



**VILLAGE OF NORTH PALM BEACH
PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, JULY 2, 2019**

Present:

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

Jeremy Hubsch, Community Development Director
Len Rubin, Village Attorney
Paola West, Principal Planner

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 June 4, 2019 Regular Meetings were approved as written.

III. DELARATION OF EX PARTE COMMUNICATIONS

Mr. Haigh stated that he has discussed the hedge issue with Faith Lutheran School.

IV. QUASI JUDICIAL MATTERS / PUBLIC HEARING

Attorney Len Rubin swears in all persons speaking.

A. CERTIFICATES OF APPROPRIATENESS

- 1. COA PROJECT 2019-0295: 742 US Highway 1 – Beach House Sign Face Change**
Request: An application by Donnie Bennett of Bennett Lighting, on behalf of 1501 Broadway LLC, for a Certificate of Appropriateness (COA) to change the face of a two-sided, non-illuminated sign on an existing monument base.

Motion: Mr. Solodar moved to remove item from the table for discussion. Mr. Hogarth seconded the motion, which passed unanimously.

Mr. Hubsch presented the staff report and recommendations. The original application came before the Board in April and was tabled. The Board had requested that the sign be pin mounted.

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Donnie Bennet, Bennett Lighting, was present to represent the project.

The Board's comments and discussion included whether each piece of the logo is pin mounted and what type of structure material is the monument base.

Motion: Mr. Solodar moved to approve the application as presented. Mr. Furlott seconded the motion, which passed 7-0.

2. COA PROJECT 2019-0696: 1037 Marina Drive - Safe Harbor Marina Signage

Request: An application by Alternative Sign Group on behalf of SHM North Palm Beach LLC, for a Certificate of Appropriateness (COA) to change the face of a one-sided illuminated existing monument sign and replace an existing pole sign with a new, one-sided non-illuminated monument sign.

Mr. Hubsch presented the staff report and recommendations. Applicant is requesting Certificate of Appropriateness (COA) approval for a face change of an existing non-conforming monument sign and a new monument sign in place of an existing pole sign. Both existing signs on the property are non-conforming. The existing corner monument sign is too close to the property lines and the lettering would not comply with today's sign face area requirements. The sign code allows non-conforming signs to undergo face changes, provided the non-conformity is not increased. The existing pole sign exceeds the height limit at 11 feet and pole signs are no longer permitted in the Village. The proposed replacement sign meets the size, height, and setback requirements of the Village. Staff is recommending approval of the proposed signs, with the condition that additional landscaping be provided at the base of the existing monument sign at the corner of Marina Drive and Yacht Club Drive. Mr. Hubsch also stated that the old letters on the monument sign will be given to the Village to be used at a Village property.

Josh Steib, General Manager, Safe Harbor Marina NPB, was present to represent the project.

Joe Adinolfi, Alternative Sign Group, 8955 120th Avenue North, West Palm Beach, was also present to represent the project.

The Board's comments and discussion included what the status of the additional signage in front of pole sign (No Trespassing, etc.) will be, what the significance of the logo means, if an address is required to be on the sign for safety/security purposes, if separate approval is needed for the roof signage, why the two signs are different, and what will become of the pelican statues.

Motion: Mr. Solodar moved to approve the application as presented with Staff's landscaping recommendation and that the pelican statues remain. Ms. Rainaldi seconded the motion, which passed 7-0.

3. COA PROJECT 2019-0779: 112 & 116 Lakeshore Drive – Sandpiper's Cove Restaurant & Bar Exterior Paint

Request: An application by Stephanie McLaughlin on behalf of SHM Old Port Cove Marina LLC, for a Certificate of Appropriateness (COA) to change the exterior paint color of the restaurant.

Mr. Hubsch presented the staff report and recommendations. Applicant is requesting Certificate of Appropriateness (COA) approval for building paint color SW 6811 Honorable Blue, trim paint color SW 7656 Rhinestone (white) and walkway color SW 6256 Serious Gray for the Yacht Club/Restaurant and the Boater's Building. The Restaurant Building was recently repainted a baby blue-like color without first receiving a COA. The Applicant has since decided to repaint the Restaurant Building (Sandpiper's Cove) and the Boater's Building again and is seeking a COA to do so. Staff is recommending approval of the proposed building paint

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colors with a condition that the Applicant paint the garbage enclosure SW 7656 Rhinestone and replace the chain link fence gate with a decorative gate enclosure.

Joe Pacillo, 10631 153rd Court North, Jupiter, was present to represent the project.

The Board's comments and discussion included whether the sign will be painted or a new sign be obtained, that the proposed color is too blue and better used as an accent color, and possibly not enough foliage around the building.

Mrs. Pat Friedman, Old Port Cover Master Association Representative, stated that the paint color has been approved by the Executive Board.

Motion: Mr. Solodar moved to approve the application as presented. Ms. DeWitt seconded the motion, which passed 7-0.

B. ZONING/SITE PLAN APPLICATIONS

1. **SITE PLAN AND COA PROJECT 2018-2064: 9225 Alternate A1A – U-Haul Awning**
Request: An application filed by U-Haul Company of Central Florida, Vice President Calvin Conner, requesting a Minor Site Plan amendment to install a 20ft x 40 ft. awning.

Motion: Mr. Solodar moved to remove item from the table for discussion. Mr. Hogarth seconded the motion, which passed unanimously.

Mr. Hubsch presented the staff report and recommendations. This application was before the Planning Commission in November 2018 and again in March 2019, but no representative was present to answer questions. The applicant has indicated that the purpose of the awning is to protect customers from the elements when they are entering and exiting the rental trucks, attaching a trailer to the hitch of their vehicle, checking for damage, or other standard vehicle rental pick-up/return procedures. Applicant is proposing two (2) Options for consideration:

OPTION 1:

A 20 ft. x 40 ft. awning, supported by 4 poles. The height of the awning will be 17 ft, with 14 ft. clearance underneath. The location, as shown on the site plan, is set back away from the entrance to keep clear from the customer parking spaces. The awning style is arched. The proposed product and color of the vinyl material is Herculite Patio 500 #515 Buff.

OPTION 2:

A 20 ft. x 40 ft. cantilevered awning that would be supported by 2 or 3 posts in line on the 40-ft side closest to the building, and extend 20 ft. across the drive aisle. The height of the cantilevered awning will be 17 ft, with 14 ft. clearance underneath. The awning style is a hip roof style, as opposed to the arch in Option 1. This is proposed in the same location as Option 1. The proposed product is by Polyfab USA (a mesh shade cloth), Comtext in Sandstone #865207 or Architec 400 in Cappuccino #865143. A photograph is included in Attachment D to show an example of this style at another U-Haul location in the region.

Staff is recommending approval of the proposed minor site plan amendment/COA for the awning, with a preference for Option 2, as it is easier to maneuver around the site and is less visible from Alternate A1A.

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The Board's comments and discussion included what the distance is between the canopy and the propane tank, whether the Fire Department had reviewed the plan and what their comments were, what material the poles are made of, and if the poles will be painted.

Cal Conner, Vice President of U-Haul Company Florida & President of U-Haul Company of Eastern Florida, 7886 SW Ellipse Way, Stuart, was present to represent the project.

Motion: Mr. Haigh moved to approve Option Two (2) with the condition that the posts and arm be painted to match the building. Mr. Solodar seconded the motion, which passed 7-0.

C. ORDINANCES

1. ORDINANCE 2019-_____

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 45-25, "REASONABLE ACCOMMODATION PROCEDURE," TO CLARIFY AND MODIFY THE CRITERIA FOR SUCH REQUESTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rubin explained the need for a procedure regarding requests for reasonable accommodation to the Village's zoning or land use ordinances, rules, policies and procedures for persons with disabilities and the facilities serving them. Such a process is required by the Fair Housing Amendments Act and the Americans with Disabilities Act. The Village Code defines the term "family", in part, as a group of persons all of whom are not related and does not exceed three (3) unrelated persons. A "community residence" is defined as "a facility that provides lodging for more than three (3) unrelated persons occupying the whole or part of a dwelling as a single unit sharing common living, sleeping, cooking and/or eating facilities and which may operate on a referral basis from state, county or local social services agencies or self-help programs, or be affiliated with a treatment or rehabilitation program." Because community residences are occupied by more than three (3) unrelated persons, the Village Code requires that a community (or recovery) residence may only be established utilizing the reasonable accommodation procedure.

At the time the Village Council adopted Ordinance No. 2017-33, in December 2017, the statutory voluntary certification process for recovery residences, established by Section 397.487, Florida Statutes, was still being developed. The Florida Association of Recovery Residences (FARR) was not yet issuing certifications for community residences or community residence administrators.

The proposed Ordinance revises Section 45-25(c) of the Village Code to mandate that all community residences within the Village obtain certification from FARR. It further clarifies that FARR certification does not relieve an applicant seeking to establish a community residence within the Village from demonstrating that each of the criteria set forth in Village Code Section 45-25(c)(2) is met, specifically that: (1) the community residence is located a sufficient distance from other community residences so that the proposed residence neither lessens nor interferes with the community integration of the residents; and (2) the community residence operates as the functional equivalent of a family.

Village Staff requests that Planning Commission review the proposed Ordinance amending the Village's Reasonable Accommodation Procedure set forth in Section 45-25 of the Village Code and provide its recommendation to the Village Council.

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Board discussion ensued regarding whether there are maximum numbers on residents in a dwelling, parking restrictions, if conditions can be placed on the residences, if chefs, delivery trucks or medical personnel would cause interference in a residential neighborhood, if the residences are subject to inspections, if the Code can be modified to require proof of current FARR certification and require an annual inspection when renewing the Business Tax Receipt, and what the status is of the pervious/impervious discussion.

Motion: Ms. DeWitt moved to recommend to Village Council to approve the Amendment with the conditions that language be added to ensure the annual FARR recertification process be added to the Village's Business Tax renewal. Ms. Rainaldi seconded the motion, which passed 7-0.

V. ADMINISTRATION MATTERS

A. Staff Updates:

- a. Faith Lutheran Daycare Hedge – The school has requested to change the approved plant hedge of Podocarpus to Arboricola, which cannot be changed administratively. Mr. Haigh has provided professional guidance. The school feels the Podocarpus is too expensive to purchase in the size needed and will take too long to grow to the height needed. The Arboricola is almost the size needed and grows much quicker.

Marylou Shaffer, Faith Lutheran, 17267 SE Galway Ct., Tequesta, was present to represent the school.

Motion: Mr. Solodar moved to approve the request to use Arboricola in lieu of the formerly approved Podocarpus. Ms. DeWitt seconded the motion, which passed unanimously.

b. Staff Updates

- Council adopted the Planning Commission's recommendation on walls and fences at 20 feet;
- Code Rewrite – will come before Planning Commission in September. Staff is recommending two workshops with the Board as there is a large volume of material; and
- Principal Planner Paola West introduced herself to the Board

c. Commission Member Comments

- Status of the Memory Care project;
- Status of the Country Club sign design; and
- Approved Site Plan commencement expirations

VI. ADJOURNMENT

With there being no further business to come before the Board, the meeting adjourned at 7:39 P.M.

Minutes typed by Jane Lerner