



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, December 15, 2021 6:30 PM
Town Hall Commission Chamber,
535 Park Avenue, Lake Park, Florida 33403**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, December 15, 2021 at 6:30 p.m. Present were Mayor O'Rourke, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, John Linden, Roger Michaud, Town Manager John D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call and Vice-Mayor Glas-Castro led the pledge of allegiance.

SPECIAL PRESENTATION/REPORT:

1. Special Presentation by the American Planning Association (APA), Florida Chapter's Lifetime Service Award (2021).

Mr. Cory Benin, Chair of the Treasurer Coast Section of the American Planning Association, Florida Chapter presented Vice-Mayor Glas-Castro with the Lifetime Service Award for 2021. (see attached "Summary of Entry" as exhibit "A"). Vice-Mayor Glas-Castro was humbled to receive the award and thanked everyone for recognizing her. Mayor O'Rourke congratulated Vice-Mayor Glas-Castro on her award.

2. Announcement of the Winners of the 2021 Holiday Decorating Contest.

Mayor O'Rourke announced the winners of the 2021 Holiday Decorating Contest as follows: Third place went to The Gorman Family of 822 Magnolia Drive; second place went to The Dingle & Gauthier Family of 722 W. Kalmia Drive; and in first place The Moss Family of 341 Hawthorne Drive.

PUBLIC COMMENTS: None

CONSENT AGENDA

3. Resolution 77-12-21 Resolution Approving the Third Amendment to Freedom Boat Club Commercial Tenant Agreement with Lake Park Harbor Marina.

4. Resolution 78-12-21 Resolution Declaring Certain Town-Owned, Tangible Personal Property as "Surplus" and Eligible for Disposal.

5. Resolution 79-12-21 Resolution of the Commission of the Town of Lake Park, Florida Authorizing and Directing the Mayor to Sign the Library Services and Technology Act Grant Agreement and Providing an Effective Date.

6. Request to Authorize the Town Manager to Encumber and Disburse Payment to Seacoast Utility Authority for the Furnishing, Installation and Connection of a

New Irrigation Meter for Service along Lake Shore Drive.

7. Resolution 80-12-21 Authorizing and Directing the Mayor to Execute an Agreement Modification between the State of Florida, Division of Emergency Management for Additional Grant Funding Associated with the Lake Shore Drive Drainage Project.

8. Resolution 81-12-21 VALIC 401A – Retirement Saving Plan Revised Agreement.

8a. Resolution 83-12-21 Approving and Authorizing the Town to Join with the State of Florida And Other Local Governmental Units as a Participant in the Florida Memorandum of Understanding.

Mayor O'Rourke suggested that item 3 be moved to a future agenda.

Motion: Commissioner Michaud moved to have item 3 place on a future agenda; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 5-0.

Motion: Commissioner Flaherty moved to approve items 4-8a on the consent agenda; Commissioner Linden seconded the motion.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 5-0.

QUASI-JUDICIAL PUBLIC HEARING:

9. Resolution 82-12-21 Approving a Site Plan and Special Exception use Authorizing the Development of a Two-Story 28,075 Square Foot Small-Scale Food and Beverage Production use with a Third-Story Rooftop at 1310 10th Street.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AND SPECIAL EXCEPTION USE AUTHORIZING THE DEVELOPMENT OF A TWO-STORY 28,075 SQUARE FOOT SMALL-SCALE FOOD AND BEVERAGE PRODUCTION USE WITH A THIRD-STORY ROOFTOP AT 1301 10TH STREET; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE APPROVAL OF THE SITE PLAN

AND SPECIAL EXCEPTION USE; AND PROVIDING FOR AN EFFECTIVE DATE.

The Commission disclosed the following Exparte Communication:

Commissioner Linden had no Exparte to disclose.

Commissioner Michaud had no Exparte to disclose.

Commissioner Flaherty had no Exparte to disclose.

Vice-Mayor Glas-Castro had no Exparte to disclose.

Mayor O'Rourke had no Exparte to disclose.

Attorney Baird swore in all witnesses.

Town Planner Anders Viane explained the item (see Exhibit "B"). Mr. Emilio Lebolo, President of A-1C Architect presented to the Commission. The Commission discussed their concerns with the traffic off of Northern Drive and requested that the site circulation be redesigned to avoid back-ups onto the street. Mayor O'Rourke asked for the anticipated completion date. Community Development Director DiTommaso stated the end of 2022. Town Manager D'Agostino explained the process of the oval-about moving forward with Palm Beach County in the intersection of this business. The Commission discussed options for traffic circulation with Mr. Lebolo. Mr. Lebolo asked the Commission to approve the item so that they could comply with financing. They would agree to the additional conditions.

Motion: Vice-Mayor Glas-Castro moved to approve Resolution 82-12-21 site plan and special exception use with staffs 14 conditions of approval and adding another condition that prior to permitting the site circulation be redesigned to bring the drive-thru circulation back onto Magnolia Drive; Commissioner Flaherty seconded the motion.

Mayor O'Rourke explained that the Town was very excited to have Oceana Coffee. Commissioner Linden suggested that an additional entrance be placed on Northern Drive. He suggested that the item come back before the Commission to see the modification of the site plan. He asked that the motion be restated. Vice-Mayor Glas-Castro stated that the motion was something to the effect that: "adding a condition that, prior to permitting, the site circulation for the drive-thru would be rise to have the drive circulation come from Magnolia Drive from the south for the drive-thru, not drive-thru access from the north".

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|-----------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | | X | |
| Commissioner Michaud | X | | |

| | | | |
|------------------------|---|--|--|
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 4-1.

TRANSMITTAL HEARING – ORDINANCE ON FIRST READING:

10. Ordinance 11-2021 Amendments to the Text of the Future Land Use Element by Amending the Density and Intensity of the Downtown Future Land Use Classification; Providing for a New Objective Setting Forth Policies Related to the Downtown Future Land Use Classification; Amending the Future Land Use Map by Assigning the Downtown Future Land Use Classification to Approximately 21.6 Acres of Real Property as Shown Thereon.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENTS TO THE TEXT OF THE FUTURE LAND USE ELEMENT BY AMENDING THE DENSITY AND INTENSITY OF THE DOWNTOWN FUTURE LAND USE CLASSIFICATION; PROVIDING FOR A NEW OBJECTIVE SETTING FORTH POLICIES RELATED TO THE DOWNTOWN FUTURE LAND USE CLASSIFICATION; AMENDING THE FUTURE LAND USE MAP BY ASSIGNING THE DOWNTOWN FUTURE LAND USE CLASSIFICATION TO APPROXIMATELY 21.6 ACRES OF REAL PROPERTY AS SHOWN ON THEREON; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planner Karen Golonka presented to the Commission (see Exhibit "C").

Motion: Vice-Mayor Glas-Castro moved to approve Ordinance 11-2021 on first reading; Commissioner Linden seconded the motion.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|-------|
| Commissioner Flaherty | X | | |
| Commissioner Linden | X | | |
| Commissioner Michaud | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor O'Rourke | X | | |

Motion passed 5-0.

Attorney Baird read the Ordinance by title only.

NEW BUSINESS: None

COMMISSION WILL NOW RECESS THE REGULAR COMMISSION MEETING AND GO INTO AN EXECUTIVE SESSION.

The Town Commission for the Town of Lake Park, Florida will have an Executive Session pursuant to Florida Statute 447.605(1) in the Town Hall Mirror Ballroom.

Those in attendance shall be: Mayor Michael O'Rourke; Vice-Mayor Kimberly Glas-Castro; Commissioners Erin Flaherty; John Linden; and Roger Michaud; also in attendance will be Town Manager John D'Agostino; Assistant Town Manager/Human Resources Director Bambi McKibbon-Turner, Public Works Director Roberto Travieso and Attorney Thomas Baird for the purposes to discuss collective bargaining of the Federation of Public Employees, A Division of National Federation of Public and Private Employees (AFL-CIO).

The Commission recess the meeting at 8:10 p.m.

AFTER THE EXECUTIVE SESSION, THE COMMISSION WILL RECONVENE THE REGULAR COMMISSION MEETING.

The Commission reconvened the meeting at 8:37 p.m.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird wished everyone happy holidays and a happy New Year.

Town Manager D'Agostino see Exhibit "D". Vice-Mayor Glas-Castro explained that she would not be available on Saturday, January 22, 2022 for the Public Workshop. Staff would reschedule to Saturday, January 29, 2022 instead.

Commissioner Linden announced all of the holiday events attended over the past few days. He wished everyone happy holidays.

Commissioner Michaud was honored to speak at Watkins Middle School to the Junior Honor Society. He was excited to participate at the holiday events over the past few days. He wished everyone a Merry Christmas.

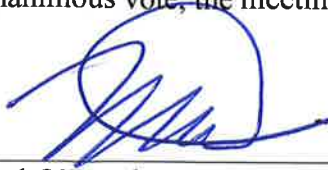
Commissioner Flaherty explained that several meeting ago he stated that he was not receiving any of the Code-Red alerts on his phone. He answered a call a few days ago and it was from the system. He apologized because as it turned out he was receiving the alerts on his phone, but was not answering those call. He told a story that his children were waiting for Santa to drive down their street but he did not. Santa heard how disappointed the children were made a special stop at the house yesterday. He really appreciated that Santa took the time to visit their home personally to see his children.

Vice-Mayor Glas-Castro thanked the families for participating in the Holiday Decorating contest. She wished everyone a Merry Christmas and Happy New Year.

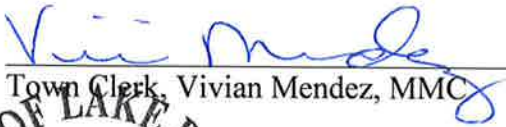
Mayor O'Rourke congratulated all the families that participating in the Holiday Decorating contest. He hopes more families will participate next year. He thanked Santa for all he does in the Town. He wished everyone a Merry Christmas and Happy New Year. He thanked the Commission for everything they do for the Town throughout the year. He thanked staff and the Town Attorney. He congratulated the Vice-Mayor on her award.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by unanimous vote, the meeting adjourned at 9:00 p.m.



Mayor Michael O'Rourke



Town Clerk, Vivian Mendez, MMC



Approved on this 5 of January, 2022

Exhibit "A"

Summary of the Entry

It is my great pleasure, on behalf of the Treasure Coast Section Executive Board, Florida Chapter, American Planning Association (APA), to nominate Kimberly Glas-Castro, AICP, for the 2021 President's Lifetime Achievement Award from the Florida Chapter (APA FL). She has been an active and exemplary member of APA at the Section, Chapter and National levels since 1989 and a member of the American Institute of Certified Planners since 1992.

During her 34-year career, Kim has modelled effective planning and public participation practices and served as a mentor for many public and private sector planners, elected officials, and volunteers throughout the State of Florida and elsewhere, me included, encouraging and enabling us to be more effective planners. Kim has held numerous elected and volunteer positions with the Treasure Coast Section, APA FL, and APA. She has been instrumental in encouraging greater member participation in Chapter and Section activities and significantly improved services to all members of APA FL as a result of her ability to successfully involve others in identifying needs and implementing mutually agreeable solutions at all levels of APA. In addition to leading APA FL's successful efforts in 2008-2010 to defeat the "misnamed" Hometown Democracy constitutional amendment, which would have negatively affected planning by requiring a local referendum for all comprehensive plan amendments, Kim was also successful in obtaining a gubernatorial proclamation by Governor Charlie Crist in 2009 declaring October as National Planning Month.

Kim currently serves as Assistant Village Manager in Palm Springs, Florida, after serving as Palm Springs Planning, Zoning, and Building Director from 2014 – 2020. She previously served as a senior level planner with Palm Beach County and the City of Palm Beach Gardens and two private law firms working on a wide variety of complex planning projects. Kim is also the Vice Mayor of the Town of Lake Park, first elected in 2013, and has served as a Board Member, First and Second Vice President, and Chair for the Palm Beach County League of Cities (2014-Present). She is also active at the state level for the Florida League of Cities, serving as a Member (since 2013) and now Chair of its Municipal Administration Legislative Policy Committee. In recognition of her tireless efforts to combat efforts to limit municipal home rule during the annual Florida Legislative sessions, Kim has received the Florida League of Cities Home Rule Hero Award every year since 2017.

Kim is also a Court Certified Mediator (since 2004) who has used her mediation and consensus-building skills to achieve successful outcomes for numerous projects and endeavors while serving as a professional planner, elected official, or volunteer.

Kim's extensive and sustained professional, community service, and volunteer activities throughout her career, both in the public and private sector, and her ability to incorporate and promote effective planning principles in all her endeavors, exemplify the sustained contributions to the planning profession and the development and mission of

APA at the local, regional, state and national levels that this award is intended to recognize.

Description of How the Entry Meets the Award Category Criteria

Kim first became involved with the Treasure Coast Section of APA FL, serving on the Membership Committee (1997-1999) and as the elected Treasurer (1989-1993), Vice-Chair (2000-2002), and Chair (2002-2004). Over the years Kim has also been instrumental in developing and improving several major Treasure Coast Section activities for the benefit of our members. These include expanded educational programs, our Annual Legislative Breakfast that is now co-hosted by more than a dozen professional organizations, and the Annual Ethics Conference, a joint effort in 2007 with the FAU School of Urban and Regional Planning and the Palm Beach County Planning Congress, now embarking on its 14th year, that has grown to include the Broward Section of APA FL and several other professional organizations as co-hosts. She also chaired two very successful APA FL Annual Conferences, hosted by the Treasure Coast Section in 2003 and 2011, and co-chaired the Section's Annual Planning Officials Training Workshops (POTW), initiated in 2016 in response to requests from our local planning directors for assistance in providing planning focused training for their citizen advisory boards. Our fifth POTW is now being planned for October 2021.

In addition to serving APA FL in an elected capacity as the Vice President for Section Affairs (2004-2006), President-Elect (2006-2008), President (2008-2010), Immediate Past-President (2010-2012), and Secretary (2016-2018), Kim has chaired the Legislative Policy Committee (2006-2008) and the Bylaws Committee (2016-2018) and represented the APA FL on the APA Chapter Presidents' Council (2008-2010) and at the Chapter Delegate Assembly (2006-2010).

Her tenure as an APA FL President is particularly noteworthy for a number of reasons. During her term, a Florida constitutional amendment, misleadingly named "Hometown Democracy," was proposed that would have subrogated planning by requiring a local referendum on all comprehensive plan amendments. Using speaking engagements, opinion editorials (aided by APA National), and web videos, Kim led APA FL's opposition to the proposed amendment which was ultimately defeated by the citizens of Florida in 2010. While President, Kim also oversaw an extensive revision of APA FL communications activities to include electronic newsletters and social media platforms to improve communications with and expand educational and other professional development opportunities for APA FL members. She also introduced university-initiated sessions at the Annual Conference which resulted in greater student attendance at conferences and fostered opportunities to integrate university-based knowledge with practicing planning professionals.

As Vice President for Section Affairs, Kim focused her efforts on improving the Chapter's support of its Sections in order to provide a more consistent level of service to APA FL members among the 12 different Sections, an important objective given the

differing volunteer and fiscal capabilities of the sections as a result of their geographic locations and urban/rural interfaces. These included the development of grant programs for professional development seminars, standardized budgeting and programming practices, improved communications among sections, and a Section Chair Handbook with Chapter practices and policies that is updated on a regular basis.

Kim continues to promote APA's planning objectives, serving as a speaker at numerous local and state planning conferences, webinars, and programs, AICP study classes, and planning officials training workshops, and as a volunteer APA Ambassador. In 2018, she conducted two hands-on planning related workshops with local middle school students, first as part of the school's career day activities and the second as part of the Village of Palm Springs' celebration of Florida City Government Week and APA's National Community Planning Month. These were recognized in the January 2019 edition of the APA FL E-News and the May/June 2019 APA PAS Memo on Increasing Diversity, Equity, and Inclusion in Planning.

Kim's volunteer activities extend beyond APA and the planning profession and have had a positive impact in many ways on the local communities where she has lived and worked. In addition to serving as a member of the Lake Park Tree Board (1994-1997) and the Lake Park Planning and Zoning Board (2012), she served as a Resident Facilitator for the successful 1997 Lake Park Bond Referendum for capital improvements to renovate the public park and marina, and as the President, Charter Member, and Historic Homes Tour Co-Chair of the Lake Park Historical Society (1998-2002).

As the Vice Mayor of Lake Park since 2013, and a strong advocate for visioning, master planning, and consensus-formed priority setting, Kim has used her planning expertise and leadership skills to improve citizen participation and transparency in the Town's decision-making processes. Due to her influence, the Town now includes direct mailings to all property owners within 300 feet of a proposed special exception use, in addition to the historical newspaper listings and postings on Town bulletin boards. This has resulted in greater dialogue between developers and affected neighbors prior to hearings and more attendance at public meetings. She has been an active participant in the Town's planning efforts to establish a mixed-use comprehensive plan and zoning policy for the US 1/Federal Highway corridor, including walking door to door to invite residents to stakeholder meetings, and has represented Lake Park on the Northlake Boulevard Overlay Task Force since 2013, a multi-jurisdictional effort involving several local governments.

Kim is recognized by her fellow commissioners for her planning experience and knowledge, and they often defer to her opinion on these matters. She also mentors the Town's young planners helping them to enhance their planning skills and expertise.

