

**CITY OF PALM BEACH GARDENS
PLANNING, ZONING, AND APPEALS BOARD
Agenda Cover Memorandum**


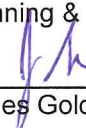
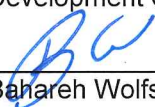


**Meeting Date: November 15, 2011
Petitions: PUDA-11-07-000031**

Subject/Agenda Item:

PUDA-11-07-000031 Nova Southeastern University Planned Unit Development (PUD) Amendment

Public Hearing & Recommendation to City Council: A request by Nova Southeastern University (Nova) for approval of an amendment to their PUD to allow an additional principal tenant sign on the south elevation of Building A. In addition, the applicant is requesting to amend condition of approval No. 1 in Resolution 77, 2010 related to the installation date of the Art in Public Places (AIPP) requirement. The site is generally located on the west side of North Military Trail, south of the Sabal Ridge community, and east of Interstate 95.

Recommendation to APPROVE with two (2) waivers
 Recommendation to DENY

<p>Reviewed by: Director of Planning & Zoning  Natalie M. Crowley, AICP Assistant Director of Planning & Zoning  James Golden Development Compliance  Bahareh Wolfs, AICP City Attorney R. Max Lohman, Esq.</p>	<p>Originating Dept.: Planning & Zoning: Project Manager  Kathryn DeWitt, AICP Planner</p> <p><input checked="" type="checkbox"/> Quasi – Judicial <input type="checkbox"/> Legislative <input checked="" type="checkbox"/> Public Hearing</p> <p>Advertised: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Date: 11.04.2011 Paper: Palm Beach Post</p> <p>Affected parties: <input checked="" type="checkbox"/> Notified <input type="checkbox"/> Not Required</p>	<p>Finance: Accountant  Sarah Varga Fees Paid: <u>N/A</u> Funding Source: <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Other <u>N/A</u> Budget Acct.#: <u>N/A</u></p>	<p>PZAB Action: <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>Attachments:</p> <ul style="list-style-type: none"> • Location Map • Development Application • Ordinance 37, 2005 • Resolution 175, 2005 • Resolution 77, 2010 • Development Plans
<p>Approved By: City Manager Ronald M. Ferris</p>			

BACKGROUND

On December 15, 2005, the City Council adopted Ordinance 37, 2005 and Resolution 175, 2005 approving The Pointe PUD (currently known as the Nova SE University PUD). The adopted ordinance rezoned the 9.18-acre parcel of land to include a PUD Overlay with an underlying zoning designation of Professional Office (PO). The adopted resolution approved the site plan for the PUD, which included two (2) 75,000-square foot professional office buildings and a five-level parking garage.

On June 26, 2008, the Development Review Committee (DRC) approved a Minor Conditional Use petition (CUMN-07-12-000004) to allow a satellite university to occupy the site.

The subject petition is a request to allow an additional principal tenant sign on the south elevation of Building A and to amend condition of approval No. 1 in Resolution 77, 2010 related to the installation date of their Art in Public Places (AIPP).

LAND USE & ZONING

The subject site has a PO future land-use designation and a zoning designation of PO with a PUD Overlay.

Table 1. Existing Zoning Land Use Designations

EXISTING USE	ZONING	LANDUSE
<u>Subject Property</u> Nova PUD	PO/PUD	PO
<u>North</u> Sabal Ridge Paloma	Residential Medium (RM)/PUD Residential Low-3 (RL-3)/PUD	RM Residential-Low (RL)
<u>South</u> Interstate-95 ROW	-	-
<u>West</u> Interstate-95 ROW	-	-
<u>East</u> Interstate-95 ROW Winchester Courts	- RM/PUD	- RL

CONCURRENCY

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

PROJECT DETAILS

Site Access

The Nova PUD site is located on the west side of North Military Trail, south of the Sabal Ridge community, and is bordered by Interstate 95 on the west and south. Due to the Interstate 95 on-ramp, there is a single point of ingress and egress on the site, which is

located at the north east portion of the property off of North Military Trail.

Signage

The applicant is proposing an additional principal tenant sign to be located on the south elevation of Building A (i.e. the existing building on site today). The additional sign would be consistent with the existing wall signs. The sign will be blue with 36" lettering. Currently, Building A and Building B (not yet built) are permitted to have two (2) principal tenant signs each. A waiver was previously granted with Resolution 175, 2005 to allow an additional building sign on the west elevation of each building. The applicant's request for a third building sign on Building A requires the modification of two (2) previously approved waivers (see Waiver section).

Landscaping

No modifications to the approved Landscape Plan are proposed with the subject petition.

Waiver Requests

The applicant is requesting to modify two (2) previously approved waivers with this petition. Both waivers are listed in Resolution 175, 2005 and would be modified as follows:

Condition No. 2

"Section 78-285, *Permitted Signs*, to allow for principal building signs to be located above the fourth floor line on the east and west elevations of each office building and the south elevation of Building A."

Condition No. 3

"Section 78-285, *Permitted Signs*, to allow for an additional principal building sign on the west elevation of each office building and on the south elevation of Building A."

The two (2) existing wall signs on Building A are located on the west elevation (facing I-95) and on the northeast elevation (facing the parking lot). Both signs serve to provide direction to vehicular traffic in these areas. Patrons traveling on I-95 are able to locate the building while driving past, and students are easily able to locate the building's main entrance once inside the site. However, now that the campus is open, it has come to the school's attention that visitors traveling on Military Trail have a difficult time finding the site due to a lack of signage on the southeast elevation.

The proposed sign mimics the color, style, and location of the existing signs. The wall sign will be blue with 36 inch lettering and be located at the top of the building above the fourth floor line, just as the two (2) existing signs are. The sign is proportionate to the elevation it is attached to and meets all of the dimensional requirements of City Code for principal tenant signs.

The additional sign will be most visible for visitors traveling northbound on Military Trail. When traveling in this direction the two (2) sides of the building that are most visible do not contain signage making it more difficult to locate the site. Southbound traffic on Military Trail, however, is able to locate the site's monument sign before the building signage is necessary for way-finding. Since the satellite campus, by nature, receives students from all different areas and will have new students each semester, it is important that the site is easily located.

In order for the Nova campus to be more visible and improve communication with passing vehicular traffic, staff supports this waiver request.

Art in Public Places

Per Section 78-261, all new developments, where the total vertical construction costs of all buildings on a project site are equal to or greater than \$1 million, are required to contribute one (1) percent of construction costs towards providing art on the site. Resolution 77, 2010 approved the public art for the Nova PUD. In honor of the University's mascot, the approved art reflects a Mako Shark. The shark will be incorporated into the plaza area outside Building A. Section 78-261(c)(1)(a)(8), requires that the artwork be installed prior to the issuance of the Certificate of Occupancy, unless an alternative deadline is approved. At the time of approval, the applicant requested an extension for installation until August 1, 2011 (see attached Resolution 77, 2010). Due to production constraints and the artist's schedule, the applicant is requesting an additional extension until January 17, 2012. The sculpture has been delivered to the site and is awaiting installation. The contractor is currently preparing the necessary construction drawings to submit to the City for permitting. Due to the applicant's demonstration that they are moving forward in good faith to install their public art, staff supports the requested extension.

COMMENTS FROM THE DEVELOPMENT REVIEW COMMITTEE (DRC)

On August 17, 2011, the subject petition was reviewed by the DRC committee. At this time, all comments related to the project have been satisfied.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of petition PUDA-11-07-000031 with two (2) waivers and the following conditions:

1. Prior to the issuance of first Certificate of Completion for the proposed improvements, an inspection is required by the Development Compliance Division. (Development Compliance Division)
2. Prior to the issuance of the Certificate of Completion for the proposed improvements, digital copies of the approved civil design and architectural drawings, including floor plans, shall be submitted to the GIS Manager. (GIS Manager)