



**ZONING COMMISSION
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
SEPTEMBER 3, 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

1.	(Agenda Page 3)	CA-2019-01969 (1994-00010)	Horizon 880-HPAB
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AMEND Motion, to read as follows:

MOTION: To postpone to Monday, October 1, 2020.

F. SUBDIVISION VARIANCE

5.	(Agenda Page 5)	SV-2020-00732 2018-00175	Covenant Villas
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AMEND Motion, to read as follows:

MOTION: To adopt a Resolution approving access from a 30-foot Right-of-Way, **subject to the Conditions of Approval as indicated in Exhibit C.**

REGULAR AGENDA

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

6.	(Agenda Page 6)	SV-2020-00796 (2018-00034)	Reserve at Jupiter
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AMEND Motion, to read as follows:

MOTION: To adopt a Resolution approving an increase in daily trips over the 1,500 average daily trip threshold for a local residential street, **subject to the Conditions of Approval as indicated in Exhibit C.**

(Page 126)

ADD: Engineering Conditions, to read as follows:

1. The Property Owner shall be responsible for design, permitting and construction of certain traffic devices such as school zone flashers and electronic speed limit signs, as approved by the County Engineer, along Limestone Creek Rd from Island Way to the project's entrance. If approved, installation shall be completed prior to the 50th Certificate of Occupancy. (CO: MONITORING – Eng)

2. The Property Owner shall fund a proportionate cost of signal installation, if warranted, as determined by the County Engineer at Island Way and Limestone Creek 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. (BLDG PERMIT: MONITORING-Eng).

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: ENGINEERING-Eng)

3. Arrival and departure of construction vehicles for this project's onsite work shall be staggered as to not cause traffic delays along Limestone Creek Rd. (ONGOING: CODE ENFORCEMENT – Eng)



ZONING & URBAN PLANNING
MARKET RESEARCH & ANALYSIS
ENVIRONMENTAL ASSESSMENTS

LAND RESEARCH MANAGEMENT, INC.
2240 PALM BEACH LAKES BLVD. • SUITE 103
WEST PALM BEACH, FLORIDA 33409
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September 1, 2020

Mr. Jon MacGillis, Director
Palm Beach County Zoning Division
Palm Beach County Planning, Zoning & Building Department
2300 North Jog Road
West Palm Beach, FL 33411

Re: Horizon 880-HPAB CA-2019-01969

Dear Jon:

As agent for the above referenced zoning application, I respectfully request a 30-day postponement from the September 3, 2020 Zoning Commission (ZC) hearing to the October 1, 2020 ZC hearing in order to afford us the opportunity to address concerns of residents in the general vicinity.

Respectfully,

Kevin McGinley
President

c.c. Ryan Vandenburg, Sr. Site Planner, Palm Beach County (PBC) Zoning Division
Bob Rogers, Horizon 880 LLC
Paul Cross, HiPoint Agro Bedding Corp.
Chip Coulter, HiPoint Agro Bedding Corp.
Patrick Rutter, PBC Asst. County Administrator
PBC Commissioner Greg Weiss
Niels Hiemeriks, PBC Com. Greg Weiss
Patrick Carroll, Solid Waste Authority of PBC
Ramana Kari, Solid Waste Authority of PBC



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

THURSDAY SEPTEMBER 3, 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

SEPTEMBER 3, 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, September 24, 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

D. ZONING APPLICATIONS - NEW

1. [CA-2019-01969](#) Title: a Class A Conditional Use application of Waste Solid, Horizon 880 LLC by Land Research Management Inc., Agent. Request: to allow an Equestrian Waste Management Facility.

General Location: East side of Benoist Farms Road, approximately 0.3 miles north of Southern Blvd. (**Horizon 880-HPAB**) (Control 1994-00010)

Pages 1 - 19

Conditions of Approval Pages (6 - 7)

Project Manager: Ryan Vandenburg

Size: 5.25 acres ±

BCC District: 2

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

MOTION: To recommend approval of a Class A Conditional Use to allow an Equestrian Waste Management Facility, subject to Conditions of Approval as indicated in Exhibit C.

2. [DOA/CA-2019-01971](#) Title: a Development Order Amendment application of Lake Worth Commercial Association, Inc., Palms West Professional Plaza, LLC, 7 Eleven Inc by WGINC, Agent. Request: to reconfigure the Site Plan, add square footage, modify uses and Conditions of Approval, and restart the Commencement of Development Clock.

Title: a Class A Conditional Use application of Lake Worth Commercial Association, Inc., Palms West Professional Plaza, LLC, 7 Eleven Inc by WGINC, Agent. Request: to allow a Type 1 Restaurant with a Drive-through.

General Location: Northeast corner of Lake Worth Road and Nassau Road. (**Lake Worth & Nassau MUPD**) (Control 2003-00087)

Pages 20 - 56

Conditions of Approval Pages (26 - 36)

Project Manager: Meredith Leigh

Size: 8.39 acres ±

BCC District: 2

(affected area 4.34 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 reconfigure the Site Plan, add square footage, modify uses and Conditions of Approval, and restart the Commencement of Development Clock, 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 Type 1 Restaurant with a Drive-through, subject to the Conditions of Approval as indicated in Exhibit C-2.

3. [ZV-2020-00792](#) Title: a Type 2 Variance application of Concert Fountains Properties, LLC by WGINC, Agent. Request: to reduce the setback for an existing wall in a Landscape Buffer; reduce the planting width on the exterior side of the wall, and to eliminate or reduce the percentage of canopy trees required along the exterior side of the wall.

General Location: Southwest corner of Lake Worth Road and Fountains Drive. **(Lakeshore at the Fountains)** (Control 2019-00175)

Pages 57 - 85

Conditions of Approval Pages (62 - 63)

Project Manager: Brenya Martinez

Size: 32.08 acres \pm

BCC District: 2

(affected area 0.14 acres \pm)

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

MOTION: To adopt a Resolution approving a Type 2 Variance to reduce the setback for an existing wall in a Landscape Buffer; reduce the planting width on the exterior side of the wall, and to eliminate or reduce the percentage of canopy trees required along the exterior side of the wall, subject to the Conditions of Approval as indicated in Exhibit C.

4. [ZV-2020-01119](#) Title: a Type 2 Variance application of Gulfstream Product Support Corporation, Palm Beach County by Urban Design Studio, Agent. Request: to allow an increase in maximum sign area for a wall sign.

General Location: South side of Green Street, approximately 0.10 miles east of North Military Trail, and 0.25 miles south of Belvedere Road. **(Gulfstream/Jet Aviation - Signage)** (Control 1982-00190)

Pages 86 - 106

Conditions of Approval Pages (91 - 91)

Project Manager: Meredith Leigh

Size: 16.40 acres \pm

BCC District: 2

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

MOTION: To adopt a Resolution approving a Type 2 Variance to allow an increase in maximum sign area for a wall sign, subject to the Conditions of Approval as indicated in Exhibit C.

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

5. [SV-2020-00732](#) Title: a Subdivision Variance application of AMB4614 LLC - Russell Broadnix by Arc Development Global LLC, Agent. Request: to allow access from a 30-foot Right-of-Way.

General Location: Approximately 653 feet north of Melaleuca Lane, on the east side of Gulfstream Road. (**Covenant Villas**) (Control 2018-00175)

Pages 107 - 120

Conditions of Approval Pages (111 - 111)

Project Manager: Joanne Keller

Size: 1.82 acres ±

BCC District: 3

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

MOTION: To adopt a Resolution approving access from a 30-foot Right-of-Way.

REGULAR AGENDA**A. ITEMS PULLED FROM CONSENT****B. STATUS REPORTS****C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

6. [SV-2020-00796](#) Title: a Subdivision Variance application of Stonewood Jupiter, LLC, D.R. Horton, Inc. by WGINC, Agent. Request: to allow an increase in daily trips over the 1,500 average daily trip threshold for a local residential street.

General Location: West side of Limestone Creek Road, approximately 0.30 miles north of Church Street. (**Reserve at Jupiter**) (Control 2018-00034)

Pages 121 - 153

Conditions of Approval Pages (126 - 126)

Project Manager: Joanne Keller

Size: 21.11 acres ±

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C. BCC District: 1

MOTION: To adopt a Resolution approving an increase in daily trips over the 1,500 average daily trip threshold for a local residential street.

D. ZONING APPLICATIONS - NEW

7. [ZV/CA-2018-01804](#) Title: Type 2 Variance application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce drive aisle width and Right-of-Way (R-O-W) Buffer Landscape planting; eliminate parking lot surface material (asphalt), landscape protection measures (curbing) and Landscape Island and Interior Island required planting; and, increase Hedge Height on a residential lot.
Title: a Class A Conditional Use application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Type 2 Congregate Living Facility.

General Location: North side of Donald Ross Road, approximately 350 feet east of 69th Drive North. (**Hedge House**) (Control 2018-00013) BCC District: 1

Pages 154 - 197

Conditions of Approval Pages (165 - 167)

Project Manager: Ryan Vandenburg

Size: 1.09 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 adopt a Resolution approving a Type 2 Variance to reduce drive aisle width and ~~Right-of-Way~~ (R-O-W) Buffer Landscape planting; and, eliminate parking lot surface material (asphalt), landscape protection measures (curbing) and Landscape Island and Interior required planting, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a Resolution to deny a Type 2 Variance to increase Hedge Height on a residential Lot.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 2 Congregate Living Facility, subject to the Conditions of Approval as indicated in Exhibit C-2.

- 8. [ZV-2020-00787](#) Title: a Type 2 Variance application of Glades 95th Owner, LLC by Dunay Miskel and Backman LLP, Agent. Request: to increase maximum wall sign area.
General Location: Southwest corner of Glades Road and 95th Avenue South, approximately 1,500 feet east of State Road 7. (**Johns Glades West MXP**D) (Control 2004-00459)

Pages 198 - 222

Conditions of Approval Pages (203 - 204)

Project Manager: Travis Goodson

Size: 37.26 acres ±

BCC District: 5

(affected area 19.04 acres ±)

Staff Recommendation: Staff recommends denial of the request. However, should the Zoning Commission approve the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution denying a Type 2 Variance to increase maximum wall sign area.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

- 9. [Title: 2021 Zoning Commission Hearing Dates](#)

Pages 223 - 223

- 10. [Title: Post Community Residential Housing Presentation by Dan Lauber, Consultant, postponed to October 1, 2020 ZC Hearing.](#)

PBC Zoning Division News Release on “Medical Use -Residential Community Housing” see hyperlink below, for review:

[https://discover.pbcgov.org/pzb/zoning/AdminNewsReleases/Medical Use Community Residential Housing.pdf](https://discover.pbcgov.org/pzb/zoning/AdminNewsReleases/Medical%20Use%20Community%20Residential%20Housing.pdf)

- 1. Dan Lauber, Consultant Report on Community Residential Housing
- 2. Frequently Asked Questions

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT