

P&Z Board Members

Roger Manning
Katrina Long Robinson
John Stanavitch
Kara Crump
Phillip Everett



City of Westlake

4001 Seminole Pratt Whitney Rd.
Westlake, Florida 33470
Phone: 561-530-5880
Fax: 561-790-5466

Planning and Zoning Meeting

Monday, January 9, 2017

Meeting Location

Westlake Council Chambers

4005 Seminole Pratt-Whitney Road

Westlake, FL 33470

6:00 PM

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing may be continued to another date and time as may be found necessary during the aforesaid meeting. In accordance with the provisions of the Americans with Disabilities Act (ADA), any person requiring special accommodations at these meetings because of disability or physical impairment should contact the Interim City Manager at (954)753-5841 at least two (2) calendar days prior to the meeting.

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January 5, 2017

City Council
City of Westlake

Dear Mayor and Council:

The Planning and Zoning meeting of the City of Westlake will be held on Monday, January 9, 2017 at 6:00 p.m. at the Westlake Council Chambers, 4005 Seminole Pratt Whitney Road, Westlake, Florida. Following is the advance agenda for the meeting.

1. Call to Order/Roll Call
2. Pledge of Allegiance
- PUBLIC HEARING
3. Consideration of Master Plan Amendment
4. Consideration of Type II Variance for POD Q
5. Audience Comments
6. Adjournment

Any additional supporting material for the items listed above, not included in the agenda package, will be distributed at the meeting. Staff will present their reports at the meeting. I look forward to seeing you, but in the meantime if you have any questions, please contact me.

Sincerely,

Kenneth Cassel


Kenneth G. Cassel
City Manager

cc: Pam E. Booker, Esq
John Carter
Terry Lewis
Johnnie Easton

Third Order of Business

MEMORANDUM

To: Mayor Roger Manning, Chair
Planning & Zoning Board Members
Ken Cassel, City Manager

From: Pam E. Booker, City Attorney 

Date: January 3, 2017

Subject: Master Plan Amendment

Please find a resolution for approval by the City Council for the Master Plan Amendment application. The Planning and Zoning Board will make a recommendation to the City Council to approve, approve with conditions or to deny the application. Nilsa Zacarias, of NZ Consultants, the City's Planner will make a presentation to the Board and the representative for the Applicant, Don Hearing of Coteleur & Hearing, has a presentation for the Board's consideration. A copy of the courtesy notice which was provided to property owner's within 1,000 feet of the property is provided for informational purposes.

The resolution which will be presented to the City Council on January 23, 2017, is being provided for informational purposes. The Planner has recommended approval of the application with conditions as set forth in the staff report. Should you have any questions, or need any additional information, please do not hesitate to call.

January 23, 2017

RESOLUTION 2017-0_____

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER PLAN AMENDMENT FOR MINTO WESTLAKE, TRADITIONAL TOWN DEVELOPMENT (TTD), IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Minto PBLH, LLC, a Florida Limited Liability Company, as the Applicant has requested approval for a Master Plan Amendment for Minto Westlake, in the City of Westlake, Palm Beach County, Florida, as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has jurisdiction to consider applications for planning and zoning related purposes; and

WHEREAS, the notice and public hearing requirements as set for in Palm Beach County's Unified Land Development regulations have been satisfied; and

WHEREAS, the application has been reviewed and recommendations have been made by the Planning and Zoning Board on or about January 9, 2017 at a public hearing; and

WHEREAS, the City Council has considered the evidence and testimony presented by the applicant, interested parties, and the staff report with recommendations to the Planning and Zoning Board; and

WHEREAS, the City Council has the authority to approve, approve with conditions or to deny the requested changes to the Master Plan Amendment; and

WHEREAS, Palm Beach County issued an approval of a Final Master Plan on or about November 3, 2014, via Resolution No. R-2014-1646 containing conditions of approval, and subsequently approved a corrected resolution via Resolution R-2014-1892; and

WHEREAS, the Master Plan Amendment seeks to modify certain conditions of approval as set forth in Resolution No. R-2014-1646.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1: The above recitals are true and correct and are incorporated herein by this reference.

Section 2: The City Council for the City of Westlake hereby approves the Master Plan Amendment, for property as described in the attached Exhibit "A", containing

approximately 3,788.60 acres, which is located in the City of Westlake, and in Palm Beach County, Florida. The Master Plan Amendment is subject to conditions contained within the staff report, attached hereto and made a part hereof.

Section 3: All conditions of approval not changed by this Amendment as set forth in Palm Beach County's Resolution No. R-2014-1646 and Resolution No. R-2014-1892, remain as conditions of approval.

Section 4: This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this _____ day

of January 23, 2017.

City of Westlake
Roger Manning, Mayor

Sandra DeMarco, City Clerk

Approved as to Form and Sufficiency
Pam E. Booker, City Attorney



**CITY OF WESTLAKE
NOTICE OF PUBLIC HEARING
ZONING APPLICATION MPA-2016-01
Westlake Final Master Plan TTD**

This is a courtesy notice of a proposed zoning action within 1,000 feet of property that you own. You are encouraged to attend these public hearings and/or complete and return the attached Citizen Response Form, should you have any concerns regarding this matter. If you have any questions or would like further information please contact Ken Cassel, City Manager, at (561) 530-5880. Approximately three days prior to the scheduled hearing, the Staff Report with the Site Plan may be viewed online by selecting the hearing/ hearing date listed below at: <http://westlakegov.com/index.php/meetings/city-council/agendas-minutes>.

<p>PLANNING & ZONING BOARD: January 9, 2017 at 6:00 p.m.</p> <p>4001 Seminole Pratt Whitney Rd Westlake, FL 33470</p>	<p>CITY COUNCIL: January 23, 2017 at 7:00 p.m.</p> <p>4001 Seminole Pratt Whitney Rd Westlake, FL 33470</p>
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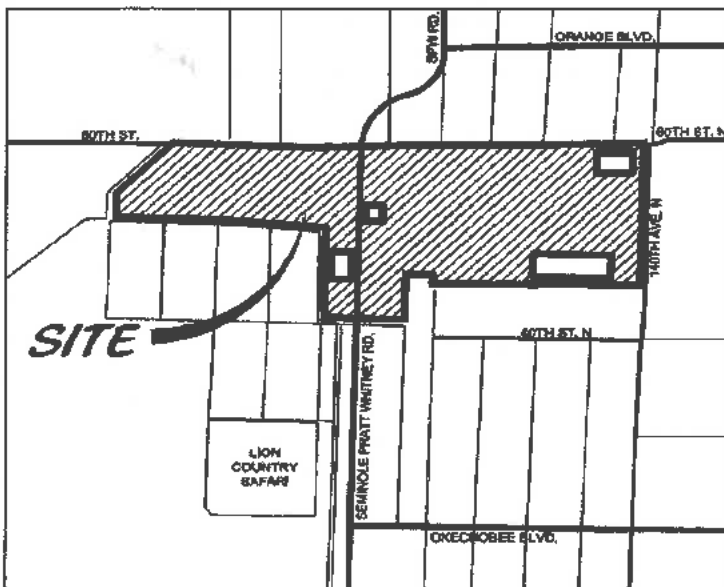
GENERAL LOCATION: East and West of Seminole Pratt Whitney Blvd., South of 60th Street North, and North of 50th Street N, East of Mead Hill Drive, and 44th Street North, East of 190th Terrace North and West of 140th Avenue North. **TITLE:** a Development Order Amendment **REQUEST:** to modify conditions of approval in Resolution 2014-1646 and to update the DRO-approved Final Master Plan.

APPLICATION SUMMARY:

On October 29, 2014, the property received approval from the Palm Beach County Board of County Commissioners for a Preliminary Master Plan via Resolution 2014-1646. Proposed is a Development Order Amendment of Resolution 2014-1646. The subject resolution approved the TTD Zoning Application for Westlake.

Resolution No. 2014-1646 approved the Zoning application for the Minto West Traditional Development District. The Resolution included rezoning the property from Agricultural Residential (AR) and Public Ownership (PO) Zoning Districts to the Traditional Town Development (TTD) Zoning District.

LOCATION MAP 



The applicant is requesting minor modifications to the approved Master Plan, and to modify certain Conditions of Approval to facilitate engineering and constructibility requirements. The application is proposing to increase and/or reduce the acreage and/or dwelling units within TND, PUD, and TMD pods. All changes were made within like pods.

There is no change to the overall number of dwelling units or density; no change to the acreage of open spaces or buffering; and no change to the total acreage of residential development area proposed by this modification.

RETURN TO:
Planning and Zoning
City of Westlake
Attn: Kenneth Cassel
4001 Seminole Pratt Whitney Rd
Westlake, FL 33470

Approve _____ Oppose _____

Application No. MPA-2016-01 Master Plan Ammendment & Modify Conditions of Approval

DATE: _____

NAME: _____

PHONE: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

RECOMMENDATIONS AND POSTPONEMENTS: The City Council/Planning & Zoning Board may accept, reject or modify staff recommendations and take such other appropriate and lawful action including continuing said public hearings.

CONDUCT OF HEARINGS: Planning and Zoning hearings are quasi-judicial and must be conducted to afford all parties due process. Any communication that Council Members have outside of the public hearing must be fully disclosed at the hearing. Anyone who wishes to speak at the hearing will be sworn in and may be subject to cross-examination. Public comment is encouraged and all relevant information should be presented to the Council Members so a fair and appropriate decision can be made. Tapes are limited to three (3) minutes in length and are to be submitted to the City of Westlake one week prior to the meeting date for review. All tapes/information submitted for the public record will not be returned. Auxiliary aids or services will be provided upon request, with at least four days notice to the City of Westlake, where necessary, to afford an individual with a disability an equal opportunity to participate.

GROUP REPRESENTATIVES: Any person representing a group or organization must provide written authorization to speak on behalf of that group. The representative shall inform Staff prior to the hearing of their intent to speak on behalf of a group and provide staff the name of that group.

<input type="checkbox"/> I will have a representative at the <input type="checkbox"/> Planning & Zoning Hearing and/or <input type="checkbox"/> City Council Hearing My representative's name, address, and phone number are: NAME: _____ PHONE: _____ ADDRESS: _____ CITY/STATE/ZIP: _____

APPEALS: If a person decides to appeal any final decision made by the City of Westlake Council or Planning and Zoning Board, with respect to any matter considered at such hearing, he or she will need a record of the proceeding and for that purpose will need to provide his or her own court reporter to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence on which the appeal is to be based.



City of Westlake
Planning and Zoning Department
Staff Report – MPA-2016-01 – 1/4/2017

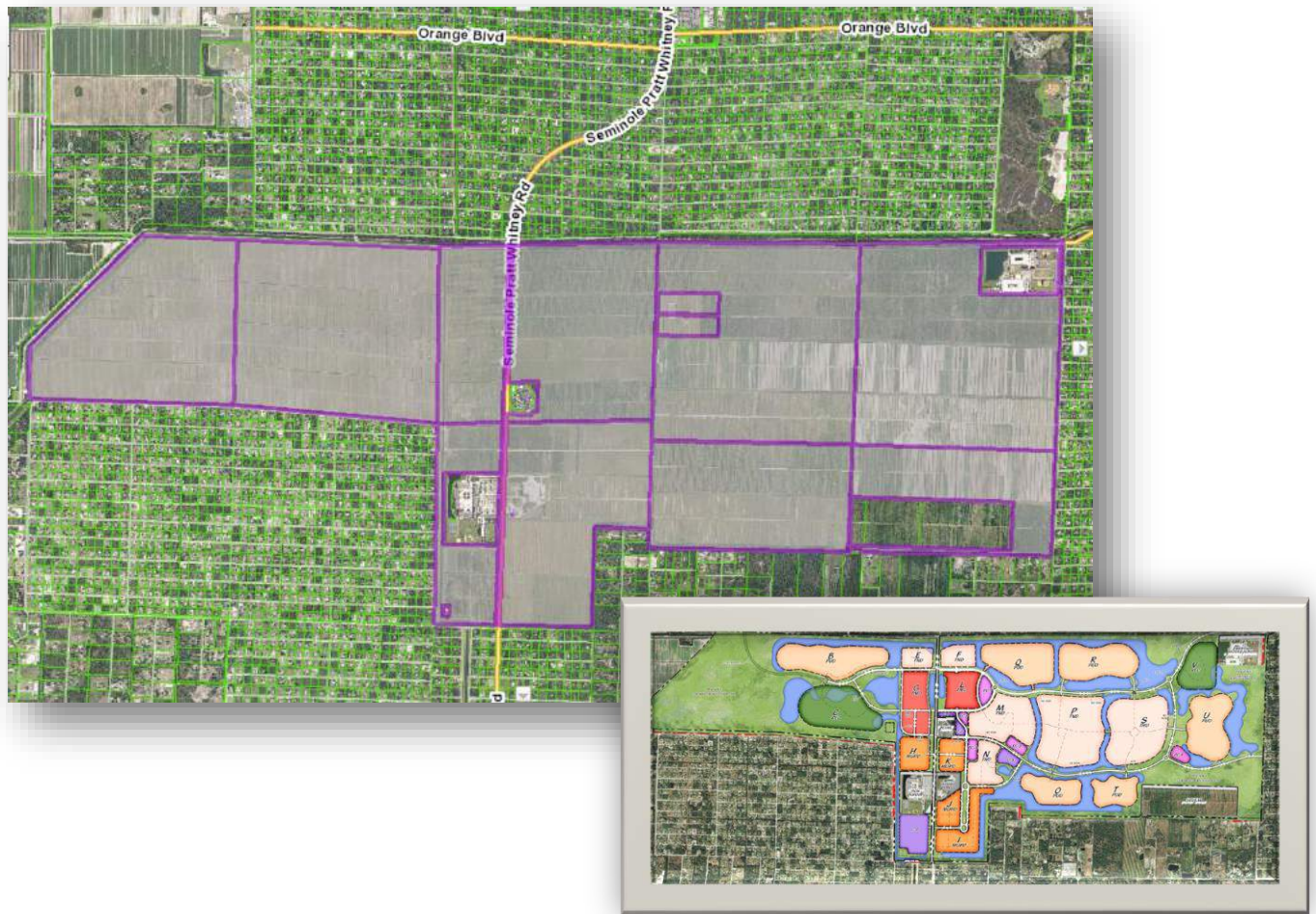
PETITION DESCRIPTION

PETITION NUMBER: MPA-2016-01
APPLICANT: Cotleur & Hearing
OWNER: Minto PBLH, LLC
REQUEST: Amend Development Order for Minto West (Resolution No. R-2014-1646) as follows:

- Revise the Final Master Plan (FMP) and correlated supporting plans, and
- Modify condition of approval #15

LOCATION: Westlake, FL 33470
PROPERTY CONTROL NUMBERS: 00-40-43-01-00-000-1010; 00-40-43-02-00-000-1010; 00-40-43-03-00-000-1020; 00-41-43-05-00-000-1030; 00-41-43-06-00-000-3010; 00-41-43-06-00-000-1010; 00-41-43-07-00-000-1000; 00-41-43-08-00-000-1010; 00-40-43-12-00-000-7010; 00-40-43-12-00-000-1010

Site Location Map



PETITION FACTS

Total Gross Site Area: 3,788.60 acres

General Site Area Information

- BCC Approval Date: 10/29/2014
- Resolution Numbers: TTD/R-2014-1646, R-2014-1647, R-2014-1648, Ordinance 2014-030
- DRO Approval Date: 7/8/2015

Land Use and Zoning

Existing Land Use	Vacant and Agricultural
Future Land Use	Agricultural Enclave (AGE)
Zoning	Traditional Town Development (TTD) Agricultural Enclave Overlay (AGEO)

PROJECT HISTORY

Table 1 summarizes the approval and review history of the subject property as recorded by Palm Beach County.

Table 1. Project History

Application Number	Request	Resolution/ Ordinance	Approval Date
N/A	Bona Fide Agriculture (orange groves)	N/A	1966
SE-1975-00008 Callery Judge Water and Wastewater Treatment Plant	An application of Land Holding Corporation for a Special Exception (SE) to allow an Interim Sewage Treatment Plant.	R-75-088	February 11, 1975
DRC 1994-00046	Packing Plant Site Plan approval by the Development Review Committee.	N/A	February, 1994
CA- 1995-00107 (1995-107) Callery Judge Water and Wastewater Treatment Plant	An application of Seminole Improvement District for a Class A Conditional Use to allow a Water and Wastewater Treatment Plant.	R-96-0998	July 25, 1996
CA-1994-00046(A) CJG Packing Plant– Tower	An application of Bellsouth Mobility for a Class A Conditional Use (CA) to allow a Commercial Communication Tower (200 feet).	R-96-1949	December 2, 1996
EAC-1994-00046 (B) CJG Packing Plant- Tower	An application of Bellsouth Mobility for a Development Order Amendment/Expedited Application Consideration (EAC) to delete a Condition of Approval (D.5 storage tanks).	R-98-306	February 26, 1998

1998-00047 Golden Groves/ Seminole Limited Urban Service Area	RR-10 to Large Scale Multiple Use LS/MU 130 acres (15 acres CH-O, 110 acres IND, 5 acres open space); amend from Rural to Limited Urban Service Area Seminole-Pratt Whitney Road, east and south of the packing plant.	Denied– Not Transmitted	July 13, 1998 Recommendation of Denial
1999-2005: MGTS Managed Growth Tier System and Central West Communities Sector Plan	Preparation and Adoption of Planning studies which identified these parcels as a potential centralized hub for “balancing” land uses in the area.	Ordinance 2005-34	August 22, 2005
ABN-2006-00833 (1975-00008) Callery Judge Water and Wastewater Treatment Plant	An application to abandon the SE for an Interim Sewage Treatment Plant.	R-2006-1201	June 22, 2006
2005-2007: MGTS Managed Growth Tier System and Central West Communities Sector Plan	Negotiation Period—State Dept. of Community Affairs—determined not Consistent with Chapter 163. The Ordinance never became effective due to administrative challenges.	Ordinance 2007-031	Repealed amendment on November 26, 2007
LGA-2006-00015 Comprehensive Plan Amendment – Callery Judge Groves	An application for a Development of Regional Impact (DRI) - Large Scale Amendment to allow an Amendment of the Future Land use from RR10 to TTD/5 for the development of a new town consisting of 10,000 homes, 4.9 million SF non-residential uses, and sought to address regional water supply and drainage issues. Round 06-D1. Planning Staff recommended denial of the request, but offered an alternative action consistent with Sector Plan Remedial Amendment.	No Ordinance– Denied	Denied by the BCC on May 15, 2007.
TDD/R/ZV 2006- 1142 Callery Judge Groves TTD	Zoning application for a DRI, Type II Variance, and Rezoning to TTD, 10,000 residential units and a total of 4.9 million sq. ft. of non-residential uses. Zoning Staff recommended denial.	R-07-0829 and R-07-0830	Denied by the BCC on May 15, 2007

2008-00011 Future Land Use Amendment (FLUA) Text Amendment	An application of Callery Judge Groves requesting a Land Use Amendment, pursuant to 163.3164(4) F.S and a Text Amendment that established the current policies in the Plan. The request limited the site to allow 2,996 units and 235,000 square feet of retail and office uses, just under the thresholds that would have triggered DRI review.	Ordinance 2008-019	August 21, 2008
Privately Initiated Text Amendments	An application of Minto West to allow an additional round to process a large scale amendment as permitted by the Comprehensive Plan. Proposal to modify policies in the Plan related to AGE FLU provisions, transects and providing public benefits.	Ordinance 2014-030	Submittal: October 28, 2013 Initiated by the BCC: April 28, 2014 Effective date: July 7, 2015
LGA-2014-00007	The application of Minto West to Modify the Comprehensive Plan Future Land Use and Text to increase the residential density from 2,996 dwelling units per acre (0.80 du/acre) to 6,500 dwelling units per acre (1.7 du/acre), and increase the non- residential intensity from a maximum of 235,000 square feet of Commercial uses to 1.4 million. Request was modified on July 22, 2014 to allow 4,546 units and 2.2 million sq. ft. of non-residential uses, a hotel and college.	Ordinance 2014-030	Submittal: November 04, 2014 Effective date: July 7, 2015
Unified Land Development Code Amendments	To modify the requirements of the Traditional Development District to be consistent with the modifications to the Comprehensive Plan.	Ordinance 2014-031	Approved October 29, 2014 Effective date: July 7, 2015
TDD/R-2014- 00094 (Control No. 2006-00397)	An Official Zoning Map Amendment to a Traditional Development District to allow a rezoning from the Agriculture Residential (AR) and Public Ownership (PO) Zoning Districts to the TTD Zoning District and a Requested Use to allow a College or University and to allow a Hotel.	Resolution R-2014-1646; R-2014-1647 (College); R-2014-1648 (Hotel)	Approved October 29, 2014 Effective date July 7, 2015

BACKGROUND

On October 29, 2014, the subject property received the following approvals from the Palm Beach County Board of County Commissioners:

- *Ordinance No. 2014-030* approved an amendment to the Comprehensive Plan for the site specific Agricultural Enclave, including a Conceptual Master Plan and Implementing Principles. The Ordinance also made various text changes to the Plan related to the Agricultural Enclave Future Land Use. These Amendments were codified and are include as part of the County's Comprehensive Plan.
- *Resolution No. 2014-1646* included rezoning the property from Agricultural Residential (AR) and Public Ownership (PO) Zoning Districts to the Traditional Town Development (TTD) Zoning District.
- *Resolution No. R-2014-1647* approved a Requested Use for a College or University to be located within the property.
- *Resolution No. R-2014-1648* approved a Requested Use for a Hotel to be located within the property.

On December 8, 2014, the Board of County Commissioners approved a corrective resolution (No. R-2014-1892), which amended Engineering Condition E.9 of Resolution 2014-1646 to add "iii. Notwithstanding the foregoing, no connection of Persimmon Boulevard shall be made to 140th prior to the issuance of the 2700th dwelling unit permit."

On July 8, 2015, the Palm Beach County Development Review Officer (DRO) approved an application for the Final Master Plan, Final Phasing Plan, and Final Transect Plan. A copy of the approved Final Master Plan has been included in this submittal for reference.

On June 20, 2016, the City of Westlake was incorporated as the 39th municipality in Palm Beach County. Until such time as the City of Westlake approves the City's Comprehensive Plan and Code of Ordinances, all development within the City limits shall be in compliance with the County's Code of Ordinances and Comprehensive Plan which were in effect at the time of incorporation.

APPLICATION REQUEST & ANALYSIS

The subject application requests approval of an Amendment to Development Order Resolution 2014-1646. The subject resolution approved the TTD Zoning Application for Minto Westlake and associated conditions of approval. The Applicant proposes to amend the Final Master Plan (FMP) and certain conditions of approval. Based on the changes to the Final Master Plan, the Applicant is proposing corresponding changes to the Transect Plan and Phasing Plan.

The analysis below summarizes the Applicant's request as it pertains to the FMP, Phasing Plan, Transect Plan and Conditions of Approval.

1. Final Master Plan

Based on the FMP approved by the Palm Beach County Development Review Officer (DRO), the Applicant is proposing to make the following modification to the FMP:

1. Reduction in TND Pod F acreage by 42 acres and 200 dwelling units
2. Increase in TND Pod P acreage by 42 acres and 200 dwelling units
3. Reduction in PUD Pod Q acreage by 21 acres
4. Increase in PUD Pod R acreage by 21 acres
5. Increase in PUD Pod Q dwelling units by 17 units
6. Reduction in PUD Pod U dwelling units by 17 units
7. Reduction in TMD Pod L acreage by 5 acres

- 8. Increase in Pod PC-1 acreage by 5 acres
- 9. Minor right-of-way adjustments

The specific acreage and dwelling unit adjustments are depicted in Table 2. This Table presents the BCC’s and DRO’s previous approvals and the proposed amendment for each POD, and demonstrates that the changes in acreage and dwelling units were made within like pods. Adjustments to dwelling units and acreage within PUD pods were balanced with other PUD pods. Likewise, modifications to TND pods were adjusted with other TND pods.

The subject application includes modifications due to the evolution of the master plan from the conceptual stage to engineering design, including utilities, infrastructure, and drainage. Currently, the development accounts for two (2) fully-designed roads: Seminole Pratt Whitney and Town Center Parkway. The subject application proposes the following changes:

- Refining master plan design by minor reconfiguration, including the acreage of certain pods and the location of dwelling units.
- Improving connectivity between Parcel Q and PC-1 Civic Parcel by providing direct road connection between both parcels.
- Increasing acreage of PC-1 Civic Parcel to provide design and planning flexibility to the Parcel.
- Reconfiguring Pod F and Q to provide compactness toward the town center area (Pod L).
- Relocating detached dwelling units from Pod F to Pod P to provide compactness toward the town center (Pod L) and Seminole Pratt Whitney Road, a major arterial roadway. Pod F will include only multifamily attached dwelling units.

As presented in Table 2, the total acreage and number of dwelling units provided within the overall PUD and TND categories remain consistent with the previously approved Final Master Plan.

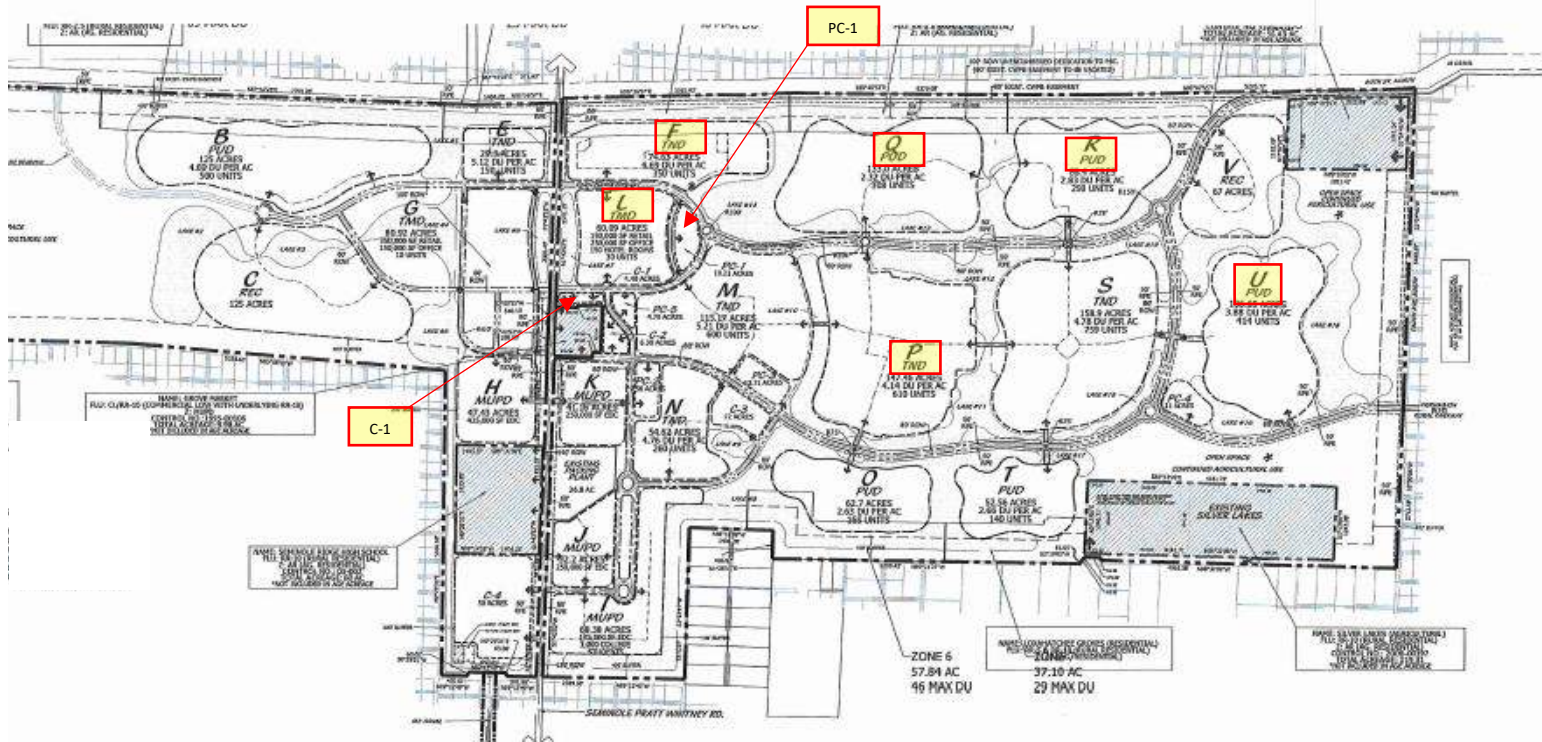
Table 2. Current Approvals and Proposed Amendment

PARCEL	POD TYPE	BCC APPROVAL		DRO APPROVED		PROPOSED		DIFFERENCE (FROM DRO)			
		ACRES	UNITS	ACRES	UNITS	ACRES	UNITS	ACRES	%	UNITS	%
RESIDENTIAL PODS											
F	TND	75.68	350	74.63	350	32.22	150	-42.21	-57%	-200	-57.14%
Q	PUD	133	325	133	308	111.81	325	-21.19	-16%	17	0.00%
R	PUD	88.78	250	88.78	250	109.97	250	21.19	24%	0	0.00%
P	TND	147.46	610	147.46	610	189.87	810	42.41	29%	200	100.00%
U	PUD	106.6	397	106.6	414	106.6	397	0	0%	-17	-4.11%
Subtotal		551.52	1932	550.47	1932	550.47	1932	0		0	
TMD POD											
L	TMD	61.71	30	60.09	30	55.18	N/A	-4.91	-8%	0	0%
CIVIC PARCELS											
PC-1	CIVIC	10.47	N/A	10.21	N/A	14.88	N/A	4.67	46%	N/A	N/A
C-1	CIVIC	4.3	N/A	4.40	N/A	4.41	N/A	0.01	0.23%	N/A	N/A
ROADS AND R.O.W.											
				139.37	N/A	139.60	N/A	0.23	0.17%	N/A	N/A

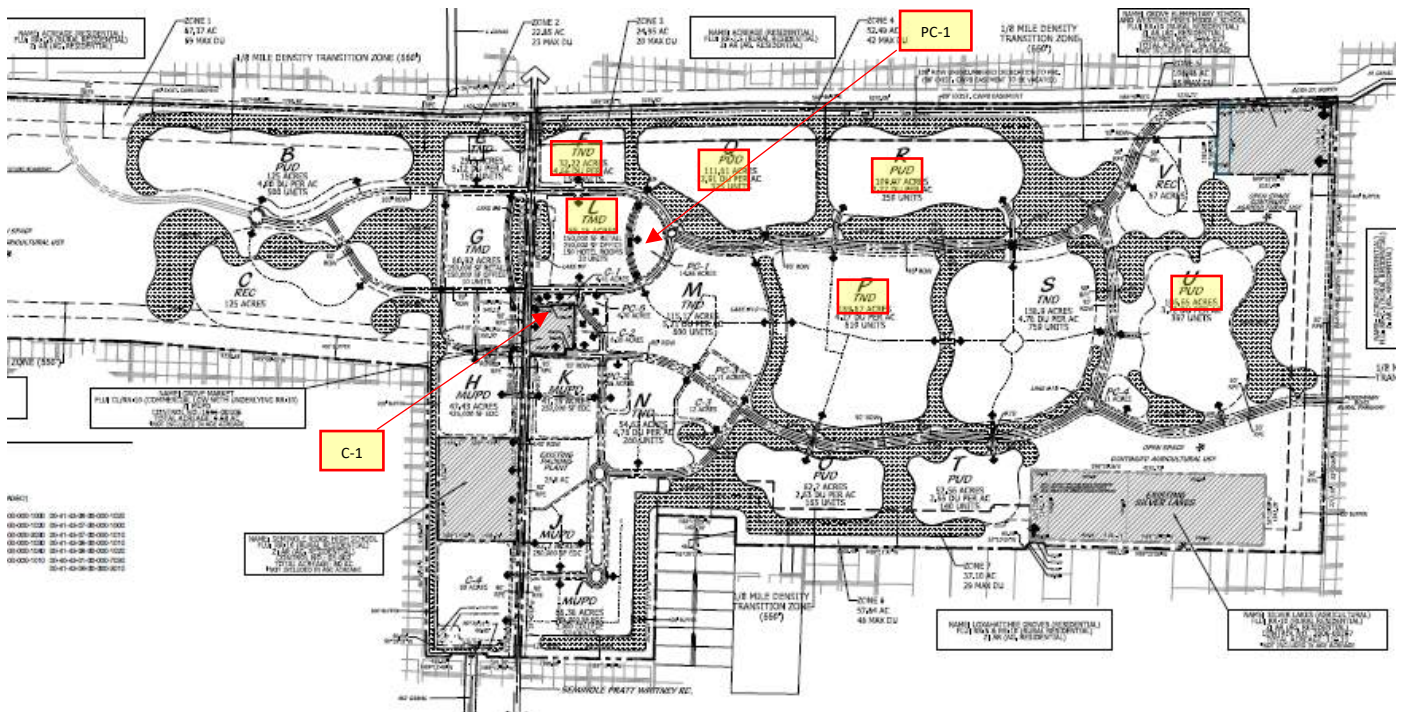
NOTE: This table only reflects parcels affected by this Master Plan Modification.

The maps below present a graphic depiction of the current approved Final Master Plan and the proposed amendments. The pods that are affected by this this master plan amendment are identified on the subject maps.

Approved Master Plan



Proposed Master Plan



2. Phasing Plan

The Applicant has updated the Phasing plan to reflect the pod and right-of-way changes made to the Final Master Plan (FMP). The phases affected by the FMP modifications are Phase 1, 2, and 7.

There is a slight decrease—approximately 96 acres—in the total acreage of Phase I. Phase I, which includes Pods F, L, P, and Q, contains 1,243.05 acres. Phase 2, which includes Pod R, has been increased by approximately 96 acres. The total acreage for Phase 2 is now 292.69 acres. No changes to the Phase 7 acreage is proposed; Phase 7, which includes Pods U and V, still contains 593.44 acres.

Table 3 Phasing Plan Comparison

Phase	Parcel(s)	Approved Acreage	Proposed Acreage	Difference
1	F, L, P, Q	1339.04	1243.05	-95.99
2	R	196.70	292.69	+95.99
3	J, M	191.22	191.22	0
4	G, K, N, O	403.21	403.21	0
5	I	113.27	113.27	0
6	B, S, T	566.35	566.35	0
7	U, V	593.44	593.44	0
8	E	29.28	29.28	0
9	C	310.74	310.74	0
10	H	45.35	45.35	0
TOTAL		3788.60	3788.60	0

The total number of dwelling units in Phases 1 and 7 will adjust slightly based on the changes explained above with the FMP. The total number of units within Phase 2 remains the same.

Phase I includes 1,315 dwelling units, which is an increase of 17 dwelling units from the approved FMP. Phase 7 includes 397 dwelling units, which is a decrease of 17 dwelling units from the approved FMP. The decrease of 17 dwelling units from Pod U in Phase 7 is consistent with the 10/29/14 Board of County Commissioners (BCC) approval.

3. Transect Plan

Per Policy 2.2.5-e of the PBC Comprehensive Plan, the Westlake Agricultural Enclave was required to include a series of transect zones. The intent of the transect zones is to allow the clustering of densities, promote variety of neighborhoods, and create transition areas. The Comprehensive Plan sets forth three different transect zones:

- Natural Transect
- Sub-urban Transect
- Urban Transect.

As part of the subject application, the Transect Plan has been updated to reflect the pod and roadway modifications consistent with the Final Master Plan (FMP). Because of the pod changes, the transect zone acreages have been adjusted accordingly. The adjusted Transect Plan remains in full compliance with the Comprehensive Plan Conceptual Plan and policies.

The Natural Transect consists of Rural Parkways, open space, active and passive recreation, agriculture, conservations, landscape buffers, water bodies, etc. The Westlake TTD is required to maintain a minimum Natural Transect area of 55 percent (2,085 acres). *The 55.04 percentage of Natural Transect area proposed in the subject application is in compliance with this provision.*

The Sub-urban Transect consists of low-to-moderate density residential areas. This transect can include an overall gross density ranging between one unit per two acres to six dwelling units per acre. The Sub-urban Transect is made up of three subzones:

- Neighborhood Edge Zone
- Neighborhood General Zone
- Neighborhood Center Zone.

Each subzone has density and acreage restrictions outlined in Policy 2.2.5-e. Based on the changes made to the FMP, the total area of Suburban Transect has been increased by approximately five acres, which is a result of an increase in the Pod PC-1 acreage, as described in the FMP section. The Applicant is not proposing to change the total number of dwelling units within the Sub-urban Transect.

The Urban Transect consists of the most intense components of the Agricultural Enclave, including most of the non-residential uses. The Urban Transect may include a maximum of 10 percent of the total Westlake acreage and 20 percent of the total dwelling units, not to exceed 12 units per acre. The Urban Transect is made up of two subzones:

- Town Center
- Employment Center.

Based on the changes made to the FMP, the total area of Urban Transect has been decreased by approximately five acres, which is a result of a decrease in the Pod L acreage, as described in the FMP section. The Applicant is not proposing to change the total number of dwelling units within the Urban Transect.

Likewise, the total Natural Transect area continues to meet the required 55 percent as presented in the Open Space Comparison Table below. Therefore, these changes are consistent with the Comprehensive Plan and Conceptual Plan and its related Note 3 which indicates that final delineation is to be determined during site plan approval(s). The *de minimis* adjustment in open space area within pods is relative to changes in the acreages in the different pods. The subject amendment is in compliance with required percentages.

Table 4. Minimum Required Open Space Comparison

OPEN SPACE							
POD		ACRES	MINIMUM OPEN SPACE REQUIRED (PERCENT)	OPEN SPACE REQUIRED (ACRES)	MIIMUM RECREATION AREA REQUIRED (ACRES)	REQUIRED RECREATION AREA (ACRES)	PERCENT OF TOTAL AGE
TND	APPROVED	580	5%	29.00	N/A	N/A	0.77%
	PROPOSED	580.08	5%	29.00	N/A	N/A	0.77%
PUD	APPROVED	569	40%	227.46	.006 / DU	10.662	6.28%
	PROPOSED	568.64	40%	227.46	.006 / DU	10.662	6.00%
TMD	APPROVED	141.01	10%	14.101	N/A	N/A	0.37%
	PROPOSED	130.13	10%	13.01	N/A	N/A	0.34%
MUPD	APPROVED	185.68	10%	18.57	N/A	N/A	0.49%
	PROPOSED	182.44	10%	18.24	N/A	N/A	0.48%
CIVIC ¹	APPROVED	70.88	10%	7.088	N/A	N/A	0.19%
	PROPOSED	75.56	10%	7.56	N/A	N/A	0.20%
SUBTOTAL POD OPEN SPACE							
	APPROVED						8.09%
	PROPOSED						7.79%
SUBTOTAL NATURAL TRANSECT							
	APPROVED						55.01%
	PROPOSED						55.04%
GRAND TOTAL							
	APPROVED						63.10%
	PROPOSED						62.84%
<i>¹ACREGE DOES NOT INCLUDE THE DISTRICT PARK, SINCE THOSE 50 ACRES HAVE BEEN INCLUDED IN THE NATURAL TRANSECT SUBTOTAL</i>							

4. Conditions of Approval

Resolution No. 2014-1646 included rezoning the property from Agricultural Residential (AR) and Public Ownership (PO) Zoning Districts to the Traditional Town Development (TTD) Zoning District, subject to a number of Conditions of Approval.

Per the December 7, 2016, letter from Mrs. Tara W. Duhy (Lewis, Longman & Walker) to Mr. Ken Cassel, City Manager of the City of Westlake, the Applicant is requesting the deletion of condition number 15 of the "Planning-Rural Parkway – Seminole Pratt Whitney Road" conditions. The subject letter indicates *"Minto is asking to delete this requirement for a number of reason. Preliminarily, neither the County nor Minto intended to include an equestrian trail along Seminole Pratt Whitney Road—the City and the region's primary arterial roadway. The requirement was mistakenly included in Condition 15, and it was the County's and Minto's intention to delete that requirement upon the first Master Plan Amendment. Before this could happen, the City of Westlake was incorporated."* See attached letter.

To amend this condition of approval, the subject application proposes the following revisions shown in ~~strike through~~ and underline format:

PLANNING-RURAL PARKWAY - SEMINOLE PRATT WHITNEY ROAD

15. Prior to plat recordation for any portion of the Minto West project, the 80-foot Rural Parkway Easement for Seminole Pratt Whitney Road shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 80-foot Rural Parkway shall contain:
 - a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) ~~a continuous minimum eight (8) foot stabilized and sodded equestrian path;~~
 - 34) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 80-foot wide Rural Parkway frontage; and
 - 45) pedestrian connections that traverse the rural parkway to connect to pedestrian circulation within development areas to cross walks and bus stop shelters.

The condition language, as it was approved, requires an equestrian pathway along each side of Seminole Pratt Whitney Road. It appears that this language was based on the language for the other rural parkways within the project. It was never the intent to provide equestrian pathways along Seminole Pratt Whitney Road, which is a major arterial roadway and will contain a majority of the nonresidential uses within Westlake.

Incorporating equestrian activities within a largely commercial area would not be compatible. These paths were always intended to exist along the perimeters of the property where equestrian activity is more suitable.

Please see attached current compliance status with other conditions of approval included in the Development Order—Resolution No. 2014-1646—provided by the Applicant.

COMPLIANCE WITH ULDC ARTICLE 2.B.2.B

Per Palm Beach County Unified Land Development Code (ULDC), when considering an application for a Development Order Amendment, the Applicant needs to satisfy Standards 1 - 8 from Article 2.B.2.B, as indicated below.

1. Consistency with the [Comprehensive] 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. [Ord. 2007-001]

Applicant's Response

The Westlake TTD received approval for its Future Land Use Map Amendment (FLUM) from Palm Beach County via Ordinance 2014-030. This was a site-specific amendment for the Westlake Agricultural Enclave. The Amendment included a Conceptual Master Plan and Implementing Principals. The Applicant's proposed amendment to the Traditional Town Development Zoning Master Plan remains consistent with the Conceptual Master Plan approved by way of Ordinance 2014-30. There have been no changes in total density, no changes in open space and no changes in the perimeter buffers. The proposed TTD Amendment remains substantially consistent with the Comprehensive Plan Provisions of Palm Beach County and the Site-Specific Provisions required by Ordinance 2014-030, including the Conceptual Plan.

Staff Analysis

As a result of its review of Minto's rezoning application (TDD/R-2014-0094), the Palm Beach County Commission found the preliminary Master Plan for the Minto Westlake development to be consistent with the County's Comprehensive Plan in the areas of density, intensity, special overlay district, workforce housing, and phasing. The Palm Beach County Development Review Officer (DRO) approved the Final Master Plan on July 8, 2015.

The subject application includes minor modifications resulting from the evolution of the master plan from the conceptual stage to engineering design, including utilities, infrastructure, and drainage. The total acreage and number of dwelling units provided within the overall PUD and TND categories remain consistent with the previously approved Final Master Plan. Adjustments to the Phasing and Transect plans are due to the subject final master plan amendment, which is consistent with the County's Comprehensive 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.

2. Consistency with the Code

The proposed use or amendment complies with all applicable standards and provisions of this Code [Article 2.B.2.B] for use, layout, function, and general development characteristics. The proposed use also complies with all applicable portions of Article 4.B, SUPPLEMENTARY USE STANDARDS. [Ord. 2007-001]

Applicant's Response

The proposed TTD Amendment remains consistent with the requirements of the Traditional Town Development Zoning Regulations and the Conceptual Plan approved by Palm Beach County. There have been no changes in density, open space or perimeter buffers. The proposed TTD Amendment remains consistent with all of the maximum and minimum thresholds, established by way of

Ordinance 2014-030 and Resolution 2014-1646. The Master Plan complies with all the Supplemental Use Standards of Palm Beach County.

Staff Response

The July 8, 2015, Final Master Plan was found to be consistent with the County's Unified Land Development Code (ULDC) as regards the requirements for Agricultural Enclave Overlay (AGEO), Traditional Town Development Zoning District (TTD), Conceptual Plan/Transect Plan/Preliminary Master Plan, Land Use Allocation and Requirements, Transect Regulations, Planned Unit Development (PUD), Landscaping, and Street Cross-sections.

The amendments proposed in the subject application maintain compliance with the ULDC. The proposed use or amendment complies with all applicable standards and provisions of this Code [Article 2.B.2.B] for use, layout, function, and general development characteristics.

3. 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. [Ord. 2007-001]

Applicant's Response

There are no changes to the perimeter buffers, no changes to the project density and no changes to the open space and therefore this Amendment is fully compatible and consistent with the surrounding land area as determined by way of the original approvals.

Staff Response

As a result of its review of Minto's rezoning application (TDD/R-2014-0094), the Palm Beach County Commission found the preliminary Master Plan for the Minto Westlake development to be consistent with the County's Comprehensive Plan in the areas of density, intensity, special overlay district, workforce housing, and phasing. The Palm Beach County Development Review Officer (DRO) approved the Final Master Plan on July 8, 2015.

The subject amendment maintains the compact design, integration of significant Natural Transect open spaces and transition density along the perimeter of the project that the County originally found to be compatible with adjacent neighborhoods. 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.

4. 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.

Applicant's Response

The proposed change has minimal impact on any of the adjacent properties, as there is no change to density, open space or required perimeter buffers.

Staff Response

The subject application is requesting an Amendment to Development Order Resolution 2014-1646 which approved the TTD Zoning Application for Minto Westlake and associated conditions of approval.

The subject amendment includes changes in acreage and the number of dwelling units within like pods.

Adjustments to the number of dwelling units and acreages within PUD pods are balanced within other PUD pods. Likewise, modifications to TND pods are adjusted within other TND pods. The proposed application will provide the following changes:

- Refining master plan design by minor reconfiguration, including the acreage of certain pods and the location of dwelling units.
- Improving connectivity between Parcel Q and PC-1 Civic Parcel by providing direct road connection between both parcels.
- Increasing acreage of PC-1 Civic Parcel to provide design and planning flexibility to the Parcel.
- Reconfiguring Pod F and Q to provide compactness toward the town center area (Pod L).
- Relocating detached dwelling units from Pod F to Pod P to provide compactness toward the town center (Pod L) and Seminole Pratt Whitney Road, a major arterial roadway. Pod F will include only multifamily attached dwelling units.

As presented previously in Table 2, the total acreage and number of dwelling units provided within the overall PUD and TND categories remain consistent with the previously approved Final Master Plan. The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands, as was established previously by the Board of County Commissioners in 2014 and the Development Review Officer in 2015.

5. 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. [Ord. 2007-001]

Applicant's Response

The Westlake TTD consists of fallow Orange groves and ongoing agricultural activities. The implementation of the proposed Master Plan represents a positive environmental impact.

Staff Response

The subject application is requesting approval of an Amendment to Development Order Resolution 2014-1646 which approved the TTD Zoning Application for Minto Westlake and associated conditions of approval. As presented previously, the total acreage and number of dwelling units provided within the overall PUD and TND categories remain consistent with the Final Master Plan previously approved by the DRO, and the preliminary Master Plan approved by the BCC.

The subject application proposes minor amendments; there are no significant environmental issues associated with this petition. The condition of approval specifying that, "A Phase II Environmental Audit, with emphasis on the areas used as storage for regulated substances and the areas designated for residential development, shall be submitted to the Department of Environmental Resources Management for review and approval prior to Final Master Plan approval by the Development Review Officer," was satisfied with the approved Final Master Plan, and certified by the DRO on 7/8/15.

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.

6. Development Patterns

The proposed use or amendment will result in a logical, orderly and timely development pattern. [Ord. 2007-001]

Applicant's Response

The proposed amendment to the Westlake TTD further supports the concept of a logical and orderly and timely development pattern. The proposed amendment results in the relocation of residential parcels to be closer to the Town Center, consistent with the overall purpose and intent of the Traditional Neighborhood Development.

Staff Response

Changes are proposed in the current application to the Phasing Plan approved by the County DRO on July 8, 2015. The Applicant has updated the Phasing plan to reflect the pod and right-of-way changes made to the Final Master Plan (FMP). The phases affected by the FMP modifications are Phase 1, 2, and 7. There is a slight decrease in the total acreage of Phase I of approximately 96 acres. Phase I, which includes Pods F, L, P, and Q, contains 1,243.05 acres. Phase 2, which includes Pod R, has been increased by approximately 96 acres. The total acreage for Phase 2 is now 292.69 acres. No changes to the Phase 7 acreage is proposed. Phase 7, which includes Pods U and V, still contains 593.44 acres.

The total number of dwelling units in Phases 1 and 7 were adjusted slightly based on the changes explained above with the FMP. Phase I includes 1,315 dwelling units, which is an increase of 17 dwelling units from the approved FMP. Phase 7 includes 397 dwelling units, which is a decrease of 17 dwelling units from the approved FMP. The total number of units within Phase 2 remains the same. The proposed amendment of the Phasing Plan is consistent with the 10/29/14 Board of County Commissioners (BCC) approval. The proposed use or amendment will result in a logical, orderly and timely development pattern

7. Adequate Public Facilities

The extent to which the proposed use complies with Art. 2.F, Concurrency. [Ord. 2007-001]

Applicant's Response

The proposed amendment will have no effect or change and complies with all the requirements of Art. 2.F, Concurrency.

Staff Response

The subject application is requesting approval of an Amendment to Development Order Resolution 2014-1646 which approved the TTD Zoning Application for Minto Westlake and associated conditions of approval. As presented previously in Table 2, the total acreage and number of dwelling units provided within the overall PUD and TND categories remain consistent with the previously approved Final Master Plan. The proposed use complies with Art. 2. F. as it was previously approved by the Board of County Commissioners in 2014 and the Development Review Officer in 2015.

8. Changed Conditions or Circumstances

There are demonstrated changed conditions or circumstances that necessitate a modification. [Ord. 2007-001]

Applicant's Response

The proposed amendment is a minor reconfiguration of the Traditional Town Development (TTD); however, remains substantially consistent with the intent of the Conceptual Plan, approved by Ordinance 2014-030. The proposed amendment is a normal and logical refinement to a large scale Master Plan.

Staff Response

The subject application includes modifications due to the evolution of the master plan from the conceptual stage to engineering design, including utilities, infrastructure, and drainage. Currently, the development accounts for two (2) fully designed roads: Seminole Pratt Whitney and Town Center Parkway. The proposed application proposes minor reconfiguration to refine the master plan design, including pod acreages, and the location of dwelling units. As presented previously in Table 2, the total acreage and number of dwelling units provided within the overall PUD and TND categories remain consistent with the previously approved Final Master Plan.

There are demonstrated changed conditions or circumstances that necessitate a modification.

FINAL REMARKS

The subject application proposes minor modifications due to the evolution of the master plan from the conceptual stage to engineering design, including utilities, infrastructure, and drainage. The total acreage and number of dwelling units provided within the overall PUD and TND categories remain consistent with the previously approved Final Master Plan.

Adjustments to the Phasing and Transect plans are due to the subject final master plan amendment and are consistent with the County's ULDC and Comprehensive Plan. While Table 3 indicates a .04% increase in the Natural Transect, and a decrease of 9.44 acres in the non-residential pods—which necessarily creates a proportionate adjustment in open space, the overall open space for the development is not affected by the subject amendment.

Based on Staff's analysis, the proposed Development Order amendment is in compliance with the Comprehensive Plan, Westlake Conceptual Plan, Conditions of Approval of the Development Order included on the Resolution 2014- 1646, and the eight Standards required by the ULDC Article 2.B.2.B.

All Conditions of Approval as stipulated in Resolution No. 2014-1646 remain in effect for the subject application except that an amendment to Condition No. 15 has been requested. To amend condition of approval No. 15 as requested, Staff is proposing the following revisions shown in ~~strike through~~ and underline format:

PLANNING-RURAL PARKWAY - SEMINOLE PRATT WHITNEY ROAD

- 15 Prior to plat recordation for any portion of the Minto West project, the 80-foot Rural Parkway Easement for Seminole Pratt Whitney Road shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 80-foot Rural Parkway shall contain:
 - b. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) ~~a continuous minimum eight (8) foot stabilized and sodded equestrian path;~~
 - 3) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 80-foot wide Rural Parkway frontage; and
 - 4) pedestrian connections that traverse the rural parkway to connect to pedestrian circulation within development areas to cross walks and bus stop shelters.

Tara W. Duhy
tduhy@ilw-law.com

Reply To:
West Palm Beach Office

December 7, 2016

Ken Cassel
City of Westlake
4001 Seminole Pratt Whitney Road
Westlake, FL 33470

Re: Westlake Master Plan Amendment

Dear Ken:

Please accept this letter on behalf of Minto PBLH, LLC's ("Minto") as a supplement to its Master Plan Amendment Application #MPA-2016-01. As part of the Master Plan Amendment application, Minto is requesting that Planning Condition 15(a)(3) of Resolution 2014-1646, which requires that the Rural Parkway along Seminole Pratt Whitney Road contain an eight foot equestrian trail, be deleted.

Minto is asking to delete this requirement for a number of reasons. Preliminarily, neither the County nor Minto intended to include an equestrian trail along Seminole Pratt Whitney Road – the City and the region's primary arterial roadway. The requirement was mistakenly included in Condition 15, and it was the County's and Minto's intention to delete that requirement upon the first Master Plan Amendment. Before this could happen, the City of Westlake was incorporated.

There are many reasons that an equestrian trail is not appropriate along Seminole Pratt Whitney Road. There are no equestrian trails along any part of Seminole Pratt Whitney Road outside of the City of Westlake. Nor should there be, given the volume and speed of cars

JACKSONVILLE

245 Riverside Ave., Suite 150
Jacksonville, Florida 32202

T: 904.353.6410

F: 904.353.7619

TALLAHASSEE

315 South Calhoun St., Suite 830
Tallahassee, Florida 32301

T: 850.222.5702

F: 850.224.9242

TAMPA BAY

101 Riverfront Blvd., Suite 620
Bradenton, Florida 34205

T: 941.708.4040

F: 941.708.4024

WEST PALM BEACH

515 North Flagler Dr., Suite 1500
West Palm Beach, Florida 33401

T: 561.640.0820

F: 561.640.8202

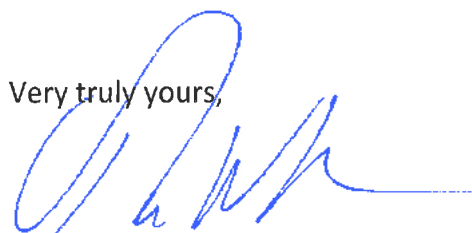
Ken Cassel
December 7, 2016
Page 2

traveling on the roadway, which is designed as a major arterial roadway. Neither the equestrian community nor roadway engineers support placing horses near cars traveling at high speeds.

Furthermore, the equestrian trail, if required, will not be contiguous within the City because it cannot occur on the high school property, the county fire station parcel or the Grove Marketplace parcel. In addition, there will be no Rural Parkway in front of the Town Center Parcels. This lack of continuity makes the requirement for an equestrian trail sporadically along Seminole Pratt Whitney Road unsafe and impractical.

If you have any additional questions regarding this request, please do not hesitate to contact me.

Very truly yours,



Tara W. Duhy

TWD/lb

cc: John Carter
Don Hearing
Pam Booker

RESOLUTION NO. R-2014- 1646

RESOLUTION APPROVING ZONING APPLICATION TDD/R-2014-00094
(CONTROL NO. 2006-00397)
an Official Zoning Map Amendment to a Traditional Development District
APPLICATION OF Minto PBLH, LLC
BY Cotleur & Hearing, Inc., AGENT
(Minto West TTD)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended), have been satisfied;

WHEREAS, Zoning Application TDD/R-2014-00094 was presented to the Board of County Commissioners at a public hearing conducted on October 29, 2014;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various County review agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.1.B; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application TDD/R-2014-00094, the application of Minto PBLH, LLC, by Cotleur & Hearing, Inc., agent, for an Official Zoning Map Amendment to a Traditional Development District to allow a rezoning from the Agriculture Residential (AR) and Public Ownership (PO) Zoning Districts to the Traditional Town Development (TTD) Zoning District. on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch in EXHIBIT B, attached hereto and made a part hereof, was approved on October 29, 2014 subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

The motion was seconded by Commissioner Valeche and, upon being put to a vote, the vote was as follows:

- Commissioner Priscilla A. Taylor, Mayor - Aye
- Commissioner Paulette Burdick, Vice Mayor - Nay
- Commissioner Hal R. Valeche - Aye
- Commissioner Shelley Vana - Aye
- Commissioner Steven L. Abrams - Aye
- Commissioner Mary Lou Berger - Aye
- Commissioner Jess R. Santamaria - Nay

The Mayor thereupon declared that the resolution was duly passed and adopted on October 29, 2014.

Filed with the Clerk of the Board of County Commissioners on November 3rd, 2014

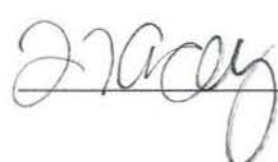

This resolution shall become effective on the effective date of the Minto West Agricultural Enclave Site Specific Amendment (LGA-2014-007) to the Palm Beach County Comprehensive Plan and the effective date of the Agricultural Enclave Overlay (AGEO) and Related Amendments to the Unified Land Development Code (ULDC).

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY,
FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

 BY: 
DEPUTY CLERK




EXHIBIT A

LEGAL DESCRIPTION

DESCRIPTION :

Sections 1, 2, and 3, Township 43 South, Range 40 East; EXCEPTING from said Section 3, that part thereof lying North of the following described line; BEGINNING at a point on the West line of said Section 3, and 1343.16 feet Northerly of the Southwest corner of Section 3; thence run Northeasterly along the South line of Canal "M" right-of-way a distance of 4096.52 feet, more or less, to a point on the North line of said Section 3; said point being 2447.94' Westerly of the Northeast corner of said Section 3.

ALSO:

Section 12, less the East 1/2 of the Southeast 1/4 thereof. All in Township 43 South, Range 40 East, Palm Beach County, Florida.

ALSO:

Sections 5, 6 and the North 1/2 of Sections 7 and 8, in Township 43 South, Range 41 East, less the North 250 feet of said Section 5 and 6, conveyed to the City of West Palm Beach by Deed dated July 26, 1956, and recorded September 25, 1956, in Deed Book 1156, Page 58, for Canal "M" right-of-way, which deed was corrected in part by a corrective quit-claim deed dated October 7, 1963, and filed October 8, 1963, in O.R. Book 924, Page 965, Palm Beach, County, Florida.

LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 14566, Page 1779, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 9169, Page 136, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

The School District of Palm Beach County parcel, recorded in O.R. 9232, Page 1206, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14034, Page 1119, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14676, Page 953, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Silver Lake Palm Beach, LLC parcel, recorded in O.R. 15391, Page 754, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Seminole Pratt-Whitney Road parcels, recorded in O.R. Book 1544, Page 378, O.R. Book 10202, Page 430 and O.R. Book 10289, Page 488, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Grove Market Place parcel, recorded in O.R. Book 10113, Page 1668, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Grove Market Place retention parcel, recorded in O.R. Book 10101, Page 452, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

Seminole Water Control District parcel, recorded in Official Records Book 2902, Page 1351, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT:

DESCRIPTION: A strip of land 80 feet wide lying in Section 1, Township 43 South, Range 40 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of Section 1, Township 43 South, Range 40 East; Thence S.00°59'07"W. along the West boundary of said Section 1, a distance of 349.11 feet to a point on the Southerly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in Deed Book 1156, Page 58, of the Public Records of Palm Beach County; said point also being the **POINT OF BEGINNING**; Thence Easterly along said Southerly boundary of M-Canal, as found monumented, the following two (2) courses: 1) S.87°46'28"E., 370.84 feet; 2) N.88°36'57"E., 1,406.04 feet to the West right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34, both of the Public Records of Palm Beach County Florida; Thence S.01°42'52"W. along said West right of way line, a distance of 80.12 feet to a point on a line 80.00 feet south of and parallel with said Southerly boundary of M-Canal, said parallel line also being the south line of the M-Canal Road Easement, an 80 foot wide City of West Palm Beach Easement, recorded in said Deed Book 1156, Page 58; Thence Westerly along said south line of the M-Canal Road Easement the following two (2) courses: 1) ; S.88°36'57"W., a distance of 1,404.23 feet; 2) N.87°46'28"W., a distance of 371.63 feet to said West boundary of Section 1; Thence N.00°59'07"E along said West boundary of Section 1, a distance of 80.02 feet to the **POINT OF BEGINNING**.

THE ABOVE ALSO BEING DESCRIBED AND BASED UPON FIELD SURVEY, AS FOLLOWS:

PARCEL 1

DESCRIPTION: A parcel of land lying in Sections 1, 2, 3, and 12, Township 43 South, Range

40 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 1, run thence along the West boundary of said Section 1, S.00°59'07"W., 429.13 feet to a point on the Southerly boundary of M-Canal Road Easement, an 80 foot wide City of West Palm Beach Easement, recorded in Deed Book 1156, Page 58, of the Public Records of Palm Beach County, said point also being the **POINT OF BEGINNING**; thence along said Southerly boundary of M-Canal Road Easement, the following two (2) courses: 1) S.87°46'28"E., 371.63 feet; 2) N.88°36'57"E., 1,404.23 feet to the West right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34, both of the Public Records of Palm Beach County Florida; thence along said West right of way line, S.01°42'52"W., 3,336.40 feet to the Northerly most corner of additional right of way for Seminole-Pratt Whitney Road, recorded in Official Records Book 10289, Page 488, of the Public Records of Palm Beach County, Florida; thence along the West right of way line of said additional right of way for Seminole-Pratt Whitney Road, the following three (3) courses: 1) S.02°59'15"W., 540.13 feet; 2) S.01°42'52"W., 280.00 feet; 3) S.00°26'29"W., 540.13 feet to a point on aforesaid West right of way line of Seminole-Pratt Whitney Road, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34; thence along said West right of way line, the following two courses: 1) S.01°42'52"W., 5,032.98 feet to a point of curvature; 2) Southerly, 0.81 feet along the arc of said curve to the left having a radius of 22,968.61 feet and a central angle of 00°00'07" (chord bearing S.01°42'49"W., 0.81 feet) to the agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in Road Plat Book 6, Page 136, of the Public Records of Palm Beach County Florida; thence along said agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in aforesaid Road Plat Book 6, Page 136, N.89°12'49"W., 501.96 feet to the Southeast corner of Seminole Improvement District parcel retained in Official Records Book 14742, Page 1196, and as described in Indian Trail Water Control District Easement Deed, recorded in Official Records Book 2902, Page 1351, both of the Public Records of Palm Beach County, Florida; thence along the East, North, and West boundary of said Seminole Improvement District parcel retained in Official Records Book 14742, Page 1196, and as described in Indian Trail Water Control District Easement Deed, recorded in Official Records Book 2902, Page 1351, in respective order, the following three (3) courses: 1) along a line lying 1,090.00 feet East of and parallel with the agreed upon and monumented West boundary of Section 12, as surveyed by K.C. Mock and referenced in aforesaid Road Plat Book 6, Page 136, N.00°29'31"E., 60.00 feet; 2) along a line lying 60.00 feet North of and Parallel with aforesaid agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, N.89°12'49"W., 640.01 feet 3) along a line lying 450.00 feet East of and parallel with aforesaid agreed upon and monumented West boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, S.00°29'31"W., 60.00 feet to aforesaid agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, also being the Southwest corner of aforesaid Seminole Improvement District parcel retained in Official Records Book 14742, Page 1196, and as described in Indian Trail Water Control District Easement Deed, recorded in Official Records Book 2902, Page 1351; thence along said agreed upon and monumented South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, N.89°12'49"W., 450.01 feet to the agreed upon Southwest corner said Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136; thence along aforesaid agreed upon and monumented West boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in Official Records Book 5863, Page 1155, and Official Records Book 8434, Page 1410, both of the Public Records of Palm Beach County, Florida, N.00°29'31"E., 5,166.68 feet to the agreed upon and monumented Southeast corner of Section 2, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410; thence along the agreed upon and monumented South boundary of said Section 2, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410, N.85°08'43"W., 5,338.63 feet to the agreed upon Southeast corner of Section 3, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410; thence along the agreed upon and monumented

South boundary of said Section 3, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, and per said Sketch of Survey prepared by S.P. Musick dated March 5, 1965 and referenced in said Official Records Book 5863, Page 1155, and said Official Records Book 8434, Page 1410, N.88°35'25"W., 5,305.73 feet to the West boundary of aforesaid Section 3, Township 43 South, Range 40 East; thence along said West boundary of Section 3, as found monumented, N.01°02'29"E., 1,369.21 feet to the Easterly boundary of aforesaid M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in aforesaid Deed Book 1156, Page 58; thence along said Easterly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in said Deed Book 1156, Page 58, as found monumented, N.44°59'32"E., 4,057.61 feet, to the North boundary of aforesaid Township 43 South, Range 40 East, as re-established by John T. Pickett in 1955 and referenced in aforesaid Road Plat Book 6, Page 136; thence along said North boundary of Township 43 South, Range 40 East, as re-established by John T. Pickett in 1955 and referenced in said Road Plat Book 6, Page 136, also being along a line lying 80.00 feet South of and parallel with aforesaid Southerly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in aforesaid Deed Book 1156, Page 58, S.87°46'28"E., 7,799.26 feet to aforesaid West boundary of Section 1 and the **POINT OF BEGINNING**.

LESS AND EXCEPT FROM PARCEL 1:

The School District of Palm Beach County parcel, recorded in O.R. 14566, Page 1779, of the Public Records of Palm Beach County, Florida.

TOGETHER WITH:

PARCEL 2:

DESCRIPTION: A parcel of land lying in Sections 1 and 12, Township 43 South, Range 40 East, and in Sections 5, 6, 7, and 8, Township 43 South, Range 41 East, Palm Beach County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 1, run thence along the West boundary of said Section 1, S.00°59'07"W., 349.11 feet to a point on the Southerly boundary of M-Canal, a 250 foot wide City of West Palm Beach right of way, recorded in Deed Book 1156, Page 58, of the Public Records of Palm Beach County; thence along said Southerly boundary of M-Canal, as found monumented, the following five (5) courses: 1) S.87°46'28"E., 370.84 feet; 2) N.88°36'57"E., 1,506.19 feet to a point on the East right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378, and Road Plat Book 4, Page 34, both of the Public Records of Palm Beach County Florida, said point also being the **POINT OF BEGINNING**; 3) continue N.88°36'57"E., 3,785.92 feet; 4) along a line lying 250.0 feet South of and parallel with aforesaid Section 6, Township 43 South, Range 41 East, S.89°48'53"E., 5,270.08 feet; 5) along a line lying 250.0 feet South of and parallel with aforesaid Section 5, Township 43 South, Range 41 East, N.88°40'55"E., 5,270.77 feet to the East boundary of said Section 5, Township 43 South, Range 41 East; thence along said East boundary of Section 5, Township 43 South, Range 41 East, S.01°54'46"W., 5,428.97 feet to the Southeast corner thereof, also being the Northeast corner of aforesaid Section 8, Township 43 South, Range 41 East; thence along the East boundary of the North 1/2 of said Section 8, Township 43 South, Range 41 East, S.02°00'06"W., 2,713.58 feet to the East 1/4 corner of said Section 8, Township 43 South, Range 41 East; thence along the South boundary of said North 1/2 of Section 8, Township 43 South, Range 41 East, as found monumented and occupied, N.88°32'08"W., 4,963.38 feet to the East boundary of Silver Lake Enterprises, Inc. Parcel 1B, recorded in Official Records Book 14034, Page 1119, of the Public Records of Palm Beach County, Florida; thence along the East, North, and West boundary of said Silver Lake Enterprises, Inc. Parcel 1B, in respective order, the following three (3) courses: 1) along a line lying 324.98 feet East of and parallel with the West boundary of aforesaid North 1/2 of Section 8, Township 43 South, Range 41 East, N.02°13'06"E., 50.00 feet; 2) along a line lying 50.00 feet North of and parallel with aforesaid South boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East, N.88°32'08"W., 275.00 feet; 3) along a line lying 50.00 feet East of and parallel with aforesaid West boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East, S.02°13'06"W., 50.00 feet to aforesaid South boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East; thence along aforesaid South boundary of the North 1/2 of Section 8, Township 43 South, Range 41 East, as found monumented and occupied, N.88°32'08"W., 50.00 feet to the West 1/4 corner of said North 1/2 of Section 8, Township 43 South, Range 41 East, also being a point on the East

boundary of the North 1/2 of aforesaid Section 7, Township 43 South, Range 41 East; thence along said East boundary of the North 1/2 of Section 7, Township 43 South, Range 41 East, S.02°10'05"W., 65.55 feet to the South boundary of said North 1/2 of Section 7, Township 43 South, Range 41 East, as found monumented and occupied, also being called out as the East-West quarter section line of said Section 7 per Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), recorded in Official Records Book 2330, Page 1076, of the Public records of Palm Beach County, Florida; thence along said South boundary of the North 1/2 of Section 7, Township 43 South, Range 41 East, as found monumented and occupied, also being called out as the East-West quarter section line of said Section 7 per said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), N.89°11'37"W., 5,208.43 feet to the East line of aforesaid Section 12, as called out in said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), ; thence along said called out East line of Section 12, per said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), N.01°28'15"E., 486.67 feet to the East-West Quarter Section line of said Section 12, as called out in said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan); thence along said East-West Quarter Section line of Section 12, as called out in Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), N.88°16'09"W., 1,406.28 feet to the West line of the East Quarter of Section 12, as called out in said Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan); thence along said West line of the East Quarter of Section 12, as called out in Final Judgment (Case No.: 73 1016 CA (L) 01 MacMillan), S.01°22'47"W., 2,572.97 feet to the agreed upon and monumented South boundary of said Section 12, as surveyed by K.C. Mock and referenced in Road Plat Book 6, Page 136, of the Public Records of Palm Beach County Florida; thence along said South boundary of Section 12, as surveyed by K.C. Mock and referenced in said Road Plat Book 6, Page 136, N.89°12'49"W., 2,389.96 feet to aforesaid East right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378; thence along said East right of way line of Seminole-Pratt Whitney Road, N.01°42'52"E., 5,449.92 feet to the South right of way line of Persimmon Street, recorded in Official Records Book 10202, Page 430, of the Public Records of Palm Beach County, Florida; thence along the South and East right of way lines of said Persimmon Street, in respective order, the following two (2) courses: 1) S.88°17'08"E., 646.56 feet; 2) N.01°42'52"E., 80.00 feet to the Southeast corner of GROVE MARKET PLAT, according to the plat thereof recorded in Plat Book 82, Page 67, also being the Southwest corner of Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, of the Public Records of Palm Beach County, Florida; thence along the South boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, S.88°17'08"E., 140.00 feet to the Southeast corner thereof; thence along the East boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, N.01°42'52"E., 797.74 feet to the Northeast corner thereof; thence along the North boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, S.88°47'12"W., 437.96 feet to the Northwest corner thereof; thence along the Westerly boundary of said Seminole Water Control District parcel, recorded in Official Records Book 10101, Page 452, S.43°17'08"E., 45.79 feet to the Northeasterly corner of aforesaid GROVE MARKET PLAT; thence along the North boundary of said GROVE MARKET PLAT, and the North right of way line of additional right of way for Seminole-Pratt Whitney Road, recorded in aforesaid Official Records Book 10202, Page 430, N.88°17'08"W., 381.55 feet to aforesaid East right of way line of Seminole-Pratt Whitney Road, a 100 foot wide right of way, recorded in Official Records Book 1544, Page 378; thence along said East right of way line of Seminole-Pratt Whitney Road, N.01°42'52"E., 3,541.19 feet to the **POINT OF BEGINNING**.

LESS AND EXCEPT FROM PARCEL 2:

The School District of Palm Beach County parcel, recorded in O.R. 9169, Page 136, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT FROM PARCEL 2:

The School District of Palm Beach County parcel, recorded in O.R. 9232, Page 1206, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT FROM PARCEL 2:

Application n TDD/R-2014-00094

Control No. 2006-00397

Project No 09999-999

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14034, Page 1119, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT FROM PARCEL 2:

Silver Lake Enterprises, Inc. parcel, recorded in O.R. 14676, Page 953, of the Public Records of Palm Beach County, Florida.

and;

LESS AND EXCEPT FROM PARCEL 2:

Silver Lake Palm Beach, LLC parcel, recorded in O.R. 15391, Page 754, of the Public Records of Palm Beach County, Florida.

Containing: 3,788.601 acres more or less.

EXHIBIT B
VICINITY SKETCH

LOCATION MAP 

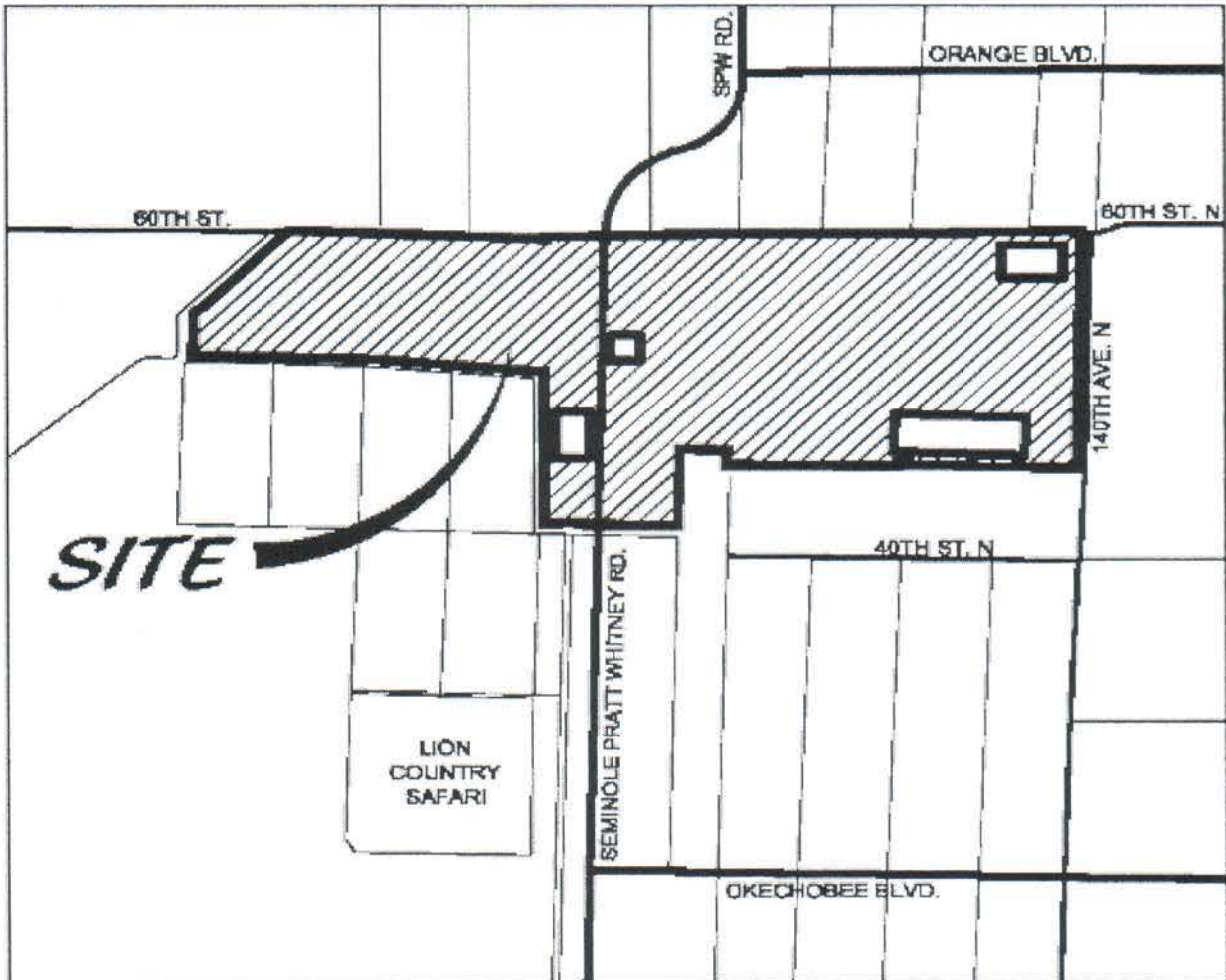


EXHIBIT C

CONDITIONS OF APPROVAL

Traditional Development District**ALL PETITIONS**

1. The Preliminary Master Plan of the Traditional Town Development is dated August 26, 2014 and the Preliminary Design Standards are dated August 22, 2014. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the 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 or the Zoning Commission. (ONGOING: ZONING - Zoning)
2. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Master Plan, Transect Plan, and the Phasing Plan shall be revised to:
 - a. convert 150,000 square feet of EDC to Professional or Business Office in Pod G;
 - b. relocate 150,000 square feet of EDC in Pod G to EDC MUPD in Pod H; and,
 - c. convert 250,000 square feet of EDC to Professional or Business Office in Pod L. (DRO: PLANNING - Zoning)
3. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Concurrency table shall be modified to remove the notation "Requested uses other than college or hotel will be subject to BCC approval." (DRO: ZONING - Zoning)
4. Development of the Traditional Town Development shall be developed in accordance with the Preliminary Phasing Plan dated October 15, 2014 subject to the following limitation: A minimum of sixty (60) percent of the current phase's non-residential square feet and one hundred (100) percent of the prior phase's non-residential square feet shall receive a Certificate of Occupancy (CO) or Certificate of Completion (CC) prior to any residential building permit application for the next phase. (ONGOING: PLANNING - Planning)
5. The Property Owner shall revise and update the Design Standards, where applicable, for all subsequent Development Orders of the Traditional Town Development, consistent with the relevant Comprehensive Plan Policies, adopted Implementing Principals, and other restrictions in the Development Order. (DRO/ONGOING: ZONING - Zoning)
6. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-98-306 Control EAC-1994-00046(B) (Existing Communication Tower on Packing Plant site) shall remain in full force and effect. (ONGOING: ZONING - Zoning)
7. There shall be no administrative modification to the Master Plan to allow a density transfer between the Traditional Marketplace Pods and Traditional Neighborhood Pods to the Planned Unit Development Pods. (DRO/ONGOING: ZONING - Planning)
8. There shall be no administrative modification to the housing classification and type to adjust the numbers below those numbers indicated on the Conceptual Plan. (DRO/ONGOING: ZONING - Planning)
9. Existing Agricultural uses are allowed to remain and expand in the areas of the TMD, TND, MUPD, and PUD Pods until each Phase of development is constructed. As each Pod is developed, the adjacent Natural Transect along the roadways and between two or more developed Pods shall cease the Agricultural use and be redeveloped as open space as described on the Final Master Plan and Conceptual Plan. (ONGOING: ZONING - Planning)

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:
 - a. No Building Permits for the site may be issued after December 31, 2035. 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. Note that this condition will not apply to development of any civic pod if ownership of that pod has been transferred to a governmental agency for public use. (DATE: MONITORING - Engineering)
- b. No Building Permits for more than 39 dwelling units shall be issued until the Property Owner has commenced the construction of the widening of Seminole Pratt Whitney Road from Seminole Ridge High School to north of the M Canal, including reconstruction of the bridge over the M Canal, compatible with the ultimate expanded section per Palm Beach County standard 140 foot Typical Expanded Intersection details. Initial bridge shall be a minimum 4 lane divided with a 30 foot wide median with paved shoulders and sidewalks. The Seminole Pratt Whitney Road roadway construction improvements shall tie-in to the existing north and south 4-lane sections on Seminole Pratt Whitney Road. This improvement shall be impact fee creditable. Non-residential building permits are not subject to this condition. (BLDGPMPT: MONITORING - Engineering)
 - c. No Building Permits for more than 83 dwelling units shall be issued:
 - i. Until the contract has been let for the Assured Construction of the widening of Northlake Boulevard from Hall Boulevard to Coconut Boulevard from a 2-lane facility to a 4-lane divided facility; or
 - ii. Before October 1, 2019; or
 - iii. Before October 1, 2017 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - d. No Building Permits for more than 98 dwelling units shall be issued:
 - i. Until the contract has been let for the Assured Construction of the widening of SR-7 from Okeechobee Boulevard to 60th Street North from a 2-lane facility to a 4-lane divided facility; or
 - ii. Before October 1, 2019; or
 - iii. Before October 1, 2017 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - e. No Building Permits for more than 304 dwelling units shall be issued:
 - i. Until the contract has been let for the Assured Construction of SR-7 from 60th Street North to Northlake Boulevard as a 4-lane divided facility; or
 - ii. Before October 1, 2018; or
 - iii. Before October 1, 2016 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - f. No Building Permits for more than 447 dwelling units or development generating 251 external AM peak hour outbound trips, whichever occurs first, shall be issued:
 - i. Until the contract has been let for the Assured Construction of the widening of Northlake Boulevard from Seminole Pratt Whitney to Hall Boulevard from a 2-lane facility to a 4-lane divided facility; or
 - ii. Before October 1, 2017; or
 - iii. Before October 1, 2015 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - g. No building Permits for more than 536 dwelling units shall be issued:
 - i. Until the contract has been let for the Assured Construction of intersection improvement at 60th Street North and Royal Palm Beach Boulevard; or
 - ii. Before October 1, 2016; or
 - iii. October 1, 2014 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - h. No Building Permits for more than 872 dwelling units shall be issued until the Property Owner makes a proportionate share payment in the amount of \$7,984,927. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPMPT: MONITORING - Engineering)
 - i. No Building Permits for more than 1,021 dwelling units or development generating 574 external AM peak hour outbound trips, whichever occurs first, shall be issued:
 - i. Until the contract has been let for the Assured Construction of the widening of Southern Boulevard from west of Lion Country Safari Road to Forest Hill Boulevard from a 4-lane divided facility to a 6-lane divided facility; or
 - ii. Before October 1, 2020; or
 - iii. Before October 1, 2018 if Assured Construction is deleted; whichever occurs first. (BLDGPMPT/DATE: MONITORING - Engineering)
 - j. No Building Permits for more than 1,904 dwelling units or development generating 1,071 external AM peak hour outbound trips, whichever occurs first, shall be issued

- until the Property Owner makes a proportionate share payment in the amount of \$7,356,582. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
- k. No Building Permits for more than 2,269 dwelling units or development generating 1,276 external AM peak hour outbound trips, whichever occurs first, shall be issued:
 - i. Until the contract has been let for the Assured Construction of Roebuck Road from SR-7 to Jog Road as a 4-lane divided facility; or
 - ii. The Property Owner makes a proportionate share payment in the amount of \$1,144,578. The proportionate share payment is sufficient to accomplish one or more mobility improvement that will benefit a regionally significant transportation facility; or
 - iii. Before October 1, 2020; or
 - iv. Before October 1, 2018 if Assured Construction is deleted; whichever occurs first. (BLDGPM: MONITORING - Engineering)
 - l. No Building Permits for more than 2,430 dwelling units or development generating 1,367 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$3,667,913. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - m. No Building Permits for more than 2,581 dwelling units or development generating 1,452 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$9,855,072. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - n. No Building Permits for more than 2,706 dwelling units or development generating 756 external PM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$8,653,561. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - o. No Building Permits for more than 3,045 dwelling units or development generating 1,713 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$4,558,546. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - p. No Building Permits for more than 3,240 dwelling units or development generating 1,822 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$1,180,850. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - q. No Building Permits for more than 3,446 single family dwelling units, 600 condominium units and 2 55+ detached units or development generating 2,118 external AM peak hour outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment in the amount of \$2,281,800. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - r. No building permits for development generating more than 2,125 external PM peak hour outbound trips shall be issued until the Property Owner makes a proportionate share payment in the amount of \$832,533 and a CRALLS mitigation payment of \$3,363,800. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility. (BLDGPM: MONITORING - Engineering)
 - s. No Building Permits for a development generating more than 2,192 external AM peak hour outbound trips shall be issued until the Property Owner makes a proportionate share payment in the amount of \$3,701,222. The proportionate share payment is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility.
 - t. No building permits for development generating more than 2,270 external AM peak

hour outbound trips shall be issued until the contracts are let for the widening of Seminole Pratt Whitney Road from Persimmon Boulevard to 60th Street North from a 4-lane divided to a 6-lane divided facility. This improvement shall be impact fee creditable. (BLDGPM: MONITORING - Engineering)

- u. The Property Owner shall widen Seminole Pratt Whitney Road from Seminole Ridge High School to north of the M Canal from a two lane facility to a four lane facility by December 31, 2018. (DATE: MONITORING - Engineering)

2. In recognition that construction prices may change over the life of the project, the above noted proportionate share payments made after October 2019, shall be subject to the following escalator calculation:

- a. Adjusted Payment = Original Payment Amount x (BONS_{payment month} / BONS_{April 2014})
- b. Original Payment Amount = the proportionate share payment amount specified
- c. BONS_{payment month} = latest published value (including preliminary values) at time of payment
- d. BONS_{April 2014} = 113.0

The cost adjustment for the total and amount of each payment shall be based on the Bureau of Labor Statistics Producer Price Index (PPI) for Other non-residential construction (BONS). There shall be no negative cost adjustment.

Reference the following links for PPI index information:
<http://data.bls.gov/timeseries/PCUBONS--BONS-->

(ONGOING: ENGINEERING - Engineering)

3. No building permits after one year from the date of issuance of the first CO for non-residential development shall be issued until a Compressed Work Weeks/Non-Peak Hour Work Hours Program has been implemented and a. through c. below have been satisfied:

- a. A worksite policy has been implemented to allow and encourage Compressed Work Weeks/Non-Peak Hour Work Hours. This policy must implement a work schedule for full time (i.e. working at least 35 hours per week) employees for a less than 5-day work week by extending hours of work during the two work days, with start and end work times that fall outside the normal AM (7 to 9 AM) and PM (4 to 6 PM) peak hours.
- b. A formal policy and contract between employees and managers has been adopted to identify which job categories are eligible for compressed work week/non-peak hour work hours.
- c. An on-site coordinator for the Compressed Work Weeks program has been identified and funded to assist participants in the program, as well as to track performance of the program for monitoring purposes.

(BLDGPM: MONITORING - Engineering)

4. No building permits for development generating 2,125 external PM peak hour outbound trips shall be issued until a Ridesharing Program has been implemented and a. through c. below have been satisfied:

- a. A Ridesharing coordinator has been identified and funded or the project participates in the existing South Florida Commuter Services ridesharing program by paying an annual membership fee. The ridesharing coordinator shall promote and facilitate a ridesharing program, assist participants and track performance of the program for monitoring purposes.
- b. Funding committed to fund all aspects of the Ridesharing Program has been dedicated. Funding shall commit to provide at least 50 percent subsidy of the out-of-pocket cost of any employee vanpool utilizing the South Florida Vanpool Program.
- c. Preferential parking shall be allocated for Ridesharing Program participants. These spaces must be located closest to the building entrances, with the exception of reserves spaces required by ADA and delineated on the Site Plan.

(BLDGPM: MONITORING - Engineering)

5. Starting April 1 after the first full year from initiation of the Ridesharing program and continuing every year after until project is complete:

- a. The owner, developer or their agent, must provide a report to the County Engineer identifying the number of employees from the development participating in the Compressed Work Weeks/Non-Peak Hour Work Hours Program and the total number

of employees during the reporting period, and the work schedules of each participant. This monitoring report shall also include a copy of the compressed work week policy and copies of each of the signed compressed work week contracts entered during the reporting period.

- b. The owner, developer or their agent, must provide a report to the County Engineer evaluating the ridesharing program. The report must be certified by an independent financial auditor and shall, at a minimum, contain monthly and cumulative statistics providing:
 - i. The number of total employees employed during each month and average number for the calendar year;
 - ii. The number of employees that participate in Ridesharing;
 - iii. The number of days each employee participated in Ridesharing for reporting period;
 - iv. An accounting detailing the amount expended to fund the Ridesharing Program, including coordinator salary and amounts spent on promoting and monitoring the Ridesharing Program; and
 - v. Copies of all materials used to promote the Ridesharing Program.
 (ONGOING: ENGINEERING - Engineering)

6. The Property Owner shall:

- a. Submit a trip generation analysis with any DRO application. The trip generation analysis shall be cumulative, include all development which has building permits, and provide calculations for AM and PM peak hour inbound and outbound traffic. (DRO: ENGINEERING - Engineering)
- b. Development Order Conditions shall be evaluated to determine if any Engineering Conditions are triggered or are anticipated to be triggered in the 90-day period after the analysis is submitted. If additional improvements and/or payments are warranted based on the updated trip generation analysis, the improvements/payments shall be completed and/or made as required by the County Engineer. (DRO/ONGOING: ENGINEERING - Engineering)

7. The Property Owner shall fund traffic signals where warranted and/or required by the County Engineer, including but not limited to intersections along Seminole Pratt Whitney Road, the east/west collector roadways within the project, Okeechobee Boulevard at "D" Road and 60th Street N and Persimmon Boulevard within/adjacent to and east of the project to Royal Palm Beach Boulevard, as determined by the County Engineer. Signalization shall be a mast arm structure installation along Seminole Pratt Whitney Road and can be either mast arm structure or span wire installation along 60th Street North and Persimmon Blvd, as determined by the County Engineer. The cost of the signalization shall be paid by the Property Owner and shall also include all design costs and any required utility relocation and right of way and/or easement acquisition. (ONGOING: ENGINEERING - Engineering)

8. No Building Permits for more than 1,300 dwelling units east of Seminole Pratt Whitney Road shall be issued until:

- i. The Property Owner has connected the northernmost east/west collector roadway from Seminole Pratt Whitney Road east through the site to the existing east/west roadway network (60th Street North) east of the project and the roadway has been completed and accepted. Such roadway shall be constructed as per Palm Beach County standards, or
- ii. The Property Owner makes a \$9,000,000 payment to Palm Beach County. If and when this connection is ultimately made, such payment shall be credited towards future proportionate share payments and shall be impact fee creditable. (BLDG/PMT: MONITORING - Engineering)

9. No Building Permits for more than 3,000 dwelling units east of Seminole Pratt Whitney Road shall be issued until:

- i. The Property Owner has connected the second east/west collector roadway from Seminole Pratt-Whitney Road east through the site to the existing east/west roadway network east of the project and the roadway has been completed and accepted. Such roadway shall be constructed as per Palm Beach County standards, or
- ii. The Property Owner makes a \$9,000,000 payment to Palm Beach County. If and

when this connection is ultimately made, such payment shall be credited towards future proportionate share payments and shall be impact fee creditable. (BLDGPMT: MONITORING - Engineering)

10. No Building Permits for development of more than 2,600 dwelling units shall be issued until the Property Owner has constructed and connected the project's internal roadway (west of Seminole Pratt Whitney Road) from Seminole Pratt Whitney Road, west and curving to the north, connecting to 60th Street North. (BLDGPMT: MONITORING - Engineering)
11. No Building Permits shall be issued after the connection of the project's internal roadway to Persimmon Blvd/140th Ave North intersection, until the Property Owner makes a \$1,500,000 payment to Palm Beach County. Such payment is not impact fee creditable. If an agreement is reached between the Property Owner and Indian Trail Improvement District, this condition is void. (ONGOING: ENGINEERING - Engineering)
12. No Building Permits shall be issued after the connection of the project's internal roadway to 60th Street North, including the construction of 60th Street North to 140th Avenue North, until the Property Owner makes a \$3,000,000 payment to Palm Beach County. Such payment is not impact fee creditable. (ONGOING: ENGINEERING - Engineering)
13. The Property Owner shall permit and install roadway lighting on County Thoroughfare roadways in accordance with the applicable standards in the latest editions of the State of Florida Department of Transportation and Palm Beach County applicable standards. (ONGOING: ENGINEERING - Engineering)
14. The northern east/west roadway through the site, east of Seminole Pratt Whitney Road, shall connect to 60th Street North with a curved alignment approved by the County Engineer. At such time when 60th Street North continues west, the northern east-west roadway through the site shall be modified to connect to 60th Street North as a "T" intersection, and the connection shall be within 10 degrees of a 90 degree angle. (ONGOING: ENGINEERING - Engineering)
15. The Proportionate Share Agreement dated October 29, 2014, is hereby adopted by reference. (ONGOING: ENGINEERING - Engineering)
16. 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. 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. (BLDGPMT: MONITORING - Engineering)
17. Major Thoroughfare Road Disclosure
 - a. Prior to the recordation of the first plat, the Property Owner shall include in the homeowners documents and all sales contracts, as well as all sales brochures, Master Plans and related Site Plans a disclosure statement identifying Seminole Pratt Whitney Road, Persimmon Boulevard, and 60th Street North as existing or planned thoroughfare roadways adjacent to or through this property. This notice shall also include the ultimate number of lanes for the road(s). Information which appears in written form shall appear in bold print. (PLAT: MONITORING - Engineering)
 - b. The Property Owner shall submit documentation of compliance with this Condition on an annual basis to the Monitoring Section of Planning, Zoning and the Building Department. The next report shall be submitted on or before July 31, 2015, and shall continue on an annual basis until all units within the development have been sold or the Property Owner relinquishes control to the homeowners association. (DATE/ONGOING: MONITORING - Engineering)
18. Prior to issuance of the first building permit, the Property Owner shall provide to Palm Beach County sufficient public road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of public roadways and Seminole Pratt Whitney Road along the property frontage or within the project; and a maximum of an

additional 800 feet of these adjacent roadway(s); with the exception of Persimmon Blvd, 60th Street N and the other east-west collector road. The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient water quality, water quantity and, when necessary, compensating storage capacity within this project's system as required by all permitting agencies, as well as conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County, the applicable Drainage District, and the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate roadway section(s) of the included segment. Specifically, one lane must be open during the 25-year, 3-day storm and the elevation for the 3-year, 1-day storm event shall provide sufficient freeboard to allow for efficient roadway drainage system design. If required and approved by the County Engineer, the Property Owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM: MONITORING - Engineering)

19. Prior to dedication of the right of way for the subject roads, the Property Owner shall provide to Palm Beach County sufficient public road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Persimmon Blvd, 60th Street N and the other east-west collector road along the property frontage or within the project; and a maximum of an additional 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient water quality, water quantity and, when necessary, compensating storage capacity within this project's system as required by all permitting agencies, as well as conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County, the applicable Drainage District, and the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate roadway section(s) of the included segment. Specifically, one lane must be open during the 25-year, 3-day storm and the elevation for the 3-year, 1-day storm event shall provide sufficient freeboard to allow for efficient roadway drainage system design. If required and approved by the County Engineer, the Property Owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)

20. The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

60th Street North, from Seminole Pratt Whitney Road to 140th Avenue North, 100 feet in width and including all of the portion of 60th Street North fronting Golden Grove Elementary School, on an alignment approved by the County Engineer

All right of way deed(s) and associated documents shall be provided and approved within one hundred eighty (180) days of a request by the County Engineer, but the request shall not be made prior to January 1, 2019. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances, including but not limited to the canal encroachment. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)

21. The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

60th Street North, from the western terminus of the project's limits to Seminole Pratt Whitney Road, to provide 100 feet in width from south of the south side of the M Canal, as approved by the County Engineer

All right of way deed(s) and associated documents shall be provided and approved within one hundred eighty (180) days of a request by the County Engineer, but the request shall not be made prior to January 1, 2019. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances, including but not limited to the canal encroachment. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)

22. The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

Seminole Pratt Whitney Road to provide a minimum of 120 feet in width through the project's limits, as well as all property owned by the Developer between the east property line of Seminole Ridge High School and the west right of way line of Seminole Pratt Whitney Road. Additional right of way may be required at signalized intersections and other high demand access points along Seminole Pratt Whitney Road

All right of way deed(s) and associated documents shall be provided and approved within ninety (90) days of a request by the County Engineer. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)

23. Within hundred eighty (180) days of a request by the County Engineer, the Property Owner shall provide a temporary roadway construction easement to Palm Beach County along 60th Street North. This roadway easement shall be a minimum of ten (10) feet in width along the south side of the south right of way line of 60th Street North where 60th Street North is adjacent to the M Canal, and along both the north and south rights of way of 60th Street North where not adjacent to the M Canal. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)
24. The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

Persimmon Boulevard to provide 80 feet in width from Seminole Pratt Whitney Road to 140th Ave North.

All right of way deed(s) and associated documents shall be provided and approved within ninety (90) days of a request by the County Engineer, but the request shall not be made prior to January 1, 2019, or when required for legal access. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering)

25. Landscape Within the Median of Seminole Pratt Whitney Road.

The Property Owner, his successors and assigns, shall design, install and perpetually maintain median landscape within the median of all abutting right of way of Seminole Pratt Whitney Road. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program, unless otherwise approved by the County Engineer. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County.

- a. The necessary permit(s) for this landscaping and irrigation shall be applied for from Palm Beach County Land Development prior to the issuance of the 39th building permit. (BLDG/PMT/ONGOING: MONITORING - Engineering)
- b. All installation of the landscaping and irrigation shall be completed within six months of completion of the widening of Seminole Pratt Whitney Road. (ONGOING: ENGINEERING - Engineering)

26. Landscape Within the Median of Persimmon Boulevard.

The Property Owner, his successors and assigns, shall design, install and perpetually maintain median landscape within the median of all abutting right of way of Persimmon Boulevard. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program, unless otherwise approved by the County Engineer. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County.

- a. The necessary permit(s) for this landscaping and irrigation shall be applied for from Palm Beach County Land Development concurrent with the submittal of the roadway construction plans. (ONGOING: ENGINEERING - Engineering)
- b. All installation of the landscaping and irrigation shall be completed prior to final acceptance of the roadway construction. (ONGOING: ENGINEERING - Engineering)

27. Prior to the dedication of 60th Street North right of way, the Property Owner shall relocate/remove the portion of the Seminole Improvement District canal from the north side of Golden Grove Elementary School and Western Pines Middle School. Portions of the canal encumbering proposed 60th Street North shall also be included in this relocation/removal. The relocation/removal of the canal shall also include the relocation of any storm drainage outfall from the schools. (BLDG/PMT: MONITORING - Engineering)
28. Prior to the dedication of 60th Street North right of way, the Property Owner shall fill the portions of the relocated/removed Seminole Improvement District canal along the north side of Golden Grove Elementary School and Western Pines Middle School. (ONGOING: ENGINEERING - Engineering)
29. Prior to the completion of the first east-west collector road, the Property Owner shall enter into an agreement with the Palm Beach County School District to relocate the driveway connection for Golden Grove Elementary School from the northeast corner of the property. The Property Owner shall be responsible for the costs associated with the driveway relocation, including any turn lane construction. (BLDG/PMT: MONITORING - Engineering)
30. Concurrent with the dedication of 60th Street N right of way, the Property Owner shall complete the relocation of the driveway connection for Golden Grove Elementary School from the northeast corner of the property. (ONGOING: ENGINEERING - Engineering)
31. The street cross sections, internal roadways shown on the master plan and any reference to traffic signal locations are for illustrative purposes only and are not a part of this approval. Street cross sections, roadway design and traffic signal locations will be reviewed at the time of each individual parcel or plat submittal and must meet the requirements of Land Development Design Standards Manual, Section 100, Traffic Standards, or as otherwise approved by the County Engineer. (ONGOING/PLAT: ENGINEERING - Engineering)
32. Prior to the initiation of any works or activities at the site, the Property Owner shall obtain a conceptual and a construction permit from South Florida Water Management District to accommodate an approximately 168 cfs on-peak discharge from offsite into the Property Owner's surface water management system. This is regarded as an additional public

benefit. The Property Owner shall identify the portion of the surface water management system that will be used for this approximately 168 cfs on-peak discharge from offsite into the Property Owner's surface water management system as part of the South Florida Water Management District conceptual plan. This additional capacity shall be made available by the Property Owner to one or more governmental entities on a first come basis, provided the appropriate permits from South Florida Water Management District are received. The Property Owner shall cooperate with any governmental entity seeking to utilize such capacity to design for the same, consistent with the Property Owner's approved South Florida Water Management District conceptual plan and Palm Beach County Zoning Division Master Plan.

The Property Owner shall diligently pursue reaching a written agreement with one or more governmental entities, including all required flowage and capacity easements, for construction and use of this additional capacity. The Property Owner shall cooperate to the fullest extent, as determined by the County's Water Resource Manager and the County Engineer, to develop an interlocal agreement(s) to establish reasonable responsibilities of the parties as to the design, construction, operation, maintenance and division of the costs associated with the construction, operation, and maintenance of the interconnected system. At a minimum, the Property Owner shall be responsible for the design and permitting; operation and maintenance; and shall not charge for the land costs associated with the lake surface area or needed maintenance berms; and shall construct the necessary outfall system to accommodate the surface water management system needed for the approximately 168 cfs on-peak discharge from offsite, in addition to the Minto West surface water management system; unless otherwise agreed to by one of the governmental entities. This interlocal agreement may require a modification to the South Florida Water Management District conceptual and construction permits. If no such agreement is reached within five (5) years of the effective date of this resolution, the Property Owner shall apply to South Florida Water Management District to modify and to receive approval for such modification of its South Florida Water Management District permit to reflect the fact that the Property Owner is not relying on the 168 cfs on-peak discharge from offsite. (BLDG/PMT/ONGOING: MONITORING - Engineering)

ENVIRONMENTAL

1. A Phase II Environmental Audit, with emphasis on the areas used as storage for regulated substances and the areas designated for residential development, shall be submitted to the Department of Environmental Resources Management for review and approval prior to Final Master Plan approval by the Development Review Officer. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

FIRE PROTECTION

1. An approved water supply capable of supplying the required fire flow for the fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed. (ONGOING: FIRE RESCUE - Fire Rescue)

LANDSCAPE - GENERAL

1. Prior to Final Master Plan Approval by the Development Review Officer (DRO), the Property Owner shall submit a Conceptual Landscape Plan for the Landscape Buffer as described in Landscape Condition 2. The Landscape Plan may be combined with the Rural Parkway Conceptual Landscape Plan pursuant to the requirements of Planning Conditions. (DRO: ZONING - Zoning)

LANDSCAPE - PERIMETER-AND BUFFERING ALONG PORTION OF THE SOUTH, EAST, AND WEST PROPERTY LINES

2. A fifty (50) foot Landscape Buffer shall be provided along the specified segments of the south, east and west property lines: beginning from the south property line where the Traditional Town Development (TTD) abuts the southwest corner of Silver Lakes, and extends along portion of the south and west property lines of the TTD and ends approximately 1,000 linear feet west of Pod C. The Buffer shall have an approximate total length of 22,230 linear feet. The Buffer shall include:
 - a. one (1) canopy tree for each fifteen (15) linear feet;
 - b. one (1) palm or pine for each twenty (20) linear feet planted in clusters of five to seven (5-7) palms or pines;
 - c. shrub requirements pursuant to a Type III Incompatibility Buffer . A minimum of ten

- (10) percent of the required medium shrubs shall be Saw Palmetto;
 - d. buffer width may be reduced by twenty-five (25) percent subject to requirements of Article 7.F.6. - Buffer Width Reduction; and,
 - e. implementation of the Landscape Buffers shall be in accordance with the Final Phasing Plan.
- (ONGOING: ZONING - Landscape)

PALM TRAN

1. Prior to Final Master Plan Approval by the Development Review Officer, the Applicant shall submit an Access Management Plan to Palm Tran for review and approval. The Plan shall indicate the location of an easement for a Bus Stop Boarding and Alighting Area at approximately every quarter-mile along the main conveyance of Seminole-Pratt Whitney Road. The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. The easement location shall also be shown the roadway design plans for Seminole Pratt-Whitney Road and the related rural parkway plans. (DRO/ONGOING: PALM-TRAN - Palm-Tran)
2. Prior to Final Master Plan Approval by the Development Review Officer, the Applicant shall submit an Access Management Plan to Palm Tran for review and approval. The Plan shall indicate a Bus Bay and/or Bulb Out at a Bus Stop Boarding and Alighting Area at approximately every half-mile along the main conveyance of Seminole-Pratt Whitney Road. This requirement, in conjunction with a Bus Stop Boarding and Alighting Area easement, is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. The Bus Bay and/or Bulb Out location shall also be shown on the roadway design plans for Seminole Pratt-Whitney Road and the related rural parkway plans. (DRO/ONGOING: PALM-TRAN - Palm-Tran)
3. Prior to Final Master Plan Approval by the Development Review Officer, the Master Plan shall be revised to indicate a minimum two-acre Park and Ride lot with a Bus Bay and/or Bulb Out at a Bus Stop Boarding and Alighting Area in Pod I, in conjunction with the development of the community college, and shall be subject to the approval of Palm Tran. This requirement, in conjunction with a Bus Stop Boarding and Alighting Area easement, is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. The 2-acre Park and Ride lot and pertinent information shall also be shown on the Site plan for Pod I. (DRO/ONGOING: PALM-TRAN - Palm-Tran)

PARKS-RECREATION WITHIN TND

1. Each TND neighborhood park as required by ULDC Article 3.F.3.E.4.b shall be improved in accordance with the applicable provisions of ULDC Article 5.D., Parks and Recreation - Rules and Recreation Standards. (DRO: PARKS AND RECREATION - Parks and Recreation)

PARKS-RECREATION PODS

2. Pods "C" and "V" recreational facilities and programming shall be open to the general public on a non-exclusive basis without regard to residency and without a charge for entry or admission. This condition shall not prohibit customary charges for equipment rental, facility rental, permits, and/or participation in organized recreation activities. The design of Pod C shall also include equestrian trailer parking. (ONGOING: PARKS AND RECREATION - Parks and Recreation)

PARKS-PARK DESIGN

3. Prior to Final Approval by the Development Review Officer (DRO) of a Site Plan for Pods "C" and "V", the Property Owner shall coordinate with the Palm Beach County Parks and Recreation Department on the design and programming of each Pod. (DRO: PARKS AND RECREATION - Parks and Recreation)

PLANNED DEVELOPMENT

1. Prior to the recordation of the first subdivision plat, all non-residential and residential properties included in the legal description of the application, except Public Civic sites, shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's office, which shall include the following:
 - a. Formation of a single "master" property owner's association; a properly constituted independent or dependent district of the BCC; a Community Development District

- (CDD); or a Municipal Service Taxing District (MSTU) automatic voting membership in the master association by any party holding title to any portion of the subject property, and assessment of all members of the master association for the cost of maintaining all common areas;
- b. All recreation parcels within the residential pods shall be deed restricted to recreation for the use of the residents of the residential development. At the time of turnover of the Home Owners' Association (HOA), the recreation parcel shall be turned over to the association at no cost to the residents; and,
 - c. All the properties within the Traditional Town Development (TTD) shall not be subject to the Declaration of Restrictions in phases. Approval of the Declaration must be obtained from the County Attorney's office prior to the recordation of the first subdivision plat for any portion of the planned development. (PLAT: ENGINEERING - County Attorney)
2. The Property Owner shall include in all homeowners documents, as well as written sales brochures, sales contracts and related plans a disclosure statement identifying and notifying of the existence of agricultural uses in the Traditional Town Development (TTD), and in the vicinity of the TTD. The font of the above-mentioned documents shall be clearly legible (a minimum of 10 point font) or acceptable to the Zoning Director. 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 November 1, 2015 and shall continue on an annual basis until all units within the development have been sold or the Property Owner relinquishes control to the homeowners association. (DATE/ONGOING: MONITORING - Zoning)

PLANNING-LAND USE ORDINANCE

1. Maximum gross density is 1.20 du/acre (4,546 maximum units); no additional density bonuses are permitted. (ONGOING: PLANNING - Planning)
2. Non-residential uses shall be limited to the following maximum intensities:
 - a. 500,000 square feet of Commercial uses;
 - b. 450,000 square feet of Commercial Office uses;
 - c. 1,050,000 square feet of Light Industrial and Research and Development Uses (defined as those that are not likely to cause undesirable effects upon nearby areas; these uses shall not cause or result in the dissemination of excessive dust, smoke, fumes, odor, noise, vibration or light beyond the boundaries of the lot on which the use is conducted);
 - d. 200,000 square feet of Civic uses;
 - e. 150 room Hotel; and
 - f. 3,000 student College/University. (ONGOING: PLANNING - Planning)
3. Development of the site must conform with the Site Data table, the Conceptual Plan and the Implementing Principles. (ONGOING: PLANNING - Planning)
4. The Zoning Development Order shall include the provision of at least ten (10) percent of the residential units as workforce housing. (ONGOING: PLANNING - Planning)
5. The Zoning Development Order shall include provisions requiring the project to address regional drainage and/or water supply needs: providing at least 160 cubic feet per second (cfs) discharge (1" per day) on peak, and a flowage easement for 250 acres of lake, and/or other equivalent solutions. (ONGOING: PLANNING - Planning)
6. The Conceptual Plan and Implementing Principles require:
 - a. The Conceptual Plan establishes a maximum of 15% of Enclave may be developed under the PUD-Residential Pod standards;
 - b. The Conceptual Plan depicts the location of Rural Parkways; and
 - c. The Implementing Principles establishes provisions consistent with the "Transect Zone" definition in the Comprehensive Plan.
 (ONGOING: PLANNING - Planning)
7. The Zoning Development Order shall include a "Transect Plan" which further details the Transect Zones and sub-zones, demonstrating full compliance with all relevant policies, the Conceptual Plan and Implementing Principles. (ONGOING: PLANNING - Planning)

8. To ensure a balanced development with a diversity of uses: at the time of rezoning and any subsequent Development Order Amendments, the project shall include a Phasing Plan and/or Conditions of Approval requiring minimum non-residential uses to be concurrent with residential uses, unless all non-residential uses are built out. (ONGOING: PLANNING - Planning)

PLANNING-NATURAL TRANSECT

9. No dwelling units or non-residential square footages (Commercial, Industrial etc.) shall be allocated to any area designated as Natural Transect on the Conceptual Plan, Transect Plan, and Master Plan. (ONGOING: PLANNING - Planning)
10. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Transect Plan shall be revised to include a table indicating minimum dimensions for the Natural Transect. (DRO: PLANNING - Planning)

PLANNING-TRANSECT PLAN

11. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Transect Plan shall be revised to indicate a minimum of fifty-five (55) percent of the total land area designated as Natural Transect. (DRO: PLANNING - Planning)
12. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Transect Plan and associated table shall be revised to indicate the location, quantities, and requirements of the Sub-urban Transect Subzones. (DRO: PLANNING - Planning)

PLANNING-RURAL PARKWAY

13. Per Transportation Element Policy 1.4-q, Rural Parkways shall be implemented at the following locations:
 - a. Persimmon Boulevard, from 140th Avenue North to approximately 3,700 feet east of Seminole Pratt Whitney, a 50-foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation. No walls or signs shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
 - b. 140th Avenue North from the municipal boundary of Loxahatchee Groves to 60th Street North, a 50-foot easement on the west side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements.
 - c. "Town Center Parkway" within the Agricultural Enclave, from 60th Street North to approximately 2,500 feet east of Seminole Pratt Whitney Road, a 50-foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
 - d. Seminole Pratt Whitney Road from Sycamore Drive to Persimmon Boulevard, an 80-foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director. Entrance signs for a District Park located adjacent to the rural parkway easement may also be allowed within the rural parkway easement, subject to the approval by the Planning Director.
 - e. Seminole Pratt Whitney Road from 1,400 feet south of 60th Street North to 60th Street North, an 80-foot easement on each side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls or signs shall be allowed within the parkway easements. However, a pair of context-sensitive community identification monuments may be permitted provided they are more than 400 feet from the terminus of the parkway easement, subject to approval by the Planning Director.
 - f. 60th Street North from 140th Avenue North to the M-canal crossing at 59th Lane North, a 50-foot easement on the south side in order to accommodate multipurpose pathways landscaped with at least 70% native vegetation, shall be required. No walls

or signs shall be allowed within the parkway easements. (ONGOING: PLANNING - Planning)

PLANNING-RURAL PARKWAY - SEMINOLE PRATT WHITNEY ROAD

14. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Property Owner shall provide a conceptual Rural Parkway Landscape Plan, for the subject length of Seminole Pratt-Whitney Road identified as a Rural Parkway in the Comprehensive Plan, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
 - a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;
 - b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
 - c. Palms, 1 per 1,800 square feet of Rural Parkway Easement;
 - d. Pines, 1 per 4,000 square feet of Rural Parkway Easement;
 - e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
 - f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
 - g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and
 - h. Turf grass and other groundcover as applicable for areas not planted with landscape material. (DRO: PLANNING - Planning)

15. Prior to plat recordation for any portion of the Minto West project, the 80-foot Rural Parkway Easement for Seminole Pratt Whitney Road shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 80-foot Rural Parkway shall contain:
 - a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) a continuous minimum eight (8) foot stabilized and sodded equestrian path;
 - 4) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 80-foot wide Rural Parkway frontage; and
 - 5) pedestrian connections that traverse the rural parkway to connect to pedestrian circulation within development areas to cross walks and bus stop shelters.
 - b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of a bus shelter, benches/pedestrian gathering areas, and "context-sensitive community identification monuments"; and,
 - 3) signs, notwithstanding a general name, or other community identifying symbol, icon or marker on the "context-sensitive community identification monuments," and entrance signs for a district park.
 - c. The Rural Parkway Easement may include:
 - 1) a bus stop easement;
 - 2) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 3) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 4) other drainage easements may be permitted in the Rural Parkway Easement for the purposes of draining the Rural Parkway, subject to approval by the County Engineering Department and the Planning Division;
 - 5) a ten (10) foot utility easement, located adjacent to the right-of-way; and,
 - 6) low-intensity lighting appropriate for illuminating the pedestrian pathway.
 - d. a maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (PLAT: MONITORING - Planning)

16. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Property Owner shall submit detailed architectural and landscape plans for the proposed "context-sensitive community identification monuments" within the Seminole Pratt Whitney Rural Parkway that include plans, elevations, relevant details, and indicate materials, finishes and colors for discretionary review and approval by the Planning Director. These shall then be incorporated into the Design Standards. (DRO: PLANNING

- Planning)

17. Should the 80-foot wide Seminole Pratt Whitney Road Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2015, then the approval of this Development Order shall be scheduled for review by the Board of County Commissioners with a recommendation by Staff to revoke the Development Order. (DATE: MONITORING - Planning)
18. Prior to the issuance of the 40th residential building permit, the Property Owner shall commence construction of the Seminole Pratt Whitney-Road Rural Parkway, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)
19. The Property Owner shall complete construction of the Seminole Pratt Whitney Road Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement within 90 days of the completion of Seminole Pratt Whitney Road. (ONGOING: MONITORING - Planning)

PLANNING-RURAL PARKWAY - 60TH STREET NORTH

20. Prior to Final Site or Subdivision Plans approval for any pod adjacent to the 60th Street North Rural Parkway, by the Development Review Officer (DRO), the Property Owner shall provide a conceptual Rural Parkway Landscape Plan, for the entire length of 60th Street North identified as a Rural Parkway in the Comprehensive Plan, on the south side of the future right of way only, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
 - a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;
 - b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
 - c. Palms, 1 per 1,800 square feet of Rural Parkway Easement;
 - d. Pines, 1 per 4,000 square feet of Rural Parkway Easement;
 - e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
 - f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
 - g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and
 - h. Turf grass and other groundcover as applicable for areas not planted with landscape material. (DRO: PLANNING - Planning)
21. Prior to plat recordation for any pod adjacent to the 60th Street North Rural Parkway, the 50-foot Rural Parkway Easement segment for the entire phase shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 50-foot Rural Parkway shall contain:
 - a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) a continuous minimum eight (8) foot stabilized and sodded equestrian path;
 - 4) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 50-foot wide Rural Parkway frontage;
 - 5) pedestrian connections that traverse the rural parkway to connect to pedestrian trail networks within the Natural Transect.
 - b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of benches/pedestrian gathering areas; and,
 - 3) signs.
 - c. The Rural Parkway Easement may include:
 - 1) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 2) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 3) other drainage easements may be permitted in the Rural Parkway Easement for the purposes of draining the Rural Parkway, subject to approval by the County Engineering Department and the Planning Division;
 - 4) a ten (10) foot utility easement, located adjacent to the future right-of-way for 60th Street North; and,

- 5) low-intensity lighting appropriate for illuminating the pedestrian pathway.
- d. A maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (PLAT: MONITORING - Planning)
22. Should the 50-foot wide 60th Street North Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2020, then the approval of this Development Order (DO) shall be scheduled for review by the Board of County Commissioners with a recommendation by Staff to revoke the Development Order. (DATE: MONITORING - Planning)
23. Prior to the issuance of the 40th residential building permit, the Property Owner shall commence construction of the 60th Street North Rural Parkway from a point 2,200 feet west of Seminole Pratt Whitney Road to a point 8,000 feet east of Seminole Pratt Whitney Road (measured from the Centerline of Seminole Pratt Whitney Road), consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)
24. The Property Owner shall complete construction of the 60th Street North Rural Parkway from a point 2,200 feet west of Seminole Pratt Whitney Road to a point 8,000 feet east of Seminole Pratt Whitney Road (measured from the Centerline of Seminole Pratt Whitney Road), consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement within 90 days of the completion of Seminole Pratt Whitney Road. (ONGOING: MONITORING - Planning)
25. Prior to the issuance of a Building Permit for any buildings within Pod R, the Property Owner shall commence construction of the adjacent portion of the 60th Street North Rural Parkway Easement, consistent with the approved Rural Parkway Landscape Plan, and Recorded Rural Parkway Easement. (BLDGPM: MONITORING - Planning)
26. Prior to the issuance of a Certificate of Occupancy for any buildings within Pod R, the Property Owner shall complete construction of the adjacent portion of the 60th Street North Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and the recorded Rural Parkway Easement. (CO: MONITORING - Planning)
27. Prior to the issuance of a Building Permit for any buildings within Pod B, the Property Owner shall commence construction of the adjacent portion of the 60th Street North Rural Parkway easement, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway Easement. (BLDGPM: MONITORING - Planning)
28. Prior to the issuance of a Certificate of Occupancy for any buildings within Pod B, the Property Owner shall complete construction of the adjacent portion of the 60th Street North Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and the recorded Rural Parkway Easement. (CO: MONITORING - Planning)

PLANNING-RURAL PARKWAY - 140TH AVENUE NORTH

29. Prior to the issuance of the 2,900th Building Permit, the Property Owner shall provide a conceptual 140th Avenue North Rural Parkway Landscape Plan, for the entire length of 140th Avenue North identified as a Rural Parkway in the Comprehensive Plan, on the west side of the 140th Avenue North right of way only, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
- Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;
 - Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
 - Palms, 1 per 1,800 square feet of Rural Parkway Easement;
 - Pines, 1 per 4,000 square feet of Rural Parkway Easement;
 - Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
 - Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
 - Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and,
 - Turf grass and other groundcover as applicable for areas not planted with landscape material.
- (BLDGPM: MONITORING - Planning)
30. Prior to the issuance of the 2,950th residential Building Permit, the 50-foot 140th Avenue

North Rural Parkway Easement shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 50-foot Rural Parkway shall contain:

- a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) a continuous minimum eight (8) foot stabilized and sodded equestrian path;
 - 4) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 50-foot wide Rural Parkway frontage; and,
 - 5) pedestrian connections that traverse the rural parkway to connect to pedestrian trail networks within the Natural Transect.
- b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of benches/pedestrian gathering areas; and,
 - 3) signs.
- c. The Rural Parkway Easement may include:
 - 1) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 2) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 3) other drainage easements may be permitted in the Rural Parkway Easement for the purposes of draining the Rural Parkway, subject to approval by the County Engineering Department and the Planning Division;
 - 4) a ten (10) foot utility easement, located adjacent to the right-of-way for 140th Street North; and,
 - 5) low-intensity lighting appropriate for illuminating the pedestrian pathway.
- d. A maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (BLDGPMT: MONITORING - Planning)

31. Should the 50-foot wide 140th Avenue North Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2025, then the approval of this Development Order (DO) shall be scheduled for review by the Board of County Commissioners with a recommendation by Staff to revoke the Development Order. (DATE: MONITORING - Planning)
32. Prior to the issuance of the 2,990th residential Building Permit, the Property Owner shall commence construction of the 140th Avenue North Rural Parkway, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPMT: MONITORING - Planning)
33. Prior to the issuance of the 3,000th residential Certificate of Occupancy, the Property Owner shall complete construction of the 140th Avenue North Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPMT: MONITORING - Planning)

PLANNING-RURAL PARKWAY - PERSIMMON BOULEVARD

34. Prior to the issuance of the 2,900th Building Permit, the Property Owner shall provide a conceptual Persimmon Boulevard Rural Parkway Landscape Plan, for the entire length of Persimmon Boulevard identified as a Rural Parkway in the Comprehensive Plan, on the both sides of the right-of-way, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
 - a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;
 - b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
 - c. Palms, 1 per 1,800 square feet of Rural Parkway Easement;
 - d. Pines, 1 per 4,000 square feet of Rural Parkway Easement;
 - e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
 - f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
 - g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and,
 - h. Turf grass and other groundcover as applicable for areas not planted with landscape material. (BLDGPMT: MONITORING - Planning)

35. Prior to the issuance of the 2,950th Building Permit, the 50-foot Persimmon Boulevard Rural Parkway Easement shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 50-foot Rural Parkway shall contain:
- a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 50-foot wide Rural Parkway frontage; and,
 - 4) pedestrian connections that traverse the rural parkway to connect to pedestrian trail networks within the Natural Transect.
 - b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of benches/pedestrian gathering areas; and,
 - 3) signs, notwithstanding a general name, or other community identifying symbol, icon or marker on the "context-sensitive community identification monuments".
 - c. The Rural Parkway Easement may include:
 - 1) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 2) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 3) other drainage easements may be permitted in the Rural Parkway Easement for the purposes of draining the Rural Parkway, subject to approval by the County Engineering Department and the Planning Division;
 - 4) a ten (10) foot utility easement, located adjacent to the right-of-way for Persimmon Boulevard;
 - 5) a continuous minimum eight (8) foot stabilized and sodded equestrian path; and,
 - 6) low-intensity lighting appropriate for illuminating the pedestrian pathway.
 - d. A maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (BLDGPM: MONITORING - Planning)
36. Should the 50-foot wide Persimmon Boulevard Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2020, then the approval of this Development Order (DO) shall be scheduled for review by the Board of County Commissioners with a recommendation by Staff to revoke the Development Order. (DATE: MONITORING - Planning)
37. Prior to Final Master Plan approval by the DRO, the Property Owner shall submit detailed architectural and landscape plans for the proposed "context-sensitive community identification monuments" within the Persimmon Road Rural Parkway that include plans, elevations, relevant details, and indicate materials, finishes and colors for discretionary review and approval by the Planning Director. These shall then be incorporated into the Design Standards. (DRO: PLANNING - Planning)
38. Prior to the issuance of the 2,990th residential Building Permit, the Property Owner shall commence construction of the Persimmon Boulevard Rural Parkway, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)
39. Prior to the issuance of the 3,000th residential Certificate of Occupancy, the Property Owner shall complete construction of the Persimmon Boulevard Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)

PLANNING-RURAL PARKWAY -TOWN CENTER PARKWAY

40. Prior to the issuance of the 1,200th residential Building Permit, the Property Owner shall provide a conceptual "Town Center Parkway" Rural Parkway Landscape Plan, for the entire length of the Town Center Parkway Rural Parkway identified in the Comprehensive Plan, on both sides of the right-of-way, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road:
- a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement;

- b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement;
- c. Palms, 1 per 1,800 square feet of Rural Parkway Easement;
- d. Pines, 1 per 4,000 square feet of Rural Parkway Easement;
- e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement;
- f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement;
- g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and,
- h. Turf grass and other groundcover as applicable for areas not planted with landscape material.

(BLDGPM: MONITORING - Planning)

41. Prior to the issuance of the 1,250th residential Building Permit, the 50-foot "Town Center Parkway" Rural Parkway Easement shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 50-foot Rural Parkway shall contain:
- a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - 3) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 50-foot wide Rural Parkway frontage; and,
 - 4) pedestrian connections that traverse the rural parkway to connect to pedestrian trail networks within the Natural Transect.
 - b. The Rural Parkway Easement shall not include:
 - 1) walls;
 - 2) structures with the exception of benches/pedestrian gathering areas; and,
 - 3) signs, notwithstanding a general name, or other community identifying symbol, icon or marker on the "context-sensitive community identification monuments."
 - c. The Rural Parkway Easement may include:
 - 1) berms or other undulating changes in the finished grade not to exceed four (4) feet in height when measured from the crown of the adjacent roadway;
 - 2) other drainage/utility easements may only be permitted which traverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities;
 - 3) other drainage easements may be permitted in the Rural Parkway Easement for the purposes of draining the Rural Parkway, subject to approval by the County Engineering Department and the Planning Division;
 - 4) a ten (10) foot utility easement, located adjacent to the right-of-way for Town Center Parkway;
 - 5) low-intensity lighting appropriate for illuminating the pedestrian pathway; and,
 - 6) a continuous minimum eight (8) foot stabilized and sodded equestrian path.
 - d. A maintenance agreement with Seminole Improvement District in the form of a Management Plan for continual maintenance of the Rural Parkway. (BLDGPM: MONITORING - Planning)
42. Should the 50-foot wide "Town Center Parkway" Rural Parkway Easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to November 1, 2020, then the approval of this Development Order shall be scheduled for review by the Board of County Commissioners with a recommendation by Staff to revoke the Development Order. (DATE: MONITORING - Planning)
43. Prior to Final Master Plan approval by the DRO, the property owner shall submit detailed architectural and landscape plans for the proposed "context-sensitive community identification monuments" within the "Town Center Parkway" Rural Parkway that include plans, elevations, relevant details, and indicate materials, finishes and colors for discretionary review and approval by the Planning Director. These shall then be incorporated into the Design Standards. (DRO: PLANNING - Planning)
44. Prior to the issuance of the 1,290th residential building permit, the property owner shall commence construction of the "Town Center Parkway" Rural Parkway, consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)
45. Prior to the issuance of the 1,300th residential Certificate of Occupancy, the property

owner shall complete construction of the "Town Center Parkway" Rural Parkway consistent with the approved Rural Parkway Landscape Plan, and recorded Rural Parkway easement. (BLDGPM: MONITORING - Planning)

PLANNING-GENERAL

46. To ensure that the "appropriate new urbanism concepts" provision of the Agricultural Enclave statute is fulfilled, no Traditional Neighborhood Pod shall be gated or otherwise have restricted access. (ONGOING: PLANNING - Planning)
47. Prior to Final Master Plan approval, the Master Plan shall be revised to incorporate the "AG Enclave TTD Pod Limitations" table as depicted on the adopted Conceptual Plan. (DRO: PLANNING - Planning)

PLANNING-WORKFORCE HOUSING

48. The Property Owner shall provide 10 percent of the Minto West TTD approved density as Work Force Housing units (WFH) for a total of 455 WFH units. (ONGOING: PLANNING - Planning)
49. The Property Owner shall provide these Work Force Housing units (WFH) to the low to moderate 2, (60%-120%) Area Median Income (AMI) groups. (ONGOING: PLANNING - Planning)
50. Prior to the issuance of the first residential Building Permit a Master Covenant for all 455 Work Force Housing units (WFH) shall be recorded and/or at the time of closing of each WFH unit, a deed restriction for each WFH unit shall be recorded containing all relevant information implementing the Planning workforce housing conditions specified in this resolution. (BLDGPM: MONITORING - Planning)
51. Upon the recordation of sale for each Work Force Housing units (WFH), a copy of the deed restriction shall be provided to the Planning Director and the Department of Economic Sustainability (DES). (ONGOING: PLANNING - Planning)
52. 20% or 91 of the residential Certificates of Occupancy for the Work Force Housing units (WFH) units shall be issued prior to the issuance of 30% of the total units or the 1,364th residential Certificate of Occupancy. (CO: MONITORING - Planning)
53. 50% or 227 of the residential Certificates of Occupancy for the Work Force Housing units (WFH) shall be issued prior to 57% or the 2,591st residential Certificates of Occupancy. (CO: MONITORING - Planning)
54. 85% or 387 of the residential Certificates of Occupancy for the Work Force Housing units (WFH) shall be issued prior to the issuance of 85% of the total units or the 3,864th residential Certificate of Occupancy. (CO: MONITORING - Planning)
55. 100% or 455 of the residential Certificates of Occupancy for the Work Force Housing units (WFH) shall be issued prior to the issuance of 90% of the total units or the 4,091st residential Certificate of Occupancy. (CO: MONITORING - Planning)
56. In all cases, additional units may be provided within each phase that exceed the requirements as stated above. (ONGOING: PLANNING - Planning)
57. Design Requirements Work Force Housing units (WFH) shall be designed to be compatible with the overall project, as follows:
 - a. All WFH units shall be constructed on site.
 - b. All WFH units shall be designed to a compatible exterior standard as other units within the development or pod/phase and shall be comparable with the surrounding land uses; and
 - c. Required WFH units may be clustered or dispersed throughout the project.
 (ONGOING: PLANNING - Planning)
58. Affordability Requirements: All required Work Force Housing units (WFH) shall be offered for sale at an attainable housing cost for each of the targeted income ranges. The sale prices shall be updated annually by the Planning Director or his designee, with the sales prices based on the AMI, and the household income limits for PBC (West Palm

Beach/Boca Raton metropolitan statistical area) for a family of four, which pricing shall not be adjusted based on the number of occupants, as published annually by HUD (sale price: household income figure multiplied by three and priced at the middle of each of the four WFH income categories). (ONGOING: PLANNING - Planning)

59. Prior to final approval by the Development Review Officer (DRO), at the time of site plan for each Pod containing Work Force Housing units (WFH), the property owner shall identify each required WFH unit within that Pod. (DRO: PLANNING - Planning)
60. The deed for each Work Force Housing units (WFH)sold shall include restrictions requiring
 - a. that all identified WFH units be sold or resold only to qualified households in the applicable targeted income range at an attainable housing cost for each of the targeted income ranges;
 - b. that these restrictions remain in effect for 15 years recurring from the date of the certificate of occupancy for each unit; and,
 - c. that in the event a unit is resold before the 15-year period concludes, a new 15 year period shall take effect on the date of resale. (ONGOING: PLANNING - Planning)
61. Release of Obligation to Construct Work Force Housing units (WFH) For-Sale Units It is not the intent of the WFH provisions to require a developer to commence construction on a WFH for sale unit for which a valid and binding contract for purchase between developer and buyer has not been executed. It is intended that all WFH units will be marketed in the same manner as the market-rate units within the development. In the event a WFH unit eligible for contract has been available for purchase for a period not less than 180 days and no contract to purchase that unit has been executed during the 180 day period, and is located within a development POD or Phase in which not less than 80% of the market rate units have binding purchase contracts. then that specific WFH unit shall be eligible to be released from the WFH obligations indicated in the Applicable Site Plan. When a WFH unit is not purchased in accordance with the provision above, the developer shall make an in lieu payment to the County pursuant to the following:
 - a. An amount equal to one half of the differential between the WFH unit cost and the contract price not to exceed \$40,000 per unit.
 - b. "Available for purchase" shall be defined as:
 - 1) Written notice is provided to the Planning Director and the Department of Economic Sustainability (DES) and to a list of interested parties provided to the developer by the County that developer has a project approved which requires the construction of WFH units and the developer is ready to commence sales of the required WFH unit within the development. The written notice shall include the location of the subject property, the location of the sales office, the hours of the sales office, the floor plan and construction specifications for the WFH unit available for contract; and the pricing of the WFH unit available for contract;
 - 2) Developer shall include in the sales office displays and WFH unit promotional brochures produced as of and during the entire duration of the build-out of the project until all WFH units required have been sold and/or released according to this condition;
 - 3) The inclusion of informational packets in the sales center for those interested in purchasing a WFH unit which provides the qualification standards, where to go to get qualified, and other relevant information regarding the WFH units. This packet shall be provided by or approved by Palm Beach County prior to placement on the sales floor;
 - 4) At the time the WFH units become available for purchase the developer shall provide to the Palm Beach County Department of Planning, Zoning and Building proof of out-reach to local housing advocacy groups and others on the interested parties list; and,
 - 5) The developer acts in good faith to market and sell the unit during the term of the project until such time as all WFH units are sold or released pursuant to this condition. (ONGOING: PLANNING - Planning)
62. In the event of default by the purchaser of a for sale Work Force Housing units (WFH), after execution of a binding contract, the subject WFH shall return as available for sale for the remainder of the applicable 180-day sale period. (ONGOING: PLANNING - Planning)

63. Nothing in these conditions requires the developer to provide and/or guarantee financing for any applicant for a Work Force Housing units (WFH). The Developer is not required to aid in the purchase and/or financing of the WFH unit. (ONGOING: PLANNING - Planning)
64. On an annual basis, beginning November 1, 2018, or as otherwise stipulated in the Declaration of Restrictive Covenants, the owner of the Work Force Housing units (WFH) shall submit to the Planning Director, or designee, on a form provided by the County, an annual report containing information and documentation to demonstrate continued compliance with the WFH and a copy of any monitoring information provided to and received from the appropriate funding agency/source. (DATE/ONGOING: MONITORING - Planning)

PRIVATE CIVIC

1. Development of the Private Civic Pods, PC-1 to PC-5, shall follow the development regulations of a Traditional Neighborhood District and Neighborhood Center requirements. (ONGOING: ZONING - Zoning)
2. The private Civic Pods shall receive Site Plan approval, by the required approving authority (i.e. DRO, ZC, or BCC), prior to the development of each Pod. (ONGOING: ZONING - Zoning)
3. To comply with the Civic uses limitation of Planning Condition 2 and preserve appropriate intensity for the development of Public Civic Pods, development of the Private Civic Pods (PC-1 to PC-5) shall be limited to a combined total not to exceed 150,000 square feet. Intensity of Public Civic uses not measured by square footage for Concurrency purposes (i.e. fire station, school, park, etc.) shall not count against the Civic use limitation of Planning Condition 2. (DRO: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)

PROPERTY & REAL ESTATE MANAGEMENT

1. Platting and Deed-
The Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 4.3 acre dry (minus pond, canal or drainage area acreage) public civic site (Proposed Pod C-1), in a location and form acceptable to Facilities, Development & Operations Department (FD&O) by May 31, 2017. Property Owner to plat and dedicate the civic site to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following Conditions prior to deed conveyance. Administrative Time Extensions for this civic site conveyance date Condition may only be requested by the Property Owner upon the express approval of FD&O.
 - a. Title
Property Owner to provide a title policy insuring marketable title to Palm Beach County for the civic site and any easements that service the civic site 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 Department's (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 civic site 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 Declarations of Covenants and Conditions of the TTD or other restrictive covenants as they may apply to the civic site.
 - 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 civic site and recorded on the concurrency reservation for the entire TTD. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the civic site would support and the corresponding amount of trips. If no County use is applied to the civic site, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units the civic would support if it were a residential pod.
 - 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. Site condition

Civic site 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 proposed civic site by the County. Property Owner shall specifically address the following issues:
 - 1) The discharge of surface water from the proposed civic site into the Property Owner's water retention basins.
 - 2) An easement across Property Owner's property from the proposed civic site 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 civic site.
 - 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 civic site to buildable grade under the direction of the Facilities Development & Operations Department. Site shall be stabilized with 1) sod and watered or, 2) seeded, mulched and watered (until seed has established itself) to the satisfaction of Facilities Development and Operations.
 - i. Water & Sewer
Property Owner to provide water and sewer stubbed out to the property line and other required utilities as determined 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 proposed Pod C-1 civic site by March 1, 2017 . Survey shall reflect the boundary and topographical areas of the site and the surveyor shall use the following criteria:

- a. The survey shall meet Minimum Technical Standards set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.050-.052 for a Boundary Survey pursuant to section 472.027, Florida Statutes.
- b. If this parcel 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 civic site.

Survey is also subject to the County's approval of any proposed or existing easements within the proposed civic site and all title exceptions are to be shown on the survey.

Administrative Time Extensions for this civic site survey Condition may only be requested by the Property Owner upon the express approval of FD&O. (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 proposed Pod C-1 civic site by March 1, 2017. The minimum assessment which is required is commonly called a "Phase I Audit". The audit shall describe the environmental Conditions of the property and identify the past and current land use.

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 proposed civic site.
- 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 proposed civic site 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 civic site 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 proposed civic site. Provide a recent aerial showing site 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.

If the Phase I audit indicates that a Phase II is necessary, then the property owner shall be required to provide that audit as well.

Administrative Time Extensions for this civic site environmental survey Condition may only be requested by the Property Owner upon the express approval of FD&O. (DATE: MONITORING - Property Real Estate Management)

4. Platting & Deed -

The Property Owner shall provide Palm Beach County Board of County Commissioners with Statutory Warranty Deeds on 55.85 net acres of dry (minus pond, canal or drainage area acreage) public civic site land area (proposed Pods C-2 and C-4) in locations and form acceptable to Facilities, Development & Operations Department (FD&O) by January 31, 2020. Property Owner to plat and dedicate each civic site Pod 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 civic sites and any easements that service the civic sites 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 Department's (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 civic sites 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 Declarations of Covenants and Conditions of the TTD or other restrictive covenants as they may apply to the civic sites.

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 civic sites and recorded on the concurrency reservation for the entire TTD. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the civic sites would support and the corresponding amount of trips. If no County use is applied to the civic sites, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units each civic site would support if it were a residential pod.

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. Site condition

Civic sites 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 proposed civic sites by the County. Property Owner shall specifically address the following issues:

- 1) The discharge of surface water from the proposed civic sites into the Property Owner's water retention basins.
- 2) An easement across Property Owner's property from the proposed civic sites 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 civic sites.

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 civic sites to buildable grade under the direction of the Facilities Development & Operations Department. Site shall be stabilized with 1) sod and watered or, 2) seeded, mulched and watered (until seed has established itself) to the satisfaction of Facilities Development and Operations.

i. Water & Sewer

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

j. Upon request by Palm Beach County, the Property Owner shall promptly grant access and/or signage easement(s) for the civic sites. Such easement(s) shall be in a form, manner, location and configuration that is acceptable to Palm Beach County.

(DATE: MONITORING - Property Real Estate Management)

5. Survey -

The Property Owner shall provide the County with a survey certified to Palm Beach County of the proposed Pod C-2 and C-4 civic sites by November 1, 2019. Survey shall reflect the boundary and topographical areas of the site and the surveyor shall use the following criteria:

- a. The survey shall meet Minimum Technical Standards set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.050-.052 for a Boundary Survey pursuant to section 472.027, Florida Statutes.
- b. If this parcel 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 civic sites.

Survey is also subject to the County's approval of any proposed or existing easements within the proposed civic sites and all title exceptions are to be shown on the survey.

DATE: MONITORING - Property Real Estate Management)

6. Environmental Survey -

The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County for the proposed Pod C-2 and C-4 civic sites by November 1, 2019. The minimum assessment which is required is commonly called a "Phase I Audit". The audit shall describe the environmental Conditions of the property and identify the past and current land use.

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 proposed civic sites.
- 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 proposed civic sites 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 civic sites 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 proposed civic sites. Provide a recent aerial showing site 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.

If the Phase I audit indicates that a Phase II is necessary, then the property owner shall be required to provide that audit as well.

(DATE: MONITORING - Property Real Estate Management)

SCHOOL BOARD

1. Prior to October 1, 2018, the Property Owner and its successors and/or assigns shall provide the School Board of Palm Beach County with the following prior to dedication:
 - a. A warranty deed for a minimum of 12.00 acres for the public school site. The property owner shall plat and dedicate the school site to the Palm Beach County School District prior to conveying the deed and shall have satisfied each of the following conditions prior to deed conveyance:
 - b) Title: Provide a title policy insuring marketable title to the Palm Beach County School Board.
 - c) Taxes: All ad valorem real estate taxes and assessments for the year of closing shall be prorated at the day of acceptance of the deed for the school site; acceptance date to be determined by the School Board's Planning and Intergovernmental Relations Department.
 - d) Site Condition: School site shall be free and clear of all trash and debris at the time of acceptance of the warranty deed.
 - e) Environmental: The site shall be a developable site free of environmental constraints.
(DATE/PLAT: MONITORING - School Board)

2. Prior to the 2,200th residential building permit, or within 180 days upon request being made to the Planning, Zoning and Building Department by the School District if the site is included in the School District's 5-year plan of improvements, whichever occurs first, the Developer and its successors and/or assigns shall provide the School Board of Palm Beach County with the following:
 - a. Retention/Drainage: Provide all retention, detention, and drainage required for any future development of the proposed school site by the School Board and specifically address the following issues:
 - b. The discharge of surface water from the proposed public school site into the property owner's water retention basins.
 - c. Provide for easements across the property owner's property from the proposed public school site to the retention basins, if required.
 - d. Buildable Site: Prepare school site to buildable grade under the School Board's Program Management Department supervision.
 - e. Water & Sewer: Provide water and sewer stubbed out to the public school site property line.
 - f. Stabilized Easement: Provide a 15-foot stabilized easement on the school site in order to provide for emergency vehicle secondary access.
 - g. Traffic Concurrency: Assign sufficient traffic trip capacity such that the traffic volume associated with a public school and recorded for the school site in the TDD.
 - h. Landscaping: The site shall be landscaped with perimeter plantings.
(BLDGPM: MONITORING - School Board)

3. Prior to October 1, 2017, the Property Owner shall provide the School Board with a certified survey of the proposed public school site. Survey shall reflect the boundary and topographical areas of the site and the survey shall meet Minimum Technical Standards for a Boundary Survey as prescribed by F.A.C. 21HH.6. (DATE: MONITORING - School Board)

4. Prior to October 1, 2017, the Property Owner shall provide the School Board with a tree survey of the proposed public school site. (DATE: MONITORING - School Board)

5. Prior to October 1, 2017, the Property Owner shall provide the School Board with an Environmental Assessment Statement describing the environmental conditions of the property, including well field Zones. If the Phase I audit indicates that a Phase II is

necessary, then the Phase II audit will be required and completed as well. (DATE: MONITORING - School Board)

SIGNS

1. Prior to recordation of a plat, signage easements for Ground Mounted Signs located adjacent to the Rural Parkways, shall be recorded as approved by the County Attorney's Office, and Planning and Zoning Divisions. (PLAT: ZONING - Planning)
2. Prior to the issuance of a Sign Permit for any Ground Mounted Signs as permitted in a TTD and pursuant to the Unified Land Development Code, shall be installed within a sign easement when located adjacent to a Rural Parkway. (BLDGPM: ZONING - Planning)

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) (ONGOING: ZONING - 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) (ONGOING: ZONING - Zoning)

DISCLOSURE

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



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Minto Westlake

Development Order Amendment

Justification Statement

November 23, 2016

Revised December 5, 2016

Introduction

The subject application is a request for Development Order Amendment of Resolution 2014-1646. The subject resolution approved the TTD Zoning Application for Minto Westlake and associated conditions of approval. The Applicant is requesting to amend the Final Master Plan and conditions of approval to correct scrivener's errors. Based on the changes to the Final Master Plan, corresponding changes have been reflected in the Transect Plan and Phasing Plan.

Background

The Minto Westlake site is located East and West of Seminole Pratt Whitney Blvd., South of 60th Street North, and North of 50th Street N, East of Mead Hill Drive, and 44th Street North, East of 190th Terrace North and West of 140th Avenue North. The 3,788.60-acre property has a current FLUA designation of Agricultural Enclave. The subject property is currently in active agriculture, with built parcels including a utility site and a packing plant.

The subject property is roughly co-extensive with SID, a legislatively-created special district with the authority to provide public infrastructure and services and to operate district facilities. SID provides drainage, water, and wastewater services for the subject property, and owns a canal right-of-way and/or easement for access and drainage from the subject site running approximately four miles south to the C-51 Canal.

On October 29, 2014, the property received approval from the Board of County Commissioners for a Comprehensive Plan Amendment (Ordinance 2014-030), Rezoning and Preliminary Master Plan (Resolution 2014-1646), and Requested Uses (Resolutions 2014-1647 and 1648).

Ordinance No. 2014-030 approved an amendment to the Comprehensive Plan for the site specific Agricultural Enclave, including a Conceptual Master Plan and Implementing Principles. The Ordinance also made various text changes to the Plan related to the Agricultural Enclave Future Land Use. These Amendments were codified and are included as part of the Palm Beach County's Comprehensive Plan. The City of Westlake is obligated to follow Palm Beach County's Comprehensive Plan and Land Development Regulations (LDR) until such time the City formally adopts its own Comprehensive Plan and LDRs.

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Resolution No. 2014-1646 approved the Zoning application for the Minto West Traditional Development District. The Resolution included rezoning the property from Agricultural Residential (AR) and Public Ownership (PO) Zoning Districts to the Traditional Town Development (TTD) Zoning District.

Resolution No. R-2014-1647 approved a Requested Use for a College or University to be located within the property.

Resolution No. R-2014-1648 approved a Requested Use for a Hotel to be located within the property. The following are the applicable conditions of approval.

The Board of County Commission approved a corrective resolution (No. R-2014-1892), which amended Engineering Condition E.9 of Resolution 2014-1646 to add "iii. Notwithstanding the foregoing, no connection of Persimmon Boulevard shall be made to 140th prior to the issuance of the 2700th dwelling unit permit."

Following approval of the Preliminary Master Plan by the Board of County Commission, the Applicant submitted an off-the-board DRO application for the Final Master Plan. On July 8, 2015, the DRO approved the Final Master Plan, Final Phasing Plan, and Final Transect Plan. A copy of the Preliminary Master Plan and Final Master Plan have been included in this submittal for staff's reference.

On June 20, 2016, the City of Westlake became the 39th municipality in Palm Beach County.

Subject Request

The Applicant is requesting to update the DRO-approved Final Master Plan (FMP), correlated supporting plans, and modify certain conditions of approval in Resolution 2014-1646 to correct scrivener's errors within the text.

Comprehensive Plan

The proposed amendments to the FMP are consistent with the Comprehensive Plan, including the Conceptual Plan, as discussed below.

Final Master Plan

Based on the FMP approved by the Palm Beach County DRO, the Applicant is proposing to make the following modification to the FMP:

- Reduction in TND Pod F acreage by 42.41 acres and 200 dwelling units
- Increase in TND Pod P acreage by 42.41 acres and 200 dwelling units
- Reduction in PUD Pod Q acreage by 21.18 acres
- Increase in PUD Pod R acreage by 21.18 acres
- Increase in PUD Pod Q dwelling units by 17 units
- Reduction in PUD Pod U dwelling units by 17 units

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- Reduction in TMD Pod L acreage by 4.91 acres
- Increase in Pod PC-1 acreage by 4.67 acres
- Minor right-of-way adjustments

The changes in acreage and dwelling units were made within like pods. Adjustments to dwelling units and acreages within PUD pods were balanced with other PUD pods. Likewise, modifications to TND pods were adjusted with other TND pods. The specific acreage and dwelling unit adjustments are depicted in the table below.

	POD TYPE	BCC APPROVAL		DRO APPROVED		PROPOSED		DIFFERENCE (FROM DRO)					
		ACRES	UNITS	ACRES	UNITS	ACRES	UNITS	ACRES	%	UNITS	%		
RESIDENTIAL PODS													
PARCEL F	TND	75.68	350	74.63	350	32.22	150	-42.41	-57%	-200	-57%		
PARCEL Q	PUD	133	325	133	308	111.82	325	-21.18	-16%	17	6%		
PARCEL R	PUD	88.78	250	88.78	250	109.96	250	21.18	24%	0	0%		
PARCEL P	TND	147.46	610	147.46	610	189.87	810	42.41	29%	200	33%		
PARCEL U	PUD	106.60	397	106.60	414	106.60	397	0	0%	-17	-4%		
SUBTOTAL RESIDENTIAL PODS		551.52	1932	550.47	1932	550.47	1932	0		0			
TMD POD													
POD L	TMD	61.71	30	60.09	30	55.18	30	-4.91	-8%	0	0%		
CIVIC PARCELS													
PC-1	CIVIC	10.47	N/A	10.21	N/A	14.88	N/A	4.67	46%	N/A	N/A		
C-1	CIVIC	4.30	N/A	4.40	N/A	4.41	N/A	0.01	0%	N/A	N/A		
ROADS AND RIGHTS OF WAY						139.37		139.60		0.23	0.17%	N/A	N/A
NOTE: This table only reflects parcels affected by the this Master Plan Modification.													

The total acreage and dwelling units provided within the overall PUD and TND categories remain consistent with the FMP. Additionally, the total Natural Transect area remains unchanged at 55 percent. Therefore, these changes are consistent with the Comprehensive Plan and Conceptual Plan which notes that the locations and configurations of proposed land uses, roads, lakes, greens, parks, etc. are illustrated for conceptual purposes only. Final delineation is to be determined during site plan approval(s) (see note 3 on the Conceptual Plan).

Phasing Plan

The Applicant has updated the Phasing plan to reflect the pod and right-of-way changes made to the FMP. The phases affected by the FMP modifications are Phase 1, 2, and 7. There is a slight decrease in the total acreage of Phase I by approximately 96 acres. Phase I, which includes Pods F, L, P, and Q, contains 1,243.05 acres. Phase 2, which includes Pod R, has been increases by approximately 96 acres. The total acreage for Phase 2 is now 292.69 acres. No changes to the Phase 7 acreage is proposed. Phase 7, which includes Pods U and V, still contains 593.44 acres. The total number of dwelling units in Phases 1 and 7 adjusted slightly based on the changes explained above with the FMP. The total number of units within Phase 2 remained the same. Phase I includes 1,315 dwelling units, which is an increase of 17 dwelling units from the approved FMP. Phase 7 includes 397 dwelling units, which is a decrease of 17 dwelling units from the approved FMP. The decrease of 17 dwelling units from Pod U in Phase 7 is consistent with the

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10-29-14 BCC approval.

Transect Plan

Per Policy 2.2.5-e of the PBC Comprehensive Plan, the Westlake Agricultural Enclave was required to include a series of transect zones. The intent of the transect zones is to allow the clustering of densities, promote variety of neighborhoods, and create transitions areas. The Comprehensive Plan sets forth three different transect zones: (1) Natural Transect, (2) Sub-urban Transect, and (3) Urban Transect. As part of the subject application, the Transect Plan has been updated to reflect the pod and roadway modifications consistent with the FMP. As a result of the pod changes, the transect zone acreages have been adjusted. The adjusted Transect Plan remains in full compliance with the Comprehensive Plan Conceptual Plan and policies.

The Natural Transect consists of Rural Parkways, open space, active and passive recreation, agriculture, conservations, landscape buffers, water bodies, etc. The Westlake TTD is required to maintain a minimum Natural Transect area of 55 percent (2,085 acres). No changes are proposed to the percentage of Natural Transect area with the subject application.

The Sub-urban Transect consists of low-to-moderate density residential areas. This transect can include an overall gross density ranging between one unit per two acres to six dwelling units per acre. The Sub-urban Transect is made up of three subzones: (1) Neighborhood Edge Zone, (2) Neighborhood General Zone, and (3) Neighborhood Center Zone. Each subzone has density and acreage restrictions outlined in Policy 2.2.5-e. Based on the changes made with the FMP, the total area of Suburban Transect has been increased by approximately five acres, which is a result of an increase in the Pod PC-1 acreage, as described in the FMP section. The Applicant is not proposing to change the total number of dwelling units within the Sub-urban Transect.

The Urban Transect consists of the most intense components of the Agricultural Enclave, including the majority of the non-residential uses. The Urban Transect may include a maximum of 10 percent of the total Westlake acreage and 20 percent of the total dwelling units, not to exceed 12 units per acre. The Urban Transect is made up of two subzones: (1) Town Center and (2) Employment Center. Based on the changes made with the FMP, the total area of Urban Transect has been decreased by approximately five acres, which is a result of a decrease in the Pod L acreage, as described in the FMP section. The Applicant is not proposing to change the total number of dwelling units within the Urban Transect.

Conditions of Approval

During the adoption process of Resolution 2014-1646, a scrivener's error was made with condition no. 15 of the "Planning-Rural Parkway – Seminole Pratt Whitney Road" conditions. This error was acknowledged by PBC Planning staff after the Resolution was adopted. Staff's intent was for the Applicant to correct the condition language when the first Development Order Amendment application was submitted. Therefore, the Applicant has include the modification

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of condition no. 15 in the subject application. The condition language, as it was approved, requires an equestrian pathway along each side of Seminole Pratt Whitney Road. This language was based on the language for the other rural parkways within the project. It was never the intent to provide equestrian pathways along Seminole Pratt Whitney Road. Seminole Pratt Whitney Road is a major arterial roadway and will contain the vast majority of the nonresidential uses within Westlake. Therefore, incorporating equestrian activities within a largely commercial area would not be compatible. These paths were always intended to exist along the perimeters of the property where equestrian activity is more suitable. To remedy this error, the following revisions are proposed and are shown in ~~strike through~~ and underline format.

PLANNING-RURAL PARKWAY - SEMINOLE PRATT WHITNEY ROAD

15. Prior to plat recordation for any portion of the Minto West project, the 80-foot Rural Parkway Easement for Seminole Pratt Whitney Road shall be recorded, as approved by the County Attorney's Office, the Engineering Department, and the Planning Division. The public access easement for the 80-foot Rural Parkway shall contain:

- a. A Landscape Plan that conforms with the approved Rural Parkway Landscape Plan, but not be limited to the following items:
 - 1) 70% native trees, palms, and shrubs;
 - 2) a continuous ten (10) foot paved multipurpose path;
 - ~~3) a continuous minimum eight (8) foot stabilized and sodded equestrian path;~~
 - 34) benches/pedestrian gathering area. At least one (1) pedestrian gathering area shall be provided within the 80-foot wide Rural Parkway frontage; and
 - 45) pedestrian connections that traverse the rural parkway to connect to pedestrian circulation within development areas to cross walks and bus stop shelters.

Consistency with Development Order conditions of approval

As part of the subject application, the Applicant would like to provide City staff with a status update of the applicable conditions of approval within Resolution 2014-1646. The following conditions are related to the Final Master Plan:

- All Petitions – No. 2, 3, 7, 8
- Environmental – No. 1
- Landscape- General – No. 1
- Palm Tran – No. 1, 2, 3
- Planning – No. 2, 3, 6, 8, 10, 11, 12, 14, 16, 37, 43, 47

The table below demonstrates how the applicable conditions of approval have been previously satisfied by the certified FMP and how the proposed amendment continues to be in compliance with the conditions.

CONDITIONS	STATUS
------------	--------

<u>ALL PETITIONS</u>	
<p>2. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Master Plan, Transect Plan, and the Phasing Plan shall be revised to:</p> <ul style="list-style-type: none"> a. convert 150,000 square feet of EDC to Professional or Business Office in Pod G; b. relocate 150,000 square feet of EDC in Pod G to EDC MUPD in Pod H; and, c. convert 250,000 square feet of EDC to Professional or Business Office in Pod L. <p>(DRO: PLANNING- Zoning)</p>	<p>The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.</p>
<p>3. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Concurrence table shall be modified to remove the notation "Requested uses other than college or hotel will be subject to BCC approval." (DRO: ZONING- Zoning)</p>	<p>The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.</p>
<u>ENVIRONMENTAL</u>	
<p>1. A Phase II Environmental Audit, with emphasis on the areas used as storage for regulated substances and the areas designated for residential development, shall be submitted to the Department of Environmental Resources Management for review and approval prior to Final Master Plan approval by the Development Review Officer. DRO: ENVIRONMENTAL RESOURCES MANAGEMENT Environmental Resources Management)</p>	<p>The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.</p>
<u>LANDSCAPE-GENERAL</u>	
<p>1. Prior to Final Master Plan Approval by the Development Review Officer (DRO), the Property Owner shall submit a Conceptual Landscape Plan for the Landscape Buffer as described in Landscape Condition 2. The Landscape Plan may be combined with the Rural Parkway Conceptual Landscape Plan pursuant to the requirements of Planning Conditions. (DRO: ZONING- Zoning)</p>	<p>The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.</p>
<u>PALM TRAN</u>	
<p>1. Prior to Final Master Plan Approval by the Development Review Officer, the Applicant shall submit an Access Management Plan to Palm Tran for review and approval. The Plan shall indicate the location of an easement for a Bus Stop Boarding and Alighting Area at approximately every quarter-mile along the main conveyance of Seminole-Pratt Whitney Road. The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. The easement location shall also be shown the roadway design plans for Seminole Pratt-Whitney Road and the related rural parkway plans. (DRO/ONGOING: PALM-TRAN- Palm-Tran)</p>	<p>The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.</p>
<p>2. Prior to Final Master Plan Approval by the Development Review Officer, the Applicant shall submit an Access Management Plan to Palm Tran for review and approval. The Plan shall indicate a Bus Bay and/or Bulb Out at a Bus Stop Boarding and Alighting Area at approximately every half-mile along the main conveyance of Seminole-Pratt Whitney Road. This requirement, in conjunction with a Bus Stop Boarding and Alighting Area easement, is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. The Bus Bay and/or Bulb Out location shall also be shown on the roadway design plans for Seminole Pratt-Whitney Road and the related rural parkway plans. (DRO/ONGOING: PALM-TRAN - Palm-Tran)</p>	<p>The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.</p>
<p>3. Prior to Final Master Plan Approval by the Development Review Officer, the Master Plan shall be revised to indicate a minimum two-acre Park and Ride lot with a Bus Bay and/or</p>	<p>The condition was satisfied with the</p>

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<p>Bulb Out at a Bus Stop Boarding and Alighting Area in Pod I, in conjunction with the development of the community college, and shall be subject to the approval of Palm Tran. This requirement, in conjunction with a Bus Stop Boarding and Alighting Area easement, is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. The 2-acre Park and Ride lot and pertinent information shall also be shown on the Site plan for Pod I. (DRO/ONGOING: PALM-TRAN - Palm-Tran)</p>	<p>approved Final Master Plan. Certified by the DRO on 7/8/15.</p>
<p>PLANNING-LAND USE ORDINANCE</p> <p>2. Non-residential uses shall be limited to the following maximum intensities:</p> <ul style="list-style-type: none"> a. 500,000 square feet of Commercial uses; b. 450,000 square feet of Commercial Office uses; c. 1,050,000 square feet of Light Industrial and Research and Development Uses (defined as those that are not likely to cause undesirable effects upon nearby areas; these uses shall not cause or result in the dissemination of excessive dust, smoke, fumes, odor, noise, vibration or light beyond the boundaries of the lot on which the use is conducted); d. 200,000 square feet of Civic uses; e. 150 room Hotel; and f. 3,000 student College/University. (ONGOING: PLANNING – Planning) 	<p>The proposed FMP amendment does not exceed the maximum intensities stated herein.</p>
<p>3. Development of the site must conform with the Site Data table, the Conceptual Plan and the Implementing Principles. (ONGOING: PLANNING- Planning)</p>	<p>The proposed FMP amendment does conform to the approved site data table, Conceptual Plan, and Implementing Principles.</p>
<p>6. The Conceptual Plan and Implementing Principles require:</p> <ul style="list-style-type: none"> a. The Conceptual Plan establishes a maximum of 15% of Enclave may be developed under the PUD-Residential Pod standards; b. The Conceptual Plan depicts the location of Rural Parkways; and c. The Implementing Principles establishes provisions consistent with the "Transect Zone" definition in the Comprehensive Plan. (ONGOING: PLANNING- Planning) 	<p>The proposed FMP amendment is in compliance with this condition and percentage thresholds.</p>
<p>8. To ensure a balanced development with a diversity of uses: at the time of rezoning and any subsequent Development Order Amendments, the project shall include a Phasing Plan and/or Conditions of Approval requiring minimum non-residential uses to be concurrent with residential uses, unless all non-residential uses are built out. (ONGOING: PLANNING- Planning)</p>	<p>The proposed amendment includes an updated Phasing Plan, which demonstrates residential and non-residential uses being provided in Phase I of development.</p>
<p>10. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Transect Plan shall be revised to include a table indicating minimum dimensions for the Natural Transect. (DRO: PLANNING- Planning)</p>	<p>The condition was satisfied with the approved Final Master Plan.</p>

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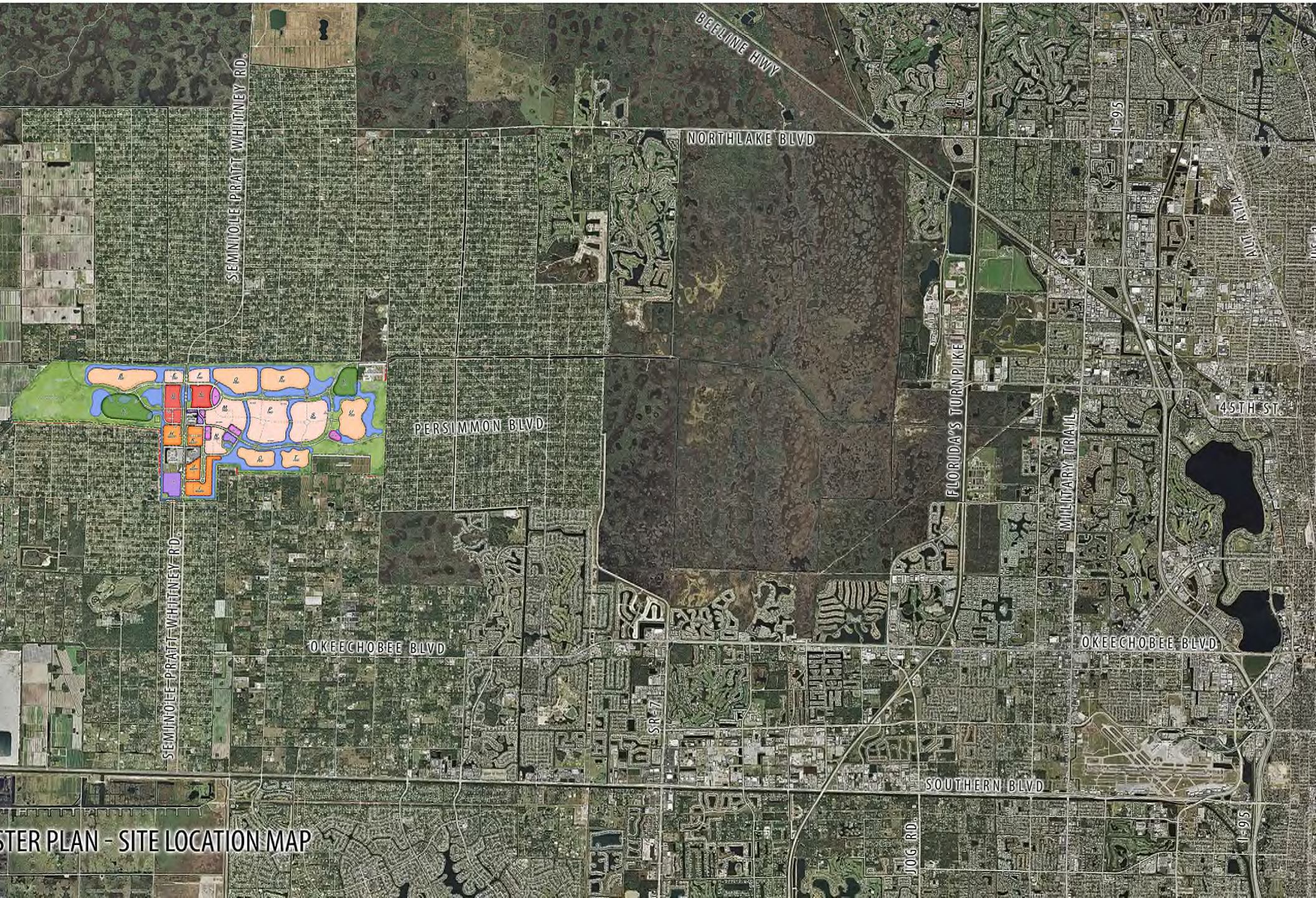
	Certified by the DRO on 7/8/15.
11. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Transect Plan shall be revised to indicate a minimum of fifty-five (55) percent of the total land area designated as Natural Transect. (DRO: PLANNING- Planning)	The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.
12. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Transect Plan and associated table shall be revised to indicate the location, quantities, and requirements of the Sub-urban Transect Subzones. (DRO: PLANNING- Planning)	The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.
14. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Property Owner shall provide a conceptual Rural Parkway Landscape Plan , for the subject length of Seminole Pratt-Whitney Road identified as a Rural Parkway in the Comprehensive Plan, subject to approval by the Planning Division, to include the following minimum quantities per segment, per side of the road: a. Canopy trees, 1 per 1,100 square feet of Rural Parkway Easement; b. Flowering Trees, 1 per 2,000 square feet of Rural Parkway Easement; c. Palms, 1 per 1,800 square feet of Rural Parkway Easement; d. Pines, 1 per 4,000 square feet of Rural Parkway Easement; e. Large Shrubs, 1 per 400 square feet of Rural Parkway Easement; f. Medium Shrubs, 1 per 300 square feet of Rural Parkway Easement; g. Small Shrubs, 1 per 200 square feet of Rural Parkway Easement; and h. Turf grass and other groundcover as applicable for areas not planted with landscape material. (DRO: PLANNING – Planning)	The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.
16. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Property Owner shall submit detailed architectural and landscape plans for the proposed "context-sensitive community identification monuments" within the Seminole Pratt Whitney Rural Parkway that include plans, elevations, relevant details, and indicate materials, finishes and colors for discretionary review and approval by the Planning Director. These shall then be incorporated into the Design Standards. (DRO: PLANNING -Planning)	The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.
37. Prior to Final Master Plan approval by the DRO, the Property Owner shall submit detailed architectural and landscape plans for the proposed "context-sensitive community identification monuments" within the Persimmon Road Rural Parkway that include plans, elevations, relevant details, and indicate materials, finishes and colors for discretionary review and approval by the Planning Director. These shall then be incorporated into the Design Standards (DRO: PLANNING –Planning)	The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.
43. Prior to Final Master Plan approval by the DRO, the property owner shall submit detailed architectural and landscape plans for the proposed "context-sensitive community identification monuments" within the "Town Center Parkway" Rural Parkway that include plans, elevations, relevant details, and indicate materials, finishes and colors for	The condition was satisfied with the approved Final Master Plan.

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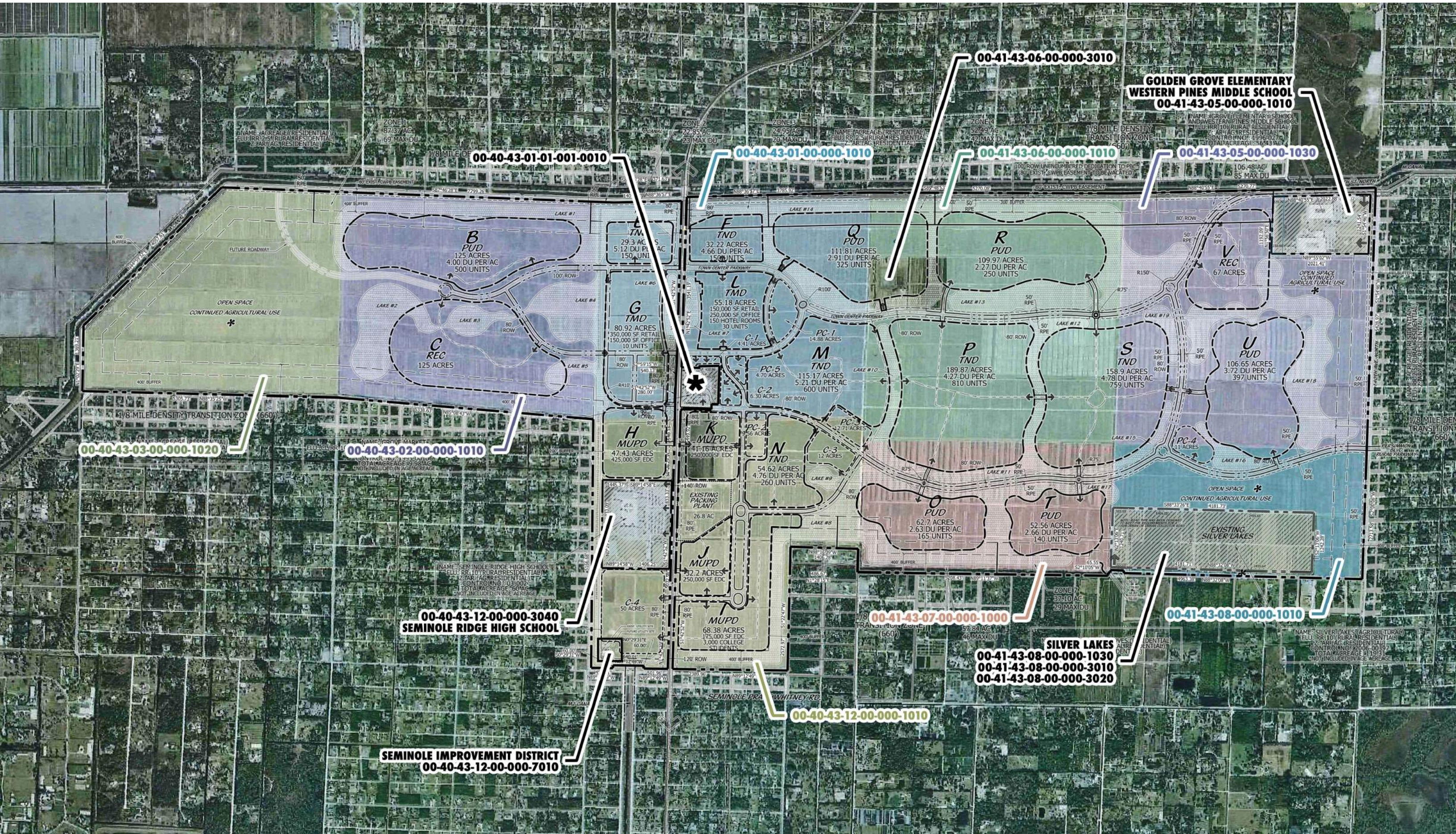
discretionary review and approval by the Planning Director. These shall then be incorporated into the Design Standards. (DRO: PLANNING- Planning)	Certified by the DRO on 7/8/15.
47. Prior to Final Master Plan approval, the Master Plan shall be revised to incorporate the "AG Enclave TTD Pod Limitations" table as depicted on the adopted Conceptual Plan. (DRO: PLANNING- Planning)	The condition was satisfied with the approved Final Master Plan. Certified by the DRO on 7/8/15.

Conclusion

The proposed Development Order amendment is in compliance with the Comprehensive Plan, Westlake Conceptual Plan, and conditions of approval of the Development Order. The Applicant looks forward to working with staff to address any questions that may arise as a result of your review.



MASTER PLAN - SITE LOCATION MAP



**GOLDEN GROVE ELEMENTARY
WESTERN PINES MIDDLE SCHOOL
00-41-43-05-00-000-1010**

**00-40-43-12-00-000-3040
SEMINOLE RIDGE HIGH SCHOOL**

**SEMINOLE IMPROVEMENT DISTRICT
00-40-43-12-00-000-7010**

**SILVER LAKES
00-41-43-08-00-000-1030
00-41-43-08-00-000-3010
00-41-43-08-00-000-3020**

00-40-43-03-00-000-1020

00-40-43-02-00-000-1010

00-41-43-07-00-000-1000

00-40-43-12-00-000-1010

00-41-43-08-00-000-1010

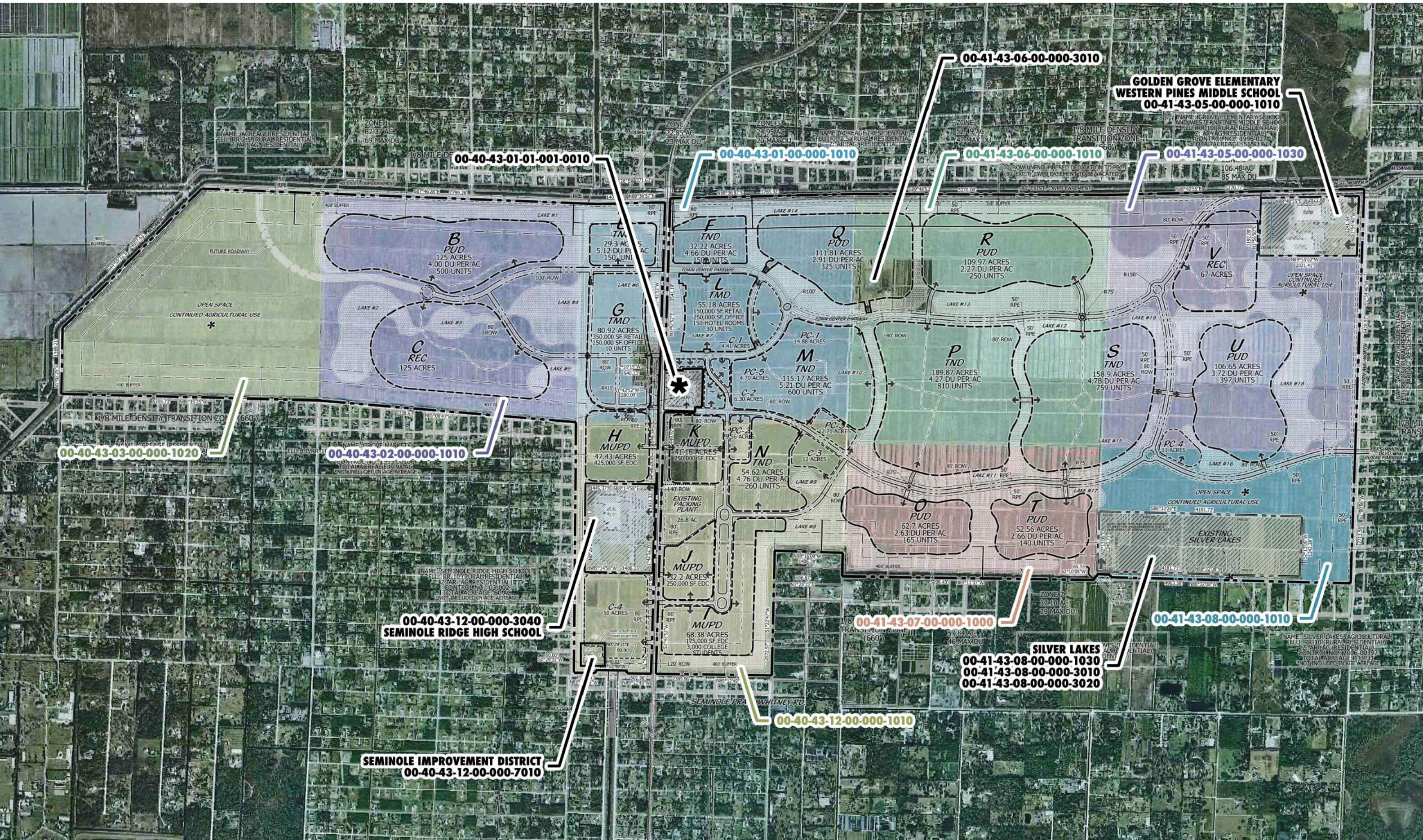
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00-40-43-01-00-000-1010

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00-41-43-05-00-000-1030

00-40-43-01-01-001-0010





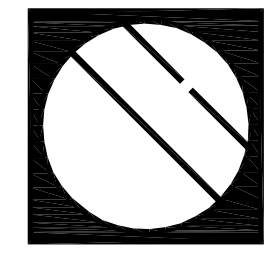
- END**
- MULTIPLE USE DISTRICT/ ECONOMIC DEVELOPMENT CENTER (EDC)
 - TRADITIONAL MARKETPLACE DEVELOPMENT
 - PLANNED UNIT DEVELOPMENT
 - TRADITIONAL NEIGHBORHOOD DEVELOPMENT
 - CIVIC
 - PRIVATE CIVIC
 - COMMERCIAL RECREATION
 - LAKE/BIOSWALE

TTD LAND USE BREAKDOWN

LAND USE TYPE	Min % Req	Max % Req	Prop. AC	Prop. %
TND	30	90	590.08	15.31%
TMD	2	8	130.13	3.43%
MUPD	-	5	182.44	4.82%
PUD	-	10	568.64	15.01%
CIVIC DEDICATION	-	20	125.56	3.31%
NATURAL AREA*	50	-	2,035.35	53.72%
WATERWAYS / BIOSWALES			656.20	-
GREENWAYS / PATHWAYS			1,187.16	-
RECREATION			192.00	-
PACKING PLANT			26.80	0.71%
ROW WITHIN COMMON AREAS			139.60	3.68%
TOTAL			3,788.60	100.00%

* DOES NOT INCLUDE OPEN SPACE INTERIOR TO EACH INDIVIDUAL RESIDENTIAL COMMUNITY
** PERCENTAGE DOES NOT INCLUDE OPEN SPACE AREA OF PUD C-4 IN NATURAL AREA
CALCULATIONS (ADDITIONAL 1%) SEE TRANSECTS TABLE FOR DETAILS.



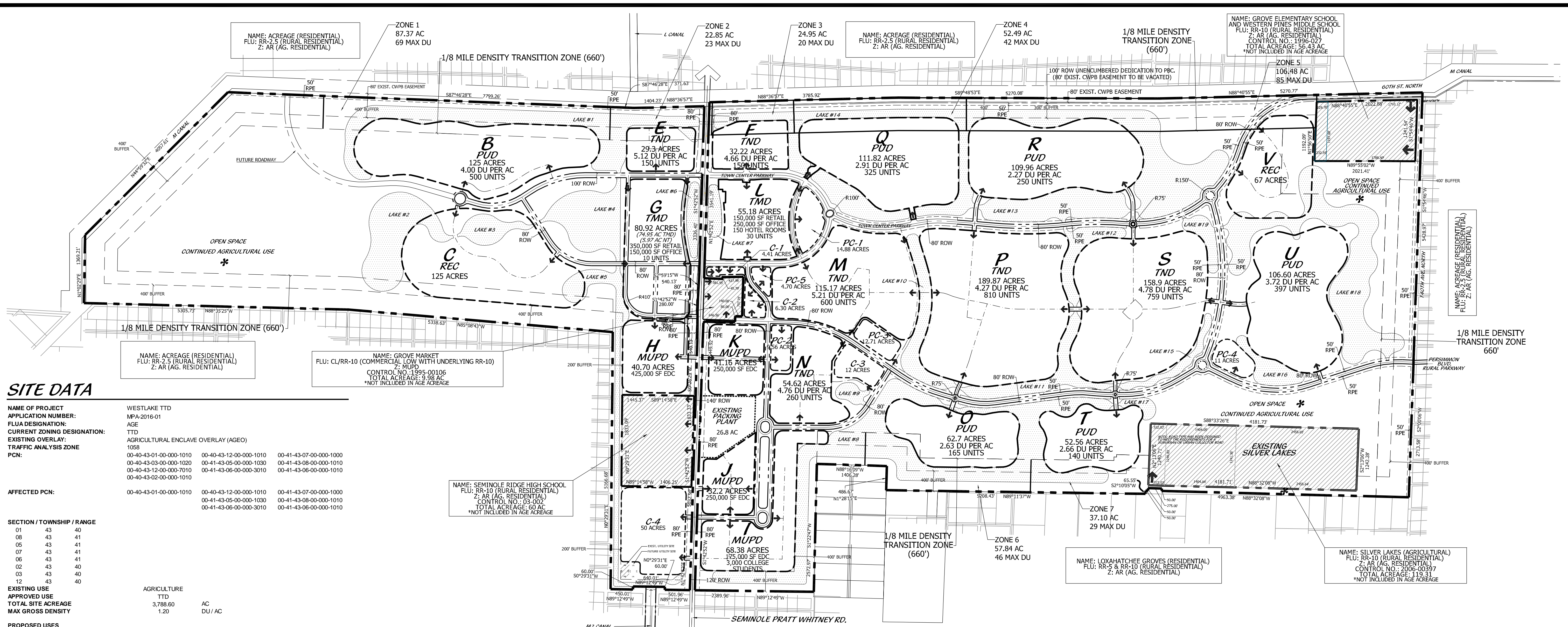


Cotleur & Hearing

Landscape Architects
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Environmental Consultants
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Jupiter, Florida 33458
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Lic# LC-C000239

MINTO WEST

FINAL MASTER PLAN
PALM BEACH COUNTY, FL



SITE DATA

NAME OF PROJECT: WESTLAKE TTD
APPLICATION NUMBER: MPA-2016-01
FLUA DESIGNATION: AGE
CURRENT ZONING DESIGNATION: TTD
EXISTING OVERLAY: AGRICULTURAL ENCLAVE OVERLAY (AGEO)
TRAFFIC ANALYSIS ZONE: 1058
PCN: 00-40-43-01-00-000-1010 00-40-43-12-00-000-1010 00-41-43-07-00-000-1000
 00-40-43-03-00-000-1020 00-41-43-05-00-000-1030 00-41-43-08-00-000-1010
 00-40-43-12-00-000-1010 00-41-43-05-00-000-1030 00-41-43-08-00-000-1010
 00-40-43-02-00-000-1010

AFFECTED PCN: 00-40-43-01-00-000-1010 00-40-43-12-00-000-1010 00-41-43-07-00-000-1000
 00-41-43-05-00-000-1030 00-41-43-08-00-000-1010
 00-41-43-05-00-000-1030 00-41-43-08-00-000-1010

SECTION / TOWNSHIP / RANGE:
 01 43 40
 08 43 41
 05 43 41
 07 43 41
 06 43 41
 02 43 40
 03 43 40
 12 43 40

EXISTING USE: AGRICULTURE
APPROVED USE: TTD
TOTAL SITE ACREAGE: 3,788.60 AC
MAX GROSS DENSITY: 1.20 DU/AC

PROPOSED USES:
 RESIDENTIAL: 3,746 DU
 - DETACHED SINGLE FAMILY (SF)
 - ZERO LOT LINE HOMES (ZLL)
 ATTACHED: 800 DU
 - TOWNHOME (TH)
 - MULTIFAMILY (MF)

NON-RESIDENTIAL:
 COMMERCIAL / RETAIL: 500,000 SF
 ECONOMIC DEVELOPMENT CENTER: 1.5 M SF
 PRIVATE CIVIC: 150,000 SF
 COLLEGE / UNIVERSITY: 3,000 STUDENTS
 HOTEL: 150 ROOMS

CIVIC USES:
 REQUIRED CIVIC ACREAGE: 75.77 AC (2%)
 PROPOSED CIVIC ACREAGE: 125.56 AC (3%)
 PUBLIC CIVIC ACREAGE: 72.71 AC
 PRIVATE CIVIC ACREAGE: 52.85 AC

NATURAL TRANSECT:
 REQUIRED: 55.00%
 PROVIDED: 55.04%

TABULAR DATA

POD(1)	ACREAGE				DU - RESIDENTIAL				DENSITY				NONRESIDENTIAL	
	DRO APPROVAL	PROPOSED	% Change	% OF TOTAL	PROPOSED DETACHED	PROPOSED ATTACHED	DRO APPROVED TOTAL	% Change	% Change	DRO APPROVAL	PROPOSED	NONRESIDENTIAL		
												STUDENTS		ROOMS
C REC	125.00	125.00	0%	3.30%	-	-	-	-	-	-	-	-	-	
B PUD	125.00	125.00	0%	3.30%	300	200	500	0	0%	4.00	4.00	-	-	
E TND	29.30	29.30	0%	0.77%	-	150	150	150	0	0%	5.12	5.12	-	
F TND	74.63	32.22	-57%	1.97%	-	150	150	350	-200	-57%	4.69	4.66	-	
G TMD	80.92	74.95	-7%	2.13%	-	10	10	10	0	0%	-	-	350,000 SF RETAIL 150,000 SF OFFICE	
H MUPD	43.94	40.70	-7%	1.16%	-	-	-	-	-	-	-	-	425,000 SF EDC	
I MUPD	68.38	68.38	0%	1.80%	-	-	-	-	-	-	-	-	175,000 SF EDC 3,000 STDNT COLLEGE	
J MUPD	32.20	32.20	0%	0.85%	-	-	-	-	-	-	-	-	250,000 SF EDC	
K MUPD	41.16	41.16	0%	1.09%	-	-	-	-	-	-	-	-	250,000 SF EDC	
L TMD	60.09	55.18	-8%	1.59%	-	30	30	30	0	0%	-	-	150,000 SF RETAIL 250,000 SF OFFICE 150 ROOM HOTEL	
M TND	115.17	115.17	0%	3.04%	450	150	600	600	0	0%	5.21	5.21	-	
N TND	54.62	54.62	0%	1.44%	150	110	260	260	0	0%	4.76	4.76	-	
O PUD	62.70	62.70	0%	1.65%	165	-	165	165	0	0%	2.63	2.63	-	
P TND	147.46	189.87	29%	3.89%	810	-	810	610	200	33%	4.14	4.27	-	
Q PUD	133.00	111.82	-16%	3.51%	325	-	325	308	17	6%	2.32	2.91	-	
R PUD	88.78	109.96	24%	2.34%	250	-	250	250	0	0%	2.82	2.27	-	
S TND	158.90	158.90	0%	4.19%	759	-	759	759	0	0%	4.78	4.78	-	
T PUD	52.56	52.56	0%	1.39%	140	-	140	140	0	0%	2.66	2.66	-	
U PUD	106.60	106.60	0%	2.81%	397	-	397	414	-17	-4%	3.88	3.72	-	
V REC	67.00	67.00	0%	1.77%	-	-	-	-	-	-	-	-	-	
PACKING PLANT	26.80	26.80	0%	0.71%	-	-	-	-	-	-	-	-	PACKING PLANT	
C-1 CIVIC	4.40	4.41	0%	0.12%	-	-	-	-	-	-	-	-	FIRE STATION	
C-2 CIVIC	6.30	6.30	0%	0.17%	-	-	-	-	-	-	-	-	GOVERNMENT USE	
C-3 CIVIC	12.00	12.00	0%	0.32%	-	-	-	-	-	-	-	-	ELEM. SCHOOL	
C-4 CIVIC	50.00	50.00	0%	1.32%	-	-	-	-	-	-	-	-	DISTRICT PARK	
PC-1 PRVT CIVIC	10.21	14.88	46%	0.27%	-	-	-	-	-	-	-	-	PRIVATE CIVIC	
PC-2 PRVT CIVIC	9.56	9.56	0%	0.25%	-	-	-	-	-	-	-	-	PRIVATE CIVIC	
PC-3 PRVT CIVIC	12.71	12.71	0%	0.34%	-	-	-	-	-	-	-	-	PRIVATE CIVIC	
PC-4 PRVT CIVIC	11.00	11.00	0%	0.29%	-	-	-	-	-	-	-	-	PRIVATE CIVIC	
PC-5 PRVT CIVIC	4.70	4.70	0%	0.12%	-	-	-	-	-	-	-	-	PRIVATE CIVIC	
TOTAL	1815.09	1805.65			3,746	800	4,546	4,546						

Notes:
 (1) Each pod will comply with appropriate district regulations.
 (2) Maximum FAR for each pod shall be in accordance with the overall intensities shown on the PMP.
 (3) Minimum 2 Acre Park and Ride Lot Per Palm Tran Condition No. 3 TTD/R-2014-00094

CONCURRENCY

CONCURRENCY BASED ON THE DENSITY AND INTENSITY APPROVED ON THE CONCEPTUAL PLAN.	
RESIDENTIAL	
ATTACHED - THMF	600 DU
ATTACHED - THMF 55+	200 DU
DETACHED - SF/ZLL	3,446 DU
DETACHED - SF/ZLL 55+	300 DU
TOTAL = 4,546 DU	
NON-RESIDENTIAL	
EXISTING PACKING PLANT	26.80 AC
REQUESTED USES- COLLEGE	3,000 STUDENTS
HOTEL	150 ROOMS
EDC	
OFFICE	450,000 SF
RESEARCH AND DEVELOPEM	600,000 SF
LIGHT INDUSTRIAL (I)	450,000 SF
RETAIL	500,000 SF
TOTAL = 2,000,000 SF	
CIVIC - PRIVATE	150,000 SF
CIVIC - PUBLIC	50,000 SF
TOTAL = 200,000 SF	
CONCURRENCY FOR CIVIC USES SUBJECT TO FUTURE REVIEW AND APPLICABLE ZONING APPROVAL (1)	
FIRE STATION	TBD
RECREATION (1)	182 AC
ELEMENTARY SCHOOL	970 STUDENTS
PARK	50 ACRES

FOOTNOTE:
 (1) LIGHT INDUSTRIAL USES TBD AT TIME OF FINAL SITE PLAN REVIEW APPROVAL.
 (2) RECREATION USE TBD AT TIME OF FINAL SITE PLAN REVIEW APPROVAL.
 (3) NOT PART OF THE 2.2 MILLION NON-RESIDENTIAL SQUARE FOOTAGE.

PROJECT TEAM

PROPERTY OWNER: MINTO COMMUNITIES
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SITE PLANNER: MICHAEL PAPE & ASSOCIATES
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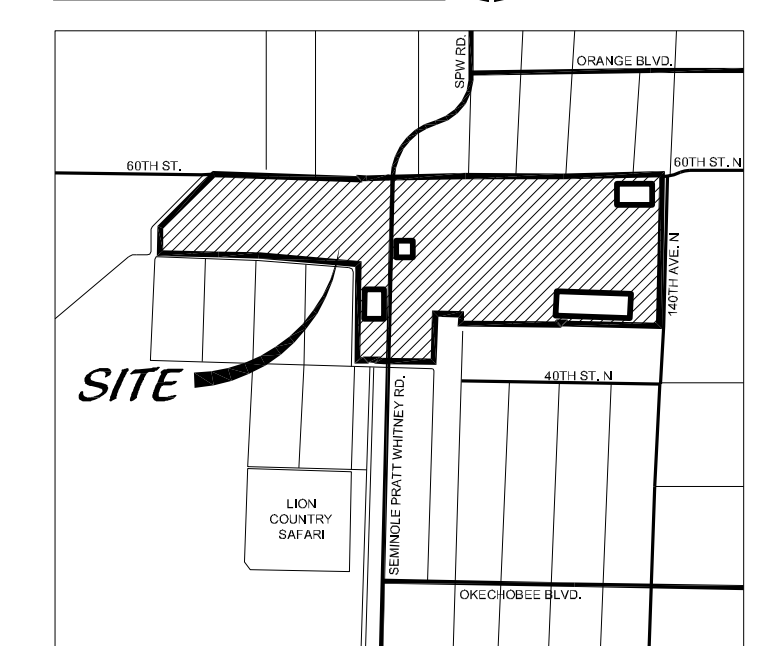
CIVIL ENGINEER: HIGGINS ENGINEERING, INC.
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CIVIL ENGINEER: SIMMONS & WHITE
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 FAX: 561-478-3738

LEGEND

- TND: TRADITIONAL NEIGHBORHOOD DEVELOPMENT
- PUD: PLANNED UNIT DEVELOPMENT
- TMD: TRADITIONAL MARKETPLACE DEVELOPMENT
- MUPD/EDC: MULTIPLE USE DISTRICT/ ECONOMIC DEVELOPMENT CENTER
- REC: RECREATION
- CWPB: CITY OF WEST PALM BEACH
- LAKES/BIOSWALE
- NOT INCLUDED
- RPE: RURAL PARKWAY EASEMENT
- INTERCONNECTED NEIGHBORHOOD STREET, SUBJECT TO DRO.
- ARTERIAL/COLLECTOR ROAD
- EXTERNAL ACCESS POINT
- OPEN SPACE CONTINUED AGRICULTURAL USE BASED UPON CONCEPTUAL PLAN

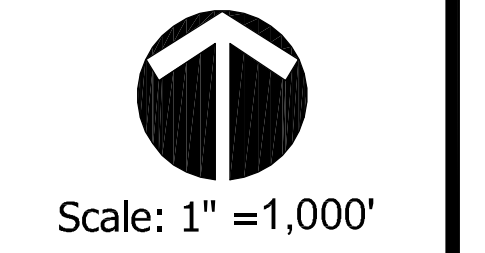
LOCATION MAP



DRO AMENDMENTS

10.10.16 FMP

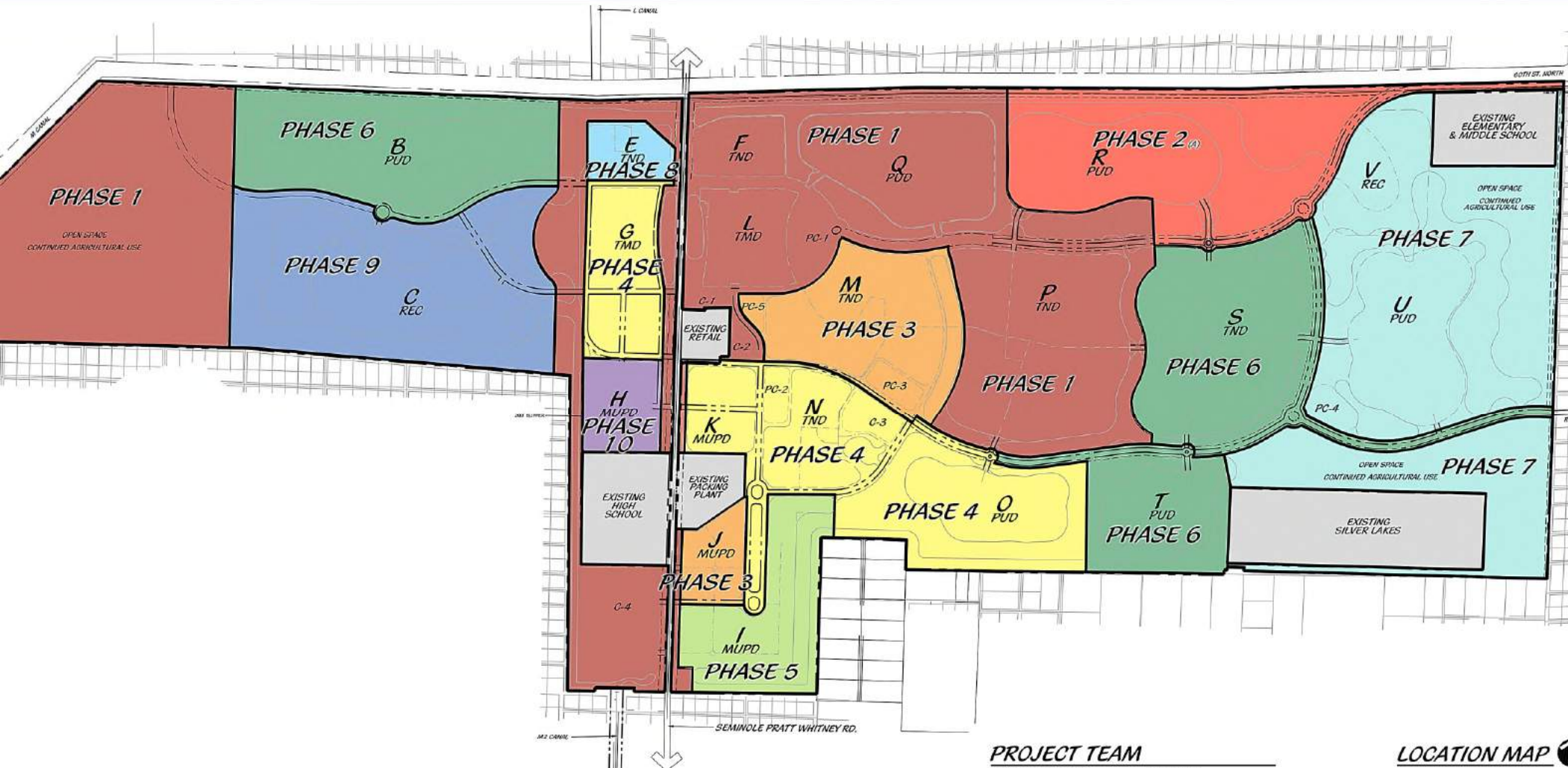
ZONING STAMP



Scale: 1" = 1,000'

December 16, 2016 4:09:13 p.m.
 Drawing: 13-0518 PMP.DWG

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TTD PHASING TABLE

PHASE	PARCEL	ACRES	%	CUMULATIVE ACRES	DWELLING UNITS	%	CUMULATIVE DU	NON RES. ACRES	%	NON RES. CUMULATIVE ACRES
1	F,L,P,Q	1243.05	32.81%	1243.05	1,315	28.93%	1,315	61.71	18.74%	61.71
2	R	292.89	7.73%	1535.74	250	5.50%	1,565	0.00%	0.00%	61.71
3	J,M	101.22	5.05%	1726.96	600	13.20%	2,165	32.2	9.78%	93.91
4	G,K,N,O	403.21	10.64%	2130.17	435	9.57%	2,600	116.11	35.25%	210.02
5	I	113.27	2.99%	2243.44		0.00%	2,600	68.38	20.76%	278.4
6	B,S,T	566.35	14.95%	2809.79	1,399	30.77%	3,999		0.00%	278.4
7	U,V	593.44	15.66%	3403.23	397	8.73%	4,396		0.00%	278.4
8	E	29.28	0.77%	3432.51	150	3.30%	4,546		0.00%	278.4
9	C	310.74	8.20%	3743.25		0.00%	4,546		0.00%	278.4
10	H	45.35	1.20%	3788.60		0.00%	4,546	40.7	12.36%	319.1
TOTAL		3788.60	100.00%	3788.60	4,546	100.00%	4,546	319.1	96.88%	319.1

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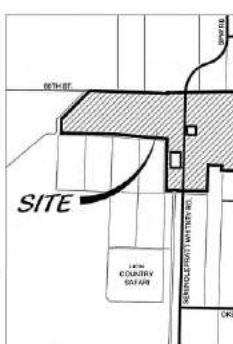
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FAX: 352-35108994

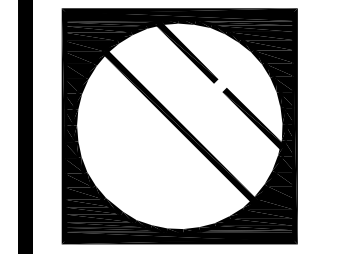
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WEST PALM BEACH, FLORIDA 33407
PHONE: 561-478-7888
FAX: 561-478-2738

LOCATION MAP



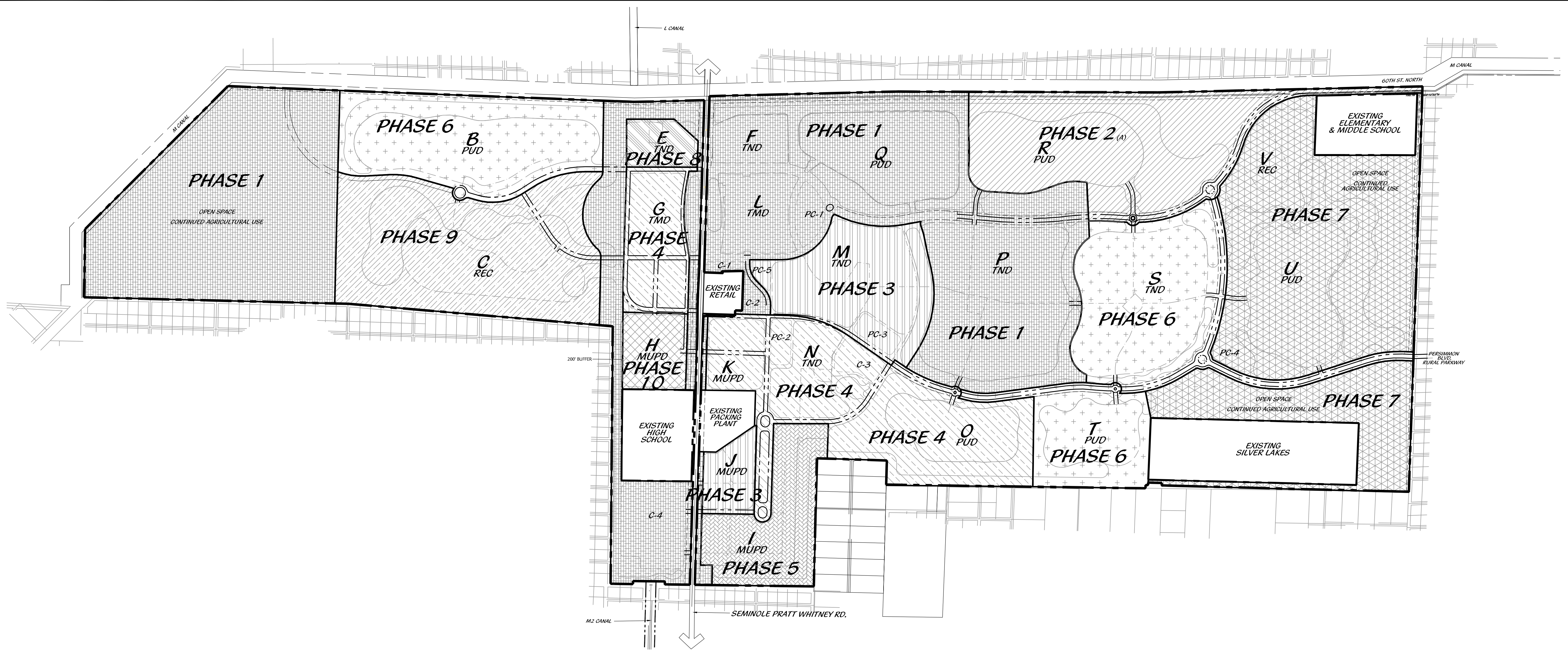


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MINTO WEST

FINAL PHASING PLAN
PALM BEACH COUNTY, FL



PHASE	PARCEL	ACRES	%	CUMULATIVE ACRES	DWELLING UNITS	%	CUMULATIVE DU	NON RES. ACRES	%	NON RES. CUMULATIVE ACRES
1	F,L,P,Q	1243.05	32.81%	1243.05	1,315	28.93%	1,315	61.71	18.74%	61.71
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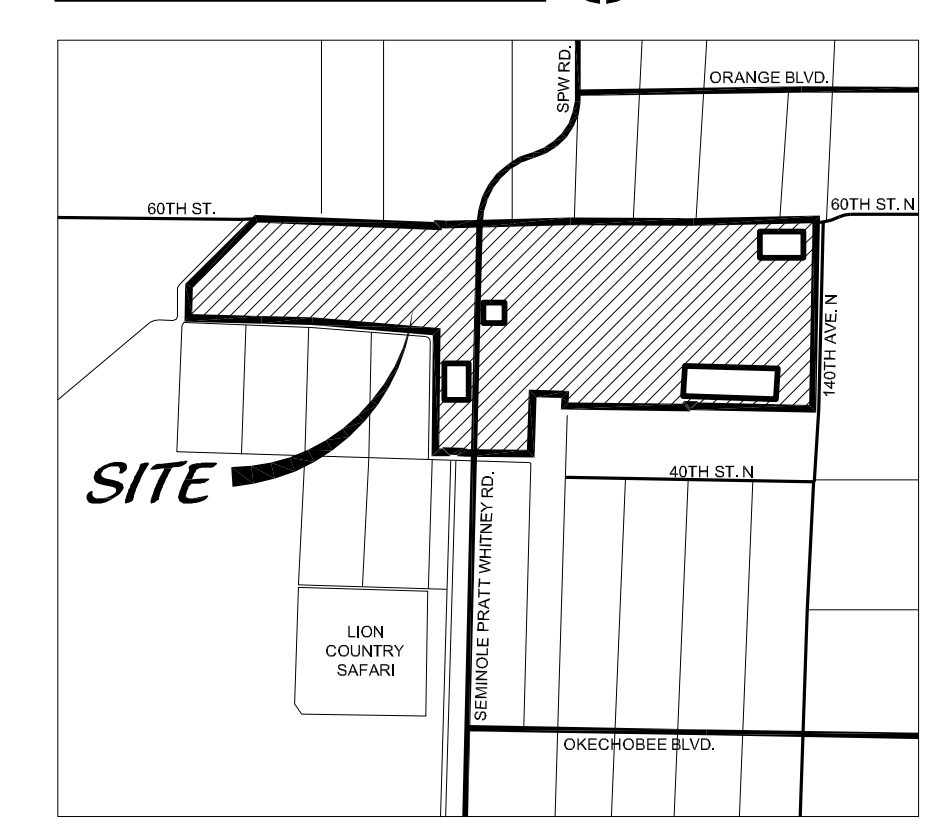
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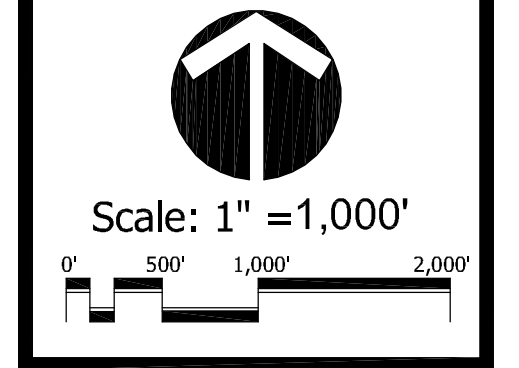
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PHONE: 561-478-7848
FAX: 561-478-3738

LOCATION MAP



DESIGNED	DEH
DRAWN	JB
APPROVED	DEH
JOB NUMBER	13-0518
REVISIONS	01-15-14
	03-24-14
	06-23-14
	07-28-14
	08-14-14
	10-14-14
	10-15-14
	04-27-15
	10-24-16
	11-28-16
	12-02-16



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Drawing: 13-0518 PMP.DWG

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TRANSECTS									
MIN %	MAX %	PROP. ACREAGE	PROP. %	MIN REQ. DENSITY (DU / AC)	MAX REQ. DENSITY (DU / AC)	MIN # OF DU	MIN %	MAX # OF DU	MAX %
55	-	2,085.35	55.04%	-	-	-	-	-	-
-	-	50.00	1.32%	-	-	-	-	-	-
-	-	192.00	5.07%	-	-	-	-	-	-
-	-	1,843.35	48.66%	-	-	-	-	-	-
-	40	1,349.24	35.61%	0.5	6	4,446	98%	4,546	100%
15	-	580.08	15.31%	-	-	2,000	44%	3,000	68%
-	15	568.64	15.01%	-	-	1,000	22%	2,000	44%
-	-	14.88	0.39%	-	-	-	-	-	-
-	-	9.56	0.26%	-	-	-	-	-	-
-	-	12.71	0.34%	-	-	-	-	-	-
-	-	11.00	0.29%	-	-	-	-	-	-
-	-	4.70	0.12%	-	-	-	-	-	-
-	-	4.41	0.12%	-	-	-	-	-	-
-	-	6.30	0.17%	-	-	-	-	-	-
-	-	12.00	0.32%	-	-	-	-	-	-
-	-	124.96	3.30%	-	-	-	-	-	-
-	10	354.01	9.34%	-	12	0	0%	100	2%
-	5	130.13	3.43%	-	-	0	0%	100	2%
-	5	162.44	4.82%	-	-	-	-	-	-
-	-	26.80	0.71%	-	-	-	-	-	-
-	-	14.64	0.39%	-	-	-	-	-	-
-	-	3,788.60	100.00%	-	-	-	-	-	-

OPEN SPACE AREAS INTERIOR TO EACH INDIVIDUAL RESIDENTIAL COMMUNITY. ADDITIONAL 8% OF OPEN SPACE IS PROVIDED IN OPEN SPACE PODS. SEE "OPEN SPACE" TABLE.

OPEN SPACE IN PODS						
POD	AC	MIN. OS REQ. (%)	PROP. OS (AC)	MIN. REC REQ. (AC)	PROP. REC (AC)	TOTAL AGE %
TND	580.08	5%	29.00	N/A	N/A	0.77%
PUD	568.64	40%	227.46	.006 / DU	10.662	6.00%
TMD	130.13	10%	13.01	N/A	N/A	0.34%
MUPD	182.44	10%	18.24	N/A	N/A	0.48%
CMC (1)	75.56	10%	7.56	N/A	N/A	0.20%
SUBTOTAL POD OPEN SPACE						7.79%
SUBTOTAL NATURAL TRANSECT						55.04%
GRAND TOTAL						62.84%

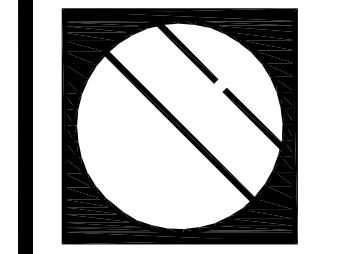
NOTE:
(1) ACREAGE EXCLUDES THE DISTRICT PARK, SINCE THE 50 ACRES HAS BEEN INCLUDED IN THE NATURAL TRANSECT SUBTOTAL.

LEGEND

- URBAN TRANSECT
- SUBURBAN TRANSECT - (NEIGHBORHOOD CENTER)
- SUBURBAN TRANSECT - (NEIGHBORHOOD GENERAL)
- NATURAL TRANSECT
- NOT INCLUDED

* SUB-URBAN TRANSECT SUBZONE REQUIREMENTS:
NEIGHBORHOOD CENTER - (4 DU/AC MIN.) 20%
NEIGHBORHOOD GENERAL - (1-5 DU/AC)

NOTE: TRANSECT PLAN IS INTENDED FOR COMPLIANCE WITH THE CITY OF WESTLAKE SUBDIVISION MAP ACT.

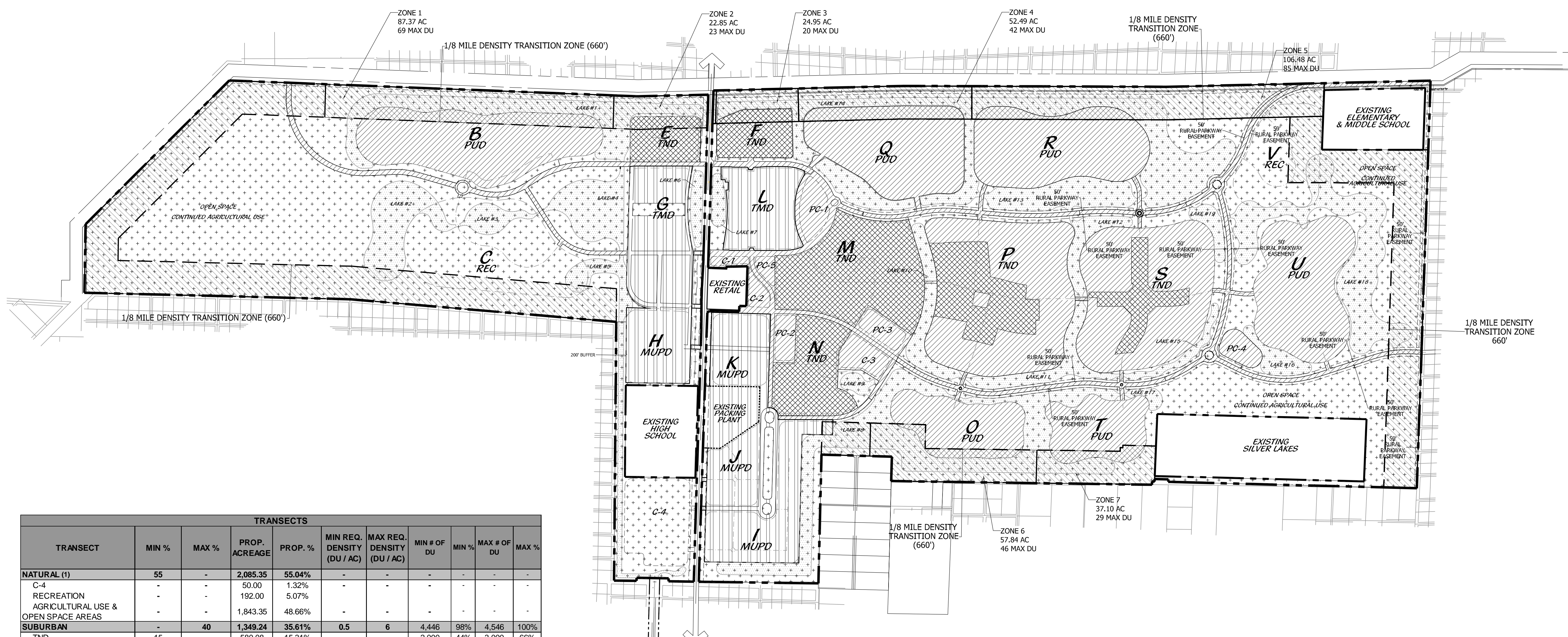


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MINTO WEST

FINAL TRANSECT PLAN
PALM BEACH COUNTY, FL



TRANSECTS										
TRANSECT	MIN %	MAX %	PROP. ACREAGE	PROP. %	MIN REQ. DENSITY (DU / AC)	MAX REQ. DENSITY (DU / AC)	MIN # OF DU	MIN %	MAX # OF DU	MAX %
NATURAL (1)	55	-	2,085.35	55.04%	-	-	-	-	-	-
C-4	-	-	50.00	1.32%	-	-	-	-	-	-
RECREATION	-	-	192.00	5.07%	-	-	-	-	-	-
AGRICULTURAL USE & OPEN SPACE AREAS	-	-	1,843.35	48.66%	-	-	-	-	-	-
SUBURBAN	-	40	1,349.24	35.61%	0.5	6	4,446	98%	4,546	100%
TND	15	-	580.08	15.31%	-	-	2,000	44%	3,000	66%
PUD	-	15	568.64	15.01%	-	-	1,000	22%	2,000	44%
PC-1	-	-	14.88	0.39%	-	-	-	-	-	-
PC-2	-	-	9.56	0.25%	-	-	-	-	-	-
PC-3	-	-	12.71	0.34%	-	-	-	-	-	-
PC-4	-	-	11.00	0.29%	-	-	-	-	-	-
PC-5	-	-	4.70	0.12%	-	-	-	-	-	-
C-1	-	-	4.41	0.12%	-	-	-	-	-	-
C-2	-	-	6.30	0.17%	-	-	-	-	-	-
C-3	-	-	12.00	0.32%	-	-	-	-	-	-
ROW	-	-	124.96	3.30%	-	-	-	-	-	-
URBAN	-	10	354.01	9.34%	-	12	0	0%	100	2%
TMD	-	5	130.13	3.43%	-	-	0	0%	100	2%
MUPD / EDC	-	5	182.44	4.82%	-	-	-	-	-	-
PACKING PLANT	-	-	26.80	0.71%	-	-	-	-	-	-
ROW	-	-	14.64	0.39%	-	-	-	-	-	-
TOTALS	-	-	3,788.60	100.00%	-	-	-	-	-	-

NOTE:
(1) DOES NOT INCLUDE OPEN SPACE AREAS INTERIOR TO EACH INDIVIDUAL RESIDENTIAL COMMUNITY. ADDITIONAL 8% OF OPEN SPACE IS PROVIDED WITHIN INDIVIDUAL DEVELOPMENT PODS. SEE "OPEN SPACE" TABLE.

OPEN SPACE IN PODS						
POD	AC	MIN. OS REQ. (%)	PROP. OS (AC)	MIN. REC REQ. (AC)	PROP. REC (AC)	TOTAL AGE %
TND	580.08	5%	29.00	N/A	N/A	0.77%
PUD	568.64	40%	227.46	.006 / DU	10.662	6.00%
TMD	130.13	10%	13.01	N/A	N/A	0.34%
MUPD	182.44	10%	18.24	N/A	N/A	0.48%
CIVIC (1)	75.56	10%	7.56	N/A	N/A	0.20%
SUBTOTAL POD OPEN SPACE						7.79%
SUBTOTAL NATURAL TRANSECT						55.04%
GRAND TOTAL						62.84%

NOTE:
(1) ACREAGE EXCLUDES THE DISTRICT PARK, SINCE THE 50 ACRES HAS BEEN INCLUDED IN THE NATURAL TRANSECT SUBTOTAL.

SUBURBAN TRANSECT POD/SUBZONE TABLE																										
POD	TYPE	TOTAL ACRES	TOTAL DU	CORE						GENERAL						EDGE										
				ACREAGE		NO. OF DU		DENSITY (%)		ACREAGE		NO. OF DU		DENSITY (%)		ACREAGE		NO. OF DU		DENSITY (%)						
				Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max					
B	PUD	125	500	-	-	-	-	-	-	125	125	500	500	4.0	4.0	-	-	-	-	-	-	-	-	-	-	
O	PUD	62.70	165	-	-	-	-	-	-	62.7	62.7	165	165	2.6	2.6	-	-	-	-	-	-	-	-	-	-	
Q	PUD	111.82	325	-	-	-	-	-	-	111.82	111.82	325	325	2.9	2.9	-	-	-	-	-	-	-	-	-	-	
R	PUD	109.96	250	-	-	-	-	-	-	109.96	109.96	250	250	2.3	2.3	-	-	-	-	-	-	-	-	-	-	
T	PUD	52.56	140	-	-	-	-	-	-	52.56	52.56	140	140	2.7	2.7	-	-	-	-	-	-	-	-	-	-	
U	PUD	106.60	397	-	-	-	-	-	-	106.6	106.6	397	397	3.7	3.7	-	-	-	-	-	-	-	-	-	-	
E	TND	29.30	150	29.30	29.30	150	150	5.1	5.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
F	TND	32.22	150	32.22	32.22	150	150	4.7	4.7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
M	TND	115.17	600	115.17	115.17	600	600	5.2	5.2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
N	TND	54.62	260	54.62	54.62	260	260	4.8	4.8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
P	TND	189.87	810	60.00	65.00	250	470	4.2	7.2	124.9	129.9	340	560	2.7	4.3	-	-	-	-	-	-	-	-	-	-	
S	TND	158.90	759	25.00	35.00	130	150	5.2	4.3	123.9	133.9	609	629	4.9	4.7	-	-	-	-	-	-	-	-	-	-	
TOTALS		1149	4506	316	331	1540	1780	4.869	5.3726	817.41	832.41	2726	2966	3.3349	3.5631	-	-	-	-	-	-	-	-	-	-	-
PERCENT		30%	99%	8%	9%	34%	39%	4.869	5.3726	22%	22%	60%	65%	3.3349	3.5631	-	-	-	-	-	-	-	-	-	-	-

NOTE: There are 30 DU allocated to Pod L and 10 DU allocated to Pod G, which are not included in the table above. These DU are located in the Urban Transect.

AGE NATURAL TRANSECT ZONING WIDTH REQUIREMENTS	
NATURAL TRANSECT	MINIMUM WIDTH
AGEO Perimeter Boundary	200 FEET
Landscape Buffer adjacent to arterial street or Rural Parkway, or a street shown on the County's Thoroughfare Identification Map	50 feet measured from the edge of the ultimate ROW which shall include a pedestrian pathway, bike lane or equestrian trail (1)(2)(3)
Landscape areas internal to Right-Of-Way	Landscape areas not less than 50 feet in width and containing at least 3,000 square feet.
Landscaping, Landscape Buffer adjacent to streets other than identified above and outside the residential pods	In accordance with approved roadway cross-sections
Recreation	75 feet by 100 feet in length
Agriculture, Conservation, Greenways, Pastures, Preservation, Wetlands, Water Management Tracts, Well fields	100 feet minimum average

Notes:
(1) Rural Parkways are identified by the Transportation Element of the Plan
(2) A minimum of eight feet in width for a single pedestrian pathway, four-six feet for a bike lane, 15 feet for an equestrian trail, or a minimum of 12-14 feet in width where a pedestrian pathway or bike lane is combined.
(3) Streets shall not be included in the Natural Transect, except for any unimproved portions dedicated as a parkway easement for non-vehicular pathways and landscaping.

LEGEND

- URBAN TRANSECT
- SUBURBAN TRANSECT - (NEIGHBORHOOD CENTER) *
- SUBURBAN TRANSECT - (NEIGHBORHOOD GENERAL) *
- NATURAL TRANSECT
- NOT INCLUDED

* SUB-URBAN TRANSECT SUBZONE REQUIREMENTS:
NEIGHBORHOOD CENTER - (4 DU/AC MIN.) 20% MIN. UNITS (909 UNITS)
NEIGHBORHOOD GENERAL - (1-5 DU/AC)

NOTE: TRANSECT PLAN IS INTENDED FOR COMPLIANCE PURPOSES.

DRO AMENDMENTS

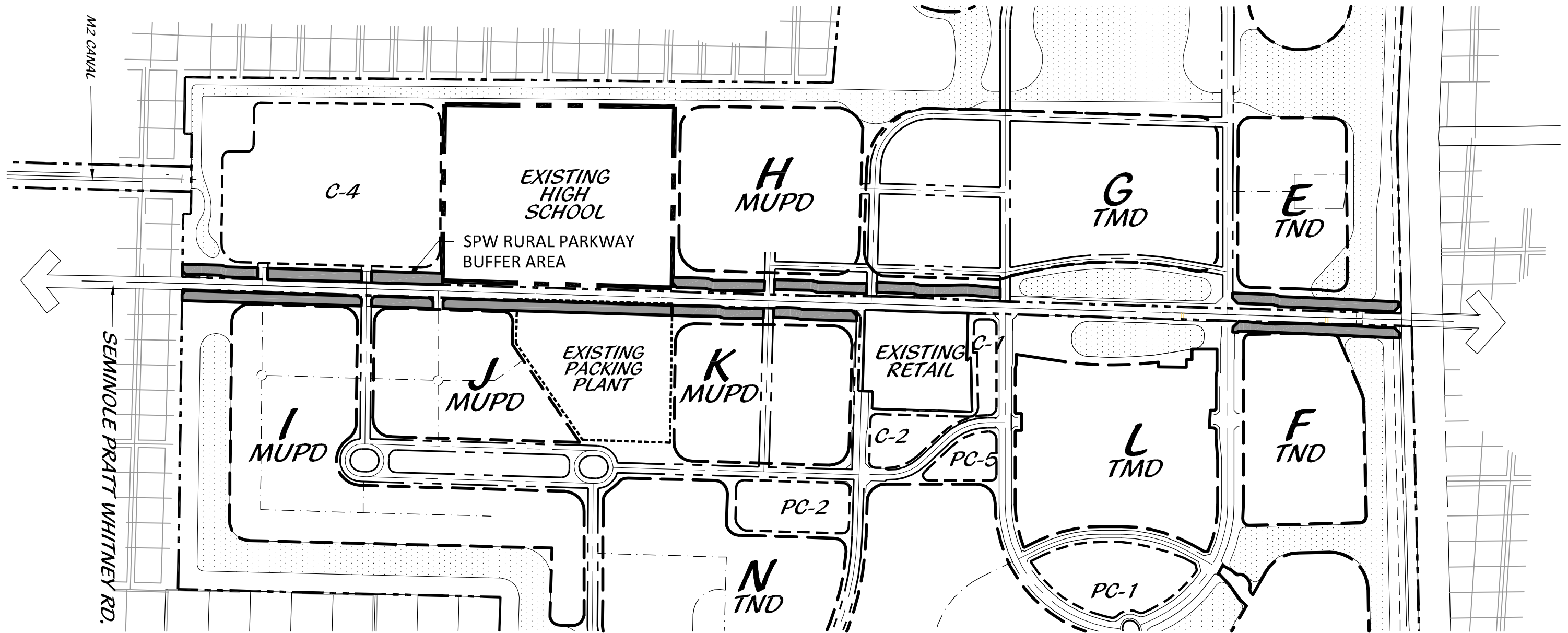
ZONING STAMP

Scale: 1" = 1,000'

December 16, 2016 4:09:13 p.m.
Drawing: 13-0518 PMP.DWG

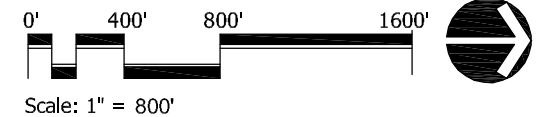
SHEET 1 OF 1

© COTLEUR & HEARING, INC.
These drawings are the property of the architect and are not to be used for extensions or on other projects except by agreement in writing with the architect. Immediately report any discrepancies to the architect.



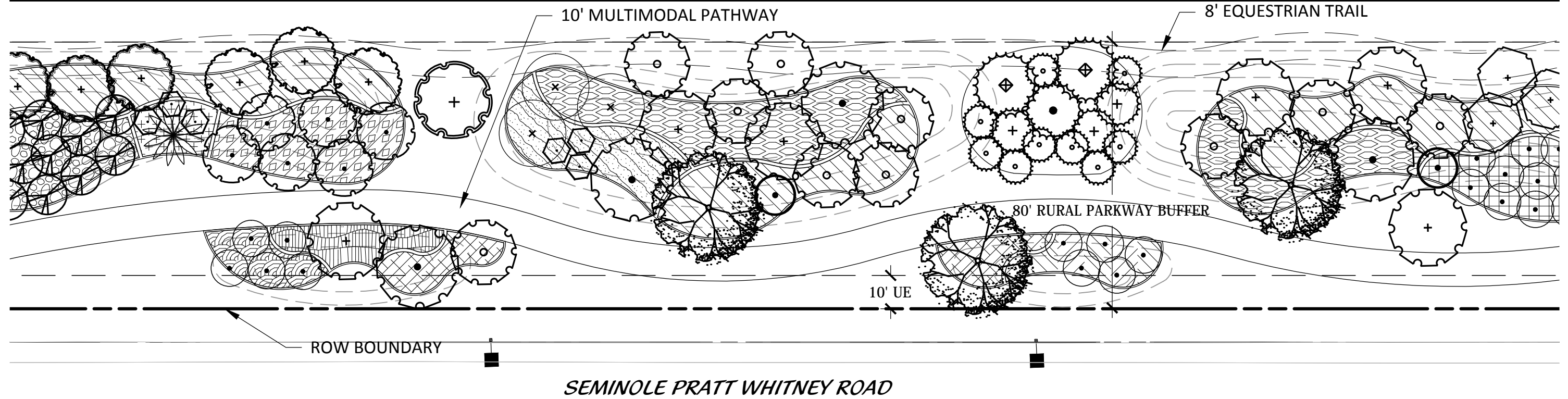
LEGEND

 SPW RURAL PARKWAY BUFFER AREA

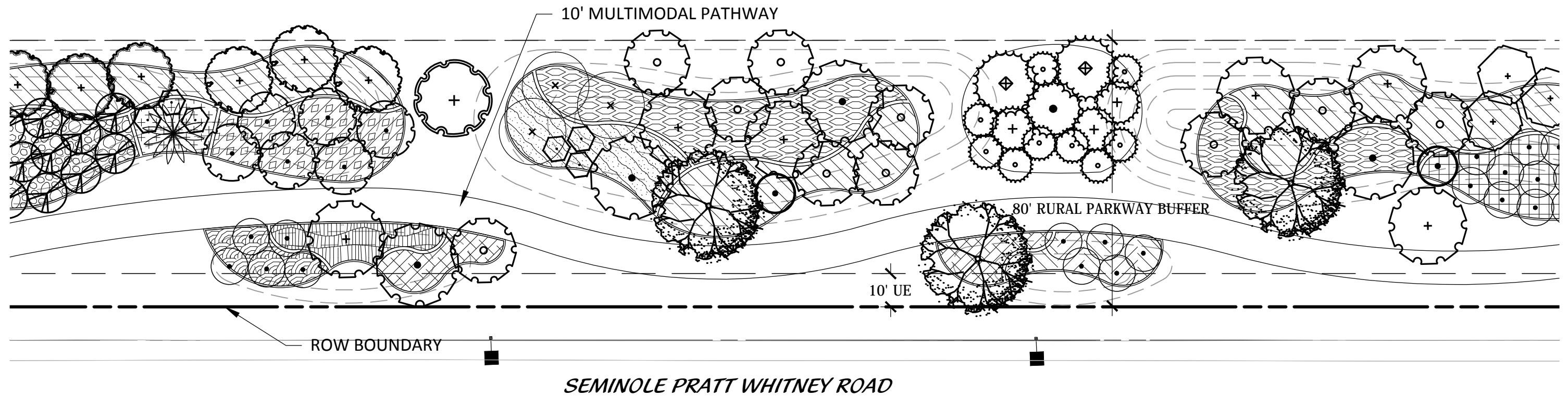


WESTLAKE - SPW RURAL PARKWAY BUFFER LOCATION EXHIBIT

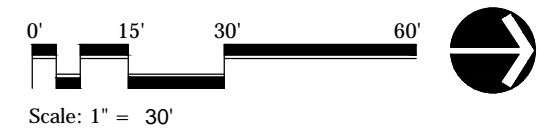
TYPICAL RURAL PARKWAY BUFFER LANDSCAPING WITH 8' EQUESTRIAN TRAIL



TYPICAL RURAL PARKWAY BUFFER LANDSCAPING WITHOUT 8' EQUESTRIAN TRAIL




WESTLAKE - TYPICAL RURAL PARKWAY BUFFER LANDSCAPE



Fourth Order of Business

MEMORANDUM

To: Mayor Roger Manning, Chair
Planning & Zoning Board Members
Ken Cassel, City Manager

From: Pam E. Booker, City Attorney 

Date: January 3, 2017

Subject: Type II Variance Request Pod Q

Minto PBLH, LLC has made a request for approval of Type II Variances, under Palm Beach County's Unified Land Development Code for development within Pod-Q. The County considered very similar variances by the applicant in 2015, and the Zoning Commission approved the requested variances with conditions, via Resolution No. ZR-2015-035. A copy of the resolution along with the conditions of approval are attached for reference. The applicant made changes to the configuration of Pod Q, which in part necessitated the variance request before the Board. The Planner has reviewed the application for the variances based upon criteria as set forth in the County's code.

The Planner has made a recommendation of approval with conditions. The conditions of approval are specifically detailed in Exhibit "B". Consistent with the County's code, a Resolution of approval has been provided, by which the prior approval will be abandoned by this subsequent approval. City staff would recommend approval of the variances with the conditions as noted. Should you have any questions, or need any additional information, please do not hesitate to call.

January 9, 2017

RESOLUTION PZ 17-01

A RESOLUTION OF THE PLANNING AND ZONING BOARD FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE TYPE II VARIANCE REQUEST OF MINTO WESTLAKE, POD Q, TRADITIONAL TOWN DEVELOPMENT (TTD), LOCATED BY METES AND BOUNDS BEING DESCRIBED AS A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST AND SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Cotleur & Hearing as the agent for the applicant, Minto PBLH, LLC, a Florida Limited Liability Company, has requested a Type II Variance for Minto Westlake, Pod Q, described by metes and bounds description as a parcel of land lying in Section 6, Township 43 South, Range 41 East, and in Section 1, Township 43 South, and Range 40 East, in the City of Westlake, Palm Beach County, Florida, as described in Exhibit "A", attached hereto; and

WHEREAS, Minto applied for and was granted a Type II Variance from the Palm Beach County Zoning Commission on or about November 23, 2015, through Resolution No. ZR-2015-035; and

WHEREAS, Minto PBLH, LLC, seeks to abandon the prior development order, Resolution No. ZR-2015-035, granting the prior Type II Variance, and the Planning and Zoning Board for the City of Westlake, finds that it is appropriate to abandon the prior development order approving the Type II Variance with the approval of this Type II Variance; and

WHEREAS, under the Unified Land Development regulations for Palm Beach County, Article 2 A(1)(Q), an approved development order may be abandoned by the issuance of a subsequent development order; and

WHEREAS, the Planning & Zoning Board considered evidence and testimony presented by the applicant and other interested parties regarding the request for the Type II Variance, which was heard on January 9, 2017; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the Palm Beach County Unified Land Development Codes and Florida law; and

WHEREAS, the application has been reviewed by the Planner for the City of Westlake, and the request may be approved with conditions as set forth herein.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

- Section 1:** The above recitals are true and correct and are incorporated herein by this reference.

- Section 2:** The Planning and Zoning Board for the City of Westlake hereby abandons the Type II Variance request for Pod Q, approved by the Palm Beach County Zoning Commission, via Resolution No. ZR-2015-035.

- Section 3:** The Planning and Zoning Board for the City of Westlake hereby approves the Type II Variance request for Pod Q, as described in the attached Exhibit “A”, containing approximately 111.82 acres, which is located in the City of Westlake, and in Palm Beach County, Florida.

- Section 4.** The Planning and Zoning Board for the City of Westlake approves the Type II Variance with the list of conditions as set forth in the attached Exhibit “B”. The applicant agrees with the conditions of approval.

- Section 5:** This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by Planning and Zoning Board for the City of Westlake, on this 9th day of January 9, 2017.

City of Westlake
Roger Manning, Chair

Sandra DeMarco, City Clerk

Approved as to Form and Sufficiency
Pam E. Booker, City Attorney

Exhibit "A"

DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WEST LAKE, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST; THENCE S.89°48'53"E. ALONG THE NORTH BOUNDARY OF SAID SECTION 6, A DISTANCE OF 1228.85 FEET; THENCE DEPARTING SAID NORTH BOUNDARY OF SECTION 6 S.00°11'07"W., A DISTANCE OF 950.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.00°11'07"W., A DISTANCE OF 1149.14 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 93°56'39", A DISTANCE OF 491.89 FEET TO THE POINT OF TANGENCY; THENCE N.85°52'14"W., A DISTANCE OF 95.80 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 900.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°42'43", A DISTANCE OF 231.09 FEET TO THE POINT OF TANGENCY; THENCE S.79°25'03"W., A DISTANCE OF 212.12 FEET; THENCE S.10°34'57"E., A DISTANCE OF 16.21 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 50.00 FEET AND A RADIAL BEARING OF S.34°15'58"E. AT SAID INTERSECTION; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 66°18'59", A DISTANCE OF 57.87 FEET TO THE POINT OF TANGENCY; THENCE S.10°34'53"E., A DISTANCE OF 194.04 FEET; THENCE S.55°34'57"E., A DISTANCE OF 25.41 FEET; THENCE S.10°34'57"E., A DISTANCE OF 12.00 FEET; THENCE S.79°25'03"W., A DISTANCE OF 160.53 FEET; THENCE N.10°34'57"W., A DISTANCE OF 11.41 FEET; THENCE N.34°25'03"E., A DISTANCE OF 26.24 FEET; THENCE N.10°34'53"W., A DISTANCE OF 194.03 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 50.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 87°58'32", A DISTANCE OF 76.77 FEET TO A NON-RADIAL INTERSECTION THENCE N.10°34'57"W., A DISTANCE OF 12.03 FEET; THENCE S.79°25'03"W., A DISTANCE OF 229.25 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 500.00 FEET; THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 55°34'57", A DISTANCE OF 485.05 FEET TO THE POINT OF TANGENCY; THENCE N.45°00'00"W., A DISTANCE OF 334.92 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 500.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°00'00", A DISTANCE OF 130.90 FEET TO THE POINT OF TANGENCY; THENCE N.60°00'00"W., A DISTANCE OF 713.77 FEET; THENCE S.30°00'00"W., A DISTANCE OF 12.00 FEET; THENCE N.60°00'00"W., A DISTANCE OF 55.99 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 50.00 FEET; THENCE NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 74°33'56", A DISTANCE OF 65.07 FEET TO THE POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 338.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°11'00", A DISTANCE OF 95.47 FEET TO THE POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE

SOUTHEAST WITH A RADIUS OF 281.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°31'45", A DISTANCE OF 71.26 FEET TO THE POINT OF TANGENCY; THENCE S.47°05'19"W., A DISTANCE OF 23.28 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 50.00 FEET; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 76°34'01", A DISTANCE OF 66.82 FEET TO A NON RADIAL INTERSECTION; THENCE S.33° 56'02"W., A DISTANCE OF 70.07 FEET TO A RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°57'40", A DISTANCE OF 182.55 FEET TO A RADIAL INTERSECTION; THENCE N.23° 58'21"E., A DISTANCE OF 65.00 FEET TO A NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 50.24 FEET AND A RADIAL BEARING OF N.19°12'25"E. AT SAID INTERSECTION; THENCE EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 68°32'59", A DISTANCE OF 60.11 FEET TO THE POINT OF TANGENCY; THENCE N.40° 39'26" E., A DISTANCE OF 60.95 FEET TO A NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 76.00 FEET AND A RADIAL BEARING OF N.76°08'51"E. AT SAID INTERSECTION; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 62°00'59", A DISTANCE OF 82.26 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 347.20 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°28'04", A DISTANCE OF 33.13 FEET TO THE POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 50.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 62°29'15", A DISTANCE OF 54.53 FEET TO A NON-TANGENT INTERSECTION; THENCE N.30°00'00"E., A DISTANCE OF 30.63 FEET; THENCE N.60°00'00"W., A DISTANCE OF 107.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 300.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°38'57", A DISTANCE OF 307.09 FEET TO THE POINT OF TANGENCY; THENCE N.01°21'03"W., A DISTANCE OF 254.57 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 300.00 FEET; THENCE NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°58'00", A DISTANCE OF 471.06 FEET TO THE POINT OF TANGENCY; THENCE N.88°36'57"E., A DISTANCE OF 1694.77 FEET; THENCE S.89° 48'53"E., A DISTANCE OF 919.94 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 300.00 FEET; THENCE EASTERLY, SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 471.24 FEET TO THE POINT OF TANGENCY AND THE **POINT OF BEGINNING.**

CONTAINING: 4870851 SQUARE FEET OR 111.819 ACRES MORE OR LESS.

Exhibit B
Conditions of Approval

1. The Development Order for this Variance shall tied to the Time Limitations of the Development Order for application FSDP-2016-01 Minto West Pod Q Final Subdivision Plan.
2. A copy of this Variance Approval shall be submitted to the Building Department with each application for a Building Permit in Pod Q.
3. Prior to application for a Building Permit for any Single-family unit with a building coverage greater than 40%, or decreased setbacks in accordance with VAR-2016-01, the Final Subdivision Plan shall be amended to include the approved Variance Chart.
4. The interior side setback variance of VAR-2016-01 shall only be applied to the fifty-foot (50') wide lots.
5. The Property Owner shall discourage two homes with mirrored layouts being permitted next to one another or facing each other directly across the street from one another and no more than three homes in a row with the same layout and exterior elevation shall be permitted next to one another.
6. The Property Owner shall include in Homeowners' documents as well as written sales brochures, sales contracts and related plans, a disclosure statement identifying and notifying the purchaser/owner of a fifty-foot (50') wide lot of the option for instillation of a privacy fence or a three-foot (3') high hedge along one side property line from the rear corner of the dwelling unit to the rear property line (see attached drawing).
 - a. The disclosure shall be a minimum of twelve (12) point type and clearly visible in the proposed documents.
 - b. The Property Owner shall submit documentation of compliance with this condition to the Planning and Zoning and Building Departments beginning on January 1, 2018, and no later than every January 1st thereafter until all units within the development have been sold or the Property Owner relinquishes control to the Homeowners Association.
7. The Property Owner shall include in Homeowners' documents as well as written sales brochures, sales contracts and related plans, a disclosure statement identifying and notifying the purchaser/owner of a one-story dwelling unit that a two-story dwelling unit may be built adjacent to the subject property.
 - a. The disclosure shall be a minimum of twelve (12) point type and clearly visible in the proposed documents.
 - b. The Property Owner shall submit documentation of compliance with this condition to the Planning and Zoning and Building Department beginning on January 1, 2018, and no later than every January 1st thereafter until all units within the development have been sold or the Property Owner relinquishes control to the Homeowners Association.



**CITY OF WESTLAKE
NOTICE OF PUBLIC HEARING
ZONING APPLICATION VAR2-2016-01
Westlake Pod Q Variance**

This is a courtesy notice of a proposed zoning action within 1,000 feet of property that you own. You are encouraged to attend these public hearings and/or complete and return the attached Citizen Response Form, should you have any concerns regarding this matter. If you have any questions or would like further information please contact **Ken Cassel, City Manager**, at **(561) 530-5880**. Approximately three days prior to the scheduled hearing, the Staff Report with the Site Plan may be viewed online by selecting the hearing/hearing date listed below at: <http://westlakegov.com/index.php/meetings/city-council/agendas-minutes>.

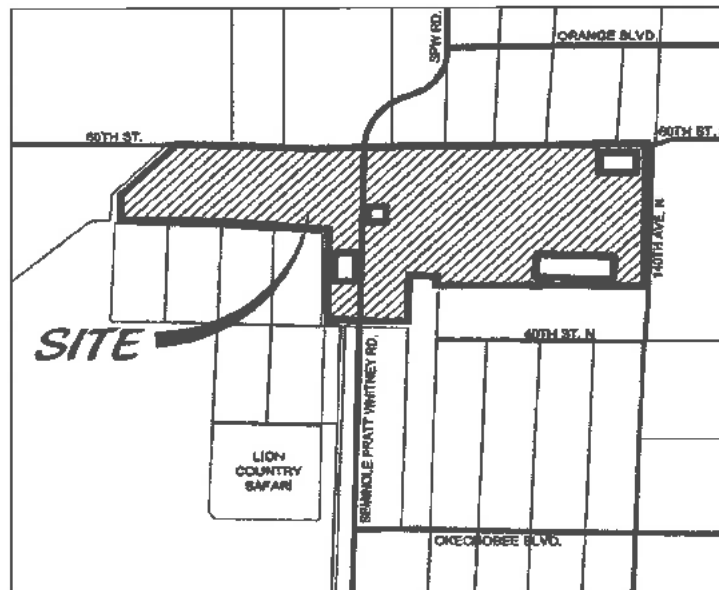
<p>PLANNING & ZONING BOARD: January 9, 2017 at 6:00 p.m.</p> <p>4001 Seminole Pratt Whitney Rd Westlake, FL 33470</p>	
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GENERAL LOCATION: East and West of Seminole Pratt Whitney Blvd., South of 60th Street North, and North of 50th Street N, East of Mead Hill Drive, and 44th Street North, East of 190th Terrace North and West of 140th Avenue North. **TITLE:** a Type II Variance **REQUEST:** to allow a reduction in lot width; building side setback; garage front and side setbacks; and the increase in maximum building lot coverage for Single Family.

APPLICATION SUMMARY:

An application for similar variances were applied for and granted by Palm Beach County per Resolution No. ZR-2015-035. Upon approval of this application, Resolution No. ZR-2015-035 will become null and void. The applicant has reapplied for Type II Variances for consideration of approval by the City of Westlake. The variances approved by Palm Beach County for Parcel Q were based on a slightly different parcel configuration and related legal description. Within the Westlake Master Plan, the proposed variance would shift Parcel Q to be closer to the Town Center, for the purpose of providing greater walk-ability and more efficient Master Planning.

LOCATION MAP 



RETURN TO:
Planning and Zoning
City of Westlake
Attn: Kenneth Cassel
4001 Seminole Pratt Whitney Rd
Westlake, FL 33470

Approve _____ Oppose _____

Application No. VAR2-2016-01 Pod Q Variance

DATE: _____

NAME: _____

PHONE: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

RECOMMENDATIONS AND POSTPONEMENTS: The Planning & Zoning Board may accept, reject or modify staff recommendations and take such other appropriate and lawful action including continuing said public hearings.

CONDUCT OF HEARINGS: Planning and Zoning hearings are quasi-judicial and must be conducted to afford all parties due process. Any communication that Council Members have outside of the public hearing must be fully disclosed at the hearing. Anyone who wishes to speak at the hearing will be sworn in and may be subject to cross-examination. Public comment is encouraged and all relevant information should be presented to the Council Members so a fair and appropriate decision can be made. Tapes are limited to three (3) minutes in length and are to be submitted to the City of Westlake one week prior to the meeting date for review. All tapes/information submitted for the public record will not be returned. Auxiliary aids or services will be provided upon request, with at least four days notice to the City of Westlake, where necessary, to afford an individual with a disability an equal opportunity to participate.

GROUP REPRESENTATIVES: Any person representing a group or organization must provide written authorization to speak on behalf of that group. The representative shall inform Staff prior to the hearing of their intent to speak on behalf of a group and provide staff the name of that group.

I will have a representative at the Planning & Zoning Hearing
My representative's name, address, and phone number are:
NAME: _____ PHONE: _____
ADDRESS: _____
CITY/STATE/ZIP: _____

APPEALS: If a person decides to appeal any final decision made by the Planning and Zoning Board, with respect to any matter considered at such hearing, he or she will need a record of the proceeding and for that purpose will need to provide his or her own court reporter to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence on which the appeal is to be based.



City of Westlake

Planning and Zoning Department

Staff Report - VAR2-2016-01- 1/4/2017

PETITION DESCRIPTION

PETITION NUMBER: VAR2-2016-01

APPLICANT: Cotleur & Hearing

OWNER: Minto PBLH, LLC

REQUEST: Type II Variance request to allow a reduction in lot width; building front and side setback; and, the increase in maximum building lot coverage for single family lots in Pod Q.

LOCATION: City of Westlake, Pod Q

PROPERTY CONTROL NUMBERS: 00-40-43-01-00-000-1010
00-41-43-06-00-000-1010
00-41-43-06-00-000-3010

Site Location Map



1. PETITION FACTS

a. Total Gross Site Area: 3,788.60 acres

b. Total Affected Area: 111.82 acres (*Parcel Q*)

c. General Site Area Information

a. Seminole Improvement District

b. Rural Tier

c. Limited Urban Service Area [per Policy 2.2.5-d, Objective 3.3 of the Future Land Use Element of the PBC 1989 Comprehensive Plan as revised 4/27/16]

d. BCC Approval Date: 10/29/2014

e. Resolution Numbers: TTD/R-2014-1646, R-2014-1647, R-2014-1648, Ordinance 2014-030

f. DRO Approval Date: 7/8/2015

d. Land Use and Zoning

Existing Land Use Vacant and Agricultural

Future Land Use Agricultural Enclave (AGE)

Zoning Traditional Town Development (TTD)
Agricultural Enclave Overlay (AGEO)

e. Surrounding Land Uses

NORTH: (External to the TTD)

FLU Designation: Rural Residential (RR-2.5) Zoning District: Agricultural Residential District (AR)

Supporting: Residential –Single-family (The Acreage)

SOUTH: (External to the TTD)

FLU Designation: Rural Residential (RR-5)

Zoning District: Agricultural Residential District (AR)

Supporting: Residential - Single-family Residential (Loxahatchee Groves)

SOUTH: (Internal to the TTD as indicated on the Final Master Plan)

FLU Designation: Agricultural Enclave (AGE)

Zoning District: Traditional Neighborhood Development Pod P (Minto West TTD)

Supporting: Vacant

EAST: (Internal to the TTD as indicated on the Final Master Plan)
 FLU Designation: Agricultural Enclave (AGE)
 Zoning District: Planned Unit Development (PUD) Pod R (Minto West TTD)
 Supporting: Vacant

WEST: (Internal to the TTD as indicated on the Final Master Plan)
 FLU Designation: Agricultural Enclave (AGE)
 Zoning District: Traditional Neighborhood Development (TND) Pod F (Minto West TTD)
 Supporting: Vacant

i. Parcel Q

- a. Acreage: 111.82 Acres
- a. Density: 2.91 Dwelling Units per Acre
- b. Total Dwelling Units: 325 Units
- d. Phasing and Dwelling Units:

	Phase I	Phase II	Total
Plat Area Pod Q	82.88 acres	28.94 acres	111.82 acres

Lot Width	Phase I (Dwelling Units)	Phase II (Dwelling Units)	Total (Dwelling Units)
50 feet	143	TBD	TBD
60 feet	69	TBD	TBD
Total	211	114	325

2. BACKGROUND

The Final Master Plan for the 3,788.60-acre Minto West Traditional Town Development (TTD) was approved by the Board of County Commissioners (BCC) on October 29, 2014 for 4,546 residential units, 2 million square feet of non-residential uses; 200,000 sq. ft. of Civic uses; and two Requested

Uses for a 150-room Hotel and a 3,000-student College. The 2014 BCC approval became effective on July 7, 2015.

The Pods of this development were approved in the forms of Planned Unit Developments (PUD), Traditional Neighborhood Developments (TND), Traditional Market Place Developments (TMD), Multiple Use Planned Developments (MUPD), and Civic uses. The Master Plan shows 6 Pods designated as TND, 6 Pods as PUD, 4 Public Civic Pods and 5 Private Civic Pods, totaling 1,334.85 acres in the Sub-urban Transect.

A TTD development is not required to have PUDs; they are optional. If an Applicant decides to include a PUD form of development within a TTD, it has limitations on the amount of land area developed as a PUD. The Palm Beach County Unified Land Development Code (ULDC) limits the land area to 10 percent of the TTD acreage, unless it is approved on a Future Land Use Atlas (FLUA) Conceptual Plan. FLUA Ordinance 2014-030 approved this development for a maximum of 15 percent or 568.84 acres of the AGE TTD land area to be PUD.

The PUDs in this Development Order were approved on the perimeter in order to provide transition from the development outside of the TTD, to the interior, more urban, TND Pods. Pod Q (a PUD) is located in the Sub-urban Transect.

Pursuant to the ULDC Article 3.E.2, a PUD “is to offer a residential development alternative, which provides a living environment consisting of a range of living opportunities, recreation and civic uses and a limited amount of commercial uses.”

The 111.82-acre Pod Q is proposed to be developed as a PUD with 325 single-family units. The ULDC requires minimum Property Development Regulations (PDR) for single-family residences in a PUD (3.2.D).

The applicant is requesting a Type II Variance approval for Pod Q of the Minto West TTD. The subject application is requesting approval to allow a reduction in lot width and building front and side setbacks, and an increase in maximum building lot coverage for single family lots in Pod Q.

In 2015, the Palm Beach County Zoning Commission approved a request for the same type of variances for Pod Q, see attached Resolution No. ZR-2015-035. The subject resolution will be abandoned since Pod Q site configuration has been modified and the legal description amended accordingly.

3. VARIANCE REQUEST

The subject application was reviewed according to the Palm Beach County Unified Land Development Code (ULDC). The City of Westlake was incorporated in June 2016, and until the City adopts its own land development code it will continue its development reviews according to Palm Beach County Code.

The 111.82-acre Pod Q is proposed to be developed as a PUD with 325 single-family units. The ULDC requires minimum Property Development Regulations for single-family residences in a PUD

(3.2.D). Article 3.F.5 B.3, states that Residential PUDs within a TTD are subject to the requirements of Article 3.E.2 PUD Zoning District Regulations.

Pod Q is proposed to be developed with Single-family homes and therefore shall comply with Table 3.E.2.D PUD PDR’s Residential Single-family (RS) Zoning District regulations. As indicated on attached colored site plan, proposed parcel Q includes 65 ft. and 50 ft. lot widths. The subject application includes a reduction of minimum required 65 ft. to 50 ft. lot width for 142 parcels (Phase I).

The Applicant is requesting four (4) Type II Variances as follows:

- I. Reduction in lot width;
- II. increase maximum lot coverate;
- III. reduction of building side setback; and,
- IV. reduction of front setback for units; and, front and side loading garages.

The following chart presents the requested variances in terms of the Palm Beach County ULDC code sections and applicability to lot type:

REQUESTED VARIANCES							
VARIANCES		ULDC SECTION	REQUIRED	PROPOSED	VARIANCE (+/-)	LOT TYPE APPLICABILITY	
						50'	65'
I Lot Width	1	Sect. 3.D.1.A PUD SF PDRs Min. Lot Width	65'	50'	- 15'	Y	N/A
	II Building Coverage	2	Sect. 3.D.1.A PUD SF PDRs Max. Bldg Coverage *	40%	50%	+ 10%	Y *
III Interior Side Setback		3	Sect. 3.D.1.A PUD SF PDRs Side Setback **	7.5'	5'	- 2.5'	Y
IV Front Setbback	4	Sect. 3.D.1.A. PUD SF PDRs Front Setback for Unit	25'	10'	- 15'	Y	Y
	5	Sect. 3.D.1.A PUD SF PDRs Front Setback for Front load Garage	25'	20'	- 5'	Y	Y
	6	Sect. 3.D.1.A PUD SF PDRs Front Setback for Side Load Garage	15'	10'	- 5'	Y	Y

* NOTE: VARIANCE #2 IS NOT APPLICABLE TO DESIGNATED LOTS-SEE SITE PLAN

** NOTE: VARIANCE #3 IS NOT APPLICABLE TO THE 65' LOTS

4. STAFF ANALYSIS AND FINDINGS

Per Palm Beach County's ULDC Section 2.B.3.E, the Planning and Zoning Board shall consider and find that all seven criteria listed below have been satisfied by the applicant prior to making a motion for approval of a variance:

1. **Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure, that are not applicable to other parcels of land, structures or buildings in the same district;**

Applicants Response

Westlake is designated as an Agricultural Enclave on the Future Land Use Map and is zoned as Traditional Town Development (TTD). The subject property is the only property within Palm Beach County with such future land use and zoning classifications. The Implementing principles adopted with the Westlake Agricultural Enclave site-specific amendment, which implement State Statutory requirement that elements of new in agricultural enclaves. In addition, by definition, each property designated as an Agricultural Enclave will be unique. The property development regulations within the ULDC with respect to traditional PUDs do not accommodate for this type of development. Therefore, in order to achieve successful Traditional Town Development within the PUD Pods within Westlake, relief is needed from the lot coverage, front setback, and side setback requirements for the Residential Single Family (RS). The requested variance will result in property dimensions for PUD POD Q compatible with the existing TND standards within the ULDC (Table 3.F.3.E). In summary, the statutory requirement for the inclusion of new urbanism principles in all Agricultural Enclaves constitutes a condition and circumstance peculiar to the subject property that are not applicable to other parcels of land, structures or buildings in the same zoning district.

Westlake is designated as an Agricultural Enclave on the Future Land Use Map and is zoned as Traditional Town Development (TTD). The land use and zoning require the property to abide by Transect zones, which ensures that density transitions and concentrations occur in the appropriate places. Specifically, the Transect zones facilitate more density within the urban core of the TTD and at the centers of the pods. The pods located at the perimeter have been designed at the lowest densities to allow a seamless transition to occur between Westlake and the existing residential neighborhoods surrounding the property. As the existing product type of the surrounding area is Single Family, it is appropriate to provide only a Single Family product around the perimeter of the property. Introducing a second product type is more appropriately done within the TND pods located near the Town Center and Center Zones of the TTD. In summary, the specific Future Land Use and Zoning designations of the property requiring adherence to the Transect zones are particular to the subject parcel of land and are not applicable to other parcel of land.

Staff Analysis

The regulations of the AGEO are to ensure compliance with the goals and policies and objectives of the Plan. The Development must include new urbanism concepts to achieve clustering, mixed use development, the creation of a rural village and city centers and the transfer of development rights within the boundaries of the AGE. The Master Plan depicts a mix of Pods which include TND, PUD, TMD, MUPD, and Civic. Pursuant to the Conceptual Plan/Transect Plan, the intent of the Sub-urban Transect is to cluster residential units to the east of Seminole Pratt Whitney Road, and provides transition from lower to higher density as development is located further from the perimeter of the TTD.

The Applicant has chosen a PUD (Pod-Q) as the first pod to be developed in the TTD. The Applicant was not required to have PUD Pods. They chose to include this Pod type and it was presented on the Master Plan and around the perimeter of the TTD. As stated earlier, the locations of the PUDs were to provide a transition from the built development around the TTD and the more urban development internal to the TTD. The proposed variance would allow for reduced PDRs (consistent with the TND) that are inconsistent with the intent of a PUD and its form. The approval of this TTD and the request to modify the PDRs are not special circumstances. The Applicant has an opportunity to comply not only with the TTD standards, but the PUD standards that pursuant to Article 3.E.2, are “to offer a residential development alternative, which provides a living environment consisting of a range of living opportunities, recreation and civic uses and a limited amount of commercial uses”.

The Applicant states that the requested setback and lot coverage are consistent with the TND residential regulations. However the TND regulations also require a mix of residential, recreational, civic and neighborhood commercial land uses. A TND is to be organized in blocks around a neighborhood center with connections by sidewalks, pedestrian and bicycle paths or lanes and streets all of which are part of the TND. Garages are only permitted from an alley or on the rear half of the lot. Garages may be attached to a residence if recessed a minimum of 20 feet and occupy a maximum of 30 percent of the front façade. Front porches are also required. The Applicant is trying to create a hybrid of development regulations that were not part of the built form and intent of the TTD.

The subject application does not provide a substantive reason this parcel of land is peculiar and warrants a need to increase building coverage and decrease setbacks. These circumstances are not peculiar to this AGE TTD. With a new community the Applicant could develop the lots so that they are of sufficient size not to exceed minimum Code requirements for building coverage or setbacks.

Based on City’s staff analysis, the subject application is not in compliance with this ULDC standard.

2. Special circumstances and conditions do not result from the actions of the applicant;

Applicant’s Response

The applicant is required by State Statute and the Implementing Principles adopted with the Minto West Agricultural Enclave Site Specific Plan Amendment to apply new urbanist principles within the TTD. As part of the Minto West TTD approval, Design Standards were adopted to communicate the vision of the project and establish appropriate new urbanist concepts. In order for these concepts to be implemented into the residential PUDs, relief is needed from the standard single family property development regulations. The applicant had no control over the requirements set forth in State Statute; therefore, these are special circumstances and conditions that do not result from the actions of the applicant.

Westlake is an Agricultural Enclave with a Traditional Town Development (TTD) zoning designation. The subject property is the only property within the County with such classification. State Statute, the Comprehensive Plan and the Implementing principles adopted with the Minto West Agricultural Enclave establish the vision and intent of the project, which require the requested deviation. The applicant is obligated by the Comprehensive Plan to adhere to the Transect zones. The applicant had no control over the requirements set forth in State Statute and the Comprehensive Plan; therefore, these are special circumstances and conditions that do not result from the actions of the applicant.

Staff Analysis

The variance request is a direct result of the actions by the Applicant and there are alternative design options that will allow the development to meet Code. Variances are allowed to be sought if the Applicant demonstrates that there is a hardship on the subject property and if they describe why the Code cannot be met due to conditions that do not result from their actions. The proposed subdivision was designed by the Applicant, the Applicant is aware of the Code provisions that are applicable to the PUD Pod within or outside of the TTD.

The Applicant has chosen Pod-Q as the first pod to be developed and innovative design meeting new urbanism principals is possible. This is not a special circumstances but rather a special opportunity to comply with not only the TTD standards but the PUD standards that pursuant to Article 3.E.2, are to offer a residential development alternatives.

Based on City's staff analysis, the subject application is not in compliance with this ULDC standard.

3. **Granting the variance shall not confer upon the applicant any special privilege denied by the Plan and this Code to other parcels of land, buildings, or structures, in the same district;**

Applicant's Response

The subject variances are requested in order to maintain compliance with State Statute and Comprehensive Plan provisions governing the Agricultural Enclave. The property dimensions proposed for the PUD pods will allow these pods to be consistent with the existing TND standards within the ULDC. The standards set forth in Table 3.F.3.E for minimum building setbacks and lot dimensions are consistent with the standards proposed herein. Approval of the requested variances will not confer upon the applicant any special privilege denied by the

comprehensive plan and this code to other parcels of land, buildings or structures in the same zoning district.

The subject variance is requested in order to maintain compliance with the Comprehensive Plan provisions for the Agricultural Enclave. Approval of the requested variance will not confer upon the applicant any special privilege denied by the comprehensive plan and this code to other parcels of land, buildings or structures in the same zoning district.

Staff Analysis

Transect zones promote more density within the urban core of a TTD. The PUD designation was proposed for the Pods at the perimeter of the development specifically because of the PUD's lower density requirements and compatibility with surrounding properties.

Granting this variance will confer a special privilege not allowed by the ULDC Code and not available to other parcels of land and, buildings/developers within this same zoning district. There are alternative design options, or residential use types, i.e. Zero Lot Line, that can comply with Code requirements and meet the PDRs for the minimum lot dimensions, maximum building coverage, and setbacks. The Applicant is selecting regulations from sections of the Code for different use types and combining them, as opposed to following the property development regulations for the particular residential use types provided in the Code. Even though the proposed design is not in compliance with ULDC provisions, it offers attributes that are desirable to the consumer.

Based on City's staff analysis, the subject application is not in compliance with this ULDC standard.

4. **Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same district, and would work an unnecessary and undue hardship;**

Applicant's Response

Westlake is designated an Agricultural Enclave on the Future Land Use Map of the Comprehensive Plan with a Traditional Town Development (TTD) zoning designation. The subject property is the only property within the County with such classification. Literal interpretation and enforcement of the terms and provisions of this code would prevent the applicant from complying with the Comprehensive Plan requirements requiring the incorporation of appropriate new urbanism concepts governing this property.

Westlake is an Agricultural Enclave with a Traditional Town Development (TTD) zoning designation. The subject property is the only property within the County with such classification. Literal interpretation and enforcement of the terms and provisions of this code would prevent the applicant from complying with the Comprehensive Plan and State Statute requirements governing this property.

Staff Analysis

The literal interpretation of the code would not create an unnecessary and undue hardship on the Applicant as there are alternative site design options. Enforcement of the terms and provisions of this code would not deprive the Applicant of rights commonly enjoyed by other parcels of land in the same Zoning District or other PUD's outside of this development, and would not cause an unnecessary and undue hardship. The site can be re-designed to comply with ULDC Code to meet the PDRs or provide for a more than one residential use type, Single-family and Zero Lot line.

Based on City's staff analysis, the subject application is not in compliance with this ULDC standard.

5. **Granting the variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure;**

Applicant's Response

Applying the existing property development standards within Westlake will create the typical suburban neighborhoods existing throughout Palm Beach County. The development envisioned within Westlake encourages compact development and walkability. The property dimensions proposed for the PUD pods will allow these pods to be consistent with the existing TND standards within the ULDC (Table 3.F.3.E). The applicant is proposing the minimal deviation possible to create the type of development envisioned in the Implementing Principles adopted with the Minto West TTD, which are required by State Statute.

Staff Analysis

Granting of this variance is not the minimum variance necessary to make reasonable use of the parcel of land. The variance request is as a result of the actions by the Applicant as there are alternative designs options. The ULDC Table 3.D.1.A, outlines PDRs for the Residential Single-family zoning district. These standards are also utilized for a PUD. The Applicant is opting to offer certain types of units or model styles on lots smaller in size than are permitted by Code.

Based on City's staff analysis, the subject application is not in compliance with this ULDC standard.

6. **Granting the variance will be consistent with the purposes, goals, objectives, and policies of the Plan and this Code; and**

Applicant's Response

The Conceptual Plan and Implementing Principals adopted with the Comprehensive Plan require compact development and the incorporation of new urbanist principles. The granting of the

variance will allow project to be consistent with the purposes, goals, objectives and policies of Comprehensive Plan relative to the Agricultural Enclave Future Land Use generally and this site specifically and this code, without doing harm to standard PUD developments throughout the County

The Comprehensive Plan requires the property to abide by Transect zones, which ensure that density transitions and concentrations occur in the appropriate places. Specifically, the Transect zones facilitate more density within the urban core of the TTD and at the centers of the pods. The pods located at the perimeter have been designed at the lowest densities to allow a seamless transition to occur between Westlake and the existing residential neighborhoods surrounding the property. As the existing product type of the surrounding areas is Single Family, it is appropriate to provide only a Single Family product around the perimeter of the property. The granting of the variance will allow the esproject to be consistent with the purposes, goals, objectives and policies of Comprehensive Plan and this code.

Staff Analysis

The granting of this Variance will be inconsistent with the purposes, goals, objectives, and policies of the Code as the request is to deviate from Code requirements. Compliance with the PDRs for the PUD- Single-family use type will allow the alternative form of development within the TTD, and provide for a more consistent housing type and lot with the adjacent residential development outside the TTD.

The ULDC has different residential use types with separate PDRs and supplemental regulations to address the impacts of the proposed housing. The Zero Lot line home has the similar width, setbacks and building coverage as the proposed Single-family homes, but have additional regulations to address privacy, i.e. 5 ft. high by 10 ft. long privacy wall, limited openings on one side of the house, etc. The proposed request creates a hybrid of regulations that does not meet the purposes and intent of the Code. Even though the proposed design is not in compliance with ULDC provisions, it offers attributes that are desirable to the consumer.

Based on City's staff analysis, the subject application is not in compliance with this ULDC standard.

- 7. Granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

Applicant's Response

Compact development is a positive development pattern for the County. Granting of the variance will permit Westlake to comply with the proposed development scheme adopted as part of the site specific amendment, which includes walking trails, buffers and large areas of open space. Therefore, the variances will not be injurious to the area involved or otherwise detrimental to the public welfare. The granting of these variances will result in more creative, diverse and live able housing product.

Granting of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. In fact, denial of the variance would cause injury to the surrounding areas by forcing the applicant to introduce a product type more appropriately located in a TND pod. The Single Family product will create a more seamless transition from the adjacent properties to the core of the TTD.

Staff Analysis

The granting of this variance will not be injurious to the area involved or otherwise detrimental to the health, safety, or welfare of the public.

Based on City's staff analysis, the subject application is in compliance with this ULDC standard.

5. FINAL REMARKS

The subject application was reviewed according to the Palm Beach County Unified Land Development Code (ULDC). The City of Westlake was incorporated in June 2016, and until the City adopts its own land development code it will continue its development reviews according to Palm Beach County Code.

Based on Staff review and analysis, the subject application is not in compliance with six (6) of the Standards of the Article 2.B.3.E. of the Palm Beach County Unified Land Development Code (ULDC). However, the subject application is in compliance with standard seven described above.

In 2015, the Palm Beach County Zoning Commission approved a request for the same type of variances for Pod Q, see attached Resolution No. ZR-2015-035. The subject resolution will be abandoned since Pod Q site configuration has been modified and the legal description amended accordingly.

On December 19, 2016, the applicant presented a letter to the City further explaining its request for sideyard setback variances and addressing the privacy concerns raised by the County during the initial variance review process, see attached letter from Tara W. Duhy.

Should the Planning and Zoning Board approve the Type II Variances I-IV, Staff recommends such approval be subject to the Conditions of Approval as indicated below.

Staff recommends the following Conditions of Approval:

1. The Development Order for this Variance shall be tied to the Time Limitations of the Development Order for application FSDP-2016-01 Minto West Pod Q Final Subdivision Plan.
2. A copy of this Variance Approval shall be submitted to the Building Department with each application for a Building Permit in Pod Q.

3. Prior to application for a Building Permit for any Single-family unit with a building coverage greater than 40%, or decreased setbacks in accordance with VAR-2016-01, the Final Subdivision Plan shall be amended to include the approved Variance Chart.
4. The interior side setback variance of VAR-2016-01 shall only be applied to the fifty-foot (50') wide lots.
5. The Property Owner shall discourage two homes with mirrored layouts being permitted next to one another or facing each other directly across the street from one another and no more than three homes in a row with the same layout and exterior elevation shall be permitted next to one another.
6. The Property Owner shall include in Homeowners' documents as well as written sales brochures, sales contracts and related plans, a disclosure statement identifying and notifying the purchaser/owner of a fifty-foot (50') wide lot of the option for installation of a privacy fence or a three-foot (3') high hedge along one side property line from the rear corner of the dwelling unit to the rear property line (see attached drawing).
 - a. The disclosure shall be a minimum of twelve (12) point type and clearly visible in the proposed documents.
 - b. The Property Owner shall submit documentation of compliance with this condition to the Planning and Zoning and Building Departments beginning on January 1, 2018, and no later than every January 1st thereafter until all units within the development have been sold or the Property Owner relinquishes control to the Homeowners Association.
7. The Property Owner shall include in Homeowners' documents as well as written sales brochures, sales contracts and related plans, a disclosure statement identifying and notifying the purchaser/owner of a one-story dwelling unit that a two-story dwelling unit may be built adjacent to the subject property.
 - a. The disclosure shall be a minimum of twelve (12) point type and clearly visible in the proposed documents.
 - b. The Property Owner shall submit documentation of compliance with this condition to the Planning and Zoning and Building Department beginning on January 1, 2018, and no later than every January 1st thereafter until all units within the development have been sold or the Property Owner relinquishes control to the Homeowners Association.



LLW

**LEWIS
LONGMAN
WALKER**

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Attorneys at Law
llw-law.com

Tara W. Duhy
tduhy@llw-law.com

Reply To:
West Palm Beach Office

December 19, 2016

Ken Cassel
City of Westlake
4001 Seminole Pratt Whitney Road
Westlake, FL 33470

Re: Minto PBLH, LLC, Pod Q Variance Application

Dear Mr. Cassel:

Your staff had requested some additional information regarding our request for variances for the development of Pod Q. Specifically, we were asked for information regarding our variance request for side yard setbacks and privacy concerns that had been raised by the County when they approved the variances.

The County granted the same variance request for Pod Q that is now before the City. The reason Minto must seek these variances anew from the City relates to the change in location of Pod Q. The variances approved by the County applied to a different piece of property than currently proposed for Pod Q. Therefore, the variances must be reissued.

Minto's development program focuses on providing a wide range of homes on a variety of lot sizes, with a wide variety of floorplans in order to suit a large array of homebuyers and to provide for affordability. Minto's existing approvals are based on a desire to make the community compact and maintain open space both inside the individual development pods and in the community as a whole. That is why there is a restriction on the percentage of development that can be PUD rather than the compact Traditional Neighborhood Development within the overall Zoning Master Plan.

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WEST PALM BEACH

515 North Flagler Dr., Suite 1500
West Palm Beach, Florida 33401

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See Things Differently

Mr. Ken Cassel
December 19, 2016
Page Two

The existing County code, which is being administered by the City until it adopts its own code, is fairly rigid as to side yard setbacks and lots size and does not allow flexibility in housing types. Simply put, in a standard PUD, only single family homes with standard yards and zero lot line homes are permitted. No variations are allowed. The side yard setback variance Minto is seeking will allow it to implement an alternative to the zero lot line product which maintains the same 10 feet of separation between homes, but allows the homes to be centered in the middle of the lot rather than pushed to one property line. This product has already been successfully constructed throughout the State of Florida and in Palm Beach County. Minto has also experienced significant market resistance to a home that is considered a "Zero Lot Line" versus having a home that is centered on the lot while maintaining all code required building separation.

Similar to the County, your staff has raised concerns regarding privacy because the home that will be permitted by the variance will have windows on both sides. Staff have suggested that privacy hedges be required to mitigate that concern. Respectfully, we request that privacy hedges not be required. As mentioned previously, the product type proposed here is currently permitted in other jurisdictions and Minto has delivered hundreds of homes in this configuration while not experiencing any customer concerns for privacy. In the instance of Pod Q all of the lots in the subdivision plan are considered "highly amenitized" in as much as every lot will back onto water or a perimeter buffer. Under this design scenario views out of the rear of the home are considered a luxury and are highly desired because of the views the homesite provides. The regulatory requirement to place a hedge along the side lot lines would actually diminish the view out of the rear of the home as hedges mature and grow taller. Additionally, in the near term, a 3-foot tall hedge planted at installation does not provide for any "privacy" from a side yard perspective.

Aerial photographs of these homes are attached to illustrate how homes centered on a lot with similar side setback we are seeking in Pod Q actually look in a post construction environment. As you can see, no privacy hedges exist, because privacy is not a concern for customers who purchase this particular product type. In fact, hedges, if required, will block the view of the lakes that the customers of these homes desire.

Minto is committed to delivering quality homes to its customers and will be investing in a state of the art design center for individuals to customize their home. Minto will fully advise

Mr. Ken Cassel
December 19, 2016
Page Three

customers of what they are purchasing when they choose this product type. Further, Minto will stagger the homes throughout the community to avoid the windows of any one home being adjacent to the windows of another home.

We hope this information is useful to you in considering the nature of our request. If you require any additional information, please do not hesitate to contact me.

Very truly yours,

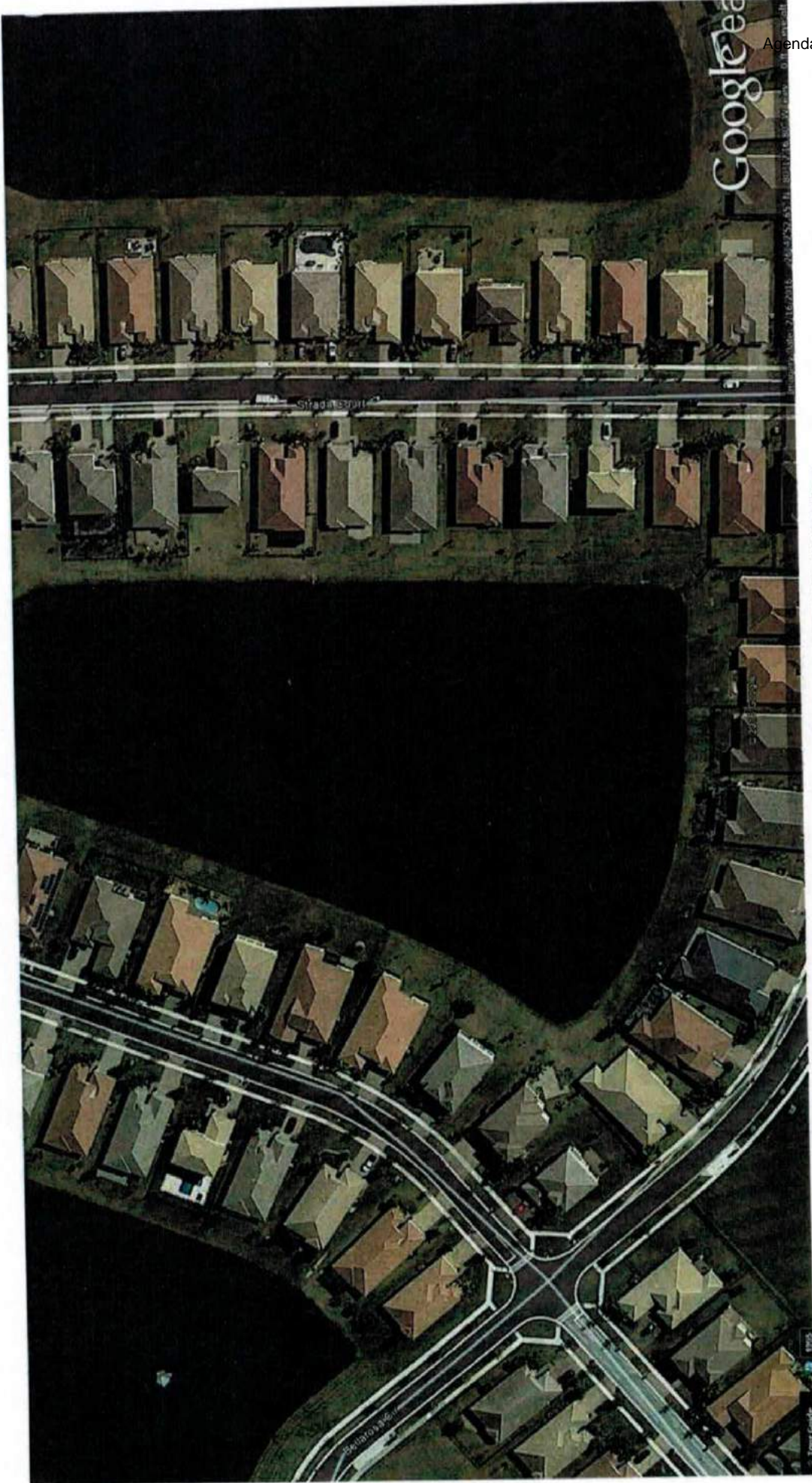
A handwritten signature in blue ink, appearing to read "Tara W. Duhy".

FOR
Tara W. Duhy

TWD/lb

Enclosure

cc: Pam Booker, Esquire
Don Hearing
John Carter



PORTOSOL BACKYARD EXHIBIT

RESOLUTION NO. ZR-2015-035

RESOLUTION APPROVING ZONING APPLICATION ZV-2015-00122
CONTROL NO. 2006-00397
TYPE II VARIANCE (*STAND ALONE*)
APPLICATION OF Minto PBLH LLC
BY Cotleur & Hearing, Inc., AGENT
(MINTO WEST POD Q)

WHEREAS, the Palm Beach County Zoning Commission, pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) is authorized and empowered to consider, approve, approve with conditions or deny a Type II Variance;

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code, have been satisfied;

WHEREAS, Zoning Application ZV-2015-00122 was presented to the Zoning Commission at a public hearing conducted on November 5, 2015;

WHEREAS, the Zoning Commission considered the evidence and testimony presented by the applicant and other interested parties, and the recommendations of the various County review agencies;

WHEREAS, this approval is subject to Article 2.E of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Zoning Commission hereby finds that the Zoning application meets all the standards contained in Article 2.B.3.E; and

WHEREAS, Article 2.A.1.K.3 (Board Action) of the Palm Beach County Unified Land Development Code requires that the action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Zoning Application ZV-2015-00122, the application of Minto PBLH LLC, by Cotleur & Hearing, Inc., Agent, for a Type II Variance to allow a reduction in the minimum lot width; an increase in building coverage; a reduction in front and side setbacks; and to allow one housing type., on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on November 5, 2015, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof, and variance request as described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Anderson moved for the approval of the Resolution.

The motion was seconded by Commissioner Brumfield and, upon being put to a vote, the vote was as follows:

Mark Beatty, Chair	- Aye
Sheri Scarborough, Vice Chair	- Nay
Amir Kanel	- Aye
Joseph Snider	- Nay
William Anderson	- Aye
Sam Caliendo	- Nay
Tinuade Peña	- Aye
Alex Brumfield III	- Aye
Robert Currie	- Absent

The Chair thereupon declared the resolution was duly passed and adopted on November 5, 2015.

Filed with the Clerk of the Zoning Division on November 23, 2015.

This resolution is effective when filed with the clerk of the Palm Beach County Zoning Division.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY: 
CHAIR

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST; THENCE S.89°48'53"E. ALONG THE NORTH BOUNDARY OF SAID SECTION 6, A DISTANCE OF 3265.22 FEET; THENCE DEPARTING SAID NORTH BOUNDARY OF SECTION 6 S.00°13'53"E., A DISTANCE OF 1103.55 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.00°13'53"E., A DISTANCE OF 328.81 FEET; THENCE SOUTHERLY, 82.43 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 23°36'53" (CHORD BEARING S.11°34'34"W., 81.85 FEET); THENCE SOUTHERLY, 541.57 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 832.00 FEET AND A CENTRAL ANGLE OF 37°17'44" (CHORD BEARING S.04°44'08"W., 532.06 FEET); THENCE SOUTHERLY, 298.29 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 600.00 FEET AND A CENTRAL ANGLE OF 28°29'04" (CHORD BEARING S.00°19'48"W., 295.23 FEET); THENCE WESTERLY, 639.72 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 325.00 FEET AND A CENTRAL ANGLE OF 112°46'45" (CHORD BEARING S.70°57'43"W., 541.33 FEET); THENCE N.52°38'55"W., A DISTANCE OF 329.22 FEET; THENCE WESTERLY, 333.93 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 350.00 FEET AND A CENTRAL ANGLE OF 54°39'57" (CHORD BEARING N.79°58'53"W., 321.41 FEET); THENCE S.72°41'08"W., A DISTANCE OF 114.30 FEET; THENCE WESTERLY, 206.26 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 475.00 FEET AND A CENTRAL ANGLE OF 24°52'45" (CHORD BEARING S.85°07'30"W., 204.64 FEET); THENCE N.82°26'07"W., A DISTANCE OF 122.87 FEET; THENCE SOUTHWESTERLY, 167.64 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 128.00 FEET AND A CENTRAL ANGLE OF 75°02'30" (CHORD BEARING S.60°02'38"W., 155.92 FEET); THENCE SOUTHWESTERLY, 118.45 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 140.80 FEET AND A CENTRAL ANGLE OF 48°12'00" (CHORD BEARING S.46°37'23"W., 114.99 FEET); THENCE WESTERLY, 84.41 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 864.72 FEET AND A CENTRAL ANGLE OF 05°35'36" (CHORD BEARING S.87°10'25"W., 84.38 FEET); THENCE SOUTHERLY, 73.69 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 332.50 FEET AND A CENTRAL ANGLE OF 12°41'50" (CHORD BEARING S.04°01'25"E., 73.53 FEET); THENCE S.02°19'31"W., A DISTANCE OF 43.89 FEET; THENCE N.87°40'29"W., A DISTANCE OF 120.00 FEET; THENCE N.02°19'31"E., A DISTANCE OF 43.89 FEET; THENCE NORTHERLY, 70.64 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 212.50 FEET AND A CENTRAL ANGLE OF 19°02'51" (CHORD BEARING N.07°11'55"W., 70.32 FEET); THENCE NORTHWESTERLY, 116.95 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 97.06 FEET AND A CENTRAL ANGLE OF 69°02'07" (CHORD BEARING N.46°19'37"W., 110.00 FEET); THENCE NORTHWESTERLY, 291.30 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 223.00 FEET AND A CENTRAL ANGLE OF 74°50'35" (CHORD BEARING N.49°13'51"W., 271.02 FEET); THENCE WESTERLY, 209.71 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 450.00 FEET AND A CENTRAL ANGLE OF 26°42'05" (CHORD BEARING S.79°59'49"W., 207.82 FEET); THENCE S.66°38'47"W., A DISTANCE OF 541.10 FEET; THENCE NORTHWESTERLY, 885.46 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 350.00 FEET AND A CENTRAL ANGLE OF 144°57'07" (CHORD BEARING N.40°52'40"W., 667.51 FEET); THENCE N.31°35'54"E., A DISTANCE OF 448.05 FEET; THENCE NORTHEASTERLY, 214.24 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 850.00 FEET AND A CENTRAL ANGLE OF 14°26'28" (CHORD BEARING N.24°22'40"E., 213.67 FEET); THENCE N.17°09'26"E., A DISTANCE OF 418.58 FEET;

THENCE EASTERLY, 717.98 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 102°50'34" (CHORD BEARING N.68°34'43"E., 625.40 FEET); THENCE S.60°00'00"E., A DISTANCE OF 229.24 FEET; THENCE EASTERLY, 631.52 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 650.00 FEET AND A CENTRAL ANGLE OF 55°40'01" (CHORD BEARING S.87°50'01"E., 606.98 FEET); THENCE N.64°19'59"E., A DISTANCE OF 343.01 FEET; THENCE EASTERLY, 354.20 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 785.00 FEET AND A CENTRAL ANGLE OF 25°51'08" (CHORD BEARING N.77°15'33"E., 351.20 FEET); THENCE S.89°48'53"E., A DISTANCE OF 501.13 FEET; THENCE SOUTHEASTERLY, 703.59 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET AND A CENTRAL ANGLE OF 89°35'01" (CHORD BEARING S.45°01'23"E., 634.08 FEET) TO THE **POINT OF BEGINNING**.

CONTAINING: 118.096 ACRES +/-

EXHIBIT B
VICINITY SKETCH

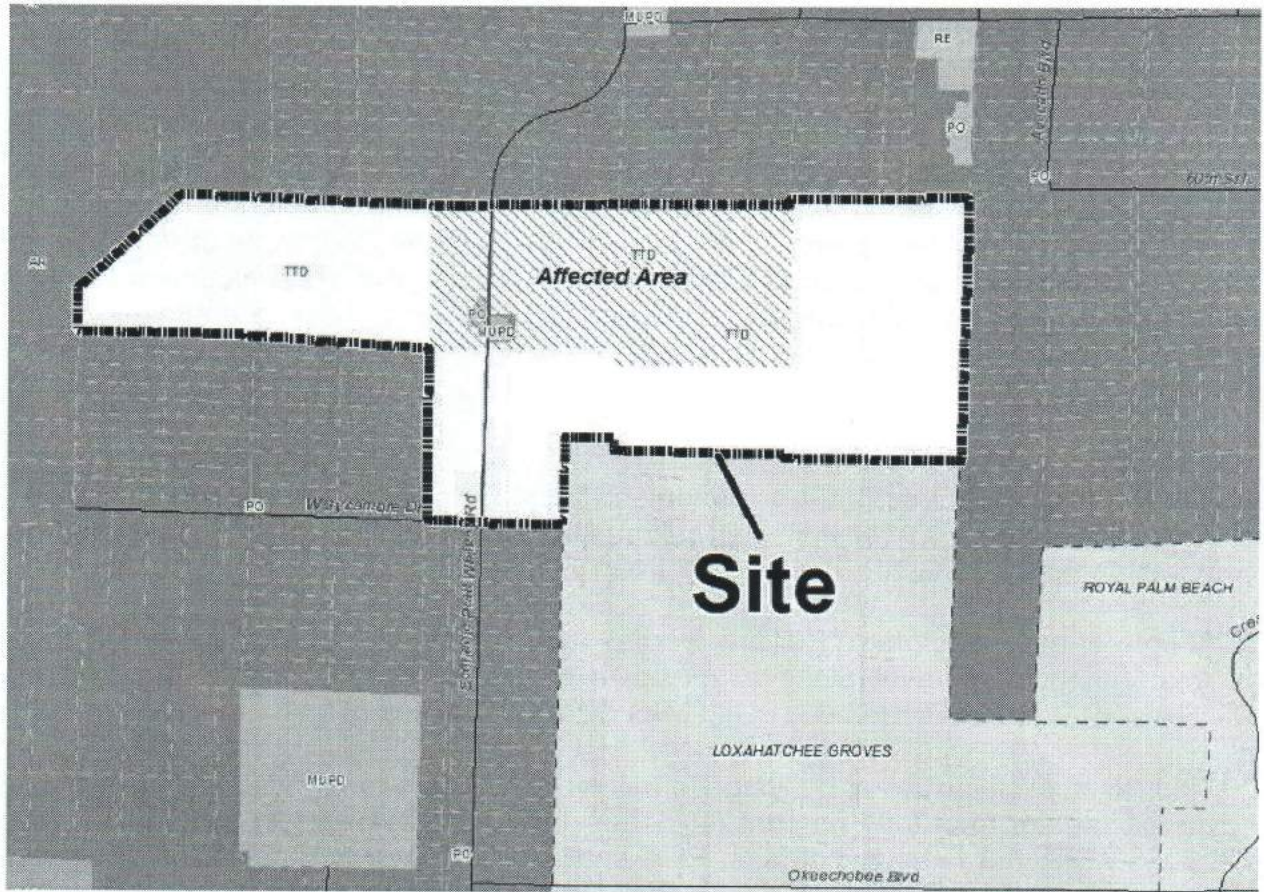


EXHIBIT C

CONDITIONS OF APPROVAL

Type II Variance - Standalone**ALL PETITIONS**

1. The approved Final Master Plan is dated July 08, 2015. The Preliminary Subdivision Plan (PSBP) for Planned Unit Development Pod Q is dated July 07, 2015 and a color PSBP, which clarifies lot sizes and locations, is dated September 14, 2015. 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 or the Zoning Commission. (ONGOING: ZONING - Zoning)

VARIANCE

1. The Development Order for this Standalone Variance shall tie to the Time Limitations of the Development Order for application DRO-2015-000123 Minto West Pod Q Subdivision Plan. (ONGOING: MONITORING - Zoning)

2. At time of application for a Building Permit, the Property Owner shall provide a copy of this Variance approval along with copies of the approved Plan to the Building Division. (BLDGPM/ONGOING: BUILDING DIVISION - Zoning)

3. Prior to application for a Building Permit for any Single-family unit with a building coverage greater than forty percent (40%), or decreased setbacks in accordance with ZV 2015-0122, the Final Subdivision Plan shall be amended to include the approved Variance Chart. (BLDGPM/ONGOING: BUILDING DIVISION - Zoning)

4. The Variance building coverage greater than forty percent (40%) shall only apply to the one (1) story Single-family units. (BLDGPM/ONGOING: BUILDING DIVISION - Zoning)

5. The eighteen (18) units located on the north side of Pod Q in the Density Transition Zone shall not be granted any variances applicable to ZV-2015-00122 and shall meet the setback and building coverage standards consistent with the Residential Single-family Zoning District minimum Property Development Regulations of the Unified Land Development Code. (DRO/ONGOING: ZONING - Zoning)

6. The interior side setback variance shall be limited to the fifty foot (50) wide lots only. (BLDGPM/ONGOING: ZONING - Zoning)

7. The variance approval for the sixty-five foot (65') wide lots shall be limited to the front setback and building coverage only. (BLDGPM/ONGOING: ZONING - Zoning)

8. Any lot requiring a setback reduction shall provide impact windows for all bedroom windows that are located on the reduced setback side of the unit to provide noise mitigation, and shall be indicated in the Master Building Permit Plan (BLDGPM/ONGOING: ZONING - Zoning)

9. The Property Owner shall provide three (3) open space areas at the street terminus in the Density Transitional Zone generally consistent with the Preliminary Subdivision Plan for Pod Q. The total open space area for the three (3) parcels shall equal a minimum of one and one-half (1.5) acres. (DRO/ONGOING: ZONING - Zoning)

10. The Property Owner shall include in Homeowners' documents as well as written sales brochures, sales contracts and related plans a disclosure statement identifying and notifying of the requirement to install a three (3) foot high hedge at a minimum

length of twenty-five (25) feet along one of the side property lines for each lot that is fifty (50) foot in width.

a. The disclosure shall be a minimum of twelve (12) point type and clearly visible in the proposed documents.

b. The Property Owner shall submit documentation of compliance with this condition to the Monitoring Section of Planning, Zoning and Building Department beginning on December 1, 2016, and shall continue on an annual basis until all units within the development have been sold or the Property Owner relinquishes control to the Homeowners Association. (DATE: MONITORING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Zoning Commission 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: ZONING - 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; 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: ZONING - Zoning)

DISCLOSURE

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

EXHIBIT D
REQUEST

TYPE II VARIANCE SUMMARY

APPLICATION NO.	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
ZV-2015- 00122	(V1) 3.D.1.A Lot Width	65 feet (ft.)	50 ft.	-15 ft. (-23%)
	(V2) 3.D.1.A Building Coverage	40%	50%	+10% (+25%)
	(V3) 3.D.1.A Interior side setback	7.5 ft.	5 ft.	-2.5 ft. (-33%)
	(V4) 3.D.1.A.5 Front setback	25 ft.: Unit 25 ft.: Front Loading Garage 15 ft.: Side Loading Garage	10 ft.:Unit 20 ft.:Front Loading Garage 10 ft.:Side Loading Garage	-15 ft. (-60%) -5 ft. (-20%) -5 ft (-33%)
SITUS ADDRESS:	5075 Seminole Pratt Whitney Rd Loxahatchee 33470 5622 Seminole Pratt Whitney Rd Loxahatchee 33470 4601 Seminole Pratt Whitney Rd Loxahatchee 33470			
AGENT NAME & ADDRESS:	Don Hearing Cotleur & Hearing, Inc. 1934 Commerce Ln Jupiter FL 33458		Kate Dewitt Cotleur & Hearing, Inc. 1934 Commerce Ln Jupiter FL 33458	
OWNER NAME & ADDRESS:	Minto PBLH LLC 4400 W Sample Rd Ste 200 Pompano Beach FL 33073 Seminole Improvement District 4001 Seminole Pratt Whitney Rd Loxahatchee FL 33470 School Board of Palm Beach County FL 3300 Forest Hill Blvd West Palm Beach FL 33406			
PCN:	00-40-43-12-00-000-3030, 00-40-43-01-00-000-1010, 00-40-43-01-00-000-1020, 00-40-43-02-00-000-1010, 00-40-43-02-00-000-9000, 00-40-43-03-00-000-1020, 00-40-43-03-00-000-1030, 00-40-43-12-00-000-1020, 00-41-43-05-00-000-1030, 00-41-43-05-00-000-1040, 00-41-43-06-00-000-1010, 00-41-43-06-00-000-1020,		00-41-43-07-00-000-1000, 00-41-43-07-00-000-1010, 00-41-43-08-00-000-1010, 00-41-43-08-00-000-1020, 00-40-43-12-00-000-3040, 00-40-43-12-00-000-7010, 00-41-43-08-00-000-3010, 00-41-43-08-00-000-3020, 00-40-43-12-00-000-3010, 00-41-43-08-00-000-1030, 00-40-43-01-00-000-7030, 00-40-43-12-00-000-3050	

	00-41-43-06-00-000-3010,		
ZONING DISTRICT:	Traditional Town Development (TTD)		
BCC DISTRICT:	06		
PROJECT MANAGER:	Carrie Rechenmacher, Senior Site Planner		
LEGAL AD:	ZV-2015-00122 Title: Resolution approving a Type II Variance application of Minto PBLH LLC by Coteleur & Hearing, Inc., Agent. Request: to allow a reduction in the minimum lot width; an increase in building coverage; a reduction in front and side setbacks; and to allow one housing type. General Location: East of Seminole Pratt Whitney Road, and north of Town Center Parkway, approximately 1 mile south of Orange Boulevard. (MINTO WEST POD Q) (2006-00397)		
LAND USE:	Agricultural Enclave (AGE)	S/T/R: 07-43-41 08-43-41 03-43-40 12-43-40 02-43-40 05-43-41 06-43-41 01-43-40	
CONTROL #	2006-00397		
LOT AREA:	Overall: 3,788.60 acres Pod Q: 133 acres +/- Affected Area: Portion of Pod Q: 118.09 acres +/-		
LOT DIMENSIONS:	Pod Q general boundary dimensions: 2,550 ft. length and 2,100 ft. depth		
CONFORMITY OF LOT:	Yes	CONFORMITY OF ELEMENT:	Not built
TYPE OF ELEMENT:	Property Development Regulations (PDR) – of ULDC Table 3.D.1.A.	ELEMENT SIZE:	Single-family multiple elements
BUILDING PERMIT #:	N/A	NOTICE OF VIOLATION:	N/A
CONSTRUCTION STATUS:	Vacant		
APPLICANT REQUEST:	to allow a reduction in the minimum lot width; allow an increase in building coverage; allow a reduction in front and side setbacks; and to allow one housing type. (Note: The request to allow one housing type was administratively withdrawn.)		



Landscape Architects | Land Planners | Environmental Consultants

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Westlake

Pod Q Type II Variance Application

Justification Statement

December 1, 2016

Revised December 7, 2016

Revised December 13, 2016

Revised December 19, 2016

Background

The site is located East and West of Seminole Pratt Whitney Blvd., South of 60th Street North, and North of 50th Street N, East of Mead Hill Drive, and 44th Street North, East of 190th Terrace North and West of 140th Avenue North. The 3,788.60-acre property has a current FLUA designation of Agricultural Enclave and zoning designation of Traditional Town Development (TTD). The subject property is currently in active agriculture, with built parcels including a utility site and a packing plant.

The subject property is roughly co-extensive with SID, a legislatively-created special district with the authority to provide public infrastructure and services and to operate district facilities. SID provides drainage, water, and wastewater services for the subject property, and owns a canal right-of-way and/or easement for access and drainage from the subject site running approximately four miles south to the C-51 Canal.

On October 29, 2014, the property received approval from the Board of County Commissioners for a Comprehensive Plan Site-Specific Amendment, a Rezoning, a Preliminary Master Plan, and Requested Uses.

Ordinance No. 2014-030 approved a site-specific amendment to the 1989 Comprehensive Plan creating the Minto West Agricultural Enclave. The Future Land Use designation of a portion of the property, approximately 53.17 acres, was amended from Rural Residential (RR-10) to Agricultural Enclave (AGE). The Ordinance also modified conditions of approval previously adopted by Ordinance 2008-019. Portions of the text of the Comprehensive Plan were amended as well, including the Introduction and Administration, Future Land Use, and Transportation Elements. The amendments modified references, policies, and regulations regarding the Agricultural Enclave Future Land Use Designation and Rural Parkways.

Resolution No. 2014-1646 approved the Zoning application for the Minto West Traditional Development District. The Resolution included rezoning the property from Agricultural Residential (AR) and Public Ownership (PO) Zoning Districts to the Traditional Town Development (TTD) Zoning District.

Westlake Pod Q Type II Variances

Justification Statement

VAR2-2016-01

CH 13-0518.20

December 1, 2016

Revised December 7, 2016

Revised December 13, 2016

Revised December 19, 2016

Resolution No. R-2014-1647 approved a Requested Use for a College or University to be located within the property.

Resolution No. R-2014-1648 approved a Requested Use for a Hotel to be located within the property.

An application for similar variances were applied for and granted by Palm Beach County per Resolution No. ZR-2015-035. Upon approval of this application, Resolution No. ZR-2015-035 will become null and void. The applicant has reapplied for Type II Variances for consideration of approval by the City of Westlake. The variances approved by Palm Beach County for Parcel Q were based on a slightly different parcel configuration and related legal description. The Westlake Master Plan shifts parcel Q to be closer to the Town Center, providing greater walkability that is consistent with the goals and objectives of the Traditional Town Development.

Subject Type II Variance Requests

In order to properly implement the abovementioned approvals as depicted in the approved Implementing Principles, the applicant is requesting the Type II variances listed in the table below in conjunction with the site plan application being submitted simultaneously for Pod Q.

TYPE II VARIANCE REQUEST – ARTICLE 3 OVERLAYS & ZONING DISTRICTS

The purpose and intent of Article 3 is to ensure compatibility between uses, the provision of adequate public facilities, and that consideration is given to sensitive natural resources. The variances below, are necessitated by the unique nature of the Westlake Agricultural Enclave.

VARIANCE CHART						
<i>APPLICATION NO.: VAR2-2016-01</i>						
<i>PLANNING & ZONING BOARD DATE: 01.09.2017</i>						
<i>RESOLUTION NO. (TBD)</i>						
	ULDC SECTION	REQUIRED	PROPOSED	VARIANCE (+/-)	LOT TYPE APPLICABILITY	
					50'	65'
1	Sect. 3.D.1.A PUD SF PDRs Min. Lot Width	65'	50'	- 15'	Y	N/A
2	Sect. 3.D.1.A PUD SF PDRs Max. Bldg Coverage *	40%	50%	+ 10%	Y *	Y *
3	Sect. 3.D.1.A PUD SF PDRs Setback **	7.5'	5'	- 2.5'	Y	N/A
4	Sect. 3.D.1.A. PUD SF PDRs Setback for Unit	25'	10'	- 15'	Y	Y
5	Sect. 3.D.1.A PUD SF PDRs Setback for Front load Garage	25'	20'	- 5'	Y	Y
6	Sect. 3.D.1.A PUD SF PDRs Setback for Side Load Garage	15'	10'	- 5'	Y	Y

* NOTE: VARIANCE #2 IS NOT APPLICABLE TO DESIGNATED LOTS-SEE SITE PLAN

** NOTE: VARIANCE #3 IS NOT APPLICABLE TO THE 65' LOT SF.

Westlake Pod Q Type II Variances
 Justification Statement
 VAR2-2016-01
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 Revised December 19, 2016

ULDC Table 3.D.1.A, establishes minimum and maximum property development regulations. Specifically, the Table establishes a minimum lot width of 65 feet, a maximum lot coverage of 40 percent, a minimum side setback of 7.5 feet, and a minimum front setback of 25 feet for Single Family homes. At this time, variances to these minimums and maximums are requested to allow Single Family homes in PUD Pod Q within the Westlake TTD to maintain a minimum lot width of 50 feet, a maximum lot coverage of 50 percent, a minimum side setback of 5 feet, and a minimum front setback of 10 feet to the unit, 20 feet to a front loading garage, and 10 feet to a side loading garage.

The subject variance request does not apply to all 325 dwelling units in Pod Q. The community will consist of two lot types: 50-foot and 65-foot wide lots. Specifically, there will be 142 of the 50-foot wide lots and 69 of the 65-foot wide lots. Variance 3, Section 3.D.1.A PUD SF PDRs for reduction of the side setback, is not required for the 65-foot single-family lot type. The table below shows the areas of deviation.

The requested setbacks and lot coverages for the 50-foot and 65-foot wide lots are consistent with Table 3.F.3.E - TND Residential Lot Size and Setback Regulations. Table 3.F.3.E allows a minimum lot width of 50 feet, a minimum front setback of 10 feet, and a minimum side setback of 5 feet. The TND development regulations do not have maximum lot coverages.

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

	ULDC SECTION	REQUIRED PUD	PROPOSED PUD	VARIANCE (+/-)
1	Sect. 3.D.1.A PUD SF PDRs Min. Lot Width	65'	50'	- 15'
2	Sect. 3.D.1.A PUD SF PDRs Max. Bldg Coverage	40%	50%	+ 10%
3 ¹	Sect. 3.D.1.A PUD SF PDRs Side Setback	7.5'	5'	- 2.5'
4	Sect. 3.D.1.A PUD SF PDRs Front Setback for Unit	25'	10'	- 15'
5	Sect. 3.D.1.A PUD SF PDRs Setback for Front load Garage	25'	20'	- 5'
6	Sect. 3.D.1.A PUD SF PDRs Setback for Side Load Garage	15'	10'	- 5'

¹ This variance is not applicable to the 65-foot wide lot type proposed in Parcel Q.

Westlake Pod Q Type II Variances
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TABLE 3.F.3.E. TND RESIDENTIAL DEVELOPMENT REGULATIONS

	ULDC SECTION	REQUIRED	PROPOSED	VARIANCE (+/-)
1	Sect. 3.F.3.E Min. Lot Width	50'	50'	MEETS
2	Sect. 3.F.3.E Max. Bldg Coverage	N/A	50%	MEETS
3	Sect. 3.F.3.E Side Setback	5'	5'	MEETS
FRONT LOADED GARAGE				
4	Sect. 3.D.1.A PUD SF PDRs Front Setback for Unit	10'	10'	MEETS
5	Sect. 3.D.1.A PUD SF PDRs Front Setback for Garage	10'	20'	MEETS
SIDE LOADED GARAGE				
6	Sect. 3.D.1.A PUD SF PDRs Front Setback for Unit	10'	10'	MEETS
7	Sect. 3.D.1.A PUD SF PDRs Front Setback for Garage	10'	10'	MEETS

The abovementioned variances from Table 3.D.1.A and Section 3.E.2.E.1.a. are hereby requested in conjunction with the subdivision plan for Pod Q and are justified as follows:

1. *Special conditions and circumstances exist that are peculiar to the parcel of land, building and structure that are not applicable to other parcels of land, structures or buildings in the same zoning district. YES*

Westlake is designated as an Agricultural Enclave on the Future Land Use Map and is zoned as Traditional Town Development (TTD). The subject property is the only property within Palm Beach County with such future land use and zoning classifications. The Implementing principles adopted with the Westlake Agricultural Enclave site-specific amendment, which implement State Statutory requirement that elements of new in agricultural enclaves. In addition, by definition, each property designated as an Agricultural Enclave will be unique. The property development regulations within the ULDC with respect to traditional PUDs do not accommodate for this type of development. Therefore, in order to achieve successful Traditional Town Development within the PUD Pods within Westlake, relief is needed from the lot coverage, front setback, and side setback requirements for the Residential Single Family (RS). The requested variance will result in property dimensions for PUD POD Q compatible with the existing TND standards within the ULDC (Table 3.F.3.E). In summary, the statutory requirement for the inclusion of new urbanism principles in all Agricultural Enclaves constitutes a condition and circumstance peculiar to the subject property that are not applicable to other parcels of land, structures or buildings in the same zoning district.

Westlake Pod Q Type II Variances
 Justification Statement
 VAR2-2016-01
 CH 13-0518.20
 December 1, 2016
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 Revised December 13, 2016
 Revised December 19, 2016

Westlake is designated as an Agricultural Enclave on the Future Land Use Map and is zoned as Traditional Town Development (TTD). The land use and zoning require the property to abide by Transect zones, which ensure that density transitions and concentrations occur in the appropriate places. Specifically, the Transect zones facilitate more density within the urban core of the TTD and at the centers of the pods. The pods located at the perimeter have been designed at the lowest densities to allow a seamless transition to occur between Westlake and the existing residential neighborhoods surrounding the property. As the existing product type of the surrounding area is Single Family, it is appropriate to provide only a Single Family product around the perimeter of the property. Introducing a second product type is more appropriately done within the TND pods located near the Town Center and Center Zones of the TTD. In summary, the specific Future Land Use and Zoning designations of the property requiring adherence to the Transect zones are particular to the subject parcel of land and are not applicable to other parcel of land.

2. The special circumstances and conditions do not result from the actions of the applicant. YES

The applicant is required by State Statute and the Implementing Principles adopted with the Minto West Agricultural Enclave Site Specific Plan Amendment to apply new urbanist principles within the TTD. As part of the Minto West TTD approval, Design Standards were adopted to communicate the vision of the project and establish appropriate new urbanist concepts. In order for these concepts to be implemented into the residential PUDs, relief is needed from the standard single family property development regulations. The applicant had no control over the requirements set forth in State Statute; therefore, these are special circumstances and conditions that do not result from the actions of the applicant.

Westlake is an Agricultural Enclave with a Traditional Town Development (TTD) zoning designation. The subject property is the only property within the County with such classification. State Statute, the Comprehensive Plan and the Implementing principles adopted with the Minto West Agricultural Enclave establish the vision and intent of the project, which require the requested deviation. The applicant is obligated by the Comprehensive Plan to adhere to the Transect zones. The applicant had no control over the requirements set forth in State Statute and the Comprehensive Plan; therefore, these are special circumstances and conditions that do not result from the actions of the applicant.

3. Granting the variance shall not confer upon the applicant any special privilege denied by the comprehensive plan and this code to other parcels of land, buildings or structures in the same zoning district. YES

The subject variances are requested in order to maintain compliance with State Statute and Comprehensive Plan provisions governing the Agricultural Enclave. The property dimensions proposed for the PUD pods will allow these pods to be consistent with the existing TND standards within the ULDC. The standards set forth in Table 3.F.3.E for minimum building setbacks and lot dimensions are consistent with the standards proposed herein. Approval of the requested variances will not confer upon the

Westlake Pod Q Type II Variances
 Justification Statement
 VAR2-2016-01
 CH 13-0518.20
 December 1, 2016
 Revised December 7, 2016
 Revised December 13, 2016
 Revised December 19, 2016

applicant any special privilege denied by the comprehensive plan and this code to other parcels of land, buildings or structures in the same zoning district.

The subject variance is requested in order to maintain compliance with the Comprehensive Plan provisions for the Agricultural Enclave. Approval of the requested variance will not confer upon the applicant any special privilege denied by the comprehensive plan and this code to other parcels of land, buildings or structures in the same zoning district.

4. Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of lands in the same zoning district, and would work an unnecessary and undue hardship. YES

Westlake is designated an Agricultural Enclave on the Future Land Use Map of the Comprehensive Plan with a Traditional Town Development (TTD) zoning designation. The subject property is the only property within the County with such classification. Literal interpretation and enforcement of the terms and provisions of this code would prevent the applicant from complying with the Comprehensive Plan requirements requiring the incorporation of appropriate new urbanism concepts governing this property.

Westlake is an Agricultural Enclave with a Traditional Town Development (TTD) zoning designation. The subject property is the only property within the County with such classification. Literal interpretation and enforcement of the terms and provisions of this code would prevent the applicant from complying with the Comprehensive Plan and State Statute requirements governing this property.

5. Granting of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure. YES

Applying the existing property development standards within Westlake will create the typical suburban neighborhoods existing throughout Palm Beach County. The development envisioned within Westlake encourages compact development and walkability. The property dimensions proposed for the PUD pods will allow these pods to be consistent with the existing TND standards within the ULDC (Table 3.F.3.E). The applicant is proposing the minimal deviation possible to create the type of development envisioned in the Implementing Principles adopted with the Minto West TTD, which are required by State Statute.

6. Granting of the variance will be consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this code. YES

The Conceptual Plan and Implementing Principals adopted with the Comprehensive Plan require compact development and the incorporation of new urbanist principles. The granting of the variance will allow project to be consistent with the purposes, goals, objectives and policies of Comprehensive Plan relative to the Agricultural Enclave Future Land Use generally and this site specifically and this code, without doing harm to standard PUD developments throughout the County

Westlake Pod Q Type II Variances
Justification Statement
VAR2-2016-01
CH 13-0518.20
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Revised December 13, 2016
Revised December 19, 2016

The Comprehensive Plan requires the property to abide by Transect zones, which ensure that density transitions and concentrations occur in the appropriate places. Specifically, the Transect zones facilitate more density within the urban core of the TTD and at the centers of the pods. The pods located at the

perimeter have been designed at the lowest densities to allow a seamless transition to occur between Westlake and the existing residential neighborhoods surrounding the property. As the existing product type of the surrounding areas is Single Family, it is appropriate to provide only a Single Family product

around the perimeter of the property. The granting of the variance will allow the project to be consistent with the purposes, goals, objectives and policies of Comprehensive Plan and this code.

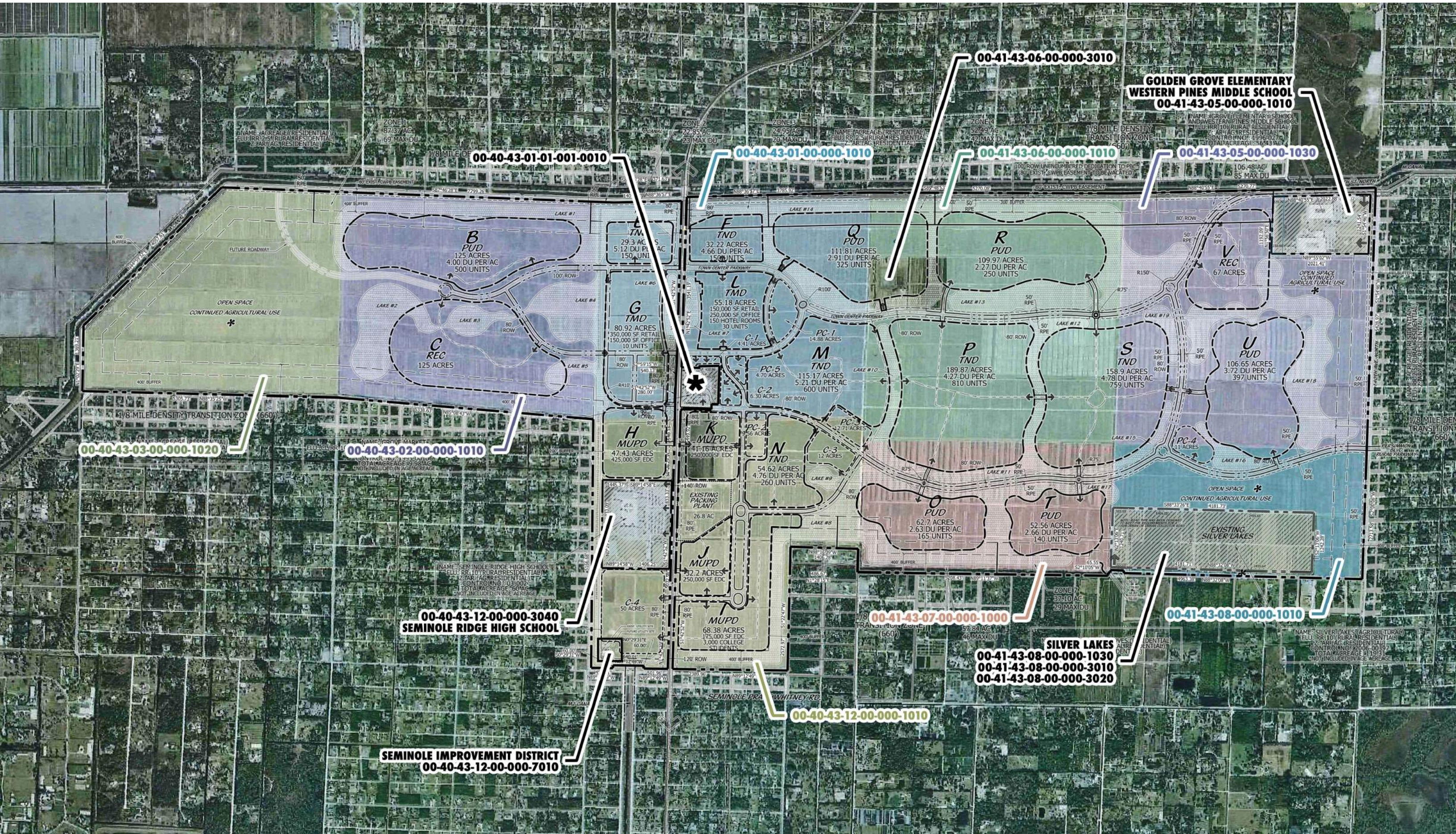
7. The grant of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. YES

Compact development is a positive development pattern for the County. Granting of the variance will permit Westlake to comply with the proposed development scheme adopted as part of the site specific amendment, which includes walking trails, buffers and large areas of open space. Therefore, the variances will not be injurious to the area involved or otherwise detrimental to the public welfare. The granting of these variances will result in more creative, diverse and live able housing product.

Granting of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare. In fact, denial of the variance would cause injury to the surrounding areas by forcing the applicant to introduce a product type more appropriately located in a TND pod. The Single Family product will create a more seamless transition from the adjacent properties to the core of the TTD.

Conclusion

The Applicant is requesting approval of Type II variances from Article 3 of the ULDC. The applicant will work closely with Staff to bring this application before the City of Westlake Planning and Zoning Board for final approval as quickly as possible. The Applicant and the entire development team are available to answer any questions Staff might have and/or provide necessary information to supplement the information provided in the submittal.



**GOLDEN GROVE ELEMENTARY
WESTERN PINES MIDDLE SCHOOL
00-41-43-05-00-000-1010**

00-40-43-01-01-001-0010

00-40-43-01-00-000-1010

00-41-43-06-00-000-3010

00-41-43-06-00-000-1010

00-41-43-05-00-000-1030

00-40-43-03-00-000-1020

00-40-43-02-00-000-1010

**00-40-43-12-00-000-3040
SEMINOLE RIDGE HIGH SCHOOL**

00-41-43-07-00-000-1000

**SILVER LAKES
00-41-43-08-00-000-1030
00-41-43-08-00-000-3010
00-41-43-08-00-000-3020**

00-41-43-08-00-000-1010

**SEMINOLE IMPROVEMENT DISTRICT
00-40-43-12-00-000-7010**

00-40-43-12-00-000-1010

LOT
LOT

1	PHASE 2	TOTAL
	TBD	TBD
	TBD	TBD
	114	325

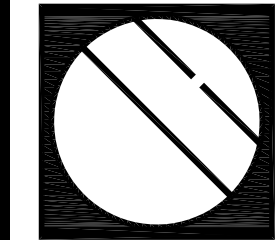
PHART

VARIANCE CHART					
APPLICATION NO.: VAR2-2016-01					
PLANNING & ZONING BOARD DATE: 01.09.2017					
RESOLUTION NO. (TBD)					
CON	REQUIRED	PROPOSED	VARIANCE (+/-)	LOT TYPE APPLICABILITY	
DRs	65'	50'	-15'	Y	N/A
DRs	40%	50%	+10%	Y*	Y*
DRs	7.5'	5'	-2.5'	Y	N/A
DRs	25'	30'	-15'	Y	Y
DRs Load Garage	25'	20'	-5'	Y	Y
DRs Load Garage	15'	10'	-5'	Y	Y

NOT APPLICABLE TO DESIGNATED LOTS-SEE SITE PLAN
NOT APPLICABLE TO THE 65' LOT SF.

PHASE I



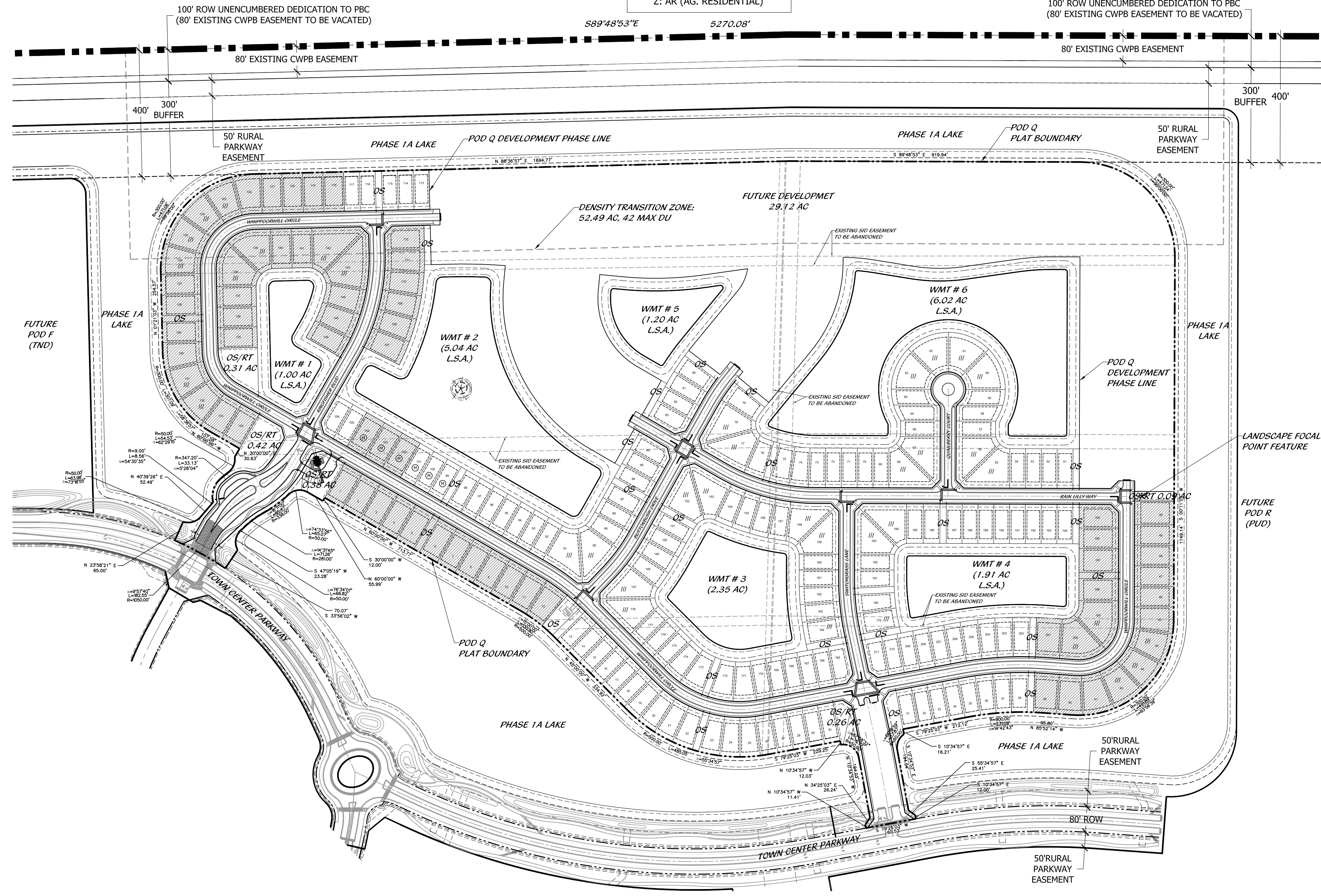


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Lic# LC-C000239

MINTO WESTLAKE POD Q FINAL SUB-DIVISION PLAN Palm Beach County, Florida

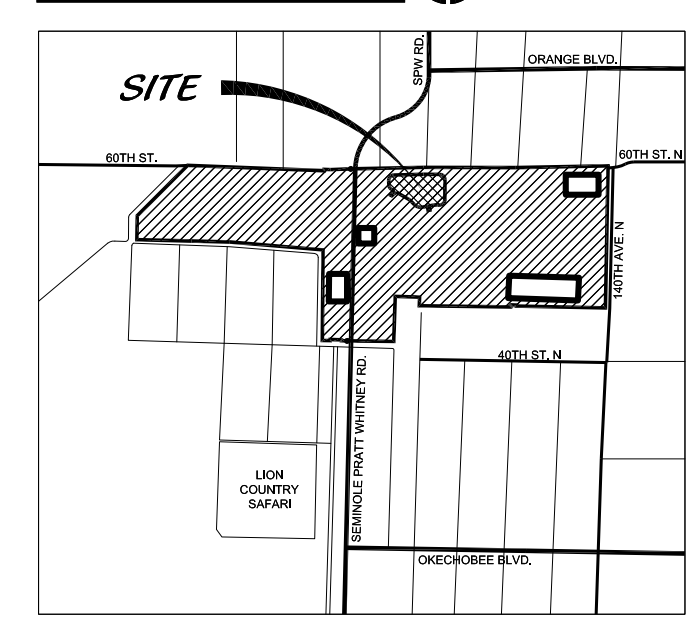
NAME: ACREAGE (RESIDENTIAL)
FLU: RR-2.5 (RURAL RESIDENTIAL)
Z: AR (AG. RESIDENTIAL)



SITE DATA

NAME OF APPLICATION (P/N NAME):	MINTO WEST - POD Q
APPLICATION NUMBER:	VAR2-2016-01
PROJECT NUMBER:	TBD
CH PROJECT NUMBER:	CH-13-0516-19
LAST CITY OF WESTLAKE APPROVAL DATE:	PENDING
RESOLUTION NUMBER:	TT09-2014-1645, R2014-1647, R2014-1648, ORDINANCE 2014-030
TIER:	RURAL (1)
FUTURE LAND USE DESIGNATION:	TT09FD
EXISTING ZONING DISTRICT:	RR-2.5
OVERLAY:	AGRICULTURAL ENCLAVE OVERLAY
SECTION/TOWNSHIP/RANGE:	6 / 43 / 40
PROPERTY CONTROL NUMBER(S):	00-41-43-00-000-1010 00-40-41-01-00-000-1010 00-41-43-00-000-0310
EXISTING USE:	VACANT/AGRICULTURE/UTILITY
APPROVED USE:	RESIDENTIAL
POD Q DATA:	4,875,851 SF 4,875,851 SF
POD Q PLAT AREA:	111.82 AC 111.82 AC
POD Q BOUNDARY AREA:	
BUILDING DATA:	2.81 DBAC 2.81 DBAC
APPROVED DENSITY:	332 UNITS
HOUSING TYPE:	SINGLE FAMILY DETACHED
PROPOSED DENSITY:	332 UNITS
TOTAL DWELLING UNITS:	332 UNITS
PHASING DATA:	PHASE I PHASE II
POD Q PLAT AREA:	87.88 AC 82.88 AC
POD Q BOUNDARY AREA:	28.94 AC 28.94 AC
DWELLING UNITS DATA:	PHASE I PHASE II
50' WIDE LOTS:	142 69
65' WIDE LOTS:	211 114
TOTAL DWELLING UNITS:	353 183
PHASE 1 PARKING DATA:	REQ PROV
5 SPACES PER DWELLING UNIT:	422 297
PARKING SPACES IN REC. AREAS (INCLUDES LANDSCAPE PARKING):	0 0
TOTAL:	422 297
BUILDING HEIGHT:	35 FT
NUMBER OF STORIES:	1.8.2
SUBDIVISION PLAN ACREAGE BREAKDOWN:	
PHASE 1:	38.05 AC 12.86 AC 1.48 AC 22.80 AC
SINGLE FAMILY (211 LOTS):	
RECREATION TRACTS:	
RECREATION AREA:	
OPEN SPACE TRACTS:	
WATER MANAGEMENT TRACTS:	
PHASE 2:	29.94 AC 111.82 AC
TRACT #4 (FUTURE DEVELOPMENT):	
TOTAL ACREAGE:	
OPEN SPACE & COMMON USE (48% MIN):	REQ (AC) 44.73
RECREATION/PARK (20% MIN):	REQ (AC) 1.27
PHASE 1:	PROV (AC) 1.42
PHASE 2:	PROV (AC) 1.42
TOTAL:	PROV (AC) 2.84
LANDSCAPE FOCAL POINT FEATURES (5% OF POD TERMINATED VESTAS):	REQ 1
LAKE SURFACE WATER DATA:	REQ (AC) 1.00
WMT #1 LAKE SURFACE AREA:	PROV (AC) 8.04
WMT #2 LAKE SURFACE AREA:	TOTAL (AC) 2.35
WMT #3 LAKE SURFACE AREA:	1.81
WMT #4 LAKE SURFACE AREA:	1.20
WMT #5 LAKE SURFACE AREA:	8.02
WMT #6 LAKE SURFACE AREA:	

LOCATION MAP



LEGEND

ADT	AVERAGE DAILY TRIPS
CWPB	CITY OF WEST PALM BEACH
DE	DRAINAGE EASEMENT
HC	HANDICAP
LAE	LIMITED ACCESS EASEMENT
LB	LANDSCAPE BUFFER
LMAE	LAKE MAINTENANCE ACCESS EASEMENT
LM	LAKE MAINTENANCE EASEMENT
L.S.A.	LAKE SURFACE AREA
OS	OPEN SPACE
O.S.T	OPEN SPACE TRACT
R	RADIUS
RPE	RURAL PARKWAY EASEMENT
R.T.	RECREATIONAL TRACT
SB	SETBACK
SD	SEMINOLE IMPROVEMENT DISTRICT
SW	SIDEWALK
TYP	TYPICAL
WMT	WATER MANAGEMENT TRACT
*	STOP SIGN & BAR
*	LANDSCAPE FOCAL POINT FEATURE
(M)	MODEL HOME LOT
⊗	STREET LIGHTPOLE
⊗	DECORATIVE ENTRY STREETLIGHT
///	LOTS NOT REQUIRING VARIANCE #2
▨	65' WIDE LOTS
□	50' WIDE LOTS

VARIANCE CHART

VARIANCE CHART					
APPLICATION NO.: VAR2-2016-01					
PLANNING & ZONING BOARD DATE: 01.09.2017					
RESOLUTION NO. (TBD)					
ULDC SECTION	REQUIRED	PROPOSED	VARIANCE (+/-)	LOT TYPE APPLICABILITY	
				50'	65'
1. Sect. 3.D.1.A PUD SF PDRs	65'	50'	-15'	Y	N/A
Min. Lot Width					
2. Sect. 3.D.1.A PUD SF PDRs	40%	50%	+10%	Y*	Y*
Max. Bldg Coverage *					
3. Sect. 3.D.1.A PUD SF PDRs	7.5'	5'	-2.5'	Y	N/A
Side Setback **					
4. Sect. 3.D.1.A PUD SF PDRs	25'	10'	-15'	Y	Y
Front Setback for Unit					
5. Sect. 3.D.1.A PUD SF PDRs	25'	20'	-5'	Y	Y
Front Setback for Front Load Garage					
6. Sect. 3.D.1.A PUD SF PDRs	15'	10'	-5'	Y	Y
Front Setback for Side Load Garage					

* NOTE: VARIANCE #2 IS NOT APPLICABLE TO DESIGNATED LOTS-SEE SITE PLAN
** NOTE: VARIANCE #3 IS NOT APPLICABLE TO THE 65' LOT SF.

LOTS TO WHICH VAR. #2 DO NOT APPLY

42	68	132	164
43	77	138	178
44	78	139	179
55	90	142	183
56	91	143	184
60	123	147	199
61	124	152	200
62	125	153	
63	126	158	
67	131	159	

DRO CONDITIONS

ENGINEERING
1. PRIOR TO THE RECORDATION OF A PLAT, THE PROPERTY OWNER SHALL ABANDON OR RELEASE, AND RELOCATE IF NECESSARY, ANY AND ALL EASEMENTS SHOWN IN CONFLICT WITH THE PROPOSED IMPROVEMENTS.

SCHOOLS:
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 BE ASSIGNED TO THE PUBLIC SCHOOL CLOSEST TO THEIR RESIDENCES. SCHOOL BOARD POLICIES REGARDING LEVELS OF SERVICE OR OTHER BOUNDARY POLICY DECISIONS AFFECT SCHOOL BOUNDARIES. PLEASE CONTACT THE PALM BEACH COUNTY SCHOOL DISTRICT BOUNDARY OFFICE AT (561) 434-8100 FOR THE MOST CURRENT SCHOOL ASSIGNMENT(S)."

NOTE:
SAFE SIGHT DISTANCE TRIANGLE PER F.D.O.T. FLORIDA GREEN BOOK. SHOWN AT INTERSECTIONS WITHIN 100 FEET OF ROADWAY CURVE. DESIGN SPEED IS 20 MPH. SIGHT DISTANCE IS MEASURED FROM 14.5 FEET BACK FROM EDGE OF TRAVEL LANE TO 210 FEET FROM THE CENTER OF THE STOP LOCATION

PROPERTY DEVELOPMENT REGULATIONS

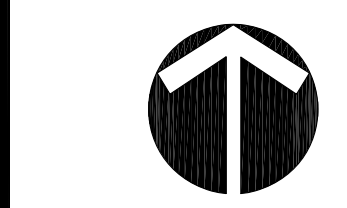
PROPERTY DEVELOPMENT REGULATIONS							
APPLICATION NO. VAR2-2016-01							
ZONING DISTRICT OR POD	MINIMUM LOT DIMENSIONS			BLDG. COVER	MIN. BUILDING SETBACKS		
	SIZE	WIDTH	DEPTH		FRONT	SIDE (STREET)	REAR
REQUIRED	POD Q	6,000 SF	65'	75'	40%	25'	7.5' 15'
PROPOSED	POD Q	50' WIDE LOT MIN. = 6,250 SF 65' WIDE LOT MIN. = 8,125 SF	50'	125'	50%	10' - UNIT ¹⁴ 20' - FLG ¹⁵ 10' - SLG ¹⁶	5'-11' 15'

* ASSOCIATED VARIANCE NUMBER

NOTE: ROADWAY DESIGN SPEED IS 20 MILES PER HOUR, TYP.

DRO AMENDMENTS

ZONING STAMP

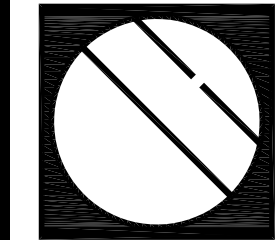


Scale: 1" = 200'

December 14, 2016 2:26:36 p.m.
13-0518_POD Q SUBDIVISION.DWG

SHEET FSBP1 OF 5

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These drawings are the property of the architect and are not to be used for extensions or on other projects except by agreement in writing with the architect. Immediately report any discrepancies to the architect.

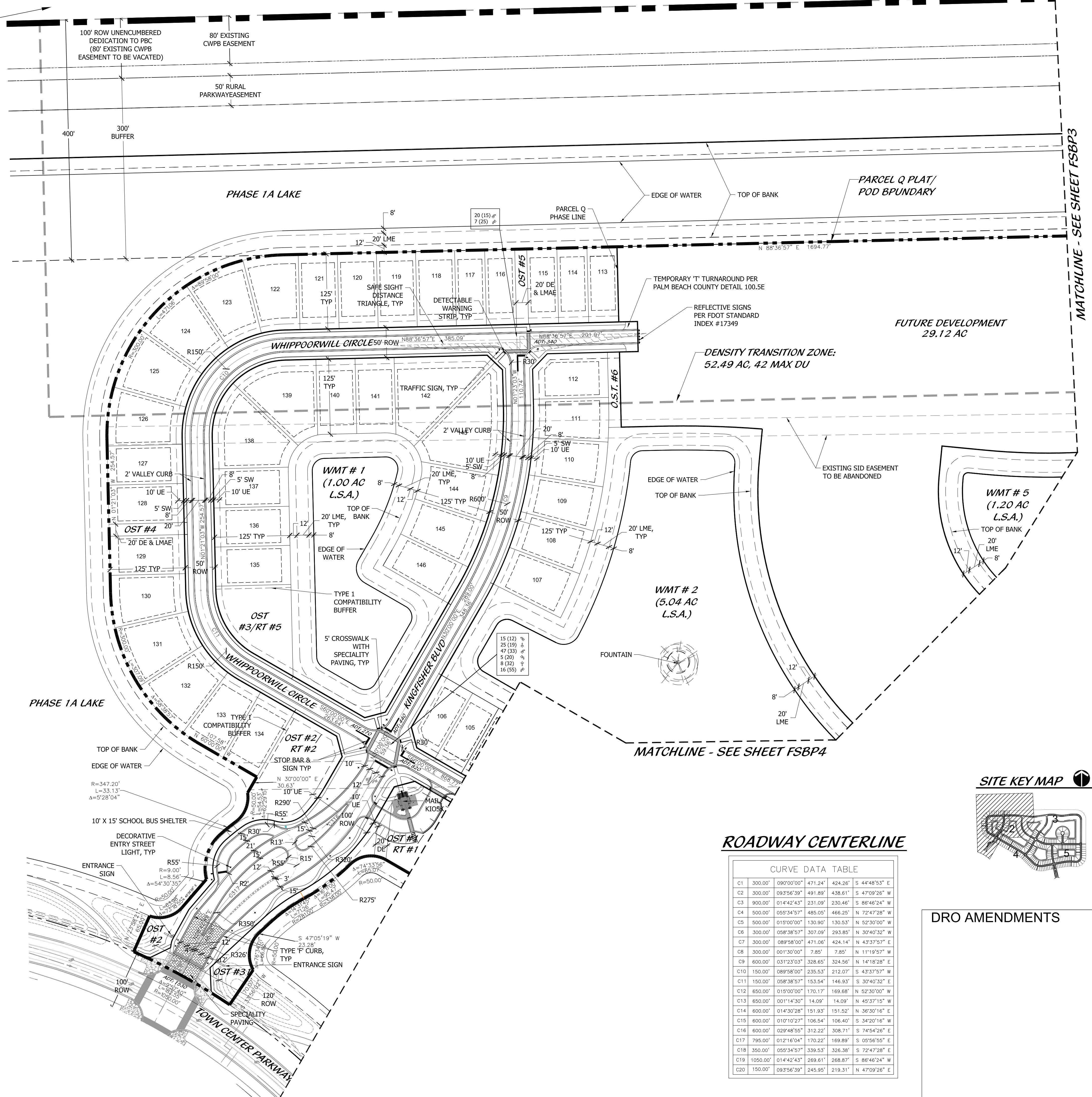


Cotleur & Hearing

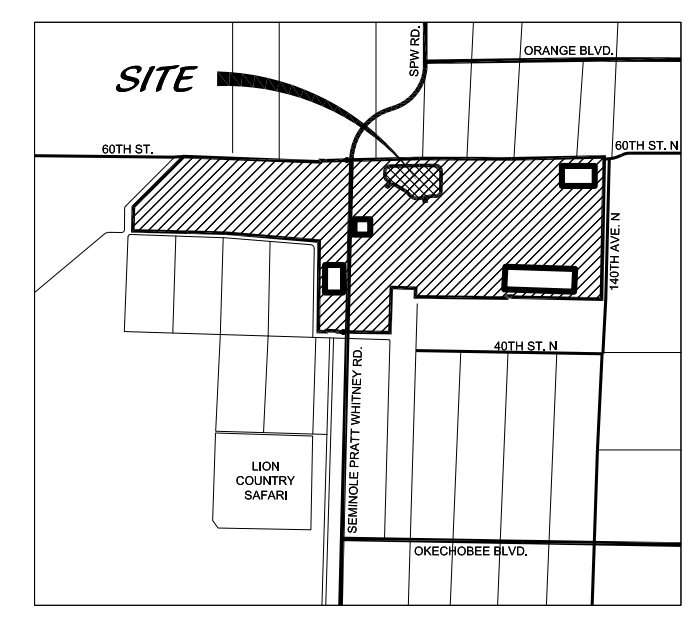
Landscape Architects
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MINTO WESTLAKE POD Q FINAL SUB-DIVISION PLAN Palm Beach County, Florida

NAME: ACREAGE (RESIDENTIAL)
FLU: RR-2.5 (RURAL RESIDENTIAL)
Z: AR (AG. RESIDENTIAL)



LOCATION MAP

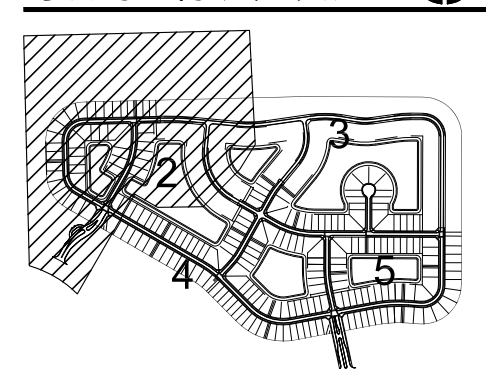


NOTE:
SAFE SIGHT DISTANCE TRIANGLE PER
F.D.O.T. FLORIDA GREEN BOOK.
SHOWN AT INTERSECTIONS WITHIN 100
FEET OF ROADWAY CURVE. DESIGN
SPEED IS 20 MPH. SIGHT DISTANCE IS
MEASURED FROM 14.5 FEET BACK
FROM EDGE OF TRAVEL LANE TO 210
FEET FROM THE CENTER OF THE STOP
LOCATION

LEGEND

- ADT AVERAGE DAILY TRIPS
- CWPB CITY OF WEST PALM BEACH DRAINAGE EASEMENT
- DE DRAINAGE EASEMENT
- HC HANDICAP
- LAE LIMITED ACCESS EASEMENT
- LB LANDSCAPE BUFFER
- LMAE LAKE MAINTENANCE ACCESS EASEMENT
- LME LAKE MAINTENANCE EASEMENT
- L.S.A. LAKE SURFACE AREA
- OS OPEN SPACE
- O.S.T. OPEN SPACE TRACT
- R RADIUS
- RPE RURAL PARKWAY EASEMENT
- R.T. RECREATIONAL TRACT
- SB SETBACK
- SID SEMINOLE IMPROVEMENT DISTRICT
- SW SIDEWALK
- TYP TYPICAL
- WMT WATER MANAGEMENT TRACT
- STOP SIGN & BAR
- * LANDSCAPE FOCAL POINT FEATURE
- (M) MODEL HOME LOT
- STREET LIGHTPOLE
- DECORATIVE ENTRY STREETLIGHT

SITE KEY MAP

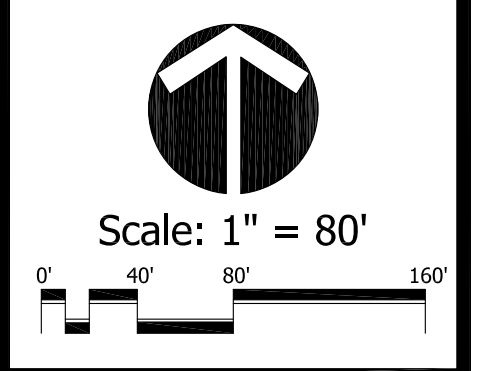


ROADWAY CENTERLINE

Curve	Stationing	Length	PC	PT	Curve Data
C1	300.00'	09°00'00"	471.24'	424.26'	S 44°48'53" E
C2	300.00'	09°56'39"	491.89'	438.61'	S 47°09'26" W
C3	900.00'	01°42'43"	231.09'	230.46'	S 86°46'24" W
C4	500.00'	05°34'57"	485.05'	466.25'	N 72°47'28" W
C5	500.00'	01°50'00"	130.90'	130.53'	N 52°30'00" W
C6	300.00'	05°38'57"	307.09'	293.85'	N 30°40'32" W
C7	300.00'	08°58'00"	471.06'	424.14'	N 43°37'57" E
C8	300.00'	00°13'00"	7.85'	7.85'	N 11°19'57" W
C9	600.00'	03°12'03"	328.65'	324.56'	N 14°18'28" E
C10	150.00'	08°58'00"	235.53'	212.07'	S 43°37'57" W
C11	150.00'	05°38'57"	153.54'	146.93'	S 30°40'32" E
C12	650.00'	01°50'00"	170.17'	169.68'	N 52°30'00" W
C13	650.00'	00°14'30"	14.09'	14.09'	N 49°37'15" W
C14	600.00'	01°42'43"	151.93'	151.52'	N 36°30'16" E
C15	600.00'	01°10'27"	106.54'	106.40'	S 34°20'16" W
C16	600.00'	02°48'55"	312.22'	308.71'	S 74°54'26" E
C17	795.00'	01°21'04"	170.22'	169.89'	S 05°56'50" E
C18	850.00'	05°34'57"	339.53'	326.38'	S 72°47'28" E
C19	1050.00'	01°42'43"	269.61'	268.87'	S 86°46'24" W
C20	150.00'	09°56'39"	245.95'	219.31'	N 47°09'26" E

DRO AMENDMENTS

ZONING STAMP



April 25, 2016 10:26:29 a.m.
Drawing: 13-0518_P00_Q SUB.DWG

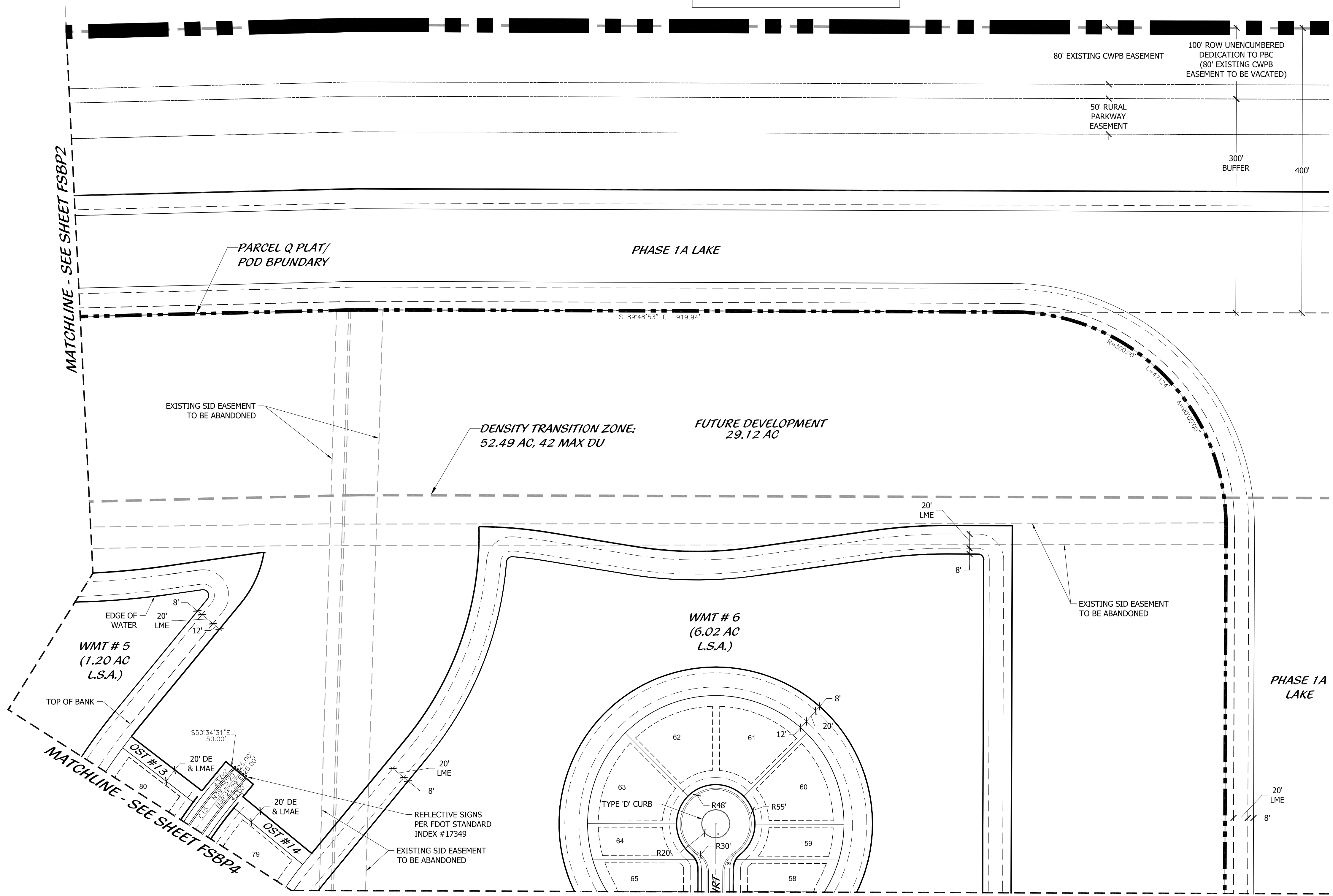
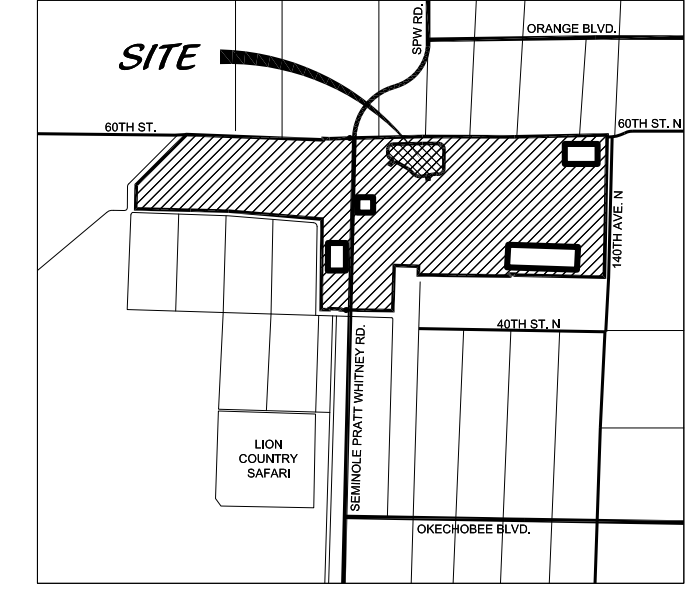


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LOCATION MAP

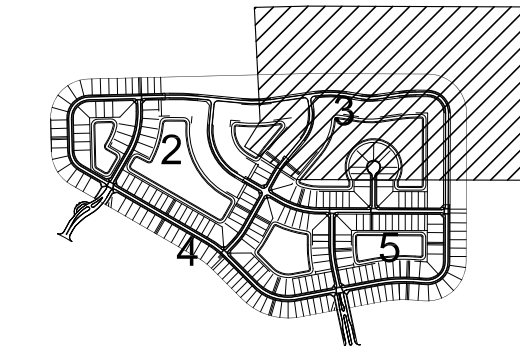


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- STOP SIGN & BAR
- * LANDSCAPE FOCAL POINT FEATURE
- (M) MODEL HOME LOT
- STREET LIGHTPOLE
- DECORATIVE ENTRY STREETLIGHT

SITE KEY MAP



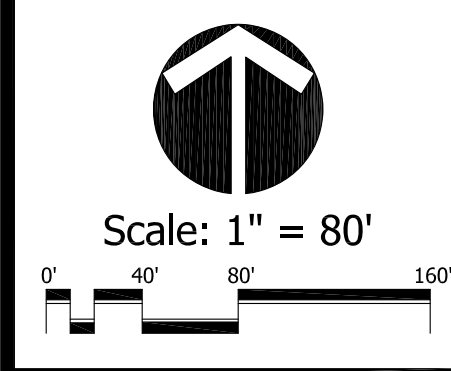
ROADWAY CENTERLINE

CURVE DATA TABLE						
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C1	300.00'	090°00'00"	471.24'	424.26'	S 44°48'53" E	
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C6	300.00'	058°38'57"	307.09'	293.85'	N 30°40'32" W	
C7	300.00'	089°58'00"	471.06'	424.14'	N 43°37'57" E	
C8	300.00'	001°30'00"	7.85'	7.85'	N 11°19'57" W	
C9	600.00'	031°23'03"	328.65'	324.56'	N 14°18'28" E	
C10	150.00'	089°58'00"	235.53'	212.07'	S 43°37'57" W	
C11	150.00'	058°38'57"	153.54'	146.93'	S 30°40'32" E	
C12	650.00'	015°00'00"	170.17'	169.68'	N 52°30'00" W	
C13	650.00'	001°14'30"	14.09'	14.09'	N 49°37'15" W	
C14	600.00'	014°30'28"	151.93'	151.52'	N 36°30'16" E	
C15	600.00'	010°10'27"	106.54'	106.40'	S 34°20'16" W	
C16	600.00'	029°48'55"	312.22'	308.71'	S 74°54'26" E	
C17	795.00'	012°16'04"	170.22'	169.89'	S 05°56'50" E	
C18	350.00'	055°34'57"	339.53'	326.38'	S 72°47'28" E	
C19	1050.00'	014°42'43"	269.61'	268.87'	S 86°46'24" W	
C20	150.00'	093°56'39"	245.95'	219.31'	N 47°09'26" E	

DRO AMENDMENTS

ZONING STAMP

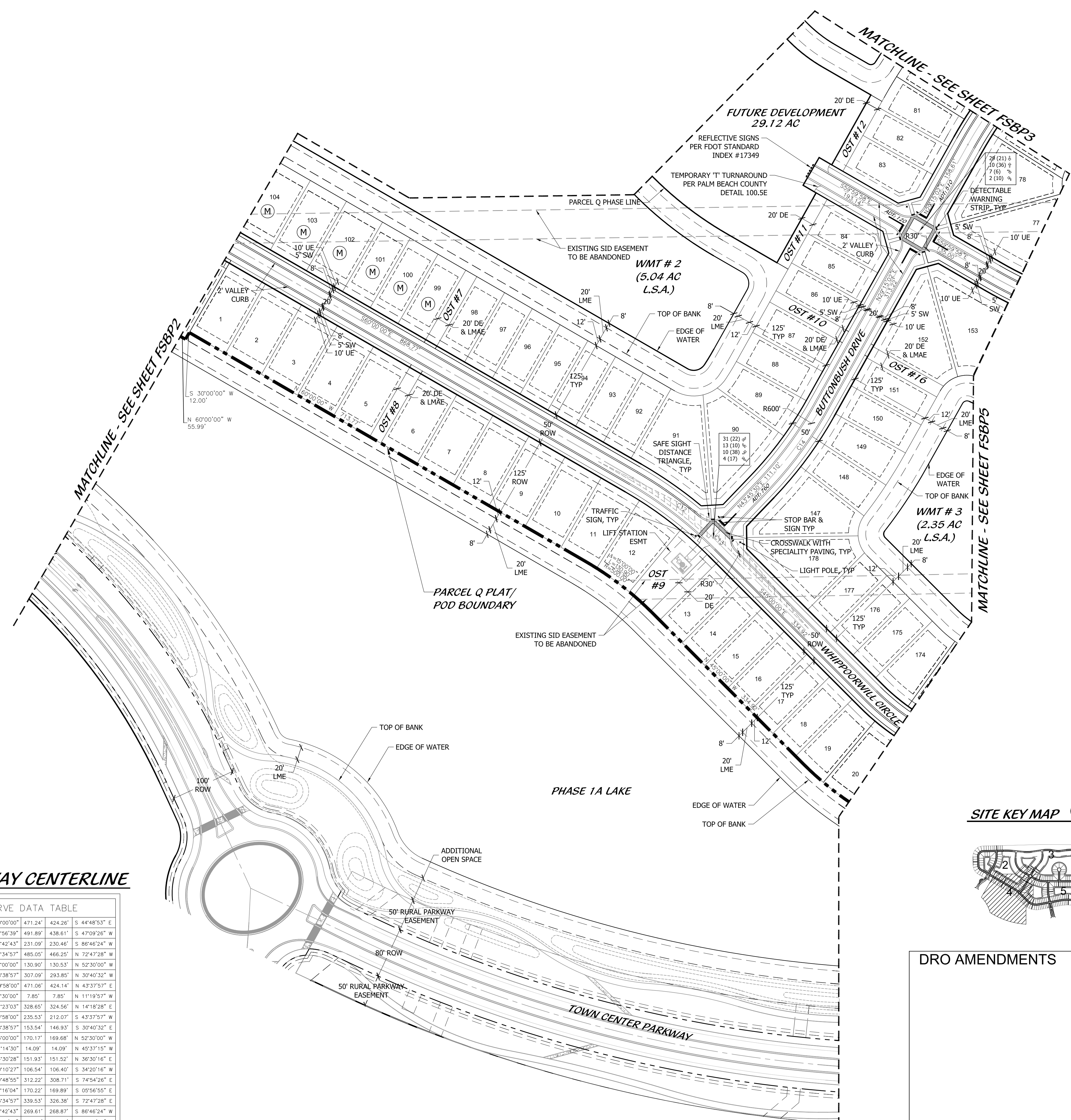
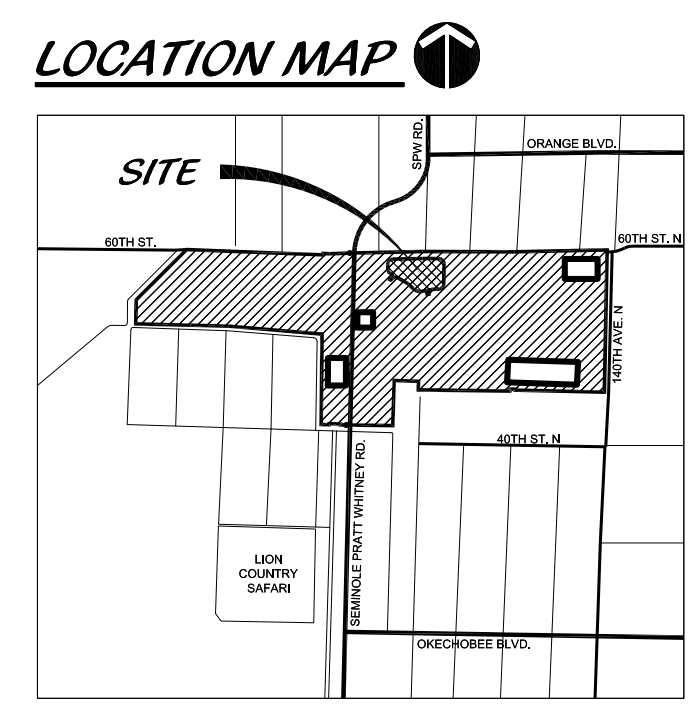
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DRAWN	MCR
APPROVED	DEH
JOB NUMBER	13-0518.19
DATE	11-14-16
REVISIONS	



April 25, 2016 10:26:29 a.m.
 Drawing: 13-0518 POD Q SUB.DWG

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MINTO WESTLAKE
POD Q
 FINAL SUB-DIVISION PLAN
 Palm Beach County, Florida



NOTE:
 SAFE SIGHT DISTANCE TRIANGLE PER F.D.O.T. FLORIDA GREEN BOOK. SHOWN AT INTERSECTIONS WITHIN 100 FEET OF ROADWAY CURVE. DESIGN SPEED IS 20 MPH. SIGHT DISTANCE IS MEASURED FROM 14.5 FEET BACK FROM EDGE OF TRAVEL LANE TO 210 FEET FROM THE CENTER OF THE STOP LOCATION

LEGEND

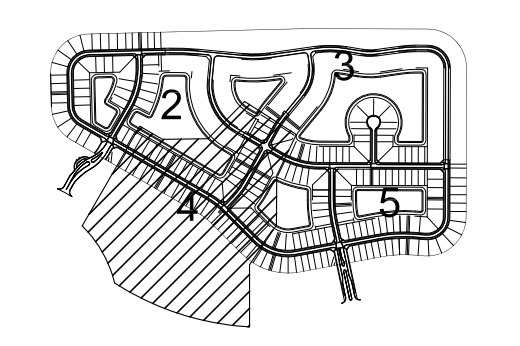
ADT	AVERAGE DAILY TRIPS
CWPB	CITY OF WEST PALM BEACH
DE	DRAINAGE EASEMENT
HC	HANDICAP
LAE	LIMITED ACCESS EASEMENT
LB	LANDSCAPE BUFFER
LMAE	LAKE MAINTENANCE ACCESS EASEMENT
LME	LAKE MAINTENANCE EASEMENT
L.S.A.	LAKE SURFACE AREA
OS	OPEN SPACE
O.S.T	OPEN SPACE TRACT
R	RADIUS
RPE	RURAL PARKWAY EASEMENT
R.T.	RECREATIONAL TRACT
SB	SETBACK
SID	SEMINOLE IMPROVEMENT DISTRICT
SW	SIDEWALK
TYP	TYPICAL
WMT	WATER MANAGEMENT TRACT
WMT	STOP SIGN & BAR
*	LANDSCAPE FOCAL POINT FEATURE
(M)	MODEL HOME LOT
⬤	STREET LIGHTPOLE
⊗	DECORATIVE ENTRY STREETLIGHT

ROADWAY CENTERLINE

CURVE DATA TABLE

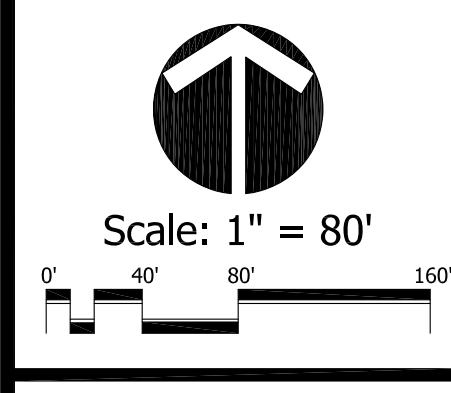
C	Length	Start	End	Bearing
C1	300.00'	090°00'00"	471.24'	424.26' S 44°48'53" E
C2	300.00'	093°56'39"	491.89'	438.61' S 47°09'26" W
C3	900.00'	014°42'43"	231.09'	230.46' S 86°46'24" W
C4	500.00'	055°34'57"	485.05'	466.25' N 72°47'28" W
C5	500.00'	015°00'00"	130.90'	130.53' N 52°30'00" W
C6	300.00'	058°38'57"	307.09'	293.85' N 30°40'32" W
C7	300.00'	089°58'00"	471.06'	424.14' N 43°37'57" E
C8	300.00'	001°30'00"	7.85'	7.85' N 11°19'57" E
C9	600.00'	031°23'03"	328.65'	324.56' N 14°18'28" E
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C11	150.00'	058°38'57"	153.54'	146.93' S 30°40'32" E
C12	650.00'	015°00'00"	170.13'	169.68' N 52°30'00" W
C13	650.00'	001°14'30"	14.09'	14.09' N 49°37'15" W
C14	600.00'	014°30'28"	151.93'	151.52' N 36°30'16" E
C15	600.00'	010°10'27"	106.54'	106.40' S 34°20'16" W
C16	600.00'	029°48'55"	312.22'	308.71' S 74°54'26" E
C17	795.00'	012°16'04"	170.22'	169.89' S 05°56'55" E
C18	350.00'	055°34'57"	339.53'	326.38' S 72°47'28" E
C19	1050.00'	014°42'43"	269.61'	268.87' S 86°46'24" W
C20	150.00'	093°56'39"	245.95'	219.31' N 47°09'26" E

SITE KEY MAP



DRO AMENDMENTS

ZONING STAMP

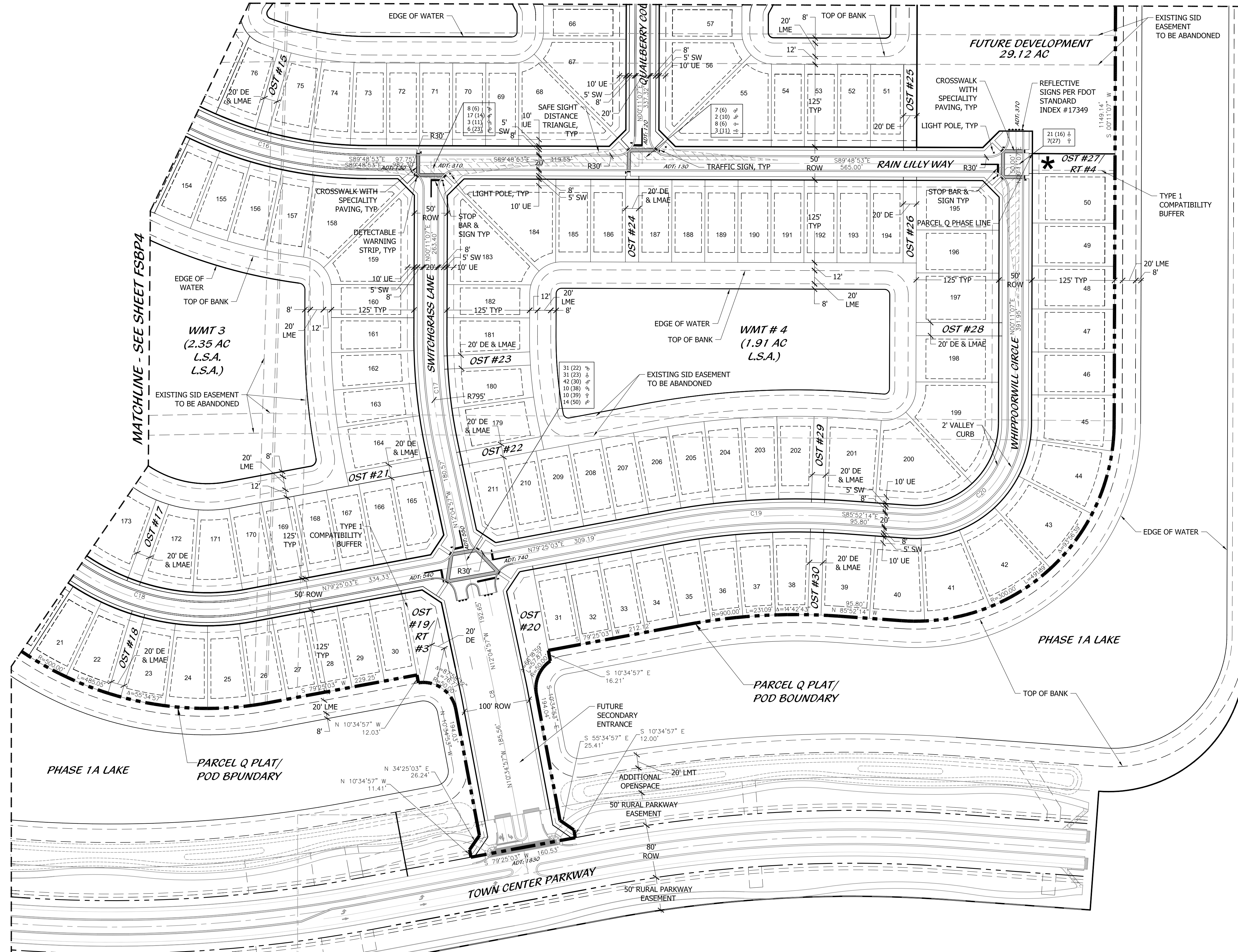


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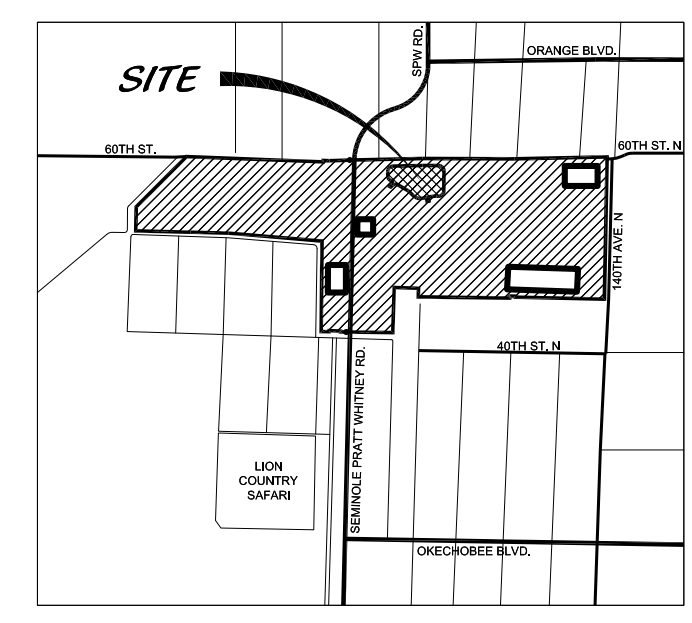
Cotleur & Hearing
 Landscape Architects
 Land Planners
 Environmental Consultants
 1934 Commerce Lane
 Suite 1
 Jupiter, Florida 33458
 561.747.6336 • Fax 747.1377
 www.cotleurhearing.com
 Lic# LC-C000239

MINTO WESTLAKE
POD Q
 FINAL SUB-DIVISION PLAN
 Palm Beach County, Florida

MATCHLINE - SEE SHEET FSBP3



LOCATION MAP



FUTURE
 POD R
 (PUD)

PROPOSED
 PHASE 1A
 BOUNDARY

ROADWAY CENTERLINE

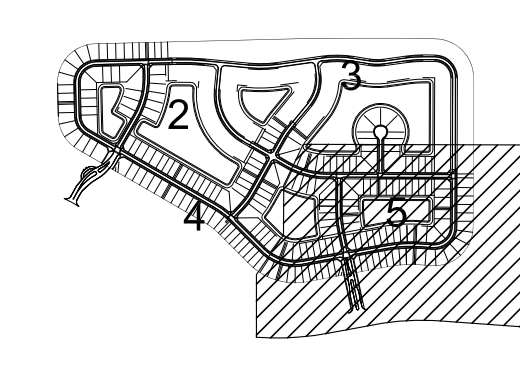
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C2	300.00'	093°56'39"	491.89'	438.61'	S 47°09'26" W	
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NOTE:
 SAFE SIGHT DISTANCE TRIANGLE PER
 F.D.O.T. FLORIDA GREEN BOOK.
 SHOWN AT INTERSECTIONS WITHIN 100
 FEET OF ROADWAY CURVE. DESIGN
 SPEED IS 20 MPH. SIGHT DISTANCE IS
 MEASURED FROM 14.5 FEET BACK
 FROM EDGE OF TRAVEL LANE TO 210
 FEET FROM THE CENTER OF THE STOP
 LOCATION

LEGEND

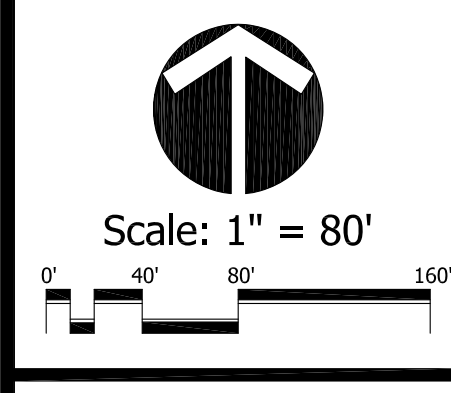
- ADT AVERAGE DAILY TRIPS
- CWPB CITY OF WEST PALM BEACH
- DE DRAINAGE EASEMENT
- HC HANDICAP
- LAE LIMITED ACCESS EASEMENT
- LB LANDSCAPE BUFFER
- LMAE LAKE MAINTENANCE ACCESS EASEMENT
- LME LAKE MAINTENANCE EASEMENT
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- O.S.T OPEN SPACE TRACT
- R RADIUS
- RPE RURAL PARKWAY EASEMENT
- R.T. RECREATIONAL TRACT
- SB SETBACK
- SID SEMINOLE IMPROVEMENT DISTRICT
- SW SIDEWALK
- TYP TYPICAL
- WMT WATER MANAGEMENT TRACT
- STOP SIGN & BAR
- * LANDSCAPE FOCAL POINT FEATURE
- (M) MODEL HOME LOT
- STREET LIGHTPOLE
- DECORATIVE ENTRY STREETLIGHT

SITE KEY MAP

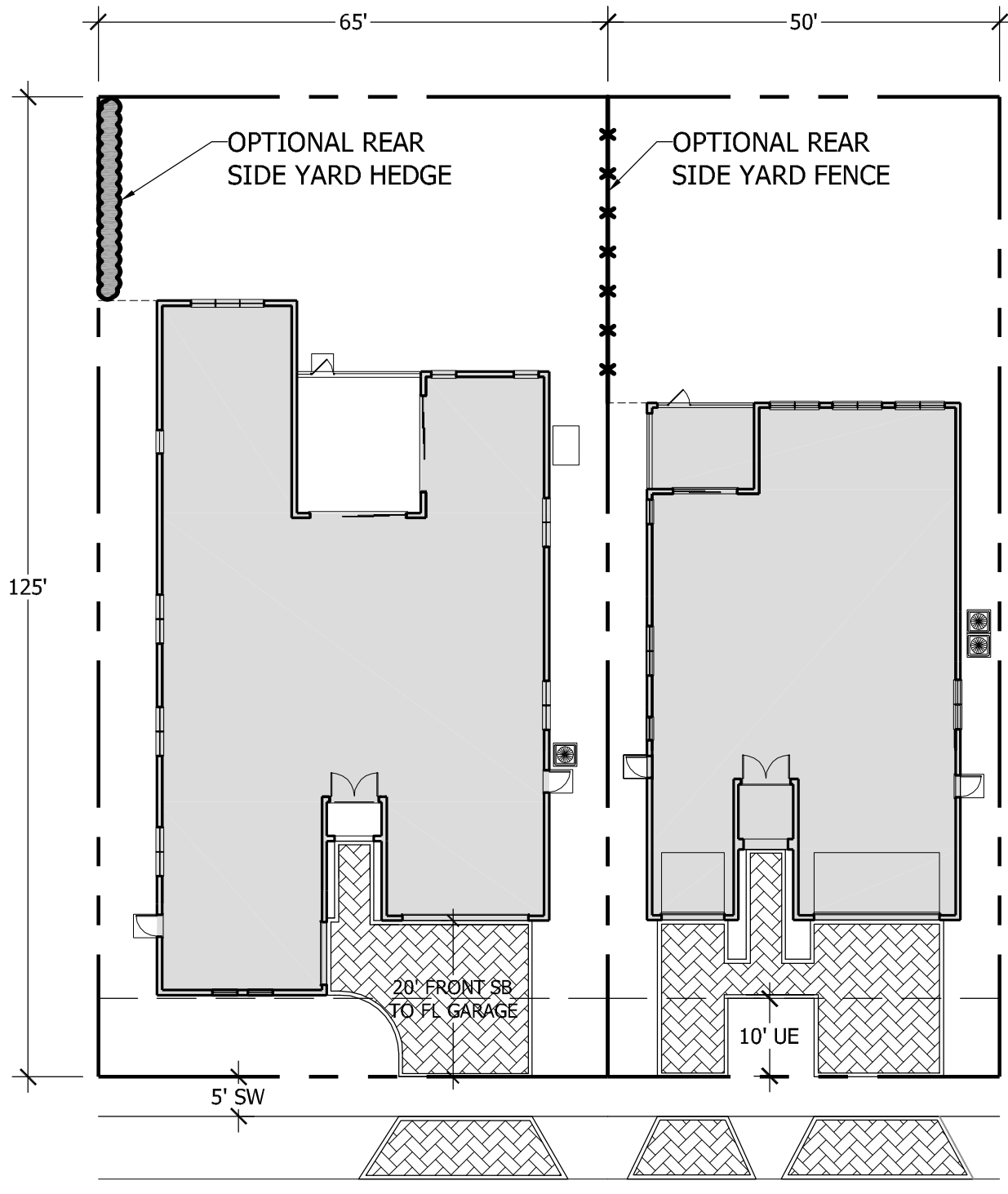


DRO AMENDMENTS

ZONING STAMP



April 25, 2016 10:26:29 a.m.
Drawing: 13-0518_POD Q SUB.DWG



STREET

NOTE: AT THE OPTION OF THE HOME OWNER, A FENCE OR HEDGE MAY BE INSTALLED ALONG THE SIDE PROPERTY LINE EXTENDING FROM THE REAR CORNER OF THE HOME TO THE REAR PROPERTY LINE.

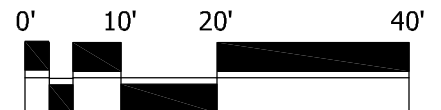
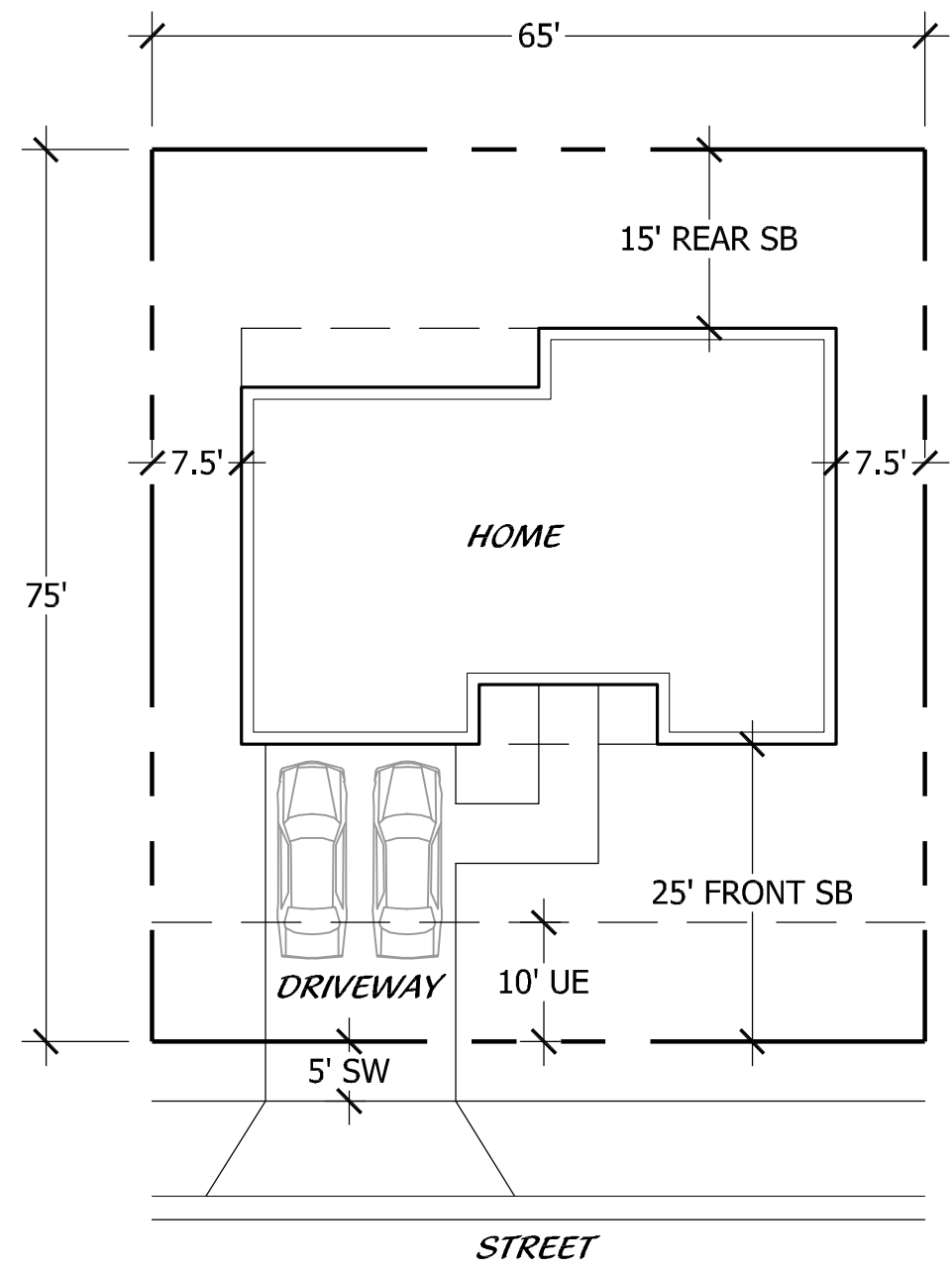
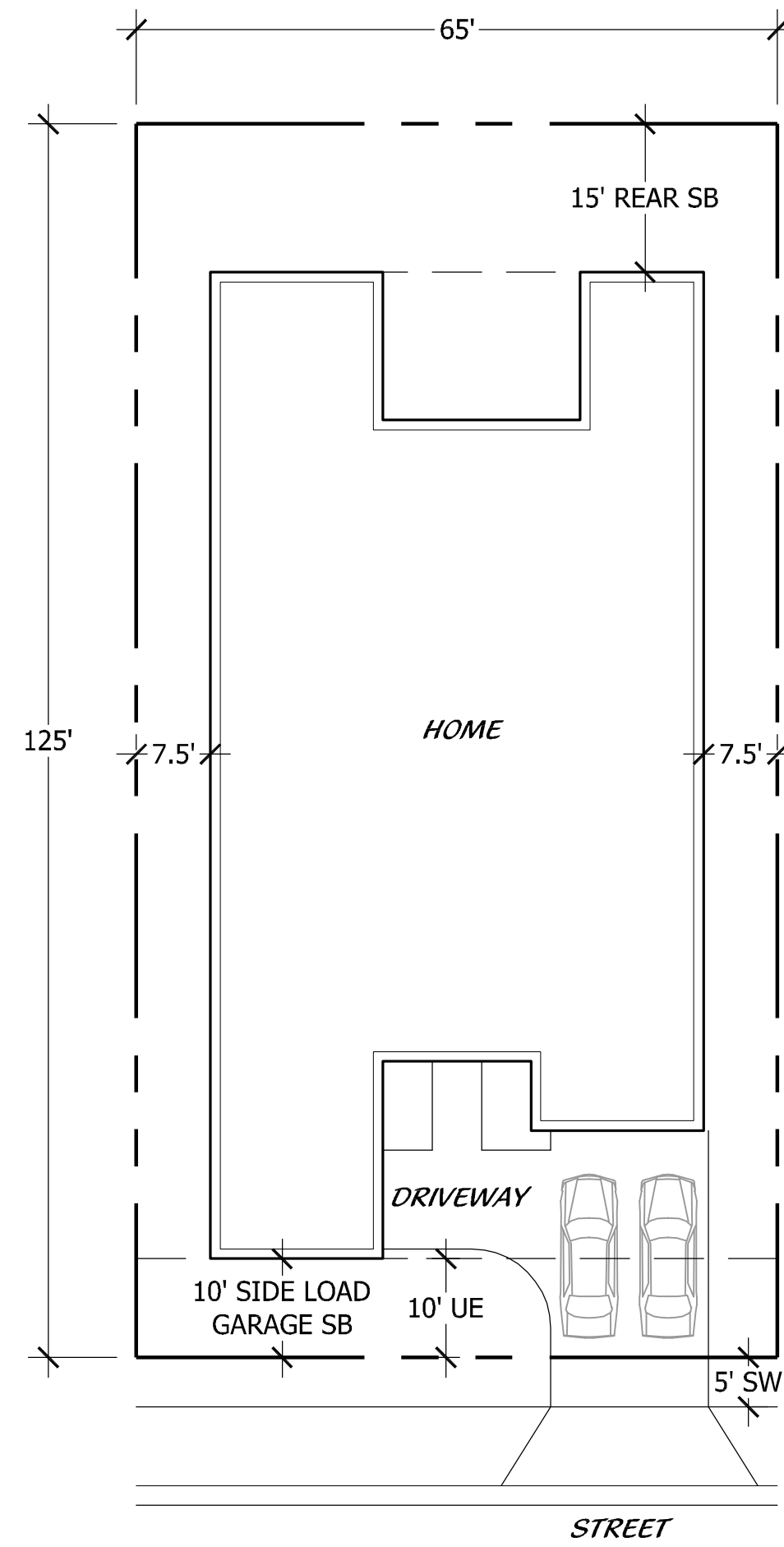


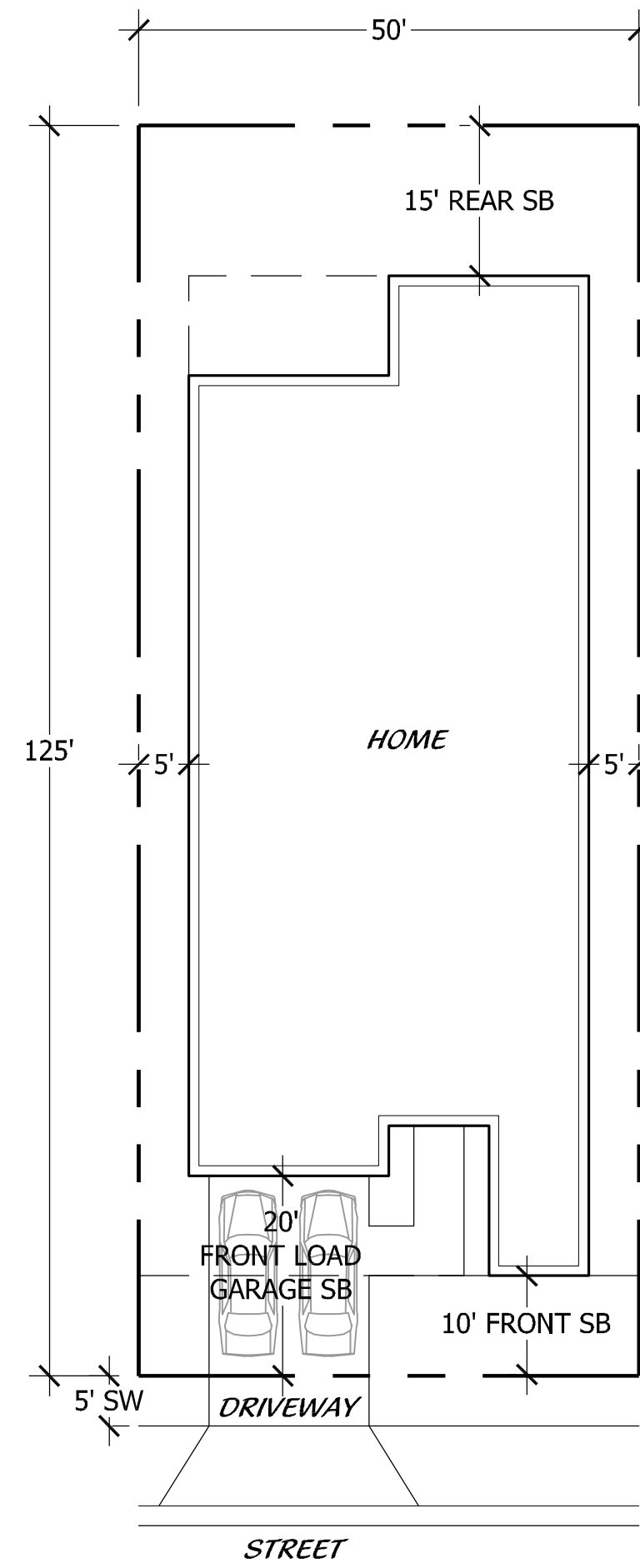
EXHIBIT A - POD Q OPTIONAL REAR SIDE YARD SCREENING EXHIBIT



PALM BEACH COUNTY STANDARD
3.D.1.A TYPICAL SINGLE FAMILY (RS) SITE PLAN - PUD SCALE: 1"=16'



PROPOSED WESTLAKE STANDARD
PROPOSED MINTO WEST TYPICAL SINGLE FAMILY (RS) SITE PLAN - PUD SCALE: 1"=16'



PROPOSED WESTLAKE STANDARD
PROPOSED MINTO WEST TYPICAL SINGLE FAMILY (RS) SITE PLAN - PUD SCALE: 1"=16'

NOTE: EACH LOT SHALL PROVIDE A MINIMUM OF TWO (2) PARKING SPACES PER UNIT.

VARIANCE CHART

VARIANCE CHART					
APPLICATION NO.: VAR2-2016-01					
PLANNING & ZONING BOARD DATE: 01.09.2017					
RESOLUTION NO. (TBD)					
ULDC SECTION	REQUIRED	PROPOSED	VARIANCE (+/-)	LOT TYPE APPLICABILITY	
				50'	65'
1 Sect. 3.D.1.A PUD SF PDRs Min. Lot Width	65'	50'	- 15'	Y	N/A
2 Sect. 3.D.1.A PUD SF PDRs Max. Bldg Coverage *	40%	50%	+ 10%	Y *	Y *
3 Sect. 3.D.1.A PUD SF PDRs Side Setback **	7.5'	5'	- 2.5'	Y	N/A
4 Sect. 3.D.1.A PUD SF PDRs Front Setback for Unit	25'	10'	- 15'	Y	Y
5 Sect. 3.D.1.A PUD SF PDRs Front Setback for Front load Garage	25'	20'	- 5'	Y	Y
6 Sect. 3.D.1.A PUD SF PDRs Front Setback for Side Load Garage	15'	10'	- 5'	Y	Y

* NOTE: VARIANCE #2 IS NOT APPLICABLE TO DESIGNATED LOTS- SEE SITE PLAN
** NOTE: VARIANCE #3 IS NOT APPLICABLE TO THE 65' LOT SF.

LOTS TO WHICH VAR. #2 DO NOT APPLY

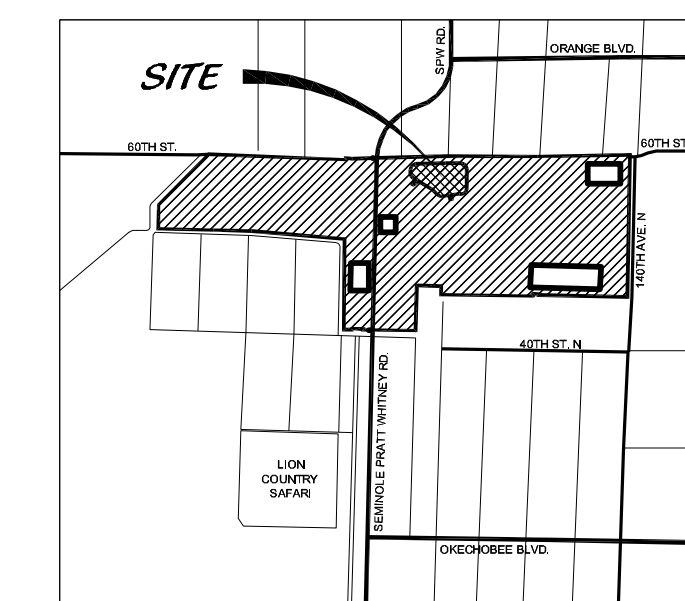
42	68	132	164
43	77	138	178
44	78	139	179
55	90	142	183
56	91	143	184
60	123	147	199
61	124	152	200
62	125	153	
63	126	158	
67	131	159	

PROPERTY DEVELOPMENT REGULATIONS

PROPERTY DEVELOPMENT REGULATIONS									
APPLICATION NO. VAR2-2016-01									
	ZONING DISTRICT OR POD	MINIMUM LOT DIMENSIONS			BLDG. COVER	MIN. BUILDING SETBACKS			
		SIZE	WIDTH	DEPTH		FRONT	SIDE	SIDE STREET	REAR
REQUIRED	POD Q	6,000 SF	65'	75'	40%	25'	7.5'	15'	15'
PROPOSED	POD Q	50' WIDE LOT MIN. = 6,250SF 65' WIDE LOT MIN. = 8,125 SF	50' *1	125'	50% *2	10' - UNIT *4 20' - FLG *5 10' - SLG *6	5' *3	15'	15'

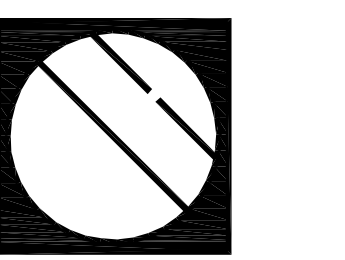
*# ASSOCIATED VARIANCE NUMBER

LOCATION MAP



DRO AMENDMENTS

ZONING STAMP



Cotleur & Hearing

Landscape Architects
Land Planners
Environmental Consultants
1934 Commerce Lane
Suite 1
Jupiter, Florida 33458
561.747.6336 · Fax 747.1377
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Lic# LC-C000239

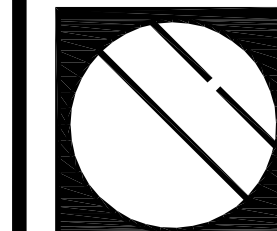
WESTLAKE
POD Q
 TYPE II VARIANCE EXHIBIT - LOT LAYOUT
 Palm Beach County, Florida

DESIGNED	DEH
DRAWN	MCR
APPROVED	DEH
JOB NUMBER	13-0518-19
DATE	11-11-16
REVISIONS	12-01-16
	12-07-16
	12-14-16

December 14, 2016 2:28:58 p.m.
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SHEET 1 OF 1

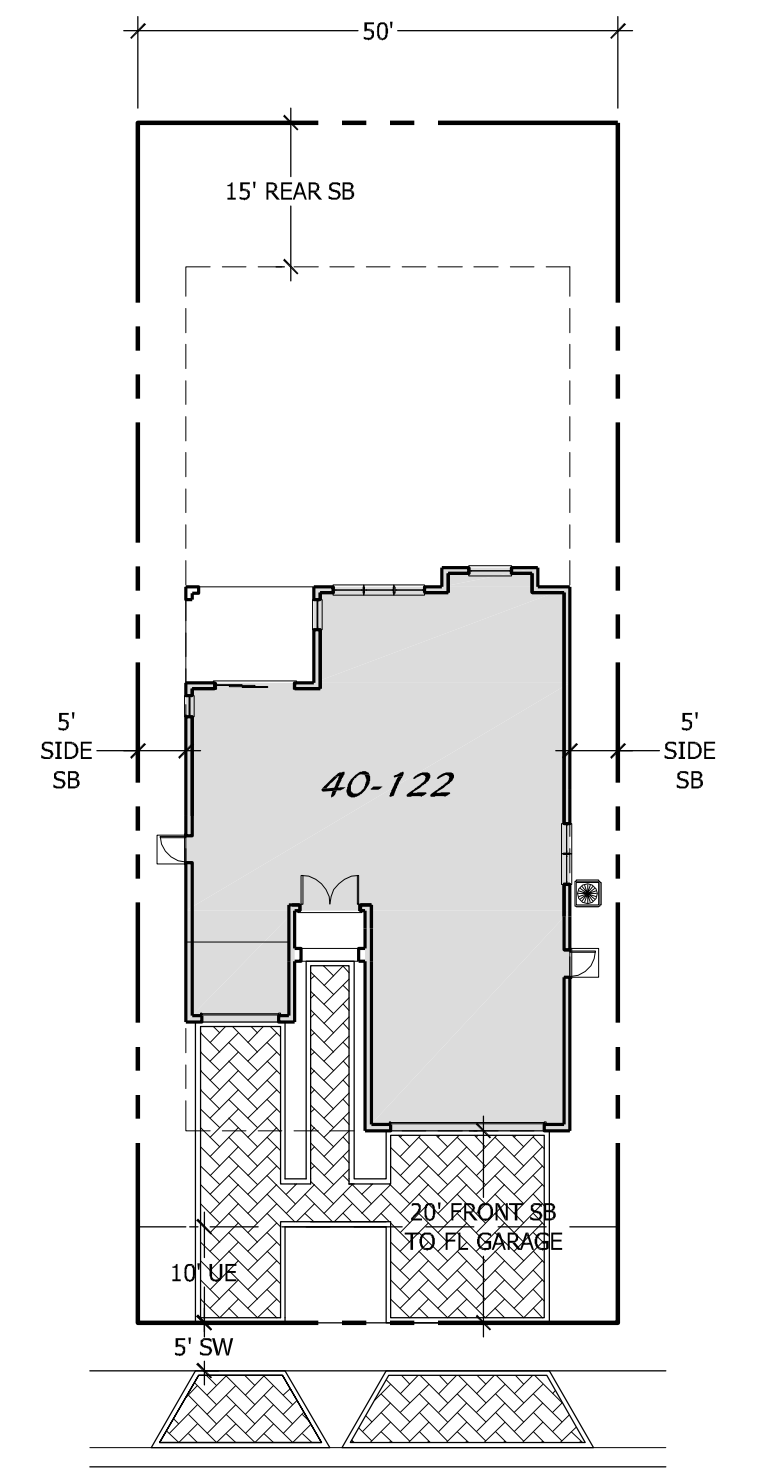
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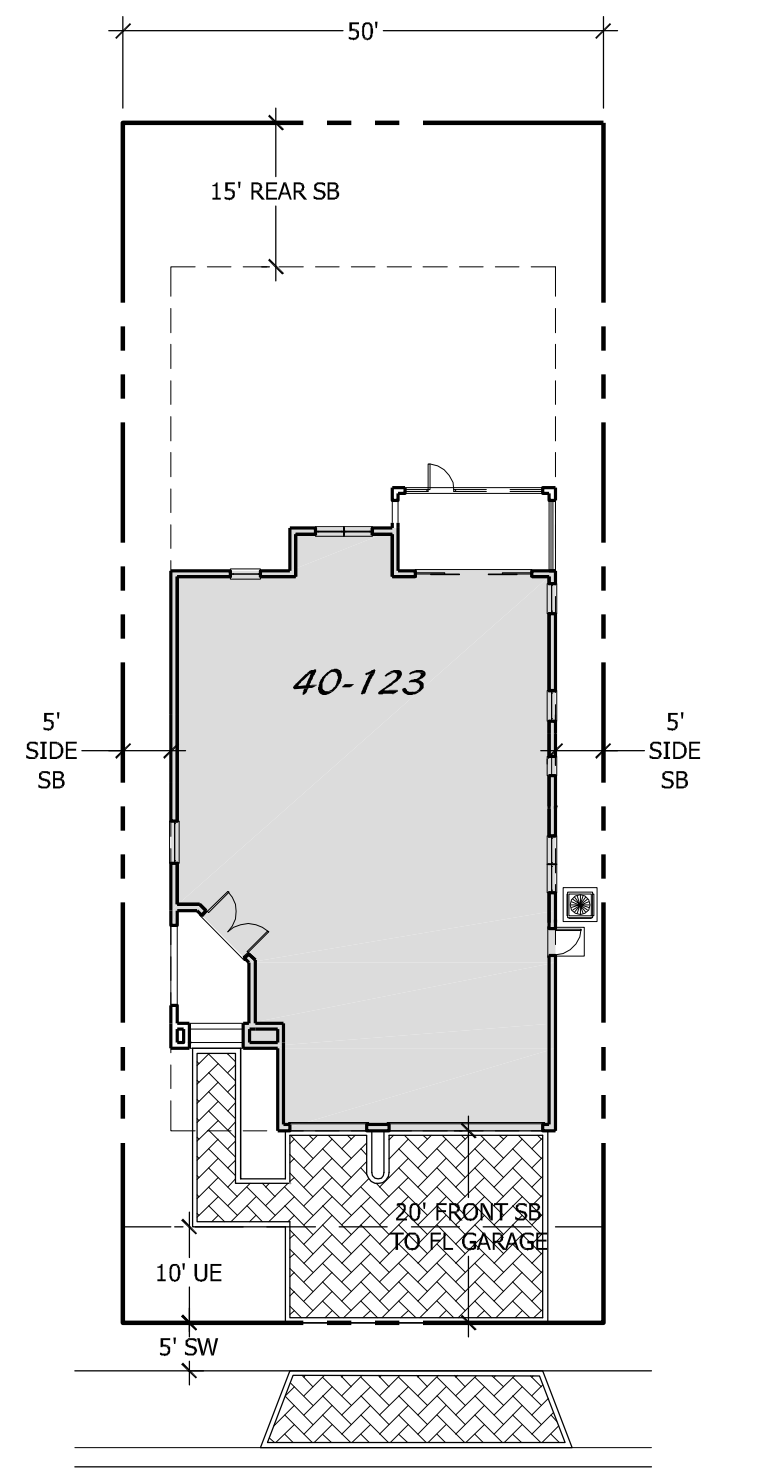
Cotleur & Hearing

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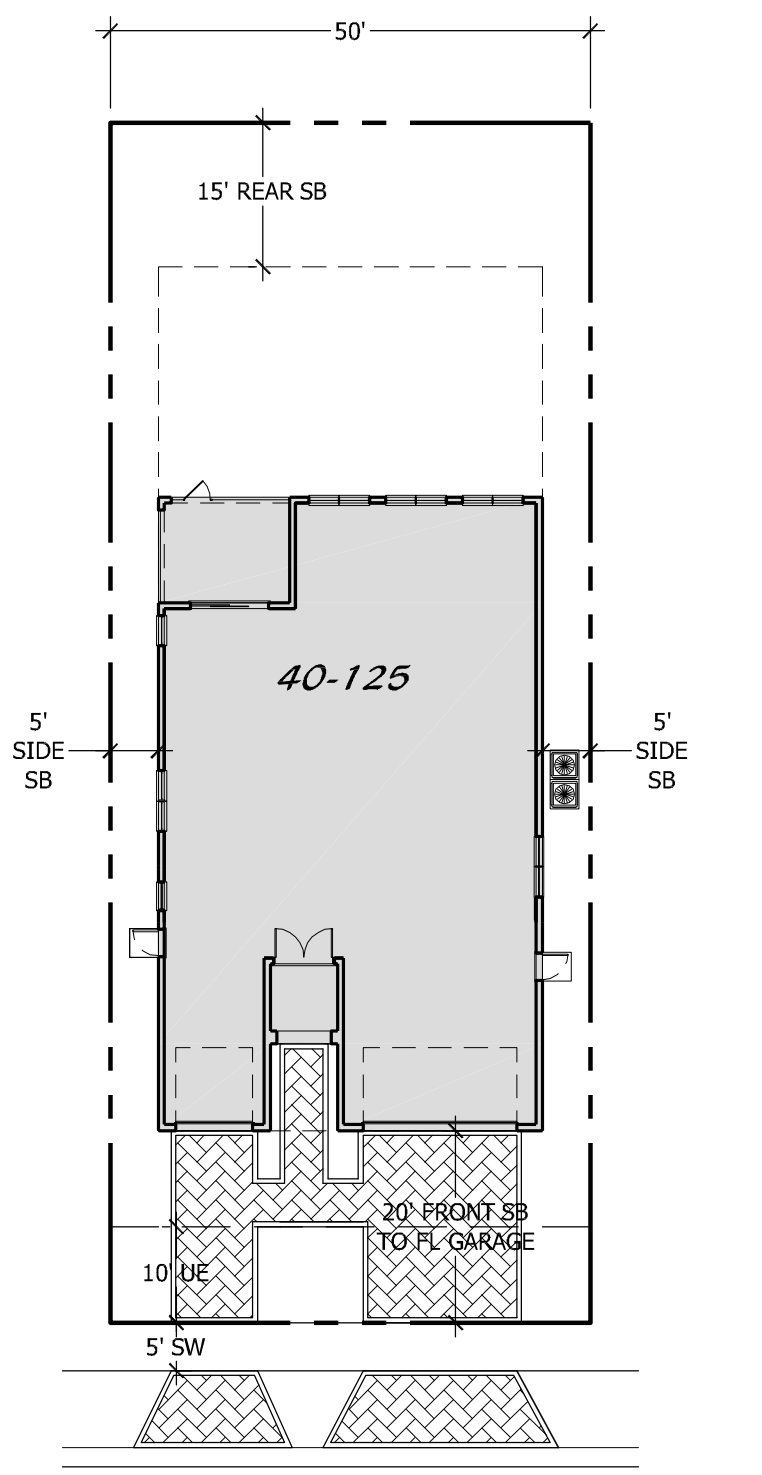
MINTO WESTLAKE POD Q LOT FIT ANALYSIS EXHIBIT Palm Beach County, Florida



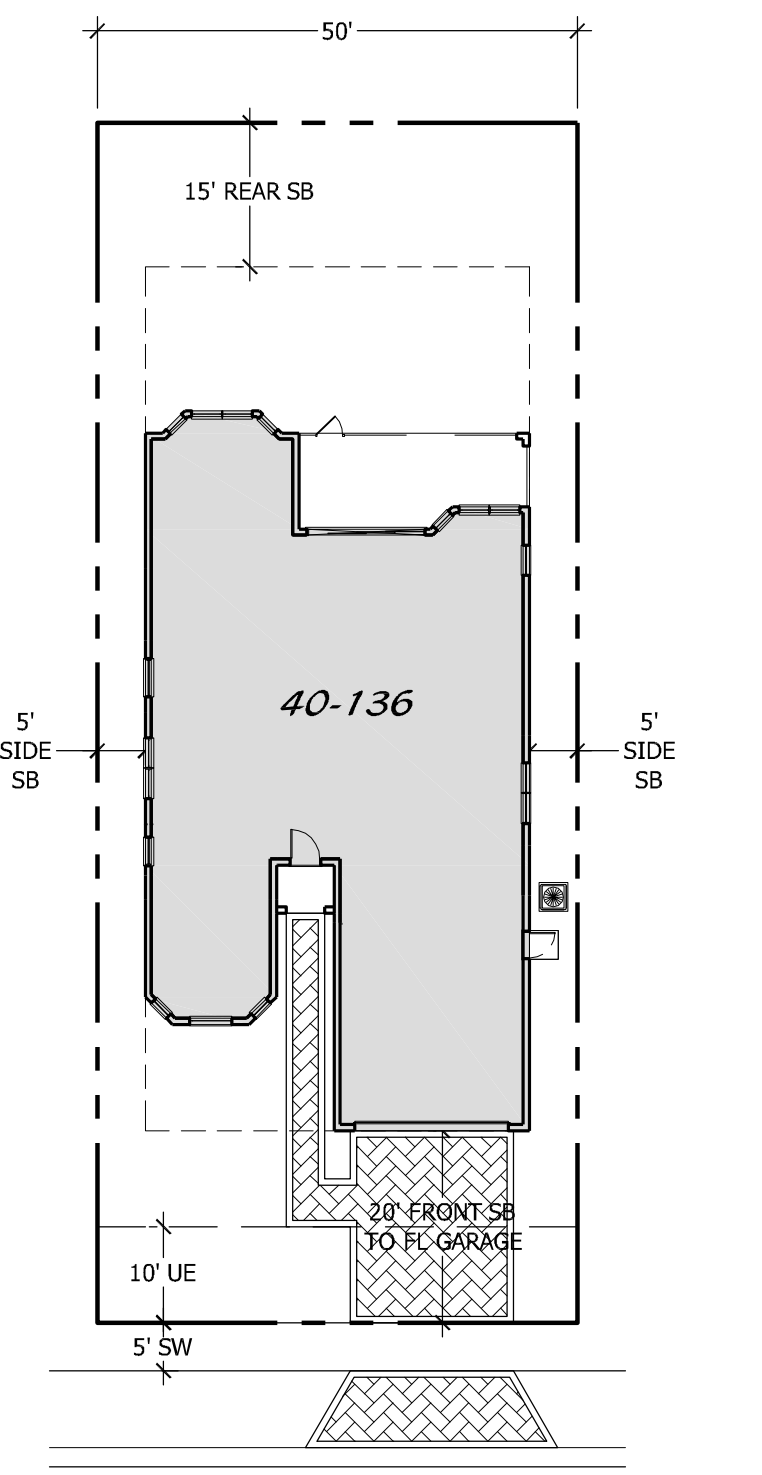
MODEL: 40-122
NO. OF FLOORS: 2
TOTAL SF: 3,448 SF
GROUND FLOOR SF: 2,027 SF
MIN LOT SIZE: 50' X 125'
MIN LOT SF: 6,250 SF
TYP. LOT COVERAGE: 32.4%



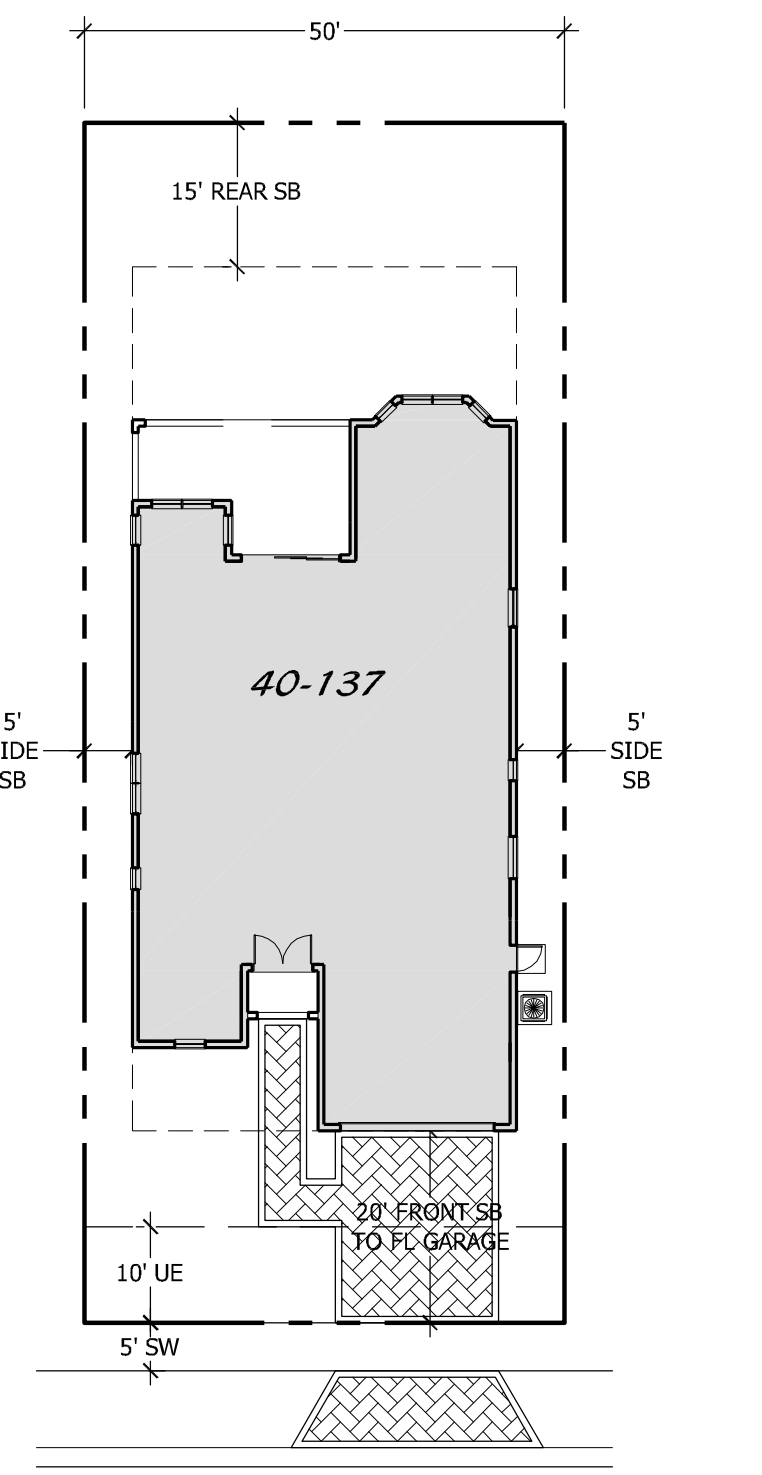
MODEL: 40-123
NO. OF FLOORS: 2
TOTAL SF: 4,252 SF
GROUND FLOOR SF: 2,393 SF
MIN LOT SIZE: 50' X 125'
MIN LOT SF: 6,250 SF
TYP. LOT COVERAGE: 38.3%



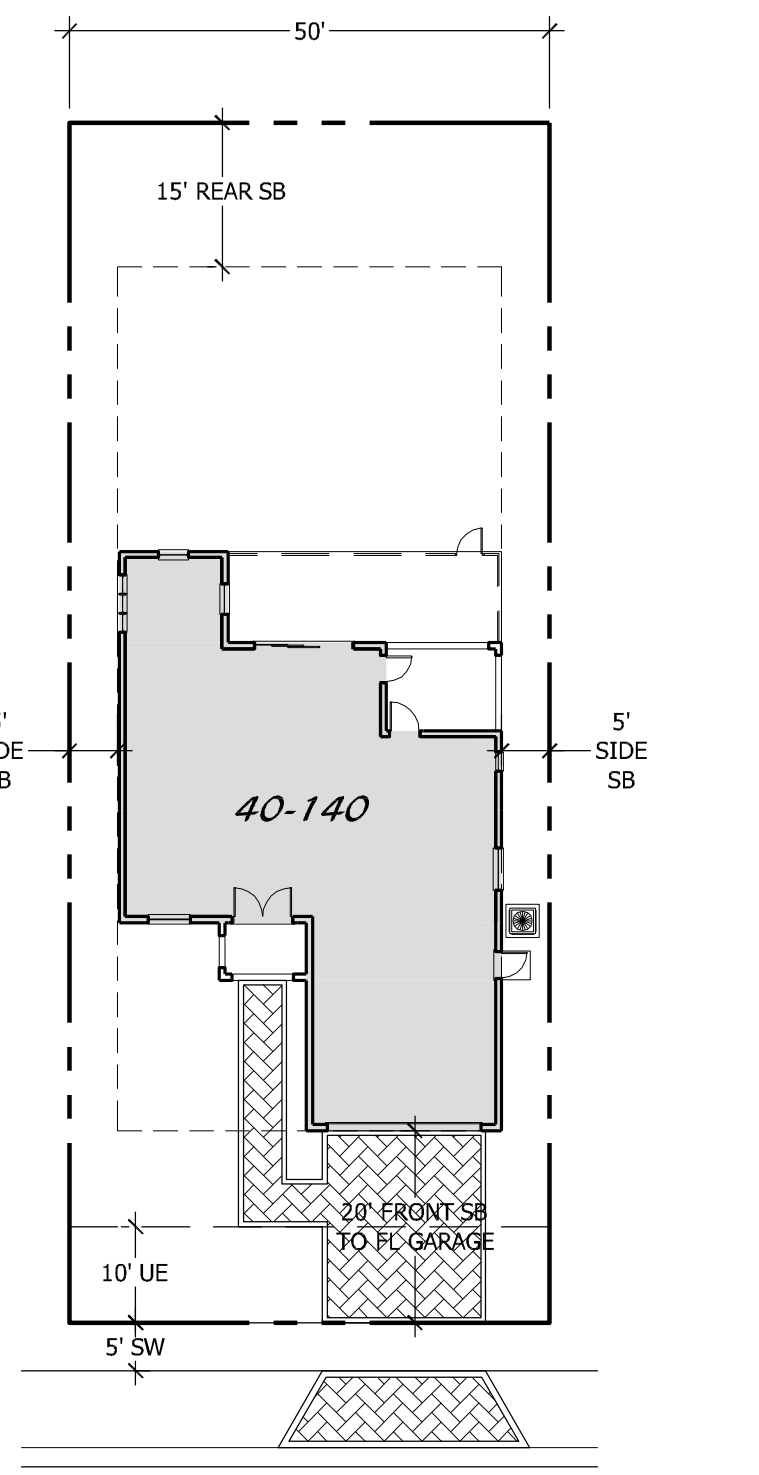
MODEL: 40-125
NO. OF FLOORS: 2
TOTAL SF: 4,692 SF
GROUND FLOOR SF: 2,577 SF
MIN LOT SIZE: 50' X 125'
MIN LOT SF: 6,250 SF
TYP. LOT COVERAGE: 41.2%



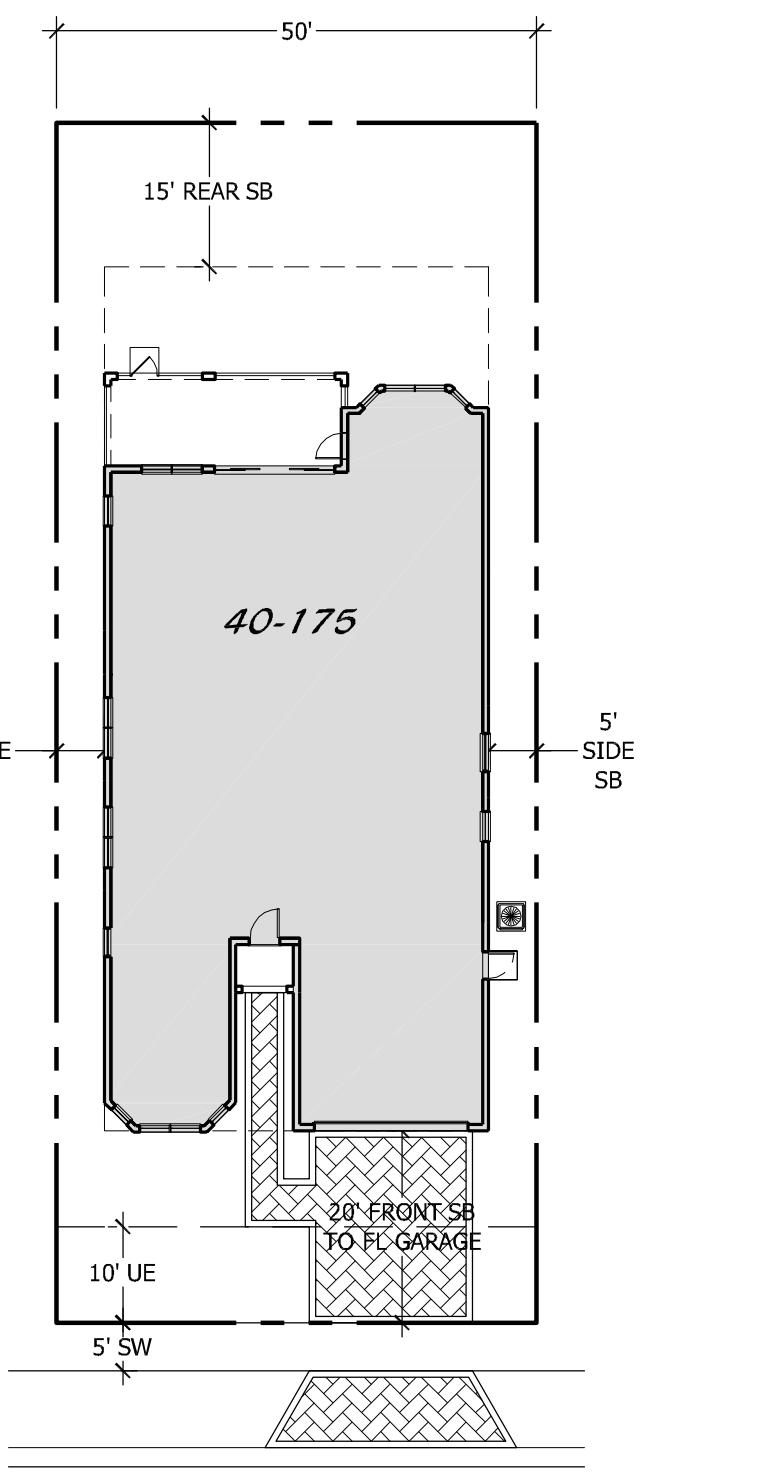
MODEL: 40-136
NO. OF FLOORS: 1
TOTAL SF: 2,660 SF
GROUND FLOOR SF: 2,660 SF
MIN LOT SIZE: 50' X 125'
MIN LOT SF: 6,250 SF
TYP. LOT COVERAGE: 42.6%



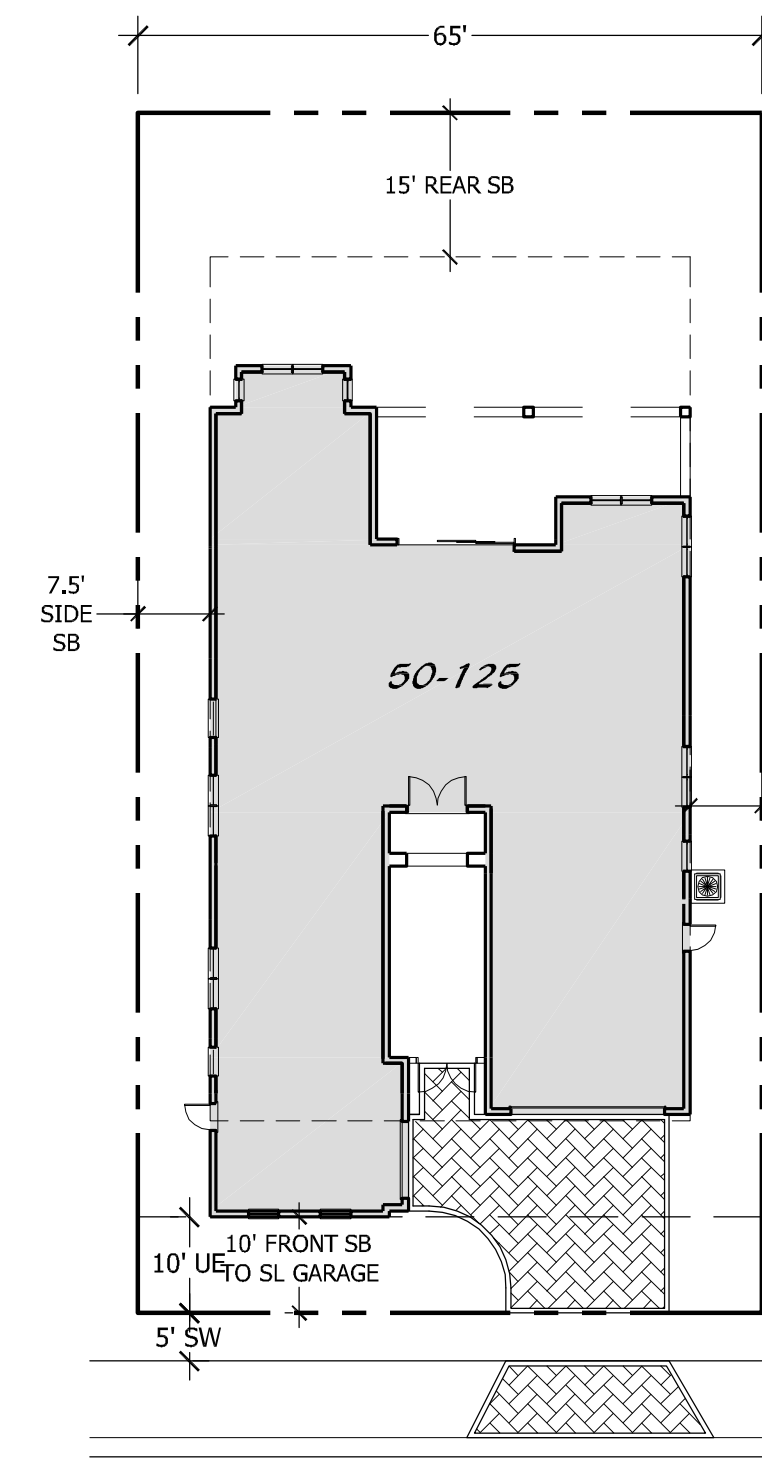
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NO. OF FLOORS: 1
TOTAL SF: 2,796 SF
GROUND FLOOR SF: 2,796 SF
MIN LOT SIZE: 50' X 125'
MIN LOT SF: 6,250 SF
TYP. LOT COVERAGE: 44.7%



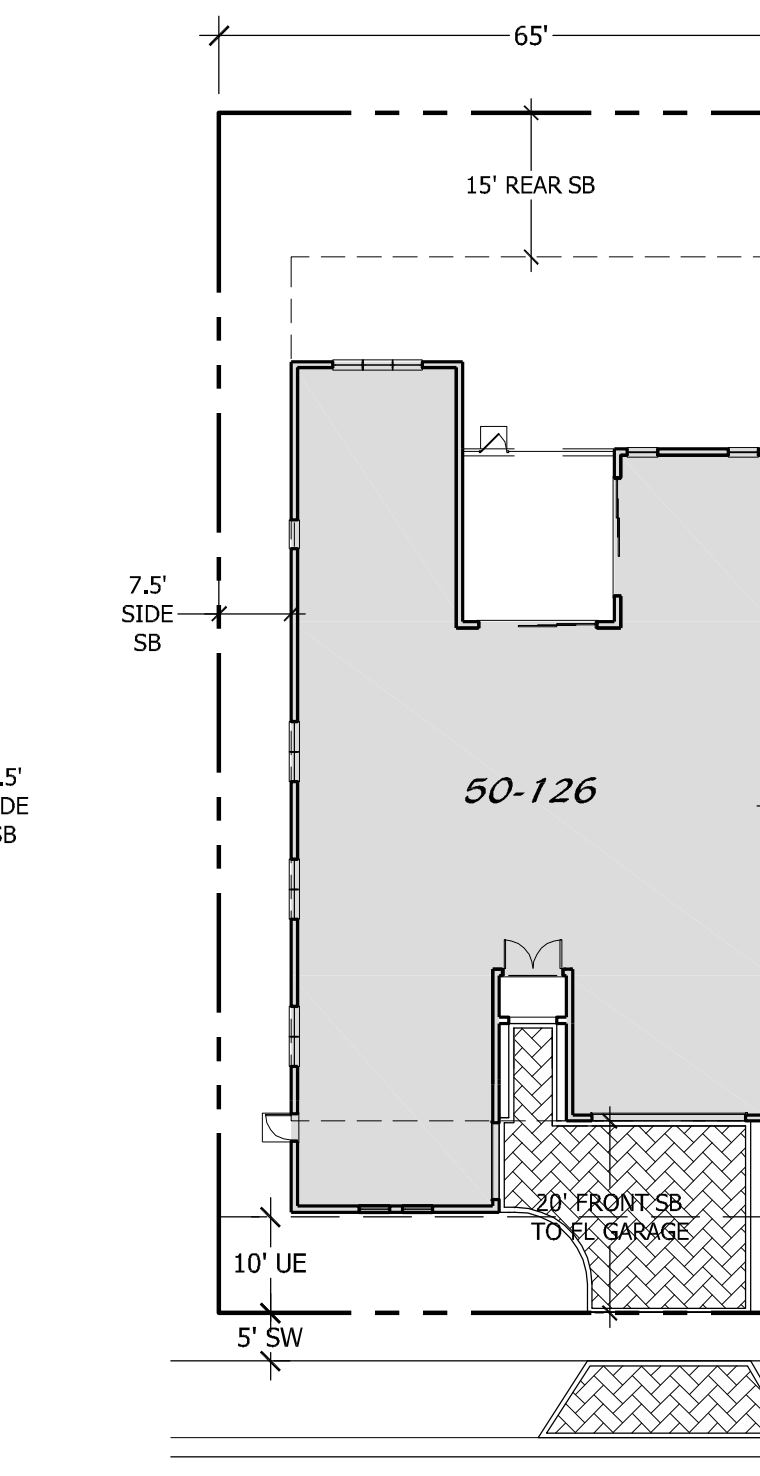
MODEL: 40-140
NO. OF FLOORS: 2
TOTAL SF: 2,848 SF
GROUND FLOOR SF: 1,686 SF
MIN LOT SIZE: 50' X 125'
MIN LOT SF: 6,250 SF
TYP. LOT COVERAGE: 27.0%



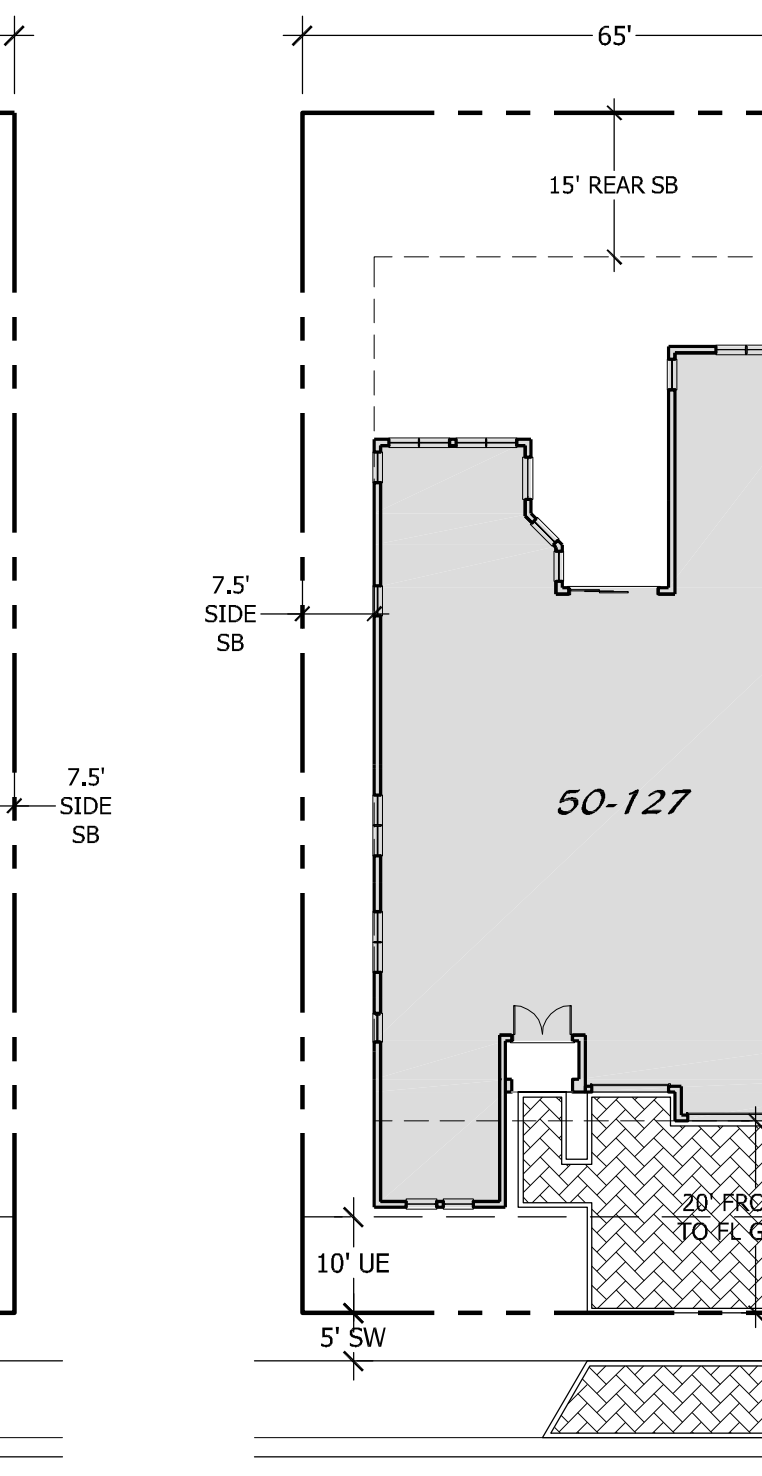
MODEL: 40-175
NO. OF FLOORS: 1
TOTAL SF: 3,019 SF
GROUND FLOOR SF: 3,019 SF
MIN LOT SIZE: 50' X 125'
MIN LOT SF: 6,250 SF
TYP. LOT COVERAGE: 48.3%



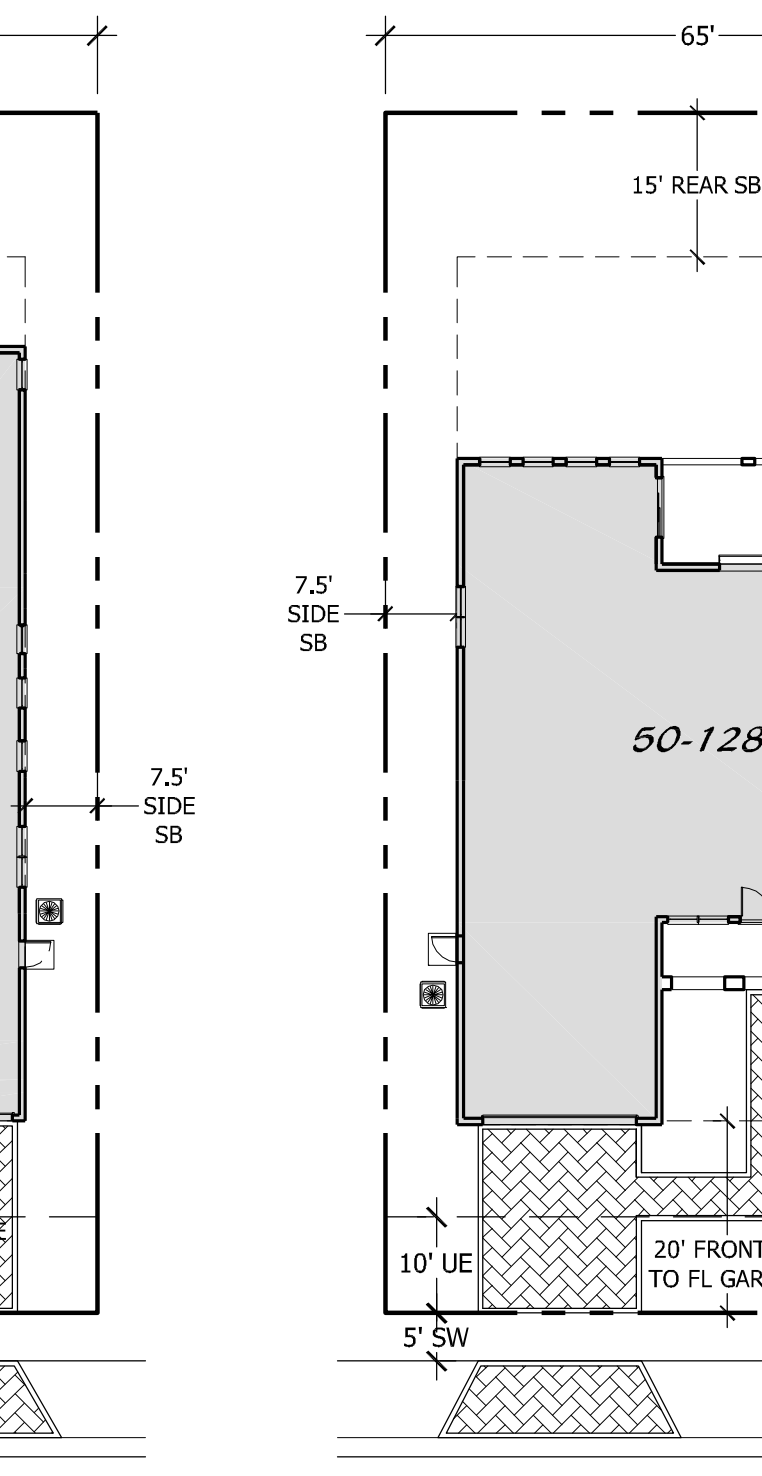
MODEL: 50-125
NO. OF FLOORS: 1
TOTAL SF: 3,708 SF
GROUND FLOOR SF: 3,708 SF
MIN LOT SIZE: 65' X 125'
MIN LOT SF: 8,125 SF
TYP. LOT COVERAGE: 45.6%



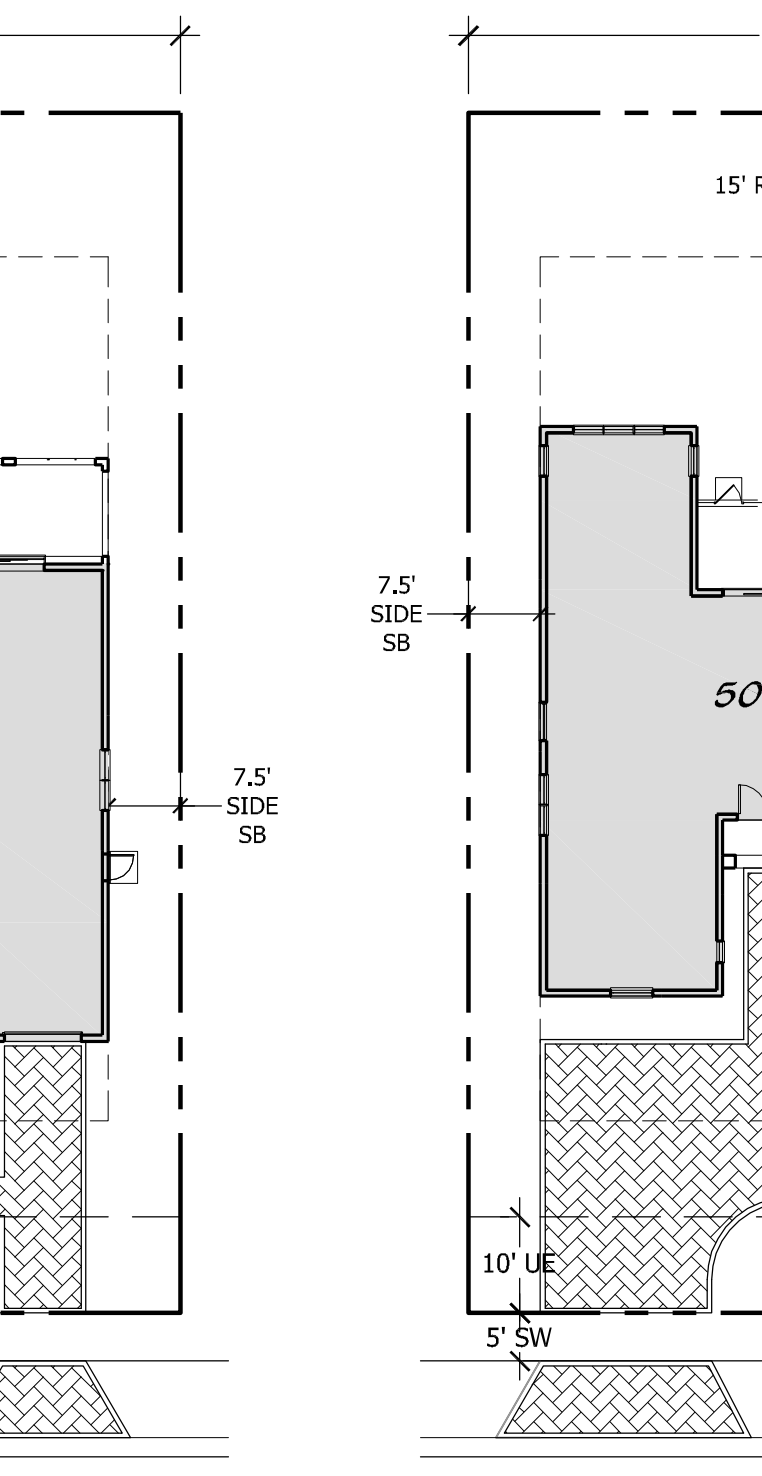
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NO. OF FLOORS: 1
TOTAL SF: 3,798 SF
GROUND FLOOR SF: 3,798 SF
MIN LOT SIZE: 65' X 125'
MIN LOT SF: 8,125 SF
TYP. LOT COVERAGE: 46.7%



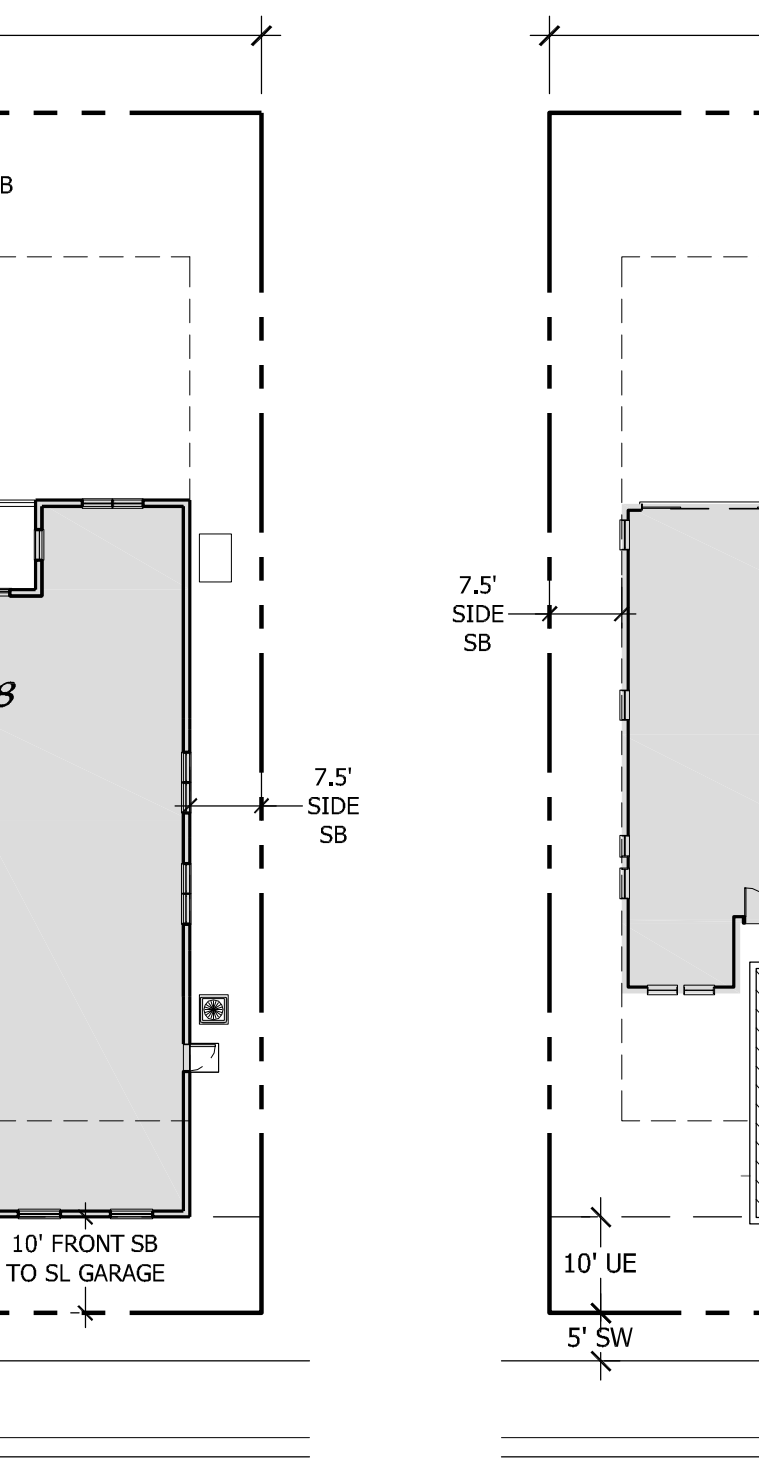
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NO. OF FLOORS: 1
TOTAL SF: 3,820 SF
GROUND FLOOR SF: 3,820 SF
MIN LOT SIZE: 65' X 125'
MIN LOT SF: 8,125 SF
TYP. LOT COVERAGE: 47.0%



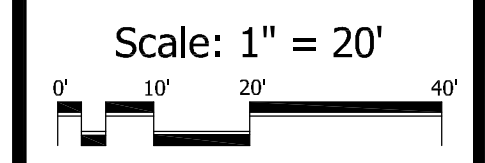
MODEL: 50-128
NO. OF FLOORS: 2
TOTAL SF: 3,709 SF
GROUND FLOOR SF: 1,852 SF
MIN LOT SIZE: 65' X 125'
MIN LOT SF: 8,125 SF
TYP. LOT COVERAGE: 22.8%



MODEL: 50-138
NO. OF FLOORS: 1
TOTAL SF: 3,076 SF
GROUND FLOOR SF: 3,076 SF
MIN LOT SIZE: 65' X 125'
MIN LOT SF: 8,125 SF
TYP. LOT COVERAGE: 37.9%



MODEL: 50-185
NO. OF FLOORS: 2
TOTAL SF: 5,316 SF
GROUND FLOOR SF: 3,591 SF
MIN LOT SIZE: 65' X 125'
MIN LOT SF: 8,125 SF
TYP. LOT COVERAGE: 44.2%



DESIGNED	DEH
DRAWN	MCR
APPROVED	DEH
JOB NUMBER	130518.19
DATE	11-14-16
REVISIONS	12-01-16

December 01, 2016 11:16:16 a.m.
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