



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

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**BCC ADOPTION PUBLIC HEARING, AUGUST 23, 2018**

### A. Application Summary

#### I. General

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<b>Project Name:</b>	<b>Wellery Senior Living Community (SCA 2018-010)</b> (Formerly known as York Assisted Living Facility)
<b>Request:</b>	<b>HR-8 to CLR/8</b>
<b>Acres:</b>	4.91 acres
<b>Location:</b>	Southwest corner of Sims Road and Lake Ida Road
<b>Project Manager:</b>	Jerry Lodge, Planner I
<b>Applicant:</b>	York Development, LLC
<b>Owner:</b>	Ms. Barbara Kamhi
<b>Agent:</b>	iPlan & Design, LLC
<b>Staff Recommendation:</b>	Staff recommends <b>approval</b> based upon the findings and conclusions contained within this report.

#### II. Assessment & Conclusion

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The proposed future land use amendment is a request to change the future land use designation on a 4.91-acre site from High Residential, 8 units per acre (HR-8) to Congregate Living Residential with an underlying 8 units per acre (CLR/8). The amendment is proposed in order to allow additional beds to be calculated for a proposed congregate living facility (CLF). The HR-8 designation allows up to 94 beds, and the proposed amendment would allow up to 141 beds. The underlying 8 units per acre will remain as the maximum density for any other type of residential development. Accompanying this request is a concurrent zoning application, as required by small-scale future land use amendments.

The subject site is surrounded by residential developments built with a range of densities ranging from 3 to over 14 units per acre. The request represents an appropriate density increase that will offer increased opportunities for independent and assisted living in the area.

The request is compatible with the surrounding land uses and in character with the overall residential uses and densities in the vicinity. This amendment request is consistent with all applicable policies in the Comprehensive Plan including all level of service standards.

### III. Hearing History

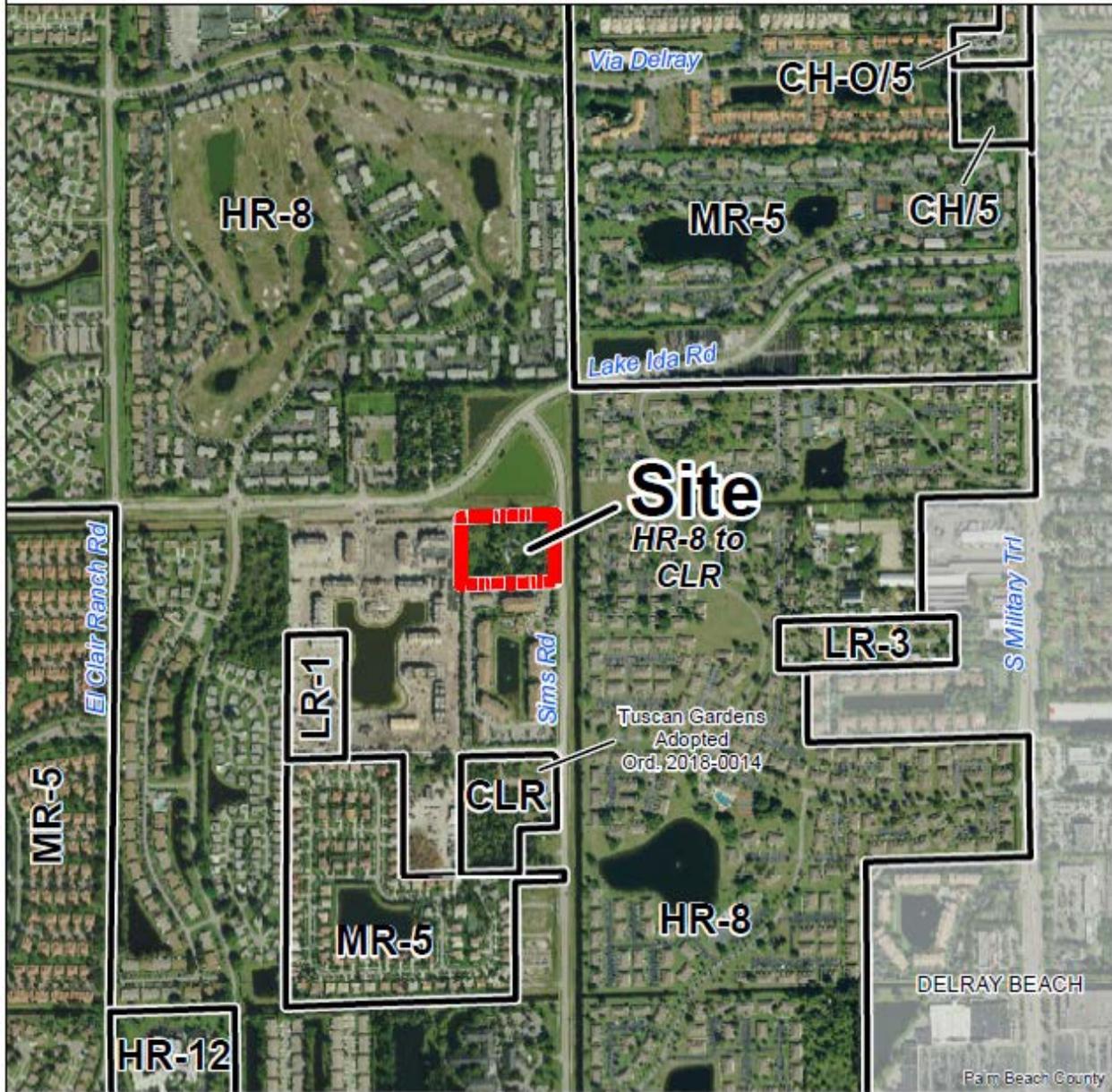
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**Local Planning Agency:** *Approval*, motion by David Freudenberg, seconded by Kiley Harper-Larsen, passed in a 9-0 vote at the July 13<sup>th</sup> public hearing. There were no public comments and no board discussion.

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

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**Future Land Use Atlas Amendment**  
**Wellery Assisted Living Facility (SCA 2018-010)**  
 (formerly York Assisted Living Facility)



**Site Data**

Size: 4.91 acres  
 Existing Use: Single Family Residential  
 Proposed Use: Congregate Living Facility, Type 3  
 Current FLU: HR-8  
 Proposed FLU: CLR

**Future Land Use Designations**

LR-1	Low Residential, 1 unit per acre	CH-O/5	CH-Office, underlying MR-5
LR-3	Low Residential, 3 units per acre	INST	Institutional
MR-5	Medium Residential, 5 units per acre		
HR-8	High Residential, 8 units per acre		
HR-12	High Residential, 12 units per acre		
CLR	Congregate Living Residential		
CH/5	Commercial High, underlying MR-5		

Date: 9/21/2017  
 Contact: Planning  
 Filename: Planning\AMEND\18-SCA\Site\18-10\York  
 Note: Map is not official, for presentation purposes only



**SITE**



0 250 500 1,000 Feet

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



## B. Petition Summary

### I. General Data

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**Project Name:** **The Wellery Senior Living Facility (SCA 2018-010)**  
(Formerly known as York Assisted Living Facility)

**Request:** **HR-8 to CLR/8**

**Acres:** 4.91 acres

**Location:** Southwest corner of Sims Road and Lake Ida Road

**Project Manager:** Jerry Lodge, Planner I

**Applicant:** York Development, LLC

**Owner:** Ms. Barbara Kamhi

**Agent:** iPlan & Design, LLC

### II. Site Data

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#### Current Future Land Use

**Current FLU:** High Residential, 8 units per acre (HR-8)

**Existing Land Use:** Single Family Residential

**Current Zoning:** Agricultural Residential (AR)

**Current Dev. Potential Max:** Residential, up to 39 units or 94 Congregate Living Beds (8 du/acre)

#### Proposed Future Land Use Change

**Proposed FLU:** Congregate Living Residential with an underlying High Residential 8 units per acre (CLR/8)

**Proposed Zoning:** Multifamily Medium Density (RM)

**Dev. Potential Max/Conditioned:** Residential, up to 39 units or 141 Congregate Living Beds (12 du/acre)

#### General Area Information for Site

**Tier/Tier Change:** Urban Suburban Tier - No Change

**Utility Service:** Palm Beach County Water Utilities

**Overlay/Study:** None

**Comm. District:** Commissioner Mary Lou Berger, District 5

## **C. Introduction**

### **I. Intent of the Amendment**

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This proposed amendment requests to change the future land use designation of the site from High Residential, 8 units per acre (HR-8) to Congregate Living Residential, with an underlying 8 units per acre (CLR/8), with the intention of developing a 141 bed Congregate Living Facility (CLF) Type 3. Under the CLR future land use designation, up to 12 units per acre are allowed for the purpose of calculating beds. The current development potential for the subject site with HR-8 is up to 39 dwelling units or up to 94 CLF beds. The number of beds for a Type 3 CLF are calculated by multiplying the acreage of the site by the residential density (being up to 12 units per acre for sites with CLR future land use designation) and multiply that result by 2.39, which is the number of beds per acre used to calculate density. The CLR designation on the subject site would allow up to 141 Type 3 CLF beds ( $4.91 \text{ acres} \times 12 \text{ du/acre} \times 2.39 = 140.82 \text{ beds}$ ). The residential dwelling unit maximum would remain unchanged at the underlying 8 units per acre.

The site has a concurrent zoning application that will be presented to the Board of County Commissioners for adoption at the same public hearing as this small-scale amendment. Zoning application (Application Number Z/CA-2017-01817, Control number 2017-0128) is requesting 141-bed Congregate Living Facility Type 3. The proposed building is three stories tall.

### **II. Background/History**

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The subject site one 4.91-acre parcel and is located on the southwest corner of Lake Ida Road and Sims road. Currently the property has a single family home. The site has not been the subject of any previous future land use amendments. This is also the first rezoning application for the subject site.

#### **Overview of the Area**

The site is located in a residential area with dense future land use designations. A majority of the nearby developments have a future land use designation of HR-8. There are two recent multifamily developments adjacent to the subject site with a future land use designation of High Residential, 8 units per acre. To the south is the Aspen Square PUD, which through the Transfer of Development Rights and Workforce Housing programs received density bonuses to reach 14.43 units per acre. West of the site lies the Stonybrook on the Lake PUD which utilized similar tools to reach a density of 11.14 units per acre.

Additionally, 1,000 ft. south of the site is the recently adopted Tuscan Gardens future land use amendment. This site also requested an amendment to the Congregate Living Residential future land use designation and was adopted by the Board on April 26<sup>th</sup>, 2018. The site has a maximum potential of 217 beds.

