



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING
AMENDMENTS TO THE AGENDA
JANUARY 30, 2025**

CONSENT AGENDA

- B. Zoning Applications**
- C. Other County Department Items**
- 8. Waiver of Workforce Housing Restrictive Covenant Provisions for Atlantic Commons**

AMEND – To include the Waiver signed by the Owner and the Lender ([attached](#)) and to revise Agenda Summary as shown below with the added text underlined and deleted text struck out:

Summary: Atlantic Commons is a built multi-family rental project in west Delray Beach with 13 workforce housing units. In order to secure Federally backed financing, the owner has requested that the County waive and release the Right of First Refusal and the Notice of Pending Foreclosure that are required to be provided to the County per the restrictive covenant for the project. In exchange, the Lender and Owner agree that any foreclosure, transfer by deed in lieu of foreclosure, or an assignment of an FHA insured mortgage to Fannie Mae-HUD shall not result in the termination of, extinguish, or otherwise alter the obligation to maintain the Required Workforce Housing Units as provided in the Covenants.

REGULAR AGENDA

- 10. DOA-2024-00313 PBA Holdings (1989-00052)**

AMEND – To modify the Development Order Amendment to renumber Conditions of Approval in Exhibit C-2 as shown below:

DRO-MONITORING REPORT – PALM BEACH AGGREGATES

- ~~9-8~~. The petitioner shall
- ~~10-9~~. Mining may be permitted.....
- ~~11-10~~. The property owner shall

B. Comprehensive Plan Amendments With Concurrent Zoning Applications

- 11. PDD/DOA-2024-00309 Central Park Commerce Center MUPD (2015-00085)**

AMEND – To modify the Development Order Amendment Conditions of Approval in Exhibit C-2 as shown with the added text underlined, and to add the letter ([attached](#)):

ENGINEERING

8. Prior to the issuance of the first building permit for development within the additional 64.46 acres, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPMT: MONITORING - Engineering)

THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:

Clifford Hertz, Esq.
Nelson Mullins Riley & Scarborough LLP
360 S. Rosemary Avenue, Suite 1410
West Palm Beach, Florida 33401

WAIVER OF RIGHT OF FIRST REFUSAL

THIS WAIVER OF RIGHT OF FIRST REFUSAL (**“Waiver”**) is executed and delivered as of the ____ day of _____, 2025 (**“Effective Date”**), by The Board of County Commissioners of Palm Beach County (**“Cown/y”**), in favor and for the benefit of FC Atlantic Commons Phase I, LLC, a Florida limited liability company (**“FCF”**) and FC Atlantic Commons Phase II, LLC (**“FCIP”**) (FCI and FCII are collectively referred to herein as the **“Owner”**) and PNC Bank, National Association, its successors and assigns (the **“Lender”**).

RECITALS

WHEREAS, reference is hereby made to that certain (i) Master Declaration of Restrictive Covenants for Workforce Housing (the **“Original Covenant”**), as recorded on July 10, 2014 in Official Records Book 26906 at Page 0018 of the Public Records of Palm Beach County, Florida (**“Public Records”**), as amended by that certain (a) Amendment as recorded on November 8, 2019 at Book 31015, Page 1527 of the Public Records (**“First Amendment”**) and (b) Second Amendment as recorded on July 31, 2024 at Book 35177, Page 1762 of the Public Records (**“Second Amendment”**), with respect to certain real property held in fee simple by Owner, as more particularly described on Exhibit “A” attached hereto and incorporated herein (the **“Property”**) (the Original Covenant, First Amendment and Second Amendment are hereby collectively referred to as the **“Rental Covenant”**), and (ii) Master Declaration of Restrictive Covenants for Workforce Housing (the **“For Sale Covenant”**), as recorded on July 10, 2014 in Official Records Book 26906 at Page 0037 of the Public Records of Palm Beach County, Florida with respect to the Property (the Rental Covenant and the For Sale Covenant are hereby collectively referred to as the **“Covenants”**), and

WHEREAS, Section 9 of the For Sale Covenant and Section 9 of the Rental Covenant provide that the Owner shall require lenders to agree to provide the County with a “Right of First Refusal” and “Notice of Pending Foreclosure” (as defined in the Covenants) as set forth below:

all loan/financing documentation for this Development containing Required Workforce Housing Units to contain a provision that at the initiation of any formal foreclosure proceedings, the lender shall provide the County with a Notice of Pending Foreclosure, in order to provide the County the right to cure, or assume the loan within one hundred and twenty (120) days of receipt of this Notice, in order to protect the County's investment in this Development.

WHEREAS, Lender intends to close on financing to Owner, as such loan documents may be modified from time to time, in connection with the Property, (the **“Financing”**) and in order to

induce Lender to close on Financing to Owner, the Owner wants the County to waive and release the Right of First Refusal and the obligation for Lender to provide a Notice of Pending Foreclosure as contained in Section 9 of each Covenant; and

WHEREAS, in exchange for such waiver set forth herein and notwithstanding anything in the Covenants to the contrary, the County wants the Lender and the Owner to agree that a foreclosure, transfer by deed in lieu of foreclosure, or an assignment of an FHA insured mortgage to Fannie Mae shall not result in the termination of, extinguish, or otherwise alter the obligation to maintain the Required Workforce Housing Units as provided in the Covenants.

NOW THEREFORE, in consideration of the premises and for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. The above recitals are true and correct and are hereby incorporated herein.
2. The County hereby waives and releases the Right of First Refusal and Notice of Pending Foreclosure as contained in Section 9 of the Covenants.
3. The Owner and Lender hereby agree that a foreclosure, transfer by deed in lieu of foreclosure, or an assignment of an FHA insured mortgage to Fannie Mae shall not result in the termination of, extinguish, or otherwise alter the obligation to maintain the Required Workforce Housing Units as provided in the Covenants.

[Signatures on the following page]

[The remainder of this page is intentionally blank]

IN WITNESS WHEREOF, the County, Owner and Lender have executed this Waiver effective as of the day and year set forth above.

APPROVED by the Board of County Commissioners of Palm Beach County, on the ____ day of _____, 2025.

ATTEST:
SHARON R. BOCK, CLERK
& COMPTROLLER

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Maria G. Marino, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



COUNTY ATTORNEY

[ADDL. SIGNATURE PAGE TO WAIVER OF RIGHT OF FIRST REFUSAL]

Witnesses:

Signed, sealed and delivered
in the presence of:

By: [Signature]
Print Name: Michael J. Getz
Address: 2199 Ponce de Leon Blvd. suite 401
Coral Gables, FL 33134

By: [Signature]
Print Name: Anthony Loyalosa
Address: 2199 Ponce de Leon Blvd.
suite 401 Coral Gables, FL 33134

Owner:

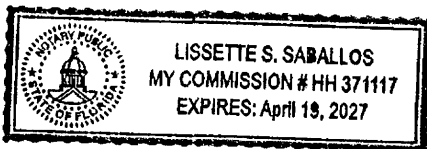
**FC ATLANTIC COMMONS PHASE I,
LLC**, a Florida limited liability company

By: [Signature]
Juan C. Porro Vice President

STATE OF FLORIDA
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me by means of physical presence or
 online notarization, this 27 day of January, 2025, by Juan C. Porro, as Vice President of FC
Atlantic Commons Phase I, LLC, a Florida limited liability company, on behalf of the company, who
is personally known to me or produced _____ for identification.

[NOTARIAL SEAL]



Notary: [Signature]
(Signature of person taking acknowledgment)
Print Name: Lisette Saballos
Notary Public, State of Florida
My commission expires: April 19, 2027

[ADDL. SIGNATURES APPEAR ON FOLLOWING PAGES]

[ADDL. SIGNATURE PAGE TO WAIVER OF RIGHT OF FIRST REFUSAL]

Witnesses:

Signed, sealed and delivered
in the presence of:

By: [Signature]
Print Name: Michael J. Gtz
Address: 299 Ponce de Leon Blvd suite 401
Coral Gables, FL. 33134

By: [Signature]
Print Name: Anthony Loyacona
Address: 2199 Ponce de Leon Blvd,
suite 401, Coral Gables FL. 33134

Owner:

FC ATLANTIC COMMONS PHASE II,
LLC, a Florida limited liability company

By: [Signature]
Juan C. Porro, Vice President

STATE OF FLORIDA
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me by means of physical presence or
 online notarization, this 27 day of January, 2025, by Juan C. Porro, as Vice President of FC
Atlantic Commons Phase II, LLC, a Florida limited liability company, on behalf of the company, who
is personally known to me or produced _____ for identification.

[NOTARIAL SEAL]



Notary: [Signature]
(Signature of person taking acknowledgment)
Print Name: Lisette Saballos
Notary Public, State of Florida
My commission expires: April 19, 2027

[ADDL. SIGNATURE APPEARS ON FOLLOWING PAGE]

[ADDL. SIGNATURE PAGE TO WAIVER OF RIGHT OF FIRST REFUSAL]

Witnesses:

Signed, sealed and delivered
in the presence of:

By: [Signature]
Print Name: Shanna Sabati

Address: 26901 Agave Rd.
Calabasas, CA 91301

By: [Signature] Ross Lemmel
Print Name: 26901 Agave Rd
Address: Calabasas, CA 91301

Lender:

PNC BANK, NATIONAL ASSOCIATION
a Florida limited liability company

By: [Signature] (SEAL)
Name: Tara Suaya
Title: Senior Vice President

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ___ day of _____, 2025, by _____, as Vice President of PNC BANK, NA, LLC, a National Association, on behalf of the company, who is personally known to me or produced _____ for identification.

[NOTARIAL SEAL] Notary: _____
(Signature of person taking acknowledgment)
Print Name: _____
Notary Public, State of Florida
My commission expires: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

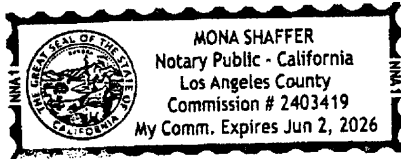
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)
On 1-15-2025 before me, Mona Shaffer, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Tara Suaya
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Mona Shaffer
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer -- Title(s): _____

Partner -- Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer -- Title(s): _____

Partner -- Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Exhibit "A"

PROPERTY

The land referred to herein below is situated in the County of PALM BEACH, State of Florida, and described as follows:

Tracts C, B-7, and L-6, Atlantic Commons-Plat Three, according to the plat there of as recorded in Plat Book 117, Pages 143, 144, 145 and 146, Public Records of Palm Beach County, Florida.

and

Tracts A, L-4, L-5, and B-6, Atlantic Commons-Plat Three, according to the plat there of as recorded in Plat Book 117, Pages 143, 144, 145 and 146, Public Records of Palm Beach County, Florida.



MEMORANDUM

To: Lisa Amara
From: Ernie Cox
Cc: Ali Babet, Paul Linton, County Staff, Joni Brinkman
Date: January 23, 2024
Subject: Central Park Commerce Center Data Center Cooling Options

Introduction

This memorandum follows up on our meeting and discussions regarding the data center component of Central Park Commerce Center, and specifically cooling options, and our commitment to comply fully with all County requirements including Palm Beach County Code of Ordinances Section 27-70 with respect to Industrial Pretreatment and Monitoring.

As discussed, the cooling option will be determined at the building permit stage in the future. We will meet with Palm Beach County staff, including Ali Babet and Paul Linton, well in advance of any building permit application, to make sure that all issues are addressed as to potential water usage and any industrial water discharge.

Below is a summary of the four potential options for hyperscale data center cooling.

Traditional Air Cooling

Traditional air cooling is one of the most widely used methods to manage heat in hyperscale data centers. It relies on a combination of air circulation and heat exchange to maintain optimal operating temperatures for servers and other IT equipment. The system typically includes chillers, air handling units, and ducts to deliver cooled air to equipment racks while expelling heated air. By utilizing ambient air or mechanically chilled air, this method effectively prevents overheating, ensuring the reliability and performance of the data center. While traditional air cooling systems are not water-intensive, they may still require some water for certain components, particularly in chiller-based setups to improve heat exchange efficiency.

Evaporative Cooling

Evaporative cooling is an efficient method utilized in hyperscale data centers to manage heat generated by IT equipment. This technique operates by leveraging the natural process of water evaporation to reduce air temperature. Warm air is drawn through wetted media or misted with water, causing the water to evaporate and cool the air. The cooled air is then directed toward server racks, while warm air is expelled.

Evaporative cooling systems rely on water as a primary resource. Advanced systems are designed to optimize water usage by recirculating and treating water, reducing consumption and impacts. This is the only option that could require significant water usage and can use reclaimed or potable water. If this option is preferred as we get to the building permit stage of the project, we will work closely with water utilities staff to determine the best approach. Additionally, if this option is preferred, it will include full compliance with Section 27-70 with respect to Industrial Pretreatment and Monitoring.

Direct Liquid Cooling

Direct liquid cooling is a highly efficient method used in hyperscale data centers to manage the heat generated by IT equipment. This technology involves circulating a thermally conductive liquid, such as water or a specialized coolant, directly to heat-generating components like CPUs and GPUs. The liquid absorbs heat from these components and carries it away to be dissipated in a heat exchanger or cooling tower. By targeting heat sources directly, direct liquid cooling eliminates the need for extensive air circulation, making it an increasingly popular choice for modern high-performance computing environments.

Direct liquid cooling is significantly more energy-efficient than traditional air cooling methods. By delivering coolant directly to heat sources, it reduces the energy required for air circulation and mechanical chilling.

Liquid Submersion Cooling

Liquid submersion cooling is an advanced cooling method utilized in hyperscale data centers to efficiently manage heat from IT equipment. In this approach, servers and other electronic components are fully submerged in a thermally conductive, non-conductive liquid. The liquid absorbs the heat directly from the components and carries it away for dissipation via heat exchangers. This technique eliminates the need for air as a heat transfer medium, significantly improving thermal management. The non-conductive liquids used are specially engineered to prevent damage to electronics, making this method both safe and effective.

Liquid submersion cooling systems typically do not rely on water for the direct cooling process. Liquid submersion cooling is highly energy-efficient compared to traditional air and evaporative cooling methods. By submerging components in a liquid medium, heat transfer occurs directly and more effectively, reducing the need for fans, air circulation, and mechanical chilling.



BOARD OF COUNTY COMMISSIONERS

ZONING HEARING

Thursday, January 30, 2025

9:30 A.M.

**BCC Chambers 6th Floor, Jane M. Thompson Memorial Chambers
301 N. Olive Avenue, West Palm Beach, FL 33401**

CALL TO ORDER

- A. Roll Call
- B. Invocation and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Agenda Approval

CONSENT

REGULAR

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.

ZONING HEARING AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
January 30, 2025

CALL TO ORDER

- A. Roll Call – 9:30 a.m.
- B. Invocation and Pledge of Allegiance
- C. 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 Mayor, 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.

- D. Proof of Publication - **Motion** to receive and file
- E. Swearing In - County Attorney
- F. Agenda Approval
 - Presentation of Additions/Deletions
 - Request to Pull Items from Consent
 - **Motion** to adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- A. Postponements / Remands
- B. Withdrawals

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA -

CONSENT AGENDA

- A. Disclosures for the Consent Items
- B. Zoning Applications

1. [W-2024-00621 IHOP Restaurant \(1976-00138\)](#)

Zoning Application of Florida Made Homes, Inc. by Corporate Property Services

Location: Northwest corner of Okeechobee Boulevard and North Military Trail

Project Manager: Jerome Small, Senior Site Planner

BCC District: 2

DISCLOSURES

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

Zoning Commission: Recommended approval by a vote of 9-0-0.

- a. **Title:** a Type 2 Waiver **Request:** to allow extended hours of operation for a Type 2 Restaurant on a parcel of land within 250 feet of a parcel with a residential future land use on 3.94 acres

MOTION: To adopt a resolution approving item 1.a

2. [DOA-2024-00148 Spalding MUPD \(1999-00092\)](#)

Zoning Application of WFC Fund II San Marco LLC by Cotleur & Hearing Inc.

Location: Northeast corner of Jog Road and Lake Ida Drive

Project Manager: Carlos Torres, Principal Site Planner

BCC District: 5

DISCLOSURES

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

Zoning Commission: Recommended approval by a vote of 9-0-0.

- a. **Title:** a Development Order Amendment **Request:** to modify Conditions of Approval related to signage for the overall MUPD on 25.82 acres

MOTION: To adopt a resolution approving item 2.a

3. [DOA-2024-01195 Star Ranch Excavation \(1978-00099\)](#)

Zoning Application of Star Ranches Enterprises, Inc. by Urban Design Studio

Location: West side of US Highway 27/SR-25, +/-18 miles south of SR-80

Project Manager: Carlos Torres, Principal Site Planner

BCC District: 6

DISCLOSURES

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

Zoning Commission: Recommended approval by a vote of 9-0-0.

a. Title: a Development Order Amendment **Request:** to modify the overall Site Plan, establish two primary phases, extend the completion date to 2053, and modify Conditions of Approval on 1,055.6 acres

MOTION: To adopt a resolution approving item 3.a.

4. [ABN/EAC-2024-01447 Journey Church \(1973-00216\)](#)

Zoning Application of Journey Church Lake Worth, Inc. by Urban Design Studio

Location: West side of Military Trail, approximately 0.17 miles south of Lantana Road

Project Manager: Jordan Jafar, Senior Site Planner

BCC District: 2

DISCLOSURES

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

Zoning Commission: No recommendation required.

a. Title: a Development Order Abandonment **Request:** to abandon a Special Exception a for a Church and Accessory Facilities approved by Resolutions R-1973-816, R-1990-058; R-2002-1237, and R-2022-1407 on 13.58 acres

MOTION: To adopt a resolution approving item 4.a.

b. Title: an Expedited Application Consideration **Request:** an Expedited Application Consideration to delete Use Limitation conditions of approval as part of the Daycare Class A approval on 13.58 acres

MOTION: To adopt a resolution approving item 4.b.

5. [ABN-2024-01469 Florida Buddhist Centers - Lotus Monastery \(1978-00204\)](#)

Zoning Application of Florida Buddhist Centers, Inc. by Land Research Management Inc.

Location: North Side of Gun Club Road, approximately 0.5 miles east of Jog Road

Project Manager: Santiago Zamora, Site Planner II

BCC District: 2

DISCLOSURES

Staff Recommendation: Staff recommends approval of the request.

Zoning Commission: No recommendation required.

a. Title: a Development Order Abandonment **Request:** to abandon a Class A Conditional Use approval for a Place of Worship on 1.58 acres

MOTION: To adopt a resolution approving item 5.a.

6. [EAC-2024-01609 All Seasons Delray Beach \(2012-00424\)](#)

Zoning Application of All Seasons of Delray Beach LLC by WGINC

Location: Northeast corner of Linton Boulevard and Lyons Road

Project Manager: Donna Adelsperger, Senior Site Planner

BCC District: 5

DISCLOSURES

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

Zoning Commission: No recommendation required.

a. Title: an Expedited Application Consideration **Request:** to modify a Condition of Approval (Engineering 7) of Resolution R-2024-1035 on 14.729 acres.

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

C. Other County Department Items

7. [AB69166 Forest Oaks Residential - UE Abandonment](#)

Land Development Application of Mattamy Palm Beach, LLC

Location: south of Lake Worth Road and east of Florida's Turnpike

Project Manager: Scott B. Cantor, Director, Land Development Division

BCC District: 3

DISCLOSURES

Staff Recommendation: Staff recommends approval of the request.

Zoning Commission: No recommendation required.

a. Title: Utility Easement Abandonment **Request:** to abandon any public interest in all of the utility easement lying in Tracts OST1, OST10 and B1, as shown on Forest Oaks Residential PUD, Plat Book 137, Pages 152 through 173 (Abandonment Site), Public Records of Palm Beach County.

MOTION: To adopt a resolution approving item 7.a

8. [Waiver of Workforce Housing Restrictive Covenant Provisions for Atlantic Commons](#)

Summary: Atlantic Commons is a built multi-family rental project in west Delray Beach with 13 workforce housing units. In order to secure financing, the owner has requested that the County waive and release the Right of First Refusal and the Notice of Pending Foreclosure that are required to be provided to the County per the restrictive covenant. In exchange, the Lender and Owner agree that any foreclosure, transfer by deed in lieu of foreclosure, or an assignment of an FHA insured mortgage to HUD shall not result in the termination of, extinguish, or otherwise alter the obligation to maintain the Required Workforce Housing Units as provided in the Covenants.

Project Manager: Darren Leiser, County Attorney's Office

Staff Recommendation: Staff recommends approval and authorization for the Mayor to execute the Waiver of Right of First Refusal and Notice of Pending Foreclosure for Atlantic Commons.

a. Title: The item before the Board is the Waiver of Right of First Refusal and Notice of Pending Foreclosure for Atlantic Commons.

MOTION: To approve item 8

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

B. Comprehensive Plan Amendments with Concurrent Zoning Applications

9. [LGA-2024-00006 Central Park Commerce Center MUPD](#)

Future Land Use Application of PBA Holdings Inc. - Enrique Tomeu, WPB Logistics Owner, LLC - J Bradford Smith by Urban Design Studio

Title/Request: To change a future land designation from Rural Residential, 1 unit per 10 acres (RR-10) to Economic Development Center (EDC) on 64.46 acres; to revise conditions of approval in Ordinance 2018-012; and to apply those revised conditions to the 64.46 acre site that is the subject of this Ordinance. The request also includes a text amendment to revise the Future Land Use Element to revise the Glades Area Protection Overlay and Limited Urban Service Area (LUSA) provisions to expand the land area allowed for the Economic Development future land use designation and to revise the Map Series to designate the 64.46 acre site as a LUSA.

Location: North side of Southern Boulevard, west of the L-8 Canal, and approximately 3.4 miles west of Seminole Pratt Whitney Road

Project Manager: Maria Bello, Principal Planner

Acres: 202.79

BCC District: 6

Staff Recommendation: Approval with Conditions

Planning Commission Recommendation: PLC recommended Approval with conditions in an 8 to 0 vote at the April 12, 2024 public hearing.

BCC Transmittal Action: Transmitted by a 7 to 0 vote at the May 1, 2024 public hearing.

MOTION: To Adopt an Ordinance approving item 9.

10. [DOA-2024-00313 PBA Holdings Inc. \(1989-00052\)](#)

Zoning Application of PBA Holdings Inc. by Carlton Fields P.A.

Location: North side of Southern Boulevard, west of the L-8 Canal, approximately 3.4 miles west of Seminole Pratt Whitney Road

Project Manager: Carlos Torres, Principal Site Planner

BCC District: 6

DISCLOSURES

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 modify the Site Plan to delete land area (64.46 acres) from the approved Conditional Use for a Type 3 Excavation (5,096.22 acres) and to modify Conditions of Approval on 5,031.76 acres

MOTION: To adopt a resolution approving item 10.a.

11. [PDD/DOA-2024-00309 Central Park Commerce Center MUPD \(2015-00085\)](#)

Zoning Application of PBA Holdings, Inc. by Urban Design Studio

Location: North side of Southern Boulevard, west of the L-8 Canal, approximately 3.4 miles west of Seminole Pratt Whitney Road

Project Manager: Carlos Torres, Senior Site Planner

BCC District: 6

DISCLOSURES

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

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Special Agricultural (SA) Zoning District to Multiple Use Planned Development (MUPD) planned development district on 64.46 acres

MOTION: To adopt a resolution approving item 11.a.

b. **Title:** a Development Order Amendment **Request:** to modify the overall MUPD Master Plan to add land area (64.46 acres) and to modify the Conditions of Approval on 202.67 acres

MOTION: To adopt a resolution approving item 11.b.

C. **Other County Department Items**

12. [Tourist Development Council – Overview of Convention Center Operations](#)

Summary: The Palm Beach County Convention Center is a County-owned facility that opened for operations in 2004. The approximately 350,000 square feet state-of-the-art facility features: 100,000 square foot exhibit hall; a 22,000 square foot ballroom (divisible into 4 rooms); 48,000 square feet of flexible breakout space divisible into 19 rooms and pre-function/lobby space of 180,000 square feet. The 13,789 square foot north courtyard has been recently renovated, transforming the space into an intimate outdoor event area capable of hosting receptions and seated food and beverage events. The County has a contract with Global Spectrum, L.P. (Global) (R2023-1734) for the operation of the Convention Center, and a contract with Ovations Food Services, L.P. (Ovations) (R2022-0948) for the provision of food and beverage (F&B) services at the Convention Center.

In 2023, the Board of County Commissioners (BCC) requested a staff report about Convention Center operations. The staff report, included as Attachment 2 to this agenda item, provides a thorough overview of the competitive historical processes that have led to the selection of Global and Ovations. Global has served as the Convention Center operator since the facility opened for business in 2004. Historically, the Convention Center has experienced sustained success and continued growth. In Fiscal Year 2024, it hosted 130 events with over 168,500 attendees, generating over \$8.6 million in total revenue. Convention Center's operations are supported and made viable by a 9-level on-site parking garage with 2,650 parking spaces. The parking garage was designed and built to accommodate the future expansion of the Convention Center, along with the construction of a second Convention Center hotel; both initiatives are actively being pursued. In the coming months, staff intends to submit for consideration by the BCC, via separate agenda items, a term sheet for a development agreement to build the second Convention Center hotel and an architectural/engineering design services contract for the master planning and expansion of the Convention Center.

Background and Justification: On November 26, 2024, during a BCC workshop meeting, following staff's presentation on the Overview of Tourist Development Taxes and Marketing Plans for the Tourism Agencies, the BCC requested that an item be scheduled at a later time to provide an overview of the Convention Center's operations, inclusive of parking garage operations. This item seeks to fulfill BCC direction. Staff Recommendation: Staff recommends motion to receive and file.

- a. **Title:** Staff's report regarding the Overview of Palm Beach County Convention Center's (Convention Center) operations.

MOTION: To approve receive and file of item 12

- END OF REGULAR AGENDA -

COMMENTS

- A. COUNTY ATTORNEY
- B. PLANNING DIRECTOR
- C. ZONING DIRECTOR
 - 13. [Zoning Regulations for Solar Panels](#)
- D. EXECUTIVE DIRECTOR
- E. DEPUTY COUNTY ADMINISTRATOR
- F. COMMISSIONERS

ADJOURNMENT

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