



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
MAY 26, 2022**

AGENDA

ITEM # PAGE # APPLICATION AND CONTROL #S APPLICATION NAME

POSTPONMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONMENTS

1. (1-36) ZV/ABN/DOA-2021-01954, Terra Nova MUPD, (2004-00457)

MOTION: No motion required, postponement permitted by right. (Postponed to June 23, 2022.)

8. (1-13) Z-2021-02038, Elizabeth Street at Square Lake, (1973-00079)

MOTION: To postpone to the June 23, 2022.

9. (1-22) CA-2020-02103, Evergreen Townhouse,

MOTION: To postpone to the June 23, 2022.

10. (1-60) PDD/DOA/CA-2021-01612, PGA Waterfront Residential PUD, (1984-00159)

MOTION: To postpone to the June 23, 2022.

REGULAR AGENDA

F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

7. (1-71) SV/ZV/ABN/PDD/CA-2021-0533, Fount MUPD, (1979-00268)

AMEND Engineering Condition 2 in Exhibit C-3, to read as follows:

The Property Owner shall i) extend left turn lane east approach on Okeechobee Blvd at project entrance, as approved by the FDOT/County Engineer ii) close eastbound left turn lane at the restricted median opening, 350 ft east of project entrance iii) construct right turn lane west approach on Okeechobee Blvd, as approved by FDOT/County Engineer and allowed by LWDD, iv) provide a large curb radius for inbound traffic at the entrance on Okeechobee Blvd, v) make necessary modifications to the existing signal at Elmhurst Rd/Haverhill Rd intersection to allow protected-permissive northbound left turn signal indication, which can also be coupled with left turn lane/center turn lane modifications on Haverhill Rd, all at Property Owner's expense, and as approved by the County Engineer.

If approved by the County Engineer, the Property Owner shall design the necessary full signal modifications, including accommodation of the southbound protected-permissive phase, and submit a payment for construction for the northbound phase modification, in lieu of construction, in an amount approved by the County Engineer for Engineering Condition 2.v and this condition shall be considered satisfied.

This construction shall be concurrent with the paving and drainage improvements.....

In the event that the following item is not postponed:

10. (1-71) PDD/DOA/CA-2021-01612, PGA Waterfront Residential PUD, (1984-00159)

AMEND Engineering Condition 2 in Exhibit C-2, to read as follows:

2. Prior to issuance of the first building permit, the Property Owner shall ~~plat combine~~ the property ~~into a single lot of record~~ in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. (BLDGPM: MONITORING - Engineering)

ADD Engineering Condition 10 in Exhibit C-2, to read as follows:

8. The Property Owner shall provide access to the commercial marina in a form acceptable to the County Engineer.
 - a. Prior to the approval of the Final Site Plan by the Development Review Officer, the Property Owner shall show the access rights on the Final Site Plan. (DRO:ENGINEERING-Eng)
 - b. The access shall be approved by Land Development prior to recordation. The document shall be recorded by the Property Owner prior to the recordation of the plat. (PLAT: ENGINEERING-Eng)
 - c. If alternative development-suitable access becomes available to the commercial marina, the Property Owner may release the portion of the easement which is not needed to serve as access for the parcel. (ONGOING: ENGINEERING-Eng)



May 20, 2022

Mr. Matthew Barnes, AICP
WGI, Inc.
2035 Vista Parkway
West Palm Beach, FL 33411

RE: NOTIFICATION OF BCC PUBLIC HEARING POSTPONEMENT

Dear Matthew Barnes:

This letter is to provide confirmation that the attached request dated May 19, 2022 for a Postponement by Right meets the requirements of Article 2.B.6.E.1 to administratively postpone the application referenced below from the May 26, 2022 Board of County Commissioners Zoning Pubic Hearing to June 23, 2022. In addition, the Zoning Director has approved the associated Time Extension request. This application will be included on the May 26, 2022 Add/Delete for informational purposes and will not require Board Action.

Application:	Terra Nova MUPD, ZV/ABN/DOA 2021-01954
Control:	Terra Nova MUPD, 2004-00457
Request Date:	May 19, 2022
Extension:	60-day
Initial 180-day Deadline:	May 30, 2022
BCC Hearing:	June 23, 2022
New 180-day Deadline:	July 30, 2022

Please be advised that this postponement will require additional fees related to the postponement.

If you have any questions and/or require further information, please contact Imene Haddad, Senior Site Planner at 561-233-5278 or ihaddad@pbcgov.org or Donna Adelsperger, Site Planner at 561-233-5224 or dadelspe@pbcgov.org.

Sincerely,

Jeff Gagnon, AICP
Principal Site Planner

- C: **Digital/Email Copy:**
Lisa Amara, Zoning Director
Wendy N. Hernandez, Deputy Zoning Director
Imene Haddad, AICP, Senior Site Planner
Donna Adelsperger, Site Planner II
Polidoro Africano, Agent, AJP Consulting Services, LLC

Department of Planning,
Zoning & Building
2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb



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May 19, 2022

Lisa Amara
Zoning Division Director
2300 N. Jog Rd., 2nd Floor
West Palm Beach, FL 33411

RE: FORMAL REQUEST FOR 30-DAY POSTPONEMENT & TIME EXTENSION – Terra Nova

Ms. Amara,

Please let this letter serve as a formal request for a by right postponement pursuant to Article 2.B.6.E of the ULDC for the herein referenced project. The project consists of a Development Order Amendment (DOA), Development Order Abandonment (ABN), Type 1 Waiver and Type 2 Variance applications.

The Type 2 Variance application was heard at the May 5, 2022 Zoning Commission. The DOA, ABN and Type 1 Waiver applications are scheduled to be heard by the Board of County Commissioners (BCC) on May 26, 2022.

Applicant is requesting a date certain postponement of the application to the BCC hearing scheduled for June 23, 2022. The request is being made in order for the property owner to work out lease issues with a tenant.

In conjunction with this postponement request Applicant is also requesting to extend the current statutory review deadline of 180 days from May 30, 2022 to July 30, 2022, to allow for the requested BCC postponement and keep the application active.

Application Name: Terra Nova MUPD (F.K.A. Terra Nova – Commercial; Villaggio Isles MUPD)

Application No: ZV/ABN/DOA-2021-01954

Control No: 2004-00457

Requests: see list below

- 1) **Development Order Amendment** to reconfigure the Site Plan and modify commercial uses (R-2020-0188)
- 2) **Development Order Amendment** to reconfigure and relocate square footage of a Type 1 restaurant with drive through from Building B to Building A (R-2020-0189);
- 3) **Development Order Abandonment** to abandon R-2020-190 which allowed for a Type 1 restaurant with drive-through (Building B);
- 4) **Development Order Amendment** to amend the cross-access easement per O.R.B. 20708, PG 1430 as modified by O.R.B. 31731, PG 1392;
- 5) **Type 2 Variance** to reduce the landscaped median divider below the 10-foot requirement;
- 6) **Type 2 Variance** to increase relocation of foundation planting from 50% to 100%; and
- 7) **Type 1 Waiver** to allow for the decrease of planting depth.

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

Sincerely,

A handwritten signature in blue ink that reads "Matthew Barnes". The signature is fluid and cursive.

WGI, Inc.

Matthew Barnes, AICP
Senior Project Manager

POSTPONEMENT REQUEST - Agenda Item 8

8. Z-2021-02038, Elizabeth Street at Square Lake, (1973-00079)

MOTION: To postpone to the June 23, 2022

From: Autumn Sorrow <Autumn@ajentitlements.com>

Sent: Monday, May 23, 2022 6:51 PM

To: Lisa Amara A. <LAMara@pbcgov.org>

Cc: Jerome Ottey <JOttey@pbcgov.org>; Neil Hannon <neil.hannon@gmail.com>

Subject: BCC on Thursday - Postponement of Elizabeth Street at Square Lake Control Number 1973-00079

Importance: High

Good evening Lisa,

Due to unforeseen health issues we are requesting a postponement from this Thursday's BCC meeting to the next available meeting date. The request is based on positive test result (this evening) of a highly contagious virus. To err on the side of caution and to protect others we feel it is best to limit exposure and possibly spreading the virus.

Please accept this postponement request and let us know if it can be supported by staff. Please also let us know if you/the county requires anything else.

Thanks!

Autumn J. Sorrow
Southeast Florida
(561) 284-2472

www.ajentitlements.com [ajentitlements.com]



POSTPONEMENT REQUEST - Agenda Item 9

9. CA-2020-02103, Evergreen Townhouse

MOTION: To postpone to the June 23, 2022

From: Dave Persaud <dper101@gmail.com>

Sent: Tuesday, May 24, 2022 3:54 PM

To: Brenya Martinez D. <BMartinez@pbcgov.org>

Cc: Lisa Amara A. <LAMara@pbcgov.org>; Wendy Hernandez N. <wnhernan@pbcgov.org>;
Audley G. Reid <AREid@pbcgov.org>

Subject: Evergreen Townhouse CA 2020-02103

Hi Breyna,

We are by this email requesting a postponement of the Evergreen Townhouse item at the BCC hearing of May 26, 2022 to the next available hearing date.

On Monday, May 23, the neighborhood residents met with Palm Beach County Commissioner Mr. Gregg Weiss to discuss concerns of the Evergreen Townhouse Development.

We are by this email requesting Mr. Audley Reid, Senior Planner of Palm Beach County Community Revitalization, to coordinate a neighborhood meeting as soon as possible and invite Commissioner Weiss so that we can discuss the Evergreen Townhouse project with the concerned neighborhood residents. I appreciate any feedback from your office with regards to the postponement of our agenda item at the BCC hearing

If you have any comments or questions, please feel free to contact me.

As always, thank you for your assistance.

Dave Persaud
Brahm Development LLC
561 373 2749

POSTPONEMENT REQUEST - Agenda Item 10

10. PDD/DOA/CA-2021-01612, PGA Waterfront Residential PUD, (1984-00159)

MOTION: To postpone to the June 23, 2022

From: George Gentile <george@2gho.com>

Sent: Friday, May 20, 2022 11:42 AM

To: Timothy Haynes <THaynes@pbcgov.org>; Lisa Amara A. <LAmara@pbcgov.org>; rSCantor@pbcgov.org

Cc: Dan Catalfumo <dcatalfumo@catalfumo.com>; Nick Mastroianni II <nick@usifund.com>; paul@acdofsouthflorida.com; Marty Perry <fmpjerri@perrytaylorlaw.com>

Subject: PGA Waterfront PDD/DOA/CA2021-01612

Timothy:

Please accept this correspondence as the owner's request for a thirty-day (30 day) postponement, for the item indicated above, from the hearing before the Palm Beach County Board of County Commission (BCC), Thursday May 26th, 2022. We need this time to resolve conditions of approval with a few of the departments at the County prior to final approval by the BCC. We feel confident that these issues can be resolved in the thirty-day postponement.

Thank you for your understanding and assistance in the matter.

George G. Gentile

Sr. Partner, FASLA, PLA, LEED®AP, BD&C

Cell: 561-718-4320

George@2gho.com



Landscape Architects ■ Planners ■ Environmental Consultants

1907 Commerce Lane, Suite 101 Jupiter, Florida 33458 561-575-9557 x101

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All attached drawings, specifications and other documents, including those in electronic form, prepared by the consultant and the Consultants Sub-consultants are Instruments of Service for use exclusively to this Project. The Consultant and the Consultants Sub-consultants shall be deemed the authors and owners of their respective Instruments of Service and shall retain all common law, statutory and other reserved rights, including copyrights.



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY MAY 26, 2022

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**

MAY 26, 2022

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

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

- 1. [ZV/ABN/DOA-2021-01954](#) Title: a Development Order Abandonment application of Principal Commercial Group LLC, Principal Development Group LLC by AJP Consulting Services LLC, WGINC, Agent. Request: to abandon a Type 1 Restaurant with drive-through (Building B)
Title: a Development Order Amendment of Principal Commercial Group LLC, Principal Development Group LLC by AJP Consulting Services LLC, WGINC, Agent.
Request: to modify the Site Plan; add square footage; and, delete and modify uses
Title: a Development Order Amendment of Principal Commercial Group LLC, Principal Development Group LLC by AJP Consulting Services LLC, WGINC, Agent. Request: to modify the Site Plan and add square footage (Type 1 Restaurant Building A)
General Location: Approximately .06 mile northwest of Atlantic Avenue and Hagen Ranch Road (**Terra Nova MUPD**) (Control 2004-00457)

Pages: 1 - 35

Conditions of Approval (8 - 16)

Project Manager: Imene Haddad

Size: 17.67 acres ±

BCC District: 5

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

Zoning Commission Recommendation: Approved a Type 2 Variance as amended (with conditions) by a vote of 9-0-0.

Zoning Commission Recommendation: No action required.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Type 1 Restaurant with drive-through (Building B).

MOTION: To adopt a resolution approving a Development Order Amendment to modify the Site Plan; add square footage; and, delete and modify uses subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Development Order Amendment to modify the Site Plan and add square footage (Type 1 Restaurant Building A) subject to the Conditions of Approval as indicated in Exhibit C-3.

2. [ZV/ABN/DOA-2021-02048](#) Title: a Development Order Abandonment application of VC6 Acquisition LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to abandon a Type 3 Congregate Living Facility

Title: a Development Order Amendment of VC6 Acquisition LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to amend the Master Plan and modify uses

General Location: Located at the terminus of Vista Parkway, approximately 0.63 mile northeast of Okeechobee Boulevard and N. Jog Road. **(Vista Center Parcel 6)** (Control 1984-00130)

Pages: 1 - 32

Conditions of Approval (8 - 19)

Project Manager: Imene Haddad

Size: 493.73 acres ±

(affected area 22.10 acres ±)

BCC District: 7

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

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 9-0-0.

Zoning Commission Recommendation: No action required.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Type 3 Congregate Living Facility.

MOTION: To adopt a resolution approving a Development Order Amendment to amend the Master Plan and modify uses subject to the Conditions of Approval as indicated in Exhibit C-2.

- 3. [ZV/ABN/DOA-2021-00997](#) Title: a Development Order Abandonment application of Broward Motorsports of Palm Beach, LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to abandon a Repair Facility

Title: a Development Order Amendment of Broward Motorsports of Palm Beach, LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to modify the Site Plan, add building square footage, and modify the Conditions of Approval

General Location: Southwest corner of Okeechobee Boulevard and North Congress Avenue (**Broward Motorsports of Palm Beach**) (Control 1987-00006)

Pages: 1 - 26

Conditions of Approval (7 - 15)

Project Manager: James Borsos

Size: 3.87 acres ±

BCC District: 7

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

Zoning Commission Recommendation: Approved a Type 2 Variance as amended (with conditions) by a vote of 9-0-0.

Zoning Commission Recommendation: No action required.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Repair facility.

MOTION: To adopt a resolution approving a Development Order Amendment to modify the Site Plan, add building square footage, and modify the Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

- 4. [ABN-2021-01713](#) Title: a Development Order Abandonment application of Hillsboro Office Building, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to abandon a Private School

General Location: Southwest corner of State Road 7 and Boca Entrada Boulevard (**State Road 7 Comfe Church**) (Control 2001-00015)

Pages: 1 - 9

Project Manager: Jordan Jafar

Size: 2.76 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Private School.

H. OTHER ITEMS

- 5. **ERM Right of Way** Title: Re-designation of certain unused, vacant County owned land, as described in Attachment 2, from road right of way to natural area lands and incorporation of those lands into the adjacent Pine Glades Natural Area.

In 1962, the County acquired a deed for road rights of way purposes on lands that adjoin the County's Pine Glades Natural Area (Natural Area). The subject lands currently contain relatively intact native upland and wetland communities, and serve as a buffer between the Natural Area and a developed parcel. The Engineering and Public Works Department (Engineering) has determined that the lands are not needed for County roadway purposes and agrees to allow the subject land to be re-designated as part of the adjacent Natural Area. The Department of Environmental Resources Management agrees to accept management responsibility for the subject lands and incorporate them into Pine Glades Natural Area. Engineering has reviewed this item and approves the re-designation of the subject road rights of way as natural area lands.

Project Manager: Deborah Drum, Director Environmental Resources Management

BCC District: 1

Staff Recommendation: Staff recommends motion to approve the re-designation of certain unused, vacant County owned land, as described in Attachment 2, from road right of way to natural area lands and incorporation of those lands into the adjacent Pine Glades Natural Area.

MOTION: To approve the re-designation of certain unused, vacant County owned land, as described in Attachment 2, from road right of way to natural area lands and incorporation of those lands into the adjacent Pine Glades Natural Area.

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

6. [LGA-2020-00011](#) Title: Fount MUPD, Large Scale Land Use Amendment application of CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzalez, Palm Beach Town Of Lessor, Palm Beach Town Of by Schmidt Nichols, Agent. Request: To change the future land use designation from Commercial High with an underlying 8 units per acre (CH/8) to Commercial High with an underlying 12 units per acre (CH/12) on 3.5 acres and from Utilities and Transportation (UT) to High Residential, 12 units per acre (HR-12) on 24.16 acres with conditions.

General Location: South side of Okeechobee Boulevard, approximately 1/3 miles west of Haverhill Road (**Fount MUPD**) (Control 1979-00268)

Pages: 1 - 45

Conditions of Approval (8 - 8)

Project Manager: Bryan Davis

Size: 27.66 acres ±

BCC District: 2

Staff Recommendation: Approval of the proposed amendment to change the future land use designation from Commercial High with an underlying 8 units per acre (CH/8) to Commercial High with an underlying 12 units per acre (CH/12) on 3.5 acres and from Utilities and Transportation (UT) to High Residential, 12 units per acre (HR-12) on 24.16 acres with conditions.

Planning Commission Recommendation: PLC recommended Approval with Conditions in a 13 to 0 vote at the October 15, 2021 public hearing.

BCC Transmitted in a 6 to 0 vote at the November 3, 2021 public hearing.

MOTION: To adopt an Ordinance for the Fount MUPD amendment.

7. [SV/ZV/ABN/PDD/CA-2021-00533](#) Title: a Development Order Abandonment application of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to abandon a Fraternal Organization and Club Facilities
- Title: a Development Order Abandonment of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to abandon a Governmental Service and Accessory Buildings and structures, including Recreation and Club facilities
- Title: an Official Zoning Map Amendment of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District
- Title: a Class A Conditional Use of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to allow a Transfer of Development Rights (TDR)
- Title: a Class A Conditional Use of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to allow Workforce Housing Program (WHP) Density Bonus greater than 50 percent
- General Location: South side of Okeechobee Boulevard, approximately 0.38 miles west of Haverhill Road (**Fount MUPD**) (Control 1979-00268)

Pages: 1 - 71

Conditions of Approval (12 - 19)

Project Manager: Imene Haddad

Size: 27.66 acres ±

BCC District: 2

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-3 through C-5.

Zoning Commission Recommendation: Approved a Subdivision Variance as amended (with conditions) by a vote of 9-0-0.

Zoning Commission Recommendation: Approved a Type 2 Variance as amended (with conditions) by a vote of 9-0-0.

Zoning Commission Recommendation: No action required.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Fraternal Organization and Club Facilities.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon a Governmental Service and Accessory Buildings and Structures, including Recreation and Club Facilities.

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 Multiple Use Planned Development (MUPD) Zoning District 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) 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 Workforce Housing Program (WHP) Density Bonus greater than 50 percent subject to the Conditions of Approval as indicated in Exhibit C-5.

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. [Z-2021-02038](#) Title: an Official Zoning Map Amendment application of Neil Hannon by AJ Entitlements & Plannings LLC, Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District

General Location: West side of S Elizabeth Ave., approximately 0.67 miles south of Northlake Boulevard and 0.39 miles west of N Military Trail (**Elizabeth Street at Square Lake**) (Control 1973-00079)

Pages: 1 - 13

Conditions of Approval (5 - 5)

Project Manager: Jerome Ottey

Size: 2.37 acres ±

BCC District: 1

DISCLOSURE

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

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

- 9. [CA-2020-02103](#) Title: a Class A Conditional Use application of Evergreen 1 LLC. by Brahm Development LLC, Agent. Request: to allow over 24 Multifamily units in the Multifamily Residential (RM) Zoning District