## D. Consistency and Compatibility

### I. Data and Analysis Summary

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

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

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

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

**Applicant's Justification:** The applicant has prepared a Justification Statement (Exhibit 2) and states the following reasons justify an amendment the FUTURE LAND USE designation of the subject site:

- *"The surrounding properties in all directions around the subject site (N, S, E and W) possess a High Residential – 8 Dwelling Units per acre FLUA designation."*
- *"The relatively recent development of multifamily residential projects to the west and south of the subject site. . . has transformed the characteristics of the general area"*
- *"The modification is consistent with recent updates to the Comprehensive Plan that will provide a new and specific land use type to address these specialized facilities to support the aging population in Palm Beach County."*
- *"The existing single family dwelling (currently on the subject site) inconsistent with the form of development in all four directions around the site."*

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

The current development potential for the subject site with HR-8 is up to 39 dwelling units (with additional density available through the County's workforce housing program) or up to 94 CLF beds. The amendment is proposed in order to allow additional beds to be calculated for a proposed CLF up to 141 beds. The underlying 8 units per acre will remain the maximum density for any other type of residential development.

The subject site is located in an area with high-density residential communities and a range of housing types that have been largely assigned the High Residential 8 units per acre future land use designation since the 1989 Comprehensive Plan was adopted. The majority of the development in this area has occurred after the construction of the single family home on the property in 1972. Since 2013, the properties to the immediate west and south of the subject site have been approved and built with workforce housing density bonuses up to 11.1 and 14.4 units per acre density, respectively. The changes to the character of the site warrant consideration of a density increase on the subject site, and the proposed 12 units per acre is consistent with the adjacent densities. Further, this area is largely comprised of 55+ residential communities, and the proposed amendment will add opportunities for independent and assisted living housing in this area. 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.*

**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 a congregate living facility will provide increased opportunities for housing with the ability for health care on site. Currently the site has a maximum potential of 94 beds and this amendment would increase the potential number of beds to 141. The proposed increase in the potential number of beds is consistent with the surrounding communities, furthers the Livable Communities and Growth Management Directions, and would not detract from any of the County directions. Thus, this proposed amendment is consistent with 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 one parcel and there is no other parcel in the same ownership is left out of this proposed amendment. Therefore, the proposed amendment is not piecemeal development according to the 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 proposed amendment would expand the current living options in the immediate area, allowing the local population to age in place. Additionally, this amendment is compatible with the scale, mass, intensity of use, height and character of the surrounding suburban communities. Therefore, this amendment is consistent with this policy.

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

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

**Staff Analysis:** The proposed amendment is to change the future land use designation of the site from High Residential, 8 units per acre (HR-8) to Congregate Living Residential (CLR) with an underlying 8 units per acre (CLR/8) in order to develop a Type 3 Congregate Living Facility (CLF). A concurrent zoning application has been submitted for this site as is required for both being a small-scale future land use amendment application and this policy, which requires that amendment applications to the CLR future land use designation be accompanied by a concurrent zoning application. The site of the proposed amendment will retain the original 8 units per acre as an underlying density for any other type of residential development. 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 new and existing multi-family developments including the High Point of Delray community. 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.

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

**North:** The northern boundary of the subject site is bound by the Lake Worth Drainage District's (LWDD) L-32 canal. North of that is a property owned by Palm Beach County totaling 4.03 acres and is being utilized as a wet retention area which abuts Lake Ida Road to the north.

**South:** South of the site is the newly developed Aspen Square PUD, which is built with 171 apartments at a density of 14.4 units per acre. This site has a High Residential, 8 units per acre (HR-8) designation, however utilized the Transfer of Development Rights (TDR) and Workforce Housing bonus density programs to increase the density above the 8 unit per acre future land use designation.

**East:** To the east of the site across Sims Road, a collector roadway, and the Lake Worth Drainage District (LWDD) E-3 canal, is a large (170.5 acres) senior condominium community known as High Point of Delray West with an HR-8 designation. This community extends from Lake Ida Rd. at its northern boundary to Atlantic Ave. at the south. This community is built with 1,084 units at a density of 6.35 unit per acre.

**West:** To the west of the site is a new apartment complex called Stonybrook on the Lake PUD with a total of 346 apartments and a density of 11.14 units per acre. This site also has a High Residential, 8 units per acre (HR-8) designation and also utilized the Transfer of Development Rights and Workforce Housing bonus density programs to increase the density above the 8 unit per acre future land use designation.

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

**Applicant's Comments:** The applicant has listed the surrounding future land uses and listed the following in regards to their compatibility with the proposed future land use amendment as the following:

- All properties surrounding the site have a future land use designation of High Residential, 8 units per acre.
- Recent residential developments have changed the character of the general area
- The current use of the site as a single family home is incompatible with the surrounding high-density residential uses.

**Staff Analysis:** The amendment proposes to change the High Residential, 8 units per acre future land use designation, to the Congregate Living Residential designation. The proposed change would allow an increase in the allowable density by 4 units per acre for a CLF only. This proposed change equates to an increase in the number of allowable congregat living facility beds by 94 beds for a total of 141 beds. The site is largely surrounded by properties with an HR-8 future land use, and multifamily housing within a similar range of density. The proposed amendment is compatible with the surrounding residential uses.

**E. Consistency with County Overlays, Plans, and Studies**

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

**Staff Analysis:** The proposed amendment not located within an Overlay.

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

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

**F. Public Facilities and Services Impacts**

The proposed amendment will change the Future Land Use designation from HR-8 to CLR/8 on the 4.91-acre site. For the purposes of the public facilities impact analysis, impacts are based on a change from an existing single family home to a maximum potential of 141 bed Congregate Living Facility. Public facilities impacts are detailed in the table in Exhibit 3.

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

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

Zoning (ULDC), Mass Transit (Palm Tran), Potable Water & Wastewater (PBC Water Utilities Dept.), Environmental (Environmental Resource Management), Traffic (Engineering), Historic Resources (PBC Archeologist), Parks and Recreation, School Board, Health (PBC Dept. of Health), Community Services (Health & Human Services) and Fire Rescue

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

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

**Staff Analysis:** The Traffic Division reviewed this amendment at a maximum of 12 dwelling units per acre on 4.91 acres. This equates to a maximum potential of 39 du/ac or 141 CLF Type 3 beds. According to the County’s Traffic Engineering Department (see letter dated October 23, 2017 in Exhibit 5) the amendment would create 116 net daily trips.

The Traffic letter concludes *“Based on the review, the Traffic Division has determined that the proposed amendment meets Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan at the maximum potential intensity”*

The Traffic Study (see Exhibit 4) and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:

## 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:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on June 21, 2018. To date, no objections through the IPARC process to this amendment have been received.
- B. Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on June 21, 2018. In addition, the Planning Division notified the Aspen Ridge Property Owners Association located to the south, The Alliance of Delray Beach and the City of Delray Beach.
- C. Informational Meeting:** The Planning Division hosted a meeting on July 5, 2018 with area residents and interested parties to relay information regarding the proposed amendment, the Comprehensive Plan Amendment process, and the development review process. No members of the public attended the informational meeting for this item.

## III. Conclusions and Recommendation

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The proposed future land use amendment is a request to change the future land use designation on a 4.91-acre site from High Residential, 8 units per acre (HR-8) to Congregate Living Residential with an underlying 8 units per acre (CLR/8). The amendment is proposed in order to allow additional beds to be calculated for a proposed congregate living facility (CLF). The HR-8 designation allows up to 94 beds, and the proposed amendment would allow up to 141 beds. The underlying 8 units per acre will remain as the maximum density for any other type of residential development. Accompanying this request is a concurrent zoning application, as required by small-scale future land use amendments.

The subject site is surrounded by residential developments built with a range of densities ranging from 3 to over 14 units per acre. The request represents an appropriate density increase that will offer increased opportunities for independent and assisted living in the area.

The request is compatible with the surrounding land uses and in character with the overall residential uses and densities in the vicinity. This amendment request is consistent with all applicable policies in the Comprehensive Plan including all level of service standards.

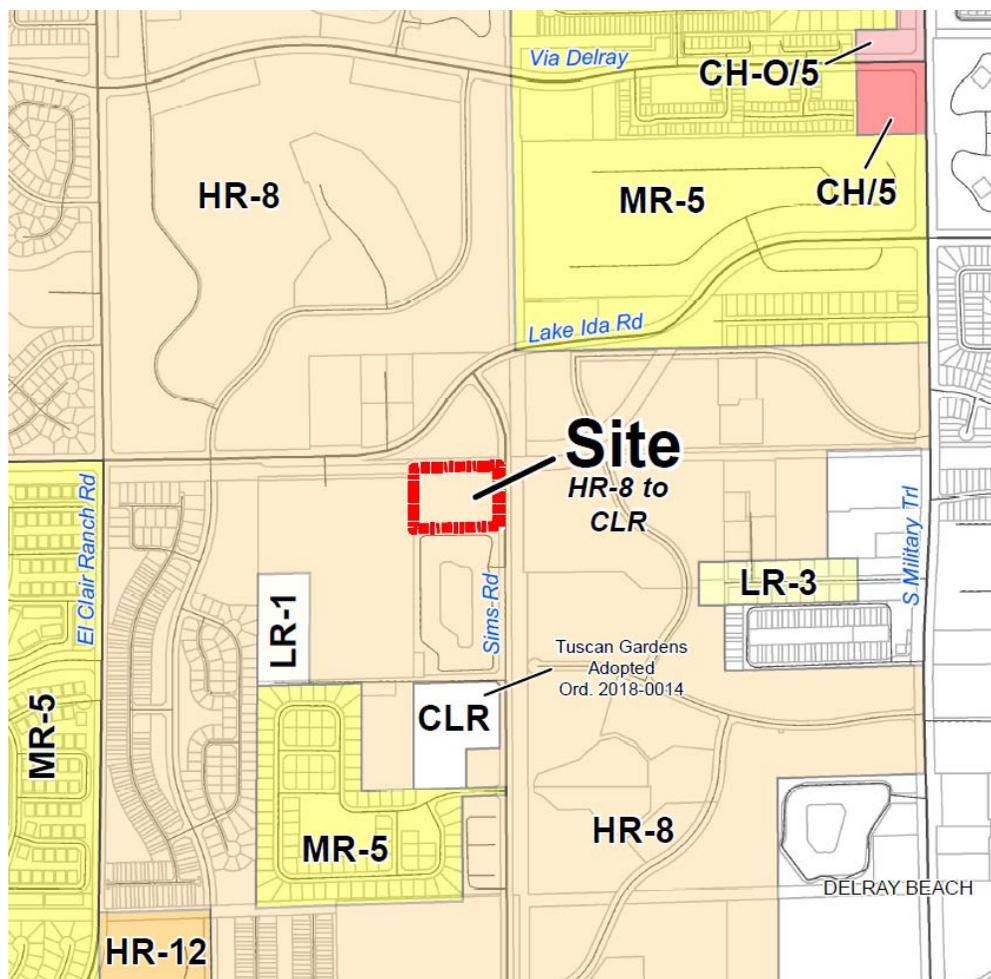
For these reasons, staff recommends ***approval***.

<b>Exhibits</b>	<b>Page</b>
1. Future Land Use Map & Legal Description	E-1
2. Applicant’s Justification/Consistency with Comprehensive Plan and Florida Statutes	E-3
3. Applicant’s Public Facility Impacts Table	E-6
4. Applicant’s Traffic Study ( <i>available to the LPA/BCC upon request</i> )	E-9
5. Palm Beach County Traffic Division Letter	E-10
6. Water & Wastewater Provider LOS Letter	E-11
7. Applicant’s Disclosure of Ownership Interests	E-12
8. Correspondence	E-20

### Exhibit 1

<b>Amendment No:</b>	<b>York Assisted Living Facility (SCA 2018-010)</b>
<b>FLUA Page No:</b>	99
<b>Amendment:</b>	From High Residential, 8 units per acre, (HR-8) to Congregate Living Residential with an underlying High Residential 8 units per acre (CLR/8)
<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>	Southwest corner of Sims Road and Lake Ida Road
<b>Size:</b>	4.91 acres
<b>PCN:</b>	00-42-46-14-00-000-3072

**Conditions:** None.



## Legal Description

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THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE SOUTH 260 FEET, AND LESS THE NORTH 55.44 FEET FOR LAKE WORTH DRAINAGE DISTRICT CANAL L-32 AND LESS EAST 40 FEET FOR LAKE WORTH DRAINAGE DISTRICT CANAL E-4 AND LESS THE WEST 80 FEET OF THE EAST 120 FEET OF SIMS ROAD RIGHT OF WAY.

CONTAINS 4.9055 ACRES OR 213,684 SQ. FT. MORE OR LESS

## Exhibit 2

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

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As required by Future Land Use Element Policy 2.1-f, the Applicant is providing the following justification in support of their request to modify the existing *High Residential, 8 dwelling units per acre (HR-8)* future land use designation to *Congregate Living Residential (CLR)*. The Applicant is not suggesting the adopted FLU designation for this site is incorrect. Surrounding properties have in recent years been fully built out with either multi-family developments or a Congregate Living Facility, Type 3 use. A CLF, Type 3 use at this location would be more consistent with the current development pattern of the entire surrounding area than a single-family dwelling on a large lot. Amending the FLUA designation from HR-8 to CLR is warranted in this specific instance as it will allow high quality senior living options in this area of Palm Beach County that is currently under-served. Currently there are approximately 641 assisted living (AL) and memory care (MC) beds in existence or approved within 3 miles of this subject site and up to 900 (AL and MC) beds within 5 miles. The age and income qualified population located within 3 and 5 miles of the subject site number 2,746 residents and 4,965 residents respectively. The needs analysis for this type of use in this location of the County identifies a deficiency in the number of available beds for the surrounding age and income qualified population located within 3 and 5 miles from the subject site. Available beds (within 3 miles) total 2,105 and 4,065 (within 5 miles). This is drawn from a population of persons aged 65+ from a population of 49,743 (within 3 miles) and 89,940 persons (within 5 miles).

The Applicant offers the following responses in compliance with the two adequacy factors outlined herein:

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

The Applicant, has identified this site as appropriate to meet the needs of the surrounding community to provide a viable Congregate Living Facility, Type 3, based on the high number of age and income qualifying persons living within 3 and 5 miles of the subject site. Development of a CLF, Type 3 will further serve housing needs of those local seniors seeking high-quality senior living options in the southwest area of Palm Beach County. The subject site is surrounded by a range of multifamily residential uses and a senior living facility. The future land use atlas (FLUA) designations in all cardinal directions around the site are Residential High – 8 Dwelling Units per acre. The proposed FLUA amendment to CLR will be conditioned to the proposed use as a CLF, Type 3 only. The request maintains consistency with how other facilities have been approved in the past and with pending modifications to the Comprehensive Plan that will create a new land use classification specific to Congregate Living Facilities. As recently as 2016 a CLF, Type 3 (Delray Villas) was approved due west of the subject site approximately 1,000 feet which is introducing up to 170 Assisted Living and Memory Care beds. As indicated above the size of the age and income qualifying population living within 3 and 5 miles of the subject site identifies the need to provide additional beds for senior assisted and memory care living options.

**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: There are no recent Future Land Use changes on adjacent properties or properties in the immediate area, but the Applicant is attempting to remain consistent with the pending Comprehensive Plan 17-04 Amendment Round that will make changes to how CLF uses are introduced to a property and at what density levels.

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

Response: The relatively recent development of multifamily residential projects to the west and south of the subject site (Stonybrook on the Lake PUD and Aspen Square, respectively), as well as the approval and pending construction of the Civic Pod of Delray Villas as a CLF – Type III has transformed the characteristics of the general area in association with the expansion of the Lake Ida Roadway have made the existing single-family dwelling (currently on the subject site) inconsistent with the form of development in all four directions around the site.

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

Response: N/A to this request

- Inappropriateness of the adopted FLU designation; or whether the adopted FLU designation was assigned in error.

Response: Planning Staff have identified that the establishment of a new residential future land use designation called Congregate Living Residential (CLR) for newly proposed Congregate Living Facilities (CLF) Type 3 in the Urban Suburban Tier is more appropriate when considering implementing a new facility with a standard maximum density which is proposed to be 12 dwelling units per acre. The need has arisen due to the limited amount of large sites available to develop these facilities combined with the historic pattern of Applicants requesting FLU amendments with specific conditions of approval limiting the density to a CLF use. Although the current FLU designation was not “assigned in error”, it has been identified that certain deficiencies in how CLFs are approved today can be corrected to better correspond with how these facilities are designed, and developed.

South and west Palm Beach County possesses a large population of seniors aged 65+ and a burgeoning 55+ age group that will require viable living options as they age and seek more options to meet their housing needs. A Congregate Living Facility, Type 3 at this location will contribute to reducing the current deficiency in the number of Assisted Living and Memory Care beds available to these current and up-coming age qualified segments of the surrounding population. The Applicant will introduce a high quality senior living option for the residents of West Delray Beach, in close proximity to the places where they live and socialize today.

### **Comprehensive Plan – Future Land Use Element**

In accordance with Policy 2.1-f of the Comprehensive Plan, the following consistency statement is provided in support of amending the existing High Residential – 8 dwelling units per acre (HR-8) to Congregate Living Residential (CLR). The request satisfies the seven (7) criteria listed below and with changes that have occurred and/or approved on adjacent properties located within this segment of Sims Road at Lake Ida Road. The proposed modification shall be positive and lasting.

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

No environmental impacts to natural lands or native habitats shall occur as a result of amending the existing future land use designation. Site programming shall ensure to the maximum extent practicable the preservation of native trees throughout the site and mature buffer trees along each property boundary. The site is developed with a Single-Family Dwelling and possesses nursery plants on various areas of the site.

2. The availability of facilities and services;

The subject property is serviceable by water and sewer services through Palm Beach County Water Utilities. A 12" water main exists along the east property boundary within the Sims Road right-of-way. Sanitary service is located in Sims Road as well with a 6" force main. Stormwater utilities also exist within that right-of-way. The ultimate right-of-way has been conveyed and no additional roadway dedications are required with this application request. A comment letter provided by Palm Beach County Water Utilities shall confirm that the land use change request and potential development on the property will not impact their respective levels of service (LOS).

3. The adjacent and surrounding development;

The surrounding properties in all directions around the subject site (N, S, E and W) possess a High Residential – 8 Dwelling Units per acre FLUA designation. The relatively recent development of multifamily residential projects to the west and south of the subject site (Stonybrook on the Lake PUD and Aspen Square, respectively), as well as the approval and pending construction of the Civic Pod of Delray Villas as a CLF – Type III has transformed the characteristics of the general area in association with the expansion of the Lake Ida Roadway making the existing single family dwelling (currently on the subject site) inconsistent with the form of development in all four directions around the site.

4. The future land use balance;

The amendment requests a change to the existing future land use designation to CLR to integrate a Congregate Living Facility, Type 3. The modification is consistent with recent updates to the Comprehensive Plan that will provide a new and specific land use type to address these specialized facilities to support the aging population in Palm Beach County.

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

The requested amendment does not meet the definition of "urban sprawl" as defined by Section 163.3164(51) of the Florida Statutes (see definition herein). Amending the future land use within this segment of Sims Road and Lake Ida Road will provide a wider range of residential housing options to serve the surrounding residential communities located in all directions around the subject site. This property is located within the Urban/Suburban service area of the County and would be considered an "infill" type of property that is serviceable by water and wastewater utility services already established adjacent to or in close proximity to the site as all properties to the south, west and north have undergone significant re-development in recent years. Provision of public services will not be carried out in an inefficient manner. The property is not located adjacent to rural lands or uses.

163.3164(51), F.S.;

(51) "Urban sprawl" means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.

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

N/A – The subject site is not located within a Community, Neighborhood and/or Special Planning areas designated and recognized by the Board of County Commissioners.

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

The subject site is located within 1 mile of the City of Delray Beach adjacent municipality. Notice to said Municipality shall be provided of the requested change.

**Exhibit 3**  
**Applicant's Public Facilities Table**

**VIII. Public Facilities Information**

<b>A. Traffic Information</b>			
	<b>Current FLU</b>	<b>Maximum</b>	<b>Conditioned or Concurrent</b>
<b>Max Trip Generation</b>	Daily: 259 trips, AM:23 trips, PM: 24 trips	n/a	Daily: 375 trips, AM: 20 trips, PM: 31 trips
<b>Trip Increase Max.</b>	n/a		
<b>Trip Inc. Conditioned or Concurrent</b>	Daily: +116 trips, AM: -3 trips, PM: +7 trips		
<b>Significantly impacted roadway segments that fail Long Range</b>	N/A	N/A	N/A
<b>Significantly impacted roadway segments for Test 2</b>	N/A	N/A	N/A
<b>Traffic Consultant</b>	Kimley-Horn and Associates, Inc.		
<b>B. Mass Transit Information</b>			
<b>Nearest Palm Tran Route (s)</b>	Route 3 (PBG – BCR via Military) /0.5 miles		
<b>Nearest Palm Tran Stop</b>	Bus Stop #1108 (Military Trail @ Nesting Way/High Point)/ 0.5 miles		
<b>Nearest Tri Rail Connection</b>	Delray Beach Station – 345 S. Congress Ave.		
<b>C. Portable Water &amp; Wastewater Information</b>			
The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as Application Attachment I. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.			
<b>Potable Water &amp; Wastewater Providers</b>	Palm Beach County Water Utilities (water & wastewater provider) See Application Attachment I		
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	There is a 6" forcemain, 12" waterpipe and 18" stormwater pipe located in the Sims Road ROW See Application Attachment I		
<b>D. Drainage Information</b>			
The site is within the boundaries of the South Florida Water Management District (SFWMD) C-15 basin and is within the Lake Worth Drainage District (LWDD). Legal positive outfall is available to the site via a proposed outfall connection to the LWDD L-323 Canal along the subjects' northern boundary.  See Application Attachment J			
<b>E. Fire Rescue</b>			
<b>Nearest Station</b>	Station #45 located at 15450 S. Jog Road.		
<b>Distance to Site</b>	2.3 miles		

<b>Response Time</b>	7 minutes			
<b>Effect on Resp. Time</b>	Minimal - + 17 seconds See Application Attachment K			
<b>F. Environmental</b>				
<b>Significant habitats or species</b>	None See Application Attachment L			
<b>Flood Zone*</b>	Flood Zone B (According to the NFIP FIRM Panel # 1201920205B, effective 10/15/1992)			
<b>Wellfield Zone*</b>	None – Located outside all PBC Wellfield Zones See Application Attachment M			
<b>G. Historic Resources</b>				
None See Application Attachment N				
<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>
Regional	N/A	0.00339		
Beach	N/A	0.00035		
District	N/A	0.00138		

<b>I. Libraries - Residential Only</b>				
<b>Library Name</b>	Hagen Ranch Road Library			
<b>Address</b>	14350 Hagen Ranch Road			
<b>City, State, Zip</b>	Delray Beach, FL 33446			
<b>Distance</b>	2.8 miles			
<b>Component</b>	<b>Level of Service</b>	<b>Population Change</b>	<b>Change in Demand</b>	
Collection	2 holdings per person	141	282	
Periodicals	5 subscriptions per 1,000 persons	141	5	
Info Technology	\$1.00 per person	141	\$141	
Professional staff	1 FTE per 7,500 persons	141	1	
All other staff	3.35 FTE per professional librarian	141	N/A	
Library facilities	0.34 sf per person	141	48	
<b>J. Public Schools - Residential Only</b>				
	<b>Elementary</b>	<b>Middle</b>	<b>High</b>	
<b>Name</b>	N/A	N/A	N/A	
<b>Address</b>	N/A	N/A	N/A	
<b>City, State, Zip</b>	N/A	N/A	N/A	

<b>Distance</b>	N/A	N/A	N/A
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## **Exhibit 4**

### **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://www.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

# Exhibit 5 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

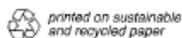
**Palm Beach County  
Board of County  
Commissioners**

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

"An Equal Opportunity  
Affirmative Action Employer"



April 16, 2018

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

**RE: Round 2018-B  
York Assisted Living Facility  
Policy 3.5-d Review (Revised)**

Dear Mr. Kerr:

Palm Beach County Traffic Division has reviewed the Comprehensive Plan Amendment Traffic Analysis for the proposed Future Land Use Amendment for the above referenced project, revised April 5, 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:

<b>Location:</b>	South of Lake Ida Road, west of Sims Road
<b>PCN:</b>	00-42-46-14-00-000-3072
<b>Size:</b>	4.9055 acres
<b>Existing FLU:</b>	High Residential, 8 dwelling units per acre (HR-8)
<b>Existing Zoning:</b>	Agricultural Residential (AR)
<b>Existing Use:</b>	Single Family Residential
<b>Existing Max Potential:</b>	Apartments = 39 Dwelling Units
<b>Proposed FLU:</b>	High Residential, 12 dwelling units per acre (HR-12)
<b>Prop. Zoning:</b>	Mixed Used Planned Development (MUPD)
<b>Prop. Use:</b>	Congregate Living Facility Type III (CLF)
<b>Prop. Max Potential:</b>	Assisted Living Facility (ALF) = 141 Beds
<b>Net Daily Trips (Prop):</b>	116
<b>Net PH Trips (Prop):</b>	20 (13/7) AM, 31 (14/17) PM

Based on the review, the Traffic Division has determined that 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,

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

QB:bc  
cc: Lisa Amara – Senior Planner, Planning Division  
Khurshid Mohyuddin – Principal Planner, Planning Division  
Jorge Perez – Senior Planner, Planning Division  
Steve Bohovsky – Technical Assistant III, Traffic Division

File: General - TPS – Unincorporated - Traffic Study Review  
F:\TRAFFIC\Development Review\Comp Plan\18-B\York Assisted Living Facility Revised 4-5-2018.docx

**Exhibit 6**  
**Water & Wastewater Provider LOS Letter**

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**Water Utilities Department  
Engineering**

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



**Palm Beach County  
Board of County  
Commissioners**

Paulette Burdick, Mayor  
Melissa McKinlay, Vice Mayor  
Hal R. Valeche  
Dave Kerner  
Steven L. Abrams  
Mary Lou Berger  
Mack Bernard

**County Administrator**

Verdenia C. Baker

August 4, 2017

iPlan & Design, LLC  
5090 PGA Blvd. Suite 200  
Palm Beach Gardens, Fl. 33418

RE: 14051 Sims Rd.  
Service Availability Letter

Dear Mr. Cheguis:

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 current future land use designation (FLU) of HR-8 subject to a capacity reservation agreement.

Potable water and wastewater pipes are located within Sims Road adjacent to the subject property.

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Michels".

Jackie Michels, P.E,  
Plan Review Manager

**Exhibit 7**  
**Disclosure of Ownership Interests**

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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

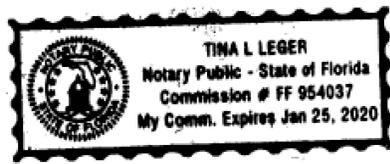
BEFORE ME, the undersigned authority, this day personally appeared Paige York, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [ ] Individual or [X] Manager [position—e.g., president, partner, trustee] of The York Debraj, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 110 Seagrave Village Drive  
Santa Rosa Beach, FL 32459
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.

S. Paige York  
S. Paige York, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of July,  
2017, by Paige York, [ ] who is personally  
known to me or [ ] who has produced \_\_\_\_\_  
as identification and who did take an oath.



Tina L Leger  
Notary Public  
Tina L Leger  
(Print Notary Name)

NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: 1-25-2020

**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.

**Name**

**Address**

S. Paige York	- 110 Seagrave Village Drive, Santa Rosa Beach, FL 32459 338
Bennett Van York	- 107 Heatherwood Dr., Hattiesburg, MS 39402 338
John T. York	- 115 Royal Lytham, Jackson, MS 39211 338

**EXHIBIT "A"**

**PROPERTY**

SUBJECT SITE:  
THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE SOUTH 260 FEET, AND LESS THE NORTH 55.44 FEET FOR LAKE WORTH DRAINAGE DISTRICT CANAL L-32 AND LESS EAST 40 FEET FOR LAKE WORTH DRAINAGE DISTRICT CANAL E-4 AND LESS THE WEST 80 FEET OF THE EAST 120 FEET OF SIMS ROAD RIGHT OF WAY.

CONTAINS 4.9055 ACRES OR 213,684 SQ. FT. MORE OR LESS

~~LAKE WORTH DRAINAGE DISTRICT L-32 CANAL:  
BEING A PORTION OF THE NORTHWEST ONE QUARTER OF SECTION 41, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA, BEING A PORTION OF THE LAKE WORTH DRAINAGE DISTRICT CANAL LATERAL NO. 32, MORE PARTICULARLY DESCRIBED AS FOLLOWS:~~

~~THE NORTH 55.44 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 41, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE EAST 40 FEET FOR LAKE WORTH DRAINAGE DISTRICT CANAL E-3 AND LESS THE WEST 80 FEET OF THE EAST 120 FEET OF SIMS ROAD RIGHT OF WAY.~~

~~CONTAINING 30,316 SQAURE FEET OF 0.6960 ACRES OF LAND MORE OR LESS~~

~~SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.~~

~~SUBJECT TO RIGHTS-OF-WAY EASEMENTS, RESTRICTION, RESERVATIONS, COVENANTS, AND RIGHTS OF WAY OF RECORD~~

**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 Barbra Kamhi Barbara Kamhi, 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  TRUSTEE [position - e.g., president, partner, trustee] of \_\_\_\_\_ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 14051 Sims Rd  
Delray Beach, FL 33484
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.

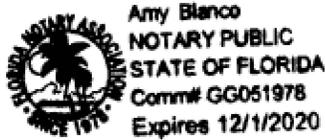
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

*[Handwritten Signature]*  
Barbara Kamhi, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of July, 2017, by Barbara Kamhi, [ ] who is personally known to me or [ ] who has produced USA PASSPORT as identification and who did take an oath. 49 728 7229

*[Handwritten Signature]*  
Notary Public



Amy Blanco  
(Print Notary Name)  
NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: 12/1/2020

**EXHIBIT "A"**  
**PROPERTY**

SUBJECT SITE:  
THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE SOUTH 260 FEET, AND LESS THE NORTH 55.44 FEET FOR LAKE WORTH DRAINAGE DISTRICT CANAL L-32 AND LESS EAST 40 FEET FOR LAKE WORTH DRAINAGE DISTRICT CANAL E-4 AND LESS THE WEST 80 FEET OF THE EAST 120 FEET OF SIMS ROAD RIGHT OF WAY.

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~~CONTAINING 30,316 SQUARE FEET OF 0.6960 ACRES OF LAND MORE OR LESS~~

~~SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.~~

~~SUBJECT TO RIGHTS-OF-WAY EASEMENTS, RESTRICTION, RESERVATIONS, COVENANTS, AND RIGHTS OF WAY OF RECORD~~



**Exhibit 8**  
**Correspondence**

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