



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY MAY 25, 2017

9:30 A.M.

**BCC Chambers 6th Floor, Jane Thompson Memorial Chambers
301 N Olive Ave, West Palm Beach, 33401**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

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
BOARD OF COUNTY COMMISSIONERS**

MAY 25, 2017

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer 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. Amendments to the Agenda
- G. Motion to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [ABN/DOA-2016-01638](#) Title: a Development Order Abandonment application of Lantana Charter LLC by iPlan and Design LLC, Agent. Request: to abandon a Place of Worship.

Title: a Development Order Amendment of Lantana Charter LLC by iPlan and Design LLC, Agent. Request: to reconfigure the Master Plan and Site Plan; modify square footage (Charter School); amend Conditions of Approval (Engineering and Use Limitations); and, to modify uses.

General Location: Approximately 0.45 miles east of the Lyons Road and on the south side of Lantana Road. (**Palm Beach School for Autism**) (Control 1981-00233)

Pages: 1 - 1

Project Manager: Carrie Rechenmacher

Size: 5.10 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to Thursday, June 22, 2017.

Zoning Commission Recommendation: Postponed to June 1, 2017 by a vote of 8-0-0.

MOTION: To postpone to Thursday, June 22, 2017.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

- 2. [STR-2014-00194-1](#) Status Report for Resolution R-2015-1545; to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Residential Single Family (RS) Zoning District. Property Owner: 5401 Lake Ida Road, LLC General Location: The north and south sides of Lake Ida Road, east of Sims Road. Current Zoning: Planned Unit Development (PUD) (**Orchid Bend PUD (Control No. 2014-00194)**)

Pages: 2 - 5

Project Manager: Bruce Thomson

Size: 5.18 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Residential Single Family (RS) Zoning District.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

E. ZONING APPLICATIONS - NEW

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

D. PREVIOUSLY POSTPONED STATUS REPORTS

E. STATUS REPORTS - NEW

F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

3. [ZV/PDD/R-2016-00845](#) Title: an Official Zoning Map Amendment to a Planned Development District application of W95 Glades, Glades W95 LLC, Daniel Johns by Wantman Group Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Mixed Use Planned Development (MXPD) Zoning District.

Title: a Requested Use of W95 Glades, Glades W95 LLC, Daniel Johns by Wantman Group Inc., Agent. Request: to allow a Theater Performance Venue, two Type I Restaurants with Drive-through, and to allow Workforce Housing Density Bonus in excess of 30 percent.

General Location: Southwest corner of Glades Road and 95th Ave, approximately 1,500 feet east of State Road 7. (**Johns Glades West MXPD**) (Control 2004-00459)

Pages: 6 - 64

Conditions of Approval (16 - 27)

Project Manager: Yoan Machado

Size: 37.99 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 33 Conditions of approval as indicated in Exhibit C-2, 5 Conditions of approval as indicated in Exhibit C-3, 5 Conditions of Approval as indicated in Exhibit C-4, 5 Conditions of Approval as indicated in Exhibit C-5 and 4 Condition of Approval as indicated in Exhibit C-6.

Zoning Commission Recommendation: Approved a Type II Variance by a vote of 7-0-0.

Zoning Commission Recommendation: Approval of an Official Zoning Map Amendment by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of a Requested Use (Type I Restaurant Building C6) by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of a Requested Use (Type I Restaurant Building C7) by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of a Requested Use (Theater Performance Venue Building C3) by a vote of 7-0-0.

Zoning Commission Recommendation: Recommended Approval of a Requested Use (Workforce Housing Density Bonus) by a vote of 7-0-1.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Mixed Use Planned Development (MXPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant with Drive-through (Building C6) subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant with Drive-through (Building C7) subject to the Conditions of Approval as indicated in Exhibit C-4.

MOTION: To adopt a resolution approving a Requested Use to allow an Theater Performance Venue (Building C3) subject to the Conditions of Approval as indicated in Exhibit C-5.

MOTION: To adopt a resolution approving a Requested Use to allow Workforce Housing Density Bonus in excess of 30 percent subject to the Conditions of Approval as indicated in Exhibit C-6.

J. ZONING APPLICATIONS - NEW

- 4. **SV/DOA/R-2015-01464** Title: a Development Order Amendment application of Mazzone William Trs &, M&M Realty Partner's @ Hagen Ranch LLC - Jack Morris by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan; delete square footage; add an access point; add uses; allow an Alternative MUPD Landscape Buffer; and modify and delete Conditions of Approval (Architectural Review, Landscaping, Engineering, Signs, Use Limitation).
Title: a Requested Use of Mazzone William Trs &, M&M Realty Partner's @ Hagen Ranch LLC - Jack Morris by Urban Design Kilday Studios, Agent. Request: to allow a Type I Restaurant with Drive-through.
General Location: Northeast corner of Boynton Beach Boulevard and Hagen Ranch Road. **(Hagen Commercial MUPD)** (Control 2008-00421)

Pages: 65 - 105

Conditions of Approval (72 - 83)

Project Manager: Roger Ramdeen

Size: 7.92 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 32 Conditions of Approval as indicated in Exhibit C-2; and, 6 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Recommended Approval of a Requested Use by a vote of 7-0-1.

Zoning Commission Recommendation: Approved a Subdivision Variance (with conditions) by a vote of 7-0-1.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 7-0-1.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan; delete square footage; add an access point; add uses; allow an Alternative MUPD Landscape Buffer; and modify and delete Conditions of Approval (Architectural Review, Landscaping, Engineering, Signs, Use Limitation) subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant with Drive-through subject to the Conditions of Approval as indicated in Exhibit C-3.

K. ULDC AMENDMENTS

L. COMPREHENSIVE PLAN TEXT AMENDMENTS

M. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

5. Title: [Medical Marijuana](#)

Updated on Legislative Session and ULDC Amendments/Language.

Pages: 106 - 107

6. Title: [PIA-2017-00314 and DOA/CA-2017-00572 Palm Beach Park of Commerce - Surf Ranch Florida](#)

Update to the Board of County Commissioners. Status of ULDC Amendment and Zoning Application.

Pages: 108 - 109

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT