

**ZONING COMMISSION
OF PALM BEACH COUNTY**

Thursday, February 1, 2007
9:04 a.m. - 12:05 p.m.
Jane M. Thompson Memorial Chambers
301 North Olive Avenue
West Palm Beach, Florida

Reporting:

Sophie M. (Bunny) Springer
Notary Public

A T T E N D E E S

Sherry L. Hyman, Chairperson

Frank Barbieri, Vice Chairman

Don Dufresne, Commissioner

Allen Kaplan, Commissioner

Peter Feaman, Commissioner

William Anderson, Commissioner

Alex Brumfield, III, Commissioner

Bob Banks, Assistant County Attorney

Barbara Alterman, Executive Dir., PZ&B

Jon Mac Gillis, Zoning Director

Maryann Kwok, Chief Planner, Zoning

Carrie Rechenmacher, Senior Planner, Zoning

Ron Sullivan, Senior Planner, Zoning

Anthony Wint, Planner II, Zoning

Douglas Robinson, Planner I, Zoning

Whitney Carroll, Zoning Consultant

Bryce Van Horn, Planning Department

Patrick Rutter, Chief Planner, Planning

Bryan Davis, Senior Planner, Planning

Ken Rogers, Dir. of Land Development

Jim Choban, Land Development

Robert Kraus, ERM

Courtney Shippey, Health Department

Michael Owens, School Board Rep.

Jean Matthews, Parks & Recreation Dept.

Elizabeth Murray, Zoning Secretary

I N D E X

<u>Petition</u>		<u>Page</u>
1	ZV2007-016 (Control 1977-031)	6
2	ZV2006-1746 (Control 2006-533)	6
3	ZV2006-1906 (Control 2004-00201)	7
4	ZV2006-1751 (Control 1973-085)	7
5	Z/CA2005-477 (Control 2005-193)	11
6	Z/DOA2006-185 (Control 1981-219)	8
7	CA2006-734 (Control 2006-248)	8
8	CA2006-733 (Control 2006-253)	10
9	ZV2006-1764 (Control 1990-054)	11
10	Z/ZV2006-1692 (Control 2006-405)	12
11	Z/CA2006-503 (Control 2003-039)	13
12	CB2006-947 (Control 2006-361)	9
13	ZV2006-1905 (Control 2005-460)	14
	TREASURE COAST SMART GROWTH PRESENTATION	15
14	PDD/R2005-1625 (Control 2005-599)	28
15	DOA2006-344 (Control 1984-139)	10
16	PDD2006-948 (Control 2003-058)	44
17	TDD/DOA/R/W2006-1186 (Control 2004-471)	74
ELECTION OF CHAIR:		85
CERTIFICATE OF REPORTER:		87

P R O C E E D I N G S

CHAIRPERSON HYMAN: We're going to call the meeting to order.

MS. KWOK: Good morning, Commissioners.

CHAIRPERSON HYMAN: Good morning.

MS. KWOK: Commissioner Anderson.

COMMISSIONER ANDERSON: Here.

MS. KWOK: Commissioner Feaman.

COMMISSIONER FEAMAN: Here.

MS. KWOK: Commissioner Barbieri.

VICE CHAIRMAN BARBIERI: Here.

MS. KWOK: Commissioner Hyman.

CHAIRPERSON HYMAN: Here.

MS. KWOK: Commissioner Dufresne.

COMMISSIONER DUFRESNE: Here.

MS. KWOK: Commissioner Kaplan.

COMMISSIONER KAPLAN: Here.

MS. KWOK: Commissioner Brumfield.

COMMISSIONER BRUMFIELD: Here.

MS. KWOK: Yes, we have a quorum.

CHAIRPERSON HYMAN: Okay. For the opening prayer and Pledge of Allegiance, Commissioner Kaplan, please.

COMMISSIONER KAPLAN: Would you all rise, please.

(Whereupon, the opening prayer and Pledge of Allegiance were given.)

CHAIRPERSON HYMAN: The Zoning Commission of Palm Beach County has convened at 9:00 o'clock a.m. in the Jane M. Thompson Memorial Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters.

The Commission may take final action or issue an advisory recommendation on accepting, rejecting or modifying the recommendations of staff.

The Board of County Commissioners of Palm Beach County will conduct a public hearing at 301 North Olive Avenue, West Palm Beach, Florida in the Jane M. Thompson Memorial Chambers, 6th Floor, 9:30 a.m. on Thursday, February 22nd, 2007, to take final action on the applications listed below.

Do we have proof of publication?

MS. KWOK: Yes, ma'am.

CHAIRPERSON HYMAN: With a motion to receive and file.

VICE CHAIRMAN BARBIERI: So moved.

COMMISSIONER DUFRESNE: Second.

CHAIRPERSON HYMAN: All in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

Don't the remarks now need to be modified to include variances?

MS. KWOK: That's correct, ma'am.

CHAIRPERSON HYMAN: Okay. So let's modify that, and when you modify it, let's switch the order. I think the remarks should go and then the notice I'm going to give next.

MS. KWOK: That's fine. We'll do that.

CHAIRPERSON HYMAN: Okay. Zoning hearings are quasi-judicial and must be conducted to afford all parties due process.

This means that any communication with commissioners which occurs outside the public hearing must be fully disclosed at the hearing. In addition, anyone who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

In this regard, if any group of citizens or other interested parties wish to cross-examine witnesses, they must appoint one representative from the entire group to exercise this right on behalf of the group. Any person representing a group or organization must provide written authorization to speak on behalf of the group.

Public comment continues to be encouraged, and all relevant information should be presented to the Commission in order that a fair and appropriate decision can be made.

I'm going to ask all those of you who wish to speak today to please rise and be sworn in by our Assistant County Attorney.

(Whereupon, speakers were sworn in by Mr. Banks.)

MR. BANKS: Thank you.

CHAIRPERSON HYMAN: Okay. Do we have any disclosures?

COMMISSIONER KAPLAN: Yes, Madam Chair. On Item 17, TDD/DOA/2006-1186 I spoke to the petitioners.

COMMISSIONER DUFRESNE: Same for me. I spoke to the petitioner's representative on Item 17.

COMMISSIONER ANDERSON: Same for me.

VICE CHAIRMAN BARBIERI: Same for me.

CHAIRPERSON HYMAN: Me, too.

COMMISSIONER FEAMAN: Ditto.

CHAIRPERSON HYMAN: Ditto.

COMMISSIONER DUFRESNE: It's unanimous.

CHAIRPERSON HYMAN: They did their homework. That's the Town Center project. Okay.

CHAIRPERSON HYMAN: Postponements.

MS. KWOK: Yes. We have six postponement items on the regular agenda, and two additional ones shown on your add/delete agenda, and we need a motion to -- for each one of them.

The first one is ZV2007-016, Morgan Hotel, requesting for a postponement to March 1st, 2007.

CHAIRPERSON HYMAN: Is there anyone here to speak on this item? It's the Morgan Hotel. It's ZV2007-016.

(No response)

COMMISSIONER KAPLAN: Madam Chair, hearing nobody from the public wish to speak, I move to postpone Item 2007-16 for 30 days to Thursday, March 1st, 2007.

CHAIRPERSON HYMAN: Is there a second?

VICE CHAIRMAN BARBIERI: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

Postponed to the next meeting.

MS. KWOK: Okay. Item 2, ZV2006-1746, the McKenzie Variance, and also requesting for a postponement to March 1st, 2007.

CHAIRPERSON HYMAN: Is there a motion?

VICE CHAIRMAN BARBIERI: Madam Chair, move to postpone 30 days to March 1st, 2007.

CHAIRPERSON HYMAN: Second?

COMMISSIONER ANDERSON: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

Oh, I forgot to ask.

Was there anyone here to speak on this item, McKenzie Variance?

There was. Okay. I apologize. Did you -- okay. There was a motion made for postponement of this item.

MR. Mac GILLIS: She's the applicant.

CHAIRPERSON HYMAN: Oh, you're the applicant. Okay. You have no objection to that. Okay.

Motion made, was seconded. We took a vote? Was there -- there was a vote?

VICE CHAIRMAN BARBIERI: Yes.

MS. KWOK: Yes.

CHAIRPERSON HYMAN: Okay. All in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

It's postponed to the next meeting.

MS. KWOK: Item 3, ZV2006-1906, Glades Stor All MUPD, also requesting for a postponement to March 1st, 2007.

CHAIRPERSON HYMAN: Is there anyone here to speak on that item? It's the Glades Storage All MUPD.

(No response)

COMMISSIONER KAPLAN: Madam Chair, since no one is opposed from the public, I move to postpone Item 2006-1906 30 days to Thursday, March 1st, 2007.

VICE CHAIRMAN BARBIERI: Second.

CHAIRPERSON HYMAN: All in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

MS. KWOK: Item No. 4, ZV2006-1751, Liberati Variance, postponement to March 1st, 2007.

CHAIRPERSON HYMAN: Is there anyone here to speak on this item? It's the Liberati Variance.

(No response)

COMMISSIONER KAPLAN: Madam Chair, there being no one from the public who wishes to speak, I move to postpone Item Z -- ZV2006-1751 to Thursday, March 1st, 2007.

CHAIRPERSON HYMAN: Is there a second?

VICE CHAIRMAN BARBIERI: Second.

CHAIRPERSON HYMAN: All in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.
(No response)
CHAIRPERSON HYMAN: Unanimous.

MS. KWOK: Actually, Item -- we have to skip No. 5 on Page 3 of the agenda because this is going to be a remand, and we'll do the remand item after the postponement items.

CHAIRPERSON HYMAN: Okay.

MS. KWOK: Item No. 6, DOA2006-185, Boynton and Lawrence Office MUPD. The applicant is requesting for a postponement to March 1st, 2007.

CHAIRPERSON HYMAN: And none of these are by right?

MS. KWOK: This one's not by right.

CHAIRPERSON HYMAN: Okay. All right. Is there anyone here to speak on this item? It's the Boynton and Lawrence Office MUPD.

(No response)

CHAIRPERSON HYMAN: Is there a motion?

VICE CHAIRMAN BARBIERI: Madam Chair, move to postpone 30 days to Thursday, March 1st, 2007.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

MS. KWOK: Item No. 7, CA2006-734, Planet Kids XII, also requesting for a postponement to March 1st, 2007.

CHAIRPERSON HYMAN: Is there anyone here to speak on this item, Planet Kids?

(No response)

CHAIRPERSON HYMAN: Okay.

VICE CHAIRMAN BARBIERI: Madam Chair, move to postpone 30 days to Thursday, March 1st, 2007.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

MS. KWOK: Okay. Two additional postponement items, Item No. 12, CB2006-947, Lee Road Property, requesting for a postponement to March 1st, 2007.

We need a motion for that.

CHAIRPERSON HYMAN: Is there anyone here to speak on this item? It's 2006-947, Lee Road Property.

I have two cards, Cynthia Plockelman and Sandy Parker. Are you here?

MS. PLOCKELMAN: Yes.

CHAIRPERSON HYMAN: We're considering a postponement of this item.

MS. PARKER: Yes. Cynthia Plockelman, and I --

CHAIRPERSON HYMAN: Can you --

VICE CHAIRMAN BARBIERI: The right microphone is --

CHAIRPERSON HYMAN: I have it on.

VICE CHAIRMAN BARBIERI: -- not on.

CHAIRPERSON HYMAN: I have it -- I have it on.

MS. PLOCKELMAN: Cynthia Plockelman, and I do support proponent --

CHAIRPERSON HYMAN: Postponement.

MS. PLOCKELMAN: -- postponement of this item, please.

CHAIRPERSON HYMAN: Thank you.

And, Sandy, same thing?

MS. PARKER: Yes.

CHAIRPERSON HYMAN: Okay. Thank you very much.

Okay. Is there a motion?

VICE CHAIRMAN BARBIERI: Motion to postpone 30 days to Thursday, March 1st, 2007.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

MS. KWOK: Okay. The last postponement item is Item 15, DOA2006-344, Rainberry PUD, Pods A and B, requesting for a postponement to March 1st, 2007.

CHAIRPERSON HYMAN: Okay. Is there anyone here to speak on this item? It's the Rainberry PUD.

(No response)

CHAIRPERSON HYMAN: If not, I'll entertain a motion.

VICE CHAIRMAN BARBIERI: Motion to postpone 30 days to Thursday, March 1st, 2007.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

VICE CHAIRMAN BARBIERI: Remands.

MS. KWOK: Okay. We have two remand items. The first one's Item 8, CA2006-733, Dryden Apartments, recommending to remand to the February 14th, 2007, DRO meeting.

CHAIRPERSON HYMAN: Is there anyone here to speak on this item, Dryden Apartments?

(No response)

CHAIRPERSON HYMAN: Entertain a motion.

VICE CHAIRMAN BARBIERI: Madam Chair, move to remand to the February 14th, 2007, Development Review Officer meeting.

COMMISSIONER KAPLAN: Second.

COMMISSIONER FEAMAN: Which number --

VICE CHAIRMAN BARBIERI: Eight.

CHAIRPERSON HYMAN: No. 8.

All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

VICE CHAIRMAN BARBIERI: No. 5?

MS. KWOK: And then -- yes, Item No. 5, CA2005-477, Levy Learning Center.

We are recommending to remand this back to the March 14th, 2007, DRO meeting.

CHAIRPERSON HYMAN: Is there anyone here to speak on this item, Levy Learning Center?

(No response)

VICE CHAIRMAN BARBIERI: Madam Chair, staff just suggested that there's a March 14th DRO meeting.

MS. KWOK: Yes.

VICE CHAIRMAN BARBIERI: Did you mean February 14th or March 14th?

MS. KWOK: Yes.

VICE CHAIRMAN BARBIERI: March 14th DRO meeting?

MS. KWOK: It's -- it's for March. It's for March.

VICE CHAIRMAN BARBIERI: March 14th?

MS. KWOK: It's not for February, yeah.

VICE CHAIRMAN BARBIERI: Motion to remand to the March 14th, 2007, Development Review Officer meeting.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

MS. KWOK: Okay. We have one withdrawn item. This is 2007-1764, the Koch generator.

This has been administratively withdrawn, and there's no motion is required for this one.

CHAIRPERSON HYMAN: Okay. Good.

CHAIRPERSON HYMAN: All right. First item on the consent.

MS. KWOK: Consent Item No. 10, ZV2006-1692, Hines Rezoning.

There is a -- there is a revised motion on your add/delete. This is a rezoning with a COZ, a Conditional Overlay Zone, and we'd like the agent to come up to the podium to agree to all the conditions of approval.

CHAIRPERSON HYMAN: Do we have any cards?

VICE CHAIRMAN BARBIERI: No, we don't.

CHAIRPERSON HYMAN: Okay.

You are?

MR. HINES: James Hines.

CHAIRPERSON HYMAN: You're the petitioner?

Okay.

MR. HINES: Correct.

CHAIRPERSON HYMAN: Did you -- do you have any questions or problems with the conditions? Do you agree with all the conditions?

MR. HINES: I agree with all the conditions.

CHAIRPERSON HYMAN: Okay.

Is there anyone here to speak on this item? It's the Hines Rezoning.

(No response)

VICE CHAIRMAN BARBIERI: Madam Chair, recommend approval of official zoning map amendment from the Agricultural residential zoning district to the Residential Transitional Zoning District with a Conditional Overlay Zone.

COMMISSIONER KAPLAN: Second.

COMMISSIONER FEAMAN: Hold on. It shows two objections on our package here.

CHAIRPERSON HYMAN: What, did you get two letters or something?

COMMISSIONER FEAMAN: Letters?

MS. KWOK: We did, and then project manager, our staff, actually called them. They -- they actually have questions on the rezoning, and after talking to the staff they -- I don't believe the -- they have any more opposition to this project.

CHAIRPERSON HYMAN: Okay.

COMMISSIONER FEAMAN: Thank you.

CHAIRPERSON HYMAN: All right. There was a motion made?

VICE CHAIRMAN BARBIERI: Yes, seconded.

CHAIRPERSON HYMAN: And seconded.

All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

Second motion.

VICE CHAIRMAN BARBIERI: There's only -- you want --

CHAIRPERSON HYMAN: Is there still a second motion required?

VICE CHAIRMAN BARBIERI: We just modified the motion to -- the two motions with the new one that you had on the add/delete sheet; correct?

MS. KWOK: Yes, and then you need the other motion.

VICE CHAIRMAN BARBIERI: We need the second motion?

MS. KWOK: Right, which is the zoning variance.

VICE CHAIRMAN BARBIERI: All right. Move to adopt a resolution approving a Type II zoning variance to allow reduction in the side setback.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

CHAIRPERSON HYMAN: Next item, No. 11.

MS. KWOK: Okay. Item No. 11 is CA2006-503, Four Brothers Recycling.

We're recommending approval of this project.

There is one Engineering conditions on your add/delete.

CHAIRPERSON HYMAN: Is petitioner here?

Do you agree with all the conditions?

MR. EXLINE: Yes. For the record, Jim Exline.

We agree with the conditions.

CHAIRPERSON HYMAN: Thank you.

Is there anyone here to speak on this item? It's Four Brothers Recycling.

(No response)

VICE CHAIRMAN BARBIERI: Madam Chair, recommend approval of official zoning map amendment from the Light Industrial Zoning District to the General Industrial Zoning District.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

VICE CHAIRMAN BARBIERI: Move to recommend approval of a Class A conditional use to allow salvage or junkyard.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: Subject to the conditions?

VICE CHAIRMAN BARBIERI: Subject to the conditions as modified.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

You might under -- on the agenda where it talks about what the motion is, when there are conditions, you might want to just say "subject to the conditions as modified" --

MS. KWOK: Okay.

CHAIRPERSON HYMAN: -- or something like that just so that we don't have to add it each time. I want to make sure that it's in there. Thanks.

CHAIRPERSON HYMAN: Okay. Next item.

MS. KWOK: Item 12's been postponed. Move on to Item No. 13, ZV2006-1905, Jog Commerce Park Variance, and we're recommending approval.

CHAIRPERSON HYMAN: Okay. Petitioner.

MR. MILLER: Hi. Bradley Miller, for the record.

We're in agreement with the conditions.

CHAIRPERSON HYMAN: Thank you.

Is there anyone else here to speak on this matter? It's the Jog Commerce Park Variance.

(No response)

CHAIRPERSON HYMAN: Okay.

VICE CHAIRMAN BARBIERI: Recommend adoption of a resolution approving a Type II zoning variance to allow substitution for a six-foot high wall requirement within the landscape buffer.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: Under discussion, this was to allow a foot [sic] berm and a four-foot chainlink fence with a hedge to replace a six-foot high wall requirement?

MR. Mac GILLIS: Just the portion off the --

CHAIRPERSON HYMAN: Oh, that's right, and then -- that's right.

MR. Mac GILLIS: The retention.

CHAIRPERSON HYMAN: There is -- it's outside of a lake.

I had a question about it, and then I saw that the location was limited.

MS. KWOK: Uh-huh.

CHAIRPERSON HYMAN: The chainlink is required to be vinyl coated in all cases?

MS. KWOK: That's right.

MR. Mac GILLIS: Yes.

CHAIRPERSON HYMAN: That's by Code is it, or not?

MR. MILLER: I'm not sure if it's by Code or not, but --

CHAIRPERSON HYMAN: If it's not by Code, we should always, I think put something in about that, black or green.

MS. KWOK: Uh-huh.

CHAIRPERSON HYMAN: Okay. There's a motion on the table, seconded.

All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

MR. MILLER: Thank you.

CHAIRPERSON HYMAN: Item No. 14.

MR. Mac GILLIS: Patrick Rutter will introduce Dana Little from the Treasure Coast is here to give us a brief presentation on the Smart Growth.

MR. RUTTER: Good morning. Pat Rutter, with the Planning Division.

We asked Dana Little from Treasure Coast to come to the Commission this morning and give you a short presentation on sustainable development.

The staff and this Commission, and in turn, the Board, I think are seeing a lot more site plans and projects coming through of the infill variety, smaller parcels, that present characteristics a lot different than we're accustomed to or typical green field development.

These situations are the ones that we see happening a lot more as time goes on.

Treasure Coast is leading a study for the County master plan for our URA, our Urban Redevelopment Area, and this is a large swath of unincorporated county roughly from Okeechobee down to around Lake Worth Road where we're going to be intensely promoting redevelopment activities, and, certainly, I think that -- and, again, this Commission has seen a handful of site plans recently in this general area over time.

So wanted Dana to talk a little bit about just some of the basic principles and characteristics of sustainable development. I think some of this may resonate with projects you see in the past and those you'll see in the future

and come to understand them.

CHAIRPERSON HYMAN: I think this is an important thing for us to do, but why are we doing it like in the middle of the agenda? Why aren't we doing this like before the agenda or after the agenda?

MS. ALTERMAN: Well, we -- Madam Chair, if you recall last month, it was at the end of the agenda, and --

CHAIRPERSON HYMAN: You just wanted to make sure we didn't run out?

MS. ALTERMAN: Yes.

CHAIRPERSON HYMAN: You got our attention.

I just -- you know, I just didn't want to make anybody here, you know, wait while we were getting educated on this.

MS. ALTERMAN: I think that some of the petitioners might be real interested to see this, also.

CHAIRPERSON HYMAN: Okay.

VICE CHAIRMAN BARBIERI: Except --

CHAIRPERSON HYMAN: All right. We won't take a show of hands, but okay. I'm sorry.

MR. RUTTER: Very good. I'll get out of the way. With that, Dana Little, from Treasure Coast.

CHAIRPERSON HYMAN: That was it?

MR. LITTLE: Thank you. Good morning.

CHAIRPERSON HYMAN: Does this have anything to do with the next petition?

MR. LITTLE: No.

MS. KWOK: It may affect one of the projects, which is Coral Lakes PUD, and that's Item -- I don't have the item number in front of me, but it's --

VICE CHAIRMAN BARBIERI: Sixteen.

MS. KWOK: -- 16, yeah.

VICE CHAIRMAN BARBIERI: Madam Chair, I think we should get the Item 17 then out of the way.

CHAIRPERSON HYMAN: Fourteen, you mean?

VICE CHAIRMAN BARBIERI: I know we have representatives from COWBRA here and other people that would like to --

CHAIRPERSON HYMAN: You mean No. 14?

VICE CHAIRMAN BARBIERI: No, it's No. 17, which is the Canyons Town Center TMD.

CHAIRPERSON HYMAN: Well, the next item on the agenda is 14. We've got 14, 16 and 17.

I guess we're taking up so much time now we just might as well go ahead and do this.

MR. LITTLE: I'm happy to wait if -- whatever, at your pleasure.

CHAIRPERSON HYMAN: How long a -- how long a --

MR. LITTLE: It's about 15 minutes.

CHAIRPERSON HYMAN: Okay. Does anybody --

VICE CHAIRMAN BARBIERI: Go ahead.

CHAIRPERSON HYMAN: This is a little unusual, but does anybody have a problem with just waiting through this presentation? Does anybody have any urgent business? We're all on billable

hours, so it's not a problem? Okay. All right.

MR. LITTLE: Thank you. My name is Dana Little. I'm with Treasure Coast Regional Planning Council, and I've been asked to, as Pat said, give this presentation.

Now normally this is an hour and a half, so I've tried to compress it down as much as possible, but if you'll indulge me for a few moments, I'll try and be brief.

Our position at the Regional Planning Council is that the current model for growth is not sustainable in the long term.

Low density westward expansion is no longer simply a lifestyle issue or a choice. It's actually an issue of exorbitant infrastructure costs, enormous land consumption. The quality of life is not necessarily improving because of this growth, and there's unprecedented strains on our environment.

Now, what you see here are two different patterns of growth. On the left is what we would -- might call the conventional pattern or the pod subdivision pattern which typically will segregate uses, will segregate densities, incomes, actually even segregate sometimes renters from owners, and it actually, because of that segregation, it limits mobility. We're all forced to ride on the arterial.

On the right-hand side you'll see what we would refer to as the traditional pattern or the grid pattern where there's an integration of all these things, a mix of uses horizontally, vertically, mix of incomes, densities, et cetera, and that actually, because of the network of streets and because of the densities, expands your mobility options.

CHAIRPERSON HYMAN: Can I ask you one question?

MR. LITTLE: Yes.

CHAIRPERSON HYMAN: Have there been studies to indicate whether or not the traditional pattern actually works? Not before when it was contemporary, but now today when we do traditional neighborhoods.

MR. LITTLE: Works in what -- in what way?

CHAIRPERSON HYMAN: Well, does it work? Does it -- does it meet and satisfy and achieve its goals?

MR. LITTLE: Well, I think what you're finding is, using Florida as an example, the rebirth of existing older cities which actually have that DNA, the grid pattern of streets, the close proximity of uses. Absolutely it works. It reduces --

CHAIRPERSON HYMAN: Okay. But where you're not doing that -- they did that in like CityPlace where they took existing streets basically, and they redid it into that kind of center.

But where you create a traditional pattern in an otherwise completely vacant suburban area, have there been any studies to show that that

works?

MR. LITTLE: There are many studies, actually, that talks about the health of sustainable patterns of growth. I mean I can refer you to links or web sites or publications if you'd like, but there is a lot of -- because this is an important issue, and, you know, the question is does it work economically, does it work socially, does it work in terms of transportation.

It's not necessarily a panacea, but what we do know is that the current patterns of growth are not necessarily working because of the issues that I pointed out.

So --

CHAIRPERSON HYMAN: We don't know if it works, but we know that what we have now doesn't work?

MR. LITTLE: Well, I think that we can say that it works, absolutely.

CHAIRPERSON HYMAN: Oh.

MR. LITTLE: I mean these -- this pattern of growth is happening all over the United States, the traditional pattern.

Next slide.

Anyway, one of the things, though, that is important to point out is the way the trip assignments occur, and Item No. 1 of the four items is connectivity. And if you see on the top, the conventional pattern, you've got the different uses where they're all connected. The only way to get from one place to another is on the arterial, which means that all trips are loaded on the arterial, which means it must be larger.

On the bottom what you see is the network of streets allows you multiple options, and the roads can be smaller; therefore, they can be more walkable. The -- you know, there's a dispersion of traffic.

Next slide.

So here's a quick cross section through recent planning history in central Palm Beach County.

Next slide.

Here's Forest Hill Boulevard.

Next.

You've got State Road 7 on the left, I-95 in the middle there and Lake Worth Lagoon there to the right.

Now I'm having a hard time seeing it, but between I-95 and Lake Worth Lagoon it's approximately 1.3 miles, and I believe that there's 24 north-south -- I can read it over here -- 26 north-south travel lanes.

CHAIRPERSON HYMAN: Can we lower the lights? Could someone lower the lights in the booth?

MR. LITTLE: Which basically equates to 20 lanes per mile.

Next slide.

The distance between I-95 and State Road 7 on the other hand is 8.3 miles, and there's 36 north-south travel lanes.

Now, what that equates to on the other hand is four travel lanes per mile.

Next slide.

So what you end up with is because of the pattern of growth you end up with six times the distance with one-fifth of the connectivity.

Next slide.

And when you look at it from the air, you see that the way that the land is laid out, I'm not talking about the architecture or the quality of the buildings on the inside, but the way that the land is laid out in a pod subdivision sort of fashion, this is what it looks like from the air, and that's where -- that's essentially where the breakdown of the connectivity occurs.

This, of course, is what it looks like at the intersection. This is State Road 7, Forest Hill.

Even if you wanted to walk from Olympia to Wellington Mall, it's virtually impossible, and so what it means is that to leave that subdivision you must get in your car.

Next slide.

That's why the roads are so wide.

So here's a sort of engineering graph which basically says that two-lane roads with a turn lane are the most efficient travel or roadway system that there is, and in fact the more lanes that you add you start to see that there's a breakdown in the capacity of how many cars per hour can travel on a road, and that has to do with driver conduct.

And when you consider the nearly 30 percent of all developed areas are actually roadways -- next slide -- it -- they're incredibly important, you know, the public realm, which is the roadway, is incredibly important, and in fact they're always the front door to a community.

So because of the breakdown of the network, the roads get wider and wider. They become more auto dominant, and that becomes sort of the snowball going downhill.

Next slide.

So the second item then is that the street itself is a very, very important public space. Now, this, of course, is a beautiful image from Paris or from Vienna, but when you really look at it and you break apart the components that make up beautiful streets, it's essentially lighting, landscaping, parking, placement of buildings, width of sidewalks. I mean this is a five-laner here. You know, this is equivalent to Dixie Highway.

Next slide.

And then, of course, the details that go into it -- next slide -- that have to do with the street furniture and all these sort of things, that's where urban design sort of comes into it.

Next slide.

CHAIRPERSON HYMAN: See, the problem with that is, and that is a beautiful streetscape in my opinion, but in Paris or wherever that picture is

everybody's walking. Okay. Everybody is walking.

And here, like you just said, you can't walk, and you have a car, and then where are you going to put the car?

MR. LITTLE: Well, actually, people do walk, obviously, in those places, but they also drive, too. The congestion in these cities is enormous, and they also have mass transit.

So what we're trying to do is understand the DNA of these places and start to apply them to new projects or retrofit them, which is what we're doing today or currently with the URA.

You know, the -- Congress Avenue and Military Trail have only seen their first layer of architecture. A lot of those buildings will go away and be replaced with something else, how will they be replaced and how will we remedy some of the so-called mistakes that we've made in the past regarding interconnectivity.

So essentially a street can either blow a community apart or it can actually bind it together. The cars are essential, the parking's essential, the streets are essential. How they're assembled is something that we need to understand.

Next slide.

Here's a little example. This is by Dover Kohl and Partners in Miami. Here's a very nice townhouse project when you look at the architecture, but you see what it does is it backs up to the street. It has no basic street frontage.

So next slide.

If you were to reorient those buildings and face them towards the street -- next slide -- and actually separate the public and the private realm, all of a sudden the street becomes a place that people want to be, and it becomes a multi-modal facility, as opposed to a single mode facility, which would be just for automobiles.

Next slide.

Number three. This is a very important, proximity of uses. We hear about through new urbanism or traditional planning the idea of mixed use. Mixed use comes in different forms. It can be horizontal in the sense that there is a proximity of uses to one another or the vertical mixed use.

Now, the traditional form on the left -- that's actually an aerial of Coral Gables in Miami -- these are placed logically. Big buildings face big buildings, small buildings face small buildings, and the buildings define the street and the public spaces.

In the conventional form it's basically on a pod-by-pod basis, you know, as we discussed earlier, and you all know that better than anyone through the whole zoning process.

Next slide.

So here's a little example of what it looks like from the ground. The road at top is Biltmore Way.

Next slide.

That's a 12-story office building facing Biltmore Way.

Next slide.

One street behind is two and three-story apartment buildings. Now, that street is actually beautiful, and the way that that can happen is because that the buildings back up to one another.

What people respond to is what's in front of them, and in fact there's an alley that's separating them for good measure for loading and that sort of thing.

But what's really interesting is if you go one block further -- next slide -- you've got million dollar homes. And so what this teaches us, and this is a local example, this is South Florida, is that you can actually have single family within very close walking distance of 12-story office buildings. It all is about how they're assembled.

Next slide.

Now, vertical mixed use, if you will, the mixed use building, you know, the prevailing myth is that the shop owner's going to live above the deli, and that, you know, that's just not going to happen.

Next slide.

Well, the truth is the deli owner is not going to live above the deli.

Next slide.

The deli owner, if he's successful, is going to live on the mansion on the hill, but it's the deli owner's college son who may actually end up living above the shop, or better yet -- next slide -- newlyweds.

The truth is that -- next slide -- that what this provides is a type of residential unit that doesn't currently exist, and it's a great starter unit. It's a great option for people who want an affordable in-town option. There's no presumption that the successful business owner is going to live above their business.

CHAIRPERSON HYMAN: You're talking about workforce housing, that type of thing?

MR. LITTLE: Perfect. Next slide.

Also, I mean the principles of the proximity of uses -- you mentioned CityPlace earlier -- you've got it, I think, in your current ordinance, the TDM ordinance -- I mean they all follow the same rules.

You know, buildings have fronts, building have backs, streets need to be accessible, they need to have sidewalks. People don't walk on sidewalks just to walk. They walk on sidewalks because they're interested and they have a place to go. It's a good environment. It feels good to be there.

So continuous street frontages, street connectivity and public spaces, all these things are -- you know, you see on the right, that's Pennsylvania, beautiful small town, follows all the rules, and the places on the left are brand new, following the same rules and many times have

the same impact, positive impact.

Next slide.

Integration of housing types and price points. This is very, very important, because, as I said earlier, we have had a tendency over time, unwittingly, but to sort of segregate the rental community from the owner community or the \$300,000 homes from the million dollar homes, and that -- a lot of it's marketing and market driven.

But what we find is in a traditional urbanism, and this actually gets to the workforce housing part I think very strongly, is that the integration of all these building types, understanding that single family homes, townhouses, multi-family homes, mixed use buildings, even the little outbuilding garage which provides a rental affordable apartment, all of these things can be combined and have been combined in some of our older communities in Florida.

Next slide.

Also, the integration of incomes is something that is, we think, very important.

You'll notice on the left -- if you'll scan through these slides, please, Bryan.

As I said, before you start to see that the incomes are segregated from one another, you've got the \$300,000 pod, the half million dollar pod whereas on the traditional end -- again, that's Coral Gables on the right -- because those building types are understood and how they work together and how they're assembled on the ground, you integrate all these things.

So it's really conceivable that you can have college students, you know, in a low percentage, living in the same community as multi-millionaires, and that's actually a healthy thing.

CHAIRPERSON HYMAN: Actually, my daughter lives in Coral Gables and she goes to school at Miami, and that's quite right, and it does seem to work great.

MR. LITTLE: Coral Gables, by the way, was a development, if you didn't know --

CHAIRPERSON HYMAN: I didn't know.

MR. LITTLE: -- by George Harris, yeah.

CHAIRPERSON HYMAN: I know the streets make no sense, and you get lost every time you get out of the house, but --

MR. LITTLE: It's a little -- it's a little picturesque, right.

Next slide, please.

So there's basically great value added by design.

Now, originally this presentation was to be about density, but we sort of expanded it and contracted it, so I'm going to go through a few slides quickly here just to talk about density.

Here is some images -- Bryan, if you'll go through these.

There's 57 units to the acre, 72, 42, 88.

So the numbers really aren't necessarily related to the architecture or even the form or size.

Next slide.

All of these buildings, you probably know most of them, are 15 to 20 units to the acre on the net, you know, as you develop on infill sites.

Next slide, and if you'll scroll through these, too.

Eight, 25, 29, and then there's the pod subdivision at five.

So -- next slide -- the question is what do the numbers really mean. At the end of the day it's a mathematical exercise, and what really matters, and I think that's sort of the crux of this whole density, it's not just -- it's not just this county, it's all over our region, 55 municipalities are all asking the same question.

Next slide.

Is it too big, is it too ugly, how is it going to affect my property values and how is it ultimately going to affect my quality of life because all of those things add up to quality of life.

Next slide.

So, you know, visual and physical predictability is basically cash in the bank if you're someone investing in a project. If you're someone who lives in a community, it's -- it's assurance that your lifestyle is essentially going to stay pretty much the same.

Next slide.

So we've asked -- been asked to talk very, very briefly about the form-base code.

Next slide.

This is something that we're working on in the URA. What it does, essentially is it codes the envelopes of buildings, as opposed to being a formulaic process of relating building size to the size of the parcel that you're able to agglomerate.

Now, it's a powerful tool, and it's actually over time as we've been working with the form-base code in different places and analyzing it, testing it, it's actually a very good way to achieve a lot of the principles that I've been pointing out. It's not a panacea, and it, like everything else, has to be monitored very carefully.

It also needs some will power from the community and the Commission and the elected officials.

Next slide.

So why a form-base code? Because the idea of clustering alone isn't enough. It's not really getting us where we need to be, we think, in terms of sustainability.

Okay. I -- if I had more time, we could talk about the Southern Boulevard expansion, and is that really a sustainable way of growing? Is that really the best way to be spending our -- the money in our public purse?

Next slide.

So the form-base code essentially deals with building mass, building placement, building

height, building uses and the location of parking, and, as I said, very simply, it defines the envelope of a building. It strips away those numbers so we're not debating is it two units or two and a half units to the acre, it's am I going to be facing a 10-story building, or am I going to be facing a two-story building like the one that I'm in.

Next slide.

Again, it's visual and physical predictability.

So why is this all so important? I'll wrap it up.

The next so-called "Long Emergency", you know, though we're -- it's kind of -- in some ways it's unfortunate from a planning perspective that we've entered this lull in the market because I think it's led a lot of people to believe that there's no longer pressure on South Florida, that maybe as, you know, interest rates climb and development slows down, that we've kind of dealt with our workforce housing problem. We haven't, and the pressure is still on.

We've been told by many that 30 million people within the next 20 years are going to be moving to the Sunbelt, and many of them to South Florida. So we're kind of in a weird state right now.

There's -- the activity has slowed down, but theoretically the people are still coming.

Next slide.

So the big question, of course, is it's not about growth because growth isn't going to stop, but it's about how we grow.

And thank you for your time this morning.

I appreciate it.

CHAIRPERSON HYMAN: Thank you. That was really interesting.

We probably could use some more of this, and I would like to hear from the Board of County Commissioners and see what their feelings are with regards to this, as well. Maybe we need to --

MS. ALTERMAN: You were kind of a practice. We will be taking this to the Board to -- the same type of presentation for some discussion, also.

CHAIRPERSON HYMAN: See, my concern is, and I was going to express it at one of, you know, with one of these petitions is that -- I mean I agree that I love the old traditional type of development.

The problem is when you go to one of these fabricated traditional commercial developments, and I happen to have an office right next to two of them, you can't find anything, you can't park anywhere or the parking garage is in the hinterland over there and the building is over here, and it looks good on paper, but it doesn't work.

I mean, you know, that's why I asked the question before, does it work. Sometimes it looks great on paper, but does it work, and I was just

interested.

Just because my own experience may be negative, you know, I was -- I was on the road, and I couldn't -- I could see it, I could see the development. I couldn't get into the development, and once I got in, I couldn't find the building I was going to, you know, I was looking for.

Traditional commercial center with the little streets and little parking.

MR. LITTLE: Dare I ask where that is?

CHAIRPERSON HYMAN: It was Legacy Place in Palm Beach Gardens. I don't know. I don't know if anybody else has that problem, and it's a beautiful center, but I -- you're on the road. There's limited access. You can't get in. I couldn't get out. Little streets, and I don't, you know, I just -- it -- to me, it didn't -- doesn't work because then you go, and you need to find a place to park, and unless you find the two or three spaces in front of the building, you have to walk to a parking garage that's way down there.

Now, I'm healthy, I could do it, but a lot of people can't.

MR. LITTLE: There's a raging debate that's going on now in my professional community about the branding of traditional planning and it being sort of hijacked by projects that aren't actually fulfilling --

CHAIRPERSON HYMAN: Oh.

MR. LITTLE: -- the principles that I've been talking about.

I don't know Legacy Place. I could talk about other projects, but I -- I don't think that's the point.

I think the thing is that you need to -- the whole point of this discussion, my presentation, is to, number one, if you find some interesting points raise some discussion, but, two, help you to focus on some of the things that are really, really important.

The color of the stucco, the thickness of the cornice, that isn't as important as the connectivity of the streets, the fact that you can't get to where you want to go.

CHAIRPERSON HYMAN: And the density, like you're saying, the -- you showed us pictures. The higher density projects in some cases look better than the lower density projects, so I thought that was a --

MR. LITTLE: It's about craft or care in your craft, and there are some low density projects that are great. The number isn't the issue, I think, it's the quality.

Yes, sir. Oh, I'm sorry, I thought you were --

COMMISSIONER KAPLAN: I agree with Commissioner Hyman. I know my wife who has two hip replacements was in Legacy. First of all, she got lost --

CHAIRPERSON HYMAN: And -- and I don't want to badmouth the project.

COMMISSIONER KAPLAN: -- couldn't find a

parking place, and I think it's important that we understand that some of these are not working as well as we'd like to have it work.

It doesn't mean we should not keep on exploring, but we do have problems that has to be resolved.

CHAIRPERSON HYMAN: But what you're saying is some of these projects are labeled traditional when they're really not or they're bastardized or something like that?

MR. LITTLE: Yes.

CHAIRPERSON HYMAN: That's a valid point, too.

MR. LITTLE: And I mean Abacoa was the first market-driven --

CHAIRPERSON HYMAN: Uh-huh.

MR. LITTLE: -- merchant builder --

CHAIRPERSON HYMAN: Traditional.

MR. LITTLE: -- TND, traditional neighborhood development.

CHAIRPERSON HYMAN: Is it working?

MR. LITTLE: Yeah, I think it's working on many levels, but that was 15 years ago, and I think people have learned things since then.

The town center, we -- we -- those of us that were involved from the beginning knew that was going to be a mistake, but -- but we know more now, and actually, Abacoa is a great living laboratory, I think. I think that DiVosta learned a lot through that process.

It certainly, you know, but it still -- I think when you look at the resale values and you look at the fact that people love to live there --

CHAIRPERSON HYMAN: Uh-huh.

MR. LITTLE: -- the tenants are having a hard time.

CHAIRPERSON HYMAN: Yeah, the residential seems to be great.

MR. LITTLE: So I mean there are things that -- that work in Abacoa that should be gleaned and taken from that, and it's not a failure.

Anyway.

CHAIRPERSON HYMAN: Yeah. Thank you very much. It was very interesting.

MR. LITTLE: Thank you.

If I may just suggest -- if you look at our website, Treasure Coast Regional Planning Council, you'll find -- we actually gave a whole series, 11 different presentations to our council on breaking down each of these components. All of it's on line. There's all sorts of stuff that you can look at, research and things, so thank you very much.

CHAIRPERSON HYMAN: Well -- and I'd be very interested to hear what your input is with regards to this -- these projects that are coming before us, the infill projects primarily, where we have to take into consideration these types of principles.

I think your input would be really important because, for instance, some of the projects, and I think we're going to have one

coming up, when I looked at it, I said oh, my God, this is so dense, and yet now I'm thinking maybe that's okay.

That's not the right question, you know, it's -- it's the quality of the project as opposed to the quantity of the density.

MS. ALTERMAN: And as Patrick said, Treasure Coast is under contract to do an Urban Redevelopment Area study for us. They're in the process of doing it.

As that evolves and continues to move forward, I think that we'd want Dana to come and do some more presentations and give you some more information on this.

I don't think this is the end. I think this is just the beginning.

CHAIRPERSON HYMAN: Great.

Don.

COMMISSIONER DUFRESNE: Yes. Patrick, how is it that we're now getting back to this traditional neighborhood development? How did we stray from it, or is this just --

MR. LITTLE: How did we stray from it originally? Well, I think if -- there -- there are a number of -- there was a collision of different things that happened. You know, there was the Federal Highway Act. We paved the United States. You know, cars got cheaper. People started moving out of cities, you know, the American dream of living on two acres out in the country, and you could do it 'cause you could motor.

And then, you know, then the jobs started -- then the retail started to follow, and that sort of took on a different form, and then, you know, a lot of things happened at once.

Zoning became -- you know, the old idea of zoning is to save people from tuberculosis from living in the center city, but what's happened is that, you know, we gradually have segregated so now it's like you got 10 different office types that have to be separated from one another for whatever reason, because of parking or whatever.

So I mean there's a lot of things that have happened, and I think what's -- this planning experiment essentially is what it's been, suburbanization, we're realizing has some real cost to it.

I mean when you're spending two and a half, three hours a day or sometimes a day, two hours a day in your car traveling to and from work, and I-95 can't grow fast enough, and Southern Boulevard takes \$150 million to widen, you know, in South Florida we don't have the infrastructure that they do in the northeast, for instance, in terms of mass transit, and I think that's -- that should be one of our premiere issues, in my opinion, in the region right now because there's a lot of things happening globally, and, you know, we may not be able to motor as happily forever.

So I think it's -- architects, planners,

professionals, even engineers, transportation engineers even are starting to say wait a second, you know, we're having to widen these roads every so many years and the houses are getting further and further apart, and kids can't walk to school and what's going on.

So they're -- the last 20 years has been a reassessment of this, so --.

COMMISSIONER DUFRESNE: Thank you.

CHAIRPERSON HYMAN: Mr. Anderson.

COMMISSIONER ANDERSON: Yes. You just mentioned a few times about different web sites and stuff. I think, you know, this has been good as a beginning to educate us and the Board of County Commissioners, but it might be helpful if -- if there's any other information or if a booklet could be produced or just a list of web sites that we could go look on and educate ourselves might be appropriate.

MR. LITTLE: If you go to our website, I think that's a good place to start, Treasure Coast Regional -- it's tcrpc.org.

COMMISSIONER ANDERSON: Tcrp -

MR. LITTLE: C, as in Treasure Coast Regional Planning Council.

I think there's a lot of links on there, but we have a ton of information on there that's downloadable, and I think it's worth -- if you have some time and you're interested, just sort of, you know, casually going through it and, you know, seeking out what interests you, but we have a lot of information there.

CHAIRPERSON HYMAN: Thank you so much.

MR. LITTLE: Thank you.

CHAIRPERSON HYMAN: Very interesting.

Well done.

CHAIRPERSON HYMAN: Okay. Item No. 14, Northlake Self-Storage.

MR. SULLIVAN: Good morning, Commissioners. My name is Ron Sullivan with the Zoning Division, and Northlake Self-Storage begins on Page 62 of your packet.

The site is approximately four miles west of State Road 710 on the northwest corner of Northlake Boulevard and Memorial Park Road.

This is a request to rezone 9.88 acres from Agricultural Residential and Specialized Commercial to MUPD.

CHAIRPERSON HYMAN: This is the little commercial piece --

MR. SULLIVAN: Yes.

CHAIRPERSON HYMAN: -- in front of the cemetery.

MR. SULLIVAN: Yes. If you remember, the application was presented at the December meeting --

CHAIRPERSON HYMAN: Yeah.

MR. SULLIVAN: -- and after some objection by --

CHAIRPERSON HYMAN: The adjacent property --

MR. SULLIVAN: -- members -- residents of Osprey Isles and the concerns of the commissioners relating to lands labeled as future development, it was postponed.

CHAIRPERSON HYMAN: Well, I think -- Mr. Feaman, you weren't here, so go ahead and let's do that --

MR. SULLIVAN: Okay.

CHAIRPERSON HYMAN: -- for the benefit of you or anybody else.

Bill, I don't know if you were here.

MR. SULLIVAN: Another reminder on this, the site is also the subject of a concurrent small scale land use amendment to change the future land use designation, but you're voting today just on the rezoning and the requested use approvals.

So the proposed site plan indicates a two-story building totaling 86,000 square feet, and that includes 75,000 square feet of limited access self-service storage, 6,000 square feet of office and five residential work-live units.

There are 96 parking spaces with access from Northlake Boulevard and Memorial Park Road.

The site plan, which is on Page 71 of your packet, indicates this.

Now, staff has received 11 letters in opposition to this project, including ten from residents of Osprey Isles objecting to congestion, just locating a commercial use next to the residential development and to the cross access connection.

We also got a letter from the City of Palm Beach Gardens that was opposed to the project and suggested that this decision be postponed until the Northlake Corridor Land Use Study Update is completed.

CHAIRPERSON HYMAN: When is that going to be?

MR. SULLIVAN: They don't know for sure. It's --

CHAIRPERSON HYMAN: Are they doing it now?

MR. SULLIVAN: They're -- they're working on it now, but it's been delayed, so -- but they're saying in their letter -- the letter's included on Page 83 of your packet, and they list the reasons that they are objecting to this at this time.

And the Zoning staff recommends denial of this request due to Planning Division's recommendation of denial for the concurrent land use amendment request.

If the Zoning Commission chooses to recommend an alternative motion to approve the request, staff recommends that it be subject to the conditions shown in Appendix C.

CHAIRPERSON HYMAN: Thank you.

Well, brave man that comes before us with a recommendation of denial, but go ahead.

MR. McGINLEY: Good morning. Kevin McGinley.

I think it's important to read between the lines on the staff report, and I'll direct you so.

If I could just orient you. I think the staff did a pretty good job with that, but we have our property on the north side of Northlake Boulevard.

To the north is Memorial Gardens Cemetery, a preserve area directly to the east and the municipal golf course -- to the west, I'm sorry, and the municipal golf course further to the west.

Civic site here that I understand is going to be a fire station City of West Palm Beach purchased. That will be our neighbor to the immediate east.

To our south, communication tower and a 10-acre site recently approved by the Board of County Commissioners for commercial development.

So that sits us right in the middle of an institutional, slash, commercial, recreational node, if you will.

The Northlake Corridor Study is an interesting animal because we were -- we submitted an application back in 2002, and at that time we were told, look, the study's going to be ready. The Comprehensive Plan says it's going to be ready by 2005, please withhold your application 'til that time.

We did. We submitted our application in 2006. We withdrew the application from 2002. It never came before you. It went to the LUAB, and we pulled it out because of those -- those objections.

Now we're hearing objections that, oh, yeah, we did that study, but now we want to do another study. So please take that into consideration when you figure -- you know, we -- the only thing we heard about this updated study was not when we put our application in in 2006, but as we're coming here before you today.

CHAIRPERSON HYMAN: What's that study show for this property or recommend for this parcel?

MR. McGINLEY: That study, together with many other studies that the County produced, showed a need in this study area for 300,000 square feet of commercial. That's in your staff report. That's not at issue here.

It is showing that there is an unmet need for 300,000 square feet as we sit here today.

We have -- and also the staff report will tell you that this location is the best location on Northlake Boulevard to meet that need.

The problem with the denial recommendation from the Planning Department is we're not at an

intersection, and they have a provision in the Comprehensive Plan that says you don't have mid-block commercial.

Well, the problem here is there are no intersections on Northlake Boulevard from Seminole Pratt Whitney Road to the Beeline Highway.

So you have a need for 300,000 square feet of commercial. You've got to put it some place, but you can't put it any place because there are no intersections. You talk about a Catch-22, we have -- we have a Catch-22 and maybe a 23 here.

CHAIRPERSON HYMAN: But you got intersections, I guess, on the southern piece across the street from it, right?

MR. McGINLEY: Well, an intersection defined by the Planning Department is a through intersection. So it would -- it would -- it wouldn't be a T-intersection, it would be an intersection that goes north of Northlake Boulevard, and that's -- when I say that there's no intersections, there are no through intersections that go from south of Northlake Boulevard north and connect to anything other than undeveloped or wetlands.

So you have no -- you have no true intersections anywhere along Northlake.

Staff understood that and actually recommended to us that we come back with a mixed use because a mixed use development would not be subject to the mid-block criteria.

So we did. We added the five work -- live-work units to our mix. Staff looked at it and said hey, that's pretty good. Now you have the residential and you have the commercial. You're no longer a commercial development, you're a mixed use. We can go ahead and support you except another Catch-22. You have to have 50 percent of your project in the mixed use to be residential.

This is not a residential project, so, therefore, even though we meet the intent of the mixed use, we cannot be called a mixed use. So we're a multiple use.

So that's what we are before you today is the MUPD to allow these, which is going to meet a small portion of the demand on Northlake Boulevard.

And couple of other -- couple of other things that I might just bring up is the -- go to the site plan then.

We had basically three issues when we were here in December, and that was the access to Osprey Isles, the fact that we labeled this as future development with -- showing no plan now because we have no plan, and the third of all, the architectural. One of the commissioners asked if they could see what the building would look like.

We've addressed the Osprey Isles connection with one of our conditions of approval, and we submitted plans to the staff that show that we would no longer need that connection and will agree to a condition to delete that at time of

site plan approval. I --

CHAIRPERSON HYMAN: Of course, that just eliminates the connectivity that the guy was just talking about before you.

MR. McGINLEY: Well, it does to Osprey Isles and to this project, but objections -- I mean this is something that this Board and the County Commission is going to have to deal with. We're willing to delete the access to it to appease the neighbors.

So we've agreed to that condition and submitted plans. We've also submitted the architectural plans, and you can see them here. This is -- this is basically what the self-storage facility with the offices on the ground floor will look like.

As far as the future development, it's one of those -- if we leave a big green area, and you see it on the plan, you're going to say, Kevin, what's that, and I'm going to say well, we don't have anything proposed for that at this time. And you'll say, well, will you in the future; yes, we might.

So we're forthcoming and put future development on it. We -- there's no vesting of anything with the approvals today. Anything built in this area will have to come back to you for approval. We cannot just expand onto that area without coming back.

So what you'll see is this portion of the development and this sometime in the future, again, with access here, here and the fire station here (indicating).

And I'm not sure what's going to go on with our project to the south. It's in for zoning review right now. It's in the -- it's in the DRO process. It could be in front of you in a couple of months, or it may not get to you at all.

As far as our conditions of approval, we're fine with all the conditions of approval with the exception of the architectural elevation height.

Given the two -- given the two months we've had since then to prepare the architectural, we find with the height limitation of 25 feet for the roof, that as you can see, we've added some architectural features here and most notably here (indicating) in the center of the building which we believe benefits the architectural look at it.

Those go up to about 20 -- 28 feet and 29 and change here, approximately 30 feet.

So the intent of the 25 feet for the roof height is fine with us. It's just that if we are limited to that, then you'll see more of a flat roof look, rather than some architectural. So we'd ask some indulgence to keep the roof height.

I believe it's at 25 feet one inch, and the overall at 30.

And with that, gladly answer any questions. Thanks.

CHAIRPERSON HYMAN: Let's see if there's anyone here from the public to speak on this, and

then we can go back to the Board.

Do we have any cards or anybody here to speak on it?

(No response)

CHAIRPERSON HYMAN: Okay. Questions from the Board.

Bill, you have anything?

COMMISSIONER ANDERSON: I just had a comment relating this to the previous discussion.

You know, the interconnectivity is one issue. Because of what they're telling us, I think we should be -- we should try to do more interconnectivity.

The one thing I do like about this is the interconnectivity to the neighborhood is kind of in the back, and it's kind of hidden so it's -- and it's not the main thoroughfare, you know, for the people from elsewhere coming in.

And I'm a little concerned about the, you know, the future development. I'd rather have seen something in here now, but I know that's not always possible.

And just another comment. When we develop a project like this and they talk about the amount of traffic that this project generates, the one thing, and it's maybe impossible to do, is how much will this project reduce traffic off roads in the area?

I mean it's -- it's like if somebody -- if there was a place for -- somebody could have a job here and they live next door, they're not going to be driving all the way to West Palm Beach.

There's no -- but I mean the problem with the self-storage is it's such a limited use that that doesn't really benefit the taking cars off the road. But I mean that's just something else in the back of our minds.

There's no way probably to quantify it, but something to think about; what's the best project to help eliminate the congestion on the roads, especially thinking of the -- when is the worst time, is rush hour traffic. So at some times when we're thinking of these things, think of what type of projects and what type of uses will help reduce traffic during those rush hour periods.

And as a petitioner, from your point of view if you're thinking of that when you come to us, and say this project will help with traffic in the surrounding areas. That may be a bonus point for petitioners to be thinking about.

So that's my comment.

CHAIRPERSON HYMAN: Peter, do you have anything?

COMMISSIONER DUFRESNE: To follow up with what Bill said, it's also helpful that when we have 342 trips a day that this is going to impact, well, how many total trips are available on -- and maybe it's 400,000. I don't know. I mean I don't know how many total trips are available on Northlake Boulevard so the number's kind of meaningless unless it's compared to something for

me.

I'd like to see some kind of comparison, either on a -- by zoning basis or total trips because, of course, I think we'd all like to avoid getting into a CRALLS situation and might be nice to know how this is impacting total traffic on Northlake.

MR. CHOBAN: We do do that on Page 75. We generally have a traffic chart, and it does identify the traffic from the site. It does identify what the current traffic is, the level of service, the lanage. So we do try to provide that for each petition.

COMMISSIONER ANDERSON: Well, one thing that would be helpful, too, is sometime if we had a list of what type of projects generate more traffic than other, you know, just for some of the newer people that, you know, a gas station's going to generate a lot more trips than a self-storage is, and -- but I mean how much is it -- is self-storage the lowest use and -- I don't know if you have any information like that that other members on the Board might want to see a copy of.

CHAIRPERSON HYMAN: Okay. Allen, do you have anything?

COMMISSIONER KAPLAN: No.

CHAIRPERSON HYMAN: Okay. Alex.

COMMISSIONER BRUMFIELD: Actually, no.

CHAIRPERSON HYMAN: Okay. I have a question.

MR. CHOBAN: Seventy-five.

CHAIRPERSON HYMAN: Okay. That access road on the back of the future development parcel, I mean that doesn't connect to anything other than the Memorial Park Road, which is also what the access road to the cemetery, and I think I'd mentioned I'm familiar with this area 'cause my mom is there.

But -- right, so that -- that doesn't provide connectivity to anybody.

MR. McGINLEY: No, that doesn't provide any connectivity to any residential units, no.

CHAIRPERSON HYMAN: Okay.

COMMISSIONER ANDERSON: Oh, I had it mixed up. Sorry.

CHAIRPERSON HYMAN: Yeah. And -- now, you -- there seems to be on your drawing, it shows that the road, that road, the proposed road goes across Menorah -- Memorial Park Road, and there's the beginning of a road on the other side, but is there a road on the other side?

MR. McGINLEY: It's our understanding from talking to the Engineering Department that this is our -- by the way, this is all our property going out to here (indicating), that there --

CHAIRPERSON HYMAN: It is?

MR. McGINLEY: -- will be a connection to the fire station to provide access to them from that civic tract that --

CHAIRPERSON HYMAN: So Memorial Park Road is really like an ingress-egress easement over your property?

MR. McGINLEY: The access to Memorial Gardens is an easement over our property; correct.

It was at one time a right-of-way, as I understand it, and the County dissolved its interest in it, and when it did, it has given access easement.

MR. ROGERS: When the cemetery was originally platted, that was platted as a public road. Some time afterwards the owners of the property petitioned the Board of County Commissioners to have that public road right-of-way abandoned in favor of what would basically be a private access easement road, and that's what you have today.

CHAIRPERSON HYMAN: And why did they do that do you think?

MR. ROGERS: On the request of the property owners.

CHAIRPERSON HYMAN: Hmm. Okay. So you would have on this private access easement all the traffic that goes to the cemetery, which probably isn't very much, and then whatever dumps out.

I don't think there's -- there's no light at that intersection. There's no light anywhere right there.

MR. ROGERS: No, there is not.

CHAIRPERSON HYMAN: Okay. And the other -- the access that you show to the golf course -- I never go that far so I didn't even know there was a golf course, but why would you have an access to the golf course?

MR. McGINLEY: No, actually, this -- this access point is to Osprey Isles. There's -- there's the road here (indicating).

The golf course is further west off the page. There is no access to the golf course.

This is Osprey Isles. This access point is to Osprey Isles right here (indicating).

CHAIRPERSON HYMAN: And that's the access you're proposing to eliminate?

MR. McGINLEY: Based on the concerns of the neighbors, we were willing to, certainly. It -- it doesn't -- we have access, primary access, off Northlake Boulevard.

For anybody coming from the east we have access, and anybody leaving, going to the west, can use our main access.

This just gives us the median opening for those that are proceeding further east.

CHAIRPERSON HYMAN: Well, I do think connectivity is important, and so I think there -- if we do approve this, that there should be some proposed access from this site to an adjacent residential site to keep -- just to keep the traffic off the arterial road.

The location of this access I have a little bit of a problem with.

Your survey shows a huge wetland. I guess part of it's jurisdictional, maybe -- I don't know if you're mitigating. I don't know what you're doing, but it shows that -- almost half the site looks like it's wetland.

MR. McGINLEY: Actually, this is the wetlands area right here (indicating). That's --

CHAIRPERSON HYMAN: But if you look on your survey, that's the preserve that you're, okay, of the wetland, but the actual wetland is greater than that which --

MR. McGINLEY: Well, if I -- I could explain that, too. There's a 100-acre development, which is Osprey Isles. It was owned by the same property owner at the time, different tracts. They sold -- Dr. Burke was the owner of this property, sold the property to Shelby Homes to develop.

At the time that they developed that they did their mitigation with Water Management District on the entire -- on both parcels, the parcel that you see here and the parcel that was developed. So that's already been worked out.

So whatever shows on the survey now is superseded by the permits issued by the Water Management District after their further review.

CHAIRPERSON HYMAN: Okay. So the issue of wetland has no relevance at all.

MR. McGINLEY: I don't believe it does because we have a permit for this.

CHAIRPERSON HYMAN: Okay. And I don't know if anybody from DERM is here that --

COMMISSIONER ANDERSON: Is there any way to move that road --

CHAIRPERSON HYMAN: He left -- oh, there it is.

COMMISSIONER ANDERSON: -- further back?
CHAIRPERSON HYMAN: I mean I don't know why the --

MR. VAN HORN: Just to clarify -- Bryce Van Horn, with the Planning Division.

The access that's on Osprey Isles PUD, which was approved in 2001, I believe, that access was required by a condition of approval based on a policy in the plan.

When Osprey Isles itself was deleted off of the larger parcel of Menorah Gardens, it, in essence, created a residual parcel, and the policy in the plan requires that connections be required for -- to those residual parcels.

So that's why that access is there. It's paved to the property line, and that's the way it was approved as part of Osprey Isles PUD.

So we would support the access from this site to connect for cross access.

CHAIRPERSON HYMAN: Yeah, I think so, too. The only question I had was if -- if there was wetland on this site south of where the preserve -- south of where the preserve is, then I don't know why the access road couldn't dip down more towards Northlake and then back up to give you more -- I mean why put the road smack through some greenery?

Why don't you just put it more on the peripheral of the property and then up?

MR. ROGERS: The location point at the west property line --

CHAIRPERSON HYMAN: Is determined.

MR. ROGERS: -- is fixed.

CHAIRPERSON HYMAN: Right.

MR. ROGERS: And that -- once again, what -- I'll repeat what Bryce said.

West of the property line that road is already paved in Osprey Isles.

CHAIRPERSON HYMAN: Right. I guess it still could dip down, but that's probably irrelevant for your purposes. Okay.

You know, I guess I'm still troubled with the recommendation of denial.

COMMISSIONER FEAMAN: I don't have any strenuous objections against this. I'm -- I want whatever conditions to take into consideration your concerns. I don't have any strenuous objections to this.

I mean if it's going to be used for commercial, this is probably going to generate the least amount of trips possible for the folks out there from that point of view.

CHAIRPERSON HYMAN: It's currently agricultural residential. What's the underlying land use?

MR. McGINLEY: It's -- it's -- also, it's -- it's -- it's residential, slash, commercial. It has a remnant portion of a CS zoning when it was part of the Menorah Gardens.

So the underlying land use is, as I understand it, LR-1?

MR. SULLIVAN: LR-1, yes.

MR. VAN HORN: It's LR-1, and the Comp -- the Comp Plan amendment application is for LR-1 to commercial low office and -- with keeping the underlying one per acre.

CHAIRPERSON HYMAN: Okay. So I guess planning-wise you'd like to see residential as opposed -- low density residential as opposed to commercial?

MR. VAN HORN: Well, our recommendation is based on the policy in the plan regarding mid-block commercial, but we have to take into consideration any studies, the Western Northlake Corridor Study, which suggests that there's a -- there's a need for commercial out here up to 300,000 square feet.

This could potentially be the best site for it, but it's at the Board's -- Board of County Commissioner's discretion whether to adopt it or not adopt it.

CHAIRPERSON HYMAN: Then is there a problem with the fact that it leaves one more little residential -- residual piece, which is the piece to the east, undeveloped, and now if you put the storage on the west side -- oh, future development -- you have -- so you have future development fronting Northlake. You have future development on the east side, and as we develop this piece by piece, we limit the options basically for those pieces; right?

MR. McGINLEY: Well, this is -- this is all one piece of property. It's -- basically,

you're looking at it in terms of phases, and normally when you see me and I'm in front of you representing a place of worship, I'll show you a multipurpose building first, and then there'll be a large green area that we will not develop because we don't have the church resources to do that.

So this is -- this is much like you'd see in a phased development of a church where you'd have one building, and then after a period of time you would have another building.

This is all one piece of property governed by this approval today. It's not a residual piece. It's not a stand alone piece of property.

It can't be subdivided. It isn't subdivided, no intent to subdividing.

CHAIRPERSON HYMAN: So are we rezoning the future development piece, also?

MR. McGINLEY: Yes, you have control over the whole piece, and this is all that can be built --

MS. KWOK: Right.

MR. McGINLEY: -- unless it comes back to you for future approval.

CHAIRPERSON HYMAN: Any use on the future development piece would require coming back to us, any --

MR. McGINLEY: Yes.

MS. KWOK: Right, a DOA coming back.

CHAIRPERSON HYMAN: And what about the future development piece along Northlake to the south of the building, the 0.9 acres?

MR. McGINLEY: Across Northlake Boulevard?

CHAIRPERSON HYMAN: No, right there, the green right there (indicating).

MR. McGINLEY: This (indicating)?

CHAIRPERSON HYMAN: Yeah, what about that piece?

MR. SULLIVAN: That's all part of the MUPD.

CHAIRPERSON HYMAN: Looks like it's going to stay, but it says future development.

MR. Mac GILLIS: That's part of that Phase 1. That's for the drainage, probably, and part of the overall -- to meet the site requirements for that phase.

So that's part of this site plan now.

CHAIRPERSON HYMAN: Well, then shouldn't say future development. It should say retention.

MR. McGINLEY: It shouldn't, and it should be restricted, and there won't be any buildings. It may be parking, maybe that type of, you know, when the --

CHAIRPERSON HYMAN: Well, let's say that.

MR. McGINLEY: -- other phase is developed.

CHAIRPERSON HYMAN: It should say that.

MR. Mac GILLIS: We can make sure he fixes that prior to BCC.

MR. McGINLEY: Yeah, and there is no -- again, there is no chance that we can come in and increase the square footage of what you're

approving today to go anywhere outside or to have a separate building or anything like it without coming back here, meeting all the standards, traffic standards, meeting all the Code standards and being back before you today.

There's no chance we can do that.

CHAIRPERSON HYMAN: Okay. So that has to remain open. It might be on-site --

MR. McGINLEY: Yes.

CHAIRPERSON HYMAN: -- ground parking or something which you don't need for that site, so it really should just say --

MR. Mac GILLIS: Probably open space.

CHAIRPERSON HYMAN: It should be green.

MR. Mac GILLIS: Yes.

CHAIRPERSON HYMAN: It shouldn't be parking 'cause you've satisfied your parking requirements with this site plan; right?

MR. Mac GILLIS: Yes.

MR. McGINLEY: We have. It's just the two are tied in together where it says future development.

If we need something in here, it would be --

CHAIRPERSON HYMAN: Well, a church is going to go on there; right?

MR. McGINLEY: Well, that would have been my -- I would have been in and out of here in 15 minutes.

CHAIRPERSON HYMAN: So are we going to limit it to green? You're saying you want it -- you want to leave it open for parking for the piece to the east; right?

MR. McGINLEY: For the sake of this plan when we're not showing anything, and I don't want it to look like we're -- we're trying to do too much here.

It's no problem, limitation right now, because if there's a plan for the future, and it -- and it means coming back into an area that's designated, we'll address it at that time.

I have no problem with leaving the areas that are designated in this plan as future development just as green area.

CHAIRPERSON HYMAN: Okay.

COMMISSIONER FEAMAN: That certainly mitigates the visual -- adverse visual impact for the folks in the Osprey subdivision --

CHAIRPERSON HYMAN: It helps.

COMMISSIONER FEAMAN: -- as they go home.

COMMISSIONER DUFRESNE: Well, it doesn't change the reality that he can still come back and ask --

CHAIRPERSON HYMAN: Talk in the mic.

COMMISSIONER DUFRESNE: It doesn't change the reality that they can still come back and ask us to change it.

CHAIRPERSON HYMAN: Oh, yeah.

COMMISSIONER DUFRESNE: So there's no -- we're not imposing any restrictions on here.

CHAIRPERSON HYMAN: We're just saying it has to stay green.

COMMISSIONER ANDERSON: What if we --

COMMISSIONER DUFRESNE: Just erase future development and it's the same site plan.

COMMISSIONER ANDERSON: The edge of the wetland line, the property that would be, let's see, to the west of that, what if we kept that as part of the preserve area, just to give a continual --

COMMISSIONER DUFRESNE: Extend it --

COMMISSIONER ANDERSON: -- tree buffer?

COMMISSIONER DUFRESNE: Extend it south?

COMMISSIONER ANDERSON: Yes, across the -- extend the preserve to that area to the south of the road and to the west or to the -- to the west of the edge of wetland line, just to give a, you know, and then leave the other as they can come back and maybe do something with, but just kind of give the Osprey Oaks people -- let them leave those trees there.

CHAIRPERSON HYMAN: Just seems like an awfully strange thing to do. You would have thought that you would have placed your building closer to Northlake.

Now, I don't have a problem, you know, with the way it is, but it sort of looks like you are going to come back and say, oh, let's put something in this area. Let's put like a little strip of something.

COMMISSIONER DUFRESNE: Kevin, would there be any objection to extending the preserve area south of the driveway on the west side, west of the --

CHAIRPERSON HYMAN: That whole future development area, call it a preserve?

MR. McGINLEY: I don't believe that there's any wetlands. As far as a preserve, an open space area would be acceptable --

COMMISSIONER DUFRESNE: Yeah, just --

MR. McGINLEY: It's not a wetlands.

COMMISSIONER DUFRESNE: -- bringing down here from kind of the west edge of the parking lot south.

CHAIRPERSON HYMAN: Well, you can make it preserve, it doesn't have to be wetlands. You can still make it preserve.

MR. Mac GILLIS: Because there are conditions on there related to the preserve 'cause there -- I believe there are some upland slash pines in that area, correct, where the preserve is?

You don't want to confuse it. We can draft up a condition that that area, define that area to be --

MS. KWOK: Yes.

MR. Mac GILLIS: -- dedicated as open space and be maintained.

COMMISSIONER DUFRESNE: That's fine.

CHAIRPERSON HYMAN: DERM's got something to say.

MR. KRAUS: Yes. Bob Kraus, Environmental Resources Management.

Actually, we have an agreement with South

Florida Water Management District when we have preserves that are partial wetland and partial upland on how we divide the regulation of those things.

So it would not be a problem to widen that preserve area to an upland area. We would be regulating primarily the upland area. South Florida would be regulating primarily the wetland area.

But what happens is we do the inspections on the whole thing, and if we notice a non-compliance issue, we turn that part over to South Florida, and they'll do enforcement.

CHAIRPERSON HYMAN: Right. I like that idea of expanding the preserve, expanding the preserve and have the upland preserve on that, at least that western portion of that -- what is labeled future development but what's going to be called open space and also adding a requirement that there be no building or development in that open -- in that --

MS. KWOK: Right.

CHAIRPERSON HYMAN: -- parcel, either.

MS. KWOK: Sure.

CHAIRPERSON HYMAN: I mean that's what they're putting on this piece, then that's what they're putting on this piece. There should be nothing else.

And I wouldn't have any objection, you know, if -- just reworking that access road, doesn't have to go straight across. They can meander it a little bit or whatever is best for the site and the preserve that you're going to put there.

Is there a motion?

COMMISSIONER FEAMAN: I think we might want to deal with the height limitation, as well.

I think the applicant's point is well taken with regard to allowing the height restriction for the roof to be at 30 feet because it is aesthetically, I think what they show there, much more pleasing than having a flat roof which would be required if the condition of approval remains as recommended by staff.

MR. McGINLEY: And just to clarify that, it's really not the roof height, so we could stay with the 25-foot, I believe -- our elevations that we submitted to staff show 25 feet one inch to the roof height, but then the architectural features that we're showing on this plan which we'll make part of the record, it's in with the staff already, be exempt from the 25-foot one inch or call it 25½ or whatever.

CHAIRPERSON HYMAN: Bill.

COMMISSIONER FEAMAN: That's what I meant.

COMMISSIONER ANDERSON: And just getting back to Sherry's comment about that access road, if you meander it a little bit, too, that'll help with the sight line from the Osprey Oaks. When they're driving by, they're not looking down right at the -- it would kind of meander a little bit through the woods.

CHAIRPERSON HYMAN: Okay.

COMMISSIONER ANDERSON: If you could do that, that would be great.

CHAIRPERSON HYMAN: Okay. Frank.

VICE CHAIRMAN BARBIERI: Staff, how do we resolve the issue with the City of Palm Beach Gardens?

I noticed their letter's dated November 28th. Have you had further discussions with them?

Are they now comfortable with this? Has there been any interaction with the city?

CHAIRPERSON HYMAN: Oh.

MR. SULLIVAN: No, we have not. The study hasn't been completed yet, but we haven't had discussions with them further.

CHAIRPERSON HYMAN: Are you with Palm Beach Gardens?

MR. DAVIS: No, I'm Bryan Davis, principal planner with the Planning Division.

CHAIRPERSON HYMAN: Oh.

MR. DAVIS: Staff has worked on -- begun work on the corridor update. Again, this has had a lot of problems because of all the anticipated potential development out on Northlake. That's why there has been a lot of discussion and reluctance because of the uncertainties out there with the Vavrus ranch, the Mecca farm site, all the unknowns.

That's why there's a general reluctance for everyone to commit to go forward because they're -- all the variables are not yet resolved.

We did meet at the beginning of this year.

We're going to meet again in mid-February to continue to work on advancing the study, so we're making some progress. We're just not as far as we'd like to be because we're having this -- this sort of a hesitancy -- or not a hesitancy, but just because we can't even agree to disagree on whether we want to go, not go because of the unknown, so --.

VICE CHAIRMAN BARBIERI: So there's been no discussions with the city since that November 28th letter?

MR. DAVIS: No, we had a meeting on January 6th, I believe.

VICE CHAIRMAN BARBIERI: Okay. The city was there.

MR. DAVIS: Right. They did come. Also West Palm Beach was there and Indian Trail Improvement District, so --.

VICE CHAIRMAN BARBIERI: All right. Thank you.

CHAIRPERSON HYMAN: Okay. Well, it's probably not fair to keep these guys hanging for more years. Okay.

Any other questions, comments?

(No response)

CHAIRPERSON HYMAN: I'll entertain a motion.

VICE CHAIRMAN BARBIERI: Madam Chair, recommend approval of an official zoning map amendment from the Agricultural Residential and

Specialized Commercial Zoning Districts to the Multiple Use Planned Development Zoning District with, I believe, the conditions set forth in Exhibit C.

Is that the ones that staff wanted attached if we recommended approval?

MS. KWOK: Yes, and in addition to those, two other conditions that address the open space --

VICE CHAIRMAN BARBIERI: With respect to the height limitation --

MS. KWOK: -- and the height --

VICE CHAIRMAN BARBIERI: -- and the open space.

CHAIRPERSON HYMAN: And --

MS. KWOK: And also the ERM conditions expanding the --

CHAIRPERSON HYMAN: Expanding the preserve --

MS. KWOK: -- preserve.

CHAIRPERSON HYMAN: -- and meandering the access road.

MS. KWOK: Right.

CHAIRPERSON HYMAN: And also limiting the development on that piece, making sure they recharacterize that piece, eliminate future development and put in, you know --

MS. KWOK: Open space.

CHAIRPERSON HYMAN: -- dedicated open space.

VICE CHAIRMAN BARBIERI: That's all part of my motion.

MR. SULLIVAN: In addition to that there is --

VICE CHAIRMAN BARBIERI: Sherry moved her lips and I approved it.

MR. SULLIVAN: In addition to that there is one condition that we would remove. That's access Condition 1 which called for deleting the interconnection, and --

CHAIRPERSON HYMAN: Oh, yeah, you need to take that out.

MR. SULLIVAN: -- we would take that out.

VICE CHAIRMAN BARBIERI: Right.

COMMISSIONER ANDERSON: I'll second that motion.

CHAIRPERSON HYMAN: Okay. There's a motion, seconded.

All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

VICE CHAIRMAN BARBIERI: Madam Chair, recommend approval of a requested use to allow a self-storage facility.

COMMISSIONER ANDERSON: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: It's unanimous.

MR. McGINLEY: Thank you very much.

CHAIRPERSON HYMAN: Good job.

MR. McGINLEY: It's a good living.

CHAIRPERSON HYMAN: You did good. It'll be back as a church.

MR. McGINLEY: That would have been my preference.

MS. KWOK: Okay. This would bring us to Item No. 16, PDD2006-948, Coral Lakes PUD.

Doug Robinson will give you a brief presentation on this project.

MR. ROBINSON: Good morning, Commissioners. My name is Doug Robinson, Site Planner I, for the record.

Congress [sic] Lakes Apartments, Inc. starts on Page 108 of your packet.

Proposed is the rezoning of 18.16 acres of land from the multiple use plan -- from the multiple used planned development to the Residential Planned Unit Development to allow for 169 multi-family residential units, including 12 workforce housing units.

Access will be from Congress Avenue.

At the time of publication there were no letters from the public; however, subsequently there has been two letters from the public, one in favor of this project and one in opposition.

The opposing issue has been the influence of rental properties in this area.

Staff recommends approval of this request, subject to conditions of approval.

CHAIRPERSON HYMAN: All right. Thank you. Is petitioner here?

MR. CHEQUIS: Good morning members of the Commission. For the record, Brian Chequis with Cotleur & Hearing here representing the applicant, Mr. Daniel Perez in this request to develop this new urban style residential community.

I have a full presentation for you.

CHAIRPERSON HYMAN: Okay.

MR. CHEQUIS: Dana Little said everything that I was going to say so it should go a lot quicker.

We are -- we are, on our side, Mr. Perez, the owner. He's here today if you have any questions for him. Mr. Don Hearing's here to speak to any landscape issues, and we also dealt with the actual land planning and site design for this project.

The architect is Mr. George Bouza. He is

here with us if you have any questions on architecture, and we have Cheryl Carpenter from C&N Environmental to speak to one issue that we -- that we're going to discuss later on in the presentation.

This project has a very colorful history.

I'm not going through it point by point with you folks 'cause it's -- we're all going to fall asleep here.

The key items were that back in the early '80s this project was zoned to be medium density residential. By the mid-1990s it had a Voluntary Density Bonus approved for it which allowed up to 285 units on this property.

That was the basis for the very low, low income lawsuit that ensued in 1995 by four surrounding municipalities.

That was thus then settled between the County, the owner and those four municipalities, and what came out of that lawsuit, or resolution, was that there would be no very low or low income housing on this site, and fast forward to where we are at today, workforce housing does not fall under that category.

So the project that we're bringing before you is a new urban project that integrates workforce housing, and we had early discussions with Mr. Banks, and he was in agreement that this is -- this is the appropriate use for the site to integrate workforce housing.

CHAIRPERSON HYMAN: Are these -- is this a for sale site or rental site?

MR. CHEQUIS: It will be for sale.

CHAIRPERSON HYMAN: And what's the price point?

MR. CHEQUIS: Mr. Perez can answer that for me.

The -- this development will probably range in the mid-200s, which is within your workforce housing income level bracket. So the overall development is within that, but we have specific -- 12 specific units that are workforce dedicated throughout the income range.

Just to familiarize you with the site, we're just north of the intersection of Melaleuca Lane, 6th Avenue, and Congress Avenue. The subject site is within the Serafica Road Overlay CCRT and within the Lake Worth Urban Redevelopment area.

That's the site plugged in right there (indicating), and it's an 18-acre site. We have 4.23 acres of wetland and dedicated lake on the property.

We're asking for a total of 169 dwelling units, 146 by PUD maximum density entitlement, the additional 23 above and beyond that.

This residential planned development is consistent and is supportive of the adjacent land uses around us. If you're familiar with that intersection, which I'll get into with the adjacent land uses and zoning designations, to see how we fit in and tuck in and will be an added

benefit to the area.

The underlying land use for our property and the adjacent properties to the north, west and south are high -- actually, HR-8. I have CH-8 there. That should be HR-8. It's a Planned Unit Development to the west of us.

Across the road and to our south we have institutional. That's Palm Beach Community College across the street from us, and there's the Palm Beach Habilitation Center catty-corner to us on the southeast corner of the intersection.

Along Congress to our north and south are a range of Commercial High/8, Residential 8 uses.

They are all a mix of institutional, offices and retail businesses.

With respect to zoning, the subject site is requesting to become a residential PUD consistent with what's around us to the west, north and south of us.

That -- this photo's a little outdated. Those buildings are actually constructed, and they're a two-story townhouse product, and we're actually building the same type product which we'll show you in a later slide.

To -- across the road, Palm Beach Community College. To our north is Beth-El Temple, a place of worship, and along the corridor, again, a range and mix of commercial zoning. Some are outdated, the CS designation. There's a lot of small commercial businesses up and down the Congress corridor.

The additional -- with the additional density that we're asking for from the PUD density of eight units to the acre, it works out to about 9.3 dwelling units per acre. That's the addition of 23 residential units, 12 of which will be dedicated to workforce housing within your range from 80 to 150 percent of the median income in Palm Beach County.

This community's going to be a new urban style community which we will show you examples of how this community relates to real world examples, are in Abacoa, have been developed in Delray or in Traditions and give you a comfort level to see how this works in the real world functioning today.

We do have a two-story rear-loaded townhouse product, and it's a condominium style development under a master association.

We have plentiful amount of on-site natural amenities for the residents, and we also have -- in the form of wetland and lake, and we also have numerous manmade amenities on the site.

Just to quickly walk you through the workforce housing component of it, we have an integration of buildings from four units to eight units. A mix of buildings adds variety to the project, and that's an important element to new urban planning, again, two-story buildings, base density of 146 units, or eight dwelling units to the acre.

The additional 23 units are 1.27 dwelling units to the acre, to give us 169 overall units.

Of those 23, 12 dedicated to workforce housing.

With that, I'll walk you through the actual site plan. This -- we are proposing our main entrance off of Congress Avenue central to the site. We're proposing two points of egress for the convenience of the residents, back onto Congress Avenue, right turn only, heading south on Congress.

And with any new urban style development we have a hierarchy of roads, drives and alleyways. What we have in the yellow is the main spine road, very prominent main feature to the development. Spinning off of that are smaller drives and then tertiary alleyways in which residents access their units or visitors come to park to visit the residents.

With any new urban project we have a very extensive pedestrian network system. It moves throughout the project. It moves -- we have a path around the natural wetland and lake feature, and we also have, very importantly so, a lot of access off-site, off to Congress to go north or south, and we also have a pedestrian access due south for those people who want to go to the commercial plaza, Congress Point Plaza, which is to our south where the red text is or also to the newly constructed Neelin (ph.) Park, which is southwest of our project and well within walking distance.

Anything to the east would be Palm Beach Community College, John Prince Park, again, all within a quarter mile, all walkable from our project and which is why we integrate well into the area with all the amenities that are off site and integrating our project to -- to interact with the public realm on Congress Avenue and along Melaleuca Lane.

CHAIRPERSON HYMAN: Where do you have vehicular access?

MR. CHEQUIS: Access is limited --

CHAIRPERSON HYMAN: Connectivity to the other sites?

MR. CHEQUIS: It's -- it's limited to Congress Avenue. The reason being is, and I under -- I appreciate the vehicular access issue.

In this case we've got four and a half -- four and a quarter acres which basically bound our entire west and southern side between Melaleuca Lane which prevents us from punching in a vehicular access possibly to the residential to the west of us.

There's limited opportunities, and the commercial --

CHAIRPERSON HYMAN: What about to the shopping center, that's that piece right there?

MR. CHEQUIS: That large section to the south is an established center, and that is the back of their center. They -- that is where they do their deliveries and loading and unloading, and they have their trash bins there. So vehicular access wouldn't be into a road or established driveway. It would be to the rear of their

building, not very -- not very consistent with the -- with what we're proposing with respect to our frontage on that property. That's our green area.

COMMISSIONER ANDERSON: Is there a map or a drawing of that commercial project anywhere?

MR. CHEQUIS: I can show -- I can show --

MR. Mac GILLIS: Page 113's the aerial.

You can see it --

COMMISSIONER ANDERSON: This doesn't show very well.

MR. CHEQUIS: I can show you on my aerial.

The commercial plaza's set in right at the corner of Melaleuca Lane and Congress Avenue.

CHAIRPERSON HYMAN: I don't -- I mean there still has to be some room, wouldn't you think, for a driveway from this piece --

MR. Mac GILLIS: The only place --

CHAIRPERSON HYMAN: -- even if it's to the back?

MR. Mac GILLIS: If you look at the aerial, there's the actual shopping center, the L-shaped, and then right up along Congress is the -- it looks like a freestanding building.

COMMISSIONER DUFRESNE: Well, what about the corner --

MR. Mac GILLIS: And the parking lot there, what the -- I don't know if that's -- I can't remember if that's a fast food restaurant that has a --

MR. ROBINSON: It's a fast food restaurant.

MR. Mac GILLIS: It's a fast food restaurant that's probably got the drive-through lanes, and it's only dedicated parking --

COMMISSIONER ANDERSON: It's a Wendy's, as I recall.

MR. Mac GILLIS: Or Wendy's, I think.

MR. ROGERS: Actually, it's a -- it's a sit-down restaurant, a sports bar type of place.

COMMISSIONER ANDERSON: Oh, that's right.

MR. Mac GILLIS: Oh, is it? Okay.

CHAIRPERSON HYMAN: So there's no place to connect?

MR. CHEQUIS: Madam Chair, I mean we can design the site to have the ability to potentially connect in the future if that commercial plaza reinvents itself over the coming years so that we have that plugged in place now, but the -- to actually create the connection right now may be probably problematic from the side of the commercial uses that are established to the south of us already and we have Beth-El Temple to the north of us.

COMMISSIONER ANDERSON: I think what would be helpful in these situations when we're trying to do interconnectivity would be to show a better aerial of what we're trying to connect to and a better drawing of it because if we -- you know, we're taking your word for it, but I can't -- you know, maybe there's an area you don't see that we could see a good interconnectivity.

COMMISSIONER DUFRESNE: There's -- if you look at the -- on the southern boundary, we can -- there could be interconnectivity up at the corner of the L formed in the northwest corner of the shopping plaza.

COMMISSIONER ANDERSON: Right.

COMMISSIONER DUFRESNE: And also between the fast food -- or the restaurant on the front on -- facing Congress. Just behind there there's a gap between the --

COMMISSIONER ANDERSON: Right. I mean it looks to me like there's two good potential places for interconnectivity.

COMMISSIONER DUFRESNE: Right.

COMMISSIONER ANDERSON: But I'd like to see more detail of that before I made a decision.

COMMISSIONER DUFRESNE: And on the L it also allows people to come through the shopping center and head west on Melaleuca without having to get out onto Congress Avenue.

COMMISSIONER ANDERSON: I mean the whole idea of the urban concept is to create ease to get into commercial areas. This whole urban concept is only an urban concept internally which doesn't do anything for the whole concept of external urban connectivity --

COMMISSIONER DUFRESNE: Right.

COMMISSIONER ANDERSON: -- which doesn't make any sense to me.

CHAIRPERSON HYMAN: I mean if we keep postponing this -- I mean there are so many times where we don't, you know, require the connectivity, but here there's just a perfect -- it's just a perfect example of where we should have the connectivity, so I think -- and this site plan doesn't allow for it in any area.

COMMISSIONER ANDERSON: And what's -- I didn't understand the rationale for no interconnectivity onto Melaleuca.

MR. CHEQUIS: We don't -- our -- the only portion of our property that touches Melaleuca is the permitted wetland and lake area that's been permitted through South Florida Water Management District and the Army Corps of Engineers.

We don't have any of our actual housing development that touches Melaleuca. The plaza makes up about half of our southern boundary and --

COMMISSIONER ANDERSON: You have that walkway that goes through there.

CHAIRPERSON HYMAN: Yeah, but --

MR. CHEQUIS: But that is adjacent to that actual permitted -- we have a walkway around that area which doesn't interfere with the wetland. It's more of a feature --

COMMISSIONER ANDERSON: Right, but you permitted that wetland to keep from putting a roadway through there?

MR. CHEQUIS: No, we -- it was permitted to preserve that amount of natural area that we had -- were required to set aside. That wasn't permitted to --

COMMISSIONER ANDERSON: I mean couldn't it have been permitted, could it have been permitted to allow a road access?

I mean whose design is this? Is that your design, or is that the wetlands?

MR. CHEQUIS: You know, we have Cheryl Carpenter here from C&N Environmental. She worked on the permitting for the wetland and lake features so she can probably speak to the history of it. She's been around through that whole process.

MS. CARPENTER: We've worked on this project since 2003 and --

CHAIRPERSON HYMAN: Cheryl, state your name --

MS. CARPENTER: Oh, I'm sorry.

CHAIRPERSON HYMAN: State your name for the record, please.

MS. CARPENTER: Cheryl Carpenter. I'm principal biologist, C&N Environmental Consultants.

We've worked on this project for about -- I guess it was about 2003, and the first things -- thing we did on the project was to go into South Florida and the Corps of Engineers, and they wanted to see the wetland left on site because there's not a lot of natural resources in this area.

And basically the project has changed since we permitted the wetland. So the wetland was definitely there first.

CHAIRPERSON HYMAN: Okay. But the question is --

MS. CARPENTER: I mean the mitigation.

CHAIRPERSON HYMAN: Cheryl, the question is that it's showing a pedestrian access on the east side of the retention area, and then there are like lots of lines, and I guess what Bill is saying, isn't there room in that area for an accessway together with that sidewalk?

MS. CARPENTER: For vehicular?

COMMISSIONER ANDERSON: Yes.

CHAIRPERSON HYMAN: For vehicular.

MS. CARPENTER: I don't believe so.

COMMISSIONER DUFRESNE: I don't --

MS. CARPENTER: I wouldn't think so at all.

COMMISSIONER DUFRESNE: I don't think you need -- I actually don't think you need that.

MS. CARPENTER: Right, 'cause there's setbacks and landscape requirements.

COMMISSIONER DUFRESNE: You can leave the preserve area as is. The access would really be, if you look up in the -- in the aerial they're showing us now, if you came up on the -- from the south on the right side of those trees which would go right into a unit, but that should be pretty consistent in that upper corner with the back of the shopping center.

COMMISSIONER ANDERSON: No, but I was talking about the --

CHAIRPERSON HYMAN: He's talking about

access to Melaleuca.

COMMISSIONER ANDERSON: Let's say you're coming --

COMMISSIONER DUFRESNE: That would -- that would give you --

COMMISSIONER ANDERSON: If you're coming up on Melaleuca driving your car and you're heading east on Melaleuca, then you have to go to the intersection, make a left-hand turn and then make another left-hand turn instead of being able to turn in directly from Melaleuca.

So you eliminate the ability to reduce trips --

COMMISSIONER DUFRESNE: That's what I'm saying.

COMMISSIONER ANDERSON: -- off that intersection.

CHAIRPERSON HYMAN: That intersection. So he wants the -- but we can't do that. We can't grant him access through a shopping center.

COMMISSIONER DUFRESNE: I understand that.

VICE CHAIRMAN BARBIERI: Staff has --

CHAIRPERSON HYMAN: Well, I think that -- I think Bill's point's well taken.

COMMISSIONER DUFRESNE: But that can be a requirement that they get that access easement.

CHAIRPERSON HYMAN: Frank.

VICE CHAIRMAN BARBIERI: Staff, you show a buffer. I know we always have a buffer between residential and commercial, but in this case what if we remove the buffer next to the lake so that a roadway could be put in place there and we took away the requirement to put a buffer there so there's just a road that goes behind the shopping center from Melaleuca up to the development?

CHAIRPERSON HYMAN: Staff, you don't like that, right?

MR. Mac GILLIS: You'd need -- well, first of all, you'd need a variance. That's a Code requirement. They'd have to come back, take a postponement and apply for a variance, but personally I think --

COMMISSIONER DUFRESNE: Do you guys want interconnectivity or don't you?

MR. Mac GILLIS: Well, I mean I think there's certain times interconnectivity, when -- I mean especially the Planning Division usually recommends it when the parcel is vacant or like the applicant's willing to do here.

They're willing that area right up near the south part of the site plan, they can show that for future interconnectivity whenever that shopping center is redeveloped.

CHAIRPERSON HYMAN: Well --

MR. Mac GILLIS: Right now the implications of going in there -- all the service vehicles coming from behind that shopping center are going right around that --

COMMISSIONER DUFRESNE: Right. I understand that.

MR. Mac GILLIS: -- restaurant, plus the parking for the restaurant. There's not a lot of

room there, and for us to go back in and tell that property owner we're going to allow more traffic coming through your restaurant --

COMMISSIONER DUFRESNE: I don't -- I don't --

COMMISSIONER ANDERSON: Is there interconnectivity requirement on their site plan?

MR. Mac GILLIS: No.

The interconnectivity has been something the Board's directed staff about the last four years. So when that project was developed, that wasn't something we were requiring at that time.

COMMISSIONER DUFRESNE: That was probably 20 years ago.

COMMISSIONER ANDERSON: Okay.

CHAIRPERSON HYMAN: Well, what I don't understand is I -- Cheryl was saying that the wetland has been permitted, but the retention area, that's separate and apart from the wetland --

MR. CHEQUIS: No. That's part of the same permitting process.

CHAIRPERSON HYMAN: Was it part of the same permit?

MR. CHEQUIS: Yes.

CHAIRPERSON HYMAN: I mean why is the wetland -- I mean why is the retention area there?

MS. CARPENTER: The retention area and the wetland mitigation area were permitted on the same Environmental Resource permit.

Basically, the wetland functions as part of the storage area required for the surface water. It's a dual purpose.

COMMISSIONER ANDERSON: But my point is should we be -- we should not give the petitioner the benefit of them designing a wetland access that eliminates that interconnectivity.

It's like that was their choice to design the wetland so they wouldn't be able to put a road there, and we shouldn't -- you know, I mean --

CHAIRPERSON HYMAN: Right.

COMMISSIONER ANDERSON: You know, I mean every petitioner in the future say we don't want a road there so let's permit a wetland or water in that area so you can't put a road there.

CHAIRPERSON HYMAN: Good point.

COMMISSIONER ANDERSON: My -- the petitioner should have known that we were probably going to want to require that so when they were going to the wetland, they were probably doing that intentionally to keep that from happening so there'd only be one access point.

COMMISSIONER DUFRESNE: Well --

COMMISSIONER ANDERSON: I mean I just -- unless somebody from the -- somebody from the wetland permitting says there's a reason that that has to be that design and that shape, I don't think I should grant you guys the benefit of that.

MS. CARPENTER: That was an existing wetland area at the time so basically there was -- we didn't even -- there wasn't really a choice there. The wetland --

CHAIRPERSON HYMAN: It's a jurisdictional wetland, is that what you're saying?

MS. CARPENTER: Yes.

CHAIRPERSON HYMAN: Well --

MS. CARPENTER: It went through that area.

CHAIRPERSON HYMAN: We're not talking about this.

COMMISSIONER DUFRESNE: I know. I know that, but how do they develop that right next to wetlands?

CHAIRPERSON HYMAN: Well, it's okay. If that's a jurisdictional wetland, that's one thing, but I don't understand the -- you're saying the -- the -- this wet retention area is part of your wetland permit?

MS. CARPENTER: Yes, it is. It's all part of the South Florida Water Management District permit, and to save space we used the wetland and the retention area for water storage purposes there.

COMMISSIONER ANDERSON: The other problem I have with this, I love this whole idea of the new urban concept. I love the presentation that we had, but this does nothing to benefit the whole concept of new urban lifestyle because the people -- if you had one huge condo building in the middle of this, all those people would still be able to walk to the shopping center and still be able to walk out onto the road.

There's no -- there's no benefit --

MR. HEARING: I think we can address that.

For the record, Donaldson Hearing, also representing the applicant, and I think one of the things that you cannot forget, and I think Dana tried to touch on it, and perhaps he didn't have enough time to give us the broader picture, but what they're doing north of here in the Congress corridor as you begin to get up into the more urban area around Forest Hill and in Lake Worth is that they're now looking at trying to go back and redevelop that corridor utilizing the form-based Code that he mentioned to you, and the idea is to begin to establish a new pattern of development.

And as Jon Mac Gillis had pointed out to you, that these other shopping centers that are -- were adjacent to us in time, and probably in the more near future because we're -- we're looking at what the county's doing right now through the land use amendment process and trying to create the more urban redevelopment area to the north on Congress is to begin to provide for greater densities and intensities to establish a more sustainable pattern of development.

And so what we're proposing in terms of the residential development, it is a residential traditional neighborhood development, and the homes have been designed to basically utilize that pattern.

Homes are oriented to streets. They're provided -- there is a great deal of connectivity and walkability to the street to make it a desirable walkable area, and we've tried to make

this so that it will fit into a future network that might develop adjacent to it.

For example, as you will look both to the -- to the south and to the north, for the most part we have the ability to provide future interconnectivity, and I think that a condition that perhaps would -- could be put into place could allow at the appropriate time that those properties came in for this property to be taken into consideration and for that interconnectivity, both from a pedestrian standpoint and from a vehicular standpoint to occur.

So there has got to be some point in time that we change the paradigm and we start to look at these more urban patterns of development as opposed to what we -- what we used to see, and that's what this is.

This is the first --

COMMISSIONER ANDERSON: Yeah, but I'm saying, this is not.

MR. HEARING: Well, this is the first --

COMMISSIONER ANDERSON: This does not do any of the new urban lifestyle concept for the benefit of the outside. There's only one entrance.

MR. HEARING: Well, there's one entrance --

COMMISSIONER ANDERSON: It is -- there's very --

MR. HEARING: There's one entrance today. There's one entrance --

COMMISSIONER ANDERSON: But there's -- but there's no entrances shown to the north or the south.

MR. HEARING: Well, I think what Jon Mac Gillis tried to point out is that there is the opportunity for future connections.

The timing isn't correct today.

COMMISSIONER DUFRESNE: Well --

MR. HEARING: But I think you could put a condition of approval in place that at such time --

COMMISSIONER ANDERSON: Right, but my whole point is this whole plan was designed with no interconnectivity, and there's very little green space, and all these home -- most of these buildings are sandwiched between two roadways.

MR. HEARING: Again, that -- that's under --

COMMISSIONER ANDERSON: This is the worst -- this is -- this is a terrible plan for this site, as far as I'm concerned.

MR. HEARING: From a planning standpoint -- I don't know if you've been up to Abacoa and looked at a lot of the residential neighborhoods up there, we've done 95 percent of those --

COMMISSIONER ANDERSON: But -- but what I'm saying is I would agree with this concept when you'd have properties to the west and all different directions where you could walk through or drive through, but there's only one place for cars to come in.

MR. HEARING: From a vehicular standpoint you're correct, but let's not forget, we've got Palm Beach Community College across the street. We've got a great deal of other non-residential uses that complement what we're proposing.

So this is the right site to provide the type and the price point of the housing that we're looking to do because it's needed within the area to support those uses, and it provides for that opportunity and the synergies that occur with mixed use development.

COMMISSIONER ANDERSON: But what I'm getting at is if you had a few homes in here and you had a big -- if you had -- if you had one big or two or three big condo units oriented around a lake with one -- and then you had walkways all the way around both sides of the lake, the residents here would have better views and have more landscape, and it'd still have just as much ease of access walking -- this doesn't help the walking ability any over a traditional neighborhood.

MR. HEARING: From a -- from a planning perspective, you know, we would -- we would respectfully disagree with that because, again, that's a -- putting a giant condo tower in the middle of the site --

COMMISSIONER ANDERSON: No, but I'm just saying as an example.

MR. HEARING: -- doesn't necessarily --
COMMISSIONER ANDERSON: A traditional neighbor -- I'm just saying I don't see any -- I see traditional neighborhoods like this have positives and they have down sides, and to me you've put this in an area where it only has down sides because this site doesn't allow for any -- you haven't designed it for any of the benefits with no traffic interconnectivity.

MR. HEARING: I think the opportunity for that interconnectivity to the future, as we pointed out, is there --

COMMISSIONER ANDERSON: Yeah, you'd have to -- you'd have to redesign the lake to be able to --

MR. HEARING: I don't -- I don't think so.
COMMISSIONER ANDERSON: -- put a road through there.

MR. HEARING: We've got a road to the north, and we've got some roads to the south where that connectivity could occur, and we're glad to explore that.

COMMISSIONER ANDERSON: Well, the only thing I could see that would save it if you take the -- the westernmost site of the shopping center and you allowed also to have -- let's say 10 years down the road this commercial comes back in and we require connectivity. There could be a roadway to the west side of the shopping center that would then go into the shopping center and then continue into your development.

So there should be a main roadway connectivity at that end plus one somewhere in the middle or at the eastern -- the eastern end.

Then we could say yes, then in the future when we come back with a commercial property, we could require connectivity at both points.

Then you would -- then you'd be creating this new urban lifestyle, but if you just put one roadway off onto Congress, you've just -- you haven't done anything to satisfy --

COMMISSIONER DUFRESNE: Madam Chair.

COMMISSIONER ANDERSON: Satisfy me.

CHAIRPERSON HYMAN: Don.

COMMISSIONER DUFRESNE: And to echo what Bill is saying, I think that I look at this as being just one pod off of Congress Avenue, and really, I mean internally, new urban design, yes.

Externally, no.

And when you say connectivity to the north, I assume you're talking about the most westerly driveway?

MR. HEARING: Yes.

COMMISSIONER DUFRESNE: But doesn't that back up to an existing development or development under construction now with no roadway, and that's the back of units.

MR. CHEQUIS: On the north side you're pointing to?

COMMISSIONER DUFRESNE: Uh-huh.

MR. CHEQUIS: That's to Temple -- Beth-El Temple. It's a place of worship on the north side of the property.

COMMISSIONER DUFRESNE: Talking about from the western --

MR. CHEQUIS: On the western side. I'm sorry. That -- that is residential. That's Congress Lakes PUD, but we back onto their natural water feature. They have --

COMMISSIONER DUFRESNE: So I guess there's not going to be a road there.

And then coming south I see one possibility in the southeast corner coming south, but Jon, how do we -- how do we deal with the landscape buffer if there's going to be connectivity, and when that shopping center comes back for new development or redevelopment, if they even come back to us, how do we then require them, the shopping center, to have interconnectivity with the neighborhood? We can't.

So we have to have that interconnectivity now, and how do we deal with that -- the landscape buffer?

MR. Mac GILLIS: I think what we --

COMMISSIONER DUFRESNE: I mean not the interconnectivity, necessarily, but the roadway to the edge of the property.

MR. Mac GILLIS: Yeah, this Board has dealt with it in the past. I mean you show the interconnectivity with an arrow going into that property with a note or a condition on it that at the time --

CHAIRPERSON HYMAN: Yeah, and this --

MR. Mac GILLIS: Staff would catch it when the next petition comes in, that as long as it's coming out of this property when the other one

comes in, we would look at the other petition and make sure it's connected.

The design layout then -- 'cause the design layout on the shopping center is not responsive to address this interconnectivity at this time.

COMMISSIONER DUFRESNE: I agree, and I -- but I also have to agree with Bill that the better location would be toward the west more so you could have interconnectivity with Melaleuca.

CHAIRPERSON HYMAN: Bill, did you have another comment about that? You all right?

COMMISSIONER ANDERSON: No. Like I say, I go back to, you know, this urban concept is great when the layout of the plan benefits walking in all different directions.

CHAIRPERSON HYMAN: Okay. I think --

COMMISSIONER ANDERSON: This just doesn't.

CHAIRPERSON HYMAN: I think it's clear that there are concerns about the project, not to mention the fact that because the project is -- has been considered exemplary, you've given them a density bonus, and there's probably some disagreement up here about whether or not it's exemplary.

We just heard one commissioner express the concern that he didn't like the site plan at all, no less exemplary.

So to me I think this project needs to go back, rethink some of the things that we've been talking about and come back before us.

I don't know if -- how the rest of the Board feels. I think there needs to be some more consideration for the connectivity.

I don't even see where the landscaping is on this project.

MR. CHEQUIS: Madam Chair, I haven't finished my presentation. If you allow me to, I will.

We prefer to move forward on it, actually, so we will finish our presentation, and we'll work on those recommendations that you've made with respect to future connectivity to the north or -- and to the south, and from now until the time we move on to the Board of County Commissioners.

I'll move quickly through my presentation so I can show you where the landscaping is, how this orients.

CHAIRPERSON HYMAN: Sorry. Go ahead.

MR. CHEQUIS: How all this works.

Talking about the on-site amenities with the retention area -- the lake feature and the wetlands, the manmade amenities include a walking path around that wetland and lake feature which would have educational placards describing the plants and the flora and fauna within the wetland area.

We -- in the crook of the lake we have a lakeside overlook which residents can utilize looking over into the lake and into the wetland and we also have a small park oriented into the wetland and lake area.

Moving into the site we have a recreational site which has a splash park, tot lot, pool, traditional recreation facility that you'd find at any planned development, and then spotted throughout the development are gazebos and green areas in which kids can play soccer or football and gathering spots where there will be gazebos.

CHAIRPERSON HYMAN: Where could they play soccer?

MR. CHEQUIS: Well, the one oval shape on the north -- central north portion of the site is a relatively wide green area, and I have some photographs showing you some real world example of how these greens operate.

For example --

CHAIRPERSON HYMAN: You know, if it was more centralized in the project, perhaps that would be true. For someone to seek out that green area behind those buildings, I don't know.

MR. CHEQUIS: Well, to walk you through an example of what the main street would look like with respect to fronting architecture onto the street, this is an example from Abacoa for -- that has the architecture, same massing and size that we're proposing with our development, front porches that engage the front yards where there's activity areas, pedestrian walkway, street -- tree-lined streets for the comfort of pedestrians using the walking system within the project.

Moving across the street, similar condition but with on-street parking in front of it, another key feature to new urban style development, again, in Abacoa front porches that engage the front yards and that pedestrian activity area and then a row of parking between the thoroughfare or the -- the roadway and the pedestrians and that interactive area.

Moving from that space we look at how the units look when they front onto greens, and, again, examples within existing new urban developments, you can see that the architecture fronts into these areas.

There's pedestrian connectivity through these spaces. We have the exact same layout --

CHAIRPERSON HYMAN: But then what's in back --

MR. CHEQUIS: -- and fronts into this green area.

CHAIRPERSON HYMAN: But those -- those in the pictures are the fronts. Your site plan is the back; right?

MR. CHEQUIS: No, our site plan is exactly the same. Our front plan fronts onto the greens --

CHAIRPERSON HYMAN: That's the front of the unit?

MR. CHEQUIS: Exactly.

COMMISSIONER ANDERSON: But the photos are showing huge areas of green space, and most of this drawing has almost no green space.

MR. HEARING: No, for the record,

Donaldson Hearing.

And that particular project's called Antigua in Abacoa. I personally designed it.

The green space is the same size. We have a -- we have a substantial green space. And typically --

COMMISSIONER ANDERSON: Well, okay. That picture in the bottom left I see like 20 feet of grass.

Show me any of these buildings in the center where there's 20 feet of grass between there and the parking or the driveway.

MR. HEARING: Well, again, the center building -- the two principles in new urbanist development, typically buildings are either fronted -- again, remember Dana Little talking about form and fronting a building.

Buildings are typically either fronted onto a street or fronted onto a green.

When we front them onto a green from a standards standpoint, minimum green width 30 feet, average 50 feet.

COMMISSIONER ANDERSON: Well, but half of these develop -- half of these units are fronted on a road on both in front of them and behind them.

MR. HEARING: Well, the road behind them is the alley that provides access to the home. That's the alley. The alley is a private realm, and in the new urbanist paradigm the road is the public realm, and we try to take back over the road and articulate it such that it becomes that walkable environment that Dana was talking about.

Here, it -- here the one picture that Brian is showing you in Antigua homes are fronting onto a green, which is exactly the same relationship that we're proposing on this particular project --

COMMISSIONER ANDERSON: I don't see it. Sorry.

CHAIRPERSON HYMAN: I don't know that it's designated. You have an area on the south side of the -- well, that -- where you have the --

MR. HEARING: Well, if you look at the areas where Brian has highlighted it with the red circle --

CHAIRPERSON HYMAN: Okay. How wide is that area?

MR. HEARING: It's 50 feet wide, 30 feet wide?

CHAIRPERSON HYMAN: You don't show it --

MR. HEARING: It's 35 -- it's 35 feet wide, and it has a large meandering walkway that goes along through it, very similar to this.

The only difference with this -- than this is we have a meandering walkway, as opposed to a straight walkway, which are shown in the two examples on the screen.

CHAIRPERSON HYMAN: Okay. But your site plan shows a straight walkway, doesn't show it as green --

MR. HEARING: Well, it varies. Excuse me.

It -- it varies. We have some portions that are straight and some portions that are meandering.

CHAIRPERSON HYMAN: Okay. So but the particular portion that you're showing does show a straight walkway --

MR. HEARING: Right, which -- which is --
CHAIRPERSON HYMAN: -- as opposed to

meandering, and --

MR. HEARING: Right, which is very similar to what's on the screen.

CHAIRPERSON HYMAN: And I -- what we don't see is what's on the other side of that green area, and typically it's the street; right?

MR. HEARING: Well, in --

CHAIRPERSON HYMAN: But in our case it's going to be what, a wall?

MR. HEARING: Well, in our case it's going to be a wall on one side, and in some portions like in the back corner adjacent to the Congress Lakes PUD, it's going to be their open space, their lake and their green space. So it's a varying condition.

CHAIRPERSON HYMAN: Well, I guess the problem we're having is that we like and we respect the traditional -- the new traditional design. That's probably an oxymoron, the new traditional design. But we -- I think we have to respect that.

In this particular case it's very hard for us, and Donald, you know, you're a planner so you could see this better than we can, but it's very hard for us to visualize what this is going to look like because on paper it just looks like unit after unit after unit after unit, no green space --

COMMISSIONER ANDERSON: All I see is concrete.

CHAIRPERSON HYMAN: Concrete.

MR. HEARING: Well, and --

CHAIRPERSON HYMAN: There are going to be walls. The wetland and the retention area are all blocked from view by units.

Now, there is a pedestrian path that you're -- that you're showing, but anybody driving by doesn't see it. We don't have the interconnectivity, vehicular interconnectivity. We just have some pedestrian, and we know that people may start to walk, but they don't walk that far.

So we do have some concerns about this plan.

MR. HEARING: We certainly appreciate that, and you know, again, I think a lot of it is just a lack of having to deal with traditional neighborhood development.

Having dealt with it now for many, many years and now with the maturity of the neighborhoods in Abacoa I can assure you that it works. It works well. The communities are liveable and walkable.

CHAIRPERSON HYMAN: I understand that --

MR. HEARING: You drive down the street

you don't see garage doors, you see the fronts. It's much more aesthetic, and it is sustainable, and it does encourage a lot more pedestrian activity as opposed to the vehicular, and --

COMMISSIONER ANDERSON: But I still think you need more green space.

MR. HEARING: Well, there is --

CHAIRPERSON HYMAN: And the -- off the alleys --

COMMISSIONER ANDERSON: You need more separation.

CHAIRPERSON HYMAN: Off the alleys there's no green; right?

COMMISSIONER ANDERSON: You need --

CHAIRPERSON HYMAN: You're not showing any green.

COMMISSIONER ANDERSON: This high density, you need like almost a ballfield or something.

MR. HEARING: I would think that if Mr. Little were still here, he would -- he might tell you differently.

COMMISSIONER ANDERSON: Well --

MR. HEARING: I think we've done --

COMMISSIONER ANDERSON: You've not -- you've not sold me at all.

CHAIRPERSON HYMAN: Okay.

COMMISSIONER ANDERSON: Okay.

MR. HEARING: We'll -- we'll move forward, and --

COMMISSIONER ANDERSON: You may.

MR. HEARING: -- you know, we'll do the best that we can do.

COMMISSIONER ANDERSON: You may move forward.

CHAIRPERSON HYMAN: Did Planning want to say something?

MR. DAVIS: Yes, again, Bryan Davis.

My other job title is urban designer for the Planning Division, and I have worked on this project --

CHAIRPERSON HYMAN: So is my husband.

MR. DAVIS: -- but it's been some time ago, and Mr. Brian may be able to correct me exactly when, but this is probably about a year ago we had discussed the site design before it even came in for rezoning, and we've had the interconnectivity debate, discussion with them, and that's the current -- and that's one of those areas we agreed to disagree on.

In general, this is in the urban redevelopment area. I mean it's not within one of the priority corridors that's looking at the three, four or five-story buildings, whatever it winds up being when Treasure Coast finishes it; however, they are doing a lot of things that help to ameliorate the dense, you know, this additional density.

They are looking at, you know, if you're putting this number of people in there, the old rules don't apply.

They are putting the buildings also up towards the street in a way that they address, and

that is some of the urban design stuff that Dana didn't actually get into, but, you know, starting to frame the street rather than to pull away from the street, and the street I'm referring to is Congress Avenue.

Then with all the other relationships, some of this what you're seeing is trying to put the new paradigm, as Mr. Hearing referred to it, into our current way of doing these, our current land development regulations, our current engineering standards.

You know, the ideal new urbanist, if, you know, they come in here, and they say well, the alley should only be 20 feet. Well, our engineering standards don't allow for that.

So what you're seeing is something of a hybrid and a compromise and it's eating up a lot of the space.

And the other thing, one of the things my professors always said is that any time you wind up looking at a site plan or a plat or anything like that, a civil plan, all you see is where the concrete goes.

If, you know, you were looking at the landscape plan, and I -- one of the things I've always liked when people do presentations before you is they usually bring you the colored landscape plan that shows the trees and the buffers, and that helps to get a little bit better feel.

Those of us that look at it every day, we sort of know how to read past this.

CHAIRPERSON HYMAN: I know. Listen, I -- I said it before. We're having a hard time visualizing it.

MR. DAVIS: I understand that.

CHAIRPERSON HYMAN: It is a shortcoming we have, but I'm just telling you, we're having a hard time visualizing it, and it's in -- you know, we recognize it's a new concept, and --

MR. DAVIS: Right.

CHAIRPERSON HYMAN: -- but we need some help in --

COMMISSIONER ANDERSON: So I guess in this development, if I lived in one of these center units, then my neighbors, my kids neighbors or I'm a kid, then I go out into the driveway where you're -- and that's where I play baseball, well, the soccer in the middle of that roadway then.

MR. DAVIS: Well --

COMMISSIONER ANDERSON: There's no -- there's no land to do that.

MR. DAVIS: Right, but you're also not that far from John Prince Park. That's one of the -- you know, the other thing is you have to consider if you were a person who's moving in here, you know, you have a three or four-year old kid who's going to want to play T-ball and catch, this may not be the right place for you, but if you're somebody who likes to go out for a walk, they've got a fairly good, you know, trail and sidewalk network --

COMMISSIONER ANDERSON: So this is an adult community.

MR. DAVIS: I'm not saying it is, but I'm saying it's one of the things you somewhat have to consider if you're moving in.

CHAIRPERSON HYMAN: Okay. Hold on. Frank.

COMMISSIONER ANDERSON: If you limit that to an adult community, I'm fine with that.

CHAIRPERSON HYMAN: No, but -- Frank.

VICE CHAIRMAN BARBIERI: I must be in the minority up here because I don't see any problem with this plan other than the interconnectivity.

I think it's a good plan. I'm familiar with the area. I like the fact that the price points are in the 200,000. We need that kind of housing up there.

It's got lots of play areas as far as I can see with respect to the area that -- up at the top where there's a wide green area. I like the play area with the park and the tot lot.

I just think it's a good plan for that area. I mean that area needs to be redeveloped. That area needs housing for people that work at McDonald's and teachers and policemen, and this is a perfect place.

And the man said that the price point is in two -- in the \$200,000 area, which we all know we need lots of, so I think we're trying to kill a project that really has a need. It fits in there, and if the only issue is interconnectivity, then we need to deal with that one, but I don't think we should throw out the baby with the bath water.

COMMISSIONER ANDERSON: Okay. Well, a couple of small points then. If everybody -- if everybody likes this, the one concern I have is why, if the idea is to be walking to everything, why is the pool not more centrally located.

The other thing, they talk about the main driveway, yes, but you got to come in the main driveway and drive like to the units to the south.

You have to drive all the way in front to get to the road to turn to then drive all the way back.

In a -- the whole idea in an urban concept is you have roads everywhere. Again, they've -- they made it look like it, but for driving you got to drive all the way -- almost to the back of the project before you get to a roadway to turn to drive all the way back to the front of the project. That's not new urban. New urban is you come in, and you immediately turn, and all the roads are connected.

CHAIRPERSON HYMAN: Okay. Can you address that comment?

MR. CHEQUIS: With respect to access to the units, I'm assuming you're talking on the south side --

CHAIRPERSON HYMAN: He's saying as you drive in, you have to go all the way to the back.

COMMISSIONER ANDERSON: You have to go all the way to the back to turn around and come -- that's like a traditional -- that's like the thing

we're trying to get away from.

MR. CHEQUIS: If -- if -- that can be tweaked. We have no problem trying to put a road between possibly the two center buildings, for example, to just shorten that run.

Again, this is not an extremely large piece of property. We're not talking about a traditional planned development that has 50 acres and has five acres set aside for a recreation site. We're talking about a relatively small site.

Twelve of the 18 acres is actually buildable area. The rest is the natural area.

That is actually a relatively nice drive to -- towards the end, and the people who access to the south just have to go up to the cabana building and can make their turn or can actually access right at the entryway. There --

COMMISSIONER ANDERSON: Oh, there is a --

MR. CHEQUIS: There's a -- right at the entryway, there is an access point. So we have two points of access, either --

COMMISSIONER ANDERSON: Okay. I didn't see that. I couldn't tell if that was an access point or --

CHAIRPERSON HYMAN: You can't tell from this.

MR. CHEQUIS: Right. Well --

COMMISSIONER ANDERSON: Now, is it to the buildings to the north? Can they access there, too?

MR. CHEQUIS: To the north they cannot access. They have to go to the center part of the project, and there's that north-south oriented road right in the middle that goes up, and they access at that point.

The reason we don't have -- we originally did have that as an access point. We had worked with the Engineering Department to provide them the sufficient amount of turnaround in the entryway, and what that effectively done was close off that entry for us.

It becomes more of an access security issue. We wouldn't have been able to gate that access due north at the entry area.

CHAIRPERSON HYMAN: Where are the -- a boundary -- what do you have on the -- on the boundary between this property and the adjacent properties?

MR. CHEQUIS: With respect to landscaping?

CHAIRPERSON HYMAN: And/or walls.

MR. CHEQUIS: We are --

CHAIRPERSON HYMAN: Fences.

MR. CHEQUIS: I believe we have fences --

CHAIRPERSON HYMAN: What do you have on --

MR. CHEQUIS: -- along the -- the -- all the residential boundaries between us and --

CHAIRPERSON HYMAN: Show us those.

Start -- start along.

MR. CHEQUIS: On the --

CHAIRPERSON HYMAN: What do you have along the --

VICE CHAIRMAN BARBIERI: North.

CHAIRPERSON HYMAN: -- north side?

MR. CHEQUIS: Fence.

CHAIRPERSON HYMAN: You have a fence.

MR. CHEQUIS: Yes. West side fence, south side fence, and we were going to get to the conditions of approval per Dana Little's comments.

We're asking to put a type of fence or lower wall condition along Congress Avenue. Again, we have architecture and frontage and green facing Congress Avenue, and instead of walling that off from Congress, we were trying to engage that with the architecture when the building's in the green and do so by introducing fence and hedges and plant materials, and staff was willing to work with us on that condition.

It was in Dana's presentation that one example where they had the backs to the street, and then when they turned it around, put a little fence, that's the same thing that we're trying to achieve here.

CHAIRPERSON HYMAN: So you're trying to achieve access directly off of Congress Avenue?

MR. CHEQUIS: No, the units won't directly access, but -- but they'll front, and they'll engage the street so pedestrians walking along won't be looking at the --

CHAIRPERSON HYMAN: I don't know how you can have it both ways. Either it fronts along Congress and you have access off Congress, or you have a fence or a wall and it's blocked from Congress.

How do you engage Congress if you then block it off?

MR. Mac GILLIS: I think what he's saying is the orientation of the buildings rather than -- typically in a planned development the back yards face the main street like Congress --

CHAIRPERSON HYMAN: Oh, I understand that he's got the front yards, but it's facing -- going to be facing a fence or a wall.

MR. Mac GILLIS: The -- it's an undulating berm, I assume --

MR. CHEQUIS: Yes.

MR. Mac GILLIS: -- with a decorative wall that's --

MR. CHEQUIS: Yes.

MR. Mac GILLIS: -- that's going to accentuate the front yards of these doors that'll be facing Congress.

MR. CHEQUIS: Right, and so that allows a little more permeability visually for pedestrians along Congress Avenue instead of looking at a blank wall or even our architecturally treated wall, they'd actually see architecture and not the backs of buildings, but the front of buildings and porches, and that's that -- that's integrating our use into the public realm --

CHAIRPERSON HYMAN: And then --

MR. CHEQUIS: -- without physically --

CHAIRPERSON HYMAN: -- between you and the shopping center what do you have?

MR. CHEQUIS: We have a fence.

CHAIRPERSON HYMAN: Why isn't it -- did we get rid of the walls?

MS. KWOK: No, actually, I think a condition -- when we wrote, prepared these landscape conditions, we usually take into consideration what's already existing on the other side, okay, of the property.

We did -- we realized that the Congress Lakes PUD, which surrounds the site on the north, west, west and southwest, they already have the existing buffer, you know, with a lot of material -- not material vegetation, but it's -- it's under construction. They have the landscape buffer.

So what we did is we let the Code -- the Code takes care of it, but we want to have additional palm clusters, you know, within their buffer.

So I don't think there is a fence, you know, recommended for the side that abuts Coral Lakes PUD.

Actually, to the south side, which is the southeast, that existing restaurant, I believe there is a wall already in that shopping center so I don't think there needs to put in another wall for this project.

You know, so, if the applicant thinks it's, you know, they're going to put in the fence along the southeast side facing the commercial project, then, you know, we don't mind recommending that as part of the conditions of approval.

CHAIRPERSON HYMAN: So we allow a fence as opposed to a wall between the residential and the commercial?

MS. KWOK: Right, because there is -- I believe there's an existing wall in the commercial project already.

MR. CHEQUIS: Correct.

COMMISSIONER ANDERSON: I have a question. They talked about those buffers in the perimeter, and I'm looking on the north side, and I see a 50 -- 50-foot retention and then a big 20-foot retention down from that 50-foot down to the -- is that a dry retention area, or is that the play area you're talking about?

MR. CHEQUIS: That's -- that is dry retention. That is an area that becomes active area for people within the development.

I've played football inside dry retention areas.

CHAIRPERSON HYMAN: Where is he?

MR. CHEQUIS: Those are the areas that we're talking about that are even, again, a little bit more than just buffer and green area. That's where we're providing that frontage into the green area.

COMMISSIONER ANDERSON: Okay.

CHAIRPERSON HYMAN: What are you talking about?

COMMISSIONER ANDERSON: At this corner --

MR. CHEQUIS: The north corner where the -- where the project bends.

COMMISSIONER ANDERSON: Where you're talking about a place where they could play soccer and -- as long as it's designed so that it's not a fenced-in area that gets wet and it's muddy and --

CHAIRPERSON HYMAN: But we have -- one of our -- one of the Code requirements is that these recreational facilities be centralized, and one comment Bill just made was that the rec facilities are not centralized.

Why couldn't they have been moved more towards the middle of the project?

MR. CHEQUIS: Well, with respect to the design, I mean this is a walkable community. I mean the intent is for people to be able to walk to the various facilities.

So what we've done was that main facility is -- it's not due center to the project, but it's been centralized from the top to bottom as best we could without interrupting that -- the roadway network and the alley and secondary road network.

Again, you want to try and create that block condition, and that was the impetus for putting spot gazebos and small greens throughout the project so that someone in the, for example, the northeast corner of the project can walk out and there happens to be a gazebo and green space right out between that corner building and the one due south of it.

CHAIRPERSON HYMAN: But that's not going to help them if they want to go swimming.

MR. CHEQUIS: Well, they would -- they would have to get on their bike or walk over to it. It isn't -- it is not that far. This is a fully walkable community. In fact --

COMMISSIONER ANDERSON: There's a lot of parking there so they can drive over.

CHAIRPERSON HYMAN: Yeah, you have parking, and I --

MR. CHEQUIS: That's a -- that's our required parking, sir.

CHAIRPERSON HYMAN: Well, is there any way that -- who are you?

MS. MATTHEWS: Jean Matthews, with Palm Beach County Parks and Recreation Department.

CHAIRPERSON HYMAN: Hi.

MS. MATTHEWS: And I -- we have met several times with the petitioner and the owner on this, and one of the reasons the recreation site is where it is, because these were three-story buildings and they were cut down to two-story buildings, but we asked them to move it.

Where it was originally there was a building -- buildings surrounding it, which would create a pool that would be completely shaded 24 hours a day, but you know -- except for high noon.

And so we asked them to design it this way so at least they can get sun. They'll get sun all day from the south.

CHAIRPERSON HYMAN: So you don't have a problem with the location of it, though?

MS. MATTHEWS: No, I don't.

CHAIRPERSON HYMAN: Okay. Thank you.

MR. CHEQUIS: Members of the Board,

Planning staff has asked that I just read into the record that their -- they have a condition -- conditions of approval that were not added to the report that they've given to us today.

We were -- we're in full agreement with the conditions of approval.

CHAIRPERSON HYMAN: Is there additional conditions?

MR. CHEQUIS: The only items that we had -- that we wanted to discuss with you today, more for information purposes, was Condition -- Engineering Condition No. 1.

We have a traffic report in -- a study in with Traffic Engineering. It's currently under review, and that is to extend the concurrency build-out time frame through the year 2011.

As you can see, currently our concurrency build-out date is just a little -- a little under a year right now, and Traffic is going to review that report, and by the time we get to BCC they're going to make a recommendation to extend it out to 2011.

The second one was the landscaping along Congress Avenue which we just discussed. The key is to modify the condition, and I think staff's willing to do so, to work with us to have more permeability between Congress Avenue and engaging that public realm versus walling us off from Congress Avenue, the exact opposite intent for new urbanist design.

The third item, and Jean's here, and we can discuss it, we have an overlook at the crux of the lake next to the park, and that overlook was located there for safety reasons, insurance purposes and for environmental reasons to keep out of the permitted lake area.

We would ask that we can maintain it in that location. Parks Department would like to see that be built out as out into the water, and we just have concerns about putting people out over the water with respect to safety issues.

This is going to be a deep lake. It's going to be a full lake, and we were tentative about putting it out over the water. We'd rather keep it back on the shore as an overlook more than a fishing pier, and fishing piers get dirty, and they get, you know, garbage can collect, and it's -- it's --

CHAIRPERSON HYMAN: Okay. You lost me. On your plan -- you're talking about the dock?

MR. CHEQUIS: Yes.

CHAIRPERSON HYMAN: You're not talking about the neighborhood park --

MR. CHEQUIS: No, I'm talking about the dock.

CHAIRPERSON HYMAN: The dock. And you have a problem with putting the dock in the water?

MR. CHEQUIS: We wanted to have more as an overlook on the shore versus putting it out into

the water.

CHAIRPERSON HYMAN: Why? You don't think that we have --

MR. CHEQUIS: Again, safety reasons, insurance purposes and for environmental reasons we'd like to keep that area clean and pristine.

VICE CHAIRMAN BARBIERI: Madam Chair, we -- I disagree with you, Petitioner. We have one. I live in Loggers Run. We have a dock, and all the kids go there and fish, and we have no problems with safety as long as it's maintained.

So I wouldn't agree to delete that condition.

MS. MATTHEWS: Well, no, and part of it -- when we met with them, the site is so tight we let them do a lot of things that weren't traditional recreation. We let them count the pathways around the lake. They provided access to Melaleuca, which is right across from Neelin Park, which is a big recreation area.

But one of the things I said is that let's provide a fishing dock and let the kids go out and fish. If this development is so tight, and it is, it's a very dense, tight development, let the kids go out and fish, and we want that condition to stay.

CHAIRPERSON HYMAN: Well, then I -- we agree that it's --

MR. CHEQUIS: We just wanted to get that on the record.

CHAIRPERSON HYMAN: Well, we also want you to agree to leave it the way it is.

MR. CHEQUIS: From what I'm understanding, I'm allowed to let it go.

CHAIRPERSON HYMAN: Okay. All right. Where did we leave the connectivity? How -- we need to show it somehow. We need -- right, vehicular connectivity, and what's the best place?

As you -- on the Congress side, maybe that roadway that -- actually, it's an alley so I don't know. Could you do that? 'Cause that would be an alley right, behind those buildings along Congress.

MR. CHEQUIS: That is an alley.

CHAIRPERSON HYMAN: So where would you put the -- where would you put the accessway if we were going to require vehicular connectivity to the other site? You going to show us?

They're showing us what?

Well, this is what I was just talking about, but this is an alleyway.

What they're showing us is that north-south alley to the left of the entranceway, which is the most logical thing, but it's an alley. So is that going to be appropriate for a cross access easement?

MR. CHEQUIS: We would have to slightly redesign it, and then we could work with staff to make that work. I don't see it as problematic.

And the second one which is -- which I've shown you, which is to the west of that, is probably an even better opportunity.

CHAIRPERSON HYMAN: Oh.

COMMISSIONER BRUMFIELD: What is the second one?

CHAIRPERSON HYMAN: And then what -- well, I guess we're still concerned about the access to Melaleuca.

COMMISSIONER DUFRESNE: Where's the second one?

MR. CHEQUIS: The -- well, the second one is in the crux of the project, right at the bend adjacent to the lake --

CHAIRPERSON HYMAN: So you would put in two accessways -

MR. CHEQUIS: -- where those units are.

Well, no --

CHAIRPERSON HYMAN: One between Buildings 16 and 18 and one between 10 and 11?

MR. CHEQUIS: We would --

CHAIRPERSON HYMAN: By the way, this would have been a nice thing in our packet, just for future reference for your Board.

MR. CHEQUIS: The two potential points would be between Buildings 18 and Building 16 and between Building 11 and Building 10.

CHAIRPERSON HYMAN: Okay. That's just what I said.

MR. CHEQUIS: Those are two potential points -- yeah, correct.

COMMISSIONER DUFRESNE: That's where I suggested an hour ago.

MR. CHEQUIS: We agree.

CHAIRPERSON HYMAN: Okay. So I think there is consensus on this Board to require connectivity in those two areas.

MS. KWOK: Okay.

CHAIRPERSON HYMAN: Vehicular connectivity

COMMISSIONER FEAMAN: You mean vehicular connectivity down to Melaleuca out -- access.

Are you talking about vehicular connectivity to Melaleuca --

COMMISSIONER DUFRESNE: Yeah.

COMMISSIONER FEAMAN: -- or internal vehicular connectivity?

CHAIRPERSON HYMAN: I think -- I think, correct me if I'm wrong, Board, but I think they're talking about connectivity to the Congress Point Plaza, which I guess would then go to Melaleuca.

I mean we can't grant these guys access rights over somebody else's property, but if we're being told, and if what we're being told is true that there's no room because of the permits along the east side of that retention area for a road, then I guess this would be as good as it gets, and then if and when the commercial center comes in for a redevelopment, 'cause it's fairly old, I think --

MR. CHEQUIS: It is.

CHAIRPERSON HYMAN: -- then staff would make sure that there was a connectivity achieved.

COMMISSIONER BRUMFIELD: The thing I don't understand is if there is going to be connectivity

in the future, if those buildings are where they're designed and where they show, where is it going to be?

CHAIRPERSON HYMAN: They'd have to redesign.

MR. CHEQUIS: We'll redesign it now to show where -- so it accommodates it in the future, and we'll put it up at our property boundary, but we -- and at the time of the redevelopment of the other site we'll be ready to plug it in.

CHAIRPERSON HYMAN: You may have to lose a unit.

MR. CHEQUIS: Correct. We'll -- we'll have to -- we'll have to make that adjustment on --

COMMISSIONER BRUMFIELD: So in that corner where their proposed buffer is next to the retention pond, you're going to widen that or make provisions to it in the future --

MR. CHEQUIS: Make provisions.

COMMISSIONER BRUMFIELD: -- so there can be?

MR. CHEQUIS: Correct, correct. We won't design over an existing building.

COMMISSIONER ANDERSON: Now, we're creating a community that would have one access that's gated and other accesses that are not gated which -- unless you redesigned it so you could have room for a --

CHAIRPERSON HYMAN: You know, I --

COMMISSIONER ANDERSON: I mean the whole -- the whole idea of an urban concept in a gated community is also kind of an oxymoron, but --

CHAIRPERSON HYMAN: Listen, I think you've come a long way from the beginning of this presentation to now, but I do think that this is enough of a concern for us that we'd like to see what effect these two access points are going to have on this site plan.

It's not enough just to say we're going to put them in, we'll adjust the site plan. These could have substantial effects on your site plan, and I think we'd like to see what that -- what that will be.

COMMISSIONER ANDERSON: Yeah, I think this needs to come back with some tweaking.

CHAIRPERSON HYMAN: I, for one, would like to see it come back.

MS. KWOK: Sure.

CHAIRPERSON HYMAN: I don't know -- Bill, you'd like to see it come back?

COMMISSIONER ANDERSON: I'd like to see it come back.

CHAIRPERSON HYMAN: Peter.

COMMISSIONER FEAMAN: Yeah, I'd like to also see an elevation. Have we seen an elevation of any of the buildings?

MR. CHEQUIS: I haven't gotten to it. My presentation has been all over the board, and I apologize. I have them.

COMMISSIONER ANDERSON: I'd like to see a

better aerial of the shopping center, too, as it currently exists. Make sure --

CHAIRPERSON HYMAN: Okay.

COMMISSIONER ANDERSON: -- there is no room for a current, you know, 'cause if they put something in that doesn't design with the current shopping center --

CHAIRPERSON HYMAN: Okay. Frank, you --

VICE CHAIRMAN BARBIERI: Yeah, petitioner, why don't you just take a 30-day postponement, get these things ironed out and come back here.

CHAIRPERSON HYMAN: I mean I --

VICE CHAIRMAN BARBIERI: I don't think you have the votes today to get it approved, so --

CHAIRPERSON HYMAN: You certainly have the right. I mean if you want to finish your presentation, I'm not going to stop you.

MR. CHEQUIS: I'll come back and give you a full one next time.

COMMISSIONER ANDERSON: Just a couple of things for you to consider.

MR. CHEQUIS: Yes.

COMMISSIONER ANDERSON: When you come in the main entrance where you have the gate, if there's a way to make a loop out of that so the traffic can get to the north quicker -- I know you said you had a problem with the gate, but, you know, you have that Building No. 4, you know, maybe things could be slid down -- just something to think about.

I'm not saying that's a -- but think about that, and then if you want to think about relocating the residential center, that might, you know, that'll help get my vote.

So just not saying you have to, but I'm just -- you know, if you want my vote, you may get -- it may get passed without my vote, but those are things that would help get my vote.

MR. CHEQUIS: We want your vote.

COMMISSIONER ANDERSON: Okay.

CHAIRPERSON HYMAN: Okay. And the only other comment I would make is that -- and I'm familiar with the Abacoa neighborhoods and Donaldson's done a beautiful job develop -- you know, designing them, but a lot of times the community facility does have the open area right next to it.

So if there's any way to take this green space that I think is tucked away behind Buildings 8 -- 28 and 29 and put it next to the clubhouse and children's play area so everybody could play in the same area, I think it's more likely to be used, and if you could make it more centralized, I think that would earn brownie points, as well.

Now that we've redesigned your project for you -- I'm sorry about that, but any other comments?

COMMISSIONER KAPLAN: Well, I think you're absolutely correct. I certainly would feel much better if I saw a new site plan, a new layout, and I think we've given the petitioner ample thoughts to take back to the drawing board.

I also agree with Commissioner Barbieri that the price of the homes we're talking about here are something that we really sorely need, and that, however, as strong as I feel about it, doesn't offset the problems that have been raised here.

So I would like -- a motion, if I may, Madam Chair --

CHAIRPERSON HYMAN: Oh, yes, you may.

COMMISSIONER KAPLAN: -- for a 30-day postponement --

CHAIRPERSON HYMAN: Before you do that, what was this that was handed to us?

MR. CHEQUIS: Those are the conditions of approval from planning.

MR. VAN HORN: I'm sorry. Those are --

CHAIRPERSON HYMAN: Additional ones?

MR. VAN HORN: Those are Planning conditions for the required workforce.

CHAIRPERSON HYMAN: Great. So -- and you'll include these in the main materials next time?

MR. VAN HORN: Yes.

CHAIRPERSON HYMAN: Okay. Great.

All right. Go ahead, Allen.

COMMISSIONER DUFRESNE: And a second.

COMMISSIONER KAPLAN: Motion is made and is seconded by Alex.

COMMISSIONER BRUMFIELD: Yes. Second.

CHAIRPERSON HYMAN: Alex. Wonderful.

Okay. The motion -- would you repeat it so we just have it.

COMMISSIONER DUFRESNE: Thirty-day postponement.

VICE CHAIRMAN BARBIERI: Thirty-day postponement --

CHAIRPERSON HYMAN: Okay.

VICE CHAIRMAN BARBIERI: -- to March 1st.

CHAIRPERSON HYMAN: All right. Any other comments from anybody?

(No response)

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

MR. CHEQUIS: Thank you.

CHAIRPERSON HYMAN: We don't need to have full-fledged, full-blown if you don't want to next time. We spent a lot of time, but please take into consideration what we asked.

Do you need to take a break, or can we do the last item? You want to take a break? Okay. We have five minutes. Our poor court reporter is just passing out here. I promise.

Okay. So we'll be back by 25 to 12:00.

(Whereupon, a short break was taken in the proceedings.)

CHAIRPERSON HYMAN: I'm going to call the meeting back to order. Okay.

MR. Mac GILLIS: Before I turn it over to the project manager, I'd just like to give a little background on the Ag TMD for the -- there are several new Board members that were not members when this first came to you, 2005.

In 1999 the Board of County Commissioners in the adoption of the Ag Reserve master plan, they limited the commercial in the Ag Reserve to two intersections on Lyons and Boynton and Lyons and West Atlantic.

And also in the Comp Plan they dictated that this form of development would be in the form of a traditional marketplace development and difference between that and a typical shopping center, I could compare it to CityPlace to Cross County Mall.

That's how -- the differences having the TMD you're going to have -- the first thing that's the most important component is the block structure that you see in CityPlace. You have blocks, you have hierarchy of streets where the buildings are built lined to the mix of uses from retail, residential, civic uses, and it's a multiple destination place for the user, rather than in a typical single destination of going to a shopping center for groceries or something.

You go there -- it's more for the experience of the uses that are on that site, and it's so much different than an MUPD in that it's -- it's pedestrian orientated so when you get there, you're encouraged to get out of your car and walk around.

This project was approved already by the Board of County Commissioners in 2005. We did have a consultant back in 2003 adopt the traditional marketplace standards, and when we went to the Board with those standards, the Ag TMD projects were just coming forward at that time, and they directed staff to go back and work with the two developers of those projects and amend the Code to come up with a variation of the TMD that addressed the Ag Reserve because it went through what they referred to as the "beauty contest".

The Board directed staff to go out to the community, get input on those plans what the community wanted, then come back to the Board.

The Board liked the plans and told staff go back because there were certain things in those plans that didn't follow the typical traditional development, something like some of the block structure and the cross sections of the street and stuff.

So we did amend the Code. The projects came in, did get approved. Now they're back. They've got particular tenants for some of those stores, and some of the things just don't work still in the -- in the Code.

They've come back. We amended the Code again. They also got variances over the last couple of months for this project, so, hopefully,

we're at the point now that these projects can move forward and be built out there.

The -- COWBRA supports it. The applicant has worked very closely with staff over the last several months to resolve all the last issues regarding the layout of the site plan and meeting the closest intent of the traditional marketplace development.

With that, I'll turn it over to Whitney to give you a brief presentation of what the applicant's requesting at this time.

MS. CARROLL: Hi. Whitney Carroll, for the record.

The applicant is requesting to allow for the rezoning of an additional 31.941 acres of agricultural -- from Agricultural Reserve to the Ag Reserve TMD zoning district, and that is to allow for the entire area of a 52-acre tract of parkland to be consolidated under one zoning district.

The second request is to reconfigure the master plan as from what was previously approved and to add land area, and the third request is to allow for three Type 1 restaurants and a single tenant over 25,000 square feet. That is requested as a requested use, and a request to allow for a block structure waiver and to allow for a main street waiver.

Staff is generally in agreement with the proposed reconfiguration. We support the block waiver based on the applicant's continuing efforts to work with the community and to come to the proposed plan that's before you. And we have gotten a lot of support and a lot of -- you know, most of what we've heard from the community has been in support of the project.

And the block waiver we're recommending approval for because it generally is -- it -- the block is used -- or the block is defined by its dimensions, and the applicant is proposing to increase the block -- a block dimension by approximately 25 feet, and we feel that that is -- that will be okay, and it will meet the general or the intent of the block because it does have several pedestrian connections through the block.

And the basic -- let's see, the main street block waiver we're in support of. It does -- it does -- it extends through the entire area of Pod A. It does not -- it does not -- it stops, or it terminates at the beginning of Pod B, and we are -- we are requesting a condition of approval that would strongly encourage that when Pod B is developed, that it be continued through that pod, and that pod is actually the civic site that is going to be developed by Palm Beach County.

CHAIRPERSON HYMAN: Well, did anybody else have trouble figuring out where Pod A, B, C was?

MS. CARROLL: Oh, sorry.

CHAIRPERSON HYMAN: I mean we don't have anything that labels them like that, so --

MS. CARROLL: Pod A, for your -- for your

reference is the -- is the development area. It is the proposed development area that's shown on the site plan on Page --

CHAIRPERSON HYMAN: So this whole shopping center is Pod A?

MS. CARROLL: It is. Page 140 shows the proposed site plan.

The development area that's shown on the north -- the north parcel is Pod A. You can see on the south side it's referred to as Pod B.

And 138 actually shows an aerial photograph that breaks the civic site apart from the development area.

CHAIRPERSON HYMAN: I just can't, you know, I couldn't match up the conditions with the site plan.

MR. Mac GILLIS: Phase 1 is what the -- where the TMD is going to be. The --

CHAIRPERSON HYMAN: So this -- I was looking at this site.

MR. Mac GILLIS: The civic parcel is the --

MS. CARROLL: That's the previously approved site plan that the Board had previously approved. This -- that's -- yes.

CHAIRPERSON HYMAN: That's not it then?

MS. CARROLL: That's not the current proposed site plan. That's the previously approved plan that was approved for the "beauty contest".

CHAIRPERSON HYMAN: Is it this one (indicating)?

MS. CARROLL: That plan -- that's correct. That's the -- that's the proposed plan.

CHAIRPERSON HYMAN: Okay. Well, gee. I was looking at the wrong plan. That's not very helpful. Okay.

MS. CARROLL: Well, I'll turn it over to the applicant, and he can do his presentation, and -- and --

CHAIRPERSON HYMAN: Kerry.

MS. CARROLL: -- hopefully, that'll clarify.

MR. KILDAY: Thank you. I'll walk you through and probably answer some of those questions with these graphics.

CHAIRPERSON HYMAN: Great.

MR. KILDAY: But I'll try to be brief. We've been able to work through the conditions so they're acceptable.

I've also passed out a letter in advance from Canyon Lakes Homeowners Association who have been very active in following this, and representatives of COWBRA are here, and they will speak for themselves.

The site itself, and it's probably best to start with this aerial.

This is Boynton Beach Boulevard going east to west, Florida Turnpike on the east, Lyons Road, which it -- and this property is at the southeast corner, and it consists of this whole L-shaped parcel with the red parcel being Pod A and B, and

I'm going to show you that in a minute, and then the two yellow sites, what's called the preserve area.

As it relates to the 31-acre increase, when we originally came through, we only brought in half of this site, which is listed Palm Beach County Park Site, and left the other half out. Later it was realized that it was going to cause an issue for the development of the park to have it in two separate zoning districts.

So the only change in acreage is to bring the balance of the County park site as part of the plan, which makes our minimum preserve is 60 percent. By bringing this in we're now at 70 percent. So we're actually exceeding the preserve.

That being the case, when we got the approval, which required the 40/60 split, we did a town center, but then we further split that into Pod A and B, which I'm going to show you, and then the rest of this property was dedicated to be part of a school, which will be built on this corner immediately to our east, and a Palm Beach County park to the south.

While I've got the aerial up here, let me say something about interconnectivity. That's like --

CHAIRPERSON HYMAN: What's that?

MR. KILDAY: Well, I feel I got to show you the cul-de-sacs in the neighborhood next door 'cause I remember when we really liked cul-de-sacs at one time.

CHAIRPERSON HYMAN: We still like cul-de-sacs.

MR. KILDAY: Right. Well, here's -- as the -- one of the requirements of the center, and I'll show you a close-up, is as part of the dedication of the land to the park is that the park is going to extend a road from the center through the park and out to Acme Dairy Road.

The Canyon projects to the south, all of them have access, not only to Lyons Road, but to Acme Road, and Acme Dairy Road is kind of like more a private driveway to them, so that these projects can get to the center without going on Lyons and without going on Boynton Beach, essentially a backdoor entrance, and that is already -- that's a condition of our turning this property over to the Palm Beach Parks Department.

Additionally, when we got the project originally approved, there are two pedestrian gates, one that goes into the park site and one that goes to the rural parkway easement, which is a large, wide walking trail that runs down the whole side of Lyons Road, and those are already in place.

As it relates -- starting to come in a little closer -- when you talk to what they call the development area, this is the corner, and Pod A is the retail shopping area, and that's this green area shown on this plan.

This purple area is Pod B. That is a site

that's also being dedicated to Palm Beach County for a civic site, and ultimately the County will develop it.

This shows you here the main circulation system which creates the blocks. The variance on the block happens to be this road right here (indicating) which exceeds, and why it says two variances, it's two blocks. This block and that block both need the same variance, but it's only one road that's asking for the waiver.

What -- to go a little further, now that you -- to show you buildings on it, this shows you the reoriented plan, and one of the big issues on orientation, and it's probably an issue that may affect the last plan you saw, too, is that on these arterial roads oftentimes access is limited to specific areas because of access criteria which are adopted in the Code, as well as medians.

So these two entrances to the project off Boynton Beach essentially sent by -- set by those issues, set by the issue of needing to get far enough away from this intersection which is a right turn, right turn out, set here by what's a median which is a limited turn, left turn median break, and those started to create some of these block dimensions, and it's something you have to live with.

The same issue here, Lyons Road, we have two entries, one having a median break, one being a right turn, right turn out, and then what this road here shows is this is the road that will then turn south and enter the park site and go to Acme Dairy Road.

With regard to the project itself, it was a lot of work, and there was a lot of give and take on it, but the main essence is that on this central entry, this is done in a very traditional main street style. It's for smaller shops that require less immediate parking. This is where you'll get your Starbucks or your ice cream shop or your card store, and that will be done in that manner.

This building, which is the building that we need to get the waiver for a larger building, is a grocery store, and this is the only place out there serving this whole corridor that's set up for commercial so the grocery store is really necessary.

And so what we've done is a secondary street, which allows the grocery store, but it's -- if I dare say the word anymore, it's more suburban in nature. I mean it has the parking in front of the building.

It does have a series of trellises, one running down the center, and another trellis running along the south end creating more of a street feel to this street, but in fact it also has to serve the people who are going to be there, shopping there, and the bulk of the people coming here will at least arrive in cars. Once they get here, they may walk around.

Then the third element is this is the

residential element. This is a townhouse project.

The townhouse is located in an area which the civic site will be to the south. There's two plazas.

One of them's a plaza that this grouping of townhouses open up to so they have their own little park and green space and gazebo to themselves, then there's a second plaza which would be used by the residential people, but also as a backdrop to the retail area.

One of our new conditions is that we have agreed to build an interactive fountain at the end of the street to -- as you turn in to have a visual end point, and we agreed to build an amphitheater.

The amphitheater is going to be built in this little notch here (Indicating), which will be dedicated to the County, and the County will actually own and operate the amphitheater once it's built, but as a condition of approval we will be constructing it.

That gives you a basic overall of the project. We've worked through the conditions. We think it works well. You know, we tried to provide the TMD where it was appropriate, but we've also tried to recognize some of the hard realities.

The only other thing I need to mention, so it's not said I didn't mention it, is we -- this building here (indicating) is a drugstore, and there is a provision in the TMD Code that says that you must put your drive-through at the rear of the drugstore.

So one side of the drugstore is a drive-through. The other side is the loading and service area.

We would very much like to put the drive-through here (indicating). Our entrance is on a corner, which doesn't help on the frontage, and it becomes an interpretation of what is your frontage. Is it Lyons Road? Is it the main street coming through?

Staff, and we've had this discussion a lot, this is what they've maintained. This is what we're showing on the plan.

At the Board level we are asking that they consider our interpretation, so that's something that --

COMMISSIONER ANDERSON: I like your interpretation better.

MR. KILDAY: -- we're going to carry to the Board.

CHAIRPERSON HYMAN: Yeah.

MR. KILDAY: What's that?

CHAIRPERSON HYMAN: I like your interpretation better.

COMMISSIONER ANDERSON: I like your layout better.

MR. KILDAY: This one here (indicating)?

COMMISSIONER ANDERSON: Yeah.

MR. KILDAY: You could make a recommendation to the Board in that case.

And that's all I have. If you have any questions.

CHAIRPERSON HYMAN: Okay. Thank you.

We do have some cards on this so I -- I'd like to get to them 'cause they've been so patient, and I don't know if there's any particular order that you guys would like to go in, but otherwise I'll just call you up.

Barbara Katz and Sandy Parker. After them, Dagmar, Bob, then Harriet and Rhonda. If you don't want to speak, you don't have to speak.

Okay. Thank you.

MS. KATZ: Good morning. I'm Barbara Katz, president of COWBRA.

COWBRA has worked with GL Homes on this project for several years. We met with them numerous times. We cooperatively designed and redesigned until we have a plan that we are very excited about.

We consider it superb, and we believe that it will be a model for all traditional marketplaces to follow. It is all we envision, an open look, lakes, fountains, beautiful landscaping, lots of greenery, the main street, a central plaza and much, much more.

It will be more than a shopping center. It will be a community gathering place, people leisurely strolling along the pathways, walking in and out of the retail stores in the plaza, dining in restaurants, having coffee and ice cream in outdoor cafés, enjoying the performances at the amphitheater, shopping in the supermarket, and we agree with the parking layout.

Going to the Post Office, children playing in the spray fountain or on the baseball field, and, hopefully, in the not too distant future, visiting the library in the civic site.

And to make this a true integrated community, meeting place and shopping center there are residential units in this town center.

It will be a place where people can eat, shop and live. It's compatible with the existing surrounding residential communities, and it will be the place for these residents to go for their local needs, as well as their enjoyment.

The communities support this project. Staff supports the project. COWBRA supports the project. We ask you to support and approve this project.

Thank you.

CHAIRPERSON HYMAN: Doesn't get any better than that. Thank you, Barbara.

Sandy, did you --

MS. KATZ: Is that a home run?

CHAIRPERSON HYMAN: Yeah.

Did you want to say anything?

MR. KILDAY: Why did I even bother to give a presentation?

MS. KATZ: I only know baseball.

MS. PARKER: Good morning. My name is Sandy Parker. I must first identify myself. I'm chair of Growth Management of COWBRA, but I'm not

speaking for them today.

You have a letter from my community, which is Coral Lakes, giving me permission to talk on behalf of Coral Lakes.

Now, you say Coral Lakes at the other end --

CHAIRPERSON HYMAN: I don't have it, but --

VICE CHAIRMAN BARBIERI: Yeah, it's here.

MS. PARKER: -- the very -- very eastern end. It's there. I -- I provided.

Coral Lakes is at the very eastern end of the COWBRA area and, of course, the very southernmost community; however, the people of Coral Lakes have instructed me to talk for them.

We all voted for the bond issue of the Ag Reserve, whether we lived out in the Ag Reserve or we lived on the other side of it, our community.

We envisioned a beautiful bucolic, farming, agricultural area, together with homes. We have -- I brought an exhibit of the Equus homes out there that start at a million dollars and up.

We have the Palm Beach Training Center, the Palm Beach -- the horse company.

I think that we have a right to expect a beautiful marketplace. We worked very hard with them on this marketplace. I think it fills the needs. It's compatible to the existing homes that are there.

We want this place to be very special, and it's very special in a lot of ways because it provides passive recreation, it provides shopping, it provides a grocery store.

The people that live in that area now have to go all the way to Jog Road for a grocery store, which is over capacity at its present time.

So I think it's -- and we're also looking forward to the amphitheater. It's in the east, and as a grandparent I will say I'm happy to see that they're putting in a baseball field, and, hopefully, hopefully, when we can find the money, we'll have a library.

CHAIRPERSON HYMAN: Okay.

MS. PARKER: So this is all fitting the needs of the Ag Reserve, and I hopefully request your acceptance of this plan.

CHAIRPERSON HYMAN: Thank you.

Dagmar, you're passing, right? You're -- you're in support.

Bob Mayer, you're in support?

MR. MAYER: Yes.

CHAIRPERSON HYMAN: Did you want to add anything to that?

MR. MAYER: I'll be very brief. I'm speaking on behalf of Villaggio (ph). I'm a resident of Villaggio, and I'm also a director of COWBRA, but on behalf of Villaggio, which is an active 55 and older community of 1100 homes, I wish to express our full support of this project, and we ask you to support it, as well.

CHAIRPERSON HYMAN: Thank you.

MR. MAYER: Thank you.

CHAIRPERSON HYMAN: Harriet, did you want to say anything? And after Harriet, Rhonda.

Is Rhonda -- she left? She likes the project, too.

MS. HELFMAN: Good morning. My name is Harriet Helfman. I'm second vice president of COWBRA, but today I'm authorized to speak for my community, Venetian Isles.

We are two miles north of Boynton Beach Boulevard. Six years ago Lyons -- and we are on Lyons Road.

Lyons Road was a two-lane road which ended in front of our community. Our community was there. Verona Lakes was there. We have 1,100 homes. Verona -- over 55. Verona Lakes is an all age community.

Now Lyons Road goes through to Lake Worth Drive -- Lake Worth Road. Eventually it's going to be, as it is in front of our community now, four lanes, and there are many more communities on Lyons Road now, and we are all potential customers.

The residents of Venetian Isles have been waiting patiently for the marketplace and the library and the Post Office, and we look forward to Starbucks and an ice cream store and all the good restaurants. So we are definitely in favor.

GL Homes has come to us and explained what's going on, and we are very happy with all that GL Homes does in our area.

Thank you.

CHAIRPERSON HYMAN: Thank you.

Well, pretty unbelievable.

Anybody else?

VICE CHAIRMAN BARBIERI: Can I make some motions?

CHAIRPERSON HYMAN: Okay. This is an unbelievable beautiful site plan, Kerry, and I know from what you said to me, 'cause you did call me, that you struggled with the traditional marketplace confines, but when I look at this, I see that all the concerns I have when I go into one of these shopping centers are addressed, and I think it's beautiful.

Parks.

MS. MATTHEWS: Yes. We -- it came to our attention recently that there's going to be a little league baseball field, which is -- and an amphitheater, and that once it's built by the developer, it'll be turned over to us.

Well, it came very recently, in fact, I had a meeting with Dennis Eshelman (ph) this morning, and he was not aware of those, and we have not really budgeted at this point in time for maintenance of either the amphitheater or the baseball field, but that's being said, we'd like to have meetings and further discuss it.

CHAIRPERSON HYMAN: Okay. That's great. Thank you so much.

MR. Mac GILLIS: I'd just like to clarify, since Kerry brought up that Walgreens. I mean I

have already made an interpretation on how to apply that Code provision, so the Board of County Commissioners can't override that.

They -- what he'd have to do is either appeal it through the hearing officer, that Code interpretation, or request a variance to orientate the building differently.

CHAIRPERSON HYMAN: How did you determine that, which side was the front?

MR. Mac GILLIS: The front was the one that was facing the main street. That's what we determined to be the frontage of that building, not the one coming on the side.

CHAIRPERSON HYMAN: Which street, Lyons?

MR. Mac GILLIS: The -- no, the main street in through the development.

MR. CHOBAN: It's called Main Street.

MR. Mac GILLIS: And once again, we spent literally hundreds of hours on this project since it started, so --

CHAIRPERSON HYMAN: Okay. Well, you did a great job.

MR. Mac GILLIS: Thank you. I mean have to give credit to the developers. They worked really hard to get to where we are, but I just wanted that on the record so it's not --

CHAIRPERSON HYMAN: Okay.

MR. Mac GILLIS: -- something the --

CHAIRPERSON HYMAN: I think --

COMMISSIONER ANDERSON: I'm just confused.

Is the way it is on this drawing the way you want it or not want it?

MR. KILDAY: No, it's --

MR. Mac GILLIS: The drawing they presented, I -- we told them to submit it the way it -- to meet Code, but if they wanted to come back in later on and get a variance to allow the orientation differently, we would have to look at it.

The whole intent of the Code was that you didn't have the drive-throughs visible from the main street, like driving down Rosemary Street here in CityPlace, you really wouldn't want to be able to see the drive-throughs.

CHAIRPERSON HYMAN: But you have their -- their delivery dock really visible when you do it this way.

MR. Mac GILLIS: Once again, that's how, unfortunately, the Code was set up to protect the main street. Those are things we're going to have to try to resolve if they do decide to come back and orientate that towards the --

CHAIRPERSON HYMAN: Change the name Main Street to Side Street.

MR. KILDAY: I think we tried that.

MR. Mac GILLIS: You can't change anything on this thing. It's a domino effect. Everything collapses like a house of cards.

MR. KILDAY: Well, you may see us again on that one small item --

CHAIRPERSON HYMAN: Okay. Well, I think --

MR. KILDAY: -- seeing that you do the variances.

CHAIRPERSON HYMAN: I mean I would support that. I don't know how the rest --

VICE CHAIRMAN BARBIERI: Fine.

CHAIRPERSON HYMAN: I think you would get some support up here.

Is there a motion?

VICE CHAIRMAN BARBIERI: Recommend approval of an official zoning map amendment from the Agricultural Residential -- excuse me, the Agriculture Reserve Zoning District to the Agriculture Reserve Traditional Marketplace Development District.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

VICE CHAIRMAN BARBIERI: Recommend approval of a development order amendment to reconfigure master plan and add land area.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

VICE CHAIRMAN BARBIERI: Recommend approval of a requested use to allow three Type 1 restaurants and a single tenant in excess of 25,000 square feet.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

VICE CHAIRMAN BARBIERI: Recommend approval of a waiver to allow for a block structure waiver and to allow for a main street waiver.

COMMISSIONER KAPLAN: Second.

CHAIRPERSON HYMAN: All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

And those were all subject to those conditions as modified and as we agreed.

I think that was really a good job.

MR. KILDAY: Thank you.

CHAIRPERSON HYMAN: Congratulations.

CHAIRPERSON HYMAN: Okay. We have an election.

COMMISSIONER KAPLAN: Madam Chair, if -- if I may.

CHAIRPERSON HYMAN: Yeah.

COMMISSIONER KAPLAN: I would be honored to nominate Commissioner Frank Barbieri as the next Chair of this Commission.

I think he's done an excellent job and in line with our basic philosophy, he is the present Vice Chair. So I'm very happy to nominate him.

COMMISSIONER ANDERSON: I'll second that.

CHAIRPERSON HYMAN: Okay.

VICE CHAIRMAN BARBIERI: Thank you.

CHAIRPERSON HYMAN: Any other nominations?

COMMISSIONER DUFRESNE: I would like to nominate Commissioner Anderson --

CHAIRPERSON HYMAN: Wait. Let us vote on that one.

COMMISSIONER DUFRESNE: Oh.

CHAIRPERSON HYMAN: We'll vote on that one, then we'll come back. Okay.

COMMISSIONER DUFRESNE: Close the nominations.

CHAIRPERSON HYMAN: Close the nominations for Chair.

All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed. Or anybody else?

(No response)

CHAIRPERSON HYMAN: It's unanimous.

VICE CHAIRMAN BARBIERI: Thank you.

CHAIRPERSON HYMAN: Congratulations, Frank.

VICE CHAIRMAN BARBIERI: Thank you very much.

CHAIRPERSON HYMAN: You will be a great Chair.

VICE CHAIRMAN BARBIERI: Thank you.

CHAIRPERSON HYMAN: Nominations for Vice Chair.

COMMISSIONER DUFRESNE: Madam Chair, I'd like to -- Madam Former Chair, I'd like to nominate Bill Anderson as Vice Chair of the committee.

COMMISSIONER ANDERSON: Thank you.

CHAIRPERSON HYMAN: Any other nominations?

(No response)

CHAIRPERSON HYMAN: Close nominations.

All those in favor.

COMMISSIONERS: Aye.

CHAIRPERSON HYMAN: Opposed.

(No response)

CHAIRPERSON HYMAN: Unanimous.

Congratulations.

COMMISSIONER ANDERSON: Thank you.

VICE CHAIRMAN BARBIERI: Madam Chair, I must tell everyone that on the next meeting my daughter is scheduled to have a C-section on Thursday, March 1st. My granddaughter's going to

be born.

So unless she delivers early, I'll miss my first meeting as Chair.

CHAIRPERSON HYMAN: That's okay. Good job, everyone.

(Whereupon, the meeting was concluded at 12:05 p.m.)

* * * * *

C E R T I F I C A T E

THE STATE OF FLORIDA)

COUNTY OF PALM BEACH)

I, Sophie M. Springer, Notary Public,

State of Florida at Large,

DO HEREBY CERTIFY that the above-entitled and numbered cause was heard as hereinabove set out; that I was authorized to and did report the proceedings and evidence adduced and offered in said hearing and that the foregoing and annexed pages, numbered 4 through 86, inclusive, comprise a true and correct transcription of the Zoning Commission hearing.

I FURTHER CERTIFY that I am not related to or employed by any of the parties or their counsel, nor have I any financial interest in the outcome of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26th day of February, 2007.

Sophie M. Springer, Notary Public