



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING
AMENDMENTS TO THE AGENDA
OCTOBER 24, 2024**

CONSENT AGENDA

C. ZONING APPLICATIONS

1. DOA-2024-00407 Katz Yeshiva High School (1997-00056)

AMEND - To modify the Development Order Amendment to the overall PUD Conditions of Approval in Exhibit C-1 as shown with the deleted text struck out and the added text underlined:

ENGINEERING

~~5. Previous ENGINEERING Condition 5 of Resolution R-2011-963, Control No.1997-00056, which currently states:~~

In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

a. No Building Permits for the Weinbaum Yeshiva High School site may be issued after January 1, 2013. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

[Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2011-963, Control No.1997-00056)

Is hereby amended to read:

~~In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:~~

~~a. No Building Permits for the Weinbaum Yeshiva High School site may be issued after December 31, 2032. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING - Engineering)~~

6. The Property owner shall construct a left turn lane east approach on Ruth and Baron Boulevard at both of the projects northerly driveways. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: Monitoring-Eng) [Note: COMPLETED]

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2011-963, Control No.1997-00056)

Is hereby amended to read:

~~The Property owner shall construct a left turn lane north approach on Ruth and Baron Boulevard at the project's driveway. This construction should be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the~~

~~construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Turn lane and roadway transition lengths shall be as approved by the County Engineer and shown on the final site plan.~~

~~a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDGPMT: MONITORING – Engineering) [Note: COMPLETED]~~

~~b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng) (CO: MONITORING – Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2011-963, Control No.1997-00056)~~

~~9. Prior to the issuance of the first certificate of occupancy, the Property Owner shall construct left turn lane east approach on Ruth and Baron Coleman Blvd at the secondary faculty entrance. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Construction of this turn lane shall be completed in conjunction with construction of this secondary entrance. (CO: MONITORING – Engineering)~~

AMEND - To modify Development Order Amendment to the Conditional Use for a Private School Conditions of Approval in Exhibit C-2 as shown with the deleted text struck out and the added text underlined:

ENGINEERING

~~5. Previous ENGINEERING Condition 5 of Resolution R-2011-963, Control No.1997-00056, which currently states: 1. Previous ENGINEERING Condition 5 of Resolution R-2011-963, Control No.1997-00056, which currently states:~~

~~In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:~~

~~a. No Building Permits for the Weinbaum Yeshiva High School site may be issued after January 1, 2013. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING – Engineering)~~

Is hereby amended to read:

~~In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:~~

~~a. No Building Permits for the Weinbaum Yeshiva High School site may be issued after December 31, 2032. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING – Engineering)~~

~~6. The Property owner shall construct a left turn lane east approach on Ruth and Baron Boulevard at both of the projects northerly driveways. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.~~

~~a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: Monitoring-Eng)~~

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

Is hereby amended to read:

~~The Property owner shall construct a left turn lane north approach on Ruth and Baron Boulevard at the project's driveway. This construction should be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Turn~~

~~lane and roadway transition lengths shall be as approved by the County Engineer and shown on the Final Site Plan.~~

~~a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]~~

~~b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng) (CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2011-963, Control No.1997-00056)~~

1. In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

a. No Building Permits for the Weinbaum Yeshiva High School site may be issued after December 31, 2032. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. Prior to the issuance of the first certificate of occupancy, the Property Owner shall construct left turn lane east approach on Ruth and Baron Coleman Blvd at the secondary faculty entrance. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Construction of this turn lane shall be completed in conjunction with construction of this secondary entrance. (CO: MONITORING - Engineering)

REGULAR AGENDA

4. PDD/DOA-2024-00581 Whitworth AGR-PUD (2021-00031)

AMEND – To modify the Agenda to revise the Staff Recommendation, Title, and Request for Item 4.d as shown with the deleted text struck out and added underlined text:

Staff Recommendation:

~~a.-b.~~ Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2;

c. Staff recommends approval of the request;

d. Staff recommends approval of the Whitworth AGR-PUD 3.36-acre civic site cash out in the amount of \$1,211,480 and the funds be allocated to the general government civic account (3800-800-XXXX-2540) for future appropriation toward general government or other applicable purposes in the general area.

~~d.~~ **Title:** Civic Site cash out of the Whitworth AGR-PUD ~~Alternative Public Civic Pod Designation~~ **Request:** To allow a cash out of the 3.36-acre public civic pod obligation in the amount of \$1,211,480.

AMEND - To modify Development Order Amendment for the overall PUD Conditions of Approval in Exhibit C-2 as shown with the added text underlined:

ENGINEERING

8. The Property Owner shall fund the cost of signal installation, if warranted, as determined by the County Engineer on Lyons Rd at Project entrance road. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

~~a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPMT: MONITORING - Engineering)~~

a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPMT: MONITORING -Engineering) [Note: COMPLETED]

~~b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months~~

~~from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner. (ONGOING: MONITORING - Engineering)~~

b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner. (ONGOING:MONITORING - Engineering) (Previous ENGINEERING Condition 8 of Resolution R-2023-51, Control No.2021-00031)



BOARD OF COUNTY COMMISSIONERS

ZONING HEARING

Thursday, October 24, 2024

9:30 A.M.

**BCC Chambers 6th Floor, Jane M. Thompson Memorial Chambers
301 N. Olive Avenue, West Palm Beach, FL 33401**

CALL TO ORDER

- A. Roll Call
- B. Invocation and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Agenda Approval

CONSENT

REGULAR

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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

ZONING HEARING AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
October 24, 2024

CALL TO ORDER

- A. Roll Call – 9:30 a.m.
- B. Invocation 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. Agenda Approval
 - Presentation of Additions/Deletions
 - Request to Pull Items from Consent
 - **Motion** to adopt the Agenda

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. ZONING APPLICATIONS

1. [DOA-2024-00407 Katz Yeshiva High School \(1997-00056\)](#)

Zoning Application of The Weinbaum Yeshiva High School, Inc. by JMorton Planning & Landscape Architecture

Location: South side of Ruth and Baron Coleman Boulevard, approximately 0.5 miles south of Glades Road

Project Manager: Lorraine Fuster Santana, Site Planner II

BCC District: 5

DISCLOSURES

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

a. **Title:** a Development Order Amendment **Request:** to modify the Overall Planned Unit Development Master Plan to add square footage to the Private Civic Pod (Private School) on 59.00 acres

MOTION: To adopt a resolution approving item 1.a

b. **Title:** a Development Order Amendment **Request:** to modify the Site Plan for a previously approved Private School to add square footage, increase number of students, and to add an access point on 5.90 acres

MOTION: To adopt a resolution approving item 1.b

2. [ZV/ABN/CA-2024-00490 Pollo Campero Restaurant \(1984-00053\)](#)

Zoning Application of 600 N. 4th St. Associates, L.P. by Urban Design Studio

Location: Northeast corner of Okeechobee Boulevard and Haverhill Road

Project Manager: Joyce Lawrence, Senior Site Planner

BCC District: 2

DISCLOSURES

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

a. **Title:** a Development Order Abandonment **Request:** to abandon a Special Exception for a Gasoline Pump Island Facilities and Self Service Car Wash approved by Resolution R-84-1172 on 0.74 acres

MOTION: To adopt a resolution approving item 2.a

b. **Title:** a Class A Conditional Use **Request:** to allow a Type 1 Restaurant with drive-through on 0.74 acres

MOTION: To adopt a resolution approving item 2.b

3. [ABN/DOA/CA/W-2024-00891 Elan Palm Reserve MUPD \(2001-00005\)](#)

Zoning Application of Wellington Regional Medical Center, LLC - Cheryl Ramagano by JMorton Planning & Landscape Architecture

Location: Northeast corner of Military Trail and Hypoluxo Road

Project Manager: Donna Adelsperger, Senior Site Planner

BCC District: 2

DISCLOSURES

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

- a. **Title:** a Development Order Abandonment **Request:** to abandon a Class A Conditional Use for a Type 1 Restaurant with Drive-through (Building F) approved by Resolution No 2021-961 on 31.98 acres
MOTION: To adopt a resolution approving item 3.a
- b. **Title:** a Development Order Abandonment **Request:** to abandon a Class A Conditional Use for a Type 1 Restaurant with Drive-through (Building G) approved by Resolution No 2021-962 on 31.98 acres
MOTION: To adopt a resolution approving item 3.b
- c. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan to add square footage; and to add and delete uses on 31.53 acres
MOTION: To adopt a resolution approving item 3.c
- d. **Title:** a Class A Conditional Use **Request:** to allow a Hospital on 31.53 acres
MOTION: To adopt a resolution approving item 3.d
- e. **Title:** a Type 2 Waiver **Request:** to allow extended hours of operation (24 hour operation) within 250-feet of a parcel of land with a residential FLU designation or use on 31.53 acres
MOTION: To adopt a resolution approving item 3.e

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. ZONING APPLICATIONS

4. [PDD/DOA-2024-00581 Whitworth AGR-PUD \(2021-00031\)](#)

Zoning Application of Boynton Beach Associates by Boynton Beach Associates 30, LLLP

Location: West side of Lyons Road, approx. 1 mile south of Boynton Beach Boulevard

Project Manager: Imene Haddad, Senior Site Planner

BCC District: 5

DISCLOSURES

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

- a. **Title:** an Official Zoning Map Amendment **Request:** to allow rezoning from the Agriculture Reserve (AGR) Zoning District to the Agriculture Reserve-Planned Unit Development (AGR-PUD) Zoning District on 417.52 acres
MOTION: To adopt a resolution approving item 4.a
- b. **Title:** a Development Order Amendment **Request:** to modify the Overall Master Plan to add land area (417.52 acres) to a previously approved 722.51-acre AGR-PUD, to add units, to add access points, and to modify Conditions of Approval on 1,140.03 acres
MOTION: To adopt a resolution approving item 4.b
- c. **Title:** a Release of Conservation Easements **Request:** to allow full release of a Conservation Easement for Preserve 3 recorded in ORB 33583, Pg. 318 on 132.84 acres, a partial release of a Conservation Easement for Preserve 10 recorded in ORB 34404 Pg. 79 on 35.09 acres, and a partial release of a Conservation Easement for Preserve 2 recorded in ORB 33583 Pg. 0296 for 0.132 acres
MOTION: To approve item 4.c
- d. **Title:** an Alternative Public Civic Pod Designation **Request:** To allow a cash out of the 3.36-acre public civic pod obligation.
MOTION: To approve item 4.d

C. ULDC REVISIONS

5. Flood Damage Prevention Ordinance, ULDC Request for Permission to Advertise
Summary: The item before the Board is a proposed revision to the Palm Beach County Unified Land Development Code (ULDC). These changes are to implement the floodplain management regulations necessary to maintain compliance with the requirements of the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program (NFIP), the NFIP Community Rating System (CRS) program and the Florida Building Code (FBC), and to clarify or codify existing floodplain development policies and procedures. Specifically, the changes propose to:

- Add and revise terminology related to floodplain development;
- Modify the title of the authority designated to interpret the provisions of Article 18 – Flood Damage Prevention from “Flood Damage Prevention Administrator” to “Floodplain Administrator”; and
- Add and revise floodplain development regulations and variance criteria pursuant to FEMA policy and program updates.

Staff Recommendation: Staff recommends approval of permission to advertise for first reading and adoption of an Ordinance at the BCC Zoning hearing on November 21, 2024.

MOTION: To approve staff recommendation for item 5.

- END OF REGULAR AGENDA -

COMMENTS

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

ADJOURNMENT

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