



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
APRIL 25, 2019**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

4.	(19-21)	ABN/Z/CA-2018-1726 (1986-00140)	Catalina Townhomes
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AMEND Engineering Condition 7 of Exhibit C-2, to read as follows:

7. The Property Owner shall:

- i. Close the median cut on Belvedere Road for the two stage left out fronting the project.
- ii. Extend the west approach left turn lane on Belvedere Road at Brian Way, based on the County minimum requirements or as approved by the County Engineer.
- iii. Modify the intersection of Belvedere Rd and Brian Way to safely allow eastbound to westbound U-turn movements ~~for an SU-30 vehicle or,~~ as approved by the County Engineer.

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

- a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPMT:MONITORING-Engineering)
- b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO:MONITORING-Engineering)

ADD Health Condition 1 of Exhibit C – 2, to read as follows:

- 1. Prior to the issuance of the First Building Permit, the property owner shall provide a water service line stub-out, at the west property line to assist with future expansion. (BLDGPMT: MONITORING-Health)

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**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY APRIL 25, 2019

9:30 A.M.

**BCC Chambers 6th Floor, Jane Thompson Memorial Chambers
301 N Olive Ave, West Palm Beach, 33401**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

OTHER DEPARTMENT ITEMS

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.



**AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

APRIL 25, 2019

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Notice:

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Mayor, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

Public comment is encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.

- D. Proof of Publication - Motion to receive and file
- E. Swearing In - County Attorney
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [SV/ABN/Z/W-2018-01211](#) Title: a Development Order Abandonment application of 366 South Congress LLC by Kimley Horn and Associates Inc., Agent. Request: to abandon a Class A Conditional Use for office space in excess of thirty (30) percent of Gross Floor Area (GFA) in the Light Industrial (IL) Zoning District.
Title: an Official Zoning Map Amendment of 366 South Congress LLC by Kimley Horn and Associates Inc., Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Urban Infill (UI) Zoning District.
Title: a Type 2 Waiver of 366 South Congress LLC by Kimley Horn and Associates Inc., Agent. Request: to allow for the elimination of the Planting Amenity Zone; reduction of the Pedestrian Circulation Zone; and, the elimination of Civic and Usable Open Space.
General Location: Northeast corner of Congress Avenue and Ohio Street. **(ETC Office/Warehouse)** (Control 1984-00020)

Pages: 1 - 1
Project Manager: Donna Adelsperger
Size: 1.31 acres ± BCC District: 2

Staff Recommendation: Staff recommends a postponement to Thursday, May 23, 2019.
Zoning Commission Recommendation: Postponed to May 2, 2019 due to lack of quorum.
MOTION: To Postpone to Thursday, May 23, 2019.

2. [ABN/PDD/CA-2017-00983](#) Title: a Development Order Abandonment application of AMKBJ Partners, LTD LLLP by WGINC, Agent. Request: to abandon a Class B Conditional Use for a Wholesale Plant Nursery with accessory Type II Excavation.
Title: an Official Zoning Map Amendment of AMKBJ Partners, LTD LLLP by WGINC, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.
Title: a Class A Conditional Use of AMKBJ Partners, LTD LLLP by WGINC, Agent. Request: to allow a Type 3 Congregate Living Facility (CLF); and, to allow Workforce Housing Program (WHP) Density Bonus greater than 30 percent.
General Location: West side of Military Trail, approximately 0.60 miles north of Lantana Road. **(Heathwood Reserve)** (Control 1997-00008)

Pages: 2 - 2
Project Manager: Carolina Valera
Size: 22.54 acres ± BCC District: 3

Staff Recommendation: Staff Recommends postponement to Thursday, May 25, 2019.
Zoning Commission Recommendation: Postponed to May 2, 2019 due to lack of quorum.
MOTION: To postpone to Thursday, May 25, 2019.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

- 3. [STR-1991-00030-8](#) Title: Status Report for Resolution R-1991-1186. Request: Revoke the Special Exception to allow a Church/Sanctuary approved by Resolution R-1991-1186. Property Owner: Family Baptist 5 LLC General Location: Southwest corner of Loxahatchee River Road & Roebuck Road. Current Zoning: Residential Single-family (RS). **(Central Baptist Church (Control No. 1991-0030))**

Pages: 3 - 7

Project Manager: Bruce Thomson

Size: 4.16 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution revoking the Special Exception to allow a Church/Sanctuary approved by Resolution R-1991-1186.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

4. [ABN/Z/CA-2018-01726](#) Title: a Development Order Abandonment application of Fraternal Order of Police, Meritage Homes of Florida by WGINC, Agent. Request: to abandon a Special Exception (SE) to allow a Private Recreation Facility and Club.
Title: an Official Zoning Map Amendment of Fraternal Order of Police, Meritage Homes of Florida by WGINC, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.
Title: a Class A Conditional Use of Fraternal Order of Police, Meritage Homes of Florida by WGINC, Agent. Request: to allow Townhouse units; Workforce Housing Program (WHP) Density bonus greater than 50 percent; and, a Transfer of Development Rights.
General Location: Southwest corner of Belvedere Road and 62nd Drive North. **(Catalina Townhomes)** (Control 1986-00140)

Pages: 8 - 38

Conditions of Approval (18 - 24)

Project Manager: Meredith Leigh

Size: 6.57 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1; 17 Conditions of Approval as indicated in Exhibit C-2; 6 Conditions of Approval as indicated in Exhibit C-3; and, 8 Conditions of Approval as indicated in Exhibit C-4.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-0-1.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 6-0-1.

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment by a vote of 6-0-1.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Special Exception (SE) to allow a Private Recreation Facility and Club.

MOTION: To adopt a resolution approving a Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District subject to the Condition of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow Townhouse units subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow Workforce Housing Program (WHP) Density bonus greater than 50 percent subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Transfer of Development Rights subject to the Conditions of Approval as indicated in Exhibit C-4.

E. ZONING APPLICATIONS - NEW

- 5. [DOA-2018-02347](#) Title: a Development Order Amendment application of SR II, LLC by Urban Design Kilday Studios, Agent. Request: to delete a Condition of Approval (Engineering).

General Location: East side of Pratt Whitney Road, approximately 1,000 feet north of Corporate Road North. **(Palm Beach Park of Commerce Surf Ranch Florida)**
(Control 1981-00190)

Pages: 39 - 59

Conditions of Approval (45 - 49)

Project Manager: Lorraine Fuster

Size: 78.91 acres ±

BCC District: 1

(affected area 46.66 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 29 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 5-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to delete a Condition of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C.

- 6. [ZV/DOA/CA-2018-01558](#) Title: Development Order Amendment application of BW Southern and Benoist, LLC by Dunay Miskel and Backman LLP, Agent. Request: to reconfigure the Site Plan, modify uses, delete square footage, and, modify or delete Conditions of Approval (Architectural Review, Engineering, Landscape).
Title: Class A Conditional Use of BW Southern and Benoist, LLC by Dunay Miskel and Backman LLP, Agent. Request: to allow a Type 1 Restaurant with a Drive-through.
General Location: Northwest corner of Southern Boulevard and North Benoist Farms Road. (**Wawa SB 1327**) (Control 1991-00037)

Pages: 60 - 90

Conditions of Approval (66 - 76)

Project Manager: Meredith Leigh

Size: 3.13 acres ±

BCC District: 2

(affected area 0.60 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 44 Conditions of Approval as indicated in Exhibit C-2; and, 4 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 5-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, modify uses, delete square footage, and, modify or delete Conditions of Approval (Architectural Review, Engineering, Landscape) subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through subject to the Conditions of Approval as indicated in Exhibit C-3.

7. [ZV/DOA-2018-00972](#) Title: a Development Order Amendment application of Tjac Palmetto Park LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reconfigure the Site Plan and to add square footage.

General Location: Southwest corner of Palmetto Park Road and Powerline Road. (**Boca Del Mar PCD**) (Control 1981-00115)

Pages: 91 - 120

Conditions of Approval (98 - 105)

Project Manager: Carrie Rechenmacher

Size: 48.59 acres ±

BCC District: 4

(affected area 8.20 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 6 Conditions of Approval as indicated in Exhibit C-1; and, 50 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 5-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan and to add square footage subject to Conditions of Approval as indicated in Exhibit C-2.

8. [ZV/PDD/CA-2018-01515](#) Title: an Official Zoning Map Amendment application of Mattamy Palm Beach, LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Mixed Use Planned Development (MXPD) Zoning District.

Title: a Class A Conditional Use of Mattamy Palm Beach, LLC by Urban Design Kilday Studios, Agent. Request: to allow Retail Gas Fuel Sales with a Convenience Store; and, two Type 1 Restaurants with Drive-throughs.

General Location: Southwest corner of Lake Worth Road and Polo Road. (**Polo Legacy MXPD**) (Control 2007-00096)

Pages: 121 - 160

Conditions of Approval (130 - 139)

Project Manager: Meredith Leigh

Size: 38.54 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 31 Conditions of Approval as indicated in Exhibit C-2; 5 Conditions of Approval as indicated in Exhibit C-3; 4 Conditions of Approval as indicated in Exhibit C-4; and, 4 Conditions of Approval as indicated in Exhibit C-5.

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 5-0-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Mixed Use Planned Development (MXPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow Retail Gas Fuel Sales with a Convenience Store subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through (Building C) subject to the Conditions of Approval as indicated in Exhibit C-4.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through (Building E) subject to the Conditions of Approval as indicated in Exhibit C-5.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

- A. ITEMS PULLED FROM CONSENT**

- B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA**

- C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS**

- D. PREVIOUSLY POSTPONED STATUS REPORTS**

- E. STATUS REPORTS - NEW**

- F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

- G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

- H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION**

- I. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- J. ZONING APPLICATIONS - NEW**

- K. ULDC AMENDMENTS**

- L. COMPREHENSIVE PLAN TEXT AMENDMENTS**

- M. OTHER ITEMS**

END OF REGULAR AGENDA

OTHER DEPARTMENT ITEMS

A. PURCHASING CONTRACT

B. DEPARTMENT UPDATE

C. ENGINEERING ITEM

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT