

**JUSTIFICATION STATEMENT**  
**Indian Trails Grove**  
**Rezoning Application**  
**Concurrent Application: PDD/W-2015-01457**  
**Control Number 2002-90045**  
**July 15, 2015**  
**Resubmittal: September 28, 2015**

**Request:** Palm Beach West Associates I, LLLP, is the owner/developer of the land included in the application to rezone the property to be known as the Indian Trails Grove PUD. The rezoning application is one of several concurrent applications required for the proposed Indian Trails Grove PUD. The overall property includes approximately 4929.30 acres and is located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard. The subject property currently has a Future Land Use Atlas (FLUA) designation of Agricultural Production (AP), in part (approximately 1,278.54 acres), and Rural Residential, 1 unit per 10 acres (RR-10), in part (approximately 3,650.764 acres). The property presently lies within the Agricultural Production (AP) Zoning District, in part, and the Agricultural Residential (AR) Zoning District, in part.

**Concurrent Applications include the following:**

1. Designation of subject property as a Limited Urban Service Area (LUSA); and
2. To amend the FLUA designation of the subject property from AP, in part, and RR-10, in part, to Rural Residential, 1 unit per 1.25 acres (RR-1.25), in whole.

The above applications are being submitted concurrently with the following requests to amend the text of the PBC Comprehensive Plan:

- a. Add new objective and policies to the Future Land Use Element (FLUE) to create the Indian Trails Grove Overlay;
- b. Revise the Managed Growth Tier System Map LU 1.1 to identify the boundaries of the Indian Trail Grove Overlay (ITGO);
- c. Revise the Service Areas Map LU 2.1 to show the subject property's removal from the rural service area and inclusion within the limited urban service area;
- d. Revise the Special Planning Areas Map LU 3.1 to identify the location of the Indian Trails Grove Overlay;
- e. Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 60th Street North as an 80' right of way west from Seminole Pratt Whitney Road to 190th Street
- f. Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 190th Street as an 80' right of way north from 60th Street North to Orange Blvd;
- g. Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 60th Street North as an undefined right of way Seminole Pratt

- Whitney Road to 190th Street;
- h. Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 190th Street as an undefined right of way from 60th Street North to Orange Blvd; and
  - i. Creation of a new rural residential Future Land Use Atlas (FLUA) designation titled Rural Residential, 1 unit per 1.25 acres (RR-1.25) along with the establishment of the subject property as a LUSA.
2. Requested Unified Land Development Code (ULDC) Text Amendments to acknowledge the RR-1.25 land use plan category and permit RR-1.25 land use plan category to follow the provisions of Article 3, Chapter E, Section 1 and Article 3, Chapter E, Section 2.A.-F. Other related amendments will be proposed, such as those that relate to the two product type requirement for PUDs, and location of commercial pods within a PUD, as they relate specifically to the RR-1.25 land use plan category.
  3. The subject of this application: Request to rezone the overall subject property of approximately 4929.30 acres to a PUD within the proposed Indian Trails Grove Overlay zone (ITGO). **The subject of this Justification Statement associated with the rezoning of the overall property.**

### **BACKGROUND / PROPERTY HISTORY**

The subject property is located west of 180<sup>th</sup> Avenue North, south and east of the J.W. Corbett Wildlife Management Area and north and west of the “M” Canal. The 4929.30 acre subject property is primarily in active agricultural operation/production with accessory agriculture structures located in the southeast corner of the northern portion of the subject property.

The subject property is within the boundaries of the Cypress Grove Community Development District (CGCDC), which is a special district created by the Governor and Cabinet, sitting as the Florida Land and Water Adjudicatory Commission, in 1993<sup>1</sup>. The CGCDC has the authority to provide public infrastructure and services and to operate district facilities. While the subject property is within the CGCDC, the owner/applicant is committing (subject to Indian Trail Improvement District (ITID) agreement and acceptance), that each single family residential unit (upon closing to a third party within the development), will become an active unit of the ITID, and that the proposed retail / commercial use, once developed, will become an active member of the ITID; subject to the terms and conditions of such an agreement to be negotiated with the ITID concurrent with the review of this project. The ITID is another special district created by the Florida Legislature in 1957<sup>2</sup>.

To the north and northwest of the subject property is the J.W. Corbett Wildlife Management Area, which is a 60,348-acre wildlife management area managed by the Florida Fish and Wildlife Conservation Commission (FWCC). In 1947<sup>3</sup> the Florida Game and Fish Commission (GFC) (predecessor to the FWCC) purchased

approximately 52,000 acres from the Southern States Land and Timber Company and named it after James Wiley Corbett, a former commissioner. In 1993 another 2,331 acres were added to the wildlife management area with funds from the Conservation and Recreation Lands program and leased to the then GFC. These additional lands added in 1993 are the Parcels due west of the subject property and were sold by Indian Trail Groves, Ltd. which was an entity controlled by Irving Cowan who was also the managing member of Indian Trail Groves, L.P., the entity that sold a portion of the subject property to the current owner / applicant.

Abutting the property to the northeast, east and southeast are residential, single-family lots within what is commonly referred to as The Acreage. According to the Historical Society of Palm Beach County<sup>4</sup>, The Acreage was established in the early 1960's by Samuel Nathan Friedland's Royal Palm Beach Colony, Ltd. which began selling 1.25-acre lots on what was swampland for \$5,000 per lot. Based on an analysis of aerials from 1953 and 1968 obtained from the University of Florida's George A Smathers Libraries<sup>2</sup> it appears that the drainage canals on the subject property were dug at the same time as the development of what is now known as The Acreage. As shown on the aerials<sup>5</sup> provided with this application, the subject property and the areas that became "The Acreage" were primarily wetlands in 1953. By 1968 roadways and drainage canals were in place so that "The Acreage" could be developed for residential, single-family lots and the subject property could be utilized for agriculture. While the lots being sold were 1.25 acres in size, the lot configuration included the roadway easements and associated swale drainage area necessary to provide legal access to each of the lots.

There are a variety of other Parcels surrounding the subject property and details of those (and additional details on the above Parcels) are included in the "Surrounding Uses" section below.

The subject property has no previous FLUA Amendment approvals meaning that the FLUA designation on the subject property has remained consistent with the designation assigned in the 1989 PBC Comprehensive Plan. The entirety of the subject property, inclusive of both the Agricultural Production (AP), in part (approximately 1,278.54 acres), and Rural Residential, 1 unit per 10 acres (RR-10), in part (approximately 3,650.764 acres), is located within the Rural Tier of the Future Land Use Element (FLUE) of the Palm Beach County Comprehensive Plan, as is reflected on Map LU 1.1.

However, the subject property was included in the Central Western Communities (CWC) Sector Plan between August 1999 and November 2007 when the PBC BCC rescinded the Sector Plan during litigation with the Florida Department of Community Affairs (DCA) (predecessor to the Florida Department of Economic Opportunity [DEO]).

While the CWC Sector Plan proposed by the PBC Planning Division was never implemented following rescission on November 26, 2007 (through Ordinance No. 2007-031), other properties in the original 53,000-acre CWC Sector Plan area have been approved by the PBC BCC in subsequent years, through standalone application requests, at, near or above the densities and intensities called for in the CWC Sector

Plan. Prior to the rescission, the density for the CWC Sector Plan area approved by the PBC BCC through Ordinance No. 2005-034 had ranged from 1 unit per 5 acres (0.20 units per acre) to 1 unit per 1.25 acres (0.80 units per acre). Below is a summary of the approved densities/intensities for these other properties in chronological order

- Sluggett Property
  - **Size:** 64.48 acres
  - **Approval:** Granted through PBC Ordinances No. 2008-050 on December 3, 2008 and 2010-030 on August 30, 2010
  - **FLUA Designation:** Commercial Low with an underlying Rural Residential 1 unit per 5 acres (CL/RR-5)
  - **Approved Residential:** 1 unit per 5 acres or 15 units
  - **Approved Non-Residential:** 280,875 s.f. of commercial uses.
  
- Lion Country Safari
  - **Size:** 637.16 acres
  - **Approval:** Granted through PBC Ordinance No. 2010-028 on August 30, 2010
  - **FLUA Designation:** Commercial Recreation with an underlying Rural Residential 1 unit per 2.5 acres (CR/RR-2.5)
  - **Approved Residential:** 1 unit per 2.5 acres or 254 units
  - **Approved Non-Residential:**
    - Drive-thru safari park;
    - Walk-thru amusement park;
    - Recreational vehicle campground; and
    - Commercial television tower.
  
- Minto West (aka Callery-Judge Groves)
  - **Size:** 3,788.6 acres
  - **Approval:** Granted through PBC Ordinance No. 2014-030 on October 29, 2014
  - **FLUA Designation:** Agricultural Enclave (AGE)
  - **Approved Residential:** 1.20 units per 1 acre or 4,546 units
  - **Approved Non-Residential:**
    - 500,000 SF of retail;
    - 1,050,000 SF of light industrial and research and development;
    - 450,000 SF of commercial offices uses;
    - 200,000 SF of civic uses;
    - 150 room hotel; and
    - 3,000 student college.

The above summarizes the entitlement approvals for the largest undeveloped land areas within the original CWC Sector Plan that were granted on an individual basis following the rescission of the CWC Sector Plan. Each of these approvals were granted with a “Whereas” clause that confirmed that the proposed amendments complied with the Local Government Planning and Land Development Regulations Act or Community

Planning Act as were applicable at the time of adoption. The subject property is one of the last, remaining undeveloped properties within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is intended to be developed as a Rural Residential Planned Development with a density of 1 unit per 1.25 acres (or 0.80 units per 1 acre). Furthermore, the proposed project will preserve the rural character, conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan.

Prior to the CWC Sector Plan PBC Staff had proposed to include a Rural Residential, 1 unit per acre (RR1) as part of the proposed 1989 Comprehensive Plan. Based on a review of the "Palm Beach County 1989 Proposed Comprehensive Land Use Map" dated April 1, 1989 a significant portion of The Acreage was to have been assigned this RR1 FLU designation; however, following the issuance of the Objections, Recommendations and Comments (ORC) Report by the DCA, the RR1 FLU designation was removed and not assigned as originally proposed by PBC Staff. To address the ORC, in August of 1989 the County adopted the land use plan designation of RR10 (1 unit per 10 acres) for a majority of The Acreage. However, the County simultaneously vested a majority of the lots within The Acreage utilizing the "Lot Requirements" provisions of the FLUA. In addition, some years later the County vested the remainder of The Acreage lots under common ownership utilizing the 85% rule of the "Lot Combination Requirements" of the FLUA. Again some years later the County amended the land use plan designation for a majority of The Acreage from RR10 to RR 2.5 (1 dwelling unit per 2.5 acres). While The Acreage may have an adopted land use designation of RR 2.5 today, there is no argument that most of the lots continue to be vested at a density of 1 dwelling unit per 1.25 acres under the "Lot Requirements" and "Lot Combination Requirements" of the FLUA; and therefore a majority of the lots in The Acreage are vested at the same density as is being requested on the Indian Trails Grove property (1 dwelling unit per 1.25 acres). It should also be noted that The Acreage is vested from having to meet the concurrency requirements of the Comprehensive Plan. Therefore, the 14,000+ lots in The Acreage have absolutely no obligation or requirement to comply with, be analyzed for compliance with or be reviewed for consistency the County's Traffic Performance Standards ordinance; resulting in 14,000 lots that have no obligation to mitigate their traffic impacts on adjoining roadways.

It is worth noting that the ORC perceived the RR1 designation as a form of urban sprawl, and to address this objection the County simply adopted the RR10 land use plan designation for the area. However, by exempting these same areas from having to comply with the RR10 requirement through the "Lot Requirements" and the "Lot Combination Requirements" of the FLUA, the County has effectively allowed the same form of development as was intended under the RR1 designation originally applied to The Acreage. The development proposed in this application is seeking the same density in a different form of development (RRPUD), which form of development does not

constitute a form of urban sprawl (as outlined in the FLUA Map amendment application).

**APPLICATION SUMMARY / REZONING REQUEST:**

Rezone the subject property including approximately 4929.30 acres from Agricultural Production (AP) Zoning District (approximately 1,278.54 acres) and the Agricultural Residential (AR) Zoning District (approximately 3,650.764 acres) to a PUD with the proposed Indian Trails Grove Overlay zone (ITGO).

- Request to add 1 dwelling unit per 1.25 acres, thereby resulting in a maximum of 3,943 units on the approximate 4929.30 acres.
- Request to add a model row within each development pod (Pods A, B, C, D, E, and F)
- Request approval for 126 acres +/- of public and private Civic Uses
- Request approval for 23.97 acres +/- of Commercial / Retail Uses in a commercial pod  
(Total SF combined for Civic and Commercial is 225,000 SF)
- Request to provide access to each development Pod, civic Pod, and commercial / retail Pod as indicated on the overall Master Plan.
- Request for a Type II Waiver to allow an additional 25% or a total of 65% of the local named streets to terminate in a cul-de-sac.

**SITE DATA / DESCRIPTION:**

The proposed Indian Trails Grove (ITG) PUD as previously discussed includes approximately 4929.30 acres and is located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard. The overall PUD will include 5 Development Pods, each having their own access, Recreation Pods, School Bus Shelters, Focal Points and other amenities, but interconnected to each other via Equestrian and Pedestrian Trails; 7 Civic Pods (6 public and 1 private) and 1 commercial / retail Pod including approximately 24 acres. An overall Master Plan is included with this application showing the entire ITG PUD on one sheet and then each Development Pod (Pods A thru F) on subsequent sheets with greater detail including proposed line work for internal roads, open spaces, landscape buffers, equestrian and pedestrian trails and various amenities. The overall PUD is bounded on the east by 180<sup>th</sup> Avenue (north of 60<sup>th</sup> Street and south of Hamlin Boulevard) and partially on the west by 190<sup>th</sup> Street which runs north and south along the proposed west limits of Pods B, C, and D and the east limits of proposed Pod E. Orange Boulevard will be developed between 180<sup>th</sup> Avenue and 190<sup>th</sup> Street which bisects Pods B and C. It will provide access to both Pods B and C in addition to the proposed 24 acre Commercial / Retail Pod on the west end, abutting 190<sup>th</sup> Street, and to the proposed Civic Pod #7, a 9.80 acre private civic Pod, which is located on the southwest corner of Orange Blvd. and 180<sup>th</sup> Avenue. Pod A is connected to the overall PUD by Non Exclusive Easements for 180<sup>th</sup> Avenue which terminate at the northern limits of Pod A. Pod A lies west of a 250 foot wide "M" Canal which abuts Canal Road / 190<sup>th</sup> Terrace North. Access to Pod A is provided by 60<sup>th</sup> Street North which runs east west along the north limits of Pod A. At the northeast corner of Pod A, lies the 11.26 acres proposed Civic Pod #6. The northwest limits of the overall PUD lies south of an East West canal, "MO" Canal which

lies along the southern limits of the J.W. Corbett Wildlife management Area (previously discussed). To the west of Pod F lies the Indian Trails Impoundment Area (ITIA) which provides additional storage for flood control for “The Acreage” properties lying to the east of the ITG PUD. Access to the ITIA is provided by an existing dirt road lying within the northern limits of Pod F and along the southern limits of the aforementioned MO Canal. To the west of Pod F lies a 1347 acre proposed Open Space Tract which will also provide additional storage area for flood control within the area. The property includes the following Property Control Numbers (PCN’s):

Indian Trails Grove - PCN List	
00-39-42-25-00-000-1000	00-40-42-27-00-000-9000
00-40-42-17-00-000-7000	00-40-42-31-00-000-9000
00-40-42-18-00-000-7000	00-40-42-30-00-000-9000
00-40-42-19-00-000-9000	00-40-42-34-00-000-1010
00-40-42-20-00-000-9000	00-40-43-03-00-000-3020
00-40-42-21-00-000-9000	00-40-43-04-00-000-9010
00-40-42-22-00-000-1010	

The Preliminary Master Plan identifies the location and proposed uses including proposed units and density all within the limits proposed based on the concurrent FLUA Amendment.

Contiguity of the two overall Pods shown on the Master Plan under one PUD development order (one unified plan of development) is proposed to be established by a concurrent comprehensive plan amendment, which reads: **Policy 1.12-e:** For the purposes of contiguity, any land area within the Indian Trails Grove Overlay shall be considered contiguous so long as it is submitted under one unified plan of development.

The following is a brief description of the proposed Pods within the overall Indian Trails Grove PUD:

**Development Pods**

Pod A includes 535.79 acres with 636 single family units with a gross density of 1.19 units per acre. Access is provided by two entrances from 60<sup>th</sup> Street North, one of which will include a school bus shelter. A 4.5 acre Recreation Pod is centrally located within Pod A and will serve the general recreation needs for the Pod. A lake is proposed to border a majority of the overall Pod which will provide additional buffering for the proposed residential units within the community. An equestrian trail is proposed within the perimeter Landscape Buffers along all sides and interconnects to the proposed Equestrian / Pedestrian Trail within 180<sup>th</sup> Avenue. Public Civic Pod #6 (including 11.3 Acres) lies directly adjacent to Pod A at the northeast corner. Uses for this Public Civic Pod are not determined at this time.

Pod B includes 245.36 acres with 259 single family units with a gross density of 1.06 units per acre. Access is provided by two entrances, one from 180<sup>th</sup> Avenue and one from Orange Drive. A school bus shelter is included within the entrance from 180<sup>th</sup> Avenue. A 2.5 acre Recreation Pod is centrally located within Pod B and will serve the general recreation needs for the Pod. As with Pod A, a lake is proposed to border a majority of the overall Pod which provides additional buffering for the proposed residential units within the community. The Equestrian / Pedestrian Trail runs along the western and northern limits of the Pod. A proposed 50 foot wide Landscape Buffer is proposed along the south and east limits of the Pod, which is adjacent to existing Elementary School and Middle School, both of which are accessible from 180<sup>th</sup> Avenue. Civic Pod #7, a private civic Pod, (including approximately 9.8 Acres) lies directly adjacent to Pod B at the northeast corner. Church uses and day car uses are logical uses for this private Civic Pod.

Pod C includes 600.80 acres with 739 single family units with a gross density of 1.23 units per acre. Access is provided by two entrances, one from 180<sup>th</sup> Avenue and one from Orange Drive. The one from Orange Drive is aligned with the entrance to Pod B and the one from 180<sup>th</sup> Avenue will include a school bus shelter. A 4.1 acre Recreation Pod is centrally located within Pod C and will serve the general recreation needs for the Pod. As with previously discussed Pods A & B, a lake is proposed to border a majority of the overall Pod which provides additional buffering for the proposed residential units within the community. The Equestrian / Pedestrian Trail runs along the south, east and west limits of the Pod which interconnect to all the Pods within the overall PUD. A 50 foot wide Landscape Buffer is proposed to buffer the 24 acre Commercial / Retail Pod which lies adjacent to Pod C at the southwest corner. All other required Perimeter Buffers have been included within the Pod and details for each buffer are shown on the Regulating Plans.

Pod D includes 424.85 acres with 520 single family units with a gross density of 1.22 units per acre. Access is provided by one entrance from 190<sup>th</sup> Street and will include a school bus shelter. In addition, an emergency vehicular connection is provided in the southeast corner of the adjacent 28.7 acre Private Recreation Pod into Pod D, thus providing two means of emergency egress/ingress into Pod D (main entry and through the 28.7 acre Private Recreation Pod). A 4.5 acre Recreation Pod is centrally located within Pod D and will serve the general recreation needs for the Pod. As with previously discussed Pods, a lake is proposed to border the majority of Pod which provides additional buffering for the proposed residential units within the community. There is a wide open space tract that will include an Equestrian Trail which separates Pod C from Pod D. A proposed Private Recreation Pod including approximately 28.7 acres is situated at the southwest corner of Pod D which is proposed to include a central park and recreational facilities to serve the overall Indian Trails Grove PUD residents. At the north limits of Pod D lies Public Civic Pod #2 which includes approximately 40.9 acres. It is intended that this Public Civic Pod #2 be utilized by the County Parks and Recreation Department as expansion area for the adjacent District Park "F" located to the immediate east of the civic Pod. Public Civic Pod #1 is situated at the northeast corner of Pod D which fronts 180<sup>th</sup> Avenue. Police and Fire uses are logical uses for

Public Civic Pod #1. Equestrian / Pedestrian Trails run along the east and west limits of Pod D with an Equestrian Trail connecting the Trail from 180<sup>th</sup> Avenue to 190<sup>th</sup> Street. There is an existing 60 Acre District Park adjacent to the proposed Civic Pod #2 which abuts a 60 Acre future High School Pod. Limited Pedestrian Access will be provided from Pod D to the future High School and District Park.

Pod E includes 531.81 acres with 642 single family units with a gross density of 1.21 units per acre. Access is provided by two entrances, one from 190<sup>th</sup> Street and one from a proposed road "Indian Trail Boulevard" which will extend west from 190<sup>th</sup> Street which will serve not only Pod E, but also proposed Public Civic Pods #3, #4, and #5 and Private Recreation Pod #2. A school bus shelter will be provided at the entrance from Indian Trail Boulevard. A 5.5 acre Recreation Pod is centrally located within Pod E and will serve the general recreation needs for the Pod. As with previously discussed Pods, a lake is proposed to border the majority of Pod which provides additional buffering for the proposed residential units within the community. In addition to the proposed lakes, a large open space tract is proposed within the Pod which will include additional green space and buffering for the residents of the community. South of the Pod E lies the aforementioned Public Civic Pods and Private Recreation Pod which will be discussed separately. The northern limit of Pod E abuts the J.W. Corbett Wildlife Management Area. The Equestrian Trail and public multi-purpose pathway system abuts Pod E along the north, east, south and west limits of the Pod which are integrated with the required landscape buffers. The proposed Indian Trail Boulevard (previously mentioned) turns north and runs along the west limits of Pod E which in turn provides access to Pod F.

Pod F is the largest of the development Pods and includes 935.04 acres with 1148 single family units with a gross density of 1.23 units per acre. Access to Pod F is provided by two entrances, both from the northern extension of the proposed Indian Trail Boulevard. A school bus shelter will be provided at the northern entrance from the Indian Trail Boulevard. Due to the size of Pod F, two Recreation Pods have been included, one within the northern portion and including approximately 5.3 acres and one in the southern portion including approximately 4.9 acres. Both Recreation Pods will be ultimately designed to serve the general recreation needs for the Pod. As with previously discussed Pods, a lake is proposed to border the majority of Pod which provides additional buffering, and recreational amenities for the proposed residential units within the community. In addition to the proposed lakes, a large open space tract is proposed within the Pod which will include additional green space and buffering for the residents of the community. South of Pod F lies vacant agricultural land. To the west is a proposed 1345.93 acre open space Pod which the applicant intends to set aside a portion (640 acres) for the use by the ITID/SFWMD/PBC to provide additional storage area for flood control for the area. North of Pod F lies the J.W. Corbett Wildlife Management Area. The Equestrian Trail system surrounds Pod F which is integrated with the required landscape buffers.

Public Civic Pod #1: This Pod is located at the northeast corner of the subject property, fronting on 180<sup>th</sup> Avenue. This Pod could be used to serve as a Public Fire and Police

Station for the area. It includes 5.16 acres and will be dedicated to Palm Beach County. Access to this Pod will be from 180<sup>th</sup> Avenue.

Public Civic Pod #2: This Pod is located along the northern limits of the project and fronts on Hamlin Blvd. It includes 40.86 acres and lies directly adjacent to an existing District Park (District Park F). It is intended to serve as an expansion area for said District Park and will ultimately be dedicated to Palm Beach County.

Public Civic Pod #3: This Pod is located just east of 190<sup>th</sup> Street, fronting on a proposed 80 foot right-of-way that runs east / west and terminates in Pod F. It is shown on the overall Master Plan as Indian Trails Boulevard. The Pod includes 25.06 acres and the land is intended to be dedicated to the Palm Beach County School District for public school related uses that will serve the public and the Indian Trails Grove community. No impact fee credits are proposed relative to the value of the land dedication of the site to the School District. PREM has requested that any dedication to the PBC School District include a reverter clause that if the site is not utilized for a public school site, the land would be dedicated back to Palm Beach County.

Public Civic Pod #4: This Pod is located directly west of Civic Pod #3 and includes 19.94 acres of land. As with Civic Pod #3 it also fronts on a proposed east / west 80 foot right-of-way labeled as Indian Trails Boulevard. The Pod is intended to be dedicated to the Palm Beach County School District for public school related uses that will serve the public and the Indian Trails Grove community. No impact fee credits are proposed relative to the value of the land dedication of the site to the School District. PREM has requested that any dedication to the PBC School District include a reverter clause that if the site is not utilized for a public school site, the land would be dedicated back to Palm Beach County.

Public Civic Pod #5: This Pod is located directly west of Civic Pod # 4 and includes 14.89 acres of land. As with both Civic Pods #3 and #4, it also fronts on the proposed east / west 80 foot right-of-way labeled as Indian Trails Boulevard. No impact fee credits are proposed relative to the value of the land dedication of the site to the School District. The Pod includes 14.89 acres and is intended to be dedicated to the Palm Beach County School District for public school related uses that will serve the public and the Indian Trails Grove community. PREM has requested that any dedication to the PBC School District include a reverter clause that if the site is not utilized for a public school site, the land would be dedicated back to Palm Beach County.

Public Civic Pod #6: This Pod is located at the north east corner of Development Pod A and fronts on 60<sup>th</sup> Street North. It includes 11.26 acres and its' future use has not yet been determined.

Private Civic Pod #7: This Pod is located on the southwest corner of Orange Boulevard and 180<sup>th</sup> Avenue. This Pod is intended to be utilized for Private Civic uses such as church and or day care. It includes 9.80 acres.

The total civic provided within the ITG PUD is as follows:

<b>Civic Pods</b>	<b>Acres</b>
Civic Pod 1	5.16
Civic Pod 2	40.86
Civic Pod 3	25.06
Civic Pod 4	19.94
Civic Pod 5	14.89
Civic Pod 6	11.26
Civic Pod 7	9.80
<b>Total Civic Pods</b>	<b>126.97</b>

Commercial / Retail Pod: The Indian Trails Grove PUD includes one commercial Pod which is intended to provide personal services, retail opportunities, and professional or business offices for use primarily by the residents of the PUD. The commercial Pod is located at the southwest corner of Development Pod B and includes 23.97 acres. Access will be provided by the extension of Orange Drive from the east and also by 190<sup>th</sup> Street on the west. It is important to mention, that a concurrent application which includes ULDC Text Amendments is currently being processed that includes the following requested exception to Article 3, Chapter E, Section 2.E.2.b, as it relates to the location of a commercial pod within a PUD: “A commercial pod located within an RR1.25 PUD provided: (a) the location of the commercial pod is shown on the Conceptual Plan approved by the BCC as part of the FLUA amendment; and (b) at the time of approval of the commercial pod on the Preliminary Development Plan by the BCC, the commercial pod is not located within ¼ mile of any existing residential structure or unit on a lot less than 5.0 acres in size.” The above stated Exception, once approved, will allow the proposed Commercial Pod to be located within the PUD where indicated on the Preliminary Master Plan.

Open Space Pod: As included in the FLUA Amendment, a concurrent application, the required open space for the proposed Rural Residential RR1.25 is 50% of the gross land area of the subject property. A minimum of 25% of the 50% required open space shall: (1) be set aside in the form of contiguous area and shall be limited to preservation, conservation, passive recreation, wetlands, bona fide agriculture, regional water management, fallow land, and/or equestrian uses; (2) be clustered along the western edge of the Overlay; and, (3) be depicted on the Conceptual Plan approved by the Board of County Commissioners. This application includes a 1345.93 acre open space Pod that lies along the western boundary of the overall ITG PUD. The required open space for the overall PUD is 50% of the gross acres (4929 acres) or 2464 acres. 25% of the required open space is  $.25 \times 2464 = 616$  acres. The open space Pod included on the overall Master Plan that is contiguous and set aside exceeds that requirement by more than double. The intended uses proposed within the 1345.93 acre open space Pod include 640 acres for the use by the ITID/SFWMD/PBC to provide additional storage area for flood control for the area. The balance of the set aside open space Pod will be utilized for agricultural uses as noted in the ULDC and referenced

above.

Also, it is important to note that the application exceeds the minimum open space required for the ITG PUD as indicated on the Master Plan.

<b>Open Space Requirements</b>	<b>Acres</b>
50% of Gross Development Area	
Total Open Space Required - 50%	2464.64
Total Open Space Provided - 62%	3080.07
Lakes	1015.38
Buffers (less portions intended for roads)	152.70
Internal OS & Rec	262.34
OS near Civic & Rec #1 & #2	84.62
Public Civic	126.97
Perimeter Buffers	92.13
Set aside Open Space Pod	1345.93
Total Provided (62% of Gross)	3080.07

Private Recreation Pod #1: This Pod is located within the southwest corner of Development Pod D and fronts on 190<sup>th</sup> Street. It is intended to provide a greater variety of recreational uses that are not typically found in the smaller recreation pods within the individual development Pods. This large Recreation Pod includes 28.86 acres and will be designed to serve the recreational needs of the overall ITG community. Access will be provided via 190<sup>th</sup> Street.

Private Recreation Pod #2: This Pod is located at the intersection of 190<sup>th</sup> Street and the proposed east west 80 right-of-way shown as Indian Trails Boulevard. It includes 18.56 acres and is intended to offer different amenities for the residents of the community.

### **SURROUNDING LAND USES:**

#### **North**

There are 2 existing Parcels that lie directly north and include approximately 25 acres that are utilized for canal and drainage purposes, and are owned by the Indian Trail Improvement District (ITID). The FLUA designation is RR-10 with an AP Zoning District. Beyond the canal lies the J.W. Corbett Wildlife Management Area including over 60,000 acres of conservation area. Some of the uses within the conservation area include; drainage, hunting, birding, hiking, camping, and horseback riding. The aforementioned JW Corbett Wildlife Management Area also includes a rather large Parcel directly north of the north central subject Parcel, all including a FLUA designation of CON (Conservation). Also to the Northeast are 7 residential Parcels along with a 62 acre Park owned by Palm Beach County. In addition there is an existing 60 acre Parcel owned by the School District of Palm Beach County. These properties either have a

FLUA designation of RR-2.5 or RR-10 with either a PO Zoning District or an AR Zoning District.

### **South**

There are 7 residential / agricultural Parcels ranging from 5 acres to 20 acres in size with a FLUA designation of either RR-5 or RR-10 and are within the AR Zoning District. In addition, there is approximately 1265 acres supporting agricultural operations with a FLUA designation of RR-10 with an AP or AR Zoning District. There are two Parcels comprising of 16.28 acres that are utilized for drainage and there are 2 additional Parcels owned by Florida Power and Light which are utilized for utility purposes.

### **East**

East of the subject property, across 180<sup>th</sup> Avenue North (a 100' public ingress/egress easement) are a variety of residential Parcels with a minimum lot size of 1.25 acres. All have a FLUA designation of RR-2.5 and are within the AR Zoning District. Directly to the east of the southeast section of the subject property are two Parcels that equate to 58.82 acres, both owned by the School District of PBC. These Parcels support existing Frontier Elementary School and Osceola Creek Middle School. These Parcels have a FLUA designation of RR-10 and are within the AR Zoning District.

Note: Residential, single-family lots within what is commonly referred to as The Acreage. According to the Historical Society of Palm Beach County<sup>4</sup>, The Acreage was established in the early 1960's by Samuel Nathan Friedland's Royal Palm Beach Colony, Ltd. which began selling 1.25-acre lots on what was swampland for \$5,000 per lot. Noted on the Master Plan as "Royal Palm Beach Acreage" – Unrecorded Plat.

### **West**

There are four (4) Parcels totaling approximately 1,079 acres owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. These Parcels have a FLUA designation of AP, are within the AP Zoning District and are part of the J.W. Corbett Wildlife Management Area. In addition, there is a Parcel containing approximately 773 acres known as the Indian Trails Grove Impoundment Area which provides additional storage for flood control for the general area; J.W. Corbett Wildlife Management Area and the L-8 Canal owned by the South Florida Water Management District. All with a FLUA designation of AP within the AP Zoning District.

### **REZONING STANDARDS:**

When considering a Development Order application for an Official Zoning Map Amendment to a Standard Zoning District or a rezoning to a PDD or TDD, the BCC and ZC shall consider Standards 1- 7 listed under Article 2.B.1.B of the ULDC. The Standards are indicated below.

- 1. Consistency with the Plan** – The owner/applicant is requesting to amend the FLUA designation of the subject property from AP, in part, and RR-10, in part, to RR-1.25, in whole. Per Policy 2.1-f of the FLUA of the PBC Plan an applicant must provide adequate justification for the proposed future land use.

As previously discussed within Background / History, it would appear that the subject property was intended to be developed in a similar fashion to “The Acreage” (residential units on 1.25-acre lots). Over time the subject property was converted into land used for agricultural purposes but conditions have and continue to change that warrant the request to amend the FLUA designation on the subject property to RR-1.25. The creation of the Indian Trails Grove Overlay (ITGO), along with the necessary Map Amendments, will provide the regulatory framework to allow residential (and accessory commercial development) development on the subject property while also providing protective measures that will create a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. Next, the inclusion of 60<sup>th</sup> Street North on the Thoroughfare Right of Way Identification Map TE 14.1 and Functional Classification of Roads Map TE 3.1 will ensure that the subject property contains sufficient depth, width and frontage, or appropriate access thereto, a public street shown on the Thoroughfare Right of Way Identification Map per the Planned Unit Development (PUD) design objectives found in PBC Unified Land Development Code (ULDC) Article 3.E.1.C.1. Next, the request to exempt the Indian Trails Grove Overlay from Policy 3.5-d will provide the same flexibility provided to other large, unique projects in PBC including the Agricultural Enclave, the SR-7 Economic Development Overlay (EDO) and the Inland Logistics Center. Next, the allowance of the Indian Trails Grove Overlay to be designated as a Limited Urban Service Area (LUSA), consistent with the same allowance for the Agricultural Enclave, will ensure that adequate facilities can be provided to the overlay. Lastly, the creation of a new rural residential Future Land Use Atlas (FLUA) designation titled Rural Residential, 1 unit per 1.25 acres (RR-1.25) will allow for residential density on the subject property consistent with the densities provided in the CWC Sector Plan. The proposed Indian Trails Grove project will contain single-family, residential units together with neighborhood commercial uses and civic uses consistent with the residential density of the surrounding area and the demand for non-residential uses generated by the new residences. The Indian Trails Grove project builds on current efforts to re-dress the historic land use imbalance in the CWC by providing an additional 225,000 SF of non-residential uses as part of the overall development. Please refer to the “Non-Residential Intensity Analysis” prepared by Warner Real Estate Advisors, Inc. for reference which was included in the application to amend the Comprehensive Plan.

As detailed above, allowing the RR-1.25 FLUA designation on the subject property is justified because there has been a change in circumstances (correction in the single-use pattern) that affects the subject property.

**2. Consistency with the Code** – One of the concurrent applications as previously referenced, includes Text Amendments to the Unified Land Development Code to acknowledge the RR1.25 land use plan category and permit RR1.25 land use plan category to follow the provisions of Article 3, Chapter E, Section 1 and Article 3, Chapter E, Section 2.A.-F. Other related amendments will

be proposed, such as those that relate to the two product type requirement for PUDs, and location of commercial pods within a PUD, as they relate specifically to the RR-1.25 land use plan category. Therefore, the only requested amendments to the ULDC relative to the commercial pod are as follows: add the RR-1.25 Zoning District to Table 3.E.1.B and add c) to Article 3.E.1.C.2.5) which will exempt PUD's with an RR-1.25 Zoning District.

## **Unified Land Development Code (ULDC)**

### **Article 3. Chapter E - PLANNED DEVELOPMENT DISTRICTS (PDDs)**

The rezoning of the Indian Trails Grove PUD project, inclusive of 4929.30 acres will follow the current ULDC criteria and standards for a Planned Unit Development (PUD) within a PDD with the exception of the recently submitted ULDC Text Amendments, which are generally the addition of the proposed RR1.25 Zoning District category within Article 3. Since the overall project falls within the Rural Tier, and a Rural Residential PUD includes additional regulations that do not apply to the Indian Trails Grove project, the owner / applicant is requesting to add an additional category to include the proposed RR1.25 Zoning District within several areas within both Section 1 and Section 2 of Article 3, Chapter E as more particularly described below.

#### **Section 1: General**

The proposed Indian Trails Grove PUD will meet or exceed both the criteria and standards noted within this Section of the ULDC with the exception of the following proposed amendments as included in the concurrent ULDC Text Amendment application previously submitted:

Art. 3.E.1.B. FAR, Density and Use Standards

Table 3.E.1.B - PUD Density will be modified to include the PUD Density for the Proposed RR1.25 Zoning District as 1 unit / 1.25 acres.

In accordance with Article 3.E.1.C. Objectives and Standards, the Project complies with all objectives noted within Design Objectives a through h. As the project includes a 24+/- acre commercial / retail Pod, it will include at least one Pedestrian Amenity as suggested therein.

The project will meet or exceed all Performance Standards required for a Planned Development noted in Article 3 except for the threshold allowed for Cul-de-sacs. The Rezoning application includes a request for a Type II Waiver to allow an additional 25% of the local streets within the overall PUD to terminate in a cul-de-sac.

Also, as noted in Article 3.E.1.G. Sales Office and Models, the overall Preliminary Master Plan includes the approximate location of the proposed Model Rows within each Development Pod as required by code. This application includes a request for a Model Row within Pods A, B, C, D, E, and F of the overall Indian Trails Grove PUD.

Because of the size of the overall project, 4929.30 acres, a Phasing Plan has been included with the Preliminary Master Plan.

### **Article 3. Chapter E - Section 2: PLANNED UNIT DEVELOPMENT (PUDs)**

The proposed Indian Trails Grove PUD will meet or exceed both the criteria and standards noted within this Section of the ULDC with the exception of the following proposed amendments as included in the concurrent ULDC Text Amendment application previously submitted which are generally the addition of the proposed RR1.25 Zoning District category within Article 3.

The Table within Article 3.E.2.C. - PUD Minimum Thresholds will be modified to include the RR1.25 PUD Zoning District and will include a minimum project size of 900 acres. The PUD Land Use Mix Table included in Article 3.E.2.C will be amended to include a note that within the RR1.25 FLU, a minimum of 50% open space will be provided as opposed the current requirement of 40%. The proposed Indian Trails Grove PUD includes 60%+ Open Space as shown on the Preliminary Master Plan for the overall project.

The PUD Property Development Regulations as noted in Table 3.E.2.D. for a Single Family unit will be amended by adding an exception for the proposed RR1.25 PUD stating the following: Apply the RS district regulations in Table 3.D.1.A-17, Property development Regulations, with the exception of RR-1.25 PUDs, which property development regulations shall be established in the conditions of approval and shown on a Conceptual Plan approved as part of the FLUA Amendment.

Also, the current range of housing for a PUD in excess of 100 acres and 300 dwelling units requires two housing types; one housing type shall consist of a minimum of 10% of the total number of units (Article 3.E.2.E.1.a.). As proposed in the ULDC Text Amendment previously mentioned, this provision shall not apply to the RR1.25 PUDs.

Additional amendments to Article 3 relate to commercial pods within a PUD. In accordance with Article 3.E.2.E.2.b.1)a) Frontage: A second exception has been added as follows:

A commercial pod located within an RR1.25 PUD provided: (a) the location of the commercial pod is shown on the Conceptual Plan approved by the BCC as part of the FLUA amendment; and (b) at the time of approval of the commercial pod on the Preliminary Development Plan by the BCC, the commercial pod is not located within ¼ mile of any existing residential structure or unit on a lot less than 5.0 acres in size. In accordance with Article 3.E.2.E.2.b.2)a) and b) Setbacks: an exception has been added to both a) and b) stating the following: unless exempted pursuant to 3.E.2.E.2.b.1.a).2, in which case the commercial pod may be located within 1000 feet the perimeter of the PUD.

The final requested Text Amendment to the ULDC is also related to Article 3.E.2.G.1 Rural Residential PUD.

The following additional regulations apply to the PUDs in the RR FLU Designation, with the exception of RR1.25 PUDs, which shall follow the provisions of Article 3, Chapter E, Section 1 and Article 3, Chapter E, Section 2.A-E.

### **3. Compatibility with Surrounding Uses.**

The requested Rezoning of the 4939.30 acres included in this application is consistent with the current Future Land Use Amendment which is not only compatible with the density of the surrounding communities, it will also provide different housing and lifestyle choices from what currently exists in the Rural Tier. Next, as indicated in proposed Policy 1.12-f below, development within the Indian Trails Grove Overlay will be required to provide 50% open space of which a minimum of 25% of that open space is required to (1) be set aside in the form of contiguous area and shall be limited to preservation, conservation, passive recreation, wetlands, bona fide agriculture, regional water management, fallow land, and/or equestrian uses and (2) be clustered along the western edge of the Overlay. This open space will protect the natural resources and environmentally sensitive lands adjacent to the subject property by separating the development from these lands while also providing the opportunity to improve the quality of these resources through storm water management provisions. Next, as will be detailed in the concurrent FLUA Amendment application, the proposed development on the subject property does not encourage the proliferation of urban sprawl per Florida Statutes, Section 163.3177.(6).(a).9. Next, the Indian Trails Grove Overlay is adjacent to the western boundary of The Acreage. The proposed text amendments will ensure that development within this overlay is compatible with The Acreage by proposing a comparable density, not encroaching into the geographic boundaries of the neighborhood with development and respecting the social fabric. Directly to the east of Pod A of Indian Trails Grove project lies the recently approved Minto West Development. The overall Master Plan for Minto West delineates the western portion of the plan as Open Space. Said project includes 3,788 acres with 4,546 dwelling units proposed. That equates to 1.20 dwelling units per acre which exceeds the proposed Indian Trails Grove proposed density of .80 units per acre. Next, as indicated in proposed Policy 1.12-f included in the FLUA, the required open space is allowed to include bona fide agriculture which will provide for the retention of agricultural operations within the overlay. Furthermore, the owner / applicant's Preliminary Master Plan included with the Rezoning application indicates that the development also includes provisions for approximately 20 miles of equestrian trails and or pedestrian trails that will provide a unique design feature that incorporates a long-standing element within the central western communities.

### **4. Effect on the Natural Environment**

The proposed use and design of the overall project as provided on the Preliminary Master Plan which includes the rezoning of 4939.30 acres into the RR1.25 PUD Zoning District minimizes the environmental impacts to water, air, storm-water management, wildlife, vegetation, wetlands and the natural functioning of the environment by utilizing the majority of the lands as open space. Although one of the ULDC Text Amendments previously mentioned includes the incorporation of the

RR1.25 Zoning District with a proposed open space requirement of 50% of the Gross Land Area, the Preliminary Master Plan is providing a minimum of 60% open space which is delineated on said Master Plan. The extensive lake system will have a positive effect on the natural environment by providing additional habitat and sanctuary for various species of wildlife.

## **5. Development Patterns**

The requested Rezoning of the 4939.30 acres included in this application will result in a logical, orderly and timely development pattern. With the incorporation of the overall land into the proposed RR1.25 PUD Zoning District, the project will then be consistent with the proposed land use and ULDC. The project will be developed and phased in accordance with the Preliminary Phasing Plan included with the application and is intended to be developed along with market demands. In accordance with Article 2, Table 2.E.3.B. a PUD does not have a limitation on the number of phases.

## **6. Adequate Public Facilities**

The requested Rezoning of the 4939.30 acres included in this application contains includes a request to allow for maximum of 3,943 single family units; 126 acres +/- of Civic Uses and 23.97 acres +/- of Commercial / Retail Uses.

The owner/developer, Palm Beach West Associates I, LLLP submitted a renewal agreement for the current Standard Developers Agreement (SDA) recorded in O.R. Book 18924, Page 0357 which covers 100 ERC's. As required per Section 5 of the SDA, the property owner will need to enter into an additional agreement to cover all the units proposed within the project within 90 days of issuance of a Development Order. An application for Concurrency Reservation as required by Article 2.F.3.B., is included with the rezoning request. In addition, traffic impacts have been addressed by a Traffic Study prepared by Simmons and White and included along with the Rezoning application. Said Traffic Study will be reviewed for compliance with current Traffic Performance Standards.

## **7. Changed Conditions or Circumstances**

The 4939.30 acres of land included in the Rezoning Application as Indian Trails Grove PUD is included within the Rural Tier which includes agricultural land and rural settlements that range in density from primarily 1 dwelling unit per 1.25 acres to 1 dwelling unit per 20 acres. These areas support large agricultural operations as well as single-family homes with small family-owned agricultural businesses, including equestrian related uses. Due to the declining availability of land and the increase in population in the Urban and Exurban Tiers, the Rural Tier is beginning to experience pressure for urban densities and nonresidential intensities normally associated with a more urban area. The strategies in the Rural Tier are established to protect and enhance rural settlements that support agricultural uses and equestrian uses.

It is important to note that the ITG also lies within boundaries of the original CWC Sector Plan which was repealed by Palm Beach County Board of County

Commissioners on November 26, 2007. After the repeal, several entitlement approvals were granted on an individual bases, all of which were granted with a “Whereas” clause that confirmed that the proposed amendments complied with the Local Government Planning and Land Development Regulations Act or Community Planning Act as were applicable at the time of adoption. As such, it is clear that the ITG property is one of the last, remaining undeveloped properties within the original CWC Sector Plan area.

While the CWC Sector Plan was never implemented, the proposed density and intensity of the Indian Trails Grove property would be consistent with the original intent of the CWC Sector Plan. This project is intended to be developed as a Rural Residential Planned Development with a density of 1 unit per 1.25 acres (or 0.80 units per 1 acre). Furthermore, the proposed project is compatible with the character of the existing development, will conserve open space, promote environmental sustainability and manage water resources, all of which were guiding principles of the CWC Sector Plan.

As previously stated above within the Section noted “Consistency with the Code” the Preliminary Master Plan meets or exceeds the following additional criteria and provisions included within the PUD Regulations included in Article 3.

#### **Article 3.E.2.A.4. Exemplary**

A rezoning to a PUD shall only be granted if the project exceeds the goals, policies and objectives in the Plan, the minimum requirements of the ULDC, and the design objectives and performance standards within Article 3 which include, sustainability, trip reduction, cross access, buffering, aesthetics, creative design, vegetation preservation recreational opportunities, mix of uses, mix of unit types, safety, and affordable housing.

- 1) The ITG Preliminary Master Plan includes more than 20 miles of equestrian trails and 11 miles of pedestrian pathways which provide a great potential for overall trip reduction by promoting bike access to the proposed civic uses, recreational uses and future commercial uses proposed within this project. In addition to providing access to the above stated uses, they also provide an additional recreational opportunity for future residents who seek exercise paths for running, walking or biking.
- 2) All trails are interconnected to each Development Pod and will include wide landscape buffers that exceed the typical code requirement, that be designed to provide not only a recreation amenity but also an aesthetic value to the overall community.
- 3) The overall project incorporates a creative design by providing the majority of the proposed residential units situated on or nearby a lake system which not only provides a buffering value, but also a recreational value for the residents within the community. The extensive lake system will provide a viable habitat for potential wildlife within the area, thereby providing a desirable environment not only to future residents but also to wildlife all contributing to a homogeneous overall community.

- 4) The larger lake areas bordering the entire project also provide additional buffering to the existing agricultural uses and the existing residents within the area.
- 5) In addition to the standard recreation pod within the Development Pods, Pod A, B, C, D, E, and F, two additional private recreation Pods are included within the project to promote a greater opportunity for the recreation needs of the proposed community.
- 6) The inclusion of 1345.93 acre open space Pod running along the western limits of the project will not only maintain its current agricultural use, but could also provide additional water storage for the “The Acreage”.

### **Article 3.E.2.B. Objectives and Standards**

#### **1. Design Objectives**

- a) Designed as a predominately residential district: The overall project is designed as predominately residential district utilizing roughly 66% of the gross area of the PUD’s residential development Pods.
- b) Provide continuous non-vehicular circulation system for pedestrians and non-motorized vehicles. The project not only includes a vast pedestrian system, but also includes approximately 20 miles of equestrian trails and 11 miles of multi-purpose trails which traverse around the entire project.
- c) Provide perimeter landscape areas to buffer any incompatible uses. The project exceeds the minimum width of all perimeter landscape buffers and promotes wide open space tracts and an extensive lake system around the majority of the project’s boundary. The perimeter buffers have been depicted on the regulating plans with cross sections and plan views.
- d) May offer limited commercial uses for the population of the PUD. The project includes approximately 23.97 acres of commercial / retail use which may include up to 225,000 SF of use.
- e) Establish a neighborhood character and identity: The Indian Trails Grove PUD is intended to provide an individual homogenous family oriented neighborhood with an emphasis on recreation, pedestrian and equestrian use.
- f) Preserve the natural environment to the greatest extent possible. With the inclusion of a 1345.96 acre open space Pod, and a multitude of lakes totaling more than 1015 acres, the natural environment will not only be preserved to the greatest extent, but also enhanced by providing a sanctuary and habitat for wildlife within the area.
- g) Provide incentives for civic uses to reduce public capital improvements and expenditures by encouraging joint acquisition, development and operation of publicly owned and operated facilities to serve the residents of the PUD. As

noted earlier, over 126 acres of civic lands are proposed as part of the overall ITG approval.

### **Article 3.E.2.B. Objectives and Standards**

#### **2. Performance Standards (a – d are required, and A minimum of two of the four standards e – h are required)**

- a) Proximity to Other Uses - All residential pods with five or more units per acres shall be located within 1,320 feet of a neighborhood park, recreation pod, private civic pod, commercial pod or a public recreational facility. This requirement does not apply as none of the proposed residential pods exceed 5 units per acre. However, all the proposed residential pods within Development Pods A through F include a centrally located recreation pod that exceeds the requirement for that specific Pod.
- b) Focal Points – A focal point shall be provided at the terminus of 15% of the streets within the project. There will be approximately 132 streets within the overall project. Therefore  $15\% \times 132 = 20$  Focal Points Required. The Street and Pedestrian Plan also includes the cul-de-sacs and the Focal Points proposed for the project. A minimum of 20 Focal Points will be provided in addition to pedestrian amenities required to meet the Cul-de-Sac Waiver.
- c) Neighborhood Park – this project does not include any Neighborhood Parks. However, the recreational amenities provided within the overall PUD exceed the recreation requirement and include pedestrian connections to all residential pods and spine roads within the overall PUD.
- d) Decorative Street Lighting – Decorative Street Lighting will be incorporated into each Residential Development Pod Entrance and within the Recreation Pods.
- e) Decorative Paving – Decorative paving will be incorporated within the entrance to each Residential Development Pod and, within the Recreation Pods included in each Development Pod.
- f) Fountains – A minimum of one fountain shall be provided at the entrance to each Residential Development Pod at the time of Final DRO.
- g) Benches or Play Structures – Benches and or Play Structures will be incorporated into the overall PUD at the time of Final DRO.
- h) Interspersed Housing – WFH units are not presently included in this PUD as the provisions of the WFH program do not apply to developments located within the Rural Tier of the Comprehensive Plan.
- i) Pedestrian Circulation – The project includes an elaborate Equestrian and Pedestrian trail system that circumvents the entire PUD with more than 20 miles

of equestrian trails and 11 miles of multi-purpose trails. The 20 miles of equestrian trails and 11 miles of multi-purpose trails shall be open to the general public and shall be maintained by the ITG Master HOA in perpetuity. Each of the proposed development Pods includes 50 foot right-of-ways that are all required to provide 5' sidewalks on either side.

The proposed project not only incorporates the majority of the Performance Standards noted above, but provides an innovative residential design incorporating many pedestrian and equestrian amenities with additional elements for a homogenous master community.

### **Civic Requirement**

Pursuant to the ULDC and the gross development acreage of 4929.30 acres, the required civic is 98.59 acres. The proposed Indian Trails Grove PUD includes 126.97 acres (22% more than required), within 7 separate Pods of land, all of which are shown on the overall Master Plan and further described above.

### **Recreation Requirement**

Pursuant to the ULDC, and the proposed number of units at 3943 single family residential units, the required recreation is 23.66 acres. The proposed Indian Trails Grove PUD includes 31.31 acres of private recreation within the individual Development Pods to be utilized by the residents within their respective Development. In addition, the overall Master Plan includes 2 private Recreation Pods, one with 28.86 acres and one with 18.56 acres. These private recreation Pods are intended for the use of the residents within the Indian Trails Grove community. They are intended to include a greater variety of recreation amenities that are not provided for within the individual recreation pods. The total area of Recreation provided for Indian Trails Grove is 78.73 acres which is 63% greater than what is required.

In addition to the recreation Pods shown on the Master Plan, it is important to note that the plan also includes more than 20 miles of equestrian trails and more than 11 miles of multi-purpose trails that provide an “added” recreational amenity to the overall project.

### **Open Space Requirement**

As previously noted above, the proposed open space requirement for the proposed RR1.25 PUD Zoning District will be 50% of the gross project acreage. The current requirement for open space within the PUD Land Use Mix Table included in Article 3.E.2.C is 40%. The proposed Indian Trails Grove PUD includes a minimum of 62% Open Space as shown on the Preliminary Master Plan for the overall project. Open Space within the project includes lakes, buffers, recreation Pods, private and public civic, and a large 1345.93 acre Pod.

### **Cul-de-Sacs**

A Type II Cul-de-Sac Waiver is required for the proposed project pursuant to ULDC

Article 3.E.1.C.2.a.5)a), which allows forty percent (40%) of the local streets in the proposed development to terminate in a cul-de-sac or a dead end. A Preliminary Street Layout Plan including both the proposed pedestrian trails and equestrian trails is included with the overall Master Plan. There are 132 proposed named streets including 86 cul-de-sacs within the project. As stated above, the code allows 40% of the named streets to terminate in a cul-de-sac, which in this case allows a total of 53 cul-de-sacs permitted by right. However, Article 3.E.1.C.2.a.5)b) states that an additional 25% may terminate in a dead end or a cul-de-sac if approved by BCC as a Type II Waiver. The additional 25% will allow the project to include a total of 86 cul-de-sacs or 65%. The additional 33 cul-de-sacs included in the Type II Waiver will meet the following additional standards as stated in 3.E.1.C.2.a.5)b)(1) and (2) as follows: (1) cul-de-sacs terminate in an open space that provides amenities accessible to the residents of the development; and (2) cul-de-sacs connect to a pedestrian system including but not limited to sidewalks, designated pathways or trail system. In addition, as stipulated in the code, "cul-de-sacs that abut a minimum 20 foot wide open space that includes a pedestrian cross access between two pods shall not be used in the calculation of the total number of cul-de-sacs or dead end streets". Although the current "Street Layout Plan" is conceptual in nature, the overall design will include the required amenities and pedestrian connections in order to meet or exceed the considerations noted in this section of the code.

### **Schools**

A School Concurrency Determination has been submitted to the Palm Beach County School Board for 3943 single family residential units. The current schools for this project are Frontier Elementary, Osceolo Creek Middle School and Seminole Ridge High School. School bus shelters for the proposed Indian Trails Grove development will be provided at the entrances to each Development Pod.

### **REGULATING PLAN**

The Regulating Plan for the Planned Development District as required Article 3.E.1.D.3. Palm Beach County ULDC consisting of a comprehensive graphic and written description of the function and development of the Planned Development District is included in this application.

**Conclusion:** The owner/developer of the property met with Zoning and Planning staff several times to review and discuss the overall project. In addition, the owner presented the project via a power point presentation at the July 8, 2015 DRO Meeting. Based on the information provided in this justification, we respectfully request approval of the Rezoning Application associated with the proposed Indian Trails Grove - PUD.

On behalf of the owner / applicant, Urban Design Kilday Studios respectfully requests approval of the Rezoning Application to allow for the proposed development on the subject property. The Project Manager at Urban Design Kilday Studios is Chris Barry, AICP CUD, Senior Planner who can be reached at (561) 366-1100 or via email at [cbarry@udkstudios.com](mailto:cbarry@udkstudios.com).

Footnotes

<sup>1</sup>Legislation found at <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=42O-1>

<sup>2</sup>Taken from [http://www.indiantrail.com/index.asp?SEC=A570234C-62CC-409E-B24B-CD0FFB5ADFD8&Type=B\\_BASIC](http://www.indiantrail.com/index.asp?SEC=A570234C-62CC-409E-B24B-CD0FFB5ADFD8&Type=B_BASIC)

<sup>3</sup>Taken from <http://myfwc.com/viewing/recreation/wmas/lead/jw-corbett/history/>

<sup>4</sup>Taken from <http://www.pbchistoryonline.org/page/the-acreage>

<sup>5</sup>Found at <http://ufdc.ufl.edu/aerials>

<sup>6</sup>Taken from [http://www.pbcgov.com/pzb/Planning/amendments/2014\\_lga/MintoWest/ATTACHMENT\\_G.pdf](http://www.pbcgov.com/pzb/Planning/amendments/2014_lga/MintoWest/ATTACHMENT_G.pdf)