

**PLANNING AND ZONING COMMISSION MINUTES  
REGULAR MEETING  
NOVEMBER 8, 2011**

The meeting was convened by Chair Walker at 7:01 p.m.

Those attending were: Chair Walker; Comms. Cipolla, Fleischmann, Henehan, Wiendl; Comm. Youatt (1<sup>st</sup> Alternate); Mr. Sickler, Director of Planning and Zoning; Mr. Meyer, Planner; Mr. Baird, Attorney; and Ms. Hampe, Secretary.

**MINUTES:** October 11, 2011, Planning and Zoning Commission regular meeting.

Comm. Youatt moved to approve the minutes and Comm. Wiendl seconded the motion.

Comm. Henehan made two corrections:  
the word "hulls" in the third question on Page 4 should be "vaults"; and  
the "4-1 vote" for Wal-Mart on Page 6 should be "4-3 vote".

Comm. Youatt amended his motion to include the changes noted by Comm. Henehan, and Comm. Wiendl agreed. The motion carried unanimously.

**CONSENT AGENDA:**

A. **POSTPONEMENTS:** None.

B. **OLD BUSINESS:** None.

C. **NEW BUSINESS:**

1. **Harvest Community Church** - Special exception and site plan amendment applications to construct a new two story multi-use building including a larger sanctuary on 2.2± acres located at 100 S. Pennock Lane. (PZ# 11-229)  
*Town Council consideration:* December 20, 2011

Chair Walker read the title and Comm. Cipolla moved the item to the Regular agenda.

**REGULAR AGENDA:**

1. **Harvest Community Church** - Special exception and site plan amendment applications to construct a new two story multi-use building including a larger sanctuary on 2.2± acres located at 100 S. Pennock Lane. (PZ# 11-229)  
*Town Council consideration:* December 20, 2011

Comm. Cipolla asked if the setback of 25 feet on the western side is enough of a setback from the adjacent residential area, considering the building size. Mr. Meyer replied that the required setback for Public Institutional zoning is normally 15 feet but Staff asked the applicant to move the building back.

**Harvest Community Church – cont'd**

Comm. Wiendl commented that the western elevation is rather bland and could be softened up for the residents facing that side of the building; possibly with a change of materials.

Debra Northsea, landscape architect, spoke on behalf of the applicant and noted that Cory Cross, architect, was also present. She said the lot behind the church is owned by the church and the only residences affected will be a small number south of that lot. She added that there are mature pine trees along the back of the building and her plan calls for more trees. Ms. Northsea concluded by saying the applicant had met with neighbors.

Chair Walker opened the floor to public comment.

Dean Camillo of 204 Jupiter Woods Drive spoke and said he is the president of the Jupiter Woods homeowners' association. He distributed pictures of natural vegetation on the church property line and said they were concerned about the removal of that vegetation taking away their privacy. He was also concerned about light from the grass parking spilling onto their property.

Chair Walker asked what kind of trees were shown in the photographs. Mr. Sickler said he believed they are melaleuca and Chair Walker agreed. She explained that there is a statewide eradication program to get rid of maleleuca. Mr. Camillo said he wasn't concerned about keeping those particular trees but he wants the privacy of their home to be maintained.

Chair Walker asked if Mr. Camillo had seen the proposed landscape plan and whether it was acceptable. He said he had seen the plan and the vegetation would not be adequate to maintain the privacy of their home.

Ann Camillo of 204 Jupiter Woods Drive asked if there would be additional lighting on the southwest corner. Mr. Sickler said there are lighting requirements. Mr. Meyer said the applicant will submit a photometric plan and Code does not allow light spillage onto adjacent properties.

Chair Walker asked if the applicant's landscape plan has met the Town's requirements and Mr. Meyer said yes. Chair Walker asked if more landscaping could be added on the west side. Mr. Meyer said yes, because the drainage is being moved. The applicant would just need to submit the plan.

Mr. Sickler said this is a special exception use so there are criteria to address the impacts. Pastor Marvin Nemitz agreed that there should be more vegetation.

Comm. Cipolla moved to recommend approval.

Comm. Wiendl said vegetation should not be used to screen a problem; the back of the building should be redesigned. He suggested that the building could be cut on the corners, the materials could be changed or the storage area recessed.

Cory Cross, architect, said he will address the concerns and improve the west elevation.

The motion failed for lack of a second.

**Harvest Community Church – cont'd**

Comm. Wiendl moved to continue the application to the December Planning and Zoning meeting; seconded by Comm. Henehan.

The Commission was polled and the motion carried unanimously (6-0 vote).

Youatt – Y                      Henehan – Y                      Cipolla – Y                      Wiendl – Y

Fleischmann – Y              Walker - Y

Comm. Henehan clarified that the two issues were the design of the west elevation, and working with the neighbors to provide adequate landscaping.

**2. Wal-Mart Expansion -**

- Amendment to the Gateway Center planned unit development specifically for Lot 6, to increase the building square footage and request waivers to the landscape buffer width, greenspace, and parking space depth; and,
- Special exception and site plan amendments to increase the building square footage, update the architecture, modify the parking, add driveways on Bush Road, upgrade landscaping, and to allow off-site mitigation for a portion of the existing preserve.

The subject property is located on 14.0± acres at 2144 W. Indiantown Road.  
(PZ#'s 11-045 & 11-046)

Town Council consideration:

December 6, 2011 - 1<sup>st</sup> rdg  
December 20, 2011 - 2<sup>nd</sup> rdg

Chair Walker read the title.

Mr. Meyer stated that the applicant had revised the front entry elevations and added signage to the front of the building. The applicant proposes three signs, two of which would be permitted. The third sign over the outdoor area would require a waiver and staff is not supportive of that.

Mr. Meyer noted that the applicant proposes concrete on the east and west parking areas and the south drive aisle but not on the north side. Staff is supportive of this proposal. He said Staff recommended approval.

Susan Motley, attorney with Ruden McClosky spoke on behalf of the applicant and mentioned that the following people were present: Lucas Anthony, professional engineer; Keith Pelan, landscape architect; Mike Blinn, architect, and Chris Heggen, traffic engineer.

Comm. Wiendl acknowledged that he had been in contact with Mike Blinn and Lucas Anthony since the October 11, 2011 meeting.

Mr. Blinn described the design changes to the entrances and the signage. Mr. Anthony said they have added concrete in three areas around the building to provide more reflective area. Comm. Wiendl asked if there were any plans to replace the remaining asphalt with concrete in the future. He said concrete requires less maintenance and reduces the heat effect.

**Wal-Mart Expansion – cont'd**

Mr. Anthony said that resurfacing asphalt is more cost effective than replacing it with concrete. Using concrete in the north parking area would add more time to the renovation process and disturb more of the parking lot. The front parking lot has mature landscaping. The concrete additions currently proposed by the applicant will reduce the heat effect. Ms. Motley said stains are not as noticeable on asphalt. Mr. Anthony agreed and said asphalt fades to grey over time.

Ms. Motley said the applicant is in agreement with the conditions of approval but would like the following modifications:

**6c – Install a wooden fence on the west side of Bush Road.** The applicant requests adding “if the owners of the property give us consent”, since this is not Wal-Mart property.

**8 – Install decorative street lights on Indiantown Road.** The applicant requests adding “subject to Town Council approval of a standard light fixture”.

**16 – Maintain median along eastern access drive (Center Street extension).** The applicant is willing to continue doing this as long as the property owner, Taco Bell, allows it. Ms. Motley asked that the record note that this is not Wal-Mart property.

Ms. Motley concluded by asking the Commission to recommend approval. She said the improvements will bring new jobs, an additional tax base, a prettier building, and some additional mitigation area in the Town.

Comm. Fleischmann said he wanted to make sure the applicant understands that Condition 27 prohibits the sale of Christmas trees on the parking lot. Ms. Motley said yes; they understand that they are not to have inventory outside.

Comm. Fleischmann said he was in favor of having three signs. The signs would help distribute shoppers to the most convenient parking. He asked why Staff did not recommend approving the third sign and if approval would set a precedent. Mr. Meyer said approval of the waiver for a third sign would just be for this property and would not set a precedent, but the architecture of the garden center makes it seem unnecessary.

Comm. Youatt said he didn't object to the third sign but usually garden centers are on the end of a building and are easy to recognize. He said the entrances look much better; they achieve architectural interest and provide guidance.

Comm. Cipolla agreed that the north elevation was greatly improved. He asked if there would be bollards at both entrances and Mr. Blinn said yes. Comm. Cipolla said black bollards will not be very visible at night. Mr. Blinn said Wal-Mart would prefer to use blue.

Comm. Cipolla asked if shopping carts would be picked up inside or outside, and if there will be cart corrals in the parking lot. Mr. Blinn said carts will be picked up inside and there will be corrals in the parking lot for returning them. Comm. Cipolla asked if it will be possible to enter the store from the garden center and Mr. Blinn said yes.

**Wal-Mart Expansion – cont'd**

Comm. Wiendl asked if Wal-Mart would consider a phasing plan to replace the asphalt with concrete in the north parking lot. Ms. Motley said no; it would be too costly and would not look as good as asphalt.

Comm. Henehan agreed that the architectural changes are a big improvement. He asked about the traffic study. Mr. Sickler said the applicant does not have a development order to qualify for an extension. They want to apply that development order provision to a concurrency approval. Palm Beach County is willing to give them a one-year extension and has asked for the Town's opinion. The Town is considering that proposal and should decide within the next few days.

Comm. Henehan said he is opposed to a third sign and asked if the applicant would consider withdrawing their request for it. Ms. Motley said no; not at this point.

Chair Walker said she liked the improvements to the façade and the balance of having three signs for three entrances. Having three signs would help disperse customer traffic and parking. She said Comm. Wiendl had an excellent point about the parking lot. Asphalt will have to be redone periodically and it would be nice for those areas to be replaced with concrete over time.

Chair Walker asked the applicant to confirm that they would agree to install the decorative lighting on Indiantown Road as indicated in Condition 8, if Town Council chooses a standard. Ms. Motley said that is correct. Chair Walker agreed that Wal-Mart should continue to maintain the east entrance median.

Ms. Motley said that asphalt can be resurfaced and resealed many times without a full scale replacement of the asphalt.

Chair Walker opened the floor to public comment and there was no response.

Comm. Fleischmann move to recommend approval with support for the third sign waiver; seconded by Comm. Youatt.

Comm. Wiendl commented that he would not mind a third sign but was concerned that it would set a precedent. He said the replacement of asphalt with concrete should be phased.

The Commission was polled and the motion carried (5-1 vote).

Youatt – Y	Henehan – Y	Cipolla – Y	Wiendl – N
Fleischmann – Y	Walker - Y		

**ADJOURN**

Comm. Wiendl moved to adjourn the meeting; seconded by Comm. Youatt.  
Chair Walker adjourned the meeting at 8:06 p.m.

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**Valerie Hampe, Secretary**

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**PATRICIA WALKER, CHAIR**