



Town of Loxahatchee Groves
Planning & Zoning Board/LPA Meeting
Thursday, June 13, 2013 at 7:00 p.m.

Central Palm Beach County Chamber of Commerce – West Office
13901 Southern Boulevard, Loxahatchee Groves, FL33470

Chair Dennis Lipp
Vice Chair Robin Crawford
Board Member Lawrence Corning
Board Member Keith Harris
Board Member Grace Joyce
Alternate Member #1 Veronica Close
Alternate Member #2 Byrnes Guillaume

Town Manager Mark Kutney
Town Clerk Susan Eichhorn
Town Planner Jim Fleishmann

MINUTES

1. OPENING

a. Call to Order & Roll Call

Chair Dennis Lipp called the meeting to order at 7:00 pm. Upon roll call, the following members of the Planning and Zoning Board were present: Chair Lipp, Vice Chair Crawford and Board Member Harris. Board Member Lawrence Corning, Grace Joyce and Alternate Members Veronica Close and Byrnes Guillaume were not in attendance. Alternate Member Byrnes Guillaume arrived at 8:05 p.m. Also in attendance were Town Manager Mark Kutney, Town Planning Consultant Jim Fleischmann, and Office Coordinator Dennise Rodriguez.

- b. Approval of Agenda

Motion made by Board Member Harris, to approve the agenda, seconded by Vice Chair Crawford. The motion passed unanimously 3/0

2. MINUTES

- a. Planning and Zoning Board Minutes for Approval - May 23, 2013

Member Harris made a brief statement regarding the minutes.

Motion made by Board Member Harris, seconded by Vice Chair Crawford to approve the minutes of May 23, 2013. The motion passed 3/0.

Town Manager Kutney advised that the Board had deferred Application Number REZ 2013-01, which resulted in a very long deferral and he suggested that the Board would need to take the application off the table make a motion to consider the application this evening.

Motion: Board Member Harris made a motion to reconsider Application Number REZ 2013-01, as set forth on the Agenda. The motion was seconded by Vice Chair Crawford. The motion passed 3/0.

3. OLD BUSINESS - *None*

4. NEW BUSINESS - *None*

5. LOCAL PLANNING AGENCY

Old Business

- a. Number: REZ 2013-01 (Loxahatchee Groves Commons) Proposed Change in Zoning: Agricultural Residential (AR) to Commercial Low Planned Unit Development (CL/PUD) for a 21.73 acre property located at the northwest corner of Southern Boulevard and “B” Road.

Town Planning Consultant Jim Fleishman addressed the Board and provided an update on the application, and the staff report and recommendation. He presented a revised site plan that had taken the previous recommendation of the Planning and Zoning Board into consideration. The site plan had also been presented to the Roadways, Equestrian Trails and Greenway Advisory Committee (RETGAC), and they also had several recommendations for improvement to the site plan. A meeting had been held with RETGAC and Palm Beach State College and the applicant since that time, and it was determined that there would need to be cooperation between the applicant and Palm Beach State College. Both had indicated that they were willing to do that.

The applicant was present to review the revised site plan. Bob Bentz of Land Design South, and Joe Lelonek of Atlantic Land Companies, on behalf of the Applicant, addressed the Board and provided an overall view of the project and the revised site plan.

Discussion took place regarding the Florida Department of Transportation (FDOT) ponding program, concerns related to parking and traffic circulation.

Town Planning Consultant Fleischmann reviewed the recommendations of RETGAC. Discussion took place.

Motion: Board Member Harris made a motion to recommend approval of REZ 2013-01 subject to the following conditions:

- 1. In areas where parking spaces are 12' x 20', drive aisles shall be 28' wide**
- 2. Bars are to be prohibited**
- 3. The applicant shall consider of relocating buildings F and G for better traffic flow**
- 4. A package liquor store shall be granted a separation distance waiver**
- 5. All conditions of approval as presented in staff recommendation in Attachment B.**

The motion was seconded by Vice Chair Crawford. The motion passed 3/0.

New Business

- a. APPLICATION NUMBER: Site Plan Amendment Application - SPA 2013-01
APPLICATION NAME: Valley Crest (Magic Properties) Site Plan Amendment

SITE PLAN APPROVAL: Approval of a proposed site plan amendment on 5.0 acres located at 13710 Okeechobee Boulevard; south side of Okeechobee Boulevard, 0.25 miles west of "F" Road.

Town Planning Consultant Jim Fleischmann reported that this application had been before the Board previously. He explained that the property owner had submitted a Site Plan Approval application to the Town for approval of a “Wholesale Nursery Principal Use/Landscape Service Accessory Use” business. The proposed site plan was approved by the Town Council on March 5, 2013, through Resolution 2012-02, which included the condition that the applicant file a site plan amendment application within 6 months requesting that the wholesale Nursery Principal Use and the Landscape Nursery Accessory Use be deleted and replaced by a Landscape Service Principal Use.

Attorney David Coviello, Shutts & Bowen LLP, addressed the Board, on behalf of the applicant, reviewing the history of the application and some of the actions that the applicant had taken to date. He explained that amended site plan eliminated the nursery areas, and the dumpster was relocated to the rear of the property; in addition a landscape berm had been introduced in front of the yard waste storage area to shield that from the right of way. The Council had reduced the height of the pile from 20 feet to 10 feet, and that was now shown on the site plan. He requested a recommendation of approval of the amended site plan from the Planning and Zoning Board.

Board Member Harris suggested that the material sitting in piles be chipped and turned into a mulch to be spread around the property on a more frequent basis than 4 times per year, perhaps twice per month, because leaving that pile set could create an adverse effect on the community, such as ground water quality, etc.

Chair Lipp commented that an agriculture use is permitted by right in the AR zoning district, where landscape services are not.

Town Planning Consultant Fleischmann responded that this was being reviewed under the County code that was in existence at the time of the original code violation and the county code allowed this use in the AR district. There was no other property along Okeechobee could get approved in the same manner as this one. Anything in the future would need to be done by the Town’s code. Mr. Fleischmann noted that an approval would run with the land. Staff recommended approval of this amended site plan subject to conditions of approval as set forth by staff. Mr. Fleischmann reviewed some of those conditions.

Mr. Fleischmann explained that a process had been established in the Code for approval of site plans and amended site plans. Staff was following that procedure.

Town Manager Kutney indicated that the Town Council needs to hear what the Planning and Zoning Board recommended so that they could consider it in all of their land use actions.

Attorney Coviello explained that the Town Council had approved the site plan for a principal nursery, secondary landscape. The amended site plan was for a principal landscape.

Mr. Fleischmann explained that the Town Council approval was based on a whole set of conditions, and if the Planning and Zoning Board believed that there should be additional conditions, it could so recommend.

Motion: Vice Chair Crawford made a motion to recommend approval of the amended site plan, SPA 2013- 01, subject to all conditions related by staff, with the exception that the use limitation in Item 1.d., under Use Limitations, that outdoor storage of unprocessed vegetative waste material shall be limited to 30 days, rather than 90 days, and under Item 1.f , under Use Limitations, that the vertical grinder is to be used on an as needed basis not to exceed a maximum of 12 times per year. The motion was seconded by Alternate Board Member Guillaume. The motion passed 4/0.

6. COMMENTS FROM THE TOWN MANAGER:

Town Manager Kutney commented that there were several amendments being worked on and those items, along with some text amendments recommended by the Unified Land Development Code Review Committee (ULDCRC) would be coming to the Planning and Zoning board at one of its next meetings.

7. PUBLIC COMMENTS

Tracey Smith, on behalf of students from Barry University advised that students were in attendance this evening to observe and attend a Planning and Zoning Board meeting as part of their class requirements

8. ADJOURNMENT

There being no further business, the Planning and Zoning Board meeting of May 23, 2013, was adjourned at 9:15 p.m.



Susan Eichhorn, Town Clerk



Dennis Lipp, Chair

(SEAL)

These minutes were approved by the Planning and Zoning Board at the September 12, 2013, Planning and Zoning Board Meeting.