



ZONING COMMISSION
ZONING HEARING

AMENDMENTS TO THE AGENDA
March 5, 2020

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

D. ZONING APPLICATIONS- NEW

2.	(37)	DOA/CA-2019-02086 (2003-00079)	Loggers Run Commercial Center
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AMEND ALL PETITIONS Condition 3 of Exhibit C-1, to read as follows:

Is hereby amended to read:

The approved Preliminary Master Plan is dated November 4, ~~2020~~ 2019. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

AMEND Heading of Exhibit C-2, to read as follows:

Exhibit C-2 – Class A Conditional Use (Indoor Entertainment - ~~(Building H-Bays C, D, & E)~~).

6.	(167-181)	ZV/DOA/CA-2018-01723 (2003-00079)	Windsor Place MXP
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DELETE All Petition Condition 2 of Exhibit C-2.

DELETE Engineering Condition 8 of Exhibit C-2.

AMEND Planned Development Condition 1 of Exhibit C-2, to read as follows:

1. Prior to the recordation of the first plat for the Townhouse subdivision, all property included in the legal description of the Townhouse subdivision shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's office which shall include the following:
 - a. All recreation parcels shall be deed restricted to recreation for the use of the residents of the Townhouse subdivision residential-portion of the MXP. At the time of turnover of the POA/HOA, the recreation parcel shall be turned over to the association at no cost to the residents. (PLAT: ENGINEERING - County Attorney)

AMEND Signs Condition 4 of Exhibit C-2, to read as follows:

4. Revised and amended SIGNS Condition 3 of Resolution R-2015-820, Control No.2003-00079:

Is hereby amended to read:

Freestanding Ground Mounted Signs adjacent to Lyons Road (non-residential portion only) shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point eight (8) feet;
- b. maximum sign face area per side one hundred (100) square feet;
- c. maximum number of signs one (1) ~~for Hypoluxo Road frontage and one (1) for Lyons Road frontage~~; and,
- ~~d. style – monument style only; and,~~
- e d. the sign shall be located within fifty (50) feet of the access point measuring from the centerline of the access drive. (BLDGPMT: BUILDING DIVISION - Zoning)

ADD NEW Sign Condition 6 to Exhibit C-2, to read as follows:

5. Freestanding Ground Mounted Signs adjacent to Hypoluxo Road, (non-residential portion only), shall be limited as follows:
- a. maximum sign height, measured from finished grade to highest point eight (8) feet;
 - b. maximum sign face area per side one hundred (100) square feet;
 - c. maximum number of signs two (2); and,
 - d. one sign shall be located within fifty (50) feet; and one sign shall be within 400 feet; of the access point measuring from the centerline of the access drive. (BLDGPMT: BUILDING DIVISION - Zoning)

[Renumber accordingly]



**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

THURSDAY MARCH 5, 2020

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N Jog Rd, West Palm Beach, 33411**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication
- F. Swearing In
- G. Adoption of the Minutes
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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



AGENDA
PALM BEACH COUNTY ZONING COMMISSION

MARCH 5, 2020

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, and Pledge of Allegiance
- C. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista Center, Ken Rogers Hearing Room, VC-1W-47, 2300 N Jog Rd, West Palm Beach, 33411, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type II Variances and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing in the 6th Floor, Jane Thompson Memorial Chambers, 301 N Olive Ave, West Palm Beach, 33401, at 9:30 A.M. on Thursday, March 26, 2020 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.
- D. 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 Chair, 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.
- E. Proof of Publication - Motion to receive and file.
- F. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

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. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

1. [DOA/CA-2019-00737](#) Title: a Development Order Amendment application of TJAC Palmetto Park, LLC by Perry & Taylor PA, Agent. Request: to add a use.
Title: a Class A Conditional Use application of TJAC Palmetto Park, LLC by Perry & Taylor PA, Agent. Request: to allow a Cocktail Lounge.
General Location: Southwest corner of Palmetto Park Road and Powerline Road. **(US Cigar Exchange)** (Control 1981-00115)

Pages 1 - 22

Conditions of Approval Pages (6 - 13)

Project Manager: Brenya Martinez

Size: 8.19 acres ±

BCC District: 4

(affected area 0.07 acres ±)

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

MOTION: To recommend approval of a Development Order Amendment to add a use subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a Cocktail Lounge subject to the Conditions of Approval as indicated in Exhibit C-2.

D. ZONING APPLICATIONS - NEW

2. [DOA/CA-2019-02086](#) Title: a Development Order Amendment application of TMT Properties Loggers Run, LLC by Miller Land Planning, Agent. Request: to modify uses.
Title: a Class A Conditional Use application of TMT Properties Loggers Run, LLC by Miller Land Planning, Agent. Request: to allow Indoor Entertainment.
General Location: North side of Palmetto Park Road, bounded by Cobblestone Way, Ponderosa Drive to the east, and Judge Winikoff Road to the west. **(Loggers Run Commercial Center)** (Control 1975-00068)

Pages 23 - 48

Conditions of Approval Pages (30 - 37)

Project Manager: Brenya Martinez

Size: 16.16 acres ±

BCC District: 5

(affected area 0.08 acres ±)

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

MOTION: To recommend approval of a Development Order Amendment to modify uses subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow Indoor Entertainment subject to the Conditions of Approval as indicated in Exhibit C-2.

3. [Z-2019-02041](#) Title: an Official Zoning Map Amendment application of Thien Nguyen by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.
General Location: North side of Lantana Road, approximately 1,200 feet west of Military Trail. **(Nguyen Property)** (Control 2019-00083)

Pages 49 - 62

Conditions of Approval Pages (53 - 54)

Project Manager: Travis Goodson

Size: 2.02 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request, subject to a Conditional Overlay Zone and the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District with a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C.

4. [PDD/DOA-2018-02140](#) Title: an Official Zoning Map Amendment application of Boynton Beach Associates XXII, LLLP, AKD Real Estate Investments, LLC, Twin States Land Holding, 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.

Title: a Development Order Amendment application of Boynton Beach Associates XXII, LLLP, AKD Real Estate Investments, LLC, Twin States Land Holding, LLC by G.L. Homes, Agent. Request: to modify the Master Plan to add and delete land area (Preserve); and, to modify a Condition of Approval.

General Location: East side of Lyons Road, approximately 2 miles south of Boynton Beach Boulevard.

Affected Preserve Parcel 1: East side of Smith Sundry Road, approximately 0.60 miles north of Atlantic Avenue.

Affected Parcel 2: North side of 100th Street South, approximately 0.20 miles west of State Road 7. **(Valencia Cove AGR-PUD)** (Control 2004-00369)

Pages 63 - 139

Conditions of Approval Pages (70 - 85)

Project Manager: Meredith Leigh

Size: 1,408.26 acres ±

BCC District: 5

(affected area 4.71 acres ±)

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

MOTION: To recommend approval of 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 recommend approval of a Development Order Amendment to modify the Master Plan to add and delete land area (Preserve); and, to modify a Condition of Approval subject to the Conditions of Approval as indicated in Exhibit C-2.

5. [Z-2019-00789](#) Title: an Official Zoning Map Amendment application of Twin States Land Holdings, LLC by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District.

General Location: North side of 100th Street South, approximately 0.20 miles west of State Road 7. **(Twin States)** (Control 2019-00059)

Pages 140 - 151

Conditions of Approval Pages (144 - 144)

Project Manager: Meredith Leigh

Size: 4.71 acres ±

BCC District: 5

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

6. [ZV/DOA/CA-2018-01723](#) Title: a Type 2 Variance application of Hatzlacha WP Holdings, LLC by WGINC, Agent. Request: to deviate from the required Land Use Mix for a Mixed Use Planned Development (MXPD); and, to reduce Townhouse rear setbacks.

Title: a Development Order Amendment application of Hatzlacha WP Holdings, LLC by WGINC, Agent. Request: to reconfigure the Master Plan and Site Plan; add and delete square footage; add units; modify uses; and, modify Conditions of Approval.

Title: a Class A Conditional Use application of Hatzlacha WP Holdings, LLC by WGINC, Agent. Request: to allow Workforce Housing Density Bonus in excess of 30 percent; to allow additional Transfer of Development Rights (TDR) units; and to allow a Type 1 Restaurant with a Drive-Through.

General Location: Northwest corner of Hypoluxo Road and Lyons Road. **(Windsor Place MXPD)** (Control 2003-00079)

Pages 152 - 201

Conditions of Approval Pages (166 - 185)

Project Manager: Carrie Rechenmacher

Size: 40.00 acres ±

BCC District: 3

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

MOTION: To adopt a resolution approving a Type 2 Variance to deviate from the required Land Use Mix for a Mixed Use Planned Development (MXPD); and, to reduce Townhouse rear setbacks subject to the Conditions of Approval as indicated in Exhibit C-1.

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

MOTION: To recommend approval of a Class A Conditional Use to allow Workforce Housing Density Bonus in excess of 30 percent subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Class A Conditional Use to allow additional Transfer of Development Rights (TDR) units subject to the Conditions of Approval as indicated in Exhibit C-4.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-Through subject to the Conditions of Approval as indicated in Exhibit C-5.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

- A. ITEMS PULLED FROM CONSENT**
- B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- D. ZONING APPLICATIONS - NEW**
- E. SUBDIVISION VARIANCE**
- F. OTHER ITEMS**

END OF REGULAR AGENDA

COMMENTS

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

ADJOURNMENT