



ZONING COMMISSION MEETING
Minutes for Thursday, April 4, 2024

CALL TO ORDER

A. Roll Call (9:00AM)

Commissioner Cheri Pavlik	Absent
Commissioner John Kern,	Present
Commissioner Michael Kelley	Present
Commissioner Sam Caliendo	Present
Commissioner Lori Vinikoor	Present
Commissioner William (Bill) Reicherter	Present
Commissioner Alex Brumfield III	Present
Commissioner Vacant	Vacant
Commissioner James Williams	Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Notice

E. Proof of Publication

to receive and file approved by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
						Second		Motion
YES	YES	YES	YES	Absent		YES	YES	YES

F. Swearing In

G. **Approval of the Minutes**

to approve the Minutes by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
		Motion						Second
YES	YES	YES	YES	Absent		YES	YES	YES

H. **Amendments to the Agenda**

Wendy Hernández, Deputy Zoning Director, read into the record the Amendments to the Agenda from the Add and Delete,

to adopt the Agenda as Amended by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
		Second						Motion
YES	YES	YES	YES	Absent		YES	YES	YES

I. Disclosures for All Items on Agenda

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
N/A	8,9	5,7,8,10	8,9	Absent		N/A	N/A	N/A

J. Conflicts/Recusals

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
N/A	N/A	N/A	N/A	Absent		N/A	N/A	N/A

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [PDD/DOA-2023-00848 Valencia Shores AGR PUD Preserve Relocation](#) (2004-00369)
Zoning Application of One Mile Properties LLC, Michael Crabb, Anthony Amante by JMorton Planning & Landscape Architecture
Project Manager: Imene Haddad, Senior Site Planner
BCC District: 5
MOTION: No motion required. Administratively postponed to May 2, 2024.

2. [Z-2023-00850 One Mile Property](#) (2023-00016)
Zoning Application of One Mile Properties LLC by JMorton Planning & Landscape Architecture
Project Manager: Imene Haddad, Senior Site Planner
BCC District: 5
MOTION: No motion required. Administratively postponed to May 2, 2024.

B. WITHDRAWALS

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

- A. Requests To Pull Items From Consent
- B. Zoning Applications

3. [ZV-2022-01784 West Boca Presbyterian Church](#) (1983-00078)
Zoning Application of School Property Development West Boca LLC by Schmidt Nichols
Location: East side of Hammock Street, approx. 0.13 miles north of Judge Winikoff Road
Project Manager: Larry Damato, Site Planner II
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 Type 2 Variance **Request:** to allow an increase in the easement overlap within a Type 2 Incompatibility Buffer (south property line) on 6.07 acres
MOTION: To adopt a resolution approving item 3.a

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	YES		YES	YES	YES

Decision: To adopt a resolution approving item 3.a., by a vote of 7-0-0

4. [CA-2023-00656 RCRU Investments TDR](#) (1982-00157)
Zoning Application of RCRU Investments LLC by Land Research Management Inc.
Location: Northwest corner of Kirk Road and Selberg Lane
Project Manager: Matthew Boyd, 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 the Transfer of Development Rights in excess of 2 units per acre (4 TDRs) on 1.32 acres

MOTION: To recommend approval of item 4.a

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 4.a., by a vote of 7-0-0

5. [DOA-2023-01160 Costco at Boca Congress Center](#) (1995-00063)

Zoning Application of Costco Wholesale Corporation - Beth Schrantz by Dunay Miskel and Backman LLP

Location: East side of Congress Avenue, approx. 0.25 miles north of Clint Moore Road

Project Manager: Larry Damato, Site Planner II

BCC District: 4

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

a. Title: a Development Order Amendment **Request:** to modify the overall MUPD to add pumps and fueling positions for a Retail Gas and Fuel use, and to modify Conditions of Approval on 27.77 acres

MOTION: To recommend approval of item 5.a

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 5.a., by a vote of 7-0-0

b. Title: a Development Order Amendment **Request:** to modify the Site Plan to add pumps and fueling positions for the Class A Retail Gas and Fuel use, and to modify Conditions of Approval on 27.77 acres

MOTION: To recommend approval of item 5.b

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 5.b., by a vote of 7-0-0

6. [ABN/Z/CA-2023-00657 Eternal Gospel Church](#) (1997-00062)

Zoning Application of Gods Church Of Faith Inc by Land Research Management Inc.

Location: East side of S. Haverhill Road, approx. 0.25 miles south of Gun Club Road

Project Manager: Nancy Frontany Bou, Senior Site Planner

BCC District: 3

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

a. Title: a Development Order Abandonment **Request:** to abandon a Place of Worship on 1.77 acres

- b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Multifamily Residential (RM) Zoning District to the Single-Family Residential (RS) Zoning District on 0.67 acres

MOTION: To recommend approval of item 6.b

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 6.b., by a vote of 7-0-0

- c. **Title:** a Class A Conditional Use **Request:** to allow a General Daycare on 2.44 acres

MOTION: To recommend approval of item 6.c

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 6.c., by a vote of 7-0-0

7. [DOA-2023-01450 Heritage Park](#) (1984-00085)

Zoning Application of VS Delray Beach East LLC by Urban Design Studio

Location: West side of Sims Road, approximately 700 feet north of Atlantic Avenue

Project Manager: Joyce Lawrence, 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 Amendment **Request:** to modify the overall PUD Site Plan to add residents/beds to an existing Congregate Living Facility on 16.53 acres

MOTION: To recommend approval of item 7.a

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	YES		YES	YES	YES

Decision: To recommend approval of item 7.a., by a vote of 7-0-0

8. [PDD-2022-01134 Lakehaven PUD](#) (2022-00058)

Zoning Application of Lornco Farms LLC, Robin Fleming, Fleming Properties LLC, Kolter Group Acquisitions, LLC by Urban Design Studio

Location: North side of Southern Boulevard, approximately 1.75 miles west of Seminole Pratt Whitney Road

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:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District on 446.14 acres

MOTION: To recommend approval of item 8.a

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 8.a., by a vote of 7-0-0

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

B. Zoning Applications

9. [Z/CA-2023-01470 CMFC Farm \(aka Gulfstream Haas\)](#) (2021-00147)

Zoning Application of C & M Farm LLC and F & C Farm LLC - Terri Campbell by WGINC

Location: East side of Lyons Road, approximately 0.3 miles south of Lake Worth Road

Project Manager: Zubida Persaud, Senior Site Planner

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1, C-2, and C-3.

a. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from Residential Transitional (RT) Zoning District to the Single Family Residential (RS) Zoning District on 10.00 acres

Comment Cards: 2 card in opposition

Tony Quaranti- did not speak

Monty Berger- Spoke on this application- President of the Gulfstream Hass Preserve Homeowner Association representing Gulfstream Hass association has concern about negotiation with the horse farm boarding owners, changing the Zoning District, construction on access entrances way, drainage, security, and traffic

People who spoke on this Item:

Matthew Barnes WGI- Gave a brief presentation

Zubida Persaud Senior Site Planner: Gave a presentation

Wendy Hernandez Zoning Director II: spoke to clarify the project History applicant stated the two parcel were part of the golf Stream planning development in 2005 however 2007 there was a status Report in which the applicant didn't fulfill the condition of approval rezone back to (RT) 2012 did not include in the rezoning, 2013 third to the west was added 2012-2013

Commissioner Caliendo: ask for clarification on the workforce housing two for sale

Lisa Amara Zoning Director: clarified the meaning of Workforce housing some for Density Bonus and some for Inclusionary Zoning Agent the workforce housing 4 units will be for sale on site

Bryan Davis Planning Principal Planner: gave information on the four different category of the selling range of the Workforce Housing Units

Wendy Hernandez- provided the pricing of the Workforce units

MOTION: To recommend approval of item 9.a

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
		Motion						Second
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 9.a., by a vote of 7-0-0

b. Title: a Class A Conditional Use **Request:** to allow Zero Lot Line Homes on 10.00 acres

MOTION: To recommend approval of item 9.b

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
		Motion						Second
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 9.b., by a vote of 7-0-0

c. Title: a Class A Conditional Use **Request:** to allow Workforce Housing density increase greater than 50 percent (13 additional units) on 10.00 acres

MOTION: To recommend approval of item 9.c

10. [ABN/DOA/CA-2023-01491 Polo Gardens MUPD](#) (2013-00296)

Zoning Application of Elan Polo Gardens Owner LLC by JMorton Planning & Landscape Architecture

Location: Southeast corner of Lake Worth Road and Polo Club Road

Project Manager: Larry Damato, Site Planner II

BCC District: 6

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

a. Title: a Development Order Abandonment **Request:** to abandon a Hospital on 25.79 acres

MOTION: No action required for item 10.a

Comment Cards:1 in opposition was presented by Mr. Patrick Wilson after the vote of the item

b. Title: a Development Order Amendment **Request:** to modify the overall MUPD to modify the Site Plan to add and delete uses on 25.79 acres

MOTION: To recommend approval of item 10.b

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 10.b, by a vote of 7-0-0

c. Title: a Class A Conditional Use **Request:** to allow a Type 1 Restaurant with a drive-through on 25.79 acres

MOTION: To recommend approval of item 10.c

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
							Second	Motion
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 10.c., by a vote of 7-0-0

C. ULDC Revisions

11. Coastal Resiliency Waiver - Privately Proposed Revision Phase 1

Summary: The item before the Commission consideration of a Privately Proposed Revision (PPR) to the Unified Land Development Code (ULDC) as summarized below:

- To establish a Type 2 Waiver process to allow reductions in minimum property development regulations to accommodate the Coastal Construction Control Line (CCCL) in order to allow the redevelopment of coastal properties.

Staff Recommendation: Staff recommends to initiate the proposed PPR (Phase 1).

People who spoke on this Item:

George Gentile (2GHO Landscape Architecture and Planning): A brief overview of the privately proposed revision was provided by the Agent, requesting to establish a Type 2 Waiver to allow deviations to property development regulations for coastal properties.

Lisa Amara: Provided background information on request and the privately proposed revision process, and explained the role of the Zoning Commission as a recommending body for Phase 1.

Jerome Ottey: Gave a brief presentation of the request

MOTION: To approve Staff recommendation for item 11

carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
Motion						Second		
YES	YES	YES	YES	Absent		YES	YES	YES

Decision: To recommend approval of item 11.a., by a vote of 7-0-0

- END OF REGULAR AGENDA -

COMMENTS

- A. COUNTY ATTORNEY
- B. ZONING DIRECTOR: Welcomed the new Commissioner
- C. PLANNING DIRECTOR
- D. EXECUTIVE DIRECTOR: Welcomed the new Commissioner and Announced the new Planning Director
- E. COMMISSIONERS: Commissioner Kelley commented on item 11. Indicated it is a great plan

to Adjourn

carried by a vote of 7-0-0

Reincherer	Kern	Vinikoor	Williams	Pavlik	Vacant	Brumfield	Kelley	Caliendo
	Motion	Second						
YES	YES	YES	YES	YES		YES	YES	YES

ADJOURNMENT: 10:07