



**ZONING COMMISSION HEARING
AMENDMENTS TO THE AGENDA
NOVEMBER 2, 2023**

POSTPONEMENT

9. SV-2022-01890 GLMC Warehouse

REVISE AGENDA – To move this item to Postponement Agenda and to modify staff recommendation to recommend postponement to December 7, 2023. (see attached request)

CONSENT AGENDA

1. CB-2023-00651 Big Dreams Preschool

REVISE- To amend the **Class B Conditional Use** Conditions of Approval to modify Condition of Approval in Exhibit C as shown below with the added text underlined and deleted text struck out.

COMPLIANCE

1. In Granting this Approval, the Zoning Commission relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the ~~Board of County Commissioners~~ Zoning Commission for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)



**DUNAY
MISKEL
BACKMAN** LLP

Gary Dunay
Bonnie Miskel
Scott Backman
Eric Coffman

Hope Calhoun
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Ele Zachariades
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Christina Bilenki
David F. Milledge
Jeffrey Schneider
Sara Thompson

Via Electronic Mail

October 26, 2023

Olive Bailey, PE
Assistant Land Development Director
Land Development Division
PBC Department of Engineering and Public Works
2300 North Jog Road
West Palm Beach, FL 33411

**Re: Request for Postponement for GLMC Warehouse
(Control No. 2001-50052, Application No SV-2022-01890) ("Project")**

Dear Olive:

Please accept this letter as a request for postponement from the November 2, 2023 Zoning Commission hearing to the December 7, 2023 Zoning Commission hearing. The applicant is working with staff regarding conditions of approval, and with the surrounding community to discuss and address their questions and concerns in advance of the hearing.

Please do not hesitate to contact me at (786) 763-0565 should you have any questions or need additional information. Thank you.

Sincerely,

Beth Schrantz, Director of Planning Services
Dunay, Miskel and Backman, LLP

cc: Scott Cantor, P.E., Director of Land Development
Jaylene Davis, Technical Assistant III
Scott Backman, Esq., Dunay, Miskel and Backman, LLP



ZONING COMMISSION HEARING

Thursday, November 2, 2023

9:00 a.m., 1st Floor, Vista Center

2300 N. Jog Road, West Palm Beach, FL 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. Swearing In
- G. Approval of the Minutes
- H. Amendments to the Agenda
- I. Disclosures for All Items on Agenda
- J. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS

CONSENT

REGULAR

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
NOVEMBER 2, 2023

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 Road, West Palm Beach, FL, to consider proposed applications and staff recommendations pursuant to the Palm Beach County Unified Land Development Code. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on applications not subject to Zoning Commission final action.

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:

- 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. Swearing In - County Attorney

G. Approval of the Minutes - [Motion](#) to approve the minutes

H. Amendments to the Agenda

- Presentation of Add/Delete
- Request to Pull Items from Consent
- **Motion** to adopt the Agenda

I. Disclosures for All Items on Agenda

J. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. Postponements / Remands

B. Withdrawals

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. Requests to pull items from Consent

B. Zoning Applications

1. [CB-2023-00651 Big Dreams Preschool](#) (Control 2001-00039)

Zoning Application of Big Dreams Preschool LLC by Land Research Management, Inc. Agent.

Location: Southwest corner of Westgate Avenue and Quail Drive

Project Manager: Nancy Frontany

BCC District: 7

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

a. **Title:** a Class B Conditional Use **Request:** to allow a General Daycare on 1.01 acres

MOTION: To adopt a resolution approving item 1.a

2. [Z/CA-2023-00660 AI Packer Fleet Services](#) (Control 2012-00292)

Zoning Application of Packer Family Limited Ptr II by JMorton Planning & Landscape Architecture, Agent

Location: East side of Military Trail, approximately 334 feet South of Elmhurst Road.

Project Manager: Imene Haddad

BCC District: 7

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C1 and C-2.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Residential Multi-family (RM) Zoning District to the General Commercial (CG) Zoning District on 1.58 acres

MOTION: To recommend approval of item 2.a

b. **Title:** a Class A Conditional Use **Request:** to allow Heavy Repair and Maintenance on 2.14 acres

MOTION: To recommend approval of item 2.b

3. [ZV/DOA/W-2023-00372 Lyons Glades Center](#) (Control 1979-00106)

Zoning Application of Glades Road West Investments LLC, Boca Pier Assoc Ltd by JMorton Planning & Landscape Architecture, Agent

Location Northwest corner of Glades Road and Lyons Road

Project Manager: Donna Adelsperger

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C-1 through C-3.

a. **Title:** a Type 2 Variance **Request:** to allow a reduction in the width of a right-of-way buffer, Type 3 Incompatibility buffer, landscape islands, divider medians, and foundation planting; reduction in the building and freestanding sign setback; to allow an easement overlap of landscape islands and right-of-way buffer; and, to eliminate

landscape protection measures and trees in landscape islands; and, to eliminate a wall within a Type 3 Incompatibility buffer on 4.86 acres

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

- b. **Title:** a Development Order Amendment **Request:** to reconfigure the site plan; add and delete uses, and add square footage on 4.86 acres

MOTION: To recommend approval of item 3.b

4. [DOA-2022-01140 7-Eleven Inc 40459](#) (Control 2002-00032)

Zoning Application of 7 Eleven Inc by Gunster, Yoakley & Stewart, PA, Common Oak Engineering, Agent

Location: Southeast corner of Jog Road and Wallis Road

Project Manager: Jordan Jafar

BCC District: 2

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 reconfigure the Site Plan; add pumps; and, to modify and delete Conditions of Approval on 4.62 acres

MOTION: To recommend approval of item 4.a

5. [ABN/DOA/CA-2023-00668 Elan Palm Reserve MUPD](#) (Control 2001-00005)

Zoning Application of Elan Palm Reserve Owner LLC, Elan Palm Reserve Commercial Owner LLC by JMorton Planning & Landscape Architecture, Agent.

Location: Northeast corner of Military Trail and Hypoluxo Road

Project Manager: Donna Adelsperger

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.

Title: a Development Order Abandonment **Request:** to abandon the Retail Gas and Fuel Sales with Convenience Store on 31.98 acres

MOTION: No motion required for item 5.a

Title: a Development Order Amendment **Request:** to reconfigure the Site Plan; add and delete uses, and modify Conditions of Approval on 31.98 acres

MOTION: To recommend approval of item 5.b

Title: a Class A Conditional Use **Request:** to allow a Type 1 Restaurant with drive-through on 31.98 acres

MOTION: To recommend approval of item 5.c

6. [Z/W-2022-01517 Cagigas Medical Center](#) (Control 1999-30103)

Zoning Application of Cagigas Family Holding Co. LLC by Land Research Management, Inc., Agent.

Location: East side of Military Trail, approximately 0.25 miles south of Summit Blvd

Project Manager: Jerome Ottey

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C1 and C-2.

- a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the General Commercial (CG) Zoning District on 0.86 acres and Residential Multifamily (RM) Zoning District on 1.25 acres to the Urban Infill (UI) Zoning District on 2.11 acres

MOTION: To recommend approval of item 6.a

- b. **Title:** a Type 2 Waiver **Request** to allow the building to be articulated so that the shortest side fronts the street; to allow a 35 percent building frontage along the primary street; and, to eliminate the pedestrian pass-through on 2.11 acres

MOTION: To recommend approval of item 6.b

7. [ZV/SV/PDD/CA-2023-00374 Northlake Commercial](#) (1973-00237)

Zoning Application of Northlake 3540 by WGINC, Agent

Location: Southwest corner of Northlake Boulevard and Burma Road

Project Manager: Donna Adelsperger

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C1 through C4.

- a. **Title:** a Type 2 Variance **Request:** to allow a reduction of the lot size and side-street setback on 2.02 acres

MOTION: To adopt a resolution approving item 7.a

- b. **Title:** a Subdivision Variance **Request:** to allow secondary access from a non-plan collector road with 22-foot wide pavement and sidewalk only on one side of the street on 2.02 acres

MOTION: To adopt a resolution approving item 7.b

- c. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 2.02 acres.

MOTION: To recommend approval of item 7.c

- d. **Title:** a Class A Conditional Use **Request:** to allow a Type 1 Restaurant with drive-through on 2.02 acres

MOTION: To recommend approval of item 7.d

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

B. Zoning Applications

8. [ZV-2023-00375 \(Chabad Chai Center\)](#) (Control 2022-00116)

Zoning Application of Alternate Educational Systems Property 4 LLC by Schmidt Nichols, Agent

Location: North side of Clint Moore Road, approx. 0.3 miles east of Wagon Wheel Drive

Project Manager: Vincent Stark

BCC District: 5

Staff Recommendation: Staff recommends denial of the request.

- a. **Title:** a Type 2 Variance **Request:** to allow a reduction in lot size, lot depth and rear setback on 2.77 acres

MOTION: To adopt a resolution **denying** item 8.a without prejudice

C. Subdivision Applications

9. [SV-2022-01890 \(GLMC Warehouse\)](#) (2001-50052)

Zoning Application of GLMC Group LLC by Dunay, Miskel and Backman, LLP, Agent.

Location: West side of Thompson Road, approximately 200 feet south of Hypoluxo Road

Project Manager: Vern Vaughan

BCC District: 2

Staff Recommendation: Staff recommends denial of the request.

Title: a Subdivision Variance **Request:** to allow access from the existing 40-foot easement on 0.71 acres

MOTION: To adopt a resolution **denying** item 9.a without prejudice

- END OF REGULAR AGENDA -

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT