

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

THURSDAY, FEBRUARY 3, 2011

9:00 A.M. Vista Center 1st Floor Hearing Room, VC-1W-47
2300 N. Jog Road, West Palm Beach FL 33411

CALL TO ORDER

- A. Roll Call 9:00 A.M.**
- | | |
|--|--------------------------|
| Commissioner Sherry Hyman, Chair | Present |
| Commissioner Sheri Scarborough, Vice Chair | Absent |
| Commissioner William F. Anderson | Present |
| Commissioner Allen Kaplan | Present |
| Commissioner Joanne Davis | <i>Arrived 9:06 a.m.</i> |
| Commissioner Alex Brumfield | Present |
| Commissioner Sam Caliendo | <i>Arrived 9:03 a.m.</i> |
| Commissioner Mark Beatty | Present |
| Commissioner Robert Currie | Present |

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Proof of Publication – Motion to receive and file, carried 7-0.

E. Adoption of the Minutes – Motion carried 7-0.

F. Swearing In

G. Disclosures – Listed by Agenda Number

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
None	6	Absent	None	None	Absent	None	None	None

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **PDD/DOA/R-2010-01719** Title: an Official Zoning Map Amendment to a Planned Development District application of George Elmore by Corporate Property Services, Agent. Request: to allow a rezoning from the General Commercial/Special Exception (CG/SE) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: A Development Order Amendment application of George Elmore by Corporate Property Services, Agent. Request: to reconfigure the Site Plan and add square footage. Title: a Requested Use application of George Elmore by Corporate Property Services, Agent. Request: to allow a Type I Restaurant General Location: Southeast corner of Southerm Boulevard and State Road 7 (**Western Plaza**) (Control 1977-00048)

Pages 1 - 1

Project Manager: Autumn Sorrow

Size: 32.86 acres ±

BCC District: 6

Staff Recommendation: Staff recommends postponement to March 3, 2011.

MOTION: To postpone the application to March 3, 2011. Motion carried 7-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes
			Seconded			Maker		

DECISION: TO POSTPONE TO MARCH 3, 2011.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

- 2. **STR-1999-00048-1** Status Report for Resolution ZR-2007-0062 (Control No.1999-048) Property Owner: James Crystal Farms Inc General Location: Approximately 2 miles west of US Highway 27 and 0.5 mile south of Willard Smith Road. Zoning District: Agricultural Production (AP) (**Sundance Farms Tower**)

Pages 2-4

Size: 45.98 acres ±

BCC District: 6

MOTION: to approve a three year time extension for Commencement of Development, from November 1, 2010 to November 1, 2013. Motion Carried 7-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes
			Seconded			Maker		

DECISION: APPROVED AS ADVERTISED, 7-0.

Commissioner Davis arrived.

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 3. **DOA-2010-01975** Title: a Development Order Amendment application of Palm Beach County by Palm Beach County, Agent. Request: to allow an external access point. General Location: Southeast corner of Alternate A1A and Indiantown Road (**Jonathan's Landing PUD**) (Control 1974-00195)

Pages 5-24

Conditions of Approval Pages (18-23)

Project Manager: Joyce Lawrence

Size: 631.05 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 41 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application:

Audrey Wolfe – agent, agreed with the conditions of approval.

MOTION: To recommend approval of a Development Order Amendment to allow an external access point subject to Conditions of Approval as indicated in Exhibit C. Motion carried 8-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes	Yes
			Seconded			Maker		

DECISION: APPROVED AS ADVERTISED, 8-0.

D. ZONING APPLICATIONS - NEW

4. **DOA-2010-02574** Title: a Development Order Amendment application of Principal Development Group LLC by CMS Engineering LLC, Agent. Request: to increase square footage, reconfigure the site plan, modify/delete Conditions of Approval (Architectural Review, Engineering, Landscaping, Planning, Signs, Site Design), and restart the development clock. General Location: Vicinity of the northwest corner of Hagen Ranch Road and W. Atlantic Avenue (**Villaggio Isles MUPD**) (Control 2004-00457)

Pages 25-57

Conditions of Approval Pages (42-53)

Project Manager: Carol Glasser

Size: 17.67 acres

BCC District: 5

Staff Recommendation: Staff recommends approval of the amendment subject to 42 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application:

Jonathan Reinsvold, CMS Engineering, LLC, agent – agreed with the conditions of approval.

MOTION: To recommend approval of a Development Order Amendment to increase square footage, reconfigure the site plan, modify/delete Conditions of Approval (Architectural Review, Engineering, Landscaping, Planning, Signs, Site Design), and restart the development clock subject to the Conditions of Approval as indicated in Exhibit C. Motion carried 8-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes	Yes
			Seconded			Maker		

DECISION: APPROVED AS ADVERTISED

5. **ZV/ZCA-2010-01433** Title: a Type II Zoning Variance application of Delray Dunes Golf & Country Club by Anna S. Cottrell & Associates, Agent. Request: to eliminate landscape buffer requirements (right-of-way, compatibility, and incompatibility) end allow existing landscaping to remain; and, to allow a golf cart parking reduction in a non-Planned Development District. Title: an Official Zoning Map Amendment application of Delray Dunes Golf & Country Club by Anna S. Cottrell & Associates, Agent. Request: to allow a rezoning from the Multi-family Residential (RM) Zoning District and the Public Ownership (PO) Zoning District to the Residential Transitional (RT) Zoning District. Title: a Class A Conditional Use application of Delray Dunes Golf & Country Club by Anna S. Cottrell & Associates, Agent. Request: to allow a Golf Course. General Location: Southeast corner of Golf Road and Military Trail (**Delray Dunes Golf and Country Club**) (Control 2009-02385)

Pages 58-93

Conditions of Approval Pages (82 - 84)

Project Manager: Carol Glasser

Size: 145.97 acres ±

BCC District: 4

(affected area 3.46 acres)

Staff Recommendation: Staff recommends approval of the requests subject to 6 Conditions of Approval for the Type II Variances; with a Conditional Overlay Zone (COZ) and subject to 4 Conditions of Approval for the rezoning; and, subject to 4 Conditions of Approval for the Class A Conditional Use.

People who spoke on this application:

Anna Cottrell, agent – agreed to the conditions of approval and answers Commissioners concerns regarding ownership of the Country Club.

Commissioner Hyman read 6 comment cards in support of the request.

MOTION: To adopt a resolution approving a Type II Variance to eliminate landscape buffer requirements (right-of-way, compatibility, and incompatibility) and allow existing landscaping to remain; and, to allow a golf cart parking reduction in a non-Planned Development District subject to the Conditions of Approval as indicated in Exhibit C-1. Motion carried 8-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes	Yes
			Seconded			Maker		

MOTION: To recommend approval of an Official Zoning Map to allow rezoning from the Multi-family Residential (RM) Zoning District and the Public Ownership (PC) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ) and subject to the Conditions of Approval as indicated in Exhibit C-2. Motion carried 8-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes	Yes
			Seconded			Maker		

MOTION: To recommend approval of a Class A Conditional use to allow a Golf Course subject to the Conditions of Approval as indicated in Exhibit C-3. Motion carried 8-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes	Yes
			Seconded			Maker		

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

6. **Z/DOA/CA-2010-01729** Title: an Official Zoning Map Amendment application of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Multifamily Residential (RM) Zoning District to the Single Family Residential (RS) Zoning District. Title: A Development Order Amendment application of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a Place of Worship and to add and delete land area. Title: A Class A Conditional Use application of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a Day Care, General General Location: Approximately 0.33 miles south of Gun Club Road on the east side of Haverhill Road (**Iglesia Cristo Mi Redentor**) (Control 2003-00009)

Pages 94- 133
 Condittons of Approval Pages (110- 120)
 Project Manager: Joyce Lawrence
 Size: 6.98 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment and a Conditional Overlay Zone (COZ) subject to 9 Conditions of Approval as indicated in Exhibit C-1, a Development Order Amendment to allow a Place of Worship subject to 24 Conditions of Approval as indicated in Exhibit C-2, and a Class A Conditional Use to allow a Day Care, General subject to 3 Conditions of Approval as indicated in Exhibit C-3.

People who spoke on this application:

Joyce Lawrence, Site Planner II – gave a brief presentation.

Alessandra Kalfin, agent – gave a presentation and responded to Commissioners concerns.

Oscar Benitez, architect – responded to Commissioners concerns.

Commissioner discussion included questions regarding easements, playground access and fencing, access to daycare, rear elevations, drop off location height, and building finish materials.

Commissioner Kaplan moved to postpone to March 3, 2011.

MOTION: To postpone to March 3, 2011. Motion carried 7-1.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Yes	No	Yes	Absent	Yes	Yes	Yes
						Maker		Seconded

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

COMMISSIONER COMMENTS

A. ELECTION OF CHAIR AND VICE CHAIR – Commissioner Kaplan nominates Commissioner Hyman to remain Chair. Motion carried 8-0.
 Commissioner Beatty nominates Commissioner Scarborough to remain Vice-Chair. Motion carried 8-0.

ADJOURNMENT - 9:32 a.m.