



**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
FEBRUARY 23, 2012**

**AGENDA ITEM #  
(PAGE #)**

**APPLICATION/CHANGE**

**AMENDMENTS**

- |    |         |   |                        |
|----|---------|---|------------------------|
| 5. | (28-48) | ABN/EAC-2011-2626<br>(Control 1989-130) | Country Day of Jupiter |
|----|---------|---|------------------------|

**Amend All Petitions Condition 2. to read as follows:**

2. The approved Preliminary Site plan is dated December 19, ~~2012~~2011.

**Add Engineering Condition 6. to read as follows:**

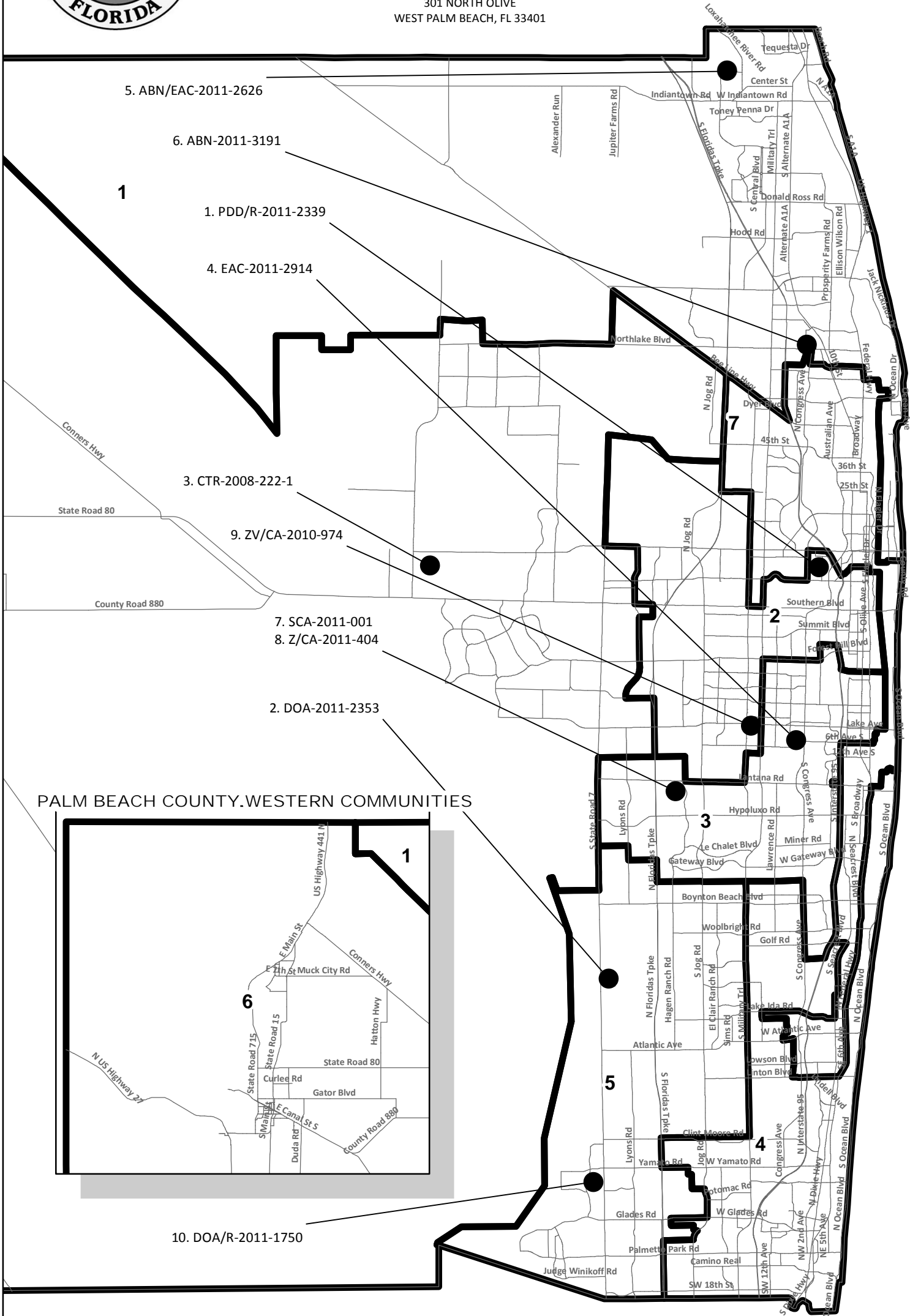
6. Prior to February 23, 2013, the property owner shall submit an acceptable application for Drainage Review confirming that no stormwater discharge leaves the property except through approved control structures. (DATE: MONITORING – Eng)





PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
PUBLIC HEARING

THURSDAY, February 23, 2012  
9:30 A.M. in the 6 FLOOR CHAMBERS  
JANE M. THOMPSON MEMORIAL CHAMBERS  
301 NORTH OLIVE  
WEST PALM BEACH, FL 33401



Karen Marcus Commissioner, District 1

Shelley Vana Chair, District 3

Burt Aaronson Commissioner, District 5

Priscilla A. Taylor Commissioner, District 7

Paulette Burdick Commissioner, District 2

Steven L. Abrams Vice Chair, District 4

Jeff R. Santamaria Commissioner, District 6



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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**THURSDAY FEBRUARY 23, 2012**

**9:30 A.M. 6<sup>TH</sup> FLOOR**

**JANE M. THOMPSON MEMORIAL CHAMBERS**

**CALL TO ORDER**

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication
- D. Swearing In
- E. Adoption of Agenda

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**REGULAR AGENDA**

**DIRECTOR COMMENTS**

**COMMISSIONER COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

*Disclaimer: Agenda subject to changes at or prior to the public hearing.*

**AGENDA  
PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**FEBRUARY 23, 2012**

**CALL TO ORDER**

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file
- D. Swearing In - County Attorney
- E. Motion to Adopt Agenda

## POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

### A. POSTPONEMENTS

1. **PDD/R-2011-02339** Title: an Official Zoning Map Amendment to a Planned Development District application of 1310 Congress Partners LLC Lessor by David L. Carpenter & Assoc., Agent. Request: to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Requested Use of 1310 Congress Partners LLC Lessor by David L. Carpenter & Assoc., Agent. Request: to allow a Charter School for more than 200 students

General Location: East side of Old Congress Avenue north of Belvedere Road (**Congress Business Center MUPD**) (Control 1983-00118)

Pages:

Project Manager: Carol Glasser

Size: 4.21 acres  $\pm$

BCC District: 2

Staff Recommendation: To Postpone to Thursday, March 22, 2012.

**MOTION:** To Postpone to Thursday, March 22, 2012.

### B. REMANDS

2. **DOA-2011-02353** Title: a Development Order Amendment application of Delray 282 LLC by CMS Engineering LLC, Agent. Request: to reconfigure the Master Plan, modify and delete Conditions of Approval (Engineering, ERM, Landscaping, Planning, PREM, PUD) and to restart the commencement clock

General Location: Approximately 2.25 miles north of Atlantic Avenue on the east side of US 441 (**Monticello AGR-PUD**) (Control 2005-00014)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 282.68 acres  $\pm$

BCC District: 5

Staff Recommendation: To remand to the February 8, 2012 DRO meeting.

Zoning Commission Recommendation: Remanded: 6-0

**MOTION:** To remand to the February 8, 2012 DRO meeting.

### C. WITHDRAWALS

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

## CONSENT AGENDA

### A. REQUESTS TO PULL ITEMS FROM CONSENT

### B. DISCLOSURES FOR THE CONSENT ITEMS

### C. STATUS REPORTS - NEW

3. **CTR-2008-00222-1** Status Report for Resolution 2009-0899 (Control No. 2008-222). Property Owner: Palm Beach Hindu Mandir. General Location: Approximately 1200 feet east of Seminole Pratt Whitney Road on the south side of Okeechobee Blvd Current Zoning: AR (**King of Kings**)

Pages: 2 - 6

Size: 1.00 acres  $\pm$

BCC District: 6

**MOTION:** To approve a 60-day time extension to comply with Condition Numbers ENG.2, ENG.4.a, and ENG.4.b of Resolution 2009-0899.

### D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

### E. ZONING APPLICATIONS - NEW

4. **EAC-2011-02914** Title: an Expedited Application Consideration application of Columbia JFK Medical Center LP by Urban Design Kilday Studios, Agent. Request: to delete a Condition of Approval (Signs) General Location: Northwest corner of Congress Avenue and Roberts Lane. (**JFK Comprehensive Radiation Oncology**) (Control 1996-00113)

Pages: 7 - 27

Conditions of Approval (18 - 23)

Project Manager: Douglas Robinson

Size: 4.51 acres  $\pm$

BCC District: 3

(affected area 2.41 acres  $\pm$ )

Staff Recommendation: Staff recommends approval of the request subject to 36 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to delete a Condition of Approval (Signs) subject to the Conditions of Approval as indicated in Exhibit C.

5. **ABN/EAC-2011-02626** Title: a Development Order Abandonment application of Ridge LLC by H & L Planning & Development, Agent. Request: to revoke the Class A Conditional Use for a School, Elementary or Secondary granted under R-1995-110

Title: an Expedited Application Consideration of Ridge LLC by H & L Planning & Development, Agent. Request: to modify a Condition of Approval (Building and Site Design) and delete a Condition of Approval (Use)

General Location: Approximately 0.10 miles north of Loxahatchee River Road on the north side of Roebuck Road (**Country Day of Jupiter**) (Control 1989-00130)

Pages: 28 - 48

Conditions of Approval (41 - 44)

Project Manager: Douglas Robinson

Size: 2.03 acres  $\pm$

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 24 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving a Development Order Abandonment to revoke the Class A Conditional Use for a School, Elementary or Secondary granted under R-1995-110.

**MOTION:** To adopt a resolution approving an Expedited Application Consideration to modify a Condition of Approval (Building and Site Design) and delete a Condition of Approval (Use) subject to the Conditions of Approval as indicated in Exhibit C.

## F. CORRECTIVE RESOLUTIONS

## G. ABANDONMENTS

6. **ABN-2011-03191** Title: a Development Order Abandonment application of Rocker Real Estate Inc by Land Design South Inc., Agent. Request: to abandon Resolution 1989-592 that granted a Special Exception for a Commercial, New and Used, Automobile, Truck, Boat, Motorcycle, Mobile Home, Recreational Vehicle Sale and Rental and Repair Facilities and Lots.

General Location: Approximately 800 feet west of the intersection of Northlake Blvd and Congress Ave, on the north side of Northlake Blvd (**Auto Sales Facility**) (Control 1985-00027)

Pages: 49 - 51

Project Manager: Donna Adelsperger

Size: 0.60 acres  $\pm$

BCC District: 1

Staff Recommendation: Staff recommends approval of the request.

**MOTION:** To adopt a resolution approving a Development Order Abandonment to abandon Resolution 1989-592 that granted a Special Exception for a Commercial, New and Used, Automobile, Truck, Boat, Motorcycle, Mobile Home, Recreational Vehicle Sale and Rental and Repair Facilities and Lots.

**END OF CONSENT AGENDA**



## REGULAR AGENDA

## A. ITEMS PULLED FROM CONSENT

## B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

## C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

## D. PREVIOUSLY POSTPONED STATUS REPORTS

## E. STATUS REPORTS - NEW

## F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

7. **SCA-2011-00001** Title: Stunkel Medical Office application of As Hagen Ranch Llc by Cotleur & Hearing Inc., Agent. Request: From Low Residential 3 units per acre (LR-3) to Commercial Low Office (CLO)

General Location: Southwest corner of Lantana Road & Hagen Ranch Road (**Stunkel Medical Office**) (Control 1986-00027)

Pages: 52 - 95

Project Manager: Bryce Van Horn

Size: 2.30 acres  $\pm$

BCC District: 3

(affected area 2.09 acres  $\pm$ )

Staff Recommendation: Denial of the proposed amendment from Low Residential, 3 unit per acre (LR-3) to Commercial Low Office (CL-O).

Planning Commission Recommendation: Denial 11-1.

**MOTION:** To deny the proposed amendment from Low Residential, 3 unit per acre (LR-3) to Commercial Low Office (CL-O).

8. **Z/CA-2011-00404** Title: an Official Zoning Map Amendment application of AS Hagen Ranch LLC by Cotleur & Hearing Inc., Agent. Request: to rezone from the Residential Transitional Suburban (RTS) District to the Commercial Low-Office (CL-O) Zoning District.

Title: a Class A Conditional Use of AS Hagen Ranch LLC by Cotleur & Hearing Inc., Agent. Request: to allow Medical or Dental Office.

General Location: Southwest corner of Lantana Road and Hagen Ranch Road. **(Stunkel Medical Office)** (Control 1999-00033)

Pages: 96 - 144

Conditions of Approval (124 - 128)

Project Manager: Carrie Rechenmacher

Size: 2.30 acres  $\pm$

BCC District: 3

(affected area 2.09 acres  $\pm$ )

#### DISCLOSURE

Staff Recommendation: Staff recommends denial of the requests.

Zoning Commission Recommendation: Approved as amended: 4-3

**MOTION:** To adopt a resolution denying an Official Zoning Map Amendment to rezone from the Residential Transitional Suburban (RTS) Zoning District to the Commercial Low-Office (CL-O) Zoning District.

**MOTION:** To adopt a resolution denying a Class A Conditional Use to allow a Medical or Dental Office.

### G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

### H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

9. **ZV/CA-2010-00974** Title: A Class A Conditional Use application of Race Trac Petroleum Inc by Brandenburg & Associates P.A., Agent. Request: to allow a Convenience Store with Gas Sales

General Location: Northwest corner of Military Trail and Landar Road within 1,000 feet of Lake Worth Road **(Military Trail Commercial)** (Control 1977-00190)

Pages: 145 - 227

Conditions of Approval (178 - 187)

Project Manager: Joyce Lawrence

Size: 3.29 acres  $\pm$

BCC District: 2

#### DISCLOSURE

Staff Recommendation: Staff recommends denial of the request based on the findings in the staff report.

Zoning Commission Recommendation: Approval, as amended 7-1

**MOTION:** To adopt a resolution denying a Class A Conditional Use allowing a Convenience Store with Gas Sales.

**I. ZONING APPLICATIONS - NEW**

10. **DOA/R-2011-01750** Title: a Development Order Amendment application of Friends of Chabad of Boca Raton Inc. by Siegel Lipman Dunay Shepard & Miskel LLP, Agent. Request: to reconfigure the Site Plan and modify Conditions of Approval (Commercial Pod - Use Limitation and Landscape)

Title: a Requested Use of Friends of Chabad of Boca Raton Inc. by Siegel Lipman Dunay Shepard & Miskel LLP, Agent. Request: to allow a Place of Worship

General Location: Northwest corner of Kimberly Boulevard and State Road 7 (Boca Greens) (Control 1977-00013)

Pages: 228 - 265

Conditions of Approval (247 - 257)

Project Manager: Joyce Lawrence

Size: 22.35 acres  $\pm$

BCC District: 5

(affected area 1.00 acres  $\pm$ )

**DISCLOSURE**

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

Zoning Commission Recommendation: Approved as Amended: 6-0

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan and modify Conditions of Approval (Commercial Pod - Use Limitation and Landscape) subject to Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving a Requested Use to allow a Place of Worship.

**J. ULDC AMENDMENTS****11. INTERNET CAFÉ MORATORIUM**

Staff Recommendation: Staff recommends a motion to approve on First Reading and advertise for Adoption on March 22, 2012 at 9:30 a.m.

Pages: 266 - 274

**MOTION:** To approve on First Reading and to advertise for Adoption on March 22, 2012 at 9:30 a.m. AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ENACTING A ONE YEAR MORATORIUM UPON THE ACCEPTANCE OF ZONING APPROVAL FOR INTERNET CAFÉS, BY AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 1 - DEFINITIONS AND ACRONYMS; CHAPTER I, DEFINITIONS AND ACRONYMS; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS; CHAPTER B, OVERLAYS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS; CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS; ARTICLE 4 - USE REGULATIONS; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 6 - PARKING; CHAPTER A, PARKING; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

**K. COMPREHENSIVE PLAN TEXT AMENDMENTS**

**L. OTHER ITEMS**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**A. EXECUTIVE DIRECTOR**

**B. COUNTY ATTORNEY**

**C. PLANNING DIRECTOR**

12. [Comprehensive Plan Text Amendments - to be delivered by Planning Staff under separate attachment](#)

Pages:

**D. ZONING DIRECTOR**

13. [Initiating Amendments to the ULDC from Industry - Memo](#)

Pages: 275 - 277

**COMMISSIONER COMMENTS**

**ADJOURNMENT**