

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

THURSDAY, July 1, 2010
9:00 A.M., 1ST Floor
Vista Center 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	Present
Commissioner William F. Anderson	Absent
Commissioner Allen Kaplan	Present
Commissioner Joanne Davis	Arrived 9:05am
Commissioner Alex Brumfield	Arrived 9:10am
Commissioner Sam Caliendo	Present
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, 6-0

E. Adoption of the Minutes – 6-0

F. Swearing In

G. Disclosures- Listed by Agenda Number

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
9, 10	11		Absent	9, 11	2, 5, 9, 10, 11			9, 10, 11

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

1. **DOA-2010-00143** Title: a Development Order Amendment application of Boynton Hagen LLC - Ram Realty Assoc by Land Design South Inc., Agent. Request: to modify the site plan and add square footage General Location: Northwest corner of Boynton Beach Boulevard and Hagen Ranch Road (**Hagen Ranch/Boynton Beach MUPD**) (Control 2006-00520)

Pages 1 – 1

Project Manager: Joyce Lawrence

Size: 3.70 acres +

BCC District: 5

Staff Recommendation: To recommend postponement of the application to August 5, 2010.

MOTION: To postpone the application to August 5, 2010. Carried 8 - 0

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

2. **ZV-2010-00658** Title: a Type II Zoning Variance application of Boca Raton Commerce Center II LLC by Jon E Schmidt & Associates, Agent. Request: to allow the elimination of frontage requirements and legal access on an arterial or collector street and a reduction in minimum lot size for a Planned Development District. General Location: West of Boca Rio Road at the terminus of South 210th Street (**Boca Raton Commerce Center**) (Control 1997-00032)

Pages

Project Manager: Carol Glasser

Size: 4.79 acres +

BCC District: 5

Staff Recommendation: To postpone the application to Thursday, August 5, 2010.

MOTION: To postpone the application to Thursday, August 5, 2010. Carried 8-0

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

3. **ZV-2010-00976** Title: a Type II Standalone Variance application of Haverhill Quadplex LLC by Land Design South Inc., Agent. Request: to allow a reduction in minimum lot size and the number of parking spaces and to eliminate the south incompatibility buffer. General Location: East side of Haverhill Road approximately 335 feet South of Vilma Lane (**Haverhill Road Medical Office**) (Control 2005-00147)

Pages

Project Manager: Carol Glasser

Size: 0.67 acres +

BCC District: 2

Staff Recommendation: To postpone the application to Thursday, August 5, 2010.

MOTION: To postpone the application to Thursday, August 5, 2010. Carried 8-0

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

4. **ZV/PDD-2010-00415** Title: a Type II Zoning Variance application of H & M Development LLC by Land Design South Inc., Agent. Request: to allow the east perimeter buffer 60 feet inside the property boundary Title: an Official Zoning Map Amendment to a Planned Development District application of H & M Development LLC by Land Design South Inc., Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District General Location: East side of SR7/US441 approximately 0.5 mile south of Lake Worth Rd. (**Legend Lakes Center**) (Control 2003-00015)

Pages

Project Manager: Carol Glasser

Size: 9.23 acres +

BCC District: 6

Staff Recommendation: To postpone the application to Thursday, August 5, 2010.

MOTION: To postpone the application to Thursday, August 5, 2010. Carried 8-0

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

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

D. ZONING APPLICATIONS – NEW

5. **ZV/DOA/R-2009-03940** Title: a Type II Zoning Variance application of Boca Mission LLC by Siegel Lipman Dunay Shepard & Miskel LLP, Agent. Request: to allow a reduction in the width and the number of shrubs for the right-of-way buffer along State Road 7, and to allow an easement overlap. Title: a Development Order Amendment application of Boca Mission LLC by Siegel Lipman Dunay Shepard & Miskel LLP, Agent. Request: to reconfigure the site plan Title: a Requested Use application of Boca Mission LLC by Siegel Lipman Dunay Shepard & Miskel LLP, Agent. Request: to allow a financial institution with a 4 lane drive-through facility General Location: North of Glades Road, on the West side of State Road 7 (**TD Bank**) (Control 1984-00099)

Pages 2 – 41
 Conditions of Approval Pages (22 - 31)
 Project Manager: Ora Owensby
 Size: 36.45 acres +
 (affected area 0.87 acres +)

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 4 conditions of approval for the Type II Variance as indicated in Exhibit C-1, 30 conditions of approval for the Development Order Amendment as indicated in Exhibit C-2, and 7 conditions of approval for the Requested Use as indicated in Exhibit C-3.

DECISION: APPROVED AS ADVERTISED 8-0

MOTION: To adopt a resolution approving a Type II Variance to allow a reduction in the width of the right-of-way buffer for State Road 7, to allow reduction in the number of shrubs within right-of-way buffer, and to allow an easement overlap subject to the Conditions of Approval as indicated in Exhibit C-1. Carried 8-0

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan subject to the Conditions of Approval as indicated in Exhibit C-2. Carried 8-0

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

MOTION: To recommend approval of a Requested Use to allow a financial institution with a 4 lane drive-through facility subject to the Conditions of Approval as indicated in Exhibit C-3.

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

6. **Z-2010-00657** Title: an Official Zoning Map Amendment application of Pioneer Growers Cooperative by SK Consortium Inc, Agent. Request: to allow a rezoning from the Residential High (RH) and the Agricultural Residential (AR) Zoning Districts to the Light Industrial (IL) Zoning District General Location: Northwest corner of N Main Street and NW Avenue L (**Pioneer Growers**) (Control 2008-00238)

Pages 42 – 65
 Conditions of Approval Pages (55 - 56)
 Project Manager: Joyce Lawrence

Size: 51.79 acres +

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 9 Conditions of Approval as indicated in Exhibit C.

DECISION: APPROVED AS ADVERTISED 8-0

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential High (RH) and the Agricultural Residential (AR) Zoning Districts to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C. Carried 8-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
			Absent			Moved		
Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes

7. **ABN/Z-2010-00656** Title: a Development Order Abandonment application of World Saving & Loan Association of Fla by Urban Design Kilday Studios, Agent. Request: to allow for the abandonment of a Special Exception granted under Resolution R-1980-672 for office/warehouse and a private tennis court and abandonment of Resolution R-1985-466 for a Planned Business Park. Title: an Official Zoning Map Amendment application of World Saving & Loan Association of Fla by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Specialized Commercial (CS) and the Residential Single Family (RS) Zoning Districts to the General Commercial (CG) Zoning District General Location: Northeast corner of Military Trail and Coconut Lane (**Military and Coconut**) (Control 1988-00109)

Pages 66 – 86

Conditions of Approval Pages (80 - 81)

Project Manager: Donna Adelsperger

Size: 8.41 acres +

BCC District: 4

Staff Recommendation: Staff recommends approval of the Development Order Abandonment and approval of an Official Zoning Map Amendment subject to a Conditional Overlay Zone and 9 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application:

Kerry Kilday, Agent – Agreed to the conditions of approval but would like to work with staff on language of condition #2 before BCC Hearing.

DECISION: APPROVED AS AMENDED 8-0

MOTION: To recommend approval of the Development Order Abandonment to allow the abandonment of the Special Exception granted under Resolution R-1980-672 for office/warehouse and a private tennis court and abandonment of Resolution R-1985-466 which granted the approval for a Planned Business Park. Carried 8-0

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Specialized Commercial (CS) and the Residential Single Family (RS) Zoning Districts to the General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C. Carried 8-0

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

8. **CB/DOA-2010-00404** Title: a Class B Conditional Use application of APTEK Communications Products Inc by Land Research Management Inc., Agent. Request: to allow a Place of Worship Title: a Development Order Amendment application of APTEK Communications Products Inc by Land Research Management Inc., Agent. Request: to reconfigure the site plan and modify uses General Location: Southeast corner of the Intersection of Westgate Avenue and Osceola Drive. (**Jack Turner/Office Warehouse**) (Control 1981-00216)

Pages 87 – 112

Conditions of Approval Pages (104 - 107)

Project Manager: David McGuire

Size: 1.01 acres +

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 14 Conditions of Approval as indicated in Exhibit C-1 and 8 Conditions of Approval as indicated in C-2.

People who spoke on this application:

Kevin McGinley, Agent – agree to postpone the application to September 2, 2010.

DECISION: POSTPONED TO SEPTEMBER 2, 2010

MOTION: To postpone to September 2, 2010. Carried 8-0

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

END OF CONSENT AGENDA

REGULAR AGENDA

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

9. **SV/ZV-2010-01435** Title: a Subdivision Variance application of Jewish Community Facilities Corp by Land Design South Inc., Agent. Request: to allow variance from the requirement set forth in the Unified Land Development Code, Article 11.E.A.2 that access to each subdivision lot shall be by a street of suitable classification and construction as established by the subdivision regulations; and to allow variance from the requirement set forth in the Unified Land Development Code, Article 11.E.9.D.2 that no direct access to a major street be allowed for subdivision lots. Title: a Type II Zoning Variance application of Jewish Community Facilities Corp by Land Design South Inc., Agent. Request: to allow reduction of the Private Civic Pod lot frontage. General Location: Approximately one half mile south of Glades Road on the east side of 95th Avenue (**Rainberry PUD Pods A & B**) (Control 1984-00139)

Pages 113 – 142

Conditions of Approval Pages (127 - 127)

Project Manager: Donna Adelsperger

Size: 39.01 acres +

BCC District: 5

(affected area 33.03 acres +)

Staff Recommendation: Staff recommends approval of the two Subdivision Variances and of the two Zoning Variances subject to 5 Conditions of Approval as indicated in Exhibit C.

* Item 9 and item 10 were presented and discussed together. Please see item 10 for the complete minutes.

DECISION: SV-APPROVED AS ADVERTISED 8-0; ZV APPROVED AS AMENDED 8-0.

MOTION: To adopt a resolution approving a Subdivision Variance to allow variance from the requirement set forth in the Unified Land Development Code, Article 11.E.A.2 that access to each subdivision lot shall be by a street of suitable classification and construction as established by the subdivision regulations; and to allow variance from the requirement set forth in the Unified Land Development Code, Article 11.E.9.D.2 that no direct access to a major street be allowed for subdivision lot. Carried 8-0

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

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow reduction of the Private Civic Pod lot frontage subject to the Conditions of Approval as indicated in Exhibit C. Carried 8-0

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

10. **DOAR-2010-00417** Title: a Development Order Amendment application of Jewish Community Facilities Corp by Land Design South Inc., Agent. Request: to modify and delete Conditions of Approval (Engineering, Landscaping, Lighting, Building & Site Design and Use Limitations), add square footage and reconfigure the master plan and site plan Title: a Requested Use application of Jewish Community Facilities Corp by Land Design South Inc., Agent. Request: to allow for a Congregate Living Facility Type III, Assembly Non-Profit Institutional use, and a Nursing or Convalescent Facility General Location: Approximately one half mile south of Glades Road on the east side of 95th Avenue (**Rainberry PUD Pods A & B**) (Control 1984-00139)

Pages 143 – 179

Conditions of Approval Pages (164 - 175)

Project Manager: Andrea Harper

Size: 39.01 acres +

(affected area 33.03 acres +)

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests for a DOA to modify 3 Conditions of Approval and delete 3 COA for Engineering, Landscaping, Lighting, Building & Site Design and Use Limitations, add square footage, reconfigure the site plan and add 3 requested uses (CLF Type 3, a Non-Profit Assembly Institutional use and Nursing or Convalescent Facility) within Pod B subject to 47 Conditions of Approval as indicated in Exhibit C-1 and 7 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on this application:

Jennifer Morton - Agent

Ron Collins – Attorney for the Applicant

John Burton and Joe McKnight spoke in opposition of application.

General Discussion

Zoning Division staff provided a summary of the project followed by a presentation by the agent for applications: SV/ZV 2010-1435 (Subdivision and Standalone variances) and DOAR-2010-417 (Development Order Amendment and Requested Use) application. In the presentation the applicant wanted to modify two conditions of approval.

For SV/ZV 2010-1435:

- This variance was approved based on Site Plan layout dated May 18, 2010. Only minor modifications by BCC or DRO shall be permitted provided the changes are consistent with this site plan. (ONGOING: CODE ENF - Zoning)

The applicant wanted to amend this condition because the approval of the Zoning Variance were not contingent upon a site plan.

For DOA/R 2010-417:

- Prior to Building Permit the architectural elevations for all new buildings in Pod B, except building A, shall be submitted for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (BLDG PERMIT: ARCH REVIEW - Zoning)

The applicant wanted to amend this condition to modify the timing of submittal of architectural plans. The agent pointed out that the Code allows the elevations to be reviewed during the building permit review process. The existing Condition of Approval requires the applicant to submit architectural elevations for Bldg A at Final DRO, but the agent stated in order to get funding for the project the applicant needs to have the site plan approved. The applicant stated that it requires a lot of time and expense to prepare architectural elevations. The agent's request was to allow the architectural elevations to be submitted during the building permit review process. The agent asked that Condition 1 be deleted and Condition 2 be modified.

John Burton and Joe McKnight of Timbers of Boca Development then spoke in opposition to the project. They expressed concerns over:

- No notification by the HOA to the residents on the requests
- Building height, placement of Building to address noise
- Unrepaired fence since Hurricane Wilma on east property line
- Lack of maintenance of the Conservation Tract behind their homes
- Noise nuisance from the dumpster pick-up at 5:30 am in the morning and loud noises from the mechanical equipment/ AC (cooling system)
- Impact of proposed development on the existing wildlife such as the birds and the turtles

The Agent stated that they agreed to repair the fence in the next 30 days and the property owner had called the Solid Waste Authority and requested that they come at 7 am or later for trash pick-up.

There was a lengthy discussion between Zoning Commissioners, Staff, the Agent and their Attorney, and the public regarding:

- Building height
- Proposed elevations
- Central energy plan and noise reduction methods
- Protection of native vegetation
- Clarification of submission of elevations at building permit or DRO level (Code requirements)
- Funding and timing
- Setbacks and height

In summary, after along discussion on elevations and location of the cooling system, the Zoning Commission voted 7-1 to recommend approval of the Development Order Amendment and voted 8-0 to recommend approval of the Requested Uses and with 2 recommended conditions of approval.

1. Prior to final approval by the Development Review Officer (DRO), the property owner shall submit shall submit a line of sight analysis cross section of Building A to demonstrate compliance with building height and to address visual impact from adjacent residential properties.

2. Prior to final approval by the Development Review Officer (DRO), the property owner shall indicate on the site the location of either a centralized mechanical equipment air cooling facility for the development or location of individual units for each building. The air cooling equipment (centralized or individual units) shall be screened from view from adjacent properties. There shall be no mechanical equipment, or dumpsters located on the east side of building E.
3. Prior to building permit, the site plan shall reflect the location of dumpsters and mechanical equipment for building E. No mechanical equipment or dumpster are allowed on the east side of building E.

DECISION; DOA-APPROVED AS ADVERTISED 8-0, REQUESTED USE-APPROVED AS AMENDED 7-1

MOTION: To recommend approval to modify and delete Conditions of Approval (Engineering, Landscaping, Lighting, Building & Site Design and Use Limitations), add square footage and reconfigure the master plan and site plan subject to Conditions of Approval as indicated in Exhibit C-1. Carried 8-0

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

MOTION: To recommend approval to allow three Requested Uses for a Congregate Living Facility Type III, Assembly Non-Profit Institutional use, and a Nursing or Convalescent Facility subject to Conditions of Approval as indicated in Exhibit C-2. Carried 7-1

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

11. **DOA/R-2009-03933** Title: a Development Order Amendment application of Civic Development Group LLC by Miller Land Planning, Agent. Request: to reconfiguration the site plan Title: a Requested Use application of Civic Development Group LLC by Miller Land Planning, Agent. Request: to allow a Daycare, General with 250 children and a Private Elementary school with 350 children General Location: Southeast corner of Hypoluxo and Lyons Road. (**Villages of Windsor SE Civic**) (Control 1996-00081)

Pages 180 – 212

Conditions of Approval Pages (196 - 209)

Project Manager: Andrea Harper

Size: 12.12 acres +

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 64 Conditions of Approval as indicated in Exhibit C-1 and 5 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on this application:

Andrea Harper – Site Planner II, gave a brief presentation

Bradley Miller – Agent, stated he was in agreement with the conditions of approval

Melvin Eisenberg, Marvin Lewis, Michael Kugler, Richard Goodwin, Howard Chaiet,– spoke in opposition of application

Stuart Caine – COBWRA – Stated that COBWRA could not approve or oppose the application due to not having a quorum when the voting took place.

Robert Miller – Spoke in support of application

General Discussion

Several residents spoke in opposition to the project. They expressed concerns regarding increased traffic, cars stacking into the right-of-way, children getting struck by

cars, insufficient parking spaces for night functions, lack of notification of the HOA meetings and excessive uncontrolled u-turns at the median break. Stuart Cane, Vice President of COBWRA stated the request was reviewed by COBWRA Executive Board at the June 16, 2010 COBWRA Delegates meeting, but the Board failed to have a required quorum present so no vote could be recorded. Therefore, COBWRA was unable to recommend approval or denial for the application. Ronald Miller, President of Valencia Shores Association Board, and HOA members were in support of the project. He pointed out that the developer came to their community and made 2 presentations. Mr. Miller conducted a telephone poll of the 9 board members regarding how the COBWRA delegate would vote and the delegates voted 6 -3 in favor of project which was reconfirmed at the meeting of June 16th. Mr. Miller stated that the residents were not in favor of the project, but however they are not in favor of any project going through. After a brief discussion relating to the traffic, the Zoning Commissioners that spoke did not see a problem with the traffic and recommend approval of the project.

DECISION: APPROVED AS ADVERTISED 8-0

MOTION: To recommend approval of a Development Order Amendment to reconfigure the master plan and site plan subject to Conditions of Approval as indicated in Exhibit C-1. Carried 8-0

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

MOTION: To recommend approval of a Requested Use to allow a Daycare, General with 250 children and a Private Elementary school with 350 children subject to Conditions of Approval as indicated in Exhibit C-2. Carried 8-0

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

12. **Z-2010-00667** Title: an Official Zoning Map Amendment application of by PBC Zoning Division, Agent. Request: to allow a rezoning from multiple Zoning Districts to the Urban Center (UC) Zoning District. General Location: Along the east and west sides of Congress Avenue and Military Trail, and bordered by Southern Boulevard to the north and extend as far south as the Lake Worth Drainage District L-8 Canal. Additional locations are along Lake Worth Road and 10th Avenue North. (**Urban Center PRA Rezoning**) (Control 2010-00113)

Pages 213 – 226
 Project Manager: Autumn Sorrow
 Size: 263.24 acres +

Staff Recommendation: Staff recommends approval of the Official Zoning Map Amendment to rezone the subject properties from multiple zoning districts to the Urban Center (UC) or Urban Infill (UI) Zoning Districts.

People who spoke on this application:

Autumn Sorrow – Senior Site Planner, gave a brief presentation for both 2010-667 & 668
 Bryan Davis – Principal Planner, gave a brief explanation
 Michael Owens – Senior Planner of School District, Natasha Tenn and Avani Patel, resident, has issues in regards to not being notified about the opting out option.

General Discussion

Staff gave a brief presentation of the project, followed by comments from the public. Three people spoke at the hearing stating that they were not properly notified of the Site Specific Land-Use amendments and even questioned proper notification of the Rezoning applications. Zoning staff commented that the individuals were at the hearing because they did receive notice of the rezonings. The Principal Planner from the Planning Division and the County Attorney attested that proper notification was sent out to all property owners during the Site Specific Land-Use amendments. The 3 individuals were not necessarily opposed to the rezoning, but they had concerns about how the rezonings and subsequent code amendments would affect them in the future as far as redeveloping and selling of their property. The Zoning Commission had concerns relating to the proper notifications of the Site Specific Land-Use amendments and stated that proper notification was not done and that property owners should have been sent certified and regular mail. The Zoning Commission recommended approval of the rezonings with the exception of the 3 properties (PCN:00-41-24-412-00-000-5390; 00-43-44-07-12-000-0092; and 00-43-44-05-06-014-0010 & 00-43-44-05-05-000-0770) where the property owners spoke regarding mis-notification.

DECISION – APPROVED AS AMENDED 8-0

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from multiple Zoning Districts to the Urban Center (UC) Zoning District. Carried 8-0

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

13. **Z-2010-00668** Title: an Official Zoning Map Amendment application of by Planning Zoning and Building, Agent. Request: to allow a rezoning from multiple Zoning Districts to the Urban Infill (UI) Zoning District General Location: Along the east and west sides of Congress Avenue and Military Trail, and bordered by Southern Boulevard to the north and extend as far south as the Lake Worth Drainage District L-8 Canal. Additional locations are along Lake Worth Road and 10th Avenue North. (**Urban Infill PRA Rezoning**) (Control 2010-00125)

Pages 213 – 226
 Project Manager: Autumn Sorrow
 Size: 435.10 acres +

Staff Recommendation: Staff recommends approval of the Official Zoning Map Amendment to rezone the subject properties from multiple zoning districts to the Urban Center (UC) or Urban Infill (UI) Zoning Districts.

* Item 11 and 12 were presented together, see item 12 for the complete minutes.

DECISION – APPROVED AS AMENDED 8-0

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from multiple Zoning Districts to the Urban Infill (UI) Zoning District. Carried 8-0

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

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT – Meeting adjourned at 11:47am.

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