



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
APRIL 24, 2014**

**AGENDA ITEM #
(PAGE #)**

APPLICATION/CHANGE

POSTPONEMENTS/REMANDS/WITHDRAWALS

CONSENT AGENDA

AMENDMENTS AND ADDITIONS

- | | | | |
|----|------------|--|---------------|
| 2. | (5)(50-51) | PDD-2013-02611
(Control 2005-00414) | Marquez-Jones |
|----|------------|--|---------------|

AMEND ENGINEERING COMMENTS to read as follows:

~~TRAFFIC IMPACTS~~

~~The Property Owner has estimated the build-out of the project to be December 31, 2017. Previously approved traffic from this project was 430 trips per day, 50 trips in the PM peak hour. Additional traffic expected from the proposed project is 630 trips per day, 61 trips in the PM peak hour, for grand total impact of 1060 daily and 111 PM peak hour trips. Additional traffic is subject to review for compliance with the Traffic Performance Standard.~~

~~There are no improvements to the roadway system required for compliance with the Traffic Performance Standards.~~

~~Property Owner will be required to construct south approach left turn lane at the intersection of Hypoluxo Rd and Hypoluxo Farms Rd.~~

~~ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)~~

~~Segment: Hypoluxo Rd from Jog Rd to Haverhill Rd~~

~~— Existing count: Eastbound=1142 vehicles per hour, Westbound=1338 vehicle per hour~~

~~— Background growth: Eastbound=302 vehicles per hour, Westbound=339 vehicle per hour~~

~~— Project Trips: Eastbound=31 vehicles per hour, Westbound=38 vehicle per hour~~

~~— Total Traffic: Eastbound=1475 vehicles per hour, Westbound=1715 vehicle per hour~~

~~Present laneage: 6 (3 in each direction)~~

~~Assured laneage: 6 (3 in each direction)~~

~~LOS "D" capacity: 2940 (directional)~~

~~Prior to issuance of the first Building Permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code.~~

~~Prior to the application of a Building Permit, the Property Owner shall obtain a Land Development Permit from the Palm Beach County Engineering Department, Land Development Division.~~

~~The Property Owner shall obtain a Right of Way Permit from the Palm Beach County Engineering Department, Permit Section, for all work within Hypoluxo Farms Road.~~

~~The Property Owner shall dedicate a pathway easement along Hypoluxo Farms Road to allow the required 5-foot sidewalk to be constructed outside the right of way.~~

TRAFFIC IMPACTS

The Property Owner has estimated the build-out of the project to be December 31, 2018. Total traffic generated from the project is expected to be 2,124 trips daily and 211 trips during the PM peak hour. Additional traffic is subject to review for compliance with the Traffic Performance Standard.

There are no improvements to the roadway system required for compliance with the Traffic Performance Standards. However, the Property Owner will be required to modify (extend) the existing east approach left turn lane at the intersection of Hypoluxo Rd and project entrance to meet County standards. The Property Owner will also be required to post surety for a traffic signal on Hypoluxo Rd at project entrance.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)

Segment: Hypoluxo Rd from Jog Rd to Haverhill Rd

Existing count: Eastbound=1142 vehicles per hour, Westbound=1338 vehicle per hour

Background growth: Eastbound=348 vehicles per hour, Westbound=398 vehicle per hour

Project Trips: Eastbound=54 vehicles per hour, Westbound=94 vehicle per hour

Total Traffic: Eastbound=1544 vehicles per hour, Westbound=1822 vehicle per hour

Present laneage: 6 (3 in each direction)

Assured laneage: 6 (3 in each direction)

LOS "D" capacity: 2940 (directional)

Projected LOS D or better

Prior to issuance of the first Building Permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code.

Prior to the application of a Building Permit, the Property Owner shall obtain a Land Development Permit from the Palm Beach County Engineering Department, Land Development Division.

The Property Owner shall obtain a Right of Way Permit from the Palm Beach County Engineering Department, Permit Section, for all work within Hypoluxo Farms Road.

