



PRIVATELY INITIATED TEXT AMENDMENT AMENDMENT ROUND 22-B

PLANNING COMMISSION PUBLIC HEARING, OCTOBER 1, 2021

I. General Data

Project Name:	Fleming Properties GAPO Expansion
Proposed Text Amendment:	The privately proposed text amendment requests to modify the Glades Area Protection Overlay (GAPO) to allow the processing of a future land use amendment on the site as described below. • Revise the boundaries of the GAPO to expand eastward to incorporate the subject site. • Revise the Map Series to depict the subject site within the GAPO on the Special Planning Areas Map LU 3.1, and as a Limited Urban Service area on the Managed Growth Tier System Map, LU 1.1 and on the Service Area Map, LU 2.1
Proposed FLUA Amendment:	If the text amendment is initiated, the applicant will proceed with a future land use amendment on the 446 acre site to change the future land use designation in the site from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2).
Applicant/Owner:	Ryan Mosher, Kolter Acquisitions Group, LLC; John Christopher Fleming, Fleming Properties, LLC; Donald Stevenson, Lornco Farms, LLC; Robin Fleming
Project Manager:	Bryce Van Horn, Senior Planner
Staff Recommendation:	Staff recommends to initiate the proposed text amendment

II. Item Summary

Initiation Phase I: The item before the Board is to consider the initiation of a privately proposed amendment to the Comprehensive Plan, also considered “Phase I”. If the amendment is initiated, staff will accept the associated future land use amendment, and return to the Board with the two amendments through the public hearing process as part of “Phase II”.

Staff Assessment: Staff supports the initiation of the proposed text amendment to provide opportunity for the Board to consider and direct policy. Initiation of this amendment does not indicate staff support for the final developed policy language or the associated future land use amendment. Staff would prepare data and analysis, and present the final recommendation on the text and future land use amendment at subsequent public hearings.

If the Board initiates this amendment, initiating a Map Series Thoroughfare Right of Way Identification (TIM) Map 14.1 amendment to add the connector road from the future extension of Okeechobee Boulevard to Southern Boulevard should be considered in order for the amendments to run concurrently.

III. Meeting History

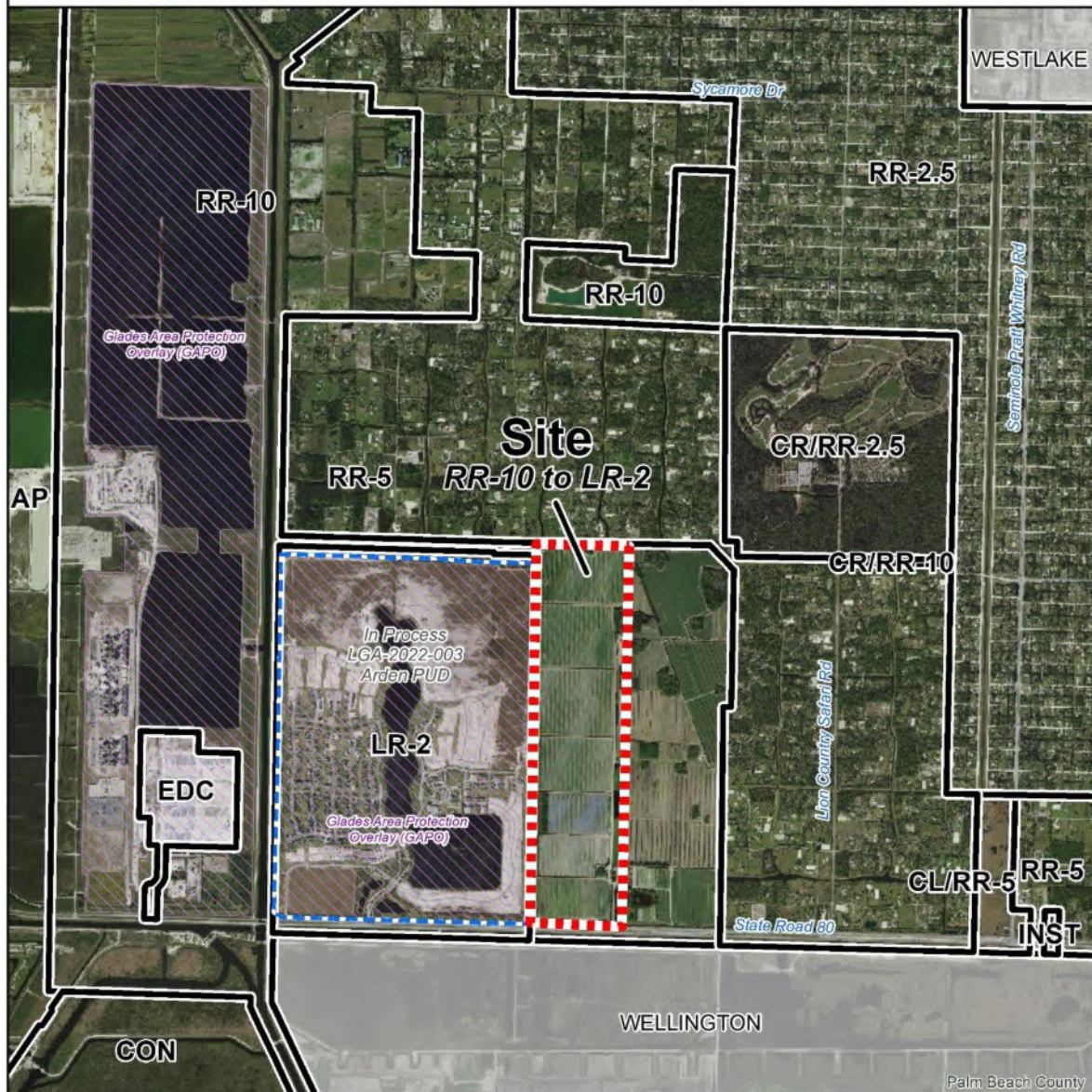
Local Planning Agency/Planning Commission (LPA/PLC):

Board of County Commissioners (BCC):

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Comprehensive Plan Text Amendment

Fleming Property



Site Data

Size: 446.13 acres
 Existing Use: Agriculture
 Proposed Use: Residential
 Current FLU: RR-10
 Proposed FLU: LR-2

Future Land Use Designations

RR-10	Rural Residential, 1 unit/10 acres	CL/RR-5	Commercial Low, underlying RR-5
RR-5	Rural Residential, 1 unit/5 acres	CR/RR-10	Commercial Recreation, underlying RR-10
RR-2.5	Rural Residential, 1 unit/2.5 acres	CR/RR-2.5	Commercial Recreation, underlying RR-2.5
LR-2	Low Residential, 2 units/acre	EDC	Economic Development Center
AP	Agricultural Production	INST	Institutional
CON	Conservation		

Date: 9/2/2021
 Contact: PBC Planning
 Filename: AMEND/22-B/Text Private/Fleming
 Note: Map is not official, for presentation purposes only.



1,000 0 1,000 2,000 Feet



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



IV. Private Text Amendment Request

The intent of the privately proposed text amendment to the Comprehensive Plan and subsequent future land use amendment and rezoning is described below.

Proposed Text Amendment. The text amendment proposes to modify the Glades Area Protection Overlay (GAPO) and associated maps in the Map Series to allow the processing of a future land use amendment on the associated subject site as described below.

- Revise the boundaries of the GAPO to expand eastward to incorporate the subject site.
- Revise the Map Series to depict the subject site within the GAPO on the Special Planning Areas Map LU 3.1, and as a Limited Urban Service area on the Managed Growth Tier System Map, LU 1.1 and on the Service Area Map, LU 2.1

Associated Future Land Use Amendment and Zoning Application. The text amendment is proposed to allow the processing of a future land use amendment for the associated 446 acre subject site to change from the Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2). This future land use change would allow the site to develop with 892 residential dwelling units which is greater than the 44 units currently allowed. The site has an Agricultural Residential (AR) zoning district and does not have a prior zoning approval or zoning control number.

V. Policy Background

A. Glades Area Protection Overlay

The subject site is located adjacent to the Glades Area Protection Overlay (GAPO). The Overlay is located on the north side of the Southern Blvd. on the east and west sides of the South Florida Water Management District (SFWMD) L-8 Canal, approximately 2 miles west of Seminole Pratt Whitney Road, and in the area generally known as 20 mile bend. The overlay is comprised of approximately 3,063 acres with 1,844 acres on the west side of the L-8 canal and 1,219 acres on the east side. In 2004, the Board of County Commissioners adopted the County initiated GAPO text amendments and adopted an associated privately initiated Future Land Use Atlas amendment with the intent of preventing the voluntary annexation of Palm Beach Aggregate's (PBA) properties into the Village of Wellington. This effort was part of a multi-part strategy to protect the Everglades Agricultural Area (EAA), which included a voter approved Charter amendment in January of 2005 to establish an Exclusive Method of Voluntary Annexation, and the creation of the GAPO.

The intent of the GAPO is to insure the protection of the Everglades Agricultural Area (EAA), in particular those areas within the EAA which have a land use designation of Agricultural Production (AP), from encroachment by urban/suburban uses, densities and intensities, and to identify the portion of the Overlay east of the L-8 Canal as a Limited Urban Service Area (LUSA). The overlay and LUSA were established with the intent to protect the surrounding area by creating not only a barrier to development west of the overlay but also west of the L-8 Canal within the overlay and into the EAA, protecting them from encroachment by urban/suburban uses, densities and intensities, and further to support the County's goals to protect the EAA, support the restoration of the Everglades and maintain existing rural and semi-rural communities in the central western communities (CWC).

The establishment of the overlay allowed Palm Beach Aggregates, now PBA Holdings Inc., to pursue the FLUA amendment change from Rural Residential, 1 unit per 10 acres (RR-10), to Low Residential, 2 units per acre (LR-2) for the area east of the L-8 canal, identified as a LUSA. The purpose of the overlay was further strengthened with conditions of approval adopted with the 1,219 acres of LR-2 east of the L-8 Canal within the overlay. These conditions, in part, required the execution and recordation of a restrictive covenant in favor of the County on lands within the overlay, owned by Palm Beach Aggregates, providing for restrictions on annexation and limitations on uses to those as of the adoption date of the amendment.

B. Subsequent GAPO Amendments

Two sites have been the subject of future land use amendments within the GAPO since its adoption in 2004.

- 1. Arden / Highland Dunes.** The 1,209.9 acre Arden (formerly known as Highland Dunes) was initially adopted in tandem with the adoption of the GAPO. The site was approved by Ordinance 2004-66 for a change from Rural Residential, 1 unit per 10 acres (RR-10), to the LR-2 future land use designation on December 13, 2004. The site was considered as a transition that could support higher densities based on the surrounding land uses and the site's location. The adopted 2004 conditions limited the density to 2,000 dwelling units, less than the LR-2 designation would allow. In 2020, the County adopted by Ord. 2020-024 an amendment to revise the conditions of approval to allow an additional 420 dwelling units total units (2,420) allowed by the LR-2 designation. Both the 2013 zoning approval and the 2020 amendment incorporated minimum percentages of workforce housing pursuant to the Unified Land Development Code for the LR-2 designation and staff's recommendation for all density increase amendments to include a minimum percentage of workforce housing respectively. This site is currently in process for an amendment to modify timing conditions related to traffic analysis in Test 2.
- 2. Central Park Commerce Center.** A Comprehensive Plan text amendment was proposed by PBA Holdings, Inc. in 2014 to allow the Economic Development Center (EDC) future land use designation and an Employment Center use on 142 acres west of the L-8 canal within the GAPO, and to establish the site as LUSA. Staff recommended that the amendment not be initiated, as the required preliminary analysis of the proposed text amendment indicated that the change would be contrary to the purpose of the GAPO. The Board declined to initiate the text amendment. Had the text amendment been initiated, the property-owner would have submitted a subsequent site-specific future land use amendment for the EDC designation for the 142 acre site. The following year, the initiation process was revised to allow for applicants to propose text amendments with an accompanying site-specific land use plan amendment, and in 2016, the Board adopted privately proposed text amendments and a future land use amendment, with conditions of approval via Ordinance 2016-026, on 138 acres, changing the designation of the subject site from Rural Residential, 1 unit per 10 acres (RR-10) to EDC. The intent of the amendment was to allow for development of an employment center on the site, to include a large-scale "data center," a centralized computer storehouse that provides information technology infrastructure for single or multiple commercial or government clients. This site was subject to a second amendment in 2018, which was adopted with Ordinance 2018-012, to amend conditions of approval to extend the timing deadline for development to June 30, 2022.

C. Central Western Communities Overlay/Sector Plan

The County undertook the Sector Plan process in 1999 to address long range planning and land use imbalances in the 50,000+ acre Central Western Communities (CWC) area. The Sector Plan as adopted in 2005 included a total of approximately 2 million sq. ft. of non-residential uses. This consisted of primarily retail uses in various locations throughout the CWC, and a 943,000 sq. ft. employment center use at what was called the “Leonard-Fleming” site. The subject site represents nearly half of the “Leonard-Fleming” site. The Leonard property, owned by Leonard Land Company, LLC, is roughly 497 acres between the subject Fleming site and the Fox Trail subdivision further east.

The Department of Community Affairs (DCA, now known as the Department of Economic Opportunity, or DEO) found the adopted Sector Plan to be ‘not in compliance’. The County subsequently modified the Plan, and proposed a Sector Plan remedial amendment with 2.4 million square feet of employment/office uses on primarily the Callery-Judge property, subsequently known as Minto and now known as the City of Westlake. Only 50,000 square feet of employment/office use were proposed for the southwest corner of the Sector Plan where the subject site is located. The County ultimately rescinded the Sector Plan after efforts to resolve the issues through the remedial amendment were unsuccessful. There were no residential uses proposed in the Sector Plan for the “Leonard-Fleming” area in any of the versions of the proposed Sector Plan.

D. Proposed Text Amendment

The amendment language itself as provided in Exhibit 1 proposes to expand the boundaries of the GAPO eastward to allow the subject 446 acre site to apply for a future land use amendment from Rural Residential, 1 unit per 10 acres (RR-10), to Low Residential, 2 units per acre (LR-2). This future land use change would allow the site to develop with 892 dwelling units which is significantly greater than the 44 units currently allowed. The LR-2 designation is on the Arden property to the west of the site within the GAPO. The text amendment also proposes associated revisions to three maps in the Comprehensive Plan Map Series to include the subject property within the GAPO and as a Limited Urban Service Area.

The applicant has submitted a basis for the amendment (See Exhibit 2) which is largely based upon the expansion of the Overlay eastward that will allow the accommodation of additional residential development east of the 20 Mile Bend, and that this change would be generally consistent with the intent of the Overlay to prevent westward expansion of urban uses.

E. Unified Land Development Code (ULDC) Implications

If approved, the amendment would allow the subject site to apply for the Low Residential, 2 units per acre (LR-2) future land use designation. If the County adopts the LR-2 designation on the site, then the site would be subject to all of the LR-2 policies and regulations in the Plan and in the ULDC. The Arden site (formally known as Highland Dunes) currently has an LR-2 future land use designation. No ULDC amendment is necessary to implement the proposed text and Map Series amendment to the Plan, or the subsequent future land use amendment.

VI. Issues and Implications

The purpose of this Phase I report is to identify potential issues and implications of the concept proposed by the text amendment, for the Board to consider when making the policy decision on whether to initiate the privately proposed text amendment. The policy considerations are discussed below.

From a mechanics perspective, the amendment is fairly straightforward and confined to the GAPO and eastward expansion. The proposed language doesn't propose new policy concepts or create new future land use designations or zoning districts. The crux of the request is whether or not the Board should authorize the initiation to allow the processing of the associated future land use amendment to LR-2, thereby allowing approximately 892 dwelling units on a site which can currently develop with 44. The approval of this initiation, and if the future land use change and text amendment are approved as part of Phase II, would provide an opportunity for the adjacent 'Leonard' property to apply for a similar request in the future.

The public facilities impact analysis and full policy analysis for consistency with the Comprehensive Plan would proceed with the review of the proposed future land use amendment in Phase II if this text amendment is initiated by the Board. The traffic impacts of this request have not been established (as this is Phase I) and the applicant has not requested an exemption from the future land use amendment requirements in Future Land Use Element Policy 3.5-d.

In January of 2021, Department of Engineering staff presented a new 80 foot connector roadway from the future extension of Okeechobee Boulevard to Southern Boulevard for the Map Series Thoroughfare Right of Way Identification (TIM) Map 14.1 amendment. At the initiation meeting, the Board voted not to initiate the addition of that segment. Additional information regarding this segment is provided in Exhibit 3. However, if this text amendment is initiated, then the Board should consider the connector in order for the amendments to run concurrently.

VII. Staff Recommendation

The privately proposed text amendment requests to expand the boundaries of the Glades Area Protection Overlay (GAPO) eastward to allow the subject 446.13 acre site to apply for a future land use amendment from Rural Residential, 1 unit per 10 acres (RR-10), to Low Residential, 2 units per acre (LR-2). This future land use change would allow the site to develop with 892 dwelling units which is greater than the 44 units currently allowed.

The item before the Board is to consider the initiation of a privately proposed amendment to the Comprehensive Plan, also considered "Phase I". If the amendment is initiated, staff will accept the associated future land use amendment, and return to the Board with the two amendments through the public hearing process as part of "Phase II".

If the Board initiates this amendment, initiating a Map Series Thoroughfare Right of Way Identification (TIM) Map 14.1 amendment to add the connector road from the future extension of Okeechobee Boulevard to Southern Boulevard should be considered in order for the amendments to run concurrently. In addition, the traffic impacts of this request have not been established and the applicant has not requested an exemption from the future land use amendment requirements in Future Land Use Element Policy 3.5-d.

Staff supports the initiation of the proposed text amendment to provide opportunity for the Board to consider and direct policy. Initiation of this amendment does not indicate staff support for the final developed policy language or the associated future land use amendment. Staff would prepare data and analysis, and present the final recommendation on the text and future land use amendment a subsequent public hearings.

Exhibits	Page
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Exhibit 1

Applicant's Proposed Text Amendment

A. Future Land Use Element, Fleming Properties GAPO Expansion

Objective 1.8 Glades Area Protection Overlay

1. **REVISE Policy 1.8-a:** The Glades Area Protection Overlay is depicted on the Special Planning Areas Map LU 3.1 in the Map Series and consists of approximately 3,510 acres generally located on the north side ~~, generally described, as the area north of Southern Boulevard State Road 80 (SR-80), beginning approximately 1.75 2.25 miles west of Seminole Pratt Whitney Road and extending westward approximately 2.4 miles. directly south of the Deer Run rural subdivision, to approximately 2.0 miles west of the SFWMD L-8 Canal, encompassing the western portions of sections 8 and 17, all of sections 20, 28, 29 and 32, and the northern portion of section 33 Township 43, Range 40, with an approximate total acreage of acres, is depicted on the Special Planning Areas Map in the Map Series.~~ The boundaries of the Glades Area Protection Overlay shall not be modified or expanded westward to incorporate areas other than the ones described in this policy.

B. Map Series, Fleming Properties GAPO Expansion

REVISIONS. To modify the following maps in the Map Series of the Comprehensive Plan to include Fleming Property:

1. LU 1.1 – Managed Growth Tier System, to depict as a Limited Urban Service Area
2. LU 2.1 – Service Area Map, to depict as a Limited Urban Service Area
3. LU 3.1 – Special Planning Areas, to expand the boundaries of the Overlay

Exhibit 2

Applicant's Justification

Initial Submittal: August 30, 2021
Resubmitted: September 17, 2021

A. INTRODUCTION

On behalf of the property owners, Robin Fleming, Fleming Properties, LLC, and Lornco Farms, LLC, and the applicant, Kolter Group Acquisitions, LLC, Urban Design Studio (UDS), as Agent, has prepared and hereby respectfully submits this application for a **Privately Initiated Comprehensive Plan Text Amendment** to allow for the expansion of the Glades Area Protection Overlay (GAPO) to include an additional ±446.13 acres of property located immediately adjacent to the current eastern boundary of GAPO. In addition, the applicant is requesting a **Large-Scale Future Land Use Atlas (FLUA) Amendment** to modify the Future Land Use (FLU) designation of the ±446.13-acre Subject Property from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2).

The subject property, known collectively as the "Fleming Property", is located east of the Arden Planned Unit Development (PUD) residential community, approximately 1.75 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard and directly south of the Deer Run rural subdivision, hereinafter referred to as the Subject Property. The Subject Property is comprised of four parcels with the following parcel control numbers (PCNs):

PCN	Owner Information
00-40-43-27-00-000-1010	Robin Fleming
00-40-43-27-00-000-3010	Fleming Properties, LLC
00-40-43-22-00-000-5000	Fleming Properties, LLC
00-40-43-22-00-000-7010	Lornco Farms, LLC

The Subject Property is located in unincorporated Palm Beach County (the "County"), situated in the Rural Tier outside of the Urban Service Area and directly abuts the eastern boundary of the GAPO and the Arden PUD site. The Subject Property is currently designated with the Rural Residential (RR-10) future land use (FLU) and corresponding Agricultural Residential (AR) zoning. The Subject Property is not located in any neighborhood planned area, or Redevelopment or Countywide Community Revitalization Team (CCRT) area.

B. REQUEST

The applicant is requesting approval of the following from the Board of County Commissioners (BCC):

1. To amend the text of the Comprehensive Plan Future Land Use Element Policy 1.8-a to modify the described boundaries of the Glades Area Protection Overlay (GAPO) to include the Subject Property of 446 acres
2. To amend the following Comprehensive Plan maps to include the Subject Property within the boundaries of GAPO and Limited Urban Service Area (LUSA)

- a. Managed Growth Tier System Map LU 1.1
 - b. Service Areas Map LU 2.1
 - c. Special Planning Areas Map LU 3.1
3. To designate the Subject Property as a Limited Urban Service Area (LUSA)
4. To amend the Future Land Use Atlas designation of the Subject Property from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 2 units per acre (LR-2)

Additionally, the applicant will submit a concurrent zoning map amendment application to accompany the Comprehensive Plan Text Amendment and Future Land Use Atlas Amendment applications. As required, that zoning application will include a Preliminary Master Plan which will define the proposed density associated with the development. This zoning map amendment application is anticipated to be submitted to the County's Zoning Division on the December 6, 2021 intake date.

C. SUBJECT PROPERTY BACKGROUND

The ±446.13-acre Subject Property, located on the north side of Southern Boulevard approximately 1.75 miles west of Seminole Pratt Whitney Road, is in the central western portion of the County in an area that is comprised of low-density single-family residential homes. The Subject Property is currently vacant and has been in use for agricultural row crop production for over 50 years. There have been no previous applications for Comprehensive Plan Text Amendments, FLUA Amendments, or other development approvals for the Subject Property. In recent years, division between property owners, the development of surrounding properties with urban/suburban master planned communities, the extension of public infrastructure adjacent and available to the Subject Property, and growing demand for residential options in this area of the County have spurred a desire to pursue residential development on the Subject Property.

D. GAPO BACKGROUND

Prior to the adoption of the text of the Palm Beach County Comprehensive Plan (Plan) to create the GAPO, concerns were identified by Palm Beach County regarding the potential for municipalities to annex in land area within the western central area of the county that could impact the Everglades Agricultural Area (EAA). In order to address this concern, the County took a three-pronged approach, which included the Annexation Charter Amendment, the creation of the GAPO, and the adoption of the Central Western Communities Sector Plan Conceptual Overlay (CWC - subsequently rescinded). The main purpose of the effort was to assure that future residential development is restricted to the land areas east of the L-8 canal and to create a barrier to development west of the overlay into the EAA.

The Palm Beach County Local Planning Agency conducted public hearings on June 18, June 25, and July 9, 2004 to review proposed GAPO amendments to the 1989 Comprehensive Plan. The amendments were reviewed by the Board of County Commissioners (BCC) and adopted on December 13, 2004. Among the changes was the establishment of the Glades Area Protection Overlay (GAPO), revisions to the Map Series to depict the Limited Urban Service Area (LUSA) on Map LU 1.1, Managed Growth Tier System, and Map LU 2.1, Service Areas Map, and revisions to Map LU 3.1.

The staff report from the BCC adoption hearing indicated that the purpose of this overlay was to protect the Everglades Agricultural Area (EAA), in particular those larger areas within the EAA which have a land use designation of Agricultural Production (AP) from encroachment by urban/suburban uses, densities and intensities; and to identify the portion of the Overlay east of

the L-8 Canal as a Limited Urban Service Area. This permitted the application of the LUSA to the Arden PUD, immediately west of the Subject Property, and the ultimate approval of over 2,400 residential units, commercial/retail uses, a school site, and civic uses. It is important to note that the Subject Property is located east of the intended development boundary and the approved Arden PUD. This proposed FLUA amendment is consistent with the goal of protecting the EAA to the west of the L-8 Canal.

The total size of the GAPO is approximately 3,063.66 acres. The area west of the L-8 Canal contains 1,844.63 acres with the balance of the land area comprising the Arden PUD. At the time of adoption, a majority of the land on the western portion of the GAPO, estimated to be 89 percent, consisted of a large mining operation with ancillary facilities uses that are allowed in the RR-10 Future Land Use (FLU) designation. Approximately 11 percent of this area was to be utilized for the now existing FPL power plant. From a planning standpoint, the existence of the FPL power plant located to the west of the Arden PUD and the Subject Property creates a significant physical boundary to prevent the extension of urban uses into the EAA. In order to serve the FPL power plant and the Arden PUD, a 24" water main is located in the right of way of Southern Boulevard along with an 18" wastewater force main terminating just west of the Arden PUD at the western line of the L-8 Canal. The expansion of the LUSA to allow for residential development of the Subject Property will not require the extension of these utilities further west and does not create any additional potential for encroachment of development into the EAA.

The Future Land Use Element (FLUE) of the County's Comprehensive Plan has since been amended to include Objective 1.8 and subsequent policies governing the uses permitted within the GAPO both east and west of the L-8 Canal. FLUE Policy 1.8-b provides the following restrictions:

FLUE Policy 1.8-b: The County shall limit permitted uses within the Glades Area Protection Overlay to those uses that are compatible with the purpose of this overlay. No residential uses shall be allowed west of the L-8 Canal.

a. West of the L-8 Canal:

Future Land Use Designation: Rural Residential 10 (RR-10) and Economic Development Center (EDC).

Specific Uses: Existing uses, mining, excavation and other related uses consistent with the Overlay, and for Everglades restoration and water management purposes; conservation, including wildlife corridors; Florida Power and Light (FPL) Power Plant and related cooling areas; and Employment Center

b. East of the L-8 Canal:

Future Land Use Designation: Low Residential 2 (LR-2) and related complementary uses as approved by the Board of County Commissioners.

As evidenced by the above Comprehensive Plan Policy governing the development of GAPO, properties within GAPO located east of the L-8 canal are designated with the LR-2 FLU, designated with the LUSA, and intended for residential and related complementary uses pursuant to the regulations of the Urban/Suburban Tier. The primary purpose and original intent of the GAPO is to prevent the encroachment of development west of the L-8 Canal by allowing. The proposed Comprehensive Plan Text Amendment to include the Subject Property within the boundaries of GAPO will serve to further this goal by concentrating residential development east of the L-8 canal in a manner compatible with the established future land use designations and intended level of density as described under Objective 1.8 in the FLUE of the County's Comprehensive Plan.

CWC Sector Plan

As mentioned earlier, the CWC Sector Plan was developed in concept from Aug. 1999 through Nov. 2007, when it was rescinded. The Subject Property is located at the southwest corner of the 53,000 acres of land that were in the CWC Sector Plan. The CWC Sector Plan, although rescinded, is relevant as the purpose was to work in conjunction with the GAPO to prevent the encroachment of urbanized uses into the EAA while allowing for the development of properties in this area of the County. The CWC Sector Plan specifically designated the Subject Property, in conjunction with the adjacent (Leonard) property to the east, for the development of up to 943,000 square feet of Employment Center with the balance of the properties for rural residential development. The CWC was never implemented after being rescinded on Nov. 26, 2007 during litigation with the Florida Department of Community Affairs (DCA). The proposed text, map, and FLUA amendments would allow for a more contextual and compatible development plan than was contemplated within the ultimately rescinded CWC Sector Plan.

Arden PUD (f.k.a Highland Dunes PUD)

The Arden PUD site is located approximately 2.5 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard in the unincorporated area of Palm Beach County (PBC). The overall PUD is 1209.98 acres in size. The Subject Property is immediately adjacent to and abutting the eastern boundary of the Arden PUD site. The site has a Planned Unit Development (PUD) zoning designation with a Low Residential up to two (2) units per acre (LR-2) FLU designation. This site comprises the entirety of the GAPO east of the SFWMD L-8 Canal which is established as the western boundary for residential development in the County. Due to its inclusion in GAPO, the site is located in a Limited Urban Service Area (LUSA) and the provisions of the Urban/Suburban tier apply to the development of the property.

This site was part of a number of additional parcels that made up what was previously known as Palm Beach Aggregates Mining Area. The BCC adopted a Comprehensive Plan Amendment for Palm Beach Aggregates II (LGA 2004-00047) on December 13, 2004 changing the Future Land Use designation of the property from Rural Residential, 1 unit per 10 acres (RR10) to Low Residential, 2 units per acre (LR-2) with conditions via Ordinance Number 2004-066. Concurrent with the Comprehensive Plan Amendment, the BCC adopted the Overlay Area known as the Glades Area Protection Overlay (GAPO) which included the Arden PUD property and 1,844 acres to the west, for a total of approximately 3,063 acres. As discussed above, the intention of the GAPO was to protect the adjacent Everglades Agricultural Area (EAA) to the west from the encroachment of densities and intensities associated with urban/suburban development patterns by concentrating such development east of the L-8 Canal. Included in the amended GAPO language was the re-designation of the area east of the SFWMD L-8 Canal as a Limited Urban Service Area (LUSA) and removing the property from the Rural Tier. The current request does not propose to remove the Subject Property from the Rural Tier but instead to include the site within the GAPO to allow for inclusion in the LUSA and designation of the LR-2 FLU.

Following the creation and adoption of the GAPO, several development applications were processed for the Arden PUD site. Highland Dunes Associates Property, LLC, purchased the property on July 10, 2014. The owner envisioned a uniquely themed master planned community on a suitable sized piece of property and modified the site design from that approved by the BCC in 2013 to promote their vision. The Final Master Plan was amended to incorporate the development program proposed by the new owner. More recently, on October 22, 2020, the BCC approved a FLUA application to a condition of approval in Ord. 2004-066 increasing the allowed number of dwelling units from 2,000 to a maximum of 2,420 units. The Arden PUD is approved

for the development of up to 2,420 dwelling units and a minimum of 30,000 square feet up to a maximum of 50,000 square feet of commercial uses. The property owner has had significant success in developing Phases 1 and 2 of the Arden PUD in partnership with multiple home builders.

The increasing population and simultaneous demand for housing options in the western central area of the County has resulted in market conditions which support the residential development of large master planned communities such as the Arden PUD and, similarly, a consistent level of development as proposed for the Subject Property. As described above, the development of the Arden PUD site was contemplated concurrently with the creation of the GAPO with a purpose of establishing a western boundary for urban/suburban development patterns in order to cluster residential density east of the SFWMD L-8 Canal. The comparable development of the Subject Property, as facilitated by the requested Plan text and FLUA amendments, would further this goal by allowing for infill development in a part of the County planned and capable of supporting such densities of residential development in a well-planned and contextual manner with surrounding properties.

E. SURROUNDING USES

The Subject Property is located within the central western portion of the County in an area predominately developed with low-density single-family residential homes. The ±446.13-acre Subject Property is currently vacant and has long been in use for agricultural row crop production, similar to nearby properties within the Rural Tier, most of which have since been developed or are currently under development with residential uses. The Subject Property is currently designated with a Rural Residential, 1 unit per 10 acres (RR-10) FLU and Agricultural Residential (AR) zoning. This portion of the Southern Boulevard corridor represents the westernmost pocket of development within the primary urbanized area of the County before entering the Glades Tier. Please see below for a summary table of the existing use, future land use, and zoning of adjacent properties.

Adjacent Lands	Use	Future Land Use	Zoning
North	Residential – Deer Run Community	Rural Residential, 1 unit per 5 acres (RR-5)	Agricultural Residential (AR)
South	SFWMD Stormwater Treatment Area	Rural Residential, 1 unit per 10 acres (RR-10)	Stormwater Treatment Area (STA-1E) - Wellington
East	Agricultural Production – Leonard Farm	Rural Residential, 1 unit per 10 acres (RR-10)	Agricultural Residential (AR)
West	Residential – Arden Community (Control No. 2005-00394)	Low Residential, 2 units per acre (LR-2)	Planned Unit Development (PUD)

Below is a description of the uses on the adjacent properties (or those on the other side of abutting R-O-W's) to the north, south, east and west of the subject property.

- **North:** To the north of the Subject Property is the Deer Run Community comprised of single-family residences on five acre lots in accordance with the RR-5 FLU designation and AR zoning district. These properties are located within the jurisdiction of unincorporated Palm Beach County within the Rural Tier and are outside of the Urban

Service Area and Limited Urban Service Area boundaries. Homes in this community were not developed congruently as a master planned community and present a high degree of variety in the type and quality of architecture, landscaping, buffering, access, and accessory uses from lot to lot.

- **South:** Directly south of the Subject Property, across Southern Boulevard and the C-51 Canal, are large swaths of undeveloped properties featuring limited agricultural row crop production with a primary use as a Stormwater Treatment Area (STA-1E) for the South Florida Water Management District (SFWMD). These properties are within the jurisdiction of the Village of Wellington with a Village FLU designation of Rural Residential, 1 unit per 10 acres (RR-10). These properties are located in the County's Rural Tier and are outside of the Urban Service and Limited Urban Service Area boundaries. The SFWMD's control and use of these properties prevents the expansion of urban/suburban levels of development encroaching from the Village of Wellington.
- **East:** Immediately east of the Subject Property is a parcel of approximately 500 acres that is undeveloped and utilized for agricultural row crop production. The site is located in the jurisdiction of unincorporated Palm Beach County with a FLU designation of RR-10 and corresponding AR zoning district. This property is located in the Rural Tier and is outside of the Urban Service and Limited Urban Service Area boundaries.
- **West:** Abutting the Subject Property to the west is the Arden PUD which is currently under construction with up to 2,420 residential units in the form of a master planned residential community. This site was previously in use for agricultural row crop production and was located in the Rural Tier outside of the Urban Service Area and Limited Urban Service Area boundaries. Following the approval of a FLUA Amendment and Comprehensive Plan Text Amendment, this property was granted a planning overlay known as the Glades Area Protection Overlay (GAPO) and included within the Limited Urban Service Area (LUSA) to allow for a FLU of LR-2 and the development of up to 2,420 residential dwelling units along with a component of commercial development subject to the regulations of the Urban/Suburban Tier.

F. CONSISTENCY

G.1 - Justification

Per Policy 2.1-f of the FLUE of the PBC Plan, before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use. The applicant is requesting to amend the current FLUA designation from RR-10 to LR-2. The proposed FLUA amendment meets the required standard as follows:

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

Applicant's Response: The proposed residential use of the Subject Property and associated text amendments are appropriate and consistent with the established development pattern in this portion of the County. The existing RR-10 FLU confirms the suitability of this site for residential development and the FLU designation of the adjacent Arden PUD site supports the proposed density requested of LR-2 for the Subject Property. The existing development pattern of this area of the County is dominated by low density residential development. The Subject Property is particularly appropriate for an increased residential density allowing 2 dwelling units per acre due to its location along the Southern Boulevard (SR-80) corridor, adjacency to the comparable Arden PUD, the existence of water and sewer infrastructure to serve the development, and suitable size to sustain a master planned residential community.

As discussed above, the intent of the GAPO is to protect the Everglades Agricultural Area (EAA) by preventing residential development from extending west of the SFWMD L-8 Canal. The GAPO allows for development of properties east of the L-8 Canal within the GAPO boundaries to be developed with residential uses under the LR-2 FLU designation and pursuant to the regulations of the Urban/Suburban Tier. This is the case for the entirety of the lands currently within GAPO east of the L-8 Canal approved collectively as the Arden PUD. The Subject Property is of sufficient size, location, and conditions to allow a comparable master planned residential community to further the purpose of clustering residential development east of the L-8 Canal.

Allowing an increased residential density at this site will create additional housing options in an area of the County with available services to maximize the development of land deemed suitable for residential uses developed under the Urban/Suburban regulations. The development of this property will represent balanced growth in line with planning principles utilized to create the GAPO and justify the Arden PUD. These include the need to maintain a development boundary for urban/suburban densities and intensities from encroaching west of the L-8 Canal into the EAA. Arden PUD was established as the westernmost residential development and granted a residential density of LR-2. The Subject Property represents an amalgamation of several properties directly abutting the Arden PUD of sufficient size to appropriately locate a master planned community utilizing existing infrastructure available in the area. Including the Subject Property in GAPO and designating the site as Limited Urban Service Area (LUSA) in connection with the approval of the proposed LR-2 FLU designation will serve to allow an appropriate master planned residential development compatible with the Arden PUD, surrounding communities, and the established development pattern of this portion of the County.

2) There is a basis for the proposed amendment for the particular site based upon one or more of the following;

a. Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;

Applicant's Response: As previously discussed, the creation of the GAPO and related approval of the LR-2 FLU designation for the Arden PUD site has resulted in conditions which make favorable the residential development of the Subject Property at a comparable density. Based on the intent of the GAPO, the County has clearly indicated a desire to cluster urban/suburban development east of the L-8 Canal to avoid encroachment into the EAA. There are a limited number of sufficiently large sites with access to necessary utility infrastructure that can support a master planned residential community. The demand for housing options in this central western portion of the County continues to grow with few sites available to support new residential communities. As such, the established development pattern at this location, as a result of the approved density for the Arden PUD, lends support towards the request to allow increased residential density up to two (2) dwelling units per acre as facilitated by the proposed Plan text, map, and FLUA amendments to bring the Subject Property into the boundaries of GAPO and the LUSA.

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

Applicant's Response: The characteristics of this area of the unincorporated portion of the County, specifically along this portion of the north side of the Southern Boulevard

corridor, have changed significantly over the last two decades. Firstly, the operation of viable agricultural production has continued to decrease within this area of the County as seen with the development of the Arden PUD site and the sale of numerous large areas of farm lands to be developed within the eastern portion of the County. Secondly, the population of Palm Beach County continues to see significant growth. The population of the County was reported as 1,466,494 people in 2020, representing a 30% population increase over the 2000 population and the projected 2030 population is estimated to be 1,649,079 people, a 15% increase over the 2020 population. A significant portion of the new residents moving to the County are seeking residence in single-family communities in the central western portions of the County including the area surrounding the Subject Property and there are currently insufficient housing opportunities to satisfy the demand. Further, few properties exist that are of sufficient size with access to necessary infrastructure to support the development of large number of residential units. The Subject Property is one of only a few such properties capable of supporting a master planned residential community.

Finally, with the creation and adoption of the GAPO in 2004, a development boundary was established at the SFWMD L-8 Canal and it was determined that residential development would be permitted in accordance with the regulations of the Urban/Suburban Tier to the east of this line. Policies governing GAPO within the Plan specifically limit the permitted uses east of the L-8 Canal to low density residential development. This development pattern has been put into action with the approval and ongoing construction of the Arden PUD. The requested comprehensive plan text and map amendments to include the Subject Property in the boundaries of GAPO and to designate the site as a LUSA will serve to allow for a consistent development pattern in this area which works to provide needed housing options to the County's growing population.

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

Applicant's Response: The Subject Property is located in an area of the County comprised of residential communities with a small number of agricultural operations. Despite the growing demand for housing options in this central western portion of the County, this area has few vacant properties of sufficient size, location, and conditions to support master planned residential communities. With the establishment of the GAPO, the County designated the SFWMD L-8 Canal as the western boundary for urban/suburban development in the eastern portion of the County. The Subject Property is one of only a few properties of such size within the designated development area of the County that provides a viable residential development opportunity. Large land areas on the south side of Southern Boulevard have been acquired by the South Florida Water Management District (SFWMD) and prevent the future expansion of the Village of Wellington out to the SFWMD L-8 Canal. Properties to the north are developed as a rural residential subdivision and the property immediately to the west, the Arden PUD site, is developed under the LR-2 FLU designation as a Planned Unit Development. The continued growth in demand for residential development in this central western portion of the County and the established growth boundary related to GAPO create circumstances which support the proposed increase in residential density for the Subject Property.

d. Inappropriateness of the adopted FLU designation;

Applicant's Response: While the existing RR-10 FLU designation is not necessarily inappropriate for the Subject Property, it is not the most appropriate FLU designation based on a variety of factors including those discussed herein. In order to create the most reasonable balance of growth within the County and further the goal of limiting development to the east of the L-8 Canal, it is necessary to accommodate the increasing residential demand within areas capable of supporting urban/suburban levels of development and, preferably, on properties with access to infrastructure that does not require extending services further west. The LR-2 designation of the adjacent property is similarly appropriate for the Subject Property as it enables the planning and development of a cohesive community with reasonable density on a site with access to Southern Boulevard and available utility infrastructure connections.

e. Whether the adopted FLU designation was assigned in error.

Applicant's Response: The adopted FLU designation of Rural Residential, 1 unit per 10 acres (RR-10) was not assigned in error. The RR-10 FLU designation may have been appropriate for the Subject Property in the past as it was in use for agricultural row crop production for years, even predating the adoption of the Plan, and residential development has long been focused further east in the County. Over time, the characteristics of the surrounding area have evolved and the demand for residential units, particularly single-family options in the central western area of the County, has continued to grow. This request represents an evolution of market demands and changed circumstances as discussed above which have resulted in a desire to develop the Subject Property with a higher residential density than is permitted by the existing RR-10 FLU designation.

G.2 Residential Density Increases

This application is requesting a FLUA change from RR-10 to LR-2 to allow for the development of a master planned residential community similar in nature to the adjacent Arden PUD. Per Policy 2.4-b of the FLUE of the PBC Plan, the BCC may approve an increase of the residential density for a property if the applicant justifies and demonstrates the following:

1. Demonstrate a need for a Future Land Use Atlas (FLUA) Amendment, and

Applicant's Response: As described above, the County is currently seeing a high demand for single-family residential options in the central western portion of the County. However, there are not currently sufficient residential options and few land areas suitable for development with large numbers of residential units in a compatible manner with surrounding development. The Subject Property is one of few sites that remains as a viable option for the development of a master planned residential community. The size, location, and conditions of the site make it ideal for development of a low-density master planned community with single-family homes providing additional residential options for both new and relocating residents of the County. In order to appropriately develop the site as a viable community with reasonably priced housing options, it is necessary to increase the permitted residential density from the current RR-10 FLU designation to the proposed LR-2 FLU designation. The requested Plan text and map amendments to include the Subject Property in the GAPO and LUSA boundaries will facilitate the FLUA amendment and

allow for the development of a residential master planned community subject to the regulations of the Urban/Suburban Tier.

2. Demonstrate that the current FLUA designation is inappropriate, or

Applicant's Response: As discussed above, the existing RR-10 FLU designation is not the most appropriate for the Subject Property to allow the highest and best use of the property for residential development. The development of the 446.13-acre Subject Property under the existing RR-10 FLU designation would allow for only 44 residential units on 10 acre lots which would demand a high market value and provide a limited number of new units to satisfy the already high and growing demand for housing options. The cost of these units would exclude a large majority of the market from considering these homes. However, the development of the Subject Property under the LR-2 FLU designation would allow for the construction of up to 892 dwelling units which provides the opportunity to create a range of housing options available to a wider range of current and future residents. The adjacent property was granted approval for the requested LR-2 FLU designation in order to develop a cohesive master planned community with a range of housing options. The approval of the requested FLUA amendment and associated Plan amendments would grant a similar level of development rights to the Subject Property as deemed appropriate for the adjacent property which lies immediately adjacent to the County's designated development boundary of the L-8 Canal.

3. An applicant is using the Workforce Housing Program;

Applicant's Response: Pursuant to ULDC Art. 5.G.1, residential developments in the Urban/Suburban Tier may utilize the Workforce Housing Program (WHP) to increase residential density. This option is not available to the Subject Property based on the current FLU designation of RR-10. The proposed amendments to include the Subject Property in the boundaries of the GAPO and the LUSA will facilitate the development of the site under the requested LR-2 FLU utilizing the regulations of the Urban/Suburban Tier per the standards of the GAPO.

G.3 - Compatibility

Compatibility is defined in the County's Unified Land Development code as: "Land uses that are congruous, similar and in harmony with one another because they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar, contradictory, incongruous, or discordant activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise, vibration, smoke, hazardous odors, radiation, function and other land use conditions." Based on this definition and accepted growth management ideals, the proposed amendment to allow for a low-density residential development will increase the compatibility of the use of the Subject Property with the surrounding uses and adjacent lands. The development plan resulting from approval of the proposed Plan amendments and FLUA amendment will not create or foster undesirable effects.

G.4 -Comprehensive Plan

The proposed amendment furthers several Goals of the Comprehensive Plan and is consistent with several Objectives and Policies. The following analysis is provided to demonstrate consistency with specific objectives and policies in the Plan.

- **C. County Directions**

Applicant's Response: The County Directions in the Future Land Use Element provide the basis for the Goals, Objectives and Policies in the Plan. The County Directions recognize that redevelopment will occur and should be informed by growth management principles to encourage economic activity centers while maintaining land use compatibility and level of service standards. Allowing for the increase in residential density will result in a more efficient use of land and existing public facilities and services currently available to the Subject Property. The LR-2 FLU designation, guided by urban/suburban development regulations, will result in a compatible development plan for the Subject Property that provides reasonable housing options with relatively low impacts on surrounding properties or County infrastructure. Several of these Directions support the proposed amendment, specifically Livable Communities; Growth Management; Infill, Redevelopment and Revitalization; Land Use Compatibility; Neighborhood Integrity; Housing Opportunity; and A Strong Sense of Community.

- **FLUE Goal 1 Strategic Planning**

It is the GOAL of Palm Beach County to recognize the diverse communities within the County, to implement strategies to create and protect quality livable communities respecting the lifestyle choices for current residents, future generations, and visitors, and to promote the enhancement of areas in need of assistance.

Applicant's Response: The formation of the GAPO, specifically the direction to allow low density residential development east of the SFWMD L-8 Canal, represents one example of the County's effective implementation of strategic planning to create and protect quality livable communities for current residents and future generations. The development of the Arden PUD within GAPO provides evidence of the effectiveness of the above goal and related objectives and policies. The extension of the GAPO boundaries to include the Subject Property would be a logical expansion of this area as it permits development east of the L-8 Canal at a sufficient scale to result in a quality livable community.

- **FLUE Objective 1.1 Managed Growth Tier System**

Policy 1.1-a: The County shall develop and implement strategies for each unique community and/or geographic area based upon common characteristics, including physical development patterns and service provision, and shall map the location of each Tier on the Managed Growth Tier Map located in the Comprehensive Plan Map Series.

Applicant's Response: No tier change is proposed as a part of this request, but only an extension of the GAPO boundary and, as such, also the Limited Urban Service Area. Although the Subject Property is currently located in the Rural Tier and outside of the Urban Service Area boundary, it is immediately adjacent to the boundaries of the GAPO which is included within a Limited Urban Service Area (LUSA). This has allowed for the development of the Arden PUD immediately adjacent to the Subject Property and resulted in a changed physical development pattern for the surrounding area as well as the extension of utility infrastructure to the extent of the GAPO's development boundary. The

expansion of the GAPO and LUSA boundaries to allow for residential development of the Subject Property will not require the extension of existing utilities further west and does not create any additional potential for encroachment of development into the EAA. Both a 24" water main and an 18" wastewater force main are located within the right of way of Southern Boulevard terminating just west of the Arden PUD at the western line of the L-8 Canal. Considering the changed physical development pattern of this portion of the Southern Boulevard corridor and the access to services available to the Subject Property, the requested Plan text and map amendments and associated FLUA amendment support the above FLUE Objective.

- **FLUE Goal 2 Land Planning:**

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

Applicant's Response: The Subject Property is located just outside of the GAPO and LUSA boundaries east of the L-8 Canal and immediately adjacent to the Arden PUD. The creation of the GAPO and designation of lands east of the L-8 Canal with the LUSA and LR-2 FLU lays the framework for the creation of high-quality communities that balance the physical, social, cultural, environmental, and economic needs of the current and projected residents and future generations of the County. The clustering of urban/suburban intensities east of the L-8 Canal will further Land Planning goals related to the protection of agricultural lands in the EAA from development encroachment. The requested Plan text and map amendments will expand the GAPO and LUSA boundaries to include the Subject Implementation of the requirements of the Unified Land Development Code, in conjunction with innovative site design and any conditions attached to the development order will serve to respect and protect the surrounding uses. Property which will allow for the creation of a master planned community offering new housing options and a high quality of life to future residents.

- **FLUE Objective 2.1 Balanced Growth**

Policy 2.1-f: The following will detail the impact of the proposed FLUA amendment on the items listed:

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

Applicant's Response: Future FLUA Amendment application attachments will include a Natural Features Map and Images that show that this site does not support any existing habitat or natural communities. The site was previously cleared and has long been used for the cultivation of agricultural row crops. The absence of wetlands, relatively flat land, and previous use for agricultural production are key factors lending towards the ideal nature of the Subject Property for development as a master planned residential community. Based on this assessment, there are no significant environmental resources or habitat existing on the property that would be negatively impacted by the proposed industrial development.

2. The availability of facilities and services;

Applicant's Response: Below is more detailed information on each of those facilities and services:

- *Traffic:* Future FLUA Amendment application attachments will feature a Comprehensive Plan Amendment Transportation Analysis and corresponding Traffic Approval from the County's Traffic Division.
- *Mass Transit:* There are currently mass transit routes running along Southern Boulevard adjacent to the Subject Property. The nearest Palm Tran Bus Route to this property runs along Southern Boulevard with stops as far west as Belle Glade. The closest stop is located at the corner of Southern Boulevard and Seminole Pratt Whitney Road approximately 1.75 miles east of the Subject Property on the north side of Southern Boulevard.
- *Potable Water and Wastewater:* Future FLUA Amendment application attachments will include a PBC Water Utilities Department letter wherein it will state the availability of water and wastewater capacity for the proposed development via the existing watermain and force main within Southern Boulevard adjacent to the property.
- *Drainage:* Future FLUA Amendment application attachments will include a Drainage Statement prepared by a civil engineer which identifies the location of legal positive outfall.
- *Fire Rescue:* Future FLUA Amendment application attachments will include a Fire Rescue letter which confirms the nearest PBC Fire Rescue station and approximate response time for service to the Subject Property. The nearest station is expected to be Station 20, approximately 4.5 miles east.
- *School:* Future FLUA Amendment application attachments will include a School Capacity Availability Determination Letter from the Palm Beach County School Board which will include an analysis of the students generated by the proposed FLUA Amendment.
- *Parks and Recreation:* Future FLUA Amendment application attachments will include an analysis of the impacts on regional and district parks and recreation facilities.

3. The adjacent and surrounding development;

Applicant's Response: The proposed amendment and resulting increase in residential density is compatible with the existing uses of surrounding properties and consistent with the future land use designations along this portion of the Southern Boulevard corridor. Please refer to Section G.3 - Compatibility and Surrounding Uses above.

4. The future land use balance;

Applicant's Response: The proposed Plan amendments and associated FLUA amendment to allow the LR-2 FLU designation will improve the balance of future land use designations for properties in this area of the County, specifically along this portion of the Southern Boulevard corridor. The Subject Property totals 446.13 acres located at the periphery of the County's urbanized development area. The location and size of the property make it well suited for a master planned residential community able to provide additional housing options in an area of the County experiencing high demand with relatively few residential options. In recent years, a number of development applications have been processed and approved to allow primarily residential development of large properties both within the western areas of the Urban/Suburban Tier, the Ag Reserve, and adjacent to the Subject Property. The approval of the Arden PUD denotes support of the County for this level of development to occur eastward of the L-8 Canal. The proposed amendments and ultimate LR-2 FLU designation will result in a more balance future land

use pattern for this area of the County which will allow land owners to better provide for the needs of current residents and future generations.

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

Applicant's Response: The proposed amendments and resulting master planned residential community will prevent urban sprawl as it will allow for the development of an underutilized property located within an area of the County designated for development on a site adjacent to development utilizing existing urban/suburban infrastructure. As discussed above, the adoption of GAPO and the approval of the Arden PUD work in conjunction to establish a development boundary for the County, here along Southern Boulevard. That boundary is established as the SFWMD L-8 Canal and it has been determined that all efforts should be taken to concentrate urban/suburban levels of development east of that line. This initiative and the resulting development pattern employ a growth management strategy to prevent urban sprawl from extending westward. Further, the existence of the FPL power plant located to the west of the Arden PUD and the Subject Property creates a significant physical boundary to prevent the extension of urban uses into the EAA. Similarly, the adoption of the GAPO established the SFWMD L-8 Canal as a boundary for the encroachment of urban/suburban levels of density with an intention to cluster future residential development east of the canal. The proposed amendments and development plan will not result in the further extension of infrastructure west and will represent the development of a property within an area surrounded by comparable levels of development.

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

Applicant's Response: The Subject Property is not governed by a community plan and is not located within a special planning area. As mentioned above under the background section for this justification, the Subject Property was previously included in the now rescinded Central Western Communities (CWC) Sector Plan. The CWC Sector Plan, although rescinded, is relevant as the purpose was to work in conjunction with the GAPO to prevent the encroachment of urbanized uses into the EAA while allowing for the development of properties in this area of the County. The CWC Sector Plan specifically designated the Subject Property, in conjunction with the adjacent (Leonard) property to the east, for the development of up to 943,000 square feet of Employment Center with the balance of the properties for rural residential development. The CWC was never implemented after being rescinded on Nov. 26, 2007 during litigation with the Florida Department of Community Affairs (DCA). The proposed text, map, and FLUA amendments would allow for a more contextual and compatible development plan than was contemplated within the ultimately rescinded CWC Sector Plan.

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

Applicant's Response: The Subject Property is located north of the Village of Wellington which includes the SFWMD Stormwater Treatment Area. The applicant and their consultants will coordinate with the necessary municipal representatives as well as the County's Fire Department, Water Utilities District, Historical Resources Section, and other

municipal agencies as necessary. Further, the applicant recognizes the application will be reviewed by the Treasure Coast Regional Planning Council (TCRPC) as well as the Intergovernmental Plan Amendment Review Committee (IPARC).

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

Applicant's Response: As described above, the proposed amendments and associated level of development to be permitted will be appropriate for the Subject Property as it will allow for a balance of residential land uses offering a range of housing options in a cohesive community nature within this area of the County as necessary to satisfy the already high and growing demand for housing options.

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

Applicant's Response: The proposed amendments serve to reduce the potential for piecemeal development in this area of the County as it will allow for the unified development of several large vacant parcels while including them with other large parcels within a planning overlay which guides the development of the larger area of this portion of the Southern Boulevard corridor. Necessary utility infrastructure has already been routed along Southern Boulevard and is accessible to the Subject Property. The planned development and necessary amendments to facilitate such development will not serve to create residual parcels but will conversely work to bring a larger land area under the regulations of an existing planning overlay to prevent piecemeal development of smaller parcels as has occurred in other areas of the central western portion of the County.

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

Applicant's Response: As described above, this request includes Plan text and map amendments to include the Subject Property within the boundaries of the GAPO, one such planning overlay. The inclusion of the Subject Property in the GAPO and LUSA boundaries is logical as the site borders the current eastern boundaries of GAPO and possesses similar qualities to the land initially included in the GAPO boundary east of the L-8 Canal currently under development as the Arden PUD.

- **FLUE Policy 2.2.1-a:** Coastal High Hazard Area – The County shall coordinate with coastal municipalities to control population densities in coastal high-hazard areas, in accordance with Coastal Management Objective 2.3. The County shall not increase the density in unincorporated areas located within the coastal high-hazard areas.

Applicant's Response: The Subject Property is not located within a coastal high-hazard area.

- **FLUE Table 2.2.1-g.1:** Residential Future Land Use Designation Maximum Density – The County established maximum residential densities permitted for each future land use. The Low Residential, 2 unit per acre (LR-2) FLU designation permits up to 2 dwelling units per acre.

Applicant's Response: The requested Plan text and map amendments will facilitate the Applicant's proposed FLUA amendment to designate the Subject Property with the LR-2 FLU and allow for the development of a master planned residential community with up to 892 residential units. This FLU is consistent with the regulations of the GAPO which allows for properties east of the L-8 Canal to be developed with residential uses under the LR-2 FLU designation utilizing the standards of the Urban/Suburban Tier. This narrative along with supplemental application materials provide sufficient evidence to support these requests and the proposed development of the Subject Property.

G.5. - Florida Statutes

Please consider the following responses demonstrating consistency with Chapter 163.3177, F.S.

- **F.S., Section 163.3177.6(a)8:** Future land use map amendments shall be based upon the following analysis:
 - a. An analysis of the availability of facilities and services.

Applicant's Response: Supporting data and analysis demonstrating the availability of facilities and services will be presented in Application Attachments H (Traffic Study), I (Water and Wastewater Service Letter), J (Drainage Statement), and K (Fire Rescue Letter).

- b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

Applicant's Response: Supporting data and analysis demonstrating the proposed use is suitable based on the character of the Subject Property will be presented in Application Attachments F (Built Features Inventory & Map), J (Drainage Statement), L (Natural Features Inventory & Map), M (Wellfield Zone Statement & Map), N (Historic Resource Evaluation Letter), and O (School Capacity Availability Determination Letter).

- c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

Applicant's Response: The Subject Property is a contiguous site of approximately 446.13 acres. There will be a concurrent zoning application which will serve to support the premise that this acreage is the minimum amount of land needed to ensure the Subject Property may be efficiently developed with a cohesive master planned residential community providing sufficient buffers, access, open spaces, and drainage.

- **F.S., Section 163.3177.6(a)9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
 - a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context

of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

- (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

Applicant's Response: The proposed Plan amendments and FLUA change will allow for additional residential development in an area developed with planned residential developments, agricultural operations, and an established grid of unincorporated low-density residential neighborhoods. The inclusion of the Subject Property in the GAPO and LUSA boundaries will enable the master planned development of one of only a few remaining properties of sufficient size, location, and conditions to support a cohesive community design with reasonable residential density. The proposed development of this site will work to combat sprawl in the County by continuing to cluster urban/suburban levels of development east of the L-8 Canal.

- (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

Applicant's Response: The Subject Property is located in the central western sector of the County near the western limits of the County's urbanized eastern area. Although the Subject Property is within the Rural Tier, utility infrastructure has been established in this area at sufficient scale to serve the Arden PUD and additional development along the north side of the Southern Boulevard corridor at this location. Additionally, the lack of land area of this size within the existing Urban Service Area supports this request.

- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

Applicant's Response: The Subject Property is not isolated and this amendment will not alter the development pattern of the surrounding area. There is existing development to the east, north, and west with Southern Boulevard creating a natural barrier with Stormwater Treatment Areas to the south. The development of the Subject Property will result in filling a gap in the existing development pattern of primarily residential uses along the Southern Boulevard corridor and serve to decrease any perception of isolated development via proximity to Arden.

- (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

Applicant's Response: The requested amendments and proposed FLUA change do not fail to adequately protect and conserve natural resources as no natural resources currently exist on the Subject Property. The resulting development will have no negative impacts on environmentally sensitive areas or other significant natural systems and evidence in this regard will be included in the land use amendment application.

- (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

Applicant's Response: While the Subject Property was previously utilized for agricultural row crop production, the site is not restricted by a conservation easement or other restrictions dictating a continuation of previous farming activities, nor located in the EAA or the Agricultural Reserve, areas of the County targeted to preserve agriculture. Similarly, the Arden PUD site was previously utilized for agriculture prior to its development as were the majority of properties in this area of the County. The intent of the creation of GAPO is to cluster development east of the L-8 Canal in order to protect the agricultural lands to the west, the Everglades Agricultural Area (EAA), from encroachment of urban/suburban forms of development. The proposed amendments further this goal and will have no impact on the agricultural activities of surrounding properties.

(VI) Fails to maximize use of existing public facilities and services.

Applicant's Response: The requested amendments and proposed development plan are justified in part by the existence of utility infrastructure that has been routed along the Southern Boulevard right-of-way extending past the Subject Property and terminating at the west side of the L-8 Canal. The development of the Subject Property will utilize water and wastewater facilities existing within Southern Boulevard and will provide drainage in a form compatible with surrounding systems and the area's larger drainage network.

(VII) Fails to maximize use of future public facilities and services.

Applicant's Response: Various letters of determination will be provided as attachments to this FLUA amendment application to verify the availability and capacity of existing public facilities and services in relation to the demand expected to be generated by the proposed level of development.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

Applicant's Response: Public facilities and services are currently available to the Subject Property and surrounding area and the requested amendments would not increase the cost in time, money, or energy for providing and maintaining these facilities and services.

(IX) Fails to provide a clear separation between rural and urban uses.

Applicant's Response: The Subject Property is located on the western periphery of the urbanized area of the County. The western edge of the property immediately west of the Subject Property lies along the L-8 Canal which effectively serves as the boundary for urban/suburban levels of development in this part of the County per the stated intent of the GAPO. The requested amendments propose to include the Subject Property in the boundaries of GAPO and LUSA to fill in the existing gap of development in this location considering urban/suburban levels of residential development existing to both the east and west of this site. In no way do these requests or the resulting development result in a failure to provide separation between rural and urban uses.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

Applicant's Response: The requested amendments and resulting development plan do not discourage or inhibit the development of existing communities. In a sense, the proposed development could be viewed as infill development as it proposes to develop a current vacant property with a development pattern similar to and compatible with surrounding development on both sides.

(XI) Fails to encourage a functional mix of uses.

Applicant's Response: The Subject Property is currently designated with an RR-10 FLU designation which would allow for a limited number of residential units and residential use only. The requested amendments to be included in the GAPO and LUSA boundaries will enable the development of the Subject Property with slightly higher density of residential uses with the potential for some related complementary uses. If anything, these requests represent an improvement to the potential functional mix of uses and will certainly lend towards an increase in housing options available to the population.

(XII) Results in poor accessibility among linked or related land uses.

Applicant's Response: The resulting development will be provided with a similar level of access as to what has been approved for adjacent development with a primary entrance connecting the community to Southern Boulevard. The Applicant recognizes that the County's Thoroughfare Identification Map contemplates the extension of Okeechobee Boulevard through the northern portion of the Subject Property and will cooperate with the County through the zoning application process to provide any required right-of-way dedications.

(XIII) Results in the loss of significant amounts of functional open space.

Applicant's Response: The Subject Property is not currently utilized as functional open space and so no loss will occur with the approval of the proposed FLUA change.

- b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
 - Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

Applicant's Response: The proposed amendment seeks to redevelop a property that was previously cleared of natural resources and located outside of a wellfield protection zone. As such, development of the Subject Property would not have an adverse impact on natural resources or ecosystems and the applicant will abide by County ULDC provisions with respect to addressing existing plant materials through the zoning approval process.

- Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Applicant's Response: The proposed development of the Subject Property facilitated by the amendment requests will maximize the use of existing public facilities and services available to the site along the Southern Boulevard corridor. The Subject Property is located along an area of existing development and would not require the extension of public facilities further west. The

Applicant recognizes that the County's Thoroughfare Identification Map contemplates the extension of Okeechobee Boulevard through the northern portion of the Subject Property and will cooperate with the County through the zoning application process to provide any required right-of-way dedications.

- Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

Applicant's Response: The proposed amendment will introduce additional housing options in an area of the County experiencing a high and growing demand from both current and future residents. The Subject Property is of sufficient size, location, and conditions to allow for the development of a cohesive neighborhood which offers a high quality of life to residents. The location of the site allows the community to be adequately rural in its theme and design while enabling quick and convenient access to a range of non-residential uses along the Southern Boulevard corridor and surrounding areas.

- Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Applicant's Response: The proposed amendments will allow for the compatible development of a property within an area planned for low density residential uses. The development of the Subject Property will not perpetuate a sprawling development pattern but rather will work to fill the hole of an existing residential development pattern in this area. The change will designate a suitable property with LR-2 FLU to allow for an appropriate level of residential development in this area to serve the needs of existing and future residents.

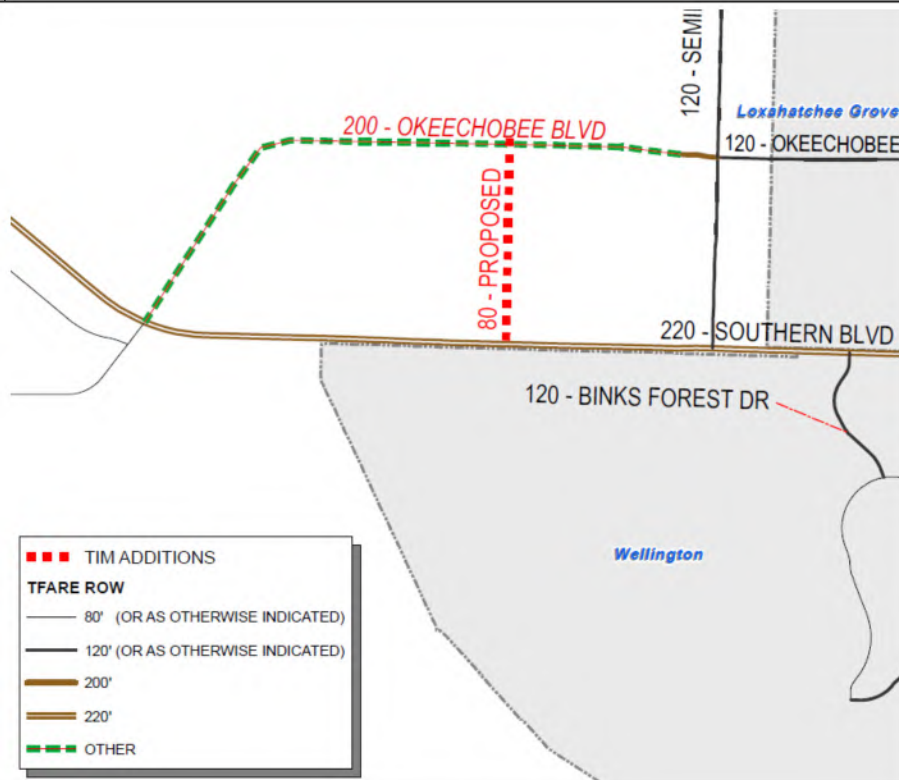
G. CONCLUSION

The information presented within this justification narrative and the supporting materials included with this application serve to support the request for a Comprehensive Plan Text and Map Amendment to allow for the development of the Subject Property with a higher density of residential development comparable to the approved development of the adjacent property utilizing the same regulatory mechanisms of the GAPO Planning Overlay and inclusion within the LUSA. The expansion of this development pattern to the east will serve to fill the existing gap in development along this portion of the Southern Boulevard corridor and prevent further development of agricultural lands west of the L-8 Canal. The requested amendments and proposed level of development are justified and consistent with the County's Plan, State Statutes, and surrounding development as described herein.

On behalf of the applicant, UDS, respectfully requests approval of these requests for a Comprehensive Plan Text and Map Amendment and to amend the FLUA designation on the subject property. The Project Managers at UDS are Ken Tuma, KTuma@udsflorida.com, and Tyler Woolsey, TWoolsey@udsflorida.com, who can be reached via email or by phone at 561-366-1100.

Exhibit 3

Name:	Okeechobee Connector
Change:	To add a roadway right-of-way to the TIM as follows: an 80 foot roadway segment from Southern Boulevard to the future extension of Okeechobee Boulevard, approximately 2 miles west of Seminole Pratt-Whitney
District:	District 6, Commissioner McKinlay
Area:	Rural Tier within unincorporated County
Cities:	Wellington, Royal Palm Beach, Loxahatchee Groves, Westlake
Interested Parties:	Indian Trails Improvement District, Acreage Landowners Association, Lion Country Safari, Deer Run, and Fox Trail
Lanes:	Unbuilt segment, 2035 Map = not identified, 2045 LRTP = not identified, ultimate 4/5 lanes
Basis:	This connector road right-of-way is proposed to provide a reliever road for Southern Boulevard and to increase connectivity in the vicinity of the following five PCNs 00404327000003010, 5000, 1010, 7010 and 7020. There is no existing connection on the TIM between Southern Blvd. and the future extension of Okeechobee Blvd. for the 5 miles between Seminole Pratt Whitney Rd. and the 20-mile Bend. The new connector road is proposed approximately 2 miles west of Seminole Pratt Whitney Rd. This additional major roadway will provide an alternate route for the residents of the Central Western Communities, and is intended to improve accessibility by creating more of a grid network.



Okeechobee Connection

- **Summary:** To add an 80 foot roadway segment from Southern Boulevard to the future extension of Okeechobee Blvd., approximately 2 miles west of Seminole Pratt-Whitney Rd.

1. Whether improvements are proposed to the Link or Major Intersection under consideration

Staff Analysis/Comment: Currently, there are no plans to construct this roadway, but the purpose of the amendment is to reserve the necessary ROW for a future 4/5 lane connection between Southern Blvd. and Okeechobee Blvd. that will act as a reliever for Southern Blvd. and for Seminole Pratt-Whitney Rd.

2. Whether improvements are proposed to reliever Links or Major Intersections and the extent that such reliever would impact traffic on the Link under consideration.

Staff Analysis/Comment: The future roadway connection itself will act as a reliever for Southern Blvd. and for Seminole Pratt-Whitney Rd., especially for traffic emanating from and destined to Arden, Westlake, Loxahatchee Groves, and the Acreage and other western communities.

3. The physical characteristics of the property adjacent to the Link or Major Intersection under consideration.

Staff Analysis/Comment: The properties adjacent to the proposed ROW are predominantly agricultural in nature.

4. The character of the area businesses or neighborhoods adjacent to the Link or Major Intersection under consideration and the extent of impact on such.

Staff Analysis/Comment: The proposed Okeechobee Connection corridor is currently utilized for farming and located within Unincorporated Palm Beach County. The future 80' right-of-way will impact active farm operations.

5. The projected cost of adding additional capacity to the Link or Major Intersection or reliever facilities and the amount of capacity that would be added.

Staff Analysis/Comment: Since this will be a new roadway, new capacity based on ultimate number of lanes will be created. The capacity for a 4-5 lane roadway is 33,200 (Ultimate is 4/5-L with initial 3-L) vehicles per day and 1960 vehicles per hour per direction.

Okeechobee Connection (Southern Blvd. to Okeechobee Blvd.)

Design:	\$2.8 M
Right-of-Way Acquisition	\$4.9 M
Construction:	\$11.5 M
Total	\$19.2 M

6. The existing and projected volume-to-capacity of the Link and the surrounding Major Thoroughfares before and after the proposed modification.

Staff Analysis/Comment:

Roadway Segment	Lanes	AM Peak Volume	PM Peak Volume	Capacity V/hr	V/C Ratios
Existing Peak Hour Peak Direction Volumes					
ROW from Southern Blvd. to Okeechobee Blvd.	-	-	-	-	-
Projected 2035 Peak Hour Peak Direction Volumes					
ROW from Southern Blvd. to Okeechobee Blvd.	2L	TBD	TBD	1960	

7. The projected revenue for improving the Major Thoroughfare system and the likely priority of various improvements to the Major Thoroughfare system.

Staff Analysis/Comment: Revenue and priority for improvements are evaluated every year during the County's 5-Year Road Program updates.

8. Environmental character and extent of impact on such.

Staff Analysis/Comment: This will result in disturbed land that has been under active agricultural production. There is minimal upland habitat but it does have some isolated wetland areas that will require permits from the SFWMD. There also is an old canal that may also have wetland issues.

9. Historical significance and the extent of impact on such.

Staff Analysis/Comment: Adverse impacts on items of historical significance from the addition of the ultimate right-of-way for this the roadway segment are not anticipated.

10. Aesthetics and the extent of impact on such.

Staff Analysis/Comment: The roadway will include the addition of bike lanes and sidewalks. Pending the final roadway design, minimal impacts on aesthetics can be anticipated.

11. Amount of existing ROW and cost to obtain additional ROW.

Staff Analysis/Comment: The ROW acquisition cost is estimated to be \$4.9 million.

12. Impact on provision of other public facilities.

Staff Analysis/Comment: No public facilities impact is anticipated.

Exhibit 4

Applicant's Disclosure of Ownership Interests

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
Ryan Mosher, 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 ☒ Authorized Signatory [position—e.g.,
president, partner, trustee] of Kolter Group Acquisitions, LLC [name and type of entity -
e.g., *ABC Corporation, XYZ Limited Partnership*], (hereinafter, "Applicant").
Applicant seeks Comprehensive Plan amendment or Development Order approval
for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: Kolter Group Acquisitions LLC
105 NE 1st Street
Delray Beach, FL 33445
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.



Ryan Mosher, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me by means of 17 physical presence or
[] online notarization, this 30 day of August, 2021 by
Ryan Mosher (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).

