



**TOWN OF LOXAHATCHEE GROVES
PLANNING AND ZONING BOARD MEETING
APRIL 7, 2021**

CALL TO ORDER

Vice Chair Bell called the meeting to order at 6:15 p.m. (estimated time), and asked Town Clerk Lakisha Burch to call the roll.

ROLL CALL

Present: Board Members Brett Rafterwitz and Neil O'Neal III; Vice Chair William Bell; Town Manager Jamie Titcomb; and Town Planning Consultant Fleishmann.

Late: Town Clerk Burch advised that Chair William Ford and Board Member Matthew Ortero both called the Clerk and left messages that they would be joining the Board Meeting late at 7:00 p.m.

Town Clerk Burch confirmed a quorum for business to proceed.

APPROVAL OF AGENDA

Motion made by Vice Chair Bell, duly seconded, to approve the Agenda. The motion passed unanimously.

PUBLIC COMMENTS *(on Non-Agenda Items)*

None.

REGULAR AGENDA

- 1. Agenda Supplement dated 04/02/21 Prepared by Mr. Fleishmann Regarding Inconsistencies in Southern Palms Car Wash and Heartland Dental Office Building Site Plan Applications.**

Mr. Fleishmann gave a staff presentation recommending that an "Administrative" Site Plan for Pod B be prepared as a guide for all future development activities within Pod B. The "Administrative" Plan would focus on issues that are common to all of the Pod B developments such as perimeter landscaping, ingress/egress, cross access, sidewalks, etc.

Vice Chair Bell suggested that no action was required by the Board on this matter and none was taken.

Vice Chair Bell stated that his understanding was that the Board was merely being asked by Staff to acknowledge that the applicants had submitted partial Pod developments in lieu of entire Pod developments. Mr. Fleishmann affirmed and closed the discussion on this matter.

2. Aldi Sign Variance

Mr. Fleishmann advised the Board that Aldi was open for business, and had submitted an application for a variance to increase the permitted size of both the primary (Southern Boulevard) and secondary (B Road) signage for the business.

Mr. Fleishmann directed the Board to Page 7 of the Agenda package for visuals of the proposed signage and to Pages 5-11 for Staff comments, noting a critical typographical error at the third paragraph of Page 8. He invited the applicant to present.

Attorney Matthew Scott from the Law firm of Dunay Cohen Backman in Boca Raton, FL, appeared for the applicant. Attorney Scott commended the Staff Report and analysis. He explained that the Aldi temporary Certificate of Occupancy included temporary banners which the proposed permanent signs will be replacing.

Attorney Scott presented a slide deck showing visuals of project and proposed signage from multiple views.

He advised that two main items were driving Aldi's request for a variance for larger signs. First, Southern Blvd. will be expanding and adding a lane, so the sign needs to be larger for the new lane of fast-moving vehicular traffic to see it. Second, the Town adopted new regulations for landscape buffers that require a larger berm (3 feet) with trees on the top, so the signage needs to account for the increased height of the new berms and the fullness of the mature trees.

Finally, Attorney Scott advised that in the recent past Publix and John Deere both got variances for larger signs (74 feet).

The Board discussed the timing of the new landscaping at the project.

Vice Chair Bell then asked for public comment.

PUBLIC COMMENTS *(on Agenda Item #2)*

None.

The Board members asked staff and the applicant for details of the other sign variances including Publix, John Deere and Wendy's Menu Board, which were then discussed.

Vice Chair Bell asked for a Motion to Approve Agenda Item 2 based upon Staff recommendations.

A Motion was made and duly seconded for approval of Agenda Item 2 (SP-20-2008) to grant the variance for larger signs based upon Staff recommendations as set forth at Page 11 of the Agenda package, and subject to the Site Plan dated December 16, 2020, and Conditions of Approval per Attachments A and B.

The motion passed unanimously, 5-0.

3. Groves Town Center Pod B Site Plan Applications (for Southern Palms Car Wash and Heartland Dental Office)

Mr. Fleishmann introduced the Southern Palms Car Wash Site Plan Application. The Staff Report starts on Page 12 of the Agenda package. The principal objective of staff review is to consider the characteristics of site plan application against those of the Town's ULDC. In this case, staff determined that the applicant's Site Plan met ULDC requirements. Mr. Fleishmann then invited the applicant to present.

Jacob Lawson, Civil Engineer from Kimley-Horn & Associates of Vero Beach, FL appeared for the applicant car wash project owned by his client, Mr. Dan Woodward. Mr. Woodward owns another car wash in Loxahatchee Groves. Mr. Lawson shared the elevations and suggested that they demonstrate that the proposed site plan meets the Town's ULDC requirements.

Mr. Fleishmann noted that the conditions attached to the application start at Page 24 of the Agenda package.

Mr. Lawson pointed out a mistake in the application regarding the total building square footage. 4,815 SF is the correct figure, not the 5,316 SF figure set forth in the application.

Mr. Lawson stated that the three (3) foot berm requirement posed a challenge to the project and the applicant requested flexibility. He stated that for this project, the Town's berm requirements conflict with the Palm Beach County Water Management Board requirements.

The Board discussed possible modifications and concluded that flexibility regarding the berm requirement is properly discussed between engineers of the Town and the applicant, and Staff, not at the PZB meeting.

Vice Chair Bell asked for public comments.

PUBLIC COMMENTS *(on Agenda Item #3-Southern Palm Car Wash))*

None.

BOARD MEMBER COMMENTS

Vice Chair Bell made a Motion to Talk About Agenda Item #3-Southern Palm Car Wash.

The Board indicated that Staff recommended approval of the application per Pages 24-27 of the Agenda package.

Vice Chair Bell asked the record reflect that Chair Ford had arrived. Town Clerk Burch took official notice.

The Board discussed drafting of the motion and taking note of square footage, canopy with solar panels and signage, height change in berm.

Chair Ford had specific questions about why the Town needed another car wash identical to the existing one nearby. He pointed out that horse trailers and dual pick-up trucks ('Dualies') won't fit in either car wash.

Board discussion returned to drafting the motion.

A Motion was made by Chair Ford, duly seconded, to approve Item #3-Southern Palm Car Wash Site Plan Application per staff recommendations with these changes: 1) Correct the square footage from 5,316 SF to 4,815 SF; 2) Correct the landscape buffer from 10' to 8' per the Town Ordinance; and 3) flexibility regarding the 3' berm to be discussed at a later time. The Motion passed 3-2.

Board Members in Opposition stated that the Town doesn't need another car wash like this.

Chair Ford introduced Item #3-Heartland Dental Office Site Plan Application

Mr. Fleishmann summarized the project as including conditions at Pages 39-42 of the Agenda package and invited the applicant to present.

Appearing for the applicant Heartland Dental Office was Jacob Lawson, Civil Engineer from Kimley-Horn & Associates of Vero Beach, FL.

Mr. Lawson indicated that the Part B #5 cross access agreement and requirement without an identified partner for the agreement was problematic. Mr. Fleishmann agreed.

The Board engaged in a lengthy discussion about Part B #5.

Upon conclusion, Town Clerk Burch summarized that a Motion was made by Mr. Raflowitz and seconded by Mr. Otero to approve Staff recommendations.

Vice Chair Bell interrupted to restate the Motion:

A Motion was made by Mr. Raflowitz and seconded by Mr. Ortero to approve Item #3 for the Heartland Dental Office Site Plan Application incorporating Staff recommendations to remove #13, revise Part B #5 for cross access, and incorporate the approval of the engineers. The motion passed unanimously, 5-0.

SET NEXT MEETING DATE

None.

ADJOURN PLANNING AND ZONING BOARD MEETING

There being no further business the meeting was adjourned at 9:00 p.m. (estimated time).

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Town Clerk

Vice Chairperson

Prepared by:
I. Revelas, Prototype, Inc.