



**BOARD OF COUNTY COMMISSIONERS  
ZONING HEARING**

**AMENDMENTS TO THE AGENDA  
JUNE 23, 2022**

**AGENDA**

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

**A. POSTPONMENTS**

5. (1-31) DOA/CA-2021-01576, Melrose PUD Commercial, (1982-00040)

Applicant's request for postponement to July 28, 2022, less than five days. (Attachment A)

**MOTION:** To postpone to July 28, 2022.

10. (1-15) Kid Sanctuary Campus Transfer to Place of Hope

Applicant's request for postponement to July 12, 2022, Regular BCC Hearing date. (Attachment B)

**MOTION:** No motion required.

**CONSENT AGENDA**

**E. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

2. (1-62) PDD/DOA/CA-2021-01612, PGA Waterfront Residential PUD, (1984-00159)

**DELETE ENVIRONMENTAL** Condition 2 of Exhibit C-2 to read as follows:

2. Previous LANDSCAPE - GENERAL Condition 2 of Resolution R-2018-1282, Control No.1984-00159, which currently states:

The four (4) specimen oaks labelled as 4184, 4188, 4191, and 4197 as indicated on the Preliminary Regulating Plan Tree Disposition Chart dated May 14, 2018, shall be preserved in place. If preservation of these oaks is not feasible based on reassessment by the County, they shall be mitigated pursuant to ULDC, Article 7, Landscaping, Tree Credit Formula, Supplement 23.

**Is hereby amended to read: ~~deleted~~. [REASON: Condition is no longer applicable. The trees in the original condition have been assessed and can no longer remain in place and will consider mitigation that is permitted by Code]**

~~The two (2) specimen live oaks identified as Tree No. 4184 and Tree No. 4191 shall be relocated to an appropriate area onsite and the general relocation area shall be depicted on the plans prior to the final approval by the Development Review Officer. The two (2) specimen oaks identified, as Tree No. 4188 and Tree No. 4197 shall be mitigated inch for inch based on diameter at breast height, with a minimum tree size of ten inches in~~

~~diameter at breast height and shall be planted prior to issuance of the first Certificate of Occupancy. (DRO/ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT—Environmental Resources Management)~~

**DELETE** ALL PETITIONS Condition 2 of Exhibit-C-3. **[REASON:** Condition is no longer applicable, as the Applicant/Property Owners have included the disclosure of the Marina within their sales documents. Monitoring will be the responsibility of the HOA.]

## **REGULAR AGENDA**

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

**7. (1-25) CA-2020-02103, Evergreen Townhouse, (2019-00177)**

**ADD** Figure 8, Planning Letter of Determination for Workforce Housing Program (WHP) greater than 50%. (Attachment C)

**DELETE** Parks Condition 1 of Exhibit C-1, and renumber accordingly.

## Attachment A



June 15, 2022

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

**RE: FORMAL REQUEST FOR 30-DAY POSTPONEMENT – Melrose PUD Commercial**

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) and a Class A Conditional use (CA) application.

The DOA and CA applications were heard at the April 7, 2022 Zoning Commission. The DOA and CA applications are scheduled to be heard by the Board of County Commissioners (BCC) on June 23, 2022.

Applicant is requesting a date certain postponement of the application to the BCC hearing scheduled for July 28, 2022. The request is being made to allow the applicant to continue working through questions and concerns with the neighboring residents.

The current statutory review deadline of 180 days is set for May 5, 2022. Therefore, we request to extend the deadline 90 days to August 3, 2022 to keep the application active since the BCC hearing would be on July 28, 2022.

**Application Name:** Melrose PUD Commercial

**Application No:** DOA/CA-2021-01576

**Control No:** 1982-00040

**Requests:** see list below,

- 1) Development Order Amendment** to modify the Site Plan and Master Plan, add square footage, add uses, and delete a Condition of approval.
- 2) Class A Conditional use** to allow a Type 1 Restaurant with Drive-through.

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, appearing to read 'Jerrod Purser', is written over a light blue circular stamp.

**WGI, Inc.**

Jerrod Purser, PLA  
Project Manager

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## Attachment B

**From:** [Wendy Hernandez N.](#)  
**To:** [Andree McDonald M.](#)  
**Cc:** [Cynthia Diaz](#); [Valerie Flores](#); [Phil Myers](#)  
**Subject:** FW: KidSanctuary Campus Transfer to the Place of Hope  
**Date:** Wednesday, June 22, 2022 10:24:16 AM

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[For Add/delete](#)

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**From:** Isami Ayala-Collazo <IAyalaCollazo@pbcgov.org>  
**Sent:** Tuesday, June 21, 2022 8:55 AM  
**To:** Lisa Amara A. <LAMara@pbcgov.org>; Wendy Hernandez N. <wnhernan@pbcgov.org>  
**Cc:** Purvi Bhogaita <PBhogaita@pbcgov.org>  
**Subject:** FW: KidSanctuary Campus Transfer to the Place of Hope

FYI

*Isami*

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**From:** Isami Ayala-Collazo  
**Sent:** Friday, June 17, 2022 6:06 PM  
**To:** Ramsay Bulkeley <[RBulkeley@pbcgov.org](mailto:RBulkeley@pbcgov.org)>; Whitney Carroll <[WCarroll@pbcgov.org](mailto:WCarroll@pbcgov.org)>  
**Cc:** Patrick Rutter <[PRutter@pbcgov.org](mailto:PRutter@pbcgov.org)>; Purvi Bhogaita <[PBhogaita@pbcgov.org](mailto:PBhogaita@pbcgov.org)>  
**Subject:** FW: KidSanctuary Campus Transfer to the Place of Hope

Ramsay,

See below. We are off the BCC Zoning Agenda.

Cordially,

*Isami*

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**From:** Gregory Kino <[gkino@outlook.com](mailto:gkino@outlook.com)>  
**Sent:** Thursday, June 16, 2022 9:52 AM  
**To:** Purvi Bhogaita <[PBhogaita@pbcgov.org](mailto:PBhogaita@pbcgov.org)>; 'Connie Frankino' <[cmfrankino@gmail.com](mailto:cmfrankino@gmail.com)>; Charles Bender <[charlesb@placeofhope.com](mailto:charlesb@placeofhope.com)>; 'Shannon Anderson' <[ShannonA@placeofhope.com](mailto:ShannonA@placeofhope.com)>  
**Cc:** Della Lowery <[DLowery@pbcgov.org](mailto:DLowery@pbcgov.org)>; Vaneeta Arora <[VArora1@pbcgov.org](mailto:VArora1@pbcgov.org)>; Whitney Carroll <[WCarroll@pbcgov.org](mailto:WCarroll@pbcgov.org)>; Ramsay Bulkeley <[RBulkeley@pbcgov.org](mailto:RBulkeley@pbcgov.org)>  
**Subject:** Re: KidSanctuary Campus Transfer to the Place of Hope

\*\*\*\*\* Note: This email was sent from a source external to Palm Beach County. Links or attachments should not be accessed unless expected from a trusted source. \*\*\*\*\*

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Good morning,

The document is fine and I am asking both Place of Hope and KidSanctuary to sign and return it via email and deliver the original to you asap at the address below.

On the timing of the hearing, I just spoke with the contractor who is trying to rectify the Fire Department comments. He does not think it is likely that they will all be addressed by tomorrow and then he still has to call in and pass inspection before a CO could be issued.

As much as all parties want to get this wrapped up, I spoke to Ms. Frankino and her thought is that she is willing to push this off to the **July 12th BCC Agenda** so that there is not a fire drill on Monday for everyone (no pun intended). She really appreciates everyone's efforts and is ok with that timing as she had to make arrangements on the insurance renewal anyway at this point.

Please let us know your thoughts.

Thank you,

Greg Kino

# Attachment C

**Figure 8 – Planning Letter of the Determination- for Workforce Housing Program (WHP) greater than 50% page 1 of 3**



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

**Palm Beach County  
Board of County  
Commissioners**

Robert S. Weinroth, Mayor  
Gregg K. Weiss, Vice Mayor

Maria G. Marino  
Dave Kerner  
Maria Sachs  
Melissa McKinlay  
Mack Bernard

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

printed on sustainable  
and recycled paper

March 17, 2022

Dave Persaud  
Brahm Development LLC.  
388 Waymen Circle  
West Palm Beach, FL 33413  
Email: [dper101@gmail.com](mailto:dper101@gmail.com)

Dear Dave:

This corrected letter of determination follows your 40 unit request with no TDRs on the referenced Old Military Trail (Evergreen TH) property. This letter is required for sufficiency in the zoning approval process.

This information provided in this letter is based on the project information you provided:

PCNs:	00-42-43-24-00-000-3120
Total Acreage:	4.53 acres (Survey)
Future Land Use Designation	MR-5
Subject Development unit type	TH (Townhome) two-story
Request	40 total units
Subject Development: Rent or sale	Rental
WHP units to be addressed through	On-site
WHP units: Rent or Sale	Rental
WHP unit type	TH (Townhome) two-story
Incentive Option: Limited or Full	Full
TDRs to be used, if any	No TDRs requested

**Staff Recommendation:** You have requested a letter of determination based on your application for 40 units. As explained below, the staff recommendation is for a total of 40 units, using a 76% density bonus and no TDRs. The WHP obligation would be 7 units. This total is based on the two-step point system and compatibility review used by staff to review requests for density bonuses greater than 50%. The Board of County Commissioners may choose to approve a density bonus that differs from the staff recommendation, and you are not precluded from continuing through the zoning process with a request for a higher percentage than recommended by staff.

**Summary of Staff Review and Basis for Staff Recommendation:** Per the WHP process for density bonuses greater than 50%, staff applied the point system to determine the percentage of density bonus "earned" by the project's proposed approach to meeting its workforce housing obligation. Second, the total potential density for the project, including the bonus identified through the point system, was then reviewed for compatibility and



appropriateness for the site. The result of this two-step process is summarized below, and forms the basis for staff's recommendation.

**Step 1: Density Bonus Earned Through Application of WHP Points System**

The project earned an 80% density bonus based on meeting its WHP obligation through the provision of multi-family rental townhouse units, on-site. A 76% density bonus is needed to reach the 40 unit request. Additional points and potentially a higher percentage of density bonus would be earned if the WHP units provided were for-sale units and/or were provided as single-family units.

**Step 2: Compatibility and Site-suitability Considerations:**

Existing residential uses should be considered when determining the placement and height of buildings along the southeast boundary, in order to minimize impacts on the existing residents. The proposed use of two-story townhouse units or other structures of similar mass and scale is compatible with the single-family residential at the southeast corner of the site.

In considering this information, please be aware of the following:

- *Density bonuses greater than 50% are available only under the Full Incentive Option.*
- *All WHP unit exteriors are required to be compatible with market rate units, if any, and models are required.*

In addition, note that the recommendation provided herein does not guarantee a certain number of units, and does not create additional property rights for a landowner. The actual number of dwelling units that may be built on a parcel may be further limited by the zoning district's property development regulations and other considerations in the development review process.

Sincerely,

A handwritten signature in blue ink that reads "Michael Howe".

Michael Howe, Senior Planner

**Figure 8 – Planning Letter of the Determination- for Workforce Housing Program (WHP) greater than 50% page 3 of 3**

<b>Workforce Housing Program Analysis</b>											
<b>Greater Than 50% Density Bonus (Full Incentive Only)</b>											
Date: 03/17/2022											
<b>Property Information:</b>											
Property or PCN:			2869 Old Military Trail (Evergreen TH) PCN: 00-42-43-24-00-000-3120								
Acreage:			4.53 acres (Survey)								
Future Land Use Designation:			MR-5								
Request:			40 total units								
Part of PUD/Golf Course? No			Existing LOD? Out of date			CHHA? No		CCRT Area? Yes Yes: Old Trail #10			
Surrounding Land Uses:			N		S		E		W		
Existing:			Commercial		Church		Com/Residential		Residential/Tennis Club		
Future:			CH/8		MR-5		CH/8 & MR-5		HR-12		
Potential FLU Density: (4.53 acres x 5 = 22.65 units )											
<b>Density Bonus Determination:</b>											
Part 1: Point system based on proposed approach to meeting WHP obligation											
Proposed method to meet WHP obligation	WHP Objectives & Points										
	Delivers units?	Onsite?	WHP Unit type?			WHP Rental/For-sale?		WHP Concentration in Census tract?		POINTS EARNED	POTENTIAL DENSITY BONUS
	(1) to (6)	(10)	MF (1)	TH (3)	SF (10)	R (1)	FS (10)	>39% (0)	<39% (6)		
	6	10	3			1		0		20	80%
Part 2: Compatibility and Other Site Considerations: (See Compatibility and Site-suitability Considerations above)											
Staff Recommendation for Density Bonus: 80% (See Density Bonus Earned Through Application of WHP Points System above)											
<b>TDR Units, if applicable:</b>											
TDR Density: should Transfer of Development Rights be used, the following would apply:											
TDR Eligibility: 4 TDRs/acre			Old Trail area, CCRT #10								
TDR Units permitted: 18			4.53 x 4 = 18.12								
<i>TDR units purchased shall proportionally reflect the unit mix of the non TDR units. The applicant may elect to purchase some or all of the non-WHP TDRs at TDR WHP prices; if purchased at WHP prices, those units must be restricted as Low Income category WHP units.</i>											
<b>WHP Obligation:</b>											
Density Component:	Required Percentage					Calculations					
	Rental WHP		For Sale WHP			Possible Units			WHP Obligation		
Standard Density:	5%		4.375%								
Maximum Density:	16%		14%								
Density Bonus:	34%		29.75%								
Multiplier for For-Sale projects providing WHP as off-site rentals: 1.5x obligation (Not applicable to TDRs)											
Discount for on-site, For Sale WHP units: 20% for SF, 10% for TH											
TDRs, if any:	34%										
TOTALS											
<b>Alternative Unit Specific Calculation, if Requested: 40 Units</b>											
Density Component:	Required WHP Percentage					Calculations					
	Rental WHP		For Sale WHP			Units			WHP Obligation		
Standard Density:	5%		4.375%			4.53 x 4 = 18.12			18.12 x 5% = 0.91		
Maximum Density:	16%		14%			4.53 x 1 = 4.53			4.53 x 16% = 0.72		
Density Bonus: 76%	34%		29.75%			22.65 x 76% = 17.21			17.21 x 34% = 5.85		
1.5x Multiplier -- For-Sale projects providing WHP as off-site rentals (Not applicable to TDRs)											
TDRs, if any:	34%					0			0		
TOTALS											
						39.86 or 40 total units			7.48 or 7 WHP		
<i>The estimates provided in this worksheet do not guarantee a certain number of units, and do not create additional property rights for a landowner; the actual number of dwelling units that may be built on the parcel may be further limited by compatibility considerations, property development regulations and other factors in the development review process. Any hypothetical land use employed in the calculations is subject to the Comprehensive Plan amendment process, and may not be approved.</i>											

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**BOARD OF COUNTY COMMISSIONERS  
ZONING HEARING**

**THURSDAY JUNE 23, 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/](http://www.pbcgov.com/pzb/)

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

**IMPORTANT NOTICE: Banyan Boulevard, between Australian Avenue and Tamarind Avenue, will be closed for road reconstruction from June 6 - July 3, 2022. Please allow additional time to arrive for meetings. For additional information, visit the following link:**  
<https://www.wpb.org/Home/Components/News/News/2703/16>



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

**JUNE 23, 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**

- 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: Northwest corner of Atlantic Avenue and Hagen Ranch Road (**Terra Nova MUPD**) (Control 2004-00457)

Pages: 1 - 2

Project Manager: Imene Haddad / Wendy Hernandez

Size: 17.67 acres ±

BCC District: 5

Staff Recommendation: Staff recommends a postponement to July 28, 2022.

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 for the Development Order Abandonment.

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

**MOTION:** No motion required.

**B. REMANDS**

**C. WITHDRAWALS**

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**A. REQUESTS TO PULL ITEMS FROM CONSENT**

**B. DISCLOSURES FOR THE CONSENT ITEMS**

**C. STATUS REPORTS - NEW**

**D. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

2. [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 - 62

Conditions of Approval (10 - 18)

Project Manager: Timothy Haynes

Size: 10.97 acres ±

BCC District: 1

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 Condition 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.

**E. ZONING APPLICATIONS - NEW**

**F. CORRECTIVE RESOLUTIONS**

**G. ABANDONMENTS**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA**

**C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS**

**D. PREVIOUSLY POSTPONED STATUS REPORTS**

**E. STATUS REPORTS - NEW**

**F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

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

- 3. [SCA-2022-00012](#) Title: Encompass Health of Lake Worth, Small Scale Future Land Use Amendment application of Evangeline Aguirre, Eastwood Lantana, LLC - William Hodges, Encompass Health Rehabilitation Hospital - Edmund Ball, Stan Crooks by Gentile Holloway OMahoney & Associates Inc., Agent. Request: To change the future land use designation from Low Residential, 2 units per acre (LR-2) to Institutional and Public Facilities with an underlying 2 units per acre (INST/2)  
General Location: North side of Lantana Road, approximately .25 miles east of State Road 7 (**Encompass Health of Lake Worth**) (Control 1997-00048)

Pages: 1 - 43

Conditions of Approval (6 - 6)

Project Manager: Jerry Lodge

Size: 8.21 acres ±

BCC District: 6

Staff Recommendation: Approval of the proposed amendment to change the future land use designation from Low Residential, 2 units per acre (LR-2) to Institutional and Public Facilities with an underlying 2 units per acre (INST/2).

Planning Commission Recommendation: PLC Recommended Approval in a 9 to 0 vote at the May 13, 2022 public hearing.

**MOTION:** To adopt an Ordinance for the Encompass Health of Lake Worth amendment

- 4. [Z/CA-2021-01817](#) Title: an Official Zoning Map Amendment application of Eastwood Lantana LLC, Stan Crooks, Encompass Health Rehabilitation Hospital by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) Zoning District  
Title: a Class A Conditional Use of Eastwood Lantana LLC, Stan Crooks, Encompass Health Rehabilitation Hospital by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Hospital  
General Location: North side of Lantana Road, approximately 0.26 miles east of SR7/44 **(Encompass Health Rehabilitation Hospital of Lake Worth)** (Control 1997-00048)

Pages: 1 - 30

Conditions of Approval (9 - 11)

Project Manager: Imene Haddad / Wendy Hernandez

Size: 8.21 acres ±

BCC District: 6

**DISCLOSURE**

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

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 8-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) 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 a Hospital, 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

- 5. [DOA/CA-2021-01576](#) Title: a Development Order Amendment application of Melrose Center Boynton LLC by WGINC, Agent. Request: to modify the Site Plan and Master Plan; add square footage, and uses; and, delete a Condition of Approval  
Title: a Class A Conditional Use of Melrose Center Boynton LLC by WGINC, Agent. Request: to allow a Type 1 Restaurant with drive-through  
General Location: Northeast corner of State Road 7/US 441 and Armone Place **(Melrose PUD Commercial)** (Control 1982-00040)

Pages: 1 - 31

Conditions of Approval (6 - 18)

Project Manager: Imene Haddad / Wendy Hernandez

Size: 612.24 acres ±

BCC District: 5

(affected area 4.94 acres ±)

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 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 a Development Order Amendment to modify the Site Plan and Master Plan; add square footage, and uses; and, delete a Condition 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 drive-through subject to the Conditions of Approval as indicated in Exhibit C-2.

6. [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 Conditions 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 to allow a rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District subject to the Condition of Approval indicated in Exhibit C.

7. [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 - 25

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 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 to allow Workforce Housing Program Density Bonus greater than 50 percent subject to the Conditions of Approval as indicated in Exhibit C-2.

## J. ZONING APPLICATIONS - NEW

**K. COMPREHENSIVE PLAN TEXT AMENDMENTS**

**L. ULDC AMENDMENTS**

- 8. **SUMMARY:** This amendment is proposed by the County to allow the processing of applications for infill and redevelopment in the Westgate Community Redevelopment Area Overlay (WCRAO) when the use regulations of the Overlay are more restrictive and in conflict with the use regulations of Article 4 within the Unified Land Development Code (ULDC) by allowing the WCRA Board and the Zoning Director to apply the less restrictive provisions.

Pages: 1 - 5

Project Manager: Lisa Amara

Staff Recommendation: Staff recommends a motion to approve on first reading and request permission to advertise for adoption hearing at the Zoning BCC hearing on July 28, 2022, at 9:30 a.m.:

an Ordinance of the Board of County Commissioners of Palm Beach County, Florida; amending Article 3 - Overlays and Zoning Districts; Chapter B, Overlays of the Palm Beach County Unified Land Code (Ordinance No. 2003-067); 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.

**MOTION:** To approve on first reading and request permission to advertise for adoption hearing at the Zoning BCC hearing on July 28, 2022, at 9:30 a.m.

**9. RECESS AS THE BOARD OF COUNTY COMMISSIONERS**

AND

CONVENE AS THE ENVIROMENTAL CONTROL BOARD

**SUMMARY:** The Zoning Division is processing several amendments to the Unified Land Development Code (ULDC). Revisions related to septic system authority and drinking water supply systems as requested by the Florida Department of Health in Palm Beach County are moving forward and ready to be presented to the Board in July for adoption hearing.

Project Manager: Jeff Gagnon

Staff Recommendation: Staff recommends motion to approve approval of Request for Permission to Advertise a ULDC Revision related to Septic System Authority and drinking water supply systems, pertaining to Articles 1, 4, 10, 11, 15, and 18.

**MOTION:** To approve on preliminary reading and request permission to advertise for adoption hearing at the Zoning BCC hearing on July 28, 2022.

RECESS AS THE ENVIROMENTAL CONTROL BOARD

AND

CONVENE AS THE BOARD OF COUNTY COMMISSIONERS

**M. OTHER ITEMS**

10. **SUMMARY:** On June 6, 2006, (R2006-1043), the Board conveyed a 5.57 acre parcel located south of Pioneer Road and west of the Florida Turnpike to KidSanctuary, Inc., a non-profit corporation, at no cost, for KidSanctuary's development of a group home for children with physical and/or emotional disabilities. The County Deed provided that the property would automatically revert to the County under certain circumstances including the property owner's failure to meet certain construction and /or operational deadlines, or the property owner's conveyance of the property to an unrelated entity without prior Board consent to the conveyance.
- On June 7, 2011, (R2011-0846), the Board approved an extension to construct the facility in five (5) phases over a 15 year period, expiring on February 1, 2026.
- On August 16, 2016, (R-2016-0991), the Board approved actual completion dates of the completed Phases and allowed KidSanctuary Campus, at its discretion, to construct the recreation/administration/enrichment center on the 5.57 acre parcel previously conveyed by the County or on adjacent properties the organization had then recently acquired. KidSanctuary Campus has completed the five (5) phases in advance of the deadlines. KidSanctuary Campus enlisted Place of Hope, Inc., a not for profit organization, to operate (through an operating agreement) the KidSanctuary facility on the subject property and on March 1, 2022, notified the County that it wishes to convey the property to Place of Hope. The property furthers no County function, and the Partial Release of Deed Restrictions releases the certain construction and operational deadlines only. All other conditions and restrictions remain unmodified and in full force and effect. (Property & Real Estate Management)

Pages: 1 - 15

Project Manager: Isami Ayala-Collazo

Staff Recommendation: Staff recommends motion to approve:

- A. Partial Release of Deed Restrictions for a 5.57 acre parcel located south of Pioneer Road and west of the Florida Turnpike conveyed to KidSanctuary Campus, Inc.; and
- B. Consent to transfer of ownership of a 5.57 acre parcel conveyed to KidSanctuary, Inc. on June 6, 2006 (R2006-1043).

**MOTION:** To approve:

- A. Partial Release of Deed Restrictions for a 5.57 acre parcel located south of Pioneer Road and west of the Florida Turnpike conveyed to KidSanctuary Campus, Inc.; and
- B. Consent to transfer of ownership of a 5.57 acre parcel conveyed to KidSanctuary, Inc. on June 6, 2006 (R2006-1043).

**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**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. ASSISTANT COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**