



**MINUTES  
PLANNING & ZONING BOARD  
MONDAY, AUGUST 4, 2008  
TOWN OF LAKE PARK  
535 PARK AVENUE  
LAKE PARK, FLORIDA**

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**CALL TO ORDER:** 7:00 p.m.

**ROLL CALL**

Chairman Jeff Blakely	Present
Vice Chairman Todd Dry	Present
Tim Stevens	Excused
Judith Thomas	Present
Mary Gambino	Present
Robin Maibach, 1 <sup>st</sup> Alt.	Excused
Mason Brown, 2 <sup>nd</sup> Alt.	Present

**Approval of Agenda**

Vice Chairman Todd Dry made a motion to approve the agenda. Seconded by Mr. Brown.

	Aye	Nay
Jeff Blakely	X	
Todd Dry	X	
Judith Thomas	X	
Mary Gambino	X	
Mason Brown	X	

**Motion carried 5-0**

**Approval of Minutes**

Vice Chairman Todd Dry made a motion to approve the agenda. Seconded by Mr. Brown.

	Aye	Nay
Jeff Blakely	X	
Todd Dry	X	
Judith Thomas	X	
Mary Gambino	X	
Mason Brown	X	

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33 **Motion carried 5-0**

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35 **New Business:**

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37 A Site Plan Application filed by Jon E. Schmidt & Associates, agent for Northlake Promenade,  
38 to construct 75,425 square feet retail structure located at 400 Northlake Boulevard, Lake Park,  
39 Florida.

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41 Ms. Nadia DiTommaso, planner, identified herself for the record and stated that this Site Plan  
42 was a continuation from last month's meeting, and that she would go through some of the  
43 modifications. Ms. DiTommaso stated that the major concern was with the pedestrian  
44 connectivity; the applicant has modified the site plan to add pavers as well as a pedestrian  
45 walkway in the center part of the site plan. Ms. DiTommaso also stated that landscape  
46 diamonds have been added and crosswalks along Northlake Boulevard near the entry way.  
47 Also, a phasing schedule has been included which was mentioned at last month's meeting.  
48 Phase I will include the Office Depot building as well as all of the landscaping being proposed;  
49 this amounts to 20,896 square feet and the traffic signal only needs to be installed at 35,000  
50 square feet. Ms. DiTommaso further stated that the traffic signal at phasing I, therefore, will  
51 not be installed as an additional 14,000 square feet is needed for the traffic signal.

52

53 Ms. DiTommaso further stated that irrigation had been a concern, and an irrigation plan has  
54 been submitted in the packets. Ms. DiTommaso further stated that a notation for the signage  
55 has been included whereby the signage will match the existing signage on the Publix and the  
56 adjacent North Palm Beach retail center. Ms. DiTommaso stated that the parapet wall facing  
57 the residential buildings will be raised so that the residents will not be able to see the  
58 mechanical equipment on the roof top.

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60 Ms. DiTommaso stated that condition number 21 has been added for the phasing as the Office  
61 Depot building is a stand alone building; therefore, in the event phase II is never built, or not  
62 built within 18 months, a \$60,000 bond will be posted with the Town so that the landscaping  
63 can be included to fill in the empty area on the north and south side of the Office Depot  
64 building. The Staff Report marked Exhibit "A" is made a part of these minutes.

65

66 Mr. Jon Schmidt, agent for the applicant, identified himself for the record, and stated that they  
67 have submitted a new site plan that includes the pedestrian/vehicular pathways. Ms. Schmidt  
68 stated that they have added new pavers to highlight sites where pedestrians might be crossing  
69 and to tie into the property of the Village of North Palm Beach. Mr. Jon Schmidt also stated  
70 that they have brought in landscape diamonds and Medjools Palms so even though it is in two  
71 towns, it will look like one fully integrated site. Mr. Schmidt stated that they are in agreement  
72 with the revised conditions of approval.

73

74 Mr. Ernie Ojito, architect, with Ocampo & Associates, Inc., identified himself for the record,  
75 and showed drawings of the parapet wall to the board which showed that the mechanical  
76 equipment would not be visible from the residential area.

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78 Chairman Jeff Blakely stated that the architecture was going to be addressed between Publix  
79 and the new addition. Mr. Ojito showed the complete view of the shopping center. Mr. Ojito

80 stated that all the tile roofs would be replaced with metal roofs, except for the Publix, and that  
81 the Publix would be painted in order to blend in.

82  
83 Ms. Judith Thomas stated that she felt more connectivity was needed. Ms. Thomas questioned  
84 the cost of the barrel tile versus the metal. Mr. Ojito stated that the metal was more expensive.  
85 Ms. DiTommaso stated that the revised Transportation Letter was provided to staff, and the  
86 difference is that 35,000 square feet still applies, but it is not at the time of the development  
87 order, it is at the time of building permit. At 35,000 square feet, the traffic signal will be  
88 installed. Mr. Patrick Sullivan stated that all conditions would be incorporated into the  
89 Resolution. Mr. Sullivan stated that the commission may add or delete whatever it wants.

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91 Vice Chairman Dry stated that he still feels that the Publix does not fit into the architecture, and  
92 more needed to be done. Mr. Ojito stated that the intent was to let the Publix stand on it's own.

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94 Mr. Brown stated that he liked the transition.

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96 Ms. Gambino stated that she felt the transition from the old to the new did not flow, and more  
97 work needed to be done, and possibly more walkways.

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99 Chairman Blakely stated that he felt the project lack continuity and it was their choice to define  
100 a new architecture instead of staying with the existing architecture. Chairman Blakely asked  
101 that the architect pick one, whether it be metal or cement tile and make it consistent.

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103 Mr. Jon Schmidt showed the different pathways into the shopping center.

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105 Mr. Ojito, architect, stated that they could make angular roof lines on the new addition with  
106 metal roofing, and change the tile roof on the Publix to metal so the type of roofing will match.

107  
108 A motion was made by Judith Thomas to approve staff comments, and also as a condition of  
109 approval to ensure that there is uniformity with the existing building and proposed building that  
110 it conform to a metal theme roof or façade to provide for uniformity and a major concern  
111 regarding the connectivity; however, if you are saying it is not possible, then the condition  
112 would be consistency with the proposed building and the existing building. Seconded by Vice  
113 Chairman Todd Dry.

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	Aye	Nay
Jeff Blakely	X	
Todd Dry	X	
Judith Thomas	X	
Mary Gambino	X	
Mason Brown	X	

115 **Motion carried 5-0**  
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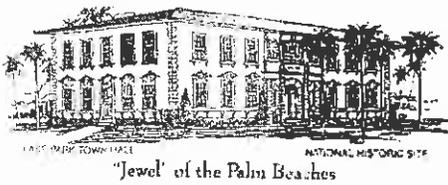
121 Vice Chairman Todd Dry made a motion to adjourn the meeting. Seconded by Mr. Mason  
122 Brown. The meeting was adjourned at 7:45 p.m.

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124 Approved: 7/8/08

  
Jeff Blakely, Chairman

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126 Attest: Linda A. Otto

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# TOWN LAKE OF PARK PLANNING & ZONING BOARD

Meeting Date: August 4, 2008

Date Prepared: July 16, 2008

## EXHIBIT "A"

**PLAN DESCRIPTION:** Site Plan Review for a new general Retail Shopping Center.

**APPLICANTS REQUEST:** A request by Jon E. Schmidt & Associates ("Applicant") acting as agent for the property owner, Twin Cities Investors, Inc. & Developers of Northlake, Inc. ("Owner"), for Site Plan approval of a new 75,425 sf General Retail Shopping Center with mixed retail and general commercial space ("Project"), located on a 20.76 acre parcel on the southwest corner of Northlake Blvd. and US Highway-1 ("Site" or "Property"), within the Town's C-3 PUD zoning district.

**STAFF RECOMMENDATION:** **APPROVAL** of the Site Plan subject to the conditions of approval as stated herein, and any additional conditions of approval which may be added through the Planning & Zoning review process.

**P&Z RECOMMENDATION:** Requested a continuation and requested that the following items be addressed:

- 1) **PHASING:** A phasing schedule is required. A breakdown of each phase's square footage and landscaping details to be included.
- 2) **IRRIGATION:** Sheet LP-3 is insufficient and only relates to landscaping details. A complete irrigation plan is required.
- 3) **SIGNAGE:** A condition whereby the signage will be consistent with the "Publix" and adjacent North Palm Beach signage is recommended.
- 4) **LANDSCAPING:** Should include recommended alternatives and are required to be drawn on a 1:20 scale.
- 5) **SCREENING:** Evidence that the mechanical equipment on the roof will not be seen by the neighboring residential multi-family building is required.
- 6) **PEDESTRIAN CONNECTIVITY:** Creating a more pedestrian friendly throughout the site is recommended. Additional pedestrian walkways and pavers is recommended.

### APPLICANT RESPONSES & MODIFICATIONS:

- 1) Pavers have been added to visually enhance the vehicular paths, as well as enhance the overall site design.
- 2) The plan has been phased for the purpose of illustrating what areas will be constructed prior to the installation of the signal proposed on Northlake Boulevard. Additional phasing descriptions included with a cover letter and diagrams have been provided.
- 3) Additional pedestrian walkways have been created to provide connectivity between the new buildings, existing buildings, and the parking areas.
- 4) Landscape diamonds have been added to the parking area to enhance the landscape design and to match the parking area that is existing, facing Federal Highway.
- 5) Additional landscaping was added, specifically Medjools Palms, to match the design of the existing buildings facing Federal Highway.
- 6) A bike rack and a picnic table have been added to the existing open space located behind the breezeway between Retail "D" and Publix.
- 7) Crosswalks at the entrance ways along Northlake have been added.

- 8) A rendering/elevation of the proposed Publix re-facing has been included for illustrative purposes.
- 9) The newly proposed retail stores will keep within the character of the existing stores with the use of box signs.
- 10) The parapet has been slightly raised and a detail illustrating the visual impact on the two-story residential buildings has been included with this package.
- 11) The landscape plan was modified to 1:20 scale.
- 12) The irrigation plans includes notes that the existing risers will be painted black and the risers currently located on the fence tops will be removed and reconfigured.

**BACKGROUND INFORMATION:**

Applicant(s): Jon E. Schmidt & Associates  
 Owner: Twin Cities Investors, Inc. & Developers of Northlake, Inc.  
 Address of Location: Southwest corner of Northlake Blvd. & US Highway-1  
 Lot Size: 20.76 acres  
 Zoning and Land Use: C-3 PUD / Commercial

**Adjacent Zoning**

North: Commercial (Village of North Palm Beach)  
 South: R-1/R-2  
 East: C-3  
 West: C-3

**Adjacent Land Uses**

North: Self-Storage/Retail/Office  
 South: Single-Family/2-Unit Family  
 East: Fast Food/Commercial  
 West: Commercial/Multi-Family

**CONSISTENCY OF SITE PLAN WITH THE COMPREHENSIVE PLAN**

The proposed Project is consistent with the overall intent of the goals, objectives and policies of the Town's Comprehensive Plan. The following policies indicate the consistency between the Comprehensive Plan and the proposed Project:

**Future Land Use Element**

**Objective 1:** Future growth and development shall be managed through the preparation, adoption, implementation and enforcement of land regulations which: ... (3) encourage redevelopment, renewal or renovation, where and when necessary; and (4) discourage the proliferation of urban sprawl.

The Applicant is proposing to build a new 75,425 sf General Retail Center, located on a 20.76 acre parcel on the southwest corner of Northlake Blvd. and US Highway-1, within the C-3 PUD zoning district.

**Policy 1.4:** Land development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following standards for commercial land use intensities as indicated below:

- a. Location shall be in accordance with the Future Land Use Map.
- b. Adequate off-street parking and loading facilities shall be provided.

*The General Retail Center is proposed for a site within the C-3 PUD Zoning District with a Commercial land use. It is therefore consistent with the policy. The site plan also provides an adequate number of parking spaces as is required by Code, satisfying the minimum parking requirements.*

**Objective 2 Policy 2.1:** The Owner of any site shall be responsible for the on-site management of stormwater runoff in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed those prescribed by the South Florida Water Management District (“District”).

*The Site is located within the bounds of SFWMD ERP No. 50-04324-P. Previous system design did not include consideration of water quality treatment as the existing permit includes the proposed expansion area in its water quality calculations. The Site Plan and Application have been reviewed by the Town Engineer, and the Site Plan was found to be in compliance with the stormwater requirements of the District.*

**Objective 3.** All development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet level of service standards are available concurrent with the impacts of the development.

*The Site Plan is consistent with the Policy. The appropriate sign-offs have been obtained and are included in the Application packet.*

#### **4.0 Traffic Circulation**

**Policy 2.2:** The Town shall review all the proposed development and coordinate and cooperate with the responsible agencies for these improvements to bring them into compliance with the level of service (“LOS”) standards.

*The Applicant received documentation from Palm Beach County confirming that the proposed 75,425 square foot General Retail Center has satisfied Traffic Performance Standards (TPS) and meets traffic concurrency requirements.*

#### **6.0 Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge**

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**6.62 Objective 1.** The Town shall ensure through the land development approval process that, at the time a building permit is issued adequate public facility capacity is available or will be available at the time of occupancy.

*Town staff believes there will be adequate public facility capacity at the time of occupancy.*

## **8.0 Conservation**

**Objective 1:** Protect air quality within the Town of Lake Park

**Policy 1.1:** Construction practices such as seeding, wetting, and mulching which minimize airborne dust and particulate emission generated by construction activities shall be undertaken within 30 days of completion of clearing work.

*The Site Plan will be consistent with this Policy as long the building permit is conditioned on the requirement that the developer minimize airborne dust and particulate emission on the site.*

**Objective 3:** Conserve potable water supplies

*The Site Plan is consistent with the objective. Florida Building Code specifies water conservation fixtures which will be implemented on site.*

### **PROJECT DETAILS:**

**Building Site:** The Site is located in the C-3 PUD Zoning District with a commercial land use which is suitable for a 75,425 sf General Retail Center as is being proposed.

**Site Access:** The General Retail center is located on a 20.76 acre parcel on the southwest corner of Northlake Blvd and US Highway-1. The site has two access points off of Northlake Blvd for the proposed portion (as seen on the site plan). Additional access points (not visible on site plan) include entry from the rear off of Palmetto Road.

**Traffic:** Confirmation from Palm Beach County Traffic has been received. The County is requiring the installation of a traffic signal at the proposed middle access driveway along Northlake Boulevard, prior to the issuance of development orders for any more than 35,000 SF of General Retail. Staff is also recommending, as a condition of approval, that a sidewalk be added along the middle-access driveway, along with decorative pavers connecting the Washington Mutual location and the proposed Northlake Promenade center. The Village of North Palm Beach is also concerned with the lack of pedestrian connection and is recommending that a sidewalk be added as well.

**Landscaping:** The Applicant is providing appropriate landscaping for the Site and is in compliance with the minimum landscape requirements as per the Code. All perimeter

buffering is provided as required by the Code. Minimum maintenance height of landscaping to be recommended by the Board.

**Drainage:** The Applicant has provided conceptual engineering to the Town, and has been notified that prior to the issuance of a building permit the Applicant must provide copies of all required agency permits, including, but not limited to, permits from the South Florida Water Management District. The Town's civil engineer for this Project has reviewed and approved all engineering plans and all code and Florida Building Code requirements.

**Parking:** The Applicant meets the Code requirements for parking spaces. Since this is a PUD, a shared parking letter has been provided. For the overall PUD, the Code requires 738 spaces (inclusive of 17 handicap spaces), and the Applicant is providing an additional 339 spaces to the existing 408 parking spaces of the PUD (inclusive of 18 handicap spaces), for a total of 747 parking spaces.

**Signage:** The Applicant has satisfied the necessary directional signage requirements for the Site. Additional freestanding and/or monument signage will be reviewed at the time of building permit review.

**Zoning:** The zoning for the Site is C-3(PUD) and it is consistent with the Comprehensive Plan.

**Water/Sewer:** The Town's civil engineer for this Project has reviewed and ascertained that there is sufficient available capacity to sustain the levels of service for potable water and for wastewater treatment set forth in the Town's comprehensive plan.

**Design:** Staff feels the final design is consistent with the architectural guidelines and does represent sufficient variation. The final design does match the existing design to which the proposed building will be adjoined. The Village of North Palm Beach is in agreement that the design should match the existing.

#### **STAFF COMMENTS:**

Staff recommends **APPROVAL** of the Site Plan as revised, subject to the following conditions:

1. Construction shall be allowed only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday only, unless otherwise approved by the Community Development Director.
2. Any disturbance of the public right of way along Northlake Boulevard or Palmetto Road shall require review and written approval from both the Public Works and Community Development Departments prior to any construction.

3. Any disruption to any of the nearby entrance/exit and parking areas along Northlake Boulevard or Palmetto Road shall require prior written approval from the Community Development Director.
4. Any disruption beyond the boundaries of the Site shall require the contractor to employ commonly accepted practices that ensures the safety and well being of the general public.
5. All approved landscaping shall be properly maintained. Plant height at the time of plant installation is set at [REDACTED] and plant maintenance height is set at [REDACTED] feet. The Owner shall provide a minimum three-month replacement warranty for all new landscape material, with the warranty to commence on the date of the issuance of the final Certificate of Occupancy. The Owner is responsible for replacing any and all dead or dying landscape material on the Property and otherwise comply with the requirements of the Town Code pertaining to landscaping and property maintenance, failing which the owner and/or any tenant(s) of the Property shall be subject to code enforcement action by the Town to ensure compliance with these conditions of approval and the requirements of the Town Code.
6. All landscaping on-site shall be installed in Phase I. In addition, refer to Condition 21.
7. Safe and adequate pedestrian passage in front of the construction site along Northlake Boulevard shall be maintained at all times.
8. The Owner shall ensure that any and all contractor(s) and their agents and employees working on the Property use commonly accepted practices to reduce airborne dust and particulates during all construction phases.
9. All dumpsters shall be enclosed as noted on the Site Plan and the dumpster enclosure doors shall be kept shut at all times.
10. Prior to issuance of the Certificate of Occupancy, the Applicant shall provide certification from the Landscape Architect of record that the plant installations on Site are in accordance with the plans approved by the Town Commission.
11. Prior to the issuance of any building permit, copies of all other required permits from other agencies including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management Division and the State of Florida Department of Environmental Protection must be provided to the Town.
12. The Applicant provides documentation from Palm Beach County that the proposed 75,425 square foot General Retail Center satisfied Traffic Performance Standards (TPS) and meets traffic concurrency requirements. The County requires the installation of a traffic signal at the proposed middle access driveway along Northlake Boulevard, prior to the issuance of development orders for any square footage in excess of 35,000 SF of General Retail.
13. The Town, in coordination with the Village of North Palm Beach, requires pedestrian connectivity throughout the entire Site. Additional decorative pavers shall accommodate this connectivity. Final placement and design shall be

- approved by the Community Development Director prior to any building permits being issued.
14. All wall signage is to be consistent with the box lettering signage found on the "Publix" and adjacent North Palm Beach retail center.
  15. All phased elevations are required to depict architectural variation. Blank walls are prohibited even though future extensions may hide any given wall.
  16. The General Retail Center shall be constructed in compliance with the following plans on file with the Town's Community Development Department or authorized revisions as noted below:
    - a. Site Plan & Architectural Elevations referenced as sheet SP1, SP2 and A1.1 – A2.6 and Reduced Versions, dated 07-14-08 and 06-16-08 respectively, prepared by Jon E. Schmidt & Associates who is the Site Planner of record and Ocampo & Associates who is the Architect of record for the Project, received and dated by the Department of Community Development on 07-15-08.
    - b. Engineering Plans, referenced as sheets 1 through 17 dated 07-15-08 prepared by Simmons & White received and dated by the Department of Community Development on 07-15-08.
    - c. Landscape plans referenced as sheets LP-1 through LP-9 of 10 and LP-3 of 3 dated 07-15-08 and 06-16-08 respectively, and prepared by Jon E. Schmidt & Associates who is the landscape architect of record received and dated by the Department of Community Development on 07-15-08.
    - d. Irrigation plan referenced as sheet IR-1, IR-2 and IR-3 dated 07-15-08, prepared by Jon E. Schmidt & Associates, dated by the Department of Community Development on 07-15-08.
  17. Any revisions to the site plan, landscape plan, architectural elevations, signs, statement of use, or other detail submitted as part of the Application, including, but not limited to, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Community Development Department and shall be subject to its review and approval, unless the Town Code or a condition of approval requires Town Commission approval.
  18. The Owner or authorized agent shall initiate the bona fide and continuous development of the property within 18 months from the effective date of development approval. Such development shall be completed within 18 months from the effective date of initiation of development as defined herein; unless there is a grant of extension as otherwise provided for in the Town of Lake Park Code Section 67-42 *Expiration of development approvals*.
  19. Cost Recovery. All fees and costs incurred by the Town in reviewing the Project and billed to the Applicant shall be paid to the Town within 10 days of receipt of an invoice from the Town. Failure by an Applicant to reimburse the Town within 10 days may result in the revocation of all previously issued development orders for the project and/or the cessation of the review of the Application until the Town is fully reimbursed.
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20. Within ninety (90) days of the effective date of the Resolution, the Applicant or Owner shall submit revised Development Plans to include the items as conditions. The Development Plans may be approved administratively by staff provided that: (1) all conditions are included on the Development Plans to the satisfaction of the Community Development Director, and (2) any exterior building modification(s) are architecturally consistent with the approved buildings. Should any of the aforesaid not be adequately satisfied, the revised Development Plans shall be reviewed and approved by the Town Commission as an amendment to the Site Plan. No building or land clearing permits shall be issued until the revised plans have been approved.

21.

- a) In the event the applicant fails, within the time frame noted below, to construct buildings noted as Retail D,E,G on the approved site plan, the Town of Lake Park (Town) shall require any vacant areas designated for future retail development to be properly landscaped.
- b) In order to guarantee appropriate landscaping for any undeveloped areas the applicant shall provide a cash bond, surety bond or other guarantee in the amount of \$60,000 which is determined to be satisfactory as to form by the town attorney.
- c) Phase I Construction shall be completed within 18 months of the initiation of development as defined in Section 67-42 of the Town of Lake Park Code of Ordinances (Code). If, at the 18 month benchmark, construction on subsequent phases has not been initiated and the developer has failed to apply for and received an extension from the Town, the developer shall first be given an opportunity to provide a landscape plan for Town approval and install such plan in a timely fashion. If the developer fails to provide and install such landscaping the Town shall utilize the surety guarantee to install landscaping where appropriate.
- d) Upon completion (CO received) of retail areas D, E, G the bond shall be released.