Title: a Class A Conditional Use of Evergreen 1 LLC. by Brahm Development LLC, Agent. Request: to allow Workforce Housing Program Density Bonus greater than 50 percent

General Location: West side of Old Military Trail, approximately 600 feet north of Orlando Avenue (**Evergreen Townhouse**) (Control 2019-00177)

Pages: 1 - 22

Conditions of Approval (8 - 11)

Project Manager: Brenya Martinez

Size: 4.52 acres ±

BCC District: 2

DISCLOSURE

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

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

MOTION: To adopt a resolution approving a Class A Conditional Use request to allow over 24 Multifamily units in the Multifamily Residential (RM) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Class A Conditional Use request to allow Workforce Housing Program Density Bonus greater than 50 percent, subject to the Conditions of Approval as indicated in Exhibit C-2.

- 10. [PDD/DOA/CA-2021-01612](#) Title: an Official Zoning Map Amendment application of PGA Partners 100 LLC, PGA Waterway Condos LLC - Dan Catalfumo by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to allow a rezoning from a Multifamily Residential (RM) Zoning District to the Planned Unit Development (PUD) Zoning District

Title: a Development Order Amendment of PGA Partners 100 LLC, PGA Waterway Condos LLC - Dan Catalfumo by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to modify the Site Plan; add land area, units, and uses; and, modify Conditions of Approval

Title: a Class A Conditional Use of PGA Partners 100 LLC, PGA Waterway Condos LLC - Dan Catalfumo by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to allow a Marina

General Location: Southwest corner of PGA Boulevard and Ellison Wilson Road (**PGA Waterfront Residential PUD**) (Control 1984-00159)

Pages: 1 - 60

Conditions of Approval (9 - 16)

Project Manager: Timothy Haynes

Size: 10.97 acres ±

BCC District: 1

DISCLOSURE

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

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

MOTION: To adopt a Resolution approving an Official Zoning Map Amendment to allow a rezoning from a Multifamily Residential (RM) 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 Development Order Amendment to modify the Site Plan; add land area, units, and uses; and, modify Conditions of Approval, 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 Marina, subject to the Conditions of Approval as indicated in Exhibit C-3.

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. ULDC AMENDMENTS

M. OTHER ITEMS**11. Forest Oaks Community Development District (CDD)**

The Board of County Commissioners (BCC) has been petitioned by Mattamy Palm Beach, LLC to grant the establishment of the Forest Oaks Community Development District (CDD). The Forest Oaks CDD petitioner has requested the general powers typical of a CDD, as well as some of the special powers set forth in Chapter 190.012, Florida Statutes (FS). The requested special powers would allow the petitioner to bond for improvements related to water, wastewater, fire safety infrastructure, security and parks as required by the development order for the Forest Oaks Planned Unit Development (PUD). CDD assessments are required to be paid in addition to Home Owner Association (HOA) fees and all other applicable property taxes, including both ad valorem and non-ad valorem taxes.

Pages: 1 - 40

Project Manager: Bryan Davis

Staff Recommendation: Staff recommends approval of the request.

BCC District: 3

MOTION: To approve the establishment of the Forest Oaks Community Development District, as the petition is consistent with the six statutory factors set forth in Chapter 190 Florida Statutes and previous Board direction regarding off-site improvements and disclosures to future homebuyers.

END OF REGULAR AGENDA**OTHER DEPARTMENT ITEMS****A. PURCHASING CONTRACT****B. DEPARTMENT UPDATE****C. ENGINEERING ITEM****D. ADMINISTRATION****COMMENTS****A. COUNTY ATTORNEY**

B. ZONING DIRECTOR

12. Title: Request for Permission to Advertise

The Zoning Division is processing several amendments to the Unified Land Development Code (ULDC). Revisions related to Developer Agreements as requested by the Land Development Division, and revisions related to Westgate Community Redevelopment Area Overlay (WCRAO) are moving forward and ready to be presented to the Board in June for First Reading.

Project Manager: Lisa Amara

Staff Recommendation: Staff requests permission to advertise amendments to the Unified Land Development Code related to Developer Agreements and the WCRAO, pertaining to Articles 3 and 11.

MOTION: To approve the Request for Permission to Advertise to amend the Unified Land Development Code.

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT