



**FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT  
SMALL SCALE AMENDMENT**

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**BCC ADOPTION PUBLIC HEARING, MAY 23, 2019**

**A. Application Summary**

**I. General**

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<b>Project Name:</b>	<b>Heathwood Reserve CLF (SCA 2017-014)</b>
<b>Request:</b>	<b>MR-5 to CLR/5</b>
<b>Acres:</b>	4.84 acres
<b>Location:</b>	West side of Military Trail, approximately 0.7 miles north of Lantana Rd.
<b>Project Manager:</b>	Inna Stafeychuk, Planner I
<b>Applicant:</b>	AMKBJ Partners LTD, LLLP
<b>Owner:</b>	AMKBJ Partners LTD, LLLP/Brian Lulfs
<b>Agent:</b>	Wantman Group, Inc.
<b>Staff Recommendation:</b>	Staff recommends <i>approval</i> based upon the findings and conclusions contained within this report.

**II. Assessment & Conclusion**

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This amendment proposes to change the future land use designation on a 4.84 acre parcel from Medium Residential, 5 units per acre (MR-5) to Congregate Living Residential with an underlying 5 units per acre (CLR/5). The amendment proposed is to allow additional beds to be calculated for a congregate living facility (CLF). The current MR-5 designation allows up to 24 dwelling units or up to 57 beds on the amendment site, and the proposed CLR designation would allow up to 139 beds (12 units per acre x 2.39 beds). Any other type of residential use would be subject to the underlying 5 units per acre. The concurrent zoning application for Heathwood Reserve PUD is a total of 22.54 acres and includes the CLF on the subject site, and 138 townhomes at a density of 7.8 units per acre on the remainder. Only the CLF portion is subject to the future land use amendment.

The subject site is surrounded by residential developments and future land use designations that allow a range of densities. The proposed CLF is compatible with the surrounding uses through the separation, tapering and transition of density/intensity, and roadway separating CLF use from residences to the east. The proposed amendment is suitable and appropriate on the subject site, meets public facilities requirements, and is consistent with amendment policies in the Comprehensive Plan.



### III. Hearing History

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**Local Planning Agency: *Approval***, motion by Neil Merin, seconded by Richard Ryles, passed in a 6-1 vote, with David Dinin opposed, at the December 14, 2018 public hearing. The Board discussion focused on the changes to the application since the item was presented at the July 13<sup>th</sup> PLC hearing, specifically the reduction in CLF beds from 238 to the current request for 139 beds, that the public opposition was not from immediately adjacent property owners on the west side of Military Trail, and that much higher densities were allowed within the City of Atlantis. Sixteen members of public spoke in opposition, and 30 additional cards in opposition were read into the record. Speakers included elected officials, staff, and legal representatives from the City of Atlantis, and staff from the City of Greenacres. Public comments expressed concerns regarding the proposed density, increased traffic on Military Trail, emergency vehicles cutting through Atlantis to reach JFK Medical Center, lack of compatibility, and inconsistency with the TCRPC Greenacres, Atlantis, Palm Beach County Charrette report.

**Subsequent to the PLC Hearing.** Following the PLC hearing on December 14, 2018, the Cities of Atlantis and Greenacres submitted objection letters, filed an IPARC Notice of Intent to Object and Formal Written Objection in April 2018 (see Exhibit 10, Municipal Coordination and Correspondence). See page E-11 for discussion of the objection and staff response.

#### **Board of County Commissioners Adoption Public Hearing:**

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**B. Petition Summary**

**I. General Data**

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<b>Project Name:</b>	<b>Heathwood Reserve (SCA 2017-014)</b>
<b>Request:</b>	<b>MR-5 to CLR</b>
<b>Acres:</b>	4.84 acres
<b>Location:</b>	West side of Military Trail, approximately 0.6 miles north of Lantana Rd.
<b>Project Manager:</b>	Inna Stafeychuk, Planner I
<b>Applicant:</b>	AMKBJ Partners LTD, LLLP
<b>Owner:</b>	AMKBJ Partners LTD, LLLP/Brian Lulfs
<b>Agent:</b>	Wantman Group, Inc.

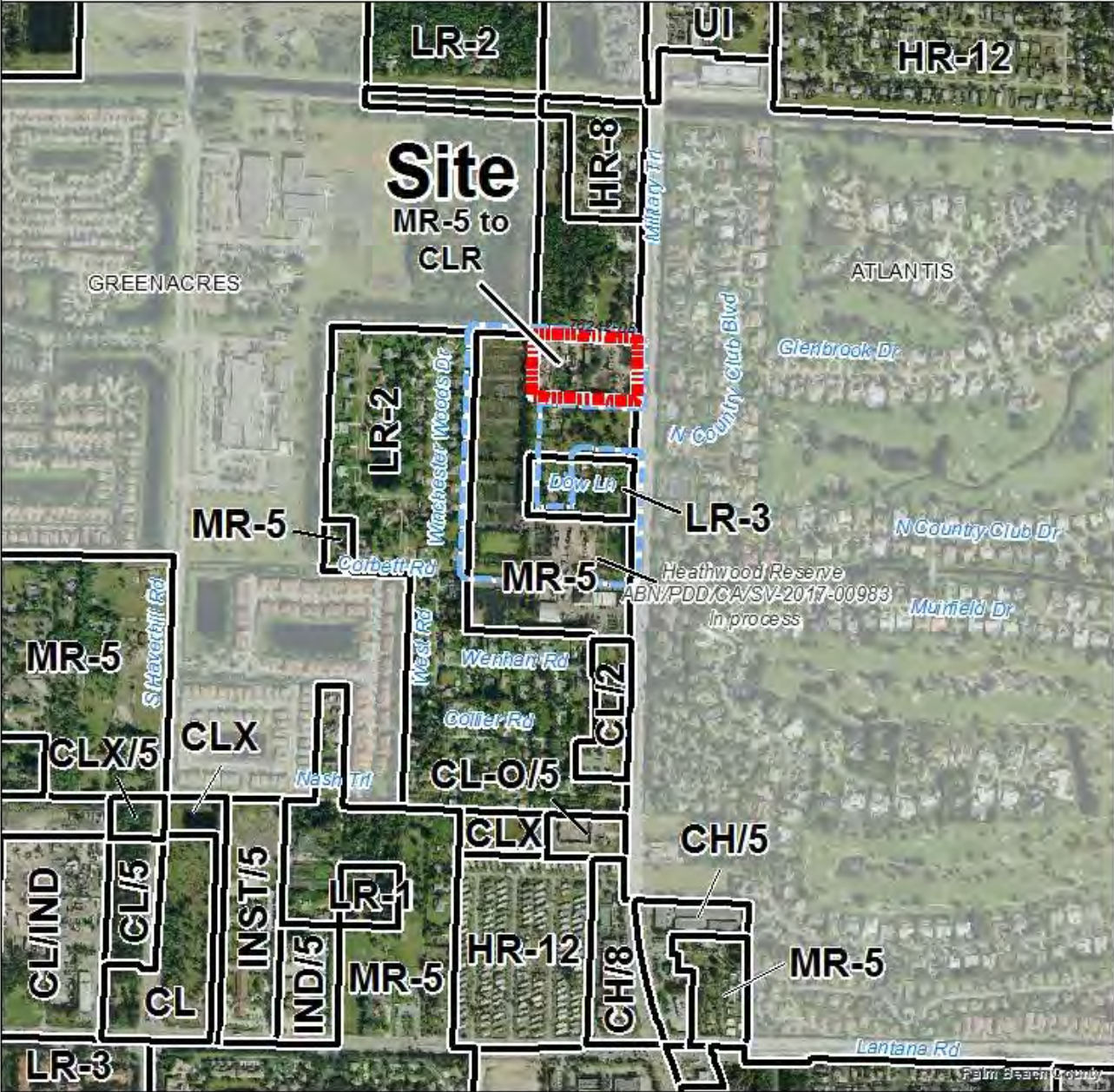
**II. Site Data**

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<b>Current Future Land Use</b>	
<b>Current FLU:</b>	Medium Res., 5 units per acre (MR-5)
<b>Existing Land Use:</b>	Agriculture and Residential
<b>Current Zoning:</b>	Agricultural Residential (AR)
<b>Current Dev. Potential Max:</b>	Residential, up to 24 dwelling units
<b>Proposed Future Land Use Change</b>	
<b>Proposed FLU:</b>	Congregate Living Residential (CLR)
<b>Proposed Zoning:</b>	Planned Unit Development (PUD)
<b>Dev. Potential Max/Conditioned:</b>	Residential, up to 139 beds (58 DU)
<b>General Area Information for Site</b>	
<b>Tier/Tier Change:</b>	Urban Suburban Tier – No Change
<b>Utility Service:</b>	Palm Beach County Water Utilities Department
<b>Overlay/Study:</b>	Treasure Coast Regional Planning Council (TCRPC) Greenacres, Atlantis and Palm Beach County Charrette Report
<b>Annexation Area:</b>	City of Greenacres, Town of Lantana
<b>Comm. District:</b>	Dave M. Kerner, District 3



Future Land Use Atlas Amendment  
Heathwood Reserve (SCA 2017-014)



Site Data

Size: 4.84 acres  
Existing Use: Agricultural and Residential  
Proposed Use: Type III CLF  
Current FLU: Medium Residential, 5 units/ac (MR-5)  
Proposed FLU: Congregate Living Residential (CLR)

Future Land Use Designations

LR-1	Low Residential, 1 unit/ac	CL/IND	CL, underlying Industrial
LR-2	Low Residential, 2 units/ac	CH/5	Comm High, underlying MR-5
HR-8	High Residential, 8 units/ac	CH/8	CH, underlying HR-8
HR-12	High Residential, 12 units/ac	CL-O/5	CL - Office, underlying MR-5
CL	Commercial Low	CLX	CL Crosshatching
CL/2	CL, underlying LR-2	INST/5	Institutional, underlying MR-5
CL/5	CL, underlying MR-5	CLR	Congregate Living Residential

Date: 9/20/2018  
Contact: Planning Division  
Filename: AMEND/16-C-17-14  
Note: Map is not official, for presentation purposes only.



0 150 300 600 Feet

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





## C. Introduction

### I. Intent of the Amendment

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This privately proposed amendment is a request to change the future land use designation on a 4.84 acre site from Medium Residential, 5 units per acre (MR-5) to Congregate Living Residential with an underlying 5 units per acre (CLR/5). The number of beds (residents) for a Congregate Living Facility (CLF) Type 3 is calculated by multiplying the acreage by the residential density allowed by the future land use designation, and then by 2.39 persons per unit to determine the number of beds allowed. The proposed CLR designation allows up to 12 units per acre for the purposes of calculating CLF beds only; therefore, the maximum number of permitted beds would be 139. The maximum number of beds under the MR-5 designation is 57 beds.

The site is located in the Urban/Suburban Tier, on the west side of Military trail approximately 0.6 miles north from Lantana Road and approximately 400 feet north of North Country Club Boulevard. It is located along a suburban corridor in area with predominately low residential uses and other non-residential uses including churches, schools and agriculture. The subject site currently is operating as a nursery together with the adjacent larger parcel. Additionally, the site is located between the City of Greenacres and the City of Atlantis within the boundaries of the Treasure Coast Regional Planning Council's (TCRPC) Greenacres, Atlantis and Palm Beach County Charrette Report or "A Citizens Master Plan".

The concurrent zoning application (Heathwood Reserve PUD, ABN/PDD/CA-2017-00983) includes this site, adjacent MR-5 parcel and three parcels with Low Residential, 3 units per acre (LR-3) future land use designation, and the total area is 22.54 acres. The zoning application proposes to rezone the property from Agricultural Residential (AR) to Planned Unit Development (PUD) and be developed with the following uses:

- For the MR-5 and LR-3 portion, the request is for a total of 138 townhouses with 24 of the proposed units to be dedicated as Workforce Housing Program units. The Applicant has requested 66.5% WHP bonus density or 55 DU and no TDR.
- For the CLR Portion, the request is for a 139 assisted living beds Congregate Living Facility Type 3.

The following provides the chronology of this application:

- **Initial Large Scale Amendment 18-C.** The application was submitted in Round 18-C for an amendment from Low Residential, 3 units per acre (LR-3) on 2.42 acres; Medium Residential, 5 units per acre (MR-5) on 20.12 acres to High residential, 8 units per acre (HR-8) on 18.35 and the remaining 4.19 acres to change from MR-5 to Congregate Living Residential. The applicant requested, and the Planning Division granted, an administrative postponement to the 18-D Round.
- **Revised Large Scale Amendment 18-D.** The applicant revised the application to increase the land area for the CLR from 4.19 acres to 8.31 acres, to eliminate the future land use density increase on the 11.81 acres, and to remove the 2.42 ac with LR-3 designation from the request. This version of the application was presented to the Planning Commission on July 13, 2018 at which time the Commission voted 10-0 for denial. The application was presented to the Board of County Commissioners for transmittal public hearing on July 23, 2018. At the hearing, the applicant requested, and the Board granted, a postponement.
- **Small Scale Amendment.** Following postponement, the applicant revised the application again, this time to eliminate the residential portion and to reduce the land area to only 4.84 acres proposed for the current land use change from MR-5 to CLR/5. This is the current request.

### II. Data and Analysis Summary

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This section of the report summarizes the consistency of the amendment with the County's Comprehensive Plan. The chapters in Exhibit 2 detail the consistency of the amendment with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans. The substantive factors from Exhibit 2 are summarized below.

**Appropriateness of the Amendment.** The amendment will not change the uses allowed on the site. Rather, the amendment proposes to change the future land use designation in order to allow the calculation of additional beds within a proposed congregate living facility. The amendment to increase the number of beds is appropriate for this location considering the range of density within



the corridor and the maximum number of units (nearly 12 units per acre) allowed through density bonus programs under the current designation.

**Compatibility:** The proposed CLF is compatible with the surrounding uses through the separation, tapering and transition of density/intensity, and roadway separating CLF use from residences to the east. The proposed townhomes within the Heathwood Reserve PUD will provide a transition from the CLF site to the single family homes in Winchester Woods to the west, and the CLF use is separated from the residences in the City of Atlantis through buffers and Military Trail. The CLF building is proposed to be located approximately 500 feet from the closest single family home in Winchester Woods and approximately 235 feet from the closest home in Atlantis. To the north and south are properties with MR-5 designation with non-residential uses, including a cell tower and a place of worship.

**Assessment and Recommendation**

This amendment proposes to change the future land use designation on a 4.84 acre parcel from Medium Residential, 5 units per acre (MR-5) to Congregate Living Residential with an underlying 5 units per acre (CLR/5). The amendment proposed is to allow additional beds to be calculated for a proposed congregate living facility (CLF). The current MR-5 designation allows up to 24 dwelling units or up to 57 beds on the amendment site, and the proposed CLR designation would allow up to 139 beds (12 units per acre x 2.39 beds). Any other type of residential use would be subject to the underlying 5 units per acre. The concurrent zoning application for Heathwood Reserve PUD is a total of 22.54 acres and includes the CLF on the subject site, and 138 townhomes at a density of 7.8 units per acre on the remainder. Only the CLF portion is subject to the future land use amendment.

The subject site is surrounded by residential developments and future land use designations that allow a range of densities. The proposed CLF is compatible with the surrounding uses through the separation, tapering and transition of density/intensity, and roadway separating CLF use from residences to the east. The proposed amendment is suitable and appropriate on the subject site, meets public facilities requirements, and is consistent with amendment policies in the Comprehensive Plan.

Staff recommends **approval** based upon the findings within this report.

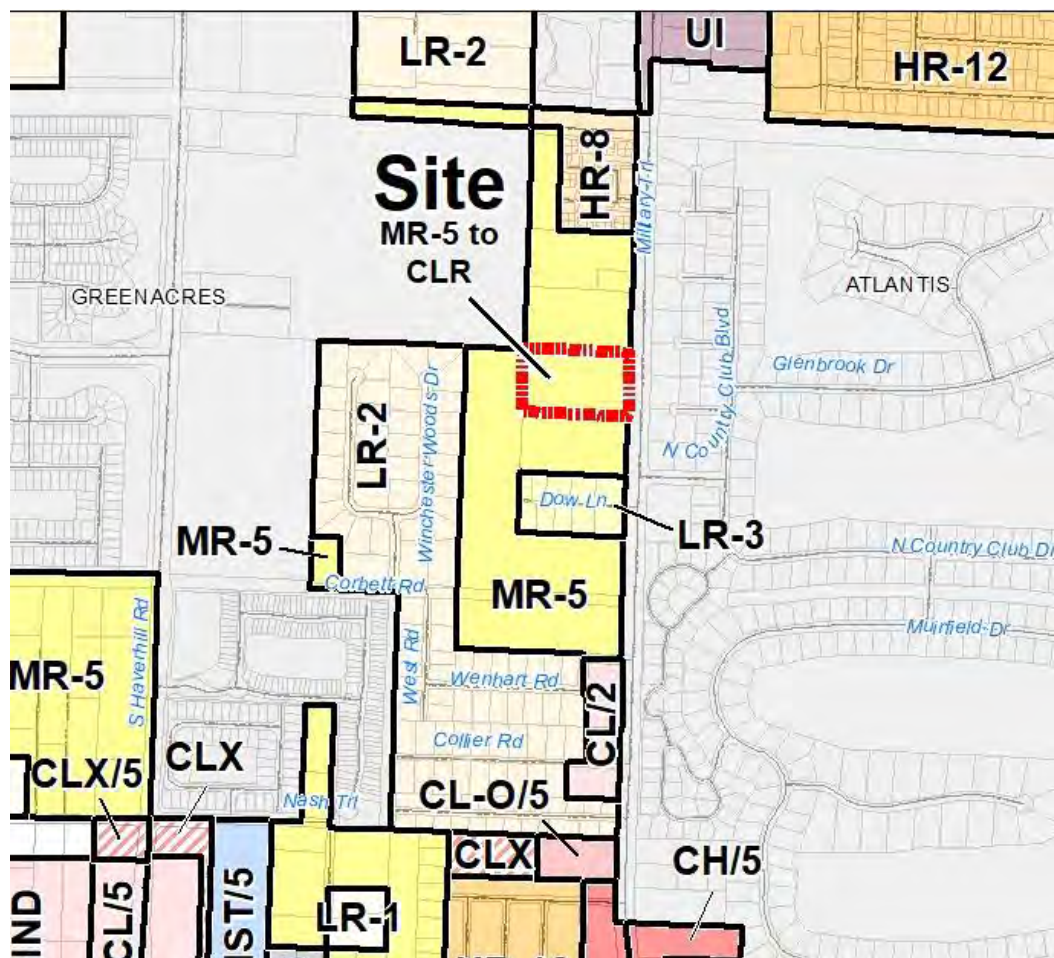
Exhibits	Page
1. Future Land Use Map & Legal Description	E-1
2. Consistency with Comprehensive Plan	E-3
3. Applicant’s Justification/Consistency with Comprehensive Plan and Florida Statutes	E-12
4. Applicant’s Public Facility Impacts Table	E-22
5. Applicant’s Traffic Study ( <i>available to the LPA/BCC upon request</i> )	E-25
6. Palm Beach County Traffic Division Letter	E-26
7. Water & Wastewater Provider LOS Letter	E-28
8. Applicant’s Disclosure of Ownership Interests	E-29
9. Correspondence	E-37
10. Municipal Coordination and Correspondence	E-73



## Exhibit 1

<b>Amendment No:</b>	<b>Heathwood Reserve (LGA 2017-014)</b>
<b>FLUA Page No:</b>	82
<b>Future Land Use:</b>	From Medium Residential, 5 units per acre (MR-5) to Congregate Living Residential with underlying 5 units per acre (CLR/5).
<b>CLF Density:</b>	The Congregate Living Residential future land use designation allows a density of 12 units per acre for a Congregate Living Facility (CLF) use.
<b>Location:</b>	West side of Military Trail, approximately 0.6 miles north of Lantana Road.
<b>Size:</b>	4.84 acres
<b>PCN:</b>	00-42-44-36-08-009-0030

**Conditions:** None





## Legal Description

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CLR PARCEL

PCN: 00-42-44-36-08-009-0030

A PORTION OF TRACT 9 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, "PLAT OF SEC. 36 – T44S, R42E.", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 10, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, THENCE SOUTH 01°47'37" WEST, ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36, A DISTANCE OF 1718.10 FEET;

THENCE NORTH 87°18'06" WEST, A DISTANCE OF 67.01 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 87°18'06" WEST, A DISTANCE OF 601.55 FEET; THENCE NORTH 01°52'51" EAST, ALONG THE WEST LINE OF SAID TRACT 9, A DISTANCE OF 350.04 FEET; THENCE SOUTH 87°18'06" EAST, ALONG THE NORTH LINE OF SAID TRACT 9, A DISTANCE OF 601.01 FEET; THENCE SOUTH 01°47'37" WEST, ALONG A LINE 67.00 FEET WEST OF THE EAST LINE OF SAID TRACT 9, ALSO BEING THE WEST LINE OF SOUTH MILITARY TRAIL, AS RECORDED IN OFFICIAL RECORDS BOOK 5876 AT PAGE 135 OF SAID PUBLIC RECORDS, A DISTANCE OF 350.05 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 210,450 SQUARE FEET (4.831 ACRES), MORE OR LESS.



## Exhibit 2

### Consistency with Comprehensive Plan

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

#### A. Consistency with the Comprehensive Plan - General

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

1. *The natural environment, including topography, soils and other natural resources; (see Public Facilities Section)*
2. *The availability of facilities and services; (see Public Facilities Section)*
3. *The adjacent and surrounding development; (see Compatibility Section)*
4. *The future land use balance;*
5. *The prevention of urban sprawl as defined by 163.3164(51), F.S.; (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 is summarized as follows:

- *"The subject sites' immediate surrounding areas include nurseries, residential developments, commercial uses, as well as public and institutional uses, making it an ideal location for infill development.*
- *The proposed future land use designation of CLR (Congregate Living Residential) will provide suitable housing for the elderly and meet the demand for additional congregate living for aging residents in the heart of the Urban/Suburban tier.*
- *The proposed FLUA Amendment contributes to the development pattern that is encouraged in the Urban/Suburban tier.*
- *The proposed residential use, within the CLR designation, will diversify housing options within the area while providing a transition from existing lower residential to the newer developments of higher intensity consisting of commercial, medium/high density residential, and institutional uses."*

**Staff Analysis:** This policy is the umbrella policy over the entire amendment analysis and many of the items are addressed elsewhere in this report.

The 4.84 ac site is currently 5 units per acre (up to 24 dwelling units) with additional density available through the County's density bonus programs (up to 11.8 units per acre or 57



units potentially total). The MR-5 designation also allows up to 57 congregate living facility (CLF) beds. The amendment is requesting the CLR designation in order to allow additional beds to be calculated for a proposed CLF, up to 139 beds. The underlying MR-5 will remain for any other residential use.

The subject site is located in an area with residential communities that have been largely assigned Low and Medium Residential future land use designations. There have been no density increase amendments approved along this corridor since the adoption of the 1989 Comprehensive Plan; however, there have been two small commercial amendments approved to the south of the site. The applicant states that the development of this site with a CLF will serve as infill, utilize existing facilities and services, and is an appropriate use for the site. The proposed amendment will introduce additional opportunities for senior housing and introduce a CLF facility to the area, designed in a manner that shares access to the remainder of the site. The proposed amendment and congregate living facility is appropriate and suitable for the subject site. Therefore, the applicant has met the requirements for an adequate justification.

2. **County Directions – FLUE Policy 2.1-g:** *The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.*

**Staff Analysis:** Several County Directions are relevant to the proposed amendment:

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

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

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

**Staff Analysis:** The proposed amendment would contribute toward livable, sustainable communities, by expanding the housing opportunities available in the area. The development of congregate living facility will provide opportunities for housing with the



ability for health care on site. This proposed amendment is also consistent with Direction 4 Land Use Compatibility as discussed in the Compatibility section of this report. In this respect, the proposed amendment furthers the Livable Communities and Growth Management Directions and would not detract from any of the County directions.

3. **Piecemeal Development - Policy 2.1-h:** *The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.*

**Staff Analysis:** The definition of piecemeal development in the Comprehensive Plan describes “A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole.” The subject site is under the same ownership with four additional parcels contiguous to the subject site that are part of the concurrent PUD zoning application for a total of 22.54 acres. Therefore, the proposed amendment is not piecemeal, and does not create a residual parcel pursuant to this policy and definition.

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

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

1. **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 amendment site is located along the Military Trail corridor in an area with a variety of residential and non-residential future land use designations. The proposed CLR designation is consistent with land uses allowed to be located within the Urban/Suburban Tier. Additionally, the amendment would provide employment opportunities and expand the current living options in the immediate area, allowing the local population to age in place. Therefore, this amendment is consistent with this policy.

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



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

**Staff Analysis:** The proposed amendment requests to change the future land use designation from Medium Residential, 5 units per acre (MR-5) to the Congregate Living Residential (CLR) in order to develop a Type 3 Congregate Living Facility. A zoning application has been submitted for this site as is required. The site of the proposed amendment will retain the original 5 units per acre as an underlying designation for any other type of residential development. Additional discussion regarding Compatibility is provided in the Compatibility Section of this report. Therefore, this amendment is consistent with this policy.

#### **C. Consistency with other Comprehensive Plan Elements**

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

**Staff Analysis:** The proposed amendment is in a residential area, surrounded by existing single family developments including the Winchester Woods to the west and residential developments in the City of Atlantis and the City of Greenacres. The proposed amendment is to facilitate a Congregate Living Facility to be located in a predominantly residential area. Therefore, this amendment is consistent with the intent of this policy.

#### **D. 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.

**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.”*



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

**North:** To the north the site is bounded by two properties: a place of worship (located within unincorporated Palm Beach County) and Tradewinds Middle School (within the City of Greenacres municipal boundaries). The place of worship is designated MR-5 and a zoning district is AR. The School has a FLU designation of PI (Public/Institutional) with a zoning designation of GU (Government Use).

**South:** Immediately south is a vacant site with a Communication Tower. This property is in MR-5 designation and AR zoning district. Further south is unrecorded single family subdivision that consists of nine parcels with Low Residential, 3 units per acre (LR-3) future land use designation and AR zoning. The westerly six parcels have single family houses. The three remaining parcels are owned by same developer as the subject site and are part of the Zoning request together with the subject site.

**East:** To the east is Military Trail right-of-way and the City of Atlantis. The residential properties located within the City of Atlantis, located on the east side of S Military Trail, have RS (Residential) future land use designation with Zoning designations of R-1A (Single-Family), R-1AA (Single-Family) and RD (Recreational Area) and the densities ranging from 3.63 DU/Ac to 5.40 DU/Ac.

**West:** Immediately west of the subject site is land area that is owned by the applicant and within the same proposed planned development as the subject site. The concurrent zoning application proposes townhomes on the land area immediately west of the subject site. This land currently is an existing Wholesale Nursery, known as Rorabeck's with a MR-5 designation and AR zoning district. Further west is Single-Family subdivision, known as Winchester Woods, which has LR-2 designation and Residential Transition (RT) zoning.

***Applicant's Comments:*** The application states the following: "The area immediately adjacent to the subject site is a mix of residential uses (to the north, west and east) and nonresidential (to the south). The development pattern in the context of the larger planning area is more diverse, with higher density residential and institutional uses situated along Military Trail, and more intense nonresidential commercial uses clustered near intersections. While there is an increase in residential density proposed on the subject site, this increase does not alter the character of the area, nor does it create any adverse impacts on adjacent communities and it remains compatible with the development patterns established along this (and similar) corridors. The proposed residential use is more compatible than the existing use of a wholesale nursery, as well as within the broader land use context of the area, which is a mix of residential and commercial uses."

***Staff Analysis:*** The amendment proposes to change the future land use designation from MR-5 to CLR for a congregate living facility (CLF) Type 3. The CLR designation allows up to 12 units per acre (or up to 139 beds) for the purpose of calculating number of beds in congregate living facilities. Under the current MR-5 designation using density bonuses available through the zoning application process (workforce housing and Transfer of Developments Rights), the applicant can apply for nearly this same density of 12 units per acre without a future land use amendment.

The amendment site is adjacent to residential future land use designations on three sides and the City of Atlantis across Military Trail. To the north and south are properties with



MR-5 designation with non-residential uses, including a cell tower and a place of worship. The western border of the proposed amendment abuts land that is owned by the property owner and part of the same proposed planned unit development (PUD) called Heathwood Reserve PUD. The remainder of the PUD is proposed for 138 townhomes at a density of 7.8 units per acre. The subject site is separated from single family homes within the Winchester Woods subdivision to the west by these proposed townhomes. Military Trail is located east of the site, separating the site from the residences within the City of Atlantis.

The concurrent zoning application proposes a three story congregate living facility (CLF) comprised of assisted living beds within a three story building. The CLF use on the subject site is separated from existing single family housing by proposed townhomes within the concurrent PUD which will separate the CLF site from Winchester Woods to the west, and by a combination of buffers and Military Trail which separate the CLF use from the residences in Atlantis. The CLF building is proposed to be located approximately 500 feet from the closest single family home in Winchester Woods and approximately 235 feet from the closest home in Atlantis. The proposed amendment is compatible with the surrounding uses through the separation, tapering and transition of density/intensity, and roadway separation between the proposed CLF use and surrounding residences.

#### **E. 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 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 or Development Review Officer approval. Community Plans, Neighborhood Plans and Special Studies, including those adopted, accepted, or received by the Board of County Commissioners, are incorporated into the Future Land Use Support Document as reference guides to identify community needs and unique neighborhood characteristics within the associated document. The following is a list of the County's neighborhood plans and studies:*

##### **Community and Neighborhood Plans**

- *Haverhill Area Neighborhood Plan*
- *Jupiter Farms Neighborhood Plan*
- *Loxahatchee Groves Neighborhood Plan*
- *The Acreage Neighborhood Plan*
- *West Boynton Area Community Plan*
- *West Lake Worth Road Neighborhood Plan*
- *West Gun Club Road Neighborhood Plan*
- *Pioneer Road Neighborhood Plan*

##### **Special Studies**

- *High Ridge Road Corridor Study*
- *Jog Road Corridor Study*
- *Lake Worth Road Corridor Study*



- *Skees Road Study*
- *Western Northlake Corridor Land Use Study*
- *The Urban Redevelopment Area Planning Study and Corridor Master Plans (URA Master Plan), and Addendum*

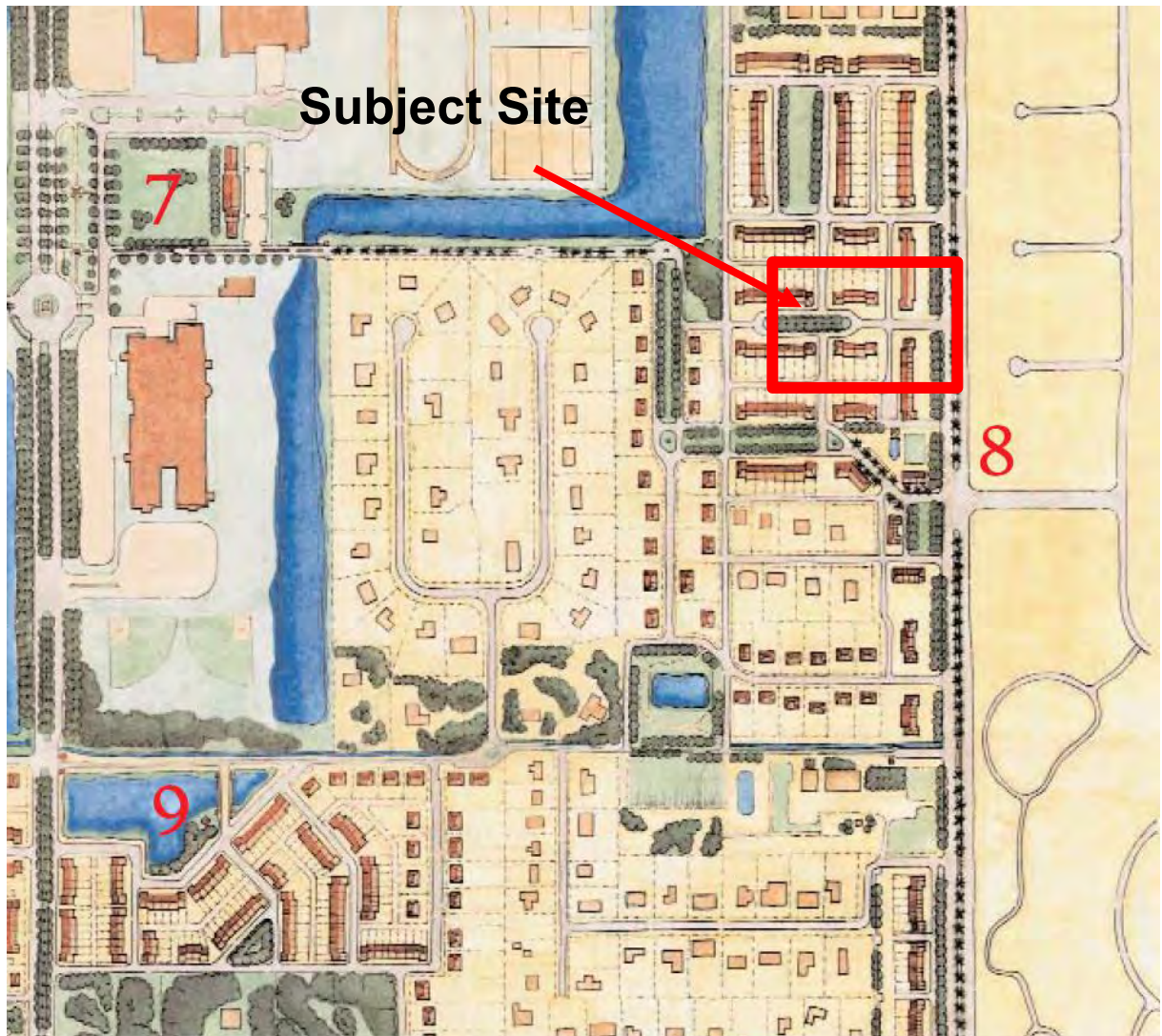
**Staff Analysis:** The site is located within the Treasure Coast Regional Planning Council's (TCRPC) Greenacres, Atlantis and Palm Beach County Charrette Report. The study covers approximately 660 acres and was initiated by the Board of County Commissioners (BCC) as a response to "community concerns over proposed housing projects" in the area. The BCC approved an interlocal agreement with these municipalities and TCRPC on May 18, 2004 to fund and participate in a joint charrette. With the assistance of the TCRPC, the weeklong planning process occurred in June of 2004. The results were compiled by the TCRPC in the Charrette Report which was received and filed by the BCC on May 26, 2005. The final document is located here:

<http://www.pbcgov.org/pzb/planning/Publications/TCRPC%20Greenacres-Atlantis-PBC%20Charrette.pdf>

The concept behind the Study was to promote an urban form through a diversity of housing types and affordability, a hierarchy of connected streets, and fostering places for work and shopping near housing. The Study does not provide specific land use recommendations for the four quadrants of the Study area, but provides a possible vision through a graphic master plan and design recommendations. For the 'northeast quadrant' where the subject site is located, the Study recommends that an east-west roadway is established to connect the City of Atlantis with the City of Greenacres through aligning a right of way from Haverhill to North Country Club Blvd, and that this intersection be signalized. Along Military Trail, the Study recommends redesigned medians, pavers, shade trees, and buildings such as town homes or mixed use fronting the roadway.

