

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 1. Amendment Data

### A. Amendment Data

|  |  |  |            |
|--|--|--|------------|
| Round  | 21-B   | Intake Date  | 11/10/2020 |
| Application Name   | Star Key Industrial Park                                   | Control No.  | 1985-50131 |
| Acres  | 50.99  | Concurrent Zoning application?                                   | Yes*       |
|  |  | Text Amend?  | No         |
| *Concurrent Zoning Application to be submitted at later date prior to public hearing |  |  |            |
| PCNs   | 00424617010000690, 00424617010001020, 00424617020000370    |  |            |
| Location   | Northwest corner of Florida’s Turnpike and Atlantic Avenue |  |            |
|  | Current  | Proposed   |            |
| Tier   | Ag Reserve   | Ag Reserve (No Change)   |            |
| Use  | Nursery  | Light Industrial – Warehouse/Distribution                        |            |
| Zoning   | AGR  | Light Industrial (IL) or Multiple Use Planned Development (MUPD) |            |
| Future Land Use Designation  | Agricultural Reserve (AGR)                                 | Industrial (IND)   |            |
| Underlying Future Land Use Designation   | None   | Agricultural Reserve (AGR)                                       |            |
| Conditions   | None   | None   |            |
| Density Bonus  | None   | None   |            |

### B. Development Potential

|   | <b>Current FLU</b>  | <b>Proposed FLU</b>  |
|---|---|--|
| <b>Density/Intensity:</b>   | 5 Acres Retail Nursery<br>45.99 Acres Wholesale Nursery               | 0.45 FAR   |
| <b>Maximum Dwelling Units<sup>1</sup></b> (residential designations)    | Single Family, 50 units   | None   |
| <b>Maximum Beds (for CLF proposals)</b>                                 | None  | None   |
| <b>Population Estimate</b>  | 50 max du x 2.39 = 119.5  | None   |
| <b>Maximum Square Feet<sup>2,4</sup></b> (non-residential designations) | Agriculture, 333,169 square feet<br>0.15 FAR x 50.99 ac. = 333,169 SF | Light Industrial, 999,506 square feet<br>0.45 FAR x 50.99 ac. = 999,506 SF |

|  |  |  |
|--|--|--|
| <b>Proposed or Conditioned Potential</b><br>3, 4 | None   | Test 2 – Proportionate Share                   |
| <b>Max Trip Generator</b>                        | Nursery (Garden Center) ITE #817<br>108.10 trips/acre<br>Nursery (Wholesale) ITE #818<br>19.5 trips/acre | Light Industrial ITE#110<br>4.96 trips/1000 SF |
| <b>Maximum Trip Generation</b>                   | 1,438 daily trips  | 4,462 daily trips                              |
| <b>Net Daily Trips:</b>                          | 3,024 daily trips (maximum minus current)  |  |
| <b>Net PH Trips:</b>                             | 604 AM, 506 PM (maximum)   |  |

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

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 2. Applicant Data

### A. Agent Information

|                           |   |
|---------------------------|---|
| <b>Name</b>               | Ken Tuma  |
| <b>Company Name</b>       | Urban Design Studio (UDS)   |
| <b>Address</b>            | 610 Clematis St., Suite CU-02   |
| <b>City, State, Zip</b>   | West Palm Beach, FL 33401   |
| <b>Phone / Fax Number</b> | (561) 366-1100  |
| <b>Email Address</b>      | <a href="mailto:KTuma@udsflorida.com">KTuma@udsflorida.com</a> ; <a href="mailto:TWoolsey@udsflorida.com">TWoolsey@udsflorida.com</a> |

### B. Applicant Information

|                           |  |
|---------------------------|--|
| <b>Name</b>               | Paul Z. Okean  |
| <b>Company Name</b>       | Morningstar Nursery, Inc.  |
| <b>Address</b>            | 203 Via Vizcaya  |
| <b>City, State, Zip</b>   | Palm Beach, Florida 33480  |
| <b>Phone / Fax Number</b> | (561) 787-6155   |
| <b>Email Address</b>      | <a href="mailto:pzo@okeanholdings.com">pzo@okeanholdings.com</a> |
| <b>Interest</b>           | Property Owner   |

|                           |  |
|---------------------------|--|
| <b>Name</b>               | Laurent Morali   |
| <b>Company Name</b>       | Star Key Park Owner, LLC                                     |
| <b>Address</b>            | 666 Fifth Avenue, 15 <sup>th</sup> Floor                     |
| <b>City, State, Zip</b>   | New York, New York 10103                                     |
| <b>Phone / Fax Number</b> | (212) 527-7000   |
| <b>Email Address</b>      | <a href="mailto:lmorali@kushner.com">lmorali@kushner.com</a> |
| <b>Interest</b>           | Contract Purchaser   |

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 3. Site Data

### A. Site Data

|  |   |
|--|---|
| <b>Built Features</b>                  | <b>Please see attached Application Attachment F for Built Features Inventory &amp; Map.</b>   |
| <b>PCN</b>                             | 00424617010001020, 00424617010000690, and 00424617020000370<br><br><b>Please see Application Attachment A-1 for Legal Description.<br/>Please see Application Attachment A-2 for PCN's and Ownership List.<br/>Please see Application Attachment P for Survey (dated within 18 months).</b>   |
| <b>Street Address</b>                  | 14600 Starkey Road & 8225 Atlantic Avenue   |
| <b>Frontage</b>                        | Approx. 669 feet of frontage along Atlantic Avenue (south)<br>Approx. 2,614 feet of frontage along Starkey Road (west)<br>Approx. 947 feet along LWDD L-33 Canal (north)<br>Approx. 2,724 feet along LWDD E-2 Canal (east) & Florida's Turnpike   |
| <b>Legal Access</b>                    | Starkey Road to the west  |
| <b>Contiguous under same ownership</b> | No adjacent property under same ownership.  |
| <b>Acquisition details</b>             | Tracts 101 through 104 and 121 through 124 were purchased for a sum of \$10 on May 17, 1995 from Jack M. Okean & Paul Z. Okean.<br>(See Special Warranty Deed ORB 8782, pg. 141) +/- 15 acres.<br><br>Tracts 69 through 72; 89 through 92; and 101 through 104 were purchased for a sum of \$10 on November 2, 1984 from Cavanagh Gardens Inc.<br>(See Warranty Deed ORB 4388, pg. 23) +/- 35 acres.<br><br><b>Please see Application Attachments A-3 for Warranty Deeds.</b> |
| <b>Size purchased</b>                  | 50.99 acres   |

### B. Development History

|  |   |               |             |                    |                                  |
|--|---|---------------|-------------|--------------------|----------------------------------|
| <b>Control Number</b>                  | 1985-50131  |               |             |                    |                                  |
| <b>Previous FLUA Amendments</b>        | Application LGA-2017-8 to change the future land use designation from AGR to MLU – CL and AGR was withdrawn by the applicant. |               |             |                    |                                  |
| <b>Concurrency</b>                     | Concurrency is not currently reserved but will be pursued for the proposed development.                                       |               |             |                    |                                  |
| <b>Plat, Subdivision</b>               | Palm Beach Farms Co. Plat No. 1 (Plat Book 2, Pages 26-28) and portions of West Homewood Terrace (Plat Book 14, Page 66)      |               |             |                    |                                  |
| <b>Zoning Approvals &amp; Requests</b> | There are no previous zoning approvals on the Subject Property.   |               |             |                    |                                  |
| <b>Reso. No.</b>                       | <b>App. No.</b>   | <b>Status</b> | <b>Type</b> | <b>Description</b> | <b>Changes proposed (if any)</b> |

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 4. Consistency

### A. Consistency

|   |  |
|---|--|
| <b>Justification</b><br>Provide as G.1.                 | Please see Application Attachment G, Section G.1. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio. |
| <b>Residential Density Increases</b><br>Provide as G.2. | Please see Application Attachment G, Section G.2. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio. |
| <b>Compatibility</b><br>Provide as G.3.                 | Please see Application Attachment G, Section G.3. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio. |
| <b>Comprehensive Plan</b><br>Provide as G.4.            | Please see Application Attachment G, Section G.4. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio. |
| <b>Florida Statutes</b><br>Provide as G.5.              | Please see Application Attachment G, Section G.5. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio. |

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

| Adjacent Lands   | Use   | Future Land Use            | Zoning   |
|------------------|---|----------------------------|--|
| <b>North</b>     | Nursery   | Agricultural Reserve       | Agricultural Reserve-Planned Unit Development                          |
| <b>Southeast</b> | Single-Family Residential – Delray Lake Estates PUD (96 dwelling units) | Agricultural Reserve       | Residential, Estate (Control No. 1979-00031)                           |
| <b>Southwest</b> | Nursery   | Agricultural Reserve       | Agricultural Reserve   |
| <b>East</b>      | Turnpike  | Utilities & Transportation | Agricultural Reserve   |
| <b>West</b>      | Agricultural – Valencia Cove PUD Preserve                               | Agricultural Reserve       | Agricultural Reserve-Planned Unit Development (Control No. 2004-00369) |

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 5. Public Facilities Information

|  |   |  |
|--|---|--|
| <b>A. Traffic Information</b>  |   |  |
| A written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the Future Land Use Element of the Comprehensive Plan is forthcoming and will be included in Application Attachment H, upon receipt, along with the approved Traffic Study. |   |  |
|  | <b>Current</b>  | <b>Proposed</b>  |
| <b>Max Trip Generator</b>  | Nursery (Garden Center) ITE #817<br>108.10 trips/acre<br>Nursery (Wholesale) ITE #818<br>19.5 trips/acre  | Light Industrial ITE#110<br>4.96 trips/1000 SF           |
| <b>Maximum Trip Generation</b>   | 1,438 daily trips   | Max: 4,462 daily trips<br>Proposed*: 4,462 daily trips   |
| <b>Net Daily Trips:</b>  | 3,024 daily trips (maximum minus current)<br>3,024 daily trips (proposed minus current)*  |  |
| <b>Net PH Trips:</b>   | 604 AM, 506 PM (maximum)<br>604 AM, 506 PM (proposed)*  |  |
| *Development program currently under design, proposed square footage to be included with concurrent zoning application submitted at later date prior to public hearing   |   |  |
| <b>Significantly impacted roadway segments that fail Long Range</b>  | None  | None   |
| <b>Significantly impacted roadway segments for Test 2</b>  | None  | Atlantic Avenue from Lyons Road to the Subject Property. |
| <b>Traffic Consultant</b>  | Kyle Duncan - Simmons & White, Inc.   |  |
| <b>B. Mass Transit Information</b>   |   |  |
| <b>Nearest Palm Tran Route (s)</b>   | Route 81 – Delray Beach via Atlantic Avenue   |  |
| <b>Nearest Palm Tran Stop</b>  | Oriole Plaza, Northeast corner of Hagen Ranch Road & Atlantic Avenue<br>Approximately 1 mile to the east of Property  |  |
| <b>Nearest Tri Rail Connection</b>   | Delray Beach Tri-Rail Station, East side of Congress Avenue, approximately ¼ mile south of Atlantic Avenue<br>Approximately 5.5 miles to the east of the Property |  |
| <b>C. Portable Water &amp; Wastewater Information</b>  |   |  |

|   |  |
|---|--|
| <b>Potable Water &amp; Wastewater Providers</b>   | Palm Beach County Water Utilities Department (PBCWUD)<br><br><b>A PBC WUD Service Letter has been requested and will be provided as Application Attachment I. A previously issued PBC WUD Service Letter has been included as Application Attachment I at this time and will be replaced with the updated letter upon receipt.</b> |
| <b>Nearest Water &amp; Wastewater Facility, type/size</b>   | Along Atlantic Avenue, adjacent to the Property  |
| <b>D. Drainage Information</b>  |  |
| <p>The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-15 Drainage Basin. Legal positive outfall is available via discharge to the Lake Worth Drainage District L-34 Canal along the south side of Atlantic Avenue. Drainage design is to address the following:</p> <ol style="list-style-type: none"> <li>1. On-site retention of the runoff from the 3 year, 1 hour rainfall event.</li> <li>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.</li> <li>3. Building floor revelations to be at or above the level produced by the 100 year 3 day rainfall event.</li> <li>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.</li> <li>5. Allowable discharge to be in accordance with South Florida Water Management District Basin criteria.</li> <li>6. Compliance with the South Florida Water Management District C-15 Drainage Basin criteria with required to compensating storage.</li> <li>7. Due to consideration to water quality.</li> </ol> |  |
| <b>E. Fire Rescue</b>   |  |
| <b>Nearest Station</b>  | PBC Fire-Rescue Station # 42, 14276 Hagen Ranch Road   |
| <b>Distance to Site</b>   | <i>Approximately 2.75 miles</i>  |
| <b>Response Time</b>  | 8 minutes  |
| <b>Effect on Resp. Time</b>   | <p>Average response time (call received to on scene) for Station 42's zone is 7:15. This project is expected to generate approximately 210 additional calls per year with a response time greater than the standard of 7:30.</p> <p><b>Please see Application Attachment K for PBC Fire Rescue Letter.</b></p>                     |
| <b>F. Environmental</b>   |  |
| <b>Significant habitats or species</b>  | No significant habitats or species exist on the property. <b>Please see Application Attachment L for the Natural Features Inventory &amp; Map and Environmental Assessment.</b>  |

|   |   |   |                          |                         |
|---|---|---|--------------------------|-------------------------|
| <b>Flood Zone*</b>  | The Subject Property is located within Flood Zone X as shown on FEMA Flood Rate Insurance Map Panel 200A or 245 (Palm Beach County).              |   |                          |                         |
| <b>Wellfield Zone*</b>  | The subject site is not located in or near any wellfields. <b>Please see Application Attachment M for Wellfield Protection Statement and Map.</b> |   |                          |                         |
| * If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.   |   |   |                          |                         |
| <b>G. Historic Resources</b>  |   |   |                          |                         |
| Staff review has identified no known archaeological resources located on or within 500 feet of the subject property.<br><b>Please see Application Attachment N for the PBC Historical and Archaeological Resource letter.</b> |   |   |                          |                         |
| <b>H. Parks and Recreation - Residential Only (Including CLF)*</b>  |   |   |                          |                         |
| *The proposed land use change does not allow for any residential development.   |   |   |                          |                         |
| <b>Park Type</b>  | <b>Name &amp; Location</b>  | <b>Level of Svc.<br/>(ac. per person)</b> | <b>Population Change</b> | <b>Change in Demand</b> |
| Regional  |   | 0.00339                                   |                          |                         |
| Beach   |   | 0.00035                                   |                          |                         |
| District  |   | 0.00138                                   |                          |                         |
| <b>I. Libraries - Residential Only (Including CLF)*</b>   |   |   |                          |                         |
| *The proposed land use change does not allow for any residential development.   |   |   |                          |                         |
| <b>Library Name</b>   |   |   |                          |                         |
| <b>Address</b>  |   |   |                          |                         |
| <b>City, State, Zip</b>   |   |   |                          |                         |
| <b>Distance</b>   |   |   |                          |                         |
| <b>Component</b>  | <b>Level of Service</b>   | <b>Population Change</b>                  | <b>Change in Demand</b>  |                         |
| Collection  | 2 holdings per person   |   |                          |                         |
| Periodicals   | 5 subscriptions per 1,000 persons   |   |                          |                         |
| Info Technology   | \$1.00 per person   |   |                          |                         |
| Professional staff  | 1 FTE per 7,500 persons   |   |                          |                         |
| All other staff   | 3.35 FTE per professional librarian   |   |                          |                         |
| Library facilities  | 0.34 sf per person  |   |                          |                         |



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

**\*The proposed land use change does not allow for any residential development.**

|                  | Elementary | Middle | High |
|------------------|------------|--------|------|
| Name             |            |        |      |
| Address          |            |        |      |
| City, State, Zip |            |        |      |
| Distance         |            |        |      |

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 6. Attachments

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

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

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

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## **ATTACHMENT F**

### **BUILT FEATURES INVENTORY**

The Subject Property of 50.99 acres is located at the northwest corner of the intersection of Florida's Turnpike and Atlantic Avenue. The site is developed as a nursery with screened and unscreened row crop fields and related irrigation wells. There is an existing mobile home residence located on the site along with a warehouse structure of approximately 17,800 square feet including a garage area used for maintenance and repair of agricultural equipment.



**ATTACHMENT G**  
**CONSISTENCY WITH THE COMPREHENSIVE PLAN & FLORIDA STATUTES**

**A. REQUEST**

On behalf of the property owner, Morningstar Nursery, Inc., and the applicant, Star Key Park Owner, LLC, Urban Design Studio (UDS), as Agent, has prepared and hereby respectfully submits this application for a Large-Scale Future Land Use Atlas (FLUA) Amendment for the 50.99 acre property generally located at the northwest intersection of the Florida's Turnpike and Atlantic Avenue, hereinafter referred to as the Subject Property. The Subject Property is comprised of three parcels with the following parcel control numbers (PCNs):

- 00-42-46-17-01-000-0690
- 00-42-46-17-01-000-1020
- 00-42-46-17-01-000-0370

The Subject Property is located in unincorporated Palm Beach County (PBC), situated in the Limited Urban Service Area and along the eastern boundary of the Agricultural Reserve Tier with an Agricultural Reserve (AGR) future land use (FLU) designation and corresponding Agriculture Reserve (AGR) zoning. The Subject Property is not located in any neighborhood planned area, or Redevelopment or Countywide Community Revitalization Team (CCRT) area.

The applicant is requesting approval of the following from the PBC Board of County Commissioners (BCC):

1. To amend the Future Land Use Atlas (FLUA) designation of the Subject Property from Agricultural Reserve (AGR) to Industrial (IND) with an underlying AGR

**B. BACKGROUND**

The Subject Property is located within the Agricultural Reserve Tier, on the north side of Atlantic Avenue and abutting the west side of Florida's Turnpike Atlantic Avenue Interchange. The site has long supported a wholesale nursery that is no longer in business. The structures on the site include a mobile home trailer and a warehouse with office and a garage totaling approximately 17,800 square feet used for nursery operations.

The Subject Property was the subject of a previous FLUA Amendment application submitted as Morning Star MLU (LGA 2017-008) which required concurrent text amendments and proposed to develop the site with a mix of commercial, residential, and institutional uses. This application was later withdrawn and no FLUA amendment was approved. No other development approvals are in place for the Subject Property.

The proposed change to the FLUA designation of the Subject Property does not require text amendments to the County's Unified Land Development Code (ULDC).

### **C. SURROUNDING USES**

The Subject Property is located within the Ag Reserve which encompasses over 20,000 acres of southern PBC lying between Hypoluxo Road on the north, Clint Moore Road on the south, Florida's Turnpike on the east, and the Arthur R. Marshall Loxahatchee National Wildlife Refuge to the west. As such, all properties surrounding the Subject Property to the north, west, and south are designated with the Agricultural Reserve (AGR) future land use.

The Agricultural Reserve Master Plan was originally developed to preserve and enhance agricultural activity as well as environmental and water resources within this portion of the County. Since the adoption of the Ag Reserve Master Plan, a number of amendments have been made to allow for planned residential development, multiple use planned development, and traditional marketplace developments. These amendments have resulted in a significant increase in the number of people living and working within the Ag Reserve.

The Atlantic Avenue corridor, within this area of the Ag Reserve, between Florida's Turnpike and State Road 7 is developed with a range of non-residential commercial and industrial uses. Most notable, the Delray Marketplace is a Traditional Marketplace Development (TMD) of approximately 278,000 square feet of commercial uses and approved for 73 multi-family units that remain undeveloped. The Delray Marketplace is one of only two TMDs approved within the Ag Reserve. As a result of a rezoning for the second TMD to Multiple Use Planned Development (MUPD), Canyon Town Center, Delray Marketplace is now the only TMD within the Ag Reserve. This site is located one-half of a mile west of the Subject Property. Based on existing applications in progress and interest in this portion of the Atlantic Avenue corridor, it is expected that additional commercial development will occur around the Atlantic Avenue and Lyons Road in the near future.

Further west of the Delray Marketplace, approximately 65 acres of property abutting Atlantic Avenue on the north and south for approximately one-half mile east of the intersection with State Road 7 are designated with an Industrial future land use designation, with underlying Ag Reserve land use. The majority of these properties possess a corresponding Light Industrial (IL) zoning district while others remain zoned Agricultural Residential (AGR) and one parcel is zoned for Multiple Use Planned Development (MUPD).

To the east of the Subject Property, across Florida's Turnpike and outside of the Ag Reserve, there are properties designated with a variety of residential and commercial future land use designations. Properties are developed with a range of housing types such as single-family, townhomes, and multi-family as well as commercial uses of various intensities.

Please see below table for a summary of the existing use, future land use, and zoning



of adjacent properties.

| Adjacent Lands   | Use  | Future Land Use            | Zoning  |
|------------------|--|----------------------------|---|
| <b>North</b>     | Nursery  | Agricultural Reserve       | Agricultural Reserve-Planned Unit Development |
| <b>Southeast</b> | Single-Family Residential – Delray Lake Estates PUD (Control No. 1979-00031) | Agricultural Reserve       | Residential, Estate                           |
| <b>Southwest</b> | Nursery  | Agricultural Reserve       | Agricultural Reserve                          |
| <b>East</b>      | Turnpike   | Utilities & Transportation | Agricultural Reserve                          |
| <b>West</b>      | Agricultural – AGR-PUD Preserve – Valencia Cove (Control No. 2004-00369)     | Agricultural Reserve       | Agricultural Reserve-Planned Unit Development |

Below is a description of the uses on the adjacent properties (or those on the other side of abutting R-O-W's) to the north, south, east and west of the subject property.

