

**PALM BEACH COUNTY
PLANNING COMMISSION
(LOCAL PLANNING AGENCY)**

MINUTES OF THE JANUARY 13, 2023 MEETING

On January 13, 2023 at 9:00 AM, the Palm Beach County Planning Commission (PLC) met in the 1st Floor Hearing Room in the Vista Center, 2300 North Jog Road, West Palm Beach, Florida.

I. CALL TO ORDER

A. Roll Call

Precious Sermon called the roll and confirmed a physical quorum.

Deputy Planning Director, Jeff Gagnon called the meeting to order at 9:00 AM

District	Name	Present	Absent
1	Penny Pompei	X	
1	John Carr		X
2	Jay Nisberg		X
2	Sara Pardue*	X	
3	Barbara Roth	X	
3	Dagmar Brahs	X	
4	Glenn Gromann	X	
4	Spencer Siegel – Chair		X
5	Lori Vinikoor	X	
5	Rick Stopek – Vice Chair		X
6	Marcia Hayden**	X	
6	Kiley Harper-Larsen	X	
7	Angella Vann	X	
7	Vacant		
At Lg.	David Serle***		X ¹
	14 members on the Commission	9	5
Notes:	*Sara Pardue arrived at 9:03 AM and left at 1:56 PM ** Marcia Hayden arrived at 9:03 PM and left at 2:45 PM ***David Serle left at 11:50 AM ¹ Per the ULDC, Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting.		

Planning Staff Present: Jeff Gagnon (Deputy Planning Director), Stephanie Gregory, Precious Sermon, Jerry Lodge, Maria Bello, Kathleen Chang, Peta-Gaye Edwards, Matthew Briley, Bryan Davis, Laurie Harari, Jorge Perez, Travis Goodson, Khurshid Mohyuddin and Kevin Andrews.

Other County Staff Present: Ramsay Bulkeley (Executive Director of PZB), Whitney Carroll (Deputy Director of PZB), Patrick Rutter (County Admin), David Ricks (Engineering), Joanne

Keller (Engineering), Mo Al Turk (Traffic), Morton Rose (Roadway Production) and Darren Leiser (Assistant County Attorney).

B. Pledge of Allegiance

Motion to approve Chair – Lori Vinikoor made by Dagmar Brahs, seconded by Barbara Roth, passed in a 10 to 0 vote.

Motion to approve Vice Chair – Barbara Roth made by Dagmar Brahs, seconded by Angella Vann, passed in a 10 to 0 vote.

C. Proof of Publication. Confirmed by Jeff Gagnon, Deputy Planning Director.

D. Postponements & Agenda Approval. None.

E. Consideration of Minutes – December 9, 2022

Motion to approve the minutes made by Glenn Gromann, seconded by Angella Vann, passed in a 10 to 0 vote.

II. COMMENTS

A. By the Public on Non-Agenda items.
No comment.

B. By the Chair
Lori Vinikoor, Chair, went over the order of proceeding for the meeting.

III. PUBLIC HEARING

A. County Proposed Text & Map Series Amendments

1. Alternative Affordable Housing Approval Process Text

Matthew Briley, Planner I, gave the staff presentation with a staff recommendation for approval.

Commission discussion included the lowest income workforce housing category, the approval process for projects meeting this statute, and public notification and public hearing requirements.

There was no public comment.

A motion to approve, motion by Glenn Gromann, seconded by Marcia Hayden, passed in a 10 to 0 vote.

2. Heritage Farms Rural Overlay Text

Travis Goodson, Senior Planner, gave the staff presentation with a staff recommendation for approval.

Commission discussion included comments regarding the proposed policies and boundaries, how properties can develop under current regulations, and the effect of the text amendment on properties with applications in process.

Eight members of the public spoke in support, including members of the Loxahatchee Group of the Sierra Club, citing that the proposed text amendment would support agricultural and equestrian uses, enhance quality of life, and support low-density residential development. Four members of the public spoke in opposition, citing concerns with property rights and negative impacts to agricultural businesses. Two members of the public representing properties under an active application within the proposed boundaries also spoke requesting to be excluded from the overlay.

A motion to approve, an initial motion by Penny Pompei, seconded by Barbara Roth, passed in a 9 to 0 vote with Kiley Harper-Larsen abstaining.

A substitute motion to approve with modifications was made by Glenn Gromann, seconded by Angela Vann failed in a 4 to 5 vote (with Barbara Roth, Penny Pompei, Dagmar Brahs, Sarah Pardue, and David Serle dissenting). The modification included the removal of the Yee/Cypress Polo properties from the boundaries of the overlay.

3. 60th Street North TIM Amendment

Khurshid Mohyuddin, Principal Planner, gave the staff presentation with a staff recommendation for approval.

Commission discussed concerns regarding properties that may be affected by the expansion of the roadway and the timing of the construction.

Three members of the public spoke in opposition stating concerns regarding expansion of the road.

A motion to approve, motion by Glenn Gromann, seconded by Sarah Pardue, passed in a 10 to 0 vote.

4. Northlake West TIM Amendment

Khurshid Mohyuddin, Principal Planner, gave the staff presentation with a staff recommendation for approval.

Commission discussion included comments regarding approvals for large developments in the area and the resulting need for roadway widening. The Commission asked questions related to alternative routes, the purpose of the TIM and the proportionate share agreement for the approved Avenir development.

In total, nine members of the public spoke and all in opposition. Two representatives of the City of West Palm Beach and four from the City of Palm Beach Gardens (including Mayor Chelsea Reed) cited alternative routes and concerns with adverse impacts to Grassy Waters Preserve and to municipal residents. In addition, the two municipalities provided a Notice of Intent to object through Intergovernmental Plan Amendment Review Committee

(IPARC). Representatives of the North County Neighborhood Coalition (NCNC), Carlton Oaks HOA, and Preserve at Bayhill Estates HOA spoke citing concerns including noise, loss of buffers, trees and deceleration lanes, and environmental and economic impacts. Letters in opposition were submitted for the record on behalf of Osprey Isles HOA, Ibis Club and POA, and The Grande at Ibis HOA.

A motion to approve, motion by Glenn Gromann, seconded by Penny Pompei, passed in an 8 to 1 vote with Sarah Pardue dissenting and Angella Vann abstaining.

B. Privately Proposed FLUA Amendments

1. Logan Ranch Residential (LGA 2023-14)

Jerry Lodge, Planner II, gave the staff presentation with a staff recommendation for approval with conditions.

Commission discussion included questions regarding the condition requiring a concurrent adoption hearing for the FLUA and zoning applications, the income distribution of the workforce housing units, the proposed number of stories, and the potential impacts to Acme Dairy Road.

Two members of the public, including a representative of the Sierra Club Loxahatchee Group, spoke in opposition citing the need to preserve agricultural land. In addition, a representative of the Coalition of Boynton West Residential Associations (COBWRA) spoke in opposition stating the need to widen Acme Dairy Road and concerns with the density and proposed four story buildings. Three members of the public, including the applicant, spoke in support citing the benefits of workforce housing units on the site and compatibility with surrounding uses.

A motion to approval with modifications, motion by Penny Pompei, seconded by Glenn Gromann, passed in a 9 to 0 vote.

2. BC Commerce Center (LGA 2023-003)

Jerry Lodge, Planner II, gave the staff presentation with a staff recommendation for approval with conditions.

Commission discussion included questions regarding the timing of pending Unified Land Development Code (ULDC) amendments to address uses allowed in the Commerce FLU, the size and location of the preserve area, and the appropriateness of limiting the allowed square footage on the site.

Three members of the public, including representatives of the Sierra Club Loxahatchee Group, spoke in opposition citing the need to preserve agricultural lands and potential traffic impacts. In addition, a representative of the Coalition of Boynton West Residential Associations (COBWRA) spoke in opposition stating that the community desired uses (indoor recreation) are not currently allowed in the proposed ULDC amendments. Two members of the development team spoke in support citing their previous projects and proposed uses for the community that do not current exist in the area.

A motion to approve with modifications, motion by Glenn Gromann, seconded by Sarah Pardue, passed in a 9 to 0 vote. The modification consisted of an additional condition of approval to limit the site to 719,764 square feet (0.35 FAR) of uses allowed within the CMR future land use designation. The applicant stated on the record that they agree with the added condition.

IV. REGULAR AGENDA

A. County Proposed Text Initiation

1. Agriculture Reserve TIM Amendment

Khurshid Mohyuddin, Principal Planner, gave the staff presentation with a staff recommendation to initiate.

Commission discussion included the reasons for and alternatives to adding Happy Hollow Road to the TIM, the proposed alignment of 158th Road S and the timing of the construction for Flavor Pict Road and Lyons Road.

Six members of the public spoke in opposition to adding the Happy Hollow Road ROW citing the equestrian, agricultural, residential character of the area. One member of the public spoke in opposition concerned with additional development in the Agricultural Reserve. Two members of the public spoke in support citing the need to alleviate traffic and provide access to State Road 7. A representative for a property owner spoke generally in support of the initiation and submitted a letter for the record but stated that the property owner had concerns with the inclusion of 158th Road South.

A motion to initiate with modifications, motion by Glenn Gromann, seconded by Barbara Roth, passed in a 7 to 0 vote. The modification includes relocating the proposed east-west connections of Happy Hollow Road ROW and 158th Street South.

B. Privately Proposed Text Initiation

1. Heritage Farms Transitional Overlay Text

Stephanie Gregory, Principal Planner, gave the staff presentation with a staff recommendation to initiate.

Commission discussion included the size and height of the landscaping buffers, access to the site and concerns with public outreach to the residents.

Five members of the public spoke in opposition stating a potential domino effect of requests and desire for community meetings and discussions with the applicant. One member of the public requested an area on the site for a farm stand to allow for agricultural sales. One of the applicants spoke in support stating the proposed text amendment is identical to the Trotting Center request.

A motion to initiate, motion by Penny Pompei, seconded by Dagmar Brahs passed in a 6 to 0 vote with Kiley Harper-Larsen abstaining.

V. UPDATES AND COMMENTS

A. Commission Members.

Glenn Gromann mentioned that the County staff did a great job on the reports.

B. PZ&B Executive Director.

No comment.

C. Assistant Land Use Attorney.

No comment.

D. Planning Director.

No comment.

VI. ADJOURN

The Planning Commission meeting adjourned at 3:28 PM.

Recorded audio and/or video CDs of all Planning Commission meetings are kept on file in the Palm Beach County Planning Division office. Please contact the Planning Commission Liaison, Precious Sermon, at 561-233-5327 for more information.

This signature is to attest that the undersigned is the Secretary, or a designated nominee, of the Planning Commission and that the information provided herein is the true and correct Minutes for the January 13, 2023 meeting of the Planning Commission of Palm Beach County, approved this 10 day of February, 2023.



Kevin Fischer, Planning Director