



**ZONING COMMISSION  
ZONING HEARING**

**AMENDMENTS TO THE AGENDA  
APRIL 6, 2017**

**AGENDA**

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

**D. ZONING APPLICATIONS – NEW**

4.	(61-81)	PDD/R-2016-01241 (2016-00078)	Seneca Property
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**DELETE ENGINEERING Condition 11**

**REGULAR AGENDA**

**D. ZONING APPLICATIONS – NEW**

8.	(180-237)	ZV/CB/CA-2016-01030 (2007-00333)	Horizon Composting Facility
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**AMEND LANDSCAPE - PERIMETER-SOUTH PROPERTY LINE (ABUTTING L-13 CANAL)**  
Condition 2 to read as follows:

2. LANDSCAPING ALONG THE SOUTH PROPERTY LINE

In addition to the Code requirements, landscaping and/or buffer width along the south property line shall be upgraded to include:

- a. a minimum twenty (20) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
- b. a minimum three and one-half (3.5) foot high continuous berm;
- ~~c. one (1) large shrub per every four (4) linear feet, to be installed and maintained at a minimum height of seventy two (72) inches;~~
- ~~d. no windows shall be allowed within the buffer; and,~~
- ~~e. one (1) palm or pine for each for each thirty (30) linear feet of the property line~~
- c. Required Canopy trees shall be installed at fourteen (14) foot high, and no height reduction shall be allowed through the Type 1 Waiver;
- d. One (1) palm or pine for each thirty (30) linear feet of the property line. Cluster of Palms or Pines shall be grouped in three to five; and,
- e. A minimum of six (6) foot high hedge. Required large shrubs may be allowed to count towards the quantity of this hedge. (CO: ZONING - Zoning)

9.	(238-262)	ZV-2017-00187 (2004-00034)	Cobblestone Plaza MUPD
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**AMEND Motion to read as follows:**

**MOTION:** To adopt a resolution denying a Type II Variance to allow internally illuminated wall signage





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

**THURSDAY APRIL 6, 2017**

**9:00 A.M.**

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

**CALL TO ORDER**

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Presentation for Service: William Anderson
- D. Remarks of the Chair
- E. Notice
- F. Proof of Publication
- G. Adoption of the Minutes
- H. Swearing In
- I. Disclosures

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**REGULAR AGENDA**

**COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

*Disclaimer: Agenda subject to changes at or prior to the public hearing.*



**AGENDA**  
**PALM BEACH COUNTY ZONING COMMISSION**

**APRIL 6, 2017**

**CALL TO ORDER**

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, and Pledge of Allegiance
- C. Presentation for Service: William Anderson
- D. 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 applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type II 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 II 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 at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on Wednesday, April 26, 2017 or Thursday, April 27, 2017 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.

- E. 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.

- F. Proof of Publication - Motion to receive and file.
- G. Adoption of the Minutes
- H. Swearing In - County Attorney
- I. 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**

1. [STR-1988-00019-1](#) Status Report for Resolution ZR-2007-050. Property Owner: Brown Landholding, Inc. General Location: West side of Benoist Farms Road, approximately 0.2 mile South of Belvedere Road. Zoning District: Light Industrial (IL) (**Brown Landholding, Inc. (Control 1988-00019)**)

Pages 1 - 5

Size: 10.00 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request.

**MOTION:** To adopt a resolution approving the revocation of the Vehicle Sales and Rental Use approved under Resolution ZR-2007-050.

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS - NEW**

2. [DOA/R-2016-01813](#) Title: a Development Order Amendment application of Michel Barberis by Jon E Schmidt & Associates, Agent. Request: to reconfigure the Site Plan; delete square footage; and add a Requested Use.  
Title: a Requested Use application of Michel Barberis by Jon E Schmidt & Associates, Agent. Request: to allow a Type I Restaurant with Drive-through.  
General Location: Southwest corner of Hypoluxo Road and Seacrest Boulevard. (**Zaxby's at Sam's Wholesale Club Plaza**) (Control 1975-00069)

Pages 6 - 36

Conditions of Approval Pages (12 - 18)

Project Manager: Yoan Machado

Size: 20.47 acres ±

BCC District: 7

(affected area 0.66 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 39 Conditions of Approval as indicated in C-1 and 5 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan; delete square footage; and add a Requested Use subject to the Conditions of Approval as indicated in Exhibit C.