- **North:** Immediately north of the Subject Property is an existing active wholesale nursery designated as an AGR-PUD preserve area for the Valencia Cove PUD. Further north along Starkey Road, there are several homes on the west side of the road on an approximately 60-acre farm known as Irish Acres, an equestrian property of which a portion is dedicated as preserve area. Starkey Road dead ends approximately two (2) miles north of the intersection with Atlantic Avenue of which approximately one (1) mile is paved with the remaining northern mile unimproved. The road primarily serves agricultural uses such as nursery, row crop, or equestrian operations. PBC owns the majority of properties on either side of the northern mile of Starkey Road. This PBC land is the largest contiguous acreage, approximately 1,080 acres, of County-owned property in the Ag Reserve which is leased for agricultural uses.
- **South:** Directly south of the Subject Property is Atlantic Avenue, an Urban Minor Arterial according to Map TE 3.1 Functional Classification of Roads Map, that is planned for an ultimate right-of-way width of 126-feet pursuant to Map TE 14.1 Thoroughfare Right of Way Identification Map. Southwest of the Subject Property across Atlantic Avenue is an existing active wholesale nursery of approximately 10 acres known as the Pro Gardens Tree Farm. Southeast of the Subject Property across Atlantic Avenue is the only nearby residential development within the Ag Reserve known as Delray Lake Estates. According to the Residential Projects list on file with the Planning Division, this community was approved for 96 single-family homes on approximately one-acre lots with shared access to Atlantic Avenue via Persimmon Avenue. Based on the approved number of units on 130.40 acres, the approved density on this property would equate to .74 du/ac.
- **East:** The Subject Property is bordered on the east by the Lake Worth Drainage District E-2 Canal. Immediately east of the Subject Property beyond the canal is the

Florida's Turnpike and, more specifically, the Turnpike – Atlantic Avenue Interchange ranging from approximately 300 feet near the northern end of the Subject Property to over 1,500 feet in width along the southern half of the Subject Property. Across the Florida's Turnpike, approximately 20 acres of property is designated with a Commercial High with underlying MR-5 (CH/5) future land use and developed as a multi-family apartment complex comprising a portion of the larger Atlantic Commons development.

- **West:** Directly west of the Subject Property across Starkey Road is approximately 150 acres of property of which the large majority is included as an AGR-PUD Preserve for the Valencia Cove PUD. The remainder of the property is designated with an AGR FLU and corresponding AGR zoning. The entirety of the site is in use as an active nursery with row crops.

#### **D. CONSISTENCY**

##### **G.1 - Justification**

Per Policy 2.1-f of the FLUE of the PBC Plan, before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use. The applicant is requesting to amend the current FLUA designation from AGR to IND with underlying AGR. The subject property is not located within the boundaries of any Neighborhood Plan.

The proposed FLUA amendment meets the required standard as follows:

#### **1) The proposed use is suitable and appropriate for the subject site;**

**Applicant's Response:** The proposed Industrial (IND) with underlying AGR future land use designation, and the uses permitted with the corresponding zoning districts allowed, is suitable and appropriate for the Subject Property for a variety of reasons. Primarily, the location of the Subject Property along Atlantic Avenue, a major east-west corridor which provides direct access to the Florida Turnpike, as well as convenient access to State Road 7 and Interstate-95, makes this site a prime location for industrial development. Further, the Subject Property is of sufficient size to adequately develop an industrial warehouse/distribution operation while providing appropriate buffering, screening, landscaping, setbacks, and other design features to increase the compatibility of the site with surrounding uses.

It was the recommendation of the consultants retained by the County for the Ag Reserve Master Plan that up to 330,000 square feet of industrial uses be allowed in the Ag Reserve Tier. The 2000 Agricultural Reserve Master Plan specifically recommended that industrial uses be permitted at the intersections of the Florida Turnpike with Boynton Beach Boulevard and Atlantic Avenue. In 1999, during the process of creating the Ag Reserve, the County recognized a need for Industrial development within the Commercial Needs Assessment Report. Within the report, County Planning staff specifically identified a need for additional industrial space in the southern portion of the County to satisfy the demand for areas within the Ag Reserve with a consideration for regional suppliers serving the broader area.



In 2008, the Palm Beach County Light Industrial Land Use Study: White Paper, also recognized the necessity to provide for industrial uses to create a sustainable economy. While focusing on 'high technology manufacturing', the report also stressed that the creation of jobs for workers with a range of skills sets is also critical. The report mentioned that a minimum size of 25 acres for industrial development should be a goal, while the acreage could be required to be higher to account for other required infrastructure improvements, such as stormwater retention, buffers, etc.

Currently, few properties within the Ag Reserve are designated with an industrial land use. However, those that are designated with an IND land use and corresponding zoning are clustered along the Atlantic Avenue corridor just west of the Subject Property. These properties are partially developed with small-scale industrial service uses including a gas station, outdoor self-storage, pest control, automotive dealer, and automotive repair uses. These parcels provide for a range of small-scale industrial services to the benefit of residents within the Ag Reserve and surrounding area but do not currently include the full range of industrial uses, specifically, a regional supplier prepared to service the broader region. There is one area of land situated at the southeast quadrant of the intersection of Atlantic and U.S. 441 that is approximately a total of 24 acres that historically had an Industrial FLU. That property has not, however, developed and is somewhat remote from the subject property.

The proposed FLUA change on the Subject Property will allow for an industrial development of sufficient size to facilitate warehouse distribution operations that will serve the surrounding area with a connection to the region at-large. The site is ideally situated adjacent to major transportation routes and further benefits from adjacent agricultural uses compatible with an industrial distribution use. The Subject Property is the prime location for the proposed Industrial (IND) with underlying AGR future land use considering the size of the site, location along a corridor with primarily non-residential use and existing industrial uses serving the Ag Reserve, and proximity to major transportation routes and is appropriate for the use.

**2) There is a basis for the proposed amendment for the particular site based upon on 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;**

**Applicant's Response:** Significant changes to the original Ag Reserve Master Plan have been approved and continue to be requested within the Ag Reserve Tier. These changes include new commercial projects at specific nodes and along active corridors such as Atlantic Avenue, but are primarily in the form of large planned residential developments throughout the Tier. The level of growth has created a need for additional services within the Ag Reserve Tier, as well as for additional employment opportunities. These services include industrial distribution as a key component of not only the commercial uses within the

Tier, but the growing demand for expedited personal deliveries by existing and future residents in the region.

Several recent industrial zoning applications have been approved for properties along the Atlantic Avenue corridor within the Ag Reserve Tier. Thus far, industrial uses along this corridor are small-scale service-based uses that satisfy the needs of nearby residential developments. The proposed IND with underlying AGR FLU for the Subject Property will facilitate the development of an industrial distribution park which will serve the needs of existing and future residential and non-residential development within the Tier and the surrounding area. Sites such as the Subject Property are most appropriately positioned to support the growing demand for industrial development needed to satisfy the current and future demands of commercial operations within the area as well as the growing number of residents.

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

**Applicant's Response:** The Ag Reserve Master Plan initially called for a concentration of high employment uses at major transportation nodes such as the intersection of the Florida Turnpike and Atlantic Avenue. Since the adoption of the 1989 Comprehensive Plan, a number of large planned residential developments have been approved and constructed in the Ag Reserve, as well as multiple commercial and institutional developments in response to growing demand and population within the Ag Reserve Tier. Similarly, large properties along transportation corridors within the Urban/Suburban Tier have continued to be developed or redeveloped with planned residential, commercial, or mixed-use development. These changes result in a reduction of property of suitable size and proximity to major trafficways capable of supporting industrial distribution facilities, despite the growing demand for such uses. As such, land use changes driven by market demands throughout the County have resulted in consideration of the Subject Property as a prime location for the development of an industrial distribution center.

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

**Applicant's Response:** As discussed above, the need for industrial space within the Ag Reserve has been recognized within the original Master Plan as well as by County Planning staff more recently in the form of the Commercial Needs Assessment Report. Additionally, the Palm Beach County Light Industrial Land Use Study White Paper prepared by Swiger Consulting and CH Planning Ltd. in 2008 also found a need for industrial land within the County, particularly in the form of flex space buildings associated with current trends in industrial development. This white paper identified several key criteria for locating industrial parks, including: appropriate size of 25 acres or more, transportation access to interstate and major highways, available utilities, and proximity to support services and a labor pool. They further identified ideal sites as being outside of a flood plain, without wetlands, preferably flat, and allowing for highway visibility. The Subject Property benefits from a compounding of all of the above beneficial factors which support the proposed request for an Industrial (IND) with underlying AGR future land use designation.

**d. Inappropriateness of the adopted FLU designation;**

**Applicant's Response:** Considering the above, the AGR future land use designation is no longer the most appropriate FLU designation for the Subject Property to allow a balance of land uses that effectively support the demands of current and future residents of the Ag Reserve Tier and the County as a whole. The location, size, and access afforded to the Subject Property makes it an ideal site for industrial development that can more effectively utilize the adjacent transportation routes and provide needed services for a large number of residents and business operations within this area of the Ag Reserve and the surrounding area. The proposed IND with underlying AGR FLU is consistent with neighboring agricultural and non-residential uses and supports a variety of goals and policies of the Comprehensive Plan. Therefore, the proposed IND with underlying AGR FLU is an appropriate FLU designation for the Subject Property.

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

**Applicant's Response:** The adopted FLU designation of Agricultural Reserve (AGR) was not assigned in error. This request represents an evolution of market demands and changed circumstances as discussed above.

**G.2 Residential Density Increases**

This application is requesting a FLUA change from AGR to IND with underlying AGR to allow for an industrial development. No residential density increase is proposed and this section is not applicable to the request.

**G.3 - Compatibility**

Compatibility is defined in the County's Unified Land Development code as: "Land uses that are congruous, similar and in harmony with one another because they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar, contradictory, incongruous, or discordant activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise, vibration, smoke, hazardous odors, radiation, function and other land use conditions." Based on this definition and accepted growth management ideals, the proposed amendment to allow for an industrial development remains compatible with the surrounding uses and adjacent lands. It will not create or foster undesirable effects.

The Industrial future land use designation will allow for improvements to the property and surrounding roadways that will enhance the overall function and compatibility of uses along this portion of the Atlantic Avenue corridor. Where the site is adjacent to the Florida Turnpike, no incompatibility is created as the roadway provides significant separation from existing multi-family development to the east. A similar condition is created to the south where Atlantic Avenue serves as a substantial buffer to properties to the south with additional landscaping and buffer existing along the south side of Atlantic Avenue. Where

the Subject Property abuts existing agricultural uses to the north and west, the proposed FLUA change will not cause any negative impacts on these properties or their associated business operations. Nevertheless, requirements for buffering, screening, landscaping, setbacks, and building height work to enhance the compatibility of the proposed use with adjacent properties and to prevent undesirable health, safety, or aesthetic impacts on the surrounding area, making the proposed FLU designation compatible with the surrounding area.

#### **G.4 -Comprehensive Plan**

The proposed amendment furthers several Goals of the Comprehensive Plan and is consistent with several Objectives and Policies. The following analysis is provided to demonstrate consistency with specific objectives and policies in the Plan.

- **C. County Directions**

**Applicant's Response:** The County Directions in the Future Land Use Element provide the basis for the Goals, Objectives and Policies in the Plan. The County Directions recognize that redevelopment will occur and should be informed by growth management principles to encourage economic activity centers while maintaining land use compatibility and level of service standards. Allowing for the Industrial FLUA change will result in efficient use of land, and existing public facilities and services currently available to the Subject Property. The Industrial use, guided by development regulations, will result in a compatible redevelopment of the Subject Property that promotes economic prosperity with an activity center appropriately located at a major transportation node. Several of these Directions support the proposed amendment, specifically Growth Management; Infill, Redevelopment and Revitalization; Land Use Compatibility; Economic Diversity and Prosperity, and Economic Activity Centers.

- **FLUE Goal 1 Strategic Planning**

**Objective 1.1.7 Managed Growth Tier System:**

Strengthen and diversify the County's economic base to satisfy the demand of the population for employment growth, and provide opportunities for agricultural operations and employment centers

**Applicant's Response:** The proposed IND with underlying AGR FLU designation will allow for the development of an industrial project that will provide job opportunities for the growing population of the Ag Reserve, while providing services to existing and future residents and businesses of the Ag Reserve and the County at-large.

- **FLUE Objective 1.5 Agricultural Reserve Tier:**

Palm Beach County shall preserve the unique farmland and wetlands in order to preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier. This shall be accomplished by limiting uses to agriculture and conservation with residential development restricted to low densities and non-residential development limited to uses serving the needs of farmworkers and residents

of the Tier. The Agricultural Reserve Tier shall be preserved primarily for agricultural use, reflecting the unique farmlands and wetlands within it.

**Applicant's Response:** The proposed FLUA change to allow industrial development on the site will support Objective 1.5 as it will allow for a non-residential development that will serve the needs of current and future residents of the Ag Reserve Tier while creating a number of temporary and permanent employment opportunities.

- **FLUE Goal 2 Land Planning:**

It is the GOAL of Palm Beach County 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, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.

**Applicant's Response:** The Subject Property is located within the Limited Urban Service Area where public facilities and services are available to serve the proposed development. The location of the Subject Property at a major transportation node where public facilities already exist will ensure the timely and cost-effective provision of services the proposed development. Further, the proposed IND with underlying AGR FLU will increase the amount of industrial land use available within the Ag Reserve and will result in the creation of jobs west of the Florida Turnpike to serve existing and future residents of the Ag Reserve Tier. The development of the site with an Industrial land use will better position the County to meet the growing demands for distribution and employment in this area of the County.

- **FLUE Policy 2.1-f:** The following will detail the impact of the proposed FLUA on the items listed:

1. The natural environment, including topography, soils and other natural resources;

**Applicant's Response:** Please see Application Attachment L for the Natural Features Map and Images that show that this site does not support any existing habitat or natural communities. The site was previously cleared and has long been used as a wholesale nursery with related agricultural operations. The absence of wetlands, relatively flat land, and previous use as a wholesale nursery are key factors lending towards the compatibility of the proposed Industrial (IND) with underlying AGR FLU. The development of this site, with significant landscape improvements and an emphasis on sustainability, will serve to maintain the surrounding natural environment. Based on this assessment, there are no significant environmental resources or habitat existing on the property that would be negatively impacted by the proposed industrial development.

2. The availability of facilities and services;



**Applicant's Response:** Below is more detailed information on each of those facilities and services:

- *Traffic:* Please see Application Attachment H for the Comprehensive Plan Amendment Transportation Analysis prepared by Simmons and White and corresponding Traffic Approval from PBC Traffic Division.
- *Mass Transit:* The Palm Tran Bus Route that services this property is Route 81 - Delray Beach via Atlantic Avenue with the closest stop located at Oriole Plaza approximately 1 mile east of the Subject Property at the northeast corner of Hagen Ranch Road and Atlantic Avenue.
- *Potable Water and Wastewater:* Please see Application Attachment I for the PBC Water Utilities Department letter wherein it is stated that capacity does exist for the proposed development via an existing watermain and force main within Atlantic Avenue adjacent to the property.
- *Drainage:* Please see Application Attachment J for Drainage Statement prepared by Simmons and White. Legal positive outfall has already been established to LWDD L-34 Canal along the south side of Atlantic Avenue.
- *Fire Rescue:* Please see Application Attachment K for the Fire Rescue letter which confirms that the nearest PBC Fire Rescue station is Station #42 located at 14276 Hagen Ranch Road. Station #42 is located approximately 2.75 miles from the subject property and that the estimated response time to the subject property is approximately 7 minutes and 15 seconds.
- *School:* The proposed industrial land use will have no impact on school services.
- *Parks and Recreation:* The proposed industrial land use will have no impact on County Parks and Recreation services.

3. The adjacent and surrounding development;

**Applicant's Response:** The proposed Industrial FLUA change and resulting industrial development is compatible with surrounding agricultural properties and consistent with existing land use designations along this portion of the Atlantic Avenue corridor within the Ag Reserve. Please refer to Section G.3 - Compatibility and Surrounding Uses above.

4. The future land use balance;

**Applicant's Response:** The proposed IND with underlying AGR FLU designation will improve the balance of future land use designations for properties in this area of the Ag Reserve, specifically along this portion of the Atlantic Avenue corridor. The Subject Property totals 50.99 acres located at the periphery of the Ag Reserve and the Urban/Suburban Tier. The prime location and size of the property make it well suited for industrial development to serve the surrounding area. In recent years, a number of development applications have been processed and approved to allow primarily residential development of large properties both within the Urban/Suburban Tier and the Ag Reserve. The increase in residential development has grown substantially without a proportionate rise in the development of industrial service and employment opportunities. These changes have also resulted in a reduction in the viable properties capable of supporting industrial development at a time when market demands for industrial distribution are high. It follows that sites such as the

Subject Property with sufficient size, prime positioning along major transportation corridors, access to public facilities and services, and reasonable compatibility with surrounding uses are ideal candidates for the proposed Industrial FLU designation in order to create a balance of industrial land use to serve the County.

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

**Applicant's Response:** The proposed Industrial FLUA change will prevent urban sprawl as it will allow for the redevelopment of an underutilized property located on the periphery of the Ag Reserve and Urban/Suburban Tier. The Subject Property was previously utilized as a wholesale nursery that has since ceased operations. A number of properties further west into the Ag Reserve along Atlantic Avenue between Lyons Road and State Road 7 are developed or designated with commercial and industrial land uses. Public facilities and services are currently in place with capacity to serve an industrial development on the Subject Property. Further, the proposed industrial development is expected to bring additional job opportunities to the Ag Reserve which will result in the combined effect of providing employment opportunities to residents of the Ag Reserve, while facilitating increasingly important industrial distribution services for the area. Ultimately, the proposed IND FLU will work as a tool to curb urban sprawl in the County.

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

**Applicant's Response:** The Subject Property is not governed by a community plan and is not located within a special planning area. However, the need for industrial land use within the Ag Reserve is cited within the original Ag Reserve Master Plan report from October 2000, as well as the 1999 Commercial Needs Assessment Report and the 2008 Light Industrial Land Use Study White Paper.

7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.

**Applicant's Response:** The Subject Property is not located adjacent to any municipality; however, the applicant and their consultants have coordinated with the County's Fire Department, Water Utilities District, and Historical Resources Section. Further, the applicant recognizes the application will be reviewed by the Treasure Coast Regional Planning Council (TCRPC) as well as the Intergovernmental Plan Amendment Review Committee (IPARC).

- **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.

**Applicant's Response:** As described above, the proposed IND with underlying AGR FLU is appropriate for the Subject Property as it will allow for a balance of industrial land uses within this area of the Ag Reserve Tier that are needed in order to satisfy the demand of a growing population and provide employment opportunities to residents of the Tier.

- **FLUE 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.

**Applicant's Response:** The proposed industrial development will not encourage piecemeal development, but a full utilization of available services at the Subject Property. Adjacent properties are currently in use for bona fide agricultural operations and the large majority of adjacent agricultural lands are restricted by covenants to be agricultural preserve lands. As such, the approval of the proposed FLUA change will not encourage piecemeal development or result in residual parcels.

- **FLUE Table 2.2-e.1:** Designates the Industrial (IND) land use as permitting an FAR up to 0.45 in the Ag Reserve Tier.

**Applicant's Response:** The proposed change to an IND with underlying AGR FLU designation and any subsequent development plan will be consistent with this Table.

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

**Applicant's Response:** The location of the Subject Property at a major transportation node together with the size of the site, availability of public services, and the existing demand support this request for an IND with underlying AGR FLU designation. The County has recognized the need for industrial lands and various reports agree with market demands on the key criteria for the location of an industrial operation. However, property potentially suitable for industrial development within the Urban/Suburban Tier continue to be developed with residential, commercial, and mixed-use developments, reducing the available locations for effective industrial employment centers. The Subject Property is an ideal location for industrial distribution designed to provide employment opportunities and service the needs of businesses and residents of the Ag Reserve and surrounding area.

## **G.5. - Florida Statutes**

Please consider the following responses demonstrating consistency with Chapter 163.3177,



F.S.

- **F.S., Section 163.3177.6(a)8:** Future land use map amendments shall be based upon the following analysis:
  - a. An analysis of the availability of facilities and services.

**Applicant's Response:** Supporting data and analysis demonstrating the availability of facilities and services is presented in Application Attachments H (Traffic Study), I (Water and Wastewater Service Letter), J (Drainage Statement), and K (Fire Rescue Letter).

- b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

**Applicant's Response:** Supporting data and analysis demonstrating the proposed use is suitable based on the character of the Subject Property is presented in Application Attachments F (Built Features Inventory & Map), J (Drainage Statement), L (Natural Features Inventory & Map), M (Wellfield Zone Statement & Map), and N (Historic Resource Evaluation Letter).

- c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

**Applicant's Response:** The Subject Property is a contiguous site of approximately 50.99 acres. There will be a concurrent zoning application which will serve to support the premise that this acreage is the minimum amount of land needed to ensure the Subject Property may be efficiently developed with an IND with underlying AGR FLU and prevent residual parcels or piecemeal development.

- **F.S., Section 163.3177.6(a)9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
  - a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. 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:
    - (l) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

**Applicant's Response:** The proposed FLUA change from AGR to IND with underlying AGR will allow for additional services in an area developed with planned residential developments, agricultural operations, and a growing number of non-residential uses. The Ag Reserve Tier is known for low-density and single-use development; however, industrial development resulting from this proposed FLUA change will create

employment opportunities for residents in the area and will result in a more effective service to existing and future business in the area.

- (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

**Applicant's Response:** The Subject Property is located within the Limited Urban Service Area of the Ag Reserve Tier. Despite a focus on the preservation of agricultural uses, this area of the County, specifically along the Atlantic Avenue corridor, is not considering rural in nature as urban services and facilities are established to service this area.

- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

**Applicant's Response:** The Subject Property is not isolated and this amendment will not alter the development pattern of the surrounding area. There is existing development to the south, the Turnpike to the east and development on both the north and south quadrants east of the Turnpike. The development will complete the development projects on all four corners.

- (IV) 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.

**Applicant's Response:** The proposed FLUA change does not fail to adequately protect and conserve natural resources as no natural resources currently exist on the Subject Property. The resulting development will have no negative impacts on environmentally sensitive areas or other significant natural systems.

- (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

**Applicant's Response:** While the Subject Property was previously utilized as a wholesale nursery, the site is not designated as a preserve parcel or restricted by a conservation easement. However, adjacent agricultural properties are designated as preserve area with a conservation easement to ensure the continuation of bona fide agricultural uses on adjacent properties. The proposed FLUA change will have no impact on the agricultural activities of surrounding properties.

- (VI) Fails to maximize use of existing public facilities and services.

**Applicant's Response:** Various letters of determination are provided as attachments to

this FLUA amendment application to verify the availability and capacity of existing public facilities and services.

(VII) Fails to maximize use of future public facilities and services.

**Applicant's Response:** Various letters of determination are provided as attachments to this FLUA amendment application to verify the availability and capacity of existing public facilities and services.

(VIII) 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.

**Applicant's Response:** Public facilities and services are currently available to the Subject Property and surrounding area and the proposed FLUA change would not increase the cost in time, money, or energy for providing and maintaining these facilities and services.

(IX) Fails to provide a clear separation between rural and urban uses.

**Applicant's Response:** The Subject Property is located on the eastern periphery of the Ag Reserve Tier and adjacent to the Urban/Suburban Tier. The proposed FLUA change discourages sprawl as it proposes to located industrial services away from the Rural Tier and within the existing development pattern established in the Urban/Suburban and Ag Reserve Tiers.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

**Applicant's Response:** The industrial development resulting from the approval of the proposed FLUA change could be considered infill redevelopment as developments currently exist further west of the Subject Property and to the south and east. The location is ideal for the development of an industrial distribution center to serve existing residential and non-residential development in the surrounding area.

(XI) Fails to encourage a functional mix of uses.

**Applicant's Response:** The approval of an IND with underlying AGR FLU designation for the Subject Property will improve the functional mix of uses by introducing a viable site for a large-scale industrial employment center that serves businesses and residences in the surrounding area.

(XII) Results in poor accessibility among linked or related land uses.

**Applicant's Response:** The proposed FLUA change and resulting development is

expected to improve the accessibility between properties and adjacent roadways.

(XIII) Results in the loss of significant amounts of functional open space.

**Applicant's Response:** The Subject Property is not currently utilized as functional open space and so no loss will occur with the approval of the proposed FLUA change.

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

- 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.

**Applicant's Response:** The proposed amendment seeks to redevelop a property that was previously cleared of natural resources and located outside of a wellfield protection zone. As such, development of the Subject Property would not have an adverse impact on natural resources or ecosystems and the applicant will abide by County ULDC provisions with respect to addressing existing plant materials through the zoning approval process.

- Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

**Applicant's Response:** The proposed IND with underlying AGR FLU will maximize the use of existing public facilities and services available to the site along the Atlantic Avenue corridor. The Subject Property is located along an area of existing development and would not require the extension of public facilities or services into a rural area of the County.

- Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

**Applicant's Response:** The proposed amendment will introduce industrial land use to an area with a high demand that has long been dominated by low-density residential development, but has recently seen an increase in various non-residential uses. The proposed IND with underlying AGR FLU will effectively introduce a functional mix of uses along this portion of the Atlantic Avenue corridor.

- Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

**Applicant's Response:** The proposed FLUA change will allow industrial development of a property within the Ag Reserve Tier based on established floor area ratio and other dimensional standards applicable to industrial development in the Ag Reserve. The change

will designate a suitable property with industrial FLU to allow for an appropriate mix of uses in this area to serve the existing and future residential developments and business operations.

On behalf of the applicant, UDS, respectfully requests approval of this request to amend the FLUA designation on the subject property. The Project Managers at UDS are Ken Tuma , [KTuma@udsflorida.com](mailto:KTuma@udsflorida.com), or Tyler Woolsey, [TWoolsey@udsflorida.com](mailto:TWoolsey@udsflorida.com).

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June 20, 2016

**Water Utilities Department  
Engineering**

P.O. Box 16097

West Palm Beach, FL 33416-6097

(561) 493-6000

Fax: (561) 493-6113

www.pbcwater.com



**Palm Beach County  
Board of County  
Commissioners**

Mary Lou Berger, Mayor

Hal R. Valeche, Vice Mayor

Paulette Burdick

Shelley Vana

Steven L. Abrams

Melissa McKinlay

Priscilla A. Taylor

**County Administrator**

Verdenia C. Baker

Morton Planning  
3920 RCA Boulevard, Suite 2002  
Palm Beach Gardens, FL 33410  
Attn: Ms. Lauren McClellan

RE: Property on NE Corner of Atlantic Avenue and Starkey Road  
**PCN# 00-42-46-17-01-000-1020, - 0609**  
Comprehensive Plan Land Use Amendment  
Your request from 06-17-2016

Dear Ms. McClellan:

This is to confirm that Palm Beach County Water Utility Department (PBCWUD) is the potable water, wastewater and reclaimed water provider for the referenced property. Service capacities are available, subject to a reservation agreement with PBCWUD.

PBCWUD is able to maintain the required level of service to the property based on the current Land Use Designation of Agriculture Reserve, and will be able to provide the required level of service based on the proposed Land Use Designations of Commercial Low and High Residential, 8 units per acre.

The nearest potable water, wastewater and reclaimed water mains are located in Atlantic Avenue, adjacent to the property.

If you have any questions, please call me at (561)493-6122.

Sincerely,

A handwritten signature in blue ink, which appears to read "Adam Galicki".

Adam Galicki  
Manager of Technical Services

AG/mb





**Water Utilities Department  
Engineering**

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



**Palm Beach County  
Board of County  
Commissioners**

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

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

November 12, 2020  
Urban Design Kilday Studios  
610 Clematis Street Suite CU02  
West Palm Beach, Fl. 33401

RE: NW Corner of Florida Turnpike and Atlantic Avenue  
PCN:00424617010001020,00424617010000690&  
00424617020000370  
Service Availability Letter- 50.99-Acre Site

Dear Mr. Woolsey,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity for the proposed land use change to Industrial, which would allow up to 999,506 square feet of industrial development on this site.

The nearest potable water is a 42" watermain located adjacent to the subject property within Atlantic Avenue. The nearest sanitary sewer connection is a 16" forcemain adjacent to the subject property in Atlantic Avenue. A lift station is required for this connection. This property is located in a Mandatory Reclaimed Area. The nearest reclaimed watermain is a 20" reclaimed main located adjacent to the subject property in Atlantic Avenue.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. If you have any questions, please give me a call at (561)493-6116.

Sincerely,

Jackie Michels, P.E.,  
Plan Review Manager



November 6, 2020

Job No. 20-133

LAND USE PLAN AMENDMENT APPLICATION  
STATEMENT OF LEGAL POSITIVE OUTFALL

Star Key Industrial Park  
Palm Beach County, Florida

SITE DATA

The subject parcel is located in the northwest corner of Atlantic Avenue and the Florida Turnpike in Palm Beach County, Florida and contains approximately 50.99 acres. The Property Control Numbers (PCN) for the subject parcel are as follows:

00-42-46-17-01-000-1020

00-42-46-17-02-000-0370

00-42-46-17-01-000-0690

The subject property is currently designated as Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Industrial (IND).

SITE DRAINAGE

The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-15 Drainage Basin. Legal positive outfall is available via discharge to the Lake Worth Drainage District L-34 Canal along the south side of Atlantic Avenue. 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.



DRAINAGE (CONTINUED)

4. Parking lots to be protected from flooding during a 3 year, 24 hour event, or the 5 year, 24 hour event if exfiltration trench is used.
5. Allowable discharge to be in accordance with South Florida Water Management District Basin criteria.
6. Compliance with the South Florida Water Management District C-15 Drainage Basin criteria with required to compensating storage.
7. Due to consideration to water quality.

---

Robert F. Rennebaum, P.E.  
FL Reg. No. 41168

Robert F. Rennebaum, P.E., State of Florida,  
Professional Engineer, License No. 41168

This item has been electronically signed and  
sealed by Robert F. Rennebaum, P.E. on 11/06/2020  
using a SHA-1 Authentication Code.

Printed copies of this document are not considered signed  
and sealed and the SHA-1 Authentication Code must  
be verified on any electronic copies.



**Fire Rescue**

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



**Palm Beach County  
Board of County  
Commissioners**

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

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

Official Electronic Letterhead

November 2, 2020

Urban Design Studio  
Attention: Tyler Woolsey  
610 Clematis Street  
Suite CU-02  
West Palm Beach, FL 33401

Re: Morningstar Nursery

Dear Tyler Woolsey:

Per your request for response time information to the subject property located at the northwest corner of the Turnpike and Atlantic Avenue. This property is served currently by Palm Beach County Fire-Rescue station #42, which is located at 14276 Hagen Ranch Road. The subject property is approximately 2.75 miles from the station. The estimated response time to the subject property is 8 minutes. For fiscal year 2020, the average response time (call received to on scene) for this stations zone is 7:15.

Changing the land use of this property is expected to generate approximately 210 additional calls per year with a response time greater than our standard of 7 minutes 30 seconds.

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

Sincerely,

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

Cheryl Allan, Planner  
Palm Beach County Fire-Rescue

## **ATTACHMENT L**

### **NATURAL FEATURES INVENTORY**

The Subject Property of 50.99 acres is located at the northwest corner of the intersection of Florida's Turnpike and Atlantic Avenue. The site has been previously cleared of natural vegetation and has a long history of use as a wholesale nursery. No wetland areas or native habitats were identified on the Subject Property. Based on a history of commercial agricultural use, there are no significant natural features on the site. An environmental assessment of the Subject Property was completed by EW Consultants and is included with this Natural Features Inventory and Map.





EW CONSULTANTS, INC.  
NATURAL RESOURCE MANAGEMENT, WETLAND, AND ENVIRONMENTAL PERMITTING SERVICES



# **FUTURE LAND USE AMENDMENT ENVIRONMENTAL ASSESSMENT MORNINGSTAR NURSERY**

**Prepared for:**

**Star Key Park Owner, LLC**

**Prepared by:**

**EW Consultants, Inc.**

**November 2020**

## **INTRODUCTION**

The subject property is located west of and adjacent to the Florida Turnpikes and north of and adjacent to Atlantic Avenue, and east of and adjacent to Starkey Road in Palm Beach County, Florida (Figure 1). The property is located in Section 17, Township 46 south, and Range 42 east and is approximately 50.7± acres in size (Figures 2 and 3). The subject property parcel was reviewed on November 4, 2020 for the presence of any significant environmental resources that should be noted in the Future Land Use Amendment Application. The property was reviewed by walking a series of pedestrian transects across the site.

## **SITE CONDITIONS**

Chronological review of historical aerial imagery from c.1952 show the property change from undeveloped to agricultural land with onsite buildings and a driveway in the southeast corner adjacent to Atlantic Avenue of what was the original extent of the property but which is not part of the property boundary at present. By c.1982 the property was developed as a nursery with one building and associated parking present at that time. Properties to the north and west had also been developed as agricultural properties, the east property boundary abuts Florida's Turnpike. Imagery through c.1986 depicts growth of vegetation on the perimeter of the property but no further development. Properties adjacent to the north and across Starkey Road to the west appear to be nurseries and other agricultural uses, with the property to the south of Atlantic Avenue developed as single-family homes. A canal exists along the north boundary, and a roadside drainage ditch exists along the full extent of the east boundary of the property. The next available imagery is dated c.1995 and shows the overall property is consistent with the current site conditions comprising a palm tree nursery, ornamental plant shade houses, a packing plant building, and improved pasture with grazing cattle. However, imagery c.2005 shows an expansion of Florida's Turnpike and expansion of the interchange at Atlantic Avenue resulting in the reduction of land on east side of the property to create its current size and configuration. No evidence of jurisdictional wetland conditions or listed species were observed on the parcel.

## **VEGETATIVE COMMUNITIES**

As described above, the site is currently developed as a commercial nursery and contains landscape plantings, planted palm trees, ornamental plants grown in shade houses, and some overgrowth of exotic and nuisance species. No native habitat was observed on the property. The site is mapped as improved pasture (#211), ditches (#510), and ornamental nursery (#243) according to the *Florida Land Use Cover and Forms Classification System* (see Figure 4). Although the majority of the site is developed as an ornamental landscape plant nursery and improved pasture it also contains a plant packing/warehouse building, other small storage buildings with landscape trees, grasses, and other vegetation present adjacent to the packing house, around the perimeter, and scattered throughout the site. Native species include leather fern, beggar ticks, and grasses. Non-native or nuisance species include papyrus, numerous varieties of ornamental palms and landscape trees, Brazilian pepper, carrotwood, Java plum, and earleaf acacia.

### **SIGNIFICANT HABITAT / LISTED SPECIES**

No significant habitat occurs on the property. No listed plant or animal species, signs of listed species, or listed species habitat was observed on the property. Listed species would not be expected to utilize the site because of the lack of suitable habitat, past disturbances, human activity, and surrounding development.

### **SOILS**

Soils were mapped according to the Soil Survey of Palm Beach County published by U.S. Department of Agriculture Soil Conservation Service (1979). The soils map is attached. The mapped soils found on the property are described below. However, it should be noted that the mapped soils may not accurately represent current soil conditions on the property due to prior land use and earthwork that may have occurred on the property.

Myakka Fine Sand, 0 to 2 percent slopes (21): Myakka sand is described as a nearly level, poorly drained, deep, sandy soil that has a dark-colored layer above a depth of 30 inches that is weakly cemented with organic material. Historically, this soil was in broad flatwood areas. The water table is generally within 10 inches of the surface for two to four months in most years, and within a depth of 10 to 40 inches for six months or more. Typical natural vegetation included slash pine (*Pinus elliottii*), saw palmetto (*Serenoa repens*), gallberry (*Ilex glabra*), fetterbush (*Lyonia lucida*), and many grasses.

Quartzipsamments, Shaped, 0 to 5 percent slopes (35): Myakka sand is described consists of nearly level to gently sloping, well drained, deep, sandy soils in areas where natural soils have been altered by cutting down ridges and spreading the soil material over adjacent lower soils, by filling low areas above natural ground level, and by filling, grading, and shaping soil material to form other urban development structures. The sandy fill material may be hauled in from a distant source but is generally obtained at the site by dredging nearby water areas or by excavating to create water areas. The water table is below a depth of 60 inches. Permeability is very rapid.

### **SURFACE WATERS AND WETLANDS**

There were no wetlands observed on the property. Surface waters consist of drainage and irrigation ditches with no significant wetland plant assemblages. No wetlands or surface waters are shown on the National Wetlands Inventory (NWI) mapping for the property.

### **FLOOD ZONE INFORMATION**

According to Palm Beach County's Information Systems Services, the subject property is located within flood zone X. Flood zone X represents areas outside of the 500-year flood plain with less than 0.2% probability of annual flooding.

**WELLFIELD PROTECTION ZONE**

The subject property is not located within or adjacent to a wellfield protection zone.

**SUMMARY**

There are no significant environmental resources or habitat existing on this property. As a result of historical disturbance and current development on the property, vegetation consists of improved pasture and a combination of planted native and exotic species including a dominance of exotic palm species and invasive exotic Brazilian pepper where any assemblages do exist. No listed plant or animal species were observed on the property and no jurisdictional wetlands were observed on the property. No significant impacts to natural resources are anticipated to result from this land use amendment.



EW CONSULTANTS, INC.

NATURAL RESOURCE MANAGEMENT, WETLAND, AND ENVIRONMENTAL PERMITTING SERVICES

## **ATTACHMENTS**

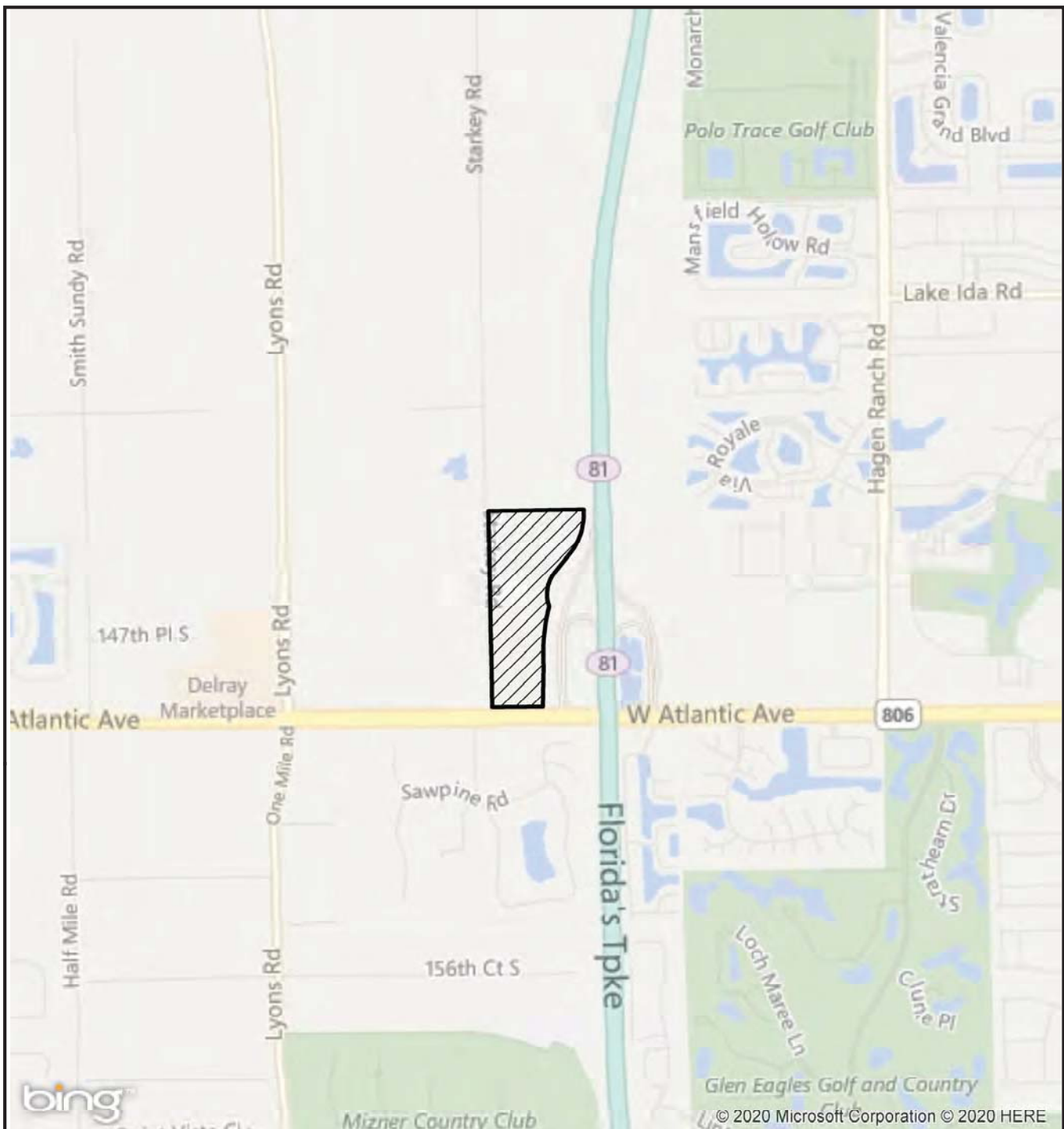
**Figure 1. Location Map**

**Figure 2. Quad Map**


**Figure 3. Aerial Photo**

**Figure 4. FLUCFCS Map**

**Palm Beach County Soils Report**



# LEGEND

 - SITE (50.7+/- AC)

0 2,000 Feet



## MORNINGSTAR NURSERY LOCATION MAP



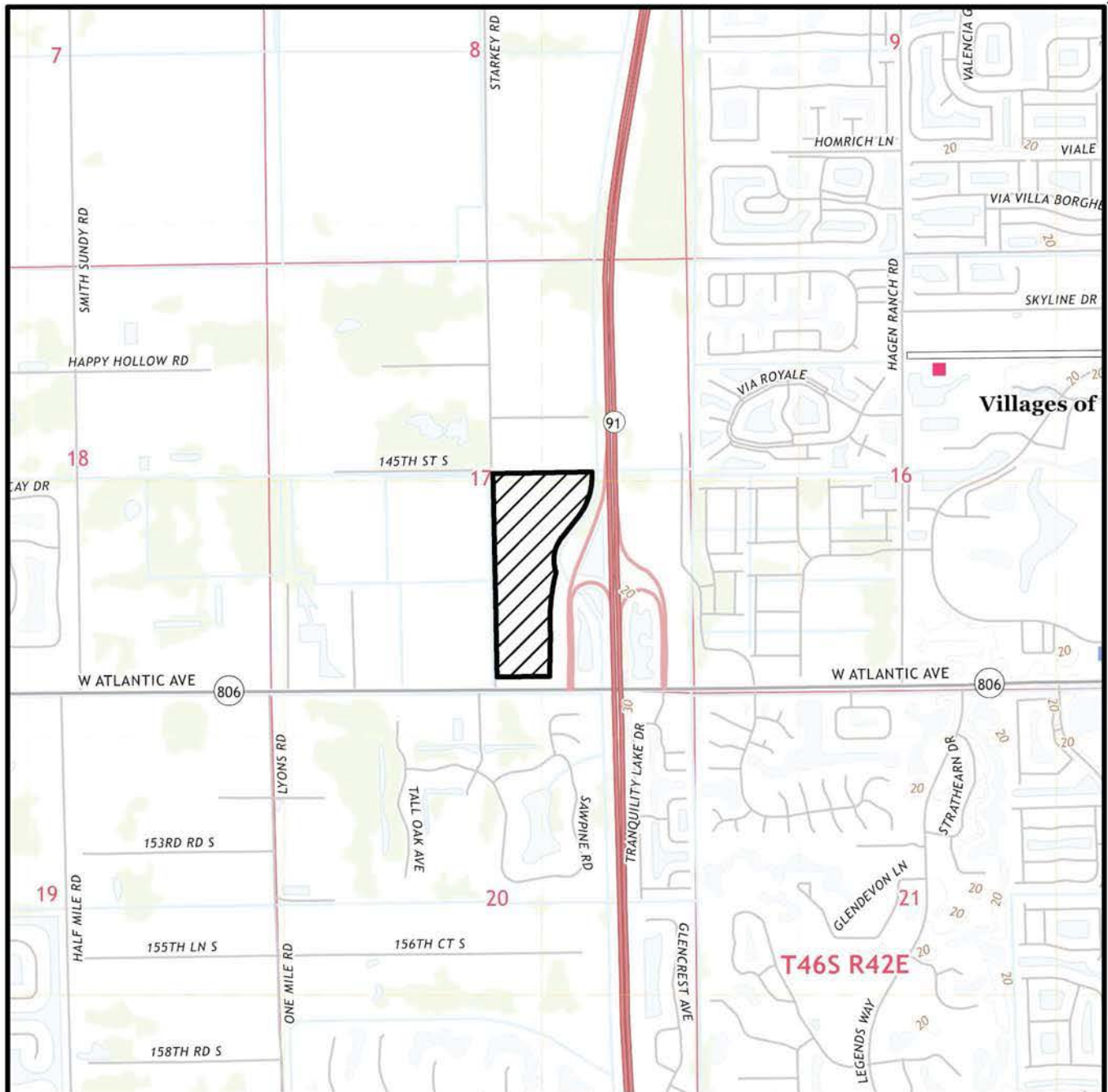
### EW CONSULTANTS, INC.

2581 METROCENTRE BLVD., SUITE 1  
WEST PALM BEACH, FL 33407  
561-291-7950 PHONE 561-530-4908 FAX  
WWW.EWCONSULTANTS.COM

NOV 2020

FIGURE

1



USGS QUAD MAP "UNIVERSITY PARK", SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, DELRAY BEACH, PALM BEACH COUNTY, FLORIDA, LATITUDE 26°27'28" LONGITUDE -80°10'41"

### LEGEND

 - SITE (50.7± AC)

0 2000  
SCALE IN FEET



## MORNINGSTAR NURSERY QUAD

Morningstar Nursery.dwg QUAD



**EW CONSULTANTS, INC.**

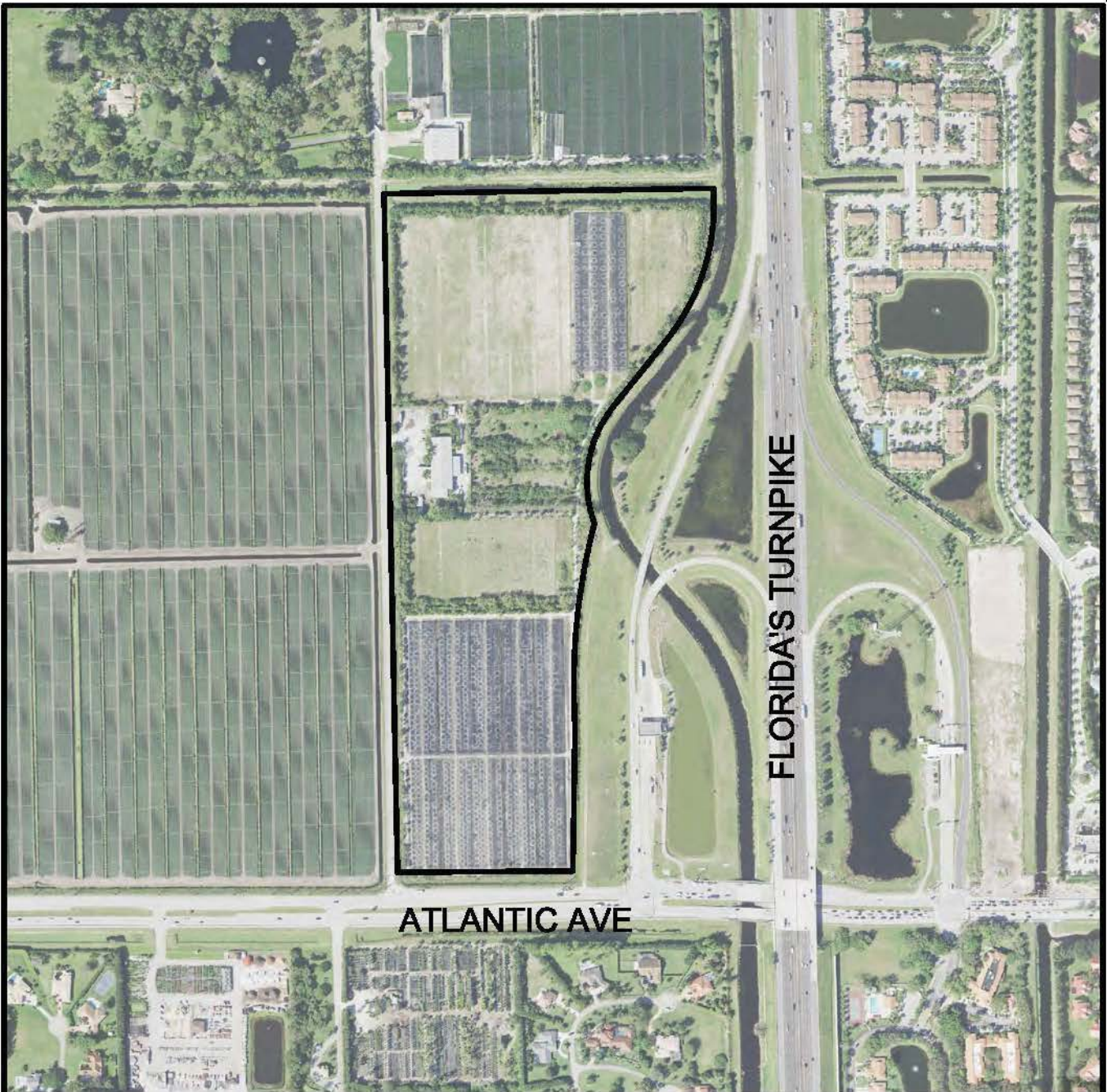
2581 METROCENTRE BLVD., SUITE 1  
WEST PALM BEACH, FL 33407  
561-291-7950 PHONE 561-530-4908 FAX  
WWW.EWCONSULTANTS.COM

**NOV 2020**

**FIGURE**

**2**





PALM BEACH COUNTY AERIALS DATED 2020

0 600  
SCALE IN FEET



# MORNINGSTAR NURSERY AERIAL

Morningstar Nursery.dwg AERIAL



**EW CONSULTANTS, INC.**  
2581 METROCENTRE BLVD., SUITE 1  
WEST PALM BEACH, FL 33407  
561-291-7950 PHONE 561-530-4908 FAX  
WWW.EWCONSULTANTS.COM

**NOV 2020**

**FIGURE**

**3**





PALM BEACH COUNTY  
AERIALS DATED 2020

#### LEGEND

211 - IMPROVED PASTURE (27.4± AC)

243 - ORNAMENTALS (22.8± AC)

510 - DITCHES (0.5± AC)

TOTAL SITE (50.7± AC)

0 400  
SCALE IN FEET

## MORNINGSTAR NURSERY

## FLUCFCS

Morningstar Nursery.dwg FLUCFCS



### EW CONSULTANTS, INC.

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WEST PALM BEACH, FL 33407  
561-291-7950 PHONE 561-530-4908 FAX  
WWW.EWCONSULTANTS.COM

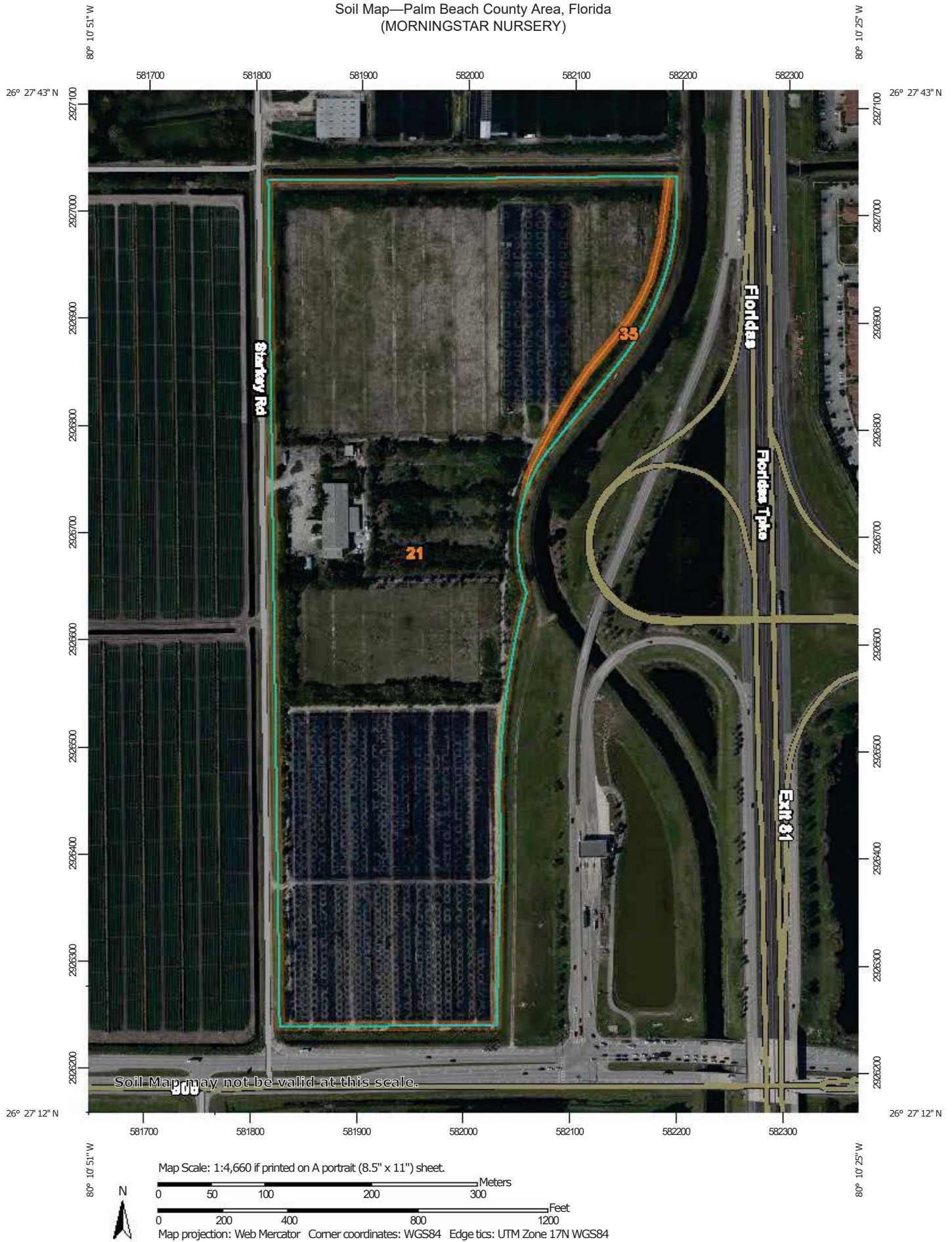
### NOV 2020

FIGURE

# 4



Soil Map—Palm Beach County Area, Florida  
(MORNINGSTAR NURSERY)





MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Palm Beach County Area, Florida  
Survey Area Data: Version 17, Jun 9, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 7, 2020—Mar 26, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

MAP LEGEND

**Area of Interest (AOI)**

Area of Interest (AOI)

**Soils**

Soil Map Unit Polygons

Soil Map Unit Lines

Soil Map Unit Points

**Special Point Features**

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

**Transportation**

RAILS

Interstate Highways

US Routes

Major Roads

Local Roads

**Background**

Aerial Photography

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

## Map Unit Legend

| Map Unit Symbol                    | Map Unit Name                                   | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------------|----------------|
| 21                                 | Myakka fine sand, 0 to 2 percent slopes         | 49.7         | 98.0%          |
| 35                                 | Quartzipsamments, shaped, 0 to 5 percent slopes | 1.0          | 2.0%           |
| <b>Totals for Area of Interest</b> |   | <b>50.7</b>  | <b>100.0%</b>  |



November 6, 2020  
Job No. 20-133

LAND USE PLAN AMENDMENT APPLICATION  
WELLFIELD PROTECTION ZONE STATEMENT

Star Key Industrial Park  
Palm Beach County, Florida

SITE DATA

The subject parcel is located in the northwest corner of Atlantic Avenue and the Florida Turnpike in Palm Beach County, Florida and contains approximately 50.99 acres. The Property Control Numbers (PCN) for the subject parcel are as follows:

00-42-46-17-01-000-1020      00-42-46-17-02-000-0370  
00-42-46-17-01-000-0690

The subject property is currently designated as Agricultural Reserve (AGR) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's future land use designation to Industrial (IND).

WELLFIELD PROTECTION ZONE

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

Robert F. Rennebaum, P.E.  
FL Reg. No. 41168

Robert F. Rennebaum, P.E., State of Florida,  
Professional Engineer, License No. 41168

This item has been electronically signed and  
sealed by Robert F. Rennebaum, P.E. on 11/06/2020  
using a SHA-1 Authentication Code.

Printed copies of this document are not considered signed  
and sealed and the SHA-1 Authentication Code must  
be verified on any electronic copies.

sa: x:/docs/trafficanddrainage/lupawellfield.20133

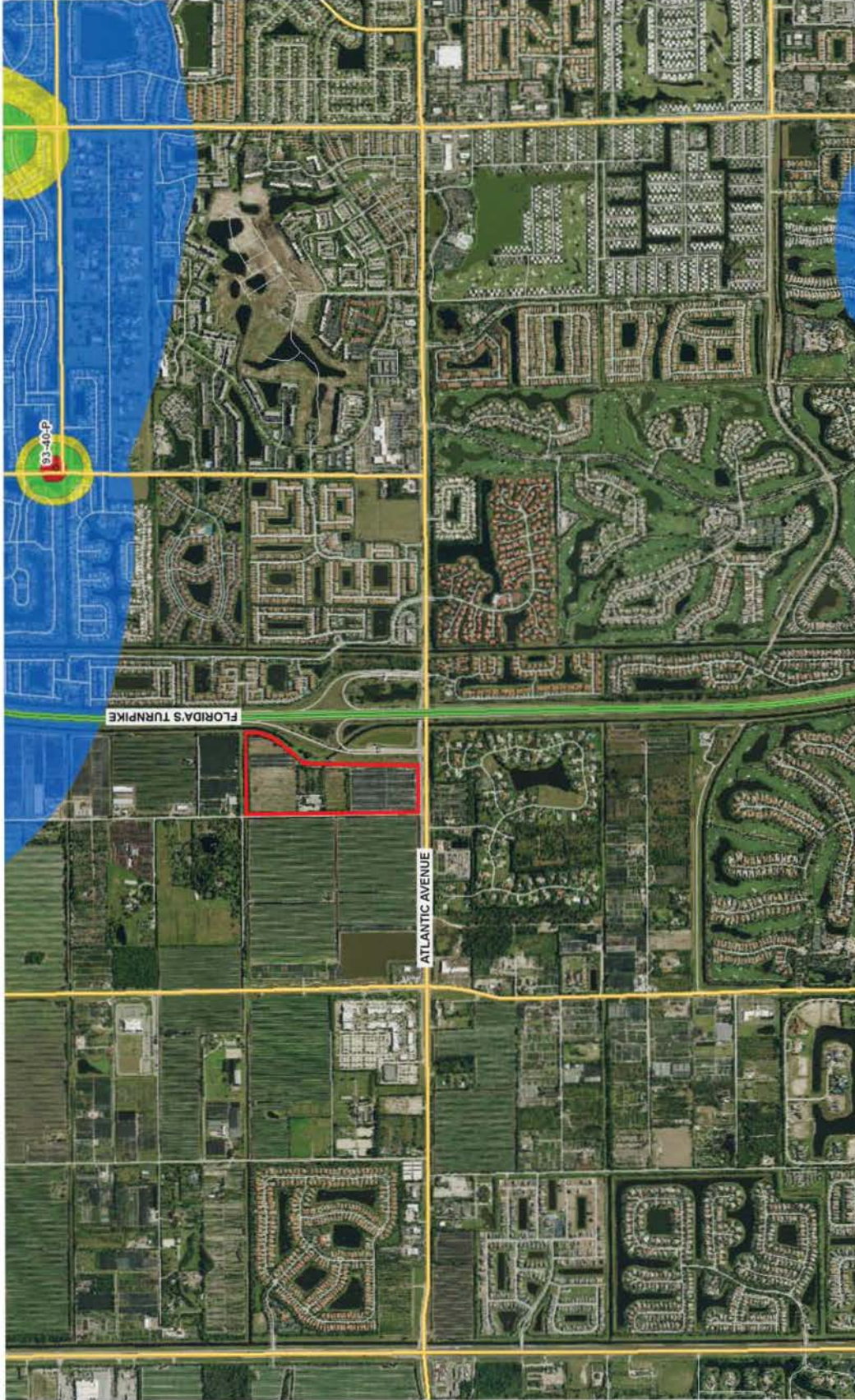




# STAR KEY INDUSTRIAL PARK

WELL FIELD ZONE MAP

urban  
design  
kilday  
STUDIOS







**Department of Planning,  
Zoning & Building**

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

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

**Palm Beach County  
Board of County  
Commissioners**

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Mary Lou Berger

Melissa McKinlay

Mack Bernard

**County Administrator**

Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"



November 3, 2020

Tyler Woolsey  
Urban Design Studio  
610 Clematis Street, Suite CU02  
West Palm Beach, FL 33401

**RE: Historical and Archaeological Resource Review for: Morning Star  
Nursery, PCN's: 00-42-46-17-01-000-1020 & 00-42-46-17-01-000-0690  
and 00-42-46-17-02-000-0370.**

Dear Mr. Woolsey,

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

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

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

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

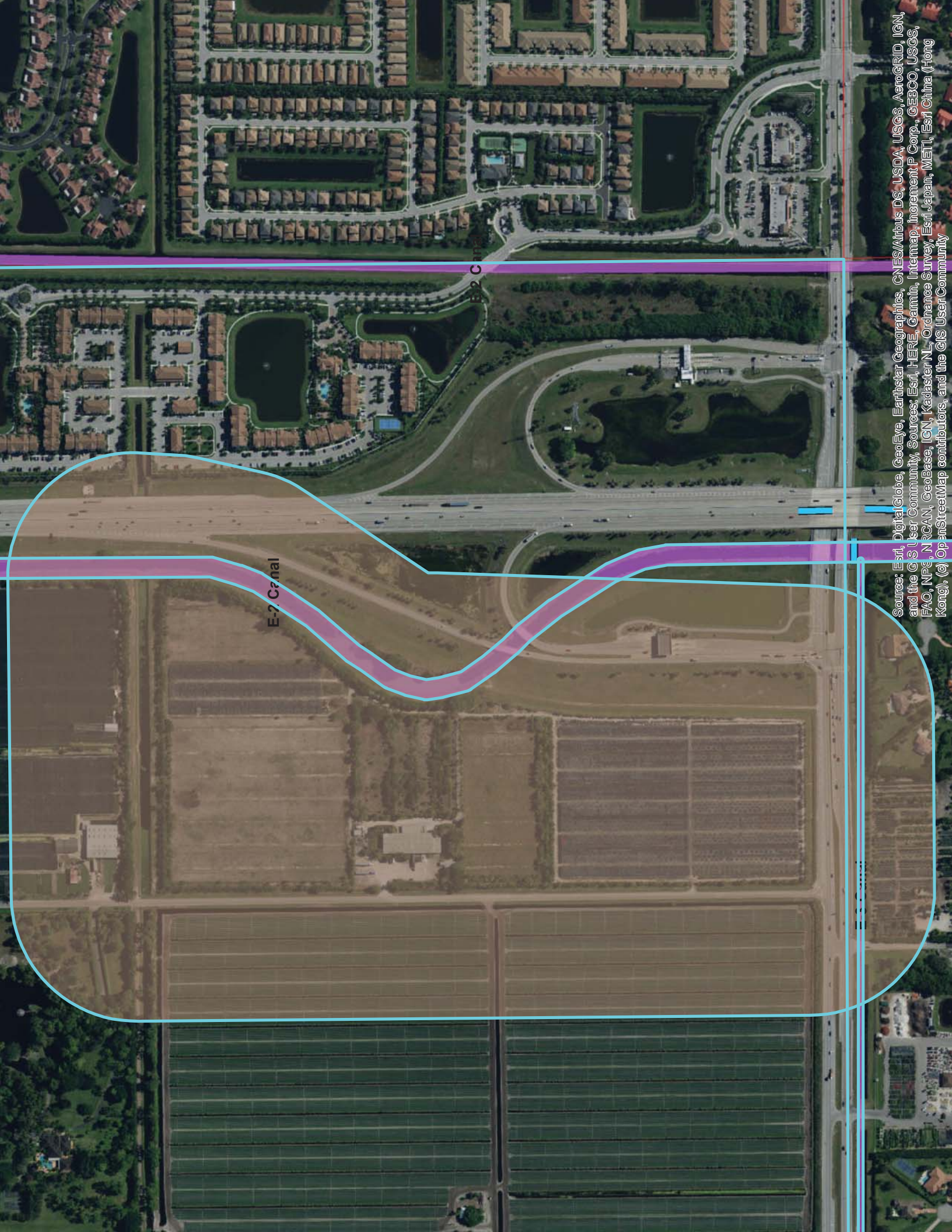
Sincerely,

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

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

T:\Planning\Archaeology\County Departments\Planning\Land Use Amendments and Development  
Review\Urban Design Studio\2020\Morning Star Nursery Ltr 11-03-2020.doc





E-2 Canal

E-2 C

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Cultural Resource Roster

| SiteID  | Type | Site Name | Address       | Additional Info | SHPO Eval         | NR Status |
|---------|------|-----------|---------------|-----------------|-------------------|-----------|
| PB07704 | RG   | E-2 Canal | Boynton Beach | Linear Resource | Insufficient Info |           |
| PB07705 | RG   | E-3 Canal | Delray Beach  |                 | Not Eligible      |           |



## ELECTRONIC SIGNATURE REPORT

PROJECT NAME: Star Key Industrial Park

JOB NUMBER: 20-133

1. LUPA Wellfield Protection Zone Statement 1  
DOCUMENT NAME # OF SHEETS  
88 32 2E 2E 4C D8 54 F5 8E FE 79 C6 84 FE B9 23 77 0B 34 9A  
SHA CODE

2. LUPA Statement of Legal Positive Outfall 2  
DOCUMENT NAME # OF SHEETS  
88 32 2E 2E 4C D8 54 F5 8E FE 79 C6 84 FE B9 23 77 0B 34 9A  
SHA CODE

3. LUPA Flood Plain Statement 1  
DOCUMENT NAME # OF SHEETS  
88 32 2E 2E 4C D8 54 F5 8E FE 79 C6 84 FE B9 23 77 0B 34 9A  
SHA CODE

  
SIGNATURE/SEAL

Robert F. Rennebaum, P.E.  
NAME

41168  
LICENSE NUMBER

11/06/2020  
DATE