



**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, 1 st 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	

42

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

45

46 **ORDER OF BUSINESS**

47

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

49

50 **PUBLIC COMMENTS**

51

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

55

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

58

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

62

63 **NEW BUSINESS**

64

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

69

70 Nadia DiTommaso, Community Development Director, addressed the P&Z Board with a
 71 Staff Report presentation/summary outlining the details of the Application. The Applicant,
 72 Community Learning Outreach Center, LLC, is proposing to develop an educational facility
 73 on a parcel of property which is located within the CLIC Zoning District. Section 78-
 74 75(2)(c)(4) of the Town of Lake Park Code of Ordinances currently allows for educational
 75 facilities and schools in the CLIC Zoning District, but only along parcels which front the
 76 ultimate right-of-way of Park Avenue as it will be extended in the future. The Applicant has
 77 met with Staff in order to discuss a Text Amendment to this Code Section so that they may
 78 develop the property for an educational facility.

79

80

81 The Applicant is proposing a text amendment as follows:

82

83 **78-75 (2)(c)(4) PROPOSED TEXT AMENDMENT:**

84

85 c.

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

88

89 4.

90 Educational facilities, **training centers**, and schools.

91 **Permitted along parcels which front the ultimate**
92 **right-of-way of Watertower Road. Approved as a**
93 **conditional use by the Town Commission.**

94

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

97

98 1) Compatibility with underlying land use

99 2) Economic impacts

100 3) Compatibility with the BioScience Overlay

101

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

110

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

127 explained that there are certain partial or full exemptions that are available to Charter
128 Schools, for which application must be made. A full exemption would mean that the Town
129 would collect only Non-Ad Valorem assessments, such as garbage, storm water and the
130 Solid Waste Authority of Palm Beach County. The non ad-valorem assessments would be
131 minimal and may range between \$3,000 and \$5,000. Ms. DiTommaso informed the Board
132 that the Applicant ascertains that they will not be applying for either exemption, but intends
133 to pay all applicable ad valorem taxes. The taxing issue will be reviewed further before the
134 item is presented to the Town Commission.
135

136 Ms. DiTommaso further explained that the proposed site is located within the BioScience
137 Overlay, as noted in the Zoning Map, and that the text amendment is linked as it is
138 proposing to increase the number of available parcels for education and training facility use.
139 The proposal to increase the available land area for educational use does retain the intent of
140 the Overlay, and is consistent with the Interlocal Agreement between the Town of Lake
141 Park, Palm Beach County, and other North County municipalities which make up the
142 BioScience Land Protection Advisory Board. The Town of Lake Park presented the
143 Applicant's proposed Text Amendment and Site Plan to the BioScience Land Protection
144 Advisory Board on May 17, 2012, and the Board granted unanimous approval to support the
145 proposal.
146

147 Ms. DiTommaso concluded that Staff is recommending approval of the proposed Text
148 Amendment to Code Section 78-75(20)(c)(4). Ms. DiTommaso noted that she has had
149 conversations with Chair Thomas in relation to specific definitions which are not currently
150 in the Town Code and that it would be important to include a full definition for educational
151 facilities and schools in the Code, not only for this project but for future projects as well.
152 She mentioned that the Applicant is present this evening.
153

154 Mr. Steve Yohe, P.E., of the Community Learning Outreach Center was present, and
155 introduced their team, the prospective property owners Mr. & Mrs. Vince Kendrick, the
156 designers from Ahrens Company and Stuart Cunningham. Mr. Yohe stated they would be
157 glad to answer any questions the Board may have on this portion of the agenda.
158

159 Chair Thomas questioned Ms. DiTommaso as to the classification of Watertower Road and
160 whether or not it was a collector road. Ms. Thomas stated that roads do sometimes change
161 their names, and it could be confusing and requested clarity of ultimate right-of-way for all
162 properties with frontage on Watertower Road. Ms. DiTommaso stated that the ultimate
163 right-of-way was for the purpose of this Text Amendment, it is only referring to parcels that
164 have ultimate frontage on Watertower Road.
165

166 Chair Thomas asked if there were any questions from the Board regarding the text
167 amendment. There being none, Chair Thomas called for a motion for the approval of the
168 Staff recommendation. Board Member Lloyd made a motion to approve the Staff
169 recommendation for the Text Amendment to Section 78-75(2)(c)(4) of the Town of Lake
170 Park Code of Ordinances. The Motion was seconded by Board Member Schneider, and the
171 vote was as follows:
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	Aye	Nay
Anthony Bontrager	X	
Jim Lloyd	X	
Robin Maibach	X	
Judith Thomas	X	
Natalie Schneider	X	

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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.

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

230

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

237

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

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

248

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

253

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

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

265
266 **Objective 2 Policy 2.1:** *The owner of any site shall be responsible for the on-site*
267 *management of stormwater runoff in a manner so that post-development runoff rates,*
268 *volumes and pollutant loads do not exceed those prescribed by the South Florida Water*
269 *Management District ("District"). The Application is consistent with Policy 2.1. The*
270 *Application has been reviewed by the Town Engineer, and has been found to be in*
271 *compliance with the stormwater requirements. Phase I is exempt from the requirements of*
272 *the District. A Phase II Water Management Statement is already under review for the*
273 *approximate 53,000 square feet of interior space, with a building footprint of 28,772 square*
274 *feet, which is anticipated for Phase II and will be reviewed and presented to the Boards*
275 *within 3 months of the final approval for Phase I.*

276
277 **Objective 3.** *All development orders and permits for future development and*
278 *redevelopment activities shall be issued only if public facilities necessary to meet level of*
279 *service standards are available concurrent with the impacts of the development.*

280
281 The Application will be conditioned to receive all necessary agency permits in order to be
282 consistent with the Policy prior to the issuance of the building permit. A Phase I traffic
283 analysis for the 13,438 square feet of classroom portables has been reviewed and accepted
284 by the Town Engineer. Ms. Troutman P.E., of Pinder Troutman Consulting, Inc. provided a
285 traffic analysis and ascertained that the Phase I proposal will satisfy traffic concurrency
286 standards for 202 students, subject to the following conditions for Phase I:

- 287
288 a. Two traffic control officers in the morning and evening peak hours for the
289 facility. One officer shall be posted at each of the two driveways to direct
290 traffic into the driveways and stop traffic as necessary on Watertower Road
291 to allow vehicles to enter and exit the site. It is important to note that
292 Watertower Road is already a 35 mile per hour road, and although there is
293 much truck traffic along this road, it is anticipated, based on the worst case
294 scenario that has already been reviewed by Palm Beach County, that it could
295 meet the extended capacity as long as the stacking is kept predominantly
296 internal to the site.
- 297 b. The facility shall require that 50 % of the enrolled students ride the school
298 buses. School buses shall enter and leave the site at the western driveway.
299 The Applicant will mandate that at least 50% will be riding the bus and
300 documentation will be provided to the Town for monitoring purposes.

- 301 c. The facility shall require that all parents arriving from the west (Congress
302 Avenue), enter the western driveway and exit from the eastern driveway after
303 dropping off their students. Parents arriving at the facility from the east shall
304 be required to enter the eastern driveway and exit the eastern driveway after
305 dropping off their students. The Traffic Control Officer shall direct these
306 operations.
- 307 d. A traffic monitoring study will be conducted within two months for
308 monitoring purposes, after the facility opens, to observe driveway volumes,
309 queuing and delays on the Watertower Road in the morning and evening peak
310 hour. Also, the study will need to include observations of any conflicts
311 between buses and vehicles. The option was presented to the Town whereby
312 left turn lanes may be required of the Applicant if the Town determines
313 vehicle congestion and delays, although the Applicant is moving forward
314 with designing and permitting the turn lanes even though this would not be a
315 requirement until Phase II.