As shown in the graphic below, the report graphically depicted mixed uses and higher density along Military Trail in a block style pattern. North Country Club Blvd is depicted in alignment with an access road to the subject site with a traffic light at the intersection with Military Trail. This is a visual representation within the final Study and not a mandatory design. Recommendations from neighborhood plans, special studies and charrettes are one of many factors to consider during the amendment process, and are not mandatory.





## F. Public Facilities and Services Impacts

The proposed amendment will change the Future Land Use designation from MR-5 to CLR for the purposes of developing 139 beds CLF Type 3. Public facilities impacts are detailed in the table in Exhibit 4.

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

**Staff Analysis:** The proposed amendment was distributed to the County service departments for review 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), ULDC (Zoning), Fire Rescue, Health (PBC Dept. of Health), Lake Worth Drainage District.

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

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

**Staff Analysis:** The proposed maximum CLF potential of 139 beds meets Policy 3.5-d long range traffic requirements. According to the County's Traffic Engineering Department (see letter dated October 22, 2018 in Exhibit 6) the amendment would result in 130 net daily trips, and 19 AM and 31 PM net peak hour trips.

The Traffic letter concluded *"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 5) was prepared by JFO Group, Inc., 11924 Forest Hill Blvd., WPB, FL 33414. 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/>

**3. Zoning implications:** The subject site has sufficient acreage to meet the minimum property regulations and is adequate to allow setbacks, access, landscaping and parking, per the Unified Land Development Code.

## **II. Public and Municipal Review**

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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:** The County has coordinated with area local governments and residents through the course of the following:

- **Initial Large Scale Amendment 18-C.** County staff initially met with representatives from the cities of Atlantis and Greenacres on the original proposed application as organized by the District Commissioner on July 31, 2017. At that meeting, County staff discussed the mechanisms allowed per the Florida Statutes that address land use in future annexation areas, such as Joint Planning Agreements and Interlocal Service Boundary Agreements. Municipal notification was sent to the cities of Greenacres and Atlantis, and IPARC, on



March 21, 2018, prior to the scheduled April 13, 2018 Planning Commission meeting. The amendment was postponed administratively prior to hearing.

- **Revised Large Scale Amendment 18-D.** The County hosted a subsequent meeting with the City of Atlantis city manager and the legal representatives on June 25, 2018. Municipal notification was sent to the cities of Greenacres and Atlantis, and IPARC, on June 21, 2018 prior to the scheduled July 13, 2018 Planning Commission meeting.
- **Small Scale Amendment.** The County met with both cities of Atlantis and Greenacres on November 2, 2018. City representatives also attended the informational meetings (see below). For the current small scale application, the County sent notice to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) on November 20, 2018, and to the City of Atlantis, City of Greenacres, and the Town of Lantana on November 16, 2018.

Following the small scale amendment PLC Public Hearing on December 14, 2018, the Cities of Atlantis and Greenacres submitted objection letters, filed an IPARC Notice of Intent to Object and Formal Written Objection in April 2018 (see Exhibit 10, Municipal Correspondence). Each objection letter identified four objections.

Per the IPARC interlocal agreement, a three-member fact-finding panel convenes and a written opinion letter is issued to identify objections and determine the merits of the objections.

The IPARC Fact Finding Panel was held on May 3, 2019. The panel was comprised of representatives from the Town of Jupiter, City of Palm Beach Gardens, and City of Delray Beach. The Panel issued an opinion letter dated May 3, 2019, and signed May 7, 2019, (provided in Exhibit 10) concluding that there is insufficient data and analysis to support the amendment, and there is sufficient data and analysis to support the objections. Per requirements of the interlocal agreement, the letter is included herein and will be submitted to the State review agency if the amendment is adopted.

The opinion letter issued by the IPARC Fact Finding Panel, which is advisory, states that there is not adequate data and analysis to address compliance with the policies below. This letter is not binding and does not serve as another lever of review. County staff is not in agreement with the opinion letter as these policies are addressed by this staff report at length throughout this document, specifically in Exhibit 2, as summarized below.

- **Policy 2.1-f** is provided on page E-3, and addressed under Justification and appropriateness is addressed on page 3 under the heading Policy 2.1-f. The specific sub-policy numbers called out in the letter are addressed as follows:
  - 3. is addressed on page E-6 under Compatibility,
  - 6. is addressed on page E-8 under Consistency with County Overlays, Plans, and Studies, and
  - 7. is addressed on page E-11 under Public and Municipal Review.
- **Policy 4.1-c** is provided and addressed on page E-8 under the heading Consistency with County Overlays, Plans, and Studies, 1. Neighborhood Plans and Studies. The County's obligation under this policy is to 'consider' the recommendations and findings of special studies, and the County has met this obligation by considering the recommendations of the applicable Charrette.



- B. Other Notice:** The County sent public notice by letter for the small scale amendment to the owners of properties within 500' of the perimeter of the site on March 21, 2018, June 21, 2018, and November 16, 2018. In addition, each of these dates, other 11 interested parties were notified by mail, including letters to 6 homeowners associations, 4 residents of the surrounding area and Nason and Yeager, Gerson Harris & Fumero P.A. To date, many emails and letters have been received. Letters are added to Exhibit 9, Correspondence, as they are received during the amendment process.
- C. Informational Meetings:** The Planning Division hosted multiple meetings for area residents and interested parties to relay information regarding the amendment and development approval process on this amendment.
- **April 3, 2018.** The County hosted an informational meeting on this date for the initial large scale amendment consisting of a larger land area and including the residential component of the PUD. The original request was to change the Future Land Use designation from MR-5 and LR-3 to HR-8 and MR-5 to CLR for the purposes of developing 238 multifamily units and 120 beds CLF Type 3. Thirty-three people attended that meeting expressing opposition to the request.
  - **July 5th, 2018.** The County hosted an informational meeting on this date for the initial large scale amendment consisting of a larger land area and including the residential component of the PUD. Two members of the public attended the meeting and expressed opposition to the request.
  - **December 4, 2018.** This information meeting was held on the small scale amendment. Thirty-nine people attended including City of Atlantis residents, and elected officials and legal representatives from the City of Atlantis. Comments expressed included concerns regarding negative impacts from intensification of uses along the corridor, increased traffic, compatibility concerns, need for the mix of uses as identified in the Charrette, concern that the proposed CLF would result in emergency vehicles cutting through Atlantis to reach JFK Medical Center, and concern that the market for these uses is saturated.



## Exhibit 3

### Applicant's Justification Statement, Consistency, and Compatibility

#### I. INTRODUCTION

The subject site, known as "Heathwood Reserve" (previously known as "Atlantis Reserve" and/or "Rorabeck's Property"), is located on the west side of Military Trail, approximately 0.60 miles north of Lantana Road. The 4.831 acre property is composed of one parcel and is identified by a Future Land Use (FLU) designation of MR-5 (Medium Residential – 5 du/ac) and a Zoning designation of AR (Agricultural Residential).

The parcels associated with the requests are as follows:

PCN	Acres	Address	Existing FLU	Existing Zoning
00-42-44-36-08-009-0030	4.831	5253 S. Military Trail	MR-5	AR

#### II. PROPOSED FLUA MAP AMENDMENT

On behalf of the Applicant, WGI, is respectfully requesting a Future Land Use Atlas (FLUA) Amendment, in order to modify the FLU designation from MR-5 to CLR (Congregate Living Residential – 12 du/ac) for 4.831 acres.

The property associated with the request is as follows:

PCN	Existing Site Area	Existing FLU	Proposed Site Area	Proposed FLU
00-42-44-36-08-009-0030	4.831	MR-5	8.31	CLR

The aerial below offers a visual representation of the subject site and proposed request:



The FLU designation is necessary in order to accommodate the residential use proposed on the subject site.



Please note, there is a concurrent rezoning request, which includes the parcel of this request, to rezone five parcels (00-42-44-36-08-009-0030; 00-42-44-36-08-010-0000; 00-42-44-36-08-016-0060; 00-42-44-36-08-016-0110; 00-42-44-36-08-016-0090) from AR – Agricultural Residential to PUD – Planned Unit Development to accommodate 138 fee-simple townhome units, and a 139-bed Type 3 CLF.

The total site area of the request is 22.541 acres.

### Compatibility and Surrounding Uses

The surrounding uses vary and are found to be compatible with the proposed amendment. The site is near existing residential uses, and is bordered on the eastern property line by S Military Trail. It is not uncommon for residential uses of varying densities to be found adjacent to one another, examples of which can be found throughout Unincorporated PBC as well as within the County's municipalities. The extent to which the densities transition from one to another are often mitigated by the use of property development regulations including setbacks, height limitations and landscape buffer requirements.

The following is a summary of the uses directly surrounding the subject site:

	FLU	Zoning District	Existing Use
<b>North</b>	LR-3, PI (City)	AR, GU (City)	Place of Worship, School (City of Greenacres)
<b>South</b>	LR-3	AR	Corbett Road, Wholesale Nursery
<b>East</b>	MR-5, LR-3, RS (City)	AR, R-1A (City), R-1AA (City), RD (City)	Communication Tower, Single-Family Residential, Military Trail ROW, City of Atlantis
<b>West</b>	LR-2	RT	Single-Family Residential (aka Winchester Woods)

**North:** Immediately north of the subject site is a Place of Worship (located within unincorporated Palm Beach County) and a School (located within the City of Greenacres). The Place of Worship retains a FLU designation of LR-3 and a Zoning designation of AR. The School retains a FLU designation of PI (Public/Institutional) with a Zoning designation of GU (Government Use).

**South:** Immediately south of the subject site is a Communication Tower, Single-Family Residential. Further south, is an existing Wholesale Nursery, known as Rorabeck's. This property retains an Unincorporated Palm Beach County FLU designation of LR-3 with a Zoning designation of AR.

**East:** East of the subject site is the Military Trail ROW and the City of Atlantis. The adjacent properties retain an Unincorporated Palm Beach County FLU designation of MR-5 and LR-3 with a Zoning designation of AR. The residential properties located within the City of Atlantis, located on the east side of Military Trail, retain a FLU designation of RS (Residential) with Zoning designations of R-1A (Single-Family), R-1AA (Single-Family and RD (Recreational Area).

**West:** Immediately west of the subject site is a vacant agricultural/nursery use, which retains an Unincorporated Palm Beach County FLU designation of MR-5 and a Zoning designation of AR.

The area immediately adjacent to the subject site is a mix of residential uses (to the north, west and east) and nonresidential (to the south). The development pattern in the context of the larger planning area is more diverse, with higher density residential and institutional uses situated along Military Trail, and more intense nonresidential commercial uses clustered near intersections. While there is an increase in residential density proposed on the subject site, this increase does not alter the character



of the area, nor does it create any adverse impacts on adjacent communities and it remains compatible with the development patterns established along this (and similar) corridors. The proposed residential use is more compatible than the existing use of a wholesale nursery, as well as within the broader land use context of the area, which is a mix of residential and commercial uses.

### Project History

The subject site has no previous Text or FLUA Amendments. Below is a zoning summary history of each parcel consisting of the subject site:

**00-42-44-36-08-009-0030:** This parcel received Final Site Plan approval for a Wholesale Nursery under Application No. DRC-2000-45.

### Justification for Future Land Use Atlas Amendment

The subject site, which is located within the Urban/Suburban Tier, is situated along Military Trail - a heavily travelled arterial roadway characterized by a variety of uses. The subject sites' immediate surrounding areas include nurseries, residential developments, commercial uses, as well as public and institutional uses, making it an ideal location for infill development. In addition, the Urban/Suburban tier supports and encourages a wide range of uses and residential use types, specifically infill development that addresses the housing needs of the community at large. As such, the proposed future land use designation of CLR (Congregate Living Residential) will provide suitable housing for the elderly and meet the demand for additional congregate living for aging residents in the heart of the Urban/Suburban tier.

This request to modify the FLU designation to CLR from MR-5, in comparison to the HR-12 FLU, is both age-restricted in use and generates much less traffic, noise, and adverse impacts on the surrounding context. The Applicant proposes to redevelop the vacant and underutilized site with a Type 3 CLF and in addition to providing a much needed senior housing option for aging residents of the area, the proposed use will be designed in such a way to minimize any adverse impacts on the surrounding neighbors.

The proposed FLUA Amendment contributes to the development pattern that is encouraged in the Urban/Suburban tier. The proposed residential use, within the CLR designation, will diversify housing options within the area while providing a transition from existing lower residential to the newer developments of higher intensity consisting of commercial, medium/high density residential, and institutional uses.

### FLU Analysis

A data analysis of similar corridors in close proximity to the site yielded results which support the current request to amend the FLU to CLR (12 du/ac). As the subsequent analysis demonstrates, land area of similar size and location has been approved at a similar density to the current request. Further research and analysis concluded that a large percentage of these lands are built at a similar intensity and are adjacent to residential uses of a lower density, comparable to that of the subject site. The study area encompasses Military Trail, north to Okeechobee Boulevard and south to Hypoluxo Road, west to the Florida Turnpike and east to Interstate 95.

### Type 3 CLF's and CLR FLU

As outlined in the table below, Type 3 CLF's were traditionally developed on land with FLU's of either HR-8 and/or HR-12, with density ranges of 18 beds per acre to 36.16 beds per acre. The proposed FLU of the newly designated CLR is consistent with similar Type 3 CLF facilities approved in PBC.

Project Name	Control #	FLU/ Zoning	Acreage	# beds/du	Density	Surrounding Uses
ARC at Delray West	97-28	HR-8 PUD	4.75	86 beds	18.1 beds/ac	Duplexes
Veranda Club CLF	84-152	HR-8 PUD	6.028	218 beds	36.16 beds/ac	SF Residential



Boynnton Healthcare Center	96-16	INST-8 RS	4.76	99 beds	20.79 beds/ac	SF; MF; Storage
Heritage Park	84-85	HR-8 RM	18.4	145 du	7.8 du/ac	SF; Duplex
Southwind Heights CLF	03-105	CLO/8 PUD	6.21	135 beds	21.74 beds/ac	SF; Office
Gardens ACLF	96-112	INST/8 MUPD	8.27	144 beds	17.41 beds/ac	SF; Ag
Gulfstream ACLF	07-64	HR-8 PUD	6.49	121 beds	18.65 beds/ac	SF
Lake Worth Senior Living	05-122	HR-8 PUD	6.81	134 beds	19.6 beds/ac	MF/Commercial I
Lake Worth Road CLF	81-13	CH/8 PUD	6.61	165 beds	24.9 beds/ac	MF/Commercial I
Tuscan Gardens of Delray Beach	05-506	HR-8 PUD	7.57	144 beds	19.12 beds/ac	SF/MF
Allegro at Boynton Beach	97-75	INST/8 MUPD	7.5	140 beds	18.6 beds/ac	SF
Cobblestone Place CLF	75-68	HR-12 PUD	6.0	168 beds	28 beds/ac	SF/Commercial

#### **Compliance with Comprehensive Plan FLUE Policy 2.1-F**

The proposed FLUA Amendment must be found to be consistent with the Goals, Objectives and Policies of the Comprehensive Plan. Future Land Use Element Policy 2.1-f requires that adequate justification for the proposed FLU be provided. The proposed FLUA Amendments to modify the FLU from MR-5 to CLR are in compliance with the requirements of the County's Comprehensive Plan, as outlined below.

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

*Response: The proposed use is suitable and appropriate for the subject site, as it promotes infill redevelopment opportunities in the Urban/Suburban Tier and allows for a residential use that will diversify the housing stock in the area, while utilizing existing infrastructure and services. The property development regulations contained in the ULDC will require the project to meet buffering and setback requirements to ensure compatibility between the proposed uses and the existing residential uses nearby. Special care will be taken in the design of the property, with the built environment of the proposed developed positioned in a favorable location, in relation to the adjacent single-family residential.*

#### **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;**

*Response: Over time the area surrounding the subject site has seen a shift in development patterns, from lower density residential and agricultural uses to high density residential, institutional and commercial uses. This demonstrates that the existing FLUA designation as well as the existing use on the subject site are no longer appropriate. A change in FLUA designation will offer the opportunity for infill development at a density that has proven compatible in other areas of the County. The existing development pattern surrounding the site is diverse, with residential and institutional uses along both sides of Military Trail, and commercial uses clustered towards the intersection. The current site configuration and access directly from Military Trail makes this site the ideal location in which to develop higher density*



*residential - a Type 3 CLF. As referenced in the prior policy response, special care will be taken to ensure that no impacts result as part of the request.*

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

*Response: Since the time of the original assignment of the current FLU designations, the development pattern within the area has changed. As land becomes more scarce development pressures have pushed westward where large tracts of developable land are more available. The westward movement of development leaves “pockets” of undeveloped land within the County’s developed, Urban/Suburban Tier. What results are underutilized tracts of land that do not take advantage of existing infrastructure and services available. Such sites often face constraints in the physical configuration of land area and site location, resulting in the need to amend the FLU designation, to allow for a development of viable density or intensity.*

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

*Response: Stated above.*

- **Inappropriateness of the adopted FLU designation; or,**

*Response: As this area has developed over time with higher residential, institutional and nearby commercial uses, the existing FLU designation on the subject site is no longer appropriate. A change in FLU designation will offer the opportunity for infill development to include a housing type not found in the immediate area. The CLR FLU designation will be more representative of the current fabric of the community and will meet the demands of aging residents that desire to stay in the heart of the Urban/Suburban tier.*

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

*Response: The adopted MR-5 FLU designation was not assigned in error.*

#### **Compliance with Florida Statutes Chapter 163.3177**

Florida Statute, Chapter 163.3177 is the principle state statute governing the comprehensive plans and plan amendments for all of the Counties within the State of Florida. In 2011, Chapter 163, F.S. was substantially revised and Rule 9J-5 was repealed and removed from the Florida Administrative Code (House Bill 7207). Today, Chapter 163.3177(1) (f) states, “all mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government, that may include but not be limited to, surveys, studies, community goals and vision, and other data available on that particular subject at the time of adoption of the plan or plan amendment at issue.”

*Response: The data and analysis presented in this application and justification statement support the request for amendment of the FLUA and demonstrate consistency with the Florida Statutes.*

**163.3177 – 6.a. Requires that a local government’s future land use plan element be based on a number of factors, including population projections, the character of undeveloped land, availability of public services and other planning objectives.**

*Response: The subject site creates an opportunity for infill development within the County’s Urban/Suburban Tier. The development proposal offers a Type 3 CLF, which will offer housing options to the aging population in the area. This type of development in this location will allow the user to take advantage of existing infrastructure and PBC services, while maximizing an underutilized piece of land.*

#### **Consistency with Directives, Goals, Objectives, and Policies of the PBC Comprehensive Plan**

The Future Land Use Element (FLUE) of the Comprehensive Plan establishes the framework for future development within Unincorporated Palm Beach County and includes Goals, Objectives and Policies



which guide this future growth. Section I.C of the FLU Element also establishes County Directions which reflect the type of community residents wish to see within Palm Beach County. The Directions particularly relevant to this application include:

- Livable Communities;
- Growth Management;
- Infill Development;
- Land Use Compatibility;
- Neighborhood Integrity; and
- Housing Opportunity.

*Response: The following analysis demonstrates the proposal's consistency with the relevant Goals, Objectives and Policies of the Future Land Use Element of the Plan, as demonstrated throughout this report. Additionally, the proposed FLUA Amendment to CLR is consistent with infill development characteristics and the general development pattern of the surrounding area.*

### **Consistency with the PBC Future Land Use Element**

Goals – The proposed FLUA Amendment furthers the County's goals as further described below.

- **Land Planning** – “It is the GOAL of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.”

*Response: The proposed project adds to Palm Beach County's livable communities by offering a housing option for the aging residents of the Urban/Suburban tier. The proposed density and intensity provides a balance among the existing uses within the area.*

Objectives – The proposed FLUA Amendment furthers the County's objectives as further described below.

- **Objective 1.2 Urban/Suburban Tier – Urban Service Area**  
**General:** “This tier is expected to accommodate the bulk of the population and its need for employment, goods and services, cultural opportunities, and recreation. It supports a variety of lifestyle choices, ranging from urban to residential estate; however, the predominant development form in the unincorporated area is suburban in character. The older, communities are primarily in municipalities, within approximately 2 miles of the Atlantic Ocean. Most of the neighborhoods within the tier are stable and support viable communities. However, due to the period in which many of the coastal communities were built and the County's efforts to keep pace with rapid growth in its western area, some of the eastern areas did not receive a full complement of urban services. If the County is to meet its primary goal to create and maintain livable communities, balance growth throughout the County, protect natural resources and provide a variety of lifestyle choices beyond the long term planning horizon, it is imperative that land, services and facilities be used efficiently and effectively.”

*Response: This request is consistent with this Objective as the CLR FLU is permitted within the Urban/Suburban Tier. A change in FLU designation will offer the opportunity to develop the site appropriately, given the surrounding characteristics and increased development intensity, as well as the location along a highly traveled arterial roadway. Additionally, the FLU Amendments to CLR is consistent with infill development characteristics, such as permitting*



*higher densities along major roadways, while utilizing existing infrastructure and County services.*

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

*Response: The Urban/Suburban Tier is to accommodate an array of land uses and development patterns, providing a land use pattern that situates higher intensity uses (such as commercial and high residential) near intersections and along major roadways, and lower density (such as single-family residential) to the interior creating a flow in development intensities that transitions from high to low.*

*Thus, the proposed amendment is consistent with the aforementioned Objective. The proposed FLUA Amendment will provide housing options with appropriate density and intensity with surrounding uses.*

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

*Response: The proposed FLUA Amendment will allow for the development of a needed alternative in housing type, while protecting the environment and utilizing existing infrastructure. The proposed use offers the opportunity for aging populations within the area to be adequately served by providing a senior housing option.*

- **Objective 2.2 Future Land Use Provisions – General** – “Palm Beach County shall ensure development is consistent with the County’s diverse character and future land use designations. All public and private activities concerning the use, development and redevelopment of a property, and the provision of facilities and services shall be consistent with the property’s future land use designation, and the applicable Goals, Objectives and Policies of this Element.”

*Response: The proposed FLUA Amendment is consistent with the County’s diverse character and future land use designations as the proposed use will offer a needed senior housing option and create a transition between higher and lower intense uses. Furthermore, as demonstrated within this section, the proposed amendment is consistent with the applicable Goals, Objectives and Policies of the Future Land Use Element of the Comprehensive Plan.*

- **Objective 3.1 Service Areas - General** – “Palm Beach County shall establish graduated service areas to distinguish the levels and types of services needed within a Tier, consistent with sustaining the characteristics of the Tier. These characteristics shall be based on the land development pattern of the community and services needed to protect the health, safety and welfare of residents and visitors; and, the need to provide cost effective services based on the existing or future land uses.”

*Response: The subject site is located near all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, mass transit, opportunities, etc. The proposed development will sufficiently utilize the existing urban services*



*within the area. Furthermore, the proposed use will provide additional services to the community to help protect the health, safety and welfare of its residents.*

Policies – The proposed FLUA Amendment furthers the County's policies as further described below.

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

*Response: The proposed FLUA Amendment is consistent with this policy as it is appropriate for the site. The site is surrounded by existing development and would likely, long term, be unsuitable for agricultural production. The subject site is located within the Urban/Suburban Tier, which encourages a variety of lifestyle living choices, ranging from urban to residential estate. The CLR designation will create an opportunity to diversify living options within the surrounding area, while ensuring the infill development is compatible with the scale, mass, intensity of use, height, and character of the existing uses and traffic intensities.*

- **Policy 1.2-b:** Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.

*Response: The site is well suited for infill development as it is located along an arterial roadway, Military Trail, and surrounded by existing developed parcels and established infrastructure. Typically, infill development retains urban characteristics; therefore, requiring land use designations to support this type of development.*

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

*Response: The subject site is located near all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, mass transit, opportunities, etc. The proposed development will sufficiently utilize the existing urban services within the area.*

- **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."

*Response: The proposed FLUA Amendment is consistent with the County's diverse character and future land use designations as the proposed use will offer an alternative housing option and create a transition between higher and lower intense uses. Furthermore, as demonstrated within this section, the proposed amendment is consistent with the applicable Goals, Objectives and Policies of the Future Land Use Element of the Comprehensive Plan.*

- **Policy 2.1-h:** "The County shall not approve site specific FLUA Amendments that encourage piecemeal development."



*Response: The subject site is surrounded by existing residential, public/institutional, and nearby commercial developments, as well as being located along Military Trail. As such, the proposed amendment does not encourage piecemeal development, nor does it create residual parcels.*

- **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

*Response: The proposed FLU amendment and development program does not seek to utilize the TDR program for increased density.*

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

*Response: The Applicant will not need to seek WFH or Affordable Housing bonuses for this request.*

### **Consistency with the New FLU CLR Provisions**

#### **Objective 2.2. Future Land Use Provisions – General**

##### **2.2.1 Residential**

**A.2 New Policy 2.2.1-#: Congregate Living Residential.** The purpose of the Congregate Living Residential (CLR) future land use designation is to facilitate the review of proposed Congregate Living Facilities (CLF) Type 3 that require a future land use amendment to increase residential density and approval within in appropriate areas of the County. The CLR designation is subject to the following:

1. Proposed future land use amendments requesting an increase in density for the purposes of developing a CLF Type 3 shall apply for the CLR designation unless the site is proposed within a project that has multiple or mixed land uses. Such Amendments which are also requesting to be co-located non-residential uses may apply for a non-residential future land use designation with an underlying CLR and be subject to the location requirements of the non-residential designation.

*Response: The proposed development does not comprise of multiple or mixed land uses, as such the Type 3 CLF will comply with the CLR FLU designation.*

2. Proposed future land use amendments to the CLR designation shall retain the original residential future land use designation as an underlying residential density to be used if the site is developed with residential uses other than a CLF Type 3

*Response: The proposed Type 3 CLF will comply with the CLR designation and will not be developed as anything other than a Type 3 CLF.*

3. Proposed future land use amendments to the CLR designation for a CLF Type 3 are subject to the maximum density depicted in FLUE Table 2.2.1-g.1. The maximum density for individual sites may be limited through the future land use amendment process to ensure compatibility with surrounding land uses. In order to determine the compatible maximum density and design of the site, proposed CLR amendments require a zoning application to be submitted within the amendment review process.



*Response: The proposed Type 3 CLF will comply with all CLR FLU provisions and meets the maximum density requirement for the CLF FLU designation. A Zoning application is being processed concurrently.*

**A.3.**

**Table 2.2.1-g.1**

**Residential Future Land Use Designation Maximum Density**

Future Land Use Designation		Dwelling Units per Gross Acre
		Maximum
<i>Unaltered text omitted for brevity</i>		
<u>Congregate Living Residential</u>	<u>CLR</u>	12 <sup>3</sup>
<i>Unaltered text omitted for brevity</i>		

1. and 2. *Unaltered and omitted for brevity*

3. The CLR future land use designation allows a maximum density for a CLF Type 3 of up to 12 units per acre in the Urban/Suburban Tier.

*Response: The proposed development meets and will comply with the maximum density standards for the new CLR FLU policy provisions.*

**Conclusion**

The requested FLUA Amendment from MR-5 to CLR is justified and consistent with the Palm Beach County Comprehensive Plan, State of Florida laws, and is compatible with surrounding uses. The subject site is in an ideal location in which to promote infill development. The current development program offers an alternative housing option for the aging residents of the Urban/Suburban tier with the development of a Type 3 CLF. The development of this use at this location improves an underutilized land area that is surrounded on all sides by the built environment. Like the other land areas analyzed earlier in this report, density at this level is established in other areas of the County, and has proven to be compatible and harmonious. The CLR FLU designation is being utilized exclusively for the development of a Type 3 CLF. Through the Zoning application, design considerations and conditions of approval will be utilized to ensure proper buffering.

On behalf of the applicant, WGI, respectfully requests approval of this request to amend the FLUA designation on the subject site.



## Exhibit 4

### Applicant's Public Facility Impacts Table

#### VIII. Public Facilities Information

<b>A. Traffic Information</b>		
<i>In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the Future Land Use Element of the Comprehensive Plan. The letter must state if the traffic generation for the amendment meets Policy 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030.</i>		
	<b>Current</b>	<b>Proposed</b>
<b>Max Trip Generator</b>	Single Family Detached (ITE 210) Rate: 10	Assisted Living Facility (ITE 254) Rate: 2.66
<b>Maximum Trip Generation</b>	240	370
<b>Net Daily Trips:</b>	_ 130 _ (maximum minus current) _ 130 _ (proposed minus current)	
<b>Net PH Trips:</b>	_ 1 _ AM, _ 2 _ PM (maximum) _ 1 _ AM, _ 2 _ PM (proposed)	
<b>Significantly impacted roadway segments that fail Long Range</b>	N/A	N/A
<b>Significantly impacted roadway segments for Test 2</b>	N/A	N/A
<b>Traffic Consultant</b>	Dr. Juan F. Ortega, P.E. – JFO Group, Inc.	
<b>B. Mass Transit Information</b>		
<b>Nearest Palm Tran Route (s)</b>	Route Name: PBG – BCR via MILITARY Route Number: 3	
<b>Nearest Palm Tran Stop</b>	Stop Number: 1071 Stop Name: MILITARY TRL @ DOW LN Stop Distance: Adjacent to Subject Site frontage along Military Trail	
<b>Nearest Tri Rail Connection</b>	Boynton Beach Station via route 3 and 71	



<b>C. Portable Water &amp; Wastewater Information</b>				
<b>Potable Water &amp; Wastewater Providers</b>	PBCWUD			
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest water and sewer lines are located in Military Trail adjacent to the property. Substantial off-site sewer pipe improvements on Military Trail may be required in order to connect to PBCWUD wastewater collection system (approximately 2000 feet of 12" diameter force main south of Vespasian Court).			
<b>D. Drainage Information</b>				
The existing parcels serve as agricultural land and a nursery. The existing agricultural lots drain by overland flow to a detention pond located at the southwest corner of the site which discharges from a control structure into LWDD's L-15 Canal to the south. The proposed development will drain by a series of interconnected inlets and culverts to the proposed on-site lake and dry-detention areas. Water quality and quantity criteria will be met in the proposed lake and dry detention area prior to discharging via control structure through a piped connection directly into the LWDD L-15 Canal, the point of legal positive outfall. Historical drainage of the adjacent properties will be unaffected. Drainage Statement as <b>Attachment J</b> .				
<b>E. Fire Rescue</b>				
<b>Nearest Station</b>	The subject site is served currently by PBC Fire-Rescue station #43, which is located at 5970 S. Military Trail.			
<b>Distance to Site</b>	The subject site is approximately 1 mile from the station.			
<b>Response Time</b>	The estimated response time to the subject property is 4 minutes 30 seconds.			
<b>Effect on Resp. Time</b>	For fiscal year 2016, the average response time (call received to on scene for this stations zone is 6:29). The amendment of this property will have minimal effect on Fire Rescue. <b>Attachment K</b> .			
<b>F. Environmental</b>				
<b>Significant habitats or species</b>	No significant habitat occurs on the assessed parcel. No state or federal listed plant or animal species were located within the assessment area. <b>Attachment L</b> .			
<b>Flood Zone*</b>	X500			
<b>Wellfield Zone*</b>	Not located within a Wellfield Protection Zone. <b>Attachment M</b> .			
<b>G. Historic Resources</b>				
Staff's review has identified no historic or architecturally significant resources on or within 500 feet of the subject site. In addition, staff's review has identified no known archaeological resources located on or within 500 feet of the subject site. Comment Letter as <b>Attachment N</b> .				
<b>H. Parks and Recreation - Residential Only</b>				
<b>Park Type</b>	<b>Name &amp; Location</b>	<b>Level of Svc. (ac. per person)</b>	<b>Population Change</b>	<b>Change in Demand</b>
<b>Regional</b>	John Prince Park	0.00339	+139	0.47



<b>Beach</b>	R.G. Kreusler Park	0.00035	+139	0.05
<b>District</b>	Santaluces Athletic and Aquatic Complex	0.00138	+139	0.19

### **I. Libraries - Residential Only**

<b>Library Name</b>	Lantana Road Branch			
<b>Address</b>	4020 Lantana Road			
<b>City, State, Zip</b>	Lake Worth, FL 33462			
<b>Distance</b>	Approximately 1.08 miles			
<b>Component</b>	<b>Level of Service</b>	<b>Population Change</b>	<b>Change in Demand</b>	
<b>Collection</b>	2 holdings per person	+139	278	
<b>Periodicals</b>	5 subscriptions per 1,000 persons	+139	0.70	
<b>Info Technology</b>	\$1.00 per person	+139	\$139.00	
<b>Professional staff</b>	1 FTE per 7,500 persons	+139	0.02 FTE	
<b>All other staff</b>	3.35 FTE per professional librarian	+139	0.07 FTE	
<b>Library facilities</b>	0.34 sf per person	+139	47.26	

### **J. Public Schools - Residential Only**

Comment Letter as **Attachment O**.

