

# 2025 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 1. Amendment Data

### A. Amendment Data

<b>Round</b>	25-B2	<b>Intake Date</b>	02/12/205
<b>Application Name</b>	AHS Pine Ridge PUD	<b>Revised Date</b>	N/A
<b>Acres</b>	11.18	<b>Control Number</b>	2018-00158
		<b>FLUA Page</b>	64
		<b>Text Amend?</b>	No
<b>PCNs</b>	00-42-43-34-16-001-0000		
<b>Location</b>	North side of Southern Boulevard, approximately 0.25 miles east of N. Jog Road. Also referenced as the Southeast corner of Wallis Road and 1 <sup>st</sup> Street.		
<b>BCC District</b>	Commissioner Gregg Weiss, District 2		
	<b>Current</b>	<b>Proposed</b>	
<b>Tier</b>	Urban/Suburban	No Change	
<b>Use</b>	Multifamily	No Change	
<b>Zoning</b>	MUPD	No Change	
<b>Future Land Use Designation</b>	HR-12	No Change	
<b>Conditions</b>	See Ordinance No. 2020-023 (Exhibit 1 to Justification Statement)	Modification to Condition #3. See attached Justification Statement for <del>strikethrough</del> / <u>underline</u> .	

### B. Development Potential

	<b>Current FLU</b>	<b>Proposed FLU</b>
<b>Maximum Square Feet (for non-residential)</b>	No Change	No Change
<b>Maximum Units (for residential)</b>	288 units	No Change
<b>Maximum Beds (for CLF proposals)</b>	N/A	N/A

**Part 2. Applicant Data**

**A. Agent Information**

<b>Name</b>	Brian M. Seymour, Esq. and John P. Roach, AICP
<b>Company Name</b>	Gunster
<b>Address</b>	777 S. Flagler Drive, Suite 500 East
<b>City, State, Zip</b>	West Palm Beach, FL 33401
<b>Phone / Fax Number</b>	Brian: 561.650.0620 / John: 561.650.0717
<b>Email Address</b>	Brian: <a href="mailto:bseymour@gunster.com">bseymour@gunster.com</a> / John: <a href="mailto:jroach@gunster.com">jroach@gunster.com</a>

**B. Applicant Information**

<b>Name</b>	T. Richard Litton, Jr.
<b>Company Name</b>	Southern & Jog Apartments LLC
<b>Address</b>	999 Waterside Drive, Suite 2300
<b>City, State, Zip</b>	Norfolk, VA 23510
<b>Phone / Fax Number</b>	757.640.0800
<b>Email Address</b>	<a href="mailto:rlitton@harborg.com">rlitton@harborg.com</a>
<b>Interest</b>	Property Owner

## Part 3. Site Data

### A. Site Data

<b>Built Features</b>	Four (4) multi-story residential buildings totaling 288 units and 210,445 square feet. Site also contains associated residential amenities (clubhouse, athletic court, pool, etc.) and surface parking.
<b>Street Address</b>	6200 Wallis Road, West Palm Beach, FL 33413
<b>Frontage</b>	Approximately 784 linear feet of frontage along Wallis Road, and approximately 652 linear feet of frontage along Southern Boulevard (Jog Road Off-Ramp).
<b>Legal Access</b>	Wallis Road (Existing)
<b>Contiguous under same ownership</b>	N/A
<b>Acquisition details</b>	12/23/2019 – Liberty Property Limited Partnership 01/15/2020 – 4740 Weymouth LLC 01/15/2020 – PK Properties II, Inc. 01/15/2020 – Discovery Quest, Inc.
<b>Size purchased</b>	N/A

### B. Development History

<b>Previous FLUA Amendments</b>	Ordinance No. 2020-023
<b>Concurrency</b>	
<b>Plat, Subdivision</b>	Parcel A of the AHS Pine Ridge PUD Plat, as recorded in Plat Book 132, Pages 169-171.

