

# 2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 1. Amendment Data

### A. Amendment Data

<b>Round</b>	20-A	<b>Intake Date</b>	May 8, 2019
<b>Application Name</b>	<b>R80 PUD Residential</b>	<b>Concurrent?</b>	Yes (Rezoning)
<b>Acres</b>	11.01 (See Survey at Attachment P)	<b>Text Amend?</b>	No
<b>PCNs</b>	00-42-43-27-05-005-1620, 00-42-43-27-05-005-1710, 00-42-43-27-05-005-1630, 00-42-43-27-05-005-1591, 00-42-43-27-05-005-2250, 00-42-43-27-05-005-1640, 00-42-43-27-05-005-1600, 00-42-43-27-05-005-2240, 00-42-43-27-05-005-1590, 00-42-43-27-05-005-1611		
<b>Location</b>	Northeast Corner of 1 <sup>st</sup> Street and Southern Boulevard (westbound exit ramp to Jog Road)		
	<b>Current</b>	<b>Proposed</b>	
<b>Tier</b>	Urban/Suburban	Urban/Suburban	
<b>Use</b>	Vacant, Single Family Residential, Outdoor Storage	Multi-Family Residential	
<b>Zoning</b>	Agricultural Residential (AR) Single Family Residential (RS)	Planned Unit Development (PUD)	
<b>Future Land Use Designation</b>	Medium Density Residential, 5 units per acre (MR-5)	High Residential, 12 dwelling units per acre (HR-12)	
<b>Underlying Future Land Use Designation</b>	None	None	
<b>Conditions</b>	None	None	

### B. Development Potential

Provide math for each item as indicated (e.g. 5 du/acre x 3 acres = 15 units)

	<b>Current FLU</b>	<b>Proposed FLU</b>
<b>Density/ Intensity:</b>	5 units per acre	12 units per acre
<b>Maximum Dwelling Units<sup>1</sup></b> (residential designations)	5 du/acre x 11.01 ac. = 55 D.U's	12 du/acre x 11.01 ac. = 132 du's Multi-Family Apartment Units
<b>Maximum Beds (for CLF proposals)</b>	None	None
<b>Population Estimate</b>	55 max du x 2.39 = 131 persons	132 max du x 2.39 = 315
<b>Maximum Square Feet<sup>2,4</sup></b> (non-residential designations)	None	0.45 FAR x 11.01 ac. = 215,818 SF
<b>Proposed or Conditioned Potential<sup>3,4</sup></b>	None	264 Multi-Family Apartment Units

<b>Max Trip Generator</b>	Single Family Residential, # 210 10 tpd/unit	Multi-Family Mid-Rise Housing, #221 5.44 tpd/unit
<b>Maximum Trip Generation</b>	550 trips per day	Maximum = 718 trips per day Proposed = 1436 trips per day
<b>Net Daily Trips:</b>	Maximum: 718 tpd – 550 tpd = 168 trips per day Proposed: 1436 tpd – 550 tpd = 886 trips per day	
<b>Net PH Trips:</b>	AM Maximum: 48 pht – 41 pht = 7 peak hour trips AM Proposed: 95 pht – 41 pht = 54 peak hour trips  PM Maximum: 58 pht – 57 pht = 1 peak hour trips PM Proposed: 116 pht – 57 pht = 59 peak hour trips	

1. Maximum units per acre see Future Land Use Element Table III.C.1;
2. Maximum FAR see FLUE Table III.C.2 for FAR. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.
3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;
4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (e.g. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.

# 2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 2. Applicant Data

### A. Agent Information

Identify the information for the agent processing the application. The agent will be the primary contact for Planning Division staff throughout the amendment process.

<b>Name</b>	Josh Nichols, LEED AP
<b>Company Name</b>	Schmidt Nichols
<b>Address</b>	1551 N Flagler Drive, Ste. 102
<b>City, State, Zip</b>	West Palm Beach, FL 33401
<b>Phone / Fax Number</b>	561.684.6141 / 561.684.6142
<b>Email Address</b>	jnichols@snlandplan.com

### B. Applicant Information

Identify the information for each Property Owner and Contract Purchaser. Duplicate table as needed.

	<b>Applicant A</b>
<b>Name</b>	Ernesto Lopes, MGR
<b>Company Name</b>	Village at Banyan Ridge, LLC
<b>Address</b>	12895 SW 132 <sup>nd</sup> Street, Unit 202
<b>City, State, Zip</b>	Miami, FL 33186
<b>Phone / Fax Number</b>	Please Contact Agent
<b>Email Address</b>	Please Contact Agent
<b>Type (Owner, Contract Purchaser)</b>	Contract Purchaser

	<b>Applicant B</b>
<b>Name</b>	Manuel Sarria, MGRM
<b>Company Name</b>	4740 Weymouth LLC
<b>Address</b>	14371 Halter Road
<b>City, State, Zip</b>	Wellington, FL 33414

<b>Phone / Fax Number</b>	Please Contact Agent
<b>Email Address</b>	Please Contact Agent
<b>Type (Owner, Contract Purchaser)</b>	Owner

	<b>Applicant C</b>
<b>Name</b>	Manuel Sarria, PSTD
<b>Company Name</b>	Discovery Quest Inc
<b>Address</b>	14371 Halter Road
<b>City, State, Zip</b>	Wellington, FL 33414
<b>Phone / Fax Number</b>	Please Contact Agent
<b>Email Address</b>	Please Contact Agent
<b>Type (Owner, Contract Purchaser)</b>	Owner

	<b>Applicant D</b>
<b>Name</b>	Manuel Sarria, PSTD
<b>Company Name</b>	PK Properties II Inc
<b>Address</b>	14371 Halter Road
<b>City, State, Zip</b>	Wellington, FL 33414
<b>Phone / Fax Number</b>	Please Contact Agent
<b>Email Address</b>	Please Contact Agent
<b>Type (Owner, Contract Purchaser)</b>	Owner

**2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION**  
**Part 3. Site Data**

## A. Site Data

<b>Built Features</b>	The existing site is comprised of 10 parcels. Only one out of the ten (10) included parcels contains a structure. This parcel is PCN: 00-42-43-27-05-005-1620 and currently has a 2,444 square foot single-family home built on site that was constructed in 1978. An Inventory Summary & map are enclosed as <b>Attachment F</b> .
<b>PCN</b>	00-42-43-27-05-005-1590; 00-42-43-27-05-005-1591; 00-42-43-27-05-005-1600 00-42-43-27-05-005-1611; 00-42-43-27-05-005-1620; 00-42-43-27-05-005-1630 00-42-43-27-05-005-1640; 00-42-43-27-05-005-1710; 00-42-43-27-05-005-2240 00-42-43-27-05-005-2250 See Legal Description as Application Attachment A and Survey as Attachment P
<b>Street Address</b>	216 1 <sup>st</sup> Street, 6221 Southern Boulevard, 6179 Southern Boulevard
<b>Frontage</b>	Southern Blvd (650'), 1 <sup>st</sup> Street (756'); Property Depth: 682'
<b>Legal Access</b>	Southern Blvd (80' ROW), 1 <sup>st</sup> Street
<b>Contiguous under same ownership</b>	All contiguous property under common ownership is included in the subject request
<b>Acquisition details</b>	00-42-43-27-05-005-1590,1591: Acquired via a purchase from Planet Kids II Inc. for \$390,000 on March 4, 2014. See attached warranty deeds as <b>Attachment A</b> .  00-42-43-27-05-005-1600: Acquired via a purchase from 4740 Weymouth LLC for \$10 on December 28, 2015. See attached warranty deed as <b>Attachment A</b> .  00-42-43-27-05-005-1611: Acquired via a purchase from Planet Kids II Inc. for \$220,000 on March 4, 2014. See attached warranty deed as <b>Attachment A</b> .  00-42-43-27-05-005-1620,1630,1710,2250: Acquired via a purchase from Discovery Quest, Inc. for \$810,000 on April 30, 2015. See attached warranty deed as <b>Attachment A</b> .  00-42-43-27-05-005-1640, 2240: Acquired via a purchase from Discovery Quest for \$10 on September 16, 2016. See attached warranty deed as <b>Attachment A</b>
<b>Size purchased</b>	The land purchased included the entire parcel, no residual parcels remain as a result of the purchase. See attached warranty deeds as <b>Attachment A</b> .

## III. Development History

<b>Previous FLUA Amendments</b>	There have not been any previous FLUA amendments on this property.
<b>Zoning Approvals, Control Number</b>	R-1973-00109, R-1989-1638, R-1989-1637, R-1993-1040, R-1998-1513  1. Petition No. 1989-027, App: 1989-027 (A): Class A Conditional Use for a 6,300 s.f. Daycare facility (120 Children)

	A Final Site Plan was approved on August 13, 2008 for a Daycare Center, however, this approval has since expired
<b>Concurrency</b>	Concurrency was previously secured for a 6,300 s.f. daycare facility (120 Kids).
<b>Plat, Subdivision</b>	Palm Beach Farms Co. Plat No. 3 (PB 2 Pages 45 to 54)

# 2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 4. Consistency

### A. Consistency – Provide responses in Attachment G as G.1 through G.5.

<b>Justification</b> Provide as G.1.	Please refer to <b>Attachment G</b> , Consistency with Comprehensive Plan and Florida Statutes
<b>Residential Density Increases</b> Provide as G.2.	Please refer to <b>Attachment G</b> , Consistency with Comprehensive Plan and Florida Statutes
<b>Compatibility</b> Provide as G.3.	Please refer to <b>Attachment G</b> , Consistency with Comprehensive Plan and Florida Statutes
<b>Comprehensive Plan</b> Provide as G.4.	Please refer to <b>Attachment G</b> , Consistency with Comprehensive Plan and Florida Statutes
<b>Florida Statutes</b> Provide as G.5.	Please refer to <b>Attachment G</b> , Consistency with Comprehensive Plan and Florida Statutes

### B. Surrounding Land Uses. Indicate the following for each surrounding property:

- **Uses.** Indicate the existing land use, subdivision name, and existing density (residential) or square footage (non-residential).
- **FLUA Designations.** Indicate the future land use designations. No acronyms.
- **Zoning.** Indicate the Zoning and petition numbers. No acronyms.

Adjacent Lands	Use	Future Land Use	Zoning
<b>North</b>	Vacant Industrial Park, Southern Light Industrial Park Multiple Use Planned Development & Palm Beach Farms Co Plat No 3 (218,386 s.f. existing)	Economic Development Center	Multiple Use Planned Development, 2001-64
<b>South</b>	Vacant, Equestrian Uses (458,251 s.f. existing), Single Family Residential (approx. 1 unit per acre)	Low Residential 1 unit per acre, Medium Residential 5 units per acre	Planned Unit Development, Residential Transitional, 1978-142
<b>East</b>	Industrial Park, Southern Light Industrial Park Multiple Use Planned Development (218,386 s.f. existing)	Economic Development Center	Multiple Use Planned Development, 2001-64
<b>West</b>	Single Family Residential, Boulevard Park In (approx. 7 units per acre)	High Residential, 8 units per acre	Agricultural Residential

# 2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

## Part 5. Public Facilities Information

<b>A. Traffic Information</b>		
<p>In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the Future Land Use Element of the Comprehensive Plan. The letter must state if the traffic generation for the amendment meets Policy 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030.</p>		
	Current	Proposed
<b>Max Trip Generator</b>	Single Family Residential, # 210 tpd/unit	10 Multi-Family Mid-Rise Housing, #221 5.44 tpd/unit
<b>Maximum Trip Generation</b>	550 trips per day	Maximum = 718 trips per day Proposed = 1436 trips per day
<b>Net Daily Trips:</b>	Maximum: 718 tpd – 550 tpd = 168 trips per day Proposed: 1436 tpd – 550 tpd = 886 trips per day	
<b>Net PH Trips:</b>	AM Maximum: 48 pht – 41 pht = 7 peak hour trips AM Proposed: 95 pht – 41 pht = 54 peak hour trips  PM Maximum: 58 pht – 57 pht = 1 peak hour trips PM Proposed: 116 pht – 57 pht = 59 peak hour trips	
<b>Significantly impacted roadway segments that fail Long Range</b>	None	None
<b>Significantly impacted roadway segments for Test 2</b>	None	None
<b>Traffic Consultant</b>	Simmons & White – Kyle Duncan	
<b>B. Mass Transit Information</b>		
<b>Nearest Palm Tran Route (s)</b>	40 (Southern Blvd), 4 (Haverhill Road)	
<b>Nearest Palm Tran Stop</b>	Stop 1522 (Northeast corner of Southern Boulevard Westbound Service exit and Haverhill Road) is approximately 2 miles from the subject property.	
<b>Nearest Tri Rail Connection</b>	West Palm Beach, 209 South Tamarind Avenue	
<b>C. Portable Water &amp; Wastewater Information</b>		
<p>The application must include a Potable Water &amp; Wastewater Level of Service (LOS) comment letter as <b>Attachment I</b>. This letter should state the provider/s of potable water and wastewater is/are able to maintain their current level of service standard established by the potable water provider, while accommodating the increase of density/intensity of the proposed amendment.</p>		

<b>Potable Water &amp; Wastewater Providers</b>	The property is located within the Palm Beach County Water Utilities Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required at the current MR-5 and for the proposed HR-12 designation.
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest potable water mains are located east and west of the subject property. There is a sanitary sewer main located north of the property. Additional engineering will be required to determine if offsite sanitary sewer/lift station improvements will be required.
<b>D. Drainage Information</b>	
The site is within the boundaries of the Lake Worth Drainage District (LWDD) and South Florida Water Management District C-51 Drainage Basin. Legal positive outfall is available to the site via discharge to the South Florida Water Management District C-51 canal along the south side of Southern Boulevard. Please refer to the Drainage Statement prepared by Simmons and White, Inc. being included as Attachment J with this application for more details.	
<b>E. Fire Rescue</b>	
<b>Nearest Station</b>	Station 34, 231 S. Benoist Farms Rd.
<b>Distance to Site</b>	Station 34 is 2.75 miles from the subject site
<b>Response Time</b>	Based on the information provided by PBC Fire-Rescue the estimated response time is 8 minutes. PBC Fire Letter provided at Attachment K.
<b>Effect on Resp. Time</b>	PBC Fire-Rescue has determined that the proposed amendment will have minimal impact on fire rescue response time. Please see Attachment K.
<b>F. Environmental</b>	
<b>Significant habitats or species</b>	The subject property does not support any significant habitats or Listed Species. According to historic aerials, the subject property was drained and cleared of natural vegetation at some point before 1952. The topography and soils remain relatively unchanged since the clearing of the site. Therefore, there will be minimal impact to the natural environment if the site is developed as intended.
<b>Flood Zone*</b>	The subject parcel is located in Flood Zone X & Flood Zone AE
<b>Wellfield Zone*</b>	The subject property does not lay within any wellfield protection zones. The proposed planned development will have no negative impacts on the wellfield zones. A detailed map has been provided at Attachment M
* If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.	
<b>G. Historic Resources</b>	
The subject parcels do not contain any historic or architecturally significant resources located on or within 500 feet of the site. To the best of our knowledge the parcels do not contain or are located within 500 of the subject properties. Comment Letter as Attachment N.	
<b>H. Parks and Recreation - Residential Only</b>	

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Okeeheelee Park	0.00339	184	0.62
Beach	R.G. Kreusler Park	0.00035	184	0.06
District	Haverhill Park	0.00138	184	0.25

### I. Libraries - Residential Only

Library Name	Okeechobee Boulevard Branch Library			
Address	5689 Okeechobee Boulevard			
City, State, Zip	West Palm Beach, FL, 33417			
Distance	3.3 Miles			
Component	Level of Service	Population Change	Change in Demand	
Collection	2 holdings per person	184	368	
Periodicals	5 subscriptions per 1,000 persons	184	0.92	
Info Technology	\$1.00 per person	184	\$184.00	
Professional staff	1 FTE per 7,500 persons	184	0.02	
All other staff	3.35 FTE per professional librarian	184	616.4	
Library facilities	0.34 sf per person	184	62.56 s.f.	

### J. Public Schools - Residential Only

	Elementary	Middle	High
Name	Benoist Farms Elementary School	Jeaga Middle School	Royal Palm Beach High School
Address	1765 Benoist Farms Road	3777 N Jog Road	10600 Okeechobee Boulevard
City, State, Zip	West Palm Beach, FL, 33411	West Palm Beach, FL, 33411	West Palm Beach, FL, 33411
Distance	4.4 Miles	4.8 Miles	6.2 Miles

## 2019 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

### Part 6. Attachments

#### A. PCN's, Legal Description and Warranty Deed (include Legal in PDF & Word)

- B. Agent Consent Form**
- C. Applicant's Ownership Affidavit**
- D. Applicant's Notice Affidavit, Property Appraiser List, and Labels**
- E. Disclosure of Ownership Interests**
- F. Built Feature Inventory & Map**
- G. Consistency with the Comprehensive Plan and Florida Statutes** (include in PDF & Word)
- H. Traffic Approval Letter & Traffic Study**
- I. Water & Wastewater Provider LOS Letters**
- J. Drainage Statement**
- K. Fire Rescue Letter**
- L. Natural Feature Inventory & Map**
- M. Wellfield Zone**
- N. Historic Resource Evaluation Letter**
- O. Palm Beach County School District LOS Letter**
- P. Survey**
- Q. Text Amendment Application** (Part 7, if applicable, in PDF & Word)

Forms for Attachments B, C, D, and E are located on the web at:

<http://www.pbcgov.org/pzb/planning/Pages/Comprehensive-Plan-Amendment-Applications.aspx>

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**Attachment F – Built Feature Inventory & Map Detail  
R80 PUD Residential  
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal  
Original Submittal: May 8, 2019**

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Below is an aerial photograph taken in January 2019 with the subject property highlighted in red. Only one out of the ten (10) included parcels contains a structure. This parcel is PCN: 00-42-43-27-05-005-1620 and currently has a 2,444 square foot single-family home built on site that was constructed in 1978. Please see the following Aerial images for the entire site and each individual parcel.

**Entire Site**



Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-1590



Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-1591



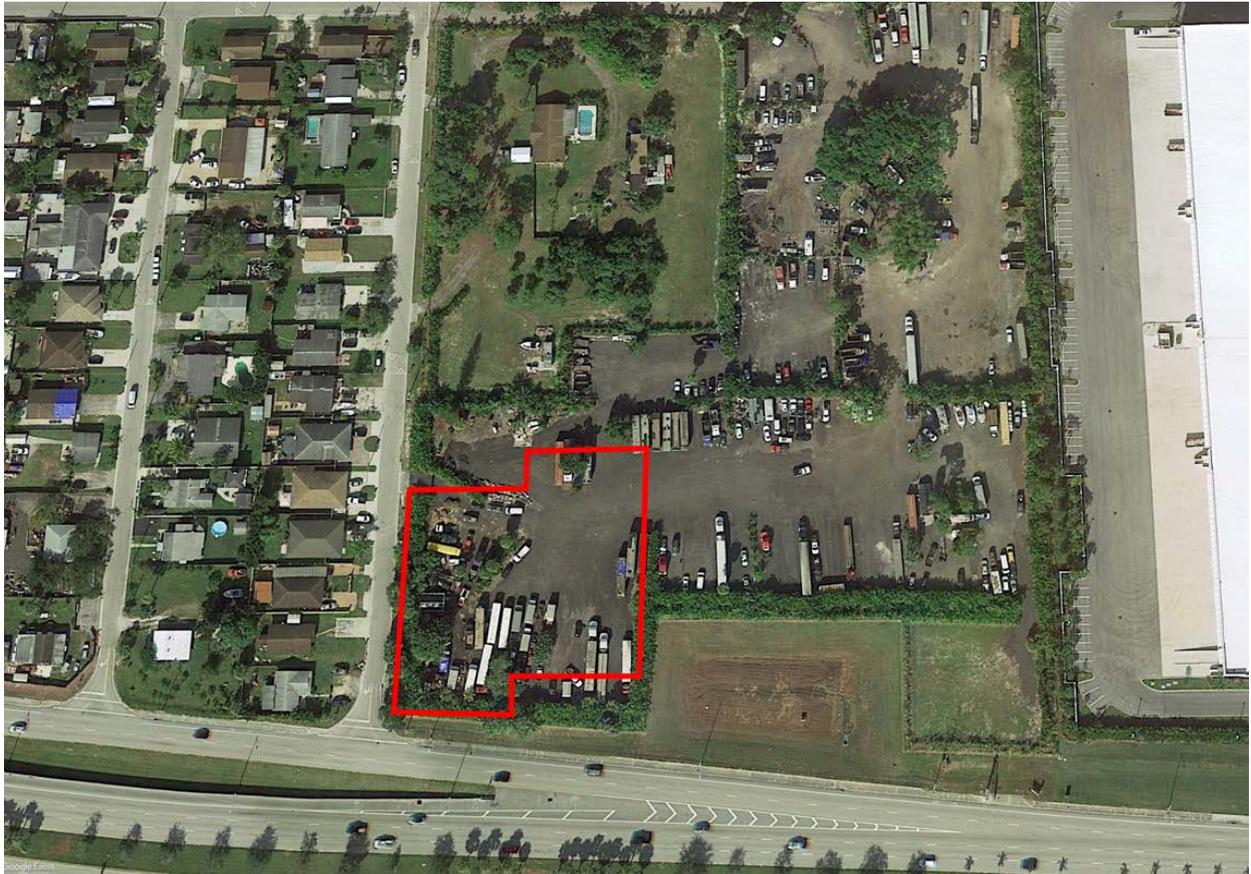
Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-1600



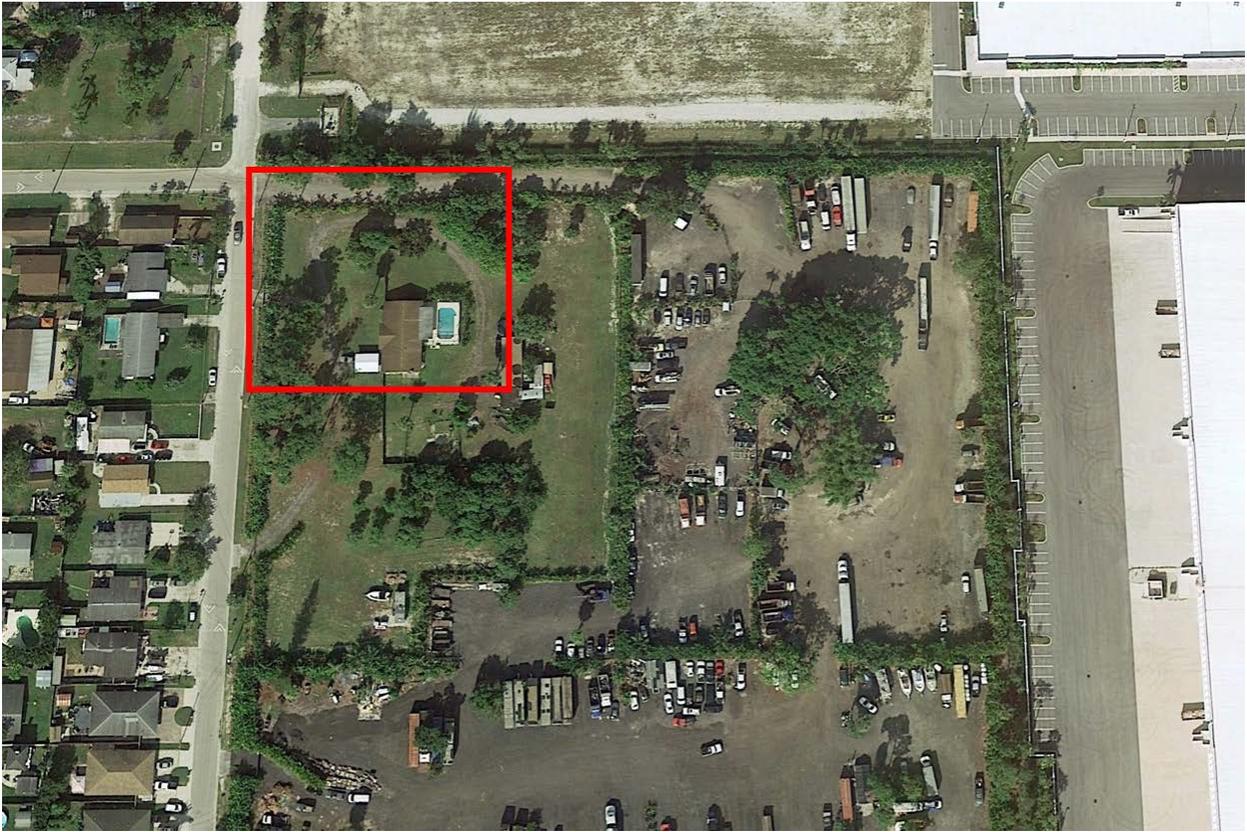
Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-1611



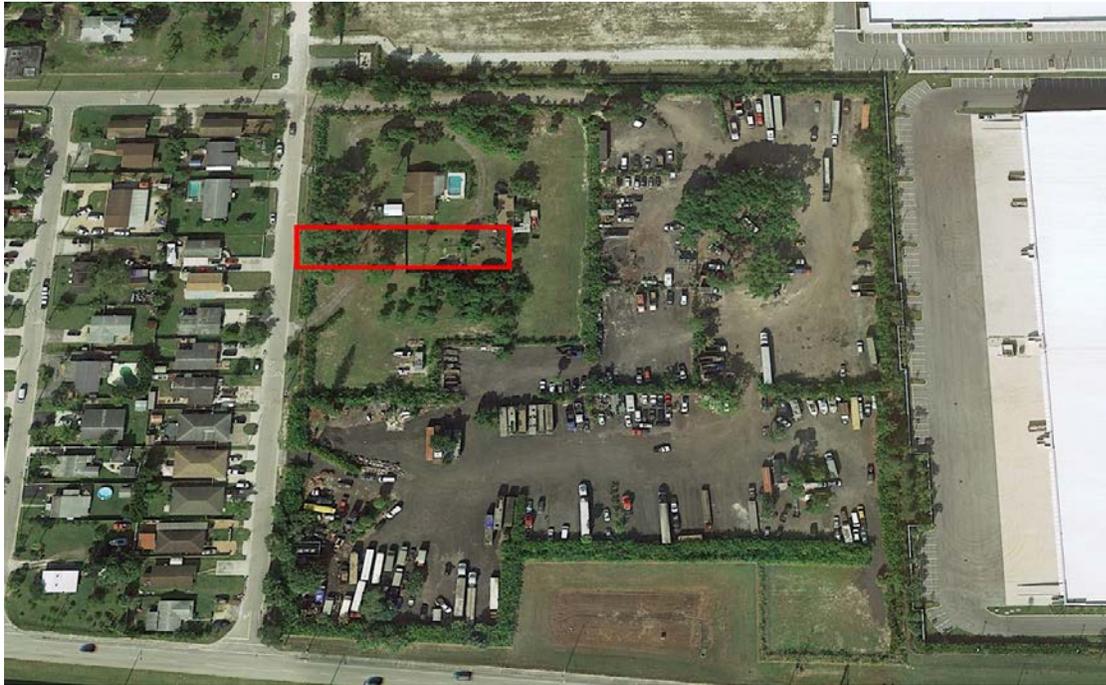
Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-1620



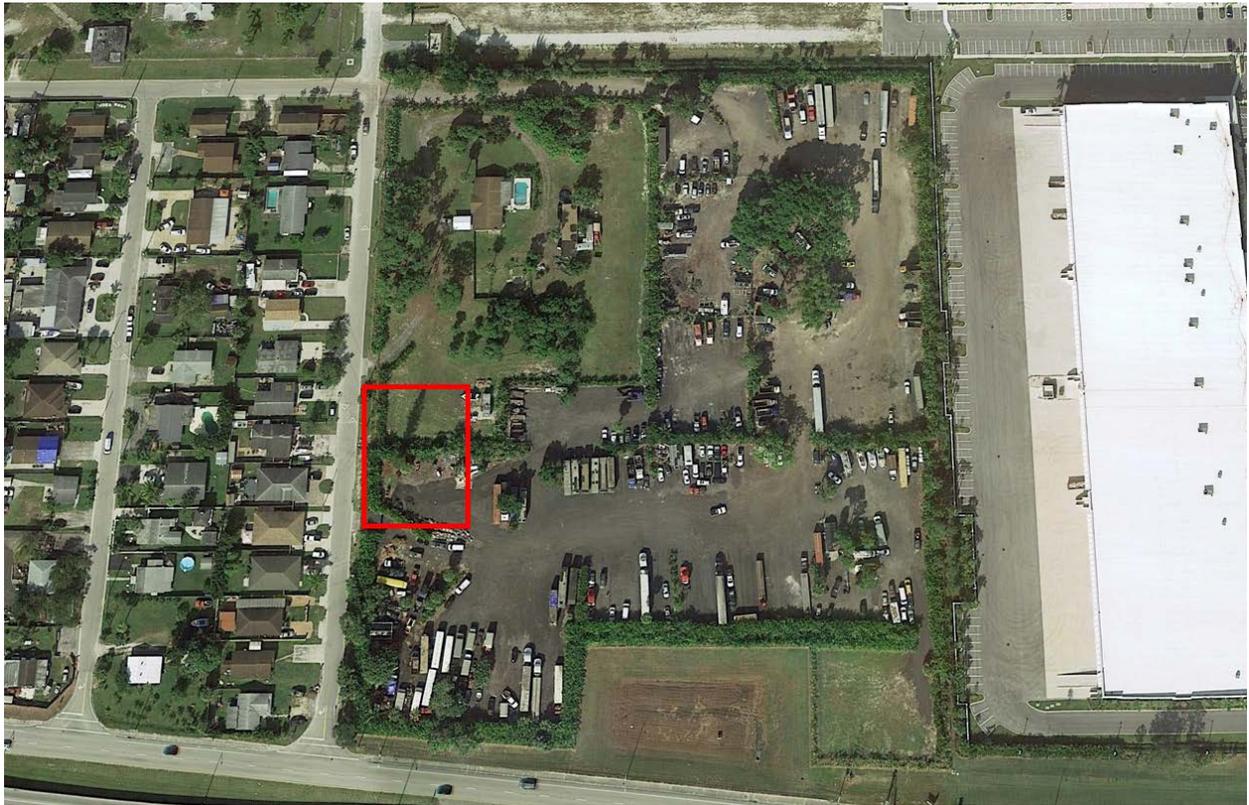
Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-1630



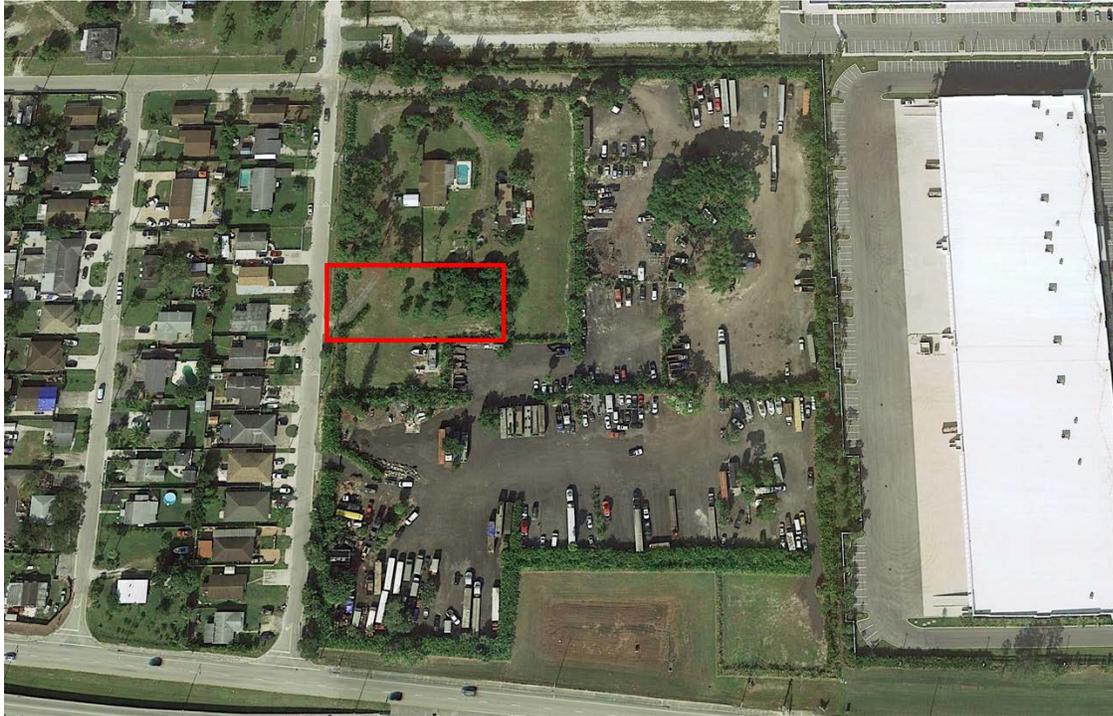
Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-1640



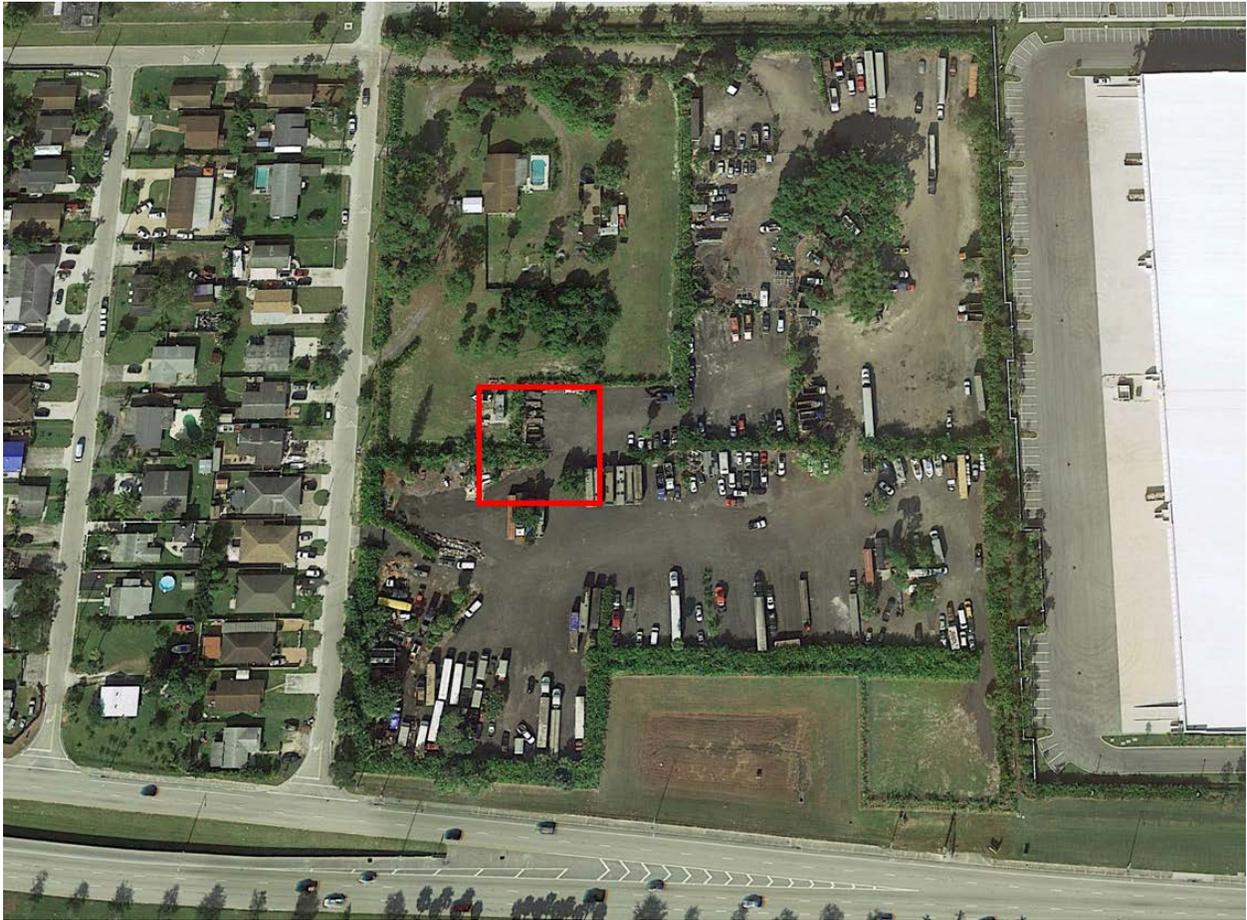
Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-1710



Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-2240



Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro

PCN: 00-42-43-27-05-005-2250



Aerial Imagery Photo of the site. Photo dated January 13 2019, downloaded from Google Earth Pro



**Attachment G  
Consistency with Comprehensive Plan & Florida Statutes  
R80 PUD Residential**

**Palm Beach County (PBC) Future Land Use Atlas (FLUA) Amendment Submittal  
Original Submittal: May 8, 2019**

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**Introduction**

On behalf of the Applicant and Owner, Village of Banyan Ridge, LLC (“Applicant”), Schmidt Nichols respectfully requests your consideration of an application for a Large Scale Future Land Use Atlas (FLUA) Amendment. The 11.01 - acre subject property is entirely platted as part of the Palm Beach Farms Co. Plat No. 3. within unincorporated Palm Beach County (“subject property”).

The entire property (11.01 acres) supports a Future Land Use Atlas designation of Medium Residential 5 units per acre (MR-5). The majority of the property (10.37 acres) is designated under the Agricultural Residential (AR) Zoning District with the balance (0.88 acres) zoned Single Family Residential (RS).

Below is a summary of surrounding properties:

<b>Adjacent Lands</b>	<b>Uses</b>	<b>FLU</b>	<b>Zoning</b>
<b>Subject Property</b>	<b>Single Family Residential, Vacant (Existing) Multifamily Residential (Proposed)</b>	<b>MR-5 (Existing) HR-12 (Proposed)</b>	<b>AR, RS (Existing) PUD (Proposed)</b>
<b>North</b>	Vacant, Industrial Park	EDC	MUPD
<b>South</b>	Vacant, Equestrian Uses, Single Family Residential	LR-1, MR-5	PUD, RT
<b>East</b>	Industrial Park	EDC	MUPD
<b>West</b>	Single Family Residential	HR-8	AR

**Request**

The Applicant is requesting the following:

- A large scale Future Land Use Atlas (FLUA) Amendment from MR-5 to HR-12. The proposed FLU would allow for a maximum development potential of 132

residential units and a maximum floor area of 215,814 square feet.

A concurrent application to the Palm Beach County Zoning Division for an Official Zoning Map Amendment (rezoning) will be submitted within the required ninety (90) days from this submission. This rezoning would change the subject property's zoning designation from AR and RS to PUD.

## **History**

On September 12, 1989 a portion of the subject property (0.88 acres) was approved by the Board of County Commissioners (BCC) for a rezoning from Agricultural Residential (AR) to Single Family Residential (RS) for the development of a daycare with a maximum of 115 children. A concurrent Special Use Permit was approved on the same date for a Daycare in the RS zoning district, however this approval was revoked. On September 24, 1998 the Board of County Commissioners approved a Class A Conditional Use for a General Daycare (maximum 170 children) in the RS zoning district. For another portion of the subject property (4.02 acres) The Board of County Commissioners approved a Special Exception for a security kennel to be located on the property.

## **G.1 - Justification**

**Policy 2.1-f:** Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate.

Below is the Applicant's justification and response to **Policy 2.1-f:**

The subject property is located within the Urban/Suburban Tier with frontage along Southern Boulevard, an Urban Principal Arterial roadway as identified by Map TE 3.1, Functional Classification of Roads. The subject property is ideal for residential development due to its size, location adjacent to residential uses to the west and to the south. The fact that the property is 11.01 acres enables the subject property to develop as a Planned Unit Development ("PUD") as the minimum lot size for a PUD is 5 acres. Therefore, it is appropriate to amend the subject property's Future Land Use from MR-5 to HR-12 to allow the reasonable development of multifamily residential apartments.

- 1) The proposed FLU is appropriate and suitable for the subject site. Objective 1.2** of the Comprehensive Plan Future Land Use Element ("FLUE") states: "this tier [Urban/Suburban] is expected to accommodate the bulk of the population and its need for...goods and services..." When residents need to identify places to live, they will find multifamily residential apartments available to accommodate their growing needs. This amendment will provide a good transition from these residential uses to the west and to the south. Furthermore, this amendment is not piecemealed as there are clearly defined boundaries of industrial to the north and east.

- 2) Basis for the land use change.** The basis for the proposed amendment is based upon changed circumstances within the vicinity of the proposed development such as the creation of employment centers to the east, as well as those noted in the WHP bonus sector analysis. The subject site is also strategically located with nearby access to Florida’s Turnpike for ease of service throughout the region. The current FLU of the property is Medium Density Residential, 12 units per acre (MR-5) for the entire site. The County is also under tremendous pressure to create housing options which seek to address the range of workforce housing income levels.

The site is adjacent to residential to the west and south which allows for the subject site to serve as a transition to increased density abutting industrial to the east and north. The size of the property and adjacency to residential avails itself to transitional residential density to buffer from the Turnpike and industrial to the west and north. If the County is going to seek solutions to workforce housing needs then density needs to be prescribed to properties with the characteristics inherent to the subject site such as:

1. The property is located immediately adjacent to the Southern Boulevard and is only approximately 1.5 miles from the Turnpike. This assists for access to the Turnpike and Southern Boulevard’s flyovers at major intersections allow for easy access to the east and west.
2. The proposed density of the site will serve as a reasonable transition from the lower density, single family residential uses to the west and the newly constructed Liberty Commerce Center to the east.
3. Higher density residential should be located near employment centers and have efficient access to the road network.
4. Compact infill development site with access to adequate public facilities without straining existing infrastructure.

The Applicant has determined that it is the appropriate time to change the future land use designation to HR-12, and to develop the property consistent with the surrounding residential uses.

## **G.2 – Residential Density Increases**

### **Demonstrate a need for the amendment**

The subject property is located in an ideal area for high-density residential development. With frontage along Southern Boulevard, a Major Urban Arterial thoroughfare, and close proximity to major centers of employment between Southern Boulevard and Okeechobee Boulevard, high density residential development would be ideal to meet demand for housing. As the county reaches

build-out, and the population continues to inflate at a rapid pace, infill residential development is required to meet the demand for housing and to keep housing affordable for prospective residents by increasing the housing stock where appropriate.

Demonstrate that the current FLUA designation is inappropriate

As build-out is reached in Palm Beach County, residential densities must logically increase in areas ideal for infill. The subject property is one such case. The type of development typically associated with the site's existing MR-5 designation consists of single family homes, often in a zero-lot-line configuration. The site is no longer ideal for this type of development for a few reasons. The site's frontage along Southern Boulevard, which in today's configuration is nearer an urban expressway rather than a typical arterial thoroughfare makes it unattractive to the typical prospective single family home buyer. Additionally, the area around the site has developed as a major center of employment, such as the Liberty Airport Center planned development adjacent to the east. High density residential is less sensitive to frontages on major roadways and are also ideally located as close to job centers as possible, mainly due to the typical home renter who makes up the majority of the demand for these types of developments. Therefore the site's existing MR-5 designation is inappropriate.

Provide a written explanation of why the Transfer of Development Rights, Workforce Housing, and Affordable Housing Programs cannot be utilized to increase density on the site.

The main reason for the Applicant not utilizing the above mentioned programs is cost. The Applicant plans to develop this project as a high density, multifamily residential development which targets members of the workforce with market or just below market rate units. By changing the FLUA designation of the site, and not adding any additional red tape or cost to the development of the site, the Applicant feels they can better meet the County's planning goals.

**G.3 - Compatibility**

**Continuation of Policy 2.1-f Stated Above:** In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:

- 1. The natural environment, including topography, soils and other natural resources;**
  - a. Response: The property has been cleared over the years for the existing uses and very few natural features remain on the site. The proposed FLUA amendment will have a minimal impact on the natural environment on the subject property. There are a few trees which remain on the site, however, at preliminary review appear to be non-native ficus trees.

## **2. The availability of facilities and services;**

- a. Response: Below is more detailed information on the availability of each of these facilities and services:
  - i. Traffic: Please see attached traffic analysis indicating compliance with Policy 3.5-d of the FLUE of the Comprehensive Plan.
  - ii. Mass Transit: The nearest Palm Tran Route is Route #40 (Southern Blvd) and Route #44 (East on Belvedere Rd).
  - iii. Potable Water and Wastewater: Potable water and wastewater service will be provided by Palm Beach County Water Utilities Department. See attached water and sewer capacity letter request to PBCWUD under Attachment I.
  - iv. Drainage: Legal positive outfall for the project is available within the First Street right-of-way. Conveyance will be via piped drainage system constructed in First Street and discharging to the LWDD L-4 Canal, located north of the site. Palm Beach County Resolution No. R-2018-1695 approving the Symphony Place project located north of Wallis Road conditions the Symphony Place project to construct a drainage system in First Street for the project frontage to provide for legal positive outfall and accept discharge from other properties abutting First Street, including the R80 PUD Residential property. Please see the attached Drainage Statement (Attachment J) prepared by Reikenis & Associates, LLC.
    - i. Residential property. R80 PUD Residential will be responsible for constructing the drainage system in First Street to connect to the drainage system constructed by Symphony Place.
    - ii. Fire Rescue: The nearest Palm Beach County Fire Rescue station is Station #34 located approximately 2.75 miles from the subject property. Palm Beach County Fire Rescue has determined that the amendment will have minimal impact on Fire Rescue. See Palm Beach County Fire Rescue letter (Attachment K).

## **3. The adjacent and surrounding development;**

- a. Response: To the south and west of the subject property are residential land uses, to the west is Florida's Turnpike. Directly adjacent to the north and east is a light industrial flex space. Below are the existing FLUA designations for the surrounding properties:
  - i. North: EDC
  - ii. South: LR-1, MR-5 (across Southern Blvd.)
  - iii. East: EDC
  - iv. West: HR-8

The proposed development will be compatible with both the residential and non-residential uses that surround the subject property.

**4. The future land use balance;**

- a. Response: This FLUA amendment request is to allow high density multifamily residential development to occur on the subject property. The subject portion of the County is currently lacking in high density multifamily residential development potential relative to other uses such as single family residential and commercial. The proposed amendment would help to balance the future land uses by creating additional industrial development potential in a mostly industrial area of the unincorporated Palm Beach County.

**5. The prevention of urban sprawl as defined by 163.3164(51), F.S.;**

- a. Response: The proposed FLUA amendment will prevent urban sprawl by allowing the development of high density multifamily residences within a dense area of other industrial centers for employment. The clustering of residential development close to centers of employment in this area makes sense as it would allow for employees to locate close to their jobs and for employers in the area to have a higher density of potential employees close by.

**6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and**

- a. Response: The subject property is located within the Palm Beach International Airport Overlay (PBIAO). The overlay was created to promote non-residential development within the approach path of the airport due to airplane noise concerns. Despite this, the subject property is located on the outer edge of the overlay, and a significant distance from the western edge of the runway. Additionally, modern construction materials and technology are capable of mitigating aircraft noise. The subject property is also located within the boundaries of the Haverhill Area Neighborhood Plan. The proposed amendment is in alignment with the goals of the plan in that it will improve the overall quality of life in the plan area. By converting the land use on the subject parcel from medium density residential to high density residential, some of the issues identified in the plan can be alleviated, such as improving the quality of life in the plan area by maintaining a quality housing stock.

**7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.**

- a. Response: The proposed amendment will have minimal impact on surrounding municipalities. The subject property is surrounded entirely by unincorporated Palm Beach County and is not located within any future incorporation areas.

**G.5 - Florida Statutes**

Florida Statutes, Section 163.3177(6)(a)9.a: The indicators provided in this statute pertain

to findings that would indicate a plan or plan amendment does not discourage the proliferation of urban sprawl.

**Response:** *The subject amendment is to allow development of property within the urban service boundary which is able to be serviced by existing public facilities and services with direct access to Southern Boulevard. The subject property is located along a major arterial and surrounded by a mix of suburban uses which provide job opportunities and community serving commercial to complement the proposed multifamily development with ease of access to an international airport and West Palm Beach City center. This amendment seeks to add needed workforce housing units to the market while maximizing the use of the land to avoid the need to develop additional properties in a sprawling manner elsewhere in the County. This location within the urban/suburban tier along with the exceptional access provides a unique opportunity to not only allocate HR-12 but seek to add workforce units to an area where the workforce can seek transit routes to employment centers.*

Other applicable policies related to this request are as follows:

**Policy 2.1-h:** The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.

**Response:** *This amendment is not piecemealed as there are clearly defined boundaries of residential land uses to the west, Southern Boulevard to the south, and an industrial employment center to the north and east. The subject amendment is an assemblage of properties which includes all of the remaining lots within the block.*

On behalf of the Property Owner, Schmidt Nichols requests your approval of this application for a Large Scale Future Land Use Atlas Amendment.



**Water Utilities Department  
Engineering**

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



**Palm Beach County  
Board of County  
Commissioners**

- Mack Bernard, Mayor
- Dave Kerner, Vice Mayor
- Hal R. Valeche
- Gregg K. Weiss
- Robert S. Weinroth
- Mary Lou Berger
- Melissa McKinlay

**County Administrator**

Verdenia C. Baker

May 15, 2019

Simmons and White  
2581 Metrocentre Blvd. West, Suite 3  
West Palm Beach, Fl. 33407

RE: 11.25 Acre Site Located in the Northeast Corner of 1<sup>st</sup> Street and  
Westbound Exit Ramp of Southern Blvd at Jog Rd  
R80 PUD

PCN 00-42-43-27-05-005-1620, 00-42-43-27-05-005-1630, 00-42-  
43-27-05-005-1710, 00-42-43-27-05-005-1591, 00-42-43-27-05-  
005-2250, 00-42-43-27-05-005-1640, 00-42-43-27-05-005-1600,  
00-42-43-27-05-005-2240, 00-42-43-27-05-005-1590, 00-42-43-27-  
05-005-1611.

Service Availability Letter

Dear Mr. Cole,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required at the current MR-5 (Medium residential, 5 dwelling units per acre) designation and for the proposed HR-12 (High Residential, 12 units per acre) designation. The nearest potable water mains are located east and west of the subject property. There is a sanitary sewer main located north of the property. Additional engineering will be required to determine if offsite sanitary sewer/lift station improvements will be required.

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

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

Sincerely,

Jackie Michels, P.E,  
Plan Review Manager

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Affirmative Action Employer"*



REIKENIS & ASSOCIATES, LLC

CONSULTING ENGINEERS

801 South Olive Avenue, Ste. 105  
West Palm Beach, FL 33401  
(561) 818-5381 • www.reikenis.com

April 22, 2019

LAND USE PLAN AMMENDMENT APPLICATION

STATEMENT OF LEGAL POSITIVE OUTFALL

R80 PUD Residential  
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the northeast corner of First Street and Southern Blvd. in Palm Beach County and contains approximately 11.01 acres. The Property Control Numbers (PCNs) for the subject parcel include the following:

00-42-43-27-05-005-1620	00-42-43-27-05-005-1590
00-42-43-27-05-005-1630	00-42-43-27-05-005-1591
00-42-43-27-05-005-1710	00-42-43-27-05-005-1640
00-42-43-27-05-005-2250	00-42-43-27-05-005-2240

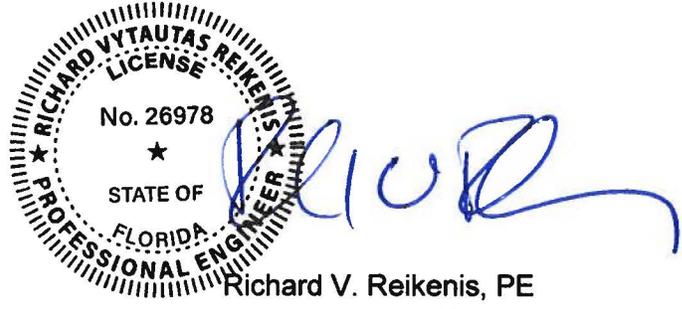
The property is currently zoned as AR (Agricultural Residential) and RS-(Low Residential). The property owner is requesting a change in the zoning to PUD (Planned Unit Development).

The property is currently designated as Medium Residential, 5 dwelling unit per acre (MR-5) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 11.01 acre parcel's designation to High Residential, 12 dwelling units per acre (HR-12) on the Palm Beach County Comprehensive Plan

STATEMENT OF LEGAL POSITIVE OUTFALL

Legal positive outfall for the project is available within the First Street right-of-way. Conveyance will be via piped drainage system constructed in First Street and discharging to the LWDD L-4 Canal, located north of the site. Palm Beach County Resolution No. R-2018-1695 approving the Symphony Place project located north of Wallis Road conditions the Symphony Place project to construct a drainage system in First Street for the project frontage to provide for legal positive outfall and accept discharge from other properties abutting First Street, including the R80 PUD

Residential property. R80 PUD Residential will be responsible for constructing the drainage system in First Street to connect to the drainage system constructed by Symphony Place.



Richard V. Reikenis, PE  
FL Reg No. 26978



REIKENIS & ASSOCIATES, LLC

CONSULTING ENGINEERS

801 South Olive Avenue, Ste. 105  
West Palm Beach, FL 33401  
(561) 818-5381 • www.reikenis.com

April 22, 2019

LAND USE PLAN AMMENDMENT APPLICATION

FLOOD ZONE

R80 PUD Residential  
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the northeast corner of First Street and Southern Blvd. in Palm Beach County and contains approximately 11.01 acres. The Property Control Numbers (PCNs) for the subject parcel include the following:

- |                         |                         |
|-------------------------|-------------------------|
| 00-42-43-27-05-005-1620 | 00-42-43-27-05-005-1590 |
| 00-42-43-27-05-005-1630 | 00-42-43-27-05-005-1591 |
| 00-42-43-27-05-005-1710 | 00-42-43-27-05-005-1640 |
| 00-42-43-27-05-005-2250 | 00-42-43-27-05-005-2240 |

The property is currently zoned as AR (Agricultural Residential) and RS-(Low Residential). The property owner is requesting a change in the zoning to PUD (Planned Unit Development).

The property is currently designated as Medium Residential, 5 dwelling unit per acre (MR-5) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 11.01 acre parcel's designation to High Residential, 12 dwelling units per acre (HR-12) on the Palm Beach County Comprehensive Plan

FLOOD ZONE

The majority of the above referenced project is located in Flood Zone X as shown on the FEMA Flood Rate Insurance Map. Minor portions of the property are designated in Flood Zone AE.





**Fire Rescue**

Chief Reginald K. Duren  
405 Pike Road  
West Palm Beach, FL 33411  
(561) 616-7000  
www.pbcgov.com



**Palm Beach County  
Board of County  
Commissioners**

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Dave Kerner, Vice Mayor  
Hal R. Valeche  
Gregg K. Weiss  
Robert S. Weinroth  
Mary Lou Berger  
Melissa McKinlay

**County Administrator**

Verdenia C. Baker

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Official Electronic Letterhead

April 24, 2019

Schmidt Nichols  
Attention: Josh Nichols  
1551 N Flagler Drive  
Suite 102  
West Palm Beach, FL 33401

Re: R80 PUD Residential

Dear Josh Nichols:

Per your request for response time information to the subject property located at the northeast corner of 1<sup>st</sup> Street and Southern Boulevard (westbound exit ramp to Jog Road) in unincorporated Palm Beach County. This property is served currently by Palm Beach County Fire-Rescue station #34, which is located at 231 Benoist Farms Rd. The subject property is approximately 2.75 miles from the station. The estimated response time to the subject property is 8 minutes. For fiscal year 2018, the average response time (call received to on scene) for this stations zone is 6:46.

Changing the land use of this property will have some impact on Fire Rescue.

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

Sincerely,

Cheryl Allan, Planner  
Palm Beach County Fire-Rescue

**Attachment L - Significant Habitats or Species Detail**  
**Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal**  
**R80 PUD Residential**  
**Original Submittal: May 8, 2019**

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Significant habitats or species:

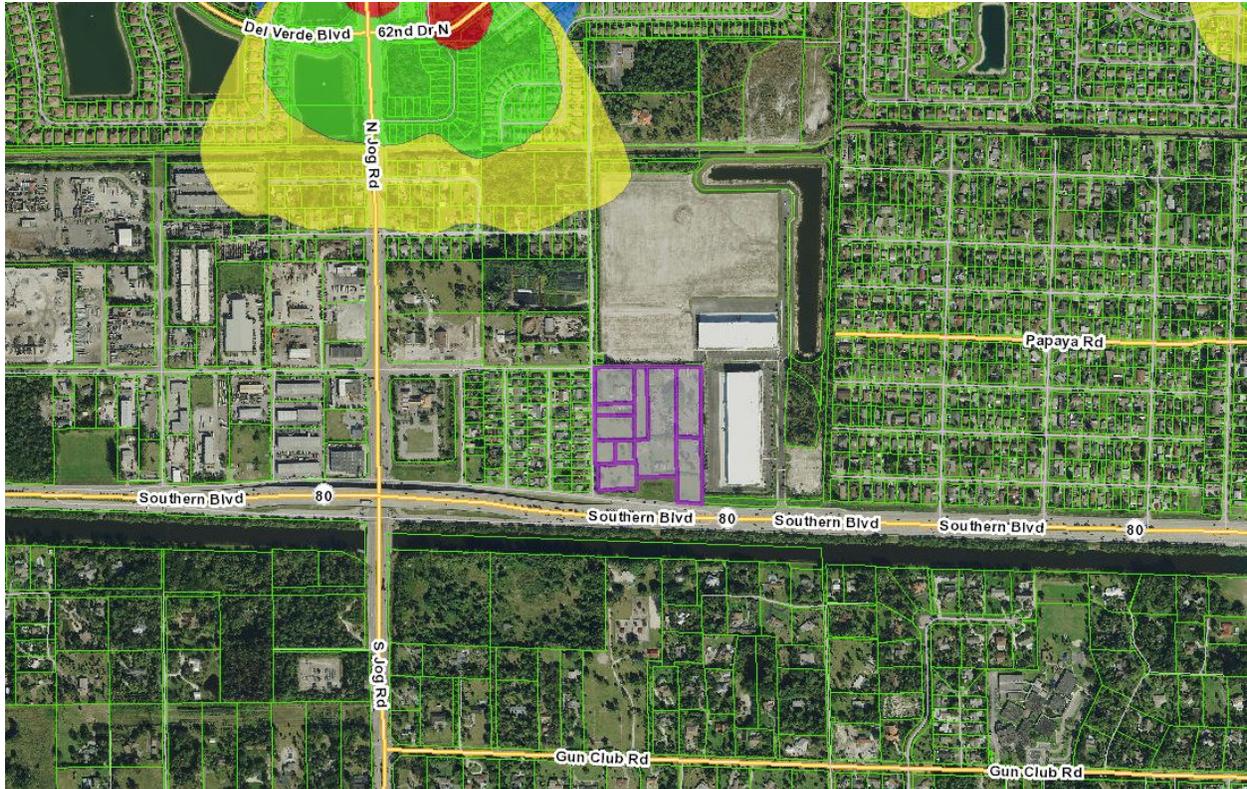
Below is an aerial photograph with the subject property highlighted in red. The subject property does not support any significant habitats or Listed Species.

According to historic aerials, the subject property was drained and cleared of natural vegetation at some point before 1952. The topography and soils remain relatively unchanged since the clearing of the site. Therefore, there will be minimal impact to the natural environment if the site is developed as intended.



**Attachment M - Wellfield Zone Map  
R80 PUD Residential  
Palm Beach County Future Land Use Atlas (FLUA) Amendment Submittal  
Original Submittal: May 8, 2019**

The subject property does not lay within any wellfield protection zones. The proposed planned development will have no negative impacts on the wellfield zones.





REIKENIS & ASSOCIATES, LLC

CONSULTING ENGINEERS

801 South Olive Avenue, Ste. 105  
West Palm Beach, FL 33401  
(561) 818-5381 • www.reikenis.com

April 22, 2019

LAND USE PLAN AMMENDMENT APPLICATION  
WELLFIELD PROTECTION ZONE STATEMENT

R80 PUD Residential  
Palm Beach County, Florida

SITE DATA

The subject parcel is located on the northeast corner of First Street and Southern Blvd. in Palm Beach County and contains approximately 11.01 acres. The Property Control Numbers (PCNs) for the subject parcel include the following:

00-42-43-27-05-005-1620	00-42-43-27-05-005-1590
00-42-43-27-05-005-1630	00-42-43-27-05-005-1591
00-42-43-27-05-005-1710	00-42-43-27-05-005-1640
00-42-43-27-05-005-2250	00-42-43-27-05-005-2240

The property is currently zoned as AR (Agricultural Residential) and RS-(Low Residential). The property owner is requesting a change in the zoning to PUD (Planned Unit Development).

The property is currently designated as Medium Residential, 5 dwelling unit per acre (MR-5) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the 11.01 acre parcel's designation to High Residential, 12 dwelling units per acre (HR-12) on the Palm Beach County Comprehensive Plan.

WELLFIELD PROTECTION ZONE STATEMENT

The subject parcel is not located within any Wellfield Protection Zones based on the "Wellfield Protection Zones in Palm Beach County" map on the Palm Beach County Comprehensive Plan (Map LU 4.1) adopted June 12, 2015.



Richard V. Reikenis, PE  
FL Reg No. 26978



**Department of Planning,  
Zoning & Building**

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

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)

**Palm Beach County  
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Melissa McKinlay

**County Administrator**

Verdenia C. Baker

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April 23, 2019

Jordan Sperling  
Schmidt Nichols, Landscape Architecture & Urban Planning  
1551 N. Flagler Dr., Suite 102  
West Palm Beach, Florida 33401

**RE: Historical and Archaeological Resource Review for the following project named R80 PUD Residential, under PCN: 00-42-43-27-05-005-1590, 1591, 1600, 1611, 1620, 1630, 1640, 2240, 2250, and 1710.**

Dear Mr. Sperling:

This correspondence is in reply to your request for a review of the above referenced properties in regards to the identification of any cultural resources (historical and archaeological resources) located on or within 500 feet of the properties.

Staff review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), has identified no historic or architecturally significant resources on or within 500 feet of the above referenced properties.

Staff review of the County's map of known archaeological sites has identified no known archaeological resources located on or within 500 feet of the above referenced properties.

However, should any artifacts or skeletal remains be encountered during construction, per Florida Statue 872, construction must stop around the remains and the local sheriff and medical examiner be contacted.

Should you have any questions or comments, please contact me at (561) 233-5331.

Sincerely,

Christian Davenport, MA, RPA  
County Historic Preservation Officer/ Archeologist

cc: Patricia Behn, Interim-Planning Director, PBC Planning Division  
Bryan Davis, Principal Planner, PBC Planning Division



THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FL

KRISTIN K. GARRISON, AICP  
DIRECTOR

WANDA F. PAUL  
CHIEF OPERATING OFFICER

PLANNING AND INTERGOVERNMENTAL RELATIONS  
3300 FOREST HILL BOULEVARD, SUITE B-102  
WEST PALM BEACH, FL 33406

PHONE: 561-434-8020 / FAX: 561-434-8815  
[WWW.PALMBEACHSCHOOLS.ORG/PLANNING](http://WWW.PALMBEACHSCHOOLS.ORG/PLANNING)

## SCHOOL CAPACITY AVAILABILITY DETERMINATION (SCAD)

<b>Application</b>	<b>Submittal Date</b>	05/10/2019		
	<b>SCAD No.</b>	19051001F – FLU		
	<b>FLU /Rezoning/D.O. No.</b>	Not Provided – Palm Beach County		
	<b>PCN No. / Address</b>	00-42-43-27-05-005-1590 / 6179 Southern Blvd and more		
	<b>Development Name</b>	R80 PUD Residential		
	<b>Owner / Agent Name</b>	Manuel Sarria, MGRM/PSTD / Josh Nichols		
	<b>SAC No.</b>	145C		
	<b>Proposed Amendment</b>	Max. 288 Residential Units		
<b>Impact Review</b>		<b>Benoist Farms Elementary School</b>	<b>Jeaga School</b>	<b>Royal Palm Beach High School</b>
	<b>New Students Generated</b>	45	25	36
	<b>Capacity Available</b>	263	260	<b>-187</b>
	<b>Utilization Percentage</b>	69%	70%	<b>109%</b>
<b>School District Staff's Recommendation</b>	<p><b>Based on the findings and evaluation of the proposed development, there will be negative impact on the public school system. Therefore, if the proposed development is approved by the Palm Beach County government, School District staff recommends the following condition to mitigate such impacts.</b></p> <p>In order to address the school capacity deficiency generated by this proposed development at the District high school level, the property owner shall contribute <b>\$517,176</b> to the School District of Palm Beach County prior to issuance of first building permit.</p> <p>This school capacity contribution is intended to supplement the required school impact fee (impact fee credit has already been applied). The contribution amount may be adjusted to reflect the actual unit number and type during the Development Order process.</p> <p>Please note that the school impact fee credit is calculated based on the Net Impact Cost per Student, as calculated in the County's latest Impact Fee Update Study recommended by the PBC Impact Fee Committee for adoption/implementation in 2019.</p>			
<b>Validation Period</b>	<p>1) This determination is valid from <b>05/15/2019</b> to <b>05/14/2020</b> or the expiration date of the site-specific development order approved during the validation period.</p> <p>2) A copy of the approved D.O. must be submitted to the School District Planning Dept. prior to <b>05/14/2020</b> or this determination will expire automatically on <b>05/14/2020</b>.</p>			
<b>Notice</b>	<p>School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and by direction of the Superintendent, public school attendance zones are subject to change.</p>			

School District Representative Signature

Joyce C. Cai, Senior Planner

Print Name & Title

May 15, 2019

Date

[joyce.cai@palmbeachschools.org](mailto:joyce.cai@palmbeachschools.org)

Email Address

CC: Patricia Behn, Interim Planning Director, Palm Beach County  
Joyell Shaw, PIR Manager, School District of Palm Beach County