



**ZONING COMMISSION
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
July 1, 2021**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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Agenda Page 3

REORDER Agenda to move Agenda Item #3, DOA-2021-00282, Burlington Self-Storage of Lake Worth, to Consent and Amend Conditions of Approval, as follows:

CONSENT AGENDA

D. ZONING APPLICATIONS – NEW

3.	(150)	DOA-2021-00282 (2005-00427)	Burlington Self-Storage of Lake Worth
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AMEND Site Design Condition 5 of Exhibit C, to read as follows:

~~5. Prior to Final Development Review Officer (DRO) approval issuance of the Certificate of Completion for the northern storage area, the Property Owner shall revise; the applicable plans (Site and Regulating) shall be revised to comply with the outdoor storage setbacks pursuant to Article 5.B.1.A.3.b with regard to the setback for the outdoor storage area on along the north property line; or obtain the necessary Variance allowing for a setback the reduction. (DRO CC: ZONING - Zoning)~~



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

THURSDAY, JULY 1, 2021

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
- K. Conflicts/Recusal

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

JULY 1, 2021

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- A.1. Motion to Approve Remote Participation Due to Extraordinary Circumstances
- 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, July 22, 2021 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
- K. Conflicts/Recusal

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. [ZV/DOA-2020-01452](#) Title: a Type 2 Variance application of Jupiter Burrito Bros LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to allow the reduction in width of a compatibility landscape buffer and a landscape island; and, to allow an accessory structure within a front yard.

Title: a Development Order Amendment application of Jupiter Burrito Bros LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to amend a previously approved Planned Commercial Development to modify the Site Plan; and, add building square footage.

General Location: West side of Jupiter Farms Road, approximately 1.2 miles south of West Indiantown Road. **(The Farms Market Place MUPD)** (Control 1980-00234)

Pages 1 - 32

Conditions of Approval Pages (10 - 12)

Project Manager: Timothy Haynes

Size: 1.83 acres ±

BCC District: 1

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

MOTION: To adopt a Resolution approving a Type 2 Variance to allow the reduction of a compatibility landscape buffer and a landscape Island width; and, to allow an accessory structure within a front yard, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to amend a previously approved Planned Commercial Development to modify the Site Plan; and, add building square footage, subject to the Conditions of Approval as indicated in Exhibit C-2.

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

2. [ZV/PDD/DOA/CA-2020-02096](#) Title: a Type 2 Variance application of Morningstar Nursery, Inc., Hypoluxo Village Owner, LLC by Toothaker.org, JMorton Planning & Landscape Architecture, Agent. Request: to eliminate a Type 2 Incompatibility Buffer.
Title: an Official Zoning Map Amendment application of Morningstar Nursery, Inc., Hypoluxo Village Owner, LLC by Toothaker.org, JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Community Commercial (CC) and the Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District.
Title: a Development Order Amendment application of Morningstar Nursery, Inc., Hypoluxo Village Owner, LLC by Toothaker.org, JMorton Planning & Landscape Architecture, Agent. Request: to reconfigure the Site Plan, add land area, units and access points; and, to modify uses, buildings, square footage and Conditions of Approval.
Title: a Class A Conditional Use application of Morningstar Nursery, Inc., Hypoluxo Village Owner, LLC by Toothaker.org, JMorton Planning & Landscape Architecture, Agent. Request: to allow 3 Type 1 Restaurants with Drive-throughs; Retail Gas and Fuel Sales with a Convenience Store; Workforce Housing Program (WHP) Density Bonus greater than 50 percent; and, Transfer of Development Rights (TDR).
General Location: Northeast corner of Military Trail and Hypoluxo Road. **(Hypoluxo Village MUPD)** (Control 2001-00005)

Pages 33 - 138

Conditions of Approval Pages (45 - 68)

Project Manager: Ryan Vandenburg

Size: 31.98 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-9.

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate a Type 2 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Community Commercial (CC) and the Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, add land area, units and access points; and, to modify uses, buildings, square footage and Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Class A Conditional Use to allow a Transfer of Development Rights (TDR), 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 Workforce Housing Program (WHP) Density Bonus greater than 50 percent, subject to the Conditions of Approval as indicated in Exhibit C-5.

MOTION: To recommend approval of a Class A Conditional Use to allow a Retail Gas and Fuel Sales with a Convenience Store, subject to the Conditions of Approval as indicated in Exhibit C-6.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with Drive-Through (Building B), subject to the Conditions of Approval as indicated in Exhibit C-7.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with Drive-Through (Building F), subject to the Conditions of Approval as indicated in Exhibit C-8.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with Drive-Through (Building G), subject to the Conditions of Approval as indicated in Exhibit C-9.

- 3. [DOA-2021-00282](#) Title: a Development Order Amendment application of Burlington Self Storage Lake Worth LLC by Urban Design Kilday Studios, Agent. Request: to modify the Site Plan and a Condition of Approval.

General Location: West side of DeSoto Road, approximately 630 feet north of Lantana Road. **(Burlington Self-Storage of Lake Worth)** (Control 2005-00427)

Pages 139 - 172

Conditions of Approval Pages (145 - 150)

Project Manager: Donna Adelsperger

Size: 5.69 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 recommend approval of a Development Order Amendment to modify the Site Plan and a Condition of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

- 4. [PDD/CA-2020-02083](#) Title: an Official Zoning Map Amendment application of Delray Growers, Inc., Medical Facilities Holdings, LLC & Delray Growers by Urban Design Studio, Agent. Request: to allow a rezoning from the General Commercial (CG) and Agricultural Reserve (AGR) Zoning Districts to the Multiple Use Planned Development (MUPD) District.

Title: a Class A Conditional Use application of Delray Growers, Inc., Medical Facilities Holdings, LLC & Delray Growers by Urban Design Studio, Agent. Request: to allow a Hospital.

General Location: Northeast corner of Atlantic Avenue and Smith Sundry Road. **(Legent Delray Beach MUPD)** (Control 2015-00118)

Pages 173 - 204

Conditions of Approval Pages (180 - 184)

Project Manager: Ryan Vandenburg

Size: 11.25 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.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the General Commercial (CG) and Agricultural Reserve (AGR) Zoning Districts to the Multiple Use Planned Development (MUPD) District, 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 Hospital, subject to the Conditions of Approval as indicated in Exhibit C-2.

- 5. [ABN/PDD-2020-01894](#) Title: a Development Order Abandonment application of Fairways, LLC, DR Horton, Inc. by WGINC, Agent. Request: to abandon a Type 2 Variance to increase the maximum length of a block; exceed number of alley curb cuts; waive the alley requirement; eliminate the percentage of land designated for Single Family residential; exceed the building coverage for Neighborhood Center; exceed the maximum building height; waive the requirement for a centrally located neighborhood square or commons in a neighborhood; reduce the percentage of a neighborhood park perimeter abutting a street; and to reduce the required seating area in a park.
Title: a Development Order Abandonment application of Fairways, LLC, DR Horton, Inc. by WGINC, Agent. Request: to abandon a Requested Use to allow a Type 3 Congregate Living Facility.
Title: an Official Zoning Map Amendment application of Fairways, LLC, DR Horton, Inc. by WGINC, Agent. Request: to allow a rezoning from the Traditional Neighborhood Development (TND) Zoning District to the Planned Unit Development (PUD) Zoning District.
General Location: Southwest corner of Century Boulevard and Haverhill Road (approximately 630 feet north of Okeechobee Boulevard). **(Reflection Bay)** (Control 2011-00245)

Pages 205 - 242

Conditions of Approval Pages (217 - 221)

Project Manager: Ryan Vandenburg

Size: 57.32 acres ±

BCC District: 2

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 Abandonment to abandon a Type 2 Variance to increase the maximum length of a block; exceed number of alley curb cuts; waive the alley requirement; eliminate the percentage of land designated for Single Family residential; exceed the building coverage for Neighborhood Center; exceed the maximum building height; waive the requirement for a centrally located neighborhood square or commons in a neighborhood; reduce the percentage of a neighborhood park perimeter abutting a street; and to reduce the required seating area in a park.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Requested Use to allow a Type 3 Congregate Living Facility.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Traditional Neighborhood Development (TND) Zoning District to the Planned Unit Development (PUD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C.

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