COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 19-A

BCC ADOPTION PUBLIC HEARING, JANUARY 28, 2018

A. Application Summary

I. General

Project Name:	**Els Center for Excellence (LGA 2018-026)**
Request:	**MR-5 to INST/5**
Acres:	26.85 acres
Location:	East of Limestone Creek Road, approx. 0.85 mile north of W. Indiantown Road
Project Manager:	Inna Stafeychuk, Planner I
Applicant/Owner:	ELS for Autism Foundation, Inc
Agent:	Cotleur & Hearing
Staff Recommendation:	Staff recommends ***approval*** based upon the findings and conclusions contained within this report.

II. Assessment & Conclusion

This amendment proposes to change the future land use designation on a 26.85 acre site from Medium Residential, 5 units per acre (MR-5) to Institutional and Public Facilities, with underlying 5 units per acre (INST/5). The Els Center is an existing charter school serving up to 300 children within the autism spectrum. The intent of the amendment is to allow a new zoning designation that will enable the existing institutional facility to add uses to broaden the scope of services to children and young adults within the autism spectrum. The applicant intends to allow supporting uses including vocational training classrooms and facilities, congregate living facility beds, and diagnostic and treatment services. However, these uses are not allowed under the current residential zoning designation.

As demonstrated in this report, the amendment is compatible with surrounding land uses, meets all relevant level of service standards, and meets all Comprehensive Plan Policy requirements.

III. Hearing History

Local Planning Agency: ***Approval with conditions***, motion by Dr. Lori Vinikoor, seconded by Angella Vann, passed in an 8-0 vote at the June 8th public hearing. One board member questioned traffic impacts along Limestone Creek Road. There was no public comment.

Board of County Commissioners Transmittal Public Hearing: ***Transmit*****,** motion by Comm. Abrams, seconded by Comm. Valeche, passed in a 7 to 0 vote at the July 23rd public hearing. There was minimal Board discussion and public comment.

State Review Comments: The State Land Planning Agency issued a letter dated August 31, 2018 in round 18-03 ESR stating the Agency *"identified no comment related to important state resources and facilities within the Department's authorized scope of review that would be adversely impacted by the amendment if adopted."* There were no other state agency comments received regarding this amendment.

Changed Subsequent to Transmittal: Following transmittal, a condition of approval was added to limit the trips on the site for consistency with long range traffic analysis in Policy 3.5-d.

Board of County Commissioners Adoption Public Hearing: *January 28, 2019*

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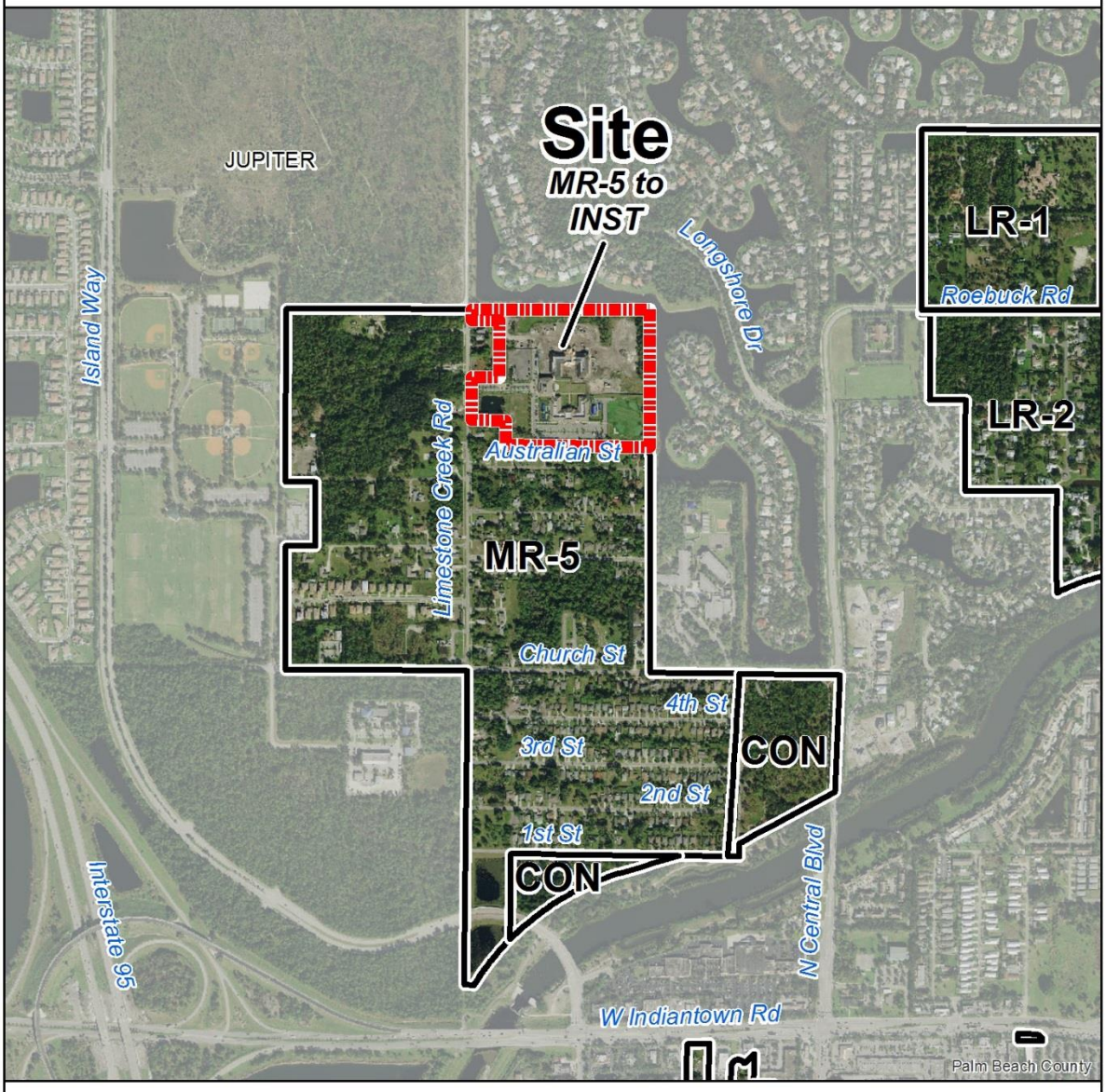
Future Land Use Atlas Amendment

Els Center for Excellence (LGA 2018-026)



Site Data

Size:	26.85 acres
Existing Use:	Charter School
Proposed Use:	Charter School & Congregate Living Facility
Current FLU:	Medium Residential, 5 units per acre (MR-5)
Proposed FLU:	Institutional & Public Facilities (INST)

Future Land Use Designations

LR-1	Low Residential, 1 unit per acre
LR-2	Low Residential, 2 units per acre
MR-5	Medium Residential, 5 units per acre
CON	Conservation

Date: 02/05/2018
Contact: Planning
Filename: Planning\AMEND\18-D\Site\18-26
Note: Map is not official, for presentation purposes only.

SITE

0 200 400 800 Feet

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

B. Petition Summary

I. General

Project Name:	**Els Center for Excellence (LGA 2018-026)**
Request:	**MR-5 to INST/5**
Acres:	26.85 acres
Location:	East of Limestone Creek Road, approx. 0.85 mile north of W. Indiantown Road
Project Manager:	Inna Stafeychuk, Planner I
Owner:	ELS for Autism Foundation, Inc
Applicant:	ELS for Autism Foundation, Inc
Agent:	Cotleur & Hearing

II. Site Data

	Current Future Land Use
Current FLU:	Medium Residential, 5 units per acre (MR-5)
Existing Land Use:	School
Current Zoning:	Single Family Residential (RS)
Current Dev. Potential Max:	Residential uses, up to 134 dwelling units
	Proposed Future Land Use Change
Proposed FLU:	Institution and Public Facilities, with underlying 5 units per acre (INST/5)
Proposed Use:	Charter School, Assembly Institutional non-profit and Type III Congregate Living Facility (CLF)
Proposed Zoning:	Institutional and Public Facilities (IPF)
Dev. Potential Max/Conditioned:	Institutional uses, School, Assembly Institutional non-profit and Type III CLF
	General Area Information for Site
Tier/Tier Change:	Urban/Suburban Tier – No Change
Utility Service:	Town of Jupiter and Loxahatchee River Env. Control District
Overlay/Study:	Revitalization, Redevelopment, and Infill Overlay, Limestone Creek CCRT Area, Jonathan Dickinson State Park Greenline Overlay
Comm. District:	Commissioner Hal R. Valeche, District 1

C. Introduction

I. Intent of the Amendment

The amendment proposes to change the future land use designation on a 26.85 acre site from Medium Residential, 5 unit per acre (MR-5) to Institutional and Public Facilities, with underlying 5 units per acre (INST/5). The Els Center is an existing charter school serving up to 300 children within the autism spectrum. The intent of the amendment is to allow additional uses to broaden the scope of services to children and young adults within the autism spectrum. Specifically, the amendment will allow additional uses as follows:

- Vocational courses and mock workplace training classrooms allow those graduating students the ability to extend their education and be better prepared to enter the workforce and become independent adults.
- Congregate living facility beds to allow participation this unique vocational training environment while staying on site for up to a few weeks in a dorm-like setting.
- Health services including early diagnosis, psychological evaluations and treatment plans for all age groups.

The associated zoning application number Z/CA-2018-774, Els Center for Excellence, Control Number 1975-168, proposes to rezone the site from Residential Single Family (RS) to Institutional and Public Facilities (IPF) in order to allow an Elementary or Secondary Charter School, Assembly Institutional non-profit, Type III Congregate Living Facility. The latest site plan identifies 141,032 sf charter school for 300 students, assembly institutional non-profit, and 15 beds Type III CLF.

II. Background and Overview

The 26.85 acre subject site is located on east side of Limestone Creek Road approximately 0.85 miles north of Indiantown Road. The site has not been the subject of a prior land use amendment. The site received zoning approvals in 2012 and 2015 for the charter school.

Overview of the Area

The site is located within the boundaries of Countywide Community Revitalization Team (CCRT) area #1 Limestone Creek and Jonathan Dickinson State Park Greenline Overlay. It is surrounded by single family homes in unincorporated area and those within the Town of Jupiter municipal boundaries on three sides and mostly vacant undeveloped land to the west across Limestone Creek Road.

The Limestone Creek neighborhood is predominantly residential single family community, however as part of the Redevelopment and Revitalization Overlay other uses exist in the area such as two churches, a community park, the Limestone Creek Natural Area, and two childcare facilities.

D. Consistency and Compatibility

I. Data and Analysis

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, 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;
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 includes a Justification Statement (Exhibit 2) which states that the amendment request is justified as the proposed designation is appropriate and suitable for this property due to the proposed addition of the uses that are not allowed in the residential zoning district. Main points of the applicant's justification are as follows:

- The existing use on the site is an institutional use and the proposed future land use and zoning will allow the expansion of services to include vocational training, health services and a dorm like congregate living facility;
- The proposed amendment will provide much needed services for the community;
- There is no residential density increase being proposed;

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 on the site is up to 134 residential units or up to .45 floor area ratio of institutional uses such as the existing charter school under the MR-5 designation. The proposed amendment to Institutional and Public Facilities (INST/5) designation is up to .45 floor area ratio of institutional uses. The amendment is proposed in order to allow vocational training and medical services that are not allowed within the Residential Single Family zoning district.

With regards to the justification, the amendment proposes to expand an existing school to provide additional services to children within the autism spectrum. The primary use site will remain as the charter school which is allowed under the current MR-5 designation. The proposed amendment will simply allow additional services within the site that are auxiliary to the primary use, and the addition of these uses is suitable and appropriate considering the unique needs of the use and characteristics of the existing site.

During the creation of the 1989 Comprehensive Plan, only existing institutional uses were assigned with an Institutional and Public Facilities (INST) future land use designation. The supporting documentation indicated that requests for this designation would be considered on a case-by-case basis. As this is the existing institutional facility seeking to expand services, the proposed INST designation is justified, suitable and appropriate for the subject site and there is a basis for the proposed FLU change. Therefore, the requirement of adequate justification has been met.

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 assign the Institutional and Public Facilities designation to the site that has been developed with a school. The proposed amendment would not detract from any of the County directions as follows: this proposed amendment furthers **Direction 1, Livable Communities**, by fostering educational opportunities and providing additional health facilities for existing and future residents of the Urban/Suburban Tier. A Livable Community, as stated in the Future Land Use Element of the Comprehensive Plan under **1.D. Characteristics of a Livable Community**, comprises certain characteristics that either the existing surrounding community exhibits or the proposed FLU on the subject site will enhance, create, or maintain. Characteristics

as stated under this section, which pertain to the subject site, include the health facilities, as this site will provide health services including detection, treatment and therapy for anyone with autism. In addition, the proposed amendment is consistent with **Direction 2** Growth Management, as it is an existing school that provides educational services to urban and suburban population. Although, the proposed uses may draw students from other counties in Florida and out of state, the school is primarily serving residents of the Palm Bach County. This proposed amendment is also consistent with **Direction 4** Land Use Compatibility as discussed in the Compatibility section of this report. Therefore, the proposed amendment is consistent with County Directions.

3. Piecemeal Development – FLUE Policy 2.1-h: *The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under 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 Els for Autism Foundation, Inc. owns two small parcels immediately to the south totaling 0.4 Acres. Per Applicant's Justification Statement, the one immediate to the south is an access easement for the property not owned by the applicant. The other property to the south was purchased in anticipation that it could be included into the overall site, but the access easement prevents that. Therefore, these properties are not part of the application and will not need to be amended from their current land use designation. The Introduction and Administration Element of the Comprehensive Plan defines piecemeal as *"a situation where small portions of a larger, undeveloped property is developed in a sequential manner, such that land use decisions are being made for individual sub-areas of the original parent tract independent from the whole".* 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….."* The property is located in the Urban/Suburban Tier. The Comprehensive Plan contains several policies addressing future land uses in the Urban/Suburban Tier.

1. 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 subject site has already been developed with an institutional use and is providing educational services to children with autism. The proposed amendment would

not alter the character of this suburban community as the primary use of the site will remain as the currently approved and operating charter school.

B. 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.

Surrounding Land Uses: Land uses in the vicinity include the following:

North: Immediately abutting to the north is the residential neighborhood known as the Shores of Jupiter, a single-family development within the municipal boundaries of the Town of Jupiter. The development has Residential Low Density future land use designation up to two units per acre.

South: To the south are vacant and developed with single family homes parcels within the boundaries of Limestone Creek Countywide Community Revitalization Team (CCRT) area. This residential neighborhood has a future land use designation of MR-5.

East: To the east is the residential neighborhood known as the Shores of Jupiter, a single family development within the municipal boundaries of the Town of Jupiter. The development has Residential Low Density future land use designation up to two units per acre.

West: To the west are multiple predominantly vacant parcels with few single family homes across Limestone Creek Road. The vacant and developed parcels are within the boundaries of Limestone Creek CCRT area. This residential neighborhood has a future land use designation 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 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 proposed amendment is only needed to address the ULDC limitations on the proposed accessory uses. The Els Center for Excellence is an existing charter school. Proposed structures for the additional uses will be located on the west side of the site and the proposed buffers exceed the ULDC requirements.

Staff Analysis: The subject site has been developed with the existing charter school that was originally approved by the Board of County Commissioners in 2012. As this is an existing institutional facility seeking only to expand services, the proposed designation is consistent and compatible with the surrounding uses.

C. 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 Revitalization, Redevelopment, and Infill Overlay, within the boundaries of the Limestone Creek Countywide Community Revitalization Team (CCRT) area. At the time of the original approval it was determined it was consistent and further goals of the RRIO Overlay. Additionally, the applicant and OCR staff will be meeting with the Outreach members during the zoning approval process to review the new request.

The subject site is also located within the boundaries of Jonathan Dickinson State Park Greenline Overlay. As the Applicant stated in the Justification Statement, the proposed uses are consistent with the criteria identified in Objective 5.4 of the Comprehensive Plan. As the amendment site is well outside of the 660 ft Greenline buffer established in the overlay the policies 5.4-b and 5.4-c are not applicable.

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……"*

Staff Analysis: The subject site is not located within the boundaries of any neighborhood plans and studies.

D. Public Facilities and Services Impacts

The proposed amendment will change the FLU designation from MR-5 to INST/5. For the purposes of the public facilities impact analysis, the maximum intensity is based on voluntary restriction of 141,032 square feet. 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. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Mass Transit (Palm Tran), Potable Water & Wastewater (Town of Jupiter, Loxahatchee River District), Environmental (Environmental Resource Management), Historic Resources (PBC Archaeologist), Parks and Recreation, Office of Community Revitalization (OCR), School Board, Health (PBC Dept. of Health), Fire Rescue.

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 as a proposed increase from an existing potential of 134 dwelling units to the proposed development plan. In a letter dated January 14, 2019 (see Exhibit 5), the Palm Beach County Traffic Division stated that the amendment meets the Policy 3.5-d at the voluntary restricted Net Daily and Peak Hour Trips of 1,757 and 311 respectively.

The Traffic Study (see Exhibit 4) was prepared by Kimley-Horn and Associates, Inc. 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.org/pzb/planning/Pages/Active-Amendments.aspx

3. Palm Beach County Sheriff's Office (PBSO) comments: The PBSO indicated safety concerns expressed by residents with the two lane road accommodating the School in its current configuration of a 300 member student body.

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 May 21, 2018. At the time of the printing of the Planning Commission 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 May 18, 2018. In addition, on May 18, 201 several interested parties were notified by mail including the Town of Jupiter, the Shores of Jupiter HOA and Stonewood Reserve of PBC HOA. Additionally, the Limestone Creek Community Advocates, Inc. were notified via email. At the time of the printing of the report, no public comments had been received. Letters received are added to Exhibit 8 during the course of the amendment process.

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 29, 2018. There was no public members in attendance.

III. Conclusions and Recommendation

This amendment proposes to change the future land use designation on a 26.85 acre site from Medium Residential, 5 units per acre (MR-5) to Institutional and Public Facilities, with underlying 5 units per acre (INST/5). The Els Center is an existing charter school serving up to 300 children within the autism spectrum. The intent of the amendment is to allow a new zoning designation that will enable the existing institutional facility to add uses to broaden the scope of services to children and young adults within the autism spectrum. The applicant intends to allow supporting uses including vocational training classrooms and facilities, congregate living facility beds, and diagnostic and treatment services. However, these uses are not allowed under the current residential zoning designation.

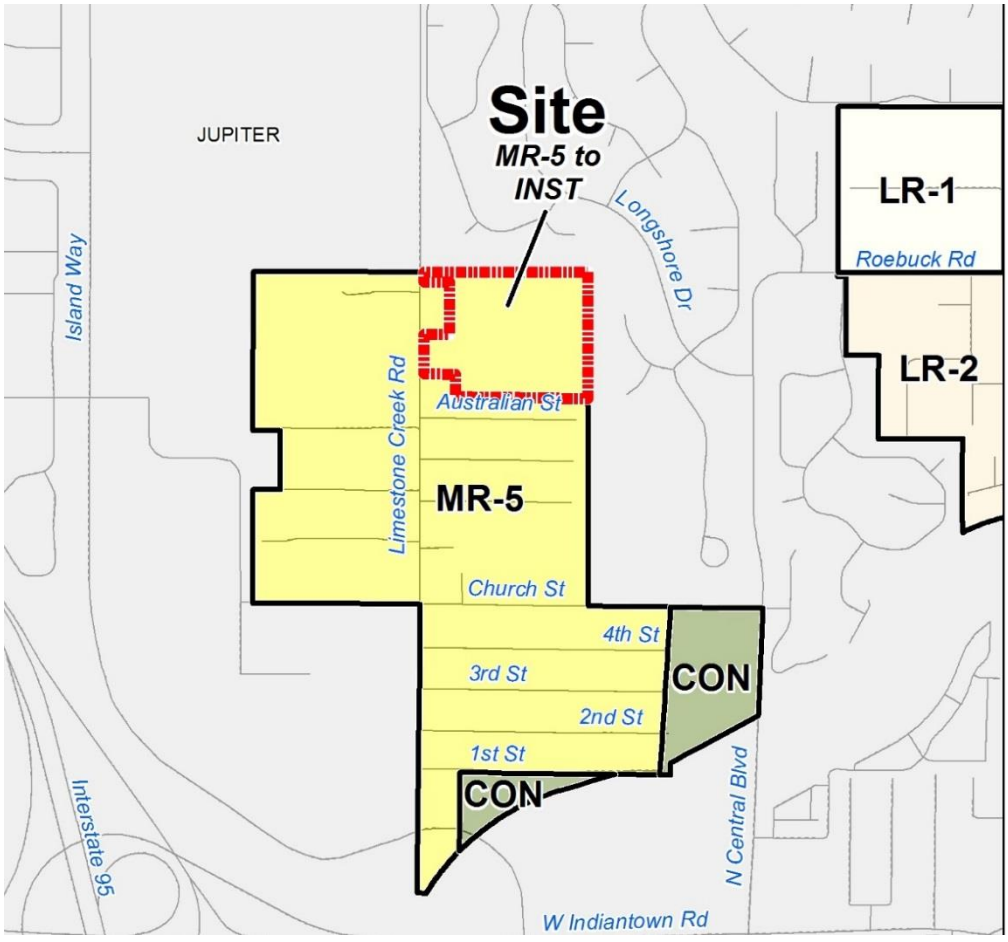
As demonstrated in this report, the amendment is compatible with surrounding land uses, meets all relevant level of service standards, and meets all Comprehensive Plan Policy requirements.

As such, staff recommends **approval** of the applicant's request.

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 *(available to the LPA/BCC upon request)*	E-12
5.	Palm Beach County Traffic Division Letter	E-13
6.	Water & Wastewater Provider LOS Letter	E-15
7.	Applicant's Disclosure of Ownership Interests	E-17
8.	Correspondence	E-21

Exhibit 1

Amendment No:	**El's Center for Excellence (LGA 2018-026)**
FLUA Page No:	8
Amendment:	From Medium Residential, 5 units per acre (MR-5) to Institutional and Public Facilities with underlying 5 units per acre (INST/5)
Location:	East of Limestone Creek Road, approx. 0.85 mile north of W. Indiantown Road
Size:	26.85 acres approximately
Property No:	00-42-40-34-16-001-0000; 00-42-40-34-02-000-0210 00-42-40-34-02-000-0220; 00-42-40-34-02-000-0230 (combined as 00-42-40-34-17-001-0000)
Conditions: Development of the site is limited to a total maximum net daily trips of 1,757 and a maximum peak hour trips of 311.	



Legal Description

TRACT "A" OF ELS CENTER OF EXCELLENCE PLAT II, AS RECORDED IN PLAT BOOK 124, PAGE 170-171 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 1,169,631 SQUARE FEET OR 26.851 ACRES, MORE OR LESS.

Exhibit 2

Applicant's Justification and Consistency with Comprehensive Plan and Florida Statutes

The Els Center of Excellence is an existing charter school for children on the autism spectrum, located at 18370 Limestone Creek Rd. in unincorporated Palm Beach County. Within the medium density residential (MR-5) land use designation, the school was approved through the Board of County commissioners as a Class A Conditional Use in 2016 via R-2016-0676. Though the Center has thrived in its efforts to educate students on the autism spectrum, there are limitations that exist at the Center that constrain its ability to become world class institution. The proposed future land use amendment would be a proper extension of the Center and the community, as there would be additional uses not currently found in the region.

The existing charter schools currently educate students by day in a typical classroom environment. Once students reach the age of 22 they are no longer able to attend the upper school and have no other educational opportunities to help further their development and readiness for adulthood. The addition of adult services to the school, which includes vocational training courses and mock workplace training classrooms allow those graduating students the ability to extend their education and be better prepared to enter the workforce and become independent adults. This will be approved as an accessory use to Assembly Institutional nonprofit in the rezoning and conditional use application through the zoning department. In addition, a family with a child not attending the school, can visit from another state or even another country, and participate in this unique vocational training environment while staying on site for up to a few weeks in a dorm-like congregate living facility (CLF). The CLF will be a Type 3 with 15 beds, located on the second floor of the same vocational training building.

To better aid the efforts of becoming a complete facility in terms of comprehensive education, training and the diagnosis of children on the autism spectrum, on-site medical services will be required as part of the Assembly Institutional Non-profit use. Accessory services including early diagnosis, psychological evaluations and medical treatment plans for all age groups is an important ingredient in providing a full service Center of Excellence. The practitioners working within the medical services building will be trained and certified in the identification and treatments for those diagnosed with autism to better serve the community and the students attending the schools at the Els Center of Excellence. The medical services will be housed in a separate building than the other two uses and approved as an accessory use to the Assembly Institutional Non-profit use. Both uses will be allowed under the institutional land use designation.

The addition of these services through the approval of the future land use amendment of the comprehensive plan will ensure the creation of a world-class institution within Palm Beach County. The Els Center of Excellence successfully educates a portion of the community not adequately prepared for the typical school environment or the workplace in traditional educational environments. The additional services will be instrumental in providing early diagnosis and interventions and the best possible education through adulthood for these children. Because some uses are not allowed under the current MR-5 land use, all uses will be allowed under the Institutional land use designation, and this is why the Future Land Use Amendment is needed.

As described in the application, there are two properties contiguous to the site under the same ownership. The one immediate to the south is an access easement for the property to the East, not owned by the applicant. The other property to the south was purchased in anticipation that it could be included into the overall site, but the access easement prevents that. These

properties are not part of the application and will not need to be amended from their current land use designation.

Per the FLUA application requirements:

1. The proposed amendment to the Future Land use is appropriate and warranted because it meets all requirements of Policy 2.1-f in the Palm Beach County Comprehensive Plan.
    1. **The natural environment, including topography, soils, and other natural resources**
    The site is currently developed as approved through the Board of County Commissioners in 2016 via R-2016-0676. The Els Center of Excellence School has been constructed according to the approved site plan which included areas for dry and wet retention of storm water runoff as well as a 2.08 acre preserve area along the North and East property lines.
    2. **The availability of facilities and services**
    As displayed in the Traffic Study (Attachment H) and the Potable Water & Wastewater Level of Service letter (Attachment I), there are adequate public facilities and services to serve this property. Additionally, Attachment K states that Fire Rescue services are also within a mile radius of the subject site and have the capacity to add the future land use designation.
    3. **The adjacent and surrounding development**
    All adjacent development to the subject site is residential, single-family homes. Institutional future land uses are compatible with residential areas, as they serve the needs of those populations surrounding them.
    4. **The future land use balance**
    Institutional and public facility uses are allowed in all current FLU designations, but they are not allowed in the current zoning district. Because the site already has an existing school, and other proposed uses are institutional in nature, the future land use amendment to Institutional creates consistency.
    5. **The prevention of urban sprawl as defined by 163.3164(51), F.S.**
    The proposed change will create a better mix of uses within a currently developed area. The use change would be considered Urban infill rather than urban sprawl per definition 163.3164 (48).
    6. **Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners**
    The subject site is part of the Limestone Creek neighborhood, part of the Revitalization and Redevelopment Overlay. There is no special studies or community plans associated with the neighborhood as of 2017.
    7. **Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1**
    Though the subject site is immediately adjacent on two sides to the Town of Jupiter, there is no adverse effect or limitation on the goals and objectives of Jupiter's Comprehensive Plan. Though the site does not directly drain storm water into the Town's jurisdiction, the Loxahatchee River Environmental Control District maintains sewage treatment capacity along Limestone Creek Rd. Additionally, the Town of Jupiter Water Utility supplies potable water to the site also along Limestone Creek Rd. As the site is currently developed, correspondence has been made in the past with residents of the Town of Jupiter to ensure proper compatibility with their neighborhood.

2. Inappropriateness of the adopted FLU designation

There is a basis for the proposal to amend the future land use from MR-5 to INST/5 because the current and proposed uses of the site are inappropriate of the currently adopted future land use designation. An approved and constructed school should be placed in an Institutional Future Land Use designation. Currently at MR-5, every other accessory use to a school would not be allowed. If changed to institutional, the ability for the school to include CLF, and medical and vocational uses under Assembly Institutional Non-profit, create additional opportunities to the students.

Residential Density Increase

The proposed future land use from MR-5 to INST/5 will keep the existing density allowed on the subject property today, therefore no residential density increase is being proposed at this time

Compatibility

The Els Center of Excellence is located at 18370 Limestone Creek Rd. in the Limestone Creek Neighborhood. The neighborhood is mainly residential, but as part of the Redevelopment and revitalization Overlay, there are other uses within the neighborhood that serve the community. The Countywide Community Revitalization Team (CCRT), which oversees CCRT Areas, target redevelop efforts within the communities they work with. Through careful planning and community advocacy, the neighborhood has remained intact and has seen additional development over recent years. Within the boundaries of the Limestone Creek Neighborhood, there currently exists two churches, a community park, the Limestone Creek Natural Area, and two child daycares in addition to the Els Center of Excellence. The change in use to Institutional will allow additional facilities in the area to serve the community.

The existing designations and uses of adjacent properties are displayed in the table below:

Adjacent Lands	Use	Future Land Use	Zoning
North	Single Family Residential	RLD (Town of Jupiter)	R1-A (Town of Jupiter)
South	Single Family Residential	MR-5	RH
East	Single Family Residential	RLD (Town of Jupiter)	R1-A (Town of Jupiter)
West	Single Family Residential	MR-5	RH

Changing the future land use from MR-5 to INST/5 keeps the same FLU density and intensity currently allowed on the subject site. The only need to change the FLU stems from the inability of the Unified Land Development Code, Article 4 to provide co-located uses accessory to the existing approved school on site. The density and intensity of uses associated with MR-5 and INST/5 could be much higher than is what is being proposed to be constructed. There will be a voluntary restriction on the maximum entitlements available to this property, which the applicant is aware of and willing to agree to.

Because there is a lesser proposed use than could be hypothetically allowed within the confines of the comprehensive plan and Unified Land Development Code, the future land use amendment displays compatibility with the surrounding uses. Residents located on all sides of

the property would benefit from the proposed facilities and their addition will not adversely affect other developments visually. For residents on the East and North property lines, there exists a thick preserve area and required 15 foot incompatibility buffer. No development will be proposed in addition to what is already approved in these areas as well. The only sections of the site being affected through this development application is the "grass area" sections shown on the West side of the site. A 25 incompatibility buffer (10 feet larger than ULDC requirements) exists as approved between the site and the residents to the immediate West.

Through the approval process, every effort will be made to ensure residents in the directly adjacent neighborhoods are well informed and effectively influence the approval of the project. If there are any concerns, they will be taken into consideration for minor amendments.

Comprehensive Plan

Request

The Palm Beach County Comprehensive Plan is being requested to be amended to adequately allow various institutional uses on the existing Els Center of Excellence charter school located along Limestone Creek Rd. in unincorporated, northern Palm Beach County. The current future land use of MR-5 allows only residential uses, but this request will be to transfer the land use to Institutional. According to Policy 2.2.8-a, Institutional uses are described in further detail. "Institutional and Public Facility uses may be allowed in all future land use designations, provided the uses are consistent with the provisions of the Comprehensive Plan and ULDC." Since the use must be found consistent with the provisions of the comprehensive plan, each section and proposed use is described in further detail below.

Future Land Use Element

Goal 1- Strategic Planning

Sub-objective 1.2.1- The Els Center of Excellence is within the Revitalization, Redevelopment and Infill Overlay (RRIO) which established the following definition:

"The County shall establish incentives and make resources available, when feasible, to encourage revitalization, redevelopment, and infill in areas identified as a RRIO that are in need of assistance. The County shall work closely with residents, businesses, property owners, governmental agencies, and stakeholders to advance concepts and strategies that guide future revitalization, redevelopment, and infill activities in these areas."

Response:

The Els Center of Excellence, with the addition of the medical, congregate living and vocational training will allow infill development into an existing school to adequately serve the students and residents with infill development of the Limestone Creek neighborhood. The Limestone Creek neighborhood is also a Countywide Community Revitalization Team (CCRT) area, targeting redevelopment. The Office of Community Revitalization (OCR), which coordinates development within the CCRT, will be contacted for assistance in representing the project to the neighborhood and working together to restore community vitality.

Goal 2- Land Planning

Sub-objective 2.2.8- Institutional and Public Facilities

Policy 2.2.8-d: *The County shall maintain the Unified Land Development Code to provide for zoning districts to accommodate health and human service needs such as hospitals,*

public clinics, emergency health shelters, child care facilities, adult day care facilities, group homes, foster homes, congregate living facilities and other residential care.

Response: This application is being submitted concurrently with a rezoning from RS to IPF to better allow for the creation of such services as listed above. There will be multiple health and human service needs provided to allow better availability of assistance not currently found in the area to local residences in need of Autism therapy, diagnosis and clinical evaluation.

There are multiple uses allowed within the Institutional and Public Facilities Future Land Use designation. They are further described below, with only uses listed that would be applicable to this application and requested uses by the applicant.

Policy 2.2.8.e *Uses allowed in the Institutional and Public Facilities future land use designation include a full range of institutional uses including, but not limited to, the following:*

1. Educational facilities including colleges, universities, and public, private, and charter schools;

7. Residential uses including congregate living facilities, group homes, and accessory affordable housing.

8. Medical uses for the purposes of medical treatment, health care, and rehabilitation Including the following:

a) Hospitals and public health clinics.

b) Facilities that provide 24 hour nursing and personal care to residents for persons not related to the owner or administration. Examples include nursing homes, skilled nursing facilities, and rehabilitation centers. These facilities provide care that is typically temporary in nature and is focused on rehabilitation that is intended to prepare the residents to return to their homes, but can include long term custodial care.

c) Medical and dental offices. Medical and dental office is an allowable use on parcels with INST FLU only within the following locations:

a. Within the site plans of projects with approval for a "Hospital" use (as defined by the ULDC);

b. The following site specific FLUA amendments:

- *SCA 2005-027 in Ordinance 2006-005 (4.45 acres);*
- *SCA 2008-015 in Ordinance 2008-005 (1.64 acres);*
- *SCA 2009-002 in Ordinance 2009-008 (1.70 acres);*
- *LGA 2010-014 in Ordinance 2010-031 (4.96 acres);*
- *LGA 2012-002 in Ordinance 2012-017 (4.90 acres).*

Medical related uses shall be permitted on these parcels. Vehicular and pedestrian interconnectivity shall be provided between the parcels and the hospital.

10. Accessory uses to the primary use, including caretakers' quarters and accessory office.

Response: The Els Center of Excellence, a charter school approved for 300 students, currently exists on site. The additional uses, subject to approval and interpretation by the Board of County Commissioners will involve the addition of congregate living type of group home for limited time stay by students visiting the school. The request will also include a medical services, utilized for clinical diagnosis and evaluation of possible Autistic children that come to visit the school and stay

in the living facility, as well as students currently attending the school. This use, currently not allowed in conjunction with a school, will be an internal text amendment initiated by the Planning Department. Finally, accessory uses to the primary use of the school will be vocational training facilities that will allow students to receive real life training in hospitality service type industries.

Goal 5- **Natural and Historic Resource Protection**

Objective 5.4 Jonathan Dickinson State Park Greenline Overlay (JDSPGO)

As part of the JDSPGO, the Els Center of Excellence was approved as a charter school in its current location. The JDSPGO criteria was taken into consideration at that time and a preserve area was added to the North and East boundaries of site to better protect any native species that may be present or become present due to the proximity with the park. The site is conforming to the objectives of the overlay as described below:

1. Protection of the State Park, and Loxahatchee River, from surface water runoff and groundwater contamination in accordance with Conservation Policy Objective 3.1;

Response: The dry detention and lake retention areas on site provide adequate surface water collection, so there is no runoff to adjacent parcels.

2. Protection of the State Park, and Loxahatchee River, from over-spraying of pesticides on adjacent properties;

Response There is no over-spraying of pesticides on the property as no proposed use is agricultural.

3. Protection of the State Park, or Loxahatchee River, from potentially incompatible adjacent future land uses;

Response Institutional future land uses do not pose anymore threat than would residential units to the protection of the state park.

4. Protection of properties within and adjacent, to the State Park and Loxahatchee River, from potential nuisances caused by prescribed burning;

Response: Not applicable

5. Critical habitat for wildlife, including threaten and endangered species, in accordance with Conservation Objective 2.3;

Response: The site is currently built, but there is a preserve area totaling 2.08 acres on site to provide some critical habitat for endangered species. The area being proposed for development is void of viable habitat, as it is currently a grassy field.

6. Support for the preservation of the native ecosystem by encouraging the planting of native vegetation, as specified in Conservation Objective 2.5; and,

Response: According to the approved landscape plan for the site, there is a majority of native vegetation approved for the landscape areas, as required by the ULDC.

7. Prohibition of the introduction of non-native plant species into the in natural systems of the Park.

Response: The approval of this site and the creation of a new landscape plan, will not allow any new flora or fauna into the area that would damage the natural systems of the park.

Florida Statutes

FLORIDA STATUTES

Key sections of the Florida Statutes include, but are not limited to the following: Chapter 163.3177, F.S.

***RESPONSE*:** Chapter 163.3177 is the principal state statute governing the contents of a comprehensive plan, including required and optional elements and the requirement for

appropriate supportive data and analysis. It is concluded that, by completing the FLUA amendment application, as well as required attachments, the requirements of Chapter 163.3177 are adequately addressed.

Key provisions of Chapter 163.3177, as is relates to the proposed Amendment include the following:
"Chapter 163.3177(1) The comprehensive Plan shall provide principles, guidelines, standards and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area. . . ."

RESPONSE: The proposed FLUA shall not exceed the natural or manmade constraints of the area. In addition, the subject site has the available facilities and services for the proposed development as it is within the currently approved constraints to density and intensity.

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 and potential historical resources impacts are addressed by the Palm Beach County Archeologist.

"Chapter 163.3177(4) (a) Coordination of the local Comprehensive Plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region . . .".

RESPONSE: Approval of the proposed Amendment is consistent with the definition of the INST FLU category and the associated location criteria as stated in the Palm Beach County Comprehensive Plan. Additionally, it is consistent with the adjacent land use within the Town of Jupiter, being residential low density.

"Chapter 163.3177(8) All elements of the comprehensive plan, whether mandatory or optional, shall be based upon data appropriate to the element involved . . . . ".

RESPONSE: Data and analysis presented in the Application and Attachments, including but not limited to the analysis presented herein support the proposed amendment.

Exhibit 3

Applicant's Public Facility Impacts Table

VIII. Public Facilities Information

A. Traffic Information			
	Current FLU	**Maximum**	**Conditioned or Concurrent**
Max Trip Generation	1,290	6,020	2,078
Trip Increase Max.	4,730		
Trip Inc. Conditioned or Concurrent	788		
Significantly impacted roadway segments that fail Long Range	None	None	None
Significantly impacted roadway segments for Test 2	None	Island Way: Indiantown Road to Limestone Creek Road.	None
Traffic Consultant	Kimley-Horn		
B. Mass Transit Information			
Nearest Palm Tran Route (s)	Route 10, North County Cross-town via Military		
Nearest Palm Tran Stop	SE corner of Indiantown Road and Central Blvd. 1.4 miles		
Nearest Tri Rail Connection	Mangonia Park Station (15.8 miles South)		
C. Portable Water & Wastewater Information			
Potable Water & Wastewater Providers	Water and Wastewater concurrency letters are provided as Application Attachment I. Both letters state that there may be adequate water and wastewater service provided, granted the applicant pays associated fees.		
Nearest Water & Wastewater Facility, type/size	Water- Town of Jupiter Water Treatment Plant has a capacity of 30mgd Wastewater- Loxahatchee River Environmental Control District plant		
D. Drainage Information			
See Application Attachment J for specific drainage statement information and below for general summary:			

1. The site is wholly within the South Florida Water Management District.
2. The site is located within the C-18 Canal basin
3. The site has approved positive legal outfall to the Limestone Creek Rd drainage system.

Because the intensity of the site is not increasing by levels outside of the current future land use, existing measures taken with the construction of the school will provide adequate service to future development.

E. Fire Rescue

Nearest Station	PBC Fire Rescue Station #19, 322 N Central Blvd
Distance to Site	1.50 miles
Response Time	6 minutes 20 seconds
Effect on Resp. Time	Minimal impact on Fire Rescue, See Application Attachment K for reference

F. Environmental

Significant habitats or species	All proposed development as part of this application is slated to be within an area currently void of native habitat. On the approved Final Site Plan the area is labeled as “Grass Area”. Because the site is within the Jonathan Dickinson State Park Greenline Overlay, there is a possibility of native animals species becoming present, but it would not be because of the current habitat on site, minus the existing preserve area. A full explanation can be found in Application Attachment L.
Flood Zone*	The subject site is located within the x500 flood zone, or 0.2% chance of the site flooding per year, on average. See Application Attachment M for Flood Zone map.
Wellfield Zone*	The entire subject site is located within zone 4 of the Wellfield Protection Zone as shown in the Wellfield Protection Zone map, Application Attachment M.

** If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.*

G. Historic Resources

A Historical and Archeological Review letter has been included as Application Attachment N. A summary of the letter is below:

1. There are no historic or architecturally significant structure located on or within 500 feet of the subject properties.

There are no archaeological resources identified on or within 500 feet of the subject properties.

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://www.pbcgov.com/pzb/planning/activeamend/

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"

printed on sustainable and recycled paper

January 14, 2019

Adam B. Kerr, P.E.
Kimley-Horn & Associates, Inc.
1920 Wekiva Way
West Palm Beach, FL 33411

RE: ELS For Autism Foundation Site - Revised
FLUA Amendment Policy 3.5-d Review
Round 2018-D

Dear Mr. Kerr:

Palm Beach County Traffic Division has reviewed the Comprehensive Plan Amendment Traffic Analysis for the proposed Future Land Use Amendment for the above referenced project, revised March 2, 2018, 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:	0.85 mile north of intersection of Island Way and Indiantown Road	
PCN:	00-42-40-34-16-001-0000 *(others on file)*	
Acres:	26.85 acres	
	Current FLU	**Proposed FLU**
FLU:	Medium Residential, 5 unit per acre (MR-5)	Institutional (INST)/ Medium Residential, 5 units per acre (MR-5)
Zoning:	Single Family Residential (RS)	Institutional and Public Facilities (IPF)
Density/ Intensity:	5 du/ac	0.45 FAR
Maximum Potential:	Single Family Detached Total: 134 DUs	Hospital Total: 526,333 SF
Proposed Potential:	N/A	N/A
Net Daily Trips:	4,922	
Net Daily Trips:	1,757 **(voluntary restriction)**	
Net PH Trips:	207 (135/72) AM, 389 (145/244) PM	
Net PH Trips:	311 (195/116) AM, 138 (55/83) PM (maximum) **(voluntary restriction)**	
** **Maximum** indicates typical FAR and maximum trip generator. **Proposed** indicates the specific uses and intensities/densities in the zoning application.*		

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 voluntary restricted Net Daily and Peak Hour Trips of 1,757 and 311 respectively.

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

Sincerely,

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

QB:DS/bc
ec: Addressee:
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\18-D\ELS Center of Excellence - Revised.docx

Exhibit 6

Water & Wastewater Provider LOS Letter

Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458
Telephone (561) 747-5700 •Fax (561) 747-9929 • www.loxahatcheeriver.org

D. Albrey Arrington, Ph.D., Executive Director

February 1, 2018

Jeff H. Iravani, PE
Jeff H. Iravani, Inc.
1934 Commerce Ln.
Jupiter, Florida 33458

Re: ELS SCHOOL of EXCELLENCE
SANITARY SEWER AVAILABILITY

Dear Mr. Iravani:

This letter is provided in response to your recent request concerning sanitary sewer service availability for the subject project.

Please be advised that, as of this date, sanitary sewer service can be made available to the subject property upon the payment of certain costs in accordance with the District Rules. Copies of District Rules Chapter 31-10 are available for your review on our web site at www.loxahatcheeriver.org .

Consistent with District policy, the Developer will be responsible for all costs associated with connecting to the existing wastewater system of the District.

Should you require additional information on this matter, please contact our Engineering Dept at (561)747-5700 xt. 110.

Sincerely,

Clinton R. Yerkes
Deputy Executive Director

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Gordon M. Boggie, Board Member | Stephen B. Rockoff, Board Member | James D. Snyder, Chairman | Dr. Matt H. Rostock, Board Member | Harvey M. Silverman, Board Member

JHI
Jeff H. Iravani, Inc.
Consulting Engineers
1934 Commerce Lane, Suite 5
Jupiter, Florida 33458
Tel: (561) 575-6030 Fax: (561) 575-6088
Email: JHI@bellsouth.net Website: www.JHIinc.com

February 2, 2018

Cotleur & Hearing
1934 Commerce Lane, Suite 1
Jupiter, FL 33458

Attn: Melissa Kostelia

Re: Els Center of Excellence
Potable Water Supply

Dear Melissa,

Please be advised that the above project is in town of Jupiter water utilities boundary.

The existing development is being served by an existing 12" watermain on Limestone Creek Road.

Town of Jupiter water treatment plant has a capacity of 30 mgd with a surplus of 8 mgd.
The treatment plant has more than sufficient capacity for additional uses for this project based on the proposed future land use amendment form Medium Density Residential to Institutional.

Please feel free to contact me should you have any questions.

Sincerely,

J H Iravani

Jeff H. Iravani, P.E.
President

Exhibit 7

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 Liezl Els, 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 [✓] Title Secretary *[position - e.g., president, partner, trustee]* of Els for Autism Foundation, Inc. *[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: 18370 Limestone Creek Road
Jupiter, FL 33458

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.

Disclosure of Beneficial Interest - Ownership form
Page 1 of 4

Revised 08/25/2011
Web Format 2011

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.

LEE

Liezl Els, Affiant

(Print Affiant Name)

The foregoing instrument was acknowledged before me this 29 day of Jan., 20 18, by Liezl Els, [ ] who is personally known to me or [ ] who has produced _____ as identification and who did take an oath.

Shelly Hedge

Notary Public

SHELLY HEDGE
MY COMMISSION # FF 939211
EXPIRES: October 26, 2019
Bonded Thru Notary Public Underwriters

Shelly Hedge

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: _____

EXHIBIT "A"

PROPERTY

TRACT "A" OF ELS CENTER OF EXCELLENCE PLAT II, AS RECORDED IN PLAT BOOK 124, PAGE 170-171 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**

Not for profit organization- Not applicable.

Exhibit 8

Correspondence

From: Kevin Smolenyak <gator4ever1@comcast.net>
To: lstafeychuk@pbcgov.org
Date: June 3, 2018 at 3:57 PM
Subject: Els Center for Excellence, LGA-2018-026

Inna, thank you for the opportunity to comment regarding the subject proposed amendment for the Els Center..

Part 4A (page 5) of the 2019 Future Land Use Amendment Application, under compatibility, states "There is adequate existing preserve area with buffer and lake separating the Shores community, which will remain in place." This statement is not accurate. I live directly across from the buffer, along the northeastern portion of the project, in the Shores of Jupiter. This buffer area is basically an eyesore, as I have reported in past comments to a previous amendment to the Els Center (see attached photos looking south from the northern fence line of the buffer). The buffer area has not been properly planted and maintained, after all of this time, since the Els Center was constructed. In fact, our homeowner's association has, at HOA expense, installed landscaping on the opposite site of the fence to help shield this ugly buffer area from the line of sight of my home and other residences around me.

The proposed amendment calls for a 20-bed congregate living facility. There have already been Shores landowner complaints associated with obtrusive night lighting at the Els center. I assume the proposed living facility, which allows overnight living accommodations, will only exacerbate the problem due to night-time lighting that will now be required for safety purposes for those staying at the facility.

I have had issues with previous construction activities at the Els Center, including operation of heavy equipment in the middle of the night (about 5 AM). This is not only a nuisance issue but a safety issue. In addition, there was nuisance construction activity on Sundays. I assume the Palm Beach County sheriff's department would have records of complaints concerning these issues and possibly others.

Given the concerns noted above, I am opposed to any future expansion and associated construction for the Els Center.

Respectfully submitted,

Kevin Smolenyak

New Letters received between Transmittal and Adoption

Limestone Creek Community Advocates, Inc.

Darlene Hatcher, President
Mohan Baijnauth, Vice-President
Tara Evans, Secretary
Scott Gurdak, Treasurer
Mohan Baijnauth, Director
Jack Williams, Director
Leani Gilbert, Director
Demetrius Hodges, Director
Gloria Patterson, Director

August 3, 2018

Palm Beach County Board of County Commissioners
301 North Olive Avenue, Suite 1201
West Palm Beach, FL 3341

RE: Els Center for Excellence (LGA-2018-026) Site Amendment

Dear Commissioners:

The Els Center of Excellence (COE), located at 18370 Limestone Creek Road in the Limestone Creek Community, is a world-class innovative facility offering programs and resources to individuals on the autism spectrum. The ELS Center of Excellence has partnered with the Limestone Creek Community on many projects and has committed to maintaining their partnership in contributing to a better community; especially regarding public safety and quality of life in the community.

Leadership from the Els Center of Excellence, along with representative from Cotleur & Hearing, have met with the community residents for input on the recent proposal for site amendment (LGA-2018-026). The Limestone Creek Advocates (LCA) agree of the proposed land use change from MR-5 to INST-5. This will permit the COE to move forward with the Adult Services Building and Medical & Research Facility. At the time of this letter, initial studies do not demonstrate traffic or environmental conditions that would infringe upon safety or quality of life in the community; however, the COE leadership is committed to carefully monitor the project and continuously seek input from the LCA and community, with the end result ensuring the highest level of public safety and quality of life in the Limestone Creek Community.

Respectfully,

Darlene Hatcher, President
On Behalf of the Limestone Creek Advocates Board of Directors

C: Inna Stafeychuk, Planning & Zoning, Palm Beach County
Scott Hedge, Els Center of Excellence
Alex Ahrenholz, Cotleur & Hearing

LCABOD/SG:sg

The Limestone Creek Community Advocates, Inc. is a not-for-profit 501(c)(3) advocacy organization. Our primary purpose is to improve, protect, and promote civic, cultural, and recreational interest in the community; and the promulgation of civic improvements, enhancement of public safety and communications, public health and diversity; and in assisting the Palm Beach County administration in carrying out their objectives for the betterment of the community; and any other activities within the community which will tend to improve the livability of the Limestone Creek Community area of Palm Beach County, Florida. The Limestone Creek Community Advocates, Inc. does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.