



PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

ZONING COMMISSION, AUGUST 1, 2024

A. Application Summary

I. General

Application Name: Bedner - Lee Industrial, PDD-2023-00971
Control Name: Bedner - Lee Industrial (2023-00075)
Applicant: Bedner Bros Farms Inc.
Owner: Bedner Bros Farms Inc.
Agent: JMorton Planning & Landscape Architecture - Alex Ahrenholz
Project Manager: Donna Adelsperger

Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Multiple Use Planned Development - Preserve (MUPD-P) Zoning District to the Multiple Use Planned Development (AGR-MUPD) Zoning District on 5.0 acres

Application Summary: The proposed is an Official Zoning Map Amendment for the 5.0-acre Bedner-Lee Industrial development. The site was previously approved by Board of County Commissioner (BCC) on April 28, 2022 for an Official Zoning Map Amendment from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development - Preserve (MUPD-P) Zoning District. The parcel currently is being used for agricultural is currently Preserve 2 for the All Seasons Delray Beach Development.

The request is contingent upon a concurrent Future Land Use (FLU) Amendment, LGA-2024-0003, to amend the Future Land Use from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR), and contingent upon the removal of the site from All Seasons by Zoning Application PDD/DOA-2023-01002.

The request would allow a rezoning from AGR-MUPD Preserve Area to AGR-MUPD Development Area to allow for the development of 67,420 square feet (sq ft) of Industrial uses (57,307 sq ft of Warehouse and 10,113 sq ft Accessory Office). The Preliminary Site Plan (PSP) indicates one building with a total of 67,420 sq. ft. of Warehouse Use; a total of 70 parking spaces; 12 loading spaces; and, with one access from State Road 7 and two from Lee Road.

II. Site Data

Acres: 5 acres
Location: Northwest corner of State Road 7 and Lee Road
Parcel Control: 00-42-43-27-05-061-0311
Future Land Use: Agricultural Reserve (AGR)
Proposed Future Land Use: Commerce with an underlying Agricultural Reserve (CMR/AGR)
Zoning District: Multiple Use Planned Development - Preserve Parcel for an MUPD (MUPD/P)
Proposed Zoning: Multiple Use Planned Development (AGR-MUPD)
Tier: AG Reserve
Utility Service: Palm Beach County Water Utilities
Overlay/Study: N/A
Neighborhood Plan: West Boynton Community Plan
CCRT Area: N/A
Comm. District: 5, Mayor Maria Sachs

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B.7.B, and determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C.

STAFF RECOMMENDATION: Staff recommends approval of the request subject to the Conditions of approval as indicated in Exhibit C.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received zero (0) contacts from the public regarding this application.

IV. Hearing History

PLANNING COMMISSION: *At the October 13, 2023 hearing recommended **denial** of the amendment by a vote of 7-4.*

BCC TRANSMITTAL HEARING: *At the Board of County Commissioners (BCC) January 31, 2024 Transmittal hearing, the BCC transmitted the request by a vote of 6-1.*

ZONING COMMISSION: *Scheduled for August 1, 2024*

BCC HEARING: *Scheduled August 22, 2024*

B. Data & Analysis

The supporting data and analysis is provided within the following Exhibits.

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Exhibit A - Future Land Use Map

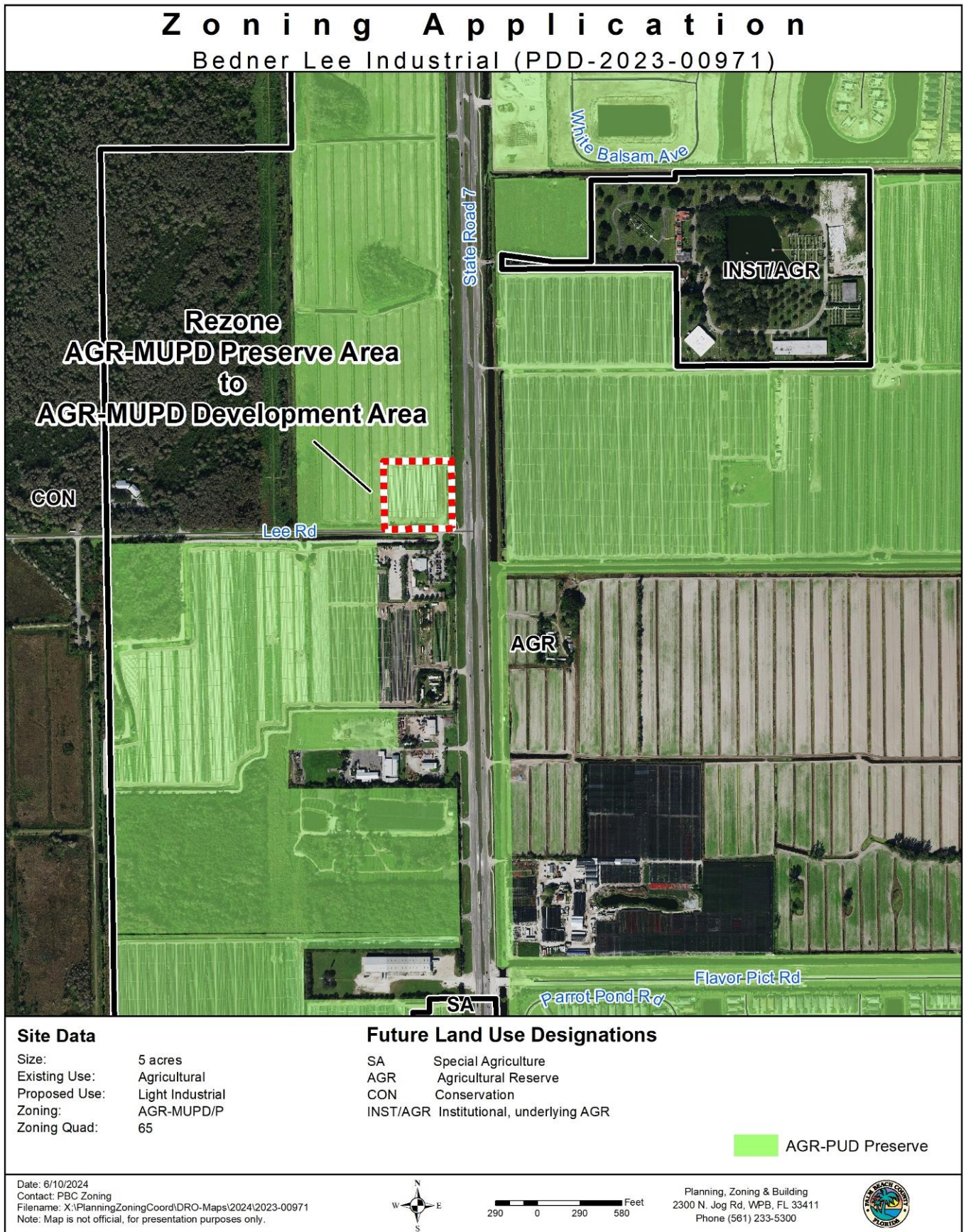


Exhibit A – Zoning Map

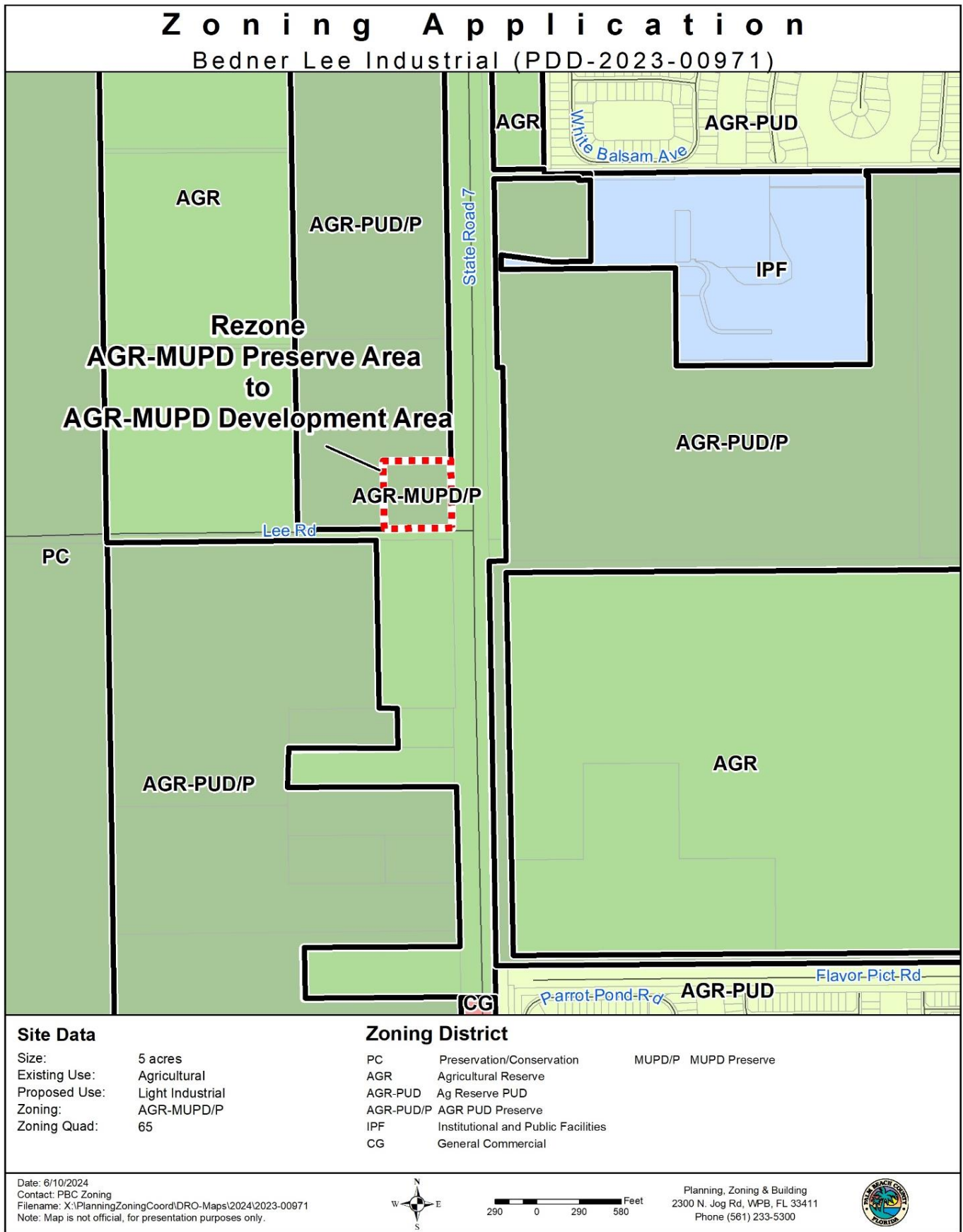


Exhibit B - Standards Analysis & Findings

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

Article 2.B.7.B, Standards for Rezoning to a PDD or a TDD, a Conditional Use, or a Development Order Amendment are indicated below with Staff Analysis. Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF) are subject to not subject to these Standards, and are subject to 5.G.1.B.2.e2)b) Factors for Consideration. A request that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved by the Commission.

a. Consistency with the Plan – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

○ *Consistency with the Comprehensive Plan:* Should the BCC approve the amendment request, then the proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Concurrent Land Use Amendments:* The site is the subject of a concurrent Large Scale Future Land Use Amendment known as Bedner's Market (LGA 2024-003). The request contains multiple parcels and seeks to amend the future land use designation from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR). The application also contains Text Amendments to the Comprehensive Plan in order to define Agricultural Marketplace and allow it as a permitted use within an AGR-MUPD Preserve, but only for Ag Marketplaces approved prior to May 31, 2013. The Planning Commission heard the item on October 14, 2022, and the BCC transmitted the item on January 31, 2024 by a vote of 6-1.

The subject site is identified as Parcel A within the companion amendment and is currently associated with an AGR MUPD known as All Seasons as a preserve. An Agricultural Reserve Conservation Easement has not been recorded, since the development parcel has not applied for a Building permit yet. The applicant is requesting to remove the parcel as a preserve, exchange it for the adjacent Ag Market Place, and apply the CMR FLU designation in order to allow for future light industrial uses on the site, specifically a proposed warehouse with accessory office. The recently established CMR FLU designation affords opportunities for low-trip generating light industrial and/or employment uses that demonstrate light industrial characteristics as defined by FLUE Policy 2.2.4-d of the Comprehensive Plan. The proposed rezoning to the Multiple Use Planned Development (MUPD) Zoning District is consistent with the Comprehensive Plan, provided the requested CMR FLU designation is adopted by the Board.

○ *Relevant Comprehensive Plan Policies:* Future Land Use Element (FLUE) Policy 1.5-v establishes specific location, size, and preserve requirements for all new future land use amendments to the Commerce FLU designation within the Agricultural Reserve Tier. As demonstrated through the concurrent FLUA amendment, the subject site meets each of the listed requirements. The Preliminary Site Plan indicates a 5-acre parcel with frontage and direct access to State Road 7 to support a warehouse with accessory office consisting of approximately 67,420 sq. ft.

Further, Future Land Use Element (FLUE) policy 4.4.7-b.3 employs planning techniques to design multiple use projects to reduce incompatibility to adjacent uses and provide interconnectivity, which reduce potential traffic conflicts along the primary roadway.

Policy 4.4.7-b: MUPD Design Objectives – The Multiple Use Planned Development (MUPD) shall be subject to the following design objectives:

1. Provide innovative building location and orientation;
2. Protect adjacent residential uses from potential adverse impacts;
3. Provide interconnection between uses in and adjacent to the project; and
4. Allows for both residential and non-residential uses within a single project designed in a manner that fosters compatibility within the project and with adjacent properties.

In this instance, the Applicant for the subject site proposes a 26-ft. wide cross access connection to the adjacent agricultural operation to west of the subject site. This is to ensure the existing connection through the subject property and onto Lee Road remains as it has been utilized by the agricultural operation. Staff is recommending conditions of approval to record a cross access easement in the indicated location prior to final approval by the DRO, and pave to the property line prior to issuance of the certificate of occupancy.

- *Intensity:* The request is for a rezoning from AGR to MUPD in order to allow the development of a 67,420 sq. ft. warehouse building. Contingent upon the adoption of the concurrent future land use amendment, the maximum Floor Area Ratio (FAR) for nonresidential projects with a CMR future land use designation in the Agricultural Reserve Tier is .35 (217,800 surveyed sq. ft. or 5.0 acres x .35 maximum FAR = 76,230 sq. ft. maximum). The request proposes a FAR of approximately 0.31 (67,420 sq. ft. / 217,800 sq. ft. or 5.0 acres = 0.309 or 0.31 FAR).
 - *Special Overlay District/Neighborhood Plan/Planning Study Area:* The site is within the boundaries of the West Boynton Area Community Plan (WBACP), which is administered by the Coalition of Boynton West Residential Association (COBWRA). The applicant has been advised to contact the community group and inform them of the requests.
- b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.***

Should the BCC approve the concurrent Comprehensive Plan Text and Future Land Use amendment (Bedner's Market (LGA 2024-003) request, then the proposed rezoning is consistent with the Goals, Objectives and Policies of the Comprehensive Plan including previous Land Use Amendments, densities and intensities of use.

The approval of the zoning applications are contingent upon the approval of the concurrent future land use and text amendments as the requests are inconsistent with the current ULDC.

- *Design Objectives and Performance Standards:* As the proposal is for a rezoning to an MUPD, the proposed development is required to be consistent with Article 3.E.1.C.1, PDD Design Objectives, and Art. 3.E.1.C.2, Performance Standards. As required by the PDD Objectives and Standards, the proposed development provides adequate pedestrian circulation within the site connecting all buildings, parking areas and pedestrian pathway to the sidewalks SR7.

Objectionable Features such as Loading Areas and Dumpster Areas have been adequately screened, as required by Art. 3.E.1.C.1.e, Design Objectives. The proposal is also required to be consistent with Art. 3.E.3.B, Objectives and Standards. After reviewing the provided Site Plan Staff have determined that the proposed development is in compliance with the Design Objectives and Performance Standards for an MUPD. This includes protecting adjacent non-residential uses from adverse impacts and providing interconnection between this property and the agriculture property to the west.

- *Property Development Regulations (PDR):* The site has frontage and access on State Road 7/441 meeting the minimum frontage and access required for Planned Developments. In addition, the property meets Code requirements per Table 3.E.3.D, MUPD Property Development Regulations for minimum lot dimensions. The site exceeds the minimum lot size of 3-acres (5.0-acres provided), exceeds the minimum 300 ft. of width/frontage (466.7 ft. provided on SR7), and exceeds the minimum 300 ft. of depth (466.7 ft. provided). The proposed rezoning does not create any non-conformities. The required setbacks are: 30-foot front, 15-foot side; 30-foot side-street and 20-foot rear, for which the development meets or exceeds all setbacks as shown on the PSP.

- *Use Specific requirements:* Warehouse Use requires a Development Review Officer (DRO) approval within an MUPD with CMR FLU; and, has no specific criteria stated in Article 4 for such items as frontage and access. The Accessory Office use is however limited to 30 percent of the overall square footage for which the Applicant is proposing only 15 percent of the overall building area as shown on the PSP.

- *Architectural Review:* The use is required to comply with the Architectural Guidelines specified in Article 5.C, Design Standards. The Applicant has requested for Architectural Review to be done at time of Building Permit. Architectural elevations will be provided and reviewed for compliance at time of Building permit.

- *Parking:* The Applicant has chosen to use the individual parking count of Article 6 Table 6.B.1.B for Warehouse and Accessory Office, versus using the Article 3.E.1.C.2.h.2)a) PDD Performance Standards Parking Non-Residential Uses. Art. 6 requires a minimum of one parking space per 2,000 sq. ft for the Warehouse use and one parking space per 250 sq. ft. for the Accessory office. The proposed development requires a minimum of 69 parking spaces based on the calculation below. The Applicant is provide 70 parking spaces.

- Warehouse Required 1/2,000 sq. ft. = 29 spaces
- Office Required 1/250 sq. ft. = 40 spaces
- Total Provided = 70 spaces

Historically the Agriculture Marketplace to the south has used this site as well as the Right-of-Way along SR7 for overflow parking when holding events.

- *Loading:* The Applicant has chosen the Standard “B” loading standard, which requires a 15-foot wide by 55-foot long loading space. Per Art. 6.E.4.A, Design and Construction Standards, the proposed development containing 67,420 sq. ft. is required to have two loading spaces. The site plan indicates 12 Standard “B” loading spaces.
- *Lighting:* The development is located 600 feet to the west of Arthur R. Marshall Loxahatchee National Wildlife Refuge. Given the proximity to the Wildlife Refuge, Staff is recommending a Condition of Approval that there be zero foot-candles at the north and west property lines.
- *Landscape/Buffering:* The PSP indicates a 20-foot Right-of-Way Buffer along State Road 7 and a 15-foot Right-of-Way Buffer along Lee Road, as required per Table 7.C.2.A. The PSP currently indicates on the north and west property lines a 15-foot Type 2 Incompatibility Buffer; however, Staff has included a condition to provide a 20-foot Type 3 Incompatibility buffer on these property lines to mitigate compatibility concerns (see Compatibility).

Within the Agricultural Reserve Tier the front, side and rear facades are required to provide Foundation Planting 10-feet in width for a percent of each facade. The PSP indicates the required width with 50 percent of the front and sides (east, north and south façades) providing the required foundation planting length; and though 30 percent is required for the rear (west façade), which would require 113.4 feet, due to the west façade being primarily loading bays, the applicant is only required to provide for the 80-foot that is not encumbered by loading bays, thus requiring only 24-feet of foundation planting which is provided along the southern portion of the west façade closest to Lee Road.

- *Signs:* The Preliminary Master Sign Plan (PMSP), indicates a total of four freestanding ground signs as permitted per Table 8.G.2.A, two ground signs along State Road 7/441 and two along Lee Road. The Applicant is also providing one entrance sign at State Road 7/441 north entrance and three entrance signs on Lee Road two at the eastern entrance and one at the western entrance as permitted per Table 8.G.2.C. In reviewing the PSP and the Applicants Traffic Statement, regarding the direction of which truck traffic will be traveling on Lee Road, Staff is recommending Signage Conditions of approval that would limit the signs along Lee Road. The rationale for the condition is as follow, the daily traffic traveling from the west will be from the Arthur R. Marshall Loxahatchee National Wildlife Refuge and will not include any truck traffic that will need to be entering this site. Staff also recommends a Condition of Approval that prohibits Outparcel signage.

Staff has no objection to the remaining signage as shown on the Preliminary Master Sign Plan (Exhibit G). Staff has also included a Condition that the Site Plan be revised to match the signage Conditions.

c. Compatibility with Surrounding Uses – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The approval of the zoning application is contingent upon the approval of the concurrent future land use and text amendments as the requests are inconsistent with the current ULDC. The Applicant has indicated that the proposed Light Industrial use is compatible along State Road 7 because it provides very low traffic, all activities will be provided indoors and that it is adjacent to other nonresidential uses.

The site is located north of the Bedner Agricultural Marketplace, and surrounded on all other sides by agricultural preserve lands. The Planning Division future land use amendment staff report recommended **denial**; however, the Board transmitted the request on January 31, 2024. The Planning Division’s raised compatibility issues in the staff report for this site and the associated zoning applications. Specifically, the staff report states:

- *“the location of the sites presents concerns regarding compatibility with lands to the west that have been long established agricultural preserve areas, which have recorded Agricultural Conservation easements that Palm Beach County is a grantee for. The County holds an interest in these properties through the conservation easements (OR Bk 16390 PG 1447 & OR Bk 23876 PG 0562) and their continued activities to support, preserve and perpetuate bona fide agricultural use, open space uses, and to preserve any environmentally significant upland or wetland.”; and*
- *“the two sites are located in predominately agricultural areas bordered and surrounded predominately by active crop production on land subject to agricultural conservation easements and in close proximity to lands that are in wildlife conservation. The compatibility concerns and potential for resulting inconsistent development in an established agricultural area are counter to County Directions 2 and 4, and have the potential to disrupt surrounding agricultural uses and preservation lands that are intended for the Tier to primarily support.”*

In order to ensure compatibility between the industrial uses on the subject site and the adjacent agricultural preserve land to the north and west, Staff as added conditions of approval to require 20 foot Incompatibility buffers. The request meets this Standard with the Staff proposed buffer.

- d. Design Minimizes Adverse Impact** – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

As proposed, the site layout and design are configured in a way to minimize adverse impacts on surrounding lands. The site plan proposes one access from State Road 7/441 and two from Lee Road.

The proposed building is oriented with the loading area facing west towards the agricultural property. The vehicular circulation is located around the perimeter to access the parking/loading areas along the east and west portions of the Property. The front setback exceeds the required setback with 160 feet along the east property line; the side setback exceeds the required setbacks, with 50 feet along the north property line; the rear setback exceeds the required with 80 feet along the west property line; and meets the 30 feet side street along the south property line, in lieu of 30 feet, 15 feet, 20 feet, and 30 feet respectively. In addition the Applicant is not requesting any additional height allowed by Code. The combination of the setbacks, building orientation, and Staff proposed conditions of approval on the north and west sides of the site represent design that minimizes adverse effects on adjacent lands.

- e. Design Minimizes Environmental Impact** – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

- *Vegetation Protection:* The application request does not impact native vegetation.
- *Wellfield Protection Zone:* This property is not located within Wellfield Protection Zone.
- *Irrigation Conservation Concerns and Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non-stormwater discharge or the maintenance or use of a connection that results in a non-stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.
- *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

- f. Development Patterns** – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

The site is located north of the Bedner Agricultural Marketplace, and surrounded on all other sides by agricultural preserve lands. The Planning Division future land use amendment staff report recommended **denial**; however, the Board transmitted the request on January 31, 2024. Contingent upon the approval of the FLU amendment by the BCC, the rezoning to MUPD would be logical, orderly, and timely development pattern with the adjacent properties.

- g. Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

OFFICE OF RESILIENCY

Staff has reviewed this application and have no comment.

ENGINEERING COMMENTS:

The proposed Warehouse/Office development on an existing agricultural land area is expected to generate 187 net daily trips, 22 net AM peak trips, and 22 net PM peak hour. The build out of the project is assumed to be by 2026.

The project will have insignificant impact (as per the definition in the PBC Traffic Performance Standards) on the area roadways. The project will have a right-in/right-out driveway on SR-7 and 2 full access driveways to Lee Rd, which has a full access connection with SR-7. FDOT driveway access approval requires construction of a southbound right turn lane at the access on SR-7. A southbound right turn lane on SR-7 at Lee Rd currently exists.

The Property Owner is conditioned to dedicate a 25 foot by 25 foot corner clip to FDOT and also to plat the property.

The conditions of approval have been agreed to by the applicant to mitigate the impacts of the proposed project.

DRAINAGE STATEMENT: The site is in the boundaries of the South Florida Water Management District (SFWMD) and Lake Worth Drainage District C-15 Drainage Basin.

In accordance with the Drainage Statement, Exhibit J, it states “that the runoff be directed to on-site water management areas or underground exfiltration trench by means of paced and grass swales and inlets and storm sewer. Legal positive outfall is available via discharge to the Lake Worth Drainage District S-105 Canal along the south side of the subject parcel.”

Land Development Staff have reviewed the drainage statement. Further review is required prior to issuance of a building permit for the proposed drainage improvements. Prior to issuance of any building permits, the Property Owner will have to obtain applicable approvals and permits from Lake Worth Drainage District and Florida Department of Transportation for Drainage Connection.

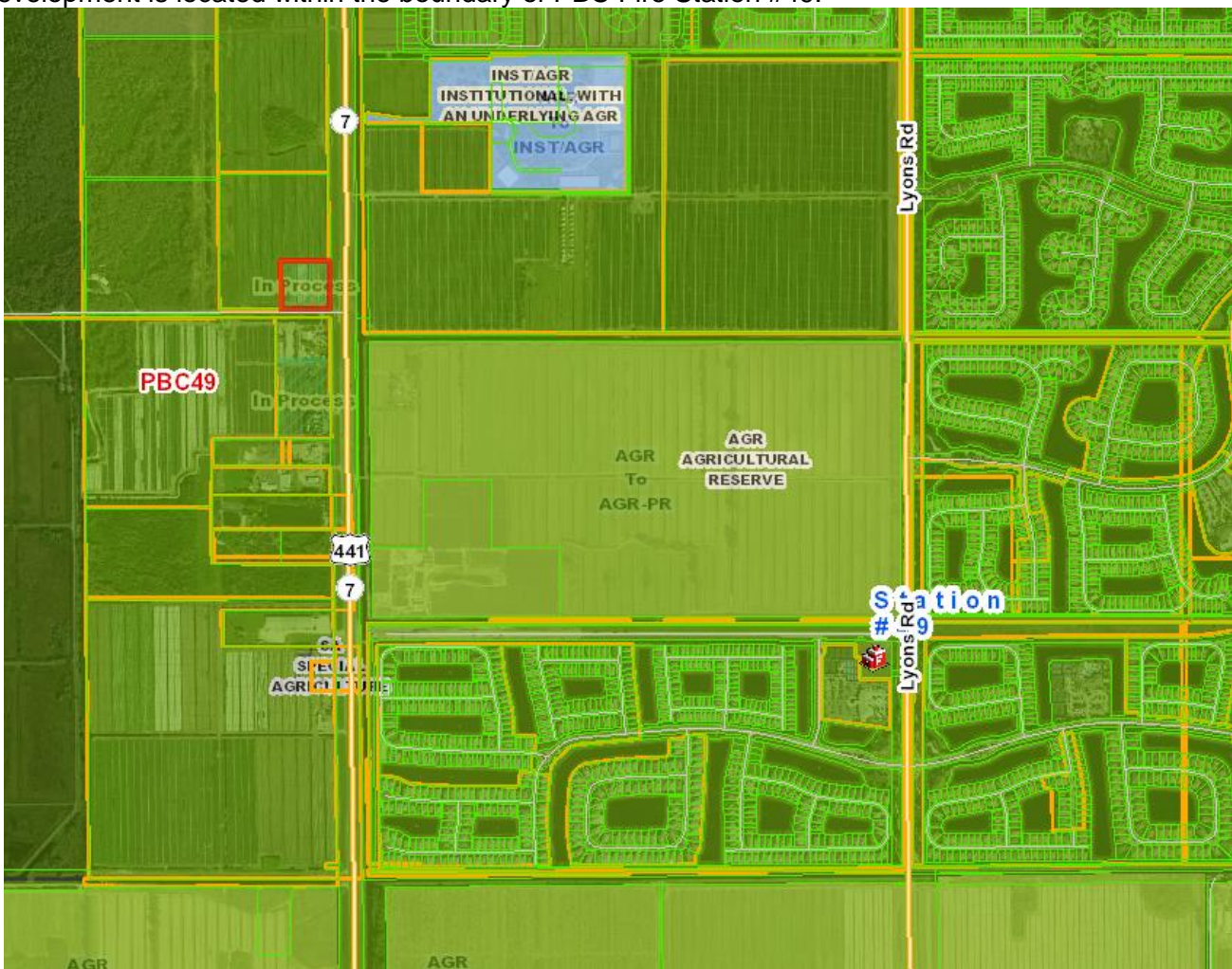
WASTE AND WATER PROVIDER: Water and Wastewater to be provided by Palm Beach County Water Utilities. In accordance with the letter dated April 28, 2023, Exhibit K, they stated the following, “This letter is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of the current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity to provide the level of service required for the land use amendment from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR). The proposed change will allow for Warehouse and Light Industrial uses while allowing the 5-acre marketplace to remain as AGR.

The nearest point of connection is a 12-inch potable water main located approximately 4000 feet south of the subject property within SR 7. There is an 8-inch sanitary sewer force main located approximately 5800 feet south of the subject property within SR7. Offsite improvements and a lift station will be required.

Prior to issuance of any building permits, the Property Owner will have to obtain applicable approvals and permits from Palm Beach County Water Utilities to connect to water and wastewater services.

PALM BEACH COUNTY HEALTH DEPARTMENT: This project has met the requirements of the Florida Department of Health.

FIRE PROTECTION: Staff has reviewed this application and have no comment. The proposed development is located within the boundary of PBC Fire Station #49.



SCHOOL IMPACTS: The School Board has no comment regarding this non-residential application.

PARKS AND RECREATION: There is a proposal for a Palm Beach County greenway which would extend from Wakodatchee to Green Cay Phase Two, Greenway Phase One and along the south side of

Flavor Pict to State Road 441. From the trail's terminus it is half a mile north to Lee Road - 441. Lee Road provides access to the Arthur R. Marshall Loxahatchee National Wildlife Refuge. Consider installing a paved multipurpose path along the north side of Lee Road for future trail connectivity to the Refuge.

- h. Changed Conditions or Circumstances** – *There are demonstrated changed site conditions or circumstances provided by the Applicant's Justification Statement that necessitate the amendment.*

The Applicant states that there are changed conditions or circumstances that necessitate the requested rezoning. As indicated by the Applicant's Justification Statement: *"The Applicant is requesting a rezoning to MUPD. The consultants that prepared the Agricultural Reserve Master Plan recognized the industrial nature of certain sections of the Agricultural Reserve and recommended 330,000 square feet of additional industrial uses within the tier. There is a substantial need for more industrial uses in the region as the older industrial areas continually redevelop and modern businesses need larger buildings for operations.*

The consultants that developed the Agricultural Reserve Master Plan anticipated that the Agricultural Reserve would be a place where people can live, work and play without having to travel to the Urban/Suburban Tier. Contrary to the intent of the Master Plan, the Agricultural Reserve has become an exclusive community comprised mainly of expensive single-family homes. Most of the employment opportunities available within the Tier are generated by the commercial centers, farming activities, and industrial corridor along Atlantic Avenue. The proposed rezoning to MUPD will create another opportunity for a service not currently located in the Tier. The Board of County Commissioners recognized this need for additional industrial land and transmitted a comprehensive plan amendment to create a new Commerce Future Land Use designation category with policies regarding location and property size within the Agricultural Reserve.

The Commerce future land use designation has been designated throughout the Agriculture Reserve Tier since its adoption. There are two examples of Commerce land use to the west of State Road 7 near Boynton Beach Blvd. at existing industrial sites: Morin/ Connolly (LGA-2023-002) totaling 3.39 acres and the LTG Sports Turf (LGA-2023-007). Most of the current industrial properties are situated along Atlantic Avenue and Boynton Beach Blvd, but the State Road 7 Business Plaza (LGA-2023-006) was recently approved along State Road 7 between those two roads in an area previously only utilized by agriculture."

Exhibit C-1 - Conditions of Approval

Non Residential Planned Development District

ALL PETITIONS

1. The approved Preliminary Site Plan is dated June 13, 2024. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ENGINEERING

1. No Building Permits for the site may be issued after December 31, 2026, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. The Property Owner shall construct right turn lane north approach on SR-7 at project entrance.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from FDOT for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

3. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering)

4. Prior to the issuance of the first building permit, the Property Owner shall provide to Florida Department of Transportation (FDOT), by deed, a 25-foot by 25-foot corner clip at the intersection of Lee Road and State Road 7 (US Highway 441). Property Owner shall provide FDOT with sufficient documentation, including, at a minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from Tax Collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Property Owner must warrant that the property being conveyed to FDOT meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County and FDOT harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. The Property Owner shall coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDGPMT: MONITORING - Engineering)

LANDSCAPING – PERIMETER - NORTH AND WEST PROPERTY LINES

1. Prior to final approval by the Development Review Officer (DRO), the north and west property lines shall be revised to a 20 foot Type 3 Incompatibility buffer. (DRO: ZONING – Zoning)

2. Prior to final approval by the DRO, a Landscape Detail shall be included on the Preliminary Regulating Plan. (DRO: ZONING – Zoning)

LIGHTING

1. The maximum illumination at the north and west property line shall be zero (0) foot-candles. (ONGOING: CODE ENF – Zoning)

PLANNING

1. Prior to final approval by the Development Review Officer (DRO), in a form approved by and acceptable to the County Attorney's Office, the Property Owner shall submit a recorded cross access easement agreement for the location(s) depicted on the site plans. (DRO: PLANNING - Planning)

2. Prior to Final Approval by the Development Review Officer (DRO), the Property Owner shall revise the Preliminary Site Plan to add the Official records book and page number for the recorded cross access easement. (DRO: PLANNING - Planning)

3. Prior to the release of the Certificate of Occupancy, the Property Owner shall grade, construct, and pave the access point for the cross-access easement to the property line so that it is usable for both vehicular and pedestrian cross access from the adjacent property at the location(s) shown on the Site Plan. (CO: MONITORING - Planning)

SIGNS

1. Ground Mounted Freestanding signs fronting on Lee Road shall be limited as follows:
 - a. maximum sign height - fifteen (15) feet, measured from finished grade to highest point;
 - b. maximum sign face area per side - one hundred and fifty (150) square feet;
 - c. maximum number of signs - one (1);
 - d. style - monument style only; and,
 - e. to be located within sixty (60) feet of the east side of the eastern driveway on Lee Road. (BLDG/PMT/ONGOING: ZONING - Zoning)

2. Project Entrance signs fronting on Lee Road shall be limited as follows:
 - a. maximum number of project entrance signs - two (2);
 - b. location - one (1) to be located on the west side of the eastern driveway, facing east; and
 - c. location - one (1) to be located on the east side of the western driveway, facing east. (BLDG/PMT/ONGOING: ZONING - Zoning)

3. Out-parcel signage is prohibited. (ONGOING: ZONING – Zoning)

SITE DESIGN

1. Prior to final approval by the Development Review Officer, the Site and Master Sign Plans shall be revised to comply with the Signage Conditions of Approval. (DRO: ZONING - Zoning)

2. Prior to final approval by the Development Review Officer, the site plan shall be revised to show the required Type 3 Incompatibility Buffer along the north and west property lines. (DRO: ZONING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:
 - a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
 - b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
 - c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
 - d. Referral to Code Enforcement; and/or
 - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Exhibit D - Project History

Application No.	Title & Request	Resolution	Decision	Approval Date
CB-2006-00947	Title: a Class B Request: to allow Agricultural Sales and Service	N/A	Withdrawn	03/06/2008
LGA-2021-00009	Title: Large Scale Land Use Amendment Request: To change the future land use designation from Agricultural Reserve (AGR) to Institutional and Public Facilities with an underlying Congregate Living Residential (INST/CLR) with conditions, and to revise the Future Land Use Element of the Comprehensive Plan to allow the CLR future land use designation in the Agricultural Reserve Tier for congregate living facilities, up to 8 units per acre.	ORD-2022-0011	Adopted	04/28/2022
SV/PDD/CA-2021-00460	Title: a Subdivision Variance Request: To allow access from an individual lot to be permitted directly to a major street (Lyons Road)	ZR-2022-0010	Adopted with Conditions of Approval	04/07/2022
SV/PDD/CA-2021-00460	Title: an Official Zoning Map Amendment Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve- Multiple Use Planned Development (AGR-MUPD) Zoning District,	R-2022-0386	Adopted with Conditions of Approval	04/28/2022
SV/PDD/CA-2021-00460	Title: a Class A Conditional Use Request: to allow a Congregate Living Facility (CLF)	R-2022-0387	Adopted with Conditions of Approval	04/28/2022

Exhibit E - Preliminary Site Plan

Site Data
Application Name: Bedner-Lee Industrial
Application No: PDD-2023-971
Lant ZC/BCC Approval Date: TBD
Ag Plan: AGR
CMR: CMR
MURD: MURD
00424327060610311
Agriculture, Row, Crop
Warehouse (217,803 SF) 5.0 AC
(312.5 SF) 0.01 AC
(217,487.5 SF) 4.99 AC
747

Building Data
Total Building Square Footage: 67,420 SF
Warehouse: 67,420 SF
Accessory Office (15%): 10,113 SF
0.31 FAR
1-Story 1.5 Max.
Floor Area Ratio (FAR): 0.31 FAR
Warehouse (15%): 10,113 SF
Accessory Office (15%): 10,113 SF
Floor Area Ratio (FAR): 0.31 FAR
Warehouse (15%): 10,113 SF
Accessory Office (15%): 10,113 SF
Floor Area Ratio (FAR): 0.31 FAR

Parking Data
Total Required Parking: 69 Spaces
Required Parking: 26 Spaces
On-Street (1.5 Sp/50 SF): 70 Spaces
Total Parking Provided: 70 Spaces
* 70 Spaces *
3 Spaces
4 Spaces
12 Spaces
(12%) 0.6 AC

Concurrency Reservation
Total Building Square Footage: 67,420 SF
Warehouse: 67,420 SF
Accessory Office: 10,113 SF
*Concurrency is approved for the above use and the above amount shown on the job.

Property Development Regulations

Minimum Lot Dimensions	Depth	Width	Area	Minimum Setbacks	Max. Coverage	Max. Height	Max. Floor Area
Proposed	150'	300'	45,000 SF	5' Front, 5' Side, 5' Rear	0.31	31'	170 SF
Proposed	150'	300'	45,000 SF	5' Front, 5' Side, 5' Rear	0.31	31'	170 SF

Notes: This site is measured from parking requirements per Article 15A.04.

From File A4
Z: AGR-PLD
Cert No: 2023-31
Revis: 2023-04-31

From File A5
Z: AGR-PLD
Cert No: 2019-50
Revis: 2019-05-20

From File A6
Z: AGR-PLD
Cert No: 2019-50
Revis: 2019-05-20

Foundation Planting (FP) Table

Building	Front	Side	Rear	Notes
Warehouse	378'	187'	187'	10' Right Triangle, PDD Typical
Accessory Office	210'	105'	105'	

Building A
Warehouse w/ Accessory Office
10,113 SF Office
57,307 SF Warehouse
Factory (14.5' H)

Building B
Warehouse w/ Accessory Office
10,113 SF Office
57,307 SF Warehouse
Factory (14.5' H)

Non-Residential PDD Chart

Art. 4 Use Classification	Approved	Proposed	Pending	Required	Rate	Provided	Proposed	Pending	Required	Rate	Provided
Industrial					1 Space / 2,000 SF	28	28				
Accessory Office					1 Space / 250 SF	40	41				
Warehouse					1 Space / 250 SF	69	70				
Total											

Notes:
* main pedestrian entry
WMT: water management tract
Foundation planting



Site Data
Application Name: Bedner-Lee Industrial
Application No: PDD-2023-971
Lant ZC/BCC Approval Date: TBD
Ag Plan: AGR
CMR: CMR
MURD: MURD
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Agriculture, Row, Crop
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* 70 Spaces *
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4 Spaces
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Notes: This site is measured from parking requirements per Article 15A.04.

From File A4
Z: AGR-PLD
Cert No: 2023-31
Revis: 2023-04-31

From File A5
Z: AGR-PLD
Cert No: 2019-50
Revis: 2019-05-20

From File A6
Z: AGR-PLD
Cert No: 2019-50
Revis: 2019-05-20

Foundation Planting (FP) Table

Building	Front	Side	Rear	Notes
Warehouse	378'	187'	187'	10' Right Triangle, PDD Typical
Accessory Office	210'	105'	105'	

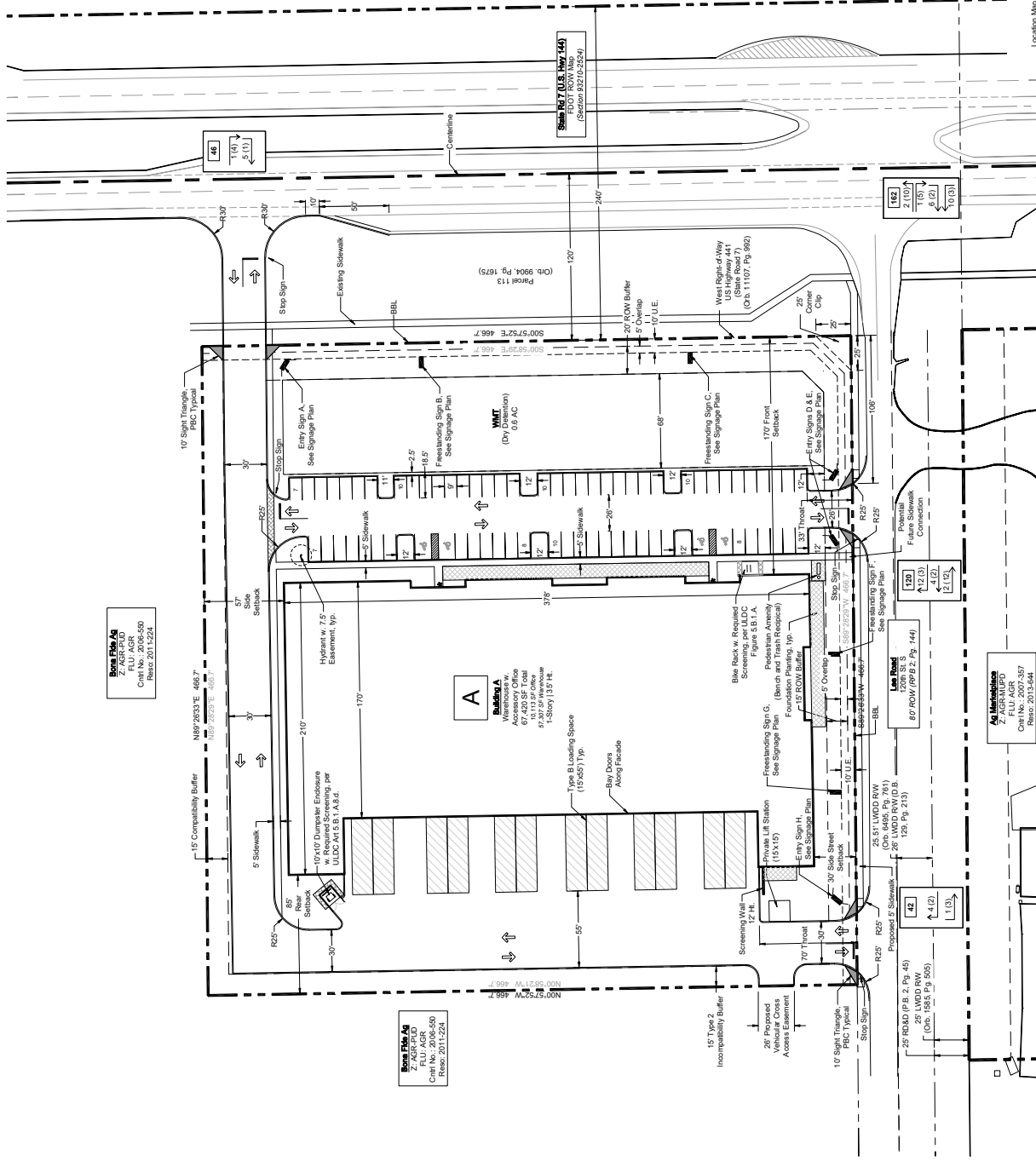
Building A
Warehouse w/ Accessory Office
10,113 SF Office
57,307 SF Warehouse
Factory (14.5' H)

Building B
Warehouse w/ Accessory Office
10,113 SF Office
57,307 SF Warehouse
Factory (14.5' H)

Non-Residential PDD Chart

Art. 4 Use Classification	Approved	Proposed	Pending	Required	Rate	Provided	Proposed	Pending	Required	Rate	Provided
Industrial					1 Space / 2,000 SF	28	28				
Accessory Office					1 Space / 250 SF	40	41				
Warehouse					1 Space / 250 SF	69	70				
Total											

Notes:
* main pedestrian entry
WMT: water management tract
Foundation planting



Non-Residential PDD Chart

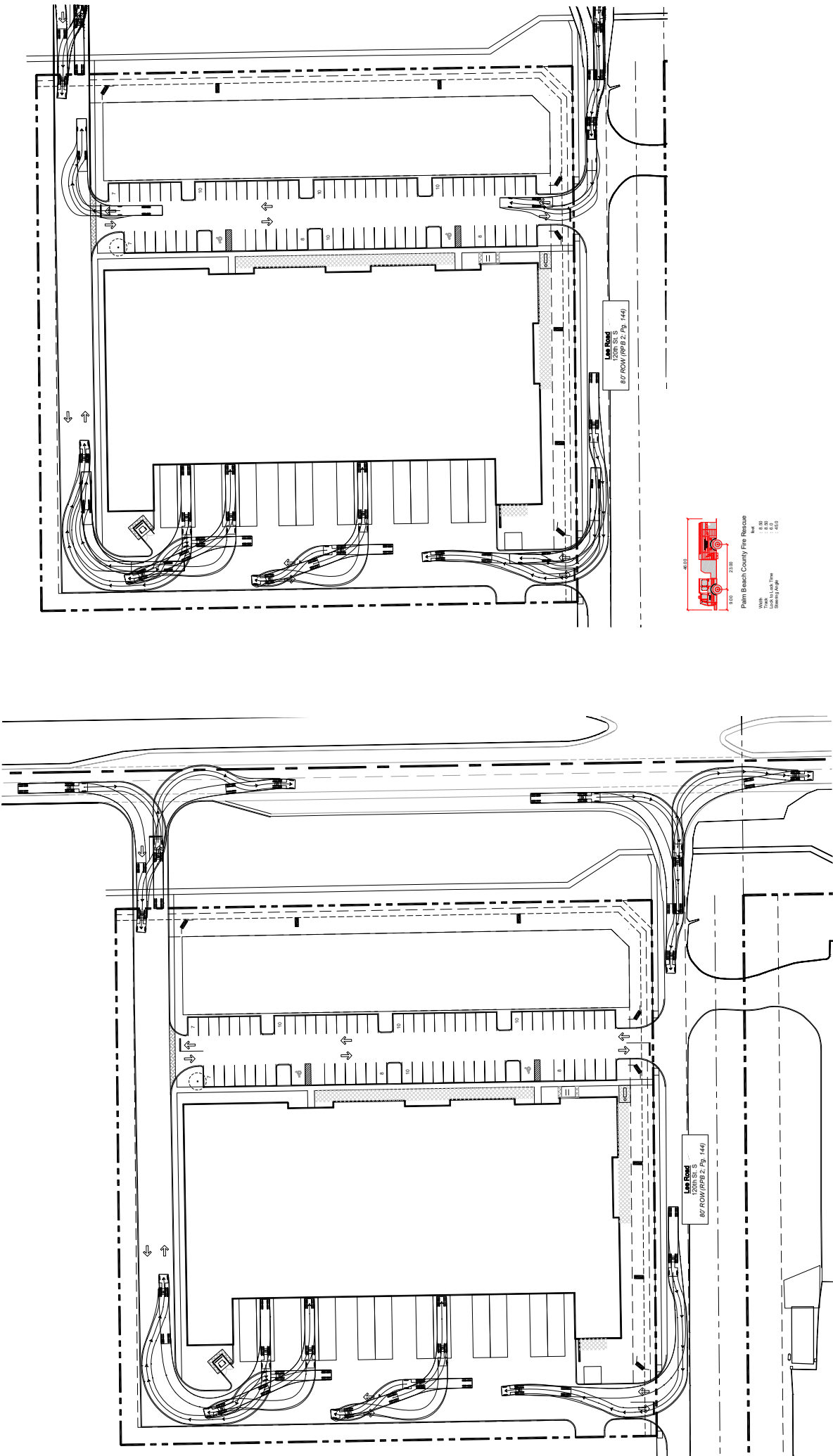
Art. 4 Use Classification	Approved	Proposed	Pending	Required	Rate	Provided	Proposed	Pending	Required	Rate	Provided
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Accessory Office					1 Space / 250 SF	40	41				
Warehouse					1 Space / 250 SF	69	70				
Total											

Notes:
* main pedestrian entry
WMT: water management tract
Foundation planting

Exhibit F - Preliminary Regulating Plan

Revisions	
Submitted	7/15/2023
Revised	8/22/2023
Revised	12/7/2023
Revised	01/22/2024

Preliminary Regulating Plan
 Scale: As Shown
 Drawn By: RB
 Checked By: LMAA
 Date: 2024-01-22
 File: 102.02 - Bedner-Lee Industrial



Location Map

Amendments

Zoning Stamp

North

Scale 1" = 60'

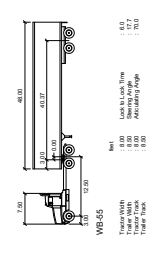


Exhibit G - Preliminary Master Sign Plan

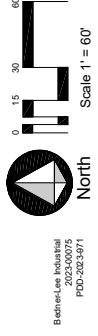
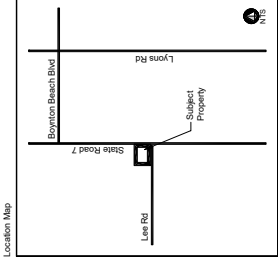
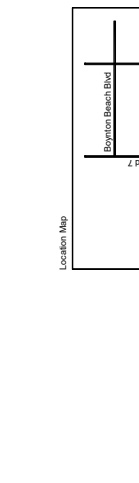
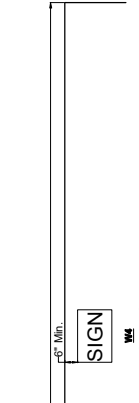
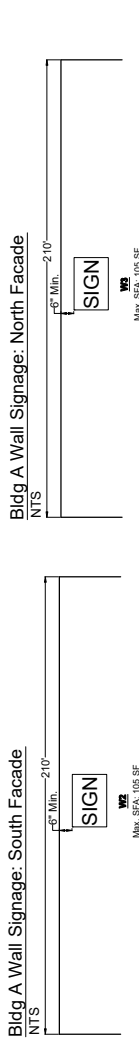
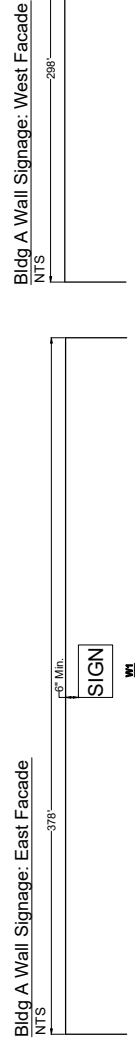
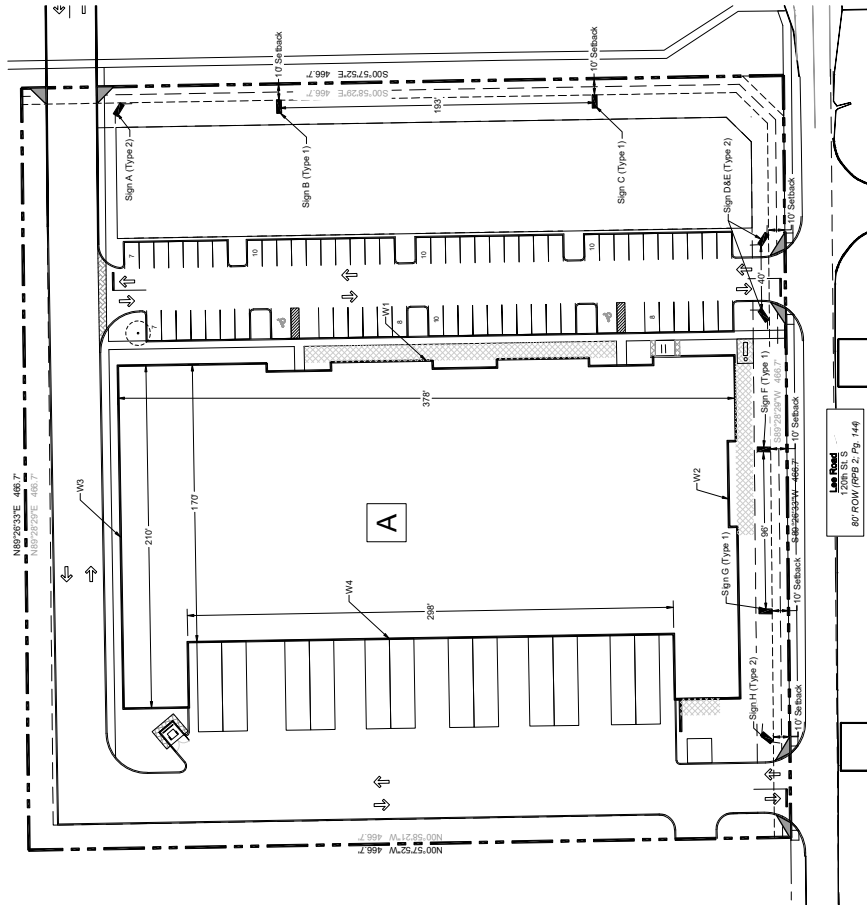
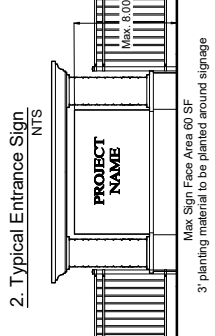
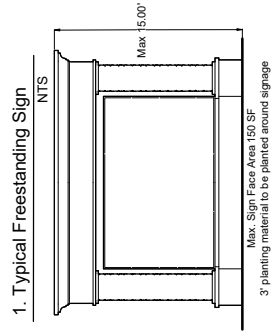
UDOC Requirements per Table 6.0.1.A - Wall Sign Standards

Sign ID	Proposed Sign Dimensions, Separation	Side	Rear (West)
W1	0.75 sq. ft. along any one side of the building wall of which it is attached.	Front (East)	203.5 SF
W2	0.5 sq. ft. along any of the remaining side of the building.	-	105.5 SF
W3	0.5 sq. ft. along any of the remaining side of the building.	-	105.5 SF
W4	0.5 sq. ft. along any of the remaining side of the building.	-	105.5 SF

Street	Max. No. per Project Frontage	Max. Sign Area (0.75 sq. ft. per linear ft. of frontage) and Max. Sign Height	Min. Setback	Min. Separation
US-441 (466 LF)	2	300 SF	15'	10'
SR 10	-	150 SF	15'	10'
SR 15	-	150 SF	15'	10'
SR 16	-	150 SF	15'	10'
SR 17	-	150 SF	15'	10'
SR 18	-	150 SF	15'	10'
SR 19	-	150 SF	15'	10'
SR 20	-	150 SF	15'	10'
SR 21	-	150 SF	15'	10'
SR 22	-	150 SF	15'	10'
SR 23	-	150 SF	15'	10'
SR 24	-	150 SF	15'	10'
SR 25	-	150 SF	15'	10'
SR 26	-	150 SF	15'	10'
SR 27	-	150 SF	15'	10'
SR 28	-	150 SF	15'	10'
SR 29	-	150 SF	15'	10'
SR 30	-	150 SF	15'	10'
SR 31	-	150 SF	15'	10'
SR 32	-	150 SF	15'	10'
SR 33	-	150 SF	15'	10'
SR 34	-	150 SF	15'	10'
SR 35	-	150 SF	15'	10'
SR 36	-	150 SF	15'	10'
SR 37	-	150 SF	15'	10'
SR 38	-	150 SF	15'	10'
SR 39	-	150 SF	15'	10'
SR 40	-	150 SF	15'	10'
SR 41	-	150 SF	15'	10'
SR 42	-	150 SF	15'	10'
SR 43	-	150 SF	15'	10'
SR 44	-	150 SF	15'	10'
SR 45	-	150 SF	15'	10'
SR 46	-	150 SF	15'	10'
SR 47	-	150 SF	15'	10'
SR 48	-	150 SF	15'	10'
SR 49	-	150 SF	15'	10'
SR 50	-	150 SF	15'	10'
SR 51	-	150 SF	15'	10'
SR 52	-	150 SF	15'	10'
SR 53	-	150 SF	15'	10'
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SR 55	-	150 SF	15'	10'
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SR 57	-	150 SF	15'	10'
SR 58	-	150 SF	15'	10'
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SR 60	-	150 SF	15'	10'
SR 61	-	150 SF	15'	10'
SR 62	-	150 SF	15'	10'
SR 63	-	150 SF	15'	10'
SR 64	-	150 SF	15'	10'
SR 65	-	150 SF	15'	10'
SR 66	-	150 SF	15'	10'
SR 67	-	150 SF	15'	10'
SR 68	-	150 SF	15'	10'
SR 69	-	150 SF	15'	10'
SR 70	-	150 SF	15'	10'
SR 71	-	150 SF	15'	10'
SR 72	-	150 SF	15'	10'
SR 73	-	150 SF	15'	10'
SR 74	-	150 SF	15'	10'
SR 75	-	150 SF	15'	10'
SR 76	-	150 SF	15'	10'
SR 77	-	150 SF	15'	10'
SR 78	-	150 SF	15'	10'
SR 79	-	150 SF	15'	10'
SR 80	-	150 SF	15'	10'
SR 81	-	150 SF	15'	10'
SR 82	-	150 SF	15'	10'
SR 83	-	150 SF	15'	10'
SR 84	-	150 SF	15'	10'
SR 85	-	150 SF	15'	10'
SR 86	-	150 SF	15'	10'
SR 87	-	150 SF	15'	10'
SR 88	-	150 SF	15'	10'
SR 89	-	150 SF	15'	10'
SR 90	-	150 SF	15'	10'
SR 91	-	150 SF	15'	10'
SR 92	-	150 SF	15'	10'
SR 93	-	150 SF	15'	10'
SR 94	-	150 SF	15'	10'
SR 95	-	150 SF	15'	10'
SR 96	-	150 SF	15'	10'
SR 97	-	150 SF	15'	10'
SR 98	-	150 SF	15'	10'
SR 99	-	150 SF	15'	10'
SR 100	-	150 SF	15'	10'

Encroaching Signs Within the AGR Tier

Street	Max. No. per Project Frontage	Max. Sign Area (0.75 sq. ft. per linear ft. of frontage) and Max. Sign Height	Min. Setback	Min. Separation
US-441 (466 LF)	2	300 SF	15'	10'
SR 10	-	150 SF	15'	10'
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SR 17	-	150 SF	15'	10'
SR 18	-	150 SF	15'	10'
SR 19	-	150 SF	15'	10'
SR 20	-	150 SF	15'	10'
SR 21	-	150 SF	15'	10'
SR 22	-	150 SF	15'	10'
SR 23	-	150 SF	15'	10'
SR 24	-	150 SF	15'	10'
SR 25	-	150 SF	15'	10'
SR 26	-	150 SF	15'	10'
SR 27	-	150 SF	15'	10'
SR 28	-	150 SF	15'	10'
SR 29	-	150 SF	15'	10'
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SR 31	-	150 SF	15'	10'
SR 32	-	150 SF	15'	10'
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SR 34	-	150 SF	15'	10'
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SR 36	-	150 SF	15'	10'
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SR 44	-	150 SF	15'	10'
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SR 55	-	150 SF	15'	10'
SR 56	-	150 SF	15'	10'
SR 57	-	150 SF	15'	10'
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SR 72	-	150 SF	15'	10'
SR 73	-	150 SF	15'	10'
SR 74	-	150 SF	15'	10'
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SR 76	-	150 SF	15'	10'
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SR 86	-	150 SF	15'	10'
SR 87	-	150 SF	15'	10'
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SR 89	-	150 SF	15'	10'
SR 90	-	150 SF	15'	10'
SR 91	-	150 SF	15'	10'
SR 92	-	150 SF	15'	10'
SR 93	-	150 SF	15'	10'
SR 94	-	150 SF	15'	10'
SR 95	-	150 SF	15'	10'
SR 96	-	150 SF	15'	10'
SR 97	-	150 SF	15'	10'
SR 98	-	150 SF	15'	10'
SR 99	-	150 SF	15'	10'
SR 100	-	150 SF	15'	10'



Revisions

Revision	By	Date
1	AS	5/17/2023
2	AS	5/24/2023
3	AS	10/24/2023
4	AS	12/27/2023
5	AS	01/25/2024

Field	Value
Scale	As Shown
Drawn By	KB
Checked By	LMAA
Date	2023-12-27
File	Site 1152.02 - Bedner, Lee Industrial

Exhibit H - Disclosure

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

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

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the individual or Director Bedner Bros. Farms, Inc. [position - e.g., president, partner, trustee] of Bedner Bros. Farms, Inc. [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 10066 Lee Rd
Boynton Beach, FL 33473
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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

FURTHER AFFIANT SAYETH NAUGHT.


Stephen Bedner, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or [] online notarization, this 12th day of July, 2023 by Stephen Bedner (name of person acknowledging). he/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Lauren McClellan
(Name - type, stamp or print clearly)

Lauren L. McClellan
(Signature)

My Commission Expires on: 2/28/25

NOTARY'S SEAL OR STAMP



LAUREN L. MCCLELLAN
Commission # HH 057806
Expires February 28, 2025
Bonded Thru Budget Notary Services

EXHIBIT "A"

PROPERTY

A PORTION OF TRACTS 31 AND 32, BLOCK 61, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 31; THENCE NORTH 00 37 11 WEST, ALONG THE WEST LINE OF SAID TRACT 31, A DISTANCE OF 55.00 FEET; THENCE NORTH 89 28 29 EAST, ALONG A LINE PARALLEL WITH AND 55.00 FEET NORTH OF THE SOUTH LINE OF SAID TRACTS 31 AND 32, A DISTANCE OF 647.08 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 00 58 21 WEST, S DISTANCE OF 466.70 FEET; THENCE NORTH 89 28 29 EAST, A DISTANCE OF 466.70 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD 7, AS DESCRIBED IN OFFICIAL RECORDS BOOK 11107, PAGE 992, PUBLIC RECORDS OF SAID PALM BEACH COUNTY; THENCE SOUTH 00 58 21 EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 466.70 FEET; THENCE SOUTH 89 28 29 WEST, ALONG A LINE PARALLEL WITH AND 55.00 FEET NORTH OF THE SOUTH LINE OF SAID TRACTS 31 AND 32, A DISTANCE OF 466.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.00 ACRES, MORE OR LESS.

NOTE: SUBJECT PARCEL LIES WITHIN SECTION 36, TOWNSHIP 45 SOUTH, RANGE 41 EAST.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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

Name	Address
Charles Bedner	10066 Lee Rd, Boynton Beach, FL 33473
Bruce Bedner	10066 Lee Rd, Boynton Beach, FL 33473
Steve Bedner	10066 Lee Rd, Boynton Beach, FL 33473

Exhibit I - Drainage Statement



August 2, 2023
Job No. 22-191B
Revised 10/20/2023
Revised 12/22/2023

DRAINAGE STATEMENT

Bedner – Lee Industrial
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the northwest side of State Road 7 and Lee Road in Palm Beach County, Florida and contains approximately 5 acres. The Property Control Number for the subject parcel is 00-42-43-27-05-061-0311. Proposed site development on the current agricultural land area consists of 57,307 SF of warehouse area and 10,113 SF of general office area. The proposed project will have a build-out of 2026. For additional information concerning site location and layout, please refer to the Site Plan prepared by J. Morton Planning & Landscape Architecture.

PROPOSED DRAINAGE

The site is located within the boundaries of the South Florida Water Management District (SFWMD) and Lake Worth Drainage District C-15 Drainage Basin. It is proposed that runoff be directed to on-site water management areas or underground exfiltration trench by means of paved and grass swales and inlets and storm sewer. Legal positive outfall is available via discharge to the Lake Worth Drainage District S-105 Canal along the south side of the subject parcel.

Drainage design will 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 greater of 100 year-3 day (zero discharge) rainfall event.

2581 Metrocentre Blvd. West, Ste 3 | West Palm Beach, FL 33407
561.478.7848 | simmonsandwhite.com | Certificate of Authorization Number 3452

Drainage Statement
Job No. 22-191B
August 2, 2023 – Page 2
Revised 10/20/2023
Revised 12/22/2023

SITE DRAINAGE (CONTINUED)

4. Allowable discharge to be in accordance with South Florida Water Management District and Lake Worth Drainage District Criteria.
5. Roads to be protected from flooding during the 3 year – 24 hour event.
6. Due consideration to water quality.

Required permits/approvals shall include the following:

1. Palm Beach County Building Department Onsite Drainage Review
2. Lake Worth Drainage District Drainage Permit
3. Florida Department of Transportation Drainage Connection Permit

<p>Robert F. Rennebaum, Professional Engineer, State of Florida, License No. 41168</p> <p>This item has been electronically signed and sealed by Robert F. Rennebaum, P.E., on 12/27/2023, using SHA-1 Authentication Code.</p> <p>Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.</p>	<p>Digitally signed by Robert F. Rennebaum Date: 2023.12.27 08:51:20 -05'00'</p>
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sa: x:/docs/trafficdrainage/ds.22191b.rev1



Exhibit J - Utility Letter



**Water Utilities Department
Engineering**

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



**Palm Beach County
Board of County
Commissioners**

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

County Administrator

Verdenia C. Baker

"An Equal Opportunity
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and recycled paper

April 28, 2023

Morton
3910 RCA Boulevard
Palm Beach Gardens, Fl. 33410

RE: Bedner Market
PCN 00-42-43-27-05-061-0311 & 00-41-46-01-02-001-0000
Service Availability Letter

Dear Ms. Velasco,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity to provide the level of service required for the land use amendment from Agricultural Reserve (AGR) to Commerce (CMR) with an underlining Agricultural Reserve (CMR/AGR). The proposed change will allow for Warehouse and Light Industrial uses while allowing the 5-acre marketplace to remain as AGR..

The nearest point of connection is a 12" potable water main located approximately 4000' south of the subject property within SR7. There is an 8" sanitary sewer force main located approximately 5800' south of the subject property within SR&. Offsite improvements and a lift station will be required.

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

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

Sincerely,

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

Jackie Michels, P.E.
Project Manager