

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 1. Amendment Data

A. Amendment Data

Round	22-B	Intake Date	November 10, 2021
Application Name	Villages of Windsor – SE Residential	Control No.	1996-081
Acres	11.84 acres (12.12 acres prior to right of way dedication – used for density calculations)	Concurrent Zoning Application?	Yes
		Text Amend?	No
PCNs	00-42-45-08-08-001-0000		
Location	Southeast corner of Hypoluxo Road and Lyons Road		
	Current	Proposed	
Tier	Urban/Suburban Tier	Urban/Suburban Tier	
Use	Type 3 Congregate Living Facility	Multifamily Residential	
Zoning	Planned Unit Development (PUD)	Planned Unit Development (PUD)	
Future Land Use Designation	Congregate Living Residential (CLR/2)	High Residential, 8 units per acre (HR-8)	
Underlying Future Land Use Designation	Low Residential, 2 units per acre (LR-2)	None	
Conditions	Ordinance No. 2019-002 The underlying 2 unit per acre density is for the purposes of density calculations for residential uses other than a CLF on the subject site only. This density cannot be assigned to other portions of the PUD.	The underlying 2 unit per acre density is for the purposes of density calculations for residential uses other than a CLF on the subject site only. This density cannot be assigned to other portions of the PUD.	
Density Bonus	None	80% of Workforce Housing Density bonus + Max. 2 Du/acre of TDR's	

B. Development Potential

	Current FLU	Proposed FLU
Density/ Intensity:	12 units per acre – Congregate Living Facility or 2 units per acre – Residential	Maximum: 8 dwelling units per acre
Maximum Dwelling Units¹ (residential designations)	2 du/acre x 12.12 ac. = 24 dwelling units	(8 du/acre x 11.84 ac) + (2 du/ac x 0.28 ac) = 94.72 + 0.56 = 95 dwelling units 80% WHP Density Bonus = 76 dwelling units 16 TDR units (95 du + 76 du + 16 du) = 187 total dwelling units

Maximum Beds (for CLF proposals)	145 max du x 2.39 = 347 beds	None
Population Estimate	145 max du x 2.39 = 347 people	187 max du x 2.39 = 447 people
Maximum Square Feet 2, 4 (non-residential designations)	This application is a residential request	This application is a residential request
Proposed or Conditioned Potential 3, 4	----	No proposed conditions
Max Trip Generator	Congregate Living Facility Daily = 2.02 trips / unit AM = 0.07 trips / unit PM = 0.18 trips / unit	Multifamily Mid-Rise Daily = 5.44 trips / unit AM = 0.36 trips / unit PM = 0.44 trips / unit
Maximum Trip Generation	Daily: 293 trips AM: 10 trips PM: 26 trips	Daily: 1,017 trips AM: 67 trips PM: 82 trips
Net Daily Trips:	1,017 (maximum minus current) 1,017 (proposed minus current)	
Net PH Trips:	67 AM trips, 82 PM trips (maximum) 67 AM trips, 82 PM trips (proposed)	

1. Maximum units per acre see Future Land Use Element Table III.C.1;
2. Maximum FAR see FLUE Table III.C.2 for FAR. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.
3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;
4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (eg. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 2. Applicant Data

A. Agent Information

Name	Lauren McClellan / Jennifer Morton
Company Name	JMorton Planning & Landscape Architecture
Address	3910 RCA Boulevard, Suite 1015
City, State, Zip	Palm Beach Gardens, FL 33410
Phone / Fax Number	(561) 721-4463 / (561) 500-5060
Email Address	lmcclellan@jmortonla.com / jmorton@jmortonla.com

B. Applicant Information

Name	Alexander Akel
Company Name	Civic Hypoluxo Holding LLC
Address	5300 West Atlantic Avenue, Suite 505
City, State, Zip	Boca Raton, Florida 33487
Phone / Fax Number	(561) 395-3050
Email Address	alex@akelhomes.com
Interest	Property Owner

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 3. Site Data

A. Site Data

Built Features	There are no built features present on the Property. See Attachment F.
PCN	00-42-45-08-08-001-0000
Street Address	No street address assigned yet.
Frontage	667 feet of frontage along Lyons Road & 1,593 feet of frontage along Hypoluxo Road
Legal Access	Lyons Road & Hypoluxo Road
Contiguous under same ownership	There are no contiguous properties under same ownership.
Acquisition details	The Property was acquired on December 27, 2017, from Civic Development Group, LLC by Special Warranty Deed. According to the Special Warranty Deed, the Property was granted for the consideration of \$10.00. See Attachment A for Special Warranty Deed.
Size purchased	12.12 acres (prior to right of way dedication).

B. Development History

Control Number	1996-081				
Previous FLUA Amendments	Ord. 2019-002 (Villages of Windsor CLF LGA-2018-024) – Amended FLUA designation for 12.12 acre property from Low Residential, 2 units per acre (LR-2) to Congregate Living Residential, with an underlying Low Residential, 2 units per acre (CLR/2) with conditions.				
Concurrency	290 beds - Congregate Living Facility				
Plat, Subdivision	Villages of Windsor Plat Three, PB 98, pg. 131; The Property is the private civic pod of the Villages of Windsor PUD.				
Zoning Approvals & Requests	A previous site plan was approved for a 350 student private school & 250 child daycare. It has since been abandoned and the property has been now approved for a 290 bed congregate facility.				
Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)
R-1996-1748	PDD-1996-081	Approved	Rezoning	Rezoning from AR to PUD	None.
R-2000-1083	DOA-1996-081(A)	Approved	Development Order Amendment	DOA to reconfigure Master Plan and re-designate housing types	None.

R-2002-1015 & R-2002-1016	PDD-1996-081(B)	Approved	Rezoning	Rezoning from AR to PUD & DOA to reconfigure Master Plan to add land area and units	None.
R-2005-1127	DOA-2005-473	Approved	Development Order Amendment	DOA to add two access points	None.
R-2010-1170 & R-2010-1171	DOA/R-2009-3933	Approved	Development Order Amendment	DOA to reconfigure the site plan & Requested Use Approval of a Daycare with 250 children and Private School with 350 children.	None.
R-2010-1759	N/A	Approved	N/A	Corrective Resolution to Add Previously Omitted Landscape Conditions of Approval.	None.
R-2011-573 & R-2011-574	DOA/R-2010-2822	Approved	Development Order Amendment	DOA to reconfigure the Master Plan to delete 2 access points & Requested Use Approval of a Type 3 CLF	None.
N/A	DOA-2015-1470	Withdrawn	Development Order Amendment	DOA to reconfigure the Site Plan to allow a 1,500-student private school + 250-person child daycare.	None
R-2017-1765	DOA-2017-1402	Approved	Development Order Amendment	DOA to reconfigure the Site Plan to add freestanding signs and modify a condition of approval.	None.
Ord. 2019-002	LGA 2018-024	Approved	Large Scale Comp Plan Amendment	Comprehensive Plan Amendment to modify future land use designation from LR-2 to CLR/2.	Amend FLU from CLR/2 to HR-8 and strike Conditions.
R-2019-171, R-2019-172, & R-2019-173	ABN/DOA/CA-2018-964	Approved	Development Order Amendment	Abandon daycare and private elementary school; DOA to allow modify conditions of approval; Class A Conditional Use Approval for Type 3 CLF	Abandon previous approval for CLF; redesignate pod from Private Civic to Residential; site plan for multi-family project.

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 4. Consistency

A. Consistency

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

B. Surrounding Land Uses.

Adjacent Lands	Use	Future Land Use	Zoning
North	Town Commons – Retail/Office, Restaurants & Townhomes 111,020 SF & 132 dwelling units	Multiple Land Use – Commercial High (CH), Commercial High- Office (CH-O), & Low Residential, 2 units per acre (LR-2)	Multiple Use Planned Development (MUPD) & Planned Unit Development (PUD) Control No. 2000-039, 2004-248 & 2004-247
South	Valencia Shores Single Family and Zero Lot Line Residential 1,143 dwelling units	Low Residential, 2 units per acre (LR-2)	Planned Unit Development (PUD) Control No. 2000-052
East	Agriculture	Low Residential, 2 units per acre (LR-2)	Agriculture Residential (AR)
West	Villages of Windsor – SW Civic Congregate Living Facility 510 residents/beds	High Residential, 8 units per acre (HR-8)	Planned Unit Development (PUD) Control No. 1996-081

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Congregate Living Facility Daily = 2.02 trips / unit AM = 0.07 trips / unit PM = 0.18 trips / unit	Multifamily Mid-Rise Daily = 5.44 trips / unit AM = 0.36 trips / unit PM = 0.44 trips / unit
Maximum Trip Generation	Daily: 293 trips AM: 10 trips PM: 26 trips	Daily: 1,017 trips AM: 67 trips PM: 82 trips
Net Daily Trips:	1,017 (maximum minus current) 1,017 (proposed minus current)	
Net PH Trips:	67 AM trips, 82 PM trips (maximum) 67 AM trips, 82 PM trips (proposed)	
Significantly impacted roadway segments that fail Long Range	None.	None.
Significantly impacted roadway segments for Test 2	None.	None.
Traffic Consultant	Kimley-Horn and Associates, Inc.	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	There is no Palm Tran Route within close proximity of the Property. Route 73 is the closest route.	
Nearest Palm Tran Stop	There are no Palm Tran Stops within close proximity of the Property. Bus stop 6744 is the closest stop which is 2.635 miles from the Property.	
Nearest Tri Rail Connection	Route 73 provides a connection to the Boynton Beach Tri-Rail Station.	
C. Portable Water & Wastewater Information		
See Attachment I for Potable Water & Wastewater Level of Service (LOS) comment letter.		
Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department. Service capacity is available for the proposed development. Connections will require a lift station and forcemain extension. See Attachment I for letter from Palm Beach County Water Utilities Department.	

Nearest Water & Wastewater Facility, type/size	A 24" potable water main and an 8" wastewater forcemain are located within Hypoluxo Road adjacent to the property.			
D. Drainage Information				
The drainage system for the proposed project will consist of culverts, structures, and dry detention areas, which will have a legal positive outfall through the existing Villages of Windsor PUD stormwater management and roadway systems. The Property is located within the SFWMD C-16 Basin, and the site will comply with the C-16 Basin requirements of discharge as well as with the existing SFWMD Permit No. 50-00422-S-02 that governs the Villages of Windsor PUD. See Attachment J for Drainage Statement.				
E. Fire Rescue				
Nearest Station	Palm Beach County Fire-Rescue Station # 48, located at 8560 Hypoluxo Road			
Distance to Site	0.75 miles			
Response Time	Average response time 7:07 minutes			
Effect on Resp. Time	The proposed amendment will have minimal impact on the response time for Station # 48. See Attachment K.			
F. Environmental				
Significant habitats or species	The Property was previously cleared and has been vacant for many years. There are no significant habitats or species present on the Property. Please see map provided as Attachment L.			
Flood Zone*	Zone X – Property is not within a Flood Zone.			
Wellfield Zone*	The Property is not located within a Wellfield Protection Zone. See Attachment M.			
G. Historic Resources				
There are no significant historic resources present on the Property. See Attachment N for letter.				
H. Parks and Recreation – Residential Only (Including CLF)				
Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Okeeheelee Park 7715 Forest Hill Boulevard West Palm Beach, FL 33411	0.00339	+447 people	+1.52 ac.
Beach	Ocean Inlet Park 6990 N. Ocean Boulevard Ocean Ridge, FL 33435	0.00035	+447 people	+0.16 ac.
District	Canyon District Park 8802 Boynton Beach Boulevard Boynton Beach, FL 33437	0.00138	+447 people	+0.62 ac.

I. Libraries – Residential Only (Including CLF)

Library Name	West Boynton Branch		
Address	9451 Jog Road		
City, State, Zip	Boynton Beach, FL 33437		
Distance	5.8 miles		
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	+447 people	+894
Periodicals	5 subscriptions per 1,000 persons	+447 people	+2.24
Info Technology	\$1.00 per person	+447 people	+\$447.00
Professional staff	1 FTE per 7,500 persons	+447 people	+0.06
All other staff	3.35 FTE per professional librarian	+447 people	+0.20
Library facilities	0.34 sf per person	+447 people	+151.98

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

	Elementary	Middle	High
Name	Manatee Elementary School	Christa McAuliffe Middle School	Park Vista Community High School
Address	7001 Charleston Shores Boulevard	6500 Le Chalet Boulevard	7900 Jog Road
City, State, Zip	Lake Worth, FL 33467	Boynton Beach, FL 33472	Lake Worth, FL 33467
Distance	2.253 miles	4.4 miles	2.703 miles

2020 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

Part 6. Attachments

- A. PCN's, Legal Description and Warranty Deed**
- B. Agent Consent Form**
- C. Affidavit of Completeness and Accuracy**
- 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**
- 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. Workforce Housing Determination Letter**
- Q. Survey**

Attachment F Built Feature Inventory & Map

Hypoluxo Road

Lyons Road

Site

Attachment G Consistency with the Comprehensive Plan and Florida Statutes

Introduction

On behalf of the Applicant, JMorton Planning & Landscape Architecture is requesting a Comprehensive Plan Future Land Use Atlas amendment for the property located on the southeast corner of Hypoluxo Road and Lyons Road, (“Property”) to amend the future land use designation from Congregate Living Residential, with an underlying Low Residential, 2 units per acre (CLR/2), to High Residential, 8 units per acre (HR-8). The Applicant is also proposing to revise conditions of approval imposed by Ordinance 2019-002. The Property is located within the Urban/Suburban Tier and is currently vacant.

I. PROPOSED FLUA MAP AMENDMENT

The Applicant is requesting a Future Land Use Amendment from Congregate Living Residential, with an underlying Low Residential, 2 units per acre (CLR/2) to High Residential, 8 units per acre (HR-8) on 11.84 acres. The Property is currently vacant and is one of four approved Civic Pods of the Villages of Windsor PUD. The Applicant submitted a concurrent Development Order Amendment application to Zoning to redesignate this private civic pod as a residential pod on December 6, 2021. Additionally, the Applicant also submitted a site plan application for a multi-family residential project.

The Applicant is also requesting to strike the following condition imposed by Ordinance 2019-002:

~~The underlying 2 unit per acre density is for the purposes of density calculations for residential uses other than a CLF on the subject site only. This density cannot be assigned to other portions of the PUD.~~

Description of Site Vicinity

The Property is surrounded by residential uses to the south, a retail commercial plaza to the north across Hypoluxo Road, agriculture to the east, and the newly constructed Congregate Living Facility (CLF) called Atria at Villages of Windsor to the west across Lyons Road.

Land uses of the properties directly abutting the Project include the following:

Adjacent Property	Land Use Designation	Zoning Designation	Existing Use	Control Number
North	MLU (CH, CH-O, & LR-2)	MUPD	Town Commons – Retail/Office (94,900 SF)	2000-039
		MUPD	Town Commons MUPD – Retail & Restaurants (16,120 SF)	2004-248
		PUD	Town Commons PUD – Townhomes (132 du)	2004-247
South	LR-2	PUD	Valencia Shores – SF and ZLL Residential (1,143 du)	2000-052
East	LR-2	AR	Agriculture	N/A
West	LR-2	PUD	Private Civic-CLF & Nursing Home (510 beds)	96-081

History

The Villages of Windsor PUD was originally approved in 1996 and includes four private civic sites totaling 34.62 acres and a 34.11-acre public civic parcel to accommodate a future public park and an existing County Fire-Rescue station. In 2019, the Property was approved for the development of a 290 bed congregate living facility. The following is the development approval history for the Villages of Windsor PUD and the Property:

App. No.	Request	Action	Date	Resolution No.
PDD-1996-081	Rezoning from AR to PUD	Approved	October 24, 1996	R-1996-1748
DOA-1996-081(A)	DOA to reconfigure Master Plan and re-designate housing types	Approved	July 27, 2000	R-2000-1083
PDD-1996-081(B)	Rezoning from AR to PUD & DOA to reconfigure Master Plan to add land area and units	Approved	June 19, 2002	R-2002-1015 & R-2002-1016
DOA-2005-473	DOA to add two access points	Approved	July 20, 2005	R-2005-1127
DOA/R-2009-3933	DOA to reconfigure the site plan & Requested Use Approval of a Daycare with 250 children and Private School with 350 children.	Approved	July 22, 2010	R-2010-1170 & R-2010-1171
N/A	Corrective Resolution to Add Previously Omitted Landscape Conditions of Approval.	Approved	October 28, 2010	R-2010-1759
DOA/R-2010-2822	DOA to reconfigure the Master Plan to delete 2 access points & Requested Use Approval of a Type 3 CLF	Approved	April 28, 2011	R-2011-573 & R-2011-574
DOA-2015-1470	DOA to reconfigure the Site Plan to allow a 1,500-student private school + 250-person child daycare.	Withdrawn	N/A	N/A
DOA-2017-1402	DOA to reconfigure the Site Plan to add freestanding signs and modify a condition of approval	Approved	November 30, 2017	R-2017-1765
LGA 2018-024	Comprehensive Plan Amendment to modify future land use designation from LR-2 to CLR/2.	Approved	January 24, 2019	Ord. 2019-002
ABN/DOA/CA-2018-964	Abandon daycare and private elementary school; DOA to allow modify conditions of approval; Class A Conditional Use Approval for Type 3 CLF	Approved	January 24, 2019	R-2019-171, R-2019-172, & R-2019-173

As referenced above, a comprehensive plan amendment was approved on January 24, 2019. This amendment (Ordinance No. 2019-002) contained the following condition:

The underlying 2 unit per acre density is for the purposes of density calculations for residential uses other than a CLF on the subject site only. This density cannot be assigned to other portions of the PUD.

In addition to the proposed land use change to High Residential, 8 units per acre (HR-8), the Applicant is requesting to delete the above identified condition of approval as it is no longer the Applicant's intent to develop the Property as a congregate living facility. It is the Applicant's intent to utilize the Workforce Housing Program and the Transfer

of Development Rights Program in order to develop a multi-family project on the Property with a maximum of 187 units.

G.1 Justification

Each proposed FLUA amendment must be found to be consistent with the Goals, Objectives, and Policies (GOPs) of the Comprehensive Plan. Future Land Use Element Policy 2.1.f requires that adequate justification for the proposed future land use be provided. Further, the justification statement must demonstrate that a change is warranted and demonstrate the following two factors:

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

***Response:** The proposed use is suitable and appropriate for the Property as the Property was previously approved for the development of a three-story congregate living facility. The proposed multi-family development will be consistent with the other residential uses in the area. The Property's location at the intersection of Lyons Road and Hypoluxo Road ensures appropriate access for future residents. The proposed multi-family will also support the other uses in the immediate area better than the existing approved congregate living facility. The recent COVID pandemic changed the market for independent and assisted living facilities. The approved and constructed congregate living facility to the west is not fully occupied. It has become apparent that more people are moving to Florida and thus there is a severe need for housing to meet this growing demand. In addition to the need for housing, there is a significant deficit in affordable/workforce housing options. The proposed multi-family development will provide an additional housing option for those wishing to relocate in the highly desirable western Boynton area.*

The County's approval of multiple mixed use MUPDs with higher densities, including Town Commons and Windsor Place, indicates that this area of the western Hypoluxo Road corridor is changing to a more intense suburban area. A significant amount of the housing in the area is single-family. It is important to ensure that various housing options are available to the current and future residents of Palm Beach County, especially on properties that are ideally located with access on multiple rights-of-way with easy access and connections to major thoroughfares.

The existing future land use designation limits the maximum density on the property to 2 dwelling units per acre. The proposed amendment allows additional density necessary for the implementation of workforce housing by providing one of the needed incentives to offset the increasing cost of land and construction. This is a key component to provide a specific segment of the County's population with the housing that it desperately needs. The provision of Workforce Housing for the residents of Palm Beach County has been a significant topic raised by every Board of County Commissioner. Commissioners, as well as the County Administrator, have reiterated that Workforce Housing is a top priority for the entire County as the lack of affordable housing is a "crisis". This amendment will provide the needed incentive for the project developer to provide such housing in an area of Palm Beach County that is easily accessible to various transit routes and where utilities and public services are available.

2. There is a basis for the proposed FLU change for the particular subject site based upon one or more of the following:

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

***Response:** Several land use amendments have been adopted in the immediate area which signify that the western Hypoluxo Road corridor is changing. The following amendments, all located within the immediate vicinity, have requested increases in density:*

- Windsor Place (LGA 2018-021) - Ord. No. 2020-004
- Town Commons MLU (LGA 2018-018) - Ord. No. 2018-030

As discussed earlier, the character of the area has changed from an area of single family suburbs to an area that includes more mixed uses and more intense residential development to serve the needs of the area and overall need for additional housing opportunities in the County. Because these future land use changes have impacted the area, as well as the Property, a multi-family development at this major intersection is more appropriate.

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

***Response:** As referenced above, the characteristics of the area have changed from low density suburbs to a more intense residential development. The County has approved multiple mixed use MUPDs with higher densities which indicate that the area is changing. Because of the recent COVID pandemic, changes in the market for independent and assisted living facilities have occurred. Hypoluxo Road is also turning into a major east/west connector. The southwest corner of Hypoluxo Road and Lyons Road has also changed from civic CLF to multifamily.*

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

***Response:** As previously mentioned, due to the recent COVID pandemic, a change in the market occurred where the desire for civic CLF living was of not much interest and a change for independent and assisted living facilities became of higher demand. The approved and constructed congregate living facility to the west is not fully occupied.*

d. Inappropriateness of the adopted FLU designation.

***Response:** The existing residential land use does not allow residential development above 2 dwelling units per acre. The proposed amendment will allow for the use of the Workforce Housing Program as well as the Transfer of Development Rights Program and will further address the deficit of Workforce Housing units*

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

***Response:** N/A*

Proposed Modifications to Conditions

The proposed modification to the previously approved condition is shown and discussed below.

Ordinance 2019-002

~~The underlying 2 unit per acre density is for the purposes of density calculations for residential uses other than a CLF on the subject site only. This density cannot be assigned to other portions of the PUD.~~

***Response:** This condition no longer applies to the Property as it limits the maximum density on the property to 2 dwelling units per acre and would not allow for the additional density necessary for the implementation of workforce housing.*

G.2 Residential Density Increases

Per Future Land Use Element Policy 2.4-b, the proposed request for a density is consistent with the following criteria:

- Demonstrate a need for the amendment.
- Demonstrate that the current FLUA designation is inappropriate.
- Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site.

a. Demonstrate a Need for the Amendment

Response: As discussed above, Palm Beach County is in the middle of a housing crisis. There is a significant deficit of workforce housing options available to working professionals such as teachers, police, nurses, etc. in Palm Beach County.

	FLU	Units	TDR Bonus (2 du/acre)	WHP Bonus	Total Units	Density	WHP Units
Current	CLR/2	290 beds	None	None	290 beds	23 beds/ac	None
Proposed	HR-8	95 units	16 units (24 units max.)	75 units	187 units	15.4 du/acre	40 units

As shown in the table above, the proposed amendment will increase the amount of available workforce housing units on the Property by 80%.

b. Demonstrate that the Current FLUA Designation is Inappropriate

Response: As discussed above, the current future land use designation is inappropriate given the recent changes to increase density and intensity that have occurred in the area as well as the increasing need for workforce housing in Palm Beach County. The existing residential land use designation does not allow residential development above 2 dwelling units per acre. High density is needed to allow for the development of multi-family residential that includes workforce housing units. Unfortunately, the density permitted by the LR-2 designation is minimal and has already been developed within the remaining portion of the PUD. Low density development is an inefficient use of land within the Urban/Suburban Tier especially given the recent housing crisis that is facing Palm Beach County. This area of the County is saturated with single family and townhouse units; therefore, some addition housing options available to the working residents as well as retirees moving to the area that are on a fixed income and may not be able to afford the pricey single family homes that surround the Property. This low density contributes to a homogeneous community rather than providing for mixed income communities. Additionally, indicated above this low density is not the most efficient use of public facilities and utilities. Multi-family units are sparse in this area of western Boynton Beach, thus indicating that the existing future land use designation is no longer appropriate.

c. Explanation of Why TDR, WHP and AHP Cannot be Utilized to Increase Density on the Property

Response: The Applicant is proposing to utilize the Workforce Housing Density Bonus and Transfer of Development Rights Programs. The density increase through both of these programs will yield an additional 40 workforce housing units in an area of the County that is lacking affordable and attainable housing options. The density increase through the comprehensive plan amendment is necessary as the Applicant intends to develop a project that will efficiently utilize the public infrastructure already in place along Hypoluxo Road and Lyons Road.

G.3 Compatibility

Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation, and other land use conditions. The definition of “compatibility” under the repealed Rule 9J-5, FAC, is “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted, directly or indirectly by another use or condition”. With this definition in mind, the requested change would make the subject property more compatible with the surrounding properties which have undergone land use amendments.

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses

whose functions are different can complement and support each other. For example, a multi-family use can provide essential housing for those working within various retail and other service industries in the surrounding area, as well as the community at-large. In addition, buffering, screening, setback, height, and landscaping requirements can further enhance compatibility, and reduce the potential negative effects of functionally different land uses.

Several factors lead to the conclusion that the proposed FLUA Amendment designation will be compatible with neighboring uses.

- Primary access is available from Lyons Road and Hypoluxo Road, which are designated as Arterial roadways, thus directing traffic away from local roads in the vicinity.
- The Property is located at a major intersection where the other 3 corners are developed with higher intensity uses. On this basis, the proposed development concept at this location is determined to be compatible.
- The proposed use is consistent with the existing development pattern and adjacent uses that have occurred at this significant intersection as well as along the Hypoluxo Road and Lyons Road corridors.

The above factors, coupled with setbacks, buffers and landscaping requirements will dictate that on-site structure(s) will be compatible with the neighboring properties and not create or foster undesirable health, safety, or aesthetic effects.

G.4 Comprehensive Plan

The proposed Future Land Use Atlas Amendment is consistent with various goals, objectives, and policies in the Palm Beach County Comprehensive Plan as detailed below.

Goals – The proposed FLUA amendment furthers the County’s goals as described below.

- **Balanced Growth** – “...to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.”

***Response:** Approval of this proposed FLU amendment will allow for the development of a multi-family project that will provide needed housing options for existing and future residents. The proposed density increase will provide additional Workforce Housing units for area teachers, nurses, police, etc.*

- **Community Planning and Design** – “...to develop and implement strategies that will enhance the quality of life within its neighborhoods and communities by ensuring that these areas are well-planned, visually pleasing, safe, and devoid of substandard housing and blight.”

***Response:** Approval of the proposed FLU amendment will allow for additional housing options to serve the community. The very definition of a well-planned community is one that is compact and self-contained with a mix of uses providing for the daily needs to live, work, play, worship, dine, and shop. Increasing the residential density for the Property will ensure that the community has the needed Workforce Housing available for the teachers at nearby schools, the police that patrol the Hypoluxo Road corridor, the nurses, and other staff that work at the CLF on the west side of Lyons Road.*

Objectives – The proposed FLUA amendment furthers the County’s objectives as described below.

- **FLUE Objective 1.2 Urban/Suburban Tier** – “Palm Beach County shall plan to accommodate approximately 90% of the County’s existing and projected population through the long-range planning horizon within the Urban/Suburban Tier. The Urban/Suburban Tier shall include all land within the Urban Service Area, as depicted on the Service Areas Map in the Map Series. These areas have a development pattern generally characterized as urban or suburban, considering the intensity and/or density of development. The Urban/Suburban Tier shall be afforded urban levels of service.

***Response:** The Property is located within the Urban/Suburban Tier where services and public facilities are already available. According to County Directions related to Growth Management and previous staff reports published by the Planning Division, “Increases in density within the [Urban/Suburban] Tier do*

make efficient use of facilities and services that are already in place.” The population of Palm Beach County is continuing to grow and housing those residents within the Urban/Suburban Tier is a county priority rather than increasing density and expanding services into other Tiers such as the Rural, Exurban and Ag Reserve Tiers.

- **FLUE Objective 2.1 Balanced Growth** – “Palm Beach County shall designate on the Future Land Use Atlas sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth. This shall be done to plan for population growth and its need for services, employment opportunities, and recreation and open space, while providing for the continuation of agriculture and the protection of the environment and natural resources through the long-range planning horizon.”

***Response:** This intersection of Hypoluxo Road and Lyons Road has been designated as an area for more intense development as the two properties on the north side of the intersection have recently been the subject of Future Land Use Amendments to increase density. This area has quickly transformed from primarily low density suburban area to a more inclusive suburban area with a variety of housing options to serve the existing and future residents of Palm Beach County. This proposed amendment will ensure that this important node is developed to meet the growing needs and demands of the surrounding community while accommodating an alternative housing option to serve the residents of the County that continue to be priced out of the housing market.*

- **HE Objective 1.5 Concentrations of Affordable Housing** – “The County shall make adequate provisions to enable the public, private and not-for-profit sectors to provide affordable housing, and shall support the distribution of housing for very low, low, moderate and middle income households, to avoid undue concentrations of very low and low income households throughout the County through the Workforce Housing Program and the Affordable Housing Program.

***Response:** The Applicant is proposing to provide workforce housing units in conformance with the recently adopted revised Workforce Housing Program. Many of the recently approved residential projects have cashed out from their workforce housing requirements rather than providing the units on-site. The Applicant is proposing to provide the units on-site as the Property is ideally located on within close proximity of several employment opportunities. The Property also can be accessed easily from major thoroughfares including Hypoluxo Road and Lyons Road. The Property’s location makes it an ideal location for multi-family development that includes workforce housing due to the ability of residents to walk to shopping and employment locations.*

Policies – The proposed FLUA amendment furthers the County’s policies as further described below.

- **FLUE Policy 1.2-a:** “Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:
 - Allowing services and facilities consistent with the needs of urban and suburban development;
 - Providing for affordable housing and employment opportunities;
 - Providing open space and recreational opportunities;
 - Protecting historic and cultural resources;
 - Preserving and enhancing natural resources and environmental systems; and
 - Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.”

***Response:** The Property is located within the Urban/Suburban Tier where services and public facilities are already available. The Applicant is proposing to increase the density and develop workforce housing units in conformance with the newly adopted revised Workforce Housing Program. It is also important to note that no historic or natural resources exist on the Property. The Property is located at a major intersection in the west Boynton area of the County which is designated with more intense Future Land Uses and developed with mixed use developments. The proposed multi-family development will provide a transition between the intense commercial uses to the north and the single family development to the south.*

G.5 Florida Statutes

Data and analysis demonstrating that the proposed development can be supplied by necessary services without violating adopted LOS standards are presented in Attachment H (Traffic Letter and Study), J (Drainage Statement), K (Fire Rescue Letter), and I (Water and Wastewater Provider Letter). Data and analysis discussing environmental and historical resources impacts are presented in Attachments J (Drainage Statement), M (Wellfield Zone), L (Natural Features Inventory and Map) and N (Historic Resource Evaluation Letter). No negative environmental impacts are identified.

The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below along with the applicant's descriptions. 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 discourages urban sprawl.

- Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single use development or uses.
 - **Response:** *The applicant is requesting to change the FLU of the Property from CLR/2 to HR-8 which will allow for multifamily development within the Urban/Suburban Tier. The Property is located within the West Boynton Area Community Plan (WBACP) study area. This study encourages the appropriate mix of land uses that allows for higher density and non-residential infill development that will provide employment opportunities as well as mitigate additional traffic generation.*
- 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.
 - **Response:** *The Applicant is requesting to increase the density for a property that is located along a prominent east/west arterial roadway at an important node (Hypoluxo Road and Lyons Road) within the western Boynton Beach area.*
- Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - **Response:** *The development is not isolated in nature as residential development surrounds the Property immediately to the west, north and south. Residential uses have been developed along the corridor further to the east and west of Hypoluxo Road and along Lyons Road.*
- 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.
 - **Response:** *This amendment does not fail to protect and conserve natural resources as the proposed development will have no negative impact on any other significant natural system. The Property does not support any environmentally sensitive areas. No listed species were located on the Property, and it is located outside of any wellfield protection zone. The Property is currently vacant.*
- 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.
 - **Response:** *The Property is located within the Urban/Suburban Tier. The Property is located on a major right-of-way, bordered by development to the west, north and south. The overall development pattern for this corridor has been designated for more intense development as determined by the recent County approvals of Windsor Place and Town Commons.*
- Fails to maximize use of existing public facilities and services.
 - **Response:** *Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. The proposed multi-family development will not negatively impact public facilities and services.*
- Fails to maximize use of future public facilities and services.

- **Response:** Reports and letters are provided with this application to show the availability of roadway capacity, water/sewer service, drainage outfall and fire response. The proposed multi-family development will not negatively impact public facilities and services.
- 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.
 - **Response:** Public services and facilities are already available in the immediate vicinity. The proposed amendment will provide for infill development and fit in with the existing land use pattern.
- Fails to provide a clear separation between rural and urban uses.
 - **Response:** The Property is located within the Urban/Suburban Tier and not adjacent to the any other Tiers therefore defining a clear separation between rural and urban uses. Therefore, the proposal discourages the proliferation of Urban Sprawl.
- Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
 - **Response:** This amendment will allow for infill development as development exists both east and west of the Property. The proposed project will serve the current and future needs for the surrounding communities.
- Fails to encourage a functional mix of uses.
 - **Response:** Approval of this proposed amendment will allow the development of a multi-family use within an area of the County that has historically only been developed with low intensity/density residential development. This project will contribute to a functional mix of uses within the Hypoluxo Road corridor.
- Results in poor accessibility among linked or related land uses.
 - **Response:** The proposed development will be designed with pedestrian connections as required through the site plan approval process.
- Results in the loss of significant amounts of functional open space.
 - **Response:** This amendment does not result in a loss of any functional open space as the subject property has previously been approved for development and is currently not utilized as functional open space.

Florida Statutes, Section 163.3177.(6).(a).9.b: Of those criteria listed in this section the subject property will meet the following criteria which shows that it will discourage the proliferation of urban sprawl:

- 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.
 - **Response:** This amendment does not fail to protect and conserve natural resources as the property is vacant of natural resources. The site is undeveloped, and it is located outside of any wellfield protection zone.
- Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
 - **Response:** The request for a FLUA amendment will maximize the use of future public facilities and services existing and within an urban corridor. No facilities would be required to be installed in rural or sparsely populated areas, thereby maximizing the use of the existing facilities. Therefore, the proposal discourages the proliferation of Urban Sprawl by locating goods, services, and employment adjacent to existing public infrastructure.
- 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.
 - **Response:** The development will be designed to provide pedestrian connections, bike racks, and other elements that support a compact development.
- Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
 - **Response:** Approval of this proposed amendment will allow the development of a multi-family use within an area of the County that is primarily developed with single family housing.

Conclusion

As described above, the proposed FLU amendment from Congregate Living Facility with underlying Low Residential, 2 units per acre (CLR/2) to High Residential, 8 units per acre (HR-8) is consistent with the Goals, Objectives, and Policies of Palm Beach County's Comprehensive Plan and the Florida State Statutes. The proposed amendment is also compatible with the surrounding area. The proposed amendment does not contribute to urban sprawl.



**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**

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

County Administrator

Verdenia C. Baker

November 2, 2021

Morton
3910 RCA Boulevard
Palm Beach Gardens, FL 33410

RE: Villages of Windsor- SE Corner of Hypoluxo & Lyons
PCN 00-42-45-08-08-001-0000
Service Availability Letter

Ms. Velasco,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required for 187 dwelling units subject to a Capacity Reservation Agreement with PBCWUD.

The nearest point of connection to potable water is a 24" potable water main located within Hypoluxo Road adjacent to the subject property. The nearest point of connection to sanitary sewer is an 8" forcemain located within Hypoluxo Road adjacent to the subject property. This connection will require a lift station and forcemain extension.

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



CAULFIELD & WHEELER, INC.

Consulting Engineers • Surveyors & Mappers

Celebrating
35
years

Engineering EB0003591
Surveying LB0003591
Landscape Architecture LC0000318

April 23rd, 2021

Mrs. Joanne Keller, P.E.
Palm Beach County Land Development
2300 North Jog Road, 3rd Floor
West Palm Beach, Florida 33411-2745

Subject: Drainage Statement
Villages of Windsor – SE Civic
SE Corner of Lyons Road and Hypoluxo Road
Palm Beach County, Florida

Dear Mrs. Keller:

The drainage system for the proposed “Villages of Windsor – SE Civic” project will consist of culverts, structures, and dry detention areas, which will have a legal positive outfall through the existing Villages of Windsor stormwater management and roadway systems. The proposed project was previously platted as a Civic Tract within the Villages of Windsor project, and is included in the Villages of Windsor stormwater management system per SFWMD Permit No. 50-00422-S-02. The attached information from the SFWMD permit demonstrates that the project lies within the Northeast Basin of the Villages of Windsor system. In addition, pipes have been stubbed out to the parcel from the Villages of Windsor system and compliance with the SFWMD permit is required by the HOA documents, which are attached to this drainage statement.

The project is within the SFWMD C-16 Basin, and the site will comply with the C-16 basin requirements of discharge requirements of 62.4 CSM (cubic feet per square mile).

The South Florida Water Management District criteria for this project will be a water control elevation of 14.50 feet NAVD. A minimum road elevation is proposed at 16.50 feet NAVD. The minimum finished floor elevation is proposed at 18.00 feet NAVD. The proposed road and finished floor criteria will exceed the calculated 10-year and 100-year storm criteria as required by code.

The proposed project will connect to the existing stubbed out pipe to the Northeast Basin which has existing legal positive outfall via existing stubs in the Lyons Road/Hypoluxo Road drainage system which is within the overall Villages of Windsor stormwater management system. The existing control structures will regulate the discharge for the project so as not to exceed the allowable discharge for the 25-year storm, 3-day event, which meets the required level of service for Palm Beach County.

Page 2 – Villages of Windsor – SE Civic
Drainage Statement

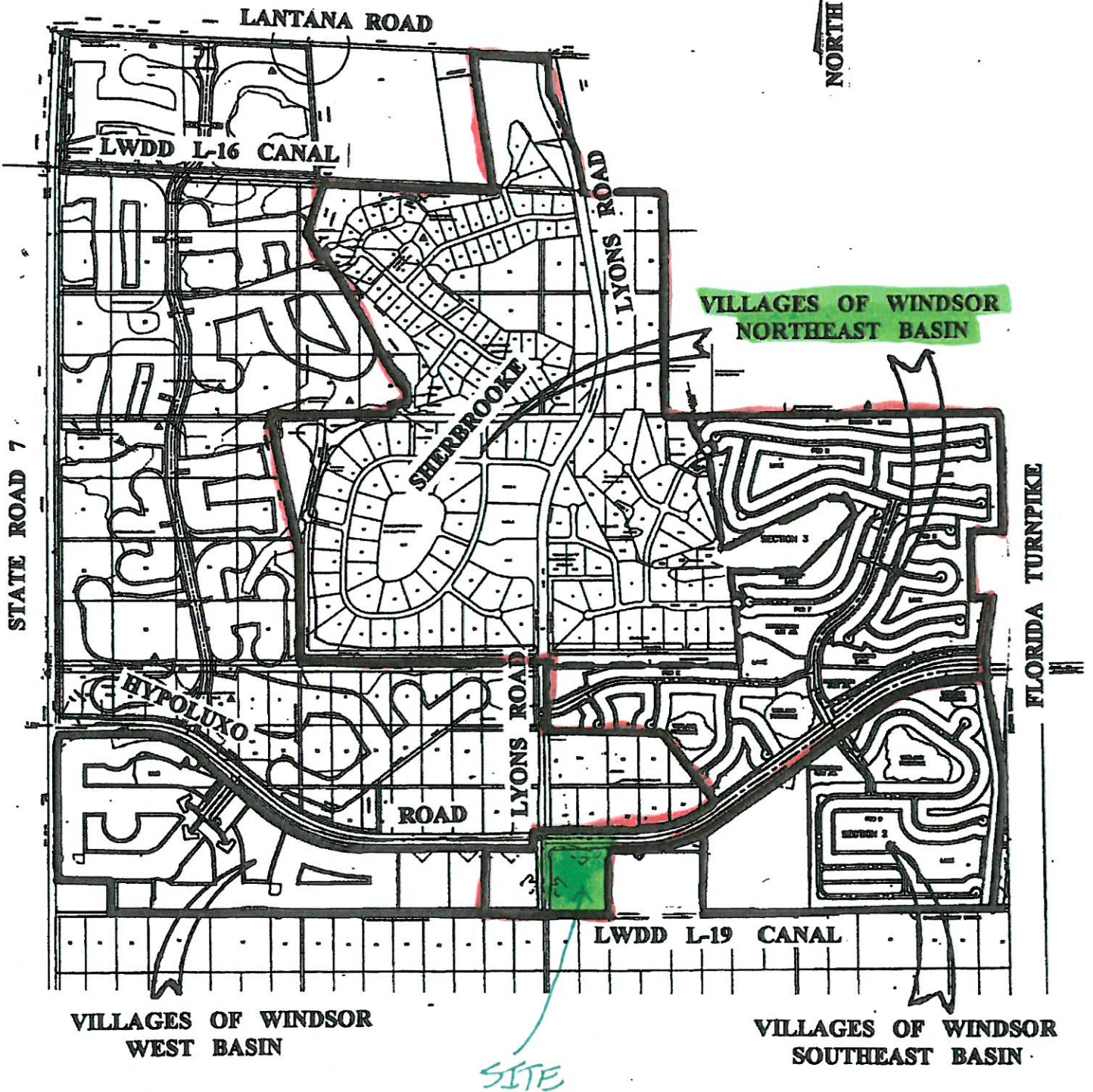
There is an existing 20-ft drainage easement (ORB 13591, PG 1184) running through the property. Within this easement is a 36" outfall trunkline which discharges treated runoff from the Publix Plaza and future townhome development to the north to the LWDD L-19 Canal (See Existing SFWMD ERP #50-05654-P). This easement and pipe will be accommodated in the proposed design without causing any adverse effects to the properties upstream.

Submitted By:
Caulfield & Wheeler, Inc.

Ryan D. Wheeler, P.E.
Professional Engineer #71477
State of Florida

RDW:rw

P:\07216-00-00-00\eng-docs\permits\PBCLD\Drainage Statements\2021-04-23_7216_Drainage Statement.doc



LAST DATE FOR GOVERNING BOARD ACTION:
JULY 12, 2001



ENVIRONMENTAL RESOURCE PERMIT STAFF REVIEW SUMMARY

I. ADMINISTRATIVE

APPLICATION NUMBER: 001025-8

PERMIT NUMBER: 50-00422-S-02

PROJECT NAME: VILLAGES OF WINDSOR

LOCATION: PALM BEACH COUNTY, S8/T45S/R42E

APPLICANT'S NAME: VILLAGES OF WINDSOR BY ANSCA

OWNER'S NAME AND ADDRESS: VILLAGES OF WINDSOR BY ANSCA
333 S CONGRESS AVE
SUITE 403
DELRAY BEACH, FL 33445

ENGINEER: CAULFIELD & WHEELER, INC

II. PROJECT DESCRIPTION

PROJECT AREA: 547.35 acres DRAINAGE AREA: 1091.66 acres

DISTRICT DRAINAGE BASIN: C-16

RECEIVING BODY: LAKE WORTH DRAINAGE DISTRICT E-2 AND L-19 CANALS

CLASSIFICATION: CLASS III

SPECIAL DRAINAGE DISTRICT: LAKE WORTH DRAINAGE DISTRICT

PURPOSE:

This application is a request for conceptual approval of a surface water management system to serve a 547.35 acre residential development known as the Villages of Windsor. In addition, construction authorization is requested for lake excavation and filling of the 547.35 acre site. Construction and operation authorization is also requested for the surface water management system that will serve Plat One, Lyons Road (from Hypoluxo Road to the south property line) and Hypoluxo Road (from Lyons Road east to the Florida Turnpike). Staff recommends approval with conditions.

EXISTING FACILITIES:

The project site is generally bounded on the west by State Road 7, Towne Park and the Villages at Sherbrooke, on the south by Lake Worth Drainage District's L-19 Canal, on the east by the Florida Turnpike and on the north by the Villages at Sherbrooke and Towne Park. In addition, the LWDD E-1 canal is located on the west side of the property and the E-2 canal is on the east side of the property. The LWDD L-17 and L-18 canals traversed the property at one time, however the R/W has since been abandoned and the two canals are now part of the existing lake system. The majority of the site was originally issued Permit No. 50-00422-S (Sherbrooke). However, all of the permitted control structures were not built since the entire Sherbrooke site was not developed. The site contains numerous ditches and lakes.

PROPOSED FACILITIES:

Proposed is the conceptual approval of a surface water management system to serve a 547.35 acre residential development known as Villages of Windsor. The project is divided into three drainage basins. They are the West Basin, the Northeast Basin and the Southeast Basin. The surface water management system within each basin will consist of inlets, culvert and swales which will direct runoff to 104.42 acres of interconnected wet detention areas. The West Basin and Southeast Basin's each will have a single control structure (W-1 and SE-1 respectively) which will discharge to the LWDD L-19 canal. Discharge from the Northeast Basin to the LWDD E-2 canal will be controlled by two water control structures (NE-1 and 2). Offsite flow from 544.31 acres of the Sherbrooke surface water management system enters the Northeast Basin via three water control structures (SH-1, 2 and 3). The surface water management system serving the Northeast Basin was designed so that the design storm stages within the existing Sherbrooke surface water management system will be lower than the stages that were calculated in the original Sherbrooke permit. The applicant's engineer demonstrated that this is true for the 10, 25 and 100 year/5 day storm events. The discharge rate from the Northeast Basin is less than the allowable rate that was specified within the previous Sherbrooke permit.

BASIN INFORMATION:

Basin	Area Acres	WSWT Elev (ft, NGVD)	Normal/Dry Ctrl Elev (ft, NGVD)	Method of Determination
WEST	136.86	16.00	16/16	ADJACENT CANAL CONTROL ELEVATION
SOUTHEAST	141.09	16.00	16/16	ADJACENT CANAL CONTROL ELEVATION
NORTHEAST	813.71	16.00	16/16	ADJACENT CANAL CONTROL ELEVATION

**CAULFIELD & WHEELER, INC.**

Consulting Engineers • Planners • Surveyors
 7301A West Palmetto Park Road, Suite 100A
 Boca Raton, Florida 33433 (561) 392-1991

October 6, 2000

Rev. 1/23/01

Rev. 4/3/01

**VILLAGES OF WINDSOR
 (NORTHEAST BASIN) #3**

STORMWATER MANAGEMENT COMPUTATIONS

I. Given

	Villages of Windsor N.E. Basin	Civic Sites	Lyons Rd. & Hypoluxo Rd.	Total
A. Acreage				
1. Total	237.25	20.0	12.15	269.40
2. Impervious				
a) Buildings (roofs)	48.10	3.0	0.00	51.10
b) Roads & Parking	40.02	11.0	10.22	61.24
3. Lakes	54.69	0.0	0.00	54.69
4. Pervious	94.44	6.0	1.93	102.37

B. Proposed Minimum Elevations (Villages of Windsor)

1. Roads and parking = 18.8' NGVD
2. Floors = 20.3' NGVD
3. Water Control El. = 16.0' NGVD


 4-5-01
 SCANNED


(1) Parcels with the Properties may be adjacent to Wetland Preservation/Mitigation Areas and Upland Buffers which may be designated as protected areas ("Conservation Areas") under a Conservation Easement ("Conservation Easement") given by Declarant to the South Florida Water Management District ("SFWMD"). Such Conservation Areas, if any, are subject to the following use restrictions:

THE CONSERVATION AREAS ARE HEREBY DEDICATED AS COMMON AREA, THEY SHALL BE THE PERPETUAL RESPONSIBILITY OF THE ASSOCIATION AND MAY IN NO WAY BE ALTERED FROM THEIR NATURAL OR PERMITTED STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO, CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION (WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL); EXCAVATION, DREDGING OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.

(2) The Association is required and acknowledges its consent to and acceptance of responsibility for perpetual maintenance concerning the Surface Water Management System, Conservation Easement and the preserved/restored/created wetlands areas and upland buffer zones within the Conservation Areas relating to the development, permitting and maintenance of the Properties and shall take action against parcel Owners as necessary to enforce the conditions of the Conservation Easement, and any SFWMD permit issued for or applicable to the Property.

(3) Unless specifically permitted by SFWMD, existing wetlands and upland buffers or other areas in the Conservation Areas may not be altered from their natural/permitted condition except for "exotic" or "nuisance" vegetation removal. "Exotic" vegetation may include, but is not limited to, melaleuca, Brazilian pepper, Australian pine, and Japanese climbing fern, or any other species currently listed by the Florida Exotic Pest Plant Council. "Nuisance" vegetation may include cattails, primrose willow and grape vine.

(4) The Association and the Owners are responsible for the perpetual maintenance of the signage required by the Conservation easement and/or permits in connection therewith.

 **Section 8. SURFACE WATER MANAGEMENT SYSTEM.** The Surface Water Management System shall include the Drainage System as defined in Article 1, Section 15, hereinabove. The Surface Water Management System shall be maintained and operated by the Association in accordance with the requirements of SFWMD and shall also be subject to any Permit which may be issued by SFWMD for the Property and as same may be amended from time to time. A copy of the SFWMD Permit may be attached hereto as Exhibit "D." Copies of the permit and any future SFWMD permit actions shall be maintained by the Association's Registered Agent for the Association's benefit. The SFWMD has the right to take enforcement action, including a civil action for an injunction and penalties against the Association to compel it to correct any outstanding problems with the surface water management system facilities or in mitigation or conservation areas

under the responsibility or control of the Association. Any proposed amendment to the homeowner association documents which would affect the SWM, conservation areas or water management portions of the common areas will be submitted to the SFWMD for a determination of whether the amendment necessitates a modification of the SFWMD permit. If a modification is necessary, the SFWMD will advise the named permittee.

Section 9. CONSERVATION AREAS MAINTENANCE AND MONITORING PLAN.

(1) Maintenance. The maintenance shall be conducted on a monthly basis as necessary for a five (5) year period to assure an 80% aerial coverage of desirable obligate and facultative wetland plant species at the end of the three (3) years with incremental coverage to that time. This includes coverage in those areas where natural recruitment is anticipated, as well as those areas which are planted. The mitigation area shall be maintained to control and remove undesirable invasive vegetative species such as Cat-tail (*tyopha* spp.), Water Primrose (*Ludwigia* spp.), Torpedo Grass (*Casuarina* spp.) And Brazilian Pepper (*Schinus terebinthifolius*). The undesirable species shall be removed by physically uprooting and disposing of the individual specimen or spraying with an approved herbicide. The mitigation areas to be maintained free of exotic vegetation and nuisance species shall constitute no more than five percent (5%) of the total cover. Perpetual long term maintenance shall be conducted at intervals necessary for viability of the wetland habitat by removal of exotic and nuisance wetland plant species as required hereinabove.

(2) Monitoring.

A. Monitoring shall be conducted on a quarterly basis for a five (5) year period to assure success of the planting.

B. A time zero report shall be prepared and submitted to the SFWMD within 30 days of the completion of the planting. A quarterly report shall be prepared and submitted within 30 days from the end of each quarter.

C. The monitoring report shall contain the following:

(i) Plant species composition, percent cover and number of emergent stems by species as noted within one permanent quadrat and one haphazardly placed quadrat in each herbaceous habitat. Vegetation analysis in the transition areas will be conducted along established transects.

(ii) The color photographs of the site taken from the same position each quarter.

(iii) Surface water elevation at the time of monitoring.

(iv) A general discussion of the site to include quantitative data, wildlife usage, percent survival and any unusual circumstances concerning the planting area.

D. Long Term Maintenance & Monitoring. The mitigation areas will be monitored and maintained on a yearly basis by the Association for as long as necessary by any and



Fire Rescue

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



**Palm Beach County
Board of County
Commissioners**

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

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

Official Electronic Letterhead

October 13, 2021

JMorton
Planning, Landscape Architecture
Attention: Maryori Velasco
3910 RCA Boulevard
Suite 1015
Palm Beach Gardens, FL 33410

Re: Villages of Windsor

Dear Maryori Velasco:

Per your request for response time information to the subject property located at the southeast corner of Hypoluxo Road and Lyons Road. This property is served currently by Palm Beach County Fire-Rescue station #48, which is located at 8560 Hypoluxo Road. The subject property is approximately .75 miles from the station. The estimated response time to the subject property is 4 minutes. For fiscal year 2020, the average response time (call received to on scene) for this stations zone is 7:07.

Changing the land use of this property will have little 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

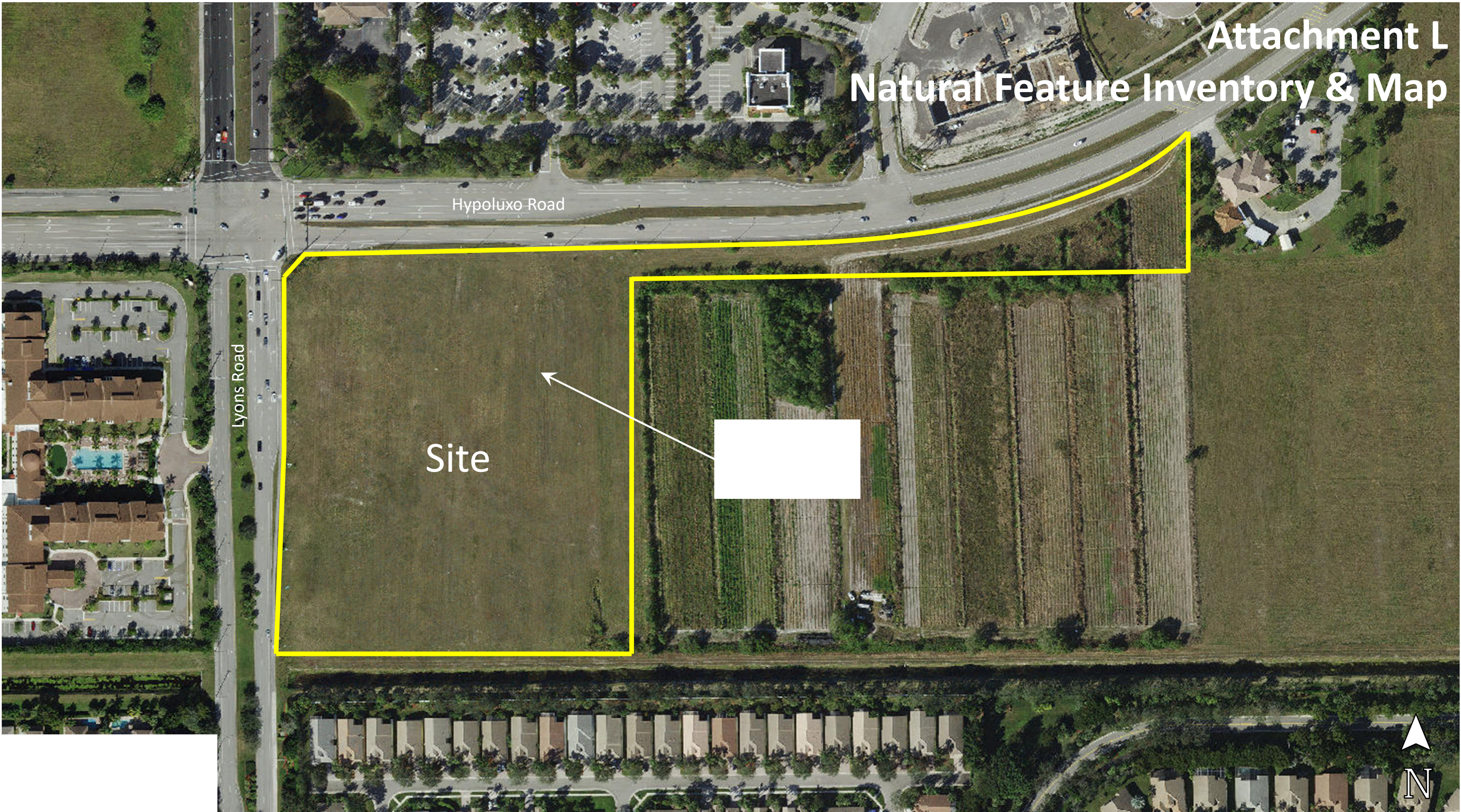
Attachment L Natural Feature Inventory & Map

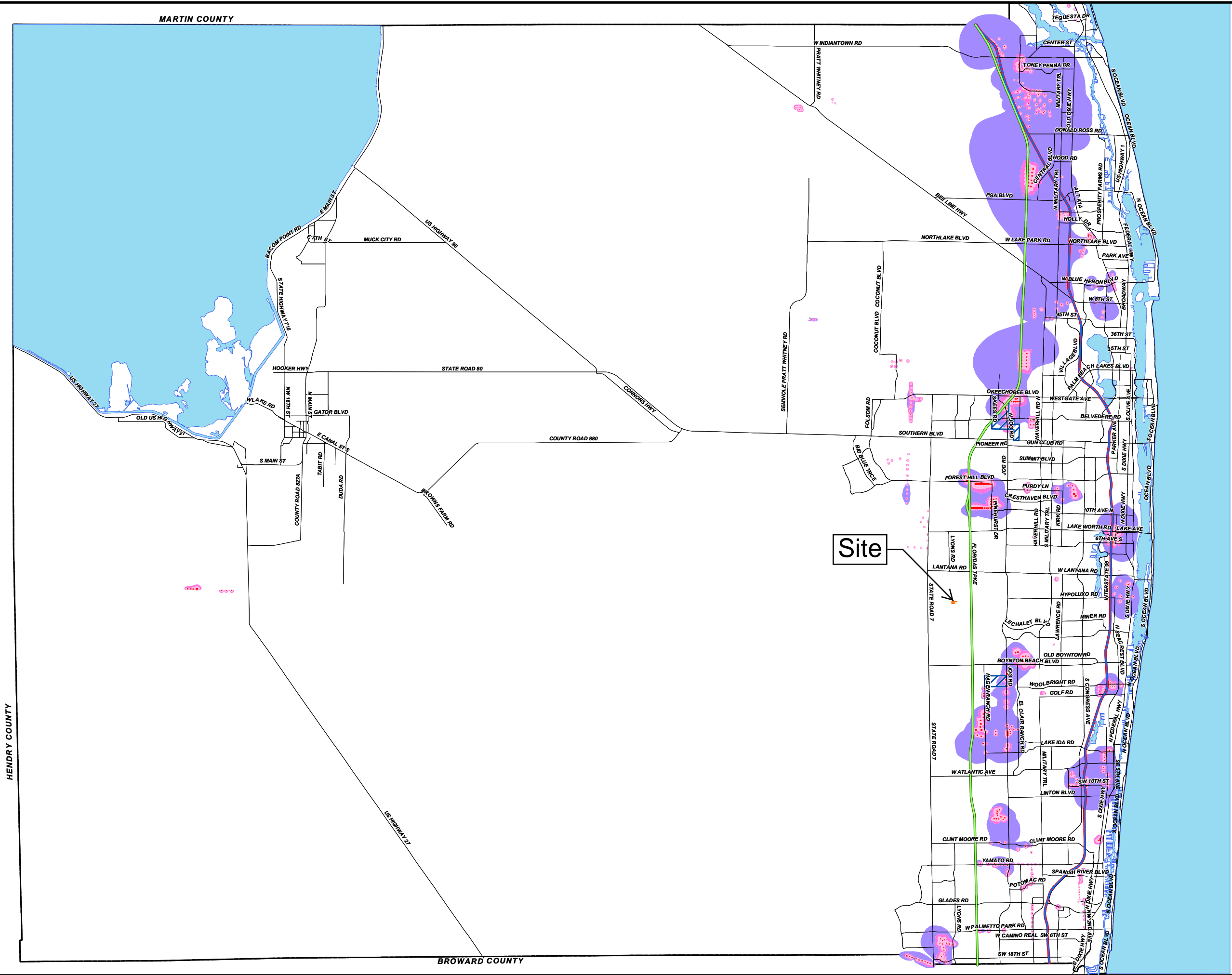
Hypoluxo Road

Lyons Road






Site

N





MAP LU 4.1
WELLFIELD PROTECTION
ZONES IN PALM BEACH
COUNTY, FLORIDA

-  Zone 1
-  Zone 2
-  Zone 3
-  Zone 4
-  Turnpike Aquifer Protection Overlay

9J-5.006(4)(B)1
SOURCES:
PBC Dept. of Environmental Resources Management
Note: Official Wellfield Protection Maps are kept at, and can be obtained from, the Palm Beach County Department of Environmental Resources Management.
The information presented represents the most readily available data. No guarantee is made as to the completeness or accuracy of the information displayed. Consult appropriate County staff for final determination.



PALM BEACH COUNTY
COMPREHENSIVE PLAN
MAP SERIES



1 0 1 2 3 4 Miles

Effective Date: 10/29/04
Filename: N:\Map Series\MXD\Adopted
Contact: PBC Planning Dept.



**Department of Planning,
Zoning & Building**

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

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



**Palm Beach County
Board of County
Commissioners**

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Maria G. Marino

Gregg K. Weiss

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

September 30, 2021

Maryori Velasco
J. Morton, Planning & Landscape Architecture
3910 RCA Boulevard, Suite 1015
Palm Beach Gardens, Florida 33410

RE: Historical and Archaeological Resource Review for project named Villages of Windsor, under PCN: 00-42-45-08-08-001-0000.

Dear Ms. Velasco:

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

Staff 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 property.

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 property.

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 contacted.

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

Sincerely,

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

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

T:\Planning\Archaeology\County Departments\Planning\Land Use Amendments and Development Review\J. Morton\ Project:Villages of Windsor_PCN:00-42-45-08-08-001-0000_ 9-30-2021.doc



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

KRISTIN K. GARRISON
DIRECTOR

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

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

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

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	11/02/2021		
	SCAD No.	21110202F - FLU		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	PCN No. / Address	00-42-45-08-08-001-0000		
	Development Name	Villages of Windsor		
	Owner / Agent Name	Civic Hypoluxo Holding LLC / Lauren McClellan		
	SAC No.	227C		
	Proposed Amendment	Maximum 187 Residential Units		
Impact Review		Manatee Elementary School	Christa McAuliffe Middle School	Park Vista High School
	New Students Generated	30	16	23
	Capacity Available	91	-313	-290
	Utilization Percentage	94%	124%	109%
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be negative impact on the public school system. Therefore, if the proposed development is approved by the Palm Beach County government, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District middle and high school level, the property owner shall contribute a total of \$493,124.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied). 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 11/11/2021 to 11/10/2022 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 11/10/2022 or this determination will expire automatically on 11/10/2022.</p>			
Notice	<p>School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

Joyce Cai

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

November 11, 2021

Date

joyce.cai@palmbeachschools.org

Email Address

CC: Patricia Behn, Planning Director, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County