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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**THURSDAY OCTOBER 28, 2010**

**9:30 A.M. 6<sup>TH</sup> 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**

**DIRECTOR COMMENTS**

**COMMISSIONER COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://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 28, 2010**

**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. **PDD/R-2009-03941** Title: an Official Zoning Map Amendment to a Planned Development District application of Coconut Northlake LLC by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.  
Title: a Requested Use of Coconut Northlake LLC by Land Design South Inc., Agent. Request: to allow a Type I Restaurant and a Convenience Store with Gas Sales including an accessory car wash.  
General Location: Southwest corner of Coconut Boulevard and Northlake Boulevard. **(Shops at Indian Trails)** (Control 2006-00147)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 30.71 acres ±

BCC District: 6

Staff Recommendation: To recommend postponement of the application to December 9, 2010.

Zoning Commission Recommendation: Postpone: 7-0

**MOTION:** To postpone the application to December 9, 2010.

2. **DOA-2010-00143** Title: a Development Order Amendment application of Boynton Hagen LLC - Ram Realty Assoc by Land Design South Inc., Agent. Request: to modify the site plan and add square footage.  
General Location: Northwest corner of Boynton Beach Boulevard and Hagen Ranch Road. **(Hagen Ranch/Boynton Beach MUPD)** (Control 2006-00520)

Pages: 2 - 2

Project Manager: Joyce Lawrence

Size: 3.70 acres ±

BCC District: 5

(affected area 3.63 acres ±)

Staff Recommendation: To recommend postponement of the application to December 9, 2010.

Zoning Commission Recommendation: Postpone: 7-0

**MOTION:** To postpone the application to December 9, 2010.

3. **ZV/ABN/PDD/R-2009-03943** Title: a Development Order Abandonment application of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to abandon the Special Exceptions granted under Resolutions R-1975-768 and R-1978-276  
Title: an Official Zoning Map Amendment to a Planned Development District of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Light Industrial (IL) and the Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) District.  
Title: a Requested Use of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to allow Gas and Fuel, Wholesale  
General Location: Northwest corner of Benoist Farms Road and Wallis Road (Kendall Industrial) (Control 1975-00060)

Pages: 3 - 3

Project Manager: Autumn Sorrow

Size: 10.43 acres ±

BCC District: 6

Staff Recommendation: Staff recommends postponement to December 9, 2010.

Zoning Commission Recommendation: Approval: 7-0

**MOTION:** To postpone the application to December 9, 2010.

**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**

- 4. **STR-2005-00064-1** Status Report for Resolution R-2005-1401 (Control No. 2005-064) Property Owner: Medhi Pourpaki General Location: Southwest corner of Suwanee Drive and Westgate Avenue Current Zoning: General Commercial (CG) with a Class A Conditional Use for a Dispatching Office (**East Coast Limo**)

Pages: 4 - 8

Size: 0.74 acres ±

BCC District: 2

**MOTION:** to adopt a resolution revoking a Class A Conditional Use for a Dispatching Office in the General Commercial Zoning District pursuant to Resolution R-2005-1401 (Control No. 2005-064)

**D. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- 5. **EAC-2010-01204** Title: an Expedited Application Consideration application of Bellaggio Residents Association Inc by Lewis Longman & Walker PA, Agent. Request: to delete a Condition of Approval (Planning) General Location: North side of Hypoluxo Road west of Lyons Road (**Bellaggio PUD**) (Control 1995-00116)

Pages: 9 - 37

Conditions of Approval (23 - 36)

Project Manager: Carol Glasser

Size: 553.87 acres ±

BCC District: 3

(affected area 0.21 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 59 Conditions of Approval in Exhibit C.

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

**E. ZONING APPLICATIONS - NEW**

- 6. **Z-2010-01425** Title: an Official Zoning Map Amendment application of Palm Beach County by Palm Beach County, Agent. Request: to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Public Ownership (PO) Zoning District.

General Location: Northwest corner of Seminole Boulevard and Oswego Avenue. **(PBC Fire Station No. 24)** (Control 2008-00601)

Pages: 38 - 52

Conditions of Approval (51 - 51)

Project Manager: Donna Adelsperger

Size: 0.94 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request for an Official Zoning Map Amendment subject to 3 Voluntary Commitments as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 8-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Public Ownership (PO) Zoning District subject to the Voluntary Commitments as indicated in Exhibit C.

- 7. **EAC-2010-01720** Title: an Expedited Application Consideration application of SRJR Properties LLC by Land Design South Inc., Agent. Request: to modify a condition of approval (Landscape)

General Location: Approximately 0.25 miles east of US 441 on the south side of Pioneer Road **(Pioneer Trail PUD)** (Control 2003-00074)

Pages: 53 - 79

Conditions of Approval (69 - 74)

Project Manager: Joyce Lawrence

Size: 0.53 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 32 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a Resolution approving a Development Order Amendment to modify a Condition of Approval (Landscape) subject to the Conditions of Approval as indicated in Exhibit C.

**F. CORRECTIVE RESOLUTIONS**

- 8. [Resolution correcting Resolution R-2010-1170](#) for Zoning Application DOA2009-3933, approved on July 22, 2010, which inadvertently omitted a prior Zoning Landscape Condition of Approval and contains errors in the numbering of the Zoning Landscape Conditions of Approval. (Control No. 1996-00081)

Pages: 80 - 83

**MOTION:** To adopt a Resolution correcting Resolution R-2010-1170 for Zoning Application DOA2009-3933, to correct the Zoning Landscape Conditions of Approval.

- 9. [Resolution correcting Resolution R-2010-1345](#) for Zoning Application Z-2010-0668, approved on August 26, 2010, which inadvertently did not contain a Property Control Number. (Control No. 2010-125)

Pages: 84 - 84

**MOTION:** To adopt a Resolution correcting the Legal Description of Resolution R-2010-1345 for Zoning Application Z-2010-0668, to include PCN 00-42-44-24-00-000-7161.

**G. ABANDONMENTS**

**H. OTHER ITEMS**

- 10. [TITLE: Third Amendment to Amended and Restated Interlocal Agreement.](#)

Staff recommends motion to approve: the Third amendment to Amended and Restated Interlocal Agreement (R97-1156D) between the Village of North Palm Beach, City of Palm Beach Gardens, Town of Lake Park, and Palm Beach County.

Pages: 85 - 91

**MOTION:** To approve the Third amendment to Amended and Restated Interlocal Agreement (R97-1156D) between the Village of North Palm Beach, City of Palm Beach Gardens, Town of Lake Park, and Palm Beach County.

**END OF CONSENT AGENDA**



**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA**

**C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS**

**D. PREVIOUSLY POSTPONED STATUS REPORTS**

**E. STATUS REPORTS - NEW**

**F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

- 11. **SCA-2010-00019** Title: Haverhill Road Office, Small Scale Land Use Amendment application of Haverhill Quadplex LLC by Land Design South Inc., Agent. Request: High Residential, 8 units per acre (HR-8) to Commercial Low - Office (CL-O)

General Location: South of Okeechobee Blvd., just east of Haverhill Road **(Haverhill Road Office)** (Control 2005-00147)

Pages: 92 - 124

Project Manager: Edward Nessenthaler

Size: 0.67 acres ±

BCC District: 2

Staff Recommendation: Approval of the proposed amendment from High Residential, 8 units per acre (HR-8) to Commercial Low-Office (CL-O)

Planning Commission Recommendation: Approval: 7-0

**MOTION:** To adopt an ordinance approving the proposed amendment from High Residential, 8 units per acre (HR-8) to Commercial Low-Office (CL-O)

12. **Z/CA-2010-00975** Title: an Official Zoning Map Amendment application of Haverhill Quadplex LLC by Land Design South Inc., Agent. Request: to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Commercial Low Office (CLO) Zoning District.

Title: a Class A Conditional Use of Haverhill Quadplex LLC by Land Design South Inc., Agent. Request: to allow a Medical or Dental Office.

General Location: 355' South of Vilma Lane on the east side of Haverhill Road. **(Haverhill Road Medical Office)** (Control 2005-00147)

Pages: 125 - 147

Conditions of Approval (141 - 143)

Project Manager: Carol Glasser

Size: 0.67 acres  $\pm$

BCC District: 2

#### DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests as amended subject to 9 Conditions of Approval as indicated in Exhibit C-1 and 7 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approval, as amended: 7-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Commercial Low Office (CLO) Zoning District with 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 to allow a Medical or Dental Office subject to the Conditions of Approval as indicated in Exhibit C-2.

13. **SCA-2010-00016** Title: Boca Raton Commerce Center, Small Scale Land Use Amendment application of Boca Raton Commerce Center II Llc by Jon E Schmidt & Associates, Agent. Request: Industrial (IND) to Commercial Low-Office with an underlying Industrial (CL-O/IND)

General Location: Approximately 600 feet west of Boca Rio Road and 1,400 feet south of Glades Road **(Boca Raton Commerce Center)** (Control 1997-00032)

Pages: 148 - 183

Project Manager: Scott Rodriguez

Size: 4.79 acres  $\pm$

BCC District: 5

Staff Recommendation: Approval of the proposed amendment from Industrial (IND) to Commercial Low-Office with an underlying Industrial (CL-O/IND)

Planning Commission Recommendation: Approval: 8-0

**MOTION:** To adopt an ordinance approving the proposed amendment from Industrial (IND) to Commercial Low-Office with an underlying Industrial (CL-O/IND)

14. **PDD-2010-00659** Title: an Official Zoning Map Amendment to a Planned Development District application of Boca Raton Commerce Center II LLC by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

General Location: West of Boca Rio Road at the terminus of 210th Street South. **(Boca Raton Commerce Center)** (Control 1997-00032)

Pages: 184 - 205

Conditions of Approval (199 - 201)

Project Manager: Carol Glasser

Size: 4.79 acres ±

BCC District: 5

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 17 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 7-0

**MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

**G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION**

**H. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

15. **DOA/R-2010-00144** Title: a Development Order Amendment application of Costco Wholesale Corp by BOHLER Engineering, Agent. Request: to modify/delete Conditions of Approval (Building and Site Design, MUPD, Signs, and Use Limitations), to reconfigure the site plan and add square footage.

Title: a Requested Use of Costco Wholesale Corp by BOHLER Engineering, Agent. Request: to allow an auto service station.

General Location: Approximately 0.8 mile north of the intersection of Clint Moore Road and Congress Avenue, on the east side of Congress Avenue. **(Boca Congress Center/ Costco Gas)** (Control 1995-00063)

Pages: 206 - 242

Conditions of Approval (227 - 237)

Project Manager: Autumn Sorrow

Size: 27.77 acres ±

BCC District: 4

**DISCLOSURE**

Staff Recommendation: Staff recommends approval of the request subject to 56 Conditions of Approval as indicated in Exhibit C-1 and 4 Conditions of Approval as indicated in Exhibits C-2.

Zoning Commission Recommendation: Approval: 8-0

**MOTION:** To approve the Partial Release of Declaration of Restrictive Covenant

MOTION: To adopt a resolution approving a Development Order Amendment to modify/delete Conditions of Approval (Building and Site Design, MUPD, Signs, and Use Limitations), to reconfigure the site plan and add square footage subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution approving a Requested Use to allow an auto service station subject to the Conditions of Approval as indicated in Exhibit C-2.

**I. ZONING APPLICATIONS - NEW****J. ULDC AMENDMENTS**

16. **TITLE: UNIFIED LAND DEVELOPMENT CODE (ULDC) - AMENDMENT TO APPROVAL PROCESS FOR VETERINARY CLINIC WITH NO OUTDOOR RUNS.**

Staff Recommendation: Staff recommends a motion to approve on First Reading and advertise for Adoption on November 16, 2010 at 9:30 a.m.: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO AMEND THE APPROVAL PROCESS FOR A VETERINARY CLINIC WITH NO OUTDOOR RUNS, BY AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED AS FOLLOWS: ARTICLE 3, OVERLAYS AND ZONING DISTRICTS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDS); ARTICLE 4, USE REGULATIONS; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; PROVIDING FOR INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

Pages: 243 - 246

**MOTION:** To approve on First Reading and advertise for Adoption on November 16, 2010 at 9:30 A.M.

**K. COMPREHENSIVE PLAN TEXT AMENDMENTS**

**L. OTHER ITEMS**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**A. EXECUTIVE DIRECTOR**

**B. COUNTY ATTORNEY**

**C. PLANNING DIRECTOR**

**D. ZONING DIRECTOR**

**COMMISSIONER COMMENTS**

**ADJOURNMENT**

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