



**PALM BEACH COUNTY
AMENDMENT ROUND 05-1**

Adoption Executive Summary/Table of Contents

A. PROPOSED TRANSPORTATION AMENDMENTS - *which did not receive objection or comment from DCA*

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
Western Corridor TIM and 2020 Map Amendments	This proposed amendment will amend the Map Series by modifying the Thoroughfare Right-of-Way Identification Map (TIM) and 2020 Map to add the segment of the Western Corridor south of Indiantown Road.	Planning: Approval. LPA: Approval (10-0). BCC: Transmit (7-0, with Comm. Newell absent).
MOTION:	To adopt an ordinance amending the Thoroughfare Right-of-Way Identification Map (TIM) and 2020 Map pursuant to the proposed Western Corridor TIM and 2020 Map amendments, passed in a unanimous 6-0 vote (with Comm. Newell absent) at the August 22, 2005 Public Hearing. (Ord. 2005-021).	
Boynton Beach Boulevard TIM Amendment	This proposed amendment will amend the Map Series by modifying the Thoroughfare Right-of-Way Identification Map (TIM) to reduce with regards to Boynton Beach Boulevard from I-95 N.W. 3 rd Street to US-1 from 120 to 80 feet.	Planning: Approval. LPA: Approval (10-0). BCC: Transmit (7-0).
Atlantic Avenue TIM Amendment	This proposed amendment will amend the Map Series by reducing the right-of-way for Atlantic Avenue from 160 feet to 126 feet between Florida's Turnpike and State Road 7 on the Thoroughfare Right-of-Way Identification Map (TIM).	Planning: Approval. LPA: Approval (10-0). BCC: Transmit (7-0).
Prosperity Farms Road TIM Amendment	This proposed amendment will amend the Map Series by modifying the Thoroughfare Right-of-Way Identification Map (TIM) to reduce with regards to Prosperity Farms Road from 110 to 100 feet.	Planning: Approval. LPA: Approval (10-0). BCC: Transmit (7-0).
MOTION:	To adopt an ordinance amending the Thoroughfare Right-of-Way Identification Map (TIM) pursuant to the proposed Boynton Beach Boulevard TIM, Atlantic Avenue TIM, and Prosperity Farms Road TIM amendments, passed in a unanimous 6-0 vote (with Comm. Newell absent) at the August 22, 2005 Public Hearing. (Ord. 2005-022).	
Congress Avenue Intersection CRALLS	The proposed amendment to the Transportation Element will designate the intersections of Congress Avenue at Forest Hill Boulevard and Congress Avenue at Summit Boulevard as Constrained Roadways at a Lower Levels of Service (CRALLS) facilities exclusively for the purposes of concurrency for the High Point on Congress project.	Planning: Approval. LPA: Approval with a modification (11-0). BCC: Transmit with modifications (7-0).
LOS Tables Update Modifications Amendment	This proposed amendment will amend the Transportation Element by correcting the Level of Service Tables TE 1a and TE 2a to be consistent with the FDOT's Generalized Level of Service Tables.	Planning: Approval. LPA: Approval (10-0). BCC: Transmit (7-0).

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
Traffic Concurrency Exception Areas and CRALLS Map	This proposed amendment will amend the Transportation Element and Map Series by: <ul style="list-style-type: none"> • removing the Transportation Concurrency Exception Area (TCEA) maps from the text of the Transportation Element; • revising the Residential Concurrency Exception Area to omit parcels located within the Coastal High Hazard Area; and • adding to the map series to depict all TCEAs, CRALLS, etc. to maintain consistency with the technical aspects of the digital FLUA. 	Planning: Approval . LPA: Approval (8-0). BCC: Transmit (6-0, with Comm. Koons absent).
MOTION: To adopt an ordinance amending the Transportation Element and Map Series pursuant to the proposed Congress Avenue Intersection CRALLS, LOS Tables Update Modifications, and Traffic Concurrency Exception Areas and CRALLS Map Amendments, passed in a unanimous 6-0 vote (with Comm. Newell absent) at the August 22, 2005 Public Hearing. (Ord. 2005-023).		
State Roads TIM Amendments	This proposed amendment will amend the Map Series by modifying the Thoroughfare Right-of-Way Identification Map (TIM) to increase with regards to applicable State Roads from 120 to 126 feet.	Planning: Approval . LPA: Approval (10-0). BCC: Transmit (7-0).
MOTION: To adopt an ordinance amending the Map Series pursuant to the proposed State Roads TIM amendment, passed in a unanimous 6-0 vote (with Comm. Newell absent) at the August 22, 2005 Public Hearing. (Ord. 2005-024).		

B. PROPOSED TEXT AND MAP SERIES AMENDMENTS - *which did not receive objection or comment from DCA*

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>Ag Reserve Clarifications</p>	<p>This proposed amendment will amend the Future Land Use Element by:</p> <ul style="list-style-type: none"> • changing “or” to “and/or” modifying language in Policy 1.5.1-i regarding the criteria for a parcel to qualify as an AGR preserve parcel; • adding a policy under ‘Existing Uses’ in the Ag Reserve to recognize existing subdivisions that were established prior to 1990 that contain residual parcels (that would square off the subdivision) to develop consistent with the density of that subdivision under the AGR designation; and • modifying Policy 1.5.1-g to allow for administrative placement of a note identifying a property as an Ag Reserve Preserve area on the Future Land Use Atlas (FLUA) for those properties purchased by the County with bond funds for Ag Preserve purposes. Currently the policy only addresses the ability to administratively place a note on Ag Reserve Preserves approved as part of an AGR Planned Development; • modifying Policy 1.5.1-f to clarify that non-residential uses in a Ag Reserve PDD are not required to be situated to serve only the residents of the PDD if it is a public civic use; and • amending the allowed uses in AGR TMD preserves to also allow for farm worker quarters or grooms quarters to be consistent with the allowed uses in AGR PDD preserves. 	<p>Planning: Approval. LPA: Approval (9-0). BCC: Transmit (7-0).</p>
<p>Future Land Use Element Revisions</p>	<p>This proposed amendment will amend the Future Land Use Element by:</p> <ul style="list-style-type: none"> • replacing references under sub-objective 1.2.5 to Timber Run Subdivision with Wooded Acres Subdivision to be consistent with the correct platted name for this development; • revising Exurban and Rural Tier Policies 1.3-f and 1.4-f pertaining to more closely reflect the “midblock” policy in the Urban/Suburban Tier; and • revising language in Policy 2.2.10-b regarding the underlying residential density associated with a Traditional Town Development, deleting references to a possible underlying land use of LR-2, to be consistent with the lowest possible underlying density of MR-5. 	<p>Planning: Approval. LPA: Approval (11-0). BCC: Transmit (7-0).</p>
<p>MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Ag Reserve Clarifications and Future Land Use Element Revisions Amendments, passed in a unanimous 6-0 vote (with Comm. Newell absent) at the August 22, 2005 Public Hearing. (Ord. 2005-025).</p>		

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
ULDC References Amendment	This proposed amendment will amend the Future Land Use, Transportation, Utility, Recreation & Open Space, and Coastal Management Elements by updating references to the Unified Land Development Code (ULDC) as appropriate, based on the revised ULDC adopted in January 2004.	Planning: Approval . LPA: Approval (8-0). BCC: Transmit (7-0).
MOTION: To adopt an ordinance amending the Future Land Use, Transportation, Utility, Recreation & Open Space, and Coastal Management Elements pursuant to the proposed ULDC References amendment, passed in a unanimous 7-0 vote at the August 22, 2005 Public Hearing. (Ord. 2005-026).		
Commercial Needs Assessment	This proposed amendment will amend the Future Land Use Element by deleting policies 1.2-l-1, 1.3-g, 1.4-g, and 2.2.2-g, which refer to the Commercial Needs Assessment, since they are no longer relevant given the Sector Plan, and focus on redevelopment.	Planning: Approval . LPA: Approval (10-0). BCC: Transmit (7-0).
MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Commercial Needs Assessment amendment, passed in a unanimous 7-0 vote at the August 22, 2005 Public Hearing. (Ord. 2005-027).		
Consistency with School Concurrency Amendment	This proposed amendment will amend the Introduction and Administration Element and Public School Facilities Element to establish consistency with the first amendment to the School Concurrency Interlocal Agreement.	Planning: Approval . LPA: Approval (10-0). BCC: Transmit (7-0).
MOTION: To adopt an ordinance amending the Introduction and Administration Element and the Future Land Use Element pursuant to the proposed Consistency with School Concurrency amendment, passed in a unanimous 7-0 vote at the August 22, 2005 Public Hearing. (Ord. 2005-028).		
Urban Redevelopment Area Designation and Map Series Revisions	This proposed amendment will amend the Future Land Use Element, and Map Series by: <ul style="list-style-type: none"> • designating the “Core” area of the Infill and Redevelopment Study as an Urban Redevelopment Area (URA); • adding policies to facilitate and encourage infill and redevelopment measures in the URA; • modifying the Revitalization Redevelopment Overlay (RRO) to include all the URA and CCRT areas; and • revise Map Series Map LU 3.1 Special Planning Areas to include the URA, Lake Worth Park of Commerce, and the Lake Worth Road Commercial Corridor. 	Planning: Approval LPA: Approval (12-0). BCC: Transmit (7-0).
MOTION: To adopt an ordinance amending the Future Land Use Element and Map Series pursuant to the proposed Urban Redevelopment Area Designation and Map Series Revisions amendment, passed in a unanimous 7-0 vote at the August 22, 2005 Public Hearing. (Ord. 2005-029).		

C. PROPOSED COUNTY INITIATED SITE SPECIFIC AMENDMENTS – To the Future Land Use Atlas, which did not receive objection or comment from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>Pal-Mar Natural Area (LGA 2005-00029)</p> <p>District: 1</p>	<p>Request: RR-10 to CON Size: 448.26 acres Location: South side of Indiantown Road approximately 1.5 miles east of Pratt Whitney Road</p>	<p>Planning: Approval LPA: Approval (11-0). BCC: Transmit (5-0, with Comm. Greene and Comm. Newell absent).</p>
<p>Donnell Road Properties (LGA 2005-00018)</p> <p>District: 2</p>	<p>Request: HR-8 to CH/8 Size: 1.16 acres Location: East side of Donnell Road, approximately 200 feet south of Okeechobee Boulevard.</p>	<p>Planning: Approval LPA: Approval (8-0). BCC: Transmit (5-0, with Comm. Greene and Comm. Newell absent).</p>
<p>Westgate Avenue Property (LGA 2005-00019)</p> <p>District: 2</p>	<p>Request: HR-18 to CH/18 Size: 2.74 acres Location: Southeast corner of Westgate Avenue and Indian Road.</p>	<p>Planning: Approval LPA: Approval (8-0). BCC: Transmit (6-0, with Comm. Greene absent).</p>
<p>South Congress Avenue Property (LGA 2005-00020)</p> <p>District: 2</p>	<p>Request: CH/3 with cross-hatching to CH/3 Size: .90 acres Location: West side of Congress Avenue, approximately ½ mile south of Summit Boulevard.</p>	<p>Planning: Approval LPA: Approval (7-1). BCC: Transmit (6-0, with Comm. Greene absent).</p>

MOTION: To **adopt an ordinance** amending the Future Land Use Atlas pursuant to the proposed Pal-Mar Natural Area, Donnell Road Properties, Westgate Avenue Property, and South Congress Avenue Property amendments, passed in a unanimous 7-0 vote at the August 22, 2005 Public Hearing. (Ord. 2005-030).

