

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**

Application No.: DOA-2022-01119
Application Name: Southampton PUD
Control No./Name: 1973-00215 (Century Village-Turtle Bay CC)
Applicant: DR Horton Inc.
Owners: KL Reflection Bay LLC; Benenson Capital Co; Southampton "A" Condominium Association, Inc.; Southampton "B" Condominium Association, Inc.; Southampton "C" Condominium Association, Inc.
Agent: WGINC - Jeff Brophy
Telephone No.: (561) 687-2220,
Project Manager: Imene Haddad, Senior Site Planner

Title: a Development Order Amendment **Request:** to modify the Master Plan; add land area, units, and access points; and to Modify Conditions of Approval on 80.98 acres

APPLICATION SUMMARY: The request proposes to combine two previously approved Planned Unit Developments (PUDs) into a single development and single development order. The original Southampton PUD (Control Number 1973-00215) is proposed as Pod A at southern portion of the site, and was last approved by the Board of County Commissioners (BCC) for a Development Order Amendment to delete land area and Conditions of Approval on February 28, 2013. The deleted land area (the northern 57.54 acres of this application) was approved by the BCC as the Reflection Bay (Control 2011-00245) with Traditional Neighborhood Development (TND) zoning. Reflection Bay, which will be Pod B, was most recently before the BCC on August 26, 2021 to rezone the site from TND to the Planned Unit Development (PUD) Zoning District with an approval of 707 townhomes.

The request will combine the two sites into one again by modifying the Southampton PUD Master Plan to add back the 57.54 acres and previously approved/unbuilt dwelling units. The Preliminary site plan (PSP) indicates three existing multifamily buildings within Pod A (the original Southampton PUD) with the existing 240 units. The PSP for Pod B indicates a reduction in the previously approved 707 townhomes on the (the former Reflection Bay) to a proposed 621 townhomes for a total of 861 units overall. The PSP for the overall PUD indicates four Recreation Pods, open space, and a 1.62 acre Civic Pod, and 1,602 is the total number of parking spots for the whole development. Access to Pod A is through Fairway Drive within Century Village, and access to Pod B is from Haverhill Road.

SITE DATA:

Location:	Southwest corner of Century Boulevard and Haverhill Road, approximately 630 feet north of Okeechobee Boulevard.
Property Control Number(s)	00-42-43-23-41-001-1180; 00-42-43-23-40-037-0000; 00-42-43-23-44-001-0000; 00-42-43-23-44-002-0000
Future Land Use Designation:	Commercial High, with an underlying 8 units per acre (CH/8) and High Residential (HR-18)
Zoning District:	Residential Planned Unit Development District (PUD) Residential-Single Family/Special Exception to allow a PUD(RS/SE)
Total Acreage:	80.98 acres
Tier:	Urban/Suburban
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile	Haverhill, West Palm Beach
Future Annexation Area	West Palm Beach

RECOMMENDATION: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C.

ACTION BY THE ZONING COMMISSION (ZC): The Application was postponed from the August 3, 2023 to the September 7, 2023 hearing. The application was not able to proceed to the August Public Hearing due to a lack of approval from for the proposed drainage through Century Village. The easement was approved in mid-August (see excerpts in Exhibit H, "Storm Water Drainage Management, Renovation, and Cost Sharing at Century Village West Palm Beach Agreement").

At the September 7, 2023 ZC Hearing, this item was on the Consent Agenda. Commissioner Kern made a motion to recommended approval of the Consent Agenda items, which was seconded by Commissioner Gromann. The motions carried by a vote of 7-0-0.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received 3 phone calls from the residents of century village were received with questions about the general layout of the project and buffering. Staff received one email in opposition to the project siting concerns with overcrowding and traffic.

PROJECT HISTORY

Application No (Control No)	Request(s)	Resolution	Approval Date
1973-00007 (1973-00007)	An Official Zoning Map Amendment to allow a rezoning from General Commercial (CG) to RH-Residential Multiple Family District (High Density) with no Conditions of Approval. [Century Village].	R-1973-238	May 8, 1973
1973-00215 (1973-00215)	Rezoning from General Commercial (CG) to RH-Residential Multiple Family District (High Density) and The Further Special Exception to allow a Planned Unit Development. [Southampton PUD], Special Conditions referred to six 1973 Memos.	R-1973-815	Dec. 18, 1973
1973-00215(A) (1973-00215)	Special Exception to amend the Southampton PUD Master Plan to add one additional Access Point from Haverhill Road with Conditions of Approval.	R-1993-333	March 16, 1993
BA-2005-01304 (1973-00215)	Variance to allow an 8 feet tall fence.	2005-1304	Jan. 19, 2006
ABN/DOA-2011-00632 (1973-00215)	A Development Order Abonnement revoking Resolution 1993-333 (Control No. 1973-00215) affirming the Legislative Abandonment of Zoning Application 1973- 215(A).	R-2013-0206	Feb. 28, 2013
	A DOA to delete land area and conditions of approval relating to the golf course use in the PUD Zoning District. (delete 57.54-acre from the Southampton PUD)	R-2013-0207	February 28, 2013
ZV/TDD/R-2011-01203 (2011-00245)	Type 2 Variances to increase the maximum length of a block; exceed the number of alley curb cuts; waive the alley requirement; eliminate the percentage of land designated for single-family residential; exceed the building coverage for neighborhood center; exceed the maximum building height; waive the requirement for centrally located neighborhood square or commons in a neighborhood; reduce the percentage of a neighborhood park perimeter abutting a street; and to reduce required seating area in a park. (TND 57.54 acre)	ZR-2011-029	Dec. 2, 2011
	A rezoning from the Residential High (RH) Zoning District to the Traditional Neighborhood Development (TND) Zoning District. (57.54-acre)	R-2013-0208	Feb. 28, 2013
	A Requested Use to Allow a Type III Congregate Living Facility in the TND Zoning District. [57.54-acre]	R-2013-0209	Feb. 28, 2013
ABN/PDD-2020-01894 (2011-00245)	A Development Order Abandonment of Type 2 Variances to increase the maximum length of a block; exceed the number of alley curb cuts; waive the alley requirement; eliminate the percentage of land designated for single-family residential; exceed the building coverage for neighborhood center; exceed the maximum building height; waive the requirement for centrally located neighborhood square or commons in a neighborhood; reduce the percentage of a neighborhood park perimeter abutting a street; and to reduce required seating area in a park.. (TND - 57.54-acre)	ZR-2021-019	July 1, 2021
	An Official Zoning Map Amendment to allow a rezoning from Traditional Neighborhood development to Planned Unit Development PUD	R-2021-1174	August 26, 2021
	A Development Order Abandonment to abandon a Requested Use to allow a Type III Congregate Living Facility.	R-2021-1173	August 26, 2021

In 1973, the developer of Century Village started construction for its final phase of development. At that time, the developers were stopped by the County, due to a lack of proper zoning and approvals. This final phase consisted of three residential buildings, now known as South Hampton PUD. The Applicant filed an application to rezone the property from the General Commercial (CG) Zoning District to the Residential Multiple High (RH) Zoning District and the request was approved by the BCC on April 26, 1973 through Resolution R-1973-238.

Over the next few months following this approval, Century Village Inc. and County Staff met and exchanged correspondence regarding the density of the proposed final phase, the approval process, and conditions that would be required to complete the final phase's construction. On December 18, 1973, the BCC approved a Rezoning from the General Commercial Zoning District to the Residential Multiple Family High Zoning District, including a Special Exception, allowing a Planned Unit Development through Resolution R-1973-815. This approval included a number of Conditions which were documented in a series of letters and memorandums between the County and the Applicant's attorney. The approval was granted for 240 residential units contained within three buildings and a golf course to be utilized by the entire Century Village community.



On March 16, 1993, the BCC approved a Development Order Amendment to the South Hampton PUD to add an additional access point to Haverhill Road through Resolution R-1993-333. This request was sought in order to make the golf course ingress/egress more accessible to the public, whereas before the golf course was only accessible to the residents and their guests of Century Village.

In 2011, through concurrent applications ABN/DOA-2011-00632 and ZV/TDD/R-2011-01203, a portion of the golf course (57.54-acres) was deleted from the South Hampton PUD and rezoned from Residential High with a Special Exception for a PUD to Traditional Neighborhood Development (TND) through Resolution R-2013-0208. The project was reviewed as a golf course conversion and there were several meetings with the residents of Century Village and Southampton residents with discussion on the layout and a reduction of impacts on the residents. Further, the Applicant at the time received BCC approvals for a Requested Use to allow a Type III Congregate Living Facility in the TND Zoning District (Resolution-2013-0209), as well as 10 Zoning Variances through Resolution ZR-2011-0029 provides the current approved Master Plan for the TND development.

The last application was a rezoning for the Reflection Bay development, where the property owner requested to rezone the property from the TND Zoning District to the PUD Zoning District in order to develop 707 Townhouse units, within one Pod, 4.24 acres of recreation and a 0.6 acre neighborhood park. The Application was presented to the Zoning Commission in July of 2021, where there was discussion on the proposed conditions of approval for the buffers, site layout, environmental contamination, impacts on the adjacent development, and communication with the adjacent Century Village development. The Application was not presented at the July 2021 BCC as the Applicant requested to postpone to work on addressing issues related to the west landscape buffer and other Conditions of Approval. On August 26, 2021, the BCC approved ABN/PDD-2020-01894, as modified. The Type 2 Variances approved through Resolution ZR-2011-0029 and a Requested Use for a Type 3 Congregate Living Facility (R-2013-0209) were abandoned.

FINDINGS:

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

a. **Consistency with the Plan** – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

- *Consistency with the Comprehensive Plan:* The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

- *Density and Workforce Housing Program (WHP):* The Planning Division reviewed the request for 621 residential units on the subject 80.98-acre site utilizing the High Residential, 18 units per acre (HR-18) land use designation on 66.30 ac and Commercial High with underlying High Residential, 8 units per acre (CH/8) on 14.68 Ac, with no density bonus units requested.

The Southampton PUD contains a total of 80.98 acres with an existing 240 Multi-family dwelling units and two future land use designations. The HR-18 future land use designation yields a maximum of 1,193.4 dwelling units (18 du/ac x 66.30 ac = 1,193.4), and the CH/8 future land use designation yields a maximum of 117.44 dwelling units (8 du/ac x 14.68 ac = 117.44). The total maximum available units is 1,311du (1,193.40 + 117.44= 1,310.84). Therefore, the request for a total of 861 dwelling units (240 + 621 = 861) is below the maximum available units.

The request for a 621 units on a 57.32 acre portion (Pod B) of the overall 80.98 site, utilizing the Limited Incentive Development Option, was achieved as follows:

<u>Standard, Max & Bonus Density:</u>	<u>Workforce Housing (WHP):</u>
458.56 Standard units	11.46 WHP units (2.5%)
<u>162.44 Maximum units</u>	<u>12.99 WHP units (8%)</u>
621 units total	24.45 or 24 required WHP (rounded down)

- *Workforce Housing Program (WHP):* Per the WHP requirements, the request is obligated to designate, and deed restrict a minimum of 24 units as Workforce Housing, which will be provided onsite as for-sale units within Pod B. The WHP has both a mandatory and a voluntary component. This program requires that a percentage of units in new residential developments of 10 or more units be provided as workforce housing, affordable to income qualified households having 60 to 140% of area Median Family Income (MFI). The program is applicable in the Urban/Suburban Tier of the unincorporated County, and in other areas where required by conditions of approval. The program’s optional component allows for a density bonus in exchange for a portion of the additional units being dedicated as workforce housing.

The subject request was submitted and deemed sufficient July 21, 2022, when the 2022 price schedule was in effect. In Palm Beach County, the 2022 area Median Family Income (MFI) is \$90,300 for a family of four (per HUD). The following are the current sales and rental prices per income category for 2022 in Palm Beach County. The income categories are the same for both programs. These homes cannot be sold or rented at a higher rate than the designated price, as adjusted annually. For all WHP Sales and rental pricing information please visit:

<https://discover.pbcgov.org/pzb/planning/Projects-Programs/WorkforceHousingProgram.aspx>

While the subject request is a for-sale project, the figures below show price ranges for both types.

- *WHP Sales Prices:* The sales prices are based on HUD annual median income figure.

WHP Income Category		2022 (WHP) Sales Prices	
Low	60 -80%) of MFI	\$54,180 - \$72,240	\$189,630
Moderate 1	>80 -100%) of MFI	>\$72,240 - \$90,300	\$243,810
Moderate 2	>100 -120%) of MFI	>\$90,300 - \$108,360	\$297,990
Middle*	>120 -140%) of MFI	>\$108,360 - \$126,420	\$352,170

*Does not apply to WHP units in projects approved under WHP Code adopted 8/22/2019.

- *WHP Rental Prices:* The WHP rents are based on the annual Florida Housing Finance Corporation (FHFC) Multi-Family Rental Figures, adjusted for number of bedrooms and any Utility Allowances are applied against gross maximum rent. WHP prices are set annually, based on the provisions of Article 5.G.1.A.3.c.2 of the Unified Land Development Code. The following are the 2021 Rental Prices for projects approved under the Workforce Housing code that was adopted August 22, 2019.

WHP Income Category 2022			Studio	1 BR	2 BR	3BR	4BR
Low	60-70% of MFI	\$54,180 - \$63,210	\$ 966 - \$1,127	\$1,035 - \$1,207	\$1,242 - \$1,449	\$1,435 - \$1,674	\$1,602 - \$1,869
	>70-80% of MFI	>\$63,210 - \$72,240	\$1,127 - \$1,288	\$1,207 - \$1,380	\$1,449 - \$1,656	\$1,674 - \$1,914	\$1,869 - \$2,136
Moderate 1	>80-90% of MFI	>\$72,240 - \$81,270	\$1,288 - \$1,449	\$1,380 - \$1,553	\$1,656 - \$1,863	\$1,914 - \$2,154	\$2,136 - \$2,403
	>90-100% of MFI	>\$81,270 - \$90,300	\$1,449 - \$1,610	\$1,553 - \$1,725	\$1,863 - \$2,070	\$2,154 - \$2,393	\$2,403 - \$2,670
Moderate 2	>100-110% of MFI	>\$90,300 - \$99,330	\$1,610 - \$1,771	\$1,725 - \$1,898	\$2,070 - \$2,277	\$2,393 - \$2,632	\$2,670 - \$2,937
	>110-120% of MFI	>\$99,330 - \$108,360	\$1,771 - \$1,932	\$1,898 - \$2,070	\$2,277 - \$2,484	\$2,632 - \$2,871	\$2,937 - \$3,204
Middle	>120-130% of MFI	>\$108,360 - \$117,390	\$1,932 - \$2,093	\$2,070 - \$2,243	\$2,484 - \$2,691	\$2,871 - \$3,110	\$3,204 - \$3,471
	>130-140% of MFI	\$117,390 - \$126,420	\$2,093 - \$2,254	\$2,243 - \$2,415	\$2,691 - \$2,898	\$3,110 - \$3,349	\$3,471 - \$3,738

○ *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The site is not located within any neighborhood plans, overlays or plan study areas as identified in the Comprehensive Plan.

○ *Compatibility:* County Direction #4 establishes that “Land Use Compatibility” is one of the eighteen directions that are the basis for the Goals, Objectives and Policies of the Comprehensive Plan. The directive reads as follows:

“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.”

Several policies within the Plan’s Future Land Use Element (FLUE) further address compatibility through the ULDC and development review process.

FLUE Policy 2.2-c establishes that the ULDC is consistent with the Plan, and that consistency shall “ensure compatibility with adjacent future land uses.” Further, FLUE Policy 4.3-i indicates (in part) that “the Development Review process shall also consider the compatibility of the density or intensity of proposed development with adjacent future land uses.” The Planning Division has reviewed the proposed development application and determined that the density is compatible with adjacent and surrounding land uses.

○ *Planning Conditions:* All of the conditions being applied are to carry out the requirements for the Workforce Housing Program.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

○ *Property Development Regulations (PDRs):* The proposed Development Order Amendment requests is to add land area to Southampton PUD (currently developed with three four-story multi-family buildings with 240 units) from the previously approved development known as Reflection Bay PUD. Pod B indicates a reduction in the previously approved 707 townhomes on the (the former Refection Bay) to a proposed 621 townhomes for a total of 861 units overall. The overall PUD meets the requirement of article 3.E.2.F.D. PUD Property Development regulations. The site is a total of 80.98 acres, which is above the minimum three-acre size for a PUD that has an HR-18 Future Land Use designation per Table 3.E.2.C, PUD Minimum Thresholds.

The Preliminary Master Plan indicates seven Pods as follows:

- Residential Pod A with 240 Multi-family units,
- Residential Pod B with 621 Townhouse units,
- Recreation Pods 1, 2, 3 and 4 with a total of 3.76 acres, and,
- Civic Pod 1.62-acre Civic Pod.

In addition the Plan includes a Neighborhood Park at 0.10-acre, and the overall PUD complies with the Open Space requirement, providing 40.3% or 32.64 acres.

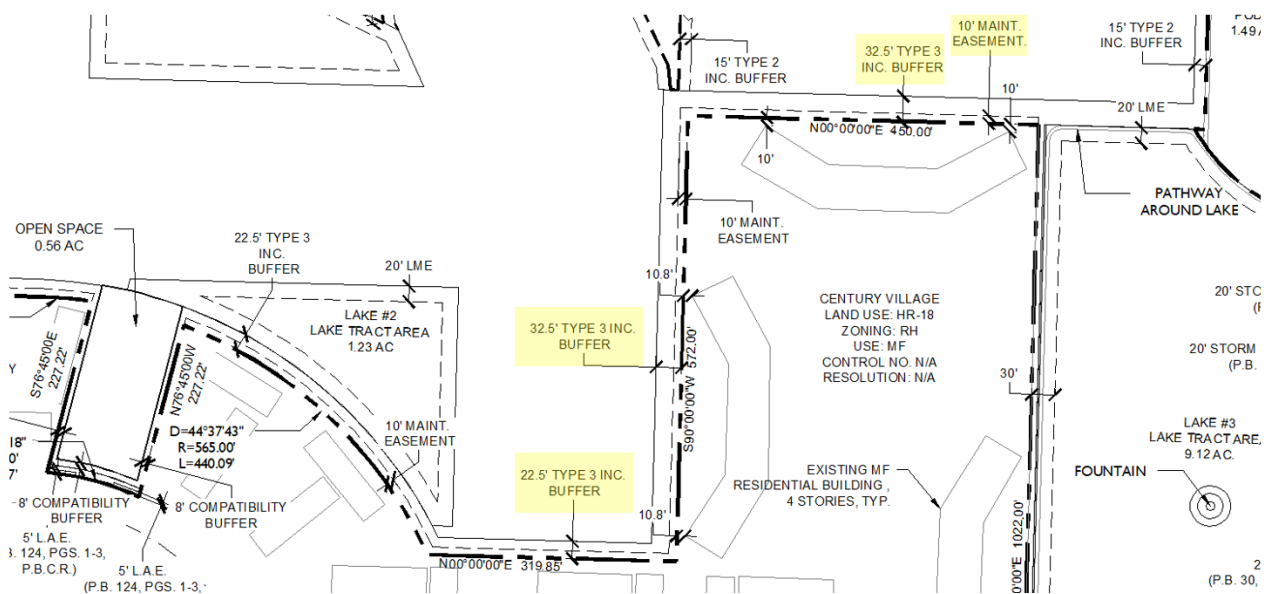
○ *Exemplary Standards:* A Development Order Amendment (DOA) to a previously approved PUD shall only be granted to a project **exceeding** the goals, policies, and objectives in the Plan, the minimum requirements of this Code, and the design objectives and performance standards in this Article which include, but are not limited to, sustainability, trip reduction, cross access, buffering, aesthetics, creative design, vegetation preservation, recreational opportunities, mix of uses, mix of unit types, safety, and affordable housing. The Applicant proposes the following to satisfy the exemplary design criteria:

- Trip reduction: Although the previous approval was done as two separate development, the combination of the two will decrease in units from the Reflection Bay PUD from 707 unit to 621 unit resulted on 13.8% decrease in the number of traffic trips, resulting in a substantial reduction in trip generation on Haverhill Road.
- Buffering: The buffer's size exceeds the required buffers indicated on Article 7. This increase is a result of coordination and communication between the Applicant and Century Village.
- Recreational opportunities: The Preliminary Master Plan (PNP), indicates a total of 3.79 acres allocated for recreation pods, strategically placed throughout the community for the enjoyment of residents. The Applicant states, these recreation pods serve as hubs of activity and are interconnected by pathways that encircle the lakes and link the various pods.
- Open space: The PMP indicates a total of 32.64 acres of open space exceeding the 32.39-acre requirement.
- Aesthetic value: The planned Southampton PUD incorporates three lakes strategically positioned throughout the site to offer picturesque lake views for its residents. These lakes are designed to include littoral areas and adjacent tree preservation, fostering an environment that encourages interactions with diverse wildlife. The lakes, along with the vibrant wildlife they attract, will contribute significant aesthetic value to the proposed Southampton PUD community.

○ *Objectives and Standards (Design Objectives and Performance Standards):* The proposed development is subject to the PDD Design Objectives as indicated under Article 3.E.1.C.1 and Performance Standards pursuant to Article 3.E.1.C.2. Staff has analyzed the provided documentation and Preliminary Site Plan has determined that the proposed development met the Design and Standards developments required by the code.

○ *Landscape/Buffering:* As part of the request the Applicant is proposing to maintain Landscape Condition of approval number 1 which was part of the previously approved Reflection Bay PUD development. The condition was originally implemented to minimize impacts to residents to the west of the subject and enhanced buffering along the western portion of the site. The Applicant has agreed to meet the buffer requirements as indicated in the prior approval R-2021-1174 and provide Code compliant buffers along all property lines including.

The PMP indicates the northern 1,665 feet of the west buffer as a 22.5 feet wide, Type 3 Incompatibility Buffer with a 32.5-foot wide, Type 3 Incompatibility Buffer to the west, along the western buffer to the north and east of the existing adjacent Century Village 4-story multifamily residential buildings located to the north of Lake Tract #3.



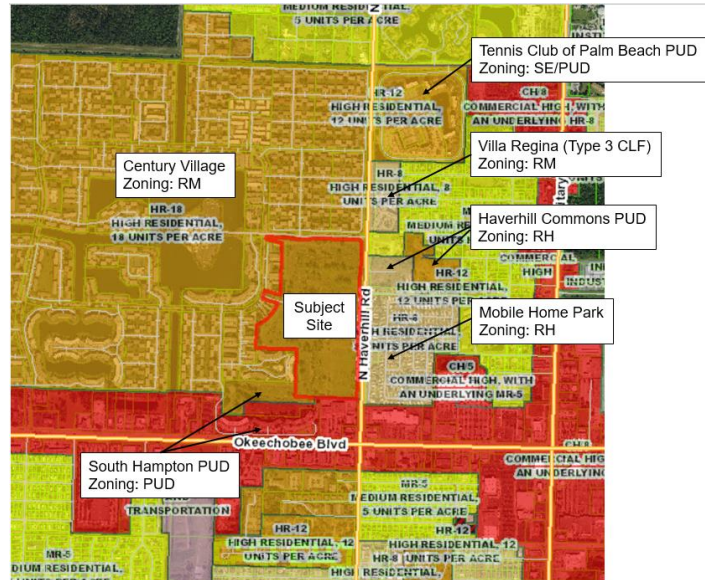
A 20 ft. R-O-W buffer is shown along both Century Blvd. (north property line) and Haverhill Road (east property line) and a 15 ft. Type 2 Incompatibility Buffer between the Recreation and Residential pods are also provided. A Type 2 Incompatibility Buffer, measuring 17.5 feet, is located on the south buffer, adjacent to the preexisting commercial building on the northwest corner of Okeechobee Boulevard and Haverhill Road.

○ *Signs:* The Preliminary Master Sign Plan (PSMP): indicates one Entrance sign to be located on the north side of the entrance to Haverhill Road and one existing entrance sign for Pod B Signage will be required to be in compliance with Table 8.G.2.C, Entrance Sign Standards. No other signs shall be allowed, with exception of internal directional signs.

- c. **Compatibility with Surrounding Uses** – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The proposed development will be compatible with surrounding uses. To the north and west of the proposed development is Century Village, a residential development consisting of various multi-family structures with a HR-18 Land Use Designation and an Residential high (RH) Zoning District.

To the east across Haverhill Road is a long-established Mobile Home park (Control No. 1996-50098). Haverhill Commons PUD, (Control No. 1988-00135) which contains 270 multifamily units is also located across Haverhill Road. Across from Century Blvd. is a Place of Worship (Control No. 1984-00153). To the south of the subject site of is a Commercial and Institutional parcel (northwest corner of Okeechobee Blvd. and Haverhill Road). The Applicant is proposing a 15 ft. Type 2 Incompatibility Buffer along the south property line to mitigate any visual impacts from the commercial development, which is consistent with Table 7.C.2.C – Incompatibility Buffer Types.

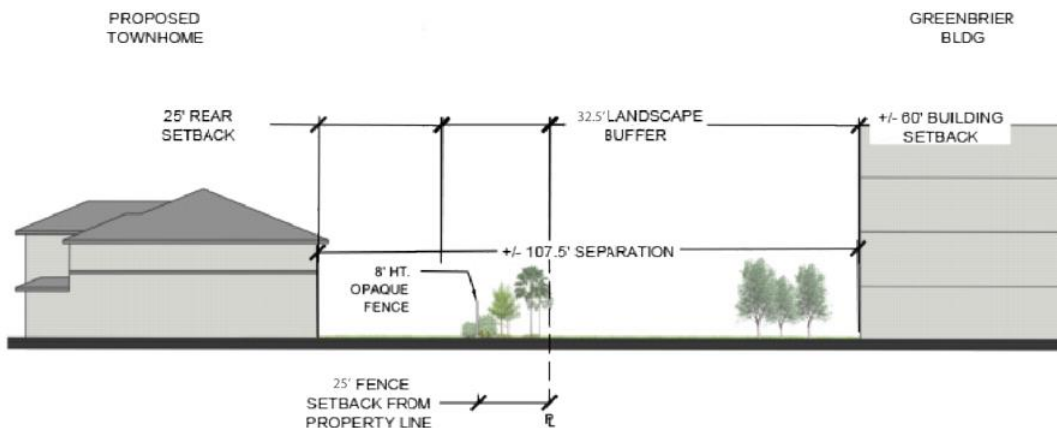


- d. **Design Minimizes Adverse Impact** – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The proposed development will have minimal impacts on neighboring areas. As previously described, the subject site is a contiguous development to a number of other Residential and Commercial Developments. The Applicant states that the residents of surrounding developments were taken into great consideration during the review and approval of Reflection Bay PUD, thus the imposed buffer conditions in addition to the overall site design. Compliance with these conditions will be maintained in the proposed master plan. The PMP indicates a number of site features that will provide visual buffering to the neighboring development.



The Applicant is proposing to meet the increased buffer requirements on Pod B as required on the prior approval for Reflection Bay PUD. A 32.5-foot wide, Type 3 Incompatibility Buffer to the west, to the north, and east of the existing adjacent Century Village 4-story multifamily residential buildings is provided. The Applicant provided a section detail that indicates a proposed 107.5-foot building separation between the proposed townhomes and the existing Century Village 4-story buildings known as the Greenbrier buildings and the 32.5-foot with the 8-foot high opaque fence.



Further north is the 22.5 feet wide, Type 3 Incompatibility Buffer. The Applicant provided a section detail that indicates a proposed 57.5-foot building separation between the proposed townhomes and the existing Golfs Edge a 2-story buildings and the 22.5-foot landscape buffer with the 8-foot high opaque fence.



The proposed buffers will reduce visual impacts from existing surrounding development. The proposal for 621 townhomes is a reduction from the previously approved 707 townhomes for the Southampton PUD.

e. Design Minimizes Environmental Impact – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

- **Vegetation Protection:** The proposed site area within Pod B previously supported a Golf Course Use. Some of the existing vegetation is naturally occurring (e.g., the pines, some live oaks, red maple, sabal palms, and strangler figs) while other vegetation was planted for the golf course. Tree preservation protection is difficult at this time given the lack of technical drawings which generally show proposed lot lines and proposed infrastructure. Two particular trees of interest to ERM (which have been conditioned to be preserved in place and must be designed around) are Tree #1331 - a Live Oak believed to be over 100 years old and Tree #1569 - a large specimen-sized Ficus Aurea located near the west-most property line. Other trees must be reviewed once proposed elevations and proposed infrastructure are submitted for review.

- **Site Contamination:** Based on a Phase II Environmental Site Assessment dated October 03, 2016, the soil and groundwater qualities at the subject property have been impacted by Pod B’s former use as a golf course. An analysis of the samples detected the presents of arsenic in the soil and groundwater. The property owner is working with the Florida Department of Environmental Protection to resolve the contamination issues. Additionally, a Restrictive Covenant, Soil Management Plan and No Further Action Letter is pending FDEP approval.

- **Wellfield Protection Zone:** The property is not located within a Wellfield Protection Zone.

- **Irrigation Conservation Concerns And Surface Water:** All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

- **Environmental Impacts:** There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

f. Development Patterns – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

The application request is unique in that it is asking to combine the two Development Orders back into one, as it was prior to the 2013 Development Orders. The proposed application will result in a logical, orderly and timely development pattern. The lands to the west and north (Century Village) are designated in the County’s Comprehensive Plan as High Residential, 18 units per acre (HR-18), as is the subject site. Across Haverhill Road is the existing mobile home park that is designated at HR-8, as well as Haverhill Commons which was recently constructed and has a HR-8 and HR-12 designation. These lands have been developed with a mixture of multifamily housing (with the exception to the mobile home park). Further to the north, on the east side of Haverhill Road is a Type 3 Congregate Living Facility (Villa Regina CLF, Control No. 2000-00097) that has an HR-8 land use designation, as well as the Tennis Club of Palm Beach PUD (Control No. 1973-00065), a multifamily development located on the south-east corner of Haverhill Road and Community Drive. Staff has provided an aerial map in the subsection Surrounding Land Uses

to provide the context of neighboring residential development which includes land uses and zoning. The proposal from a development pattern perspective is consistent with development along Haverhill Road.

g. Adequate Public Facilities – *The proposed amendment complies with Art. 2. F, Concurrency (Adequate Public Facility Standards).*

ENGINEERING COMMENTS:

The proposed merger of the Reflection Bay and Southampton PUD will result in reduced intensity, compared to those already approved/existing residential units in the two individual PUDs. The merger is expected to generate 579 fewer net daily trips, 35 fewer net AM peak hour trips, and 44 fewer net PM peak hour trips. The previously approved trips were 5,855 net daily, 372 net AM peak hour, and net 455 PM peak hour trips for the two PUDs combined. The civic pod expected to generate 195 net daily trips, 12 net AM peak hour trips, and 15 net PM peak hour trips. The project is expected to be built out by 2025.

The project will have right and left turn lanes on Haverhill Rd at the entrance.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)

Traffic volumes are in vehicles per hour

Segment:	Haverhill Rd from Okeechobee Blvd to Community Dr
Existing count:	Northbound=1226, Southbound=1128
Background growth:	Northbound=73, Southbound=67
Project Trips:	Northbound=110, Southbound=90
Total Traffic:	Northbound=1409, Southbound=1285
Present laneage:	2 in each direction
Assured laneage:	2 in each direction
LOS "D" capacity:	1770 per direction
Projected level of service:	LOS D or better in both directions

This application is combining the two PUDs in order to share drainage. Drainage easements required for conveyance to Legal Positive Outfall will be recorded prior to the approval of the Final Master Plan by the DRO. On July 14, 2023 the United Civic Organization (UCO) Executive Board approved the easement agreement by vote of 21 to one. On August 16, 2023, the UCO Delegate Assembly approved the easement the *“Storm Water Drainage Management, Renovation, and Cost Sharing at Century Village West Palm Beach Agreement”* (see excerpts in Exhibit H).

The Property Owner shall plat the property and obtain right-of-way permits for turn lanes prior to the issuance of the building permit.

The Property Owner shall submit a drainage study that identifies historical flows that currently enter the site prior to the approval of the Final Master Plan by the DRO.

DRAINAGE DISTRICT:

The subject development is located within the boundaries of the Lake Worth Drainage District (LWDD). The Applicant’s Engineer states (Figure E), *“This project lies within sub-basin 23 of the South Florida Water Management District (SFWMD) C-51 drainage basin and the Lake Worth Drainage District (LWDD). The proposed drainage improvements will provide treatment for Southampton PUD and offsite areas, Haverhill Road and Southampton Condos, drainage easements will be provided per condition of approval. The drainage system will include a system of interconnected inlets, pipes, swales, and on-site wet detention lakes with an outfall connection to the existing drainage system within Century Village, south canal, the point of legal positive outfall. ... Water quality and attenuation criteria will be met in the swales and detention areas within the project area prior to discharging through a new weir structure to connecting to the Century Village drainage system. The surface water management system will be designed to provide storage to not adversely impact the stage elevations of the existing system, based on Palm Beach County and South Florida Water Management District design standards and limitations. The design stages will be as follows:*

- 5 year - 1 day Stage: Minimum Crown of Road Elevation
- 25 year - 3 day Stage: Minimum Perimeter Berm Elevation
- 100 year - 3 day Stage: Minimum Finished Floor Elevation

Compensating storage will be provided within the proposed lakes of Reflection Bay to mitigate the loss of surface and soil storage cause by the new Reflection Bay development.” Prior to the issuance of any building permits the Applicant must obtain approval and any applicable permits from the District.

HEALTH DEPARTMENT:

This project has met the requirements of the Florida Department of Health.

WATER AND WASTEWATER PROVIDER:

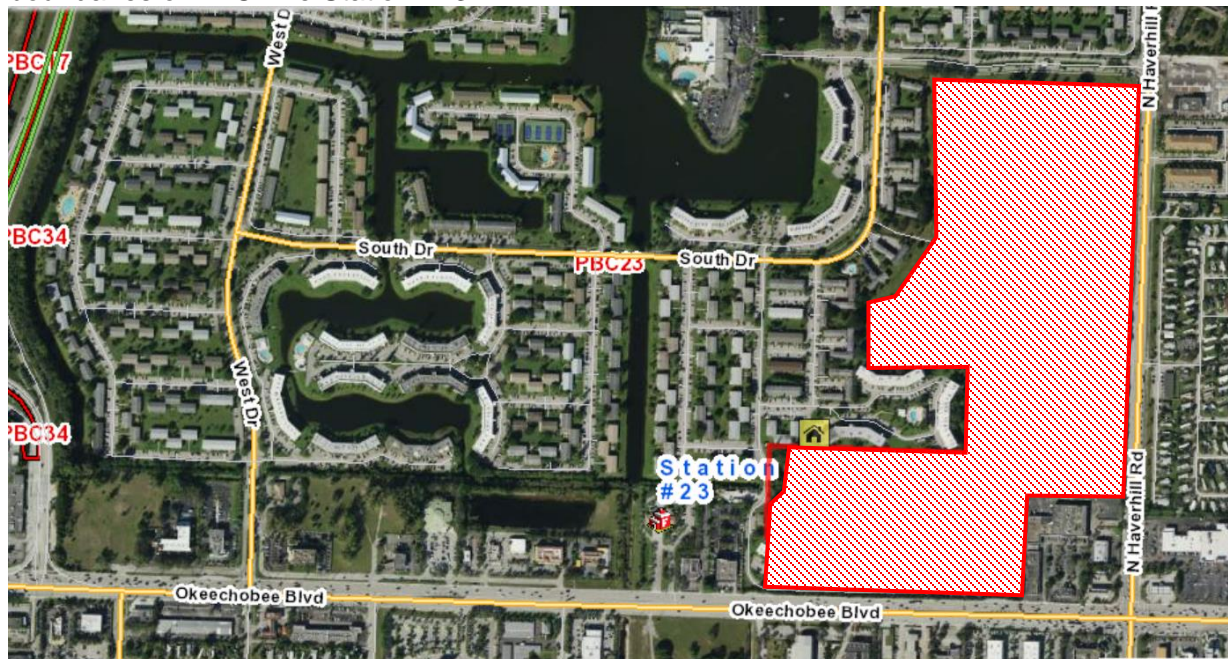
The Water and Wastewater provider is Palm Beach County Water Utilities. In accordance with their letter dated July 18, 2023. (Figure F), they have stated the following: “This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area.

The nearest potable water and wastewater facilities are located east of the subject property within Haverhill Road right of way. In addition, the water-main must be looped through the project and connect to the existing water-main located within Century Village.”

In order for the Pod B development to commence, the site must hook up to water and wastewater services provided by Palm Beach Count Water Utilities. Pod A is already built.

FIRE PROTECTION:

Staff has reviewed this application and have no comment. The subject development is within the boundaries of PBC Fire Station #23.



SCHOOL IMPACTS:

In accordance with the adopted Coordinated Planning Interlocal Agreement (Figure G), a School Capacity Availability Determination (SCAD) for 621 multi-family residential units had been approved on March 7, 2023 (SCAD Case #23022301D). The subject property is located in SAC 123B.

Pod A is built with age restricted units. Pod B, the ‘all age’ unbuilt portion of application, is estimated to generate approximately one-hundred and fifty-one (151) public school students. The schools currently serving this project area are: Grassy Waters Elementary School, Bear Lakes Middle School and Palm Beach Lakes Community High School.

The School Capacity Availability Determination (SCAD) analysis for this application has determined that the proposal would exacerbate capacity deficiencies at the District high school level. The additional forty-five (45) high school students generated by this proposal will increase the utilization percentage of Palm Beach Lakes Community High School to 102%.

PARKS AND RECREATION:

The development proposes 621 dwelling units in Pod B requiring 3.73 acres of recreation. The project proposes 3.79 acres of recreation; therefore satisfies the Park and Recreation Department ULDC requirements

- h. Changed Conditions or Circumstances** – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The changed circumstances requiring this merger of two previously approved PUDs is in order to address shared drainage necessitated by the proposed development.

CONCLUSION: Staff has evaluated the standards listed under Article 2.B.7.B.2 and determined that there is balance between the need for change and the potential impacts generated by the Development Order Amendment. Therefore, Staff is recommending approval subject to Conditions of Approval as indicated in Exhibit C.

CONDITIONS OF APPROVAL

EXHIBIT C

Development Order Amendment

ALL PETITIONS

1. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2013-0207 (Control 1973-00215) and R-2021-1174 (Control 2011-00245), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners unless expressly modified. (ONGOING: ZONING - Monitoring)

2. The approved Preliminary Master Plan is dated March 27, 2023. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

3. Previous ALL PETITIONS Condition 3 of Resolution R-2013-207, Control No.1973-00215, which currently states:

Prior to final approval by the Development Review Officer, the Property Owner/applicant shall execute a Unity of Control binding the owner of Tract 36 and the adjacent Planned Unit Development (Control 2011-245) to maintain the property as open space or a golf course in compliance with all applicable maintenance requirements of the Palm Beach County Unified Land Development Code. (DRO/ONGOING: ZONING - County Attorney)

Is hereby deleted. [REASON: This was satisfied and no longer applicable]

4. The PZB Executive Director may initiate a Monitoring Status Report to the Board of County Commissioners for non-compliance with maintenance of Tract 36. (ONGOING: MONITORING - Zoning) (Previous ALL PETITIONS Condition 4 of Resolution R-2013-207, Control No.1973-00215)

5. Correction of the Legal Description- In rezoning the previously omitted 4.6 acre hiatus there was a seventy (70) foot discrepancy in the legal description and this has been corrected by the project's surveyor. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous ALL PETITIONS Condition 7 of Resolution R-2013-207, Control No.1973-00215)

6. Previous ALL PETITIONS Condition 8 of Resolution R-2013-207, Control No.1973-00215, which currently states:

The 12.55 acres of Tract 36 within the South Hampton PUD shall be prohibited from filing an application with the County to allow for development of the site, unless it is in compliance with All Petitions Conditions 9. (ONGOING: ZONING - Monitoring)

Is hereby deleted. [REASON: This was satisfied and no longer applicable. TND was replaced by R-2021-1174.]

7. Previous ALL PETITIONS Condition 9 of Resolution R-2013-207, Control No.1973-00215, which currently states:

The Property Owner of the Traditional Neighborhood Development (TND), Application 2011-01203, shall submit a golf course plan to the United Civic Organization (UCO) and the Delegates Assembly of Century Village by August 28, 2013. UCO and the Delegates Assembly of Century Village shall have sixty (60) days to approve this Plan. Otherwise, Tract 36 shall be maintained as open space to be maintained by the Property Owner of the TND. (DATE: MONITORING - Zoning)

Is hereby deleted. [REASON: No longer applicable]

ALL PETITIONS -POD B

(Previous ALL PETITIONS Condition 10 of Resolution R-2013-207, Control No.1973-00215)

At time of final approval by the Development Review Officer (DRO), the Property Owner shall submit a Security Plan to the Zoning Division. The Plan shall be reviewed and approved by the Palm Beach County Sheriff's Office prior to final approval by the DRO. (DRO: SHERIFF'S OFFICE - Zoning)

Is hereby deleted. [REASON: No longer applicable]

ENGINEERING

1. Deleted by resolution R-2013-207 (Previous ENGINEERING Condition 1 of Resolution R-2013-207, Control No.1973-00215)

2. Access to Fairway Street normally requires a fifty (50) foot right-of-way under the new subdivision regulations. The County Engineer's office has agreed to the provision of twenty nine (29) feet of road right-of-way for Fairway Street based upon other engineering alternative solutions which the developer was able to provide. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 2 of Resolution R-2013-207, Control No.1973-00215)

3. Deleted by resolution R-2013-207 (Previous ENGINEERING Condition 3 of Resolution R-2013-207, Control No.1973-00215)

ENGINEERING-POD B

4. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2025, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies

with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

5. The Property Owner shall fund the cost of signal installation, if warranted, as determined by the County Engineer at Project Entrance on Haverhill Road. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPM: MONITORING - Engineering)

b. Upon issuance of 50% of the Certificate of Occupancy (CO) for the project, a signal warrant study will be conducted by the County within 90 days. If the warrant study shows traffic from the development meets 65% of the minimum traffic volume signal warrant, then the Property Owner shall be required to build underground components of the traffic signal within 180 days of the request by the County Engineer. The Property Owner shall notify the County Traffic Division as soon as 50% of the COs have been issued. (BLDGPM/CO: MONITORING - Engineering)

c. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to conduct the signal warrant study. If the signal is warranted and the underground components have already been built from the previous condition, then the Property Owner shall be required to complete the construction of the full signal within 180 days (or as approved by the County Engineer) of the request by the County. Upon final inspection and acceptance of the completed signal by the County, the surety amount shall be returned to the Property Owner. If the signal is not warranted, then the County shall return the balance of the surety after using portion of it to remove the underground components of the signal, if it had already been installed from the previous condition. If the signal is not warranted and the underground components of the signal have not been built from the previous condition, then the surety shall be returned to the Property Owner. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner. (ONGOING: MONITORING - Engineering)

6. The Property Owner shall construct an exclusive left turn lane south approach on Haverhill Road at the Project entrance road.

This turn lane shall be a minimum 250 feet in length plus 50 foot paved taper or as approved by the County Engineer. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the entire condition shall be considered satisfied. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

7. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPM: MONITORING - Engineering)

8. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (DRO: ENGINEERING - Engineering)

9. The Property Owner shall construct a right turn lane north approach on Haverhill Road at the project entrance. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the entire condition shall be considered satisfied. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

10. Prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first, the Property Owner shall provide to Palm Beach County Right of Way Section of Roadway Production Division by warranty deed additional right of way for the construction of a right turn lane on Haverhill Road at the project's entrance road. This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet, or as approved by the County Engineer. Additional width may be required to accommodate paved shoulders. The right of way shall continue across the project entrance. This additional right of way shall be free of all encumbrances and encroachments and shall include Corner Clips where appropriate, as determined by the County Engineer. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. The Property Owner shall not record the required right of way or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents (BLDGPM/ONGOING: MONITORING - Engineering)

11. Prior to final approval of the Site Plan by the DRO, the Property Owner shall obtain and record proper drainage easements to allow for drainage from the project site to connect to the point of legal positive outfall. (DRO: ENGINEERING - Engineering)

12. Prior to issuance of the first building permit, the Property Owner shall provide to Palm Beach County sufficient public road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Haverhill Road along the property frontage; and a maximum of an additional 800 feet of these adjacent roadway(s), with an assumed impervious area of 95-percent, unless otherwise approved by the County Engineer. The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient water quality, water quantity and, when necessary, compensating storage capacity within this project's system as required by all permitting agencies, as well as conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County, the applicable Drainage District, and the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. Specifically, one through lane must be open during the 25-year, 3-day storm and the elevation for the 3-year, 1-day storm event shall provide sufficient freeboard to allow for efficient roadway

drainage system design. If required and approved by the County Engineer, the Property Owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM: MONITORING - Engineering)

13. Previous ENGINEERING Condition 1 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2025, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

Is hereby deleted. [REASON: Superseded by new condition]

14. Previous ENGINEERING Condition 2 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

The Property Owner shall fund the cost of signal installation, if warranted, as determined by the County Engineer at Project Entrance on Haverhill Road. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPM: MONITORING - Engineering)

b. Upon issuance of 50% of the Certificate of Occupancy (CO) for the project, a signal warrant study will be conducted by the County within 90 days. If the warrant study shows traffic from the development meets 65% of the minimum traffic volume signal warrant, then the Property Owner shall be required to build underground components of the traffic signal within 180 days of the request by the County Engineer. The Property Owner shall notify the County Traffic Division as soon as 50% of the COs have been issued. (BLDGPM/CO: MONITORING - Engineering)

c. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to conduct the signal warrant study. If the signal is warranted and the underground components have already been built from the previous condition, then the Property Owner shall be required to complete the construction of the full signal within 180 days (or as approved by the County Engineer) of the request by the County. Upon final inspection and acceptance of the completed signal by the County, the surety amount shall be returned to the Property Owner. If the signal is not warranted, then the County shall return the balance of the surety after using portion of it to remove the underground components of the signal, if it had already been installed from the previous condition. If the signal is not warranted and the underground components of the signal have not been built from the previous condition, then the surety shall be returned to the Property Owner. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner. (ONGOING: MONITORING - Engineering)

Is hereby deleted. [REASON: Superseded by new condition]

15. Previous ENGINEERING Condition 3 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

.The Property Owner shall fund the construction plans and the construction to create an exclusive left turn lane south approach on Haverhill Road at the Project entrance road. This turn lane shall be a minimum 250 feet in length plus 50 foot paved taper or as approved by the County Engineer. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

- a. Permits required for improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. (BLDGPM: MONITORING - Engineering)
- b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

Is hereby deleted. [REASON: Superseded by new condition]

16. Previous ENGINEERING Condition 4 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPM: ENGINEERING - Monitoring)

Is hereby deleted. [REASON: Superseded by new condition]

17. Previous ENGINEERING Condition 5 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

- a. Drainage study shall be provided the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: MONITORING - Engineering)
- b. Any required drainage easements shall be dedicated in conjunction with the first plat or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - Engineering)

Is hereby deleted. [REASON: Superseded by new condition]

18. Previous ENGINEERING Condition 6 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

The Property Owner shall construct a right turn lane north approach on Haverhill Road at the project entrance.

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

- a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the entire condition shall be considered satisfied. (BLDGPM: MONITORING - Engineering)
- b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

Is hereby deleted. [REASON: Superseded by new condition]

19. Previous ENGINEERING Condition 7 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first, the Property Owner shall provide to Palm Beach County Right of Way Section of Roadway Production Division by warranty deed additional right of way for the construction of a right turn lane on Haverhill Road at the project's entrance road. This right of way shall be south of the existing right turn lane right-of-way dedication and include the curb ramp on the south side of the entrance road, or as approved by the County Engineer. Additional width may be required to accommodate paved shoulders. The right of way shall continue across the project entrance. This additional right of way shall be free of all encumbrances and encroachments and shall include Corner Clips where appropriate, as determined by the County Engineer. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. The Property Owner shall not record the required right of way or related

documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM/ONGOING: MONITORING - Engineering)

Is hereby deleted. [REASON: Superseded by new condition]

20. Previous ENGINEERING Condition 8 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to final approval of the Site Plan by the DRO, the Property Owner shall obtain and record proper drainage easements to allow for drainage from the project site to connect to the point of legal positive outfall. (DRO: ENGINEERING - Engineering)

Is hereby deleted. [REASON: Superseded by new condition]

21. Previous ENGINEERING Condition 9 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to issuance of the first building permit, the Property Owner shall provide to Palm Beach County sufficient public road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Haverhill Road along the property frontage; and a maximum of an additional 800 feet of these adjacent roadway(s), with an assumed impervious area of 95-percent, unless otherwise approved by the County Engineer. The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient water quality, water quantity and, when necessary, compensating storage capacity within this project s system as required by all permitting agencies, as well as conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County, the applicable Drainage District, and the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. Specifically, one through lane must be open during the 25-year, 3-day storm and the elevation for the 3-year, 1-day storm event shall provide sufficient freeboard to allow for efficient roadway drainage system design. If required and approved by the County Engineer, the Property Owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM/ONGOING: MONITORING - Engineering)

Is hereby deleted. [REASON: Superseded by new condition]

ENVIRONMENTAL

1. Previous ENVIRONMENTAL Condition 1 of Resolution R-2013-207, Control No.1973-00215, which currently states:

Prior to the final approval by the Development Review Officer, the Property Owner of the Traditional Neighborhood District shall conduct contamination testing, the amount of test sites shall be twice the amount recommended under the Best Management Practices for contamination testing. (DRO: ERM-ERM)

Is hereby deleted. [REASON: No longer applicable]

2. All mitigation plantings shall be planted on-site or as approved by ERM in writing. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

3. Prior to the final approval by the Development Review Officer, the plans shall reflect the Tree Preservation Areas adjacent to Lake No. Three (3) (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

4. Prior to final approval by the Development Review Officer, a Tree Preservation Area Management Plan shall be provided to ERM for review and approval (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

5. Prior to the issuance of the excavation permit and/or the storm water management system permit, the applicant shall provide documentation to ERM that the area(s) of the proposed excavation(s) and the surrounding 300 feet thereof does not contain any known contaminants that exceed state clean-up levels, as regulated by FDEP. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

6. The Official Record Book and Page for the Restrictive Covenant Agreement for the littoral areas shall be referenced on the plat. (PLAT/TC: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

7. Prior to the final approval by the DRO, the dispositions for the specimen-sized Live Oak and Strangler Fig (i.e., Tree #1331 and Tree #1569, respectively) shall be identified to be preserved in place and the developer shall take the necessary precautions to ensure the long-term survival of the species. (DRO/ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

8. Prior to the approval of the Final Master Plan by the DRO, the site configuration must be designed in a manner to maximize tree preservation and incorporate the native specimen-sized trees. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

9. Prior to the approval of the Final Master Plan by the DRO, ERM shall review and approve the vegetation disposition chart to ensure maximum preservation efforts-and that the site design incorporates native vegetation. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

10. Prior to the final approval by the Development Review Officer, the plans shall be revised to indicate an access easement with a minimum width of 10 feet to the Tree Preservation Area(s). (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

11. The understory within the native tree preserve area shall be restored and reestablished with native species typically found in its respective land cover classification and/or as approved ERM, and shall remain in perpetuity (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

12. Prior to the issuance of any residential building permit, the applicant shall provided a copy of the Soil Remediation Implementation Report and the FDEP Technical Compliance Letter to ERM for review be submitted to the Department of Environmental Resources Management (ERM). (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

13. Previous ENVIRONMENTAL Condition 1 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

The specimen-sized Live Oak and Strangler Fig (i.e., Tree #1331 and Tree #1569, respectively) shall be preserved in place and remain in perpetuity. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

Is hereby deleted. [REASON: Superseded by new condition.]

14. Previous ENVIRONMENTAL Condition 2 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to the approval of the Final Master Plan by the DRO, the site configuration must be designed in a manner to maximize tree preservation and incorporate the native specimen-sized trees. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

Is hereby deleted. [REASON: Superseded by new condition.]

15. Previous ENVIRONMENTAL Condition 3 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to the approval of the Final Master Plan by the DRO, ERM shall review and approve the vegetation disposition chart to ensure maximum preservation efforts and that the site design incorporates native vegetation. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

Is hereby deleted. [REASON: Superseded by new condition.]

16. Previous ENVIRONMENTAL Condition 4 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

All mitigation plantings shall be planted on-site or as approved by ERM. (TC: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

Is hereby deleted. [REASON: Superseded by new condition.]

LANDSCAPE - GENERAL-POD A

1. Buffer on the West side of the property - fifteen (15) feet of the normal twenty-five (25) foot buffer surrounding the planned unity development (assuming that the twenty-five (25) feet of the additional buffer are allocated for internal usable open space was waived by the department because the link-up with the existing Fairway Street in Century Village property could not be relocated. (ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-2013-207, Control No.1973-00215)

LANDSCAPE - GENERAL-POD B

2. Prior to final approval by the Development Review Officer, the Master Plan shall be modified as follows:
a.The northern 1,665 feet of the west buffer shall be revised to provide for a 22.5 ft. wide, Type 3 Incompatibility Buffer, excluding the Neighborhood Park (see Site Design Condition 6). In addition to the required buffer, an 8 ft. high decorative wall shall be placed within the buffer, a minimum of 15 ft. setback from the west property line.
b.The west buffer (adjacent to the 4-story structures located in the south-west corner of the subject site) shall be revised to provide for a 32.5 ft. wide, Type 3 Incompatibility Buffer. In addition to the required buffer, an 8 ft. high decorative wall shall be placed within the buffer, a minimum of 25 ft. setback from the west property line.
c.A maintenance easement 10 ft. wide shall be provided on the west side of the buffer for maintenance purposes for Century Village. No plantings shall be provided within this easement area.
(DRO/ONGOING: ZONING - Zoning) (Previous SITE DESIGN Condition 1 of Resolution R-2021-1174, Control No.2011-00245)

LANDSCAPE - PERIMETER-POD B

1. A minimum of seventy five percent of all (new and replacement) trees to be planted in the west landscape buffers shall be upgraded to fourteen feet in height at installation. (BLDGPMT/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 1 of Resolution R-2021-1174, Control No.2011-00245)

LIGHTING-POD B

1. Prior to final approval by the Development Review Officer, the Applicant shall submit a Regulating Plan for review and approval providing a detail of the decorative lighting to be provided at the development entrance and all streets 50 ft. in width or greater. Lighting shall be directed downward, using lighting intensity that reduces glare on the adjacent residential homes. (BLDGPMT/DRO: ZONING - Zoning) (Previous LIGHTING Condition 1 of Resolution R-2021-1174, Control No.2011-00245)

PLANNING POD B

1. The subject request for 621 Townhouse units with a 24 unit Workforce Housing Program (WHP) obligation was calculated based on Limited Incentive Development Option with the WHP units to be for-sale units in the Low and Moderate 1 income categories and will be provided onsite. No density bonus was utilized. Should any change occur to the calculation, the site shall require resubmittal and recalculation in whatever process it originated. (ONGOING: PLANNING - Planning)

2. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants, in a form acceptable to the Palm Beach County Attorney. (BLDGPMT: MONITORING - Planning)

3. Prior to the release of the 311th Building Permit (311 units), Fifty percent of WHP units (12) must receive Certificates of Occupancy(CO). (BLDGPMT: MONITORING - Planning)

4. Prior to the release of the 528th Building Permit (528 units), All WHP units (24) must receive Certificates of Occupancy(CO). (BLDGPMT: MONITORING - Planning)

5. Prior to the release of the first building permit, the Developer shall provide documentation demonstrating compliance with the required design standards, such as compatible exteriors and the provision of a dry model. (BLDGPMT: MONITORING - Planning)

6. The Developer shall notify the Planning Division and the Department of Housing and Economic Development (DHED) at the commencement of sales. (ONGOING: PLANNING - Planning)

7. Should more than 50% of the Building Permit be issued simultaneously, then the initial Certificate of Occupancies (CO's) that are released will be attributable to the WHP obligation. (ONGOING: PLANNING - Planning)

8. Prior to the approval of the first ZAR or issuance of the 311th (50%) Certificate of Occupancy (CO), whichever occurs first, the site plan shall be modified to include the OR Book and Page of the recorded document and provide a copy of the revised site plan to the Planning Division. (BLDGPM: MONITORING - Planning)

9. Previous PLANNING Condition 1 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

The subject request for 707 units with a 31 unit Workforce Housing Program (WHP) obligation was calculated based on Limited Incentive Development Option with the WHP units to be for-sale and will be provided onsite. No density bonus was utilized. Should any change occur to the calculation, the site shall require resubmittal and recalculation in whatever process it originated. (ONGOING: PLANNING - Planning)

Is hereby deleted. [REASON: Superseded by new conditions.]

10. Previous PLANNING Condition 2 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to the issuance of the first residential Building Permit, the property owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants, in a form acceptable to the Palm Beach County Attorney. The site plan shall also be modified to include the OR Book and Page of the recorded document and provide a copy of the revised site plan to Planning. (BLDGPM: MONITORING - Planning)

Is hereby deleted. [REASON: Superseded by new conditions.]

11. Previous PLANNING Condition 3 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to the release of the 354th Building Permit (354 units), Fifty percent of WHP units (16) must receive certificates of occupancy. (BLDGPM: MONITORING - Planning)

Is hereby deleted. [REASON: Superseded by new conditions.]

12. Previous PLANNING Condition 4 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to the release of the 601st Building Permit (601 units), All WHP units (31) must receive certificates of Occupancy. (BLDGPM: MONITORING - Planning)

Is hereby deleted. [REASON: Superseded by new conditions.]

13. Previous PLANNING Condition 5 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to the release of the first building permit, the Developer shall provide documentation demonstrating compliance with the required design standards, such as compatible exteriors and the provision of a dry model. (BLDGPM: MONITORING - Planning)

Is hereby deleted. [REASON: Superseded by new conditions.]

14. Previous PLANNING Condition 6 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

The developer shall notify Planning and DHES at the commencement of sales. (ONGOING: PLANNING - Planning)

Is hereby deleted. [REASON: Superseded by new conditions.]

PROPERTY & REAL ESTATE MANAGEMENT

1. Platting & Deed.

The Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 1.62 acre public civic site (net usable area - including minimum required perimeter

landscape buffers), in a location and form acceptable to Facilities Development & Operations Department (FD&O) by August 22, 2025 or other date that is mutually agreeable to the Property Owner and FD&O. Property Owner to plat and dedicate the civic site to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance.

a) Title

Property Owner to provide a title policy insuring marketable title to Palm Beach County for the civic site and any easements that service the civic site as required by the County Attorney's office. All title exception documentation to be provided to County. Policy is subject to Property & Real Estate Management (PREM) and County Attorney's approval. The title policy to be insured to Palm Beach County for a dollar value based on current market appraisal of the proposed civic site or the Contract purchase price on a per acre basis if the contract purchase was concluded within the previous 24 month period. If an appraisal is required it shall be obtained by the Property Owner. The Property Owner shall release the County from all Declarations of Covenants and Conditions of the P.U.D. or other restrictive covenants as they may apply to the civic site.

b) Concurrency

Property Owner to assign sufficient traffic trip capacity such that the traffic volume associated with a County facility shall be attached to the civic site and recorded on the concurrency reservation for the entire PUD. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the civic site would support and the corresponding amount of trips. If no County use is applied to the civic site, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units the civic would support if it were a residential pod.

c) Taxes

All ad valorem real estate taxes and assessments for the year of acceptance shall be pro-rated to include the day of acceptance.

d) Site condition

Civic site to be free and clear of all trash and debris at the time of acceptance of the Statutory Warranty Deed.

e) Retention and Drainage

Property Owner shall provide all retention, detention, and drainage required for any future development of the proposed civic site by the County. Property Owner shall specifically address the following issues:

1) The discharge of surface water from the proposed civic site into the Property Owner's water retention basins.

2) An easement across Property Owner's property from the proposed civic site to the retention basins, if required.

f) On-Site Inspections

By acceptance of these conditions Property Owner agrees to allow the County to perform any on site inspections and testing deemed appropriate to support the acquisition of the civic site.

g) Vegetation Permit

Property Owner to perform a tree survey and obtain a vegetation clearing permit. If it is determined by PREM that clearing is not required at time of conveyance, the cost of such clearing shall be paid to the County.

h) Buildable Grade

Prepare civic site to buildable grade under the direction of the FDO Department. Site shall be stabilized with 1) sod and watered or, 2) seeded, mulched and watered (at the discretion of FDO), all of which shall be to the satisfaction of FDO. The buildable grade elevation required will generally be the highest crown of road adjacent to the civic site, unless otherwise determined by PREM. Proposed County Critical Care facilities may require higher elevations as determined by County, at County's sole discretion. Property Owner to provide: 1) In-place density test (density requirements as determined by PREM), 2) Soil placement monitoring report, 3) Test of materials used in the soil placement monitoring report, 4) Final survey to include topo results.

i) Water, Sewer and Reclaim Water

Property Owner to provide water, sewer, reclaim water stubbed out to the property line and other required utilities as determined by PREM.

j) Irrigation

Property Owner to provide an easement across Property Owner s property, from the proposed Civic Sites to available retention basins, if requested by PREM. (DATE: MONITORING - Property Real Estate Management)

2. Survey

The Property Owner shall provide the County with a survey certified to Palm Beach County of the proposed civic site by February 24, 2025. Survey shall reflect the boundary and topographical areas of the site and the surveyor shall use the following criteria:

- a) The survey must meet the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers in rule 5J-17.050-.052, Florida Administrative Code, pursuant to section 472.027, Florida Statutes and Countywide PPM CW0-058.
- b) If this parcel is a portion of Palm Beach Farms, sufficient data to make a mathematical overlay should be provided.
- c) The survey should include a location of any proposed water retention area that will border the civic site and the proposed drainage easement area for storm water outfall from the proposed civic site to the development s storm water management system.

Survey is also subject to the County's approval of any proposed or existing easements within the proposed civic site and all title exceptions are to be shown on the survey. (DATE: MONITORING - Property Real Estate Management)

3. Environmental Survey

The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County of the proposed civic site by February 24, 2025. The minimum assessment of the property will be a "Phase I Audit". The audit shall describe the environmental conditions of the property and identify the past and current land use. Prior use of the property (Example: Ag Production, golf course, other uses as determined by County) that creates the possibility of soil and groundwater impacts above environmental target clean up levels will require further soil and ground water investigation and testing, unless waived by County at County s sole discretion.

The assessment will include but not be limited to the following:

- a) Review of property abstracts for all historical ownership data for evidence of current and past land use of the proposed civic site.
- b) Review of local, state, and federal regulatory agency's enforcement and permitting records for indication of prior groundwater or soil contamination. Also, a review of the neighboring property that borders the proposed civic site will be required. The review shall include, but not be limited to, Palm Beach County Environmental Resources Management Department Records, and Florida Department of Regulation Records.

The assessment shall reflect whether the civic site or any bordering property is on the following lists:

- 1) EPA's National Priorities list (NPL)
 - 2) Comprehensive Environmental Response Compensation and Liability Act System List (CERCLA)
 - 3) Hazardous Waste Data Management System List (HWDMS).
- c) Review of current and historical aerial photographs of the proposed civic site. Provide a recent aerial showing site and surrounding properties.
 - d) The results of an on-site survey to describe site conditions and to identify potential area of contamination.
 - e) Review of Wellfield Protection Zone maps to determine if property is located in a Wellfield Zone. (DATE: MONITORING - Property Real Estate Management)

4. Cash-Out

The Property Owner may request to exchange the required on-site dedication of land for cash of equal value or off-site land equal in acreage, however, this option shall be used only upon County approval when the County has established that the cash or offsite land is the more viable option and enhances or supports a County property, facility or function in the general vicinity of the PUD. In addition, should the off-site land option be chosen, each PREM condition listed in numbers 1, 2 & 3 above will also apply. If the land off-site is of less cash value than the on-site dedication the Property Owner shall contribute cash equal to the difference in values. Valuation of the on-site and off-site land shall be subject to the County appraisal

process and be at the cost of the Property Owner. If off-site land or cash contribution is accepted by Palm Beach County, the Property Owner shall be deemed to have satisfied the intent of ULDC.

SCHOOL BOARD

1. Previous SCHOOL BOARD Condition 1 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

“NOTICE TO PARENTS OF SCHOOL AGE CHILDREN”

School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s).

(ONGOING: SCHOOL BOARD - School Board)

Is hereby deleted. [REASON: Superseded by new Condition.]

2. Previous SCHOOL BOARD Condition 2 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to the issuance of the first Certificate of Occupancy (CO), the 10' by 15' school bus shelter shall be constructed by the Property Owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use, to the shelter. Maintenance of the bus shelter shall be the responsibility of the residential Property Owner.

Is hereby deleted. [REASON: Superseded by new Condition.]

3. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

“NOTICE TO PARENTS OF SCHOOL AGE CHILDREN”

School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s).

(ONGOING: SCHOOL BOARD - School Board)

4. The Property Owner shall provide a Declaration and Restrictive Covenant which prohibits children less than nineteen years of age from residing in the age restricted portion of the community no later than six (6) months after Final DRO Approval. This declaration shall be recorded in the public records for Palm Beach County in a form and manner acceptable to the School Board and the County Attorney and a copy of the recorded document shall be sent to the School Board's Planning and Intergovernmental Relations Department. (DRO: COUNTY ATTORNEY - School Board)

SITE DESIGN-POD A

1. West building corner side yard setback - The setback from the property line on the west boundary would normally be a twenty-five (25) foot buffer, fifty (50) feet right-of-way for Fairway Street, and a thirty (30) foot side corner yard setback for a total of one hundred five (105) feet from the west property line. This setback was amended due to the existing link-up with Fairway Street mentioned above. However, all yard setbacks were maintained. (ONGOING: ZONING - Zoning) (Previous SITE DESIGN Condition 1 of Resolution R-2013-207, Control No.1973-00215)

2. Rear setback line for the west building from the Northwest property corner - this setback is thirty-five (35) feet and Century Village added additional property to the PUD legal description to accommodate this setback. (ONGOING: ZONING - Zoning) (Previous SITE DESIGN Condition 2 of Resolution R-2013-207, Control No.1973-00215)

3. Previous SITE DESIGN Condition 4 of Resolution R-2013-207, Control No.1973-00215, which currently states:

Parking requirements - The parking stalls shown on the Century Village plan were substandard and were altered to insure the two hundred (200) square feet of parking (10 feet x 20 feet). In addition, the parking ratio was re-evaluated and proper parking spaces were shown on the master land use plan. (ONGOING: ZONING - Zoning)

Is hereby deleted. [REASON: Deleted to meet current ULDC standards]

4. East Boundary setback would include a twenty five (25) foot buffer and a twenty five (25) foot rear setback for a recreational building for a total of fifty (50) feet. In addition, the east building would have to be set back twenty five (25) feet for a buffer and sixty five (65) feet for a parking lot which includes the side corner setback of thirty five (35) feet. Century Village eliminated the laundry and recreational building and met all required setbacks. (ONGOING: ZONING - Zoning) (Previous Condition 6 of Letter dated October 9, 1973, of Resolution R-1973-815, Control No. 1973-215) (ONGOING: ZONING - Zoning) (Previous SITE DESIGN Condition 3 of Resolution R-2013-207, Control No.1973-00215)

SITE DESIGN-POD B

5. Previous SITE DESIGN Condition 2 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to final approval by the Development Review Officer, the applicant shall submit a Street Layout Plan for review and approval. The Plan shall be in accordance with the requirements of the Technical Manual and Art. 3.E.1.C.2.a.5. (DRO: ZONING - Zoning)

Is hereby deleted. [REASON: (no longer applicable)]

SITE DESIGN

6. Previous SITE DESIGN Condition 6 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

All crosswalks within the development area shall be a minimum of 4 feet in width and shall be made of decorative pavers or concrete, or similar paving treatment. (TC: ZONING - Zoning)

Is hereby deleted. [REASON: (deleted to meet ULDC standards)]

7. Previous SITE DESIGN Condition 7 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

All Townhouses shall be limited to a maximum of 25 feet in height, as defined in Art. 1.C.4.C.1, Building Height. (ONGOING/TC: BUILDING DIVISION - Zoning)

Is hereby deleted. [REASON: (no longer applicable)]

8. Previous SITE DESIGN Condition 8 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to final approval by the Development Review Officer, a Neighborhood Park shall be provided for on the Final Master Plan within the Reflection Bay development area. The Neighborhood Park shall meet the requirements of Table 3.E.2.D, PUD Property Development Regulations. A Final Regulating Plan shall be provided that identifies the amenities for a Neighborhood Park consistent with Art. 3.E.2.B.2.c, Neighborhood Park. (DRO/ONGOING: ZONING - Zoning)

Is hereby deleted. [REASON: (no longer applicable)]

SITE DESIGN-POD B

9. Previous SITE DESIGN Condition 4 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to final approval by the Development Review Officer, the Applicant shall modify the Neighborhood Park along the west property line and relabel as Open Space. An 8 ft. Compatibility Buffer shall be placed along the north, south and west property line of this relabeled Open Space area that ties into the 22.5 ft. wide Type 3 Incompatibility Buffer that will be provided along the west property line, exclusive of the Neighborhood Park area. (BLDG/PMT: ZONING - Zoning)

Is hereby deleted. [REASON: (no longer applicable)]

10. Previous SITE DESIGN Condition 3 of Resolution R-2021-1174, Control No.2011-00245, which currently states:

Prior to final approval by the Development Review Officer, the Applicant shall provide a Regulating Plan identifying two plazas, each being a minimum of 2,500 square feet in area. Each plaza must be a minimum of 50 feet in width. Each plaza shall include a seating area and canopy tree a minimum of 16 ft. in height. An existing canopy tree(s) may be relocated to the plazas to meet the canopy tree requirement. Each plaza must include a shade structure for the seating area. In addition to the required plazas, three additional focal points shall be provided around the development area, consistent with Art. 3.E. (DRO: ZONING - Zoning)

Is hereby deleted. [REASON: (no longer applicable)]

11. Previous SITE DESIGN Condition 5 of Resolution R-2021-1174, Control No.2011-00245

The overall residential development shall be required to provide the following:

- a. A minimum of fifteen percent (15%) of all townhouse lots shall be a minimum of twenty-two (22) feet in width;
 - b. A maximum of eighty-five percent (85%) of all residential lots shall be eighteen (18) feet in width; and,
 - c. A minimum of 2 (two) elevation types per townhouse lot size listed in a. and b. shall be provided.
- Previous SITE DESIGN Condition 5 of Resolution R-2021-1174, Control No.2011-00245

Is hereby deleted. [REASON: (no longer applicable)]

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: ZONING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Figure 1 - Land Use Map



Figure 2 - Zoning Map

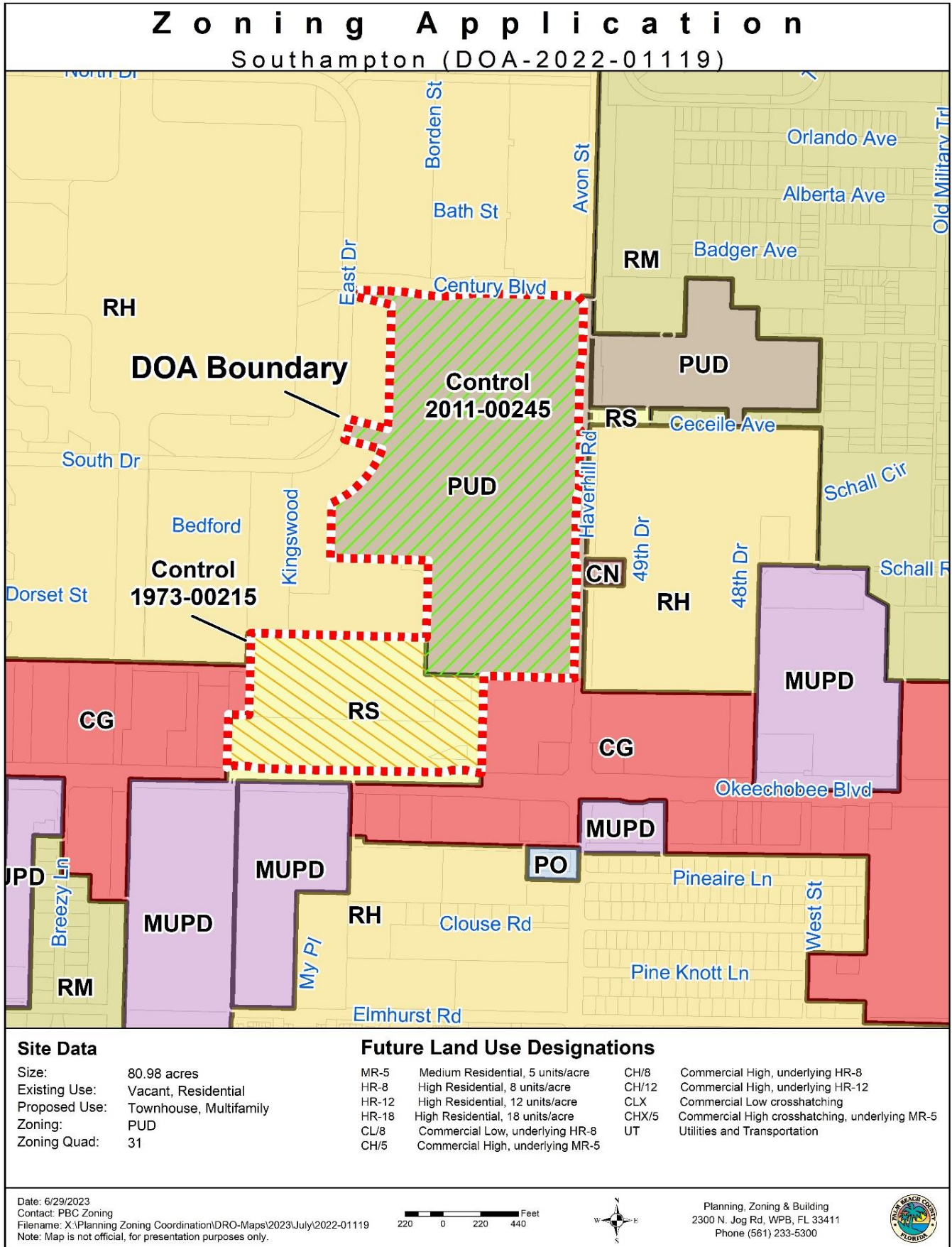


Figure 3 – Preliminary Master Plan dated March, 27, 2023 page 2 of 3

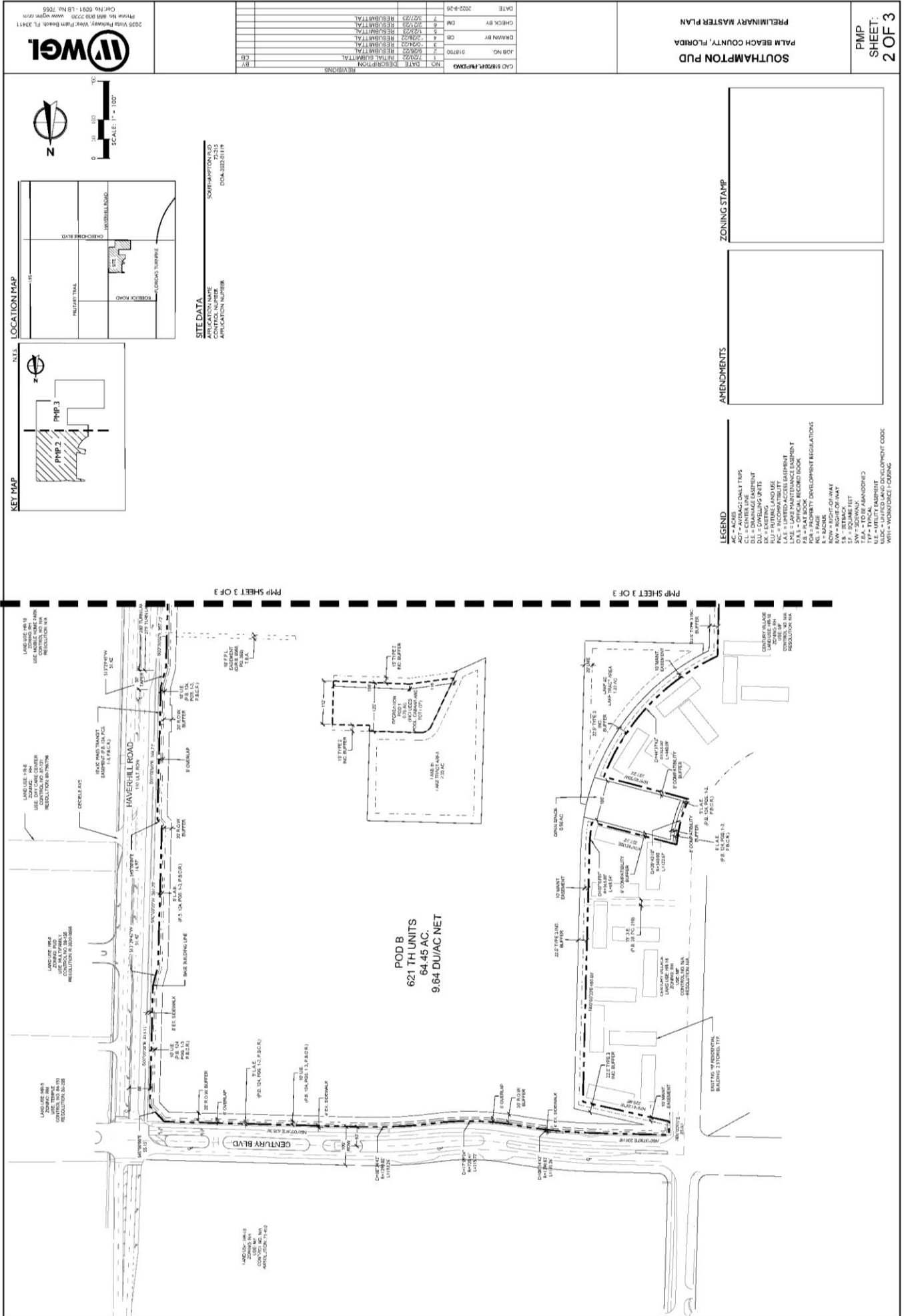


Figure 4 – Preliminary Street Layout Plan dated February 21, 2023

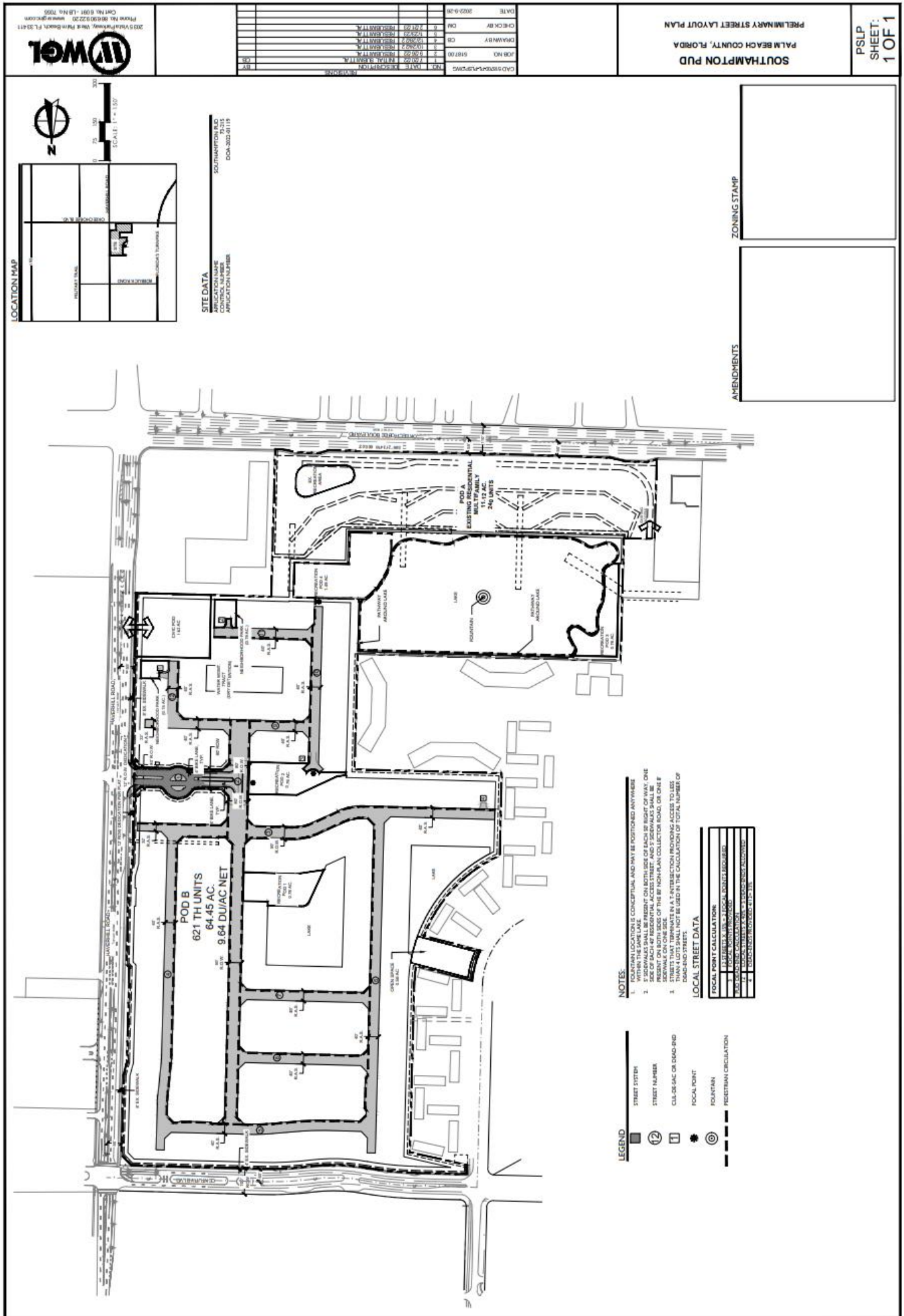


Figure 5: Preliminary Regulating Plan dated February 21, 2023 page 1 of 6

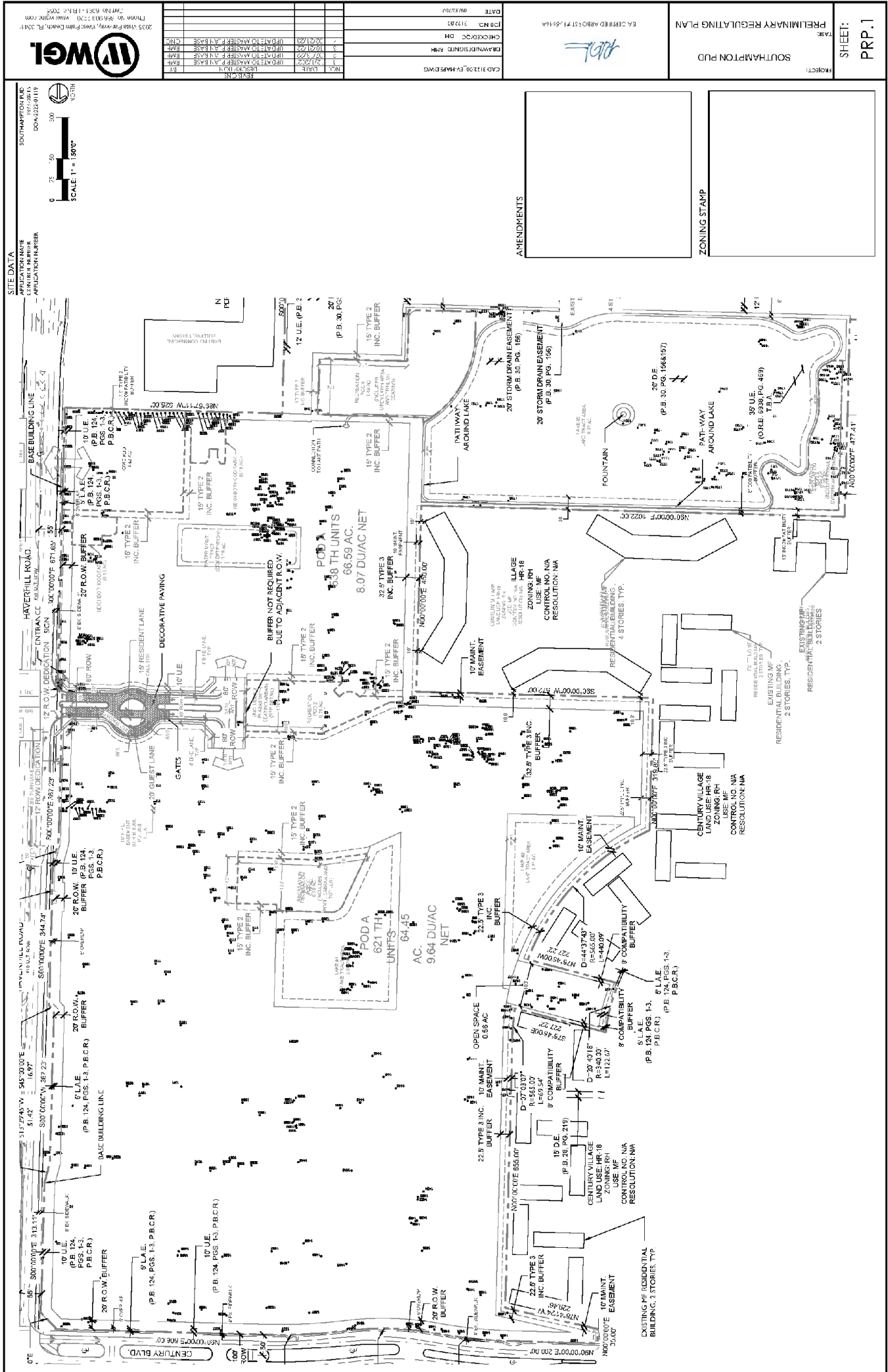


Figure 7 – Previously Approved Master Plan Reflection Bay PUD dated May 10, 2021

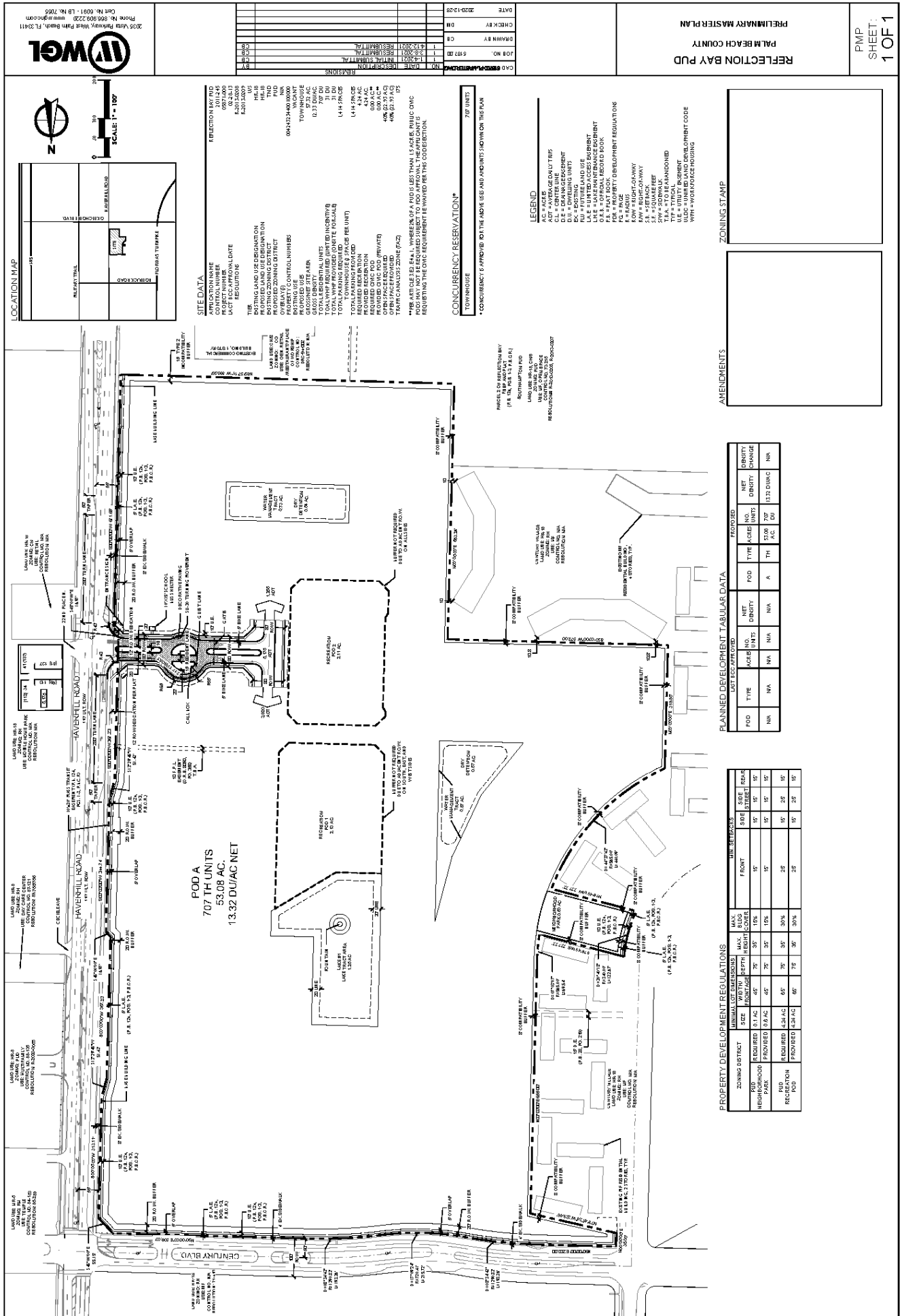


Figure 8 – Previously Approved Master Plan Reflection Bay TND dated November 14, 2016

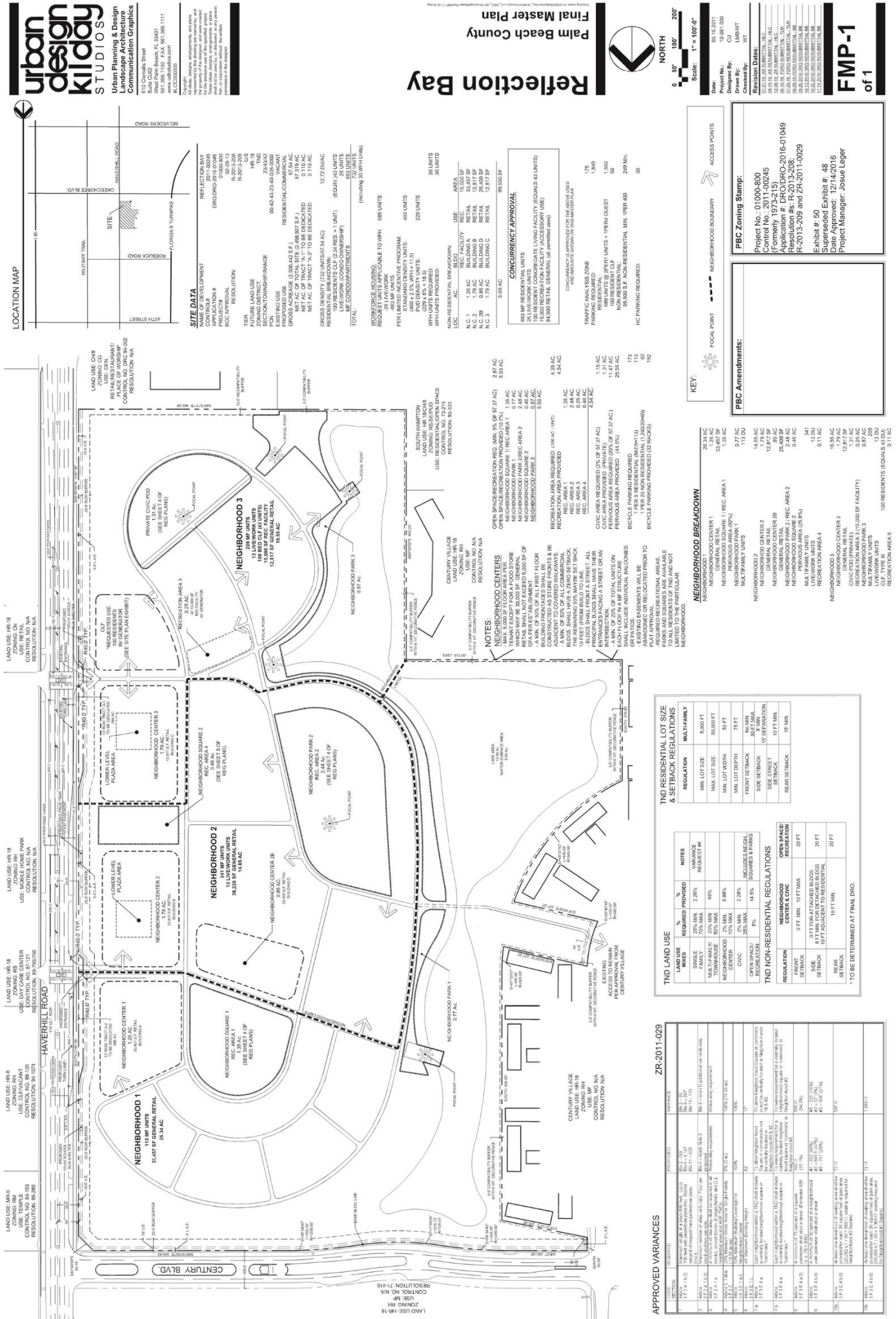
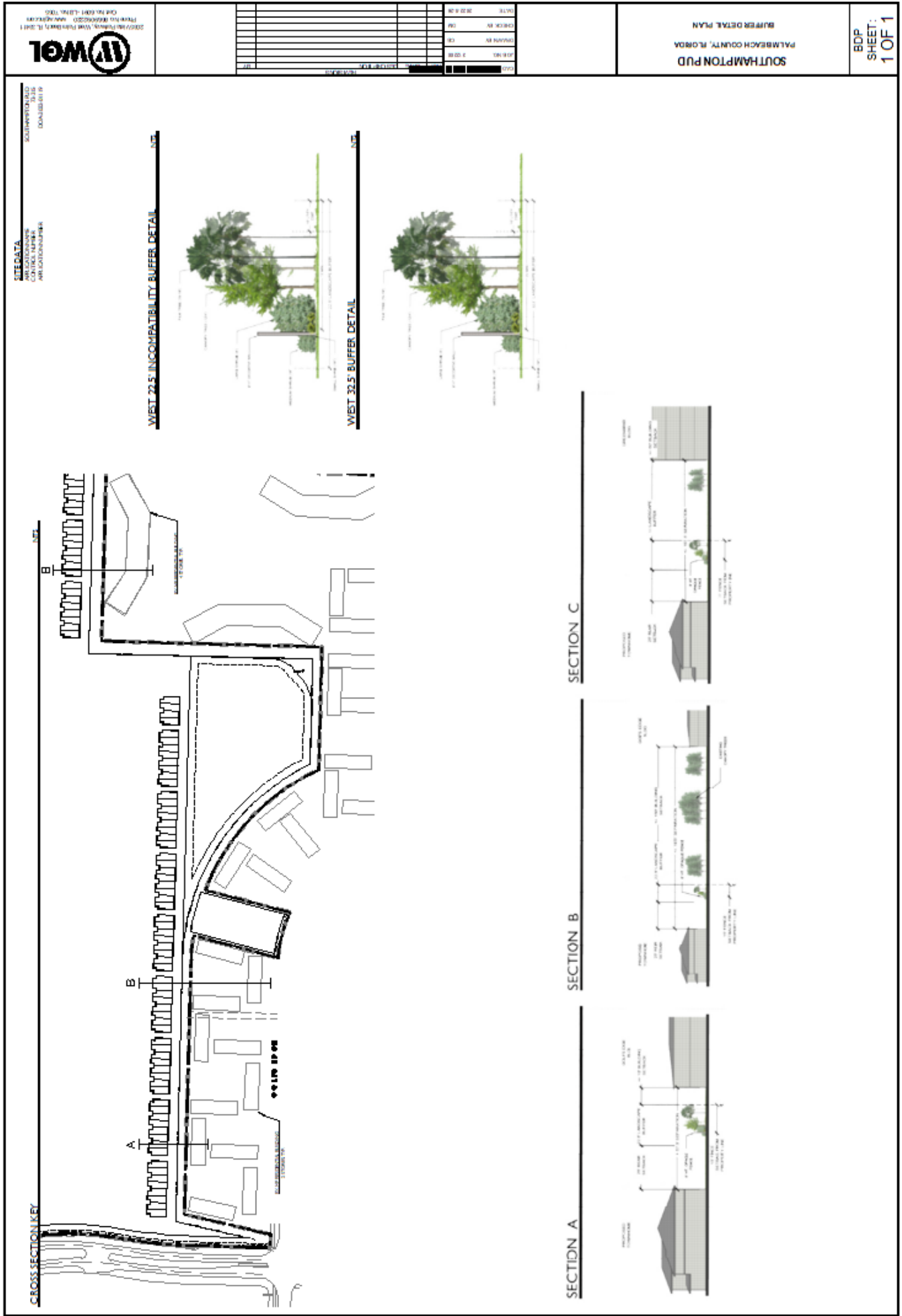


Figure 11 Buffer Detail Exhibit Dated September 26, 2022



Century Village File

May 15, 1973

William R. Boose, Director
Planning, Zoning and Building
New 18 Acre Petition for High Density by Century Village North
Of Okeechobee Boulevard, West of Haverhill Road

It was suggested in a meeting with Century Village's attorney that the following points be perfected by the developer. The meeting was called at the request of the Board of County Commissioners which recently approved rezoning the 18 acres to high density.

1. The RH high density request is probably better than the existing CG General Commercial District along this section of Okeechobee Road.

2. The Century Corner Shopping Center adequately serves the area for commercial needs and the removal of the additional strip commercial west of Haverhill Road will be better land use for the area.

3. All land zoned commercial south of the golf course including that tract left out of the high density request should also be considered for rezoning to residential rather than commercial.

4. The density shall be calculated on a net building area and not a gross acreage basis because Century Village is not allowed to compute that area of the golf course included in the rezoning request as open space by virtue of the fact that the project is not a Planned Unit Development. The density, therefore, will be closer to 191 units rather than the 245 originally proposed by the developer.

5. The General Commercial Strip inadvertently omitted north of the subject petition area should also be rezoned by the petitioner.

6. Covenants should be filed with the golf course to guarantee to the citizens of Century Village that this recreational area will always be maintained as such and will not later become sites for apartment construction.

Century Village File
May 15, 1973
Page 2

7. No access should be allowed to Okeechobee Boulevard which is already experiencing tremendous traffic accidents and slow movement of vehicular transportation.

William R. Boose, Director
Planning, Zoning and Building

WRB/bal

Figure 13 Memo dated June 4, 1973

June 4, 1973

Mr. Martin Perry, Esquire
Levy, Plisco, Perry and Reiter
Flagler Court Building
West Palm Beach, Florida

In re: Meeting Between the Palm Beach County
Planning, Zoning and Building Depart-
ment and Martin Perry, Attorney for
Century Village (Century Communities, Inc.,
Incorporated).

Dear Marty:

Please find attached a copy of our Department memo to the Century Village file dated May 15, 1973, enumerating the seven (7) points which you and I discussed at our meeting subsequent to the governmental approval of the additional eighteen (18) acres for high density development immediately abutting Century Village Golf Course, west of Haverhill Road and north of Okeechobee Boulevard.

The writer reported to the Board of County Commissioners at their last official zoning hearing on Thursday, May 24, 1973, that the above styled meeting had taken place. The Commissioners were provided a copy of the attached memorandum and have asked for an updated report from you concerning any progress made on these matters up to this point in time.

It is my impression that Items 1 and 7 pose no problem at this time. As I recall, you indicated that your principles did not, at this time, have plans to rezone the commercial surrounding the service station on the northwest corner of Haverhill and Okeechobee Boulevard to a similar high density residential development. This, of course, is a decision to be made by you and them. Point 3 also reflects on this same land use decision.

Mr. Martin Perry, Esquire
June 4, 1973
Page 2

We have already discussed the contents of Item 4 and we are of the opinion that the Administrative determination of this matter is a correct one. We are presently awaiting your petition to comply with Requirement 5 which, we recall, was agreed to by the developer at the rezoning hearing. Lastly, Point 6 concerning the future maintenance of the Century Village Golf Course as a recreational open space amenity is still very much a concern of members of the County Commission. As you know, a great deal of the problems between the developer and the objectors to the rezoning application at the public hearing centered around this matter. Would you please be kind enough to advise us of the progress made toward the dedication or deed restriction of this recreational amenity.

Thanking you for your attention to and interest in these matters, we remain,

Sincerely yours,

William R. Boose, Director
Planning, Zoning and Building

WRB/bal

cc. Members of the County Commission
Michael Small, County Attorney

Figure 14 Memo dated September 26, 1973

LAW OFFICES

LEVY, PLISCO, PERRY & REITER

PLANNING AND ZONING
POST OFFICE BOX 947

WEST PALM BEACH, FLORIDA 33402

TELEPHONE (305) 555-3751

H. IRWIN LEVY
J. A. PLISCO
F. MARTIN PERRY
JOSEPH J. REITER
ROBERT LEE SHAMMO
GREGG M. THOMAS
JEFFREY D. KNLEN

CENTURY VILLAGE OFFICE
ADMINISTRATION BUILDING
NORTH HAVEN PALM BEACH
WEST PALM BEACH, FLORIDA 33401
TELEPHONE 553-6203

REPLY TO: P. O. Box 947

September 26, 1973

Mr. Jan Wolfe
Office of the County Engineer
West Palm Beach, Florida

Re: Century Village, Inc./Southampton Section

Dear Mr. Wolfe:

Enclosed please find print of Century Village/Southampton paving and drainage plan prepared by Weimer and Company, Inc., dated March 29, 1973, revised September 24, 1973, sealed by Thomas P. Sokol, P.E. Please note that this enclosure sets forth the revised location of the means of ingress and egress to the interior of Century Village, i.e. set back 25 feet from North right-of-way line of Okeechobee Boulevard to allow for the 25 foot buffer along that right-of-way; a revised parking layout, which includes the correct number of hard surface parking spaces in accordance with the Code; revised drainage in accordance with our previous discussion; 25 foot buffer on the East property line.

Not shown on this plan is space allotted for the required future parking. This has, however, been noted on the master plan submitted to Planning and Zoning. This future parking is shown on that plan as being in the Southeast corner adjacent to the roadway shown. Also, with respect to the buffer on the West property line, the Zoning Director has indicated that he will agree to waive the 25 foot requirement to ten feet, which we have shown.

Also enclosed for your information is a print of Century Village Plat #14 prepared by Weimer and Company, Inc., which has been sealed by Mr. Weimer on August 29, 1973. This print represents a boundary survey of the entire parcel, which has been submitted as part of our application for a planned unit development to the Zoning Department.

In addition to forwarding these prints to you, the purpose of this letter is to confirm the understanding which you and I reached last week with regard to our being able to obtain permits on a straight zoning basis during the pendency of our application for approval of the PUD. During that discussion you listed certain

Mr. Jan Wolfe
Page 2
September 26, 1973

conditions precedent to your recommending no objection to the issuance of these permits to Robert Crosby, the building official. These conditions were as follows:

1) That Century Village, Inc. agree that in the event building permits were issued for buildings A and C, as shown on the enclosed paving and drainage plan, that they would not request Certificates of Occupancy for these buildings until such time as (a) all requirements of the Zoning Code pertaining to approval of a PUD had been complied with and all necessary approvals obtained; and (b) A subdivision plat had been filed of record of the PUD, as required by the Zoning Code.

2) Century Village, Inc. agrees that it would comply with the requirements of the Zoning Code relating to a PUD and the requirements of the subdivision ordinance in all respects with the exception of (a) the use of inverted crown roads for the parking lots and the roadway for ingress and egress; (b) no street lights; (c) the drainage plan as shown on the enclosed paving and drainage plan; (d) the reduction of the 50 foot right-of-way requirement to 29 feet by the elimination of the two two-foot curbs and gutters; the two four-foot sidewalks and one nine-foot swale area (during our discussion you had indicated that one of the four-foot sidewalk requirements could be placed upon the remaining nine-foot swale area and included within the nine feet, in order to provide some means of pedestrian traffic; although not shown hereon, we propose to provide a pedestrian walkway along the Northerly side of the parking areas, rather than along the roadway for ingress and egress. In doing this we feel that we can satisfy the pedestrian walkway requirement without the danger involved in having the walkway so close to the movement of vehicular traffic).

I met with Bill Boose on Monday, September 24, for the purpose of reviewing with him the comments which he had outlined with respect to the PUD application. We have satisfied all of his comments with two exceptions:

(a) 25-foot buffer on West property line - he has agreed to dictate a memo to his file agreeing to waive this 25-foot requirement down to ten (10) feet, which we can satisfy.

(b) I explained to him the manner in which you had reduced the 50-foot right-of-way road requirement down

Mr. Jan Wolfe
Page 3
September 26, 1973

to 29 feet. He seemed confused about this. I suggested that he contact you with regard to this or I would have to contact him. In any event, I have pointed out to him that we show a total setback from the North right-of-way line from Okeechobee Boulevard to the elevator shafts on the South side of the buildings of 148.2 feet. He had shown a total requirement setback from the property line to the elevator shafts of 145 feet. This appeared to satisfy him that we were set back far enough.

Mr. Boose has indicated that he will require a letter from Engineering to the building official with regard to the issuance of the permits. A copy of this letter should be forwarded to him.

I have also conferred with Mr. Crosby, the building official, regarding the mechanics of issuing the permits on buildings A and C. He advises that it is simply a matter of his placing his signature stamp on the plans and the permits as soon as he receives instructions from Engineering and Zoning, inasmuch as he has already checks the plans for permit sufficiency.

I am authorized by my client, Century Village, Inc., to render the foregoing assurances on their behalf and I do hereby make such assurances that they agree to be bound by the agreements contained herein.

Please advise immediately if my recollection of the understanding which we reached, as is set forth herein varies in any respect from your recollection of same. For your convenience in this respect, I am enclosing herewith the print of the paving and drainage plan which you marked up when we discussed this matter.

Very truly yours,

F. MARTIN PERRY
FMP/lc
cc: William R. Boose
Robert Crosby

Figure 15 Memo dated September 26, 1973

LAW OFFICES
LEVY, PLISCO, PERRY & REITER
FLAGLER COURT BUILDING
POST OFFICE BOX 947
WEST PALM BEACH, FLORIDA 33402
TELEPHONE (305) 655-3751

H. IRWIN LEVY
J. A. PLISCO
F. MARTIN PERRY
JOSEPH J. REITER
ROBERT LEE SHAPIRO
DEYAN M. THOMAS
JEFFREY D. KNEEN

CENTURY VILLAGE OFFICE
ADMINISTRATION BUILDING
NORTH HAVERHILL ROAD
WEST PALM BEACH, FLORIDA 33401
TELEPHONE 683-6203

September 26, 1973

REPLY TO
P. O. Box 947

Mr. William R. Boose, Director
Planning, Zoning and Building Department
810 Datura Street
West Palm Beach, Florida 33401

Re: Century Village, Inc. - Southampton

Dear Mr. Boose:

Enclosed herewith please find copy of letter of even date which I have drafted and delivered to Jan Wolfe, Assistant County Engineer, regarding permits for Buildings A and C of this project pursuant to straight zoning. Please note that the letter contains assurances which I have been authorized to make on behalf of my client, Century Village, Inc., with respect to the following:

1. Agreement not to request certificates of occupancy for these two buildings until my client has completed the requirements of the Palm Beach County Zoning Ordinances with respect to planned unit developments, with certain exceptions as agreed upon between you and I.

2. My client's compliance with the Palm Beach County Subdivision and Platting Regulations Ordinance subject to those exceptions noted in my letter to Mr. Wolfe and as required by the Zoning Ordinance. This will also confirm our conversation on Monday, September 24th at a meeting in your office at which Rolf Weimer, Tom Sokol and Miss LaBossiere were also present. During the course of that meeting, we reviewed the revised Master Plan, Survey and other documents relating to my client's PUD application. In doing so, that check list prepared by you at our previous meeting last week was also revised. It was determined during the course of the meeting Monday that Mr. Weimer's revised Plan and Survey had met all of the requirements set forth on your check list with two exceptions.

First, we indicated that we were not able to provide a 25 foot buffer along the West property line. You indicated that you were agreeable to waiving this to a 10 foot buffer which Mr. Weimer had shown. You advised that you would dictate a memo to your file covering this point and would copy same to me.

Secondly, we discussed the 50 foot road right-of-way requirement which is a subdivision ordinance requirement. I advised that

Mr. William R. Boose, Director
Page 2
September 26, 1973

Jan Wolfe had worked this out to the extent that only 29 feet was necessary if we showed the 25 foot buffer along the North right-of-way line of Okeechobee Boulevard which we have done. I suggested that you could confirm this with Mr. Wolfe if you had any questions concerning this. I also pointed out to you that your check list showed a required total setback from the North right-of-way of Okeechobee Boulevard of 145 feet, including a 50 foot road right-of-way, whereas we show a total setback of 148 feet.

Some discussion was also had concerning the required number of parking spaces. This was resolved by computation made by yourself and Miss LaBossiere during the meeting and also by Mr. Weimer, noting on the Plan additional proposed future parking which he initialled.

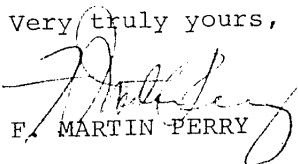
I have met with Mr. Crosby, the building official, regarding the issuance of the permits for Buildings A and C. He has advised that he has already checked the building plans for sufficiency. He also advised that all that will be required on his end for the issuance of the permits will be the mechanical act of affixing his signature stamp to the plans and the permits once he receives the go ahead from Zoning and Engineering.

I wish to reconfirm to you the assurances which I have communicated to Mr. Wolfe and which my client has authorized me to make on its behalf.

I wish to extend my appreciation to you for your consideration and assistance in this matter.

Best Wishes.

Very truly yours,



F. MARTIN PERRY

FMP/dft

Encl.

CC: Century Village, Inc.

LEVY, PLISCO, PERRY & REITER

Inter-Office Communication

PALM BEACH COUNTY

TO Century Village, Inc. - South DATE October 9, 1973
Hampton - Planned Unit Development File
FROM William R. Boose, Director of FILE
Planning, Zoning & Building
RE Various problems with Century Village - South Hampton

Century Village at this point and time is nearing completion of the originally zoned 600 acre plus tract at the Northeast quadrant of the intersection of the Sunshine Turnpike and Okeechobee Boulevard running East to Haverhill Road. Subsequent to this original zoning approval secured in 1969, Century Village proposed to rezone approximately eighteen (18) acres between the water treatment plant located north of Okeechobee Boulevard and a commercial out-track at the Northwest intersection of Haverhill and Okeechobee Boulevards. This property is immediately south of the Century Village Golf Course.

The Century Village people were requested to file a Planned Unit Development on the subject site but resisted this suggestion and secured RH - High Density Rezoning from the existing CG - General Commercial on the subject site. No master plan was formally filed with the petition, however, one was presented at the Zoning Hearing which showed three four-story buildings which accommodated approximately 240 dwelling units. At the hearing, the department indicated that in no way would this many building permits be issued, or be issuable, in light of the fact that this was not a planned unit development and areas formally used for the Century Village Golf Course could not be included in the density computation by virtue of the fact that this was not a planned unit development.

The problems began from this point and seemingly were never to end. After many inquiries from interested public officials and a multitude of go-between representatives of Century Village and an expenditure of conservatively one hundred (100) man hours of county staff time, a solution was finally reached for the series of problems which this petition created.

Please see our previous memo to the file highlighting the problems which existed with this eighteen (18) acre rezoning approval.

SIGNED

After much controversy and ill feelings, Century Village came forward with a Planned Unit Development Plan and requested that building permits be issued for buildings A and C accommodating one hundred sixty (160) units while the Planned Unit Development was being approved by the Planning Commission and the Board of County Commissioners. After much discussion with the County Attorney, Tracy Bennett of the County Engineer's Office, our building and planning departments, and the writer, a compromise solution was finally reached. Century Village agreed to correct the following discrepancies with the Planned Unit Development Plan:

1. Access-Access to Fairway Street normally requires a fifty (50) foot right-of-way under the new subdivision regulations. The County Engineer's office has agreed to the provision of twenty nine (29) feet of road right-of-way for Fairway Street based upon other engineering alternative solutions which the developer was able to provide.
2. Buffer on West side of the property - fifteen (15) feet of the normal twenty five (25) foot buffer surrounding a planned unit development (assuming that twenty five (25) feet of additional buffer is allocated for internal usable open space) was waived by the department because the link-up with the existing Fairway Street in Century Village proper could not be relocated.
3. Okeechobee Road setbacks and right-of-way commitment - The right-of-way commitment for Okeechobee Boulevard is eighty one (81) feet from center line; in addition a twenty five (25) foot buffer from the property line is required as well as fifty (50) feet for Fairway Street right-of-way (see County Engineer amendment above), five (5) feet for landscape buffer around external parking lots, and sixty five (65) feet for the parking lot proper (this includes the thirty (30) foot front building setback). The total distance from the center line of Okeechobee Boulevard to the first Century Village building in the Southampton project must be one hundred forty five (145) feet subject to a twenty one (21) foot reduction for Fairway Street approved by the County Engineer.

4. West building corner side yard setback - The setback from the property line on the west boundary would normally be a twenty five (25) foot buffer, fifty (50) feet right-of-way for Fairway Street and a thirty (30) foot side corner yard setback for a total of one hundred five (105) feet from the west property line. This setback was amended due to the existing link-up with Fairway Street mentioned above. However, all yard setbacks were maintained.
5. Rear setback line for the West building from the North-west property corner - This setback is thirty five (35) feet and Century Village added additional property to the PUD legal description to accomodate this setback.
6. East Boundary setback would include a twenty five (25) foot buffer and a twenty five (25) foot rear setback for a recreational building for a total of fifty (50) feet. In addition, the East building would have to be set back twenty five (25) feet for a buffer and sixty five (65) feet for a parking lot which includes the side corner setback of thirty five (35) feet. Century Village eliminated the laundry and recreational building and met all required setbacks.
7. Parking requirements - The parking stalls shown on the Century Village plan were substandard and were altered to insure the two hundred (200) square feet of parking (10 feet x 20 feet). In addition the parking ratio was re-evaluated and proper parking spaces were shown on the master land use plan.
8. Correction of the Legal Description - In rezoning the previously omitted 4.6 acre hiatus there was a seventy (70) foot discrepancy in the legal description and this has been corrected by the project's surveyor.
9. Lack of acreage computation and lack of Engineer seal - Both of these omissions were corrected by the project Engineer.

10. After receiving the letter dated September 26, 1973 addressed to Jan Wolfe from Mr. Martin Perry representing Century Village and a letter dated September 26, 1973 to the writer from Martin Perry representing Century Village and a memorandum to the writer from County Engineer Herb Kahlert dated October 1, 1973 in regard to the Southampton Engineering requirements, the writer has agreed to issue building permits for buildings A and C on the Southampton Planned Unit Development Plan with the building permits for building B to be withheld until final master land use plan approval under the planned unit development ordinance. In solving this problem, several objectives were accomplished. First, the "prior-to-zoning approval" footers dug by Century Village and foundation slabs poured were validated. Secondly, the golf course which was not covenanted to remain as open space will now be guaranteed as a golf course for the entire Century Village community. Third, the developer who is closing down his prestressed concrete plant will be able to complete said process with the commencement of construction of the three remaining Century Village buildings. Fourth, this new project planned and zoned under a different zoning ordinance, subdivision and platting regulation ordinance, and landscape and parking ordinance was designed to interface with the old Century Village project which developed in the county prior to the updating of the antiquated zoning and subdivision regulations in force in 1969.

The solution to this problem after the many man hours of staff work was endorsed by four members of the County Commission and the County Attorney.

Signed,



William R. Boose, Director
Planning, Zoning and Building

Exhibit D – Disclosure of Ownership

PALM BEACH COUNTY - ZONING DIVISION

FORM # 8

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 Karl Albertson, 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] Assistant Secretary [position—e.g., president, partner, trustee] of DR Horton, Inc. [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: 6123 Lyons Road, Suite 100
Coconut Creek, FL 33073
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.

Karl Albertson, Asst Sec., Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this 15 day of JULY, 2022 by Karl Albertson (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Robert McLaren
(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: October 23, 2023

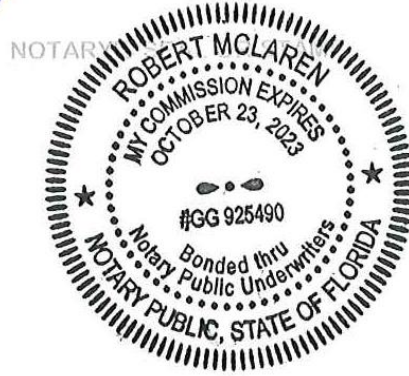


EXHIBIT "A"
PROPERTY

LEGAL DESCRIPTION

PARCELS 1 AND 2 OF "REFLECTION BAY, PARCEL 1 A T.N.D., AND PARCEL 2 A P.U.D.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 123 AT PAGES 1 THROUGH 3 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT 37, "CENTURY VILLAGE PLAT NO. FOURTEEN", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 30, PAGES 156 AND 157, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

LESS AND EXCEPT PARCEL 119, ACCORDING TO THE FINAL JUDGEMENT INCLUDING FEES AND COSTS, AS RECORDED IN OFFICIAL RECORDS BOOK 6956 AT PAGE 685, AND ALSO LESS PARCEL 120, ACCORDING TO THE FINAL JUDGEMENT INCLUDING FEES AND COSTS, AS RECORDED IN OFFICIAL RECORDS BOOK 6950 AT PAGE 1635, BOTH OF SAID PUBLIC RECORDS.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 80.987 ACRES, MORE OR LESS.

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

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

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Devin Radkay, 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 Manager *[position - e.g., president, partner, trustee]* of KL Reflection Bay LLC *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]* that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 105 NE 1st Street
Delray Beach, FL 33444

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.

Devin Radkay, Manager- KL Reflection Bay LLC, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this _____ day of _____, 20____by _____ (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: _____

NOTARY'S SEAL OR STAMP

EXHIBIT "A"

PROPERTY

LEGAL DESCRIPTION

PARCELS 1 AND 2 OF "REFLECTION BAY, PARCEL 1 A T.N.D., AND PARCEL 2 A P.U.D.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 123 AT PAGES 1 THROUGH 3 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT 37, "CENTURY VILLAGE PLAT NO. FOURTEEN", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 30, PAGES 156 AND 157, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

LESS AND EXCEPT PARCEL 119, ACCORDING TO THE FINAL JUDGEMENT INCLUDING FEES AND COSTS, AS RECORDED IN OFFICIAL RECORDS BOOK 6956 AT PAGE 685, AND ALSO LESS PARCEL 120, ACCORDING TO THE FINAL JUDGEMENT INCLUDING FEES AND COSTS, AS RECORDED IN OFFICIAL RECORDS BOOK 6950 AT PAGE 1635, BOTH OF SAID PUBLIC RECORDS.

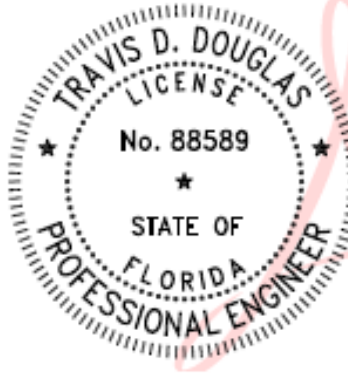
SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 80.987 ACRES, MORE OR LESS.

The minimum size of drainage pipes will be based on the 3 year – 24-hour storm event modeling with a time of concentration of 10 minutes, and the hydraulic gradient elevation will not exceed the grate or cover elevation at any inlet in accordance with ULDC Article 11 E.5.a; E.5.b.

The proposed drainage improvements will be designed and permitted in accordance with SFWMD and Palm Beach County Land Development requirements.

WGI, Inc.
Respectfully submitted,

Travis D. Douglas, P.E.
Florida License # 88589
WGI, Inc. Cert. No. 6091



Digitally signed
by Travis D
Douglas
Date:
2023.02.21
08:25:05 -05'00'

TRAVIS D. DOUGLAS, P.E., STATE OF FLORIDA, PROFESSIONAL ENGINEER, LICENSE NO. 88589 THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY TRAVIS D. DOUGLAS, P.E. ON February 21, 2023, USING A SHA-1 AUTHENTICATION CODE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SHA-1 AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



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 MACK PARKER, 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 President Southampton "A" Condominium Association, Inc., A Florida Non-for-Profit Corporation [position - e.g., president, partner, trustee] of Southampton "A" Condominium Association, Inc., A Florida Non-for-Profit Corporation [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: 411 Southampton A
West Palm Beach, FL 33417
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.

EXHIBIT "A"

PROPERTY

The West 524.84 feet of tract #37 and the East 292.00 feet of the South 85.00 feet of said Tract #37, CENTURY VILLAGE PLAT NO. FOURTEEN, according to the plat thereof, as recorded in Plat Book 30, Pages 156 and 157, public records, Palm Beach County, Florida.

LESS, however, the East 85.00 feet of the North 20.00 feet of the South 85.00 feet of said Tract #37.

Containing 4.173 Acres.

SUBJECT to the rights of way and easements of record as shown on said PLAT NO. FOURTEEN and in the Declaration.

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.

Mack Parker
Mack Parker, as President of Southampton "A"
Condominium Association, Inc., Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or [] online notarization, this 29th day of September, 2022 by Mack Parker, as President of Southampton "A" Condominium Association, Inc., a Florida Not-For-Profit Corporation (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Joy Weston
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: 8/14/26

NOTARY'S SEAL OR STAMP



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 WINIFRED KILLIPS, 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 President *[position - e.g., president, partner, trustee]* of Southampton "B" Condominium Association, Inc. a Florida Not-For-Profit Corporation *[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")¹. 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: 136 Southampton B
West Palm Beach, FL 33417
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.

¹ The Association is responsible for operation of the Common Elements of the Condominium which are owned in undivided shares by the Unit Owners. Each Unit of the Condominium is exclusively owned and there is appurtenant to each Unit an undivided share in the Common Elements. Common Elements means the portion of the Condominium property not included in the Units. F.S. Section 718.103(2), (8), (11), and (28).

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.

Winifred Killips
Winifred Killips, as President of Southampton
"B" Condominium Association, Inc., Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this 10th day of October, 2022 by Winifred Killips, as President of Southampton "B" Condominium Association, Inc., a Florida Not-For-Profit Corporation (name of person acknowledging). She is personally known to me or has produced New Jersey Driver's License #K4371 78768 57416 as identification and did/did not take an oath (*circle correct response*).

Christa Davidson Malec
(Name - type, stamp or print clearly)

Christa Davidson Malec
(Signature)

My Commission Expires on: July 14, 2023

NOTARY'S SEAL OR STAMP

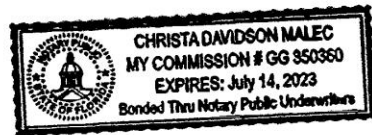


EXHIBIT "A"

PROPERTY

The East 455.68 of the West 980.52 feet of tract #37 CENTURY VILLAGE PLAT NO. FOURTEEN, according to the plat thereof, as recorded in Plat Book 30, Pages 156 and 157, public records, Palm Beach County, Florida.

LESS, however, the South 190.00 feet of the East 20.00 feet thereof.

TOGETHER WITH the West 230.48 feet of the East 522.48 feet of the South 92.00 feet of said Tract #37.

Containing 3.537 Acres.

SUBJECT to the rights of way and easements of record as shown on said PLAT NO. FOURTEEN and in the Declaration.

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 RICK ALLEN, 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 President *[position - e.g., president, partner, trustee]* of Southampton "C" Condominium Association, Inc. a Florida Not-For-Profit Corporation *[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: 110 Braemar Dr
Richmond, KY 40475
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.

Rick Allen

Rick Allen, as President of Southampton "C" Condominium Association, Inc., Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this 29 day of September, 2022 by Rick Allen, as President of Southampton "C" Condominium Association, Inc., a Florida Not-For-Profit Corporation (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Shauna Sauls

(Name - type, stamp or print clearly)

[Signature]

(Signature)

My Commission Expires on: Sept. 23, 2025

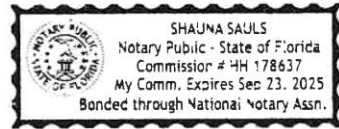


EXHIBIT "A"

PROPERTY

A parcel of land in Tract #37 CENTURY VILLAGE PLAT NO. FOURTEEN, according to the plat thereof, as recorded in Plat Book 30, Pages 156 and 157, public records, Palm Beach County, Florida; said parcel of land being specifically described as follows:

From the Southwest corner of said Tract #37, bear South 89°-57'-11" East, along the North right of way line of Okeechobee Boulevard, a distance of 960.52 feet;
Thence, due North, a distance of 92.00 feet to the POINT OF BEGINNING;

Thence, continue due North, a distance of 98.00 feet;
Thence, South 89°-57'-11" East, a distance of 20.00 feet;
Thence, due North, a distance of 110.00 feet;
Thence, South 89°-57'-11" East, a distance of 219.48 feet;
Thence, due North, a distance of 125.00 feet;
Thence, South 89°-57'-11" East, a distance of 213.00 feet;
Thence, due North, a distance of 61.50 feet;
Thence, South 89°-57'-11" east, a distance of 70.00 feet;
Thence, due South, a distance of 421.50 feet;
Thence, North 89°-57'-11" West, a distance of 85.00 feet;
Thence, due North, a distance of 101.37 feet;
Thence, North 89°-57'-11" West, a distance of 42.35 feet;
Thence, South 89°-57'-11" West, a distance of 198.14 feet;
Thence, North 89°-57'-11" West, a distance of 211.42 feet to the POINT OF BEGINNING.

Containing 3.178 Acres.

SUBJECT to the rights of way and easements of record as shown on said PLAT NO. FOURTEEN and in the Declaration.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name

Address

FLORIDA NOT FOR PROFIT CORPORATION

As of the date indicated on this Form # 9, there are NO entities or individuals owning five percent or more interest in the Property.



ENGINEER'S DRAINAGE STATEMENT
Southampton PUD
WGI No. 8611.00
February 21, 2023

The subject project includes multiple parcels of land located in Section 23, Township 43 South, and Range 42 East. The subject property is comprised of four parcels (00-42-43-23-44-001-0000, 00-42-43-23-44-002-0000, 00-42-43-23-40-037-0000, 00-42-43-23-41-CONDO PCN) with a total of 80.99-acres. The site is an existing abandoned golf course, and the existing Southampton Condo within the Century Village senior living community located along Haverhill Road in unincorporated Palm Beach County. The site is bordered by Century Village residential developments to the north and west, Okeechobee Blvd to the south, and Haverhill Road to the east. This project lies within sub-basin 23 of the South Florida Water Management District (SFWMD) C-51 drainage basin and the Lake Worth Drainage District (LWDD). The site currently is an abandoned golf course composed of open space and associated pavement area with an ultimate drainage connection to the Century Village master drainage system.

The proposed improvements associated with the project include the development of a residential community composed of 621 residential units, recreational areas, and associated surface roadways. The proposed drainage improvements will provide treatment for Southampton PUD and offsite areas, Haverhill Road and Southampton Condos, drainage easements will be provided per condition of approval. The drainage system will include a system of interconnected inlets, pipes, swales, and on-site wet detention lakes with an outfall connection to the existing drainage system within Century Village, south canal, the point of legal positive outfall.

Water quality and attenuation criteria will be met in the swales and detention areas within the project area prior to discharging through a new weir structure to connecting to the Century Village drainage system. The surface water management system will be designed to provide storage to not adversely impact the stage elevations of the existing system, based on Palm Beach County and South Florida Water Management District design standards and limitations. The design stages will be as follows:

- 5 year - 1 day Stage: Minimum Crown of Road Elevation
- 25 year - 3 day Stage: Minimum Perimeter Berm Elevation
- 100 year - 3 day Stage: Minimum Finished Floor Elevation

Compensating storage will be provided within the proposed lakes of Reflection Bay to mitigate the loss of surface and soil storage cause by the new Reflection Bay development.

2035 Vista Parkway, West Palm Beach, FL 33411 t: 561.687.2220 f: 561.687.1110 www.WGIinc.com

Exhibit F Water and Wastewater Letter dated September 10, 2020



**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**

Dave Kerner, Mayor
Robert S. Weinroth, Vice Mayor
Hal R. Valeche
Gregg K. Weiss
Mary Lou Berger
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

printed on sustainable
and recycled paper

September 10, 2020

WGI
2035 Vista Parkway
West Palm Beach, Fl. 33411

RE: PCN 00-42-43-23-44-001-0000
Reflection Bay.
Service Availability Letter

Dear Mr. Ubiera,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area.

The nearest potable water and wastewater facilities are located east of the subject property within Haverhill Road right of way. In addition, the watermain must be looped through the project and connect to the existing watermain located within Century Village

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 "Jackie Michels".

Jackie Michels, P.E,
Plan Review Manager

Exhibit G School Capacity Availability Determination dated March 7, 2023



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

PLANNING AND INTERGOVERNMENTAL RELATIONS
3661 INTERSTATE PARK RD. N., STE 200
RIVIERA BEACH, FL. 33404

KRISTIN K. GARRISON
DIRECTOR

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

PHONE: 561-434-8020 / FAX: 561-357-1193
WWW.PALMBEACHSCHOOLS.ORG/PLANNING

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	02/27/2023		
	SCAD No.	23022301D – D. O.		
	FLU /Rezoning/D.O. No.	DOA-2022-01119 – Palm Beach County		
	Property Control No.	00-42-43-23-44-001-0000; 002-0000; 40-037-0000; 00-42-43-23-41 (Condo PCN)		
	Development Name	Southampton PUD		
	Owner / Agent Name	KL Reflection Bay LLC / Doug Murray		
	SAC No.	123B		
	Proposed D. O.	621 Multi-Family Units		
Impact Review		Grassy Waters Elementary School	Bear Lakes Middle School	Palm Beach Lakes High School
	New Students Generated	72	34	45
	Capacity Available	56	484	-55
	Utilization Percentage	94%	66%	102%
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Given the recent increases in school impact fees, effective January 1, 2023, much of these impacts will be mitigated. The impact fees, however, will not fully cover impacts to the school system. Therefore, if the proposed development is approved by Palm Beach County government and if the Developer voluntarily agrees, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District high school level, the property owner shall contribute \$561,555.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This voluntary school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).</p> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on September 13, 2022.</p>			
Validation Period	<p>1) This determination is valid from 03/07/2023 to 03/06/2024 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to 03/06/2024 or this determination will expire automatically on 03/06/2024.</p>			
Notice	<p>1) This letter replaces the previous one under case# 22090601D issued on 09/14/2022.</p> <p>2) School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

Joyce Cai

March 7, 2023

School District Representative Signature

Date

Joyce C. Cai, Senior Planner

joyce.cai@palmbeachschools.org

Print Name & Title

Email Address

CC: Vismary Dorta, Site Plan Technician, Palm Beach County
Joyell Shaw, PIR Manager, School District of Palm Beach County

The School District of Palm Beach County, Florida
A Top High-Performing A Rated School District
An Equal Education Opportunity Provider and Employer

Exhibit H Storm Water Drainage Management, Renovation, and Cost Sharing at Century Village West Palm Beach Agreement dated August 4, 2023

STORM WATER DRAINAGE MANAGEMENT, RENOVATION, AND COST SHARING AT CENTURY VILLAGE WEST PALM BEACH AGREEMENT

This Storm Water Drainage Management, Renovation, and Cost Sharing at Century Village West Palm Beach Agreement (this "Agreement") is made and entered this ~~4th~~ day of AUGUST, 2023, by and among **THE UNITED CIVIC ORGANIZATION, INC.**, a Florida not-for-profit corporation ("**UCO**"), whose address is 2202 West Drive, West Palm Beach, Florida, 33417 and **KL REFLECTION BAY, LLC**, a Florida limited liability company ("**KOLTER**"), whose address is 105 NE 1st Street, Delray Beach, FL 33444. UCO and KOLTER are hereafter singularly referred to as a "**Party**" or collectively as "**Parties.**"

RECITALS

- A. KOLTER is in the process of developing that certain project ("**Project**") known as Reflection Bay pursuant to applications submitted to Palm Beach County, Florida. The Project is more particularly described on **Exhibit "A"** attached;
- B. UCO is required to maintain the Century Village Drainage System (providing drainage service and repairing attendant equipment) for the Century Village community in West Palm Beach, the South Canal ("**South Canal**"), the North Canal, and the interior canals and outflow, all as more particularly described in and pursuant to that certain Water Management Agreement dated November 30, 1999;
- C. In connection with the Project, KOLTER's drainage plan provides for the discharge of stormwater from the Project into the Century Village Drainage System, subject to the limitation that only up to 4.81 CFS shall be permitted to discharge into the South Canal;
- D. UCO has retained an engineering firm to review the Project's CFS numbers and to determine the type and scope of renovations that must be undertaken in connection with the South Canal including, without limitation, cleaning and dredging in accordance with the requirements of the South Florida Management District and Lake Worth Drainage District (collectively, "**Water Management Districts**") to: (a) prepare the necessary permit applications, (b) perform the necessary hydraulic and hydrologic modeling for the South Canal, (c) prepare topographic surveys of typical canal and lake cross-sections and elevations as required by the Water Management Districts, (d) obtain the necessary permits from the Water Management Districts, (e) prepare engineering drawings and other engineering requirements such as construction plans and specifications, and (f) construction of the work pursuant to the above specifications (collectively the "**South Canal Renovations**" or "**SCR**") and to determine the costs associated therewith, including management fees, construction, engineering fees and legal fees (collectively the "**South Canal Costs**" or "**SCC**");
- E. KOLTER hereby agrees to contribute to the SCC an amount (the "**Required South Canal Contribution**") equal to the lesser of:

costs incurred at all proceedings, including, without limitation, before trial, at trial and all appellate levels, from the non-prevailing party.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day, month and year first above written.

WITNESS:

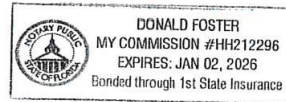
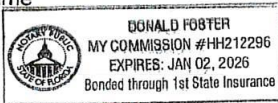
THE UNITED CIVIC ORGANIZATION, INC.,
a Florida not-for-profit corporation

X *JoAnne Robinson*

By: *David Israel*

JoAnne Robinson
Printed Name

David Israel, President
Dated: 8/14/2023



KL REFLECTION BAY, LLC,
a Florida limited partnership

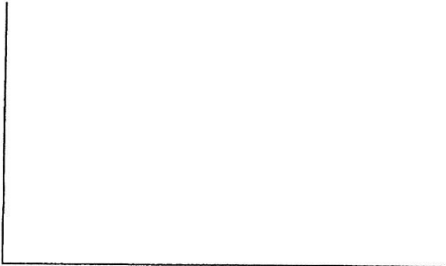
[Signature]

By:

[Signature]
Title: Authorized Signatory
Dated: August 7, 2023

Bryon T. LoPreste
Printed Name

PREPARED BY AND RETURN TO:
Henry B. Handler, Esq.
Weiss, Handler & Cornwell, P.A.
2255 Glades Road, Suite 218-A
Boca Raton, FL 33432
(561) 997-9995



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EASEMENT

THIS DRAINAGE EASEMENT made this 4th day of AUGUST, 2023, and is granted by UNITED CIVIC ORGANIZATION, INC., a Florida non-profit corporation (“Grantor”), whose address is 82 Stratford F., West Palm Beach, Florida, 33417, in favor of KL REFLECTION BAY, LLC, a Florida limited liability company, (“Grantee”) whose address is 105 NE 1st Street, Delray Beach, Florida, 33444.

WHEREAS, Grantor owns the property described on Exhibit “A” attached hereto and by this reference made a part hereof (hereinafter referred to as the “Grantor’s Property” or “Burdened Property”); and

WHEREAS, Grantee is the owner of the Reflection Bay PUD, property described on Exhibit “B” attached hereto and made a part hereof (hereinafter referred to as the “Grantee’s Property” or “Benefitted Property”); and

WHEREAS, Grantee is in the process of developing the Grantee’s Property known as Reflection Bay PUD, and, in connection therewith, has requested that Grantor grant to Grantee a drainage easement over the Burdened Property for legal positive outfall into, and ultimately flow through, Grantor’s surface water management system to a public conveyance system of the Lake Worth Drainage District or similar governmental agency.

NOW THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The foregoing Recitals are true and correct and incorporated herein by reference.
2. Grantor does hereby grant to Grantee, a perpetual non-exclusive drainage easement for legal positive outfall into and to connect to and utilize the parcel of land located in Palm Beach County, Florida, legally described in Exhibit “A” attached hereto and made a part hereof (the “Easement Premises”), for storm water runoff from the Reflection Bay PUD and Southampton PUD and drainage into, and ultimately through, Grantor’s surface water management system to a public conveyance system of the Lake Work Drainage District or similar governmental agency, and, the right to construct, reconstruct, lay, install, operate, maintain, relocate, repair, replace,

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EXHIBIT "A"

ALL OF PARCEL 1, AS SHOWN ON THE PLAT OF "REFLECTION BAY, PARCEL 1 A T.N.D., AND PARCEL 2 A P.U.D." AS RECORDED IN PLAT BOOK 124 AT PAGES 1 THROUGH 3 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 57.319 ACRES, MORE OR LESS.

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EXHIBIT "B"



847 Cinti Moore Road
Boca Raton, Florida 33487

Tel: (561) 241-8988
Fax: (561) 241-6182

**SKETCH AND LEGAL DESCRIPTION
(NOT A SURVEY)**

LEGAL DESCRIPTION DRAINAGE EASEMENT

A PORTION OF THE SOUTH ONE-HALF OF SECTION 23 TOWNSHIP 43 EAST RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23; THENCE NORTH 01° 28' 39" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 81.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88° 40' 36" WEST, ALONG THE NORTH LINE OF OKEECHOBEE BOULEVARD, AS RECORDED IN DEED BOOK 1158 AT PAGE 574, OF SAID PUBLIC RECORDS, A DISTANCE OF 50.00 FEET; THENCE NORTH 01° 28' 39" EAST, ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE, A DISTANCE OF 600.00 FEET; THENCE SOUTH 88° 40' 36" EAST, ALONG THE SOUTH LINE OF "CENTURY VILLAGE, PLAT NO. EIGHT", AS RECORDED IN PLAT BOOK 29 AT PAGE 57 OF SAID PUBLIC RECORDS, A DISTANCE OF 50.23 FEET; THENCE SOUTH 88° 26' 20" EAST, ALONG THE SOUTH LINES OF "CENTURY VILLAGE, PLAT NO. EIGHT", AS RECORDED IN PLAT BOOK 29 AT PAGE 57 AND "CENTURY VILLAGE, PLAT NO. TWO", AS RECORDED IN PLAT BOOK 28 AT PAGE 219 BOTH OF SAID PUBLIC RECORDS AND THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 734.17 FEET; THENCE SOUTH 01° 30' 47" WEST, ALONG THE WEST LINE OF PARCEL 2 OF "REFLECTION BAY, PARCEL 1A T.N.D., AND PARCEL 2, A P.U.D., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124 AT PAGES 1 THROUGH 3 OF SAID PUBLIC RECORDS, A DISTANCE OF 50.00 FEET; THENCE NORTH 88° 26' 20" WEST, A DISTANCE OF 684.37 FEET; THENCE SOUTH 01° 28' 39" WEST, ALONG A LINE 50.00 FEET EAST OF AND PARALLEL WITH SAID EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 342.00 FEET; THENCE NORTH 88° 26' 21" WEST, ALONG A LINE 289.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 50.00 FEET; THENCE SOUTH 01° 28' 39" WEST, ALONG SAID EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 208.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR THE ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. NO SEARCH OF THE PUBLIC RECORDS WAS MADE IN THE PREPARATION OF THIS SKETCH AND DESCRIPTION.
3. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE SW ONE-QUARTER OF SECTION 23-43-42 HAVING A GRID BEARING OF SOUTH 01° 28' 39" WEST.

ABBREVIATIONS

- L.B. : LICENSED BUSINESS
- L.S. : LICENSED SURVEYOR
- O.R.B. : OFFICIAL RECORDS BOOK
- P.O.B. : POINT OF BEGINNING
- P.O.C. : POINT OF COMMENCEMENT
- P.B. : PLAT BOOK
- P.B.C.R. : PALM BEACH COUNTY RECORDS
- P.G. : PAGE
- P.S.M. : PROFESSIONAL SURVEYOR & MAPPER
- R/W : RIGHT-OF-WAY

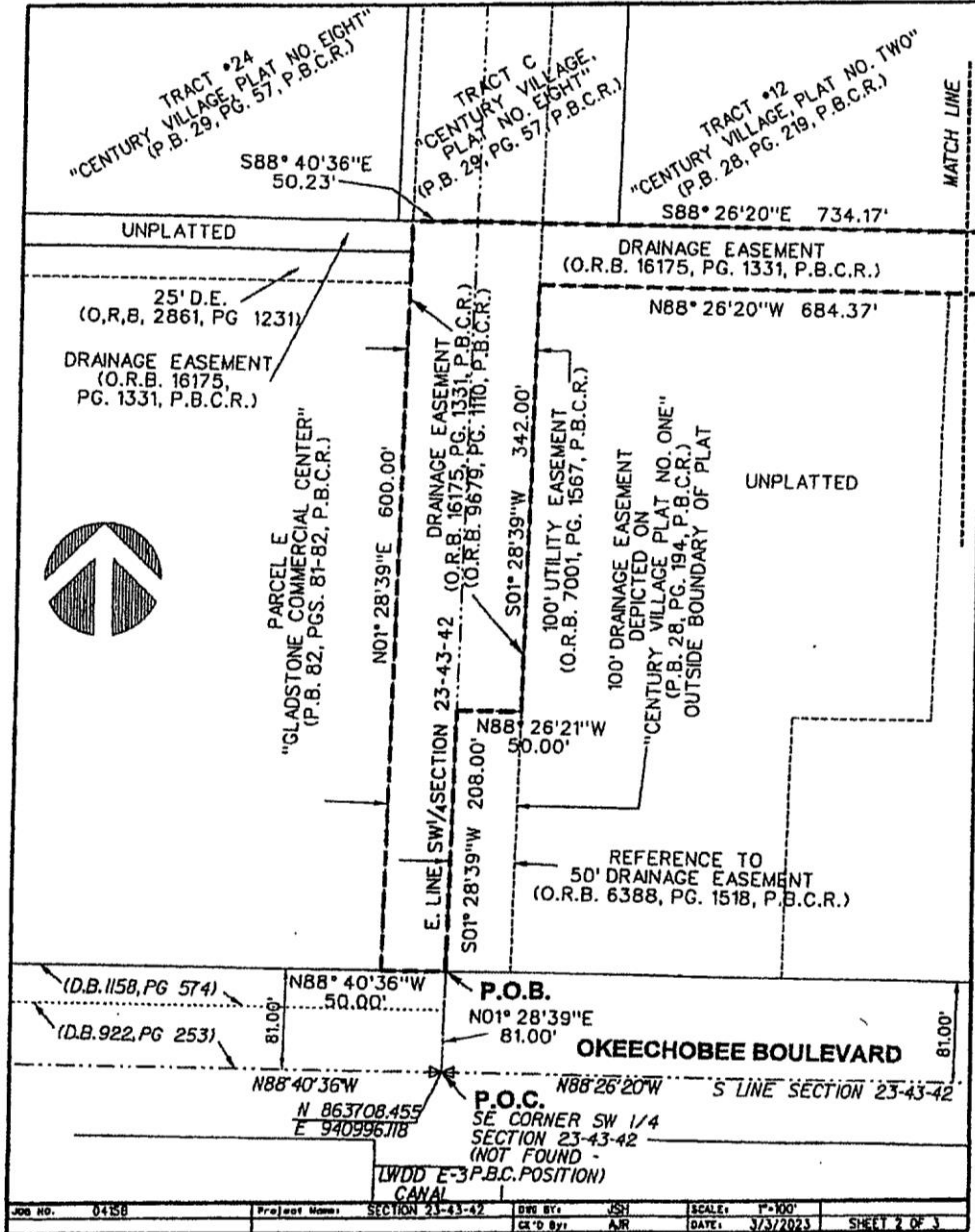
CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON COMPLIES WITH STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION.

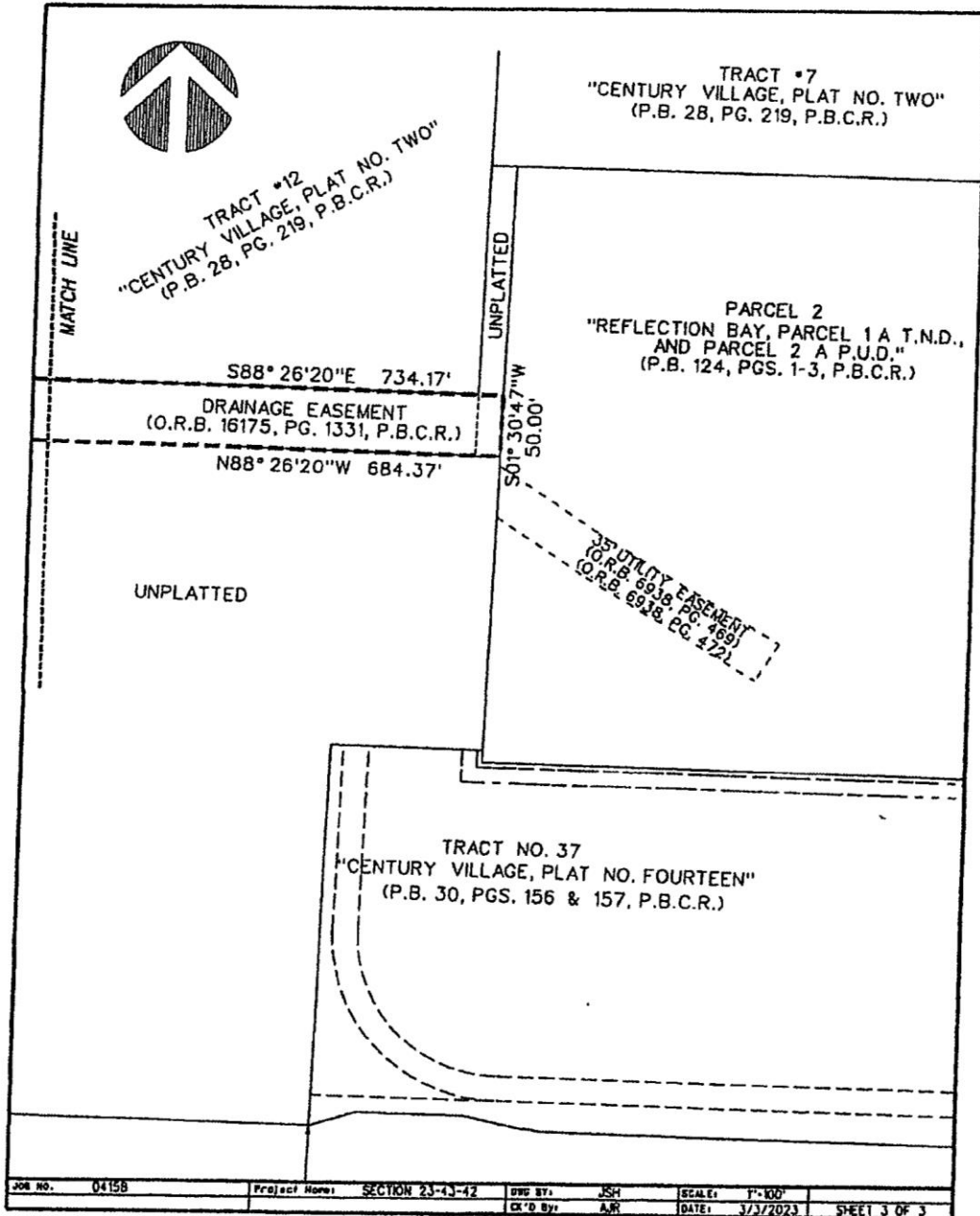
Jeff S. Hodapp
JEFF S. HODAPP
SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS5111

Project Name:	SECTION 23-43-42	DATE:	3/3/2023
JOB NO.	04158	DWG BY:	JSH
		CK'D BY:	AJR
			SHEET 1 OF 3

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7 of 7

EXHIBIT "C"

**UCO'S LETTER OF SUPPORT FOR
THE REFELCTION BAY DEVELOPMENT DISTRICT**

UNITED CIVIC ORGANIZATION, INC.

2102 West Drive
West Palm Beach, FL 33417

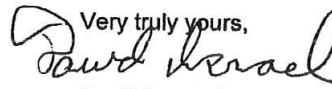
Mayor Gregg K. Weiss @ gweiss@pbcgov.org
Palm Beach County Commission
301 North Olive Ave. Suite 1201
West Palm Beach, FL 33401

Re: Support for Reflection Bay Development District

Dear Mayor Weiss and Commission Members:

I am pleased to report that UCO and representatives of KL Reflection Bay, LLC (the combination of D.R. Horton, Inc. and Kolter Land Partners, LLC) developing Reflection Bay, have worked closely and frequently in order to agree on an improved drainage and management system for Century Village, making Reflection Bay a compatible neighbor. As an essential component of that relationship, UCO supports Palm Beach County's approval of the Reflection Bay Community Development District to facilitate the installation of the project's drainage infrastructure and the maintenance of its systems and facilities.

While this letter cannot speak for any particular Century Village Condominium Association or any individual owner, please accept it as UCO's acknowledgment that Century Village benefits from a comprehensive, organized, and sustainable relationship with a Uniformed Development District for Reflection Bay. Please support its application.

Very truly yours,

David Israel, President.

cc: Vice Mayor Maria Sachs @ msachs@pbcgov.org
Commissioner Maria G. Marino @ mmario@pbcgov.org
Commissioner Michael A. Barnett @ MBarnett@pbcgov.org
Vice Mayor Marci Woodward @ MWoodward@pbcgov.org
Commissioner Sara Baxter @ SBaxter@pbcgov.org
Commissioner Mack Bernard @ mbernard@pbcgov.org

