



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING
AMENDMENTS TO THE AGENDA
JANUARY 11, 2023**

REGULAR AGENDA

7. ZV/DOA/CA/W-2022-00485 Southern Blvd Industrial Center (Control 2005-00593)

AMEND Development Order Amendment Exhibit C-1 to modify the condition of approval as shown:

SITE DESIGN

1. Prior to Final DRO approval, the Applicant shall revise the Site Plan to:
 - a. Include a 12-foot high wall from the southeast corner of the building, extending ~~to the~~ east ~~property line~~ approximately 130' to screen the loading and maneuvering area, including the dumpster enclosure; and
 - b. the interior side of the wall shall include sound dampening panels. (DRO: ZONING – Zoning)

Board of County
Commissioners

County Administrator
Verdenia Baker



Department of Planning, Zoning & Building

2300 N. Jog Road
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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

WEDNESDAY JANUARY 11, 2023
9:30 A.M. 6TH FLOOR
JANE M. THOMPSON MEMORIAL CHAMBERS

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**

JANUARY 11, 2023

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. Zoning Applications - New

1. [Z-2022-00675 George Parker Rezoning](#) (Control 2022-00016)

Title: an Official Zoning Map Amendment application of George Parker by CWB Associates, Agent. **Request:** to allow a rezoning from the Single Family Residential (RS) Zoning District to the Light Industrial (IL) Zoning District on 1.00 ac

General Location: South side of Wallis Road, approximately 260 feet west of Tall Pines Road

Project Manager: Cody Sisk

Size: 1.00 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request for an Official Zoning Map Amendment, with a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C.

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

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

2. [PDD/DOA-2022-00213 Whitworth AGR-PUD](#) (Control 2021-00031)

Title: an Official Zoning Map Amendment application of G.L. Homes of Palm Beach Associates LTD, Boynton Beach Associates 30, LLLP, 156th Court South Associates LLC, John Whitworth, Stables at Paradise Palms LLC, 9231 155th Lane LLC by G.L. Homes, Agent. **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District on 143.90 acres

Title: a Development Order Amendment of G.L. Homes of Palm Beach Associates LTD, Boynton Beach Associates 30, LLLP, 156th Court South Associates LLC, John Whitworth, Stables at Paradise Palms LLC, 9231 155th Lane LLC by G.L. Homes, Agent. **Request:** to modify Conditions of Approval; reconfigure the Master Plan; add land area, units, and access points on 722.51 acres

General Location: West side of Lyons Road, approximately 1 mile south of Boynton Beach Boulevard

Project Manager: Timothy Haynes

Size: 722.51 acres ±

BCC District: 5

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

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

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-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 Conditions of Approval; reconfigure the Master Plan; add land area, units, and access points subject to the Conditions of Approval as indicated in Exhibit C-2.

3. [**DOA-2022-00830 Johns Glades West MXP**](#) (Control 2004-00459)

Title: a Development Order Amendment application of Glades 95th Owner LLC, Uptown FL Partners LLC by Dunay Miskel and Backman LLP, Agent. **Request:** to modify the Master Plan and Site Plan; and add square footage and a use on 37.99 acres

Title: a Development Order Amendment of Glades 95th Owner LLC, Uptown FL Partners LLC by Dunay Miskel and Backman LLP, Agent. **Request:** to reconfigure the Theater Performance Venue use and modify Conditions of Approval on 37.99 acres

General Location: Southwest corner of Glades Road and 95th Avenue South

Project Manager: Timothy Haynes

Size: 37.99 acres ±

BCC District: 5

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

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

MOTION: To adopt a resolution approving a Development Order Amendment to modify the Master Plan and Site Plan; and add square footage and a use subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Theater Performance Venue use and modify Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C-2.

4. [**EAC-2022-01559 Windsor Place MXP**](#) (Control 2003-00079)

Title: an Expedited Application Consideration application of Hatzlacha WP Holdings LLC by AJP Consulting Services LLC, WGINC, Agent. **Request:** to modify Conditions of Approval on 40.00 acres

General Location: Northwest corner of Hypoluxo Road and Lyons Road

Project Manager: Cody Sisk

Size: 40.00 acres ±

BCC District: 6

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

MOTION: To adopt a resolution approving a Development Order Amendment to modify Conditions of Approval subject to the Condition of Approval as indicated in Exhibit C

5. [DOAW-2021-01652 Public Storage - Military](#) (Control 1981-00082)

Title: a Development Order Amendment application of SSC Property Holdings, LLC by Bohler Engineering, Agent. **Request:** to reconfigure the Site Plan; to reduce square footage; and, to reduce parking on 9.31 acres

Title: a Type 2 Waiver of SSC Property Holdings, LLC by Bohler Engineering, Agent.

Request: to reduce minimum Fenestration and Storefronts on 9.31 acres

General Location: West side of Military Trail, approximately 600 feet north of Summit Boulevard

Project Manager: Imene Haddad

Size: 9.31 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request, 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 6-0-0.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan; to reduce square footage; and, to reduce parking subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Type 2 Waiver to reduce minimum Fenestration and Storefronts subject to the Conditions of Approval as indicated in Exhibit C-2.

6. **ENGINEERING ABANDONMENTS**

6. [AB62056 Windsong Estates Right-of-Way Abandonment](#)

Summary: Adoption of this Resolution will eliminate the public dedication that is in conflict with development plans by Divosta Homes Holdings. All reviewing agencies and utility service providers have approved this abandonment and the right-of-way (ROW) to be abandoned serves no present or future public purpose.

Background and Policy Issues: Hearings for abandonments pursuant to Section 177.101, Florida Statutes, are quasi-judicial hearings and are subject to the Palm Beach County Procedures for Conduct of Quasi-Judicial Hearings.

General Location: North of Lantana Road, approximately 0.5 mile west of Lyons Road

DISCLOSURE: This item requires ex-parte disclosure.

Staff Recommendation: Staff recommends approval of the request.

MOTION:

A. To reserve a utility easement upon, over, and under a portion of a 30-foot wide ROW lying between Tracts 4 and 5 in Block 34, Palm Beach Farms Company Plat No. 3, according to the plat thereof, as recorded in Plat Book 2, Pages 45 through 54, of the Public Records of Palm Beach County;

B. To adopt a Resolution abandoning any public interest in a portion of a 30-foot wide ROW lying between Tracts 4 and 5 in Block 34, Palm Beach Farms Company Plat No. 3, according to the plat thereof, as recorded in Plat Book 2, Pages 45 through 54.

END OF CONSENT AGENDA

REGULAR AGENDA

- A. Items Pulled From Consent
- B. Disclosures For Items Pulled From The Consent Agenda
- C. Zoning Applications - New

7. [ZV/DOA/CA/W-2022-00485](#) **Southern Blvd Industrial Center** (Control 2005-00593)

Title: a Development Order Amendment application of Duke Realty Land LLC by Schmidt Nichols, Agent. **Request:** to reconfigure the Site Plan, to add square footage, add a use, add access points; and to modify/or delete Conditions of Approval on the 6.98-acre DO

Title: a Class A Conditional Use of Duke Realty Land LLC by Schmidt Nichols, Agent.

Request: to allow a single use, exceeding 100,000 square feet for a Warehouse on 6.98-acres

General Location: North side of Southern Blvd, approximately a half mile West of Jog Road

Project Manager: Donna Adelsperger

Size: 6.98 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 Development Order Amendment by a vote of 6-0-0.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 6-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, to add square footage, add a use, add access points; and to modify/or delete 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 single use, exceeding 100,000 square feet for a Warehouse subject to the Conditions of Approval as indicated in Exhibit C-2.

D. ULDC AMENDMENTS

8. [Title: Electric Vehicle Charging Stations](#), ULDC Permission to Advertise

The item before the Board is permission to advertise a County proposed revision that would revise the Unified Land Development Code (ULDC) for Electric Vehicle Charging Stations (EVCSs) regulations. This is Phase I of a series of amendments to implement direction from the Board regarding EVCS requirements and implementation.

Staff Recommendation: Staff requests permission to advertise the revision to the ULDC for Electric Vehicle Charging Stations.

MOTION: To approve a request for permission to advertise for first reading at the Zoning BCC hearing on January 26, 2023, beginning at 9:30 a.m.

9. **Title:** [Residential Future Land Use Designations](#), ULDC Permission to Advertise
 The item before the Board is permission to advertise a County proposed revision that would revise the Unified Land Development Code (ULDC) to implement amendments to the Comprehensive Plan adopted by Ordinance No. 2018-031, Residential Future Land Uses, in addition to associated changes to accessory uses and structures.
Staff Recommendation: Staff requests permission to advertise the revision to the ULDC for Residential Future Land Use Designations.
MOTION: To approve a request for permission to advertise for first reading at the Zoning BCC hearing on January 26, 2023, beginning at 9:30 a.m.

10. **Title:** [Commerce Future Land Use Designation](#), ULDC Permission to Advertise
 The item before the Board is permission to advertise a County proposed revision that would revise the Unified Land Development Code (ULDC) to implement amendments to the Comprehensive Plan adopted by Ordinance No. 2022-024, Commerce Future Land Use, to establish a new industrial future land use designation called Commerce (CMR).
Staff Recommendation: Staff requests permission to advertise the revision to the ULDC for the Commerce Future Land Use Designation.
MOTION: To approve a request for permission to advertise for first reading at the Zoning BCC hearing on January 26, 2023, beginning at 9:30 a.m.

END OF REGULAR AGENDA

COMMENTS

- A. COUNTY ATTORNEY
- B. ZONING DIRECTOR
- C. PLANNING DIRECTOR
- D. EXECUTIVE DIRECTOR
- E. ASSISTANT COUNTY ADMINISTRATOR
- F. COMMISSIONERS

ADJOURNMENT