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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING
AGENDA INDEX**

APRIL 22, 2004

**THURSDAY
9:30 AM**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER-**
 - A. Roll Call
 - B. Opening Prayer and Pledge of Allegiance
 - C. Proof of Publication
 - D. Swearing In
 - E. Adoption of Agenda

- 2. POSTPONEMENTS/WITHDRAWALS/REMANDS (Pages 1-3)**

- 3. CONSENT AGENDA (Pages 4-10)**
 - o Staff
 - o Board
 - o Public

- 4. REGULAR AGENDA (Pages 11-14)**

- 5. DIRECTOR COMMENTS (Page 14)**

- 6. COMMISSIONER COMMENTS (Page 14)**

- 7. ADJOURNMENT (Page 14)**

**AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

THURSDAY, APRIL 22, 2004

1. 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

2. POSTPONEMENTS/WITHDRAWALS/REMANDS

A. POSTPONEMENTS

- 1. **Z2004-003** Title: Resolution approving an Official Zoning Map Amendment petition of Home Dynamics Corporation, by Ruden McClosky and Sun-Tech Engineering, Agents. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approx. 375 feet east of Benoist Farms Rd. on the south side of Southern Blvd. (**MOUNTS REZONING**).

N/A

MOTION: To postpone thirty (30) days to May 27, 2004. (Postponed by Zoning Commission.)

- 2. **CA/VDB2003-093** Title: Resolution approving a Class A Conditional Use and a Voluntary Density Bonus petition of Haverhill Palms LLC, by Land Design South, Agent. Request: To allow a Voluntary Density Bonus of 19 units. General Location: Approx. 250 feet north of Purdy Ln. on the west side of Haverhill Rd. (**HAVERHILL PALMS**).

Pages 1-2

Size: 3.28 acres ±

BCC District: 2

MOTION: None required. (By right postponement to May 27, 2004.)

3. **PDD2003-078** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Lantana Farm Associates, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District with a veterinary clinic (requested use). General Location: SEC of Lantana Rd. and Florida's Turnpike (**LANTANA FARMS MUPD**).

Page 3

Size: 3.01 acres ±

BCC District: 3

MOTION: None required. (By right postponement to May 27, 2004.)

4. **PDD2003-034** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Lantana Farm Associates, Inc., & Lantana Farm Consultants, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) and Residential Transitional (RT) Zoning Districts to the Residential Planned Unit Development (PUD) District. General Location: Approx. 380 feet east of Florida's Turnpike on the south side of Lantana Rd. (**LANTANA FARMS PUD**).

Page 3

Size: 36.2 acres ±

BCC District: 3

MOTION: None required. (By right postponement to May 27, 2004.)

5. **SR 1991-042.6** Status Report for Resolution R-1992-364 (Petition 1991-042), the petition of Methodist Church Board of Missions and Church Extension, Inc. Property owner: Faith United Methodist Church of Boynton Beach of Florida, Inc. General Location: Approx. 600 ft. east of Jog Rd. on the south side of Boynton Beach Blvd. Current zoning: Agricultural Residential with a Class A Conditional Use to allow a church, accessory buildings and structures, and day care center (max. 60 children) (**FAITH UNITED METHODIST CHURCH OF BOYNTON BEACH OF FLORIDA**).

Pages 4-7

Size: 10.17 acres ±

BCC District: 5

MOTION: To postpone one-hundred twenty (120) days to August 26, 2004.

B. WITHDRAWALS: NONE

C. REMANDS

6. **Z/CA2003-039** Title: Resolution approving an Official Zoning Map Amendment petition of Benoist Land Corp. & Four Brothers Recycling, by Beril Kruger, Agent. Request: Rezoning from the Light Industrial (IL) Zoning District to the General Industrial (IG) Zoning District. Title: Resolution approving a Class A Conditional Use petition of Benoist Land Corp. & Four Brothers Recycling, by Beril Kruger, Agent. Request: To allow a salvage or junk yard. General Location: Approx. 850 feet north of Southern Blvd. on the west side of Benoist Farms Rd. (**FOUR BROTHERS RECYCLING**).

N/A

Size: 15.53 acres ±

BCC District: 6

MOTION: To remand back to the May 12, 2004 Development Review Officer meeting. (at the request of the petitioner)

– END OF POSTPONEMENTS/WITHDRAWALS/REMANDS –

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITIONS

7. **CA2003-055** Title: Resolution approving a Class A Conditional Use petition of Tallahassee Drive, LLC, by ZPR, Agent. Request: To allow an office warehouse. General Location: NWC of Shawnee Ave. & Tallahassee Dr. (**SHAWNEE & TALLAHASSEE OFFICE WAREHOUSE**).

Pages 8-25

Size: .99 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 6-0.

MOTION: To adopt a resolution approving the request to allow an office warehouse.

C. ZONING PETITIONS

8. **CA2003-104** Title: Resolution approving a Class A Conditional Use petition of Grand Slam Two, LLC, by Gentile, Holloway, O'Mahoney & Associates, Inc, Agent. Request: To allow a nursing and convalescent facility. General Location: Approx. 0.05 mile north of 10th Ave. on the west side of Boutwell Rd. (**SUNRISE CENTER**).

Pages 26-46

Size: 0.72 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, 6-0.

MOTION: To adopt a resolution approving the request to abandon a special exception to permit government services (state probation and restitution correctional facility) granted by Resolutions R-90-0849 and R-92-1573.

MOTION: To adopt a resolution approving the request to allow a nursing and convalescent facility.

9. **Z2004-007** Title: Resolution approving an Official Zoning Map Amendment petition of PBC Facilities Development & Operations, by Melanie Borkowski, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District. General Location: Approx. 1/8 mile north of the future extension of Persimmon Blvd. on the west side of Seminole Pratt Whitney Rd. (**ACREAGE COMMUNITY FACILITIES**).

Pages 47-63

Size: 12.04 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to voluntary commitments.

Zoning Commission Recommendation: Approved as amended, 6-0.

MOTION: To approve the request for a rezoning from the Agricultural Residential Zoning District to the Public Ownership Zoning District on first hearing and convene a second public hearing on May 27, 2004 at 9:30 a.m.

10. **PDD/DOA1989-127D** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Jog Storage Associates, LLC, and Tromble & Co., Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Development Order Amendment petition of Jog Storage Associates, LLC, and Tromble & Co., Inc., by Kilday & Associates, Inc., Agent. Request: To reconfigure site plan, add land area, and allow building supplies (requested use). General Location: SWC of Okeechobee Blvd. and Jog Rd. (**WATERFORD CROSSING**).

Pages 64-86

Size: 11.34 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 7-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Light Industrial Zoning District to the Multiple Use Planned Development District.

MOTION: To adopt a resolution approving the request to reconfigure site plan, add land area, and allow building supplies.

11. **DOA1980-089E** Title: Resolution approving a Development Order Amendment petition of Ram Development Co., by Basehart Planning, Inc., Agent. Request: To reconfigure site plan, add square footage, add access point, and delete previously approved fast food restaurant. General Location: SWC of Jog Rd. and Lantana Rd. (**LANTANA SQUARE SHOPPING CENTER**).

Pages 87-110

Size: 17.65 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 7-0.

MOTION: To adopt a resolution approving the request to reconfigure site plan, add square footage, add access point, and delete previously approved fast food restaurant.

12. **Z2003-067** Title: Resolution approving an Official Zoning Map Amendment petition of Rhine Development, Inc., by Cotleur & Hearing, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District. General Location: Approx. 1,400 feet north of Southern Blvd. on the east side of Pike Rd. (**PIKE ROAD INDUSTRIAL PARK**).

Pages 111-125

Size: 6.81 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 6-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone.

D. PREVIOUSLY POSTPONED STATUS REPORTS – CONSENT

13. **SR 1997-101.3** Status Report for Resolution R-98-408 (Petition 1997-101), the petition of Polo Realty, Inc. Property owner: Polo Realty, Inc. General Location: Approx. 0.5 mile north of Clint Moore Rd. on the east side of Jog Rd. Current zoning: Planned Unit Development (**OXLEY NORTHERN PUD**).

Pages 126-129

Size: 36.95 acres ±

BCC District: 5

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-98-408, and approve a time extension until September 10, 2005, for Resolution R-98-408.

14. **CR 2002-027/E10** Status Report for Resolution R-2003-0103 (Petition 2002-027), the petition of Lance Uhley, Tr. Property owner: Lance S. Uhley, Tr. General Location: Approx. 400 feet north of Lantana Rd. on the west side of SR 7/US 441. Current zoning: Multiple Use Planned Development (**US 441 LAND TRUST MUPD**).

Pages 130-133

Size: 11.35 acres ±

BCC District: 3

MOTION: To adopt a resolution to approve a Development Order Amendment to amend conditions of approval (surety) in Resolution R-2003-0103.

E. STATUS REPORTS – CONSENT

15. **SR 1975-151C** Status report for Resolution R-2001-0149 (Petition 1975-151C), the petition of LandCo, Inc. Property owner: LandCo, Inc. General Location: SEC of Via Flora and Lake Ida Rd. Current zoning: Single Family Residential with a Development Order Amendment to allow a type III congregate living facility (**DELRAY VILLAS CIVIC SITE**).

Pages 134-136

Size: 5.63 acres ±

BCC District: 5

MOTION: To adopt a resolution to revoke Resolution No. R-2001-0149, a Development Order Amendment which allows a Type III congregate living facility.

16. **SR 1981-170A.2** Status Report for Resolution R-99-0323 (Petition 1981-170A), the petition of RCS Boca Grove, Inc. Property owner: RCS Boca Grove, Inc. General Location: Approx. 0.5 mile south of Glades Rd. on the west side of Powerline Rd. Current zoning: Specialized Commercial with a Special Exception to allow a Planned Office Business Park (**GROVE CENTER**).

Pages 137-139

Size: 3.46 acres ±

BCC District: 5

MOTION: To approve a time extension until February 25, 2006, for Resolution R-99-0323.

17. **SR 1987-136.10** Status Report for Resolutions R-89-0357 and R-89-358 (Petition 1987-136), the petition of Patricia Marshall. Property owner: Enrique Casarrubias. General Location: Approx. 300 feet east of Davis Rd. on the north side of Lake Worth Rd. Current zoning: General Commercial with a Special Exception for a Planned Commercial Development.

Pages 140-143

Size: 1.0 acre ±

BCC District: 3

MOTION: To approve a time extension until February 28, 2006, for Resolutions R-89-0357 and R-89-0358.

18. **SR 1999-011** Status Report for Resolutions R-2000-0575 and ZR-2000-0009 (Petition 1999-011), the petition of Everglades Farm Equipment Co. Property owner: Everglades Farm Equip. Co. General Location: Approx. 800 feet east of "F" Rd. on the north side of Southern Blvd. Current zoning: RSER - Rural Services with a Class B Conditional Use for agriculture sales and services use (**EVERGLADES FARM EQUIPMENT**).

Pages 144-147

Size: 22.12 acres ±

BCC District: 6

MOTION: To 1) adopt a resolution to approve a Development Order Amendment to amend conditions of approval in Resolution ZR-2000-0009; 2) approve a time extension for balance of project until February 14, 2006 (Resolutions R-2000-0575 and ZR-2000-0009); and 3) revoke concurrency for 12,125 square feet from concurrency reservation #99-500951-C.

19. **CR 1996-087B/E10** Status Report for Resolution R-2004-0156 (Petition 1996-087B), the petition of Aurora Investments IV, Inc. Property owner: Aurora Investments IV, Inc. General Location: SWC of Forest Hill Blvd. and Haverhill Rd. Current zoning: Multiple Use Planned Development with a Development Order Amendment to reconfigure site plan, add square footage and modify/delete conditions of approval (**ABBEY PARK MUPD**).

Pages 148-151

Size: 9.88 acres ±

BCC District: 2

MOTION: To approve a time extension until July 1, 2004, to comply with Condition E.10. of Resolution R-2004-0156.

F. TDR CONTRACT, ESCROW AGREEMENT AND DEEDS

20. **DRO 2003-057** Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and Ascot Development for the sale and purchase of 5 Transfer of Development Right (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$15,837.00 per unit as approved by the Palm Beach County, Zoning Division, Development Review Officer. Request: Approve an escrow agreement between Palm Beach County, Ascot Development and Realty Land Title Co., (escrow agent) for the sale and purchase of 5 TDR units from the Palm Beach County TDR Bank at a purchase price of \$15,837.00 per unit, as approved by the Palm Beach County, Zoning Division, Development Review Officer. (**BARWICK ROAD PROPERTY**)

Pages 152-158

BCC District: 3

MOTION: To approve a contract for the sale and purchase of 5 development rights at a purchase price of \$15,837.00 per unit for a total price of \$79,185.00.

MOTION: To approve an escrow agreement for 5 development rights at a purchase price of \$15,837.00 per unit for a total price of \$79,185.00.

21. **DRO 2003-057** Execute a deed conveying 5 Development Right units to Ascot Development as authorized by Palm Beach County, Zoning Division, Development Review Officer which approved the purchase of 5 Development Rights from the County's TDR Bank at a cost of \$15,837.00 per unit and the designation of the Barwick Road Property as a TDR Receiving Area for those units. (**BARWICK ROAD PROPERTY**)

Pages 159-160

BCC District: 3

MOTION: To execute a deed conveying 5 Development Right units to Ascot Development, as authorized by Palm Beach County, Zoning Division, Development Review Officer.

22. **PDD/TDR 2003-011** Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and Park Place at Greenacres Townhomes, LLC, a Florida Limited Liability Company, for the sale and purchase of 39 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$13,308.00 per unit as approved by the Palm Beach County Board of County Commissioners on January 29, 2004, by Resolution R-2004-0159. Request: Approve an escrow agreement between Palm Beach County, Park Place at Greenacres Townhomes, LLC, a Florida Limited Liability Company and Leopold, Korn & Leopold, PA, (escrow agent) for the sale and purchase of 39 TDR units from the Palm Beach County TDR Bank at a purchase price of \$13,308.00 per unit, as approved by the Palm Beach County Board of County Commissioners on January 29, 2004. (**BELMONT AT GREENACRES PUD**)

Pages 161-168

MOTION: To approve a contract for the sale and purchase of 39 development rights at a purchase price of \$13,308.00 per unit for a total price of \$519,012.00.

MOTION: To approve an escrow agreement for 39 development rights at a purchase price of \$13,308.00 per unit for a total price of \$519,012.00.

23. **PDD/TDR 2003-011** Execute a deed conveying 39 Development Rights units to Park Place at Greenacres Townhomes, LLC, a Florida Limited Liability Company as authorized in Resolution R-2004-0159, which approved the purchase of 39 Development Rights from the County's TDR Bank at a cost of \$13,308.00 per unit and the designation of the Belmont at Greenacres PUD as the TDR Receiving Area for those units. (**BELMONT AT GREENACRES PUD**)

Pages 169-171

MOTION: To execute a deed conveying 39 Development Rights units to Park Place at Greenacres Townhomes, LLC, a Florida Limited Liability Company as authorized in Resolution R-2004-0159.

G. RECEIVE AND FILE ZONING RESOLUTIONS

24. DOA1974-122B

Resolution approving Boca West Community United Methodist Church (**BOCA WEST COMMUNITY UNITED METHODIST CHURCH**).

Pages 172-182

MOTION: To receive and file Zoning Resolution ZR-2004-001.

25. CB2001-007

Resolution for E. Wayne Legum (**LEGUM WHOLESALE NURSERY**).

Pages 183-184

MOTION: To receive and file Zoning Resolution ZR-2004-002.

H. CORRECTIVE RESOLUTION

26. [Z/COZ2002-056](#)

Corrective Resolution: To correct the legal description of Resolution R-2003-1398. (**SUMMIT BOULEVARD ANIMAL HOSPITAL**).

Pages 185-187

BCC District: 2

MOTION: To adopt a resolution to correct the legal description of Resolution R-2003-1398.

– END OF CONSENT AGENDA –

- START OF REGULAR AGENDA -**4. REGULAR AGENDA****A. ITEMS PULLED FROM CONSENT****B. STATUS REPORTS**

27. **SR 1983-018.8** Status Report for Resolutions R-83-1040 and R-83-1041 (Petition 1983-018), the petition of Peter I.B. Lavan and Phillip O' Connell, as Trustee. Property owner: Yvonne E. Campbell, TR.; PGA National Golf Club and Sports Center, Inc.; and Supertrail Mfg. Co., Inc. General Location: Approx. 5 miles west of the Beeline Hwy. on the south side of Northlake Blvd. Current zoning: Residential Estate with a Special Exception to allow a Planned Unit Development, including an on-site sewage treatment plant (**STONEWALL ESTATES**).

Pages 188-193

Size: 963 acres ±

BCC District: 6

MOTION: To adopt a resolution to amend conditions of approval in Resolution R-83-1041, and approve a time extension until November 28, 2005, to record a plat for Phase 1.

C. PREVIOUSLY POSTPONED ZONING PETITIONS

28. **Z/CA2003-031** Title: Resolution approving an Official Zoning Map Amendment petition of S.E.C of SDA Corp for Bethanie SDA Church, by Jack Potrekus, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional Suburban (RTS) Zoning District. Title: Resolution approving a Class A Conditional Use petition of S.E.C of SDA Corp. for Bethanie SDA Church, by Jack Potrekus, Agent. Request: To allow a church or place of worship. General Location: Approx. 0.25 mile north of LeChalet Blvd. on the west side of Military Trail. (**BETHANIE SDA CHURCH**).

Pages 194-213

Size: 3.95 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 4-2.

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Residential Transitional Suburban Zoning District.

MOTION: To adopt a resolution approving the request to allow a church or place of worship.

29. **PDD2003-033** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Communities Finance Co., by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: Rezoning from the Residential Single Family (RS) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: SWC of Donald Ross Rd. and Ellison Wilson Rd. (**PARCEL 32 PUD**).

Pages 214-236

Size: 77.17 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 5-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Residential Single Family Zoning District to the Residential Planned Unit Development District.

30. **PDD2003-059** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of The Gahm Family Partnership, by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approx. 750 feet west of Lyons Rd. on the south side of Palmetto Park Rd. (**ROYAL WOODS PUD**).

Pages 237-258

Size: 10 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 7-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

31. **DOA1998-032A** Title: Resolution approving a Development Order Amendment petition of Southern Waste Systems, Ltd., by Sara Lockhart, Agent. Request: To modify/delete conditions of approval for a MUPD with a permanent air curtain incinerator. General Location: NEC of Cleary Rd. and Wallis Rd. (**PALM BEACH TRANSFER & RECYCLING**).

Pages 259-291

Size: 8.75 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 7-0.

MOTION: To adopt a resolution approving the request to modify/delete conditions of approval.

D. ZONING PETITIONS

32. **PDD2003-087** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Vincent & Maria Disisto & Chevron USA, by Land Design South, Agent. Request: Rezoning from the General Commercial (CG) and Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) District with general repair and maintenance (requested use). General Location: NEC of Lake Worth Rd. and Nassau Rd. (**LAKE WORTH & NASSAU MUPD**).

Pages 292-315

Size: 8.41 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 5-1.

MOTION: To adopt a resolution approving the request to abandon a special exception to permit a gasoline pump island and self service car wash facility granted by Resolution R-1987-0875.

MOTION: To adopt a resolution approving the request for a rezoning from the General Commercial and Agricultural Residential Zoning Districts to the Multiple Use Planned Development District with general repair and maintenance.

E. PREVIOUSLY POSTPONED ZONING PETITION

33. **PDD/DOA2003-007A** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Catherine Moore, Trustee; William Lassiter, Trustee; & George T. Elmore, Trustee, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Community Commercial (CC) Zoning District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Development Order Amendment petition of Catherine Moore, Trustee; William Lassiter, Trustee; & George T. Elmore, Trustee, by Kilday & Associates, Inc., Agent. Request: To reconfigure site plan, add land area, add square footage, modify conditions of approval, and allow a fast food restaurant (requested use). General Location: NEC of Lantana Rd. and SR 7/US 441 (**MISSION LAKES MUPD**).

Pages 316-364

Size: 38.22 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 7-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Community Commercial Zoning District to the Multiple Use Planned Development District.

MOTION: To adopt a resolution approving the request to reconfigure site plan, add land area, add square footage, modify conditions of approval, and allow a fast food restaurant.

5. DIRECTOR COMMENTS

A. ZONING DIRECTOR

B. PLANNING DIRECTOR

34. TRADITIONAL TOWN DEVELOPMENT (TTD) STIPULATED SETTLEMENT AGREEMENT

This item is a Stipulated Settlement Agreement between Palm Beach County and the Florida Department of Community Affairs (DCA) which resolves the Department's findings of non-compliance regarding Comprehensive Plan Amendments adopted on November 4, 2003 by Ordinance 2003-061. The Stipulated Settlement Agreement commits the County to adopt an amendment to the Future Land Use Element which will reestablish Table 2.2.10-1, Allowable Mix of Uses in Traditional Town Development (TTD), containing density and intensity standards.

Pages 365-379

MOTION: To: 1) *approve and execute* the Stipulated Settlement Agreement between Palm Beach County and the Florida Department of Community Affairs (DCA); and 2) *authorize staff* to schedule a public hearing within 60 days of execution of this agreement by DCA to consider adoption of the Comprehensive Plan amendment outlined in the Stipulated Settlement Agreement.

6. COMMISSIONER COMMENTS

7. ADJOURNMENT