



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT SMALL SCALE AMENDMENT

PLANNING COMMISSION PUBLIC HEARING, MARCH 13, 2020

A. Application Summary

I. General

Project Name:	Lee's Landing (SCA 2020-001)
Request:	LR-1 to CLR/1
Acres:	9.33 acres
Location:	Northwest corner of Jog Road and Pioneer Road
Project Manager:	Stephanie Gregory, Senior Planner
Applicants/Owners:	Brandon Rinker, Arelis & Tairon Coronel, Colleen & James Gelsomino, Mary & James Baroni
Agent:	Josh Nichols, LEED AP, Schmidt Nichols
Staff Recommendation:	Staff recommends approval with conditions based upon the following findings and conclusions found in this report.

II. Assessment & Conclusion

The proposed amendment is a request to change the future land use designation on a 9.33 acre site from Low Residential, 1 unit per acre (LR-1) to the Congregate Living Residential (CLR) designation in order to develop a Congregate Living Facility (CLF) with 250 beds. The site would retain the LR-1 as an underlying future land use to be used if the site were to be developed with residential uses other than a CLF. The subject site is located on Jog Road at the edge of the Pioneer Road neighborhood which is largely comprised of low density residential and agricultural uses with an average lot size of 2.8 acres, with non-residential uses such as utilities and places of worship along Jog Road. The Pioneer Road Neighborhood Plan recommends against any future land use changes in order to maintain the character of the area, and was accepted by the Board of County Commissioners as an articulation of community desires in 2013.

The proposed CLF is at a higher density than the adjacent residences. However, the proposed site plan provides a transition and buffer to the adjacent residences by orienting the building towards Jog Road, limiting access to the intersection with Gun Club Road, capping the bed count at 250, and providing a significant buffer/retention area along the western side of the property. In order to ensure that the development of the site is consistent with the proposal as presented, staff is proposing conditions of approval to require a 150 foot minimum area on the west side of the site to be limited to landscaping, open space, wet or dry retention, and drainage, and to limit the development to a maximum of 250 beds.

In conclusion, the request is consistent with policies in the Comprehensive Plan, is compatible with adjacent uses, and meets all level of service standards.

III. Hearing History

Local Planning Agency:

Board of County Commissioners Adoption Public Hearing:

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B. Petition Summary

I. Site Data

Current Future land use

Current FLU: Low Residential, 1 unit per acre (LR-1)
Existing Land Use: Single Family
Current Zoning: Agricultural Residential (AR)
Current Dev. Potential Max: Residential, up to 9 dwelling units

Proposed Future land use Change

Proposed FLU: Congregate Living Residential with an underlying 1 unit per acre (CLR/1)
Proposed Use: Congregate Living Facility (CLF)
Proposed Zoning: Planned Unit Development (PUD)
Dev. Potential Max/Conditioned: Residential, up to 268 Congregate Living Beds (12 du/acre)

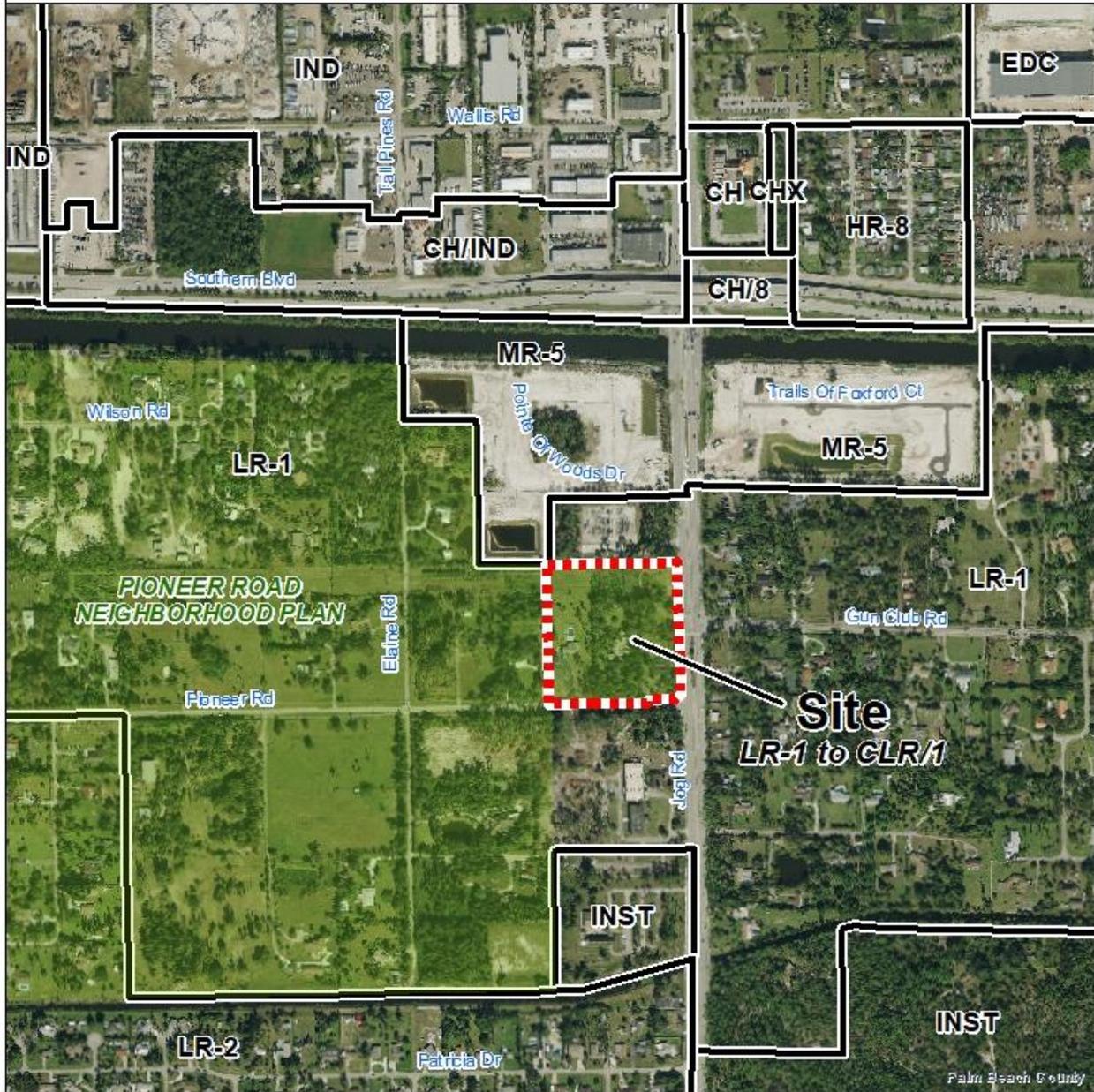
General Area Information for Site

Tier/Tier Change: Urban/Suburban Tier – No Change
Utility Service: Palm Beach County Water Utilities Department
Overlay/Study: Pioneer Road Neighborhood Plan
Comm. District: Commissioner Gregg K. Weiss, District 2



Future Land Use Atlas Amendment

Lee's Landing (SCA 2020-001)



Site Data

Size: 9.33 acres
 Existing Use: Single Family
 Proposed Use: Congregate Living Facility
 Current FLU: Low Residential, 1 unit/acre (LR-1)
 Proposed FLU: Congregate Living Residential, underlying LR-1 (CLR/1)

Future Land Use Designations

LR-1	Low Residential, 1 unit/acre	CH/IND	Commercial High, underlying IND
LR-2	Low Residential, 2 units/acre	CHX	Commercial High crosshatching
MR-5	Medium Residential, 5 units/acre	EDC	Economic Development Center
HR-8	High Residential, 8 units/acre	IND	Industrial
CH	Commercial High	INST	Institutional
CH/8	Commercial High, underlying HR-8		

Date: 5/14/2019
 Contact: PBC Planning
 Filename: Amend/20-SCA/Site/20-01
 Note: Map is not official, for presentation purposes only.



Site



Planning, Zoning & Building
 2300 N. Jog Rd, WPB, FL 33411
 Phone (561) 233-5300



C. Introduction & Review

I. Intent of the Amendment

The amendment is proposed to change the future land use designation on a 9.33 acre site from Low Residential, 1 unit per acre (LR-1) to the Congregate Living Residential (CLR/1) designation with an underlying one unit per acre. The intent is to develop a Congregate Living Facility (CLF) Type 3. The number of beds allowed for a CLF Type 3 is calculated by multiplying the acreage of the site by the residential density, and then 2.39 persons per unit to determine the number of beds. Under the current future land use designation, the 1 unit per acre designation would allow up to 22 CLF beds (9.33 acres x 1 units/acre x 2.39). The proposed CLR future land use at 12 units per acre would allow for up to 268 beds on this site. However staff is proposing a condition to limit the development of the CLF to a maximum of 250 beds, which is the number of beds proposed in the concurrent zoning application. The site would retain the LR-1 as an underlying future land use to be used if the site were to be developed with residential uses other than a CLF.

Background. The subject site is comprised of three parcels at the northwest corner of Jog Road and Pioneer Road with a single family home on each lot. The site was the subject of a prior future land use amendment in early 2019 called Ruby's Cove (LGA 2019-016) for a change from LR-1 to Medium Residential, 5 units per acre (MR-5) on the subject site as well as several other adjacent parcels, totaling 24.31 acres. The applicant proposed 121 zero lot line homes. However, the application was withdrawn prior to public hearing.

Zoning Application. The concurrent Zoning application (PDD/CA/SV/ZV-2019-01090) is requesting a rezoning from Agricultural Residential (AR) to Planned Unit Development (PUD) to allow a three story 201,156 square foot Congregate Living Facility (CLF) Type 3 with 250 beds. There are also two associated variances: (1) to allow access to a major street of higher classification (Jog Road instead of Pioneer Road) and (2) to allow for the elimination of the west 160' of the north 20' Type 3 Incompatibility Landscape Buffer. The Control Number is 2019-00092.

II. Data and Analysis Summary

This section of the report provides a summary of the consistency of the amendment with the County's Comprehensive Plan. The chapters in Exhibit 2 detail the consistency of the amendment with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans.

Overview of the Area. The proposed development is located within the Pioneer Road Neighborhood Plan (PRNP) which is a low density residential area totaling approximately 558 acres located south of Southern Boulevard, west of Jog Road and east of Florida's Turnpike. The residents prepared the neighborhood plan in response to development pressures and the Plan was received and filed by the Board on July 24, 2013. The PNRP recommends against any future land use changes in order to maintain the character of the area. The goal of the Plan is to maintain the character of the area by retaining the current low residential future land use designations.

On October 31, 2018, the Board of County Commissioners initiated a text amendment with direction for staff to work with the Pioneer Road property owners to develop an overlay to recognize and provide protections for this area of the County. The overlay was requested by residents within the PNRP as a mechanism to implement the Rural Enclave Overlay policy in the Comprehensive Plan that was adopted at the same hearing. However, due to the filing of a

petition in November 2018 requesting a formal administrative hearing of the Rural Enclave text amendment, staff was not able to proceed. Following the conclusion of the administrative challenge, staff will begin working with the Pioneer Road property owners on the proposed overlay.

Appropriateness of the Amendment. The subject site is located along an arterial roadway with a variety of uses including low and medium density residential as well as institutional future land uses. The amendment will not change the type of use allowed on the site (as both the existing and proposed use is residential), rather the amendment proposes to change the allowable density for the calculation of a higher bed count needed for a CLF. The proposed amendment will introduce additional opportunities for senior housing by introducing a CLF facility to the area. In addition, the proposed site plan is designed in a manner that reduces impacts to the adjacent single family homes to the west by limiting access to Jog Road only and providing approximately 257 feet of separation from the adjacent single family home to the proposed CLF building. Although the amendment is located within the Pioneer Road Neighborhood Plan, which recommends the retention of existing low density future land uses, the subject site is on a major thoroughfare and adjacent to more intense densities and non-residential uses in comparison to the remainder of the neighborhood planning area. To the immediate north of the subject site is a Florida Power and Light substation with transmission lines extending to the west. Further north is the Solcera development (formerly known as Cheney Ranch LGA 2015-002) built at 2.7 units per acre. To the south across Pioneer Road are two places of worship, Winners Church and Community Christian Church. The site plan shows access to the site is directly from Jog Road aligned with entrance to Gun Club Road to the east. Therefore, the project will not have access to, nor increase traffic on, Pioneer Road.

Compatibility. The subject site is adjacent with low density future land use designations to the west and along a corridor with several non-residential uses including a school, utility site and churches. The proposed site plan with the associated zoning application separates the three story CLF from the residential property to the west by a 173 foot buffer/retention area. The zoning application also proposes 250 beds; whereas the future land use designation allows up to 269 beds. In order to ensure a transition and buffer to the adjacent residences to the west, and to ensure development of the site is consistent with the proposal as presented, staff is recommending conditions of approval for the ordinance.

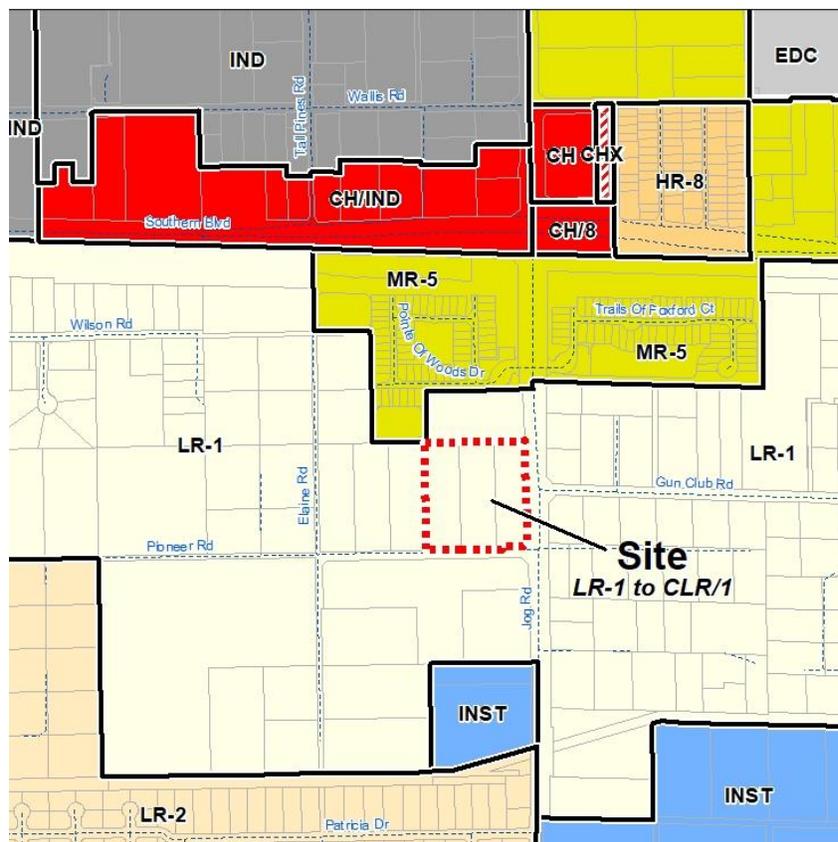
Assessment and Recommendation. The subject site is located along the eastern edge of the Pioneer Road Neighborhood Plan area and adjacent to Jog Road. The Neighborhood Plan area is comprised of large lots with an average lot size of 2.8 acres with Low Residential, 1 and 2 units per acre future land use designations as well as several non-residential uses along Jog Road including utilities and churches. The proposed CLF is at a higher density than the adjacent residences. However, the proposed site plan provides a transition and buffer the adjacent residences by orienting the building towards Jog Road, limiting access to the intersection with Gun Club Road, capping the beds at 250, and providing a significant buffer/retention area along the western side of the property. In order to ensure that the development of the site is consistent with the proposal as presented, staff is proposing conditions of approval to require a 150 foot minimum area on the west side of the site to be limited to landscaping, open space, wet or dry retention, and drainage, and to limit the development to a maximum of 250 beds. The request is consistent with policies in the Comprehensive Plan, is compatible with adjacent uses, and meets all levels of service standards.

Therefore, Staff recommends ***approval with conditions*** based upon the findings within this report.

Exhibits	Page
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Exhibit 1

Amendment No:	Lee's Landing (SCA 2020-001)
FLUA Page No:	64
Amendment:	From Low Residential, 1 unit per acre (LR-1) to Congregate Living Residential with an underlying 1 unit per acre (CLR/1)
CLF Density:	The Congregate Living Residential future land use designation allows a density of up to 12 units per acre for a Congregate Living Facility (CLF) use.
Location:	Northwest corner of Jog Road and Pioneer Road
Size:	9.33 acres approximately
Property No:	00-42-43-27-05-013-0121; -0123; -0125
Conditions:	<ol style="list-style-type: none"> 1. Development of the site under the CLR designation is limited to a maximum of 250 congregate living facility beds; any other residential use is limited to the Low Residential, 1 unit per acre designation. 2. The westernmost 150 feet of the site shall be limited to landscaping, open space, wet or dry retention, and drainage.



Legal Description

A PORTION OF TRACTS 11 AND 12, BLOCK 13, PALM BEACH FARMS COMPANY PLAT NO. 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE S. 00° 29' 16" W. ALONG THE EAST LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 3 FOR 1036.11 FEET; THENCE S. 89° 00' 39" W. FOR 92.87 FEET TO THE POINT OF POINT OF BEGINNING; THENCE S. 01° 50' 37" E. ALONG THE WEST LINE OF SAID PARCEL 139 FOR 620.36 FEET ; THENCE S. 43° 35' 24" W. FOR 35.62 ; THENCE S. 89° 01' 19" W. FOR 131.21 ; THENCE S. 00° 59' 01" E. FOR 15.00; THENCE S. 89° 01' 19" W. ALONG THE SOUTH LINE OF SAID TRACTS 11 AND 12 FOR 467.04 FEET; THENCE N. 01° 01' 28" W. FOR 660.54 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID TRACT 11; THENCE N. 89° 00' 53" E. ALONG SAID NORTH LINE OF TRACT 11 FOR 15.17 FEET; THENCE ; THENCE N. 89° 00' 40" E. ALONG THE NORTH LINE OF SAID TRACT 12 FOR 599.24 FEET TO THE POINT OF BEGINNING,

CONTAINING 406,358 SQ.FT. OR 9.3287 ACRES, MORE OR LESS.

Exhibit 2

Consistency with Comprehensive Plan

This Exhibit examines the consistency of the amendment with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

A. Consistency with the Comprehensive Plan - General

1. **Justification: FLUE Policy 2.1-f:** *Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:*

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

The applicant has prepared a Justification Statement (Exhibit 3) which is summarized as follows:

- *“The subject property is contiguous on its northern boundary to parcels with MR-5 FLU designations.”*
- *“The properties represent an assemblage of properties which have frontage and access directly to Jog Road, which serves as an arterial roadway.”*
- *“Properties which front Jog Road to the north and south of the subject development site have all be[en] developed as either higher density residential or non-residential uses.”*

Staff Analysis: This policy is the umbrella policy over the entire FLUA amendment analysis and many of the items are addressed elsewhere in this report as identified above. The current development potential for the 9.33 acre site with Low Residential, 1 unit per acre (LR-1), future land use is up to 9 dwelling units or non-residential uses allowed in residential zoning. The applicant proposes the Congregate Living Residential (CLR) designation to allow up to 268 congregate living facility beds (up to 12 units per acre).

The applicant's justification for the amendment is based upon changed circumstances. As discussed in the Compatibility Section, there have been several approvals for increased density and the expansion of institutional uses for parcels fronting Jog Road on the west side located in the vicinity of the subject site. The Cheney Ranch site to the north had an adopted designation of LR-1 in 1989 and subsequently through privately initiated land use

amendments over the years has had future land use changes to Commercial Low (for a portion), High Residential, 8 units per acre and finally its current land use of Medium Residential, 5 units per acre. In addition, two churches fronting Jog Road and south of the subject site have received zoning approvals for the expansion of their existing places of worship as well as the addition of new institutional uses such as daycare and private school.

The proposed amendment will introduce additional opportunities for senior housing and introduce a CLF facility to the area, designed in a manner that reduces impacts to the adjacent single family homes to the west by limiting access to Jog Road only and providing approximately 257 feet of separation from the adjacent single family home to the proposed CLF building. Therefore, in order to ensure that the appropriate transition and buffer to the existing single family homes remains, staff is proposing an additional condition of approval to require the westernmost 150 feet of the site to be limited to landscaping, open space, wet or dry retention, and drainage. Finally, an additional condition of approval proposed by staff would limit the number of CLF beds to 250, and the density would remain at 1 unit per acre for any other residential development. Therefore, the applicant has met the requirements for an adequate justification.

2. **County Directions – 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.*

Direction 1. Livable Communities. *Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.*

Direction 2. Growth Management. *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.*

Direction 4. Land Use Compatibility. *Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.*

Staff Analysis: The proposed amendment would contribute toward livable, sustainable communities, while respecting the low-density residential character of the area. The development of a congregate living facility will provide additional opportunities for senior housing. In this respect, the proposed amendment furthers the Livable Communities and

Growth Management Directions and would not detract from any of the County directions. Thus, this proposed amendment supports the County Directions.

3. **Piecemeal Development - 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.*

Staff Analysis: The definition of piecemeal development in the Comprehensive Plan describes “A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole.” The subject site consists of three parcels under three separate ownerships. The applicant is a contract purchaser. No contiguous parcel in same ownership is left out of proposed amendment. Therefore, the proposed amendment is not piecemeal, and does not create a residual parcel.

B. Consistency with Urban/Suburban Tier Requirements for the Specific FLU

Future land use Element Objective 1.1, Managed Growth Tier System, states that “Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers.....”

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

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

Staff Analysis: The proposed amendment is located in the Urban/Suburban Tier and would expand the diversity of housing options in the immediate area. Staff is recommending conditions of approval in order to ensure that the amendment is compatible with the scale, mass, intensity of use, height and character of the adjacent Pioneer Road neighborhood. This is discussed in several places in the staff report, including previously in the analysis for FLUE Policy 2.1-f, in analysis below for FLUE Policy 2.2.1-I and later in the Compatibility Section. For those reasons, this amendment is consistent with this policy.

2. **Policy 2.2.1-I: Congregate Living Residential.** *The purpose of the Congregate Living Residential (CLR) future land use designation is to facilitate the review of proposed Congregate Living Facilities (CLF) Type 3 that require a future land use amendment to increase residential density. The CLR designation is subject to the following:*

1. *Proposed future land use amendments requesting an increase in density for the purposes of developing a CLF Type 3 shall apply for the CLR designation unless the site is proposed within a project that has multiple or mixed land uses. Amendments requesting to be co-located non-residential uses may apply for a non-residential future land use designation with an underlying CLR and be subject to the location requirements of the non-residential designation.*
2. *Proposed future land use amendments to the CLR designation shall retain the original residential future land use designation as an underlying residential density to be used if the site is developed with residential uses other than a CLF Type 3.*
3. *Proposed future land use amendments to the CLR designation for a CLF Type 3 are subject to the maximum density depicted in FLUE Table 2.2.1-g.1. The maximum density for individual sites may be limited through the future land use amendment process to ensure compatibility with surrounding land uses. In order to determine the compatible maximum density and design of the site, proposed CLR amendments require a zoning application to be submitted within the amendment review process.*

Staff Analysis: The proposed amendment is to change the future land use designation of the site from Low Residential, 1 unit per acre (LR-1) to the Congregate Living Residential (CLR) future land use designation in order to develop a Type 3 Congregate Living Facility (CLF). The CLR land use allows for up to 12 units per acre in order to calculate the number of beds, resulting in a maximum of 268 beds. However, staff is proposing a condition of approval to limit the site to 250 beds (11.2 units/acre), which is proposed in the concurrent zoning application. The current residential LR-1 future land use designation is being retained as an underlying residential density to be utilized only if the site is developed with residential uses other than a CLF Type 3, through condition of approval in Exhibit 1.

A concurrent zoning application has been submitted, and indicates that the site will only have access on Jog Road. This will prevent additional traffic from the CLF on Pioneer Road, which is the sole access for the community to the west. However, this will require a Type 2 subdivision variance to be approved by the Zoning Commission. The proposed site plan also provides approximately 257 feet of separation from the adjacent single family home to the proposed CLF building. In order to ensure that the appropriate transition and buffer to the existing single family homes remains, staff is proposing an additional condition of approval to require the westernmost 150 feet of the site to be limited to landscaping, open space, wet or dry retention, and drainage. In conclusion, the proposed amendment is consistent with the policy.

C. Consistency with other Comprehensive Plan Elements

Housing Element Policy 1.4-c: *The County shall provide for foster care, group homes and other special needs facilities to be permitted in residential neighborhoods. Farm worker housing is currently permitted in the Agriculture Reserve (AGR), Agriculture Production (AP) and Special Agriculture (SA) land use categories.*

Staff Analysis: The proposed amendment is located along Jog Road and is surrounded by residential neighborhoods such as the Pioneer Road neighborhood to the west and West Gun Club neighborhood to the east. The proposed amendment is to facilitate a Congregate Living Facility to be located in a predominantly residential area. Therefore, this amendment is consistent with the intent of this policy.

Housing Element Policy 1.4-d: *The location of special needs and farmworker housing shall be guided by the following principles and criteria. Special needs housing shall be located in proximity to the appropriate support infrastructure, services and facilities including Palm Tran and existing transportation disadvantaged programs. Special needs housing shall be permitted in all appropriate residential, commercial and institutional land use categories, through the use of group homes, Congregate Living Facilities (CLF's), accessory apartments and rental housing associated with places of worship. Farmworker housing shall be located in proximity to areas of agriculture employment and shall require a minimum of twenty-five (25) acres. The Department of Housing and Community Development, with the assistance of the Planning, Zoning, and Building Department and the Community Services Department, shall be responsible for establishing any additional principles and criteria as may be necessary.*

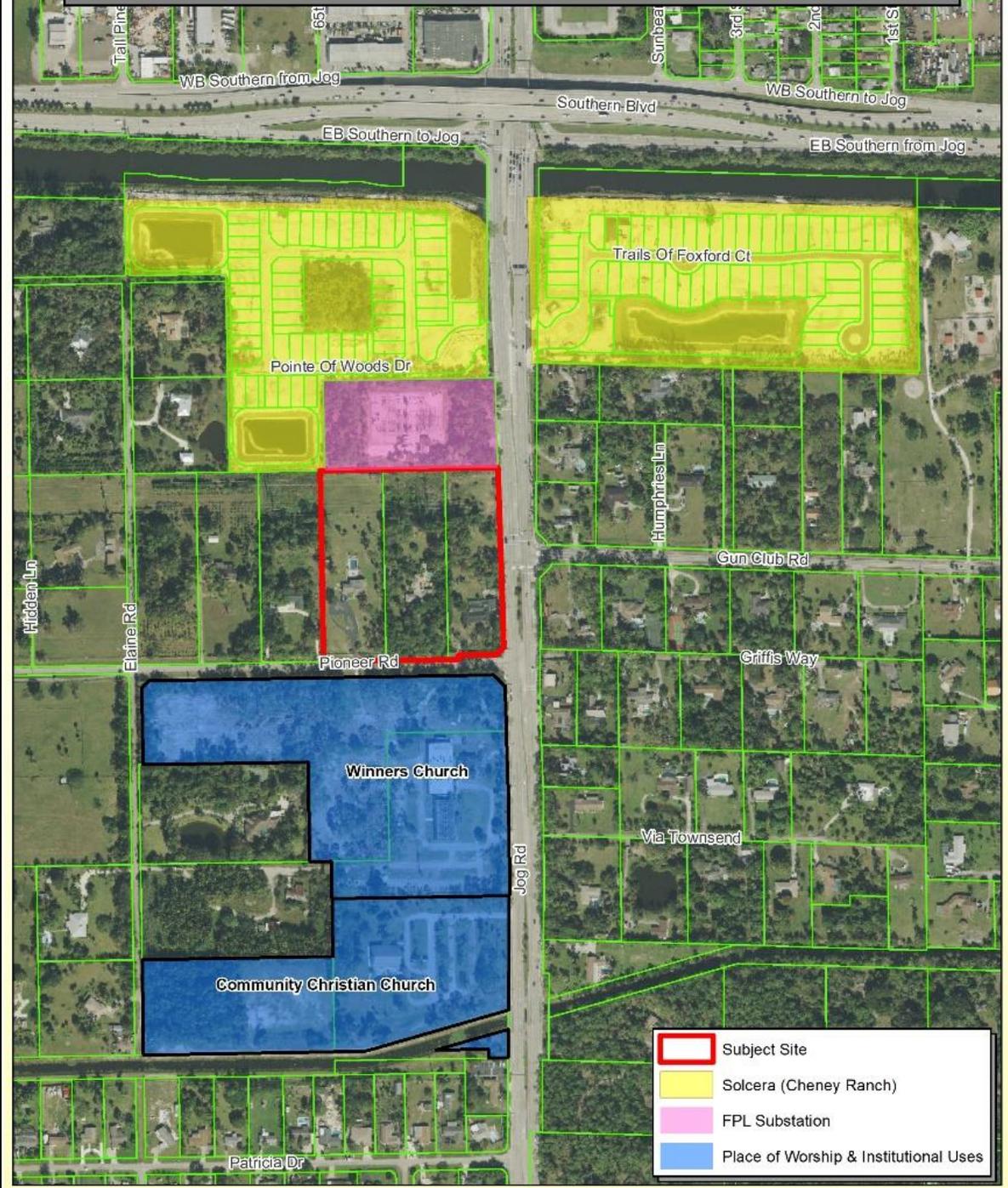
Staff Analysis: This proposed amendment allows Congregate Living Facilities in all appropriate residential, commercial and institutional land uses. The applicant is proposing to change the future land use designation to Congregate Living Residential (CLR), which is intended specifically for proposed CLFs that “require a future land use amendment to increase residential density” and is therefore the appropriate residential land use designation for the applicant to apply for. The proposed amendment site is located within proximity to urban services and infrastructure, and to commercial, medical, and entertainment uses that would be utilized by residents of the Congregate Living Facility. The site is located within 2.75 miles of Palm Beach County Fire Rescue Station #34. Therefore, this amendment is consistent with this policy.

D. Compatibility

Compatibility is defined in Section 163.3164, Florida Statutes as “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.” For illustrative purposes, the map below identifies sites discussed in the subsequent data and analysis:

Palm Beach County

Site Location Map



Revised: 10/18/19
 Contact: PZ Planning Services
 Website: www.pbcplanning.com



Planning, Zoning & Building
 2000 W. Jog Rd
 Palm Beach, FL 33411
 Phone: (561) 255-9322



The surrounding land uses immediately abutting the site are the following:

- **North:** Directly north of the subject site is a Florida Power and Light (FPL) substation with a Low Residential, 1 unit per acre (LR-1) future land use designation. Further north, at the intersection of Southern Boulevard and Jog Road, is known as the Cheney Ranch property with a Medium Residential, 5 units per acre (MR-5) future land use. The Cheney Ranch property includes both the west (19.62 acres) and east sides (20.80 acres) of Jog Road, south of Southern Boulevard.

The “Cheney Ranch” site has been the subject of several land use amendments since the adoption of the 1989 Comprehensive Plan. The first occurred in 1994 (94-64 Com 1) when the BCC adopted a future land use change for 7.63 acres of the 19.62 acres on the west side of Jog Road from Low Residential, 1 unit per acre (LR-1) to Commercial Low with an underlying 1 unit per acre (CL/LR-1) and the remainder of the site remained LR-1. Subsequently, in 2006, the Board adopted a future land use designation change through Ordinance 2006-033 (LGA 2006-004) which amended the 19.62 acres west of Jog Road from CL/1 and LR-1 to High Residential, 8 units per acre (HR-8) and included a requirement to provide 25% of the units as workforce housing. At the same public hearing, through Ordinance 2006-032 (LGA 2006-002) the Board adopted a future land use change on the 20.80 acres east of Jog Road from LR-1 to Medium Residential, 5 units per acre (MR-5) and also included the 25% workforce housing requirement. Finally, in 2015, through Ordinance 2015-010 (LGA 2015-002), the Board adopted a future land use change for the 19.62 acres on the west side of Jog Road from HR-8 to its current future land use designation of MR-5 and included a condition limiting the site to 109 units. The ordinance also eliminated the condition of approval regarding workforce housing on both sites, west and east of Jog Road. The properties are currently being developed with single family homes in a development called Solcera, with 56 units on the east side and 53 units on the west side.

- **South:** South of the site, directly across Pioneer Road and fronting Jog Road, is a 9.63 vacant property owned by Winners Church International, whose place of worship is located adjacent on the 6.03 acre site to the south. Both of these sites have an LR-1 land use designation. The church was originally approved in 1985 for 32,343 square feet and 300 seats on 4.27 acres. In 1993 through Resolution 93-890, a 1.8 acre parcel to the south was added, and the 600-seat church was approved by the Board for 33,558 square feet on a total of 6.1 acres. The Board in 2009 through Resolution 2009-353 approved an additional 35,017 square feet for the place of worship with a total of 1,395 seats. Just south of the Winners Church is the Community Christian Church of West Palm Beach on almost 13 acres. The Board approved an expansion for the church in 2005 through Resolution 2005-2280 to allow an additional 11,250 square feet of worship area with 380 seats for a total of 21,950 square feet; a 3,100 square foot general daycare with a maximum capacity of 70 children and a 15,600 square foot elementary or secondary school with a maximum capacity of 111 students. To date, no expansions have been constructed at either place of worship.
- **East:** To the east of the subject site, beyond Jog Road, are single family homes within the West Gun Club Neighborhood Plan area with a Low Residential, 1 unit per acre future land use designation. In December of 2010, the West Gun Club Property Owner’s Association began the process towards creating their neighborhood plan and the plan was received and filed by the Board of County Commissioners on March 28, 2012.
- **West:** To the west of the subject site is the Pioneer Road Neighborhood Plan area with single family homes and some agricultural uses. The area is comprised of large lots with an average lot size of 2.8 acres with LR-1 and LR-2 future land use designations. In April 2013, the

Pioneer Road Property Owners Association began the process towards creating their neighborhood plan and the plan was received and filed by the Board of County Commissioners in July 2013. Consistency with the neighborhood plan is provided in Section E.2. of this Exhibit.

FLUE Policy 2.1-f states that *“the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity.”* And **FLUE Policy 2.2.1-b** states that *“Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintained to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.”*

Applicant’s Comments: The applicant states that the *“surrounding properties generally support lower densities and intensities, particularly to the south and west of the subject property. However, the subject property has frontage along Jog Road, is contiguous to MR-5 designated parcels to the north, and is more than large enough to support a Planned Unit Development which requires the Applicant to go beyond code minimum requirements with regards to landscaping, buffers, setbacks, etc”.*

Staff Analysis: The amendment proposes to change the Low Residential, 1 unit per acre (LR-1), future land use designation to a Congregate Living Residential (CLR) designation to construct a Congregate Living Facility with a density of up to 12 units per acre, resulting in a maximum of 268 beds. This amendment will not change the type of use allowed on the site (as both the existing and proposed use is residential), rather the proposed change on the allowable density is for the purposes of calculating a higher bed count needed for a CLF. Proposed CLFs throughout the County typically seek an 8 or 12 unit per acre density for bed calculation. However, staff is proposing a condition of approval to limit the site to 250 beds, which is proposed in the concurrent zoning application.

As discussed under consistency with the CLR Policy, the current design of the site plan provides adequate buffering and separation between the proposed three story CLF and the adjacent single family homes to the west of the site. The concurrent site plan is designed in a manner that reduces impacts to the adjacent single family homes to the west by limiting access to Jog Road only and provides a 173 foot buffer/retention area that results in approximately 257 feet of separation from the adjacent single family home to the proposed CLF building. In order to ensure that the appropriate transition and buffer to the existing single family homes remains, staff is proposing an additional condition of approval to require a 150 foot minimum area limited to landscaping, wet or dry retention, and drainage on the west side of the site. Therefore, the proposed amendment is compatible with the surrounding uses through the separation distances.

E. Consistency with County Overlays, Plans, and Studies

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

Staff Analysis: The proposed amendment is located within the Pioneer Road Neighborhood Plan (PNRP) area but not located within an overlay. On October 31, 2018, the Board of County Commissioners initiated a text amendment with direction for staff to work with the Pioneer Road property owners to develop an overlay to recognize and

provide protections for this area of the County. The overlay was requested by residents within the PNRP as a mechanism to implement the Rural Enclave Overlay policy in the Comprehensive Plan that was adopted at the same hearing. However, due to the filing of a petition requesting a formal administrative hearing of the Rural Enclave text amendment, staff was not able to proceed. Following the conclusion of the administrative challenge, staff will begin working with the Pioneer Road property owners on the proposed overlay.

2. **Neighborhood Plans and Studies – FLUE Policy 4.1-c** states *“The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval.....”*

The proposed development is within the boundaries of the Pioneer Road Neighborhood Plan. As the applicant notes in Attachment G of the application, “the subject property is the only parcel within the plan’s boundaries to have frontage along Jog Road, an Urban Principal Arterial road according to Planning Map TE 3.1 Functional Classification of Roads.” The PRNP area consists of 558.92 acres and generally located south of Southern Boulevard, west of Jog Road, east of Florida's Turnpike and north of Okeeheelee Park and the municipal boundaries of the City of Greenacres. The Pioneer Road Neighborhood Plan area is a large lot community in the eastern portion of the County. The predominate future land use designation allows 1 dwelling unit per acre, but the average parcel size is 2.8 acres. The neighborhood plan was created by the community in 2013 as a result of development pressure in the area. The plan was formally received and filed by the Board of County Commissioners on July 24, 2013 and added to the list of neighborhood plans recognized by the County through a text amendment to the Comprehensive Plan in April 2014.

Staff Analysis: According to the neighborhood plan recommendations, the community "desires to maintain its existing low density lifestyle by keeping its current land use." As the applicant is requesting a land use amendment from LR-1 to CLR, the request is not consistent with the PRNP which states the community's wishes to retain its existing future land use designations on each parcel within the neighborhood plan area. Recommendations from neighborhood plans, special studies and charrettes are one part of the review process and as this policy states are only to be considered and therefore not mandatory during the approval process of a land use amendment.

F. Public Facilities and Services Impacts

The proposed amendment will change the Future land use designation from LR-1 to CLR on the 9.33 acre site. For the purposes of the public facilities impact analysis, impacts are based on a change from a maximum current potential of 9 dwelling units to a maximum proposed potential of 268 bed Congregate Living Facility. Public facilities impacts are detailed in the table in Exhibit 4.

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

Staff Analysis: The proposed amendment was distributed to the County service departments for review. There are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. Staff sent a request for departmental review of the proposed amendment to various County departments and external agencies for review of public facility impacts. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Mass Transit (Palm Tran), Potable Water & Wastewater (PBC Water Utilities Department), Environmental (Environmental Resource Management), Historic Resources (PBC Archaeologist), Parks and Recreation, Office of Community Revitalization (OCR), ULDC (Zoning), Land Development (Engineering), School Board, Health (PBC Dept. of Health), Fire Rescue, Lake Worth Drainage District.

2. Long Range Traffic - Policy 3.5-d: *The County shall not approve a change to the Future land use Atlas which:*

- 1) *results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c) and d):.....*

Staff Analysis: The Traffic Division reviewed this amendment at a maximum of a 268 bed Congregate Living Facility Type 3. According to the County's Traffic Engineering Department (see letter dated June 10, 2019 in Exhibit 5) the amendment would result in an increase of 607 net daily trips and 51 (32 in/19 out) AM and 70 (27 in/43 out) PM net peak hour trips.

The Traffic letter concludes *"Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment meets Policy 3.5-d of the Future land use Element of the Palm Beach County Comprehensive Plan at the maximum potential density shown above. The propose change will have an insignificant impact for both the long range and Test 2 analyses"*

The Traffic Study was prepared by Robert F. Rennebaum, P.E., at Simmons and White, 2581 Metrocentre Boulevard West, Suite 3, West Palm Beach, FL 33407. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:

<http://www.pbcgov.com/pzb/planning/activeamend/>

II. Public and Municipal Review

The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *"Palm Beach County will continue to ensure coordination between the County's Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities....."*

- A. Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on February 21, 2020. In addition, notice was sent on February 21, 2020 to the City of

Greenacres, as the site is located within their identified Future Annexation Area. At the time of the printing of the Planning Commission Report, no municipal correspondence had been received. Correspondence received is added to the exhibits.

- B. Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on February 21, 2020. In addition, on February 21, 2020, the Pioneer Road Property Owners Association and the Palm Beach Farms Rural Preservation Committee was notified by mail. At the time of the printing of the Planning Commission Report, one email had been received (see Exhibit 8). Letters and emails are added to this exhibit as they are received.
- C. Informational Meeting:** The Planning Division hosted a meeting for area residents and interested parties to relay information regarding the amendment and development approval process on March 3, 2020. Eleven members of the public attended, including representatives of the Pioneer Road Property Owners Association. Questions from the public included the origin of the CLR future land use and the status of the BCC directed overlay for the area. Concerns from the public included increased traffic, if the amendment would encourage other higher density applications within the Pioneer Road Neighborhood Plan area and the size of the proposed CLF.

Exhibit 3

Applicant's Justification

Introduction

On behalf of the Applicant, Rinker Realty ("Applicant"), Schmidt Nichols respectfully requests your consideration of an application for a Small Scale Future land use Atlas (FLUA) Amendment. The 9.33-acre subject property is composed of 3 parcels PCNs: 00-42-43-27-05-013-0121, 0125, 0123 located on the northwest corner of Jog Road and Pioneer Road in unincorporated Palm Beach County ("subject property").

The entire property currently supports a FLU designation of Low Density Residential, 1 unit per acre (LR-1). All three properties which make up the site support an Agricultural Residential (AR) zoning designation.

Below is a summary of surrounding properties:

Adjacent Lands	Uses	FLU	Zoning
Subject Property	Single Family Residential	LR-1 (Existing) CLR w/ underlying LR-1 (Proposed)	AR & RE (Existing) PUD (Proposed)
North	Vacant	MR-5, LR-1	PUD, AR
South	Vacant	LR-1	RE
East	Single Family Residential	LR-1	RT
West	Single Family Residential	LR-1	AR

Request

The Applicant is requesting the following:

- A Future land use Atlas (FLUA) Amendment from LR-1 to CLR with an underlying LR-1.

Proposed Density Calculation (CLR):

While the figures below are not included as part of the Future land use Plan Amendment request, it is the intent to seek standard density under the HR-12 designation. The summary of the calculations are provided below:

Proposed FLU Designation CLR: 268 beds (9.33 acres x 12 du/ac x 2.39)

A concurrent application to the Palm Beach County Zoning Division for an Official Zoning Map Amendment (rezoning) will be submitted within the required ninety (90) days from the submission of this FLUA amendment application. The objective is to rezone the entire property from AR to Planned Unit Development which will utilize the RM zoning property development regulations.

History

On August 9, 1988 a Rezoning application was approved by the Palm Beach County Board of County Commissioners which changed the zoning of the two northernmost parcels of the subject property from Agricultural Residential (AR) to Residential Estate (RE).

Justification and Consistency with the Comprehensive Plan & Florida Statutes

The proposed FLU is appropriate and suitable for the subject site. Objective 1.2 of the Comprehensive Plan Future land use Element (“FLUE”) states: “This tier is expected to accommodate the bulk of the population and its need for employment, goods and services, cultural opportunities, and recreation. It supports a variety of lifestyle choices, ranging from urban to residential estate; however, the predominant development form in the unincorporated area is suburban in character.”

The proposed FLUA would fall in line with the predominant suburban character of the Urban/Suburban (U/S) Tier in that the CLR designation allows for the construction of congregate living facilities which have a minimal external impact. This type of development would be compatible to the residential areas to the northeast of the site which supports an MR-5 FLU designation. Congregate Living Facilities generally tend to seek locations which are central and nearby to healthcare services. The subject property is located approximately five miles from Wellington Regional Medical Center, making it an ideal location. Furthermore, congregate living facilities generally tend to seek out locations which are within areas of residential character so as to blend with the community and provide comfort to their residents.

Basis for the land use change. The basis for the proposed amendment is based upon changed circumstances. Recently, on April 28, 2014, the Palm Beach County Board of County Commissioners approved and adopted the Pioneer Road Neighborhood Plan. This plan included a map series which outlines the boundary of the land area being overseen by this guiding document. The subject property was arbitrarily included within this boundary, however, consent from the owner was not given to the Pioneer Road Property Owners Association (not a formal organization) to do so. The subject property is the only parcel within the plan’s boundaries to have frontage along Jog Road, an Urban Principal Arterial road according to Planning Map TE 3.1 Functional Classification of Roads. The subject property has characteristics, such as its location along an Urban Principal Arterial road and its contiguity to MR-5 designated properties to the north, which make it incompatible with the Pioneer Road Neighborhood Plan, notwithstanding

the lack of consent given to the neighborhood group who created the arbitrary boundaries. Furthermore, the subject property is contiguous on its northern boundary to parcels with MR-5 FLU designations. These parcels are part of an approved development called Pointe of Woods PUD (Control Number 2008-0290) which, along with the proposed development on the subject parcel, would act as a transition to the low density single-family residential the west along Pioneer Road. In addition, the properties which front Jog Road to the north and south of the subject development site have all be developed as either higher density residential or non-residential uses. The proposed development will provide a signalized access along a major arterial frontage. The subject parcels are directly adjacent to an FPL substation as well as a large place of worship to the south. This has shown a change in the make-up of the immediate vicinity, thus creating an opportunity to introduce a low impact use to complement and transitional use between the adjacent land uses and the low density residential to the West along Pioneer.

Other applicable policies related to this request are as follows:

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

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

Response: The Applicant proposes complying with the aforementioned criteria with the proposed FLUA amendment. By allowing for the development of a congregate living facility, the Applicant is able to better utilize resources to provide affordable housing that is currently in high demand. With the subsequent rezoning proposed for the subject property to a residential PUD, the Applicant proposes enhanced recreational facilities and open spaces for potential residents. Additionally, the proposed FLUA is compatible with the scale, mass, intensity of use, height and character of the suburban communities surrounding the subject property in that it will serve as a transition from the busy traffic of Jog Road to the less dense residential areas to the west of the site.

The applicant has assembled the subject parcels to create a subdivision which will have direct access at a signalized intersection on an arterial roadway (Jog Road). The Board of County Commissioners have initiated a rural enclaves project to prepare language to protect the rural lifestyles in areas such as the Pioneer neighborhood. That said, the applicant is in full agreement that this area should be protected west of Elaine Drive. All of the properties fronting on Jog Road and within the block east of Elaine Drive are not of a rural nature as they are developed either at PUD densities, places of worship, and utility substation. It is not

reasonable to think that the properties at the entrance to over 500 acres of land will remain single family lots with access directly to a signalized intersection on an arterial roadway.

The proposed development program would remove the traffic from the 3 lots and through the subdivision process would redirect the proposed subdivision trips to a main entrance on Jog. This would then allow these parcels to stand alone much like the other properties north and south of the subject site with direct access to Jog. This creates a better sense of an entry to a rural community in creating a buffer from Jog Road and preserving the rural lots west of Elaine Drive. In addition, all project related traffic would not be utilizing Pioneer Road just as Winner's Church on the south side of Pioneer has been restricted to Jog Road.

In terms of preserving the rural lifestyle and large lots, Pioneer could be limited to a 60' ROW thus limiting future development east of the subject development.

Policy 2.1-f: Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate.

Response: The subject property is ideal for a congregate living facility development given its location adjacent to single family residential development to the east, south and west, its frontage along Jog Road, and contiguity to an MR-5 designated property with PUD density directly to the north. The subject property's size of 9.33 acres allows for it to be developed as a planned unit development ("PUD") as the Applicant intends to do, which would require them to go beyond standard code requirements with regards to landscaping, setbacks, open space, and recreation. The properties represent an assemblage of properties which have frontage and access directly to Jog Road, which serves as an arterial roadway. The proposed development will not have access to Pioneer Road, thus removing the impacts of the assemblage from the properties to the west with LR-1 land use. The development pattern along Jog Road with an average lot size of 2 acres in this area is not one unit an acre development. This land use no longer fits within the urban fabric and what has been developed in the immediate vicinity.

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.

Response: This amendment is not piecemealed as the properties lie within a clearly defined residential area of the unincorporated county. Despite being included without consent into the approved Pioneer Road Neighborhood Plan, the subject property is the only one within the boundaries to have frontage along Jog Road, an Urban Principal Arterial road making the subject property significantly less attractive for the low density residential development allowed by the current FLU and zoning district.

Florida Statutes related to this request are as follows:

Florida Statutes, Section 163.3177(6)(a)9.a: The indicators provided in this statute pertain to findings that would indicate a plan or plan amendment does not discourage the proliferation of urban sprawl. The subject Future land use Amendment and proposed development is within the urban service boundary and is ideal for medium density residential uses due to its location with frontage along Jog Road and along the edge of medium density residential development to the northeast.

Response: The subject amendment is to allow development of property within the urban service boundary which and is able to be serviced by existing public facilities and services with direct access to Jog Road. Congregate Living Facilities are very compatible with the surrounding residential uses.

Compatibility

Continued From Objective 1.2: In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:

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

- a. Response: The proposed FLUA amendment will have minimal impact on the natural environment within the subject property. The parcels which make up the amendment boundary are currently developed with single family homes, thus much of the lots have been previously disturbed. The proposed FLUA amendment would allow for a congregate living facility, which is compact in size relative to the number of units that can be constructed. Therefore, the proposed FLUA amendment would allow for a more efficient use of the land. A 160' section of the northern portion of the lots along Pioneer are encumbered by an FPL easement which has been entirely cleared of vegetation.

2. The availability of facilities and services;

- a. Response: As part of the previous development the availability of facilities and services had to be confirmed. Below is more detailed information on each of those facilities and services:
 - i. Traffic: Please see attached traffic analysis indicating compliance with Policy 3.5-d of the FLUE of the Comprehensive Plan.
 - ii. Mass Transit: The nearest Palm Tran Route is Route #43 (Okeechobee Blvd – West Palm Beach to Wellington).
 - iii. Potable Water and Wastewater: Potable water and wastewater service will be provided by Palm Beach County Water Utilities Department. See attached water and sewer capacity letter request to PBCWUD under Application Attachment I.
 - iv. Drainage: The site is within the boundaries of the Lake Worth Drainage District (LWDD) and South Florida Water Management District C-51

Drainage Basin. Legal positive outfall is available to the site via discharge to the Jog Road right-of-way drainage system along the east property line.

- v. Fire Rescue: The nearest Palm Beach County Fire Rescue station is Station #34 located approximately 2.75 miles from the subject property. Palm Beach County Fire Rescue has determined that the amendment will have minimal impact on Fire Rescue. See Palm Beach County Fire Rescue letter (Application Attachment K).

3. The adjacent and surrounding development;

Response: The proposed FLUA amendment would have minimal impact on surrounding development. The surrounding properties generally support lower densities and intensities, particularly to the south and west of the subject property. However, the subject property has frontage along Jog Road, is contiguous to MR-5 designated parcels to the north, and is more than large enough to support a Planned Unit Development which requires the Applicant to go beyond code minimum requirements with regards to landscaping, buffers, setbacks, etc. Below are the existing FLU designations for the surrounding properties:

- i. North: MR-5 (ZLL and utilities)
- ii. South: LR-1 (Place of Worship)
- iii. East: LR-1
- iv. West: LR-1

The proposed development will be compatible with the residential uses that surround the property on all sides.

4. The future land use balance;

Response: The proposed FLUA amendment would have minimal impact on the future land use balance. The proposed amendment would only increase the total acreage of Congregate Living designations by 9.33 acres, which is insignificant in terms of the 151,930 acres total of residential future land use designated property in the unincorporated county. The entire frontage of adjacent properties to the site along Jog Road as Medium Density residential or non-residential uses, making the subject site's existing LR-1 designation the odd one out in terms of the appropriateness of location along a major thoroughfare. The reality of single family homes fronting on a 6 lane arterial roadway is not in keeping with the recent development patterns and the proposed development would also be utilizing the existing fully signalized intersection for the project's entrance.

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

Response: The proposed FLUA amendment does not promote urban sprawl according to the definition in section 163.3164(52) of the Florida Statutes. The proposed amendment increases the density potential for the subject property which is allowed within the Urban/Suburban Tier. The proposed density increase is compatible with the necessary infrastructure as the subject property has

frontage along Jog Road, a 120' right of way according to the Palm Beach County Map TE 14.1 Thoroughfare Right of Way Identification Map.

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

Response: The property is not located within any Community Plans and/or Planning Area Special Studies areas.

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

Response: The proposed FLUA amendment will not have a negative on municipalities in accordance with the Intergovernmental Coordination Element Objective 1.1. The subject property is surrounded entirely by unincorporated Palm Beach County.

On behalf of the Applicant, Schmidt Nichols requests your approval of this application for a Small Scale Future land use Atlas Amendment.

Exhibit 4
Applicant's Public Facility Impacts Table

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Single Family Residential ITE #210 10 trips per day / unit	Assisted Living Facility ITE #254 2.6 trips per day / bed
Maximum Trip Generation	90 trips per day	689 trips per day
Net Daily Trips:	689 tpd – 90 tpd = 599 trips per day	
Net PH Trips:	AM Peak Hour: 50 pht – 7 pht = 43 peak hour trips PM Peak Hour: 69 pht – 10 pht = 59 peak hour trips	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Simmons & White – Kyle Duncan	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	40 (Southern Blvd), 4 (Haverhill Road)	
Nearest Palm Tran Stop	Stop 1434 (Northwest corner of Haverhill Road & Gun Club Road) is approximately 1.8 miles from the subject property.	
Nearest Tri Rail Connection	West Palm Beach, 209 South Tamarind Avenue	
C. Portable Water & Wastewater Information		
The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as Application Attachment I. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.		
Potable Water & Wastewater Providers	The property is located within Palm Beach County Water Utilities Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required at the current LR-1 designation and for the proposed future land use designation of CLR.	

Nearest Water & Wastewater Facility, type/size	The nearest potable water and wastewater facilities are located within Jog Road right of way adjacent to the property. Watermain extensions and the construction of a lift station and force main will be required.
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D. Drainage Information

The site is within the boundaries of the Lake Worth Drainage District (LWDD) and South Florida Water Management District C-51 Drainage Basin. Legal positive outfall is available to the site via discharge to the Jog Road right-of-way drainage system along the east property line. Please refer to the Drainage Statement prepared by Simmons and White, Inc. being included as Attachment J with this application for more details.

E. Fire Rescue

Nearest Station	Station 34, 231 S. Benoist Farms Road
Distance to Site	Station 34 is approximately 2.75 miles from the subject site
Response Time	Based on the information provided by PBC Fire-Rescue the estimated response time is 6 minutes 46 seconds. PBC Fire Letter provided at Attachment K.
Effect on Resp. Time	PBC Fire-Rescue has determined that the proposed amendment will have minimal impact on fire rescue response time. Please see Application Attachment K.

F. Environmental

Significant habitats or species	The subject site has sporadic trees on the property however, there is no presence of any significant habitats or species on the subject properties. An inventory map has been provided at Application Attachment L.
Flood Zone*	The subject parcel is located in Flood Zone AE.
Wellfield Zone*	The subject parcels do not support any of the three wellfield zone designations. A detailed map has been provided at Application Attachment M

G. Historic Resources

The subject parcels do not contain any historic or architecturally significant resources located on or within 500 feet of the site. To the best of our knowledge the parcels do not contain or are located within 500 of the subject properties. Comment Letter as Application Attachment N.

H. Parks and Recreation - Residential Only

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Okeeheelee Park	0.00339	247	0.8373
Beach	R.G. Kreusler Park	0.00035	247	0.08645
District	Haverhill Park	0.00138	247	0.34086

I. Libraries - Residential Only			
Library Name	Okeechobee Blvd. Branch		
Address	5689 West Okeechobee Blvd.		
City, State, Zip	West Palm Beach, FL 33417		
Distance	3.7 miles from the subject property		
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	247	494
Periodicals	5 subscriptions per 1,000 persons	247	1.24
Info Technology	\$1.00 per person	247	\$247
Professional staff	1 FTE per 7,500 persons	247	0.03
All other staff	3.35 FTE per professional librarian	247	827.45
Library facilities	0.34 sf per person	247	83.98 s.f.
J. Public Schools - Residential Only			
	Elementary	Middle	High
Name	Melaleuca Elementary School	Okeehoelee Middle School	Palm Beach Central High School
Address	5759 West Gun Club Road	2200 Pinehurst Drive	8499 W Forest Hill Blvd
City, State, Zip	WPB, FL 33415	WPB, FL 33413	Wellington, FL 33411
Distance	0.9 miles	2.5 miles	3.7 miles

Exhibit 5

Palm Beach County Traffic Division Letter



**Department of Engineering
and Public Works**
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
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"



June 10, 2019

Robert F. Rennebaum, P.E.
Simmons & White
2581 Metrocentre Blvd. West, Suite 3
West Palm Beach, FL 33407

**RE: Lee's Landing PUD
FLUA Amendment Policy 3.5-d Review
Round 2020-A**

Dear Ms. Lai:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Statement for the proposed Future Land Use Amendment for the above referenced project, revised June 7, 2019, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

Location:	West of Jog Road, north side of Pioneer Road	
PCN:	00-42-43-27-05-013-0121 (<i>others on file</i>)	
Acres:	9.33 acres	
	Current FLU	Proposed FLU
FLU:	Low Residential, 1 dwelling unit per acre (LR-1)	Congregate Living Residential (CLR)/Low Residential, 1 dwelling unit per acre (LR-1)
Zoning:	Agricultural Residential (AR)	Residential Planned Unit Development (PUD)
Density/Intensity:	1 du/acre	12 du/acre
Maximum Potential:	Single Family Detached = 9 DUs	Assisted Living Facility = 268 Beds
Proposed Potential:	N/A	N/A
Net Daily Trips:	607 (maximum – current)	
Net PH Trips:	51 (32/19) AM, 70 (27/43) PM (maximum)	
* <i>Maximum</i> indicates typical FAR and maximum trip generator. <i>Proposed</i> indicates the specific uses and intensities/densities in the zoning application.		



Robert F. Rennebaum, P.E.
June 10, 2019
Page 2

Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment **meets** Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the maximum potential density shown above. The proposed change will have an insignificant impact for both the long range and Test 2 analyses.

Please contact me at 561-684-4030 or email to QBari@pbcgov.org with any questions.

Sincerely,

A handwritten signature in black ink that reads "Quazi Bari".

Quazi Bari, P.E.
Senior Professional Engineer - Traffic Division

QB:DS:je

cc: Kyle Duncan – VP, Simmons and White, Inc.
Dominique Simeus – Project Coordinator II, Traffic Division
Steve Bohovsky – Technical Assistant III, Traffic Division
Lisa Amara – Senior Planner, Planning Division
Khurshid Mohyuddin – Principal Planner, Planning Division
Jorge Perez – Senior Planner, Planning Division

File: General - TPS – Unincorporated - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\20-A\Lee's Landing PUD.docx

Exhibit 6
Water & Wastewater Provider LOS Letter



**Water Utilities Department
Engineering**

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



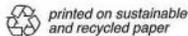
**Palm Beach County
Board of County
Commissioners**

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"*



May 15, 2019

Simmons and White
2581 Metrocentre Blvd. West, Suite 3
West Palm Beach, Fl. 33407

RE: 9.33 Acre Site Located in the NW Corner of Jog Road & Pioneer Road
PCN 00-42-43-27-05-013-0121, 00-42-43-27-05-013-0123 & 00-42-43-27-05-013-0125
Service Availability Letter

Dear Mr. Cole,

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 at the current Low Residential, 1 dwelling unit per acre (LR-1) designation and for the proposed future land use designation of Congregate Living Residential (CLR).

The nearest potable water and wastewater facilities are located within Jog Road right of way adjacent to the property. Watermain extensions and the construction of a lift station and forcemain will be required.

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 that reads "Jackie Michels".

Jackie Michels, P.E.,
Plan Review Manager

Exhibit 7

Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Brandon Rinker, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [✓] MGR _____ [position—e.g., president, partner, trustee] of Rinker Companies, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 225 Peruvian Avenue, Palm Beach, FL 33480

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.


Brandon Rinker, Affiant
 (Print Affiant Name)

The foregoing instrument was acknowledged before me this 29 day of April,
 2019, by Brandon Rinker, M who is personally
 known to me or [] who has produced _____
 as identification and who did take an oath.


 Notary Public

CAROLINE WRIGHT
 (Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 9-27-2019

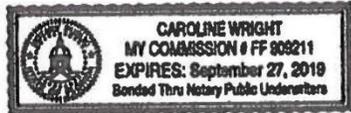


EXHIBIT "A"**PROPERTY****LOT 4****DESCRIPTION:**

TRACT 11, LESS THE WEST 645 FEET THEREOF AND THE WEST 200 FEET OF TRACT 12, BLOCK 13, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

LOT 5**DESCRIPTION:**

THE EAST 215 FEET OF THE WEST 415 FEET OF THE TRACT 12, BLOCK 13, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE(S) 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

DESCRIPTION

LOT 6, OF AN UNRECORDED SUBDIVISION PLAT OF TRACTS 12, BLOCK 13, PALM BEACH FARMS CO., PLAT NO. 3, MORE FULLY DESCRIBED AS FOLLOWS:

TRACT # 12, BLOCK 13, PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45-54 THEREOF, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; LESS THE WEST 415 FEET THEREOF.

ALSO, THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGIN AT THE NORTHEAST CORNER OF TRACT # 12, BLOCK 13, PALM BEACH FARMS CO., PLAT NO. 3, LYING IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE, RUN EASTERLY ALONG THE EXTENSION OF THE NORTH LINE OF SAID TRACT # 12, A DISTANCE OF 128 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION WITH THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3; THENCE, SOUTHERLY ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3 TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID TRACT # 12 EXTENDED; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID TRACT # 12 EXTENDED A DISTANCE OF 121 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID TRACT # 12; THENCE NORTHERLY ALONG THE EAST LINE OF SAID TRACT # 12 TO THE POINT OF BEGINNING. LESS, THE EAST 40 FEET THEREOF FOR RIGHT OF WAY OF JOG ROAD.

SUBJECT TO AN EASEMENT OVER THE NORTH 160 FEET THEREOF, FOR FLORIDA POWER AND LIGHT.

ALSO KNOWN AS

A PORTION OF TRACTS 11 AND 12, BLOCK 13, PALM BEACH FARMS COMPANY PLAT NO. 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE S. 00° 29' 16" W. ALONG THE EAST LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 3 FOR 1036.11 FEET; THENCE S. 89° 00' 39" W. FOR 92.87 FEET TO THE POINT OF POINT OF BEGINNING; THENCE S. 01° 50' 37" E. ALONG THE WEST LINE OF SAID PARCEL 139 FOR 620.36 FEET ; THENCE S. 43° 35' 24" W. FOR 35.62 ; THENCE S. 89° 01' 19" W. FOR 131.21 ; THENCE S. 00° 59' 01" E. FOR 15.00; THENCE S. 89° 01' 19" W. ALONG THE SOUTH LINE OF SAID TRACTS 11 AND 12 FOR 467.04 FEET; THENCE N. 01° 01' 28" W. FOR 660.54 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID TRACT 11; THENCE N. 89° 00' 53" E. ALONG SAID NORTH LINE OF TRACT 11 FOR 15.17 FEET; THENCE ; THENCE N. 89° 00' 40" E. ALONG THE NORTH LINE OF SAID TRACT 12 FOR 599.24 FEET TO THE POINT OF BEGINNING,
CONTAINING 406,358 SQ.FT. OR 9.3287 ACRES, MORE OR LESS.

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

(TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER)

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared James Baronl, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [] _____ [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 6501 Pioneer Road, West Palm Beach, FL 33413

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

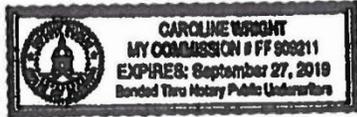
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

James Baroni
James Baroni, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 29 day of April, 2019, by James Baroni, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Caroline Wright
Notary Public

Caroline Wright
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 9-27-2019

EXHIBIT "A"

PROPERTY

LOT 6, OF AN UNRECORDED SUBDIVISION PLAT OF TRACTS 12, BLOCK 13, PALM BEACH FARMS CO., PLAT NO. 3, MORE FULLY DESCRIBED AS FOLLOWS:

TRACT # 12, BLOCK 13, PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45-54 THEREOF, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; LESS THE WEST 415 FEET THEREOF.

ALSO, THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGIN AT THE NORTHEAST CORNER OF TRACT # 12, BLOCK 13, PALM BEACH FARMS CO., PLAT NO. 3, LYING IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE, RUN EASTERLY ALONG THE EXTENSION OF THE NORTH LINE OF SAID TRACT # 12, A DISTANCE OF 128 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION WITH THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3; THENCE, SOUTHERLY ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3 TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID TRACT # 12 EXTENDED; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID TRACT # 12 EXTENDED A DISTANCE OF 121 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID TRACT # 12; THENCE NORTHERLY ALONG THE EAST LINE OF SAID TRACT # 12 TO THE POINT OF BEGINNING. LESS, THE EAST 40 FEET THEREOF FOR RIGHT OF WAY OF JOG ROAD. SUBJECT TO AN EASEMENT OVER THE NORTH 160 FEET THEREOF, FOR FLORIDA POWER AND LIGHT.

CONTAINING 122,274 FEET, OR 2.81 ACRES, MORE OR LESS.

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

(TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER)

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Mary Baroni, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [] _____ [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 6501 Pioneer Road, West Palm Beach, FL 33413

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Mary Baron
Mary Baron, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 29 day of April, 2019, by Mary Baron, [] who is personally known to me or [] who has produced as identification and who did take an oath.



Caroline Wright
Notary Public
Caroline Wright
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-27-2019

EXHIBIT "A"

PROPERTY

LOT 6, OF AN UNRECORDED SUBDIVISION PLAT OF TRACTS 12, BLOCK 13, PALM BEACH FARMS CO., PLAT NO. 3, MORE FULLY DESCRIBED AS FOLLOWS:

TRACT # 12, BLOCK 13, PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45-54 THEREOF, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; LESS THE WEST 415 FEET THEREOF.

ALSO, THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGIN AT THE NORTHEAST CORNER OF TRACT # 12, BLOCK 13, PALM BEACH FARMS CO., PLAT NO. 3, LYING IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE, RUN EASTERLY ALONG THE EXTENSION OF THE NORTH LINE OF SAID TRACT # 12, A DISTANCE OF 128 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION WITH THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3; THENCE, SOUTHERLY ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3 TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID TRACT # 12 EXTENDED; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID TRACT # 12 EXTENDED A DISTANCE OF 121 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID TRACT # 12; THENCE NORTHERLY ALONG THE EAST LINE OF SAID TRACT # 12 TO THE POINT OF BEGINNING. LESS, THE EAST 40 FEET THEREOF FOR RIGHT OF WAY OF JOG ROAD. SUBJECT TO AN EASEMENT OVER THE NORTH 160 FEET THEREOF, FOR FLORIDA POWER AND LIGHT.

CONTAINING 122,274 FEET, OR 2.81 ACRES, MORE OR LESS.

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

(TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER)

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

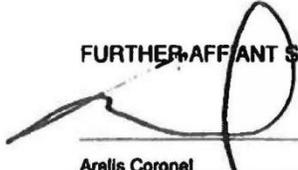
BEFORE ME, the undersigned authority, this day personally appeared Arellis Coronel, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the individual or _____ [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 6529 Pioneer Road, West Palm Beach, FL 33413

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.



 Arellis Coronel, Affiant
 (Print Affiant Name)

The foregoing instrument was acknowledged before me this 29 day of April, 2019, by Arellis Coronel, who is personally known to me or who has produced _____ as identification and who did take an oath.





 Notary Public

Caroline Wright

 (Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 9-27-2019

EXHIBIT "A"

PROPERTY

TRACT 11, LESS THE WEST 645 FEET THEREOF AND THE WEST 200 FEET OF TRACT 12, BLOCK 13, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 142,020 FEET, OR 3.26 ACRES, MORE OR LESS.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Tairon Coronel
Tairon Coronel, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 29 day of April, 2019, by TAIRON CORONEL, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.

Caroline Wright

Notary Public

Caroline Wright

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 9-27-2019



EXHIBIT "A"

PROPERTY

TRACT 11, LESS THE WEST 645 FEET THEREOF AND THE WEST 200 FEET OF TRACT 12, BLOCK 13, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 142,020 FEET, OR 3.26 ACRES, MORE OR LESS.

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

BEFORE ME, the undersigned authority, this day personally appeared Colleen Gelsomino _____, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] Individual or [] _____ [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 8517 Pioneer Road, West Palm Beach, FL 33413

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Colleen Gelsomino

Colleen Gelsomino, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 29 day of April, 2019, by Colleen Gelsomino, who is personally known to me or [] who has produced as identification and who did take an oath.

Caroline Wright

Notary Public



Caroline Wright

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 9-27-2019

EXHIBIT "A"

PROPERTY

THE EAST 215 FEET OF THE WEST 415 FEET OF THE TRACT 12, BLOCK 13, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE(S) 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 142,030 FEET, OR 3.26 ACRES, MORE OR LESS.

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared James Gelsomino, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [] _____ [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 6517 Pioneer Road, West Palm Beach, FL 33413

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

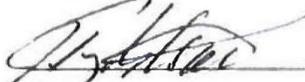
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.


James Gelsomino, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 29 day of April, 2019, by James Gelsomino, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.




Notary Public

Caroline Wright
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-27-19

EXHIBIT "A"

PROPERTY

THE EAST 215 FEET OF THE WEST 415 FEET OF THE TRACT 12, BLOCK 13, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE(S) 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 142,030 FEET, OR 3.26 ACRES, MORE OR LESS.

Exhibit 8 Correspondence

From: Clifford Fort <turkeytrot.cf@gmail.com>

Sent: Friday, March 06, 2020 10:38 AM

To: Lisa Amara A. <LAmara@pbcgov.org>; Stephanie Gregory <SGregor1@pbcgov.org>; Clifford Lee Fort <turkeytrot.cf@gmail.com>; Richard Carlson <richard.chip.carlson@usa.net>; Steve Hansen <steve@arminternational.com>

Subject:

PIONEER ROAD PROPERTY OWNERS ASSOCIATION, INC.

6781 Pioneer Road
West Palm Beach, Florida 33413

March 6, 2020

FORMAL REQUEST FOR SIXTY DAY POSTPONEMENT FOR CONSIDERATION BY PLANNING COMMISSION FOR PROPOSED FUTURE LAND USE AMENDMENT OF LEE'S LANDING

Dear Planning Commission;

The Pioneer Road Property Owners Association is requesting that you postpone consideration of the Lee's Landing application sixty days to allow the Pioneer Road Property community to get property owners informed and a dialogue with the applicant.

Our area, including the property subject of the Lee's Landing petition, is recognized as a rural enclave, has Neighborhood Plan, and will be subject of a rural enclave overlay. The Pioneer Road community is over 560 acres with more than 200 individual properties. PRPOA represents more than half the properties in the community. The Pioneer Road Community needs to be briefed as to the "final Lee's Landing Plan" and Traffic Analysis. They need ample time to make an informed decision as to the proposed future density changes from Low Residential, 1 unit per acre (LR-1) of their low density neighborhood, with an average lot size 2.74 acres, to Congregate Living Residential (CLR) in order to develop an assisted living facility for up to 250 beds. This is a dramatic change to the Pioneer Road Community and should not be done without adequate information being provided to the community so that the residents may be properly informed.

Our PRPOA Association has been more than expeditious in our efforts to respond to Brandon Rinker and Schmidt Nichols despite conspicuous short notice of the recently finished proposed plan.

Our Board members have made numerous requests to Schmidt Nichols over the last six months as to the progress of their planning efforts on the Lee's Landing application. Only recently was the application moved into the public hearing process, and we were contacted by Josh Nichols on 22nd of February 2020 to tell us that Schmidt Nichols was ready to make a presentation of to our Board and that they had finally completed their technical review and had a plan to present.

Our Board immediately arranged for Jon Schmidt and Josh Nichols to make their presentation to the PRPOA Board members present just four days later on Thursday, the 26th of February.

Upon completion of their presentation our Board promised them that we would make every effort to expedite a meeting of the Pioneer Road Neighborhood comprised of all residents and property owners of the community.

We immediately set out to arrange a facility to accommodate the anticipated crowd for the Schmidt Nichols presentation. All the libraries were booked. Fortunately, a member of our PRPOA Association, Ray Titus, offered his facilities located at 2121 Vista Parkway for the presentation the evening of March 9, 2020 at 6:30 PM.

We emailed notice of the meeting, and requested attendance of, all residents, property owners and PRPOA members that we have in our records urging their attendance. However, with such short notice we expect that many people will not be able to attend.

We have bent over backwards to accommodate the applicant and the agents. Despite all of our efforts the applicant has rejected our request for a sixty-day postponement to give not only the community an opportunity to properly understand the application, but the agent to properly educate the community. It will also facilitate a dialogue that may address many of the concerns of the community. Without an adequate understanding of the application a meaningful dialogue cannot be had. As of the date of this letter, the Pioneer Road Property Owners Association respectfully requests a 60-day postponement to the Planning Commission hearing. We feel it is imperative to ensure all of our neighbors are thoroughly educated on such a profound decision affecting the future density of and entrance to their community.

Most Respectfully,

Clifford L. Fort
Director, Pioneer Road Property Owners Association