

Planning and Zoning Board

April 7, 2021 Agenda Supplement

PREPARED BY Jim Fleischmann

April 2, 2021

SUBJECT: Southern Palms Car Wash and Heartland Dental Office Building Site Plan Applications.

ISSUE: Both site plans, as well as an application by Culver's Restaurant were prepared and reviewed as if they were components of an overall development concept for Groves Town Center Pod B, as opposed to separate and distinctive developments. Being reviewed as components of an overall Pod B concept means that certain land development regulations such as reduced interior setbacks and landscape requirements were applied in the manner as the Wawa, Chase/Aldi development which was reviewed as a single Pod A site plan. If they are to be reviewed as separate and distinctive developments, a different set of standards would apply.

To address this inconsistency, Staff recommends 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.

Applicants should be given the option to choose between continued processing, but as a separate and distinct development which would require revisions to the current proposed site plans, or participating in the preparation of an "Administrative" Site Plan which would be used to address the coordination issues mentioned above.

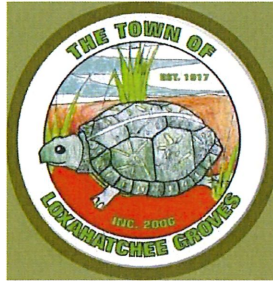
TOWN OF LOXAHATCHEE GROVES

TOWN HALL CHAMBERS

PLANNING AND ZONING BOARD MEETING

AGENDA

April 7, 2021 – 6:00 P.M.



PZB MEMBERS

William Ford (Seat 1) - Chair
Matthew Otero (Seat 3)
William Bell (Seat 5) - Vice Chair

Brett Raflowitz (Seat 2)
Neil O'Neal III (Seat 4)
Thais Gonzales (Alt.)
Vacant (Alt.)

Administration

Town Manager Jamie Titcomb
Town's Planning Consultant, Jim Fleishmann
Town Clerk, Lakisha Q. Burch

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That's why we say "Character Counts" in Town of Loxahatchee. Civility is practiced at all Town meetings.

Special Needs: In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, contact the Town Clerk's Office, 155 F Road, Loxahatchee Groves, Florida, (561) 793-2418.

The Planning & Zoning Board meets on the 2nd or 3rd Thursday of each month subject to the filing of applications. It also acts as the Local Planning Agency (LPA).

OPENING

- 1. Call to Order & Roll Call**
- 2. Approval of Agenda**
- 3. Public Comments (Non-Agenda Items only)**

REGULAR AGENDA

1. Aldi Sign Variance – The Applicant has proposed the following wall sign variances:

- From a maximum of 36 square feet to 75 sq. ft. facing Southern Boulevard (i.e. Primary Sign); a sign face variance of 39 sq. ft. or 108%; and
- From a maximum of 18 square feet to 75 sq. ft. facing the B Road entry drive to the west (i.e. Secondary Sign); a sign face variance of 57 sq. ft. or 317%.

2. Groves Town Center Pod B Site Plans

- **Southern Palms Car Wash Site Plan Application**
- **Heartland Dental Office Site Plan Application**

3. Public Comments

COMMITTEE MEMBER COMMENTS

SET NEXT MEETING DATE (IF NECESSARY)

ADJOURN PLANNING AND ZONING BOARD

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

AGENDA ITEM STAFF SUMMARY: VARIANCE APPLICATION VA-2021-01

A. DESCRIPTION OF THE PROPERTY

Project Name: Aldi Sign Variance Application V-21-0002 (Groves town Center Pod A)

Agent: Scott Blackman, Esq. and Beth Schrantz, Director of Planning Services, Dunay, Miskel and Blackman, LLP.

Applicants: Aldi, Inc.

Owners: BW Southern Binks, LLC

Parcel Control Number (PCN): 41-41-43-31-12--01-0000 (Portion thereof).

Project Location: Southern Boulevard. East of the southwest Corner of Southern Boulevard and "B" Road. .

Size of Property: 4.73 acres (Portion thereof).

FLU Map Designation: Commercial Low (CL).portion of the Groves Town Center Multiple Land Use designation.

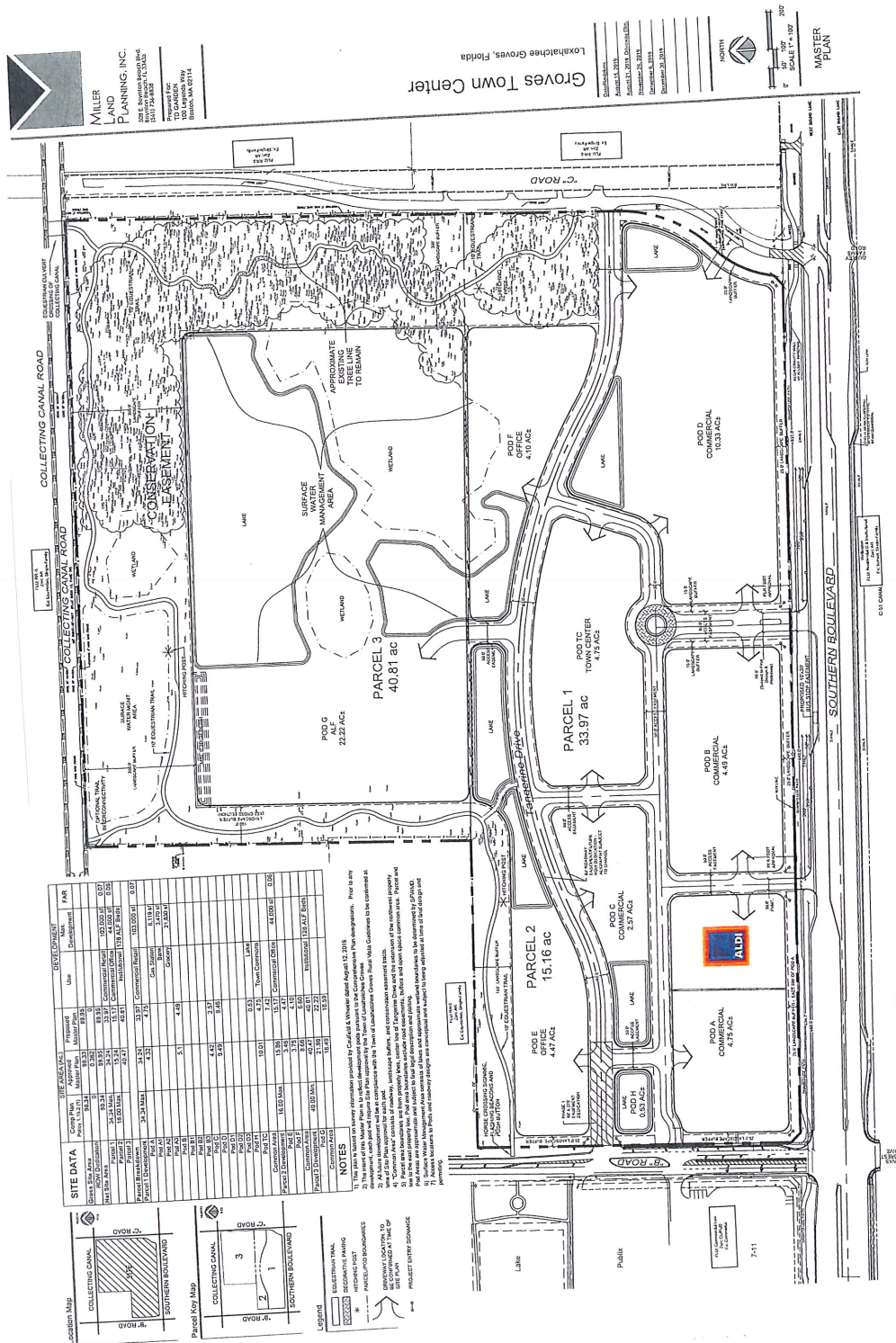
Zoning Map Designation: Multiple Land Use Planned Unit Development (MLU/PUD)

Existing Use: Palm Beach County Property Appraiser (PAPA) Use Code – 1000 Vacant Commercial.

B. APPROVAL HISTORY

The Subject Site, located on the north side of Southern Boulevard east of "B" Road in Loxahatchee Groves, is a portion of the 4.73 acre Pod A of the 90 acre "Groves Town Center" which was assigned a Multiple Land Use (MLU) future land use designation by the Town in 2011 (Ref: Ordinance 2011-17) for the purpose of implementing a mixed-use development concept consisting of the following three land uses: Commercial Low (CL), Commercial Low Office (CL-O), and Institutional (INST). Subsequent to the MLU approval, the Groves Town Center parcel was assigned an MLU/PUD zoning approval, including a Conceptual Master Plan, by the Town in 2015 (Ordinance 2013-10).

The Conceptual Master Plan, most recently revised by Ordinance 2019-08, includes several Development Pods. The Subject Site is located within the 4.73 acre Pod A which is designated for commercial uses on the Conceptual Master Plan (Ref: ATTACHMENT 1).



The Town Council approved a Site Plan (i.e. Resolution 2018-83) on November 6, 2018 which included a Wawa gas/convenience store, Chase Bank and Aldi grocery (REF: ATTACHMENT 2). The Aldi grocery store is currently operational and has received a Temporary Certificate of Occupancy (TCO) from the Palm Beach County Building Division.

C. APPLICATION REQUEST

The Applicant has requested a variance from ULDC Section 90-040(B) (3) (a) *Individual building as outparcel or stand-alone building* to allow for an increase in the maximum square footage of the two allowed building wall signs.

The Applicant has requested that the sign face of Aldi building wall signs be increased, as follows:

1. From a maximum of 36 square feet to 75 sq. ft. facing Southern Boulevard (i.e. Primary Sign); a sign face variance of 39 sq. ft. or 108%; and
2. From a maximum of 18 square feet to 75 sq. ft. facing the entry drive to the west (i.e. Second Sign); a sign face variance of 57 sq. ft. or 317%.

Submitted Support Documents

Submittal	Content
General Application and Variance Applications (Jointly submitted)	Application Forms; Statement of Consistency with Variance Authority Section 150-010 of the ULDC; Legal Description, Warranty Deed and PCN; Survey; Description of the Proposed Project; Applicant's Ownership Affidavit; Agent Consent Form; and Applicant's Notice Affidavit & Property Owner List; Applicant's Statement of Consistency with Variance Considerations; Sign Face Elevations; Loxahatchee Groves Commons Site Plan; Neighbor Property Owner List.

D. STAFF REVIEW

The requested variance is to allow a building within a multi-tenant center (i.e. Pod A – Wawa/Chase/Aldi) to exceed the maximum sign-face area for the two allowed wall signs. Per ULDC Section 90-040(B) (3) b., the sign-face maximum is 36 sq. ft. for the Primary Sign and 18 sq. ft. for the Secondary Sign. The Applicant has proposed 75 sq. ft. for each of the two allowed signs.

Variance procedures and requirements are contained in Article 150 *Variances* of the Town's ULDC. Per ULDC Section 150-010(B), the Town Council may grant a variance provided that such approval will not result in a use which is specifically or by inference prohibited in the zoning district.

Further, per ULDC Section 150-010(C), variance applications will not be considered with respect to the following:

[illegible]

1. Where plans have been submitted and approved and permits issued, and additional work not shown on the approved plans has been performed. Previous plans have not been submitted and approved, permits issued and additional work completed for wall signs on the property.

2. Where a property has been subdivided and as a result an existing structure is in violation of the provisions of the ULDC. The Aldi grocery is operational; however, it is not in violation of ULDC provisions.

Brief descriptions of abutting properties are presented in the following table. Palm Southern Boulevard, followed by the C-51 Canal right-of-way, borders the Subject Site to the south and vacant parcels within the Groves Town Center mixed-use planned development, border the Subject Site the north, west and east.

Inventory of Abutting Properties

Direction	Description
North	Vacant – Pod “C” of Groves town Center
South	Southern Boulevard followed by C-51 Canal
East	Vacant – Pod “B” of Groves Town Center
West	Vacant – Remaining Pod “A” parcels

Per ULDC Section 150-020 of the ULDC, a variance will not be contrary to the public interest if the Applicant has demonstrated, by competent and substantial evidence, that each of five review criteria is met. The five criteria and the Applicant's responses are presented below:

Criterion 1: *That special conditions and circumstances exist which are unique to the property, or the intended use of the property, that do not generally apply to other properties in the same zoning district.*

Applicant's Response: Special conditions and circumstances exist which are unique to the Property and do not generally apply to other properties in the same zoning district. As described above, Applicant is seeking to increase the maximum wall sign area to allow a maximum of seventy-five {75} square feet of sign area on both the south and the west facade in order to provide the necessary signage to ensure safe circulation, promote high quality design with proportionately sized signage provided on the primary facades, and assure the economic viability of the Project. The special conditions and circumstances specific to the Property relate to the travel conditions of the existing Southern Boulevard right-of-way, the substantial landscape buffers and berm provided around the perimeter of the Project, and the standards of high quality architectural design.

The Property is located on the Southern Boulevard corridor, which functions as a freeway for the majority of its length with a considerable volume of travelers moving at high speeds. Specifically, Southern Boulevard is designed to be built out as a 6-lane, divided highway with a speed limit of 55 miles per hour, and a

width of 200 feet in order to accommodate the existing significant travel volumes at high speeds.

Palm Beach County's 2018 (2019 and 2020 are not available) traffic counts for the road segment east of the property, between B Road to Forest Hill Boulevard, show peak daily traffic volumes at 52,643 trips and for the road segment just west of the Property, between Seminole Pratt Whitney and B Road, to be 38,408 trips. The high speeds and substantial traffic volumes along Southern Boulevard make signage visibility difficult and may promote unsafe turning movements if sufficient signage is not provided to allow customers to safely navigate to the store. As such, it is of utmost importance that the signage be visible to drivers to ensure safe navigation.

It is important to note that the primary access to the ALDI store is from the Southern Boulevard right-of-way, just to the east of the store, with a secondary access provided from B Road. The building is located almost 190 feet from the property line, over 300 feet from the eastbound travel lanes on Southern Boulevard, approximately 500 feet from the access point for northbound traffic on B Road, and approximately 700 feet from the access point for southbound traffic on B Road, which further exacerbates the visibility concerns and further justifies the need for sufficient wall signage to ensure that the use can be identified by those traveling from both Southern Boulevard and B Road.

In addition to the special circumstances created by the roadway characteristics, the Project is designed to provide a 25' landscape buffer, including a 3-foot high berm with an apex hedge, along Southern Boulevard. During the site plan review process, the Town was in the process of making modifications to the landscape code which would require more plant material for frontage landscape buffers than previously required. Although not required at the time, Applicant agreed to provide plant materials per the requirements of the new Code.

It is also important to note that the landscape buffer, including the hedged berm, provided for the Aldi Project substantially exceeds that provided for the Publix shopping center across B Road to the west, which provides only a 15 foot wide buffer with significantly less plant material and no berm, and which was approved for a variance for increased wall signage. Aldi's wide landscape buffer and berm, including a considerable amount and size of the plant material therein further creates a circumstance that decreases the visibility of building signs from the roadway and necessitates the need for larger wall signs for the ALDI store.

Furthermore, the building is designed with architectural excellence and the Town's Rural Vista Design Guidelines in mind and provides an entry feature with a standing seam metal roof to help customers easily identify the store entrance location along the south facade. The two proposed walls signs will be placed along the south and west facades of the tower structure located above the awing and corner entrance. The code allowed signage appears disproportionate when placed above the entry feature, while the proposed sign area of 75 square feet for each wall sign is the optimal size that will provide signage in harmony with the size of the tower and building and contribute to a high quality aesthetic in the Town, as illustrated in the graphic rendering below.

Code Allowed Signage is Disproportionate



Variance Request Allows Proportionate Signage



Considering the foregoing, there are special conditions and circumstances existing which are unique to the intended use of the Property and do not generally apply to other properties in the same zoning district. As such, Applicant respectfully requests approval of the Variance Requests.

Staff Analysis: Applicant states that the Property is located on Southern Boulevard which functions as a freeway with a considerable traffic volume moving at high speeds. Further, Southern Boulevard is being built-out as a 6-lane, divided highway.

In addition, during the site plan review process, the Applicant agreed to provide a 25-foot buffer, including a landscaped berm, as opposed to the code-required 15-foot buffer along Southern Boulevard creating additional distance from the travel lanes to the building.

Staff agrees that the widening of Southern Boulevard and additional buffer depth and berm height along Southern Boulevard creates special conditions and circumstances related to visibility and safety considerations. The size and location of signage can assist in addressing these issues. On this basis, Staff concludes that Criterion 1 has been satisfied.

Criterion 2: *That any alleged hardship is not self-created is not self-created by any person having an interest in the property and is not the result of mere disregard for, or ignorance of, the provisions of the Code, but is instead the result of one or more of the special condition(s) found above.*

Applicant's Response: The hardship is not self-created and is not the result of mere disregard for, or ignorance of the provisions of the Code. Rather, the Variance Request is a result of the special conditions and circumstances that are unique to the Property related to adjacent roadway conditions, distance of signage from points of access, high quality landscape buffering, and architectural excellence.

As described in greater detail above, the Property is located along a heavily travelled highway with high vehicle speeds, making signage visibility difficult. This difficulty is increased by access points located far from the store building, and the lush, 25' landscape buffer and berm provided along Southern Blvd and B Road with planting material provided above and beyond the Code requirements. Applicant did not create the roadway conditions on B Road, nor did they control the access point locations leading to the store. Both are factors of extenuating circumstances created by the County's population's growth, and traffic standards implemented by the State and County roadway agencies. Considering the foregoing, the hardship is not self-created and is a result of the unique and special conditions of the Property.

Staff Analysis: The hardship is determined to consist of the lack of adequate visibility and related safety concerns created by the Southern Boulevard expansion and enhanced buffer and berm landscaping incorporated during the site plan review process. It is stated that the variance, if approved, will ensure safer circulation, promote high quality design with proportionately sized signage provided on the primary facades, and assure the economic viability of the Project.

Both of the circumstances creating the hardship (i.e. Southern Boulevard expansion and enhanced landscaping during the site plan approval process) were self-created. As a result, the hardship was self-created due to either to disregard or ignorance of the Code. On this basis, Staff concludes that Criterion 2 has been satisfied.

Criterion 3: *That literal interpretation of the Code would deprive the applicant of reasonable use of the property, in that the applicant would be deprived of rights commonly enjoyed by properties in the same zoning district, and would thereby cause an unnecessary and undue hardship.*

Applicant's Response: The literal interpretation of the Code would deprive the Applicant of reasonable use of the Property and the Applicant would be deprived of rights commonly enjoyed by properties in the same district. Enforcing the maximum allowable wall sign area of 36 square feet and 18 square feet would deprive the Applicant of providing the needed visibility to the ALDI store.

As stated above, the Property is located along a heavily travelled highway with high speeds and access points that are not located in close proximity to the store, making signage visibility difficult and incredibly important. Further, the Property is lushly landscaped along its perimeters with a 25' landscape buffer that provides a 3 foot berm and substantial plant material along both Southern Boulevard and B Road. It is also important to note that the shopping center located to the west of the Property provides only a 15 foot wide landscape buffer along Southern Boulevard with substantially less plant material and was granted approval for similar wall sign variance requests.

In addition, the surrounding properties located within the jurisdiction of Unincorporated Palm Beach County are permitted to have more and larger building

wall signs. The Palm Beach County Code permits one building wall sign with a maximum area of 1 square foot per each linear foot of building length along one façade and a maximum area of 0.5 square foot per each linear foot of building length along the 3 remaining facades. Considering the Aldi building facade length of 154 feet for the south facade, the County Code would allow a 154 square foot sign on the south side of the building, more than twice the sign area requested by the Variance Request.

Considering the conditions and circumstances beyond the control of the Applicant, the significant landscape buffering provided throughout the Project, and the variance approval granted to the property across the street with lesser mitigating circumstances, denying this Variance Request would deprive the Applicant of rights enjoyed by other properties within the same zoning district, causing and unnecessary and undue hardship.

Staff Analysis:

The issues of safety and visibility are addressed in Criteria 1 and 2. The Applicant is correct in stating that Primary Sign variances (Tractor Supply and Publix) were granted to tenants in the shopping center to the west (Loxahatchee Groves Commons) for essentially the same justification (i.e. visibility from Southern Boulevard and safety). Both Publix and Tractor Supply were granted Primary Sign variances approving wall signs of 74 sq. ft. on the frontage facing Southern Boulevard. Neither Publix nor Tractor Supply applied for a Secondary Sign variance. However, the fact that Aldi also relies upon visibility from B Road supports the variance request for the Secondary Sign variance.

Based upon the above analysis, denial of the proposed variances would deprive the Applicant of the same rights enjoyed by properties in the same (i.e. Commercial Low) zoning district. On this basis, Staff concludes that Criterion 3 has been satisfied.

Criterion 4: *The Variance proposed is the minimum variance that will make possible the reasonable use of the property and it will not confer on the applicant any special privilege that is denied to any other properties in the same zoning district.*

Applicant's Response: The Variance Request is the minimum needed to provide reasonable use of the Property. As described above, the Property is located along Southern Boulevard, a heavily traversed, 6-lane divided highway with vehicles traveling at high speeds. Larger building signs are needed to provide visibility for customers to ensure safe and efficient navigation to the store. Building signs with an area of 36 and 18 square feet would not be easily visible to vehicles traveling along Southern Boulevard or B Road and would appear disproportionate with the scale of the building. The request to allow signs with an area of 75 square feet is the minimum area needed to provide visibility to the Project and ensure a high quality, proportionate aesthetic in the Town. As similar variances have been approved for the shopping center located directly to the west, the granting of this Variance Request will not confer any special privileges on the Applicant that have been denied to any other properties located

within the same zoning district.

Staff Analysis: The Applicant stated that larger building signs are needed to provide visibility for customers to ensure safe and efficient navigation to the store. Building signs with an area of 36 and 18 square feet would not be as visible to vehicles traveling along Southern Boulevard or B Road and would appear disproportionate with the scale of the building. The Applicant has proposed variances similar in scale to those granted at Publix and Tractor Supply.

The Applicant's proposal, coupled with the variances approved for Publix and Tractor supply, have established size criteria for wall signs on buildings fronting on Southern Boulevard within multiple-tenant commercial facilities. On this basis, Staff concludes that Criterion 4 has been satisfied.

Criterion 5: *That the granting of the variance will be in harmony with the general intent and purpose of the Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Applicant's Response: Granting the Variance Request will be in harmony with the general intent and purpose of the Code and will not be injurious to the area involved or otherwise detrimental to the public welfare. Per Section 40-010(a) of the City's Land Development Code, included in the purpose and intent of a Planned Unit Development (PUD) zoning district is to provide creative solutions to implement Town planning directives. The Project has been designed in accordance with the design guidelines of a MUPD development, providing connectivity to adjacent land uses within the development and maintaining compatibility with the surrounding properties outside of the MUPD. As such, the Project's proposed signage, as well as its buildings, access, and landscaping has been designed to minimize the potential for any adverse impact on adjacent properties. The proposed signage will promote safe and efficient traffic patterns, allow the Project to thrive, and will ensure the viability of the Project overall and its ability to provide the goods and services needed by the surrounding community. Considering the foregoing, granting the Variance Request will be in harmony with the general intent and purpose of the Code and will not be injurious to the area involved or public welfare, but rather it will ensure that the Project is a valuable community asset that will enhance the area and benefit the welfare of the community.

Staff Analysis: The Applicant stated that, per Section 40-010(a) of the City's Land Development Code, the purpose and intent of a Planned Unit Development (PUD) zoning district is to provide creative solutions to implement Town planning directives. The Project has been designed in accordance with the design guidelines of an MUPD development. As such, the Project's proposed signage, as well as its buildings, access, and landscaping has been designed to minimize potential adverse impacts on adjacent properties. Granting the Variance Request will be in harmony with the general intent and purpose of the Code and will not be injurious to the area involved or public welfare, but rather it will ensure that the Project is a valuable community asset that will enhance the area and benefit the welfare of the community.

Per Section 90-005(C) *Compatibility of the ULDC*, signs should be made compatible with the overall objectives of the Comprehensive Plan by ensuring compatibility with surrounding land uses. The Applicant has demonstrated how approval of the Variance will maintain compatibility insured by ULDC standards. On this basis, Staff concludes that Criterion 5 has been satisfied.

E. STAFF RECOMMENDATION

The Applicant has made valid observations regarding visibility, safety and wall sign approvals at Loxahatchee Groves Commons, It is concluded the Applicant has demonstrated, by competent and substantial evidence, that each of five review criteria in ULDC Section 150-020, as required by code, has been met. Based upon this conclusion, Staff recommends approval of Variance Application V- 21-0002.

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

**AGENDA ITEM STAFF SUMMARY:
Southern Palms Carwash Site Plan Review**

I. Site and Applicant Information

Project Name	Southern Palms Carwash Site Plan Approval
Project Nos.	SP-20-2008
Agent	Jacob Lawson, Kimley-Horn & Associates
Applicant	Royal Master Properties, Inc.
Owner	Royal Master Properties, Inc.
Parcel Control No.	41-41-43-31-12-002-0010 (a portion thereof)
Location	North side of Southern Boulevard east of "B" Road
Size (Acreage)	1.52 Acres
Zoning	Multiple Land Use Planned Unit Development (MLU/PUD)
Future Land Use	Multiple Land Use (MLU)
Existing Use	Vacant
Approved Use	Commercial Low (Portion of Pod B of Groves Town Center PUD)
Proposed Use	Carwash

II. Adjacent Properties (Existing Use, Future Land Use and Zoning)

LAND USE	NORTH	SOUTH	EAST	WEST
EXISTING USE	Vacant	Southern Boulevard followed by residential in Wellington	Vacant	Vacant
APPROVED USE	Groves Town Center PUD Town Commons Pod	Southern Boulevard followed by residential in Wellington	Groves Town Center Pod B – Vacant Commercial (Proposed Culver's Restaurant)	Groves Town Center Pod A – Aldi Grocery
FUTURE LAND USE	MLU	Residential - Wellington	MLU	MLU
ZONING	MLU/PUD	Residential - Wellington	MLU/PUD	MLU/PUD

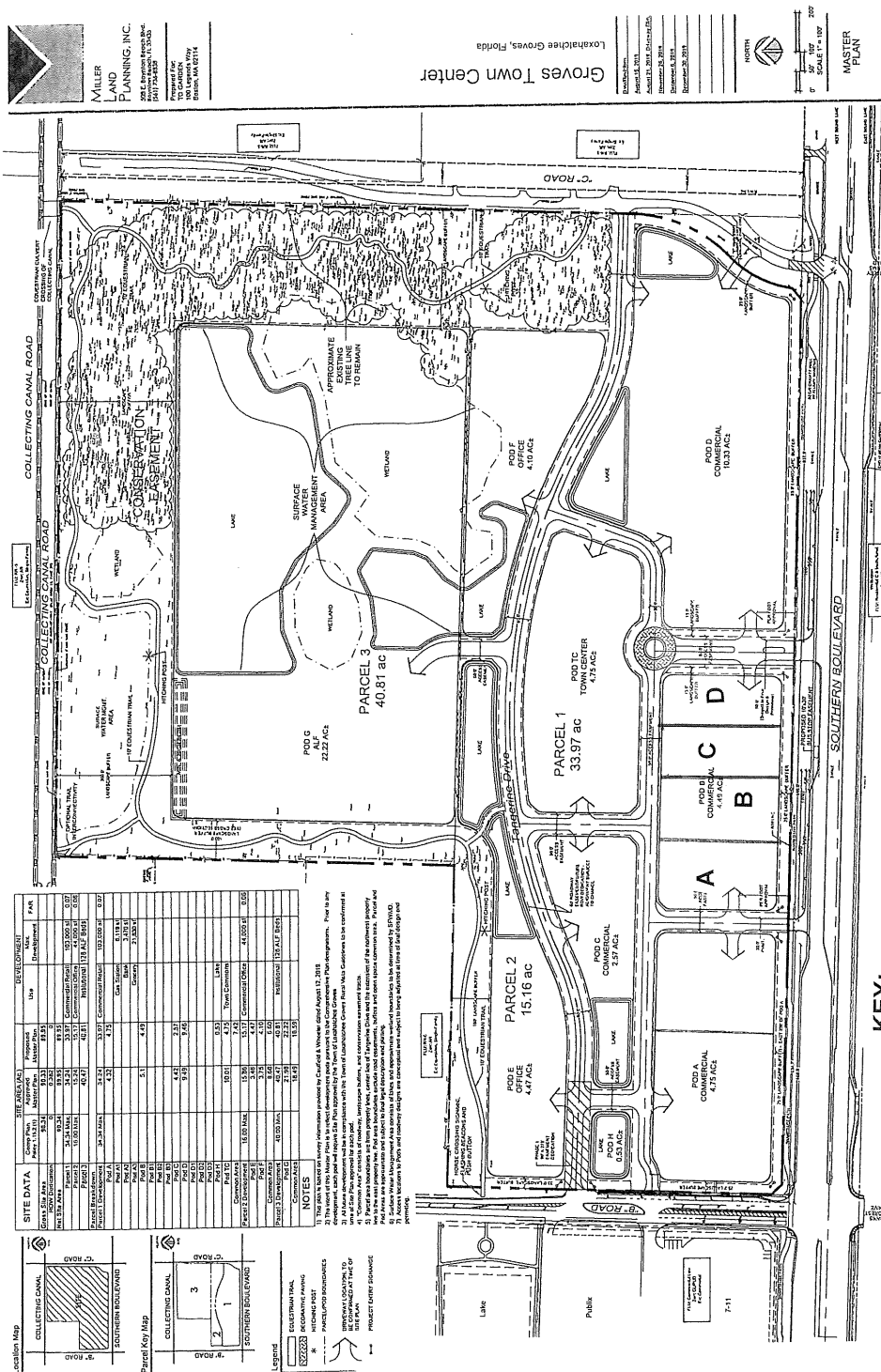
III. Submitted Support Documents

ITEM	CONTENT
Site Plan	Tabular computations, location and height of structure, floor area, vehicular circulation system and connections to internal streets, adjacent public r-o-w, location of trash and garbage disposal system, location, dimensions, clearances and access of parking areas and vacuum cleaning service bays, and location and design of monument sign.
Engineering Plans	Paving, Grading and Drainage Plan, Utility Plan, Demolition and Erosion Control Plan, Potable, Water and Wastewater Detail Plans, Drainage Statement
Architectural Plans	Floor Plans and Elevations
Service Provider Letters	Palm Beach County Water Utilities, GTC Conceptual Management Plan Traffic Statement and TPS Letter; Traffic Statement; PBC Fire Rescue and Water Utilities letters
Natural Features Inventory	Listed Species Technical Memorandum, and Tree Disposition Plan (tree survey and inventory and disposition)
Landscape Plans	Landscape Plan
Photometric Plan	Type, number and location of lighting fixtures. Lighting intensity at locations throughout the site, including perimeter property lines.

IV. Property History

The 1.52 acre Subject Site, located on the north side of Southern Boulevard east of "B" Road in Loxahatchee Groves, consists of a single parcel. The property is part of the 90 acre "Groves Town Center" which was assigned a Multiple Land Use (MLU) future land use designation by the Town in 2011 (Ref: Ordinance 2011-17) for the purpose of implementing a mixed-use development concept consisting of the following three land uses: Commercial Low (CL), Commercial Low Office (CL-O), and Institutional (INST). Subsequent to the MLU approval, the Groves Town Center parcel was assigned an MLU/PUD zoning designation, including a Conceptual Master Plan, by the Town in 2015 (Ordinance 2013-10, later revised by Ordinances 2018-08 and 2019-08).

The most recently revised Conceptual Master Plan includes several Development Pods. The 1.52 acre Subject Site is located within the 4.98 Pod B which is designated for commercial uses on the Conceptual Master Plan (Ref: ATTACHMENT 1).



A – Southern Palms Car Wash

B – Culver's Restaurant

C - To Be Determined

D – Heartland Dental Office

V. Application Staff Review

One application is filed for the Subject Site, a Site Plan Approval for a 5,376 sq. ft. carwash facility on a 1.52 acre portion of the 4.98 acre Pod B.

Per ULDC Section 155-005 *Mandatory Site Plan Approval*, an approved site plan is required prior to development of the property. The Applicant has proposed approval of a 5,376 sq. ft. carwash facility consisting of a 4,815 sq. ft. drive-thru carwash, 561 sq. ft. office, and 28 open-air self-service vacuum cleaning stalls. The proposed Site Plan is presented on ATTACHMENT 2. Principal Site Plan characteristics are described and assessed in the following paragraphs.

1. Adjacent Land Uses (Refer to Attachment 1)

Direction	Existing/Approved Uses	Potential Issues
North	Vacant/Groves Town Center (GTC) internal road followed by GTC Pod C (future office) and Pod Town Center (future community uses)	None – Future Development
South	Southern Boulevard followed by the C-51 Canal	None – FDOT approved access improvements to be provided by FDOT and Groves Town Center Master Developer.
East	Vacant Pod B parcel/Future commercial development	None – Proposed Culver's Restaurant Future Development. Ensure cross-access between properties.
West	Groves Town Center main access drive followed by Aldi Grocery/Pod A parcel.	None – Groves Town Center main access followed by Aldi grocery store.

2. Infrastructure Impacts

Infrastructure	Summary
Water/wastewater	Property can be served by PBCWUD central water/wastewater along Southern Boulevard. An executed Standard Developers Agreement (SDA) must be presented to the Town within 30 days of Site Plan Approval by the Town
Surface Water Management	The drainage system will consist of underground retention. Legal positive outfall is provided by discharge to the GTC main system.
Solid Waste Disposal	Solid Waste Authority annual letter confirms disposal capacity available. Applicant must execute an agreement with the Town's Contract Hauler for collection.
Transportation	Groves Town Center MUPD 8/30/2018 Palm Beach County Traffic Division TPS Review indicating that the proposed Conceptual Master Plan meets the Traffic Performance Standards of Palm Beach County, subject to conditions. Also 12/18/2020 Traffic Statement indicating that the trip generation potential of approved/proposed to date GTC projects falls under the previously approved TPS Review threshold. .
Parks and Recreation	Not Applicable – Commercial land use and zoning
Public Schools	Not Applicable – Commercial land use and zoning
FIRE/EMS	Letter from Palm Beach County Fire/Rescue estimating a response time of 7 minutes 30 seconds; 30 seconds above the average.

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3. Environment

Item	Summary
Natural Resources	A Native Tree Survey has been completed indicating which trees are to be retained, relocated or removed. A Tree Removal Permit must be obtained prior to any site clearing. A Database Review and Listed Species Survey was completed. Pre-construction surveys and protection measures during construction will be implemented for the following species: Eastern Indigo Snake; Gopher Tortoise; and Florida Bonneted Bat.
Historical Resources	One known archaeological site (i.e. No. 8PB11426 -West Palm Beach Canal) is located on or within 500 feet of the subject property. If activities on the subject property impact the Canal, mitigation work may be required by the Florida Division of Historic Resources. A letter from the Florida Master Site File was provided stating that there are no cultural resources on the Subject Site.
Flood Zone	Zone AE, per Palm Beach County Flood Insurance Rate Panel 541 of 1,200 with a 100-year flood elevation of 17.6 feet NAVD. A Floodplain Development Application needs to be provided prior to commencing any land clearing or development activity.

4. Comprehensive Plan and Zoning Consistency

The Comprehensive Plan was amended in 2011 (i.e. Town Ordinance 2011-17) to add Special Policy 1.15.2 to the Future Land Use Element and revise the Future Land Use Map (FLUM) from RR 5 (Rural Residential 5) to MLU (Multiple Land Use) on the parent 90.3 acre parcel of land located at the northeast corner of B Road and Southern Boulevard. Special Policy 1.15.2 was added to read as follows:

“1.15.2 Special Policy:

- (1) Land use and density/intensity of development on the property delineated as “Special Policy 1.15.2” on the Future Land Use Map, Map # FLU -1.10, shall be regulated by the application of the Multiple Land Use (MLU) land use category, and the following criteria: Commercial Low (CL) – Maximum of 34.34 acres/ 103,000 sq. ft. of retail commercial space; Commercial Low Office - Maximum of 16.0 acres/44,000 sq. ft. of professional and medical office commercial space; and Institutional – Minimum of 40.0 acres/Maximum of 128 congregate living beds.
- (2) A 300 foot wide buffer shall be incorporated in the master plan along that portion of the MLU adjacent to the Collecting Canal”.

The amended FLUM indicating the MLU designation on the 90.3 acre parcel is presented on ATTACHMENT 3. The proposed Culver's Restaurant is located within the 90.3 acre MLU FLUM designation and included within the 103,000 sq. ft. of retail commercial space approved by Special Policy 1.15.2.

The Town Zoning Map was amended (Ref: ATTACHMENT 4) in 2015 (i.e. Town Ordinance 2013-10) to assign a Multiple Land Use Planned Unit Development (MLU/PUD) designation to the 90.3 acre property which was the subject of Special Policy 1.15.2.

As part of the MLU/PUD designation, a Conceptual Master Plan (i.e. Groves Town Center – Ref: ATTACHMENT 1) was approved. The proposed Culver's Restaurant is located within Pod B of the Conceptual Master Plan which is designated for retail use.

Based upon the above land use and zoning amendments, the proposed Southern Palms Carwash is consistent with the Town Comprehensive Plan, FLUM and Zoning Map.

5. Zoning Requirements: CL Zoning District Regulations

Regulation	Standard	Property Complies?
Minimum lot size	1 acre	Yes – 1.52 acres
Frontage and Access	ULDC Section 100-35: legal access from a publically dedicated street	Yes – Proposed access to both Southern Blvd. and "B" Road via interior GTC roads
Minimum frontage/width	150 feet	Yes – 191 ft. on Southern Blvd.
Minimum depth	150 feet	Yes - 348 feet
Maximum Floor-Area-Ratio	0.10	Yes – 0.07
Maximum building and roofed structures lot coverage	25%	Yes – 7%
Front setback	50 feet	Yes – 75 feet 6 inches (South side)
Side setback	25 feet	OK – 15 feet (East side); however, 95-foot building separation (alternate method) from Culver's Restaurant; and Yes – 136 feet 7 inches (west)
Rear setback	25 feet	Yes – 112 feet 8 inches feet (North side)
Minimum pervious area	30%	Yes – 32.2%%
Maximum building height	35 feet	Yes – 30 feet
Open Space	30%	Yes - 32.2%

6. ULDC Section 155-020: Substantive Requirements (Site Plan)

Criterion	Compliance
Section 150-020 (A) Conformance to the approved and/or recorded plat, if applicable	Yes - Property is in conformance with the Groves Town Center Plat, approved by the Town (Resolution 2010-27).
Section 150-020 (B) Consistency with the Loxahatchee Groves Comprehensive Plan	Yes – Refer to Section 4, above.
Section 150-020 (C) Conformance with the Town of Loxahatchee Groves ULDC	Yes – Refer to Section 5, and 6 above and Section 7, below.
Section 150-020 (D) Conformity with Town Water Control District's requirements and regulations.	Yes - Underground retention and legal positive outfall to the GTC Master Drainage System to be approved by the Town

7. ULDC Supplementary Requirements

a. ULDC Article 85: Landscape Plan Requirements

Requirement	Response
Section 85-025 (B) Plots of 2 acres or more shall preserve or create and maintain an ecological community of at least 3% of area of the property.	Not applicable. Parcel size is 1.52 acres.
Section 85-040 (D) (2) and (3) A tree survey, including trees to be removed or relocated, including proposed relocation sites	Tree inventory, tabular and disposition list provided in the Tree Mitigation Plan (Sheet LO.50). Trees to be removed are summarized. Additional detail regarding mitigation to be provided in the Tree Removal Permit.
Section 85-040 (D) (7) The location, including height, caliper and canopy spread of all landscape materials	Provided in the Landscape Plan (Sheet L1.00)
Section 85-040 (E) Irrigation plan if irrigation system to be used	Provided in the Irrigation Plan (Sheet L2.00)
Section 85-050 (A) (1) No substances that prevent water percolation are in areas without structures or paving	OK. Illustrated in the Landscape Plan (L.100)
Section 85-050 (A) (2) Primary structures treated with shrubs @ 2.5 foot height along 20% of the structure frontage	Provided in the Landscape Plan. 162 feet of frontage/150 feet of landscaping structure frontage facing the GTC entrance drive (i.e. Red tip Cocoplum and Perennial Peanut) (Sheet L1.00)
Section 85-050 (D) 12 Interior open space area indicated on Landscape Plan	To be calculation on the final Site Plan
Section 85-050 (D) Dumpsters, mechanical equipment and electrical transformers screened	Meets requirement. Provided in the Landscape Plan (Sheet L1.00)
Section 85-050 (E) Signs screened	Monument Sign screened Provided in the Landscape Plan (Sheet L1.00)
Section 85-050 (F) Existing vegetation credit requested and calculated	Credit may be requested during the Tree Removal Permit process.
Section 85-055 (B) Landscape buffer along property line abutting AR District	N/A – Adjacent property to north, east and west = Groves Town Center MLU/PUD. Southern Boulevard to the south.
Section 85-050 (C) 15 foot vehicular use landscape strip (not counted as interior open space)	Provided along all property lines per Landscape Plan (Sheet L1.00).
Section 85-055 (C) (1) Vehicular use landscape requirements	Provided on the Landscape Plan (Sheet L1.00)
Section 85-065 Site distance requirements (Ref: ULDC Article 105)	N/A

b. ULDC Article 90 Signs

Allowed Signs	Response
Sections 05-040 Permits required and 90-070 Sign permit requirements	Condition of Approval
Section 90-040(B) Standards by sign type and zoning district (CL District shopping center or other multi-tenant center)	
(1) Mandatory attached building identification (i.e. address) sign : 1 per structure or business @ maximum sign face of 4 sq. ft.	Condition of Approval
(2) Attached awning sign (optional): Maximum 1 per structure or business @ maximum sign face of 4 sq. ft.	None proposed.
(3a) Outparcel or individual stand-alone building wall sign(s): 1 per building, 2 if corner location @ maximum sign face of 18 sq. ft. to 36 sq. ft.	One proposed on south tower frontage elevation per Drawing A-301. Dimensions to be determined during Sign Permit review.
(4) Attached canopy sign: 1 per canopy or 2 per building which ever is less @ 16 sq. ft. to 24 sq. ft.	None proposed.
(5a) Outparcel or individual stand-alone building free-standing monument or panel sign(s): Primary sign - 1 per building @ maximum sign face of 60 sq. ft.; Drive-thru secondary sign @ maximum sign face of 12 sq. ft.	1 Primary Monument Sign on per Site Plan Sign dimensions not indicted – To be determined during Sign Permit review.
(6) Real Estate or Project Sign (to be removed after sale or project completion) 1 per street frontage @ maximum sign face of 12 sq. ft.	To be determined at the time of Sign Permit review per ULDC Section 90-070 requirements.
Sections 90-065 Landscaping around signage to meet the requirements of Section 85-050 Landscape design for interior open space	Condition of Approval in Monument Sign Permit.

c. Article 95 Parking and Loading

Requirement	Response
Section 95-010 Minimum parking space requirements – 3 standard spaces required. 1 handicap spaces required (Ref: Table 208.2 PBC ULDC – 2% of total)	4 standard spaces provided. 1 handicap spaces provided. Exceeds code.
Section 95-025 Size of parking spaces – 30 Degree Angle space = 11' x 21.3 feet; Handicap space = 14' x 22.5'	Standard parking spaces = 11' x 22.5' . Handicap Spaces = 14' x 22.5'. Meets Code.
Section 95-100(A) Aisle widths: 16 feet for 30 degree parking; 12 feet for one-way and 24 feet for 1-way requiring access by emergency vehicles	Drive aisles = 12 feet (one-way) and 24 feet (providing access by emergency vehicles. Meets Code..
Section 95-050 Minimum loading space requirements (i.e. for commercial uses 2,000 to 20,000 sq. ft.) = 1 space	1 provided. Meets code
Section 95-070 Size of loading spaces – 12' x 45' with 14' vertical clearance	1 space @ 12' x 45'. Meets Code.
Section 95-085 and 95-095 Minimum of 5 queuing spaces. Dimensions = 9' x 20'.	Total of 20 queuing spaces: 11 prior to pay stations; 3; 6 after the carwash pay station . Meets Code.

d. Architecture

Proposed architectural elevations (A-301) are included in the site plan application. The Applicant has considered the Rural Vista Guidelines and applied them, where possible, to the various design elements throughout the project.

- Trim at corners of buildings
- Breaks at larger building walls using stucco banding and projections.
- Hip-style roof
- Sheet metal roof
- Cupolas on the roof
- Decorative outriggers along the roof line and over the carwash entrance
- Banding above windows and doors
- Stucco banding on walls
- Enclosure and screening of dumpster
- Screening of mechanical and service areas
- Proposed Native Landscape material where possible
- All exterior lighting is directed downward and contains shields to be contained within the property boundaries

e. Compatibility

An inventory of land uses adjacent to the 1.52 acre Subject Property is presented in Section II of this analysis. The adjacent properties to the north, east and west are assigned a Future Land Use designation of Multiple Land Use (MLU), all of which are portions of the 90.32 acre Groves Town Center which is assigned an MLU/PUD zoning designation including retail and office commercial and assisted living uses laid out in an approved Conceptual Master Plan.

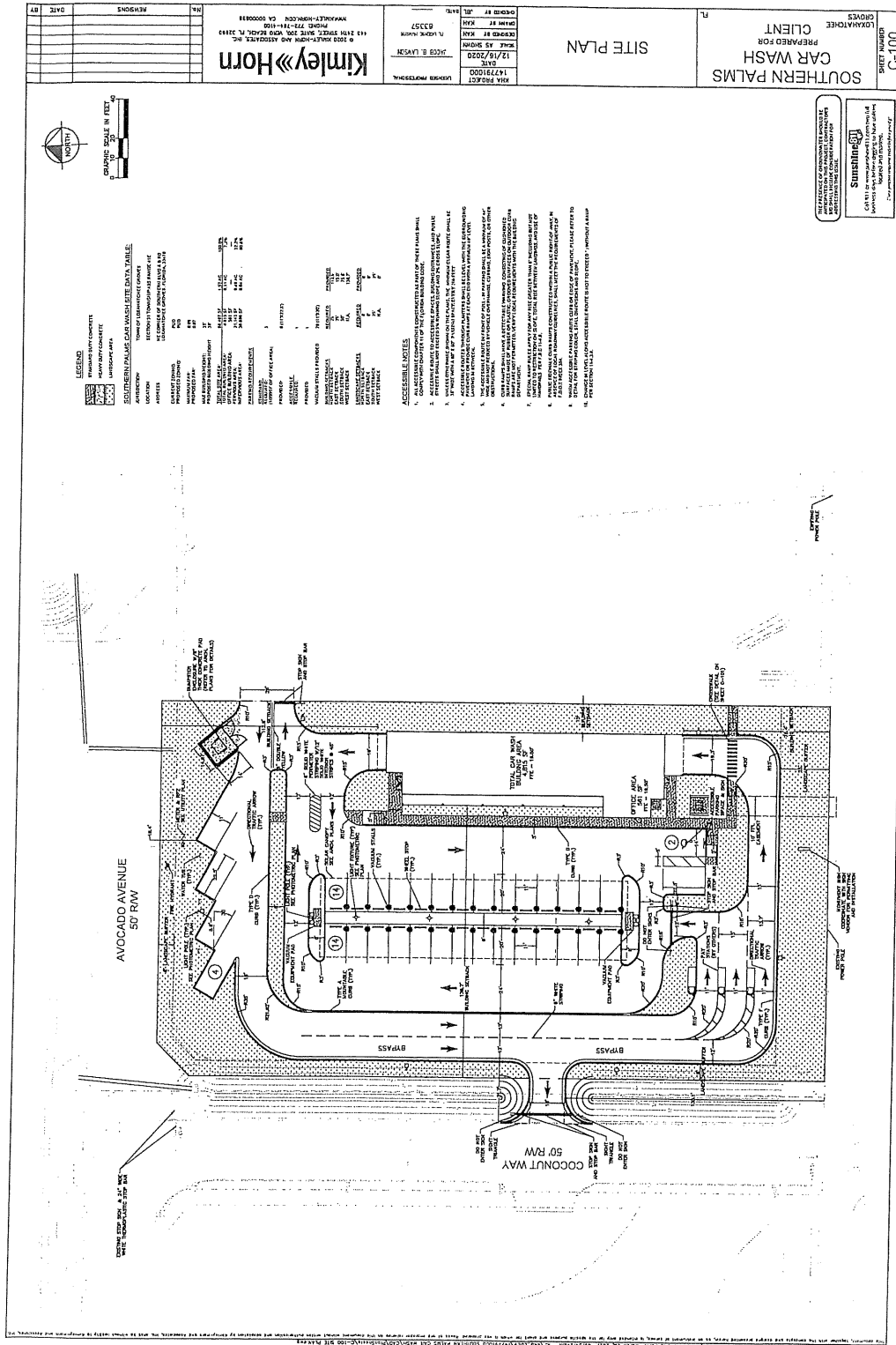
In addition to the Conceptual Master Plan, access management, buffering, screening, setback, height, landscaping, and incorporation of Rural Vista Guidelines design criteria can further enhance compatibility and reduce the potential negative effects of functionally different land uses. Due to the size of the MLU/PUD and the fact that individual uses apply for site plan approval in Pod B, each of these techniques and directives can be used to insure compatibility among neighboring properties.

The Site Plan includes perimeter landscape buffers in order to insure compatibility with its neighbors. In addition to buffers, the site plan includes landscape planting areas adjacent to the buildings that will compliment the architecture.

VI. Staff Recommendation

Staff finds the proposed site plan is consistent with the Town's Comprehensive Plan and land development regulations. Further, Staff recommends approval of SP-20-2008 subject to the Site Plan dated December 16, 2020 and Conditions of Approval per Attachments A and B.

ATTACHMENT A SOUTHERN PALMS SITE PLAN: SP-20-2008



ATTACHMENT B

Southern Palms Carwash Site Plan

Conditions of Approval

A. GENERAL

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.

2. The Final Conditions of Approval in Town Ordinance 2019-08 are adopted and incorporated herein by reference. Ordinance 2019-08 assigned an amended Multiple Land Use Planned Unit Development (MLU/PUD) zoning designation to the site.

3. Development of the site is limited to the uses depicted and stated in Attachment A, hereto (Southern Palms Carwash Site Plan). The Site Plan is dated December 16, 2020. All modifications to the Site Plan shall be approved by the Town Council with the following exceptions which may be approved by the Town Manager: (1) administrative amendments permitted under Section 155-005 of the ULDC; (2) amendments required to conform to the Conceptual Master Plan; (3) amendments necessary to comply with Site Plan Conditions of Approval; and (4) infrastructure and utility improvements which are in accordance with the ULDC.

4. Any subdivision by fee title conveyance of an internal lot which is subject to a final site plan approval shall have received prior written approval by the Town Manager based upon the application of criteria contained in Section 41.1.E.4.b of the Town Unified Land Development Code. Prior to fee title conveyance, a lot shall be platted.

5. The Town Manager and his designated agents shall review and approve all building permit applications prior to processing by Palm Beach County for consistency with the following: (1) Site Plan and Conditions of Approval; (2) Landscape Plan; (3) Floor Plans, and Elevations; and (4) Photometric Plan

6. Prior to submittal of any building permit applications for processing by Palm Beach County, the Town Manager and Town Engineer shall review and approve all land development plans.

7. Consistent with the Palm Beach County Mandatory Traffic Performance Standards criteria in place at the time of this approval, no building permits for the site shall be issued after December 31, 2022. A time extension for this condition shall be acknowledged by the Town of Loxahatchee Groves pursuant to a State of Emergency Order issued by the Governor of Florida upon written notification by the Owner, or approval of a traffic study which complies with the Palm Beach County Mandatory Traffic Performance Standards in place at the time of the request.

B. LAND USE AND SITE PLANNING

1. Development of the site shall be limited to a maximum of 5,376 sq. ft. of carwash and administrative office use consistent with the Site Plan dated December 16, 2020.

2. Bars and night clubs are prohibited.
3. Potentially objectionable features (e.g. mechanical equipment, loading/delivery areas, storage areas, dumpsters, and compactors, etc.) shall be indicated on project site plans and screened from public view.
4. All on-site deliveries during construction shall be made from project entrances off of Southern Boulevard.
5. Prior to submittal of any building permit a cross-access agreement shall be executed with the property directly abutting the site to its east.

C. ENGINEERING

1. An Administrative Site Plan shall be prepared cooperatively with all Pod B developers illustrating coordination of the following issues: shared drainage facilities, cross-access and pedestrian access locations, shared access and drive aisles, adjoining landscape buffers, and consistency of landscape materials.

D. LAND CLEARING AND LANDSCAPING

1. Prior to any land clearing activities, the property owner shall comply with the permit requirements of the Loxahatchee Groves Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal regulations (ULDC Article 87).
2. Project landscaping shall comply with the Landscape Plan dated December 14, 2020, to include a landscape buffer berm within the 25-foot buffer on Southern Boulevard shown on the Site Plan dated December 16, 2020. The perimeter buffer berm along the Southern Boulevard frontage shall be constructed to a minimum height of 3 feet higher than the higher elevation of the northern right-of-way limits of Southern Boulevard or the onsite top of curb elevation. The 3-foot berm shall be topped by a cocoplum hedge. A rendering of the berm and hedge shall be provided based upon a point of view from Southern Boulevard. The rendering shall clearly note the level of maturity of the plant materials and how long it will take for the installed materials to reach maturity.
3. The remainder of the landscaping shall comply with the Landscape Plan dated December 14, 2020.
4. Preconstruction surveys shall be implemented for the following species: Eastern Indigo Snake; Gopher Tortoise; and Florida Bonneted Bat. Appropriate relocation and protective measures, to be coordinated with the Town, shall be undertaken pending the results of the surveys.
5. A Floodplain Development Application shall be submitted to the Town prior to commencing any land clearing or development activity.

6. The west landscape buffer shall be 10 feet in width.

E. EXTERIOR LIGHTING

1. Exterior lighting shall comply with the Photometric Plan dated December 24, 2020 and the requirements of ULDC Section 50-030 *Outdoor Lighting, as revised by Ordinance 2019-06*.
2. All exterior lighting shall be directed downward and contain shields to contain lighting within the property boundaries.
3. Per ULDC Section 50-030(D) (5) "*Glare*", open air parking lighting, with the exception of security lighting, shall be controlled by automatic devices that extinguish the lighting between 11:00 p.m. and dawn.

F. PARKING AND LOADING

1. All parking and loading shall occur on site, as indicated on the approved Site Plan dated December 16, 2020.

G. ARCHITECTURAL

1. Architectural elevations shall comply with Design Development Scheme "A", Sheet A-4 dated December 15, 2020.

H. SIGNAGE

The initial sign permit submittal shall include a master sign program detailing the location, number, colors and size of proposed signage within the Southern Palms Carwash development. The master sign program shall be used as model for all subsequent signage within the Southern Palms Carwash development.

1. Per Sections 05-040 and 90-070 of the ULDC, permits for all project signs shall be obtained prior to building permit application.
2. An attached building identification signs shall be provided with a maximum sign face of 4 sq. ft.

I. UTILITIES AND SERVICES

1. A Developer's Agreement shall be executed by the Property Owner and the Palm Beach County Water Utility Department and approved by the Town Council of the Town of Loxahatchee Groves for the provision of central potable water and wastewater service to the project prior to the issuance of the first building permit.
2. Solid waste collection and disposal shall be accomplished by contract between the Property Owner and the Town's contract hauler prior to issuance of the initial certificate of occupancy.

H. ULDC WAIVERS

Per Ordinance 2019-08, the Property Owner has been granted the right to request the following two waivers: (1) Relief from ULDC Section 50-303(D) (5) "*Glare*"; and (2) ULDC Section 95-100(E) "*Wheelstops and curbing*".

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

**AGENDA ITEM STAFF SUMMARY:
Heartland Dental Site Plan Review (SP-20-2007)**

I. Site and Applicant Information

Project Name	Heartland Dental Site Plan Approvals
Project No.	SP-20-2007
Agent	Jacob B. Lawson, Kimley-Horn and Associates
Applicant	Scott Hoene, WMG Development, LLC
Owner	Solar Sportsystems, Inc.
Parcel Control No.	41-41-43-17-01-805-0010 (a portion thereof)
Location	North side of Southern Boulevard east of "B" Road
Size (Acreage)	1.05 Acres
Zoning	Multiple Land Use Planned Unit Development (MLU/PUD)
Future Land Use	Multiple Land Use (MLU)
Existing Use	Vacant
Approved Use	Commercial Low (Portion of Pod B of Groves Town Center PUD)
Proposed Use	Dental Office

II. Adjacent Properties (Existing Use, Future Land Use and Zoning)

LAND USE	NORTH	SOUTH	EAST	WEST
EXISTING USE	Vacant	Southern Boulevard followed by residential in Wellington	Vacant	Vacant
APPROVED USE	Groves Town Center PUD Town Commons Pod	Southern Boulevard followed by residential in Wellington	Groves Town Center Pod D – Vacant Commercial	Groves Town Center Pod B – Vacant Commercial
FUTURE LAND USE	MLU	Residential - Wellington	MLU	MLU
ZONING	MLU/PUD	Residential - Wellington	MLU/PUD	MLU/PUD

III. Submitted Support Documents

ITEM	CONTENT
Site Plan	Tabular computations, location and height of structure, floor area and F.A.R., vehicular circulation system and connections to internal streets, adjacent public r-o-w, location of trash and garbage disposal system, location, dimensions, clearances and access of parking areas, and location of monument sign.
Engineering Plans	Demolition and Erosion Control Plan, Paving, Grading and Drainage Plan, Utility Plan, Water and Wastewater Detail Plans, Irrigation Plan, Drainage Statement.
Architectural Plans	Floor Plans and Elevations..
Service Provider Letters	
Natural Features Inventory	Tree Mitigation Plan (tree survey and inventory and disposition)
Landscape Plans	Landscape Plan and Landscape Details
Photometric Plan	Photometric Plan.

IV. Property History

The 1.05 acre Subject Site, located on the north side of Southern Boulevard east of "B" Road in Loxahatchee Groves, consists of a single parcel. The property is part of the 90 acre "Groves Town Center" which was assigned a Multiple Land Use (MLU) future land use designation by the Town in 2011 (Ref: Ordinance 2011-17) for the purpose of implementing a mixed-use development concept consisting of the following three land use categories: Commercial Low (CL), Commercial Low Office (CL-O), and Institutional (INST). Subsequent to the MLU approval, the Groves Town parcel was assigned an MLU/PUD zoning approval, including a Conceptual Master Plan, by the Town in 2015 (Ordinance 2013-10), later revised by Ordinances 2018-08 and 2019-08).

The Conceptual Master Plan, most recently revised by Ordinance 2019-08, includes several Development Pods. The 1.05 acre Subject Site is located within the 4.98 Pod B which is designated for commercial uses on the Conceptual Master Plan (Ref: ATTACHMENT 1).

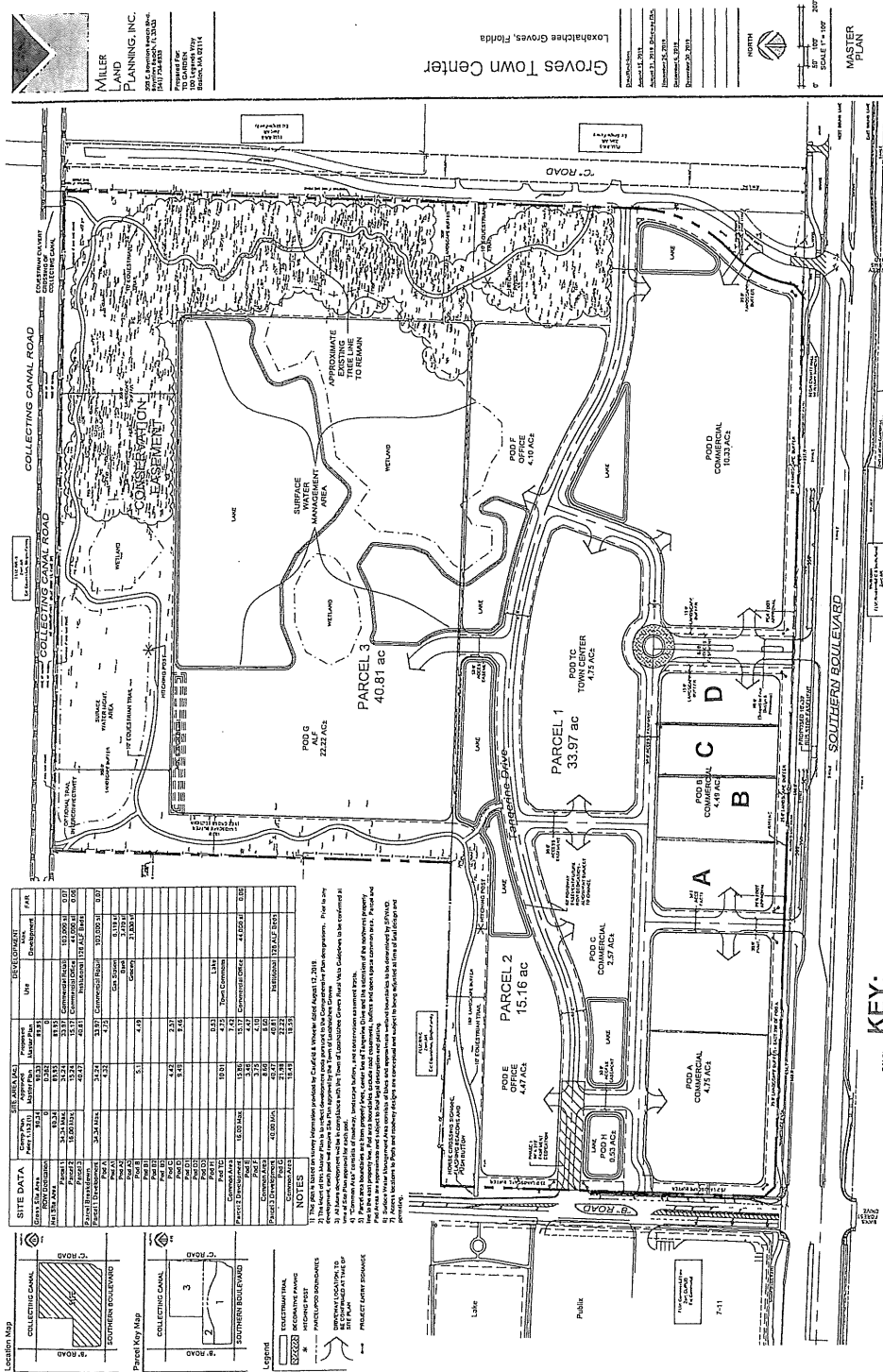
V. Staff Review

One application, Site Plan Approval, is filed for the Subject Site, a 1.05 acre portion of the 4.98 acre Groves Town Center Pod B.

Per ULDC Section 155-005 *Mandatory Site Plan Approval*, an approved site plan is required prior to development of the property. The Applicant has proposed approval of a 4,200 sq. ft. Dental Office on the 1.05 Subject Site. The proposed Site Plan is presented on ATTACHMENT 2. Principal Site Plan characteristics are described and assessed in the following paragraphs.

ATTACHMENT 1

Groves Town Center Conceptual Master Plan (Current)



A. Infrastructure Impacts

Infrastructure Service	Summary
Water/wastewater	Property can be served by County central water/wastewater along Southern Boulevard. An executed Standard Developers Agreement (SDA) must be presented to the Town within 30 days of Site Plan Approval by the Council.
Surface Water Management	Drainage Compliance Statement, Civil Plans and a Floodplain Development Application is required prior to any site disturbance. The drainage system will consist of underground retention . Legal positive outfall provided by discharge to the GTC Master Drainage System. A control structure will regulate discharge to the Master Drainage System.
Solid Waste Disposal	Solid Waste Authority letter confirms disposal capacity available. Applicant must execute contract with the Town's Contract Hauler for collection.
Transportation	A Traffic Generation Statement is provided by the Applicant's Engineer indicating that the proposed Heartland Dental Site Plan will not generate additional traffic above previous Palm Beach County Traffic Division TPS Review indicating that the proposed Conceptual Master Plan meets the Traffic Performance Standards of Palm Beach County, subject to conditions.
Parks and Recreation	Not Applicable – Commercial land use and zoning
Public Schools	Not Applicable – Commercial land use and zoning
FIRE/EMS	Letter from Palm Beach County Fire/Rescue indicating an estimated response time 30 seconds above the average for the nearest station.

B. Environment

Item	Summary
Natural Resources	The Listed Species Technical Memorandum identifies the following state and federal listed species potentially occurring within the immediate vicinity of the site: Florida bonneted bat; Eastern Indigo Snake; Gopher Tortoise; and Florida Burrowing Owl. Historically, the site has historically been disturbed, therefore, habitat for listed plant species is limited. It is therefore concluded that no further action is required regarding listed plant species. The Tree Mitigation Plan identifies 6 Pines and 1 Palm Tree to be removed and mitigated.
Historical Resources	One known archaeological site (i.e. No. 8PB11426 -West Palm Beach Canal) is located on or within 500 feet of the subject property. If activities on the subject property impact the Canal, mitigation work may be required by the Florida Division of Historic Resources. A letter from the Florida Master Site File was provided stating that there are no cultural resources on the Subject Site.
Flood Zone	Zone AE, per Palm Beach County Flood Insurance Rate Panel 541 of 1,200 with a 100-year flood elevation of 17.6 feet NAVD.

C. Comprehensive Plan and Zoning Consistency

The Comprehensive Plan was amended in 2011 (i.e. Town Ordinance 2011-17) to add Special Policy 1.15.2 to the Future Land Use Element and revise the Future Land Use Map (FLUM) from RR 5 (Rural Residential 5) to MLU (Multiple Land Use) on the related 90.3 acre parcel of land located at the northeast corner of B Road and Southern Boulevard. Special Policy 1.15.2 was added to read as follows:

“1.15.2 Special Policy:

- (1) Land use and density/intensity of development on the property delineated as “Special Policy 1.15.2” on the Future Land Use Map, Map # FLU -1.10, shall be regulated by the application of the Multiple Land Use (MLU) land use category, and the following criteria: Commercial Low (CL) – Maximum of 34.34 acres/ 103,000 sq. ft. of retail commercial space; Commercial Low Office - Maximum of 16.0 acres/44,000 sq. ft. of professional and medical office commercial space; and Institutional – Minimum of 40.0 acres/Maximum of 128 congregate living beds.
- (2) A 300 foot wide buffer shall be incorporated in the master plan along that portion of the MLU adjacent to the Collecting Canal”.

The amended FLUM assigning the MLU designation on the 90.3 acre parcel is presented on ATTACHMENT 3. The proposed Heartland Dental Office is located within the 90.3 acre MLU FLUM designation and included within the 103,000 sq. ft. of retail commercial space approved by Special Policy 1.15.2.

The Town Zoning Map was amended (Ref: ATTACHMENT 4) in 2015 (i.e. Town Ordinance 2013-10) to assign a Multiple Land Use Planned Unit Development (MLU/PUD) designation to the 90.3 acre property which was the subject of Special Policy 1.15.2.

As part of the MLU/PUD designation, a Conceptual Master Plan (i.e. Groves Town Center – Ref: ATTACHMENT 1) was approved. The proposed Heartland Dental Office is located within Pod B of the Conceptual Master Plan which is designated for retail use.

Based upon the above land use and zoning amendments, the proposed Heartland Dental Office is consistent with the Town Comprehensive Plan, FLUM and Zoning Map.

D. Zoning Requirements: CL Zoning District Regulations

Regulation	Standard	Property Complies?
Minimum lot size	1 acre	Yes – 1.05 acres
Frontage and Access	ULDC Section 100-35: legal access from a publically dedicated street	Yes – Proposed access to both Southern Blvd. and “B” Road via MLU/PUD interior roads.

Minimum frontage/width	150 feet	Yes – a portion of Pod B” which has 624 feet of frontage on Southern Blvd.
Minimum depth	150 feet	Yes - 323.33 feet
Maximum Floor-Area-Ratio	0.10	Yes – 0.09
Maximum building and roofed structures lot coverage	25%	Yes – 9.2%
Front setback	50 feet	Yes – 171.7 feet
Side setback	25 feet	Yes – 25 feet (East side) and 45.5 feet (west side)
Rear setback	50 feet	Yes – 104.2 feet
Minimum pervious area	30%	Yes – 34.4%
Maximum building height	35 feet	Yes – Maximum of 35 feet
Open Space	30%	Yes – 34.4%

E. ULDC Section 155-020: Substantive Requirements (Site Plan)

Criterion	Compliance
Section 150-020 (A) Conformance to the approved and/or recorded plat, if applicable	Property is in conformance with the Groves Town Center Plat, approved by the Town (Resolution 2010-27).
Section 150-020 (B) Consistency with the Loxahatchee Groves Comprehensive Plan	Yes – Refer to Section C, above.
Section 150-020 (C) Conformance with the Town of Loxahatchee Groves ULDC	Yes – Refer to Section D, above, and Section F, below.
Section 150-020 (D) Conformity with Town Water Control District's requirements and regulations.	Proposed drainage discharge to GTC Master Drainage System

F. ULDC Supplementary Requirements

a. ULDC Article 85: Landscape Plan Requirements

Requirement	Response
Section 85-025 (B) Plots of 2 acres or more shall preserve or create and maintain an ecological community of at least 3% of area of the property.	Not applicable. Parcel size is 1.05 acres.
Section 85-040 (D) (2) and (3) A tree survey, including trees to be removed or relocated, including proposed relocation sites	Tree inventory and tabular list provided in the Tree Disposition Plan (Ref: LO.50 and LO.51). Trees to be removed and mitigated are summarized. Additional detail is required in the Vegetation Removal Permit.
Section 85-040 (D) (7) The location, including height, caliper and canopy spread of all landscape materials	Provided in the Landscape Plan (L-1.00, L1.50 and L1.51))
Section 85-040 (E) Irrigation plan if irrigation system to be used	Provided in the Irrigation Plan (L-2.00)

Section 85-050 (A) (1) No substances that prevent water percolation are in areas without structures or paving	OK. Illustrated in the Landscape Plan (L-1.00)
Section 85-050 (A) (2) Primary structures treated with shrubs @ 2.5 foot height along 20% of the structure frontage	Provided in the Landscape Plan @ 45.5% of structure frontage (i.e. Red Tip Cocoplum) on North, South and West. Frontages (L-1.00). Exceeds requirement
Section 85-050 (C) Interior open space area defined and located @ 10% of the area of vehicular use areas, excluding landscape strip or perimeter buffers	Identified and calculated on Landscape Plan (L-1.00). Exceeds requirement.
Section 85-050 (B) Meets interior open space tree and shrub requirements	Calculated on Landscape Plan (L-1.00). Meets requirement
Section 85-050 (D) Dumpsters, mechanical equipment and electrical transformers screened	Meets requirement. Provided in the Landscape Plan (L-1.00)
Section 85-050 (E) Signs screened	Monument Sign screening needs to be provided on the Landscape Plan (L-1.00)
Section 85-050 (F) Existing vegetation credit requested and calculated	No credit requested.
Section 85-055 (B) Landscape buffer along property line abutting AR District	N/A – Adjacent property to north, east and west = Groves Town Center MLU/PUD. Southern Boulevard to the south.
Section 85-055 (D) 25 foot vehicular use landscape strip along Arterial, Collector or local roads.	Provided on Southern Boulevard (25 feet) per Site Plan (L-1.00).
Section 85-055 (D) (1) Vehicular use landscape requirements: 1 canopy tree/25 feet and continuous hedge	Provided on the Landscape Plan (L-1.00).
Section 85-035 Site distance requirements (Ref: ULDC Article 105)	Requirements met per Landscape Plan (L-1.00).

b. ULDC Article 90 Signs

Allowed Signs	Response
Sections 05-040 Permits required and 90-070 Sign permit requirements	Condition of Approval
Section 90-040(B) Standards by sign type and zoning district (CL District shopping center or other multi-tenant center)	
(1) Mandatory attached building identification (i.e. address) sign : 1 per structure or business @ maximum sign face of 4 sq. ft.	Condition of Approval
(2) Attached awning sign (optional): Maximum 1 per structure or business @ maximum sign face of 4 sq. ft.	To be determined at the time of Sign Permit Application per ULDC Section 90-070 requirements.
(3b) Shopping Center attached building wall sign(s): 1 per tenant, 2 if corner location: Anchor tenants @ maximum sign face of 60 sq. ft.; other tenants sign face @ 18 sq. ft. to 36 sq. ft.	To be determined at the time of Sign Permit Application per ULDC Section 90-070 requirements.

(4) Attached canopy sign: 1 per canopy or 2 per building which ever is less @ 16 sq. ft. to 24 sq. ft.	None proposed.
(5a) Outparcel or individual stand-alone building free-standing monument or panel sign(s): Primary sign - 1 per building @ maximum sign face of 60 sq. ft..	1 Primary Sign proposed per Site Plan (C-100).
(6) Real Estate or Project Sign (to be removed after sale or project completion) 1 per street frontage @ maximum sign face of 12 sq. ft.	To be determined at the time of Sign Permit Application per ULDC Section 90-070 requirements.
Sections 90-065 Landscaping around signage to meet the requirements of Section 85-050 Landscape design for interior open space	Provided in the Landscape Plan (L-1.00).

c. Article 95 Parking and Loading

Requirement	Response
Section 95-010 Minimum parking space requirements – 21 spaces required. 1 handicap spaces required (Ref: Table 208.2 PBC ULDC – 2% of total)	33 spaces provided. 2 handicap spaces provided.
Section 95-025 Size of parking spaces – Standard space = 11' x 22.5". Handicap space = 14' x 22.5'	25 spaces @ 11' x 22.5' and 8 spaces @ 11' x 20.5". Handicap spaces @ 14' x 22.5" (meets ADA requirements)
Section 95-050 Minimum loading space requirements (i.e. for uses that do not receive materials by truck).- 0 spaces	0 provided
Section 95-070 Size of loading spaces – 12' x 45' with 14' vertical clearance	Not Applicable
Section 95-085 and 95-095 Minimum requirements (Queueing Spaces and) for drive-thru establishments and Queueing by-pass lane	Not Applicable

d. Architecture (Discussion of Rural Vista Guidelines by Applicant)

The proposed development plans are consistent with the Rural Vista Guidelines as outlined below. The Applicant has carefully considered these guidelines and applied them, where applicable, to the various design elements throughout the building.

- Tower feature
- Standing seam metal roof
- Standing seam awnings and frames
- Hardie Board vertical siding
- Hardie Board trim
- Stone veneer half-wall
- Vintage wood paneling

e. Compatibility

An inventory of land uses adjacent to the 1.05 acre Subject Property is presented in Section II of this analysis. The adjacent properties to the north, east and west are assigned a Future Land Use designation of Multiple Land Use (MLU), all of which are portions of the 90.32 acre Groves Town Center which is assigned an MLU/PUD zoning designation including retail and office commercial and assisted living uses laid out in an approved Conceptual Master Plan.

In addition to the Conceptual Master Plan, access management, buffering, screening, setback, height, landscaping, and incorporation of Rural Vista Guidelines design criteria can further enhance compatibility and reduce the potential negative effects of functionally different land uses. Due to the size the MLU/PUD and the requirement that individual uses apply for site plan approval, each of these techniques and directives can be used to insure compatibility among neighboring properties.

The Site Plan includes a large perimeter landscape buffer along Southern Boulevard in order to insure adequate screening. In addition to site plan landscaping, including planting areas adjacent to the building and within the parking areas that will compliment the architecture.

VI. Staff Recommendation

Staff finds the proposed site plan is consistent with the Town's Comprehensive Plan, land development regulations and Rural Vista Guidelines. Further, Staff recommends approval of SP-20-2007 subject to the Site Plan dated March 17, 2021 and Conditions of Approval per Attachments A and B.

[illegible]

ATTACHMENT B

Heartland Dental Site Plan

Conditions of Approval

A. GENERAL

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.

2. The Final Conditions of Approval in Town Ordinance 2019-08 are adopted and incorporated herein by reference. Ordinance 2019-08 assigned an amended Multiple Land Use Planned Unit Development (MLU/PUD) zoning designation to the site.

3. Development of the site is limited to the uses depicted and stated in Attachment A, hereto (Heartland Dental Site Plan). The Site Plan is dated March 17, 2021. All modifications to the Site Plan shall be approved by the Town Council with the following exceptions which may be approved by the Town Manager: (1) administrative amendments permitted under Section 155-005 of the ULDC; (2) amendments required to conform to the Conceptual Master Plan; (3) amendments necessary to comply with Site Plan Conditions of Approval; and (4) infrastructure and utility improvements which are in accordance with the ULDC.

4. Any subdivision by fee title conveyance of an internal lot which is subject to a final site plan approval shall have received prior written approval by the Town Manager based upon the application of criteria contained in Section 41.10.E.4.b of the Town Unified Land Development Code. Prior to fee title conveyance, a lot shall be platted.

5 The Town Manager and his designated agents shall review and approve all building permit applications prior to processing by Palm Beach County for consistency with the following: (1) Site Plan and Conditions of Approval; (2) Landscape Plan; (3) Floor Plans, and Elevations; and (4) Photometric Plan

6. Prior to submittal of any building permit applications for processing by Palm Beach County, the Town Manager and Town Engineer shall review and approve all land development plans.

7. Consistent with the Palm Beach County Mandatory Traffic Performance Standards criteria in place at the time of this approval, no building permits for the site shall be issued after December 31, 2022. A time extension for this condition shall be acknowledged by the Town of Loxahatchee Groves pursuant to a State of Emergency Order issued by the Governor of Florida upon written notification by the Owner, or approval of a traffic study which complies with the Palm Beach County Mandatory Traffic Performance Standards in place at the time of the request.

B. LAND USE AND SITE PLANNING

1. Development of the site shall be limited to a maximum of 4,200 sq. ft. Dental Office use consistent with the Site Plan dated March 17, 2021

2. Bars and night clubs are prohibited.

3. Potentially objectionable features (e.g. mechanical equipment, loading/delivery areas, storage areas, dumpsters, and compactors, etc.) shall be indicated on project site plans and screened from public view.

4. All on-site deliveries during construction shall be made from project entrances off of Southern Boulevard.

5. Prior to submittal of any building permit a cross-access agreement shall be executed with the property directly abutting the site to its west.

6. Pedestrian access from Pod B interconnectivity to Southern Boulevard shall be shown on the Site Plan.

C. ENGINEERING

1. An Administrative Site Plan shall be prepared cooperatively with all Pod B developers illustrating coordination of the following issues: shared drainage facilities, cross-access and pedestrian access locations, shared access and drive aisles, adjoining landscape buffers, and consistency of landscape materials.

D. LAND CLEARING AND LANDSCAPING

1. Prior to any land clearing activities, the property owner shall comply with the permit requirements of the Loxahatchee Groves Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal regulations (ULDC Article 87).

2. Project landscaping shall comply with the Landscape Plan dated November 23, 2020, to include a landscape berm within the 25-foot buffer on Southern Boulevard shown on the Site Plan dated March 17, 2021. The perimeter buffer berm along the Southern Boulevard frontage shall be constructed to a minimum height of 3 feet higher than the higher elevation of the northern right-of-way limits of Southern Boulevard or the onsite top of curb elevation. The 3-foot berm shall be topped by a cocoplum hedge. A rendering of the berm and hedge shall be provided based upon a point of view from Southern Boulevard. The rendering shall clearly note the level of maturity of the plant materials and how long it will take for the installed materials to reach maturity.

3. The remainder of the landscaping shall comply with the Landscape Plan dated November 23, 2020.

4. Preconstruction surveys shall be implemented for the following species: Eastern Indigo Snake; Gopher Tortoise; and Florida Bonneted Bat. Appropriate relocation and protective measures, to be coordinated with the Town, shall be undertaken pending the results of the surveys.

5. A Floodplain Development Application needs to be provided prior to commencing any land clearing or development activity.

E. EXTERIOR LIGHTING

1. Exterior lighting shall comply with the Photometric Plan dated March 16, 2021 and the requirements of ULDC Section 50-030 *Outdoor Lighting*.

2. All exterior lighting shall be directed downward and contain shields to contain lighting within the property boundaries.

3. Per ULDC Section 50-030(D) (5) "*Glare*", open air parking lighting, with the exception of security lighting, shall be controlled by automatic devices that extinguish the lighting between 11:00 p.m. and dawn.

F. PARKING AND LOADING

1. All parking and loading shall occur on site, as indicated on the approved Site Plan dated March 17, 2021.

G. ARCHITECTURAL

1. Architectural elevations shall comply with the LOD Colored Elevations, LOD Elevations, and LOD-1P Plan dated December 1, 2020

H. SIGNAGE

The initial sign permit submittal shall include a master sign program detailing the location, number, colors and size of proposed signage within the Heartland Dental development. The master sign program shall be used as model for all subsequent signage within the Heartland Dental development.

1. Per Sections 05-040 and 90-070 of the ULDC, permits for all project signs shall be obtained prior to building permit application.

2. An attached building identification signs shall be provided with a maximum sign face of 4 sq. ft.

I. UTILITIES AND SERVICES

1. A Developer's Agreement shall be executed by the Property Owner and the Palm Beach County Water Utility Department and approved by the Town Council of the Town of Loxahatchee Groves for the provision of central potable water and wastewater service to the project prior to the issuance of the first building permit.

H. ULDC WAIVERS

Per Ordinance 2019-08, the Property Owner has been granted the right to request the following two waivers: (1) Relief from ULDC Section 50-303(D) (5) "*Glare*"; and (2) ULDC Section 95-100(E) "*Wheelstops and curbing*."