

**PALM BEACH COUNTY  
LAND USE ADVISORY BOARD  
(LOCAL PLANNING AGENCY)**

**MINUTES OF THE JUNE 24, 2005 MEETING**

On June 24, 2005, 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**

A. Roll Call

Chairman Bill Hall called the meeting to order at 9:05 a.m. Recording Secretary Ann Himick called the roll.

Members Present

Harvey Arnold  
Judy Daversa  
Carol Francis  
David Goodstein  
Sandra Greenberg  
Jerry Greenfield  
Bill Hall  
Dennis Koehler  
Neil Merin  
Katharine Murray  
Michael Weiner

Members Present – 11

Members Absent

Blake MacDiarmid  
Dean Turney

Members Absent – 2

Planning Staff Present

Lorenzo Aghemo, Planning Director  
Denise Malone, Principal Planner  
Susan Miller, Principal Planner  
James Gammack-Clark, Senior Planner  
Khurshid Mohyuddin, Senior Planner  
John Rupertus, Senior Planner  
Bruce Thomson, Senior Planner  
Etim Udoh, Senior Planner  
Brandon Schaad, Planner II  
Bryce Van Horn, Planner II  
Ann Himick, Recording Secretary

Other Staff Present

Bob Banks, Assistant County Attorney  
Tim Granowitz, Parks and Recreation Dept.  
Hassan Hadjimiry, Water Utilities Dept.

Others Present - See files.

- B. Pledge of Allegiance
- C. Proof of Publication (only if needed)
- D. Public Comments (not related to items of the agenda)
- E. Consideration of Minutes – June 10, 2005

Ms. Greenberg moved to approve the minutes of June 10, 2005. The motion was seconded by Ms. Daversa, and passed unanimously.

**II. COMMENTS BY THE CHAIR**

Chairman Bill Hall opened the Public Hearing.

Mr. Hall notified the Board that Item III.D.1. Congress/Old Boynton CRALLS would need to be postponed. Ms. Greenberg moved to recommend postponement of this item to July 8, 2005. The motion was seconded by Ms. Daversa, and passed unanimously.

**III. PUBLIC HEARING – AMENDMENT ROUND 05**

A. Privately Initiated Amendment

- 1. Yamato/SR 7-US 441 – SE (LGA 2005-00031)

The item before the Board was to hold a public hearing on a proposed amendment to the Future Land Use Atlas (FLUA) to change the future land use (FLU) designation for a 19.86 acre parcel from Transportation & Utilities (U/T) on 7.4 acres and High Residential, 8 units per acre (HR-8) on 12.46 to Commercial Low, with an underlying 8 units per acre (CL/8) on 7.42 acres and to Institutional, with an underlying 8 units per acre (INST/8) on 12.44 acres.

Project Manager Bryce Van Horn gave a presentation on this item. He stated that the site is located on the southeast corner of Yamato Road and State Road 7/US 441. He noted that the U/T designated parcel is owned by the county and is a County Water Utility Facility. Mr. Van Horn stated that the majority of the Water Utility Facility property is no longer needed since the use of some of the wastewater treatment infrastructure has been discontinued. He said that infrastructure originally included percolating ponds and a wastewater treatment plant. Mr. Van Horn noted that the county intends to sell the majority of the property and retain a portion for the remaining infrastructure. Mr. Van Horn provided the Board with background information and noted that the county intends to sell the portion of both the utility and park subject to this amendment and use the proceeds to complete other needed regional recreational facilities in

the area that would serve a greater public good. He stated that staff recommends approval, with conditions, based on the following reasons: 1) the applicant provided adequate justification; 2) the applicant also met the demonstration of need requirement; 3) there were no compatibility concerns identified with this proposal; 4) the proposal is consistent with County Plans and State statutes, and is not considered urban sprawl; and 5) the proposal meets traffic requirements. He said that staff had received a number of phone calls and several letters. He noted the three conditions to this proposal: 1) non-residential development on the Commercial portion of the site shall be limited to a maximum of 50,000 square feet; 2) the Institutional portion of the site shall be limited to a maximum of 72,000 square feet of school uses and a Congregate Living Facility (CLF) with a maximum of 94 beds; and 3) at the time a rezoning application is submitted, the application must include the entire property subject to this amendment.

Agent Bob Bentz, Land Design South, Inc., gave a presentation on this item, provided an overview of the proposal, and noted the components of the site plan. He noted that the West Boca Community Council supports this proposal.

Members of the public who spoke in opposition to this amendment were as follows: Enriyue Guevarn, Beverly Boylan, Susan Posthumus, Gail Wagner, Mary Bruno, Harold Day, Ray Alexandirk, Ann Salokar, Jason, Barbara and Randy Guessetto, Laurene Meateer, and Rebecca Miller.

During Board discussion, concern was expressed regarding the civic site uses, large space for school vs. small space left for park, buffer system, crosshatching, and the possibility of increasing the size of the park land.

Bill Boose addressed the civic use, stating that this was a civic dedication by the Hamptons of Boca Ration PUD given to Palm Beach County at the time of their approval in the 1970s.

Tim Granowitz, Parks and Recreation Dept., explained to the Board how the county plans to develop the park. He stated that they would work with the residents.

Mr. Weiner moved to recommend approval of the proposed amendment, with conditions. The motion was seconded by Ms. Greenberg.

Mr. Merin made an alternative motion to approve the proposed amendment, with an additional condition to prohibit structures on the southern 100 feet of the property. Mr. Goodstein seconded the motion.

Ms. Murray made another alternative motion to allow a land use change only to the U/T property. She also added as a comment that the intent of her motion was to return the use of the HR-8 portion as a park. The motion failed due to a lack of a second.

The first alternative motion failed 3-8, with Mr. Arnold, Ms. Francis, Ms. Greenberg, Mr. Greenfield, Mr. Hall, Mr. Koehler, Ms. Murray, and Mr. Weiner dissenting.

The original motion passed 8-3, with Ms. Francis, Mr. Koehler, and Ms. Murray dissenting.

B. County Initiated Amendments

1. Congress Avenue/Lk Worth Road Properties (LGA 2005-00049)

The item before the Board is to hold a public hearing on a proposed amendment to the Future Land Use Atlas (FLUA) to change the commercial portion of the future land use designation for thirty-eight (38) properties, collectively totaling 25.70 acres, in the NE quadrant of Lake Worth Road and Congress Avenue from the Commercial (C) to the Commercial High Intensity (CH) designation utilizing Policy 2.2.2-b in the Future Land Use Element of the Palm Beach County Comprehensive Plan, as appropriate.

At the request of the Board, there was no staff presentation on this item.

There was no Board discussion on this item.

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

2. Stonewal PUD (LGA 2005-00052)

The item before the Board was to hold a public hearing on a proposed County initiated corrective amendment to: 1) change the future land use designation for the Stonewal Planned Unit Development (PUD) (aka Bayhill Estates) from Rural Residential, 1 unit per 10 acres (RR-10) to Rural Residential 1 unit per 2.5 acres (RR-2.5); and 2) modify Managed Growth Tier System Map (LU 1.1) to remove the PUD from the Rural Growth Management Tier and include in the Exurban Tier.

At the request of the Board, there was no staff presentation on this item.

There was no Board discussion on this item.

Penny Riccio, Indian Trail Improvement District, stated her objections to this amendment.

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

C. General Text Amendments

1. Tier Boundary Redesignation Criteria

The item before the Board was to hold a public hearing on a proposed amendment to the Introduction and Administration Element and the Future Land Use Element that would: 1) clarify that amendments to revise tier designations must be initiated only by the board of County Commissioners (BCC) or Local Planning Agency (LPA); 2) correct unclear language in FLUE Policy 1.1-b; and 3) amend the standards in FLUE Policy 1.1-b regarding tier Redesignation.

At the request of the Board, there was no staff presentation on this item.

There was minimal Board discussion on this item.

Ms. Daversa moved to recommend approval of the proposed amendment. The motion was seconded by Mr. Greenfield, and passed unanimously.

2. Unincorporated Protection Area and Rural Neighborhoods

This item was administratively withdrawn from this round.

3. Future Land Use Atlas Text and Map Revisions

The item before the Board was to hold a public hearing on proposed amendments to the Future Land Use Atlas (FLUA) and the Future Land Use Element (FLUE) that would: 1) remove overlays and service areas from the FLUA (to remain on other maps in the Map Series); 2) modify language within the FLUE that stipulates the depiction of overlays service areas and other notes upon the FLUA; 3) remove adopted notes on the FLUA that were previously adopted by Ordinance; and 4) establish an Administrative Layer that can reference notes on an administrative basis.

At the request of the Board, there was no staff presentation on this item.

There was minimal Board discussion on this item.

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

4. Revitalization, Redevelopment, and Infill Overlay Sub-Objective

The item before the Board was to hold a public hearing on the proposed County initiated amendment to the Future Land Use Element that would 1) revise Sub-Objective 1.2.3 and its associated policies to include revitalization, redevelopment and infill considerations and to reflect current conditions; and 2) delete Policies 1.2.3-f and 1.2.3-g.

At the request of the Board, there was no staff presentation on this item.

There was no Board discussion on this item.

Mr. Merin moved to recommend approval of the proposed amendment. The motion was seconded by Ms. Daversa, and passed unanimously.

5. Workforce Housing Policy Update

The item before the Board was to hold a public hearing on a proposed text amendment to Housing Element Policy 1.5-h to revise the timeframe that allows BCC evaluation of the effectiveness of the voluntary Workforce Housing program from 3 years to 1 year consistent with BCC direction.

At the request of the Board, there was no staff presentation on this item.

Several Board members were concerned that the one-year timeframe proposed would not allow sufficient time for: the County to effectively market the new program; the public and the development community to learn about the program and how to use it; and proper analysis where and how to utilize the new program. Board comments were also made regarding program incentives and the need for the provision of smaller homes.

Mr. Merin moved to recommend denial of the proposed amendment. Mr. Koehler seconded the motion, which passed unanimously.

D. Transportation Related Amendments

1. Congress/Old Boynton CRALLS

This item was postponed to July 8, 2005.

2. Atlantic Avenue CRALLS

The item before the Board was to hold a public hearing on a proposed amendment that would designate several segments on Atlantic Avenue as a CRALLS facility exclusively for purposes of concurrency for certain projects located in that general area.

At the request of the Board, there was no staff presentation on this item.

There was no Board discussion on this item.

Ms. Francis moved to recommend approval of the proposed amendment. The motion was seconded by Mr. Koehler, and passed unanimously.

**IV. UPDATES AND COMMENTS**

A. Board Members

Mr. Merin provided an update to the Board on a retreat of the Better Business Board regarding a potential crises and the shortage of work places in Palm Beach County. He noted that one of the recommendations coming from this retreat was to re-institute the Commercial Needs Assessment Study.

B. Staff

**V. ADJOURN**

The LUAB meeting adjourned at 11:05 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 24, 2005, meeting of the Land Use Advisory Board of Palm Beach County, approved this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

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Lorenzo Aghemo  
Planning Director

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

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