

**VILLAGE OF NORTH PALM BEACH  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, JUNE 5, 2018**

Present: Cory Cross, Chairman  
Donald Solodar, Vice Chair  
Thomas Hogarth, Member  
Benjamin Schreier, Member  
Jake Furlott, Member  
Lori Rainaldi, 2<sup>nd</sup> Alternate  
  
Erin Sita, Village Planner  
Len Rubin, Village Attorney

Council Member: Deborah Searcy, Council Member

Not Present: Jonathan Haigh, 1<sup>st</sup> Alternate

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I. CALL TO ORDER

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

IA. ROLL CALL

All members of the Planning Commission were present except Mr. Haigh. Mr. Schreier arrived at 6:37 PM.

II. APPROVAL OF MINUTES

The Minutes of the May 1, 2018 Regular Meeting were approved as corrected.

III. INTRODUCTION OF NEW MEMBERS

Ms. Lori Rainaldi was reintroduced as the newest member of the Planning Commission.

IV. PLANNING COMMISSION POWERS AND DUTIES

Mr. Rubin reviewed the duties and responsibilities of the Planning Commission with the members. Mrs. Sita advised the Members that on every Staff Report, the powers and duties, which pertain to the application, are included. She also reminded the Members that they are subject ethics training upon initial appointment to the board and again every 18 months, which she will verify with the Village Clerk, and advise at a future meeting.

V. ELECTION OF OFFICERS

Mr. Cross was re-elected as Chairman.  
Mr. Solodar was re-elected as Vice Chairman.

VI. DELARATION OF EX PARTE COMMUNICATIONS

There were no Ex Parte Communications declared by the Board.

VII. QUASI JUDICIAL MATTERS / PUBLIC HEARING

Village Attorney swears in all persons speaking.

A. CERTIFICATES OF APPROPRIATENESS

**1. COA PROJECT 2018-0846 – 1036 US Highway 1**

Request: An application filed by RuthAnn Savage, HOA board member, a representative of Marina Bay Condominium Association, requesting a Certificate of Appropriateness (COA) for a change of the existing monument sign.

Mrs. Sita presented Staff's report. Staff is recommending approval of the proposed monument sign with one (1) condition addressing landscaping under and around the proposed sign for consistency with the Village Code of Ordinances. Specifically, that the applicant shall install variegated arboricola / trinette or plumbago under and around the monument sign behind the existing green island ficus hedge. Staff is recommending that the plants be a minimum of 3 gallon size and be planted approximately 18 – 24 inches apart. The planting bed shall be mulched with 3" of non-cypress Florida-friendly mulch. The monument sign is proposed to have a tan (Totally Tan SW6115) background. The business name will be in Roycroft Cooper Red (SW2839) colored letters with a graphic line below and above in a darker tan (Tatami Tan SW6166) color. The sign will feature one boat styled graphic in Roycroft Cooper Red color. The address numbers will be located at the bottom left and right of the sign face in Roycroft Cooper Red colored numbers. The property is located in the R-3 Apartment Dwelling Zoning District. A COA review and finding by the Planning Commission for this project is required for compliance with the Village's Appearance Code. The proposed sign modifications appear to be appropriate for the use and consistent with the building colors.

The Planning Commission's comments include discussion on the size of the sign, the color of the sign posts, why the change of sign color (to match the color of the building), and whether the applicant has permission to represent the HOA.

Lisa Mardar, Sign-a-rama, was present to represent the project.

*Motion:* Mr. Solodar moved to approve the application. Mr. Furlot seconded the motion, which passed 4-1 with Mr. Schreier voting nay.

**2. COA PROJECT 2018-0722 – 1000 US Highway 1**

Request: An application filed by Arnont Toweerasooth, business owner, on behalf of Asian Street Sushi Thai Bar, requesting a Certificate of Appropriateness (COA) for a face change of the existing monument sign.

Mrs. Sita presented Staff's report. Staff is recommending approval of the proposed sign face modification as it is consistent with the Village Code of Ordinances for ground / monument signs. Applicant is proposing a monument sign color scheme with a white base with red and black letters and a van styled graphic logo in red color. The face of the existing monument sign is proposed to be divided into two parts, one half for the Camelot Inn and one half for the Asian Street Sushi Thai Bar restaurant. The sign for Camelot Inn is nearly identical design to the previous sign, but is reduced size. The other half of the monument sign face will be dedicated to the restaurant. The portion of the monument sign dedicated to the Asian Street Sushi Thai Bar is proposed to have a white background, with Asian Street written in red letters, and Sushi Thai Bar in black letters. The sign will feature a van styled graphic in red color. The address number will remain at the same location: the bottom

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of the sign. The property is located in the C-1 Commercial Zoning District. A COA review and finding by the Planning Commission for this project is required for compliance with the Village's Appearance Code.

The Planning Commission's comments include discussion on the appropriateness of the two businesses on one sign (split sign); whether ownership of the business had changed recently; the appearance of the building for the better since the awning blew away; possibility of making the sign more linear; the sign face is different facing north than south facing; the cabinet should be painted a compatible color as the current blue doesn't match; install landscape on site; and current coco plum hedge obstructs the address.

Mr. Arnont Toweerasooth, Owner of Asian Street Sushi Thai Bar, 1000 U.S. # 1, was present to represent the project.

*Motion:* Mr. Solodar moved to approve the application with the conditions that the address (1000) be painted black and the sign cabinet also be painted black. Mr. Hogarth seconded the motion, which passed 4-1 with Mr. Furlot voting nay.

**3. COA PROJECT 2018-0721 – 1000 US Highway 1**

Request: An application filed by Arnont Toweerasooth, business owner, on behalf of Asian Street Sushi Thai Bar, requesting a Certificate of Appropriateness (COA) for an outdoor seating on an existing patio area fronting US Highway 1.

Mrs. Sita presented Staff's report. Applicant is proposing to use a small approximately 200 sf outdoor pedestrian area for outdoor seating. The Village Code of Ordinances requires that an outdoor seating area be visually separated for walkway and vehicular travel lanes. Specifically the code requires that outdoor seating which is used for the service and sale of food or beverages of any kind within the outdoor seating area, shall be physically separated and visually distinct from any immediately adjacent public passageway or walkway by means of approved fencing or screening material which is not less than two (2) feet in height, by means of one (1) or more planter boxes and other plant container, by means of some other approved divider, or any combination of such means, but not including tables, chairs or other seating. Additionally, outdoor seating areas may only contain tables, chairs, umbrellas and/or awnings and required fencing or screening materials. All such equipment shall be compatible in color and style with the exterior of the building and shall not contain or have affixed to it any sign, lettering or advertising of any kind.

The applicant has chosen to utilize planters to create the required visual separation. However, the proposed plastic rectangular planters are not appropriate in a commercial application and should be removed from the request. Staff is recommending that the number of larger round planters should be increased and planted with drought tolerant plants like a decorative grass, including options like sand cord grass or lemongrass. However, a walkway into the patio on the north side of the patio from the drive aisle may need to be opened to allow handicap accessibility to the patio area.

The materials of the wood slat chairs and table are not inappropriate in material or style for the location. However, the applicant is not providing an ADA accessible outdoor table, which requires a minimum clearance of 28" under the table. Additionally, the garbage can and the large umbrella currently in the pedestrian area create limited maneuverability on the small patio area and will not likely be able to remain for compliance with ADA and fire codes.

Staff is recommending denial at this time as the proposed seating area and planters will need to be reconfigured

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to allow for handicap accessibility and compliance with the fire code. Once the seating configuration is complete the Village Engineer will also need to review the proposed modifications for adequate drive aisle width and vehicular circulation for the safety of dining patrons. However, prior to coming back with additional information and revised plans, staff is seeking guidance from the Planning Commission on the following items:

1. Staff is recommending that the proposed plastic 36 in. x 7 in. planters be eliminated and replaced with additional potted plants. The planter area does not have to be continuous;
2. The applicant create a handicap accessible walkway on the north side of the patio from the parking lot with no potted plants for a minimum of 3 feet. The large umbrella and garbage bin currently on-site would need to be removed;
3. The applicant use an ornamental grass like sand cord grass or lemongrass, or other drought tolerant plant in planters;
4. The applicant have 1 outside table that is handicap Accessible; and
5. The applicant provide revised plans that reflect Planning Commission recommendations and staff concerns.

The Planning Commission's comments include discussion on the need to define the outdoor seating area; whether the light on the pole is active; the current window signage; whether there are plans for a wall sign and/or new awning; the outdoor seating needs to look more thought out; possibility for waiver or variance for ADA or Fire Code issues; the need to support the business owner; the need to add a buffer from traffic to protect outdoor diners; possibility of hanging lights to help define the space; consideration of opening up restaurant foyer to maximize the space, or cutting into the wall to add another door off the patio; and evaluating the space for better ADA accessibility and safety. until the applicant has met with Staff to address the Planning Commission recommendations regarding the ramp, table location and providing for a safer area for diners and restaurant staff.

Mr. Arnont Toweerassoth, Owner of Asian Street Sushi Thai Bar, 1000 U.S. # 1, was present to represent the project.

*Motion:* Mr. Hogarth moved to Table the application. Mr. Solodar seconded the motion, which passed 5-0.

## VIII. WORKSHOP

### A. Artificial Turf Application in the R-1 & R-2 Districts - Staff Presentation & Commission Discussion

Staff has received a request from a resident to install artificial turf. Village Council has requested input on the desirability of the use within the Village. Staff presented a power point presentation highlighting the pros and cons of the product and use in adjacent local governments. The Village Engineer has reviewed it.

Mr. Chris Harris, 764 Waterway Dr., North Palm Beach, was present to represent the project.

Mr. Harris spoke about the artificial turf and his desire to install it in his yard. His research, from an independent study, shows the product is permeable with a percolation rate of 161 inches of rain per hour. It operates similar to a French drain system and will not dump water on neighboring property. His intent is for his children to play on this turf and he would not subject them to something that wasn't safe. An independent study found that the temperature is the ambient temperature plus 5°, not 50° to 100° hotter. He states that other states are offering rebates for installing artificial turf as it reduces water and fertilizers usage.

The Planning Commission's comments include concern about effects on the environment; the need to keep up with maintenance especially sanitation from pet waste; an opportunity to include artificial turf in the code

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rewrite as there are positive uses for it; the need to address the pervious/impervious surfaces; include artificial turf in the same way as concrete and limit usage to a percentage in residential neighborhoods; and should be allowed in side yards and backyards as long as not visible from the street, water views should be allowed.

In commercial applications, the Planning Commission felt it should not be a replacement for other types of landscape, should not affect drainage, and

The City of West Palm Beach has the most comprehensive code for the use of artificial turf and would be a good starting point for the Village to develop a code.

**IX. ADMINISTRSTION MATTERS**

**A. Staff Updates:**

- The next Planning Commission will be on Tuesday July 10, 2018;
- A new Planner has been hired and will be starting towards the end of June; and
- A new Building Official has been selected and will hopefully be starting in late July or early August

**B. Commission Member Comments:**

The Planning Commission members made comments on the following items:

- Status of the Sun State Insurance property on Northlake. It does not appear that any of the submitted site plan or Planning Commission conditions have been put in place. Mrs. Sita provided an update of that the property and that they will most likely come back before the Planning Commission in July for Site plan modifications;
- How the selection of the restaurant for the Country Club was conducted;
- When is the traffic analysis on U.S. Highway 1 to take place;
- The status of the bridge on U.S. Highway 1 near Northlake Blvd. and when it may be fixed;
- Why was a tree in Lakeside Park cut down;
- Condition of landscape islands on Prosperity Farms Rd.

**X. ADJOURNMENT**

With there being no further business to come before the Board, the meeting adjourned at 8:23 P.M.

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Minutes typed by Jane Lerner