



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT AMENDMENT ROUND 17-D

PLANNING COMMISSION PUBLIC HEARING, MAY 12, 2017

A. Application Summary

I. General

Project Name:	Izzy Lizzy Residential (LGA 2017-016)
Request:	LR-2 to MR-5
Acres:	5.00 acres
Location:	East of Lyons Road, 3,000 feet south of Lake Worth Road, west of 87th Drive South
Project Manager:	Jorge Perez, Senior Planner
Applicant:	Sheldon Rubin
Owner:	Izzie-Lizzie Acres, LLC and/or Sheldon W. Rubin
Agent:	J Morton Planning & Landscape Architecture
Staff Recommendation:	Staff recommends approval with conditions based upon the findings and conclusions contained within this report.

II. Assessment & Conclusion

The amendment proposes to change the future land use designation on a 5-acre site from LR-2 to MR-5. The request seeks to utilize the plan amendment process as the method of increasing density, consistent with the Comprehensive Plan for sites located within the West Lake Worth Road Neighborhood Plan. Unlike previous amendments in this area, this request does not include a condition limiting the density to the 5 du/acre envisioned in the Neighborhood Plan. This could lead to future density increases through the county's density bonus programs, which would make the site inconsistent with neighboring properties, the Neighborhood Plan, and subsequently inconsistent with Policy 2.4-b.

Therefore, staff recommends **approval with conditions** to limit the density of the site to 5 units per acre; and to comply with the design guidelines of the Neighborhood Plan.

III. Hearing History

Local Planning Agency:

Board of County Commissioners Transmittal Public Hearing:

State Review Comments:

Board of County Commissioners Adoption Public Hearing:

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Future Land Use Atlas Amendment

Izzy Lizzy Residential (LGA 2017-016)



Site Data

Size: 4.99 acres
Existing Use: Agricultural
Proposed Use: Residential
Current FLU: LR-2
Proposed FLU: MR-5

Future Land Use Designations

LR-2 Low Residential, 2 units per acre
LR-3 Low Residential, 3 units per acre
MR-5 Medium Residential, 5 units per acre
CL/3 Commercial Low, underlying LR-3
CH/2 Commercial High, underlying LR-2
CH/5 Commercial High, underlying MR-5

CL-O Commercial Low Office
CL-O/2 CL-O, underlying LR-2
INST/5 Institutional, underlying MR-5
UT Utilities and Transportation

Date: 2/7/2017
Contact: Planning Division
Filename: AMEND\17-D\Site\17-13
Note: Map is not official, for presentation purposes only.



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



B. Petition Summary

I. General Data

Project Name: Izzy Lizzy (LGA 2017-016)
Request: LR-2 to MR-5
Acres: 5.00 acres
Location: East of Lyons Road, 3,000 feet south of Lake Worth Road, west of 87th Drive South
Project Manager: Jorge Perez, Senior Planner
Applicant: Sheldon Rubin
Owner: Izzie-Lizzie Acres, LLC
Agent: J Morton Planning & Landscape Architecture

II. Site Data

Current Future Land Use

Current FLU: Low Residential, 2 units per acre
Existing Land Use: Agriculture
Current Zoning: Agricultural Residential (AR)
Current Dev. Potential Max: Residential, up to 10 dwelling units

Proposed Future Land Use Change

Proposed FLU: Medium Residential, 5 units per acre (MR-5)
Proposed Zoning: Planned Unit Development (PUD)
Dev. Potential Max/Conditioned: Residential, up to 25 dwelling units

General Area Information for Site

Tier/Tier Change: Urban Suburban Tier – No Change
Utility Service: Palm Beach County Water Utilities Department
Overlay/Study: West Lake Worth Road Corridor Neighborhood Plan
Annexation Area: City of Greenacres
Comm. District: Honorable Melissa McKinlay, District 6

C. Introduction

I. Intent of the Amendment

The amendment is proposing to change the future land use designation on a 5-acre portion of the site from LR-2 to MR-5. The future land use amendment would increase the residential development potential from 10 dwelling units to 25 units. The site would develop as a PUD, pending the provision of adequate vehicular access. This amendment does not propose a condition capping the density according to the West Lake Worth Road Neighborhood Plan.

II. Background/History

The subject site is in the Urban Suburban Tier on the east side of Lyons Road, south of Lake Worth Road and west of the Florida Turnpike. The 5-acre site is located within the West Lake Worth Road Neighborhood Plan area and the current use is equestrian. The site has not been subject to Future Land Use Amendments; however, the parcels to the east and south have been amended to reflect the densities proposed by the West Lake Worth Road Neighborhood Plan. This proposal would amend 5 acres of land to Medium Residential, 5 units per acre (MR-5).

Overview of the Area

The subject site is within a section of land comprising over 600 acres of developing land in the Urban/Suburban Tier, in the unincorporated County. This section of land is bounded by Lake Worth Road on the north, the L-14 canal on the south, the Turnpike and Lyons Road to the east and to the west. The properties range in size from approximately 2 ½ acres to 40 acres and are largely in equestrian or agricultural uses with some single family homes. Polo Club and Hooks Roads, unimproved roads, are the main access for the majority of the properties. The School Board owns 48 acres in the southwest corner for a future school site, and the Florida Department of Transportation owns 51 acres on Lake Worth Road adjacent to the Turnpike, which has recently completed significant upgrades consisting of access ramps, toll booths and drainage.

Over the last several years, various property owners in the general vicinity have submitted FLUA amendments to increase density and/or intensity. This activity prompted residents from surrounding subdivisions to create the West Lake Worth Road Neighborhood Plan (WLWNP), which includes the equestrian lands and seven planned residential communities in the surrounding area. Additionally, the Board approved site specific amendments for this area and a Comprehensive Plan text amendment to modify the TDR program provisions, Policy 2.4-b in the Future Land Use Element (FLUE) to add an exception from the requirement to use TDR's to increase density for projects that propose density up to, but not exceeding, density proposed by the master plan of a neighborhood plan formally received by the BCC. The amendment to this policy was adopted by the BCC in July of 2012 and specifically identifies the WLWNP. The WLWNP Conceptual Master Plan supports densities up to 5 units per acre where the proposed amendment is located. Recent FLU amendments within the Neighborhood Plan area have been approved with conditions limiting the density according to the Neighborhood Plan; this amendment does not include said condition. The lack of a density cap could result in subsequent density increases through the county's density bonuses, which would result in the subject site holding a higher density than what's established in the Neighborhood Plan, therefore making the project inconsistent the Policy 2.4-b.

D. Consistency and Compatibility

I. Data and Analysis Summary

This section of the report 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.; (see Consistency with Florida Statutes)*
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 2) which states that the proposed request is consistent with land uses in the area, changes to the access and characteristics of the neighborhood, and amended densities in the vicinity and the Lake Worth Road Neighborhood Plan,

- The proposed use is of a similar nature to adjacent uses.
- The proposed use is consistent with the West Lake Worth Road Neighborhood Plan.
- The County Commission has approved similar requests in the surrounding area.
- The proposed use would allow the subject property to be developed in a consistent and compatible manner.
- An exception applies to the subject property and its neighbors that allows density increases through the land use amendment process rather than density bonus programs.

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. With regards to the justification, the subject site is located within a Neighborhood Plan that proposes the use of the Land Use Amendment process to increase density rather than the Density Bonus Programs. The request for 5 dwelling units per acre on the site is characteristic of the adjacent Future Land Use designations and is consistent with both of the neighboring Land Use

Amendment approvals and the Neighborhood Plan. The amendment is consistent with the Neighborhood Plan's Master Plan that identifies up to 5 units per acre between 47th Place South and Lake Worth Road. While the density proposed at this stage is consistent with the Neighborhood Plan, this amendment does not propose a condition to cap this density. Subsequent density bonuses, while allowed by the Comprehensive Plan, could result in density increases beyond what's established in the Neighborhood Plan. The possibility of increased densities make this request incompatible with adjacent areas.

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.*

Staff Analysis: The proposed amendment would not further, nor detract from any of the County directions. Thus, there are no policy implications regarding the County Directions with regard to this amendment.

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 site is surrounded by large parcels which have been approved for densities similar to the proposed MR-5 for the subject site. The proposed amendment does not encourage piecemeal development, nor does it create residual parcels.

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.....”

Density Increases - Policy 2.4-b: *The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:*

1. *an applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or*
2. *an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or*
3. *an applicant proposes a density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan prepared in accordance with*

FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:

- a. *West Lake Worth Road Neighborhood Plan.*

The West Lake Worth Road Neighborhood Plan identified the appropriate densities for parcels within the area of study, including the subject site. Within Policy 2.4-b, parcels are allowed to request the densities supported by the Neighborhood Plan, which is the case here.

This proposed amendment would increase the density on site by 15 dwelling units; from 10 to 25 units.

Amendment/TDR/WFH Data: Future Land Use Element Policy 2.4-b requires that the Transfer of Development Rights (TDR) Program is the mandatory method for increasing density, unless the site utilizes the Workforce Housing (WFH) or Affordable Housing Programs, the applicant can justify an amendment, demonstrate that the existing land use is inappropriate, that there is a need for the change, or (as added in 2011), that a future land use amendment is proposed for density consistent with a neighborhood plan, formally received by the Board of County Commissioners. The County's TDR Program was initially adopted in the 1980 Comprehensive Plan, with the intent to: "1) redistribute population to urban areas; 2) protect conservation and coastal zone areas as well as environmentally sensitive lands; 3) protect prime agricultural lands; and 4) provide residential density incentives which would lower housing costs."

The TDR Program allows property owners to increase density by purchasing development rights from the County's TDR bank through the development review process at a price that is adjusted annually. The cost for a TDR is established as 10% of the County's median home sales price with the TDR workforce units at 5% of the median home sales price. A 25% price reduction is allowed for TDR's that are consistent with a neighborhood plan. The current (2014) prices are provided below for informational purposes.

PBC Median Sales Price*	TDR Price (10%)	WHP Price (5%)
Single Family: \$298,450	\$29,845	\$1,492
Multi Family/Condo: \$155,000	\$15,500	\$775
Neighborhood Plan Price		
Single Family (75% \$223,838)	\$22,384	\$1,119
Multi Family/Condo (75% \$116,250)	\$11,625	\$581

* **Data Source:** Florida Realtors Association Median Sales Price Data

Staff Analysis: The Comprehensive Plan Future Land Use Element Policy 2.4-b requires that the Transfer of Development Rights (TDR) Program is the mandatory method of increasing density, unless the applicant's request is consistent with a neighborhood plan formally received by the Board of County Commissioners. The West Lake Worth Road Neighborhood Plan (WLWNP) is the only neighborhood plan identified in the policy that allows a property owner to increase the residential land use through a land use amendment process and therefore, not utilize either of the Bonus Density Programs.

The Neighborhood Plan's Conceptual Master Plan identifies the subject site with a maximum density of 5 units per acre. Unlike previous amendments within the area of the Neighborhood Plan, this request does not include a condition capping the density at 5 units per acre. Absent this condition, there could be density bonuses applied to the site, resulting in development denser than what's allowed by the Neighborhood Plan. The proposed amendment could be inconsistent with item 3 of Policy 2.4-b.

C. Compatibility

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use. The applicant states "that the proposed development will be designed and undertaken so as to ensure the density is not in conflict with the surrounding area."

Surrounding Land Uses: Immediately abutting the site are the following:

North: North of the subject site are areas with Residential at Low and Medium Densities, LR-2, containing residential uses.

South: South of the site is the Andalucia PUD, which has been designed to contain 246 homes at an overall density of 3.63 du/acre.

East: Andalucia PUD, same as described above.

West: To the west of the subject site are equestrian and residential uses with FLU designations of MR-5.

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 maintain 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."*

Staff Analysis: The site is within areas contemplated for a maximum of 5 dwelling units per acre in the Neighborhood Plan's Conceptual Master Plan. Parcels to the south and east have already been amended to MR-5 future land use designation, with conditions of approval that cap these densities. By not including a similar condition, the subject site could potentially receive additional density through the bonus program, which makes it incompatible with planned development in the immediate vicinity.