The Property Owner shall dedicate a pathway easement along Hypoluxo Farms Road to allow the required 5-foot sidewalk to be constructed outside the right of way.

ADD DISCLOSURE PAGES 50A AND 50B (Attachment A)

3. (63) W/DOA/R-2013-01335 Nassau Square-McDonald's
(Control 1973-00220)

DELETE Sign Condition 1:

~~1. Ground Mounted Freestanding signs fronting on Lake Worth Road shall be limited as follows:~~

~~a. maximum number of signs - Three (3), excluding any outparcel sign;~~

~~b. style - monument style only; and,~~

~~c. any new or replacement sign shall be limited to a maximum sign face area per side - One Hundred and Fifty (150) square feet. (BLDG PERMIT: BLDG - Zoning)~~

REGULAR AGENDA

6. (143) LGA-2013-007 Seminole Orange Plaza
(Control 2006-00012)

REPLACE PAGE 143 WITH ATTACHMENT B.

COMMENTS

ZONING DIRECTOR

11. (331-332) AI-2014-001 Peanut Island Maritime Museum

Amend Staff Recommendation to read as follows:

OPTION 1:

~~Activities Permitted by Right (Associated with the daily functions for the Museum):~~

- ~~Fund Raisers promoting the Museum only;~~
- ~~Group Tours through the Museum and John F. Kennedy Bunker;~~
- ~~Viewing of historic ships moored at the Museum Dock;~~
- ~~Lectures~~

~~**Special Event Special Permit:** The Special Event Special Permit is limited to a max. of 3 events per calendar year. If the BCC wanted to consider increasing the frequency for weddings by Special Event Special Permit at the Museum site, an amendment would be required to the ULDC.~~

- ~~Weddings~~

~~**Prohibited at Museum Site (Commercial Retail in Nature Due to Frequency and Intensity, or Not Customary and Incidental Activities Relative to a Museum):**~~

- ~~Boat Repair/Sales;~~
- ~~Boating and Sailing Lessons not associated with Museum activities;~~
- ~~Engine Repair~~

OPTION 2:

~~Same as Option 1 with exception allowing more than 3 weddings per calendar year:~~

- ~~1. Find weddings are customary use to the museum but limit number; or~~
- ~~2. Find weddings are a Special Event but direct staff to amend the ULDC to allow more than 3 a year.~~

OPTION 3:

~~Discuss allowing more commercial activity at the museum by directing the applicant to initiate an amendment to the existing Land Use Ordinance 2001-083 to Condition B.1, "All Commercial retail uses, including restaurants, on the site shall be prohibited."~~

Option 1: (Status Quo)

Activities Permitted by Right (Associated with the daily functions/financial operations of the Museum):

- Group Tours through the Museum and John F. Kennedy Bunker;
- Viewing of historic ships moored at the Museum Dock;
- Lectures

Special Event Permit: The Special Event Special Permit is limited to a maximum of 3 events per calendar year.

- Fund Raisers promoting the Museum only
- Weddings
- Other temporary activities pursuant to the ULDC's definition of Special Events

Prohibited at Museum Site (Commercial Retail in nature; and because of frequency and intensity):

- Boat Repair/Sales
- Engine Repair
- Storage

Option 2 (Increase in Frequency of Special Permits)

Same as Option 1 with exception allowing more than 3 Special Events per calendar year:

If BCC felt more than 3 Special Events per calendar year should be permitted, direct staff to amend the ULDC and resolution to allow more than 3 a year

Option 3: (DOA)

Discuss allowing more commercial activity at the museum by directing the applicant to initiate an amendment to the existing Land Use Ordinance 2001-083 Condition B.1, "All Commercial retail uses, including restaurants, on the site shall be prohibited" and Resolution R-2009-0722, Condition 2a, limiting use on the property to "assembly, non-profit institutional (museum only) and Condition 4.

ADD ITEM FOR DISCUSSION:

12. 2013-14 ULDC Use Regulation Project: Notice that Staff will be conducting a Kick Off Meeting with Industry & General Public to discuss Commercial Uses in general.

Meeting Schedule for May 15, 2014 from 1 to 4 VC-1W-47 Ken Roger's Chamber at Vista Center

ATTACHMENT A

PALM BEACH COUNTY - ZONING DIVISION

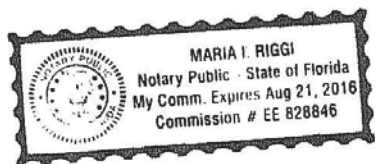
FORM # 09

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Jeffrey Cannon
Jeffrey Cannon, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 12 day of July, 2013, by Jeffrey Cannon, who is personally known to me or who has produced _____ as identification and who did take an oath.



Maria I. Riggi
Notary Public

Maria I. Riggi
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large
My Commission Expires: Aug 21, 2016

EXHIBIT "A"

PROPERTY

TRACT 3 OF HYPOLUXO FARMS, ACCORDING TO THE UNRECORDED PLAT THEREOF PREPARED BY E. ELLIOTT GROSS AND ASSOCIATES REG. ENGINEERS. WEST PALM BEACH, FLORIDA, JUNE 1954, BEING A SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, SAID POINT BEING 685.30 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 11 WHICH NORTHWEST CORNER IS 5315.17 FEET WESTERLY FROM THE CENTERLINE OF MILITARY TRAIL; THENCE CONTINUE SOUTHERLY ALONG THE WEST LINE OF THE NORTHEAST 1/4; OF SECTION 11, A DISTANCE OF 342.65 FEET; THENCE EASTERLY MAKING AN ANGLE OF 86°38'52" WITH THE PRECEDING COURSE, MEASURED FROM NORTH TO EAST. A DISTANCE OF 1374.00 FEET; THENCE NORTHERLY MAKING AN ANGLE OF 90°55'22" WITH THE PRECEDING COURSE, MEASURED FROM WEST TO NORTH A DISTANCE OF 340.26 FEET; THENCE WESTERLY MAKING AN ANGLE OF 89°09' 12" WITH THE PRECEDING COURSE, MEASURED FROM SOUTH TO WEST A DISTANCE OF 1359.45 FEET TO THE POINT OF BEGINNING. (EXCEPTING THEREFROM THE WEST 42.24 FEET AS CANAL RIGHT OF WAY AND THE EAST 25 FEET AS ROAD RIGHT OF WAY.)
TOGETHER WITH

TRACT 4, HYPOLUXO FARMS ACCORDING TO THE UNRECORDED PLAT THEREOF, PREPARED BY E. ELLIOTT GROSS AND ASSOC. REG. ENGINEERS. WEST PALM BEACH FLORIDA, JUNE 1954, BEING A SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT IN THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, SAID POINT BEING 1027.95 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF SECTION 11, WHICH NORTHWEST CORNER IS 5315.17 FEET WESTERLY FROM THE CENTER LINE OF MILITARY TRAIL; THENCE CONTINUE SOUTHERLY ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 11, A DISTANCE OF 342.65 FEET; THENCE EASTERLY MAKING AN ANGLE OF 86°34'17" WITH THE PRECEDING COURSE, MEASURED FROM NORTH TO EAST A DISTANCE OF 1388.85 FEET; THENCE NORTHERLY MAKING AN ANGLE OF 90°59'57" WITH THE PRECEDING COURSE, MEASURED FROM WEST TO NORTH. A DISTANCE OF 340.26 FEET; THENCE WESTERLY MAKING AN ANGLE OF 89°04'38" WITH THE PRECEDING COURSE, MEASURED FROM SOUTH TO WEST, A DISTANCE OF 1374.00 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE WEST 40 FEET AS CANAL RIGHT OF WAY AND THE EAST 25 FEET AS ROAD RIGHT OF WAY (SAID ROAD RIGHT OF WAY BEING MORE PARTICULARLY DESCRIBED IN INSTRUMENT RECORDED IN DEED BOOK 1057 PAGE 225 PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.)
TOGETHER WITH

