

Orchid Bend

County Administrator: Verdenia Baker

ZONING COMMISSION ZONING MEETING

AMENDMENTS TO THE AGENDA OCTOBER 1, 2015

AGENDA ITEM # PAGE # APPLICATION AND CONTROL #S APPLICATION NAME

CONSENT AGENDA

- A. REQUESTS TO PULL ITEMS FROM CONSENT (By Staff)
- 2. (44-64) PDD-2015-00746 (2014-00194)
- D. ZONING APPLICATIONS NEW
- 1. (10) ZV/PDD-2015-00737 Congress Avenue Office Park (1988-00005)

AMEND Landscape General – Condition 2 of Exhibit C-2 to read as follows:

2. At the time of Final Approval by the Development Review Officer:

a. The Applicant shall include the Tabular Tree List dated August 7, 2015 on the Regulating Plan and;
b. The Landscape Site Plan(s) and supporting documents shall demonstrate the locations of the mitigated hardwoods, palms and the relocated palms listed in the Tabular Tree List. (DRO/ONGOING: ZONING - Zoning)

5. (120) PDD/W/R/TDR-2015-01036 Lake Worth Senior Living (2005-00122)

AMEND Landscape General – Condition 1 of Exhibit C-1 to read as follows:

1. Prior to Final Approval by the Development Review Officer, the Master and Site Plan shall be revised to show, in addition to the other buffer requirements, a Type 2 Incompatibility Buffer along the interior perimeter of the recreation pod and the neighborhood park or request a Type II Variance. (DRO: ZONING - Zoning)

G. SUDIVISION VARIANCE

MOVE TO CONSENT

12. (381-392) SD-150 (Control 1981-00190)

Palm Beach Park of Commerce

REGULAR AGENDA

D. ZONING APPLICATIONS – NEW

8. (233-234) Z/CA-2015-01229 Palm Beach County Shooting (2004-00269) Sports Park

DELETE Engineering – Condition 1.a. of Exhibit C-2 and renumber accordingly

AMEND Engineering – Condition 2.a. of Exhibit C-2 to read as follows:

2.a. Drainage study shall be provided to the...

DELETE Engineering – Conditions 3 and 4 of Exhibit C-2.

9. (255) ZV/ABN/DOA/R-2015-00331 Mangone and Spirk Self-Storage (1987-00134) MUPD

AMEND Engineering – Conditions 5 and 7 of Exhibit C-1 to read as follows:

5. Prior to issuance of the first building permit or December 31, 2016, whichever occurs first, the Property Owner ...

7. The Property Owner shall modify the driveway connection and existing median opening on Military Trail...

DELETE Engineering – Condition 8 of Exhibit C-1.

10.	(295-298)	ZV/PDD-2015-00764	Gulfstream Polo Properties PUD
		(2005-00594)	

ADD Property Control Numbers: 00-42-43-27-05-028-0521, 00-42-43-27-05-028-0522, and 00-42-43-27-05-028-0611. **Owners:** Theodore J. Brinkman, and Ruben Gracida.

AMEND Engineering – Conditions 1, 2, 3, 7, and 14 of Exhibit C-3 to read as follows:

1.b. No Building Permits for more than 248 single-family dwelling units and 240 townhome units (or development generating an equivalent number of external PM peak hour inbound trips) shall be issued until the Property Owner makes a proportionate share payment of 22.1% of \$1,454,149.00 towards the...

1.d. No Building Permits for more than 272 single-family dwelling units and 270 townhome units (or development generating an equivalent number of external PM peak hour outbound trips) shall be issued until the Property Owner makes a proportionate share payment of 9.3% of \$933,335.00 towards the...

2.a. An approved boundary plat of all property within the project area shall be recorded prior to or <u>concurrently with</u> abandonment of any internal public rights of way.

3. Prior to issuance of the first building permit, the <u>The</u> Property Owner shall abandon all public rights of way and release, relocating as necessary, any easements that will not be utilized in the final design <u>in</u> the following timeframes:

a. Prior to the issuance of the first building permit the northernmost, east-to-west 30 foot right of way shown as to be abandoned on the Preliminary Master Plan shall be abandoned; and

b. Prior to the issuance of the 575th building permit the southernmost, east-to-west 30 foot right of way and the north-to-south 15 foot right of way shown as to be abandoned on the Preliminary Master Plan shall be abandoned.

7. Prior to recordation of a plat with Required Improvements, the Property Owner shall fund the construction plans and the construction of Polo Road as a two (2) lane road plus the appropriate tapers and turn lanes from the southern/western project access point on Polo Road (aka 47th PI S), including a connection to that road, north/east to Lake Worth Road. These construction plans shall be approved by the County Engineer based upon Palm Beach County's minimum Construction Plan Standards as they presently exist or as they may from time to time be amended. Construction plan and construction costs

shall be as approved by the County Engineer. All canal crossings (bridges and/or culverts) within the improvement limits shall be constructed to their ultimate configuration. Required utility relocations shall be coordinated through the Engineering Department, Roadway Production Division.

In the event that the Property Owner constructs all of Polo Road (aka 47th PI S) from Lyons Road to Lake Worth Road, the portion from Lyons Road to the project's southern/western access point to eastern terminus of Polo Road shall be eligible for impact fee credits, in an amount as approved by the County Engineer.

14. SIGNALIZATION The Property Owner shall fund the cost of signal installation, less any funds already received from HarborChase of Wellington Crossing by Palm Beach County for the installation of the traffic signal at this same location, when warranted as determined by the County Engineer and the Florida Department of Transportation at Lake Worth Road and Polo 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 for more than 50 dwelling units shall not be issued until the Property Owner...

ADD Engineering – Condition 16 of Exhibit C-3 to read as follows:

<u>16. Alternatively, in lieu of acquiring right of way and constructing a right turn lane as required in</u> <u>Condition 8 above,</u>

a. Prior to issuance of the first Building Permit the Property Owner may provide a cash payment to Palm Beach County Roadway Production Division in an amount as approved by the County Engineer to cover 110% of all costs associated with right of way acquisition, design and construction of the right turn lane and design at the intersection of Lake Worth Road and Polo Road. These costs shall include but not be limited to costs for utility relocations, additional right of way needed on other legs of the intersection, canal relocation as needed and environmental clean-up costs. Should the Property Owner make this payment, Condition 8 will be considered satisfied as the work will be considered assured construction.

b. Or, if the Property Owner decides to construct Polo Road from Lyons Road to Lake Worth Road as a Thoroughfare Plan Roadway, prior to issuance of the first Building Permit the Property Owner shall provide permitted design plans and required right of way for construction of the right turn lane on the west approach on Lake Worth Road at the intersection of Polo Road.

c. Should the property owner decide to take the option in 16.b, then Polo Road from Lyons Road to Lake Worth Road shall be deemed complete as a Thoroughfare Plan Roadway prior to issuance of the 150th Certificate of Occupancy.

Board of County Commissioners

County Administrator

Verdenia Baker



Department of Planning, Zoning & Building

2300 N. Jog Road West Palm Beach, FL 33411 Phone: 561-233-5200 Fax: 561-233-5165

ORDER OF BUSINESS ZONING COMMISSION PALM BEACH COUNTY, FLORIDA

<u>THURSDAY OCTOBER 1, 2015</u> 9:00 A.M. Vista Center, Ken Rogers Hearing Room, VC-1W-47 2300 N. Jog Road, West Palm Beach

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. Adoption of the Minutes
- G. Swearing In
- H. 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

OCTOBER 1, 2015

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 Road, West Palm Beach, FL, 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 at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on Thursday, October 22, 2015 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. 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. <u>ZV/PDD-2015-00737</u> <u>Title:</u> a Type II Variance application of Florida 2 LLC, WPB No 1 LLC, Florida #8 LLC by Wantman Group Inc., Agent. <u>Request:</u> to allow easement overlaps in landscape buffers.

<u>Title:</u> an Official Zoning Map Amendment to a Planned Development District application of Florida 2 LLC, WPB No 1 LLC, Florida #8 LLC by Wantman Group Inc., Agent. <u>Request:</u> to allow rezoning from Commercial General (CG) and Residential Multi-Family (RM) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

<u>General Location:</u> Approximately 1,220 feet south of the North Congress Avenue and Okeechobee Boulevard intersection. **(Congress Avenue Office Park)** (Control 1988-00005)

Pages 1 - 43 Conditions of Approval Pages (8 - 11) Project Manager: Christine Stivers Size: 6.14 acres <u>+</u>

BCC District: 2

<u>Staff Recommendation</u>: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1 and 18 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Type II Variance to allow easement overlaps in landscape buffers subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow rezoning from Commercial General (CG) and Residential Multi-Family (RM) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

 <u>PDD-2015-00746</u> <u>Title:</u> an Official Zoning Map Amendment for a Planned Development District. application of Verzaal Family Ltd Prtnrshp, Preferred Realty and Development by Cotleur & Hearing Inc., Agent. <u>Request:</u> to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District. <u>General Location:</u> North and south sides of Lake Ida Road, east of Sims Road. (Orchid Bend) (Control 2014-00194)

Pages 44 - 64 Conditions of Approval Pages (49 - 51) Project Manager: Osniel Leon Size: 5.18 acres <u>+</u>

BCC District: 5

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 16 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

 <u>DOA-2014-02509</u> <u>Title:</u> a Development Order Amendment application of Sunoco Inc R & M by Jon E Schmidt & Associates, Agent. <u>Request:</u> to reconfigure the Site Plan, add square footage, and modify Conditions of Approval (Signs).

<u>General Location</u>: Southeast corner of Jog Road and Wallis Road. (Holloway Properies **MUPD**) (Control 2002-00032)

Pages 65 - 89 Conditions of Approval Pages (70 - 78) Project Manager: Joyce Lawrence Size: 4.95 acres <u>+</u>

BCC District: 2

<u>Staff Recommendation</u>: Staff recommends approval of the request subject to 43 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, add square footage, and modify Conditions of Approval (Signs) subject to the Conditions of Approval as indicated in Exhibit C.

4. <u>CB-2015-01046</u> <u>Title:</u> a Class B Conditional Use application of Florida Public Utilities Company by CPH Inc, Baker & Hostetler LLP, Agent. <u>Request:</u> to allow Retail Gas and Fuel.

<u>General Location:</u> Southwest corner of Belvedere Road and Cleary Road. (Florida Public Utilities Company Corporate Center) (Control 2009-02465)

Pages 90 - 111 Conditions of Approval Pages (96 - 97) Project Manager: Osniel Leon Size: 10.41 acres <u>+</u> (affected area 0.70 acres <u>+</u>)

BCC District: 2

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 9 Condition of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Requested Use to allow Retial Gas and Fuel subject to the Conditions of Approval as indicated in Exhibit C.

5. <u>PDD/W/R/TDR-2015-01036</u> <u>Title:</u> an Official Zoning Map Amendment to a Planned Development District application of Amelia Trevino by Wantman Group Inc., Agent. <u>Request:</u> to allow rezoning from the Agriculture Residential (AR) Zoning District to a Planned Unit Development (PUD) Zoning District.

<u>Title:</u> a Type II Waiver application of Amelia Trevino by Wantman Group Inc., Agent. <u>Request:</u> to allow a reduction in lot frontage.

<u>Title:</u> a Requested Use application of Amelia Trevino by Wantman Group Inc., Agent. <u>Request:</u> to allow a Type 3 Congregate Living Facility (CLF) and a Transfer of Development Rights.

<u>Title:</u> a Transfer of Development Rights application of Amelia Trevino by Wantman Group Inc., Agent. <u>Request:</u> to allow a Transfer of Development Rights for 2 units and designate site as a receiving area.

<u>General Location</u>: Southeast corner of State Road 7 and Woodwind Lane. (Lake Worth Senior Living) (Control 2005-00122)

Pages 112 - 141 Conditions of Approval Pages (120 - 125) Project Manager: Christine Stivers Size: 6.81 acres +

BCC District: 3

<u>Staff Recommendation</u>: Staff recommends approval of the request subject to 8 Conditions of Approval as indicated in Exhibit C-1, 1 Condition of Approval as indicated in Exhibit C-2, 9 Condition of Approval as indicated in Exhibit C-3, and 7 Conditions of Approval in Exhibit C-4.

MOTION: To recommend approval to allow rezoning from the Agriculture Residential (AR) Zoning District to a Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recomment approval to allow a reduction in lot frontage subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval to allow a Type 3 Congregate Living Facility (CLF) and a Transfer of Development Rights subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Transfer of Development Rights for 2 units and designate site as a receiving area subject to the Conditions of Approval as indicated in Exhibit C-4.

6. <u>DOA-2015-00315</u> <u>Title:</u> a Development Order Amendment application of Preparatory Wellington by Miller Land Planning, Agent. <u>Request:</u> to reconfigure the Site Plan, add square footage, add students, and to delete Conditions of Approval (Architectural).

<u>General Location</u>: North side of Lake Worth Road approximately 880 feet west of Lyons Road. (Wellington Preparatory School) (Control 1998-00012)

Pages 142 - 181 Conditions of Approval Pages (147 - 160) Project Manager: Christine Stivers Size: 4.12 acres +

BCC District: 6

<u>Staff Recommendation:</u> Staff recommends approval of the requests subject to 40 Conditions of Approval as indicated in Exhibit C-1 and 37 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, add square footage, add students, and to delete Conditions of Approval (Architectural) subject to the Conditions of Approval as indicated in Exhibit C-1 and 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

 <u>ZV-2015-00122</u> <u>Title:</u> a Type II Variance application of Minto PBLH LLC by Cotleur & Hearing Inc., Agent. <u>Request:</u> to allow a reduction in the minimum lot width; an increase in building coverage; a reduction in front and side setbacks; and to allow one housing type. <u>General Location:</u> East of Seminole Pratt Whitney Road, and north of Town Center Parkway, approximately 1 mile south of Orange Boulevard. (Minto West Pod Q) (Control 2006-00397)

Pages 182 - 222 Conditions of Approval Pages (194 - 195) Project Manager: Carrie Rechenmacher Size: 3,788.60 acres <u>+</u> (affected area 118.09 acres <u>+</u>)

BCC District: 6

MOTION: To adopt a resolution denying Type II Variances to allow a reduction in the minimum lot width; an increase in building coverage; and a reduction in front and side setbacks.

D. ZONING APPLICATIONS - NEW

 Z/CA-2015-01229 <u>Title:</u> an Official Zoning Map Amendment application of Florida Fish and Wildlife Conservation by Urban Design Kilday Studios, Agent. <u>Request:</u> to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District.

<u>Title:</u> a Class A Conditional Use application of Florida Fish and Wildlife Conservation by Urban Design Kilday Studios, Agent. <u>Request:</u> to allow an Outdoor Shooting Range.

<u>General Location</u>: North of Northlake Boulevard on the east side of Seminole Pratt Whitney Road. (Palm Beach County Shooting Sports Park) (Control 2004-00269)

Pages 223 - 248 Conditions of Approval Pages (232 - 234) Project Manager: Roger Ramdeen Size: 150.41 acres <u>+</u>

BCC District: 1

<u>Staff Recommendation</u>: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1 and 11 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Public Ownership (PO) Zoning 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 an Outdoor

MOTION: To recommend approval of a Class A Conditional Use to allow an Outdoor Shooting Range subject to Conditions of Approval as indicated in Exhibit C-2.

 <u>ZV/ABN/DOA/R-2015-00331</u> <u>Title:</u> a Development Order Abandonment application of Military Self Storage LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to abandon the Special Exception granted under Resolutions R-1987-1206 and R-1988-1802 to allow a Recreation Facilities, Amusement and Attractions (Bowling Center).

<u>Title:</u> a Development Order Amendment application of Military Self Storage LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to reconfigure the site plan; add a Requested Use; and, to modify and delete Conditions of Approval (Use Limitation, Health and Engineering).

<u>Title:</u> a Requested Use application of Military Self Storage LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to allow a Self-Service Storage Facility.

<u>General Location:</u> West side of Military Trail, approximately 0.34 mile north of Hypoluxo Road. (Mangone and Spirk Self-Storage MUPD) (Control 1987-00134)

Pages 249 - 278 Conditions of Approval Pages (254 - 259) Project Manager: Roger Ramdeen Size: 7.18 acres <u>+</u> (affected area 6.21 acres +)

BCC District: 3

<u>Staff Recommendation:</u> Staff recommends approval of the requests subject to 26 Conditions of Approval as indicated in Exhibit C-1 and 4 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Abandonment to abandon the Special Exception granted under Resolutions R-1987-1206 and R-1988-1802 to allow a Recreation Facilities, Amusement and Attractions (Bowling Center).

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan; add a Requested Use; and, to modify and delete Conditions of Approval (Use Limitation, Health and Engineering) subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Requested Use to allow a Self-Service Storage Facility subject to the Conditions of Approval as indicated in Exhibit C-2.

10. <u>ZV/PDD-2015-00764</u> <u>Title:</u> a Type II Variance application of Pulte Home Corporation by Urban Design Kilday Studios, Agent. <u>Request:</u> to allow an increase in building coverage for Zero Lot Line and Single-family homes; and to allow an increase in sign face area, height, distance from the point of ingress and be located on a property that does not provide ingress or egress for an Off-site Sign.

<u>Title:</u> an Official Zoning Map Amendment to a Planned Development District application of Pulte Home Corporation by Urban Design Kilday Studios, Agent. <u>Request:</u> to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

<u>General Location:</u> East and west sides of Polo Road and north and south sides of 47th Place South approximately 650 feet south of Lake Worth Road and approximately 1,900 feet east of Lyons Road. **(Gulfstream Polo Properties PUD)** (Control 2005-00594)

Pages 279 - 380 Conditions of Approval Pages (292 - 303) Project Manager: Melissa Matos Size: 224.90 acres +

BCC District: 6

<u>Staff Recommendation</u>: Staff recommends approval of the requested Rezoning and Type II Zoning Variances V3 thru V6 subject to 7 Conditions of Approval as indicated in Exhibit C-1 and 37 Conditions of Approval as indicated in Exhibit C-3;

And

Staff recommends denial of the requested Type II Zoning Variances V1 and V2 to increase the building coverage for both Zero Lot Line and Single Family units.

MOTION: To adopt a Resolution denying a Type II Zoning Variance to allow an increase in building coverage for Zero Lot Line and Single-family units.

MOTION: To adopt a Resolution approving a Type II Zoning Variances to allow an increase in sign face area, height, distance from the point of ingress and be located on a property that does not provide ingress or egress for an Off-site Sign 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 Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

E. SUBDIVISION VARIANCE

11. SD-147 Title: a Subdivision Variance application of The Falls Country Club, by Coutleur and Hearing, Agent. Request: to modify conditions of approval imposed by the Zoning Commission on ZR-2015-006 on February 5, 2015 pursuant to the applicant's request for variance from the requirement that access to each subdivision lot shall be provided by and limited to local streets or residential access streets. Specifically for modification of Condition 2: to increase driveway connection from one to two, to include egress to Jog Rd, to delete the requirement for right turn lane; for modification of Condition 5: to construct a right turn lane within the existing Palm Beach County right-of-way at the project's eastern entrance onto Hypoluxo Road and delete the requirement for acquisition of any additional required right-of-way; for deletion of Conditions 4 and 6; and a change to the legal description of the property subject to the variance request.

General Location: Northwest corner of Jog Road and Hypoluxo Road (The Falls Commercial) (Control 1985-00155)

Pages: 381 - 392 Conditions of Approval Pages: 389 - 390 Project Manager: Joanne Keller Size: 171.32 +/- acres

BCC District: 3

Staff Recommendation: Staff recommends denial of request.

MOTION: To adopt a resolution denying the Subdivision Variance to modify conditions of approval imposed by the Zoning Commission on ZR-2015-006 on February 5, 2015 pursuant to the applicant's request for variance from the requirement that access to each subdivision lot shall be provided by and limited to local streets or residential access streets . Specifically for modification of Condition 2: to increase driveway connection from one to two, to include egress to Jog Rd, to delete the requirement for right turn lane; for modification of Condition 5: to construct a right turn lane within the existing Palm Beach County right-of-way at the project's eastern entrance onto Hypoluxo Road and delete the requirement for acquisition of any additional required right-of-way; for deletion of Conditions 4 and 6; and a change to the legal description of the property subject to the variance request.

12. SD-150 Title: Resolution approving a Type II Variance application of YTG Palm Beach IL WR, LP, by Urban Design Kilday Studios, Agent. Request: To allow a variance from the requirement that sidewalks be provided on both sides of the street. (Article 11.E.2.B.1.) General Location: East side of Pratt Whitney Road and northeast of Bee Line Highway, in the PIPD Zoning District. (Palm Beach Park of Commerce)(Control 1981-00190)

Pages 393 - 412 Conditions of Approval Pages: 406-406 Project Manager: Joanne Keller Size: 101.24 +/- acres

BCC District: 1

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 4 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Variance from the requirement that sidewalks be provided on both sides of the street subject to the Conditions of Approval as indicated in Exhibit C.

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

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

ADJOURNMENT