



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT SMALL SCALE AMENDMENT

PLANNING COMMISSION PUBLIC HEARING, NOVEMBER 3, 2023

A. Application Summary

I. General

Project Name:	Cagigas Medical Center (SCA 2023-016)
Request:	CH/8 on 0.86 acres and MR-5 on 1.25 acres to UI on 2.11 acres
Acres:	2.11 acres
Location:	East side of Military Trail, approximately 0.25 miles south of Summit Boulevard
Project Manager:	Peter Germain, Planner I
Applicant:	Cagigas Family Holding Company, LLC (Mariela Cruz, Mgr.)
Owner:	Cagigas Family Holding Company, LLC (Mariela Cruz, Mgr.)
Agent:	Kevin McGinley, Land Research Management, Inc.
Staff Recommendation:	Staff recommends approval with conditions based upon the following findings and conclusions found in this report.

II. Assessment & Conclusion

The amendment proposes to change the future land use designation on a 2.11 acre site located in the Urban Redevelopment Area (URA) from Commercial High, with underlying 8 units per acre (CH/8) on 0.86 acres and Medium Residential, 5 units per acre (MR-5) on 1.25 acres to Urban Infill (UI) on the entire 2.11 acres. The concurrent zoning application is proposing to develop 22,000 square feet of Medical Office within a new, two-story building.

The subject site was previously deemed appropriate to have the UI designation during the 2008-2009 URA Master Plan process. Previous owners elected to “opt-out” of the County initiated amendment in 2009 that would have granted the parcel the UI future land use designation, and this application is requesting to “opt back in” to the URA. The proposed amendment represents an opportunity to take advantage of the redevelopment potential along the Military Trail corridor. The concurrent zoning application provides a design with a scale, mass, intensity, and character consistent with the redevelopment pattern envisioned by the URA for this corridor.

The purpose of the URA is to focus the County’s redevelopment and infill efforts by promoting economic growth and discouraging urban sprawl by directing development where resources exist. This amendment provides an opportunity to meet the purpose of the URA, and an opportunity to foster infill development in an urban form that is consistent with the adopted sub-objective and policies for the URA. The urban form techniques utilized within the associated site plan, including placement of the building, pedestrian amenities, interconnectivity, and overall design are consistent with the URA, and the proposed development is compatible with the surrounding area given the urban vision for the Military Trail corridor. The amendment fosters infill development, is appropriate for the corridor, and is consistent with the Comprehensive Plan.

III. Hearing History

Local Planning Agency:

Board of County Commissioners Adoption Public Hearing:

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B. Petition Summary

I. Site Data

Current Future Land Use

Current FLU: Commercial High, with underlying 8 units per acre (CH/8) on 0.86 acres and Medium Residential, 5 units per acre (MR-5) on 1.25 acres

Existing Land Use: Commercial Retail

Current Zoning: General Commercial (CG) on 0.86 acres
Multifamily Residential (RM) on 1.25 acres

Current Dev. Potential Max: Commercial uses, up to 31,842 square feet and Multifamily Residential, up to 7 units

Proposed Future Land Use Change

Proposed FLU: Urban Infill (UI)

Proposed Use: Medical Office

Proposed Zoning: Urban Infill (UI)

Dev. Potential Max/Conditioned: Medical Office, up to 22,000 square feet

General Area Information for Site

Tier/Tier Change: Urban/Suburban Tier – No Change

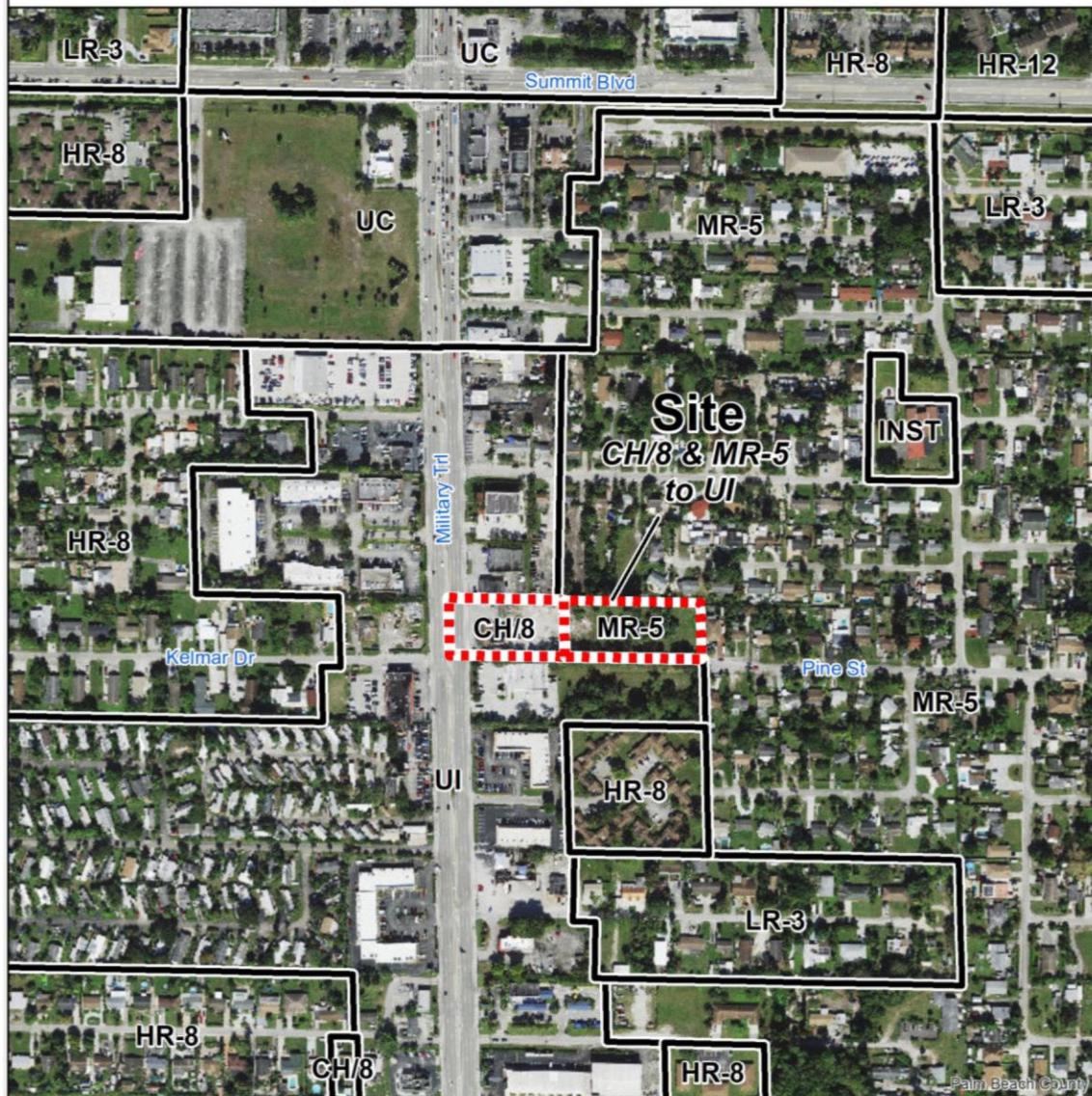
Utility Service: Palm Beach County Water Utilities Department

Overlay/Study: Urban Redevelopment Area, Revitalization Redevelopment and Infill Overlay, Melaleuca Avenue-Pine Air West CCRT Area

Comm. District: Michael A. Barnett, District 3

Future Land Use Atlas Amendment

Cagigas Medical (SCA 2023-016)



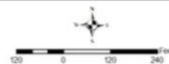
Site Data

Size: 2.11 acres
Existing Use: Commercial and Vacant
Proposed Use: Commercial
Current FLU: CH/8 and MR-5
Proposed FLU: UI

Future Land Use Designations

LR-3	Low Residential, 3 units/acre	UC	Urban Center
MR-5	Medium Residential, 5 units/acre	INST	Institutional
HR-8	High Residential, 8 units/acre		
HR-12	High Residential, 12 units/acre		
CH/8	Commercial High, underlying HR-8		
UI	Urban Infill		

Date: 9/13/2022
Contact: PBC Planning
Filename: AMEND/23-SCA/SiteSpecific
Note: Map is not official, for presentation purposes only.



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



C. Introduction & Review

I. Intent of the Amendment

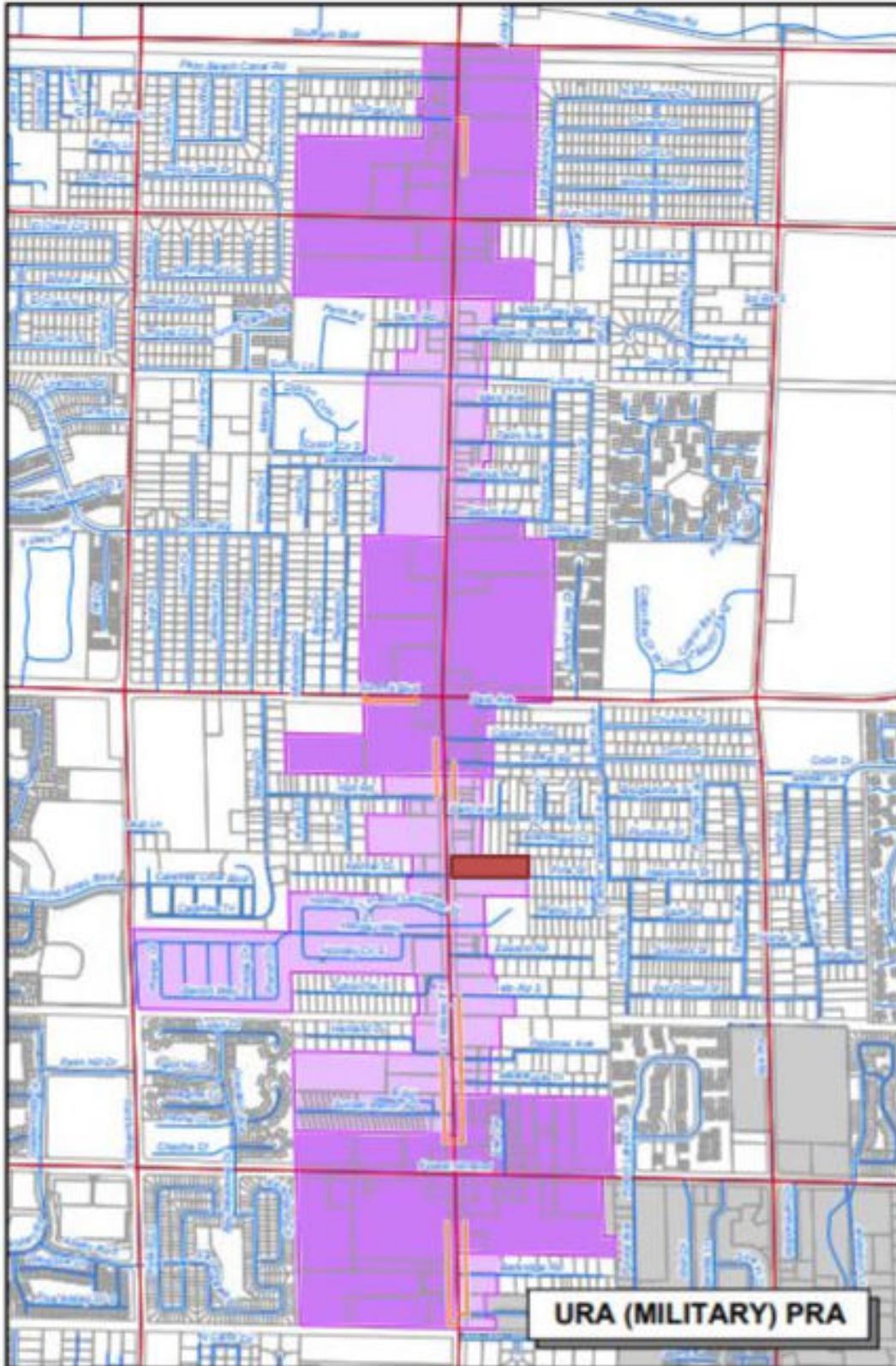
The subject site is located on the east side of Military Trail and approximately one-quarter mile south of Summit Boulevard within the Military Priority Redevelopment Area (PRA) of the Urban Redevelopment Area Overlay (URAO). The 2.11 acre site consists of one parcel and currently contains a 2,710 square foot building built in 1957. According to the applicant, the site is utilized by “LA Turf and Paver, [which] includes wholesale sales and installation of artificial grass, pavers, and travertine. The rear area of the property is used for outdoor storage of equipment and materials.”

Proposed Amendment: The amendment proposes to change the future land use designations from Commercial High, with underlying 8 units per acre (CH/8) on 0.86 acres and Medium Residential, 5 units per acres (MR-5) on 1.25 acres to Urban Infill (UI). The amendment proposes to develop a medical office use. Although development in the proposed UI future land use designation is governed by form, rather than a floor area ratio (FAR) to establish maximum square footage, the building proposed for the subject site is two stories and 22,000 square feet.

Background: This site is located in the URA within the Military PRA, an area which predominantly consists of the UI future land use designation. A challenge to development of the parcel at the current time is the designation of two different FLU designations and zoning districts. Parcels within the Military PRA which contain the UI designation were amended during Comprehensive Plan Amendment Round 09-02. At that time, the owners of the subject parcel chose to “opt-out” of the County initiated FLU amendment to UI. As such, the parcel retained the CH/8 and MR-5 designations. However, the County’s adopted vision for the corridor did not change based on the individual owner’s decision to opt-out. Several other projects previously “opted out” of the original URA amendments and subsequently sought and obtained later amendments to utilize the UI designation. These amendments include the Matthews Mini Storage (SCA 2016-027, Ordinance 2016-039), ETC Office Warehouse (SCA 2019-002, Ordinance 2019-019), and more recently Southport Grove (SCA 2021-004, Ordinance 2021-019).

Zoning Application: Through Zoning Application Z/W-2022-1517, the applicant is proposing to change the zoning district from CG and RM to UI. The applicant is also requesting Type 2 Waivers from URAO Standards in the Unified Land Development Code (ULDC), which is permissible by FLUE Policy 1.2.2-c in order to allow for flexibility in the requirements for UI projects. Control number 1999-30103.

Urban Redevelopment Area Background. The proposed Urban Infill (UI) future land use designation is one implementing mechanism of the County's Urban Redevelopment Area (URA). The URA Overlay in the Comprehensive Plan was adopted to implement the URA Master Plan prepared by the County and the Treasure Coast Regional Planning Council in 2007. The Master Plan, and implementing policies, adopted in 2007 to 2008, named the Military Trail, Lake Worth Road, and Congress Avenue corridors as Priority Redevelopment Areas (PRAs). A map on the following page identifies the boundaries of the Military PRA, with the subject site highlighted in red. Subsequent amendments changed the future land use designations from predominately CH/8 to either UC at major intersections or UI along the corridors. The intent of the new land use designations was to provide an urban form based land use and zoning that would promote higher densities and square footage in a manner to promote pedestrian activity and transit use.



II. Data and Analysis Summary

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

Appropriateness of the Amendment. The amendment proposes to change the future land use designation on a 2.11 acre site located in the Urban Redevelopment Area (URA) from Commercial High, with underlying High Residential 8 units per acre (CH/8) and Medium Residential, 5 units per acre (MR-5) to Urban Infill (UI). The applicant is seeking the UI designation in order to develop the subject site with a two-story, 22,000 square foot medical office. The parcels which currently have the UI FLU designation were amended during Comprehensive Plan Amendment Round 09-02, in order to foster a more urban form, promoting pedestrian activity, and transit use in this area of the County. The proposed FLUA amendment to UI is consistent with the URA Master Plan and Addendum, and introduces the predominate future land use designation along this segment of the corridor within the URA to this site.

Compatibility. The Urban Infill (UI) future land use designation for this site was previously determined to be compatible with the proposal of this designation for this site in 2009. The UI designation is compatible with existing and planned development in the immediate vicinity as required by Policy 2.1-f of the Future Land Use Element. The site is surrounded by UI designation to the north, south, and west. These parcels have frontage on Military Trail and feature commercial retail uses including a cellphone store, a pawn shop, and an automotive parts store. To the east are parcels within the MR-5 designation, which are developed as single and multifamily residential uses.

The URA Master Plan and Addendum identified existing commercial corridors and underutilized residential parcels near those corridors as being suitable for redevelopment. The Master Plan further proposed an urban form that allowed for greater development potential than the existing regulations, Policy 1.2.2-b of the FLUE states that development in the UI district provides vehicular and pedestrian connections to adjacent parcels and roadways. The proposed development will provide a future cross access to the commercial property to the south. Policy 1.2.2-c establishes Alternative Standards to allow projects to apply for relief through the Zoning approval process based on the additional information provided through that process. The applicant is proposing a rezoning to UI with Type 2 Waivers in order to develop a medical office use that is compatible with the surrounding future land use designations and consistent with the vision of commercial development and urban form in the UI future land use designation.

Assessment and Recommendation. The amendment proposes to change the future land use designation on a 2.11 acre site located in the Urban Redevelopment Area (URA) from Commercial High, with underlying 8 units per acre (CH/8) on 0.86 acres and Medium Residential, 5 units per acre (MR-5) on 1.25 acres to Urban Infill (UI) on the entire 2.11 acres. The concurrent zoning application is proposing to develop 22,000 square feet of Medical Office within a new, two-story building.

The subject site was previously deemed appropriate to have the UI designation during the 2008-2009 URA Master Plan process. Previous owners elected to "opt-out" of the County initiated amendment in 2009 that would have granted the parcel the UI future land use designation, and this application is requesting to "opt back in" to the URA. The proposed amendment represents an opportunity to take advantage of the redevelopment potential along the Military Trail corridor.

The concurrent zoning application provides a design with a scale, mass, intensity, and character consistent with the redevelopment pattern envisioned by the URA for this corridor.

The purpose of the URA is to focus the County's redevelopment and infill efforts by promoting economic growth and discouraging urban sprawl by directing development where resources exist. This amendment provides an opportunity to meet the purpose of the URA, and an opportunity to foster infill development in an urban form that is consistent with the adopted sub-objective and policies for the URA. The urban form techniques utilized within the associated site plan, including placement of the building, pedestrian amenities, interconnectivity, and overall design are consistent with the URA, and the proposed development is compatible with the surrounding area given the urban vision for the Military Trail corridor. The amendment fosters infill, is appropriate for the corridor, and is consistent with the Comprehensive Plan.

Therefore, staff recommends ***approval with conditions*** of the amendment.

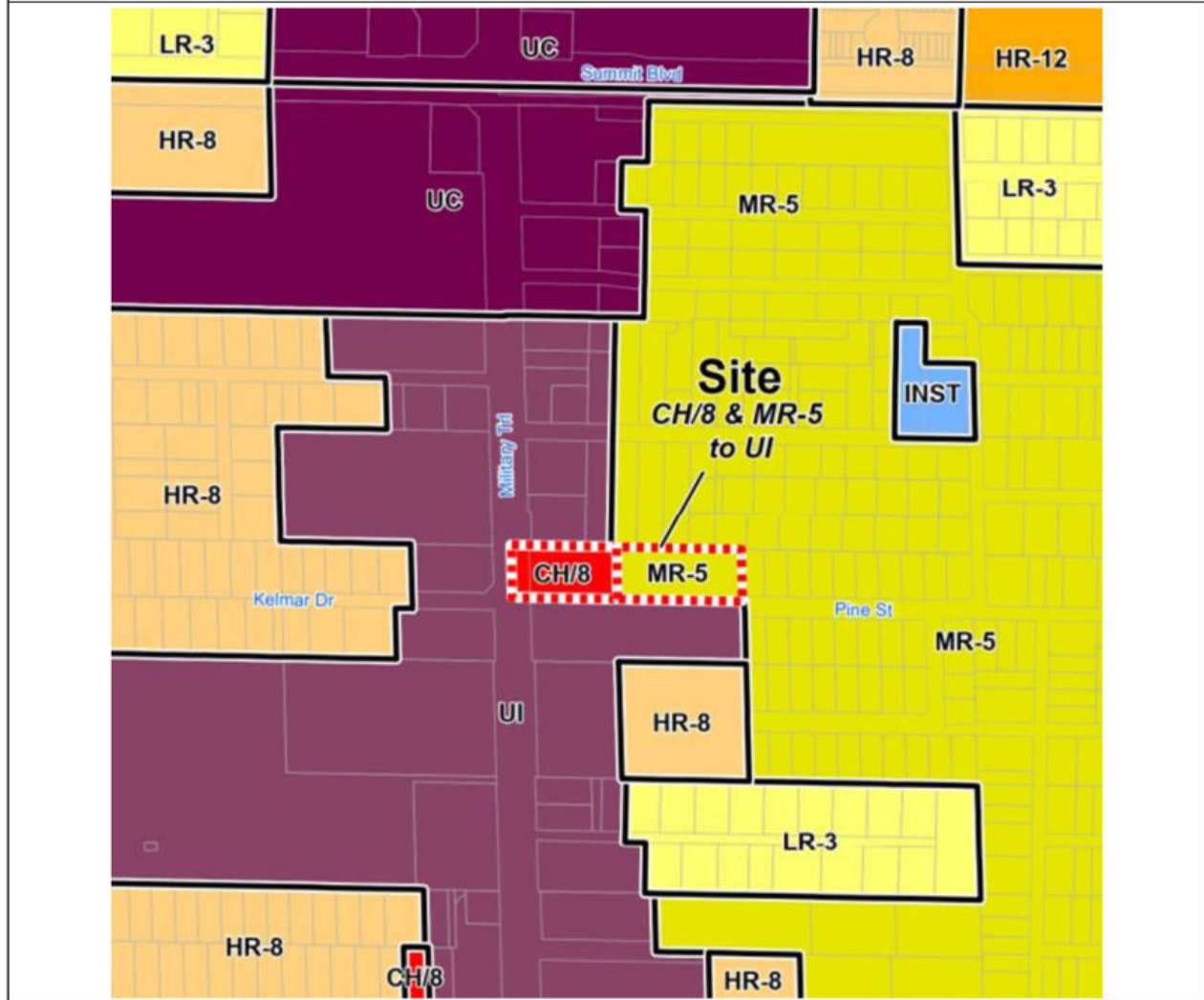
Exhibits	Page
1. Future Land Use Map & Legal Description	E-1
2. Consistency with Comprehensive Plan	E-3
3. Applicant's Justification/Consistency with Comprehensive Plan	E-12
4. Applicant's Public Facility Impacts Table	E-15
5. Palm Beach County Traffic Division Letter	E-18
6. Water & Wastewater Provider LOS Letter	E-20
7. Applicant's Disclosure of Ownership Interests	E-21
8. Correspondence	E-25

Exhibit 1

Amendment No:	Cagigas Medical Center (SCA 2023-016)
FLUA Page No:	71
Amendment:	From Commercial High, with underlying 8 units per acre (CH/8) on 0.86 acres and Medium Residential, 5 units per acre (MR-5) on 1.25 acres to Urban Infill (UI) with conditions
Location:	East of Military Trail, approximately 0.25 miles south of Summit Blvd.
Size:	2.11 acres approximately
Property No:	00-42-44-12-00-000-1020

Conditions:

1. Vehicular cross access shall be provided to the parcel to the south.



Legal Description

THE NORTH 150 FEET OF THE NORTH $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, LESS THE WEST 10 FEET THEREOF AND BEING ALSO DESCRIBED AS THE NORTH 150 FEET OF THE NORTH $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF LOT 5, BLOCK 1, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, LESS THE WEST 10 FEET THEREOF (PALM BEACH PLANTATIONS), ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 20, LESS THAT PARCEL AS DESCRIBED IN DEED TO THE STATE OF FLORIDA, AS RECORDED IN O.R. BOOK 1439, PAGE 250, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

2.11 Acres More or Less

Exhibit 2

Consistency with Comprehensive Plan

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

A. Consistency with the Comprehensive Plan - General

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

1. *The natural environment, including topography, soils and other natural resources; (see Public Facilities Section)*
2. *The availability of facilities and services; (see Public Facilities Section)*
3. *The adjacent and surrounding development; (see Compatibility Section)*
4. *The future land use balance;*
5. *The prevention of urban sprawl as defined by 163.3164(51), F.S.;*
6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section)*
7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (see Public and Municipal Review Section)*

The applicant has prepared a Justification Statement (Exhibit 3) which is summarized as follows:

- “The 2.11 acre property currently contains a 2,710 square foot office building built in 1957. The business, LA Turf and Paver, includes wholesale sales and installation of artificial grass, pavers, and travertine. The rear area of the property is used for outdoor storage of equipment and materials.”
- “The subject property is located within the mixed-use corridor along the Military Trail, an arterial thoroughfare, which includes retail stores and offices (personal and business services), used vehicle sales, car wash, and outdoor storage uses.”
- “As redevelopment of the subject property is consistent with the purpose and characteristics of the UI Transect, it is concluded that the proposed UI FLU designation is suitable and appropriate.”

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

This amendment proposes to change the future land use designation on a 2.11 site from CH/8 and MR-5 to Urban Infill (UI) in order to develop the site with a medical office. Through changing the future land use designation to UI, the amendment proposes to utilize the provisions of the URA to develop a two-story, 22,000 square foot medical office building.

Following a presentation regarding the Infill and Redevelopment Study in 2004, the Board directed the creation of the URA Master Plan, Addendum, and subsequent implementing amendments to the Comprehensive Plan and Unified Land Development Code, in order to promote infill and urban development in the County's urban core. The properties fronting portions of Military Trail, Congress Avenue, and Lake Worth Road within the URA were identified as "Priority Redevelopment Areas" (PRAs) and subject to County Initiated amendments to change the land use designations from largely Commercial High and High Residential 8 units per acre to either Urban Center (at intersections) and Urban Infill (along corridors). The purpose of the URA is to focus the County's redevelopment and infill efforts by promoting economic growth, improving the present conditions of infrastructure, investment and reinvestment in the area, and discouraging urban sprawl by directing development where resources exist.

The assignment of UI along this portion of Military Trail have resulted in changes to this area reflecting a new vision of development not anticipated by the 1989 Comprehensive Plan. Further, the split FLU designations on this property poses a challenge to redevelopment. The UI designation, as originally envisioned in 2008, allows for more development intensity as well as the ability to achieve multi-story development, with a more flexible design process. The proposal is generally consistent with the design concepts of the URA as adopted by the BCC, and as such there is adequate justification for the proposed land use amendment.

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

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

Direction 3. Infill, Redevelopment and Revitalization. *Address the needs of developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.*

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

Direction 5. Neighborhood Integrity. *Respect the integrity of neighborhoods, including their geographic boundaries and social fabric.*

Staff Analysis: The proposed amendment furthers several of the County Directions. As previously noted, UC and UI are the future land use designations established to implement the vision within the URA Master Plan and Addendum. The Urban Infill transect is formed

by urban, mixed-use areas at the edges of existing neighborhoods, proximate to corridors, and represents smart growth concepts and efficient land use. The UI future land use designation is intended to allow for residential, office, civic, employment generating, and commercial uses. The proposed project will be generally consistent with the urban form of development, and also provides several of the characteristics pertaining to the transect, such as a non-residential use, building placement located along the sidewalk, and pedestrian amenities including usable open space. The proposed amendment is consistent and compatible with the Master Plan and the listed County Directions.

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

Staff Analysis: The definition of piecemeal development in the Comprehensive Plan describes “A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole.” The proposed amendment is on a single parcel and will amend the FLU to UI, consistent with the County’s vision for the URA. Therefore the proposed amendment would not constitute piecemeal development.

4. **Residual Parcel – FLUE Policy 2.1-i:** *As a means of promoting appropriate land development patterns the County shall discourage the creation of residual parcels within or adjacent to a proposed development. If such a situation is identified, and the residual parcels cannot be eliminated, then the development shall be designed to allow for inter-connectivity with the residual parcels through various techniques including, but not limited to, landscaping and pedestrian and vehicular access. In addition, the future land use designation and/or zoning district of the residual parcel shall also be considered by the Board of County Commissioners, concurrently with the development, to ensure that an incompatibility is not created.*

Staff Analysis: The Comprehensive Plan’s Introduction and Administration Element defines residual parcel as “a property under the same or related ownership that has been left out of a development area, resulting in a parcel which has limited development options and connections to surrounding properties.” The proposed FLUA amendment will create a single designation of UI across the entirety of the site, addressing the split FLU issue with the current CH/8 and MR-5 designations. Furthermore, no adjacent parcels are under the same or related ownership as the subject parcel. Therefore, the proposed amendment does not create a residual parcel.

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

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

1. **Policy 1.2-a:** *Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:*

1. *Allowing services and facilities consistent with the needs of urban and suburban development;*
2. *Providing for affordable housing and employment opportunities;*
3. *Providing for open space and recreational opportunities;*
4. *Protecting historic, and cultural resources;*
5. *Preserving and enhancing natural resources and environmental systems; and,*
6. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.*

Staff Analysis: The proposed amendment will support the development of a two story medical office within the Urban/Suburban Tier. As noted, this area contains public facilities and availability of services needed to support this proposed development. Review of the concurrent zoning application for the request has resulted in a design that demonstrates a scale, mass, intensity, and character that is generally consistent with the redevelopment pattern envisioned by the URA for the Military Trail corridor.

2. **Urban Redevelopment Area, Policy 1.2.2-a:** *The Urban Redevelopment Area is depicted on the Special Planning Areas Map LU 3.1 in the map series. Within the URA are designated Priority Redevelopment Areas (PRAs), depicted in the map series (LU 9.1 and LU 9.2 Urban Redevelopment Area Regulating Plan). The intent of redevelopment within the PRAs of the URA is to:*

- *Preserve and respect existing intact neighborhoods;*
- *Maintain and improve the character and the quality of life for those within and adjacent to redeveloped neighborhoods;*
- *Create a predictable regulatory framework for building form and the resulting physical environment;*
- *Reduce automobile trips, promote transit and/or alternative modes of transportation;*
- *Balance housing, with employment, commercial, and civic uses;*
- *Provide a variety of housing types to support residents of diverse ages, incomes, family sizes, ethnicities, and lifestyles;*
- *Create predictability and efficiency in planning and provision of infrastructure*

Staff Analysis: The purpose of the URA is to focus the County's redevelopment and infill efforts by promoting economic growth, improving the present conditions of infrastructure, investment and reinvestment in the area, and discouraging urban sprawl by directing development where resources are available. As noted in the Policy, one of the intents of the URA is to create a predictable regulatory framework for building form and the resulting physical environment. The concurrent site plan depicts the building placed along Military Trail with pedestrian amenities and usable open space completing the streetscape, while the rear of the parcel, adjacent to existing residential uses, provides for only parking, landscaping and buffers, and an open space/water detention area. The proposed amendment is consistent with this policy and the purpose of the URA.

3. **Policy 1.2.2-b:** *Within the PRAs, two new urban, mixed-use Future Land Use Designations are established: Urban Center and Urban Infill. These shall be transect-based land use designations and zoning districts. These transect based land use designations and their corresponding zoning districts will feature a primary emphasis on regulating building form and placement in relation to the public realm, over the regulation*

of specific uses. The locations of Urban Center and Urban Infill transects are depicted in the Map Series, Map LU 9.1 and LU 9.2, Urban Redevelopment Area Regulating Plan.

- **Urban Center:** (omitted for brevity)
- **Urban Infill:** *The Urban Infill (UI) Transect should be the predominant land use in the PRAs. The UI Transect are envisioned as urban, mixed-use areas at the edges of existing neighborhoods proximate to an arterial thoroughfare; therefore, the UI Transects are transitional by nature. The UI Transect is intended to support development and redevelopment using the planning strategies documented in the URA Master Plan. The UI Transects are intended to be flexible allowing residential, office, civic, employment generating, and commercial uses. The UI Transects shall develop/redevelop with the following characteristics, and will be implemented through the ULDC to require:*
 - *Residential and/or non-residential uses;*
 - *An interconnected pedestrian-friendly street network, including vehicular connectivity;*
 - *Vehicular and pedestrian connections to adjacent parcels and roadways;*
 - *Buildings located along the sidewalk with uses that support and enhance pedestrian activity;*
 - *An emphasis on multi-modal facilities (bike racks, bus shelters, on-street parking, enhanced pedestrian environments as appropriate);*
 - *A minimum of 15% of all new housing shall be provided as very low, and moderate income housing units;*
 - *A range of one to three story buildings;*
 - *Additional height may come from the use of “green building” strategies contained in Policy 1.2.2-f (up to four stories may be allowed);*

Staff Analysis: The proposed development and designation of UI on the site is consistent with this policy. The proposed medical office and overall site design is proposed in a manner that furthers the vision of the UI transect, and addresses the pedestrian realm and the street frontage as was envisioned by the URA Master Plan.

Further, the two-story building will be oriented in the northwest quadrant of the site fronting Military Trail, and the site proposes to incorporate planting and usable open space to further link the site with the URA corridor along Military Trail. Due to the lot size and configuration, the zoning application (Z/W-2022-01517) includes several waiver requests with respect to building placement, frontage, and elimination of a pedestrian pass-through. However, these waivers are allowable by FLUE Policy 1.2.2-c in order to allow flexibility in site design when and where appropriate. The proposed amendment is consistent with this policy and the purpose of the URA.

4. **Policy 1.2.2-d** states *“In the Urban Center and Urban Infill Transects, the shaping of the public thoroughfares as part of the public/civic realm shall foster the use of mixed-use, liner buildings, where appropriate. These are buildings that are wide to the primary street but shallow to the block depth. When done in continuous sections, liner buildings can hide parking lots or blank building walls, frame the public realm, reduce gaps in the streetscape between buildings, or when interrupted, create new pockets of public open spaces in small increments. Parking shall be allowed in the front or sides of buildings as determined to be appropriate during the development review process.”* And **Policy 1.2.2-e:** *The ULDC shall maintain a clear and concise set of urban, form-based regulations that implement the Urban Center and Urban Infill Transects in the PRAs. This form based-code shall establish an urban, pedestrian-friendly and transit supportive environment, through:*

- *Precise regulation of building and parking placement;*
- *Allow for flexibility in building use, and mixing of uses;*
- *Allow for reduced parking requirements and/or shared parking provisions;*
- *Stipulate streetscape components, ancillary landscaping, and allow for the creation of micro-climates through urban landscape standards;*
- *Incorporate Crime Prevention Through Environmental Design (CPTED) principles;*
- *Provide for public open spaces and recreational needs.*

Staff Analysis: Unlike a typical future land use designation or amendment, the URA Urban Center and Urban Infill designations require an enhanced review of the site design in order to ensure consistency with the Comprehensive Plan policies. The review of the proposed site plan indicates that the proposed building and site elements are placed to adequately address the public realm, and provide sidewalks and landscaped areas. The vehicular ingress/egress point and main drive aisle are located on the southern portion of the site, which maintains pedestrian circulation to the front and sides of the building. The site plan denotes a future cross access location to the Urban Infill parcel to the south, which currently supports commercial use. The proposed amendment is consistent with this policy and the purpose of the URA.

C. Compatibility

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use.

The surrounding land uses immediately abutting the site are the following:

North: Immediately north of the site fronting Military Trail is an approximately 7,600 square foot building on 0.55 acres supporting various commercial retail uses with the UI designation.

West: West of the site beyond South Military Trail are various commercial retail uses with the UI future land use designation.

South: Immediately south of the site, fronting Military Trail, is a 7,765 square foot commercial building (Auto Zone) on 2.58 acres with the UI future land use designation followed by various commercial retail uses.

East: Immediately east of the site are various subdivisions with a mixture single and multi-family homes with the MR-5 future land use designation.

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

Applicant’s Comments: The applicant states that, “The current mix (CH and MR 5) of subject property FLUM designations is not consistent with neighboring properties. Properties fronting Military Trail to the north and south of the subject property are both assigned UI FLUM designations to the extent of their depth. Assignment of the UI to the subject property will create consistency. Also, both of the adjacent properties are bounded by residential subdivisions to their east. Assignment of the UI FLUM will create a similar situation for the subject property, consistent with the intent of URA designated Priority Redevelopment Area (PRA) transect.”

Staff Analysis: The Urban Infill (UI) future land use designation for this site was previously determined to be compatible with the proposal of this designation for this site in 2009. The UI designation is compatible with existing and planned development in the immediate vicinity as required by Policy 2.1-f of the Future Land Use Element. The site is surrounded by UI designation to the north, south, and west. These parcels have frontage on Military Trail and feature commercial retail uses including a cellphone store, a pawn shop, and an automotive parts store. To the east are parcels within the MR-5 designation, which are developed as single and multifamily residential uses.

The URA Master Plan and Addendum identified existing commercial corridors and underutilized residential parcels near those corridors as being suitable for redevelopment. It further proposed an urban form that allowed for greater development potential than the existing regulations, Policy 1.2.2-b of the FLUE states that development in the UI district provides vehicular and pedestrian connections to adjacent parcels and roadways. The proposed development will provide a future cross access to the property to south. Policy 1.2.2-c establishes Alternative Standards to allow projects to apply for relief through the Zoning approval process based on the additional information provided through that process. The applicant is proposing a rezoning to UI with Type 2 Waivers in order to develop a medical office use which is compatible with the surrounding future land use designations and consistent with the vision of commercial development and urban form in the UI future land use designation.

D. Consistency with County Overlays, Plans, and Studies

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

Staff Analysis: The subject site is located within the Urban Redevelopment Area (URA) and the Revitalization, Redevelopment, and Infill Overlay. The County has designated the URA and implemented land use regulations to foster redevelopment in a more urban fashion, which is pedestrian and transit friendly. The site design places the main building close to the corridor, and the project contributes to the development of the public realm facing Military Trail, as called for by the URA Master Plan. The site is also located within the Melaleuca Avenue Pine Air West Countywide Community Revitalization Area. The

applicant has been advised through the review of the concurrent zoning application to contact the County's Office of Community Revitalization (OCR) to discuss the proposed development.

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

Staff Analysis: The subject site is located within the Urban Redevelopment Area (URA). The county has designated the URA and implemented land use regulations to foster redevelopment in a more urban fashion, which is pedestrian and transit friendly. The site design places the main building close to the corridor, and the project contributes to the development of the public realm facing Military Trail.

E. Public Facilities and Services Impacts

The proposed amendment will change the future land use designation from CH/8 and MR-5 to Urban Infill. The Public Facilities analysis is included in the table in Exhibit 4.

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

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

Mass Transit (Palm Tran), Potable Water & Wastewater (Seacoast Utilities), Environmental (Environmental Resource Management), Historic Resources (PBC Archaeologist), Parks and Recreation, Office of Community Revitalization (OCR), ULDC (Zoning), Land Development (Engineering), School Board, Health (PBC Dept. of Health), Fire Rescue, Lake Worth Drainage District.

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

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

Staff Analysis: The Traffic Division reviewed this amendment as a proposed change from a maximum potential of 7 dwelling units and 31,842 square feet of Medical Office or General Retail Commercial to a maximum proposed potential of 22,000 square feet of Medical Office. According to the County's Traffic Engineering Department, (see letter dated August 16, 2023 in Exhibit 5) the amendment would result in a decrease of 428 trips over the current maximum potential, with 59 (47/12) AM peak hour trips and 70 (20/50) PM peak hour trips.

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

The Traffic Study (revised June 7, 2023) was prepared by Andrea M Troutman of Pinder Troutman Consulting, Inc. Traffic studies and other additional supplementary materials for site-specific amendments are available on the Planning web page at: <http://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

Public and Municipal Review

The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *“Palm Beach County will continue to ensure coordination between the County’s Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities.....”*

- A. Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on October 12, 2023. In addition, written notice was sent to the Village of Palm Springs. To date, no comments have been received.
- B. Other Notice:** Public notice by letter was mailed to the owners of properties within 500 ft. of the perimeter of the site on October 12, 2023. Any letters received will be added to Exhibit 8 during the course of the amendment process.

Exhibit 3

Applicant's Justification

Justification	<p><i>Justification for the amendment as required by Future Land Use Element Policy 2.1-f. The adopted designations are presumed to be correct, and the justification statement must demonstrate that a change is warranted. The justification lists all of the following headings with responses in order to be found sufficient for processing. To be considered adequate, the justification must demonstrate consistency with the factors 1 and 2.</i></p> <p>1) The proposed use is suitable and appropriate for the subject site.</p> <p>Response: The 2.11 acre property, 1248 South Military Trail, currently contains a 2,710 sq. ft. office building built in 1957. The business, LA Turf and Paver, includes wholesale sales and installation of artificial grass, pavers, and travertine. The rear area of the property is used for outdoor storage of equipment and materials. The existing FLUM designation consists of a two categories; CH on the South Military Trail frontage (0.86 acres) and MR5 (1.25 acres) behind the frontage.</p> <p>The proposed FLUM is Urban Infill. (UI) within the Urban Redevelopment Area (URA) for the purpose of redevelopment. The proposed FLUM is consistent with the purpose of the URA which is to focus the County's redevelopment and infill efforts by promoting economic growth, improving present conditions of infrastructure, investment and reinvestment in the area, and discouraging urban sprawl by directing development where resources exist.</p> <p>Within the URA designated Priority Redevelopment Area (PRA) transects are depicted in the Map Series LU 9.1 (Urban Center) and LU 9.2 (Urban Infill). The subject property is located within the UI Transect which is planned as an urban mixed-use area at the edges of existing neighborhoods proximate to an arterial thoroughfare. In terms of land use, the UI Transect is intended to be flexible, allowing residential, civic, employment generating and commercial uses.</p> <p>The subject property is located within the mixed-use corridor along the Military Trail, an arterial thoroughfare, which includes retail stores and offices (personal and business services), used vehicle sales, car wash, and outdoor storage uses. Also, the property is located at the edge of the existing Palm Estates residential neighborhood to the east.</p> <p>As redevelopment of the subject property is consistent with the purpose and characteristics of the UI Transect, it is concluded that the proposed UI FLUM designation is suitable and appropriate.</p> <p>2) There is a basis for the proposed amendment for the particular subject site based upon one or more of the following:</p> <p>a. <i>Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site.</i></p> <p>Response: The proposed designation will create subject property land use and zoning consistency and compatibility with properties fronting the east side of Military Trail from Forest Road south to Forest Hill Boulevard which have been assigned UI FLUM and zoning designations. Further, the subject property will be subject to ULDC Article 3 Chapter B Section 16 Urban Redevelopment Area Overlay (URAO) land development regulations which will insure design compatibility with neighboring development and redevelopment projects.</p>
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	<p><i>b. Changes in the access or characteristics of the general area and associated impacts on the subject site.</i></p> <p>Response: NA</p> <p><i>c. New information or change in circumstances which affect the subject site.</i></p> <p>Response: Redevelopment of the subject is now proposed. A UI designation within the URAO is the most appropriate FLUM designation to accomplish this objective. Further, assignment of the proposed UI FLUM designation will create consistency with the adjacent property (Autozone) to the south.</p> <p><i>d. Inappropriateness of the adopted FLU designation.</i></p> <p>Response: The current mix (CH and MR 5) of FLUM designations is not appropriate to accommodate the proposed redevelopment of the subject property.</p> <p><i>e. Whether the adopted FLU designation was assigned in error.</i></p> <p>Response: NA</p>
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Attachment G.2 - Residential Density Increases

Residential Density Increases	<p><i>Per Future Land Use Element Policy 2.4-b, a written analysis of the following:</i></p> <ol style="list-style-type: none"> 1) Demonstrate a need for the amendment. 2) Demonstrate that the current FLUA designation is inappropriate. 3) Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site. <p>Response: Not Applicable. A residential density increase is not proposed.</p>
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Attachment G.3 – Compatibility

Compatibility	<p><i>Provide written data and analysis to demonstrate compatibility with the surrounding and adjacent land uses.</i></p> <p>Response: The current mix (CH and MR 5) of subject property FLUM designations is not consistent with neighboring properties. Properties fronting Military Trail to the north and south of the subject property are both assigned UI FLUM designations to the extent of their depth. Assignment of the UI to the subject property will create consistency. Also, both of the adjacent properties are bounded by residential subdivisions to their east. Assignment of the UI FLUM will create a similar situation for the subject property, consistent with the intent of URA designated Priority Redevelopment Area (PRA) transect</p>
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Attachment G.4 – Comprehensive Plan

Comprehensive Plan	<p>Optional: <i>The applicant has the option of including written data and analysis to demonstrate consistency with specific objectives and policies in the Comprehensive Plan, and Special Plans or Overlays identified in the Future Land Use Element (see the Special Planning Areas Map, LU 3.1).</i></p> <p>Response: Refer to Attachments G.1 and G.3, above.</p>
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Attachment G.5 – Florida Statutes

Florida Statutes	<p>Optional: <i>The applicant has the option of including written data and analysis to demonstrate consistency with Chapter 163.3177, F.S.</i></p> <p>Response: Assignment of the proposed UI FLUM and the associated UI zoning designation are consistent with F.S. 163.3171(1) which encourages principles, guidelines, standards and strategies for orderly and balanced future economic, social, environmental and fiscal development along the Military Trail corridor.</p>
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Exhibit 4
Applicant's Public Facility Impacts Table

Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	ITE Use Name & the trip generation rate: Residential Multi-Family LR – 7.32 trips/unit; and Medical Office – 34.8 trips/1,000 sq. ft. or General Commercial Greater Than 10,000 sq. ft.- 86.7 trips per 1,000 sq. ft.	ITE Use Name & the trip generation rate: Medical Office – 34.8 trips/1,000 sq. ft.
Maximum Trip Generation	Trip generation for the maximum potential = 1,181 trips per day (total less pass-by)	Trip generation for the proposed potential = 753 trips per day (total less pass-by).
Net Daily Trips:	Reduction of 428 trips (maximum minus current)	
Net PH Trips:	59 AM, 70 PM (maximum)	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Pinder Troutman Consulting – Andrea Troutman	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Route 3 (Military Trail)	
Nearest Palm Tran Stop	The locations of the nearest bus stops within a tenth of a mile from the site are: Bus Stop1216 (Route 3N) – 1080 S Military Trail (east side of Military Trail 0.06 mile north of the property); and Bus Stop 1049 (Route 3S) – 1209 S Military Trail (west side of Military Trail 0.04 mile north of the property).	

Nearest Tri Rail Connection	The nearest connection to the Tri-County Commuter Rail Feeder Bus Route is Route 3N to Okeechobee Boulevard and then Route 33 to the Mangonia Park Tri-County Commuter Rail station..
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C. Portable Water & Wastewater Information

The application must include a Potable Water & Wastewater Level of Service (LOS) comment letter as **Application Attachment I**. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.

Potable Water & Wastewater Providers	The Provider Letter is included in Attachment I. The Provider Letter states that water and sewer service is available from Palm Beach County Water Utilities Department (PBCWUD) subject to a capacity reservation agreement with PBCWUD.
Nearest Water & Wastewater Facility, type/size	Per the Provider Letter in Attachment I, the nearest point of connection to potable water and sanitary sewer is a 12" water main and an 8" sewer force main located on Military Trail adjacent to the property.

D. Drainage Information

A summary of the Drainage Statement is provided here.

1. A sealed Drainage Statement is provided in Attachment J. Offsite drainage will be directed to the FDOT drainage system along Military Trail.
2. The site is located within the South Florida Water Management District, C-51 Basin. The onsite drainage system will be designed to meet the C-51 Basin requirements.
3. Offsite discharge will be accomplished through an approved discharge control structure which will direct runoff to the FDOT drainage system .located within the Military Trail right-of-way.
4. The drainage system will provide for a maximum discharge of 35 CSM for a 10 year 3-day storm event which exceeds the level of protection for a commercial parking lot per Policy 1.1-a, Table 1 of the Storm Water Management Sub-Element in the Comprehensive Plan. The regulatory requirements of Palm Beach County, NPDES and SFWMD, including C-51 East Basin compensating storage requirements will be incorporated in the system.

E. Fire Rescue

Nearest Station	Per the Fire Rescue Letter, Station No.. 33, located at 830 Kirk Road provides service to the site.
Distance to Site	Per the Fire Rescue Letter, the distance, from the above Fire-Rescue Station No.33 to the site is 1.25 miles.
Response Time	Per the Fire Rescue Letter, the average response time from Fire-Rescue Station No. 33 is 6 minutes and 51 seconds.
Effect on Resp. Time	Per the Fire Rescue Letter, changing of the FLUM of subject property will nave minimum impact on Fire-Rescue Station No. 33.

F. Environmental

Significant habitats or species

The property has previously been cleared (Ref: Aerial Photo in Attachment L) for the existing structure and rear equipment and materials storage area with the exception of several Sabal Palms (NOTE: Tree species conclusion by Keri Smith of Palm Beach County ERM). A survey indicating the locations and size (DBH) of the palms is presented in Attachment L. Trees along the southern property line are located on the adjacent property. Further, according to ERM representatives, a pre-application meeting to discuss potential tree removal is required prior to submitting an associated zoning application. A specific tree inventory and associated clearing permit will be required at that time.

Flood Zone*

The site is located within Flood Zone X; an area of low-to-moderate flood risk, as determined by the Federal Emergency Management Agency (FEMA).

Wellfield Zone*

The site is not located in a wellfield protection zone as illustrated on the map provided in Application Attachment M.

G. Historic Resources

The following summarizes the Historic Resources Evaluation letter which is provided as Application Attachment N.

1. No historic or architecturally significant resources are located on or within 500 feet of the property.
2. No known archaeological sites or resources are located on or within 500 feet of the property

Exhibit 5

Palm Beach County Traffic Division Letter



Department of Engineering
and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Dave Kerner
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



August 16, 2023

Andrea M. Troutman, P.E.
2005 Vista Parkway, Suite 111
West Palm Beach, FL 33411

**RE: Cagigas Medical Center - Revised
FLUA Amendment Policy 3.5-d Review
Round 2022-23-A2**

Dear Ms. Troutman:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Transportation Analysis for the proposed Future Land Use Amendment for the above-referenced project, revised on June 7, 2023, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

Location:	East side of Military Trail south of Summit Boulevard	
PCN:	00-42-44-12-00-000-1020	
Acres:	2.11 Acres	
	Current FLU	Proposed FLU
FLU:	Commercial High (CH) - 0.86 Acre Medium Residential, 5 Units per Acre (MR-5) – 1.25 Acres)	Urban Infill (UI)/ Medium Residential, 5 Units per Acre (MR-5)
Zoning:	General Commercial (CG)	Urban Infill (UI)
Density/ Intensity:	5 Units per Acre – 1.25 Acres 0.85 FAR – 0.86 Acre	None
Maximum Potential:	Resid. Multi Family = 7 DUs And (Medical Office = 31,842 SF OR Strip Retail Plaza (<40k SF) = 31,842 SF)	Medical Office = 22,000 SF
Proposed Potential:	None	None
Net Daily Trips:	-428 (maximum – current)	
Net PH Trips:	59 (47/12) AM, 70 (20/50) PM (maximum)	
<i>* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities anticipated in the zoning application.</i>		



Andrea M. Troutman, P.E.
August 16, 2023
Page 2

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

Please note the proposed amendment will have a reduced impact on the long-range analysis and an insignificant impact on the Test 2 analysis.

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

Sincerely,

A handwritten signature in blue ink, appearing to be "DS", is written over a horizontal line.

Dominique Simeus, P.E.
Professional Engineer
Traffic Division

DS
cc:

Quazi Bari, P.E., PTOE – Manager – Growth Management, Traffic Division
Lisa Amara – Director, Zoning Division
Bryan Davis – Principal Planner, Planning Division
Stephanie Gregory – Principal Planner, Planning Division
Khurshid Mohyuddin – Principal Planner, Planning Division
Kathleen Chang – Senior Planner, Planning Division
David Wiloch – Senior Planner, Planning Division

File: General - TPS – Unincorporated - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\23-A2\Cagigas Medical Center - Revised.docx

Exhibit 6
Water & Wastewater Provider LOS Letter



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



**Palm Beach County
Board of County
Commissioners**

Dave Kerner, Mayor
Robert S. Weinroth, Vice Mayor
Maria G. Marino
Gregg K. Weiss
Maria Sachs
Melissa McGinlay
Mack Bernard

County Administrator
Verdenia C. Baker

November 19, 2021

Last Devenport, Inc.
1860 Old Okeechobee Road Suite 504
West Palm Beach, FL 33409

Re: Service Availability
1248 S Military Trail
PCN 004244121000001020

Dear Ron,

This is to confirm that Palm Beach County Water Utilities Department (PBCWUD) is the potable water and wastewater service provider for the referenced property. Water and sewer are available, subject to a capacity reservation agreement with PBCWUD.

The nearest point of connection to potable water and sanitary sewer is a 12" watermain and an 8" forcemain located in Military Trail adjacent to the subject property.

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

If you should have any questions, please do not hesitate to contact this office at (561) 493-6116.

Sincerely,

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

Jackie Michels, P.E.
Project Manager

Exhibit 7

Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

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
Marleia Cruz, 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 Cagigas Faily Holding Company, 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: 1060 Grand Bahama Lane
West Palm Beach, FL 33404
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.



Mariela Cruz, 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 2 day of August, 2022 by Mariela Cruz (name of person acknowledging). He/she is personally known to me or has produced Florida DL (type of identification) as identification and did not take an oath (circle correct response).

Thais Milian
(Name - type, stamp or print clearly)


(Signature)

My Commission Expires on: 07/26/2024

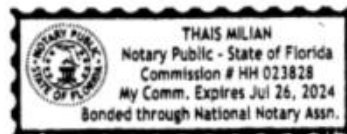


EXHIBIT "A"

PROPERTY

THE NORTH 150 FEET OF THE NORTH $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, LESS THE WEST 10 FEET THEREOF AND BEING ALSO DESCRIBED AS THE NORTH 150 FEET OF THE NORTH $\frac{1}{4}$ OF THE WEST $\frac{1}{4}$ OF LOT 5, BLOCK 1 MODEL LAND COMPANY ' S SUBDIVISION OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, LESS THE WEST 10 FEET THEREOF (PALM BEACH PLANTATIONS), ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 20, LESS THAT PARCEL AS DESCRIBED IN DEED TO THE STATE OF FLORIDA, AS RECORDED IN O.R. BOOK 1439, PAGE 250, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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

Name

Address

[illegible]

Exhibit 8
Correspondence
