



THURSDAY AUGUST 1, 2019
MINUTES

CALL TO ORDER

- A. Roll Call - 9:00 A.M.

Commissioner Sheri Scarborough, Chair	Present
Commissioner Sam Caliendo, Vice Chair	Present
Commissioner Amir Kanel	Present
Commissioner John Kern	Present
Commissioner Philip L. Barlage	Present
Commissioner Marcelle Griffith Burke	Present
Commissioner Mark Beatty	Present
Commissioner Robert Currie	Present
Commissioner Brumfield	Present
- B. Opening Prayer, and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

Motion to receive and file 9-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

- F. Adoption of the Minutes

Motion to receive and file 9-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

- G. Swearing In - County Attorney

Assistant County Attorney swearing in of new Zoning Commissioner- Philip L. Barlage.

- H. Disclosures

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
8,10	0	0	6,4	10	0	0	0	4,7 *Recused10

*Commissioner Mark Beatty Recused himself from PDD-2019-00292 Broward Rentals MPUD.

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

8. **DOA/CB-2018-02126** Title: Development Order Amendment application of CWA Union Bldg Inc Local 3112, Vertical Bridge Development, LLC - Dan Marinberg by Schmidt Nichols, Agent. Request: To reconfigure the Site Plan; reduce square footage; eliminate a soft ball field; and, reduce the number of parking spaces.
Title: Class B Conditional Use application of CWA Union Bldg Inc Local 3112, Vertical Bridge Development, LLC - Dan Marinberg by Schmidt Nichols, Agent. Request: To allow a Stealth Tower between 125 and 200 feet in height.
General Location: East side of First Street, approximately 0.5 miles north of Southern Boulevard.
(Vertical Bridge Stealth Tower) (Control 1985-00175)

Pages 169 - 211

Conditions of Approval Pages (174 - 177)

Project Manager: Carolina Valera

Size: 4.88 acres ±

BCC District: 2

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; reduce square footage; eliminate a soft ball field; and, reduce the number of parking spaces subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a Resolution approving a Class B Conditional Use to allow a Stealth Tower between 125 and 200 feet in height subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Second							Moved
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Postponed to September 5, 2019 by a vote of 9-0-0.

B. REMANDS

1. **ABN/PDD/CA-2017-00983** Title: an Official Zoning Map Amendment application of AMKBJ Partners, LTD LLLP by WGINC, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.
Title: a Class A Conditional Use application of AMKBJ Partners, LTD LLLP by WGINC, Agent. Request: to allow Workforce Housing Program (WHP) Density Bonus greater than 30 percent.
General Location: West side of Military Trail, approximately 0.60 miles north of Lantana Road.
(Heathwood Reserve) (Control 1997-00008)

Pages 1 - 1

Project Manager: Carolina Valera

Size: 22.54 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the Applicant's request to remand to the Development Review Officer.

MOTION: To approve the Applicant's request to remand to the Development Review Officer.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
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	Second							Moved
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

C. WITHDRAWALS

1.A Z/CA-2017-01996 Title: an Official Zoning Map Amendment application of Andrew Podray by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) and Multifamily Residential High Density (RH) Zoning Districts, to the Multifamily Residential (RM) Zoning District. 2.
General Location: On the east side of Barwick Road, approximately 0.55 miles north of Lake Ida Road. (**Banyan Cove**) (Control 2014-00078)

Pages N/A

Project Manager: Meredith Leigh

Size: 6.68 acres ±

BCC District: 4

Application Withdrawn by applicant on July 9, 2019.

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

2. **ZV/DOA-2018-01003** Title: a Type 2 Variance application of PS Florida One, Inc. by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to eliminate a Right of Way (R-O-W) Buffer and eliminate foundation planting.
Title: a Development Order Amendment application of PS Florida One, Inc. by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to reconfigure the Site Plan to add square footage; and, modify Conditions of Approval (Building and Site Design).
General Location: Northwest corner of Cypress Lakes Preserve Drive and State Road 7.
(Cypress Lake Preserve MUPD) (Control 2000-00020)

Pages 2 - 42

Conditions of Approval Pages (9 - 17)

Project Manager: Carolina Valera

Size: 5.81 acres ±

BCC District: 6

(affected area 2.05 acres ±)

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

MOTION: To adopt a Resolution to rescind a Type 2 Variance to reduce a Right-of-Way (R-O-W) Buffer width; eliminate foundation planting; and, increase the utility easement overlap in a R-O-W Buffer.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Rescinded a Type 2 Variance by a vote of 9-0-0.

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate a Right-of-Way (R-O-W) Buffer and foundation planting subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Approved a Type 2 Variance (with conditions) as amended, by a vote of 9-0-0.

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

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

D. ZONING APPLICATIONS - NEW

3. **DOA-2018-01316** Title: a Development Order Amendment application of JCL Management, LLC by Halperin Law, Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan for a Convenience Store with Gas Sales and a Type I Restaurant with drive-through; and, to amend Conditions of Approval (Engineering).

General Location: Northeast corner of Southern Boulevard & Benoist Farms Road (**Southern Station**) (Control 1983-00045)

Pages 43 - 69

Conditions of Approval Pages (48 - 56)

Project Manager: Ryan Vandenburg

Size: 1.93 acres ±

BCC District: 2

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan for a Convenience Store with Gas Sales; and, to amend Conditions of Approval (Engineering), subject to Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan for a Type 1 Restaurant with drive-through; and, to amend Conditions of Approval, subject to Conditions of Approval as indicated in Exhibit C-2.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

4. **Z-2018-02095** Title: an Official Zoning Map Amendment application of 10225 Investments, LLC by Dunay Miskel and Backman LLP, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multifamily Residential (RM) Zoning District.

General Location: North side of Sandalfoot Boulevard, approximately 950 feet west of South State Road 7. (**Rose Garden**) (Control 2013-00287)

Pages 70 - 82

Conditions of Approval Pages (74 - 75)

Project Manager: Meredith Leigh

Size: 1.21 acres ±

BCC District: 5

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multifamily Residential (RM) Zoning District, subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.

- 5. **Z-2019-00519** Title: an Official Zoning Map Amendment application of Belvedere Westgate CRA, Palm Beach County by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) and Multifamily Residential High Density (RH) Zoning Districts to the General Commercial (CG) Zoning District, with a Conditional Overlay Zone (COZ).

General Location: North and south side of Westgate Avenue between Seminole Boulevard and Suwanee Drive. **(Westgate CRA - Rezoning)** (Control 1994-00094)

Pages 83 - 95

Conditions of Approval Pages (88 - 88)

Project Manager: Cody Sisk

Size: 2.59 acres ±

BCC District: 7

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Neighborhood Commercial (CN) and Multifamily Residential High Density (RH) Zoning Districts to the General Commercial (CG) Zoning District, subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment subject to a Conditional Overlay Zone by a vote of 9-0-0.

- 6. **ZV/W/PDD/CA-2018-01784** Title: a Type 2 Variance application of Miller Property Investment, LLC by South East Architect Services Inc., Agent. Request: to reduce drive aisle width.
Title: a Type 2 Waiver application of Miller Property Investment, LLC by South East Architect Services Inc., Agent. Request: to reduce the frontage required for a Planned Development District.
Title: an Official Zoning Map Amendment application of Miller Property Investment, LLC by South East Architect Services Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.
Title: a Class A Conditional Use application of Miller Property Investment, LLC by South East Architect Services Inc., Agent. Request: to allow a Workforce Housing Program Density Bonus greater than 30 percent.

General Location: South side of Hypoluxo Road, approximately 0.20 miles east of South Military Trail. **(Icon Residential Community)** (Control 2006-00014)

Pages 96 - 137

Conditions of Approval Pages (105 - 109)

Project Manager: Brenya Martinez

Size: 5.04 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C-1 through C-4.

MOTION: To adopt a resolution approving a Type 2 Variance to reduce drive aisle width subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Approved a Type 2 Variance by a vote of 9-0-0.

MOTION: To recommend approval of a Type 2 Waiver to reduce the frontage required for a Planned Development District subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Type 2 Waiver by a vote of 9-0-0.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow a Workforce Housing Program Density Bonus greater than 30 percent subject to the Conditions of Approval as indicated in Exhibit C-4.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

- 7. **ZV-2019-00671** Title: a Type 2 Variance application of JMC LV Real Estate Company, Manheim Remarketing Inc by Urban Design Kilday Studios, Agent. Request: to eliminate outdoor lighting, and security lighting for parking lots.

General Location: East side of Sansburys Way, approximately 800 feet north of Southern Boulevard. **(Manheim Palm Beach MUPD)** (Control 2005-00641)

Pages 138 - 168

Conditions of Approval Pages (144 - 144)

Project Manager: Travis Goodson

Size: 91.59 acres ±

BCC District: 2

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

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate outdoor lighting, and security lighting for parking lots, subject to the Conditions of Approval as indicated in Exhibit C.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Approved a Type 2 Variance by a vote of 9-0-0.

- 9. **SV/ZV/ABN/CA-2018-01348** Title: a Subdivision Variance application of Dolphin Stations LLC, School Property Dev Glen Ridge LLC by Schmidt Nichols, Agent. Request: to allow direct access to an Arterial.

Title: a Type 2 Variance application of Dolphin Stations LLC, School Property Dev Glen Ridge LLC by Schmidt Nichols, Agent. Request: to allow a 24-hour operation within 250 feet of a parcel with a residential Future Land Use designation or Use.

Title: a Development Order Abandonment application of Dolphin Stations LLC, School Property Dev Glen Ridge LLC by Schmidt Nichols, Agent. Request: to abandon a Special Exception for an Auto Service Station.

Title: a Class A Conditional Use application of Dolphin Stations LLC, School Property Dev Glen Ridge LLC by Schmidt Nichols, Agent. Request: to allow a Retail Gas and Fuel Sales with a Convenience Store and a Type 1 Restaurant with Drive-through.

General Location: Northeast corner of Congress Avenue and Summit Boulevard (**APEC**) (Control 1988-00021)

Pages 212 - 259

Conditions of Approval Pages (221 - 225)

Project Manager: Carolina Valera

Size: 2.79 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1, C-2, C-3, and C-4.

MOTION: To adopt a Resolution approving a Subdivision Variance to allow direct access to an Arterial subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Approved a Subdivision Variance by a vote of 9-0-0.

MOTION: To adopt a Resolution approving a Type 2 Variance to allow a 24-hour operation within 250 feet of a parcel with a residential Future Land Use designation or Use subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Approved a Type 2 Variance by a vote of 9-0-0.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Special Exception for an Auto Service Station subject.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
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	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Development Order Abandonment by a vote of 9-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow Retail Gas and Fuel Sales with a Convenience Store subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with Drive-through subject to the Conditions of Approval as indicated in Exhibit C-4.

Motion Carried 9-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- 10. **PDD-2019-00292** Title: an Official Zoning Map Amendment application of Broward Rentals, Inc., Greg DiMaria by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.
General Location: South side of Atlantic Avenue, approximately 0.2 miles east of State Road 7/US 441. **(Broward Rentals MUPD)** (Control 2016-00130)

(266 - 268) Project Manager:

Carolina Valera

Size: 10.53 acres

BCC District: 5

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C.

Motion Carried 8-0-1

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	*Recused

*Commissioner Mark Beatty Recused himself from PDD-2019-00292 Broward Rentals MPUD.

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 8-0-1.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT 10:08 A.M.