



**THURSDAY OCTOBER 3, 2019**  
**MINUTES**

**CALL TO ORDER**

- A. Roll Call
  - Commissioner Sheri Scarborough, Chair Present
  - Commissioner Sam Caliendo, Vice Chair Present
  - Commissioner Amir Kanel Present
  - Commissioner John Kern Present
  - Commissioner Philip L. Barlage Present
  - Commissioner Marcelle Griffith Burke Present
  - Commissioner Mark Beatty Present
  - Commissioner Robert Currie Absent
  - Commissioner Brumfield Present
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

Motion to receive and file 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

F. Adoption of the Minutes

Motion to receive and file 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved					Second		
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

G. Swearing In

H. Amendments to the Agenda

I. Motion to Adopt the Agenda

Motion to receive and file 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

J. Disclosures

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
3,5	0	0	0	2,4	0	0	Absent	0

**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**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS - NEW**

1. **CA-2018-02131** Title: a Class A Conditional Use application of WayJohn, Inc. by Insite Studio, Agent. Request: to allow a Type 1 Restaurant with a Drive-through.  
General Location: West side of SR-7, approximately 170 feet south of SW 18th Street.  
**(KFC/Pizza Hut Boca)** (Control 2018-00130)

Pages 1 - 17

Conditions of Approval Pages (6 - 7)

Project Manager: Carolina Valera

Size: 1.02 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval in Exhibit C.

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

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use (with conditions) by a vote of 8-0-0.**

2. **ZV/DOA-2018-00995** Title: a Type 2 Variance application of Public Storage, Inc. by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to increase building coverage.  
Title: a Development Order Amendment application of Public Storage, Inc. by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to reconfigure the Site Plan, to eliminate an accessory use and add a new building and square footage; and, to modify Conditions of Approval.  
General Location: On the east side of South Military Trail, approximately 0.40 miles south of Hypoluxo Road. **(Southern Self Storage)** (Control 1987-00152)

Pages 18 - 52

Conditions of Approval Pages (26 - 30)

Project Manager: Carolina Valera

Size: 8.44 acres ±

(affected area 3.76 acres ±)

BCC

District:3

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

**MOTION:** To adopt a Resolution approving a Type 2 Variance to increase building coverage subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
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	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Approved a Type 2 Variance (with conditions) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan, to eliminate an accessory use and add a new building and square footage; and, to modify Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C-2

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of a Development Order Amendment (with conditions) by a vote of 8-0-0.**

- DOAW-2019-01125** Title: a Development Order Amendment application of Glades 95th Owner, LLC by Dunay Miskel and Backman LLP, Agent. Request: to reconfigure the Master Plan, Site Plan and Regulating Plans; and, to add square footage  
Title: a Type 2 Waiver application of Glades 95th Owner, LLC by Dunay Miskel and Backman LLP, Agent. Request: to extend hours of operation for a Non-Residential Use located within 250 feet of a Residential Use or Future Land Use designation  
General Location: Southwest corner of Glades Road and 95th Avenue South, approximately 1,500 feet east of State Road 7. **(Johns Glades West MXPD)** (Control 2004-00459)

Pages 53 - 90

Conditions of Approval Pages (59 - 66)

Project Manager: Travis Goodson

Size: 37.99 acres ±

BCC District: 5

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

**MOTION:** To recommend approving of a Development Order Amendment to reconfigure the Master Plan, Site Plan and Regulating Plans; and, to add square footage, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of a Development Order Amendment (with conditions) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Type 2 Waiver to extend hours of operation for a Non-Residential Use located within 250 feet of a Residential Use or Future Land Use designation, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of a Type 2 Waiver (with conditions) by a vote of 8-0-0.**

- ZV/PDD/CA-2019-00508** Title: a Type 2 Variance application of SFD Boynton, LLC, PEBB Boynton, LLC by Dunay Miskel and Backman LLP, Urban Design Kilday Studios, Agent.

Request: to eliminate a portion of the Right-of-Way Landscape Buffer; and to eliminate or reduce foundation planting requirements.

Title: an Official Zoning Map Amendment application of SFD Boynton, LLC, PEBB Boynton, LLC by Dunay Miskel and Backman LLP, Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Class A Conditional Use application of SFD Boynton, LLC, PEBB Boynton, LLC by Dunay Miskel and Backman LLP, Urban Design Kilday Studios, Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store; a Type 1 Restaurant over 5,000 square feet; a Type 1 Restaurant with a Drive-through; and, a Type 3 Congregate Living Facility.

General Location: Northeast corner of Boynton Beach Boulevard and Jog Road.  
**(Fountains East MUPD) (Control 1997-00004)**

Pages 91 - 140

Conditions of Approval Pages (105 - 113)

Project Manager: Meredith Leigh

Size: 15.99 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 through C-6.

**MOTION:** To adopt a resolution approval a Type 2 Variance to eliminate a portion of the Right-of-Way Landscape Buffer; and to eliminate or reduce foundation planting requirements subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Approved a Type 2 Variance (with conditions) by a vote of 8-0-0.**

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

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of an Official Zoning Map Amendment (with conditions) as amended, by a vote of 8-0-0.**

**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 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use (with conditions) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant without a Drive-through over 5,000 square feet subject to the Conditions of Approval as indicated in Exhibit C-4.

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use (with conditions) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through subject to the Conditions of Approval as indicated in Exhibit C-5.

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use (with conditions) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Type 3 Congregate Living Facility subject to the Conditions of Approval as indicated in Exhibit C-6.

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use (with conditions) by a vote of 8-0-0.**

**E. CORRECTIVE RESOLUTIONS**

**F. ABANDONMENTS**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

- A. ITEMS PULLED FROM CONSENT**
- B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- D. ZONING APPLICATIONS - NEW**

5. **ZV/DOA-2017-02426** Title: a Development Order Amendment application of Racetrac Petroleum, Inc. by WGINC, Agent. Request: to reconfigure the Site Plan; add building square footage and pump/fueling position; and, modify Conditions of Approval.  
General Location: Northwest corner of Haverhill Road and Lantana Road. **(RaceTrac Market)** (Control 2012-00253)

Pages 141 - 168

Conditions of Approval Pages (147 - 152)

Project Manager: Ryan Vandenburg

Size: 1.71 acres ±

BCC District: 2

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

**People who spoke on this application**

The Applicant made a presentation and agreed to the Conditions of Approval. Six members of the public submitted cards and spoke in opposition of the project. The reasons for opposition cited were increased traffic, noise, safety, and previous agreements by the Owner to limit the amount of pumps. In addition, Osniel Leon, Senior Site Planner representing the City of Greenacres, also spoke in opposition to the project primarily regarding incompatibility with the Neighborhood and the Greenacres Master Plan and former agreement from the Applicant to limit the amount of pumps to 5 (10 fueling stations).

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan; add building square footage and pump/fueling position; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

Motion Carried 8-0-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Currie	Beatty
	Moved		Second					
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

**Board Decision: Recommended Approval of a Development Order Amendment (with conditions) by a vote of 8-0-0.**

- E. SUBDIVISION VARIANCE**
- F. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

- A. COUNTY ATTORNEY**
- B. ZONING DIRECTOR**
- C. PLANNING DIRECTOR**
- D. EXECUTIVE DIRECTOR**
- E. COMMISSIONERS**

**ADJOURNMENT 10:05 A.M.**