventory & map of all built features (including square footages of buildings) on the subject site.

G. Consistency with the Comprehensive Plan and Florida Statutes (include in PDF & Word)

- **Justification - Provide as G.1**

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. The justification list all of the following headings with responses in order to be found sufficient for processing. 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; **and**
- 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;
 - b. Changes in the access or characteristics of the general area and associated impacts on the subject site;
 - c. New information or change in circumstances which affect the subject site;
 - d. Inappropriateness of the adopted FLU designation; or
 - e. Whether the adopted FLU designation was assigned in error.

***Note:** If the amendment includes a Text change, then the Justification must be a single justification combined to support the Text and FLUA amendment. Do not include the strikeout and underline of the text amendment within this attachment.*

- **Residential Density Increases – Provide as G.2**

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

- 1) Demonstrate a need for the amendment.
- 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.

- **Compatibility – Provide as G.3**

Provide written data and analysis to demonstrate compatibility with the surrounding and adjacent land uses.

- **Consistency with Comprehensive Plan – Provide as G.4**

The applicant has the option of including written data and analysis to demonstrate consistency with specific objectives and policies in the Comprehensive Plan, and Special Plans or Overlays identified in the Future Land Use Element (see the Special Planning Areas Map, LU 3.1).

- **Consistency with Florida Statutes – Provide as G.5**

The applicant has the option of including written data and analysis to demonstrate consistency with Chapter 163.3177, F.S.

H. Traffic Approval Letter & Traffic Study (provide each as separate digital files)

Provide a 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.

I. Water & Wastewater Provider LOS Letters

Provide a Potable Water & Wastewater Level of Service (LOS) comment letter. 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.

J. Drainage Statement

The application must include a drainage statement with the following:

1. Identify the drainage provider for the site and attach a drainage statement with an engineer's seal prepared within 90 days of submittal. Drainage providers include drainage districts, improvement districts, water control districts, the South Florida Water Management District, and the Florida Department of Transportation (for properties fronting on I-95 or the Florida Turnpike).
2. Indicate in which drainage basin the subject property is located (e.g. C-18 basin; C-51 basin; and the Hillsboro Canal basin).
3. Identify the drainage facility that would service the subject property and the point of legal positive outfall to that facility. Facilities include swales, ditches, canals, and storm sewers.
4. Describe the level of protection standard established for the site as identified in the Stormwater Management Sub-Element in the Comprehensive Plan. Identify what measures will be taken to assure that the volume, rate, timing, and pollutant load of runoff based on the proposed FLUA designation of the property do not exceed those which occurred based on the property's current FLUA designation. LOS information is available in Stormwater Management Sub-Element in the Comprehensive Plan.

K. Fire Rescue Letter

Provide a letter from the Fire-Rescue Department identifying the impact on response time.

L. Natural Feature Inventory & Map

Provide an inventory and map any listed animal and/or plant species and habitats of significant value that utilize the property. Significant habitats may include coastal habitats or surface waters and resources including vegetation or vegetated community, quality, and location of the resource. Listed species include endangered, threatened, and species of

concern. If listed species are present, provide a brief discussion of measures that will be taken to avoid or minimize adverse impacts to their habitat. If there are no known occurrences, indicate whether listed species could reasonably be expected to be present based on the site-specific habitat characteristics and provide a brief discussion.

M. Wellfield Zone

Provide wellfield zone map and statement.

N. Historic Resource Evaluation Letter

Provide a letter from the County Archaeologist containing the information below:

1. Identify any historic or architecturally significant resources located on or within 500 feet of the site, including buildings, structures and other objects.
2. Identify any archaeological resources located on or within 500 feet of the site, including aboriginal mounds, forts, earthworks, village locations, campsites, middens, burial mounds, missions, or other artifacts at least seventy-five years old.

O. Palm Beach County School District LOS Letter

Provide a comment letter from the School District of Palm Beach County.

P. Survey

Provide a Survey (dated within 18 months of the intake date) **with acres**.

Q. Text Amendment Application (Part 7, if applicable, in PDF & Word)

**Attachment F- Built Feature Inventory & Map Detail
Bulk Candy Store
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: August 13, 2025**

Below is an aerial photograph taken in July 2025 with the subject property highlighted in "red". The subject parcel (PCN:00-42-43-27-05-005-1653) is an existing warehouse/wholesale building with accessory office consisting of a total of 17,167 s.f. that was constructed in 1985.



Attachment G
Consistency with Comprehensive Plan & Florida Statutes
Bulk Candy Store
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: August 13, 2025

Request

The 1.28-acre subject property (PCN 00-42-43-27-05-005-1653) is located on the southwest corner of N Jog Road and Wallis Road. Currently, the subject property supports a Future Land Use (FLU) Designation of Industrial (IND). The subject site currently has a zoning designation of Multiple Use Planned Development (MUPD).

Kenneth Shenkman, President, Pops Real Estate Holdings LLC, herein referred to as the "Property Owner," requests a Small-Scale FLUA from Industrial (IND) to Commercial High with an Underlying Industrial (CH/IND) for the purposes of adding a Type I Restaurant without a Drive-Through to the existing warehouse/wholesale facility.

Currently, the subject property is located in the Jog Road Corridor Study (JRCS) and the Palm Beach International Airport Approach Path Conversion Area (PBIAP) Overlay.



Site Aerial

Below is a summary of surrounding properties:

Adjacent Lands	Uses	FLU	Zoning
Subject Property (Proposed)	Accessory Retail, Wholesale Warehouse, and Type I Restaurant without Drive-Through	CH/IND	IL
North	Light Manufacturing	IND	IL
South	Office, Business and Professional, Personal Services, Repair and Maintenance, Limited, Retail Sales, General	CH/IND	IL
East	Convenience Store & Car Wash	CH	MUPD
West	Warehouse	IND	IL

Site History:

- **On July 1, 1998**, the County approved a site plan for a 2-story 10,000 s.f. warehouse building, 1-story warehouse 2,250 s.f. addition and 4,917 s.f. storage addition with accessory retail and site improvements. Total approved s.f. equated to 17,167 s.f.

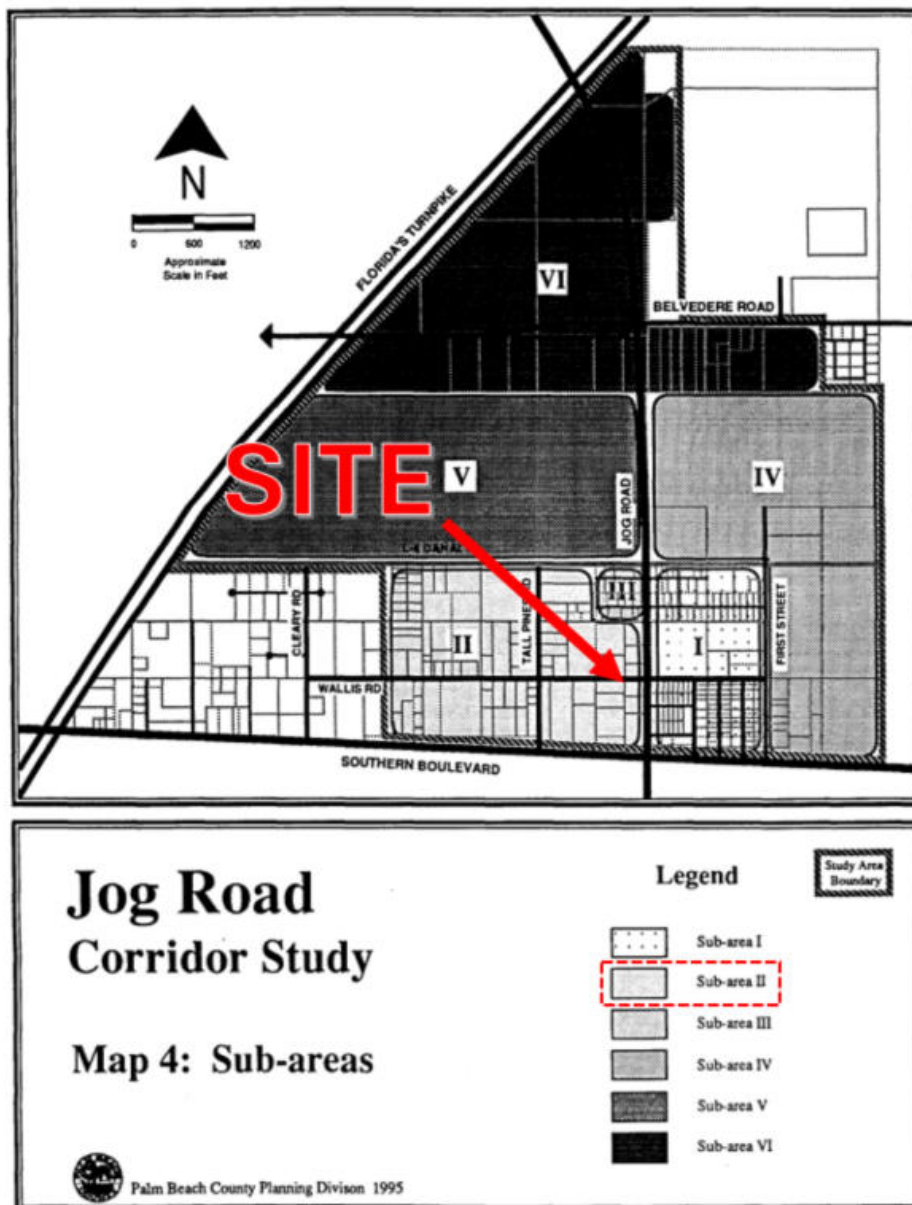
Consistency with County Overlays, Plans, and Studies

The proposed use is located within boundaries of the Palm Beach International Airport (PBIA) Approach Path Conversion Area Overlay and the Jog Road Corridor Study (JRCS). Based on previous approvals and the proposed dynamics of the site, the proposal is consistent with each of the overlays. The overlays applicable to the property include:

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.”

- **Palm Beach International Airport (PBIA) Approach Path Conversion Area Overlay:** The PBIA Overlay was developed to address the land use issues in neighborhoods/communities within the approach path of PBIA. The Overlay covers the area west of the airport to the Turnpike, north to Belvedere Road and south to Southern Boulevard. Several established neighborhoods in this area are excluded, but the subject site is not among those excluded. The Comprehensive Plan provisions in Sub-Objective 1.2.4 PBIA Approach Path Conversion Area Overlay protects existing neighborhoods from incompatible uses and promotes conversion to industrial uses when parcels meet the proper size, site design and location requirements. As part of this proposed application, the applicant is protecting neighborhoods surrounding the PBIA from incompatible land development, protecting airport operations from incompatible land development. The proposed development will be compatible with the commercial and industrial uses in the surrounding area.
- **Jog Road Corridor Study (JRCS):** The JRCS was completed in 1995 by the PBC Planning Division to investigate and determine the appropriate FLUA designations within the study area, given the expansion of Jog Road. The study recognizes that the majority of Sub-Area II of the study, which the subject site is located in (see graphic below), is predominately Commercial and Industrial. As stated in the study, it was also voiced by the majority of the property owners within the area petitioned to retain an industrial/commercial future land use designation. This design of the subject site is consistent with this study and retains an underlying Industrial Future Land Use.



Justification, Consistency & Compatibility:

G.1- Justification: Each proposed FLUA Amendment must be found consistent with the Goals, Objectives, and Policies (GOPs) and the Comprehensive Plan. Future Land Use Element Policy 2.1.F requires that adequate justification for the proposed future land use be provided. Further, the Justification Statement must demonstrate that a change is warranted and demonstrate the following factors:

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

Response: The subject property is located within the Urban/Suburban Tier and has direct frontage along N Jog Road, a designated Major Arterial roadway. Given its location, the property is well-suited to accommodate an additional use, a Type I Restaurant without a Drive-Through, operating in conjunction with the existing Accessory Retail and Wholesale Warehouse. The proposed use is compatible with the surrounding development pattern and is beneficial to the area as follows:

- The property is located immediately adjacent to N Jog Road and is approximately 0.10 miles north of Southern Boulevard, another Major Arterial Roadway. The site offers high visibility and convenient access for both vehicular and pedestrian traffic, making it a desirable location for a Type I Restaurant without a Drive-Through. The existing uses are commercial in nature and the proposed use will complement the existing operations onsite.
- The property has access to adequate public facilities without straining existing infrastructure.
- The surrounding area features a mix of commercial and industrial uses, supporting the compatibility of an additional use: a small-scale Type I Restaurant that does not rely on drive-through traffic. The subject site offers great proximity to residential neighborhoods which can generate consistent patronage and employment opportunities.

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

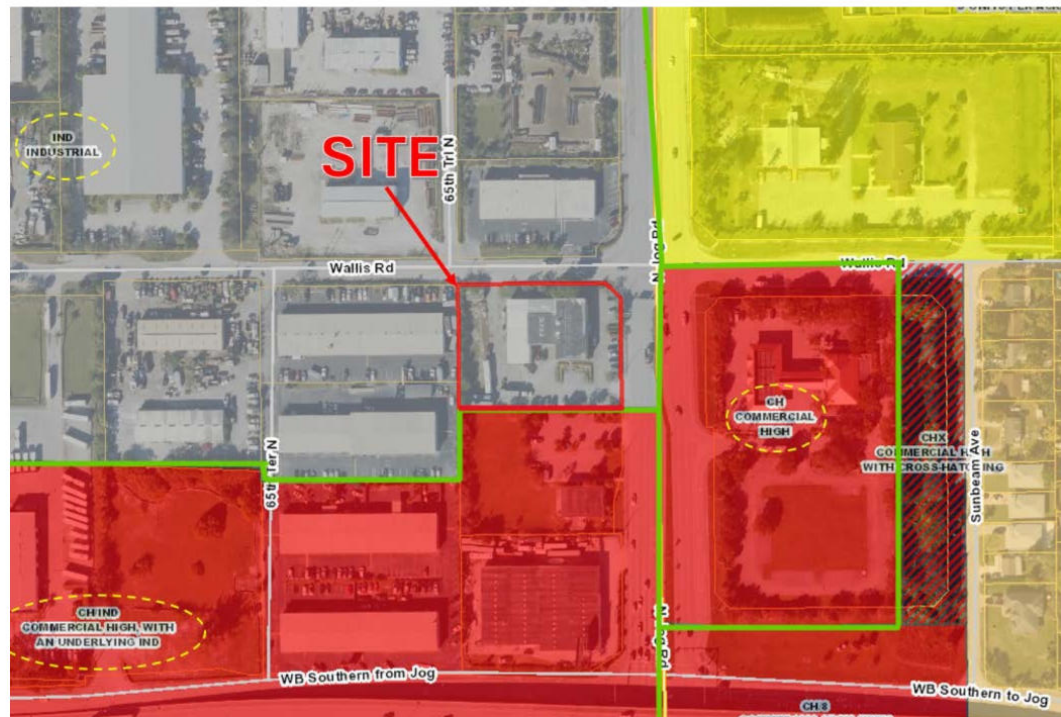
- *Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;*

Response: There have been changes in Future Land Use designations on properties in the immediate area that reflect a gradual shift toward accommodating a broader mix of commercial and light industrial uses along key arterial corridors such as N Jog Road. These changes demonstrate a pattern of compatible intensification that supports a range of low impact uses. The purpose of this application is to amend the Future Land Use designation to Commercial High with an Underlying Industrial (CH/IND) to allow for the addition of a Type I Restaurant without a Drive-Thru in conjunction with the existing Accessory Retail and Wholesale Warehouse. The proposed change is consistent with the existing development pattern in the area. It is anticipated that additional small-scale development will continue to occur as the corridor evolves to support a

variety of compatible uses in response to market demand.

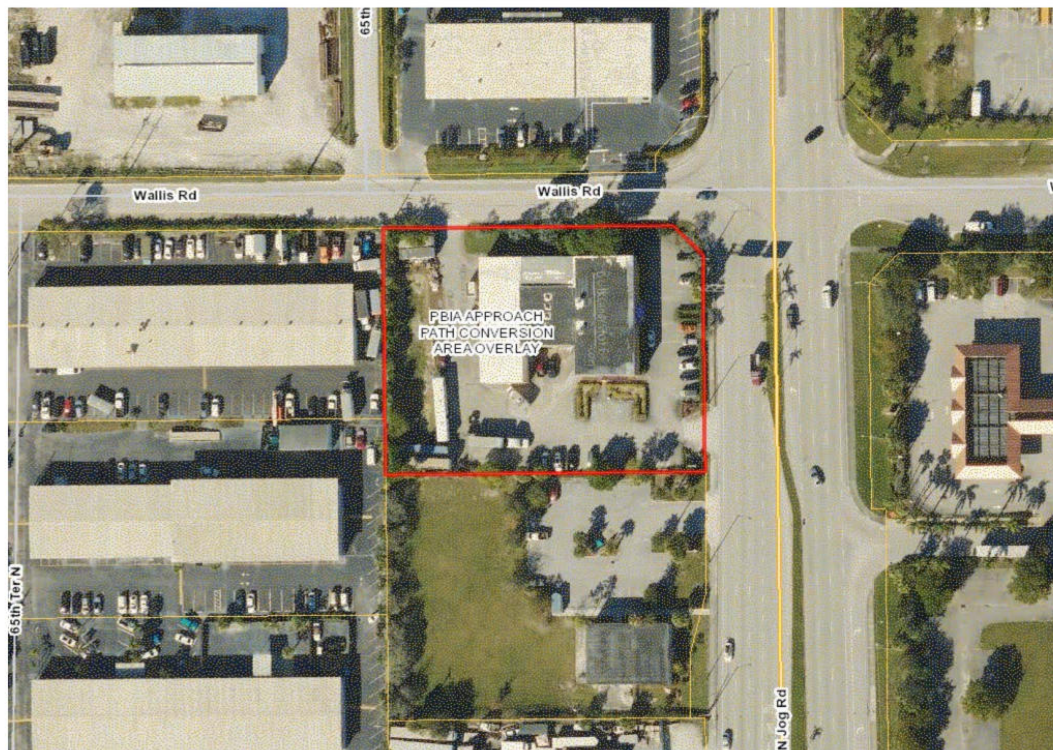
- *Changes in the access or characteristics of the general area and associated impacts on the subject site;*

Response: The subject property is located along North Jog Road, a designated Major Arterial Road, making it well suited for the additional development of a Type I Restaurant without a Drive-Thru. Retaining the underlying Industrial Future Land Use designation will preserve the principal use of Wholesale Warehouse and accessory retail while maintaining consistency with the industrial corridor located to the northwest. Additionally, the subject site is adjacent to a Commercial High (CH) designated area to the east, and it is evident that the CH/IND designation has extended along Southern Boulevard, immediately south of the subject site, reflecting a clear pattern of compatible FLU transitions in the surrounding area.



The subject site is also located in the Palm Beach International Airport Approach Path Conversion Area (PBIA) Overlay. The subject site is consistent with the intent of the Overlay. The purpose of the Palm Beach International Airport Approach Path Conversion Area (PBIA) Overlay is to provide for future land uses that are compatible with existing neighborhoods and the future operations of PBIA. The subject site is located within an area

that is intended for industrial and non-residential uses, which aligns with the scope of development.



Subject site in PBIAO Overlay

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

Response: The subject site currently includes warehousing and wholesale operations, consistent with the Industrial Future Land Use designation. In recent years, there has been a noticeable shift in the surrounding area, with new Commercial High (CH) and CH/IND designations expanding along key corridors such as Southern Boulevard and North Jog Road. This trend reflects a change in circumstances, signaling increased compatibility between low-impact commercial uses and existing industrial operations. The introduction of a Type I Restaurant without a Drive-Thru is intended to complement the existing industrial use on site, without diminishing its function, and aligns with the evolving land use pattern in the area.

- *Inappropriateness of the adopted FLU designation; or*

Response: While the adopted Industrial (IND) Future Land Use designation accurately reflects a portion of the existing operation including the warehousing/wholesale, however, it does not fully support the introduction of a complementary use such as a Type I Restaurant without a Drive-Thru.

The limitations of the IND designation restrict opportunities for minor commercial enhancements that can enhance not only the site, but the surrounding area without undermining its industrial character. Given the site's frontage along N Jog Road and its proximity to existing Commercial High (CH) designations, maintaining the Industrial FLU without the adoption of CH limits the site's flexibility and responsiveness to current development trends. Therefore, the standalone IND designation is no longer fully appropriate for this location.

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

Response: No errors are associated with the subject site. The adopted Industrial (IND) Future Land Use designation accurately reflects the site's historical and existing use as a wholesale warehouse with accessory retail. However, the surrounding development pattern has evolved, and the current request acknowledges this shift. The proposed amendment seeks to allow for an appropriate and modest expansion of the site's use through the addition of a Commercial High (CH) designation, while maintaining the underlying Industrial designation to preserve the site's core function.

Note: This amendment will not include a Text change.

G.2- Residential Density Increases:

The proposed FLU Amendment is not a request to increase residential density.

G.3 - Compatibility with Surrounding and Adjacent Uses:

Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety, or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions. The definition of "compatibility" under the repealed Rule 9J-5, FAC, is "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted, directly or indirectly by another use or condition". With this definition in mind, the requested change would make the subject property more compatible with the surrounding properties which have undergone land use amendments in the recent years.

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can

complement and support each other. For example, an industrial use can provide essential services to residents of surrounding neighborhoods, as well as the community at large. In addition, buffering, screening, setback, height, and landscaping requirements can further enhance compatibility, and reduce the potential negative effects of functionally different land uses.

Several factors lead to the conclusion that the proposed FLU designation will be compatible with neighboring uses.

- Primary access is available from N Jog Road, a right-of-way designated as an Urban Arterial road, thus directing traffic away from local roads in the vicinity.
- The Property is located at a major transportation node (N Jog Road and Southern Boulevard). N Jog Road is currently developed with a mix of industrial, commercial, and residential uses. The proposed Commercial High with Underlying Industrial (CH/IND) use will provide additional services along this important north-south corridor of Palm Beach County. On this basis, the proposed development concept at this location is determined to be compatible.

The proposed use is consistent with the existing development pattern and adjacent uses that have occurred along the N Jog Road corridor.

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:

Goals – The proposed FLUA amendment furthers the County’s goals as described below.

- **Balanced Growth** – “...to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.”

Response: *Approval of this proposed FLU amendment will allow for the development of a Type I Restaurant without a Drive-Thru. CH/IND designations are typically employment generators and encourage economic development opportunities.*

- **Land Planning** – “...to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, and environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities.”

Response: *The proposed amendment to allow a Type I Restaurant without a Drive-Thru in conjunction with the existing Wholesale Warehouse & Accessory Retail aligns with the Comprehensive Plan's goal of creating and maintaining livable communities by supporting a balanced mix of compatible land uses. This modest expansion reflects the evolving character of the surrounding area, enhances lifestyle choices for nearby workers and visitors, and utilizes existing infrastructure efficiently, without burdening public facilities or disrupting the established development pattern.*

- **FLUE Objective 3.1 Service Areas - General** – “Palm Beach County shall establish graduated service areas to distinguish the levels and types of services needed within a Tier, consistent with sustaining the characteristics of the Tier. These characteristics shall be based on the land development pattern of the community and services needed to protect the health, safety and welfare of residents and visitors; and, the need to provide cost effective services based on the existing or future land uses.”

Response: *The subject site is located within the Urban/Suburban Tier, where Palm Beach County directs the provision of services to support a more intensive and diverse development pattern. The proposed CH/IND designation, allowing for the addition of a small-scale Type I Restaurant without a Drive-Through, is consistent with the intent of this Tier and does not require additional service demands beyond what is already in place. This amendment aligns with the County's goal of providing cost effective services while sustaining the planned character of the Tier.*

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

Response: *The proposed amendment maintains the underlying Industrial Future Land Use designation, ensuring continued support for the existing Wholesale Warehouse & Accessory Retail operation while allowing a minor commercial component. This aligns with the County's economic development goals by preserving industrial land for employment-generating uses while allowing for flexibility to adapt to evolving market conditions. The request does not result in the loss of industrially designated land and is therefore consistent with the Comprehensive Plan's goal of protecting industrial space.*

G.5 Florida Statutes:

Data and analysis demonstrating that the proposed development can be supplied by necessary services without violating adopted LOS standards are presented in Traffic Letter and Study, Drainage Statement, Fire Rescue Letter, and Water and Wastewater Provider Letter. Data and analysis discussing environmental and historical resources impacts are presented in Drainage Statement, Wellfield Zone Map, Natural Features Inventory and Map and Historic Resource Evaluation Letter. No negative environmental impacts are identified.

The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below along with the applicant's descriptions. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment discourages urban sprawl.

- Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single use development or uses.

Response: *The applicant is requesting to change the FLU of the Property from IND to CH/IND. The proposed amendment does not promote or result in low-intensity, low-density, or single-use development. The project introduces a complementary commercial use, a small-scale Type I Restaurant without a Drive-Through, within an already developed site that includes a wholesale warehouse and accessory retail.*

- Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - **Response:** *The proposed amendment does not promote radial, strip, isolated, or ribbon development. The subject site is located along N Jog Road and is part of an already developed industrial corridor. The proposed use is consistent with the surrounding development pattern and does not represent an inefficient or disconnected expansion of urban development.*
- Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
 - **Response:** *The subject site is already developed and does not contain wetlands, or environmentally sensitive areas. The proposed FLUA amendment will not result in adverse impacts to any natural resources and remains consistent with the goals of the Comprehensive Plan to protect and conserve significant natural systems.*
- Fails to maximize use of existing public facilities and services.

- **Response:** Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. In comparison to other uses that are allowed, it is anticipated that the proposed addition of a Type I Restaurant without a Drive-Through will not negatively impact public facilities and services.
- Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
 - **Response:** Public services and facilities are already available in the immediate vicinity. The proposed amendment will fit in with the existing land use pattern.
- Fails to encourage a functional mix of uses.
 - **Response:** The addition of a Type I Restaurant without a Drive-Through supports a functional mix of uses consistent with the evolving development pattern along the Jog Road corridor, complementing the residential uses to the north and the surrounding commercial and industrial designations.”
- Results in poor accessibility among linked or related land uses.
 - **Response:** The proposed FLU amendment does not result in poor accessibility among related land uses. The addition of a Type I Restaurant without a Drive-Through enhances internal compatibility and accessibility by supporting the existing wholesale/accessory retail function of the site and offering a complementary use that aligns with surrounding development. The site's location ensures strong connectivity with nearby commercial, industrial, and residential areas.
- Results in the loss of significant amounts of functional open space
 - **Response:** This amendment does not result in a loss of any functional open space as the subject property is currently not utilized as functional open space.

Florida Statutes, Section 163.3177.(6).(a).9.b: Of those criteria listed in this section the subject property will meet the following criteria which shows that it will discourage the proliferation of urban sprawl:

- Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
 - **Response:** This amendment does not fail to protect and conserve natural resources as the property is vacant of natural resources. As required by the ULDC, any native plant material will be addressed during the zoning approval process.

- Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
 - **Response:** *The request for a FLUA amendment will maximize the use of future public facilities and services existing and within a relatively urban corridor. No facilities would be required to be installed in rural or sparsely populated areas, thereby maximizing the use of the existing facilities. Therefore, the proposal discourages the proliferation of Urban Sprawl by locating goods, services and employment adjacent to existing public infrastructure.*
- Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
 - **Response:** *The addition of a Type I Restaurant without a Drive-Through encourages a functional mix of uses that align with the evolving development along N Jog Road. It enhances connectivity and access by multiple modes of transportation, including vehicular, pedestrian, and transit where available.*
- Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
 - **Response:** *This FLUA amendment supports a balanced land use pattern by responding to the everyday needs of the surrounding residential population, providing convenient access to food services in close proximity to existing neighborhoods.*

Conclusion:

The proposed Future Land Use Atlas (FLUA) amendment from Industrial (IND) to Commercial High with an underlying Industrial (CH/IND) is both appropriate and consistent with the surrounding development pattern, existing infrastructure, and the intent of the Comprehensive Plan. The request maintains the industrial foundation of the site while allowing for a modest, complementary expansion through the addition of a Type I Restaurant without a Drive-Through. This mixed-use approach supports evolving land use trends in the Urban/Suburban Tier, aligns with County planning objectives, and enhances compatibility with nearby residential, commercial, and industrial designations along the Jog Road corridor. Approval of this amendment will allow for continued, responsible growth that respects the character of the area while responding to current land use needs.



**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**

Maria G. Marino, Mayor

Sara Baxter, Vice Mayor

Greg K. Weiss

Joel G. Flores

Marci Woodward

Maria Sachs

Bobby Powell Jr.

Interim County Administrator

Todd Bonalarron

*"An Equal Opportunity
Affirmative Action Employee"*

June 26, 2025

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

Re: Service Availability
235 N Jog Road, West Palm Beach, FL 33413
PCN 00-42-43-27-05-005-1653

To Whom It May Concern,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area.

The nearest point of connection to potable water is an 8" water main located along the west side of N. Jog Rd. approximately 20 ft east of the property. The nearest point of connection to sanitary sewer is a 6" force main located along the north side of Wallis Rd. approximately 25 ft north of the property.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. 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 do not hesitate to contact me at (561) 493-6030.

Sincerely,

A handwritten signature in blue ink that reads "Katherine Caricchio".

Katherine Caricchio, P.E.
Senior Professional Engineer

August 12, 2025
Job No. 25-111A

LAND USE PLAN AMENDMENT APPLICATION
STATEMENT OF LEGAL POSITIVE OUTFALL

Bulk Candy Store
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the southwest corner of Wallis Road and Jog Road in unincorporated Palm Beach County, Florida and contains approximately 1.28 acres. The Property Control Number (PCN) for the subject parcel is 00-42-43-27-05-005-1653. The subject property is currently designated as Industrial (IND) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Commercial High with an Industrial underlying land use (CH/IND).

SITE DRAINAGE

The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-51 Drainage Basin. Legal positive outfall is available via discharge to the Wallis Road drainage system along the north side of the subject parcel. Drainage design is to address the following:

1. On-site retention of the runoff from the 3 year, 1 hour rainfall event.
2. No runoff to leave the site except through an approved control structure up to the level produced by the 25 year, 3 day rainfall event.
3. Building floor elevations to be at or above the level produced by the 100 year 3 day rainfall event.
4. Parking lots to be protected from flooding during a 3 year, 24 hour event, or the 5 year, 24 hour event if exfiltration trench is used.

SITE DRAINAGE (Continued)

5. Allowable discharge to be in accordance with South Florida Water Management District Basin criteria.
6. Compliance with the South Florida Water Management District C-15 Drainage Basin criteria with required to compensating storage.
7. Due to consideration to water quality.

Bryan G. Kelley, Professional Engineer, State of Florida, License No. 74006

This item has been digitally signed and sealed by Bryan G. Kelley, P.E., on 8/13/2025.

Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed
by Bryan Kelley
Date: 2025.08.13
08:17:48-04'00'



August 12, 2025
Job No. 25-111A

LAND USE PLAN AMENDMENT APPLICATION
FLOOD PLAIN STATEMENT

Bulk Candy Store
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the southwest corner of Wallis Road and Jog Road in unincorporated Palm Beach County, Florida and contains approximately 1.28 acres. The Property Control Number (PCN) for the subject parcel is 00-42-43-27-05-005-1653. The subject property is currently designated as Industrial (IND) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Commercial High with an Industrial underlying land use (CH/IND).

FLOOD ZONE

The above referenced project is located in Flood Zones X and AE as shown on the FEMA Flood Rate Insurance Map Panel 0567.

Bryan G. Kelley, Professional Engineer, State of Florida, License No. 74006

This item has been digitally signed and sealed by Bryan G. Kelley, P.E., on 8/13/2025.

Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed
by Bryan Kelley
Date:
2025.08.13
08:16:38-04'00'



Fire Rescue

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



**Palm Beach County
Board of County
Commissioners**

Maria G. Marino, Mayor

Sara Baxter, Vice Mayor

Gregg K. Weiss

Joel G. Flores

Marci Woodward

Maria Sachs

Bobby Powell Jr.

Interim County Administrator

Todd J. Bonlarron

June 23, 2025

Schmidt Nichols
Landscape Architecture and Urban Planning
Attention: Cameron Baker
1551 N Flagler Dr, Ste 102
West Palm Beach, FL 33401

Re: Bulk Candy Store

Dear Cameron Baker:

Per your request for response time information to the subject property located at 235 N Jog Road (PCN: 00-42-43-27-05-005-1653). This property is served currently by Palm Beach County Fire-Rescue Station #34, which is located at 231 S Benoist Farms Rd. The maximum distance traveled to subject property is approximately 2.50 miles from the station. The estimated response time to the subject property is 7 minutes 30 seconds. For fiscal year 2024, the average response time (call received to on scene) for this stations zone is 7:22.

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

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

Sincerely,

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

Cheryl Allan, Planner II
Palm Beach County Fire-Rescue

Attachment L - Significant Habitats or Species Detail
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Bulk Candy Store
Original Submittal: August 13, 2025

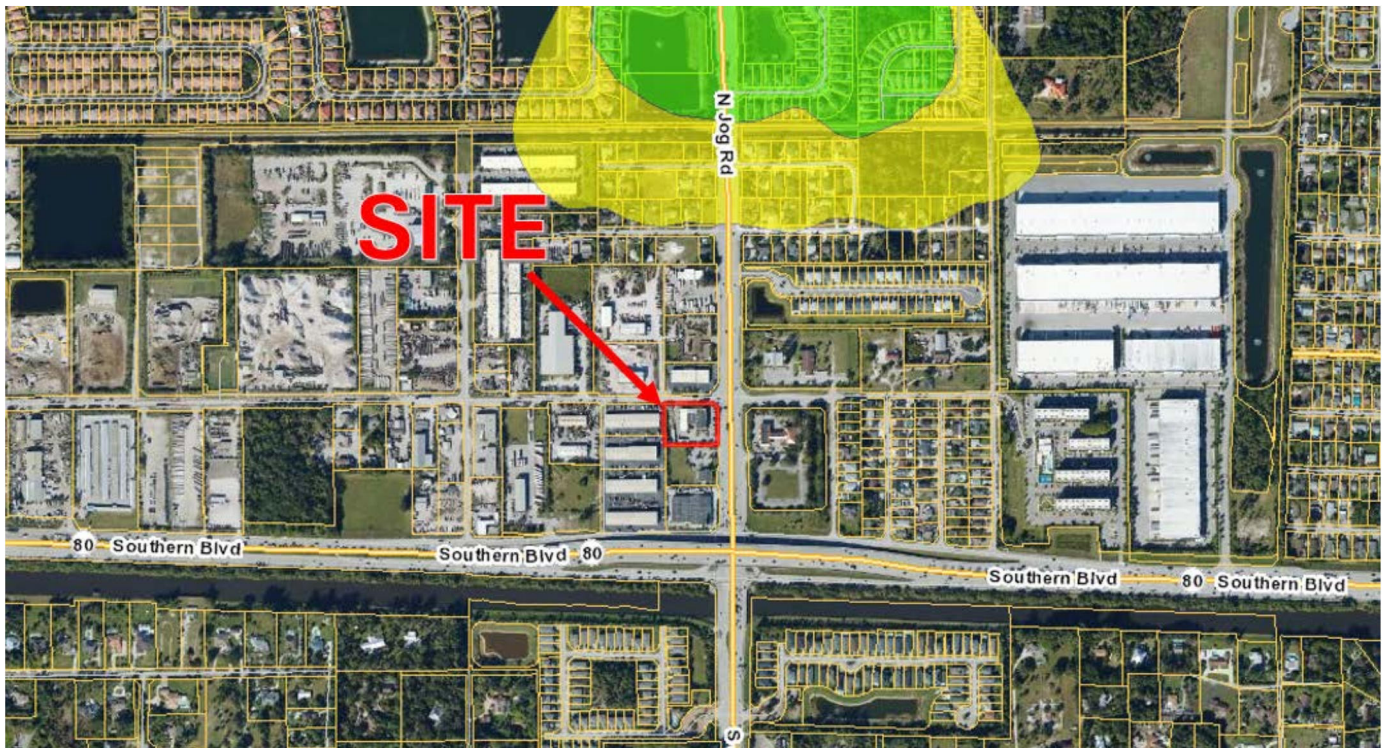
Significant habitats or species:

Below is an aerial photograph with the subject property highlighted in “red”. There are native trees and palms scattered throughout the project site. The applicant will utilize their best efforts to preserve the existing vegetation if the site is developed as intended.



Attachment M - Wellfield Zone Map
Bulk Candy Store
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: August 13, 2025

As shown in the aerial below, the subject property is not within any Wellfield Protection Zones.



Wellfield Protection Zones

- 1
- 2
- 3
- 4



August 12, 2025
Job No. 25-111A

LAND USE PLAN AMENDMENT APPLICATION
WELLFIELD PROTECTION ZONE STATEMENT

Bulk Candy Store
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the southwest corner of Wallis Road and Jog Road in unincorporated Palm Beach County, Florida and contains approximately 1.28 acres. The Property Control Number (PCN) for the subject parcel is 00-42-43-27-05-005-1653. The subject property is currently designated as Industrial (IND) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Commercial High with an Industrial underlying land use (CH/IND).

WELLFIELD PROTECTION ZONE

The above referenced project is not located within any Wellfield Protection Zones as shown on the "Wellfield Protection Zone of Influence in Palm Beach County, Florida," exhibit, adopted June 12, 2025.

Bryan G. Kelley, Professional Engineer, State of Florida, License No. 74006

This item has been digitally signed and sealed by Bryan G. Kelley, P.E., on 8/13/2025.

Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed
by Bryan Kelley
Date:
2025.08.13
08:19:29-04'00'



**Planning, Zoning
& Building Department**

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 Compliance 233-5500
Contractor Regulations 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbc.gov/pzb

**Palm Beach County
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Marci Woodward

Maria Sachs

Bobby Powell, Jr.

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

June 20, 2025

Cameron Baker
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 located; 235 N. Jog Road, West Palm Beach, FL, under PCN:
00-42-43-27-05-005-1653.**

Dear Mr. Baker:

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,

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

cc: Thuy Shutt, AIA, NCARB, FRA-RA, Planning Director, PBC Planning Division
Jeff Gagnon, AICP, Deputy Planning Director, PBC Planning Division
Bryan Davis, CNU-A, Principal Planner, PBC Planning Division
Nydia Pónton-Nigagliani, PhD, RPA, Archaeologist/Planner II, PBC Planning Division