



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

FRIDAY DECEMBER 4, 2015

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N. Jog Road, West Palm Beach**

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. 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

DECEMBER 4, 2015

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 Road, West Palm Beach, FL, 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 at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on Thursday, January 7, 2016 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. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [ZV-2015-01451](#) Title: a Type II Variance application of Adrenalin Rush WPB, LLC, MPC 3 LLC by Jon E Schmidt & Associates, Agent. Request: to allow a reduction in the number of parking spaces.

General Location: East side of the Turnpike, northwest corner of Cleary Rd & Southern Blvd. (**MPC III Turnpike Business Park**) (Control 2002-00011)

Pages 1 - 1

Project Manager: Osniel Leon

Size: 61.40 acres \pm

(affected area 33.89 acres \pm)

BCC District: 2

Staff Recommendation: To postpone to January 8, 2016.

MOTION: To postpone to Friday, January 8, 2016.

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

2. [CA-2015-01730](#) Title: a Class A Conditional Use application of KBHS Reo LLC by Urban Design Kilday Studios, Agent. Request: to allow a Type 3 Congregate Living Facility.
General Location: Approximately 465 feet south of Northlake Boulevard on the west side of Lyndall Lane. **(Sunspire Health Type 3 CLF)** (Control 2014-00206)

Pages 2 - 16

Conditions of Approval Pages (7 - 8)

Project Manager: Carlos Torres

Size: 0.86 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 10 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 3 Congregate Living Facility subject to Conditions of Approval as indicated in Exhibit C.

3. [DOA-2015-01723](#) Title: a Development Order Amendment application of Reef America Reit II Corp J by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure the Site Plan and add square footage.
General Location: Southeast corner of Glades Road and US 441. **(Benihana at Festival Shoppes of Boca Raton)** (Control 1990-00024)

Pages 17 - 46

Conditions of Approval Pages (21 - 30)

Project Manager: Osniel Leon

Size: 36.96 acres ±

BCC District: 5

(affected area 1.30 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 75 Conditions of Approval as indicated in Exhibit C.

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

E. CORRECTIVE RESOLUTIONS

4. [CRZ-2015-02373](#) Title: a Corrective Resolution application of PGA Partners 100 LLC by PBC Planning Zoning and Building, Agent. Request: to correct the legal description contained in Resolution ZR-2015-016.

General Location: Southwest corner of PGA Boulevard and Ellison Wilson Road. **(Aqualina PUD)** (Control 1984-00159)

Pages 47 - 49

Project Manager: Donna Adelsperger

Size: 6.74 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a Corrective Resolution to correct the legal description contained in Resolution ZR-2015-016.

F. SUBDIVISION VARIANCE

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- 5. [PDD/R-2015-00545](#) Title: an Official Zoning Map Amendment to a Planned Development District application of Falls Country Club Inc by Coteleur & Hearing Inc., Agent. Request: to allow a rezoning from the Commercial Recreation (CRE) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.
Title: a Requested Use application of Falls Country Club Inc by Coteleur & Hearing Inc., Agent. Request: to allow a Type I Restaurant with a drive-through.
General Location: Northwest corner of Jog Road and Hypoluxo Road. **(The Falls Commerical MUPD)** (Control 1985-00155)

Pages 50 - 79

Conditions of Approval Pages (57 - 60)

Project Manager: Melissa Matos

Size: 3.51 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 17 Conditions of Approval as indicated in Exhibit C-1 and 5 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a rezoning from the Commercial Recreation (CRE) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval to allow a Type I Restaurant with drive-through subject to the Conditions of Approval as indicated in Exhibit C-2.

- 6. [DOA/R-2015-00320](#) Title: a Development Order Amendment application of RG Towers LLC by RG Towers LLC, Agent. Request: to reconfigure the Master Plan and add a Requested Use.
Title: a Requested Use application of RG Towers LLC by RG Towers LLC, Agent.
Request: to allow a Commercial Communication Tower (Stealth).
General Location: Approximately 500 feet north of the L-29 Canal on the west side of El Clair Ranch Road. **(Westchester Club Tower)** (Control 1980-00212)

Pages 80 - 117

Conditions of Approval Pages (85 - 99)

Project Manager: Christine Stivers

Size: 664.98 acres ±

BCC District: 5

(affected area 0.05 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 77 Conditions of Approval as indicated in Exhibit C-1 and 8 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan and add a Requested Use subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Requested Use to allow a Commercial Communication Tower (Stealth) subject to Conditions of Approval as indicated in Exhibit C-2.

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