D. Consistency with County Overlays, Plans, and Studies

- 1. 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....."*

Staff Analysis: The subject site is located within the boundaries of the Lake Worth Road Corridor Neighborhood Plan and identified on its Master Plan as having the potential for up to 5 dwelling units per acre. This amendment, however, does not include a condition that caps the density at 5 units per acre, as depicted in the Neighborhood Plan.

The Neighborhood Plan also outlines design criteria such as buffer requirements and pedestrian connectivity. Currently there is no proposed site plan or concurrent Zoning request. The Neighborhood Plan's design requirements will be addressed when a request is submitted to the Development Review Officer (DRO).

E. Public Facilities and Services Impacts

The proposed amendment will change the Future Land Use designation from LR-2 to MR-5 for the purposes of developing up to 48 additional rental homes. Public facilities impacts are detailed in the table in Exhibit 3.

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 has been distributed to the County service departments for review and 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 Dept.), Environmental (Environmental Resource Management), Land Development (Engineering), Historic Resources (PBC Archaeologist), Parks and Recreation, Office of Community Revitalization (OCR), School Board, Health (PBC Dept. of Health), Fire Rescue, Lake Worth Drainage District.

The Zoning Division has provided the following comments:

- Planned Unit Developments (PUD) require that the project be accessed from an arterial or collector road. However, project site is on 87th Drive South, which is not an arterial or collector road. Additionally, PUDs require Commercial, Recreation and Civic Pods for which minimum depths and width would require more land square footage.
- PUDs require Commercial, Recreation and Civic Pods for which minimum depths and width would require more land square footage.
- PUDs require a minimum frontage of 200 feet (ft.), and the site's frontage is +/- 326 ft., and thus meets minimum frontage requirement. However, the site is not on arterial or collector road, as required for site with a PUD zoning District. Also, Variances will be necessary to meet the minimum PDRs for depth and widths of required Pods.

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 based on the existing potential of 10 dwelling units and the proposed potential of 25 dwelling units. According to the County's Traffic Engineering Department (see letter dated January 12, 2017 in Exhibit 5) the amendment would result in 150 net daily trips, and 19 AM and 30 PM net peak hour trips.

The Traffic letter concludes *"Based on the review, the proposed amendment meets Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan"*.

The Traffic Study (see Exhibit 4) was prepared by Pinder Troutman Consulting, 2005 Vista Parkway, Suite 111, West Palm Beach Florida 33411. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at: <http://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>.

F. **Florida Statutes (FS)**

1. **Consistency with Urban Sprawl Rule:** The proposed amendment is not considered sprawl as it is within the Urban/Suburban Tier and within the Urban Service Area Boundary. The neighborhood where the subject site is located was analyzed by residents of the area, who identified appropriate densities within the neighborhood. The proposed density is consistent with the county's directions as well as the Neighborhood Plan.

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 April 25, 2017. To date, no objections through the IPARC process to this amendment have been received. As of the writing of this report, no comments have been received.
- B. **Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on April 25, 2017. On the same date, several interested parties were notified by mail, including the following groups and residential communities/developments in the area: Cedar Creek Ranch Association, Woods Walk HOA, Cypress Lakes Estates HOA, Cypress Woods HOA, Florida Gardens HOA, Legend Lakes Estates HOA, Silver Glen at Citrus Isles HOA, Cypress Trails Property Owners, Summer Chase HOA, and the Lake Worth Coalition. To date, no letters in response have been received.

- C. Informational Meeting:** The Planning Division hosted a meeting with area residents and interested parties to relay information regarding the amendment and development approval process on May 2, 2017. While the applicant was present, no members of the public attended.

III. Conclusions and Recommendation

The amendment proposes to change the future land use designation on a 5-acre site from LR-2 to MR-5. The request seeks to utilize the plan amendment process as the method of increasing density, consistent with the Comprehensive Plan for sites located within the West Lake Worth Road Neighborhood Plan. Unlike previous amendments in this area, this request does not include a condition limiting the density to the 5 du/acre envisioned in the Neighborhood Plan. This could lead to future density increases through the county's density bonus programs, which would make the site inconsistent with neighboring properties, the Neighborhood Plan, and subsequently inconsistent with Policy 2.4-b.

Therefore, staff recommends **approval with conditions** to limit the density of the site to 5 units per acre; and to comply with the design guidelines of the Neighborhood Plan.

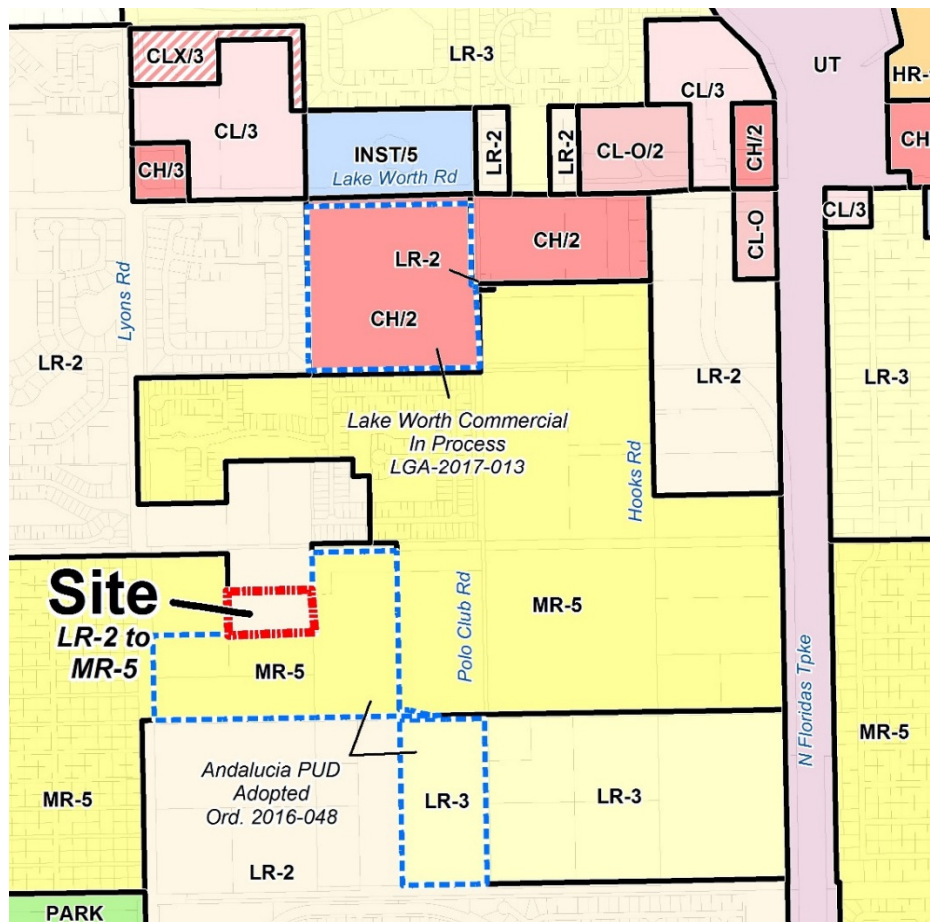
Exhibits	Page
1. Future Land Use Map & Legal Description	E-1
2. Applicant's Justification/Consistency with Comprehensive Plan and Florida Statutes	E-3
3. Applicant's Public Facility Impacts Table	E-10
4. Applicant's Traffic Study (<i>available to the LPA/BCC upon request</i>)	E-13
5. Palm Beach County Traffic Division Letter	E-14
6. Water & Wastewater Provider LOS Letter	E-15
7. School District Letter	E-16
8. Applicant's Disclosure of Ownership Interests	E-17
9. Correspondence	E-21

Exhibit 1

Amendment No:	Izzy Lizzy Residential (LGA 2017-016)
FLUA Page No:	76
Future Land Use:	From Low Residential, 2 units per acre (LR-2) to Medium Residential, 5 units per acre (MR-5)
Location:	East of Lyons Rd, 3,000 ft south of Lake Worth Rd, west of 87 th Drive South
Size:	5.00 acres
PCN:	00-42-43-27-05-028-0391

Conditions:

1. Development of the site is limited to 5 dwelling units per acre, with no residential increases permitted above 25 dwelling units.
2. Development of the site shall comply with the West Lake Worth Road Neighborhood Plan Design Guidelines dated November 19, 2009.



Legal Description

The South 330 feet of Tract 39, Block 28, 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 217,738.60 SQFT/4.999 acres, more or less.

Exhibit 2

Applicant's Justification Statement, Consistency, and Compatibility

Consistency with the Comprehensive Plan and Florida Statutes

Introduction

On behalf of the Applicant, JMorton Planning & Landscape Architecture is requesting a Comprehensive Plan Future Land Use Atlas amendment for the Izzy Lizzy Property from Low Residential, 2 units per acre (LR-2) to Medium Residential, 5 units per acre (MR-5). The Izzy Lizzy Property is located generally west of Lyons Road, south of Lake Worth Road, just west of 87th Drive South ("Property").

Palm Beach County continues to be one of the most desirable communities in the country to live, learn, work, raise a family, shop and play. It has built off of the strong foundation provided by climate, natural amenities and its location between south and central Florida to create a world-class community which attracts new residents and businesses from other regions of Florida, the United States and the four corners of the globe. Palm Beach County's success is reflected in a number of measures including its growing population and its unemployment rate which has outpaced the national recovery.

[see this link for full discussion:

<http://discover.pbcgov.org/pzb/planning/PDF/Amendments/IzzyLizzy%20App.pdf>]

The Palm Beach Post has published numerous articles about the shortage of workforce housing and the rapidly increasing median home prices. The Mayor of Belle Glade, Steven Wilson, was recently quoted as saying, "There is a housing shortage in Palm Beach County, not just in Belle Glade. We need to address it," in the article "Deal to Fix Troubled Complex Falls Through, Adding to PBC Housing Woes". Housing prices have risen 12 percent from 2015 to 2016 and are projected to continue rising albeit at a slower rate. Contrast that fact with the decreasing median family income which was \$66,000/year in 2008 and \$65,400/year in 2016. The current Workforce Housing Program allows developers to opt-out of constructing affordable units by providing a cash in lieu payment. This option has become the preferred method as the payment is often less than the cost to construct the affordable units.

The current Workforce Housing Program was developed on the foundation that additional density is required to offset the developers cost of constructing affordable and workforce units. The Applicant agrees strongly with this premise and further believes that the provision of workforce housing that provides a diversity of housing stock, density, and price points creates for a better community quality of life.

Description of Site Vicinity

The proposed Izzy Lizzy Residential Project (the "Project") is an infill opportunity. The Property has a Future Land Use designation of Low Residential, 2 units per acre (LR-2) and a West Lake Worth Road Neighborhood Plan designation of 5 dwelling units per acre. In fact, it is part of a much larger infill development opportunity presented by the Lake Worth Road Corridor Area (the "Area"). The Area is centrally located in Palm Beach County and directly connected to Lake Worth Road and the Florida Turnpike. The Area's convenient central location, size and current land use transition from polo and agriculture field to low intensity residential uses likely make it the most significant infill development opportunity within the unincorporated County. The Area and the Project will be very competitive in capturing the expected demand for new residential units.

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

Adjacent Property	Land Use Designation	Zoning Designation	Neighborhood Plan Designation	Existing Use	Control Number	Resolution Number
North	LR-2	AR	5 dwelling units/acre	Single Family Residential unit	N/A	N/A
South	MR-5	PUD	5 dwelling units/acre	Andalucia PUD – 246 MF & ZLL residential units (3.63 du/ac)	08-0129	R-2014-0733
East	MR-5	PUD	5 dwelling units/acre	Andalucia PUD – 246 MF & ZLL residential units (3.63 du/ac)	08-0129	R-2014-0733
West	MR-5	AR	5 dwelling units/acre	Equestrian	N/A	N/A

Prior to low point of the Great Recession, the Area had started to undergo significant planning changes which precede redevelopment. These proposed changes provided much of the impetus for a community-driven planning process that started in 2008 and culminated with the County Commission accepting the West Lake Worth Road Neighborhood Plan (the “Neighborhood Plan”) in 2009.

