



**ZONING COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
MAY 5, 2016**

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 APPLICATIONS – NEW

3.	(92-96)	CB/CA-2015-02340 (Control 1979-00132)	Chevra Kadisha Cemetery
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REPLACE Engineering Condition 2 of Exhibits C-1, C-2, and C-3 with the following:

2. The Property Owner shall submit a traffic study acceptable to the County Engineer, prior to July 1, 2017, but not before the first Certificate of Occupancy is issued, identifying the total number of left turns at the project entrance onto Congress Avenue. Should the traffic study show that a left turn lane is warranted, the Property Owner shall fund, permit, construct and have finalized a left turn lane within six (6) months of written notice by the County Engineer. (DATE: ENGINEERING - Eng)

AMEND Engineering Condition 4 of Exhibits C-1, C-2, and C-3 to read as follows:

4. Prior to recordation of the plat... or release, and relocate as necessary, the UE utility easement recorded in (ORB 12533/PG 1876).

ADD Engineering Condition 6 to Exhibits C-1, C-2, and C-3 to read as follows:

6. If a turn lane is warranted pursuant to Engineering Condition 2, the Property Owner shall construct either i or ii below, as determined by the County Engineer.
i. Left turn lane, south approach on Congress Ave at Project Entrance. This turn lane should be 280 ft in storage and 50 ft in taper or as approved by the County Engineer.
ii. Modify the existing full median opening on Congress Ave in front of the Project Entrance by installing a triangular island to allow north approach left and east approach left movements only.
This construction shall be completed within six (6) months of requirement by the County Engineer. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

4.	(143)	DOA-2015-002347 (1995-00063)	Costco at Boca Congress Center
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AMEND Engineering Condition 16 of Exhibit C-1 to read as follows:

16. Prior to the issuance of a building permit..., or release, and relocate as necessary, the...

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, reduce square footage, add fueling positions and pumps, and modify Conditions of Approval (Engineering, Planned Development, Site Design and Use Limitations) subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

REGULAR AGENDA

D. ZONING APPLICATIONS - NEW

5. (181) Z/DOA-2015-02523 Els Center for Excellence
(Control 1975-00168)

AMEND Engineering Conditions 8 of Exhibit C-2 to read as follows:

8. Prior to recordation of the plat, the Property Owner shall abandon or release, and relocate as necessary, the 30 ft right of way ~~ROW~~ along the north property line, or as otherwise required by the County Attorney's Office and the County Engineer.



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

THURSDAY MAY 5, 2016

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

MAY 5, 2016

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 10:30 A.M. on Thursday, May 26, 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. [DOA-2015-01719](#) Title: a Development Order Amendment application of Boca Lago Country Club, Inc by Wantman Group Inc., Agent. Request: to reconfigure the Master Plan, and modify and delete Conditions of Approval (Planned Unit Development and Planning).
General Location: North of Palmetto Park Road and Lyons Road. **(Boca Lago PUD)**
(Control 1973-00036)

Pages 1 - 34

Project Manager: Joyce Lawrence

Size: 546.50 acres ±
(affected area 23.30 acres ±)

BCC District: 5

Staff Recommendation: Staff recommends postponement to June 2, 2016.

MOTION: To postponement to June 2, 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

2. [ZV/DOA/CB-2015-02524](#) Title: a Type II Variance application of Rosso Realty LLC, Wallis Road Properties LLC by Urban Design Kilday Studios, Agent. Request: to allow storage of material and activities outside of an enclosed building.

Title: a Development Order Amendment application of Rosso Realty LLC, Wallis Road Properties LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan, delete square footage, delete Conditions of Approval (Landscaping and Engineering), and add a Class B Conditional Use.

Title: a Class B Conditional Use application of Rosso Realty LLC, Wallis Road Properties LLC by Urban Design Kilday Studios, Agent. Request: to allow Chipping and Mulching.

General Location: Northeast corner of Wallis Road and 68th Avenue. **(Aquarius Recycling LLC)** (Control 2007-00172)

Pages 35 - 85

Conditions of Approval Pages (43 - 48)

Project Manager: Donna Adelsperger

Size: 5.87 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1; 16 Conditions of Approval in Exhibit C-2 and 6 Conditions of Approval in Exhibit C-3.

MOTION: To adopt a resolution approving a Type II 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 Amendment to reconfigure the Site Plan, delete square footage, delete Conditions of Approval (Landscaping and Engineering), and add a Class B Conditional Use subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Class B Conditional Use to allow Chipping and Mulching subject to the Conditions of Approval as indicated in Exhibit C-3.

D. ZONING APPLICATIONS - NEW

3. **CB/CA-2015-02340** Title: a Class B Conditional Use application of Congregation Cheva Kadisha Inc. by Miller Land Planning, Agent. Request: to allow two (2) Cemeteries.
Title: a Class A Conditional Use application of Congregation Cheva Kadisha Inc. by Miller Land Planning, Agent. Request: to allow a Place of Worship.

General Location: Southwest corner of Congress Avenue and Lantana Road. (**Chevra Kadisha Cemetery**) (Control 1979-00132)

Pages 86 - 132

Conditions of Approval Pages (92 - 98)

Project Manager: Yoan Machado

Size: 14.66 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject 15 Conditions of Approval as indicated in Exhibit C-1, 15 Conditions of Approval as indicated in Exhibit C-2 and 18 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Class B Conditional Use allow a Cemetery (Parcel A) subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Class B Conditional Use allow a Cemetery (Parcel B) 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 Place of Worship subject to the Conditions of Approval as indicated in Exhibit C-3.

4. **DOA-2015-02347** Title: a Development Order Amendment application of Credit Brightstar, Costco Wholesale Corp by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure the Site Plan, reduce square footage, add fueling positions and pumps, and modify Conditions of Approval (Engineering, Planned Development, Site Design and Use Limitations).

General Location: East side of Congress Avenue north of Clint Moore Road. (**Costco at Boca Congress Center**) (Control 1995-00063)

Pages 133 - 172

Conditions of Approval Pages (139 - 149)

Project Manager: Yoan Machado

Size: 27.77 acres ±

BCC District: 4

(affected area 6.39 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 54 Conditions of Approval as indicated in Exhibit C-1 and 9 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, reduce square footage, add fueling positions and pumps, and modify Conditions of Approval (Engineering, Planned Development, Site Design and Use Limitations) subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

E. CORRECTIVE RESOLUTIONS

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. [Z/DOA-2015-02523](#) Title: an Official Zoning Map Amendment application of Els For Autism Foundation Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Residential High Density (RH) Zoning District to the Residential Single Family (RS) Zoning District.

Title: a Development Order Amendment application of Els For Autism Foundation Inc by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan, add land area, square footage, and an access point.

General Location: Approximately 1 mile north of Indiantown Road on the east side of Limestone Creek Road. **(Els Center for Excellence)** (Control 1975-00168)

Pages 173 - 195

Conditions of Approval Pages (179 - 183)

Project Manager: Joyce Lawrence

Size: 26.85 acres \pm

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1 and 26 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of the Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) Zoning District to the Residential Single Family (RS) Zoning District subject to the Condition of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of the Development Order Amendment to reconfigure the Site Plan, add land area, square footage, and an access point subject to the Conditions of Approval as indicated in Exhibit C-2.

6. [ZV-2015-01938](#) Title: a Type II Variance application of Amerigrow Recycling by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to eliminate the interior trees, the Right-of-Way Buffer and associated plant materials along the south property line, and the Compatibility Buffers and associated plant materials along the north, east, and west property lines.

General Location: Approximately 1,320 feet west of State Road 7 on the south side of West Atlantic Avenue. **(Amerigrow Recycling)** (Control 1993-00022)

Pages 196 - 222

Conditions of Approval Pages (203 - 203)

Project Manager: Donna Adelsperger

Size: 29.94 acres \pm

BCC District: 5

Staff Recommendation: Staff recommends denial of the request.

MOTION: To adopt a resolution denying a Type II Variance to eliminate the interior trees, the Right-of-Way Buffer and associated plant materials along the south property line, and the Compatibility Buffers and associated plant materials along the north, east, and west property lines.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

7. [Annual Workshop](#)

Pages 223 - 238

MOTION:

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT