



**PALM BEACH COUNTY ZONING COMMISSION**

**JULY 9, 2018**  
**MINUTES**

**CALL TO ORDER**

A. Roll Call- 9:45 A.M.

Commissioner Mark Beatty, Chair	Present
Commissioner Alex Brumfield III, Vice Chair	Present
Commissioner Sam Caliendo	Absent
Commissioner Sheri	Present
Commissioner Amir Kanel	Present
Commissioner Joseph Snider	Absent
Commissioner Barbara Katz	Present
Commissioner Robert Currie	Absent

- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication 5-0

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

F. Adoption of the Minutes

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

- G. Swearing In
- H. Disclosures

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
5	Absent	6	Absent	4/6	6	4/6 *Recused	Absent

\*Commission Chair Mark Beatty Recused himself from DOA-2017-1437 (Valencia Square MUPD) and ABN/CA-2017-1812 (Aviera Green)

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

- ZV/PDD/DOA-2017-02173** 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) **TITLE:**  
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 Residential Multifamily (RM) Zoning District to the Planned Unit Development (PUD) Zoning District.  
Title: a Development Order Amendment application of PGA Partners 100 LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to add land area; delete units; reconfigure the Master Plan and modification of conditions (Architecture, Landscape, Planning)  
General Location: Southwest corner of PGA Boulevard and Ellison Wilson Road. **(PGA Waterfront Residential PUD)** (Control 1984-00159)

Pages 1 - 1

Project Manager: Carrie Rechenmacher

Size: 8.89 acres ±

BCC District: 1

Staff Recommendation: Staff recommends a postponement to Thursday August 2, 2018.

**MOTION:** To postpone to Thursday August 2, 2018.

**Motion carried 5-0-0.**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To postpone to August 2, 2018 by a vote of 5-0-0**

- Z/CA-2017-01996** Title: an Official Zoning Map Amendment application of Andrew Podray by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District and Multifamily Residential High Density (RH) Zoning District, to the Multifamily Residential (RM) Zoning District.  
General Location: On the east side of Barwick Road, approximately 0.55 miles north of Lake Ida Road. **(Banyan Cove)** (Control 2014-00078)

Pages 2 - 2

Project Manager: Lorraine Fuster

Size: 6.68 acres ±

BCC District: 4

Staff Recommendation: Staff recommends a postponement to Thursday, September 6, 2018.

**MOTION:** To postpone to Thursday, September 6, 2018.

**Motion carried 5-0-0.**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To Postpone to September 6, 2018 by a vote of 5-0-0.**

**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**

3. **DOA-2017-01437** Title: a Development Order Amendment application of Preschool Developers, LLC, Valencia Square Retail, LLC by Preschool Developers LLC, Agent . Request: to reconfigure the Site Plan; and to add children for a General Day Care use; and, to modify and/or delete Conditions of Approval (Use Limitations).  
General Location: Northwest corner of Woolbright Road and Jog Road. (**Valencia Square MUPD**) (Control 1998-00078)

Pages 3 - 36

Conditions of Approval Pages (10 - 21)

Project Manager: Meredith Leigh

Size: 23.85 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 59 Conditions of Approval as indicated in Exhibit C-1; and, 10 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To postpone to Thursday August 2, 2018.

**Motion carried 4-0-1**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
	Absent		Absent				Absent

\*Commission Chair Mark Beatty Recused himself from DOA-2017-1437 (Valencia Square MUPD)

**Decision: To Postpone to August 2, 2018 due to lack of quorum.**

4. **ZV-2018-00600** Title: a Type 2 Variance application of Boca Raton Associates Viii Lllp by G.L. Homes, Agent. Request: to allow four (4) variances for Zero Lot Line (ZLL) homes for an increase in projection of the second story balcony into the front setback; to allow balconies up to a total of 100 percent of the front facade; to allow a reduced side setback for balconies on the side; and, to allow a reduction of the front setback for front loading garage.

General Location: Approximately 0.5 mile north of Clint Moore Road on the east side of Lyons Road. (**Bridges-Mizner AGR PUD**) (Control 2004-00250)

Pages 37 - 81

Conditions of Approval Pages (46 - 47)

Project Manager: Donna Adelsperger

Size: 285.83 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request, subject to 11 Conditions as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving a Type 2 Variance to allow four (4) variances for Zero Lot Line (ZLL) homes for an increase in projection of the second story balcony into the front setback; to allow balconies up to a total of 100 percent of the front facade; to allow a reduced side setback for balconies on the side; and to allow a reduction of the front setback for front loading garage subject to the Conditions of Approval as indicated in

Exhibit C.

**Motion carried 5-0-0, as amended**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To approve, as amended, Type 2 Variances by a vote of 5-0-0.**

5. **ABN/CA-2017-01812** Title: a Development Order Abandonment application of Sunco TH LLC by WGINC, Agent. Request: to abandon the Class A Conditional Use to allow a Voluntary Density Bonus of 19 units in the Medium Residential (RM) Density Zoning District.

Title: a Class A Conditional Use application of Sunco TH LLC by WGINC, Agent. Request: to allow a Workforce Housing (WFH) density bonus greater than 50 percent; and, to allow a Transfer of Development Rights (TDR) of more than two dwelling units per acre, for a total of 13 TDR units.

General Location: West side of South Haverhill Road approximately 220 feet north of Purdy Lane. **(Aviera Green)** (Control 2003-00093)

Pages 82 - 103

Conditions of Approval Pages (89 - 94)

Project Manager: Carlos Torres

Size: 3.28 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 18 Condition of Approval as indicated in Exhibit C-1 and 8 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To postpone to Thursday August 2, 2018.

**Motion carried 4-0-1**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
	Absent		Absent				Absent

Commission Chair Mark Beatty Recused himself from ABN/CA-2017-1812 (Aviera Green)

**Decision: To Postpone to August 2, 2018 due to lack of quorum.**

**E. CORRECTIVE RESOLUTIONS**

**F. ABANDONMENTS**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

6. **ZV/ABN/DOA-2017-02207** Title: a Type II Variance application of Lakeside Center II Edens LLC by Urban Design Kilday Studios, Agent. Request: to allow reduction of Foundation Planting length; eliminate small and medium shrubs within a Right of Way (R-O-W) Buffer; eliminate small and medium shrubs within an Incompatibility Buffer; eliminate small, medium and large shrubs within an Incompatibility Buffer; eliminate large shrubs on the exterior of a wall within an Incompatibility Buffer; eliminate trees within terminal and interior islands; allow for increase of easement overlap within an Incompatibility Buffer; and, allow for increase of allowable easement overlap within R-O-W Buffers.
- Title: a Development Order Abandonment application of Lakeside Center II Edens LLC by Urban Design Kilday Studios, Agent. Request: to abandon Requested Uses for Type I Restaurants within Buildings J and K.
- Title: a Development Order Amendment application of Lakeside Center II Edens LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan; modify uses; and, to delete Conditions of Approval (Architecture and Site Design).
- General Location: Approximately 180 feet (ft.) west, and 184 ft. south of the Southwest corner of Glades Road and Boca Rio Road (**Lakeside Centre**) (Control 1986-00150)

Pages 104 - 171

Conditions of Approval Pages (116 - 124)

Project Manager: Diego Penalosa

Size: 22.80 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 12 Conditions of Approval as indicated in Exhibit C-1, and 46 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a Resolution to allow for a reduction of Foundation Planting length; eliminate small and medium shrubs within a Right of Way (R-O-W) Buffer; eliminate small and medium shrubs within an Incompatibility Buffer; eliminate small, medium and large shrubs within an Incompatibility Buffer; eliminate large shrubs on the exterior of a wall within an Incompatibility Buffer; eliminate trees within terminal and interior islands; allow for increase of easement overlap within an Incompatibility Buffer; and, allow for increase of allowable easement overlap within R-O-W Buffers, subject to the Conditions of Approval as indicated in Exhibit C-1.

**Motion carried 5-0-0**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Second				Moved			
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To approve Type 2 Variances by a vote of 5-0-0.**

**MOTION:** To recommend approval of a Development Order Abandonment to abandon Requested Uses to allow Type I Restaurants within Buildings J and K.

**Motion carried 5-0-0**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Second				Moved			
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To recommend approval of Development Order Abandonment by a vote of 5-0-0**

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan; modify uses and to delete Conditions of Approval (Architecture and Site Design), subject to the Conditions of Approval as indicated in Exhibit C-2.

**Motion carried 5-0-0**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Second				Moved			
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To recommend approval of Development Order Amendment by a vote of 5-0-0**

7. **ZV/ABN/DOA/CA-2017-00354** Title: Type II Variances application of Regions Bank by Gunster Yoakley & Stewart PA, Agent. Request: to allow 24 hour operation within 250 feet of a Residential Future Land Use designation or use; and, a reduction in the required Right-of-Way (ROW) Landscape Buffer width.

Title: a Development Order Abandonment application of Regions Bank by Gunster Yoakley & Stewart PA, Agent. Request: to abandon a resolution for a Development Order Amendment to reconfigure the Site Plan and add square footage.

Title: a Development Order Amendment application of Regions Bank by Gunster Yoakley & Stewart PA, Agent. Request: to reconfigure the Site Plan; delete square footage, and modify uses.

Title: a Class A Conditional Use application of Regions Bank by Gunster Yoakley & Stewart PA, Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store.

General Location: Southwest corner of Via Flora and West Atlantic Avenue. **(7-Eleven Delray Beach)** (Control 1984-00058)

Pages 172 - 233

Conditions of Approval Pages (183 - 189)

Project Manager: Carrie Rechenmacher

Size: 8.66 acres ±

BCC District: 5

(affected area 1.50 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1; 16 Conditions of Approval as indicated in Exhibit C-2; and 11 Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To adopt a resolution approving a Type 2 Variance to allow 24 hour operation within 250 feet of a Residential Future Land Use designation or use; and, a reduction in the required Right-of-Way (ROW) Landscape Buffer width subject to the Conditions of Approval as indicated in Exhibit C-1.

**Motion carried 5-0-0**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To approve Type 2 Variances by a vote of 5-0-0.**

**MOTION:** To recommend approval of a Development Order Abandonment to abandon a resolution for a Development Order Amendment to reconfigure the Site Plan and add square footage.

**Motion carried 5-0-0**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
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				Moved	Second		
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To recommend approval of Development Order Abandonment by a vote of 5-0-0**

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan; delete square footage, and modify uses; subject to the Conditions of Approval as indicated in Exhibit C-2.

**Motion carried 5-0-0**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To recommend approval of Development Order Amendment by a vote of 5-0-0**

**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 carried 5-0-0**

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Absent

**Decision: To recommend approval of a Class A Conditional Use by a vote of 5-0-0**

**D. ZONING APPLICATIONS - NEW**

**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 10:40a.m**

