



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT AMENDMENT ROUND 24-A2

BCC ADOPTION PUBLIC HEARING, JULY 18, 2024

A. Application Summary

I. General

Project Name: Spring Haven MUPD (LGA 2024-005)
Request: INST/5 to INST/8
Acres: 11.22 acres
Location: South side of Belvedere Road, approximately 0.3 miles east of N Jog Road
Project Manager: Inna Stafeychuk, Senior Planner
Applicant: WPB Apts Holdings, LLC - Arnold Marcus and Jonathan Marcus
Owner: WPB Lodge No. 1352, Benevolent & Protective Order of Elks of USA, Inc.
Agent: Josh Nichols, Schmidt Nichols
Staff Recommendation: Staff recommends **approval with conditions** based upon the following findings and conclusions found in this report.

II. Assessment & Recommendation

This amendment proposes to change the 11.22 acre site from Institutional with underlying Medium Residential, 5 units per acre (INST/5) to Institutional with underlying High Residential, 8 units per acre (INST/8). The amendment proposes to increase the residential density while maintaining the current institutional use, Elks Lodge No. 1352. This amendment results in an increase in residential development potential from 56 units to 90 units. In addition, the concurrent zoning application includes a request for 71 density bonus units (79%) through the Workforce Housing Program (WHP) and the purchase of all 34 available Transfer of Development Rights (TDRs) for a total of 195 units (17.4 units per acre). The applicant intends to develop the majority of the site with 195 multifamily rental units, and the Elks Lodge Organization intends to rebuild their institutional facility on a portion of the site.

The site is located within the boundaries of several overlays and the Haverhill Area Neighborhood Plan and is adjacent to a low density residential neighborhood to the east, and to medium to high density neighborhoods on all other sides. The proposed amendment with bonus density is requesting a higher density than the surrounding neighborhoods but is appropriate at this location considering the site's location adjacent to major roadways and near employment centers. Additionally, a condition of approval requiring enhanced buffers and landscaping, including a 6 foot high wall is recommended by staff to ensure compatibility with surrounding existing residential uses.

Consistent with past amendments, staff recommends conditions of approval limiting residential development to 195 units, requiring that 25% of the units (49 units) be provided as workforce housing on-site, and purchase of all available Transfer of Development Rights (TDR) units (34 TDRs). The applicant is in agreement with all of the proposed conditions.

III. Hearing History

Local Planning Agency: **Approval with conditions (as proposed by staff)**, motion made by Lori Vinikoor, seconded by Sam Caliendo passed in an 11 to 0 vote at the January 12, 2024 public hearing. The Commission commended the Elks Lodge for their charitable activities and expressed support for the project as a "win-win". The Commission asked questions regarding surrounding densities, proposed access, height of the buildings and parking for both uses. Four members of the public, all representatives of the Elks Lodge, spoke in support of the amendment citing the benefits to the community.

Board of County Commissioners Transmittal Public Hearing: **Transmit**, motion by Commissioner Weiss, seconded by Commissioner Baxter, passed in a 7 to 0 vote at the January 31, 2024 public hearing. The Board expressed support of the charitable activities of the Elks Lodge and the opportunity to provide needed workforce housing with this amendment. Three members of the public, all members of Elks Lodge #1352, spoke in support of the amendment stating the importance of this project to assist the Elks organization and the community.

State Review Comments: The State Land Planning Agency reviewed this amendment under Round 24-01ESR and issued a letter dated March 7, 2023 stating that the Agency had no comment on the proposed amendment. The Florida Fish and Wildlife Conservation Commission provided technical assistance information related to survey protocols and recommendations should evidence of state listed species be found onsite (see Exhibit 9). This information was provided to the applicant.

Changes Subsequent to Transmittal: Condition #5 in Exhibit 1 requiring concurrent approval of zoning and future land use applications was removed as it is moot with the scheduling of the hearings on the same date. The deletion is shown in ~~strike through~~.

Board of County Commissioners:

T:\Planning\AMEND\24-A2\Reports-Agendas\4-BCCAdopt\Spring-Haven-MUPD-Adopt-Rpt.docx

B. Petition Summary

I. Site Data

Current Future Land Use

Current FLU: Institutional, with an underlying 5 units per acre (INST/5)
Existing Land Use: Institutional
Current Zoning: Agricultural Residential (AR)
Current Dev. Potential Max: Residential, up to 56 units and Institutional uses, up to 219,934 sf

Proposed Future Land Use Change

Proposed FLU: Institutional, with an underlying 8 units per acre (INST/8)
Proposed Use: Institutional and Residential
Proposed Zoning: Multiple Use Planned Development (MUPD)
Dev. Potential Max/Conditioned: Residential, up to 195 units & Institutional uses, up to 219,934 sf

General Area Information for Site

Tier/Tier Change: Urban/Suburban Tier – No Change
Utility Service: Palm Beach County Water Utilities Department
Overlay/Study: Haverhill Area Neighborhood Plan
Comm. District: Gregg K. Weiss, District 2

Future Land Use Atlas Amendment

Spring Haven MUPD (LGA 2024-005)



Site Data

Size: 11.22 acres
 Existing Use: Institutional
 Proposed Use: Institutional and Residential
 Current FLU: Institutional, underlying MR-5 (INST/5)
 Proposed FLU: Institutional, underlying HR-8 (INST/8)

Future Land Use Designations

LR-2	Low Residential, 2 units/acre	INST/5	Institutional, underlying MR-5
MR-5	Medium Residential, 5 units/acre	UT	Utilities and Transportation
HR-8	High Residential, 8 units/acre		
CL/2	Commercial Low, underlying LR-2		
IND	Industrial		
INST	Institutional		

Date: 12/12/2023
 Contact: PBC Planning
 Filename: T.Planning/Amend/24-A2/SiteSpecific
 Note: Map is not official, for presentation purposes only.



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 on an 11.22 acre site. The subject site is located within the Urban/Suburban Tier, on the south side of Belvedere Road, just east of Jog Road, within the boundaries of several Planning Overlays and studies, including the Haverhill Area Neighborhood Plan.

Proposed Amendment: The intent of the amendment is to change the future land use designation to increase density through the future land use amendment process, with additional density to be obtained through the use of Transfer of Development Rights (TDR) and Workforce Housing Program (WHP) density bonuses. The request is to change 11.22 acres of Institutional with underlying Medium Residential, 5 units per acre (INST/5) to Institutional with underlying High Residential, 8 units per acre (INST/8). The current INST/5 designation allows a future land use density of 56 dwelling units, or up to 135 units with maximum use of TDRs and WHP bonus density. The requested INST/8 designation allows a base of 90 dwelling units and up to 196 units maximizing the TDR and WHP bonus density. The request includes a total of 195 dwelling units which includes 34 TDRs and 71 WHP bonus density units (17.4 units/acre), and 13,680 square feet for the institutional use.

Background. The subject site currently has a fraternal organization facility (Elks Lodge). There was no previous land use amendment on the site.

Zoning Application. The concurrent associated zoning application, ABN/PDD/CA-2023-00832, Elks MUPD, control number 1973-00033, is requesting:

- arezoning from Agriculture Residential (AR) zoning district to Multiple Use Planned Development (MUPD) zoning district,
- a Class A conditional use to allow WHP density bonus over 50%, and
- a Class A conditional use to allow TDRs and WHP density bonus in excess of 2 units per acre combined.

The residential portion of the project is proposing a total of 195 units consisting of three-story multifamily structures. A new Elks lodge facility (13,680 square feet) will be built on a portion of the site and the existing Elks Lodge facility will be demolished. The residential component will not be affiliated with the institutional use.

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. Exhibit 2 provides further detail regarding consistency of the amendment with Plan policies, including justification, compatibility, public facilities impacts, intergovernmental coordination, and consistency with specific overlays and plans.

Consistency with Comprehensive Plan

- **Compatibility.** The Comprehensive Plan requires that the proposed future land uses be determined to be compatible with the surrounding area, and that residential uses be protected from encroachment of incompatible future land uses. The subject site is surrounded by low, medium and high density residential future land uses. The large-lot unrecorded Overbrook subdivision to the east has an MR-5 future land use designation and is developed at 1.6 units per acre. Planned unit developments to the west and to south are built at medium to high densities (between 5 to 10 units per acre) with zero lot line homes and townhomes. There is high density multifamily development located across Belvedere Road north of the site. The applicant's request for INST/8 future land use allows a base density of 8 units per acre (90 units), and with the TDR and WHP density bonus is seeking 195 multifamily rental units with a density of 17.4 units per acre. Although this figure is higher than the surrounding townhomes and single family homes, staff is recommending, and the agent agreed to, a condition of approval requiring enhanced buffers and landscaping, including a 6 foot high wall to further compatibility with the residential uses to the east and south.
- **Appropriateness of the FLU:** In its assessment of a proposed amendment, staff calculates the lowest FLU designation necessary to achieve the target density, in conjunction with available density bonuses. The lowest FLU required to achieve the applicant's target of 195 units, in combination with available density bonuses, is the requested INST/8 designation.

- **Utilization of the County’s Density Bonus Programs.** The Comprehensive Plan Future Land Use Element Policy 2.4-b establishes TDRs as the mandatory method of increasing density, unless the Workforce Housing Program or Affordable Housing Program density bonuses are used, or a plan amendment can be justified. The amendment is seeking a density of over 17 units per acre that cannot be achieved with the current INST/5 future land use designation with the use of these density bonus programs. Therefore, the applicant is seeking the future land use amendment to change from a base underlying future land use density from 5 units per acre (56 units) to 8 units per acre (90 units), and a combination of the WHP and TDR bonus programs to maximize available density. The applicant is proposing to purchase all 34 available TDRs and is requesting a 79% density bonus for an additional 71 units, for a total of 195 multi-family dwelling units (17.4 units per acre). In order to ensure that the design of the site can adequately accommodate the requested density, a condition is proposed requiring that the future land use amendment and zoning adoption hearings are held concurrently.
- **Workforce Housing Obligation.** Consistent with Board direction and past amendments requesting increased densities, staff is recommending a condition requiring a minimum of 25% of the total dwelling units or 49 WHP units to be built as onsite workforce housing units.

Assessment and Recommendation. This amendment proposes to change the 11.22 acre site from Institutional with underlying Medium Residential, 5 units per acre (INST/5) to Institutional with underlying High Residential, 8 units per acre (INST/8). The amendment proposes to increase the residential density while maintaining the current institutional use, Elks Lodge No. 1352. This amendment results in an increase in residential development potential from 56 units to 90 units. In addition, the concurrent zoning application includes a request for 71 density bonus units (79%) through the Workforce Housing Program (WHP) and the purchase of all 34 available Transfer of Development Rights (TDRs) for a total of 195 units (17.4 units per acre). The applicant intends to develop the majority of the site with 195 multifamily rental units, and the Elks Lodge Organization intends to rebuild their institutional facility on a portion of the site.

The site is located within the boundaries of several overlays and the Haverhill Area Neighborhood Plan and is adjacent to a low density residential neighborhood to the east, and to medium to high density neighborhoods on all other sides. The proposed amendment with bonus density is requesting a higher density than the surrounding neighborhoods but is appropriate at this location considering the site’s location adjacent to major roadways and near employment centers. Additionally, a condition of approval requiring enhanced buffers and landscaping, including a 6 foot high wall is recommended by staff to ensure compatibility with surrounding existing residential uses.

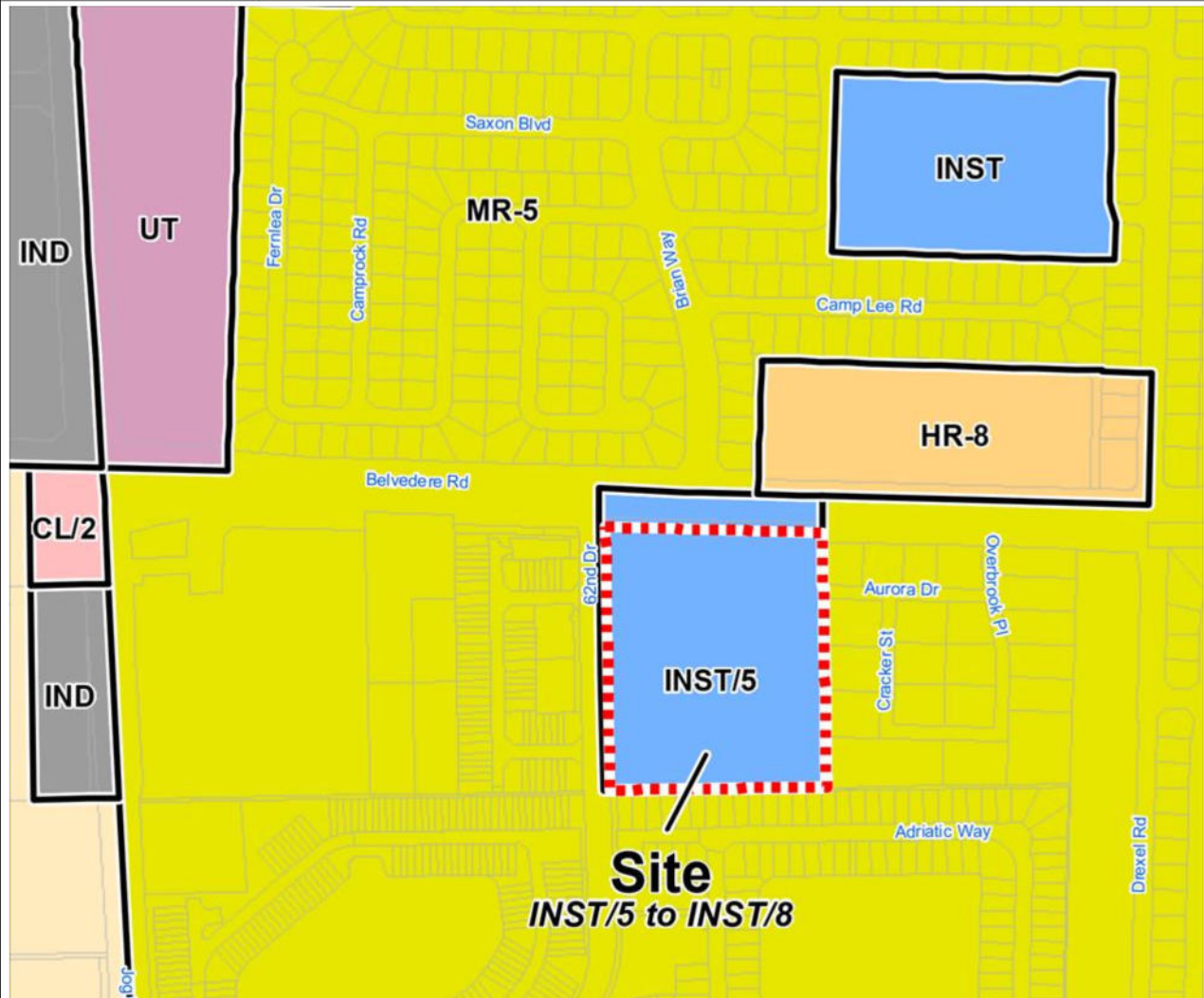
Consistent with past amendments, staff recommends conditions of approval limiting residential development to 195 units, requiring that 25% of the units (49 units) be provided as workforce housing on-site, and purchase of all available Transfer of Development Rights (TDR) units (34 TDRs). The applicant is in agreement with all of the proposed conditions.

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

Exhibits	Page
1. Future Land Use Map & Legal Description	E-1
2. Consistency with Comprehensive Plan	E-4
3. Applicant’s Justification/Consistency with Comprehensive Plan and Florida Statutes	E-13
4. Applicant’s Public Facility Impacts Table	E-19
5. Palm Beach County Traffic Division Letter	E-22
6. Water & Wastewater Provider LOS Letter	E-24
7. School District Letter	E-25
8. Applicant’s Disclosure of Ownership Interests	E-26
9. Correspondence	E-42

Exhibit 1

Amendment No:	Spring Haven MUPD (LGA 2024-005)
FLUA Page No:	64
Amendment:	From Institutional, with an underlying 5 units per acre (INST/5) to Institutional, with an underlying 8 units per acre (INST/8) with conditions
Location:	South side of Belvedere Road, approximately 0.3 miles east of N Jog Rd
Size:	11.22 acres approximately
Property No:	00-42-43-27-05-005-0020



Conditions: Development of the site is subject to the following conditions:

1. Residential dwelling units shall be limited to a maximum of 195 units with no further density increases through density bonus programs.
2. The zoning development order shall require a minimum of 25% of the total dwelling units to be built as on-site workforce housing units. The workforce housing units are subject to the applicable requirements of the Workforce Housing Program (WHP) in Article 5.G.1 of the ULDC.
3. A total of 34 Transfer of Development Rights (TDR) units shall be purchased and constructed. A minimum of thirty four percent of the TDR units shall be purchased at the WHP rate and shall apply to the minimum number of workforce housing units required by this ordinance; some or all of the remaining TDRs may be purchased at the WHP rate subject to ULDC requirements, but do not apply toward the 25% minimum number of workforce housing units required by this ordinance.
4. The Zoning Development order shall include requirements for increased buffers and landscaping along the eastern and southern property lines consisting of a minimum 20 foot wide buffer, a 6 foot high wall, and minimum 14 foot tall trees at time of installation.
- ~~5. The proposed future land use amendment and the proposed zoning applications shall be considered for adoption by the Board of County Commissioners at the same public hearing.~~

Legal Description

TRACT 2, BLOCK 5, OF THE PALM BEACH FARMS COMPANY'S PLAT NO.3. A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT BOOK 2, PAGES 45 TO 54 INCLUSIVE.

ALSO DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE PLAT OF WATERWAYS TAHERI PUD REVISED AS RECORDED IN PLAT BOOK 105, PAGE 62 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT $N89^{\circ}03'02''E$ A DISTANCE OF 639.85 FEET TO THE SOUTH WEST CORNER OF LOT 12 OF THE UNRECORDED PLAT OF OVERBROOK; THENCE ALONG THE WESTERLY LINE OF SAID UNRECORDED PLAT $N00^{\circ}56'49''W$ A DISTANCE OF 750.97 FEET; THENCE LEAVING SAID WESTERLY LINE AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-3 CANAL AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE $N88^{\circ}37'30''W$ A DISTANCE OF 640.34 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF 62ND DRIVE AS RECORDED IN OFFICIAL RECORD BOOK 15203, PAGE 62 OF SAID PUBLIC RECORDS; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE $S00^{\circ}56'39''E$ A DISTANCE OF 776.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.22 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:

- Belvedere Road is rapidly transitioning into a higher density corridor, with several developments underway or planned in the near future. Currently, the property is surrounded by high-density developments on both the north and west sides.
- Higher density residential should be located near employment centers and have efficient access to the road network. The property is located within a mile of employment centers near Belvedere Road and Jog Road.
- The property has access to adequate public facilities without straining existing infrastructure.

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 request is to change 11.22 acres of INST/5 to INST/8. The current land use of INST/5 could achieve up to 135 dwelling units total (12 units per acre) using a combination of TDRs and WHP density bonus programs. The requested INST/8 designation allows a base of 90 dwelling units and up to 196 units maximizing the TDR and WHP bonus density. The concurrent zoning application is requesting 195 dwelling units (17.4 units per acre).

The applicant stated that there is a need for more multi-family residential buildings to accommodate an influx of residents, and the site is ideal for such development as it is near the Florida's Turnpike and within a mile of employment opportunities, goods, and services. Staff concurs that an increase in density is appropriate at this location, and as further discussed in the Compatibility Section, is compatible with adjacent land uses. Further, the applicant is maximizing the use of the TDR and WHP bonus programs, and proposing the lowest designation that allows for the target number of units in combination with the density bonuses. Therefore, the applicant has met the requirements for an adequate justification.

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: Increases in density within the Urban/Suburban Tier typically make efficient use of facilities and services that are already in place. The Growth Management direction calls for the transfer of development rights as the required method for density increases subject to exceptions. This direction is further implemented by Policy 2.4-b which is discussed in more detail in the Density Increases – Policy 2.4-b Section of this report. The amendment proposes to maintain the institutional use and increase density on the site, and includes requests to utilize the TDR and WHP programs to increase the density further, while remaining compatible with surrounding land uses. To further compatibility, staff has included conditions of approval requiring the applicant to provide an enhanced buffer and a 6 foot wall; Land Use Compatibility is discussed later in Section C of this report.

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. **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 proposed amendment to INST/8 would foster a development that would be compatible with the scale, mass, intensity, and height of other uses along the Belvedere Road corridor and provide more housing options within the area. See the Compatibility Section for additional analysis.

B. Consistency with Density Provisions of the Comprehensive Plan

The Comprehensive Plan offers several methods to increase density, including the TDR program, and the WHP density bonus program. Per Policy 2.4-b, TDRs are the required method unless

using the WHP density bonus to increase density, or an amendment has been justified. Density increases obtained through the TDR program and the WHP density bonus are subject to higher percentages of WHP than density increases through the amendment process, to further certain County objectives. This section addresses consistency with the Comprehensive Plan density policies.

1. Density Increases - Policy 2.4-b: *The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:*

1. *an applicant can **both justify and demonstrate a need** for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is **inappropriate**, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or*
2. *an applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or*
3. *an applicant proposes a **density increase up to, but not exceeding, the density proposed by and supported by a Neighborhood Plan** prepared in accordance with FLUE Objective 4.1 and formally received by the BCC. To date, the following Neighborhood Plan qualifies for this provision:*
 - a. *West Lake Worth Road Neighborhood Plan.*

Staff Analysis. This policy requires that density increases be accomplished through the use of TDRs, unless an applicant meets the criteria for an amendment, is using the workforce or affordable housing programs, or proposes density up to, but not exceeding, density proposed and supported by the West Lake Worth Road Neighborhood Plan.

The current land use of INST/5 could achieve up to 135 dwelling units total (12 units per acre) using a combination of TDRs and WHP density bonus programs. The applicant is seeking the future land use amendment to change from a base future land use density from INST/5 (56 units) to INST/8 (90 units), to purchase all 34 available TDRs and to also apply a WHP density bonus (79%) to maximize available density and achieve the requested 195 units. By purchasing all available TDRs, and requesting the lowest FLU designation that will achieve the target density in combination with the TDRs and WHP density bonuses, this project is consistent with Policy 2.4-b.

2. Housing Element, Policy 1.1-o: *The County shall preserve affordability of affordable housing units developed through the Workforce Housing Program and the Affordable Housing Program as follows:*

1. *The Workforce Housing Program will target households with incomes ranging from 60%-140% of area median income.*
2. *The Affordable Housing Program will target households at or below 60% of area median income.*

The Workforce Housing Program and Affordable Housing Program units shall be made available at a rate affordable to the specified income groups, and only to income-eligible households for a period of time to be set forth in the Unified Land Development Code (ULDC). All Workforce Housing Program and Affordable Housing Program criteria shall be subject to the review and approval of the Board of County Commissioners.

Staff Analysis: The County has a mandatory workforce housing requirement for all housing developments in the Urban/Suburban Tier with 10 units and greater (whether they are increasing density or not), and offers a density bonus in exchange for additional workforce housing units. The density bonus is based on how the WHP units to be provided further County objectives, with the highest density bonuses (up to 100%) available for projects that will provide the workforce units as on-site, for sale, single family units in areas with low concentrations of workforce housing. This project is eligible for an 80% density bonus. The WHP is also supported by the TDR program: a minimum of 34% of TDRs used must be provided as workforce housing units.

Table 1 provides a comparison of the density available on the subject site using a combination of the TDR and WHP bonus programs to increase density, at various future land use designations.

As shown in Table 1 below, the 11.22 acre site could achieve up to 135 dwelling units using a combination of TDR and WHP programs with the current future land use

designations. Since this figure is less than the applicant's proposed 195 dwelling units (17.4 units per acre), the applicant is seeking the future land use amendment.

Table 1. Current and Potential Density with TDR and WHP Bonus

	FLU	FLU Units	TDR Bonus	WHP Bonus	Total Units	Density - du/ac	Workforce	
						Gross	Units	%
Current FLU	INST/5	56	+34	+45 (80%)	135	12.0	31	23%
Per Staff Recommendation and BCC Directive	INST/8	90	+34	+71 (79%)	195	17.4	49	25%

The lowest future land use designation to achieve the requested 195 dwelling units is the INST/8 future land use designation. Using the INST/8 designation, all available TDRs and 79% WHP density bonus.

In recent years, staff sought direction from the Board of County Commissioners on the suitable minimum percentages of workforce housing to be required when density increases are being requested through the future land use amendment process. The Board directed staff to recommend a minimum of 10% for single family projects, 20% for townhomes, and 25% for multifamily developments. Therefore, staff is recommending a condition requiring a minimum of 25% of the total dwelling units to be built as onsite workforce housing units.

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, the site is separated from Belvedere Road by the Lake Worth Drainage District L-3 canal. Across Belvedere Road to the north is the Cam Estates subdivision with MR-5 future land use designation (300 homes at 3.9 units/acre overall density) and West Palm Beach Housing Authority multi-family development (60 of units at 7.7 units/acre overall density) with HR-8 future land use designation.

East: To the east of the subject site is Overbrook unrecorded subdivision with the larger single family lots with an MR-5 future land use designation. The built density of the single family homes is 1.6 units per acre.

South: To the south of the subject site is Taheri PUD, a 1996 approval, which has an MR-5 future land use designation, is developed with 466 single family homes and townhouses at 4.99 DU/Acre overall density and is currently built out. The northern part adjacent to the site is developed with zero lot line single family homes.

West: The properties to the west of the site are Catalina Townhomes, a 2019 approval, which has MR-5 future land use designation, is developed with 68 townhouses at 10.35 DU/Acre overall density and is currently built out.

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 “Currently, the property is situated on a major Road, Belvedere Road, that is transitioning into a more intense corridor with medium to high-density residential, and a plethora of industrial and commercial nodes. This location is ideal to develop a multi-family residential as it is approximately 0.85 miles away from the Turnpike, and within 1 mile from employment opportunities between Belvedere Road and Jog Road. The site is currently surrounded by medium to high-density developments on the north and west sides.”

Staff Analysis: The subject site is surrounded by MR-5 Future land use designation on three sides. However, effective densities range from 1.6 to 10 units per acre. Although the requested density is higher than the surrounding single family homes, there is no connectivity between the site and other communities. Additionally, staff proposed, and the agent agreed to, the condition of approval requiring a wider buffer, additional landscaping and a 6 foot high wall to further compatibility with the neighborhoods to east and south.

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 located within boundaries of the Palm Beach International Airport Approach Path Conversion Area Overlay and the Turnpike Aquifer Protection Overlay.

Palm Beach International Airport (PBIA) Approach Path Conversion Area Overlay: The PBIA Overlay Policy 1.2.4-d protects several established neighborhoods in this area, including the subject site from conversion to industrial uses. The amendment request does not violate any of the PBIA Overlay policies.

Turnpike Aquifer Protection Overlay (TAPO): Future Land Use Element Policy 5.5-b requires that residential developments that are 25 to 50 acres in size within the Overlay “shall be required to identify and, if applicable, dedicate well sites”. The site is less than 25 acres and is not required to dedicate well sites.

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

Staff Analysis: The proposed amendment is located within boundaries of the Jog Road Corridor Study, and the Haverhill Neighborhood Plan.

The Haverhill Area Neighborhood Plan (HANP) and The Jog Road Corridor Study (JRCS). The subject site is located in an area encompassed by both the Haverhill Area Neighborhood Plan and the Jog Road Corridor Study. The HANP, created in 1992 to address land use, airport noise, code enforcement, and transportation issues in the area, contained no specific long-range recommendations on future land use designations for the subject site. The JRCS was conducted in 1995 to determine appropriate future land use designations in the area, given the extension of Jog Road and expansion of Belvedere Road to six lanes. The JRCS and HANP identified future land use designation on this site as institutional. The general HANP recommendation was to retain residential uses along Belvedere Road with densities up to 5 units per acre. The 5 units per acre was consistent with a general recommendation that densities in the area not exceed the septic tank carrying capacity in order to protect groundwater resources. The proposed amendment seeks a density higher than 5 units per acre, but it will be serviced by public water and sewer utilities. Therefore, this proposal is not inconsistent with the recommendations of the HANP or JRCS. As part of Intergovernmental Coordination, notification of this amendment was sent to the Town of Haverhill. See “Intergovernmental Coordination” Section for discussion.

E. Public Facilities and Services Impacts

The proposed amendment will change the future land use designation from of Institutional with underlying 5 units per acre (INST/5) to Institutional with underlying 8 units per acre (INST/8). The amendment proposes to increase the residential density while maintaining the current institutional use. Public facilities impacts are detailed in the table in Exhibit 4.

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

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

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

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

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

Staff Analysis: The County Traffic Division reviewed this amendment at the maximum development potential proposed by the amendment. (See letter dated April 24, 2023 in Exhibit 5):

The Traffic letter concludes "Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment meet Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the proposed potential density shown above. Therefore, this amendment requires a condition of approval, based on Transfer of Development Rights (TDR) and density bonus programs, to cap the project at the proposed development potential or equivalent trips."

The Traffic Study was prepared by Simmons and White, 2581 Metrocenter 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. Fire Rescue Comments: Palm Beach County Fire Rescue indicated in a letter dated May 1, 2023 that the estimated response time to the subject property is 7 minutes compared to the 6 minutes, 40 seconds average response time for this station's zone for fiscal year 2022. Additionally, the letter indicated that "changing the land use of this property will have some impact on Fire Rescue".

4. Environmental Resource Management Comments: The following comments from ERM are being addressed through the Zoning application review process:

- the project area is located within Wellfield Protection Zone 3 and 4; there are thirty (30) Wellfield Protection Wells within a one-mile radius of the project area;
- there are five regulated, privately owned preserves located within a one-half mile radius of the project area;
- a preserve/tree preservation area will be required. The highest quality native vegetation is located in the southern portion of the southeast quadrant. The significant habitats or species statement in Part 5.F. of the application should be revised to more accurately reflect the native vegetation. Furthermore, the graphic on Attachment L is not descriptive. A FLUCCS Map would be more appropriate.

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 December 27, 2023. In addition, on December 22, 2023, the Town of Haverhill was notified by mail. 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 December 22, 2023. In addition, on the same date, the Catalina Residential Community Home Owners Association and Independence HOA Inc. were notified by mail. Any letters received throughout the amendment process will be included in Exhibit 9.

Exhibit 3

Applicant's Justification

Request

The 11.22-acre subject property (PCN 00-42-43-27-05-005-0020) is located on the south side of Belvedere Road, approximately 0.28 miles east of the intersection of N Jog Rd and Belvedere Road. Currently, the subject property currently supports a Future Land Use Atlas (FLUA) Designation of Institutional with an underlying Medium Residential, 5 units per acre (INST/5). The subject site currently has a zoning designation of Agriculture Residential (AR) over the entire site.

West Palm Beach Lodge #1352 BPOE of USA, Inc. herein referred to as the "Applicant," requests a Large-Scale FLUA amendment from Institutional with an Underlying Medium Density Residential, 5 units per acre (INST/5) to Institutional with an Underlying High Density Residential, 8 units per acre (INST/8) for the purposes of constructing a multifamily residential development.

A follow up application to the PBC Zoning Division for an Official Zoning Map Amendment (rezoning) property from the Agricultural Residential (AR) Zoning District to Multiple Use Planned Development (MUPD) will be submitted within the required ninety (90) days from this submission.



Site Aerial

Below is a summary of surrounding properties:

Adjacent Lands	Uses	FLU	Zoning
Subject Property (Proposed)	Institutional (Existing) Institutional (Proposed)	INST/5 (Existing) INST/8 (Proposed)	AR
North	Single Family Residential, Multi-Family Residential	MR-5, HR-8	RH, RS
South	Single Family Residential	MR-5	PUD
East	Single Family Residential	MR-5	AR
West	Single Family Residential	MR-5	RS

Site History:

The Elk's Lodge is a non-profit organization that has been existing for 48 years where they promote charity and justice work to enhance the welfare and happiness to its members. They provide many educational programs and scholarships for children who are in need. The property is currently situated on 11.22 acres of land, but the Elks Lodge only utilizes approximately 4 acres of the overall 11.22-acres. As a result, the cost of maintaining such a large site has become unsustainable for the organization. Given the current financial challenges faced by the Elks Lodge, they can longer function properly as the organization is losing both of its members and its financial revenue, and without significant changes, it is unlikely to recover. To help ensure long-term sustainability of the organization and enable them to continue providing valuable services to the community, they are seeking to develop a portion of the site, where they can have access to funds to construct a new home and stay within the community. The applicant is proposing to utilize the subject site to develop 195 multi-family units which includes workforce housing units, while reconstructing the existing Elks Lodge to remain on site.

It is evident our county is experiencing rapid growth with thousands of people moving into the area every year. The current housing supply is not able to meet the demand, and it is crucial to address this issue promptly. A multi-family residential development can revitalize underdeveloped areas and increase property values in the surrounding neighborhoods.

Justification, Consistency & Compatibility:

G.1- Justification: The applicant is requesting to amend the FLUA designation of the subject property from INST/5 to INST/8. Per Policy 2.1-f of the Future Land Use Element (FLUE) of the PBC Comprehensive Plan (Plan) an applicant must provide adequate justification for the proposed future land use. To be considered adequate, the justification must demonstrate consistency with the factors 1 and 2:

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

Response: The subject property is located within the Urban/Suburban Tier with frontage along Belvedere Road, a Major Arterial Road. The property is ideal for a multi-family residential development due to its location as follows:

- The property is located immediately adjacent to the Belvedere Road and is only approximately 0.85 miles from the Turnpike. This assists for access to the Turnpike and Belvedere Road flyovers at major intersections, which allows for easy access to the east and west.
- The property is situated on a major road that is experiencing a transition from low-density to higher density developments. Belvedere Road is rapidly transitioning into a higher density corridor, with several developments underway or planned in the near future. Currently, the property is surrounded by high-density developments on both the north and west sides.
- Higher density residential should be located near employment centers and have efficient access to the road network. The property is located within a mile of employment centers between Belvedere Road and Jog Road.
- The property has access to adequate public facilities without straining existing infrastructure.

Per Future Land Use Element (FLUE) Policy 1.2-a of the Comprehensive Plan, the Urban/Suburban Tier shall protect the character of its urban and suburban communities by providing for affordable housing and employment opportunities, and

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..."

When residents need to identify places to live, they will find multifamily residential apartments available to accommodate their growing needs. Therefore, the proposed use is suitable and appropriate for the subject site because it will provide a good transition for the major corridor and neighboring high-density.

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

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

Response: The purpose of this application is to change the Future Land Use to INST-8 for the overall site to develop 195 multi-family units while reconstructing the existing Elks Lodge to remain on site. Currently, the site is located on a major road, Belvedere Road, that is transitioning into a more intense corridor with medium to high-density projects. This location is ideal to develop a multi-family residential as it is surrounded by HR-8 developments to the north and HR-12 developments on Cleary and Belvedere Road. Additionally, it is approximately 0.85 miles away from the Turnpike, and within 1 mile from employment opportunities between Belvedere Road and Jog Road.

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

Response: The subject property is located along Belvedere Road, a Major Arterial Road, which makes the site ideal for such development as it is transitioning to a high-density corridor due to the recent developments that are being constructed with medium to high-density.

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

Response: As Palm Beach County continues to grow, with thousands of people moving into the area each year, it is becoming increasingly apparent that there is a need for more multi-family residential buildings to accommodate this influx of residents. Currently, the Elk's Club is utilizing 4 acres of the subject site leaving 7.22 acre of underdeveloped land. This site is ideal for such development as it is 0.85 miles away from the Turnpike and within a mile of employment opportunities, goods, and services. Moreover, the Belvedere corridor, in which the site is situated on, is transitioning to a higher density corridor. The subject site is surrounded by medium to high-density development on both the north and west sides. Therefore, the proposed development is appropriate to be constructed on the subject site.

- *Inappropriateness of the adopted FLU designation; or*

Response: As previously mentioned, the Elks Club is utilizing 4 acres of the subject site leaving 7.22 acre of underdeveloped land. This situation is inappropriate and inefficient, particularly given the growing need for more housing options within the area. Furthermore, the Elk's Club is experiencing difficult times regarding membership, making it difficult to maintain such a large property and stay operating within the community. Given these circumstances, it is reasonable to redevelop the remaining 7.22 acres of the site with multi-family residential units. With the need for affordable and accessible housing options on the rise, this land represents an opportunity to create a positive impact on the community and provide a solution to a pressing need.

- *Whether the adopted FLU designation was assigned in error.*

Response: No errors are associated with the subject site. When the site was developed 44 years ago, the corridor served a different set of needs at the time. Now, there is a growing need for affordable and accessible housing options, which were not a pressing issue 44 years ago. As such, it is critical that we reevaluate the use of this land and consider new development options that better serve the needs of the community today.

G.2- Residential Density Increases: Per Future Land Use Element Policy 2.4-b, a written analysis of the following criteria is provided below:

- *Demonstrate a need for the amendment.*

Response: As previously mentioned, the Elks Club is currently situated on 11.22 acres of land, but the Elks Lodge only utilizes approximately 4 acres of the overall

11.22-acres. As a result, the cost of maintaining such a large site has become unsustainable for the organization. Given the current financial challenges faced by the Elks Lodge, they can no longer function properly as the organization is losing members, and without significant changes, it is unlikely to recover. Therefore, they are seeking to develop 195 multifamily units on a portion of the site which will more efficiently utilize the land and allow the organization to remain within the community. The subject property is located along Belvedere Road, a Major Arterial Road, which makes the site ideal for such development as it is transitioning to a high-density corridor due to the ongoing developments that are being constructed with medium to high-density. Moreover, the subject site is located on at the center of Palm Beach County where it has access to many public facilities that are already existing such as sewer, public transportation, and electricity.

- *Demonstrate that the current FLUA designation is inappropriate.*

Response: As Palm Beach County continues to grow, with thousands of people moving into the area each year, it is becoming increasingly apparent that there is a need for more multi-family residential buildings to accommodate this influx of residents. The type of development typically associated with the site's existing MR-5 designation consists of single-family homes, often in a zero-lot-line configuration. The site is no longer ideal for this type of development for a few reasons. The site's frontage along Belvedere Road, a major road, that is located in the center of Palm Beach County. Additionally, the area around the site has developed as a major center of employment. High-density residential is less sensitive to frontages on major roadways and are also ideally located as close to job centers as possible, mainly due to the typical household who makes up the majority of the demand for these types of developments. Therefore, the site's existing MR-5 designation is inappropriate.

- *Provide a written explanation of why the Transfer of Development Right Workforce Housing, and affordable housing programs cannot be utilized to increase density on site.*

Response: In addition to these programs, the subject site requires a small increase in the FLU density to build enough housing units which would make the site viable for development and help alleviate the current shortage of affordable housing. Increasing the FLU density can have positive economic impacts, such as creating new jobs and attracting businesses to the area. This would not only benefit our community but also the larger region.

G.3 - Compatibility with Surrounding and Adjacent Uses: Currently, the property is situated on a major Road, Belvedere Road, that is transitioning into a more intense corridor with medium to high-density residential, and a plethora of industrial and commercial nodes. This location is ideal to develop a multi-family residential as it is approximately 0.85 miles away from the Turnpike, and within 1 mile from employment opportunities between Belvedere Road and Jog Road. The site is currently surrounded by medium to high-density developments on the north and west sides.

G.4 - Consistency with Policies in the Comprehensive Plan: The proposed FLUA amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan as follows:

Response: The proposed amendment demonstrates consistency with the following objectives and policies of the comprehensive plan:

- **Future Land Use Element (FLUE) Policy 1.2-a:** The Urban/Suburban Tier shall protect the character of its urban and suburban communities by providing for affordable housing and employment opportunities. Therefore, the proposed use is suitable and appropriate for the subject site.
- **Future Land Use Element (FLUE) Policy 1.5-a:** The County shall provide for a sufficient amount of land for residential use to meet future housing needs, including very low, low, and moderate income, and to accommodate the projected population. The Planning Division shall be responsible for analysis and recommendations to the BCC for this task.

The proposed amendment is consistent with the Palm Beach County Comprehensive plan. Moreover, as the population of the Palm Beach County continues to increase with thousands of people moving into the area each year, it is becoming increasingly apparent that there is a need for more multi-family residential buildings to accommodate this influx of residents. A multi-family residential development can revitalize underdeveloped areas and increase property values in the surrounding neighborhoods. This site is ideal for such development as it is 0.85 miles away from the Florida Turnpike and within a mile of employment opportunities. Moreover, the Belvedere corridor, in which the site is situated on, is transitioning to a higher density corridor. The subject site is surrounded by medium to high-density development on both the north and west sides. Therefore, the proposed development is reasonable to be constructed.

In conclusion it is the agent's contention that the requested FLUA Amendment from INST/5 to INST/8 is justified, consistent with the Plan and State of Florida laws and is compatible with surrounding uses.

Exhibit 4
Applicant's Public Facility Impacts Table

A. Traffic Information	
See Exhibit 5 – PBC Engineering Letter	
B. Mass Transit Information	
Nearest Palm Tran Route (s)	44 (WPB X-Town via Belvedere)
Nearest Palm Tran Stop	Stop 4001 (South side of Boynton Beach Boulevard approximately 1,000 feet east of the subject site's frontage on Belvedere Road)
Nearest Tri Rail Connection	Mangonia Park, 1415 45 th Street
C. Potable Water & Wastewater Information	
Potable Water & Wastewater Providers	Palm Beach County Water Utilities Department
Nearest Water & Wastewater Facility, type/size	Capacities are available with PBCWUD. The property is currently served with a 1" potable water meter (combined service). The nearest sanitary sewer is a 12" force main located adjacent to the subject within Belvedere Road. The closest potable water is a 36" water main located within 62 nd Drive N.
D. Drainage Information	
The site is located within the boundaries of the South Florida Water Management District and Lake Worth Drainage District C-51 Drainage Basin. Legal positive outfall is available via discharge to the Lake Worth Drainage District L-3 canal along the north side of the site.	
E. Fire Rescue	
Nearest Station	Station #23, 5477 Okeechobee Blvd.
Distance to Site	Station #23 is 2.25 miles from the subject site.
Response Time	Based on the information provided by PBC Fire-Rescue, the estimated response time is 7 minutes.
Effect on Resp. Time	PBC Fire-Rescue has determined that the proposed amendment will have minimal impact on fire rescue response time.
F. Environmental	
Significant habitats or species	The site is heavily wooded with mostly exotic hardwood trees including Java Plum, earleaf acacia, Melaleuca, Australian pine, Brazilian pepper, and queensland umbrella tree. There are native trees and palms scattered throughout the project site including slash pine, laurel oak, cabbage palm, and strangler fig. The applicant will utilize their best efforts to preserve the existing vegetation if the site is developed as intended.
Flood Zone*	The subject parcel is located in Flood Zone X.
Wellfield Zone*	The subject property lies within Wellfield Protection Zones 3 and 4.
G. Historic Resources	
The subject parcels do not contain any historic or architecturally significant resources located on or within 500 feet of the site.	
H. Parks and Recreation - Residential Only (Including CLF)	

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Okeeheelee Park (7715 Forest Hill Boulevard)	0.00339	466	1.58
Beach	Ocean Reef Park (3860 N Ocean Drive)	0.00035	466	0.16
District	Sansbury Way District "K" Property Park	0.00138	466	0.64

I. Libraries - Residential Only (Including CLF)

Library Name	Okeechobee Boulevard Branch Library			
Address	5689 Okeechobee Boulevard			
City, State, Zip	West Palm Beach, FL 33417			
Distance	1.8 miles			
Component	Level of Service	Population Change	Change in Demand	
Collection	2 holdings per person	466	932	
All staff	0.6 FTE per 1,000 persons	466	0.28	
Library facilities	0.6 square feet per person	466	279.63	

J. Public Schools - Residential Only (Not Including CLF)

	Elementary	Middle	High
Name	Wynnebrook Elementary School	Jeaga Middle School	Royal Palm Beach Community High School
Address	1167 Drexel Road	3777 N Jog Road	10600 Okeechobee Boulevard
City, State, Zip	West Palm Beach, FL 33417	West Palm Beach, FL 33411	West Palm Beach, FL 33411
Distance	0.5 miles	4.1 miles	5.4 miles

Exhibit 5
Palm Beach County Traffic Division Letter



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

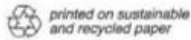
■

**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Michael A. Barnett
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator
Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*



April 24, 2023

Bryan G. Kelley, P.E.
Simmons & White
2581 Metrocentre Boulevard West, Suite 3
West Palm Beach, FL 33407

**RE: Elks MUPD
FLUA Amendment Policy 3.5-d Review
Round 2022-24-A**

Dear Mr. Kelley:

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, dated April 5, 2023, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

Location:	South side of Belvedere Road, east of Jog Road	
PCN:	00-42-43-27-05-005-0020	
Acres:	11.22 acres	
	Current FLU	Proposed FLU
FLU:	Institutional (INST)/Medium Residential, 5 dwelling units per acre (MR-5)	Institutional (INST)/ High Residential, 8 dwelling units per acre (HR-8)
Zoning:	Agricultural Residential District (AR)	Multiple Use Planned Development (MUPD)
Density/ Intensity:	5 DUs/Acre	8 DUs/Acre
Maximum Potential:	Multifamily Low-Rise Housing up to 3 story (Apartment/Condo/TH) = 56 DUs	Multifamily Low-Rise Housing up to 3 story (Apartment/Condo/TH) = 89 DUs
Proposed Potential:	None	Multifamily Low-Rise Housing up to 3 story (Apartment/Condo/TH) = 195 DUs (Using WFH Density Bonus)
Net Daily Trips:	223 (maximum – current) 937 (proposed – current)	
Net PH Trips:	36 (9/27) AM, 45 (28/17) PM (maximum) 78 (19/59) AM, 99 (62/37) 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>	



Bryan G. Kelley, P.E.
April 24, 2023
Page 2

Based on the review, the Traffic Division has determined that the traffic impacts of the proposed amendment **meet** Policy 3.5-d of the Future Land Use Element of the Palm Beach County Comprehensive Plan at the **proposed potential** density shown above. Therefore, based on Transfer of Development Rights (TDR) and density bonus programs, this amendment requires a condition of approval to cap the project at the **proposed** development potential or equivalent trips.

Please do not hesitate to reach out with any questions or concerns at 561-684-4030 or DSimeus@pbcgov.org.

Sincerely,

A handwritten signature in blue ink, appearing to be "D/S", is written over the typed name.

Dominique Simeus, P.E.
Professional Engineer
Traffic Division

DS:jb

cc:

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

File: General - TPS – Unincorporated - Traffic Study Review
N:\TRAFFIC\Development Review\Comp Plan\24-A\Elks MUPD.docx

Exhibit 6
Water & Wastewater Provider LOS Letter



**Water Utilities Department
Engineering**

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



**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Michael A. Barnett
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*



May 16, 2023

Schmidt Nichols
1551 N Flagler Dr. Ste. 102
West Palm Beach, FL 33401

Project: Elks Club
PCN-00-42-43-27-05-005-0020
900 62nd Drive N.
Service Availability Letter

Dear Mr. Darwish,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity to serve this property.

The property is currently served with a 1" potable water meter (combined service). The nearest sanitary sewer is a 12" force main located adjacent to the subject property within Belvedere Road. The closest potable water is a 36" water main located within 62nd Dr. N. PBCWUD has the capacity for the proposed FLUA change from Institutional with an underlying Medium Residential, 5 dwelling units per acre to Institutional with an underlying High Residential, 8 dwelling units per acre. Offsite improvements may be required.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. In addition, the addition of new developments/customers prior to service initiation to the property may affect the available capacity. PBCWUD does not make any representations as to the availability of capacity as of the future service initiation date.

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

Sincerely,

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

Jackie Michels, P.E,
Project Manager

Exhibit 7

School District Letter



**THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL**

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

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

KRISTIN K. GARRISON
DIRECTOR

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	05/19/2023		
	SCAD Case No.	23051801F/ FLU and 23051801Z/Re-zoning		
	FLU /Rezoning/D.O. No.	Not Provided – Palm Beach County		
	PCN No. / Address	00-42-43-27-05-005-0020 / 900 62 nd Drive North		
	Development Name	Elks MUPD		
	Owner / Agent Name	West Palm Beach Lodge #1352 BPOE of USA		
	SAC No.	145D		
	Proposed Unit No. & Type	Maximum 195 Residential Units		
Impact Review		Wynnebrook Elementary School	Jeaga Middle School	Royal Palm Beach High School
	# of New Students Generated	31	16	23
	Capacity Available	35	266	225
	Utilization Percentage	96%	79%	92%
School District Staff's Recommendation	Based on the findings and evaluation of the proposed development, there will be no negative impact on the School District of Palm Beach County public school system. Therefore, the School District has no comment on this application.			
Validation Period	<p>1) This determination is valid from 05/23/2023 to 05/22/2024 or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Department prior to 05/22/2024 or this determination will expire automatically on 05/22/2024.</p>			
Notice	School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.			

Joyce Cai

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title of School District Representative

May 23, 2023

Date

joyce.cai@palmbeachschools.org

Email Address

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

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

Exhibit 8
Disclosure of Ownership Interests

PALM BEACH COUNTY - ZONING DIVISION

FORM # 8

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT

[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the individual or Manager WPB Agri Holdings, LLC [position—e.g., president, partner, trustee] of WPB Agri Holdings, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership], (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 155 Schmidt Boulevard
Farmingdale, NY 11735
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.



Arnold Marcus, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF ~~FLORIDA~~ NY
COUNTY OF ~~PALM BEACH~~ Suffolk

The foregoing instrument was acknowledged before me by means of physical presence or
[] online notarization, this 7th day of June, 2023 by
Arnold Marcus (name of person acknowledging). He/she is personally
~~known to me or has produced~~ (type of identification) as
identification and did not take an oath (circle correct response).

Michelle Allocca
(Name - type, stamp or print clearly)

Michelle Allocca
(Signature)

My Commission Expires on: 2/24/26

NOTARY'S SEAL OR STAMP

MICHELLE ALLOCCA
Notary Public, State of New York
Reg. No. 01BE6216593
Qualified in Suffolk County
Commission Expires February 24, 2026

EXHIBIT "A"

PROPERTY

TRACT 2, BLOCK 5, OF THE PALM BEACH FARMS COMPANY'S PLAT NO.3. A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT BOOK 2, PAGES 45 TO 54 INCLUSIVE.

ALSO DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE PLAT OF WATERWAYS TAHERI PUD REVISED AS RECORDED IN PLAT BOOK 105, PAGE 62 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT N89°03'02"E A DISTANCE OF 639.85 FEET TO THE SOUTH WEST CORNER OF LOT 12 OF THE UNRECORDED PLAT OF OVERBROOK; THENCE ALONG THE WESTERLY LINE OF SAID UNRECORDED PLAT N00°56'49"W A DISTANCE OF 750.97 FEET; THENCE LEAVING SAID WESTERLY LINE AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-3 CANAL AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE N88°37'30"W A DISTANCE F 640.34 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF 62ND DRIVE AS RECORDED IN OFFICIAL RECORD BOOK 15203, PAGE 62 OF SAID PUBLIC RECORDS; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE S00°56'39"E A DISTANCE OF 776.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.22 ACRES MORE OR LESS

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

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

Name	Address
N/A Not For Profit Corporation	

DISCLOSURE OF OWNERSHIP INTERESTS – APPLICANT


[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

1. Affiant is the individual or Manager *[position—e.g., president, partner, trustee]* of WPB Apts Holdings, LLC *[name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership]*, (hereinafter, "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 155 Schmidt Boulevard
Farmingdale, NY 11735
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.



Jonathan Marcus, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF ~~FLORIDA~~ NY
COUNTY OF ~~PALM BEACH~~ Suffolk

The foregoing instrument was acknowledged before me by means of [] physical presence or
 online notarization, this 7th day of June, 2023 by
Jonathan Marcus (name of person acknowledging). He/she is personally
known to me or has produced (type of identification) as
identification and did not take an oath (circle correct response).

Michelle Allocca
(Name - type, stamp or print clearly)

Michelle Allocca
(Signature)

My Commission Expires on: 2/24/26

NOTARY'S SEAL OR STAMP
MICHELLE ALLOCCA
Notary Public, State of New York
Reg. No. 01BE6216593
Qualified in Suffolk County
Commission Expires February 24, 2026

EXHIBIT "A"

PROPERTY

TRACT 2, BLOCK 5, OF THE PALM BEACH FARMS COMPANY'S PLAT NO.3. A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT BOOK 2, PAGES 45 TO 54 INCLUSIVE.

ALSO DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE PLAT OF WATERWAYS TAHERI PUD REVISED AS RECORDED IN PLAT BOOK 105,PAGE 62 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT N89°03'02"E A DISTANCE OF 639.85 FEET TO THE SOUTH WEST CORNER OF LOT 12 OF THE UNRECORDED PLAT OF OVERBROOK; THENCE ALONG THE WESTERLY LINE OF SAID UNRECORDED PLAT N00°56'49"W A DISTANCE OF 750.97 FEET; THENCE LEAVING SAID WESTERLY LINE AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-3 CANAL AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE N88°37'30"W A DISTANCE F 640.34 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF 62ND DRIVE AS RECORDED IN OFFICIAL RECORD BOOK 15203, PAGE 62 OF SAID PUBLIC RECORDS; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE S00°56'39"E A DISTANCE OF 776.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.22 ACRES MORE OR LESS

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

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

Name	Address
N/A Not For Profit Corporation	

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 Carol Blair, 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 Owner WEST PALM BEACH LODGE # 1352 BPOE OF USA [position - e.g., president, partner, trustee] of WEST PALM BEACH LODGE # 1352 BPOE OF USA [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: 6188 Belvedere Rd
West Palm Beach FL33413
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.

Carol A Blair

Carol Blair, 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 4th day of May, 2023 by Carol Blair (name of person acknowledging). He/she is personally known to me or has produced Florida driver license (type of identification) as identification and did/did not take an oath (circle correct response).

D'Marco Westmoreland
(Name - type, stamp or print clearly)

D'Marco Westmoreland
(Signature)

My Commission Expires on: Oct 28, 2025

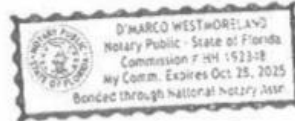


EXHIBIT "A"

PROPERTY

LEGAL DESCRIPTION

TRACT 2, BLOCK 5, OF THE PALM BEACH FARMS COMPANY'S PLAT NO 3. A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT BOOK 2, PAGES 45 TO 54 INCLUSIVE.

ALSO DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE PLAT OF WATERWAYS TAHERI PUD REVISED AS RECORDED IN PLAT BOOK 105, PAGE 62 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT N89°03'02"E A DISTANCE OF 639.85 FEET TO THE SOUTH WEST CORNER OF LOT 12 OF THE UNRECORDED PLAT OF OVERBROOK; THENCE ALONG THE WESTERLY LINE OF SAID UNRECORDED PLAT N00°56'49"W A DISTANCE OF 750.97 FEET; THENCE LEAVING SAID WESTERLY LINE AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-3 CANAL AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE N88°37'30"W A DISTANCE OF 640.34 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF 62ND DRIVE AS RECORDED IN OFFICIAL RECORD BOOK 15203, PAGE 62 OF SAID PUBLIC RECORDS, THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE S00°56'39"E A DISTANCE OF 776.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.22 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	
Carol Blair	6188 Belvedere Rd, West Palm Beach, FL33413	100%

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 Carol Blair, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [x] Secretary West Palm Beach, Florida No. 1352, Secretary And Precinct Order Of Elix of United States of America, Inc. [position - e.g., president, partner, trustee] of [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 6188 Belvedere Road
West Palm Beach, FL 33413
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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

FURTHER AFFIANT SAYETH NAUGHT.

Carol Blair

Carol Blair, 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 7 day of JUNE, 2023 by Carol Blair (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Susan Riley

(Name - type, stamp or print clearly)

Susan Riley

(Signature)

My Commission Expires on: 4/1/27



EXHIBIT "A"

PROPERTY

TRACT 2, BLOCK 5, OF THE PALM BEACH FARMS COMPANY'S PLAT NO.3. A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT BOOK 2, PAGES 45 TO 54 INCLUSIVE.

ALSO DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE PLAT OF WATERWAYS TAHERI PUD REVISED AS RECORDED IN PLAT BOOK 105, PAGE 62 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT N89°03'02"E A DISTANCE OF 639.85 FEET TO THE SOUTH WEST CORNER OF LOT 12 OF THE UNRECORDED PLAT OF OVERBROOK; THENCE ALONG THE WESTERLY LINE OF SAID UNRECORDED PLAT N00°56'49"W A DISTANCE OF 750.97 FEET; THENCE LEAVING SAID WESTERLY LINE AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-3 CANAL AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 781 OF SAID PUBLIC RECORDS, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE N88°37'30"W A DISTANCE OF 640.34 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF 62ND DRIVE AS RECORDED IN OFFICIAL RECORD BOOK 15203, PAGE 62 OF SAID PUBLIC RECORDS; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE S00°56'39"E A DISTANCE OF 776.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.22 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
N/A Not For Profit Corporation	

Exhibit 9 Correspondence

Stephanie Gregory

From: Inna Stafeychuk
Sent: Wednesday, January 3, 2024 10:41 AM
To: Stephanie Gregory
Subject: RE: Spring haven MUPD meeting on January 12th

FYI.

From: Raymond Perez <perez.raymond@icloud.com>
Sent: Tuesday, January 2, 2024 9:46 PM
To: Inna Stafeychuk <IStafeyc@pbcgov.org>
Cc: Catalina Townhomes <Catalina.hoawpb@gmail.com>; Gema White <gema1967@yahoo.com>
Subject: Spring haven MUPD meeting on January 12th

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

Hello Inna,

I spoke with you a few months ago about Spring Haven MUPD, at the time it was called Elks MUPD. I got a letter about the up coming meeting with planning. Would this meeting be appropriate for members of the community to voice their opinions about the proposed project?

I remember seeing before that they were applying for reduced parking through zoning and our community already has a problem with parking. From reading the applications, Elks Lodge is going through financial difficulties but the apartment complex company that bought/is buying the land needs to make some much needed upgrades to our community.

The first is to solve parking by building street parking on 62nd rd. These residents of the future apartments complex are going to have guests and street parking will solve this issue of guest parking along with our own community's parking issue. Second, is pedestrians don't have a practical means of crossing from 62nd Rd to Belvedere Rd. We need a crosswalk with a crossing island and the sidewalk completed to allow crossing the road. The sidewalks stop short of the canal. Finally with this influx of people, a bus stop is needed to reduce car usage. We need it in front of the proposed apartment complex on both sides of Belvedere.

Thank you for taking the time to understand my concerns, I hope to hear from you as soon as possible so I can properly prepare.

Regards,
Raymond Perez
Catalina Townhomes HOA President

Correspondence provided at the 1/31/24 BCC Transmittal Hearing

Item: 3.B.1



Haverhill Town Hall
4585 Charlotte Street
Haverhill, FL 33417-5911
(561) 689-0370
FAX: (561) 689-4317
www.townofhaverhill-fl.gov

-
- Town Council**
- Jay G. Foy, Mayor
- Lawrence Gordon,
Vice Mayor
- Ray Caranci
- Dr. Teresa Johnson
- Dennis Withington
- Town Administrator**
- Tracey L. Stevens, MMC
- Deputy Town Clerk**
- Jean Wible
- Public Services
Coordinator/Code Inspector**
- Joe Petrick
- Building Official**
- Durrani Guy
- Public Works**
- Rodrick Jones

January 26, 2024

Inna Stafeychuk
Senior Planner
Palm Beach County Dept of Planning, Zoning & Building
2300 N Jog Road
West Palm Beach, FL 33411-2741

RE: Spring Haven MUPD (LGA 2024-005)
PCN: 00-42-43-27-05-005-0020

Dear Inna:

The Town of Haverhill received notice of the proposed amendment to Palm Beach County's Comprehensive Plan for the 24-A2 Amendment Round for the Spring Haven MUPD 11.22 acre amendment site.

Based on the location and proximity to the Town and its residents, the Town respectfully objects to the specific request as the use will increase traffic significantly throughout the Town. The Town is concerned about the cumulative effect of the County's approval of this project, along with other pending projects along Belvedere Road, Haverhill Road, Jog Road, Southern Blvd, and Okeechobee Blvd which will result in increased traffic along Haverhill Road and Belvedere Road within the Town's jurisdictional boundaries.

The Town of Haverhill has adopted policies to ensure that Belvedere Road, between Jog Road and Military Trail, remain as a four-lane divided roadway in perpetuity, and maintain that neither Haverhill Road nor Belvedere Road be widened as it would destroy the residential character of the Town of Haverhill as well as violate the Haverhill Area Neighborhood Plan.

In addition, the Town also questions the proposed potential of up to 195 units for this site. Our calculations show that with an underlying 8 units per acre that is proposed on a parcel of land that is 11.22 acres, only 89.76 units would be permitted.

Thank you for your opportunity to comment on this project. We trust this letter will be made part of the application that will be going before the Board of County Commissioners.

Sincerely,


Jay G. Foy
Mayor, Town of Haverhill

Cc: Tracey Stevens, Town Administrator

Correspondence Received after the BCC Transmittal Hearing

Stephanie Gregory

From: Irving, Robert <Robert.Irving@MyFWC.com>
Sent: Friday, February 16, 2024 2:25 PM
To: Kevin Fischer
Cc: Conservation Planning Services; DCPexternalagencycomments@deo.myflorida.com; Stephanie Gregory; Colletier, Nicolas
Subject: FWC's Comments on Palm Beach County 24-01ESR (Round 24-A2)

Follow Up Flag: Follow up
Flag Status: Flagged

This Message Is From an External Sender

This message came from outside your organization.

Dear Mr. Fischer:

Florida Fish and Wildlife Conservation Commission (FWC) staff received your request for review of the proposed comprehensive plan amendments for Utilities Element revisions, Spring Haven MUPD (LGA 2024-005) and Bedner's Market (LGA 2024-003). We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment. While there are no objections to the amendment, the following general technical assistance information is provided to assist the applicant and the county when considering the potential for impacts to state-listed species. FWC staff strongly recommends early planning coordination meetings if impacts to state-listed species and their habitat are expected. To schedule a coordination meeting, please contact our office by email at ConservationPlanningServices@MyFWC.com and staff will be happy to meet with the applicant, county, or Department of Economic Opportunity staff.

If on-site wildlife surveys have not yet been conducted for Spring Haven MUPD (LGA 2024-005) and Bedner's Market (LGA 2024-003), they are considered as the most reliable method for determining the presence of listed species or potential habitat. Species-specific surveys are time sensitive and are best conducted by trained wildlife biologists with recent documented experience. Species-specific survey protocols approved by the U.S. Fish and Wildlife Service (USFWS) and the FWC are provided in the Florida Wildlife Conservation Guide at <https://myfwc.com/conservation/value/fwcg/> [myfwc.com] or in the FWC Species Conservation Measures and Permitting Guidelines available at <https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/> [myfwc.com].

There are several public data sources and online tools available that may be useful during preliminary reviews before conducting field surveys. For example, the Florida Natural Areas Inventory (FNAI) Biodiversity Matrix Map Server (<https://www.fnai.org/biointro.cfm> [fnai.org]) which provides access to rare species occurrence information statewide, FWC Gopher Tortoise Permit Map (<https://public.myfwc.com/maps/gtmapping/gtpermitmap.html> [public.myfwc.com]), and the USFWS's Information for Planning and Consultation (IPaC) system (<https://ecos.fws.gov/ipac/> [ecos.fws.gov]). Natural resource mapping data downloads, including listed species data, are available at <https://geodata.myfwc.com/pages/upland> [geodata.myfwc.com] and the Florida Geographic Data Library at <https://www.fgd.org/metadataexplorer/explorer.jsp> [fgdl.org].

The liability to not impact or cause “take” of listed species, migratory wildlife, and other regulated species of wildlife is the responsibility of the applicant or developer associated with this site. Any interested party can refer to the Florida Administrative Code, 68A-27 for definitions of “take” and a list of species. If state-listed species are observed on-site, FWC staff are available to provide decision support information or assist in obtaining the appropriate permits. If federally-designated Critical Habitat or federally listed species are present, please contact the appropriate regional USFWS Ecological Service Office (<https://www.fws.gov/offices/Directory/ListOffices.cfm?statecode=12> [fws.gov]).

FWC staff appreciate the opportunity to review this project. Please send any requests for further information to ConservationPlanningServices@MyFWC.com.

Sincerely,

Robert Irving
Land Use Planning Program Supervisor
Office of Conservation Planning Services
Florida Fish and Wildlife Conservation Commission
Phone: (850) 354-3578

Palm Beach County_24-01ESR_58062