



# PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

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ZONING COMMISSION, FEBRUARY 6, 2025

## A. Application Summary

### I. General

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<b>Application Name:</b>	Rawlings Estates Subdivision, CA-2024-00746
<b>Control Name:</b>	Rawlings Estates Subdivision (1996-30143)
<b>Applicant:</b>	Beverly Rawlings Rawlings Estates, LLC
<b>Owner:</b>	George and Beverly Rawlings
<b>Agent:</b>	WGINC - Matthew Barnes Dunay, Miskel and Backman, LLP - Beth Schrantz
<b>Project Manager:</b>	Joyce Lawrence, Senior Site Planner

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**Title:** a Class A Conditional Use **Request:** to allow a Single Family Subdivision; a residential project with more than 50 acres pursuant to the Unified Land Development Code (ULDC), Table 4.A.9.B - Thresholds for Projects Requiring Board of County Commissioners Approval on 104.07 acres

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**Summary:** The application is for the proposed Rawlings Estates Subdivision. The site is currently undeveloped, with no prior approvals by the Board of County Commissioners (BCC).

The application proposes a single family subdivision which is required to be a Class A request since it is greater 50 acres. The zoning application is being processed concurrently with a future land use amendment (LGA-2024-00010) proposing to change the future land use designation the Rural Residential, 1 unit per 10 acres (RR-10), to the Low Residential, 1 unit per acre (LR-1), with a Comprehensive Plan text amendment and privately proposed ULDC amendment to establish a new overlay to allow development called the Loxahatchee Estates Overlay (LEO).

The Preliminary Subdivision Plan indicates a total of 54 Single Family lots, a Water Management Tract, approximately 6.75 acres of wetland, and 21.65 acres of upland preserve. Five Workforce Housing units are proposed to be constructed off site. Access to the site will be from 180th Avenue North.

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### II. Site Data

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<b>Acres:</b>	104.07 acres
<b>Location:</b>	West side of 180 Ave N, approximately 0.33 miles South of W Sycamore Drive
<b>Parcel Control:</b>	00-40-43-15-00-000-1220; 00-40-43-15-00-000-5030
<b>Future Land Use:</b>	Rural Residential (RR-10)
<b>Proposed Future Land Use:</b>	Low Residential, 1 unit per acre (LR-1)
<b>Zoning District:</b>	Agricultural Residential District (AR)
<b>Tier:</b>	Rural
<b>Utility Service:</b>	Palm Beach County Water Utilities
<b>Overlay/Study:</b>	N/A
<b>Neighborhood Plan:</b>	N/A
<b>CCRT Area:</b>	N/A
<b>Comm. District:</b>	District 6, Vice Mayor Sara Baxter

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### III. Staff Assessment & Recommendation

**ASSESSMENT:** Staff has evaluated the standards listed under Article 2.B.7.B. and determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C.

**STAFF RECOMMENDATION:** Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

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

#### **IV. Hearing History**

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**ZONING COMMISSION:** *Scheduled for February 6, 2025*

**BCC HEARING:** *Scheduled February 27, 2025*

#### **B. Data & Analysis**

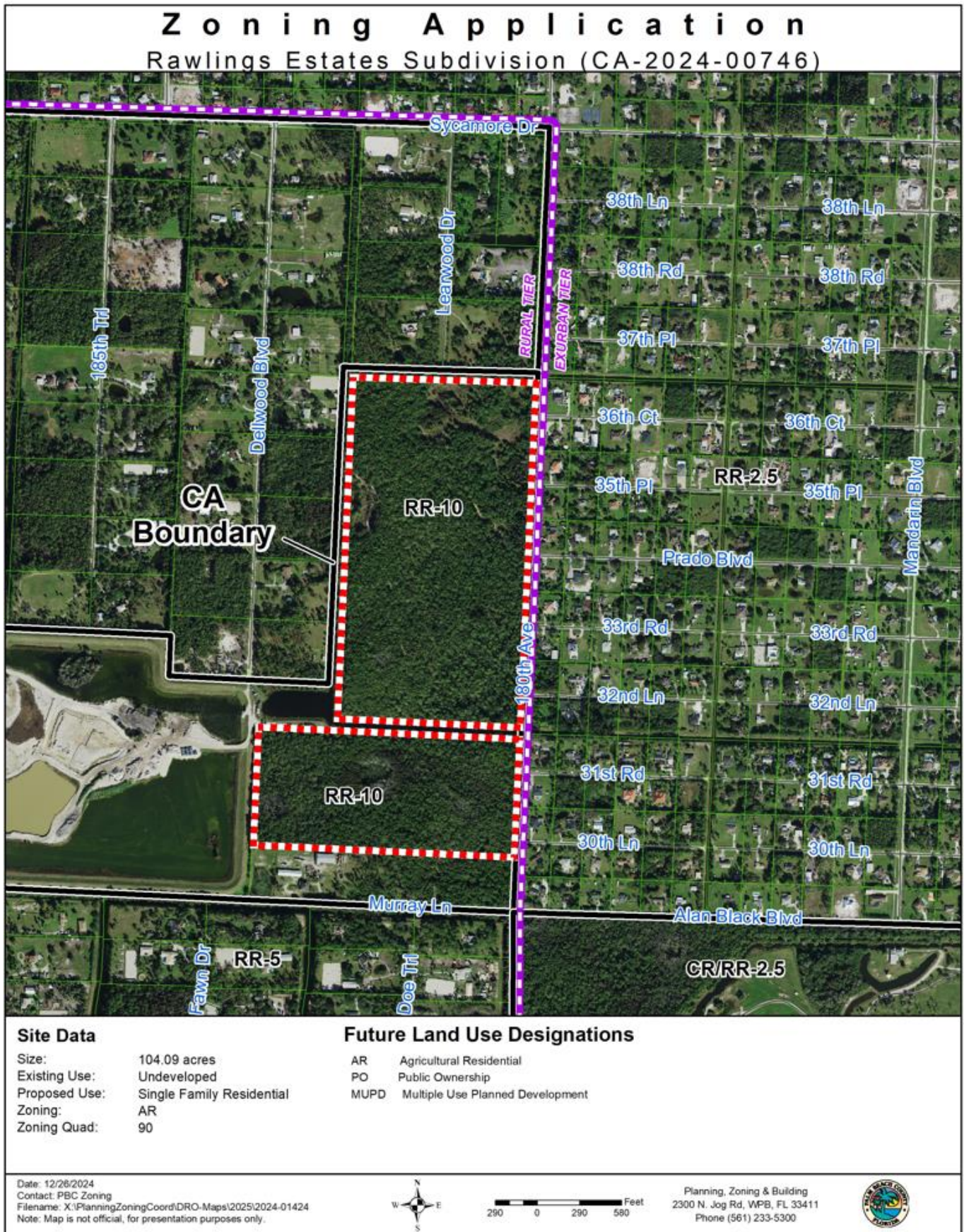
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The supporting data and analysis is provided within the following Exhibits.

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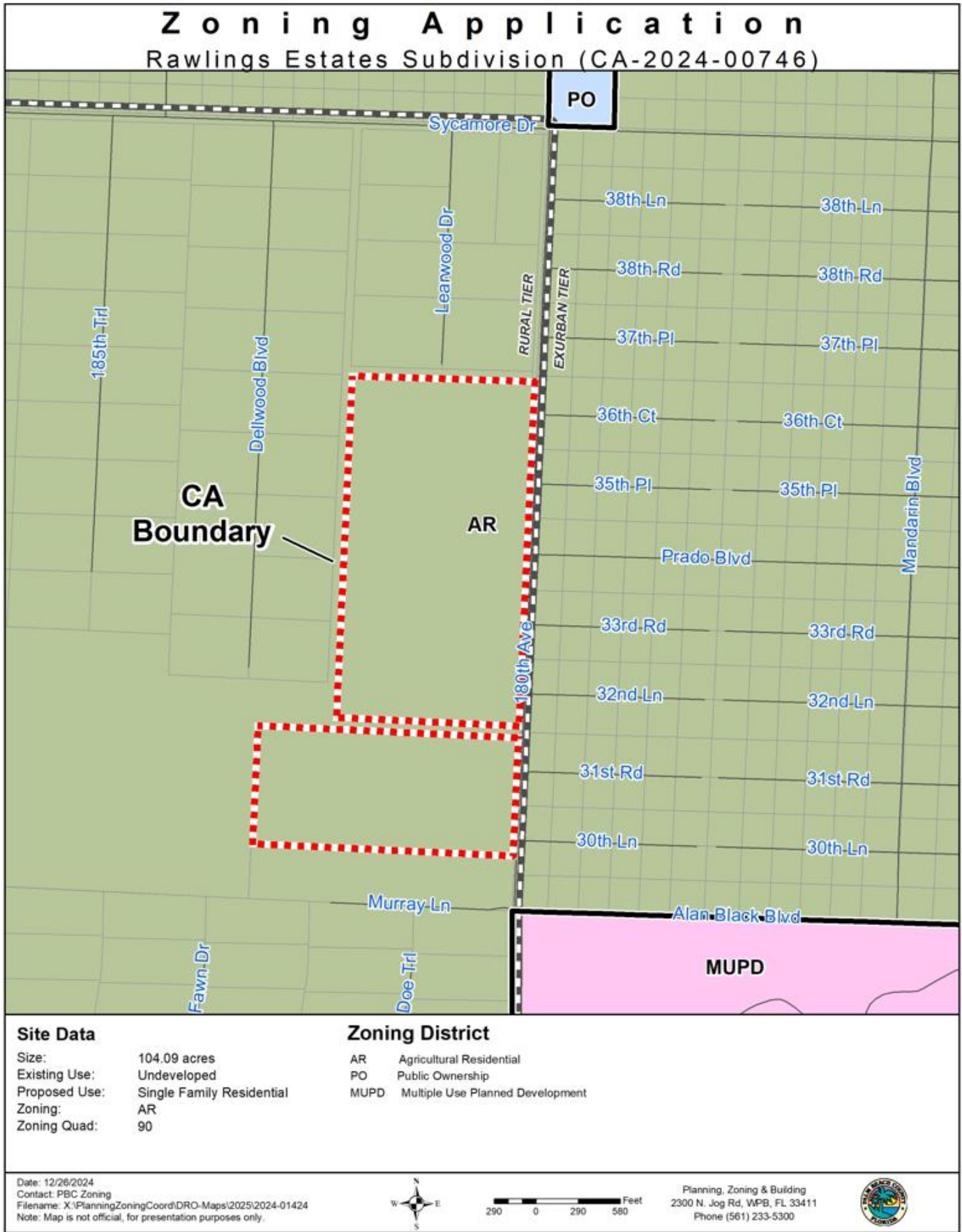


# Exhibit A-1 - Future Land Use Map





# Exhibit A-2 - Zoning Map



## Exhibit B - Standards Analysis & Findings

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### 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 5.G.1B.2.e.2(b) Factors for Consideration. 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.*

○ *Consistency with the Comprehensive Plan:* Should the BCC approve the amendment request, then the proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Concurrent Land Use Amendments:* The site is the subject of a concurrent Large Scale Comprehensive Plan Text and Future Land Use Atlas (FLUA) Amendment known as Rawlings Estates (LGA 2024-010). The request seeks to establish the Loxahatchee Estates Overlay (LEO) within the Rural Tier to allow for low-density residential development subject to location and design criteria, and amend the current Future Land Use (FLU) from Rural Residential, 1 unit per 10 acres (RR-10) to Low Residential, 1 unit per acre (LR-1). The Board of County Commissioners voted 5-0 to Transmit the item to the Department of Commerce on November 6, 2024 with the following conditions:

1. Residential dwelling units shall be limited to a maximum of 54 units with no further density increases permitted through density bonus programs.

2. The zoning Development Order shall require a minimum of 10% of the total dwelling units to be provided as offsite workforce housing units, through the Off-site Construction/Exchange Builder Option #1 of the Workforce Housing Program (WHP). The workforce housing units are subject to the applicable requirements of the WHP in Article 5.G.1 of the ULDC.

The subject request for 54 dwelling units is the maximum number of units allowed and includes a Workforce Housing Program (WHP) obligation to be provided off-site through the Off-site Construction/Exchange Builder Option #1, consistent with these amendment conditions.

○ *Relevant Comprehensive Plan Policies:* The concurrent Future Land Use Atlas (FLUA) Amendment has a companion Comprehensive Plan Text Amendment to establish the new Loxahatchee Estates Overlay (LEO) within the Rural Tier. Nesting under new Sub-Objective 1.4.3 are policies establishing specific Overlay criteria, which include a minimum project size of 100 acres; maximum density of 1 unit per acre; no density increases through density bonus programs; and, minimum lot sizes of one acre. The text amendment also revises FLU Table III.C and the Special Planning Areas Map LU 3.1 of the Map Series in order to identify the new Overlay.

The subject site consists of 104.07 acres, which is greater than the 100 minimum acres required by the proposed policy. The requested 54 units equates to less than the maximum allowable 1 unit per acre ( $54/104.07=0.52\text{du/ac}$ ) and does not utilize any density bonus program to obtain the requested number of units. The Preliminary Subdivision Plans depict 54 single-family lots that are equal to or greater than one acre in size. The subject request, therefore, complies with the specific location and design criteria required by the new Overlay language. Please refer to the FLUA staff report for additional policy analysis and information pertaining to the FLUA and Text Amendments.

○ *Density:* The request for 54 dwelling units is less than what the proposed LR-1 future land use designation would yield (104.07 acres x 1 DU/ac. = 104.07 or 104 DU); however, 54 units are the maximum allowable per amendment condition 1. Therefore, the request is consistent with the concurrent FLU amendment.

○ *Workforce Housing Program (WHP):* The provisions of the County's Workforce Housing Program (WHP) are applicable only in the Urban Suburban Tier, or in other Tiers through conditions of approval associated with an amendment ordinance. Amendment condition 2 requires that 10% of the units (5 units) are obligated to be provided as off-site workforce housing. The condition further specifies that these WHP obligated units are to be delivered through the Off-site Construction/Exchange Builder, Option #1 and requires compliance with the applicable provisions of ULDC Article 5.G.1. The subject request was deemed sufficient on May 24, 2024.

- *Planning Conditions:* Conditions are applied to the subject site to carry forward the conditions in the concurrent future land use amendment and to carry out the requirements of the Workforce Housing Program (WHP).
  - *Special Overlay District/Neighborhood Plan/Planning Study Area:* The subject request includes a Comprehensive Plan Text Amendment to establish the Loxahatchee Estates Overlay (LEO), in which the subject site will be located. The specific requirements of the proposed Overlay have been addressed above.
  - *Compatibility:* County Direction #4 establishes that "Land Use Compatibility" is one of the eighteen directions that are the basis for the Goals, Objectives and Policies of the Comprehensive Plan. The directive reads as follows: "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." Several policies within the Plan's Future Land Use Element (FLUE) further address compatibility through the ULDC and development review process. FLUE Policy 2.2-c establishes that the ULDC is consistent with the Plan, and that consistency shall "ensure compatibility with adjacent future land uses." Further, FLUE Policy 4.3-i indicates (in part) that "the Development Review process shall also consider the compatibility of the density or intensity of proposed development with adjacent future land uses." The Planning Division has reviewed the proposed development application and determined it is compatible with adjacent and surrounding land uses.
- 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.***
- *Future Land Use:* Should the BCC approve the future land use amendment request, then the rezoning would be consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use subject to the analysis and condition of approval contained herein.
  - *AR Subdivision vs. PUD:* The ULDC Art. 4 Thresholds requires new residential development on 50 acres or greater to be developed as a Planned Unit Development (PUD), or if the site does not meet the access requirements, allows such sites to be processed as a Conditional Use. For this project, since it cannot meet the access requirements and the use of the development is all Single Family it is being processed as a Class A Conditional Use with the subdivision.
  - *Proposed ULDC Amendment:* This zoning application is contingent upon the associated Comprehensive Plan & FLUA amendment request to establish the Loxahatchee Estates Overlay and LR-1 future land use designation. The Plan amendment sets a maximum density of 1 unit per acre and minimum lot size of 1 acre. The associated Privately Proposed Revision to the ULDC will establish Property Development Regulations and access requirements for the properties in the Overlay as provided below. This zoning application has been reviewed for consistency with these regulations. The Comprehensive Plan Text amendment is establishing the basis for this ULDC PPR, and the associated ULDC amendment will proceed following adoption of the Comprehensive Plan amendment.

***Property Development Regulations***

*Minimum Lot Dimensions:*

*Size: 1 acre*

*Width/Frontage: 125 ft.*

*Depth: 200 ft.*

*Maximum Building Coverage: 30%*

*Minimum Setbacks:*

*Front: 50 ft.*

*Side: 15 ft.*

*Side Street: 25 ft.*

*Rear: 25 ft.*

*Accessory Structures shall be in accordance with Art. 5*

***Access***

*A subdivision within the LEO shall have access in accordance with the requirements of Article 11.E.2.A.2, and Table 11.E.2.A – Chart of Minor Streets, unless an alternative right-of-way width and roadway section is approved by the agency that will be maintaining said roadways and the County Engineer.*

- *Property Development Regulations (PDRs):* In addition to the Comprehensive Plan Text Amendment, the Applicant is proposing a Unified Land Development Code (ULDC) Amendment to Article 3 Overlays and Zoning Districts, to create Property Development Regulations (PDRs) and create a Loxahatchee Estates Overlay (LEO) for the proposed development. The AR Zoning District of the subject site will then be consistent with the proposed LR-1 FLU designation, to allow the development of a subdivision with 54 single family dwelling units, and a minimum lot size of one acre.

The PSBP (Exhibit E-1) indicates the proposed PDR Chart outlining the proposed minimum property development regulations and the proposed LEO, for the AR Zoning District with the LR-1 FLU designation lot width and frontage is 125 feet, depth is 200 ft., and maximum building coverage is 30%. The site will be platted. See Engineering Condition No. 2.

- *Overlay:* As stated above in a. *Consistency with the Plan* - the Applicant is proposing a Comprehensive Plan Text Amendment to establish the Loxahatchee Estates Overlay (LEO) within the Rural Tier. The Text Amendment is to establish an Overlay to allow the development of a subdivision with 54 single family dwelling units, and a minimum lot size of one acre.
  - *Workforce Housing Program (WHP):* The subject site is located in the Rural Tier which is exempt from the Workforce Housing requirements. However, this zoning application is contingent upon the associated Comprehensive Plan & FLUA amendment request to establish the Loxahatchee Estates Overlay and LR-1 future land use designation. It was not anticipated that properties in the Rural Tier would be developed with new subdivisions at 1 unit per acre density. See the Workforce Housing analysis prepared by Planning Staff under the Consistency with the Plan.
  - *Architecture:* The subject site is not subject to architecture review.
  - *Parking:* The proposed development is Single Family. A minimum of two parking spaces are required for each home.
  - *Access:* The access to the site will meet the requirements of the privately proposed ULDC PPR that is proposed to implement the Comprehensive Plan Text Amendment. Access and frontage of the subject overall development is proposed from 180<sup>th</sup> Avenue North. Each new Single Family will access to the new street internal to the development, with the exception of Lots 52, 52, and 54 which are indicated on the PSBP will direct access onto 180<sup>th</sup> Avenue N. The remaining lots will have an ingress/egress point from 180<sup>th</sup> Avenue North into the development. The Applicant states in the Justification Statement that the 180<sup>th</sup> Avenue North will be maintained by the Indian Trails Improvement District (ITID), while the new streets internal to the development will be maintained by the HOA.
  - *Landscaping and Buffering:* No perimeter landscape buffering is required with this application. Each lot is required to have internal landscaping, which includes a minimum 1 tree per 800 sq. ft. of lot area (max 30) and 3 shrubs for each 800 sq. ft. of lot area (max 90). For a one acre parcel this would require 54 trees and 164 shrubs. Because there is a maximum each lot must have 30 trees and 90 shrubs. The PSP depicts a 25% set aside preserve and a 20 foot strip of open space for native vegetation along 180<sup>th</sup> Avenue North, as described under Design Minimizes Environmental Impact below.
  - *Sign:* A Preliminary Master Sign Plan (MSP) is indicated on the PBSP that meets the minimum size, setbacks, and location requirements of Art. 8.G.2.C. The Applicant is proposing two Entrance Signs with a maximum of 60 square feet of sign face area, and eight feet (8) in height along 180<sup>th</sup> Avenue North. There are limitations for the illumination of signs in the Rural Tier, the Applicant will need to include compliance with the Rural Tier Standards at time of building permit, with notations on the MSP.
- 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 subject site is predominantly surrounded by single family lots within the AR Zoning District. To the north, and the east of the site are Single Family Residential homes. To the south are Single Family residences, and Equestrian, and to the west is Single Family residence, and utilities. The proposed single family uses are generally compatible and consistent with the surrounding properties. Though the adjacent residential has a mix of RR-2.5 and RR-10, the residential uses to the east are generally developed on 1.25 acre lots with road and/or drainage easements running through each lot. The buildable areas can be around 1 acre in size. This developed size lot, makes the proposed development consistent with the existing residential to the east.

- 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 subject 104 acres is heavily vegetated as stated below under Design Minimizes Environmental Impact. The request is proposing 51 lots on the northern parcel and 3 lots on the southern parcel. The layout of the subdivision is generally consistent with the layout of lots to the east. The proposal has a circular streets with lots arranged along the perimeter, and then within the interior along a water management tract. The lots will be a rural subdivision with each lot being required to be a minimum of 1 acre and are allowed to be on a well for water and septic for waste service. With the development additional fill will be required to develop the homes. Drainage and flood management requirements will be reviewed at time platting and building permit. Vegetation that is removed from the northern site will be mitigated with ERM. Any preserved trees will be included in the requirement for a Tree Management plan as described under design minimizes environmental impact. .

- 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 RESOURCE MANAGEMENT COMMENTS:

- o *Vegetation Protection:* The proposed application request is for the Single-family residential development on two parcels. Both the north and southern parcels contain significant upland vegetation and wetlands. The subject site is heavily vegetated with native upland species (e.g., Slash Pines, Bald Cypress, Laurel Oaks, Stranger Figs, and Sable Palms). A 25% Upland Preserve Area is required for the site due to the significant upland vegetation and parcel size in excess of four acres. The Applicant is meeting this requirement by providing a 21.65-acre (25.7%) Upland Preserve Area on the southern parcel which also includes the preservation of 6.94-acres of wetland area. In addition to the 25% upland preserve, the Applicant also proposes a 20 foot wide Tree Preservation Area along 180 Avenue N. for the northern parcel in order to further preserve the native upland tree line of this area.

ERM staff is in support of the preservation of trees within this area, which acts as a natural buffer for the development. However, ERM Staff have added conditions of approval to require this area to be labeled as a Tree Preservation Area on the plans which will have a Tree Preservation Management Plan to be submitted prior to final site plan approval.

- o *Wellfield Protection Zone:* This property is not located within Wellfield Protection Zone.
- o *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.
- o *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

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

The site is currently undeveloped, heavily vegetated, and surrounded by existing residential properties. These residential parcels of land range from lot sizes of one to five acres single family lots, and are dispersed throughout the area. The proposed Comprehensive Plan and FLUA amendment would allow a development pattern on the subject site that is consistent with the large lot rural residential density in the vicinity of the subject site. Contingent upon a decision by the BCC on the Future land Use amendment, the request would be logical with the development pattern of the area.

- 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 and requested modifications have been incorporated by the Applicant.

The proposed 54 dwelling unit single family residential development is expected to generate 540 net daily trips, 38 net AM peak trips, and 51 net PM peak hour trips. The build out of the project is assumed to be by 2026.

None of the County maintained roads is significantly impacted by the traffic from this proposed project, as per the definition in the PBC Traffic Performance Standards (TPS). However, as a matter of courtesy, Seminole Pratt Whitney Rd. from Sycamore Dr. to Okeechobee Blvd was analyzed and found to be background deficient as a 4 lane divided road. This is for informational purposes only and does not impact the approvability of this project in any way. There are no roadway improvements necessary to meet the TPS.

**ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)**

Traffic volumes are in vehicles per hour

Segment: Glades Rd from SR7 to Lyons Rd

Existing count: Northbound=1107, Southbound=1640

Background growth: Northbound=603, Southbound=880

Project Trips: Northbound=7, Southbound=2

Total Traffic: Northbound=1717, Southbound=2522

Present laneage: 2 in each direction

Assured laneage: 2 in each direction

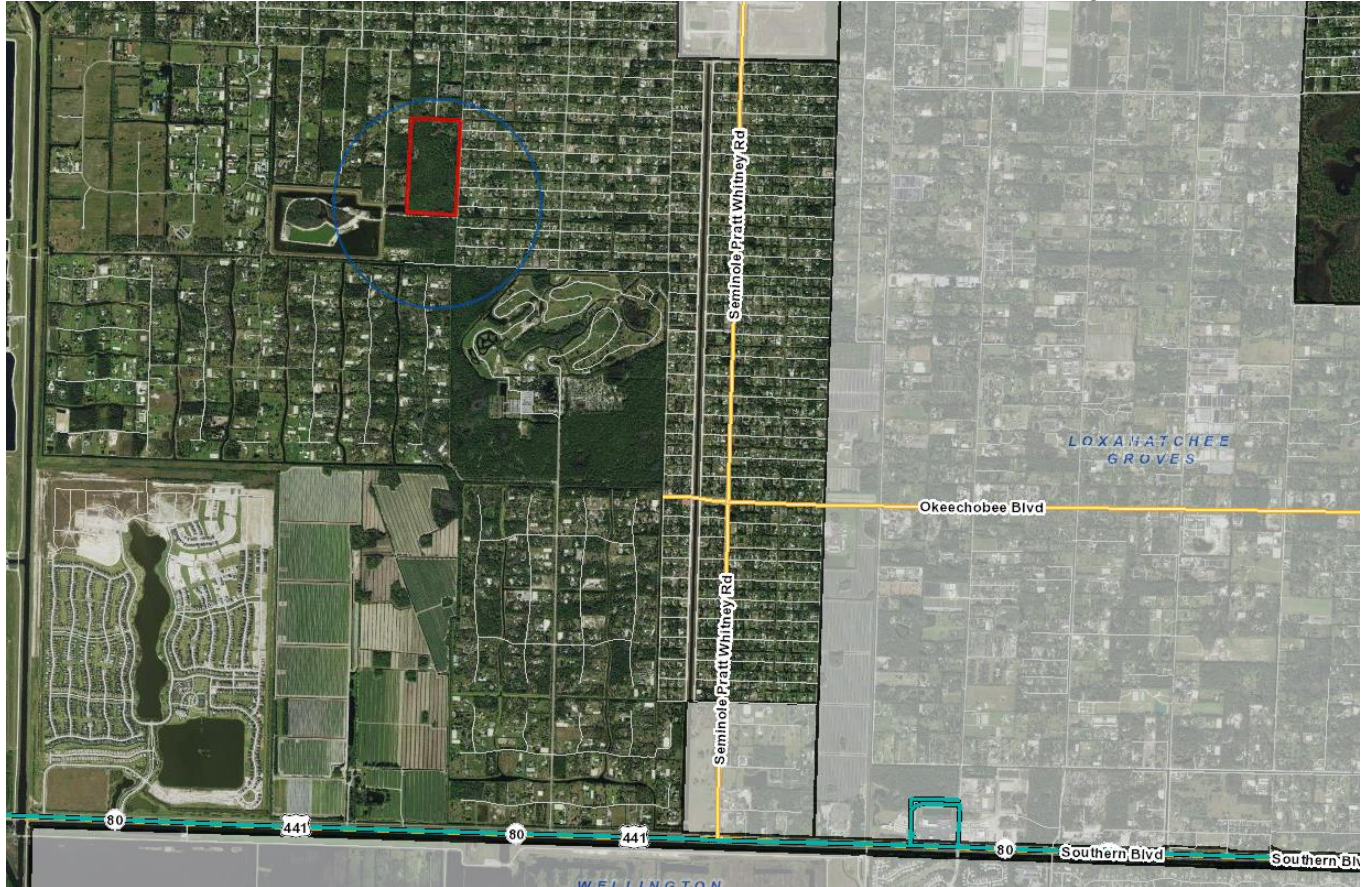


LOS "D" capacity: 1770

Projected level of service: LOS D or better in the northbound directions, but Worse than LOS D in the southbound direction.

MASS TRANSIT:

Palm Tran review staff have no comments. There are no bus routes or bus stops within a ½ mile of the subject property. The closest bus route and stop is over 4.5 miles to the south along Southern Blvd.



LAND DEVELOPMENT:

The Department of Engineering and Public Works Land Development Division provided comments throughout the review of this application. The Property Owner will construct onsite surface water management system to accommodate the proposed development. The property associated with the application 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 Subdivision Plan being approved by the DRO. The Property Owner shall configure the property into a legal lot of record.

DRAINAGE DISTRICT:

The subject site is located within the Indian Trails Improvement District (ITID) service area and must comply with the requirements of South Florida Water Management District (SFWMD). The Applicant's provided a Drainage Statement from this Engineer in Exhibit E-4. They state, "The site is an entirely undeveloped, highly vegetated and includes wetland areas. The existing drainage system along 180<sup>th</sup> Avenue North is controlled by ITID and consists of a series of swales. The LPO for the southern lots is the ITID canal (Canal B) to the north of the southern lots. The proposed improvement associated with the project include the development of a residential community composed of single family residential units. The proposed drainage system will include a system of interconnected inlets, pipes, swales, an on-site wet detention lake, and multiple on-site dry detention areas that will drain through a control structure into the ITID canal which borders the north and west side of the project, the point of legal positive outfall for the north parcel." The full statement is in Exhibit E-4. The Applicant must obtain required permits from the Districts prior to the issuance of any Building Permits.

WATER AND WASTEWATER:

The subject site is within the water and wastewater service boundaries of the Palm Beach County Water Utilities Department (PBCWUD). Per their letter in Exhibit E.5, PBCWUD have identified that the nearest connection to utilities is a 24" watermain and a 20" sanitary sewer force main located approximately 8,900 feet north and east of the subject property at Seminole Pratt Whitney Road.

PALM BEACH COUNTY HEALTH DEPARTMENT:

Health Department review Staff indicated during the review of this application that Septic system and Potable water well permits will be issued on a case-by-case basis.

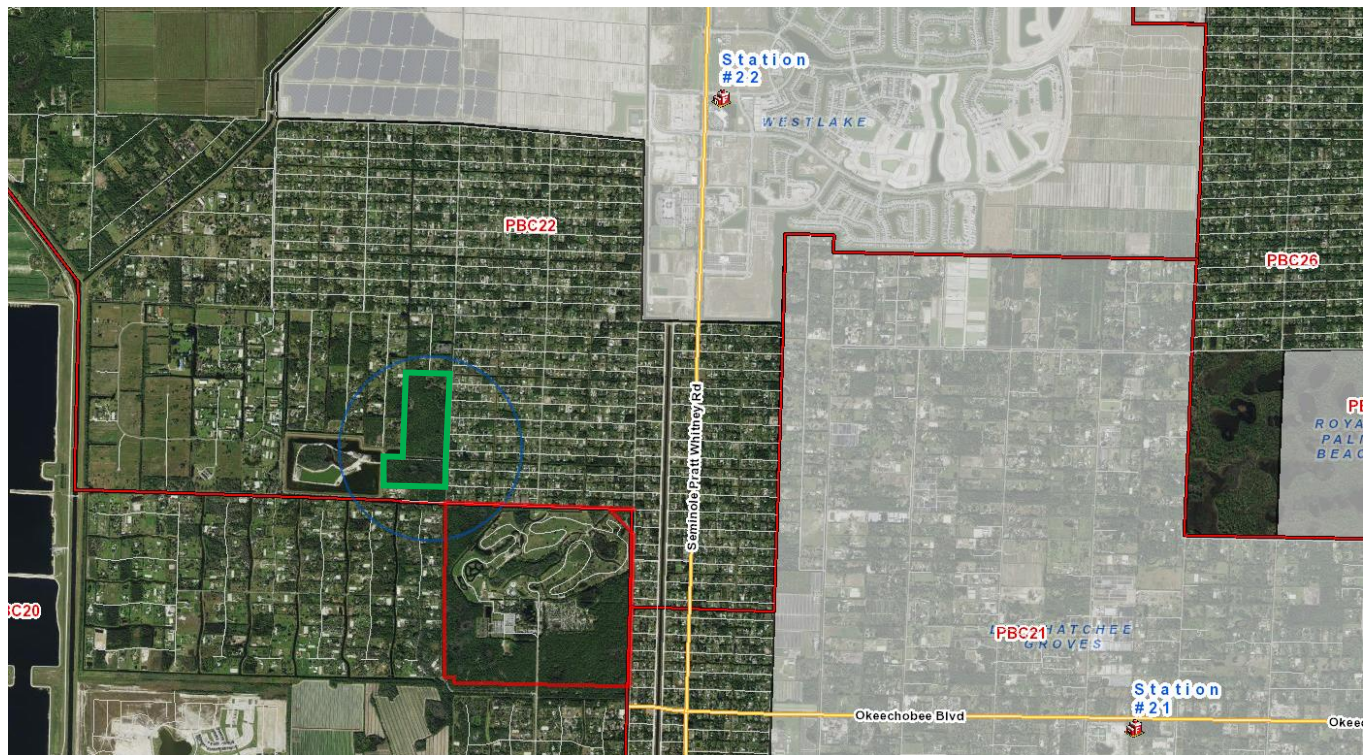


**FIRE RESCUE:**

The County’s Facilities Development and Operations (FDO) review Staff provided the analysis in this section and proposed Property and Real Estate Management (PREM) Conditions of Approval 1 through 7 pursuant to this analysis. The Applicant is not in support of these conditions.

Palm Beach County Fire Rescue Station No. 22 (16650 Town Center Parkway S, City of Westlake) will provide service to the site. Palm Beach County Fire Rescue Station No. 22 is approximately 4.0 miles from the site. The average response time for Station No. 22 in the area was 8:18 in Fiscal Year 2023 and 8:29 in Fiscal Year 2024. The estimated response time to the site will be 10 minutes and 30 seconds, which is greater than the standard of 7 minutes 30 seconds.

The County's Facilities Development & Operations Department (FDO) and Fire Rescue have closely collaborated on review of the subject Class A Conditional Use application and concurrent Future Land Use Element map and text amendment application. The estimated 10 minute and 30 second response time to the site raises concern for elevated risk to life and property by introducing additional population than has been anticipated by land use and facility planning to date. By policy, an average total response time of 7 minutes and 30 seconds is the standard, and increases in development where Fire Rescue does not have a 5 minute travel time and where calls with more than an 8 minute travel time for a geographically specific area are excessive and increasing in number are factors for determining when to construct a new Fire Rescue facility. The subject site meets both parameters; the proposed density of development would compound the number of such calls; and the site is a viable location for a Fire Rescue facility in a geographically specific area where none has yet been planned. To mitigate the impacts and position the subject property, development program and future residents for adequate emergency fire and medical facilities and service delivery, Staff recommends that a dedication to Palm Beach County sufficient to site a Fire Rescue station (equivalent to 2% of gross acreage) be a condition of approval for the pending applications. Reference the Property & Real Estate Management (PREM) conditions of approval contained herein. Additional data and analysis is provided by way of a presentation that accompanies this summary and report, and that will be delivered during the course of public hearings.



**PARKS AND RECREATION:**

Parks and Recreation Department review staff indicate that the Project proposes 54 dwelling units requiring 0.32 acres of onsite recreation, project is proposing 0.47 acres of onsite recreation therefore ULDC requirement is satisfied.

**SCHOOL IMPACTS:**

In accordance with the adopted Coordinated Planning Interlocal Agreement, a School Capacity Availability Determination (SCAD) for 54 residential units had been approved on April 10, 2024 (SCAD Case #24040301F, #24040301Z, #24040301D) (Exhibit E-7). The subject property is located in SAC 420D.

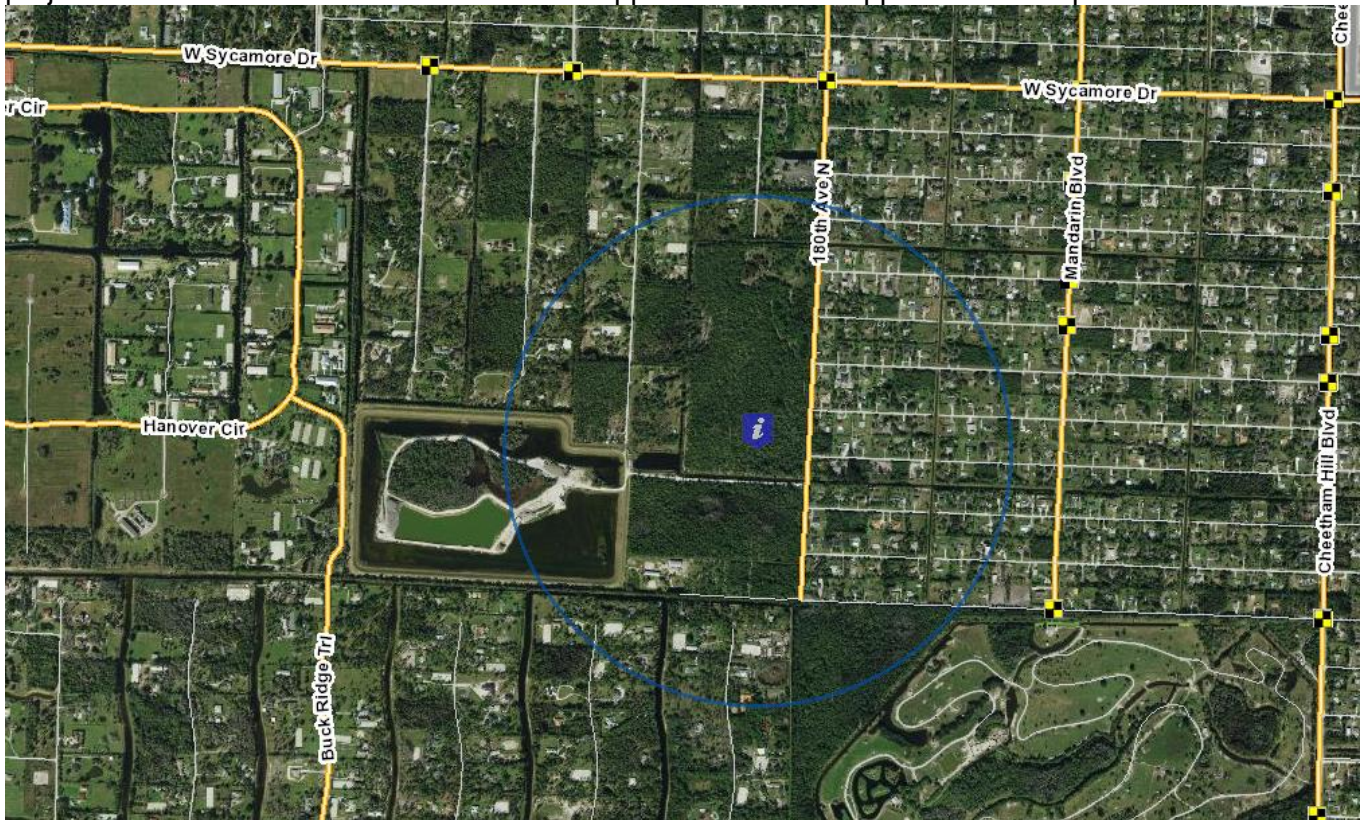
This project is estimated to generate approximately twenty-two (22) public school students. The schools currently serving this project area are Loxahatchee Groves Elementary School, Osceola Creek Middle School and Seminole Ridge Community High School.

The School Capacity Availability Determination (SCAD) analysis for this application has determined that the proposal would exacerbate capacity deficiencies at the elementary, middle and high school levels. The additional ten (10) elementary school students generated by this proposal will increase the utilization



percentage of Loxahatchee Groves Elementary School to 103%. The additional five (5) middle school students generated by this proposal will increase the utilization percentage of Osceola Creek Middle School to 111%. The additional seven (7) high school students generated by this proposal will increase the utilization percentage of Seminole Ridge Community High School to 119%.

The Applicant has agreed to construct one (1) 10' by 15' public school bus shelter located along the project's entrance. A bus shelter condition of approval has been applied to this request.



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

This application is prompted by the associated FLUA amendment to change the future land use designation on the site. The Applicant's Justification Statement indicates that: *"The site remains vacant and undeveloped at this time, and is surrounded by residential development."*

## Exhibit C - Conditions of Approval

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### Class A Conditional Use on 104.07 acres

#### ALL PETITIONS

1. The approved Preliminary Subdivision Plan is dated December 12, 2024. 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. No Building Permits for the site may be issued after December 31, 2026, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. 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)

3. 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. (DRO: ENGINEERING - Engineering)

#### ENVIRONMENTAL

1. Prior to the final approval by the Development Review Officer, the Applicant shall update the Final Subdivision Plan and Regulating Plan to indicate a 20-foot-wide Tree Preservation Area along 180 Avenue North for the north parcel. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. Prior to final approval by the Development Review Officer, a Tree Preservation Area Management Plan shall be provided to ERM for review and approval for the 20-foot-wide Tree Preservation Area provide for the northern parcel along 180 Avenue North. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

#### LANDSCAPE - GENERAL

1. Concurrent with the submittal for Final Approval by the Development Review Officer, the Property Owner shall submit a Landscape Plan and/or an Alternative Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with all landscape related Conditions of Approval as contained herein. (DRO: ZONING – Zoning)

#### PLANNING

1. Per LGA 2024-010, Condition 1: Residential dwelling units shall be limited to a maximum of 54 units with no further density increases permitted through density bonus programs. (ONGOING: PLANNING - Planning)

2. Per LGA 2024-010, Condition 2: The zoning Development Order shall require a minimum of 10% of the total dwelling units to be provided as offsite workforce housing units, through the Off-site Construction/Exchange Builder Option #1 of the Workforce Housing Program (WHP). The workforce housing units are subject to the applicable requirements of the WHP in Article 5.G.1 of the ULDC. (ONGOING: PLANNING - Planning)

3. The subject Development Order for the 54 for sale units with a 5-unit Workforce Housing Program (WHP) obligation is subject to the conditions within LGA 2024-010. The WHP units will be delivered off-site through the Off-Site Construction/Exchange Builder Option #1 as stipulated by Condition 2 of LGA 2024-010. Should a reduction in overall units occur, the WHP obligation may be reduced subject to a new analysis, and the timing mechanisms adjusted administratively as needed. (ONGOING: PLANNING - Planning)



4. Should any required WHP units be provided off-site as rentals, the WHP obligation shall be 1.5 times the obligation per ULDC Article 5.G.1.C.4.b. (ONGOING: PLANNING - Planning)

5. 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 the subject development, which equates to \$570,532 (5 WHP X \$142,633 for Single Family = \$713,165 total in-lieu fee X 0.80 = \$570,532 total exchange price for Exchange Builder). (ONGOING: PLANNING - Planning)

6. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the public records of Palm Beach County a Notice of Disposition, in a form acceptable to and approved by the Palm Beach County Attorney. The site plan shall also be modified to include the OR Book and Page of the recorded document, and a copy of the revised site plan shall be provided to the Planning Division. 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. Prior to the issuance of the first residential Building Permit, the Property Owner shall submit all of the required documentation as described in ULDC Art. 5.G.1.C.4.b.2.c.1 demonstrating that an Exchange Builder has been engaged, and has all applicable documentation completed with prior approval by the County Attorney and Planning Division. (BLDGPM: MONITORING - Planning)

## **PROPERTY & REAL ESTATE MANAGEMENT**

### **1. Platting & Deed.**

In accordance with Condition 4. of the concurrent Future Land Use (FLU) and Text Amendments (LGA 2024-010), the Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 2.08 acre or greater lot (net usable area - including minimum required perimeter landscape buffers), in a location and form acceptable to Facilities Development & Operations Department (FD&O) by April 30, 2027 or other date that is mutually agreeable to the Property Owner and FD&O. Property Owner to plat and dedicate the lot to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance.

#### **a) Title**

Property Owner to provide a title policy insuring marketable title to Palm Beach County for the lot and any easements that service the lot as required by the County Attorney's office. All title exception documentation to be provided to County. Policy is subject to Property & Real Estate Management (PREM) and County Attorney's approval. The title policy to be insured to Palm Beach County for a dollar value based on current market appraisal of the proposed lot or the contract purchase price on a per acre basis if the contract purchase was concluded within the previous 24 month period. If an appraisal is required it shall be obtained by the Property Owner. The Property Owner shall release the County from all Declaration of Covenants and Restrictions and restrictive covenants as they may apply to the subdivision and lot.

#### **b) Concurrency**

Property Owner to assign sufficient traffic trip capacity such that the traffic volume associated with a County facility shall be attached to the lot and recorded on the concurrency reservation for the entire subdivision. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the lot would support and the corresponding amount of trips. If no County use is applied to the lot, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units the lot would support if it were residential.

#### **c) Taxes**

All ad valorem real estate taxes and assessments for the year of acceptance shall be pro-rated to include the day of acceptance.

#### **d) Lot condition**

Lot to be free and clear of all trash and debris at the time of acceptance of the Statutory Warranty Deed.

#### **e) Retention and Drainage**

Property Owner shall provide all retention, detention, and drainage required for any future development of the lot by the County. Property Owner shall specifically address the following issues:

- 1) The discharge of surface water from the lot into the Property Owner's water retention basins.
- 2) An easement across Property Owner's property from the lot to the retention basins, if required.

#### **f) On-Site Inspections**

By acceptance of these conditions Property Owner agrees to allow the County to perform any on-site inspections and testing deemed appropriate to support the acquisition of the lot.

#### **g) Vegetation Permit**

Property Owner to perform a tree survey and obtain a vegetation clearing permit. If it is determined by PREM that clearing is not required at time of conveyance, the cost of such clearing shall be paid to the County.

#### h) Buildable Grade

Prepare the lot to buildable grade under the direction of the FD&O Department. Lot shall be stabilized with 1) sod and watered or, 2) seeded, mulched and watered (at the discretion of FD&O), all of which shall be to the satisfaction of FD&O. The buildable grade elevation required will generally be the highest crown of road adjacent to the lot, unless otherwise determined by PREM. Proposed County Critical Care Facilities may require higher elevations as determined by County, at County's sole discretion. Property Owner to provide: 1) In-place density test (density requirements as determined by PREM), 2) Soil placement monitoring report, 3) Test of materials used in the soil placement monitoring report, 4) Final survey to include topo results.

#### i) Water, Sewer and Reclaim Water

Property Owner to provide water, sewer, reclaim water stubbed out to the property line and other required utilities as determined by PREM.

#### j) Irrigation

Property owner to provide an easement across Property Owner's property, from the lot to available retention basins, if requested by PREM. (DATE: MONITORING - Property Real Estate Management)

### 2. Survey

The Property Owner shall provide the County with a survey certified to Palm Beach County of the lot by October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O. Survey shall reflect the boundary and topographical areas of the lot and the surveyor shall use the following criteria:

a) The survey must meet the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers in rule 5J-17.050-.052, Florida Administrative Code, pursuant to section 472.027, Florida Statutes and Countywide PPM CW0-058.

b) If this lot is a portion of Palm Beach Farms, sufficient data to make a mathematical overlay should be provided.

c) The survey should include a location of any proposed water retention area that will border the lot and the proposed drainage easement area for storm water outfall from the lot to the development's storm water management system.

Survey is also subject to the County's approval of any proposed or existing easements within the lot and all title exceptions are to be shown on the survey. (DATE: MONITORING - Property Real Estate Management)

### 3. Environmental Survey

The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County of the lot by October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O. The minimum assessment of the property will be a "Phase I Audit". The audit shall describe the environmental conditions of the property and identify the past and current land use. Prior use of the property (Example: Ag Production, golf course, other uses as determined by County) that creates the possibility of soil and groundwater impacts above environmental target clean up levels will require further soil and ground water investigation and testing, unless waived by County at County's sole discretion.

The assessment will include but not be limited to the following:

a) Review of property abstracts for all historical ownership data for evidence of current and past land use of the lot.

b) Review of local, state, and federal regulatory agency's enforcement and permitting records for indication of prior groundwater or soil contamination. Also, a review of the neighboring property that borders the lot will be required. The review shall include, but not be limited to, Palm Beach county Environmental Resources Management Department Records, and Florida Department of Regulation Records.

The assessment shall reflect whether the lot or any bordering property is on the following lists:

1) EPA's National Priorities list (NPL)

2) Comprehensive Environmental Response compensation and Liability Act system List (CERCLA)

3) Hazardous Waste Data Management System List (HWDMS).

c) Review of current and historical aerial photographs of the lot. Provide a recent aerial showing the lot and surrounding properties.

d) The results of an on-site survey to describe site conditions and to identify potential area of contamination.

e) Review of Wellfield Protection Zone maps to determine if property is located in a Wellfield Zone. (DATE: MONITORING - Property Real Estate Management)

### 4. Cash-Out

The Property Owner may request to exchange the required on-site dedication of land for cash of equal value or off-site land equal in acreage, however, this option shall be used only upon County approval when the County has established that the cash or off-site land is the more viable option and enhances or supports a County property, facility or function in the general vicinity of the subdivision. In addition, should the off-site land option be chosen, each PREM condition listed in numbers 1, 2 & 3 above will also apply. If the land off-site is of less cash value than the on-site dedication the Property Owner shall contribute cash equal to the difference in values. Valuation of the on-site and off-site land shall be subject to the County appraisal process and be at the cost of the Property Owner. If off-site land or cash contribution is accepted by Palm Beach County, the Property Owner shall be deemed to have satisfied the intent of the

ULDC and PREM conditions herein. (ONGOING: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

5. Prior to Technical Compliance of the Plat for the subdivision, the Property Owner shall grant a Perpetual Access Easement to the County in a form, manner and configuration deemed appropriate and acceptable to PREM to serve the lot. (TC: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

6. The Property Owner shall include in homeowners documents as well as all written sales brochures, sales contracts, and related Subdivision Plans and Site Plans a disclosure statement identifying and notifying prospective homeowners that the subdivision includes the lot for a future fire-rescue facility. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and Building beginning on October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O, and then continuing until all residential lots have been sold. (DATE: MONITORING - Property Real Estate Management)

7. The Property Owner shall include in homeowners documents as well as all written sales brochures, sales contracts, and related Subdivision Plans and Site Plans a disclosure statement identifying and notifying prospective homeowners that the estimated fire and emergency medical response time to the subdivision is higher than is standard. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and Building beginning on October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O, and then continuing until all residential lots have been sold. (DATE: MONITORING - Property Real Estate Management)

### **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)

2. Prior to the issuance of the first Certificate of Occupancy (CO), the 10' by 15' school bus shelter shall be constructed by the Property Owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use to the shelter. Maintenance of the bus shelter shall be the responsibility of the residential Property Owner. (CO: MONITORING - 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

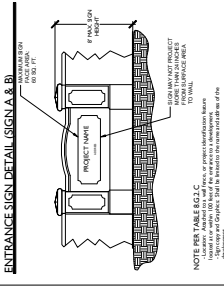
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The site does not have any prior approvals by the Zoning Commission or the Board of County Commissioners.

## Exhibit E-1 - Preliminary Subdivision Plan

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**PRELIMINARY MASTER SIGN PLAN**

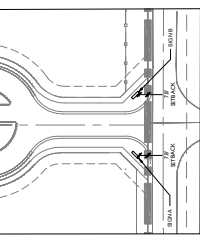


**ENTRANCE SIGNAGE**

STREET DIFFERENCE	MAX. NO. PROPOSED	MAX. SIGN AREA (SF) PER MAX. ALLOWED SIGNAGE	MAX. SIGN HEIGHT	MINIMUM SETBACK	APPROVED	PROPOSED	ALLOTTED	PROPOSED	ALLOTTED	PROPOSED	ALLOTTED
180 AVE NORTH	2	2	20' @	20' @	0'	0'	0'	0'	0'	0'	17'

NOTE: PER TABLE B.C.2.1.1, SIGNAGE SHALL BE LIMITED TO THE FRONT YARD OF THE PROPERTY. SIGNAGE SHALL BE LIMITED TO THE FRONT YARD OF THE PROPERTY.

**SIGN LOCATION DETAIL SIGN A & B**



**CONCURRENCY RESERVATION**

SINGLE-FAMILY HOMES 54 UNITS

**TABLE 3.D.1.A. PROPERTY DEVELOPMENT REGULATIONS**

REQUIRED (LOXAHATCHEE ZONING DISTRICT)	PROPOSED	MAX. BUILDING HEIGHT	DENSITY	MAX. LOT AREA	MIN. LOT AREA	MIN. LOT WIDTH	MIN. LOT DEPTH	MIN. FRONT YARD SETBACK	MIN. SIDE YARD SETBACK	MIN. REAR YARD SETBACK	MIN. FRONT SETBACK
RESIDENTIAL SINGLE-FAMILY	PROPOSED	15' MAX	10 UNITS PER ACRE	30,000 SQ. FT.	10,000 SQ. FT.	30'	30'	30'	30'	30'	25'

**SITE DATA**

APPLICATION NAME: RAWLINGS ESTATES  
 PROJECT NUMBER: 2025-00000000-00000000  
 LAST BEC APPROVAL DATE: CA-2024-00000000  
 DISTRICT: R-18  
 DISTINGUISHING LAND USE DESIGNATION: RESIDENTIAL SINGLE-FAMILY  
 EXISTING ZONING DISTRICT: R-18  
 PROPOSED ZONING DISTRICT: RESIDENTIAL SINGLE-FAMILY  
 OVERLAY: N/A

PROPERTY CONTROL NUMBERS: 08-46-43-15-00-000-0000, 00-40-48-15-00-000-0000  
 EXISTING USE: VACANT  
 GROSS SITE AREA: 84,674 AC  
 0.52 DU/AC  
 3,510 DU

LOXAHATCHEE ESTATES (PROPOSED)  
 08-46-43-15-00-000-0000, 00-40-48-15-00-000-0000  
 VACANT  
 84,674 AC  
 0.52 DU/AC  
 3,510 DU

OFF-SITE EXCHANGE BUILDER OPTION (NOTICE OF INTENT)  
 SINGLE-FAMILY (2 SPACES PER UNIT)  
 TO ALL UNITS: PROPOSED  
 MAXIMUM BUILDING HEIGHT: 15'  
 MAXIMUM NUMBER OF STORES: 0.35 Z  
 PROPOSED RECREATION: 9.47 AC  
 WATER MANAGEMENT TRACT AREA: 108 SPACES  
 TRACT AREA: 357,206 (TA)

DEVELOPMENT OF THIS SITE IS SUBJECT TO THE FOLLOWING CONDITIONS CONTAINED WITHIN LCA 2024-010, ORDINANCE TBD.  
 MAXIMUM SPEED LIMIT IS 20 MPH.

**LOCATION MAP**

**LEGEND**

AC = ACRES  
 CL = CENTERLINE  
 DE = DRAINAGE EASEMENT  
 EX = EXISTING  
 EX = EXISTING  
 LUE = LIMITED ACCESS EASEMENT  
 LAE = LAKE MAINTENANCE ACCESS EASEMENT  
 LWD = LAKE WORTH DAMAGE DISTRICT  
 LWD = OFFICIAL RECORD BOOK  
 PIA = PROPOSED DEVELOPMENT REGULATIONS  
 R = RADIUS  
 R.O.V. = RIGHT-OF-WAY  
 S.B. = SETBACK  
 5W = 500 WALK  
 T.B.A. = TO BE ABANDONED  
 U.E. = UTILITY EASEMENT  
 UDC = UNIFIED LAND DEVELOPMENT CODE

**RAWLINGS ESTATES**  
 180 AVENUE NORTH  
 PALM BEACH COUNTY, FLORIDA

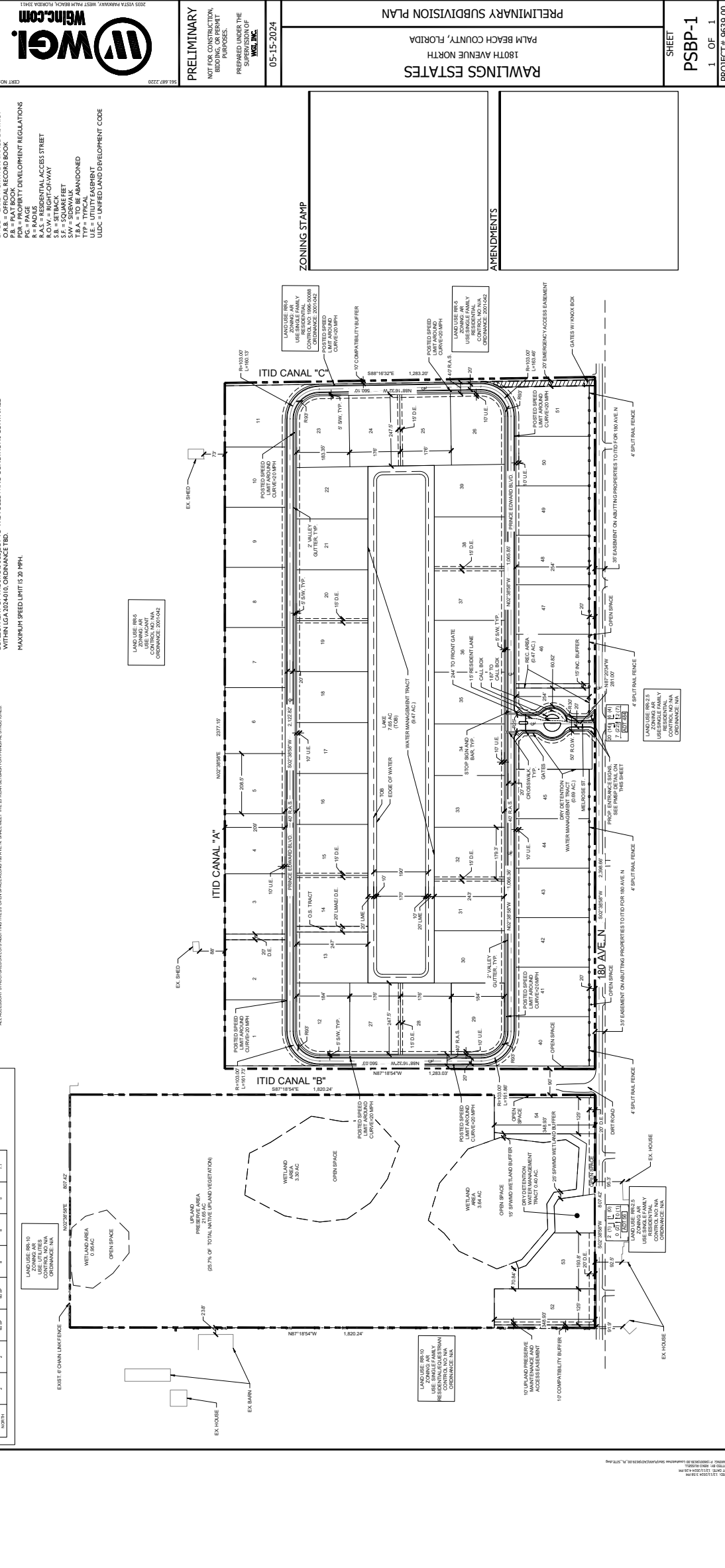
**PRELIMINARY**  
 NOT FOR CONSTRUCTION,  
 BIDDING, OR PERMIT  
 PURPOSES.  
 PREPARED UNDER THE  
 SUPERVISION OF  
**WmGm**  
 05-15-2024

**PRELIMINARY SUBDIVISION PLAN**  
 RAWLINGS ESTATES  
 180 AVENUE NORTH  
 PALM BEACH COUNTY, FLORIDA

**AMENDMENTS**

**ZONING STAMP**

**SHEET**  
 PSBP-1  
 1 OF 1  
 PROJECT# 9639.00

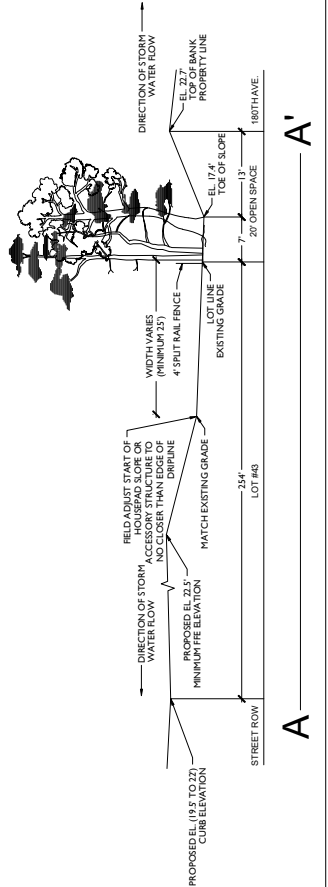


## Exhibit E-2 - Preliminary Regulating Plan

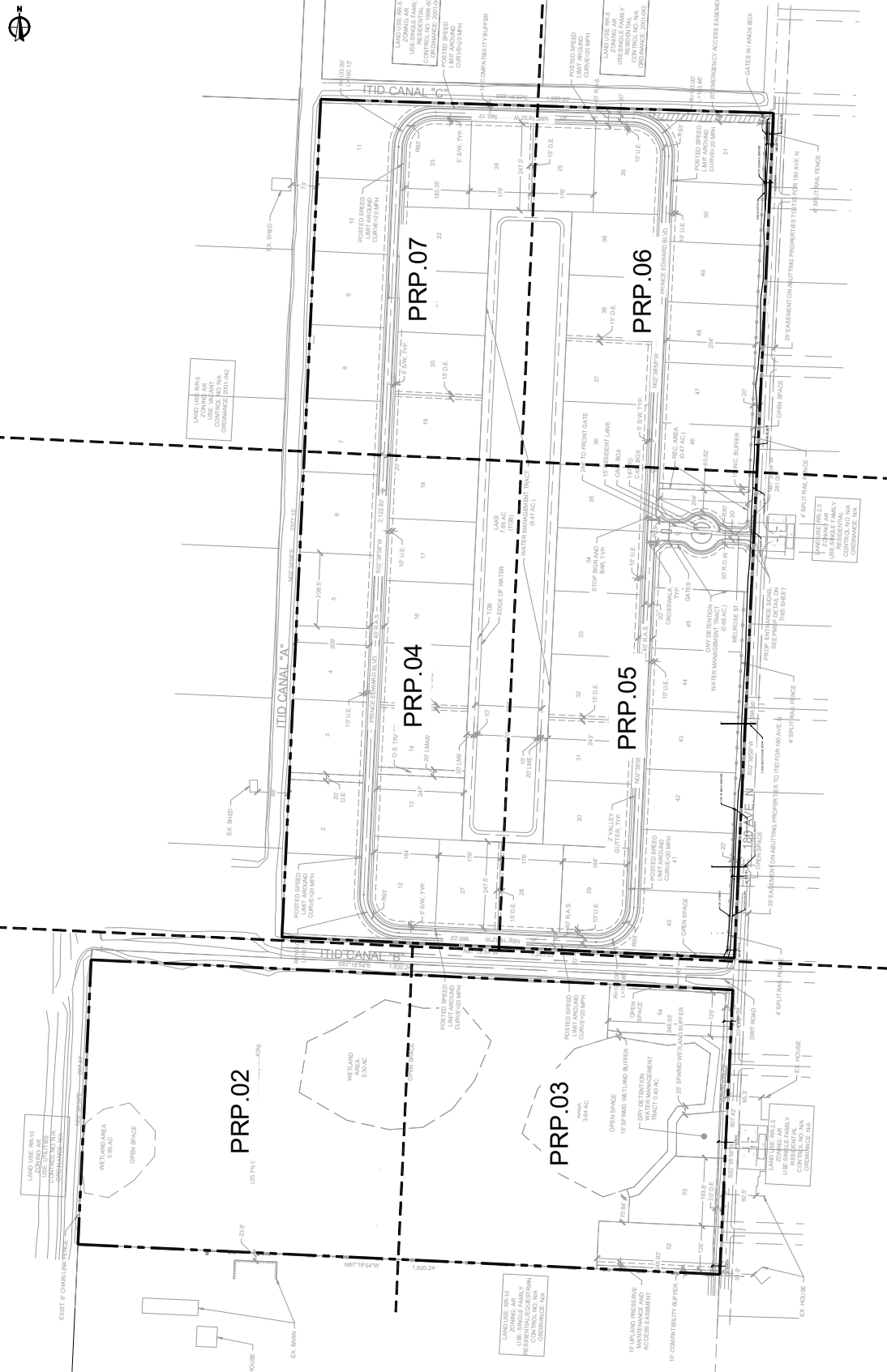
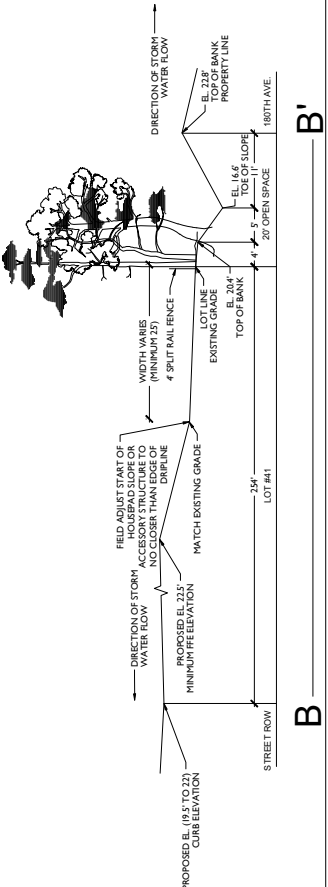
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20' OPEN SPACE CROSS SECTION



20' OPEN SPACE CROSS SECTION



**SITE INFORMATION**  
 PROJECT NAME: RAWLINGS ESTATES  
 APPLICATION #: CA2024-00746

NO.	DATE	DESCRIPTION
1	07/22/2023	FIRST RESUBMITTAL
2	07/26/2023	SECOND RESUBMITTAL: UPDATE OF TREE POSITIONS
3	07/26/2023	THIRD RESUBMITTAL: UPDATE OF TREE POSITIONS
4	08/02/2023	FOURTH RESUBMITTAL: UPDATE OF TREE POSITIONS
5	08/02/2023	FIFTH RESUBMITTAL: UPDATE TO SITE PLAN SHEET
6	12/12/2023	SIXTH RESUBMITTAL: UPDATE TO SITE PLAN SHEET
7	12/12/2023	SEVENTH RESUBMITTAL: UPDATE TO SITE PLAN SHEET
8		
9		

CERT NO. 6091

565.887.2202

2025 WEST PALM BEACH, FLORIDA 33411

RAWLINGS ESTATES  
 PALM BEACH COUNTY, FLORIDA  
 PRELIMINARY REGULATING PLAN

SHEET  
**PRP.01**  
 01 OF 19  
 9639.00

AMENDMENTS

ZONING STAMP

## Exhibit E-3 - Disclosure

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

Rawlings Estates, LLC by: Wynwood Equity Partners, LLC by: Yoni Bornstein, manager

1. Affiant is the [ ] individual or [x] Rawlings Estates, LLC [position—e.g., president, partner, trustee] of Rawlings Estates, 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: 92 SW 3RD ST 5211  
MIAMI, FL 33130

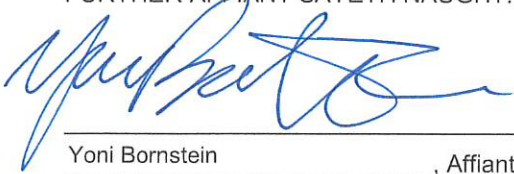
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission 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.



Yoni Bornstein, Affiant

(Print Affiant Name)

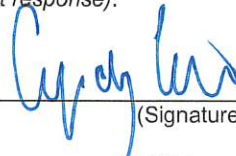
NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [  ] physical presence or [  ] online notarization, this 18th day of July, 2024 by Yoni Bornstein (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).

Cyndy Little

(Name - type, stamp or print clearly)



(Signature)

My Commission Expires on: 3-31-26



CYNDY LITTLE  
Notary Public  
State of Florida  
Comm# HH224313  
Expires 3/31/2026



**EXHIBIT "A"****PROPERTY**

## PARCEL 1:

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 364.98 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 364.98 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1820.24 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET; THENCE SOUTH 87°18'54" EAST, ALONG A LINE 1172.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.740 ACRES, MORE OR LESS.

TOGETHER WITH:

## PARCEL 2:

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 1262.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 1262.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1283.03 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1283.03 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2377.15 FEET; THENCE SOUTH 88°16'32" EAST, FOR A DISTANCE OF 1283.20 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2398.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 70.334 ACRES, MORE OR LESS.

THE COMBINED TOTAL AREA OF PARCELS 1 AND 2, IS 104.074 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**

Eran Sharon (50%), 501 E. Las Olas Blvd., Suite 200, Ft. Lauderdale, FL 33301

Yoni Bornstein (50%), 92 SW 3rd Street, Apt 5211, Miami, FL 33130

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**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 Beverly Rawlings, 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: 3205 Highway 1694  
Crestwood, KY 40014
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.

*Beverly Rawlings*

Beverly Rawlings, 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 11<sup>th</sup> day of July, 2024 by Beverly Rawlings (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).

Stephanie Riordan

(Name - type, stamp or print clearly)

*Stephanie Riordan*

(Signature)

My Commission Expires on: 9/27/27

NOTARY'S SEAL OR STAMP



**EXHIBIT "A"****PROPERTY**

## PARCEL 1:

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 364.98 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 364.98 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1820.24 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET; THENCE SOUTH 87°18'54" EAST, ALONG A LINE 1172.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1820.24 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 807.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.740 ACRES, MORE OR LESS.

TOGETHER WITH:

## PARCEL 2:

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 02°38'58" EAST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 1262.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87°18'54" WEST, ALONG A LINE 1262.40 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, FOR A DISTANCE OF 1283.03 FEET; THENCE NORTH 02°38'58" EAST, ALONG A LINE 1283.03 FEET WESTERLY OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2377.15 FEET; THENCE SOUTH 88°16'32" EAST, FOR A DISTANCE OF 1283.20 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE SOUTH 02°38'58" WEST, ALONG THE EAST LINE OF SAID SECTION 15, FOR A DISTANCE OF 2398.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 70.334 ACRES, MORE OR LESS.

THE COMBINED TOTAL AREA OF PARCELS 1 AND 2, IS 104.074 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**

Beverly Rawlings; 3205 Highway, 1694 Crestwood, KY 40014

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**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 Beverly Rawlings, 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.
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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.
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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.

*Beverly Rawlings*

Beverly Rawlings, 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 11<sup>th</sup> day of July, 2024 by Beverly Rawlings (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).

Stephanie Riordan  
(Name - type, stamp or print clearly)

*Stephanie Riordan*  
(Signature)

My Commission Expires on: 9/27/27

NOTARY'S SEAL OR STAMP



**EXHIBIT "A"****PROPERTY**

## PARCEL 1:

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 33.740 ACRES, MORE OR LESS.

TOGETHER WITH:

## PARCEL 2:

A PARCEL OF LAND LYING AND SITUATE IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 70.334 ACRES, MORE OR LESS.

THE COMBINED TOTAL AREA OF PARCELS 1 AND 2, IS 104.074 ACRES, MORE OR LESS.



## Exhibit E-4 - Drainage Statement

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## REVISED ENGINEER'S DRAINAGE STATEMENT

**Rawlings Estates  
WGI No. 9639.00**

**July 22, 2024**

The subject property includes two (2) parcels of land located west of 180<sup>th</sup> Avenue North generally between 36<sup>th</sup> Court North and 30<sup>th</sup> Lane North in the Loxahatchee area of Unincorporated Palm Beach County. The subject parcels consist of PCN 00-40-43-15-00-000-1220 and 00-40-43-15-00-000-5030 comprising a total of 104.074 acres. The site is entirely undeveloped, highly vegetated, and includes wetland areas. The site is separated and bordered by Indian Trail Improvement District (ITID) property to the North and West, 180<sup>th</sup> Avenue North to the East, and Murray Lane to the South. The existing drainage system along 180<sup>th</sup> Avenue North is controlled by ITID and consists of a series of swales. The LPO for the southern lots is the ITID canal (Canal B) to the north of the southern lots.

The project lies within sub-basin 10 of the South Florida Water Management District (SFWMD) C-51 drainage basin. This site is also within the zone AE Elevation 17.6 feet per FEMA FIRM Map Number 12099C0530F, effective October 5<sup>th</sup>, 2017. Flood compensation will be required for the subject property and the proposed preliminary subdivision plans have been prepared to accommodate the necessary flood compensation. Off-site run-on is not a concern with the ITID system surrounding the site.

The proposed improvements associated with the project include the development of a residential community composed of single family residential units. The proposed drainage system will include a system of interconnected inlets, pipes, swales, an on-site wet detention lake, and multiple on-site dry detention areas that will drain through a control structure into the ITID canal which borders the north and west side of the project, the point of legal positive outfall for the north parcel.

The design stages are as follows:

- 3 year – 1 day Stage: Minimum Grate/Cover Elevation
- 10 year – 1 day Stage: Minimum Weir Elevation
- 25 year – 3 day Stage: Minimum Berm Elevation
- 100 year – 3 day Stage: Minimum Finished Floor Elevation

The proposed drainage improvements will be designed and permitted in accordance with ITID, SFWMD and Palm Beach County requirements.

Respectfully submitted,  
**WGI, Inc.**

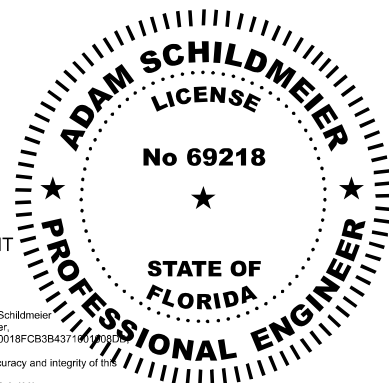
ADAM W. SCHILDMEIER, STATE OF FLORIDA, PROFESSIONAL ENGINEER, LICENSE NO. 69218

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY ADAM W. SCHILDMEIER, PE. ON THE DATE 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.

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

Adam Schildmeier

Digitally signed by Adam Schildmeier  
DN: cn=Adam Schildmeier,  
dnQualifier=A01410D0000018FCB3B4371901100905  
o=WGI INC, c=US  
Reason: I attest to the accuracy and integrity of this  
document  
Date: 2024.12.12 09:20:28-05'00'





## Exhibit E-5 - Utility Letter

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**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**

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

**County Administrator**

Verdenia C. Baker

March 18, 2024

WGI  
2035 Vista Parkway  
West Palm Beach, Fl. 33411

RE: Rawlings Estates  
PCN: 00404315000001220, 00404315000005030  
104.08 Acres  
Service Availability Letter

Dear Ms. Hilliard,

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 accommodate the Future Land Use Amendment Rural Residential 1 unit per 10 acres (RR-10) to Low residential, 1 units per acre (LR-1).

The nearest connection to utilities is a 24" watermain and a 20" sanitary sewer force main located approximately 8900' north and east of the subject property Seminole Prattt Whitney Road.

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,

Jackie Michels, P.E,  
Project Manager

"An Equal Opportunity  
Affirmative Action Employer"

## Exhibit E-6 – Workforce Housing Program Letter

---



**Department of Planning,  
Zoning & Building**

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 Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)



**Palm Beach County  
Board of County  
Commissioners**

Maria Sachs, Mayor

Maria G. Marino, Vice Mayor

Gregg K. Weiss

Michael A. Barnett

Marci Woodward

Sara Baxter

Mack Bernard

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

July 17, 2024

Arianna Hilliard  
WGI  
2035 Vista Parkway  
West Palm Beach, FL 33411  
Email: [Arianna.Hilliard@wginc.com](mailto:Arianna.Hilliard@wginc.com)

Dear Arianna:

This revised letter is to address the potential Workforce Housing obligation for the proposed Rawlings Estates request (54 units). This letter is also required for sufficiency in the zoning approval process.

The Rawlings Estates properties are located in the Rural Tier and are not subject to the Workforce Housing Program (WHP). However, these properties are the subject of a proposed Comprehensive Plan Future Land Use Atlas Amendment and as such will be subject to any conditions approved by the Board of County Commissioners (BCC).

For amendments resulting in single family developments, staff recommends either the percentage of workforce units that would be required by the WHP at the Full Incentive rate, or 10% of the total units, whichever is greater, and recommends that those workforce units be provided on-site. Based on the proposed 54 total units, the 10% of total units would apply, and the WHP obligation would be 5.4 or 5 WHP units.

Additional conditions may be applied based on the conditions approved by the BCC and in the development review process to ensure compliance with the WHP of the Unified Land Development Code.

Should you have any questions, please advise.

Sincerely,

Michael Howe, Senior Planner

**Exhibit E-7 – School Capacity Availability Determination (SCAD) Letter**

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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](http://WWW.PALMBEACHSCHOOLS.ORG)

## SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

<b>Application</b>	<b>Submittal Date</b>	04/03/2024		
	<b>SCAD No.</b>	24040301F/FLU; 24040301Z/Re-Zoning; 24040301D/D. O.		
	<b>FLU /Rezoning/D.O. No.</b>	Not Provided – Palm Beach County		
	<b>Property Control Number</b>	00-40-43-15-00-000-1220 and 00-40-43-15-00-000 5030		
	<b>Development Name</b>	Rawlings Estates		
	<b>Owner / Agent Name</b>	Beverly Rawlings / Matthew Barnes (WGI, Inc.)		
	<b>SAC No.</b>	420D		
	<b>Proposed FLU/Re-Zoning Proposed D. O.</b>	<b>Maximum 104 Residential Units 58 Single-Family Units</b>		
<b>Impact Review</b>		Loxahatchee Groves Elementary School	Osceola Creek Middle School	Seminole Ridge High School
	<b>New Students Generated</b>	10	5	7
	<b>Capacity Available</b>	-25	-120	-440
	<b>Utilization Percentage</b>	103%	111%	119%
<b>School District Staff's Recommendation</b>	<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 <b>elementary, middle and high school level</b>, the property owner shall contribute a total of <b>\$132,779.00</b> 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>			
<b>Validation Period</b>	<p>1) This determination is valid from <b>04/10/2024</b> to <b>04/09/2025</b> 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 <b>04/09/2025</b> or this determination will expire automatically on <b>04/09/2025</b>.</p>			
<b>Notice</b>	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

April 10, 2024

Date

joyce.cai@palmbeachschools.org

Email Address

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

## Exhibit E-8 – Rawlings Public Civic Site Dedication

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# **Rawlings Estates (LGA 2024-010, CA-2024-00746) Public Civic Site Dedication**

**February 2025 Public Hearing**

# Difference of Opinion – Adequate Public Facilities

## Applicant's Justification Statement:

- g. **Adequate Public Facilities**  
The extent to which the proposed use complies with [Art. 2.F., Concurrency \(Adequate Public Facility Standards\)](#). [Ord. 2007-001]  
**Response:** Adequate public facilities are provided for the site. Refer to the Water Utility and Fire Department Letters of service availability provided. The extension of water or sewer services to the subject property is not necessary because the homes will be on individual water wells and septic tanks, which is permitted in and standard for one-acre lots in the Rural Tier.



Fire Rescue  
Chief Patrick J. Kennedy  
405 Pilar Road  
West Palm Beach, FL 33411  
(561) 616-7000  
www.pb.gov

Palm Beach County  
Board of County  
Commissioners  
Gregg K. Weiss, Mayor  
Mara Sachs, Vice Mayor  
Miris G. Marino  
Michael A. Barnett  
Marci Woodward  
Sara Baxter  
Mick Bernard

County Administrator  
Verdenia C. Baker

\*An Equal Opportunity  
Affirmative Action Employer\*

Official Electronic Letterhead

March 18, 2024  
WGI  
Attention: Arianna Hilliard  
2035 Vista Parkway  
West Palm Beach, FL 33411  
Re: Rawlings Estates

Dear Arianna Hilliard:

Per your request for response time information to the subject property located on Learwood Dr., PCN's 00-40-43-15-00-000-1220, and 00-40-43-15-00-000-5030. This property is served currently by Palm Beach County Fire-Rescue Station #22, which is located at 16650 Town Center Parkway S. The maximum distance traveled to subject property is approximately 4.00 miles from the station. The estimated response time to the subject property is 10 minutes 30 seconds. For fiscal year 2023, the average response time (call received to on scene) for this stations zone is 8:18.

Property owners need to be aware of the extended response time of 10 minutes 30 seconds to the subject property, which is much greater than our standard of 7 minutes 30 seconds.

If you have any further questions, please feel free to contact me at 561-616-6909.

Sincerely,  
*Cheryl Allan*  
Cheryl Allan, Planner II  
Palm Beach County Fire-Rescue

# Policy Background

## COMPREHENSIVE PLAN FIRE-RESCUE SERVICES ELEMENT

### OBJECTIVE 1.2 Level of Service: Emergency Response

Palm Beach County shall maintain a Level of Service Standard for emergency response.

**Policy 1.2-a:** The County shall provide an initial emergency fire and rescue response to all of the service area in the Fire-Rescue Municipal Service Taxing Unit (MSTU), in an average total response time of 7 minutes 30 seconds or less.

**Policy 1.2-b:** The determination of when to construct new Fire-Rescue facilities will be based on, but not limited by, the following:

- A major development is in construction phases and a fire station is planned as part of its development;
- The population of the station's response area produces an average of 3 alarms per day;
- Annual trend analysis for stations in adjoining response areas indicate an escalation of alarm activity and travel time;
- Development activity (including high/target hazards) increases in areas where Fire-Rescue does not have a 5 minute travel time;
- The number of calls with an over 8 minute travel time for a geographically specific area can be identified as excessive and increasing in number;
- It has been determined that the imminent annexation of the area is unlikely.



# Regulatory Background

## ULDC Article 2:

### CHAPTER F CONCURRENCY (ADEQUATE PUBLIC FACILITY STANDARDS)

#### Section 1 General

##### A. Purpose and Intent

The purpose and intent of this Chapter is to ensure that adequate potable water, sanitary sewer, solid waste, drainage, park, road and mass transit public facilities, and fire-rescue are available to accommodate development concurrent with the impact of development on such public facilities, consistent with the LOS standards for those public facilities adopted in the Plan. This objective is accomplished by (1) establishing a management and monitoring system to evaluate and coordinate the timing and provision of the necessary public facilities to service development; and (2) by establishing a regulatory program that ensures that each public facility is available to serve development concurrent with the impacts of development on public facilities. [Ord. 2018-002]

##### B. Authority

The BCC has the authority to adopt this Chapter pursuant to Art. VIII, § 1, Fla. Const., the PBC Charter, F.S. § 125.01 *et seq.*, F.S. § 163.3161(8), F.S. § 163.3177(10)(h), and F.S. § 163.3202(2)(g).

##### C. Applicability

###### 1. General

Concurrency shall be obtained for all Development Orders and subsequent Development Orders unless the project is exempt from the requirements of this Chapter.

#### Section 2 LOS Standards

The LOS standards for public facilities are contained in the Plan and shall apply in the review of development pursuant to the procedures and standards of this Chapter.



# Recommended Solution

## Rawlings Estates (LGA 2024-010, CA-2024-00746) Public Civic Site Dedication

*The Zoning Development Order shall provide for a minimum 2.08-acre dedication to Palm Beach County for a future fire-rescue facility, which shall be conveyed in accordance with and full satisfaction of the applicable Property and Real Estate Management (PREM) conditions of approval therein.*



**EXCELLENCE TODAY**

**IMPROVING TOMORROW**

**INTEGRITY • UNITY • COMPASSION • ACCOUNTABILITY • DEDICATION**



# Application Background

## Comprehensive Plan Future Land Use Element Text Amendment

Table III.C, FUTURE LAND USE DESIGNATION BY TIER

Future Land Use	FLU Category	Tier			
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve
Rural Residential	RR-20, RR-10	---	X	X	---
	RR-5	---	X	X	---
	RR-2.5	---	X	---	---
Western Communities Residential	WCR	---	---	X	---
Urban Residential	LR, MR, HR	X	---	---	---
					Glades RSA <sup>1</sup>
					---
					---
					---
					---

*Text omitted for brevity*



5. [Within the Loxahatchee Estates Overlay, the LR-1 future land use designation is allowed for sites that meet Objective 1.4.3 and criteria in Policy 1.4.3.b.](#)



# Application Background (Cont.)

## ULDC Art. 4.A.9 Development Thresholds

### B. Public Hearing Approval

Any amendment to an existing development, or new construction of residential, commercial, or industrial projects that meets or exceeds either the maximum square footage or units, or maximum acreage of Table 4.A.9.B, Thresholds for Projects Requiring Board of County Commissioners Approval, shall be reviewed and approved as a PDD or TDD in accordance with Art. 2.B.7.B, Conditional Uses and Official Zoning Map Amendment (Rezoning) to a PDD or TDD. **Projects that meet or exceed the thresholds of this Table that do not meet the access and dimension requirements of a PDD or TDD; are not allowed to be a PDD or TDD by the Plan; or for non-residential projects, consist of only one use, shall be approved as a Class A Conditional Use.**

Table 4.A.9.B – Thresholds for Projects Requiring Board of County Commissioners Approval (1)

FLU Designation	Threshold
Residential (Excluding RR FLU)	200 du (including density bonus), or 50 ac.
AGR (with Residential)	250 ac.
CL-O, CL	30,000 sq. ft.
CH-O, CH, CR, MLU, INST	50,000 sq. ft.
IND, CMR, EDC	100,000 sq. ft.
[Ord. 2023-011]	
<b>Notes:</b>	
1.	Land area devoted to retention pursuant to the requirements of the C-51 drainage basin, or land area devoted to vegetation preservation pursuant to Art. 14.C, Vegetation Preservation and Protection, excluding AGR or Sector Plan Preserve Areas, shall not be counted toward the maximum acreage threshold.



# Application Background (Cont.)

**Table 3.E.2.C – PUD Land Use Mix**

	Residential	Civic (1)	Commercial	Recreation (2)	Open Space (3)	Preserve Area	Development Area
<b>Min.</b>	60%	2% (1)	-	0.006 ac. per du	40%	80/20 AGR – 80% 60//40 AGR – 60%	-
<b>Max.</b>	-	65%	2%	-	-	-	80/20 AGR – 25% (4) 60/40 AGR – 40%
[Ord. 2006-004] [Ord. 2008-037] [Ord. 2011-001] [Ord. 2016-042] [Ord. 2024-008]							
<b>Notes:</b>							
Minimum Civic Pod requirement may be waived, subject to the following: [Ord. 2011-001]							
<b>1.</b>	<ul style="list-style-type: none"> <li>Public civic may not be required where two percent of the gross acreage of a PDD is less than one and one-half acres in size, subject to FDO approval; and [Ord. 2011-001]</li> <li>If located in a CCRT area, shall be labeled as private civic unless waived by the BCC. [Ord. 2011-001]</li> </ul>						
<b>2.</b>	Minimum recreation area required for a CLF may be reduced in accordance with Art. 5.D, Parks and Recreation – Rules and Recreation Standards, Table 5.D.2.B, Property Development Regulations. [Ord. 2016-042] [Ord. 2020-001]						
<b>3.</b>	Calculation of open space may include Recreation Pods, Civic Pods, and open space areas within residential. [Ord. 2006-004]						
<b>4.</b>	See 80/20 option exception.						

#### 4. Civic Pod

A Civic Pod is intended to promote a coordinated land planning approach for providing and encouraging publicly and privately-owned civic, institutional, educational, and additional recreational uses for the community.

##### a. Applicability

##### 1) Public Civic

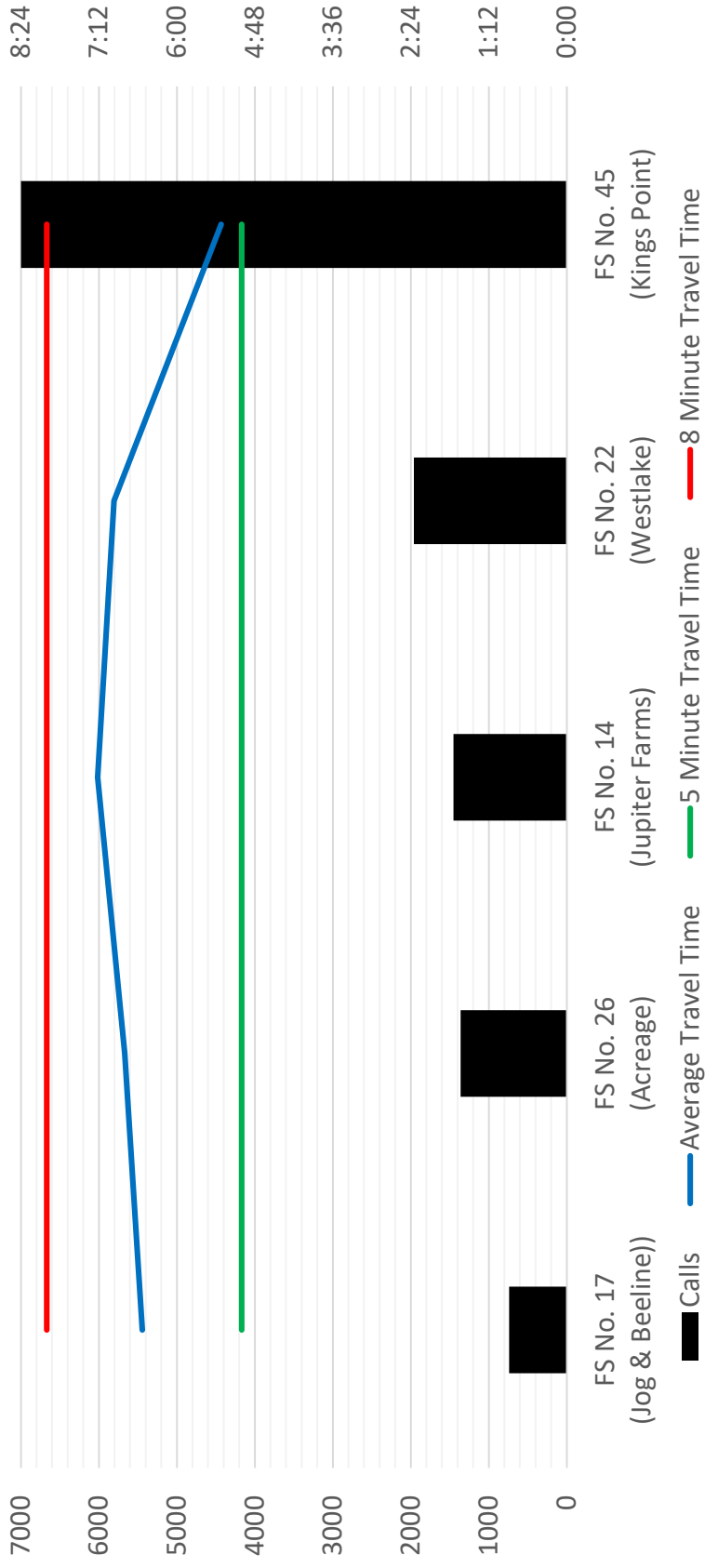
Where two percent of a PUD is less than one and one-half acres, Public Civic Pods may not be required subject to FDO approval. [Ord. 2011-001]



# Comparison of Comparable Class A Conditional Use Applications

Project Name	Location	Control No.	Reso. No(s).	FLU	Acreage	Dwelling Units	Density	Fire Rescue Response Time
<b>Rawlings Estates</b>	180 <sup>th</sup> Avenue North (Rural Tier)	2024-746	TBD	RR-10 (Proposed LR-1 and LEO)	104.7	54	.52 units per acre	<b>10 minutes</b> <b>30 seconds</b>
<b>None!</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

# Countywide PBCFR Stations Performance (10/1/23-9/30/24)



Call Range: 739 – 6,997

Average Travel Time Range: 3:33 – 7:13

Average Calls: 3,080

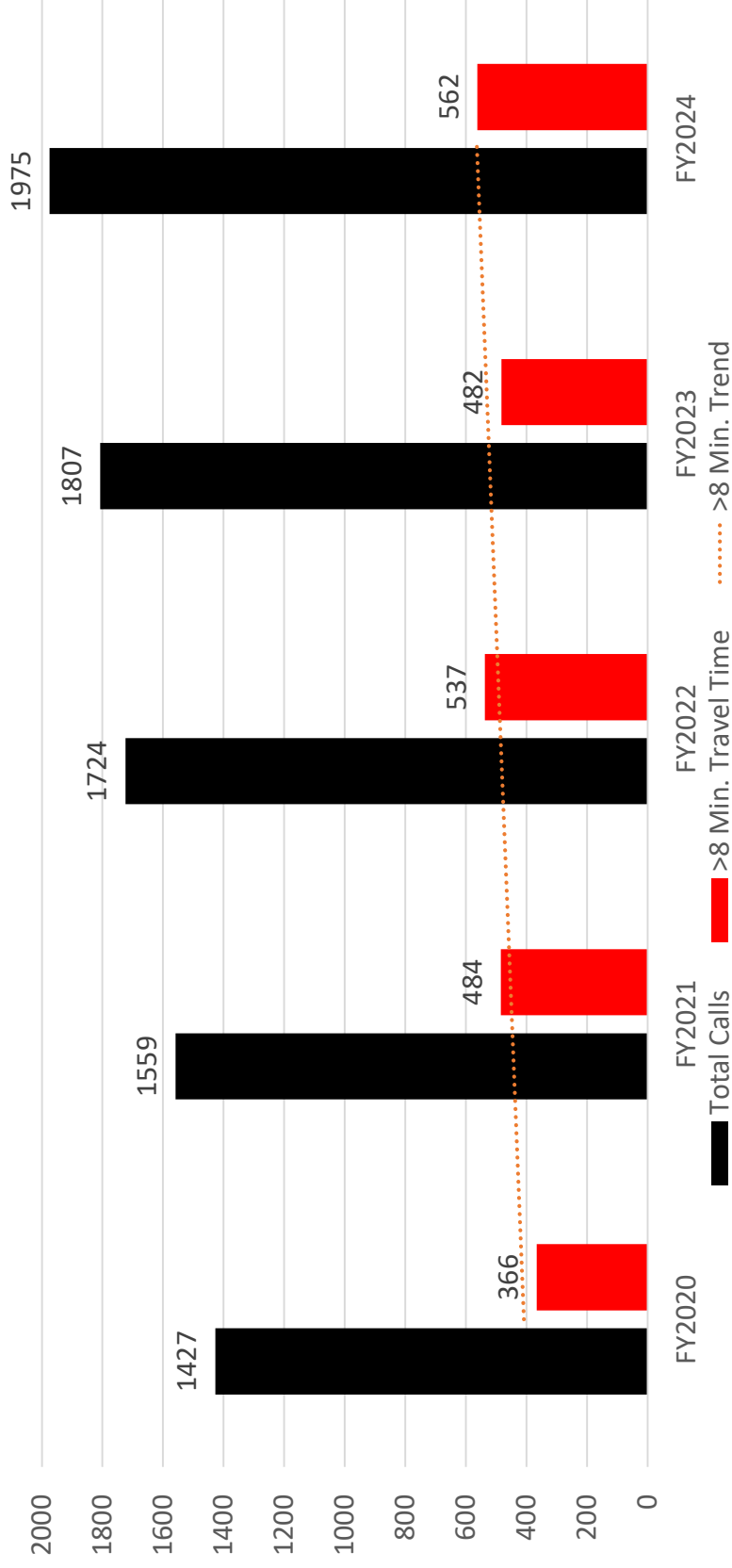
Average Travel Time: 5:16



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# FS No. 22 Service Zone 5 Year Call Volume



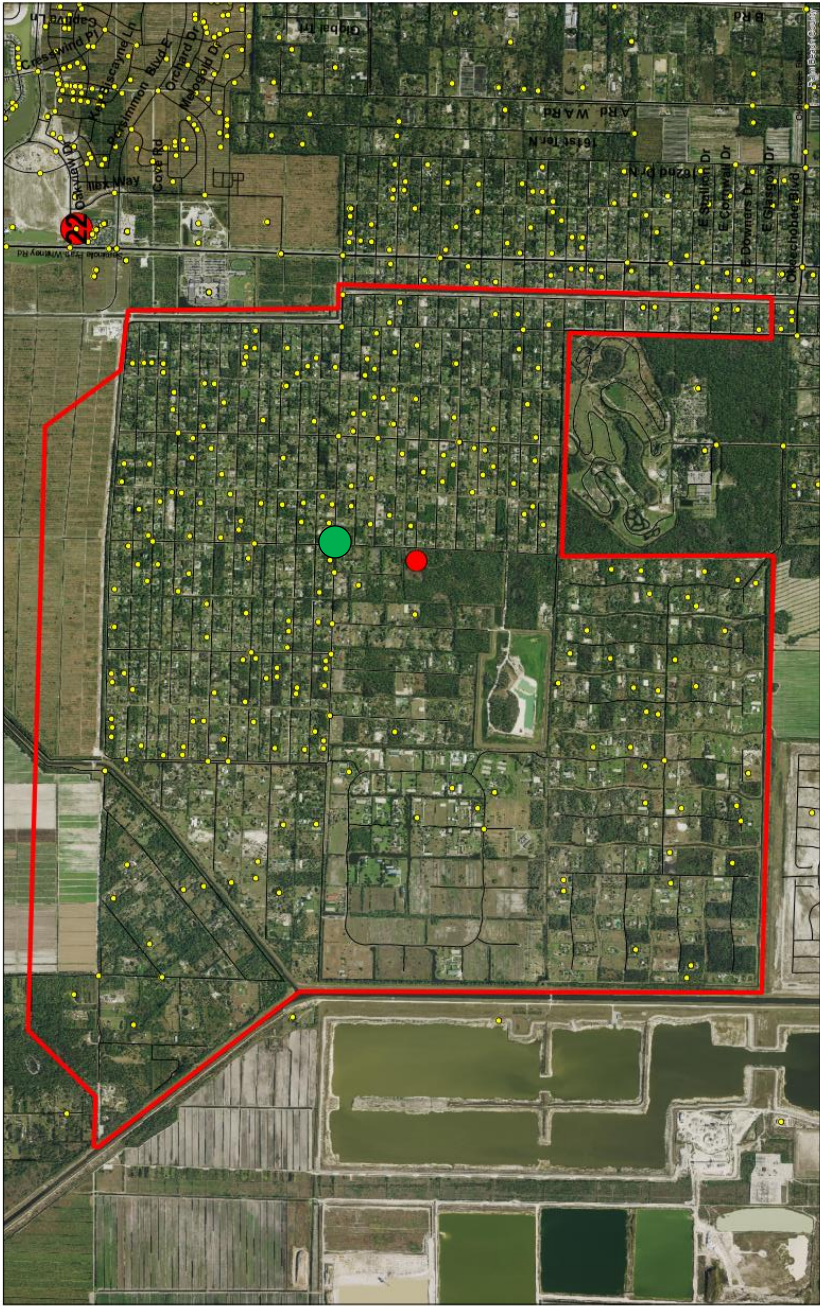
**EXCELLENCE TODAY**

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# Proposed Future Service Zone

