

**VILLAGE OF NORTH PALM BEACH  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, FEBRUARY 6, 2018**

Present: Cory Cross, Chairman  
Donald Solodar, Vice Chair  
Benjamin Schreier, Member  
Thomas Hogarth, Member  
Jake Furlott, Member  
Jeffrey Holst, 1<sup>st</sup> Alternate  
Jonathan Haigh, 2<sup>nd</sup> Alternate

Denise Malone, Community Development Director  
Erin Sita, Village Planner  
Len Rubin, Village Attorney

Council Member: Robert Gebbia, Vice Mayor

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I. CALL TO ORDER

Chair Cross called the meeting to order at 6:30 P.M.

IA. ROLL CALL

All members of the Planning Commission were present.

II. APPROVAL OF MINUTES

The Minutes of the January 9, 2018 Regular Meeting were approved as amended.

III. DELARATION OF EX PARTE COMMUNICATIONS

There were no Ex Parte Communications declared by the Board.

IV. QUASI JUDICIAL MATTERS / PUBLIC HEARING

Village Attorney swears in all persons speaking.

A. CERTIFICATES OF APPROPRIATENESS

1. **COA PROJECT 2017-1835 – 667 US HIGHWAY 1 (SunTrust Bank) -  
Continued from 12/5/2017 Planning Commission meeting**

Request: An application filed by Elaine & Jon Investments, LLC, requesting a Certificate of Appropriateness for a master landscape/hardscape plan and approval of a beige concrete block material for a new retaining wall

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*Motion:* Mr. Solodar moved to open the continued item. Mr. Schreier seconded the motion, which passed unanimously.

Mrs. Sita presented staff's report and recommendation. She refreshed the Planning Commission of the discussion from the 12/5/2017 meeting, which included concerns about the proposed retaining wall in the front retention area and the need for a professionally designed solution to shore up the area around the sign and drive aisle in the front. The Planning Commission also desired the applicant add more detail to the proposed landscape plan including plant counts, exact locations and species names for all plant materials. The applicant is proposing 7 additional crepe myrtle trees to be located within the interior parking area and replace a declining Foxtail Palm tree with two Bottle Palm trees. The property's landscape grounds will be enhanced with new sod, new hedging and new ground cover plantings. Staff is recommending approval with conditions:

1. The applicant shall contact Seacoast Utility Authority to locate the existing sewer lateral serving the building prior to planting. Additionally, the applicant shall maintain a 4 ft. clearance around the water meter located at the northwest corner of the property to all shrub materials.

Staff is also recommending approval of the proposed concrete Allan Block, including grading and paving plan for the retaining wall, the material is durable and is in a neutral color.

Ms. Carol Perez, Landscape Architect, 132 North Swinton Avenue, Delray Beach, was present to represent the project.

Ms. Perez provided additional details about the retaining wall, drainage issues, the addition of bottle palms and the replacement vehicular guardrail around the drive aisle. She also stated that they agree to work with Seacoast Utilities on the planting and clearance issues.

Chairman Cross opened the floor for comments from the public. There were no comments from the public.

*Motion:* Mr. Solodar moved to approve Staff's recommendation with the Seacoast Utility Authority condition. Mr. Furlott seconded the motion, which passed 5-0.

**2. PROJECT 2017-1891 – ALTERNATE A1A (Mercedes Benz)**

Request: An application filed by Ferrin Signs on behalf of New Country Motor Cars of Palm Beach, LLC (Mercedes Benz) requesting a Certificate of Appropriateness (COA) for face change to the existing monument sign and replacement of 4 existing wall signs; and to modify the building wall paint color from a medium blue to Matthews paint – SVOC 923 Black Satin finish.

Mrs. Sita presented staff's report and recommendation. The property is located at 9275 Alternate A1A. She explained the approval history of the property and that when the applicant submitted the current application, a review revealed that the center column with a front and back logo was actually a wall sign that had never been approved during the initial Variance process in 2009. To correct the issue, the applicant applied for an additional Variance for the third wall sign that was approved on 1/30/2018 by the Zoning Board of Adjustment. Staff is recommending approval of the proposed rebranded signage and the proposed accent building color, Matthew's SVOC 923 Black with satin finish. The black wall accent color is generally harmonious with the architecture, existing wall color and the proposed rebranded signage. The rebranded signage includes a sign face color change to black with silver lettering for the monument, wall and tower wall logo signage.

Ms. Andrea Scheele, Ferrin Signs, West Palm Beach, was present to represent the project.

