

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

THURSDAY, SEPTEMBER 4, 2014

9:00 A.M. Vista Center 1st Floor Hearing Room, VC-1W-47
2300 N. Jog Road, West Palm Beach FL 33411

CALL TO ORDER

A. Roll Call 9:00 A.M.

Commissioner Alex Brumfield III, Chair	<i>Absent</i>
Commissioner Mark Beatty, Vice Chair	Present
Commissioner Amir Kanel	Present
Commissioner Joseph Snider	Present
Commissioner William Anderson	Present
Commissioner Sam Caliendo	Arrived 9:12am
Commissioner Sheri Scarborough	Present
Commissioner Joanne Davis	<i>Absent</i>
Commissioner Robert Currie	Arrived 9:08am

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Proof of Publication – Motion to receive and file carried 5-0

E. Adoption of the Minutes – Motion carried 5-0

F. Swearing In

G. Disclosures – Listed by Agenda Number

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
None	None	None	None	4	Absent	Absent	None	None

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **ABN/SV/ZV/CB/Z/DOA/CA-2014-00462** Title: a Development Order Abandonment for a Class B Conditional Use application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to abandon Resolution ZR-2008-056.

Title: a Subdivision Variance application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow access from a 50 foot access easement.

Title: a Type II Variance application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow frontage and access from a 50-foot easement; allow mountable curbing, increase the percentage of palms; increase in sign height; and to allow signage where there is no frontage.

Title: a Class B Conditional Use application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow Vehicle Sales and Rental.

Title: an Official Zoning Map Amendment application of Palm Auto Plaza, LLC – R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Urban Center (UC) Zoning District to the Public Ownership (PO) Zoning District.

Title: a Class A Conditional Use application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow General Repair and Maintenance.

General Location: Approximately 0.8 miles north of the intersection of Congress Avenue and Gun Club Road (PBIA Parcel G) (Control 2000-00056)

Pages 1 - 1

Project Manager: Donna Adelsperger

Size: 14.42 acres +

BCC District: 2

Staff Recommendation: Staff recommends a postponement to Thursday, October 2, 2014.

MOTION: To postpone to Thursday, October 2, 2014.

Motion carried 5-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent for vote	Yes	Absent	Absent	Yes	Absent for vote
		MOVED		SECONDED				

DECISION: TO POSTPONE TO OCTOBER 2, 2014

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**

2. ZV/CA-2014-00665 Title: a Type II Variance application of West Palm Beach Plaza LLC by Urban Design Kilday Studios, Agent. Request: to allow an increase in the number of canopy signs per station; to allow an increase in height for a canopy sign; and to allow a ground mounted freestanding sign on a property line with no frontage..

Title: a Class A Conditional Use application of West Palm Beach Plaza LLC by Urban Design Kilday Studios, Agent. Request: to allow a Convenience Store with gas sales and to allow a Type I Restaurant.

General Location: Southwest corner of Florida Mango Road/Airport Access Road and Belvedere Road. (**PBIA Travel Plaza**) (Control 1982-00190)

Pages 2 - 39

Conditions of Approval Pages (9 - 12)

Project Manager: Roger Ramdeen

Size: 3.50 acres +

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 9 Conditions of Approval as indicated in Exhibit C-1 and 13 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Type II Variance to allow an increase in the number of canopy signs per station; to allow an increase in height for a canopy sign; and to allow a ground mounted freestanding sign on a property line with no frontage subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 6-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent for vote	Yes	Absent	Absent	Yes	Yes
		Seconded		Moved				

MOTION: To recommend approval of a Class A Conditional Use to allow a Convenience Store with gas sales and to allow a Type I Restaurant subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 6-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent for vote	Yes	Absent	Absent	Yes	Yes
		Seconded		Moved				

DECISION: APPROVED AS ADVERTISED 6-0

3. **ABN/ZV/PDD/DOA/R-2013-02361** Title: a Development Order Abandonment application of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to abandon Resolution ZR-2013-016.

Title: A Type II Concurrent Variance application of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to allow an increase in setback from the Build-to-line; a reduction of the percentage of Building Frontage; to allow an increase in height and sign area for an Outparcel Sign; to allow an additional Freestanding sign; and, to allow a reduction in width of the foundation plantings for Buildings 4 and 5.

Title: an Official Zoning Map Amendment to a Planned Development District application of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to allow rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: a Development Order Amendment application of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to modify the Site Plan; and, add land area, square footage, and uses.

Title: a Requested Use application of Palm Beach Marketplace LLC by Cotleur & Hearing Inc., Agent. Request: to allow a Hotel, a General Daycare; and, a Type I Restaurant.

General Location: South side of Okeechobee Road, starting approximately 400 feet west of the I-95 interchange, and located generally east of Frank Street. **(Palm Beach Market Place)** (Control 1988-00029)

Pages 40 - 94

Conditions of Approval Pages (51 - 56)

Project Manager: Carrie Rechenmacher

Size: 10.18 acres +

BCC District: 2

Staff Recommendation: Staff Recommends approval of the requests subject to 6 Conditions of Approval as indicated in Exhibit C-1 and to 27 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Ali Palmer, Agent – In agreement with the Conditions of Approval

MOTION: To adopt a resolution approving a Development Order Abandonment of Resolution ZR-2013-016.

Motion carried 6-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent for vote	Yes	Absent	Absent	Yes	Yes
	Seconded			Moved				

MOTION: To adopt a resolution approving a Type II Variance to allow an increase in setback from the Build-to-line; a reduction of the percentage of Building Frontage; to allow an increase in height and sign area for an Outparcel Sign; to allow an additional Freestanding sign; and, to allow a reduction in width of the foundation plantings for Buildings 4 and 5 subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 6-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent for vote	Yes	Absent	Absent	Yes	Yes
		Seconded		Moved				

MOTION: To recommend approval of an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Motion carried 6-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent for vote	Yes	Absent	Absent	Yes	Yes
		Seconded		Moved				

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan; and, add land area, square footage, and uses subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 6-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent for vote	Yes	Absent	Absent	Yes	Yes
		Seconded		Moved				

MOTION: To recommend approval of a Requested Use to allow a Hotel, a General Daycare; and, a Type I Restaurant.

Motion carried 6-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent for vote	Yes	Absent	Absent	Yes	Yes
		Seconded		Moved				

DECISION: APPROVED AS ADVERTISED 6-0

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

END OF CONSENT AGENDA

REGULAR AGENDA

- A. ITEMS PULLED FROM CONSENT**
- B. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- C. ZONING APPLICATIONS - NEW**

- 4. **ZV-2014-00911** Title: a Type II Variance application of Party City - Trista Baker by Dunay Miskel Backman and Blattner LLP, Agent. Request: to allow an increase in sign area for a wall sign.
General Location: Southeast corner of Okeechobee Boulevard and Military Trail.
(Party City) (Control 1977-00133)

Pages 95 - 121
 Conditions of Approval Pages (100 - 100)
 Project Manager: Melissa Matos
 Size: 42.80 acres +

BCC District: 7

Staff Recommendation: Staff recommends denial of the request.

People who spoke on application

Melissa Matos, Site Planner I – Gave a brief presentation.
 Scott Backman, Agent – Gave a brief presentation.

MOTION: To adopt a resolution approving Type II Variances to allow an increase in sign area for a wall sign subject to the amended Conditions of Approval.

Motion carried 5-2

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Nay	Yes	Yes	Yes	Absent	Absent	Yes	Nay
Seconded				Moved				

DECISION: APPROVED AS AMENDED 5-2

- E. SUBDIVISION VARIANCE**
- F. OTHER ITEMS**

END OF REGULAR AGENDA

COMMENTS

- A. COUNTY ATTORNEY**
- B. ZONING DIRECTOR**
- C. EXECUTIVE DIRECTOR**
- C. COMMISSIONER COMMENTS**

ADJOURNMENT – 9:32 AM