



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT AMENDMENT ROUND 21-B

DEO TRANSMITTAL, MAY 5, 2021

A. Application Summary

I. General

Project Name: Harbor Chase (LGA 2021-011)
Request: INST/5 to MLU (CL-O/5)
Acres: 17.80 total acres
Location: Northwest corner of Lake Worth Road and Blanchette Trail
Project Manager Travis Goodson, Planner II
Applicant/Owner: SGD Wellington Crossing, LLC. (Christopher Porter)
Agent: Joni Brinkman, Urban Design Studio
Staff Recommendation: Staff recommends **approval with conditions** based upon the following findings and conclusions found in this report.

II. Assessment & Conclusion

This privately proposed future land use amendment proposes to change the future land use designation on a 17.80-acre parcel from Institutional with underlying Medium Residential, 5 units per acre (INST/5) to Multiple Land Use (MLU) consisting of Commercial Low Office with underlying MR-5 (MLU, CL-O/5). The western portion of the site is built with a congregate living facility with 156 beds, and the eastern portion 6.05 acres is vacant. The amendment will allow the eastern portion of the site to be developed with commercial office uses up to 70,000 square feet. The site's prior condition of approval limiting the underlying 5 units per acre to congregate living facility beds will be retained.

The site is located within the West Lake Worth Road Neighborhood Planning area. This Neighborhood area has been the subject of many future land use amendments since the adoption of the 1989 Comprehensive Plan. The Neighborhood Plan's Master Plan recommended institutional uses on the subject site at a time when medical offices were allowed in the Institutional & Public Facilities future land use designation. Therefore, the request is not out of character with the uses envisioned by the Master Plan.

The proposed amendment will change the current development potential for the vacant portion of the site from institutional uses (including hospital) to commercial office uses. The amendment to the MLU designation with introduction of CL-O underlying on the site is appropriate and consistent with the character of the corridor, and compatible with surrounding land uses. The proposed amendment is consistent with the applicable policies of the Comprehensive Plan.

III. Hearing History

Local Planning Agency: *Approval with conditions*, motion by Barbara Roth, seconded by Glenn Gromann, passed in a 14 to 0 vote at the April 23, 2021 public hearing. There was minimal discussion and no public comment.

Board of County Commissioners Transmittal Public Hearing: *Transmit*, motion by Commissioner McKinlay, seconded by Commissioner Weiss passed in a 6 to 0 vote (with Mayor Kerner absent) at the May 5, 2021 public hearing. Board discussion included a question regarding of the timing of the proposed traffic light at Blanchette and Polo Road. One comment card was submitted from a representative from the West Lake Worth Road Coalition.

State Review Comments:

Board of County Commissioners Adoption Public Hearing:

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B. Petition Summary

I. Site Data

Current Future Land Use

Current FLU: Institutional and Public Facilities with an underlying 5 units per acre (INST/5)

Existing Land Use: Congregate Living Facility (156 beds) and Vacant

Current Zoning: Planned Unit Development (PUD)

Current Dev. Potential Max: Residential, up to 213 congregate living facility beds

Proposed Future Land Use Change

Proposed FLU: Multiple Land Use, with Commercial Low-Office and Medium Residential, 5 units per acre (MLU, CL-O/5)

Proposed Use: Congregate Living Facility and Office

Proposed Zoning: Multiple Use Planed Development (MUPD)

Dev. Potential Max/Conditioned: Residential, up to 213 congregate living facility beds and Office up to 70,000 sf (.27 FAR on 6.05 acres)

General Area Information for Site

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

Utility Service: Palm Beach County Water Utilities Department

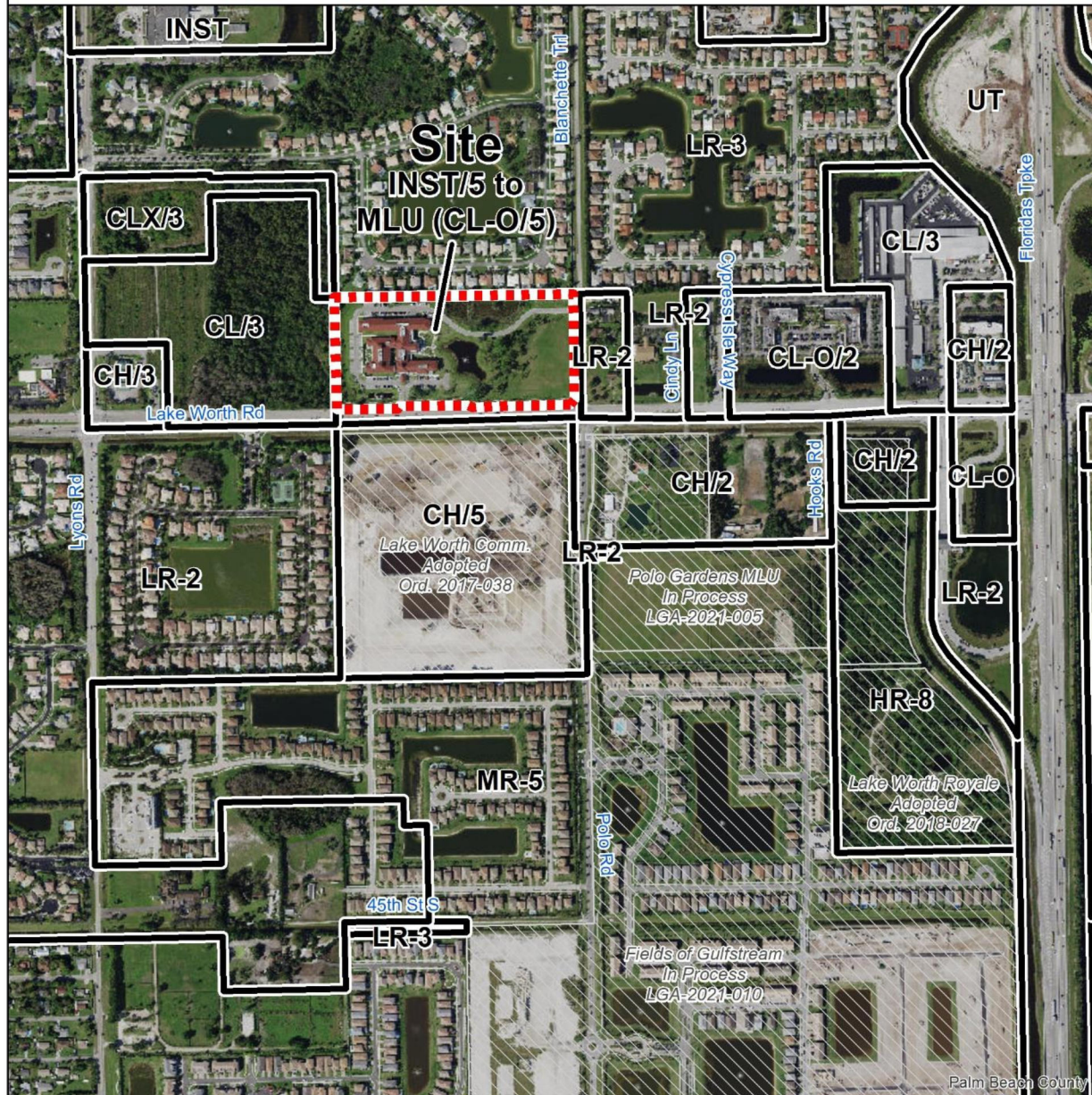
Overlay/Study: West Lake Worth Road Neighborhood Plan

Comm. District: Commissioner Melissa McKinlay, District 6



Future Land Use Atlas Amendment

Harbor Chase at Wellington MLU (LGA 2021-011)



Site Data

Size: 17.80 total acres
 Existing Use: Congregate Living Facility
 Proposed Use: Congregate Living Facility & Medical Office
 Current FLU: INST/5
 Proposed FLU: MLU (MR-5 & CL-O/5)

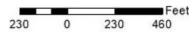
Future Land Use Designations

LR-1	Low Residential, 1 unit/acre	CL-O/2	Commercial Low - Office, underlying LR-2
LR-2	Low Residential, 2 units/acre	CH/2	Commercial High, underlying LR-2
LR-3	Low Residential, 3 units/acre	CH/3	Commercial High, underlying LR-3
MR-5	Medium Residential, 5 units/acre	CH/5	Commercial High, underlying MR-5
HR-8	High Residential, 8 units/acre	CLX/3	Commercial Low crosshatching, underlying LR-3
LR-12	High Residential, 12 units/acre	INST	Institutional
CL/3	Commercial Low, underlying LR-3	INST/5	Institutional, underlying MR-5
CL-O	Commercial Low - Office	UT	Utilities and Transportation

Date: 11/2/2020
 Contact: PBC Planning
 Filename: Planning/AMEND/21-B/Site/HarborChase
 Note: Map is not official, for presentation purposes only.



Site



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



C. Introduction & Review

I. Intent of the Amendment

This is a privately proposed amendment for a 17.80-acre site located in the Urban/Suburban Tier on the northwest corner of Lake Worth Road and Blanchette Trail within the West Lake Worth Road Neighborhood Plan.

Proposed Amendment: The amendment proposes to change the future land use designation from Institutional and Public Facilities with an underlying Medium Residential, 5 units per acre (INST/5) to Multiple Land Use, with Commercial Low-Office and Medium Residential, 5 units per acre (MLU, CL-O/5). The western portion of the subject site is developed with a 156 bed congregate living facility (CLF), and the eastern 6.05 acres of the site is vacant. The underlying 5 unit per acre density has been clustered onto the CLF portion of the site, the vacant acreage could be developed with institutional uses with up to 240,000 square feet of hospital type uses, up to a maximum of .45 FAR. The amendment proposes to allow the vacant acreage to be developed with commercial office uses under the CL-O designation up to a maximum of 70,000 square feet of office uses per the proposed condition of approval. The existing underlying MR-5 future land use designation will remain across the entire property, and there is no density increase proposed.

Background: This site has been the subject a prior future land use amendment in 2015 known as Harbor Chase of Wellington Crossing (LGA-2015-001), which changed the future land use designation from Low Residential, 2 units per acre (LR-2) to Institutional and Public Facilities with an underlying Medium Residential, 5 units per acre (INST/5), in order to develop a Type 3 Congregate Living Facility. Staff recommended approval of the request, which was adopted by the Board of County Commissioners on April 23, 2015 (Ord. 2015-009). Following the approval of the future land use amendment, the site received Zoning approval to rezone from Residential Transitional (RT) to Planned Unit Development (PUD), and allow a Type 3 CLF.

Zoning Application. The concurrent Zoning application (ZV/PDD/DOA/W-2021-00111) is requesting a rezoning from the approved PUD to Multiple Use Planned Development (MUPD), and a Development Order Amendment (DOA) to add 60,000 square feet of medical office uses on the eastern 6.05 acres of the site and related changes, including two variances and a waiver.

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 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.

Overview of the Area. The property subject to the amendment is generally located at the northwest corner of Lake Worth Road and Blanchette Trail in the Urban/Suburban Tier and is located within the West Lake Worth Road (WLWR) Neighborhood Planning Area. The Neighborhood Plan was formally received and filed by the Board of County Commissioners in November 2009. The neighborhood plan establishes design guidelines and a Master Plan with specific land use designations. The West Lake Worth Road Coalition, Inc. created and implements the Neighborhood Plan.

Appropriateness of the Amendment. Since the 1989 Comprehensive Plan was adopted, future land use designations for many of the properties located along the Lake Worth Road corridor between State Road 7/US 441 on the west and Florida's Turnpike on the east within the WLWR Neighborhood Plan have been amended to allow higher intensity non-residential and higher density residential future land use designations. This amendment will change the Institutional & Public Facilities with underlying 5 units per acre (INST/5) future land use designation to Multiple Land Use, with underlying Commercial Low-Office with an 5 units per acre (MLU, CL-O/5). This amendment will allow low intensity commercial office uses rather than institutional uses on the easternmost 6.05 acres of the site. The developed western portion of the site will remain unchanged with a congregate living facility. The commercial office uses proposed by this amendment are appropriate at this location. Commercial Low-Office future land use was approved to the east on the 1.60-acre Quartet site with up to 24,472 sq. ft. by condition. Commercial future land use designations have been approved to the south and southeast of the site (Lake Worth Commercial with up to 396,000 sq. ft. by condition, and Polo Gardens with up to 145,790 sq. ft. by condition). The proposed amendment, with conditions of approval ensuring that the development of the site is consistent as presented in the application, is appropriate and suitable at this location.

- **Compatibility:** The proposed future land use is compatible and consistent with the established and proposed development patterns of the surrounding area. This is particularly evident given the commercial land uses directly south and west of the site, which have held a commercial land use designation as early as 2009 and 1994, respectively. The parcel to the east across Blanchette Trail was recently amended to the CL-O designation, and parcels to the southeast currently have amendments in process. The proposed medical offices would be located at the southeast corner of the site fronting on Lake Worth Road and Blanchette Trail, providing transition from more intense uses on all four cardinal corners of the intersection to residential uses directly north of the site.

Assessment and Recommendation. The proposed amendment will change the current development potential for the vacant portion of the site from institutional uses (including hospital) to commercial office uses. The amendment to the MLU designation with introduction of CL-O underlying on the site is appropriate and consistent with the character of the corridor, and compatible with surrounding land uses. The proposed amendment is consistent with the applicable policies of the Comprehensive Plan.

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

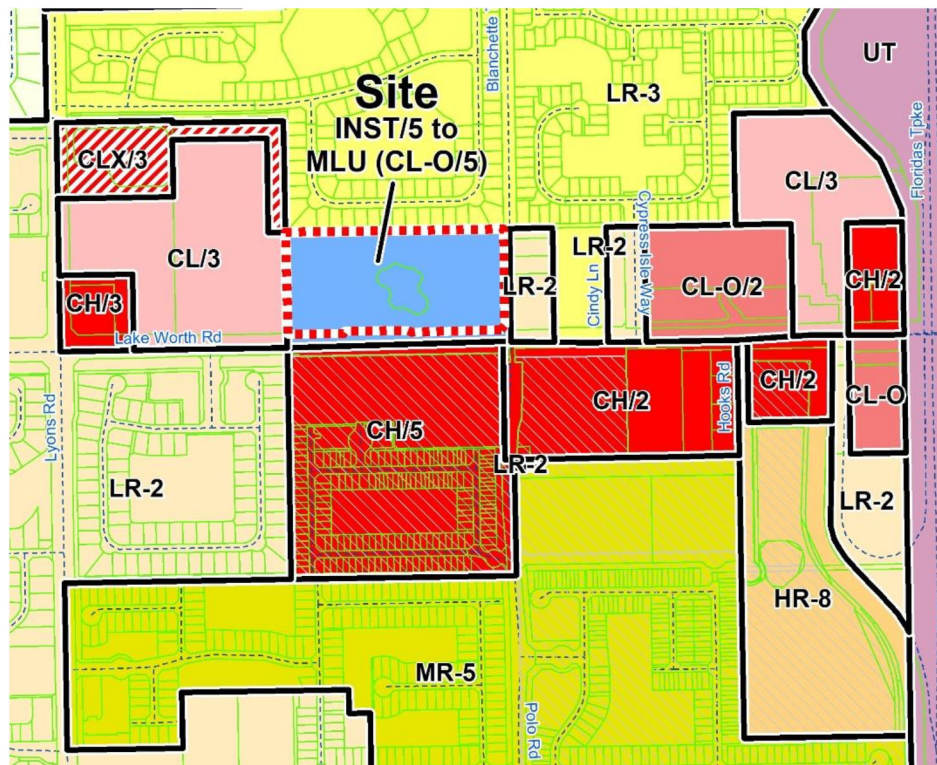
Exhibits	Page
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Exhibit 1 – A

Amendment No:	Harbor Chase at Wellington MLU (LGA 2021-011)
FLUA Page No:	76
Amendment:	Institutional and Public Facilities with an underlying 5 units per acre (INST/5) to Multiple Land Use, with Commercial Low-Office and underlying 5 units per acre (MLU, CL-O/5)
Location:	Northwest corner of Lake Worth Road and Blanchette Trail
Size:	17.80 acres
Property No:	00-42-44-29-03-001-0000 & 00-42-44-29-03-023-0000

Conditions: Revisions to conditions of approval adopted by Ordinance 2015-009 are proposed with the deleted text in strike out and added text in underline as shown below.

1. The density associated with the underlying Medium Residential, 5 units per acre (MR-5), future land use designation shall only be utilized for the development of a Congregate Living Facility (CLF). If developed residentially, other than a CLF, the density shall be limited to that associated with the Low Residential, 2 units per acre (LR-2).
2. The commercial intensity and uses associated with the underlying CL-O designation are limited to a maximum of 6.05 acres (see legal description) with up to Development of the site is limited to a maximum of 240,000 ~~70,000~~ square feet of hospital or equivalent number of generated trips.



Legal Description

Legal Description - Congregate Living Facility

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT "A"; THENCE S.89°03'30"W., A DISTANCE OF 1027.07 FEET; THENCE S.00°56'38"E., A DISTANCE OF 603.39 FEET; THENCE N.89°02'30"E., A DISTANCE OF 328.41 FEET; THENCE N.44°01'43"E., A DISTANCE OF 16.97 FEET; THENCE N.89°02'30"E., A DISTANCE OF 371.41 FEET; THENCE S.77°27'45"E., A DISTANCE OF 51.42 FEET; THENCE N.89°02'30"E., A DISTANCE OF 56.05 FEET; THENCE N.01°10'22"W., A DISTANCE OF 58.17 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 118.52 FEET AND A RADIAL BEARING OF N.89°23'10"E. AT SAID INTERSECTION; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°18'31", A DISTANCE OF 64.77 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 80.65 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°41'59", A DISTANCE OF 48.84 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 62.00 FEET AND A RADIAL BEARING OF N.90°00'00"W. AT SAID INTERSECTION; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°16'57", A DISTANCE OF 63.07 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 52.50 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°26'37", A DISTANCE OF 92.95 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 32.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 111°56'32", A DISTANCE OF 62.52 FEET; THENCE S.89°49'20"W., A DISTANCE OF 22.19 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 243.79 FEET AND A RADIAL BEARING OF N.00°15'42"E. AT SAID INTERSECTION; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°22'31", A DISTANCE OF 52.66 FEET; THENCE N.12°22'59"E., A DISTANCE OF 71.97 FEET; THENCE S.64°52'23"E., A DISTANCE OF 9.09 FEET; THENCE N.63°19'23"E., A DISTANCE OF 64.55 FEET; THENCE N.73°41'03"E., A DISTANCE OF 28.73 FEET; THENCE S.85°16'42"E., A DISTANCE OF 24.53 FEET; THENCE S.68°44'46"E., A DISTANCE OF 26.90 FEET; THENCE N.89°11'47"E., A DISTANCE OF 59.59 FEET; THENCE N.55°05'46"E., A DISTANCE OF 83.89 FEET; THENCE N.21°14'38"E., A DISTANCE OF 60.94 FEET; THENCE N.10°50'55"W., A DISTANCE OF 52.50 FEET; TO THE POINT OF BEGINNING.

CONTAINING 511,894.01 SQUARE FEET OR 11.751 ACRES.

Legal Description - Commercial Low Office Portion

BEGINNING at THE NORTHEAST CORNER OF TRACT "A", HARBOR CHASE AT WELLINGTON CROSSING, P.U.D., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 122, PAGES 18 AND 19, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; THENCE ALONG THE EAST AND SOUTH BOUNDARY OF SAID TRACT "A" FOR THE FOLLOWING FIVE (5) COURSES: 1) S.00°56'38"E., A DISTANCE OF 573.52 FEET; 2) S.44°02'56"W., A DISTANCE OF 35.35 FEET; 3) S.89°02'30"W., A DISTANCE OF 115.00 FEET; 4) S.86°41'57"W., A DISTANCE OF 110.10 FEET; 5) S.89°02'30"W., A DISTANCE OF 227.27 FEET; THENCE N.01°10'22"W., A DISTANCE OF 58.17 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 118.52 FEET AND A RADIAL BEARING OF N.89°23'10"E. AT SAID INTERSECTION; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°18'31", A DISTANCE OF 64.77 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 80.65 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°41'59", A DISTANCE OF 48.84 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 62.00 FEET AND A RADIAL BEARING OF N.90°00'00"W. AT SAID INTERSECTION; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°16'57", A DISTANCE OF 63.07 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 52.50 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°26'37", A DISTANCE OF 92.95 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE WEST WITH A RADIUS OF 32.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 111°56'32", A DISTANCE OF 62.52 FEET; THENCE S.89°49'20"W., A DISTANCE OF 22.19 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 243.79 FEET AND A RADIAL BEARING OF N.00°15'42"E. AT SAID INTERSECTION; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°22'31", A DISTANCE OF 52.66 FEET; THENCE N.12°22'59"E., A DISTANCE OF 71.97 FEET; THENCE S.64°52'23"E., A DISTANCE OF 9.09 FEET; THENCE N.63°19'23"E., A DISTANCE OF 64.55 FEET; THENCE N.73°41'03"E., A DISTANCE OF 28.73 FEET; THENCE S.85°16'42"E., A DISTANCE OF 24.53 FEET; THENCE S.68°44'46"E., A DISTANCE OF 26.90 FEET; THENCE N.89°11'47"E., A DISTANCE OF 59.59 FEET; THENCE N.55°05'46"E., A DISTANCE OF 83.89 FEET; THENCE N.21°14'38"E., A DISTANCE OF 60.94 FEET; THENCE N.10°50'55"W., A DISTANCE OF 52.50 FEET; THENCE N.89°03'30"E., A DISTANCE OF 268.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 263,310.8141 SQUARE FEET OR 6.045 ACRES MORE OR LESS.

Legal Description - Overall Boundary

TRACT "A" AND WATER MANAGEMENT TRACT 1, HARBOR CHASE AT WELLINGTON CROSSING, P.U.D. ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 122, PAGES 18 AND 19, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING: 775,205 SQUARE FEET OR 17.796 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 proposed amendment is an appropriate use of the site due to the increase of residential and supporting commercial uses in the area over the past decade.
- Since the adoption of the 1989 Comprehensive Plan, this corridor has seen many amendments to the Future Land Use Atlas to introduce commercial, institutional, mixed uses, and higher residential densities. These changes have significantly changed the character and mix of uses along this corridor, and the proposed office uses in CL-O are compatible with the area and warrant consideration.
- The request for medical office uses is not inconsistent with the West Lake Worth Road Neighborhood Plan. The plan anticipated Institutional uses on the subject site. At the time that the Plan was completed, medical office use was permitted to be requested within the Institutional land use designation.
- The proposed CL-O underlying designation and proposed medical office use will place an appropriate use at the intersection and still provide for a transition between the more intense uses south of Lake Worth Road and the residential to the north and northeast.

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 subject site currently has the development potential for a 213 bed congregate living facility with to up to 240,000 square feet of hospital uses. The proposed amendment will retain the 213 bed CLF approval, eliminate the condition regarding hospital uses, and allow up to 70,000 square feet of medical office uses.

With regard to the applicant's justification, the primary basis for the amendment is changed conditions in the area. As discussed in the applicant's justification, several of the properties in the vicinity, including the subject site, have been subject to future land use amendments since 1989 and particularly within the past ten years. These changes have altered the character of the corridor, specifically the commercial approvals to the south, southeast and west of the site. The request for the Multiple Land Use future land use designation, with a Commercial Low-Office/MR-5 future land use designation, will foster a mix of uses on the subject site that is consistent with the surrounding uses and appropriate at this location. This change will allow a more efficient use of land in a suburban corridor that is compatible with adjacent and proposed uses and consistent with the changing character of the corridor. Therefore, the applicant has met the justification requirements.

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 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.*

Staff Analysis: The proposed amendment will allow for the development of low intensity medical office uses consistent with the character and development pattern of the area at the northwest corner of Lake Worth Road and Blanchette Trail. The introduction of the underlying commercial office designation will allow for reasonable use of the land and provide services necessary to serve the growing community. Additional design standards recommended by the Neighborhood Plan or otherwise required in order to establish or preserve community elements relating to mobility, open space, buffering, and so forth will be reviewed through the concurrent zoning application. The retention of the underlying MR-5 designation will continue to support the existing congregate living facility located on the western side of the subject site. The proposed amendment is also consistent with Direction 4, Land Use Compatibility, as further discussed in the Compatibility section of this report. In these regards, the proposed amendment contributes towards livable, sustainable communities, while also addressing land use compatibility, and thereby furthering these Directives.

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 amendment is being processed for all of the land area in ownership by the applicants, and is not 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 amendment will not create residual parcels as there are no adjacent sites under common ownership. Therefore, the proposed amendment is consistent with this policy.

5. **Strip Commercial – FLUE Policy 2.2.2-d:** *The County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development.*

Staff Analysis: The proposed amendment does not exhibit the characteristics of strip commercial development as defined in the Plan, and would not result in or encourage the proliferation of strip commercial development. Several of the parcels fronting Lake Worth

Road along this corridor between Lyons Road and Florida's Turnpike have a commercial land use designation. The subject site is bound by parcels with a commercial land use designation to the south, west and east. Further, the proposed location fronts on two roadways segments being at the intersection of Lake Worth Road and Blanchette Trail. Therefore, the proposed amendment is consistent with this policy.

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....."* The property is located in the Urban/Suburban Tier. The Comprehensive Plan contains several policies addressing future land uses in the Urban/Suburban Tier.

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: The amendment site is located along Lake Worth Road in an area with a variety of residential and non-residential future land use designations. The eastern portion of the subject site proposed for commercial office uses fronts on both Lake Worth Road and Blanchette Trail and has a recently amended CL-O designated property to the east across Blanchette Trail, in addition to an new Multiple Land Use (MLU) amendment request located to the southeast across Lake Worth Road. The proposed amendment is consistent with land uses allowed to be located within the Urban/Suburban Tier and would allow for the inclusion of medical office facilities to serve the surrounding area residents, while allowing the existing congregate living facility to remain. The proposed conditions of approval will limit the intensity and density of the site so as to ensure compatible development in keeping with the character of the area and vision of the Neighborhood Plan. Considering the aforementioned, Staff finds that this amendment is consistent with this policy.

2. Policy 2.2.2-a: *In order to discourage strip commercial development, to limit commercial development to nodes, to foster interconnectivity, and to promote the development of innovative mixed use projects inside the Urban Service Area, all new commercial future land use designations shall meet one of the following location requirements:*

- *Intersection Location:*
 - *Commercial Low, High Office, or High future land use designations shall have frontage on built roadway segments identified as an arterial road and a collector road, or two arterial roads.*

- *Contiguous Location* – All new commercial future land use designations shall be contiguous to a lot(s) with a commercial future land use designation. Contiguous is defined as lot(s) that share a common border. Lots that touch point-to-point, and lots which are separated by waterways, streets, or major easements are not considered contiguous.; or
- *Flexible Location* – Mixed-use development patterns identified in the Future Land Use Element (e.g. LCC, TMD, TND) or Commercial Low-Office future land use designations may be allowed in any location along all arterial or collector roads.

Roadway classifications are listed in Figure TE 3.1, Functional Classification of Roads.

Staff Analysis: The subject site meets the location requirements for the Commercial Low-Office future land use designation subject to the “Flexible Location” criterion. Lake Worth Road is urban arterial roadway on Map TE 3.1, Functional Classification of Roads. Therefore, the proposed amendment is consistent with this policy.

3. **4.4.2 Multiple Land Use**

Policy 4.4.2-b: *The Multiple Land Use (MLU) future land use designation is established for multiple and mixed use projects proposed through the amendment process. The MLU is an umbrella category which requires a minimum of two different future land use designations at least one of which shall be residential. The allowable underlying land uses are identified in 2.2-e.1. The MLU is project specific is subject to the following:*

1. *Uses, Intensity, and Density. The application for a proposed future land use amendment to MLU shall identify the proposed uses, maximum intensity, and maximum density which shall be affixed in the adopting ordinance. The use of the Workforce Housing Program and/or Transfer of Development Rights program is required as part of the concurrent zoning application for proposed MLU amendments seeking an increase in density. The MLU adopting ordinance shall identify the underlying land uses, and include conditions of approval identifying whether the site may also utilize these programs following adoption for additional density, or whether the site is prohibited from future density increases.*
2. *Concurrent Zoning Application. The proposed amendment for an MLU requires the processing and adoption with a concurrent zoning application. The zoning application shall include a site plan or master plan depicting the functional integration of the proposed uses, and the maximum intensities and densities. The MLU adopting ordinance shall include conditions of approval as necessary to reflect the concurrent zoning application and may include the adoption of a conceptual site plan depicting the location of the various land uses, open space, and linkages which functionally integrate the different land use categories.*
3. *Usable Open Space. At a minimum, 5% of the property must be committed to usable open space (as defined by the Introduction and Administration Element). Open space must functionally integrate the project’s land uses and may not be applied to the recreation and/or parks requirements or other required civic dedication of land during the development review/re-zoning process, excluding right of way dedication. Water retention, lakes, drainage, and canals shall not be considered usable open space. The usable open space requirement is not*

required for projects for which the residential use is limited to a congregate living facility.

4. *Applicability. Proposed amendments for multiple and mixed use projects requesting an increase in residential density and a non-residential future land use in the Urban Suburban Tier are required to apply for the MLU designation. Exceptions to this requirement are proposed amendments described as follows:*
 - a. *Amendments seeking a traditional development designation;*
 - b. *Amendments for which the residential use is limited to a congregate living facility.*

Staff Analysis: The subject site is proposed for a future land use amendment from INST/5 to Multiple Land Use with CL-O and MR-5 future land uses. The subject site is allowed to calculate the density across the entire site utilizing the underlying 5 units per acre under the proposed Multiple Use Planned Development zoning. The Comprehensive Plan also allows the site to develop with all of the non-residential intensity as well. However, the proposed conditions of approval will limit the commercial uses on the site. The proposed amendment is not required to provide usable open space since the residential uses on the site will be limited to a congregate living facility. The request does not include a proposed master plan for adoption by ordinance, but is accompanied by the required concurrent zoning application. Conditions of approval are proposed to ensure that the development of the site is consistent with the concurrent zoning application. Subject to the incorporation of these conditions, the proposed amendment is consistent with MLU Policy 4.4.2-b.

Conditions: A summary of each revised and new condition is provided below.

- **Commercial uses.** The conditions will limit the Commercial Low-Office future land use designation allowable uses to the eastern 6.05 acres to ensure that the development of the site is consistent as proposed within the application. The previously adopted condition establishing the maximum square footage is being revised to cap square footage of uses allowed in Commercial Low Office future land use up to a maximum of 70,000 square feet.
- **Density.** The amendment proposes to retain the current limitation that the underlying 5 units per acre density is limited to a congregate living facility, and that any other residential use be limited to 2 units per acre.

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.

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

North: To the north of the subject site is the 373 dwelling unit Cypress Woods PUD (Control No. 1986-98) with the LR-3 future land use designation.

East: To the east, across Blanchette Trail, are three parcels that support single family homes with the LR-2 future land use designation, and a 1.61-acre parcel that was the subject of a Small Scale Amendment known as SCA-2020-014 Quartet Medical Office,

adopted via Ordinance 2020-029, which amended the future land use designation from LR-2 to Commercial Low-Office with an underlying LR-2 (CL-O/2). Further to the east is a 4.42-acre site supporting a Place of Worship known as the Christian Missionary Alliance Church.

West: To the west is a contiguous vacant and undeveloped site known as Village Corner Multiple Use Planned Development (MUPD). The site has been the subject of prior land use amendments, the most recent amendment was a Large Scale Land Use Amendment known as NEC Lake Worth Road and Lyons Road LGA-2015-013, adopted via Ordinance 2016-002, which changed the Future land use designation on 36.99 acres from Commercial Low with an underlying 2 units per acre (CL/2) to Commercial Low with an underlying 3 units per acre (CL/3) on 33.99 acres, and Commercial High with an underlying 3 units per acre (CH/3) on 3 acres. In February 2019, the site received BCC approval to allow a rezoning from Planned Unit Development (PUD) to MUPD.

South: To the south, across Lake Worth Road, is the Polo Legacy Mixed Use Planned Development (MXPD). The site has been the subject of prior land use amendments, the most recent being a Large Scale Land Use Amendment known as LGA-2017-013 Lake Worth Commercial, adopted via Ordinance 2017-038, which changed the future land use designation from Commercial High with an underlying Low Residential, 2 units per acre (CH/2) to Commercial High with an underlying Medium Residential, 5 units per acre (CH/5). While currently under construction, the 37.03-acre MXPD has a Zoning-approved site plan indicating 51,000 sq. ft. of various commercial uses and 184 dwelling units at full build out. West of that site, and bordering Lyons Road to the west, is the Cedar Creek PUD with an LR-2 FLU on 38.82 acres. Cedar Creek was approved and developed in 2001 and is constructed with 77 single family units at a density of 1.98 units per acre.

Southeast: Southeast of the property, at the intersection of Lake Worth Road and Polo Road, is Haley Farms Commercial. In 2018, the County approved an amendment called Haley Farms (LGA 2018-023) on 8.83 acres in order to modify conditions of approval that required the site to be developed as a mixed use project called a Lifestyle Commercial Center. The conditions of approval limiting commercial uses on the site to 145,790 square feet of non-residential uses or equivalent traffic generating uses was retained. (Ord. 2018-029). This site has had commercial future land use since the original Ordinance for the two parcels adopted by Ord. 2009-028. The site is the subject an amendment currently in process (LGA-2021-005 and LGA-2021-010) to change the land use from CH/2 on 8.83 acres and MR-5 on 16.97 acres to MLU (CH/5) on the combined 25.79 acres and amend conditions of approval.

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, “based on the intensity of the non-residential uses to the south, approved and pending approval, the proposed medical office to the east, the proposed use is compatible with the development pattern in the area. In regard to the existing residential to the east and north, as part of the zoning process, buffering, setbacks, etc. will be addressed to assure there is no negative impact to those

residents. The existing property already has installed buffers on the east and north property lines as part of the CLF requirements. The less intense use of medical office is compatible as it will function as a transitional use between the Lake Worth Road right of way and the residential.”

Staff Analysis: The property is located within the West Lake Worth Road Corridor Neighborhood Planning area in an area containing a variety of existing and proposed commercial and residential uses, including offices, retail, restaurants, and a mix of single- and multi-family housing. Commercial development exists on the north side of Lake Worth Road at the intersections of both Lyons Road and the Turnpike, and is also proposed fronting the south side of Lake Worth Road along each side of the intersection with Blanchette Trail/Polo Club Road. The proposed future land use is compatible with existing and proposed developments in the immediate vicinity, particularly given changes in the development pattern of the corridor that have occurred over the past few years, which have resulted in higher intensity commercial land uses immediately south, east and west of the subject site and an increase in residential densities. Further, the proposed request to the MLU future land use designation would allow for the colocation of generally compatible and low intensity uses, such as the existing congregate living facility and proposal for medical offices. The medical office use proposed is allowed and is compatible and consistent with the adjacent uses and character of the corridor.

D. Consistency with County Overlays, Plans, and Studies

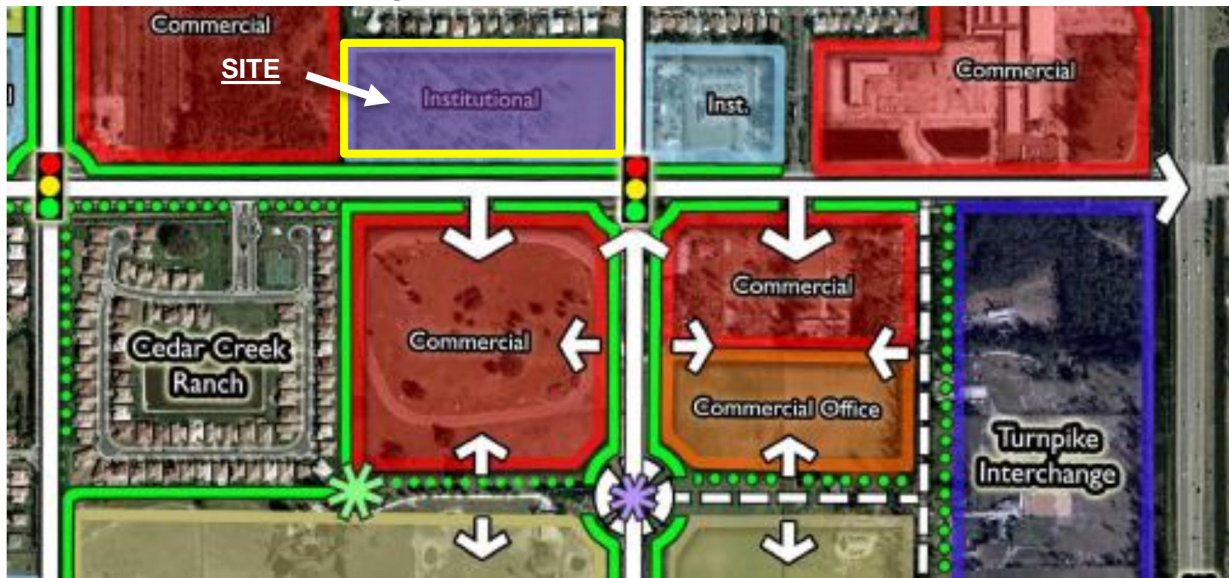
1. **Overlays – FLUE Policy 2.1-k** states *“Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.”*

Staff Analysis: The proposed amendment is not located within an overlay.

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

Staff Analysis: The site is located within the boundaries of the WLWR Neighborhood Planning Area. The Neighborhood Plan was formally received by the Board of County Commissioners (BCC) and adopted by Resolution in 2009. The purpose of the Neighborhood Plan is to *“ensure that development is designed and constructed to preserve and define the Character of the West Lake Worth Road Corridor Area.”* Specifically, the Neighborhood Plan addresses land uses, mobility, traffic and connectivity, environmental concerns, parks and recreation, beautification, and built form and site design, as areas of concern, with the bulk of the recommendations related to design requirements to be implemented through the zoning process. In this regard, the Neighborhood Plan’s design criteria, such as buffer requirements and pedestrian connectivity as they relate to the subject site will be addressed through review of a concurrent zoning application. As part of this amendment, Staff are recommending amendments to existing conditions of approval relating to square footage and density caps in order to limit intensity on the subject site and potential impacts to adjacent lands.

West Lake Worth Road Neighborhood Master Plan



E. Public Facilities and Services Impacts

The proposed amendment will change the future land use designation from Institutional and Public Facilities with an underlying Medium Residential, 5 units per acre (INST/5) to Multiple Land Use, with Commercial Low-Office and Medium Residential, 5 units per acre (MLU, CL-O/5). For the purposes of the public facilities impact analysis, the maximum intensity is based on the proposed 70,000 sq. ft. medical office potential as proposed in the voluntary condition of approval and the existing approval for 213 congregate living facility beds. Public facilities impacts are detailed in the table in Exhibit 4.

- 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: According to the County's Traffic Engineering Department (see letter dated December 2, 2020 in Exhibit 5) development of the site at the maximum development potential proposed by the amendment.

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 at the proposed medical office potential."*

The Traffic Study was prepared by Simmons & White, 2581 Metrocentre Blvd West, Suite 3, West Palm Beach, FL 33407. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at: <http://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

3. **Zoning implications - PBC Engineering Dept.–Traffic Division:** Harbor Chase at Wellington Crossing will be required to provide an expanded intersection right-of-way for an 80 ft. by 120 ft. "T" type intersection in order to accommodate dual left turns onto Lake Worth Road. These details and any associated details will be finalized through the concurrent zoning application process.

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 of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on February 19, 2021. To date, no objections through the IPARC process to this amendment have been received.
- B. **Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on February 19, 2021. In addition, on the same date, the Lake Worth Road Coalition, Inc. and the following Home Owners Associations within the West Lake Worth Road Neighborhood Plan area were notified by mail: Summer Chase, Cypress Trails, Bent Creek, Legend Lake Estates, Cypress Woods, Woods Walk, Cypress Lake Estates, and Cedar Creek Ranch. Letters received are included in 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 March 2, 2021. No members of the public attended.

Exhibit 3
Applicant's Justification

**HARBOR CHASE AT WELLINGTON CROSSING MLU
CONSISTENCY WITH THE COMPREHENSIVE
PLAN & FLORIDA STATUTES
LARGE SCALE FLUA
APPLICATION NO, LGA-2021-00011
NOVEMBER 10, 2020**

REQUEST

On behalf of the property owner, SGD Wellington Crossing, LLC, Urban Design Studio (UDS) has prepared and hereby respectfully submits this application for a Large-Scale Future Land Use Atlas (FLUA) Amendment for the 17.8± acre parcel. The site currently has a FLUA designation of Institutional with underlying MR5-Medium Residential (INST/MR5) and a Zoning designation of Planned Unit Development (PUD) with a Class A Conditional Use approval for a Type 3 Congregate Living Facility (CLF) for 156 residents and 136 units.

The applicant is requesting to amend the land use designation from Institutional with underlying MR-5 (INST/MR5) to allow for a Multiple Land Use (MLU) designation consisting of 6.045 acres, rounded up to 6.05 acres, of Commercial Low Office (CL-O) with underlying MR5, with the balance of the property, 11.75 acres, retaining only the MR5 designation, supporting the existing CLF.

ORDINANCE 2015-009 CONDITIONS OF APPROVAL PROPOSED REVISIONS:

The above reference ordinance contained two conditions of approval, one of which is being carried forward with the land use amendment request and one to be deleted and replaced with a new condition. They included the following:

1. The density associated with the Medium Residential, 5 units per acre (MR-5), future land use designation shall only be utilized for the development of a Congregate Living Facility (CLF). If developed residentially, other than a CLF, the density shall be limited to that associated with the Low Residential, 2 units per acre (LR-2).
2. Development of the site is limited to a maximum of ~~240,000~~ 70,000 square feet of ~~hospital~~ medical office or equivalent number of generated trips.
3. Maximum acreage associated with the proposed CL-O land use designation is 6.05 acres.

These changes to the conditions are proposed to limit the acreage associated with the CL-O 'pod' and to define the trips permitted for the CL-O land area.

The 17.8± acre parcel consists of two (2) property control numbers, PCN 00-42-44-29-03-001-0000 and 00-42-44-29-03-023-0000, and herein is referred to as the subject property. The subject property is located in the unincorporated area of Palm Beach County (PBC), situated in the Urban/Suburban (U/S) Tier and is within PBC's Urban Service Area. The subject property is generally located at the northwest corner of the intersection of Lake Worth Road and Blanchette Trail. It is also located within the boundaries of the West Lake Worth Road (WLWR) Neighborhood Plan.

A concurrent zoning application will be submitted to accompany this request through the land use application review process. That application will include requests to rezone the property from PUD to Multiple Use Planned Development (MUPD) and, if necessary, to request a Class A Conditional Use to reflect the existing CLF on the property. It is not anticipated any special use approval will be required for the Medical/Dental Office Use in the CL-O 'pod' as it is a permitted use in a CL-O PDD. It is anticipated that the property will need to be replatted as the current water management tract (PCN 00-42-44-29-03-023-0000/1.32± acres) will be reconfigured in order to support the additional development of the medical office use on the property and provide adequate storm water management.

The request is not inconsistent with the WLWR Neighborhood Plan, as Institutional Uses were on this property were acknowledged by the Institutional designation assigned on the WLWR Master Plan, and medical office use was allowed to be requested at the time for parcels with Institutional Land Use. While the land use at the time was LR-2, the Plan's depiction of Institutional provides support of a future change to Institutional, which ultimately did take place.

PROJECT HISTORY

This property previously had approvals for a Church or Place of Worship which was abandoned as part of the current approval in place on the property. A history of the church approval follows:

Control No.	Description	Action	Date	Resolution/ Ordinance No.
2004-009	Rezoning from AR to RT	Approved	Nov. 17, 2005	R-2005-2276
2004-009	Class A Conditional Use to allow a Church or Place of Worship	Approved	Nov. 17, 2005	R-2005-2277
2004-009	Final Site Plan Approval for a 55,900 square foot, 1,200-seat Place of Worship	Approved	Dec. 13, 2006	N/A

Subsequently, the following requests were approved by the Palm Beach County (PBC) Board of County Commissioners (BCC) on April 23, 2015:

Control No.	Description	Action	Date	Resolution/ Ordinance No.
LGA 2015-001	Land Use Change from LR2 to INST/MR5	Approved	April 23, 2015	Ord. 2015-009
2004-009	Abandonment of Class A Conditional Use to allow a Church or Place of Worship	Approved	April 23, 2015	R-2015-0533
2004-009	Rezoning from RT to PUD	Approved	April 23, 2015	R-2015-0534
2004-009	Requested Use to Allow a Type 3 CLF	Approved	April 23, 2015	R-2015-0535

These approvals applied to land area of 18.28 acres. Since that time, the property was platted as 'Harbor Chase at Wellington Crossing, P.U.D.' as recorded in Plat Book 122, Pages 18-19 on July 26, 2016. That plat included a dedication of .111 acres, known as Tract "B" and .017 acres, known as Tract "C", to the Florida Department of Transportation for right of way. Additionally, Tracts "D" and "E", were also conveyed to Palm Beach County for right of way purposes in the acreage amounts of .034 and .322 acres respectively. This left a balance of 17.80± acres in the overall property.

Please know that a prior applicant/contract purchaser had pursued a privately initiated text amendment (PIA) to the Comprehensive Plan to permit the Medical/Dental Office use on the property via language to allow co-location with a Type 3 CLF in Amendment Round 20-B. That request was well received by Planning Staff and presented to the Board of County Commission (BCC) on October 28, 2019, with a staff recommendation to initiate the amendment. The BCC heard the request and agreed to allow the request to move forward to the Phase 2 process as part of the PIA. That request never moved forward as the contract purchaser elected to not continue on with the project. Now, the owner of the property has elected to request to utilize the MLU, rather than propose a change to the text of the Plan.

In addition to land use conditions contained in the current ordinance, pertinent Planning Conditions contained in the development order are anticipated to be amended at part of that process as well.

RESOLUTION R-2015-0534 CONDITIONS OF APPROVAL:

Exhibit C-2 of this resolution incorporated the following condition of approval to reflect the above:

PLANNING

1. Per LGA 2015-001: Development of the site is limited to a maximum of 240,000 square feet of hospital or equivalent number of generated trips. (ONGOING: PLANNING -Planning)
It is anticipated that this condition will be amended consistent with the proposed land use ordinance condition of approval.

RESOLUTION R-2015-0535 CONDITIONS OF APPROVAL:

Exhibit C-3 of this resolution incorporated the following condition as well to reflect the above:

PLANNING

1. Per LGA 2015-001: The density associated with the Medium Residential, 5 units per acre (MR-5), future land use designation shall only be utilized for the development of a Congregate Living Facility (CLF). If developed residentially, other than as a CLF, the density shall be limited to that associated with the Low Residential, 2 units per acre (LR-2). (ONGOING: PLANNING – Planning)

It is proposed that this condition will be carried forward with the concurrent zoning request to for the MUPD.

G.1 JUSTIFICATION

The Applicant is requesting to amend the FLUA designation of the subject property to allow for the Multiple Land Use designations of MR5 on 11.80± acres and CLO/MR5 on the remaining 6.05± acres. Per Policy 2.1-f of the FLUA of the PBC Plan, an applicant must provide adequate justification for the proposed future land use. A Conceptual Master Plan has been included in this request depicting the proposed land use designations for the subject site.

The proposed use is suitable and appropriate for the Subject Property.

Applicant's Response:

The proposed additional use on the property of medical office is suitable and appropriate for the property. This is supported by not only the BCC's past direction to staff on a prior privately initiated text amendment to allow the use, but also due to the increase of residential units in the area over the past decade and the appropriateness of the use is proximity to an existing CFL that also provides for memory care housing.

Additionally, the property currently has an Institutional land use designation, as well as being defined on the West Lake Worth Road Corridor Master Plan as Institutional within the Neighborhood Plan. As staff acknowledged when the prior applicant was requesting the Plan text amendment, Institutional land use previously allowed Medical Office use, but was amended to address issues of the use being approved in inappropriate areas, such as the rural and exurban Tiers. The staff report associated with that request indicated support of allowing the use in Institutional, but limited to sites located within the Urban Suburban Tier. This change will allow the collocation of appropriate uses while retaining the original intent of the 2010 amendment to prevent free-standing medical office that circumvents commercial location requirements.

This request for the CLO designation as part of the MLU also meets the commercial location requirements of the plan as it is proposed at the intersection of an arterial (Lake Worth Road) and a non-plan collector (Blanchette Trail). The applicant was required as part of the approval for the CLF to dedicate land area for Blanchette Trail for a right of way width of 80' and also conditioned for surety for a light at the intersection of Lake Worth Road/Blanchette Trail/Polo Club Road. Of note, the southwest corner of this intersection is approved for commercial uses and the southeast corner is currently in the land use amendment process for a MLU which will also allow for commercial uses and increased density if approved. The property directly to the east is also in the land use process to allow for medical office use on that parcel (see surrounding uses portion of this

justification). The parcel immediately to the west, under the ownership of the Cleveland Clinic also includes an outparcel with an existing convenience store with fuel sales, has both CL and CH designations.

Additionally, the access to the site as already existing from Blanchette Road allows for the building to be sited in the southeast portion of the site. With the required buffering and setback that will be provided, there is no negative impact to the existing residential to the north or northeast. Finally, the synergy between the existing use and the proposed medical office use on the parcel needs to be considered as the use will provide a convenience for the residents of the CLF in that the potential would exist that access to health services not provided by the CLF would be virtually within walking distance.

In regard to appropriateness of the use in relation to the West Lake Worth Road Neighborhood Plan, the proposed use is not inconsistent with that plan. The neighborhood plan was received by the BCC on November 19, 2009. The plan anticipated Institutional uses on the submit property at that time and the parcel was and is designated as Institutional on the Neighborhood Master Plan. At that time, medical office use was permitted to be requested within the Institutional land use designation. Considering the above, the proposed CL-O designation which allows for limited less intensive uses such as the proposed medical office use, is appropriate for this site.

There is a basis for the proposed FLUA change for the Subject Property based upon one or more of the following:

- a. Changes in Future land use designations on adjacent properties or properties in the immediate area and the associated impacts on the subject site:**

Applicant's Response:

Changes since the current land use was granted on the parcel in early 2015 include numerous land use map amendments that served to increase density and the demand for services in the area, including the subject parcel itself. These include:

- Izzy Lizzy (LGA 2017-016) LR2 to MR5
- Lake Worth Commercial (LGA 2017-013) CH/2 to CH/5
- Gulfstream Polo Properties (LGA 2016-007) LR2 to LR3 & LR2 to MR5
- Andalusia Residential (LGA 2016-032) LR3 to MR5
- Rubin Communities (LGA 2015-003) LR2 to MR5
- Lake Worth Royale (LGA 2018-015) LR2 to HR8

Prior amendments that have also impacted the area include Palm Tree Farms (LGA 2014-002), Gulfstream Properties (LGA 2014-001) and Lake Worth/Lyons Residential (LGA 2009-007). These amendments, in conjunction with previously approved and constructed development in the area, have dramatically increased the number of dwelling units and the need for services nearby.

There are currently also two land use plan amendment applications in process in the immediate area, Polo Gardens (LGA 2021-005) and Quartet Medical Office (SCA 2020-014).

Polo Gardens: Polo Gardens is 25.79 acres in size and located at the southeast corner of the intersection and is requesting a change from CH/2 in part and MR5 in part to CH/8. That

application was also requesting an increase of density associated with a workforce housing density bonus and transfer of development rights (TDR). This application was transmitted by the BCC on October 28, 2020, with a recommendation of approval for a change to MR5 resulting in a potential maximum of 284 units with an 80% density bonus and full TDR purchase. It is anticipated the multifamily buildings will be limited to a height of three (3) stories.

Quartet Medical: Quartet Medical is currently being processed, scheduled for a November 13, 2020 Planning Commission Hearing. The request is for the 1.61-acre parcel directly to the east of the subject property, located at the northeast corner of the intersection of Blanchette Trail and Lake Worth Road. The application is to change the land use from LR2 to CLO/2 and per the staff report has a recommendation of approval. It also states that the office use proposed for the property meets the Plan requirements for the designation, consistent with this request, and is consistent with the character of the area, compatible with adjacent uses and consistent with plan policies. Like this request, that application is also requesting a rezoning to MUPD. The project was already granted a variance to the minimum lot size for an MUPD by the Zoning Commission on October 1, 2020 and is proposing 10,000 square feet of office use.

The approved land use amendments in the area, as well as the two applications currently being considered, support the premise that this corridor of Lake Worth Road, west of the turnpike to Lyons Road, has been evolving over time and due to the increase in density in the area, the premise of the office uses permitted in CL-O are compatible with the area and warrant consideration of the requested amendment.

Additionally, the prior dedications by the applicant and other developer(s) to the south of Lake Worth Road has allowed the intersection of Blanchette Trail, Polo Club Road and Lake Worth Road to be aligned and with the development of the approved Polo Legacy MXPD and the ultimate development of Polo Gardens MUPD with commercial and the anticipated development on the northeast corner of the intersection, the impact on the subject parcel is such that the southwest area of the site is now ideally positioned for this type of proposed use. Additionally, conditions of approval exist that will require that this intersection, due to the amount of anticipated development in the area, will be signalized as surety is in place for that to take place. As development pressures continue in the Urban/Suburban Tier of Palm Beach County, it will become more and more important to make efficient use of the land area available. These changes and impacts to the site warrant the change in land use requested.

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

Applicant's Response:

Many of the changes referenced above also apply to these criteria. As outlined, this area of the County has been the subject of not only numerous land use plan amendments that increased density and also provided for commercial development in this area. The creation of the West Lake Worth Neighborhood Plan itself also aided in the County providing for a new Thoroughfare Road connector from Lyons Road to Lake Worth Road (via Polo Club Road) providing for an aligned intersection with Blanchette Trail, soon to be signalized. These are changes in access and characteristics of the general area that warrant the land use plan amendment being requested.

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

Applicant's Response:

A change in circumstance has occurred in comparison to when the last land use amendment was approved on this parcel to increase the density and apply an Institutional land use designation thereon. At that time, the applicant's goal, as a Congregate Living Facility developer/operator, was to gain the ability to construct the now existing CLF. Applying the Institutional land use was done in conjunction with the request to reflect consistency with the WLWR Master Plan. The applicant now wishes to pursue the change to allow for efficient and appropriate development on the parcel.

A changed circumstance also exists in relation to other land use and zoning changes in the area, specifically the zoning approvals granted for Polo Legacy to the south and the two applications currently in process for Polo Gardens MLU and Quartet Medical. While those two applications are in process, Polo Gardens does already possess the CH designation on 8.8± acres which will ultimately be developed. The approval for Project Institute to the west serves to make the properties fronting this section of the Lake Worth Road Corridor between the Turnpike and Lyons Road predominately non-residential in nature. The realignment of Polo Club Road and the future signalization of the intersection are physically property changes in the area that warrant consideration of this request.

d. Inappropriateness of the adopted Future land use designation; or

Applicant's Response:

The limitations of the Plan and Code associated with the current Institutional Land Use designation on the parcel, which prohibits the use of medical office is not appropriate. The recent changes in land use and the zoning approvals granted, which included the requirements for realignment of Polo Club Road and the signalization of this intersection, combined with the intensity of the approved and proposed non-residential uses at the southeast and southwest quadrants of the intersection, supports this inappropriate assessment of the current land use. Allowing for CL-O and proposed medical office use will place an appropriate use at the intersection and still provide for a transition between the more intense uses south of Lake Worth Road and the residential to the north and northeast.

e. Whether the adopted Future land use designation was assigned in error.

Applicant's Response: N/A

G.2 RESIDENTIAL DENSITY INCREASES

Per Future Land Use Element Policy 2.4-b, provide a written analysis of the following:

- *Demonstrate a need for the amendment.*
- *Demonstrate that the current FLUA designation is inappropriate.*
- *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.*

Applicant's Response: No Residential density increase is proposed under this application. Therefore, this section does not apply to the request.

G.3 COMPATIBILITY WITH SURROUNDING USES

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. ***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. Non-Residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objections and Policies of the Plan.”***

To be compatible, it is not necessary that two uses have the exact same function (e.g. residential, commercial, institutional, etc.). Rather, compatibility is attained when uses do not adversely affect each other. Further, two uses whose functions are different can complement and support each other. For example, the proposed change to allow CL-O to allow for a medical office use can provide essential services to residents of a Congregate Living Facility, the surrounding neighborhoods, as well as the community at-large. In addition, buffering, screening, setback, height, and landscaping requirements can further enhance compatibility, and reduce any potential negative effects of functionally different land uses, which will be addressed with the site plan approval/rezoning process.

The factors that lead to the conclusion that the proposed FLUA Map Amendment designation is compatible with the surrounding area are provided as follows:

- Many of the previously Low Residential Land Use Designation on parcels in the area have been granted increased density via previously approved land use plan amendment requests, rezoned and converted into planned residential communities. These include Andalucia, Gulfstream Polo and the Fields at Gulfstream Polo, Lake Worth Royale. This is an indication that this area of the western Lake Worth Road corridor is changing from a rural area to a more suburban area with the elimination of the former equestrian uses south of Lake Worth Road. With this population increase, there is a need for additional services to support these new residents.
- The 36.98-acre property located immediately west of the subject site and on the (northeast corner of Lyons Road and Lake Worth Road) received approval from the Board of County Commissioners on February 28, 2019 to allow a rezoning from CG-General Commercial/PUD to the MUPD-Multiple Use Planned Development, to allow the development of 350,000 square feet of medical offices for the Cleveland Clinic Campus. The site has both the Commercial Low and Commercial High land use designations (see table below for additional information). The previous approval for a Class A Conditional Use for 3000 square feet of Convenience Store with Gas Sales and car wash on the subject site were retained on site. With the approval of the Cleveland Clinic campus, a demand for medical office space is anticipated to serve the residential communities in the area. Medical office buildings located near hospital campuses are common in the market and tend to support the hospital campus. Overall, the current and projected growth of the medical industry within the region has created a need for medical uses. Additionally, there would be minimal impact to the overall area residents as the proposed FLUA is consistent with the surrounding area, and properties along Lake Worth Rd.

- The West Lake Worth Road Neighborhood Plan identifies the subject property as Institutional. The properties to the west and south are identified for Commercial Uses. The property immediately to the east of the subject site, across Blanchette Road is identified for Institutional uses in the plan. This specific property is currently in the land use and zoning entitlement process. A type 2 Variance was approved by the Zoning Commission on October 1, 2020 per Application No. ZV-2020-00430/Quartet MUPD allowing a reduction in the minimum lot depth and size for a future Multiple Use Planned Development (MUPD). A Small-Scale Future Land Use amendment (SCA-2020-00014) is under review by the Planning Division to amend the Future Land Use designation from Low Residential, 2 units per acre (LR-2) to Commercial Low-Office with an underlying LR-2 (CL-0/2). A Development Order Abandonment of the previously approved Class A Conditional Use for a Daycare and, an Official Zoning Map Amendment to rezone the subject site from RS to MUPD, for the purposes of developing the site for Medical Office Uses is currently pending per Application No. ABN/PDD/W-2020-00433. A letter of support was provided from the Lake Worth Coalition, Inc. on behalf of the West Lake Worth Road Neighborhood Plan supporting the variance application referenced above to allow relief from the MUPD lot size requirements.

Surrounding Uses:

The following is a summary of the uses surrounding the subject property. Additional information is included on the Built Features Inventory and Map at Attachment F.

Adjacent Lands	Use	Future Land Use	Zoning
North	Cypress Woods Planned Unit Development- Residential Single-Family Use Single Family Units-373 2.5 DU/AC	Low Residential, 3 units per acres (LR-3)	RTS- Residential Transitional Suburban District Control 1986-98
South	Polo Legacy Mixed Use Planned Development- GFA-510,100 SF <ul style="list-style-type: none"> • Retail-32,929 SF • Convenience Store-3,000 SF • Type 2 Restaruant-5,660 SF • Type 1 Restaurant w/o Drive thru-2,411 SF • Type 1 Restaurant w/Drive thru-5,000 SF • Gas Fuel Sales-16 fueling positions • Dwelling Units-184/4.77du/ac (Multifamily -32 units Townhouse-152 units) 	Commercial High (CH) with underlying Medium Residential, 5 units per acre (MR-5)	MXPD-Mixed Use Planned Development Control No 2007-00096
East	Single Family Dwelling/PB Farms Company Plat #3/1 du/1.60 acres Single Family Dwelling PB Farms Company Plat #3/1 du/.51 acres Single Family Dwelling /PB Farms Company Plat #3/1 du/.51 acres Single Family Dwelling /PB Farms Company Plat #3/1 du/.29 acres	Low Residential 2(LR-2) Pending –SCA-2020-00014 Low Residential 2(LR-2) Low Residential 2(LR-2) Low Residential 2(LR-2)	RS-Residential Single Family- Control No. 2005-00001 AR-Agricultural Residential AR-Agricultural Residential AR-Agricultural Residential
West	Project Institute/Village Corner <ul style="list-style-type: none"> • C-Store with Gas Sales-3,900 SF/12 fueling stations • Car Wash-900 SF 350,000 SF of Medical Offices	Commercial High (CH) with underlying Low Residential 3 (LR-3) on 3.0 Acres & Commercial Low, with underlying Low Residential 3 (LR-3) on 27.54 Acres & Commercial Low with Cross-Hatching on 6.44 Acres (CLX/3)	MUPD-Multiple Use Planned Development Control No. 1998-00077

- **North:** To the north of the subject property is one (1) property (details below):
 - **PCN 00-42-44-19-07-007-0000:** Directly to the north of the subject property is a portion of the 25' wide PUD perimeter buffer of the Cypress Woods development that is currently owned by Cypress Woods Association, Inc. This property has a FLUA designation of Low Residential, up to three (3) du per acre (LR-3), and is within the PUD Zoning District. This property is a part of a 373-unit residential PUD (Control No. 86-98) known as the Cypress Woods PUD that straddles Blanchette Trail. The eastern portion of Cypress Woods PUD was constructed at 2.6 du per acre.
- **South:** To the south of the subject property, across Lake Worth Road (a right-of-way classified as an Urban Principal Arterial with an ultimate width of 120'), is one (1) property (details below):
 - **PCN 00-42-44-29-13-001-00 and Various:** This approximately 38.54-acre parcel is currently owned by Mattamy Palm Beach, LLC, has a FLUA designation of Commercial High, with an underlying MR-5 (CH/5) and is within the Mixed Use Planned Development (MXPD) zoning district. The northern approximately 13.93 acres is approved for commercial uses including Convenience Store with Fuel Sales, and Type 1 and Type 2 Restaurants. Also included in this parcel is a 32-unit multi-family building. The balance of the property to the south is approved for 152 townhome units. The property was recently platted (PB 130/138 recorded June 25, 2020).
- **East:** To the east of the subject property, across Blanchette Trail (a right-of-way with an ultimate width of 80') are four (4) properties (details below):
 - **PCN 00-42-43-27-05-024-0613:** This is an approximately 0.29-acre property owned by Jose M. & Stephanie Marrero, has a FLUA designation of LR-2 and is within the AR Zoning District. This property appears to support a single-family residence and, per the Property Appraiser of Palm Beach County's web site, this property is taxed as a single-family residential use. There are no prior zoning approvals on this property;
 - **PCN 00-42-43-27-05-024-0614:** This is an approximately 0.51-acre property owned by Eric Aanonsen, has a FLUA designation of LR-2 and is within the AR Zoning District. This property appears to support a single-family residence and, per the Property Appraiser of Palm Beach County's web site, this property is taxed as a single-family residential use. There are no prior zoning approvals on this property;
 - **PCN 00-42-43-27-05-024-0615:** This is an approximately 0.51-acre property owned by Sandra J. Aanonsen & Miriam L. Connors, has a FLUA designation of LR-2 and is within the AR Zoning District. This property appears to support a single-family residence and, per the Property Appraiser of Palm Beach County's web site, this property is taxed as a single-family residential use. There are no prior zoning approvals on this property; and
 - **PCN 00-42-43-27-05-024-0617:** This is an approximately 1.6-acre property owned by 8475LWR, LLC, has a FLUA designation of LR-2 and is within the AR Zoning District. This property appears to currently support a single-family residence and, per the Property Appraiser of Palm Beach County's web site, this property is taxed as a single-family residential use. There are no prior zoning approvals on this property. However, as described above, there are currently applications in process

for this parcel, known as Quartet Medical, to change the land use to CL-O to allow for 10,000 square feet of office. The request has already received Zoning Commission approval for a variance to property development regulations for lot size and is scheduled for the November 13, 2020 Planning Commission with a recommendation of approval from staff for the land use change request.

- **West:** To the west of the subject property is one (1) property (details below):
 - **PCN 00-42-43-27-05-024-0550:** This approximately 19.1-acre property is currently owned by Cleveland Clinic FL Heath System Nonprofit, has a FLUA designation of Commercial Low, with an underlying LR-2 (CL/2) and is within the MUPD Zoning District. This property, combined with PCN's 00-42-44-19-08-001-0010 and 00-42-44-19-08-023-000, also under Cleveland Clinic's ownership, and combined with PCN 00-42-44-19-08-001-0020, under the ownership of Lyons Petroleum, equate to 36.98 acres and have MUPD Zoning. The land use for the 1.75 gas station parcel is CH/3, with the balance of the property being CL/3 and CLX/3.

Based on the intensity of the non-residential uses to the south, approved and pending approval, the proposed medical office to the east, the proposed use is compatible with the development pattern in the area. In regard to the existing residential to the east and north, as part of the zoning process, buffering, setbacks, etc. will be addressed to assure there is no negative impact to those residents. The existing property already has installed buffers on the east and north property lines as part of the CLF requirements. The less intense use of medical office is compatible as it will function as a transitional use between the Lake Worth Road right of way and the residential.

G.4 CONSISTENCY WITH COMPREHENSIVE PLAN

The following summary details the requested FLUA amendment compliance with the County's Comprehensive Plan.

Consistency with the Comprehensive Plan – General 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;*
- 2. The availability of facilities and services;*
- 3. The adjacent and surrounding development;*
- 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*
- 7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1*

Applicant's Response:

The subject property is not requesting an increase in residential density. However, the land use plan amendment application and supporting documentation supports the premise that the use will have no negative impact on the natural environment, there exists available facilities and services to support the development, is compatible with the surrounding uses, provides for a balance of land uses in the area and does not create urban sprawl. The proposed addition of the medical office use, and the proposed conditions associated with this request is not inconsistent with the WLWR Neighborhood Plan and the existing built facility incorporated requirements of the plan including the oversized buffer along Lake Worth Road and building design. As an MUPD, any new building will be required to be architecturally consistent with the CLF. Additional detail in regard to Plan consistency will be addressed as part of the zoning application. The municipalities within a mile will be notified and have an opportunity to participate in the review process in accordance with the Intergovernmental Coordination Element of the Plan.

Objective 1.2 Urban/Suburban Tier – Urban Service Area General: Objective 1.2 of the Comprehensive Plan Future Land Use Element (“FLUE”) states: “this tier [Urban/Suburban] is expected to accommodate the bulk of the population and its need for...goods and services...”

Applicant's Response: As outlined throughout this justification, the increase in density and approval/construction of new dwelling units in this area of the County has created a need for additional services in close proximity to the residents. As land becomes scarcer in the County, the necessity to efficiently plan and utilize vacant land needs to be addressed and the proposed use meets that goal.

County Directions - 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 PBC, 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 geographic area.*

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

Applicant's Response: The proposed location of the CL-O ‘pod’ at the intersection of will provide for a use that is appropriately located to serve the residents in the area. The fact that this will be a signalized intersection in an area of the corridor with predominantly non-residential uses supports this premise. Additionally, the form of development will continue to respect the characteristics of the corridor via the provision of the expanded buffer on Lake Worth Road and the building architecture. The integrity of the neighborhoods to the north and northeast are respected as adequate buffering will be provided and this less intense commercial use will serve as a transitional use between the more intense uses on the south side of Lake Worth Road and the residences.

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.*

Applicant's Response: The Comprehensive Plan's Introduction and Administration Element defines piecemeal development in part as "*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. and Rule 73C-40.0275 F.A.C.), 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 FLUA Amendment is consistent with this policy as there are no adjacent sites under common ownership. Therefore, the land use amendment will not create a residual parcel or encourage piecemeal development.

Policy 2.2.2-a: In order to discourage strip commercial development, to limit commercial development to nodes, to foster interconnectivity, and to promote the development of innovated mixed-use projects inside the Urban Service Area, all new commercial future land use designations shall meet one of the following location requirements:

- Intersection Location: Commercial Low, High Office, or High future land use designations shall have frontage on two built roadway segments identified as an arterial road and a collector road, or two arterial roads.

Applicant's Response: This policy is met as the proposed location of the CL-O 'pod' is located at the intersection of Lake Worth Road, an arterial road, and Blanchette Trail, an 80' non-plan collector road.

Policy 2.2.2-d: The County shall not designate additional commercial areas on the Future Land Use Atlas that would result in or encourage the proliferation of strip commercial development.

Applicant's Response: This proposed land use change does not promote strip commercial development. Rather, it is proposing to make use of an underutilized area of land on a major east/west roadway, in a portion of the corridor already approved for predominately non-residential uses.

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.*"

Applicant's Response: The request is consistent with this objective as the subject parcel is located within the Urban/Suburban Tier. The proposed designation will allow for the provision of services to the residents in the area and accommodate future growth but prohibit further urban sprawl by requiring the use of compact forms of sustainable development by making use of an underutilized property. The request is also consistent with elements of **Policy 1.2-a** by allowing services and facilities consistent with the needs of urban and suburban development and ensuring

development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.

Consistency with County Overlays, Plans, and Studies

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.”*

Applicant’s Response: The subject site is not located within any overlay.

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.....”*

Applicant’s Response:

The subject property is within the West Lake Worth Road Neighborhood Plan, a plan that was received by the BCC. The existing CLF was constructed taking into account recommendations from the Plan, including the oversized buffer along Lake Worth Road and the architecture of the building. Pursuant to Code requirements, the new structure will need to be architecturally consistent with the existing building. Medical office use is not included in the Plan’s list of prohibited uses. Additional coordination with the neighborhood representatives will take place during the application process.

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, transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.*

Applicant’s Response: These items have been addressed in various attachments included in this application. The County has recognized the necessity to make efficient use of land within the Urban/Suburban Tier to provide necessary services. This has resulted in recent amendments to the Plan to increase the Floor Area Ratio to .50 for CL-O. This intensity will not be exceeded with this request and the ultimate site plan that will be submitted. Levels of service have also been addressed in these materials and they exist to adequately serve the project.

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...

Applicant's Response: The Traffic Division has the traffic report under review and per the report prepared by Simmons & White, the proposal is in compliance with Policy 3.5-d of the Future Land Use Element of the Comprehensive Plan as proposed to be conditioned

The proposed request is consistent and compliant with the recent changes to the Plan as adopted on June 29, 2020, via Ordinance 2020-011. The ordinance amended the non-residential future land use designations. Items amended which support this application include the following:

- Table 2.2-f.1 – Non-Residential Future Land Use – Zoning Consistency was amended to add the Commercial Low-Office designation as being consistent with both the CLO zoning district and the MUPD Planned Development District.
- Policy 2.2-e and Table 2.2-e.1 – Maximum Floor Area Ratios (FARs) for Non-Residential Future Land Use Categories and Non-Residential Uses were amended to specific that the FAR does not apply to residential density in the table and the table was amendment to increase the FAR for CL-O to .50 from .35. This application is conforming to these revisions
- Under the Commercial Uses, Future Land Use Regulation Section/General, it was clarified the CL-O is allowed to calculate the maximum density based on the residential land use and that mixed or multiple use planned developments may utilize up to 100% of the underlying residential density and the commercial intensity of subject to the Plan. CLF's were already permitted in MUPD's. A note was added to Table 2.2.1-j.1 clarifying that the MUPD district is consistent with Medium and High Residential designations within the U/S Tier for site that have and utilize a -non-residential future land use designation on a portion of the MUPD, as being proposed in this application.
- Policy 4.4.2-a was revised to clarify that the MLU designate is established for multiple and mixed-use projects and that it requires a minimum of two different designations, one of which must be residential, as being proposed in this application. This policy was also amended to state that the proposed uses and the maximum intensity and density be defined, in comparison to minimum/maximum ranges. This application is consistent with that allowance by proposing a maximum density of 156 residents for the CLF and 70,000 square feet for the CL-O proposed use of medical office.
- 4.4.2 was also revised to specific that the usable open space requirement is not required for projects for which the residential use is limited to a congregate living facility.

Please note that the staff report for this amendment did specify that implementing revisions to the ULDC will be required including amending Article 3 to reflect the ability for multiple use projects with split residential/commercial future land use to utilize MUPD zoning. The applicant is under the assumption this will be processed as a staff-initiated amendment by the Zoning Division to reflect and implement the changes to the Plan and that the zoning application will be permitted to move forward similar to Polo Gardens MLU currently in process while those amendments make their way through the code revision process.

G.5 CONSISTENCY WITH FLORIDA STATUTES

The following summary details the requested FLUA amendment compliance with Florida Statutes.

Florida Statutes, Section 163.3177 – 6.a. Requires that a local government’s future land use plan element be based on a number of factors, including population projections, the character of undeveloped land, availability of public services and other planning objectives.

Applicants Response: The subject property creates an opportunity for infill development within the PBC’s U/S Tier. The proposed land use designation is suitable and appropriate for subject property. In the immediate area there have been numerous land use plan amendments in the recent past increasing residential density/population. The undeveloped land subject to this request will allow for needed services to be provided in close proximity to these residents. Public services are available and this proposal will make efficient use of infrastructure existing in the area.

Florida Statutes, Section 163.3177.(6).(a).9. a: *The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below along with the Applicant's descriptions. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment discourages urban sprawl.*

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

Applicant's Response: The Applicant is requesting to amend the current FLUA designation of the subject property to allow for additional development on underutilized land area associated with an existing CLF. This provides for a greater compliance with this standard by creating a multiple use development.

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

Applicant's Response: The subject property is within the U/S Tier surrounded by non-rural lands. The subject property is located in close proximity to urban areas which include urban services such as police, fire rescue and water/wastewater/drainage utilities. As such, it is not located in a rural area and meets the goals of infill development in an area suitable for same.

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

Applicant's Response: The proposed development is not isolated in nature as existing development exists to the immediate south, east, and north, with zoning entitlements in place for the property to the west. In some aspects, this could be considered infill development and does not create radial, strip, isolated or ribbon patterns of development.

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

Applicant's Response: The existing development protected the existing wetland on the parcel and will have no negative impact on any other significant natural system.
See Application Attachment L. for Environmental Information.

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

Applicant's Response: The subject property is located within the U/S Tier and not been used for agriculture activities, as the property currently supports an existing CLF.

- **Fails to maximize use of existing public facilities and services.**

Applicant's Response: The subject property is located with access to the necessary public facilities and services. The development will maximum the use of the existing public facilities and promote compact, smart growth, while offering a needed service for residents and business located in the immediate area. Therefore, the proposal discourages the proliferation of Urban Sprawl.

- **Fails to maximize use of future public facilities and services.**

Applicant's Response: The applicant is not aware of any future expansion of facilities and services in the area. No facilities would be required to be installed in rural or sparsely populated areas, thereby maximizing the use of the existing and future facilities. Therefore, the proposal discourages the proliferation of Urban Sprawl.

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

Applicant's Response: The proposed amendment does not increase the costs of providing services as they already exist in the area. The additional tax revenue from the proposed development will aid in maintaining the existing infrastructure. Also, the proposed development will address stormwater management on the subject property and no significant off-site roadway improvements are anticipated. Therefore, the proposal discourages the proliferation of Urban Sprawl.

- **Fails to provide a clear separation between rural and urban uses.**

Applicant's Response: Allowing the CL-O designation and medical office development will have no impact on the existing separation between rural and urban uses. The subject property

is located within PBC's U/S Tier and is not adjacent to rural uses. Therefore, the proposal discourages the proliferation of Urban/Sprawl.

- **Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.**

Applicant's Response: This amendment will allow for what could be considered infill development as U/S styles of development have occurred and/or been approved in the surrounding area and the proposal makes use of underutilized land.

- **Fails to encourage a functional mix of uses.**

Applicant's Response: The addition of medical office uses to the property aids in creating a functional mix of uses not only on the subject parcel itself, but also in the general area. The medical office use is an ideal use to complement the existing CLF use on the property. Likewise, when combined with the commercial to the south and west, and the residential communities in the area, it creates a mix of uses that will benefit the surrounding community.

- **Results in poor accessibility among linked or related land uses.**

Applicant's Response: There will be pedestrian and vehicular internal to the site between the office and CLF use. Also, eventually, with the construction of the property to the west, the oversized buffer along Lake Worth Road will be extended where possible along the roadway. The signalization of the intersection will also aid in traffic circulation between this parcel and the commercial area to the south.

- **Results in the loss of significant amounts of functional open space.**

Applicant's Response: This amendment does not result in a loss of any functional open space as the area proposed for development is currently not utilized as functional open space, but vacant land. All the recreational amenities required for the CLF are located adjacent to that building.

Florida Statutes, Section 163.3177.(6). (a).9. b: *Of those criteria listed in this section the subject property will meet the following criteria which show that it will discourage the proliferation of urban sprawl:*

- **Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.**

Applicant's Response: This amendment does not fail to protect and conserve natural resources as it is the intent of the owner to protect onsite natural resources or potentially relocate/mitigate as permitted by code as part of the zoning application.

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

Applicant's Response: The requested amendment maximizes the use of future public facilities and services existing and within an area. No facilities would be required to be installed in rural or sparsely populated areas. Therefore, the proposal discourages the proliferation of Urban Sprawl.

- **Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.**

Applicant's Response: As previously discussed, pedestrian connections will be provided internal to the site between the uses and existing sidewalk in the buffer and the right of way provide for connectivity to surrounding uses. Bus shelter easements are mandated during the zoning process. The existing CLF provides for an additional housing choice in the area compared to the predominately single-family housing product that currently exists.

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

Applicant's Response: The proposed amendment would create a balance of land uses as it establishes additional services to support the residential development in the immediate area.

In conclusion, the requested FLUA Amendment will allow the CL-O land use designation with an underlying MR5-Medium Residential 5 on 6.05 acres, with the balance retaining the MR-5. This will allow for the introduction of the compatible use of Medical Office to the existing CLF and make use of underutilized land, while providing for services to the surrounding area. The request is justified and consistent with the Plan and State of Florida laws and is compatible with surrounding uses.

Exhibit 4
Applicant's Public Facility Impacts Table

Part 5. Public Facilities Information

A. Traffic Information		
	Current	Proposed
Max Trip Generator	Hospital, ITE # 610 10.72 trips/1000 S	Medical Office, ITE #720 34.8 trips/1000 SF
Maximum Trip Generation	2880 daily trips	Maximum = 4691 daily trips Proposed = 2756 daily trips
Net Daily Trips:	Increase 1811 daily trips (maximum) Decrease 124 daily trips (proposed)	
Net PH Trips:	136 AM, 200 PM (maximum) -18 AM, +8 PM (proposed)	
Significantly impacted roadway segments that fail Long Range	None	None
Significantly impacted roadway segments for Test 2	None	None
Traffic Consultant	Rob Rennebaum-Simmons & White	
B. Mass Transit Information		
Nearest Palm Tran Route (s)	Palm Tran Route 62, WLN – LKW via Lake Worth Rd	
Nearest Palm Tran Stop	The nearest Palm Tran Stop (No.5923) is located on the northwest corner of Lake Worth Rd and Blanchette Trail, less than one-tenth of a mile.	
Nearest Tri Rail Connection	The nearest connection to the Tri-County Commuter Rail Feeder Bus Route is the Lake Worth State, identified as LKW-1.	
C. Portable Water & Wastewater Information		
Potable Water & Wastewater Providers	Potable Water and Wastewater supplier will be Palm Beach County Water Utilities Department (PBCWUD). The project is located within the PBCWUD service area. PBCWUD service capacities are available and able to maintain the current level of service standard established by the potable water provider, while accommodating the increase of density / intensity of the proposed amendment to CL-O. Please refer to Application Attachment I.	

Nearest Water & Wastewater Facility, type/size	Potable Water and Wastewater supplier will be Palm Beach County Water Utilities Department (PBCWUD). The project is located within the PBCWUD service area. The nearest available potable water connections are a 12" watermain located within Lake Worth Rd right of way and an 8" watermain located within Blanchette Trail, both watermains are located adjacent to the subject property. The nearest sanitary sewer connection is a 12" force main located within Lake Worth Rd, adjacent to the subject property. Please refer to Application Attachment I.
D. Drainage Information	
<p>The site is located within the boundaries of the Lake Worth Drainage District and South Florida Water Management District C-51 Drainage Basin. Legal positive outfall is available to the site via connection to the drainage system for Blanchette Trail adjacent to the parcel's east property line. Drainage design is to address the following:</p> <ol style="list-style-type: none"> 1. On-site retention of the runoff from the 3-year, 1-hour rainfall event. 2. No runoff to leave the site except through an approved control structure up to the level produced by the 25-year, 3-day rainfall event. 3. Building floor elevations to be at or above the level produced by the 100-year, 3-day rainfall event. 4. Parking lots to be protected from flooding during a 3-year, 24-hour event, or the 5-year, 24-hour event if exfiltration trench is used. 5. Allowable discharge to be in accordance with South Florida Water Management District criteria. 6. Due consideration to water quality. 	
E. Fire Rescue	
Nearest Station	The fire rescue station that provides service to the site is Palm Beach County Station # 32, located at 4022 Charleston St., Lake Worth.
Distance to Site	The nearest fire rescue station referenced above is approximately 2 miles from the subject site.
Response Time	The response time from the fire rescue station PBC 32 to the subject property is approximately 6:46 minutes.
Effect on Resp. Time	The proposed Future Land Use amendment will have some impact on response time. Please refer to Application Attachment K – Fire Rescue Letter
F. Environmental	
Significant habitats or species	Application Attachment L contains an Environmental Assessment Report, including an inventory and map of habitats and discussion of listed species. The property is partially developed with an assisted living facility and related infrastructure. The undeveloped portion of the property contains a wetland area that was enhanced and preserved as part of the site approvals from South Florida Water Management District. Outside of the wetland preserve there are scattered clumps of native upland trees such as slash pine and cabbage palms. Although the wetland preserve provides habitat that may be occasionally utilized by foraging avian listed species, no nesting was observed and no other significant habitat for wildlife or listed species was observed on the property. No listed plant or animal species, nor signs of listed species were observed during the recent site assessment.

Flood Zone*	The subject site is located within Flood Zone X, an area of minimal flood hazard according to the FEMA Flood Map. Please refer to Application Attachment M – Wellfield Zone & Flood Zone.
Wellfield Zone*	The subject site is not located in a wellfield protection zone. Please refer to Application Attachment M – Wellfield Zone & Flood Zone.
G. Historic Resources	
Per the County Archaeologist, Christian Davenport, no known historically/architecturally significant or archaeological resources are identified on, or within 500 feet of the subject property. Please refer to Application Attachment N - Historic Resource Evaluation Letter.	

Exhibit 5

Palm Beach County Traffic Division Letter



December 2, 2020

Robert F. Rennebaum, P.E.
Simmons & White
2581 Metrocentre Boulevard West, Suite 3
West Palm Beach, FL 33407

**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**

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

County Administrator

Verdenia C. Baker

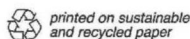
**RE: Harborchase at Wellington
FLUA Amendment Policy 3.5-d Review
Round 2020-21B**

Dear Mr. Rennebaum

Palm Beach County Traffic Division has reviewed the Land Use Plan Amendment Application Traffic Statement for the proposed Future Land Use Amendment for the above referenced project, revised November 3, 2020, 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:	NW corner of Lake Worth Road and Blanchette Trail	
PCN:	00-42-44-29-03-001-0000 (<i>other on file</i>)	
Acres:	17.8 acres	
	Current FLU	Proposed FLU
FLU:	Institutional (INST)/Medium Residential, 5 dwelling units per acre (MR-5)	Multiple Land Use (MLU): Commercial Low Office (CL-O)/Medium Residential, 5 dwelling units per acre (MR-5) on 6.05 acres Medium Residential, 5 dwelling units per acre (MR-5) on 11.75 acres
Zoning:	Planned Unit Development (PUD)	Multiple Use Planned Development (MUPD)
Density/ Intensity:	5 du/acre 0.45 FAR	0.50 FAR on 6.05 acres 5 du/acre on 11.75 acres
Maximum Potential:	Assisted Living Facility = 217 Beds Hospital = 240, 000 SF (Per Ordinance 2015-0009)	Medical Office = 131,769 SF Assisted Living Facility = 217 Beds (as existing)
Proposed Potential:		Medical Office = 70,000 SF Assisted Living Facility = 217 Beds (as existing)
Net Daily Trips:	1,811 (maximum – current) -124 (proposed – current)	
Net PH Trips:	370 (283/87) AM, 466 (136/330) PM (maximum) 216 (163/53) AM, 274 (82/192) PM (proposed)	
<i>* Maximum indicates typical FAR and maximum trip generator. Proposed indicates the specific uses and intensities/densities anticipated in the zoning application.</i>		

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Robert F. Rennebaum, P.E.
December 2, 2020
Page 2

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 at the **proposed medical office potential** density shown above.

Please note the proposed change will add no additional trips for the Long-Range analysis and have no significant impact for Test 2 analysis.

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", is written above the printed name.

Dominique Simeus, P.E.
Professional Engineer
Traffic Division

DS/rb

cc: Addressee

Quazi Bari, P.E., PTOE – Manager – Growth Management, Traffic Division
Steve Bohovsky – Technical Assistant III, Traffic Division
Lisa Amara – Senior Planner, Planning Division
Khurshid Mohyuddin – Principal Planner, Planning Division
Jorge Perez – Senior Planner, Planning Division

File: General - TPS – Unincorporated - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\21-B\Harborage at Wellington.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

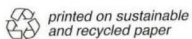
**Palm Beach County
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Hal R. Valeche
Gregg K. Weiss
Mary Lou Berger
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

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November 10, 2020
Urban Design Kilday Studios
610 Clematis Street Suite CU02
West Palm Beach, FL 33401

RE: Harbor Chase at Wellington Crossing
PCN 00-42-44-29-03-001-0000 & 00-42-44-29-03-023-0000
Service Availability Letter

Dear Ms. Polson,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to maintain the current level of service standards while accommodating the increase of intensity of the proposed amendment as outlined below.

The subject property has a Future Land Use Atlas (FLUA) designation of Institutional & Public Facilities with underlying Medium Residential 5 (INST/MR5) and is currently assigned the Planned Unit Development (PUD) zoning designation. This application proposes a large-scale comp plan amendment from the IPF to MR5 designation over the entire site and an amendment to the CLO for the eastern 6 acres of the site. Additionally, a future Rezoning/DOA application submittal will be submitted to rezone the subject site from Planned Unit Development (PUD) to Multiple Use Planned Development (PUD) and add a 70,000 square foot Medical Office Use on the 6.05-acre eastern portion of the site.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. If you have any questions, please give me a call at (561)493-6116.

Sincerely,

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

Jackie Michels, P.E,
Plan Review Manager

Exhibit 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 Christopher T. Porter, 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/CFO *[position - e.g., president, partner, trustee]* of SGD Wellington Crossings, LLC by SGD Senior Living, LP *[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: 3710 Rawlins Street
Dallas, Texas 75219
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.



Christopher T. Porter, 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 3rd day of November, 2020 by Christopher T. Porter (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).

Clara Saavedra

(Name - type, stamp or print clearly)



(Signature)

My Commission Expires on: 08/14/2024

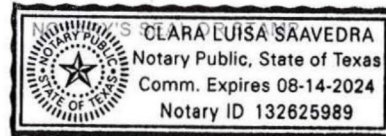


EXHIBIT "A"

PROPERTY

TRACT "A" AND WATER MANAGEMENT TRACT 1, HARBOR CHASE AT WELLINGTON CROSSING, P.U.D.
ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 122, PAGES 18 AND 19,
INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
CONTAINING: 775,205 SQUARE FEET OR 17.796 ACRES, MORE OR LESS.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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

Name**Address**

SGD Senior Living LP (100%) 3700 Rawlins Street Suite 800 Dallas Tx 75219

Golden Driller, LP (90%) 5910 N Central Expressway Suite 1200 Dallas Tx 75206

Oklahoma Teachers Retirement System (89.99%) 2500 N. Lincoln Blvd., 5th Floor Oklahoma City, Oklahoma 73105

**SGD SENIOR LIVING, LP
WRITTEN CONSENT OF EXECUTIVE COMMITTEE
IN LIEU OF A MEETING**

April 1, 2018

The undersigned members of the Executive Committee (the "*Executive Committee*") of SGD Senior Living, LP, a Delaware limited partnership (the "*Partnership*"), constituting at least one Representative of the General Partner and one Representative of the L&B Limited Partner, hereby consent in writing, in lieu of a meeting of the Executive Committee of the Partnership, to the taking of the following actions and to the adoption of the following resolutions:

WHEREAS, the business and affairs of the Partnership are governed by that certain Limited Partnership Agreement dated as of July 18, 2014, together with all amendments thereto (as amended to date, the "*Partnership Agreement*") (capitalized terms used but not defined herein shall have the respective meanings set forth in the Partnership Agreement); and

WHEREAS, in order to comply with the provisions of the Partnership Agreement, the General Partner has requested that the Executive Committee approve of: (a) the removal of each individual currently serving as an officer of a Project Entity from all offices so held by such individual with respect to such Project Entity; and (b) the appointment of the individuals set forth on Schedule I attached hereto as the officers of each Project Entity in the capacities set forth on Schedule I (the foregoing actions described in clauses (a) and (b), the "*Officer Changes*"); and

WHEREAS, the undersigned have determined that the consummation of the Officer Changes is in the best interest of the Partnership and each of the Project Entities;

NOW, THEREFORE, BE IT RESOLVED, that the consummation of the Officer Changes with respect to each Project Entity is hereby approved and authorized in all respects; and further

RESOLVED, that any and all actions taken, done or performed in connection with the authority granted by the foregoing resolutions, as well as any and all actions, of any nature whatsoever, heretofore taken by the General Partner and the officers, agents, attorneys or other representatives of the Partnership and the General Partner incidental to, contemplated by, arising out of or in connection with, or otherwise relating to, in any manner whatsoever, the subject of the foregoing resolutions, are hereby approved, ratified and confirmed in all respects as the act and deed of the Partnership.

Signatures appear on the following page

20361173v.1

IN WITNESS WHEREOF, the undersigned have executed this written consent to be effective as of the date first written above.

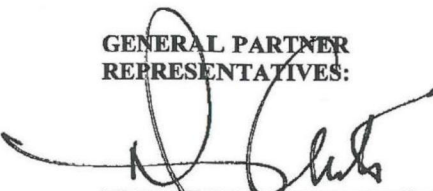
**L&B LIMITED PARTNER
REPRESENTATIVES:**

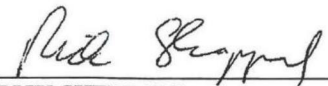


CHRISTIAN METTEN


DANIEL PLUMLEE

**GENERAL PARTNER
REPRESENTATIVES:**



DENNY ALBERTS


RICK SHEPPARD

**SCHEDULE I
OFFICERS**

<u>Name</u>	<u>Office(s) Held</u>
Dennis H. Alberts	Chairman and Chief Executive Officer
Frederick N. Sheppard	Vice Chairman and Chief Investment Officer
Christopher T. Porter	President and Chief Financial Officer
Thomas E. Dwyer	Managing Director – Development
Robert H. Zeiller	Managing Director – Development
Rosanne G. McAdam	Senior Vice President – Asset Management and Development
Jamie Hart	Senior Vice President – Construction
Mary Jane Schuster	Vice President and Controller



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Foreign Limited Liability Company
SGD WELLINGTON CROSSING, LLC

Filing Information

Document Number M15000004025
FEI/EIN Number 47-4064285
Date Filed 05/21/2015
State DE
Status ACTIVE

Principal Address

3710 Rawlins St.
Dallas, TX 75219

Changed: 05/13/2020

Mailing Address

3710 Rawlins St.
Dallas, TX 75219

Changed: 05/13/2020

Registered Agent Name & Address

C T CORPORATION SYSTEM
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324

Authorized Person(s) Detail

Name & Address

Title Member

SGD Senior Living, LP
3710 Rawlins St.
Dallas, TX 75219

Annual Reports

Report Year	Filed Date
2018	04/11/2018
2019	03/21/2019
2020	05/13/2020

Document Images

05/13/2020 -- ANNUAL REPORT	View image in PDF format
03/21/2019 -- ANNUAL REPORT	View image in PDF format
04/11/2018 -- ANNUAL REPORT	View image in PDF format
04/04/2017 -- ANNUAL REPORT	View image in PDF format
04/21/2016 -- ANNUAL REPORT	View image in PDF format
05/21/2015 -- Foreign Limited	View image in PDF format

Exhibit 8
Correspondence