Rawlings Future Service Zone

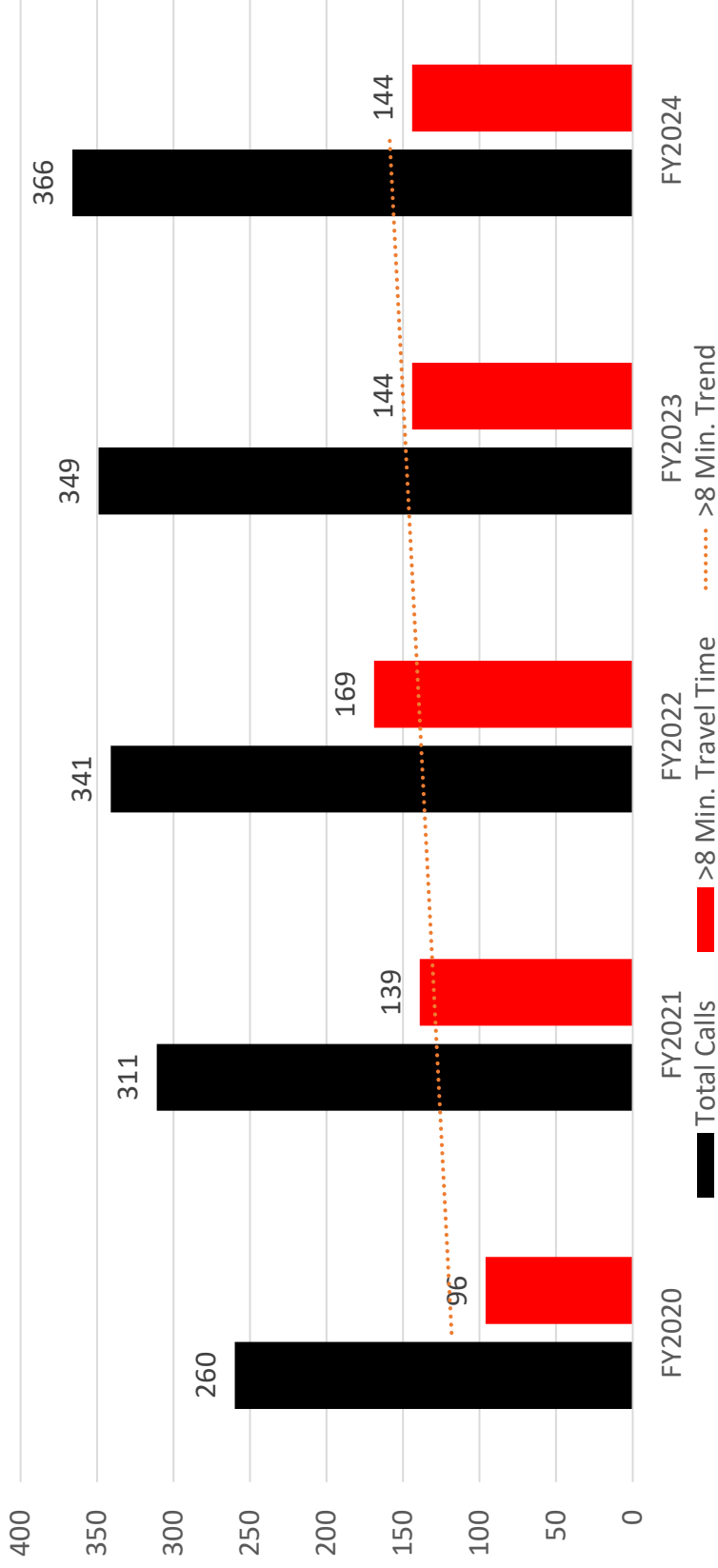


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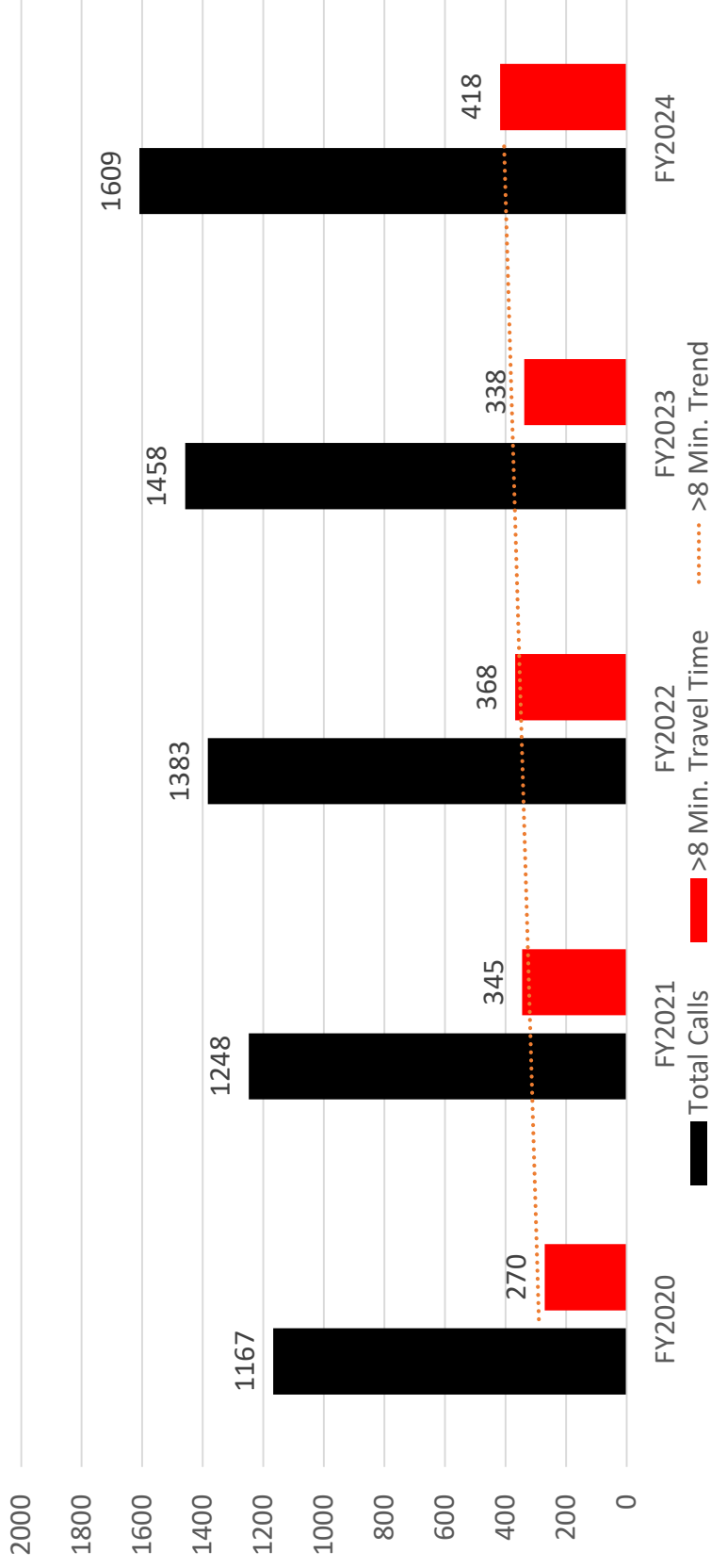
# Proposed Service Zone 5 Year Call Volume



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# Adjusted FS No. 22 Service Zone 5 Year Call Volume



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# Rawlings Property Service Calls

EXISTING = 0

RR-10 FLU = Max. 10 dwelling units = Max. 1.47 calls/year

PROPOSED = 54 dwelling units = 7.95 calls/year

**RESULT = 5.4 X or greater call generation (Min. +6.48 calls/year) to an area with >8 minute travel time**

- ✓ Policy 1.2-b: Annual trend analysis for stations in adjoining response areas indicate an escalation of alarm activity and travel time
- ✓ Policy 1.2-b: Development activity increase in an area where Fire-Rescue does not have a 5 minute travel time
- ✓ Policy 1.2-b: The number of calls with an over 8 minute travel time for a geographically specific area is excessive and increasing



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# Recommended Solution

## Rawlings Estates (LGA 2024-010, CA-2024-00746) Public Civic Site Dedication

*The Zoning Development Order shall provide for a minimum 2.08-acre dedication to Palm Beach County for a future fire-rescue facility, which shall be conveyed in accordance with and full satisfaction of the applicable Property and Real Estate Management (PREM) conditions of approval therein.*



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# Public Civic Site Dedication

## Exaction two-step analysis:

- There must be an “essential nexus” between a legitimate governmental interest and the exacted dedication, and
  - ✓ **Policy 1.2-b**
- The dedication must be “roughly proportional” in “nature and extent to the impact of the proposed development.”
  - ✓ **5.4+ X the impact of existing FLU (+ 6.48 calls/year)**
  - ✓ **Site-specific emergency response time positioned for reduction from ~10:30 to ~3:00! (~71% reduction! vs 2% dedication to achieve LOS standard)**
  - ✓ **2% dedication is least land area necessary for facility delivery**
  - ✓ **54 du w/o dedication vs. 52 w/ dedication (+/-2 dwelling units) vs. RR-10 (Max. 10)**

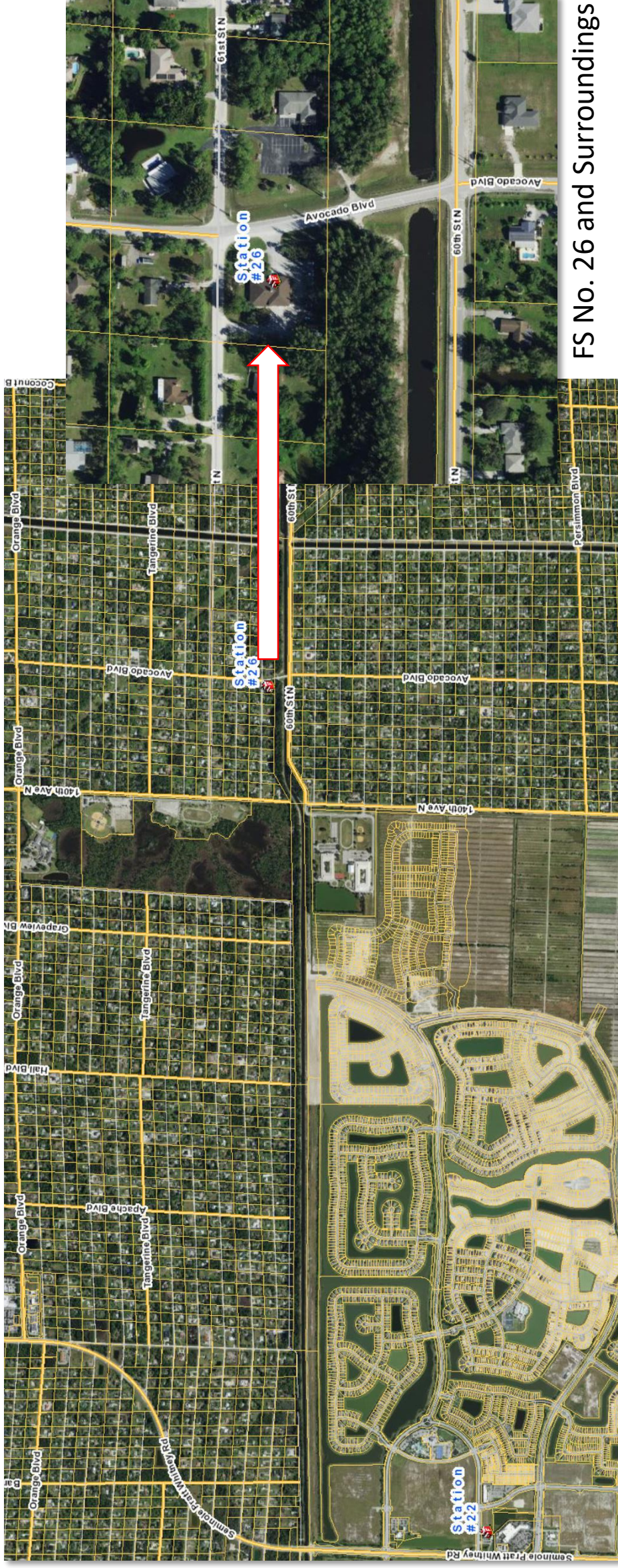


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# Infrastructure Comparison



FS No. 26 and Surroundings



# Infrastructure Comparison (Cont.)

	FS No. 26	Rawlings Estates	Difference
<b>FLU</b>	RR-10	RR-10 (Proposed LR-1)	Rural vs. Urban
<b>Zoning</b>	PO	AR	PDRs and Procedure
<b>Access</b>	Avocado Blvd. = 23.7' Asphalt (60' Easement) 61 <sup>st</sup> Road North = 22.5' Shellrock (65' Easement)	180 <sup>th</sup> Ave. N. = 23' Asphalt (35' Easement)	Inconsequential
<b>Water</b>	Well	Well	None
<b>Wastewater</b>	Septic	Septic	None
<b>Drainage</b>	Indian Trail Improvement District	Indian Trail Improvement District	None
<b>Lot Size</b>	1.32 Acres	+/-2.08 Acres	+/-0.76 Acre
<b>Building Square Ft.</b>	5,056	+/-6,630	+/-1,600

# Q&A, Discussion and Direction

## Rawlings Estates (LGA 2024-010, CA-2024-00746) Public Civic Site Dedication

*The Zoning Development Order shall provide for a minimum 2.08-acre dedication to Palm Beach County for a future fire-rescue facility, which shall be conveyed in accordance with and full satisfaction of the applicable Property and Real Estate Management (PREM) conditions of approval therein.*



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# **Rawlings Estates (LGA 2024-010, CA-2024-00746) Public Civic Site Dedication**

**February 2025 Public Hearing**