

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 1. Amendment Data

### A. Amendment Data

<b>Round</b>	22-B	<b>Intake Date</b>	November 10, 2021																						
<b>Application Name</b>	Thomas Packing Plant	<b>Control No.</b>	2007-00288																						
<b>Acres</b>	37.40 Acres	<b>Concurrent Zoning application?</b>	Yes																						
		<b>Text Amend?</b>	No																						
<b>PCNs</b>	00-42-43-27-05-070-1130; 00-42-43-27-05-070-1160; 00-42-43-27-05-070-1170																								
<b>Location</b>	NE corner of Clint Moore Road and State Road 7/US 441																								
	<b>Current</b>	<b>Proposed</b>																							
<b>Tier</b>	Urban/Suburban Tier	Urban/Suburban Tier																							
<b>Use</b>	Mixed Use	Single-Family																							
<b>Zoning</b>	Multiple Use Planned Development (MUPD)	Planned Unit Development (PUD)																							
<b>Future Land Use Designation</b>	Multiple Land Use with Commercial Low and Low Residential, 2 units per acre – MLU (CL & LR-2)	LR-2 (Low Residential, 2 DU/AC)																							
<b>Underlying Future Land Use Designation</b>	None	None																							
<b>Conditions</b>	<div> <b>A. Land Use Matrix.</b> <table border="1"> <thead> <tr> <th rowspan="2">Land Use</th> <th rowspan="2">Acreage Range Min. – Max.</th> <th colspan="2">Intensity/Density<sup>1</sup></th> </tr> <tr> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>CL</td> <td>5.0 ac – 28.6 ac.</td> <td>54,450 sq. ft.</td> <td>203,643 sq. ft.</td> </tr> <tr> <td>LR-2<sup>2</sup> (Congregate Living Facility)</td> <td>5.0 ac – 28.6 ac.</td> <td>23 beds/residents</td> <td>178 beds/residents</td> </tr> <tr> <td>Usable Open Space<sup>3</sup></td> <td>3.74 ac. – no max</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td><b>Total Acres</b></td> <td><b>37.40 ac.</b></td> <td></td> <td></td> </tr> </tbody> </table> </div> <div> <b>B. Conceptual Plan in Exhibit 2, including, but not limited to:</b> </div> <div> <b>C. Conditions</b> </div>			Land Use	Acreage Range Min. – Max.	Intensity/Density <sup>1</sup>		Minimum	Maximum	CL	5.0 ac – 28.6 ac.	54,450 sq. ft.	203,643 sq. ft.	LR-2 <sup>2</sup> (Congregate Living Facility)	5.0 ac – 28.6 ac.	23 beds/residents	178 beds/residents	Usable Open Space <sup>3</sup>	3.74 ac. – no max	N/A	N/A	<b>Total Acres</b>	<b>37.40 ac.</b>		
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	<p>1. Since the residential uses are not integrated, the development of on the CL portion of the site is limited to calculations based upon a maximum of 50% of the land area (18.7 acres) multiplied by the maximum FAR for Commercial Low as identified in Table III.C.2 of the Future Land Use Element. The maximum commercial general square footage is limited to a 0.25 for general commercial projects calculated on a maximum of 18.7 acres (up to 203,643 sf).</p> <p>2. Residential uses on the site are limited to a congregate living facility with up to a maximum of 150 residents / beds.</p> <p>3. At a minimum 10% of the property must be committed to Usable Open Space. Usable Open Space is defined as pervious, vegetated areas, parks and squares as well as impervious "hardscaped" areas which are openly accessible to the public, such as plazas, squares, and courtyards. This open space can be used for passive or active recreation as well as formal and informal gatherings; however, credit shall not be given for; any indoor or climate-controlled spaces, road rights-of-way, building setback areas, impervious surface courts (tennis, basketball, handball, etc.), swimming pools, parking lots, and any pervious green area not intended for passive or active recreation or gathering of a formal or informal nature.</p> <p>4. Development of the site is limited to the equivalent number of traffic generating trips based upon a maximum of 185,130 square feet of commercial retail uses, 44,431 square feet of office general uses, and a congregate living facility with up to 150 beds.</p> <p>5. The Conceptual Plan depicts the following:</p> <ul style="list-style-type: none"> <li>a. The general location of useable open spaces where the functional integration of residential with non-residential land uses occur.</li> <li>b. A vehicular and pedestrian circulation system that creates an integrated network within the project.</li> <li>c. A cross-hatched area along the north of</li> </ul>	<p><del>1. Since the residential uses are not integrated, the development of on the CL portion of the site is limited to calculations based upon a maximum of 50% of the land area (18.7 acres) multiplied by the maximum FAR for Commercial Low as identified in Table III.C.2 of the Future Land Use Element. The maximum commercial general square footage is limited to a 0.25 for general commercial projects calculated on a maximum of 18.7 acres (up to 203,643 sf).</del></p> <p><del>2. Residential uses on the site are limited to a congregate living facility with up to a maximum of 150 residents / beds.</del></p> <p><del>3. At a minimum 10% of the property must be committed to Usable Open Space. Usable Open Space is defined as pervious, vegetated areas, parks and squares as well as impervious "hardscaped" areas which are openly accessible to the public, such as plazas, squares, and courtyards. This open space can be used for passive or active recreation as well as formal and informal gatherings; however, credit shall not be given for; any indoor or climate-controlled spaces, road rights-of-way, building setback areas, impervious surface courts (tennis, basketball, handball, etc.), swimming pools, parking lots, and any pervious green area not intended for passive or active recreation or gathering of a formal or informal nature.</del></p> <p><del>4. Development of the site is limited to the equivalent number of traffic generating trips based upon a maximum of 185,130 square feet of commercial retail uses, 44,431 square feet of office general uses, and a congregate living facility with up to 150 beds.</del></p> <p><del>5. The Conceptual Plan depicts the following:</del></p> <ul style="list-style-type: none"> <li><del>a. The general location of useable open spaces where the functional integration of residential with non-residential land uses occur.</del></li> <li><del>b. A vehicular and pedestrian circulation system that creates an integrated network within the project.</del></li> <li><del>c. A cross-hatched area along the north of</del></li> </ul>
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<b>Density Bonus</b>	None	None

## B. Development Potential

	Current FLU	Proposed FLU
<b>Density/Intensity:</b>	CLF maximum of 150 residents/beds on no more than 50% of land area Maximum commercial SF limited to FAR of 0.25 for up to 18.7 acres (up to 203,643 SF)	Up to 2 residential dwelling units per acre
<b>Maximum Dwelling Units<sup>1</sup></b> (residential designations)	185,130 SF of Commercial; 44,431 SF of Office; and 150-bed Congregate Living Facility	2 du/acre x 37.4 ac. = 75 DU
<b>Maximum Beds (for CLF proposals)</b>	150 residents/beds	None
<b>Population Estimate</b>	150 residents	75 max du x 2.39 = 179 residents
<b>Maximum Square Feet<sup>2,4</sup></b> (non-residential designations)	0.25 FAR x 18.7 ac. = 203,643 SF	None
<b>Proposed or Conditioned Potential<sup>3,4</sup></b>	None	None
<b>Max Trip Generator</b>	General Commercial (ITE 820): $\text{Ln}(T) = 0.68 * \text{Ln}(X) + 5.57$ (Daily) 0.94 trips / 1000 SF (AM peak hour) $\text{Ln}(T) = 0.74 * \text{Ln}(X) + 2.89$ (PM Peak Hour) General Office (ITE 710): $(\text{Ln}(T) = 0.97 * \text{Ln}(X) + 2.5)$ (Daily) $\text{Ln}(T) = 0.94 * \text{Ln}(X) + 26.49$ (AM Peak Hour) 1.15 trips / 1000 SF (PM Peak Hour) Assisted Living Facility (ITE 254): 2.60 trips/ bed (Daily) 0.19 trips/bed (AM peak hour)	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\text{Ln}(T) = 0.96 * \text{Ln}(X) + 0.20$ (PM peak hour)
<b>Maximum Trip Generation</b>	Daily: 6,708 AM peak hour: 197 PM peak hour: 637	Daily: 750 AM peak hour: 56 PM Peak hour: 77
<b>Net Daily Trips:</b>	-5,958 (maximum minus current) -5,958 (proposed minus current)	
<b>Net PH Trips:</b>	-141 AM, -560 PM (maximum) -141 AM, -560 PM (proposed)	

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 2. Applicant Data

### A. Agent Information

Identify the information for the agent processing the application. The agent will be the primary contact for Planning Division staff throughout the amendment process.

<b>Name</b>	Ken Tuma
<b>Company Name</b>	Urban Design Studio
<b>Address</b>	610 Clematis St, Ste. CU-02
<b>City, State, Zip</b>	West Palm Beach, FL 33401
<b>Phone / Fax Number</b>	561-366-1100
<b>Email Address</b>	KTuma@udsflorida.com

### B. Applicant Information

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

<b>Name</b>	Fred Pfister
<b>Company Name</b>	Toll Bros., Inc.
<b>Address</b>	951 Broken Sound Parkway NW, Ste. 180
<b>City, State, Zip</b>	Boca Raton, FL 33487
<b>Phone / Fax Number</b>	561-999-1877
<b>Email Address</b>	<a href="mailto:fpfister@tollbrothers.com">fpfister@tollbrothers.com</a>
<b>Interest</b>	Contract Purchaser

<b>Name</b>	Stephen Thomas
<b>Company Name</b>	Westside Farms Inc.
<b>Address</b>	9905 Clint Moore Road
<b>City, State, Zip</b>	Boca Raton, FL 33496
<b>Phone / Fax Number</b>	561-482-1111
<b>Email Address</b>	<a href="mailto:steve@thomasproduce.com">steve@thomasproduce.com</a>
<b>Interest</b>	Property Owner (00-42-43-27-05-070-1130)

<b>Name</b>	Stephen Thomas
<b>Company Name</b>	7 T's Enterprises Inc.
<b>Address</b>	9905 Clint Moore Road
<b>City, State, Zip</b>	Boca Raton, FL 33496
<b>Phone / Fax Number</b>	561-482-1111
<b>Email Address</b>	<a href="mailto:steve@thomasproduce.com">steve@thomasproduce.com</a>
<b>Interest</b>	Property Owner (00-42-43-27-05-070-1160, 00-42-43-27-05-070-1170)

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 3. Site Data

### A. Site Data

<b>Built Features</b>	<p>The existing use on the site consists of approximately 163,000 SF of building associated with the existing packing plant operation on approximately 17 acres of the site with the remaining 20 acres in use for the production of row crops, outdoor storage of agricultural equipment, and internal circulation routes.</p> <p><b>Please see attached Application Attachment F for Built Features Inventory &amp; Map.</b></p>
<b>PCN</b>	<p>00424327050701130, 00424327050701160, and 00424327050701170</p> <p><b>Please see Application Attachment A-1 for Legal Description.</b>  <b>Please see Application Attachment A-2 for PCN's and Ownership List.</b>  <b>Please see Application Attachment P for Survey (dated within 18 months).</b></p>
<b>Street Address</b>	9845 Clint Moore Road and 9905 Clint Moore Road
<b>Frontage</b>	The parcel has <u>+2,462'</u> of frontage on Clint Moore Road and <u>+660'</u> of frontage on SR 7. The property has a depth of <u>+660'</u> .
<b>Legal Access</b>	The parcel currently provides three (3) access points along Clint Moore Road.
<b>Contiguous under same ownership</b>	No additional properties under same ownership.
<b>Acquisition details</b>	<p><b>Please see Application Attachment A-3 for Warranty Deeds for all parcels.</b> The property was acquired via separate deeds:</p> <ol style="list-style-type: none"> <li>1. Parcel 00-42-43-27-05-070-1170: Per Quit Claim Deed from John J. Thomas, et al. to Seven T's Enterprises, Inc. as recorded in ORB 5197/1379 and a Corrective Deed from John J. Thomas, et al. to Seven T's Enterprises, Inc. as recorded in ORB 32840/685, this parcel was acquired for \$10.00 on January 2, 1987.</li> <li>2. Parcel 00-42-43-27-05-070-1130: Per Deed from J&amp;N Farms to Westside Farms, Inc. as recorded in ORB 3698/1610, this parcel was acquired for \$200,000 on January 20, 1982.</li> <li>3. Parcel 00-42-43-27-05-070-1160: Per Deed from John J. Thomas et al. to N-T Investments Inc as recorded in 5197/1382 and a Corrective Deed from N-T Investments to Seven T's Enterprises, Inc as recorded in 32840/676, this parcel was acquired for \$10.00 on February 25, 1987.</li> </ol>
<b>Size purchased</b>	37.40 Acres

### B. Development History

<b>Control Number</b>	2007-00288
<b>Previous FLUA Amendments</b>	Ordinance 2016-014 approved a Tier Change from the Agricultural Reserve Tier to the Urban/Suburban Tier and a concurrent amendment to the Future Land Use designation from Agricultural Reserve (ADR) to Multiple Land Use (MLU) with

	Commercial Low (CL) and Low Residential, 2 Units per acre (LR-2) with conditions of approval described above.				
Concurrency	Concurrency is approved for the uses listed on the Verde Commons MUPD FSP-1 as listed below: <ul style="list-style-type: none"><li>• Retail Sales, General – 89,380 SF</li><li>• Type I Restaurant with Drive-Through – 1,890 SF</li><li>• Type II Restaurant – 34,250 SF</li><li>• Financial Institution – 2,900 SF</li><li>• Medical Office – 25,000 SF</li><li>• Pharmacy – 12,900 SF</li><li>• Type 3 CLF – 150 Beds</li></ul>				
Plat, Subdivision	Palm Beach Farms Plat No. 3 Plat Book 2, Page 45				
Zoning Approvals & Requests					
Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)
R-2016-1083	PDR/R-2015-02533	Approved/Valid	Rezoning	Rezoning from AGR to MUPD and to allow Alternative Landscape Buffer	Abandon
R-2016-1084	PDR/R-2015-02533	Approved/Valid	Requested Use – Type I Restaurant	Type I Restaurant in Building H	Abandon
R-2016-1085	PDR/R-2015-02533	Approved/Valid	Requested Use – Type II Restaurant	Type II Restaurant in Building E-2	Abandon
R-2016-1086	PDR/R-2015-02533	Approved/Valid	Requested Use – Type II Restaurant	Type II Restaurant in Building K	Abandon
R-2016-1087	PDR/R-2015-02533	Approved/Valid	Requested Use – Type II Restaurant	Type II Restaurant in Building N	Abandon
R-2016-1088	PDR/R-2015-02533	Approved/Valid	Requested Use – Type II Restaurant	Type II Restaurant in Building O	Abandon
R-2016-1089	PDR/R-2015-02533	Approved/Valid	Requested Use – Congregate Living Facility Type 3	Type 3 CLF in Building J	Abandon



<b>2016-01432</b>	DRO/W-2016-01432	Approved/Valid	DRO Result Letter	Finalize approved plans related to above approvals and reduce loading zone sizes	Abandon
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# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 4. Consistency

### A. Consistency

<b>Justification</b> 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.
<b>Residential Density Increases</b> 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.
<b>Compatibility</b> 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.
<b>Comprehensive Plan</b> 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.
<b>Florida Statutes</b> 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
<b>North</b>	The Oaks at Boca Raton (469 units; 0.66 DU/AC)	Agricultural Reserve	Agricultural Reserve-Planned Unit Development
<b>South</b>	Reserve at Boca Raton (144,049 SF)	Commercial Low with Underlying Medium Residential, 5 units per acre	Mixed-Use Planned Development
<b>South</b>	Symphony Bay (142 units; 4.28 DU/AC)	Medium Residential, 5 units per acre	Planned Unit Development
<b>East</b>	Clint Moore Animal Hospital (13,047 SF)	Agricultural Reserve	Agricultural Reserve
<b>West</b>	Stone Bridge (398 units; 0.99 DU/AC) & Pinewoods Park	Low Residential, 1 unit per acre & Park	Planned Unit Development & Agricultural Residential

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 5. Public Facilities Information

<b>A. Traffic Information</b>		
<p><b>Please refer to Application Attachment H for the Traffic Statement prepared for this application.</b> A written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the Future Land Use Element of the Comprehensive Plan is forthcoming and will be included in Application Attachment H, upon receipt, along with the approved Traffic Study.</p>		
	<b>Current</b>	<b>Proposed</b>
<b>Max Trip Generator</b>	General Commercial (ITE 820): $\text{Ln}(T) = 0.68 * \text{Ln}(X) + 5.57$ (Daily) 0.94 trips / 1000 SF (AM peak hour) $\text{Ln}(T) = 0.74 * \text{Ln}(X) + 2.89$ (PM Peak Hour) General Office (ITE 710): $\text{Ln}(T) = 0.97 * \text{Ln}(X) + 2.5$ (Daily) $\text{Ln}(T) = 0.94 * \text{Ln}(X) + 26.49$ (AM Peak Hour) 1.15 trips / 1000 SF (PM Peak Hour) Assisted Living Facility (ITE 254): 2.60 trips/ bed (Daily) 0.19 trips/bed (AM peak hour)	Single-Family Housing (ITE 210): 10 trips/DU (Daily) 0.74 trips/DU (AM peak hour) $\text{Ln}(T) = 0.96 * \text{Ln}(X) + 0.20$ (PM peak hour)
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<b>Net PH Trips:</b>	-141 AM, -560 PM (maximum) -141 AM, -560 PM (proposed)	
<b>Significantly impacted roadway segments that fail Long Range</b>	None	None
<b>Significantly impacted roadway segments for Test 2</b>	None	None
<b>Traffic Consultant</b>	Kimley-Horn & Associates - Christopher W. Heggen, P.E.	
<b>B. Mass Transit Information</b>		
<b>Nearest Palm Tran Route (s)</b>	There are no Palm Tran Routes that directly service the subject site. The nearest Palm Tran Route to the subject site is Route 91 – BCR X-TOWN via GLADES.	

<b>Nearest Palm Tran Stop</b>	The nearest Palm Tran stop is approximately 1.6 miles away from the subject site at Lyons Road & New England Blvd. (Stop ID 8142).
<b>Nearest Tri Rail Connection</b>	Boca Raton Tri-Rail Station, south side of Yamato Road on the east side of I-95, approximately 7.7 miles east of the subject site.
<b>C. Portable Water &amp; Wastewater Information</b>	
<b>Please refer to Application Attachment I for the PBC WUD Service Availability Letter.</b>	
<b>Potable Water &amp; Wastewater Providers</b>	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 that would allow up to 75 dwelling units.
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest potable water is a 24" watermain located in Clint Moore Road adjacent to the subject property and an 8" force main located in Clint Moore Road adjacent to the subject property. A lift station is required for this connection.
<b>D. Drainage Information</b>	
<b>Please refer to Application Attachment J for the Drainage Statement prepared for this application.</b>	
<p>The site is within the South Florida Water Management District (SFWMD) and Lake Worth Drainage District (LWDD) jurisdiction for surface water management. The Thomas Packing Plant lies within the C-15 Basin and currently discharges to the LWDD canal system. The site is immediately adjacent to the LWDD L-40 canal to the south and the E-1 canal to the west, providing legal positive outfall. This property does not have an existing SFWMD or LWDD approved permits and is within the Zone X flood plain as established by FEMA Flood Map number 12099C0965F (October 5, 2017).</p> <p>The site does not appear to have any significant on-site surface water management system beyond the existing stormwater runoff to the adjacent canals. The maximum allowable canal discharge as specified by LWDD for Basin C-15 is 70 CSM. Both the L-40 and E-1 canals have a control elevation of 16.0' NGVD 1929 (14.47' NAVD 1988). Any future proposed stormwater system will require that the water quality provided onsite be increased by 50% to account for the Water Not Attained Standards (WNAS). The E-1 canal currently meets the WNAS as established by the Florida Department of Environmental Protection.</p>	
<b>E. Fire Rescue</b>	
<b>Nearest Station</b>	PBC Fire Rescue Station #54, 18501 State Road 7
<b>Distance to Site</b>	Approximately 1.25 miles
<b>Response Time</b>	5 minutes
<b>Effect on Resp. Time</b>	<p>Average response time (call received to on scene) for Station 54's zone is 7:18. This project is expected to have some impact on Fire Rescue.</p> <p><b>Please see Application Attachment K for PBC Fire Rescue Letter.</b></p>
<b>F. Environmental</b>	
<b>Significant habitats or species</b>	<b>Please refer to Application Attachment L for the Environmental Assessment prepared for this application.</b>

	There are no significant environmental resources or habitat existing on this property. As a result of historical disturbance and current development on the property, vegetation consists of remnant native and exotic species including a dominance invasive exotic Brazilian pepper where any assemblages do exist. No listed plant or animal species were observed on the property and no jurisdictional wetlands were observed on the property. No significant impacts to natural resources are anticipated to result from this land use amendment. The surface waters will be quantified and accounted for as part of the future surface water management permitting process.
<b>Flood Zone*</b>	According to Palm Beach County's Information Systems Services, the subject property is located within flood zone X. Flood zone X represents areas outside of the 500-year flood plain with less than 0.2% probability of annual flooding.
<b>Wellfield Zone*</b>	The subject property is not located within or adjacent to a wellfield protection zone. <b>Please refer to Application Attachment M for the Flood and Wellfield Zone Statement prepared for this application</b>

## 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
<b>Regional</b>	Burt Aaronson South County Regional Park, 11200 Park Access Rd., Boca Raton, FL 33498	0.00339	+179 persons	0.61 AC
<b>Beach</b>	Gulfstream Park, 4489 N. Ocean Boulevard, Gulfstream, FL 33483	0.00035	+179 persons	0.06 AC
<b>District</b>	West Boynton Park and Rec Center, 6000 North Tree Blvd. Lake Worth, FL 33463	0.00138	+179 persons	0.25 AC

## I. Libraries - Residential Only (Including CLF)

<b>Library Name</b>	West Boca Raton Branch			
<b>Address</b>	18685 State Road 7			
<b>City, State, Zip</b>	Boca Raton, FL 33498			
<b>Distance</b>	Approximately 1.1 miles			
Component	Level of Service	Population Change	Change in Demand	

<b>Collection</b>	2 holdings per person	+179 persons	358 holdings
<b>Periodicals</b>	5 subscriptions per 1,000 persons	+179 persons	0.90 subscriptions
<b>Info Technology</b>	\$1.00 per person	+179 persons	\$179.00
<b>Professional staff</b>	1 FTE per 7,500 persons	+179 persons	0.02 FTE
<b>All other staff</b>	3.35 FTE per professional librarian	+179 persons	0.08 FTE
<b>Library facilities</b>	0.34 sf per person	+179 persons	61 SF

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

**Please see Application Attachment O for the SCAD Application submitted to the School District of PBC.**

	<b>Elementary</b>	<b>Middle</b>	<b>High</b>
<b>Name</b>	Whispering Pines	Eagles Landing	Olympic Heights
<b>Address</b>	909 Spanish Isles Blvd.	19500 Coral Ridge Dr.	20101 Lyons Road
<b>City, State, Zip</b>	Boca Raton, FL 33496	Boca Raton, FL 33408	Boca Raton, FL 33434
<b>Distance</b>	1.6 miles	3.4 miles	3.6 miles

# 2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 6. Attachments

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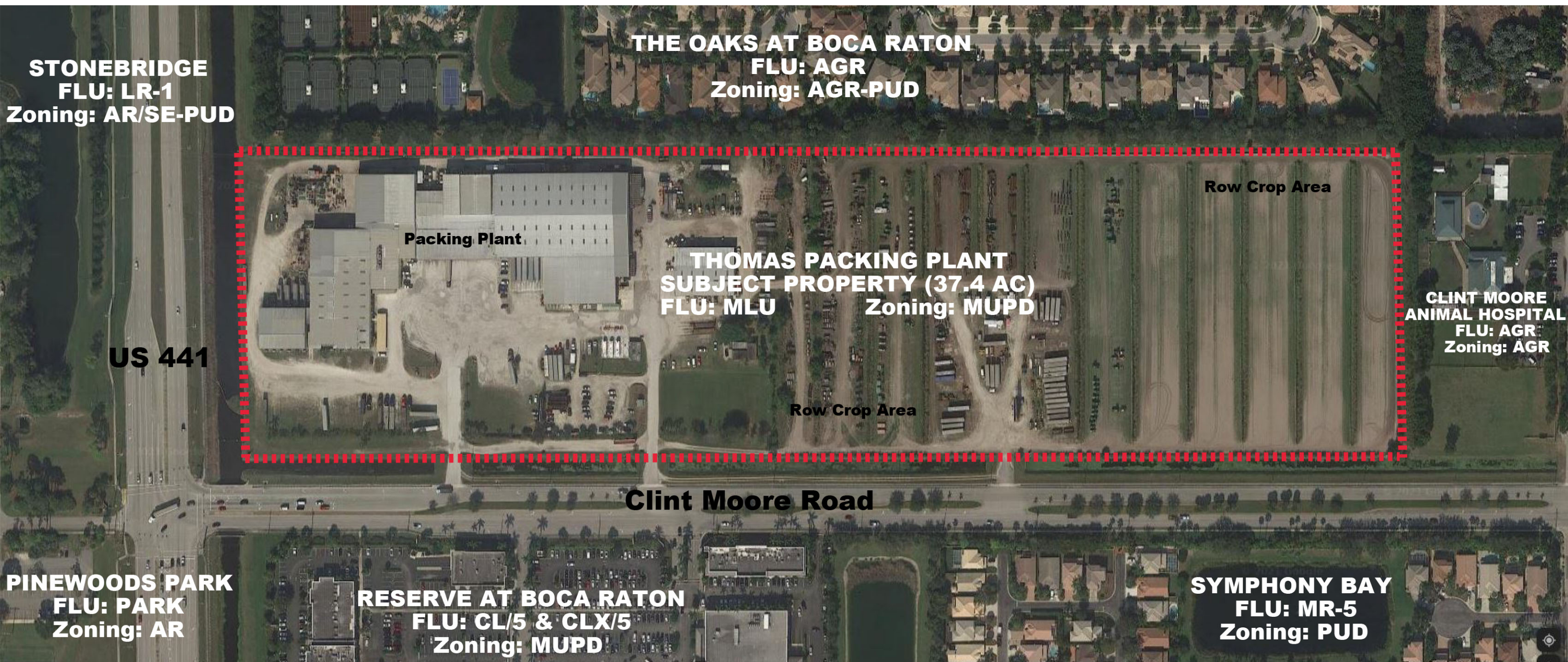
- A. **PCN's, Legal Description and Warranty Deed** (include Legal in PDF & Word)
- B. **Agent Consent Form**
- C. **Applicant's Ownership Affidavit**
- D. **Applicant's Notice Affidavit, Property Appraiser List, and Labels**
- E. **Disclosure of Ownership Interests**
- F. **Built Feature Inventory & 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 G**  
**CONSISTENCY WITH THE COMPREHENSIVE PLAN & FLORIDA STATUTES**

**A. REQUEST**

On behalf of the property owners, 7 T's Enterprises, Inc. and Westside Farms, Inc., and the applicant, Toll Bros., Inc., Urban Design Studio (UDS), as agent, has prepared and hereby respectfully submits this application for a Future Land Use Atlas (FLUA) Amendment for the ±37.4-acre property generally located at the northeast corner of State Road 7 (US 441) and Clint Moore Road, hereinafter referred to as the Subject Property. The Subject Property is comprised of three parcels with the following parcel control numbers (PCNs):

- 00-42-43-27-05-070-1130
- 00-42-43-27-05-070-1160
- 00-42-43-27-05-070-1170

The Subject Property is located in unincorporated Palm Beach County (PBC), situated in the Urban/Suburban Tier with a Future Land Use Atlas (FLUA) designation of Multiple Land Use (MLU) with Commercial Low (CL) and Low Residential, 2 dwelling units per acre (LR-2) and within the Multiple Use Planned Development (MUPD) Zoning District. The Subject Property is not located in any neighborhood planned area, Redevelopment area, or Countywide Community Revitalization Team (CCRT) area. The proposed change to the FLUA designation of the Subject Property does not require text amendments to the County's Unified Land Development Code (ULDC).

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

1. To amend the Future Land Use Atlas (FLUA) designation of the Subject Property from Multiple Land Use (MLU) with Commercial Low (CL) and Low Residential, 2 dwelling units per acre (LR-2) to Low Residential, 2 dwelling units per acre (LR-2)

**B. BACKGROUND**

The property currently supports the produce packing operations owned by the Thomas family, as well as a portion of the property being used for agricultural production. The operations specifically associated with the packing plant occupy approximately 17.38 acres, and the area utilized for row crops and equipment storage is approximately 20 acres. John Thomas started farming land in PBC in 1958 after he relocated to Florida from New York. In 1981, he expanded his operation to include packaging facilities at the northeast corner of U.S. 441/State Road 7 and Clint Moore Road. According to the applicant, at that time the family farmed approximately 5,500 acres of land in PBC. However, due to development within the Agricultural Reserve Tier pursuant to the provisions of the Agricultural Reserve Planned Unit Development (AgR-PUD), a considerable amount of land area previously available to the applicant for farming is no longer in agricultural production. Additionally, the impact of the North American Free Trade Act (NAFTA) resulted in tomato farming becoming

infeasible in the general area, further impacting the sustainability of the packing plant operations.

The 1980 Comprehensive Plan (Plan) first designated the area of the Agricultural Reserve in PBC. The boundaries of the Agricultural Reserve were redrawn with the adoption of the 1989 Comprehensive Plan, in which more than 5,000 acres were removed from the Agricultural Reserve at that time, reflecting development approvals through the 1980s. A study of the Agricultural Reserve was called for, with a moratorium placed on new non-agricultural development pending completion of the study. That study was never completed and the moratorium was lifted in 1995.

The Plan was amended in 1995 to allow for the 60/40 AgR-PUD option within the Agricultural Reserve Tier, in addition to the 80/20 option already in place. This has resulted in a considerable amount of farmland being converted for utilization of the development areas of the 60/40 PUD's.

At the time that the PBC Agricultural Reserve Master Plan was published in October 2000, there were 11 packing houses located in the Agricultural Reserve Tier. The study at the time recognized an anticipated decrease in produce availability resulting from the changing nature of agriculture in South Florida and projected that the need for these types of facilities would be curtailed. Furthermore, the plan stated that the agricultural support infrastructure in the Everglades Agricultural Area (EAA) suggested a need to find alternative uses for some of these facilities.

The latest Final Site Plan for the packing facility was approved by the PBC Development Review Committee (DRC), now known as the DRO, on December 21, 1999, via Petition No. 94-001. The plan was originally approved to allow for a total of 212,484 square feet of building area. This included future building expansions for four (4) new buildings depicted on the plan as Buildings A, B, C and D. The site plan is notated that the ability to construct Buildings A, B, and C was revoked on January 5, 2004 by the PBC Monitoring Division, and these buildings were crossed out on the plan. However, it appears that Building D should also have been depicted as losing the ability to be constructed per the Monitoring Section's notation on the plans.

The approved site plan also referenced prior Board of Adjustment approvals for variances related to the requirements for the landscape buffers, as well as variances to allow a Floor Area Ratio (FAR) of 0.29 and a Lot Coverage of 18.9%. Please note that we have requested to review all zoning files associated with this project, but the PBC Zoning Division has not been able to locate the files related to the original packing plant approval.

On January 27, 2016, the Boards of County Commissioners (BCC) adopted Ordinance 2016-014 approving a Tier Boundary Change request and Large-Scale FLUA Amendment request. This approval resulted in a change to the FLU designation from Agricultural Reserve (AGR) to Multiple Land Use (MLU) with Commercial Low (CL) and Low Residential, 2 units per acre (LR-2). These requests included the approval of a land use intensity matrix as included below.

Land Use	Acreage Range Min. – Max.	Intensity/Density	
		Minimum	Maximum
CL	5.0 ac – 28.6 ac.	54,450 sq.ft.	203,643 sq.ft.
LR-2 (Congregate Living Facility)	5.0 ac – 28.6 ac.	23 beds/residents	150 beds/residents
Usable Open Space	3.74 ac. – no max	N/A	N/A
<b>Total Acres</b>	<b>37.40 ac.</b>		

On August 25, 2016 the BCC approved application PDD/R-2015-02533 with conditions for an Official Zoning Map Amendment from the Agricultural Reserve (AGR) Zoning District to the Multiple Land Use Planned Development (MUPD) Zoning District and Requested Uses along with a Preliminary Site Plan including a mix of General Retail, Restaurants, and a Congregate Living Facility (CLF) under the project name Verde Commons MUPD.

On January 11, 2017, the DRO issued approval for application DRO/W-2016-01432 to finalize the plans approved by the BCC in connection with the rezoning of the site under the Verde Commons MUPD application. The DRO approved the finalized plans and related items including alternative buffer, a Type 3 CLF, a Type I Restaurant, four Type II Restaurants, revised control name, architectural review, and a reduction to loading zones for various buildings. These plans stand as the most recent approved site plans for the Subject Property.

Multiple time extensions have been filed with PBC to extend the expiration date for the Verde Commons MUPD approvals. Most recently, PBC Monitoring Division approved a time extension on June 26, 2020 resulting in an extension of the commencement of development and engineering condition due dates to August 21, 2027 and December 27, 2027, respectively. As such, the approved plans for Verde Commons MUPD remain valid.

### **C. SURROUNDING USES**

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 overall property. Please see the Built Inventory Features Map in Attachment F for the following information overlaid on an aerial.

- **North:** To the north of the subject property is the following parcel:
  - **Multiple PCN's:** The Oaks at Boca Raton AgR-PUD. The development area of this PUD consists of 281.73 acres and has a FLUA designation of Agricultural Reserve (AgR) and is zoned as a Planned Unit Development (PUD). The net density on the development area is 1.69 units per acre (Control # 1997-00104). The Oaks at Boca Raton PUD is located within the Agricultural Reserve Tier.
- **South:** To the south of the subject property, across Clint Moore Road, are the following parcels:
  - **PCN 00-42-47-06-16-001-0000:** The Reserve at Boca Raton Shopping Center. This development is 17.96 acres in size and is owned by Stockbridge

Reserve at Boca Raton, LLC. It has a FLUA designation of Commercial Low with underlying Medium Residential, 5 units per acre (CL/5) and Commercial Low (with cross hatching) with underlying Medium Residential, 5 units per acre (CLX/5), and is zoned Multiple Use Planned Development (MUPD). The FAR for the development is 0.18. The site contains 144,049 square feet of commercial development, inclusive of a Publix, restaurants, retail, and financial institutions (Control # 2001-00022). The eastern 250' is limited to the use of drainage, landscape and at grade parking and is developed as a drainage facility for the MUPD. The Reserve at Boca MUPD is located within the Urban/Suburban Tier.

- **Multiple PCN's:** Symphony Bay. This development consists of 33.08 acres, and has a FLUA designation of Medium Residential, 5 units per acre (MR-5) and is zoned Planned Unit Development (PUD). The density is 4.28 dwelling units per acre (Control # 1994-00048). The Symphony Bay PUD is located within the Urban/Suburban Tier.
- **East:** To the east of the subject property are the following parcels:
  - **PCN 00-42-43-27-05-070-1050:** This is a 4.96-acre vacant parcel with FLUA and zoning designations of Agricultural Reserve (AgR). The property has no prior zoning approvals per PBC records. However, it appears from a review of the aerial that some sort of agricultural activities are taking place on site, potentially plant nursery activities. This parcel is located within the Agricultural Reserve Tier.
  - **PCN 00-42-43-27-05-070-1200:** Clint Moore Animal Hospital. The parcel is 4.77 acres in size and it has FLUA and zoning designation of Agricultural Reserve (AgR) with a Special Exception for a veterinarian clinic. The clinic is approved for 13,047 square feet, it has an FAR of 0.062 (Control # 1985-00067). The Clint Moore Animal Hospital is located within the Agricultural Reserve Tier.
- **West:** To the west of the subject property, across State Road 7 (US 441), are the following parcels:
  - **Multiple PCN's:** Stonebridge PUD. This development consists of 399.89 acres and has a FLUA designation of Low Residential, 1 dwelling unit per acre (LR-1) and is zoned PUD. The density is .99 dwelling units per acre (Control # 1983-00107). The Stonebridge PUD is located within the Urban/Suburban Tier.
  - **PCN 00-41-46-36-03-002-000/00-41-47-01-01-001-0010:** These parcels are under the ownership of PBC and are 6.86 acres and 18.15 acres in size respectively. The first parcel is located in the civic tract of the Stonebridge PUD and is being utilized for PBC Sheriff District 7 Substation. The approved site plan depicts approvals for 34,818 square feet of building area at a buildout FAR of 0.11. The second parcel is a County park owned and has a FLUA designation of Park and a zoning designation of Agricultural Residential (AR). The park amenities include three (3) ball parks, picnic areas, and a playground. These properties are also within the Urban/Suburban Tier.

Please see below table for a summary of the existing use, future land use, and zoning of adjacent properties.

Adjacent Lands	Use	Future Land Use	Zoning
<b>North</b>	The Oaks at Boca Raton (469 units; 0.66 DU/AC)	Agricultural Reserve	Agricultural Reserve-Planned Unit Development
<b>South</b>	Reserve at Boca Raton (144,049 SF)	Commercial Low with Underlying Medium Residential, 5 units per acre	Mixed-Use Planned Development
<b>South</b>	Symphony Bay (142 units; 4.28 DU/AC)	Medium Residential, 5 units per acre	Planned Unit Development
<b>East</b>	Clint Moore Animal Hospital (13,047 SF)	Agricultural Reserve	Agricultural Reserve
<b>West</b>	Stone Bridge (398 units; 0.99 DU/AC) & Pinewoods Park	Low Residential, 1 unit per acre & Park	Planned Unit Development & Agricultural Residential

#### **D. 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 Multiple Land Use (MLU) with Commercial Low (CL) and Low Residential, 2 dwelling units per acre (LR-2) to Low Residential, 2 dwelling units per acre (LR-2). The Subject Property is not located within the boundaries of any Neighborhood Plan.

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 Low Residential, 2 dwelling units per acre (LR-2) FLU designation, and the resulting residential development permitted, is suitable and appropriate for the Subject Property for a variety of reasons. The location of the Subject Property at the intersection of Clint Moore Road, a major east-west corridor, and State Road 7 (US 441), a major north-south corridor, will ensure adequate access for the site and provide for efficient residential trip distribution among the surrounding road network. Further, the Subject Property is of sufficient size to adequately develop a residential community with functional open space, recreation amenities, and necessary infrastructure while providing appropriate landscape buffering, setbacks, and other design features to increase the compatibility of the site with surrounding uses.

Surrounding properties are compatible with a residential community on the Subject

Property. In fact, the property immediately across Clint Moore Road at the southeast corner of Clint Moore Road and State Road 7 (US 441), the Reserve at Boca shopping center, provides a variety of community serving commercial options including a Publix grocery store, restaurants, retail, and financial services. Additionally, the property at the southwest corner of Clint Moore Road and State Road 7 (US 441) is the County-owned Pinewoods Park which provides three (3) baseball fields, picnic areas, and a playground. The proposed residential FLU designation is suitable and appropriate for the Subject Property based on the existing character of the surrounding development pattern.

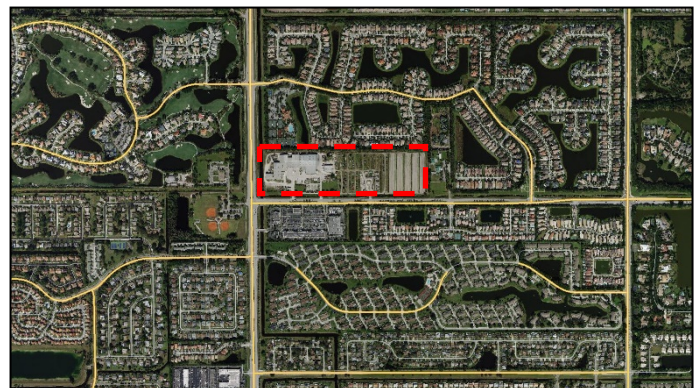
**2) There is a basis for the proposed amendment for the particular site based upon on or more of the following;**

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

**Applicant's Response:** Thomas Packing plant is surrounded by growth and development typically associated with an urban/suburban density and intensity pattern. This pattern of development has encroached over time (for reference see side-by-side aerials below from 1968 and 2021 with the subject property bounded in the red dashed line). Neither the residential development nor the commercial development existing in the area is compatible with the existing packing plant use and presents unique challenges to the continued operation of the business. The uses were described in detail in the surrounding uses section above but, generally speaking, these uses have been developed in a suburban fashion. In addition to suburban residential uses there are County park facilities which provide for recreational opportunities which draw users from a large area, County governmental services, a veterinarian clinic, and a suburban, commercial shopping center adjacent to the subject property. The commercial shopping center approvals in place for a portion of the Subject Property under the current MLU FLU designation have not been realized for a variety of reasons, one of which being the adequate service the adjacent shopping center provides for the surrounding community. As such, changed FLU designations and the development pattern of the surrounding area over the years have resulted in a diminished ability to continue the existing use and reduced the feasibility of a mixed-use development under the MLU FLU designation.



**1968**



**2021**

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

**Applicant's Response:** The characteristics of the western area of the County within and surrounding the Agricultural Reserve have continued to evolve over the last few decades. A large amount of previously farmed lands have since been converted for the development of residential uses which severely impacted the ability to operate the packing plant. This situation prompted the previous FLUA Amendment designating the Subject Property with the MLU FLU and subsequent approvals for a mixed-use center including retail, restaurant, financial, and medical office uses in addition to a 150-bed congregate living facility. The Verde Commons MUPD development plans approved under the MLU FLU designation have not been actualized due to a variety of factors. Since this approval, a number of commercial retail, personal service, financial institutions, and medical offices have been introduced in the surrounding area. The development of a shopping center at the Subject Property could result in duplicative services and draw from the success of surrounding and immediately adjacent retail and personal services that are currently adequately providing for the community. The approved Verde Commons MUPD plan calls for four (4) access openings along Clint Moore Road and one (1) direct access onto State Road 7 (US 441) which would require the creation of a new access opening onto State Road 7 (US 441). A residential community at the density proposed could be designed without this direct access to State Road 7 (US 441) and would represent a significant reduction of vehicle trips on surrounding roadways.

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

**Applicant's Response:** Since this approval, we have seen substantial changes in consumer patterns and market conditions across the County, region, and country. These changes have resulted in a hesitation to pursue congregate living facilities, a more stringent analysis of demand for in-person commercial retail, personal service uses, and restaurants, and a continued increase in residential housing demand for a variety of housing options. These changes have prompted a reconsideration of the highest and best use for the Subject Property. Based on a variety of factors as described throughout this justification, a residential community developed under the LR-2 FLU designation is believed to be the highest and best use to serve the needs of the current and future residents of the County.

**d. Inappropriateness of the adopted FLU designation;**

**Applicant's Response:** The adopted MLU FLU designation for the Subject Property is no longer the most appropriate based on the demands of current and future residents of the County. In order to effectively plan for the future of the County, it is necessary to consider these demands and pursue development patterns that will provide an adequate supply of housing options for various families at various levels of income. Even more critical is the location of urban/suburban residential densities near community serving commercial options such as the existing commercial shopping center located at the same intersection of the Subject Property. It is also critical to balance the concerns of surrounding communities in

the consideration of redevelopment. As such, the current request for the LR-2 FLU designation is a more appropriate FLU designation for the Subject Property than the currently adopted MLU designation based on the needs of the County and comprehensive planning principles.

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

**Applicant's Response:** The adopted FLU designation of Multiple Land Use (MLU) with Commercial Low (CL) and Low Residential, 2 dwelling units per acre (LR-2) was not assigned in error. However, due to changes in market conditions, the Verde Commons MUPD development plan approved under the existing FLU designation is not feasible to be developed. The demand for additional housing options has increased across the state and within the County in particular with housing demand expected to continue to increase. This request represents an evolution of market demands and changed circumstances as discussed above.

**G.2 Residential Density Increases**

Per Future Land Use Policy 2.4-b the proposed FLUA Amendment meets the required factors to justify this request as the appropriate method for increasing density on the Subject Property as described below.

1. Justify and demonstrate a need for a FLUA Amendment;

**Applicant's Response:** Within the Urban/Suburban Tier, few properties of sufficient size remain for development to support the continued population growth expected in the County. Certain sites, such as the Subject Property, represent prime redevelopment opportunities for residential development in order to maintain a housing supply with a variety of housing options that accommodates the growing demand. The proposed LR-2 FLU designation is justified for the Subject Property due to its location within the Urban/Suburban Tier, the assigned FLU designation and actual built density of surrounding residential communities, proximity to community serving commercial uses, outdoor recreation options, and various County services including a nearby library. The proximity of this site to desirable services and its location among existing low density residential communities makes this site a prime location for the proposed LR-2 FLU designation.

2. Demonstrate that the current FLUA designation is inappropriate;

**Applicant's Response:** The adopted MLU FLU designation for the Subject Property is no longer the most appropriate based on the demands of current and future residents of the County. In order to effectively plan for the future of the County, it is necessary to consider these demands and pursue development patterns that will provide an adequate supply of housing options for various families at various levels of income. Even more critical is the location of urban/suburban residential densities near community serving commercial options such as the existing commercial shopping center located at the same intersection of the Subject Property. The approved 150-bed congregate living facility represents an



underutilization of the Subject Property considering the location and surrounding services. As such, the current request for the LR-2 FLU designation is a more appropriate FLU designation for the Subject Property than the currently adopted MLU designation based on the needs of the County and comprehensive planning principles.

3. Explain why the Transfer of Development Rights, Workforce Housing, and/or Affordable Housing Programs cannot be utilized to increase density.

**Applicant's Response:** The current FLU designation of Multiple Land Use (MLU) with Commercial Low (CL) and Low Residential, 2 dwelling units per acre (LR-2) was requested in connection to a mixed-use development including a commercial shopping center with a variety of uses and a 150-bed congregate living facility on the balance of the site. The proposed FLUA Amendment would allow for the adoption of a single residential FLU designation, LR-2, for the entire Subject Property in order to provide for a more conventional residential community. The above options to increase residential density would not effectively modify the existing MLU FLU designation to facilitate the proposed development of a residential community with urban/suburban density.

### **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."*

**Applicant's Response:** Based on this definition and accepted growth management ideals, the proposed amendment to allow for a residential development remains compatible with the surrounding uses and adjacent lands and will not create or foster undesirable effects. The requested LR-2 FLU designation will allow for improvements to the property and surrounding roadways that will enhance the overall function and compatibility of uses along this portion of the Clint Moore Road corridor. The site is adjacent to existing residential to the north and will coordinate with the adjacent community to ensure adequate buffering is provided to prevent any impact on the existing residents. No compatibility concerns arise with any surrounding properties as most are developed with residential uses in an urban/suburban pattern or are providing commercial services that will be utilized by the new residents of the community. Appropriate landscaped buffers will minimize the visual impact from adjacent roadways and will reduce the noise pollution of passing vehicles within the community. A residential development is expected to be a more harmonious use in the context of surrounding developments than would result from the existing MLU FLU designation and the Verde Commons MUPD. Requirements for buffering, screening, landscaping, setbacks, and building height work to enhance the compatibility of the proposed use with adjacent properties and to prevent undesirable health, safety, or aesthetic impacts on the surrounding area, making the proposed FLU designation compatible with the surrounding area.

## **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 the need for infill redevelopment to occur and that it should be informed by growth management principles to encourage livable communities, neighborhood integrity, housing opportunities, and a strong sense of integrity while maintaining land use compatibility and level of service standards. Allowing for the proposed FLUA amendment will result in efficient use of land, and existing public facilities and services currently available to the Subject Property within the County's Urban/Suburban Tier. The residential use, guided by development regulations, will result in a compatible redevelopment of the Subject Property that facilitates a livable community with neighborhood integrity to meet the high and growing demand for additional housing opportunities in the County. 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.

- **D. Characteristics of a Livable Community**

**Applicant's Response:** The Comprehensive Plan describes the concept of a Livable Community which contributes to sustainability and a high quality of life for the residents. The proposed LR-2 FLU designation will allow for the creation of such a community exhibiting the representative characteristics of a central neighborhood focal point in the form of a shared recreation center, proximity to a variety of potential employment opportunities, and convenient location relative to civic uses such as schools, places of worship, libraries, parks, and government services. Further, the development of the Subject Property with a residential community will improve the quality of life for surrounding properties by way of the elimination of the existing packing plant operation which is largely incompatible with surrounding residential uses. In support of the County's Directions for livable communities in the Urban/Suburban Tier, the proposed FLUA amendment seeks to achieve a low-density residential community under the LR-2 FLU designation in close proximity to an existing commercial center, a park, and along two major roadways.

- **FLUE Goal 1 Strategic Planning**

**Objective 1.1 Managed Growth Tier System:**

1. Ensure sufficient land, facilities and services are available to maintain a variety of housing and lifestyle choices, including urban, suburban, exurban, and rural living;
2. Accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development;

3. Facilitate and support infill development and revitalization and redevelopment activity through coordinated service delivery and infrastructure upgrades;

**Applicant's Response:** The proposed LR-2 FLU designation is appropriate for a property located within the Urban/Suburban Tier. Locating residential development within this tier serves to prevent the further encroachment of residential uses on agriculturally productive lands further west in the County. The housing demand continues to grow in the County with a focus on providing families with a variety of housing options available at various income levels. Allowing for the infill redevelopment of the Subject Property in a manner consistent with the regulations for the Urban/Suburban Tier works to prevent urban sprawl and facilitates the provision of much needed additional housing options at a location already provided with County services.

- **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 within the Urban Service Area where public facilities and services are available to serve the proposed development. The location of the Subject Property at a major transportation node where public facilities already exist will ensure the timely and cost-effective provision of services the proposed development. Further, the proposed LR-2 FLU designation will allow for a development which increases the number of residential units available within the Urban/Suburban Tier without the need to extend services or develop lands within the Agricultural Reserve Tier. The development of the site with a low-density residential community under the LR-2 FLU designation will better position the County to meet the growing housing demands for current and future residents in this area of the County.

- **FLUE Policy 2.1-a:** Future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area and shall also not underutilize the existing or planned capacities of urban services.

**Applicant's Response:** As confirmed by the detailed analysis presented in application Attachments H through O, the Subject Property is adjacent to and able to connect to all necessary urban services including, but not limited to, the roadway network, water/wastewater, drainage facilities, and emergency services, at the density requested under the LR-2 FLU designation. Further, the level of service demand is expected to be reduced from those associated with the existing Verde Commons MUPD approval. Therefore, the requested FLU designation would not exceed the manmade constraints of the site and will allow for efficient utilization of existing service capacities.

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

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

**Applicant's Response:** Please see Application Attachment L for the Natural Features Map and graphics that show that this site does not support any existing habitat or natural communities. The site was previously cleared and has long been used as a packing plant with related agricultural operations. The absence of wetlands, relatively flat land, and previous use are key factors lending towards the viability of the Subject Property for a residential development. The development of this site, with significant landscape improvements and an emphasis on compatibility with surrounding properties, along with improvements in water quality, will serve to maintain the surrounding natural and built environment. Based on this assessment, there are no significant environmental resources or habitat existing on the property that would be negatively impacted by the proposed residential 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 Kimley-Horn & Associates and corresponding Traffic Approval from PBC Traffic Division.
- *Mass Transit:* There are currently no Palm Tran routes serving the site but the Palm Tran Bus Route that runs nearest to this property is Route 91 – BOCA RATON XTOWN via GLADES with the closest stop located approximately 1.6 miles southeast of the Subject Property at Lyons Road and New England Boulevard.
- *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 watermain and force main within Clint Moore Road adjacent to the property. A lift station will be required for this connection.
- *Drainage:* Please see Application Attachment J for Drainage Statement prepared by Kimley-Horn & Associates. Legal positive outfall has already been established to LWDD L-40 Canal to the south along the north side of Clint Moore Road and the E-1 canal to the west along the east side of State Road 7 (US 441).
- *Fire Rescue:* Please see Application Attachment K for the Fire Rescue letter which confirms that the nearest PBC Fire Rescue station is Station #54 located at 18501 State Road 7. Station #54 is located approximately 1.25 miles from the Subject Property and that the estimated response time to the subject property is approximately 5 minutes.
- *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 addition of units does not negatively impact the Palm Beach County level of service for parks and recreation as adequate parks land area and amenities already exist to serve the additional units.

3. The adjacent and surrounding development;

**Applicant's Response:** The proposed LR-2 FLU designation and resulting residential development is compatible with surrounding properties and consistent with existing land use designations along this portion of the Clint Moore Road and State Road 7 corridors within this area of the County. Please refer to Section G.3 - Compatibility and Surrounding Uses above.

4. The future land use balance;

**Applicant's Response:** The proposed addition of residential density at the Subject Property will not impact the area's future land use balance as this is the only property in the surrounding area that is poised for redevelopment. Surrounding properties are developed in accordance with an urban/suburban development pattern and include a balanced mix of residential, commercial, civic, and recreation uses. The balance of residential options would be increased with the approval of this request to allow a low-density residential product on the Subject Property. A variety of commercial retail and personal service uses exist in close proximity to service the needs of the future residents.

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

**Applicant's Response:** The proposed FLUA amendment will prevent urban sprawl as it will allow for the redevelopment of an underutilized property located in the Urban/Suburban Tier. The Subject Property was previously utilized as a packing plant with associated agricultural production that has seen significant declines in viability of the years. Allowing for the redevelopment of a suitably sized parcel in the Urban/Suburban Tier will contribute to the preservation of lands within the Agricultural Reserve Tier. The development of a low-density residential community at this location will place residents in close proximity to various services, recreation areas, and employment opportunities to result in a better relationship between land use and transportation patterns.

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. However, the need for additional housing options is a known demand that exists County-wide and the Comprehensive Plan's Managed Growth Tier System is based on the concept that residential density is most appropriately located within the Urban/Suburban Tier in order to prevent the encroachment of urban/suburban development intensities towards agricultural lands in the western area of the County.

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

**Applicant's Response:** The Subject Property is not located adjacent to any municipality; however, the applicant and their consultants have coordinated with the County's Fire Department, Water Utilities District, and Historical Resources Section. 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 LR-2 FLU designation is justified and supports a variety of County Directions and Comprehensive Plan policies. The resulting development will accommodate the growing population of the County by providing additional housing options available to families at a variety of income levels.

- **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 residential FLU and resulting development will not encourage piecemeal development, but a full utilization of available services at the Subject Property. Adjacent properties are currently in use for residential or commercial uses. As such, the approval of the proposed FLUA amendment will not encourage piecemeal development or result in residual parcels.

- **FLUE Table 2.2.1-g.1:** Designates the Low Residential, 2 dwelling units per acre, (LR-2) Future Land Use designation as allowing 2 units per acre based on gross land area.

**Applicant's Response:** The proposed change to the LR-2 FLU designation and the subsequent development plan will be consistent with this Table in providing a maximum of 75 residential units for the 37.4 acres 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), and N (Historic Resource Evaluation 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 37.4 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 residential community under the LR-2 FLU designation and prevent residual parcels or piecemeal development.

- **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 FLUA change from MLU to LR-2 will facilitate the development of a residential community on a parcel surrounded by existing development on all sides. The site is located adjacent to but outside of the Agricultural Reserve Tier which the County has designated as the appropriate area for low-intensity and low-density development. The proposed change would allow single-use residential development in an already developed area of the County which would further the goal of locating urban/suburban levels of density outside of the Agricultural Reserve Tier.

- (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 within the Urban Service Area of the Urban/Suburban Tier. Despite the proximity to properties within the Agricultural Reserve Tier, the surrounding area is not considering rural in nature and urban services and facilities are established to service this area. County services are provided along Clint Moore Road and further west of State Road 7 (US 441) in this area of the County.

- (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 immediately to the north and east as well as to the south and west across abutting right-of-ways. The development of the Subject Property as made possible by this request will allow for the continued implementation of an urban/suburban development pattern at the intersection of State Road 7 (US 441) and Clint Moore Road.

- (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 proposed FLUA change does 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.

- (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 the production of vegetable row crops and an on-site packing plant. The site is not designated as a preserve parcel or restricted by a conservation easement. There are no preserve parcels or environmentally sensitive lands abutting the Subject Property. The proposed FLUA change will have no impact on the continuation of agricultural activities in other areas of the County.

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

**Applicant's Response:** Various letters of determination are provided as attachments to this FLUA amendment application to verify the availability and capacity of existing public facilities and services.

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



**Applicant's Response:** Various letters of determination are provided as attachments to this FLUA amendment application to verify the availability and capacity of existing public facilities and services.

- (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 proposed FLUA change 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 within the Urban/Suburban Tier and adjacent to properties within the Agricultural Reserve Tier. The proposed FLUA change discourages sprawl and supports the intent of the Agricultural Reserve as it proposes to locate a residential community of urban/suburban density outside of the Agricultural Reserve Tier and east of State Road 7 (US 441) in an area of the County surrounded by existing development.

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

**Applicant's Response:** The residential development of the Subject Property resulting from the approval of the proposed FLUA change could be considered infill redevelopment as developments currently exist further west of the Subject Property and to the north, south, and east. The location is ideal for the development of a residential community providing additional housing options in the County within an area with existing residential communities and neighborhood serving commercial uses.

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

**Applicant's Response:** The approval of the requested land use change would further the goal of providing a mix of housing types within the County and, more specifically, a range of housing options in this area of the County.

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

**Applicant's Response:** The proposed FLUA change and resulting development will not diminish the accessibility of surrounding properties.

- (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. In fact, with the open space provided within the residential community, the proposal discourages sprawl by creating functional open space where none exists.

- **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.
  - 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:
    - (I) 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.

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

**Applicant's Response:** The proposed LR-2 FLU designation will allow for efficient use of existing public facilities and services available to the site along the Clint Moore Road corridor. The Subject Property is located along an area of existing development and would not require the extension of public facilities or services into a rural area of the County.

- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

**Applicant's Response:** The development resulting from the proposed land use change will result in a community design that creates a walkable and connected neighborhood through internal sidewalks and usable open spaces.

- (IV) Promotes conservation of water and energy.

**Applicant's Response:** The development plan for the Subject Property will promote the conservation of water through stormwater management.

- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

**Applicant's Response:** The amendment does not fail to protect adjacent agricultural areas, as the Subject Property is surrounded by development consistent with the Urban/Suburban Tier. Residential development of the Subject Property would lend towards increasing the housing supply within the County without impacting agricultural lands within the Agricultural Reserve Tier. Therefore, the proposal discourages the proliferation of urban sprawl.

- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.

**Applicant's Response:** The Subject Property is not utilized as functional open space and features no natural lands. The development of a residential community with the required recreation areas will provide for adequate public open space within the community, thereby discouraging the proliferation of urban sprawl. Further, these residences would be located in close proximity to County-owned Park facilities.

- (VII) 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 a residential community of urban/suburban intensity that would be adequately served by the existing commercial shopping center immediately south across Clint Moore Road. This plaza includes a number of personal service and community retail options including a grocery store. The proposed LR-2 FLU designation would lend towards the creation of a balance of land uses along the Clint Moore Road corridor.

- (VIII) 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 FLUA change will allow residential development of a property within the Urban/Suburban Tier at a density appropriate for the Urban/Suburban Tier and consistent with the surrounding communities. The change will designate a suitable property with the residential density necessary to provide additional housing options in the southern portion of the County.

In conclusion, the property owners, applicant, and agent believe the justification contained herein demonstrates the requested FLUA Amendment from MLU to LR-2 is justified, consistent with the Plan and state statutes, and is compatible with the surrounding uses. On behalf of the property owners and applicant, UDS, respectfully requests approval of this request to amend the FLUA designation on the Subject Property. The Project Managers at UDS are Ken Tuma , [KTuma@udsflorida.com](mailto:KTuma@udsflorida.com), or Tyler Woolsey, [TWoolsey@udsflorida.com](mailto:TWoolsey@udsflorida.com).



**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 Studios  
508 E Boynton Beach Blvd.  
Boynton Beach, Fl. 33435

RE: 37.4 Acre Parcel on NE Corner of Clint Moore Road & SR7  
PCN: 00-42-43-27-05-070-1130, 00-42-43-27-05-070-1160 & 00-42-  
43-27-05-070-1170  
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 for the existing approved 150 bed CLF and approximately 200,000 SF of commercial area and for the proposed HR-8 FLU that would allow up to 299 dwelling units in a townhouse community.

The nearest potable water is 24" watermain located in Clint Moore Rd. adjacent to the subject property and an 8" forcemain located in Clint Moore Road adjacent to the subject property. A lift station is required for this connection. Please note that the property is located within a PBC Mandatory Reclaimed Service Area.

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



November 4, 2021

Palm Beach County  
Planning Division  
2300 Jog Road  
West Palm Beach, FL 33411

**RE: Thomas Packing Plant  
Drainage Statement**

To Whom It May Concern,

The Thomas Packing Plant is a developed site located at the northeast corner of Range Line Road (US 441) and Clint Moore Road, in Unincorporated Palm Beach County, Florida. The site is within the South Florida Water Management District (SFWMD) and Lake Worth Drainage District (LWDD) jurisdiction for surface water management. The Thomas Packing Plant lies within the C-15 Basin and currently discharges to the LWDD canal system. The site is immediately adjacent to the LWDD L-40 canal to the south and the E-1 canal to the west, providing legal positive outfall. This property does not have an existing SFWMD or LWDD approved permits and is within the Zone X flood plain as established by FEMA Flood Map number 12099C0965F (October 5, 2017).

The total site area is approximately 37.4 acres. The site does not appear to have any significant on-site surface water management system beyond the existing stormwater runoff to the adjacent canals. The maximum allowable canal discharge as specified by LWDD for Basin C-15 is 70 CSM. Both the L-40 and E-1 canals have a control elevation of 16.0' NGVD 1929 (14.47' NAVD 1988).

Any future proposed stormwater system will require that the water quality provided onsite be increased by 50% to account for the Water Not Attained Standards (WNAS). The E-1 canal currently meets the WNAS as established by the Florida Department of Environmental Protection. Any future proposed improvements will need to also meet Palm Beach County, SFWMD, and LWDD requirements for all design storm events for water quantity and stage-storage.

Please feel free to call me at (561) 404-7248 or [mike.spruce@kimley-horn.com](mailto:mike.spruce@kimley-horn.com) with any questions or concerns you might have, or should you require additional information.

Sincerely,

**KIMLEY-HORN AND ASSOCIATES, INC.**

A handwritten signature in blue ink, appearing to read "Michael D. Spruce".

Michael D. Spruce, P.E.  
Florida P.E. #52776  
Senior Vice President  
Registry 696



**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**

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

November 1, 2021

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

Re: Thomas Packing Plant

Dear Tyler Woosley:

Per your request for response time information to the subject property located at the northeast corner of Clint Moore Road and SR7. This property is served currently by Palm Beach County Fire-Rescue station #54, which is located at 18501 State Road 7. The subject property is approximately 1.25 miles from the station. The estimated response time to the subject property is 5 minutes. For fiscal year 2020, the average response time (call received to on scene) for this stations zone is 7:18.

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,

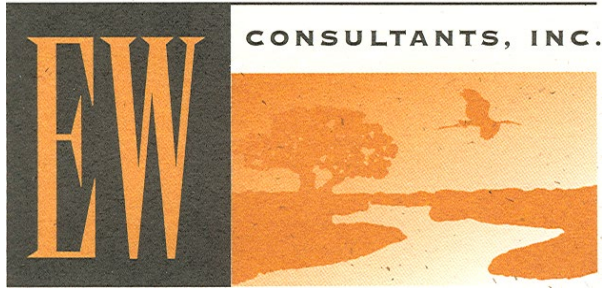
A handwritten signature in cursive script that reads "Cheryl Allan".

Cheryl Allan, Planner  
Palm Beach County Fire-Rescue

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Affirmative Action Employer"*

EW CONSULTANTS, INC.

NATURAL RESOURCE MANAGEMENT, WETLAND, AND ENVIRONMENTAL PERMITTING SERVICES



**FUTURE LAND USE AMENDMENT  
ENVIRONMENTAL ASSESSMENT  
THOMAS PACKING PLANT PARCEL**

**Prepared by:**

**EW Consultants, Inc.**

**October 2021**

## **INTRODUCTION**

This report provides an environmental assessment of an approximately 37.4+-acre property located in Palm Beach County, Florida on Clint Moore Road adjacent to State Road 7. The subject parcel has been developed with row crops and a packing facility and is located in Section 31, Township 46 South, Range 42 East in western Boca Raton (Figure 1). An aerial photograph is attached as Figure 2. The subject property parcel was reviewed on October 25, 2021 for the presence of any significant environmental resources that should be noted in the Future Land Use Amendment Application. The property was assessed by completing a series of pedestrian and vehicular transects across the site

## **SITE CONDITIONS**

Chronological review of historical aerial imagery from c.1940 show the property easterly situated beside the north-south canal, which today is adjacent to State Road 7, and served only by dirt road access. Nearly half the property is furrowed for apparent row crops while half appears undeveloped. By 1952 a change from undeveloped property plus agricultural land to agricultural land only has occurred. The site remains in agricultural use only until between 1979 and 1995 when most of the presently seen packing house buildings have been constructed on the west half of the property. The remaining available imagery to date shows the overall property is consistent with current site conditions comprising packing plant buildings, farm equipment staging and storage, with alternating cropped and fallow fields and associated irrigation ditches. Two canals are found on the property, one along the north boundary and one along the east boundary. The packing house portion of the property contains some native trees and landscape vegetation found scattered around the property. The row crop portion of the property contains blocks of what have historically been row crops, but which were fallow at the time of the investigation, along with associated drainage swales and perimeter ditches.

## **VEGETATIVE COMMUNITIES**

As described above, the site is currently developed as a commercial nursery and contains landscape plantings, planted palm trees, ornamental plants grown in shade houses, and some overgrowth of exotic and nuisance species. No native habitat was observed on the property. The site is mapped as food processing plant (#151), ditches (#510), row crops (currently fallow) (#214/261) and disturbed land (#740) according to the *Florida Land Use Cover and Forms Classification System* (see Figure 4). Although the majority of the site is developed a packing/processing plant/warehouse buildings in addition to the presently fallow row crop fields, other small storage buildings and farm equipment with landscape trees, grasses, and other vegetation are present adjacent to the packing house, around the perimeter, and scattered throughout the site. Native species include cocoplum, laurel oak, cabbage palm, beggar ticks, and grasses. Non-native or nuisance species include Brazilian pepper, carrotwood, black olive, ornamental palms and earleaf acacia.



### **SIGNIFICANT HABITAT / LISTED SPECIES**

No significant habitat occurs on the property. No listed plant or animal species, signs of listed species, or listed species habitat was observed on the property. Listed species would not be expected to utilize the site because of the lack of suitable habitat, past disturbances, human activity, and surrounding development.

### **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. 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.

Myakka fine sand. Under natural conditions Myakka fine sand is described as a nearly level, poorly drained, sandy soil over dark loamy material. This soil occurs in broad flatwoods in the eastern half of the county. The water table is generally within 10 inches of the surface for two to four months and 10 to 40 inches during the remainder of most years, and recedes below 40 inches during extended dry periods. Typical natural vegetation includes slash pine, cabbage palm, saw palmetto, fetterbush, pineland three-awn and various other grasses

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.

### **SURFACE WATERS AND WETLANDS**

There were no wetlands observed on the property. Surface waters consist of drainage and irrigation ditches and two narrow canals: one along the north boundary and one along the east boundary with no significant wetland plant assemblages. No wetlands or surface waters are shown on the National Wetlands Inventory (NWI) mapping for 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.

### **FLOOD ZONE INFORMATION**

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

### **WELLFIELD PROTECTION ZONE**

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

### **SUMMARY**

There are no significant environmental resources or habitat existing on this property. As a result of historical disturbance and current development on the property, vegetation consists of remnant native and exotic species including a dominance invasive exotic Brazilian pepper where any assemblages do exist. No listed plant or animal species were observed on the property and no jurisdictional wetlands were observed on the property. No significant impacts to natural resources are anticipated to result from this land use amendment. The surface waters will be quantified and accounted for as part of the future surface water management permitting process.

## **ATTACHMENTS**

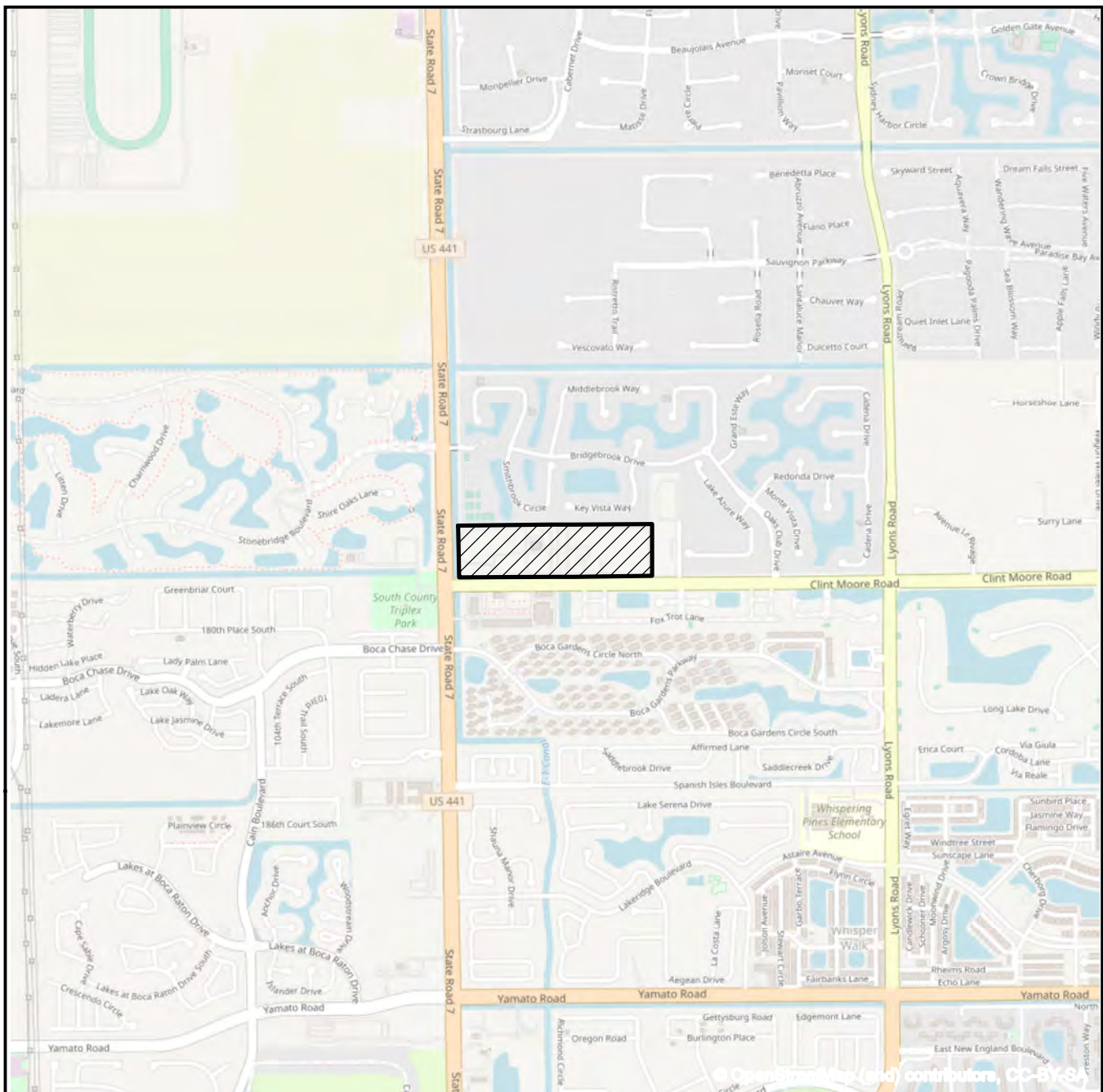
Figure 1. Location Map

Figure 2. Quad Map


Figure 3. Aerial Photo

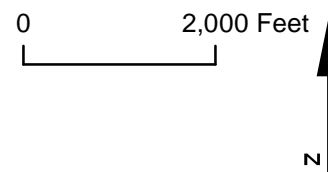
Figure 4. FLUCFCS Map

Palm Beach County Soils Report



## LEGEND

 - SITE (37.4+/- AC)



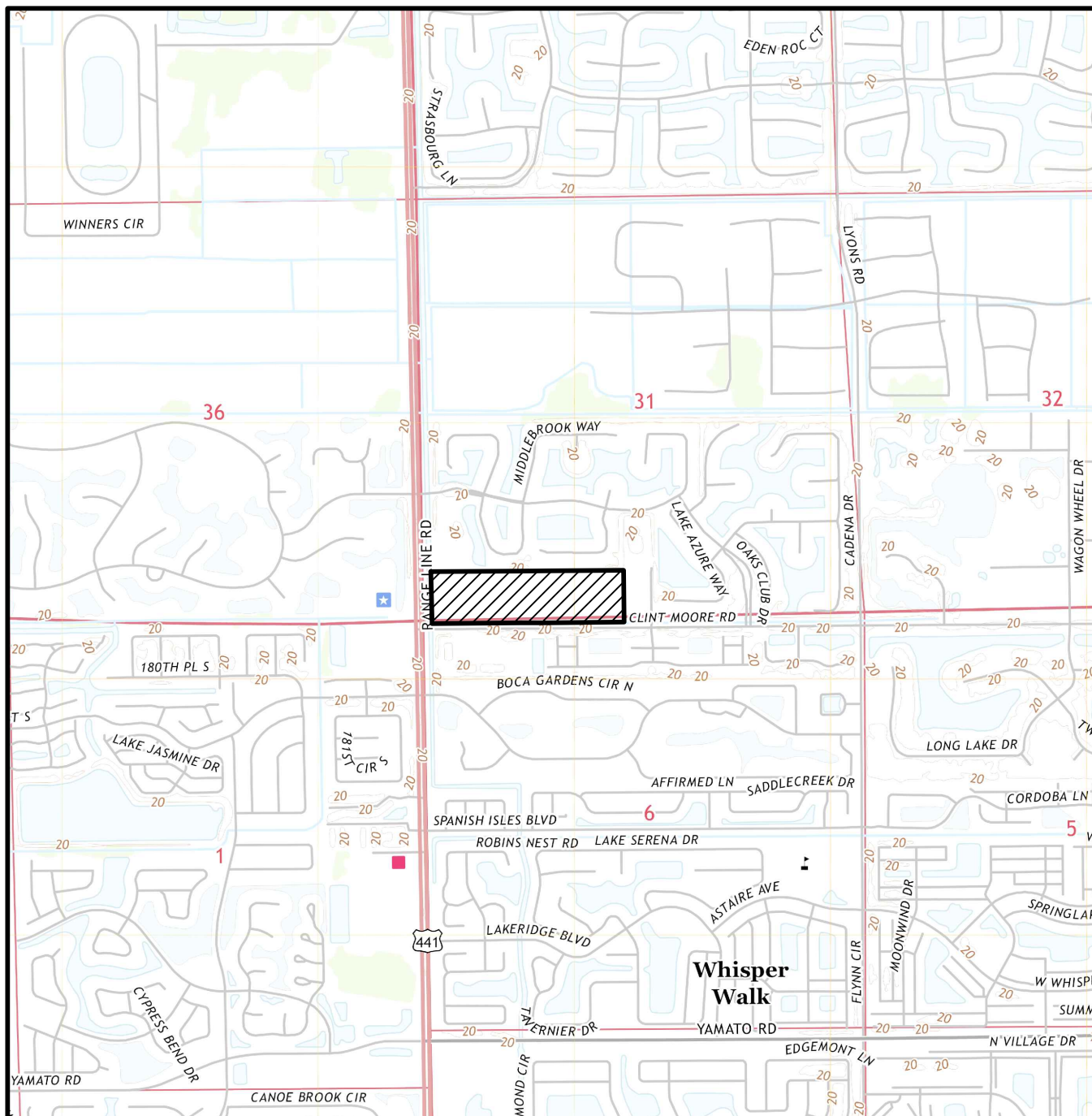
# THOMAS PACKING PLANT LOCATION MAP



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

**NOV 2021**  
**FIGURE**

**1**



USGS QUAD MAP "UNIVERSITY PARK", SECTION 31, TOWNSHIP 46 SOUTH, RANGE 42 EAST, BOCA RATON, PALM BEACH COUNTY, FL, LATITUDE 26°24'36" LONGITUDE -80°11'58"

## LEGEND



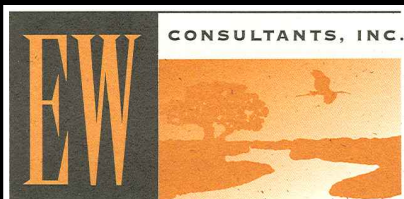
- SITE (37.4± AC)

0 2000  
SCALE IN FEET



# THOMAS PACKING PLANT QUAD

Thomas Packing Plant.dwg QUAD



**EW CONSULTANTS, INC.**

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

**NOV 2021**

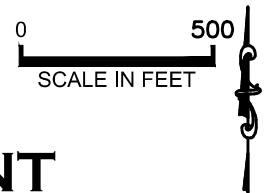
**FIGURE**

**2**





PALM BEACH COUNTY AERIALS DATED 2021



# **THOMAS PACKING PLANT** **AERIAL**

Thomas Packing Plant.dwg AERIAL



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**NOV 2021**

**FIGURE**

**3**



PALM BEACH COUNTY  
AERIALS DATED 2021

SR 7 441

CLINT MOORE RD

### LEGEND

- 151 - FOOD PROCESSING (26.0± AC)
- 214/261 - ROW CROPS/FALLOW FIELDS (9.7± AC)
- 510 - DITCHES (0.9± AC)
- 740 - DISTURBED LANDS (0.8± AC)

0 300  
SCALE IN FEET

## THOMAS PACKING PLANT FLUCFCS MAP

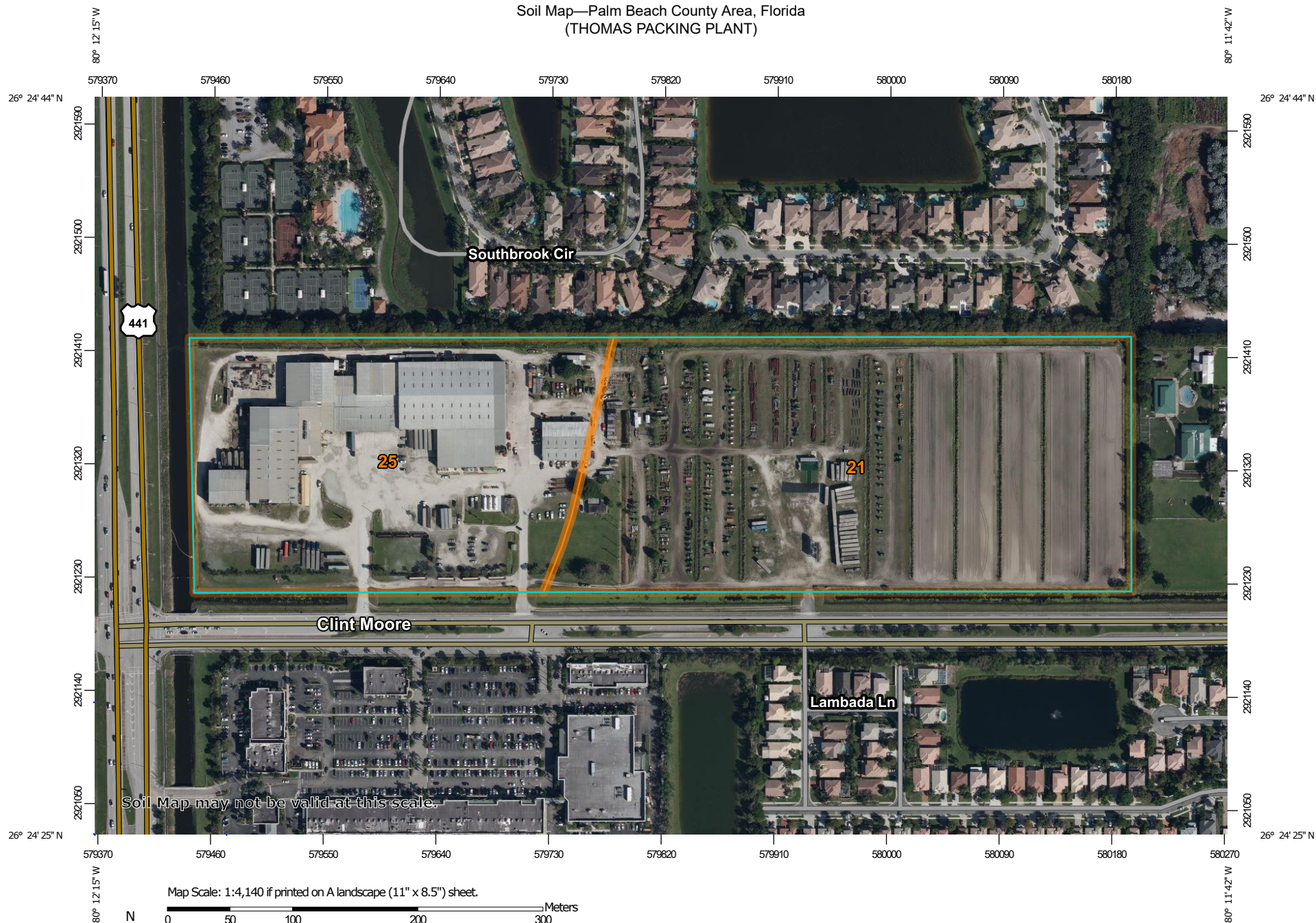


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**FIGURE**  
**4**

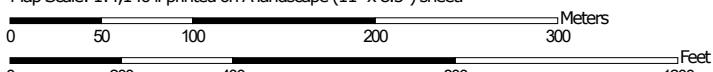


# Soil Map—Palm Beach County Area, Florida (THOMAS PACKING PLANT)



Soil Map may not be valid at this scale.

Map Scale: 1:4,140 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84



**Natural Resources  
Conservation Service**

Web Soil Survey  
National Cooperative Soil Survey


11/3/2021  
Page 1 of 3



Soil Map—Palm Beach County Area, Florida  
(THOMAS PACKING PLANT)

## 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.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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 18, Aug 25, 2021

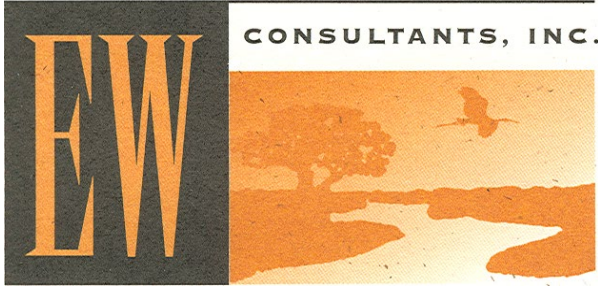
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 7, 2020—Mar 26, 2020

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
21	Myakka fine sand, 0 to 2 percent slopes	22.0	58.4%
25	Oldsmar sand, 0 to 2 percent slopes	15.4	41.6%
<b>Totals for Area of Interest</b>		<b>37.4</b>	<b>100.0%</b>



**To:** Urban Design Studio

**From:** Mary Lindgren  
EW Consultants, Inc.

**Date:** November 5, 2021

**Subject:** Thomas Packing Plant Parcel  
Future Land Use Amendment Environmental Assessment

***Background***

This memo provides natural resource-related information relating to the subject parcel.

**FLOOD ZONE INFORMATION**

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

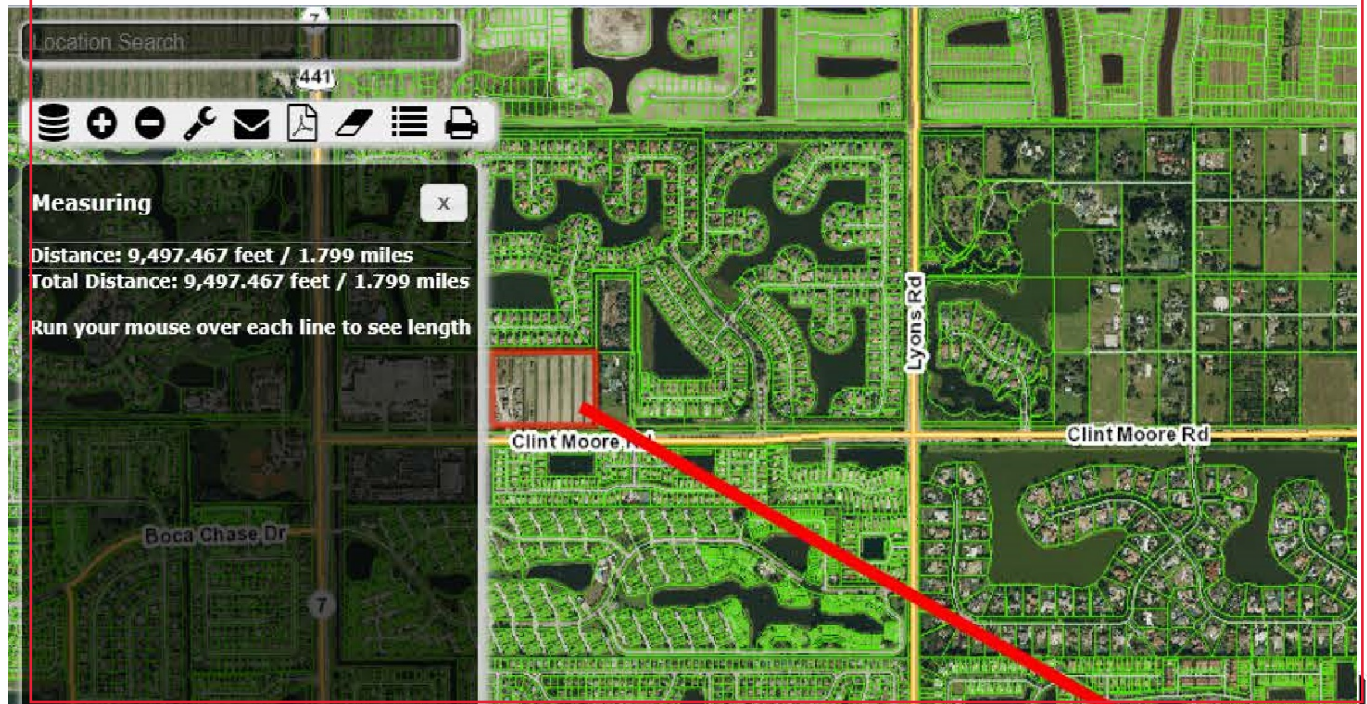
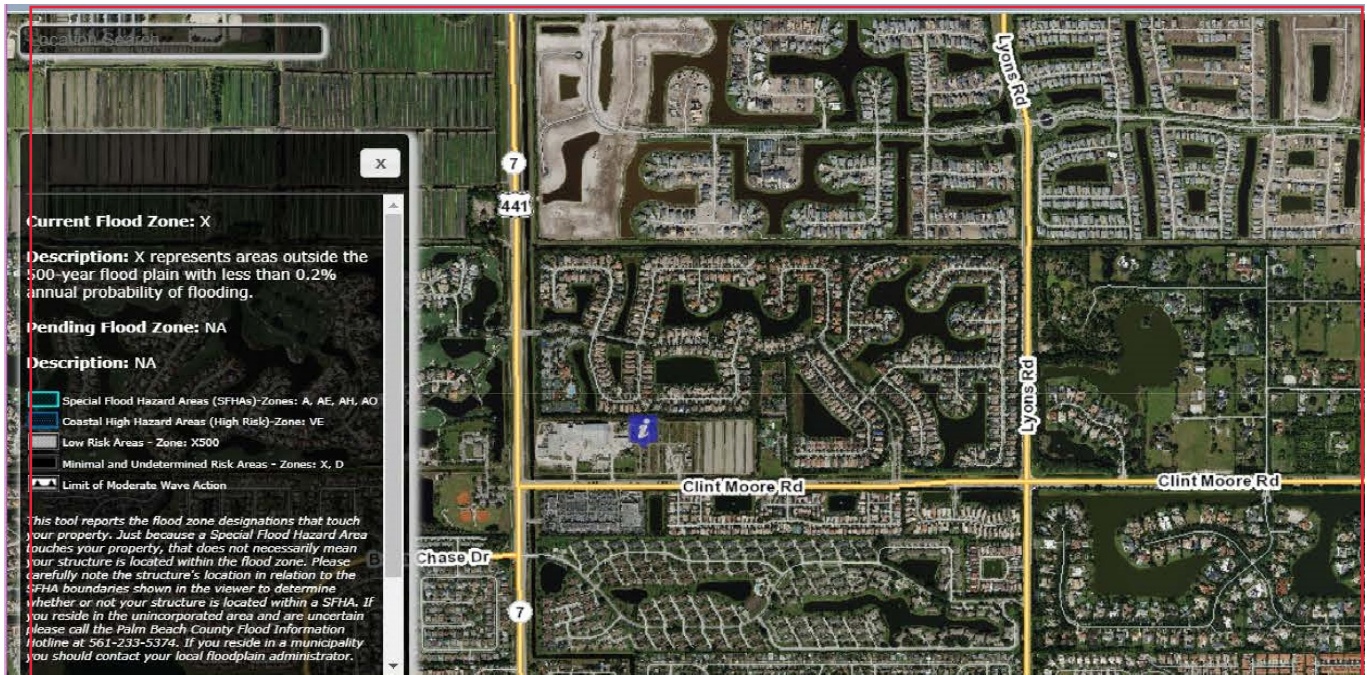
**WELLFIELD PROTECTION ZONE**

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

Attachments

Figure 5. Wellfield Protection Area and Flood Zone Designation





0 500  
SCALE IN FEET

# THOMAS PACKING PLANT

## Flood Zone and Wellfield Protection Zone

NOV 2021

FIGURE

5



**EW CONSULTANTS, INC.**

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**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](http://www.pbcgov.com/pzb)



**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 4, 2021

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

**RE: Historical and Archaeological Resource Review for: Thomas  
Packing Plant, under PCN's: 00-42-43-27-05-070-1130, 00-42-43-27-  
05-070-1160 and 00-42-43-27-05-070-1170.**

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,

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

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\Thomas Packing Plant Ltr 11-04-2021.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](http://WWW.PALMBEACHSCHOOLS.ORG/PLANNING)

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	02/17/2022		
	SCAD No.	22021701F - FLU		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	PCN No. / Address	00-42-43-27-05-070-1130; 1160; 1170 / 9845 and 9905 Clint Moore Road		
	Development Name	Thomas Packing Plant		
	Owner / Agent Name	Westside Farms, Inc. & 7T's Enterprises, Inc./ Urban Design Studio		
	SAC No.	311K		
	Proposed FLU Amendment	Max. 75 Residential Units		
Impact Review		Sunrise Park Elementary School	Eagles Landing Middle School	Olympic Height High School
	New Students Generated	12	7	10
	Capacity Available	-387	-588	-517
	Utilization Percentage	140%	146%	123%
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. 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 <b>elementary, middle</b> and <b>high school level</b>, the property owner shall contribute a total of <b>\$307,235.00</b> 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). 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 April 16, 2019.</p>			
Validation Period	<p>1) This determination is valid from <b>02/23/2022</b> to <b>02/22/2023</b> 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 <b>02/22/2023</b> or this determination will expire automatically on <b>02/22/2023</b>.</p>			
Notice	<p>1) This letter replaces the previous SCAD letter issued on 12/7/2021 under #21110901F.</p> <p>2) School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

Joyce Cai

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

February 23, 2022

Date

joyce.cai@palmbeachschools.org

Email Address

CC: Patricia Behn, Planning Director, Palm Beach County  
Kevin Fischer, Interim Planning Director, 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