



**BOARD OF COUNTY COMMISSIONERS  
ZONING HEARING**

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

**March 25, 2019**

**AGENDA**

<b><u>ITEM #</u></b>	<b><u>PAGE #</u></b>	<b><u>APPLICATION AND CONTROL #S</u></b>	<b><u>APPLICATION NAME</u></b>
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**POSTPONMENTS/REMANDS/WITHDRAWALS AGENDA**

**B. REMANDS**

1.	(Agenda Page 2)	ZV/DOA-2017-02426 (2012-00253)	RaceTrac Market
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Applicant requested a remand to the DRO for recertification of the application based on modifications.

**CONSENT AGENDA**

**E. ZONING APPLICATIONS – NEW**

4.	(78-83)	SV/DOA/CA-2018-01218 (1981-00190)	Palm Beach Park of Commerce Beeline Commons
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**AMEND** Engineering Condition 4.a. from Exhibits C-3, C-4 and C-5, to read as follows:

4. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2023, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study, which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E Article 2, Chapter E of the Unified Land Development Code. (BLDGPMTDATE: MONITORING- Engineering)



March 19, 2019

Jon MacGillis  
Zoning Division Director  
Palm Beach County Zoning Division  
2300 N. Jog Rd., 2nd Floor  
West Palm Beach, FL 33411

**RE: FORMAL REQUEST FOR 30 DAY EXTENSION  
RACETRAC MARKET (ZV/DOA-2017-02426)**

Dear Mr. MacGillis,

Please let this letter serve as a formal request to be remanded back to DRO for the following project:

**Application Name:** RaceTrac Market  
**Control No:** 2012-00253  
**Application No:** ZV/DOA-2017-02426

**Request:**

1. Development Order Amendment (DOA) to an existing approved Class A Conditional Use (Retail Gas & Fuel Sales).

We are respectfully requesting to be remanded back to DRO, for our application that was certified on December 26, 2018, in order to continue to work with the community and key stake holders. Per Article 2.B.3.D entitled Application Modification after Certification, our proposed modifications to the site plan exceed 30% necessitating review by Palm Beach County DRO.

Should you have any questions, please do not hesitate to contact me. Thank you for your assistance with this matter.

Sincerely,

**WGI**

A handwritten signature in blue ink that reads "Jennifer Vail".

Jennifer Vail  
Planner

Cc:  
Chad Riddle  
Carlos Torres  
William Cross  
Harvey Oyer



INTEROFFICE MEMORANDUM

Department of Engineering and Public Works

P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

DATE: March 25, 2019
TO: Mayor Bernard and Members of the Board of County Commissioners
FROM: Quazi Bari, P.E., Senior Professional Engineer Traffic Division - Engineering Department
RE: Catalina Townhomes
ABN/Z/CA-2018-01726

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

After further discussion on the above project, staff recommends the condition below for the March 25, 2019 public hearing agenda:

Modify Engineering Condition 7, as proposed in the Staff Report, as follows:

Engineering Condition

- 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. (BLDGPM: MONITORING -Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

"An Equal Opportunity Affirmative Action Employer"



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**BOARD OF COUNTY COMMISSIONERS  
ZONING HEARING**

**MONDAY MARCH 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/](http://www.pbcgov.com/pzb/)

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



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

**MARCH 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. [ZV/DOA-2017-02426](#) Title: a Development Order Amendment application of Racetrac Petroleum Inc by WGINC, Agent. Request: to reconfigure the Site Plan; add building square footage and pump/fueling position; and, modify Conditions of Approval (Engineering, Landscape and Site Design).

General Location: Northwest corner of Haverhill Road and Lantana Road. (**RaceTrac Market**) (Control 2012-00253)

Pages: 1 - 1

Project Manager: Carlos Torres

Size: 1.71 acres ±

BCC District: 2

Staff Recommendation: Staff recommends postponement to Thursday, April 25, 2019.

Zoning Commission Recommendation: Denied a Type 2 Variance by a vote of 6-0-1.

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

**MOTION:** To postpone to Thursday, April 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**

**D. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- 2. [EAC-2018-02356](#) Title: an Expedited Application Consideration application of Lennar Homes LLC, The Groves by Lennar Homeowners Assoc. by Urban Design Kilday Studios, Agent. Request: to delete Conditions of Approval (Planning).

General Location: South side of Lantana Road, approximately 1,235 feet west of South Military Trail. **(Sabal Grove)** (Control 2005-00535)

Pages: 2 - 22

Conditions of Approval (6 - 10)

Project Manager: Carolina Valera

Size: 10.48 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 20 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to delete Conditions of Approval (Planning) subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** to approve termination and release of Master Declaration of Restrictive Covenants for Workforce Housing.

**E. ZONING APPLICATIONS - NEW**

- 3. [ZV/Z-2018-00586](#) Title: an Official Zoning Map Amendment application of David Lueke, Angela Lueke by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Single Family Residential (RS) Zoning District to the Light Industrial (IL) Zoning District. General Location: Northwest corner of Tall Pines Road and Southern Boulevard. (**Mach Five Industrial Park**) (Control 1983-00047)

Pages: 23 - 40

Conditions of Approval (27 - 28)

Project Manager: Meredith Leigh

Size: 1.78 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone and 6 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Single Family Residential (RS) Zoning District to the Light Industrial (IL) Zoning District, with a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C.

4. [SV/DOA/CA-2018-01218](#) Title: a Development Order Amendment application of Palm Beach Investment Property, LLC by Urban Design Kilday Studios, Agent. Request: to add uses.

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

General Location: Northwest corner of Beeline Highway (SR 710) and Park of Commerce Boulevard. (**Palm Beach Park of Commerce Beeline Commons**) (Control 1981-00190)

Pages: 41 - 96

Conditions of Approval (49 - 83)

Project Manager: Meredith Leigh

Size: 1,322.19 acres ±

BCC District: 1

(affected area 9.54 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 125 Conditions of Approval as indicated in Exhibit C-2; 8 Conditions of Approval as indicated in Exhibit C-3; 8 Conditions of Approval as indicated in Exhibit C-4; and, 8 Conditions of Approval as indicated in Exhibit C-5.

Zoning Commission Recommendation: Approved a Subdivision Variance by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use, as amended, by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use, as amended, by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use, as amended, by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.

**MOTION:** To adopt a resolution approving a Development Order Amendment to add uses 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 (Building B), 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 Retail Gas and Fuel Sales with a Convenience Store subject to the Conditions of Approval as indicated in Exhibit C-5.

5. [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: 97 - 127

Conditions of Approval (107 - 113)

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 Class A Conditional Use 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.

- 6. [EAC/ABN-2018-01312](#) Title: an Expedited Application Consideration application of M2 Equity Group, LLC by Schmidt Nichols, Agent. Request: to delete Voluntary Commitments contained in Resolution R-2004-2251.

General Location: Northwest of Florida's Turnpike and Belvedere Road, approximately 320 feet east of Skees Road. **(JEM Interprises)** (Control 2004-00006)

Pages: 128 - 139

Conditions of Approval (132 - 132)

Project Manager: Lorraine Fuster

Size: 2.36 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 1 Condition of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to delete Voluntary Commitments contained in Resolution R-2004-2251.

**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

7. [ZV/PDD/W-2018-00798](#) Title: an Official Zoning Map Amendment application of Palm Beach West Associates I LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Production (AP) and Agricultural Residential (AR) Zoning Districts to the Western Communities Residential Planned Unit Development (WCR-PUD) Zoning District.

Title: a Type 2 Waiver of Palm Beach West Associates I LLLP by G.L. Homes, Agent. Request: to allow more than 40 percent of local streets to terminate in a cul-de-sac or dead end.

General Location: West side of 180th Avenue North, south of Hamlin Boulevard, and on the south side of 60th Street North, west of 180th Avenue North. **(Indian Trail Groves)** (Control 2002-90045)

Pages: 140 - 237

Conditions of Approval (153 - 175)

Project Manager: Carolina Valera

Size: 4,871.57 acres ±

BCC District: 1,6

### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 90 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 6-1-0.

Zoning Commission Recommendation: Recommended Approval of a Type 2 Waiver by a vote of 6-1-0.

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

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Production (AP) and Agricultural Residential (AR) Zoning Districts to the Western Communities Residential Planned Unit Development (WCR-PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Type 2 Waiver to allow more than 40 percent of local streets to terminate in a cul-de-sac or dead end subject to the conditions of approval as indicated in Exhibit C-3.

**MOTION:** To approve and authorize the Mayor to execute Proportionate Fair Share Agreement, as indicated in Exhibit F of the Staff Report.

8. [SV/ABN/PDD/W-2018-00345](#) Title: a Development Order Abandonment application of City of Boynton Beach, True Shot, Pulte Home Company, LLC by WGINC, Agent. Request: to abandon a Special Exception to allow a Golf Course, Clubhouse and accessory facilities, and the expansion of an existing Sewage Treatment Plant.  
Title: an Official Zoning Map Amendment of City of Boynton Beach, True Shot, Pulte Home Company, LLC 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 Type 2 Waiver of City of Boynton Beach, True Shot, Pulte Home Company, LLC by WGINC, Agent. Request: to allow more than 40 percent of the local streets to terminate in a cul-de-sac or dead-end.  
General Location: East side of South Military Trail, approximately 0.3 miles north of Old Boynton Road. **(Aurora Lakes)** (Control 1977-00052)

Pages: 238 - 333

Conditions of Approval (252 - 258)

Project Manager: Meredith Leigh

Size: 121.09 acres ±

BCC District: 4

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 32 Conditions of Approval as indicated in Exhibit C-1; and, 5 Conditions of Approval as indicated in Exhibit C-2.

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

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

Zoning Commission Recommendation: Recommended Denial of a Type 2 Waiver by a vote of 6-0-1.

**MOTION:** To adopt a resolution approving a Development Order Abandonment to abandon a Special Exception to allow a Golf Course, Clubhouse and accessory facilities, and the expansion of an existing Sewage Treatment Plant.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Type 2 Waiver to allow more than 40 percent of the local streets to terminate in a cul-de-sac or dead-end subject to the Conditions of Approval as indicated in Exhibit C-2.

#### 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**

**9. Title: Land Development Regulation Advisory Board (LDRAB)**

Vacancies:

1) Environmental Organization Representative (More than 1 year vacant)

2) Alternate 1 (Vacant as of November)

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. ASSISTANT COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**