

TAB 6

**Town of Lake Park Town Commission
 Agenda Request Form**

Meeting Date: 1/21/04

Agenda Item No. 7

- | | |
|--|---|
| <input checked="" type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION 06-01-04 |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> Public Hearing | |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: A request by Trust Lake Park, LTD, owner of the Venetian Isles Traditional Neighborhood Development, for approval of three residential entry signs and approval of two waivers from Section 24-53 of the Town's Land Development Regulations.

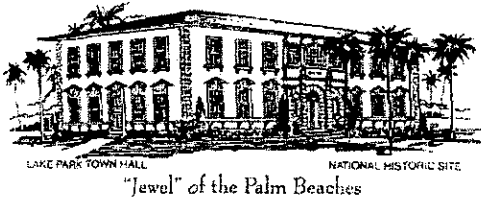
RECOMMENDED MOTION/ACTION: Staff is recommending approval of the signage with conditions and approval of the requested waivers.

Approved by Town Manager [Signature] Date: 1/14/2004

Originating Department:	Costs: \$ Funding Source: Acct. #	Attachments:
Department Review: <input checked="" type="checkbox"/> City Attorney <u>[Signature]</u> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development <u>[Signature]</u>	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input checked="" type="checkbox"/> Town Manager <u>[Signature]</u>
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <input checked="" type="checkbox"/> TF OR Not applicable in this case _____ Please Initial one.

Summary Explanation/Background: This item was previously heard by the Town Commission on December 3, 2003. The item was then remanded back to the Planning and Zoning Commission at the request of the Town Commission to review the sign colors. The P&Z requested additional up lighting within the surrounding entry sign landscaping and for a light fixture detail. The P&Z recommended Mr. Blakley, who was

responsible for reviewing the original landscape plan, also review and approve the landscape lighting on behalf of the P&Z Board. The P&Z Board recommended approval of the signs, colors and waivers, subject to the condition that the applicant and Mr. Blakely come to an agreement regarding the additional lighting.



**TOWN LAKE OF PARK
TOWN COMMISSION
Meeting Date: January 21, 2004
Date Prepared: January 13, 2004**

SUBJECT/AGENDA ITEM

Venetian Isles Signage

Public Hearing and Recommendation to the Town Commission: A request by Trust Lake Park, LTD, owner of the Venetian Isles Traditional Neighborhood Development, for approval of three residential entry signs. This item was previously heard by the Planning and Zoning Commission on October 6, 2003. The item was heard at the December 3, 2003 Town Commission meeting and remanded back to the January 5, 2004 Planning and Zoning Commission at the request of the Town Commission to review the sign colors. The subject site is located along the west side of Congress Ave, just north of the Park Avenue extension.

PUBLIC COMMENT SUMMARY:

At time of publication, staff had received no letters in support or opposition to the request.

LAND USE AND ZONING:

The site is currently zoned Mixed Use Traditional Neighborhood Development (TND) Zoning District, and has a land use designation of Mixed Residential and Commercial.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

This development was originally approved August 15, 2001 and Staff found that the overall project was consistent with the intent of the goals, objectives and policies of the Town's Comprehensive Plan.

Signage

Originally the applicant was proposing three different sign types. Subsequent to a recommendation by the Planning and Zoning Board, the applicant has modified their request to just two sign types for consistency. Sign Type 1 and Sign Type 2 are consistent in size scale and materials and are proposed to be constructed at the two entrances along Congress Ave. Sign Type 3 is similar in material to Sign 1 and 2 but is considerably smaller as it will be located at a secondary entrance along Park Avenue on the south side of the project.

The applicant is requesting a total of two (2) sign waivers for the project: A waiver from Section 24-53 (b) of the Town's Land Development Regulations to allow for an increased sign face area; and a waiver from Section 24-53 (b) 6 of the Town's Land Development

Regulations to allow for increase in the maximum allowable sign height for a free standing sign.

<i>Type of Sign</i>	<i>Location</i>	<i>Permitted</i>	<i>Requested</i>	<i>In Compliance</i>	<i>Waiver</i>
Entry Signage Wall-1 (two-sided)	Congress Ave (South)	16 sq ft per sign face 4 feet tall	26 sq. ft. per sign face 6 feet 4 inches tall	No	Yes
Entry Signage Wall-2 (one-sided)	Congress Ave (North)	32 sq ft sign face 4 feet tall	26 sq. ft. sign face 6 feet 4 inches tall	No	Yes
Entry Signage Wall-3 (two-sided)	Park Avenue (South of Site)	16 sq.ft per sign face 4 feet tall	4 sq.ft. per sign face 2 feet 4 inches tall	Yes	Yes

The TND Zoning District permits the approval of waivers by the Town Commission. Although the proposed signage is inconsistent with the Land Development Regulations, Staff is recommending approval of the requested waivers for the proposed Entry Signage Type 1 and 2, as these are consistent with the size and scale of the Venetian Isles project and the signage promotes the creation of high-quality street spaces.

Pursuant to a condition recommended by the Staff and the Planning and Zoning Commission, the applicant has provided the proposed color swatches and materials for review. The proposed colors are consistent with the colors used for the existing buildings. Please see attached renderings for the proposed colors.

Landscaping/Buffering

The applicant has provided a landscaping plan, which was previously approved. The landscape plans accounted for the future location of proposed entry signage and the landscaping surrounding the future location of the signs is consistent with the minimum standards of the Town's Code. As recommended the applicant has provided a colored detailed elevation of each sign including all proposed landscaping.

WAIVERS:

The applicant is requesting waivers for the proposed signage. The TND Zoning District permits the Town Commission to waive strict compliance with the provisions of the code. The waiver requests are based upon the criteria provided in Section 32-58 c.3 of the Town's Land Development Code as follows:

- A. The proposed development contributes to, promotes and encourages the improvement of Lake Park and catalyzes other development as envisioned in the Western District Code.

Generally these criteria are reserved for justifying the entire development however as it relates to the proposed signage along Congress Avenue, Staff finds that the signage does promote and encourage improvement of Lake Park and should be used as model for future signage along Congress Avenue corridor. Although the signage exceeds the provisions of the code, the size and scale is consistent with the size and scale of the entire development and the design speed and scale of Congress Avenue. Staff

finds the detail proposed by the applicant is an attractive gateway into the development.

- B. The proposed development will not have an unfavorable effect on the economy of Lake Park

The proposed signage along Congress Avenue should not have an unfavorable effect on the economy of Lake Park.

- C. The proposed development abides by all the rules in this code other than those specially excepted.

The proposed signage abides by all rules in this code, with the exception of the height and sign face area. As stated previously, Staff has determined that the proposed signage enhances the Congress Avenue Corridor. The signage is consistent with Section 32-58 (a) 2 and creates a high-quality street space to form a pleasant environment for pedestrians, bicyclists, and motorists traveling along Congress Avenue.

- D. The proposed development meets any reasonable additional conditions, restrictions or limitations deemed necessary by the Town Commission in order to preserve and promote the intent of the Western District Master Plan.

It is Staff's determination that this is a reasonable request to promote the intent of the Mixed Use Traditional Neighborhood Zoning District.

The following is summary of the waivers requested by the applicant:

Code Section	Required	Provided	Waiver	Recommend
Section 24-53 (b)(2) Maximum Sign Face Area	16 sq ft per sign face 32 sq ft if only one sign face	Type 1 = 26 sq. ft.	Type 1 = 10 sq. ft.	Approve
Section 24-53 (b)(6), Maximum Sign Height	4 feet max.	Type 1 = 6 ft. 4 in. Type 2 = 6 ft. 4 in.	Type 1 = 2 ft. Type 2 = 2 ft.	Approve

PREVIOUS PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board heard this item at the October 6, 2003 Public Hearing. After much discussion on each of the requested amenities and signage the P&Z Board recommending the following:

To recommended approval of the sign Type 2 and to redesign Sign Types 1 and 3 to be consistent with the Sign Type 2 (applicant has complied) and to include ground lighting of the signs and provide appropriate landscaping. The motioned passed 4-1.

At the January 5, 2004 Planning and Zoning Board meeting the Board approved the signs as presented by the applicant, however they asked the applicant to provide additional lighting on the surrounding landscaping and a lighting detail. The Board recommended that Mr. Blakely review the lighting based on his previous involvement with the review of all landscaping for this project. The motion passed 5-0.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed entry sign plans, and proposed colors dated November 20, 2003. In addition Staff is supportive of all requested waivers.

RESOLUTION NO. 06-01-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING THREE ENTRY SIGNS AND WAIVERS SUBJECT TO CONDITIONS FOR THE VENETIAN ISLES TRADITIONAL NEIGHBORHOOD DEVELOPMENT, ON A 49.73 ACRE PARCEL OF LAND, OWNED BY TRUST LAKE PARK LTD., LOCATED ON THE NORTHWEST CORNER OF CONGRESS AVENUE AND PARK AVENUE, LAKE PARK, FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Trust Lake Park LTD. (“Applicant”), has filed an application (“Application”) proposing three entry signs and waivers from the sign dimension requirements of the Code for the property located on the Northwest corner of Congress Avenue and Park, in the Town of Lake Park, (subject property); and

WHEREAS, the subject property’s legal description is contained in Exhibit A and its general location is as shown in Exhibit B, both of which are attached hereto and incorporated herein; and,

WHEREAS, Section 32-58 (c) (3) of the Town Code authorizes the Town Commission to grant waivers of the Town’s Land Development Regulations, upon a determination that the waiver criteria as set forth in Section 32-58 (c) (3) of the Town Code have been met by the Applicant; and

WHEREAS, the Lake Park Planning and Zoning Commission has reviewed the Applicant’s Application to construct the entry signs and the waiver requests of the Applicant and has made its recommendations to the Town Commission; and

WHEREAS, the Town Commission has considered the evidence presented to it by the Town Staff, the Applicant, and other interested parties and members of the public, regarding the Application’s consistency with the Town’s Comprehensive Plan and whether it meets the Town’s Land Development Regulations, and

WHEREAS, the Town Commission has determined that the Applicant has satisfied the waiver criteria of Code Section 32-58 (c) (3), that the requested waivers should be granted, and that certain conditions as set forth herein, are necessary for the Application to be consistent with the Town’s Comprehensive Plan and to meet the Town’s Land Development Regulations; and

WHEREAS, the Applicant, its successors and assigns shall be subject to the conditions contained in Section 3.

Section 1: The whereas clauses are incorporated herein as true and correct findings of fact and conclusions of law of the Town Commission.

Section 2. The Town Commission hereby approves the Application for three entry signs subject to the conditions contained in Section 3 herein.

Section 3. Approval of the entry signs for the subject property by the Town Commission shall be subject to the following conditions:

- 1.) The Applicant shall provide additional lighting surrounding the signage and within the signage landscaping.
- 2.) The Landscape Architect of record will be required to certify that all landscaping and lighting has been installed per the specifications of the landscape plans and lighting plan as reviewed and approved by Mr. Jeff Blakely.
- 3.) The entry signs shall reflect the plans submitted to the Town on January 14, 2004.
- 4.) Entry signage shall be lighted.
- 5.) Any revisions to the site plan, landscape plan, architectural elevations, statement of use, or other details submitted as part of this Application, including but not limited to the location of the proposed improvements and/or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department of Community Development and shall be subject to its review and approval. Any revisions that constitute a minor revision (less than a 25% modification) to the site plan, landscape plans, elevations, statement of use, or other details submitted as part of this Application, including but not limited to the drainage of the site, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department of Community Development and shall be subject to its review and approval.

Section 4. The Town Commission hereby approves the following waivers:

1. A waiver of Section 24-53 (b) (2) of the Town's Land Development Regulations, to allow for an increase of ten (10) square feet on the sign face area for Entry Sign Type One.
2. A waiver of Section 24-53 (b) (6) of the Town's Land Development Regulations, to allow for an increase of two feet (2 feet) for entry sign type 1

and an increase of four feet, four and a half inches (4 feet 4 ½ inches) for Entry Sign Type Two.

Section 5. This Resolution shall become effective upon adoption.

The foregoing RESOLUTION was offered by Commissioner _____, who moved its approval. The motion was seconded by Commissioner _____, and being put to a vote, the result was as follows:

AYE

NAY

MAYOR PAUL CASTRO
VICE MAYOR CHUCK BALIUS
COMMISSIONER PAUL GARRETSON
COMMISSIONER JEANINE LONGTIN
COMMISSIONER BILL OTTERSON

The Mayor thereupon declared Resolution No. 06-01-04 duly passed and adopted this 21st day of January, 2004.

TOWN OF LAKE PARK, FLORIDA

BY: _____
Mayor Paul Castro

ATTEST:

Approved as to form and legal sufficiency

Carol Simpkins
Town Clerk

(Town Seal)

Thomas J. Baird, Town Attorney

DESCRIPTION AND DEDICATION

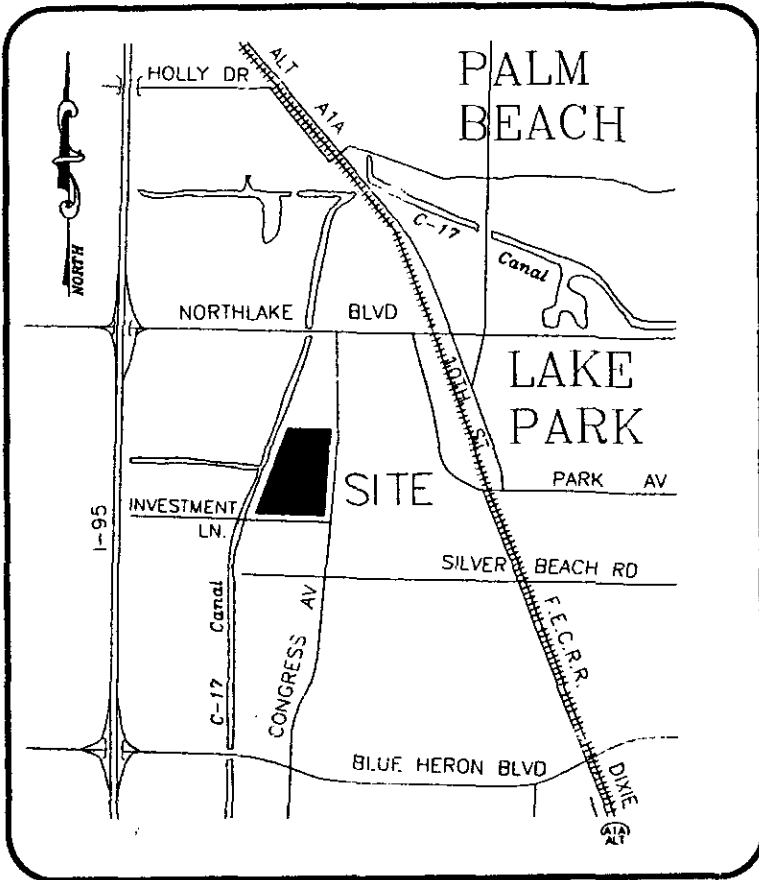
KNOW ALL MEN BY THESE PRESENTS THAT TRUST LAKE PARK, LTD., A FLORIDA LIMITED PARTNERSHIP; TRUST LAKE PARK 2, LTD, AND TRUST LAKE PARK COMMERCIAL, LTD., ALL BEING FLORIDA LIMITED LIABILITY COMPANIES, AND OWNERS OF THE PARCEL OF LAND SHOWN HEREON AS WESTLAKE LYING IN SECTIONS 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATE IN SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 19; THENCE NORTH 88°26'21" WEST, ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, A DISTANCE OF 1105.96 FEET TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT C-17 CANAL, A 340 FOOT RIGHT-OF-WAY; THENCE SOUTH 01°28'04" WEST, DEPARTING SAID NORTH LINE AND ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 244.45 FEET; THENCE SOUTH 19°18'59" WEST, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 2051.02 FEET TO A POINT ON THE SOUTH LINE OF THAT CERTAIN LEASE PARCEL AS RECORDED IN OFFICIAL RECORD BOOK 9600, AT PAGE 1225, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 88°26'21" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE AND ALONG SAID SOUTH LINE, A DISTANCE OF 944.87 FEET TO A POINT ON THE WEST LINE OF CONGRESS AVENUE AS RECORDED IN OFFICIAL RECORD BOOK 10739, AT PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT ALSO BEING A POINT ON A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 8534.37 FEET FROM WHICH A RADIAL LINE BEARS NORTH 77°41'25" WEST; THENCE SOUTHERLY, DEPARTING SAID SOUTH LINE AND ALONG SAID WEST LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°21'42", A DISTANCE OF 53.85 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 8570.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 6°26'47", A DISTANCE OF 964.22 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 06°13'29" WEST, A DISTANCE OF 605.96 FEET TO A POINT IN THE EAST LINE OF INVESTMENT LANE AS DESCRIBED IN OFFICIAL RECORD BOOK 11007, PAGE 1485, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 18°44'25" WEST, ALONG SAID EAST LINE, A DISTANCE OF 700 FEET; THENCE SOUTH 06°13'29" WEST, A DISTANCE OF 130.37 FEET; THENCE SOUTH 07°21'23" WEST, A DISTANCE OF 193.44 FEET TO A POINT IN THE NORTH LINE OF INVESTMENT LANE AS RECORDED IN OFFICIAL RECORD BOOK 11007, AT PAGE 1479, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 49°57'20" WEST, DEPARTING FROM SAID WEST LINE FOR CONGRESS AVENUE AND SAID EAST LINE FOR INVESTMENT LANE AND ALONG SAID NORTH LINE FOR INVESTMENT LANE, A DISTANCE OF 54.15 FEET; THENCE NORTH 87°26'43" WEST, A DISTANCE OF 278.14 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1150.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°30'16", A DISTANCE OF 471.77 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 1250.00 FEET, SAID POINT ALSO BEING A POINT ON THE NORTH LINE FOR INVESTMENT LANE AS RECORDED IN 10739, AT PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY, ALONG SAID NORTH LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°30'17", A DISTANCE OF 512.79 FEET; THENCE NORTH 87°26'43" WEST, A DISTANCE OF 11.45 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH FLORIDA WATER MANAGEMENT DISTRICT C-17 CANAL; THENCE NORTH 19°18'59" EAST, DEPARTING SAID NORTH LINE AND ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1887.44 FEET TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 49.735 ACRES MORE OR LESS. I HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS.

THE RESIDENTIAL DEVELOPMENT TRACT "A" SHOWN HEREON, IS HEREBY RESERVED TO TRUST LAKE PARK, LTD. A FLORIDA LIMITED PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS FOR RESIDENTIAL DEVELOPMENT AND OTHER PROPER PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PARTNERSHIP ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF LAKE PARK. THE UTILITY EASEMENTS (U.E.) AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF CABLE TELEVISION SYSTEMS SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES. THE DRAINAGE EASEMENTS (D.E.) SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES.

Exhibit "B"



LOCATION MAP
N.T.S.

STATE OF FLORIDA }
 COUNTY OF PALM BEACH } S.S.
 THIS INSTRUMENT WAS FILED FOR
 RECORD AT _____ M.
 THIS ____ DAY OF _____,
 2002 AND DULY RECORDED
 IN PLAT BOOK NO. _____

_____ ON PAGE _____

 DOROTHY H. WILKEN,
 CLERK CIRCUIT COURT
 BY: _____, D.C.

SURVEYORS CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY SUPERVISION AND DIRECTION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.MS") HAVE BEEN PLACED AS REQUIRED BY LAW, AND FURTHER THAT THE SURVEY DATA COMPLIES WITH ALL REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES AS AMENDED, AND THE ORDINANCES OF PALM BEACH COUNTY, FLORIDA

BY: _____
 GARY M.F. RAYMAN, PROFESSIONAL
 SURVEYOR AND MAPPER
 # LS2633, STATE OF FLORIDA.

DATE: _____, 2002

