

2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

| | | | |
|--|--|---|--|
| Round | 22-B | Intake Date | November 9, 2021 |
| Application Name | Windsor Industrial | Control No. | 2003-00020 |
| Acres | 2.55 (See Survey at Attachment P) | Concurrent Zoning application? | Yes (Rezoning, Type 2 Variance, Development Order Abandonment) |
| | | Text Amend? | No |
| PCNs | 00-42-43-27-05-005-0051, 00-42-43-27-05-005-0054 | | |
| Location | Southwest corner of Belvedere Road and Jog Road | | |
| | Current | Proposed | |
| Tier | Urban/Suburban | Urban/Suburban | |
| Use | Vacant Single Family | Warehouse with accessory office (+/- 40,000 s.f.) | |
| Zoning | Community Commercial (CC) | Industrial Light (IL) | |
| Future Land Use Designation | Commercial Low (CL) | Industrial (IND) | |
| Underlying Future Land Use Designation | Low Residential, 2 dwelling units per acre (LR-2) | Low Residential, 2 dwelling units per acre (LR-2) | |
| Conditions | Ordinance 2007-014 (SCA-2007-00004): Limit the proposed development to 22,215 s.f. of commercial uses | Limit the proposed development to 22,215 s.f. of commercial uses | |
| Density Bonus | None | None | |

B. Development Potential

| | Current FLU | Proposed FLU |
|--|---|--------------------------------------|
| Density/Intensity: | Limit the proposed development to 22,215 s.f. of commercial uses (0.20 FAR) | 0.45 FAR / 2 dwelling units per acre |
| Maximum Dwelling Units ¹ (residential designations) | 2 du/acre x 2.55 ac. = 5 D.U's | 2 du/acre x 2.55 ac. = 5 D.U's |
| Maximum Beds (for CLF proposals) | None | None |
| Population Estimate | 5 max du x 2.39 = 12 persons | 5 max du x 2.39 = 12 persons |

| | | |
|---|--|---|
| Maximum Square Feet 2, 4 (non-residential designations) | 0.20 FAR x 2.55 ac. = 22,215 | 0.45 FAR x 2.55 ac. = 49,985 |
| Proposed or Conditioned Potential 3, 4 | 22,215 s.f. of commercial uses (0.20 FAR) | 0.45 FAR |
| Max Trip Generator | General Commercial, ITE # 820 $\text{Ln}(T) = 0.68 \text{Ln}(x) + 5.57$ | Light Industrial, ITE # 110 $\text{Ln}(T) = 4.96 \text{ trips}/1,000 \text{ SF}$ |
| Maximum Trip Generation | 2183 daily trips | 233 daily trips |
| Net Daily Trips: | Decrease of 1960 daily trips (maximum minus current) | |
| Net PH Trips: | 31 AM, 28 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.

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Part 2. Applicant Data

A. Agent Information

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

B. Applicant Information

| | |
|---------------------------|--------------------------|
| Name | Shawn Chemtov, President |
| Company Name | 6562 Belvedere LLC |
| Address | 11410 S.W. 95th Avenue |
| City, State, Zip | Miami, FL 33176 |
| Phone / Fax Number | Please Contact Agent |
| Email Address | Please Contact Agent |
| Interest | Owner |

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Part 3. Site Data

A. Site Data

| | |
|-----------------------|--|
| Built Features | The existing site is comprised of 2 parcels. Only one out of the two (2) included parcels contains three structures. This parcel is PCN: 00-42-43-27-05-005-0051 and currently has a +/- 3,300 square foot single-family residential building and two storage sheds consisting of +/- 422 square feet and 55 square feet built on site that were constructed in 1950. An Inventory Summary & map are enclosed as Attachment F |
| PCN | 00-42-43-27-05-005-0051, 00-42-43-27-05-005-0054 See Legal Description as Application Attachment A and Survey as Attachment P |
| Street Address | 6562 Belvedere Road, 6480 Belvedere Road |
| Frontage | N Jog Road (636.98'); Property Depth: 178.67' |

| | |
|--|---|
| Legal Access | Old Belvedere Road (100' ROW), Jog Road (120' ROW) |
| Contiguous under same ownership | No contiguous property under common ownership outside of the site boundary |
| Acquisition details | 00-42-43-27-05-005-0051,00-42-43-27-05-005-0054: Acquired via a purchase by 6562 Belvedere LLC for \$10.00 on March 17, 2021. See attached warranty deed as Attachment A . |
| Size purchased | The land purchased included the entire site, no residual parcels remain as a result of the purchase. See attached warranty deeds as Attachment A . |

B. Development History

| Control Number | 2003-00020 | | | | |
|--|--|---------------|----------------------------|--------------------|----------------------------------|
| Previous FLUA Amendments | Previous FLUA Amendment (SCA-2007-00004) adopted "with conditions" (Ordinance No. 2007-014) | | | | |
| Concurrency | Concurrency was previously secured for a Convenience Store with gas sales in the Community Commercial (CC) Zoning District | | | | |
| Plat, Subdivision | Palm Beach Farms Co Plat No. 3, Plat Book 2, Page 45 | | | | |
| Zoning Approvals & Requests | R-2007-1443 1. Petition No. 2003-020, App: CA-2006-1818: Class A Conditional Use for a Convenience Store with gas sales 2. Petition No. 2003-020, App: Z-2006-1818: Rezoning from the Single Family Residential Zoning District to the Community Commercial (CC) Zoning District 3. Petition No. 2003-020, App: ZV-2006-1748: Standalone Type 2 Variance to allow a variance from the minimum lot depth | | | | |
| Reso. No. | App. No. | Status | Type | Description | Changes proposed (if any) |
| R-2007-1443 | CA-2006-1818 | Approved | Class A Conditional Use | Please see above | Please see above |
| R-2007-1442 | Z-2006-1818 | Approved | Rezoning | Please see above | Please see above |
| ZR-2007-0004 | ZV-2006-1748 | Approved | Standalone Type 2 Variance | Please see above | Please see above |
| | | | | | |
| | | | | | |

2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 4. Consistency

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

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

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

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

| Adjacent Lands | Use | Future Land Use | Zoning |
|----------------|---|---|--|
| North | Warehouse (620,462 s.f.), Wholesaling, General (14,923 s.f.), Distribution (144,744 s.f.), Manufacturing & Processing (243,762 s.f.) | Industrial | Planned Industrial Park Development, 2005-00456 |
| South | Government Services (21,691 s.f.) | Low Residential, 2 units per acre | Planned Unit Development, 2001-00076 |
| East | Place of Worship (37,929 s.f., 850 Seats) | Medium Residential, 5 units per acre | Single Family Residential, 2000-00027 |
| West | Commercial Nursery | Low Residential, 2 units per acre | Agricultural Residential |

2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 5. Public Facilities Information

A. Traffic Information

In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the Future Land Use Element of the

Comprehensive Plan. The letter must state if the traffic generation for the amendment meets Policy 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030.

| | Current | Proposed |
|---|---|--|
| Max Trip Generator | General Commercial, ITE # 820 $\text{Ln(T)} = 0.68 \text{ Ln(x)} + 5.57$ | Light Industrial, ITE # 110 $\text{Ln(T)} = 4.96 \text{ trips/1,000 SF}$ |
| Maximum Trip Generation | 2183 daily trips | 233 daily trips |
| Net Daily Trips: | Decrease of 1960 daily trips (maximum minus current) | |
| Net PH Trips: | 31 AM, 28 PM (maximum) | |
| Significantly impacted roadway segments that fail Long Range | None | None |
| Significantly impacted roadway segments for Test 2 | None | None |
| Traffic Consultant | Simmons & White – Kyle Duncan | |

B. Mass Transit Information

| | |
|------------------------------------|--|
| Nearest Palm Tran Route (s) | 44 (Belvedere Road) |
| Nearest Palm Tran Stop | Stop 4001 (north side of Belvedere Road approximately 112' northeast of the intersection of Belvedere Road & Drexel Road) is approximately 0.60 miles from the subject property. |
| Nearest Tri Rail Connection | West Palm Beach, 209 South Tamarind Avenue |

C. Portable Water & Wastewater Information

The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as **Attachment I**. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.

| | |
|---|--|
| Potable Water & Wastewater Providers | Palm Beach County Water Utilities Department |
|---|--|

| | | | | |
|---|--|---|--------------------------|-------------------------|
| Nearest Water & Wastewater Facility, type/size | The nearest potable water is a 16" watermain located within the Jog Road right-of-way approximately 230 feet north of the subject property and the nearest sanitary sewer connection is an 8" sanitary sewer force main located within the Jog Road right-of-way approximately 1,300 feet south of the subject property. | | | |
| D. Drainage Information | | | | |
| The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-51 Drainage Basin. Legal positive outfall for the project is available to the site via discharge into the Lake Worth Drainage District L-3 Canal. Please refer to the Drainage Statement prepared by Simmons & White being included as Attachment J with this application for more details. | | | | |
| E. Fire Rescue | | | | |
| Nearest Station | Station 23, 5477 Okeechobee Blvd. | | | |
| Distance to Site | Station 23 is 3.50 miles from the subject site | | | |
| Response Time | Based on the information provided by PBC Fire-Rescue the estimated response time is 9 minutes and 30 seconds. PBC Fire Letter provided at Attachment K. | | | |
| Effect on Resp. Time | Based on the information provided by PBC Fire-Rescue, there will be an extended response time of 9 minutes 30 seconds to this property. PBC Fire Letter provided at Attachment K. | | | |
| F. Environmental | | | | |
| Significant habitats or species | The subject property does not support any significant habitats or Listed Species. The applicant will utilize their best efforts to preserve the existing vegetation if the site is developed as intended. | | | |
| Flood Zone* | The subject parcel is located in Flood Zone X & Flood Zone AE | | | |
| Wellfield Zone* | The subject property is within wellfield protection zones #2-4. A detailed map has been provided at Attachment M | | | |
| * If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable. | | | | |
| G. Historic Resources | | | | |
| The subject parcels do not contain any historic or architecturally significant resources located on or within 500 feet of the site. To the best of our knowledge the parcels do not contain or are located within 500 of the subject properties. Comment Letter as Attachment N. | | | | |
| H. Parks and Recreation - Residential Only (Including CLF) | | | | |
| Park Type | Name & Location | Level of Svc. (ac. per person) | Population Change | Change in Demand |
| Regional | | 0.00339 | | |
| Beach | | 0.00035 | | |

