

RESOLUTION NO. R-2026- 0098

RESOLUTION APPROVING ZONING APPLICATION DOA/CA/W-2025-00727
(CONTROL NO. 1982-00073)
a Development Order Amendment
APPLICATION OF Spectra HTG, LTD - Matthew Reiger
BY Shutts and Bowen, LLP, AGENT
(Drexel Apartments)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA/CA/W-2025-00727 was presented to the Board of County Commissioners at a public hearing conducted on January 22, 2026;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, the recommendations of the various County Review Agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application DOA/CA/W-2025-00727, the Application of Spectra HTG, LTD - Matthew Reiger, by Shutts and Bowen, LLP, Agent, for a Development Order Amendment to modify the overall Master Plan to add dwelling units on 40.03 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on January 22, 2026, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Flores moved for the approval of the Resolution.

The motion was seconded by Commissioner Marino and, upon being put to a vote, the vote was as follows:

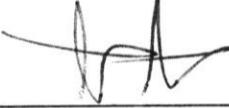
Commissioner Sara Baxter, Mayor	- Aye
Commissioner Marci Woodward, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Joel G. Flores	- Aye
Commissioner Maria Sachs	- Aye
Commissioner Bobby Powell, Jr.	- Absent

The Mayor thereupon declared that the resolution was duly passed and adopted on January 22, 2026.

Filed with the Clerk of the Board of County Commissioners on January 22, 2026

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 

COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

MICHAEL A. CARUSO
CLERK & COMPTROLLER

BY: 

DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

MUPD

ALL OF THE PLAT, "THE CLASSIC AT WEST PALM BEACH", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 61, PAGE 158, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH ALL OF THE PLAT, "DONALD C. WALKER COMMUNITY", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGE 17, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID "THE CLASSIC AT WEST PALM BEACH" PLAT; THENCE S88°41'30"E ALONG A LINE 90.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 27, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-WAY OF OKEECHOBEE BOULEVARD, A DISTANCE OF 466.23 FEET TO THE NORTHEAST CORNER OF SAID PLAT; THENCE S01°29'35"W ALONG THE EAST LINE OF SAID PLAT, A DISTANCE OF 500.00 FEET; THENCE S88°41'31"E ALONG THE NORTH LINE OF SAID PLAT AND THE NORTH LINE OF SAID PLAT "DONALD C. WALKER COMMUNITY", A DISTANCE OF 620.38 FEET TO THE NORTHERNMOST NORTHEAST CORNER OF SAID PLAT; THENCE S01°29'35"W ALONG THE EAST LINE OF SAID PLAT, A DISTANCE OF 376.20 FEET; THENCE S88°41'27"E ALONG THE NORTH LINE OF SAID PLAT, A DISTANCE OF 600.00 FEET TO THE EASTERNMOST NORTHEAST CORNER OF SAID PLAT, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY OF DREXEL ROAD; THENCE S01°29'35"W ALONG SAID LINE, A DISTANCE OF 360.49 FEET, AS MEASURED, TO THE SOUTHEAST CORNER OF SAID PLAT; THENCE N88°34'29"W ALONG THE SOUTH LINE OF SAID PLAT AND ALONG THE SOUTH LINE OF SAID PLAT "THE CLASSIC AT WEST PALM BEACH", A DISTANCE OF 2192.59 FEET TO THE SOUTHERNMOST SOUTHWEST CORNER OF SAID PLAT; THENCE N01°25'31"E, ALONG THE WEST LINE OF SAID PLAT, A DISTANCE OF 342.33 FEET; THENCE N88°34'29"W, ALONG THE SOUTH LINE OF SAID PLAT, A DISTANCE OF 219.77 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF THE SUNSHINE STATE PARKWAY, ALSO KNOWN AS FLORIDA'S TURNPIKE; THENCE N40°38'55"E ALONG SAID RIGHT-OF-WAY AND ALONG THE WEST LINE OF SAID PLAT, A DISTANCE OF 1150.05 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY AND CONTAINING 1,743,767 SQUARE FEET OR 40.031 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

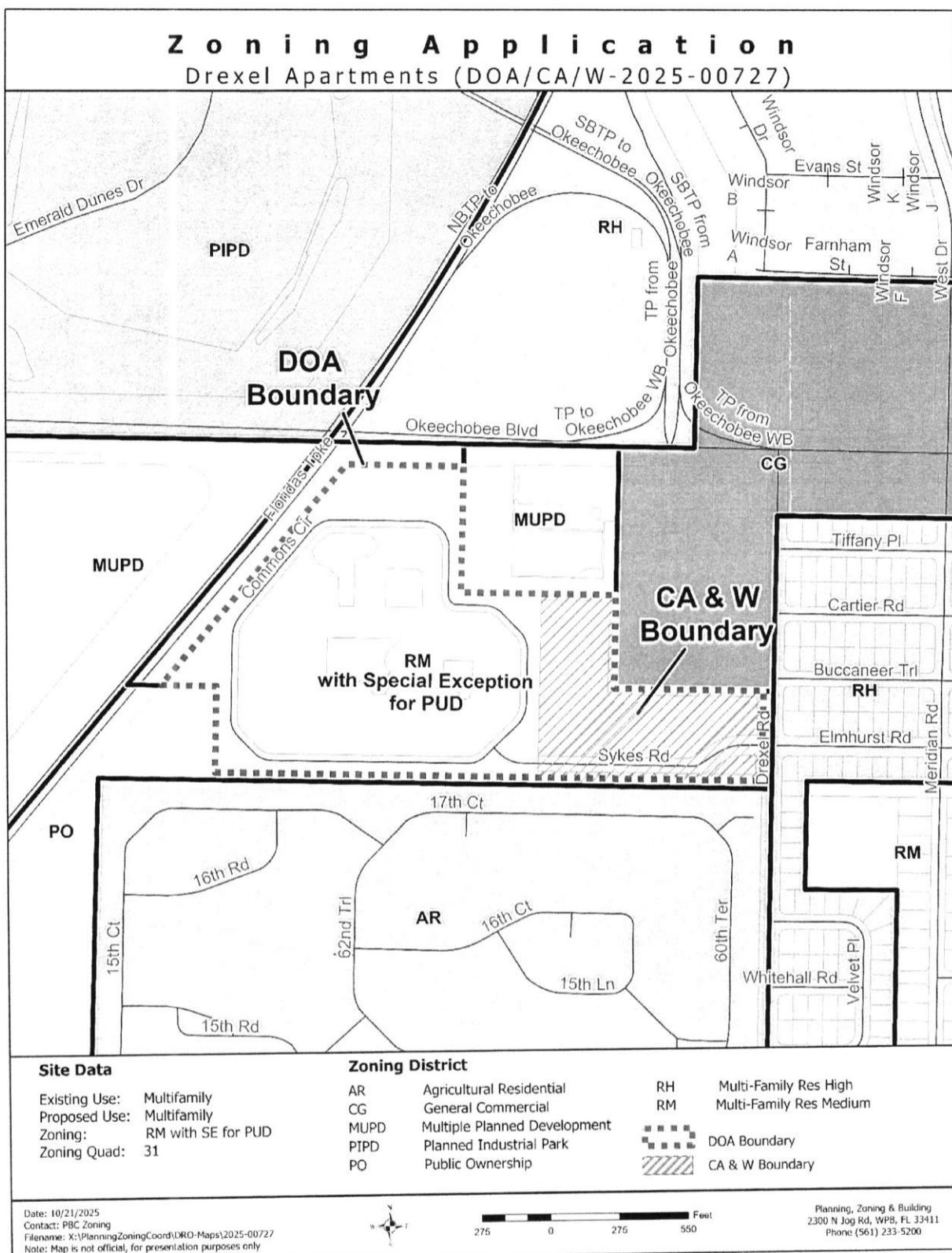


EXHIBIT C
CONDITIONS OF APPROVAL

Development Order Amendment

ALL PETITIONS

1. The proposed Preliminary Master Plan is dated December 17, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)
2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-1980-1113 (Control 1980-00139) and Resolutions R-1982-725, R-1987-1109, and R-1988-1201 (control 1982-00073), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)
3. Commencement of the Development Order shall be dated no later than a year before the buildout date stated in ENG condition 1, December 31, 2027. (ONGOING: ZONING - Zoning)

COUNTY ATTORNEY

1. All property included in the legal description of this petition shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's Office which shall provide, among other things, for : Formation of a single "master" property owner's association, and automatic membership in the "master" association by any party holding title to any portion of the property included in the Planned Unit Development. [Note: COMPLETED] (Previous SPECIAL CONDITIONS Condition 2 of Resolution R-1987-1109, Control No.1982-00073)

ENGINEERING

1. Pursuant to the Traffic Analysis, the Buildout Date is December 31, 2028. No Building Permits for the site may be issued after December 31, 2028. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)
2. Prior to the issuance of the first Certificate of Occupancy, the Property Owner shall abandon or release, and relocate if necessary, the drainage easement associated with Sykes Road drainage. (BLDGPM/CO: MONITORING-Engineering)
3. Prior to the issuance of the first Certificate of Occupancy, the Property Owner shall provide sufficient compensating storage for Sykes Road, as determined by the County Engineer, to compensate for the storage loss created by the proposed development. (BLDGPM/CO: MONITORING - Engineering)
4. Prior to the approval of the Final Site Plan by the Development Review Officer, the Property owner shall show any required drainage easements associated with Sykes Road drainage. (DRO: ENGINEERING - Engineering)
5. The petitioner shall construct at the intersection of Okeechobee Boulevard and the project's entrance road:
 - (i) (deleted)
 - (ii) right turn lane, east approach
 - (iii) right turn lane, west approach." [Note: COMPLETED] (Previous SPECIAL CONDITIONS Condition 3 of Resolution R-1988-1201, Control No.1982-00073)
6. The developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project (300 units) presently is \$96,840.00 (1,200trips X 880.40 per trip). [Note: COMPLETED] (Previous SPECIAL CONDITIONS Condition 3 of Resolution R-1987-1109, Control No.1982-00073)
7. Petitioner shall pay the Traffic Impact Fee as it presently exists or as it may from time to time be amended. [Note: COMPLETED] (Previous SPECIAL CONDITIONS Condition 5 of Resolution

R-1988-1201, Control No.1982-00073)

8. Petitioner shall conform this project to the Palm Beach County Subdivision and Platting Regulation Ordinance 73-4, as amended. [Note: COMPLETED] (Previous SPECIAL CONDITIONS Condition 6 of Resolution R-1980-1113, Control No.1980-00139)

9. Petitioner shall align the project's entrance on Drexel Road with Elmhurst Road. [Note: COMPLETED] (Previous SPECIAL CONDITIONS Condition 5 of Resolution R-1980-1113, Control No.1980-00139)

10. All conditions imposed on the approval of Petition 80-139 as set out in Resolution 80-1113, remain in effect and shall be borne by the developers jointly except that the Palm Beach County Housing Authority, Developer of the Eastern portion as shown on the Master Plan, shall be solely responsible for the following:

A) Developer shall construct at the project's entrance road and Drexel Road prior to the issuance of a Certificate of occupancy:

- a) Left turn lane, south approach;
- b) Right turn lane, north approach;
- c) Left turn lane, west approach; and
- d) Right turn lane, west approach.

B) Developer shall align the project's entrance on Drexel Road with Elmhurst Road.

C) Developer shall contribute Sixteen Thousand (\$16,000) Dollars of the \$64,125 required by Condition No. 7 of Resolution 80-1113, toward the cost of meeting this project's direct and identifiable traffic impact, to be paid on a pro-rata basis at the time of the filing of each plat.

D) Developer shall adhere to the Master Plan as submitted at the Prehearing Conference displaying two four-story buildings in the eastern portion. [Note: COMPLETED] (Previous SPECIAL CONDITIONS Condition 1 of Resolution R-1982-725, Control No.1982-00073)

11. Previous SPECIAL CONDITIONS Condition 5 of Resolution R-1987-1109, Control No.1982-00073, which currently states:

There shall be no direct access from the commercial pod to Okeechobee Boulevard.

Is hereby deleted. [REASON: Condition not relevant]

12. Previous SPECIAL CONDITIONS Condition 9 of Resolution R-1988-1201, Control No.1982-00073, which currently states:

Petitioner shall contribute the Traffic Impact Fee as it presently exists or as it may from time to time be amended.

Is hereby deleted. [REASON: repeated condition]

HEALTH

1. Previous SPECIAL CONDITIONS Condition 8 of Resolution R-1980-1113, Control No.1980-00139, which currently states:

The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.

Is hereby deleted. [REASON: condition no longer needed]

LANDSCAPE - GENERAL

LANDSCAPE - GENERAL
1. All landscaping shall be installed as shown on site plan submitted prior to the issuance of a Certificate of Occupancy. [Note: COMPLETED] (Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-1980-1113, Control No.1980-00139)

SIGNS

SIGNS
1. Prior to final DRO revise the Master Sign Plan for Consistency with the Site Plan. (DRO: ZONING - Zoning)

USE LIMITATIONS

USE LIMITATIONS 1. Previous SPECIAL CONDITIONS Condition 4 of Resolution R-1987-1109, Control No.1982-

00073, which currently states:

Use of the site shall be limited to personal services and limited retail to serve residents only such as barbershop, convenience retail sales, dining facility, laundry and limited banking services. (ONGOING: ZONING - Zoning)

Is hereby deleted. [REASON: Condition is not relevant]

UTILITIES

1. Prior final DRO the easements designed for water and sewer facilities should be labeled PBCUE. (DRO: PBC WATER UTILITIES - PBC Water Utilities)

2. Prior to final DRO the Applicant shall modify the Site Plan to indicate +/-600 LF of sanitary gravity main to be abandoned or relocated which is impacted directly by the new building footprint (DRO: PBC WATER UTILITIES - PBC Water Utilities)

3. Developer shall provide for the donation of sites for ten (10) raw well heads within the PUD twenty-five-foot (25') buffer and open space. Specific criteria for the raw water well field to be developed by the Palm Beach County Water Utilities Department are as follows:

a. The master site plan, as submitted at the Public Hearing, shall provide for three (3) well heads each within the western, northern and southern property line buffer of the PUD and a single well head shall be located within the interior open space of the PUD.

b. Specific locations of the well heads, particularly those numbered four and five, may be altered to accommodate the site development and to provide a sanitary, pollution-free environment within the one-hundred-foot (100') radius easement as required by Environmental Control Rule II (ECR II). All allowances of ECR II may be utilized in design of the PUD, but assurances must be made for the easement and accessibility for maintenance of the pump houses (well heads) and raw water collection mains.

c. Architectural and landscaping design control of all pump houses shall remain with the developer.

d. All direct costs of well field development including but not limited to surveying, engineering and construction shall be the responsibility of the Palm Beach County Water Utility Department.

e. The County shall develop the wellsites in accordance with the PUD phasing plan and will in no way delay the PUD.

f. Should the Water Utility Department need to phase in well field development prior to residential site construction being initiated by the developer, authority is hereby given provided that all other requirements are met. [Note: COMPLETED] (Previous UTILITIES Condition 1 of Resolution R-1980-1113, Control No.1980-00139)

4. Each developer shall be responsible for the donation of the site on their respective parcels for the new water well heads required by Condition No.11 of Resolution No. 80-1113 [Note: COMPLETED] (Previous SPECIAL CONDITIONS Condition 2 of Resolution R-1982-725, Control No.1982-00073)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of

conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or

- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.