



**ZONING COMMISSION
AMENDMENTS TO THE AGENDA
FEBRUARY 6, 2025**

CONSENT AGENDA

B. Zoning Applications

1. **Z/DOA-2024-01026 Palms West Hospital Expansion** (1984-00054)

AMEND – To modify the Development Order Amendment Conditions of Approval in Exhibit C-2 as shown the deleted text struck out and added text underlined:

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2011-1673, Control No.1984-00054, which currently states:

...{omitted for brevity}

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2011-1673 (Control No. 84-054), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners ~~or Zoning Commission~~, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2011-1673, Control No.1984-00054, which currently states:

...{omitted for brevity}

Is hereby amended to read:

The approved Preliminary Site Plan is dated November 25, 2024. 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 ~~or the Zoning Commission~~. (ONGOING: MONITORING - Zoning)

USE LIMITATIONS

1. Previous USE LIMITATIONS Condition 1 of Resolution R-2011-1673, Control No.1984-00054, which currently states:

~~Previous Condition U.1 of Resolution R-2001-1203, Control No. 84-054 which currently states:~~

Use of the site shall be limited to ~~one hundred eighty (180)~~ two hundred twelve (212) hospital beds, clinics, medical offices and accessory uses, ~~and an in-house day care facility for employees of the medical park and hospital only.~~ (CODE ENFORCEMENT/ZONING)-(ONGOING: CODE ENF Zoning).

Is hereby amended to read:

Use of the site shall be limited to two hundred and forty-two (242) hospital beds, clinics, medical offices and accessory uses. (ONGOING: CODE ENF - Zoning)

2. **ZV/PDD-2024-01280 EI Car Wash Boca** (1974-00122)

AMEND –To modify the Type 2 Variance Conditions of Approval in Exhibit C-2 as shown below with the deleted text struck out and added text underlined:

ALL PETITIONS

1. The Variance is approved based on the lot size as shown on the Preliminary Site Plan ~~is~~ dated December 12, 2024. Modifications to the Development Order for the Type 2 Variance which is inconsistent with the Conditions of Approval or further reductions in lot size, must be approved by the Zoning Commission. (ONGOING: ZONING - Zoning)

4. **DOA-2024-01424 Arrigo MUPD** (1995-00022)

AMEND –To modify the Development Order Amendment Conditions of Approval in Exhibit C as shown below with the deleted text struck out and added text underlined:

USE LIMITATIONS

1. USE LIMITATIONS Condition 1 of Resolution R-2022-1410, Control No.1995-00022, which currently states:

Delivery and garbage pick up for Building G (General Retail use) shall be prohibited between the hours of 7:30 a.m. and 9:00 p.m. (ONGOING: CODE ENF - Zoning) ~~(Previous USE LIMITATIONS Condition 1 of Resolution R-2022-1410, Control No.1995-00022)~~

Is hereby amended to read:

Delivery and garbage pick up for Building G (Medical Office use) shall be prohibited between the hours of 7:30 a.m. and 9:00 p.m. (ONGOING: CODE ENF – Zoning)

5. **CA-2024-00609 Celtic Multifamily** (2017-00009)

AMEND – To modify the Class A Conditions of Approval in Exhibit C to renumber a condition as shown with the deleted text struck out and added text underlined:

ENGINEERING

~~6.~~ 5. The Property Owner...{omitted for brevity}

6. **SV/CA-2024-00760 Constru American 4160** (2023-00029)

AMEND – To modify the Subdivision Variance Staff Report Findings in Exhibit B to add the Subdivision Variance Chart as shown with the added underlined text:

SUBDIVISION VARIANCE SUMMARY

<u>ULDC Article</u>	<u>Required</u>	<u>Proposed</u>	<u>Variance</u>
<u>11.E.2.A.2 Minimum Legal Access</u>	<u>40-ft Right-of-Way (ROW)</u>	<u>30-ft ROW</u>	<u>reduction of 10-ft ROW</u>