| | | | | |
|--|------------|---------|------|--|
| District | | 0.00138 | | |
| I. Libraries - Residential Only (Including CLF) | | | | |
| Library Name | | | | |
| Address | | | | |
| City, State, Zip | | | | |
| Distance | | | | |
| Component | | | | |
| Collection | | | | |
| Periodicals | | | | |
| Info Technology | | | | |
| Professional staff | | | | |
| All other staff | | | | |
| Library facilities | | | | |
| J. Public Schools - Residential Only (Not Including CLF) | | | | |
| Based on the findings and evaluation of the proposed future land use atlas (FLUA) amendment, there will be negative impact on the public high school system. | | | | |
| | Elementary | Middle | High | |
| Name | | | | |
| Address | | | | |
| City, State, Zip | | | | |
| Distance | | | | |

2021 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 6. Attachments

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

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

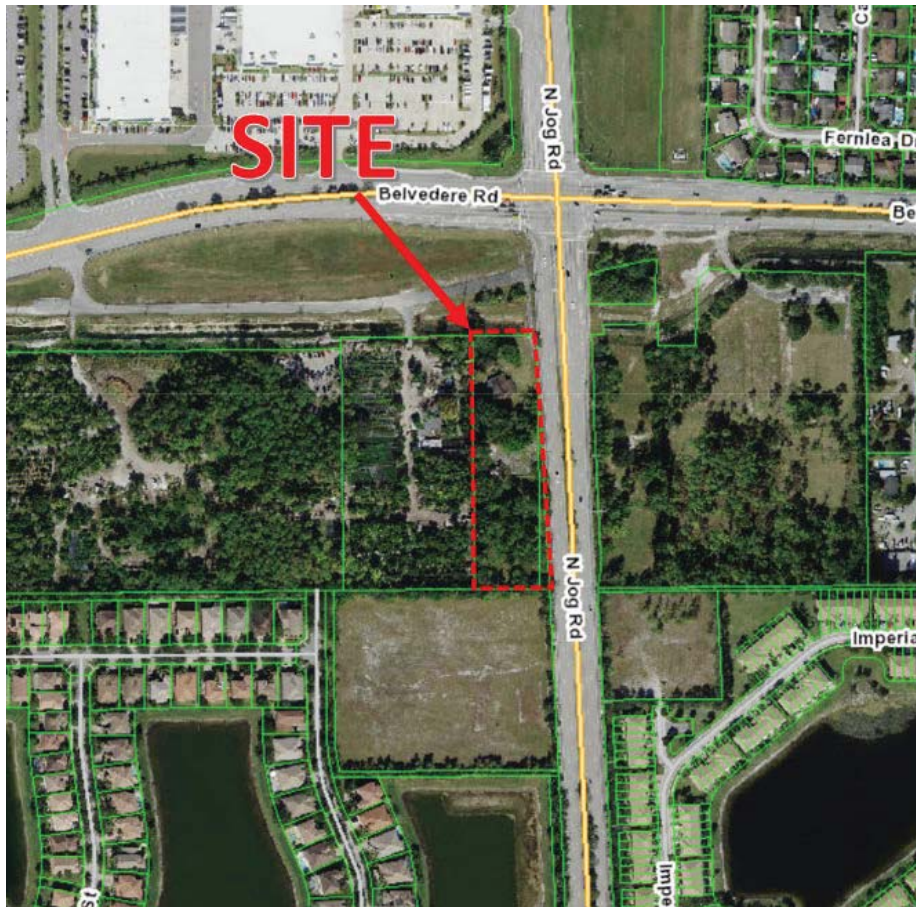
<http://www.pbcgov.org/pzb/planning/Pages/Comprehensive-Plan-Amendment-Applications.aspx>

T:\Planning\AMEND\00Administration\Application-FLUA\2021 Application\2021-FLUA-Application-Form.docx

Attachment F – Built Feature Inventory & Map Detail
Windsor Industrial
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: November 9, 2021

Below is an aerial photograph taken in February 2021 with the subject property highlighted in red. Only one out of the two (2) included parcels contains three structures. This parcel is PCN: 00-42-43-27-05-005-0051 and currently has a +/- 3,300 square foot single-family residential building and two storage sheds consisting of +/- 422 square feet and 55 square feet built on site that were constructed in 1950. Please see the following Aerial images for the entire site and each individual parcel.

Entire Site



Aerial Imagery Photo of the site. Photo dated February 2, 2021 downloaded from GeoNav

PCN: 00-42-43-27-05-005-0051



Aerial Imagery Photo of the site. Photo dated February 2, 2021 downloaded from GeoNav

PCN: 00-42-43-27-05-005-0054



Aerial Imagery Photo of the site. Photo dated February 2, 2021 downloaded from GeoNav



Attachment G
Consistency with Comprehensive Plan & Florida Statutes
Windsor Industrial
Palm Beach County (PBC) Future Land Use Atlas (FLUA) Amendment
Submittal
Original Submittal: November 9, 2021

Request

The 2.55-acre subject property (PCNs 00-42-43-27-05-005-0051; 00-42-43-27-05-005-0054) is located on the Southwest corner of Belvedere Road and Jog Road. Currently the subject property supports a Future Land Use Atlas (FLUA) designation of Commercial Low with an underlying Low Density Residential, 2 units per acre (CL/2) over both parcels. The entire site currently has a Zoning designation of Community Commercial (CC). The subject site does not currently have a site plan approval on file with Palm Beach County.

6562 Belvedere LLC, herein referred to as the “Applicant,” requests a FLUA amendment from Commercial Low with Underlying Low Density Residential, 2 units per acre (CL/2) to Industrial with underlying Low Density Residential, 2 units per acre (IND/2) for the purpose of constructing a warehouse development on the site.

A follow up application to the PBC Zoning Division for an Official Zoning Map Amendment (rezoning) from the CC Zoning District to the Light Industrial (IL) district will be submitted at a later date. Below is a summary of surrounding properties:

| Adjacent Lands | Uses | FLU | Zoning |
|------------------|---|-------------------------------------|--------------------------------|
| Subject Property | Vacant Single Family (Existing) Warehouse (Proposed) | CL/2 (Existing) IND/2 (Proposed) | CC (Existing) IL (Proposed) |
| North | Industrial | IND | PIPD |
| South | Vacant | LR-2 | PUD |
| East | Vacant | MR-5 | RS |
| West | Commercial | LR-2 | AR |

History

- **August 27, 2007 (Ordinance No. 2007-014)** - The Board of County Commissioners (BCC) approved a Small Scale Amendment (SCA-2007-0004) from Low Residential, 2 Units per Acre (LR-2) to Commercial Low, With an Underlying Residential Designation of Two Units Per Acre (CL/2).
 - The applicant is intending to delete the prior condition of approval to “limit the proposed development to 22,215 s.f. of commercial uses” as part of the proposed FLUA amendment from CL/2 to IND/2. This condition is no longer applicable as the applicant intends to construct a warehouse development on the site.

Justification, Consistency & Compatibility

G.1 - Justification: The applicant is requesting to amend the FLUA designation of the subject property from CL/2 to IND/2. Per Policy 2.1-f of the Future Land Use Element (FLUE) of the PBC Comprehensive Plan (Plan) an applicant must provide adequate justification for the proposed future land use. To be considered adequate, the justification must demonstrate consistency with the factors 1 and 2.

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

Response: The proposed addition Industrial (IND) use designation is suitable and appropriate for the subject site. The subject site currently has a single family residential structure that is abandoned and vacant. Furthermore, the site is located just south of the Jog Road entrance and exit to Florida’s Turnpike and has direct frontage on Jog Road. Additionally, the site is one of several legacy residential parcels located along Belvedere Road just west of Jog Road. In the past, these parcels may have been an ideal location for low density residential or even agricultural development, as they were located along a much quieter configuration of Belvedere and Jog Roads, and were far from intense urban development. However, as the County has been built out, the subject parcel is not among high intensity urban development in a location that lends itself well to industrial uses that are dependent on transporting goods and services to and from the surrounding region. Therefore, the subject site is a suitable and appropriate location for an Industrial (IND) use designation.

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

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

Response: To the north of the subject site is a major Industrial Planned Development of regional scale called Turnpike Crossing.

This site was previously designated Low Density Residential, 3 units per acre (LR-3) and was changed in 2008 to Industrial (IND). The resulting development is a +/- 780,000 s.f. industrial warehouse complex. This is proof of concept that market demand exists for industrial uses in this area, owing mainly to the proximity to Florida's turnpike, and its geographic centrality to the Palm Beach County market. The site's existing CL/2 designation is in stark contrast to the FLU designations around it that also front on Belvedere Road and Jog Road. Commercial Low development may have been feasible and the highest use in the past, however, given recent industrial development in the area, development consistent with the CL designation is no longer marketable and stands out in contrast to neighboring use designations.

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

Response: The area surrounding the site has become relatively built out resulting in minimal vacant land for new development. Additionally, the market demand for warehousing has increased following a trend for ecommerce and other distribution and warehousing market conditions. Furthermore, the area around the site includes several major industrial developments of a regional scale, mostly made up of large footprint warehouse uses. The site's location nearby an entrance to Florida's Turnpike make it an ideal location for warehousing and transportation uses.

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

Response: The area surrounding the site has nearly reached build-out since the adoption of the Comprehensive Plan. Recent trends in ecommerce and other market conditions have increased the demand for warehouse space dramatically for all shapes and sizes. The proposed FLUA Amendment would allow the development of warehouse space on the subject site with direct access onto Jog Road, which is a major arterial roadway. The site is also located at the corner of two major arterial roadways: Belvedere Road and Jog Road. At the time of the County's original adoption of the Comprehensive Plan, Jog Road had not yet been constructed in the vicinity of the site. Belvedere Road was also two lanes wide and followed a different alignment, which is now known as Old Belvedere Road and passes directly to the north of the site. The construction of Jog Road past the site in the mid-1990s and the expansion and realignment of Belvedere Road around the same time resulted in notable changes to the character of the surrounding area. Where it was once rural and forested, the area soon changed to become a

suburban industrial and residential region of central Palm Beach County.

- *Inappropriateness of the adopted FLU designation;*

Response: The adopted CL/2 FLU designation for the site is not appropriate for the site. Whereas Commercial Low type uses were previously viable on the subject 2.55 acre site, the changed character of the surrounding area has reduced its viability. This along with the realignment of Belvedere Road has removed the site from the “hard” corner, thus reducing its commercial prospects. Furthermore, the site is located within the Palm Beach International Airport Overlay, which specifically promotes industrial uses as an ideal form of development due to external impacts caused by the airport approach path.

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

Response: The adopted CL/2 FLU designation was assigned to the site was adopted in 2007 with the intention of developing a low intensity commercial development. However, this was prior to the development of surrounding industrial warehouse uses that have now changed the characteristics of the immediate vicinity of the site. Because of these changed conditions, the site is now more viable for industrial uses, making the current CL/2 designation no longer viable for the highest and best use of the site.

G.2 – Residential Density Increases

Response: The applicant does not propose any increases to residential density as part of this application.

G.3 – Compatibility with Surrounding and Adjacent Uses: The applicant proposes amending the FLU designation of the site from CL/2 to IND/2. The site is located at the southwest corner of Belvedere Road and Jog Road, two major thoroughfare rights-of-way. Furthermore, the site is located in a section of central Palm Beach County that has seen a recent boom in warehouse and other industrial uses, due to its location nearby Florida’s Turnpike, its geographic centrality to the Palm Beach County market, and its proximity to the international airport. The subject site is no exception to these market forces, and is therefore seeking the subject amendment to allow warehouse uses to be developed. Adjacent land uses to the west are designated for residential, however they have been operating as commercial uses for more than a decade according to aerial imagery. Adjacent to the south is an LR-2 designated parcel, however it is currently approved for a Palm Beach County Sheriff’s Office substation (Control No. 2001-00076), which is a non-residential civic use. Across Jog Road to the east is a vacant parcel designated MR-5, however this site is separated by

Jog Road, which is a major arterial roadway with a divider median that is more than 120 feet wide. Finally, to the north is the Turnpike Crossing planned industrial development with more than 780,000 s.f. of warehouse, which is compatible with the subject site's proposed IND/2 FLU designation.

G.4 - Consistency with Policies in the Comprehensive Plan: The proposed FLUA amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan as follows:

- **Future Land Use Element (FLUE) Sub-Objective 1.2.4 – Palm Beach International Airport (PBIA) Approach Path Conversion Area Overlay:** This Special Planning Area Overlay includes the subject site within its boundary and is specifically intended to “provide opportunities for property owners to initiate conversion of their properties to non-residential uses.”

Response: The applicant specifically wishes to convert the property from the existing residential use to a non-residential use. The highest and best non-residential use for this site based on its location, frontage, and surrounding properties is an industrial development, therefore requiring the subject FLUA Amendment from CL/2 to IND/2. If the subject parcel were 5 acres in size a FLUA would not be required to develop the property as an industrial development.

- **Future Land Use Element (FLUE) Policy 1.2.4-d:** This policy falls under the Palm Beach International Airport Approach Path Conversion Area Overlay and specifically states: “*All future land use designations within the Overlay shall be eligible to convert to Industrial uses.*”

Response: The subject site is located within the PBIA Approach Conversion Area Overlay and is therefore eligible to be converted to industrial uses. Industrial uses are recognized to be the most compatible with the external impacts caused by the airport approach path.

- **Future Land Use Element (FLUE) Policy 1.2.4-f:** This policy falls under the Palm Beach International Airport Approach Path Conversion Overlay and specifically states: “*The following criteria must be met in order for a vacant parcel to be converted to industrial uses without a FLUA amendment:*

1. *10 acres, if the parcel does not abut a roadway shown on the County's Thoroughfare Right-of-Way Identification Map; and, only if the parcel is not contiguous on three or more sides to existing residential development; or,*

2. *5 acres, if the parcel abuts a roadway shown on the County's Thoroughfare Right-of-Way Identification Map; and, only if the parcel is not contiguous on three or more sides to existing residential development.*

Response: Although the subject site does not meet these criteria and therefore must request a FLUA Amendment through the subject application process, this policy shows the County is specifically incentivizing industrial uses in the PBC Approach Path Conversion Area Overlay. The proposed IND designation for this site is consistent with the intent of the Comprehensive Plan in this aspect.

- ***Future Land Use Element (FLUE) Policy 2.1-f:*** The following will detail how the impact of the proposed FLUA on the items listed:
 - *The natural environment, including topography, soils and other natural resources;*
 - **Applicant's Description:** Please see Attachment L for the Natural Feature Inventory & Map.
 - *The availability of facilities and services;*
 - **Applicant's Description:** Below is a detailed list of information on each of these facilities and services:
 - *Traffic:* Please see Attachment H for the FLUA Amendment Traffic Analysis.
 - *Mass Transit:* The nearest Palm Tran bus route is Route 44 and the closest Tri-Rail connection is the West Palm Beach Tri-Rail Station.
 - *Potable Water and Wastewater:* Please see level of service letter from the Palm Beach County Water Utilities Department in Attachment I that confirms that the proposed FLUA can be accommodated by existing facilities and services.
 - *Drainage:* Legal positive outfall is available to the site via discharge into the Lake Worth Drainage District L-3 Canal. The proposed project will meet all applicable rules and regulations for that outfall. Please refer to the Drainage Statement prepared by Simmons & White being included as Attachment J with this application for more details.
 - *Fire Rescue:* The nearest PBC Fire Rescue station is Fire Rescue Station #23 located at 5477 Okeechobee Boulevard that is approximately 3.50 miles from the subject property.
 - *The adjacent and surrounding development;*
 - **Applicant's Description:** To the north (across

Blevedere Road, Old Belvedere Road, and Lake Worth Drainage Districts totaling more than 430 feet of width) is the Turnpike Crossing industrial development. This planned industrial development has an IND FLU designation and consists more than 780,000 s.f. of warehouse space. This use is compatible with the proposed IND designation for the subject site. To the south, directly abutting the property is a vacant site with an LR-2 FLU designation, however it has an existing approval for a civic use as part of the overall Terracina Planned Development, specifically a Palm Beach County Sheriff's Office substation. Directly abutting the site to the west is a property with an LR-2 FLU designation, however this property has had a commercial operation for more than a decade according to historical aerial imagery. Furthermore, the neighboring site to the west is also located within the PBIA Approach Conversion Area Overlay, which specifically discourages and dis-incentivizes new residential development. Finally, to the east across Jog Road, which is a major thoroughfare road with a divider median and approximately 140 feet wide, is a vacant parcel with an MR-5 FLU designation. Again, this parcel is located within the PBIA Approach Conversion Area Overlay which specifically discourages and dis-incentivizes new residential development. The separation of this property to the subject site by Jog Road also provides significant buffer space by a major thoroughfare roadway.

- *The future land use balance;*

Applicant's Description: Palm Beach County is currently experiencing a lack of supply for industrial type uses. Recent trends in ecommerce have significantly increased demand for warehouse space, which is an industrial use in the County's ULDC. Therefore, industrial designated property in the County has increased in value significantly, thus implying there is not enough industrial designated land to meet current demand. Furthermore, the market for retail uses has seen a decline in the last decade. The site's current Commercial Low FLU designation is consistent with this type of use, and is therefore significantly less valuable than it had been in the past. Commercial Low designated parcels are less desirable today than they were in the recent past, indicating there is too much supply of commercial designated lands than is needed

in current and projected market conditions. Therefore, the proposed amendment to IND/2 results in additional land area being designated for industrial uses, resulting in a much-needed increase in the supply of industrial designated lands, therefore helping to re-balance future land uses in the vicinity of the site.

- *The prevention of urban sprawl as defined by 163.3164(52) in the Florida Statutes (F.S.);*
 - **Applicant's Description:** The request is not in conflict with Florida Statutes Section 163.3177.(6).(a).9.b in that:
 - The proposed IND designation allows for the re-development of the site from an existing single family residential use, to an infill industrial use.
 - The site is easily serviced by existing infrastructure, more specifically, Jog Road is a major urban arterial roadway which has the ability to handle additional traffic generated by the proposed use, water and wastewater capacity exists for the site, and legal positive outfall can be achieved;
 - Does not remove land intended for agricultural uses; and
 - Creates a balance of uses in the area as the applicant is proposing industrial use designations similar to what exists in the immediate area surrounding the site.
- *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and*
 - **Applicant's Description:** The subject property is located within the Palm Beach International Airport Approach Conversion Area Overlay (PBIAO) and the Turnpike Aquifer Protection Overlay District (TAPO).
 - The PBIAO is specifically intended to protect the areas beneath the approach path west of Palm Beach International Airport from noise generated by the airport. The overlay specifically discourages residential uses and encourages non-residential uses, particularly industrial uses. The proposed amendment results in an Industrial land use designation applied to the site that would replace an existing residential use with an industrial use.
 - The TAPO is intended to protect the public

health and welfare from any negative impacts to the underground drinking water supply in the aquifer area located east of the Turnpike in the vicinity of Belvedere and Jog Roads. Developments in this area must meet additional requirements which may include providing dedicated space for new drinking wells, subject to South Florida Water Management District review. The proposed development for this site will comply with these additional requirements as part of the development review process.

In conclusion it is the agent's contention that the requested FLUA Amendment from CL/2 to IND/2 is justified, consistent with the Plan and State of Florida laws and is compatible with surrounding uses.



**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

Maria G. Marino
Gregg K. Weiss

Maria Sachs
Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

November 3, 2021

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

Project: Windsor Industrial
2.55 Acres
PCN 00-42-43-27-05-005-0051 & 00-42-43-27-05-005-0054

Dear Mr. Sperling,

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

The nearest potable water is 16" watermain located within Jog Road right of way approximately 230 feet north of to the subject property and the nearest sanitary sewer connection is an 8" sanitary sewer forcemain located within Jog Road right of way approximately 1300 feet south of the subject property.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD.

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

Sincerely,

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

Jackie Michels, P.E.,
Project Manager





November 3, 2021
Job No. 21-138
Revised 12/13/2021

LAND USE PLAN AMENDMENT APPLICATION
STATEMENT OF LEGAL POSITIVE OUTFALL

Windsor Industrial
2.55 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the southwest corner of Belvedere Road and Jog Road in Palm Beach County, Florida and contains approximately 2.55 acres. The Property Control Numbers (PCN) for the subject parcel are 00-42-43-27-05-005-0051 and 00-42-43-27-05-005-0054. The property is currently designated as Commercial Low with underlying Low Residential, 2 dwelling units per acre (CL/2) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's designation to Industrial with underlying Low Residential, 2 dwelling units per acre (IND/2).

SITE DRAINAGE

This site is located within the boundaries of the Lake Worth Drainage District and the South Florida Water Management District C-51 Drainage Basin. Legal positive outfall is available to the site via discharge into the Lake Worth Drainage District L-3 Canal along the north side of the property. 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 event.

LUPA Statement of Legal Positive Outfall

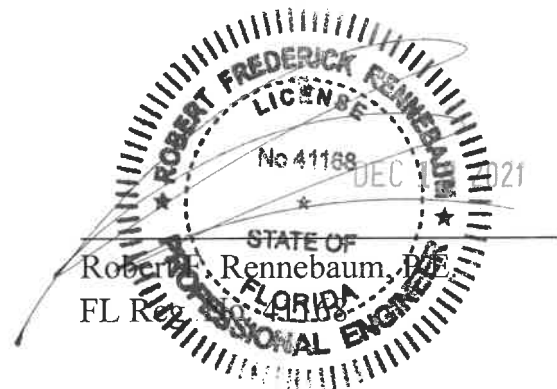
Job No. 21-138

November 3, 2021 – Page 2

Revised 12/13/2021

SITE 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 the South Florida Water Management District Basin criteria.
6. Due consideration to water quality.
7. Compliance with the South Florida Water Management District C-51 Drainage Basin with regard to compensating storage via dry retention and/or exfiltration trench.





November 3, 2021
Job No. 21-138
Revised 12/13/2021

LAND USE PLAN AMENDMENT APPLICATION
FLOOD PLAIN STATEMENT

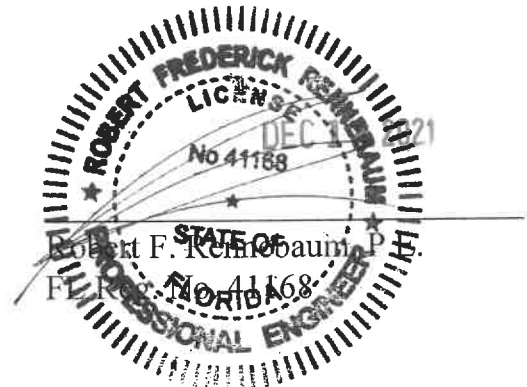
Windsor Industrial
2.55 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the southwest corner of Belvedere Road and Jog Road in Palm Beach County, Florida and contains approximately 2.55 acres. The Property Control Numbers (PCN) for the subject parcel are 00-42-43-27-05-005-0051 and 00-42-43-27-05-005-0054. The property is currently designated as Commercial Low with underlying Low Residential, 2 dwelling units per acre (CL/2) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's designation to Industrial with underlying Low Residential, 2 dwelling units per acre (IND/2).

FLOOD ZONE

The above referenced project is located in Flood Zone AE as shown on the FEMA Flood Rate Insurance Map Panel 150A of 245 (Palm Beach County).



sa: x:/docs/trafficanddrainage/lupafps.21138.rev



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**

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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

October 12, 2021

Schmidt Nichols
Attention: Josh Nichols
1551 N Flagler Drive
Suite 102
West Palm Beach, FL 33401

Re: Windsor Industrial

Dear Josh Nichols:

Per your request for response time information to the subject property located on the south side of Belvedere Road, just west of N Jog Road in unincorporated Palm Beach County. This property is served currently by Palm Beach County Fire-Rescue station #23, which is located at 5477 Okeechobee Blvd. The subject property is approximately 3.50 miles from the station. The estimated response time to the subject property is 9 minutes 30 seconds. For fiscal year 2020, the average response time (call received to on scene) for this stations zone is 6:34.

There will be an extended response time of 9 minutes 30 seconds to this property.

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

Sincerely,

Cheryl Allan, Planner
Palm Beach County Fire-Rescue

Attachment L - Significant Habitats or Species Detail
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Windsor Industrial
Original Submittal: November 9, 2021

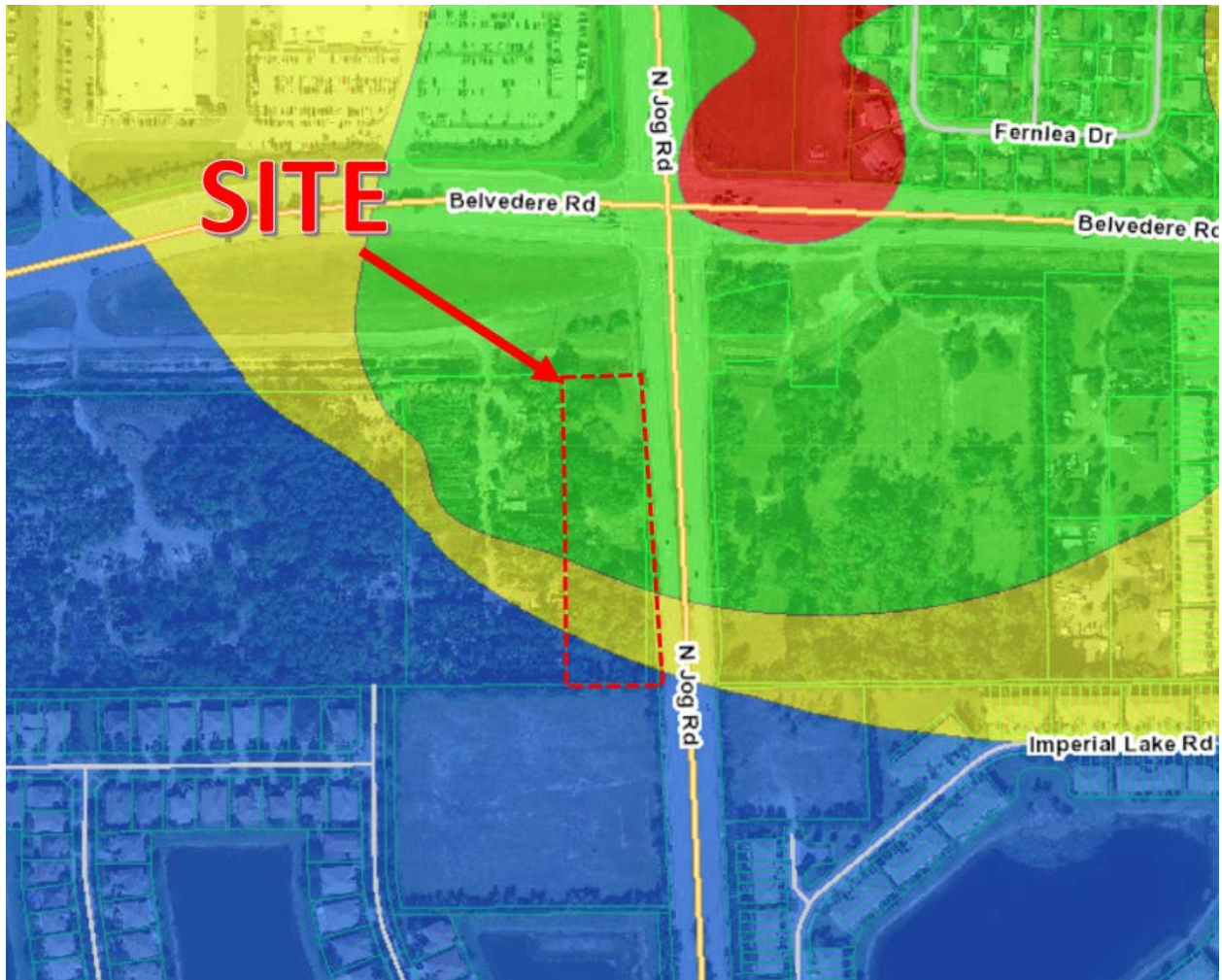
Significant habitats or species:

Below is an aerial photograph with the subject property highlighted in red. The subject property does not support any significant habitats or Listed Species. The applicant will utilize their best efforts to preserve the existing vegetation if the site is developed as intended.

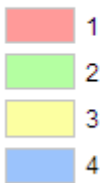


**Attachment M - Wellfield Zone Map
Windsor Industrial
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal
Original Submittal: November 9, 2021**

As shown in the aerial below, the subject property is within Wellfield Protection Zones #2 -4.



Wellfield Protection Zones





November 3, 2021
Job No. 21-138
Revised 12/13/2021

LAND USE PLAN AMENDMENT APPLICATION
WELLFIELD PROTECTION ZONE STATEMENT

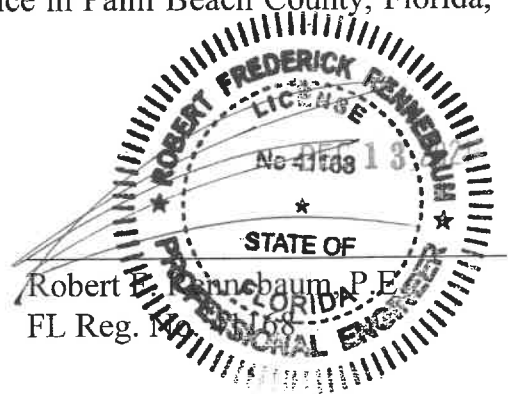
Windsor Industrial
2.55 Acre Site
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the southwest corner of Belvedere Road and Jog Road in Palm Beach County, Florida and contains approximately 2.55 acres. The Property Control Numbers (PCN) for the subject parcel are 00-42-43-27-05-005-0051 and 00-42-43-27-05-005-0054. The property is currently designated as Commercial Low with underlying Low Residential, 2 dwelling units per acre (CL/2) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's designation to Industrial with underlying Low Residential, 2 dwelling units per acre (IND/2).

WELLFIELD PROTECTION ZONE

The above referenced project is located within Wellfield Protection Zones 2, 3 and 4 as shown on the "Wellfield Protection Zones of Influence in Palm Beach County, Florida," exhibit, adopted June 12, 2015.



sa: x:/docs/trafficdrainage/lupawellfield.21138.rev



**Department of Planning,
Zoning & Building**

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

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



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Melissa McKinlay

Mack Bernard

County Administrator

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"An Equal Opportunity
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October 19, 2021

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

**RE: Historical and Archaeological Resource Review for the project
named Windsor Industrial, under PCN's: 00-42-43-27-05-0051
and 00-42-43-27-05-0054.**

Dear Mr. Sperling:

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 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,

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

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\Schmidt Nichols\PCN's\00424327050050051&00424327050050054\WindsorIndustrialLetterRevised 10-19-2021.doc