

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

THURSDAY, MAY 7, 2015
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	Present
Commissioner Mark Beatty, Vice Chair	Present
Commissioner Amir Kanel	Present
Commissioner Joseph Snider	Present
Commissioner William Anderson	Present
Commissioner Sam Caliendo	Arrived 9:03am
Commissioner Sheri Scarborough	Present
Commissioner Tinu Peña	Absent
Commissioner Robert Currie	Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Proof of Publication – Motion to receive and file carried – 8-0

E. Adoption of the Minutes – Motion carried – 8-0

F. Swearing In

G. Disclosures – Listed by Agenda Number

Kanel	Snider	Anderson	Caliendo	Scarborough	Peña	Brumfield	Beatty	Currie
5	None	5	5	5	Absent	None	5	5

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- ZV/Z/CA-2014-01883** Title: a Type II Variance application of K. Hovnanian Homes by Land Design South Inc., Agent. Request: to eliminate a six foot opaque barrier, to reduce the number of trees with a Type II Incompatibility Buffer and to allow flexibility of the tree spacing in the landscape buffer.
Title: an Official Zoning Map Amendment application of K. Hovnanian Homes by Land Design South Inc., Agent. **Request:** to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.
Title: a Class A Conditional Use application of K. Hovnanian Homes by Land Design South Inc., Agent. **Request:** to allow a golf course (existing).
General Location: Lyons Road and State Road 7, on the north side of Southwest 18th Street.
(Boca Dunes Golf Course) (Control 2013-00354)

Pages 1 - 1
Project Manager: Hank Flores
Size: 153.81 acres +
(affected area 112.23 acres +)

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday June 4, 2015.

MOTION: To postpone to Thursday June 4, 2015.

Motion carried 8-0

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

DECISION: Postpone to June 4, 2015

2. **ZV/PDD-2014-01885** Title: a Type II Variance application of Cove Club Inv Ltd by Land Design South Inc., Agent. Request: to eliminate a six foot opaque barrier, to reduce the number of trees within the Type II Incompatibility Buffer and to allow flexibility of the tree spacing in the landscape buffer.

Title: an Official Zoning Map Amendment to a Planned Development District application of Cove Club Inv Ltd by Land Design South Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

General Location: Lyons Road and State Road 7 on the north side of Southwest 18th Street. **(Boca Dunes PUD)** (Control 2014-00169)

Pages 1 - 1

Project Manager: Hank Flores

Size: 153.81 acres +

(affected area 41.57 acres +)

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday June 4, 2015.

MOTION: To postpone to Thursday June 4, 2015.

Motion carried 8-0

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

DECISION: Postpone the request with a vote of 8-0

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

3. **DOA-2014-02096** Title: a Development Order Amendment application of Liberty Property Limited Partnership by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan, add square footage, modify Conditions of Approval (Use Limitation and Landscaping) and allow an alternative landscape barrier.
General Location: East of Jog Road; north side of Southern Boulevard. **(Southern Light Industrial Park)** (Control 2001-00064)

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

4. **ZV/Z/CA-2014-02501** Title: a Type II Variance application of Grand Slam Two LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a reduction in the front and rear setbacks; to eliminate the pedestrian sidewalk adjacent to the existing building; to reduce the width of the foundation planting.
Title: an Official Zoning Map Amendment application of Grand Slam Two LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Neighborhood Commercial (CN) Zoning District.
Title: a Class A Conditional Use application of Grand Slam Two LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Nursing or Convalescent Facility.
General Location: West side of Boutwell Road, north of 10th Avenue North. **(Sunrise Center)** (Control 2003-00104)

Pages 56 - 95
 Conditions of Approval Pages (64 - 67)
 Project Manager: Hank Flores
 Size: 1.18 acres +

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 6 Conditions of Approval as indicated in Exhibit C-1; 1 Condition of Approval as indicated in Exhibit C-2, and 15 Conditions of Approval as indicated in Exhibit C-3.

People who spoke on application

George Gentile, Agent – In agreement with Condition of Approvals as advertised.

MOTION: To adopt a resolution approving Type II Variances to allow a reduction in the front and rear setbacks; to eliminate the pedestrian sidewalk adjacent to the existing building; to reduce the width of the foundation planting, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Neighborhood Commercial (CN) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0

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

MOTION: To recommend approval of a Class A Conditional Use to allow a Nursing or Convalescent Facility subject to Conditions of Approval as indicated in Exhibit C-3.

Motion carried 8-0

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

Decision: Approved the request with a vote of 8-0

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

- 3. **DOA-2014-02096** Title: a Development Order Amendment application of Liberty Property Limited Partnership by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan, add square footage, modify Conditions of Approval (Use Limitation and Landscaping) and allow an alternative landscape barrier.
General Location: East of Jog Road; north side of Southern Boulevard. **(Southern Light Industrial Park)** (Control 2001-00064)

Pages 2 - 55

Conditions of Approval Pages (8 - 17)

Project Manager: Hank Flores

Size: 68.80 acres +

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 40 Conditions of Approval as indicated in Exhibit C-1 and 6 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Hank Flores, Site Planner II – gave a brief presentation

Brian Chegus, Agent – gave a brief presentation

Peter Waldmen, Representative of Timber Run HOA presented a letter to commissioners with concerns from the association.

MOTION: To recommend approval of a Development Order Amendment (Overall MUPD) to reconfigure the Site Plan, add square footage, modify Conditions of Approval (Use Limitation and Landscaping), and allow an alternative landscape barrier subject to Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

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

MOTION: To recommend approval of a Development Order Amendment (Requested Use) to modify Conditions of Approval (Use Limitation), subject to Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0

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

Decision: Approved the request with a vote of 8-0

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

5. **ZV/PDD-2014-02321** Title: a Type II Variance application of PGA Partners 100 LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow the setbacks to be measured from the property line and the Base Building Line (BBL); to eliminate the landscape buffers on the west property line; and between the Recreational Pods and Residential Pods. Title: an Official Zoning Map Amendment to a Planned Development District application of PGA Partners 100 LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District and Multifamily Residential (RM) Zoning District to the Planned Unit Development (PUD) Zoning District.
 General Location: Southwest corner of PGA Boulevard and Ellison Wilson Road. **(PGA Waterfront Residential PUD)** (Control 1984-00159)

Pages 96 - 154

Conditions of Approval Pages (105 - 109)

Project Manager: Hank Flores

Size: 7.95 acres +

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1 and 24 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Hank Flores, Site Planner II – Gave a brief presentation

George Gentile, Agent – Gave a brief presentation and is in agreement with Condition of Approval as amended.

Miles Glazer, from the public, had concerns with the elevation of the building.

Dawn Sonneborn, Principal Planner, City of Palm Beach Gardens has concerns about timing with first responders. She would like more time to review the application.

MOTION: To adopt a resolution approving Type II Variances to allow the setbacks to be measured from the property line and the Base Building Line (BBL); to eliminate the landscape buffers on the west property line; and between the Recreational Pods and Residential Pods subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

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

MOTION: To recommend approval an Official Zoning Map Amendment to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District and Multifamily Residential (RM) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0

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

Decision: Approve the request with a vote of 8-0

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONER COMMENTS

Commissioner Beatty made a request to the commissioners asking that they refrain from asking public questions after the public portion of hearing has been closed.

ADJOURNMENT – 10:09 AM