



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

THURSDAY AUGUST 6, 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

AUGUST 6, 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 9:30 A.M. on Thursday, August 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

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. [ZV-2020-00454](#) Title: a Type 2 Variance application of YTG Palm Beach IG NR LP by Urban Design Kilday Studios, Agent. Request: to eliminate a Compatibility Buffer.
General Location: Southwest corner of Corporate Road North and Park of Commerce Boulevard, bounded on the west by Distribution Way. **(Palm Beach Park of Commerce - Plat 19)** (Control 1981-00190)

Pages 1 - 26

Conditions of Approval Pages (8 - 8)

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 a Compatibility Buffer subject to the Conditions of Approval as indicated in Exhibit C.

- 2. [ZV-2020-00455](#) Title: a Type 2 Variance application of NHT Palm Beach, LLC by Urban Design Kilday Studios, Agent. Request: to eliminate a Compatibility Buffer.
General Location: Northwest corner of Corporate Road South and Park of Commerce Boulevard, bounded on the west by Distribution Way. **(Palm Beach Park of Commerce Lot 1 Plat 13)** (Control 1981-00190)

Pages 27 - 62

Conditions of Approval Pages (34 - 34)

Project Manager: Brenya Martinez

Size: 17.98 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 a Compatibility Buffer subject to the Conditions of Approval as indicated in Exhibit C.

3. [CA-2020-00117](#) Title: a Class A Conditional Use application of Mary Cotton by Land Research Management Inc., Agent. Request: to allow a Limited Pet Boarding facility accessory to a Single Family Residence.

General Location: North side of East Wiltshire Drive, approximately 0.25 miles east of Seminole Pratt Whitney Road. **(Cotton Limited Pet Boarding)** (Control 2004-00903)

Pages 63 - 75

Conditions of Approval Pages (67 - 67)

Project Manager: Brenya Martinez

Size: 2.55 acres ±

BCC District: 6

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

MOTION: To recommend approval of a Class A Conditional Use to allow a Limited Pet Boarding facility accessory to a Single Family Residence subject to the Conditions of Approval as indicated in Exhibit C.

4. [DOA-2020-00642](#) Title: a Development Order Amendment application of Amsdell Storage Ventures XXX LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to a Class A Conditional Use to modify the Site Plan; add square footage; and, modify Conditions of Approval.

General Location: West side of South Military Trail, approximately 0.25 miles south of Forest Hill Boulevard. **(Compass Self Storage Military Trail)** (Control 1998-00091)

Pages 76 - 95

Conditions of Approval Pages (82 - 85)

Project Manager: Ryan Vandenburg

Size: 6.65 acres ±

BCC District: 2

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

MOTION: To recommend approval of a Development Order Amendment to a Class A Conditional Use to modify the Site Plan; add square footage; and, modify Conditions of Approval, subject to Conditions of Approval as indicated in Exhibit C.

5. [ZV/DOA-2020-00183](#) Title: a Type 2 Variance application of PS Boca Raton Turnpike 2013 LLC by Miller Land Planning, Agent. Request: to eliminate a right-of-way buffer.
Title: a Development Order Amendment application of PS Boca Raton Turnpike 2013 LLC by Miller Land Planning, Agent. Request: to a Class A Conditional Use and a Planned Development District to reconfigure the Site Plan; add a building and square footage; and, modify Conditions of Approval.

General Location: West side of 81st Way South, approximately 575 feet north of Glades Road. **(StorAll Glades Road)** (Control 2004-00201)

Pages 96 - 153

Conditions of Approval Pages (104 - 119)

Project Manager: Ryan Vandenburg

Size: 4.00 acres ±

BCC District: 5

(affected area 1.13 acres ±)

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 a right-of-way buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

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

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

6. [ZV/DOA-2019-02186](#) Title: a Type 2 Variance application of Planet Kids IX, Inc. by Schmidt Nichols, Agent. Request: to reduce foundation planting and landscape island width.

Title: a Development Order Amendment application of Planet Kids IX, Inc. by Schmidt Nichols, Agent. Request: to reconfigure the Site Plan; add land area, building square footage, children and an access point; to modify or delete Conditions of Approval; and, to restart the Commencement of Development Clock.

General Location: West side of Seminole Pratt Whitney Road, bounded on the south by Murcott Boulevard, and on the north by 92nd Lane North. **(Planet Kids Seminole Pratt Whitney)** (Control 2001-00077)

Pages 154 - 197

Conditions of Approval Pages (164 - 172)

Project Manager: Meredith Leigh

Size: 2.59 acres ±

BCC District: 6

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 reduce foundation planting and landscape island width, and Freestanding Sign Setback, 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 to add land area, building square footage, children and an access point; to modify or delete Conditions of Approval; and, to restart the Commencement of Development Clock, subject to the Conditions of Approval as indicated in Exhibit C-2.

7. [DOA/CA/W-2020-00263](#) Title: a Development Order Amendment application of Pan York Glades, LLC, EOS Fitness Florida, LLC by Urban Design Kilday Studios, Agent. Request: to modify the Site Plan, uses and Conditions of Approval.
Title: a Class A Conditional Use application of Pan York Glades, LLC, EOS Fitness Florida, LLC by Urban Design Kilday Studios, Agent. Request: to allow a Fitness Center.
Title: a Type 2 Waiver application of Pan York Glades, LLC, EOS Fitness Florida, LLC by Urban Design Kilday Studios, Agent. Request: to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use.
General Location: Southwest corner of State Road 7/U.S. 441 and Glades Road. **(EOS Fitness @ Mission Bay Corporate Park MUPD)** (Control 1996-00007)

Pages 198 - 235

Conditions of Approval Pages (204 - 212)

Project Manager: Brenya Martinez

Size: 11.22 acres ±

BCC District: 5

(affected area 0.96 acres ±)

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

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

MOTION: To recommend approval of a Class A Conditional Use to allow a Fitness Center, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Type 2 Waiver to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a Residential Future Land Use designation or Use, subject to the Conditions of Approval as indicated in Exhibit C-3.

8. [ZV/CA-2019-00294](#) Title: a Type 2 Variance application of Hypoluxo Plaza II LLC, Sidhdhi Desai by Schmidt Nichols, Agent. Request: to eliminate the requirement for frontage, and to reduce the minimum lot size and depth.
Title: a Class A Conditional Use application of Hypoluxo Plaza II LLC, Sidhdhi Desai by Schmidt Nichols, Agent. Request: to allow a Type 1 Restaurant with a Drive-Through.
General Location: South side of Hypoluxo Road, approximately 200 feet east of High Ridge Road. **(Ridgeline Dunkin)** (Control 1985-00122)

Pages 236 - 279

Conditions of Approval Pages (245 - 247)

Project Manager: Travis Goodson

Size: 0.47 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 eliminate the requirement for frontage, and to reduce the minimum lot size and depth, subject to the Conditions of Approval as indicated in Exhibit C-1.

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-2.

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

- 9. [SV-2020-00796](#) Title: a Subdivision Variance application of Stonewood Jupiter, LLC, D.R. Horton, Inc. by WGINC, Agent. Request: to allow an increase in daily trips over the 1,500 average daily trip threshold for a local residential street.

General Location: West side of Limestone Creek Road, approximately 0.30 miles north of Church Street. **(Reserve at Jupiter)** (Control 2018-00034)

Pages 280 - 312

Conditions of Approval Pages (285 - 285)

Project Manager: Joanne Keller

Size: 21.11 acres ±

BCC District: 1

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

MOTION: To adopt a Resolution approving a Subdivision Variance to allow for an increase in 2,254 Project Daily Trips from the 1,500 ADT threshold for a 60' ROW on Limestone Creek Road, subject to the Conditions of Approval as indicated in Exhibit C-1.

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

10. [ZV/DOA/CA/W-2019-01438](#) Title: a Type 2 Variance application of Atlantic Avenue Realty Associates LLC, McDonald's USA, L/C by Corporate Property Services Inc., Dunay Miskel and Backman LLP, Agent. Request: to reduce the width for a Divider Median.
- Title: a Development Order Amendment application of Atlantic Avenue Realty Associates LLC, McDonald's USA, L/C by Corporate Property Services Inc., Dunay Miskel and Backman LLP, Agent. Request: to reconfigure the Site Plan, to add a use, building and square footage.
- Title: a Class A Conditional Use application of Atlantic Avenue Realty Associates LLC, McDonald's USA, L/C by Corporate Property Services Inc., Dunay Miskel and Backman LLP, Agent. Request: to allow a Type 1 Restaurant with a Drive-through.
- Title: a Type 2 Waiver application of Atlantic Avenue Realty Associates LLC, McDonald's USA, L/C by Corporate Property Services Inc., Dunay Miskel and Backman LLP, Agent. Request: to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use.
- General Location: Northeast corner of Atlantic Avenue and Hagen Ranch Road. **(McDonald's L/C #009-2659 Atlantic and Hagen)** (Control 1973-00039)

Pages 313 - 348

Conditions of Approval Pages (324 - 332)

Project Manager: Ryan Vandenburg

Size: 25.45 acres ±

BCC District: 5

(affected area 0.95 acres ±)

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

MOTION: To adopt a Resolution allowing a Type 2 Variance to reduce the width for a Divider Median 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, to add a use, building and square footage 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.

MOTION: To recommend approval of a Type 2 Waiver to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use subject to the Conditions of Approval as indicated in Exhibit C-4.

D. ZONING APPLICATIONS - NEW

11. [DOA-2019-02393](#) Title: a Development Order Amendment application of Ft. Lauderdale Rescue Tabernacle, Inc., G. L. Acquisitions Corporation by G.L. Acquisitions Corporation, Agent. Request: to delete land area and amend Conditions of Approval.
General Location: East side of State Road 7/US 441, approximately 0.25 miles north of Boynton Beach Boulevard. **(Faith Farm)** (Control 1994-00073)

Pages 349 - 370

Conditions of Approval Pages (356 - 356)

Project Manager: Meredith Leigh

Size: 87.28 acres ±

BCC District: 5

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

MOTION: To recommend approval of a Development Order Amendment to allow to delete land area and amend Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

12. [PDD/DOA-2019-02394](#) Title: an Official Zoning Map Amendment application of 9231 155th Lane, LLC, Ft. Lauderdale Rescue Tabernacle, Inc., Rodney Espinosa & Harry Espinosa Irrevocable Trust, A Nu-Leaf Nursery, Inc., G. L. Homes of Palm Beach Associates, Ltd., Spanish River Nursery, Inc. & Fermin Espinosa, Gwen and Kevin Harding, AKD Real Estate Investments, LLC, Rodney Espinosa & Harry Espinosa Revocable Trust, Double B Investments, Inc. by G.L. Homes of Palm Beach Associates Ltd, Agent. Request: to allow a rezoning from the Institutional and Public Facilities (IPF) Zoning District and the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Title: a Development Order Amendment application of 9231 155th Lane, LLC, Ft. Lauderdale Rescue Tabernacle, Inc., Rodney Espinosa & Harry Espinosa Irrevocable Trust, A Nu-Leaf Nursery, Inc., G. L. Homes of Palm Beach Associates, Ltd., Spanish River Nursery, Inc. & Fermin Espinosa, Gwen and Kevin Harding, AKD Real Estate Investments, LLC, Rodney Espinosa & Harry Espinosa Revocable Trust, Double B Investments, Inc. by G.L. Homes of Palm Beach Associates Ltd, Agent. Request: to modify the Master Plan to add and delete land area (Preserve); and, to amend Conditions of Approval.

General Location: Development Area: On the east side of Lyons Road, approximately 0.25 miles south of Boynton Beach Boulevard; generally bounded by Acme Dairy Road, Lyons Road, LWDD L-25 Canal on the north (partial), and LWDD L-26 Canal to the south. **(Canyon Lakes AGR-PUD)** (Control 2002-00067)

Pages 371 - 443

Conditions of Approval Pages (377 - 392)

Project Manager: Meredith Leigh

Size: 609.19 acres ±

BCC District: 5

(affected area 184.39 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 an Official Zoning Map Amendment to allow a rezoning from the Institutional Public Facilities (IPF) and Agricultural Reserve (AGR) Zoning Districts to the Agricultural Reserve-Planned Unit Development (AGR-PUD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to add and delete land area, subject to the Conditions of Approval as indicated in Exhibit C-2.

- 13. **Z-2019-02395** Title: an Official Zoning Map Amendment application of G.L. Homes of Palm Beach Associates, Ltd by G.L. Homes of Palm Beach Associates Ltd., Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District.

General Location: West side of State Road 7, approximately 0.5 miles north of Clint Moore Road and 2 miles south of Atlantic Avenue. **(Hyder West AGR)** (Control 2002-00067)

Pages 444 - 462

Conditions of Approval Pages (451 - 451)

Project Manager: Meredith Leigh

Size: 92.19 acres ±

BCC District: 5

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Planned Unit Development (PUD) Zoning District to the AGR Zoning District, subject to the Condition of Approval as indicated 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

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