*Motion:* Mr. Solodar moved to approve Staff's recommendation as presented. Mr. Hogarth seconded the motion, which passed 5-0.

**3. PROJECT 2018-0118 – 717 PROSPERITY FARMS ROAD (First Presbyterian)**

Request: An application filed by First Presbyterian Church requesting a Certificate of Appropriateness for the addition of an interior waiting area/lobby (approx. 1, 333 sf), two bathrooms and an expanded porte cochere.

Mrs. Sita presented staff's report and recommendation. The Applicant is proposing the addition of an interior waiting area/lobby (approx. 1,333 sf), two bathrooms and an expansion of the existing porte cochere to the western side of the sanctuary. The improvements are primarily internal to the project with limited visual impact to the Prosperity Farms Road corridor. No additional parking is required as there is no increase in seating. The applicant has applied to PBC Traffic Engineering Division for a traffic concurrency determination letter, which staff is anticipating will be approved as an exempt or de minimis project. The drainage impact is minimal, there is a 1.7% increase in impervious surface, and there are no landscaping requirements. Staff is recommending approval with no additional conditions.

Mr. Sean Sukhu, Architect, Peacock & Lewis, 1295 U.S. Highway 1, North Palm Beach, represented the project.

*Motion:* Mr. Furlott moved to approve Staff's recommendation as presented. Mr. Solodar seconded the motion, which passed 5-0.

**4. PROJECT 2017-0937 – 900 US HIGHWAY 1**

Request: An application filed by Jeffery Haas, Director of Franchise Development for Team Blue Franchise System, requesting a Certificate of Appropriateness for site modifications to allow for a hand car wash within the existing car wash building on the Sunoco property. The request is to modify the exterior of the car wash, landscaping and signage on property in the vicinity of the proposed car wash to allow for the operation of an independent car wash business from the gas station.

Mrs. Sita presented the staff's report and recommendation. She briefed the Board on the property's long Code Enforcement history and that went before the special magistrate in February 2018.

Staff is recommending approval of the application with five (5) conditions of approval. The current application would modify the previously approved (in 2006) landscape plan. The original site plan and landscape plan, while beautiful, show a lot of oak trees. Unfortunately, the site has many water and sewer lines running through it which conflicts with the heavy use of oak trees on site.

The applicant is requesting to use the existing car wash building as a hand car wash, and proposing to use the branded colors of SW 6958 Dynamic Blue (bright blue) and SW 6959 Blue Chip (darker medium blue) to the existing car wash. A new canopy in a natural white/beige color, between the rear of the gas station and the front of the car wash building is also proposed. As a condition of approval, Staff is recommending that the SW 6958 Dynamic Blue (bright blue) color be replaced with white.

The applicant is proposing accent lighting fixtures. The lighting is to accent the building signage and as landscape accent. The fixture selected is an in ground bronze cast LED accent light. The applicant has selected the grey powder coat finish. Staff is recommending as a condition of approval that the optional glare shield faceplate be used in the two light fixture locations on the north and south side of the car wash building, and that

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the accent lighting be turned off after the business has closed.

The proposed wall signage is consistent with the code. The applicant is proposing a directional sign, which as a condition of approval and agreed to by the applicant, cannot have the name of the business and will state "Car Wash Entrance" or "Hand Car Wash Entrance" to designate the entrance for the car wash due to the configuration of the site. As there are two separate buildings with two separate businesses, the site is allowed two wall signs, one on each building/business.

The Landscape plan is consistent with the code. The applicant will install a white Geiger tree and Cassia trees in lieu of oaks, red curly leaf shrub in lieu of trees along the back. Mrs. Sita explained that the site is not conducive to large shade trees due to the underground utility lines. In order to meet the tree requirements, the applicant will add a series of foxtail palms to the front (3 palms to 1), and add Cassia trees.

Staff is recommending approval of the application with five (5) conditions of approval:

1. The bright blue accent color building wall SW 6958 Dynamic Blue shall be replaced with white.
2. The text for the directional signs shall be modified prior to application for building permit to remove the name of the business. The lettering on the blue signs may state "Hand Car Wash Entrance," or "Car Wash Entrance." All other directional signage on the site must be removed prior to the issuance of a building permit for new directional signage.
3. The glare shield faceplate option shall be used on the two light fixtures located on the north and south side of the car wash building. The accent lighting shall be turned off when the business is closed.
4. The applicant's proposed site plan shall be administratively updated to also include existing/approved parking configuration, the permanent Sunoco signage, and any conditions of approval by the Planning Commission prior to the issuance of building permits.
5. The Seacoast Utility Authority has requested the following conditions of approval (See Attachment C):
  - a. Root barriers will be required in several areas to ensure landscaping and utilities can coexist.
  - b. The landscape plan will need to be submitted to Seacoast for review and final approval.

Mr. Jeff Haas, Director of Franchise Development, Team Blue Franchise System, 2640 Lakeshore Dr., Riviera Beach, FL, was present to represent the project.

Mr. Haas explained that the up lighting is not for the signage, but rather for the building to create architectural appeal. He stated he is seeking the Planning Commission's assistance with one of the conditions of approval regarding Staff's recommendation to change one of the colors to white. He is proposing to reduce the area of the bright blue by 50%.

The Planning Commission discussion included the need for wall sections and modifications to the number and location of the directional signage, the need for some modifications to the landscape plan, including the addition of landscaping material along the southern property line to provide a continuous landscaping perimeter, and the viability of the cluster of eleven (11) foxtail palms in the monument sign landscape area. The Planning Commission's consensus was that additional information was required to determine the proposed improvement's consistency with the appearance code.

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*Motion:* Mr. Solodar moved to table this item to the next Planning Commission meeting. Mr. Schreier seconded the motion, which passed 5-0.

The Chairman called for a five (5) minute recess to allow Staff to ready the next presentation.

Village Attorney swears in all persons speaking.

The Chairman, in the interest of time, has taken the Agenda item out of order:

V. REVIEW & COMMENT

**B. WATER CLUB PUD – MINOR PUD AMENDMENT (2017-2194)**

Request: A request by John Grimaldi, on behalf of Domani Development, LLC for a minor modification to the Waterclub Planned Unit of Development (PUD, which is proposing to modify the approved site, civil, architectural and landscaping plans to reflect a proposed reduction in the footprint of Tower Three (3); and, the as-built landscape plans for Tower One (1) and Tower Two (2) landscape plans that reflect minor changes to the approved landscape plans based on field conditions and staff recommendations during installation. **This item requires Village Council Approval only.**

Mr. Schreier has recused himself from this item. Mr. Holst will be voting, if applicable.

Mrs. Sita presented Staff's report and recommendation. Staff is recommending approval of the subject revisions to the Water Club PUD's site, architectural, civil and landscaping plans. Revisions include additional landscaping for screening purposes around the dog park, to allow for desired seasonal plantings in the raised beds, and the reduction of eight (8) parking spaces to allow for more green pedestrian space. The site was over parked for the number of units. The proposed revisions are consistent with the intent of the previous approvals and are consistent with the Village Code of Ordinances.

Mr. John Grimaldi, Domani Development, LLC, was present to discuss the item.

Chairman Cross opened the floor for comments from the public.

Pat Friedman, Old Port Cove, Admiralty Building resident, expressed her concerns and those of other residents of Old Port Cove, regarding the noise coming from the residents of the current Towers when on their balconies, and how it affects the Old Port Cove residents, and the noise impact potential of the new tower.

The Planning Commissions comments included concerns of parking and traffic utilizing the Old Port Cove Plaza parking lot. Mr. Grimaldi advised that there is no way for traffic get to the plaza as the egress only goes north on U.S. 1. There was general support for the proposed application by the Planning Commission.

B. ZONING APPLICATIONS

**1. PROJECT 2018-0007 NORTH PALM BEACH COMMONS MEMORY CARE BOUNDARY PLAT REVIEW**

Request: A request on behalf of the Property Owners, NPB Senior Development Company, Inc., for approval of a boundary plat for the project commonly known as North Palm Beach Memory Care or Poet's Walk Memory Care.

Mrs. Sita presented Staff's report and recommendation. She advised the Village Engineer reviewed the

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proposed boundary plat for compliance with both Chapter 177 of the Florida Statutes and the Village Code of Ordinance requirements for platting; and, is a requirement set forth in the Memory Care CPUD approval. She advised that Planning Commission's recommendation is required by Council.

Chairman Cross opened the floor for comments from the public.

John Samadi, 512 Marlin Rd., North Palm Beach, remarked about the many easements around the property, that one technical correction needs to be made, Sheet 2 does not show PRMs (Permanent Reference Markers) in the Legend, although they are referenced in the Surveyors notes on Sheet 1.

Chairman Cross recommended that the PRMs be included in the legend on the final plat.

Joni Brinkman, Urban Design Kilday Studios, representing the project, addressed the easement comment and that in the interest of time, will have the easements addressed on the final boundary map when they go before Village Council on February 22nd.

*Motion:* Mr. Solodar moved to approve Staff's recommendation as presented. Mr. Hogarth seconded the motion, which passed 5-0.

**2. PROJECT 2017-2199 CRYSTAL COVE COMMON CPUD MINOR AMENDMENT**

Request: A request by Joni Brinkman, of Urban Design Kilday Studios, on behalf of Pearland RJR, LLC and 1201 US Highway 1, LLC to amend the previously approved master sign plan to allow for an increase in tenant signage. **This item requires Planning Commission Approval only.**

Mrs. Sita presented Staff's report and recommendation. She reminded the Planning Commission that the Village Council approved the Crystal Cove Commons Commercial Planned Unit of Development (CPUD) in June 2017. The applicant would like to now increase tenant wall signage based on comments received from prospective tenants while leasing commercial space. Staff is concerned that excessive signage would visually clutter the proposed site improvements and could have a negative impact to the overall appearance of the commercial plaza. Staff is recommending denial of the proposed modifications excluding the 6" increase to the tenant wall Sign Type 4a.

She further explained that as the proposed increase to Sign Type 4a would allow for the tenant wall signs to be the same height as the previously approved specialty tenant signs (Sign Type 4b), staff is recommending approval the proposed 6" increase to both the business name and logo only. Staff is recommending denial for all other modifications to Sign Type 4a and all proposed modifications to Sign Types 4b & 5. Staff is also recommending that sign plan pages for Sign Types 4a, 4b & 5, be updated to clearly reflect the limitation of 1 tenant sign per frontage as consistent with Section 6-115 of the Village Code of Ordinances.

Nick Mihelich, Urban Design Kilday Studios, 610 Clematis St., West Palm Beach, represented the project. He gave a presentation of the applicant's requested modifications.

Chairman Cross opened the floor for comments from the public. There were no comments from the public.

The Planning Commissions comments included discussion on nationally branded signage; signage lighting; the prompt to request the modifications; whether current tenants' signage will be grandfathered; font size and allowing two lines; and business name and/or nature allowed.

*Motion:* Mr. Schreier moved to approve the application as the applicant requested. Mr. Solodar seconded the motion, which passed 3-2 with Chairman Cross and Mr. Hogarth voting nay.

V. REVIEW & COMMENT, Continued

**A. CRYSTAL COVE COMMON MINOR CPUD AMENDMENT (2017-2199)**

Request: A request by Joni Brinkman, of Urban Design Kilday Studios, on behalf of Pearland RJR, LLC and 1201 US Highway 1, LLC to remove a tower architectural element locate just south of the central fountain area. **This item requires Village Council Approval only.**

Mrs. Sita presented the staff report. Staff is recommending approval of the proposed door modification, but denial of the tower modification based on the applicant's submittal. The subject tower feature adds additional character to the plaza as it the center tower in a repetitive pattern of towers features across the front façade of the building. The removal of the tower will make the architectural improvements appear unbalanced. This item is scheduled for review and comment only.

Nick Mihelich, Urban Design Kilday Studios, 610 Clematis St., West Palm Beach, represented the project. He gave a presentation of the applicant's requested modifications.

The Planning Commissions comments included discussion on the purpose of the tower; the sculpture and the fountain details; tower removal; and any enhancements offered in lieu of the tower, such as improved landscape.

*Motion:* Mr. Schreier moved to approve the application as submitted. Mr. Furlott seconded the motion, which passed 5-0.

VI. ADMINISTRSTION MATTERS

**A. Staff Updates:**

- Zoning Board of Adjustment meeting held – One variance approved and two appeals denied. The denied appeals included the connection between guest quarters and a main house, and staff's position requiring that it be fully enclosed and attached, as accessory structures are not permitted. The other denial was an appeal of a dock that was part of the Harbour Isles PUD, and the applicant wanted a larger dock than permitted in the PUD Ordinance.
- The guest quarter issue will be part of the code rewrite, as well as all structures in R-1.

**B. Commission Member Comments:**

The Planning Commission members made comments on the following items:

- Mr. Schreier will not be at the next meeting, but will provide his comments on the car wash issue to prior to the meeting.
- The current cost of the proposed County Club project.
- Whether the drawings had been finalized for the Country Club.
- The status of 617 Northlake Blvd.

VII. ADJOURNMENT

With there being no further business to come before the Board, the meeting adjourned at 9:47 P.M.

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Minutes typed by Jane Lerner