



**ZONING COMMISSION  
ZONING HEARING  
AMENDMENTS TO THE AGENDA  
Thursday, January 7, 2021**

**AGENDA**

**ITEM #    PAGE #    APPLICATION AND CONTROL #S    APPLICATION NAME**

**POSTPONMENTS/REMANDS/WITHDRAWALS AGENDA**

**C. WITHDRAWALS**

**4.            Agenda Pg. 6    SV/CA-2018-01805 (2015-00115)    Banyan House**

Application Withdrawn by Applicant on January 5, 2021. Withdrawal of the request for Class A Conditional Use to allow a Type 2 Congregate Living Facility has been granted.

**Staff Recommendation:** To Withdraw the request for a Subdivision Variance.

**MOTION:** To Withdraw the request for a Subdivision Variance.

**CONSENT AGENDA**

**D. ZONING APPLICATIONS – NEW**

**2.            Page 51            ZV/ABN/CA-2020-01103 (1979-00226)    Hemstreet Park**

**AMEND** Landscape Condition 1 of Exhibit C-2, to read as follows:

1. In addition to Code requirements, landscaping and/or buffer width along the east property line abutting Cleary Road shall be upgraded to include:
  - a. a minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
  - b. Fifty percent (50%) of the required canopy trees shall be installed at sixteen (16) feet in height. This requirement may be achieved by utilizing the average height calculation. A maximum of 25 percent of the trees used to satisfy this Condition may be a minimum of fourteen (14) feet in height; and,
  - c. The landscape material shall be installed design to achieve a layered effect in order to completely screen views into the site up to eighteen (18) feet in height. (BLDG/PMT/ONGOING: ZONING - Zoning)

**AMEND** Landscape Condition 2 of Exhibit C-2, to read as follows:

2. Landscaping along the east property line abutting Cleary Road shall be installed as follows:
  - a. landscaping along the northern 400 feet shall be installed no later than June 30, 2024 January 31, 2022; and,
  - b. landscaping along the southern 255 feet shall be installed in accordance with ULDC Article 7.F.2, Installation ~~of the ULDC~~. (DATE: ZONING - Zoning)



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

**THURSDAY JANUARY 7, 2021**

**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/](http://www.pbcgov.com/pzb/)

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



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

**JANUARY 7, 2021**

**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, January 28, 2021 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/DOA-2020-00786](#) Title: a Type 2 Variance application of West Palm Realty Associates, LLC by Urban Design Studio, Agent. Request: to allow more than five feet easement overlap of a Right-of-Way and an Incompatibility Buffer; and, to reduce the width of and eliminate a six-foot high opaque wall in a Type 3 Incompatibility Buffer.

Title: a Development Order Amendment application of West Palm Realty Associates, LLC by Urban Design Studio, Agent. Request: to add square footage and reconfigure the Site Plan.

General Location: Southwest corner of North Military Trail and Community Drive. **(Crosstown Plaza)** (Control 1975-00156)

Pages 1 - 40

Conditions of Approval Pages (11 - 14)

Project Manager: Brenya Martinez

Size: 17.94 acres ±

BCC District: 7

(affected area 0.88 acres ±)

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

**MOTION:** To adopt a Resolution for a Type 2 Variance to allow more than five feet easement overlap of a Right-of-Way and an Incompatibility Buffer; and, to reduce the width of and eliminate a six-foot high opaque wall in a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

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

2. [ZV/ABN/CA-2020-01103](#) Title: a Type 2 Variance application of WH Cleary, LLC, Palm Beach County by Urban Design Studio, Agent. Request: to allow storage of material and activities outside of an enclosed building.

Title: a Development Order Abandonment application of WH Cleary, LLC, Palm Beach County by Urban Design Studio, Agent. Request: to abandon Class B Conditional Uses to allow Chipping and Mulching; and, a Recycling Plant.

Title: a Class A Conditional Use application of WH Cleary, LLC, Palm Beach County by Urban Design Studio, Agent. Request: to allow Chipping and Mulching.

General Location: Northwest corner of North Cleary Road and Wallis Road, approximately 250 feet north of Southern Boulevard. (**Hemstreet Park**) (Control 1979-00226)

Pages 41 - 88

Conditions of Approval Pages (49 - 51)

Project Manager: Meredith Leigh

Size: 12.66 acres ±

BCC District: 2

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 allow storage of material and activities outside of an enclosed building, subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a Resolution approving a Development Order Abandonment to abandon a Class B Conditional Use to allow a Recycling Plant.

**MOTION:** To adopt a Resolution approving a Development Order Abandonment to abandon a Class B Conditional Use to allow Chipping and Mulching.

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

**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**

- 3. [ZV/DOA/CA-2019-01674](#) Title: a Type 2 Variance application of Bixmor GA Marketplace Wycliffe, LLC by Cotleur & Hearing Inc., Agent. Request: to allow more than five feet overlap of a utility easement in a landscape buffer with zero feet provided for planting.  
Title: a Development Order Amendment application of Bixmor GA Marketplace Wycliffe, LLC by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan to modify uses, add a building, and modify Conditions of Approval.  
Title: a Class A Conditional Use application of Bixmor GA Marketplace Wycliffe, LLC by Cotleur & Hearing Inc., Agent. Request: to allow a Type 1 Restaurant with a Drive-through.  
General Location: Northwest corner of Lake Worth Road and State Road 7. **(Marketplace at Wycliffe MUPD)** (Control 1995-00057)

Pages 89 - 124

Conditions of Approval Pages (98 - 107)

Project Manager: Meredith Leigh

Size: 24.16 acres ±

BCC District: 6

(affected area 21.43 acres ±)

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

**MOTION:** To adopt a Resolution approving a Type 2 Variance to allow more than five feet overlap of a utility easement in a landscape buffer with zero feet provided for planting, 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 modify uses and Conditions of Approval, 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.

- 4. [SV/CA-2018-01805](#) Title: a Subdivision Variance application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to allow access from a 60-foot easement.

Title: a Class A Conditional Use application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to allow a Type 2 Congregate Living Facility.

General Location: Northwest corner of 155th Place North and 79th Terrace North. **(Banyan House)** (Control 2015-00115)

Pages 125 - 162

Conditions of Approval Pages (135 - 137)

Project Manager: Ryan Vandenburg

Size: 1.83 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the Subdivision Variance, subject to the Condition of Approval as indicated in Exhibit C-1.

Staff recommends denial of the Class A Conditional Use. However, should the Zoning Commission recommend approval the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To Adopt a Resolution approving a Subdivision Variance to allow access from a 60-foot easement subject to the Condition of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend denial of a Class A Conditional Use to allow a Type 2 Congregate Living Facility.

**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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