PLANNING & ZONING BOARD MEETING
AGENDA
AUGUST 6, 2012
7:00 p.m.
535 PARK AVENUE
LAKE PARK, FLORIDA

PLEASE TAKE NOTICE AND BE ADVISED: If any interested person desires to appeal any decision of the Planning & Zoning Board with respect to any matter considered at the Meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Chairman Judith Thomas □
Vice Chairman Robin Maibach □
Natalie Schneider □
Anthony Bontrager □
Mason Brown □
Jim Lloyd, 1st Alt. □
Vacant, 2nd Alt. □

Board Attorney, Thomas J. Baird □
Director of Community Development, Nadia Di Tommaso □
Board Secretary, Kimberly Rowley □

APPROVAL OF AGENDA

APPROVAL OF MINUTES

PUBLIC COMMENTS: Any person wishing to speak on an agenda item is asked to complete a Public Comment Card located in the rear of the Commission Chambers, and give it to the Recording Secretary. Cards must be submitted before the item is discussed.

PRESENTATION:

TRANSIT ORIENTED DEVELOPMENT, by Ms. Kim Delaney of the Treasure Coast Regional Planning Council (TCRPC).

COMMENTS FROM COMMUNITY DEVELOPMENT DIRECTOR, NADIA DI TOMMASO

ADJOURNMENT

TOWN OF LAKE PARK
PLANNING & ZONING BOARD MEETING
MINUTES
JULY 2, 2012
7:30 P.M.

CALL TO ORDER

The Planning & Zoning Board Meeting was called to order at 7:36 p.m. by Chair Judith Thomas.

ROLL CALL

Chair Judith Thomas	Present
Vice-Chair Robin Maibach	Present
Natalie Schneider	Present
Anthony Bontrager	Present
Mason Brown	Excused
Jim Lloyd, 1st Alternate	Present

Also present were Thomas J. Baird, Town Attorney; Nadia DiTommaso, Community Development Director and Kimberly Rowley, Board Secretary.

APPROVAL OF AGENDA

Chair Thomas asked for a motion to approve the Agenda as submitted. Board Member Maibach made a motion to approve the Agenda as presented, and the motion was seconded by Board Member Lloyd. The vote was as follows:

	Aye	Nay
Anthony Bontrager	X	
Jim Lloyd	X	
Robin Maibach	X	
Judith Thomas	X	
Natalie Schneider	X	

The Motion carried 5-0 and the Agenda was unanimously approved.

APPROVAL OF MINUTES

Chair Thomas asked for a motion to approve the Minutes of the May 7, 2012, Planning & Zoning Board Meeting as submitted. Board Member Lloyd made a motion to approve the Minutes, and the motion was seconded by Board Member Schneider. The vote was as follows:

	Aye	Nay
Anthony Bontrager	X	
Jim Lloyd	X	
Robin Maibach	X	
Judith Thomas	X	
Natalie Schneider	X	

The Motion carried 5-0 and the Minutes of the May 7, 2012, Planning & Zoning Board Meeting were unanimously approved.

ORDER OF BUSINESS

Chair Thomas explained the procedure for the Order of Business and Public Comments.

PUBLIC COMMENTS

Edie McConville, a resident of the Town of Lake Park and a Kiwanis Club Member, addressed the P& Z Board and expressed her support for the Community Learning Outreach Center as a great asset to the children of this community.

Bonnie Erdek, a West Palm Beach resident, addressed the P&Z Board expressing her support for the proposed Community Learning Center as being a wonderful endeavor.

Doug Moreland, a resident of Royal Palm Beach, addressed the P& Z Board and expressed his support for the proposed Community Learning Outreach Center as a great addition to the community which shows interest in children.

NEW BUSINESS

A. ZONING CODE TEXT AMENDMENT – Community Learning Outreach Center, LLC, proposal to amend Section 78-75(2)(c)(4) of the Town of Lake Park Code of Ordinances to add additional language to the permitted uses: educational facilities and schools.

Nadia DiTommaso, Community Development Director, addressed the P&Z Board with a Staff Report presentation/summary outlining the details of the Application. The Applicant, Community Learning Outreach Center, LLC, is proposing to develop an educational facility on a parcel of property which is located within the CLIC Zoning District. Section 78-75(2)(c)(4) of the Town of Lake Park Code of Ordinances currently allows for educational facilities and schools in the CLIC Zoning District, but only along parcels which front the ultimate right-of-way of Park Avenue as it will be extended in the future. The Applicant has met with Staff in order to discuss a Text Amendment to this Code Section so that they may develop the property for an educational facility.

The Applicant is proposing a text amendment as follows:

78-75 (2)(c)(4) *PROPOSED TEXT AMENDMENT:*

c.

The following uses are permitted on parcels which front on the ultimate right-of-way of Park Avenue as extended:

4.

Educational facilities, **training centers**, and schools. **Permitted along parcels which front the ultimate right-of-way of Watertower Road. Approved as a conditional use by the Town Commission.**

Ms. DiTommaso explained that Staff used the following criteria to review the request to amend the permitted use language:

1) Compatibility with underlying land use
2) Economic impacts
3) Compatibility with the BioScience Overlay

The underlying land use designation remains the same for parcels fronting the ultimate right-of-way of Park Avenue as extended, as well as for parcels fronting Watertower Road as shown on the Town of Lake Park Future Land Use Map. The land use designation is Commercial/Light Industrial, and the Future Land Use Element designates commercial uses as compatible, as well as those uses specifically outlined the Town's Zoning Code. By providing for a conditional use stipulation, the educational facilities, training centers and schools would be subject to Town Commission approval, with specific conditions which are in the best interest of the Town.

Ms. DiTommaso explained that by definition, a conditional use is a use that is generally compatible with the other uses permitted in the District, but which requires individual review as to location, design, configuration, intensity and/or density of use, buildings and structures, and may require the imposition of conditions in order to ensure the appropriateness of the use at the location. As part of the review of the conditional use, Ms. DiTommaso stated that Staff engaged in discussions with the Property Appraiser's Office regarding the ad valorem taxes and preserving the existing tax base. Ms. DiTommaso explained that it seems that Charter Schools are growing in demand due to available funding mechanisms and the overall community needs. Staff has been learned that a Charter School, by simple classification, would be taxed based on its Market Value, similar to that of any commercial property. The vacant parcel has a current Market Value of $1,219,244, which generates $32,525 in ad valorem taxes. Depending on the Market Value after the Phase I and Phase II improvements, this amount could rise to approximately $50,000, if the new Market Value is approximately $1.7 million, to as much as $66,000 in taxes if the taxable value approaches $2 million, or even $132,000 in taxes if the taxable value approaches $4 million (will vary slightly depending on the millage rate). The Property Appraiser's Office

explained that there are certain partial or full exemptions that are available to Charter Schools, for which application must be made. A full exemption would mean that the Town would collect only Non-Ad Valorem assessments, such as garbage, storm water and the Solid Waste Authority of Palm Beach County. The non ad-valorem assessments would be minimal and may range between $3,000 and $5,000. Ms. DiTommaso informed the Board that the Applicant ascertains that they will not be applying for either exemption, but intends to pay all applicable ad valorem taxes. The taxing issue will be reviewed further before the item is presented to the Town Commission.

Ms. DiTommaso further explained that the proposed site is located within the BioScience Overlay, as noted in the Zoning Map, and that the text amendment is linked as it is proposing to increase the number of available parcels for education and training facility use. The proposal to increase the available land area for educational use does retain the intent of the Overlay, and is consistent with the Interlocal Agreement between the Town of Lake Park, Palm Beach County, and other North County municipalities which make up the BioScience Land Protection Advisory Board. The Town of Lake Park presented the Applicant's proposed Text Amendment and Site Plan to the BioScience Land Protection Advisory Board on May 17, 2012, and the Board granted unanimous approval to support the proposal.

Ms. DiTommaso concluded that Staff is recommending approval of the proposed Text Amendment to Code Section 78-75(20(c)(4). Ms. DiTomasso noted that she has had conversations with Chair Thomas in relation to specific definitions which are not currently in the Town Code and that it would be important to include a full definition for educational facilities and schools in the Code, not only for this project but for future projects as well. She mentioned that the Applicant is present this evening.

Mr. Steve Yohe, P.E., of the Community Learning Outreach Center was present, and introduced their team, the prospective property owners Mr. & Mrs. Vince Kendrick, the designers from Ahrens Company and Stuart Cunningham. Mr. Yohe stated they would be glad to answer any questions the Board may have on this portion of the agenda.

Chair Thomas questioned Ms. DiTommaso as to the classification of Watertower Road and whether or not it was a collector road. Ms. Thomas stated that roads do sometimes change their names, and it could be confusing and requested clarity of ultimate right-of-way for all properties with frontage on Watertower Road. Ms. DiTommaso stated that the ultimate right-of-way was for the purpose of this Text Amendment, it is only referring to parcels that have ultimate frontage on Watertower Road.

Chair Thomas asked if there were any questions from the Board regarding the text amendment. There being none, Chair Thomas called for a motion for the approval of the Staff recommendation. Board Member Lloyd made a motion to approve the Staff recommendation for the Text Amendment to Section 78-75(2)(c)(4) of the Town of Lake Park Code of Ordinances. The Motion was seconded by Board Member Schneider, and the vote was as follows:

	Aye	Nay
Anthony Bontrager	X	
Jim Lloyd	X	
Robin Maibach	X	
Judith Thomas	X	
Natalie Schneider	X	

The Motion carried 5-0 and the Zoning Code Text Amendment to Code Section 78-75(20(c)(4) to add additional language to the Permitted Uses for Educational Facilities and Schools was approved.

B. PHASE 1 SITE PLAN APPROVAL - Community Learning Outreach Center, LLC, is requesting Phase I Site Plan approval for 13,438 square feet of classroom portables, together with the necessary paving, drainage, landscaping and recreation area that is necessary to operate in Phase I. Phase II is conditioned to apply within 3 months following the approval of Phase 1, with a requirement for Phase II approval within 6 months following the approval of Phase I.

Nadia DiTommaso, Community Development Director, addressed the P&Z Board with a summary of the Staff Report and provided details of the request. She summarized that the "Applicant" is Community Learning Outreach Center, LLC, as the agent for Florida Public Utilities Company ("Owner"), has submitted an application for a Phase I Site Plan consisting of 13,438 square feet of classrooms in portables for 242 students, along with administrative office space, all required parking, small playground area, circulation, paving and drainage necessary to operate, per the Code requirements ("Project"). Phase II will be the final phase of the Project and will be presented separately to the Boards for approval within 3 months following Phase I approval. Phase II approval will be required within 6 months of the Phase I approval date. Phase II will incorporate all main and accessory buildings, up to two-stories, for a total of roughly 53,000 square feet, along with the incorporation of all additional parking, landscaping, lighting and irrigation. Phase I classroom portables will be removed during Phase II and replaced with the necessary parking and landscaping as will be required as part of the Phase II review. A Conceptual Plan for Phase II was provided to the Board Members in the Phase I site plan package.

Ms. DiTommaso provided a visual description of the proposed Project location, which is a 6.219 acre parcel on the north side of Watertower Road, approximately 1,130 feet east of Congress Avenue within the CLIC (Campus Light Industrial and Commercial) Zoning District. Phase I of the Project will include the perimeter road, curb cuts, water and sewer, drainage, lighting, landscaping, and irrigation sufficient for the temporary classroom portables. Phase I will be concentrated on the east side of the Property, and on the north and west sides of the Property for parking and circulation purposes as depicted in the Phase I site plan for the Project.

Ms. DiTommaso summarized background on the proposed project. She explained that the Applicant initially approached the Town approximately three (3) years ago with the idea of integrating an educational facility upon the Property which is in the CLIC Zoning District.

At that time, the Applicant, Community Learning Outreach Center, LLC (CLOC) proposed a curriculum geared towards science, math and engineering enrichment. CLOC originally proposed to develop its school on a parcel of property located just south of the currently proposed subject site. The originally proposed site, which was intended to be located along the Park Avenue Road as extended, is also within the CLIC Zoning District, and has a Commercial/Light Industrial future land use designation under the Town's Comprehensive Plan. CLOC projects that approximately 31% of children that will attend its school will be residents of the Town of Lake Park. At the time, the Town Commission welcomed the proposal and granted support for the project through Resolution 02-01-11. CLOC has been working toward becoming a Charter School since 2009 with an approved curriculum that has an emphasis on Science, Technology, Engineering and Mathematics for students K-7. Earlier this year, the Applicant informed Staff that it would be submitting an application for a site plan for the Charter School, but proposing a different location, just north of the originally proposed site. While the proposed new location retains the same land use designation and zoning district classification, the Applicant is in need of a text amendment to the CLIC Zoning District to extend the already permitted educational facilities and schools in the CLIC, to Watertower Road.

The Future Land Use Element of the Town's Comprehensive Plan aims towards protecting the Town's tax base through Policy 1.5 which states: *The Town shall encourage development and redevelopment activities which will substantially increase the tax base (...).* Public school applications are perceived as contrary to this provision. A conditional use is appropriate as it may require the imposition of conditions in order to ensure the appropriateness of the use at a particular location and compliance with this Policy.

Ms. DiTommaso explained that the Project is consistent with the Town's Comprehensive Plan and is consistent with the following Policies of the Comprehensive Plan Future Land Use Element:

Objective 1: *Future growth and development shall be managed through the Future Land Use Map and Comprehensive Plan, as implemented by land development regulations which: (3) encourage redevelopment, renewal or renovation, that maintains or improves existing neighborhoods and commercial areas; (5) discourage the proliferation of urban sprawl whereby uses of land shall be consistent with the designations shown on the Future Land Use Map (FLUM). The Comprehensive Plan also aims to ensure safe and convenient traffic flow and vehicular parking needs.*

The land use designation of the Property is Commercial and Light Industrial. Currently, the Town's Zoning Code allows educational facilities and schools within the Campus Light Industrial and Commercial zoning district, along the ultimate right of way of Park Avenue as extended.

