C. WITHDRAWALS

7. SCA-2013-00005 (Control 2003-00040)
   BARKLEY PLACE
   Applicant has requested a withdrawal. See Attachment 1. NO MOTION REQUIRED.

8. ABN/Z/CA-2012-03377 (Control 2003-00040)
   BARKLEY PLACE
   Applicant has requested a withdrawal. See Attachment 2. NO MOTION REQUIRED.

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

5. ABN-2013-01699 (Control 1981-00182) WEST BOCA CABLEVISION
   Reorder Agenda Item to:
   REGULAR AGENDA, I. ZONING APPLICATIONS- NEW

REGULAR AGENDA

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

11. ABN/PDD/R-2013-00499 (Control 2005-00394) HIGHLAND DUNES PUD
    Reorder Agenda Item to:
    TIME CERTAIN: 10:00 AM

I. ZONING APPLICATIONS- NEW

12. ZV/PDD/DOA-2013-01618 (Control 1985-00095) BERNSTEIN MUPD

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

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

THURSDAY OCTOBER 24, 2013
9:30 A.M.  6TH FLOOR
JANE M. THOMPSON MEMORIAL CHAMBERS

CALL TO ORDER

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

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.
AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

OCTOBER 24, 2013

CALL TO ORDER

A. Roll Call - 9:30 A.M.

B. Opening Prayer and Pledge of Allegiance

C. Proof of Publication - Motion to receive and file

D. Swearing In - County Attorney

E. Motion to Adopt Agenda
POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **DOA-2013-01606**  
   **Title:** a Development Order Amendment application of Pine Trail Square Llc by Dunay Miskel Backman and Blattner LLP, Agent.  
   **Request:** to reconfigure the site plan to add square footage.  
   **General Location:** Southwest corner of Military Trail and Okeechobee Boulevard.  
   **(Pine Trail Shopping Center)** (Control 1978-00273)  

   Pages: 1 - 1  
   Project Manager: Roger Ramdeen  
   Size: 27.47 acres ±  
   BCC District: 7

   **Staff Recommendation:** Staff recommends a postponement to December 5, 2013.  
   **Zoning Commission Recommendation:** Approved the postponement 6-0.  

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

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA
CONSENT AGENDA
A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

E. ZONING APPLICATIONS - NEW

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

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

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

Pages: 2 - 28
Conditions of Approval (8 - 9)
Project Manager: Carol Glasser
Size: 10.03 acres +  BCC District: 4

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

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

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

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant.
3. **DOA-2013-00769** Title: a Development Order Amendment application of 441 Southern Llc by Creech Engineers Inc., Agent. Request: to reconfigure the Site Plan and add square footage.

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

Pages: 29 - 56  
Conditions of Approval (34 - 43)  
Project Manager: Autumn Sorrow  
Size: 32.86 acres  
BCC District: 6

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

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

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

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

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

Pages: 57 - 82  
Conditions of Approval (62 - 67)  
Project Manager: Carol Glasser  
Size: 5.10 acres  
BCC District: 3

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

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

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

F. **CORRECTIVE RESOLUTIONS**
G. ABANDONMENTS

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

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

Pages: 83 - 98  
Project Manager: David McGuire  
Size: 2.05 acres ±

**BCC District:** 5  
**Staff Recommendation:** Staff recommends approval of the request.

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

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

END OF CONSENT AGENDA
REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

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

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

Pages: 99 - 116
Project Manager: Jim Stiles - PBC WUD
Size: 19.97 acres  BCC District: 6

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

D. PREVIOUSLY POSTPONED STATUS REPORTS

E. STATUS REPORTS - NEW
F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

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

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

Pages: 117 - 148
Project Manager: Stephanie Gregory
Size: 3.14 acres ±  BCC District: 3
(affected area 3.04 acres ±)

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

Planning Commission Recommendation: Approved 8-0.

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

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


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

Pages: 149 - 173
Conditions of Approval (157 - 159)
Project Manager: David McGuire
Size: 3.04 acres ±  BCC District: 3

DISCLOSURE

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

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

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

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

G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION
H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

9. Z/CA-2013-00493  **Title:** an Official Zoning Map Amendment application of MG3 ALF Military LLC, Herman Leonoff by Miller Land Planning, Agent. **Request:** to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Multi-Family (RM) Zoning District.
   **Title:** a Class A Conditional Use of MG3 ALF Military LLC, Herman Leonoff by Miller Land Planning, Agent. **Request:** to allow an Elementary or Secondary School (Charter).
   **General Location:** Approximately 0.25 mile north of Hypoluxo Road on the east side of Military Trail. *(Trails Charter School)* (Control 2013-00085)

   Pages: 174 - 206
   Conditions of Approval (180 - 183)
   Project Manager: Joyce Lawrence
   Size: 7.46 acres + BCC District: 3

   **DISCLOSURE**

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

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

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

   **MOTION:** To adopt a resolution approving a Class A Conditional Use approval to allow an Elementary School (Charter) subject to the Conditions of Approval as indicated in Exhibit C-2.
10. **ZVZ-2013-00145** Title: an Official Zoning Map Amendment application of AMKBJ Partners, Ltd - Brian Lufks by Land Design South Inc., Agent. **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

**General Location:** The property is located approximately 600 feet east of the Pioneer Road and Lyons Road intersection, on the north side of Pioneer Road.

**(Pine Tree Residential)** (Control 2012-00650)

Pages: 207 - 222

Conditions of Approval (212 - 213)

Project Manager: Joyce Lawrence

Size: 10.00 acres +

**DISCLOSURE**

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

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

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment with a Conditional Overlay Zone (COZ) to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District subject to Conditions of Approval as indicated in Exhibit C-2.
11. **ABN/PDD/R-2013-00499**  
**Title:** a Development Order Abandonment Request application of PBA Holdings Inc - Enrique Tomeu by Urban Design Kilday Studios, Agent.  
**Request:** to abandon a Class A Conditional Use for a Bona Fide Agricultural Use approved under Resolution R-2008-1146.  
**Title:** an Official Zoning Map Amendment to a Planned Development District of PBA Holdings Inc - Enrique Tomeu by Urban Design Kilday Studios, Agent.  
**Request:** to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.  
**General Location:** Approximately 2.5 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard.  
**(Highland Dunes PUD)**  
**Control 2005-00394)**  

**Pages:** 223 - 270  
**Conditions of Approval (235 - 246)**  
**Project Manager:** Carrie Rechenmacher  
**Size:** 1,209.96 acres +  
**BCC District:** 6  

**DISCLOSURE**  
**Staff Recommendation:** Staff recommends approval of the requests subject to 44 Conditions of Approval as indicated in Exhibit C.  
**Zoning Commission Recommendation:** Recommended approval of the requests 6-0.  

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

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

12. ZV/PDD/DOA-2013-01618  Title: an Official Zoning Map Amendment to a Planned Development District application of Lois Realty Corp, Cable Holdco Exchange li LLC by Gunster Yoakley & Stewart PA, Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Specialized Commercial (CS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.
Title: a Development Order Amendment of Lois Realty Corp, Cable Holdco Exchange li LLC by Gunster Yoakley & Stewart PA, Urban Design Kilday Studios, Agent. Request: to add land area, reconfigure the site plan, add square footage, and allow an alternative Type III incompatibility landscape buffer.
General Location: North side of Glades Road approximatley 1,000 feet west of Lyons Road. (Bernstein MUPD) (Control 1985-00095)

Pages: 271 - 306
Conditions of Approval (280 - 289)
Project Manager: David McGuire
Size: 8.20 acres + BCC District: 5

DISCLOSURE

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

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

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

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

J. ULDC AMENDMENTS

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

Pages: 307 - 311

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. OTHER ITEMS

END OF REGULAR AGENDA
A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT