



PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

ZONING COMMISSION, APRIL 3, 2025

A. Application Summary

I. General

Application Name: Nash Trail, Z/CA-2024-01593
Control Name: Marguerite K. Speier (1978-00229)
Applicant: Melodye S. Abell Revocable Trust; Laura Foutain; and Norman Speier
Owner: Melodye S. Abell Revocable Trust; Laura Foutain; and Norman Speier
Agent: WGINC - Arianna Hilliard and Erin Lees
Land Development Operations, Lennar Homes, LLC - Greg Pettibon
Project Manager: Imene Haddad, AICP, Senior Site Planner

Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from Residential Estate (RE) to Single Family Residential (RS) with a Conditional Overlay Zone (COZ) on 7.57 acres **Title:** a Class A Conditional Use **Request:** to allow Townhomes on 7.57 acres

Application Summary: The application is for the proposed Nash Trail residential development. The subject site was originally by the Board of County Commissioners (BCC) on December 19, 1978, for an Official Zoning Map Amendment from (AG) Agricultural District to the Residential Estate (RE) Zoning District.

The request proposes a rezoning from the RE Zoning District to the Residential (RS) Zoning District and a Class A request for the development of 53 Townhomes. The Preliminary Subdivision Plan indicates Townhomes, a Recreation Area and a Water Management Tract. Access is proposed from 52nd Drive South.

II. Site Data

Acres: 7.57 acres
Location: West side of 52nd Drive South, approx.. 380 feet north of Nash Trail
Parcel Control: 00-42-44-35-00-000-5410, 5420, and, 5140
Future Land Use: Medium Residential, 5 units per acre (MR-5)
Zoning District: Residential Estate (RE)
Proposed Zoning: Single Family Residential (RS)
Tier: Urban/Suburban
Utility Service: Palm Beach County Water Utilities
Overlay/Study: N/A
Neighborhood Plan: N/A
CCRT Area: N/A
Comm. District: 3, Commissioner Joel Flores

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B. and Art 3.B.3, and determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C-1 and C-2.

STAFF RECOMMENDATION: Staff recommends approval of the request, subject to a Conditional Overlay Zone and the Conditions of Approval as indicated in Exhibit C-1 and C-2.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received no contacts from the public regarding this application.

IV. Hearing History

ZONING COMMISSION: *Scheduled for April 3, 2025*

BCC HEARING: *Scheduled April 24, 2025*

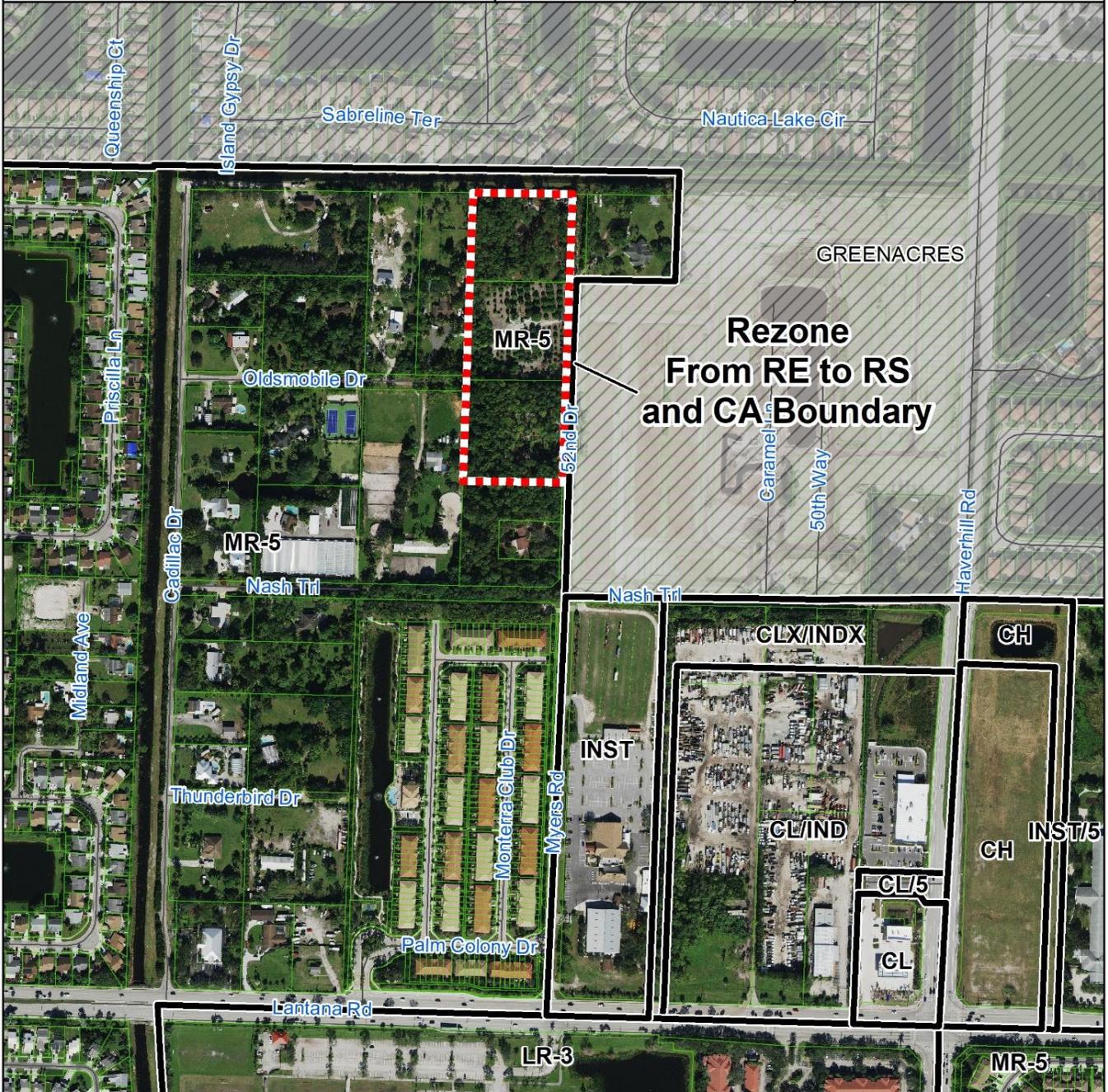
B. Data & Analysis

The supporting data and analysis is provided within the following Exhibits.

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Exhibit A-1 - Future Land Use Map

Z o n i n g A p p l i c a t i o n Nash Trail (Z/CA-2024-01593)



Site Data

Size: 7.01 acres
 Existing Use: Vacant
 Proposed Use: Single Family Residential
 Zoning: RE
 Zoning Quad: 33

Future Land Use Designations

LR-3 Low Residential, 3 units/acre
 MR-5 Medium Residential, 5 units/acre
 CL Commercial Low
 CL/5 Commercial Low, underlying MR-5
 CL/IND Commercial Low, underlying IND
 CH Commercial High
 CLX/INDX Commercial Low crosshatching, underlying IND crosshatching
 INST Institutional
 INST/5 Institutional, underlying MR-5

Date: 2/10/2025
 Contact: PBC Zoning
 Filename: X:\Planning\ZoningCoord\DRO-Maps\2025\2024-01593
 Note: Map is not official, for presentation purposes only.



160 0 160 320 Feet

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



Exhibit A-2 - Zoning Map

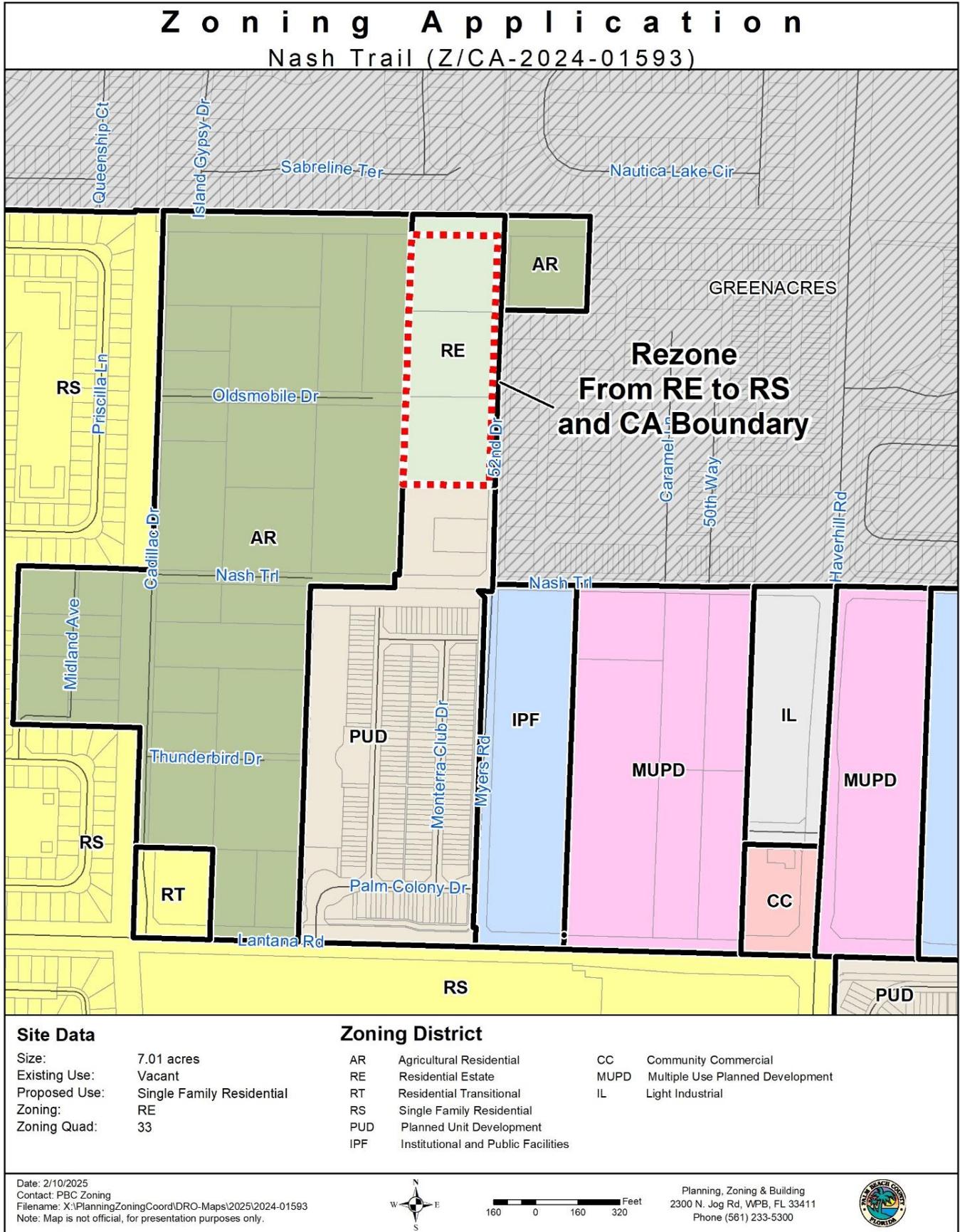


Exhibit B - Standards Analysis & Findings- Rezoning

FINDINGS:

Official Zoning Map Amendment (Rezoning) to a Standards District Standards:

Article 2.B.7.A.2, Standards for an Official Zoning Map Amendment (Rezoning) to a Standard District are indicated below with Staff Analysis. A request that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved by the Commission.

a. Consistency with the Plan - *The proposed amendment is consistent with the Plan.*

PLANNING DIVISION COMMENTS:

○ *Consistency with the Comprehensive Plan:* The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Relevant Comprehensive Plan Policy:* Future Land Use Element Policy 2.2.1-j establishes consistent residential zoning districts with their corresponding Future Land Use designation in Table 2.2.1-j.1, Residential Future Land Use - Zoning Consistency. Per FLUE Table 2.2.1-j.1 the existing Medium Residential, 5 units per acre (MR-5) Future Land Use designation is consistent with the proposed Single Family Residential (RS) Zoning.

○ *Special Overlay District/Neighborhood Plan/Planning Study Area:* The request is located within the Treasure Coast Regional Planning Council (TCRPC), Greenacres, Atlantis, and Palm Beach County Charrette areas. Staff met with Denise Malone, the Director of Development & Neighborhood Services for the City of Greenacres, to address questions regarding area annexations, general timing of platting, and improvements of local rights of way adjacent to the request such as Blossom Trail. The Applicant was advised to reach out to the area jurisdictions. In response, the Applicant submitted email correspondence to both the City of Greenacres dated January 8, 2025 and to the City of Atlantis dated January 20, 2025. The City of Atlantis has not provided a response as of the writing of this report.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The existing zoning district and the proposed amendment to modify the zoning district are consistent with the stated purpose and intent of the County Unified Land Development Code (ULDC). The RS district is consistent with the MR-5 Medium Residential 5 units per Acre FLU. Pursuant to Art. 3. C.1.C.4. The RS Zoning District is to provide for Moderate density single-family dwelling units.

The site exists as three parcels, while RE is also consistent with the MR-5 Future Land Use Designation, it is the Applicant's intent to subdivide the three lots in order to develop Townhouses. Townhomes are not allowed within the RE or Residential Transitional (RT) Zoning districts. The lots, in their current configuration meet the property development regulations for the RS Zoning District. The proposed rezoning is generally consistent with the stated purpose and not in conflict with the Code

○ *Conditional Overlay Zone (COZ):* Article 3.B.3 indicates that the purpose of a COZ is to modify or restrict the use and site development regulations authorized in the underlying Standard Zoning District to prevent, minimize, or mitigate adverse impacts upon the surrounding land uses. Conditions shall be included if the applicable regulations are inadequate to protect the surrounding land uses. In application of the COZ, the BCC shall find that the proposed Rezoning is appropriate only if the applicable regulations are modified. As required under Article 3.B.3.C the BCC shall find one or more of the following reasons for the COZ district:

1. Potential impact to surrounding land uses requires mitigation;
2. Compatibility will be furthered between the requested zoning district and adjacent zones if uses and PDRs are modified; and/or
3. Intensity limits reflect available capacity of public facilities

The Applicant, as part of the Development is proposing to subdivide the site into 53 to Townhome lots. Staff is recommending a COZ, as part of the rezoning request, to ensure that the Property Owner complies with Conditions of Approval for Environmental Resources Management. This corresponds to Reasons 1, 2, and 3 under Article 3.B.3.C and listed above for a COZ District.

- c. **Compatibility with Surrounding Uses** - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

The proposed rezoning is consistent with the MR-5 Medium Residential Future Land Use District and is consistent with the surrounding uses.

To the north, the site is adjacent to the Nautica Isles residential development within the City of Green Acres. To the South is the Colony Reserve at Lake Worth PUD (Control# 2003-0011). The PUD is built at a density of 8.57 units per acre with a MR-5 future land use and PUD Zoning. To the east, is the Blossom Trail Zero Lot Line, development approved at a density of 8.75 units per acre. To the west are single-family home lots and a Commercial Stable and horse-breeding farm (Control# 1984-00181). The proposed RS Zoning is compatible, and consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land.

- d. **Effect on Natural Environment** – *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

ENVIRONMENTAL RESOURCES MANAGEMENT COMMENTS:

- *Vegetation Protection:* The site is heavily vegetated with native species such as Slash Pines and Sabal Palms. Due to the size of the lot exceeding four acres and the criteria described in Article 14 , a Upland Preserve is required. Because of the compactness and areas of quality habitat, a tree preservation area are proposed for the preservation of the trees in perpetuity. There are three Tree Preservation Areas noted on the plans which will preserve the existing vegetation on site consisting of primarily Slash Pines and Sabal Palms. Staff is requiring a condition of approval to be put in place that the trees within these Preservation Area be maintained in perpetuity and a Tree Preservation Area Management Plan be submitted prior to final DRO approval.
- *Wellfield Protection Zone:* This property is not located within Wellfield Protection Zone.
- *Irrigation Conservation Concerns And Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.
- *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

- e. **Development Patterns** – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The existing development pattern for the area is a mix of residential housing, on different sized lots along the east and west side of 52nd street. The proposed RS Zoning District is generally consistent with the zoning pattern of the area. The RS zoning district allows for different types of residential housing including single family, zero lot line, and townhouses. Zero Lot line and Townhouse types of residential units are not allowed within the current RE zoning classification. The site is adjacent to the incorporated limits of Greenacres. The site abuts property zone RM-2 zone for the Town. The Zoning for RM-2 for the Town allows for a density of 7 units per acre and a mix of residential types of housing including single family, two-family dwellings, townhouse and multiple family dwellings. The RS zoning district is a logical zoning district that transitions from the Town of Greenacres zoning district to the east and the existing AR zoning District to the west. Therefore, the proposed rezoning will result in a logical, orderly, and timely development pattern.

- f. **Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

The subject 7.57 acres is being rezoned, in order to develop 53 Townhomes for the Nash Trail Development. The site complies with the requirements for Adequate Public Facilities. See the Class A Conditional Use Request findings, g. Adequate Public Facilities for Staff's analysis of both the rezoning and the Class A Conditional Use Request.

- g. Changed Conditions or Circumstances** – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The Applicant’s Justification Statement indicates the following justification for their changed conditions of circumstances: *“Over time, the low-density residential character of the area has become denser. Subdivisions and townhome developments have become more prevalent in the areas that were previously vacant, plant nurseries, or single family homes on individual lots. Rezoning to the RS district will allow for the development of a 53-unit townhome community that is consistent with the area. With the growth of development in this area immediately surrounding the subject property, the land is currently underutilized. The surrounding residential subdivisions and neighborhoods will be complemented better by the proposed townhome project that meets the characteristics, density, and intensity of the area.”*

Exhibit B - Standards Analysis & Findings- Rezoning

FINDINGS:

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

Article 2.B.7.B, Standards for Rezoning to a PDD or a TDD, a Conditional Use, or a Development Order Amendment are indicated below with Staff Analysis. Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHP) are subject to these Standards, and are subject to Art. 5.G.1 . A request that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved by the Commission.

- a. **Consistency with the Plan** - *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

PLANNING DIVISION COMMENTS:

- *Consistency with the Comprehensive Plan:* The proposed use is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- *Special Overlay District/Neighborhood Plan/Planning Study Area:* The request is located within the Treasure Coast Regional Planning Council (TCRPC), Greenacres, Atlantis, and Palm Beach County Charrette areas. Staff met with Denise Malone, the Director of Development & Neighborhood Services for the City of Greenacres, to address questions regarding area annexations, general timing of platting, and improvements of local rights of way adjacent to the request such as Blossom Trail. The Applicant was advised to reach out to the area jurisdictions. In response, the Applicant submitted email correspondence to both the City of Greenacres dated January 8, 2025 and to the City of Atlantis dated January 20, 2025. The City of Atlantis has not provided a response as of the writing of this report.
- *Density and Workforce Housing Program (WHP):* The Planning Division reviewed the request for 53 dwelling units on 7.57 acres. The site has a Medium Residential, 5 units per acre (MR-5) future land use designation which could permit a maximum of 38 units (MR-5 x 7.57ac = 37.85 or 38 rounded up). The Applicant is requesting a 39% Workforce Housing Density Bonus to achieve the requested 53 dwelling units. The Workforce Housing obligation is calculated based on the Limited Incentive Development Option, which generated the obligation as follows:

Standard, Max & Bonus Density:

30.28 Standard Density
7.57 Maximum Density
14.82 WHP Bonus Density (39%)
52.67 or 53 rounded up units total

Workforce Housing Program(WHP):

0.76 WHP units (2.5%)
0.61 WHP units (8%)
2.25 WHP units (17%)
3.62 or 4 required WHP (rounded up)

The Applicant has indicated that the 4 units WHP obligation will be provided offsite utilizing the Exchange Builder and has indicated that an exchange builder has not been identified as of the writing of this report.

- *Workforce Housing (WHP) Program:* The WHP requires that a percentage of units in new residential developments of 10 or more units are to be provided as workforce housing, affordable to income qualified households having 60 to 140% of area Median Family Income (MFI). In Palm Beach County, the 2024 area MFI is \$104,000 for a family of four (per HUD). The program is applicable in the Urban/Suburban Tier of the unincorporated County, and in other Tiers as may be required by conditions of approval associated with Future Land Use Amendments.

The Applicant has chosen the Off-site Exchange Builder for the WHP disposition and indicated in the justification that they have not identified an offsite Exchange Builder yet. The cost for the Exchange Builder is based on 80% of the total In-Lieu fee for the Townhome housing type on the sending project per unit obligated to be deed restricted for the WHP program. The subject request for 53 Townhomes was deemed sufficient on November 27, 2024, when the 2024 Workforce Housing price schedule was in effect. Therefore, the total cost to the Exchange Builder would be \$380,352 (\$118,860Townhome In-Lieu fee x 4WHP = \$475,440 and 80% of the In-Lieu fee = \$380,352). The property Owner will have two chances to engage with an Exchange Builder; at first Building Permit, and at 25% of total Building permits, which will equate to the 13th Building permit (25% x 53 = 13). Should an Exchange Builder not be in place the Property Owner may choose to utilize the In-Lieu option (\$475,440) or allow the County to cash out the surety posted by the Property Owner/Developer. Additionally, if the Exchange receiving site is a rental project, the WHP obligation is multiplied by 1.5 times, since the subject project is a fee simple for sale townhome product. That would result in the receiving site providing 6 WHP units (4 WHP required from parent site x 1.5 multiplier = 6 WHP to be provided at receiving exchange site).

- b. Consistency with the Code** - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The proposed Amendment is consistent with the stated purpose and intent of the County Unified Land Development Code (ULDC).

- *Property Development Regulations:* The exiting three lots totaling 7.57 acres will be subject to the Subdivision requirements in order to allow the 53 fee simple townhome lots as proposed in the Preliminary Subdivision Plan Plan. The setbacks and other applicable Property Development Regulations for the proposed townhome dwelling units complies with the minimum lot dimensions of the ULDC Art. 3. D.2.A, and will be further enforced thought he Building Permit process.
- *Townhouse use:* The proposed use is not in conflict with any portion of the Code, and is consistent with the stated purpose and intent of the Code as indicated on Article 4.B.10 – Townhouse, which allows the Townhouses in the RS Zoning District on parcels with an LR-5 Future Land Use designation subject to a Class A Conditional Use request. In addition the project has met the required standards and regulations in regards to Art.3.D.2.A, Townhouse Property Development Regulations for minimum lot dimensions and setbacks.

In addition, the project has met the required standards and regulations in regards to Art.3.D.2.A, Townhouse Property Development Regulations for minimum lot dimensions and setbacks.

- *Access and Parking:* The PSBP shows the Townhouse lots arranged in groups fronting the Residential Access Street as allowed in Art. 11.E.2, Access and Circulation Systems. The site is required 106 parking spaces per Table 6.B.1.B of the ULDC. The proposed plan currently provides 106 parking spaces, which meets the minimum parking required.
- *Landscape and Buffering:* The proposed residential subdivision meets and exceeds the required buffers in accordance with Art.7.C.2.B. The Applicant is proposing 17.5 foot type 1 Incompatibility buffers where adjacent to the neighboring residential, although a 10 foot buffer is required. A 15-foot R-O-W buffer is proposed to the east along 52nd Drive.

- c. Compatibility with Surrounding Uses** - *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The proposed townhouse use is consistent with the surrounding Zero Lot Line single family homes located within the Blossom Trail Development to the east and the Townhouse units located within the Colony Reserve at Lake Worth Development to the south. The approval of the Class A Conditional Use will allow for the development which would be consistent with the character and surrounding uses and lands of the proposed subdivision.

- d. Design Minimizes Adverse Impact** – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The proposed 53-townhouse subdivision fits in line with the character of the area. It is adjacent to existing or approved subdivisions with Single family, townhouse and Zero Lot Line units. The development of the subject property with the MR-5 future land use is compatible with the surrounding uses and providing a 17.5 foot buffer to the north, south and west property lines will keep the compatibly of the developed site with surrounding uses. The proposed subdivision will result in a logical, orderly, and timely development pattern in this vicinity as the surrounding communities includes the same townhouse housing type.

