

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	21-B	Intake Date	November 10, 2020
Application Name	Hendrix Property	Control No.	1974-00037
Acres	38.07 Acres* Note: The site is presently 36.49 acres; however, there is a sliver of hiatus ROW bifurcating the site which will be subject to a ROW Abandonment request. The total site acreage will then be approximately 38.07 acres.	Concurrent Zoning application?	Yes
		Text Amend?	No
PCNs	00424327050270060; 00424327050270050; 00424327050270101; 00424327050270040		
Location	South side of Lake Worth Road, approx. 0.20 mile east of State Road 7		
	Current	Proposed	
Tier	Urban/Suburban	No Change	
Use	Vacant Ag, Single Family Home	Zero Lot Line Homes	
Zoning	Agricultural Reserve (AR)	Residential Single Family (RS)	
FLU Designation	Low Residential 1 Unit per Acre (LR-1)	Medium Residential, five units per acre (MR-5)	
Underlying FLU Designation	None	None	
Conditions	None	None	
Density Bonus	None	None	

B. Development Potential

	Current FLU	Proposed FLU
Density/Intensity:	1 unit per acre	5 units per acre
Maximum Dwelling Units	1 du/acre x 38.07 ac. = 38 du	5 du/acre x 38.07 ac. = 190 du
Population Estimate	38 max du x 2.39 = 90 persons	190 max du x 2.39 = 454 persons
Proposed or Conditioned Potential	None	None
Max Trip Generator	ITE 210 Single Family Detached 10 Trips per DU	ITE 210 Single Family Detached 10 Trips per DU
Maximum Trip Generation	380	1,900

Net Daily Trips:	1,520 (maximum minus current) 1,520 (proposed minus current)
Net PH Trips:	141 (35 In/106 Out) AM, 188 (118 In/70 Out) PM (maximum) 141 (35 In/106 Out) AM, 188 (118 In/70 Out) (proposed)

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Part 2. Applicant Data

A. Agent Information

Name	Edwin Muller
Company Name	WGI, Inc.
Address	2035 Vista Parkway
City, State, Zip	West Palm Beach, FL 33411
Phone / Fax Number	561-713-1705
Email Address	Edwin.Muller@wginc.com

B. Applicant Information

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

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 3. Site Data

A. Site Data

Built Features	A majority of the subject site is unimproved and vacant; however, there is an existing single-family residence and outdoor storage area on PCN -0050. See Attachment F – Built Feature Inventory List and Map.
PCN	00424327050270060; 00424327050270050; 00424327050270101; 00424327050270040 See Attachment A – PCN List
Street Address	9584 Lake Worth Road, Lake Worth, Florida 33467
Frontage	The project site has approximately 1,950 linear feet of frontage along Lake Worth Road.
Legal Access	Legal access will be provided to the site from Lake Worth Road
Contiguous under same ownership	There are no additional properties under contiguous ownership outside of the PCN's provided in Part 1 of this Application.
Acquisition details	\$1,630,000.00 on March 5 th , 1998
Size purchased	38.07 acres

B. Development History

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

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Part 4. Consistency

A. Consistency

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

B. Surrounding Land Uses.

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

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	ITE 210 Single Family Detached 10 Trips per DU	ITE 210 Single Family Detached 10 Trips per DU
Maximum Trip Generation	380	1,900
Net Daily Trips:	1,520 (maximum minus current) 1,520 (proposed minus current)	
Net PH Trips:	ITE 210 Single Family Detached 10 Trips per DU	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Dr. Juan Ortega, PE JFO Group, Inc.	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	RT. 62 - WLN - LKW via LAKE WORTH	
Nearest Palm Tran Stop	STOP 5930 - LAKE WORTH RD & WOODS WALK BLVD	
Nearest Tri Rail Connection	LAKE WORTH STATION	
C. Portable Water & Wastewater Information		
Potable Water & Wastewater Providers	Palm Beach County Water Utilities	
Nearest Water & Wastewater Facility, type/size	The nearest potable water is a 1 0" watermain located within Lake Worth Road and a 1 0" watermain located within Hunting Trail adjacent to the subject property. The nearest sanitary sewer connection is an 8" forcemain located north of the subject property within Lake Worth Road.	

D. Drainage Information

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

E. Fire Rescue

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

F. Environmental

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

G. Historic Resources

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

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

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Okeeheelee Park	0.00339	454	1.53
Beach	R.G. Kreusler	0.00035	454	0.15
District	Lantana District "I"	0.00138	454	0.62

I. Libraries - Residential Only (Including CLF)			
Library Name	Greenacres Branch		
Address	750 Jog Rd		
City, State, Zip	Greenacres, FL 33467		
Distance	3.6 miles		
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	454	908
Periodicals	5 subscriptions per 1,000 persons	454	2.27
Info Technology	\$1.00 per person	454	454.00
Professional staff	1 FTE per 7,500 persons	454	0.06
All other staff	3.35 FTE per professional librarian	454	0.20
Library facilities	0.34 sf per person	454	155
J. Public Schools - Residential Only (Not Including CLF)			
	Elementary	Middle	High
Name	Panther Run	Woodlands Middle	Palm Beach Central
Address	10775 Lake Worth Rd	5200 Lyons Rd,	8499 W Forest Hill Blvd
City, State, Zip	Lake Worth, FL 33449	Lake Worth, FL 33467	Wellington, FL 33411
Distance	1.2 Miles	1.9 Miles	4.3 Miles

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

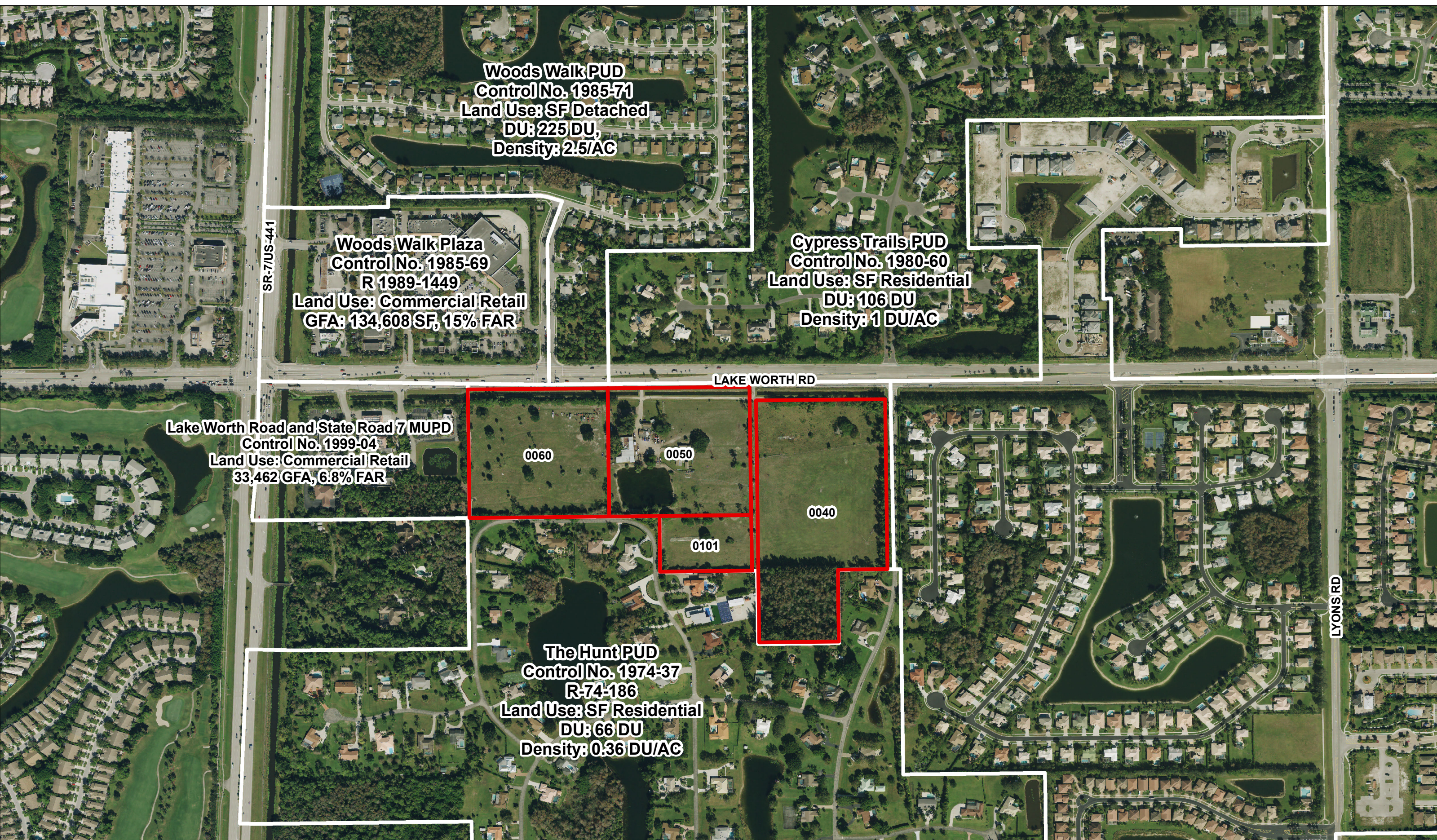
Part 6. Attachments

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

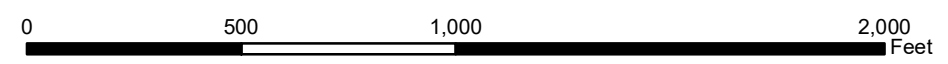
Forms for Attachments B, C, D, and E are located on the web at:


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

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ATTACHMENT F - BUILT FEATURE INVENTORY & MAP



 Subject_Site





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

**HENDRIX PROPERTY
PROPOSED FLUA MAP AMENDMENT**

Attachment G

Prepared by:

WGI, INC.

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

Initial Submittal: November 10, 2020



Palm Beach County - Planning Division

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



Introduction

On behalf of the Applicant, WGI, Inc. is requesting the following:

- **Comprehensive Plan Future Land Use Atlas (FLUA) Amendment** to re-designate the FLU designation on a collection of parcels from the Low Residential, one unit per acre (LR-1) FLU to the Medium Residential, five units per acre (MR-5) classification.

I. PROPOSED FLUA AMENDMENT

The Applicant is requesting a FLUA amendment on four contiguous parcels of land from the LR-1 FLU to MR-5 in order to accommodate the development of zero lot-line homes at a residential density consistent with the MR-5 land use designation. The area subject to this request is comprised of four parcels, identified by the following Parcel Control Numbers (PCN's):

- 00424327050270060
- 00424327050270050
- 00424327050270101
- 00424327050270040

II. SITE DESCRIPTION

The subject site is generally located approximately ¼ mile east of the Lake Worth Road and State Road 7 intersection, and is primarily unimproved and vacant with the exception of a single-family residential structure on PCN -0050. The project site measures approximately 38.07 acres in size and currently retains a FLU designation of LR-1 and a zoning district classification of Agricultural Residential (AR). It should be noted that the site is located along the West Lake Worth Road Corridor, and is therefore included within the West Lake Worth Road Neighborhood Plan as adopted by Resolution 2009-2018. For reference, the general purpose of the neighborhood plan is to “ensure that the future development is designed and constructed to preserve and define the character of the West Lake Worth Road Corridor Area.” An aerial of the subject site and surrounding areas has been provided below -





III. SURROUNDING USES

As previously stated, the subject site is located along the Lake Worth Road Corridor, whose fabric ranges across the development spectrum at varying residential densities and non-residential intensities. There are numerous commercial and residential developments along the corridor, one that would support the infill development of this vacant and underutilized site. The following chart summarizes the uses located immediately adjacent to the project site.

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



IV. CONSISTENCY

GI. Justification

In accordance with Policy 2.1-f of the Future Land Use Element of the Comprehensive Plan, this section aims to provide adequate justification for the proposed future land use amendment and the proposed residential density increases that demonstrate that the current FLU designation of the subject site is inappropriate.

The subject site currently represents a 38.07-acre tract of underutilized land, ripe for infill residential development along the Lake Worth Road corridor. The current LR-1 FLU designation of the subject site, coupled with an AR zoning district classification may have once been appropriate for the West Lake Worth Road Corridor; however, the development pattern across the corridor has proven to support higher residential densities such as the MR-5 FLU designation being requested. In light of our County's housing shortages, growing scarcity of developable land, and the evident opportunity to provide more workforce housing, the request to re-designate the existing land use to the MR-5 FLU is justifiable and necessary.

The following sections provided additional justification for the request, as well demonstrate compliance with Policy 2.1-f:

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

The request to modify the land use designation of the subject site from LR-1 to MR-5 to accommodate the development of 140 single family homes is consistent with the development pattern across the Lake Worth Road corridor. As previously stated, the subject site is located within the bounds of the West Lake Worth Road neighborhood plan, which is not authoritative in its' recommendations; nevertheless, a guiding document for the current and future development of the plan boundaries.

As it relates to residential density in the plan boundaries, the Plan does contemplate residential densities ranging from one unit to the acre to five units to the acre. It should be noted that the plan provides for low density residential developments for larger tracts of land, which in many cases consist of over 100+ acres of land (i.e., Cypress Lakes Trails, Cypress Woods, Summer Chase, and Legend Lakes Estates). The subject site is limited in size and does not allow for a feasible development with its current land use designation. In addition, the subject sites' location directly along the corridor allows for the future development of residences that have direct access to Lake Worth Road and the various non-residential developments that serve the community. Please see analysis below of recently approved residential projects in the projects' vicinity:

Control No.	Project Name	FLU	Density	Residential Type
2007-00096	Polo Legacy MXPD	CH/5	4.77 DU/AC	TH/MF
2008-00297	Gulfstream PUD	MR-5	3.81 DU/AC	ZLL/MF
2017-00194	Catalina at Lake Worth PUD	HR-8	13.53 DU/AC	MF
2005-00594	Fields at Gulfstream Polo	LR-3 / MR-5	4.41 DU/AC	SF, TH, ZLL

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

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

The subject site is located on the West Lake Worth Road corridor, between Florida's Turnpike to the east and State Road 7 to the west. This section of the corridor contains a mix of land use designation ranging from low density residential to high density residential, as well as various non-residential commercial land uses. Over the years the corridor has developed and evolved to support a wide range of residential developments and commercial centers such as the Lake Worth Road and State Road 7 MUPD (multiple planned use development) immediately west of the subject site. This commercial development retains a commercial land use designation and is comprised of over 33,000 square feet of approved non-residential uses. Directly to the east of the subject site is the Regency Lakes Estates Planned Development. The development consists of 160 dwelling units with an LR-2, two units per acre land use designation. It should



be noted that the net density of the Regency Lakes development in all actuality is nearly 2.5 unit per acre when computing density over just the developable areas of the community. In consideration of this, from east to west, the proposed future land amendment of the subject site will serve as a transition from a less dense residential development to the east to a multiple use planned development to the west.

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

The subject site is located directly along the West Lake Worth Corridor which has developed over the years to support various uses across the development spectrum. Further, the vacant site is wedged between existing commercial and residential development, creating the pressing need to develop this site for single family development to support and remedy the County's initiatives to mitigate housing shortages in the County. As it pertains to similar residential developments that compare to the proposed FLU amendment, it should be noted that approximately $\frac{3}{4}$ of a mile to the east, the Polo Legacy Mixed Use Planned Development (MXPDP) has been approved and is currently under construction with a land use designation of CH/5, commercial high with an underlying five units per acre. The development consists in part of a residential component 180 units consistent with the MR-5 underlying land use designation. Additionally, the Field at Gulfstream Polo PUD (Control No. 2005-00594) is a residential development west of Florida's Turnpike with residential densities ranging from three units per acre to five units per acre, and townhome and zero lot-line residential use types.

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

With the growing need for housing in the County, specifically along the Lake Worth Road corridor, the subject site represents an ideal location for the provision of additional housing for the community at large. It is anticipated that with the numerous commercial and non-residential development along the corridor that this development will be appropriately served and would not place any additional strain on concurrency for the built-out corridor.

d. Inappropriateness of the adopted FLU designation; or

The current land use designation of the subject site is no longer suitable for the area. The Lake Worth Corridor has developed over time to include a wide array of residential uses and non-residential development alike. The subject site presents an ideal opportunity for single family residential development at a density that is more reflective of the residential densities across the corridor. Many planned developments exist along the corridor as well, which is characteristic of a fabric that no longer supports extremely low density, estate-style residential development.

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

The adopted FLU designation was not assigned in error and was reflective of the rural character of the western portions of the corridor. However, the current state of developed and approved/to-be-built developments along the corridor justify the change in land use for the subject site.



G. II Residential Density Increases

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

1) Demonstrate a need for the amendment.

As previously stated, the subject site represents an ideal opportunity for single family residential development along the west portion of the Lake Worth Road Corridor. The subject site is currently undeveloped and given the surrounding built fabric along the corridor, the 38.07-acre site is no longer appropriate for the low density, estate-style residential development associated with the LR-1 FLU and AR zoning district. This style of development is more distinctly associated with the larger tracts of land in the West Lake Worth Road Neighborhood Plan and is not an appropriate style of development for the site. Additionally, the Applicant intends to maintain the overall vision for the site as contemplated in the neighborhood plan, but developing the site as residential versus a non-residential use. The additional 140 single family homes that would be made possible by this amendment will help to mitigate the County's ongoing housing shortages and provide additional workforce housing units as required by the Comprehensive Plan.

2) Demonstrate that the current FLUA designation is inappropriate.

The request to modify the land use designation of the subject site from LR-1 to MR-5 to accommodate the development of 140 single family homes is consistent with the development pattern across the Lake Worth Road corridor. As previously stated, the subject site is located within the bounds of the West Lake Worth Road neighborhood plan, which is not authoritative in its' recommendations; nevertheless, a guiding document for the current and future development of the plan boundaries.

As it relates to residential density in the plan boundaries, the Plan does contemplate residential densities ranging from one unit to the acre to five units to the acre. It should be noted that the plan provides for low density residential developments for larger tracts of land, which in many cases consist of over 100+ acres of land (i.e., Cypress Lakes Trails, Cypress Woods, Summer Chase, and Legend Lakes Estates). The subject site is limited in size and does not allow for a feasible development with its current land use designation. In addition, the subject sites' location directly along the corridor allows for the future development of residences that have direct access to Lake Worth Road and the various non-residential developments that serve the community.

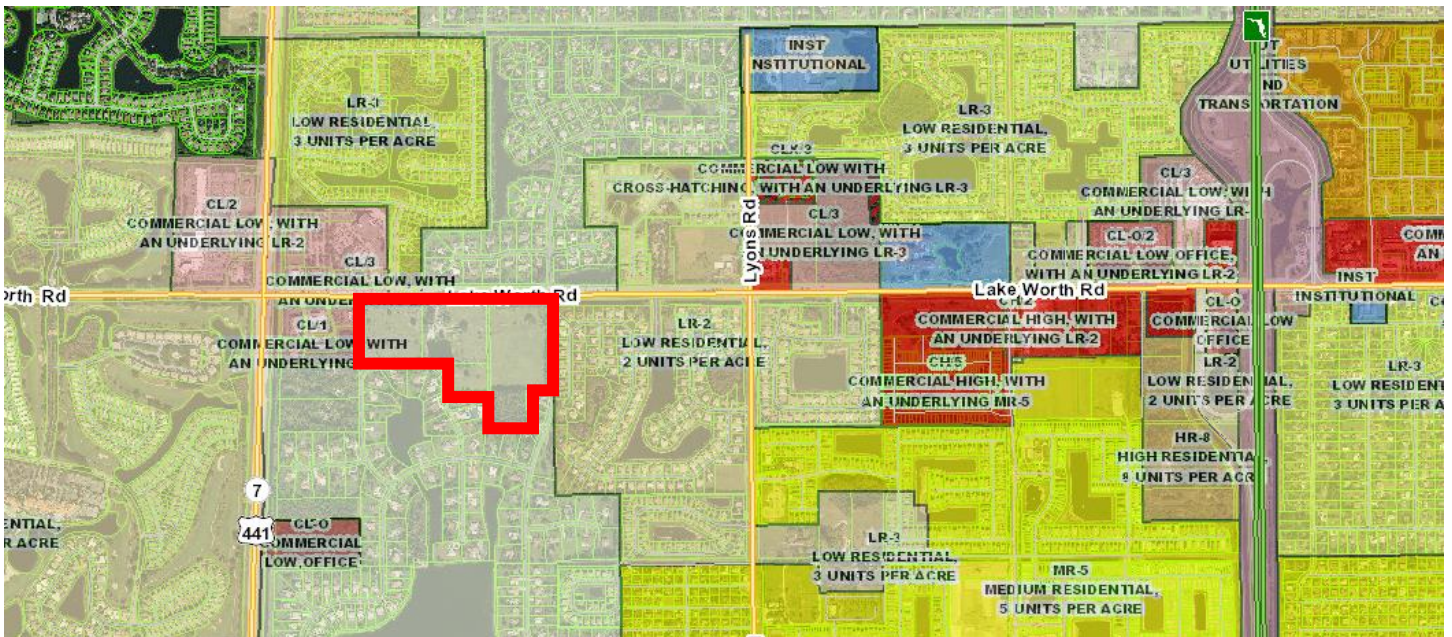
3) Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site.

The subject site is located within the bounds of the West Lake Worth Neighborhood Plan which stipulates that densities achieved through the FLUA amendment process; the Plan recommends that the maximum density be limited in the adopting ordinance to the associated designation's density. The plan states further, that this limitation will prohibit further density increases through any of the County's density bonus programs. In other words, in order to comply with the vision and recommendations of the neighborhood plan, our FLU amendment request does not include any petition for additional density bonuses to go above and beyond the five units per acre associated with the MR-5 land use.



Please see analysis below of recently approved residential projects in the projects' vicinity:

Control No.	Project Name	FLU	Density	Residential Type
2007-00096	Polo Legacy MXPDP	CH/5	4.77 DU/AC	TH/MF
2008-00297	Gulfstream PUD	MR-5	3.81 DU/AC	ZLL/MF
2017-00194	Catalina at Lake Worth PUD	HR-8	13.53 DU/AC	MF
2005-00594	Fields at Gulfstream Polo	LR-3 / MR-5	4.41 DU/AC	SF, TH, ZLL



The subject site currently represents a 38.07-acre tract of underutilized land, ripe for infill residential development along the Lake Worth Road corridor. The current LR-1 FLU designation of the subject site, coupled with an AR zoning district classification may have once been appropriate for the West Lake Worth Road Corridor; however, the development pattern across the corridor has proven to support higher residential densities such as the MR-5 FLU designation being requested. In light of our County's housing shortages, growing scarcity of developable land, and the evident opportunity to provide more workforce housing, the request to re-designate the existing land use to the MR-5 FLU is justifiable and necessary.



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

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

On behalf of the Applicant, we respectfully request and present the aforementioned justification for the FLUA amendment from LR-1 to MR-5 for the subject site.



October 23, 2020

Jackie Michaels, P.E.
Palm Beach County Water Utilities
8100 Forest Hill Boulevard
West Palm Beach, Florida 33416

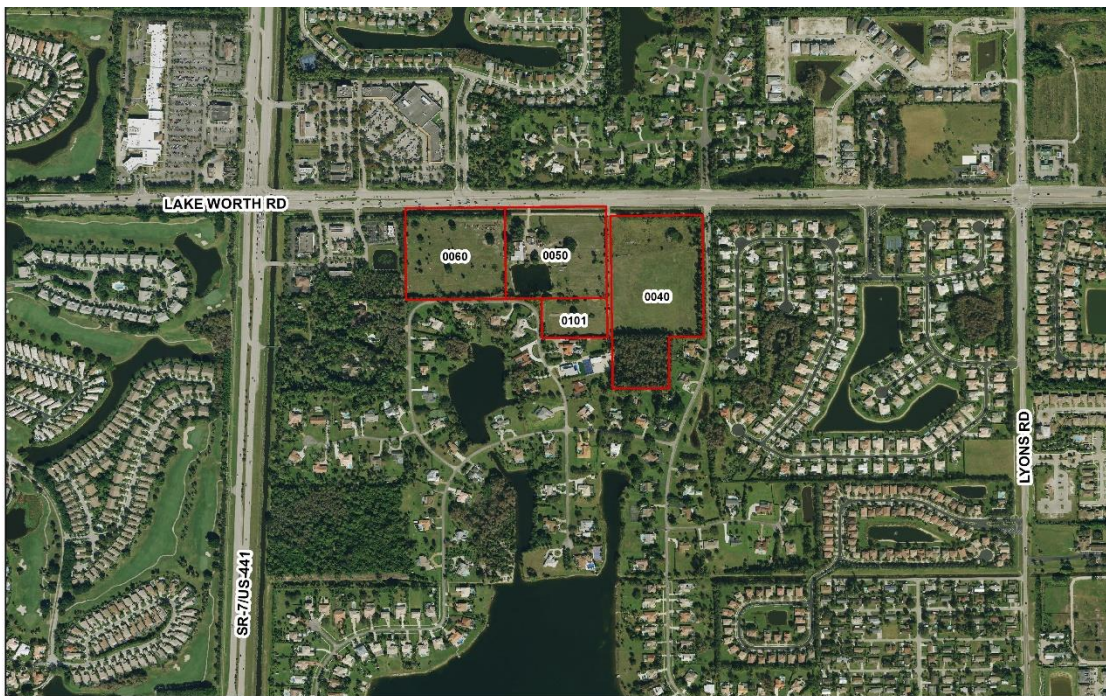
RE: **Hendrix Property**
FLUA Application – Water & Wastewater Provider LOS Letter Request

Ms. Michaels,

We would like to respectfully request a **Water & Wastewater Provider LOS** Letter for the **Hendrix Property** project in unincorporated Palm Beach County.

The project site information is as follows:

- **Address:** 9584 Lake Worth Road
- **PCN:** 00424327050270060; 00424327050270050; 00424327050270101; 00424327050270040
- **FLU Request:** Low-Residential 1 Unit per Acre (LR-1) to Medium Residential, five units per acre (MR-5)



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

Sincerely,

Edwin Muller, Project Manager



**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
Hal R. Valeche
Gregg K. Weiss
Mary Lou Berger
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

November 3, 2020

WGI
2035 Vista Parkway
West Palm Beach, FL 33411

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

Dear Mr. Muller,

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

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

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

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

Sincerely,

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

Jackie Michels, P.E,
Plan Review Manager



ENGINEER'S DRAINAGE STATEMENT

Hendrix Property

WGI No. 07206112.00

November 9, 2020

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

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

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

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

Wantman Group, Inc.

Respectfully submitted,

ADAM W. SCHILDMEIER, STATE OF FLORIDA, PROFESSIONAL ENGINEER, LICENSE NO. 69218

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY ADAM W. SCHILDMEIER, PE. ON NOVEMBER 7, 2020 USING A SHA-1 AUTHENTICATION CODE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SHA-1 AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Adam Schildmeier, P.E.

Florida License # 69218

Wantman Group, Inc. Cert. No. 6091



October 23, 2020

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

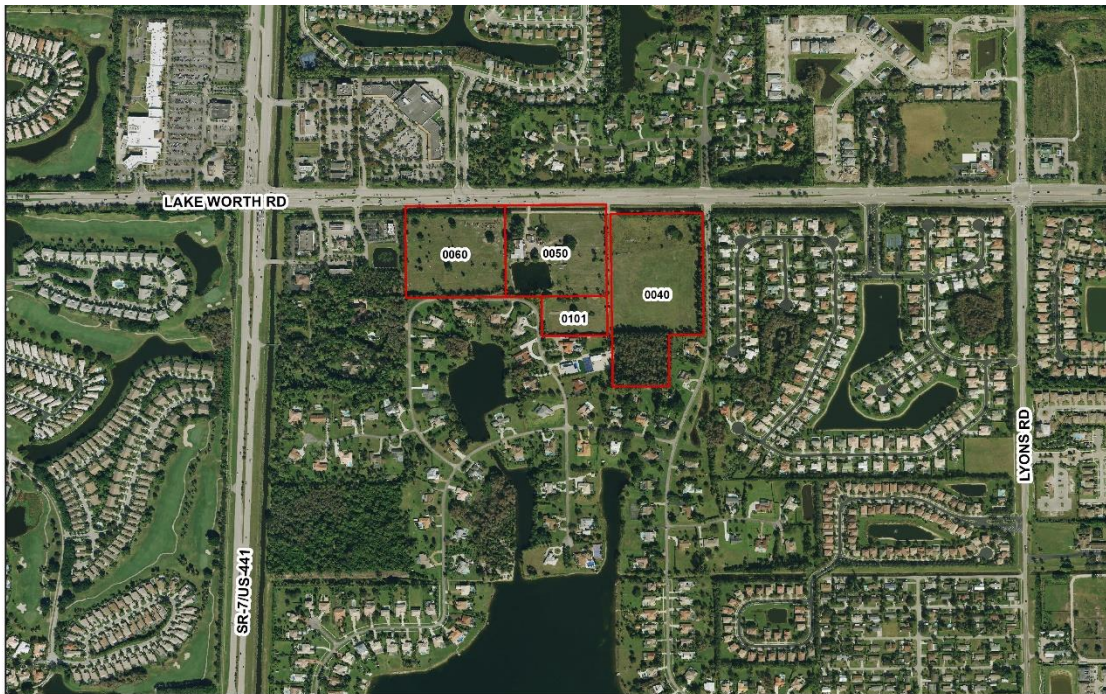
RE: **Hendrix Property**
FLUA Application – Fire Rescue LOS Letter Request

Ms. Allan,

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

The project site information is as follows:

- **Address:** 9584 Lake Worth Road
- **PCN:** 00424327050270060; 00424327050270050; 00424327050270101; 00424327050270040
- **FLU Request:** Low-Residential 1 Unit per Acre (LR-1) to Medium Residential, five units per acre (MR-5)



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

Sincerely,

Edwin Muller, Project Manager



Fire Rescue

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



**Palm Beach County
Board of County
Commissioners**

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

County Administrator

Verdenia C. Baker

October 27, 2020

WGI

Attention: Edwin Muller
2035 Vista Parkway
West Palm Beach, FL 33411

Re: Hendrix Property

Dear Edwin Muller:

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

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

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

Sincerely,

Cheryl Allan, Planner
Palm Beach County Fire-Rescue



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

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

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

NOVEMBER 9, 2020

WGI Project No.:07206112.00

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

INTRODUCTION

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

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

SOURCES OF INFORMATION

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

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



FIELD REVIEW

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

SOILS

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

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

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

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

EXISTING LAND USE

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

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



UPLAND COMMUNITIES

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

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

211– Improved Pastureland (33.41)

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

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

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

WETLAND COMMUNITIES

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

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

Wetland 01 (3.48 acres)

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

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



Surface Water 01 (1.14 acres)

FLUCFCS: 530 Reservoirs

USFWS: PUBHx Freshwater pond

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

THREATENED AND ENDANGERED SPECIES

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

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

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

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

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



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

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

Legend:

USFWS = United States Fish and Wildlife Service

FWC = Florida Fish and Wildlife Conservation Commission

DOACS = Florida Department of Agriculture & Consumer Services

E = Endangered

T = Threatened

SSC = Species of Special Concern

(S/A) = Threatened/Similarity of Appearance



FINDINGS AND DISCUSSION

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

Wetlands and Other Surface Waters

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

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

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

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

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



Threatened and Endangered Species

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

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

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

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

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



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

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

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

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

Uplands and Trees

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

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



CONCLUSION

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



Source: FDOT GIS Aerials

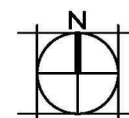
HENDRIX PROPERTY

Exhibit A

PREPARED FOR D. R. HORTON

LOCATION MAP

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



SCALE: NTS



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



Soil Series

10 - Boca Fine Sand

12 - Chobee Fine Sandy Loam

36 - Riviera Fine Sand

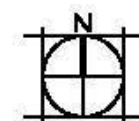
Source: Web Soil Survey

HENDRIX PROPERTY

Exhibit B

PREPARED FOR D. R. HORTON

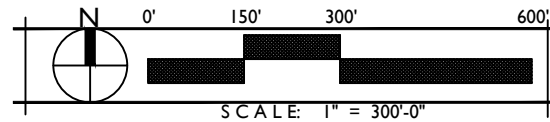
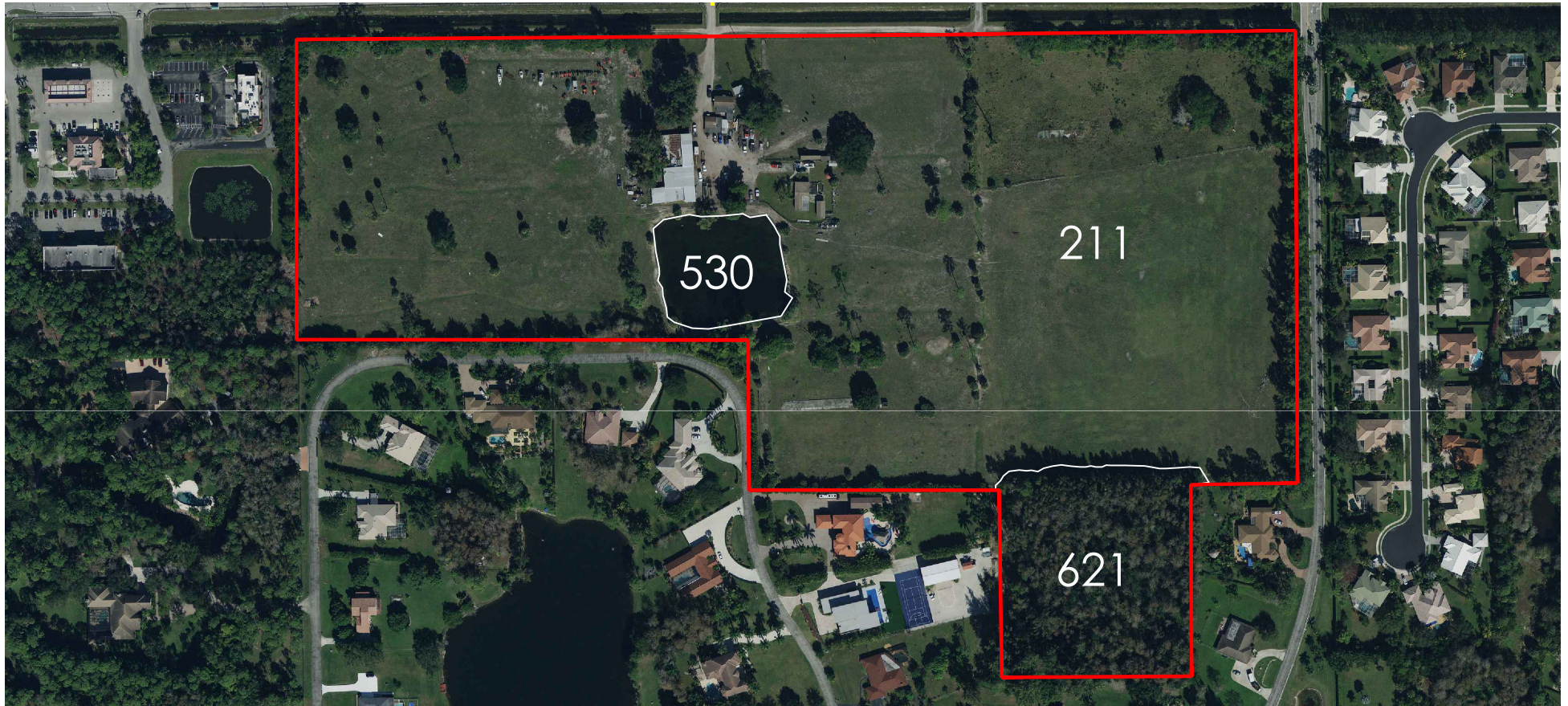
SOIL SURVEY



SCALE: NTS



DRAWN BY:	KLN
DRAWING #:	611200_EV-MAPS.dwg
FILE #:	611201
DATE:	11/09/2020



Source: FDOT GIS Aerials

FLUCCS CODE

211 - Improved Pastureland - 33.41 ac.

621 - Cypress - 3.48 ac.

530 - Reservoirs - 1.14

Total Acreage = 38.03

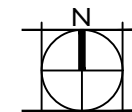
HENDRIX PROPERTY

PREPARED FOR D. R. HORTON

EXISTING LAND USE MAP

Exhibit C

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



SCALE: 1" = 300'0"

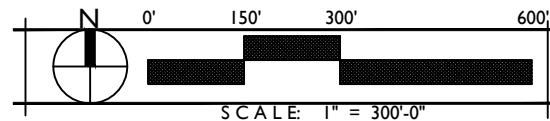
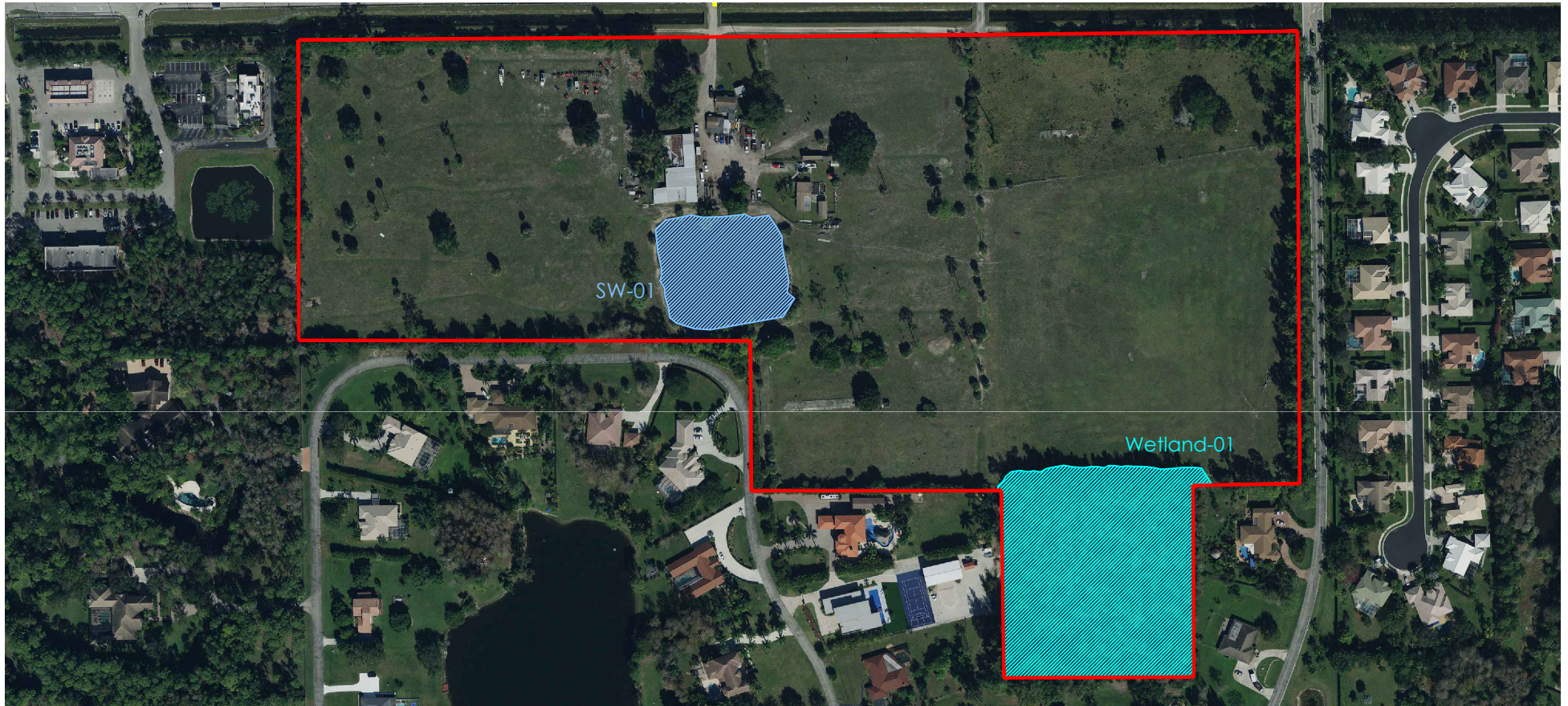


DRAWN BY: KLN

DRAWING #: 6112.00_EV-MAPS.dwg

FILE #: 6112.01

DATE: 11/09/2020



Source: FDOT GIS Aerials

WETLAND & OSW ACREAGE



Wetland 01 - 3.48 ac.

SW 01 - 1.14 ac.

Total Wetland Acreage = 3.48

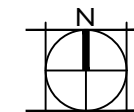
Total OSW Acreage = 1.14

HENDRIX PROPERTY

Exhibit D

PREPARED FOR D. R. HORTON

SURFACE WATER AND WETLAND BOUNDARY MAP



SCALE: 1" = 300'0"



DRAWN BY: KLN

DRAWING #: 6112.00_EV-MAPS.dwg

FILE #: 6112.01

DATE: 11/09/2020



Exhibit E - Site Photographs



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



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



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



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



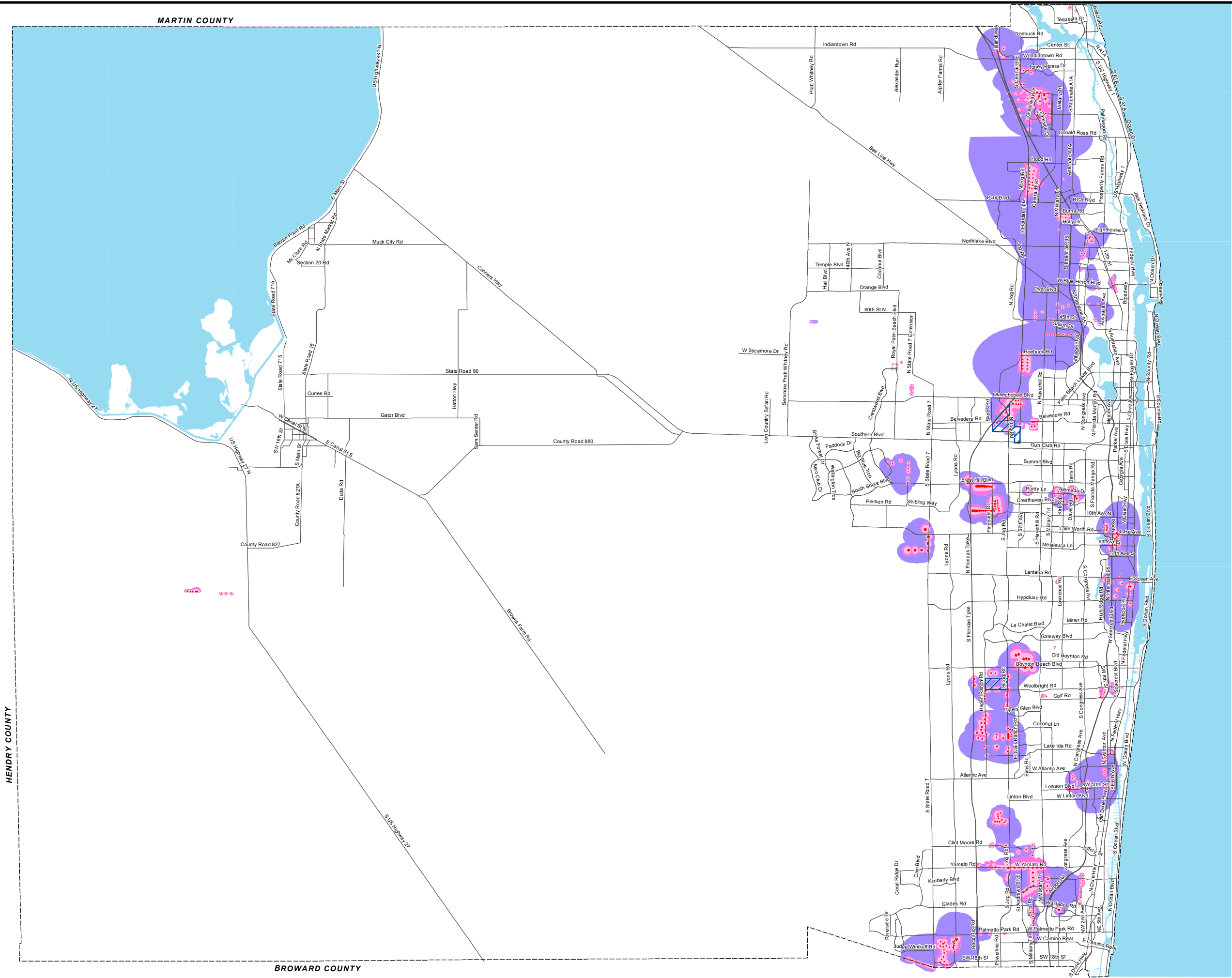
Photo 6: View of overgrown area in western pasture. View is to the north east.



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



Photo 8: Additional view of equipment shed.



MAP LU 4.1

GENERALIZED
WELLFIELD MAP



SOURCES:
PBC Dept. of Environmental Resources Management

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

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

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



PALM BEACH COUNTY
COMPREHENSIVE PLAN
MAP SERIES



1 0 1 2 3 Miles

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



October 23, 2020

Christian Davenport, MA, RPA
Palm Beach County – Planning Division
2300 N. Jog Road, 2nd Floor
West Palm Beach, FL 33410

RE: **Hendrix Property**
FLUA Application – Historic Resource Evaluation Letter Request

Mr. Davenport,

We would like to respectfully request a Historic Resources Evaluation Letter for the **Hendrix Property** project in unincorporated Palm Beach County.

The project site information is as follows:

- **Address:** 9584 Lake Worth Road
- **PCN:** 00424327050270060; 00424327050270050; 00424327050270101; 00424327050270040
- **FLU Request:** Low-Residential 1 Unit per Acre (LR-1) to Medium Residential, five units per acre (MR-5)



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

Sincerely,

Edwin Muller, Project Manager



**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**

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Mary Lou Berger

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

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Affirmative Action Employer"



printed on sustainable
and recycled paper

October 26, 2020

Edwin Muller
WGI
2035 Vista Parkway
West Palm Beach, FL 33411

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

Dear Mr. Muller:

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/ Archaeologist

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



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

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

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

KRISTIN K. GARRISON
DIRECTOR

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

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	12/21/2020		
	SCAD No.	20113001F/FLU; 20113001Z/Re-Zoning; 20113001D/D.O.		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	PCN No. / Address	00-42-43-27-05-027-0050/9584 Lake Worth Rd. and more		
	Development Name	Hendrix Property		
	Owner / Agent Name	Charles W. Hendrix and Charlotte Y. Hendrix/Edwin Muller		
	SAC No.	216C		
	Proposed Amendments Proposed Unit No. & Type	Max. 190 Residential Units - Proposed FLU and Re-Zoning 182 Single-Family Units - Proposed D.O.		
Impact Review		Discovery Key Elementary School	Woodlands Middle School	Palm Beach Central High School
	New Students Generated	29	16	23
	Capacity Available	-43	-431	-375
	Utilization Percentage	104%	131%	114%
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be negative impact on the public school system. Therefore, if the proposed development is approved by the Palm Beach County government, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District elementary, middle and high school level, the property owner shall contribute a total of \$500,821.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).</p> <hr/> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on April 16, 2019.</p>			
Validation Period	<p>1) This determination is valid from 12/22/2020 to 12/21/2021 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 12/21/2021 or this determination will expire automatically on 12/21/2021.</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

December 22, 2020

Date

joyce.cai@palmbeachschools.org

Email Address

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



Florida Department of Transportation

RON DESANTIS
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

KEVIN J. THIBAUT
SECRETARY

October 15, 2020

THIS PRE-APPLICATION LETTER IS VALID UNTIL – October 15, 2021
THIS LETTER IS NOT A PERMIT APPROVAL

Dr. Juan F. Ortega, PE
JFO GROUP INC
6671 W. Indiantown Road, Suite 50-324
Jupiter, FL 33458

Dear Dr. Juan F. Ortega, PE:

RE: Pre-application Review for **Category D Driveway**, Pre-application Meeting Date: **October 15, 2020**

Palm Beach County - Unincorporated Palm Beach County; SR 802; Sec. # 93180; MP: 0.25; Access Class - 5;
Posted Speed - 45; SIS - No; Ref. Project:

Request: Access the existing full signalized intersection at Woods Walk Blvd, on the south side of SR 802.

SITE SPECIFIC INFORMATION

Project Name & Address: **Hendrix Property – South side of SR 802 and Woods Walk Blvd**
Applicant/Property Owner: HENDRIX C W & HENDRIX CHARLOTTE Y; Parcel Size: **38.03 Acres**
Development Size: **182 Single Family Homes**

WE APPROVE YOUR REQUEST

This decision is based on your presentation of the facts, site plan and survey - please see the conditions and comments below. You may choose to review this concept further with the District Access Management Review Committee (AMRC).

Conditions:

- A minimum driveway length of 150 feet, as measured from the ultimate FDOT right-of-way line to the first conflict point shall be provided.
- If a gate is installed a minimum driveway length of 100 feet is required. A bypass lane and a turnaround area are required.
- The existing traffic signal shall be modified to allow for concurrent northbound and southbound phases (no split phasing).
- A traffic study is required and shall be submitted prior to permit. The study shall evaluate two scenarios: 1. Closing the existing full median opening adjacent to the east. 2. Modifying the existing full median opening adjacent to the east to a directional median opening. The traffic study methodology shall be reviewed and approved by the Traffic Operations Office.
- The existing full median opening adjacent to the east shall be either closed or modified to a directional median opening, based on the results of the traffic study.
- All other existing driveways along the SR 802 frontage of the site shall be closed.

Comments:

- All driveways not approved in this letter must be fully removed and the area restored.
- A Drainage Permit is required for any stormwater impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage).
- The applicant shall donate property to the Department if right-of-way dedication is required to implement the improvements.
- Dimensions between driveways are measured from the near edge of pavement to near edge of pavement and for median openings are measured from centerline to centerline unless otherwise indicated.

The purpose of this Pre-Application letter is to document the conceptual review of the approximate location of driveway(s) to the State Highway System and to note required improvements, if any. This letter shall be submitted with any further reviews and for permitting. The Department's personnel shall review permit plans for compliance with this letter as well as current Department standards and/or specifications. Final design must consider the existing roadway profile and any impacts to the existing drainage system. **Note, this letter does not guarantee permit approval.** The permit may be denied based on the review of the submitted engineering plans. Be aware that any approved median openings may be modified (or closed) in the future, at the sole discretion of the Department. For right-of-way dedication requirements go to: <https://osp.fdot.gov>; click on Statewide Permit News; Scroll down to District 4; Scroll down to Additional Information and Examples and choose Right-of-way Donations/Dedications.

Please contact the Access Management Manager - Tel. # 954-777-4363 or e-mail: D4AccessManagement@dot.state.fl.us with any questions regarding the Pre-Approval Letter and Permits Office - Tel. # 954-777-4383 with any questions regarding permits.

Sincerely,

Date: 2020.10.15
13:41:11 -04'00'

Dalila Fernandez, P.E.
District Access Management Manager

cc: Jonathan Overton, P.E., Jerry Dean

File: \\DOTSD4HQFS\Share\Transportation Operations\Traffic Operations\Access Management\1. Pre-Apps and Variance\2020-10-15\5. 93180 MP 0.25 SR 802_Hendrix Property\93180 MP 0.25 SR 802_Hendrix Property.docx

www.dot.state.fl.us



Department of Planning,
Zoning & Building

2300 North Jog Road
West Palm Beach, FL 33411-2741
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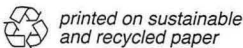
Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

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Affirmative Action Employer"



October 16, 2020

Edwin Mueller
WGI
2035 Vista Parkway
West Palm Beach, FL 33411
Email: Edwin.Muller@wginc.com

Dear Edwin:

This preliminary assessment is in response to your inquiry regarding the referenced property. A formal Workforce Housing Program Letter of Determination will be required for sufficiency in the zoning approval process. The information provided in this letter is based on the requested 190 units and other project information you provided:

PCNs:	00424327050270060, 0050, 0101 & 0040
Total Acreage:	38.07 AC
Future Land Use Designation:	MR-5 (Hypothetical)
Subject Development unit type:	SF
Subject Development: Rent or sale	Sale
WHP units to be addressed through:	ON-SITE
WHP units: Rent or Sale?	SALE
WHP unit type:	SF
Incentive Option: Limited or Full	FULL
TDRs to be used, if any:	None

Projects seeking density bonuses greater than 50% are subject to a two-part review. The first step is to apply the WHP Point System to determine how well a proposed project's approach to meeting its WHP obligation furthers the County's WHP objectives. Based on the application of the point system only, the potential density bonus available to this project is **100%**. With this density bonus and all 76 of the available TDRs, the total number of units is **457**, with **81** of those units required as WHP units

The second part of the review involves assessing the total potential density for compatibility and appropriateness for the site. This second step will need to be completed as additional information becomes available regarding the proposed project. The result of this two-step process will form the basis for staff's formal recommendation; staff reserves the right to revisit the **100%** density bonus in its recommendation, to address any compatibility issues that may be identified.

Staff has also prepared an analysis for this property for 190 units using the LR-2 FLU, the lowest FLU designation through which the requested 190 units could be achieved. This analysis is found in the "Alternative Unit Specific Calculation" box at the bottom of page 3. Assuming use of all 76 available TDR units, and a density bonus of approximately 50%, this analysis results in a total unit count of **190** units, with **39** of those units required as WHP units.



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

- *Both analyses reflect a reduced obligation based on the provision of the WHP units as single-family, for-sale, onsite units.*
- *Density bonuses greater than 50% are available only under the Full Incentive Option.*
- *Any for-sale WHP units built under the Full Incentive option are priced in the Low, Moderate 1, and Moderate 2 categories only.*
- *For-sale WHP units require a minimum number and size of bedrooms, and specific minimum appliances.*
- *All WHP unit exteriors are required to be compatible with market rate units, if any, and models are required.*
- *TDR units purchased shall proportionally reflect the unit mix of the non TDR units. Thirty-four percent (34%) of any TDR units used must be provided as WHP units, and are subject to applicable WHP requirements. If any of the remaining TDRs are purchased at TDR WHP prices, those units must be provided in the Low Income category. All TDRs must be built on site.*
- *For proposed future land use amendments increasing residential density, the staff recommendation to the Board of County Commissioners typically includes conditions that TDRs be utilized, and that 10% (Single-family), 20% (Townhomes) and 25% (Multi-family) be required as on-site workforce housing units. (The percentage includes required WHP TDRs, but does not include any additional TDRs that the applicant elects to purchase at WHP prices.)*

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

Should you have any questions, please contact me at 561-233-5361 or at mhowe@pbcgov.org.

Sincerely,

A handwritten signature in black ink that reads "Michael Howe".

Michael Howe, Senior Planner

Workforce Housing Program Analysis
Greater Than 50% Density Bonus (Full Incentive Only)
Date: 10/16/20

Property Information:

Property or PCN:	Hendrix (4 props), PCNs: 00424327050270060, 0050, 0101 & 0040			
Acreage:	38.07 acres (PAPA)			
Future Land Use Designation:	MR-5 (Hypothetical)			
Request:	Full Incentive Option, Maximum Density			
Part of PUD/Golf Course? No	Existing LOD? No	CHHA? No	CCRT Area? No	Census Tract 77.10 31% WHP con.
Surrounding Land Uses:	N	S	E	W
Existing:	Comm & Res	Residential	Residential	Commercial & Residential
Future:	CL/3, LR-3, LR-1	LR-1	LR-1, LR-2	CL/1, LR-1
Potential FLU Density: (38.07 acres x 5 = 190.35 units)				

Density Bonus Determination:

Part 1: Point system based on proposed approach to meeting WHP obligation											
Proposed method to meet WHP obligation	WHP Objectives & Points										
	Delivers units?	Onsite?	WHP Unit type?			WHP Rental/ For-sale?		WHP Concentration in Census tract?		POINTS EARNED	POTENTIAL DENSITY BONUS
			MF	TH	SF			>34%	<34%		
	(1) to (6)	(10)	(1)	(3)	(10)	R (1)	FS (10)	(0)	(6)		
	6	10	10			10		6		42	100%
Part 2: Compatibility and Other Site Considerations: TBD, pending staff review											
Staff Recommendation for Density Bonus: TBD											

TDR Units, if applicable:

TDR Density: should Transfer of Development Rights be used, the following would apply:	
TDR Eligibility: 2 TDRs/acre	TDR Units permitted: 76
TDR units shall proportionally reflect the unit mix of the non TDR units. The applicant may elect to purchase some or all of the non-WHP TDRs at TDR WHP prices; if purchased at WHP prices, those units must be restricted as Low Income category WHP units.	

WHP Obligation:

Density Component:	Required Percentage		Calculations	
	Rental WHP	For Sale WHP	Possible Units	WHP Obligation
Standard Density:	5%	4.375%	152.28	6.66
Maximum Density:	16%	14%	38.07	5.33
Density Bonus:	34%	29.75%	190.35	56.63
Multiplier for For-Sale projects providing WHP as off-site rentals: 1.5x obligation (<i>Not applicable to TDRs</i>)				NA
Discount for on-site, For Sale WHP units: 20% for SF, 10% for TH, Full Incentive only				68.62 – 13.72 = 54.9
TDRs, if any:	34%		76	25.84
TOTALS			456.7 or 457	80.74 or 81 WHP obligation

Alternative Unit Specific Calculation, if Requested: 190 Units w/LR-2 FLU

Density Component:	Required WHP Percentage		Calculations	
	Rental WHP	For Sale WHP	Units	WHP Obligation
Standard Density:	5%	4.375%	57.11	2.50
Maximum Density:	16%	14%	19.04	2.67
Density Bonus (50%):	34%	29.75%	38.08	11.33
Multiplier for For-Sale projects providing WHP as off-site rentals: 1.5x obligation (Not applicable to TDRs)				
Discount for on-site, For Sale WHP units: 20% for SF, 10% for TH, Full Incentive only				16.50 – 3.30 = 13.20
TDRs, if any:	34%		76	25.84
TOTALS			190.23 or 190 units	39.04 or 39 WHP obligation

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