The West Lake Worth Road Neighborhood Plan calls for the subject property to have a land use of Medium Residential, 5 units per acre (MR-5). The property owner would like to provide for the development of the subject site pursuant to the Master Plan in order to more fully realize the potential of the infill opportunity and to fulfill the community’s vision. The property owner does not want the Area and especially the Project to be part of a fragmented, piecemeal development pattern which repeats the mistakes made by stereotypical suburban development. Given the Project’s proximity to the Turnpike and mass transit and its location at the heart of Palm Beach County’s urbanized area, sound planning and resource utilization principles indicate that the Project and Area should be developed at a higher density than 2 units per acre or even the 4.6 which could be permitted through workforce housing bonuses and transferable development rights. Moreover, by allowing an MR-5 land use designation the property owners should be able to overcome the dynamics associated with fragmented ownership—a potential pitfall for the Area.

In reviewing the previous land use applications, associated staff reports, the Master Plan and the Commission-led policy discussions, it would appear that the density specified by the Master Plan was not a major point of contention—it was how to achieve that density, land use amendment versus workforce housing program bonuses and transferable development rights. In fact, the Staff Report for the 10-1 Future Land Use Amendment seems to articulate this sentiment perfectly: “Staff has no issue with the proposed density increase; it is the method by which the increase is achieved that is in question”(p. 9). Since then, however, Palm Beach County has effectively settled this issue by allowing future land use amendments for increased density to 5 dwelling units per acre. Several surrounding properties have already successfully completed similar future land use changes.

Justification

Palm Beach County requires applicants to:

Provide a written justification for the amendment as required by Future Land Use Element Policy 2.1-f in Attachment G. The adopted FLU designations are presumed to be correct, and the justification statement must demonstrate that a change is warranted. The justification must demonstrate the following two factors in order to be considered adequate:

1. The proposed use is suitable and appropriate for the subject site; and
2. There is a basis for the proposed FLU change for the *particular* subject site based upon one or more of the following:
 - Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;
 - Changes in the access or characteristics of the general area and associated impacts on the subject site;
 - New information or change in circumstances which affect the subject site;
 - Inappropriateness of the adopted FLU designation; or
 - Whether the adopted FLU designation was assigned in error.

This Section serves to fulfill the above-stated requirement and to address the enumerated items in order.

The subject property's proposed change in future land use designation from Low Residential (LR-2) to Medium Density (MR-5) is warranted for the following reasons:

1. The proposed use of Medium Density is suitable and appropriate for the subject site as evidenced by:
 - a. The proposed use is of a similar nature to the existing use. The only difference, an increase in density, is justified by the ensuing arguments.
 - b. The proposed use is consistent with the Lake Worth Road Neighborhood Plan accepted by the County Commission on November 19, 2009, which calls for the subject property to be designated as MR-5.
 - c. The County Commission has approved similar request in the surrounding area, including but not limited to:
 - i. The County Commission adopted Ordinance No. 2009-029, amending the future land use designation for that similar property within the Neighborhood Plan Area from LR-2 to MR-5.
 - ii. The County Commission adopted Ordinance Numbers 2010-025 and 2010-026, which amended the future land use designations of those similar properties within the Neighborhood Plan Area from LR-2 to a more intensive residential land use designation with a maximum density of 5 units per acre.
 - iii. The County Commission adopted Ordinance No. 2015-011, amending the future land use designation for the adjacent property located within the Neighborhood Plan Area from LR-2 to MR-5.
 - iv. The County Commission adopted Ordinance No. 2016-025, amending the future land use designation for those similar properties within the Neighborhood Plan area from LR-2 to MR-5 on 9.69 acres.
 - d. Established planning and resource utilization principles indicate that this is an infill site which would benefit from increased density.
2. There is a basis for the proposed change due to the following:
 - a. Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site. Looking at the greater undeveloped area of approximately 560 acres that is located at the southeast corner of Lyons Road and Lake Worth Road, which includes the subject property, much of it has been designated with more intensive land uses, including those changes effected by Ordinance Numbers 2002-024, 2008-048, 2009-028, 2009-029, 2010-024, 2010-025, 2010-026 and 2011-029.

Generally, 2008-048, 2009-028 and 2010-026 provide for the creation of a lifestyle center at the intersection of Lake Worth Road and Polo Club Road; 2009-029 changed the designation of similar property from LR-2 to MR-5; and 2010-025 and 2010-026 changed the land use designation of the properties directly to the west of the subject property to a use that allows a maximum of 5 units per acre. The West Lake Worth Road Neighborhood Plan area currently is a patchwork of various land use designations that are not consistent with the ultimate plan for the area. The proposed land use change would allow the subject property to be developed in a consistent and compatible manner with the Neighborhood Plan as well as with the other properties surrounding the subject site.

- b. Changes in the access or characteristics of the general area and associated impacts on the subject site. The general area has undergone significant land use changes as previously discussed. It is likely that the economic environment will lead to the near-term build-out of some of the surrounding area pursuant to the approved land use categories and associated ordinances. That build out will result in much more dense and intense development than currently exists in the subject area and create market forces that encourage the development of the subject area. It is appropriate for the subject property to maintain consistency and compatibility with the surrounding properties through its own land use change.
- c. New information or change in circumstances which affect the subject site. Palm Beach County has amended Policy 2.4-b of the Comprehensive Plan to add an exception from the requirement to use TDR's to increase density for projects that propose density up to, but not exceeding, density proposed by the master plan of a neighborhood plan formally received by the BCC. As already established, this exception applies to the subject property and its neighbors and has enabled the previously discussed amendments to be approved. Additionally:
 - i. Since Palm Beach County originally adopted the current future land use designation for the subject property, the County's population has grown by more than 53% and its inventory of buildable vacant land has decreased, making it increasingly important for infill sites, like the subject site, to be efficiently developed.
 - ii. The Neighborhood Plan has been conceived by the public and accepted by the County Commission.
 - iii. Many land use changes have been approved in the surrounding area as previously discussed.
 - iv. Mass transit options and access to the Florida Turnpike have improved.
- d. Inappropriateness of the adopted FLU designation.
 - i. The current FLU designation is inconsistent with the Neighborhood Plan and the previous FLU amendments approved in the surrounding area.
- e. Whether the adopted FLU designation was assigned in error. Not applicable.

Residential Density Increases

For Residential Density Increases, Palm Beach County requires applicants to:

Per Future Land Use Element Policy 2.4-b, provide a written analysis of the following in Attachment G:

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

Due to the Project's location within the West Lake Worth Road Neighborhood Plan, the subject property qualifies for the exception under Policy 2.4-b(3)(a). This neighborhood plan has specific policies in place that recommend future land use changes rather than increasing density through the Workforce Housing Program or Transfer of Development Rights Program. The Plan specifically states, "The Plan encourages the BCC to consider FLUA amendments in lieu of these density programs."

Comprehensive Plan

This section serves to demonstrate the application's consistency with the Comprehensive Plan by outlining relevant specific Goals, Objectives and Policies.

- FLUE I.C., the County Directions related to Livable Communities; Growth Management; Infill, Redevelopment & Revitalization; Land Use Compatibility; Neighborhood Integrity; Economic Diversity & Prosperity; Housing Opportunity; and A Strong Sense of Community.
 - The proposed infill development, which is expected to be part of the implementation of a much larger master plan, would seem to contribute to the realization of these County Directions. This proposed amendment will lead to a better balance of land uses with varied densities. These various densities allow for increased housing opportunities with differing price points that ensure the distribution of housing for all Palm Beach County residents regardless of income.
- FLUE II, Goal 1 - Strategic Planning; Objective 1.1 – Managed Growth Tier System; Objective 1.2 – Urban/Suburban Tier-Urban Service Area; and Policy 1.2-b: "Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse."
 - These goals, objectives and policy all refer to smart growth development patterns. The proposed FLU amendment will increase the density allowed in a relatively under developed area of the Urban/Suburban Tier that has recently started to grow. This increased growth is exactly what the Strategic Planning goal of Palm Beach County anticipated where development is focused and intensified in the Urban/Suburban Tier within close proximity of needed services and transportation.
- FLUE II, Goal 2 – Land Planning; Objective 2.1 – Balanced Growth; 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 service while maintaining the diversity of lifestyles in the County."
 - The proposed FLU amendment from LR-2 to MR-5 is consistent with this section of the Comprehensive Plan as the proposed increase in density will accommodate the increasing population previously discussed above. The ideal location for this density increase is within the Urban/Suburban Tier where services are available and within close proximity of major transportation routes, thereby limiting impacts on neighborhood roadway networks.
- FLUE II, Goal 4 – Community Planning; Objective 4.1 – Community & Neighborhood Planning; Policy 4.1-c: "The County shall consider the objectives and recommendations of all Community Plans, Neighborhood Plans, Joint Planning Areas Agreements, Interlocal Service Boundary Agreements, and 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 of Development Review Officer approval."
 - Approval of the proposed FLU amendment would directly implement an accepted Neighborhood Plan goal for density for a property within the vicinity of Lake Worth Road and Lyons Road. The area of the Project's location is identified as MR-5 in the West Lake Worth Road Neighborhood Plan.
- FLUE III, B. Characteristics of a Livable Community.

- This proposed FLU amendment will contribute to the County's definition of a livable community.
- HE II, Objective 1.1 – Provision of Affordable Housing.
 - We are requesting that staff recommend approval of this FLU amendment and refrain from placing conditions of approval on the request, allowing this increase in density allows for the development of more residential units giving a developer the ability to off-set the costs of selling units at prices that are attainable by Palm Beach County's working nurses, teachers, police, and fire fighters. This is an important Objective of Palm Beach County and the Applicant requests that staff allow flexibility for the Property to utilize density bonus program that would allow for more Workforce Housing units to be developed on site. The provision of workforce housing is very important to Palm Beach County Commissioners, businesses and residents as noted by several Palm Beach Post articles, Workforce Housing workshops, and ULDC provisions. Workforce Housing ensures long-term viability and sustainability of the local economy. The Applicant should not be precluded from providing such needed housing stock in this area of Palm Beach County.

In addition to demonstrating the application's consistency with specific Goals, Objective and Policies of the Comprehensive Plan, it is critical to note that the application would directly implement the accepted land use designation as identified in the accepted Neighborhood Plan which is also specifically identified in the Comprehensive Plan. The proposed FLU amendment to MR-5 is consistent with the West Lake Road Neighborhood Plan. The Applicant believes that this neighborhood plan is slightly outdated and not in tuned with the recent Board of County Commission direction related to the development of workforce housing. The Plans states, "The TDR and WFH Programs may be ideally suited for increasing density in smaller sites throughout Palm Beach County's Urban Service Area/Urban-Suburban Tier. However, the Study Area represents the largest cluster of vacant and developable unincorporated residential land inside the County's Urban Service Area/Urban-Suburban Tier, and the Group expressed concern that the maximum utilization of these programs to increase density would result in nearly 20% of all of the ultimate dwelling units in the Study Area being WFH units..." The proposed FLU amendment to MR-5 without the condition limiting density will ultimately allow for the development of additional density to offset the cost of providing an increased number of Workforce Housing units should the Board of County Commissioners decide that the need for workforce housing units is needed in this area of the Urban/Suburban Tier without the Applicant having to go back to amend the condition of the Future Land Use designation. It is in the County's best interest to expedite the provision of workforce housing should the Board of County Commissioners decide that this is a priority in this area of the County.

Florida Statutes

This section serves to demonstrate the application's consistency with Chapter 163.3177, Florida Statutes, which requires future land use amendments to meet a number of specifications, including those described below.

- *Being based upon relevant data and an analysis.* Specific data and analysis was provided in the preceding sections. Additionally, it is important to consider that visioning, public policy discussions and community oriented planning processes can also provide relevant data and analysis in support of a comprehensive plan amendment. As a result, it is critical to recall that the subject application provides for the implementation of a community driven Neighborhood Plan and is consistent with Commission-led public policy discussions on the surrounding area and land uses.
- *The availability of infrastructure.* The application clearly exhibits the availability of infrastructure for the proposed project.
- *The discouragement of urban sprawl.* The proposed project is the antithesis of urban sprawl as it serves to provide for the infill development of an underutilized enclave located in the heart of urbanized Palm Beach County. The proposed project will help to provide for: the walkable

residential density to support the approved lifestyle center at the intersection of Lake Worth Road and Polo Club Road; and the more efficient utilization of existing public infrastructure, land and natural resources. Moreover, the subject property and surrounding area is located within the Urban/Suburban Tier and connected to the rest of urbanized Palm Beach County by mass transit, the Florida Turnpike and the local street grid. Both the FLU amendment to MR-5 and the elimination of the condition limiting density allows the Property the potential for meeting both market rate and Workforces Housing demands within the Urban/Suburban Tier. This lessens pressure on the Rural and Agricultural Reserve Tiers to meet the future housing demands of Palm Beach County.

- *The need for economic development.* In addition to providing shorter term construction jobs, the subject project will provide density which makes the aforementioned lifestyle center more viable, contributing to the potential for new permanent professional and retail jobs. Lastly, the proposed project would contribute to an increased tax base.

Data and analysis demonstrating that the proposed development can be supplied by necessary services without violating adopted LOS standards are presented in Attachment H (Traffic Letter and Study), J (Drainage Statement), K (Fire Rescue Letter), and I (Water and Wastewater Provider Letter). Data and analysis discussing environmental and historical resources impacts are presented in Attachments J (Drainage Statement), M (Wellfield Zone), L (Natural Features Inventory and Map) and N (Historic Resource Evaluation Letter). No negative environmental impacts are identified. Justification for the proposed amendment is based upon providing additional housing opportunities for both market rate and workforce housing to current and future residents of the western Lake Worth Road Corridor at a location supported by directives in the Comprehensive Plan as well as by the West Lake Worth Road Neighborhood Plan.

Compatibility

The definition of “compatibility” under the repealed Rule 9J-5, FAC, is “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition”. With this definition in mind, the requested change would make the subject property more compatible with the surrounding properties which have undergone land use amendments and density increases. Please compare the proposed future land use designation to the future land use designations of surrounding properties and to the designations and densities specified by the accepted Neighborhood Plan. Additionally, the proposed use would not produce any incompatibility in the short-term due to the residential uses which already exist in the neighborhood and the ample opportunities for landscape buffering.

Exhibit 3
Applicant's Public Facility Impacts Table

VIII. Public Facilities Information

A. Traffic Information			
	Current FLU	Maximum	Conditioned or Concurrent
Max Trip Generation	100 trips	250 trips	
Trip Increase Max.	150 trips		
Significantly impacted roadway segments that fail Long Range	N/A	N/A	
Significantly impacted roadway segments for Test 2	N/A	N/A	
Traffic Consultant	Pinder Troutman Consulting, Inc.		
B. Mass Transit Information			
Nearest Palm Tran Route (s)	Route 62 – Via Lake Worth Road – Wellington to Lake Worth		
Nearest Palm Tran Stop	Cedar Creek Ranch – Stop #5933 (0.7 mile)		
Nearest Tri Rail Connection	Lake Worth Station – 1703 Lake Worth Road, Lake Worth, FL 33460 (7.5 miles)		
C. Portable Water & Wastewater Information			
Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department (PBCWUD) Water LOS – 126 GPD Potable Water Wastewater LOS – 85 GPD Wastewater See Application Attachment I.		
Nearest Water & Wastewater Facility, type/size	The nearest water and wastewater facilities are located within the Polo Road right-of-way, approximately 2,000 feet east of the Property. Per the attached letter from PBCWUD, these facilities are adequate to meet the service needs of the proposed land use change.		

D. Drainage Information

The Property is situated in the SFWMD C-16 Basin. The drainage system for the proposed project will consist of retention areas, inlets, and culverts, and will have legal positive outfall to the LWDD L-13 Canal. Drainage Statement as Application Attachment J.

E. Fire Rescue

Nearest Station	Station 32 – 4599 87 th Drive South, Lake Worth
Distance to Site	Approximately 2.75 miles.
Response Time	8 minutes
Effect on Resp. Time	The proposed amendment will have minimal impact on the response time. See letter from PBC Fire Rescue as Application Attachment K.

F. Environmental

Significant habitats or species	No significant habitats or species found onsite. See Application Attachment L.
Flood Zone*	The Property is located in Zone B, which is not a flood zone.
Wellfield Zone*	The Property is not located within a Wellfield Protect Zone. See Wellfield Map as Application Attachment M.

G. Historic Resources

There are no significant historic resources on the Property or within 500 feet of the Property. See Application Attachment N.

H. Parks and Recreation

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Okeeheelee Park 7715 Forest Hill Boulevard	0.00339	+24 people	+ 0.08
Beach	R.G. Kreusler Park 2882 S. Ocean Boulevard	0.00035	+24 people	+0.008
District	Santaluces Athletic & Aquatic Complex 6750/6880 Lawrence Road	0.00138	+24 people	+0.033

I. Libraries			
Library Name	Greenacres Branch		
Address	3750 Jog Road		
City, State, Zip	Greenacres, FL 33467		
Distance	4 miles		
Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person	+24 people	+48
Periodicals	5 subscriptions per 1,000 persons	+24 people	+0.12
Info Technology	\$1.00 per person	+24 people	+\$24.00
Professional staff	1 FTE per 7,500 persons	+24 people	+0.003
All other staff	3.35 FTE per professional librarian	+24 people	+0.011
Library facilities	0.34 sf per person	+24 people	+8.16
J. Public Schools			
Comment Letter as Application Attachment O.			
	Elementary	Middle	High
Name	Discovery Key Elementary	Woodlands Middle	Park Vista Community High
Address	3550 Lyons Road	5200 Lyons Road	7900 Jog Road
City, State, Zip	Lake Worth, FL 33467	Lake Worth, FL 33467	Lake Worth, FL 33467
Distance	2.5 miles	2 miles	6.5 miles

Exhibit 4 Traffic Study

Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:

<http://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

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**

Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor

Hal R. Valeche
Dave Kerner
Steven L. Abrams
Mary Lou Berger
Mack Bernard

County Administrator

Verdenia C. Baker

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Affirmative Action Employer"



printed on recycled paper

January 12, 2017

Andrea M. Troutman, P.E.
Pinder Troutman Consulting, Inc.
2005 Vista Parkway, Suite 111
West Palm Beach, FL 33411

**RE: Policy 3.5-d Review - Round 2017-D
Izzy Lizzie Acres LLC**

Dear Andrea:

Palm Beach County Traffic Division has reviewed the transportation analysis for the proposed Future Land Use Amendment for the above referenced project, dated September 26, 2016, 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:	E of Lyons Road, South of Lake Worth Road, just west of 87 th Drive S.
PCN #:	00-42-43-27-05-028-0391
Size:	5 acres
Existing FLU:	Low Residential (LR-2)
Existing Zoning:	Agricultural Residential (AR)
Existing Use:	Agricultural
Existing Max Potential:	10 Single Family Dwelling Units
Proposed FLU:	Medium Residential (MR-5)
Prop. Zoning:	Planned Unit Development (PUD)
Proposed Use:	Residential
Prop. Max Potential:	25 Single Family Dwelling Units
Net Daily Trips (max):	150
Net PH Trips (max):	19 (5/14) AM, 30 (19/11) PM

Based on the review, the Traffic Division has determined that the proposed amendment meets Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan at the maximum potential shown above.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Quazi Bari".

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

QB:DS:ac

ec: Dominique Simeus, E.I. – Project Coordinator II, Traffic Division
Lisa Amara – Senior Planner, Planning Division
Steve Bohovsky – Technical Assistant III, Traffic Division

File: General - TPS - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\17-D\Izzy Lizzie Acres LLC .docx

Exhibit 6

Water & Wastewater Provider LOS Letter



December 13, 2016

**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**

Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor

Hal R. Valeche
Dave Kerner
Steven L. Abrams
Mary Lou Berger
Mack Bernard

County Administrator
Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employee"*

Dr. Emily Rubin
4600 Lyons Road
Lake Worth, FL 33467

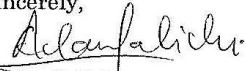
RE: 5 Acre property at 4599 87 Drive South, Lake Worth FL 33467
PCN 00-42-43-27-05-028-0391
Level of Service Letter
Your request from 12-12-2016

Dear Ms. Rubin,

This is to confirm that Palm Beach County Water Utilities Department (PBCWUD) is the potable water and wastewater service provider for the referenced property. PBCWUD can provide the currently required level of utility services, based on LR-2 designation. Furthermore, PBCWUD can provide the required level of utility services based on the proposed higher density/intensity of land use MR-5 designation. The nearest accessible potable water and wastewater pipes are located in Polo Road, approximately 2000 feet east of the property. There are utility lines located in Lyons Road, approximately 650 feet west of the property. Utility easements would be required in order to serve the property from Lyons Road.

If you have any questions, please call me at (561)493-6122.

Sincerely,


Adam Galicki
Manager of Technical Services

AG/mb

Exhibit 7 School District Letter



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

PLANNING AND INTERGOVERNMENTAL RELATIONS
3300 FOREST HILL BOULEVARD, SUITE B-102
WEST PALM BEACH, FL 33406

PHONE: 561-434-8020 / FAX: 561-434-8815
WWW.PALMBEACHSCHOOLS.ORG/PLANNING

KRISTIN K. GARRISON, AICP
DIRECTOR

DONALD E. FENNOY II, Ed.D.
CHIEF OPERATING OFFICER

STEPHEN BACKHUS
ACTING CHIEF OF FACILITIES MANAGEMENT

SCHOOL CAPACITY AVAILABILITY DETERMINATION

Application	Submittal Date	12/13/2016		
	SCAD #	16121301D		
	FLU /Rezoning/D.O. #	D.O. #: TBD		
	Property Address / PCN#	4599 87th Dr. S / 00-42-43-27-05-028-0391		
	Development Name	Izzy-Lizzie Residential		
	Owner / Agent Name	Izzy-Lizzie Acres LLC / JMorton Planning & LA		
	Planning Area / SAC No.	12 / 216A		
	Proposed Unit Number & Type	25 Single-Family Units		
Impact Review		Elementary School	Middle School	High School
	# of New Students Generated	4	2	2
	Capacity Available	387	317	71
	Utilization Percentage	67%	78%	98%
Staff's Recommendation	<input checked="" type="checkbox"/> Approval	This approval is valid from 12/15/2016 to 12/14/2017 or the expiration date of the site-specific development order approved during the validation period. A copy of the approved D.O. needs to be submitted to the School District Planning Department prior to 12/14/2017 or this determination will expire automatically.		
	<input type="checkbox"/> Approval with Conditions			
	<input type="checkbox"/> Denial			
	<input checked="" type="checkbox"/> Comment	School age children may not be assigned to the public school closest to their residences.		

School District Representative Signature

December 15, 2016

Date

Joyce C. Cai, Senior Planner

joyce.cai@palmbeachschools.org

Print Name & Title of School District Representative

Email Address

cc: Donna Adelsperger, Site Planner I, Palm Beach County Zoning Division
Angela D. Usher, AICP, Manager, School District of Palm Beach County

The School District of Palm Beach County, Florida
A Top-Rated District by the Florida Department of Education Since 2005
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Exhibit 8

Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION

FORM # 09

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
Sheldon W. Rubin, 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 ☒ Managing Member _____ [position - e.g.,
president, partner, trustee] of Izzy-Lizzie Acres, LLC [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: 9210 Equus Circle
Boynton Beach, FL 33472
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.



Sheldon W. Rubin, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 24 day of JAN., 2017, by Sheldon Rubin, [☒ who is personally known to me or [☐] who has produced _____ as identification and who did take an oath.




Notary Public



(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: April 30, 2020

EXHIBIT "A"

PROPERTY

The South 330 feet of Tract 39, Block 28, 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.

EXHIBIT "B"**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. 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.

Name**Address**Sheldon W. Rubin9210 Equus Circle Boynton Beach, FL 33472

Exhibit 9

Correspondence