316
317 Phase II of the project, which is anticipated to propose a building footprint of 28,772 square
318 feet and a total of approximately 53,000 square feet of educational facility space and
319 ancillary uses for approximately 418 students, has already been submitted to the Palm Beach
320 County (PBC) Traffic Division. In reviewing an overall project, PBC always anticipates a
321 worst case scenario. Consequently, a PBC traffic comment letter was issued for 418
322 students with certain comments as they will relate to Phase II (*Phase I will only have 202*
323 *students based on the analysis and will meet the criteria above to satisfy concurrency*),
324 including:

- 325
326 a. Provide a maximum number of students attending the adult night school. The
327 maximum attendance must be used for determination of the site PM peak hour trip
328 generation. We also suggest ITE private school PM peak hour rate (i.e.
329 0.90/student) for determination of PM peak hour trip generation. Applicant
330 Response: *The adult night school use will only be incorporated in Phase II and the*
331 *trip generation has been used for Phase II.*
- 332
333 b. Provide a description of potential improvements currently planned (if any) for Water
334 Tower Road, between Congress Avenue and Old Dixie Highway. Applicant
335 Response: *There will be a need for left turn lands on Water Tower Road for Phase II*
336 *given the heightened impacts of increased enrollment and additional uses. The*
337 *Applicant has decided to move forward with the design and permitting for the left*
338 *turn lanes on Watertower Road as part of Phase I. Phase I, Plan 101T also*
339 *delineates sign and crosswalk demarcations necessary for Phase I.*
- 340
341 c. Provide a schematic figure of the internal site circulation, illustrating the drop-
342 off/pick-up locations, vehicle and bus flow directions and the vehicle queuing areas.
343 Applicant Response: *Phase I, Plan 101T already accomplishes this requirement.*

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- 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.

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

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

397 **Drainage:** The Applicant has provided conceptual engineering to the Town, and has been
398 notified that prior to the issuance of a building permit, the Applicant must provide copies of
399 all required agency permits, including, but not limited to, permits from the South Florida
400 Water Management District, as is listed as a condition of approval. The Town's Engineer
401 for this Project has reviewed and approved all engineering plans and all Town Code and
402 Florida Building Code requirements for Phase I.

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

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

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

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

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

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

427

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

430

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

- 433 2. Any disturbance of the public right of way along Watertower Road which interferes
434 with normal traffic patterns shall require review and written approval from the
435 Town's Public Works and Community Development directors prior to any
436 construction.
- 437 3. Any disruption to any of the nearby entrance/exit and parking areas along
438 Watertower Road that interferes with the daily operation of neighboring businesses
439 shall require prior written approval by the Community Development Director.
- 440 4. Any disruption beyond the boundaries of the Site that interferes with the daily
441 operations of the surround area shall require the Owner's contractor to employ
442 commonly accepted practices that ensures the safety and well being of the general
443 public.
- 444 5. All approved landscaping shall be properly maintained by the Owner. The Owner
445 shall guarantee all new landscape material installed on the Site as required by the
446 approved Site Plan and Town Code for a minimum of three months from the date of
447 the issuance of the Certificate of Occupancy by the Town. It shall be the
448 responsibility of the Owner to replace any and all dead or dying landscape material
449 at any time the Site is not in compliance with the landscape requirements of the
450 approved Site Plan and/or the Town Code, and also to comply with all property
451 maintenance standards and requirements of the Town Code applicable to the Site.
452 Phase II will require additional landscape review to meet additional code
453 requirements which will include, but not limited to, additional parking area
454 landscaping, east perimeter buffer landscaping, and building foundation landscaping.
- 455 6. The maintenance height for the landscaping shall be 48 inches around the entire
456 perimeter of the site.
- 457 7. The Owner shall ensure that any and all contractors use commonly accepted
458 practices to reduce airborne dust and particulates during the construction phase.
- 459 8. All dumpsters shall be enclosed as noted on the Site Plan and enclosure doors kept
460 shut at all times. All dumpsters shall be acquired from the approved franchise
461 supplier for the Town of Lake Park.
- 462 9. Prior to issuance of the Certificate of Occupancy, the Applicant shall provide
463 certification from the Landscape Architect of record that the plant installations on
464 site are in accordance with the Phase I Site Plan, including the landscape plans
465 approved by the Town Commission.
- 466 10. Prior to the issuance of any building permit, copies of all other required permits from
467 other agencies including but not limited to Palm Beach County Health Department,
468 Palm Beach County Land Development Division, South Florida Water Management
469 Division and the State of Florida Department of Environmental Protection shall be
470 provided to the Town by the Applicant and/or the Owner.
- 471
- 472 11. The Applicant shall provide the Town with documentation from the Palm Beach
473 County Traffic Engineering Division that the Phase II proposal satisfies the County's
474 Traffic Performance Standards ("TPS") and meets all traffic concurrency
475 requirements, prior to Phase II site plan approval. Phase I is limited to 202 students
476 and requires the following:
477

- 478 a. Two traffic control officers in the morning and evening peak hours for the
479 facility. One officer shall be posted at each of the two driveways to direct
480 traffic into the driveways and stop traffic as necessary on Watertower Road
481 to allow vehicles to enter and exit the site. It is important to note that
482 Watertower Road is already a 35 mile per hour road, and although there is
483 much truck traffic along this road, it is anticipated, based on the worst case
484 scenario that has already been reviewed by Palm Beach County, that it could
485 meet the extended capacity as long as the stacking is kept predominantly
486 internal to the site.
- 487 b. The facility shall require that 50% of the enrolled students ride the school
488 buses. School buses shall enter and leave the site at the western driveway.
489 (there are two (2) entrances to the site) The Applicant will mandate that at
490 least 50% will be riding the bus and documentation will be provided to the
491 Town for monitoring purposes.
- 492 c. The facility shall require that all parents arriving from the west (Congress
493 Avenue), enter the western driveway and exit from the eastern driveway after
494 dropping off their students. Parents arriving at the facility from the east shall
495 be required to enter the eastern driveway and exit the eastern driveway after
496 dropping off their students. The Traffic Control Officer shall direct these
497 operations.
- 498 d. A traffic monitoring study will be conducted within two months for
499 monitoring purposes, after the facility opens, to observe driveway volumes,
500 queuing and delays on the Watertower Road in the morning and evening peak
501 hour. Also, the study will need to include observations of any conflicts
502 between buses and vehicles. The option was presented to the Town whereby
503 left turn lanes may be required of the Applicant if the Town determines
504 vehicle congestion and delays, although the Applicant is moving forward
505 with designing and permitting the turn lanes even though this would not be a
506 requirement until Phase II.
507
- 508 12. Phase II approval must be submitted no later than 3 months following the approval
509 date of Phase I and must be approved no later than 6 months following the approval date
510 of Phase I.
- 511 13. Phase I approval will expire July 1, 2013, at which time the classroom portables
512 onsite must be removed. No extensions are permitted.
- 513 14. Phase I site plan is contingent on the approval of the text amendment allowing such
514 use along on Watertower Road in the CLIC Zoning District.
- 515 15. Applicant agrees not to apply for tax exemption, which as explained by the Property
516 Appraiser's Office is not provided by right for a Charter School and intends on
517 paying all applicable ad valorem taxes. (Requires further review prior to Town
518 Commission Meeting.
519
520

521 16. Phase II will incorporate all main and accessory buildings for a total of roughly
522 53,000 square feet of facility space, along with the incorporation of all additional
523 parking, landscaping, lighting and irrigation and required architectural standards to meet
524 all the code requirements for Phase II. Site plan review for Phase II will be required.
525

526 17. The Phase I educational facility and training center shall be constructed in
527 compliance with the following plans on file with the Town's Community Development
528 Department or authorized revisions as noted below:

- 529 e. Phase I Site Plan, Site Traffic Circulation/School Zone Plan, and Site Details
530 referenced as sheet 101, 101T, and 102 respectively, prepared by Stuart H.
531 Cunningham P.E. of Ahrens Companies, who is the planner, designer and
532 engineer of record; and received and dated by the Department of Community
533 Development on 06-28-12.
- 534 f. Survey dated 04/20/12 prepared by David C. Lidberg of Lidberg Land
535 Surveying, Inc., surveyor of record, received and dated by the Community
536 Development Department 06-27-12.
- 537 g. Engineering Plans, referenced as sheets 103, 104, 105, and 107 prepared by
538 Stuart H. Cunningham P.E. of Ahrens Companies, received and dated by the
539 Department of Community Development on 06-27-2012.
- 540 h. Landscape and Irrigation plans referenced as sheets 201 and 202 prepared by
541 William A. Flint III of Ahrens Companies, who is the landscape architect of
542 record received and dated by the Department of Community Development on
543 06-27-2012.
- 544 i. Photometric plan referenced as sheet 112, prepared by Xuan Chen P.E. of
545 Ahrens Companies, received and dated by the Department of Community
546 Development on 06-27-2012.

547 18. Any revisions to the approved Phase I Site Plan, landscape plan, signs, statement of
548 use, or other detail submitted as part of the Application, shall be submitted to the
549 Community Development Department and shall be subject to its review and approval,
550 unless the Town Code or a condition of approval requires Town Commission approval.
551

552 19. Cost Recovery. All fees and costs, including legal fees at the rate of \$195.00 per
553 hour, incurred by the Town in reviewing the Project and billed to the Owner or
554 Applicant shall be paid to the Town within 10 days of receipt of an invoice from the
555 Town. Failure by an Owner or an Applicant to reimburse the Town within the 10 day
556 time period may result in the automatic revocation of any and all land development
557 approvals by the Town and any other appropriate measures that the Town deems
558 necessary and appropriate to secure payment.
559

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

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

570

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

578

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

613 Upon discussion, Chair Thomas called for a motion for the approval of the Staff
 614 recommendation for the site plan for Community Learning Outreach Center. Board Member
 615 Schneider made a motion to approve the Staff recommendation of the Phase I Site Plan for
 616 conditional use, *subject to conditions as outlined by Staff*. The Motion was seconded by
 617 Board Member Bontrager, and the vote was as follows:
 618

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

619
 620 **The Motion carried 5-0 and the Staff Recommendation for approval of the Phase I Site**
 621 **Plan, subject to the out-lined conditions, for Community Learning Outreach Center,**
 622 **LLC was approved.**
 623

624 **COMMENTS FROM THE COMMUNITY DEVELOPMENT DIRECTOR**
 625

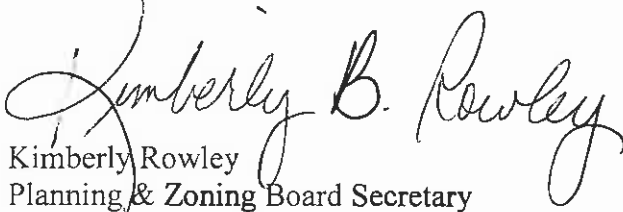
626 Nadia DiTommaso, Community Development Director, announced that Kim Delaney of the
 627 Treasure Coast Regional Planning County is willing to make a presentation to the Planning
 628 & Zoning Board regarding Rail Initiatives in South Florida at the next Planning & Zoning
 629 Board Meeting. The Board recommended that this be the only item on the agenda.
 630

631 **ADJOURNMENT OF MEETING**
 632

633 Chair Judith Thomas requested that the Applicant provide Power Point Presentations in the
 634 future and also requested that Ms. DiTommaso provide Planning & Zoning Board Members
 635 with up-dates of current Town Commission actions.
 636

637 Chair Thomas called for a motion to adjourn. Vice-Chair Maibach made a motion to
 638 adjourn the meeting, and the motion was seconded by Board Member Schneider. Therefore,
 639 the meeting was adjourned at 9:05 p.m.
 640

641 Respectfully Submitted,
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 646 Kimberly Rowley
 647 Planning & Zoning Board Secretary
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PLANNING & ZONING BOARD APPROVAL:



Judith Thomas, Planning & Zoning Board Chair

DATE:

8/6/2012