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

3. [DOA/CA-2016-02014](#) Title: a Development Order Amendment application of Imports Autonation by Ronald L. Book PA, Sol-ARCH, Agent. Request: to modify uses.  
Title: a Class A Conditional Use application of Imports Autonation by Ronald L. Book PA, Sol-ARCH, Agent. Request: to allow an Auto Paint and Body Shop.  
General Location: Approximately 600 feet south of Okeechobee Boulevard, on the east side of N. Congress Avenue. **(AutoNation Palm Beach Collision Center)** (Control 2000-00057)

Pages 37 - 60

Conditions of Approval Pages (43 - 50)

Project Manager: Carlos Torres

Size: 2.83 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 43 Conditions of Approval as indicated in Exhibit C-1 and 5 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Development Order Amendment to modify uses subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of a Class A Conditional Use to allow an Auto Paint and Body Shop subject to the Conditions of Approval as indicated in Exhibit C-2.

4. [PDD/R-2016-01241](#) Title: an Official Zoning Map Amendment application of C B C Seneca Corp by Wantman Group Inc., Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Requested Use application of C B C Seneca Corp by Wantman Group Inc., Agent. Request: to allow a Type I Restaurant with Drive-through and a Type II Restaurant.

General Location: Approximately 428 feet east of Lyons Road on the south side of Atlantic Avenue. **(Seneca Property)** (Control 2016-00078)

Pages 61 - 81

Conditions of Approval Pages (67 - 72)

Project Manager: Carolina Valera

Size: 4.69 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 17 Conditions of Approval as indicated in Exhibit C-1, 5 Conditions of Approval as indicated in Exhibit C-2, and 5 Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of a Request Use to allow a Type I Restaurant with Drive-through subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Request Use and a Type II Restaurant subject to the Conditions of Approval as indicated in Exhibit C-3.

5. [SV/PDD/R/ABN-2016-00424](#) Title: a Subdivision Variance application of BDG Delray by Wantman Group Inc., Agent. Request: to allow legal access to the corner lot from both West Atlantic Avenue and State Road 7.  
Title: an Official Zoning Map Amendment to a Planned Development District application of BDG Delray by Wantman Group Inc., Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.  
Title: a Requested Use application of BDG Delray by Wantman Group Inc., Agent. Request: to allow a Convenience Store with Gas Sales; and Gas and Fuel, Retail.  
Title: a Development Order Abandonment application of BDG Delray by Wantman Group Inc., Agent. Request: to abandon a Class A Conditional Use for a Convenience Store with Gas Sales which was granted under the AGR Zoning District under prior Resolutions.  
General Location: Southwest corner of SR 7/US 441 and West Atlantic Avenue. **(Stop and Shop)** (Control 1999-00029)

Pages 82 - 123

Conditions of Approval Pages (93 - 98)

Project Manager: Yoan Machado

Size: 5.11 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 1 Conditions of Approval as indicated in Exhibit C-1, 19 Conditions of approval as indicated in Exhibit C-2, and 5 Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To adopt a resolution approving a Subdivision Variance to allow legal access to the corner lot from both West Atlantic Avenue and State Road 7 subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Agricultural Reserve (AGR) 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 Requested Use to allow Gas and Fuel Sales, Retail subject to the Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To recommend approval of a Development Order Abandonment to abandon a Class A Conditional Use for a Convenience Store with Gas Sales which was granted under the AGR Zoning District under prior Resolutions.

6. [ZV-2016-01648](#) Title: a Type II Variance application of PBA Holdings Inc by Wantman Group Inc., Agent. Request: to allow a 10-foot fence in the perimeter landscape buffer; a reduction in the number of interior trees; a reduction in the number of required pedestrian amenities; eliminate the interconnectivity between uses in and adjacent to the project; and, a reduction in the required parking at the side or rear of the building.  
General Location: North side of Southern Boulevard, approximately 3 miles west of Seminole Pratt Whitney Road. **(Central Park Commerce Center)** (Control 2015-00085)

Pages 124 - 153

Conditions of Approval Pages (130 - 130)

Project Manager: Carlos Torres

Size: 138.31 acres ±

BCC District: 6

(affected area 77.20 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving Type II Variances to allow a reduction in the number of interior trees; eliminate the interconnectivity between uses in and adjacent to the project; and, a reduction in the required parking at the side or rear of the building subject to the Conditions of Approval as indicated in Exhibit C.

**E. CORRECTIVE RESOLUTIONS**

**F. ABANDONMENTS**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- 7. [SV/W-2016-01231](#) Title: a Subdivision Variance application of Eddy Hernandez by Miller Land Planning, Agent. Request: to allow access from a 40-foot Right-of-Way.  
Title: a Type II Waiver application of Eddy Hernandez by Miller Land Planning, Agent.  
Request: to allow the primary entrance to face the interior parking area; reduce the setback for outdoor uses to Non-PRA residential use; and increase the setback from the build-to-line.  
General Location: Southeast corner of Military Trail and Fuller Street. **(Palm Elite Car Wash)** (Control 2013-00200)

Pages 154 - 179

Conditions of Approval Pages (161 - 162)

Project Manager: Yoan Machado

Size: 0.93 acres ±

BCC District: 3

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

**MOTION:** To adopt a resolution approving a Subdivision Variance to allow access from a 40-foot Right-of-Way subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of a Type II Waiver to allow the primary entrance to face the interior parking area; reduce the setback for outdoor uses to Non-PRA residential use; and increase the setback from the build-to-line subject to the Conditions of Approval as indicated in Exhibit C-2.

**D. ZONING APPLICATIONS - NEW**

8. [ZV/CB/CA-2016-01030](#) Title: a Type II Variance application of Horizon 880 LLC by Wantman Group Inc., Agent. Request: to allow a reduction in the number parking spaces; elimination of the Right-of-Way buffer for the northern portion of the west property line; elimination of the compatibility buffer along the north property line and the northern portion of the east property line; and a reduction in the number of shrub layers and elimination of ground cover within a buffer; and reduction in the number of interior trees and shrubs.  
Title: a Class B Conditional Use application of Horizon 880 LLC by Wantman Group Inc., Agent. Request: to allow Chipping and Mulching.  
Title: a Class A Conditional Use. application of Horizon 880 LLC by Wantman Group Inc., Agent. Request: to allow an Equestrian Waste Management Facility.  
General Location: North of SR-880, approximately 2.5 miles east of San Senter Road. **(Horizon Composting Facility)** (Control 2007-00333)

Pages 180 - 237

Conditions of Approval Pages (190 - 196)

Project Manager: Donna Adelsperger

Size: 31.60 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 12 Conditions of Approval as indicated in Exhibit C-1; 14 Conditions of Approval as indicated in Exhibit C-2; and 19 Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction in the number of parking spaces; eliminate a portion of the Right-of-Way (ROW) Buffer along the west property line, the Compatibility Buffer along the north property line, and a portion of the Compatibility Buffer along the east property line; eliminate interior trees and shrubs; and, reduce the number of shrub layers and eliminate the ground cover within the ROW Buffer along the south property line 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 Chipping and Mulching subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Class A Conditional Use to allow an Equestrian Waste Management Facility subject to the Conditions of Approval as indicated in Exhibit C-3.

9. [ZV-2017-00187](#) Title: a Type II Variance application of West Boynton Farms Inc by JMorton Planning & Landscape Architecture, Agent. Request: to allow internally illuminated signage.  
General Location: Northeast corner of Boynton Beach Boulevard and Lyons Road. **(Cobblestone Plaza MUPD)** (Control 2004-00034)

Pages 238 - 262

Conditions of Approval Pages (243 - 243)

Project Manager: Yoan Machado

Size: 15.34 acres ±

BCC District: 5

Staff Recommendation: Staff recommends denial of the request.

**MOTION:** To adopt a resolution denying a Type I Variance to allow internally wall illuminated signage.

10. [ZV/PDD/R-2016-00845](#) Title: a Type II Variance application of W95 Glades, Glades W95 LLC, Daniel Johns by Wantman Group Inc., Agent. Request: to allow extended hours of operation within 250 feet of a residential district; a reduction of the internal trip capture ratio; and a reduction of the front setback for Building C5.
- 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 application of W95 Glades, Glades W95 LLC, Daniel Johns by Wantman Group Inc., Agent. Request: to allow an Indoor Theater and two Type I Restaurants with Drive-through.
- 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 263 - 321

Conditions of Approval Pages (274 - 284)

Project Manager: Yoan Machado

Size: 37.99 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1, 32 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, and 5 Conditions of Approval as indicated in Exhibit C-5.

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction of the front setback for Building C5 subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of 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 recommend approval of a Requested Use to allow a Type I Restaurants with Drive-through (Building C6) subject to the Conditions of Approval as indicated in Exhibit C-3.

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

MOTION: To recommend approval of a Requested Use to allow an Indoor Theater (Building C3) subject to the Conditions of Approval as indicated in Exhibit C-5.

- 11. [PDD-2016-00861](#) Title: an Official Zoning Map Amendment application of Iota Carol LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agriculture Production (AP) and Agriculture Residential (AR) Zoning Districts to the Western Communities Residential Planned Unit Development (WCR PUD) Zoning District.  
General Location: Approximately 1 mile west of Seminole Pratt Whitney Road, bounded by 60th Street North on the south, 190th Street North on the east and Coral Street to the west. **(Delray Linton Groves)** (Control 2007-00013)

Pages 322 - 362

Conditions of Approval Pages (333 - 348)

Project Manager: Roger Ramdeen

Size: 1,287.96 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 85 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Production (AP) and Agriculture Residential (AR) Zoning Districts to the Western Communities Residential Planned Unit Development (WCR PUD) Zoning District 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**

- 12. [Title: Annual Zoning Commission Workshop](#)

Pages 363 - 367

**MOTION:**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. COMMISSIONERS**

**ADJOURNMENT**