D. PROPOSED COUNTY INITIATED WESTGATE CRA AMENDMENTS – which did not receive objection or comment from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
Westgate Community Redevelopment Area Overlay TCEA	This proposed amendment will amend the Transportation Element and Map Series by modifying the existing Transportation Concurrency Exception Area (TCEA) in order to facilitate the Community Redevelopment Area (CRA) plan.	Planning: Approval . LPA: Approval (11-0). BCC: Transmit (6-0, with Comm. Greene absent).
MOTION: To adopt an ordinance amending the Transportation Element and Map Series pursuant to the proposed Westgate Community Redevelopment Area Overlay TCEA amendment, passed in a unanimous 7-0 vote at the August 22, 2005 Public Hearing. (Ord. 2005-031).		
Westgate Community Redevelopment Area Overlay (WCRAO) Amendment (LGA 2005-00021-24) District: 2	Request: Area 1: 13 acres in size, from Institutional/Industrial (INST/IND) to Commercial High, with underlying 8 units per acre (CH/8); Area 2: 92.06 acres, from High Residential, 8 units per acre (HR-8) and Commercial High (CH) to Commercial High, with an underlying 8 units per acre (CH/8); Area 3: 110.43 acres, from High Residential, 8 units per acre (HR-8) to Commercial Low, with an underlying 8 units per acre (CL/8); Area 4: 55 acres, from Industrial (IND) to Commercial High, with underlying Industrial (CH/IND) Size: 270.49 acres (total area) Location: Okeechobee Boulevard to the north, Belvedere Road to the south, Florida Mango Road to the east, and by Military Trail to the west. Conditions: 1. For each project in Area 1 (LGA 2005-00021), non-residential uses shall be limited to a maximum 0.86 F.A.R. 2. For each project in Area 4 (LGA 2005-00024), non-residential uses shall be limited to a maximum 0.92 F.A.R.	Planning: Approval . LPA: Approval (11-0). BCC: Transmit (6-0, with Comm. Greene absent).
MOTION: To adopt an ordinance amending the Future Land Use Atlas pursuant to the proposed Westgate Community Redevelopment Area Overlay (WCRAO) amendments, with conditions, passed in a unanimous 7-0 vote at the August 22, 2005 Public Hearing. (Ord. 2005-032).		
Westgate Community Redevelopment Area Overlay Bonus Pool Units	This proposed amendment will amend Future Land Use Element Policy 1.2.4-b to increase bonus pool units for the Westgate Community Redevelopment Area Overlay.	Planning: Approval . LPA: Approval (11-0). BCC: Transmit passed in a unanimous vote (6-0, with Comm. Greene absent).
MOTION: To adopt an ordinance amending the Future Land Use Element pursuant to the proposed Westgate Community Redevelopment Area Overlay Bonus Pool Units amendment, passed in a unanimous 7-0 vote at the August 22, 2005 Public Hearing. (Ord. 2005-033).		

E. PROPOSED TEXT AND MAP SERIES AMENDMENTS - which did receive comments from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>Central Western Communities (CWC) Sector Plan</p>	<p>This proposed amendment will modify the Introduction and Administration Element, Future Land Use Element, and Map Series by:</p> <ul style="list-style-type: none"> • adding a definition to the Introduction and Administration Element; • modifying text in the Future Land Use Element to adopt the Central Western Communities (CWC) Sector Plan Overlay and related policies; • modifying Map Series Map LU 3.1 Special Planning Areas to update the boundaries of the CWC Sector Plan; and • adopting Map Series Map LU 9.1 CWC Sector Plan Conceptual Plan Overlay. 	<p>Planning: Approval. LPA: Approval of Staff's recommendation with a modification (7-4). BCC: Transmit with a series of modifications (6-1, with Comm. Marcus dissenting and Comm. Aaronson absent).</p>
<p>DCA COMMENTS: An adequate demonstration of sufficient public facilities and capacity necessary to support buildout of the anticipated future land uses was not included. Neither a buildout date nor ultimate development threshold was provided. This information is necessary to estimate facilities needed to support the Sector Plan's buildout. Although most regionally significant natural resources lie outside of the sector plan area, the County did not demonstrate that it had identified all natural resources in the Sector Plan's vicinity. The proposed Sector Plan has not demonstrated that the proposed land uses promote a functional and balanced mix of uses that discourage urban sprawl. It has not been demonstrated that the proposed policies would provide sufficient guidance to establish a functional mixture of uses or resolve current land use imbalances. Proposed Land Use Policy 2.8-b, states that the County will seek to preserve the area's rural character, however, this policy does not provide guidelines for the use and development of the specific area plans that will later implement the sector plan.</p>		
<p>STAFF RESPONSE: The CWC Sector Plan Community Profile Report provided extensive information about regionally significant public facilities in the Sector Plan area. As a result of the Sector Plan's maximum proposed densities, the sector plan buildout would be approximately 27,500 units with an estimated population of 88,000 residents and the anticipated buildout could be reached within the next 15 years. The provision of water and wastewater is a requirement for all Sector Plan components. The CWC Sector Plan Community Profile includes a substantial inventory of the CWC's natural resources. Several of community wide benefits required as part of FLUE Policy 2.10.1-c would assist in the preservation/restoration activities for this region, including the CERP efforts. The intended locations of the proposed open space areas required for the RR PDs were determined so that these areas would act as buffers between the proposed RR PDs and any adjacent rural community or environmental resource. In addition, the Plan takes into account considerations of the CERP efforts in that it implicitly provides for the promotion of regional water management facilities within the open space areas where deemed appropriate by the South Florida water Management District. Most of the Sector Plan is within existing communities with already established single-family low residential development patterns. The conservation of open space and rural character are primary objectives of the CWC Sector Plan. The 50% open space requirement for RR PDs could result in the possibility of conserving almost about 5,500 acres for open space uses.</p> <p>The proposed Sector Plan non-residential components will provide for land use balancing in the CWC area and will address the current need for neighborhood-serving commercial uses and employment uses. Since the CWC Sector Plan area is located within the County's Exurban and Rural tiers and includes a series of existing exurban and rural communities, the proposed non-residential uses will be part of compact more sustainable pedestrian oriented development (TMDs and VCs) that is designed with consideration to and respect of the character of the surrounding communities. The TMDs and VCs will provide a functional and balanced mix of land uses thus helping to resolve the current imbalances of this area. Map LU 9.1 "CWC Sector Plan Conceptual Overlay" identifies the general desired locations for the required 50% open space areas. This provides a framework for which the Sector Plan components are planned around. The proposed location of the Employment Center adjacent to SR 80 and in the SW corner of the Sector Plan would allow for better regional access to this facility and would also help reverse the existing traffic patterns for commuters from this area.</p>		
<p>MOTION: To adopt an ordinance amending the Introduction and Administration Element, Future Land Use Element, and Map Series pursuant to the proposed Central Western Communities (CWC) Sector Plan amendment, passed in a 5-2 vote (with Comm. Koons and Comm. Marcus dissenting) at the August 22, 2005 Public Hearing. (Ord. 2005-034).</p>		

F. PRIVATELY INITIATED SITE SPECIFIC AMENDMENTS – To the Future Land Use Atlas, which did receive objection or comment from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>Simon II/"B" Road - NW (LGA 2005-00014)</p> <p>District: 6</p> <p>Agent: Land Design South of Florida, Inc.</p>	<p>Request: RR-10 to CH/LR-2 and inclusion in the Urban/Suburban Tier CH (20.00 acres) & LR-2 (76.73 acres) Rural Residential Planned Development, 1 unit per 2.5 acres (RR-2.5 PD).</p> <p>Size: 96.73 acres</p> <p>Location: North side of Southern Boulevard between A Road and B Road.</p> <p>Conditions:</p> <p><u>The site shall be eligible for a gross density of 1 unit per 1.25 acres, subject to the development of a substantial equestrian facility.</u></p> <p><u>At the time a rezoning application is submitted for this site, the application must include the entire property subject to this amendment, including a substantial equestrian facility subject to approval by the County.</u></p>	<p>Planning: Denial. <u>Approval of RR 2.5 PD</u></p> <p>LPA: Denial (6-2).</p> <p>BCC: <u>Transmit with a modified request of 1 unit per 2.5 acres or 1 unit per 1.25 acres with significant equestrian facilities</u> (4-1, with Comm. Marcus dissenting, and Comm. Koons and Comm. Masilotti absent).</p>

DCA COMMENTS: This proposed amendment seeks to change the land use from its existing land use category to either one of two proposed future land use districts that are proposed to be established within the comprehensive plan, RR-2.5 or RR-1.25. A future land use map designation assigned to a particular area of land must be clear and cannot be for two land use categories simultaneously. Standing alone and outside of the context of the CWC Sector Plan Overlay and a Detailed Specific Area Plan the proposed amendment does not demonstrate that it discourages urban sprawl. The potential infrastructure impacts, in particular Southern Blvd. (SR 80), a Florida Intrastate Highway System (FIHS)/State Intermodal System (SIS) facility have not been adequately addressed. In addition, an analysis of the likely roadway impacts from the proposed land uses(s) was not performed for all affected roads, specifically "A" Road and "B" Road. The proposed change is premature as the sector plan conceptual overlay plan is not yet in effect.

STAFF RESPONSE: DCA has previously recognized that site-specific amendments consistent with the Sector Plan Conceptual Overlay may substitute for Detailed Specific Area Plans and the Overlay has language to allow for site specific amendments - this is due to the fact that this particular Sector Plan is concerned with long-term planning for an area that is largely already developed, rather than for an area that is largely vacant, undeveloped land. Regarding sprawl, the amendment is consistent with the Sector Plan Overlay, as revised, and, therefore, will discourage urban sprawl by virtue of its context in, and consistency with, Sector Plan provisions for such things as land use balancing, protection of natural resources and provision of public facilities and infrastructure to support buildout within the Sector Plan area.

The Overlay has been modified to reflect options for FLU designations including the higher density, Rural Residential, 1 unit per 2.5-acre Planned Development option to be applied to the site – there is also a condition of approval to allow development up to 1 unit per 1.25 acres with the development of a substantial equestrian facility.

Further data and analysis was provided regarding the evaluation of the impacts of the project on the surrounding local and FIHS/SIS road network and found to be in compliance with those standards. Since the long-term impacts of the proposed land use amendment meet the LOS standard, the amendment is consistent with the Comprehensive Plan. Regarding the suitability of the site for the anticipated land use, the existing and planned infrastructure and the characteristics of the site are adequate to support the proposed land use designation.

MOTION: To *adopt an ordinance* amending the Future Land Use Atlas pursuant to the proposed Simon II/"B" Road – NW amendment, subject to conditions, passed in a 5-2 vote (with Comm. Marcus and Comm. Masilotti dissenting) at the August 22, 2005 Public Hearing. (Ord. 2005-035).

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>Ag Reserve INST (LGA 2005-00003)</p> <p>District: 5</p> <p>Agent: Kieran Kilday, Kilday & Associates</p>	<p>Request: AGR to INST</p> <p>Size: 58.77 acres</p> <p>Location: Northeast corner of Boynton Beach Boulevard and State Road 7 (SR 7).</p>	<p>Planning: Denial</p> <p>LPA: Approval (9-0).</p> <p>BCC: Transmit (3-1, with Comm. Marcus dissenting and Comm. Koons and Comm. Masilotti absent).</p>
<p>DCA COMMENTS: The proposed amendment does not adequately discourage urban sprawl. This site is part of an overall area intended for agricultural preservation and reservation. The proposed amendment is not consistent with Future Land Use Element Objective 1.5 which states that the Agricultural Reserve Tier shall preserve and enhance its agricultural activity, environmental and water resources, and open space by "limiting uses to agriculture and conservation with residential development restricted to low densities and non-residential development which serve the needs of farm workers and residents of the Tier." The amendment was not supported by adequate data and analysis demonstrating consistency with the provisions of the adopted Palm Beach County Comprehensive Plan.</p> <p>STAFF RESPONSE: The proposed hospital is expected to meet the needs of residents and workers within the AGR Tier, and, as can be expected of a hospital, nearby residents that reside outside of the AGR Tier. The proposed location is consistent with FLUE Policy 1.5-r, which allows institutional uses east of State Road 7, forming an effective barrier to urban sprawl. In addition, public services and facilities are in close proximity to the site with sufficient capacity, and development is not expected to adversely impact environmentally sensitive areas or result in the loss of functional open space. The applicant received a Certificate of Need from the Florida Agency for Health Care Administration (AHCA) on June 17, 2005. Objections by two hospital(s) have been received and Administrative Hearings will have to take place. The applicant will be required to receive a final order upholding the Certificate of Need prior to constructing a hospital.</p>		
<p>MOTION: To adopt an ordinance amending the Future Land Use Atlas pursuant to the proposed Ag Reserve INST amendment, passed in a unanimous 7-0 vote at the August 22, 2005 Public Hearing. (Ord. 2005-036).</p>		

G. PRIVATELY INITIATED SITE SPECIFIC AMENDMENT – To the Future Land Use Atlas, which did not receive objection or comment from DCA

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>Seminole-Pratt Whitney/Orange - SE (LGA 2005-00005)</p> <p>District: 6</p> <p>Agent: Kieran Kilday, Kilday & Associates</p>	<p>Request: RR-2.5 to CL/RR-2.5</p> <p>Size: 11.88 acres</p> <p>Location: Southeast corner of Seminole Pratt-Whitney Road and Orange Boulevard.</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. The southernmost 50 feet of the site north of the road right-of-way and the easternmost 100 feet of the site shall be crosshatched, limited to drainage and landscaping. 2. The site shall have no vehicular access to 69th Court North. 3. Development shall be in the form of a Village Center that: <ol style="list-style-type: none"> A. Is limited to a maximum of 50,000 square feet of non-residential uses; B. Provides for neighborhood shopping, entertainment, services and cultural opportunities by allowing a mix of retail, office, and institutional uses; C. Promotes a mix of uses in a manner that creates a strong pedestrian-orientation through design, placement and organization of buildings, pedestrian gathering areas, common open space and dispersed parking; D. At a minimum, complies with the following design requirements: <ul style="list-style-type: none"> • Building design and landscaping shall be designed to reflect the rural character of the community. • The building height shall not exceed 30 feet; • All ground floor commercial frontages must have a minimum of 70% transparent glazed area which provides views into a commercial use or window display; • Parking shall be located to the rear of buildings, to the greatest extent possible. Consistent with the rural character of this area, at least 15% of the parking spaces shall have pervious or semi-pervious surfaces; • At least 50% of sidewalk surfaces shall be shaded or covered; • All outdoor lighting must be fully shielded and shall be a maximum of 20 feet in height; and • A centrally located pedestrian gathering area of sufficient size to promote civic activities shall be included. At least 50 % of this area shall be shaded by landscaping or shade structures. E. Prior to adoption, a rezoning application and associated site plan shall be submitted and found sufficient in meeting conditions 1 through 3. 	<p>Planning: Approval, subject to conditions.</p> <p>LPA: Approval, subject to conditions (9-0).</p> <p>BCC: Transmit (4-1, with Comm. Masilotti dissenting, and Comm. Aaronson and Comm. Newell absent).</p>
<p>MOTION: To adopt an ordinance amending the Future Land Use Atlas pursuant to the proposed Seminole-Pratt Whitney/Orange - SE amendment, with conditions, passed in a 6-1 vote (with Comm. Masilotti dissenting) at the August 22, 2005 Public Hearing. (Ord. 2005-037).</p>		

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>Windsor Place II (LGA 2005-00013)</p> <p>District: 3</p> <p>Agent: Land Design South of Florida, Inc.</p>	<p>Request: Reduce acreage and square footage for CH & CH-O and increase acreage for residential</p> <p>Size: 40.00 acres Location: Northwest corner of Hypoluxo Road & Lyons Road.</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. Development of the site shall comply with the Design Guidelines and Standards for Future Development (Exhibit 5 of the staff report). 2. On the ground floor, no single commercial tenant shall occupy more than 20% of the total commercial frontage of commercial structures on the frontage line, up to maximum of 180 feet. 3. In no event shall any single tenant occupy more than 40% of the total commercial square footage allowed on the CH portion of the site. The next largest commercial tenant may occupy no more than 20% of the total square footage on the CH portion of the site. 4. Access to residential portions of the project shall not be controlled by gates, guardhouses or be otherwise separated from any non-residential portions. 5. Prior to final DRO certification, a "unity of control" covenant for the entire 40 acre site shall be entered into and signed by the applicant(s)/ developer(s). 6. Prior to any DRO certification, the schematic plans and elevations for all structures, which face open spaces in the Pedestrian Oriented Zone, shall be submitted for review to ensure consistency with the intent of the Design Guidelines and Standards for Future Development. 7. Construction of the "Green" and all buildings within the Pedestrian Oriented Zone shall be completed within three (3) years following the date of issuance of the first Certificate of Occupancy for the site. 	<p>Planning: Approval of a modification, subject to conditions.</p> <p>LPA: Approval of the applicant's request, subject to conditions (11-0).</p> <p>BCC: Transmit the applicant's request (5-0, with Comm. Aaronson and Comm. Newell absent).</p>
<p>MOTION: To adopt an ordinance amending the Future Land Use Atlas pursuant to the proposed Windsor Place II amendment, with conditions, passed in a unanimous 6-0 vote (with Comm. McCarty absent) at the August 25, 2005 Public Hearing. (Ord. 2005-038).</p>		

ITEM	DESCRIPTION	RECOMMENDATION/ ACTION
<p>Boynton Beach/ Lyons South - TMD (LGA 2005-00004)</p> <p>District: 5</p> <p>Agent: Kieran Kilday, Kilday & Associates</p>	<p>Request: AGR to CL/AGR Size: 37.55 acres Location: Southeast corner of Boynton Beach Boulevard and Lyons Road.</p> <p>Condition: The site shall be limited to a maximum of 277,100 <u>259,300</u> square feet of non-residential uses and 39 <u>93</u> dwelling units.</p>	<p>Planning: Approval, subject to a condition. LPA: Approval, subject to a condition (11-0). BCC: Transmit staff recommendation (5-0, with Comm. Koons and Comm. Masilotti absent).</p>
<p>MOTION: To adopt an ordinance amending the Future Land Use Atlas pursuant to the proposed Boynton Beach/Lyons South - TMD amendment, with conditions, passed in a unanimous 6-0 vote (with Comm. McCarty absent) at the August 25, 2005 Public Hearing. (Ord. 2005-039).</p>		
<p>Atlantic Avenue/ Lyons Road - TMD (LGA 2005-00006)</p> <p>District: 5</p> <p>Agent: Gentile Holloway O'Mahoney & Associates, Inc.</p>	<p>Request: SA & AGR to CL/AGR Size: 32.46 acres Location: Northwest corner of West Atlantic Avenue and Lyons Road.</p> <p>Condition: The site shall be limited to a maximum of 268,000-300,000 <u>320,000</u> square feet of non-residential uses and 50 <u>86</u> dwelling units.</p>	<p>Planning: Denial LPA: Approval (7-3). BCC: Transmit with a condition (5-0, with Comm. Koons and Comm. Masilotti absent).</p>
<p>MOTION: To adopt an ordinance amending the Future Land Use Atlas pursuant to the proposed Atlantic Avenue/Lyons Road - TMD amendment, with conditions, passed in a unanimous 6-0 vote (with Comm. McCarty absent) at the August 25, 2005 Public Hearing. (Ord. 2005-040).</p>		

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