

FUTURE USE MEANS

request for

19-B

Request	19-B	Effective Date	November 2, 2018
Project Name	Caliber Collision Lake Worth	Request	Yes
Size	4.65 acres	Request	No
Parcel ID	00-42-44-35-24-002-0000		
Location	West side of Haverhill Road about 425 feet/0.08 miles north of its intersection with Lantana Road		
	Request	Request	
Request	Urban	No Tier amendment proposed	
Use	The site is vacant and wooded and has no built features at this time	Vehicle collision repair facility	
Request	RS residential single family	IL light industrial	
Future Use	CL Commercial Low North 200' of site is cross-hatched	CL Commercial Low North 200' of site is cross-hatched	
Underlying Future Use	Medium Residential-5	Industrial	
Request	Ordinance No. 2013-020, which approved the change to Commercial Low with an underlying Medium Residential-5, contained the following condition: "Commercial development on the site shall be subject to the following: The northernmost 200 feet of the site, excluding access and/or publicly dedicated right of way for Nash Trail, shall be cross-hatched. The cross-hatched area shall be limited to water retention, landscaping, and/or drainage."	No change to this condition is being requested	

Request

Provide math for each item as indicated (eg. 5 du/acre x 3 acres = 15 units)

	Request FU	Request FU
Request	Maximum intensity for CL is .20	Maximum FAR for IND is .45
Maximum underlying residential designations	Maximum underlying residential 5 du/acre x 4.65 ac. = 23.25 units	No underlying residential proposed
Maximum CLF	No CLF proposed	No CLF proposed

Maximum Units	$\frac{23.25}{55.57} \text{ max du x } 2.39 =$	None proposed
Maximum FAR (non-residential designations)	$0.20 \text{ FAR x } 4.65 \text{ ac.} = 40,511$ General Commercial	$0.45 \text{ FAR x } 4.65 \text{ ac.} = 91,149$ Industrial
Maximum Floor Area	None	Vehicle collision repair facility 18,635 SF
Maximum Gross Floor Area	General commercial $\ln(T) = .65 \ln(X) + 5.83 \text{ per } 1000 \text{ SF}$	Light Industrial 6.97 per 1000 SF
Maximum Daily Trip Ends	3,253 daily trip ends (before passerby capture)	452 daily trip ends 580 daily trip ends
Maximum Daily Trip Ends	-2,801 (maximum minus current) -2,673 (proposed minus current)	452-3,253 580-3,253
Maximum Daily Trip Ends	-108 AM, -221 PM (maximum) -130 AM, -220 PM (proposed)	64-172, 57-278 42-172, 58-278

1. Maximum units per acre see Future Land Use Element Table III.C.1;
2. Maximum FAR see FLUE Table III.C.2 for FAR. 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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□ □ □ □	Steven J. Rumsey, Managing Member of Cross Development Management, LLC, Manager
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I □ □ □ r □ □ □	Contract Purchaser
□ □ □ □	Glenn I. Rasmussen, Trustee of the Curtis A. Rasmussen Revocable Trust Agreement, Dated September 7, 2006, and Glenn I. Rasmussen, Trustee of the Lillian E. Rasmussen Revocable Trust Agreement, Dated September 5, 2006
□ ddr □ □ □	3837 NW 1 st Drive
□ □ □ □ □ □ □ □ □ □ □	Deerfield Beach, FL 33442
□ □ □ □ □ F □ □ □ □ □ r	954-778-6948
E □ □ □ □ ddr □ □ □	
I □ □ □ r □ □ □	Property Owner

FUTURE USE MEANS

Future Use

1. Future Use

Future Use	There are no built features on this property. It is vacant and wooded.
00-42-44-35-24-002-0000	00-42-44-35-24-002-0000
Future Use	Site is vacant. It has no address
Future Use	Site has about 850' of frontage on Haverhill Road and about 250' of frontage on Nash Trail. The site also has frontage on a platted 80' right of way on its south side called Rasmussen Way. The average lot depth from Haverhill Road is about 230'
Future Use	There is no current access because the site is vacant. Proposed access is from Rasmussen Way (see plat)
Future Use	The platted right of way parcel directly south of the subject property is currently owned by the same entity that owns the subject property. Its PCN is 00-42-44-35-24-019-0000. It is Tract S of the plat of Raceway Market, and its purpose is to provide access for Parcel 1 and Parcel 2 of the plat from Haverhill Road.
Future Use	This property has been owned by Glenn Rasmussen as trustee since 2006. The Rasmussen family owned the land for years before that.
Future Use	Prior to 2013, this site was part of a larger 6.88 acre parcel. The overall site was reduced in size when 1.78 acres on its south end were approved for a commercial use and sold to Racetrac Petroleum in 2013. The overall property has been platted.

III. Future Use

Future Use	On August 22, 2013, SCA-2013-010 (Ordinance No. 2013-020) was approved. This application changed the future land use designation from MR-5 to CL with an underlying MR-5 designation. Cross-hatching was applied to the northern 200' of the property.
Future Use	<ul style="list-style-type: none"> August 22, 2013 2012-00580 rezoned from AR to RS with COZ 5.07 acres May 14, 2014 2012-00580 DRO approval to allow subdivision of overall property 1 lot into 2 lots
Future Use	This property received Concurrency as part of an overall project. The approved density was 15 dwelling units. Concurrency Case #13012301C
Future Use	This property is part of a subdivision called Raceway Market, recorded in Plat Book 121, pages 55-57.

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

Provide as G.1.	See Application Attachment G.
R Provide as G.2.	See Application Attachment G.
Provide as G.3.	See Application Attachment G.
Provide as G.4.	See Application Attachment G.
F Provide as G.5.	See Application Attachment G.

Indicate the following for each surrounding property:

- Uses.** Indicate the existing land use, subdivision name, and existing 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.

	U	F r d U	
r	Single family residential, .52 units/acre	MR-5	AR
	Vacant; approved for convenience store with gas sales, 2,822 s.f. store and multiple fueling stations	CL	CC
E	Vacant; approved for MUPD; 83,577 s.f.	CL	MUPD
	Able Lawnmower Sales and Service; also approved for other businesses; 39,516 s.f.	CL/IND	MUPD

FUTURE USE MEANS

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Maximum Gross Floor Area	General Commercial $Ln(T)=.65Ln(X)+5.83$ per 1000 SF	Light Industrial 6.97 per 1000 SF
Maximum Number of Trips per Day Gross Floor Area	3,253 daily trip ends (before passerby capture)	452 daily trip ends 580 daily trip ends
Maximum Number of Employees	-2,801_____ (maximum minus current) -2,673_____ (proposed minus current)	
Maximum Hours of Operation	-108____ AM, _-221____ PM (maximum) -130____ AM, -220____ PM (proposed) See Application Attachment H.	
Maximum Number of Vehicles per Day Maximum Number of Vehicles per Hour Maximum Number of Vehicles per Trip Maximum Number of Vehicles per Trip	Not relevant because commercial uses are not being proposed	None
Maximum Number of Vehicles per Day Maximum Number of Vehicles per Hour Maximum Number of Vehicles per Trip Maximum Number of Vehicles per Trip	Not relevant because commercial uses are not being proposed	None
Maximum Number of Vehicles per Trip	Whitehouse Group	
Maximum Number of Vehicles per Trip Maximum Number of Vehicles per Trip	PalmTran Route 63 runs along Lantana Road	
Maximum Number of Vehicles per Trip Maximum Number of Vehicles per Trip	Approximately one half mile east of Haverhill Road at Lantana and Military	
Maximum Number of Vehicles per Trip Maximum Number of Vehicles per Trip	Routes 61 and 62 provide connection to the Lake Worth Tri Rail Station	

<p>Water and wastewater service is provided by Palm Beach County Water Utilities.</p>	
<p>Water and wastewater service is provided by Palm Beach County Water Utilities, subject to a Capacity Reservation Agreement.</p>	<p>Both water and wastewater will be provided by Palm Beach County Water Utilities, subject to a Capacity Reservation Agreement.</p>
<p>The closest potable water connection is a 12" water main within the Haverhill Road right-of-way. The closest sanitary sewer connection is a 10" forcemain, also within the Haverhill Road right-of-way. See Application Attachment I.</p>	<p>The closest potable water connection is a 12" water main within the Haverhill Road right-of-way. The closest sanitary sewer connection is a 10" forcemain, also within the Haverhill Road right-of-way. See Application Attachment I.</p>
<p>The applicant will utilize the entire property to accommodate the development. The vertical development, parking and landscaping will be confined to the south (approx.) 2 acres of the 4.65 acre property. An existing 1.37 acre wetland will remain largely undisturbed. The developed area will drain via on-site drainage infrastructure into a new pond to be constructed along the western boundary and in the northern 200' restricted area. The pond will be sized per SFWMD requirements to provide treatment for water quality and attenuation of the 25 year, 72 hour storm. A drainage statement is attached as Application Attachment J.</p> <p>The drainage provider for this site is Lake Worth Drainage District. The property lies within the Lake Worth Drainage Basin. Runoff drains to the County maintained road stormwater system along Haverhill Road and from there flows south to a receiving canal which flows into Lake Osbourne. As detailed in the drainage statement, the level of protection will include protection from flooding, water quality treatment, and stormwater quality management. See Application Attachment J.</p>	
<p>Fire Response</p>	
<p>Palm Beach County Fire-Rescue Station #43, 5970 South Military Trail</p>	<p>Palm Beach County Fire-Rescue Station #43, 5970 South Military Trail</p>
<p>1.25 miles</p>	<p>1.25 miles</p>
<p>Average response time for 2017 was 6:29</p>	<p>Average response time for 2017 was 6:29</p>
<p>"Changing the land use of this property will have minimal impact on Fire Rescue." Pursuant to letter provided as Application Attachment K.</p>	<p>"Changing the land use of this property will have minimal impact on Fire Rescue." Pursuant to letter provided as Application Attachment K.</p>
<p>Field Review</p>	
<p>A field review of this property was undertaken on January 18, 2018 by Mr. David Bogardus of Quest Ecology. Prior to the field visit Mr. Bogardus also conducted a database review of the site.</p> <p>The site is heavily impacted by invasive vegetation including Brazilian Pepper, Melaleuca, Australian Pine and others such as Bischofia and Schefflera. Native vegetation, primarily Slash Pine and Cabbage Palm was found to comprise about 20% of the upland area. A number of trees were mapped on a tree survey.</p> <p>A wetland of about 1.37 acres was identified and mapped on the property. It too was heavily invaded by exotic species.</p> <p>No listed or protected animal species were observed.</p>	<p>A field review of this property was undertaken on January 18, 2018 by Mr. David Bogardus of Quest Ecology. Prior to the field visit Mr. Bogardus also conducted a database review of the site.</p> <p>The site is heavily impacted by invasive vegetation including Brazilian Pepper, Melaleuca, Australian Pine and others such as Bischofia and Schefflera. Native vegetation, primarily Slash Pine and Cabbage Palm was found to comprise about 20% of the upland area. A number of trees were mapped on a tree survey.</p> <p>A wetland of about 1.37 acres was identified and mapped on the property. It too was heavily invaded by exotic species.</p> <p>No listed or protected animal species were observed.</p>

	It is anticipated that Palm Beach County ERM, South Florida Water Management District, and possibly Army Corps of Engineers permits will be needed to develop the property. Wetland mitigation may be indicated.
Flood	Flood Zone X
ERM Wellfield Protection Zone	Property is not in ERM Wellfield Protection Zone
General Remarks	
The County Historic Preservation Officer/Archeologist has indicated that there are no significant sites or resources on or within 500' of this property in letter provided as Application Attachment N.	
Other Remarks	
Other Remarks	
Other Remarks	

FUTURE USE **ME** **ME** **r**

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- ☐ **PCN's, Legal Description and Warranty Deed** (include Legal in PDF & Word)
 - ☐ **For**
 - ☐ **Applicant's Ownership Affidavit**
 - ☐ **Applicant's Notice Affidavit, r r r d**
 - E** ☐ **r**
 - F** ☐ **r** **M**
 - G** ☐ **d** **For** (include in PDF & Word)
 - ☐ **r** **d**
 - I** ☐ **r** **d**
 - ☐ **r**
 - ☐ **For** **R**
 - ☐ **r** **F** **r** **M**
 - M** ☐ **d**
 - ☐ **r** **R** **E**
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 - ☐ **d** (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\2019 Application\2019-FLUA-Application-Form.docx

Attachment F

Built Features & Inventory

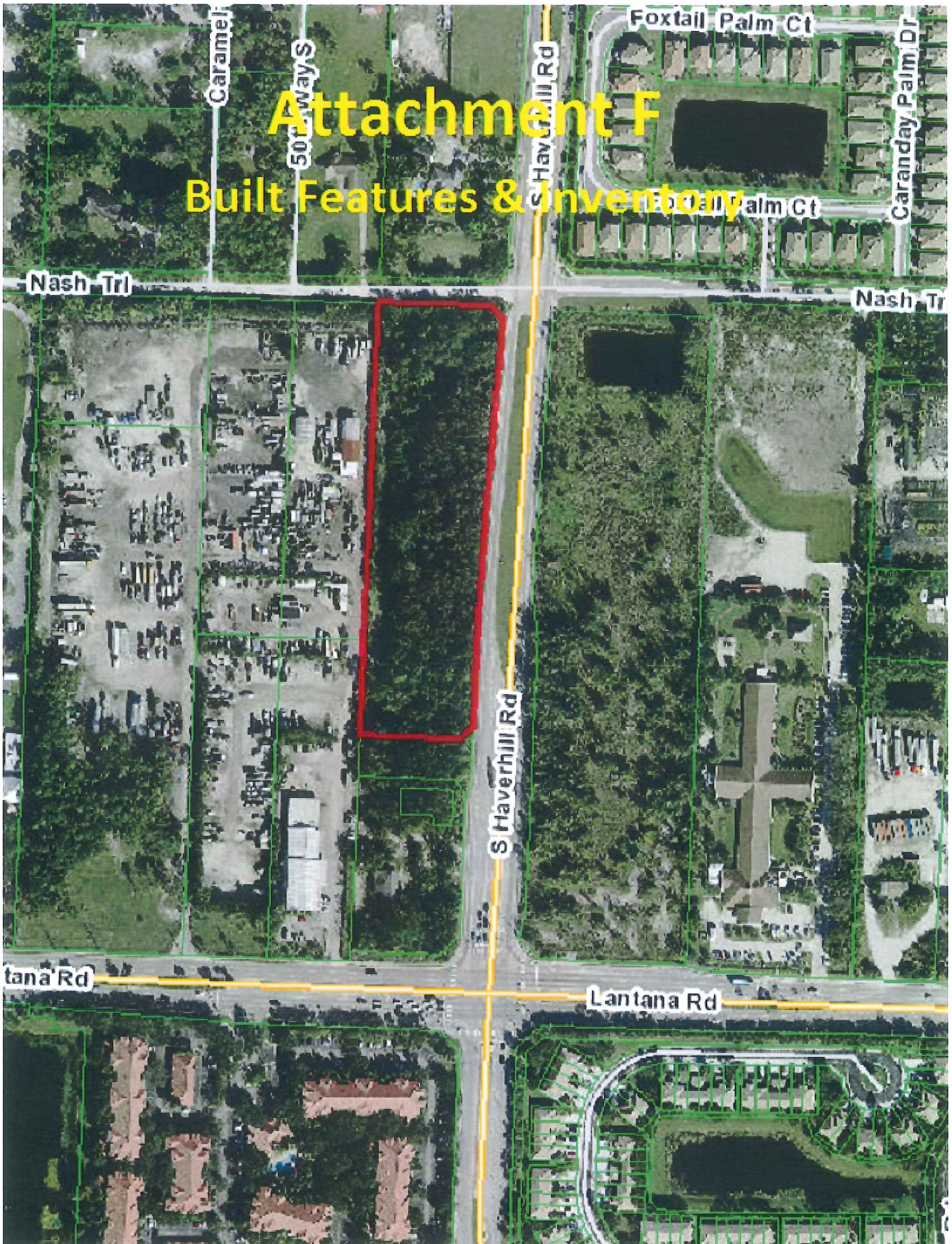


Exhibit G.1. through G.5.
Applicant's Justification Statement

**JUSTIFICATION STATEMENT
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
CALIBER COLLISION LAKE WORTH**

Prepared for:

**CROSS DEVELOPMENT CC LAKE WORTH,
LLC**

Prepared by:

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November 2, 2018

I. INTRODUCTION

Gunster represents the Applicant, Cross Development CC Lake Worth LLC, regarding this Future Land Use Atlas (“FLUA”) Amendment for land located on the west side of Haverhill Road north of its intersection with Lantana Road, known as **Caliber Collision Lake Worth** (“Subject Property”). The proposed Small Scale FLUA Amendment will modify the current Commercial Low with underlying Medium Residential-5 (CL/5) FLUA designation to the Commercial Low with underlying Industrial (CL/IND) FLUA designation. The northern 200 feet of the Subject Property has a cross-hatching designation, which is proposed to remain unchanged.

II. AMENDMENTS TO THE COMPREHENSIVE PLAN

Section II.E., Administration, of the Introduction and Administration Element of the Palm Beach County Comprehensive Plan (“Plan”) provides that Small Scale Amendments must meet these criteria in order to be processed:

Small Scale Amendments

- a. The proposed amendment consists of a lot (or lots) which do not exceed a total of 10 acres in size (including all land necessary to support the proposed use including land necessary for drainage);
- b. The proposed amendment is located within the Urban Service Area Boundary; and
- c. The request is not to move the boundary of any tier.

The proposed amendment consists of a platted 4.65 acre lot located within the Urban Service Area Boundary. This application does not request the relocation of any tier boundary.

III. SITE DESCRIPTION

The Subject Property consists of ± 4.65 acres and is owned by the Rasmussen Trusts. Cross Development LLC is the Contract Purchaser of the property and is the Applicant for this request. The Subject Property currently contains no structures and is heavily vegetated.

The Subject Property was formerly part of a ± 6.88 acre parcel on the west side of Haverhill Road that extended from Lantana Road on the south to Nash Trail on the north. In 2013, the southern 1.78 acres were sold to RaceTrac Petroleum. That property was later rezoned to CC and approved for a convenience store with gas sales.

The entire ± 6.88 acre parcel has now been platted. This plat includes an 80’ right-of-way perpendicular to Haverhill Road known as Rasmussen Way that lies between the Subject Property and the RaceTrac parcel and will provide access to the Subject Property from Haverhill Road.

The Subject Property is located within the Single Family Residential (RS) zoning district. Concurrent with this request, the Applicant is requesting to amend the zoning designation from the RS district to the Light Industrial (IL) district. The IL zoning district will be consistent with the underlying IND Future Land Use designation. The proposed use for the Subject Property is a state of the art automobile collision repair facility known as Caliber Collision. The Subject Property is located within the Urban/Suburban Tier of Palm Beach County; no Tier change is requested.

IV. DEVELOPMENT HISTORY

The Subject Property has been vacant for many years. The underlying future land use designation was changed in 2013 from MR-5 to CL with underlying MR-5 with cross-hatching. Also in 2013, the property was rezoned from AR to RS to allow 15 single family residential units. In 2014, a Final Subdivision Plan was approved for the overall 6.88 acre site, and a plat of the overall property depicting two development parcels was approved in 2016.

V. JUSTIFICATION FOR THE FUTURE LAND USE AMENDMENT

Policy 2.1-f of the Plan requires that *“before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate.”* In addition, the FLUA Amendment application requires that the proposed FLUA Amendment demonstrate compliance with two (2) factors, which have been identified and addressed below:

- 1) *The proposed use is suitable and appropriate for the subject site; and*
- 2) *There is a basis for the proposed FLU change for the particular subject site based upon one or more of the following:*
 - *Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;*
 - *Changes in the access or characteristics of the general area and associated impacts on the subject site;*
 - *New information or change in circumstances which affect the subject site;*
 - *Inappropriateness of the adopted FLU designation; or*
 - *Whether the adopted FLU designation was assigned in error.*

The Applicant's request to amend the FLUA designation from CL/5 to CL/IND arises from the location of the site, the evolution of surrounding uses in recent years, and the ability of the Subject Property to support the intended use. This change will allow the approval of needed services and contribute to a balanced and sustainable development pattern in the area. The existing CL/5 FLUA designation is not a suitable designation due to the size, shape and location of the Subject Property, which consists of ±4.65 acres and is a very narrow (±230' deep) strip of land. The limited size and the shape of the Subject Property and its location and surrounding uses make it unsuitable for residential development. Frontage along Haverhill Road and adjacency to commercial and industrial uses also make the Subject Property undesirable for residential uses.

The CL/IND designation is more appropriate for the subject site due to 1) the proximity to nearby CL and IND FLUA designations and existing commercial and light industrial zoning and uses; 2) location of the Subject Property on an arterial roadway, with direct access onto the roadway via Rasmussen Way; 3) the need for additional services (such as vehicle repair) for roadway travelers as demonstrated by the traffic volumes on Haverhill Road and nearby Lantana Road; and 4) the creation of an orderly and logical pattern of development of higher intensity near major

intersections. The proposed amendment to modify the Future Land Use designation will allow the site to be developed more efficiently, will promote balanced growth and is compatible with the surrounding properties.

The FLUA Amendment reflects the changed characteristics in the area since the adoption of the 1989 Comprehensive Plan, resulting in the proposed designation being more appropriate for the Subject Property. To the west of the Subject Property is the Able Lawn Mower Sales and Service business, which was changed in 2016 from Commercial Low with underlying Medium Residential-5 to Commercial Low with underlying Industrial (Ordinance 2016-038). The Able facility, which forms the longest common property line with the Subject Property, consists of approximately 20 acres and contains indoor and outdoor commercial, repair, and storage uses. The CL/IND designation to the west is consistent with this request and the Able Lawn Mower facility and the other uses on that property are compatible with the use proposed.

To the east of the Subject Property, across heavily-traveled Haverhill Road, is the approved Lantana Plaza MUPD. Lantana Plaza has a future land use designation of Commercial Low (CL) and Commercial Low with crosshatching (CLX) (Ordinance 2004-053); it is approved for 83,577 square feet of commercial uses. The CL FLUA designation to the east is consistent with this request. South of the Subject Property is a 1.78 acre parcel that has a CL future land use designation and has been approved for a convenience store with gasoline sales. The proposed CL/IND designation is compatible with the existing CL as the Commercial Low category includes a limited range of neighborhood and automobile-oriented commercial activities designed primarily to provide services to adjacent residential uses. Thus the character of the area surrounding the amendment has changed through the years as evidenced by a number of future land use changes and rezonings in the vicinity. The proposed FLUA designation is compatible with the changes and appropriate for the Subject Property.

The Subject Property's existing FLUA designation of CL/5 will not allow the development of an auto collision repair facility, which is classified as "repair and maintenance, heavy" in the Unified Land Development Code ("ULDC"). This use requires either CG or IN zoning. CG zoning requires a CH future land use designation, which would provide for a much broader and more intense range of uses than a CL/IND future land use designation with Light Industrial zoning. It is noteworthy that repair and maintenance is considered to be a use of a commercial nature, rather than a industrial-type use as evidenced by its location on the Commercial Use Matrix instead of the Industrial Use Matrix in the ULDC. In other words, despite being available as a permitted use in the IN zoning district the use is considered to be more commercial than industrial in nature.

The proposed Future Land Use designation of CL/IND, and related commercial uses, are compatible with the surrounding area. Good planning principles require an orderly transition from more intense uses near the intersection of major thoroughfares to less intense uses further from the intersection. The Subject Property's location near the intersection of two major thoroughfares (less than 500' from Lantana Road) suggests more intense uses closer to that intersection, with lower intensity uses located further from the intersection. This logical development pattern is evident in the CL or CL/IND FLUA designations to the east and west of the Subject Property and along nearby Lantana Road, as well as industrial and institutional designations. The granting of the proposed FLUA Amendment will provide a smooth transition of land uses from the more intense uses along Lantana Road to less intense uses further from the thoroughfare.

Exhibit G.2.

Applicant's Justification Statement

Residential Density Increases

This request seeks to amend the current CL/5 Future Land Use Designation by changing it to a CL/IND Future Land Use designation. It is our applicant's intent to develop the property for commercial/light industrial purposes. No residential component is envisioned. Therefore, there will no residential density increase as a result of this application, and in fact previously approved residential uses will be eliminated.

Exhibit G.3.
Applicant's Justification Statement
Compatibility

Despite being used frequently in the Future Land Use Element ("FLUE") of the Comprehensive Plan ("Plan"), the term "compatibility" is not a defined term in the Plan.

The Introduction and Administration Element of the FLUE includes the following:

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

This term, which is found under "County Directions", provides some useful guidance on how to analyze land use compatibility. Further, Section 163.3164 Florida Statutes, defines compatibility as follows:

"Compatibility" means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such as no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

The Palm Beach County ULDC includes the following under its definition of compatible/compatibility:

"Land uses that are congruous, similar and in harmony with one another because they do not create or foster undesirable health, safety or aesthetic effects arising from direct association to similar, contradictory, incongruous, or discorded activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise, vibration, smoke, hazardous odors, radiation, function and other land use conditions."

Taken together these directions and definitions allow us analyze the compatibility of this proposed land use change in the context of surrounding and nearby properties.

North: Directly north of the Subject Property is Nash Trail, a 50 ft. right-of-way. To the north side of Nash Trail at this location are large lot single family residences. The land there has a future land use designation of MR-5 and Agricultural Residential (AR) zoning.

To the northeast of this property is the intersection of Nash Trail and Haverhill Road, a 100 ft. existing right-of-way with an ultimate right-of-way width of 106 ft. On the northeast quadrant of that intersection are smaller lot single family residential dwellings that are within the jurisdiction of the City of Greenacres.

East: To the east of the Subject Property is Haverhill Road built within its 100 ft. right-of-way. On the east side of Haverhill Road at this location is a parcel that has a CL land use designation and a CLX designation on its north end. That property totals about 9.8 acres. It is zoned Multiple Use Planned Development (MUPD) in Palm Beach County and it is approved for a commercial plaza. Formerly the site was occupied by a business called Cook's Lumber and Treatment.

South: Directly south of the Subject Property is a proposed 80' non-plan collector road right-of-way that has been platted and will be constructed as a road called Rasmussen Way. The purpose of Rasmussen Way is to provide access to Haverhill Road for the Subject Property, the property to the south and (potentially) the Able property to the west. Directly south of the proposed Rasmussen Way is a 1.78 acre parcel that lies on the corner of Lantana Road and Haverhill Road; it has a future land use designation of CL, and CC zoning. This property was previously approved for a RaceTrac convenience store with gasoline sales called Raceway Market. That property is currently before Palm Beach County with a request to add additional intensity.

West: Directly to the west of the Subject Property, and forming its longest contiguous property line, is Able Lawn Mower Sales and Service. This 20+ acre property consists of a number of parcels. The Able Lawn Mower business located on the south side of that property has been present since the early 1980s. The northern part of the property is a contractor's storage yard, a use that was recognized in 2016, when the overall property's future land use designation was changed from CL/MR-5 on 16.58 acres and MR-5 on 3.65 acres, to CL with underlying IND for the entire property. Also in 2016 the property was rezoned from AR, RS and RTU to MUPD. The existing uses on the property include repair services with accessory retail and a contractor's storage yard. Proposed uses on the latest approved site plan include additional repair services with accessory retail and additional contractor's storage.

Discussion: To the north of the property are established residential uses that will remain and will be buffered. The future land use amendment that changed the land use designation of the Subject Property to Commercial Low also included a condition requiring cross hatching on the north 200 ft. of the property. The intent of the cross hatching is to limit use of the north 200 ft. to landscaping, retention or drainage with the clear idea of providing permanent separation between more intense uses on this property and the residential properties to the north. The intent of this land use amendment request is to change the designation from Commercial Low to CL/IND and to keep the cross hatching condition. The Subject Property will have no vehicular access to Nash Trail.

Examination of the Future Land Use Map indicates that the cross hatching in this vicinity extends onto the property west of the Subject Property (Able Lawn Mower site) as well as the property east of this site across Haverhill Road. Again, the obvious intent was to provide permanent buffering between the residential uses on the north side of Nash Trail and the non-residential uses south of Nash Trail.

South of Nash Trail and the cross hatching buffers, the future land use designations, zoning and existing land uses reveal a pattern of commercial, industrial and institutional uses extending north from the intersection of Lantana Road and Haverhill Road on both sides of Lantana Road. As noted, the Able Lawn Mower property was changed from CL/5 to CL/IND in 2016. The Burlington Self Storage Facility further east on Lantana Road was changed from Residential to Industrial in 2018. There are institutional uses to the east and west of the Lantana/Haverhill intersection. Thus, the Subject Property is in the center of a cluster of more intense commercial,

institutional and light industrial uses beginning along Lantana Road and extending almost to Nash Trail. This cluster of uses includes various commercial and light industrial uses. As long as the residential uses north of Nash Trail are properly buffered, as they will be, the use of this property for a light industrial/commercial use such as is proposed by the applicant will fit well onto this overall land use mix.

Exhibit G.4.

Applicant's Justification Statement

Comprehensive Plan

Specific Objectives and Policies in the Comprehensive Plan and Special Plans or Overlays are addressed herein.

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

A number of directions relevant to this request have been incorporated into the Plan. This Applicant's responses to these directions are found herein.

1. Livable Communities. An important component of livable communities is the provision of needed goods and services at convenient locations throughout Palm Beach County. As noted in **Objective 1.2 of the Plan**, approximately 90% of the County's existing and projected population is expected to be accommodated within the Urban/Suburban Tier. Because Palm Beach County is so large, needed goods and services should be available at a number of locations throughout the County. This proposed amendment will expand the availability of commercial/light industrial uses near the intersection of Haverhill Road and Lantana Road. Specifically the amendment will provide the opportunity for the construction of an automobile collision repair facility on Haverhill Road north of Lantana Road. This facility will fulfill a community need and serve the densely populated central Palm Beach County area.
2. Growth Management. The proposed Amendment will allow the Applicant to replace a commercial low with underlying residential future land use designation with a commercial low/industrial designation. The purpose of the industrial designation is to allow the construction of an automobile collision repair facility. The facility is compatible with surrounding land uses and will not negatively impact residential uses to the north. It is obvious after an examination of the immediately surrounding land uses that a use of this nature is compatible with the other existing and approval land uses in the vicinity of this major intersection.

Policy 2.2.4 of the Plan discusses the industrial land use designation. **Policy 2.2.4-a** indicates that:

The County shall apply industrial future land use categories at appropriate locations and intensities to satisfy the need for industrial space, provide opportunities for the retention and expansion of industrial and employment based economic activities, and to promote economic development consistent

with the County's economic development activities. The County shall also encourage a broad range of employment activities and shall discourage Future Land Use Atlas Amendments that result in the loss of industrially designated land.

Policy 2.2.4-d. indicates that Industrial uses shall be considered either Light or Heavy. The intended use on this site is of a light industrial/commercial nature.

This proposal increases industrially designated land for the light industrial/commercial use as well as promoting the policies included within Policy 2.2.4-a.

3. Infill, Redevelopment and Revitalization. This parcel lies within an area of the County near a major intersection that has undergone significant land use changes in recent years. It has in effect become an infill parcel which will round out the commercial, institutional and light industrial uses that are already approved or are present at surrounding properties near this intersection.
4. Land Use Compatibility. Analysis of the surrounding densities, intensities and land uses is provided earlier in this document. **See Exhibit G.3.**
5. Neighborhood Integrity. A light industrial use at this location is consistent with other uses in the vicinity to the west, south and east. The residential areas to the north will remain buffered by the provision of a 200 ft. cross hatched area on the north end at this site that will not be developed with vertical construction.
6. Economic Diversity and Prosperity. A Commercial/Industrial land use designation and light industrial zoning at this location will allow for the construction of a facility that will provide skilled jobs.
7. Housing Opportunity. Not applicable to this request.
8. Economic Activity Centers. Not applicable to this request.
9. Research and Development Communities. Not applicable to this request.
10. Level of Service Standards. This proposed use complies with all levels, service standards required by the Comprehensive Plan.
11. Linear Open Space and Park Systems. Not applicable to this request.
12. Environmental Integrity. This site is heavily wooded with invasive, exotic species. One low quality wetland has been identified on this site. It has been heavily impacted by exotic vegetation, but will be preserved to the extent possible.
13. Design. This site will be designed to be visually appealing and will be buffered from surrounding roadways and neighboring residential properties. The prototype

building to be constructed on the site is attractive, and all bay doors have been oriented away from public view. The temporary storage of vehicles undergoing collision repair will be completely screened from all directions by the building itself or by a screen wall.

14. A Strong Sense of Community. Not applicable to this request.
 15. Agricultural and Equestrian Industries. Not applicable to this request.
 16. Historic Preservation. Not applicable to this request.
 17. Climate Change. Locating the types of industrial/commercial uses as proposed within a neighborhood that includes a variety of different uses means that when the service is needed, fewer vehicle miles are necessary. This reduces the amount of greenhouse gasses, which are known to impact climate change.
 18. Externalities. The proposal has limited external impacts. The building will be located as far south (and thus as far from the residential uses) on this long and narrow site as is physically practical, and the building and surrounding parking will be well buffered. The north end of the Subject Property will not include any vertical construction and will be reserved for retention, buffering and landscaping. Existing vegetation will be preserved where possible, and an existing wetland will be cleared of exotics and preserved in large part. The remaining vegetation will help to buffer the use. It is also notable that the project to be constructed on this property will have no direct vehicular access to Nash Trail or Haverhill Road, with all direct access limited to Rasmussen Way, more than 850' from Nash Trail.
- FLUE Policy 2.2.2.a. - Strip Commercial. This land use policy indicates that the County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development. The current future land use designation on this property is Commercial Low with an underlying Residential 5. The Commercial Low land use designation could lend itself to strip commercial on such a narrow and shallow site with a great deal of frontage on Haverhill Road. The Applicant's proposal results in the property being developed for a single, well buffered, light industrial use/commercial use instead of strip commercial.
 - FLUE Policy 2.1-h – Piecemeal Development. This policy indicates that *The County shall not approve site specific Future Land Use Atlas Amendments that encourage piecemeal development or approve such amendments for properties under same or related ownership that create residual parcels*. According to the Comprehensive Plan's Introduction and Administration Element, piecemeal development is *"a situation where small portions of a larger, undeveloped property is developed in a sequential manner, such that land use decisions are being made for individual sub-areas of the original parent tract independent from the whole. A situation where land, under single ownership or significant legal or equitable interest... is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole."*

The Subject Property is a portion of a larger 6.88 acre parcel that was formerly under one ownership. Even though the Subject Property has an underlying residential future land use designation, it also has a Commercial Low designation as does the property to the south which was formerly part of the same overall property. At one point, it was anticipated that the Subject Property might be developed for residential purposes. However that has not proved to be feasible primarily due to the small size and lack of depth of this parcel and its location with a great deal of frontage on a very busy road (Haverhill Road).

A non-residential use of this property is more logical and coherent in the context of the surrounding lands than residential development would have been. At the time of the land use change to CL/5, the applicant indicated that there was no demand for additional commercial development at this location beyond the convenience store and gasoline sales that were subsequently approved on the south end of the property. This is no longer the case. A light industrial automobile related use at this location is available and is more consistent with the nature and fabric of this area.

The overall development demonstrates “*coordination or overall planning on this site as a whole*” because the northern and southern portions will be developed for compatible uses and will have coordinated access to Haverhill Road through the provision of an 80’ collector road to be known as Rasmussen Way, as encouraged by **Policy 4.3-g**. The two uses will be more coordinated and compatible than an automobile related use like Raceway Market on the south and a residential project on the Subject Property would have been.

- **FLUE Policy 2.1-i – Residual Parcel.** The Comprehensive Plan discourages “*the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for inter-connectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall be considered by the Board of County Commissioners, concurrently with the development, to insure that an incompatibility is not created*”.

The Comprehensive Plan defines a Residual Parcel as “*A property under the same or related ownership that has been left out of a development area, resulting in a parcel which has limited development options and connections to surrounding properties*”. This property is not under the same ownership as the commercial parcel to the south (the proposed Raceway Market). The Subject Property is not a Residual Parcel because it is under separate, unrelated ownership. Additionally the Subject Property will share access to Haverhill Road via the 80’ right-of-way which is shown on the Raceway Market Plat and which will serve both sites. Rasmussen Way will also allow a direct physical vehicular connection (interconnectivity) among the Raceway Market use, the Caliber Collision use, and (potentially) the Able Lawn Mower property without vehicles having to drive on Haverhill Road.

- **Consistency with County Overlays, Plans and Studies.** Per **Policy 4.1-C**, this property is not within a County Comprehensive Plan Overlay, Community or Neighborhood Plan, or Special Study Area. The property is located within the boundaries of the Treasure Coast

Regional Planning Council (“TCRPC”), Greenacres, Atlantis and Palm Beach County Charette Report. This study, which was prepared in 2004 with the assistance of TCRPC, was presented to the Board of County Commissioners (“BCC”) in 2005. The report was received and filed by the BCC through no changes to the comprehensive plan or ULDC occurred as a result. This study suggested a commercial node at the northeastern and northwestern intersection quadrants of Lantana and Haverhill Road with mixed use buildings “which could be a great location for some future restaurants on the ground floors” and residential above. These buildings are recommended to address the streets with parking to the rear.

If this Amendment is approved, this site can be rezoned to Light Industrial and used for a single purpose and therefore will not have the dense urban form envisioned in the study except for having its parking primarily to the rear of the site. However, it should be noted that the other parcels along both sides of Lantana Road at this location have not developed consistently with the mixed used buildings envisioned by the study nor did the County adopt that vision. Almost 14 years have passed since the study was produced and the economy is very strong, so it is safe to say that that urban form is not viable for this particular location.

- **Public Facilities and Services Impacts.** The proposed Amendment proposes to change the Future Land Use Designation from CL/MR-5 to CL/IND. For purposes of a public facilities equivalency analysis, the maximum intensity would be based on a .20 floor area ratio (“FAR”), the Commercial FAR for this 4.65-acre site, which would then be compared to the proposed Industrial Land Use which would have a maximum .45 FAR. These calculations result in a potential commercial square footage on the site under the existing CL designation of 40,511 square feet and a potential 91,149 square feet of Light Industrial space. (These calculations are detailed and further expanded in Part 1 of the FLUA application.) Despite the theoretical increase in building size, however, the traffic impact of a light industrial use is far less than commercial because of the much lower traffic generation rate for industrial uses, and the building proposed on this site is only 18,635 square feet of light industrial use.
 1. **FLUE Policy 2.1-a – Facilities and Services.** Future Land Use Designations “*shall not exceed the natural or manmade constraints of an area . . .*”. The proposed Amendment proposes to change the CL/5 designation to CL/IND, with an intended Light Industrial use. As would any project, the proposed use will be analyzed for a number of County utilities and resources. The applicant has already provided favorable responses from Palm Beach County Water Utilities for water and wastewater, Palm Beach County Historic Resources for on-site and nearby historical or archeological features, and Palm Beach County Fire-Rescue for the potential impact on County response times. It is not anticipated that a change from CL or Medium Residential 5 to Commercial Low/Light Industrial will overburden or even negatively affect any required County services.
 2. **FLUE Policy 3.5-d – Long Range Traffic.** This policy indicates that the County should not approve a change to the Future Land Use Atlas which “*results in an increase in density or intensity of the development generating additional traffic that*

significantly impacts any roadway segment projected to fail to operate at adopted levels Service Standard D” based upon cumulative traffic . . .”

As is summarized in Part 1 of this application and detailed in the traffic analysis, a Commercial use of this site (as is currently approved) could have a far greater traffic impact on surrounding roads than a Light Industrial use. Even though a general commercial building could have a maximum FAR .20 that could result in a much smaller building than Light Industrial’s .45 FAR, maximum potential general commercial traffic generated from that commercial building would have over 5 times the impact than the maximum amount of Light Industrial use potentially available on the Subject Property.

Exhibit G.5.

Florida Statutes

Section 163.3177(6)(a) Florida Statutes requires that local governments' Future Land Use Plans be based on a number of factors. This application demonstrates that a change from CL/5 to CL/IND is a logical and appropriate request considering the number of land use changes that have occurred in the vicinity of this site since the adoption of the 1989 Comprehensive Plan. Further, with buffering and suitable limitations on uses, the proposed automobile collision repair facility can be designed and constructed in such a way that it will not be a negative influence on the vicinity and will fit well into the overall context of the area from a land use standpoint.

Florida Statutes also require that local governments examine the potential issue of urban sprawl as defined by 163.3164(51) F.S. This amendment would not result in or encourage urban sprawl since it is within the Urban/Suburban Tier, is within the Urban Service Boundary, and would help to provide additional urban services in an intensely developed area of the County. The Urban/Suburban Tier is also the target of the County's redevelopment and revitalization strategies with the purpose of redirecting growth to appropriate unincorporated areas. Therefore, by definition, this land use change does not result in urban sprawl.



**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**

Melissa McKinlay, Mayor

Mack Bernard, Vice Mayor

Hal R. Valeche

Paulette Burdick

Dave Kerner

Steven L. Abrams

Mary Lou Berger

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

July 30, 2018

Gunster
777 South Flagler Drive, Suite 500 East
West Palm Beach, FL 33401

Re: Southwest Corner of Nash Trail and Haverhill Road
PCN 00-42-44-35-24-002-0000
Service Availability Letter

Dear Mr. Norquest,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Service capacities are available subject to a Capacity Reservation Agreement with PBCWUD.

The nearest potable water and sanitary sewer connections currently available are a 12" watermain and a 10" forcemain located within Haverhill Road right of way. A lift station and forcemain are required to connect to the forcemain. Extension of the watermain along Nash Trail may also be required.

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

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

Sincerely,



Jackie Michels, P.E.
Plan Review Manager



Commercial Site Solutions
21764 State Route 54
Lutz, FL 33549
PH: (813) 885-2032
Contact: Scott Stannard, P.E.



Cross Development LLC
4336 Marsh Ridge
Carrollton, TX 75010
PH: (214) 614-8252
Contact: Rusty Coan, P.E.

CALIBER

COLLISION

JULY
2018

SWC OF S. HAVERHILL ROAD AND NASH TRAIL
COMPREHENSIVE PLAN AMENDMENT APPLICATION
DRAINAGE STATEMENT

A photograph of a modern commercial building with a stone and brick facade. The building features large windows and a prominent sign that reads "CALIBER COLLISION" in white letters on a dark blue background. The sign is mounted on the upper part of the building, above the entrance. The building is situated on a paved lot with a clear blue sky in the background.

CALIBER COLLISION

SUBJECT PROPERTY

INTRODUCTION

This Drainage Statement has been prepared in relation to the request for Small Scale Comprehensive Land Use Plan amendment for Control No. 2012-00580 on Parcel Number 00-42-44-35-24-019-0000/002-0000, subject property located at the southwest corner of Nash Road and Haverhill Road, north of the intersection of Haverhill Road and Lantana Road.

This statement covers the Stormwater Management Sub-Element of the Palm Beach County Comprehensive Plan as required by Chapter. 163.3177(6)(c), F.S. and Rule 9J-5.011 F.A.C.

The applicant intends to develop the property as a Caliber Collision automotive repair shop with minimal office/administrative space. In order to develop the site as intended, the underlying land use as well as the zoning classification must be modified to allow the use.

COMPREHENSIVE LAND USE PLAN – STORMWATER MANAGEMENT SUB ELEMENT :

The subject property lies within the Lake Worth Drainage Basin. Runoff from the site drains to the county maintained road stormwater system along Haverhill Road and from there flows south to a receiving canal where it then flows east to Lake Osborn.

Goal 1 Stormwater Management and Protection from Inundation.

OBJECTIVE 1.1 Level of Protection

1. Protection from Flooding

Policy 1.1a – Per Table 1 the lowest habitable space for a commercial building must be protected from inundation resulting from the 100 year, 3 day rainfall, assuming zero discharge; or 100-year flood elevation per FEMA Flood Map; or 100-year flood elevation as established by SFWMD rule, whichever is more restrictive. – The site does not lie within the known flood plain, and is in fact classified on Zone X and shown on FIRM Panel Map 12099C07785, dated 10/5/17. The project will be designed to have the building above the 100 year, 3 day rainfall staging of the on-site stormwater pond as per the requirement of Table 1. In addition, per Table 1, the parking areas will be designed to be above 3-year, 24 hour rainfall event.

Policy 1.1b – The LOP provided by the on-site secondary drainage system for discharge control shall not exceed the discharge limit established by the agency having jurisdiction over the receiving water at the point of outfall. – The pond has been designed to accommodate and attenuate the 25 year, 3 day rainfall event and release is limited to the pre-developed allowable runoff rate as required by SFWMD.

Policy 1.1c – The site will provide water quality treatment via the stormwater pond in combination with some dry detention. The site must treat the first 1 inch of runoff from the

development or the first 2.5 inches from the impervious area, whichever is greater. This is provided for in the on-site pond.

Policy 1.1d – It is noted that no permit authorizing construction can be released by the County until the applicant demonstrates that the tertiary and secondary drainage design exceeds the required protection as adopted with the level of protection standards.

OBJECTIVE 1.2 Impacts on Existing Flood Protection

Policy 1.2a – the on-site stormwater drainage detention system has been designed to outflow to the existing discharge point on the site. Discharge rates are limited to below pre-developed allowable rates so no downstream impacts are created and no overflow occurs to adjacent lands. All design meets or exceeds the Palm Beach County and SFWMD requirements.

Policy 1.2b – it is noted that no off-site flow can be prevented from continuing to flow in its previous manner. This development will not hinder any off-site flow not cut off any existing flow paths. This development will not increase flow or inundation of adjacent lands or downstream rates resulting from and including the 25yr, 3 day event.

OBJECTIVE 1.3 – Cost of Improvements

Policy 1.3a – It is noted and accepted by the developer/applicant that any cost associated with off-site drainage improvements as needed to accommodate post developed runoff from the site in accordance with current county and state stormwater regulations shall be borne by the developer.

GOAL 2 STORMWATER QUALITY

OBJECTIVE 2.1 Stormwater Quality Management

Policy 2.1a, and 2.1b – It is noted that monitoring and implementation of enforcement shall be carried out by Palm Beach County in accordance with standards as set forth by Palm Beach County Environmental Resources Management (ERM) and the EPA NPDES Permit.

Policy 2.1c – The site is designed and will be developed in accordance with the county's and state's regulations from the implementation of Best Management Practices (BMPs) in accordance with the General Permit as issued and overseen by the State of Florida in compliance with the EPA's NPDES program.

SITE SPECIFIC INFORMATION

Soil types on the site are Myakka Fine Sand for the western, southern and a portion of the northern area, and Basinger and Myakka Sands Depressional in the middle of the site which is the noted wetland area.

Groundwater was noted in all of the borings at depths ranging from 2.9 to 4.3 feet below existing grade. This equates to elevation 11 to 12.0 (NAVD88). Based on these findings and the site conditions, we estimate the seasonal high water table to be roughly elevation 13.5.

PROPOSED SITE CONDITIONS

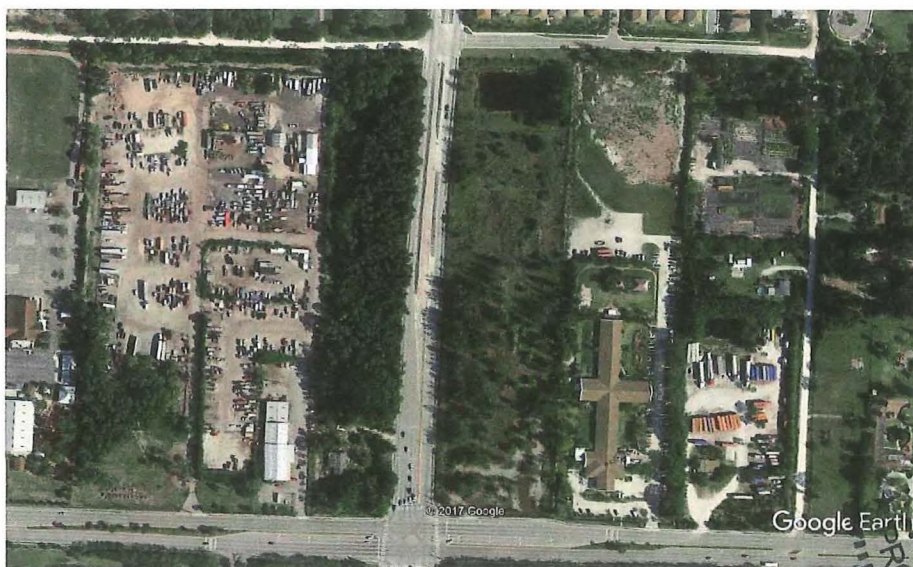
The applicant proposes to utilize the entire property to accommodate the development. The southern portion of the property (roughly 2.0 acres) will be used for the actual development which will contain the proposed 18,625 SF Caliber Collision Center and accompanying parking and landscaping. The wetland area, roughly 1.37 acres, will remain mostly undisturbed. This area is comprised of an estimated 90% invasive, non-native plants. The wetland therefore is classified as FLUCFCS 619, Exotic Wetland Hardwood. The total wetland disturbance area is estimated to be 0.518 acres. Wetlands Mitigation and/or Wetland Bank Payment will be used to offset any potential impacts.

In the developed condition, the property will include the aforementioned building and pavement areas. These areas will have drainage picked up via an on-site drainage system that will convey runoff to a new pond to be constructed along the western property line and within the 200 foot restricted development area on the north end. The pond will be sized per SFWMD requirements to provide treatment for water quality and to provide attenuation of the 25 year, 72 hour storm event to pre-developed levels/allowable levels.

Treatment is required for the first 1 inch of runoff from the overall site or the first 2.5 inches of runoff from the proposed impervious area, whichever is greater. In addition, if the retention pond is a wet pond, there is an additional requirement for treatment of the first ½ inch of runoff from the development to be treated in a dry system before the runoff is released to the wet pond.

The pond will be sized to accommodate all listed and required runoff and treatment conditions. In the treated effluent from the pond will be released to the wetland area allowing the wetland to be sustained.

Figure 1: Site Aerial





Fire Rescue

Interim Chief Michael Mackey
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7000
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Melissa McKinlay, Mayor
Mack Bernard, Vice Mayor

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Dave Kerner
Steven L. Abrams
Mary Lou Berger

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

Official Electronic Letterhead

July 26, 2018

Gunster
James K. Norquest
777 South Flagler Drive
Suite 500 East
West Palm Beach, FL 33401

Re: PCNS: 00-42-44-35-24-002-0000

Dear James K. Norquest

Per your request for response time information to the subject property located on the west side of Haverhill Road, a little north of Lantana Road. This property is served currently by Palm Beach County Fire-Rescue station #43, which is located at 5970 S. Military Trail. The subject property is approximately 1.25 miles from the station. The estimated response time to the subject property is 5 minutes. For fiscal year 2017, the average response time (call received to on scene) for this stations zone is 6:29.

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

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

Sincerely,

Cheryl Allan, Planner
Palm Beach County Fire-Rescue

MEMORANDUM

TO: Rusty Coan, PE, Project Manager, Cross Development
FROM: David Bogardus, Quest Ecology
SUBJECT: Caliber Collision Site, Haverhill Road, Lake Worth,
Palm Beach County, Florida
DATE: January 18, 2018
CC: Vivienne Handy and Frank Kahoun, Quest Ecology



INTRODUCTION

On January 18, 2018, Mr. David Bogardus of Quest Ecology Inc. (Quest) conducted a field review of the 4.6 acres Caliber Collision Site, located off of Haverhill Road, in Lake Work, Palm Beach County, Florida. The purpose of the field review was to identify any onsite wetlands and evaluate the potential for and/or presence of protected species.

METHODS

Prior to the field survey, a desktop review and database search was conducted to determine the documented presence of wetlands, hydric soils, and listed species. Resources evaluated included: The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI), Natural Resource Conservation Service (NRCS) Soil Survey, USFWS Protected Species Occurrence Data, and USFWS Florida Nesting Colonies and Wood Stork Core Foraging Areas databases. The results of this desktop review are depicted in Figures 1 through 4. Geo-rectified aerial photographs were also generated in ArcGIS®, and uploaded to an Avenza® map application to enable tracking of relevant field features on a portable handheld device.

The field assessment was conducted on January 18, 2018 between 1000 and 1600 hrs. The jurisdictional wetland delineation portion of the site review was conducted in accordance with applicable federal and state wetland criteria as set forth by the U.S. Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual and Chapter 62-340, Florida Administrative Code (F.A.C.), and subsequent amendments. Specifically, the areas were examined for the presence of hydrophytic vegetation, hydric soils, and hydrologic indicators. The landward extent of all jurisdictional wetlands on the site was marked in the field with red flagging, and the location of each flag was documented using Avenza® (Figure 5). Flag locations were overlain on an aerial and provided to Craig Ward, a Professional Land Surveyor with TerraMetric, LLC. on January 26, 2018.

An informal listed wildlife species survey was conducted throughout the site via meandering pedestrian transects. Wildlife sightings were noted in the field. Photographic documentation is attached.

RESULTS

UPLANDS

Approximately 3.23 acres of the site is composed of an exotic hardwood upland. The canopy is dominated (approximately 80%) by invasive non-native tree species. Brazilian pepper (*Schinus terebinthifolius*) is the most prevalent species followed by areca palm (*Dyopsis lutescens*), bishopwood (*Bischofia javanica*), Australian pine (*Casuarina spp.*), earleaf acacia (*Acacia auriculiformis*) and umbrella tree (*Schefflera actinophylla*). Native vegetation comprises an estimated 20% of the upland habitat. Native canopy species included cabbage palm (*Sabal palmetto*) and slash pine (*Pinus elliottii*). The understory is composed of dense vegetation dominated by exotic saplings (approximately 85% cover), such as Brazilian pepper, areca palm, bishopwood, and shoebutton ardisia (*Ardisia elliptica*). The native understory vegetation cover made up approximately 15%, and included coco plum (*Chrysobalanus icaco*) and saw palmetto (*Serenoa repens*). In addition, the site supports numerous native and exotic vine species, including passion vine (*Passiflora spp.*), Virginia creeper (*Parthenocissus quinquefolia*), muscadine grape (*Vitis rotundifolia*), air potato (*Dioscorea bulbifera*) and arrowhead vine (*Syngonium podophyllum*). Ground vegetative cover included exotic creeping oxeye (*Wedelia trilobata*) and inch plant (*Zebrina pendula*), as well as native dayflower (*Commelina diffusa*) and swamp fern (*Blechnum serrulatum*). Based on the high percentage of Brazilian pepper coverage, the site was categorized through the Florida Land Use, Cover and Forms Classification System (FLUCFCS) as 422, Brazilian Pepper Upland Hardwood Forest.

Several areas of piled trash were noted within the uplands and included such things as woody vegetation, vehicle parts, tires, shopping carts, metal, barrels, cement, bottles, and a bed mattress.

WETLANDS

One wetland polygon was observed on site. The wetland was approximately 1.37 acres (Figure 5) and was dominated by an estimated 90% canopy cover of invasive non-native plant species. Melaleuca (*Melaleuca quinquenervia*) was the most prevalent species followed by Brazilian pepper. The wetland was therefore classified as FLUCFCS 619, Exotic Wetland Hardwoods. Native canopy species was limited to pond apple (*Annona glabra*), at approximately 10% cover. The understory vegetation was dominated by exotic tree saplings including melaleuca and Brazilian pepper, with pond apple subdominant. The ground cover consisted of swamp flatsedge (*Cyperus ligularis*), pickerelweed (*Pontederia cordata*), and exotic West Indian marsh grass (*Hymenachne amplexicaulis*).

According to the NRCS Soil Survey (Figure 2) hydric soils on the site include Depressional Basinger and Myakka sands. The presence of hydric soils was confirmed based on field observations. Based on the Soil Survey it appears that a larger wetland existed historically and was bisected by Haverhill Road.

LISTED SPECIES

According to the USFWS Protected Species Occurrence Data, the project site falls within the USFWS Consultation Areas for the Florida scrub-jay (*Aphelocoma coerulescens*) and the Everglade snail kite (*Rostrhamus sociabilis plumbeus*). However suitable habitat does not occur on the site nor were any scrub jay or snail kite identified in the field. The results of the USFWS Protected Species Occurrence Data are depicted on Figure 3.

Based on the USFWS Florida Nesting Colonies and Core Foraging Areas database, the project site is located within the Core Foraging Area (CFA) of four documented wood stork (*Mycleria Americana*) colonies. The closest nesting colony is 7.8 miles away. Wetlands may provide Suitable Foraging Habitat (SFH) for wood stork, defined as any area containing patches of relatively open (< 25% aquatic vegetation), calm water, and having a permanent or seasonal water depth between 2 and 15 inches. The wetland identified on site is dominated by a canopy of exotic melaleuca with small patches of relatively open seasonal standing water. No wood storks or other wading birds or nesting areas were observed onsite.

No additional protected species were observed or are expected to occur. The dense tree canopy and understory of the uplands are not conducive to supporting the state listed gopher tortoise and no tortoise burrows were identified during the field review. Wildlife identified on the site included feral cat (*Felis catus*) and raccoon (*Procyon lotor*).

PERMITTING CONSIDERATIONS

The onsite wetland falls under the jurisdiction of the South Florida Water Management District (SFWMD) and the USACE as Waters of the U.S. pursuant to Section 404 of the Clean Water Act. As such, impacts to this wetland will require State and Federal permits.

The following permits are anticipated if activities that impact native vegetation or wetlands are proposed:

- Palm Beach County Environmental Resources Management (ERM) Native Vegetation Removal Permit – Commercial projects that go through the development review process require a permit to remove and alter native vegetation. Mitigation may be required for the removal of the native tree canopy.
- SFWMD Environmental Resource Permit – An Environmental Resource Permit (ERP) is required before beginning any land use or construction activity that could affect wetlands and/or contribute to water pollution (<http://www.sfwmd.gov/portal/page/portal/levelthree/permits>).
- USACE Permit – The USACE requires permits for building or developing in, on, or over wetlands and waters of the U.S. (<http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>).

Once conceptual plans and an approximation of impacts to the onsite wetland are available, coordination and a pre-application meeting with the aforementioned agencies is highly recommended.

WETLAND MITIGATION

Wetland impacts will be evaluated during permitting, including any mitigation required to offset unavoidable impacts. The project site is located within the wetland service areas of two mitigation banks:

- Loxahatchee Mitigation Bank (<http://www.tetrattech.com/en/projects/loxahatchee-mitigation-bank>)
- Everglades Mitigation Bank (<https://www.fpl.com/environment/wildlife/mitigation-bank.html>).

Legend

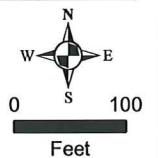
- Project Location
- Freshwater Forested/Shrub Wetland



Path (E:\Mapping\Proposals\Caliber Collision\Maps\NW\mxd) By: AA Date: 1/17/2018



FIGURE 1
USFWS National Wetlands Inventory
Caliber Collision
Lake Worth, Palm Beach County, Florida



Legend

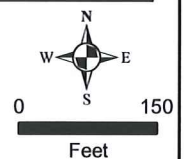
- Soils
- Project Location



Path (E:\Mapping\Proposals\Caliber Collision\Maps\Soils.mxd) By: AA Date: 1/17/2018

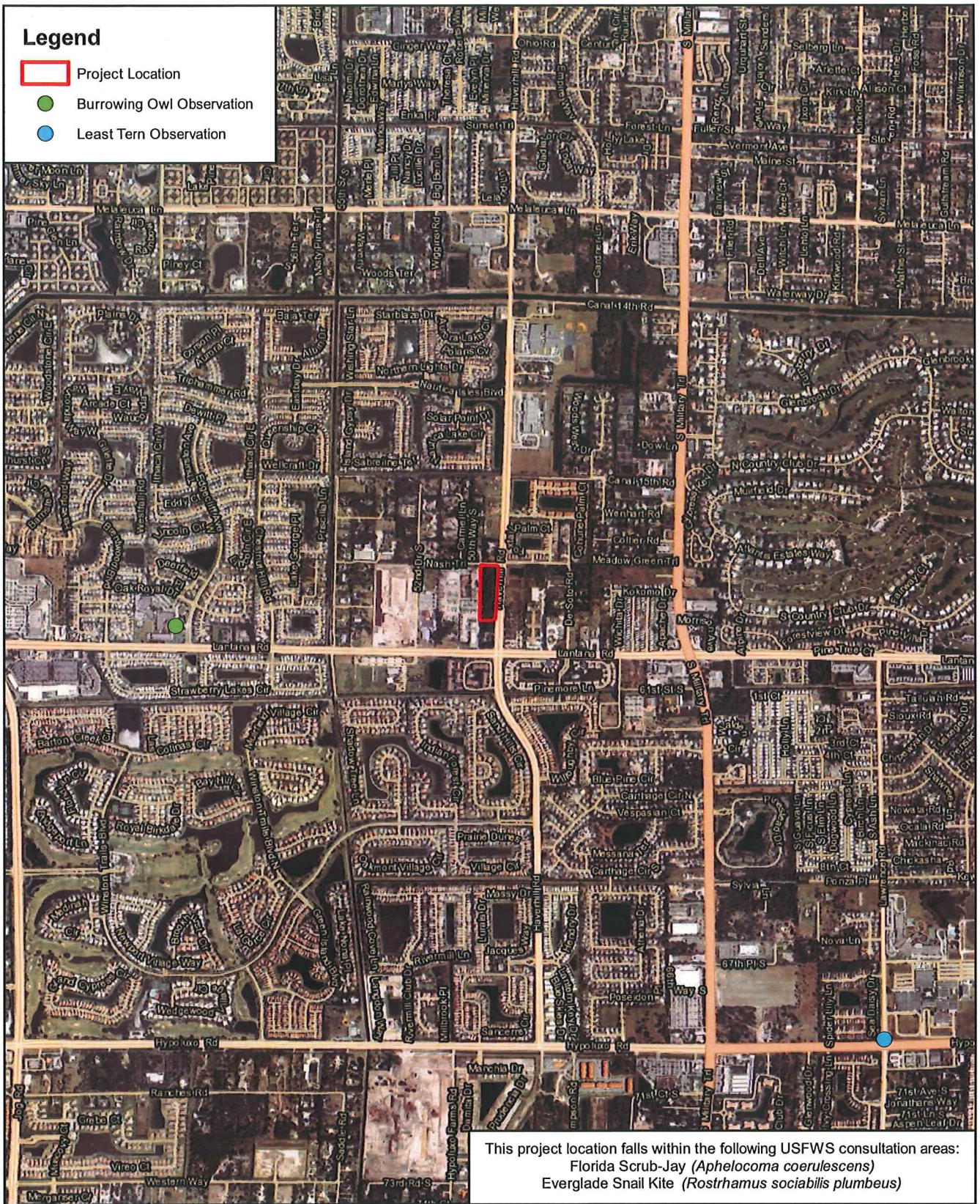


FIGURE 2
NRCS Soil Survey
Caliber Collision
Lake Worth, Palm Beach County, Florida



Legend

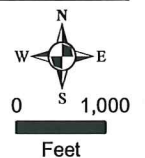
- Project Location
- Burrowing Owl Observation
- Least Tern Observation






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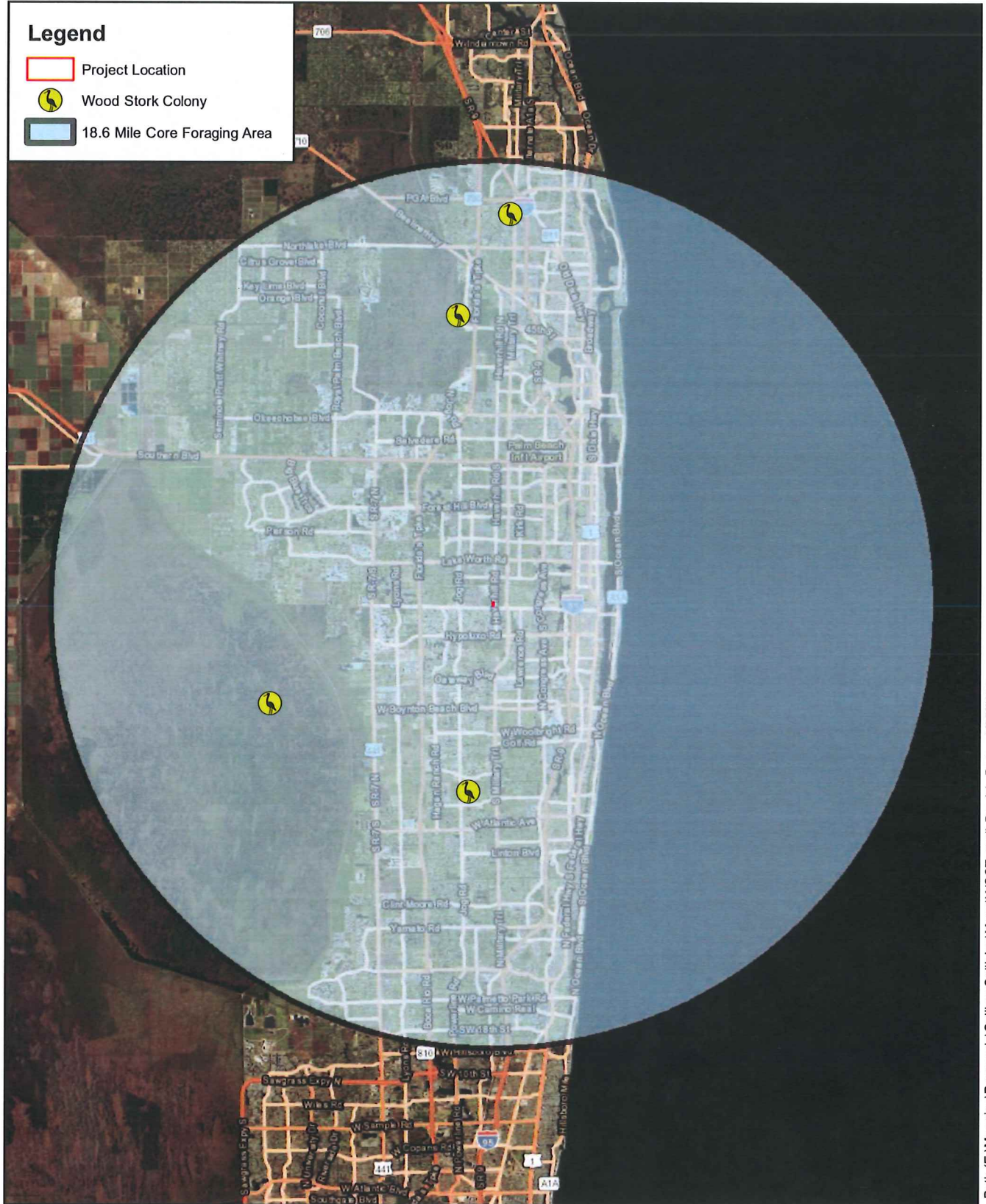


FIGURE 3
USFWS Protected Species Occurrence Survey
Caliber Collision
Lake Worth, Palm Beach County, Florida



Legend

-  Project Location
-  Wood Stork Colony
-  18.6 Mile Core Foraging Area



Path (E:\Mapping\Proposals\Caliber Collision\Maps\WOST.mxd) By: AA Date: 1/26/2018



FIGURE 4
USFWS Florida Nesting Colonies and Core Foraging Areas Survey
Caliber Collision
Lake Worth, Palm Beach County, Florida



Legend

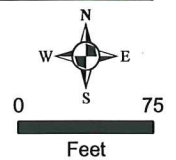
- Wetland Delineation Flag
- Approximate Wetland Boundary
- Project Boundary



Path (E:\Mapping\Proposals\Caliber Collision\Maps\Approx Wetland Boundaries.mxd) By: AA Date: 1/24/2018



FIGURE 5
Approximate Wetland Boundaries
Caliber Collision
Lake Worth, Palm Beach County, Florida





West facing photo of native herbaceous groundcover within wetland.



East facing photo of hydric soils.



East facing photos of exotic melaleuca located within the wetland.



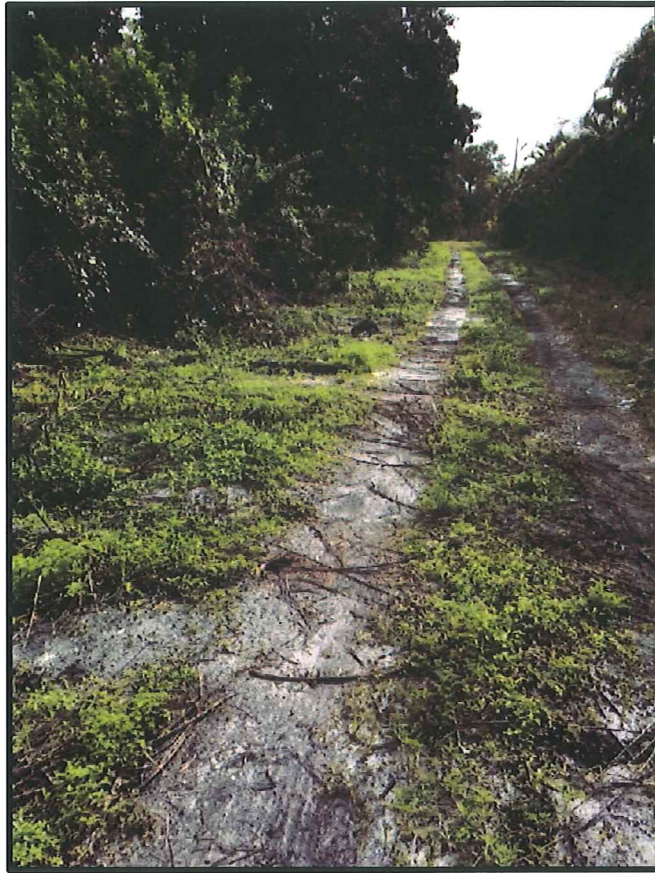
Trash piles noted within the project site.



Photo of thick canopy and understory of the upland habitat.



North facing photo of native slash pine located within uplands.



South facing photo of dirt road along property line on west side of project.

Debris from clearing the road pushed to the east side.

SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
CALIBER COLLISION LAKE WORTH

M. Wellfield Zone

Site is not within a Wellfield Zone.



**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

**Palm Beach County
Board of County
Commissioners**

Melissa McKinlay, Mayor

Mack Bernard, Vice Mayor

Hal R. Valeche

Paulette Burdick

Dave Kerner

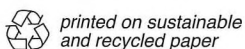
Steven L. Abrams

Mary Lou Berger

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



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July 24, 2018

James K. Norquest, AICP, Planner
Gunster
777 South Flagler Drive, Suite 500 East
West Palm Beach, FL 33401

RE: Historical and Archaeological Resource Review for; PCN: 00-42-44-35-24-002-0000

Dear Mr. Norquest,

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

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

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

However, should any artifacts or skeletal remains be encountered during construction, per Florida Statue 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: Lorenzo Aghemo, PBC Planning Director
Patricia Behn, PBC Deputy Planning Director
Bryan Davis, Principal Planner, PBC Planning Division

MEMORANDUM

TO: Rusty Coan, PE, Project Manager, Cross Development
FROM: David Bogardus, Quest Ecology
SUBJECT: Caliber Collision Site, Haverhill Road, Lake Worth,
Palm Beach County, Florida
DATE: January 18, 2018
CC: Vivienne Handy and Frank Kahoun, Quest Ecology



INTRODUCTION

On January 18, 2018, Mr. David Bogardus of Quest Ecology Inc. (Quest) conducted a field review of the 4.6 acres Caliber Collision Site, located off of Haverhill Road, in Lake Work, Palm Beach County, Florida. The purpose of the field review was to identify any onsite wetlands and evaluate the potential for and/or presence of protected species.

METHODS

Prior to the field survey, a desktop review and database search was conducted to determine the documented presence of wetlands, hydric soils, and listed species. Resources evaluated included: The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI), Natural Resource Conservation Service (NRCS) Soil Survey, USFWS Protected Species Occurrence Data, and USFWS Florida Nesting Colonies and Wood Stork Core Foraging Areas databases. The results of this desktop review are depicted in Figures 1 through 4. Geo-rectified aerial photographs were also generated in ArcGIS®, and uploaded to an Avenza® map application to enable tracking of relevant field features on a portable handheld device.

The field assessment was conducted on January 18, 2018 between 1000 and 1600 hrs. The jurisdictional wetland delineation portion of the site review was conducted in accordance with applicable federal and state wetland criteria as set forth by the U.S. Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual and Chapter 62-340, Florida Administrative Code (F.A.C.), and subsequent amendments. Specifically, the areas were examined for the presence of hydrophytic vegetation, hydric soils, and hydrologic indicators. The landward extent of all jurisdictional wetlands on the site was marked in the field with red flagging, and the location of each flag was documented using Avenza® (Figure 5). Flag locations were overlain on an aerial and provided to Craig Ward, a Professional Land Surveyor with TerraMetric, LLC. on January 26, 2018.

An informal listed wildlife species survey was conducted throughout the site via meandering pedestrian transects. Wildlife sightings were noted in the field. Photographic documentation is attached.

RESULTS

UPLANDS

Approximately 3.23 acres of the site is composed of an exotic hardwood upland. The canopy is dominated (approximately 80%) by invasive non-native tree species. Brazilian pepper (*Schinus terebinthifolius*) is the most prevalent species followed by areca palm (*Dyopsis lutescen*), bishopwood (*Bischofia javanica*), Australian pine (*Casuarina spp.*), earleaf acacia (*Acacia auriculiformis*) and umbrella tree (*Schefflera actinophylla*). Native vegetation comprises an estimated 20% of the upland habitat. Native canopy species included cabbage palm (*Sabal palmetto*) and slash pine (*Pinus elliottii*). The understory is composed of dense vegetation dominated by exotic saplings (approximately 85% cover), such as Brazilian pepper, areca palm, bishopwood, and shoebutton ardisia (*Ardisia elliptica*). The native understory vegetation cover made up approximately 15%, and included coco plum (*Chrysobalanus icaco*) and saw palmetto (*Serenoa repens*). In addition, the site supports numerous native and exotic vine species, including passion vine (*Passiflora spp.*), Virginia creeper (*Parthenocissus quinquefolia*), muscadine grape (*Vitis rotundifolia*), air potato (*Dioscorea bulbifera*) and arrowhead vine (*Syngonium podophyllum*). Ground vegetative cover included exotic creeping oxeye (*Wedelia trilobata*) and inch plant (*zebrine pendula*), as well as native dayflower (*Commelina diffusa*) and swamp fern (*Blechnum serrulatum*). Based on the high percentage of Brazilian pepper coverage, the site was categorized through the Florida Land Use, Cover and Forms Classification System (FLUCFCS) as 422, Brazilian Pepper Upland Hardwood Forest.

Several areas of piled trash were noted within the uplands and included such things as woody vegetation, vehicle parts, tires, shopping carts, metal, barrels, cement, bottles, and a bed mattress.

WETLANDS

One wetland polygon was observed on site. The wetland was approximately 1.37 acres (Figure 5) and was dominated by an estimated 90% canopy cover of invasive non-native plant species. Melaleuca (*Melaleuca quinquenervia*) was the most prevalent species followed by Brazilian pepper. The wetland was therefore classified as FLUCFCS 619, Exotic Wetland Hardwoods. Native canopy species was limited to pond apple (*Annona glabra*), at approximately 10% cover. The understory vegetation was dominated by exotic tree saplings including melaleuca and Brazilian pepper, with pond apple subdominant. The ground cover consisted of swamp flatsedge (*Cyperus ligularis*), pickerelweed (*Pontederia cordata*), and exotic West Indian marsh grass (*Hymenachne amplexicaulis*).

According to the NRCS Soil Survey (Figure 2) hydric soils on the site include Depressional Basinger and Myakka sands. The presence of hydric soils was confirmed based on field observations. Based on the Soil Survey it appears that a larger wetland existed historically and was bisected by Haverhill Road.

LISTED SPECIES

According to the USFWS Protected Species Occurrence Data, the project site falls within the USFWS Consultation Areas for the Florida scrub-jay (*Aphelocoma coerulescens*) and the Everglade snail kite (*Rostrhamus sociabilis plumbeus*). However suitable habitat does not occur on the site nor were any scrub jay or snail kite identified in the field. The results of the USFWS Protected Species Occurrence Data are depicted on Figure 3.

Based on the USFWS Florida Nesting Colonies and Core Foraging Areas database, the project site is located within the Core Foraging Area (CFA) of four documented wood stork (*Mycleria Americana*) colonies. The closest nesting colony is 7.8 miles away. Wetlands may provide Suitable Foraging Habitat (SFH) for wood stork, defined as any area containing patches of relatively open (< 25% aquatic vegetation), calm water, and having a permanent or seasonal water depth between 2 and 15 inches. The wetland identified on site is dominated by a canopy of exotic melaleuca with small patches of relatively open seasonal standing water. No wood storks or other wading birds or nesting areas were observed onsite.

No additional protected species were observed or are expected to occur. The dense tree canopy and understory of the uplands are not conducive to supporting the state listed gopher tortoise and no tortoise burrows were identified during the field review. Wildlife identified on the site included feral cat (*Felis catus*) and raccoon (*Procyon lotor*).

PERMITTING CONSIDERATIONS

The onsite wetland falls under the jurisdiction of the South Florida Water Management District (SFWMD) and the USACE as Waters of the U.S. pursuant to Section 404 of the Clean Water Act. As such, impacts to this wetland will require State and Federal permits.

The following permits are anticipated if activities that impact native vegetation or wetlands are proposed:

- Palm Beach County Environmental Resources Management (ERM) Native Vegetation Removal Permit – Commercial projects that go through the development review process require a permit to remove and alter native vegetation. Mitigation may be required for the removal of the native tree canopy.
- SFWMD Environmental Resource Permit – An Environmental Resource Permit (ERP) is required before beginning any land use or construction activity that could affect wetlands and/or contribute to water pollution (<http://www.sfwmd.gov/portal/page/portal/levelthree/permits>).
- USACE Permit – The USACE requires permits for building or developing in, on, or over wetlands and waters of the U.S. (<http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>).

Once conceptual plans and an approximation of impacts to the onsite wetland are available, coordination and a pre-application meeting with the aforementioned agencies is highly recommended.

WETLAND MITIGATION

Wetland impacts will be evaluated during permitting, including any mitigation required to offset unavoidable impacts. The project site is located within the wetland service areas of two mitigation banks:

- Loxahatchee Mitigation Bank (<http://www.tetrattech.com/en/projects/loxahatchee-mitigation-bank>)
- Everglades Mitigation Bank (<https://www.fpl.com/environment/wildlife/mitigation-bank.html>).

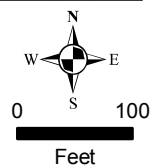
Legend

- Project Location
- Freshwater Forested/Shrub Wetland



FIGURE □

USFWS National Wetlands Inventory
Caliber Collision
Lake Worth, Palm Beach County, Florida

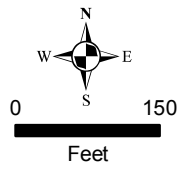




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FIGURE 1
Caliber Collision
Lake Worth, Palm Beach County, Florida



Legend

- Project Location
- Burrowing Owl Observation
- Least Tern Observation

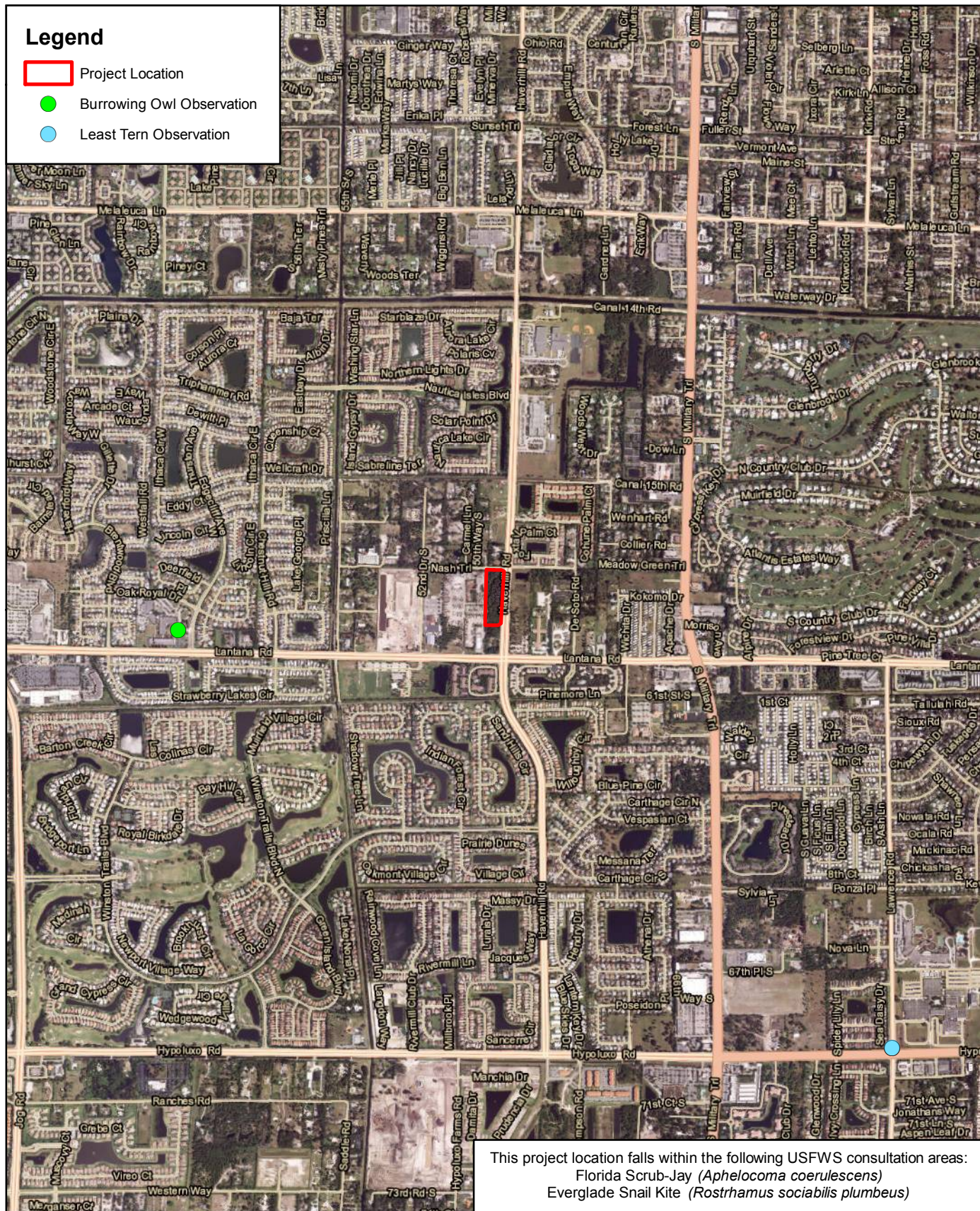
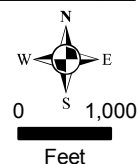
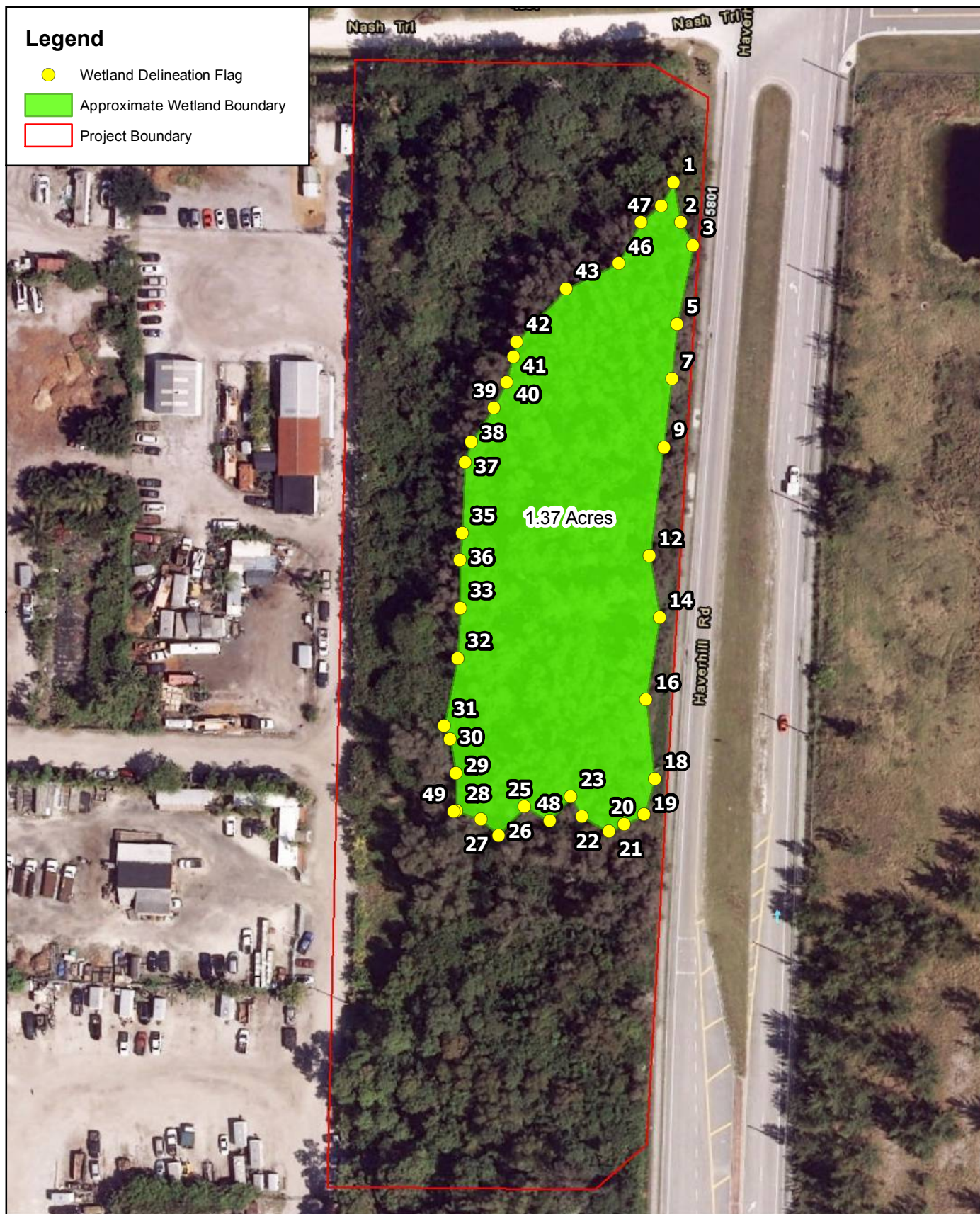


FIGURE 1
 U.S. Fish and Wildlife Service
Caliber Collision
 Lake Worth, Palm Beach County, Florida



Legend

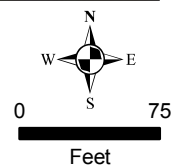
- Wetland Delineation Flag
- Approximate Wetland Boundary
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FIGURE 5
Approximate Wetland Boundaries
Caliber Collision
Lake Worth, Palm Beach County, Florida





West facing photo of native herbaceous groundcover within wetland.



East facing photo of hydric soils.



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Photo of thick canopy and understory of the upland habitat.



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South facing photo of dirt road along property line on west side of project.

Debris from clearing the road pushed to the east side.