



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT SMALL SCALE AMENDMENT

PLANNING COMMISSION PUBLIC HEARING, MAY 13, 2022

A. Application Summary

I. General

Project Name:	Encompass Health of Lake Worth (SCA 2022-012)
Request:	LR-2 to INST/2
Acres:	8.21 acres
Location:	North side of Lantana Road, approx. 0.25 miles east of State Road 7
Project Manager:	Jerry Lodge, Planner II
Applicant:	Encompass Health Rehabilitation Hospital (Contract Purchaser)
Owner:	William Hodges (Eastwood Lantana, LLC), Stan Crooks and Evangeline Aguirre
Agent:	Gentile Glas Holloway O'Mahoney & Associates, Inc.
Staff Recommendation:	Staff recommends approval based upon the following findings and conclusions contained in this report.

II. Assessment & Conclusion

The amendment proposes to change the future land use designation on an 8.21 acre site from Low Residential, 2 units per acre (LR-2) to Institutional with an underlying Low Residential, 2 units per acre (INST/2). The proposed amendment would allow up to 160,932 square feet of institutional uses on the subject site. The site has not been the subject of a previous land use amendment and is currently utilized as a wholesale nursery and single family home. The applicant is proposing to develop an 80 bed rehabilitation hospital totaling 76,049 square feet.

With the creation of the 1989 Comprehensive Plan, only existing institutional uses were assigned an Institutional and Public Facilities (INST) future land use designation. Therefore no criteria were established in the Plan to determine the appropriate location for future INST designations, and are considered on a case-by-case basis. The proposed amendment is suitable and appropriate given the site's location along Lantana Road, an urban minor arterial roadway. The site is also adjacent to a commercial node, with a Commercial Low future land use designation. To the west and north are parcels owned by the County for a future district park and mosquito control site. Therefore, an institutional use on the subject site will serve as an appropriate transition between the commercial uses abutting State Road 7 and the County owned sites to the north and east. In conclusion, the amendment is consistent with relevant policies in the Comprehensive Plan, is compatible with adjacent uses, and meets all level of service standards.

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: Low Residential, 2 units per acre (LR-2)
Existing Land Use: Wholesale Nursery and Single Family
Current Zoning: Agricultural Residential (AR)
Current Dev. Potential Max: Residential, up to 16 dwelling units

Proposed Future Land Use Change

Proposed FLU: Institutional and Public Facilities with an underlying 2 units per acre (INST/2)
Proposed Use: Hospital
Proposed Zoning: Institutional and Public Facilities (IPF)
Dev. Potential Max/Conditioned: Institutional uses, up to 160,932 sf (0.45 FAR)

General Area Information for Site

Tier/Tier Change: Urban/Suburban Tier – No Change
Utility Service: Palm Beach County Water Utilities Department
Overlay/Study: None
Comm. District: Commissioner Melissa McKinlay, District 6

Future Land Use Atlas Amendment

Encompass Health (SCA 2022-012)



Site Data

Size: 8.21 acres
Existing Use: Nursery and Residential
Proposed Use: Hospital
Current FLU: LR-2
Proposed FLU: INST/2

Future Land Use Designations

RR-10	Rural Residential, 1 unit/10 acres	CL/RR-10	Commercial Low, underlying RR-10
LR-1	Low Residential, 1 unit/acre	CL/1	Commercial Low, underlying LR-1
LR-2	Low Residential, 2 units/acre	CL/2	Commercial Low, underlying LR-2
HR-8	High Residential, 8 units/acre	CL/8	Commercial Low, underlying HR-8
PARK	Park	IND	Industrial
CL	Commercial Low		

Date: 11/16/2021
Contact: PBC Planning
Filename: T.Planning/Amend/22-B
Note: Map is not official, for presentation purposes only.



Site

150 0 150 300 Feet



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



C. Introduction & Overview

I. Intent of the Amendment

The amendment proposes to change the future land use designation on an 8.21 acre site from Low Residential, 2 units per acre (LR-2) to Institutional with an underlying 2 units per acre (INST/2). The proposed amendment would allow up to 160,932 square feet of institutional uses on the subject site.

Background. The site is comprised of two adjacent parcels under different ownership. Neither of these parcels have been the subject of a previous future land use amendment. The western parcel is 4.05 acres and received approval in 1997 for a wholesale nursery and has operated as one since then. There have been subsequent zoning applications for the site in order to address code violations and keep the operation in compliance. The eastern parcel is 4.17 acres and contains a single family home.

Zoning Application. The applicant intends to develop an 80 bed rehabilitation hospital totaling 76,049 square feet. The concurrent Zoning application (Z/CA-2021-01817) is composed of three requests. First is to rezone the subject site from Agricultural Reserve (AR) to Institutional and Public Facilities (IPF). The second part of the request is to allow a Class A conditional use for the hospital use. The third request of the zoning application is for an abandonment of the previously approved nursery use on the western parcel.

II. Data and Analysis Summary

This section of the report provides a summary of the consistency of the amendment with the County's Comprehensive Plan. The sections 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.

Overview of the Area. The site is located on the north side of Lantana Road approximately 0.25 miles east of State Road 7 and within the Urban/Suburban Tier. West of the subject site, at the northeast corner of Lantana Road and State Road 7 is the Mission Lakes MUPD, a commercial node anchored by a Target and has been approved for 245,640 square feet of commercial and retail uses. North of the subject site is a future County district park. East of the site is a 5.9 acre lot which will be a future County mosquito control center. Further east is the Palm Beach County operated Park Ridge golf course. Finally, south of Lantana Road across from the subject site is Towne Park PUD, a 553.87 acre residential community known as Bellaggio with a LR-2 future land use designation and existing density of 1.98 units per acre (1,099 units).

Appropriateness of the Amendment. The amendment proposes to change the future land use from LR-2 to INST/2 and the concurrent zoning application is proposing an 80-bed rehabilitation hospital. The amendment is appropriate given the adjacent commercial node to the west and County owned uses to the east. The site is also situated along Lantana Road, an urban minor arterial and 0.25 miles east of State Road 7, an urban principal arterial. The proposed INST designation provides an appropriate transition from the Commercial Low designation at the northeast intersection of the State Road 7 and Lantana Road to the residential and park uses to the north, east and south of the subject site.

Assessment and Recommendation. The amendment proposes to change the future land use designation on an 8.21 acre site from Low Residential, 2 units per acre (LR-2) to Institutional with an underlying Low Residential, 2 units per acre (INST/2). The proposed amendment would allow up to 160,932 square feet of institutional uses on the subject site. The subject site has not been the subject of a previous land use amendment and is currently utilized as a wholesale nursery and single family home. The applicant is proposing to develop an 80 bed, rehabilitation hospital totaling 76,049 square feet.

With the creation of the 1989 Comprehensive Plan, only existing institutional uses were assigned an Institutional and Public Facilities (INST) future land use designation. Therefore no criteria were established in the Plan to determine the appropriate location for future INST designations, and are considered on a case-by-case basis. The proposed amendment is suitable and appropriate given the site's location along Lantana Road, an urban minor arterial roadway. The site is also adjacent to a commercial node, with a Commercial Low future land use designation. To the north and east are parcels owned by the County for a future district park and mosquito control site. Therefore, an institutional use on the subject site will serve as an appropriate transition between the commercial uses abutting State Road 7 and the County owned sites to the north and east. In conclusion, the amendment is consistent with relevant policies in the Comprehensive Plan, is compatible with adjacent uses, and meets all level of service standards.

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

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Exhibit 1

Amendment No:	Encompass Health of Lake Worth (SCA 2022-012)
FLUA Page No:	81
Amendment:	From Low Residential, 2 units per acre (LR-2) to Institutional and Public Facilities with an underlying 2 units per acre (INST/2)
Location:	North side of Lantana Road, approximately 0.25 miles east of State Road 7
Size:	8.21 acres approximately
Property No:	00-42-43-27-05-034-0431 & 00-42-43-27-05-034-0432

Conditions: None



Legal Description

PARCEL 1

THE EAST ONE-HALF (1/2) OF TRACT FORTY-THREE (43), LESS THE SOUTH 40 FEET ROAD RIGHT-OF-WAY, BLOCK THIRTY-FOUR (34), PALM BEACH FARMS COMPANY, PLAT NO. 3; AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION DESCRIBED IN THAT ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 11368, PAGE 474, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

PARCEL 2

THAT PART OF THE WEST HALF OF TRACT 43, BLOCK 34, LYING NORTH OF THE RIGHT-OF-WAY FOR LANTANA ROAD, THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS ADDITIONAL RIGHT-OF-WAY FOR LANTANA ROAD CONVEYED TO PALM BEACH COUNTY IN OFFICIAL RECORDS BOOK 11213, PAGE 937, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 357,759 SQUARE FEET OR 8.213 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

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 subject site is unsuitable for its current uses of a nursery and a single family development;*
- *The proposed future land use designation of INST will allow for appropriately located urban infill within the Urban/Suburban tier; and*
- *Changes in land use along the Lantana Road corridor justify the proposed land use amendment.*

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

The amendment proposes an institutional use on the site which currently has a single family home and a nursery. The site is situated along Lantana Road and has an existing future land use designation of LR-2. As the site is situated between commercial uses to the west and planned County facilities to the east, the amendment request for institutional uses is appropriate in this location.

At the inception of the 1989 Comprehensive Plan, only existing institutional uses were assigned an Institutional and Public Facilities (INST) future land use designation. Also, no criteria were established in the Plan to determine the appropriate location for future INST FLU designations, and are considered on a case-by-case basis. The proposed

FLUA designation is justified, suitable and appropriate for the subject site and there is a basis for the proposed FLU change. For these reasons staff finds the applicant's justification adequate.

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

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

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

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

Direction 6. Economic Diversity and Prosperity. *Economic Diversity and Prosperity. Promote the growth of industries that have relatively high wages and that can diversify the economic base.*

Staff Analysis: The proposed amendment furthers **Direction 1, Livable Communities**, by providing a balanced land use pattern and additional healthcare service opportunities for existing and future residents. In addition, the proposed amendment furthers the **Direction 2, Growth Management**, by encouraging a sustainable and balanced land use pattern through providing a low intensity institutional use amongst existing residential and commercial uses. **Direction 4, Land Use Compatibility**, is discussed in the Compatibility section of this report. **Direction 6, Economic Diversity and Prosperity**, is described as “the growth of industries that have relatively high wages and that can diversify the economy base.” The use allows for additional employment opportunities in the healthcare industry to diversify the economic base.

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

Staff Analysis: The definition of piecemeal development in the Comprehensive Plan describes “A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole.” The subject site is comprised of two parcels under separate ownership and no adjacent parcels are under the same ownership. A concurrent zoning application has been submitted which includes a site plan conveying development of the whole site. Therefore, the proposed amendment is not piecemeal, and 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. FLUE 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: During the creation of the 1989 Comprehensive Plan, only existing institutional uses were assigned with an Institutional and Public Facilities (INST) future land use designation. Therefore, no criteria were established in the Plan to determine the appropriate location for future INST FLU designations and thus are considered and assigned on a case-by-case basis. However, as previously discussed the proposed FLUA designation is compatible, suitable and appropriate for the subject site and there is a basis for the proposed FLU change.

FLUE Policy 2.2.8-e: *Uses allowed in the Institutional and Public Facilities future land use designation include a full range of institutional uses including, but not limited to, the following:*

[text omitted for brevity]

- 8:** *Medical uses for the purposes of medical treatment, health care, and rehabilitation including the following:*
- a)** *Hospitals and public health clinics*

[text omitted for brevity]

Staff Analysis: This request for an INST future land use designation is for the development of a rehabilitation hospital within the Urban/Suburban tier. Therefore, this amendment is consistent with this policy.

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: The property immediately north of the subject site is owned by Palm Beach County and is currently vacant. A portion of the county owned land was subject to a county initiated future land use amendment via Ordinance 2007-012, which changed the future land use on 43.01 acres from LR-2 to Parks and Recreation (PARK). More recently in 2021, the entire 92.82 acres was rezoned to Public Ownership via R-2021-0548 in order to facilitate the future development of a district park and mosquito control complex. The County owned land is identified as item D13 (Lantana District "I") in Map RO 1.1 of the Comprehensive Plan Map Series as a "Future County Park".

East: East of the site is the proposed County mosquito control center. Further east beyond 95th Avenue South is the Park Ridge golf course, previously a landfill site. Park Ridge is a County operated 272.18 acre golf course. The golf course is identified as item D18 (Park Ridge Golf Course) in Map RO 1.1 of the Comprehensive Plan Map Series as a "County Park".

South: South of the subject site is a 1,099 unit planned unit development (PUD) named Towne Park PUD, commonly known as Bellaggio. The single-family home community, is situated on 553.87 acres and has a Low Residential, 2 units per acre future land use designation. The PUD is bounded by Lantana Road to the north and State Road 7 to the south.

West: West of the subject site is a commercial node, anchored by a retail Target store, known as Mission Lakes MUPD. The MUPD is comprised of 5 parcels, totaling 37.85 acres and 245,640 square feet of retail and bank uses. The Target is 186,216 square feet and abuts the eastern side of the MUPD. The Mission Lakes MUPD was subject to future land use amendment LGA 2003-0044, which amended the future land use designation from C/2 to CL/2. The amendment was adopted via Ordinance 2003-065 with no conditions.

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 proposed amendment is compatible with adjacent and surrounding uses.

"The proposed land use change will not hinder the ability for the proposed use to coexist in relative proximity to other properties in a stable fashion over time. This requested change will be compatible with the surrounding area, as it will not adversely impact the other sites."

Staff Analysis: The subject site currently is comprised of two parcels totaling 8.21 acres. The western parcel is used as a nursery and single family home and the eastern parcel is used as a single family home. The site is located adjacent to multiple uses which would be compatible with an institutional use of the size, scale and mass as proposed in the concurrent future land use amendment and zoning applications. To the north and east are future county district parks and mosquito control complex with future land use designations of LR-2 and PARK. Further east is a Palm Beach County operated 18-hole golf course named Park Ridge with a PARK future land use. South of the site, across Lantana Road, is Towne Park PUD, commonly known as Bellaggio. The 553.87 acres PUD has a LR-2 future land use and is comprised of 1,099 single family and zero-lot line homes giving this PUD a built density of 1.98 units per acre. The subject site is adjacent to a commercial node to the west with a Target retail store as its anchor tenant and closest use to the proposed hospital. The commercial plaza is known as Mission Lakes MUPD, with a CL/2 future land use designation. Therefore, the amendment is compatible with the existing land uses.

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 proposed amendment is not located within any overlay area.

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 proposed amendment is not located within a neighborhood plan.

E. Public Facilities and Services Impacts

The proposed amendment will assign a future land use designation of INST/2 allowing up to 160,932 square feet of institutional uses. The existing LR-2 future land use designation allows up to 16 dwelling units. Public facilities impacts are detailed in the table in Exhibit 4.

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

Staff Analysis: The proposed amendment was distributed to the County service departments for review. 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. The Parks Department provided the following comment:

Parks Department Comment: “Project abuts a future County District Park, that once complete will feature lighted ballfields and active recreation with associated noise and lights”.

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 16 dwelling units to a maximum potential of 160,932 square feet of hospital use. According to the County’s Traffic Engineering Department, (see letter dated December 22, 2021 in Exhibit 5) the amendment would result in 129 (87/42) AM and 140 (45/95) PM net peak hour trips based on maximum potential.

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 (September 30, 2021) was prepared by Adam B. Kerr at Kimley-Horn and Associates Inc. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at: <http://www.pbcgov.com/pzb/planning/activeamend/>

II. 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 was sent to the County’s Intergovernmental Plan Amendment Review Committee (IPARC), a clearing-house for plan amendments on April 22, 2022. At the time of the printing of the Planning Commission Report, no municipal correspondence had been received.
- B. Other Notice:** Public notice by letter was mailed to the owner of properties within 500' of the perimeter of the site on April 22, 2022. Also on April 22, 2022, the Planning Division sent notices to interested parties including Bellaggio Residents Association, Thoroughbred Lakes Estates and Country Cove Estates. At the time of the printing of the report, no correspondence had been received. Any correspondence received will be added to Exhibit 8.
- C. Informational Meeting:** The Planning Division hosted a meeting for area residents and interested parties to relay information regarding the amendment and development approval process on May 2, 2022. No members of the public attended.

Exhibit 3

Applicant's Justification

Introduction:

On behalf of the Applicant, *Encompass Health Rehabilitation Hospital*, 2GHO, Inc., acting as agent, respectfully request approval of a Small Scale Comprehensive Plan Amendment for the 8.21 acre property located on the north side of Lantana Road, .26 miles east of the intersection of State Road 7 and Lantana Road. The property control numbers are:

00-42-43-27-05-034-0431 and 00-42-43-27-05-034-0432

Development Program:

The Applicant is proposing a Small Scale Comprehensive Plan Amendment for the subject site currently designated as Low Residential 2 du/acre (LR-2). The Applicant is requesting to amend the future land use designation to Institutional (INST).

The Applicant is requesting a Concurrent Official Zoning Map Amendment to change the zoning from Agricultural Residential (AR) to Institutional Public Facilities (IPF). Also included with this request is a Conditional Use "A" for a hospital to allow a rehabilitation hospital located on the property identified above.

The following table is a breakdown of the Future Land Use and Zoning designation:

Project History:

Previous PBC APPROVALS		
Petition No.	Application Request	Date of Approval
1997-48	DRC approval for a Wholesale Nursery –	June 25, 1997

Petition 1997-48 was approved on June 25, 1997 for the establishment of a wholesale nursery. The wholesale nursery will be abandoned through the DRO process which was submitted on November 1, 2021 with the Rezoning and Conditional Use Application.

Justification, Consistency, and Compatibility

G.1 – Justification

The Applicant is requesting to amend the Future Land Use Atlas designation of the subject property from Low Residential 2 du/acre (LR-2) to Institutional (INST). Per Policy 2.1 – f of the Future Land Use Element (FLUE) of Palm Beach County's Comprehensive Plan, the Applicant must provide adequate justification for the proposed future land use. For the land use amendment to be considered sufficient, the justification must demonstrate consistency with the following factors, items one and two below.

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

Response: The property's location on Lantana Road is appropriate for the Institutional land use designation. As previously stated, an approval for a wholesale nursery was granted in 1997, However the use will be abandoned with

a separate application. The proposed land use designation of Institutional will allow for a hospital that can provide specialized care to patients recovering from orthopedic, neurological, stroke and heart conditions. Additionally, the siting of a hospital in this location has no detrimental impact to the surrounding properties. The type of hospital in this location will provide substantial benefit to the residential neighborhoods mostly made up of over 55 years of age residents.

2. There is a basis for the proposed amendment for the particular subject site based upon one or more of the following:

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

Response: The character of the Lantana Road corridor has changed over the last several years. This area generally consists of land uses comprised of low- density land use designations to planned unit developments with high density residential land uses. Development potential based on the current market trends with the current land use designation is minimized, hence the request to change it to something that will allow the Applicant to develop the subject property with a use beneficial to the surrounding community.

New Information or change in circumstances which affect the subject site;

Response: The existing conditions were imposed on the property at the early stages of westward development in Palm Beach County. In this context, it was appropriate to have larger (3+ acre lots) develop at 2 units an acre to stay consistent with the development trends of suburban Palm Beach County. However, it is important to note that the adjacent land to the north and east of the subject property was purchased by Palm Beach County and functions as a park within the PO zoning district. Because of this, the Applicant proposes a land use change to foster a use to reach compatibility with the overall area. Further, with the existing MUPD to the west of the property, the Applicant's request of a land use change to Institutional is a logical proposal which will provide an adequate use for the property.

Inappropriateness of the adopted FLU Designation;

Response: While the existing land use of LR-2 surrounds the property (with the exception of to the west), it should be noted that the existing conditions are no longer appropriate. As discussed above, significant changes in development patterns in the immediate area surrounding the property have occurred, thus making any redevelopment strategies for the site cumbersome.

Whether the adopted FLU designation was assigned in error.

Response: N/A

Future Land Use Element 2.1-f of the County's Comprehensive Plan states that before an approval of a future land use amendment, 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 impacts based on the following:

3. The natural environment, including topography, soils, and other natural resources.

Response: There are no listed or endangered species of animals or plants within the subject property. Furthermore, the tree conservation area on the western portion of the property will remain unimpeached during the development of the property.

4. The availability of facilities and services.

Response: The facilities have been confirmed within this FLUA application and are summarized below:

Traffic: Please see Attachment H for the FLUA Amendment Traffic Analysis prepared by Kimley Horn which concluded that the proposed FLU designation will cause no roadway links to be significantly impacted during the short-range and long-range planning horizons.

Mass Transit: The Nearest Palm Tran route is 62. The Nearest Palm Tran Bus Stop is stop 5935 located at Lake Worth Road and Wood Walks Blvd. The nearest Tri Rail Connection is located at the Lake Worth Beach Tri-Rail Station.

Potable Water and Wastewater: The potable water and wastewater provider is Palm Beach County Water Utilities Department (PBCWUD). The nearest water facility is an existing 24-inch water main constructed of DIP running along the north side of the westbound lanes of Lantana Road, just south of the project site. The nearest wastewater facility is an existing 20-inch force main constructed of PVC running along the center of the westbound lanes of Lantana Road, just south of the project site.

Drainage: Please refer to the Drainage Statement included in Attachment J. The site is located within the South Florida Water Management District (SFWMD)'s C-16 Basin. There are no previous permits issued from SFWMD for the project site. The proposed project will require issuance of a new Environmental Resource Permit (ERP) and will provide a stormwater management system to meet previously permitted drainage criteria under ERP No. 50-06732-P for the adjacent Super Target Shopping Center to the west.

Fire Rescue: Station 48 is located at Hypoluxo Road. The letter is attached in Exhibit K.

5. The adjacent and surrounding development

Response: The property is adjacent to the Target MUPD to the west. To the north and east of the property is vacant land owned by Palm Beach County. The Bellagio Lakes PUD is to the south of the development on approximately 247.18 acres of land with a total of 1,099 units at a mix of single family and zero lot line homes. The proposed rehabilitation hospital will provide a benefit to the residents of this PUD along with other developments within the area.

6. The future land use balance

Response: The requested amendment is consistent with the surrounding land uses and the intent of the Urban Tier.

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

Response: The proposed amendment is consistent with this state statute as the request is for the development of a hospital that will be utilized to serve the surrounding community.

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

Response: The subject site is not located in an area with a Community Plan or Special Planning Area.

9. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1

Response: Through the review process, this proposed amendment will be consistent with Objective 1.1 of the Intergovernmental Coordination Element.

G.2 Residential Density Increases

This proposed FLU amendment is not requesting to increase residential density.

G.3 Compatibility

Surrounding Property Information:

	EXISTING FLU	EXISTING ZONING	PCN	EXISTING USE	CONTROL NUMBER
Subject Site	LR-2	AR	00-42-43-27-05-034-0431 00-42-43-27-05-034-0432	VACANT and SFD	N/A
North	LR-2	PO	00-42-43-27-05-034-0212	Park	1983-00090 R2021-0548
South	LR-2	PUD	00-42-44-42-01-018-0000	Bellaggio PUD SFD	1995-00116 R2000-1716

	EXISTING FLU	EXISTING ZONING	PCN	EXISTING USE	CONTROL NUMBER
East	LR-2	PO	00-42-43-27-05- 034-0441	Park	1983- 00090 R2021- 0548
West	CL/2	MUPD	00-42-44-31-04- 003-0050	Commercial (Target)	2003-007 R2009- 1826

As previously mentioned, the subject site is surrounded by LR-2 to the north, south, and east, with a Commercial Low with underlying LR-2 to the west. Compatible land uses are defined as those which are consistent with each other in that they do not create or foster undesirable health, safety or aesthetic effects arising from direct association of dissimilar activities, including the impacts of intensity of use, traffic, hours of operation, aesthetics, noise vibration, smoke, hazardous odors, radiation.

The proposed land use change will not hinder the ability for the proposed use to coexist in relative proximity to other properties in a stable fashion over time. This requested change will be compatible with the surrounding area, as it will not adversely impact the other sites. To the contrary, the proposed land use change will foster the development of a rehabilitation hospital that will be a desired use for the surrounding western communities. Finally, primary access of the site will be provided via Lantana Road, a major east-west right of way

G.4 Comprehensive Plan

The proposed future land use amendment is consistent with various goals, objectives, and policies in the Palm Beach County Comprehensive Plan as detailed below:

Goals – The Proposed future land use amendment furthers the County’s goals as described below:

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.

Response: Approval of this proposed FLU Amendment will allow for the development of an institutional use. The current residential market, and existing conditions of the property limits the property’s development potential. The Applicant intends to develop a specialized rehabilitation hospital that will better serve the needs of the surrounding community.

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.

Response: The property is located in the Urban/Suburban Tier where existing services and facilities are available. The property's location along a major highway, Lantana Road affords the proposed development with proper access and frontage, which contributes to the cost-effective provision of public facilities and services. The proposed project will better serve the immediate and future needs of the community as it will provide additional employment opportunities.

Objectives - The proposed amendment is consistent with the following objectives, as described below:

Objective 1.2 Urban/Suburban Tier

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

Response: The subject property is located in the urban/suburban tier, and as referenced in other parts of this application is able to utilize existing levels of service. The proposed development does not create any adverse impact to this objective.

Policies – The proposed future land use amendment is consistent with the policies as described below.

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

Response: The subject property presents an opportunity for an infill redevelopment project, as the surrounding properties are all developed, or under County Ownership. The Applicant will develop the parcel to consistent with the surrounding areas to ensure a logical urban development pattern.

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.

Response: The proposed Future Land Use Amendment from LR-2 to INST is contemplated to get rid of a wholesale nursery and single family dwelling and replace it with a rehabilitation hospital. The proposed amendment will make the property more consistent with the development pattern in this area, and will not have an impact on the existing natural systems and will continue to respect the manmade constraints of the area.

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.

Response: The request for the Institutional Land Use Designation does not create piece meal development as the application provides for a valuable service to be added in an area that will serve the Palm Beach County population.

G.5 Florida Statutes

The proposed amendment is consistent with Florida Statutes. Chapter 163, FS was substantially revised. Rule 9J-5 was repealed and removed from the Florida Administrative Code. (§ 72, HB 7207). The statutes, however, continue to require that all mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government that may include, but not be limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the comprehensive plan or plan amendment. The proposed amendment is supported by the data and analysis provided in the application and justification above.

Exhibit 4

Applicant's Public Facility Impacts Table

A. Traffic Information		
<i>In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the Future Land Use Element of the Comprehensive Plan. The letter must state if the traffic generation for the amendment meets Policy 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030.</i>		
	Current	Proposed
Max Trip Generator	Single Family Detached Residential Daily = 10 trips / du AM = 0.74 trips / du PM = Ln(T) = 0.96Ln(X)+0.20	Hospital Daily = 10.72 trips / ksf AM = 0.89 trips / ksf PM = 0.97 trips / ksf
Maximum Trip Generation	160 Daily / 12 AM / 17 PM	1552 Daily / 129 AM / 140 PM
Net Daily Trips:	1392 (maximum minus current) 1392 (proposed minus current)	
Net PH Trips:	117 AM, 123 PM (maximum) 117 AM, 123 PM (proposed)	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Kimley-Horn - 1920 Wekiva Away Suite 200 West Palm Beach FL 33411 561-845-0665	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Route 62 on Lake Worth Road	
Nearest Palm Tran Stop	Bus Stop – 5927 located at Lake Worth Road east of SR 7 – approximately .30 miles north of the subject site.	
Nearest Tri Rail Connection	Lake Worth Beach Tri-Rail Station – Via Palm Tran Route 62	

C. Portable Water & Wastewater Information – See Application Attachment “I”

Potable Water & Wastewater Providers	The potable water and wastewater provider is Palm Beach County Water Utilities Department (PBCWUD).
Nearest Water & Wastewater Facility, type/size	<p>The nearest water facility is an existing 24-inch water main constructed of DIP running along the north side of the westbound lanes of Lantana Road, just south of the project site.</p> <p>The nearest wastewater facility is an existing 20-inch force main constructed of PVC running along the center of the westbound lanes of Lantana Road, just south of the project site.</p>

D. Drainage Information

Please refer to the Drainage Statement included in Attachment J. The site is located within the South Florida Water Management District (SFWMD)'s C-16 Basin. There are no previous permits issued from SFWMD for the project site. The proposed project will require issuance of a new Environmental Resource Permit (ERP) and will provide a stormwater management system to meet previously permitted drainage criteria under ERP No. 50-06732-P for the adjacent Super Target Shopping Center to the west.

Water quality will be provided for the greater of the first inch of stormwater runoff from the entire site or the amount of 2.5 inches over the total impervious area of the site. Pre- vs. Post-development analysis as well as stage storage calculations will be performed for the site to ensure minimum site feature elevations are established and met. The following three main design storm events will be analyzed: 5-year, 1-day (minimum storm inlet rim elevation), 25-year, 3-day (minimum perimeter berm elevation), and 100-year, 3-day with zero discharge (Finished Floor Elevation). Legal positive outfall is available to the south via the existing Palm Beach County owned and maintained drainage inlet on the north side of Lantana Road.

1. The proposed onsite stormwater management system will include drainage inlets to collect stormwater runoff and underground pipes to convey it to the onsite dry detention and swale areas. These detention areas will treat the stormwater runoff and meet the above-mentioned water quality criteria prior to discharge into the existing Palm Beach County drainage system within Lantana Road. The proposed detention areas are sufficiently sized to meet both water quality and quantity requirements for the proposed improvements and will include a control structure prior to outfall.

E. Fire Rescue

Nearest Station	Station 48 – 8560 Hypoluxo Road
Distance to Site	Approximately 3 miles from the site
Response Time	Average response time for this station zone as 7:07 per the Fire-Rescue Letter
Effect on Resp. Time	The estimated response time as 8 minutes 30 seconds. Changing the land use of this property will have an impact on Fire-Rescue. It is estimated that the change will generate above 85 calls a year with a response time greater than our standard 7 minutes 30 seconds. See Application Attachment - <i>Exhibit K</i>

F. Environmental

Significant habitats or species

Both sites have been previously cleared with minimal naturally occurring vegetation – 90% of the vegetation are Sabal Palms with a majority of them to be relocated on site. No native habitat or preserve areas. No animals and/or plant species and habitats of significant value are located on site. See Application Attachment *Exhibit L*

Flood Zone*

Flood Zone X – Community Panel No. 120192 0755 F

Wellfield Zone*

The property is not located within a Wellfield Protection Zone. See Application Attachment - *Exhibit M*

G. Historic Resources

There are no significant structures or identified historic or architecturally significant resources within 500 feet of the property. See Attachment N for Historic Resources Letter

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**

Robert S. Weinroth, Mayor
Gregg K. Weiss, Vice Mayor

Maria G. Marino
Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



December 22, 2021

Adam B. Kerr, P.E.
Kimley-Horn and Associates, Inc.
1920 Wekiva Way, Suite 200
West Palm Beach, FL 33411

**RE: Encompass Health Lake Worth
FLUA Amendment Policy 3.5-d Review
Round 2021-22-B**

Dear Mr. Kerr:

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Evaluation for the proposed Future Land Use Amendment for the above referenced project, revised November 22, 2021, 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:	North side of Lantana Road, approximately .26 mile east of SR-7 and Lantana Road intersection	
PCN:	00-42-43-27-05-034-0431 (<i>other on file</i>)	
Acres:	8.213 acres	
	Current FLU	Proposed FLU
FLU:	Low Residential, 2 units per acre (LR-2)	Institutional (INST)
Zoning:	Agricultural Residential (AR)	Institutional Public Facility (IPF)
Density/ Intensity:	2 DUs/ac	0.45 FAR
Maximum Potential:	Single Family Detached = 16 DUs	Hospital = 160,932 SF
Proposed Potential:	None	None
Net Daily Trips:	1,392 (maximum – current)	
Net PH Trips:	129 (87/42) AM, 140 (45/95) 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>		

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



Adam B. Kerr, P.E.
December 22, 2021
Page 2

of the Palm Beach County Comprehensive Plan at the **maximum potential** density shown above.

Please note the proposed amendment will have an insignificant impact for the long-range and Test 2 analyses.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "DS", with a horizontal line extending to the right.

Dominique Simeus, P.E.
Professional Engineer
Traffic Division

DS

cc: Addressee
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
Jorge Perez – Senior Planner, Planning Division

File: General - TPS – Unincorporated - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\22-B\Encompass Health Lake Worth.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

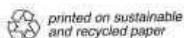
Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*



November 3, 2021

Kimley Horn
189 South Orange Avenue Suite 1000
Orlando, Florida 32801

RE: Encompass Lake Worth
PCN 00-42-43-27-05-034-0431 & 00-42-43-27-05-034-0432
Service Availability Letter

Dear Ms. Casaus,

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

There is a 24" potable watermain and a 12" sanitary sewer forcemain located within Lantana Road adjacent to the subject property.

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "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
Evangeline C. Aguirre, 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 ☐ _____ *[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: 9645 Lantana FL 33467

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of
every person or entity having a five percent or greater interest in the Property.
Disclosure does not apply to an individual's or entity's interest in any entity registered
with the Federal Securities Exchange Commission or registered pursuant to
Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County
policy, and will be relied upon by Palm Beach County in its review of application for
Comprehensive Plan amendment or Development Order approval affecting the
Property. Affiant further acknowledges that he or she is authorized to execute this
Disclosure of Ownership Interests on behalf of any and all individuals or entities holding
a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to
reflect any changes to ownership interests in the Property that may occur before the
date of final public hearing on the application for Comprehensive Plan amendment or
Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the
penalties provided by the laws of the State of Florida for falsely swearing to statements
under oath.

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

FURTHER AFFIANT SAYETH NAUGHT.

Evangeline C. Aguirre, 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 15th day of September, 2021 by Evangeline C. Aguirre (name of person acknowledging). He/she is personally known to me or has produced personally known (type of identification) as identification and did/did not take an oath (circle correct response).

Ruth A Sturtevant
(Name - type, stamp or print clearly)

Ruth A Sturtevant
(Signature)

My Commission Expires on: 3/24/24



EXHIBIT "A"

PROPERTY

LEGAL DESCRIPTION

PARCEL 1

THE EAST ONE-HALF (1/2) OF TRACT FORTY-THREE (43), LESS THE SOUTH 40 FEET ROAD RIGHT-OF-WAY, BLOCK THIRTY-FOUR (34), PALM BEACH FARMS CO. PLAT NO. 3; AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION DESCRIBED IN THAT ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 11368, PAGE 475, OF THE 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

Evangeline C. Aguirre 9645 Lantana FL 33467

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

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

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared
Stan L. Crooks, 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 ☐ _____ [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: 9645 Lantana FL 33467

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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

FURTHER AFFIANT SAYETH NAUGHT.

Stan L. Crooks
 Stan L. Crooks, 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 15th day of September, 2021 by Stan L. Crooks (name of person acknowledging). He/she is personally known to me or has produced personally known (type of identification) as identification and did not take an oath (circle correct response).

Ruth A Sturtevant
 (Name - type, stamp or print clearly)

Ruth A Sturtevant
 (Signature)

My Commission Expires on: 3/24/24



EXHIBIT "A"

PROPERTY

LEGAL DESCRIPTION

PARCEL 1

THE EAST ONE-HALF (1/2) OF TRACT FORTY-THREE (43), LESS THE SOUTH 40 FEET ROAD RIGHT-OF-WAY, BLOCK THIRTY-FOUR (34), PALM BEACH FARMS CO. PLAT NO. 3; AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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EXHIBIT "B"

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Name

Address

Stan L. Crooks 9645 Lantana FL 33467

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

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

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the ☐ individual or ☒ President *[position - e.g., president, partner, trustee]* of Eastwood Lantana, 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: 7089 Hemstreet Place West Palm Beach FL 33413

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.

William D. Hodges, 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 17 day of September, 2021 by William D. Hodges (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).

Anne S. Walker
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: 1/6/24

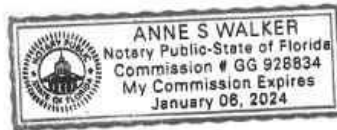


EXHIBIT "A"

PROPERTY

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF TRACT 43, BLOCK 34, LYING NORTH OF THE RIGHT-OF-WAY FOR LANTANA ROAD, THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS ADDITIONAL RIGHT-OF-WAY FOR LANTANA ROAD CONVEYED TO PALM BEACH COUNTY IN OFFICIAL RECORDS BOOK 11213, PAGE 937, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 357,759 SQUARE FEET OR 8.213 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

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**

William D. Hodges - 7089 Hemstreet Place West Palm Beach FL 33413

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
Edmund Ball, 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 ☒ Vice President and Chief Real Estate Officer [position—e.g.,
president, partner, trustee] of Encompass Health Corporation [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: 9001 Liberty Parkway - Real Estate 4th Floor
Birmingham AL 35242
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.


Edmund Ball, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF ~~FLORIDA~~ ALABAMA
COUNTY OF ~~PALM BEACH~~ JEFFERSON

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, this 14th day of SEPTEMBER, 2021 by
Edmund Ball (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).

FRANCINE K. CAMPBELL
(Name - type, stamp or print clearly)


(Signature)

My Commission Expires on: 8/15/2022

NOTARY'S  STAMP



EXHIBIT "A"

PROPERTY

LEGAL DESCRIPTION

PARCEL 1

THE EAST ONE-HALF (1/2) OF TRACT FORTY-THREE (43), LESS THE SOUTH 40 FEET ROAD RIGHT-OF-WAY, BLOCK THIRTY-FOUR (34), PALM BEACH FARMS CO. PLAT NO. 3; AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION DESCRIBED IN THAT ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 11368, PAGE 475, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

PARCEL 2

THAT PART OF THE WEST HALF OF TRACT 43, BLOCK 34, LYING NORTH OF THE RIGHT-OF-WAY FOR LANTANA ROAD, THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS ADDITIONAL RIGHT-OF-WAY FOR LANTANA ROAD CONVEYED TO PALM BEACH COUNTY IN OFFICIAL RECORDS BOOK 11213, PAGE 937, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

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**

Encompass Health Rehabilitation Hospital Lake Worth LLC.
9001 Liberty Parkway - Real Estate 4th Floor Birmingham AL 35242

Exhibit 8
Correspondence