	<b>Elementary</b>	<b>Middle</b>	<b>High</b>
<b>Name</b>	Diamond View	Tradewinds	Santaluces Community
<b>Address</b>	5300 Haverhill Road	5090 Haverhill Rd	6880 Lawrence Road
<b>City, State, Zip</b>	Greenacres, FL 33463	Greenacres, FL 33463	Lantana, FL 33462
<b>Distance</b>	Approx. 1.70 miles	Approx. 2.30 miles	Approx. 2.30 miles



## **Exhibit 5 Traffic Study**

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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 6

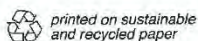
### Palm Beach County Traffic Division Letter



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**  
Melissa McKinlay, Mayor  
Mack Bernard, Vice Mayor  
Hal R. Valeche  
Paulette Burdick  
Dave Kerner  
Steven L. Abrams  
Mary Lou Berger  
**County Administrator**  
Verdenia C. Baker

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Affirmative Action Employer"



October 22, 2018

Juan F. Ortega, P.E.  
JFO Group, Inc.  
11924 Forest Hill Boulevard  
Suite 10A-123  
Wellington, FL 33414

**RE: Heathwood Reserve FKA Atlantis Reserve  
FLUA Amendment Policy 3.5-d Review  
Round 2019-A**

Dear Dr. Ortega:

Palm Beach County Traffic Division has reviewed the Comprehensive Plan Amendment LUPA Traffic Impact Statement for the proposed Future Land Use Amendment for the above referenced project, revised August 14, 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:	West side of Military Trail, approximately 0.60 mile north of Lantana Road	
PCN:	00-42-44-36-08-009-0030	
Acres:	4.831 acres	
	Current FLU	Proposed FLU
FLU:	Medium Residential, 5 units per acre (MR-5)	Congregate Living Residential (CLR)
Zoning:	Agricultural Residential (AR)	Planned Unit Development (PUD)
Density/ Intensity:	5 du/acre	12 du/acre
Maximum Potential:	Single Family Detached Total: 24 DUs	Assisted Living Facility Total: 139 Beds
Proposed Potential:	N/A	N/A
Net Daily Trips:	130 (maximum - current)	
Net PH Trips:	19 (12/7) AM, 31 (14/17) PM (maximum)	
* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities in the zoning application.		





Juan F. Ortega, P.E.  
October 22, 2018  
Page 2

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

Please contact me at 561-684-4030 or email to [qbari@pbcgov.org](mailto:qbari@pbcgov.org) with any questions.

Sincerely,

A handwritten signature in black ink, which appears to read "Quazi Bari".

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

QB:DS/dd

cc: Dominique Simeus, E.I. – 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\19-A\Heathwood Reserve FKA Atlantis Reserve.docx



## Exhibit 7

### Water & Wastewater Provider LOS Letter



**Water Utilities Department  
Engineering**

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

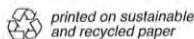
**Palm Beach County  
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Dave Kerner  
Steven L. Abrams  
Mary Lou Berger

**County Administrator**

Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"



printed on sustainable  
and recycled paper

February 1, 2018

WGI  
2035 Vista Parkway  
West Palm Beach, FL 33411

RE: Atlantis Reserve  
PCN's: 00-42-44-36-08-009-0030; 00-42-44-36-08-010-0000; 00-42-44-36-08-016-0060; 00-42-44-36-08-016-0090; 00-42-44-36-08-016-0110  
Service Availability Letter

Dear Ms. Libes,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required for the existing FLU designation of LR-3 and MR-5 and the proposed FLU designation of HR-8 for 18.35 acres and CLR for 4.19 acres. The proposed amendment will yield 288 units.

The nearest potable water is a 10" watermain located within Military Trail. There is an 8" forcemain located within Military Trail. Based on the number of proposed units a PBCWUD lift station will be required.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD.

If you have any questions, please give me a call at (561)493-6116.

Sincerely,

A handwritten signature in blue ink that reads "Jackie Michels".

Jackie Michels, P.E,  
Plan Review Manager



## Exhibit 8

### Disclosure of Ownership Interests

---

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

#### DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

(TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY)

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


STATE OF FLORIDA  
COUNTY OF PALM BEACH

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

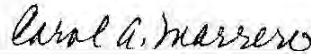
1. Affiant is the ☒ individual or ☐ Registered Agent [position—  
e.g., president, partner, trustee] of AMKBJ Partners, LTD. LLLP [name and type of  
entity -e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter,  
"Applicant"). Applicant seeks Comprehensive Plan amendment or Development  
Order approval for real property legally described on the attached Exhibit "A" (the  
"Property").
2. Affiant's address is: 7457 Park Lane  
Lake Worth, FL 33467
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of  
every person or entity having a five percent or greater interest in the Applicant.  
Disclosure does not apply to an individual's or entity's interest in any entity  
registered with the Federal Securities Exchange Commission or registered pursuant  
to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County  
policy, and will be relied upon by Palm Beach County in its review of Applicant's  
application for Comprehensive Plan amendment or Development Order approval.  
Affiant further acknowledges that he or she is authorized to execute this Disclosure  
of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to  
reflect any changes to ownership interests in the Applicant that may occur before the  
date of final public hearing on the application for Comprehensive Plan amendment  
or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the  
penalties provided by the laws of the State of Florida for falsely swearing to  
statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and  
to the best of Affiant's knowledge and belief it is true, correct, and complete.



FURTHER AFFIANT SAYETH NAUGHT.

  
Michelle Lancianese, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 31 day of January,  
20 17, by Michelle Lancianese, [ X ] 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: \_\_\_\_\_



**EXHIBIT "A"**

**PROPERTY**

LEGAL DESCRIPTION

PCN: 00-42-44-36-08-009-0030

A PORTION OF TRACT 9 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, "PLAT OF SEC. 36 - T44S, R42E," ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 10, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, THENCE SOUTH 01°47'37" WEST, ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36, A DISTANCE OF 1718.10 FEET;

THENCE NORTH 87°18'06" WEST, A DISTANCE OF 67.01 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 87°18'06" WEST, A DISTANCE OF 601.55 FEET; THENCE NORTH 01°52'51" EAST, ALONG THE WEST LINE OF SAID TRACT 9, A DISTANCE OF 350.04 FEET; THENCE SOUTH 87°18'06" EAST, ALONG THE NORTH LINE OF SAID TRACT 9, A DISTANCE OF 601.01 FEET; THENCE SOUTH 01°47'37" WEST, ALONG A LINE 67.00 FEET WEST OF THE EAST LINE OF SAID TRACT 9, ALSO BEING THE WEST LINE OF SOUTH MILITARY TRAIL, AS RECORDED IN OFFICIAL RECORDS BOOK 5876 AT PAGE 135 OF SAID PUBLIC RECORDS, A DISTANCE OF 350.05 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 210,450 SQUARE FEET (4.831 ACRES), MORE OR LESS.



**EXHIBIT "B"****DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT**

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the 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.

<b>Name</b>	<b>Address</b>
AMKBJ, Inc,	7457 Park Lane, Lake Worth, FL 33467
Brian Lulfs	7457 Park Lane, Lake Worth, FL 33467
Michelle Lancianese	7457 Park Lane, Lake Worth, FL 33467



**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  
Michelle Lancianese, 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 ☐ Registered Agent *(position - e.g., president, partner, trustee)* of AMKBJ Partners, LTD. LLLP *(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: 7457 Park Lane  
Lake Worth, FL 33467
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,

  
Michelle Lancianese, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 31 day of January, 2017, by Michelle Lancianese, [ ☒ ] who is personally known to me or [ ☐ ] who has produced \_\_\_\_\_ as identification and who did take an oath.

Carol A. Marrero

Notary Public



(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: \_\_\_\_\_



EXHIBIT "A"

PROPERTY

PCN: 00-42-44-36-02-009-0030

A PORTION OF TRACT 9 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, "PLAT OF SEC. 36 - T44S, R42E", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 10, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, THENCE SOUTH 01°47'37" WEST, ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36, A DISTANCE OF 1718.10 FEET;

THENCE NORTH 87°18'06" WEST, A DISTANCE OF 67.01 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 87°18'06" WEST, A DISTANCE OF 601.65 FEET; THENCE NORTH 01°52'51" EAST, ALONG THE WEST LINE OF SAID TRACT 9, A DISTANCE OF 350.04 FEET; THENCE SOUTH 87°18'06" EAST, ALONG THE NORTH LINE OF SAID TRACT 9, A DISTANCE OF 601.01 FEET; THENCE SOUTH 01°47'37" WEST, ALONG A LINE 67.00 FEET WEST OF THE EAST LINE OF SAID TRACT 9, ALSO BEING THE WEST LINE OF SOUTH MILITARY TRAIL, AS RECORDED IN OFFICIAL RECORDS BOOK 5376 AT PAGE 135 OF SAID PUBLIC RECORDS, A DISTANCE OF 350.05 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 210,460 SQUARE FEET (4.831 ACRES), MORE OR LESS.



**EXHIBIT "B"****DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT**

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the 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.

<b>Name</b>	<b>Address</b>
AMKBJ, Inc.	7457 Park Lane, Lake Worth, FL 33467
Brian Lulfs	7457 Park Lane, Lake Worth, FL 33467
Michelle Lancianese	7457 Park Lane, Lake Worth, FL 33467



## Exhibit 9

### Correspondence

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From: claudia Snyder <[caszatt@comcast.net](mailto:caszatt@comcast.net)>  
To: [PBehn@pbcgov.org](mailto:PBehn@pbcgov.org)  
Date: December 2, 2018 at 5:38 PM  
Subject: Heathwood Project

My name is Ann Snyder. I have lived in Atlantis and Palm Beach County for 10 years. I have many concerns for this proposed "project". The primary concern is the density of the proposed housing. The following "truths" raise serious concerns that could greatly affect the future living conditions of a great many citizens. 1. The proposed density is NOT compatible with the surroundings -- mostly single family homes. 2. greatly increasing the Traffic on Military Trail and the adverse affects on Atlantis residences and surrounding areas - 3. The County and the City Of Atlantis entered into a "Citizens Master Plan" and I strongly feel this agreement should NOT be compromised, as it could set a negative precedent for the future.

I thank you for all the time and effort you have put into the planning and discussion of this project. As a resident of Atlantis - I appreciate and am grateful for the opportunity to express my thoughts and concerns.

Sincerely,  
Ann Snyder

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From: Norma Poretz  
Sent: Sunday, December 2, 2018 5:27 PM  
To: [PBehn@pbcgov.org](mailto:PBehn@pbcgov.org)  
Subject: Heathwood Reserve

Dear Madam or Sir:

My husband and I purchased our home in the City Of Atlantis six years ago. We chose to live here because it is a quiet residential community in central Palm Beach County surrounded by areas of park land and relatively low density housing.

We were aware of the Agricultural Zoning of the property adjacent to Atlantis, as well as the Palm Beach County Charrette Report which recommended low to modest density housing for areas to the west of Atlantis across Military Trail. Clearly the current proposed development of Heathwood Reserve is totally contrary to the land use of the property surrounding the City of Atlantis.

In effect, approval of the development of Heathwood Reserve is totally contrary to the goals of the County Charrette and would be completely detrimental to areas surrounding this piece of property. Therefore, we urge you to refuse the change in land use designation for Heathwood Reserve with its proposed high density and congregate living residential housing.

Thank you.

Norma Poretz, 610 Atlantis Estates Way, Atlantis, Florida 33462



**From:** Bill Harsh <billharsh@gmail.com>

**Sent:** Sunday, December 02, 2018 11:31 AM

**To:** Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>; Lorenzo Aghemo <LAghemo@pbcgov.org>

**Cc:** bmoree@atlantisfl.gov

**Subject:** Attention: Heathwood Reserve Project (PLEASE DISCARD MY EARLIER EMAIL AND USE THIS VERSION, WHICH CORRECTS SEVERAL ITEMS)

I am a resident of the City of Atlantis and have lived in the city since 1999. I am writing to urge the Planning Commission to oppose the proposed Heathwood Reserve project and to recommend that the County Commission deny the project.

This should be an easy decision for the Planning Commission, since the proposed plan is essentially unchanged from the plan the Commission unanimously rejected earlier this year. It is my understanding that while individual elements of the proposed project have been shuffled, the overall density and character of the project remain the same. The Planning Commission and the Country Commission should not approve the proposed plan for the following reasons:

1. The density and character of the proposed project are incompatible with the neighborhoods adjacent to the project, including the City of Atlantis.
2. The plan violates the Master Plan for the area that was developed by the Cities of Atlantis and Greenacres in partnership with the County. The Master Plan calls for development of the property included in the Heathwood Reserve project at the current MR-5 density. It also provides for future construction of a westbound link from North Country Club Boulevard in Atlantis to Haverhill Road. The proposed development forecloses this improvement.
3. For these and other reasons the cities of Atlantis and Greenacres oppose the project as proposed. Both cities engaged the developer in discussions, but the developer has not made meaningful changes in the project to address the cities' concerns, nor has it offered any rationale for changing the zoning aside from its desire to cram more residents into the parcel.
4. Additional density is unnecessary. There are numerous examples of viable communities in the area of the Heathwood Reserve project that do not violate the MR-5 standard. The City of Atlantis is one such example. The developer has offered no evidence that the parcel cannot be viably developed under the current zoning.
5. The proposed development will add unnecessarily to traffic on Military Trail. Since the developer has not provided direct access for northbound traffic, there will be a significant increase in u-turns at the Military Trail entrance to Atlantis. Such u-turns will lead to accidents between cars making u-turns on Military Trail and cars making right turns from North Country Club Boulevard onto Military Trail.
6. The development, as proposed, will inevitably generate significant traffic between the development (particularly involving residents and staff of the congregate living facility) and the JFK medical complex that will traverse Atlantis streets not designed to accommodate such traffic. The developer admitted at a public meeting in the City of Atlantis that it has not evaluated this traffic or taken any steps to mitigate its affect on Atlantis.

Given that the Commission's staff evaluated and unanimously rejected essentially the same plan the developer now proposes, that both municipal governments abutting the proposed project are



opposed to the plan and that the developer has offered no rationale for the zoning change it is seeking, the Commission should reject the proposed Heathwood Reserve plan.

Best regards,

Bill Harsh  
376 South Country Club Drive  
Atlantis, Florida

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From: Katie Carmichael <katie@kjcproductions.com>  
Sent: Monday, December 03, 2018 10:11 AM  
To: Inna Stafeychuk <IStafeyc@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Lorenzo Aghemo <LAghemo@pbcgov.org>  
Cc: bmoree@atlantisfl.gov  
Subject: Heathwood

Dec 3, 2018  
To the Planning and Zoning Commission  
Ms. Inna Stafeychuk  
Att: Heathwood

My name is Katherine Carmichael and I live at 532 N Country Club Dr in Atlantis. My house is near the Military Trail entrance. I moved here in 2014 from Miami partly because it is quieter and cleaner in Palm Beach County.

I am adamantly opposed to the Heathwood Project and I sincerely hope that once again you will deny this new proposal that is the same density as the one previously denied.

Atlantis is a beautiful community and this project is inconsistent with the Citizen Master Plan that was agreed upon years ago that keeps the density at 5 units per acre.

We will be greatly impacted by the increased traffic on Military and the prospect that future developments in the area will follow which will completely change our life here and NOT for the better.

Please please deny this land use amendment

Thank you  
Katherine Carmichael  
532 N Country Club Dr  
Atlantis FL  
33462  
[Katie@kjcproductions.com](mailto:katie@kjcproductions.com)



From: RONALD PORETZ <poretz@scarletmail.rutgers.edu>  
Sent: Monday, December 03, 2018 11:34 AM  
To: Inna Stafeychuk <IStafeyc@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Lorenzo Aghemo <LAghemo@pbcgov.org>  
Subject: Heathwood Reserve

Please see attached letter.

To:  
Lorenzo Aghemo, Director of Planning [LAghemo@pbcgov.org](mailto:LAghemo@pbcgov.org)  
Patricia Behn, Deputy Director of Planning [PBehn@pbcgov.org](mailto:PBehn@pbcgov.org)  
Inna Stafeychuk, Planner I [IStafeyc@pbcgov.org](mailto:IStafeyc@pbcgov.org)

My name is Ron Poretz and I have been a resident of Atlantis for the past six years. I chose to live in Atlantis because it is an economically stable community in central Palm Beach County.

I would like to register my protest to the land use proposal presented for the development of Heathwood Reserve that borders Military Trail.

The following comments are similar to those that I had sent to you on June 30, 2018 when this matter was considered previously. Since there is no practical difference between this proposal now being evaluated by you and their previous proposal that was reject unanimously by the Planning Division regarding overall dwelling density and character of the development, my concerns remain the same.

Recent years have seen a growing bifurcation of the geographic distribution of prosperity in the county. That is: The growth of economically stable communities west of Hagen Ranch Road or north of Northlake Boulevard along with an economically declining doughnut hole area along the Lake Worth-Lantana corridors.

The panel members who developed the intergovernmental Charrette Report of 2005 identified this possibility of economic decline and recommended that the development of properties west of Military Trail have a residential density of five units/acre. This density would encourage potential residents to relocate to such communities who would, in turn, help stabilize the economic decline of the region by encouraging the commercial establishments to serve these communities.

The development of the property described for Heathwood Reserve with a density of over 12 units/acre for the congregate living facility and eight units/acre for the townhouses flies in the face of the intentions of the charrette's authors and will aggravate the decline of the area by discouraging commercial development that will serve the needs of the anchoring communities of Atlantis and its neighbors.

It is for these reasons that I urge you to reject the land use plan proposed for the development of Heathwood Reserve.

Thank you for your consideration.

R. D. Poretz  
610 Atlantis Estates Way  
Atlantis, FL 33462  
Cell: 732-685-1090



From: Randall Gluss <rrg700@aol.com>  
Sent: Monday, December 03, 2018 2:53 PM  
To: Lorenzo Aghemo <20190303LAghemo@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>  
Subject: Heathwood Reserve

Dear Planning Commission:

My name is Randall R. Gluss. I live at 528 N. Country Club Drive. Atlantis, FL. 33462

I object to the land use change applied for by Heathwood Reserve. The application is seeking a 66.5% increase in land density for workforce housing.

This current version of the project is no less dense than the version that was unanimously recommended for denial by the Planning Commission on August 14th of this year. The Planning Commission should recommend denial of this version as well.

I object to the Heathwood Reserve Project for the following reasons:

1. The project is inconsistent with the Citizens' Master Plan. The County partnered with Atlantis to develop the Citizens' Master Plan. The Project violates the Plan by proposing density above 5 units per acre. The County should honor this agreement.
2. The CLR and its proposed density are not compatible with surrounding uses. This will increase traffic on Military Trail and adversely impact Atlantis. Future projects will follow the lead of this one and propose higher densities.
3. The existing land use of MR-5 is appropriate. This is demonstrated by the numerous developments surrounding the subject property at similar density. The applicant cannot justify why it needs the additional density.

As such, I respectfully request that the Planning Commission recommend denial of the proposed land use amendment.

Sincerely,  
Randall R. Gluss  
528 N. Country Club Drive  
Atlantis, FL. 33462

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From: Deirdre DiBiaggio <djd@dibiaggiolaw.com>  
Sent: Monday, December 03, 2018 3:32 PM  
To: Lorenzo Aghemo <20190303LAghemo@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>  
Subject: RE: Heathwood Reserve  
Importance: High

December 3, 2018  
Dear Planning Commission:

My name is Deirdre DiBiaggio. I live at 532 N. Country Club Drive. Atlantis, Florida. 33462. I have been a resident of Atlantis for four years. I also chose to purchase a home in Atlantis, Florida for its sense of community and safety.



I object to the land use change applied for by Heathwood Reserve. The application is seeking a 66.5% increase in land density for workforce housing.

This current version of the project is no less dense than the version that was unanimously recommended for denial by the Planning Commission on August 14th of this year. The Planning Commission should recommend denial of this version as well.

I object to the Heathwood Reserve Project for the following reasons:

1. The project is inconsistent with the Citizens' Master Plan. The County partnered with Atlantis to develop the Citizens' Master Plan. The Project violates the Plan by proposing density above 5 units per acre. The County should honor this agreement.
2. The CLR and it's proposed density are not compatible with surrounding uses. This will increase traffic on Military Trail and adversely impact Atlantis. Future projects will follow the lead of this one and propose higher densities.
3. The existing land use of MR-5 is appropriate. This is demonstrated by the numerous developments surrounding the subject property at similar density. The applicant cannot justify why it needs the additional density.

As such, I respectfully request that the Planning Commission recommend denial of the proposed land use amendment.

Sincerely,  
Deirdre DiBiaggio, Esq.  
532 N. Country Club Drive  
Atlantis, FL 33462

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From: Brian Moree <bmoree@atlantisfl.gov>  
Sent: Tuesday, December 04, 2018 10:24 AM  
To: Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>  
Cc: pfrino1@gmail.com; Brian Moree <bmoree@atlantisfl.gov>  
Subject: Heathwood Reserve

December 3, 2018

To: Planning Commission, Palm Beach County, Florida  
My name is Paul Frino. I reside at 129 Clubhouse Blvd., City of Atlantis. I have moved to Palm Beach County this year.

I wish to voice my opposition the Heathwood Reserve Project. The congregate living residential project and the congregate living facility proposed density are not compatible with the surrounding uses. This area is mainly single family homes and is built out. Changing the precedent will increase the already heavy traffic on Military Trail and negatively impact the City of Atlantis and the surrounding area. As well, changing the precedent will allow more dense projects to be proposed and considered.

As such, I respectfully request the Planning Commission recommend denial of the proposed land use amendment.

Thank you,  
Paul Frino

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From: Brian Moree <bmoree@atlantisfl.gov>  
Sent: Tuesday, December 04, 2018 10:31 AM  
To: Lorenzo Aghemo <20190303LAghemo@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>  
Cc: Brian Moree <bmoree@atlantisfl.gov>  
Subject: FW: Heathwood

December 4, 2018

Ms. Inna Stafeychuk, Planner I  
Attn: Heathwood Reserve  
PBC Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411  
Re: Heathwood Reserve Project

Dear Ms. Stafeychuk

We live at 586 N. Country Club Drive in the City of Atlantis. We have owned a residence in Atlantis and another area of Palm Beach County for 20 years.

**Summary of Project:**

The Heathwood Reserve Project ("Project") proposes 138 fee-simple townhome units and a 139-bed Type-3 congregate living facility ("CLF").

The land use change involves modifying the future land use ("FLU") designation on 4.831 acres from medium density residential at 5 dwelling units ("DUs") per acre (MR-5) to congregate living residential ("CLR") at a density of 12 DUs per acre.

The 138 townhomes will be located on 17.71 acres, which equates to 7.79 DUs per acre. By including 25 workforce housing units, the applicant is seeking a 66.5% density increase for workforce housing.

**Importantly, this version of the Project is no less dense than the version that was unanimously recommended for denial by this Planning Commission on August 14th. The Planning Commission should recommend denial of this version of the Project as well.**

**Specific Objections:**

We object to the Heathwood Project for the following reasons:

- The Project is inconsistent with the Citizen's Master Plan. The County partnered with Atlantis to develop the Citizen's Master Plan. This Project violates the Master Plan by proposing density above 5 units per acre. The Planning Commission should honor the County's partnership with Atlantis and maintain the existing density for the Project.
- The CLR and its proposed density are not compatible with surrounding uses. The vast majority of surrounding properties are single family homes and are built out. We are concerned about the precedent that will be set by approving density over and above the existing uses. This will increase traffic on Military Trail and adversely impact Atlantis. Future projects will follow the lead of this one and propose higher densities.
- The existing land use of MR-5 is appropriate. This is demonstrated by the numerous developments surrounding the subject property at similar density. The applicant cannot justify why it needs the additional density.

The negative impact it would have on Home values for Atlantis residents.



As such, we respectfully request that the Planning Commission recommend denial of the proposed land use amendment.

Yours truly,  
David and Shawn Aldous

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From: Brian Moree <bmoree@atlantisfl.gov>  
Sent: Tuesday, December 04, 2018 11:34 AM  
To: Lorenzo Aghemo <20190303LAghemo@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>  
Cc: Brian Moree <bmoree@atlantisfl.gov>  
Subject: Heathwood Reserve

December 3, 2018

To: Planning Commission, Palm Beach County, Florida

My name is Susan Wyckoff Fell. I reside at 129 Clubhouse Blvd., City of Atlantis. I moved to the city of Atlantis in 1997.

I wish to voice my opposition the Heathwood Reserve Project. The congregate living residential project and the congregate living facility proposed density are not compatible with the surrounding uses. This area is mainly single family homes and is built out. Changing the precedent will increase the already heavy traffic on Military Trail and negatively impact the City of Atlantis and the surrounding area. As well, changing the precedent will allow more dense projects to be proposed and considered.

As such, I respectfully request the Planning Commission recommend denial of the proposed land use amendment.

Sincerely,

Susan Wyckoff Fell

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From: John Farmer <farmj@aol.com>  
Sent: Tuesday, December 04, 2018 11:54 AM  
To: Patricia Behn <PBehn@pbcgov.org>  
Cc: Inna Stafeychuk <IStafeyc@pbcgov.org>; Lorenzo Aghemo <20190303LAghemo@pbcgov.org>; bmoree@atlantisfl.gov  
Subject: Heathwood Reserve

Gentlemen, my name is John Farmer a 23 year resident of Atlantis. You are well aware of the various reasons that the Atlantis citizens are opposed to the subject project (zoning change, density, Master Plan deviation etc. I will dwell on one item, TRAFFIC.

Atlantis has no sidewalks. Pedestrians walk dogs, children and ride bikes on the sides of the city's streets. The quickest route between Heathwood and Congress Ave. is through Atlantis. Although the city is a gated community, non-residential traffic is permitted by law. The speed limit is 25mph. I doubt that persons rushing between Military Trail and Congress Ave. will abide by the speed limit. Atlantis police would have to greatly increase traffic surveillance.



I attended last summer's meeting before the planning commission and was pleased that the commission unanimously overrode the staff's favorable recommendation. There are no significant changes in the latest plan which the staff continues to recommend. I find it suspicious that the staff continues to ignore the overwhelming concerns of the citizens of Atlantis and Greenacres and favor essentially the same proposal of the developers.

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From: Burger Catherine <cathyburger@bellsouth.net>  
Sent: Wednesday, December 05, 2018 4:25 PM  
To: Inna Stafeychuk <IStafeyc@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Lorenzo Aghemo <20190303LAghemo@pbcgov.org>  
Subject: Objection to Heathwood Application

Catherine Burger  
640 Atlantis Estates Way  
Atlantis, FL 33462

Ms. Inna Stafeychuk, Planner 1  
Attention: Heathwood Reserve  
P.B. County Planning Division  
2300 N. Jog Road  
West Palm Beach, FL 33411

December 4, 2018

RE: Heathwood Reserve Application: LGA-2017-00014

To whom it may concern:

My name is Catherine Burger. When my husband and I moved to Florida in the 1970's we made a conscious decision to look for a home in a locality that was free from high population densities and overcrowding that plague cities such as Ft. Lauderdale and Miami. After an extensive search, we decided to purchase a home in Atlantis due to its spacious lots, meandering roads, ample open spaces and quasi-rural surrounding areas. We hoped the fact that a state park and a small airport bordered it to the east, and other low density housing developments border the south and west would prevent future overcrowding and high traffic.

Today, Atlantis has only 1200 homes spread out over 834 acres. Forty-three percent (43%) of the city is devoted to "open" spaces and recreational areas. The city has a year round occupancy of seventy percent (70%), which equates to a residential population of approximately 1416 people at any one point in time. What residents continue to love about the area is that it remains a small "sanctuary" of sorts in the midst of oppressive urban sprawl to the south, west and north.

In recent weeks all eyes were on California wildfires that consumed huge tracts of land, devoured homes and in some cases wiped cities off the map. Most notable were films showing the rubble that was once a city called "Paradise." While flames consumed and destroyed this residential community, residents of Atlantis and surrounding small communities fear the loss of their own "Paradise"—not from flames but from changes in zoning that would permit high population densities within small physical areas and the resulting overcrowding, noise, increase in crime and traffic congestion that would result.

In my opinion, Heathwood Reserve's application for a change in zoning and population density within its confines would have a profoundly negative affect on the residents of Atlantis and those



of the other small communities which are located in the immediate area. **It should be rejected for the following reasons:**

1. The **developer, knowing that the property had a MR-5 designation prior to purchase, has attempted to have the zoning change so that he can build multi-story townhouse units (138 on 17.71 acres) and a congregate living facility with 139 beds on the remaining 4.831 acres.** If such a project were approved, it would result in a significantly larger population density than the area was designed to accommodate under the MR-5 zoning approved by the Citizen's Master Plan.

2. When the City of Atlantis and surrounding cities (i.e. Greenacres) objected to the proposed zoning change, the **developer indicated he would attempt to modify the proposed project in order to decrease objections.** In the many months since initial objections were raised, the **developer has done virtually nothing to significantly decrease population densities per acre, address significant safety and traffic concerns that such a large development would create and make any significant changes in the physical design (3-story) of the units,** so they would be more in keeping with the majority of **one-story** single family homes in adjacent communities. The developer's "**newest proposal,**" which involves construction of a "CLF" quite simply **shifts the population density somewhat from one side of the property** to the other. It does absolutely nothing to decrease population density and the associated concomitant problems high density would create.

3. **There has not been a careful analysis done of the traffic impact a "CLF" would create.** "CLFs are, out of necessity, labor intensive to run. There would be three shifts of workers needed to handle housekeeping, dining and administrative functions. Each and every worker would have an automobile, resulting in increase traffic in and out of the facility every eight hours. Large supply trucks would need to access the facility in order to supply food, linens and other needed equipment. A review of the latest plan does not appear to provide areas for such vehicles to conveniently enter and leave the "CLF," not to mention traffic tie ups that would occur as such vehicles enter and exit the roadway leading into Heathwood from Military Trail.

4. **I have seen no statistical data presented to show the following regarding the proposed townhouses:**

- a. Maximum number of individuals permitted to reside in each townhome.
- b. Maximum number of parking spaces to be allocated per townhome.
- c. Are properties to be long or short term rentals and/or are they being sold for individual purchase?

If regulations regarding the maximum occupancy permitted are not in place, the population density could be well in excess of what the County anticipates. In the event townhouses are to be leased on a short-term basis, this raises safety concerns for surrounding areas due to a transient population.

5. The area currently has over nineteen "ALF"s (Assisted Living Facilities) and "CLF"s in the Lake Worth/Palm Springs area. Many of these are not filled to capacity. **Given the large number of existing facilities of this type, there is NO pressing need for an additional facility to be built on this property or in the immediate area.**

6. **Noise pollution has become a significant problem within Atlantis due to the ever increasing traffic on both Lantana Road and Military Trail.** I know many Atlantis residents that have installed new high impact windows specifically for their sound-dampening effects—not just



for storm protection. If the Heathwood project is approved it will only worsen the already significant noise pollution problem we face on a daily basis.

**7. Resources, both natural and man made, are under strain in this county due to the fact the County Commissioners have continued to approve high density housing and commercial projects, supposedly in the interest of "Growth."**

As a result, each and every year residents of Atlantis and other surrounding communities face "power outages," water restrictions and, at times, fuel shortages. The land fills also face difficulties in dealing with all the refuse produced by an ever increasing population. Despite this fact, I never hear the Commissioners discuss this issue in a manner that would **resolve shortages, not just handle these.**

I have a novel suggestion—**limit population density and improve the quality of life of the citizens your regulations affect!**

You have an enormous responsibility to the citizens of this county. **Limit population density and excessive commercial development, not because the citizens of Atlantis and surrounding communities ask, but because it is the ethical and "right" thing to do** not just for us but for the generations (yours and ours) to come. **Please do not let our "Paradise" be "lost."**

Thank you,

Catherine Burger

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From: Yoric Knapp <ytk045@gmail.com>

Sent: Wednesday, December 05, 2018 3:26 PM

To: Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>; Lorenzo Aghemo <20190303LAghemo@pbcgov.org>

Cc: Brian Moree <bmoree@atlantisfl.gov>; Allan Kaulbach <AKaulbach@atlantisfl.gov>

Subject: Neighboring Citizen Objection to Heathwood Reserves Land Use Proposal

Citizen objection to proposed Heathwood Reserve Project - 12/3/18

My name is Yoric Knapp. I live at 620 Atlantis Estates Way in the City of Atlantis. I have lived in Atlantis and Palm Beach County for about 10 years.

The proposed land use change involves modifying the future land use from medium density residential 5 dwelling units (DUs) per acre (MR-5) to a congregate living residential density of 12 DUs per acre, and town homes of 7.79 DUs per acre, plus a workforce housing density increase.

I object to the proposed land use change because:

- 1) Adding such high-density housing would adversely affect the value of my property.
- 2) It would adversely affect my enjoyment of my community and the surrounding neighborhood. I am a cyclist and I frequently walk my dog in the area. I do not want the excessive noise and traffic that would accompany such a high-density development.
- 3) This proposal is not consistent with the citizen's master plan which was endorsed by three units of government.

This proposal is essentially the same high density that neighboring property owners and city governments objected to in July, and which the planning commission unanimously recommended



for denial on August 14 of this year. **Therefore, the Planning Commission should recommend denial of this version of the project also.**

The existing land use of MR-5 is appropriate. The applicant has not demonstrated otherwise.

The Planning Commission should honor the County's partnership with Atlantis and maintain the existing density for the project. There are other areas of the county more suitable for such high-density housing.

Thank-you for your thoughtful consideration,

Yoric Knapp

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From: Linda Kaulbach <lindakaulbach@icloud.com>  
Sent: Wednesday, December 05, 2018 3:05 PM  
To: Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>; Lorenzo Aghemo <20190303LAghemo@pbcgov.org>  
Subject: Heathwood Reserve Project

Dear Planning Commission Members:

My name is Linda Kaulbach. I live at 670 Atlantis Estates Way in the City of Atlantis. I have lived in Atlantis and Palm Beach County for twenty years.

My husband and I have long enjoyed the convenience, attractive suburban environment, and quality of life the City of Atlantis has offered us these past twenty years.

I object to the intent of the developers of the Heathwood Reserve Project to knowingly and deliberately violate, through its currently proposed development plan, the residential density which the City of Atlantis and the County of Palm Beach co-partnered to preserve. By doing so, it threatens to substantially depreciate the environment which surrounds our pre-existing community, dramatically increasing traffic and its accompanying pollution.

Additionally, the 12 DUs per acre of congregate living density would also change the appearance of our current "suburban", single home-looking neighborhood to one which would be less green and give it a more condensed, restricted and congested look.

Finally, in terms of precedent, if allowed to pass, this proposed land use amendment could be the "floodgate" to the approval of future projects which would increase the very negative consequences I have alluded to above.

Because there are numerous developments surrounding Atlantis with a land use similar to that of MR-5, the applicant cannot justify the need for additional density.

I join my fellow Atlantis and local residents in our adjacent communities in requesting that the Planning Commission recommend denial of the proposed land use amendment.

Respectfully,  
Linda Kaulbach



**From:** Peter and Sally Shapiro <peterandsally@shapirosx2.com>  
**Sent:** Wednesday, December 05, 2018 1:36 PM  
**To:** Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>; Lorenzo Aghemo <20190303LAghemo@pbcgov.org>  
**Subject:** Heathwood Reserve Project

Dear Mr. Aghemo, Ms. Behn and Ms. Stafeychuk,

I am a resident of Atlantis, writing to express my objection to the latest Heathwood Reserve proposal.

As you know, at the public hearing in July, many residents of Atlantis and Greenacres spoke in opposition to an earlier Heathwood Reserve proposal, citing the serious problems what would result from high-density development in this area. After hearing these objections, the Planning Commission voted 10-0 to recommend denial of the Heathwood project. Now the developers have made changes to that plan, but the changes they propose will create the same problems as the original plan.

The new plan proposes 138 townhomes and 139-bed congregate living facility (CLF). This is no less dense than the proposal that Planning Commission unanimously recommended for denial. I object to this proposal because this density is clearly inappropriate use for this area. Specifically:

- The CLR density is not compatible with surrounding single-family residences and farms. Military Trail between Melaleuca Lane and Lantana Road is already a busy thoroughfare. The addition of such a facility will create increased traffic, disrupting already-stressed traffic patterns, increasing congestion, and endangering drivers and pedestrians.
- The project is inconsistent with the Citizens' Master Plan. As you know, Atlantis, Greenacres, and the Treasure Coast Regional Planning Council joined with Palm Beach County to develop a Master Plan specifying the type of development compatible with these communities. Their conclusion was that 5 units per acre is the appropriate density to preserve the rural character of this area. This project violates that Master Plan.

For these reasons, I urge The Palm Beach County Planning Commission to again recommend denial of the proposed land use amendment.

Thank you.  
Sara (Sally) Shapiro  
335 Glenbrook Drive  
Atlantis, FL 33462

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From: Peter and Sally Shapiro <peterandsally@shapirosx2.com>  
Sent: Wednesday, December 05, 2018 4:57 PM  
To: Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>; Lorenzo Aghemo <20190303LAghemo@pbcgov.org>  
Subject: Heathwood Reserve

Dear Mr. Aghemo, Ms. Behn and Ms. Stafeychuk,

My name is Peter Shapiro. I live at 335 Glenbrook Drive, Atlantis, Florida. Last summer, I wrote to you and testified against the Heathwood Reserve. I now write to you in opposition to the small scale revised proposal that has been submitted by the Heathwood Reserve developers.



I attended yesterday's informational session presented by the Planning Commission staff. During that meeting, I learned that the staff has already decided to recommend approval of the developer's latest plan because the previous staff Director had established an inflexible policy that initial staff reports cannot not be changed under any circumstances. This appears to be a flawed policy, prohibiting staff from changing a recommendation in light of new facts or material changes. In my opinion, staff should recommend denial of the land use amendment, based on the following:

1. In July, after the staff had recommended approval of the Heathwood project, residents of Atlantis and Greenacres attended a public hearing to raise objections about the inappropriate density of the project. After hours of testimony, the Planning Commission was convinced of the inadvisability of such a high-density project and voted 10-0 to recommend rejection of the land use amendment. **The new small scale project will have the same density as the original project.**
2. This high-density development will increase traffic not only along Military Trail between Lantana and Melaleuca, but through the City of Atlantis, a residential community with no sidewalks, populated by families with children and many elderly residents. Incomprehensively, the staff has ignored the likelihood of heavy traffic, (especially emergency vehicles en route to JFK Medical Center) passing through the City of Atlantis because, as stated in the informational hearing, "Everyone thinks Atlantis is a gated community." Such an assumption is a violation of comprehensive planning standards and ignores the fact that Heathwood residents will take the shortest route when they discover that Atlantis is a City, not a gated community.
3. In addition to providing incomplete and inaccurate information to local residents, it appears that the developers lied to the Planning Commission at the July public hearing when they denied owning any other parcels adjacent to the Heathwood project. They were obviously embarrassed when one of the Commissioners identified additional property adjacent to Heathwood that is, in fact, owned by the developer.
4. If approved, Heathwood will pave the way for additional high-density development in the area which will create even more traffic, further endangering local residents and daily commuters and will further stress the limited resources of the Atlantis Police Department, which is responsible for this part of Military Trail.
5. A high-density project will substantially change the character of the community and is incompatible with the Citizens' Master Plan.
6. Both Atlantis and Greenacres are officially opposed to the Heathwood proposal.

I would like to thank the members of the Planning Commission for listening to our concerns and unanimously rejecting the developer's original proposal.

I respectfully request that the Planning Commission consider all the facts and probable impacts of this latest proposal and recommend denial of the proposed land use amendment.

Thank you for your consideration.

Sincerely,  
Peter Shapiro



From: Buffie Judd <[buffjudd@att.net](mailto:buffjudd@att.net)>  
Sent: Wednesday, December 05, 2018 1:15 PM  
To: Inna Stafeychuk <[IStafeyc@pbcgov.org](mailto:IStafeyc@pbcgov.org)>  
Subject: Heathwood Reserve

Dear Inna, Planning Commission Staff and Planning Commission Members,

I am an Atlantis City resident and I ask you to OPPOSE Heathwood Reserve's request to change the Land Use from MR-5 to CLR. To alter the Land Use to allow more density will impact this area for years, even generations to come. I don't think this type of business is compatible with the Rural Residential area of Atlantis and Greenacres. The Congregate Living Facility will increase TRAFFIC and DENSITY and, in my opinion, will decrease the quality and livability of this area.

Thank you for your consideration.

With kind regards,

Buffie Judd  
509 South Country Club Drive  
Atlantis FL 33462  
[buffjudd@att.net](mailto:buffjudd@att.net)  
561-635-9553

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From: Lewis Burger <[lewisimd@bellsouth.net](mailto:lewisimd@bellsouth.net)>  
Sent: Wednesday, December 5, 2018 10:34 AM  
To: [IStafeyc@pbcgov.org](mailto:IStafeyc@pbcgov.org)  
Cc: Allan Kaulbach <[allankaulbach@gmail.com](mailto:allankaulbach@gmail.com)>; Brian Moree <[bmoree@atlantisfl.gov](mailto:bmoree@atlantisfl.gov)>  
Subject: Heathwood Reserve

Dear Planning Commission Members,

Having lived in Atlantis, FL for over 40 years, I have observed the orderly growth of this community and the surrounding area.

I oppose the Heathwood Reserve project for numerous reasons:

1. The assisted living facility, as proposed, violates the charrette, not even approaching the longstanding 5 unit agreement. After 6 months, the obvious very negative effect on traffic has never been addressed by the developer.
2. There is NO NEED for another assisted living facility. A simple Google search lists nineteen ( 19 ) such facilities within the 33462 zip code. It is unlikely that all such facilities are at full occupancy. Adding another would negatively impact the occupancy of those now existing.
3. The negative impact of quality of life for Atlantis and surrounding communities is obvious. Most of us chose Atlantis for the small town atmosphere, security and ambience. Imagine the increase in traffic through Atlantis as numerous additional cars cut through our city to avoid Lantana Road and Melaleuca to access Congress Avenue and JFK Hospital. Our neighbors walk, jog, bicycle and push strollers daily on our narrow streets. Navigating the numerous service vehicles is now a hazard, which will only worsen with much more road traffic.
4. The developer has had six months or longer to propose a revised plan satisfactory to Atlantis and Greenacres. What we are presented is switching of units not even attempting to deal with the MR-5 agreement and ignoring the vast majority of our residents. May I remind you of the over



600 signatures on the petition opposing the project that you received at the hearing last summer? And that was when many of our neighbors were away!

5. I respectfully request that you continue to hold to the unanimous ten vote denial of this project, as currently proposed.

Thank you for your attention.

Yours truly,  
Lewis J. Burger, MD

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From: Carolyn Harsh <carolynharsh0426@gmail.com>  
Sent: Wednesday, December 05, 2018 4:58 PM  
To: Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>; Lorenzo Aghemo <20190303LAghemo@pbcgov.org>  
Cc: bmoree@atlantisfl.gov  
Subject: ATTENTION: Heathwood Reserve

I have been a resident of Atlantis, Florida since 1999. I am writing to urge that the land use and zoning changes requested for the Heathwood Reserve project be denied.

I am sure that letters from other Atlantis residents have pointed out the many flaws in the proposed Heathwood Reserve project that make the project incompatible with the surrounding communities. The opposition of both the Cities of Atlantis and Greenacres speak to the incompatible nature of the project with its neighbors. I would like to focus on two specific flaws in the project that have not been addressed in the planning process:

1. As representatives of the developer stated at a meeting with residents in Atlantis earlier this year and the County's planning staff confirmed at a meeting yesterday, the planning process has not considered additional traffic through Atlantis that will be generated by the project. The proposed congregate living facility will generate significant patient and staff traffic to and from the JFK medical facility. Both the developer and the County have assumed that this traffic will follow state routes around Atlantis. In fact, by far the quickest route will be via Atlantis city streets and it is highly likely that staff and patients will follow this route. The County's analysis of the compatibility of the project does not consider the affect on Atlantis city streets, which are two-lane residential streets with no sidewalks. Clearly, then, the County's analysis of the affect of traffic generated by the congregate living center on Atlantis is superficial and insufficient.
2. Persons familiar with the market for assisted living facilities in this area have raised questions with the developer and the County planning staff concerning the commercial viability of the proposed congregate living facility. While the planning process does not require a showing by the developer that there is a market for the congregate living facility, the planning process should consider the likely alternative uses for the facility should it fail commercially and whether those uses are compatible with surrounding communities. The planning process is does not take a holistic view of the project, including the potential affect of the project on surrounding communities should the congregate living facility not succeed. It should do so.

The planning staff made clear at the public meeting yesterday that it is more concerned with checking the boxes and remaining "consistent" in its findings – even if those findings are shown to be wrong – than it is in conducting a thorough review of the proposed project. Hopefully, the Planning Commission and the County Commission will insist that the developers show that



whatever project is developed on the Heathwood Reserve property will not adversely affect the surrounding communities now or in the future.

As the attorney representing Atlantis said yesterday, it is a shame that the County is allowing the developer to play shell games and to continue to propose essentially the same project that the Planning Commission unanimously rejected just a few months ago. Hopefully, the Planning Commission and County Commission will weigh the demonstrated deficiencies of the project, the lack of any showing that changes in land use or zoning are required to develop a viable project on the Heathwood Reserve property and the opposition of the Cities of Atlantis and Greenacres and reject the proposed project.

Carolyn Harsh  
376 South Country Club Drive  
Atlantis FL 33462

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From: tenusgal@bellsouth.net <tenusgal@bellsouth.net>  
Sent: Thursday, December 06, 2018 7:18 AM  
To: Inna Stafeychuk <IStafeyc@pbcgov.org>  
Subject: Heathwood Reserve

Dear Inna, planning commission staff and members.

I have lived in the city of Atlantis since 1982. My parents were the original owners of my villa in 1968. I respectfully request you to not allow the increase in density of this development.

The impact on traffic will be a nightmare

Please respect the communities of Atlantis and Greenacres by not allowing such an insult to our lifestyle.

In closing I wish to thank you And your staff for the professionalism you showed our residents during our meeting on Tuesday December 4. You all did a wonderful job in answering our questions.

Now please be as proactive as you can to respect our concerns.

Most sincerely,  
Barbara Jill Harrold  
241 Rio Vista Circle  
Atlantis



From: Ron Reeg <ronreeg@gatewaymetals.net>  
Sent: Thursday, December 06, 2018 9:31 AM  
To: Lorenzo Aghemo <20190303LAghemo@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Inna Stafeychuk <IStafeyc@pbcgov.org>  
Subject: Heathwood Reserve Project

To: Lorenzo Aghemo, Patricia Behn, Inna Stafeychuk

From: Ronald Reeg  
420 S Country Club Dr  
Atlantis, FL 33462

I have been a resident of Palm Beach County for 13 years and have lived in the City of Atlantis for the past 11 years. The reason for this email is to express my strong objection to the proposed Heathwood Reserve project.

In 2004, the Treasure Coast Regional Planning Council along with Palm Beach County, the City of Atlantis and Greenacres joined forces to conduct a planning Charrette using taxpayer money. This was a forward thinking effort by all parties to determine an appropriate growth and density plan that would be compatible with the existing communities and maintain the semi-rural feel of the area. The County has the authority and responsibility to follow through with the Charrette Report which was compiled through the efforts of the 4 parties listed above, along with countless hours spent by many of the residents in the area!

The idea of changing the land usage from 3 to 5 units per acre that the Charrette proposed to 12 units per acre would be a slap in the face to all those who worked so hard on the Charrette. I have been to several meetings given by the developer and it seems that at every meeting there are drastic changes to their plans with little regard to the residents in the surrounding area. Their only concern seems to be how to get around any land use and zoning restrictions in order to maximize their profits in the end. Once they've done that, they'll pack up and leave us to deal with the problems and fall out from this ill-conceived project.

Their newest version is not much different in density to the proposal that was unanimously recommended for denial by the Planning Commission on August 14<sup>th</sup>. If this version is not recommended for denial as well, I'm afraid it will set a very bad precedent for all future development .

PLEASE honor the intent of the Charrette and all of the hard work put in by the residents and planning councils and do not increase the land usage density. Let the developer go back to the drawing board and come up with a plan that complies with the intent of the Charrette report.

Thanks you for your consideration.

Ron Reeg



Peter and Sally Shapiro  
335 Glenbrook Drive  
Atlanta, Florida 33462

RECEIVED

SEP 7 - 2018

PLANNING DIVISION

September 3, 2018

Dear Commissioners Braks, Capp, Dinn, Ferguson, Freudenborg,  
Hayden, Larson, Mervin, Roth and Vinikoor:

Thank you very much for voting to reject the Heathwood Reserve proposal at your meeting on July 13, 2018.

We know that balancing the competing interests in deciding growth, density and traffic safety issues is a challenging responsibility that greatly affects the lives and neighborhoods of the citizens you represent.

We are writing this letter to let you all know how much we appreciate your willingness to include the Citizens' Master Plan Agreement as part of your deliberations.

We are heartened to know that you respect and value the efforts of ordinary citizens like ourselves who have worked cooperatively with municipal and County Officials like yourselves to preserve the quality and character of our local communities.

With gratitude and respect,

Peter and Sally Shapiro



Robert N. Sibulkin  
449 Glenbrook Drive  
Atlantis, Florida 33462  
[rsibulkin@comcast.net](mailto:rsibulkin@comcast.net)

December 1, 2018

Lorenzo Aghemo, Director of Planning  
Patricia Behn, Deputy Director of Planning  
Inna Stafeychuk, Project Manager  
Palm Beach County Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

RE: Heathwood Reserve

Dear Sir/Mesdames:

"Here we go again." Looking at the Heathwood Reserve Project which has changed its outward appearance while truth be told, virtually everything remains the same.

As a proud resident of the City of Atlantis at 449 Glenbrook Drive for the past sixteen years I assumed that at the time of purchase that Palm Beach County was interested in protecting my rights as a land and homeowner as it pertains to future development in close proximity to the City of Atlantis. I still have confidence that this in fact is true. There is new proposed activity as to the land use that is commonly referred to in the "Charrette Report" which intelligently showed an appropriate usage for the land in question that was purchased by Heathwood Reserve (hereinafter "Heathwood") principals. The Charrette, as a reminder, concluded that five (5) units per acre in a residential capacity are what should be developed in the land referred to in this letter. The current request by Heathwood has many faces that seem to change like the weather in an attempt to fool the residents of Atlantis and yourselves. The more recent design was to have less townhomes but then in the same breath they took what was one (1) independent living building and are requesting several more multi-level buildings of what I am not sure. My lack of surety comes from the fact that there have been multiple terms used by Heathwood such as "assisted living," "senior living," and "55 and over dependent." By adding these additional multi-level resident buildings to the original independent living building the density which was reduced in the townhome area is dramatically increased because of the density of the total of multi-level resident buildings that appears to be somewhere between 12.5 units per acre. I cannot believe that the Charrette Report and common sense could possibly be ignored as the developers of Heathwood hope will happen.

As a person who spent most of his life in geriatric healthcare management and more specifically, in skilled and level 3 facilities, my knowledge does exceed others who have not had the experience that I have had for over thirty years. What seems to be overlooked by the developers of Heathwood are problems that will arise by adding additional multi-story assisted living buildings to the original request of one independent living building. This portion of the total development appears to have its own entrance/exit onto Military Trail.

First, be aware that assisted living operations require considerably more staff on all three shifts of operation than you would find in an independent living facility. Subsequently, approved parking for this



greater number of employees does not seem to be taken into account. In reference to the larger number of employees when there are shift changes, the traffic flow to either enter or exit this portion of the development would become a bottleneck and danger to southbound traffic on Military Trail when cars are attempting to enter/exit the project. Also, keep in mind that there has to be sufficient parking for independent living residents who many times maintain their own automobile, as well as visitors. In the design of the assisted living buildings, there should be a high level of dignity to residents that seems to have been ignored. Because these buildings are a development for elderly, there will be a need for trips to hospitals in the event of emergencies and unfortunately, on occasion, trips to funeral homes. How would you like to be visiting a loved one in the main lobby area by the main entrance when either sick or deceased residents are wheeled by you? This is not respect but insult to one's dignity. There should be separate ambulance entrances at any building of this type that is not part of the main entrance. There also appears to be insufficient traffic flow design that does not take into account that there will be numerous delivery vehicles for any building of this type delivering food, cleaning supplies, medical supplies, etc. that would need to accommodate 18 wheel trucks at all buildings. This additional traffic flow will negatively impact the potential bottleneck near the entrance/exit and continue to open up change of vehicle accidents.

Lastly, I feel strongly as a past business owner that when reviewing a request for something like assisted living facilities, it is vitally important that one looks at the current availability of existing assisted living/memory care beds in Palm Beach County. Since the original requests were made by Heathwood Reserve, numerous facilities have come on line with others already in past approval state. Statistics show that the County is over bedded and by adding approvals for more facilities will only financially hurt those currently in active business because occupancy levels are low. I feel that it is incumbent that when businesses such as this request are approved, that there should be obligations not to jeopardize the financial success of previously approved businesses of like nature by OVERFLOODING the needs for the County. Opening the door to the possibility of business failure only leads to a whole new set of problems for the County.

In closing, I not only **strongly** object to the proposed development, but I also feel that I have confidence that the Director Planning, Deputy Director of Planning and Project Manager will value the concerns and needs of the residents of Atlantis and surrounding areas and come to a decision that will reinforce the results of the Charrette.

Sincerely,



Robert N. Sibulkin

RNS:jws

cc: Brian Moree, City Manager



December 4, 2018

Ms. Inna Stafeychuk, Planner I  
Attn: Heathwood Reserve  
PBC Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Heathwood Reserve Project

Dear Ms. Stafeychuk,

We live at 442 S. Country Club Drive in the City of Atlantis. Our families have owned residences in Atlantis and for close to 50 years.

**Summary of Project:**

The Heathwood Reserve Project ("Project") proposes 138 fee-simple townhome units and a 139-bed Type-3 congregate living facility ("CLF").

The land use change involves modifying the future land use ("FLU") designation on 4.831 acres from medium density residential at 5 dwelling units ("DUs") per acre (MR-5) to congregate living residential ("CLR") at a density of 12 DUs per acre.

The 138 townhomes will be located on 17.71 acres, which equates to 7.79 DUs per acre. By including 25 workforce housing units, the applicant is seeking a 66.5% density increase for workforce housing.

**Importantly, this version of the Project is no less dense than the version that was unanimously recommended for denial by this Planning Commission on August 14th. The Planning Commission should recommend denial of this version of the Project as well.**

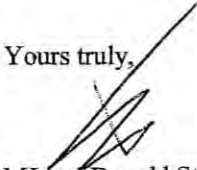
**Specific Objections:**

We object to the Heathwood Project for the following reasons:

- The Project is inconsistent with the Citizen's Master Plan. The County partnered with Atlantis to develop the Citizen's Master Plan. This Project violates the Master Plan by proposing density above 5 units per acre. The Planning Commission should honor the County's partnership with Atlantis and maintain the existing density for the Project.
- The CLR and its proposed density are not compatible with surrounding uses. The vast majority of surrounding properties are single family homes and are built out. We are concerned about the precedent that will be set by approving density over and above the existing uses. This will increase traffic on Military Trail and adversely impact Atlantis. Future projects will follow the lead of this one and propose higher densities.
- The existing land use of MR-5 is appropriate. This is demonstrated by the numerous developments surrounding the subject property at similar density. The applicant cannot justify why it needs the additional density.

As such, we respectfully request that the Planning Commission recommend denial of the proposed land use amendment.

Yours truly,

  
MJ and Donald Stewart



October 31, 2018

Board of County Commissioners  
Palm Beach County  
301 N. Olive Avenue  
West Palm Beach, FL 33401  
E: [BCC-AllCommissioners@pbcgov.org](mailto:BCC-AllCommissioners@pbcgov.org)

**RE: Heathwood Reserve Project**  
**Application No: ABN/PDD/CA/SV-2017-00983**

Dear Commissioners:

My name is DAVID RORABECK and I live at 5539 S. MILITARY TRAIL LAKE WORTH, Florida 33460. I am writing you concerning the Heathwood Reserve project that is located at 5495 S. Military Trail, Lake Worth, Florida 33463. This project will be going before the Planning Commission, Zoning Commission and the Board of County Commissioners for the following requests:

- A Small Scale Land Use Amendment to CLR (Congregate Living Residential) for approximately 4.83 acres of the property;
- A rezoning to Planned Unit Development (PUD) for 22.54 acres;
- Total density of 138 fee-simple townhomes and 139 assisted living beds.

When this project was initially submitted to the County in 2017, it included 240 rental apartments and 120 beds of assisted living. The Developer held multiple community outreach meetings to discuss this initial proposal with local residents. Based upon those meetings, the plan was changed several times in order to address resident concerns about apartments, density




and traffic. The result of those changes is the request and the plan that will proceed through the public hearing process.

I am extending my support to the approval of this project for multiple reasons as provided below:

1. The project no longer includes rental apartments and instead includes a lesser number (a 100 unit reduction) of owner-occupied townhomes;
2. The townhomes will be limited to 2 stories in height per the Palm Beach County Unified Land Development Code;
3. The CLR land use designation for the assisted living portion of the project restricts conversion to drug rehabilitation facilities or apartments;
4. The project includes on-site Workforce Housing units that are desperately needed in this County;
5. The traffic generated by this project is minor due to the assisted living facility use and the reduced number of units;
6. There is no commercial development with heavy traffic proposed for the property.

Should you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,



cc: Lisa Amara  
Palm Beach County Planning  
2300 N. Jog Road  
West Palm Beach, FL 33411  
E: LAmara@pbcgov.org



October 31, 2018

Board of County Commissioners  
Palm Beach County  
301 N. Olive Avenue  
West Palm Beach, FL 33401  
E: [BCC-AllCommissioners@pbccgov.org](mailto:BCC-AllCommissioners@pbccgov.org)

**RE: Heathwood Reserve Project**  
**Application No: ABN/PDD/CA/SV-2017-00983**

Dear Commissioners:

My name is Thomas A Wilson and I live at 4603  
Dowland, Lake Worth, Florida 33463. I am writing  
you concerning the Heathwood Reserve project that is located at 5495 S. Military Trail, Lake  
Worth, Florida 33463. This project will be going before the Planning Commission, Zoning  
Commission and the Board of County Commissioners for the following requests:

- A Small Scale Land Use Amendment to CLR (Congregate Living Residential) for approximately 4.83 acres of the property;
- A rezoning to Planned Unit Development (PUD) for 22.54 acres;
- Total density of 138 fee-simple townhomes and 139 assisted living beds.

When this project was initially submitted to the County in 2017, it included 240 rental apartments and 120 beds of assisted living. The Developer held multiple community outreach meetings to discuss this initial proposal with local residents. Based upon those meetings, the plan was changed several times in order to address resident concerns about apartments, density



and traffic. The result of those changes is the request and the plan that will proceed through the public hearing process.

I am extending my support to the approval of this project for multiple reasons as provided below:

1. The project no longer includes rental apartments and instead includes a lesser number (a 100 unit reduction) of owner-occupied townhomes;
2. The townhomes will be limited to 2 stories in height per the Palm Beach County Unified Land Development Code;
3. The CLR land use designation for the assisted living portion of the project restricts conversion to drug rehabilitation facilities or apartments;
4. The project includes on-site Workforce Housing units that are desperately needed in this County;
5. The traffic generated by this project is minor due to the assisted living facility use and the reduced number of units;
6. There is no commercial development with heavy traffic proposed for the property.

Should you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,



cc: *Lisa Amara*  
*Palm Beach County Planning*  
*2300 N. Jog Road*  
*West Palm Beach, FL 33411*  
*E: LAmara@pbccgov.org*



October 30, 2018

Board of County Commissioners  
Palm Beach County  
301 N. Olive Avenue  
West Palm Beach, FL 33401  
E: [BCC-AllCommissioners@pbcgov.org](mailto:BCC-AllCommissioners@pbcgov.org)

**RE: Heathwood Reserve Project**  
**Application No: ABN/PDD/CA/SV-2017-00983**

Dear Commissioners:

My name is Scott Durrance and I live at 4598  
Dow Ln, WPB, Florida 33463. I am writing  
you concerning the Heathwood Reserve project that is located at 5495 S. Military Trail, Lake  
Worth, Florida 33463. This project will be going before the Planning Commission, Zoning  
Commission and the Board of County Commissioners for the following requests:

- A Small Scale Land Use Amendment to CLR (Congregate Living Residential) for approximately 4.83 acres of the property;
- A rezoning to Planned Unit Development (PUD) for 22.54 acres;
- Total density of 138 fee-simple townhomes and 139 assisted living beds.

When this project was initially submitted to the County in 2017, it included 240 rental apartments and 120 beds of assisted living. The Developer held multiple community outreach meetings to discuss this initial proposal with local residents. Based upon those meetings, the plan was changed several times in order to address resident concerns about apartments, density



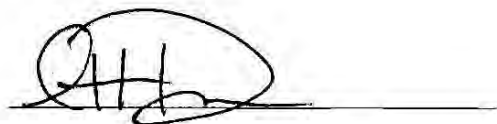
and traffic. The result of those changes is the request and the plan that will proceed through the public hearing process.

I am extending my support to the approval of this project for multiple reasons as provided below:

1. The project no longer includes rental apartments and instead includes a lesser number (a 100 unit reduction) of owner-occupied townhomes;
2. The townhomes will be limited to 2 stories in height per the Palm Beach County Unified Land Development Code;
3. The CLR land use designation for the assisted living portion of the project restricts conversion to drug rehabilitation facilities or apartments;
4. The project includes on-site Workforce Housing units that are desperately needed in this County;
5. The traffic generated by this project is minor due to the assisted living facility use and the reduced number of units;
6. There is no commercial development with heavy traffic proposed for the property.

Should you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be 'LA', is written over a horizontal line.

cc: *Lisa Amara*  
*Palm Beach County Planning*  
*2300 N. Jog Road*  
*West Palm Beach, FL 33411*  
*E: LAmara@pbcgov.org*



445 Glenbrook Dr  
Atlanta, FL 33462

December 2, 2018

Ms. Inna Stafeychuk  
Attn: Heathwood Reserve.  
PBC Planning Division  
2300 N Jog Rd.  
West Palm Beach, FL 33411

Dear Ms. Stafeychuk:

I write in opposition to the current proposal of the Heathwood Project.

The most recent proposal is about the same density as the early version that was denied. It is still inconsistent with the existing land use in the MR-5. It is not consistent with the surrounding properties which are single family homes.

Accordingly I request the Planning Commission recommend denial of the proposed land use amendment.

Very truly yours,  
Anthony L. Albiss



445 Glenbrook Dr  
Atlantis FL 33462

December 3, 2018

Ms. Inna Stafaychuk  
Attn: Heathwood Reserve  
PBC Planning Commission  
2300 N Jog Road  
West Palm Beach FL 33411

Dear Ms. Stafaychuk:


I write to OPPOSE the current proposal of the Heathwood project. The most recent proposal shows about the same density of development and population as the earlier version

that has already been denied by the Planning Division. It is still inconsistent with the existing

land use of the MR-5, and also with surrounding properties which are single-family homes.

Therefore I request that the Planning Commission recommend DENIAL of the proposed land use amendment.

Very truly yours,

  
Penelope R. Atkiss



# Henry Schwartzberg

---

509 South Country Club Drive, Atlantis, FL 33462

12/5/2018

**Dear Ina, Planning Commission Staff and Planning Commission Members,**

As a concerned City resident of Atlantis I am asking you to oppose the Heathwood Reserve request which asks for a change in the current Land Use from MR-5 to CLR. Altering the land use to a CLR would negatively impact this area for years to come. The increase in density and general traffic conditions would cause an unfortunate decrease in living conditions for the entire neighborhood. Thank you for your consideration.

**Sincerely,**

**Owner**

Henry Schwartzberg



Ms. Inna Stafeychuck, Planner I  
Attn: Heathwood Reserve  
PBC Planning Division  
2300 North Jog road  
West Palm Beach, FL 33411  
December 3, 2018

RECEIVED  
DEC - 6 2018  
PLANNING DIVISION

Re: Heathwood Reserve Project

Dear Ms. Stafeychuk:

My wife and I are Florida residents and live at 206 Orange Tree Drive in Atlantis. We moved here five years ago after living on the West coast of Florida for 25 years to be closer to our son.

We are concerned with the Heathwood Project because of the increased density which is not consistent with the Citizen's Master Plan that was developed between the County and the City of Atlantis. The Master Plan proposed a density below 5 units per acre. We feel that Planning Commission should maintain this agreement reached between the County and Atlantis because that is what its purpose was, to plan for the future.

The roads around Atlantis are very busy. In the mornings, traffic is either slow-crawling or at a complete standstill. Unfortunately, this congestion leads to loss of temper and reckless driving by impatient drivers. It has become a real safety issue.

To add to these already congested conditions, the applicant for Heathwood is asking to add 138 townhomes on 18 acres with additional workforce housing of 25 will cause an increase the density by 66%.

This latest version by the applicant for Heathwood is no less dense than the previous version for which the Planning Commission recommended denial on August 14<sup>th</sup>.

The Type 3 congregate living facility with its proposed increased density by the applicant is incongruous with the neighborhood which is primarily single family dwellings. The increased density will cause even more congestion and unsafe driving conditions on Military and Lantana roads.

The existing land of use of 5 dwelling units per acre, MR-5 is justifiable and consistent with the surrounding communities. The applicant's desire to cram more dwellings in a smaller area with the 139-bed type 3 congregate living facility will create congestion as it has in Miami and does not serve the community long term living and safety issues.

Respectfully,



Bill and Patty Steinbrink



December 4, 2018

Ms. Inna Stafeychuk, Planner I  
Attn: Heathwood Reserve  
PBC Planning Division  
2300 North Jog Road  
West Palm Beach, Florida 33411

RECEIVED  
DEC - 6 2018  
PLANNING DIVISION

Re: Heathwood Reserve Project

Dear Ms. Stafeychuk

We live at 548 N. Country Club Drive in the City of Atlantis. We have owned a residence in Atlantis and another area of Palm Beach County for close to 30 years.

**Summary of Project:**

The Heathwood Reserve Project ("Project") proposes 138 fee-simple townhome units and a 139-bed Type-3 congregate living facility ("CLF").

The land use change involves modifying the future land use ("FLU") designation on 4.831 acres from medium density residential at 5 dwelling units ("DUs") per acre (MR-5) to congregate living residential ("CLR") at a density of 12 DUs per acre.

The 138 townhomes will be located on 17.71 acres, which equates to 7.79 DUs per acre. By including 25 workforce housing units, the applicant is seeking a 66.5% density increase for workforce housing.

**Importantly, this version of the Project is no less dense than the version that was unanimously recommended for denial by this Planning Commission on August 14th. The Planning Commission should recommend denial of this version of the Project as well.**

**Specific Objections:**

We object to the Heathwood Project for the following reasons:

- The Project is inconsistent with the Citizen's Master Plan. The County partnered with Atlantis to develop the Citizen's Master Plan. This Project violates the Master Plan by proposing density above 5 units per acre. The Planning Commission should honor the County's partnership with Atlantis and maintain the existing density for the Project.
- The CLR and its proposed density are not compatible with surrounding uses. The vast majority of surrounding properties are single family homes and are built out. We are concerned about the precedent that will be set by approving density over and above the existing uses. This will increase traffic on Military Trail and adversely impact Atlantis. Future projects will follow the lead of this one and propose higher densities.
- The existing land use of MR-5 is appropriate. This is demonstrated by the numerous developments surrounding the subject property at similar density. The applicant cannot justify why it needs the additional density.



As such, we respectfully request that the Planning Commission recommend denial of the proposed land use amendment.

Yours truly,

Handwritten signatures of Brian and Pauline Fisher in cursive script.

Brian and Pauline Fisher



**From:** danlish@comcast.net <danlish@comcast.net>  
**Sent:** Thursday, January 24, 2019 2:59 PM  
**To:** Inna Stafeychuk <IStafeyc@pbcgov.org>  
**Cc:** Lishansky Daniel <danlish@comcast.net>; Peter and Sally Shapiro <peterandsally@shapirosx2.com>  
**Subject:** Re: Heathwood Reserve SCA-2017-014

Dear Ms. Stafeychuk:

I am an Atlantis resident and want to express my support for the issues raised in Peter Shapiro's email.

I appreciate your corresponding with those of us who have voiced concerns in the past. However, while the developer and his attorneys are thoroughly familiar with the process, residents are left with no one at the county level supporting or protecting our rights. We are the ones who will experience the negative repercussions, but we are left uninformed or informed at a late hour when there are important issues about to be decided.

We would all benefit from an equitable process, one that doesn't favor the developer. Please share my concerns with your supervisors and the members of the Planning Board. Thank you.

Daniel Lishansky

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**From:** jjbut@aol.com <jjbut@aol.com>  
**Sent:** Saturday, March 02, 2019 5:34 PM  
**To:** Inna Stafeychuk <IStafeyc@pbcgov.org>  
**Subject:** Re: Heathwood Reserve SCA-2017-014

Dear Ms Stafeychuk,

We appreciate the update on the Heathwood Reserve proposal as it affects all residents of Atlantis and the surrounding areas. Nothing has changed our opinion on this project with traffic our major concern. Each day traffic on Military Trail is heavier. The last thing we need is a complex which compounds the problem.

When we moved to Palm Beach County 24 years ago, Military Trail was a relatively calm road with the flow of vehicles changing with the time of day. Now Military Trail is filled with cars and trucks at all hours and "rush hour" is constant. Traffic never lessens no matter what the hour.

We object to the Heathwood Reserve project because it is too dense and is incompatible with surrounding areas. This proposed development will only compound the issue of overcrowding and increased traffic.

We sincerely hope Palm Beach County officials and Atlantis officials can reach an agreement and the Heathwood Reserve project will be halted. This will benefit all those who daily travel on Military Trail and make it a much safer route.

We appreciate the time and energy you have devoted to this issue. For citizens' safety, we believe the Heathwood Reserve project should not happen.

Sincerely,

Dr. and Mrs. James R. Butler  
Atlantis, FL



LOUIS F. DONAGHUE, M.D.  
533 N COUNTRY CLUB DRIVE  
ATLANTIS FL 33462

Ms. Inna Stafeychuk 1  
PBC Planning Division  
2300 North Jog Road  
West Palm Beach, FL 33411

December 5, 2018

Dear Ms. Stafeychuk:  
Re: Heathwood Reserve

My name is Louis Donaghue. I am a retired Orthopedic Surgeon who has served Palm Beach County on the staff of J.F.K. Hospital since 1972. My wife, Pat and I are longtime residents of Atlantis.

We strongly oppose the Heathwood Reserve development for a number of reasons!

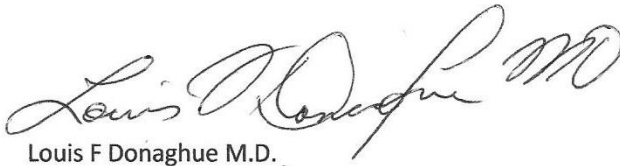
Years ago PBC and Atlantis partnered to develop a Citizens Master Plan for future developments in the area proposing and agreeing to a density of 5 units per acre. It is difficult to imagine the County Planning Commission approving a development that violates this Master Plan and essentially moves from 5 DU's per acre (MR-5) to Congregate Living Residential (CLR) at a density of 12 (DU's). Additionally the 138 Townhomes on 17.71 acres equates to 7.79 DU's per acre including 25 workforce housing units seeking a 66.5% density increase for said workforce housing.

A project of this size not only violates the Citizens Master Plan but is out of character of all surrounding developments of mostly single family homes.

Apparently no consideration has been given for traffic congestion on Military Trail. Earlier in the year the developer had a traffic engineer tell us there would be some 1800 auto trips per day onto Military Trail. These trips, through a single access into the development, will be a very large increase in traffic density on this section of Military trail.

The Planning Commission, at its July 2018 meeting, unanimously recommended denial for the original project and since this "new version" is essentially the same I strongly recommend the Planning Commission again recommend denial for the Heathwood Reserve development.

Thank you for your consideration.



Louis F Donaghue M.D.



Patricia Donaghue



## **Exhibit 10**

### **Municipal Coordination and Correspondence**

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#### **Attached Correspondence**

- **May 3, 2019** - IPARC Fact Finding Panel Meeting & Letter
- **April 22, 2019** - City of Greenacres letter of objection
- **April 16, 2019** - Nason Yeager letter on behalf of City of Atlantis letter of objection
- **April 2, 2019** – Formal Written Objection, City of Greenacres
- **March 29, 2019** – Formal Written Objection, City of Atlantis
- **Dec. 13, 2018** - City of Greenacres letter of objection
- **Dec. 14, 2018** - City of Atlantis letter of objection
- **Dec. 6, 2018** – City of Atlantis letter with petition
- **Dec. 6, 2018** – Nason Yeager letter on behalf of City of Atlantis

#### **Attached Meeting Sign in Sheets**

- **Nov. 2, 2018** – Meeting with County staff and cities of Atlantis & Greenacres staff
- **June 25, 2018** – Meeting with County staff and cities of Atlantis & Greenacres staff
- **July 31, 2017** – Meeting with County staff and cities of Atlantis & Greenacres staff



## **FACT FINDING PANEL OPINION LETTER**

TO: Initiating Local Government Palm Beach County  
Participant Objector Atlantis and Greenacres

FROM: Panel Member 1 Natalie Crowley, Chair  
Panel Member 2 David Kemp  
Panel Member 3 Tim Stillings

DATE: May 3, 2019

RE: Reference #: 2017-00014 Heathwood Reserve FLUA

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Property Owner (if site specific): AMKBJ Partners LTD/ Brian Lulfs

Date written objection received: March 29, 2019 from Atlantis; April 2, 2019 from Greenacres.

A Fact-Finding Panel Meeting was held on May 3, 2019 to consider the following objection(s):  
See attached Formal Written Objections.

At the onset of the meeting, the Chair discussed certain inconsistencies in the process with the Interlocal Agreement (i.e. obsolete nomenclature and schedule timeframes). The Chair requested affirmation from all parties that they have come to the Fact-Finding panel as a willing participant in this process despite these minor inconsistencies. All parties acknowledged their willingness to participate.

The panel heard a presentation from Inna Staeychuk and Patricia Behn representing the initiating local government which included an overview of the amendment, supporting data, analysis, and documentation as well as an historical overview of the amendment. The panel then heard from Scott Backman representing the property owner.

The panel heard a presentation from Kara Ferris, Greenacres as the participant objector to this amendment on the reasons for its objections.

The panel heard a presentation from John Fumero and Jack Rice representing Atlantis as the participant objector to this amendment on the reasons for its objections.

Technical assistance and questions were provided by:  
Khurshid Mohyuddin regarding traffic counts; Brian Davis regarding the comprehensive plan CLR designation; Bill Cross regarding the zoning aspect of the CLR designation; and Jeff Brophy answered questions regarding the actual uses within the 160,000 square foot facility on behalf of the property owner.



Having heard the presentation and testimony from both entities the Fact-Finding Panel issues the following conclusions: (Note: If more than one objection/conclusion is reached on each specific objection.)

\_\_\_\_\_ The objection appears to have been one of miscommunication and it appears to be resolved; no further action is necessary.

X There is insufficient data and analysis upon which to support the amendment.

Sufficient data and analysis was provided and a conflict appears to exist. The conflict should be resolved either:

\_\_\_\_\_ through the normal Department of Community Affairs review process; or

\_\_\_\_\_ in a conflict resolution forum such as provided in Article IX (Conflict Resolution Panel), mediating services as provided by the Treasure Coast Regional Planning Council, or some other forum for mediation.

\_\_\_\_\_ Sufficient data and analysis was provided. The Panel concludes the objection is not justified by the information provided.

X Other. Sufficient data and analysis was provided by the City of Greenacres and the City of Atlantis to support their objection and a conflict appears to exist. The conflict should be resolved by continuing to work together to find an acceptable resolution.

Basis for decision:

Although the formal written objections focused on matters concerning both the proposed rezoning and land use amendment, the scope of the Fact-Finding panel has provided the opinion based on the review of the proposed Future Land Use amendment, consistent with the intent of the IPARC Interlocal agreement.

The Level of Service Analysis conducted for the proposed CLR designation utilized a residential baseline maximum of 12 dus/acre to evaluate the impacts of the proposed Future Land Use Map Amendment. Given the scale and intensity of the proposed facility at 160,000 Square Feet on a 4.84-acre parcel of land, additional consideration should have been included by Policy by Palm Beach County to address the impacts associated from non-residential uses and/or components associated with the CLR. The analysis should have also review associated impacts, if any, on the surrounding local governments in accordance with Policy 2.1-f in the County's Comprehensive Plan.




Analysis according to Policy 2.1-f which states adequate justification for proposed future land use and residential density increases demonstrating that the current land use is inappropriate and shall include:

3. the adjacent and surrounding development;
6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and
7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.

Additionally, Palm Beach County did not sufficiently address compliance with Policy 4.1.c of the County's Comprehensive Plan which requires the following:

Policy 4.1-c: The County shall consider the objectives and recommendations of all Community Plans, Neighborhood Plan, Joint Planning Areas Agreements, Interlocal Service Boundary Agreements, and Special Studies, recognized by the Board of County Commissioners, prior 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.

Chair

  
*Signature of Chair*

Date:

5/7/19





## City of Greenacres

Planning & Engineering Department  
5800 Melaleuca Lane • Greenacres • Florida • 33463  
Ph: 561-642-2054 • Fax: 561-642-2049 • Email: [groupeng@greenacresfl.gov](mailto:groupeng@greenacresfl.gov)

Joel Flores  
Mayor

Andrea McCue  
City Manager

Kara L. Irwin-Ferris  
Director

April 22, 2019

Via Email: [amyeskey@bellsouth.net](mailto:amyeskey@bellsouth.net)  
Anna Yeskey  
Palm Beach County Intergovernmental Coordination Program

**Re: IPARC – Fact-Finding Panel for Greenacres’ Objection to  
LGA 2017-014 Heathwood Reserve**

Dear Mrs. Yeskey:

On August 7, 2017 and April 2, 2018, the Greenacres City Council authorized staff to provide a formal objection to the Future Land Use Atlas (FLUA) amendment for the Heathwood Reserve (LGA 2017-014) project. Staff has been following the progression of the project through Palm Beach County’s process and has followed up with the City of Greenacres City Council through the many iterations of the plan, specifically when the changes were substantial.

The City of Greenacres **strongly objects** to the proposed amendment and respectfully requests that the Board of County Commissioners (BCC) deny or, in the alternative, limit the overall density to 5 du/ac, as planned for in the Palm Beach County Comprehensive Plan. The City’s formal objection to the proposed FLUA amendment is based on the following major concerns:

1. The proposal is inconsistent with the special study area document, *A Citizens Master Plan* prepared by Palm Beach County, the City of Greenacres, the City of Atlantis, and the Treasure Coast Regional Planning Council (TCRPC). The proposal lacks regard for the effort put into the charrette by the three government entities and the residents of the surrounding neighborhoods.
2. The proposal is inconsistent with the County’s Comprehensive Plan, specifically objectives and goals of the Future Land Use Element (FLUE), the Transportation Element (TE), and the Intergovernmental Coordination Element (ICE).
3. The proposed land use amendment is incompatible and inconsistent with the surrounding built environment, which is one of the basic principles of evaluating a proposed land use change.
4. The change in character of the area will have a large impact on the six (6) single-family homes on Dow Lane. The six (6) homeowners are given minimal buffers and screening, while the intensity of the development around them will change dramatically causing an impact on their quality of life. The parcels should be determined to be residual parcels, which are protected by the County’s Comprehensive Plan.

**1. Palm Beach County, City of Greenacres, and the City of Atlantis Charrette Citizens Master Plan**

Palm Beach County Future Land Use Element Policy 2.1-f provides criteria that must be satisfied to justify a future land use amendment. One of the criteria is to address Planning Area Special Studies that have been recognized by the Board of County Commissioners, which includes the aforementioned Charrette report and Master Plan. A major objection to the proposed amendment is based on the fact that it is not consistent with the consensus vision for the area as reflected in



the 2004 Greenacres, Atlantis, and Palm Beach County Charrette. Regarding the neighborhood planning charrette, the proposal is not consistent with the Charrette Master Plan:

- A. **The use is not primarily neighborhood serving.** The greater intensity use does not provide service to the adjacent neighborhood through the location of a residential serving commercial neighborhood node at the existing intersection. The use generates additional traffic concerns without utilizing methods to reduce the impacts of the proposed traffic increase, **such as the utilization of an existing signalized intersection or a connector road to another roadway.**
- B. **The proposal is a single use and not mixed use** (retail, office and residential) as called for in the Master Plan.
- C. **Roadway Connection** - the Charrette Plan provides for a connector roadway (Corbett Drive extension) from Haverhill Road to Military Trail. The proposed plan does not plan for a future connection that can be more efficient and safe by lining up with the existing signalized intersection at Country Club Drive and Military Trail. The connector roadway is important in improving connectivity for emergency access for Fire Rescue services from the City of Greenacres to the City of Atlantis, as well as the support services provided to Palm Beach County based on mutual aid agreements.
- D. **Surrounding Character** - the proposed three (3) story building on the northern portion of the plan have no connection with the character of the surrounding area. The existing single-family homes to the east, west, and the south will be adversely impacted by the proposed uses with a minimal buffer area. The proposed 139 bed CLF located on the northern portion of the plan, results in a plan of development that is much more intense than the existing development in the surrounding communities.
- E. **Roadway dedication to nowhere** – The Charrette Plan provides for a right-of-way dedication that lines up with Country Club Drive, but the future extension of the roadway is blocked by the proposed development on the plan. The proposed development removes the possibility of the planned east-west connecting roadway aligning with the signalized intersection at North Country Club Boulevard as designed. The proposed plan also does not connect to an existing intersection, which would mitigate the impacts from the proposed development.
- F. **Unsafe Traffic Concerns** – The multiple driveways onto Military Trail depicted on the plan do not line up with any existing driveways, and the roadway to access the development drives through parking lots creating unsafe ingress/egress and circulations for the site.

The effort put into the charrette by Greenacres, Atlantis, Palm Beach County, and the residents of the surrounding neighborhoods should be respected by utilizing the recommendations of the charrette. The proposed plan does not do that.

Palm Beach County residents and residents from the City of Greenacres and Atlantis attended the Charrette in good faith, putting together a vision for the future development of the area. While the City is well aware that there is no "legal requirement" that the BCC follow the plan, the City has been enforcing the plan and urges the BCC to maintain the plan as well. As a municipal partner in the plan, the City of Greenacres has serious concerns regarding the County staff's position that the *A Citizens Master Plan* is not valid. The City has not been advised that the Board of County Commissioners has changed their endorsement of the plan since they accepted it on May 26, 2005, so the City cannot find support for Palm Beach County staff's dismissal of the *A Citizens Master Plan*.



## **2. Inconsistencies with the Palm Beach County Comprehensive Plan**

The proposal is inconsistent with the County's Comprehensive Plan, specifically objectives and goals of the Future Land Use Element (FLUE), the Transportation Element (TE), and the Intergovernmental Coordination Element (ICE).

### Future Land Use Element

The applicant has provided an inadequate justification for the project by stating that the proposed development is infill development and therefore merits an increase in the density and intensity of use. While the parcel may meet part of the definition of infill, that does not justify the increase in density. The PBC Future Land Use Element Objective 2.1, Policy 2.1-f requires that the County balance growth by directing development to appropriate locations. Specifically, Policy 2.1-f requires that adjacent and surrounding development and Community Plans be considered in the evaluation of a comprehensive plan amendment. In this instance, the proposed increase in density and the intensity of the use is not compatible with the low densities of the surrounding developments. It is also not consistent with the Citizens Master Plan previously referenced.

In addition, policy 2.1-h and Policy 2.1-l address promoting appropriate land development patterns and discouraging the creation of residual parcels. Residual Parcel is defined in the Comprehensive Plan as "A property under the same or related ownership that has been left out of a development area, resulting in a parcel, which has limited development options and connections to surrounding properties." The six (6) single-family homes located on Dow Lane have related ownership in the access easement that crosses each property for legal access, including the four (4) parcels that have been incorporated into the proposed development located on Dow Lane. The development of the four (4) parcels closest to South Military Trail leaves the remaining parcels with limited development opportunities and incompatibility issues that cannot be addressed adequately in the land use amendment. In addition, the remaining access easement for the homes, known as Dow Lane, limits the development of the project parcels by requiring it to be kept open as an access for the remaining single-family homes. This alignment prevents the applicant from utilizing an existing signalized intersection at Military Trail and Country Club Drive. Therefore, the related ownership of Dow Lane limits the development plan for the entire Heathwood Reserve project, which is the definition of residual parcels and why they are regulated in the Comprehensive Plan.

### Transportation Element

The proposed master plan is inconsistent with the Introduction, Objectives, and Policies of the County's Transportation Element. The Introduction of the Comprehensive Plan states, "... The need to coordinate local decisions on the appropriate use of land with the infrastructure necessary for access and development requires a unified approach and commonality of basic goals and objectives." In addition, the Assessment and Conclusions states, "...Policies also exist for alleviating high accident locations and for controlling access connections." The proposed master plan for the project is in direct conflict with these statements, as it does not utilize existing signalization at Country Club Drive and South Military Trail, nor does it connect with existing development roadways to improve circulation and access of the surrounding area. Instead, it creates conflicts with existing traffic patterns.

Overall, the use is very intense. The proposed number of units is double the maximum development potential. The current and planned intersection at Country Club Drive becomes a



dead-end without the possibility of a connection to Haverhill Road, nor is it utilized for safe traffic access to and from the site. If the proposed plan cannot provide even a portion of the right-of-way to access the signalized intersection into the proposed development, then increasing the intensity should not be considered.

#### Intergovernmental Coordination Element

The applicant met with the City, at the direction of County staff, but did not address any of the concerns expressed by City staff as a result of the meetings. In addition, staff requested that the applicant include the City of Greenacres staff in the public outreach meetings with adjacent neighborhoods, but staff was never notified of the meetings and only heard of them after the fact.

While the applicant made the pretense of meeting with adjacent jurisdictions, any concerns brought up were not addressed.

### **3. Compatibility**

The County's Land Use Element requires that Land Use Compatibility be evaluated as part of the staff analysis. The Comprehensive Plan requires that the County "Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated." and "Respect the integrity of neighborhoods, including their geographic boundaries and social fabric." As stated previously, the proposed development does not respect the existing surrounding neighborhoods nor does that proposed master plan address those incompatibility issues.

The Heathwood FLUA Amendment increases the density for a portion of the overall master project from MR-5 to CLR with a maximum density of 12 du/ac. This density is substantially out of character with less dense adjacent and surrounding development. The single-family homes located in the Winchester Woods (LR-2), Dow Lane (LR-3), Wenhart Estates (LR-2), and the City of Atlantis (RL), which are to the west, east, and surrounded by the project, are single-family communities with an expectation, based on the County's Future Land Use Map of what is permitted in the adjacent area. These existing communities are incompatible with the proposed high-density project and their quality of life will be negatively impacted.

Allowing a Congregate Living Residential (CLR) land use designation, which permits a maximum development potential of 12 units per acre at this location is a marked increase that has not been adequately justified in the applicant's *Justification Statement* and will have negative impacts on the adjacent development. The applicant has not provided support for the land use change addressing that the current land use designation is inappropriate and therefore needs to be amended. According to the PBC Future Land Use Map, the proposed development would be more appropriately located closer to the higher density land use designations, which are located to the north and the south of the development at signalized major intersections along Military Trail.

### **4. Dow Lane**

As previously stated, the County's Comprehensive Plan has policies that define and address residual parcels. The Dow Lane residual parcels share access, which provides 'related ownership' issues. The ten (10) properties located on Dow Lane share access through easements across the front of the properties. The applicant submitted a previous plan that showed the Dow Lane access road moved to line up with the signalized intersection of North



Country Club Boulevard, but later amended the plan to maintain the Dow Lane entrance on Military Trail. Because the homeowners along Dow have related ownership in the access way, the development potential of the entire project is limited by need to maintain the road. Instead of utilizing an existing intersection, the project has three separate driveways that require U-turns for all northbound traffic.

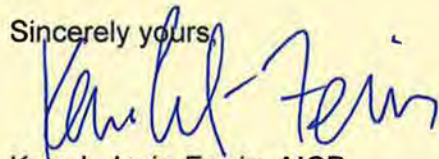
In addition to the limits placed on the subject site by the residual parcels, the existing single-family development on Dow Lane will be left surrounded by a project with substantial increase in density and a reduced quality of life. Other than maintaining the Dow Lane access, the project has not integrated or allowed for inter-connectivity between the proposed project and the residual parcels on Dow Lane.

The County staff analysis dismisses this Comprehensive Plan policy with a determination that even though the parcels are part of the ultimate PUD zoning application, planning does not have to address it because it is not a part of the site that is being considered as part of the proposed land use amendment.

Largely, this line of reasoning is troubling since it allows the applicant to make changes to portions of the site or on some of the parcels without staff addressing the entire subject site to be developed. The whole evaluation process for a land use amendment requires you to look at the bigger picture, yet staff is only analyzing this policy based on a limited scope. This is in violation of the County's Comprehensive Plan policies that require integration and consideration for residual parcels.

In conclusion, this is not the right intensity for this location nor does the development program provide the right mixture of uses, provide for balanced growth and protect the integrity of existing neighborhoods. The Heathwood Project is inconsistent with the Palm Beach County Comprehensive Plan, incompatible with the surrounding area, and is inconsistent with the *Charrette Citizens Master Plan*. Heathwood has not provided justification that the existing FLUA designation is inadequate, nor why an increased density is appropriate. Overall, the minimum requirements for a FLUA amendment have not been addressed adequately and the existing MR-5 designation should be maintained.

Sincerely yours,



Kara L. Irwin-Ferris, AICP  
Planning and Engineering Director

- Attached:
- Ex. A. Future Land Use Atlas of PBC, Florida Atlas Page 82
  - Ex. B. PBC Comprehensive Plan Future Land Use Element Pages 52-53 FLUE, Policy 2.1-f and Policies 2.1-h – 2.1-i, Residual Parcel
  - Ex. C. PBC Comprehensive Plan Introduction and Administration Element Page 23-IA, definition of "Residual Parcel"
  - Ex. D. Heathwood Reserve Preliminary Master Plan Revision date 03/12/2018

cc: Andrea McCue, City Manager, City of Greenacres  
File





JOHN J. FUMERO  
Board Certified State & Federal Government  
& Administrative Practice Lawyer

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jfumero@nasonyeager.com

April 16, 2019

**Via Email:** [amyeskey@bellsouth.net](mailto:amyeskey@bellsouth.net)

Intergovernmental Plan Amendment Review Committee Clearinghouse  
C/o Ms. Anna Yeskey  
IPARC Coordinator

**Re: SCA 2017-014 (Heathwood Reserve FLUA)  
Formal Written Objection of the City of Atlantis**

Dear Ms. Yeskey:

Please accept this letter on behalf of the City of Atlantis ("City") to the Intergovernmental Plan Amendment Review Committee ("IPARC") setting forth the City's formal objections to the proposed Palm Beach County ("County") Future Land Use Atlas ("FLUA") amendment (ref. # 2017-014) known as Heathwood Reserve ("Heathwood"). On March 22, 2019, the City's Notice Of Intent To Object was transmitted to you and the County. The Board of County Commissioners ("BCC") is scheduled to consider Heathwood's FLUA amendment on May 23, 2019. The County Zoning Commission is scheduled to consider a concurrent zoning application by Heathwood, to rezone five parcels from Agricultural Residential ("AR") to Planned Unit Development ("PUD") and accommodate 138 townhome units and a 139 bed Type-3 Congregate Living Facility ("CLF") on May 2, 2019.

## **BACKGROUND**

This is the fourth iteration of Heathwood. In February of last year, the developer proposed a large-scale amendment for 22.54 acres: from Medium Residential, 5 units per acre ("MR-5") on 22.119 acres and Low Residential, 3 units per acre ("LR-3") on the remaining 2.421 acres to High Residential, 8 units per acre ("HR-8") on 18.34 acres and Congregate Living Residential ("CLR") on 4.19 with the underlining rezoning from AR to PUD. In short, Heathwood sought to increase the properties' development potential of 107 DUs to **288 dwelling units** composed of a CLF of 120 beds, 186 apartments, and 52 townhomes.

Subsequently, Heathwood decreased the total area of its FLUA amendment to 8.31 acres and proposed to redesignate 4.831 acres from MR-5 to CLR (at 12 dwelling units per acre) to accommodate a 139-bed type-3 CLF. Concurrent with this iteration was a request to rezone the five surrounding parcels to PUD and accommodate 138 fee simple townhome units alongside the



CLF. The total area of this iteration of Heathwood was 22.54 acres and proposed **277 dwelling units** total. On July 13, 2018, the County Planning Commission, unanimously recommended the BCC deny this iteration of Heathwood. The transcript of the Planning Commission's discussion of Heathwood is attached as **Exhibit "A"**. The Planning Commission described Heathwood as an "egregious disregard for what the community wants[.]" suggested Heathwood be revised to something "more in line with the character of the community[.]" and, if Heathwood were a "little less dense, maybe it would be acceptable by the people. So I think you maybe could go back and work on that aspect of it."

In December, Heathwood returned as a small-scale FLUA amendment to redesignate only 4.83 acres of MR-5 to CLR (at 12 dwelling units per acre) in order to accommodate a 139-bed type-3 CLF. Concurrent with this application was a rezoning request to rezone the five surrounding parcels to PUD and accommodate 138 fee simple townhome units alongside the CLF. The application proposed 277 dwelling units total. Despite the Planning Commission's direction, Heathwood's density was **not reduced**. Instead, **the area of Heathwood's FLUA amendment was reduced** to 4.831 acres. By reducing the size of Heathwood and applying as a small-scale amendment, Heathwood was rewarded with quicker review and approval timelines at all levels.

The City objects to Heathwood for the following reasons:

1. **Heathwood was not adequately coordinated with the plans of surrounding local governments, including Atlantis, and creates an imbalance and incompatibility in future land uses in the area of Heathwood and amongst local government comp plans.**

Throughout the planning process, the City has expressed deep concern with Heathwood. The County and Heathwood's patent failure to evaluate and address any impact of Heathwood on the City has alarmed the City and its 2,000+ residents. At each stage, the City has attempted to coordinate with the County and been met with the responses of County Staff to "provide your comments to us in writing and they will be made a part of the record." However, the County's own Comp Plan provides that the County will **coordinate**<sup>1</sup> with the City and afford the City's concerns with special consideration. Policies 1.1-c and 1.1-e of the Intergovernmental Coordination Element ("ICE") of the County Comp Plan provide the City's comments will be considered as early as review by the Development Review Officer stage. However, no comments were requested beyond IPARC. The City's comments were treated with the same significance as an uninterested member of the public. To be sure, there was no "coordination". Despite Heathwood's proximity to the City, Heathwood and the County performed and provided no evaluation of Heathwood's impacts on the City as required by Policy 2.1-f, Future Land Use Element ("FLUE"), County Comp Plan.

Heathwood will have significant and direct impacts to the resources of the City and its residents. Heathwood will utilize the City's public resources and emergency responders without compensation. The City's parks and recreation facilities are open to the general public. Military Trail, adjacent to Heathwood, is within the municipal boundaries of the City. City law enforcement must respond to the emergencies of residents outside the City along Military Trail, including Heathwood. The City is greatly concerned with pass-through traffic from Heathwood to access

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1. *Coordination* is "the process of organizing [...] groups so [] they work together properly and well" and "the harmonious functioning of parts for effective results." *Coordination*, Merriam-Webster Online Dictionary, <https://www.merriam-webster.com/dictionary/coordination> (last visited Apr. 16, 2019).

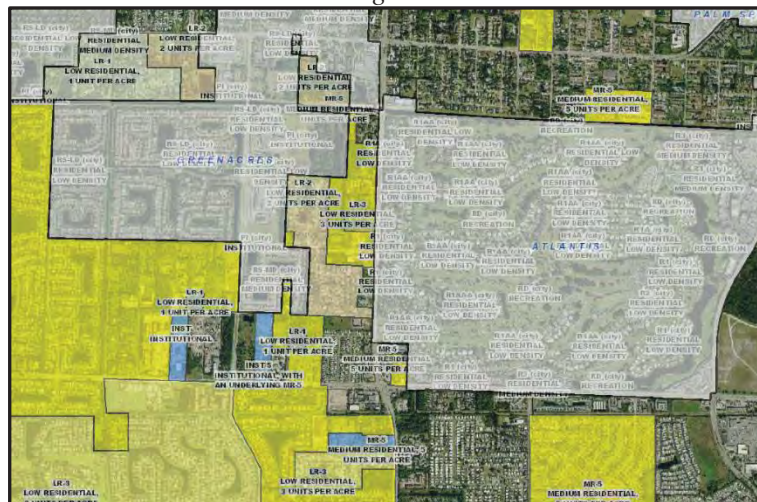


JFK Hospital and Congress Avenue. Historic issues related to pass-through traffic are well known and documented. Surprisingly, Heathwood and the County did not account for any traffic passing through the City when the Planning Commission considered it. Only by including pass-through traffic can the impacts on the City be adequately evaluated. Given the foregoing, Heathwood and the County failed to evaluate Heathwood's impacts to adjacent and surrounding development as required by Policy 2.1-f, FLUE, County Comp Plan.

2. **Heathwood was not adequately coordinated with the plans of surrounding local governments, including Atlantis, and creates an imbalance and incompatibility in future land uses in the area of Heathwood and amongst other local government comp plans.**

Heathwood increases density from MR-5 to CLR at a total bed number equivalent to the maximum 12 dwelling units per acre. This density is substantially out of character with the (decreased) density of surrounding development, including the City. Figure 1 shows densities surrounding Heathwood of less than or equal to 5 dwelling units per acre and Institutional land uses. It is irrefutable that the majority of development in the area of Heathwood is significantly less dense, at 5 or less dwelling units per acre. Yet, no substantive analysis by Heathwood or the County addressed Heathwood's disproportionately higher density, which is the highest permitted for a CLR designation by the County Comp Plan.

Figure 1



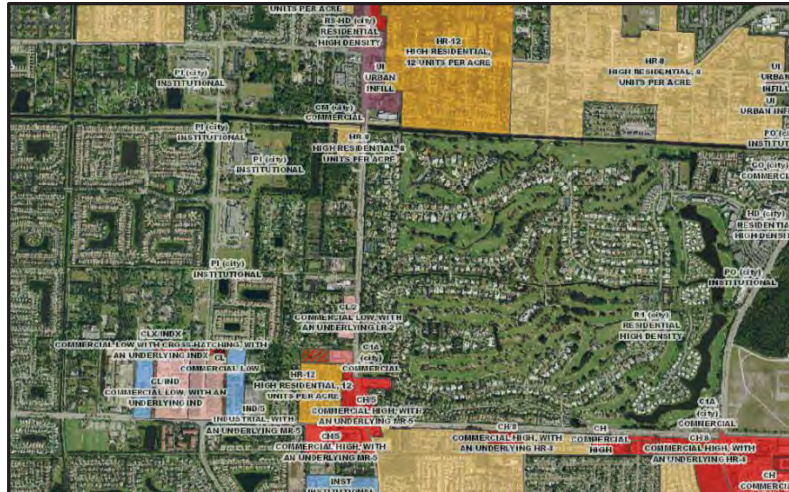
Similarly, the area of the City that directly abuts Heathwood's FLUA amendment is designated R-1A and has a density of 4.33 *hundredths* units per acre, or *less than one unit per acre!* § 15-5(e)(3)(3).a., City Code. If the BCC approves Heathwood's FLUA amendment, Heathwood and an area of the County FLUA will be designated High Residential, 8 units per acre and CLR (at maximum density) and directly about an area designated for density *of less than one unit per acre* by a neighboring local government comp plan with no transition between densities other than a road.

Heathwood claims its proposed density is in conformance with similar densities in the area. Figure 2 shows surrounding development that is designated for densities and development of 5 dwelling units per acre or greater and Commercial/Industrial land uses. It is irrefutable that the densities (of



8-12 dwelling units per acre) proposed by Heathwood are not in conformity with the surrounding area. To the contrary, similar densities and uses are only located far away from Heathwood!

Figure 2



Heathwood does not balance density and is not compatible with the surrounding area's future land uses. Similar (high) densities and are located far away from Heathwood. Heathwood's FLUA amendment proposes to designate an area of the County's FLUA that directly abuts an area that the City has designated for density of less than one unit per acre as High Residential and the maximum density permitted for a CLR, with no transition beyond a road and hedge. Such a highly dense residential use with limited-medical services has no place in the location of Heathwood, which the County has studied and concluded is appropriate for densities of less than 5 units per acre.

3. **Heathwood and the County failed to adequately evaluate and coordinate Heathwood's impacts on *The Greenacres, Atlantis, and Palm Beach County Charrette Report, A Citizens Master Plan* ("Citizens Master Plan"), a Special Study Area that was accepted by the Board of County Commissioners, recognized in the County Comp Plan, and a product of joint planning between several local governments, including Atlantis.**

The density and uses at Heathwood are inconsistent with—and in excess of—the density and uses determined appropriate for the area by *Citizens Master Plan*, which is attached and incorporated as **Exhibit "B"**. The *Citizens Master Plan* is an intergovernmental plan sponsored by the County, the City, and Greenacres, and prepared by the Treasure Coast Regional Planning Council ("TCRPC") in the early-2000s. On May 26, 2005, the County accepted the *Citizens Master Plan*. It is currently identified as a special planning area in the County's Comp Plan at Map LU 3.1, attached and incorporated as **Exhibit "C"**.

The *Citizens Master Plan* focused on the area between the City, Greenacres, and the County, which includes Heathwood, and focused policy on retaining the character of the area. It sought to limit future development in the area to ensure it was compatible and consistent with the rural and equestrian character of the area. The *Citizens Master Plan* noted:



Large sections of the study area remain generally rural, while other sections have evolved into large housing developments or into public school grounds. There is pressure to both preserve the land, and to develop it. The challenge was to find an acceptable balance.

*Citizens Master Plan* at 1. The *Citizens Master Plan* recommended the density for the area remain at MR-5. *Citizens Master Plan* at 39. Heathwood proposes density that is not only excessive of the density the *Citizens Master Plan* determined was compatible (5 du/ac), it proposes to develop the CLR portion at the maximum allowable density.

Policies 2.1-f and 4.1-c, FLUE, County Comp Plan, require the County to **review the impacts of any FLUA amendment on special study areas** recognized by the BCC, and **consider the objectives and recommendations of these plans** prior to approval of any FLUA amendment. Policy 2.1-k, FLUE County Comp Plan, provides study areas such as the *Citizens Master Plan*, focus policy on specific issues within “unique identified areas as depicted on the Special Planning Areas[.]” Clearly, the County intended to utilize the *Citizens Master Plan* to guide planning decisions at Heathwood. Further, State law encourages “[n]eighboring communities, especially those sharing natural resources or physical or economic infrastructure [...] to create collective visions for greater-than-local areas.” § 163.3167, Fla. Stat. (2018).<sup>2</sup>

The CLR (FLUA) designation was created to ensure compatibility with surrounding land uses by limiting the density of CLR amendments that are not compatible with the surrounding area, such as Heathwood. *See* 17-D Text Amend. Staff Report, Congregate Living Residential and Density Revisions, 1-E34, 7 (July 14, 2017) (“This amendment allows applicants for a CLR designation [...] to apply for up to 12 units per acre, but specifies that the density may be limited through the FLUA amendment process to ensure compatibility with the surrounding land uses.”). *See also* Policy 2.2.1-l(3), FLUE, County Comp Plan (quoted *supra*). The County should have considered and reviewed the findings of the *Citizens Master Plan* and limited Heathwood’s density to 5 dwelling units per acre via the amendment process.

**4. The County and Heathwood failed to evaluate Heathwood’s impacts on surrounding local government contrary to the Intergovernmental Coordination Element of the County Comp Plan.**

The City’s concerns deserve special recognition by the County. Section 163.3161(5), Florida Statutes, states:

It is the intent of this act to **encourage and ensure cooperation between and among municipalities and counties** and to encourage and ensure coordination of planning and development activities of units of local government with the planning activities of regional agencies and state government in accord with applicable provisions of law.

- 
2. The County Comp Plan expressly recognizes the importance of Special Study Areas. Specifically, Policy 2.1-k, FLUE, County Comp Plan, provides:  
[The 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.



(Emphasis added.) From the City's perspective, there has been no meaningful cooperation between the County and City regarding Heathwood, despite the City's attempts to facilitate an effective meeting with County Staff. Further, section 163.3180(g), Florida Statutes, provides:

Local governments are encouraged to coordinate with adjacent local governments for the purpose of using common methodologies for measuring impacts on transportation facilities.

As stated above, the County and Heathwood failed to coordinate and consider Heathwood's impacts to the City, and specifically failed to account for any pass-through traffic utilizing City resources.

The County Comp Plan's Intergovernmental Coordination Element ("ICE") outlines additional considerations that the City's Comp Plan should be afforded. Objective 1.1, ICE, County Comp Plan, outlines the process whereby the County must coordinate proposed amendments, such as a FLUA amendment, with adjacent municipalities. Given the speed at which Heathwood moved and incurred significant changes, the County failed to recognize its obligation to coordinate land use changes with adjacent local governments, including the City. Had the County coordinated with the City, it would have discovered Heathwood is inconsistent with numerous provisions of the City's Comp Plan. Objective 1, FLUE, City Comp Plan, states: "future land uses shall be coordinated with the availability of necessary public facilities and services." Such coordination has not occurred here. Objective 2 FLUE, City Comp Plan, encourages elimination and reduction of uses "inconsistent with the community character and future land uses through the development review process and coordination with adjacent government agencies." Heathwood is inconsistent with the character of the community and the City, and City should have been effectively coordinated with the City.

Goal I of the Traffic Element of the City's Comp Plan provides the City's goal to "provide and maintain a roadway system that allows for the safe and efficient movement of the residents of the City[.]" Pass-through traffic is a serious issue and threat to the residents of the City, especially the children. Objective 2 of the Traffic Element states the City will participate with other local governments for traffic circulation planning, design and construction. Objective 5 of the Traffic Element requires the City to provide safe, convenient, and efficient movement of pedestrians and non-motorized vehicles. Heathwood failed to include, and the County failed to request, pass-through traffic in the *Traffic Impact Analysis*. Thus, the City and the County cannot coordinate or analyze the traffic impacts to determine whether the City can maintain safe and efficient movement of City residents on the roadway system, and potential impacts to the residents from the Heathwood.

Under Florida law and the County Comp Plan, the City's interests are due special consideration, which has not been provided here. The County is bound to coordinate and cooperate with the City, and has failed to do so. Simply sitting through a pair of short staff meetings fails to qualify as "coordination and cooperation". The City deserves better.

## CONCLUSION

Heathwood is inconsistent with the County Comp Plan, incompatible with the future land uses and



comp plans of surrounding areas and local governments, and inconsistent with the *Citizens Master Plan*. The conflict of the City and County related to Heathwood is the product of failed and inadequate intergovernmental coordination, as described in the County Comp Plan:

Conflicts invariably arise if there is lack of communication and interaction. Such conflicts can lead to a loss of trust among the various units of local government and, more, importantly, the public.

ICE Element, County Comp Plan at 1-IC.

At each stage, the City has requested the County and Heathwood coordinate review and evaluate the impacts of Heathwood's FLUA amendment on the City, the City's Comp Plan and the *Citizens Master Plan*, only to be ignored, told the *Citizens Master Plan* does not apply, and instructed by County Staff to submit the City's comments in writing to the County. At no stage has the County engaged in an interactive dialogue with the City or provided evidence of its consideration of the impacts of Heathwood on the City, the City's Comp Plan, and the *Citizens Master Plan*. Heathwood is a product of failed intergovernmental coordination. The fact-finding panel should find the City's objections have merit and advise the parties to proceed to IPARC conflict resolution in accordance with objective 3.1 of the County Comp Plan. Thank you for considering the City's objections. Should you have any questions, do not hesitate to contact me.

Sincerely,



John J. Fumero

c: Brian Moree, City Manager  
Attached: Ex. A. *Excerpt of Transcript from July 13, 2018 Planning Commission Hearing*  
Ex. B. *The Greenacres, Atlantis and Palm Beach County Charrette Report, And Citizens Master Plan*  
Ex. C. Map LU 3.1, Special Planning Areas, County Comp Plan  
Ex. D. County Staff Report, Congregate Living Residential and Density Revisions, 1-E34, 7 (July 14, 2017).





Catherine Higgins  
Mayor

CITY OF



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Atlantis, Florida 33462-1183  
Phone: 561/965-1744  
Fax: 561-642-1806  
[www.Atlantisfl.gov](http://www.Atlantisfl.gov)

Mr. Michael Peragine  
Chairman, Palm Beach County Planning Commission  
c/o Patricia Behn, AICP  
2300 N. Jog Road  
West Palm Beach, FL

**Re: Opposition to Heathwood Reserve CLF (SCA 2017-014)**

Dear Chairman Peragine and members of the Planning Commission:

This letter is written on behalf of the City of Atlantis ("Atlantis"), a municipality of over 2,000 residents, and business owners, that abuts the Heathwood Reserve CLF ("Heathwood"). Decisions regarding planning and land use are a valued, and shared, responsibility among appointed and elected officials. Planning is intended to be a very participatory process, as you are surely aware. Through public hearings and other means, the Palm Beach County Planning Commission ("PBCPC") provides a key venue for residents and other community stakeholders to have a voice on project proposals and amendments to Palm Beach County's Comprehensive Plan. As elected officials, we take these responsibilities seriously, as we believe the PBCPC does as well. I hope you will set aside time to review and consider the concerns outlined below.

Heathwood still proposes 138 fee-simple townhome units and a 139-bed Type-3 congregate living facility ("CLF"). The land use change involves modifying the future land use map ("FLUM") designation on 4.831 acres from medium density residential at 5 dwelling units ("DUs") per acre ("MR-5") to congregate living residential ("CLR") at a density of 139 beds, the equivalent of 12 DUs per acre, and maximum density permitted for a CLR. This proposed change involves a nearly 240% increase in the beds allowable under the MR-5 designation.

Over several months, we have carefully evaluated Heathwood's latest proposal. We have conducted a series of public workshops with our residents and coordinated with neighboring municipalities, such as the City of Greenacres ("Greenacres"), as well as a neighboring homeowners association. We evaluated and compared the proposal Heathwood will present to the PBCPC on December 14, 2018, with the proposal that the PBCPC unanimously denied on July 13, 2018. Simply stated, there is no change in the density, since July, for Heathwood's proposal that will be considered by the PBCPC on December 14, 2018. Heathwood's proposal has simply been repackaged.

At this point, Heathwood has submitted its fourth iteration of the project; this time, as a small-scale amendment. A small-scale amendment requires fewer public hearings and is not subject to review by the



State of Florida. Although Heathwood has decreased the acreage subject to the FLUM amendment, it has patently failed to address the density that remains at 240% greater than the existing land use designation.

You may recall on July 13, 2018, numerous citizens, as well as Atlantis and Greenacres, appeared before you in opposition to Heathwood due to its density. Among other things, Heathwood's proposal then and now directly conflicts with the Citizens Master Plan, developed in 2005 in partnership with Atlantis, Greenacres, and the County with the Treasure Coast Regional Planning Council. Due to the immense increase in density, the PBCPC unanimously recommended that the Board of County Commissioners ("BCC") DENY Heathwood's proposal and encouraged Heathwood and its representatives to work with Atlantis, Greenacres, and the community to rework Heathwood to be less dense and more in line with the community. While there have been discussions, Heathwood has not made any reduction in the proposed density, which is the maximum permitted for a CLR.


In sum, we object to the Heathwood proposal, and re-assert the same issues raised before to the PBCPC on July 13, 2018:

- Heathwood is inconsistent with the Citizens Master Plan. The County partnered with Atlantis and Greenacres to develop the Citizens Master Plan with TCRPC. Heathwood violates the Citizens Master Plan by proposing the maximum permissible density, far above 5 DUs per acre. The PBCPC should recognize the County's partnership with Atlantis and maintain the existing density for Heathwood.
- The CLR designation and the proposed (maximum) density are not compatible with surrounding uses. The vast majority of surrounding properties are built out single-family homes or low intensity uses. Atlantis is concerned with the precedent that will be set by approving maximum density for Heathwood, which is over and above existing and neighboring uses. Heathwood will increase traffic on Military Trail and adversely impact Atlantis.
- The existing land use designation of MR-5 is appropriate and similar to what was proposed by the Citizen's Master Plan. This is demonstrated by the numerous developments surrounding Heathwood at densities similar to MR-5. Heathwood cannot justify why it needs such a substantial increase to achieve the maximum density for a CLR.

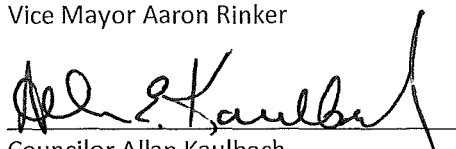
Importantly, please note that the ULDC amendment that created the CLR designation and review process explicitly provides that "this amendment allows applicants for a CLR designation within the Urban Suburban Tier to apply for up to 12 units per acre, but **specifies that the density may be limited through the FLUA amendment process to ensure compatibility with the surrounding land uses**".


As such, we hereby respectfully request that the PBCPC, consistent with its decision on July 13, 2018, recommend DENIAL of Heathwood's proposal.

  
Mayor Catherine Higgins

  
Vice Mayor Aaron Rinker

  
Councilor Michael LaCoursiere

  
Councilor Allan Kaulbach

  
Councilor Keller Lanahan



## FORMAL WRITTEN OBJECTION

TO: Anna Yeskey, Intergovernmental Coordination Program  
FROM: Kara L. Irwin-Ferris, AICP, City of Greenacres Planning & Engineering Director  
DATE: April 2, 2019  
RE: Reference #: SCA-2017-014 (Heathwood Reserve FLUA)

---

The City of Greenacres , hereby files a formal objection to the proposed Palm Beach County comprehensive plan amendment # SCA 2017-014 Heathwood Reserve for the following reasons:

- 1.The proposal is inconsistent with the special study area of the citizens' master plan prepared by Palm Beach County, the City of Greenacres, and the City of Atlantis. The proposal lacks regard for the effort put into the Charrette by the three government entities and the residents of the surrounding neighborhoods.
- 2.The proposal is inconsistent with the County's Comprehensive Plan, specifically objectives and goals of the Future Land Use Element (FLUE), the Transportation Element (TE), and the Intergovernmental Coordination Element (ICE).
- 3.The proposed land use amendment is incompatible and inconsistent with the surrounding built environment, which is one of the basic principles of evaluating a proposed land use change.
- 4.Finally, the change in character of the area will have a large impact on the six (6) single-family homes on Dow Lane. The six (6) homeowners are given minimal buffers and screening, while the intensity of the development around them will change dramatically causing an impact on their quality of life.

This formal objection shall be transmitted to the Department of Economic Opportunity (formerly known as Department of Community Affairs.)

  
\_\_\_\_\_  
Signature of Government's Authorized Designee

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### FOR USE BY CLEARINGHOUSE

_____ <i>Date of Receipt</i>	_____ <i>Signature of Clearinghouse</i>	Forwarded On _____ to: <i>Date</i> _____ <i>Local Government</i>
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Panel Meeting Scheduled For \_\_\_\_\_

Panel Member 1	_____
Panel Member 2	_____
Panel Member 3	_____



## FORMAL WRITTEN OBJECTION

TO: Clearinghouse  
Palm Beach County

FROM: City of Atlantis

DATE: March 29, 2019

RE: Reference #: SCA 2017-014 (Heathwood FLUA)

---

The City of Atlantis ("Atlantis") hereby files a formal objection to the proposed Palm Beach County ("County") comprehensive plan ("comp plan") amendment # SCA 2017-014 (Heathwood FLUA) for the following reasons, which will be outlined in greater detail in a subsequent letter:

- Heathwood Reserve Project ("Heathwood") and the County failed to evaluate Heathwood's impacts and compatibility with the surrounding area and adjacent municipalities, including Atlantis, in accordance with the Intergovernmental Coordination Element of the County Comp Plan and spirit of comprehensive planning;
- Heathwood and its corresponding Future Land Use Atlas ("FLUA") Amendment was not adequately or effectively coordinated with the plans of surrounding local governments, including Atlantis, and creates an imbalance in future land uses, resulting in incompatibility in the area of Heathwood and amongst other local government comp plans;
- Heathwood and the County failed to adequately evaluate and coordinate Heathwood's impacts on *The Greenacres, Atlantis, and Palm Beach County Charrette Report, A Citizens Master Plan* ("Citizens Master Plan"), a Special Study Area that was accepted by the Board of County Commissioners in 2005, currently recognized on Map LU 3.1 of the County Comp Plan, and a product of joint planning between several governments, including Atlantis; and
- Heathwood is a result of failed intergovernmental coordination.

This formal objection shall be transmitted to Department of Economic Opportunity (formerly known as Department of Community Affairs).



By: Brian R. Moree

As: City Manager and authorized representative of the City of Atlantis.

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### FOR USE BY CLEARINGHOUSE

*Date of Receipt*

*Signature of Clearinghouse*

Forwarded On \_\_\_\_\_ to:

*Date* \_\_\_\_\_

*Local Government*

Panel Meeting Scheduled For \_\_\_\_\_

Panel Member 1 \_\_\_\_\_

Panel Member 2 \_\_\_\_\_

Panel Member 3 \_\_\_\_\_





# City of Greenacres

Planning & Engineering Department  
5800 Melaleuca Lane • Greenacres • Florida • 33463  
Ph: 561-642-2054 • Fax: 561-642-2049 • Email: [groupeng@greenacresfl.gov](mailto:groupeng@greenacresfl.gov)

Joel Flores  
Mayor

Andrea McCue  
City Manager

Kara L. Irwin-Ferris  
Director

December 13, 2018

Mayor Mack Bernard and the Board of County Commissioners  
Palm Beach County Board of County Commissioners  
301 N. Olive Avenue, Suite 1201  
West Palm Beach, FL 33401

Palm Beach County Planning Commission  
c/o Inna Stafeychuk, Palm Beach County Planning Staff  
2300 North Jog Road  
West Palm Beach, FL 33411

## Re: Petition LGA-2017-00014 – Heathwood Reserve

Dear Mayor Bernard and fellow County Commissioners:

On August 7, 2017 and April 2, 2018, the Greenacres City Council authorized staff to provide a formal objection to the Future Land Use Atlas (FLUA) amendment for the Heathwood Reserve (LGA 2017-014) project. Staff has been following the progression of the project through Palm Beach County's process and has followed up with the City of Greenacres City Council through the many iterations of the plan, specifically when the changes were substantial.

The City of Greenacres **strongly objects** to the proposed amendment and respectfully requests that the Palm Beach County (PBC) Planning Commission and the Board of County Commissioners (BCC) deny or, in the alternative, limit the overall density to 5 du/ac, as planned for in the Palm Beach County Comprehensive Plan. The City's formal objection to the proposed FLUA amendment is based on the following major concerns:

1. The proposal is inconsistent with the special study area document, *A Citizens Master Plan* prepared by Palm Beach County, the City of Greenacres, the City of Atlantis, and the Treasure Coast Regional Planning Council (TCRPC). The proposal lacks regard for the effort put into the charrette by the three government entities and the residents of the surrounding neighborhoods.
2. The proposal is inconsistent with the County's Comprehensive Plan, specifically objectives and goals of the Future Land Use Element (FLUE), the Transportation Element (TE), and the Intergovernmental Coordination Element (ICE).
3. The proposed land use amendment is incompatible and inconsistent with the surrounding built environment, which is one of the basic principles of evaluating a proposed land use change.
4. The change in character of the area will have a large impact on the six (6) single-family homes on Dow Lane. The six (6) homeowners are given minimal buffers and screening, while the intensity of the development around them will change dramatically causing an impact on their quality of life. The parcels should be determined to be residual parcels, which are protected by the County's Comprehensive Plan.



**1. Palm Beach County, City of Greenacres, and the City of Atlantis Charrette Citizens Master Plan**

A major objection to the proposed amendment is based on the fact that it is not consistent with the consensus vision for the area as reflected in the 2004 Greenacres, Atlantis, and Palm Beach County Charrette. Regarding the neighborhood planning charrette, the proposal is not consistent with the Charrette Master Plan:

- A. **The use is not primarily neighborhood serving.** The greater intensity use does not provide service to the adjacent neighborhood through the location of a residential serving commercial neighborhood node at the existing intersection. The use generates additional traffic concerns without utilizing methods to reduce the impacts of the proposed traffic increase, **such as the utilization of an existing signalized intersection or a connector road to another roadway.**
- B. **The proposal is a single use and not mixed use** (retail, office and residential) as called for in the Master Plan.
- C. **Roadway Connection** - the Charrette Plan provides for a connector roadway (Corbett Drive extension) from Haverhill Road to Military Trail. The proposed plan does not plan for a future connection that can be more efficient and safe by lining up with the existing signalized intersection at Country Club Drive and Military Trail. The connector roadway is important in improving connectivity for emergency access for Fire Rescue services from the City of Greenacres to the City of Atlantis, as well as the support services provided to Palm Beach County based on mutual aid agreements.
- D. **Surrounding Character** - the proposed three (3) story building on the northern portion of the plan have no connection with the character of the surrounding area. The existing single-family homes to the east, west, and the south will be adversely impacted by the proposed uses with a minimal buffer area. The proposed 139 bed CLF located on the northern portion of the plan, results in a plan of development that is much more intense than the existing development in the surrounding communities.
- E. **Roadway dedication to nowhere** – The Charrette Plan provides for a right-of-way dedication that lines up with Country Club Drive, but the future extension of the roadway is blocked by the proposed development on the plan. The proposed development removes the possibility of the planned east-west connecting roadway aligning with the signalized intersection at North Country Club Boulevard as designed. The proposed plan also does not connect to an existing intersection, which would mitigate the impacts from the proposed development.
- F. **Unsafe Traffic Concerns** – The multiple driveways onto Military Trail depicted on the plan do not line up with any existing driveways, and the roadway to access the development drives through parking lots creating unsafe ingress/egress and circulations for the site.

The effort put into the charrette by Greenacres, Atlantis, Palm Beach County, and the residents of the surrounding neighborhoods should be respected by utilizing the recommendations of the charrette. The proposed plan does not do that.

Palm Beach County residents and residents from the City of Greenacres and Atlantis attended the Charrette in good faith, putting together a vision for the future development of the area. While the City is well aware that there is no "legal requirement" that the BCC follow the plan, the City has been enforcing the plan and urges the BCC to maintain the plan as well. As a municipal partner in the plan, the City of Greenacres has serious concerns regarding the County staff's



position that the *A Citizens Master Plan* is not valid. The City has not been advised that the Board of County Commissioners has changed their endorsement of the plan since they accepted it on May 26, 2005, so the City cannot find support for Palm Beach County staff's dismissal of the *A Citizens Master Plan*.

## **2. Inconsistencies with the Palm Beach County Comprehensive Plan**

The proposal is inconsistent with the County's Comprehensive Plan, specifically objectives and goals of the Future Land Use Element (FLUE), the Transportation Element (TE), and the Intergovernmental Coordination Element (ICE).

### Future Land Use Element

The applicant has provided an inadequate justification for the project by stating that the proposed development is infill development and therefore merits an increase in the density and intensity of use. While the parcel may meet part of the definition of infill, that does not justify the increase in density. The PBC Future Land Use Element Objective 2.1, Policy 2.1-f requires that the County balance growth by directing development to appropriate locations. Specifically, Policy 2.1-f requires that adjacent and surrounding development and Community Plans be considered in the evaluation of a comprehensive plan amendment. In this instance, the proposed increase in density and the intensity of the use is not compatible with the low densities of the surrounding developments. It is also not consistent with the Citizens Master Plan previously referenced.

In addition, policy 2.1-h and Policy 2.1-l address promoting appropriate land development patterns and discouraging the creation of residual parcels. Residual Parcel is defined in the Comprehensive Plan as "A property under the same or related ownership that has been left out of a development area, resulting in a parcel, which has limited development options and connections to surrounding properties." The six (6) single-family homes located on Dow Lane have related ownership in the access easement that crosses each property for legal access, including the four (4) parcels that have been incorporated into the proposed development located on Dow Lane. The development of the four (4) parcels closest to South Military Trail leaves the remaining parcels with limited development opportunities and incompatibility issues that cannot be addressed adequately in the land use amendment. In addition, the remaining access easement for the homes, known as Dow Lane, limits the development of the project parcels by requiring it to be kept open as an access for the remaining single-family homes. This alignment prevents the applicant from utilizing an existing signalized intersection at Military Trail and Country Club Drive. Therefore, the related ownership of Dow Lane limits the development plan for the entire Heathwood Reserve project, which is the definition of residual parcels and why they are regulated in the Comprehensive Plan.

### Transportation Element

The proposed master plan is inconsistent with the Introduction, Objectives, and Policies of the County's Transportation Element. The Introduction of the Comprehensive Plan states, ".... The need to coordinate local decisions on the appropriate use of land with the infrastructure necessary for access and development requires a unified approach and commonality of basic goals and objectives." In addition, the Assessment and Conclusions states, "...Policies also exist for alleviating high accident locations and for controlling access connections." The proposed master plan for the project is in direct conflict with these statements, as it does not utilize existing signalization at Country Club Drive and South Military Trail, nor does it connect with existing



development roadways to improve circulation and access of the surrounding area. Instead, it creates conflicts with existing traffic patterns.

Overall, the use is very intense. The proposed number of units is double the maximum development potential. The current and planned intersection at Country Club Drive becomes a dead-end without the possibility of a connection to Haverhill Road, nor is it utilized for safe traffic access to and from the site. If the proposed plan cannot provide even a portion of the right-of-way to access the signalized intersection into the proposed development, then increasing the intensity should not be considered.

#### Intergovernmental Coordination Element

The applicant met with the City, at the direction of County staff, but did not address any of the concerns expressed by City staff as a result of the meetings. In addition, staff requested that the applicant include the City of Greenacres staff in the public outreach meetings with adjacent neighborhoods, but staff was never notified of the meetings and only heard of them after the fact.

While the applicant made the pretense of meeting with adjacent jurisdictions, any concerns brought up were not addressed.

### **3. Compatibility**

The County's Land Use Element requires that Land Use Compatibility be evaluated as part of the staff analysis. The Comprehensive Plan requires that the County "Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated." and "Respect the integrity of neighborhoods, including their geographic boundaries and social fabric." As stated previously, the proposed development does not respect the existing neighborhood nor does that proposed master plan address those incompatibility issues.

The single-family homes located in the Winchester Woods, Dow Lane, Wenhart Estates, and the City of Atlantis, which are to the west, east, and surrounded by the project, are single-family communities with an expectation, based on the County's Future Land Use Map of what is permitted in the adjacent development. These existing communities are incompatible with the proposed high-density project and their quality of life will be negatively impacted.

### **4. Dow Lane**

As previously stated, the County's Comprehensive Plan has policies that define and address residual parcels. The Dow Lane residual parcels share access, which provides related ownership issues. The existing development will be left surrounded by a project with almost four times the density and a reduced quality of life. Other than maintaining the Dow Lane access, the project has not integrated or allowed for inter-connectivity between the proposed project and the residual parcels on Dow Lane.

The County staff analysis dismisses this Comprehensive Plan policy with a determination that even though the parcels are part of the ultimate PUD zoning application, planning does not have to address it because it is not a part of the site that is being considered as part of the proposed land use amendment.

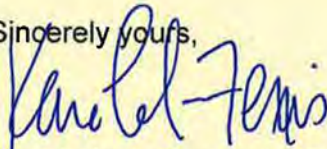


Largely, this line of reasoning is troubling since it allows the applicant to make changes to portions of the site or on some of the parcels without staff addressing the entire site. The whole evaluation process for a land use amendment requires you to look at the bigger picture, yet staff is only analyzing this policy based on a limited scope. In effect, it allows them to ignore the situation and affects that the policy was adopted to address.

In conclusion, we encourage the Planning Commission and the Board of County Commissioners to recommend **denial** for the proposed project and hope you appreciate the concerns Greenacres, Atlantis, and the neighboring residents have – *this is not the right intensity for this location nor does the development program provide the right mixture of uses, provide for balanced growth and protect the integrity of existing neighborhoods.*

Please incorporate this letter into the record of the Board's consideration of Heathwood Reserve.

Sincerely yours,



Kara L. Irwin-Ferris, AICP  
Planning and Engineering Director

cc: Andrea McCue, City Manager, City of Greenacres  
Inna Stafeychuk, Project Manager, PBC Senior Site Planner  
File





Brian R. Moree  
CITY MANAGER



260 Orange Tree Drive  
Atlantis Florida, 33462-1183  
Phone: 561/965-1744  
Fax: 561-642-1806  
[WWW.Atlantisfl.gov](http://WWW.Atlantisfl.gov)

December 6, 2018

**Via Hand Deliver**

Palm Beach County Planning Division  
C/O: Ms. Inna Stafeychuk  
2300 North Jog Road  
West Palm Beach, Florida 33411

**Re: Heathwood Reserve (LGA 2017—04)  
City of Atlantis Comments and Petitions**

Dear Ms. Stafeychuk:

On behalf of the City Council ("City") and residents of the City of Atlantis, this letter is submitted for inclusion into the record and for the consideration of the Planning Commission for the Heathwood Reserve project ("Heathwood").

As the Planning Commission will have received multiple letters and responses from residents regarding Heathwood, I will keep my comments brief.

On July 13<sup>th</sup>, the previous version of the Heathwood project was unanimously recommended for denial by the Planning Commission. It was the interpretation of our residents, that a significant contributing factor for the recommendation for denial was based on a proposed project density much greater than the current zoning. Much to our dismay, the developer has resubmitted their latest version of the project with the same density and no apparent consideration for the comments of the Planning Commission.

In response to comments from the Commissioner's during the July 13<sup>th</sup> public hearing, we are requesting that a transcript, attached as **Exhibit "A"**, of the Planning Commission's discussion be incorporated into the record for the Heathwood project. Additionally, we are requesting that each of the attached 571 resident petitions be incorporated into the record for the Heathwood project. The petitions were referenced, but not provided during the July 13<sup>th</sup> public hearing.

Thank you for your consideration.

Sincerely,

Brian R. Moree  
City Manager



Palm Beach County Planning Commission  
Heathwood Reserve (LGA 2017-04)  
December 6, 2018  
Page 2

**Attached:** Exhibit "A" Excerpt of Transcript from Planning Commission Public Hearing on July 13<sup>th</sup>  
City of Atlantis Resident Petitions in Objection of the Heathwood Reserve project

**C:** Kara Ferris, Director of Planning, City of Greenacres  
John J. Fumero, Nason, Yeager, Gerson, Harris & Fumero, P.A.



BOARD OF COUNTY COMMISSIONERS  
PALM BEACH PLANNING COMMISSION

Portion of Agenda Item 3.A.3.  
Heathwood Reserve CLF LGA 2017-104

2:28 p.m. to 2:44 p.m. (Excerpt)  
Friday, July 13, 2018

Robert Weisman Governmental Center  
301 N. Olive Avenue  
West Palm Beach, FL 33401



<p>2</p> <p>1 Commission Members: 2 DAVID DININ 3 BARBARA ROTH 4 DAGMAR BRAHS 5 CARA CAPP 6 DAVID FREUDENBERG 7 LORI VINIKOOR 8 KILEY HARPER LAWSON 9 MARCIA HAYDEN 10 EDWIN FERGUSON 11 NEIL MERIN 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>4</p> <p>1 effectively. 2 LISA: Well, along the border, along the western edge 3 there's slash pines -- 4 MR. MERIN: Yeah. 5 LISA: -- all along Winchester Woods. And the 6 applicant for the portion that's not part of the amendment is 7 doing a lake and setting back the buildings along that portion. 8 The northern portion, we felt an enhanced buffer might -- and 9 having that language in the comp plan amendment, would foster 10 the preservation of those slash pines during the DRO process. 11 We've also included the condition that requires the 12 zoning and the comp plan amendment to be adopted on the same 13 day. 14 MR. MERIN: Yes, I'm aware of that. 15 LISA: So that -- 16 MR. MERIN: I don't have a question about that. 17 LISA: -- if as the process continues in the zoning 18 details as worked out, we can modify, you know, the proposal. 19 But we're not proposing crosshatching. We just would like 20 those pines to be preserved if possible. 21 MR. MERIN: Well, I would too. They're beautiful, 22 but the question is, is that appropriate in the land-use 23 change, or is that a zoning issue. Again. So, you know, we 24 keep coming up against this -- I want to keep planning on 25 planning and zoning on zoning.</p>
<p>3</p> <p>1 PROCEEDINGS 2 MS. VINIKOOR: Okay. We'll start at the end there 3 and come -- okay. Go ahead, Neil. 4 MR. MERIN: Okay. Thank you. I have a few questions 5 that maybe the applicant or staff can answer. There's been a 6 lot of discussion here about the assisted living portion of 7 this, but just for clarification, there's a workforce housing 8 bonus density associated with this. Is that correct, on the 9 MR-5 portion? 10 MR. AGHEMO: That is going to go through the zoning 11 process. What is in front of you today is a future land-use 12 amendment to change MR-5 -- 13 MR. MERIN: A portion of -- 14 MR. AGHEMO: On 8.31 acres only. 15 MR. MERIN: Right. 16 MR. AGHEMO: That's all that is in front of you 17 today. 18 MR. MERIN: Okay. So then, not affecting the rest of 19 the property that's been discussed here. 20 MR. AGHEMO: That's correct. 21 MR. MERIN: Okay. The landscape buffer that's a 22 condition here, how does staff propose accomplishing that? Is 23 that a crosshatching? Do you want to impact a -- two parts to 24 that question. Is there currently native landscaping in place, 25 because I didn't see any there. I saw a packing house,</p>	<p>5</p> <p>1 Couple other things real quickly, and I've been 2 involved through my family with the Kinsas (ph) in the City of 3 Atlantis since 1968, so got a lot of history back there. Have 4 the gates been removed? Does anybody know? 5 LISA: The gates are still there. They wave you 6 through if you drive up. There is a gate and you can say hi to 7 the person in the guardhouse, and then they can -- 8 MR. MERIN: Really, and you can go right through? 9 UNIDENTIFIED SPEAKER: Try it after midnight. 10 MR. MERIN: I'll try it this afternoon. That's very 11 interesting. 12 And the City of Green Acres made a comment about Dow 13 Lane, and I confused it. Is Dow Lane within the City of Green 14 Acres, or is that in the county? 15 LISA: No, that's unincorporated county. 16 MR. MERIN: Oh, okay. Landscape buffer. We're not 17 talking about the workforce housing, so this is strictly in the 18 eight acres. Answered all my questions. Thank you very much. 19 MS. VINIKOOR: Yeah, Dagmar did have a question 20 earlier, so go ahead, Dag. 21 MS. BRAHS: Yeah. Are there any residents here from 22 Dow Lane? Those people that are going to be surrounded by all 23 of this on the same side as Military Trails. Quick question 24 also, this developer, does he own any of that Innards square 25 (ph) there, where the cell tower is? Okay.</p>



<p style="text-align: right;">6</p> <p>1 STAFF MEMBER 1: No, we do not.</p> <p>2 MS. BRAHS: You do not own any of the property there</p> <p>3 in the middle. Okay. Thank you.</p> <p>4 MS. VINIKOOR: Okay, Barbara, go ahead.</p> <p>5 MS. ROTH: Yes, thank you. There was reference</p> <p>6 earlier to a petition, but that we did not receive it because</p> <p>7 some of the conditions changed. Is that what happened?</p> <p>8 MR. AGHEMO: No, we have not received those, the</p> <p>9 petition that one of the residents alleged to, I think were 600</p> <p>10 signatures. Maybe it was sent to the Board of County</p> <p>11 Commission. It was not sent to us. That's the reason it's not</p> <p>12 part of your package.</p> <p>13 MS. ROTH: Okay, because there was some reference to,</p> <p>14 I believe, the resident who said that because conditions</p> <p>15 changed, we would then not see the petition. Was this the</p> <p>16 gentleman? Is this --</p> <p>17 MS. VINIKOOR: No, we're not taking -- we can't have</p> <p>18 any more public comment; we can't really ask the --</p> <p>19 MS. ROTH: Okay.</p> <p>20 LISA: Through the Chair, there was two references of</p> <p>21 petitions. One of the speakers commented there was 600</p> <p>22 petitions in opposition to the original proposal, and another</p> <p>23 resident mentioned 200 petitions that were submitted, and we</p> <p>24 didn't receive either sets. So --</p> <p>25 MS. ROTH: Thank you. Thank you. May I have just</p>	<p style="text-align: right;">8</p> <p>1 planning staff, that we are not legally bound to abide by the</p> <p>2 charette guidelines, but I don't really think it's good public</p> <p>3 stewardship to wholly dismiss them either. Just because you</p> <p>4 can do something doesn't mean you should. It's a lesson I'm</p> <p>5 trying to teach my four-year-old, somewhat unsuccessfully.</p> <p>6 So I think that the jump from five to 12 units per</p> <p>7 acre is frankly an egregious disregard for what the community</p> <p>8 wants for itself. I understand that the applicant has already</p> <p>9 scaled down this project and I understand that a charette done</p> <p>10 in 2005 means there's been a lot of changes since then, but I</p> <p>11 have to believe there might be something in between; something</p> <p>12 that is still economically viable but more in line with the</p> <p>13 character of the community, maybe that doesn't include almost a</p> <p>14 250 percent density increase. So that's my opinion on this,</p> <p>15 and that's how I'll be voting.</p> <p>16 [Applause.]</p> <p>17 MS. VINIKOOR: Thank you. Please -- we -- thank you.</p> <p>18 Go ahead.</p> <p>19 MS. HARPER LARSON: Thank you. I do have a question</p> <p>20 for the applicant.</p> <p>21 STAFF MEMBER 2: Yes, ma'am. Hi.</p> <p>22 MS. HARPER LARSON: Hi. Good morning. Thank you for</p> <p>23 your time. You responded that you didn't own anything in the</p> <p>24 middle of the C. Do you want to explain why I'm looking at the</p> <p>25 POPA, Palm Beach Property Records in front of me right now,</p>
<p style="text-align: right;">7</p> <p>1 one more question?</p> <p>2 MS. VINIKOOR: No, go ahead.</p> <p>3 MS. ROTH: And on the issue of a charette and any</p> <p>4 legal binding issues, I understand Green Acres, Atlantis, and</p> <p>5 Palm Beach County entered into a charette. I understand what a</p> <p>6 charette is, but there is no liability to Palm Beach County, I</p> <p>7 assume, as a result of that?</p> <p>8 MR. AGHEMO: That is correct. It's not mandatory.</p> <p>9 They cannot tie the hands. The county commission or future</p> <p>10 county commissioners, but we are required to consider it, and</p> <p>11 we did that.</p> <p>12 MS. ROTH: Uh-huh. Thank you.</p> <p>13 MS. VINIKOOR: Okay. There's questions, but also if</p> <p>14 they want to discuss anything or make any comments, go ahead.</p> <p>15 Go ahead, Cara.</p> <p>16 MS. CAPP: Thank you. I wanted to just acknowledge</p> <p>17 Mayor Higgins, the Atlantis Counsel, Ms. Farris from Green</p> <p>18 Acres. I think this was a tremendous showing from the public</p> <p>19 and you clearly all are very passionate about your community.</p> <p>20 I did go back and read the 2005 charette document and</p> <p>21 it, you know, the report conveys a very well-attended process</p> <p>22 by many passionate people. I mean, the images show a full</p> <p>23 room, so clearly this community is very invested in its vision</p> <p>24 for the future.</p> <p>25 I've heard now, both from the applicant and from our</p>	<p style="text-align: right;">9</p> <p>1 with two sections that are in the middle of the C next to the</p> <p>2 six homes?</p> <p>3 STAFF MEMBER 2: Sure. I represent the contract</p> <p>4 purchaser and the proposed developer. Actually, I'm sorry. In</p> <p>5 the middle of this portion here -- so I apologize. There is a</p> <p>6 portion right there that I think Lisa is pointing out right</p> <p>7 now, that is part of the application, part of the zoning</p> <p>8 application should actually be parted -- it almost looks more</p> <p>9 like a G. So that is actually a portion of what my client does</p> <p>10 -- is under contract to purchase. Yes.</p> <p>11 MS. HARPER LARSON: Okay. Thank you very much.</p> <p>12 STAFF MEMBER 2: Sorry about that. When I was</p> <p>13 looking at this earlier, I was just looking at the wrong area.</p> <p>14 MS. VINIKOOR: And that's part of the zoning</p> <p>15 application, you said? It's --</p> <p>16 STAFF MEMBER 2: Well, and it's also part of this</p> <p>17 application as well. We have existing land-use there, and then</p> <p>18 what Lisa was just pointing to is LR-3. The balance as you saw</p> <p>19 in our presentation, is MR-5. All of that was shown in the</p> <p>20 aerial for our presentation. I don't believe that this is our</p> <p>21 aerial.</p> <p>22 MS. HARPER LARSON: So am I correct that the map that</p> <p>23 is in our exhibit is incorrect?</p> <p>24 LISA: No, what happened, it -- to clarify, this</p> <p>25 portion here, this is LR-3 and it's not changing, and we didn't</p>



<p style="text-align: right;">10</p> <p>1 require that was part of the FLU (ph) amendment application.  2 It is part of the zoning.  3 Originally, it was part of the FLU application, but  4 they removed it because they were keeping it LR-3 and they just  5 kept this portion in because this is a shared PCN and property.  6 They were required to bring this part in as well. The  7 original proposal had a completely different design in this  8 whole area, but that's now all dropped, and really just the  9 land-use changes in this portion here.  10 MS. HARPER LARSON: All right. Thank you, sir.  11 STAFF MEMBER 2: Thank you.  12 MS. HARPER LARSON: Thank you, Lisa.  13 MS. VINIKOOR: Are there any other questions or  14 comments from this side? Anything else? We can discuss this  15 anymore, or can I have a motion?  16 MR. MERIN: I'll make a motion to approve with the  17 condition that this be submitted concurrently, or  18 simultaneously, whatever the appropriate word is, with the  19 zoning application before the BCC. Not endorsing the other  20 condition of 20-foot setback without crosshatching.  21 MS. VINIKOOR: Yeah. So I do believe that that's No.  22 2 Condition.  23 MR. MERIN: If you have the page open.  24 MS. VINIKOOR: Yeah.  25 MR. MERIN: Yeah. Yes.</p>	<p style="text-align: right;">12</p> <p>1 Kiley and Cara. The motion maker and second. And a third.  2 Okay.  3 Any discussion on the motion?  4 MR. FERGUSON: Madam Chair, I have questions.  5 MS. VINIKOOR: Yes, go ahead.  6 MR. FERGUSON: May I direct it to the staff, please?  7 MS. VINIKOOR: Yes, go ahead.  8 MR. FERGUSON: Thank you. I've heard several of the  9 speakers talk about traffic flow, changes in traffic flow. Do  10 we have any way to truly corroborate or estimate what changes  11 will occur in this area if in fact the application moves  12 through to its ultimate completion?  13 STAFF MEMBER 1: Well, we have reviewed the traffic  14 study and it does meet policy 3.5D. The analysis done at the  15 intersection at Country Club does include a U-turn and queueing  16 analysis based there, as well as the further -- the U-turn  17 opportunity further south. But right now, they're proposing  18 right-in/right-out driveways at both locations.  19 MR. FERGUSON: Okay. And --  20 MS. VINIKOOR: Anything else? Questions or any --  21 MR. FERGUSON: I think he -- staff has answered as  22 best he can, so I'll hold my next question. Thank you.  23 MS. VINIKOOR: Any other comments? I just, I have a  24 comment.  25 I understand that we did approve this CLR months ago</p>
<p style="text-align: right;">11</p> <p>1 MS. VINIKOOR: Yeah, so you're just -- you want to  2 approve it, eliminating Condition No. 1.  3 MR. MERIN: A motion for to accept staff's  4 recommendation, except to eliminate Condition No. 1.  5 MS. VINIKOOR: Okay. Is there a second to that? I  6 guess, Kiley?  7 MS. HARPER LARSON: No second, but I'd like to offer  8 another motion.  9 MS. VINIKOOR: Okay.  10 MR. MERIN: Fails for lack of a second.  11 MS. VINIKOOR: A substitute motion. It fails, yeah.  12 It obviously fails. Yeah. So you're going to give another  13 motion?  14 MS. HARPER LARSON: Yes.  15 MS. VINIKOOR: Go ahead.  16 MS. HARPER LARSON: I'd like to offer a motion that  17 we look at maintaining MR-5, or we deny the application and  18 maintain the integrity of the land at MR-5.  19 MS. ROTH: Second.  20 MS. VINIKOOR: Okay. Motion by Kiley Harper Larson,  21 seconded by Cara and -- Cara Capp. It's to deny -- actually,  22 to deny the application entirely.  23 Okay. Okay.  24 MR. FERGUSON: Uh-huh. I second it.  25 MS. VINIKOOR: Okay. Wait. Actually we have a --</p>	<p style="text-align: right;">13</p> <p>1 and we proved that increased density in order for a developer  2 to get increased beds, because it's sort of what -- we go back  3 to that market responsive development at this time. People  4 want to age in place, people want to have more -- the  5 population is aging. Maybe if this was a little less dense and  6 if they can cut down on a few more beds, which would bring it  7 down a bit, maybe that would be more acceptable because CLRs,  8 CLFs, independent living facilities, they are residential, they  9 have -- it appears to have a commercial component, but we do  10 consider them under the residential code and rules.  11 So if it was a little less dense, maybe it would be  12 more acceptable by the people. So I think maybe you could go  13 back and work on that aspect of it. And that is all that we're  14 actually voting on today. So if we can go ahead and --  15 MR. FERGUSON: Madam Chair --  16 MS. VINIKOOR: -- go ahead and vote, can we have a  17 yes -- oh, go ahead.  18 MR. FERGUSON: Sorry. I did have one additional  19 question for staff.  20 MS. VINIKOOR: Go ahead.  21 MR. FERGUSON: There was one speaker who represented  22 that there were two recently opened facilities at our -- have  23 low occupancy. Would it be feasible for staff to verify how  24 full or how lowly occupied some of these facilities are?  25 LISA: Typically, we don't do that. We used to have</p>



<p style="text-align: right;">14</p> <p>1 a market analysis requirement. We no longer require that.</p> <p>2 There is the new facility that was mentioned is at Hypoluxo</p> <p>3 (ph) and Lions (ph), and the other one is Harbor Chase over at</p> <p>4 Lions and Lakeworth Road. But that type of information, even</p> <p>5 if we had it, we don't really have a comprehensive bed plan</p> <p>6 basis to make a decision on there's too many beds, or not</p> <p>7 enough beds. We just don't have that in the plan.</p> <p>8 MR. AGHEMO: They're charging too much or they're</p> <p>9 charging too little, or -- right.</p> <p>10 MS. VINIKOOR: Let's see. Actually, the motion I</p> <p>11 think we were going to vote, but Edwin did ask questions, so go</p> <p>12 ahead, David. Go --</p> <p>13 MR. FREUDENBERG: The question is, is there still a</p> <p>14 CON, Certificate of Need for facilities like that?</p> <p>15 LISA: There is for nursing homes, but as far as I</p> <p>16 know, not for assisted living facilities.</p> <p>17 MR. FREUDENBERG: They let them put up anything they</p> <p>18 want. Okay.</p> <p>19 MR. MERIN: They're licensed but they're not</p> <p>20 controlled.</p> <p>21 MS. VINIKOOR: And quoting one commissioner from last</p> <p>22 meeting that we had, that we're seeing a lot of -- we used to</p> <p>23 see -- for a while we saw --</p> <p>24 MR. MERIN: We saw self-storage, now we're seeing</p> <p>25 parent storage.</p>	<p style="text-align: right;">16</p> <p>1 SECRETARY: David Freudenberg?</p> <p>2 MR. FREUDENBERG: Yes.</p> <p>3 SECRETARY: Dagmar Brahs?</p> <p>4 MS. BRAHS: Yes.</p> <p>5 SECRETARY: Neil Merin?</p> <p>6 MR. MERIN: Yes, to deny.</p> <p>7 SECRETARY: Marcia Hayden?</p> <p>8 MS. HAYDEN: Yes, to deny.</p> <p>9 SECRETARY: Cara Capp?</p> <p>10 MS. CAPP: Yes.</p> <p>11 SECRETARY: Edwin Ferguson?</p> <p>12 MR. FERGUSON: Yes.</p> <p>13 SECRETARY: All in agreement.</p> <p>14 MS. VINIKOOR: Okay. Thank you. The motion and the</p> <p>15 -- did somebody get skipped?</p> <p>16 MS. HARPER LARSON: I did.</p> <p>17 MS. VINIKOOR: Kiley got skipped, apparently.</p> <p>18 SECRETARY: I'm sorry. Kiley?</p> <p>19 MS. HARPER LARSON: Yes.</p> <p>20 MS. VINIKOOR: Okay. So we do have 10 to zero,</p> <p>21 motion to deny.</p> <p>22 [End of requested excerpt of hearing.]</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">15</p> <p>1 MS. VINIKOOR: Yeah.</p> <p>2 MR. MERIN: Right.</p> <p>3 MS. VINIKOOR: Yeah, we saw self-storage. We saw a</p> <p>4 lot of gas stations at one point. We are seeing a lot of CLFs,</p> <p>5 but that doesn't mean we should say no CLFs, but -- no more, or</p> <p>6 limited. But in this case, we can make the decision to really</p> <p>7 feel that it should not be that high of a density and that's</p> <p>8 the way I feel.</p> <p>9 So let's just go ahead and we can vote now, now that</p> <p>10 I gave my opinion, at the very end, being the chair.</p> <p>11 COMMISSIONER 1: So can you please --</p> <p>12 MS. VINIKOOR: Vote for denial -- vote for the -- it</p> <p>13 is a motion. The motion from Kiley and seconded by Cara was to</p> <p>14 deny the application. Okay? Can we have a roll call vote?</p> <p>15 SECRETARY: So, David Dinin.</p> <p>16 COMMISSIONER 1: So let me clarify. What does a yes</p> <p>17 vote mean?</p> <p>18 MS. VINIKOOR: Denied.</p> <p>19 MR. FERGUSON: Denied application.</p> <p>20 COMMISSIONER 1: I vote yes.</p> <p>21 MS. VINIKOOR: Okay.</p> <p>22 SECRETARY: Barbara Roth?</p> <p>23 MS. ROTH: Yes.</p> <p>24 SECRETARY: Lori Vinikoor?</p> <p>25 MS. VINIKOOR: Yes.</p>	<p style="text-align: right;">18</p> <p>1</p> <p>2 CERTIFICATE OF TRANSCRIPTIONIST</p> <p>3 I, Kimberly Lawrie, do hereby certify that the foregoing</p> <p>4 proceeding was transcribed from a digital audio recording</p> <p>5 provided to me by Olender Reporting and thereafter was</p> <p>6 reduced to typewriting by me or under my direction.</p> <p>7</p> <p>8 I am not related to any of the parties in this matter, and</p> <p>9 this transcript is a true and accurate record of said</p> <p>10 audio recording to the best of my ability. The above</p> <p>11 information has been transcribed by me with a pledge of</p> <p>12 confidence, and I do hereby certify that I will not</p> <p>13 discuss or release the content or any information</p> <p>14 contained herein.</p> <p>15</p> <p>16 Kimberly Lawrie,</p> <p>17 Legal Transcriptionist</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p>



<b>A</b>	<b>appears</b> 13:9	<b>bonus</b> 3:8	<b>CLRs</b> 13:7	<b>conveys</b> 7:21
<b>abide</b> 8:1	<b>Applause</b> 8:16	<b>border</b> 4:2	<b>Club</b> 12:15	<b>correct</b> 3:8,20
<b>ability</b> 18:10	<b>applicant</b> 3:5	<b>bound</b> 8:1	<b>code</b> 13:10	7:8 9:22
<b>accept</b> 11:3	4:6 7:25 8:8,20	<b>Brahs</b> 2:4 5:21	<b>come</b> 3:3	<b>corroborate</b>
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**CITIZEN PETITION TO OBJECT TO HEATHWOOD RESERVE FUTURE  
LAND USE ATLAS AMENDMENT**

Application: Heathwood Reserve; LGA-2017-00014

Location: Located Immediately West of Military Trail and Approximately 0.6 Miles North of Lantana Road

Proposed Amendment: The developer is seeking to change the PBC future land use designation for 23.01 acres of land in order to construct 238 apartment/townhome units and a 120 bed congregate living facility with a proposed gross density of 12.5 units per acre.

To: The Palm Beach County Board of County Commissioners

**I, the undersigned affected resident,** do hereby object to and protest any modification to the Future Land Use Atlas that would change the land use designations for the property known as "Heathwood Reserve" from Low Residential, 3 units per acre (LR-3) on 2.42 acres, and Medium Residential, 5 units per acre (MR-5) on 20.59 acres, to High Residential, 8 units per acre (HR-8) on 18.35 acres, and Congregate Living Residential (CLR) on 4.19 acres. In short, the developer is seeking to change the land use designations from 3-5 units per acre to 8 and 12 units per acre with a proposed gross density of 12.5 units per acre. I object for the following reasons:

1. The proposed land use changes violate the maximum density of 5 units per acre established in "The Greenacres, Atlantis and Palm Beach County Charrette Report – A Citizen's Master Plan", which was agreed to by the residents and local governments in the affected areas.
2. The proposed land use changes are incompatible with the existing single-family, low-density character of the surrounding communities in violation of Palm Beach County's Comprehensive Plan.
3. The proposed land use changes create a development that encircles 6 single-family lots located on Dow Lane thereby creating leftover parcels with no plan for redevelopment or future compatibility in violation of Palm Beach County's Comprehensive Plan.
4. The proposed land use changes overburden the City of Atlantis' law enforcement services without adequate tax compensation given that the City of Atlantis residents pay for traffic control jurisdiction on Military Trail and Lantana Road, the City of Atlantis' planned future service levels on those roadways did not take into account a gross density of 12.5 units per acre on the Heathwood Reserve property since that density is inconsistent with the Citizen's Master Plan, the City of Atlantis will receive no tax revenues from Heathwood Reserve property owners, and therefore, the City of Atlantis residents will bear the burden of increased costs for service on those roadways.
5. The proposed land use changes will eliminate the future Corbett Road connection between Military Trail and Haverhill Hill Road given that the development is of such high density that there will be no land left to accommodate it. This is in violation of the Citizen's Master Plan. Corbett Road is supposed to relieve traffic congestion on Military Trail and Lantana Road, provide additional pedestrian walkways and bicycle paths so that school children can reach their schools safely (Tradewinds Middle School and Diamond View Elementary), and provide an additional and improved fire-rescue emergency access point for the City of Atlantis.

Citizen Signature

Print Name

Address

224 Orange Tree Dr



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December 6, 2018

**Via Email & U.S. Mail**

Palm Beach County Planning Division  
c/o Ms. Inna Stafeychuk  
2300 North Jog Road  
West Palm Beach, FL 33411

**Re: Heathwood Reserve (LGA 2017-014)  
City of Atlantis Comments and Objections**

Dear Ms. Stafeychuk:

On behalf of the City Council for the City of Atlantis (the "City"), this letter sets forth the City's formal objections related to the Future Land Use Atlas ("FLUA") amendment for Heathwood Reserve (LGA 2017-014) ("Heathwood" or "Heathwood Project"), which is scheduled for consideration by the Palm Beach County ("PBC") Planning Commission on December 14, 2018. ***Please incorporate this letter into the record of the Planning Commission's consideration of Heathwood.***

The City was incorporated as a municipality in 1959 and is located in Palm Beach County. The City is comprised of 834 acres, and is generally located between Military Trail to the West, Congress Avenue to the East, the L-14 Canal to the North, and Lantana Road to the South. In preparing this objection letter, the City conducted many City Council meetings and a residents' workshop to identify the biggest concerns of the elected officials and City residents. This letter is the culmination of this extensive effort.

It must be noted that this is the fourth iteration of Heathwood's proposed amendment to PBC's FLUA. The last version of the Heathwood Project was unanimously rejected by the PBC Planning Commission on July 13, 2018 when they voted 10 to 0 to recommend denial of the Heathwood Project. The transcript of the Planning Commission discussion of the Heathwood Project from that meeting is attached as **Exhibit "A"**. The members of the Planning Commission described the Heathwood Project as an "egregious disregard for what the community wants". The members suggested the project should be revised to something "more in line with the character of the community" and if it were a "little less dense, maybe it would be acceptable by the people. So I think you maybe could go back and work on that aspect of it."

The message from the Planning Commission was clear – the use was acceptable, the density was not. Despite this unequivocal direction from the Commission members, the Applicant



has not reduced the density at all. In fact, by reducing the size of the future land use atlas amendment, the Applicant is rewarded with a quicker review and approval timeline.

As the Heathwood Project has not changed, the City of Atlantis's objections remain the same. Simply put, **Heathwood failed to provide an adequate justification for the proposed CLR designation, and failed to prove the current land use of MR-5 is inappropriate.** Heathwood cannot justify its FLUA amendment to CLR at the densities proposed. Further, Heathwood has failed to demonstrate in any substantive fashion that the current land use of MR-5 is inappropriate. Policy 2.1-f, FLUE, PBC Comp Plan, provides criteria that must be satisfied to justify a FLUA amendment. This Policy states:

Before approval of a [FLUA], 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;
2. The availability of facilities and services;
3. **The adjacent and surrounding development;**
4. **The future land use balance;**
5. The prevention of urban sprawl as defined by 163.3164(51), F.S.;
6. **Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and**
7. **Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.**

(emphasis added). For reasons discussed more thoroughly below, Heathwood has failed to provide an adequate justification for its FLUA amendment as required by Policy 2.1-f, FLUE, PBC Comp Plan.

Specifically, Heathwood has: (1) failed to provide justification that CLR is compatible with existing and planned development in the immediate vicinity; (2) failed to evaluate its impacts to adjacent and surrounding development; (3) failed to balance future land uses; (4) failed to evaluate impacts to Special Study Areas; (5) failed to evaluate impacts to municipalities in accordance with the Intergovernmental Coordination Element of the Comp Plan; and (6) has provided no meaningful evidence demonstrating the current land use of MR-5 is not appropriate.

**1. Heathwood's application fails to evaluate impacts to adjacent and surrounding development**

Throughout the land use and planning processes, the City and its residents have expressed deep concerns with Heathwood. The patent failure to evaluate and address any impacts by



Heathwood on the City and its over 2,000 residents has alarmed many. Despite the site's immediate proximity to the City, Heathwood did not perform any evaluation of its impacts on the City as is required by Policy 2.1-f, FLUE, Comp Plan.

There should be little doubt that Heathwood will have significant and direct impacts to extra-jurisdictional resources of the City and its residents. On its face, the *Justification Statement* patently fails to address any such impacts to the City. Heathwood will utilize the City's public resources and emergency responders, without compensating it for these services. The City's parks and facilities are open to the general public. Also, City law enforcement officers must respond to emergencies for residents living outside the City, on Military Trail. PBC should be well aware of the existing and projected impacts to the City, the City's residents, and the character of the City.

Further, the City is greatly concerned with pass-through traffic from Heathwood through the City to access JFK Hospital and Congress Avenue. Historic issues related to pass-through traffic should be well known to PBC Staff. Surprisingly, Heathwood did not take into account any traffic passing through the City, as shown in Figure 1 (excerpt from the *Traffic Impact Analysis*).

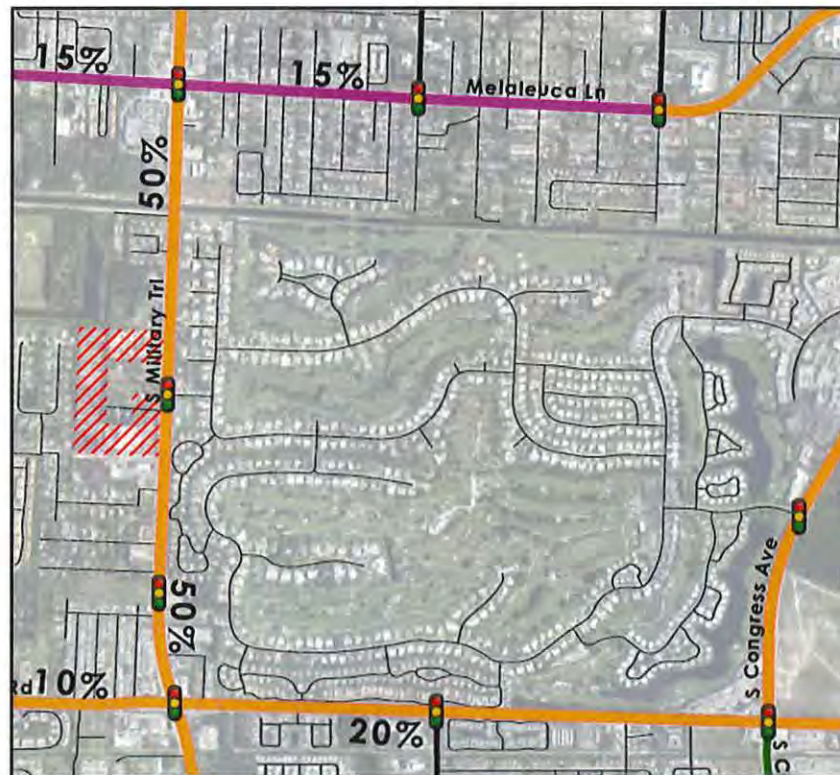


Figure 1. Excerpt from Heathwood's Traffic Impact Analysis.

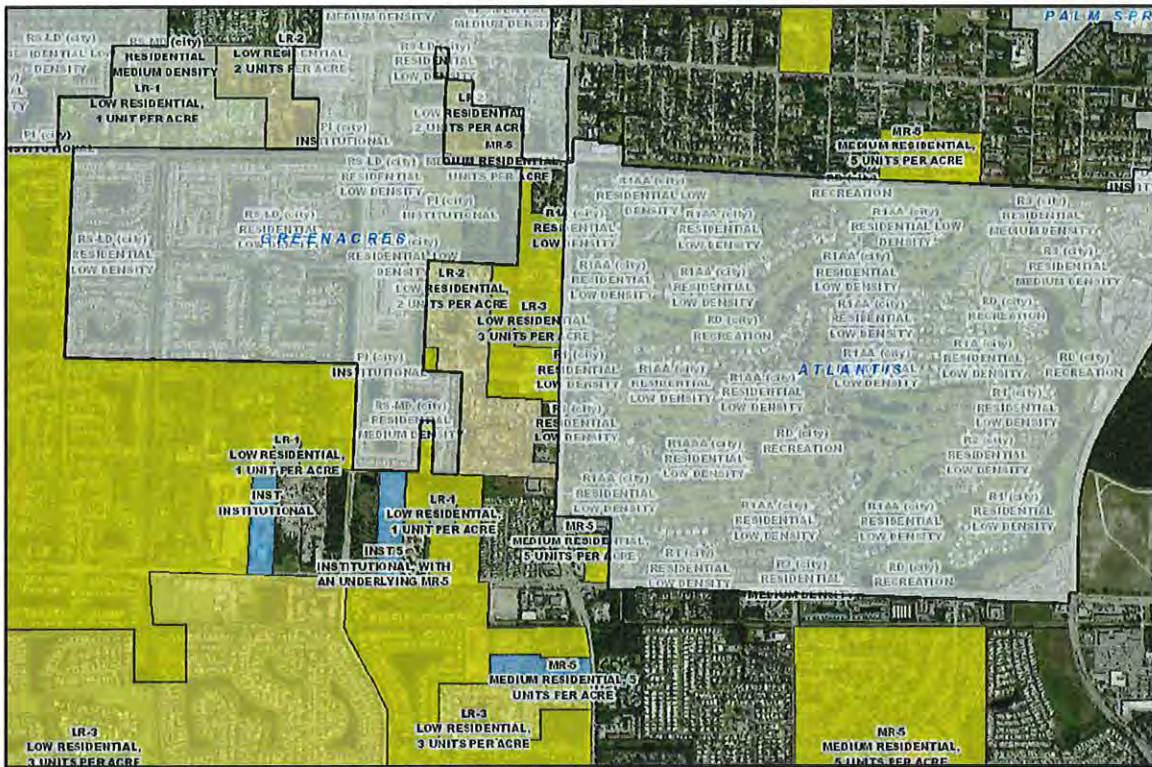
Only by including pass-through traffic can Heathwood adequately evaluate impacts to the City and surrounding development.



Given the foregoing, Heathwood has failed to evaluate impact to adjacent and surrounding development as required by Policy 2.1-f, FLUE, PBC Comp Plan.

## **2. Heathwood's FLUA amendment fails to balance future land uses**

Heathwood's FLUA Amendment increases the density for a portion of Heathwood from MR-5 to CLR with a purported density of 12 du/ac. Heathwood is substantially out of character with less dense adjacent and surrounding developments. Figure 2 shows surrounding densities of 5 du/ac or less and Institutional/Commercial uses. It is irrefutable that the significant majority of adjacent and surrounding developments in the area of Heathwood are 5 du/ac and less. Yet, there is no substantive analysis in the *Justification Statement* that accurately addresses the disproportionately higher density Heathwood is proposing.



*Figure 2: Adjacent and surrounding developments with a FLUA designation of 5 du/ac or less, or institutional.*



As these images show, Heathwood's density does not balance, and is not compatible with, the existing and future land uses of the surrounding area. Denser developments are located great distances away, and commercial developments are located at intersections of arterial roads. Moreover, the HR-12 and HR-8 residential developments north of Atlantis were not built at the maximum densities allowed, and the actual density should be considered. A denser residential use with limited-medical services has no place in the proposed site. For this reason, the Planning Commission must recommend Heathwood's FLUA Amendment be **denied** for failing to comply with Policy 2.1-f, FLUE, PBC Comp Plan.

The density and CLR uses at Heathwood are inconsistent with - and in excess of - the density and uses determined appropriate for the area by *The Greenacres, Atlantis and Palm Beach County Charrette Report, A Citizens Master Plan* (“*Citizens Master Plan*”), which is attached and incorporated as **Exhibit “B”**. The *Citizens Master Plan* is a local visioning plan sponsored by PBC, the City, and Greenacres, and prepared by the Treasure Coast Regional Planning Council (“TCRPC”). On April 13, 2004, the PBC BCC approved joint-funding with the City and City of Greenacres to facilitate a charrette and develop a master plan for the area that includes Heathwood.



The BCC accepted the *Citizens Master Plan* on May 26, 2005. The result of this extensive planning effort was the *Citizens Master Plan*.

This area of the *Citizens Master Plan* is identified on Map LU 3.1, Special Planning Areas, PBC Comp Plan, which is depicted in Figure 4 below, and attached and incorporated as **Exhibit "C"**.

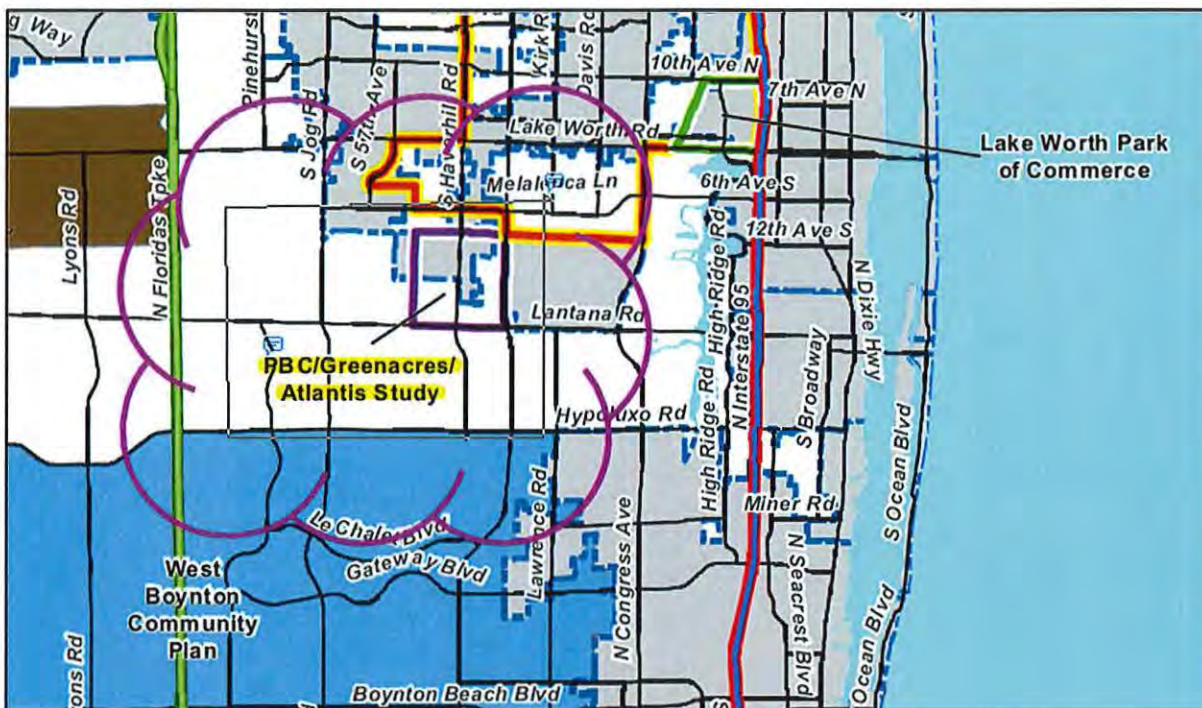


Figure 4: Excerpt of Map LU 3.1, Special Planning Areas, PBC Comp Plan.

As such, the area of the *Citizens Master Plan* is included within a Special Planning Areas Map in the PBC Comp Plan.

The *Citizens Master Plan* focused on the unique identified area in between the City, Greenacres, and PBC, which included Heathwood's site, and sought to focus policy on retaining the character of the area. It also sought to limit future development in the area to ensure that it was compatible and consistent with the rural and equestrian character of the area. The *Citizens Master Plan* noted:

Large sections of the study area remain generally rural, while other sections have evolved into large housing developments or into public school grounds. There is pressure to both preserve the land, and to develop it. The challenge was to find an acceptable balance.

*Citizens Master Plan* at 1. The *Citizens Master Plan* recommended the density for the area to remain at MR-5. Further, it noted Atlantis police officers had indicated excessive speeding along



Military Trail in the Heathwood Area. *Citizens Master Plan* at 39. Heathwood proposes density that is not only excessive of the density the *Citizens Master Plan* determined was compatible (5 du/ac), it proposes to develop the CLR portion of its site at the maximum allowable density.

Policies 2.1-f and 4.1-c, FLUE, PBC Comp Plan, require PBC to review the impacts of any FLUA amendment on special study areas recognized by the BCC, and consider the objectives and recommendations of these plans prior to the approval of any future land use amendment. Policy 2.1-k, FLUE PBC Comp Plan, provides that overlays and study areas such as the *Citizens Master Plan* are to focus policy on specific issues within “unique identified areas as depicted on the Special Planning Areas[.]” Clearly, PBC intended to utilize the *Citizens Master Plan* to guide planning decisions within Heathwood site. Further, State law encourages “[n]eighboring communities, especially those sharing natural resources or physical or economic infrastructure [...] to create collective visions for greater-than-local areas.” § 163.3167, Fla. Stat. (2018).<sup>1</sup>

The FLUA amendment process was created to ensure compatibility with surrounding land uses and limit the density of CLR amendments, such as Heathwood’s, which were not compatible with the surrounding area. See 17-D Text Amend. Staff Report, Congregate Living Residential and Density Revisions, 1-E34, 7 (July 14, 2017) (“This amendment allows applicants for a CLR designation within the Urban Suburban Tier to apply for up to 12 units per acre, but specifies that the density may be limited through the FLUA amendment process to ensure compatibility with the surrounding land uses.”). See also Policy 2.2.1-l(3), FLUE, PBC Comp Plan (quoted *supra*). The Planning Commission must consider the findings of the *Citizens Master Plan*, which support a recommendation of **denial** of Heathwood or, in the alternative, **limiting CLR density to 5 du/ac**.

As a result of Policies 4.1-c and 2.1-f, FLUE, PBC Comp Plan, the Planning Commission must consider the recommendations of the *Citizens Master Plan* alongside Heathwood’s application and evaluate the impacts of Heathwood on the *Citizens Master Plan*. The *Citizens Master Plan* determined MR-5 and lower densities were appropriate for this area. Heathwood ignores the *Citizen’s Master Plan*, and proposes a CLR designation of 12 du/acre, the maximum density for a CLR designation<sup>2</sup>. The Planning Commission must recommend that the BCC deny Heathwood’s application. The future land use amendment process was intended to avoid this type of proposal.

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1. The PBC Comp Plan expressly recognizes the importance of such Special Study Areas. Specifically, Policy 2.1-k, FLUE, PBC Comp Plan, provides:

[PBC] 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.

2. Policy 2.2.1-l(3), FLUE, PBC Comp Plan, provides: “[t]he maximum density for individual [CLR] sites may be limited through the future land use amendment process to ensure compatibility with surrounding land uses.” See also 17-D Text Amend. Staff Report, Congregate Living Residential and Density Revisions, 1-E34 (July 14, 2017), which is attached and incorporated as **Exhibit “D”**.



4. **Heathwood failed to evaluate impacts to municipalities in accordance with the Intergovernmental Coordination Element of the Comp Plan**

As an adjacent municipality, the City's concerns deserve special recognition by PBC. State law recognizes the importance of this as well. § 163.3161(5), Florida Statutes, states:

It is the intent of this act to **encourage and ensure cooperation between and among municipalities and counties** and to encourage and ensure coordination of planning and development activities of units of local government with the planning activities of regional agencies and state government in accord with applicable provisions of law.

From Atlantis's perspective, there has not been any meaningful cooperation or coordination of the planning activities by the County with regards to the Heathwood Project.

Further, § 163.3180(g), Florida Statutes, provides:

Local governments are encouraged to coordinate with adjacent local governments for the purpose of using common methodologies for measuring impacts on transportation facilities.

As stated above, the Heathwood Project fails to consider any impacts to Atlantis, and specifically fails to account for any pass-through traffic utilizing Atlantis roadways.

The PBC Comp Plan's Intergovernmental Coordination Element ("ICE") outlines additional considerations that the City's Comp Plan should be afforded. Objective 1.1, ICE, PBC Comp Plan, outlines the process whereby PBC must coordinate proposed amendments, such as a FLUA amendment, with adjacent municipalities. The speed at which Heathwood is moving forward, given the significant changes to the Project over the past several months, fails to recognize the obligation PBC has to coordinate its land use changes with the City.

Had PBC coordinated with the City, it would have discovered Heathwood is inconsistent with numerous provisions of the City's Comp Plan. Objective 1 of the Future Land Use Element states "future land uses shall be coordinated with the availability of necessary public facilities and services." Such coordination has not occurred here. Objective 2 of the City's Future Land Use Element encourages elimination and reduction of uses "inconsistent with the community character and future land uses through the development review process and coordination with adjacent government agencies." Heathwood is inconsistent with the community character of the City, and FLUA amendments for properties adjacent to the City should be coordinated with the City.

Goal I of the Traffic Element of the City's Comp Plan provides the City's goal to "provide and maintain a roadway system that allows for the safe and efficient movement of the residents of the City[.]" Pass-through traffic is a serious issue and threat to the residents of the City, especially the children. Objective 2 of the Traffic Element states the City will participate with other local



governments for traffic circulation planning, design and construction. Objective 5 of the Traffic Element requires the City to provide safe, convenient and efficient movement of pedestrians and non-motorized vehicles. Heathwood failed to include, and PBC failed to request, pass-through traffic in the *Traffic Impact Analysis*. Thus, the City and PBC cannot coordinate or analyze the traffic impacts to determine whether the City can maintain safe and efficient movement of City residents on the roadway system, and potential impacts to the residents from the Heathwood.

Under Florida law and the County Comp Plan, the City's interests are due special consideration, which has not been provided here. The County is bound to coordinate and cooperate with the City, and has failed to do so. Simply sitting through a pair of short staff meetings fails to qualify as "coordination and cooperation". The City deserves better.

**5. Heathwood failed to demonstrate the current FLUA designation of MR-5 is not appropriate**

In addition to failing to meet the express criteria listed in Policy 2.1-f, FLUE, PBC Comp Plan, Heathwood has provided no evidence demonstrating the current FLUA designation of MR-5 is not appropriate. Rather, the evidence supports finding the existing FLUA designation is the only appropriate future land use designation for Heathwood. As indicated above, the density of an overwhelming majority of surrounding land uses is MR-5 or less. The other property owned by Heathwood, and subject to a concurrent zoning application, is proposed to remain MR-5 and LR-3. This property is proposed to be developed as townhouses at a density much closer to the density recommended in the *Citizens Master Plan*. It is astonishing Heathwood claims MR-5 is appropriate for some of its property, but not the CLR property.

Based on the lack of any evidence to the contrary, the only appropriate designation for Heathwood is MR-5. Any finding to the contrary is not supported by evidence in the record.

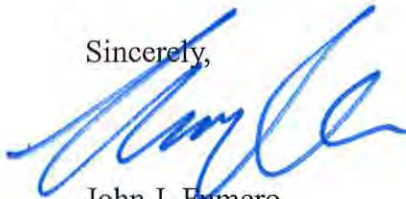
**CONCLUSION**

Based on the analysis set forth above, the Heathwood Project is inconsistent with the PBC Comp Plan, incompatible with surrounding areas, and is inconsistent with the *Citizens Master Plan*. The PBC Comp Plan requires the Planning Commission to consider the objectives and findings of the *Citizens Master Plan* before approving an increase in density. Simply put, Heathwood's proposed use and density cannot be supported by the PBC Comp Plan. Heathwood has not established why the current FLUA designation for this area is inappropriate or why a density greater than that proposed by the *Citizens Master Plan* should be approved. The FLUA Amendment process was created to avoid situations like the one that is facing the Planning Commission. The Planning Commission must recommend that the PBC BCC **deny** the request to amend the FLUA designation to CLR, or alternatively, approve the FLUA amendment with condition to **limit overall density to 5 du/ac**, which is compatible with the surrounding area and the *Citizens Master Plan*.



Thank you for our consideration of the City's objections. Should you have any questions, do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John J. Fumero', is written over the word 'Sincerely,'.

John J. Fumero  
Thomas F. Mullin

- Attached:
- Ex. A. *Excerpt of Transcript from July 13, 2018 Planning Commission Hearing*
  - Ex. B. *The Greenacres, Atlantis and Palm Beach County Charrette Report, A Citizens Master Plan*
  - Ex. C. Map LU 3.1, Special Planning Areas, PBC Comp Plan
  - Ex. D. PBC Staff Report, Congregate Living Residential and Density Revisions, 1-E34, 7 (July 14, 2017).
- c:
- Robert P. Banks, Esq., Chief Land Use County Attorney
  - Patricia Behn, Deputy Director, Palm Beach County Planning
  - Hon. Catherine Higgins, Mayor, City of Atlantis
  - Hon. Aaron Rinker, Vice Mayor, City of Atlantis
  - Hon. Michael LaCoursiere, Councilmember, City of Atlantis
  - Hon. Allan Kaulbach, Councilmember, City of Atlantis
  - Hon. Keller Lanahan, Councilmember, City of Atlantis
  - Davis & Ashton, P.A., City Attorney, City of Atlantis



# **EXHIBIT “A”**



BOARD OF COUNTY COMMISSIONERS  
PALM BEACH PLANNING COMMISSION

Portion of Agenda Item 3.A.3.  
Heathwood Reserve CLF LGA 2017-104

2:28 p.m. to 2:44 p.m. (Excerpt)  
Friday, July 13, 2018

Robert Weisman Governmental Center  
301 N. Olive Avenue  
West Palm Beach, FL 33401



1 Commission Members:  
2 DAVID DININ  
3 BARBARA ROTH  
4 DAGMAR BRAHS  
5 CARA CAPP  
6 DAVID FREUDENBERG  
7 LORI VINIKOOR  
8 KILEY HARPER LAWSON  
9 MARCIA HAYDEN  
10 EDWIN FERGUSON  
11 NEIL MERIN

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1 P R O C E E D I N G S

2 MS. VINIKOOR: Okay. We'll start at the end there  
3 and come -- okay. Go ahead, Neil.

4 MR. MERIN: Okay. Thank you. I have a few questions  
5 that maybe the applicant or staff can answer. There's been a  
6 lot of discussion here about the assisted living portion of  
7 this, but just for clarification, there's a workforce housing  
8 bonus density associated with this. Is that correct, on the  
9 MR-5 portion?

10 MR. AGHEMO: That is going to go through the zoning  
11 process. What is in front of you today is a future land-use  
12 amendment to change MR-5 --

13 MR. MERIN: A portion of --

14 MR. AGHEMO: On 8.31 acres only.

15 MR. MERIN: Right.

16 MR. AGHEMO: That's all that is in front of you  
17 today.

18 MR. MERIN: Okay. So then, not affecting the rest of  
19 the property that's been discussed here.

20 MR. AGHEMO: That's correct.

21 MR. MERIN: Okay. The landscape buffer that's a  
22 condition here, how does staff propose accomplishing that? Is  
23 that a crosshatching? Do you want to impact a -- two parts to  
24 that question. Is there currently native landscaping in place,  
25 because I didn't see any there. I saw a packing house,



1 effectively.

2 LISA: Well, along the border, along the western edge  
3 there's slash pines --

4 MR. MERIN: Yeah.

5 LISA: -- all along Winchester Woods. And the  
6 applicant for the portion that's not part of the amendment is  
7 doing a lake and setting back the buildings along that portion.  
8 The northern portion, we felt an enhanced buffer might -- and  
9 having that language in the comp plan amendment, would foster  
10 the preservation of those slash pines during the DRO process.

11 We've also included the condition that requires the  
12 zoning and the comp plan amendment to be adopted on the same  
13 day.

14 MR. MERIN: Yes, I'm aware of that.

15 LISA: So that --

16 MR. MERIN: I don't have a question about that.

17 LISA: -- if as the process continues in the zoning  
18 details as worked out, we can modify, you know, the proposal.  
19 But we're not proposing crosshatching. We just would like  
20 those pines to be preserved if possible.

21 MR. MERIN: Well, I would too. They're beautiful,  
22 but the question is, is that appropriate in the land-use  
23 change, or is that a zoning issue. Again. So, you know, we  
24 keep coming up against this -- I want to keep planning on  
25 planning and zoning on zoning.



1 Couple other things real quickly, and I've been  
2 involved through my family with the Kinsas (ph) in the City of  
3 Atlantis since 1968, so got a lot of history back there. Have  
4 the gates been removed? Does anybody know?

5 LISA: The gates are still there. They wave you  
6 through if you drive up. There is a gate and you can say hi to  
7 the person in the guardhouse, and then they can --

8 MR. MERIN: Really, and you can go right through?

9 UNIDENTIFIED SPEAKER: Try it after midnight.

10 MR. MERIN: I'll try it this afternoon. That's very  
11 interesting.

12 And the City of Green Acres made a comment about Dow  
13 Lane, and I confused it. Is Dow Lane within the City of Green  
14 Acres, or is that in the county?

15 LISA: No, that's unincorporated county.

16 MR. MERIN: Oh, okay. Landscape buffer. We're not  
17 talking about the workforce housing, so this is strictly in the  
18 eight acres. Answered all my questions. Thank you very much.

19 MS. VINIKOOR: Yeah, Dagmar did have a question  
20 earlier, so go ahead, Dag.

21 MS. BRAHS: Yeah. Are there any residents here from  
22 Dow Lane? Those people that are going to be surrounded by all  
23 of this on the same side as Military Trails. Quick question  
24 also, this developer, does he own any of that Innards square  
25 (ph) there, where the cell tower is? Okay.



1 STAFF MEMBER 1: No, we do not.

2 MS. BRAHS: You do not own any of the property there  
3 in the middle. Okay. Thank you.

4 MS. VINIKOOR: Okay, Barbara, go ahead.

5 MS. ROTH: Yes, thank you. There was reference  
6 earlier to a petition, but that we did not receive it because  
7 some of the conditions changed. Is that what happened?

8 MR. AGHEMO: No, we have not received those, the  
9 petition that one of the residents alleged to, I think were 600  
10 signatures. Maybe it was sent to the Board of County  
11 Commission. It was not sent to us. That's the reason it's not  
12 part of your package.

13 MS. ROTH: Okay, because there was some reference to,  
14 I believe, the resident who said that because conditions  
15 changed, we would then not see the petition. Was this the  
16 gentleman? Is this --

17 MS. VINIKOOR: No, we're not taking -- we can't have  
18 any more public comment; we can't really ask the --

19 MS. ROTH: Okay.

20 LISA: Through the Chair, there was two references of  
21 petitions. One of the speakers commented there was 600  
22 petitions in opposition to the original proposal, and another  
23 resident mentioned 200 petitions that were submitted, and we  
24 didn't receive either sets. So --

25 MS. ROTH: Thank you. Thank you. May I have just



1 one more question?

2 MS. VINIKOOR: No, go ahead.

3 MS. ROTH: And on the issue of a charette and any  
4 legal binding issues, I understand Green Acres, Atlantis, and  
5 Palm Beach County entered into a charette. I understand what a  
6 charette is, but there is no liability to Palm Beach County, I  
7 assume, as a result of that?

8 MR. AGHEMO: That is correct. It's not mandatory.  
9 They cannot tie the hands. The county commission or future  
10 county commissioners, but we are required to consider it, and  
11 we did that.

12 MS. ROTH: Uh-huh. Thank you.

13 MS. VINIKOOR: Okay. There's questions, but also if  
14 they want to discuss anything or make any comments, go ahead.  
15 Go ahead, Cara.

16 MS. CAPP: Thank you. I wanted to just acknowledge  
17 Mayor Higgins, the Atlantis Counsel, Ms. Farris from Green  
18 Acres. I think this was a tremendous showing from the public  
19 and you clearly all are very passionate about your community.

20 I did go back and read the 2005 charette document and  
21 it, you know, the report conveys a very well-attended process  
22 by many passionate people. I mean, the images show a full  
23 room, so clearly this community is very invested in its vision  
24 for the future.

25 I've heard now, both from the applicant and from our



1 planning staff, that we are not legally bound to abide by the  
2 charette guidelines, but I don't really think it's good public  
3 stewardship to wholly dismiss them either. Just because you  
4 can do something doesn't mean you should. It's a lesson I'm  
5 trying to teach my four-year-old, somewhat unsuccessfully.

6 So I think that the jump from five to 12 units per  
7 acre is frankly an egregious disregard for what the community  
8 wants for itself. I understand that the applicant has already  
9 scaled down this project and I understand that a charette done  
10 in 2005 means there's been a lot of changes since then, but I  
11 have to believe there might be something in between; something  
12 that is still economically viable but more in line with the  
13 character of the community, maybe that doesn't include almost a  
14 250 percent density increase. So that's my opinion on this,  
15 and that's how I'll be voting.

16 [Applause.]

17 MS. VINIKOOR: Thank you. Please -- we -- thank you.  
18 Go ahead.

19 MS. HARPER LARSON: Thank you. I do have a question  
20 for the applicant.

21 STAFF MEMBER 2: Yes, ma'am. Hi.

22 MS. HARPER LARSON: Hi. Good morning. Thank you for  
23 your time. You responded that you didn't own anything in the  
24 middle of the C. Do you want to explain why I'm looking at the  
25 POPA, Palm Beach Property Records in front of me right now,



1 with two sections that are in the middle of the C next to the  
2 six homes?

3 STAFF MEMBER 2: Sure. I represent the contract  
4 purchaser and the proposed developer. Actually, I'm sorry. In  
5 the middle of this portion here -- so I apologize. There is a  
6 portion right there that I think Lisa is pointing out right  
7 now, that is part of the application, part of the zoning  
8 application should actually be parted -- it almost looks more  
9 like a G. So that is actually a portion of what my client does  
10 -- is under contract to purchase. Yes.

11 MS. HARPER LARSON: Okay. Thank you very much.

12 STAFF MEMBER 2: Sorry about that. When I was  
13 looking at this earlier, I was just looking at the wrong area.

14 MS. VINIKOOR: And that's part of the zoning  
15 application, you said? It's --

16 STAFF MEMBER 2: Well, and it's also part of this  
17 application as well. We have existing land-use there, and then  
18 what Lisa was just pointing to is LR-3. The balance as you saw  
19 in our presentation, is MR-5. All of that was shown in the  
20 aerial for our presentation. I don't believe that this is our  
21 aerial.

22 MS. HARPER LARSON: So am I correct that the map that  
23 is in our exhibit is incorrect?

24 LISA: No, what happened, it -- to clarify, this  
25 portion here, this is LR-3 and it's not changing, and we didn't



1 require that was part of the FLU (ph) amendment application.

2 It is part of the zoning.

3 Originally, it was part of the FLU application, but  
4 they removed it because they were keeping it LR-3 and they just  
5 kept this portion in because this is a shared PCN and property.

6 They were required to bring this part in as well. The  
7 original proposal had a completely different design in this  
8 whole area, but that's now all dropped, and really just the  
9 land-use changes in this portion here.

10 MS. HARPER LARSON: All right. Thank you, sir.

11 STAFF MEMBER 2: Thank you.

12 MS. HARPER LARSON: Thank you, Lisa.

13 MS. VINIKOOR: Are there any other questions or  
14 comments from this side? Anything else? We can discuss this  
15 anymore, or can I have a motion?

16 MR. MERIN: I'll make a motion to approve with the  
17 condition that this be submitted concurrently, or  
18 simultaneously, whatever the appropriate word is, with the  
19 zoning application before the BCC. Not endorsing the other  
20 condition of 20-foot setback without crosshatching.

21 MS. VINIKOOR: Yeah. So I do believe that that's No.  
22 2 Condition.

23 MR. MERIN: If you have the page open.

24 MS. VINIKOOR: Yeah.

25 MR. MERIN: Yeah. Yes.



11

1 MS. VINIKOOR: Yeah, so you're just -- you want to  
2 approve it, eliminating Condition No. 1.

3 MR. MERIN: A motion for to accept staff's  
4 recommendation, except to eliminate Condition No. 1.

5 MS. VINIKOOR: Okay. Is there a second to that? I  
6 guess, Kiley?

7 MS. HARPER LARSON: No second, but I'd like to offer  
8 another motion.

9 MS. VINIKOOR: Okay.

10 MR. MERIN: Fails for lack of a second.

11 MS. VINIKOOR: A substitute motion. It fails, yeah.  
12 It obviously fails. Yeah. So you're going to give another  
13 motion?

14 MS. HARPER LARSON: Yes.

15 MS. VINIKOOR: Go ahead.

16 MS. HARPER LARSON: I'd like to offer a motion that  
17 we look at maintaining MR-5, or we deny the application and  
18 maintain the integrity of the land at MR-5.

19 MS. ROTH: Second.

20 MS. VINIKOOR: Okay. Motion by Kiley Harper Larson,  
21 seconded by Cara and -- Cara Capp. It's to deny -- actually,  
22 to deny the application entirely.

23 Okay. Okay.

24 MR. FERGUSON: Uh-huh. I second it.

25 MS. VINIKOOR: Okay. Wait. Actually we have a --



1 Kiley and Cara. The motion maker and second. And a third.

2 Okay.

3 Any discussion on the motion?

4 MR. FERGUSON: Madam Chair, I have questions.

5 MS. VINIKOOR: Yes, go ahead.

6 MR. FERGUSON: May I direct it to the staff, please?

7 MS. VINIKOOR: Yes, go ahead.

8 MR. FERGUSON: Thank you. I've heard several of the  
9 speakers talk about traffic flow, changes in traffic flow. Do  
10 we have any way to truly corroborate or estimate what changes  
11 will occur in this area if in fact the application moves  
12 through to its ultimate completion?

13 STAFF MEMBER 1: Well, we have reviewed the traffic  
14 study and it does meet policy 3.5D. The analysis done at the  
15 intersection at Country Club does include a U-turn and queueing  
16 analysis based there, as well as the further -- the U-turn  
17 opportunity further south. But right now, they're proposing  
18 right-in/right-out driveways at both locations.

19 MR. FERGUSON: Okay. And --

20 MS. VINIKOOR: Anything else? Questions or any --

21 MR. FERGUSON: I think he -- staff has answered as  
22 best he can, so I'll hold my next question. Thank you.

23 MS. VINIKOOR: Any other comments? I just, I have a  
24 comment.

25 I understand that we did approve this CLR months ago



1 and we proved that increased density in order for a developer  
2 to get increased beds, because it's sort of what -- we go back  
3 to that market responsive development at this time. People  
4 want to age in place, people want to have more -- the  
5 population is aging. Maybe if this was a little less dense and  
6 if they can cut down on a few more beds, which would bring it  
7 down a bit, maybe that would be more acceptable because CLRs,  
8 CLFs, independent living facilities, they are residential, they  
9 have -- it appears to have a commercial component, but we do  
10 consider them under the residential code and rules.

11 So if it was a little less dense, maybe it would be  
12 more acceptable by the people. So I think maybe you could go  
13 back and work on that aspect of it. And that is all that we're  
14 actually voting on today. So if we can go ahead and --

15 MR. FERGUSON: Madam Chair --

16 MS. VINIKOOR: -- go ahead and vote, can we have a  
17 yes -- oh, go ahead.

18 MR. FERGUSON: Sorry. I did have one additional  
19 question for staff.

20 MS. VINIKOOR: Go ahead.

21 MR. FERGUSON: There was one speaker who represented  
22 that there were two recently opened facilities at our -- have  
23 low occupancy. Would it be feasible for staff to verify how  
24 full or how lowly occupied some of these facilities are?

25 LISA: Typically, we don't do that. We used to have



1 a market analysis requirement. We no longer require that.  
2 There is the new facility that was mentioned is at Hypoluxo  
3 (ph) and Lions (ph), and the other one is Harbor Chase over at  
4 Lions and Lakeworth Road. But that type of information, even  
5 if we had it, we don't really have a comprehensive bed plan  
6 basis to make a decision on there's too many beds, or not  
7 enough beds. We just don't have that in the plan.

8 MR. AGHEMO: They're charging too much or they're  
9 charging too little, or -- right.

10 MS. VINIKOOR: Let's see. Actually, the motion I  
11 think we were going to vote, but Edwin did ask questions, so go  
12 ahead, David. Go --

13 MR. FREUDENBERG: The question is, is there still a  
14 CON, Certificate of Need for facilities like that?

15 LISA: There is for nursing homes, but as far as I  
16 know, not for assisted living facilities.

17 MR. FREUDENBERG: They let them put up anything they  
18 want. Okay.

19 MR. MERIN: They're licensed but they're not  
20 controlled.

21 MS. VINIKOOR: And quoting one commissioner from last  
22 meeting that we had, that we're seeing a lot of -- we used to  
23 see -- for a while we saw --

24 MR. MERIN: We saw self-storage, now we're seeing  
25 parent storage.



1 MS. VINIKOOR: Yeah.

2 MR. MERIN: Right.

3 MS. VINIKOOR: Yeah, we saw self-storage. We saw a  
4 lot of gas stations at one point. We are seeing a lot of CLFs,  
5 but that doesn't mean we should say no CLFs, but -- no more, or  
6 limited. But in this case, we can make the decision to really  
7 feel that it should not be that high of a density and that's  
8 the way I feel.

9 So let's just go ahead and we can vote now, now that  
10 I gave my opinion, at the very end, being the chair.

11 COMMISSIONER 1: So can you please --

12 MS. VINIKOOR: Vote for denial -- vote for the -- it  
13 is a motion. The motion from Kiley and seconded by Cara was to  
14 deny the application. Okay? Can we have a roll call vote?

15 SECRETARY: So, David Dinin.

16 COMMISSIONER 1: So let me clarify. What does a yes  
17 vote mean?

18 MS. VINIKOOR: Denied.

19 MR. FERGUSON: Denied application.

20 COMMISSIONER 1: I vote yes.

21 MS. VINIKOOR: Okay.

22 SECRETARY: Barbara Roth?

23 MS. ROTH: Yes.

24 SECRETARY: Lori Vinikoor?

25 MS. VINIKOOR: Yes.



1 SECRETARY: David Freudenberg?

2 MR. FREUDENBERG: Yes.

3 SECRETARY: Dagmar Brahs?

4 MS. BRAHS: Yes.

5 SECRETARY: Neil Merin?

6 MR. MERIN: Yes, to deny.

7 SECRETARY: Marcia Hayden?

8 MS. HAYDEN: Yes, to deny.

9 SECRETARY: Cara Capp?

10 MS. CAPP: Yes.

11 SECRETARY: Edwin Ferguson?

12 MR. FERGUSON: Yes.

13 SECRETARY: All in agreement.

14 MS. VINIKOOR: Okay. Thank you. The motion and the  
15 -- did somebody get skipped?

16 MS. HARPER LARSON: I did.

17 MS. VINIKOOR: Kiley got skipped, apparently.

18 SECRETARY: I'm sorry. Kiley?

19 MS. HARPER LARSON: Yes.

20 MS. VINIKOOR: Okay. So we do have 10 to zero,  
21 motion to deny.

22 [End of requested excerpt of hearing.]

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CERTIFICATE OF TRANSCRIPTIONIST

I, Kimberly Lawrie, do hereby certify that the foregoing proceeding was transcribed from a digital audio recording provided to me by Olender Reporting and thereafter was reduced to typewriting by me or under my direction.

I am not related to any of the parties in this matter, and this transcript is a true and accurate record of said audio recording to the best of my ability. The above information has been transcribed by me with a pledge of confidence, and I do hereby certify that I will not discuss or release the content or any information contained herein.



Kimberly Lawrie,  
Legal Transcriptionist



# **EXHIBIT “B”**



This Exhibit is a Copy of the TCRPC, Greenacres, Atlantis, and PBC Charrette Report which can be found at this link:

<http://discover.pbcgov.org/pzb/planning/Publications/TCRPC%20Greenacres-Atlantis-PBC%20Charrette.pdf>



# **EXHIBIT “C”**



MAP LU 3.1  
SPECIAL PLANNING AREAS

- Planning Studies**
- Lake Worth Park of Commerce
  - Palm Beach County/ Greenacres/Atlantis/Study
  - Urban Redevelopment Area
  - Western Northlake Corridor Land Use Study

- Overlays**
- Biotechnology Research Protection Overlay
  - Economic Development Overlay
  - Glades Area Protection Overlay
  - Glades Economic Development Overlay
  - Indiantown Road Overlay Zone
  - John D Macarthur State Park Greenline Overlay
  - Jonathan Dickinson State Park Greenline Overlay
  - Lake Okeechobee Scenic Trail Overlay
  - Lion Country Safari Overlay
  - Marine Waterfront Commercial Overlay
  - Northlake Boulevard Corridor Overlay
  - PBIA Approach Path Conversion Area Overlay
  - Sugarcane Growers Cooperative Protection Overlay
  - Turnpike Aquifer Protection Overlay District
  - United Technologies Corporation Technology Overlay
  - Western Communities Residential Overlay
  - Westgate/Belvedere Homes Community Redevelopment Area Overlay

- Neighborhood Plans**
- Acreage Neighborhood Plan
  - Haverhill Neighborhood Plan
  - Jupiter Farms Neighborhood Plan
  - Loxahatchee Groves Neighborhood Plan
  - Pioneer Road Neighborhood Plan
  - West Boynton Community Plan
  - West Gun Club Road Neighborhood Plan
  - West Lake Worth Road Neighborhood Plan

SOURCE: PBC Planning Division  
Last Amended In Round 16-ITG by Ord. 2016-041

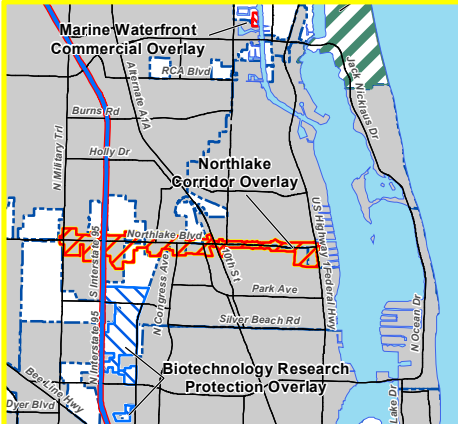
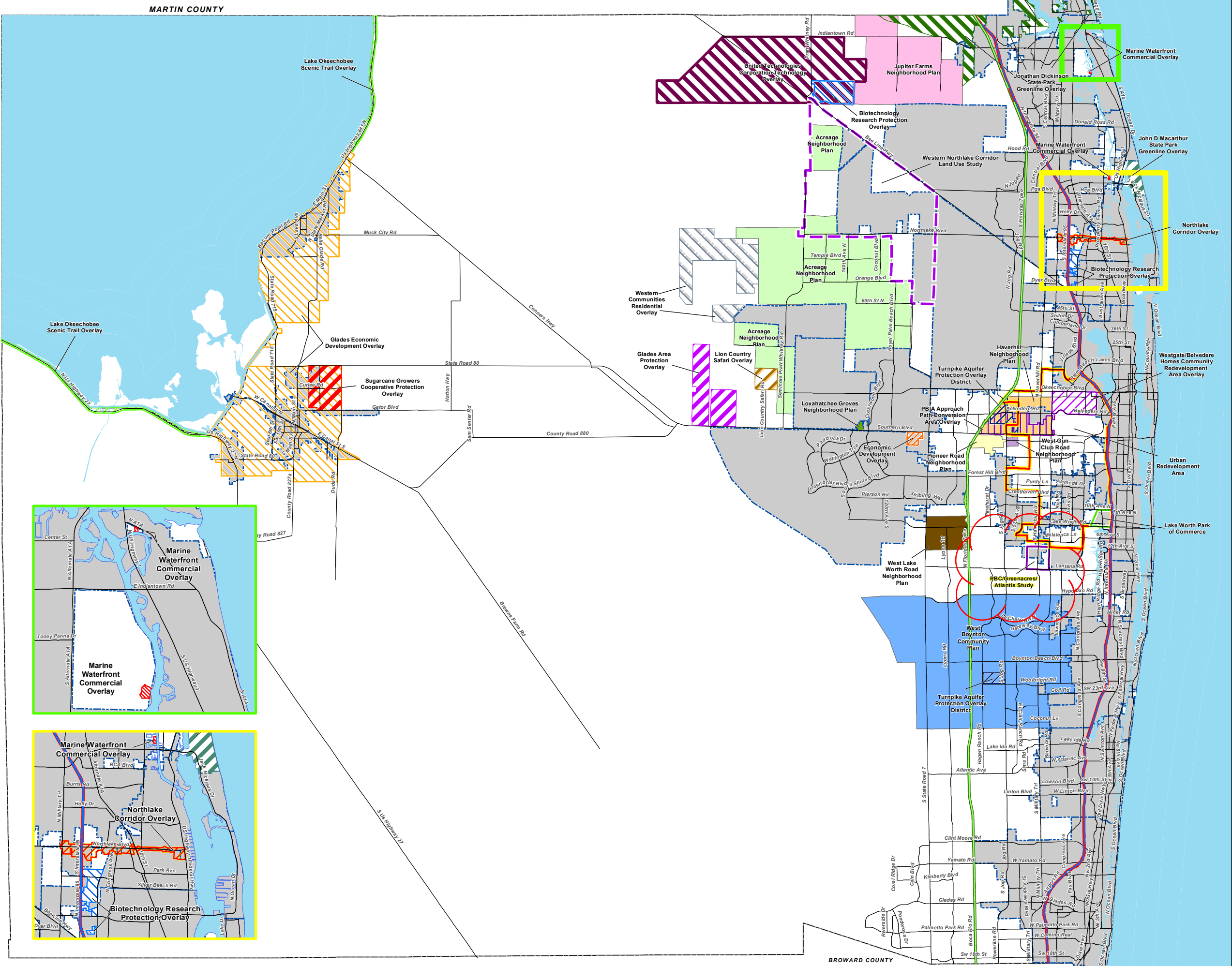


PALM BEACH COUNTY  
COMPREHENSIVE PLAN  
MAP SERIES



1 0 1 2 3 4 Miles

Effective Date: 10/29/2016  
Filename: N:\Map Series\MXDs\Adopted  
Contact: PBC Planning Dept.





# **EXHIBIT “D”**



This Exhibit is a Copy of the County Staff Report establishing the Congregate Living Facility future land use designation which can be found at this link:

<http://discover.pbcgov.org/pzb/planning/Ordinances/Congregate%20Living%20FLU.PDF>





# Sign-In

Date: 11/2/18

Meeting: Heathwood Reserve

Location: VISTA CENTER 2E-12

Name (print)	Phone & E-mail	Dept./Group
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KARA L. IRWIN-TEPPS	561.642.2054	City of Greenacres
Thomas Mullin	561.982-7114	Atlantis





# Sign-In

Date: 6/25/18

Meeting: Heathwood

Location: 2E-12

Name (print)	Phone & E-mail	Dept./Group
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William Croll	561-233-5206	PBC ZON





## Sign-in Sheet

Date:	07/31/2017
Meeting:	LGA 2017-014 Atlantis Reserve
Location:	VC-2E-12- PZB

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