



**THURSDAY, January 7, 2021**  
**MINUTES**

**CALL TO ORDER**

A. Roll Call **9:00 AM**

|                                       |         |
|---------------------------------------|---------|
| Commissioner Sheri Scarborough, Chair | Present |
| Commissioner Amir Kanel               | Present |
| Commissioner John Kern                | Absent  |
| Commissioner Michael Kelley           | Present |
| Commissioner Marcelle Griffith Burke  | Present |
| Commissioner Mark Beatty              | Present |
| Commissioner Alex Brumfield           | Present |
| Commissioner Jess Sowards             | Present |

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

Motion to receive and file 8-0-0

| Scarborough | Kanel  | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|-------------|--------|--------|--------|-------|-----------|----------|--------|---------|
|             | Second |        |        |       |           |          | Moved  |         |
| Yes         | Yes    | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

- F. Swearing In
- G. Adoption of the Minutes

Motion to receive and file 8-0-0

| Scarborough | Kanel  | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|-------------|--------|--------|--------|-------|-----------|----------|--------|---------|
|             | Second |        |        |       |           |          | Moved  |         |
| Yes         | Yes    | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

H. Amendments to the Agenda

Motion Carried 8-0-0

| Scarborough | Kanel | Kelley | Kern   | Burke  | Brumfield | Caliendo | Beatty | Sowards |
|-------------|-------|--------|--------|--------|-----------|----------|--------|---------|
|             | Moved |        |        | Second |           |          |        |         |
| Yes         | Yes   | Yes    | Absent | Yes    | Yes       | Yes      | Yes    | Yes     |

I. Motion to adopt the Agenda

Motion Carried 8-0-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       |           | Second   | Moved  |         |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

J. Disclosures

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
| 4           | 0     | 0      | Absent | 0     | 0         | 0        | 0      | 4       |

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

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 +

**Motion:** to Withdraw the request for Subdivision Variance\*

Motion Carried 7-0-1

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       |           | Second   | Moved  |         |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Recused |

**Board Decision: Approved Withdrawal by Agent With Prejudice by a vote of 7-0-1.**

\*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.

**CONSENT AGENDA**

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 +

(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 Carried 8-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       | Moved     |          |        | Second  |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

**Board Decision: Adopted a Resolution Approving a Type 2 Variance by a vote of 8-0-0.**

**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.

Motion Carried 8-0-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       | Moved     |          |        | Second  |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

**Board Decision: Recommended Approval of a Development Order Amendment to add square footage and reconfigure the Site Plan and Conditions of Approval by a vote of 8-0-0.**

**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 +

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 Carried 8-0-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       | Moved     |          |        | Second  |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

**Board Decision: Adopted a Resolution Approving a Type 2 Variance by a vote of 8-0-0.**

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

Motion Carried 8-0-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       | Moved     |          |        | Second  |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

**Board Decision: Adopted a Resolution approving a Development Order Abandonment to abandon a Class B Conditional Use by a vote of 8-0-0.**

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

Motion Carried 8-0-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       | Moved     |          |        | Second  |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

**Board Decision: Adopted a Resolution approving a Development Order Abandonment to abandon a Class B Conditional Use to allow Chipping and Mulching by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to allow Chipping and Mulching, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion Carried 8-0-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       | Moved     |          |        | Second  |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

**Board Decision: Recommended Approval of a Development Order Amendment to allow Chipping and Mulching by a vote of 8-0-0.**

**REGULAR AGENDA**

**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 +

(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 Carried 8-0-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       |           | Second   | Moved  |         |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

**Board Decision: Adopted a Resolution Approving a Type 2 Variance by a vote of 8-0-0.**

**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 Carried 8-0-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       |           | Second   | Moved  |         |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

**Board Decision: Recommended Approval of a Development Order Amendment to reconfigure the Site Plan to modify uses and Conditions of Approval 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-3.

Motion Carried 8-0-0

|             |       |        |        |       |           |          |        |         |
|-------------|-------|--------|--------|-------|-----------|----------|--------|---------|
| Scarborough | Kanel | Kelley | Kern   | Burke | Brumfield | Caliendo | Beatty | Sowards |
|             |       |        |        |       |           | Second   | Moved  |         |
| Yes         | Yes   | Yes    | Absent | Yes   | Yes       | Yes      | Yes    | Yes     |

**Board Decision: Recommended Approval of a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through by a vote of 8-0-0.**

**COMMENTS ADJOURNMENT 10:30 AM**

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