Policy 1.1 of Objective 1 in Comprehensive Plan requires that land development regulations *"Ensure safe and convenient onsite traffic flow and vehicle parking needs"*. The application achieves this in providing the following: The Phase I Site Plan for conditional use, per Section 78-142 of the Town of Lake Park Code of Ordinances, requires one (1) parking

space per classroom; one (1) parking space per employee at maximum shift; and five (5) spaces per 1,000 square feet of office/administrative space. The proposal incorporates 15 classrooms, 20 employees at maximum shift and 1,400 square feet of office space, thereby requiring a minimum of 42 parking spaces for Phase I, including of a minimum of 2 handicap spaces. Bus loading/unloading is also illustrated on the plans. Large deliveries are not applicable to Phase I. Cafeteria uses and other uses requiring large delivery trucks will need to meet the loading/unloading requirement for Phase II once submitted.

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 Application is consistent with Policy 2.1. The Application has been reviewed by the Town Engineer, and has been found to be in compliance with the stormwater requirements. *Phase I is exempt from the requirements of the District.* A Phase II Water Management Statement is already under review for the approximate 53,000 square feet of interior space, with a building footprint of 28,772 square feet, which is anticipated for Phase II and will be reviewed and presented to the Boards within 3 months of the final approval for Phase I.

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 Application will be conditioned to receive all necessary agency permits in order to be consistent with the Policy prior to the issuance of the building permit. A Phase I traffic analysis for the 13,438 square feet of classroom portables has been reviewed and accepted by the Town Engineer. Ms. Troutman P.E., of Pinder Troutman Consulting, Inc. provided a traffic analysis and ascertained that the Phase I proposal will satisfy traffic concurrency standards for 202 students, subject to the following conditions for Phase I:

a. Two traffic control officers in the morning and evening peak hours for the facility. One officer shall be posted at each of the two driveways to direct traffic into the driveways and stop traffic as necessary on Watertower Road to allow vehicles to enter and exit the site. It is important to note that Watertower Road is already a 35 mile per hour road, and although there is much truck traffic along this road, it is anticipated, based on the worst case scenario that has already been reviewed by Palm Beach County, that it could meet the extended capacity as long as the stacking is kept predominantly internal to the site.
b. The facility shall require that 50 % of the enrolled students ride the school buses. School buses shall enter and leave the site at the western driveway. The Applicant will mandate that at least 50% will be riding the bus and documentation will be provided to the Town for monitoring purposes.

c. The facility shall require that all parents arriving from the west (Congress Avenue), enter the western driveway and exit from the eastern driveway after dropping off their students. Parents arriving at the facility from the east shall be required to enter the eastern driveway and exit the eastern driveway after dropping off their students. The Traffic Control Officer shall direct these operations.

d. A traffic monitoring study will be conducted within two months for monitoring purposes, after the facility opens, to observe driveway volumes, queuing and delays on the Watertower Road in the morning and evening peak hour. Also, the study will need to include observations of any conflicts between buses and vehicles. The option was presented to the Town whereby left turn lanes may be required of the Applicant if the Town determines vehicle congestion and delays, although the Applicant is moving forward with designing and permitting the turn lanes even though this would not be a requirement until Phase II.

Phase II of the project, which is anticipated to propose a building footprint of 28,772 square feet and a total of approximately 53,000 square feet of educational facility space and ancillary uses for approximately 418 students, has already been submitted to the Palm Beach County (PBC) Traffic Division. In reviewing an overall project, PBC always anticipates a worst case scenario. Consequently, a PBC traffic comment letter was issued for 418 students with certain comments as they will relate to Phase II (*Phase I will only have 202 students based on the analysis and will meet the criteria above to satisfy concurrency*), including:

a. Provide a maximum number of students attending the adult night school. The maximum attendance must be used for determination of the site PM peak hour trip generation. We also suggest ITE private school PM peak hour rate (i.e. 0.90/student) for determination of PM peak hour trip generation. Applicant Response: *The adult night school use will only be incorporated in Phase II and the trip generation has been used for Phase II.*

b. Provide a description of potential improvements currently planned (if any) for Water Tower Road, between Congress Avenue and Old Dixie Highway. Applicant Response: *There will be a need for left turn lands on Water Tower Road for Phase II given the heightened impacts of increased enrollment and additional uses. The Applicant has decided to move forward with the design and permitting for the left turn lanes on Watertower Road as part of Phase I. Phase I, Plan 101T also delineates sign and crosswalk demarcations necessary for Phase I.*

c. Provide a schematic figure of the internal site circulation, illustrating the drop-off/pick-up locations, vehicle and bus flow directions and the vehicle queuing areas. Applicant Response: *Phase I, Plan 101T already accomplishes this requirement.*

d. Revise the project traffic distribution on Watertower Road to 75% west (towards Congress Avenue) and 25% east (towards Old Dixie Highway); Change project traffic assignment on Congress Avenue to 40% and 35%, north and south of Watertower Road, respectively. Also change project traffic assignment on Old Dixie Highway to 15% and 10%, north and south of Watertower Road, respectively. Revise other assignments accordingly. Applicant Response: *Ms. Troutman is working with Palm Beach County regarding this provision to satisfy Phase II of the project. Will be required for Phase II site plan approval. See attached letter dated 6/28/12 from Andrea Troutman P.E.*

Phase I complies with Traffic Concurrency Standards and Phase II will require official confirmation from Palm Beach County in satisfaction of the comments above.

Objective 5: *As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.*

Policy 5.4 *Utilize such techniques as distance requirements, buffering, landscaping, lower-intensity development, and scale-down requirements to provide appropriate transitions between uses and districts of different intensities, densities, and functions.*

Phase I will be incorporating the required south, west and north perimeter landscape buffers, as well as the required parking islands. Phase II will incorporate all additional code required landscaping. The entire property will be fenced in Phase I to ensure safety and security.

Objective 8, Policy 8.1: *Encourages uses within the BioScience Research Protection Overlay (BRPO) that include science/biotechnology research and educational uses and their supporting office uses (...).* The Property, which is located within the BioScience Research Protection Overlay (BRPO), was presented to the BioScience Land Protection Advisory Board on May 17, 2012, and unanimous approval was granted.

Ms. DiTommaso provided an outline of the Project Details to the P&Z Board prior to the meeting, and reviewed them as follows:

Zoning/Building Site: The Property is located in the Campus Light Industrial (CLIC) Zoning District and has a commercial/light industrial future land use designation pursuant to the Town's Comprehensive Plan. This zoning and future land use designation is suitable for the proposal of an educational facility and is contingent on the approval of a text amendment extending the use along Watertower Road, while making it a conditional use requiring Town Commission approval.

Site Access: Site access will be off of Watertower Road. The circulation plan 101T sets forth certain conditions for pick-up and drop-off. The Phase II site will incorporate special conditions for construction-related activity.

Traffic: This application is phased. Palm Beach County (PBC) Traffic only issues final traffic concurrency letters based on the worst case scenario which in this case is Phase II. Phase I, as proposed, satisfies traffic concurrency standards per Ms. Troutman's letters dated June 14, 2012 and June 28, 2012, with applicable conditions of approval mentioned in Objective 3. Phase II approval will receive final confirmation from PBC.

Landscaping: The Applicant meets the standards necessary in the Code for Phase I. The south, west and north perimeter buffers have been included in Phase I, as well as the interior parking island requirements. Phase II is conditioned and will need to meet all remaining standards.

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, as is listed as a condition of approval. The Town's Engineer for this Project has reviewed and approved all engineering plans and all Town Code and Florida Building Code requirements for Phase I.

Parking: The Project meets the parking requirements of the Town Code.

Signage: Site Circulation and School Zone signage meets the requirements per Plan 101T. The Applicant is not proposing any freestanding or wall-mounted signage as part of the Phase I approval.

Water/Sewer: The Town's consulting Engineer has reviewed the Application and has determined that there is sufficient capacity to meet the levels of service for potable water and wastewater treatment as required by the Town's Comprehensive Plan.

Design: Phase I Site Plan consists of 13,438 square feet of classrooms portables and office space, along with all required parking, small playground area, circulation, paving and drainage necessary to operate, per the Code requirements. Phase II will incorporate all main and accessory buildings for a total of roughly 53,000 square feet of facility space, along with the incorporation of all additional parking, landscaping, lighting and irrigation and required architectural standards to meet all the code requirements for Phase II. Phase I classroom portables will be removed during Phase II and replaced with the necessary parking and landscaping as will be required as part of the Phase II review.

Fire: Palm Beach County Fire Rescue has reviewed the plans and does not have any outstanding issues for Phase I. They will review Phase II plans when they are applied for under the timelines prescribed in the conditions of approval. Applicant slightly modified parent automobile turnaround in the northeast corner to meet Fire truck turning and maneuvering requirements per Fire's request. Additionally, the Applicant modified an 8'-0" gap between modular classrooms #9 and #10 for require Fire department access.

PBSO Crime Prevention Through Environmental Design (CPTED) review: The Palm Beach County Sheriff's Office opted to perform of a complete review of Phase II once submitted.

Ms. DiTommaso stated that Staff is recommending approval of the Phase I Site Plan for Conditional Use, subject to the following conditions:

1. Construction shall be permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. Sunday and holiday construction is not permitted.

2. Any disturbance of the public right of way along Watertower Road which interferes with normal traffic patterns shall require review and written approval from the Town's Public Works and Community Development directors prior to any construction.
3. Any disruption to any of the nearby entrance/exit and parking areas along Watertower Road that interferes with the daily operation of neighboring businesses shall require prior written approval by the Community Development Director.
4. Any disruption beyond the boundaries of the Site that interferes with the daily operations of the surround area shall require the Owner's 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 by the Owner. The Owner shall guarantee all new landscape material installed on the Site as required by the approved Site Plan and Town Code for a minimum of three months from the date of the issuance of the Certificate of Occupancy by the Town. It shall be the responsibility of the Owner to replace any and all dead or dying landscape material at any time the Site is not in compliance with the landscape requirements of the approved Site Plan and/or the Town Code, and also to comply with all property maintenance standards and requirements of the Town Code applicable to the Site. Phase II will require additional landscape review to meet additional code requirements which will include, but not limited to, additional parking area landscaping, east perimeter buffer landscaping, and building foundation landscaping.
6. The maintenance height for the landscaping shall be 48 inches around the entire perimeter of the site.
7. The Owner shall ensure that any and all contractors use commonly accepted practices to reduce airborne dust and particulates during the construction phase.
8. All dumpsters shall be enclosed as noted on the Site Plan and enclosure doors kept shut at all times. All dumpsters shall be acquired from the approved franchise supplier for the Town of Lake Park.
9. 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 Phase I Site Plan, including the landscape plans approved by the Town Commission.
10. 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 shall be provided to the Town by the Applicant and/or the Owner.

11. The Applicant shall provide the Town with documentation from the Palm Beach County Traffic Engineering Division that the Phase II proposal satisfies the County's Traffic Performance Standards ("TPS") and meets all traffic concurrency requirements, prior to Phase II site plan approval. Phase I is limited to 202 students and requires the following:

a. Two traffic control officers in the morning and evening peak hours for the facility. One officer shall be posted at each of the two driveways to direct traffic into the driveways and stop traffic as necessary on Watertower Road to allow vehicles to enter and exit the site. It is important to note that Watertower Road is already a 35 mile per hour road, and although there is much truck traffic along this road, it is anticipated, based on the worst case scenario that has already been reviewed by Palm Beach County, that it could meet the extended capacity as long as the stacking is kept predominantly internal to the site.

b. The facility shall require that 50% of the enrolled students ride the school buses. School buses shall enter and leave the site at the western driveway. (there are two (2) entrances to the site) The Applicant will mandate that at least 50% will be riding the bus and documentation will be provided to the Town for monitoring purposes.

c. The facility shall require that all parents arriving from the west (Congress Avenue), enter the western driveway and exit from the eastern driveway after dropping off their students. Parents arriving at the facility from the east shall be required to enter the eastern driveway and exit the eastern driveway after dropping off their students. The Traffic Control Officer shall direct these operations.

d. A traffic monitoring study will be conducted within two months for monitoring purposes, after the facility opens, to observe driveway volumes, queuing and delays on the Watertower Road in the morning and evening peak hour. Also, the study will need to include observations of any conflicts between buses and vehicles. The option was presented to the Town whereby left turn lanes may be required of the Applicant if the Town determines vehicle congestion and delays, although the Applicant is moving forward with designing and permitting the turn lanes even though this would not be a requirement until Phase II.

12. Phase II approval must be submitted no later than 3 months following the approval date of Phase I and must be approved no later than 6 months following the approval date of Phase I.

13. Phase I approval will expire July 1, 2013, at which time the classroom portables onsite must be removed. No extensions are permitted.

14. Phase I site plan is contingent on the approval of the text amendment allowing such use along on Watertower Road in the CLIC Zoning District.

15. Applicant agrees not to apply for tax exemption, which as explained by the Property Appraiser's Office is not provided by right for a Charter School and intends on paying all applicable ad valorem taxes. (Requires further review prior to Town Commission Meeting.

16. Phase II will incorporate all main and accessory buildings for a total of roughly 53,000 square feet of facility space, along with the incorporation of all additional parking, landscaping, lighting and irrigation and required architectural standards to meet all the code requirements for Phase II. Site plan review for Phase II will be required.

17. The Phase I educational facility and training 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:

e. Phase I Site Plan, Site Traffic Circulation/School Zone Plan, and Site Details referenced as sheet 101, 101T, and 102 respectively, prepared by Stuart H. Cunningham P.E. of Ahrens Companies, who is the planner, designer and engineer of record; and received and dated by the Department of Community Development on 06-28-12.

f. Survey dated 04/20/12 prepared by David C. Lidberg of Lidberg Land Surveying, Inc., surveyor of record, received and dated by the Community Development Department 06-27-12.

g. Engineering Plans, referenced as sheets 103, 104, 105, and 107 prepared by Stuart H. Cunningham P.E. of Ahrens Companies, received and dated by the Department of Community Development on 06-27-2012.

h. Landscape and Irrigation plans referenced as sheets 201 and 202 prepared by William A. Flint III of Ahrens Companies, who is the landscape architect of record received and dated by the Department of Community Development on 06-27-2012.

i. Photometric plan referenced as sheet 112, prepared by Xuan Chen P.E. of Ahrens Companies, received and dated by the Department of Community Development on 06-27-2012.

18. Any revisions to the approved Phase I Site Plan, landscape plan, signs, statement of use, or other detail submitted as part of the Application, 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.

19. Cost Recovery. All fees and costs, including legal fees at the rate of $195.00 per hour, incurred by the Town in reviewing the Project and billed to the Owner or Applicant shall be paid to the Town within 10 days of receipt of an invoice from the Town. Failure by an Owner or an Applicant to reimburse the Town within the 10 day time period may result in the automatic revocation of any and all land development approvals by the Town and any other appropriate measures that the Town deems necessary and appropriate to secure payment.

Ms. DiTommaso stated that the applicants were present. Mr. Greg Celentano, Ahrens Company, Applicant for the owner, addressed the Board and presented a visual of the site plan for the project. He reviewed the details of the proposed project including traffic circulation flow for the east and west entrances and roundabout, parking, retention area, bus circulation patterns, 15 modular classroom information, pedestrian sidewalk patterns, underground utilities and landscaping. He explained that Phase II of the Project will call for additional parking. Mr. Celentano stated that he worked with Seacoast Utilities for the

Master Plan for Phase II, but that most of the utilities will be implemented during Phase I of the Project. He also stated that a South Florida Water Management District permit will not be needed for Phase I.

Board Member Maibach questioned the number of children which will be bussed and expressed concern over the safety of the children. Mr. & Mrs. Kendrick, prospective property owners, stated that most of the children would be from San Marco Villas, across the street on Congress Avenue. Mr. Kendrick informed the Board that this would be a green facility, with solar panels and that they would be receiving $3,000 per student and additional funding sources. Mr. Kendrick also added that eventually, there would be a training facility for CPR & GED's (night classes) and would become a community facility.

Board Member Schneider stated that this is a great project, but questioned the traffic circulation at the roundabout, which she believes looks problematic. Steve Yohe, Project Engineer, stated that yield signs would be posted at the roundabout. Board member Thomas expressed concern regarding a traffic problem on the west side of the project. Stuart Cunningham, Site Engineer, further explained the traffic circulation at the roundabout and for the entire Project, and stated that he worked with Palm Beach County Fire-Rescue and they approved the circulation. Mr. Cunningham stated that there would be a traffic crossing guard present to direct the children across Watertower Road. Board Member Schneider asked if a left turn lane would be included in Phase 1? It was stated that the left turn lane would be included in Phase II and that they would add a 12' lane within the right of way. Ms. Schneider also questioned if students would be required to ride school buses? Mr. Cunningham indicated that Palm Beach County Traffic Engineering requirement is that 50% of the students would be required to ride school buses. Chair Thomas asked where the students from San Marco Villas would cross Congress Avenue. Mr. Kendrick stated that crossing guards would be provided at their own expense. Board Member Bontrager questioned the construction of the portable classrooms. He was informed that the fifteen (15) portable classrooms are modular rentals which will be returned upon completion for re-use. Mr. Bontrager also questioned if once the project was complete, would it be designated as a hurricane safety shelter and could it possibly become an EOC center? He was informed that the idea of making it an EOC center is currently being explored. Board Member Lloyd stated that he thinks that this is a marvelous project, but that he has concerns regarding the safety of the children, specifically regarding predators. Would there be ample PBSO protection for the children and will background checks be conducted on on all employees and volunteers? Mrs. Kendrick stated that she has been running an after school program since 2003 and that the safety of the children is of primary concern. High safety standards would be set, with safety first, and that safety instruction will be provided. Board Member Thomas questioned the tax exempt issue, if there would be a cafeteria in Phase I and will hot meals be brought onto the site? She was informed that the cafeteria will not be included in Phase I but that hot meals would be picked up or delivered from Hal Watkins Middle School. Chair Thomas asked about curriculum and if there is signage proposed for the project. She was informed that the Phase I signage would be a temporary banner and Phase II would be permanent signage. Ms. DiTommaso informed the Board that the Code does not allow banners as permanent signage. The Applicant agreed to work with Staff on a permanent sign for Phase I.

Upon discussion, Chair Thomas called for a motion for the approval of the Staff recommendation for the site plan for Community Learning Outreach Center. Board Member Schneider made a motion to approve the Staff recommendation of the Phase I Site Plan for conditional use, *subject to conditions as outlined by Staff.* The Motion was seconded by Board Member Bontrager, and the vote was as follows:

	Aye	Nay
Anthony Bontrager	X	
Jim Lloyd	X	
Robin Maibach	X	
Judith Thomas	X	
Natalie Schneider	X	

The Motion carried 5-0 and the Staff Recommendation for approval of the Phase I Site Plan, subject to the out-lined conditions, for Community Learning Outreach Center, LLC was approved.

COMMENTS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

Nadia DiTommaso, Community Development Director, announced that Kim Delaney of the Treasure Coast Regional Planning County is willing to make a presentation to the Planning & Zoning Board regarding Rail Initiatives in South Florida at the next Planning & Zoning Board Meeting. The Board recommended that this be the only item on the agenda.

ADJOURNMENT OF MEETING

Chair Judith Thomas requested that the Applicant provide Power Point Presentations in the future and also requested that Ms. DiTommaso provide Planning & Zoning Board Members with up-dates of current Town Commission actions.

Chair Thomas called for a motion to adjourn. Vice-Chair Maibach made a motion to adjourn the meeting, and the motion was seconded by Board Member Schneider. Therefore, the meeting was adjourned at 9:05 p.m.

Respectfully Submitted,

Kimberly B. Rowley

Kimberly Rowley
Planning & Zoning Board Secretary

PLANNING & ZONING BOARD APPROVAL:

_____

Judith Thomas, Planning & Zoning Board Chair

DATE:

_____

Town of Lake Park
Community Development Department

Nadia Di Tommaso
Community Development Director

8/1/12

Planning & Zoning Board Meeting Date: **August 6, 2012 – 7:00 p.m.**

To: Honorable Chair, Vice-Chair and Board Members

As requested at the last Planning & Zoning Board meeting of July 2, 2012, the August 6th, 2012 meeting only has one item: A presentation on Transit Oriented Development by Kim Delaney of the Treasure Coast Regional Planning Council. A copy of the PowerPoint presentation is enclosed. This presentation will hopefully be the first of many informational workshops on various topics related to planning, zoning and historic preservation.

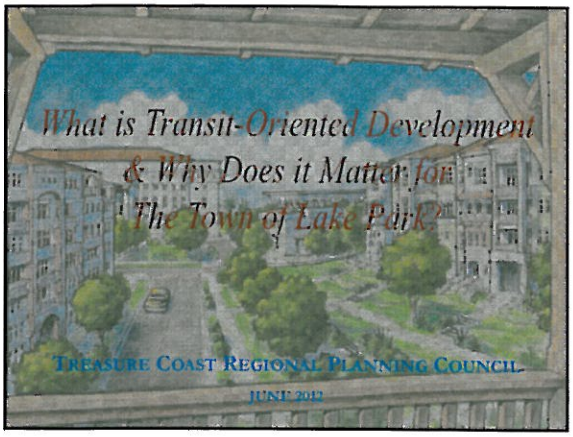
Enclosed is also a tracking sheet on the items that have been discussed by the Planning & Zoning Board members since January 1, 2012. The tracking sheet explains the subsequent action taken on these items and hopefully will serve as an informational supplement to the Town Commission minutes which are published on the Town's website.

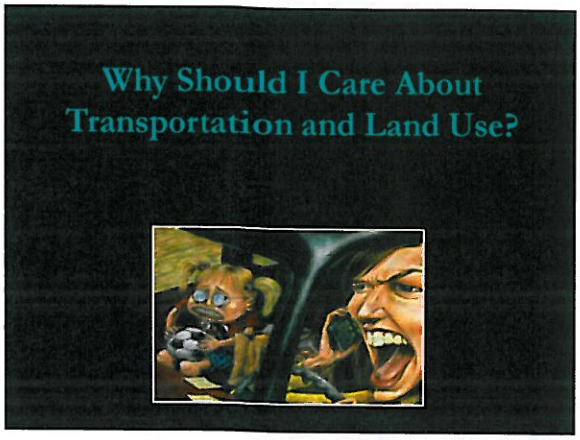
Nadia Di Tommaso, Community Development Director
Community Development Department
881-3319 fax 881-3323
NDiTommaso@lakeparkflorida.gov

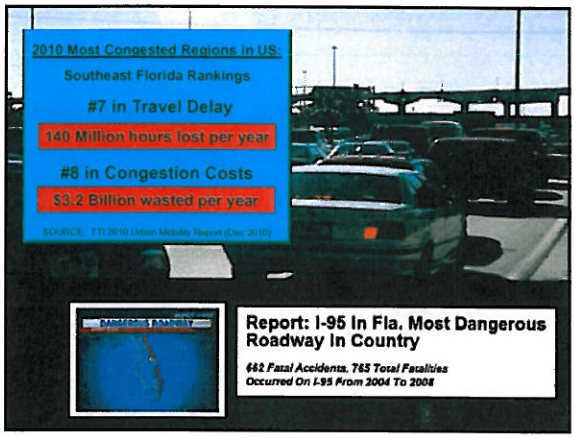
PLANNING & ZONING BOARD AGENDA ITEMS

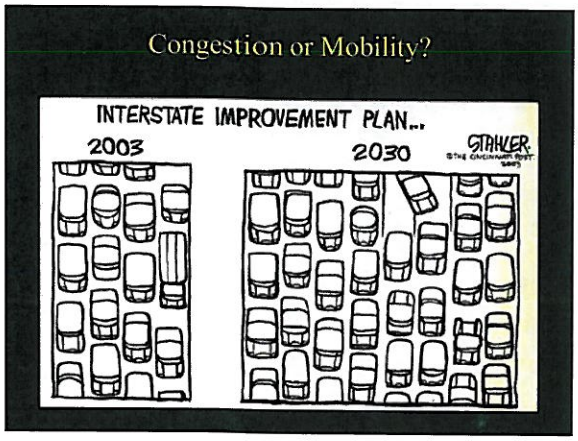
PROJECT NAME	PLANNING & ZONING BOARD MEETING DATE	APPLICATION TYPE	PLANNING & ZONING BOARD MOTION	TOWN COMMISSION MOTION & MEETING DATE
AUTOMOTIVE LITIGATION CONSULTANTS, LLC, d/b/a AUTO CG	MAY 7, 2012	SPECIAL EXCEPTION USE (MOTOR VEHICLE SALES FACILITY WITHIN C-2 DISTRICT)	APPROVED 5-0	APPROVED W/CONDITONS 5-0 JUNE 6, 2012
EARL STEWART TOYOTA	MAY 7, 2012	REQUEST FOR EXTENSION OF VEHICULAR STORAGE LOTS & OFFICE TRAILER USE & REQUEST FOR 340' FLAGPOLE	APPROVED W/CONDITIONS 4-1	APPROVED EXTENSION & 50' FLAGPOLE W/CONDITIONS 4-1 JUNE 6, 2012
HEDGE PLANT MATERIAL FOR DOWNTOWN ALLEYWAYS	MAY 7, 2012	DISCUSSION	Not an action item.	Hedge material item is currently out for bid with a bid opening date of August 15th (per Richard Pittman).
COMMUNITY LEARNING OUTREACH CENTER, LLC	JULY 2, 2012	TEXT AMENDMENT	APPROVED 5-0	APPROVED ON 1st READING W/ THE ELIMINATION OF THE TERM "TRAINING CENTER" 5-0 JULY 18, 2012
COMMUNITY LEARNING OUTREACH CENTER, LLC	JULY 2, 2012	SITE PLAN APPROVAL PHASE I	APPROVED 5-0	APPROVED W/ ADDED CONDITION FOR UPGRADED FENCING AND ADDTLN CONDITIONS 5-0 JULY 18, 2012

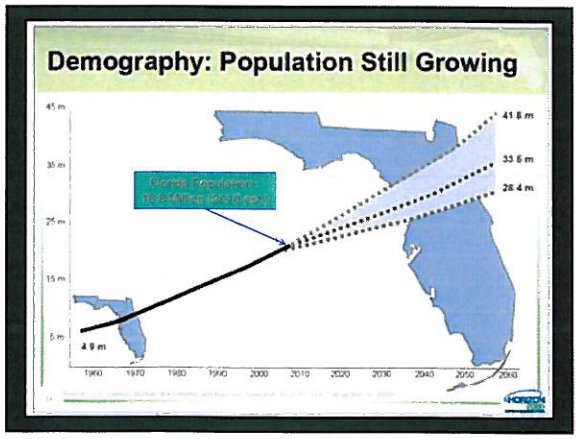
Updated: 08/01/2012

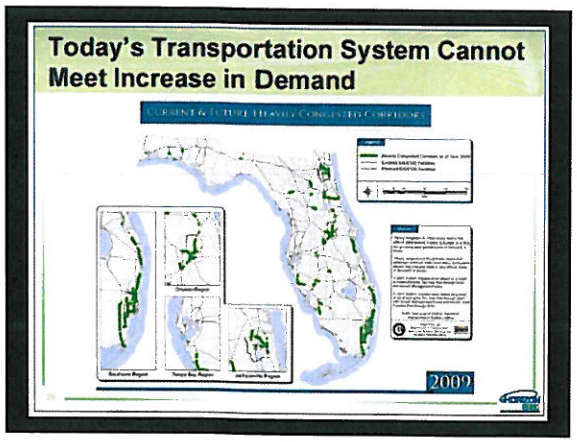

What is Transit-Oriented Development & Why Does it Matter for The Town of Lake Park?
Treasure Coast Regional Planning Council
June 2012

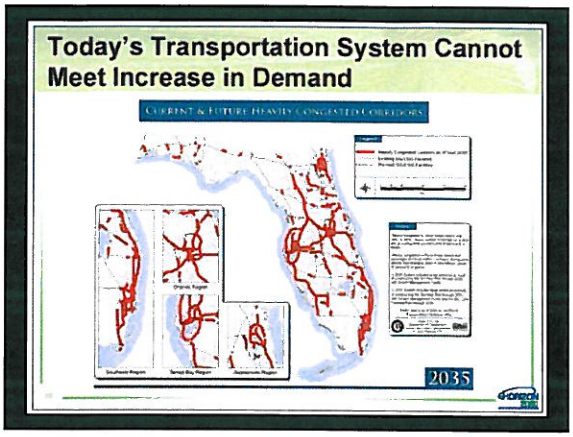

Why Should I Care About Transportation and Land Use?

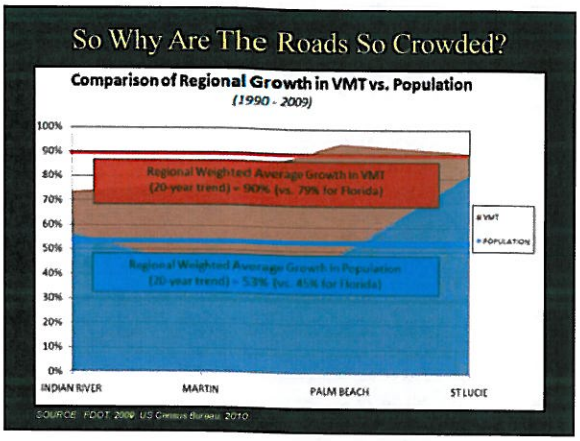

2010 Most Congested Regions in US:
Southeast Florida Rankings
#7 in Travel Delay
140 Million hours lost per year
#8 in Congestion Costs
$3.2 Billion wasted per year
Report: I-95 In Fla. Most Dangerous Roadway In Country
662 Fatal Accidents, 765 Total Fatalities
Occurred On I-95 From 2004 To 2008

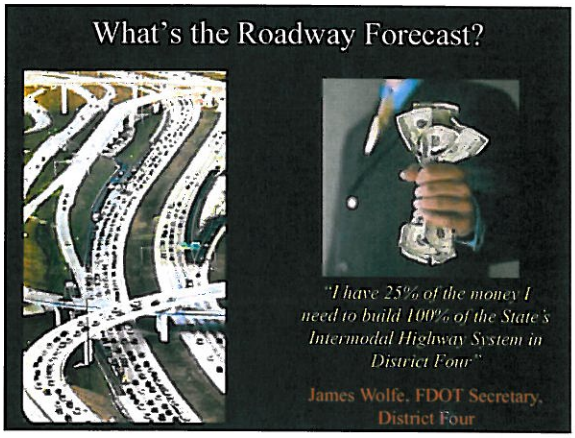

Congestion or Mobility?
INTERSTATE IMPROVEMENT PLAN...
2003
2030
STAHLER

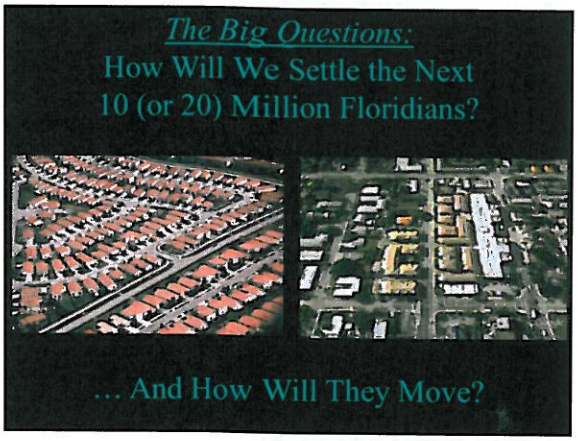

Demography: Population Still Growing
41.8 m
33.6 m
28.4 m
4.9 m

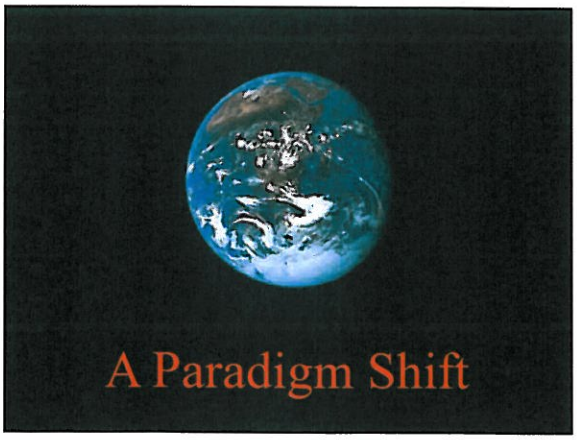

Today's Transportation System Cannot Meet Increase in Demand
2009

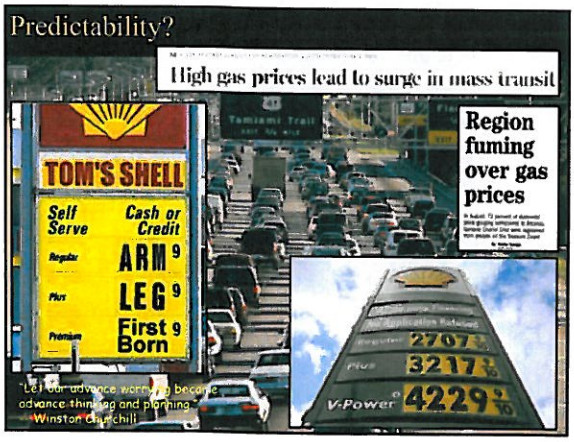

Today's Transportation System Cannot Meet Increase in Demand
CURRENT & FUTURE HEAVILY CONGESTED CORRIDORS
2035


So Why Are The Roads So Crowded?
Comparison of Regional Growth in VMT vs. Population
(1990 - 2009)
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
Regional Weighted Average Growth in VMT
(20-year trend) = 90% (vs. 79% for Florida)
VMT
POPULATION
INDIAN RIVER
MARTIN
PALM BEACH
ST LUCIE
SOURCE: FDOT 2009, US Census Bureau, 2010


What's the Roadway Forecast?
"I have 25% of the money I need to build 100% of the State's Intermodal Highway System in District Four"
James Wolfe, FDOT Secretary, District Four


The Big Questions:
How Will We Settle the Next 10 (or 20) Million Floridians?
... And How Will They Move?


A Paradigm Shift


Predictability?
High gas prices lead to surge in mass transit
Region fuming over gas prices
TOM'S SHELL
Self Serve
Cash or Credit
Regular
ARM 9
Plus
LEG 9
Premium
First 9 Born
V-Power 4229
"Let our advance worrying become advance thinking and planning."
Winston Churchill

Is Green on the Agenda?

Taking Transit to Work is the Best Way to Reduce Household Carbon Footprint

Science Applications International Corporation (2007)

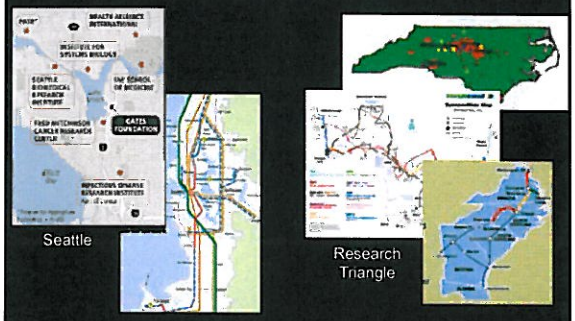
Why Transit?

For Every $1 Spent on Transit, There is an $8 Return

(in increased productivity, reduction of fuel consumption, increased land values, and reduced road construction)

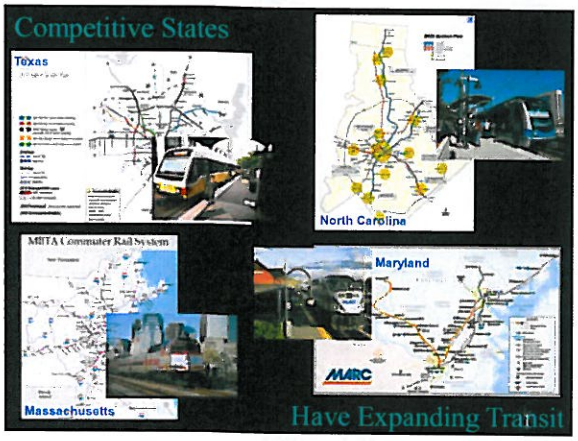
SOURCE: Cambridge Systematics

Successful (& Sustainable) Economic Regions



Have Successful Transit

Competitive States



Have Expanding Transit

Global Competitors ~ Lots of Transit

What is TOD …

Transit Oriented Development

- Walkable "villages" located at & around transit stations in a ¼ to ½ mile ring
- Contains broad mix of uses (such as residential, office, retail, entertainment, civic/cultural)
- Tie-into local transit (Palm-Tran, trolleys)
- Densities appropriate to context
- More compact than surrounding areas
- Built around civic plazas & community spaces
- Appropriate treatment of parking (shared, reduced & structured)

TOD vs. TAD

- Transit Oriented Development
  vs.
- Transit Adjacent Development
  - Auto-oriented uses
  - Large surface parking lots
  - Suburban office campuses
  - Big-box format retail
  - Pedestrian unfriendly

TOD "Typology"

City Center

Town Center

Neighborhood Station

Employment Center Station

TOD "Typology"

Local Park-n-Ride

Regional Park-n-Ride

Airport / Seaport

Special Event Venue

Design Features of a Well-Planned TOD

Design Features Of Well-Planned TODs

- **Demographic Suitability**
  - Population, households & employment within ½-mile radius around station & in larger transit shed
- **Streets and Blocks**
  - Primary focus on pedestrians; cars are secondary
  - Streets narrow enough to cross easily on foot
  - Continuous sidewalks
  - Blocks of 400-600 LF
  - ADA accessibility

Design Features Of Well-Planned TODs

- **Good Mixture of Buildings and Uses**
  - Mix of retail, office, restaurants, residential and others
  - Creates 18 hours of daily activity
  - "Eyes on the Street" provides natural surveillance

Design Features Of Well-Planned TODs

- **Building Design & Placement**
  - Properly located buildings create walkable streets
  - Active uses along ground floors; residential & office above
  - Continuous "pedestrian itinerary" without large tracts of vacant land or surface parking lots
  - Building fronts face other fronts; transition at rear property lines; windows & doors at street edge

Design Features Of Well-Planned TODs

- **Proper Parking Placement & Treatment**
  - Adequate parking, but not an oversupply
  - Shared & structured parking (design & economics)
  - Located to create pedestrian patrons for businesses
- **Additional Considerations**
  - Tie-in with local transit (bus, trolley, other)
  - Public open space
  - Civic & cultural uses

TOD

Winter Park, Florida

TAD

Pompano Beach, Florida

Different Transit "Technologies"

SE Florida ~ Passenger Rail Options

"Silver Star" Existing Service (Amtrak)

Intercity Passenger Rail

AMTRAK

"FEC/Amtrak" Proposal (FDOT)

Intercity Passenger Rail

FEC AMTRAK

PLANNED NEW STATIONS (East Coast)

- St Augustine
- Daytona Beach
- Titusville
- Cocoa (Port Canaveral)
- Melbourne
- Vero Beach
- Fort Pierce
- Stuart

EXISTING STATIONS (East Coast)

Jacksonville ... West Palm Beach
Delray Beach, Deerfield Beach,
Fort Lauderdale, Hollywood, Miami

- Miami International Airport

"Tri-Rail" Existing Service (SFRTA)

Regional Commuter Rail

RTA

"SF East Coast Corridor Study" (FDOT)

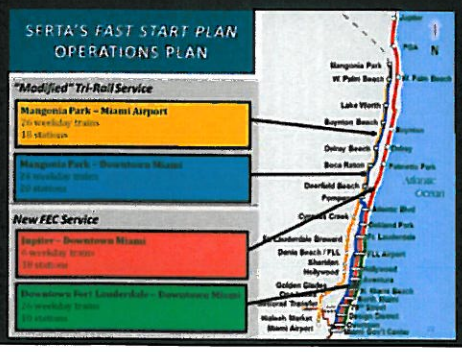
Regional Commuter Rail

Study Process – Refined LPA

- **Base Scenario (Full-Build: Horizon Year 2035)**
  - *Maintains Existing Tri-Rail service*
  - *Provides FEC Local and Flagler Flyer*
  - *Headways (peak/off-peak)*
    - FEC Local: 30/60
    - Flagler Flyer: 30/60
  - *Number of stations*
    - FEC Local: 30
    - Flagler Flyer: 31
    - Total SFECC stations: 36
  - *Crossover Connections*
    - Northwood and Pompano
- **Supports System Master Plan Vision**

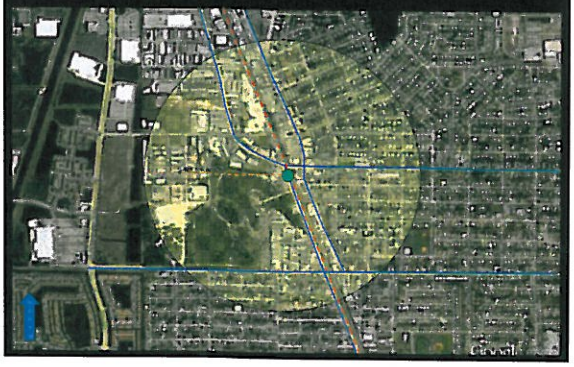
"Fast Start" Proposal (SFRTA)

Regional Commuter Rail



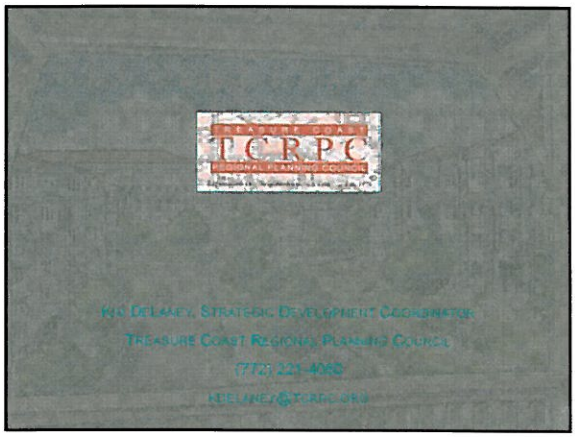
Town of Lake Park:

Possible Station Location



"All Aboard Florida" Proposal (FEC Industries)
Intercity Commuter Express Rail
ALL ABOARD FLORIDA
100% PRIVATE
6,000 CONSTRUCTION JOBS FOR FLORIDIANS
50 MILLION TRAVELERS
$6+ BILLION
3 MILLION CARS OFF THE ROAD
JACKSONVILLE
ORLANDO
TAMPA
WEST PALM BEACH
FORT LAUDERDALE
MIAMI

Caution:
EXPECT TO BE BEATEN BY THE TRAIN AGAIN TODAY...
©Shailendra...


TCRPC
TREASURE COAST REGIONAL PLANNING COUNCIL