TRACT 6 OF HYPOLUXO FARMS, ACCORDING TO THE UNRECORDED PLAT THEREOF PREPARED BY E. ELLIOTT GROSS & ASSOCIATES, REG., ENG., WEST PALM BEACH, FLORIDA, JUNE, 1954, BEING A SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, SAID POINT BEING 1713.25 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 11, WHICH NORTHWEST CORNER IS 5315.17 FEET WESTERLY FROM THE CENTER LINE OF MILITARY TRAIL; THENCE CONTINUE SOUTHERLY ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 11, A DISTANCE OF 342.65 FEET; THENCE EASTERLY MAKING AN ANGLE OF 86°25'08" WITH THE PRECEDING COURSE, MEASURED FROM NORTH TO EAST A DISTANCE OF 1417.65 FEET; THENCE NORTHERLY MAKING AN ANGLE 91°09'06" WITH THE PRECEDING COURSE, MEASURED FROM WEST TO NORTH, A DISTANCE OF 340.26 FEET; THENCE WESTERLY MAKING AN ANGLE OF 88°55'28" MEASURED FROM SOUTH TO WEST, A DISTANCE OF 1403.10 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE WEST 40 FEET AS CANAL RIGHT-OF-WAY AND THE EAST 25 FEET AS ROAD RIGHT-OF-WAY.
TOGETHER WITH

TRACT 5, HYPOLUXO FARMS, ACCORDING TO THE UNRECORDED PLAT THEREOF PREPARED BY E. ELLIOTT GROSS & ASSOC. REG. ENG., WEST PALM BEACH FLORIDA, JUNE, 1954, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE WEST LINE OF THE NORTHEAST ¼ OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST SAID POINT BEING 1370.60 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF THE NORTHEAST CORNER OF SAID SECTION 11, WHICH NORTHWEST CORNER IS 5315.17 FEET WESTERLY FROM THE CENTERLINE OF MILITARY TRAIL; THENCE CONTINUE SOUTHERLY ALONG THE WEST LINE OF THE NORTHEAST ¼ OF SECTION 11, A DISTANCE OF 342.65 FEET; THENCE EASTERLY MAKING AN ANGLE OF 86 DEG. 29', 42" WITH THE PRECEDING COURSE, MEASURED FROM NORTH TO EAST, A DISTANCE OF 1403.10 FEET; THENCE NORTHERLY MAKING AN ANGLE OF 91 DEG. 04', 32" WITH THE PRECEDING COURSE MEASURED FROM WEST TO NORTH, A DISTANCE OF 340.26 FEET; THENCE WESTERLY MAKING AN ANGLE OF 89 DEG. 00', 03" WITH THE PRECEDING COURSE, A DISTANCE OF 1388.55 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE EAST 25 FEET AS ROAD RIGHT-OF-WAY AND THE WEST 40 FEET FOR CANAL RIGHT-OF-WAY.

ATTACHMENT B

Exhibit 1

Amendment No:	Seminole Orange Plaza (LGA 2013-007)
FLUA Page No:	<u>41</u>
Future Land Use:	Commercial Low with an underlying Rural Residential, one unit per 2.5 acres (CL/RR-2.5), subject to conditions
Location:	Southeast corner of Seminole Pratt Whitney Road and Orange Boulevard
Size:	11.88 acres
Property No:	00-41-42-31-01-001-0010, 0020, 0030, 0040, 0050; and 00-41-42-31-01-023-0000
<p>Additional PLC Recommended Condition: <u>A total of 6,015 square feet of pedestrian gathering space(s) shall be provided in one or more locations. The minimum size of any gathering space is 350 square feet. A minimum of 50% of the square footage in gathering spaces shall be within gathering spaces of 1,500 square feet or greater.</u></p> <p>Revise Conditions as proposed by Applicant:</p> <ol style="list-style-type: none"> 1. The southernmost 50 feet of the site north of the road right-of-way and the easternmost 100 feet of the site shall be crosshatched, limited to drainage and landscaping. 2. The site shall have no vehicular access to 69th Court North. 3. Development shall be in the form of a Village Center that: <ol style="list-style-type: none"> A. Is limited to a maximum of 50,000 square feet of non-residential uses; B. Provides for neighborhood shopping, entertainment, services and cultural opportunities by allowing a mix of retail, office, and institutional uses; C. Promotes a mix of uses in a manner that creates a strong pedestrian-orientation through design, placement and organization of buildings, pedestrian gathering areas, common open space and dispersed parking; D. At a minimum, complies with the following design requirements: <ul style="list-style-type: none"> • Building design and landscaping shall be designed to reflect the rural character of the community. • The building height shall not exceed 30 feet; • All ground floor commercial frontages must have a minimum of 70% transparent glazed area which provides views into a commercial use or window display; • Parking shall be located to the rear of the buildings; to the greatest extent possible, consistent with the rural character of this area, at least 15% of the parking spaces shall have pervious or semi-pervious surfaces. • Parking areas shall be landscaped with at least one canopy tree planted for every six parking spaces; • At least 50% of sidewalk surfaces shall be shaded or covered; • All outdoor lighting must be fully shielded and shall be a maximum of 20 feet in height; and • A centrally located pedestrian gathering area of sufficient size to promote civic activities shall be included. At least 50 % of this area shall be shaded by landscaping or shade structures. One or more public gathering and/or pedestrian space(s) should be provided throughout the site and may be incorporated in smaller more appropriately sized areas to better suit the rural character of the area. These areas may be shaded by landscaping or shade elements. 	



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY APRIL 24, 2014

9:30 A.M. 6TH 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/

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



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

APRIL 24, 2014

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. **ZV/DOA/R-2013-02595** Title: a Type II Variance application of Shoppes on 18 Street, Inc by Perry & Taylor PA, Agent. Request: to allow a business activity until 2:00 a.m. within 300 feet of a residential unit; a reduction in the landscape buffer width and plant materials; and, elimination of the required wall.
Title: a Development Order Amendment of Shoppes on 18 Street, Inc by Perry & Taylor PA, Agent. Request: to modify the Site Plan; and, to add a Requested Use.
Title: a Requested Use of Shoppes on 18 Street, Inc by Perry & Taylor PA, Agent. Request: to allow a Cocktail Lounge within 300 feet of a Residential District.
General Location: Approximately 0.5 miles west of Military Trail on the south side of SW 18th Street. (**Shoppes at Village Pointe**) (Control 1984-00152)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 7.00 acres ±

BCC District: 4

Staff Recommendation: Staff recommends postponement to Thursday May 22, 2014.

MOTION: To postpone to Thursday, May 22, 2014.

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. **PDD-2013-02611** Title: an Official Zoning Map Amendment to a Planned Development District application of Lennar Homes LLC by Urban Design Kilday Studios, Agent. Request: to allow rezoning from the Agriculture Residential (AR) and the Residential Transitional (RT) Zoning Districts to the Planned Unit Development (PUD) Zoning District.

General Location: Located on the Southwest corner of Hypoluxo Road and Hypoluxo Farms Road. **(Marquez-Jones)** (Control 2005-00414)

Pages: 2 - 55

Conditions of Approval (7 - 9)

Project Manager: Roger Ramdeen

Size: 57.19 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 14 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the request 8-0.

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

3. **W/DOA/R-2013-01335** Title: a Development Order Amendment application of McDonalds USA, LLC by Land Design South Inc., Agent. Request: to reconfigure the Site Plan; add square footage; and, add a Requested Use.
Title: a Requested Use of McDonalds USA, LLC by Land Design South Inc., Agent. Request: to allow a Type I Restaurant with drive-through lanes.
General Location: Northwest corner of Nassau Road and Lake Worth Road.
(Nassau Square - McDonald's) (Control 1973-00220)

Pages: 56 - 82

Conditions of Approval (61 - 64)

Project Manager: Joyce Lawrence

Size: 20.28 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 19 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the requests with votes of 8-0.

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

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant with drive-through lanes.

4. **ABN/DOA-2013-02925** Title: a Development Order Abandonment application of Colony At Lake Worth, LLC by Land Design South Inc., Agent. Request: to abandon the Transfer of Development Rights (TDR) approved under R-2008-1708 for the purchase of 23 additional TDR units.

Title: a Development Order Amendment of Colony At Lake Worth, LLC by Land Design South Inc., Agent. Request: to reconfigure the Master Plan; re-designate units from Multi-family to Townhomes; to reduce the number of overall units from 221 to 191; and to modify/delete Conditions of Approval (Landscape, Planned Unit Development, Planning) in Resolution R-2011-0569.

General Location: Northwest corner of Lantana Road and Myers Road (52nd Drive South). **(Colony at Lake Worth PUD)** (Control 2003-00011)

Pages: 83 - 111

Conditions of Approval (89 - 99)

Project Manager: Joyce Lawrence

Size: 22.29 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 45 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval of the requests with votes of 8-0.

MOTION: To adopt a resolution approving the Development Order Abandonment to abandon the Transfer of Development Rights (TDR) approved under R-2008-1708 for the purchase of 23 additional TDR units.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan; re-designate units from Multi-family to Townhomes; to reduce the number of overall units from 221 to 191; and to modify/delete Conditions of Approval (Landscape, Planned Unit Development, Planning) in Resolution R-2011-0569 subject to the Conditions of Approval as indicated in Exhibit C.

- 5. **ZV/DOA/R-2013-03102** Title: a Development Order Amendment application of Fr Del Mar Village LLC by Wantman Group Inc, Agent. Request: to modify the site plan and add a Requested Use.

Title: a Requested Use of Fr Del Mar Village LLC by Wantman Group Inc, Agent.
Request: to allow a Fitness Center.

General Location: Northwest of intersection of Powerline Road and West Palmetto Park Road. **(Del Mar Plaza)** (Control 1989-00117)

Pages: 112 - 133

Conditions of Approval (118 - 122)

Project Manager: David McGuire

Size: 13.26 acres ±

BCC District: 4

(affected area 2.00 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 16 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended approval of the requests with votes of 8-0.

MOTION: To adopt a resolution approving a Development Order Amendment to modify the site plan; and, to add a Requested Use subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow a Fitness Center.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

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. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

6. **LGA-2013-00007** Title: Seminole Orange Plaza MUPD Large Scale FLUA Amendment application of Loxahatchee Venture 34 LLC by Land Design South Inc., Agent. Request: To modify conditions of approval adopted by Ord. 2005-037 on a parcel with Commercial Low with an underlying Rural Residential, 1 unit per 2.5 acres (CL/RR-2.5) future land use designation.

General Location: Southeast corner of Seminole Pratt Whitney Road and Orange Boulevard. **(Seminole Orange Plaza MUPD)** (Control 2006-00012)

Pages: 134 - 173

Project Manager: Bryan Davis

Size: 11.88 acres ±

BCC District: 6

Staff Recommendation: Approval of the proposed amendment to revise conditions adopted by Ord. 2005-037.

Planning Commission Recommendation: Recommended adoption, as modified, with a vote of 10-1.

BCC Transmittal: The BCC voted to transmit with a vote of 7-0.

MOTION: To adopt an ordinance approving the proposed amendment revising Conditions of Approval adopted by Ord. 2005-037.

7. **EAC-2014-00086** Title: an Expedited Application Consideration application of Loxahatchee Venture 34, LLC by Land Design South Inc., Agent. Request: to modify a Condition of Approval (Planning).

General Location: Southeast corner of Seminole Pratt Whitney Road and Orange Boulevard. (**Seminole Orange Plaza MUPD**) (Control 2006-00012)

Pages: 174 - 220

Conditions of Approval (178 - 184)

Project Manager: Carol Glasser

Size: 9.87 acres \pm

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 34 Conditions of Approval as indicated in Exhibit C.

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

8. **LGA-2014-00005** Title: Delray Marketplace TMD Expansion application of KRG/Atlantic Delray,24 Farm Holdings LLC by Urban Design Kilday Studios, Agent. Request: To change the future land use designation from Agricultural Reserve (AGR) to Commercial Low/AGR (CL/AGR) on 3.90 acres and to revise conditions of approval on 33.43 acres with CL/AGR future land use and to increase the maximum number of dwelling units subject to conditions.

General Location: Northwest corner of Atlantic Avenue and Lyons Road. (**Delray Marketplace Expansion**) (Control 2004-00616)

Pages: 221 - 258

Project Manager: Bryce Van Horn

Size: 48.83 acres \pm

BCC District: 5

(affected area 37.33 acres \pm)

Staff Recommendation: Approval of the proposed amendment to change the future land use designation from Agricultural Reserve (AGR) to Commercial Low/AGR (CL/AGR) on 3.90 acres and to revise conditions of approval on 33.43 acres with CL/AGR future land use and to increase the maximum number of dwelling units with conditions.

Planning Commission Recommendation: Recommended adoption, with a vote of 12-0;

BCC Transmittal: The BCC voted to transmit with a vote of 7-0.

MOTION: To adopt an ordinance to change the future land use from Agricultural Reserve (AGR) to Commercial Low/AGR (CL/AGR) on 3.90 acres and to revise conditions of approval on 33.43 acres with CL/AGR future land use and to increase the maximum number of dwelling units with conditions.

9. **ZV/W/TDD/DOA-2013-02609** Title: a Type II Waiver application of KRG Atlantic Delray Beach, LLC by Urban Design Kilday Studios, Agent. Request: to allow a Waiver of the requirement for structured parking in the Agricultural Reserve Tier.

Title: a Traditional Development District of KRG Atlantic Delray Beach, LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Traditional Marketplace Development (TMD) Zoning District.

Title: a Development Order Amendment of KRG Atlantic Delray Beach, LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the site plan and add land area.

General Location: Northwest corner of West Atlantic Avenue and Lyons Road. **(Delray Marketplace)** (Control 2004-00616)

Pages: 259 - 327

Conditions of Approval (269 - 285)

Project Manager: Carol Glasser

Size: 97.66 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of requests subject to 81 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved the Type II Variance and recommended approval of the Development Order Amendment, Rezoning and Waiver with votes of 5-2.

MOTION: To adopt a resolution approving a Type II Waiver to allow a waiver of the requirement for structured parking in the Agricultural Reserve Tier.

MOTION: To adopt a resolution approving an Official Zoning Map amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Traditional Marketplace Development (TMD) Zoning District.

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

MOTION: To approve a Termination and Release of the Conservation Easements recorded in Official Record Book (ORB) 22110, Page (PG) 1110 and ORB 22110, Page 1062 as indicated in Exhibit E subject to review and approval by the County Attorney.

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

K. ULDC AMENDMENTS

10. [PIA-2014-00376](#) Title: Privately Initiated Code Amendments application of by Jon E Schmidt & Associates, Agent. Request: To allow Repair and Maintenance, General Bay Doors to be oriented towards residential. [County Wide]
General Location: Countywide () (Control)

Pages: 328 - 329

Project Manager: William Cross

Size: N/A

Staff Recommendation: Staff recommends approval of the request to initiate a Phase II PIA, subject to revisions.

Land Development Regulation Advisory Board (LDRAB) Recommendation: Recommended Approval 15-1, subject to revisions.

MOTION: To approve the request to initiate a Phase II PIA, subject to revisions.

L. COMPREHENSIVE PLAN TEXT AMENDMENTS

M. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

11. [Administrative Inquiry AI-2014-001](#), Peanut Island Maritime Museum to Board of County Commission (BCC)

Staff is seeking BCC direction on how to proceed with Maritime Museum Representative Mr. Anthony Miller's request to define what activities are allowed on the Museum property from those that would require a Special Permit for a Special Event.

Pages: 330 - 363

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT