

2022 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	23-B2	Intake Date	May 11, 2022
Application Name	Cresswind PUD	Control No.	2022-00058
Acres	446.14 AC	Concurrent Zoning application?	Yes (PDD-2022-01134)
		Text Amend?	Yes
PCNs	00-40-43-27-00-000-3010, 00-40-43-22-00-000-5000, 00-40-43-22-00-000-7010, and 00-40-43-27-00-000-1010		
Location	North side of Southern Boulevard approximately 1.75 miles west of Seminole Pratt Whitney Road		
	Current	Proposed	
Tier	Rural Tier	No Change	
Use	Agricultural Row Crop Production	Residential	
Zoning	Agricultural Residential (AR)	Planned Unit Development (PUD)	
Future Land Use Designation	Rural Residential, 1 unit per 10 acres (RR-10)	Low Residential, two units per acre (LR-2)	
Underlying Future Land Use Designation	None	None	
Conditions	None	None	
Density Bonus	None	None	
Total Number of Units	None	528 dwelling units	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	1 unit per 10 acres	2 units per acre
Maximum Dwelling Units¹ (residential designations)	0.1 du/acre x 446.14 ac. = 45 units	2 du/acre x 446.14 ac. = 892 units
Maximum Beds (for CLF proposals)	None	None
Population Estimate	45 max du x 2.39 = 108 people	892 max du x 2.39 = 2,132 people
Maximum Square Feet^{2, 4} (non-residential designations)	None	None
Proposed or Conditioned Potential*^{3, 4}	None	Residential – 528 units Commercial (Retail/Office) – 47,000 SF *To be consistent with Zoning application
Max Trip Generator	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\ln(T) = 0.96 \cdot \ln(X) + 0.20$ (PM peak hour)	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\ln(T) = 0.96 \cdot \ln(X) + 0.20$ (PM peak hour)
Maximum Trip Generation	Daily: 450 AM Peak Hour: 33 PM Peak Hour: 47	MAXIMUM Daily: 8,920 AM Peak Hour: 660 PM Peak Hour: 830 PROPOSED Daily: 5,662 AM Peak Hour: 397 PM Peak Hour: 507
Net Daily Trips:	+8,470 (maximum minus current) +5,212 (proposed minus current)	
Net PH Trips:	+627 AM, +783 PM (maximum) +364 AM, +460 PM (proposed)	

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Part 2. Applicant Data

A. Agent Information

Name	Ken Tuma & Tyler Woolsey
Company Name	Urban Design Studio
Address	610 Clematis Street, Ste. CU-02
City, State, Zip	West Palm Beach, FL 33401
Phone / Fax Number	561-366-1100
Email Address	TWoolsey@udsflorida.com

B. Applicant Information

Identify the information for each Property Owner and Contract Purchaser. Duplicate table as needed.

Name	John Csapo
Company Name	Kolter Group Acquisitions, LLC
Address	105 NE 1 st Street
City, State, Zip	Delray Beach, FL 33444
Phone / Fax Number	561-682-9500
Email Address	JCsapo@Kolter.com
Interest	Contract Purchaser

Name	John Christopher Fleming
Company Name	Fleming Properties, LLC
Address	PO Box 548
City, State, Zip	Pompano Beach, FL 33061
Phone / Fax Number	Contact Agent
Email Address	Contact Agent
Interest	Property Owner

Name	Donald Stevenson
Company Name	Lornco Farms, LLC
Address	631 US Highway One, Suite 409

City, State, Zip	North Palm Beach, FL 33408
Phone / Fax Number	Contact Agent
Email Address	Contact Agent
Interest	Property Owner

Name	Robin Fleming
Company Name	Individual
Address	11924 Forest Hill Boulevard, Suite 10A-176
City, State, Zip	Wellington, FL 33414
Phone / Fax Number	Contact Agent
Email Address	Contact Agent
Interest	Property Owner

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Part 3. Site Data

A. Site Data

Built Features	<p>The site is currently in use for the production of row crops with outdoor storage of materials and vehicles related to the agricultural operation. Large transmission power lines are run north to south along the entire western boundary of the site.</p> <p>Please see attached Application Attachment F for Built Features Inventory & Map.</p>
PCN	<p>00-40-43-27-00-000-3010, 00-40-43-22-00-000-5000, 00-40-43-22-00-000-7010, and 00-40-43-27-00-000-1010</p> <p>Please see Application Attachment A-1 for Legal Description. Please see Application Attachment A-2 for PCN's and Ownership List. Please see Application Attachment P for Survey (dated within 18 months).</p>
Street Address	Unaddressed on State Road 80
Frontage	Approx. 2,155 feet of frontage along Southern Blvd. (SR-80) and approx. 9,030 feet in maximum depth
Legal Access	Southern Boulevard (SR-80)
Contiguous under same ownership	No additional properties under same ownership
Acquisition details	<p>Please see Application Attachment A-3 for Warranty Deeds or other documentation confirming ownership for all parcels.</p> <p>Pursuant to the Quit Claim Deed (ORB 24557, PG 1704), Corrective Quit Claim Deed (ORB 30311, PG 191), and the Final Judgement (ORB 30972, PG 1069), parcels ending in 3010 and 5000 are owned by Fleming Properties, LLC and the parcel ending in 1010 is owned by Robin Fleming following a ruling by the Circuit Court of the Fifteenth Judicial Court of Palm Beach County in October 2019. These properties had long been held by members of the Fleming family. Pursuant to the Warranty Deed (ORB 27148, PG 1635), Lornco Farms, LLC purchased the parcel ending in 7010 for \$595,000 in October 2014.</p>
Size purchased	446.14 acres

B. Development History

Control Number	None				
Previous FLUA Amendments	None				
Concurrency	Concurrency reservation will be requested in connection with the concurrent Zoning application for this project.				
Plat, Subdivision	Not platted				
Zoning Approvals & Requests	No prior zoning approvals				
Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)

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Part 4. Consistency

A. Consistency

Justification Provide as G.1.	Please see Application Attachment G, Section G.1. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.
Residential Density Increases Provide as G.2.	Please see Application Attachment G, Section G.2. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.
Compatibility Provide as G.3.	Please see Application Attachment G, Section G.3. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.
Comprehensive Plan Provide as G.4.	Please see Application Attachment G, Section G.4. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.
Florida Statutes Provide as G.5.	Please see Application Attachment G, Section G.5. for Justification and Consistency with the Comprehensive Plan and Florida Statutes, prepared by Urban Design Studio.

B. Surrounding Land Uses.

Adjacent Lands	Use	Future Land Use	Zoning
North	Deer Run Single-Family Residential 249 Platted Lots Density: 1 DU/5 AC	Rural Residential, 1 unit per 5 acres (RR-5)	Agricultural Residential (AR)
South	SFWMD Stormwater Treatment Area	Rural Residential, 1 unit per 10 acres (RR-10)	Stormwater Treatment Area (STA- 1E) - Wellington
East	Leonard Farm Agriculture	Rural Residential, 1 unit per 10 acres (RR-10)	Agricultural Residential (AR)
West	Arden PUD Single-Family Residential Control No. 2005-00394 2,334 Dwelling Units Density: 1.93 DU/AC	Low Residential, 2 units per acre (LR-2)	Planned Unit Development (PUD)

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Part 5. Public Facilities Information

A. Traffic Information		
Please refer to Application Attachment H for the Traffic Statement prepared for this application. The County Traffic Division Letter will be included with this application package upon issuance.		
	Current	Proposed
Max Trip Generator	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\text{Ln}(T) = 0.96 \cdot \text{Ln}(X) + 0.20$ (PM peak hour)	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\text{Ln}(T) = 0.96 \cdot \text{Ln}(X) + 0.20$ (PM peak hour)
Maximum Trip Generation	Daily: 450 AM Peak Hour: 33 PM Peak Hour: 47	MAXIMUM Daily: 8,920 AM Peak Hour: 660 PM Peak Hour: 830 PROPOSED Daily: 5,662 AM Peak Hour: 397 PM Peak Hour: 507
Net Daily Trips:	+8,470 (maximum minus current) +5,212 (proposed minus current)	
Net PH Trips:	+627 AM, +783 PM (maximum) +364 AM, +460 PM (proposed)	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	O'Rourke Engineering & Planning – Susan O'Rourke, P.E.	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Route 40 WPB – BLG via SR-80 runs adjacent to the Subject Property.	
Nearest Palm Tran Stop	The nearest Palm Tran stop is located along the north side of Southern Boulevard at the intersection of Seminole Pratt Whitney Road approximately 1.75 miles east of the site. Stop 3246 Southern Boulevard at Seminole Pratt Whitney Road	

Nearest Tri Rail Connection	The West Palm Beach Tri-Rail Station located on the west side of Tamarind Avenue north of Okeechobee Boulevard is the nearest Tri-Rail station approximately 19 miles east of the Subject Property.
C. Potable Water & Wastewater Information	
Please refer to Application Attachment I for the PBC WUD Service Availability Letter.	
Potable Water & Wastewater Providers	The subject property is located within the Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has confirmed capacity exists to serve the proposed LR-2 FLU and the development of up to 892 dwelling units subject to a Capacity Reservation Agreement.
Nearest Water & Wastewater Facility, type/size	There is a 24" potable watermain and an 18" wastewater force main located within Southern Boulevard adjacent to the Subject Property available to serve the site.
D. Drainage Information	
Please refer to Application Attachment J for the Drainage Statement prepared for this application.	
The site is located within the boundaries of the South Florida Water Management District C-51 Basin, Sub basin 3. It is proposed that runoff be directed to on-site water management areas via sheet flow and/or inlets and storm sewer. Legal positive outfall is available via an existing 60" piped connection under S.R.80 to the South Florida Water Management C-51 canal.	
E. Fire Rescue	
Nearest Station	PBC Fire Rescue Station 20 – 1000 Greenvview Shores Blvd., Wellington, FL 33414
Distance to Site	6.50 miles
Response Time	15 minutes, 30 seconds
Effect on Resp. Time	For fiscal year 2020, the average response time for this Station 20's zone is 7:00. Per the PBC Fire Rescue Service Provider Letter, residents need to be aware of the extended response time of 15 minutes 30 seconds to this property. This land use change is expected to generate approximately 132 additional calls/year for this station zone. Please see Application Attachment K for PBC Fire Rescue Letter.
F. Environmental	
Significant habitats or species	Please refer to Application Attachment L for the Environmental Assessment prepared for this application. As a result of historical disturbance and current agricultural uses on the property, environmental resources such as native habitat and listed species utilization are very limited or absent. One listed animal species, the little blue heron, was observed foraging within the site ditches. No nesting by listed species is anticipated as there is no ideal nesting habitat on the site. There are small areas of disturbed wetland that will require coordination, permitting and mitigation for SFWMD if impacts are proposed.

Flood Zone*	According to Palm Beach County's Information Systems Services, the subject property is located within flood zone X and flood zone AE. Flood zone X-unshaded represents areas outside of the 500-year flood plain with less than 0.2% probability of annual flooding. Flood zone AE represents areas within the 100-year flood plain with a 1% probability of annual flooding.
Wellfield Zone*	<p>The subject property is not located within or adjacent to a wellfield protection zone. The nearest wellfield protection zone is located approximately 6.5 miles southeast of the subject property.</p> <p>Please refer to Application Attachment M for the Flood and Wellfield Zone Statement prepared for this application.</p>

G. Historic Resources

Please see Application Attachment N for the PBC Historical and Archaeological Resource letter.

Staff review has identified no known archaeological resources located on or within 500 feet of the subject property.

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 – 7715 Forest Hill Blvd.	0.00339	+2,132 people	7.23 AC
Beach	R.G. Kreusler Park – 2882 S. Ocean Blvd.	0.00035	+2,132 people	0.75 AC
District	Seminole Palms Park – 151 Lamstein Lane	0.00138	+2,132 people	2.94 AC

I. Libraries - Residential Only (Including CLF)

Library Name	Royal Palm Beach Library			
Address	500 Civic Center Way			
City, State, Zip	Royal Palm Beach, FL 33411			
Distance	8.2 miles			
Component	Level of Service	Population Change	Change in Demand	
Collection	2 holdings per person	+2,132 people	4,264 holdings	
All staff	0.6 FTE per 1,000 persons	+2,132 people	1.3 FTE	
Library facilities	0.6 square feet per person	+2,132 people	1,279.2 SF	

J. Public Schools - Residential Only (Not Including CLF)

Please see Application Attachment O for the SCAD letter obtained from the School District of PBC.

	Elementary	Middle	High
Name	Binks Forest	Wellington Landing	Wellington Community
Address	15101 Bent Creek Rd.	1100 Aero Club Drive	2101 Greenview Shores Blvd.
City, State, Zip	Wellington, FL 33414	Wellington, FL 33414	Wellington, FL 33414
Distance	4.0 miles	4.3 miles	6.6 miles

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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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Arden PUD
FLU: LR-2 Zoning: PUD

Row Crops

Fleming Property
(446.13 AC)
FLU: RR-10 Zoning: AR

Row Crops

Row Crops

Leonard Property
FLU: RR-10 Zoning: AR

Southern Blvd.

JUSTIFICATION STATEMENT

Cresswind PUD
Comprehensive Plan Text Amendment
Future Land Use Atlas (FLUA) Amendment
Initial Submittal (Text): August 30, 2021
Resubmitted (Text): September 17, 2021
Initial Submittal (FLUA): May 11, 2022
Revised Submittal (FLUA): May 30, 2023



Urban Planning and Design
Landscape Architecture
Communication Graphics

ATTACHMENT G **CONSISTENCY WITH THE COMPREHENSIVE PLAN & FLORIDA STATUTES**

A. INTRODUCTION

On behalf of the property owners, Robin Fleming, Fleming Properties, LLC, and Lornco Farms, LLC, and the applicant, Kolter Group Acquisitions, LLC, Urban Design Studio (UDS), as Agent, has prepared and hereby respectfully submits this application for a **Privately Initiated Comprehensive Plan Text Amendment** to allow for the expansion of the Glades Area Protection Overlay (GAPO) to include an additional ± 446.14 acres of property located immediately adjacent to the current eastern boundary of GAPO. In addition, the applicant is requesting a **Large-Scale Future Land Use Atlas (FLUA) Amendment** to modify the Future Land Use (FLU) designation of the ± 446.14 -acre Subject Property from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2).

The subject property, known collectively as the "Fleming Property", is located immediately east of the Arden Planned Unit Development (PUD) residential community, approximately 1.75 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard and directly south of the Deer Run rural subdivision, hereinafter referred to as the Subject Property. The Subject Property is comprised of four parcels with the following parcel control numbers (PCNs):

PCN	Owner Information
00-40-43-27-00-000-1010	Robin Fleming
00-40-43-27-00-000-3010	Fleming Properties, LLC
00-40-43-22-00-000-5000	Fleming Properties, LLC
00-40-43-22-00-000-7010	Lornco Farms, LLC

The Subject Property is located in unincorporated Palm Beach County (the "County"), situated in the Rural Tier outside of the Urban Service Area and directly abutting the eastern boundary of the GAPO and the Arden PUD site. The Subject Property is currently designated with the Rural Residential (RR-10) future land use (FLU) and corresponding

Agricultural Residential (AR) zoning. The Subject Property is not located in any neighborhood planned area, Redevelopment area, or Countywide Community Revitalization Team (CCRT) area.

B. REQUEST

The applicant is requesting approval of the following from the Board of County Commissioners (BCC):

1. To amend the text of the Comprehensive Plan Future Land Use Element Policy 1.8-a to modify the described boundaries of the Glades Area Protection Overlay (GAPO) to include the Subject Property of 446.14 acres
2. To amend the following Comprehensive Plan maps to include the Subject Property within the boundaries of GAPO and Limited Urban Service Area (LUSA)
 - a. Managed Growth Tier System Map LU 1.1
 - b. Service Areas Map LU 2.1
 - c. Special Planning Areas Map LU 3.1
3. To designate the Subject Property as a Limited Urban Service Area (LUSA)
4. To amend the Future Land Use Atlas designation of the Subject Property from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2)

Additionally, the applicant has submitted a concurrent zoning map amendment application (PDD-2022-01134) to accompany the Comprehensive Plan Text Amendment and Future Land Use Atlas Amendment applications. As required, that zoning application includes a Preliminary Master Plan which will define the proposed density associated with the development. Information relative to the specifics of the proposed development program within the FLUA Amendment application. The applicant is proposing to develop the Subject Property as a Planned Unit Development (PUD) with a reduced number of dwelling units than the maximum permitted under the requested LR-2 FLU designation. More specifically, the applicant is proposing to develop a total of 528 dwelling units, including 48 on-site, for-sale workforce housing units, and a PUD commercial pod including 47,000 square feet of neighborhood serving retail and office use. The applicant understands the FLUA Amendment will be conditioned in accordance with the proposed density/intensity of development reflected in the concurrent zoning application.

C. SUBJECT PROPERTY BACKGROUND

The ±446.14-acre Subject Property, located on the north side of Southern Boulevard approximately 1.75 miles west of Seminole Pratt Whitney Road, is in the central western portion of the County in an area that is comprised of low-density single-family residential homes. The Subject Property is currently vacant and has been in use for agricultural row crop production for over 50 years. There have been no previous applications for Comprehensive Plan Text Amendments, FLUA Amendments, or other development approvals for the Subject Property. In recent years, division between property owners, the development of surrounding properties with urban/suburban master planned communities, the extension of public infrastructure adjacent and available to the Subject Property, and

growing demand for residential options in this area of the County have spurred a desire to pursue residential development on the Subject Property.

D. GAPO BACKGROUND

Prior to the adoption of the text of the Palm Beach County Comprehensive Plan (Plan) to create the GAPO, concerns were identified by Palm Beach County regarding the potential for municipalities to annex in land area within the western central area of the county that could impact the Everglades Agricultural Area (EAA). In order to address this concern, the County took a three-pronged approach, which included the Annexation Charter Amendment, the creation of the GAPO, and the adoption of the Central Western Communities Sector Plan Conceptual Overlay (CWC - subsequently rescinded). The main purpose of the effort was to assure that future residential development is restricted to the land areas east of the L-8 canal and to create a barrier to development west of the overlay into the EAA.

The Palm Beach County Local Planning Agency conducted public hearings on June 18, June 25, and July 9, 2004 to review proposed GAPO amendments to the 1989 Comprehensive Plan. The amendments were reviewed by the Board of County Commissioners (BCC) and adopted on December 13, 2004. Among the changes was the establishment of the Glades Area Protection Overlay (GAPO), revisions to the Map Series to depict the Limited Urban Service Area (LUSA) on Map LU 1.1, Managed Growth Tier System, and Map LU 2.1, Service Areas Map, and revisions to Map LU 3.1.

The staff report from the BCC adoption hearing indicated that the purpose of this overlay was to protect the Everglades Agricultural Area (EAA), in particular those larger areas within the EAA which have a land use designation of Agricultural Production (AP) from encroachment by urban/suburban uses, densities and intensities; and to identify the portion of the Overlay east of the L-8 Canal as a Limited Urban Service Area. This permitted the application of the LUSA to the Arden PUD, immediately west of the Subject Property, and the ultimate approval of over 2,400 residential units, commercial/retail uses, a school site, and civic uses. It is important to note that the Subject Property is located east of the intended development boundary and the approved Arden PUD. This proposed FLUA amendment is consistent with the goal of protecting the EAA to the west of the L-8 Canal.

The total size of the GAPO is approximately 3,063.66 acres. The area west of the L-8 Canal contains 1,844.63 acres with the balance of the land area comprising the Arden PUD. At the time of adoption, a majority of the land on the western portion of the GAPO, estimated to be 89 percent, consisted of a large mining operation with ancillary facilities uses that are allowed in the RR-10 Future Land Use (FLU) designation. Approximately 11 percent of this area was to be utilized for the now existing FPL power plant. From a planning standpoint, the existence of the FPL power plant located to the west of the Arden PUD and the Subject Property creates a significant physical boundary to prevent the extension of urban uses into the EAA. In order to serve the FPL power plant and the Arden PUD, a 24" water main is located in the right of way of Southern Boulevard along with an 18" wastewater force main terminating just west of the Arden PUD at the western line of the L-8 Canal. The expansion

of the LUSA to allow for residential development of the Subject Property will not require the extension of these utilities further west and does not create any additional potential for encroachment of development into the EAA.

The Future Land Use Element (FLUE) of the County's Comprehensive Plan has since been amended to include Objective 1.8 and subsequent policies governing the uses permitted within the GAPO both east and west of the L-8 Canal. FLUE Policy 1.8-b provides the following restrictions:

FLUE Policy 1.8-b: The County shall limit permitted uses within the Glades Area Protection Overlay to those uses that are compatible with the purpose of this overlay. No residential uses shall be allowed west of the L-8 Canal.

a. West of the L-8 Canal:

Future Land Use Designation: Rural Residential 10 (RR-10) and Economic Development Center (EDC).

Specific Uses: Existing uses, mining, excavation and other related uses consistent with the Overlay, and for Everglades restoration and water management purposes; conservation, including wildlife corridors; Florida Power and Light (FPL) Power Plant and related cooling areas; and Employment Center

b. East of the L-8 Canal:

Future Land Use Designation: Low Residential 2 (LR-2) and related complementary uses as approved by the Board of County Commissioners.

As evidenced by the above Comprehensive Plan Policy governing the development of GAPO, properties within GAPO located east of the L-8 canal are designated with the LR-2 FLU, designated with the LUSA, and intended for residential and related complementary uses pursuant to the regulations of the Urban/Suburban Tier. The primary purpose and original intent of the GAPO is to prevent the encroachment of development west of the L-8 Canal by allowing. The proposed Comprehensive Plan Text Amendment to include the Subject Property within the boundaries of GAPO will serve to further this goal by concentrating residential development east of the L-8 canal in a manner compatible with the established future land use designations and intended level of density as described under Objective 1.8 in the FLUE of the County's Comprehensive Plan.

CWC Sector Plan

As mentioned earlier, the CWC Sector Plan was developed in concept from Aug. 1999 through Nov. 2007, when it was rescinded. The Subject Property is located at the southwest corner of the 53,000 acres of land that were in the CWC Sector Plan. The CWC Sector Plan, although rescinded, is relevant as the purpose was to work in conjunction with the GAPO to prevent the encroachment of urbanized uses into the EAA while allowing for the development of properties in this area of the County. The CWC Sector Plan specifically designated the Subject Property, in conjunction with the adjacent (Leonard) property to the east, for the development of up to 943,000 square feet of Employment Center with the balance of the properties for rural residential development. The CWC was never

implemented after being rescinded on Nov. 26, 2007 during litigation with the Florida Department of Community Affairs (DCA). The proposed text, map, and FLUA amendments would allow for a more contextual and compatible development plan than was contemplated within the ultimately rescinded CWC Sector Plan.

Arden PUD (f.k.a. Highland Dunes PUD)

The Arden PUD site is located approximately 2.5 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard in the unincorporated area of Palm Beach County (PBC). The overall PUD is 1,209.98 acres in size. The Subject Property is immediately adjacent to and abutting the eastern boundary of the Arden PUD site. The site has a Planned Unit Development (PUD) zoning designation with a Low Residential up to two (2) units per acre (LR-2) FLU designation. This site comprises the entirety of the GAPO east of the SFWMD L-8 Canal which is established as the western boundary for residential development in the County. Due to its inclusion in GAPO, the site is located in a Limited Urban Service Area (LUSA) and the provisions of the Urban/Suburban tier apply to the development of the property.

This site was part of a number of additional parcels that made up what was previously known as Palm Beach Aggregates Mining Area. The BCC adopted a Comprehensive Plan Amendment for Palm Beach Aggregates II (LGA 2004-00047) on December 13, 2004 changing the Future Land Use designation of the property from Rural Residential, 1 unit per 10 acres (RR10) to Low Residential, 2 units per acre (LR-2) with conditions via Ordinance Number 2004-066. Concurrent with the Comprehensive Plan Amendment, the BCC adopted the Overlay Area known as the Glades Area Protection Overlay (GAPO) which included the Arden PUD property and 1,844 acres to the west, for a total of approximately 3,063 acres. As discussed above, the intention of the GAPO was to protect the adjacent Everglades Agricultural Area (EAA) to the west from the encroachment of densities and intensities associated with urban/suburban development patterns by concentrating such development east of the L-8 Canal. Included in the amended GAPO language was the re-designation of the area east of the SFWMD L-8 Canal as a Limited Urban Service Area (LUSA) and removing the property from the Rural Tier. The current request does not propose to remove the Subject Property from the Rural Tier but instead to include the site within the GAPO to allow for inclusion in the LUSA and designation of the LR-2 FLU.

Following the creation and adoption of the GAPO, several development applications were processed for the Arden PUD site. Highland Dunes Associates Property, LLC, purchased the property on July 10, 2014. The owner envisioned a uniquely themed master planned community on a suitable sized piece of property and modified the site design from that approved by the BCC in 2013 to promote their vision. The Final Master Plan was amended to incorporate the development program proposed by the new owner. More recently, on October 22, 2020, the BCC approved a FLUA application to a condition of approval in Ord. 2004-066 increasing the allowed number of dwelling units from 2,000 to a maximum of 2,420 units. The Arden PUD is approved for the development of up to 2,420 dwelling units and a minimum of 30,000 square feet up to a maximum of 50,000 square feet of commercial uses. The property owner has had significant success in developing Phases 1 and 2 of the Arden

PUD in partnership with multiple home builders.

The increasing population and simultaneous demand for housing options in the western central area of the County has resulted in market conditions which support the residential development of large master planned communities such as the Arden PUD and, similarly, a consistent level of development as proposed for the Subject Property. As described above, the development of the Arden PUD site was contemplated concurrently with the creation of the GAPO with a purpose of establishing a western boundary for urban/suburban development patterns in order to cluster residential density east of the SFWMD L-8 Canal. The comparable development of the Subject Property, as facilitated by the requested Plan text and FLUA amendments, would further this goal by allowing for infill development in a part of the County planned and capable of supporting such densities of residential development in a well-planned and contextual manner with surrounding properties.

E. SURROUNDING USES

The Subject Property is located within the central western portion of the County in an area predominately developed with low-density single-family residential homes. The ±446.14-acre Subject Property is currently and has long been in use for agricultural row crop production, similar to nearby properties within the Rural Tier, most of which have since been developed or are currently under development with residential uses. The Subject Property is currently designated with a Rural Residential, 1 unit per 10 acres (RR-10) FLU and Agricultural Residential (AR) zoning. This portion of the Southern Boulevard corridor represents the westernmost pocket of development within the primary urbanized area of the County before entering the Glades Tier. Please see below for a summary table of the existing use, future land use, and zoning of adjacent properties.

Adjacent Lands	Use	Future Land Use	Zoning
North	Residential – Deer Run Community	Rural Residential, 1 unit per 5 acres (RR-5)	Agricultural Residential (AR)
South	SFWMD Stormwater Treatment Area	Rural Residential, 1 unit per 10 acres (RR-10)	Stormwater Treatment Area (STA-1E) - Wellington
East	Agricultural Production – Leonard Farm	Rural Residential, 1 unit per 10 acres (RR-10)	Agricultural Residential (AR)
West	Residential – Arden Community (Control No. 2005-00394)	Low Residential, 2 units per acre (LR-2)	Planned Unit Development (PUD)

Below is a description of the uses on the adjacent properties (or those on the other side of abutting R-O-W's) to the north, south, east and west of the subject property.

- **North:** To the north of the Subject Property is the Deer Run Community comprised of single-family residences on five acre lots in accordance with the RR-5 FLU designation and AR zoning district. These properties are located within the jurisdiction of unincorporated Palm Beach County within the Rural Tier and are

outside of the Urban Service Area and Limited Urban Service Area boundaries. Homes in this community were not developed congruently as a master planned community and present a high degree of variety in the type and quality of architecture, landscaping, buffering, access, and accessory uses from lot to lot.

- **South:** Directly south of the Subject Property, across Southern Boulevard and the C-51 Canal, are large swaths of undeveloped properties featuring limited agricultural row crop production with a primary use as a Stormwater Treatment Area (STA-1E) for the South Florida Water Management District (SFWMD). These properties are within the jurisdiction of the Village of Wellington with a Village FLU designation of Rural Residential, 1 unit per 10 acres (RR-10). These properties are located in the County's Rural Tier and are outside of the Urban Service and Limited Urban Service Area boundaries. The SFWMD's control and use of these properties prevents the expansion of urban/suburban levels of development encroaching from the Village of Wellington.
- **East:** Immediately east of the Subject Property is a parcel of approximately 500 acres that is undeveloped and utilized for agricultural row crop production. The site is located in the jurisdiction of unincorporated Palm Beach County with a FLU designation of RR-10 and corresponding AR zoning district. This property is located in the Rural Tier and is outside of the Urban Service and Limited Urban Service Area boundaries.
- **West:** Abutting the Subject Property to the west is the Arden PUD which is currently under construction with up to 2,420 residential units in the form of a master planned residential community. This site was previously in use for agricultural row crop production and was located in the Rural Tier outside of the Urban Service Area and Limited Urban Service Area boundaries. Following the approval of a FLUA Amendment and Comprehensive Plan Text Amendment, this property was granted a planning overlay known as the Glades Area Protection Overlay (GAPO) and included within the Limited Urban Service Area (LUSA) to allow for a FLU of LR-2 and the development of up to 2,420 residential dwelling units along with a component of commercial development subject to the regulations of the Urban/Suburban Tier.

F. CONSISTENCY

G.1 - Justification

Per Policy 2.1-f of the FLUE of the PBC Plan, before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use. The applicant is requesting to amend the current FLUA designation from RR-10 to LR-2. The proposed FLUA amendment meets the required standard as follows:

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

Applicant's Response: The proposed residential use of the Subject Property and associated text amendments are appropriate and consistent with the established development pattern in this portion of the County. The existing RR-10 FLU confirms the suitability of this site for residential development and the FLU designation of the adjacent Arden PUD site supports the proposed density requested of LR-2 for the Subject Property.

The existing development pattern of this area of the County is dominated by low density residential development. The Subject Property is particularly appropriate for an increased residential density allowing 2 dwelling units per acre due to its location along the Southern Boulevard (SR-80) corridor, adjacency to the comparable Arden PUD, the existence of water and sewer infrastructure to serve the development, and suitable size to sustain a master planned residential community.

As discussed above, the intent of the GAPO is to protect the Everglades Agricultural Area (EAA) by preventing residential development from extending west of the SFWMD L-8 Canal. The GAPO allows for development of properties east of the L-8 Canal within the GAPO boundaries to be developed with residential uses under the LR-2 FLU designation and pursuant to the regulations of the Urban/Suburban Tier. This is the case for the entirety of the lands currently within GAPO east of the L-8 Canal approved collectively as the Arden PUD. The Subject Property is of sufficient size, location, and conditions to allow a comparable master planned residential community to further the purpose of clustering residential development east of the L-8 Canal.

Allowing an increased residential density at this site will create additional housing options in an area of the County with available services to maximize the development of land deemed suitable for residential uses developed under the Urban/Suburban regulations. The development of this property will represent balanced growth in line with planning principles utilized to create the GAPO and justify the Arden PUD. These include the need to maintain a development boundary for urban/suburban densities and intensities from encroaching west of the L-8 Canal into the EAA. Arden PUD was established as the westernmost residential development and granted a residential density of LR-2. The Subject Property represents an amalgamation of several properties directly abutting the Arden PUD of sufficient size to appropriately locate a master planned community utilizing existing infrastructure available in the area. Including the Subject Property in GAPO and designating the site as Limited Urban Service Area (LUSA) in connection with the approval of the proposed LR-2 FLU designation will serve to allow an appropriate master planned residential development compatible with the Arden PUD, surrounding communities, and the established development pattern of this portion of the County.

2) There is a basis for the proposed amendment for the particular site based upon 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;

Applicant's Response: As previously discussed, the creation of the GAPO and related approval of the LR-2 FLU designation for the Arden PUD site has resulted in conditions which make favorable the residential development of the Subject Property at a comparable density. Based on the intent of the GAPO, the County has clearly indicated a desire to cluster urban/suburban development east of the L-8 Canal to avoid encroachment into the EAA. There are a limited number of sufficiently large sites with access to necessary utility infrastructure that can support a master planned residential community. The demand for

housing options in this central western portion of the County continues to grow with few sites available to support new residential communities. As such, the established development pattern at this location, as a result of the approved density for the Arden PUD, lends support towards the request to allow increased residential density up to two (2) dwelling units per acre as facilitated by the proposed Plan text, map, and FLUA amendments to bring the Subject Property into the boundaries of GAPO and the LUSA.

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

Applicant's Response: The characteristics of this area of the unincorporated portion of the County, specifically along this portion of the north side of the Southern Boulevard corridor, have changed significantly over the last two decades. Firstly, the operation of viable agricultural production has continued to decrease within this area of the County as seen with the development of the Arden PUD site and the sale of numerous large areas of farm lands to be developed within the eastern portion of the County. Secondly, the population of Palm Beach County continues to see significant growth. The population of the County was reported as 1,466,494 people in 2020, representing a 30% population increase over the 2000 population and the projected 2030 population is estimated to be 1,649,079 people, a 15% increase over the 2020 population. A significant portion of the new residents moving to the County are seeking residence in single-family communities in the central western portions of the County including the area surrounding the Subject Property and there are currently insufficient housing opportunities to satisfy the demand. Further, few properties exist that are of sufficient size with access to necessary infrastructure to support the development of large number of residential units. The Subject Property is one of only a few such properties capable of supporting a master planned residential community.

Finally, with the creation and adoption of the GAPO in 2004, a development boundary was established at the SFWMD L-8 Canal and it was determined that residential development would be permitted in accordance with the regulations of the Urban/Suburban Tier to the east of this line. Policies governing GAPO within the Plan specifically limit the permitted uses east of the L-8 Canal to low density residential development. This development pattern has been put into action with the approval and ongoing construction of the Arden PUD. The requested comprehensive plan text and map amendments to include the Subject Property in the boundaries of GAPO and to designate the site as a LUSA will serve to allow for a consistent development pattern in this area which works to provide needed housing options to the County's growing population.

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

Applicant's Response: The Subject Property is located in an area of the County comprised of residential communities with a small number of agricultural operations. Despite the growing demand for housing options in this central western portion of the County, this area has few vacant properties of sufficient size, location, and conditions to support master planned residential communities. With the establishment of the GAPO, the County designated the SFWMD L-8 Canal as the western boundary for urban/suburban

development in the eastern portion of the County. The Subject Property is one of only a few properties of such size within the designated development area of the County that provides a viable residential development opportunity. Large land areas on the south side of Southern Boulevard have been acquired by the South Florida Water Management District (SFWMD) and prevent the future expansion of the Village of Wellington out to the SFWMD L-8 Canal. Properties to the north are developed as a rural residential subdivision and the property immediately to the west, the Arden PUD site, is developed under the LR-2 FLU designation as a Planned Unit Development. The continued growth in demand for residential development in this central western portion of the County and the established growth boundary related to GAPO create circumstances which support the proposed increase in residential density for the Subject Property.

d. Inappropriateness of the adopted FLU designation;

Applicant's Response: While the existing RR-10 FLU designation is not necessarily inappropriate for the Subject Property, it is not the most appropriate FLU designation based on a variety of factors including those discussed herein. In order to create the most reasonable balance of growth within the County and further the goal of limiting development to the east of the L-8 Canal, it is necessary to accommodate the increasing residential demand within areas capable of supporting urban/suburban levels of development and, preferably, on properties with access to infrastructure that does not require extending services further west. The LR-2 designation of the adjacent property is similarly appropriate for the Subject Property as it enables the planning and development of a cohesive community with reasonable density on a site with access to Southern Boulevard and available utility infrastructure connections.

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

Applicant's Response: The adopted FLU designation of Rural Residential, 1 unit per 10 acres (RR-10) was not assigned in error. The RR-10 FLU designation may have been appropriate for the Subject Property in the past as it was in use for agricultural row crop production for years, even predating the adoption of the Plan, and residential development has long been focused further east in the County. Over time, the characteristics of the surrounding area have evolved and the demand for residential units, particularly single-family options in the central western area of the County, has continued to grow. This request represents an evolution of market demands and changed circumstances as discussed above which have resulted in a desire to develop the Subject Property with a higher residential density than is permitted by the existing RR-10 FLU designation.

G.2 Residential Density Increases

This application is requesting a FLUA change from RR-10 to LR-2 to allow for the development of a master planned residential community similar in nature to the adjacent Arden PUD. Per Policy 2.4-b of the FLUE of the PBC Plan, the BCC may approve an increase of the residential density for a property if the applicant justifies and demonstrates the following:

1. Demonstrate a need for a Future Land Use Atlas (FLUA) Amendment, and

Applicant's Response: As described above, the County is currently seeing a high demand for single-family residential options in the central western portion of the County. However, there are not currently sufficient residential options and few land areas suitable for development with large numbers of residential units in a compatible manner with surrounding development. The Subject Property is one of few sites that remains as a viable option for the development of a master planned residential community. The size, location, and conditions of the site make it ideal for development of a low-density master planned community with single-family homes providing additional residential options for both new and relocating residents of the County. In order to appropriately develop the site as a viable community with reasonably priced housing options, it is necessary to increase the permitted residential density from the current RR-10 FLU designation to the proposed LR-2 FLU designation. The requested Plan text and map amendments to include the Subject Property in the GAPO and LUSA boundaries will facilitate the FLUA amendment and allow for the development of a residential master planned community subject to the regulations of the Urban/Suburban Tier.

2. Demonstrate that the current FLUA designation is inappropriate, or

Applicant's Response: As discussed above, the existing RR-10 FLU designation is not the most appropriate for the Subject Property to allow the highest and best use of the property for residential development. The development of the 446.13-acre Subject Property under the existing RR-10 FLU designation would allow for only 44 residential units on 10 acre lots which would demand a high market value and provide a limited number of new units to satisfy the already high and growing demand for housing options. The cost of these units would exclude a large majority of the market from considering these homes. However, the development of the Subject Property under the LR-2 FLU designation would allow for the construction of single-family and townhouse dwelling units which provides the opportunity to create a range of housing options available to a wider range of current and future residents. The adjacent property was granted approval for the requested LR-2 FLU designation in order to develop a cohesive master planned community with a range of housing options. The approval of the requested FLUA amendment and associated Plan amendments would grant a similar level of development rights to the Subject Property as deemed appropriate for the adjacent property which lies immediately adjacent to the County's designated development boundary of the L-8 Canal.

3. An applicant is using the Workforce Housing Program;

Applicant's Response: Pursuant to ULDC Art. 5.G.1, residential developments in the Urban/Suburban Tier may utilize the Workforce Housing Program (WHP) to increase residential density. This option is not available to the Subject Property based on the current FLU designation of RR-10. The proposed amendments to include the Subject Property in the boundaries of the GAPO and the LUSA will facilitate the development of the site under the requested LR-2 FLU utilizing the regulations of the Urban/Suburban Tier per the

standards of the GAPO.

G.3 - Compatibility

Compatibility is defined in the County's Unified Land Development code as: "Land uses that are congruous, similar and in harmony with one another because they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar, contradictory, incongruous, or discordant activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise, vibration, smoke, hazardous odors, radiation, function and other land use conditions." Based on this definition and accepted growth management ideals, the proposed amendment to allow for a low-density residential development will increase the compatibility of the use of the Subject Property with the surrounding uses and adjacent lands. The development plan resulting from approval of the proposed Plan amendments and FLUA amendment will not create or foster undesirable effects.

G.4 -Comprehensive Plan

The proposed amendment furthers several Goals of the Comprehensive Plan and is consistent with several Objectives and Policies. The following analysis is provided to demonstrate consistency with specific objectives and policies in the Plan.

- **C. County Directions**

Applicant's Response: The County Directions in the Future Land Use Element provide the basis for the Goals, Objectives and Policies in the Plan. The County Directions recognize that redevelopment will occur and should be informed by growth management principles to encourage economic activity centers while maintaining land use compatibility and level of service standards. Allowing for the increase in residential density will result in a more efficient use of land and existing public facilities and services currently available to the Subject Property. The LR-2 FLU designation, guided by urban/suburban development regulations, will result in a compatible development plan for the Subject Property that provides reasonable housing options with relatively low impacts on surrounding properties or County infrastructure. Several of these Directions support the proposed amendment, specifically Livable Communities; Growth Management; Infill, Redevelopment and Revitalization; Land Use Compatibility; Neighborhood Integrity; Housing Opportunity; and A Strong Sense of Community.

- **FLUE Goal 1 Strategic Planning**

It is the GOAL of Palm Beach County to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.

Applicant's Response: The formation of the GAPO, specifically the direction to allow low density residential development east of the SFWMD L-8 Canal, represents one example of

the County's effective implementation of strategic planning to create and protect quality livable communities for current residents and future generations. The development of the Arden PUD within GAPO provides evidence of the effectiveness of the above goal and related objectives and policies. The extension of the GAPO boundaries to include the Subject Property would be a logical expansion of this area as it permits development east of the L-8 Canal at a sufficient scale to result in a quality livable community.

- **FLUE Objective 1.1 Managed Growth Tier System**

Policy 1.1-a: The County shall develop and implement strategies for each unique community and/or geographic area based upon common characteristics, including physical development patterns and service provision, and shall map the location of each Tier on the Managed Growth Tier Map located in the Comprehensive Plan Map Series.

Applicant's Response: No tier change is proposed as a part of this request, but only an extension of the GAPO boundary and, as such, also the Limited Urban Service Area. Although the Subject Property is currently located in the Rural Tier and outside of the Urban Service Area boundary, it is immediately adjacent to the boundaries of the GAPO which is included within a Limited Urban Service Area (LUSA). This has allowed for the development of the Arden PUD immediately adjacent to the Subject Property and resulted in a changed physical development pattern for the surrounding area as well as the extension of utility infrastructure to the extent of the GAPO's development boundary. The expansion of the GAPO and LUSA boundaries to allow for residential development of the Subject Property will not require the extension of existing utilities further west and does not create any additional potential for encroachment of development into the EAA. Both a 24" water main and an 18" wastewater force main are located within the right of way of Southern Boulevard terminating just west of the Arden PUD at the western line of the L-8 Canal. Considering the changed physical development pattern of this portion of the Southern Boulevard corridor and the access to services available to the Subject Property, the requested Plan text and map amendments and associated FLUA amendment support the above FLUE Objective.

- **FLUE Goal 2 Land Planning:**

It is the GOAL of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.

Applicant's Response: The Subject Property is located just outside of the GAPO and LUSA boundaries east of the L-8 Canal and immediately adjacent to the Arden PUD. The creation of the GAPO and designation of lands east of the L-8 Canal with the LUSA and LR-2 FLU lays the framework for the creation of high-quality communities that balance the physical, social, cultural, environmental, and economic needs of the current and projected residents and future generations of the County. The clustering of urban/suburban intensities east of the L-8 Canal will further Land Planning goals related to the protection of agricultural

lands in the EAA from development encroachment. The requested Plan text and map amendments will expand the GAPO and LUSA boundaries to include the Subject Implementation of the requirements of the Unified Land Development Code, in conjunction with innovative site design and any conditions attached to the development order will serve to respect and protect the surrounding uses. Property which will allow for the creation of a master planned community offering new housing options and a high quality of life to future residents.

- **FLUE Objective 2.1 Balanced Growth**

Policy 2.1-f: The following will detail the impact of the proposed FLUA amendment on the items listed:

1. The natural environment, including topography, soils and other natural resources;

Applicant's Response: Future FLUA Amendment application attachments will include a Natural Features Map and Images that show that this site does not support any existing habitat or natural communities. The site was previously cleared and has long been used for the cultivation of agricultural row crops. The absence of wetlands, relatively flat land, and previous use for agricultural production are key factors lending towards the ideal nature of the Subject Property for development as a master planned residential community. Based on this assessment, there are no significant environmental resources or habitat existing on the property that would be negatively impacted by the proposed industrial development.

2. The availability of facilities and services;

Applicant's Response: Below is more detailed information on each of those facilities and services:

- **Traffic:** Please see Application Attachment H for the Comprehensive Plan Amendment Transportation Analysis prepared by O'Rourke Engineering and Planning and corresponding Traffic Approval letter from PBC Traffic Division.
- **Mass Transit:** The nearest Palm Tran Bus Route to this property, Route 40, runs along Southern Boulevard with stops as far west as Belle Glade. The closest stop, 3246, is located at the corner of Southern Boulevard and Seminole Pratt Whitney Road approximately 1.75 miles east of the Subject Property on the north side of Southern Boulevard. The West Palm Beach Tri-Rail Station located on the west side of Tamarind Avenue north of Okeechobee Boulevard is the nearest Tri-Rail station approximately 19 miles east of the Subject Property.
- **Potable Water and Wastewater:** Please see Application Attachment I for the PBC Water Utilities Department letter wherein it is stated that capacity does exist for the proposed development via an existing 24" watermain and 18" force main within Southern Boulevard adjacent to the property. Multiple lift stations will be required within the Subject Property for this connection.
- **Drainage:** Please see Application Attachment J for Drainage Statement prepared by Simmons & White. Legal positive outfall is established to the SFWMD C-51 Canal to the south via an existing 60" piped connection beneath Southern Boulevard (State Road 80).

- *Fire Rescue:* Please see Application Attachment K for the Fire Rescue letter which confirms that the nearest PBC Fire Rescue station is Station #20 located at 1000 Greenview Shores Blvd, Wellington, FL 33414. Station #20 is located approximately 6.5 miles from the Subject Property and that the estimated response time to the subject property is approximately 15 minutes and 30 seconds.
- *School:* Please see Application Attachment O for the School Capacity Availability Determination (SCAD) application submitted to the School District of Palm Beach County and resulting SCAD letter.
- *Parks and Recreation:* The FLUA Amendment application includes an analysis of the impacts on regional and district parks and recreation facilities. The proposed development will not negatively impact the Palm Beach County level of service for parks and recreation as adequate parks land area and amenities exist to serve the additional units. Further, recreation areas and amenitized open space will be provided for residents within the development.

3. The adjacent and surrounding development;

Applicant's Response: The proposed amendment and resulting increase in residential density is compatible with the existing uses of surrounding properties and consistent with the future land use designations along this portion of the Southern Boulevard corridor. Please refer to Section G.3 - Compatibility and Surrounding Uses above.

4. The future land use balance;

Applicant's Response: The proposed Plan amendments and associated FLUA amendment to allow the LR-2 FLU designation will improve the balance of future land use designations for properties in this area of the County, specifically along this portion of the Southern Boulevard corridor. The Subject Property totals 446.14 acres located at the periphery of the County's urbanized development area. The location and size of the property make it well suited for a master planned residential community able to provide additional housing options in an area of the County experiencing high demand with relatively few residential options. In recent years, a number of development applications have been processed and approved to allow primarily residential development of large properties both within the western areas of the Urban/Suburban Tier, the Ag Reserve, and adjacent to the Subject Property. The approval of the Arden PUD denotes support of the County for this level of development to occur eastward of the L-8 Canal. The proposed amendments and ultimate LR-2 FLU designation will result in a more balance future land use pattern for this area of the County which will allow land owners to better provide for the needs of current residents and future generations.

5. The prevention of urban sprawl as defined by 163.3164(51), F.S.;

Applicant's Response: The proposed amendments and resulting master planned residential community will prevent urban sprawl as it will allow for the development of an underutilized property located within an area of the County designated for development on a site adjacent to development utilizing existing urban/suburban infrastructure. As discussed

above, the adoption of GAPO and the approval of the Arden PUD work in conjunction to establish a development boundary for the County, here along Southern Boulevard. That boundary is established as the SFWMD L-8 Canal and it has been determined that all efforts should be taken to concentrate urban/suburban levels of development east of that line. This initiative and the resulting development pattern employ a growth management strategy to prevent urban sprawl from extending westward. Further, the existence of the FPL power plant located to the west of the Arden PUD and the Subject Property creates a significant physical boundary to prevent the extension of urban uses into the EAA. Similarly, the adoption of the GAPO established the SFWMD L-8 Canal as a boundary for the encroachment of urban/suburban levels of density with an intention to cluster future residential development east of the canal. The proposed amendments and development plan will not result in the further extension of infrastructure west and will represent the development of a property within an area surrounded by comparable levels of development.

6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and

Applicant's Response: The Subject Property is not governed by a community plan and is not located within a special planning area. As mentioned above under the background section for this justification, the Subject Property was previously included in the now rescinded Central Western Communities (CWC) Sector Plan. The CWC Sector Plan, although rescinded, is relevant as the purpose was to work in conjunction with the GAPO to prevent the encroachment of urbanized uses into the EAA while allowing for the development of properties in this area of the County. The CWC Sector Plan specifically designated the Subject Property, in conjunction with the adjacent (Leonard) property to the east, for the development of up to 943,000 square feet of Employment Center with the balance of the properties for rural residential development. The CWC was never implemented after being rescinded on Nov. 26, 2007 during litigation with the Florida Department of Community Affairs (DCA). The proposed text, map, and FLUA amendments would allow for a more contextual and compatible development plan than was contemplated within the ultimately rescinded CWC Sector Plan.

7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.

Applicant's Response: The Subject Property is located north of the Village of Wellington which includes the SFWMD Stormwater Treatment Area. The applicant and their consultants will coordinate with the necessary municipal representatives as well as the County's Fire Department, Water Utilities District, Historical Resources Section, and other municipal agencies as necessary. Further, the applicant recognizes the application will be reviewed by the Treasure Coast Regional Planning Council (TCRPC) as well as the Intergovernmental Plan Amendment Review Committee (IPARC).

- **FLUE Policy 2.1-g:** The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will

accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.

Applicant's Response: As described above, the proposed amendments and associated level of development to be permitted will be appropriate for the Subject Property as it will allow for a balance of residential land uses offering a range of housing options in a cohesive community nature within this area of the County as necessary to satisfy the already high and growing demand for housing options.

- **FLUE 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.

Applicant's Response: The proposed amendments serve to reduce the potential for piecemeal development in this area of the County as it will allow for the unified development of several large vacant parcels while including them with other large parcels within a planning overlay which guides the development of the larger area of this portion of the Southern Boulevard corridor. Necessary utility infrastructure has already been routed along Southern Boulevard and is accessible to the Subject Property. The planned development and necessary amendments to facilitate such development will not serve to create residual parcels but will conversely work to bring a larger land area under the regulations of an existing planning overlay to prevent piecemeal development of smaller parcels as has occurred in other areas of the central western portion of the County.

- **FLUE Policy 2.1-k:** Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.

Applicant's Response: As described above, this request includes Plan text and map amendments to include the Subject Property within the boundaries of the GAPO, one such planning overlay. The inclusion of the Subject Property in the GAPO and LUSA boundaries is logical as the site borders the current eastern boundaries of GAPO and possesses similar qualities to the land initially included in the GAPO boundary east of the L-8 Canal currently under development as the Arden PUD.

- **FLUE Policy 2.2.1-a:** Coastal High Hazard Area – The County shall coordinate with coastal municipalities to control population densities in coastal high-hazard areas, in accordance with Coastal Management Objective 2.3. The County shall not increase the density in unincorporated areas located within the coastal high-hazard areas.

Applicant's Response: The Subject Property is not located within a coastal high-hazard area.

- **FLUE Table 2.2.1-g.1:** Residential Future Land Use Designation Maximum Density – The County established maximum residential densities permitted for each future land use. The Low Residential, 2 unit per acre (LR-2) FLU designation permits up to 2 dwelling units per acre.

Applicant's Response: The requested Plan text and map amendments will facilitate the Applicant's proposed FLUA amendment to designate the Subject Property with the LR-2 FLU and allow for the development of a master planned residential community with single-family and townhouse units as well as a neighborhood serving commercial pod. This FLU is consistent with the regulations of the GAPO which allows for properties east of the L-8 Canal to be developed with residential uses under the LR-2 FLU designation utilizing the standards of the Urban/Suburban Tier. This narrative along with supplemental application materials provide sufficient evidence to support these requests and the proposed development of the Subject Property.

G.5. - Florida Statutes

Please consider the following responses demonstrating consistency with Chapter 163.3177, F.S.

- **F.S., Section 163.3177.6(a)8:** Future land use map amendments shall be based upon the following analysis:
 - a. An analysis of the availability of facilities and services.

Applicant's Response: Supporting data and analysis demonstrating the availability of facilities and services is presented in Application Attachments H (Traffic Study), I (Water and Wastewater Service Letter), J (Drainage Statement), and K (Fire Rescue Letter).

- b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

Applicant's Response: Supporting data and analysis demonstrating the proposed use is suitable based on the character of the Subject Property is presented in Application Attachments F (Built Features Inventory & Map), J (Drainage Statement), L (Natural Features Inventory & Map), M (Wellfield Zone Statement & Map), N (Historic Resource Evaluation Letter), and O (School Capacity Availability Determination Letter).

- c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

Applicant's Response: The Subject Property is a contiguous site of approximately 446.14 acres. There will be a concurrent zoning application which will serve to support the premise that this acreage is the minimum amount of land needed to ensure the Subject Property may be efficiently developed with a cohesive master planned residential community providing sufficient buffers, access, open spaces, and drainage.

- **F.S., Section 163.3177.6(a)9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
 - a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:
 - (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

Applicant's Response: The proposed Plan amendments and FLUA change will allow for additional residential development in an area developed with planned residential developments, agricultural operations, and an established grid of unincorporated low-density residential neighborhoods. The inclusion of the Subject Property in the GAPO and LUSA boundaries will enable the master planned development of one of only a few remaining properties of sufficient size, location, and conditions to support a cohesive community design with reasonable residential density. The proposed development of this site will work to combat sprawl in the County by continuing to cluster urban/suburban levels of development east of the L-8 Canal.

- (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

Applicant's Response: The Subject Property is located in the central western sector of the County near the western limits of the County's urbanized eastern area. Although the Subject Property is within the Rural Tier, utility infrastructure has been established in this area at sufficient scale to serve the Arden PUD and additional development along the north side of the Southern Boulevard corridor at this location. Additionally, the lack of land area of this size within the existing Urban Service Area supports this request.

- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

Applicant's Response: The Subject Property is not isolated and this amendment will not alter the development pattern of the surrounding area. There is existing development to the east, north, and west with Southern Boulevard creating a natural barrier with Stormwater Treatment Areas to the south. The development of the Subject Property will result in filling a gap in the existing development pattern of primarily residential uses along the Southern Boulevard corridor and serve to decrease any perception of isolated development via proximity to Arden.

- (IV) Fails to adequately protect and conserve natural resources, such as wetlands,

floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

Applicant's Response: The requested amendments and proposed FLUA change do not fail to adequately protect and conserve natural resources as no natural resources currently exist on the Subject Property. The resulting development will have no negative impacts on environmentally sensitive areas or other significant natural systems and evidence in this regard will be included in the land use amendment application.

- (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

Applicant's Response: While the Subject Property was previously utilized for agricultural row crop production, the site is not restricted by a conservation easement or other restrictions dictating a continuation of previous farming activities, nor located in the EAA or the Agricultural Reserve, areas of the County targeted to preserve agriculture. Similarly, the Arden PUD site was previously utilized for agriculture prior to its development as were the majority of properties in this area of the County. The intent of the creation of GAPO is to cluster development east of the L-8 Canal in order to protect the agricultural lands to the west, the Everglades Agricultural Area (EAA), from encroachment of urban/suburban forms of development. The proposed amendments further this goal and will have no impact on the agricultural activities of surrounding properties.

- (VI) Fails to maximize use of existing public facilities and services.

Applicant's Response: The requested amendments and proposed development plan are justified in part by the existence of utility infrastructure that has been routed along the Southern Boulevard right-of-way extending past the Subject Property and terminating at the west side of the L-8 Canal. The development of the Subject Property will utilize water and wastewater facilities existing within Southern Boulevard and will provide drainage in a form compatible with surrounding systems and the area's larger drainage network.

- (VII) Fails to maximize use of future public facilities and services.

Applicant's Response: Various letters of determination will be provided as attachments to this FLUA amendment application to verify the availability and capacity of existing public facilities and services in relation to the demand expected to be generated by the proposed level of development.

- (VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law

enforcement, education, health care, fire and emergency response, and general government.

Applicant's Response: Public facilities and services are currently available to the Subject Property and surrounding area and the requested amendments would not increase the cost in time, money, or energy for providing and maintaining these facilities and services.

(IX) Fails to provide a clear separation between rural and urban uses.

Applicant's Response: The Subject Property is located on the western periphery of the urbanized area of the County. The western edge of the property immediately west of the Subject Property lies along the L-8 Canal which effectively serves as the boundary for urban/suburban levels of development in this part of the County per the stated intent of the GAPO. The requested amendments propose to include the Subject Property in the boundaries of GAPO and LUSA to fill in the existing gap of development in this location considering urban/suburban levels of residential development existing to both the east and west of this site. In no way do these requests or the resulting development result in a failure to provide separation between rural and urban uses.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

Applicant's Response: The requested amendments and resulting development plan do not discourage or inhibit the development of existing communities. In a sense, the proposed development could be viewed as infill development as it proposes to develop a current vacant property with a development pattern similar to and compatible with surrounding development on both sides.

(XI) Fails to encourage a functional mix of uses.

Applicant's Response: The Subject Property is currently designated with an RR-10 FLU designation which would allow for a limited number of residential units and residential use only. The requested amendments to be included in the GAPO and LUSA boundaries will enable the development of the Subject Property with slightly higher density of residential uses with the potential for some related complementary uses. If anything, these requests represent an improvement to the potential functional mix of uses and will certainly lend towards an increase in housing options available to the population.

(XII) Results in poor accessibility among linked or related land uses.

Applicant's Response: The resulting development will be provided with a similar level of access as to what has been approved for adjacent development with a primary entrance connecting the community to Southern Boulevard. The Applicant recognizes that the County's Thoroughfare Identification Map contemplates the extension of

Okeechobee Boulevard through the northern portion of the Subject Property and will cooperate with the County through the zoning application process to provide any required right-of-way dedications.

(XIII) Results in the loss of significant amounts of functional open space.

Applicant's Response: The Subject Property is not currently utilized as functional open space and so no loss will occur with the approval of the proposed FLUA change.

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

- Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

Applicant's Response: The proposed amendment seeks to redevelop a property that was previously cleared of natural resources and located outside of a wellfield protection zone. As such, development of the Subject Property would not have an adverse impact on natural resources or ecosystems and the applicant will abide by County ULDC provisions with respect to addressing existing plant materials through the zoning approval process.

- Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Applicant's Response: The proposed development of the Subject Property facilitated by the amendment requests will maximize the use of existing public facilities and services available to the site along the Southern Boulevard corridor. The Subject Property is located along an area of existing development and would not require the extension of public facilities further west. The Applicant recognizes that the County's Thoroughfare Identification Map contemplates the extension of Okeechobee Boulevard through the northern portion of the Subject Property and will cooperate with the County through the zoning application process to provide any required right-of-way dedications.

- Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

Applicant's Response: The proposed amendment will introduce additional housing options in an area of the County experiencing a high and growing demand from both current and future residents. The Subject Property is of sufficient size, location, and conditions to allow for the development of a cohesive neighborhood which offers a high quality of life to residents. The location of the site allows the community to be adequately rural in its theme and design while enabling quick and convenient access to a range of non-residential uses along the Southern Boulevard corridor and surrounding areas.

- Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Applicant's Response: The proposed amendments will allow for the compatible development of a property within an area planned for low density residential uses. The development of the Subject Property will not perpetuate a sprawling development pattern but rather will work to fill the hole of an existing residential development pattern in this area. The change will designate a suitable property with LR-2 FLU to allow for an appropriate level of residential development in this area to serve the needs of existing and future residents.

G. CONCLUSION

The information presented within this justification narrative and the supporting materials included with this application serve to support the request for a Comprehensive Plan Text and Map Amendment to allow for the development of the Subject Property with a higher density of residential development comparable to the approved development of the adjacent property utilizing the same regulatory mechanisms of the GAPO Planning Overlay and inclusion within the LUSA. The expansion of this development pattern to the east will serve to fill the existing gap in development along this portion of the Southern Boulevard corridor and prevent further development of agricultural lands west of the L-8 Canal. The requested amendments and proposed level of development are justified and consistent with the County's Plan, State Statutes, and surrounding development as described herein.

On behalf of the applicant, UDS, respectfully requests approval of these requests for a Comprehensive Plan Text and Map Amendment and to amend the FLUA designation on the Subject Property. The Project Managers at UDS are Ken Tuma, KTuma@udsflorida.com, and Tyler Woolsey, TWoolsey@udsflorida.com, who can be reached via email or by phone at 561-366-1100.



**Water Utilities Department
Engineering**

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



**Palm Beach County
Board of County
Commissioners**

Dave Kerner, Mayor
Robert S. Weinroth, Vice Mayor
Maria G. Marino
Gregg K. Weiss
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

November 3, 2021

Urban Design Kilday Studios
610 Clematis Street Suite CU02
West Palm Beach, FL 33401

RE: Fleming Property
PCN00-40-43-27-00-000-3010, 00-40-43-22-00-000-5000,
00-40-43-22-00-000-7010 & 00-40-43-27-00-000-1010
Service Availability Letter

Dear Mr. Woolsey,

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 required for the current RR-10 and the proposed LR-2-FLUA that would allow up to 892 dwelling units in an age restricted single family community subject to a Capacity Reservation Agreement.

The nearest potable watermain and wastewater forcemain are located within Southern Boulevard adjacent to the subject property.

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

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

Sincerely,

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

Jackie Michels, P.E.,
Project Manager



May 9, 2022
Job No. 21-019

DRAINAGE STATEMENT

Fleming Property
Palm Beach County, Florida

SITE DATA

The subject project is located on the north side of Southern Boulevard (S.R.80), \pm 1.75 miles west of the intersection of Seminole Pratt-Whitney Road in unincorporated Palm Beach County, Florida and contains approximately 446.14 acres. The parcel currently contains agricultural row crop production. Proposed site development on the parcel consists of construction of roadway, drainage, and utility infrastructure to support approximately 892 single family lots as part of a residential subdivision. For additional information regarding site location and layout, please refer to the site plan prepared by Urban Design Kilday Studios.

PROPOSED DRAINAGE

The site is located within the boundaries of the South Florida Water Management District C-51 Basin, Sub basin 3. It is proposed that runoff be directed to on-site water management areas via sheet flow and/or inlets and storm sewer. Legal positive outfall is available via an existing 60" piped connection under S.R.80 to the South Florida Water Management C-51 canal. Drainage design to address the following:

1. On-site Roadways protected from flooding during the 3-year – 1 day rainfall event.
2. No runoff to leave the site except through an approved control structure and bleeder up to the level produced by the 25 year – 3-day rainfall event.
3. Building floor elevations to be set at or above the level produced by the 100 year – 3-day (zero discharge) rainfall event.
4. Allowable discharge to be in accordance with South Florida Water Management District Criteria.

PROPOSED DRAINAGE (CONTIUNED)

5. Water quality treatment provided in accordance with South Florida Water Management District Criteria.
6. Compliance with the South Florida Water Management District C-51 Drainage Basin Criteria with regard to compensating storage via water management areas.

Required permits/approvals shall include the following:

1. Palm Beach County Land Development Technical Compliance
2. South Florida Water Management Environmental Resource Permit Modification

Paul Buri, P.E.
FL Reg. No. 68291



Fire Rescue

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



**Palm Beach County
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Maria G. Marino
Gregg K. Weiss
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

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Affirmative Action Employer"*

November 1, 2021

Urban Design Studio
Attention: Tyler Woosley
610 Clematis Street
Suite CU-02
West Palm Beach, FL 33401

Re: Fleming Property

Dear Tyler Woosley:

Per your request for response time information to the subject property identified by PCN's: 00404327000003010, 00404322000005000, 00404322000007010, and 00404327000001010. This property is located on the north side of Southern Blvd., approximately 1.75 miles west of Seminole Pratt Whitney Road. This property is served currently by Palm Beach County Fire-Rescue station #20, which is located at 1000 Greenview Shores. The subject property is approximately 6.50 miles from the station. The estimated response time to the subject property is 15 minutes 30 seconds. For fiscal year 2020, the average response time (call received to on scene) for this stations zone is 7:00.

Residents need to be aware of the extended response time of 15 minutes 30 seconds to this property. This land use change will generate approximately 132 additional calls/year for this station zone.

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

EW CONSULTANTS, INC.
NATURAL RESOURCE MANAGEMENT, WETLAND, AND ENVIRONMENTAL PERMITTING SERVICES



FUTURE LAND USE AMMENDMENT ENVIRONMENTAL ASSESSMENT FLEMING PARCEL

Prepared for:

Kolter Group Acquisitions, LLC

Prepared by:

EW Consultants, Inc.

April 2022

INTRODUCTION

The subject property is located on the north side of Southern Boulevard (SR 80) approximately one mile west of Lion Country Safari Boulevard. The C-51 Canal runs east-west on the south side of Southern Boulevard. (Figure 1). The property is positioned in Sections 27 and 34, Township 43 south, and Range 40 east and is approximately 446.2 acres in size (Figures 2 and 3). The subject property parcel was reviewed for the presence of any significant environmental resources that should be noted in the Future Land Use Amendment Application. The property was reviewed by walking and driving a series of pedestrian and vehicular transects across the site.

SITE CONDITIONS

Chronological review of historical aerial imagery from c.1940 indicates only undeveloped land with the exception of Southern Boulevard already in place, in addition to at least 1 apparent minor canal configured north-south. Images c.1953 show the property change to ditched and drained land in apparent preparation for agricultural use, and by 1958 the southern portion of the property appears to be planted in row crops with the whole property planted by 1968. Imagery through the present depicts row crop usage, with some areas in what are now evidently a small number of ornamental palm rows and uncultivated patches of vegetation. Properties adjacent to the north and east were ditched and drained in preparation for residential construction by 1979. The C-51 canal along the south side of Southern Boulevard and the remaining surrounding land uses have remained agricultural or rural residential overall until the present with the exception of the creation in the early 2010s of the Storm Water Treatment Areas Directly south of the C-51 canal by the State of Florida for water treatment and water quality improvement prior to release into the Florida Everglades system. In addition, the power transmission towers were installed along the west boundary between 1985 and 1996. Directly adjacent on the west boundary, construction of the Arden development began c. 2007 and continues through the present. As stated, the majority of the property remains in agricultural use as row crops and ornamental palm trees with associated drainage features and equipment storage areas. The property contains a large ditch and reservoir system along much of the eastern, northern, and western boundaries and the row crop and small ornamental palm nursery areas include a network of drainage ditches and swales. The surface water management system appears to ultimately connect to the C-51 Canal south of Southern Boulevard.

The property also contains some vegetated and forested areas, however these areas are disturbed and are dominated by exotic and nuisance species. It appears that none of the site (in its current condition) contains intact/unaltered native wetland or upland habitat due to the historic and on-going land management practices. Detailed discussions of land cover types are described in subsequent sections of this report.

VEGETATIVE COMMUNITIES

As described above, the site primarily comprises active row crop agriculture. In addition, there are small patches of ornamental nursery palm trees, some areas of landscape planting, and 6.2 acres of mixed forested wetland dominated by overgrowths of exotic and nuisance species. No

native habitat was observed on the property. The site is mapped as agriculture (#200), row crops (#214), Brazilian pepper (#422), wetland forested (mixed) (#630), tree nursery (ornamental plants) (#241) electrical power lines (#832), and ditches (#510) according to the *Florida Land Use Cover and Forms Classification System* (see figure 4).

Although the majority of the site is used for row crop agriculture, storage buildings with landscape trees, grasses, and other vegetation are present and within the site. No intact native upland habitats are found on the site. Native species include bald cypress, cabbage palm, elderberry, leather fern, beggar ticks, and grasses. Non-native or nuisance species include papyrus, numerous varieties of ornamental palms and landscape trees, Australian pine, Brazilian pepper, carrotwood, Java plum, hydrilla, torpedo grass, and earleaf acacia.

SIGNIFICANT HABITAT / LISTED SPECIES

The majority of this site is disturbed and under active agricultural management. However, the water resources could provide habitat for birds such as wood stork, roseate spoonbill, snail kite and herons. Protected avian species observed foraging on-site at the time of the site visit included little blue herons (state species of special concern/no federal listing). Other birds observed during the site visit included a great egret, cattle egrets, boat-tailed grackles, white ibis, coots, monk parakeets (typical nests in the electrical transmission lines along the west side of the site) and great blue heron. Additionally, the site falls within the U.S. Fish & Wildlife Service consultation areas for both the Florida Bonneted Bat and Crested Caracara.

SOILS

Soils were mapped according to the Soil Survey of Palm Beach County published by U.S. Department of Agriculture Soil Conservation Service (1979). The soils map is attached in the Appendix. The mapped soils found on the property are described below. However, it should be noted that the mapped soils may not accurately represent current soil conditions on the property due to prior land use and earthwork that may have occurred on the property.

Riviera fine sand. Under natural conditions Riviera sand is described as a nearly level, poorly drained, soil with a loamy subsoil. Under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months in most years, and within 10 to 30 inches for most of the remaining year, except for extreme dry periods. Typical natural vegetation may include slash pine, saw palmetto, pineland three-awn, inkberry, blue maidencane, chalky bluestem, scattered cabbage palm, and cypress trees.

Holopaw fine sand. This is a nearly level, poorly drained soil that has a thick sandy surface layer and loamy subsoil at a depth of 40 to 72 inches. This soil is on broad low-lying flats and depressions. Under natural conditions the water table is within 10 inches of the surface for 2 to 6 months during most years. Depressions are covered by water for 6 months or more in most years. The typical natural vegetation is saw-palmetto, slash pine, cypress, cabbage palm, inkberry, southern bayberry, sand cordgrass, broomsedge bluestem, blue maidencane, pineland three-awn, and other grasses. Most areas of this soil are in native vegetation or improved pasture.

Okeelanta muck, drained. This soil is a poorly drained, organic soil that has sandy mineral material within a depth of 40 inches. It is in large, fresh water marshes and small, isolated depressions. Under natural conditions, the soil is covered by water, or the water table is within 10 inches of the surface for 6 to 12 months in most years, except during extended dry periods. The typical natural vegetation is sawgrass, ferns, fireflag, maidencane, pickerelweed, and scattered areas of willow, elderberry, southern bayberry, cypress, and pond apple.

Oldsmar sand. Under natural conditions Oldsmar sand is described as a nearly level, poorly drained soil with a dark colored layer below a depth of 30 inches over a loamy layer. It is typically found in broad flatwoods. Under natural conditions, the water table is within 10 inches of the surface for one to three months in most years, and within 10 to 40 inches for most of the remaining year, except for extreme dry periods. Typical natural vegetation may include slash pine, saw palmetto, pineland three-awn, inkberry, fetterbush, broomsedge and bluestem

Floridana fine sand. This is a nearly level, very poorly drained soil that has a thick, black sandy surface layer and a loamy subsoil. This soil is on broad, low flats and in depressions. Under natural conditions the water table is within 10 inches of the surface for 6 months or more during most years. Depressions are covered by water most of the year. The typical natural vegetation is cypress, willow, bay, southern bayberry, St. John's wort, maidencane, ferns, scattered sawgrass, pickerelweed, sedges, and water tolerant grasses.

Riviera fine sand, frequently ponded. This is a nearly level, poorly drained soil that has a loamy subsoil. This soil is covered with up to 2 feet of water for more than 6 months each year. The typical natural vegetation is cypress, needlegrass, St. John's wort, corkwood, melaleuca, pickerelweed, sand cordgrass, maidencane, and water-tolerant plants.

Tequesta muck, frequently ponded. This is a nearly level, very poorly drained soil that has a thin organic layer on the surface overlying a mineral soil that has a sandy surface layer and a loamy subsoil. This soil is on broad, low flats and in marshes and depressions. Under natural conditions, this soil is covered by water for 4 to 6 months in most years. The water table is within 10 inches of the surface for 6 to 12 months during most years. The typical natural vegetation is needlegrass, pickerelweed, maidencane, ferns, southern bayberry, and scattered cypress trees.

SURFACE WATERS AND WETLANDS

The wetland areas observed outside of the existing surface water management system comprise the area of forested cypress along the east central boundary and the strip along the far north and north east boundary of the property.

Wetland protection is mandated under federal, state, and local regulations. The U.S. Army Corps of Engineers (COE) regulates activities in Waters of the United States pursuant to the Clean Water Act (PL92-500 Section 404) as further defined in the COE regulatory program (33 CFR 320-330). The State of Florida Department of Environmental Protection (DEP) has established wetland identification and permitting processes with Chapter 62-330, 62-340, and 62-312 of the

Florida Administrative Code (FAC). Current federal and state wetland definitions are derived from the original definition found in 33 CFR 328.3, identifying wetlands as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of vegetation typically adapted to life in saturated soil conditions”. Delineation of federally regulated jurisdictional wetlands is determined by the Corps of Engineers Wetlands Delineation Manual (USAE Waterways Experiment Station Environmental Laboratory 1987), the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (USAE Research and Development Center 2010), and the Navigable Waters Protection Rule. Delineation of wetlands regulated by DEP and South Florida Water Management District (SFWMD) is done according to Chapter 62-340 FAC, Delineation of the Landward Extent of Wetlands and Surface Waters. The Florida Wetlands Delineation Manual (Gilbert et al. 1995) serves as a guide to Chapter 62-340. Both manuals, which emphasize the identification of hydric soils, hydrophytic vegetation, and wetland hydrologic conditions in making wetland determinations, were used in this investigation.

In the case of the subject property, the SFWMD will regulate changes and impacts to the surface water management system, as well as impacts to jurisdictional wetland areas. The only wetland areas observed outside of the existing surface water management system, are the area of forested cypress area along the east central boundary and the strip along the far north and north east boundary of the property. These areas would likely be considered jurisdictional and if not preserved, would require mitigation for impacts.

FLOOD ZONE INFORMATION

According to Palm Beach County’s Information Systems Services, the subject property is located within flood zone AE. The Base Flood Elevation equals 14.2 FT NAVD. AE represents areas subject to 100-year flood with base flood elevation determined and depicts areas of flood plain with less than 1% probability of annual flooding.

WELLFIELD PROTECTION ZONE

The subject property is not located within or adjacent to a wellfield protection zone.

SUMMARY

As a result of historical disturbance and current agricultural uses on the property, environmental resources such as native habitat and listed species utilization are very limited or absent. One listed animal species, the little blue heron, was observed foraging within the site ditches. No nesting by listed species is anticipated as there is no ideal nesting habitat on the site. There are small areas of disturbed wetland that will require coordination, permitting and mitigation for SFWMD if impacts are proposed.

ATTACHMENTS

Figure 1. Location Map

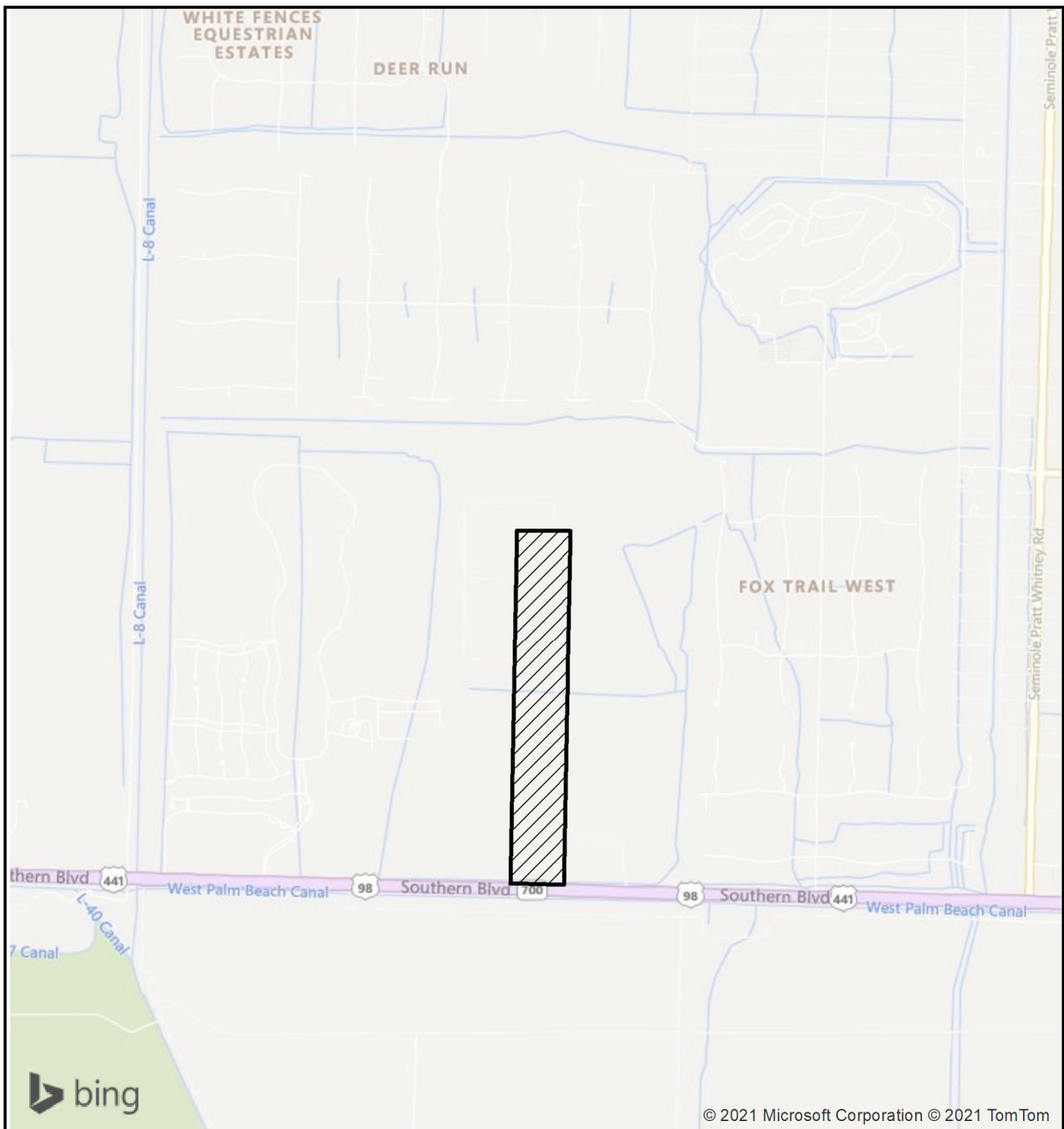
Figure 2. Quad Map

Figure 3. Aerial Photo


Figure 4N. FLUCFCS Map North

Figure 4S. FLUCFCS Map South

Palm Beach County Soils Report



LEGEND

 - SITE (171.1+/- AC)

0 3,000 Feet



KOLTER - FLEMING PARCEL LOCATION MAP



EW CONSULTANTS, INC.

2581 METROCENTRE BLVD., SUITE 1
WEST PALM BEACH, FL 33407
561-291-7950 PHONE 561-530-4908 FAX
WWW.EWCONSULTANTS.COM

APRIL 2022

FIGURE

1



USGS QUAD MAP "LOXAHATCHEE", SECTIONS 27 & 34, TOWNSHIP 43 SOUTH, RANGE 40 EAST, LOXAHATCHEE, PALM BEACH COUNTY, FLORIDA, LATITUDE 26°41'39" LONGITUDE -80°20'22"

LEGEND

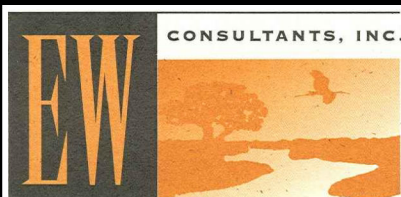
 - SITE (446.2± AC)

0 3000
SCALE IN FEET



KOLTER - FLEMING PARCEL QUAD

Fleming parcel.dwg QUAD



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FIGURE

2



SOUTHERN BLVD

PALM BEACH COUNTY AERIAL DATED 2021

0 1500
SCALE IN FEET

KOLTER - FLEMING PARCEL AERIAL

Fleming parcel.dwg AERIAL



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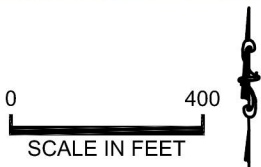
FIGURE

3



PALM BEACH COUNTY AERIAL DATED 2021

- LEGEND
- 200 - AGRICULTURE (7.9± AC)
 - 214 - ROW CROPS 365.4± AC)
 - 241 - ORNAMENTALS (7.4± AC)
 - 422 - BRAZILIAN PEPPER (14.7± AC)
 - 510 - DITCHES (25.2± AC)
 - 630 - WETLAND FORESTED MIXED (6.2± AC)
 - 832 - ELECTRICAL POWER TRANSMISSION LINES (19.4± AC)
 - TOTAL SITE (446.2± AC)



KOLTER - FLEMING PARCEL

FLUCFCS



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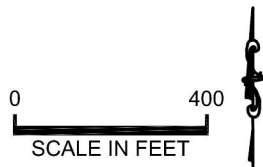
APRIL 2022
FIGURE
4N



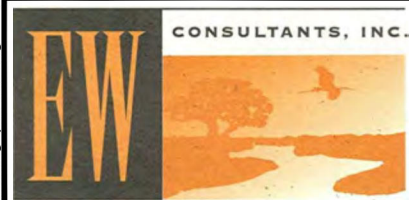
PALM BEACH COUNTY AERIAL DATED 2021

LEGEND

- 200 - AGRICULTURE (7.9± AC)
- 214 - ROW CROPS 365.4± AC)
- 241 - ORNAMENTALS (7.4± AC)
- 422 - BRAZILIAN PEPPER (14.7± AC)
- 510 - DITCHES (25.2± AC)
- 630 - WETLAND FORESTED MIXED (6.2± AC)
- 832 - ELECTRICAL POWER TRANSMISSION LINES (19.4± AC)
- TOTAL SITE (446.2± AC)



KOLTER - FLEMING PARCEL
FLUCFCS

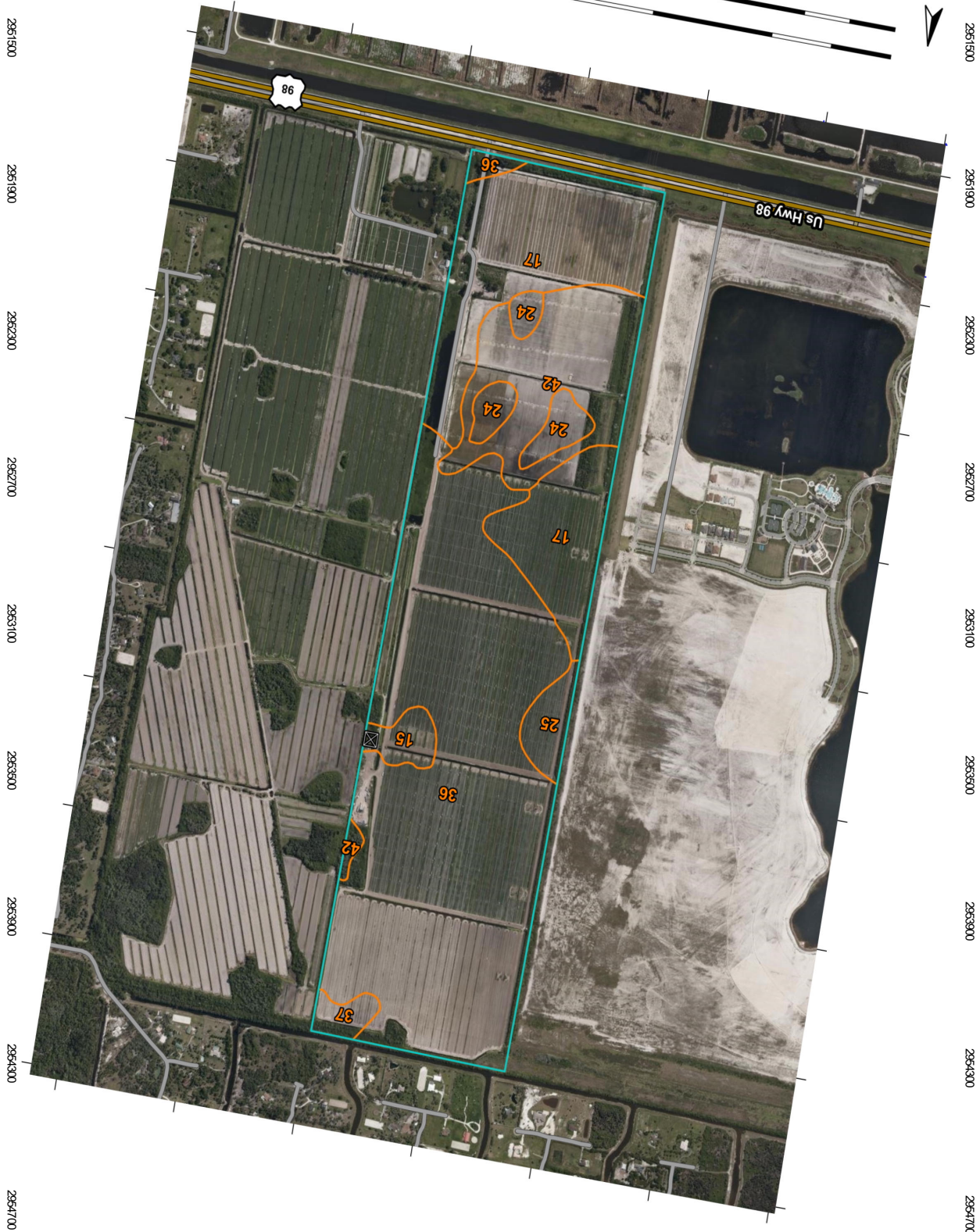


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APRIL 2022
FIGURE
4S

Soil Map—Palm Beach County Area, Florida
(KOLTER - FLEMING PARCEL)


Map Scale: 1:16,200 if printed on A portrait (8.5" x 11") sheet.
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84
0 500 1000 2000 3000
Feet
0 400 800 1200
Meters



Soil Map—Palm Beach County Area, Florida
(KOLTER - FLEMING PARCEL)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Palm Beach County Area, Florida

Survey Area Data: Version 17, Jun 9, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 25, 2019—Apr 16, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
15	Floridana fine sand, frequently ponded, 0 to 1 percent slopes	7.8	1.7%
17	Holopaw fine sand, 0 to 2 percent slopes	108.9	24.4%
24	Okeelanta muck, drained, frequently ponded, 0 to 1 percent slopes	14.8	3.3%
25	Oldsmar sand, 0 to 2 percent slopes	9.6	2.2%
36	Riviera fine sand, 0 to 2 percent slopes	242.1	54.3%
37	Riviera fine sand, frequently ponded, 0 to 1 percent slopes	5.6	1.2%
42	Tequesta muck, frequently ponded, 0 to 1 percent slopes	57.4	12.9%
Totals for Area of Interest		446.2	100.0%



To: Urban Design Studio

From: Mary Lindgren
EW Consultants, Inc.

Date: May 6, 2022

Subject: Fleming Parcel;
Future Land Use Amendment Environmental Assessment
Wellfield Protection Zone and Flood Zone Information

This memo provides natural resource-related information relating to the subject parcel, specifically information related to Wellfield Protection Zones and Flood Zones on or near the subject property.

WELLFIELD PROTECTION ZONE

The subject property is not located within or adjacent to a wellfield protection zone. The nearest wellfield protection zone is located approximately 6.5 miles southeast of the subject property.

FLOOD ZONE

According to Palm Beach County's Information Systems Services, the subject property is located within flood zone X and flood zone AE. Flood zone X-unshaded represents areas outside of the 500-year flood plain with less than 0.2% probability of annual flooding. Flood zone AE represents areas within the 100-year flood plain with a 1% probability of annual flooding.

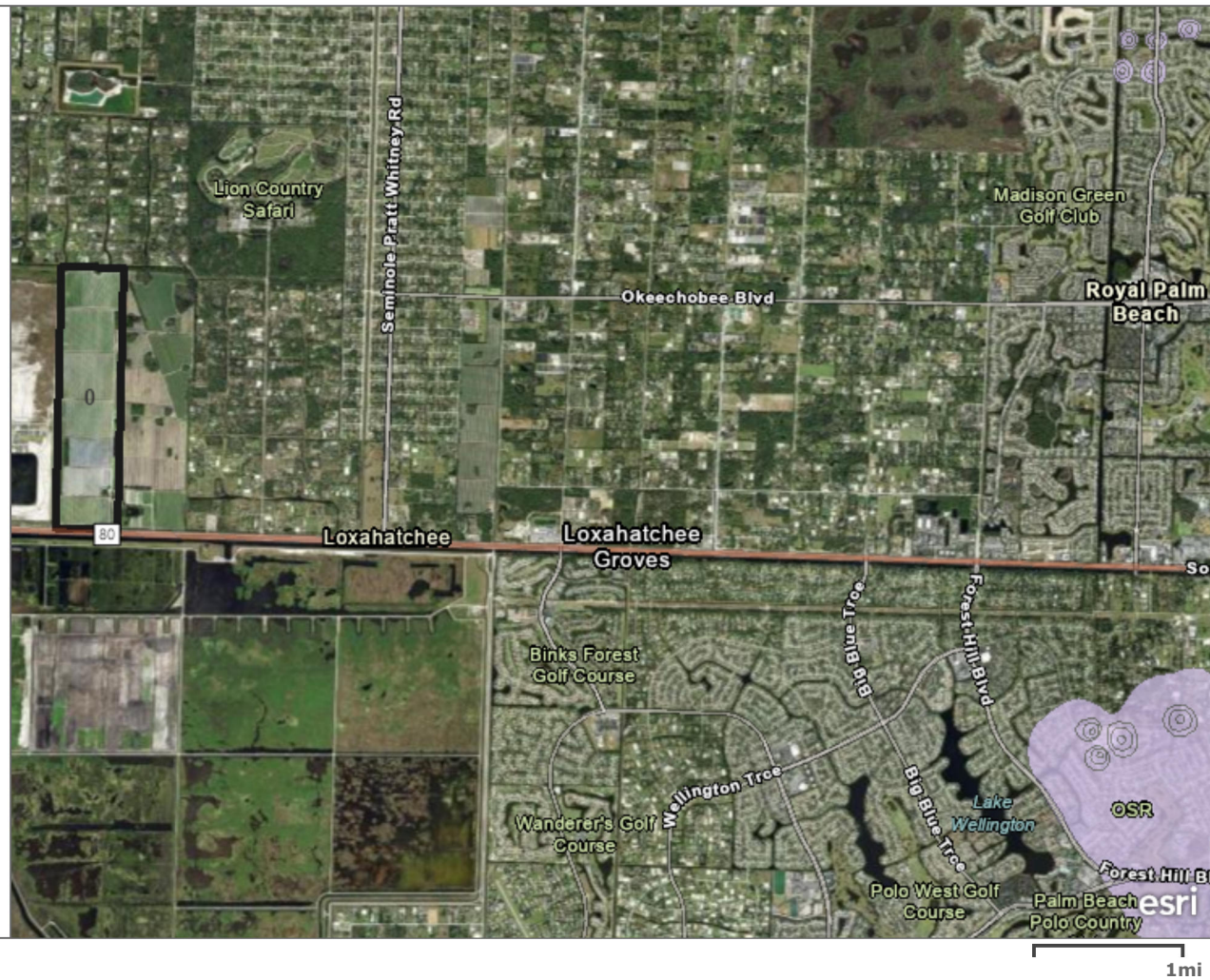
Attachments – Wellfield Protection Zone and Flood Zone Maps

My Map

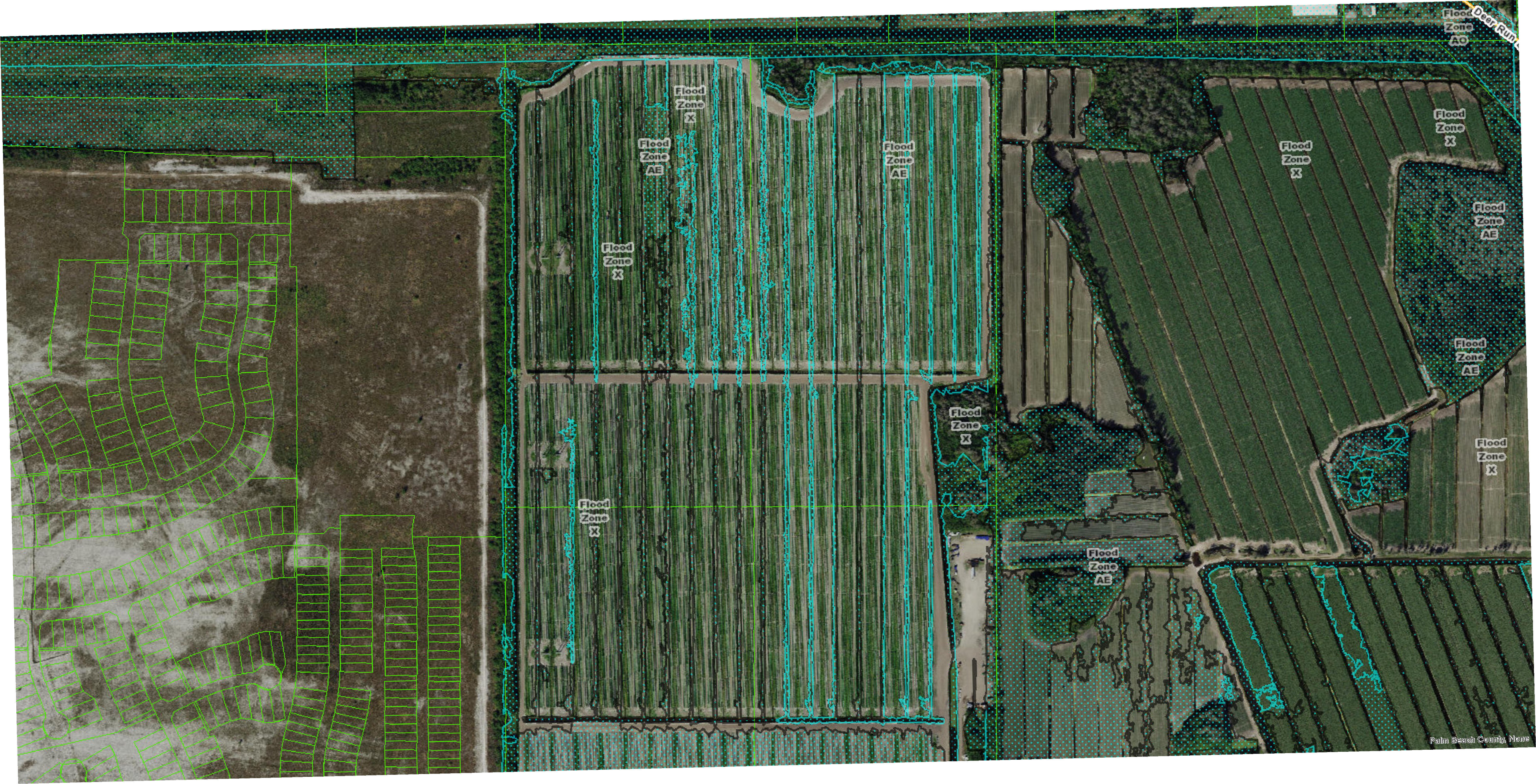
Fleming Parcel



Wellfield Zones



State of Florida, Earthstar Geographics | FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



Flood Zone AO

Flood Zone X

Flood Zone AE

Flood Zone AE

Flood Zone X

Flood Zone AE

Flood Zone X

Flood Zone AE

Flood Zone AE

Flood Zone X

Flood Zone X

Flood Zone X





**Department of Planning,
Zoning & Building**

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

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



**Palm Beach County
Board of County
Commissioners**

Robert S. Weinroth, Mayor

Gregg K. Weiss, Vice Mayor

Maria G. Marino

Dave Kerner

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

December 13, 2021

Tyler Woolsey
Urban Design Studio
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

**RE: Historical and Archaeological Resource Review for project named:
Hendrix Property, under PCN's: 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.**

Dear Mr. Woolsey,

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,

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

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

T:\Planning\Archaeology\County Departments\Planning\Land Use Amendments and Development
Review\Urban Design Studio\Hendrix Property_PCNs00424327050270060,0050,0101 & 0040 Ltr 12-13-
2021.doc



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

KRISTIN K. GARRISON
DIRECTOR

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

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

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	04/20/2023		
	SCAD No.	23042001F/FLUA and 23042001Z/Re-Zoning		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	Property Control No.	00-42-43-27-00-000-3010; 1010; 00-42-43-22-00-0005000; 7010;		
	Development Name	Cresswind PUD		
	Owner / Agent Name	Fleming Properties, LLC; Lornco Farms, LLC ; Robin Fleming / Urban Design Studio		
	SAC No.	420F		
	Proposed FLUA Proposed Re-Zoning	Maximum 892 Residential Units Maximum 892 Residential Units		
Impact Review		Binks Forest Elementary School	Wellington Landing Middle School	Wellington High School
	New Students Generated	141	73	102
	Capacity Available	-109	157	-142
	Utilization Percentage	109%	90%	105%
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Given the recent increases in school impact fees, effective January 1, 2023, much of these impacts will be mitigated. The impact fees, however, will not fully cover impacts to the school system. Therefore, if the proposed development is approved by Palm Beach County government and if the Developer voluntarily agrees, 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 and high school level, the property owner shall contribute a total of \$1,757,526.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This voluntary school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied). The contribution amount may be adjusted to reflect the actual unit number and type during the Development Order process.</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 September 13, 2022.</p>			
Validation Period	<p>1) This determination is valid from 04/28/2023 to 04/27/2024 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 04/27/2024 or this determination will expire automatically on 04/27/2024.</p>			
Notice	<p>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

April 28, 2023

Date

joyce.cai@palmbeachschools.org

Email Address

CC: Kevin Fischer, Planning Director, Palm Beach County
Vismary Dorta, Site Plan Technician, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County

The School District of Palm Beach County, Florida
A Top High-Performing A Rated School District
An Equal Education Opportunity Provider and Employer

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 7. Text Amendment Application

A. Proposed Text Amendment Summary – Fleming Property

Elements & Policies to be revised	Future Land Use Element Policy 1.8-a Map Series LU1.1 – Managed Growth Tier System Map Series LU2.1- Service Area Map Map Series LU3.1 – Special Planning Areas
Purpose	Please see attached justification narrative.
Justification	Please see attached justification narrative.
Consistency	Please see attached justification narrative.
Text Changes	Please see attached for proposed text changes.
ULDC Changes	No changes are proposed to the ULDC.

Privately Initiated Amendment to Comprehensive Plan Proposed Amendments to Comprehensive Plan

1) To Revise the Future Land Use Element as shown below

Objective 1.8 Glades Area Protection Overlay

Policy 1.8-a: The Glades Area Protection Overlay is depicted on the Special Planning Areas Map LU 3.1 in the Map Series and consists of approximately 3,510 acres generally located on the north side, generally described, as the area north of Southern Boulevard State Road 80 (SR-80), beginning approximately 1.75 2.25 miles west of Seminole Pratt Whitney Road and extending westward approximately 2.4 miles. directly south of the Deer Run rural subdivision, to approximately 2.0 miles west of the SFWMD L-8 Canal, encompassing the western portions of sections 8 and 17, all of sections 20, 28, 29 and 32, and the northern portion of section 33, Township 43, Range 40, with an approximate total acreage of 3,063.66 acres, is depicted on the Special Planning Areas Map in the Map Series. The boundaries of the Glades Area Protection Overlay shall not be modified or expanded westward to incorporate areas other than the ones described in this policy.

2) To Revise the Map Series of the Comprehensive Plan as shown below:

Modify the following maps to include Fleming Property:

- LU 1.1 – Managed Growth Tier System
- LU 2.1 – Service Area Map
- LU 3.1 – Special Planning Areas