Denise Yanes
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: 4/17/23

NOTARY SEAL OR STAMP



LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 22, 27 AND 34, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27, THENCE 89° 08' 03" EAST ALONG THE NORTH LINE OF SAID SECTION 27 A DISTANCE OF 780.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 1° 02' 42" EAST, ALONG A LINE 780.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 27 A DISTANCE OF 360.00 FEET; THENCE SOUTH 89° 08' 03" EAST, ALONG A LINE 360.00 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 27 A DISTANCE OF 2154.93 FEET; THENCE SOUTH 1° 02' 42" WEST, ALONG A LINE 2934.91 EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 27 A DISTANCE OF 9031.73 FEET; THENCE NORTH 88° 24' 56" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF SOUTHERN BOULEVARD (STATE ROAD 80) PER DEPARTMENT OF TRANSPORTATION SECTION 93120-252S DATED MAY 1984, A DISTANCE OF 2154.92 FEET; THENCE NORTH 1° 02' 36" EAST, ALONG A LINE 780.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 34, A DISTANCE OF 3354.28 FEET; THENCE NORTH 1° 02' 42" EAST, ALONG A LINE 780.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 27 A DISTANCE OF 5290.42 FEET TO THE POINT OF BEGINNING, SAID PARCEL BEING 19433365.65 SQUARE FEET OR 446.129 ACRES MORE OR LESS.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

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

Name

Address

Robert & Julien % Kolter Group - 105 NE 1st St. Delray Beach, FL 33444

2005 Robert & Julien Family Delaware Dynasty Trust %

Kolter Group -

105 NE 1st St. Delray Beach, FL 33444

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

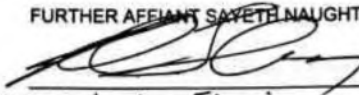
STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the ☐ individual or ☒ MANAGING MEMBER [position - e.g., president, partner, trustee] of Fleming Properties, 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: P.O. Box 548
POMPANNO BEACH, FL
33061
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.

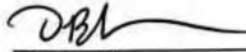

John Christopher Fleming, Affiant
 (Print Affiant Name)

NOTARY PUBLIC INFORMATION:

Colorado
 STATE OF FLORIDA
 COUNTY OF PALM BEACH Denver

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20th day of August, 2021 by John Christopher Fleming (name of person acknowledging). He/she is personally known to me or has produced us Passport card (type of identification) as identification and did/did not take an oath (circle correct response).

Dawn Ballow
 (Name - type, stamp or print clearly)


 (Signature)

My Commission Expires on: 03/20/2025

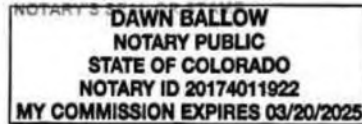


EXHIBIT "A"

PROPERTY

PARCEL 1

A PARCEL OF LAND LYING IN SECTION 27 AND 34, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 27; THENCE NORTH 89°08'03" WEST, ALONG THE NORTH LINE OF SAID SECTION 27, A DISTANCE OF 2,295.07 FEET; THENCE SOUTH 01°02'36" WEST, A DISTANCE OF 1,660.72 FEET TO A LINE PARALLEL WITH AND 1,660.71 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 27, THENCE NORTH 89°08'03" WEST, A DISTANCE OF 1063.98 FEET TO A POINT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 01°02'39" WEST, A DISTANCE OF 6,997.63 FEET TO POINT ON THE NORTH RIGHT-OF-WAY LINE FOR STATE ROAD 80 (SOUTHERN BOULEVARD) AS SHOWN ON THE STATE OF FLORIDA RIGHT-OF-WAY MAP SECTION 93120-2515, DATED MAY, 1984; THENCE NORTH 88°24'56" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 1,091.00 FEET TO THE SOUTHEAST CORNER OF ARDEN P.U.D. PLAT 1, AS RECORDED IN PLAT BOOK 122, PAGE 32, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01°02'36" EAST, ALONG THE EAST LINE OF SAID ARDEN P.U.D. PLAT 1, AND PARALLEL WITH THE WEST LINE OF SAID SECTION 34 AND 780.00 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 34, A DISTANCE OF 3,362.44 FEET; THENCE NORTH 01°02'42" EAST, ALONG THE EAST LINE OF SAID ARDEN P.U.D. PLAT 1, AND PARALLEL WITH THE WEST LINE OF SAID SECTION 27 AND 780.00 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 27, A DISTANCE OF 3,621.53 FEET; THENCE SOUTH 89°08'03" EAST, ALONG A LINE 1660.71 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 27, A DISTANCE OF 1090.94 FEET TO THE POINT OF BEGINNING.

SAID PARCEL BEING 7,626,192.57± SQFT OR 175.073± ACRES MORE OR LESS

PARCEL 2

A PARCEL OF LAND LYING IN SECTIONS 22 AND 27, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 27, THENCE SOUTH 44°04'57" EAST, ALONG THE SOUTHWESTERLY LINE OF DEER RUN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGES 34 THROUGH 39, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 311.14 FEET TO THE WEST LINE OF THE PLAT OF FOX TRAIL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 31, PAGES 157 THROUGH 162, INCLUSIVE, OF THE SAID PUBLIC RECORDS; THENCE SOUTH 00°58'44" WEST, ALONG SAID LINE, A DISTANCE OF 383.46 FEET TO A POINT ON A LINE PARALLEL WITH AND 603.47 FEET SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 27; THENCE, NORTH 89°04'57" WEST, ALONG SAID LINE, A DISTANCE OF 2,516.83 FEET TO A POINT ON A LINE PARALLEL WITH AND 2934.91 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 27; THENCE, SOUTH 01°05'36" WEST, ALONG SAID LINE, A DISTANCE OF 1,057.25 FEET TO A POINT ON A LINE PARALLEL WITH AND 1660.71 FEET SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 27; THENCE, NORTH 89°04'57" WEST, ALONG SAID LINE, A DISTANCE OF 1,077.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°04'57" WEST, ALONG SAID LINE, A DISTANCE OF 1,077.08 FEET; THENCE NORTH 01°05'36" EAST, ALONG A LINE PARALLEL WITH AND 780.00 FEET EASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 27, A DISTANCE OF 1,667.99 FEET; THENCE, NORTH 00°19'35" WEST, ALONG A LINE PARALLEL WITH AND 780.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 22, A DISTANCE OF 352.81 FEET TO THE SOUTH LINE OF SAID PLAT OF DEER RUN; THENCE SOUTH 89°04'57" EAST, ALONG SAID LINE, A DISTANCE OF 1,085.82 FEET; THENCE SOUTH 01°05'36" WEST, A DISTANCE OF 2,020.72 FEET TO THE POINT OF BEGINNING.

SAID PARCEL BEING 2,176,469.32± SQFT OR 49.965± ACRES MORE OR LESS

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
Fleming Properties, LLC	P.O. Box 548 Pompano Beach FL 33061
John Christopher Fleming	P.O. Box 548 Pompano Beach, FL 33061

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 Donald Stevenson, 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 Lornco Farms, 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: 631 U.S. Highway One, Suite 409
North Palm Beach, FL 33408
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.


Donald Stevenson, 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 20th day of August, 2021 by Donald Stevenson (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).

Rena Uzzi
 (Name - type, stamp or print clearly)

Rena Uzzi
 (Signature)

My Commission Expires on: 6-30-2024

NOTARY'S SEAL OR STAMP



EXHIBIT "A"

PROPERTY

A PARCEL OF LAND LYING IN SECTIONS 22 AND 27, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 44°04'57" EAST, ALONG THE SOUTHWESTERLY LINE OF DEER RUN, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 35, PAGES 34 THROUGH 39, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 311.14 FEET TO THE WEST LINE OF THE PLAT OF FOX TRAIL, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGES 157 THROUGH 162, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 00°58'44" WEST, ALONG SAID LINE, A DISTANCE OF 383.46 FEET TO A POINT ON A LINE PARALLEL WITH AND 603.47 FEET SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 27; THENCE, NORTH 89°04'57" WEST, ALONG SAID LINE, A DISTANCE OF 2516.83 FEET TO A POINT ON A LINE PARALLEL WITH AND 2934.91 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 27; SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE, SOUTH 01°05'36" WEST, ALONG SAID LINE, A DISTANCE OF 1057.25 FEET TO A POINT ON A LINE PARALLEL WITH AND 1660.71 FEET SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 27; THENCE, NORTH 89°04'57" WEST, ALONG SAID LINE, A DISTANCE OF 1077.84 FEET TO A POINT ON A LINE PARALLEL WITH AND 1857.07 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 27; THENCE NORTH 01°05'36" EAST, ALONG SAID LINE, A DISTANCE OF 2020.72 FEET TO THE SOUTH LINE OF SAID PLAT OF DEER RUN; THENCE, SOUTH 89°04'57" EAST, ALONG SAID LINE, A DISTANCE OF 1077.84 FEET; THENCE, SOUTH 01°05'36" WEST, A DISTANCE OF 963.47 FEET TO THE POINT OF BEGINNING.

SAID PARCEL BEING 2,178,007.64± SQFT OR 50.000± ACRES MORE OR LESS

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
Donald W. Stevenson 2007 Irrevocable Trust	
13345 Rolling Green Road, North Palm Beach, FL 33408	
Peggy Stevenson	13345 Rolling Green Road, North Palm Beach, FL 33408
Ava Stevenson	13345 Rolling Green Road, North Palm Beach, FL 33408
Celene Stevenson	13345 Rolling Green Road, North Palm Beach, FL 33408
Hannah Stevenson	1400 Oak Bluff Road, Edgewater, MD 21037

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 Robin Fleming, 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 ☐ Robin Fleming [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 11924 Forest Hill Blvd., Ste. 10A-176
Wellington, FL 33414
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.

Robin Fleming
(Print Affiant Name) Affiant

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 19th day of August, 2021 by Robin Ann Fleming (name of person acknowledging). He/she is personally known to me or has produced DL FV55-721-64-633-0 (type of identification) as identification and did/did not take an oath (circle correct response).

Robin Fleming
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: 12-22-2021

NOTARY'S SEAL OR STAMP

Angela Martin
Angela Martin

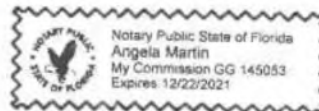


EXHIBIT "A"

PROPERTY

PARCEL 1B

A PARCEL OF LAND LYING IN SECTION 27 AND 34, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 27; THENCE NORTH 89°08'03" WEST, ALONG THE NORTH LINE OF SAID SECTION 27, A DISTANCE OF 2,295.07 FEET; THENCE SOUTH 01°02'36" WEST, A DISTANCE OF 1,660.72 FEET TO A LINE PARALLEL WITH AND 1,660.71 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 27. SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°02'36" WEST. A DISTANCE QF 7,010.97 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE FOR STATE ROAD 80 (SOUTHERN BLVD.) AS SHOWN ON STATE OF FLORIDA RIGHT OF WAY MAP SECTION 93120-2515, DATED MAY, 1984; THENCE NORTH 88°24'56" WEST ALONG SAID RIGHT OF WAY LINE. A DISTANCE OF 1,064.13 FEET; THENCE NORTH 01°02'39" EAST A DISTANCE OF 6,997.63 FEET; THENCE SOUTH 89°08'03" EAST ALONG A LINE 1,660.71 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID SECTION 27, A DISTANCE OF 1,063.98 FEET TO THE POINT OF BEGINNING.

SAID PARCEL BEING 7,452,387+ SQUARE FEET OR 171.0833 ACRES, MORE OR LESS.

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
Robin Fleming	1924 Forest Hill Blvd., Ste. 10A-176
	Wellington, FL 33414