



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
February 27, 2020**

AGENDA

| <u>ITEM #</u> | <u>PAGE #</u> | <u>APPLICATION AND CONTROL #S</u> | <u>APPLICATION NAME</u> |
|----------------------|----------------------|------------------------------------------|--------------------------------|
|----------------------|----------------------|------------------------------------------|--------------------------------|

CONSENT AGENDA

E. ZONING APPLICATIONS- NEW

| | | | |
|----|------|-------------------------------------|-----------------------------|
| 3. | (29) | ZV/DOA/W-2019-01231 (1981-00190) | Palm Beach Park of Commerce |
|----|------|-------------------------------------|-----------------------------|

DELETE Engineering Condition 1.f. of Exhibit C-2.

REGULAR AGENDA

J. ZONING APPLICATION – NEW

| | | | |
|----|-------|-----------------------------------|-----------------|
| 8. | (190) | DOA/CA-2018-01690 (2004-00457) | Terra Nova MUPD |
|----|-------|-----------------------------------|-----------------|

AMEND Engineering Condition 8 of Exhibit C-1, to read as follows:

The Property Owner shall construct:

i.....

~~ii. Left turn lane and associated restricted median improvements on the south approach of Hagen Ranch Road at the Project's Entrance Road, or as approved by the County Engineer. A full median opening on Hagen Ranch Rd at the Project's Entrance Road, with a north approach and a south approach left turn lanes, as approved by the County Engineer. This median modification will require coordination with the property owners on the east side to modify their driveway approach pavement marking and signing accordingly.~~

iii.....

iv...

a. Construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with this 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. Permits required by: - Palm Beach County for items i ~~and ii~~, and - Florida Department of Transportation for items iii and iv shall be obtained prior to the issuance of the first Building Permit. (BLDGPMT: MONITORING - Engineering)

~~b.~~ Permits required by Palm Beach County for item ii shall be obtained prior to the issuance of the 101 st Building Permit. (BLDGPMT: MONITORING - Engineering)

~~b- c.~~ Construction of the turn lane and median improvements in i - iv above shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)

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**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY FEBRUARY 27, 2020

9:30 A.M.

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

CALL TO ORDER

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

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

OTHER DEPARTMENT ITEMS

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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



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

FEBRUARY 27, 2020

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. [DOA/CA-2019-00737](#) Title: a Development Order Amendment application of TJAC Palmetto Park, LLC by Perry & Taylor PA, Agent. Request: to add a use.

Title: a Class A Conditional Use of TJAC Palmetto Park, LLC by Perry & Taylor PA, Agent. Request: to allow a Cocktail Lounge.

General Location: Southwest corner of Palmetto Park Road and Powerline Road. **(US Cigar Exchange)** (Control 1981-00115)

Pages: 1 - 1

Project Manager: Brenya Martinez

Size: 8.19 acres ±

BCC District: 4

(affected area 0.07 acres ±)

Staff Recommendation: Staff recommends postponement to Thursday, March 26, 2020.

Zoning Commission Recommendation: Postponed to March 5, 2020 by a vote of 7-0-0.

MOTION: To postpone to Thursday, March 26, 2020.

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

- 2. **Z-2019-01970** Title: an Official Zoning Map Amendment application of Tayler Made Investments, LLC by Land Research Management Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

General Location: East side of Palmwood Road, approximately 0.7 miles north of Donald Ross Road. **(Durrett Rezoning)** (Control 2019-00142)

Pages: 2 - 13

Conditions of Approval (6 - 6)

Project Manager: Travis Goodson

Size: 0.46 acres ±

BCC District: 1

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

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

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

3. [ZV/DOA/W-2019-01231](#) Title: a Development Order Amendment application of YTG Palm Beach GC LP, YTG Palm Beach II NR LP by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan to redesignate Pods, and amend or delete Conditions of Approval.
Title: a Type 2 Waiver of YTG Palm Beach GC LP, YTG Palm Beach II NR LP by Urban Design Kilday Studios, Agent. Request: to eliminate the requirement for a wall in a Type 3 Incompatibility Buffer.
General Location: Approximately 0.5 miles east of Pratt Whitney Road and generally located within an area on the north side of the Bee Line Highway, east and west of Park of Commerce Boulevard. **(Palm Beach Park of Commerce)** (Control 1981-00190)

Pages: 14 - 76

Conditions of Approval (24 - 56)

Project Manager: Carrie Rechenmacher

Size: 1,322.19 acres ±

BCC District: 1

(affected area 43.72 acres ±)

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 (with conditions, as amended) by a vote of 7-0-0.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan to redesignate Pods, and amend or delete Conditions of Approval subject to Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Type 2 Waiver to eliminate the requirement for a wall in a Type 3 Incompatibility Buffer subject to Conditions of Approval as indicated in Exhibit C-3.

4. [EAC-2019-02088](#) Title: a Development Order Amendment Expedited Application Consideration application of PS Florida One, Inc. by Saul Ewing Arnstein & Leher LLP, Keith and Associates Inc., Agent. Request: to amend Conditions of Approval.
General Location: West side of State Road 7, approximately 0.5 miles north of Lantana Road. **(Cypress Preserve MUPD)** (Control 2000-00020)

Pages: 77 - 97

Conditions of Approval (82 - 87)

Project Manager: Travis Goodson

Size: 5.80 acres ±

BCC District: 6

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

MOTION: To adopt a Resolution approving a Development Order Amendment Expedited Application Consideration to amend Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C.

5. [Z/CA-2019-01442](#) Title: an Official Zoning Map Amendment application of William A. Mazzone Revocable Trust Agreement, Pulte Home Company, LLC by Urban Design Kilday Studios, 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 William A. Mazzone Revocable Trust Agreement, Pulte Home Company, LLC by Urban Design Kilday Studios, Agent. Request: to allow Zero Lot Line Homes; and, to allow Townhouses. General Location: East side of State Road 7, approximately 0.6 miles north of Lantana Road. **(Windsong Estates)** (Control 2017-00017)

Pages: 98 - 139

Conditions of Approval (109 - 115)

Project Manager: Travis Goodson

Size: 31.29 acres ±

BCC District: 3

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

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

Zoning Commission Recommendation: Recommended Approval of 2 Class A Conditional Uses (with conditions, 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 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 Zero Lot Line Homes, 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 Townhouses, subject to the Conditions of Approval as indicated in Exhibit C-3.

6. [DOA-2019-01496](#) Title: a Development Order Amendment (DOA) application of Country New by Brandenburg & Associates P.A., Agent. Request: to reconfigure the Site Plan; add and delete square footage; and, modify Conditions of Approval. General Location: Southeast corner of Okeechobee Boulevard and Indian Road. **(Mercedes Maintenance Renovation)** (Control 1983-00161)

Pages: 140 - 169

Conditions of Approval (147 - 160)

Project Manager: Ryan Vandenburg

Size: 13.93 acres ±

BCC District: 7

(affected area 3.43 acres ±)

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

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment (DOA) (with conditions, as amended) by a vote of 7-0-0.

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

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

7. [ABN-2019-02322](#) Title: a Development Order Abandonment application of AMZAK Carwashes, LLC, Al Hypoluxo, LLC by Urban Design Kilday Studios, Agent. Request: to abandon a Class A Conditional Use to allow a Convenience Store with Gas Sales. General Location: North side of Hypoluxo Road, approximately 700 feet west of Interstate 95. **(Hypoluxo Convenience with Gas Sales)** (Control 1981-00010)

Pages: 170 - 173

Project Manager: Travis Goodson

Size: 1.62 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a Resolution approving a Development Order Abandonment to abandon a Class A Conditional Use to allow a Convenience Store with Gas Sales.

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

D. PREVIOUSLY POSTPONED STATUS REPORTS

E. STATUS REPORTS - NEW

F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

8. [DOA/CA-2018-01690](#) Title: a Development Order Amendment application of Principal Development Group, LLC by AJP Consulting Services LLC, Wantman Group Inc., Agent. Request: to reconfigure the Site Plan; modify and reduce commercial uses; add Multifamily Residential use; modify access points; and, modify Conditions of Approval.

Title: Class A Conditional Use of Principal Development Group, LLC by AJP Consulting Services LLC, Wantman Group Inc., Agent. Request: to allow two Type 1 Restaurants with Drive-throughs; Workforce Housing Program (WHP) Density Bonus greater than 30 percent; and, Transfer of Development Rights (TDR).

General Location: North side of Atlantic Avenue and west side of Hagen Ranch Road, approximately 350 feet west and 650 feet north of the intersection of Atlantic Avenue and Hagen Ranch Road. (**Terra Nova MUPD**) (Control 2004-00457)

Pages: 174 - 218

Conditions of Approval (187 - 202)

Project Manager: Carolina Valera

Size: 17.67 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 through C-5.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment (with conditions, as amended) by a vote of 6-1-0.

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

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use (with conditions, as amended) by a vote of 6-1-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use (with conditions) by a vote of 5-2-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use (with conditions) by a vote of 5-2-0.

MOTION: To adopt a Resolution approving a Development Order Amendment to reconfigure the Site Plan; modify and reduce commercial uses; add Multifamily Residential use; modify access points; and, modify Conditions of Approval 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 Type 1 Restaurant with a Drive-through (Building A) 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 Workforce Housing Program (WHP) Density Bonus greater than 30 percent subject to the Conditions of Approval as indicated in Exhibit C-4.

MOTION: To adopt a Resolution approving of a Class A Conditional Use to allow Transfer of Development Rights (TDR) subject to the Conditions of Approval as indicated in Exhibit C-5.

K. COMPREHENSIVE PLAN TEXT AMENDMENTS**L. ULDC AMENDMENTS**

9. [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 2, 4, and 11 Landscape Service

Pages: 219 - 225
Project Manager: Wendy Hernandez

Staff Recommendation: Staff recommends approval of the Request for Permission to Advertise for Final Adoption on March 26, 2020.

Land Development Regulation Advisory Board (LDRAB) Recommendation: At time of publication LDRAB has not made a recommendation. The Meeting will be held on February 26, 2020.

Land Development Regulation Commission (LDRC) Determination: At time of publication LDRC has not made a determination. The Meeting will be held on February 26, 2020.

MOTION: To approve the Request for Permission to Advertise for Final Adoption on March 26, 2020: 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 2 - APPLICATION PROCESSES AND PROCEDURES: CHAPTER B, PUBLIC HEARING PROCESSES; ARTICLE 4 - USE REGULATIONS: CHAPTER B, USE CLASSIFICATION; ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS: CHAPTER E, REQUIRED IMPROVEMENTS; 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.

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

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