- e. Design Minimizes Environmental Impact** – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

ENVIRONMENTAL RESOURCES MANAGEMENT COMMENTS:

Department of Environmental Resources Management (ERM) review Staff reviewed the application requests for both the Official Zoning Map Amendment and the Conditional Use for a Townhouse subdivision. An analysis has been provided above under 2.B.7.A.2, Standards for an Official Zoning Map Amendment d. Effect on Natural Environment. As stated in the analysis above, ERM has identified that an Upland Preserve is necessary due to the size of the lot, and would be required regardless of the use. The proposed Townhouse Subdivision Plan provides for the locations of preserved areas which are not included within the individual lots. The use and the subdivision design provides for the minimization of environmental impacts.

- f. **Development Patterns** – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The proposed 53-townhouse development is adjacent to other types of residential developments. A Townhouse development exists south of the project along Lantana Road. All property lines will be screened with landscape buffers and has proposed upland preservation areas required by ERM, thus minimizing the potential for impact for the neighboring properties. There are no adverse impacts to surrounding properties due to the layout and design of the project.

- g. **Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

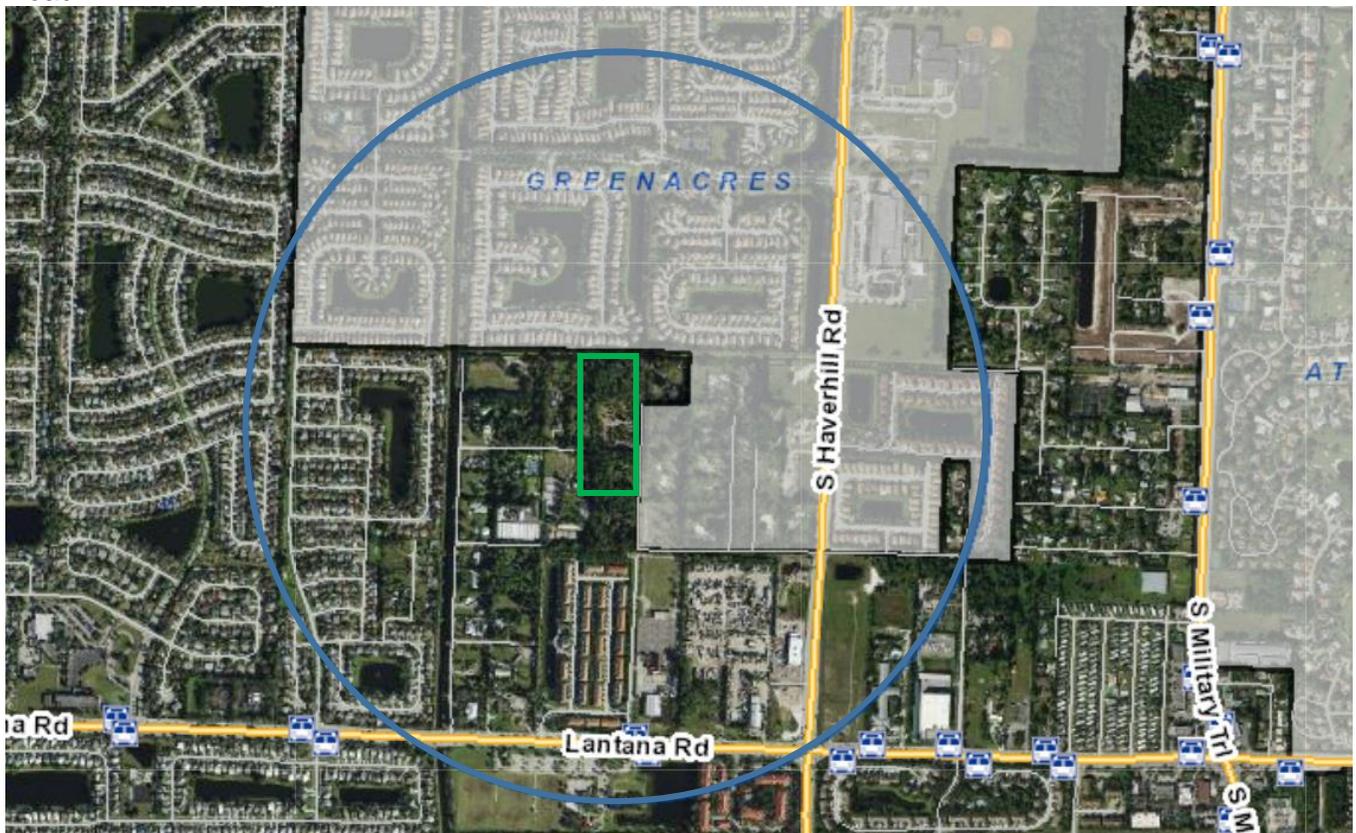
TRAFFIC DIVISION:

The Department of Engineering and Public Works Traffic Division provided comments throughout the review of this application. The proposed Multi-family residential development is expected to generate 357 net daily trips, 21 net AM peak hour trips, and 27 net PM peak hour trips. The build out of the project is assumed to be by 2028.

Traffic from this proposed project will have an insignificant impact, as defined in the Traffic Performance Standards (TPS), on the area roadways. No roadway improvements is required to meet PBC TPS. Access to the site will be provided through 52nd Dr South, which connects to Haverhill Rd at a full median opening.

MASS TRANSIT:

Palm Tran review Staff were provided the application for review, and provided no comments during the review or for the staff report. There are five bus stops within ½ mile of the subject property. The closest bus route and bus stop is route 63 along Lantana Road. There are no bus routes indicated along Haverhill Road.



LAND DEVELOPMENT:

The Department of Engineering and Public Works Land Development Division provided comments throughout the review of this application and requested modifications have been incorporated by the applicant. The proposed development was found to comply with the regulations and code requirements of the ULDC under the authority of the Land Development Division, subject to the following conditions of approval:

- The property owner shall submit a drainage study that identifies historical flows that currently enter the site prior to the Final Site Plan approved by the DRO.
- The property owner shall configure the property into a legal lot of record.
- The property owner shall fund and improve Nash Trail from 52nd Drive S to Haverhill Road and 52nd Drive South from Nash Trail to the property entrance and transition back to the existing roadway.
- The property owner shall build a minimum 5' wide sidewalk along the west side of 52nd Drive S.

DRAINAGE DISTRICT:

The Lake Worth Drainage District review Staff were provided this application for review and provided comments throughout the review of this application and requested modifications have been incorporated by the Applicant. The overall development is located within the Lake Worth Drainage District, as well as the the South Florida Water Management District C-16 drainage basin. The Applicant’s Engineer states (Exhibit E-6): *“The site currently does not contain a surface water management system. The proposed improvements associated with the project include the development of a residential community composed of fifty-three (53) townhomes, and associated surface roadways. The proposed drainage improvements will include a system of interconnected inlets, pipes, and on-site dry detention area with a control structure that outfall to LWDD L-15 Canal, the point of legal positive outfall.”*

Prior to the issuance of any building permits, the Applicant is responsible for obtaining required permits and approvals for the Districts.

WATER AND WASTEWATER PROVIDER:

The subject site is within the water and wastewater service boundaries of the Palm Beach County Water Utilities Department (PBCWUD). PBCWUD review Staff provided comments throughout the review of this application that have been addressed by the Applicant. PBCWUD provided a Concurrency Reservation for the proposed residential development as shown in Exhibit E-7. Prior to the issuance of any building permits, the Applicant is responsible to obtaining the required permits and enter into a Development Agreement with PBCWUD.

PALM BEACH COUNTY HEALTH DEPARTMENT:

The Florida Department of Health review Staff were provided the application for review and provided comments throughout the review of the application. The Applicant agreed to provide additional information prior to the issuance of a building permit, regarding the previous nursery use and the information and analysis within the environmental assessment.

FIRE-RESCUE:

Fire Department review Staff have no comments on the application. The development will be reviewed again at time of building permit for compliance with Fire Codes. The development is within the service boundary of Palm Beach County Fire Rescue Station 43.



PARKS AND RECREATION:

The project proposes 53 dwelling units requiring 0.32 acres of on-site recreation. The project provides a 0.46 recreation area therefore project meets the Parks ULDC requirements. The Parks and Recreation Department review staff have no comment regarding this application as this is a non-residential application, and the requirements for the provision of level of service for Regional, District, Beach and Local Parks and the Parks and Recreation Department ULDC requirements do not apply.

The Parks and Recreation Department review staff during the review of this application that have been addressed by the Applicant. The project proposes 53 dwelling units requiring 0.32 acres of on-site recreation. The project provides a 0.46 recreation area therefore project meets the Parks ULDC requirements.

SCHOOL IMPACTS:

In accordance with the adopted Coordinated Planning Interlocal Agreement, a School Capacity Availability Determination (SCAD) for 53 multifamily residential units had been approved on January 8, 2025 (SCAD Case #250102021D). The subject property is located in SAC 219B.

This project is estimated to generate approximately thirteen (13) public school students. The schools currently serving this project area are: Indian Pines Elementary School, Tradewinds Middle School and Santaluces Community High School.

The School Capacity Availability Determination (SCAD) analysis for this application has determined that the proposal would exacerbate capacity deficiencies at the District high school level. The additional four (4) high school students generated by this proposal will increase the utilization percentage of Santaluces Community High School to 102%.

There are three school bus stops with ½ mile of the subject property. The School District will determine the location and the need for any additional stops.



h. Changed Conditions or Circumstances – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The Applicant’s Justification Statement indicates the following justification for their changed conditions of circumstances: “Over time, the low-density residential character of the area has become denser. Subdivisions and townhome developments have become more prevalent in the areas that were previously vacant, plant nurseries, or single family homes on individual lots. Rezoning to the RS district will allow for the development of a 53-unit townhome development that is consistent with the area. With the growth of development in this area immediately surrounding the subject property, the land is currently underutilized. The surrounding residential subdivisions and neighborhoods will be complemented better by the proposed townhome project that meets the characteristics, density, and intensity of the area.”

Exhibit C-1 - Conditions of Approval

Official Zoning Map Amendment- Conditional Overlay Zone

ENVIRONMENTAL

1. All existing native vegetation within the three Tree Preservation Areas as depicted on the Subdivision Plan shall be preserved and maintained in perpetuity. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)
2. Prior to final approval by the Development Review Officer (DRO), a Tree Preservation Area Management Plan shall be provided to ERM for review and approval for Tree Preservation Areas 1, 2 and 3 as depicted on the Subdivision Plan. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT- Environmental Resources Management)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Exhibit C-2 Conditions of Approval

ALL PETITIONS

1. The approved Preliminary Subdivision Plan is dated February 13, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ENGINEERING

1. This Development Order is based upon an approved Traffic Study projecting a Build-out date of December 31, 2028. No Building Permits for the site may be issued after December 31, 2028 unless the site meets the Build-out requirements pursuant to Art. 12, or the Build-out date is revised through a time extension pursuant to the requirements of Art. 2.E of the Unified Land Development Code. The County Engineer may approve an Art. 2.E time extension to the build out date based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. (DATE: MONITORING-Eng)

2. The Property Owner shall improve Nash Trail from 52nd Drive South to Haverhill Road in accordance with Palm Beach County's Land Development Design Standards for a Local Street, or as approved by the County Engineer.

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

3. The Property Owner shall improve 52nd Drive South from the intersection of Nash Trail to the project's entrance, and then transition to the existing road, in accordance with Palm Beach County's Land Development Design Standards for a Local Street, or as approved by the County Engineer.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

4. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - Engineering)

5. Property Owner shall construct a minimum 5 foot wide concrete sidewalk along the west side of 52nd Drive South from Nash Trail to the terminus for 52nd Drive South. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. The sidewalk shall be completed prior to the issuance of the first certificate of occupancy. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the condition shall be considered satisfied. (CO: MONITORING - Engineering)

6. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPM: MONITORING - Engineering)

PLANNING

1. The subject request for 53 units with a 4-unit Workforce Housing Program (WHP) obligation was calculated based on Limited Incentive Development Option with the WHP units to be provided off-site utilizing the Exchange Builder option. A 39% (15du) WHP density bonus was utilized. Should a reduction in overall units occur, the WHP obligation may be reduced subject to a new analysis, and the timing mechanisms may be adjusted administratively accordingly. (ONGOING: PLANNING - Planning)

2. The minimum exchange price for the Exchange Builder shall be 80 percent of the applicable In-Lieu fee in effect at the time of the Development Order for subject development which equates to \$380,352 (4WHP X \$118,860 for Townhome = \$475,440 total In-Lieu fee)X 0.80 = \$380,352 total exchange price for Exchange Builder). (ONGOING: PLANNING - Planning)

3. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the official records of Palm Beach County a Notice of Disposition, in a form acceptable to the Palm Beach County Attorney. (BLDGPM: MONITORING - Planning)

4. Prior to the issuance of the first residential Building Permit, the Property Owner shall submit all required documentation as described in Art. 5. G.1.C.4.b.2. regarding utilization of the Exchange Builder options: (1) the Exchange Builder has been engaged and has all applicable documentation completed with prior approval by the County Attorney and Planning Division; or (2) No Exchange Builder has been engaged, provision of a guarantee acceptable to Palm Beach County and approved by the County Attorney's Office, for an amount equal to 100 percent of the in-lieu fee. The Guarantee for Option 1, at 80% of the In-Lieu Fee, equates to \$380,352 (4WHP X \$118,860 for Townhome \$475,440 total In-Lieu fee X 0.80 = \$380,352). The Guarantee for Option 2, at 100% of the In-Lieu Fee, equates to \$475,440 (4WHP X \$118,860 for Townhome = \$475,440 total In-Lieu fee). (BLDGPM: MONITORING - Planning)

5. Prior to the issuance of no more than 25 percent (13du) of the residential Building Permits, (Exchange Option 2) the Property Owner shall submit documentation regarding the engagement of the Exchange Builder. If an Exchange Builder is not engaged, the surety would be cashed out. (BLDGPM: MONITORING - Planning)

6. Prior to issuance of no more than 25 percent (13du) of the residential Building Permits in the subject development, (Exchange Option 2) the Developer of the subject development shall have the option to replace the guarantee provided at first Building Permit with items meeting the requirements of Art. 5.G.1.C.4.b.2)d)(1). If, at 25 percent of Building Permits, the required information has not been provided or is not approved by the County Administrator or designee, the developer may pay the full In-Lieu fees of \$475,440 (4WHP X \$118,860 for Townhome = \$475,440 total In-Lieu fee), and if not Palm Beach County shall file a claim against the guarantee for 100 percent of the in-lieu fees. Prepayment of the In-Lieu fee by the Developer shall not be allowed. The Site Plan and other appropriate document(s), as determined by the Planning Director or designee, shall be amended to reflect the number of WHP units, including the number in each applicable WHP income category, to be located on the Exchange Project(s). (BLDGPM: MONITORING - Planning)

7. Per Art. 5. G.1.C.4.b.; Since the subject site is Fee Simple Townhomes, the WHP obligation shall be 1.5 times the number of WHP units required, should any required WHP units be provided offsite as rentals. (ONGOING: PLANNING - Planning)

8. Prior to issuance of the first residential Certificate of Occupancy (CO), the Site Plan and other appropriate documents shall be modified to include the Official Record Book and Page of the recorded Documents, the name of the Off-Site Project(s), the total number of WHP units, the number in each applicable WHP income category and provide a copy of the revised Site Plan to Planning. (CO: MONITORING - Planning)

SCHOOL BOARD

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

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. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

- 1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Exhibit D - Project History

Application No.	Title & Request	Resolution	Decision	Approval Date
Z-1978-00229	Title: Official Zoning Map Amendment Request: Rezoning from AG-Agricultural District to RE-Residential Estate District	R-1978-01593	Approved As Amended	11/30/1978

Ehibit E-1 - Preliminary Subdivision Plan

Exhibit E-2 - Preliminary Master Sign Plan

Exhibit E-3 –Disclosure of Ownership

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 Elbert R. Abell, 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 Trustee *[position - e.g., president, partner, trustee]* of Melodye S. Abell Revocable Trust dated April 4, 2006 *[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: 6652 Park Ln E
Lake Worth, FL 33449 6603

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.

Elbert R. Abell

Elbert R. Abell, 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 8 day of November, 2024 by Elbert R. Abell (name of person acknowledging). He/she is personally known to me or has produced FL DL (type of identification) as identification and did/did not take an oath (circle correct response).

Stacey Young-Herrera
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: _____

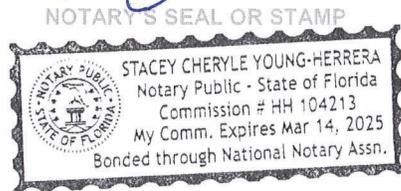


EXHIBIT "A"

PROPERTY

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 332.78 FEET OF THE NORTH 685.06 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (E½ E½ NW¼ SE¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP FORTY-FOUR (44) SOUTH, RANGE FORTY-TWO (42) EAST, LESS THE EAST 10 FEET FOR ROAD RIGHT-OF-WAY, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS:

ALL OF THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER OF SAID SECTION 35; THENCE N89°14'59"W, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1360.15 FEET TO A POINT ON A LINE 10 FOOT WEST OF AND PARALLEL TO MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE DEPARTING SAID NORTH LINE, S02°02'53"W A DISTANCE OF 352.37 FEET TO THE POINT OF BEGINNING; THENCE S02°02'53"W CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 332.86 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 322.98 FEET OF THE NORTH 1,007.99 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AS RECORDED IN OFFICIAL RECORDS BOOK 24390, PAGE 338 OF SAID PUBLIC RECORDS; THENCE ALONG SAID LINE N89°14'59"W A DISTANCE OF 327.25 FEET; THENCE N02°01'20"E, ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR A DISTANCE OF 332.86 FEET; THENCE S89°14'59"E, A DISTANCE OF 327.40 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 108,928 SQUARE FEET OR 2,501 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

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

1. Affiant is the individual or [] _____ [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 5657 52nd Dr S
Lake Worth, FL 33463
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.

Laura W Fountain

Laura Fountain, 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 18 day of NOVEMBER, 2024 by LAURA FOUNTAIN (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).

SHEA MILLER
(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: 4/13/2025

NOTARY'S SEAL OR STAMP

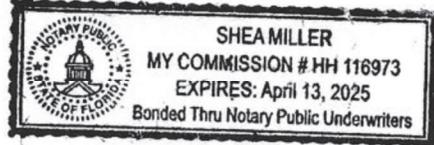


EXHIBIT "A"

PROPERTY

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THE SOUTH 332.93 FEET OF THE NORTH 1,007.99 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (E½ E½ NW¼ SE¼), SECTION THIRTY-FIVE (35), TOWNSHIP FORTY-FOUR (44) SOUTH, RANGE FORTY-TWO (42) EAST, PALM BEACH COUNTY, FLORIDA, LESS THE EAST 10 FEET THEREOF.

ALSO KNOWN AS:

ALL OF THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER OF SAID SECTION 35; THENCE N89°14'59"W, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1360.15 FEET TO A POINT ON A LINE 10 FEET WEST OF AND PARALLEL TO MEASURED RIGHT ANGLES TO THE EAST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE DEPARTING SAID NORTH LINE, S02°02'53"W ALONG SAID PARALLEL LINE, A DISTANCE OF 685.21 FEET TO POINT OF BEGINNING; THENCE S02°02'53"W ALONG SAID EAST LINE, A DISTANCE OF 323.06 FEET THE NORTHEAST CORNER OF PLAT, COLONY RESERVE AT LAKE WORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 119, PAGE 66 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID PLAT, COLONY RESERVE AT LAKE WORTH, N89°15'00"W FOR A DISTANCE OF 327.11 FEET TO THE NORTHWEST CORNER OF SAID PLAT; THENCE N02°01'20"E, ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR A DISTANCE OF 323.06 FEET TO A POINT ON A NORTH LINE OF THE SOUTH 322.98 FEET OF THE NORTH 1,007.99 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AS RECORDED IN OFFICIAL RECORDS BOOK 24390, PAGE 338 OF SAID PUBLIC RECORDS; THENCE ALONG SAID LINE, S89°14'59"E FOR A DISTANCE OF 327.25 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 105,671 SQUARE FEET OR 2.426 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA

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 Melody S. Abell, 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 Trustee Melody S. Abell Revocable Trust dated April 4, 2006 [position - e.g., president, partner, trustee] of Melody S. Abell Revocable Trust dated April 4, 2006 [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: 6652 Park Ln E
Lake Worth, FL 33449 6603
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.

Melodye S. Abell
Melodye S. Abell, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [4] physical presence or [] online notarization, this 18 day of November, 2024 by Melodye S. Abell (name of person acknowledging). He/she is personally known to me or has produced FL DL (type of identification) as identification and did did not take an oath (circle correct response).

Stacey Young-Herrera
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: _____

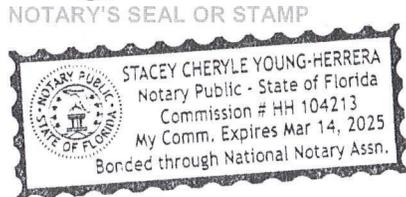


EXHIBIT "A"

PROPERTY

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 332.78 FEET OF THE NORTH 685.06 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (E½ E½ NW¼ SE¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP FORTY-FOUR (44) SOUTH, RANGE FORTY-TWO (42) EAST, LESS THE EAST 10 FEET FOR ROAD RIGHT-OF-WAY, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS:

ALL OF THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER OF SAID SECTION 35; THENCE N89°14'59"W, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1360.15 FEET TO A POINT ON A LINE 10 FOOT WEST OF AND PARALLEL TO MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE DEPARTING SAID NORTH LINE, S02°02'53"W A DISTANCE OF 352.37 FEET TO THE POINT OF BEGINNING; THENCE S02°02'53"W CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 332.86 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 322.98 FEET OF THE NORTH 1,007.99 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AS RECORDED IN OFFICIAL RECORDS BOOK 24390, PAGE 338 OF SAID PUBLIC RECORDS; THENCE ALONG SAID LINE N89°14'59"W A DISTANCE OF 327.25 FEET; THENCE N02°01'20"E, ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR A DISTANCE OF 332.86 FEET; THENCE S89°14'59"E, A DISTANCE OF 327.40 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 108,928 SQUARE FEET OR 2,501 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

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 Norman Carl Speier II, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the individual or _____ *[position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.*
2. Affiant's address is: 5555 52nd Dr S
Lake Worth, FL 33463
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.

Norman Carl Speier II

Norman Carl Speier II, Affiant

(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 17 day of NOVEMBER, 2024 by NORMAN CARL SPEIER II (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).

DIANE L. BAKER
(Name - type, stamp or print clearly)

Diane L Baker
(Signature)

My Commission Expires on:



ARY'S SEAL OR STAMP

EXHIBIT "A"

PROPERTY

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 35; THENCE SOUTH 89 DEGREES, 14 MINUTES, 58 SECONDS EAST, ALONG THE EASTWEST ¼ SECTION LINE, A DISTANCE OF 1012.63 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 337.55 FEET, THENCE SOUTH 2 DEGREES, 3 MINUTES, 5 SECONDS WEST, A DISTANCE OF 352.29 FEET; THENCE NORTH 89 DEGREES, 14 MINUTES, 58 SECONDS WEST, A DISTANCE OF 337.29 FEET; THENCE NORTH 2 DEGREES, 1 MINUTE, 34 SECONDS EAST, A DISTANCE OF 352.28 FEET TO THE POINT OF BEGINNING, LESSING THEREFROM THE EAST 10 FEET THEREOF DEEDED TO PALM BEACH COUNTY FOR ROAD RIGHT-OF-WAY BY DEED RECORDED IN OFFICIAL RECORDS BOOK 3011, PAGE 1023 AND SUBJECT TO A CANAL EASEMENT TO L.W.D.D. OVER THE NORTH 75 FEET RECORDED IN OFFICIAL RECORDS BOOK 2962, PAGE 437.

ALSO KNOWN AS:

ALL OF THAT PART OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE EAST QUARTER OF SAID SECTION 35; THENCE N89°14'59"W, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1360.15 FEET TO A POINT ON A LINE 10 FOOT WEST OF AND PARALLEL TO MEASURED WITH RIGHT ANGLES TO THE EAST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST OF THE SOUTHEAST QUARTER OF SAID SECTION 35 AND THE POINT OF BEGINNING; THENCE CONTINUE S02°02'53"W ALONG SAID EAST LINE, A DISTANCE OF 352.27 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 332.78 FEET OF THE NORTH 685.06 FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE ALONG SAID LINE N89°14'59"W, ALONG THE LINE A DISTANCE OF 327.40 FEET; THENCE N02°01'20"E, ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR A DISTANCE OF 352.37 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE ALONG SAID NORTH LINE, S89°14'59"E FOR A DISTANCE OF 327.56 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 115,366 SQUARE FEET OR 2.648 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

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 Sandra J. Speier, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the individual or _____ [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: 5555 52nd Dr S
Lake Worth, FL 33463

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.

Sandra J. Speier
Sandra J. Speier, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this 17 day of NOVEMBER, 2024 by SANDRA J. SPEIER (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).

Diane L Baker (Name - type, stamp or print clearly) DIANE L. BAKER (Signature)

My Commission Expires on 6/19/2025 NOTARY'S SEAL OR STAMP

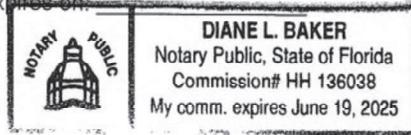


EXHIBIT "A"

PROPERTY

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 35; THENCE SOUTH 89 DEGREES, 14 MINUTES, 58 SECONDS EAST, ALONG THE EASTWEST ¼ SECTION LINE, A DISTANCE OF 1012.63 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 58 SECONDS EAST, A DISTANCE OF 337.55 FEET, THENCE SOUTH 2 DEGREES, 3 MINUTES, 5 SECONDS WEST, A DISTANCE OF 352.29 FEET; THENCE NORTH 89 DEGREES, 14 MINUTES, 58 SECONDS WEST, A DISTANCE OF 337.29 FEET; THENCE NORTH 2 DEGREES, 1 MINUTE, 34 SECONDS EAST, A DISTANCE OF 352.28 FEET TO THE POINT OF BEGINNING. LESSING THEREFROM THE EAST 10 FEET THEREOF DEEDED TO PALM BEACH COUNTY FOR ROAD RIGHT-OF-WAY BY DEED RECORDED IN OFFICIAL RECORDS BOOK 3011, PAGE 1023 AND SUBJECT TO A CANAL EASEMENT TO L.W.D.D. OVER THE NORTH 75 FEET RECORDED IN OFFICIAL RECORDS BOOK 2962, PAGE 437.

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SAID LANDS CONTAINING 115,366 SQUARE FEET OR 2.648 ACRES, MORE OR LESS, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

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

Name	Address
Norman Carl Speier II	5555 52nd Drive S, Lake Worth, FL 33463
Sandra J. Speier	5555 52nd Drive S, Lake Worth, FL 33463

Exhibit E-4 – Drainage Statement



REVISED ENGINEER'S DRAINAGE STATEMENT

Nash Trail

WGI No. 10621.00

Zoning App. No. Z/CA-2024-01593

December 18, 2024

The subject project includes a parcel of land located in Section 35, Township 44 South, and Range 42 East. The subject property is comprised of three parcels (PCN's: 00-42-44-35-00-000-5410, 04-24-43-500-000-5140, 00-42-44-35-00-000-5420) with a total of 7.01-acres. The site is bordered by Lake Worth Drainage District (LWDD) L-15 Canal to the north, 52nd Drive South to the east, and residential lots to the south and west. This project lies within the South Florida Water Management District (SFWMD) C-16 basin, LWDD, and Palm Beach County (PBC) jurisdictional boundaries. The project lies within FEMA Zone X - area of minimal flood hazard.

The site currently does not contain a surface water management system. The proposed improvements associated with the project include the development of a residential community composed of fifty-three (53) townhomes, and associated surface roadways. The proposed drainage improvements will include a system of interconnected inlets, pipes, and on-site dry detention area with a control structure that outfalls to LWDD L-15 Canal, the point of legal positive outfall.

Water quality and attenuation criteria will be met in the wet detention area prior to final discharge. Discharge will be limited to 62.6 CSM at the 25 year – 3-day storm event. The sizing of the drainage pipes will be based 3 year – 1-day storm and per FDOT drainage handbook requirements.

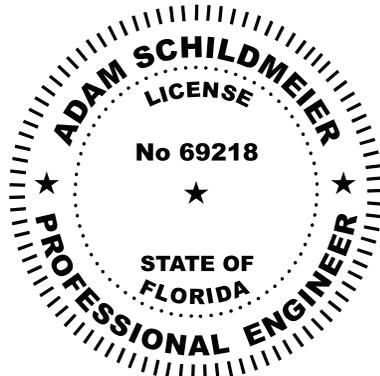
Adequate stormwater detention will be provided on-site to store runoff for the following:

- 1) 100 year – 3-day storm event for minimum finished floor elevation;
- 2) 25 year – 3-day storm event for minimum perimeter berm elevation; and
- 3) 5 year – 1-day storm event for minimum roadway crown elevation.

The proposed drainage improvements will be designed and permitted in accordance with applicable SFWMD and LWDD design standards, Palm Beach County Building Division, Storm Water Permitting Section, and Unified Land Development Code.

WGI, Inc.
Respectfully submitted,

Adam Schildmeier, P.E.
Florida License # 69218
WGI, Inc. Cert. No. 6091



ADAM SCHILDMEIER P.E., STATE OF FLORIDA, PROFESSIONAL ENGINEER, LICENSE NO. 69218
THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY ADAM SCHILDMEIER, P.E. ON THE DATE IDENTIFIED
HEREON USING A SHA-1 AUTHENTICATION CODE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED
AND SEALED AND THE SHA-1 AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Exhibit E-5 – Utility Letter



Letter for
Concurrency Reservation

To: Zoning Division
PBC Planning, Zoning, & Building Department

From: Ebony M. Foreman, Director
Finance and Administration
PBC Water Utilities Department

Date: February 5, 2025

Control # 00257

Re: PZ&B Application #: Z/CA-2024-01593
Project Name – Nash Trail

The Palm Beach County Water Utilities Department is willing and able to provide the following utility service(s) to the property identified below, and will reserve the indicated utility capacity, in Equivalent Residential Connections (ERCs), for a period not to exceed five (5) years from the date of this letter:

<u>Service Type</u>	<u>Capacity (in ERCs)</u>
Potable Water	<u>33.39</u>
Wastewater	<u>33.39</u>
Reclaimed Water	<u>N/A</u>

An Equivalent Residential Connection represents a system capacity equivalency unit that corresponds to the peak design demand of the 5/8 x 3/4 inch meter sub-category of customer usage. This system capacity equivalency unit is utilized to establish the system demand for various sized connections for the purpose of assessing fees and designing the capacity of capital facilities.

The above capacity is reserved for the following property:

00-42-44-35-00-000-5420, 00-42-44-35-00-000-5140, 00-42-44-35-00-000-5410

Before the five (5) year period expires, the Developer must pay all Service Initiation Fees and connect to the Department’s facilities, or for projects greater than 18.3 ERCs, enter into a Standard or Non-Standard Development Agreement to maintain this capacity reservation. This memorandum does not represent a contract for service, and the Developer remains obligated to meet all of the requirements of the Water Utilities Department prior to obtaining utility service.

Approved By: *Ebony Foreman*
Director of Finance & Administration

Date: 05-Feb-25



**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"*

printed on sustainable
and recycled paper

May 13, 2024

WGI
2035 Vista Parkway
West Palm Beach, Fl. 33411

RE: Nash Trail Site
PCN:00424435000005410,00424435000005140
and 00424435000005420
Service Availability Letter

Dear Arianna,

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

The nearest potable water is an 8" watermain and an 8" gravity sanitary sewer main located within 52nd Dr. S. just south of the south property line of the subject property. Based on the property usage the engineer will need to verify the existing lift station has the capacity for this development or a lift station and force main extension to Nash Trail would be required.

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

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

Sincerely,

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

Jackie Michels, P.E,
Plan Review Manager

Exhibit E-6 – Workforce Housing Determination Letter



Planning, Zoning & Building Department

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Compliance 233-5500
Contractor Regulations 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbc.gov/pzb



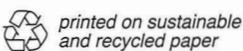
Palm Beach County Board of County Commissioners

- Maria G. Marino, Mayor
- Sara Baxter, Vice Mayor
- Gregg K. Weiss
- Joel Flores
- Marci Woodward
- Maria Sachs
- Bobby Powell, Jr.

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



December 19, 2024

Arianna Hilliard
WGI
2035 Vista Parkway
West Palm Beach, FL 33411
Email: Arianna.Hilliard@wginc.com

Dear Arianna:

This revised letter of determination is in response to your inquiry regarding the referenced Nash Trail property and revised survey acreage. This letter is required for sufficiency in the zoning approval process. The attached analysis reflects the following project information you have provided:

PCNs:	00-42-44-35-00-000-5410, 5140 & 5420
Acreage:	7.57 acres
Future land Use Designation:	MR-5
Requested # of units, if applicable:	53 units
Subject Development unit type: SF, TH, or MF	TH
Subject Development: Rent or sale	Sale
WHP units: on site, off-site, in lieu, other	Off-Site Exchange Builder
WHP units: Rent or Sale	TBD
WHP unit type: SF, TH, or MF	TH
Incentive Option: Limited or Full	Limited Incentive
TDRs to be used, if any:	No TDRs requested

Based on the information you provided 53 units are available and have a **four (4)** unit WHP obligation.

In considering this information, please be aware of the following:

- *The Limited Incentive option of the WHP has been applied in this analysis. This option minimizes the amount of workforce housing required, but caps the density bonus at 50%, and requires all the workforce units to be priced in the lowest two categories (Low and Mod 1).*
- *The Full Incentive option requires a higher percentage of workforce units, but offers the potential for up to 100% density bonus through an enhanced review process, offers discounts on the obligation if the WHP units are to be provided as for-sale units and as on-site single-family or townhouse units, and prices the units in either 3 or 4 categories depending on whether the WHP units will be for rent or sale. If you would like this analysis prepared under the Full Incentive option, please contact Michael Howe at 561-233-5361.*



- *If the market-rate project is a for-sale project, and the WHP units are delivered off-site as rentals, a 1.5x multiplier applies to the obligation.*
- *For-sale WHP units require a minimum number and size of bedrooms, and specific minimum appliances;*
- *All WHP unit exteriors are required to be compatible with market rate units, if any, and models are required.*

In addition, note that the determination provided herein does not guarantee a certain number of units, and does not create additional property rights for a landowner. The actual number of dwelling units that may be built on a parcel may be further limited by the zoning district's property development regulations and other considerations in the development review process.

Sincerely,

A handwritten signature in blue ink that reads "Michael Howe".

Michael Howe, Senior Planner

**Workforce Housing Program Analysis
Up to 50% Density Bonus, Limited Incentive**

Date: 12/19/2024

Property Information:

Property or PCN:	Nash Trail (3 props), PCNs: 00-42-44-35-00-000-5410, 5140 & 5420		
Acreage:	7.57 acres (Agent/Survey)		
Future Land Use Designation:	MR-5		
Request:	53 units, Limited Incentive, No TDRs		
Part of PUD/Golf Course? No	Existing LOD? Out of date	CHHA? No	CCRT Area? No
Potential FLU Density: (7.57 x 5 = 37.85 units)			

Limited Incentive/Density Bonus Assumption:

This preliminary analysis assumes use of the **Limited Incentive Option** and a maximum density bonus of 50%. Density bonuses greater than 50% may be available under the Full Incentive option, subject to enhanced review and higher percentages of required WHP.

TDR Units, if applicable:

TDR Density: should Transfer of Development Rights be used, the following would apply: No TDRs requested	
TDR Eligibility: TDRs/acre	TDR Units permitted: 0 (Rounding applied)
<i>TDR units purchased shall proportionally reflect the unit mix of the non TDR units. The applicant may elect to purchase some or all of the non-WHP TDRs at TDR WHP prices; if purchased at WHP prices, those units must be restricted as WHP units in all applicable categories.</i>	

WHP Obligation:

Density Component:	Required WHP Percentage	Calculations	
		Possible Units	WHP Obligation
Standard Density:	2.5%		
Maximum Density:	8%		
Total Units (rounding applied)			
WHP Density Bonus:	17%		
1.5x Multiplier -- For-Sale projects providing WHP as off-site rentals			
TDRs, if any:	34%		
TOTALS			

Alternative Unit Specific Calculation, if Requested: 53 Units

Density Component:	Required WHP Percentage	Units	WHP Obligation
Standard Density:	2.5%	7.57 x 4 = 30.28	30.28 x 2.5% = 0.76
Maximum Density:	8%	7.57 x 1 = 7.57	7.57 x 8% = 0.61
Total Units (rounding applied):		37.85 or 38.00	
WHP Density Bonus: 39%	17%	38.00 x 39% = 14.82	14.82 x 17% = 2.52
1.5x Multiplier -- For-Sale projects providing WHP as off-site rentals			
TDRs, if any: NA	34%	NA	NA
TOTALS		52.82 or 53 units	3.89 or 4.00 WHP

The estimates provided in this worksheet do not guarantee a certain number of units, and do not create additional property rights for a landowner; the actual number of dwelling units that may be built on the parcel may be further limited by compatibility considerations, property development regulations and other factors in the development review process. Any hypothetical land use employed in the calculations is subject to the Comprehensive Plan amendment process, and may not be approved.

Exhibit E-7 – School Capacity Availbity Determination (SCAD)



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

KRISTIN K. GARRISON, AICP
DIRECTOR

MICHAEL J. BURKE
SUPERINTENDENT

PLANNING & INTERGOVERNMENTAL RELATIONS
3661 INTERSTATE PARK ROAD NORTH, 200
RIVIERA BEACH, FL 33404

JOSEPH M. SANCHES, MBA
CHIEF OPERATING OFFICER

PHONE: 561-434-8020 / FAX: 561- 434-8942
WWW.PALMBEACHSCHOOLS.ORG

SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

Application	Submittal Date	01/02/2025		
	SCAD No.	25010202Z/Re-Zoning and 25010201D/D. O.		
	FLU/Rezoning/D.O. No.	Z/CA-2024-01593 – Palm Beach County		
	Property Control Number	00-42-44-35-00-000-5410; 5140, 5420		
	Development Name	Nash Trail		
	Owner/Agent Name	Speier Norman C II & Speier Sandra J; Abell Elbert R Tr Abell Melodye S Tr & Melodye S Abell Trust; Fountain Laura / Erin Lees (WGI, Inc.)		
	SAC No.	219B		
	Proposed Re-Zoning Proposed D. O.	38 (53 proposed with density bonus) 53 Multi-Family Units		
Impact Review		Indian Pines Elementary School	Tradewinds Middle School	Santaluces High School
	New Students Generated	6	3	4
	Capacity Available	520	356	102%
	Utilization Percentage	55%	71%	-48
School District Staff's Recommendation	<p>Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Given the recent increases in school impact fees, effective January 1, 2023, much of these impacts will be mitigated. The impact fees, however, will not fully cover impacts to the school system. Therefore, if the proposed development is approved by Palm Beach County government and if the Developer voluntarily agrees, School District staff recommends the following condition to mitigate such impacts.</p> <p>In order to address the school capacity deficiency generated by this proposed development at the District high school level, the property owner shall contribute \$58,408.00 to the School District of Palm Beach County prior to the issuance of first building permit.</p> <p>This voluntary school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied).</p> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Ordinance, which was adopted on September 13, 2022.</p>			
Validation Period	<p>1) This determination is valid from 01/08/2025 to 01/07/2026 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 Dept. prior to 01/07/2026 or this determination will expire automatically on 01/07/2026.</p>			
Notice	<p>1) This letter replaces the previous one under case# 24082801Z and 24082801D issued on 09/06/2024.</p> <p>2) 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.</p>			

Joyce Cai

January 8, 2025

School District Representative Signature

Date

Joyce C. Cai, Senior Planner

joyce.cai@palmbeachschools.org

Print Name & Title

Email Address

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

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