



**VILLAGE OF NORTH PALM BEACH
PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, APRIL 28, 2020**

Present:

Cory Cross, Chairman
Donald Solodar, Vice Chair
Thomas Hogarth, Member
Jake Furlott, Member
Kathryn DeWitt, Member
Jonathan Haigh, Member
Lori Rainaldi, Member

Len Rubin, Village Attorney
Jeremy Hubsch, Community Development Director
Paola West, Principal Planner
Justin Revis, Planner
Michael Applegate, IT Director

In accordance with Governor Ron DeSantis' Executive Order No. 20- 91 and Executive Order No. 20- 69, the meeting was conducted electronically, via internet access or telephone. There were five people present in the Council Chambers which consisted of staff, Village Attorney Len Rubin, and Planning Commission Chairman Cory Cross. The remaining Planning Commission members, additional staff and the COA applicants attended via internet connection or telephonically.

I. CALL TO ORDER

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

IA. ROLL CALL

All members of the Planning Commission were present.

II. APPROVAL OF MINUTES

The Minutes of the February 4, 2020 Regular Meetings were approved as written.

III. DELARATION OF EX PARTE COMMUNICATIONS

There were no Ex Parte Communications declared by the Board.

IV. QUASI JUDICIAL MATTERS / PUBLIC HEARING

A. CERTIFICATES OF APPROPRIATENESS

1. COA 2020-0342: 165 US Highway 1 – Northlake Petroleum, Inc.

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Request: An application submitted by Walli Butt on behalf of Northlake Petroleum, Inc. requesting a Certificate of Appropriateness (COA) for building paint colors.

Mrs. West presented the Staff report and recommendation. The applicant is requesting approval of paint colors for the BP gas station convenience store building. The building has been painted without approvals and has an active Code Compliance case related to not obtaining prior color approvals and a paint permit (Ref. #5663). The building's previous color was a beige/off-white color with the only accent being a reddish clay tile roof. The building colors being requested for approval are a gray for the body (Sherwin Williams 7053 Adaptive Shade) and a bright green for the building accent (Sherwin Williams BM 2003-10 Lizard Green). It is Staff's analysis that this application is inconsistent with the appearance criteria provided herein. It is staff's opinion that the accent should be reduced so that the main color of the building is Adaptive Shade and allow the Lizard Green color to remain strictly as an accent/trim color. Staff requests the Commission include the following condition(s) as a part of their order:

1. Obtain a paint permit within 30 days of this approval for the proposed building colors and obtain final inspection within 60 days of this approval.

Walli Butt, 13358 Machiavelli Way, Palm Beach Gardens, was present to represent the project.

The Planning Commissions discussion included the question as to what is being considered as the trim of the building; the opinion that the wainscot and trim painted in the middle are too loud, and only the trim be painted; and that the appearance of the building should maintain consistent with the other buildings within the total PUD.

Motion: Mr. Hogarth moved to approve the application with Staff's recommendation that the coping at the top of the building be painted Lizard Green, the dumpster enclosure and the rest of the building be painted Adaptive Shade (Gray), the permit be obtained within 90 days and final inspection within 120 days. Ms. Rainaldi seconded the motion, which passed 7-0.

2. COA 2019-1908: 400 US Highway 1 – Frigates Holdings, LLC.

Request: An application submitted by Steve Muller on behalf of the Frigates Holdings LLC, requesting a Certificate of Appropriateness (COA) for an observation platform over the C-17 Canal.

Mr. Revis presented the Staff report and recommendation. The Applicant is requesting approval to build an observation platform over the C-17 Canal (a/k/a the Earman River) at Frigate's Waterfront Bar & Grill. The proposed platform will be located on the southwestern portion of the Property, immediately south of the existing Tiki Hut. The structure will extend over the existing seawall into the C-17 Canal and will be located completely within the existing boundaries of the Property. The proposed platform will be 684 square feet and will be completely enclosed by 36-inch handrails to prevent the mooring of boats. The main section of the platform will extend 20 feet waterward and will have a width of 28 feet. A smaller section of the platform will extend toward the eastern side of the property along the seawall for 31 feet with a waterward extension of 4 feet. The structure will be constructed of pressure treated marine grade lumber and will utilize marine grade stainless steel hardware. The Applicant intends to utilize the platform as a place where restaurant patrons can wait until their table is ready. There will be no tables or service at the platform, though patrons will be able to obtain drinks from the bar while waiting for a table. The Applicant has received approvals from both the Army Corps of Engineers and Florida Department of Environmental Protection for the project. Staff requests the Commission include the following condition(s) as a part of their order:

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1. Obtain a building permit for the scope of work as approved herein.
2. No tables shall be located on the observation platform.

Steve Muller, 100 Ebbtide Dr., North Palm Beach, was present to represent the project.

The Planning Commissions discussion included whether there will be a need to increase the number of parking spaces due to increased occupancy; whether vertical slats are allowed or if they must be horizontal for safety concerns; whether the dock is within the property limits; whether a precedent is being set by allowing a deck over the water; whether the South Florida Water Management District has been contacted; whether signage or umbrellas will be used on the deck; and whether another COA will be needed should the applicant wish to add lighting to the deck.

Motion: Mr. Hogarth moved to approve the application as submitted and with the conditions that no tables, seating, umbrellas, awnings, or anything else not shown on the application, and subject to verification by Staff that a permit from the South Florida Water Management District be obtained if required. Ms. DeWitt seconded the motion, which passed 7-0.

V. ADMINISTRATION MATTERS

A. Staff Updates: Department closed to public, but still, taking in permit and zoning applications, and doing inspections; operating steadily. Too quick to hold the regularly scheduled May meeting, but would like to schedule another meeting in mid to late May as there are a few items to bring before the Board. New Code updates hoping to bring forward in June. The Village Manager doesn't want to hold public meetings quite yet due to social distancing guidelines.

B. Commission Member Comments: None

VI. ADJOURNMENT

With there being no further business to come before the Board, the meeting adjourned at 7:25 P.M.

Minutes typed by Jane Lerner