### C. Zoning Approvals & Requests

Reso. No.	App. No.	Status	Type	Description	Changes proposed (if any)
R-2020-1621	ABN/ZV/PDD/CA-2019-01200	Approved		Abandon a Special Exception (Security Kennel).	
R-2020-1622	ABN/ZV/PDD/CA-2019-01200	Approved		Abandon a Special Exception (Daycare)	
R-2020-1623	ABN/ZV/PDD/CA-2019-01200	Adopted with Conditions		Rezoning from AR and RS to PUD.	
R-2020-1624	ABN/ZV/PDD/CA-2019-01200	Adopted with Conditions		Class A to allow a Transfer of Development Rights	
R-2020-1625	ABN/ZV/PDD/CA-2019-01200	Adopted with Conditions		Allow WFH Density bonus >50%.	
---	LGA-2020-00003	Approved		Change the FLU from MR-5 to HR-12.	See attached Justification Statement. Amendment to Condition #3 of Ordinance No. 2020-023.
---	DROE/W-2020-01840	Approved		Eliminate Type 2 Incompatibility Buffer and finalize plans approved by BOCC.	N/A
---	ZAR-2021-01347	Approved		Amend the Site Plan.	N/A
---	ZAR-2022-00655	Approved		Amend the Site Plan to phase the development.	N/A
---	ZAR-2022-01181	Complete		Amend the Site Plan and Regulating Plans.	N/A

**Part 4. Consistency – Not Required (Per Stephanie Gregory, AICP)**

**A. Surrounding Land Uses.**

<b>Adjacent Lands</b>	<b>Use</b>	<b>Future Land Use</b>	<b>Zoning</b>
<b>North</b>			
<b>South</b>			
<b>East</b>			
<b>West</b>			

**Part 5. Public Facilities Information – Not Required (Per Stephanie Gregory, AICP)**

<b>A. Traffic Information</b>		
	<b>Current</b>	<b>Proposed</b>
<b>Max Trip Generator</b>		
<b>Maximum Trip Generation</b>		
<b>Net Daily Trips:</b>	_____ (maximum minus current) _____ (proposed minus current)	
<b>Net PH Trips:</b>	_____ AM, _____ PM (maximum) _____ AM, _____ PM (proposed)	
<b>Significantly impacted roadway segments that fail Long Range</b>		
<b>Significantly impacted roadway segments for Test 2</b>		
<b>Traffic Consultant</b>		
<b>B. Mass Transit Information</b>		
<b>Nearest Palm Tran Route (s)</b>		
<b>Nearest Palm Tran Stop</b>		
<b>Nearest Tri Rail Connection</b>		
<b>C. Potable Water &amp; Wastewater Information</b>		
<b>Potable Water &amp; Wastewater Providers</b>		
<b>Nearest Water &amp; Wastewater Facility, type/size</b>		

<b>D. Drainage Information</b>				
<b>E. Fire Rescue</b>				
<b>Nearest Station</b>				
<b>Distance to Site</b>				
<b>Response Time</b>				
<b>Effect on Resp. Time</b>				
<b>F. Environmental</b>				
<b>Significant habitats or species</b>				
<b>Flood Zone*</b>				
<b>Wellfield Zone*</b>				
<b>G. Historic Resources</b>				
<b>H. Parks and Recreation - Residential Only (Including CLF)</b>				
<b>Park Type</b>	<b>Name &amp; Location</b>	<b>Level of Svc. (ac. per person)</b>	<b>Population Change</b>	<b>Change in Demand</b>
Regional		0.00339		
Beach		0.00035		
District		0.00138		
<b>I. Libraries - Residential Only (Including CLF)</b>				
<b>Library Name</b>				
<b>Address</b>				
<b>City, State, Zip</b>				
<b>Distance</b>				

Component	Level of Service	Population Change	Change in Demand
Collection	2 holdings per person		
All staff	0.6 FTE per 1,000 persons		
Library facilities	0.6 square feet per person		
<b>J. Public Schools - Residential Only (Not Including CLF)</b>			
	Elementary	Middle	High
Name			
Address			
City, State, Zip			
Distance			



## JUSTIFICATION STATEMENT

### AHS Pine Ridge PUD Pine Ridge Apartments

#### Future Land Use Atlas Amendment – Small Scale Amendment to Condition(s)

Our File Number: 60869-00001

Original Submittal: February 12, 2025

It is our pleasure to submit on behalf of our client, Southern and Jog Apartments LLC (the "**Applicant**"), an application for a Future Land use Atlas Amendment (Small Scale) to modify a previous condition of approval associated with the AHS Pine Ridge PUD, as contained in Exhibit 1 of Ordinance No. 2020-023, which required 100% of the units be built as workforce housing units, as contained in. The application is submitted after extensive meetings with staff based on changed market conditions since approval.

#### LOCATION, HISTORY AND EXISTING CONDITIONS

Located on the north side of the Jog Road exit ramp from Southern Boulevard, approximately 0.25 miles east of Jog Road, the AHS Pin Ridge PUD (the "**Property**" or "**Pine Ridge**") consists of approximately 11.18 acres. The site is developed with four multi-story residential buildings totaling 288 units with associated residential amenities, including clubhouse, athletic court, pool, and surface parking. In total, the development consists of approximately 210,445 square feet. No change in the density or design elements are proposed.

On October 22, 2020, the Board of County Commissioners (the "**County**") approved Ordinance No. 2020-023 (**Exhibit 1**), changing the Future Land Use ("**FLU**") designation of the Property, then known as the R80 Residential PUD, from Medium Residential, 5 Units Per Acre ("**MR-5**") to High Residential, 12 Units Per Acres ("**HR-12**"). Ordinance No. 2020-023 was approved subject to the following conditions:

1. The development of the subject site shall be limited to a maximum of 288 dwelling units.
2. The development of the subject site shall include the purchase and construction of forty six (46) Transfer of Development Rights (TDR) units. Thirty-four (34) percent (16 TDR units) to be purchased at the Revitalization, Redevelopment, and Infill Overlay (RRIO) Workforce rate and the remaining thirty (30) TDR units at the RRIO Market rate.
3. The zoning development order shall require 100% of the units to be built on site as workforce housing units subject to the following requirements:
  - a. Sixteen (16) workforce units shall be provided evenly (four each) in the 60%-80%, >80% to 100%, >100% to 120% and >120% to 140% of the AMI ranges, and

- b. The remaining units shall be workforce housing units in the >80% to 140% AMI range.
4. Development of the site is limited to a maximum of three (3) stories within 150 feet of the west property line.

The Property holds the unique distinction of being the only development using the County's Workforce Housing Program ("**WHP**") that has dedicated 100% of its units to workforce housing. It also boasts the highest number of such units in any project within the county. Since the completion of development approximately 18 months ago, Pine Ridge has been leasing (and attempting to lease) in compliance with the conditions of approval under the County's WHP. Unfortunately, particularly unlike the newly proposed 100% workforce housing projects in some municipalities, because Pine Ridge did not receive any financial incentives (e.g., County bonds or State financing), the financial performance based on actual market conditions has been problematic.

It has become apparent that continuing to operate under the workforce housing restrictions imposed by Condition #3 of Ordinance No. 2020-023, outlined above, is not feasible. As a result of the realities of market conditions, the requirements of Condition #3 have placed the Applicant at risk of foreclosure. There is a critical mismatch between the designated income categories and the actual income demographics of prospective tenants. Addressing these discrepancies is essential to aligning the program with the real needs of the community and the Property's viability. Challenges of operating under the current condition of approval are:

- **Insufficient Qualified Tenants have Led to Financial Distress:** The current requirements, with 100% of units tied to income levels higher than the market's demographic, have resulted in an inability to rent units. Data shows that a significant portion of tenant traffic falls within the 'Low' income category (60-80% AMI), a segment severely underrepresented in the existing WHP Agreement. This mismatch has drastically impacted occupancy and rental income. In 2024 alone, Pine Ridge had 1,395 prospective tenants disqualified due to not making enough income to meet the program's requirements.
- **Imminent Foreclosure and Program Termination:** The current trajectory places Pine Ridge at imminent risk of foreclosure. Foreclosure would likely lead to the termination of the Workforce Housing Program agreement for Pine Ridge because the program agreement is subordinate to the loan, meaning foreclosure could completely eliminate the program at Pine Ridge, which eliminates all of the benefits of the WHP. This underscores the urgent need for program adjustments to realign the WHP restrictions with actual demand and the income demographics of prospective tenants.
- **Recent Ability to Rent 'Low':** The recent ability to rent more units in the "Low" category has provided a short-term solution to boost occupancy, given that the majority of qualified traffic falls into this category. However, this is not a sustainable long-term solution. It limits the ability to generate operating income necessary to sustain the development.

## PROPOSED AMENDMENT

To address the issues with the market realities while helping to ensure the long-term viability of Pine Ridge, the Applicant proposes to amend the Property's WHP, including adding

dedicated units to lower-income categories and introducing fair market units (similar to other successful projects in Palm Beach County). The proposed amendment is essential to ensure Pine Ridge's continued ability to provide quality affordable housing for County residents particularly in the Low category where there is a demonstrated need, and better align Pine Ridge with current market realities and the demonstrated needs of Palm Beach County residents. The proposed amendments to the Property's WHP, and Condition #3 of Ordinance No. 2020-023, include:

- Increase 'Low' Income Category Units:** Reclassify 47 units from the general 'Workforce' category (80-140% AMI), and 4 units from the 'Middle' income category (120-140% AMI), to the 'Low' income category (60-80% AMI). This increases the 'Low' income units from 4 to 55, directly addressing the high demand within this category and enabling Pine Ridge to serve a larger portion of the community effectively for the foreseeable future.
- Increase 'Moderate 1' Income Category Units:** Reclassify 81 units from the general 'Workforce' category, and 4 units from the 'Moderate 2' income category (100-120% AMI), to the 'Moderate 1' income category (80-100% AMI). This increases 'Moderate 1' units from 4 to 89, reflecting the significant number of qualified applicants within this income bracket and further aligning the program with the community's needs.
- Introduce Unrestricted Units:** Introduce 144 unrestricted units by relocating 144 units from the general 'Workforce' category. This retains 50% of the units dedicated to workforce housing while offsetting the rental loss to create financially feasible opportunity to provide those units. This balanced approach is essential for long-term sustainability, accommodates a wider range of incomes, and fosters a more inclusive community. This adjustment also addresses occupancy challenges, as renting more than 55 units in the 'Low' category would otherwise create a financial system that could not be sustained. *This will still allow Pine Ridge to maintain the largest number of workforce housing units within the Palm Beach County Workforce Housing Program.*
- Eliminate the general 'Workforce' (80%-140% AMI) category.**

A table summarizing the modifications is provided below:

Income Category	Current Requirement (Ord No. 2020-23)	Proposed Amendment
Low (60%-80% AMI)	4 units	55 units
Moderate 1 (80-100% AMI)	4 units	89 units
Moderate 2 (100-120% AMI)	4 units	0 units
Middle (120-140% AMI)	4 units	0 units
Workforce (80%-140% AMI)	272 units	0 units
Unrestricted	0 units	144 units
<b>TOTAL</b>	<b>288 units</b>	<b>288 units</b>

The proposed strikethrough/underline of Condition #3 is as follows:

3. The zoning development order shall require ~~±0050%~~ (144) of the units to be built on site as workforce housing units subject to the following requirements:
  - a. ~~Sixteen (16) workforce units shall be provided evenly (four each)~~ Fifty-five units shall be provided in the 60%-80% AMI range, and eighty-five (85) units shall be provided in the >80% to 100% AMI range., >100% to 120% and >120% to 140% of the AMI ranges, and
  - b. ~~The remaining units shall be workforce housing units in the >80% to 140% AMI range.~~

The remaining units (144) shall remain unrestricted.

## **BENEFITS**

These amendments will create several benefits for both the property and the community:

- **Increased Community Impact:** By significantly increasing the number of units designated for 'Low' and 'Moderate 1' income categories, we can serve a larger portion of the community's workforce that truly need the housing, including teachers, police officers, and healthcare workers. This has a positive social impact and supports the County's affordable housing goals.
- **Improved Financial Stability:** The introduction of fair market units, alongside the revised workforce housing categories, provides for necessary financial stability to maintain the WHP units. This change is essential to stabilize occupancy, as the majority of qualified traffic falls within the 'Low' category. As part of this, the only viable path to achieving and maintaining a stabilized occupancy is to reclassify a portion of these units to market rates.
- **Prevent Distressed Property and Maintain Project Quality:** While some units will transition to fair market rent, this amendment ultimately preserves Pine Ridge as a valuable community asset with a significant number of workforce housing units. It prevents potential deterioration or foreclosure, which could result in the loss of all affordable housing units at the property. Maintaining the Property in good condition is crucial for its long-term value, appeal, and ability to serve the community effectively. The proposed financial stability will allow for continued investment in the Property, benefiting all residents.

## **CONCLUSION**

The proposed amendment to Ordinance No. 2020-023 will allow for the continued viability of Pine Ridge, preserving a vital community asset and ensuring continued availability of affordable housing, particularly in the areas of most need. The amendment is a solution that supports the County's long-term housing goals and contributes to a thriving and sustainable housing market by securing the future of Pine Ridge and ensuring all restricted housing units are not lost.

Prepared and Respectfully Submitted By:

  
Brian M. Seymour, Esq.  
Attorney

  
John P. Roach, AICP  
Planner

**EXHIBIT 1**

**Ordinance No. 2020-023**

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Ordinance No. 2020-023 can be found on the following page(s).*

ORDINANCE NO. 2020 -023

1  
2  
3 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
4 PALM BEACH COUNTY, FLORIDA AMENDING THE 1989  
5 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS  
6 AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR THE  
7 SITE SPECIFIC AMENDMENT **R80 RESIDENTIAL PUD (LGA 2020-003)**,  
8 MODIFYING PAGE 64 OF THE FLUA FOR APPROXIMATELY 11.46 ACRES  
9 OF LAND, GENERALLY LOCATED ON THE NORTHEAST CORNER OF  
10 SOUTHERN BOULEVARD AND 1ST STREET, BY CHANGING THE  
11 FUTURE LAND USE DESIGNATION FROM MEDIUM RESIDENTIAL, 5  
12 UNITS PER ACRE (MR-5) TO HIGH RESIDENTIAL, 12 UNITS PER ACRE  
13 (HR-12) WITH CONDITIONS; AND AMENDING ALL ELEMENTS AS  
14 NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT;  
15 PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE  
16 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE  
17 DATE.

18  
19 **WHEREAS**, on August 31, 1989, the Palm Beach County Board of County  
20 Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

21 **WHEREAS**, the Palm Beach County Board of County Commissioners amends the  
22 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

23 **WHEREAS**, Section 163.3184(2)(a), Florida Statutes, provides that comprehensive  
24 plan amendments shall follow the expedited state review process except as set forth in  
25 Section 163.3184(2)(b) and (c), Florida Statutes; and

26 **WHEREAS**, the Palm Beach County Board of County Commissioners have initiated  
27 amendments to several elements of the Comprehensive Plan in order to promote the health,  
28 safety and welfare of the public of Palm Beach County; and

29 **WHEREAS**, the proposed amendments meet the requirements of Section  
30 163.3184(3)(a), Florida Statutes, to be processed through the expedited state review process,  
31 and are being processed through the expedited state review process; and

32 **WHEREAS**, the Palm Beach County Local Planning Agency conducted its public  
33 hearing on July 10, 2020 to review the proposed amendments to the Palm Beach County  
34 Comprehensive Plan and made recommendations regarding the proposed amendments to  
35 the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II,  
36 Florida Statutes; and

37 **WHEREAS**, the Palm Beach County Board of County Commissioners, as the  
38 governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163,  
39 Part II, Florida Statutes, on July 28, 2020 to review the recommendations of the Local Planning  
40 Agency, whereupon the Board of County Commissioners authorized transmittal of proposed  
41 amendments to the state land planning agency and review agencies pursuant to Chapter 163,  
42 Part II, Florida Statutes; and

1           **WHEREAS**, Palm Beach County received a letter from the state land planning agency  
2 dated August 28, 2020 for Round 20-07ESR (County Round 20-B2) stating that the Agency  
3 had no comment regarding the proposed amendment; and

4           **WHEREAS**, on October 22, 2020 the Palm Beach County Board of County  
5 Commissioners held a public hearing to consider adoption of the amendments; and

6           **WHEREAS**, the Palm Beach County Board of County Commissioners has determined  
7 that the amendments comply with the requirements of the Community Planning Act.

8           **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
9 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

10           **Part I. Amendments to the 1989 Comprehensive Plan**

11           Amendments to the 1989 Comprehensive Plan are hereby adopted and attached to  
12 this Ordinance as Exhibit 1:

13           **1. Future Land Use Atlas page 64** is amended as follows:

14           **Application: R80 Residential PUD (LGA 2020-003)**

15           **Amendment:** From Medium Residential, 5 units per acre (MR-5) to High Residential, 12 units  
16 per acre (HR-12),

17           **Location:** North side of Southern Boulevard/SR80, east side of 1<sup>st</sup> Street,

18           **Size:** 11.46 acres approximately,

19           **Conditions:** See Exhibit 1;

20           **Part II. Repeal of Laws in Conflict**

21           All local laws and ordinances applying to the unincorporated area of Palm Beach  
22 County in conflict with any provision of this ordinance are hereby repealed to the extent of  
23 such conflict.

24           **Part III. Severability**

25           If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for  
26 any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not  
27 affect the remainder of this Ordinance.

28           **Part IV. Inclusion in the 1989 Comprehensive Plan**

29           The provision of this Ordinance shall become and be made a part of the 1989 Palm  
30 Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or  
31 re-lettered to accomplish such, and the word "ordinance" may be changed to "section,"  
32 "article," or any other appropriate word.

33           **Part V. Effective Date**

34           The effective date of this plan amendment, if the amendment is not timely challenged,  
35 shall be 31 days after the state land planning agency notifies the County that the plan



1 amendment package is complete. If timely challenged, this amendment shall become  
2 effective on the date the state land planning agency or the Administration Commission enters  
3 a final order determining this adopted amendment to be in compliance. No development  
4 orders, development permits, or land uses dependent on this amendment may be issued or  
5 commence before it has become effective. If a final order of noncompliance is issued by the  
6 Administration Commission, this amendment may nevertheless be made effective by adoption  
7 of a resolution affirming its effective status, a copy of which resolution shall be sent to the  
8 state land planning agency.

9 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach  
10 County, on the 22nd day of October, 2020.

11 ATTEST:  
12 SHARON R. BOCK, CLERK  
13 & COMPTROLLER

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

14 By

  
Deputy Clerk

By

  
Dave Kerner, Mayor

16 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

17 By

  
County Attorney

19 Filed with the Department of State on the 3rd day of November, 2020.

20 T:\Planning\AMEND\20-B2\Admin\Ordinances\Ord-R80Res-10-22-2020.docx

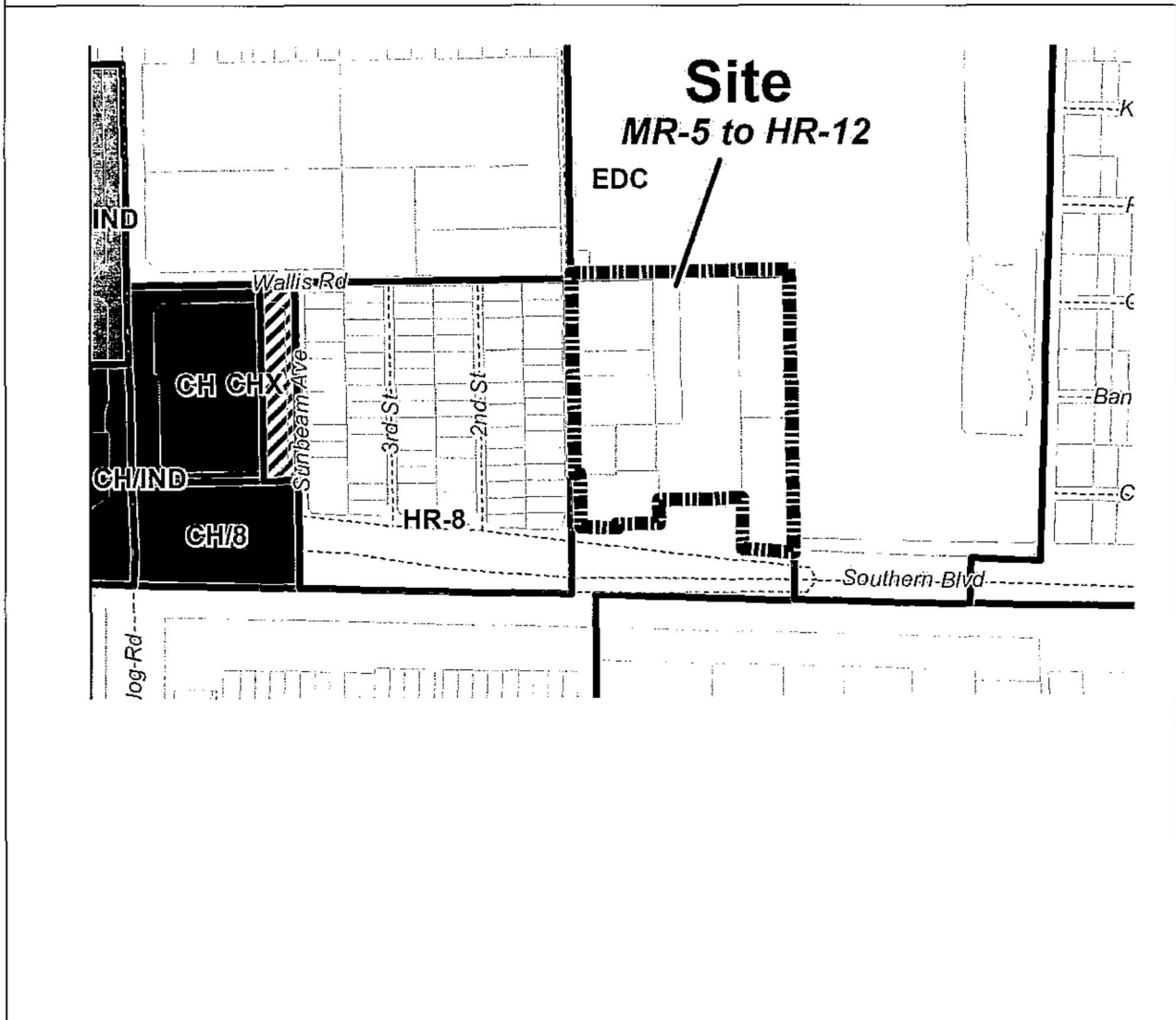
## EXHIBIT 1

A. Future Land Use Atlas page 64 is amended as follows:

<b>Amendment No:</b>	<b>R80 Residential PUD (LGA 2020-003)</b>
<b>Location:</b>	North side of Southern Boulevard/SR80, east of 1 <sup>st</sup> Street
<b>Size:</b>	11.46 acres approximately
<b>Amendment:</b>	From Medium Residential, 5 units per acre (MR-5) to High Residential, 12 units per acre (HR-12)
<b>Property No:</b>	00-42-43-27-05-005-0420; 00-42-43-27-05-005-1590; 00-42-43-27-05-005-1591; 00-42-43-27-05-005-1600; 00-42-43-27-05-005-1611; 00-42-43-27-05-005-1620; 00-42-43-27-05-005-1630; 00-42-43-27-05-005-1640; 00-42-43-27-05-005-1710; 00-42-43-27-05-005-2240; 00-42-43-27-05-005-2250

**Conditions:** Development of the site under the HR-12 designation is subject to the following:

1. The development of the subject site shall be limited to a maximum of 288 dwelling units.
2. The development of the subject site shall include the purchase and construction of forty six (46) Transfer of Development Rights (TDR) units. Thirty-four (34) percent (16 TDR units) to be purchased at the Revitalization, Redevelopment, and Infill Overlay (RRIO) Workforce rate and the remaining thirty (30) TDR units at the RRIO Market rate.
3. The zoning development order shall require 100% of the units to be built on site as workforce housing units subject to the following requirements:
  - a. Sixteen (16) workforce units shall be provided evenly (four each) in the 60% to 80%, >80% to 100%, >100% to 120% and >120% to 140% of the AMI ranges, and
  - b. The remaining units shall be workforce housing units in the >80% to 140% AMI range.
4. Development of the site is limited to a maximum of three (3) stories within 150 feet of the west property line.



## Legal Description

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### PARCEL 1:

THAT PART OF THE EAST 155 FEET OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, LYING NORTH OF THE NORTHERLY LINE OF STATE ROAD 80, AND LESS THE SOUTHERLY 500 FEET OF THE EAST 155 FEET OF SAID TRACT 62, AS CONVEYED IN OFFICIAL RECORDS BOOK 1919, PAGE 1622, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 45, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE RIGHT INGRESS AND EGRESS OVER THE WEST 30 FEET OF THE SOUTHERLY 500 FEET OF THAT PART OF THE EAST 155 FEET OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, LYING NORTH OF THE NORTHERLY LINE OF STATE ROAD 80 AND THE SOUTH 15 FEET OF 30 FOOT STRIP LYING NORTH OF AND ADJACENT TO BLOCK 5.

### PARCEL 2:

THE SOUTHERLY 500 FEET OF THAT PART OF THE EAST 155 FEET OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, LYING NORTH OF THE NORTHERLY LINE OF STATE ROAD NO. 80, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE NORTH LINE OF SAID SOUTHERLY 500 FEET TRACT TO BE PARALLEL TO THE NORTH LINE OF SAID TRACT 62, AND THE SOUTH 500 FEET IS TO BE MEASURED ALONG THE EAST LINE OF SAID TRACT 62.

### PARCEL 3:

THE EASTERLY 84 FEET OF THE NORTHERLY 665 FEET OF THE WEST ½ OF TRACT 62, AND THE WESTERLY 175 OF THE NORTHERLY 665 FEET OF THE EAST ½ OF TRACT 62, IN BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF TRACT 62, BLOCK 5, BEING THE NORTH 433 FEET OF THE EAST 80.83 FEET OF THE WEST 326.83 FEET OF TRACT 62, BLOCK 5, AND THE SOUTH 15 FEET OF 30 FOOT PLATTED ROADWAY LYING BETWEEN THE NORTHERLY EXTENSION

OF THE WEST AND EAST LINES OF SAID PORTION OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 4: (COMPRISED OF SUBPARCELS A THROUGH D BELOW)

#### SUB PARCEL A

A PORTION OF TRACT 62, BLOCK 5, BEING THE NORTH 433 FEET OF THE EAST 80.83 FEET OF THE WEST 326.83 FEET OF TRACT 62, BLOCK 5, AND THE SOUTH 15 FEET OF 30 FOOT PLATTED ROADWAY LYING BETWEEN THE NORTHERLY EXTENSION

OF THE WEST AND EAST LINES OF SAID PORTION OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

#### SUB PARCEL B

THE NORTH 208 FEET OF THE WEST 246 FEET OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

#### SUB PARCEL C

A PORTION OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 80, AS IN PLAT BOOK 2, PAGES 11 THROUGH 18, WHERE SAID RIGHT-OF-WAY LINE INTERSECTS THE WEST LINE OF SAID TRACT 62; PROCEED NORTHERLY ALONG SAID WEST BOUNDARY LINE A DISTANCE 617 FEET; THENCE RUN EAST, PARALLEL TO THE

NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 80, 246 FEET; THENCE RUN NORTH, PARALLEL TO THE WEST LINE OF TRACT 62 AFORESAID 75 FEET; THENCE RUN WESTERLY PARALLEL TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 80, 246 FEET TO THE WEST BOUNDARY OF SAID TRACT 62; THENCE SOUTHERLY ALONG SAID WEST BOUNDARY A DISTANCE OF 75 FEET TO THE POINT OF BEGINNING.

AND

SUB PARCEL D

A PART OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST BOUNDARY OF SAID TRACT, WHERE IT INTERSECTS WITH THE NORTHERLY RIGHT-OF-WAY OF STATE ROAD 80; PROCEED NORTHERLY ALONG SAID WEST BOUNDARY A DISTANCE OF 467.08 FEET TO THE POINT OF BEGINNING, THENCE EASTERLY AT RIGHT ANGLES WITH SAID WEST BOUNDARY, A DISTANCE OF 246 FEET TO A POINT, THENCE NORTHERLY PARALLEL TO SAID WEST BOUNDARY, A DISTANCE OF 150 FEET TO A POINT, THENCE WESTERLY AT RIGHT ANGLES, A DISTANCE OF 246 FEET TO THE SAID WEST BOUNDARY OF SAID TRACT 62; THENCE SOUTHERLY ALONG THE WEST BOUNDARY, A DISTANCE OF 150 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

THAT PORTION OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING NORTH OF THE NORTH LINE OF A PARCEL OF LAND DEEDED TO FRED D. TOSLAND, IN OFFICIAL RECORDS BOOK 344, PAGE 569, SAID PORTION DESCRIBED AS THE WEST 125 FEET OF SAID TRACT 62, BLOCK 5, LESS THE NORTH 433 FEET AND ALSO LESS THAT PORTION OF THE WEST 125 FEET LYING 317 FEET NORTHERLY OF THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 80 AS IN ROAD PLAT BOOK 2, PAGE 11, AS MEASURED ALONG THE WEST LINE OF SAID TRACT 62, BLOCK 5, THE NORTH LINE OF SAID PORTION BEING PARALLEL WITH THE NORTH LINE OF SAID TRACT 62, BLOCK 5, TOGETHER WITH THAT PORTION OF TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 45, LYING NORTH OF THE NORTH LINE OF A PARCEL OF LAND DEEDED TO FRED D. TOSLAND, IN OFFICIAL RECORDS BOOK 202, PAGE 525, SAID PORTION DESCRIBED AS THE EAST 121 FEET OF THE WEST 246 FEET OF THE SOUTH 144.31 FEET OF THE NORTH 577.31 FEET OF SAID TRACT 62, BLOCK 5.

LEGAL DESCRIPTION (CONTINUED)

PARCEL 6:

A PARCEL OF LAND LYING IN TRACT 62, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING THE NORTH 160 FEET OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 344, PAGE 569, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE WEST 15 FEET THEREOF AS CONVEYED TO PALM BEACH COUNTY IN OFFICIAL RECORDS BOOK 6495, PAGE 88, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH THE NORTH 160 FEET OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 202, PAGE 525, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. AFORESAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF SAID TRACT 62, WHERE IT INTERSECTS THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80 AS SHOWN IN ROAD PLAT BOOK 2, PAGE 11, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 00°33'00" WEST ALONG SAID WEST LINE OF SAID TRACT 62, A DISTANCE OF 157.00 FEET; THENCE SOUTH 88°07'00" EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID STATE ROAD 80, A DISTANCE OF 15.01 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°33'00" WEST ALONG A LINE PARALLEL WITH AND 15.00 FEET EAST OF, MEASURED AT RIGHT ANGLES TO SAID WEST LINE OF TRACT 62, A DISTANCE OF 160.00 FEET; THENCE SOUTH 88°07'00" EAST ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 344, PAGE 569, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 110.10 FEET; THENCE NORTH 00°33'00" WEST ALONG A LINE PARALLEL WITH AND 125.00 FEET EAST OF, MEASURED AT RIGHT ANGLES TO SAID WEST LINE OF TRACT 62, A DISTANCE OF 12.03 FEET; THENCE NORTH 89°27'00" EAST, ALONG A LINE PARALLEL WITH AND 577.31 FEET SOUTH OF, MEASURED AT RIGHT ANGLES TO THE NORTH LINE