7. **ZV/ABN/CA -2024-01219 Sunspire Health** (2014-00206)

AMEND – To modify the Type 2 Variance Conditions of in Exhibit C-2 as shown with the added underlined text and deleted text struck out:

ALL PETITIONS

2. ~~1.~~ The approved Preliminary Site Plan is dated December 12, 2024. 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 Zoning Commission. (ONGOING: ZONING - Zoning)

VARIANCE

~~2-1.~~ Prior to the submittal for Final Approval by the Development Review Officer, the approved Variance(s) and any associated Conditions of Approval shall be shown on the Final Site Plan. (DRO: ZONING - Zoning)

2. The Development Order for this concurrent Variance shall be tied to the Time limitations of the Development Order for ZV/ABN/CA-2024-01219. (Ongoing: MONITORING – Zoning)

COMPLIANCE

1. In Granting this Approval, the Zoning Commission relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the ~~Board of County Commissioners~~ Zoning Commission for review under the compliance Condition of this Approval. (ONGOING: ZONING - Zoning)

REGULAR AGENDA

B. Zoning Applications

8. Z-2024-01037 Reserve at Eagles Landing (2024-00099)

AMEND –To modify the Official Zoning Map Amendment Conditional Overlay Zone Conditions of Approval in Exhibit C as shown with the added underlined text:

ENGINEERING

2. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. (BLDGPMT: MONITORING - Engineering)

3. The Property Owner shall construct Lantana Road from the western terminus of the property to Lago Del Sol Drive to be consistent with Palm Beach County standards for a local residential street. Construction shall include a permanent turnaround at the western terminus plus roadway features that allow a safe turnaround no more than 1320 feet west of Lago Del Sol Drive. 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 for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. (BLDGPMT: MONITORING - Engineering)

b. Construction of the permanent and midblock turnarounds up to the first lift of asphalt shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

c. Construction shall be completed prior to the issuance of the 20th certificate of occupancy. (BLDGPMT/CO: MONITORING - Engineering)

4. Property Owner shall construct a minimum 5-foot-wide concrete sidewalk along the south side of Lantana Road from the western terminus of the site to the existing sidewalk at Saddle Trail Lane. 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. The sidewalk shall be constructed prior to the issuance of the CO in which the sidewalk is adjacent to. (BLDGPMT/CO: MONITORING - Engineering)

5. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with recordation of the plat or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMT/PLAT: MONITORING - Engineering)

6. The residential driveways shall be designed and constructed to allow vehicles to enter and exit the driveways in a forward motion. (ONGOING: ENGINEERING - Engineering)

9. CA-2024-00746 Rawlings Estates Subdivision (1996-30143)

AMEND –To modify the Class A Conditional Use Conditions of Approval in Exhibit C as shown below with the deleted text struck out:

~~LANDSCAPE—GENERAL~~

~~1. Concurrent with the submittal for Final Approval by the Development Review Officer, the Property Owner shall submit a Landscape Plan and/or an Alternative Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with all landscape related Conditions of Approval as contained herein. (DRO: ZONING—Zoning)~~

10. ABN/Z-2024-00519 Haverhill Recovery Facility (2017-00059)

AMEND – To modify the Official Zoning Map Amendment Conditional Overlay Zone Conditions of Approval in Exhibit C as shown with the deleted text struck out:

ENGINEERING

9. The Property Owner...{omitted for brevity}

~~b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMT/PLAT: MONITORING – Engineering)~~

PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION



ZONING COMMISSION HEARING

Thursday, February 6, 2025

9:00 a.m., 1st Floor Vista Center,

2300 N Jog Rd, West Palm Beach, 33411

CALL TO ORDER

- A. Roll Call
- B. Invocation and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication
- F. Swearing In
- G. Approval of the Minutes
- H. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - Motion to adopt the Agenda
- I. Disclosures for all quasi-judicial items on Agenda
- J. Conflicts/Recusals

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
FEBRUARY 6, 2025

CALL TO ORDER

- A. Roll Call – 9:00 AM.
- B. Invocation 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 Road, West Palm Beach, FL, to consider proposed applications and staff recommendations pursuant to the Palm Beach County Unified Land Development Code. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on applications not subject to Zoning Commission final action.

- 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:

- 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. Swearing In - County Attorney
- G. Approval of the Minutes - [Motion to approve the minutes](#)
- H. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - **Motion** to adopt the Agenda
- I. Disclosures for all quasi-judicial items on Agenda
- J. Conflicts/Recusals

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. Zoning Applications

1. [Z/DOA-2024-01026 Palms West Hospital Expansion \(1984-00054\)](#)

Zoning Application of Palms West Hospital Ltd. Partnership - Todd Maxwell by Urban Design Studio

Location: North side of Southern Blvd, approx. 1,440 ft west of Crestwood Boulevard

Project Manager: Nancy Frontany Bou, Senior Site Planner

BCC District: 6

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 a rezoning from the Agricultural Residential (AR) Zoning District in part and the Rural Services (RSER) Zoning District in part to the Institutional Public Facilities (IPF) Zoning District on 18.84 acres

MOTION: To recommend approval of item 1.a.

- b. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan for a previously approved Special Exception for a Medical Center to add land area (18.84 acres), square footage, and access points, and to modify Conditions of Approval on 65.79 acres

MOTION: To recommend approval of item 1.b.

2. [ZV/PDD-2024-01280 El Carwash Boca \(1974-00122\)](#)

Zoning Application of El Car Wash, LLC, Christ Fellowship Church, Inc. by Cotleur & Hearing Inc.

Location: North side of Glades Road, approximately 430 feet west of Lyons Road

Project Manager: Michael Birchland, Site Planner II

BCC District: 5

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:** a Type 2 Variance **Request:** to allow a reduction in minimum lot size for an MUPD on 4.21 acres

MOTION: To adopt a resolution approving item 2.a.

- b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 4.21 acres

MOTION: To recommend approval of item 2.b.

3. [ABN/DOA-2024-00774 Shadowood MUPD \(1973-00043\)](#)

Zoning Application of Main Associated, Shadowood Edens, LLC, Rafael Peri, LLC by Urban Design Studio and Dunay Miskel and Backman LLP

Location: Northeast corner of Glades Road and State Road 7

Project Manager: Nancy Frontany Bou, Senior Site Planner

BCC District: 5

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

a. **Title:** a Development Order Abandonment **Request:** to abandon a Requested Use for an Indoor Theater under Resolution R-95-0523 and R-96-124

MOTION: No action required for item 3.a.

b. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan; to add uses, square footage and to modify Conditions of Approval on 39.46 acres

MOTION: To recommend approval of item 3.b.

4. [DOA-2024-01424 Arrigo MUPD \(1995-00022\)](#)

Zoning Application of MG WPB LLC, WPB J Automotive Management LLC by Dunay Miskel and Backman LLP

Location: Southwest corner of Okeechobee Boulevard and Florida Turnpike

Project Manager: Nancy Frontany Bou, Senior Site Planner

BCC District: 2

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

a. **Title:** a Development Order Amendment **Request:** to reconfigure the Site Plan, and Sign Plan, add and delete uses, add square footage, and to modify Conditions of Approval on 44.02-acres

MOTION: To recommend approval of item 4.a.

5. [CA-2024-00609 Celtic Multifamily \(2017-00009\)](#)

Zoning Application of Housing Partnership, Inc. by WGINC

Location: Northeast corner of the Melaleuca Lane and Davis Road

Project Manager: Michael Birchland, Site Planner II

BCC District: 3

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

a. **Title:** a Class A Conditional Use **Request:** to allow a combined density increase greater than 2 units per acre through the Workforce Housing (17 units) and Transfer of Development Rights (10 units) programs (total increase of 26 units) on 2.46 acres

MOTION: To recommend approval of item 5.a.

6. [SV/CA-2024-00760 Constru American 4160 \(2023-00029\)](#)

Zoning Application of Constru American, LLC by Dunay Miskel and Backman LLP

Location: East Side of 42nd Avenue South, approximately 340 feet north of Selberg Lane

Project Manager: Matthew Boyd, Site Planner II

BCC District: 3

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:** a Subdivision Variance **Request:** to allow access from the existing 30-foot Right-of-Way on 0.91 acre

MOTION: To adopt a resolution approving item 6.a.

b. Title: a Class A Conditional Use **Request:** to allow the Transfer of Development Rights in excess of 2 units per acre (5 TDRs) on 0.91 acre

MOTION: To recommend approval of item 6.b.

7. [ZV/ABN/CA-2024-01219 Sunspire Health \(2014-00206\)](#)

Zoning Application of Gain Holdings Group, LLC, Diamond Behavioral Health Center PBG, LLC - Bradley Miller by Urban Design Studio

Location: West side of Lyndall Lane, approx. 485 feet south of Northlake Boulevard

Project Manager: Joyce Lawrence, Senior Site Planner

BCC District: 1

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

a. Title: a Type 2 Variance **Request:** to allow for vehicular backing into the right of way; eliminate a 15-foot right of way buffer; and a reduction in the side setbacks (north and south) on 1.28 acres

MOTION: To adopt a resolution approving item 7.a.

b. Title: a Development Order Abandonment **Request:** to abandon a Class A Conditional Use approval to allow a Type 3 Congregate Living Facility by Resolution R-2016-0002 on 1.28 acres

MOTION: No action required for item 7.b.

c. Title: a Class A Conditional Use **Request:** to allow a Skilled Nursing or Residential Treatment Facility on 1.28 acres

MOTION: To recommend approval of item 7.c.

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

B. Zoning Applications

8. [Z-2024-01037 Reserve at Eagles Landing \(2024-00099\)](#)

Zoning Application of Lantana Farm Associates, Inc. - Gary D Smigiel, Lantana Farm Associates, Inc. - Thomas Mecca by Schmidt Nichols

Location: South side of Lantana Road, west of US 441

Project Manager: Imene Haddad, Senior Planner

BCC District: 6

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

a. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agriculture Residential (AR) Zoning District to Single Family Residential (RS) Zoning with a Conditional Overlay Zone District on 2.24 acres

MOTION: To recommend approval of item 8.a.

9. [CA-2024-00746 Rawlings Estates Subdivision \(1996-30143\)](#)

Zoning Application of Beverly Rawlings, Rawlings Estates, LLC by Dunay Miskel and Backman LLP

WGINC

Location: West side of 180th Ave N, approx. 0.33 miles South of W Sycamore Drive

Project Manager: Joyce Lawrence, Senior Site Planner

BCC District: 6

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

a. **Title:** a Class A Conditional Use **Request:** to allow a Single Family Subdivision; a residential project with more than 50 acres pursuant to the Unified Land Development Code (ULDC), Table 4.A.9.B - Thresholds for Projects Requiring Board of County Commissioners Approval on 104.07 acres

MOTION: To recommend approval of item 9.a.

10. [ABN/Z-2024-00519 Haverhill Recovery Facility \(2017-00059\)](#)

Zoning Application of Haverhill ALF, LLC, Michael Silverman by RDG Development Group

Location: Southwest corner of North Haverhill Road and Horseshoe Circle South

Project Manager: Jerome Small, Senior Site Planner

BCC District: 2

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

a. **Title:** a Development Order Abandonment **Request:** to abandon a Class A Conditional Use for a Type 3 Congregate Living Facility approved by Resolution R-2018-1842 on 3.97 acres

MOTION: No action required for item 10.a.

b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Planned Unit Development (PUD) Zoning District to Institutional and Public Facilities (IPF) Zoning District with a Conditional Overlay Zone (COZ) on 3.97 acres

MOTION: To recommend approval of item 10.b.

- END OF REGULAR AGENDA -

COMMENTS

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

ADJOURNMENT