



**ZONING COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
MARCH 7, 2013**

AGENDA

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

Postpone to April 4, 2013

3.	(2-30)	DOA/R-2012-01264 (Control 1990-00024)	FESTIVAL SHOPPES OF BOCA PCD
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**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

THURSDAY MARCH 7, 2013

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. Proof of Publication
- E. Adoption of the Minutes
- F. Swearing In
- G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

DIRECTOR COMMENTS

COMMISSIONER 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

MARCH 7, 2013

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, Pledge of Allegiance and Quasi-Judicial Notice
- 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 may take final action or issue an advisory recommendation on accepting, rejecting or modifying the recommendations of staff. 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, March 28, 2013 to take final action on the applications listed below.

NOTICE

Zoning hearings are quasi-judicial and must be conducted to afford all parties due process.

This means that any communication with commissioners, which occurs outside of the public hearing, must be fully disclosed at the hearing. In addition, anyone who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

In this regard, if any group of citizens or other interested parties wish to cross-examine witnesses, they must appoint one representative from the entire group to exercise this right on behalf of the group. Any person representing a group or organization must provide written authorization to speak on behalf of the group. Persons wishing to cross-examine witnesses must reserve that right at the beginning of their presentation.

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.

- D. Proof of Publication - Motion to receive and file.
- E. [Adoption of the Minutes](#)
- F. Swearing In - County Attorney
- G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- 1. **Z-2012-02793** Title: an Official Zoning Amendment application of Cory Hopkins by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single-family Residential (RS) Zoning District
General Location: Approximately 350 feet north of Lantana Road at the southwest corner of Nash Trail and Haverhill Road (**Rasmussen Residential**) (Control 2012-00580)

Pages 1 - 1

Project Manager: David McGuire

Size: 6.88 acres ±

BCC District: 2

(affected area 5.10 acres ±)

Staff Recommendation: Staff recommends postponement to the April 4, 2013 Zoning Commission Hearing.

MOTION: To postpone the request to the April 4, 2013 Zoning Commission Hearing.

- 2. **ZV/Z/CA-2012-02085** Title: a Type II Variance application of Race Trac by Land Design South Inc., Agent. Request: to allow 24 hour operation within 250 feet of a residential district and to allow a reduction in the required side setback.

Title: an Official Zoning Map Amendment application of Race Trac by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Community Commercial (CC) Zoning District

Title: a Class A Conditional Use application of Race Trac by Land Design South Inc., Agent. Request: to allow a Convenience Store with Gas Sales

General Location: Northwest corner of Lantana Road and Haverhill Road (**Raceway Market**) (Control 2012-00253)

Pages 1 - 1

Project Manager: David McGuire

Size: 6.88 acres ±

BCC District: 2

(affected area 1.78 acres ±)

Staff Recommendation: Staff recommends a postponement to the April 4, 2013 Zoning Commission Hearing.

MOTION: To postpone the request to the April 4, 2013 Zoning Commission Hearing.

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**

- 3. [DOA/R-2012-01264](#) Title: a Development Order Amendment application of Rreef America Reit li Corp J by Siegel Lipman Dunay Shepard & Miskel LLP, Agent. Request: to reconfigure the Site Plan, modify Conditions of Approval (Parking) and add square footage
General Location: Southeast corner of Glades Road and SR 7 (**Festival Shoppes of Boca PCD**) (Control 1990-00024)

Pages 2 - 30

Conditions of Approval Pages (7 - 16)

Project Manager: David McGuire

Size: 36.96 acres ±

BCC District: 5

(affected area 2.63 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 70 Conditions of Approval as indicated in Exhibit C.

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

- 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

- 4. [ZV/DOA/R-2012-00979](#) Title: a Type II Variance application of SE Petro One LLC by Core States Group, Agent. Request: to allow easement overlap in a right-of-way buffer, to allow a reduction of right-of-way buffer width, divider median width, dumpster setback, and a reduction in the number of feet of queuing
Title: a Development Order Amendment application of SE Petro One LLC by Core States Group, Agent. Request: to reconfigure the Site Plan; add square footage and pumps; and, modify Condition of Approval (Site Design)
Title: a Requested Use Request application of SE Petro One LLC by Core States Group, Agent. Request: to allow a Convenience Store with Gas Sales
General Location: South side of Glades Road east of Florida's Turnpike (**Arvida Parkway Center**) (Control 1980-00161)

Pages 31 - 79

Conditions of Approval Pages (44 - 51)

Project Manager: Carol Glasser

Size: 23.84 acres ±

BCC District: 5

(affected area 1.46 acres ±)

Staff Recommendation: Staff recommends approval of the Type II Variance request to allow easement overlap in a right-of-way buffer, to allow a reduction of a right-of-way buffer width, divider median width, and dumpster setback subject to 6 Conditions of Approval indicated in Exhibit C-1.

Staff recommends denial of the Type II Variance to allow reduction in the number of feet of queuing; and denial of the Development Order Amendment and Requested Use.

MOTION: To adopt a resolution approving a Type II Variance to allow easement overlap in a right-of-way buffer, to allow a reduction of right-of-way buffer width, divider median width, and dumpster setback subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution denying a Type II Variance to allow a reduction in the number of feet of queuing.

MOTION: To recommend denial of a Development Order Amendment to reconfigure the Site Plan; add square footage and pumps; and, modify Condition of Approval (Site Design).

MOTION: To recommend denial of a Requested Use to allow a Convenience Store with Gas Sales.

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

- A. COUNTY ATTORNEY
- B. ZONING DIRECTOR
- C. EXECUTIVE DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT