



**ZONING COMMISSION
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
OCTOBER 3, 2019**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

D. ZONING APPLICATIONS- NEW

4.	(106)	ZV/PDD/CA-2019-00508 (1997-00004)	Fountains East MUPD
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AMEND Engineering Condition 2.a of Exhibit C-2, to read as follows:

a. ~~No Building Permits for the site shall be issued until~~ Before issuance of the first certificate of occupancy, the Property Owner shall provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPMT: MONITORING - Engineering)



**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

THURSDAY OCTOBER 3, 2019

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N Jog Rd, West Palm Beach, 33411**

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. Amendments to the Agenda
- I. Motion to Adopt the Agenda
- J. 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 3, 2019

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 Rd, West Palm Beach, 33411, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type 2 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 2 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 in the 6th Floor, Jane Thompson Memorial Chambers, 301 N Olive Ave, West Palm Beach, 33401, at 9:30 A.M. on Thursday, October 24, 2019 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. Amendments to the Agenda
- I. Motion to Adopt the Agenda
- J. 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. [CA-2018-02131](#) Title: a Class A Conditional Use application of WayJohn, Inc. by Insite Studio, Agent. Request: to allow a Type 1 Restaurant with a Drive-through.
General Location: West side of SR-7, approximately 170 feet south of SW 18th Street. **(KFC/Pizza Hut Boca)** (Control 2018-00130)

Pages 1 - 17

Conditions of Approval Pages (6 - 7)

Project Manager: Carolina Valera

Size: 1.02 acres ±

BCC District: 5

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

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

2. [ZV/DOA-2018-00995](#) Title: a Type 2 Variance application of Public Storage, Inc. by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to increase building coverage.
Title: a Development Order Amendment application of Public Storage, Inc. by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to reconfigure the Site Plan, to eliminate an accessory use and add a new building and square footage; and, to modify Conditions of Approval.
General Location: On the east side of South Military Trail, approximately 0.40 miles south of Hypoluxo Road. **(Southern Self Storage)** (Control 1987-00152)

Pages 18 - 52

Conditions of Approval Pages (26 - 30)

Project Manager: Carolina Valera

Size: 8.44 acres ±

BCC District: 3

(affected area 3.76 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 approving a Type 2 Variance to increase building coverage subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, to eliminate an accessory use and add a new building and square footage; and, to modify Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C-2.

- 3. [DOA/W-2019-01125](#) Title: a Development Order Amendment application of Glades 95th Owner, LLC by Dunay Miskel and Backman LLP, Agent. Request: to reconfigure the Master Plan, Site Plan and Regulating Plans; and, to add square footage
Title: a Type 2 Waiver application of Glades 95th Owner, LLC by Dunay Miskel and Backman LLP, Agent. Request: to extend hours of operation for a Non-Residential Use located within 250 feet of a Residential Use or Future Land Use designation
General Location: Southwest corner of Glades Road and 95th Avenue South, approximately 1,500 feet east of State Road 7. (**Johns Glades West MXP**D) (Control 2004-00459)

Pages 53 - 90

Conditions of Approval Pages (59 - 66)

Project Manager: Travis Goodson

Size: 37.99 acres ±

BCC District: 5

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 approving of a Development Order Amendment to reconfigure the Master Plan, Site Plan and Regulating Plans; and, to add square footage, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Type 2 Waiver to extend hours of operation for a Non-Residential Use located within 250 feet of a Residential Use or Future Land Use designation, subject to the Conditions of Approval as indicated in Exhibit C-2.

4. [ZV/PDD/CA-2019-00508](#) Title: a Type 2 Variance application of SFD Boynton, LLC, PEBB Boynton, LLC by Dunay Miskel and Backman LLP, Urban Design Kilday Studios, Agent. Request: to eliminate a portion of the Right-of-Way Landscape Buffer; and to eliminate or reduce foundation planting requirements.
- Title: an Official Zoning Map Amendment application of SFD Boynton, LLC, PEBB Boynton, LLC by Dunay Miskel and Backman LLP, Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.
- Title: a Class A Conditional Use application of SFD Boynton, LLC, PEBB Boynton, LLC by Dunay Miskel and Backman LLP, Urban Design Kilday Studios, Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store; a Type 1 Restaurant over 5,000 square feet; a Type 1 Restaurant with a Drive-through; and, a Type 3 Congregate Living Facility.
- General Location: Northeast corner of Boynton Beach Boulevard and Jog Road. **(Fountains East MUPD)** (Control 1997-00004)

Pages 91 - 140

Conditions of Approval Pages (105 - 113)

Project Manager: Meredith Leigh

Size: 15.99 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 through C-6.

MOTION: To adopt a resolution approval a Type 2 Variance to eliminate a portion of the Right-of-Way Landscape Buffer; and to eliminate or reduce foundation planting requirements 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 Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

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: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant without a Drive-through over 5,000 square feet subject to the Conditions of Approval as indicated in Exhibit C-4.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through subject to the Conditions of Approval as indicated in Exhibit C-5.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 3 Congregate Living Facility subject to the Conditions of Approval as indicated in Exhibit C-6.

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

- 5. [ZV/DOA-2017-02426](#) Title: a Development Order Amendment application of Racetrac Petroleum, Inc. by WGINC, Agent. Request: to reconfigure the Site Plan; add building square footage and pump/fueling position; and, modify Conditions of Approval.

General Location: Northwest corner of Haverhill Road and Lantana Road. **(RaceTrac Market)** (Control 2012-00253)

Pages 141 - 168

Conditions of Approval Pages (147 - 152)

Project Manager: Ryan Vandenburg

Size: 1.71 acres ±

BCC District: 2

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; add building square footage and pump/fueling position; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

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

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