



**ZONING COMMISSION
AMENDMENTS TO THE AGENDA
MAY 2, 2024**

CONSENT AGENDA

2. Z-2023-00850 One Mile Property

AMEND – To correct the acreage in the Official Zoning Map Amendment Conditions of Approval shown as Exhibit C as shown below with the deleted text struck out and the added text underlined:

Official Zoning Map Amendment on ~~20.07~~ 22.07 acres

REGULAR AGENDA

3. ABN/DOA/CA-2022-01898 Lantana Plaza

AMEND – To amend the Development Order Amendment Conditions of Approval in Exhibit C-1 as shown with the deleted text struck out and the added text underlined:

ZONING - LANDSCAPING-LANDSCAPING ALONG THE SOUTH AND WEST PROPERTY LINES (ABUTTING LANTANA ROAD AND HAVERHILL ROAD)

7. Previous ZONING - LANDSCAPING Condition 10 of Resolution R-2009-11, Control No.2003-00099, which currently states:

In addition to Code requirements, landscaping and buffering along the south and west property lines shall be upgraded to include:

- a. a minimum twenty (20) foot wide landscape buffer strip along the south and west property lines. A maximum five (5) foot easement overlap shall be permitted;
- b. one (1) native canopy tree for each thirty (30) feet of the property line;
- c. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (BLDG PERMIT: LANDSCAPE Zoning)

Is hereby deleted. [REASON: Deleted to meet current ULDC requirements]

ZONING - LANDSCAPING-LANDSCAPING ALONG THE EAST PROPERTY LINE (ABUTTING RESIDENTIAL)

8. Previous ZONING - LANDSCAPING Condition 11 of Resolution R-2009-11, Control No.2003-00099, which currently states:

In addition to Code requirements, landscaping and buffering along the east property line shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip with a maximum of five (5) foot easement overlap along the north 160 feet of the east portion only (adjacent to the lake) shall be permitted;
- b. a continuous two (2) foot high berm;
- c. a six (6) foot high opaque concrete wall to be located on the plateau of the berm. The exterior side of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure;
- d. one (1) canopy tree planted for each twenty (20) linear feet of the property line, alternating on both sides of the wall; and
- e. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, alternating on both sides of the wall. (BLDG PERMIT: LANDSCAPE Zoning)

Is hereby amended to read:

In addition to Code requirements, landscaping and buffering along the east property line shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip with a maximum of five (5) foot easement overlap along the east property line
- b. a continuous two (2) foot high berm;
- c. a six (6) foot high opaque concrete wall to be located on the plateau of the berm. The exterior side of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure;
- d. one (1) canopy tree planted for each twenty (20) linear feet of the property line, alternating on both sides of the wall; and
- e. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, alternating on both sides of the wall. (BLDG PERMIT: LANDSCAPE Zoning)

PLANNED DEVELOPMENT

1. Previous ZONING - LANDSCAPING Condition 18 of Resolution R-2009-11, Control No.2003-00099, which currently states:

Prior to final approval of the site plan by the Development Review Officer (DRO), the property owner shall record a covenant/unity of control in the public record indicating that all structures, uses and parking areas within the project are part of a single unified planned development, regardless of ownership. The covenant/unity of control shall be recorded in the public record in a manner and form acceptable to the County Attorney. The covenant/unity of control shall not be removed, altered, changed or amended without written approval from the Zoning Director.

Is hereby amended to read:

Prior to final approval of the site plan by the Development Review Officer (ORO), the property owner shall record in the public record a Unity of Control covenant indicating that all structures, uses and parking areas within the project are part of a single unified planned development, regardless of ownership and shall require architectural consistency between all buildings, signage and project identification. Consistency shall include, at a minimum, an overall unified image and character created by the use of common elements such as building materials, roof-lines, muted colors, fenestration, architectural features, and architectural elements. The covenant shall be recorded in a form and manner acceptable to the Zoning Division, Land Development Division, and County Attorney. The Unity of Control covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director and County Engineer. (DRO: ZONING - County Attorney)

4. ABN/ZV/Z/CA-2023-00669 Peace Village

AMEND – To modify the Agenda to revise the motions as shown with the deleted text struck out and added underlined text:

- c. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Residential Single Family (RS) Zoning District to the Residential Multifamily (RM) Zoning District on 6.48 acres

MOTION: To recommend approval of item 4.~~d~~c

- d. **Title:** a Type 2 Variance **Request:** to allow a 37% (76 space) reduction in the number of required parking spaces on 6.48 acres

MOTION: To recommend denial of item 4.ed

AMEND – To amend the Type 2 Variance Conditions of Approval in Exhibit C-1 as shown with the deleted text struck out and added text underlined. In addition, the Staff Report references to Applicant’s Justification (including for Justification for Variance Standards a, d, f, and g) are also revised to change the language that all residents shall be income restricted to “*below 70 percent AMI*” to “*the minimum percentages required in the Palm Beach County Affordable Housing Program*”. **Additional letters** also attached from the applicant regarding this change, and from the Housing Leadership Council.

VARIANCE

1. This Variance is approved based on the layout as shown on the Preliminary Site Plan dated March 14, 2024. Only minor modifications by ~~Board of County Commissioners~~ Zoning Commission or Development Review Officer shall be permitted provided the changes are consistent with this Preliminary Site Plan. (ONGOING: ZONING - Zoning)
5. All residents shall be income restricted to the requirements of the Palm Beach County Affordable Housing Program ~~below 70 percent AMI~~ and shall be over 55 years of age. (ONGOING: 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~~ Zoning Commission for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)



GREEN MILLS GROUP
BUILDING COMMUNITIES

May 1st, 2024

Lisa Amara, Zoning Director
Palm Beach County
2300 N Jog Road
West Palm Beach, FL 33411

RE: Request to Adjust Proposed Condition for Peace Village on Income and Rent Maximum Limitations from 70 Percent Area Median Income (“AMI”) to 80 Percent AMI

Dear Lisa,

We wanted to provide some points of clarification for requesting the proposed condition on Peace Village’s income and rent restrictions to allow for set-asides up to 80 percent AMI instead of 70 percent AMI. When we submitted the justification statement, we were projecting - at a point in time -that this development would only include rent set-asides up to 70 percent AMI, with an average AMI for the community to equal 60 percent AMI and below. However, Federal, State, and County requirements for Affordable / Low Income Housing reflect limitations up to 80 percent AMI provided that the average AMI for the community (units funded with Low-income Housing Tax Credits) remains at 60 percent AMI and below.

Therefore, within the proposed Peace Village rezoning conditions, we should match the Federal, State, and Local limitations, as detailed within funding guidelines from Florida Housing Finance Corporation (FHFC), the State’s allocating agency, and we have made adjustments that now include set-asides up to 80 percent AMI.

Below, you will see the currently anticipated set-asides for Peace Village that do not, and will never exceed, 80 percent AMI and which maintains the average AMI at or below 60 percent AMI. Note, also, that this requires us to include more units with the 60 percent AMI level than previously submitted.

Rent Table										
Bedroom Type	# Units	Sq. Ft.	Total Sq. Ft.	AMI Rent %	Type	Max Rent 2023	Net Rent	Monthly Rent	Rent PSF	Annual Rent
1 Bed / 1 Bath	15	632	9,480	30%	ELI	548	445	6,675	0.704	80,100
1 Bed / 1 Bath	63	632	39,816	60%	LI - 60%	1,096	993	62,559	1.571	750,708
1 Bed / 1 Bath	22	632	13,904	80%	HLI - 80%	1,462	1,359	29,898	2.150	358,776
			-							
2 Bed / 2 Bath	1	875	875	30%	ELI	657	536	536	0.613	6,432
2 Bed / 2 Bath	1	875	875	60%	LI - 60%	1,315	1,194	1,194	1.365	14,328
2 Bed / 2 Bath	2	875	1,750	80%	HLI - 80%	1,754	1,633	3,266	1.866	39,192
Manager Unit			-							
Total	104		66,700					104,128		1,249,536

As you can see, the majority of units at Peace Village will be at 60 percent AMI and below. Additionally, the calculation below demonstrates that the average AMI at Peace Village in the current financial projection is at 60 percent AMI (as it was previously).

INCOME AVERAGING WORKSHEET			
	AMI Set-Aside	# of Units	% of Units
	20%		0.00%
(ELI Designation)	30%	16	15.38%
	40%		0.00%
	50%		0.00%
	60%	64	61.54%
	70%		0.00%
	80%	24	23.08%
Total Qualifying Housing Credit Units		104	100.00%
Market Rate Units			0.00%
Total Units		104	100.00%
Average AMI of the Qualifying Housing Credit Units		60.00%	(equal to 60% maximum)

We need to maintain the ability to allocate our set-asides up to 80 percent AMI to balance our budgets and be able to qualify for the broadest spectrum of funding opportunities available for affordable housing developments. Moreover, 80 percent AMI meets both the State of Florida and Palm Beach County definition of Affordable Housing. We appreciate your consideration with this requested change and will be happy to answer any questions that might arise from our justification for said request.

Sincerely,

Mitchell Rosenstein
Principal
Green Mills Group



Founding Members

- Business Development Board
- Chamber of Commerce of the Palm Beaches
- Economic Council of Palm Beach County, Inc.
- Greater Boca Raton Chamber of Commerce
- Greater Delray Beach Chamber of Commerce
- Palm Beach Northern Chamber of Commerce
- Central Palm Beaches Chamber of Commerce
- CareerSource

Supporting Member

- Fannie Mae
- Freddie Mac

Mission

The Housing Leadership Council of Palm Beach County, Inc. is an action-oriented coalition of business, civic and community leaders working to identify strategic solutions and funding options to the workforce housing shortage in Palm Beach County. Its primary goal is to increase the availability of attainable housing throughout Palm Beach County for workers at all income levels.

April 30, 2024

RE: Endorsement of the Peace Village

The Housing Leadership Council of Palm Beach County, Inc. (HLC) is an action-oriented coalition of business, civic and community leaders working to identify strategic solutions and funding options to the workforce housing shortage in Palm Beach County.

As part of our standard review process of proposed housing projects, PEACE Village was presented to the Housing Leadership Council who reviewed the project according to endorsement criteria and unanimously voted to support this proposed project at its April 26, 2024 meeting.

Peace Village, being developed in partnership with Union Congregational United Church of Christ, is a senior, affordable community. It will provide 104 one bedroom/one-bathroom units for seniors making 80%AMI and below. Low- and moderate-income seniors are reaching crisis levels in terms of housing affordability and these units are critically important to this area.

The project is on the southwest corner of Summit Boulevard and Haverhill Road which has easy access to transportation. This makes it easier for seniors, who by necessity or choice choose not to drive. The need for parking spaces can be lowered for this demographic according to several AARP findings. The need for units for this demographic continues to increase, making additional units the top priority. Now more than ever, the county needs to do everything in its power to approve more units for this vulnerable population.

In closing, we fully support Peace Village as it is being submitted. Please feel free to contact the Housing Leadership Council with any questions or for further information on affordable housing.

Sincerely,

Suzanne P. Cabrera
President & CEO

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**



ZONING COMMISSION HEARING

Thursday, May 2, 2024

**9:00 a.m., 1st Floor Vista Center,
2300 N Jog Rd, West Palm Beach, 33411**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Zoning Commission Annual Election of Chair and Vice Chair
- D. Remarks of the Chair
- E. Notice
- F. Proof of Publication
- G. Swearing In
- H. Approval of the Minutes
- I. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - Motion to adopt the Agenda
- J. Disclosures for All items on Agenda
- K. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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

AGENDA
PALM BEACH COUNTY
ZONING COMMISSION
MAY 2, 2024

CALL TO ORDER

- A. Roll Call – 9:00 AM.
- B. Opening Prayer and Pledge of Allegiance
- C. Zoning Commission Annual Election of Chair and Vice Chair
- D. Remarks of the Chair

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista enter, Ken Rogers Hearing Room, VC-1W-47, 2300 N. Jog Road, West Palm Beach, FL, to consider proposed applications and staff recommendations pursuant to and other actions the Palm Beach County Unified Land Development Code. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on applications not subject to Zoning Commission final action.

E. 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:

- 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 Chair, 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.

