

**CITY OF PALM BEACH GARDENS
CITY COUNCIL
Agenda Cover Memorandum**

**Meeting Date: December 1, 2011
Resolution 74, 2011**

Subject/Agenda Item:

Resolution 74, 2011 – Banyan Tree Planned Unit Development (PUD) Phase III

Public Hearing and Consideration for Approval: A request by Palm Beach Community Bank for approval of an amendment to the Banyan Tree Planned Unit Development (PUD) to allow an additional monument sign at the southwest corner of the bank property in Phase III and to modify the approved landscape plan for areas within the bank parcel. The Banyan Tree PUD is approximately 12.64 acres and is generally located on the northwest and northeast corners of MacArthur Boulevard and Northlake Boulevard. The subject bank site is located at the southwest corner of Northlake Boulevard and MacArthur Boulevard in the southwest portion of Phase III.

Recommendation to APPROVE with two (2) waivers

Recommendation to DENY

<p>Reviewed by: Director of Planning & Zoning</p> <p>_____</p> <p>Natalie M. Crowley, AICP</p> <p>Assistant Director of Planning & Zoning</p> <p>_____</p> <p>James Golden, AICP</p> <p>Development Compliance</p> <p>_____</p> <p>Bahareh Wolfs, AICP</p> <p>City Attorney</p> <p>_____</p> <p>R. Max Lohman, Esq.</p>	<p>Originating Dept.: Planning & Zoning: Project Manager</p> <p>_____</p> <p>Kathryn DeWitt, AICP Planner</p>	<p>Finance: Accountant</p> <p>_____</p> <p>Sarah Varga</p> <p>Fees Paid: <u>N/A</u></p> <p>Funding Source:</p> <p><input type="checkbox"/> Operating <input checked="" type="checkbox"/> Other <u>N/A</u></p>	<p>Council Action:</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> App. w/ Conditions <input type="checkbox"/> Denied <input type="checkbox"/> Rec. Approval <input type="checkbox"/> Rec. App. w/ Conds. <input type="checkbox"/> Rec. Denial <input type="checkbox"/> Continued to:_____</p>
<p>Approved By: City Manager</p> <p>_____</p> <p>Ronald M. Ferris</p>	<p>Advertised: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Date: 11.16.2011 Paper: Palm Beach Post</p>	<p>Budget Acct.#: <u>N/A</u></p>	<p>Attachments:</p> <ul style="list-style-type: none"> • Location Map • Development Application • Resolution 74, 2011 • Signage Exhibit • Landscape Plan
	<p>Affected parties: <input checked="" type="checkbox"/> Notified <input type="checkbox"/> Not Required</p>		

BACKGROUND

The Banyan Tree PUD (previously Parcels 12.04/12.05) was approved by the City Council on February 21, 2002, through the adoption of Ordinance 41, 2001. The approval included rezoning of a 12.64-acre site to Planned Unit Development (PUD)/Mixed Use (MXD), an approved list of uses, phasing for the PUD, and site plan approval for Phase I. Phases II and III were granted conceptual approval only and were required to obtain future site plan approval from the City as amendments to the PUD.

On May 15, 2003, the City Council adopted Ordinance 11, 2003, thereby approving the site plan for Phase III of the PUD, which included two (2) office buildings totaling 24,700 square feet, a 2,780-square-foot bank, and a 5,000-square-foot restaurant.

On September 18, 2003, the City Council adopted Ordinance 17, 2003, thereby approving an amendment to the PUD allowing for site plan modifications for Phases I and II and allowing for an extension to the build-out date for the entire PUD to December 31, 2006. Also on September 18, 2003, Resolution 137, 2003 was passed to comply with Condition No. 9 of Ordinance 11, 2003, providing for a cross-access agreement between the City of Palm Beach Gardens and the Banyan Office Condominium, LLC. The agreement permits parking and access on the Banyan Tree site for members of the public attending the Lake Catherine Sports Complex.

Ordinance 10, 2004 was adopted on May 20, 2004, transferring all the previous site plan approvals for the PUD and related conditions to Resolution 75, 2004. Resolution 75, 2004 amended Ordinance 11, 2003, approving a signage program for the site.

On August 17, 2006, the City Council adopted Resolution 86, 2006, which amended the PUD to allow the construction of an office building consisting of 30,000 square feet of medical office space and 20,000 square feet of professional office space on Phase II. This Resolution also extended the build-out date of the entire PUD to December 31, 2008.

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LAND USE & ZONING

The subject site has a Mixed Use (MXD) future land-use designation and is zoned Mixed Use (MXD) with a Planned Unit Development (PUD) Overlay.

Table 1. Existing Zoning Land Use Designations

EXISTING USE	ZONING	LAND USE
<u>Subject Property</u> Phase III Banyan Tree PUD	Mixed Use (MXD)/ Planned Unit Development (PUD)	Mixed Use (MXD)
<u>North</u> Lake Catherine Sports Complex	Public/Institutional (P/I) with a Planned Unit Development (PUD) Overlay	Recreation Open Space (ROS)
<u>South</u> Costco	General Commercial (CG-1)	Commercial (C)
<u>West</u> Phase I and II Banyan Tree PUD	Mixed Use (MXD)/Planned Unit Development (PUD)	MXD
<u>East</u> C-17 Canal Northlake Square	N/A General Commercial (CG-1)	N/A Commercial (C)

CONCURRENCY

The subject petition does not propose any modifications to the existing concurrency approvals.

PROJECT DETAILS

Site Details

The subject bank site is situated within Phase III of the Banyan Tree PUD and is approximately 1.1 acres in size. Phase III is located on the east side of MacArthur Boulevard, and the bank is located at the southwest corner of MacArthur Boulevard and Northlake Boulevard.

Northlake Boulevard Overlay Zone

The subject project is located within the Northlake Boulevard Overlay Zone (NBOZ). The NBOZ was established to implement the objectives of the Northlake Boulevard Corridor Conceptual Streetscape Plan. The NBOZ is an overlay based on a joint agreement between the City of Palm Beach Gardens, the Village of North Palm Beach, the Town of Lake Park, and Palm Beach County. This agreement was established to improve the corridor by unifying design and development themes, improving signage, and encouraging redevelopment to improve the area’s economic conditions. The subject project has been designed to meet the elements set forth in the overlay.

Signage

The Applicant is proposing a monument sign at the southwest corner of the bank site, which requires a waiver for an additional ground sign (see Waiver section). The PUD (Phases I, II, and III) contains approximately 2,101 linear feet of right-of-way frontage, which permits a total of three (3) monument signs. The PUD has received previous approvals for two (2) additional ground signs. The proposed monument sign will be the sixth ground sign.

Previously granted sign waivers:

Ordinance 41, 2001 – Approved a waiver for a fourth ground sign. Two (2) of the ground signs are allocated to Phase III and the other two (2) are allocated to Phases I and II.

Ordinance 17, 2003 – Approved a waiver for a fifth ground sign. Two (2) of the ground signs are allocated to Phase III and the other three (3) are allocated to Phases I and II.

Of the two (2) existing ground signs allocated to Phase III, one (1) is located along Northlake Boulevard and the other along MacArthur Boulevard. Both of the monument signs within Phase III function as tenant identification signs and include the name of the subdivision, Banyan Place, and three (3) tenant names in a dark bronze color with Classic Roman lettering. The signs have a simulated coquina tile finish with a textured stucco finish and the Banyan Tree Logo at the top. The signs are beige and brown, and the proposed monument sign will match the colors and materials of the approved signs.

The proposed monument sign will be a single-tenant sign and contain only the bank's name. It will be visible from both Northlake Boulevard and MacArthur Boulevard. The sign meets the required setbacks, height, width, and copy area listed in Sections 78-285. Permitted signs, and 78-229. Signage and outdoor displays. (NBOZ Signage). However, the proposed sign base is 18 inches tall, whereas 36 inches is required (see Waiver section). The existing monument signs on site have dark bronze lettering. The Applicant has designed its sign with dark bronze lettering to maintain consistency between all of the signage.

Landscaping

The Applicant is requesting to relocate existing vegetation located in front of the existing multi-tenant monument sign, add one (1) Live Oak Tree within the parking lot area, and add ground cover along the parking area. The existing ground sign has very little visibility on its west side due to the surrounding vegetation. There is currently a Roebellenii Palm that is blocking the monument sign, which is proposed to be relocated closer to the south side of the sign. Also, an existing Bismarckia Palm is proposed to be relocated to an area north of the existing sign. Both relocations will greatly enhance the visibility of the ground sign.

The Applicant is proposing to add one (1) Live Oak Tree within the existing landscape island at the southern most parking area in front of the bank. In addition, a series of Spartina Grass has been added between the existing Live Oaks along the southern parking area.

The proposed monument sign would be located within existing vegetation on site. The base of the sign would be surrounded by a hedge of Crown of Thorns on the front side and a Schefflera hedge on the rear.

Waiver Requests

The Applicant is requesting two (2) waivers with this petition.

	Code Section	Requirement	Proposal	Waiver	Staff Support & Discussion
1	78-285, Table 24, Ground Sign & 78-229, Table 5-6	Maximum of 3 ground signs permitted by code for 2,101 l.f. of ROW; 5 have been approved	A sixth ground sign	1 ground sign	Approval
2	78-285, Table 24, Ground Sign & 78-229, Table 5-6	3-foot base	18-inch base	18 inches	Approval

1) The Applicant is requesting a waiver from City Code Section 78-285. Permitted signs., Table 24: Permanent Signs, *Ground Signs*, to allow for an additional ground sign. A total of five (5) monument signs have been previously approved: two (2) for Phase III and three (3) for Phases I and II. The subject bank is a single-story building located behind three (3) layers of vegetation, which restricts visibility from both Northlake Boulevard and MacArthur Boulevard. The first layer includes the foundation landscaping around the building itself. The second layer is the parking lot landscaping, which includes a series of Oak Trees and ground cover. The third layer is made up of the buffer requirements and the Northlake Boulevard roadway beautification landscaping. A monument sign located beyond the three (3) layers will enhance visibility of the business and ensure efficient communication with vehicular traffic.

The proposed monument sign is consistent in design with the existing monument signs within the parcel, which is a key part of sustaining the aesthetic qualities of the plaza. It makes communication to vehicular traffic simple and uncluttered. Staff supports this waiver request with the included condition of approval.

2) The Applicant is requesting a waiver from City Code Section 78-285. Permitted signs., Table 24: Permanent Signs, *Ground Signs*, to allow an 18-inch base in lieu of the three- (3) foot base required. Because the proposed ground sign will only display a single tenant, the Applicant was encouraged to design the sign to a more appropriate scale. In response, the proposed sign was reduced in size. A similar reduction in the base height was previously approved for another ground sign within the Banyan Tree PUD. Staff supports this waiver request.

COMMENTS FROM THE DEVELOPMENT REVIEW COMMITTEE (DRC)

On June 9, 2011, the subject petition was reviewed by the DRC. At this time, all comments related to the project have been satisfied.

PLANNING, ZONING, AND APPEALS BOARD (PZAB)

On November 1, 2011, the PZAB recommended approval of the subject petition to City Council by a vote of 7-0 with the following comment included in the motion:

As part of its recommendation of approval, the Board supported staff's recommendation that the color of the lettering on the proposed monument sign be consistent with the color of the existing monument signs.

Applicant response: The Applicant has revised the signage exhibits to reflect that the color of the lettering on the proposed monument sign will be consistent with the color of the lettering of the existing monument signs.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Resolution 74, 2011 as presented.