



**BOARD OF COUNTY COMMISSIONERS  
ZONING HEARING**

**AMENDMENTS TO THE AGENDA  
JUNE 27, 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>
----------------------	----------------------	--	--------------------------------

**POSTPONMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

12.	(Agenda Page 12)	SCA-2018-00025 (2000-00020)	Cypress Lakes Storage
-----	------------------	--------------------------------	-----------------------

**MOTION:** To approve the Applicant's request to postpone.

**B. REMANDS**

1.	(Agenda Page 2)	SV/ZV/CA-2018-01805 (2015-00115)	Banyan House
----	-----------------	-------------------------------------	--------------

**MOTION:** To approve the Applicant's request to remand to the Development Review Officer.

2.	(Agenda Page 2)	ZV/CA-2018-01804 (2018-00013)	Hedge House
----	-----------------	----------------------------------	-------------

**MOTION:** To approve the Applicant's request to remand to the Development Review Officer.

13.	(Agenda Page 12)	ZV/DOA-2018-01003 (2000-00020)	Cypress Lake Preserve MUPD
-----	------------------	-----------------------------------	----------------------------

**MOTION:** To approve the Applicant's request to remand to the Development Review Officer.

**CONSENT AGENDA**

**E. ZONING APPLICATIONS – NEW**

15.	(Agenda Page 13)	DOA-2018-01562 (1989-00063)	Sherbrooke Center
-----	------------------	--------------------------------	-------------------

**MOVE** Item #15 to Consent Agenda.

3.	(15)	DOA-2018-01613 (2001-00064)	Liberty Airport Center
----	------	--------------------------------	------------------------

**DELETE** Engineering Conditions 14 and 15 of Exhibit C-1, and replace with:

14. The Property Owner shall fund the construction plans, construction and construct Drexel Road and Boys and Girls Club Drive from Belvedere Road to the project entrance to be consistent with Palm Beach County standards for a non-plan collector street. 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 for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the Building Permits that exceeds 493,000 square feet. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the Certificate of Occupancy that exceeds 493,000 square feet. (BLDGPMT/CO: MONITORING - Engineering)

5. (60) DOA/CA-2018-02137 South Road Office MUPD  
(2003-00036)

**AMEND** Architectural Review 2 of Exhibit C-1, to read as follows:

Design of gutters and downspouts shall be integrated into the architectural design of the buildings. Painting of the gutters and downspouts shall not constitute architectural integration. (BLDGPMT: ARCHITECTURAL REVIEW - Zoning) (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2009-17, Control No.2003-00036)

## **REGULAR AGENDA**

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

11. (243) ABN/Z-2018-2226 Caliber Collision Lake Worth  
(2018-00155)

**AMEND** the title, Exhibit C: Official Zoning Map Amendment, to read as follows:

Exhibit C: Official Zoning Map Amendment with a Conditional Overlay Zone

**AMEND** Engineering Condition 2 of Exhibit C, to read as follows:

2. ~~Rasmussen Way The Property Owner~~ shall ~~be constructed the internal non-plan collector road~~ from Haverhill Road to its western terminus to be consistent with Palm Beach County standards for an 80 foot right of way non-plan collector street. ~~This construction shall be concurrent with the paving and drainage improvements for the site. Any and all~~ No costs associated with the construction shall be paid by the ~~Property Owner~~ County. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit for vertical construction. (BLDGPMT: MONITORING -Engineering)

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

**DELETE** Engineering Condition 3 of Exhibit C.

### **I. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

14. (322-328) PDD-2018-01692 The Lofts at Lake Worth  
(2016-00114)

**AMEND** All Petitions Condition 1 of Exhibit C, to read as follows:

#### **ALL PETITIONS**

1. The approved Preliminary Master Plan is dated March 11, 2019. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners ~~or the Zoning Commission~~. (ONGOING: ZONING - Zoning)

**AMEND** Environmental Condition 1 of Exhibit C, to read as follows:

**ENVIRONMENTAL**

1. Prior to Final Approval by the Development Review Officer, a Phase II Environmental Audit Site Assessment shall be submitted to the Department of Environmental Resources Management (ERM). If the results of the Phase II ~~audit~~ Environmental Site Assessment indicate areas of on-site contamination, the project shall be referred to the Florida Department of Environmental Protection (FDEP) for the development of a mitigation plan and to oversee the remediation on the site. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

**AMEND** Health Condition 1 of Exhibit C, to read as follows:

**HEALTH**

1. The ~~Property Owner~~ property owner shall adhere to and utilize all of the requirements ~~pursuant to~~ as set forth in the approved Dust Control Letter during all applicable phases of construction and development in addition to the following enforceable conditions, to which the applicant has agreed. The ~~Letter~~ letter, the following conditions, and the contact information for the County and/or FDOH personnel responsible for enforcement shall be posted alongside the Building Permit on the construction site at all times. (~~ONGOING: HEALTH DEPARTMENT - Health Department~~)

**Construction Sequencing:**

1. Install required silt, dust, and security fencing around the project perimeter which shall be maintained at all times by the applicant;
2. Start construction of lakes and any necessary remediation
3. Build Berms, using dirt generated from the construction of the lakes. The berms shall meet applicable environmental standards as determined by the Florida Department of Environmental Protection.
4. As soon as is reasonably practicable following installation and stabilization of berms, the applicant shall install 6' fencing on top of berms, which will be "wrapped" from grade to the top of the fence in a material that meets industry standards for control of construction dust from offsite migration, said wrapping to be maintained by the applicant during all phases of construction and development activity
5. Landscaping Phase 1 - Landscaping (6 foot high shrub and groundcover only, trees, medium shrubs, and small shrubs to be installed with rest of buffer) will be installed and maintained on the FCO's side of fence immediately following earthwork in order to screen views and help to limit offsite dust migration. This landscaping will be maintained by the applicant at all times and the remainder of the landscaping will be installed as the project progresses. (ONGOING: HEALTH DEPARTMENT/ CODE ENF - Health Department)

**Steps to minimize dust:**

1. Deployment of multiple onsite dust and wind speed monitors by the applicant at intervals around the site perimeter with real-time monitoring to minimize off-site dust migration and other dust emissions from earth-moving and construction activities at the Site. The applicant has agreed to share data from dust and wind speed monitors with the FCO upon request.
2. Dust generation from soil mixing and earthwork activities will be controlled to limit offsite dust migration by periodic watering, consistent with best management practices. Construction personnel will avoid over-spraying/ watering to prevent offsite runoff and mud-slick work surfaces;
3. Dust will be controlled at all times to avoid migration into surrounding areas at all times, including weekends, holidays, and hours when work is not in progress;
4. Soil in dump trucks will be covered using a truck-mounted tarpaulin system when entering, exiting, and traversing the site;
5. All vehicles will be required to travel at low speeds (<20 mph) on site to minimize and control the generation of dust and offsite dust migration;
6. Work activities will be temporarily halted and sources of potential dust migration shall be controlled (to the extent reasonably practicable) during high wind gust events (>30 mph) until wind conditions resume to normal conditions;
7. To minimize soil disturbance and offsite dust migration, vegetation, including groundcover, will only be cleared from areas where work is to be performed right away;
8. Limerock or other stabilization materials will be placed and maintained by the applicant on access/haul roads onsite during construction and development activity;

9. Construction entrances/exits will be stabilized to minimize tracking dust offsite and onto public roadways. This may include gravel beds, stabilization pads, or other stabilization measure(s):

10. Trucked and transported materials will be swept from public roadways as required (street sweeping); and

11. The contractor will adhere and maintain FDEP erosion control Best Management Practices (BMPs) at all times. The contractor will adhere and maintain its Stormwater Pollution Prevention Plan (SWPPP) for the duration of the project to comply with its NPDES permit.

12. Prior to commencement of earthwork and construction activities, contact information for onsite personnel that are in charge of construction, dust mitigation, and environmental cleanup activities will be provided to Palm Beach County, FDOH, and the FCO or its designated representative. In the event of personnel changes, updated contact information will be provided to these entities. (ONGOING: HEALTH DEPARTMENT/CODE ENF - Health Department)

**AMEND** Landscape Condition 1 of Exhibit C, to read as follows:

**LANDSCAPE – PERIMETER – LANDSCAPING ALONG PORTIONS OF THE NORTH, SOUTH, ~~EAST WEST~~ AND NORTHWEST PROPERTY LINES (EXCEPT THE ~~RIGHT OF WAY BUFFER ABUTTING JOG ROAD AND~~ PROPERTY LINES ABUTTING FPL SUBSTATION)**

1. Landscaping along portions of the north, south, east west and northwest property lines as delineated on the Preliminary Site Plan dated May 31, 2019, shall include the following:

a. a minimum of twenty-five (25) foot wide buffer ~~strip~~;

b. a three (3) foot high continuous berm. The height of the berm shall be measured from the top of the curb of the adjacent parking lot;

c. a six (6) foot high opaque fence or a vinyl coated chain link fence with a six (6) foot high hedge to be planted on the exterior side of the fence. Fence shall be located on the top of the berm. This fence The fence along the north and south property lines of the residential development area (as shown on the Preliminary Site Plan dated May 31, 2019), shall be connected to the wall along the FPL property and the fence on the east Right-of-Way Buffer, and wrapped during development activities at its base to its highest point with a material that meets industry standards for the control of dust migration from the site to neighboring areas. Said wrapping to be maintained by the applicant during all phases of construction activity;

d. one (1) Canopy tree for each twenty (20) linear feet of this buffer. Trees ~~may shall~~ be planted on either side of the fence;

e. one (1) palm for each thirty (30) linear feet of this buffer. Palms ~~may shall~~ be planted on either side of the fence, and shall be clustered in a group of three or five palms.

f. one (1) medium shrub for each four (4) linear feet of this buffer. Medium Ss shrubs shall be located on the ~~external-exterior~~ side of the fence; and,

g. one (1) small shrub for each two (2) linear feet of this buffer. Small Ss shrubs shall be located on both sides of the fence.

h. Prior to the issuance of ~~the building permit~~ Building Permits for the residential buildings No. 1, 5, 9, 10, 11 and 12 and the buildings within the Recreation Area, the installation of the berm, trees, shrubs and fence shall be completed. (BLDGPMT/DRO: ZONING - Zoning)

**AMEND** Landscape Condition 2 of Exhibit C, to read as follows:

**LANDSCAPE - PERIMETER – LANDSCAPING ALONG THE EAST RIGHT - OF - WAY ~~LANDSCAPE~~ BUFFER (SOUTH JOG ROAD)**

2. In addition to Code requirements, the east R-O-W Buffer adjacent to South Jog Road shall be upgraded to include a six (6) foot high opaque fence or a vinyl coated chain link fence with a six (6) foot high hedge. This fence shall be connected to the fence wall on the north property line, the fence on the south property line of the residential development, and to the Civic Pod fence, as delineated on the Preliminary Site Plan dated May 31, 2019. (BLDGPMT/DRO: ZONING - Zoning)

**AMEND** Landscape Condition 4 of Exhibit C, to read as follows:

**LANDSCAPE - PERIMETER-LANDSCAPING ALONG THE NORTH AND EAST PROPERTY LINES ABUTTING FPL SUBSTATION**

4. In addition to Code ~~requirements~~requirements, the required Type 3 Incompatibility Buffer along the ~~the~~ north and east property lines abutting the Florida Power and Light substation, shall be upgraded to include:

- a. a three (3) foot high continuous berm. The height of the berm shall be measured from the top of the curb of the adjacent parking lot; and,
- b. the required wall shall be connected to the perimeter fences of the development. (BLDG/PMT/DRO: ZONING - Zoning)

**AMEND** Parks Condition 1 of Exhibit C, to read as follows:

#### **PARKS**

1. No more than sixty-four (64) Certificates of Occupancy for the residential units shall be issued until the recreational improvements have been completed in their entirety and open for use and accessible to the residents, unless a phasing plan for completion of the required recreation area is agreed to and approved by the Parks and Recreation Department. (CO: MONITORING - Parks and Recreation)

**AMEND** Property & Real Estate Management Condition 1 of Exhibit C, to read as follows:

#### **PROPERTY & REAL ESTATE MANAGEMENT**

1. The Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 2.0 acre public civic site (net usable area - excluding buffers), in the location identified on the approved plans and form acceptable to Facilities, Development & Operations Department (FD&O) by March 1, 2021. Property Owner to plat and dedicate the civic site to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance.

**AMEND** Property & Real Estate Management Condition 1.e.1 of Exhibit C, to read as follows:

- 1) The discharge of surface water from the proposed civic site into the Property ~~Owners~~ Owner's water retention basins.

**AMEND** Property & Real Estate Management Condition 1.e.2 of Exhibit C, to read as follows:

- 2) ~~As An~~ easement across Property Owner's property from the proposed civic site to the retention basins, if required.

**AMEND** Property & Real Estate Management Condition 1.j of Exhibit C, to read as follows:

j) Irrigation

Property Owner to provide an easement across Property ~~Owner-s~~ Owner's property, from the proposed Civic Sites to available retention basins, if requested by PREM.

(DATE/ONGOING/PLAT: MONITORING - Property Real Estate Management)

**AMEND** Site Design Condition 1 of Exhibit C, to read as follows:

1. Prior to Final approval by the Development Review Officer, the Site Plan shall be revised to depict a minimum of 123 feet setback from Building 5 and all dumpster enclosures/compactors to existing buildings within Tracts 3 and 5 of the Fountains North development. (~~BLDG/PMT/DRO~~: ZONING - Zoning)

**AMEND** Site Design Condition 2 of Exhibit C, to read as follows:

2. A temporary ~~opaque~~-security fence with a minimum height of six (6) feet shall be installed and wrapped with a silt and dust control barrier that shall be maintained during all stages of site development by the applicant prior to the issuance of any land clearance permits for the site. ~~The Such~~ fence ~~shall include a protective dust cover is required by Construction Sequencing #1 and may stand as the construction fence as required by Florida Building Code~~. The location of the temporary security fence shall be consistent with the Preliminary Regulating Site Plan dated May 31, 2019. (BLDG/PMT/DRO:BUILDING/ZONING - Zoning)

**AMEND** Use Limitations Condition 1 of Exhibit C, to read as follows:

#### **USE LIMITATIONS**

1. Hours of construction activity during all stages of site development shall be limited to 7:00 a.m. to 8:00 p.m. Monday through Friday. Construction during all stages of site development shall be prohibited on Saturday, Sunday, and statutory holidays. (ONGOING: CODE ENF - Zoning)

**AMEND** Use Limitations Condition 2 of Exhibit C, to read as follows:

2. Construction traffic shall be prohibited from utilizing Fountains Drive to access the subject property during all stages of site development. (ONGOING: CODE ENF - Zoning)

**SAUL EWING**  
**ARNSTEIN**  
**& LEHR**<sup>LLP</sup>

**Neil M. Schiller, Esq.**  
Partner  
Neil.Schiller@Saul.com

June 26, 2019

Ms. Patricia Behn  
Palm Beach County Planning Director  
2300 N. Jog Road  
West Palm Beach, Florida 33411

RE: Cypress Lakes Preserve SCA-2018-025

Dear Ms. Behn,

As you know the law firm of Saul Ewing Arnstein & Lehr, LLP represents the Applicant in the above referenced application.

The Applicant seeks to remand this item back to the Zoning Commission, to ammend a Type 2 variance relating the right-of-way buffer. We respectfully request that this small-scale land use plan amendment be postponed until the zoning process can catch up. We only expect a thirty-day delay.

Thank you again for your willingness to work with us on this matter.

Sincerely,



Neil M. Schiller, Esq.

Cc: Melissa Michael, Senior Planner  
Lisa Amara, Principal Planner

515 N. Flagler Drive. ♦ Suite 1400 ♦ West Palm Beach, FL 33401  
Phone: (561) 650-8492 ♦ Fax: (561) 655-5551

DELAWARE FLORIDA ILLINOIS MARYLAND MASSACHUSETTS NEW JERSEY NEW YORK PENNSYLVANIA WASHINGTON, DC  
A DELAWARE LIMITED LIABILITY PARTNERSHIP



June 18, 2019

Mr. Jon MacGillis, ASLA  
Palm Beach County Zoning Director  
2300 Jog Road  
West Palm Beach FL 33411

RE: POSTPONEMENT REQUEST FROM JULY ZONING COMMISSION AND BOARD OF COUNTY COMMISSIONERS PUBLIC HEARINGS AND REMAND OF THE APPLICATION TO DRO FOR – BANYAN HOUSE – APPLICATION NO. SV/ZV/CA – 2018-01805

Dear Mr. MacGillis:

On behalf of the petitioner, JMB Holdings, LLC, we respectfully request postponement of the above application from the July Public Hearings and request the application be remanded to DRO for further review.

As discussed with staff on June 14, 2019, our client was not aware how the applications would be processed and how future site plan changes would affect the current pending applications. Consequently, we would need to change the pending application to reflect the additional site plan considerations. We will advise staff of our timing to resubmit the necessary materials to supplement the application.

As we continue through the process, we appreciate staff's time and clarification of process as we act to do whatever is reasonably necessary to comply with all local, state and federal laws.

Respectfully,

**Gentile Glas Holloway O'Mahoney & Associates, Inc.**

Dodi Buckmaster Glas, AICP  
Partner, Director of Planning

cc: James McManus  
James Green



June 18, 2019

Mr. Jon MacGillis, ASLA  
Palm Beach County Zoning Director  
2300 Jog Road  
West Palm Beach FL 33411

RE: POSTPONEMENT REQUEST FROM JULY ZONING COMMISSION AND BOARD OF COUNTY COMMISSIONERS PUBLIC HEARINGS AND REMAND OF THE APPLICATION TO DRO FOR – HEDGE HOUSE – APPLICATION NO. ZV/CA – 2018-01804

Dear Mr. MacGillis:

On behalf of the petitioner, Dakota Limited Holdings LLC, we respectfully request postponement of the above application from the July Public Hearings and request the application be remanded to DRO for further review.

As discussed with staff on June 14, 2019, our client was not aware how the applications would be processed and how future site plan changes would affect the current pending applications. Consequently, we would need to change the pending application to reflect the additional site plan considerations. We will advise staff of our timing to resubmit the necessary materials to supplement the application.

As we continue through the process, we appreciate staff's time and clarification of process as we act to do whatever is reasonably necessary to comply with all local, state and federal laws.

Respectfully,

**Gentile Glas Holloway O'Mahoney & Associates, Inc.**

Dodi Buckmaster Glas, AICP  
Partner, Director of Planning

cc: James McManus  
James Green

**SAUL EWING**  
**ARNSTEIN**  
**& LEHR**<sup>LLP</sup>

Neil M. Schiller, Esq.  
Partner  
Neil.Schiller@Saul.com

June 25, 2019

Mr. Jon MacGillis  
Palm Beach County Zoning Director  
2300 N. Jog Road  
West Palm Beach, Florida 33411

RE: Cypress Lakes Reserve MUPD ZV/DOA/W-2018-01003

Dear Mr. MacGillis,

As you know the law firm of Saul Ewing Arnstein & Lehr, LLP represents the Applicant in the above referenced application.

The Applicant seeks to remand this item back to the Zoning Commission, to ammend a Type 2 variance relating the right-of-way buffer. We believe that this will be the most expedient resolution to the overlapping easement issue.

Thank you again for your willingness to work with us on this matter.

Sincerely,



Neil M. Schiller, Esq.

515 N. Flagler Drive. ♦ Suite 1400 ♦ West Palm Beach, FL 33401  
Phone: (561) 650-8492 ♦ Fax: (561) 655-5551

DELAWARE FLORIDA ILLINOIS MARYLAND MASSACHUSETTS NEW JERSEY NEW YORK PENNSYLVANIA WASHINGTON, DC  
A DELAWARE LIMITED LIABILITY PARTNERSHIP



---

**BOARD OF COUNTY COMMISSIONERS  
ZONING HEARING**

**THURSDAY JUNE 27, 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**

**JUNE 27, 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/ZV/CA-2018-01805](#) Title: a Subdivision Variance application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce the minimum legal right-of-way access width.

Title: a Type 2 Variance of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce setbacks, landscape buffer width; reduce and eliminate landscape buffer vegetation materials; eliminate landscape protection measures (curbing) and trees; and, to allow location of a fence on the property line and to eliminate requirement to plant on exterior side of the fence.

Title: a Class A Conditional Use of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Type 2 Congregate Living Facility.

General Location: Northwest corner of 155th Place North and 79th Terrace North. **(Banyan House)** (Control 2015-00115)

Pages: 1 - 1

Project Manager: Carrie Rechenmacher

Size: 1.83 acres ±

BCC District: 1

Staff Recommendation: Staff recommends a postponement to Thursday, July 25, 2019.

Zoning Commission Recommendation: Postponed to July 3, 2019 by a vote of 7-0-0.

**MOTION:** To postpone to Thursday, July 25, 2019.

2. [ZV/CA-2018-01804](#) Title: Type 2 Variance application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce parking space dimensions and drive aisle width, allow location of a fence on the property line and eliminate requirement to plant on exterior side of the fence; eliminate parking lot surface material requirement, landscape protection measures (curbing), Right-of-Way (R-O-W), Incompatibility Buffer and landscape island landscaping; and, to increase easement overlap in the R-O-W Buffer.

Title: a Class A Conditional Use of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Type 2 Congregate Living Facility.

General Location: North side of Donald Ross Road, approximately 350 feet east of 69th Drive North. **(Hedge House)** (Control 2018-00013)

Pages: 2 - 2

Project Manager: Carolina Valera

Size: 1.09 acres ±

BCC District: 1

Staff Recommendation: Staff recommends a postponement to Thursday, July 25, 2019.

Zoning Commission Recommendation: Postponed to July 3, 2019 by a vote of 7-0-0.

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

**E. ZONING APPLICATIONS - NEW**

- 3. [DOA-2018-01613](#) Title: a Development Order Amendment application of Liberty Property Limited Partnership by Cotleur & Hearing Inc., Agent. Request: to reconfigure the site plan to add an access point and modify Conditions of Approval (Landscaping and Use Limitations); and, to modify a Class A Conditional Use for Manufacturing and Processing, add/delete square footages and modify Conditions of Approval (Use Limitations).

General Location: On the north side of Southern Boulevard, approximately 0.3 miles east of Jog Road. (**Liberty Airport Center**) (Control 2001-00064)

Pages: 3 - 35

Conditions of Approval (11 - 21)

Project Manager: Carrie Rechenmacher

Size: 68.72 acres ±

BCC District: 2

(affected area 68.72 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 46 Conditions of Approval as indicated in Exhibit C-1; and, 6 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment, 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 reconfigure the site plan to add an access point, and modify Conditions of Approval (Landscaping and Use Limitations) subject to Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Development Order Amendment to modify a Class A Conditional Use for Manufacturing and Processing, add/delete square footages and modify Conditions of Approval (Use Limitations) subject to the Conditions of Approval as indicated in Exhibit C-2.

4. [DOA-2018-01914](#) Title: a Development Order Amendment application of EALC Investments, LLC by Charles Putman & Associates, Agent. Request: to reconfigure the Site Plan, add square footage, and modify a Condition of Approval (Day Care).  
General Location: Northwest corner of South Jog Road and Morikami Park Road. **(Get Ready Set Grow)** (Control 1982-00184)

Pages: 36 - 54

Conditions of Approval (41 - 44)

Project Manager: Meredith Leigh

Size: 4.05 acres ±

BCC District: 5

(affected area 0.08 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 18 Conditions of Approval as indicated in Exhibit C.

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 reconfigure the Site Plan, add square footage, and modify a Condition of Approval (Day Care) subject to the Conditions of Approval as indicated in Exhibit C.

5. [DOA/CA-2018-02137](#) Title: a Development Order Amendment application of 441 Associates, LLC by Insite Studio, Agent. Request: to reconfigure the Site Plan, modify uses, add square footage, modify or delete Conditions of Approval (Building and Site Design, Landscaping, Signs, Use Limitations), and Restart the Commencement Clock.  
Title: a Class A Conditional Use of 441 Associates, LLC by Insite Studio, Agent. Request: to allow a General Day Care.  
General Location: Northwest corner of State Road 7 and 52nd Place South, approximately 0.75 miles north of Lantana Road. **(South Road Office MUPD)** (Control 2003-00036)

Pages: 55 - 82

Conditions of Approval (60 - 71)

Project Manager: Meredith Leigh

Size: 9.26 acres ±

BCC District: 6

(affected area 4.36 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 51 Conditions of Approval as indicated in Exhibit C-1; and, 6 Conditions of Approval as indicated in Exhibit C-2.

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

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

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, modify uses, add square footage, modify or delete Conditions of Approval (Building and Site Design, Landscaping, Signs, Use Limitations), and Restart the Commencement Clock subject to the Conditions of Approval as indicated in Exhibit C-1.

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

6. [ZV/DOA/CA/W-2018-02152](#) Title: a Development Order Amendment application of Lake Worth Road Villas, LLC by Insite Studio, Agent. Request: to reconfigure the Master Plan to increase residential units and add residential density bonus uses.  
Title: a Class A Conditional Use of Lake Worth Road Villas, LLC by Insite Studio, Agent. Request: to allow Workforce Housing Program density bonus greater than 30 percent; and, to allow Transfer of Developments Rights (TDRs) within a Planned Unit Development (PUD).  
Title: a Type 2 Waiver of Lake Worth Road Villas, LLC by Insite Studio, Agent. Request: to allow a reduction of the required frontage along an Arterial or Collector.  
General Location: Southwest corner of Lake Worth Road and Florida's Turnpike. **(Lake Worth Royale)** (Control 2017-00194)

Pages: 83 - 123

Conditions of Approval (93 - 102)

Project Manager: Carlos Torres

Size: 27.35 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 26 Conditions of Approval as indicated in Exhibit C-2, 4 Conditions of Approval as indicated in Exhibit C-3, 8 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 7-0-0.

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

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

Zoning Commission Recommendation: Recommended Approval of a Type 2 Waiver by a vote of 7-0-0.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan to increase residential units and add residential density bonus 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 Workforce Housing Program Density bonus greater than 30 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 (TDR) to a Planned Unit Development (PUD) subject to the Conditions of Approval as indicated in Exhibit C-4.

**MOTION:** To adopt a resolution approving a Type 2 Waiver to allow a reduction of the required frontage along an Arterial or Collector subject to the Conditions of Approval as indicated in Exhibit C-5.

**F. CORRECTIVE RESOLUTIONS**

- 7. [CRB-2019-01108](#) Title: a Corrective Resolution application of RG Towers, LLC, Westchester Golf and Country Club Assoc. by RG Towers LLC, Agent. Request: to correct a Condition of Approval (Site Design) as contained in Resolution R-2019-0261.

General Location: Southwest corner of Piper's Glen Boulevard and Lake Worth Drainage District E-3 canal, approximately 0.5 miles west of South Military Trail. ( **RG Towers Westchester Club East**) (Control 1980-00212)

Pages: 124 - 125

Project Manager: Meredith Leigh

Size: 645.19 acres ±

BCC District: 5

(affected area 204.17 acres ±)

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

**MOTION:** To adopt a resolution to correct a Condition of Approval (Site Design) as contained in Resolution R-2019-0261.

**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

8. [LGA-2018-00011](#) Title: Boynton Commons, Large Scale Land Use Amendment application of Grove Nurseries Inc by Wantman Group Inc., Agent. Request: To change a future land use designation from Commercial High-Office with an underlying 5 units per acre (CH-O/5) to Commercial Low with an underlying 5 units per acre (CL/5) with conditions

General Location: Northeast corner of Boynton Beach Boulevard and Florida's Turnpike (Boynton Commons MUPD) (Control 2006-00367)

Pages: 126 - 170

Conditions of Approval (140 - 140)

Project Manager: Melissa Michael

Size: 10.10 acres ±

BCC District: 5

Staff Recommendation: Approval of the proposed future land use amendment from Commercial High Office with an underlying 5 units per acre (CH-O/5) to Commercial Low with an underlying 5 units per acre (CL/5) with conditions.

Planning Commission Recommendation: PLC Recommendation: Approval with Conditions, with a vote of 10 to 0 at the July 13, 2018 hearing.

BCC Transmittal: Transmitted with Conditions, with a 7 to 0 vote at the July 23, 2018 hearing.

**MOTION:** To adopt an ordinance approving the future land use amendment from Commercial High Office with an underlying 5 units per acre (CH-O/5) to Commercial Low with an underlying 5 units per acre (CL/5) with conditions.

9. [DOA/CA-2018-00120](#) Title: a Development Order Amendment application of Grove Nurseries Inc by WGINC, Agent. Request: to reconfigure the Site Plan, add square footage, modify uses and modify and delete Conditions of Approval (All Petition, Architecture, Dumpster, Engineering, Landscape).  
Title: a Class A Conditional Use of Grove Nurseries Inc by WGINC, Agent. Request: to allow a Type 3 Congregate Living Facility; and, a Self Service Storage Facility (Limited Access).  
General Location: Northwest corner of Boynton Beach Boulevard and Orchid Grove Trail. **(Boynton Commons MUPD)** (Control 2006-00367)

Pages: 171 - 198

Conditions of Approval (188 - 189)

Project Manager: Carrie Rechenmacher

Size: 10.10 acres ±

BCC District: 5

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 31 Conditions of Approval as indicated in Exhibit C-1; 4 Conditions of Approval as indicated in Exhibit C-2; and, 4 Conditions of Approval as indicated in Exhibit C-3.

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

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

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, add square footage, modify uses and modify and delete Conditions of Approval (All Petition, Architecture, Dumpster, Engineering, Landscape) subject to Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Class A Conditional Use to allow a Type 3 Congregate Living Facility 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 Self Service Storage Facility (Limited Access) subject to the Conditions of Approval as indicated in Exhibit C-3.

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

10. [SCA-2019-00012](#) Title: Caliber Collision Lake Worth, Small Scale Land Use Amendment application of Cross Development - Rusty A Coan, Rasmussen Curtis A Trust & by Gunster Yoakley & Stewart PA, Agent. Request: To change a future land use designation from Commercial Low with an underlying MR-5 (CL/5) on 3.51 acres and Commercial Low Crosshatching with an underlying MR-5 (CLX/5) on 1.14 acres to Commercial Low with an underlying Industrial (CL/IND)  
General Location: West side of Haverhill Road, approximately 0.08 miles north of Lantana Road (**Caliber Collision Lake Worth**) (Control 2012-00580)

Pages: 199 - 237

Conditions of Approval (204 - 204)

Project Manager: Melissa Michael

Size: 4.65 acres ±

BCC District: 2

Staff Recommendation: Approval of the proposed future land use amendment from Commercial Low with an underlying Medium Residential, 5 units per acre (CL/5) to Commercial Low with an underlying Industrial (CL/IND) with conditions.

Planning Commission Recommendation: PLC: Recommended approval with an 9 to 0 vote at the May 10, 2019 public hearing.

**MOTION:** To adopt an ordinance approving the future land use amendment from Commercial Low with an underlying Medium Residential, 5 units per acre (CL/5) to Commercial Low with an underlying Industrial (CL/IND) with conditions.

11. [ABN/Z-2018-02226](#) Title: a Development Order Abandonment application of Cross Development CC Lake Worth, LLC, Glenn Rasmussen by Gunster Yoakley & Stewart PA, CSS Engineering, Agent. Request: to abandon the Conditional Overlay Zone (COZ).

Title: an Official Zoning Map Amendment of Cross Development CC Lake Worth, LLC, Glenn Rasmussen by Gunster Yoakley & Stewart PA, CSS Engineering, Agent. Request: to allow a rezoning from the Single Family Residential (RS) Zoning District to the Light Industrial (IL) Zoning District.

General Location: West side of Haverhill Road, approximately 0.08 miles north of Lantana Road. **(Caliber Collision Lake Worth)** (Control 2012-00580)

Pages: 238 - 251

Conditions of Approval (243 - 244)

Project Manager: Ryan Vandenburg

Size: 4.65 acres ±

BCC District: 2

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone and 7 Conditions of Approval as indicated in Exhibit C.

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

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

**MOTION:** To adopt a resolution approving a Development Order Abandonment to abandon a Conditional Overlay Zone (COZ).

**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.

12. [SCA-2018-00025](#) Title: Cypress Lakes Storage, Small Scale Land Use Amendment application of Ps Florida One Inc by Saul Ewing Arnstein & Lehr LLP, Agent. Request: To change a future land use designation from Commercial Low with an underlying Low Residential, 2 units per acre (CL/2) to Commercial Low with an underlying Industrial (CL/IND)

General Location: West side of US 441/SR7, approximately 1/2 mile north of Lantana Road (**Cypress Lakes Storage**) (Control 2000-00020)

Pages: 252 - 284

Conditions of Approval (257 - 257)

Project Manager: Melissa Michael

Size: 5.81 acres ±

BCC District: 6

(affected area 5.80 acres ±)

Staff Recommendation: Approval of the proposed future land use amendment from Commercial Low with an underlying Low Residential, 2 units per acre (CL/2) to Commercial Low with an underlying Industrial (CL/IND) with conditions

Planning Commission Recommendation: PLC: Recommended approval with an 9 to 0 vote at the May 10, 2019 public hearing.

**MOTION:** To adopt an ordinance approving the future land use amendment from Commercial Low with an underlying Low Residential, 2 units per acre (CL/2) to Commercial Low with an underlying Industrial (CL/IND) with conditions

13. [ZV/DOA-2018-01003](#) Title: a Development Order Amendment application of PS Florida One, Inc. by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to reconfigure the Site Plan to add square footage and modify Conditions of Approval (Building and Site Design).

General Location: Northwest corner of Cypress Lakes Preserve Drive and State Road 7. (**Cypress Lake Preserve MUPD**) (Control 2000-00020)

Pages: 285 - 312

Conditions of Approval (291 - 298)

Project Manager: Carolina Valera

Size: 5.81 acres ±

BCC District: 6

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 38 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) 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 reconfigure the Site Plan to add square footage and modify Conditions of Approval (Building and Site Design) subject to the Conditions of Approval as indicated in Exhibit C-2.

## H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

**I. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

14. [PDD-2018-01692](#) Title: an Official Zoning Map Amendment application of Concert Fountains Properties, LLC by WGINC, Agent. Request: to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Planned Unit Development (PUD) Zoning District.

General Location: West side of South Jog Road, approximately 0.3 miles south of Lake Worth Road. (**The Lofts at Lake Worth**) (Control 2016-00114)

Pages: 314 - 342

Conditions of Approval (322 - 328)

Project Manager: Carolina Valera

Size: 62.60 acres  $\pm$

BCC District: 2

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the request subject to 33 Conditions of Approval as indicated in Exhibit C.

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

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

**J. ZONING APPLICATIONS - NEW**

15. [DOA-2018-01562](#) Title: Development Order Amendment application of Lyons Retail, Inc., SAFStor, Inc. by HSQ Group Inc., Agent. Request: to reconfigure the Site Plan; add square footage; and, modify uses and Conditions of Approval (Architectural Review and Landscaping).

General Location: Northeast corner of Lyons Road and Lantana Road. (**Sherbrooke Center**) (Control 1989-00063)

Pages: 343 - 370

Conditions of Approval (349 - 356)

Project Manager: Carolina Valera

Size: 8.89 acres  $\pm$

BCC District: 3

(affected area 5.90 acres  $\pm$ )

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the request subject to 41 Conditions of Approval as indicated in Exhibit C.

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

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan; add square footage; and, modify uses and Conditions of Approval (Architectural Review and Landscaping) subject to the Conditions of Approval as indicated in Exhibit C.

16. [ABN/DOA-2019-00101](#) Title: a Development Order Abandonment application of City of Boca Raton by Miller Land Planning, Agent. Request: to abandon a Class A Conditional Use to allow a Self Support/Lattice Tower; and, to abandon Type 2 Waivers to allow a reduction of the required setback for a Self Support/Lattice Tower. Title: a Development Order Amendment of City of Boca Raton by Miller Land Planning, Agent. Request: to add and delete land area. General Location: Approximately 1,220 feet north of Glades Road on the west side of the Florida's Turnpike. ( **Boca Raton Cell Tower**) (Control 1981-00019)

Pages: 371 - 454

Conditions of Approval (389 - 400)

Project Manager: Ryan Vandenburg

Size: 196.06 acres  $\pm$

BCC District: 5

(affected area 3.27 acres  $\pm$ )

#### DISCLOSURE

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

Zoning Commission Recommendation: Recommended Approval of 2 Development Order Abandonments by a vote of 6-0-1.

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

**MOTION:** To adopt a resolution approving a Development Order Abandonment to abandon a Class A Conditional Use to allow a Self Support/Lattice Tower.

**MOTION:** To adopt a resolution approving a Development Order Abandonment to abandon a Type 2 Waiver to allow a reduction of the required setback for a Self Support/Lattice Tower.

**MOTION:** To adopt a resolution approving a Development Order Amendment to add and delete land area subject to Conditions of Approval as indicated in Exhibit C-1.

17. [PDD/DOA/CA/W-2019-00135](#) Title: an Official Zoning Map Amendment application of G.L. Acquisitions Corporation, City of Boca Raton, Palm Beach County by G.L. Acquisitions Corporation, Urban Design Kilday Studios, Palm Beach County, Agent. Request: to allow a rezoning from the Public Ownership (PO) Zoning District to the Planned Unit Development (PUD) Zoning District.
- Title: a Development Order Amendment of G.L. Acquisitions Corporation, City of Boca Raton, Palm Beach County by G.L. Acquisitions Corporation, Urban Design Kilday Studios, Palm Beach County, Agent. Request: to reconfigure the Master Plan, add and delete land area and add uses.
- Title: a Class A Conditional Use of G.L. Acquisitions Corporation, City of Boca Raton, Palm Beach County by G.L. Acquisitions Corporation, Urban Design Kilday Studios, Palm Beach County, Agent. Request: to allow a Self Support Communication Tower.
- Title: a Type 2 Waiver of G.L. Acquisitions Corporation, City of Boca Raton, Palm Beach County by G.L. Acquisitions Corporation, Urban Design Kilday Studios, Palm Beach County, Agent. Request: to allow a reduction of the required Tower separation distances and required setbacks.
- General Location: Approximately 1,220 feet north of Glades Road on the west side of the Florida's Turnpike. **(Boca Raton Golf Course PUD)** (Control 1981-00019)

Pages: 371 - 454

Conditions of Approval (389 - 400)

Project Manager: Ryan Vandenburg

Size: 196.06 acres ±

BCC District: 5

(affected area 193.51 acres +)

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-2; 30 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: Recommended Approval of a Type 2 Waiver by a vote of 6-0-1.

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

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.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Public Ownership (PO) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan, add and delete land area and add uses 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 Self Support Communication Tower subject to the Conditions of Approval as indicated in Exhibit C-4.

**MOTION:** To adopt a resolution approving a reduction of the required Tower separation distances and required setbacks as indicated in Exhibit C-5.

18. **Z-2019-00758** Title: an Official Zoning Map Amendment application of G.L. Acquisitions Corporation, City of Boca Raton by G.L. Acquisitions Corporation, Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Public Ownership (PO) Zoning District.

General Location: Approximately 1,220 feet north of Glades Road on the west side of the Florida's Turnpike. **(Boca Raton Golf Course Rezoning to PO)** (Control 1981-00019)

Pages: 371 - 454

Conditions of Approval (389 - 400)

Project Manager: Ryan Vandenburg

Size: 0.01 acres  $\pm$

BCC District: 5

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 1 Condition of Approval as indicated in Exhibit C-6.

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

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Public Ownership (PO) Zoning District subject to the Condition of Approval as indicated in Exhibit C-6.

#### K. ULDC AMENDMENTS

19. **PIA-2018-02043** Title: a ULDC Privately Initiated Amendment application of Florida Power and Light - Josh Long by Gunster Yoakley & Stewart PA, Urban Design Kilday Studios, Agent. Request: to amend specific sections of the Unified Land Development Code (ULDC) for Renewable Energy Solar Facilities that are greater than 250 acres; to revise the definition; modify and exempt the requirements for perimeter buffer landscaping; and to be exempt from the maximum height for fences.

General Location: Non-Site Specific.

Pages: 455 - 482

Project Manager: Jan Rodriguez

Size: acres  $\pm$

Staff Recommendation: Staff recommends a Motion to Adopt an Ordinance.

Land Development Regulation Advisory Board (LDRAB) Recommendation: On April 24, 2019, the LDRAB recommended approval of staff's proposed amendment contained in Attachment C, with modifications, and a vote of 13-0-1.

Land Development Regulation Commission (LDRC) Determination: On April 24, 2019, the LDRC found the proposed amendment, contained in Attachment C with modifications, to be consistent with the Comprehensive Plan with a vote of 13-0-1.

BCC Public Hearing: On May 23, 2019, the BCC approved the Request for Permission to Advertise for Final Adoption on June 27, 2019 with a vote of 4-0.

**MOTION:** TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: A PRIVATELY INITIATED AMENDMENT, PROVIDING FOR RENEWABLE ENERGY SOLAR FACILITY AS IT RELATES TO THE DEFINITION, LANDSCAPING AND FENCING, GENERALLY LOCATED IN ARTICLE 4 - USE REGULATIONS; ARTICLE 5 - SUPPLEMENTARY STANDARDS; AND, ARTICLE 7 - LANDSCAPING; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

20. [Title: REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ROUND 2019-01.](#)

The proposed Ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications, as well as several specific amendments, as follows:

Ordinance Title

Exhibit A Art. 1 and 11: General Provisions and Subdivision, Platting, and Required Improvement for Legal Lot

Exhibit B Art. 2: Public Hearing Process - Development Order Abandonment

Exhibit C Art. 2: Reasonable Accommodation - Change of Ownership

Exhibit D Art. 3, 4 and 6: Overlays, Use Regulations for Single Family and Cottage Homes and Parking

Exhibit E Art. 4: Use Regulations relating to Residential Uses and Home Occupation, Nuisances

Exhibit F Art. 4: Adult Entertainment and Findings of Fact

Exhibit G Art. 4: Bona Fide Agriculture and Agritourism Activity

Exhibit H Art. 4 and 6: Use Regulations for Electric Vehicle Charging Station, and Parking

Exhibit I Art. 5: Fuel-Gas or Chemical Storage Tanks

Exhibit J Art. 3 and 5: Outdoor Lighting

Exhibit K Art. 6: Parking [Off-Street and On-Street]

Exhibit L Art. 14: Environmental Standards

Pages: 483 - 523

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends a motion to approve the Request for Permission to Advertise for First Reading of ULDC Amendment Round 2019-01 on July 25, 2019.

Land Development Regulation Advisory Board (LDRAB): On February 27, 2019, April 24, 2019, and May 22, 2019 the LDRAB recommended approval of the proposed amendments with multiple votes.

Land Development Regulation Commission (LDRC) Determination: On April 24, 2019 and May 22, 2019 the LDRC found the proposed ULDC amendments to be consistent with the Comprehensive Plan with multiple votes.

**MOTION:** To approve the Request for Permission to Advertise for First Reading of ULDC Amendment Round 2019-01 on July 25, 2019: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS: CHAPTER F, NONCONFORMITIES; CHAPTER H, LOT OF RECORD; ARTICLE 2- APPLICATION PROCESSES AND PROCEDURES: CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; ARTICLE 3- OVERLAYS & ZONING DISTRICTS: CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4- USE REGULATIONS: CHAPTER B, USE CLASSIFICATION; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY USES AND STRUCTURES; CHAPTER E, PERFORMANCE STANDARDS; ARTICLE 6- PARKING: CHAPTER A, PARKING; ARTICLE 7- LANDSCAPING: CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS; ARTICLE 11- SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS: CHAPTER A, GENERAL REQUIREMENTS; CHAPTER E, REQUIRED IMPROVEMENTS; ARTICLE 14- ENVIRONMENTAL STANDARDS: CHAPTER C, VEGETATION PRESERVATION AND PROTECTION; APPENDIX 8, INVASIVE NON-NATIVE VEGETATION WITHIN PRESERVES; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

21. [Title: REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT ARTICLE 5.G-DENSITY BONUS PROGRAMS, WORKFORCE HOUSING PROGRAM](#)

The proposed Ordinance will account for consistency with the Comprehensive Plan and a specific amendment as follows:

Ordinance Title

Exhibit A Articles 1, 2, AND 5 Workforce Housing Program

Pages: 524 - 566

Project Manager: Maria Bello

Staff Recommendation: Staff recommends approval of the Request for Permission to Advertise for First Reading on July 25, 2019.

Land Development Regulation Advisory Board (LDRAB) Recommendation: On April 24, 2019, the LDRAB recommended approval of the proposed amendment by a vote of 13-1.

Land Development Regulation Commission (LDRC) Determination: On April 24, 2019, the LDRC found the proposed ULDC amendment to be consistent with the Comprehensive Plan by a vote of 14-0.

**MOTION:** To approve the Request for Permission to Advertise for First Reading on July 25, 2019: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 1- GENERAL PROVISIONS: CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 2- APPLICATION PROCESSES AND PROCEDURES: CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER G, DECISION MAKING BODIES; ARTICLE 5- SUPPLEMENTARY STANDARDS: CHAPTER G, DENSITY BONUS PROGRAM; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

**22. [Title: REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENT CODE \(ULDC\) AMENDMENT LANDSCAPE SERVICE](#)**

The proposed Ordinance will account for consistency with the Comprehensive Plan and a specific amendment as follows:

Ordinance Title  
Exhibit A Articles 4, 5, and 6 Landscape Service

Pages: 567 - 585

Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends approval of the Request for Permission to Advertise for First Reading on July 25, 2019.

Land Development Regulation Advisory Board (LDRAB) Recommendation: On May 22, 2019, the LDRAB recommended approval of the proposed amendment by a vote of 10-4-1.

Land Development Regulation Commission (LDRC) Determination: On May 22, 2019, the LDRC found the proposed ULDC amendment to be consistent with the Comprehensive Plan by a vote of 14-0-1.

**MOTION:** To approve the Request for Permission to Advertise for First Reading on July 25, 2019: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 4 - USE REGULATIONS: CHAPTER B, USE CLASSIFICATION; ARTICLE 5 - SUPPLEMENTARY STANDARDS: CHAPTER B, ACCESSORY USES AND STRUCTURES; ARTICLE 6 - PARKING: CHAPTER A PARKING; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

**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**

**This page left blank intentionally**