



**ZONING COMMISSION
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
November 4, 2021**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

D. ZONING APPLICATION – NEW

1.	(1-16)	CA-2021-01022 (2019-00115)	Fine Line Pet Boarding
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MOTION: To postpone to Tuesday, November 23, 2021.

4.	(49-78)	DOA/CA-2021-00112 (1985-00069)	Woods Walk Plaza
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MOVE Item #4 to Regular Agenda

REGULAR AGENDA

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

8.	(163-220)	ABN/ZV/PDD/CA-2019-01808 (2001-00075)	Coconut Palm Plaza
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AMEND LANDSCAPE – GENERAL Condition 2 of Exhibit C-2, to read as follows:

2. ~~All Fifty percent (50%) of all~~ trees required to be planted on site by this approval shall be planted at a minimum of 14 feet in height, and the remaining fifty percent (50%) shall be planted at a minimum of 12 feet. (BLDG: Building – Zoning)

AMEND LANDSCAPE – PERIMETER – WEST PROPERTY LINE ALONG COCONUT BOULEVARD Condition 3 of Exhibit C-2, to read as follows:

3. In addition to Code requirements, landscaping and buffering along Coconut Boulevard shall be upgraded to include:

a. a minimum thirty (30) foot wide landscape buffer strip. A maximum five (5) feet easement overlap will be allowed;

~~b. A three (3) foot high continuous berm;~~

c. one (1) canopy tree per twenty (20) linear feet; and,

d. one (1) palm or pine for each for each twenty-five (25) linear feet of the property line. (BLDG/PMT/ONGOING: ZONING - Zoning)

AMEND LANDSCAPE - PERIMETER- SOUTH PROPERTY LINE ALONG HAMLIN BOULEVARD Condition 4 of Exhibit C-2, to read as follows:

4. In addition to Code requirements, landscaping and buffering along Hamlin Boulevard shall be upgraded to include:

- a. a minimum thirty-five (35) foot wide landscape buffer strip;
- ~~b. a three (3) foot high continuous berm with no width reduction;~~
- c. a six (6) foot high ~~concrete wall~~ decorative fence shall be installed ~~on top of the berm~~, with a 6 foot high hedge on the exterior side of the ~~wall~~ fence; and,
- d. one (1) canopy tree planted for each (20) linear feet of the property line. (BLDG/PMT/ONGOING: ZONING - Zoning)

ADD PLANNING Conditions 1 through 10 to Exhibit C-2, to read as follows:

PLANNING

1. Per LGA 2020-002, cond. 1: Development of the site under the Commercial Low designation: Development of the site is limited to a total maximum net daily trips of 3,108 and a maximum net PM peak hour trips of 236. (ONGOING: PLANNING - Planning)

2. Per LGA 2020-002, cond. 2: Development of the site under the Commercial Low designation: the site plan shall provide a minimum 35 foot landscape buffer along the southern property line excluding the area identified as an upland preserve wherein the ULDC provisions apply. (ONGOING: PLANNING - Planning)

3. Per LGA 2020-002, cond. 3. Vehicular ingress and/or egress to Hamlin Boulevard is prohibited. (ONGOING: PLANNING - Planning)

4. Prior to final approval by the Development Review Officer (DRO), all applicable plans, documents shall be updated to be consistent with what was adopted by the Board of County Commissioners (BCC). (DRO: PLANNING - Planning)

5. Prior to final site plan certification by the Development Review Officer (DRO), the Property Owner shall provide a Rural Parkway Landscape Plan, which recreates the native habitat appropriate for the site, subject to approval by the Planning Division, and to include a minimum 80% native species. (DRO: PLANNING - Planning)

6. Prior to final site plan certification by the Development Review Officer (DRO), the Property Owner shall submit a Rural Parkway Management Plan (RPMP) maintenance agreement for perpetual maintenance of the Rural Parkway subject to approval by the Planning Division. (DRO: PLANNING - Planning)

7. Prior to final site plan certification by the Development Review Officer (DRO), the Property Owner shall submit a recorded Rural Parkway Easement and title insurance to the Palm Beach County Planning Division, subject to approval by the County Attorney's Office and in an amount acceptable to the Planning Division. (DRO: PLANNING - Planning)

8. The Rural Parkway Easement shall include but not be limited to the following items:

a. An approved Rural Parkway Landscape Plan which may include:

i. Flowering trees;

ii. Undulating berm, where no existing native vegetation occurs that is identified to be preserved in situ, no taller than five feet and landscaped;

iii. 80% or greater native vegetation;

iv. Native vegetation that is relocated or is part of an approved mitigation plan;

v. Co-location of required landscape buffer;

vi. An 8-foot paved multi-purpose meandering pathway;

b. The Rural Parkway easement shall not include:

i. Walls;

ii. Structures shall be allowed in the Rural Parkway Easement (with the exception of a bus shelter, and benches/pedestrian gathering area);

iii. Signs

c. The Rural Parkway easement may include:

i. A ten (10) foot utility easement located adjacent to the Northlake Boulevard right-of-way and a bus stop easement;

ii. Other drainage/utility easements may only be permitted which transverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities in the developable portion of the approved site plan;

iii. Other drainage easements may be permitted in the Rural Parkway Easement solely for the purposes of draining the Rural Parkway subject to approval by the County Engineering Department and the Planning Division;

iv. Overlap of the Rural Parkway and Embankment Easements as long as the purposes of both easements are consistent.

(ONGOING: PLANNING - Planning)

9. Within 30 calendar days of issuance of the first Building Permit (BP), the Property Owner shall commence construction of the Rural Parkway, consistent with the approved Rural Parkway Landscape Plan and in accordance with the Rural Parkway Management Plan. (BLDG/PMT: MONITORING - Planning)

10. Prior to the release of the first Certificate of Occupancy (CO), submit an "As-Built Rural Parkway Plan" of the completed Rural Parkway installation. The Rural Parkway shall be complete and in compliance with the Rural Parkway Landscape Plan and Management Plan, subject to a final inspection by a Landscape inspector and the Planning Division. (CO: MONITORING - Planning)



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

THURSDAY, NOVEMBER 4, 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. Adoption of the Minutes
- G. Swearing In
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusal

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

NOVEMBER 4, 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 Monday, November 22, 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
- K. Conflicts/Recusal

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-2021-01022](#) Title: a Class A Conditional Use application of Steven Cabral by Land Research Management Inc., Agent. Request: to allow a Limited Pet Boarding.
General Location: South side of 77th Place North, approximately 0.09 miles east of Hall Road. **(Fine Line Pet Boarding)** (Control 2019-00115)

Pages 1 - 16

Conditions of Approval Pages (6 - 7)

Project Manager: James Borsos

Size: 1.15 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 Limited Pet Boarding, subject to the Conditions of Approval as indicated in Exhibit C.

2. [Z-2021-00630](#) Title: an Official Zoning Map Amendment application of Bruce C. Armstrong LivingTrust by H & L Planning & Development, Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District to Residential Transitional (RT) Zoning District.
General Location: Southeast corner of Square Lake Drive and South Bates Road. **(Armstrong Property Rezoning)** (Control 1973-00079)

Pages 17 - 30

Conditions of Approval Pages (21 - 21)

Project Manager: James Borsos

Size: 1.03 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 recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Estate (RE) Zoning District to Residential Transitional (RT) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C.

3. [ZV-2021-01042](#) Title: a Type 2 Variance application of Checkerboard Acres, Inc. by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to reduce screening around mechanical equipment.
General Location: West side of Jupiter Farms Road, approximately 0.8 miles south of Indiantown Road. **(Town and Country Feed and Supply Store)** (Control 1974-00175)

Pages 31 - 48

Conditions of Approval Pages (36 - 36)

Project Manager: Brenya Martinez

Size: 2.77 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 reduce screening requirements around mechanical equipment, subject to the Conditions of Approval as indicated in Exhibit C.

4. [DOA/CA-2021-00112](#) Title: a Development Order Amendment application of Walk Woods, RTCM 2101 North State Road 7 LLC by Insite Studio, Agent. Request: to modify the Site Plan; and to add new buildings, square footage, and uses.
Title: a Class A Conditional Use application of Walk Woods, RTCM 2101 North State Road 7 LLC by Insite Studio, Agent. Request: to allow a Type 1 Restaurant with drive-through.
General Location: Northeast corner of Lake Worth Road and State Road 7. **(Woods Walk Plaza)** (Control 1985-00069)

Pages 49 - 78

Conditions of Approval Pages (56 - 62)

Project Manager: Timothy Haynes

Size: 20.41 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 recommend approval of a Development Order Amendment to modify the Site Plan; and to add new buildings, square footage, and uses, 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 drive-through, subject to the Conditions of Approval as indicated in Exhibit C-2.

5. [ABN/DOA/CA-2021-00249](#) Title: a Development Order Abandonment application of Military Crossing LLC, Murphy Oil USA - Kara Richards by Dunay Miskel and Backman LLP, CPH Engineers Inc., Agent. Request: to abandon a Special Exception to allow Retail Gas and Fuel Sales.
Title: a Development Order Amendment application of Military Crossing LLC, Murphy Oil USA - Kara Richards by Dunay Miskel and Backman LLP, CPH Engineers Inc., Agent. Request: to modify the Site Plan; add and delete square footage; and, modify Conditions of Approval.
Title: a Class A Conditional Use application of Military Crossing LLC, Murphy Oil USA - Kara Richards by Dunay Miskel and Backman LLP, CPH Engineers Inc., Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store.
General Location: Northeast corner of Military Trail and Belvedere Road. **(BMC/Wal-Mart)** (Control 1992-00023)

Pages 79 - 122

Conditions of Approval Pages (87 - 101)

Project Manager: Timothy Haynes

Size: 22.40 acres ±

BCC District: 7

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 Abandonment to abandon a Special Exception to allow Retail Gas and Fuel Sales.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan; add and delete square footage; and, modify 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 Retail Gas and Fuel Sales with a Convenience Store, subject to the Conditions of Approval as indicated on Exhibit C-2.

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

6. [SV-2020-01842](#) Title: a Subdivision Variance application of K&F Investment Group, Inc. by United Construction Partners, Agent. Request: to allow access from the existing 50-foot Right-of-Way and to exceed the maximum allowable Average Daily Trips.
General Location: west of N Haverhill Road, on the south side of Stacy Street **(Stacy Street Apartments)** (Control 2020-00022)

Pages 123 - 140

Conditions of Approval Pages (126 - 126)

Project Manager: Scott Cantor

Size: 0.74 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 adopt a Resolution approving a Subdivision Variance to allow access from the existing 50-foot Right-of-Way and to exceed the maximum allowable Average Daily Trips, subject to the Conditions of Approval as indicated in Exhibit C.

7. [SV-2021-01046](#) Title: a Subdivision Variance application of Elton C. Sellars & Janice D. Sellars by Arc Development Global LLC, Agent. Request: to allow access from a 30-foot Right-of-Way.

General Location: On the east side of Blanchette Trail, approximately 0.8 miles north of Lake Worth Road. (**Blanchette Subdivision**) (Control 2014-00124)

Pages 141 - 162

Conditions of Approval Pages (145 - 145)

Project Manager: Scott Cantor

Size: 5.00 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 adopt a Resolution approving a Subdivision Variance to allow access from a 30-foot Right-of-Way, subject to the Conditions of Approval as indicated in Exhibit C.

END OF CONSENT AGENDA

REGULAR AGENDA**A. ITEMS PULLED FROM CONSENT****B. STATUS REPORTS****C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

8. [ABN/ZV/PDD/CA-2019-01808](#) Title: a Development Order Abandonment application of BASM 11, LLC, Northlake Coconut Property, LLC by Schmidt Nichols, Agent. Request: to abandon a Conditional Overlay Zone (COZ).

Title: a Type 2 Variance application of BASM 11, LLC, Northlake Coconut Property, LLC by Schmidt Nichols, Agent. Request: to eliminate a portion of a Type 3 Incompatibility Buffer.

Title: an Official Zoning Map Amendment application of BASM 11, LLC, Northlake Coconut Property, LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Public Ownership (PO) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Class A Conditional Use application of BASM 11, LLC, Northlake Coconut Property, LLC by Schmidt Nichols, Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store.

General Location: Southeast corner of Northlake Boulevard and Coconut Boulevard. **(Coconut Palm Plaza)** (Control 2001-00075)

Pages 163 - 220

Conditions of Approval Pages (173 - 178)

Project Manager: Imene Haddad

Size: 11.24 acres ±

BCC District: 6

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

MOTION: To recommend approval of A Development Order Abandonment to abandon a Conditional Overlay Zone (COZ).

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate a portion of a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

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

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.

D. ZONING APPLICATIONS - NEW

- 9. [ZV-2021-01067](#) Title: a Type 2 Variance application of Maximum Nursery Services, LLC by Urban Design Studio, Agent. Request: to eliminate a portion of an Incompatibility Buffer; and, to reduce the rear setback for a structure.
General Location: South side of Happy Hollow Road, approximately 0.31 miles west of Smith Sundry Road (**Maximum Services**) (Control 2004-00369)

Pages 221 - 240

Conditions of Approval Pages (225 - 226)

Project Manager: James Borsos

Size: 5.02 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of Variance V-1, subject to the Conditions of Approval as indicated in Exhibit C-1. Staff recommends denial of Variance V-2. Should the Zoning Commission move to recommend approval of Variance V-2, Staff recommends approval subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate a portion of an Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution denying a Type 2 Variance to reduce the rear setback for a structure.

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