

5. (144) ZV-2019-01537 Palm Beach Park of Commerce Plat-19
(1981-00190)

REPLACE Variance Condition 1 of Exhibit C, to read as follows:

1. This Variance is approved based on the layout as shown on the Preliminary Site Plan and Preliminary Regulating Plan dated November 12, 2019. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Zoning Commission. (ONGOING: CODE ENF – Zoning)

AMEND Landscape Conditions 2 and 3 of Exhibit C, to read as follows:

LANDSCAPE - INTERIOR-LANDSCAPE- INTERIOR NORTH AND WEST OF LOADING AREAS

2. Within 60 days of the approval of the variance, the Property Owner shall amend the Final Site Plan to indicate a minimum eight ~~feet~~ foot wide Planting Area along the north and west perimeter of the Loading Areas (excluding where a 12 foot wall is provided), as indicated on the Preliminary Site Plan dated November 12, 2019, to be planted with an Areca Palm hedge row, subject to the following:

- a. Minimum of eight (8) feet in height at time of planting, to be maintained at a minimum height of twelve (12) feet at maturity; and,
- b. Arecas shall have a maximum spacing of 5 feet on center or the minimum necessary to establish a 12 foot high opaque visual screen. (DATE: ZONING - Zoning)

LANDSCAPE - PERIMETER LANDSCAPING ALONG THE WEST 186 FEET OF THE NORTH RIGHT-OF-WAY BUFFER AND WEST RIGHT-OF-WAY BUFFER

3. Landscaping in the R-O-W Buffer along the west 186 feet of the north property line, and the west property line shall be upgraded to provide a continuous minimum eight (8) foot high buffer, as follows:

- a. Existing shrubs or understory shall be supplemented with additional shrubs, where applicable;
- b. A hedge shall be installed where no existing understory exists; ~~Areca Palm hedges shall have a maximum spacing of five feet o.c. or the minimum necessary to establish a 12 foot high opaque visual screen.~~
- c. New shrubs may be installed at a minimum height of four (4) feet; and,
- d. New shrubs shall be installed a minimum of 24 to 36 inches on center, subject to approval by the Zoning Division. (ONGOING: ZONING - Zoning)

6. (Agenda Page 6) Z-2019-01612 Young Property South
(2003-00830)

MOVE Item #6 to Consent Agenda.

(169)

AMEND Landscape Condition 1 of Exhibit C, to read as follows:

LANDSCAPE - PERIMETER-BUFFER ALONG SOUTH PROPERTY LINE (ABUTTING RESIDENTIAL)

1. In addition to Code requirements, the Landscape Buffer along the south property line shall be upgraded as indicated below, where any of the following uses are located within ~~250~~ 200 feet of the south property line: Contractor Storage Yard, Heavy Repair and Maintenance, Machine or Welding Shop, Manufacturing and Processing, or Towing Service and Storage.

- a. a minimum of fifty (50) foot in width;
- b. a six (6) foot high concrete panel wall to be located in the middle of the buffer width;
- c. one (1) Canopy tree for each ten (10) lineal feet of the length of the buffer. Trees shall be planted on both sides of the wall;
- d. one (1) palm for each fifteen (15) lineal feet of the length of the buffer;
- e. one (1) medium shrub per two (2) lineal feet of the buffer length;
- f. one (1) small shrub per one lineal foot of the buffer length; and,
- g. shrubs shall be planted on both sides of the wall. (ONGOING: ZONING - Zoning)



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

WEDNESDAY JANUARY 8, 2020

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N Jog Rd, West Palm Beach, 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. Adoption of the Minutes
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

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

JANUARY 8, 2020

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 Rd, West Palm Beach, 33411, 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 in the 6th Floor, Jane Thompson Memorial Chambers, 301 N Olive Ave, West Palm Beach, 33401, at 9:00 A.M. on Monday, January 27, 2020 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.
- 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 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.
- E. Proof of Publication - Motion to receive and file.
- F. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- 1. [DOA/CA-2019-00737](#) Title: a Development Order Amendment application of TJAC Palmetto Park, LLC by Perry & Taylor PA, Agent. Request: to add a use.
Title: a Class A Conditional Use application of TJAC Palmetto Park, LLC by Perry & Taylor PA, Agent. Request: to allow a Cocktail Lounge.
General Location: Southwest corner of Palmetto Park Road & Powerline Road. **(US Cigar Exchange)** (Control 1981-00115)

Pages 1 - 1

Project Manager: Brenya Martinez

Size: 8.19 acres ±

BCC District: 4

(affected area 0.07 acres ±)

Staff Recommendation: Staff recommends postponement to Thursday, February 6, 2020.

MOTION: To postpone to Thursday, February 6, 2020.

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

2. [DOA/W-2019-00489](#) Title: a Development Order Amendment application of SSC Property Holdings, LLC by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to reconfigure the Site Plan; and, to add square footage.

Title: a Type 2 Waiver application of SSC Property Holdings, LLC by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to reduce minimum Fenestration, Building Frontage and dimension of Usable Open Space; and, eliminate a Pedestrian Amenity.

General Location: West side of Military Trail, approximately 600 feet north of Summit Boulevard. **(Hunts Easy Storage)** (Control 1981-00082)

Pages 2 - 41

Conditions of Approval Pages (9 - 11)

Project Manager: Travis Goodson

Size: 9.31 acres ±

BCC District: 2

(affected area 3.49 acres ±)

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 approval of a Development Order Amendment to reconfigure the Site Plan; and, to add square footage, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Type 2 Waiver to reduce minimum Fenestration, Building Frontage and dimension of Usable Open Space; and, eliminate a Pedestrian Amenity, subject to the Conditions of Approval as indicated in Exhibit C-2.

D. ZONING APPLICATIONS - NEW

3. [ZV/DOA/CA-2019-01634](#) Title: a Type 2 Variance application of Military Self Storage, LLC by Urban Design Kilday Studios, Agent. Request: to increase building coverage; and, to eliminate or reduce Type 3 Incompatibility Buffer requirements.
Title: a Development Order Amendment application of Military Self Storage, LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan, add square footage, modify uses, add land area, and modify Conditions of Approval.
Title: a Class A Conditional Use application of Military Self Storage, LLC by Urban Design Kilday Studios, Agent. Request: to allow a Multi-Access Self Service Storage facility.
General Location: West side of South Military Trail, approximately 1,730 feet north of Hypoluxo Road. **(Mangone and Spirk Self-Storage MUPD)** (Control 1987-00134)

Pages 42 - 91

Conditions of Approval Pages (52 - 59)

Project Manager: Meredith Leigh

Size: 7.27 acres ±

BCC District: 3

(affected area 6.23 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C-1 through C-4.

MOTION: To adopt a resolution approving a Type 2 Variance to increase building coverage; and to eliminate or reduce Type 3 Incompatibility Buffer requirements subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, add square footage, modify uses, add land area, and modify Conditions of Approval subject to the Conditions of Approval as indicate in Exhibit C-2.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan to add square footage subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval a Class A Conditional Use to allow a Multi-Access Self Service Storage facility subject to the Conditions of Approval as indicated in Exhibit C-4.

4. [ZV/DOA/CA-2019-00950](#) Title: Type 2 Variance application of Lynx Zuckerman at Fort Myers, LLC by WGINC, Agent. Request: to eliminate parking required at the rear or side of each building it is intended to serve.

Title: a Development Order Amendment application of Lynx Zuckerman at Fort Myers, LLC by WGINC, Agent. Request: to reconfigure the Site Plan; add/delete building square footage and add buildings; modify uses; relocate an access point; modify Conditions of Approval; and, restart the Commencement of Development Clock.

Title: a Class A Conditional Use application of Lynx Zuckerman at Fort Myers, LLC by WGINC, Agent. Request: to allow a Type 1 Restaurant with a Drive-Through.

General Location: Northeast corner of Town Commons Drive and Hypoluxo Road, approximately 0.25 miles east of Lyons Road. **(Town Commons MUPD 2)** (Control 2004-00248)

Pages 92 - 137

Conditions of Approval Pages (101 - 112)

Project Manager: Carrie Rechenmacher

Size: 3.10 acres ±

BCC District: 3

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

MOTION: To adopt a resolution approving a Type 2 Variance to eliminate parking required at the rear or side of each building it is intended to serve subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; add/delete building square footage and add buildings; modify uses; relocate an access point; modify Conditions of Approval; and, restart the Commencement of Development Clock subject to the Conditions of Approval as indicated in Exhibit C-2.

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-3.

5. [ZV-2019-01537](#) Title: a Type 2 Variance application of YTG Palm Beach IG NR LP by Urban Design Kilday Studios, Agent. Request: to eliminate or reduce Loading Area Screening requirements.

General Location: South side of Corporate Road North, bounded on the east by Distribution Way and on the west by Park of Commerce Boulevard. **(Palm Beach Park of Commerce Plat-19)** (Control 1981-00190)

Pages 138 - 163

Conditions of Approval Pages (144 - 145)

Project Manager: Brenya Martinez

Size: 16.34 acres ±

BCC District: 1

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

MOTION: To adopt a resolution approving a Type 2 Variance to eliminate or reduce Loading Area Screening requirements 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

D. ZONING APPLICATIONS - NEW

- 6. [Z-2019-01612](#) Title: an Official Zoning Map Amendment application of Southeast Inv Of P B Cty Inc by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District.

General Location: Southeast corner of Atlantic Avenue and State Road 7. **(Young Property South)** (Control 2003-00830)

Pages 164 - 177

Conditions of Approval Pages (169 - 170)

Project Manager: Ryan Vandenburg

Size: 14.23 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ), subject to Conditions of Approval as indicated in Exhibit C.

- 7. [DOA-2019-00325](#) Title: a Development Order Amendment application of Revenue Properties Lantana Inc, Revenue Properties Lantana, Spilan Parcel Llc, Hess Realty Llc by Dunay Miskel and Backman LLP, Insite Studio, Agent. Request: to reconfigure the Final Site Plan; delete uses; add Multifamily Residential use; and, modify Conditions of Approval.

General Location: North-east corner of South Jog Road and Lantana Road. **(Lee Square)** (Control 1981-00186)

Pages 178 - 214

Conditions of Approval Pages (187 - 200)

Project Manager: Ryan Vandenburg

Size: 38.19 acres ±

BCC District: 2

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Final Site Plan; delete uses; add Multifamily Residential use; and, to modify Conditions of Approval subject to Conditions of Approval as indicted in Exhibit C.

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