- F. Proof of Publication - **Motion** to receive and file
- G. Swearing In - County Attorney
- H. Approval of the Minutes - [Motion to approve the minutes](#)
- I. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - **Motion** to adopt the Agenda
- J. Disclosures for all items on Agenda
- K. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- A. Postponements
- B. Remands
- C. Withdrawals

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA -

CONSENT AGENDA

- A. Requests to pull items from Consent
 - B. Zoning Applications
1. [PDD/DOA-2023-00848 Valencia Cove AGR PUD Preserve](#) (2004-00369)
Zoning Application of One Mile Properties LLC, Michael Crabb, Anthony Amante by JMorton Planning & Landscape Architecture
Location: Northwest corner of Atlantic Avenue and Starkey Road
Project Manager: Imene Haddad, Senior Site Planner
BCC District: 5
Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.
 - a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District on 22.07 acres
MOTION: To recommend approval of item 1.a
 - b. **Title:** a Development Order Amendment **Request:** to delete land area (22.07 acres) and add land area (22.07 acres) for an existing 1,392.48 acre
MOTION: To recommend approval of item 1.b
 - c. **Title:** a Development Order Amendment **Request:** to allow the partial release of the Conservation Easement recorded in ORB 2802 Page 0966 on 22.07 acres from the previously approved 134.77 acres
MOTION: To recommend approval of item 1.c
 2. [Z-2023-00850 One Mile Property](#) (2023-00016)
Zoning Application of One Mile Properties LLC by JMorton Planning & Landscape Architecture
Location: Northwest corner of Atlantic Avenue and Starkey Road
Project Manager: Imene Haddad, Senior Site Planner
BCC District: 5
Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C.
 - a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District on 22.07 acres
MOTION: To recommend approval of item 2.a

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

B. Zoning Applications

3. [ABN/DOA/CA-2022-01898 Lantana Plaza](#) (2003-00099)

Zoning Application of Lantana Parcel LLC by Cotleur & Hearing, Inc.

Location: Northeast corner of Lantana Road and Haverhill Road

Project Manager: Jordan Jafar, Senior Site Planner

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.

- a. **Title:** a Development Order Abandonment **Request:** to abandon a Requested Use for a Financial Institution on 9.65 acres

MOTION: No action necessary

- b. **Title:** a Development Order Amendment **Request:** to modify the overall MUPD site plan to add and delete uses, to add square footage and, to modify Conditions of Approval on 9.65 acres

MOTION: To recommend approval of item 3.b

- c. **Title:** a Class A Conditional Use **Request:** to allow Retail Gas and Fuel Sales and Convenience Store on 9.65 acres

MOTION: To recommend approval of item 3.c

4. [ABN/ZV/Z/CA-2023-00669 Peace Village](#) (1989-00051)

Zoning Application of Union Congregational Church of West Palm Beach FL by JMorton Planning & Landscape Architecture

Location: Southwest corner of Summit Boulevard and Haverhill Road

Project Manager: Joyce Lawrence, Senior Site Planner

BCC District: 3

Staff Recommendation: Staff recommends denial of items d. and e., and recommends approval of a., b., and c. If the ZC recommends approval of d. and e., the recommendation shall be subject to the Conditions of Approval in Exhibit C-1 and C-2.

- a. **Title:** a Development Order Abandonment **Request:** to abandon a Special Exception for a Planned Unit Development on 6.48 acres

MOTION: No action necessary

- b. **Title:** a Development Order Abandonment **Request:** to abandon a Special Exception for a Church and Accessory Buildings and Structures on 6.48 acres

MOTION: No action necessary

- c. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Residential Single Family (RS) Zoning District to the Residential Multifamily (RM) Zoning District on 6.48 acres

MOTION: To recommend approval of item 4.d

- d. **Title:** a Type 2 Variance **Request:** to allow a 37% (76 space) reduction in the number of required parking spaces on 6.48 acres

MOTION: To recommend denial of item 4.c

- e. **Title:** a Class A Conditional Use **Request:** to allow Affordable Housing Density increase greater than 50% (a 100% increase for 52 additional units) on 6.48 acres

MOTION: To recommend denial of item 4.e

- END OF REGULAR AGENDA -

COMMENTS

- A. COUNTY ATTORNEY
- B. PLANNING DIRECTOR
- C. ZONING DIRECTOR
- D. EXECUTIVE DIRECTOR
- E. COMMISSIONERS

ADJOURNMENT