CALL TO ORDER

A. Roll Call 9:00 A.M.

Commissioner Mark Beatty, Chair  Present
Commissioner Sheri Scarborough, Vice Chair  Present
Commissioner Amir Kanel  In at 9:11 am
Commissioner Joseph Snider  Present
Commissioner William Anderson  Present
Commissioner Sam Caliendo  Present
Commissioner Tinu Peña  Present
Commissioner Alex Brumfield III  In at 9:27 am
Commissioner Robert Currie  Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Proof of Publication – Motion to receive and file carried - 5-0

E. Adoption of the Minutes – Motion carried - 5-0

F. Swearing In

G. Disclosures – Listed by Agenda Number

Kanel  None
Snider  None
Anderson  None
Caliendo  Absent
Scarborough  Absent
Peña  None
Brumfield  None
Beatty  None
Currie  None

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. ZV-2015-01451 Title: a Type II Variance application of Adrenalin Rush WPB, LLC MPC 3 LLC by Jon E. Schmidt & Associates, Agent. Request: to allow a reduction in the number of parking spaces.

   General Location: East side of the Turnpike, northwest corner of Cleary Road & Southern Boulevard. (MPC III Turnpike Business Park) (Control 2002-00011)

   Pages 1 - 1
   Project Manager: Osniel Leon
   Size: 61.40 acres +
   (affected area 33.89 +)

   BCC District: 2

   Staff Recommendation: Staff recommends postponement to January 8, 2016.

   MOTION: To postpone to Friday, January 8, 2016.

   Motion carried 5-0

   Kanel  Absent
   Snider  Yes
   Anderson  Yes
   Caliendo  Absent
   Scarborough  Absent
   Peña  Absent
   Brumfield  Absent
   Beatty  Yes
   Currie  Yes

   Seconded  Moved

   Decision: Postponed to Friday, January 8, 2016.
B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

3. **DOA-2015-01723** Title: a Development Order Amendment application of Rreef America Reit II Corp J by Dunay, Miskel, Backman, and Blattner, LLP, Agent. **Request:** to reconfigure the Site Plan and add square footage.

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

2. **CA-2015-01730** Title: a Class A Conditional Use application of KBHS Reo LLC by Urban Design Kilday Studios, Agent. **Request:** to allow a Type 3 Congregate Living Facility.  
   General Location: Approximately 465 feet south of Northlake Boulevard on the west side of Lyndall Lane. *(Sunspire Health Type 3 CLF)* (Control 2014-00206)  
   Pages: 2 - 16  
   Conditions of Approval Pages (7 - 8)  
   Project Manager: Carlos Torres  
   Size: 0.86 acres +  
   BCC District: 1  
   Staff Recommendation: Staff recommends approval of the request subject to 10 Conditions of Approval as indicated in Exhibit C.  
   **People who spoke on this application**  
   Joni Brinkman, Agent – in agreement with the Conditions of Approval

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Type 3 Congregate Living Facility subject to the Conditions of Approval as indicated in Exhibit C.  

Motion carried 6-0  

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E. CORRECTIVE RESOLUTIONS

3. **CRZ-2015-02373**  
   **Title:** A Corrective Resolution application of PGA Partners 100 LLC by PBC Planning, Zoning, and Building, Agent. **Request:** To correct the legal description contained in Resolution ZR-2015-016.

   **General Location:** Southwest corner of PGA Boulevard and Ellison Wilson Road. *(Aqualina PUD)* (Control 1984-00159)

   Pages 47 - 49  
   Project Manager: Donna Adelsperger  
   Size: 6.74 acres +  
   BCC District: 1

   **Staff Recommendation:** Staff recommends approval of the request.

   **MOTION:** To adopt a Corrective Resolution to correct the legal description contained in Resolution ZR-2015-016.

   Motion carried 6-0

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   **Decision:** Approved with a vote of 6-0.

F. SUBDIVISION VARIANCES

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

2. **DOA-2015-01723**  
   **Title:** A Development Order Amendment application of Rreef America Reit II Corp J by Dunay, Miskel, Backman, and Blattner, LLP, Agent. **Request:** To reconfigure the Site Plan and add square footage.

   **General Location:** Southeast corner of Glades Road and US 441. *(Benihana at Festival Shoppes of Boca Raton)* (Control 1990-00024)

   Pages 17 - 46  
   Conditions of Approval Pages (21 - 30)  
   Project Manager: Osniel Leon  
   Size: 36.96 acres +  
   (affected area 1.30 acres +)  
   BCC District: 5

   **Staff Recommendation:** Staff recommends approval of the request subject to 75 Conditions of Approval as indicated in Exhibit C.
People who spoke on application
Osniel Leon, Site Planner II – gave a brief presentation
Scott Backman, Agent – gave a brief presentation

From the public and speaking in opposition, Dr. Albert Angel stated that he is currently involved in litigation with the applicant and is concerned with the loss of parking, the size of the building, and the negative impact that this project could have on his patients. Dr. Angel submitted documents into the record concerning the current litigation.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan and add square footage, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0

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Seconded Moved

Decision: Recommended approval with a vote of 7-0.

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS – NEW

3. PDD/R-2015-00545 Title: an Official Zoning Map Amendment to a Planned Development District application of Falls Country Club, Inc by Cotleur & Hearing, Inc, Agent. Request: to allow a rezoning from the Commercial Recreation (CRE) Zoning District to Multiple Use Planned Development (MUPD) Zoning District.

Title: a Requested Use application of Falls Country Club, Inc by Cotleur & Hearing, Inc, Agent. Request: to allow a Type 1 Restaurant with a drive-through.

General Location: Northwest corner of Jog Road and Hypoluxo Road. (The Falls Commercial MUPD) (Control 1985-00155)

Pages 50 - 70
Conditions of Approval Pages (57 - 60)
Project Manager: Melissa Matos
Size: 3.51 acres + BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 17 Conditions of Approval as indicated in Exhibit C-1 and 5 Condition of Approval as indicated in Exhibit C-2.

People who spoke on application
Melissa Matos, Site Planner II – gave a brief presentation
Don Hearing, Agent – gave a presentation

From the public and speaking in opposition, Warren Danz and Jack Schneider expressed concerns that that they have been misled that the property in this application was being developed to generate income to save the golf course when the golf course has already been sold for further development. Mr. Schneider also stated opposition to any fast food restaurants and strip malls.

Myrna Rosoff, president of COBWRA (Coalition of Boynton West Residential Associations), spoke in opposition and stated that the developers were asked to exclude a gas station from the plans for this property and they would not. She also cited safety concerns with the intersection and the access points.
MOTION: To recommend approval of a rezoning from the Commercial Recreation (CRE) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 7-0

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MOTION: To recommend approval to allow a Type 1 Restaurant with drive-through, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 7-0

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Decision: Recommended approval with votes of 7-0.

4. DOA/R-2015-00320 Title: a Development Order Amendment application of RG Towers LLC by RG Towers LLC, Agent. Request: reconfigure the Master Plan and add a Requested Use. Title: a Requested use application of RG Towers LLC by RG Towers LLC, Agent. Request: to allow a Commercial Communications Tower (Stealth)

General Location: Approximately 500 feet north of the L-29 Canal on the west side of El Clair Ranch Road. (Westchester Club Tower) (Control 1980-00212)

Pages 80 - 117
Conditions of Approval Pages (85 - 99)
Project Manager: Christine Stivers
Size: 664.98 acres +
(affected area 0.05 acres +)

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 77 Conditions of Approval as indicated in Exhibit C-1 and 8 Conditions of Approval s indicated in Exhibit C-2.

People who spoke on this application
Christine Stivers, Senior Site Planner – gave a brief presentation
Holly Valdez, Agent – gave a brief presentation

Speaking in opposition from the public, Sylvia Rosenberg, Joan Gale, Stephanie Wasserman, and Robert Pinsky cited health concerns with electromagnetic radiation that could be emitted from the tower and the loss of property values.

Ms. Valdez, the Agent, stated that the Telecommunications Act of 1996 bars denial of communication tower applications based on health concerns. This was confirmed by Chief Land Use County Attorney Bob Banks.

Myrna Rosoff, president of COBWRA (Coalition of Boynton West Residential Associations), spoke in support of the application and stated that the developers have been cooperative. She suggested a landscape condition of approval for taller trees at the base of the tower for better aesthetics.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan and add a Requested Use subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 7-0

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ZONING COMMISSION HEARING December 2015 PAGE 5
MOTION: To recommend approval of a Requested Use to allow a Commercial Communication Tower (Stealth), subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 7-0

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DECISION: Recommended approval with votes of 7-0.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONER COMMENTS

ADJOURNMENT – 10:23 am