

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

| | | | |
|-----------------------------------|---|---|--------------|
| Round | 22-A | Intake Date | May 12, 2021 |
| Application Name | Amber Woods (fka Hendrix Property) | Control No. | 1974-00037 |
| Acres | 36.49 Acres | Concurrent Zoning application? | Yes |
| | | Text Amend? | No |
| PCNs | 00424327050270040; 00424327050270050; 00424327050270060; 00424327050270101 | | |
| Location | South side of Lake Worth Road, approx. 0.30 mile east of State Road 7 | | |
| | Current | Proposed | |
| Tier | Urban/Suburban | No Change | |
| Use | Vacant Ag, Single Family Home | Residential | |
| Zoning | Agricultural Residential (AR) | Residential Single Family (RS) | |
| FLU Designation | Low Residential 1 Unit per Acre (LR-1) | <ul style="list-style-type: none"> Low Residential, two units per acre (LR-2) @ 24.09 acres* Low Residential, three units per acre (LR-3) @ 12.4 acres* | |
| Underlying FLU Designation | None | None | |
| Conditions | None | None | |
| Density Bonus | None | Workforce Housing Program (WHP) density bonus (48% bonus request) = 41 units | |

*Pending review by PBC Staff.

B. Development Potential

| | Current FLU | Proposed FLU |
|-------------------------------|-------------------------------|---|
| Density/Intensity: | 1 unit per acre | <ul style="list-style-type: none"> LR-2 @ 24.09 acres* LR-3 @ 12.4 acres* |
| Maximum Dwelling Units | 1 du/acre x 36.49 ac. = 36 du | <ul style="list-style-type: none"> LR-2 @ 24.09 acres = 48 du* LR-3 @ 12.4 acres = 37 du* |
| Population Estimate | 36 max du x 2.39 = 86 persons | <ul style="list-style-type: none"> 48 du x 2.39 = 115 persons 37 du x 2.39 = 88 persons 41 du x 2.39 = 98 persons Total = 301 persons |

| | | |
|--|--|--|
| Proposed or Conditioned Potential | None | None |
| Max Trip Generator | ITE 210 Single Family Detached 10 Trips per DU | ITE 210 Single Family Detached 10 Trips per DU |
| Maximum Trip Generation | 360 | 1260 |
| Net Daily Trips: | 490 (maximum minus current) 900 (proposed minus current) | |
| Net PH Trips: | 63 (16 In/47 Out) AM, 87 (55 In/32 Out) PM (maximum) 93 (23 In/70 Out) AM, 127 (80 In/47 Out) PM (proposed) | |

**Pending review by PBC Staff.*

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 2. Applicant Data

A. Agent Information

| | |
|---------------------------|--|
| Name | Lindsay Libes |
| Company Name | WGI, Inc. |
| Address | 2035 Vista Parkway |
| City, State, Zip | West Palm Beach, FL 33411 |
| Phone / Fax Number | 561-537-4542 |
| Email Address | Lindsay.Libes@wginc.com |

B. Applicant Information

| | | | |
|---------------------------|----------------------|----------------------|-------------------------|
| Name | Charles W. Hendrix | Charlotte Y. Hendrix | Woody Hughes |
| Company Name | Self | Self | D.R. Horton, Inc. |
| Address | 9584 Lake Worth | 9584 Lake Worth Road | 6123 Lyons Road |
| City, State, Zip | Lake Worth, FL 33467 | Lake Worth, FL 33467 | Coconut Creek, FL 33073 |
| Phone / Fax Number | Contact Agent | Contact Agent | Contact Agent |
| Email Address | Contact Agent | Contact Agent | Contact Agent |
| Interest | Owner | Owner | Contract Purchaser |

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 3. Site Data

A. Site Data

| | |
|--|---|
| Built Features | A majority of the subject site is unimproved and vacant; however, there is an existing single-family residence and outdoor storage area on PCN -0050. See Attachment F – Built Feature Inventory List and Map. |
| PCN | 00424327050270060; 00424327050270050; 00424327050270101; 00424327050270040 See Attachment A – PCN List |
| Street Address | 9584 Lake Worth Road, Lake Worth, Florida 33467 |
| Frontage | The project site has approximately 1,950 linear feet of frontage along Lake Worth Road. |
| Legal Access | Legal access will be provided to the site from Lake Worth Road |
| Contiguous under same ownership | There are no additional properties under contiguous ownership outside of the PCN's provided in Part 1 of this Application. |
| Acquisition details | \$1,630,000.00 on March 5 th , 1998 |
| Size purchased | 36.49 acres |

B. Development History

| | |
|--|--------------------------------|
| Control Number | 1974-00037 |
| Previous FLUA Amendments | None |
| Concurrency | None |
| Plat, Subdivision | PALM BEACH FARMS CO PLAT NO. 3 |
| Zoning Approvals & Requests | None |

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 4. Consistency

A. Consistency

| | |
|---|------------------|
| Justification Provide as G.1. | See Attachment G |
| Residential Density Increases Provide as G.2. | See Attachment G |
| Compatibility Provide as G.3. | See Attachment G |
| Comprehensive Plan Provide as G.4. | See Attachment G |
| Florida Statutes Provide as G.5. | See Attachment G |

B. Surrounding Land Uses.

| Adjacent Lands | Use | Future Land Use | Zoning |
|----------------|---|--|---|
| North | Woods Walk Plaza Control No. 1985-69 R 1989-1449 Land Use: Retail, Bank, Fast Food Rest. And Gas Station, Auto Service GFA: 134,608 SF, 15% FAR | Commercial Low/ with an Underlying LR-3 | Commercial General (GC) |
| | Woods Walk PUD Control No. 1985-71 Land Use: SF Detached DU: 225 DU, Density: 2.5/AC | Low Residential, 3 units per acre (LR-3) | RTS - Residential Transitional District |
| | Cypress Trails PUD Control No. 1980-60 Land Use: SF Residential DU: 106 DU Density: 1 DU/AC | Low Residential, 1 unit per acre (LR-1) | RE – Residential Estate District |
| South | The Hunt PUD Control No. 1974-37 R-74-186 Land Use: SF Residential DU: 66 DU Density: 0.36 DU/AC | Low Residential, 1 unit per acre (LR-1) | RE – Residential Estate District |
| East | Regency Lake Estates (FKA Kent Property PUD) Control No. 1994-04 DU: 160 DU Density: 1.77 DU/AC | Low Residential, 2 units per acre (LR-2) | PUD – Planned Unit Development |
| West | Lake Worth Road and State Road 7 MUPD Control No. 1999-04 Land Use: Retail, Bank, C-Store with Gas Sales 33,462 GFA, 6.8% FAR | Commercial Low, with an underlying LR-1 | MUPD – Multiple Use Planned Development |

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 5. Public Facilities Information

| A. Traffic Information | | |
|--|---|--|
| | Current | Proposed |
| Max Trip Generator | ITE 210 Single Family Detached 10 Trips per DU | ITE 210 Single Family Detached 10 Trips per DU |
| Maximum Trip Generation | 360 | 1260 |
| Net Daily Trips: | 490 (maximum minus current) 900 (proposed minus current) | |
| Net PH Trips: | 63 (16 In/47 Out) AM, 87 (55 In/32 Out) PM (maximum) 93 (23 In/70 Out) AM, 127 (80 In/47 Out) PM (proposed) | |
| Significantly impacted roadway segments that fail Long Range | None | None |
| Significantly impacted roadway segments for Test 2 | None | None |
| Traffic Consultant | Dr. Juan Ortega, PE JFO Group, Inc. | |
| B. Mass Transit Information | | |
| Nearest Palm Tran Route (s) | RT. 62 - WLN - LKW via LAKE WORTH | |
| Nearest Palm Tran Stop | STOP 5930 - LAKE WORTH RD & WOODS WALK BLVD | |
| Nearest Tri Rail Connection | LAKE WORTH STATION | |
| C. Portable Water & Wastewater Information | | |
| Potable Water & Wastewater Providers | Palm Beach County Water Utilities | |
| Nearest Water & Wastewater Facility, type/size | The nearest potable water is a 1 0" watermain located within Lake Worth Road and a 1 0" watermain located within Hunting Trail adjacent to the subject property. The nearest sanitary sewer connection is an 8" forcemain located north of the subject property within Lake Worth Road. | |

D. Drainage Information

The subject site in the C-16 Basin of SFWMD and will discharge into the adjacent LWDD canal that will need to be crossed in order to gain access to the site for Legal Positive Outfall. The site will be developed to provide attenuation of the 25 year – 3 day storm events prior to discharge. A Drainage Statement is provided with this Application as **Attachment J**.

E. Fire Rescue

| | |
|-----------------------------|---|
| Nearest Station | PBC Fire Rescue Station #30 |
| Distance to Site | Located at 9610 Stribling Way, approximately 2.75 miles from the subject site |
| Response Time | Estimated response time to the subject site is 8 minutes |
| Effect on Resp. Time | Minimal impact per Attachment K , letter from Fire-Rescue. |

F. Environmental

| | |
|--|--|
| Significant habitats or species | The site is primarily an improved pasture for cattle. There is no significant quality habitat present as the site is clear of most vegetation besides pasture grasses. There is a forested wetland in the southeast corner of the parcel. It is highly disturbed due to melaleuca and surrounding development. No endangered species have been observed on the property and none are expected. A Natural Features Inventory Map is provided with this application as Attachment L . |
| Flood Zone* | X500 A Flood Plain Statement is provided with this application as Attachment J . |
| Wellfield Zone* | The westernmost parcel of the subject site falls within Wellfield Zone 4 A map is provided with this application as Attachment M . |

G. Historic Resources

Staffs review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), has identified no historic or architecturally significant resources on or within 500 feet of the above referenced properties. A Historic Resource Letter is provided with this application as **Attachment N**.

H. Parks and Recreation - Residential Only (Including CLF)

| Park Type | Name & Location | Level of Svc. (ac. per person) | Population Change | Change in Demand |
|-----------------|----------------------|-----------------------------------|----------------------|---------------------|
| Regional | Okeeheelee Park | 0.00339 | 301 | 1.02 |
| Beach | R.G. Kreusler | 0.00035 | 301 | 0.105 |
| District | Lantana District "I" | 0.00138 | 301 | 0.415 |

| I. Libraries - Residential Only (Including CLF) | | | |
|---|-------------------------------------|--------------------------|-------------------------|
| Library Name | Greenacres Branch | | |
| Address | 750 Jog Rd | | |
| City, State, Zip | Greenacres, FL 33467 | | |
| Distance | 3.6 miles | | |
| Component | Level of Service | Population Change | Change in Demand |
| Collection | 2 holdings per person | 301 | 602 |
| Periodicals | 5 subscriptions per 1,000 persons | 301 | 1.50 |
| Info Technology | \$1.00 per person | 301 | 301.00 |
| Professional staff | 1 FTE per 7,500 persons | 301 | 0.04 |
| All other staff | 3.35 FTE per professional librarian | 301 | 0.13 |
| Library facilities | 0.34 sf per person | 301 | 102 |
| J. Public Schools - Residential Only (Not Including CLF) | | | |
| | Elementary | Middle | High |
| Name | Panther Run | Woodlands Middle | Palm Beach Central |
| Address | 10775 Lake Worth Rd | 5200 Lyons Rd, | 8499 W Forest Hill Blvd |
| City, State, Zip | Lake Worth, FL 33449 | Lake Worth, FL 33467 | Wellington, FL 33411 |
| Distance | 1.2 Miles | 1.9 Miles | 4.3 Miles |

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

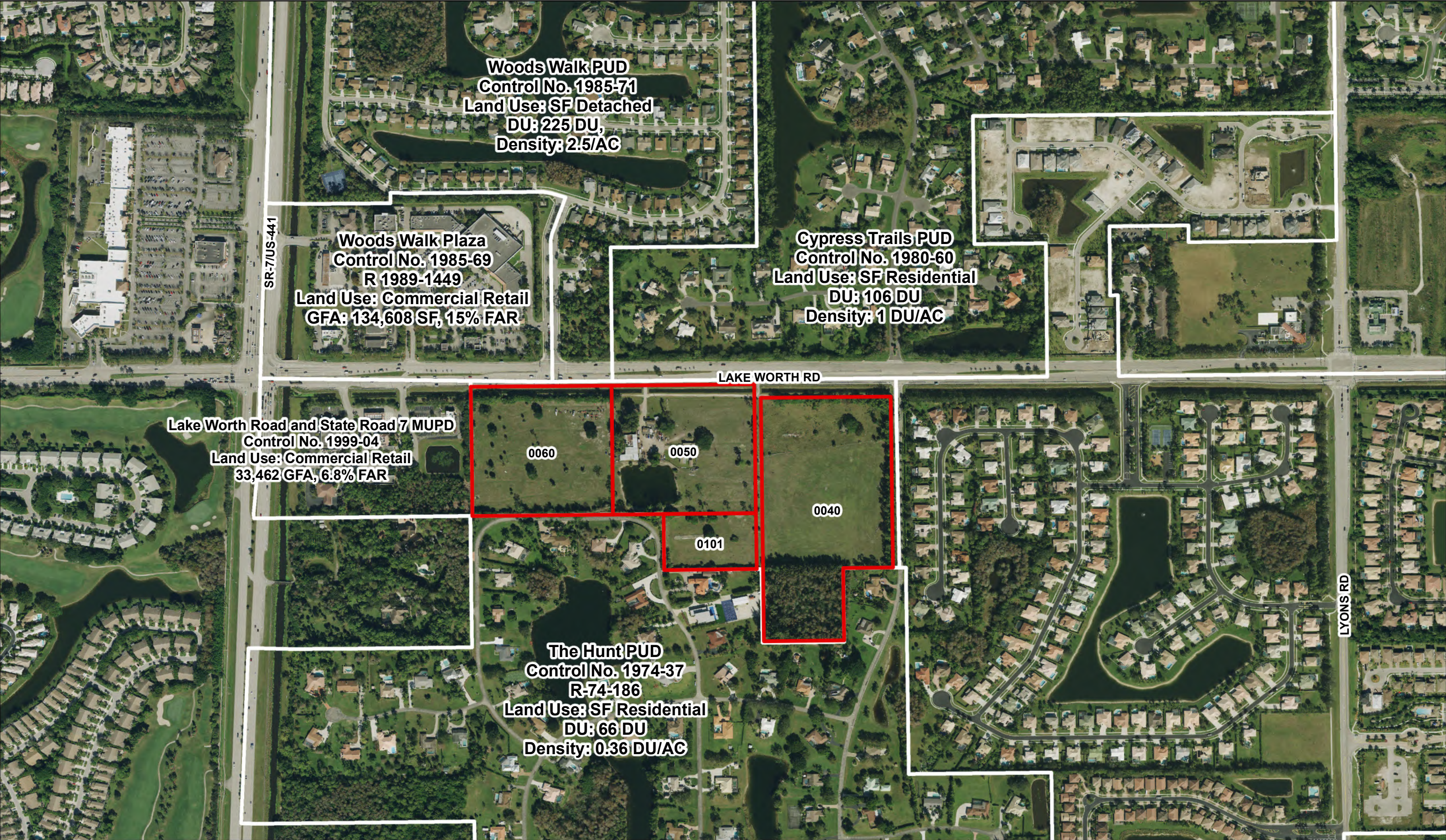
Part 6. Attachments

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

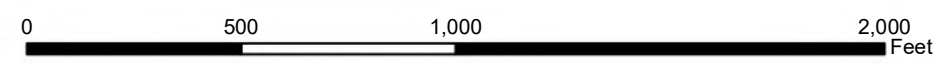
Forms for Attachments B, C, D, and E are located on the web at:

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

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ATTACHMENT F - BUILT FEATURE INVENTORY & MAP



Subject_Site





**JUSTIFICATION STATEMENT
LARGE SCALE FUTURE LAND USE ATLAS AMENDMENT
CONTROL NO. 1974-00037**

**AMBER WOODS
(FKA HENDRIX PROPERTY)
ROUND 22-A
PROPOSED FLUA MAP AMENDMENT**

Attachment G

Prepared by:

WGI, INC.

2350 Vista Parkway
West Palm Beach, FL 33411
(561) 687-2220
www.wginc.com

Initial Submittal: May 12, 2021



Palm Beach County - Planning Division

2300 North Jog Road, WPB, FL 33411, (561) 233-5300



Introduction

The 36.49-acre subject site, also referred to as Amber Woods, is located approximately ¼ mile east of the Lake Worth Road and State Road 7 intersection, and is identified by the following Parcel Control Numbers (PCNs): 00-42-43-27-05-027-0060; 00-42-43-27-05-027-0050; 00-42-43-27-05-027-0101; and, 00-42-43-27-05-027-0040. The site retains a Future Land Use (FLU) designation of Low Residential – one dwelling unit per acre (LR-1), a Zoning District classification of Agricultural Residential (AR) and is primarily unimproved and vacant except for a single-family residential structure. It should be noted that the site is located along the West Lake Worth Road Corridor and is therefore included within the West Lake Worth Road Neighborhood Plan, as adopted by Resolution 2009-2018. An aerial of the subject site and surrounding areas has been provided below:



Request

On behalf of the Applicant, WGI, Inc. is requesting a **Comprehensive Plan Future Land Use Atlas (FLUA) Amendment** to re-designate the FLU on a collection of parcels from the Low Residential, one unit per acre (LR-1) FLU designation to the Low Residential, two units per acre (LR-2) FLU designation on approximately 24.09 acres and Low Residential, three units per acre (LR-3) on approximately 12.4 acres. The split in FLU designations is consistent with the FLU designations identified in the West Lake Worth Road Neighborhood Plan (WLWRNP) and subsequent Master Plan for the corridor.

It is the intent of the Applicant to utilize the County's Workforce Housing Program (WHP) to obtain additional density via the Limited Incentive Option. The bonus density requested through the WHP is 48%. The proposed residential development will accommodate 126 dwelling units (with a workforce housing (WFH) obligation of 10 units). The method in which the WFH obligation will be met will be decided upon prior to public hearing.

The current request to modify the FLU designation from LR-1 to LR-2 and LR-3 is being processed concurrently with a request to increase density through the County's Workforce Housing Program (WHP), for an ultimate density of 3.45 dwelling units per acre. The following is a summary of the proposed density analysis for the subject site:

| | |
|---|---------------------------------------|
| Proposed LR-2 FLU Designation @ 24.09 acres | 48 du (24.09-acres x 2 du/ac) |
| Proposed LR-3 FLU Designation @ 12.4 acres | 37 du (12.4-acres x 3 du/ac) |
| WHP Density Bonus | 41 dwelling units (48% density bonus) |
| Total | 126 dwelling units |



Below is an analysis of the WHP obligation for the proposed development.

| LR-2 FLU Designation | | | | | |
|----------------------|------|---------|---------------|-------|----------------|
| | | Acreage | Permitted DU | WHP % | WHP Obligation |
| Standard | 1.5 | 24.09 | 36 | 2.5% | 0.90 |
| Max | 0.5 | 24.09 | 12 | 8% | 0.96 |
| LR-3 FLU Designation | | | | | |
| | | Acreage | Permitted DU | WHP % | WHP Obligation |
| Standard | 2 | 12.4 | 25 | 2.5% | 0.62 |
| Max | 1 | 12.4 | 12 | 8% | 0.99 |
| WHP Density Bonus | | | | | |
| | DU's | Bonus % | Bonus Density | WHP % | WHP Obligation |
| Limited Incentive | 85 | 48% | 41 du | 17% | 6.97 |
| Total | | | | | |
| | | | DU's | | WHP Obligation |
| | | | 126 du | | 10 WFH du |

Concurrent/Pending Zoning Applications

A Rezoning application from Agricultural Residential (AR) to Single-Family Residential (RS) will be submitted to the Zoning Division contingent upon the approval of the FLU Amendment and WHP applications.

Lake Worth Road Corridor & Surrounding Uses

The subject site has frontage and access on Lake Worth Road, which over time has become a major corridor for both travel and development in the western area of Palm Beach County (PBC). The subject property has had the assigned lower density land use of LR-1 since the advent of the 1989 Comprehensive Plan. At that time, Lake Worth Road was a dead-end street that terminated at SR-7. Since 1989, Lake Worth Road has been extended to the west to become a major corridor connecting the Village of Wellington to Lake Worth, specifically the access to the Florida Turnpike. The eventuality of development occurred along this corridor including major retail and residential developments changing the rural nature of the area to a suburban one. Amber Woods stands as one of the remaining vacant tracts not developed consistent with the rest of the corridor. The built environment along the corridor includes a range of use types, densities, and intensities, including single-family, zero lot line and multi-family residential, assisted living, retail, office, and restaurant and institutional uses. The subject site represents a pocket of underutilized land in contrast to the development patterns surrounding it and continues to lend itself as a prime location for infill development along this major arterial roadway. The chart on the following page summarizes the uses and approvals located immediately adjacent to the subject site.

[This space is intentionally left blank]



| Adjacent Lands | Use | Future Land Use | Zoning |
|----------------|---|--|---|
| North | <u>Woods Walk Plaza</u> Control No. 1985-69 R-1989-1449 Land Use: Retail, Bank, Fast Food Rest. And Gas Station, Auto Service GFA: 134,608 SF, 15% FAR | Commercial Low/ with an Underlying LR-3 (CL/3) | Commercial General (GC) |
| | <u>Woods Walk PUD</u> Control No. 1985-71 Land Use: SF Detached DU: 225 DU Gross Density: 2.5/AC | Low Residential, 3 units per acre (LR-3) | Residential Transitional District (RTS) |
| | <u>Cypress Trails PUD</u> Control No. 1980-60 Land Use: SF Residential DU: 106 DU Gross Density: 1 DU/AC | Low Residential, 1 unit per acre (LR-1) | Residential Estate District (RE) |
| South | <u>The Hunt PUD</u> Control No. 1974-37 R-74-186 Land Use: SF Residential DU: 66 DU Gross Density: 0.36 DU/AC | Low Residential, 1 unit per acre (LR-1) | Residential Estate District (RE) |
| East | <u>Regency Lake Estates (fka Kent Property PUD)</u> Control No. 1994-04 DU: 160 DU Gross Density: 1.77 DU/AC | Low Residential, 2 units per acre (LR-2) | Planned Unit Development (PUD) |
| West | <u>Lake Worth Road & State Road 7 MUPD</u> Control No. 1999-04 Land Use: Retail, Bank, C-Store with Gas Sales 33,462 GFA, 6.8% FAR | Commercial Low, with an underlying LR-1 (CL/1) | Multiple Use Planned Development (MUPD) |

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G1. Justification for Future Land Use Atlas Amendment

Pursuant to Policy 2.1-f, a justification statement is required to demonstrate the requests are consistent and in compliance with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood Plan and the impacts on public facilities and services.

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, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:

- 1. The natural environment, including topography, soils and other natural resources; (see Public Facilities Section);***
- 2. The availability of facilities and services; (see Public Facilities Section);***
- 3. The adjacent and surrounding development; (see Compatibility Section);***
- 4. The future land use balance;***
- 5. The prevention of prevention of urban sprawl as defined by 163.3164(51), F.S.;***
- 6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section);***
- 7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (see Public and Municipal Review Section).***

This FLUA Amendment request is consistent with Policy 2.1-f of the County's Future Land Use Element, as the proposal to modify the FLU designation on the subject site from LR-1 to LR-2 and LR-3 represents a more appropriate FLU designation combination for the site and location. The proposed LR-2 and LR-3 FLU designations are consistent with the Goals, Objectives and Policies of the County's Comprehensive Plan, is complimentary to the development pattern that exists in the area, is compatible with the surrounding neighborhoods, and meets the intent of the West Lake Worth Road Neighborhood Plan, as outlined below.

The subject site currently represents a tract of underutilized land, ripe for infill residential development along the Lake Worth Road Corridor. While the current LR-1 FLU designation may have once been appropriate for the location, the development pattern in this area has shifted over the decades, from one that was once primarily low residential and agriculture, to one that has been developed at densities and intensities that are necessary to support this major east-west traffic corridor in PBC. The change in development pattern has resulted in Lake Worth Road, west of the Florida Turnpike, becoming a corridor that supports more intense residential and nonresidential development, serving residents of the County immediately adjacent to the site, as well as residents that travel from western areas of the County. The subject site represents an opportunity to develop residential at a density consistent with the current development pattern of the corridor, in line with market demands, and consistent with the WLWRNP and Master Plan. The request to re-designate the existing land use to the LR-2 and LR-3 FLU designations is justifiable and necessary, and is consistent with the WLWRNP, as the Master Plan anticipated a FLU combination of LR-2 and LR-3 on the subject site.

The request is compliant with FLUE 2.1-f, as outlined below:

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

The request to modify the FLU designation of the subject site from LR-1 to LR-2 and LR-3 to accommodate the development of 126 single family dwelling units is consistent with the development pattern in the immediate area. Residential uses with like densities are prominent along the corridor, and the subject site's direct access onto Lake Worth Road, accessibility to public transportation and major highway systems such as the Florida Turnpike, as well as availability to employment centers and non-residential uses such as retail and medical office, make this an ideal location in which to develop a residential use at the density being proposed.



The current FLU designation of LR-1 limits the density on the site to one dwelling unit per acre. The current availability of land as well as the development patterns surrounding this site has driven the value much higher than what is prescribed under its land use designation. In addition, the cost of labor and materials in today's construction market makes developing the site at such a low density nonviable. This is evident by the influx of multifamily developers requesting planning and zoning approvals within PBC and the surrounding area. The proposed amendment to modify the FLU designation to LR-2 and LR-3, combined with the Applicant's utilization of the County's WHP Program, allows for the additional density needed to develop a residential community that is compatible with the surrounding area.

The current development proposal is consistent with the residential vision for this property that was part of the West Lake Worth Road Neighborhood Plan.

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

a. Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site

The subject site is located on the west Lake Worth Road corridor, between Florida's Turnpike to the east and State Road 7 to the west. This section of the corridor contains a mix of land uses ranging from low density residential to high density residential, as well as various non-residential commercial and institutional land uses. The West Lake Worth Road Neighborhood Plan anticipated that this site would be developed as lower density residential, consistent with what is proposed. Since the adoption of the Neighborhood Plan in 2009, market trends, pressure to push development east of State Road 7, scarcity of land in PBC and a subsequent shortage of available housing has resulted in a need for additional low density residential within the neighborhood planning area.

The recent change in those parcels with frontage on the corridor has shifted to primarily multifamily residential and nonresidential development, and has created a need for lower density housing, such as the low density residential being proposed on the subject site. When looking at recent amendments that front the Lake Worth Road corridor, the uses have been a mix of multifamily and townhouse uses, along with nonresidential commercial development. Behind these frontage parcels are additional single family and townhome developments. In the case of Amber Woods, it is not appropriate for multifamily housing along the frontage as it is still adjacent to lower density residential to the south. Therefore, the request for low density residential adjacent to the existing homes to the south is a compatible development pattern. The following is a summary of recent approvals, which demonstrates both the need and appropriateness of the development proposal.

Over the last decade, there are multiple FLUA Amendments that have been submitted and approved by the Board of County Commissioners (BCC), and these applications are summarized in the table below. All these approved FLU designation amendments signify that the western Lake Worth Road corridor has been changed and resulting in impacts on the subject site, as the latter remains vacant and underutilized for many years.

| Name of Application | LGA Application & Ordinance No. | Original FLU Designation | Approved FLU Designation |
|------------------------------|--|-----------------------------|--------------------------|
| Lake Worth Lyons Residential | LGA 2009-007 Ordinance No. 2009-029 | LR-2 | MR-5 |
| Gulfstream Properties | LGA 2014-001 Ordinance No. 2014-010 | MLU (LR-3 & CL-O/3) LR-2 | MR-5 |
| Palm Tree Farms | LGA 2014-002 Ordinance No. 2014-011 | LR-2 | MR-5 |



| | | | |
|-------------------------------------|--|------|-----------------------------------|
| Harbor Chase of Wellington Crossing | LGA 2015-001 Ordinance No. 2015-009 | LR-2 | INST/5 |
| Rubin Communities | LGA 2015-003 Ordinance No. 2015-011 | LR-2 | MR-5 |
| Andalucia Residential | LGA 2016-032 Ordinance No. 2016-048 | LR-3 | LR-3 & MR-5 (amend conditions) |
| Gulfstream Polo Properties | LGA 2016-007 Ordinance No. 2016-025 | LR-2 | LR-3 & MR-5 (amend conditions) |
| Lake Worth Commercial | LGA 2017-013 Ordinance No. 2017-038 | CH/2 | CH/5 (amend conditions) |
| Izzy Izzy | LGA 2017-016 Ordinance No. 2017-037 | LR-2 | MR-5 |
| Lake Worth Royale | LGA 2018-015 Ordinance No. 2018-027 | LR-2 | HR-8 & CH/2 |

From the above FLU Amendment table, the recent change in the fabric of the corridor, which has shifted to primarily multifamily (MF) residential and non-residential development, has created an opportunity for residential development such as the low density residential being proposed on the subject site.

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

The tremendous amount of development that has occurred along the Lake Worth Road corridor over the past several decades has changed the character of the area. From what was once estate style residential and agricultural uses it is now a major east west corridor in PBC that supports a range of uses at varying densities and intensities. The recent approvals referenced above in Section 2.a, is proof of that growth. Access directly onto Lake Worth Road, accessibility to the Florida Turnpike and SR7/US 441, and availability of public transit make this site ideal to develop at a residential density that is compatible with existing adjacent homes. The Master Plan designates the FLU designation of the subject site as a split between LR-2 and LR-3, the current request furthers the consistency and implementation of the Master Plan.

The original adoption of the County's Comprehensive Plan did not anticipate the level of unprecedented growth seen throughout the County, especially on the fringe of the western portions of the Urban Suburban Tier. Approval of this FLUA Amendment request to the LR-2 and LR-3 FLU designations is in line with recent approvals and upholds the original intent of the Lake Worth Road Neighborhood Plan, by developing the site at a density that is comparable to what was originally anticipated and compatible to what it is adjacent to.

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

Since the original assignment of the LR-1 FLU designation, the development pattern in the immediate area has seen tremendous growth, at a level unanticipated in the original Comprehensive Plan on the western fringe of the Urban Suburban Tier. As developable land continues to become scarce, and development pushes further west, pressure to develop sites within the Urban Suburban Tier is critical in preserving natural resources outside of it by utilizing existing infrastructure and lessening the strain on stretching public services and facilities. The subject site represents an opportunity to develop residential that is complementary to the area, and at a density that is in-line with the WLWRNP, as well as with what is both built and approved along the Lake Worth Road corridor.



d. Inappropriateness of the adopted FLU designation;

The current FLU designation of the subject site under the LR-1 FLU is no longer appropriate as identified by the Master Plan. This FLUA Amendment request from LR-1 to LR-2 and LR-3 represents a more appropriate FLU designation for the site and location. The proposed LR-2 and LR-3 FLU designations is consistent with the Goals, Objectives and Policies of the County's Comprehensive Plan, is complimentary to the development pattern that exists in the area, is compatible with the surrounding neighborhoods, and is consistent with the West Lake Worth Road Neighborhood Plan, which identifies these parcels as a LR-2 and LR-3 FLU designation. While the current LR-1 FLU designation on the subject may have once been appropriate, the development pattern in this area has seen growth over the decades that was not anticipated in prior plans. It has changed from one that is primarily low residential and agriculture, to one that has been developed at densities and intensities that are in line with suburban patterns necessary to support this major east-west corridor in PBC. The change in development pattern has resulted in Lake Worth Road becoming a corridor that supports more intense residential and nonresidential development, serving residents of the County immediately adjacent to the site, as well as residents that travel from western communities. The request to re-designate the existing land use to the LR-2 and LR-3 FLU designations is appropriate for the site.

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

The adopted FLU designation was not assigned in error and was reflective of the rural character of the western portions of the corridor at that time. In addition, the subject site is located in the Urban Suburban Tier, which is anticipated by the County to house the majority of the residential population.

G.2. Residential Density Increases

Per Future Land Use Element Policy 2.4-b, the analysis below provides justification for the requested land use amendment.

1) Demonstrate a need for the amendment.

The current FLU designation of LR-1 limits the density on the site to one dwelling unit per acre, which is more conducive to larger tracts of land that are not found east of SR-7 and along major arterial corridors, and is not an appropriate density for the subject site. The current availability and cost of land combined with the cost of labor and materials for construction in today's market makes developing the site at such a low density nonviable. The proposed amendment to modify the FLU designation to LR-2, combined with the Applicant's utilization of the County's WHP Program, allows for the additional density needed to develop a residential community that is compatible with the surrounding area and is consistent with the WLWRNP and Master Plan.

2) Demonstrate that the current FLUA designation is inappropriate.

While the current LR-1 FLU designation on the subject may have once been appropriate for the location, the development pattern in this area has seen unprecedented growth over decades, primarily in the form of low density residential and agriculture, to one that has been developed at densities and intensities that are necessary to support this major east-west corridor in PBC. The change in development pattern has resulted in Lake Worth Road, west of the Florida Turnpike, becoming a corridor that supports more intense residential and non-residential development, serving residents of the County immediately adjacent to the site, as well as residents that travel from western areas of the County to their employment centers. The request to re-designate the existing land use to the LR-2 and LR-3 FLU designations is appropriate for the site.



3) Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site.

Pursuant to Policy 2.4-b.1.a. “The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:

3. an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:

a. West Lake Worth Road Neighborhood Plan.”

The subject site is located within the boundaries of the WLWRNP, of which the Master Plan assigned the subject site a FLU designation of LR-2 on 24.09 acres and LR-3 on 12.4 acres. The proposed FLU amendment without TDR request is in compliance with Policy 2.4-b.1a.3 of the County’s Comprehensive Plan, since the proposed density is consistent with the FLU mix as identified on the Master Plan. The current request is consistent with this FLU mix. Additionally, the WHP is being utilized, as outlined below.

| LR-2 FLU Designation | | | | | |
|----------------------|------|---------|---------------|-------|----------------|
| | | Acreage | Permitted DU | WHP % | WHP Obligation |
| Standard | 1.5 | 24.09 | 36 | 2.5% | 0.90 |
| Max | 0.5 | 24.09 | 12 | 8% | 0.96 |
| LR-3 FLU Designation | | | | | |
| | | Acreage | Permitted DU | WHP % | WHP Obligation |
| Standard | 2 | 12.4 | 25 | 2.5% | 0.62 |
| Max | 1 | 12.4 | 12 | 8% | 0.99 |
| WHP Density Bonus | | | | | |
| | DU's | Bonus % | Bonus Density | WHP % | WHP Obligation |
| Limited Incentive | 85 | 48% | 41 du | 17% | 6.97 |
| Total | | | | | |
| | | | DU's | | WHP Obligation |
| | | | 126 du | | 10 WFH du |

G.3. Compatibility

The proposed FLUA Amendment would make the subject property more compatible with the surrounding properties, which have undergone land use amendments. The changes in the development of the corridor, which has shifted to primarily multifamily residential and non-residential development, has created a need for a lower density housing type. The Amber Woods development proposal is consistent with the residential vision for this property that was part of the West Lake Worth Road Neighborhood Plan, and Lake worth Road Corridor Master Plan.

It is also important to note that “Compatibility” can be further attained when uses do not adversely affect each other but complement each other, e.g. neighborhood commercial uses supporting and providing services for the residential uses. At the time when the proposed zoning applications are reviewed by the Zoning Division and other County Agencies, a Preliminary Subdivision Plan and other regulating plans for this development will clearly identify the site layout, placement of buildings, height of buildings and the location of the required landscape buffers. The ULDC addresses compatibility issues through spatial separation such as setbacks, and the provision of buffers, all these required elements enhance compatibility and reduce the potential negative effects of functionally different land uses.



G.4. Comprehensive Plan

The FLUA Amendment request to modify the FLU designation from LR-1 to LR-2 and LR-3, in combination with the utilization of the PBC WHP Program, is consistent with and furthers the applicable Goals, Objectives and Policies of the PBC Comprehensive Plan, as outlined below.

Policy 1.2-a: Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:

- 1. Allowing services and facilities consistent with the needs of urban and suburban development;***
- 2. Providing for affordable housing and employment opportunities;***
- 3. Providing for open space and recreational opportunities;***
- 4. Protecting historic, and cultural resources;***
- 5. Preserving and enhancing natural resources and environmental systems; and,***
- 6. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.***

The proposed FLUA Amendment is consistent with Policy 1.2-a, by encouraging infill-style development within the Urban Suburban Tier, and by utilizing existing infrastructure, public facilities and services.

Policy 1.2-b: Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.

The approval of the proposed FLUA Amendment supports Policy 1.2-b, as it provides an opportunity to develop an infill parcel in the Urban Suburban Tier. The proposed development will utilize existing infrastructure and public services.

Policy 2.1-a: The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.

The proposed FLUA Amendment request, and subsequent development of 126 dwelling units on this site will not exceed the natural or manmade constraints of the area. To the contrary, there is an existing 3.07-acre wetland area located on the south portion of Parcel 00-42-43-27-05-027-0040 that will be preserved subject to the review and approval by South Florida Water Management. In addition to meeting the policies of the Comprehensive Plan, the site will meet the intent of the West Lake Worth Road Corridor Master Plan.

Policy 2.1-h: The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.

The definition of piecemeal development in the Comprehensive Plan describes “A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., 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 proposed Land Use change will allow these four individual parcels to be combined, and rezoned to a subdivision, and will utilize existing infrastructure. There are no other parcels under the ownership that will create residual parcels. Lastly, the parcel is the only unbuilt acreage with frontage along Lake Worth Road that has an LR-1 land use, and one of only a few remaining unbuilt LR-1 parcels that front a major arterial or a collector road.



Policy 2.4-b: The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:

- 1. an applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or**
- 2. an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or**
- 3. an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:**
 - a. West Lake Worth Road Neighborhood Plan.**

Pursuant to Policy 2.4-b.1.a. “The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:

3. an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:

a. West Lake Worth Road Neighborhood Plan.”

The subject site is located within the boundaries of the WLWRNP, of which the Master Plan assigned the subject site a FLU designation of LR-2 on 24.09 acres and LR-3 on 12.4 acres. The current request is consistent with this FLU mix. Additionally, the WHP is being utilized, as outlined below.

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| LR-3 FLU Designation | | | | | |
| | | Acreage | Permitted DU | WHP % | WHP Obligation |
| Standard | 2 | 12.4 | 25 | 2.5% | 0.62 |
| Max | 1 | 12.4 | 12 | 8% | 0.99 |
| WHP Density Bonus | | | | | |
| | DU's | Bonus % | Bonus Density | WHP % | WHP Obligation |
| Limited Incentive | 85 | 48% | 41 du | 17% | 6.97 |
| Total | | | | | |
| | | | DU's | | WHP Obligation |
| | | | 126 du | | 10 WFH du |

Policy 2.4-f: Potential receiving areas shall be inside the Urban/Suburban Tier and shall include:

- 1. Planned Development Districts (PDD) and Traditional Development Districts (TDD) that are requesting an increase in density above their current limits; and,**
- 2. Subdivisions requesting a bonus density above the standard land use designation density.**

The subject site is compliant with Policy 2.4-f, as the subject site is located within the County's Urban Suburban Tier and is within the parameters of the governing policies of a residential subdivision. The County anticipates the majority of the residential population is located in this Tier.



Policy 4.1-c: The County shall consider the objectives and recommendations of all Community Plans, Neighborhood Plans, Joint Planning Areas Agreements, Interlocal Service Boundary Agreements, and Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval. Community Plans, Neighborhood Plans and Special Studies, including those adopted, accepted, or received by the Board of County Commissioners, are incorporated into the Future Land Use Support Document as reference guides to identify community needs and unique neighborhood characteristics within the associated document. The following is a list of the County's neighborhood plans and studies:

Community and Neighborhood Plans

- ***Haverhill Area Neighborhood Plan***
- ***Jupiter Farms Neighborhood Plan***
- ***Loxahatchee Groves Neighborhood Plan***
- ***The Acreage Neighborhood Plan***
- ***West Boynton Area Community Plan***
- ***West Lake Worth Road Neighborhood Plan***
- ***West Gun Club Road Neighborhood Plan***
- ***Pioneer Road Neighborhood Plan***

The subject site is located within the West Lake Worth Road Neighborhood Plan Area. The intent of this Plan is to guide the overall gross residential density, to promote development that is similar to what is identified in the WLWRNP. However, the Plan recognizes that individual property owners may apply for density increases through either the FLUA amendments or through the WHP density bonus program.

The original adoption of the County's Comprehensive Plan did not anticipate the level of unprecedented growth seen in this area, especially on the fringe of the western portions of the Urban Suburban Tier and the eventual connection of Lake Worth Road to the Village of Wellington and other surrounding communities. Approval of this FLUA Amendment request to the LR-2 and LR-3 FLU designations is in line with recent approvals and upholds the original intent of the Lake Worth Road Neighborhood Plan, by developing the site at a density that is comparable to what was originally anticipated and compatible with the adjacent communities.

G.5. Florida Statutes – Consistency with Chapter 163.3177, F.S.

All mandatory elements for a FLUA amendment have been provided within this application and include, but is not limited to surveys, studies, community goals and vision, and all other pertinent data as required by Ch. 163.3177 of the Florida Statutes. The proposed amendment allows for the development of an infill residential development that will maximize the utility of existing network of roadways and other infrastructural improvements. This amendment complies Chapter 163.3177 of the Florida Statutes.

On behalf of the Applicant, we respectfully request and present the aforementioned justification for the FLUA amendment from LR-1 to LR-2 for the subject site.



**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
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Dave Kerner, Mayor
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Hal R. Valeche
Gregg K. Weiss
Mary Lou Berger
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

November 3, 2020

WGI
2035 Vista Parkway
West Palm Beach, Fl. 33411

RE: Hendrix Property
9584 Lake Worth Road
00424327050270060,00424327050270050,00424327050270101,
00424327050270040
Service Availability Letter

Dear Mr. Muller,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service for the existing land use of Low-Residential (LR-I) and the proposed change to Medium Residential (MR-5)

The nearest potable water is a 10" watermain located within Lake Worth Road and a 10" watermain located within Hunting Trail adjacent to the subject property. The nearest sanitary sewer connection is an 8" forcemain located north of the subject property within Lake Worth Road.

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



REVISED ENGINEER'S DRAINAGE STATEMENT

Amber Woods
WGI No. 07206112.00

March 8, 2021

The subject piece of land is approximately thirty-six (36) acres in size south of Lake Worth Road, east of State Road 7 (US 441), and west of Hunting Trail in Unincorporated Palm Beach County with Parcel Nos. 00424327050270040, 00424327050270050, 00424327050270060, and 00424327050270101.

The property is currently a residential property. The site is bordered by residential land to the east, west, and south. This project is within the South Florida Water Management District (SFWMD) C-16 Drainage Basin and the Lake Worth Drainage District (LWDD) jurisdictions.

The proposed improvements include development of a residential community with parking areas, swales, inlets, pipes, and detention areas. The subject piece of land is not part of an existing SFWMD permit. The proposed drainage system will be designed following the requirements of Palm Beach County, LWDD, and the SFWMD with the C-16 Basin criteria at build-out.

Water quality will be provided in the proposed detention areas. Water attenuation for the 25 year - 3 day storm event will be met using proposed detention areas prior to discharge. Legal positive outfall will be served to the LWDD L-12 Canal via a control structure limiting discharge to the allowable rates.

Wantman Group, Inc.

Respectfully submitted,

ADAM W. SCHILDMEIER, STATE OF FLORIDA, PROFESSIONAL ENGINEER, LICENSE NO. 69218
THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY ADAM W. SCHILDMEIER, PE. ON MARCH 8, 2021. USING A SHA-1
AUTHENTICATION CODE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SHA-1
AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Adam Schildmeier, P.E.
Florida License # 69218
Wantman Group, Inc. Cert. No. 6091



March 2, 2021

Cheryl Allan,
Palm Beach County Fire-Rescue
405 Pike Road
West Palm Beach, Florida 33411

RE: **Amber Woods (FKA Hendrix Property)**
FLUA Application – Fire Rescue LOS Letter Request

Ms. Allan,

We would like to respectfully request a Fire Rescue LOS Letter for the **Amber Woods (FKA Hendrix Property)** project in unincorporated Palm Beach County.

The project site information is as follows:

- **Address:** 9584 Lake Worth Road
- **PCN:** 00424327050270060; 00424327050270050; 00424327050270101; 00424327050270040
- **FLU Request:** Low-Residential 1 Unit per Acre (LR-1) to Low-Residential, 3 units per acre (LR-3)



Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Connor Bailey, Planner



Fire Rescue

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



**Palm Beach County
Board of County
Commissioners**

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

County Administrator

Verdenia C. Baker

March 2, 2021

WGI

Attention: Connor Bailey
2035 Vista Parkway
West Palm Beach, FL 33411

Re: Amber Woods

Dear Connor Bailey:

Per your request for response time information to the subject property located at 9584 Lake Worth Road. This property is served currently by Palm Beach County Fire-Rescue station #30, which is located at 9610 Stribling Way. The subject property is approximately 2.75 miles from the station. The estimated response time to the subject property is 8 minutes. For fiscal year 2020, the average response time (call received to on scene) for this stations zone is 7:01.

Changing the land use of this property will have some 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



ENVIRONMENTAL PERMIT FEASIBILITY REPORT FOR HENDRIX LAKE WORTH PALM BEACH COUNTY, FL

PREPARED FOR:
D.R. HORTON, INC.
6123 LYONS ROAD
COCONUT CREEK, FL 33073

PREPARED BY:
WANTMAN GROUP, INC.
2035 VISTA PARKWAY
WEST PALM BEACH, FL 33411
561-687-2220

NOVEMBER 9, 2020

WGI Project No.:07206112.00

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**ENVIRONMENTAL PERMIT FEASIBILITY REPORT FOR
HENDRIX LAKE WORTH
Palm Beach County
November 9, 2020**

INTRODUCTION

The intent of this environmental permit feasibility report is to provide a preliminary assessment of the natural features identified within the property including upland habitat, wetlands, and protected trees and other vegetation. Additionally, this report provides a basic discussion of the potential for the occurrence of any threatened and endangered species that could utilize the property. Based upon the preliminary assessment of these natural features, WGI then discusses the types of environmental permits that may apply and provides an opinion on the feasibility of obtaining the environmental permits.

The property is located on the east of State Road 7 and south of Lake Worth Road in unincorporated Palm Beach County, Florida, Parcel Control Numbers 00-42-43-27-05-027-0060, -0050, -0101, -0040. The property is approximately 38.03 acres in size. Please refer to Exhibit A (Location Map) for details.

SOURCES OF INFORMATION

Literature reviews, agency database searches and coordination, and a field review were conducted to document existing habitat types within and around the property. The information collected and databases reviewed included:

- U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Map
- USDA NRCS Soil Survey of Palm Beach County, Florida, 1978
- Florida Association of Professional Soil Classifiers, Hydric Soils of Florida Handbook, 4th ed. (Hurt et. al. 2007)
- U.S. Fish and Wildlife Service (USFWS), Classification of Wetlands and Deepwater Habitats of the United States (Cowardin et. al. 1979; 2013)
- Florida Natural Areas Inventory (FNAI)
- USFWS National Wetland Inventory Map
- Various Florida Fish and Wildlife Conservation Commission (FFWCC) GIS data layers
- USFWS, South Florida Ecological Services Office Wood Stork Florida Nesting Colonies Maps
- USFWS critical habitat for threatened and endangered species mapper
- Florida Department of Transportation (FDOT) Florida Land Use, Cover and Forms Classifications System (FLUCFCS), 3rd ed., January 1999
- Palm Beach County Property Appraiser's Website; <https://maps.co.palm-beach.fl.us/cwgis/papa.html>
- Palm Beach County Planning, Zoning and Building Department's Map Gallery; <http://discover.pbcgov.org/pzb/Pages/Map-Gallery.aspx>
- South Florida Water Management District ePermitting Website; <https://my.sfwmd.gov/ePermitting/MainPage.do>



FIELD REVIEW

WGI scientists familiar with Florida natural communities conducted a field review on November 4, 2020. During this review, each vegetative community type was walked and visually inspected to verify community boundaries, dominant vegetation, and the potential for occurrence of threatened and endangered species.

SOILS

Based upon the USDA NRCS Soil Survey for Palm Beach County, Florida, three soil types are mapped within the property. A soils map is included as Exhibit B. Listed below are the soil types found within the property and general descriptions of their characteristics.

(10) Boca fine sand, 0 to 2 percent slopes – This is a nearly level, poorly drained soil. The water table is within 10 inches of the surface for 2 to 4 months and lower in the driest months. Natural vegetation is slash pine, cabbage palm, saw palmetto, southern bayberry, inkberry, and a wide variety of native grasses. This soil is in the pastureland covering most of the survey area. This soil is listed as predominantly hydric by the Hydric Soils of Florida Handbook (Hurt 2007).

(12) Chobee fine sandy loam, frequently ponded, 0 to 1 percent slopes – This is a nearly level, very poorly drained soil. Under natural conditions, the water table is within 10 inches of the surface for more than 6 months in most years. Depressions are covered by water most of each year. Natural vegetation includes pickerelweed, needlegrass, sawgrass, maidencane, ferns, sedges, and scattered areas of cypress, sweet bay, sweetgum, and southern bayberry. This soil is found in the southeastern corner of the survey area. This soil is listed as hydric by the Hydric Soils of Florida Handbook (Hurt 2007).

(36) Riviera fine sand, 0 to 2 percent slopes – This poorly drained, nearly level soil is in hammocks and along drainageways. The water table is at a depth of less than 10 inches for 2 to 4 months in most years, and at a depth of 10 to 30 inches for most of the rest of the year. Natural vegetation is cabbage palms and scattered longleaf pine and slash pine and an understory of wax myrtle, and saw palmetto. The most common native grasses are pineland three awn and blue maidencane. This soil is found in the western corner of the survey area in the pastureland. This soil is listed as predominately hydric by the Hydric Soils of Florida Handbook (Hurt 2007).

EXISTING LAND USE

Within the property, statewide land use/land cover is listed as improved pastureland. This was confirmed upon inspection in the field. Land use adjacent to the property consists of low and medium density single-family housing and commercial services.

One upland land use/cover type and two water habitat types were identified within the property. A map depicting these existing land use and habitat types encountered during the field review are attached as Exhibit C (Existing Land Use Map). General descriptions of each of the land use and habitat types are provided in the following subsections.



UPLAND COMMUNITIES

The upland portion of the property consists of open pastureland with a small structure on the property. The property is surrounded by single-family and commercial areas.

The following descriptions of upland habitats on the property are below.

211– Improved Pastureland (33.41)

The improved pastureland consists of open cattle grazing with a small structure in the center of the property.

The following is a list of the dominant native and non-native plant species identified in the uplands on the property during the field review:

| <u>Common Name</u> | <u>Scientific Name</u> | <u>Designation</u> |
|--------------------|--------------------------------|--------------------|
| Sabal Palm | <i>Sabal palmetto</i> | Native |
| Slash Pine | <i>Pinus elliottii</i> | Native |
| Live Oak | <i>Quercus virginiana</i> | Native |
| Australian Pine | <i>Casuarina equisetifolia</i> | Non-Native |
| Brazilian Pepper | <i>Schinus terebinthifolia</i> | Non-Native |
| Stranger Fig | <i>Ficus aurea</i> | Native |
| Weeping Fig | <i>Ficus benjamina</i> | Non-Native |
| Florida Snow | <i>Richardia grandiflora</i> | Non-Native |
| False Buttonweed | <i>Spermacoce verticillate</i> | Non-Native |
| Centipede grass | <i>Eremochloa ophiuroides</i> | Non-Native |

WETLAND COMMUNITIES

WGI scientists familiar with Florida wetland communities conducted a field review of the property on November 4, 2020. The purpose of the field review was to identify any existing onsite wetland communities and to gather basic information about them. A full delineation of the wetlands and other surface waters was conducted.

Below are the descriptions of each surface water including the habitat type, FLUCFCS and USFWS classifications, dominant vegetation, and the approximate acreage for each surface water. A map depicting these surface waters is attached as Exhibit D (Surface Water Map).

Wetland 01 (3.48 acres)

FLUCFCS: 621 Cypress Wetland
USFWS: PFO2B Freshwater Forested/Shrub Wetland

Wetland 01 is a forested cypress wetland in the southeastern portion of the property. Dominant vegetation within this wetland includes: Melaleuca (*Melaleuca quinquenervia*), pond cypress (*Taxodium ascendens*), swamp fern (*Blechnum serrulatum*), and old world climbing fern (*Lygodium palmatum*).



Surface Water 01 (1.14 acres)

FLUCFCS: 530 Reservoirs

USFWS: PUBHx Freshwater pond

Surface Water 01 is small excavated reservoir likely associated with the pasture and cattle grazing on the property.

THREATENED AND ENDANGERED SPECIES

In order to determine federal and state listed protected plant and animal species that have the potential to occur within the property, available online data was collected and evaluated. In addition, a field review was conducted by WGI scientists on November 4, 2020. The purpose of the field review was to assess the potential for the occurrence of protected species within the property, and to identify any critical habitat that might be located within or adjacent to the property. During the field review, the property was canvassed for direct observations of listed species or signs of their presence, including trails, tracks, scats, nests (cavity or stick), burrows, or calls. This was a field review level assessment; many species have specific protocols to determine their presence or absence and such surveys were not conducted. Therefore, WGI can provide an opinion on the presence or absence of protected species but not an absolute determination.

The FFWCC wading bird rookery database was searched for active wading bird rookeries within one mile of the project area. According to this FFWCC database, there are no active wading bird rookeries within one mile of the project area.

The USFWS wood stork colony website was searched for active wood stork colonies located within 18.6 miles of the project area. This 18.6-mile distance corresponds to the core foraging area (CFA) established by the USFWS for the wood stork in the South Florida region. According to the USFWS wood stork colony website, the project area is located within the CFA of one or more wood stork nesting colonies (National Fish and Wildlife Foundation Wood Stork Master Database).

The FFWCC eagle nest locator website was searched for bald eagle nests within one mile of the project area. According to the FFWCC database, there are no active bald eagle nests within one mile of the project area.

Based on the information collected, as well as a site-specific field review, federal or state listed protected plant and animal species were identified as occurring or having the potential to occur within the project area. The potential of occurrence for each species was ranked as Low, Moderate, High, or Observed based on the habitat requirements for each species, the presence and quality of the habitat within the project area, the surrounding land use, and documented occurrences of the species within or in the vicinity of the project area. A Low ranking indicates that there is no suitable habitat present within the project area and that the potential for listed species is highly unlikely. A Moderate ranking indicates that suitable habitat is present within the project area, but that the potential for listed species is unlikely. A High ranking indicates that suitable habitat is present within the project area and that listed species are likely. An Observed ranking indicates that a listed species was directly observed within the project area.



The following table lists the protected species based on FNAI's Biodiversity Matrix that in WGI's opinion have a reasonable likelihood of occurrence in the project area. The table lists their federal or state protection status, preferred habitat, and a ranking of potential for occurrence within the property.

| Species | Designated Status | | | Habitat Preference | Potential for Occurrence On-Site |
|---|-------------------|-------|-------|--|----------------------------------|
| | USFWS | FFWCC | DOACS | | |
| FLORA | | | | | |
| Clamshell Orchid <i>Encyclia cochleata</i> <i>var. triandra</i> | | | E | Trunks and branches of pond apple, cypress, live oak, and buttonwood trees in swamps and hammocks. | Low |
| Small's Flax <i>Linum carteri</i> <i>var. smallii</i> | | | E | Pine rocklands, pine flatwoods, adjacent disturbed areas. | Low |
| Celestial Lily <i>Nemastylis floridana</i> | | | E | Wet flatwoods (often in cabbage palm flatwoods variant), prairies, marshes, cabbage palm hammocks edges. | Low |
| Florida Royal Palm <i>Roystonea elata</i> | | | E | Moist, rich hammocks | Low |
| Florida Filmy Fern <i>Trichomanes punctatum</i> <i>ssp. floridanum</i> | | | E | Usually on deeply shaded tree trunks and in limestone sinks or on rocks in hammocks. | Low |
| FAUNA | | | | | |
| REPTILIAN | | | | | |
| Eastern indigo snake <i>Drymarchon corais couperi</i> | T | | | Pine and scrubby flatwoods, high pine, dry prairie, edges of freshwater marshes, agricultural fields, coastal dunes, and human altered habitats | Low |
| Gopher tortoise <i>Gopherus Polyphemus</i> | | T | | Xeric oak, sandhills, scrub habitats, dry pine flatwoods, old fields, pastures, and roadsides | Moderate |
| AVIAN | | | | | |
| Florida burrowing owl <i>Athene cunicularia floridana</i> | | SSC | | High, sparsely vegetated, sandy ground. Natural habitats include dry prairie and sandhill. Makes extensive use of ruderal areas such as pastures, airports, ball fields, parks, school grounds, university campuses, road right-of-ways, and vacant spaces in residential areas. | Low |
| Wood stork <i>Mycteria americana</i> | T | | | Fresh and saltwater marshes, tidal flats, wet prairies, forested wetlands, flooded pastures, and ditches. | Moderate |
| AMPHIBIAN | | | | | |
| Gopher frog <i>Lithobates capito</i> | | SSC | | Longleaf pine, xeric oak, and sandhills. Inhabits hopper tortoise burrows. | Low |

Legend:

USFWS = United States Fish and Wildlife Service

FWC = Florida Fish and Wildlife Conservation Commission

DOACS = Florida Department of Agriculture & Consumer Services

E = Endangered

T = Threatened

SSC = Species of Special Concern

(S/A) = Threatened/Similarity of Appearance



FINDINGS AND DISCUSSION

Based on the above findings, there are natural features present on the property that are regulated by federal, state, and local agencies and permits will be required as part of the entitlement process. The following is a summary of the environmental permits required for each component of this property.

Wetlands and Other Surface Waters

It is the opinion of WGI that there are approximately 3.48 acres of wetlands and 1.14 acres of surface waters located on the property. Wetland and surface water protection is mandated under federal and state regulations. The U. S. Army Corps of Engineers (USACE) regulates activities in Waters of the United States pursuant to the Clean Water Act (PL92-500, Section 404) as further defined in the USACE regulatory program (33 CFR 320-330).

The State of Florida Department of Environmental Protection (FDEP) has established the Environmental Resource Program (ERP) under Chapter 62-330, F.A.C. that governs the “construction, alteration, operation, maintenance, repair, abandonment, and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works, and works (including docks, piers, structures, dredging, and filling located in, on or over wetlands or other surface waters, as defined and delineated in chapter 62-340, F.A.C.)”. The FDEP has delegated authority for certain ERP activities to the South Florida Water Management District (SFWMD).

As of June 22, 2020, the new Navigable Waters Protection Rule went into effect in Florida for the USACE. This new rule could potentially affect the federal jurisdiction of the surface waters such that they would be considered non-jurisdictional to USACE. WGI recommends that an Approved Jurisdictional Determination be obtained from the USACE. If the new rule were to be challenged and a stay order put in place, the previously standing rule would be in effect and these wetlands would be under the jurisdiction of the USACE and a permit and mitigation would be required.

Both agencies (SFWMD and USACE) require avoidance and minimization of impacts to wetlands prior to considering mitigation for impacting wetlands. The agencies may require some portion of the wetland to be preserved and enhanced unless there is adequate justification for impacting. Preservation of the wetland will require a conservation easement and preserve area management plan that will require maintenance of the wetland in perpetuity.

Any impacts to the wetland will require compensatory mitigation. The preferred method of mitigation for the USACE is via the purchase of mitigation credits from an approved mitigation bank that services the project area. The only mitigation bank to service this project area is the Loxahatchee Mitigation Bank which has forested wetland credits available. It's estimated 1.4 mitigation credits will be required to offset wetland impacts. Currently, forested credits are selling for \$275,000 a credit at the Loxahatchee Mitigation Bank. The total amount of estimated mitigation credit likely needed to offset the impacts, 1.4 credits, would be \$385,000. The exact amount of mitigation credit needed would ultimately be determined by the USACE and the SFWMD during the permitting review process.



Threatened and Endangered Species

Listed species are afforded special protective status by federal and state agencies. This special protection is federally administered by the United States Department of the Interior, United States Fish and Wildlife Service (USFWS) pursuant to the Endangered Species act of 1973 (as amended). The USFWS administers the federal list of animal species (50 CFR 17.11) and plant species (50 CFR 17.12).

The State of Florida affords special protection to animal species designated as State designated threatened or species of special concern, pursuant to Chapter 68A-27, F.A.C., which is administered by the Florida Fish and Wildlife Conservation Commission (FWC). In November 2010, a revision to the FWC threatened species rules changed the designation of federal listed species that occur in Florida to federally designated endangered or federally designated threatened species. Those species that are only state listed are now designated as State threatened or State species of special concern.

The State of Florida also protects and regulates plant species designated as endangered, threatened or commercially exploited as identified on the Regulated Plant Index (5B-40.0055, F.A.C.), which is administered by the Florida Department of Agriculture and Consumer Services (FDACS), Division of Plant Industry, pursuant to Chapter 5B-40, F.A.C.

The project site is located within the FWS Consultation Area for the Wood Stork. As such, the FWS could require enhanced site review for potential wood stork habitat impacts. This coordination with FWS would take place as a Section 10 Consultation. Surface waters and wetlands with a seasonal high-water depth between 2 inches and 15 inches with 25 percent aquatic vegetation coverage or less are considered suitable foraging habitat for the wood stork. Suitable foraging habitat for the wood stork is not present on the site as there are no surface waters within the developable property. According to the FWS's Wood Stork Effect Determination Key, impacts to the existing suitable foraging habitat on the property would be "No Effect" following the path of A -> No Effect since there are no impacts to suitable foraging habitat.

The property will be reviewed by the USFWS for a Section 10 Consultation for the Eastern Indigo Snake (EIS) as it is anticipated that at least 25 acres or more of land will be altered for the project development. Based on August 1, 2017 guidance from the USFWS regarding consultation measures for EIS, it is anticipated this project will "key out" for a determination of "not likely to adversely affect" to EIS habitat. If USFWS determines otherwise and that the project "may affect" EIS habitat, there will be required compensatory mitigation for lost EIS habitat. While the USFWS assesses compensatory mitigation amounts on a case-by-case basis, it is estimated to be \$200 per acre of site development (acres of new construction) based on the past experience of WGI. The mitigation is in the form of a monetary contribution to a fund to support EIS recovery. In addition, it is anticipated that it may take several months (6-8) for the USFWS to issue their Biological Opinion. Once the Biological Opinion is issued and the monetary contribution/buyout has been received by the USFWS, site development may commence assuming all other permits have been issued. In order to reduce processing time of this application, it should be done concurrently with the USACE permitting process (if required), as an application for a Section 10 Consultation can be submitted directly to the USFWS for processing.



The project site is located within the USFWS Consultation Area for the Everglades snail kite. Snail kite habitat consists of freshwater marshes and the shallow vegetated edges of lakes where apple snails can be found. These habitats occur as palustrine-emergent, long-hydroperiod wetlands. Snail kite foraging habitat consists of open water areas which are relatively calm and clear. It is WGI's opinion that suitable habitat or suitable foraging habitat for the Everglades snail kite is not present on the property. As such, it is anticipated that a USFWS consultation will not be required for this species.

The project site is located within the USFWS Consultation Area for the Florida scrub jay. Suitable habitat for the scrub jay includes xeric oak scrub, scrubby pine flatwoods, scrubby coastal strand, and sand pine scrub. It is WGI's opinion that suitable habitat for the Florida scrub jay is not present on the property. As such, it is anticipated that a USFWS consultation will not be required for this species.

During the field review on November 4, 2020, no apparent evidence of gopher tortoises or their burrows were observed on the property. A Bald Eagle was observed fishing in the wetland in the southern portion of the property, but no nests were observed.

WGI is of the opinion that there are no listed species that would pose an obstacle to development of the property, however the USFWS will likely require mitigation for impacts to wood stork foraging habitat in the form of additional SFH.

Uplands and Trees

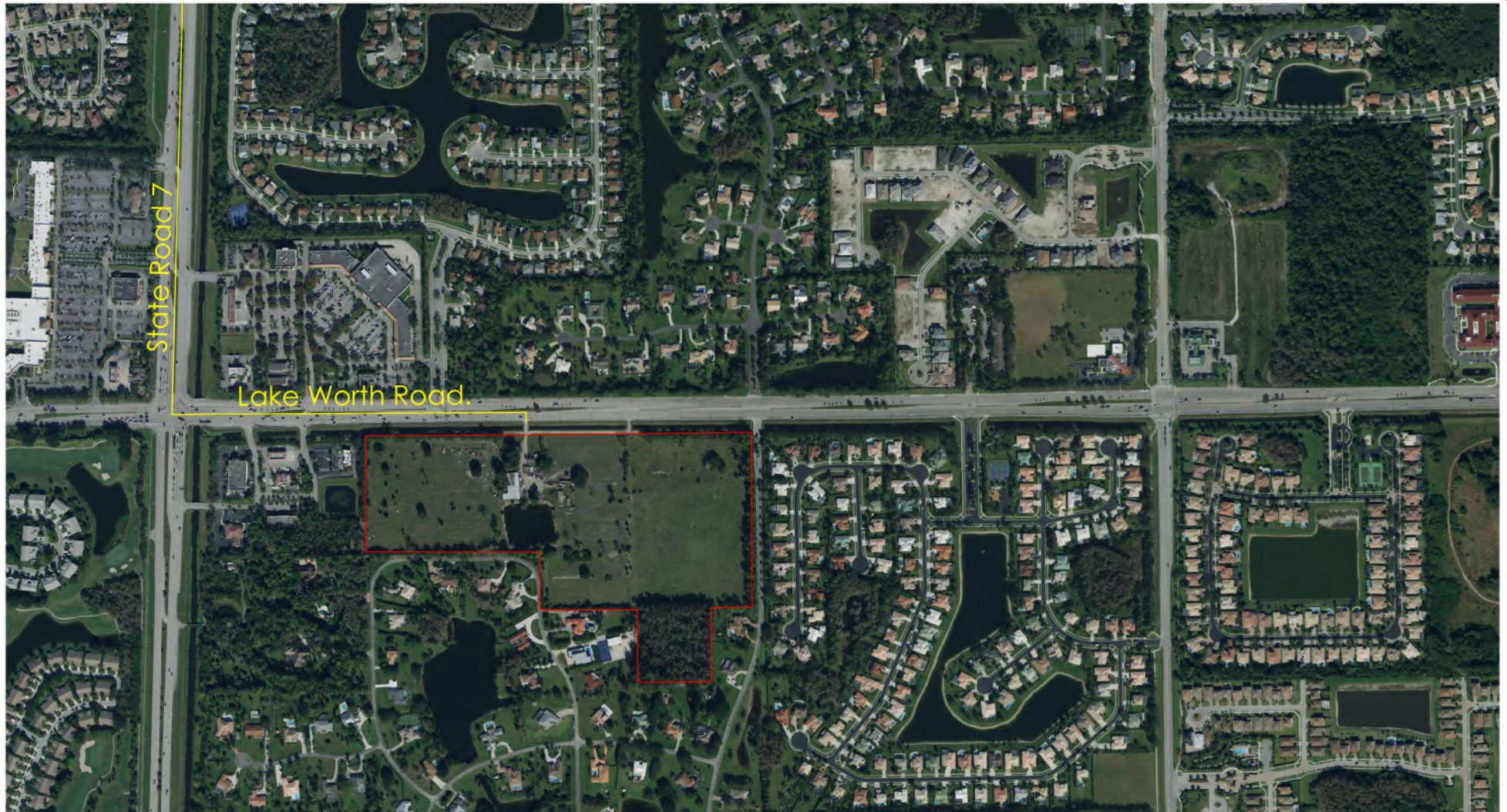
Palm Beach County will require a Vegetation Removal Permit in order to develop the site and impact any protected trees and palms. Palm Beach County prioritizes the preservation of trees where possible and may require changes to the site plan to preserve specimen and other healthy native trees. Palm Beach County will require the relocation of native trees that cannot be preserved in place unless such trees are deemed to not tolerate relocation by an experienced professional in the field (Certified Arborist or Licensed Landscape Architect). Native palms will be expected by Palm Beach County to be relocated from development areas into green spaces. Protected trees that cannot be preserved in place or relocated will need to be removed and will require mitigation. This is either in the form of planting trees and palms on-site into landscape buffers or open spaces (not allowed in private lots), or purchasing a buyout. The buyout ranges from \$230 to \$345 per replacement tree based on the number of replacement trees required (PBC reviews these prices annually in March).

The subject property appears to contain approximately 20 sabal palms, 14 slash pines, 2 strangler figs, and 3 live oak trees. All of these species are protected and will require mitigation for their removal or to be relocated if they cannot be preserved in place. While mitigation will be required in some combination of on-site planning and buyout, the **estimated** total cost to buyout all protected trees onsite could be as high as \$26,565. A tree inventory will be required to provide a more accurate number of the potential tree mitigation requirements.



CONCLUSION

- If trees are to be removed or relocated as part of the site development, a Vegetation Removal Permit will be required by Palm Beach County. All trees (excluding nuisance species) greater than 6-inch DBH and palms greater than 8 feet to clear trunk are regulated by the County. Relocation onsite is preferred by the County. If onsite relocation is not feasible, the removal will require a mitigation fee of based upon Palm Beach County's Tree Credit Replacement Table. The ultimate requirements for mitigation will be determined by the County after their review of tree removal/relocation plans.
- A tree inventory should be conducted to locate all native trees and facilitate the determination of disposition (preserve, relocate, or mitigate) for each protected tree. A tree inventory plan should be prepared and submitted to the County for permitting review.
- The ***estimated*** total buyout amount for all required tree mitigation is \$26,565.
- It is WGI's opinion that there are 3.48 acres of cypress wetland and 1.14 acres of other surface waters are present on the property. An approved wetland jurisdictional determination from the USACE should be performed to determine if permitting will be required with the USACE. The SFWMD will have jurisdiction and permitting will be required to address the wetland.
- Eastern Indigo Snake: USFWS may require a Section 10 consultation as more than 25 acres of land will be disturbed for the proposed activities. Although unlikely, mitigation for lost suitable habitat (all uplands on the property) may be required and based on past permitting experiences it is approximately \$200/acre. In the unlikely event that USFWS concludes the property has suitable habitat for the eastern indigo snake, an estimated cost to offset lost suitable habitat is \$12,600 (63 acres of upland times \$200/acre).
- WGI found no protected species, such as listed plants or gopher tortoises, that would present a significant limitation on site development. A Bald Eagle was observed fishing in the wetland in the southern portion of the property, but no nests were observed. Although no nests were observed onsite, it is possible that FWC may require a nest survey to confirm.



Source: FDOT GIS Aerials

HENDRIX PROPERTY

PREPARED FOR D. R. HORTON

LOCATION MAP

Exhibit A



SCALE: NTS



| | |
|------------|---------------------|
| DRAWN BY: | KLN |
| DRAWING #: | 6112.00_EV-MAPS.dwg |
| FILE #: | 6112.01 |
| DATE: | 11/09/2020 |

2035 VISTA PARKWAY • WEST PALM BEACH, FLORIDA 33411 • P: (561) 687-2220 • F: (561) 687-1110



Soil Series

10 - Boca Fine Sand

12 - Chobee Fine Sandy Loam

36 - Riviera Fine Sand

Source: Web Soil Survey

HENDRIX PROPERTY

PREPARED FOR D. R. HORTON

SOIL SURVEY

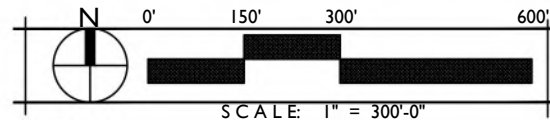
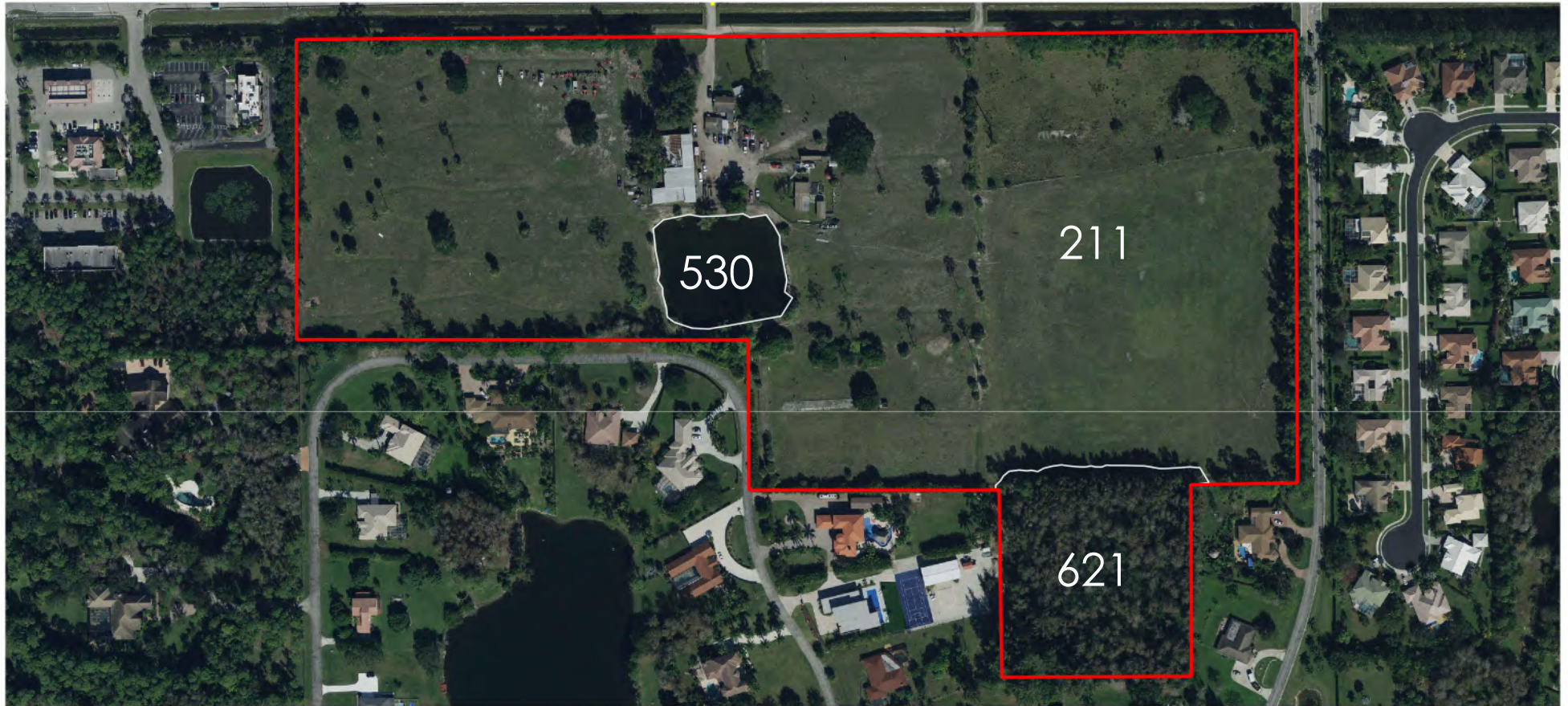
Exhibit B



SCALE: NTS



| | |
|------------|---------------------|
| DRAWN BY: | KLN |
| DRAWING #: | 6112.00_EV-MAPS.dwg |
| FILE #: | 6112.01 |
| DATE: | 11/09/2020 |



Source: FDOT GIS Aerials

FLUCCS CODE

211 - Improved Pastureland - 33.41 ac.

621 - Cypress - 3.48 ac.

530 - Reservoirs - 1.14

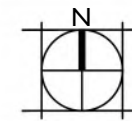
Total Acreage = 38.03

HENDRIX PROPERTY

PREPARED FOR D. R. HORTON

EXISTING LAND USE MAP

Exhibit C



SCALE: 1" = 300'0"

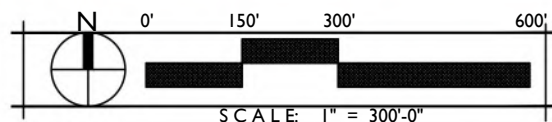
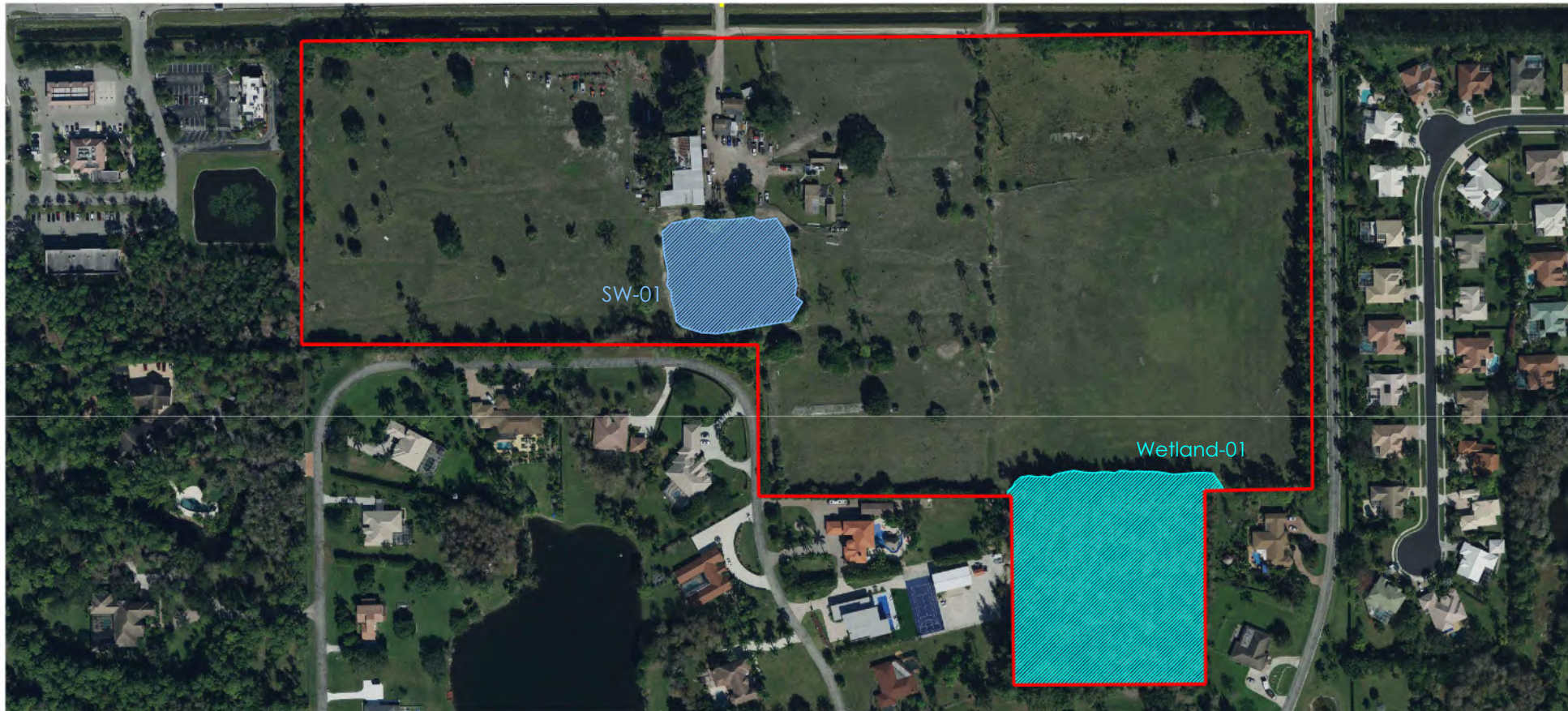


DRAWN BY: KLN



DRAWING #: 6112.00_EV-MAPS.dwg

FILE #: 6112.01

DATE: 11/09/2020



Source: FDOT GIS Aerials

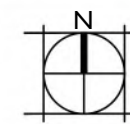
| WETLAND & OSW ACREAGE | |
|---|-----------------------|
|  | Wetland 01 - 3.48 ac. |
|  | SW 01 - 1.14 ac. |
| Total Wetland Acreage = 3.48 | |
| Total OSW Acreage = 1.14 | |

HENDRIX PROPERTY

Exhibit D

PREPARED FOR D. R. HORTON

SURFACE WATER AND WETLAND BOUNDARY MAP



SCALE: 1" = 300'0"



| | |
|------------|---------------------|
| DRAWN BY: | KLN |
| DRAWING #: | 6112.00_EV-MAPS.dwg |
| FILE #: | 6112.01 |
| DATE: | 11/09/2020 |



Exhibit E - Site Photographs



Photo 1: Typical view of SW-01 reservoir in the center of the property. View is to the south east.



Photo 2: Typical view of eastern pasture. Swales likely leftover from agricultural operations are still present however they appear to be ephemeral in nature. View is to the east.



Photo 3: View of the shed and tools in the center of the property.



Photo 5: Wetland area in the southern portion of the property. View is to the south.



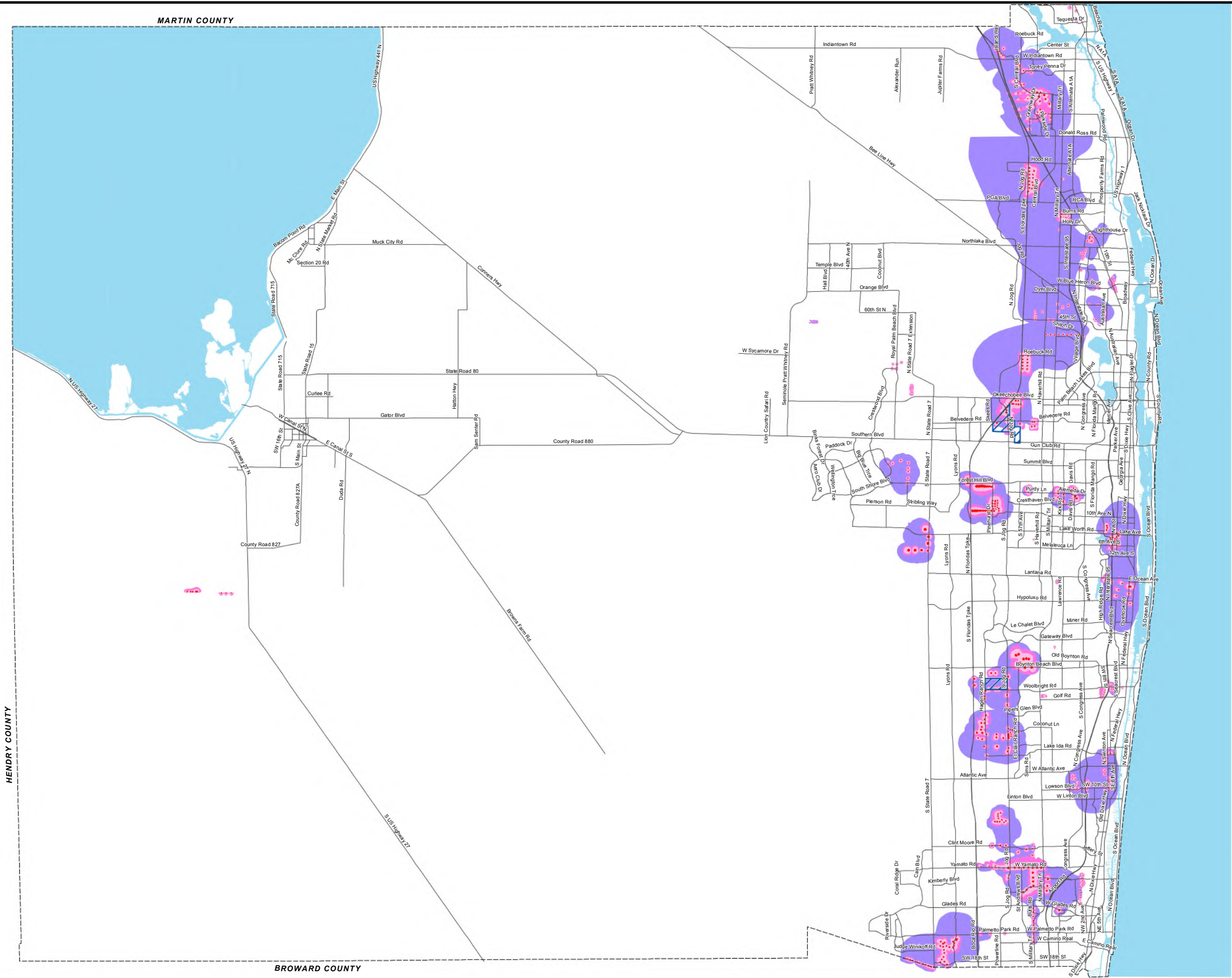
Photo 6: View of overgrown area in western pasture. View is to the north east.



Photo 7: View of structures north of SW-01 reservoir.



Photo 8: Additional view of equipment shed.



MAP LU 4.1

GENERALIZED
WELLFIELD MAP



SOURCES:
PBC Dept. of Environmental Resources Management

Note: Official Wellfield Protection Maps are kept at, and can be obtained from, the Palm Beach County Department of Environmental Resources Management.

The information presented represents the most readily available data. No guarantee is made as to the completeness or accuracy of the information displayed. Consult appropriate County staff for final determination.

Last Amended in Round 15-1 by Ord. 2015-015



PALM BEACH COUNTY
COMPREHENSIVE PLAN
MAP SERIES



1 0 1 2 3 Miles

Effective Date: 6/12/2015
Filename: N:\Map Series\WXDs\Adopted
Contact: PBC Planning Dept.



**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
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Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb

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Mack Bernard

County Administrator

Verdenia C. Baker

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Affirmative Action Employer"

March 8, 2021

Connor Bailey
WGI
2035 Vista Parkway
West Palm Beach, FL 33411

RE: Historical and Archaeological Resource Review for the following project named: Amber Woods FKA: (Hendrix Property) located at 9584 Lake Worth Road under PCN's #: 00-42-43-27-05-027-0060, 0050, 0101, and 0040.

Dear Mr. Bailey:

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

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

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

However, should any artifacts or skeletal remains be encountered during construction, per Florida Statute 872, construction must stop around the remains and the local sheriff and medical examiner be contacted.

Should you have any questions or comments, please contact me at (561) 233-5331.

Sincerely,

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

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

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



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

PLANNING AND INTERGOVERNMENTAL RELATIONS
3661 INTERSTATE PARK RD. N., STE 200
RIVIERA BEACH, FL. 33404

PHONE: 561-434-8020 / FAX: 561-357-1193
WWW.PALMBEACHSCHOOLS.ORG/PLANNING

KRISTIN K. GARRISON
DIRECTOR

WANDA F. PAUL, M.Ed., MBA
CHIEF OPERATING OFFICER

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

| | | | | |
|---|---|---|----------------------------|-----------------------------------|
| Application | Submittal Date | 03/09/2021 | | |
| | SCAD No. | 21030801F/FLU; 21030801Z/Re-Zoning; 21030801D/D.O. | | |
| | FLU /Rezoning/D.O. No. | LGA 2021-012/Z/CA 2021-00117 – Palm Beach County | | |
| | PCN No. / Address | 00-42-43-27-05-027-0050/9584 Lake Worth Road and more | | |
| | Development Name | Amber Woods (FKA Hendrix Property) | | |
| | Owner / Agent Name | Charles W. Hendrix and Charlotte Y. Hendrix/Edwin Muller | | |
| | SAC No. | 216C | | |
| | Proposed Amendments Proposed Unit No. & Type | Max. 199 Residential Units - Proposed FLU and Re-Zoning Total of 199 Residential Units - Proposed D.O. (133 Single-Family and 66 Multi-Family Units) | | |
| Impact Review | | Discovery Key Elementary School | Woodlands Middle School | Palm Beach Central High School |
| | New Students Generated | 28 | 16 | 22 |
| | Capacity Available | -73 | -460 | -389 |
| | Utilization Percentage | 106% | 133% | 114% |
| School District Staff's Recommendation | <p>Based on the findings and evaluation of the proposed development, there will be negative impact on the public school system. Therefore, if the proposed development is approved by the Palm Beach County government, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District elementary, middle and high school level, the property owner shall contribute a total of \$494,024.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).</p> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on April 16, 2019.</p> | | | |
| Validation Period | <p>1) This determination is valid from 03/10/2021 to 03/09/2022 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 03/09/2022 or this determination will expire automatically on 03/09/2022.</p> | | | |
| Notice | <p>1) This letter replaces the determination previously issued on December 22, 2020 for Hendrix Property under case #20113001F, 20113001Z and 20113001D.</p> <p>2) School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p> | | | |

Joyce Cai

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

March 10, 2021

Date

joyce.cai@palmbeachschools.org

Email Address

CC: Patricia Behn, Planning Director, Palm Beach County
Nancy Frontany, Site Plan Technician, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County



**Department of Planning,
Zoning & Building**

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Official Electronic Letterhead

March 5, 2021

Connor Bailey
WGI
2035 Vista Parkway
West Palm Beach, FL 33411
Email: Connor.Bailey@wginc.com

Dear Connor:

This assessment is in response to your inquiry regarding the referenced Amber Woods (Hendrix) property. The information provided in this letter is based on the requested 199 units and other project information you provided:

| | |
|------------------------------------|--------------------------------------|
| PCNs: | 00424327050270060, 0050, 0101 & 0040 |
| Total Acreage: | 36.49 AC (Survey) |
| Future Land Use Designation: | LR-3 (Hypothetical) |
| Subject Development unit type: | TH/ZLL |
| Subject Development: Rent or sale | Sale |
| WHP units to be addressed through: | ON-SITE |
| WHP units: Rent or Sale | Sale |
| WHP unit type: | TH |
| Incentive Option: Limited or Full | Limited |
| TDRs to be used, if any: | Yes (1 TDR/acre) |

Based on the information provided above, the LR-3 (Hypothetical) FLU and using all 36 available TDRs, the **199** units would result in a **26** unit WHP obligation. This analysis is found in the "Alternative Unit Specific Calculation" box at the bottom of page 3.

As noted in prior correspondence, because this property is also the subject of a future land use amendment, staff has also prepared an analysis for this property for 199 units using the LR-2 FLU, the lowest FLU designation through which the requested 199 units could be achieved. Assuming use of all 73 available TDR units, and a density bonus of approximately 73%, a total unit count of **199** units results in **41** of those units required as WHP units.

In considering this information, please be aware of the following:

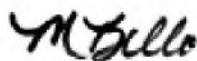
- *Under the Limited Incentive option, fifty-percent of the units shall be priced in the Low Income category, and fifty-percent in the Moderate 1 income category.*
- *For-sale WHP units require a minimum number and size of bedrooms, and specific minimum appliances.*

- *All WHP unit exteriors are required to be compatible with market rate units, if any, and models are required.*
- *Thirty-four percent (34%) of any TDR units used must be provided as WHP units, and are subject to applicable WHP requirements. If any of the remaining TDRs are purchased at TDR WHP prices, those units must be provided in the Low Income category. All TDRs must be built on site.*
- *For proposed future land use amendments increasing residential density, the staff recommendation to the Board of County Commissioners typically includes conditions that TDRs be utilized, and that a percentage of units be required as on-site workforce housing units. (The percentage includes required WHP TDRs, but does not include any additional TDRs that the applicant elects to purchase at WHP prices.)*

In addition, note that the information provided herein does not guarantee a certain number of units, and does not create additional property rights for a landowner. The actual number of dwelling units that may be built on a parcel may be further limited by the zoning district's property development regulations and other considerations in the development review process.

Should you have any questions, please contact me at 561-233-5314 or at mbello@pbcgov.org.

Sincerely,



Maria Bello, Principal Planner

Workforce Housing Program Analysis

Date: 03/05/21

Property Information:

| | | | | |
|---|---|-------------|------------------|------------------------------------|
| Property or PCN: | Hendrix (4 props), PCNs: 00424327050270060, 0050, 0101 & 0040 | | | |
| Acreage: | 36.49 acres (Survey) | | | |
| Future Land Use Designation: | LR-3 (Hypothetical) | | | |
| Request: | 199 total units, Limited Incentive Option | | | |
| Part of PUD/Golf Course? No | Existing LOD? No | CHHA? No | CCRT Area? No | Census Tract 77.10 36% WHP con. |
| Surrounding Land Uses: | N | S | E | W |
| Existing: | Comm & Res | Residential | Residential | Commercial & Residential |
| Future: | CL/3, LR-3, LR-1 | LR-1 | LR-1, LR-2 | CL/1, LR-1 |
| Potential FLU Density: (36.49 acres x 3 = 109.47 units) | | | | |

Density Bonus Determination:

| Part 1: Point system based on proposed approach to meeting WHP obligation | | | | | | | | | | | |
|--|-------------------------|---------|----------------|--------|---------|-----------------------|---------|------------------------------------|----------|---------------|-------------------------|
| Proposed method to meet WHP obligation | WHP Objectives & Points | | | | | | | | | | |
| | Delivers units? | Onsite? | WHP Unit type? | | | WHP Rental/ For-sale? | | WHP Concentration in Census tract? | | POINTS EARNED | POTENTIAL DENSITY BONUS |
| | (1) to (6) | (10) | MF (1) | TH (3) | SF (10) | R (1) | FS (10) | >39% (0) | <39% (6) | | |
| | | 6 | 10 | 3 | | | 10 | | 6 | | |
| Part 2: Compatibility and Other Site Considerations: TBD, pending staff review | | | | | | | | | | | |
| Staff Recommendation for Density Bonus: TBD | | | | | | | | | | | |

TDR Units, if applicable:

| | |
|---|----------------------------------|
| TDR Density: should Transfer of Development Rights be used, the following would apply: Request 1TDR/acre | |
| TDR Eligibility: 1 TDRs/acre | TDR Units permitted: 36.49 or 36 |
| TDR units shall proportionally reflect the unit mix of the non TDR units. The applicant may elect to purchase some or all of the non-WHP TDRs at TDR WHP prices; if purchased at WHP prices, those units must be restricted as Low Income category WHP units. | |

WHP Obligation:

| Density Component: | Required Percentage | | Calculations | |
|---|---------------------|-------------------------------------|----------------|----------------|
| | Rental WHP | For Sale WHP Full Incentive Only | Possible Units | WHP Obligation |
| Standard Density: | 5% | 4.375% | | |
| Maximum Density: | 16% | 14% | | |
| Density Bonus: | 34% | 29.75% | | |
| Multiplier for For-Sale projects providing WHP as off-site rentals: 1.5x obligation (Not applicable to TDRs) | | | | NA |
| Discount for on-site provision of For Sale WHP units: 20% for SF, 10% for TH, Full Incentive only | | | | |
| TDRs, if any: | 34% | | | |
| TOTALS | | | | |

Alternative Unit Specific Calculation, if Requested: 199 Units w/LR-3 FLU, Limited Incentive

| Density Component: | Required WHP Percentage | | Calculations | |
|---|-------------------------|----------------------------------|--------------|----------------------------|
| | Limited Incentive WHP | For Sale WHP Full Incentive Only | Units | WHP Obligation |
| Standard Density: | 2.5% | 4.375% | 72.98 | 1.82 |
| Maximum Density: | 8% | 14% | 36.49 | 2.92 |
| Density Bonus (48.9%): | 17% | 29.75% | 53.53 | 9.10 |
| Multiplier for For-Sale projects providing WHP as off-site rentals: 1.5x obligation (Not applicable to TDRs) | | | | NA |
| Discount for on-site provision of For Sale WHP units: 20% for SF, 10% for TH, Full Incentive only | | | | NA |
| TDRs, if any: | 34% | | 36 | 12.24 |
| TOTALS | | | 199 units | 26.08 or 26 WHP obligation |

The estimates provided in this worksheet do not guarantee a certain number of units, and do not create additional property rights for a landowner; the actual number of dwelling units that may be built on the parcel may be further limited by compatibility considerations, property development regulations and other factors in the development review process. Any hypothetical land use employed in the calculations is subject to the Comprehensive Plan amendment process, and may not be approved.