



## LAND USE ADVISORY BOARD MINUTES

**JUNE 9, 2000**

On June 9, 2000, at 9:00 a.m., the Palm Beach County Land Use Advisory Board (LUAB) met in the fourth floor hearing room, 100 Australian Avenue, West Palm Beach, Florida, for their regular meeting.

### **I. CALL TO ORDER AND ROLL CALL**

Chairman John Jorgensen called the meeting to order at 9:10 a.m. Recording Secretary Ann Himick called the roll.

#### Members Present

Rosa Durando  
Bob Eisenberg  
Carol Francis  
Barry Haberman  
Robert Hagerty  
Bill Hall  
John Jorgensen  
Murray Kalish  
Neil Merin  
Katharine Murray  
Michael Weiner

Members Present - 11

#### Members Absent

Judy Daversa, excused  
Sandra Greenberg, excused  
John Martin  
Larry Parker, excused

Members Absent - 4

#### Planning Staff Present

Frank M. Duke, Planning Director  
Maria Bello, Principal Planner  
Kathy Girard, Principal Planner  
Jim Bell, Senior Planner  
Alex Hansen, Senior Planner  
Linda Hoppes, Senior Planner  
Isaac Hoyos, Senior Planner  
Khurshid Mohyuddin, Senior Transportation Planner  
Vicki Silver, Senior Planner  
Susan Miller, Planner II  
Michael Owens, Planner II  
Jaime Ponseti, Planner II  
Ann Himick, Recording Secretary

#### Other Staff Present

Robert Banks, Assistant County Attorney  
Dan Weisberg, Traffic Engineering

Others Present - See files.

Mr. Hagerty moved to give an excused absence for today, June 9, 2000, to Judy Daversa and Larry Parker, and for June 16, 2000, to Mr. Eisenberg. Mr. Eisenberg seconded the motion, which passed unanimously.

## **II. CONSIDERATION OF MINUTES**

Mr. Hagerty moved to approve the minutes of May 12 and May 19, 2000. The motion was seconded by Mr. Eisenberg, and passed unanimously.

## **III. COMMENTS BY THE CHAIRMAN**

Chairman John Jorsengen opened the Public Hearing.

## **IV. COMMENTS BY THE DIRECTOR**

Planning Director Frank Duke stated that on June 6, 2000, the Board of County Commissioners (BCC) appointed Neil Merin to replace John Corbett as the At Large member of the LUAB. Since Mr. Corbett was the elected Chair, that created the situation where the Vice Chair, Mr. Jorgensen, succeeded to be the Chair of the LUAB, creating a vacancy in the Vice Chair position. According to the LUAB By Laws, at the next scheduled meeting the LUAB will be required to elect a Vice Chair. That item will be on the June 16th LUAB agenda.

## **V. COMMENTS BY THE PUBLIC**

## **VI. PUBLIC HEARING #1 - AMENDMENT ROUND 00-2**

### **A. Privately Initiated Site Specific Amendments**

#### **1. 00-106 COM 1, SR-7/Clint Moore**

The item before the Board was a public hearing on a proposed amendment to the Future Land Use Atlas (FLUA) to change the future land use designation for a 17.96 acre parcel from Medium Residential, 5 units per acre (MR-5) to Commercial Low with an underlying 5 units per acre (CL/5).

Project Manager Jim Bell gave a presentation on this item. He stated that the site is located on the southeast corner of Clint Moore Road and State Road 7 in the west Boca area. Currently the site is vacant and in agricultural production. The area around the site contains a mixture of agricultural, park and residential uses. It is located in an area of the County where the Urban/Suburban Tier and the Ag Reserve Tier meet. The applicant is proposing this change to Commercial Low in order to develop a 143,750 square foot shopping center on the site. The primary considerations

surrounding this proposal were justification, demonstration of need, compatibility, and services and infrastructure. Staff received four letters of objections. Staff recommended approval, subject to three conditions: that the eastern 250 feet of the site be cross-hatched, that the over-all gross building area of the site be limited to 143,750 square feet, and that the single tenant on the site be a grocery store which would be limited to a maximum of 55,000 square feet.

During Board discussion concern was expressed regarding the widening of Clint Moore Road, traffic impacts, access to the site, the packing plant, and compatibility with the adjoining properties.

Agent Kieran Kilday gave a presentation on this item. He stated that the goal of this application was to allow for the development of a community based shopping center anchored by a grocery store. He stated that the need for commercial uses in the area will only increase as the changing developmental requirements in the Ag Reserve bring additional development into the area. The subject property is situated at a location that is ideal for a neighborhood commercial use and it is of an ideal size. It is essentially boxed in on all sides so that no expansion of the commercial uses can take place, and there are no other neighborhood commercial centers in the vicinity.

Sheri Scarborough, representing Symphony Bay Homeowners Association, expressed her support of this item, provided that the development of the site occur after the widening of Clint Moore Road and the installation of a traffic signal at the entrance of the PUD.

Milton Brenner, President of the West Boca Community Council, stated that they have no objections to this application once there is capacity on Clint Moore Road to enable the project to meet concurrency. He requested that landscaping and maintenance of the future median on Clint Moore Road be funded by the developer.

Mr. Hagerty moved to recommend approval, subject to the revised conditions recommended by staff. The motion was seconded by Mr. Hall.

Ms. Murray moved to recommend that an advisory letter be sent to the BCC recommending a traffic signal be installed on Clint Moore Road at the entrance of the Symphony Bay PUD. Mr. Hall seconded the motion, which passed 10-1, with Ms. Durando dissenting.

The original motion for approval passed 10-1, with Ms. Durando dissenting.

2. 00-80 COM 1, SR-7/Lantana

The item before the Board was a public hearing on a proposed amendment to the Future Land Use Atlas (FLUA) to change the future land use designation for a 1.03 acre parcel from Rural Residential, 1 unit per 10 acres (RR-10) to Commercial Low (CL).

Project Manager Susan Miller gave a presentation on this item. She stated that the site is located on the southwest corner of the intersection of State Road 7/US 441 and Lantana Road and is the only corner of the intersection that is located in the Rural Tier. The other three corners of the intersection are located in the Urban/Suburban Tier. Staff recommended denial based on the following factors, justification, demonstration of need, compatibility, services and infrastructure, strip commercial development, and urban sprawl. Staff received no letters or phone calls on this proposal.

The Board discussed the location of this site within the Rural Tier and the types of non-residential uses permitted under the existing designation.

Agent Charles Putman gave a presentation. He said the land use for the subject property needs to be changed to make it more consistent with current and future land uses at the intersection.

Mr. Hall moved to recommend denial. Mr. Kalish seconded the motion.

Mr. Hagerty moved to recommend approval of this item. The motion failed due to a lack of a second.

The original motion for denial passed unanimously.

B. County Initiated Site Specific Amendments

1. Peanut Island

The item before the Board was a public hearing on a proposed County Initiated Corrective amendment to the Future Land Use Atlas (FLUA) to change the future land use designation for an eighty-four (84) acre spoil island from Conservation (CON) to Transportation and Utilities Facilities (U/T) and Parks and Recreation (PARK), and to revise Future Land Use Policies 2.2.9-b and 2.2.9-c to the Port of Palm Beach; and acknowledge parks as an allowable use in U/T areas which primarily support transportation uses.

There was no staff presentation since this item had been previously workshopped.

Judith Thomas, Planning and Zoning Administrator for the City of Riviera Beach, requested information on the uses allowed under the new designation. She also informed the Board that the City had attempted to annex the Island.

During Board discussion concern was expressed regarding acceptable uses and Mr. Duke explained that allowable uses would be limited to those described in the Port of Palm Beach Master Plan as approved by the Board of County Commissioners.

Mr. Eisenberg moved to recommend approval. Mr. Hagerty seconded the motion, which passed unanimously.

2. Ag Reserve County Properties

The item before the Board was a public hearing on a proposed County initiated amendment to the Future Land Use Atlas (FLUA) to identify the County owned subject sites within the Ag Reserve area with a note designating them as Agriculture Preserve Areas to retire density.

There was no staff presentation since this item had been previously workshopped.

Mr. Hagerty moved to recommend approval of this item. The motion was seconded by Ms. Murray, and passed unanimously.

C. Proposed Transportation Amendments

1. PGA CRALLS - Transportation Element

The item before the Board was a public hearing on a proposed amendment to the Transportation Element (TE) which would designate segments of PGA Boulevard between Ronald Reagan Turnpike and Prosperity Farms Road, including the intersection of PGA Boulevard and Military Trail, as a CRALLS facility exclusively for the purpose of concurrency for the projects which entered into a forbearance agreement with the City of Palm Beach Gardens on April 15, 1999, to facilitate area-wide planning of their impacts and for other projects generating less than 2,000 daily trips.

The LUAB requested that staff limit its presentation to responses to the questions raised at the workshop.

1. County Attorney Bob Banks responded to the question of whether a municipality could preclude some properties from using a CRALLS. He explained that the language recommended by staff limited use of the CRALLS to those projects which had entered into a forbearance agreement with the City or were small enough to generate insignificant traffic on PGA Boulevard.

2. Mr. Duke responded to the question of whether this project met the criteria for a CRALLS. He said that it does, or staff would not be recommending approval. Mr. Duke noted that the constraints were policy based, not physical; the CRALLS was intended to preserve the landscape character of Gardens' "down town" area.

3. Mr. Duke responded to the questions of what impacts traffic calming techniques would have on the need for a CRALLS and what are the alternatives to a CRALLS. He noted the CRALLS required the City to evaluate the feasibility of a bus/trolley system serving the City and required developers to build a series of linked roads to serve as relievers to PGA.

Mr. Kalish moved to recommend approval of the proposed amendment. Mr. Weiner seconded the motion.

During Board discussion concern was expressed regarding traffic impacts on the surrounding communities. Questions were raised regarding use of mass transit as a alternative to adding lanes to roadways, if there were any other primary east-west connectors as part of the overall plan, and the appropriateness of using policy constraints as a basis for a CRALLS.

Steve Cramer, City of Palm Beach Gardens, responded to the LUAB's concerns. He noted that widening the road would require elimination of landscaping, which was inconsistent with the City's desires for the area. He noted the City's commitment to study mass transit and to require developers to build the additional roads identified in its Linkages Plan.

LUAB members suggested that the City should build the roads consistent with a fixed schedule and that the commitment to mass transit should be greater than a commitment to study its feasibility.

Mr. Hall moved to recommend denial of the proposed amendment. The motion was seconded by Mr. Hagerty, and passed 7-3, with Mr. Eisenberg, Mr. Kalish, and Mr. Weiner dissenting, and Mr. Merin no longer present.

2. General TIM Amendments - Transportation Element, Thoroughfare Right-of-Way

The item before the Board was a public hearing on a proposed amendment to the Transportation Element (TE) and to the Thoroughfare Right-of-Way Identification Map (TE-14)

There was no staff presentation since this item had been previously workshopped.

Mr. Hall moved to recommend approval of the proposed amendment. Ms. Murray seconded the motion, which passed unanimously.

3. Hood Road TIM - Transportation Element, TIM, 2015 Roadway Network

The item before the Board was a public hearing on a proposed amendment to the Transportation Element (TE) which would:

1. amend the Thoroughfare Right-of-Way Identification Map (TIM) to reduce the right-of-way for the segment of Hood Road between Alternate A1A and Prosperity Farms Road from 110 feet to 60 feet with the remaining 50 feet to be used for landscaping and buffering;
2. change the depiction of Hood Road on the TIM to correct to Flamingo Road; and
3. create a new policy (TE 1.4-u) which would list the different notes that are currently included on the TIM.

Project Manager Alex Hansen gave a presentation on this item. He noted the current depiction of Hood Road shows this roadway bisecting the Frenchman's Forest Natural Area Preserve. The proposed change in the depiction of Hood Road would minimize the environmental impacts when the road is constructed by steering Hood Road away from the natural preserve. He acknowledged the proposed Hood Road connection with Flamingo Road may generate some impacts, mostly noise, for some of the residential developments adjacent to Flamingo Road, but indicated that the proposed right-of-way reduction to 60 feet, the restriction of laneage to 2 lanes, and the requirement of 50 feet of buffering and landscaping would mitigate most of these impacts. Staff received one letter of support from the Frenchman's Landing Property Owners Association. Staff recommendation was for approval.

Mary Ann Gushke, resident of the Sanctuary, and Robert Cutler spoke in support of the realignment, but requested additional right-of-way to permit traffic calming and turn lanes.

Mr. Hagerty moved to recommend approval of this item as recommended by staff. Ms. Murray seconded the motion, which passed unanimously.

4. 13<sup>th</sup> Street TIM - TIM

The item before the Board was a public hearing on a proposed amendment to the Thoroughfare Right-of-Way Identification Map (TE-14.1) which would add a segment of 13<sup>th</sup> Street from Dixie Highway to Australian Avenue with a right-of-way width of 108 feet.

There was no staff presentation.

Judith Thomas, Planning and Zoning Administrator for the City of Riviera Beach, spoke in support of the amendment, but noted a typographical error in the staff report.

Mr. Kalish moved to recommend approval of the proposal. Mr. Hall seconded the motion, which passed unanimously.

5. West Boca TIM - TIM

The item before the Board was a public hearing on a proposed amendment to the Thoroughfare Right-of-Way Identification Map (TE-14.1) which would:

1. delete Palmetto Park Road from Coral Ridge Drive Extension to University Drive - 200 feet right-of-way (R-O-W), add a Coral Ridge Drive/University Drive Connector (80 feet R-O-W); and
2. add Kimberly Boulevard from State Road 7 (US 441) to Lyons Road (100 feet R-O-W).

Mr. Duke stated that this item was originally heard by the LUAB as part of Amendment Round 00-1. It had not been transmitted by the BCC because of a staff error which had been corrected.

Mr. Hagerty moved to recommend approval of this amendment. The motion was seconded by Mr. Hall, and passed unanimously.

6. 2015 to 2020 Conversion - Transportation Element

The item before the Board was a public hearing on a proposed amendment which would revise Figures TE 1.1 through TE 13.1 of the Map Series; text of the Transportation Element (TE) by replacing the currently adopted year 2015 Roadway Network with the year 2020 Roadway Network; and the General Requirements section of the Introduction and Administration Element (IA) to include year 2020 as a planning period. In addition, the proposed amendment will correct an error in Table TE 1.

Mr. Duke stated that this item was originally heard by the LUAB as part of Amendment Round 00-1. It had not been transmitted by the BCC because of a staff error which had been corrected.

Mr. Hagerty moved to recommend approval of this amendment. The motion was seconded by Mr. Hall, and passed unanimously

D. Proposed Text and Map Series Amendments

1. General Map Series Revisions - Map Series

The item before the Board was a public hearing on a proposed amendment to the Map Series of the 1989 Comprehensive Plan. The amendment included updates, deletions, and modifications to the following maps:

1. Special Planning Areas map, to update the PBIA Overlay boundary;
2. Water Service Areas and Facilities, to delete and relocate the map to the Utility Element Support Documents; and
3. Sanitary Service Areas and Facilities, to delete and relocate the map to the Utility Element Support Documents.

There was no staff presentation.

Mr. Hall moved to recommend approval of this amendment. Mr. Hagerty seconded the motion, which passed unanimously.

2. Lake Okeechobee Scenic Trail Overlay - Future Land Use Element, FLUA

The item before the Board was a public hearing on a proposed amendment to the Future Land Use Element which would:

1. establish the Lake Okeechobee Scenic Trail Overlay to facilitate development of nature and heritage tourism related uses in proximity to the Herbert Hoover Dike; and
2. amend the FLUA and Special Planning Areas Map to depict the boundaries of the Overlay.

There was no staff presentation on this item.

During Board discussion, it was questioned whether this proposal would stimulate the economy in this area. Mr. Duke responded that this amendment was part of an overall plan to encourage economic development in a part of the county that has traditionally been economically disadvantaged.

Mr. Hagerty moved to recommend approval of the proposed amendment. Mr. Hall seconded the motion, which passed unanimously.

## VII. UPDATES AND COMMENTS

### A. Board Members

Mr. Weiner urged the LUAB to keep an open mind on CRALLS. He suggested that this could be a tool to stimulate redevelopment and should not be automatically dismissed by the LUAB.

Ms. Murray noted an article in the Palm Beach Post regarding redevelopment of the CCRT areas. She commended staff for their work on this project.

### B. Staff

Mr. Duke provided an update on the 45th Street CRALLS. He said that the LUAB had previously recommended approval on this item. After meeting with the City of West Palm Beach regarding their potential objection to the CRALLS, they unanimously voted not to object to the CRALLS.

Mr. Duke provided an update on the Able Small Scale Amendment. The IPARC Fact Finding Panel unanimously agreed with the LUAB's recommendation that the amendment should not move forward, stating that the data and analysis did not support the amendment and that there was no demonstration of need for the land use change.

Mr. Duke stated that during Amendment Round 99-1, the LUAB recommended that the staff of the Planning Division and Housing and Community Development (HCD) work with the Commission on Affordable Housing (CAH) to develop policies consistent with the Tier System. Mr. Duke requested that a sub-committee be created, consisting of three members of the LUAB and four members of the

Commission of Affordable Housing, to work with staff on these policies. Mr. Kalish, Mr. Weiner, and Mr. Eisenberg volunteered to serve on this committee.

**VIII. ADJOURNMENT**

The LUAB meeting adjourned at 11:20 a.m.

This signature is to attest that the undersigned is the Secretary, or a designated nominee, of the Land Use Advisory Board and that the information provided herein is the true and correct Minutes for the June 9, 2000, meeting of the Land Use Advisory Board of Palm Beach County, approved this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
Frank M. Duke, AICP  
Planning Director

Recorded tapes of all Land Use Advisory Board meetings are kept on file in the Palm Beach County Planning Division office.