



**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
OCTOBER 24, 2013**

<u>AGENDA ITEM #</u>	<u>APPLICATION # CONTROL #</u>	<u>(PAGE #)</u>	<u>APPLICATION NAME</u>
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**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**C. WITHDRAWALS**

- |    |   |           |               |
|----|---|-----------|---------------|
| 7. | <b>SCA-2013-00005</b><br>(Control 2003-00040) | (117-148) | BARKLEY PLACE |
|----|---|-----------|---------------|

**Applicant has requested a withdrawal.** See Attachment 1.  
NO MOTION REQUIRED.

- |    |  |           |               |
|----|--|-----------|---------------|
| 8. | <b>ABN/Z/CA-2012-03377</b><br>(Control 2003-00040) | (149-173) | BARKLEY PLACE |
|----|--|-----------|---------------|

**Applicant has requested a withdrawal.** See Attachment 2.  
NO MOTION REQUIRED.

**CONSENT AGENDA**

**A. REQUESTS TO PULL ITEMS FROM CONSENT**

- |    |   |         |                       |
|----|---|---------|-----------------------|
| 5. | <b>ABN-2013-01699</b><br>(Control 1981-00182) | (83-98) | WEST BOCA CABLEVISION |
|----|---|---------|-----------------------|

Reorder Agenda Item to:  
REGULAR AGENDA, I. ZONING APPICATIONS- NEW

**REGULAR AGENDA**

**H. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- |     |   |           |                    |
|-----|---|-----------|--------------------|
| 11. | <b>ABN/PDD/R-2013-00499</b><br>(Control 2005-00394) | (223-270) | HIGHLAND DUNES PUD |
|-----|---|-----------|--------------------|

Reorder Agenda Item to:  
**TIME CERTAIN: 10:00 AM**

**I. ZONING APPICATIONS- NEW**

- |     |  |           |                |
|-----|--|-----------|----------------|
| 12. | <b>ZV/PDD/DOA-2013-01618</b><br>(Control 1985-00095) | (271-306) | BERNSTEIN MUPD |
|-----|--|-----------|----------------|

**AMEND LANDSCAPE Condition 11. of Exhibit C-2 to read as follows:**

11. Prior to final approval by the DRO, the Regulating Plan shall be revised ~~in~~ to incorporate the alternative planting detail as depicted in Figure 8. (DRO: LANDSCAPE - Zoning)



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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**THURSDAY OCTOBER 24, 2013**

**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**

**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**

**OCTOBER 24, 2013**

**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. **DOA-2013-01606** Title: a Development Order Amendment application of Pine Trail Square Llc by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure the site plan to add square footage.

General Location: Southwest corner of Military Trail and Okeechobee Boulevard. **(Pine Trail Shopping Center)** (Control 1978-00273)

Pages: 1 - 1

Project Manager: Roger Ramdeen

Size: 27.47 acres ±

BCC District: 7

Staff Recommendation: Staff recommends a postponement to December 5, 2013.

Zoning Commission Recommendation: Approved the postponement 6-0.

**MOTION:** To postpone to December 5, 2013.

**B. REMANDS**

**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**

**D. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**E. ZONING APPLICATIONS - NEW**

- 2. **ZV/DOA/R-2013-01069** Title: a Development Order Amendment application of Boca Wharfside LLC by TJAC Wharfside LLC - Zvi Schwarzman by RKB Architects Planners Inc., Agent. Request: to reconfigure the Master Plan and Site Plan to add a new use; and, add square footage to the Site Plan.

Title: a Requested Use of Boca Wharfside LLC by TJAC Wharfside LLC - Zvi Schwarzman by RKB Architects Planners Inc., Agent. Request: to allow a Type I Restaurant.

General Location: Northeast corner of Southwest 18th Street and Powerline Road. **(Wharfside at Boca Pointe)** (Control 1973-00085)

Pages: 2 - 28

Conditions of Approval (8 - 9)

Project Manager: Carol Glasser

Size: 10.03 acres ±

BCC District: 4

Staff Recommendation: Staff recommends approval of the requests subject to 12 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved the Type II Variance 6-0 and recommended approval of the Development Order Amendment and Requested Use 6-0.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan and add square footage subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Requested Use to allow a Type I Restaurant.

3. **DOA-2013-00769** Title: a Development Order Amendment application of 441 Southern Llc by Creech Engineers Inc., Agent. Request: to reconfigure the Site Plan and add square footage.

General Location: Southwest corner of Southern Boulevard and State Road 7. **(Western Plaza)** (Control 1977-00048)

Pages: 29 - 56

Conditions of Approval (34 - 43)

Project Manager: Autumn Sorrow

Size: 32.86 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 60 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the Development Order Amendment 6-0.

**MOTION:** To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan and add square footage subject to the Conditions of Approval as indicated in Exhibit C.

4. **DOA-2013-01615** Title: a Development Order Amendment application of Lantana Charter, LLC by Cotleur & Hearing Inc., Agent. Request: to add square footage and number of students to the Master Plan and Site Plan for the School.

General Location: South side of Lantana Road approximately 0.5 mile east of Lyons Road. **(Lantana Civic Pavilion)** (Control 1981-00233)

Pages: 57 - 82

Conditions of Approval (62 - 67)

Project Manager: Carol Glasser

Size: 5.10 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 29 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the Development Order Amendment 6-0.

**MOTION:** To adopt a resolution approving a Development Order Amendment to add square footage and number of students to the Master Plan and Site Plan for the School subject to the Conditions of Approval as indicated in Exhibit C.

**F. CORRECTIVE RESOLUTIONS**

**G. ABANDONMENTS**

- 5. **ABN-2013-01699** Title: a Development Order Abandonment application of Lois Realty Corp, Bernstein Glades Associates by Urban Design Kilday Studios, Agent. Request: to abandon the Special Exception granted under Control Number 1981-182, Resolution R-1981-1620 to allow a Broadcasting Studio and Resolution R-1981-1598 to allow for a Private Utility Service including accessory buildings and structures.

General Location: North side of Glades Road, approximately 1,000 feet west of Lyons Road. **(West Boca Cablevision)** (Control 1981-00182)

Pages: 83 - 98

Project Manager: David McGuire

Size: 2.05 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request.

Zoning Commission Recommendation: Recommended approval of the Abandonment 6-0.

**MOTION:** To adopt a resolution approving a Development Order Abandonment to abandon Resolution R-1981-1620 and Resolution R-1981-1598.

**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

6. **PCN-2013-02418** Title: a Deviation for a development within the PO Zoning District an application of the PBC Water Utilities Department by Urban Design Kilday Studios, Agent. Request: to allow deviations from Article 5 Supplementary Use Standards to allow Barbed Wire for Government Services Use; Article 7 Landscaping to eliminate the interior plant material in; and, Article 7 Landscaping to reduce the perimeter plant material for development within Phase 2.

General Location: Approximately 0.65 miles west of the intersection of Hooker Highway and State Road 441, at 39700 Hooker Highway. **(PBC WTP No 11 and West Region Operations Center)** (Control 2004-00425)

Pages: 99 - 116

Project Manager: Jim Stiles - PBC WUD

Size: 19.97 acres ±

BCC District: 6

**MOTION:** To adopt a resolution approving Deviations for a development located within the PO Zoning District to allow Barbed Wire for Government Services Use, to eliminate the interior plant material; and, to reduce the perimeter buffer landscaping for the Phase 2 development.

## D. PREVIOUSLY POSTPONED STATUS REPORTS

## E. STATUS REPORTS - NEW



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

7. **SCA-2013-00005** Title: Barkley Place application of Barkley International, Inc - Jay Wallshein by Miller Land Planning, Agent. Request: From Commercial High Office 3 units per acre (CHO/3) to Commercial Low with underlying Low Residential, 3 units per acre (CL/3).

General Location: South side of Hypoluxo Road, west of Military Trail. **(Barkley Place)** (Control 2003-00040)

Pages: 117 - 148

Project Manager: Stephanie Gregory

Size: 3.14 acres  $\pm$

BCC District: 3

(affected area 3.04 acres  $\pm$ )

Staff Recommendation: Staff recommends approval of the proposed amendment from Commercial High Office with underlying Low Residential, 3 units per acre (CH-O/3) to Commercial Low with an underlying Low Residential, 3 units per acre (CL/3).

Planning Commission Recommendation: Approved 8-0.

**MOTION:** To adopt an ordinance approving the proposed amendment from Commercial High Office with underlying Low Residential, 3 units per acre (CH-O/3) to Commercial Low with an underlying Low Residential, 3 units per acre (CL/3).

8. **ABN/Z/CA-2012-03377** Title: an Official Zoning Map Amendment application of Barkley International Inc. - Jay Wallshein by Miller Land Planning, Agent. Request: to allow a rezoning from the Commercial High Office (CHO) Zoning District to the Community Commercial (CC) Zoning District.

Title: a Class A Conditional Use of Barkley International Inc. - Jay Wallshein by Miller Land Planning, Agent. Request: to allow a Car Wash.

General Location: Approximately 1,000 feet west of Military Trail on the south side of Hypoluxo Road. **(Barkley Place)** (Control 2003-00040)

Pages: 149 - 173

Conditions of Approval (157 - 159)

Project Manager: David McGuire

Size: 3.04 acres  $\pm$

BCC District: 3

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the requests, subject to a Conditional Overlay Zone, with 6 Conditions of Approval as indicated in Exhibit C-1 and 15 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended approval of the requests 6-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Commercial High Office (CHO) Zoning District to the Community Commercial (CC) Zoning District subject to a Conditional Overlay Zone and Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Class A Conditional Use to allow a Car Wash subject to the Conditions of Approval as indicated in Exhibit C-2.

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

**H. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

9. **Z/CA-2013-00493** Title: an Official Zoning Map Amendment application of MG3 ALF Military LLC, Hernan Leonoff by Miller Land Planning, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Multi-Family (RM) Zoning District.

Title: a Class A Conditional Use of MG3 ALF Military LLC, Hernan Leonoff by Miller Land Planning, Agent. Request: to allow an Elementary or Secondary School (Charter).

General Location: Approximately 0.25 mile north of Hypoluxo Road on the east side of Military Trail. (**Trails Charter School**) (Control 2013-00085)

Pages: 174 - 206

Conditions of Approval (180 - 183)

Project Manager: Joyce Lawrence

Size: 7.46 acres ±

BCC District: 3

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the requests, subject to a Conditional Overlay Zone (COZ), with 9 Conditions of Approval as indicated in Exhibit C-1 and 9 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended approval of the requests 6-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment, including a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Class A Conditional Use approval to allow an Elementary School (Charter) subject to the Conditions of Approval as indicated in Exhibit C-2.

10. **ZV/Z-2013-00145** Title: an Official Zoning Map Amendment application of AMKBJ Partners, Ltd - Brian Lulfs by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

General Location: The property is located approximately 600 feet east of the Pioneer Road and Lyons Road intersection, on the north side of Pioneer Road.  
**(Pine Tree Residential)** (Control 2012-00650)

Pages: 207 - 222

Conditions of Approval (212 - 213)

Project Manager: Joyce Lawrence

Size: 10.00 acres ±

BCC District: 6

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the request, subject to a Conditional Overlay Zone (COZ), with 10 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Denied the Type II Variance 6-0 and recommended denial of the Official Zoning Map Amendment 6-0.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment with a Conditional Overlay Zone (COZ) to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District subject to Conditions of Approval as indicated in Exhibit C-2.

11. **ABN/PDD/R-2013-00499** Title: a Development Order Abandonment Request application of PBA Holdings Inc - Enrique Tomeu by Urban Design Kilday Studios, Agent. Request: to abandon a Class A Conditional Use for a Bona Fide Agricultural Use approved under Resolution R-2008-1146.

Title: an Official Zoning Map Amendment to a Planned Development District of PBA Holdings Inc - Enrique Tomeu by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

General Location: Approximately 2.5 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard. **(Highland Dunes PUD)** (Control 2005-00394)

Pages: 223 - 270

Conditions of Approval (235 - 246)

Project Manager: Carrie Rechenmacher

Size: 1,209.96 acres ±

BCC District: 6

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 44 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the requests 6-0.

**MOTION:** To adopt a resolution approving an abandonment of a Class A Conditional Use for a Bona Fide Agricultural Use approved under Resolution R-2008-1146.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District subject to Conditions of Approval as indicated in Exhibit C.

**I. ZONING APPLICATIONS - NEW**

12. **ZV/PDD/DOA-2013-01618** Title: an Official Zoning Map Amendment to a Planned Development District application of Lois Realty Corp, Cable Holdco Exchange li LLC by Gunster Yoakley & Stewart PA, Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Specialized Commercial (CS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Development Order Amendment of Lois Realty Corp, Cable Holdco Exchange li LLC by Gunster Yoakley & Stewart PA, Urban Design Kilday Studios, Agent. Request: to add land area, reconfigure the site plan, add square footage, and allow an alternative Type III incompatibility landscape buffer.

General Location: North side of Glades Road approximatley 1,000 feet west of Lyons Road. **(Bernstein MUPD)** (Control 1985-00095)

Pages: 271 - 306

Conditions of Approval (280 - 289)

Project Manager: David McGuire

Size: 8.20 acres ±

BCC District: 5

**DISCLOSURE**

Staff Recommendation: Staff recommends approval the requests subject to 48 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved the Type II Variance 5-1; recommended approval of the Rezoning 6-0; and recommended approval of the Development Order Amendment 5-1.

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Specialized Commercial (CS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

**MOTION:** To adopt a resolution approving a Development Order Amendment to add land area, reconfigure the site plan and add square footage subject to the Conditions of Approval as indicated in Exhibit C-2.

**J. ULDC AMENDMENTS**

13. **Memorandum to the Mayor and Members of the Board of County Commissioners** regarding the Unified Land Development Code (ULDC) 2013-14 Use Regulations Project Update. The Zoning Division will schedule a BCC Workshop on Tuesday February 25, 2014 to provide an update and request direction.

Pages: 307 - 311

**K. COMPREHENSIVE PLAN TEXT AMENDMENTS****L. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. DEPUTY COUNTY ADMINISTRATOR**

**F. COMMISSIONERS**

**ADJOURNMENT**