OF LAKE PARK.

TOWN OF LAKE PARK

PLANNING & ZONING BOARD MEETING AGENDA May 1, 2023 6:30 P.M. 535 PARK AVENUE LAKE PARK, FLORIDA

PLEASE TAKE NOTICE AND BE ADVISED: If any interested person desires to appeal any decision of the Planning & Zoning Board with respect to any matter considered at the Meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. <u>Persons with disabilities requiring accommodations in order to participate in the Meeting should contact the Town Clerk's Office by calling (561) 881-3311 at least 48 hours in advance to request accommodations.</u>

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Richard Ahrens, Chair	
Jon Buechele, Vice-Chair	
Lauren Paxton, Regular Member	
Elizabeth Woolford, Regular Member	

APPROVAL OF AGENDA

APPROVAL OF MINUTES

• PLANNING & ZONING BOARD MEETING; APRIL 3, 2023

PUBLIC COMMENTS ON AGENDA ITEMS

Any person wishing to speak on an agenda item is asked to complete a Public Comment Card located on either side of the Commission Chambers, and provide it to the Recording Secretary. Cards must be submitted before the agenda item is discussed.

ORDER OF BUSINESS

The normal order of business for Hearings on agenda items is as follows:

- Staff Presentation
- Applicant Presentation (when applicable)
- Board Member questions of Staff and Applicant
- Public Comments 3 minute limit per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on floor
- Vote of Board

NEW BUSINESS

PZ-23-03: PUBLIC HEARING: REQUEST FOR SPECIAL EXCEPTION APPROVAL BY JS 1220 10TH STREET, LLC ("OWNER") FOR A 6,564 SQUARE FOOT MOTOR VEHICLE SALES USE AND A 13,448 SQUARE FOOT STORAGE WAREHOUSE USE FOR AN EXISTING BUILDING AT 1220 10TH STREET, LAKE PARK.

PLANNING & ZONING BOARD MEMBER COMMENTS

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS AND PROJECT UPDATES

ADJOURNMENT

FUTURE MEETING DATE: JUNE 5, 2023 @ 6:30 P.M.



Town of Lake Park, Florida Planning and Zoning Board Meeting Minutes

Monday, April 3, 2023 at 6:30 PM 535 Park Avenue Lake Park, Florida

Richard Ahrens — Chair

Jon Buechele — Vice-Chair

Lauren Paxton — Regular Member Elizabeth Woolford — Regular Member

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Planning & Zoning Board, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER

6:32 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Richard Ahrens

Jon Buechele

Elizabeth Woolford

ABSENT

Lauren Paxton

APPROVAL OF AGENDA:

Motion made to approve the Agenda by Buechele, Seconded by Woolford..

Voting Yea: Ahrens

APPROVAL OF MINUTES:

Motion made to approve the February 6, 2023 Planning & Zoning Board Meeting Minutes by Buechele, Seconded by Woolford. Voting Yea: Ahrens

PUBLIC COMMENTS ON AGENDA ITEMS:

Any person wishing to speak on an agenda item is asked to complete a Public Comment Card located on either side of the Commission Chambers, and provide it to the Recording Secretary. Cards must be submitted before the agenda item is discussed.

There were no Public Comments.

ORDER OF BUSINESS:

The normal order of business for Hearings on agenda items as follows:

- -Staff Presentation
- -Applicant Presentation (when applicable)
- -Board Member questions of Staff and Applicant
- -Public Comments -3 minute limit per speaker
- -Rebuttal or closing arguments for quasi-judicial items
- -Motion on the floor
- -Vote of Board

NEW BUSINESS:

Chair Ahrens disclosed that he has been in contact with the owners and the architect on the project. He has had no contact with the client. The Town Attorney questioned the remaining Board Members if they have had any discussions with Staff or the Applicant. Chair Buechele responded no contact. Board Member Woolford responded no contact. Because this is a quasi-judicial Item, Nadia DiTommaso, Community Development Director, was sworn in by the Town Attorney prior to presenting the Item to the Board.

PZ23-02: AN APPLICATION TO AMEND THE DEVELOPMENT ORDER PREVIOUSLY APPROVED PURSUANT TO RESOLUTION 82-12-21 FOR A PROPERTY LOCATED AT 1301 10TH STREET.

Nadia DiTommaso, Community Development Director, addressed the Board stating this Application is for a Site Plan Amendment submitted by Oceana Coffee. Community Development Director Nadia DiTommaso explained that in December of 2021 the Board recommended approval of the original Site Plan Application to the Town Commission for the property located at 1301 10th Street for Oceana Coffee for a Small-Scale Food and Beverage Production and they have been working closely with the Town. Since then, Oceana Coffee has encountered significant price increases in construction costs which has forced them to redesign their project, which is the Application that is being presented to the Board this evening. Community Development Director DiTommaso proceeded to present the details of the Staff Report (see Exhibit A), and upon conclusion, stated that Staff recommends approval of the Site Plan Amendment for the Special Exception Use of a Small Scale Food & Beverage Production with Conditions, as detailed within the Staff Report.

Emilio Lebolo, President of One A Architecture and Agent for CDIC of Lake Park, LLC., Property Owner and Applicant, addressed the Planning and Zoning Board. Mr. Lebolo stated he would highlight a couple of items reinforcing what Nadia stated so that we understand how the reduction of the square footage came about. Nothing on the site corresponding to landscaping, circulation or parking requirements have changed. Mr. Lebolo presented to the Board (see Exhibit "B"). The main change on the site plan is the 6' reduction of the square footage from west to east, 1st floor and 2nd floor. The 2nd floor has the greatest reduction of square footage. Mr. Lebolo detailed the changes.

BOARD COMMENTS:

Chair Ahrens offered comments that by reducing the size/vertical height and by moving the seating from the 3rd floor to the 2nd floor will get more interaction from people walking in the neighborhood; the building now looks much softer; reduced the overall impact on the site by still maintaining the parking spaces; and eliminating the oval shape glass enclosure creates more green space/open space/visibility and softens the impact of the project on the side streets. Chair Ahrens commended Mr. Lebolo for doing an awesome job, for getting the numbers down from where they were and for giving a better product than the original design.

Vice-Chair Buchele: No other comments other than he likes the new design.

Board member Woolford: Thinks the new design is beautiful. Questioned pedestrian safety in the drive-

thru area. Mr. Lebolo responded and explained the site-triangle.

Vice-Chair Buchele questioned when the anticipated ground-breaking would occur. Mr. Lebolo stated

they will be submitting for a demo permit after Town Commission approval on April 19th, and should

will be ready by May 1st.

A Motion to approve the Site Plan Amendment with Conditions was made by Buechele, Seconded by

Woolford.

Voting Yea: Ahrens

PLANNING & ZONING BOARD MEMBER COMMENTS:

The Board Members had no comments.

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS AND PROJECT UPDATES:

Community Development Director DiTommaso had no comments.

ADJOURNMENT:

Motion made to adjourn by Ahrens, Seconded by Buchele. The meeting adjourned at 6:59 p.m.

Voting Yea: Ahrens

FUTURE PZ MEETING DATE: MAY 1, 2023



TOWN LAKE OF PARK
PLANNING AND ZONING BOARD
MEETING DATE: May 1, 2023

AGENDA ITEM: PZ- 23-03

AGENDA ITEM TITLE:

PUBLIC HEARING: REQUEST FOR SPECIAL EXCEPTION APPROVAL BY JS 1220 10TH STREET, LLC ("OWNER") FOR A 6,564 SQUARE FOOT MOTOR VEHICLE SALES USE AND A 13,488 SQUARE FOOT STORAGE WAREHOUSE USE FOR AN EXISTING BUILDING AT 1220 10TH STREET, LAKE PARK.

BACKGROUND:

Owner & Applicant(s): JS 1220 10th Street LLC

Location: 1220 10th Street

Net Acreage (total): 2.77

Legal Description: See survey enclosed in packet.

Existing Zoning: C-2

Future Land Use: Commercial

Request

Request for special exception under Town code, section 78-188 to permit the <u>two special exception</u> uses of motor vehicle sales and storage warehouse as provided in the C-2 zoning district, section 78-72 (2). (attachment A) Applicant proposes 6,564 square foot motor vehicle sales use (office) and a 13,488 square foot storage warehouse use for his business entity Cars From Dreams, LLC. within the existing 20,337 square foot building located 1220 10th Street.

The location is shown on the aerial, zoning map, and future land use maps that follow.



Figure 2: Zoning Map

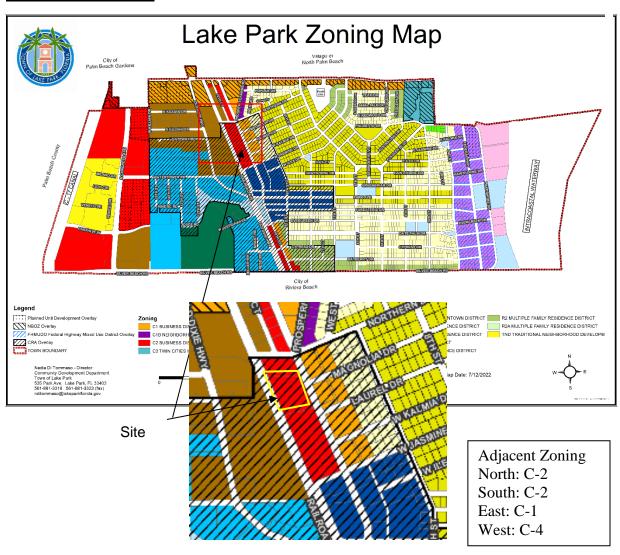
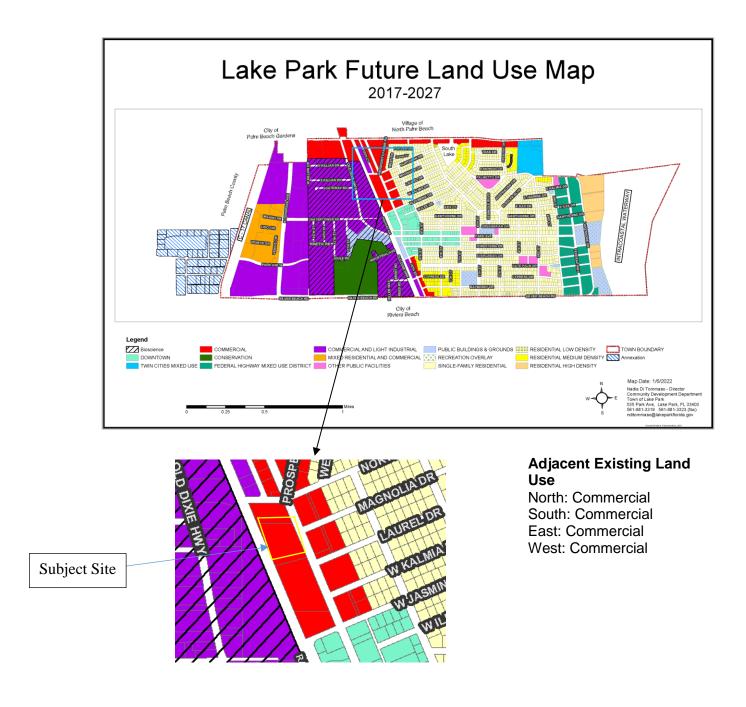


Figure 3: LAKE PARK FUTURE LAND USE MAP



The building was last occupied by Palm Beach Academy of Health and Beauty. It was purchased in 2022 by the current owner and is undergoing renovation under an office use category. (See Figure 4 and photos in applicant package) Figure 5 shows a rendering of the façade improvements when completed. The applicant intends to make no changes to the site other than to bring the landscaping up to code. Therefore no site plan approval is required at this time.

The special exception request is somewhat unique. The property owner is a classic car collector, and the building would be used to house his collection and for his business office. The use will not be open to the public, but for select special events (with a temporary permit) and the site will not operate as a typical dealership. The two special exception uses requested, are explained below.

Motor vehicle sales special exception

In order for the owner to buy and sell at classic car auctions the Florida DMV requires that he have a dealer's license and comply with local regulations. Even though he will not be operating like a typical vehicle sales use (i.e. dealership), in order for the Town to sign off on the DMV license and because the property is located in the C-2 zoning district, he must receive special exception approval. There will be no retail motor vehicles sales on site, no outside display of cars and no public customers coming to the site for motor vehicle purchases. No auto repair is proposed.

Storage warehouse special exception

The owner will be storing and displaying his classic car collection, model train collection and several other items in his collection in the warehouse portion of the building. However, the majority of the space will be devoted to his classic car collection. This is classified as a storage use. The classic car collection will be set up as a display in the warehouse and only invited guests will be permitted on site to view the collection. As he did at his former location in North Palm Beach, the owner anticipates having 3-4 charity events per year

The other use of the building will be for a business office (a use permitted by right) for the Owner's company, as he is moving his staff of 6-10 employees to the Town of Lake Park from his small New York location and his current location in the Village of North Palm Beach, Florida.

Please see Figure 6 Floor Plan for location of uses within the building.

Please refer to applicant's submittal for more information.





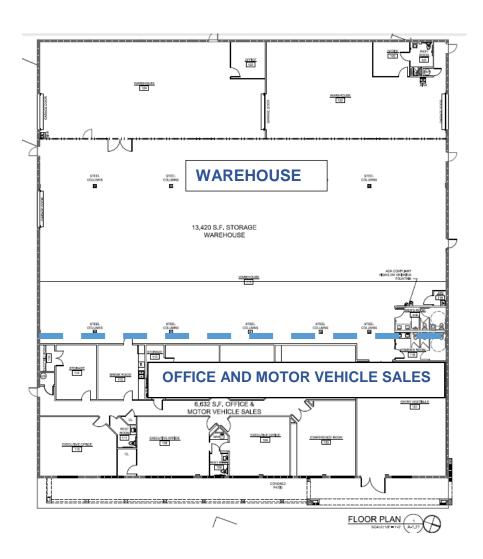
Figure 4a: Renovation in Process (current)



Figure 5: Rendering of new façade – permit 23-000055 (only improvements to the front façade are in progress - the owner may apply for an addition and additional exterior improvements in the future, warranting site plan amendment approval). The front façade was rotted and required repair)



Figure 6: New Floor Plan



Analysis

Following review and recommendation from the Planning and Zoning Board the Town Commission may permit special exception uses in the C-2 business district provided the proposal meets the 6 special exception zoning criteria established in Sec. 78-184. Staff's findings in their review for special exception compliance are detailed below.

1. Consistency with Comp Plan Goals, Objectives, and Policies:

Staff has reviewed the applicant's proposal to determine consistency with the Goals, Objectives, and Policies of the Comprehensive Plan per Sec. 78-184 (b) 1. Staff identified the following relevant policies:

3.4 Goal, Objectives and Policies, Town Goal Statement 3.4.1 (3) - The Town shall maintain and seek opportunities to improve its ability to provide... commercial, industrial and mixed-use development opportunities that will further the achievement of economic development goals.

3.4 Goal, Objectives and Policies, 3.4.2. Objectives and Policies, Objective 1, Policy 1.1 j. – encourage redevelopment, renewal or renovation, that maintains or improves existing neighborhoods and commercial areas;

3.4 Goal, Objectives and Policies, 3.4.2. Objectives and Policies, Objective 5 – The Town shall promote redevelopment and infill development in a manner that is consistent to existing neighborhoods and uses, the built and natural environments and adjacent jurisdictions.

Because JS 1220 10th Street LLC will adaptively re-use space in the Town's C-2 business district, improving the site and bringing new employees to the Town, staff finds that criteria #1 has been met.

2. Consistency with land development and zoning regulations:

Staff has reviewed this application for consistency with the Town's land development regulations per Sec. 78-184 (b) (2) and has determined this project complies with all applicable requirements. The project is not proposing any improvements that meet the threshold of 'redevelopment' and therefore they are only required to conform to the code to the greatest extent possible.

Staff finds that criteria #2 has been met.

3. Compatibility with surrounding uses, hours of operation, traffic generation, building location, massing, height, setbacks, and other relevant factors:

Staff has reviewed this project for consistency with Sec. 78-184 (b) (3) regarding compatibility with surrounding uses.

Compatibility with Surrounding Uses: To the north and south, identical zoning and future land use designations are in place. In the plaza to the north, neighboring uses include James & Sons Cooling Air Experts, O'Reilly Auto Parts, and AAMCO Transmissions & Total Car Care. To the south is an FPL Service Center. To the west is the C-4 District and the Commercial and Industrial future land use designation; the western user is the CEMEX Concrete Plant. To the east, the designation is C-1 Commercial and the occupants include Appliances 4 Less and Equinox Realty.

Given that unique niche of the private car collection and storage use being proposed by this special exception, we do not foresee any conflicts with other users in this area.

Hours of Operation: Typical business office hours are anticipated, with the exception of 3-4 evening special events per year.

Traffic Generation: The project is not expected to generate discernable traffic impacts. Viewing the cars held in storage will be by appointment only.

Massing, Height, Setbacks, etc: The 1220 10th Street building is pre-existing and thus the current conditions depicted on the applicant's survey are not proposed to significantly change. The structure has recently received a building permits for some exterior and interior improvements, which do not rise to the level of requiring a site plan amendment. These exterior changes include repainting the exterior of the structure as well as recreating the façade with a new entry feature.

Based on these reasons, staff finds that criteria #3 has been met.

4. Concentration of similar types of uses:

The owner is not proposing a traditional car sales venue. This use will be exclusively for the storage of the owner's car collection, which may be viewed by appointment. The site will not operate as a traditional auto-dealer and is in fact one-of-a-kind in its operations within the Town. Furthermore, the site will be approved with a condition that auto sales will not be conducted on the site.

Staff finds that criteria # 4 has been satisfied.

5. Detrimental Impacts Based on users, nuisances, and traffic flow:

Per Sec. 78-184 (5) a-c., a special exception use must not has detrimental impacts on surrounding properties based on the number of anticipated users, the degree or noise, odor, and other nuisance factors, and the effect on the amount and flow of traffic in the vicinity.

Applicant has indicated there will be 6-10 office employees. The proposed use is not anticipated to have noise, odors or other types of nuisances, therefore criteria #5 has been met.

6. Impacts on light, air, property values, redevelopment, and public facilities:

Finally, per Sec. 78-184 (b) (6) a-e., staff must take into account impacts to light and air flow to adjacent properties, adverse impacts to adjacent property values, potential deterrents to redevelopment of the surrounding area, negative impacts on natural systems and public facilities, and the provision of pedestrian amenities. Staff finds as follows:

 Given that no structural alterations (that would significantly impact overall size and height) are proposed to the existing building, there will be no reduction to light and air to adjacent properties.

- Regarding impacts to neighboring property values, staff does not anticipate this will be an issue given the proposed façade improvements and the benefits of having a tenant over an empty building. The proposed improvements should help increase values rather than lower them.
- As it pertains to impacts on improvement, development, or redevelopment potential, staff finds no evidence to suggest this project would have a negative effect. The project itself is an infill project and is in keeping with the land uses predominant in the surrounding area.
- As it pertains to impacts on natural systems or public facilities, staff finds no evidence to suggest any impacts.
- Finally, as it pertains to provisioning pedestrian amenities the applicant has only
 provided a bench in the front. However, as the business is not open to the
 general public this may be considered satisfactory.

Staff therefore finds special exception criteria #6 to be satisfied.

Legal Notice

Notice of the special exception was published in the April 23 Palm Beach Post and letters were sent by certified mail to all property owners within 300 feet, as required by the Town Code.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Special Exception Application for motor vehicle sales and storage warehouse at 1220 10th Street with the following conditions of approval:

- 1. The sale of vehicles will not be open to the general public.
- 2. Outside display of vehicles for sale is prohibited.
- 3. The storage warehouse use shall be exclusive to the storage of the owner's personal car collection and accessories.
- 4. This Special Exception approval is designated solely to the property owner /applicant JS 1220 10th Street, LLC and shall not carry forward if the property is sold and may not be carried forward on the basis of a continuation of use.
- 5. The Applicant shall utilize the site consistent with the following submitted documents: Special Exception Application signed 11/29/22, Narrative dated April 13, 2023(revision), site plan dated 4/24/23 and survey dated 5/10/22

Attachment A

Sec. 78-72. - C-2 business districts.

Within C-2 business districts, the following regulations shall apply:

- (1) Uses permitted. Within C-2 business districts, no building, structure or land shall be used and no building shall be erected, structurally altered or enlarged, unless otherwise permitted by these regulations, except for the following uses:
- a. Appliance stores, including radio and television services.
- b. Bakeries having not more than five employees.
- c. Bakeries the products of which are sold at retail but not produced on the premises.
- d. Banks.
- e. Barbershops, beauty shops, chiropodists and masseurs.
- f. Grocery stores, specialty, at least 2,000 square feet and not more than 10,000 square feet with at least 50 percent of the sales area, including shelving, containing foods of a specialty or ethnic nature and otherwise subject to the requirements of section 78-70(r).
- g. Clubs for social, recreational, fraternal or benevolent purposes.
- h. Fertilizer, stored and sold at retail only.
- i. Ice delivery stations.
- j. Laundry pickup stations.
- k. Offices, business and professional.
- 1. Outdoor miniature golf courses, all objects limited to eight feet in height and the building or premises is located not less than 500 feet from the premises of an existing nursery school, elementary school or high school.
- m. Restaurants.
- n. Shops, including shops for making articles without use of machinery, to be sold, at retail on the premises.
- o. Theatres.
- p. No residences, dwellings or living quarters shall be permitted in C-2 business districts.
- q. Transient residential use.
- (2) *Special exception uses permitted*. Within the C-2 business district, no building, structure or land shall be used, and no building shall be erected, structurally altered or enlarged for the following uses unless a special exception has been approved by the town commission, pursuant to section 78-184 and the standards set forth herein:
- a. Boats and marine engines. Sales, service and installation thereof in an enclosed building.
- b. Building supplies/garden center, retail and wholesale outlets.
- c. Bus stations.

- d. Electric substations.
- e. Garages.
- f. Gasoline and other motor-fuel stations.
- g. Hospitals, sanitariums and medical clinics.
- h. Laundries, dry cleaning and dyeing establishments.
- i. Mortuaries.
- j. Motor vehicle sales on property on which a permanent building is erected, shall mean the area where buildings are used in connection with the sale or lease of motor vehicles and the areas where motor vehicles are displayed for lease or sale.
- k. Printing and publishing plants.
- 1. Planned unit developments.
- m. Railroad passenger station.
- n. Storage warehouses.

The town commission may permit special exception uses in the C-2 zoning district provided the town commission determines that the proposed use meets the special exception zoning criteria established in this chapter and is consistent with the goals, objectives and policies of the town's comprehensive plan. In order to ensure that the special exception use is consistent with and implements good zoning practices and the goals, objectives and policies of the town's comprehensive plan. The town commission may impose conditions upon the approval of a special exception use, including, but not limited to, conditions which require an applicant to exceed standards which have been adopted pursuant to the town's land development regulations.



TOWN OF LAKE PARK COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION FOR SPECIAL EXCEPTION REVIEW

Applicant/Agent:	JS 12	20 10th Stree	et, LLC/George G.	Gentile Agent
Address:	c/o 19	07 Commerc	e Lane Suite 101 、	Jupiter FL 33458
Telephone:	561-5	75-9557	Fax: 5	61-575-5260
E-mail:	george	e@2gho.com/	/pat@2gho.com	
	Owner			
=	Agent (Attach Agent Au	thorization Form)	
Owner's Nan (if not Applican	ne t): JS 1	220 10th Str	eet, LLC	
Address:	1220 1	10th Street, L	ake Park, FL 3340)3
Telephone:	see ag	gent info	Fax:	
E-Mail:	george	e@2gho.com		_
Property I	ocation:	1220 10th S	treet	
		See attache		3
Property Control 1		00 40 40 00	-01-123-0030	
Future Land Use:	Comm	ercial	Zoning:	C-2
Acreage:	2.77	7	Square Footage of Use:	approx. 20,000 s.f.
Proposed Use:	motor	vehicle sales	and storage ware	house

Zon	ing/Ex	cisting Use of Adjacent Properties:		
Nor	th:	C-2	South:	C-2
Eas	t:	C-1	West:	C-2 C-4
APP	LICAT	TION REQUIREMENTS:		
1.		e discuss how the Special Exception us olicies of the Town's Comprehensive I		ent with the goals, objectives,
	SEE	ATTACHED PROJECT NARRATIV	E.	
2.	devel	e discuss how the proposed Special Exc opment and zoning regulations and all of Ordinances.	ception is cother portic	onsistent with the land ons of the Town of Lake Park
	SEE	ATTACHED PROJECT NARRATIV	E.	
3.	and wo	e explain how the proposed Special Exise (existing and future) of the surro tion; type and amount of traffic to be gok; and other relevant factors peculiar to unding property.	unding pro enerated; bi	perties in its function; hours of uilding location; mass; height and
	SEE	ATTACHED PROJECT NARRATIV	E.	

type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.
SEE ATTACHED PROJECT NARRATIVE.
Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.
SEE ATTACHED PROJECT NARRATIVE.
Please explain how the proposed Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.
SEE ATTACHED PROJECT NARRATIVE.

Please provide the following:

1. Fees:

1. Special Exception Fees:

Structure Size:

(0 - 14,999 sq. ft. = \$1,500.00) + 15,000 sq. ft. = \$3,000.00

2. Minimum Initial Escrow Fee: \$1,500,00

Advertising costs:

The petitioner shall pay all costs of publication of Public Hearing required in a newspaper of general circulation within the Town. This cost will be deducted from the escrow.

2. Property Owners List:

A complete list of property owners and mailing addresses of all property owners within 300 feet of the subject parcel as recorded in the latest official Palm Beach County Tax Roll. Certified Mail will be sent to all owners within 300 feet; postage will be deducted from escrow.

- 3. Location Map
- 4. Site Plan, Landscape Plan Architectural Plans

A. Site plan drawn to scale indicating:

- 1. size of the buildings;
- 2. intended floor area ratios;
- 3. quantity of parking spaces;
- 4. intended access road(s);
- the general type of construction in accordance with the Florida Building Code and the Codes of the Town of Lake Park; and,
- 6. availability and approximate location of utilities
- B. Landscape Plan showing proposed improvements, to scale
- C. Architectural plans including floor plan and building elevations, to scale

5. Site Survey:

A certified boundary survey by a surveyor registered in the State of Florida containing an accurate legal description of the property and a computation of the total acreage of the parcel.

6. Applicants statement:

On the Applicants letterhead please provide a statement of interest in the property.

Warranty Deed:

A Warranty Deed with an affidavit from the Applicant stating that the Deed represents the current ownership.

8. Traffic Analysis:

A Traffic Impact Analysis, if required by the Town Engineer or Staff.

^{***}If special exception is for <u>new development</u> on a <u>vacant parcel</u>, please refer to requirements for site plan approval and site plan checklist as well.

CONSENT FORM Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared <u>Lawrence W. Smith.</u> who, being by me first duly sworn, on oath deposed and says:

- 1. That he is the <u>Authorized Representative of JS 1220 10th Street, LLC</u>, the fee simple title holder of the property described in the attached Legal Description.
- 2. That he is requesting an application for <u>Special Exception and Site Plan Review</u> in the Town of Lake Park, Florida.
- 3. That he has appointed <u>George G. Gentile and 2GHO, Inc.</u> to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner: JS 1220 10th Street, LLC	
Similar of Owner	Lawrence W. Smith
Signature of Owner	By: Name/Title
701 US Highway One, Suite 402	North Palm Beach, FL 33408
Street Address	City, State, Zip Code
561-575-9557	george@2gho.com
Telephone Number	Email Address
Sworn and subscribed before me this $\frac{29}{100}$	
My Commission Expires:	Nótary Public
,	

SHARON DECARO
Notary Public - State of Florida
Commission # HH 018250
My Comm. Expires Aug 12, 2024
Bonded through National Notary Assn.

STAFF REVIEW: SUBMIT ONE COMPLETE SET IN HARD COPY AND ONE AS AN ELECTRONIC COPY.

PLANNING BOARD REVIEW: UPON THE APPROVAL OF ALL GOVERNING AGENCIES, PLEASE SUMBIT ONE ELECTRONIC COPY AND SIX (6) COMPLETE SETS OF THE REQUIRED DOCUMENTS FOR FINAL REVIEW

PLEASE DO NOT DETACH FROM APPLICATION. SIGNATURE REQUIRED BELOW.

Please be advised that Section 51-6 of the *Town of Lake Park Code of Ordinances* provides for the Town to be reimbursed, in addition to any application or administrative fees, for any supplementary fees and costs the Town incurs in processing development review requests.

These costs may include, but are not limited to, advertising and public notice costs, legal fees, consultant fees, additional Staff time, cost of reports and studies, NPDES stormwater review and inspection costs, and any additional costs associated with the building permit and the development review process.

For further information and questions, please contact the Community Development Department at 561-881-3320.

9/13/21

see attached consent	, have read and understand the
regulations above regarding cost recovery. AUTHORIZED REP. Property Owner Signature	11/29/2022 Date



Landscape Architects Planners Environmental Consultants

George G. Gentile FASLA M. Troy Holloway ASLA Emily M. O'Mahoney FASLA, PLA, LEED®AP, BD&C

1220 10th Street Town of Lake Park **Project Narrative** December 2, 2022 Rev. March 22, 2023 Rev. April 13, 2023

REQUEST/LOCATION:

2GHO, Inc. as agent, respectfully request review and approval of the subject Special Exception use for motor vehicle sales, and storage warehouse. The motor vehicle sales use will allow the Owner to get a dealer license which is an administrative requirement that will allow the property owner to buy vehicles through auctions which do not occur at the property. No motor vehicles will be sold on the property.

The subject 2.74-acre site is located on the west side of 10th Street, north of Park Avenue in the Town of Lake Park, Florida. The subject site has a land use designation of Commercial, and a zoning designation of C-2 Commercial. It is the intent of the Owner to designate 6,632 sf as office/motor vehicle sales and 13,420 sf as storage warehouse.

PROPERTY HISTORY:

The existing building was originally constructed in 1967 and has been many uses over the years, inclusive of a grocery store and business offices. More recently, Palm Beach Academy of Health and Beauty operated on the site.

SURROUNDING ZONING AND LAND USE DESIGNATIONS:

The chart below demonstrates that the subject property is compatible with the land use and zoning of the surrounding properties.

	Existing Zoning	Existing FLU
SUBJECT PROPERTY	C-2; Business District	Commercial
(Existing Office Use)		
NORTH	C-2; Business District	Commercial
(Retail Strip Center)		
EAST	C-2; Business District	Commercial
SOUTH	C-1; Business District	Commercial
(FPL Service Center)		
WEST	C-2; Business District	Commercial
(FEC Rail /Cemex)		

PROPOSED USE:

The Owner is an avid collector of classic automobiles, and has a well-known reputation in the greater Palm Beach County area for providing a mechanism for other collectors to view, and take ownership of any particular automobiles. The Owner would like to repurpose the underutilized property to provide a climate-controlled warehouse space for the cars to be stored.

There will be no retail motor vehicles sales, no display outside of cars and no public customers coming to the site for motor vehicle purchases. The other use of the building will be for a business office for the Owners company, as he is moving his staff of 6-10 employees to the Town of Lake Park from his small New York location and his current location in the Village of North Palm Beach, Florida.

The owner will also be storing and displaying his classic car collection, model train collection and several other items in his collection in the warehouse building. He will also have other business items stored as well; however, the majority of the space will be devoted to his classic car collection. The Classic Car Collection, which will be set up as a display in the warehouse is not open to the public and only invited guests are permitted on site to view the collection. He also provides 3 to 4 charities and non-profit organizations to hold fund raising events including the Palm Beach County Sheriffs annual event for the Sheriffs Boys Ranch. These events are limited as stated above to approximately 3 to 4 events a year.

SPECIAL EXCEPTION USE REQUEST

As previously mentioned, motor vehicle sales, and storage warehouse uses are designated as Special Exception uses in the Town. Consistent with Section 78-184 of the Town's Zoning Code, the Owner is requesting a Special Exception to redevelop the property with the proposed uses. The Owner will address the required criteria set forth in 78-184(5)(b).

1. The proposed Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

Future Land Use:

As previously mentioned, the subject property is designated with a Commercial Land Use;

❖ In the Town's Comprehensive Plan, Table 3-4, Land Use Classification System, Commercial Land Use is defined as Lands and structures devoted primarily to the delivery, sale or otherwise transfer of goods or services on a retail basis, with a maximum F.A.R.

of 2.0. This category also includes personal and professional services.

The proposed uses are directly aligned with the Future Land Use description of commercial, as this use will allow for the delivery, and/or transfer of classic cars. Additionally, the proposed special exception uses do not create any inconsistencies with any other elements of the adopted Comprehensive Plan.

Objective 5:

As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments. and neighboring jurisdictions.

The Owner's proposal is directly consistent with the Town's Objective of promoting redevelopment, as the project will seize the opportunity to repurpose an existing building within a commercial core of Lake Park.

Please discuss how the Special Exception use is consistent with the land development and zoning regulations and all other portions of the Town of Lake Park Code of Ordinances.

Response: As noted, the building was built in 1967 and meets the Town of Lake Park Code of Ordinances. With the proposed office (permitted), storage warehouse, and motor vehicle sales uses, the interior of the building has been modified through the building permit process.

As a special exception is subject to commission approval; The commission may permit the proposed uses (storage warehouse and motor vehicle sales) in the C-2 zoning district. The proposed uses are consistent with good zoning practice and are not contrary to the policies of the town comprehensive plan.

Further, as stipulated by Sec. 78-72(2)(j) the proposed motor vehicle sales use is consistent with the code as a permanent building is currently existing on the site.

Last, the proposed use will comply Sec. 78-145(g), as the required surface parking will not be utilized for the subject automobiles. The purpose of the storage warehouse is to allow the classic cars to be in a climate-controlled environment to preserve their condition.

3. Please explain how the proposed Special Exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location; mass; height and setback; and other relevant factors peculiar to the proposed Special Exception use and the surrounding property.

The subject site is located on a major arterial roadway within the Town of Lake Park. 10th Street is a north/south roadway which traverses through several industrial, and commercial uses within the Town. The proposed use will not create any adverse impacts to the surrounding area.

- 4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed. Response: The approval of a storage warehouse/motor vehicle sales will not cause a concentration of the same in the area. The Owner simply wants to utilize the existing building in order to provide a highly sought use in the South Florida area.
- 5. Please explain how the Special Exception use does not have a detrimental impact on surrounding property based on: (a) the number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) the degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) the effect on the amount of flow of traffic within the vicinity of the proposed Special Exception use.

Response: The proposed use will not create any traffic impacts, as this use will not be a high trip generator. An appropriate mechanism to unload cars will occur internal to the property, and will not create any nuisances to the existing community.

6. Please explain how the Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to benches, trash receptacles, and/or bicycle parking.

Response: As this is an existing building, it will not reduce light and air to the adjacent property. To the contrary, it will aid in redeveloping and upgrading the existing property that in turn will positively affect adjacent property values.

Conclusion

In closing, the Owner is requesting special exception use approval for a motor vehicle sales, and storage warehouse use to an existing building on 10^{th} Street. The existing building will act as the location for the required motor vehicle dealer license, as well as a storage warehouse (for classic cars).

On behalf of the Owner, 2GHO, Inc. requests approval of the special exception application. The project managers at 2GHO, Inc. are George G. Gentile, FASLA, PLA, Dan Siemsen, PLA, Patricia Lentini, and Alec Dickerson.

OR BK 33644 PG 1964
RECORDED 06/17/2022 15:47:39
Palm Beach County, Florida
AMT 4,500,000.00
DEED DOC 31,500.00
Joseph Abruzzo
Clerk
Pgs 1964-1967; (4Pgs)

CEN 20220261805

THIS INSTRUMENT PREPARED BY AND RETURN TO: Peter R. Ray, Esquire Cohen Norris Wolmer Ray Telepman Berkowitz & Cohen 712 US Highway One, Suite 400 North Palm Beach, FL 33408

Property Appraisers Parcel Identification (Folio) Number: 36-43-42-20-01-123-0030

The actual purchase price or other valuable consideration paid for the real property or interest conveyed by this instrument is \$4,500,000.00. Florida Documentary Stamps in the amount of \$31,500.00 have been paid hereon.

Space Above This Line For Recording Data

WARRANTY DEED

THIS WARRANTY DEED, made the day of June, 2022 by 1220 Lake Park Partners, LLC, a Florida limited liability company, as to fifty percent (50%) interest and Marie G. Bruno, a single woman, as to fifty percent (50%) interest, whose post office address is 2247 Palm Beach Lakes Boulevard, West Palm Beach, FL 33409, collectively herein called the Grantor, to JS 1220 10th Street, LLC, a Florida limited liability company, whose post office address is 701 US Highway One, Suite 402, North Palm Beach, FL 33408, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in PALM BEACH County, State of Florida, viz.:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Subject to covenants, restrictions and public utilities easements of record and taxes for the year 2022 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor warrants the title to said land, subject to all matters above and will defend the same against the lawful claims of all persons whomsoever.

File Number: 92903687

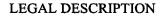
In Witness Whereof, the Grantor has	hereunto set his hands and sealed the day and year first
above written.	
Signed, sealed and delivered in our pres	ence: 1220 Lake Park Partners, LLC, a Florida
	limited liability company
	,
	Q 1 12
Saises reedle	By: Robert Mande
Witness #1 Signature	Robert Needle, Manager
HAROLA Needle	Robert Product, Manager
Witness #1 Printed Name	4 .
Williams #11 History Halling	
Witness #1 Ciamatana	
Witness #1 Signature	
t vu O Den	
Witness #1 Printed Name	
STATE OF FLORIDA	
COUNTY OF PALM BEACH	
The foregoing instrument was physical	ly acknowledged before me this <u>6</u> day of June, 2022,
	20 Lake Park Partners, LLC, a Florida limited liability
	He is personally known to me or who has produced
F	as identification.
SEAL	
SEAD	Notary Signature
	Notary Signature
	tim O re
	Printed Notary Signature
My Commission Expires:	
,,,,,,	
Notary Public State of Florida Kim O'Dea	
My Commission HH 024763	
Expires 07/28/2024	
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	

Signed, sealed and delivered in the presence of:	
Chantelle LSins	Marie G Bruno
Witness #1 Signature	Marie G. Brune
Chantelle L Sims	
Witness #1 Printed Name	
Marbud 181, de	
Witness #2 Signature	
Olga Butrovich Witness #2 Printed Name	
STATE OF Missouri COUNTY OF Platte	
The foregoing instrument was acknowledged before me by 5 day of June, 2022 by Marie G. Bruno, GA, DL as identification.	means of physical presence or online notarization, this who is personally known to me or has produced
SEAL	Notary Public
My Commission Expires: 3/30/2025	Chantelle L Sims Printed Notary Name
,	•
CHANTELLE L SIMS Electronic Notary Public - Electronic Notary Seal Platte County - State of Missouri Commission Number 21781402 My Commission Expires Mar 30, 2025	

Completed via Remote Online Notarization using 2 way Audio/Video technology.

Pile Number: 92903687

#### EXHIBIT "A"



#### PARCEL 1:

A part of Block 4-A, of Re-Plat of Block 4-A Kelsey City (now Lake Park), Florida, according to the Plat thereof recorded in Plat Book 11, Page 24, Public Records of Palm Beach County, Florida, said parcels being more particularly described as follows:

Beginning at the intersection of the Easterly line of said Block 4-A with a line parallel to and 1200 feet Northerly from measured at right angles to the South line of said Block 4-A, said parallel line being the North line of land conveyed by George Kinsman and wife, to Florida Power and Light Company by Deed dated October 15,1958 and recorded in O.R. Book 254, Page 527, Public Records of Palm Beach County, Florida; thence Northerly along the Eastern line of said Block 4-A, a distance of 348.45 feet; thence Westerly parallel to the South line of said Block 4-A, a distance of 331.57 feet, more or less, to a point in the Westerly line of said Block 4-A; thence Southerly along the Western line of said Block 4-A, a distance of 348.53 feet, more or less, to a point in the North line of said Florida Power & Light Company land; thence Easterly along said North line of said Florida Power & Light Company Land, a distance of 331.39 feet, more or less, to the Point of Beginning.

#### PARCEL 2:

Beginning at the Northeasterly corner of the North 525.00 feet of the South 1200 feet of Block 4-A, according to the Re-Plat of Block 4-A, Kelsey City (now Lake Park), Florida, as recorded in Plat Book 11, Page 24, in and for the Public Records of Palm Beach County, Florida; thence Westerly along the North line of the North 525.00 feet of the South 1200.00 feet of said Block 4-A, a distance of 331.39 feet to a point on the Westerly line of said Block 4-A; thence Southerly, along said Westerly line, a distance of 82.94 feet to a point; thence Easterly, a distance of 308.91 feet to the Point of Beginning.

# 1220 10th Street

Town of Lake Park, Florida





### 1220 10th Street

Town of Lake Park, Florida Existing Building Photos April 13, 2023



NORTH FACING BUILDING FACADE



EAST - NORTHEAST FACING BUILDING FACADE



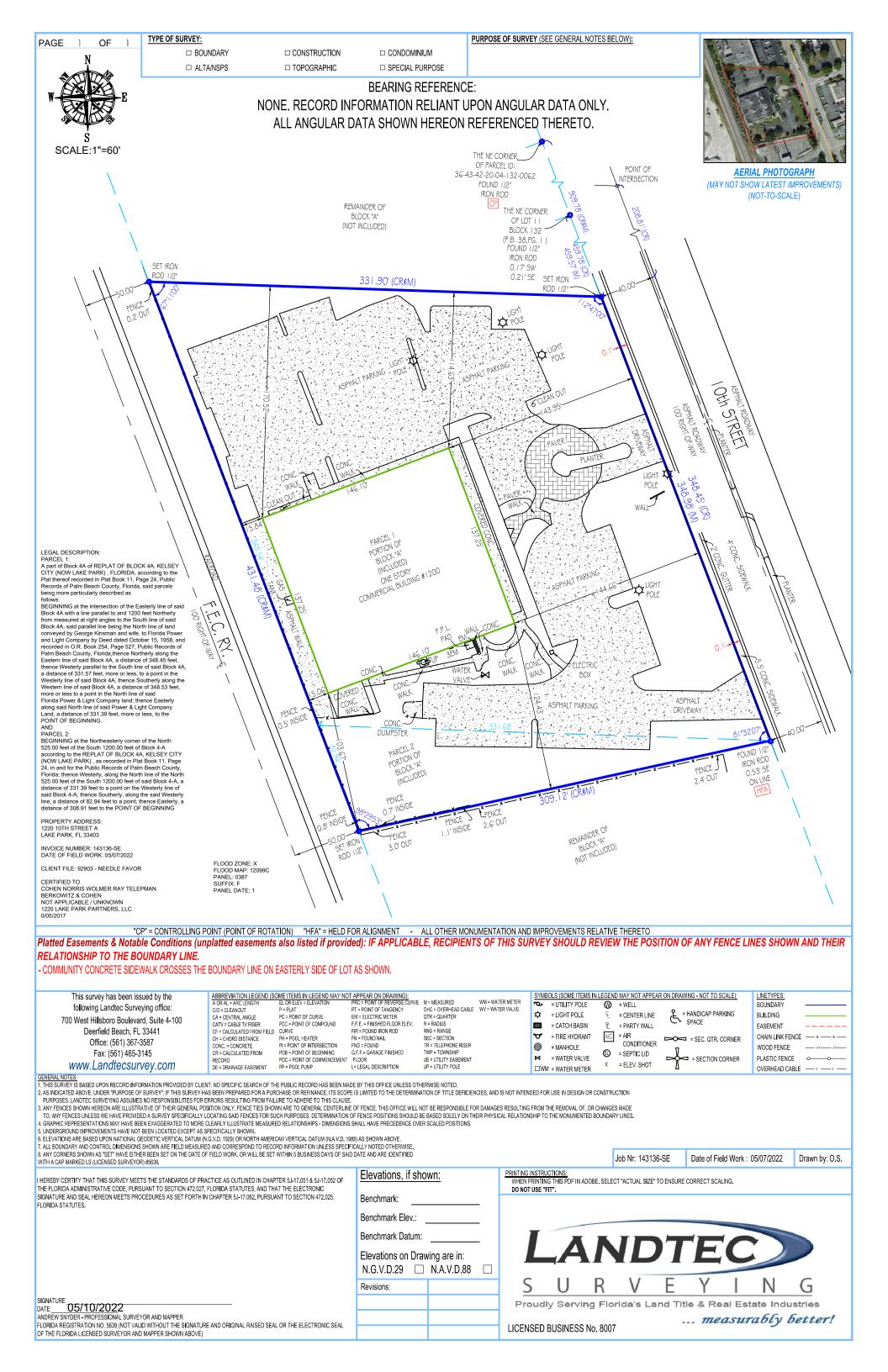
EAST FACING BUILDING FACADE

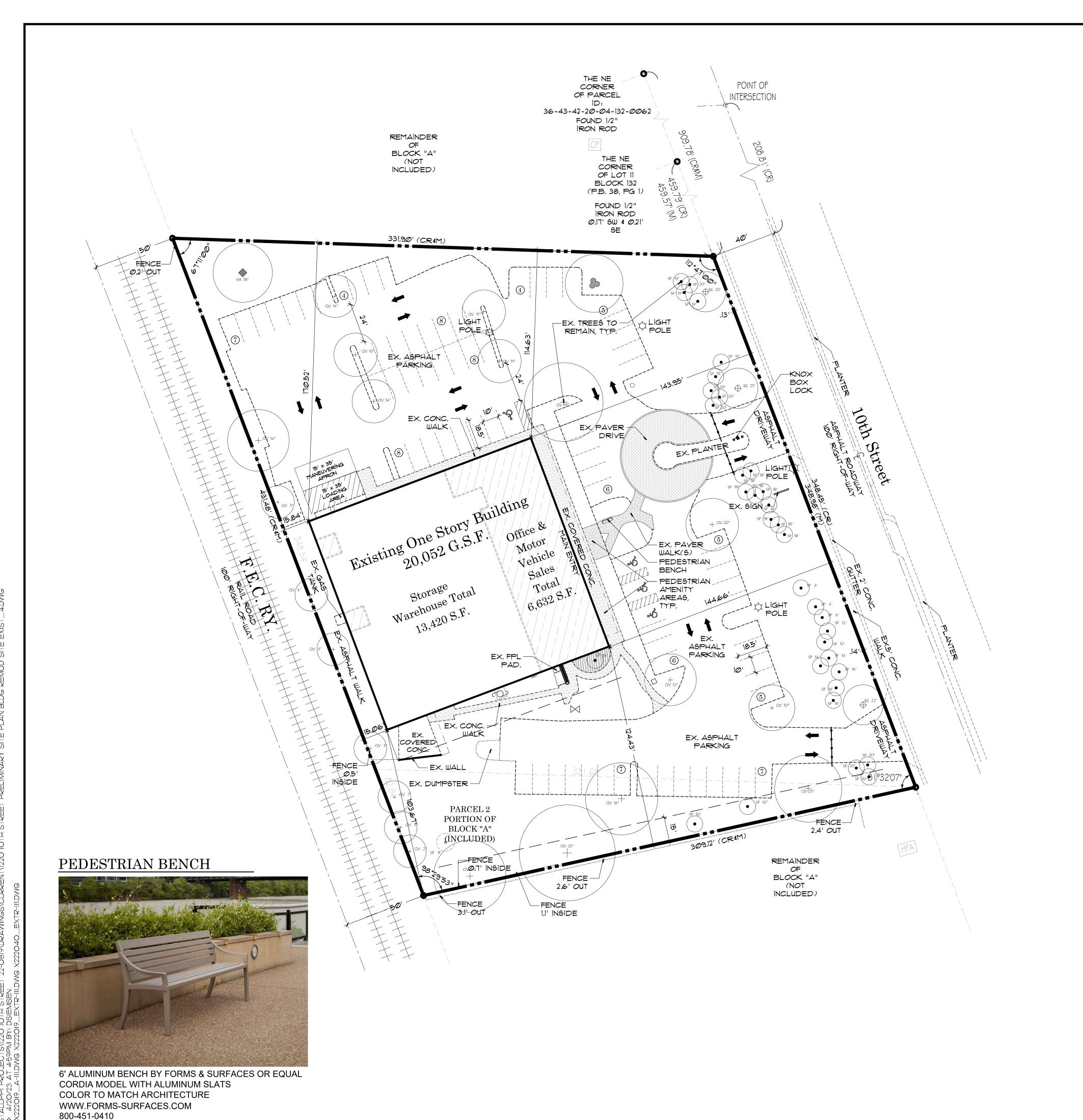


SOUTH - SOUTHEAST FACING BUILDING FACADE



WEST FACING BUILDING FACADE





SITE DATA:

PROJECT NAME: 1220 10th Street C - Commercial **EXISTING FUTURE LAND USE:** C-2; Commercial **ZONING:** 20-42-43 **SECTION - TOWNSHIP - RANGE:** - 2.74 AC. (119,270.67 s.f.) SITE AREA AC. : PROPOSED USE: OFFICE, MOTOR VEHICLE SALES & STORAGE WAREHOUSE

**BUILDING DATA:** 

- 20,052 S.F. **EXISTING BUILDING S.F.:** PROPOSED USES: OFFICE/ MOTOR VEHICLE SALES S.F.: 6,632 S.F. WAREHOUSE/STORAGE S.F.: GROSS S.F.: 20,052 S.F.

	<b>REQUIRED</b>	<b>PROVIDED</b>
FRONT SETBACK (10TH STREET): —————	— 25'  ———	— 143.95'
SIDE SETBACK (NORTH):	—— 15'   ————	- 48.25'
SIDE SETBACK (SOUTH): ————————————————————————————————————	—— 15'   ————	<del>-</del> 15'
REAR SETBACK (WEST): ————————————————————————————————————	—— 15'   ————	<b>–</b> 15.06'
BUILDING HEIGHT LIMIT: ————————————————————————————————————	— 50' MAX ——	– N/A
F.A.R.: ———————————————————————————————————	— 2.0 MAX ——	<b>–</b> 0.25

LOT COVERAGE:	REQUIRED	PROVIDED
MIN. OPEN SPACE :	_ 15%	
BUILDING COVERAGE :		20,052 s.f.(0.46 Ac.), 17%
IMPERVIOUS COVERAGE:		76,634.44 s.f. (64%)
PERVIOUS COVERAGE:		42,636.23 s.f. (36%)

#### **PARKING DATA: PROVIDED REQUIRED**

#### **TOTAL PARKING:**

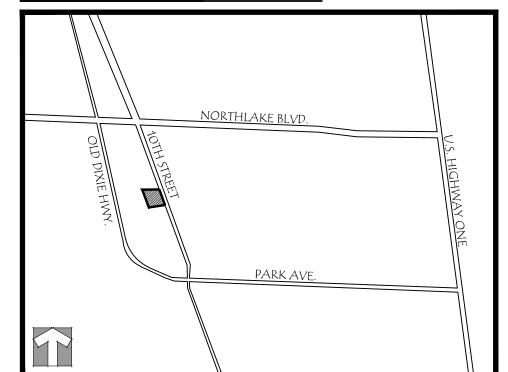
BUSINESS OFFICES/STUDIO, INDIVIDUAL/MOTOR VEHICLE SALES: 5 SP / 1,000 S.F. OFFICE (6,632 SF) 38 SPACES 13 SPACES WAREHOUSE: 1 SP / 2,000 S.F. (13,420 SF) 7 SPACES 32 SPACES 10 SPACES 1 SP/EMPLOYEE (MAX SHIFT): 10 10 SPACES TOTALS: **30 SPACES 80 SPACES** 

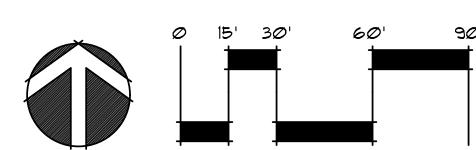
HANDICAP PARKING:	4 SPACES	<ul><li>4 SPACES</li></ul>
LOADING SPACES: ————————————————————————————————————	1 SPACES	<ul><li>1 SPACES</li></ul>

### GENERAL NOTES:

- SITE PLAN FOR INTERIOR AND EXTERIOR RENOVATIONS OF THE EXISTING BUILDING AND ASSOCIATED UTILITIES/IRRIGATION.
- PARKING AREAS TO BE SINGLE STRIPED AS PER TOWN OF LAKE PARK CODE.
- HANDICAPPED & DIRECTIONAL SIGNAGE WILL BE PROVIDED ON SITE
- & WILL MEET ALL STATE & LOCAL CODES.
- ALL PARKING AREAS SHALL BE ASPHALT PAVED OR EQUIVALENT.
- THE DIRECTION OF ALL PROPOSED LIGHTING SHALL BE DIRECTED AWAY
- FROM ADJACENT PROPERTIES.
- IRRIGATION SOURCE SHALL BE POTABLE OR WELL WATER SOURCE.
- ALL PLANTING AREAS SHALL RECEIVE 100% COVERAGE FROM A FULLY
- AUTOMATIC IRRIGATION SYSTEM, EQUIPPED WITH A RAIN SENSOR. - ALL MECHANICAL/ELECTRICAL EQUIPMENT SHALL BE SCREENED FROM VIEW.

### LOCATION MAP:





Landscape Architects Environmental Consultants

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1907 Commerce Lane Suite 101 Jupiter, Florida 33458 561-575-9557 561-575-5260 FAX www.2GHO.com

Plan evelopmen

Designed:	GGG
Drawn:	DSS
Approved: _	GGG/EOM/MTH
Date:	10-4-22
lob no	22-0414
Revisions:	3-23-23
	4-12-23
	4-20-23

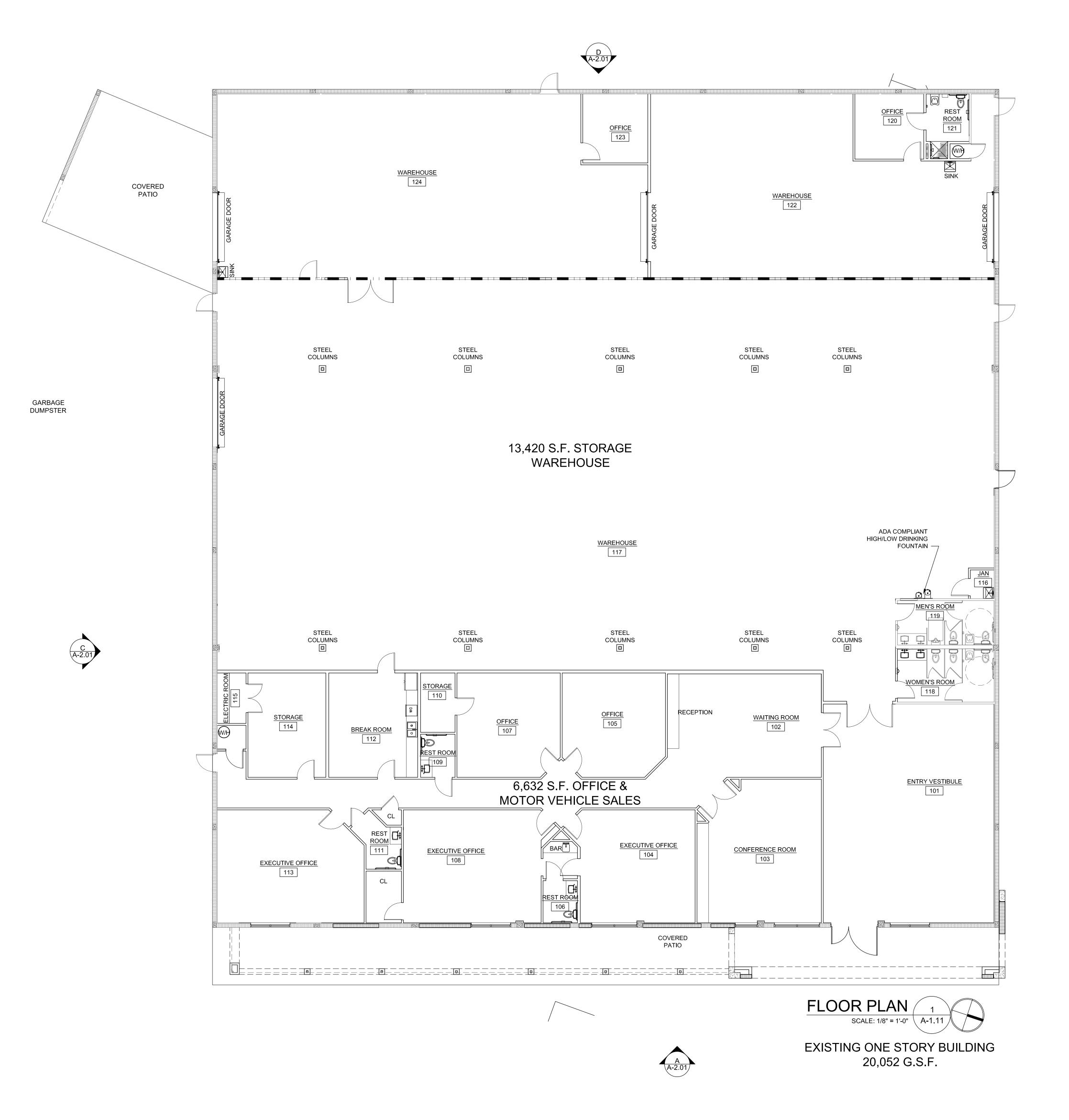
LC 0000177

Development

Scale: 1"=30'

Sheet No. SP-1

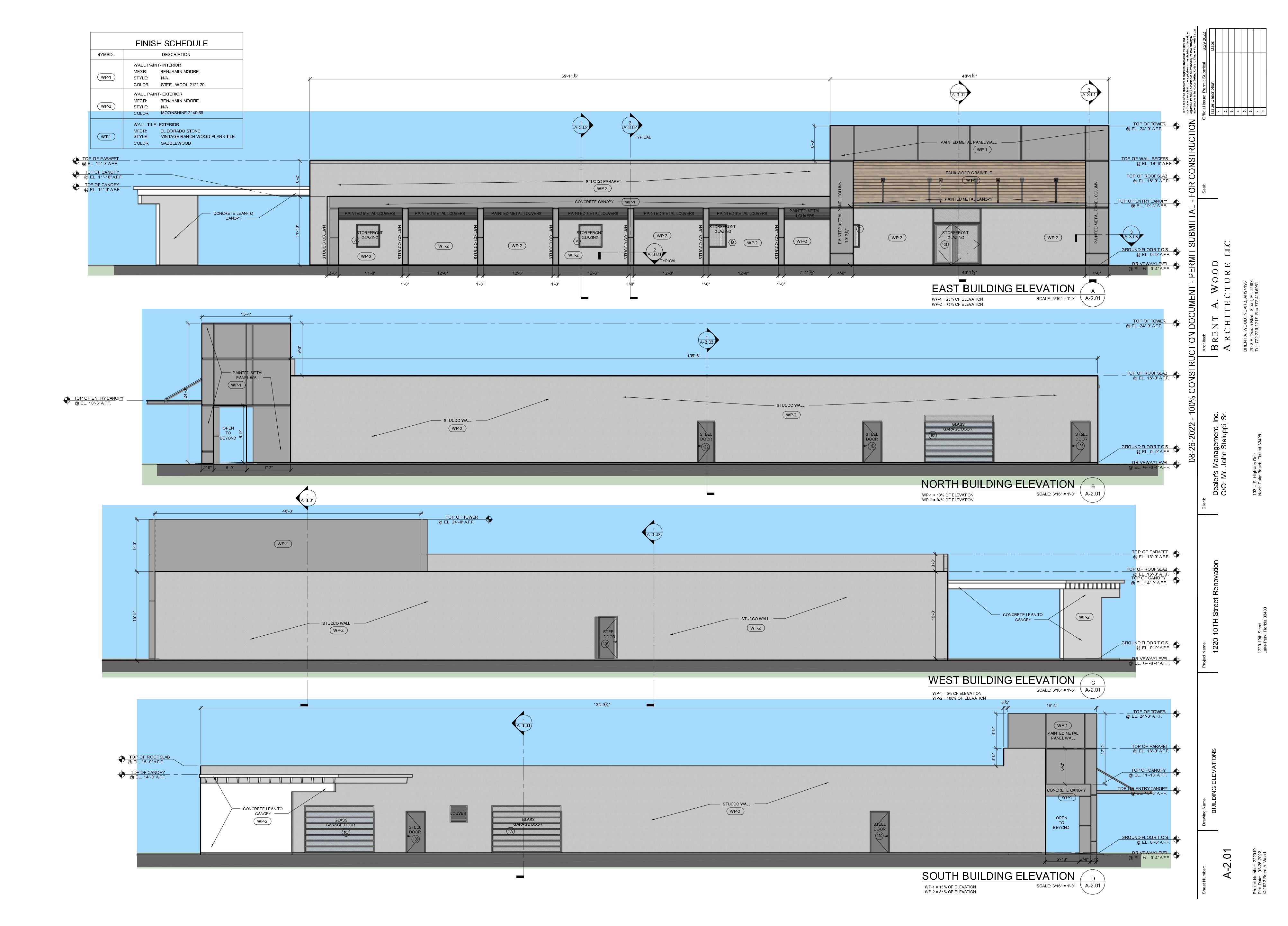
22-Ø414



WALL TYPE L	EGEND
SYMBOL	DESCRIPTION
	8" CMU WALL WITH FILLED CELLS AND REINFORCING. WITH FURRED WALL AND INSULATION ON INTERIOR FACE OF WALL.
	INTERIOR FRAMED WALL WITH GYPSUM BOARD SHEATHING, BOTH SIDES OF WALL.
	EXISTING 8" CMU WALL WITH FILLED CELLS AND REINFORCING. WITH FURRED WALL AND INSULATION ON INTERIOR FACE OF WALL.
	EXISTING INTERIOR FRAMED WALL WITH GYPSUM BOARD SHEATHING, BOTH SIDES OF WALL.



				•	approblem inevalety statuants as determined by the accordance with the Florida Building Code and Chapte
Drawing Name:		Client:	Architect:	Seal:	Official Issue: Permit Submittal
FI DOR PI AN 1000 PI A	OTH Ctroot Donovation		RPFNT A WOOD		Issue Description:
1 077	פפן הפווטיאמווטוו	Dealet s Mariageriferit, inc.	DULINI IX. WOOD	_	1.
		C/O: Mr. John Staluppi, Sr.	A P C HITECTIIP F IIC		2.
			MINOTIFIED ONE TEC		3.
					4.
			BRENT A. WOOD, NCARB, AR94198		5.
			20 S.E. Ocean Blvd., Stuart, FL. 34996		6.
		133 U.S. Highway One	Tel 772.220.1217 Fax 772.419.5061		7.
uo-zo-zuzz nt A. Wood Lake Park. Florida 33403		Notin Pain Beach, Floriag 55406			8.



# 1220 10th Street

Town of Lake Park, Florida