Kim was recently elected to her second term as President of the Palm Beach County League of Cities and continues to focus her efforts on the continued use of the Multi-Jurisdictional Issues Coordination Forum as an effective means for cooperative problem-solving and the development of solutions that address as many interests and needs as possible among the cities, county, school district, and special districts of Palm Beach County. Through her involvement with the League of Cities at both the county and state level, she has been able to apply her planning expertise and leadership skills to potential solutions on many of the issues currently facing local governments, including outparcel annexations, sober homes, short term vacation rentals, and legislative limitations on local government home rule authority.

Throughout her career, Kim has used her planning expertise and leadership skills to develop innovative solutions to problems, build consensus among affected parties, including regulatory and other agencies, and effectively implement those solutions. Noteworthy examples of those efforts in Florida include the redevelopment of a shuttered manufacturing plant in Boynton Beach into the vibrant mixed use community of Renaissance Commons; conversion of a vacant mobile home park site in Margate, Florida into the Aztec luxury condominium RV Resort Park; the development and implementation of "Our Vision - A Strategic Plan" by the City of Palm Beach Gardens; the re-design and implementation of the proposed PGA Boulevard Flyover Project in Palm Beach Gardens; the development of design guidelines for the PGA Corridor Overlay/Northlake Boulevard Corridor Overlay in Lake Park, North Palm Beach, and Palm Beach Gardens; and the redesign of the PGA Commons mixed use project in Palm Beach Gardens to address local resident concerns which also received an Award of Merit from the Florida Chapter of the American Society of Landscape Architects.

Attached are letters of support from:

- Sheri Coven, Former Executive Director, Florida Chapter, APA (2002 -2007); Former Director of Intergovernmental Affairs Director for the FL Department of Community Affairs (2007-2011) and the Florida Regional Councils Association (2011 – 2015); Senior Associate & Tallahassee Office Director, Cambridge Systematics, Inc. (since 2018)
- Richard C. Radcliffe, Executive Director, Palm Beach County League of Cities, Inc.
- Mary Kay Peck Delk, FAICP, Principal, MKP Associates; Past President, APA; Past President, APA Foundation Board

Chairman,
Leadership Awards Jury
APA Florida Chapter

June 25, 2021

Dear Chairman and Leadership Awards Jury,

It's an honor to write this letter in support of Kim Glas Castro receiving the 2021 President's Lifetime Achievement Award from the APA Florida Chapter. I first met Kim when she was Florida Chapter President and attended APA National Leadership meetings. I have followed her career and volunteer activities since then.

All chapter presidents participate in the national Chapter Presidents Council meetings. In a room full of Chapter Presidents, Kim stood out. In her term as Florida Chapter President, she achieved significant and transferable accomplishments that she shared with the group. The other chapter presidents were in awe of the leadership role Kim played in defeating the Florida Hometown Democracy Amendment. Most APA Chapters struggle to develop successful legislative strategies, and as Kim explained her success, the other Chapter Presidents were busy taking notes and were able to emulate her strategy.

Kim also offered a solution to a dilemma faced by many chapters, which is engaging student members in chapter activities. Through her leadership, Kim introduced conference sessions that were dedicated to universities. The results were increased conference attendance by students and professors.

Throughout her career, Kim has been a tireless volunteer. She has spread the planning gospel as Vice-Mayor for the Town of Lake Park, introducing and gaining support for important planning principles including increased opportunities for citizen involvement, consensus building and priority setting. She has held offices in the both the Palm Beach County and State League of Cities. At both levels of the organization, she has been steadfast in espousing the importance of planning.

Most planners strive hard to make an impact on their communities. Kim has gone far beyond impacting her own community. She is an authentic leader who has given her time generously to advance the art of planning throughout other professions, her community, the state and nationally. Kim is truly deserving of the Lifetime Achievement Award.

Best regards,

A handwritten signature in cursive script that reads "Mary Kay Peck Delk". The signature is written in black ink and is positioned above the printed name.

Mary Kay Peck Delk, FAICP

June 23, 2021

Chairman
APA, Florida Leadership Awards Jury
2017 Delta Boulevard, Suite 201
Tallahassee, FL 32303

Dear Chairman and Leadership Award Jury:

I am writing to support the nomination of Kim Glas-Castro for the APA Florida President's Lifetime Achievement Award. While Kim began her service to the Chapter in 1989, I had the pleasure of working with Kim when I became the Chapter's Executive Director in July 2002. At the time, Kim was serving on the Chapter's Executive Committee as Chair of the Treasure Coast Section.

Kim's legacy to the Chapter is without a doubt the empowerment of the sections and their ongoing participation in Chapter activities and on the Executive Committee. Throughout her years on the Chapter Executive Committee, Kim was a tireless advocate for the sections because she knew the importance of providing members with educational opportunities at the local level. Kim's dedication to the planning profession, belief in the importance of an active and successful state Chapter, commitment to volunteerism, and steadfast leadership have strengthened the Florida Chapter, making it one of the best in the nation.

Kim served as the Chapter's conference Chair in 2003. Under Kim's leadership, that conference broke the Chapter's attendance and revenue generation records at the time. Under her continued guidance and service to the Chapter, and with the 2003 annual conference serving as a future model, subsequent conferences continued to break records. While the Chapter relies heavily on the proceeds from the annual planning conference, Kim recognized the need to share those proceeds more fairly with the host section. Under her leadership, the formula for sharing revenue with the host section was modified, thereby increasing section funding for local programming.

In 2004, Kim was elected by the Chapter membership to serve as Vice President for Section Affairs. In that capacity, she facilitated the sharing of best practices among Florida's 12 section chairs and spurred stronger section participation on the Executive Committee. Kim wrote the first edition of the Florida Chapter's Section Chair Handbook, which served as a manual for local volunteers on Chapter operations, local educational activities, and section responsibilities and expectations. As a living document, the handbook continues to serve as a reference for incoming section chairs.

Kim was nominated in 2005 for President-Elect for the 2006-2008 term of office. Kim's demonstrated leadership on the board of the Treasure Coast Section, conference successes, and ability to lead and empower the 12 section chairs won her the election. Kim assumed the reigns of the Chapter as the nation began an economic downturn, yet Kim kept the Chapter on sound financial footing. Under her leadership in 2009-2010, the Chapter defeated key legislative proposals, instituted its first social media campaign, and convinced then Governor Charlie Crist to recognize October as "Community Planning Month." If that wasn't enough, Kim continued her active involvement on the Executive Committee as Chapter Secretary and Chair of the Chapter Bylaws Committee from 2016 to 2018 and continues to serve APA as an APA Ambassador conducting special mentoring programs for students in Palm Springs. She also gives her time to the Town of Lake Park as Vice Mayor since 2013, served as Planning, Zoning and Building Director for the Village of Palm Springs from 2014 to 2020 and was promoted in 2021 to Assistant Village Manager, and has volunteered with several community organizations, including the Palm Beach County League of Cities and Town of Lake Park Planning and Zoning Board.

In recognition of her contribution to the public advancement of the planning profession and contribution to APA, I whole heartedly endorse Kim's nomination for the President's Lifetime Achievement Award.

Sincerely,



Sheri Coven
Former Executive Director of APA, Florida



Palm Beach County LEAGUE of CITIES, Inc.

June 22, 2021

Chairman Leadership Awards Jury
Florida Chapter of the American Planning Association
2017 Delta Boulevard Suite 201
Tallahassee, Florida 32303

Dear Chairman Leadership Awards Jury,

It is my honor to write this letter requesting your favorable consideration of Kimberly Glas-Castro for a Florida Chapter American Planning Association Award.

I serve as the Executive Director of the Palm Beach County League of Cities where we advance municipal interests at the County, State, and Federal levels. In 2014, I was introduced to Kim Glas-Castro when she was nominated to serve as an At Large Board Member based on her qualifications as Vice Mayor for the Town of Lake Park. Since then she has risen to become the President of our League and her stellar leadership throughout this health crisis has predicated the rare instance of her serving a second year. Kim also has received the Florida League of Cities (FLC) Home Rule Hero Award every year since 2017 for her legislative advocacy. Presently, she chairs the FLC Municipal Administration Policy Committee, which is setting their 2022 Legislative Agenda, and has a seat on FLC Board of Directors. Kim also serves for us on the Executive Board of the Issues Forum, which oversees the Intergovernmental Planning and Review Committee (of which she is a former Chair) which is a composite of all the Planners in Palm Beach County, working for community betterment. All of this while becoming Planning Director for the Village of Palm Springs and eventually becoming Assistant Village Manager. In the over four decades that I have worked in municipal government and services, I have met and worked with thousands of individuals volunteering their time or working professionally in support of them. Rarely can any individual do both. Not only does Kim Glas-Castro excel in this she has risen to leadership positions in both worlds. This achievement with the class, grace, and dignity she exhibits and encourages leads me to believe she deserves the APA Florida Chapter Lifetime Achievement Award.

Respectfully,


Richard C. Radcliffe
Executive Director

www.palmbeachcountyleagueofcities.com |

Tel. (561) 355-4484 | Fax (561) 355-6545

P.O. Box 1989, Gov. Center, West Palm Beach, FL 33402

Office: 301 North Olive Ave., Suite 1002.17, West Palm Beach, FL 33401



Florida League of Cities
SUPPORTING PARTNER



National League of Cities
Associate Members



Exhibit "B"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: December 15, 2021

Agenda Item No.

Agenda Title: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AND SPECIAL EXCEPTION USE AUTHORIZING THE DEVELOPMENT OF A TWO-STORY 28,075 SQUARE FOOT SMALL-SCALE FOOD AND BEVERAGE PRODUCTION USE WITH A THIRD-STORY ROOFTOP AT 1301 10TH STREET; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE APPROVAL OF THE SITE PLAN AND SPECIAL EXCEPTION USE; AND PROVIDING FOR AN EFFECTIVE DATE.

- SPECIAL PRESENTATION/REPORTS
 - BOARD APPOINTMENT
 - ORDINANCE
 - NEW BUSINESS – DISCUSSION ITEM
 - OTHER: QUASI-JUDICIAL PUBLIC HEARING RESOLUTION
- CONSENT AGENDA
 - OLD BUSINESS

Approved by Town Manager

[Signature]

Date:

12/8/21

Nadia Di Tommaso / Community Development Director

Name/Title

| | | |
|--|---|---|
| <p>Originating Department:</p> <p style="text-align: center;">Community Development</p> | <p>Costs: \$ Legal Review and Legal Ad and Consultant Reviews</p> <p>Funding Source: #5589 (escrow account for all advertising and reviews)</p> <p>Acct. #</p> <p><input type="checkbox"/> Finance <i>[Signature]</i></p> | <p>Attachments:</p> <ul style="list-style-type: none"> → Staff Report → Resolution __-05-21 → Applicant Application and Backup Materials → Legal Ad → Certified Letter <p>**PLANS and additional documents associated with the project are located in a separate folder in the Dropbox**</p> |
| <p>Advertised:</p> <p>Date: 11/26/21</p> <p>Paper: Palm Beach Post</p> <p><input type="checkbox"/> Not Required</p> | <p>All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.</p> | <p>Yes I have notified everyone <u>ND</u> (certified mail to everyone within 300 feet)</p> <p>OR</p> <p>Not applicable in this case</p> <p>Please initial one.</p> |

Summary Explanation/Background:

Please refer to the Staff Report.

Recommended Motion: I move to “APPROVE” Resolution 82-12-21 with the associated conditions of approval.



**TOWN LAKE OF PARK
TOWN COMMISSION
MEETING DATE: DECEMBER 15, 2021**

APPLICATION: Oceana Coffee Roasters

SUMMARY OF APPLICANT’S REQUEST: On behalf of Lake Park O3, LLC (“Property Owner” and “Applicant”), Emilio Lebolo of One A Architecture (“Agent”) is requesting site plan approval for a three-story (*two stories under air plus a third story rooftop*), 28,075 SF small-scale food and beverage production use (special exception use), consisting of office, retail, warehousing, and commercial kitchen components. This space will serve as the new headquarters for Oceana Coffee Roasters.

Additionally, the Agent will be requesting special exception approval for a ‘small-scale food and beverage production’ use in accordance with the requirements of the C-1 business district; the Agent’s sub-consultant, PlanW3st LLC, provided this portion of the application.

Overall, the proposed development is consistent with the Town of Lake Park’s adopted regulations for the C-1 business district and the Comprehensive Plan.

The Subject Property is located on the southeast corner of 10th Street and Northern Drive in the Town of Lake Park. It is comprised of the following parcel, which totals 0.946 acres:

- Parcel 1 – PCN: 36434220010790190

STAFF REPORT

Planning & Zoning Board (December 6, 2021): The P&Z Board unanimously recommended **APPROVAL** of the application at their December 6 meeting. There was discussion on the stacking of vehicles, particularly since the business will be highly successful. It was explained that having both Magnolia and Northern drives is a benefit so that when customers become familiar with the site, they will be able to stack in both directions. It was also explained that their product is simple, it's only coffee and therefore, the wait time is negligible and vehicles will be able to get in and out very quickly. The applicant also explained that as the operation grows in popularity, they will tweak their operation as needed to accommodate the needs. There was some discussion on the number of commercial kitchens being offered (total of 14 prep kitchens) and the need in the area. The applicant explained that there is a growing need for these types of kitchens, referred to as "ghost kitchens". There was some added discussion on the architecture and how it is trendy and forward thinking, along with a comment in that the operator should not rule out having special events in the future since they would serve the site well. The applicant responded in that it may be possible with the appropriate permits and by ensuring parking needs are met also. The motion recommending approval also recommended that condition #6 regarding the dumpsters include language that the owner is not responsible for a waste hauler leaving the doors open on pick-up day and for condition #7 regarding the landscaping certification letter to ensure this is only applicable at Certificate of Occupancy and that minor changes after site plan approval (and during construction) are also possible if in fact supplies are limited and alternative plantings are necessary.

BACKGROUND:

| | |
|-----------------------------------|-----------------------------------|
| Owner & Applicant(s): | Lake Park O3, LLC |
| Agent and Consultant: | Emilio Lebolo, One A Architecture |
| Special exception sub-consultant: | PlanW3st, LLC |
| Location: | 1301 10 th Street |
| Net Acreage (total): | 0.946 acres |
| Legal Description: | See survey enclosed in packet. |
| Existing Zoning: | C-1 |
| Future Land Use: | Commercial |

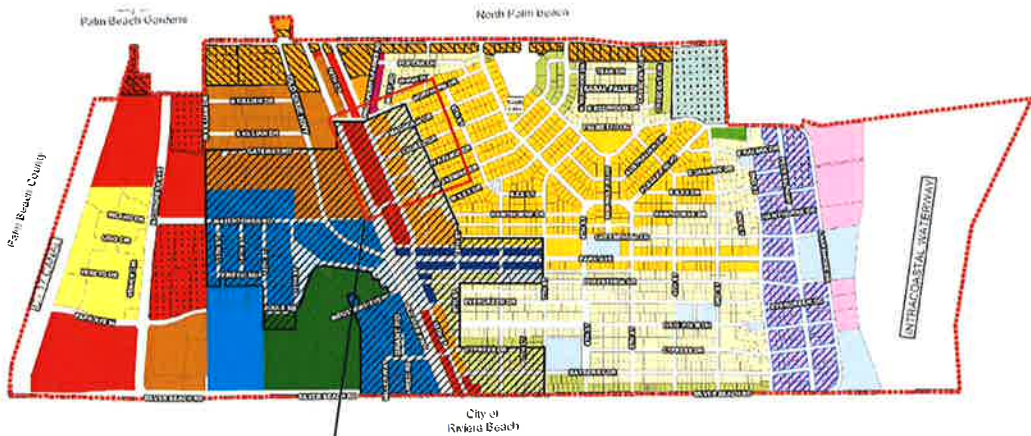
Figure 1: Aerial View of Site (image not to scale; for visual purposes only)



LAKE PARK ZONING MAP



Lake Park Zoning Map



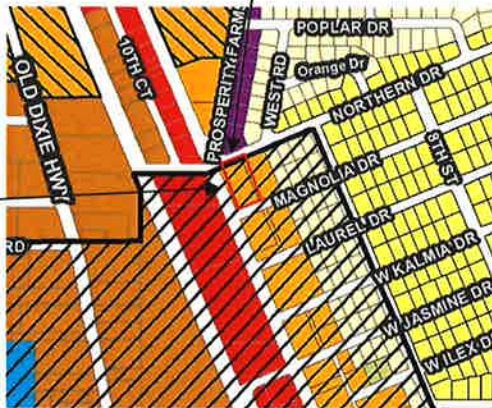
Legend

- TOWN BOUNDARY
- Planned Unit Development Overlay
- NBOZ Overlay
- CRA Overlay
- FHMJDD Federal Highway Mixed Use District Overlay

Zoning

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> C-1 BUSINESS DISTRICT C-1B NEIGHBORHOOD COMMERCIAL DISTRICT C-2 BUSINESS DISTRICT C-3 BUSINESS DISTRICT | <ul style="list-style-type: none"> C-4 BUSINESS DISTRICT CLIC CAMPUS LIGHT INDUSTRIAL & COMMERCIAL CONSERVATION NU UNKND USE P PUBLIC DISTRICT | <ul style="list-style-type: none"> PADO PARK AVENUE DOWNTOWN DISTRICT R-1 SINGLE FAMILY RESIDENCE DISTRICT R-1A SINGLE FAMILY RESIDENCE DISTRICT R-1AA RESIDENCE DISTRICT R-1B TWO FAMILY RESIDENCE DISTRICT R-2 MULTIPLE FAMILY RESIDENCE DISTRICT R-2A MULTIPLE FAMILY RESIDENCE DISTRICT TND TRADITIONAL NEIGHBORHOOD DEVELOPMENT |
|--|--|--|

Subject Site



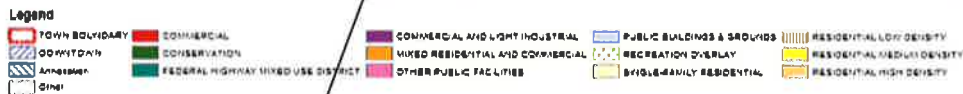
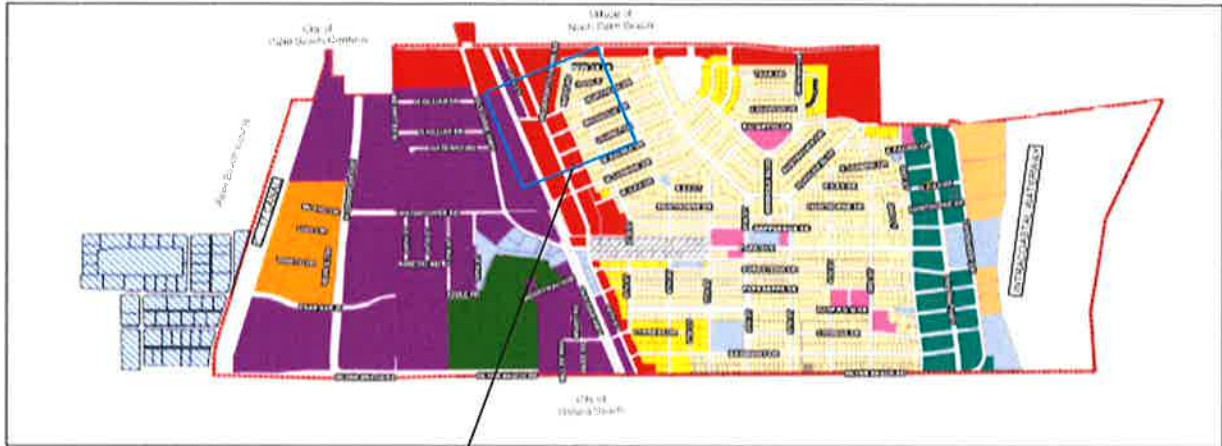
Adjacent Zoning:

- North: C-1B Neighborhood Commercial
- South: C-1 Business District
- East: C-1 Business District
- West: C-2 Business District

LAKE PARK FUTURE LAND USE MAP



Lake Park Future Land Use Map



Subject Site



Adjacent Existing Land Use

| | |
|--------|------------|
| North: | Commercial |
| South: | Commercial |
| East: | Commercial |
| West: | Commercial |

PART I: SITE PLAN APPLICATION

The Site Plan for Oceana Coffee has been reviewed by the Town’s consulting Engineers, Landscape Architect, along with the Palm Beach County Traffic Division (*TPS letter is pending and conditioned*), Palm Beach County Fire Rescue, Seacoast Utility Authority, Palm Beach County Sheriff’s Office (PBSO) for Crime Prevention Through Environmental Design (CPTED), Lake Park Public Works Staff, and Lake Park Community Development Department Staff. Based upon this exhaustive review, Town Staff finds that the Site Plan meets the Town’s Comprehensive Plan and the Land Development Regulations of the Town Code.

****project has been noticed by certified mail to property owners within 300 feet and with an advertisement in the Palm Beach Post – all completed on November 26, 2021****

SITE PLAN PROJECT DETAILS

Comprehensive Plan: The proposal is consistent with the goals, objectives and policies of the Town's Comprehensive Plan. Most importantly:

→ **3.4.2 Objectives and Policies, Policy 1.5:** *The Town shall encourage development and redevelopment activities which will substantially increase the tax base while minimizing negative impacts on natural and historic resources, existing neighborhoods and development and adopted Levels of Service standards.*

This redevelopment project activates a vacant parcel at the northern edge of our 10th Street commercial corridor, bringing in new business and public interest to the area while remaining mindful of neighboring districts and LOS impacts.

→ **Future Land Use Classification System 3.4.3:** *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. Public schools are a permitted use within this land use designation.*

The current proposal is consistent with the definitional requirement for lands in the Commercial FLU designation and consistent with the required FAR by providing an FAR of 0.59.

→ **Future Land Use Element, Policy 5.2:** *The Town shall foster the redevelopment of declining neighborhoods, underutilized parcels, and areas that demonstrate substandard and/or slum and blight conditions.*

The proposed development will redevelop a currently underutilized (vacant) parcel per the requirements of the Comprehensive Plan.

Zoning: The proposed project is consistent with the requirements of the zoning code for the C-1 Business District and the applicable supplemental regulations, including setbacks, maximum lot coverage, and use, which is detailed further under Part II of this report dealing

with the applicant's special exception application for small scale food and beverage production.

Note that for this project, the applicant applied for and received a total of two administrative flexible land development waiver for sites under 1 acre. The first of these waivers was applied to reduce the front building setback from the 25 feet to 20 feet. This is a 20% reduction consistent with the requirements of Sec 78-325 (a) that the reduction be no more than 20% and that the subject site be under 1 acre. Site plan sheet AS-100 identifies the location of this front setback reduction along 10th Street. The other waiver will be detailed under the landscaping portion of Part I.

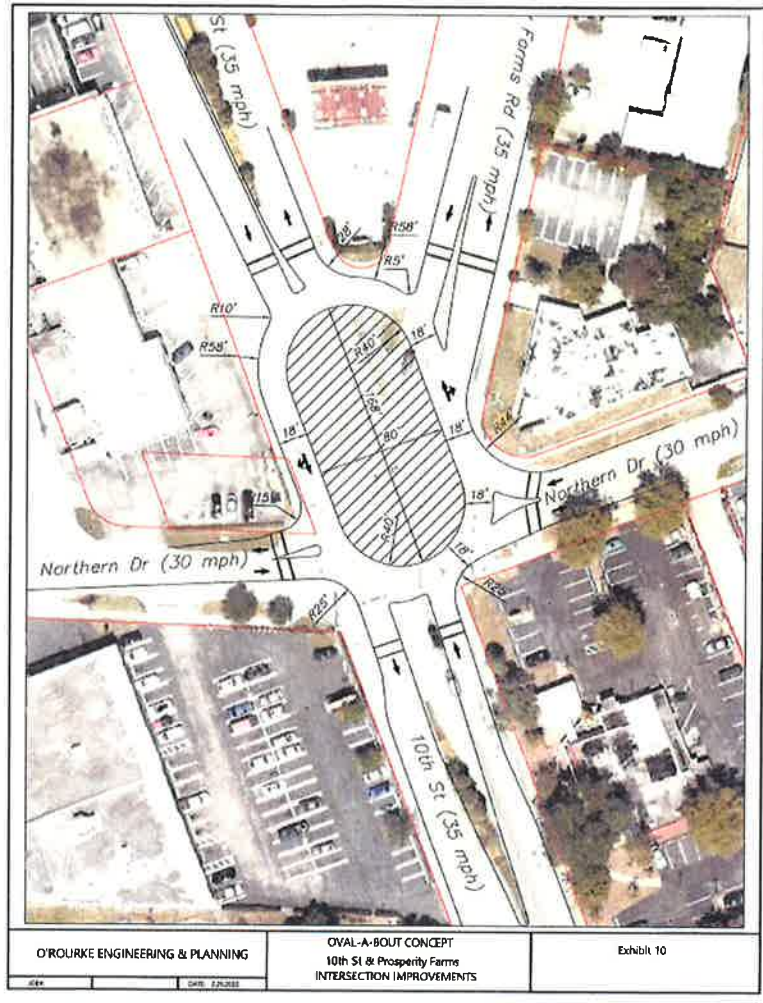
Architecture: The bold and innovative architecture for this project is substantially compliant with the Town's standards for nonresidential architectural design detailed under Chapter 78, Article XII. Reviews by Town Staff finds the proposal to meet and exceed the standards set forth for building articulation, façade paint colors, materials, and decorative features by providing an attractive modern aesthetic designed to be a landmark for 10th Street travelers.

Building Site: The total impervious area for the project is 33,795 SF and the pervious area is 7,455 SF. The development proposal consists of one three-story (*two stories under air plus a third story rooftop*), 28,075 SF building. This structure consists of a first floor business office, retail coffee storefront and drive-thru, and warehousing space for Oceana Coffee's roasting, canning, and distribution operations. On the second floor, the space is entirely devoted to leasable commercial kitchen space of different sizes; these are designed as incubator spaces to support small businesses and short-term kitchen space needs. Finally, the third floor consists of a rooftop balcony event space designed to be used exclusively by the Oceana Coffee team for private events.

Site Access and Roadways: This site has been designed with a high degree of roadway and pedestrian integration into the surrounding environment. Roadway entrances to the project are provided at the north and south ends of the site along Magnolia and Northern Drives, respectively. Additionally, one vehicular exit point has been provided along 10th Street for the purposes of drive-thru queue exiting. The project also provides for a new

paver pedestrian pathway along 10th Street, integrating into a paver deck on the north end of the site designed for customer seating.

Finally, one last aspect to consider pertaining to site access are the ongoing preliminary design discussions for the installation of a new 10th Street roundabout feature at the intersection of 10th Street, Prosperity Farms Road and Northern Drive. The new roundabout is anticipated to facilitate the smooth and uninterrupted flow of all traffic through the intersection at increased efficiency when compared to the existing 5-way intersection stoplight. Though in its early conceptual stages, the roundabout concept is something both Community Development and Public Works support and believe will be a net benefit to traffic flow efficiency when installed. Please see here a conceptual rendering of the “oval-about” concept most popular with all departments.



Traffic Concurrence: The Applicant has not yet received a Traffic Performance Standard (TPS) concurrency letter from Palm Beach County’s Traffic Division. Staff is recommending the County’s TPS letter be conditioned to be delivered prior to the issuance of a construction permit. The project has been reviewed for traffic impacts, however, by the Town’s consulting engineer at O’Rourke Engineering, who approved the proposed traffic impacts on November 16. A copy of their approval has been included in the packet.

Landscaping: The proposed landscaping plans have been deemed code compliant by the Town’s consulting Landscape Architect (JMorton) on November 8, 2021.

Note that a landscape buffer width reduction waiver was applied for and granted as the second of two waivers requested with this application. Per Sec. 78-325 (c), multiple landscape buffers may be reduced by up to 20% upon demonstration the subject site is under 1 acre, the site fronts multiple rights of way, and no buffer is reduced to less than 6 feet. The requested buffer waivers for the north, south, and eastern landscape buffers meet

these criteria. The individual waivers applied and their locations may be viewed on site plan sheet AS-100.

Paving, Grading and Drainage: The Town's consulting Engineers and the Public Works Department have reviewed paving, grading, and drainage for this project and approved on November 8 and November 12, respectively,

Parking and Loading: This project meets the required parking based on the applicable parking code assignments, which included office parked at 1 per 200 SF, retail parked at 1 per 200 SF, warehouse space parked at 1 per 2,000 SF plus spaces for the employees of the shift of greatest employment, and commercial kitchen prep space at 1 per 10,000 SF. In total, the applicant is providing 35 parking spaces, two of which are ADA spaces. Additionally, the applicant has provided the 1 required standard loading space, which abuts the warehousing portion of the Oceana Coffee project at the south side of the site.

Signage: Two monument signs have tentatively been proposed along 10th Street at the northern and southern ends of the site. Staff has reviewed the placement details and found the proposals compliant with the Town's signage code insofar as the provided details allow us to ascertain. A full review of this project's signage will be conducted when full plans are submitted for the building permitting phase.

Water/Sewer: Seacoast Utility Authority reviewed these plans for compliance with their best practices and provided final approval on November 19, 2021.

Fire: PBC Fire Rescue reviewed the site plan and found it to be in compliance with PBC Fire Rescue best practices on November 3, 2021. An additional round of fire review will be conducted during the building permit phase per the typical permitting process.

PBSO: The Crime Prevention Through Environmental Design (CPTED) review was performed by D/S Adam Pozsonyi at the Palm Beach County Sheriff's Office and the proposal was found to be in compliance with best-practice principles for CPTED on November 19, 2021. A high-definition security camera surveillance condition of approval (which is standard) is also being recommended.

PART II: SPECIAL EXCEPTION APPLICATION

The town commission may permit special exception uses in the C-1 zoning district provided the proposal meets the 6 special exception zoning criteria established in Sec 78-184. As was previously noted, the Applicant is seeking special exception approval for a

28,075 SF small-scale food and beverage production use. 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 and, in addition to those objectives identified under Part I, staff identified the following relevant policies:

Objective 1 – The Comprehensive Plan specifies that the Town is to encourage development and redevelopment activities that will substantially increase the tax base while protecting and minimizing negative off-site impacts for surrounding properties, the natural environment, residential neighborhoods and within adopted levels of service.

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.

Furthermore, the applicant's consultant for the Special Exception Application, PlanW3est, LLC – a subconsultant of One A Architecture – identified the following Comprehensive Plan objectives, which staff agrees are also relevant to this submittal:

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.

Objective 1, (3) - Encourage redevelopment, renewal or renovation that maintains or improves existing neighborhoods and commercial areas.

Objective 5, (5) - Discourage the proliferation of urban sprawl.

Policy 1.1:

- e. Ensure safe and convenient onsite traffic flow and vehicle parking needs
- i. Discourage the proliferation of urban sprawl
- j. Encourage redevelopment, renewal or renovation, that Maintains or improves existing neighborhoods and commercial areas;

Objective 5, Policy 5.3 - The Town shall foster the redevelopment of key corridors and target areas. Compact mixed-use development, defined as a mixture of at least two different land uses in a design-unified, vertically and or horizontally integrated, pedestrian-friendly environment, should be the preferred form of development and redevelopment.

Staff has found the applicant to meet the requirements of criteria 1.

2. Consistency with land development and zoning regulations: Staff has reviewed this application for consistency with the Town's land development regulations in the course of the site plan review and has determined this project complies with all applicable requirements.

Most importantly, the proposal meets the standards of the C-1 District for the small-scale food and beverage production use. Below, staff has provided an excerpt from the PlanW3st special exception justification that explains the requirements of the small-scale food and beverage production use and the applicant's compliance.

"Additionally, the proposed Small-Scale Food and Beverage Production use meets the use standards identified in Sec. 78-71.2. g:

1. Scale of use. The floor area of the use shall not exceed 30,000 square feet.

The floor area is a maximum of 28,075 sq. ft. distributed between the 3 floors of the structure.

2. Hours of operation near residential. When abutting or within 200 feet of a residential zoning district boundary, measured from property line to property line, the use shall not operate or have any loading or delivery activities between the hours of 9:00 PM and 7:00 AM.

The proposed use will be located 150 feet from a residential zoning district. The use will not operate or have any loading or delivery activities between the hours of 9:00 PM and 7:00 AM.

3. No nuisance created. The use shall not create or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties. Documentation evidencing these elements shall be required at the time of application for special exception approval.

The use, which includes coffee roasting and canning, will not create any public or private nuisances including but not limited to noise, odor, smoke, electrical interference, or vibrations. The proposed project will be a new development and will be constructed to meet all use and development standards. Additionally, the current facility in Tequesta does not have any code compliance violations—nuisance related or other (refer to attached documentation from Village of Tequesta Code Compliance).

The facility is composed of a mix of uses between 2 floors. Total first floor is a combined 10,050 sq. ft. The first floor includes 1,281 sq. ft. of office, 1,073 sq. ft. of retail, drive-thru facility, and 7,696 sq. ft. of canning and roasting uses (warehousing, shipping, & receiving). The total second floor is a combined 14,384 sq. ft. The second floor is comprised of the commercial kitchen aspect; this includes individual prep kitchen spaces ranging from 364 sq. ft. to 872 sq. ft. in area. The main 2,236 sq. ft. kitchen is meant to be shared among all users for common purposes. The third floor roof deck is meant for Oceana Coffee employee use only."

In closing, staff finds the criteria for requirement 2 are satisfied.

3. Compatibility with surrounding uses, hours of operation, traffic generation, building location, massing, height, setbacks, and other relevant factors: Staff has determined this project is highly compatible with the surrounding uses by bringing in a community-focused coffeehouse with outdoor seating and sidewalk connections and a small-scale roasting operation. Staff believes this use synergizes with both adjacent multifamily residential to the east, commercial strip malls to the west and south, and office uses to the North. We believe these neighboring uses and the community as a whole will patronize Oceana for quick and convenient coffee pickups along 10th Street.

The project's end-users are not anticipated to generate disproportionate traffic based on our consultant's review. The building's orientation, massing, height, and

setbacks are all consistent with the C-1 business district standards, our nonresidential architectural standards, and the principles of good urban design. Staff identified no other relevant factors peculiar to the proposed special exception project that would negatively impact surrounding properties.

4. Concentration of similar types of uses: Once again, staff highlights the PlanW3st special exception justification statements, which provides the following response to question 4:

“The establishment of the proposed Oceana Coffee Roasters at the property referenced above does not create a concentration or proliferation of the same or similar type of use. Using the search boundaries of Blue Heron Boulevard to the south, RCA Boulevard to the north, the Atlantic Ocean to the east, and the Earman River Canal to the west, the most similar facilities include the Starbucks at the intersection of Northlake Blvd and North Congress Avenue (over 2,000 feet away), and Dunkin’ Donuts and Dolce Vite Café on Blue Heron Boulevard (both about 8,000 feet away). This facility will be more than a coffee house providing canning and roasting, thus not as similar to Starbucks and Dunkin’ Donuts.”

Staff agrees with this justification and believes Oceana Coffee roasters brings a unique local chain to Lake Park not otherwise duplicated in the Town or its environs.

Staff finds the criteria 4 requirements satisfied.

5. Detrimental Impacts Based on users, nuisances, and traffic flow: Once again, staff highlights the PlanW3st special exception justification statement, which provides the following response to question 5:

“The proposed special use does not have a detrimental impact on surrounding properties. The number of persons projected to visit will be mostly employees for the production aspect of the business. The café will be specifically for tasting and not comparable to a large coffee house. The facility will not look, sound, or smell any different than the Starbucks or Dunkin Donuts nearby, but may look better with the proposed architecture. The canning and roasting process does not involve any significant noises or smells in production. The current location in Tequesta does put out the coffee smell; however, at this location an after burner will be included within the exhaust, which removes any smells. A Traffic Impact Analysis has also been included with this submittal that shows traffic impacts will not be significant.”

Having reviewed the applicant’s justification, staff is in agreement with the responses, and is particularly pleased with the inclusion of an after burner to eliminate any smells from the coffee-roasting operation. Staff has also reviewed the applicant’s traffic report and is in agreement with the findings of our traffic consultant that the proposal will not create significant detrimental impacts on surrounding roadways.

6. Impacts on light, air, property values, redevelopment, and public facilities: As part of the special exception review, staff must take into account impacts to light and air flow to adjacent properties. Given that this project is low-rise primarily composed of two stories with a dominant roofline of 30’ and a nominal third level composed of a scenic balcony and elevator bulkhead with a maximum height of 40’, we believe the impacts on light and air flow will be negligible.

Additionally, staff must take into account impacts to neighboring property values. Again, this is not anticipated to be an issue; the redevelopment and programming of this site will be a net economic benefit and bring an attractive new investment to Lake Park.

As it pertains to impacts on improvement, development, or redevelopment potentials, staff finds no evidence to suggest this project would have a negative effect. The project itself is an infill project and most likely will have synergistic and complimentary relationships with future developments rather than conflict with future development.

As it pertains to impacts on natural systems or public facilities, staff finds no evidence to suggest significant impacts.

Finally, as it pertains to provisioning pedestrian amenities like benches, trash cans, and bike parking, this project has made strong efforts to provide these facilities. Pedestrian amenities have been included throughout the site such as benches and a bicycle rack in addition to outdoor seating. Staff believes the customer seating patio at the northern end of the site will serve to help activate pedestrian spaces in and around this project.

PART III: STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Site Plan and Special Exception Applications with the following conditions:

1. The Applicant shall develop the Site consistent with the following Plans and the title sheet shall be updated to reflect the following list of plans and their sign and seal dates:

| Name | Sheet | Revision Date | Received on |
|--|--------|---------------|-------------|
| GENERAL | | | |
| Cover Sheet | T-001 | 11/29/2021 | 11/29/2021 |
| Survey | N/A | 8/6/2021 | 11/29/2021 |
| CIVIL | | | |
| Conceptual Paving, Grading, & Drainage | PD-1 | 11/24/2021 | 11/29/2021 |
| Garbage Truck Maneuvering Plan | AT-1 | 11/24/2021 | 11/29/2021 |
| LANDSCAPE | | | |
| Tree Disposition Plan and Table | L-200 | 11/29/2021 | 11/29/2021 |
| Landscape Plan | L-210 | 11/29/2021 | 11/29/2021 |
| Roof Deck Landscape Plan | L-210A | 11/29/2021 | 11/29/2021 |
| Landscape Plan and Details | L-211 | 11/29/2021 | 11/29/2021 |
| Irrigation | L-300 | 11/29/2021 | 11/29/2021 |
| Roof Deck Irrigation Plan | L-300A | 11/29/2021 | 11/29/2021 |
| Irrigation Details | L-301 | 11/29/2021 | 11/29/2021 |
| Irrigation Notes | L-302 | 11/29/2021 | 11/29/2021 |
| ARCHITECTURE | | | |
| Architectural Demolition Site Plan | AS-001 | 11/29/2021 | 11/29/2021 |
| Architectural Site Plan | AS-100 | 11/29/2021 | 11/29/2021 |
| First and Second Floor Plan | A-101 | 11/29/2021 | 11/29/2021 |

| | | | |
|--|-----------|------------|------------|
| Roof Plan | A-102 | 11/29/2021 | 11/29/2021 |
| Exterior Elevations | A-201 | 11/29/2021 | 11/29/2021 |
| Color Elevations | A-202 | 11/29/2021 | 11/29/2021 |
| Color Site Plan | Exhibit A | N/A | 11/29/2021 |
| Color Elevations and 3D Rendering (X2) | Exhibit A | N/A | 11/29/2021 |
| ELECTRICAL | | | |
| Electrical Site Plan | ES-1 | 11/29/2021 | 11/29/2021 |

2. Construction associated with the Project is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except holidays, unless an exception is approved in writing by the Community Development Director (the Director).
3. Any proposed disruption to neighboring street access, surrounding parking areas, or the normal flow of traffic within the rights of way of Northern Drive, Magnolia Drive, 10th Street, or any other right-of-way during the construction of the Site shall be subject to the review and approval of the Community Development Director and any of the agencies responsible for maintaining these roadways. Should any disruption to the normal flow of traffic occur during construction of the Project without prior authorization, upon written notice from the Director, all construction shall cease until the Director has provided the Owner with a written notice to proceed.
4. All landscaping shown on the approved Site Plan and the Landscaping Plan shall be continuously maintained from the date of its installation and the issuance of the Certificate of Occupancy by the Town. The Owner shall replace any and all dead or dying landscaping materials so as to maintain the quantity and quality of the landscaping shown on the approved Site Plan and Landscaping Plan.
5. The Owner shall ensure that all contractors use best management practices to reduce airborne dust and particulates during the construction of the Site.
6. All onsite dumpsters and dumpster screening shall be kept closed at all times. Owner is not responsible for waste haulers leaving doors open temporarily on pick-up day. All required dumpsters shall be acquired from the approved franchise supplier for the Town.
7. Prior to issuance of the Certificate of Occupancy, the Applicant shall provide certification from the Landscape Architect of record that the plant installations for the Project are in accordance with the approved Site Plan (and any minor modifications that are approved through permitting) and the Landscaping Plan or are deemed to be equivalent by the Town's Landscape Architect.
8. Prior to the issuance of any construction permits, the Applicant shall submit copies of all permits that are required by other agencies and have been obtained from those agencies, including but not limited to the Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management District and the State of Florida Department of Environmental Protection, as applicable.
9. Any revisions to the approved Site Plan, or any approved plans associated with the Project, shall be submitted to the Department of Community Development (Department), and shall be subject to its review and approval. The Department shall determine whether or not the changes are material enough to require further review by the Town Commission.
10. During the building permit phase, signage permitting (window, wall, freestanding, or other) for the Project shall be submitted through the Town's permitting process with a Master sign plan that ensures signage consistency in design and color scheme. A sign package illustrating all signs and their colors shall be submitted to the Department through the regular signage permitting process and shall be subject to its review and approval prior to their placement on the Site.
11. Within 18 months of the effective date of this Resolution, the Owner shall initiate bona fide development and shall continue with the development of the Site through completion.

Failure to do so shall render the Development Order null and void. Once initiated, the development of the Site shall be completed within 18 months.

- 12.** Prior to the issuance of a Certificate of Occupancy or Completion, the Owner shall install High-definition surveillance cameras, which capture clear facial features throughout the parking areas of the Project and along the exterior façades of the buildings on the Site. The location of the camera(s) shall be subject to the Department's and PBSO's review and approval to ensure that they capture the required components.
- 13. Cost Recovery.** All professional consulting fees and costs, including legal fees incurred by the Town in reviewing the Application and billed to the Owner shall be paid to the Town within 10 days of receipt of an invoice from the Town. The failure of the Applicant to reimburse the Town within the 10 days from the town's mailing of its invoice will result in the suspension of any further review of plans or building activities, and may result in the revocation of the approved Development Order. A certificate of occupancy will not be issued if invoices are outstanding.
- 14.** Prior to the issuance of any construction permits, the Palm Beach County Traffic Performance Standards (TPS) letter shall be submitted to the Community Development Department.



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "C"

Meeting Date: December 15, 2021

Agenda Item No. _____

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENTS TO THE TEXT OF THE FUTURE LAND USE ELEMENT BY AMENDING THE DENSITY AND INTENSITY OF THE DOWNTOWN FUTURE LAND USE CLASSIFICATION; PROVIDING FOR A NEW OBJECTIVE SETTING FORTH POLICIES RELATED TO THE DOWNTOWN FUTURE LAND USE CLASSIFICATION; AMENDING THE FUTURE LAND USE MAP BY ASSIGNING THE DOWNTOWN FUTURE LAND USE CLASSIFICATION TO APPROXIMATELY 21.6 ACRES OF REAL PROPERTY AS SHOWN ON THEREON; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- [] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [] OLD BUSINESS
[X] PUBLIC HEARING - Transmitted HEARING - ORDINANCE ON 1st READING
[] NEW BUSINESS
[] OTHER: _____

Approved by Town Manager [Signature] Date: 12/8/21

Nadia Di Tommaso/Community Development Director

Name/Title

Prepared by Karen Golonka, Planner

Table with 3 columns: Originating Department (Community Development), Costs (Legal Notice / Attorney Review, Funding Source: Acct. # 001-52-524-500-34910 / Legal # 108), Attachments (Staff Report, Ordinance, Legal ad). Row 2: Advertised (Date: 11/26/21, Paper: Palm Beach Post), All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. Yes I have notified everyone KJG or Not applicable in this case. Please initial one.

Summary of Request:

A Public Hearing is scheduled before the Town Commission to consider on first reading an Ordinance amending the Town's adopted Comprehensive Plan.

The proposed amendments are the result of Community Redevelopment Agency workshops and discussions held over the past two years regarding the need to expand the PADD/Downtown boundaries to allow for greater redevelopment potential. The Agency also expressed a desire to allow for increases in height and density in that area to reflect market realities.

The proposed amendments to the Comprehensive Plan reflect this strategic approach, and set the stage for the amendments to the Park Avenue Downtown District (PADD) zoning district that will follow.

The Comprehensive Plan amendments, contained in the attached proposed ordinance, are summarized below:

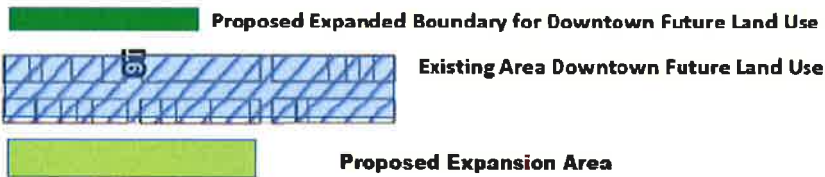
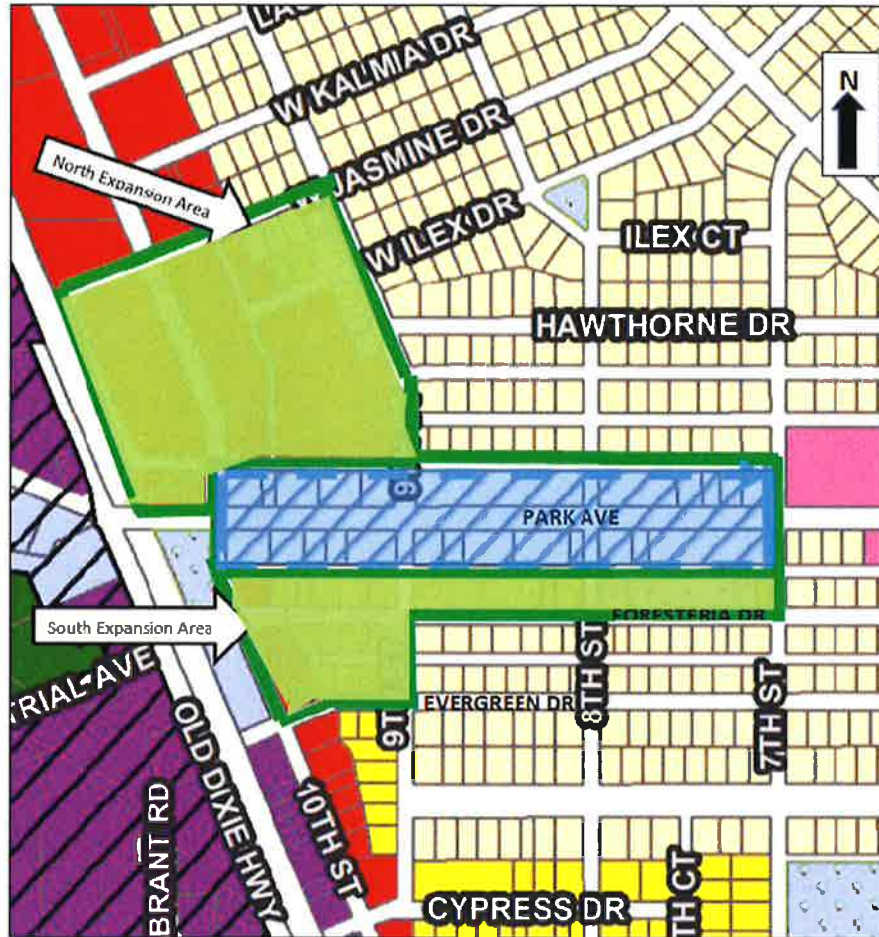
1. **Text Amendment: Downtown Future Land Use Category-** Increase the density from 27 du/acre to 48 du/acre and reduce the floor area ratio (FAR) from 5.0 to 3.0. Rather than applying the measures on a parcel by parcel basis, the measures will be applied as a maximum average across the Downtown area. (This approach was recently adopted for the Twin Cities Mixed Use future land use.) Thus, individual projects may exceed the listed density and intensity, which allows for greater flexibility. While the FAR is being decreased, due to the expansion of the Downtown area the overall available capacity for non-residential uses will increase.
2. **Text Amendment: Objective and policies for the Downtown Future Land Use-** Add Objective 12 and related policies to the Future Land Use Element to provide general guidance on the future land use category. Currently there are no objectives or policies for the Downtown Future Land Use Category.
3. **Map Amendment: Expand the Downtown Future Land Use area-** Increase the area on both the north and south of the current Downtown area by adding 21.6 acres and changing the Future Land Use designation accordingly to Downtown. Currently the area has Future Land Use categories of Commercial, Residential Medium Density, Single Family, and Public Use.

Under the current Future Downtown Land Use designation the current Downtown Land Use Area provides for a maximum of **278 dwelling units and 2.24 million square feet of non-residential.** With the expanded boundary and change to the density and intensity within the designation, this **will increase to 1,530 dwelling units and 4.17 million square feet of available non-residential square footage.**

The following map shows the area for proposed land use change, within the green boundaries.

Future Land Use Map

Downtown Future Land Use: Existing and Expansion area



LOCAL PLANNING AGENCY ACTION AND RECOMMENDATION

The Planning and Zoning Board, sitting as the Local Planning Agency (LPA), held a public hearing on December 6, 2021. **The Board voted unanimously 5-0 to recommend approval to the Town Commission of the proposed Ordinance containing the Comprehensive Plan amendments.**

Agency Member comments included concerns regarding potential impacts on adjacent single-family areas particularly along Foresteria, the need to cap the building height, and the importance of open space as building height increased. Staff explained that these items would be addressed in the revised Land Development Regulations (LDRs) for the PADD. Also, the proposed Land Use Element policy 12.3 requires that LDRs be created to protect the adjacent single family districts.

Local Planning Agency Findings

- The proposed text amendments and land use map amendment are consistent with the goals, objectives, and policies of the Town of Lake Park Comprehensive Plan.
- The proposed amendment is necessary to reflect changing conditions and trends which encourage mixed use.
- The proposed map amendment is compatible with the surrounding properties and land use patterns.
- The proposed amendment will further the establishment of a transit hub in the Park Avenue/FEC RR area.
- Adopted levels of service (LOS) will continue to be met, within the next 5 year planning period, with the land use change.

RECOMMENDED MOTION:

I MOVE TO APPROVE THE ORDINANCE ON FIRST READING AND TO TRANSMIT THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS TO THE STATE.



STAFF REPORT

Ordinance # 11 -2021

Summary of Request:

A Public Hearing is scheduled before the Town Commission, to consider on first reading an ordinance amending the Town's adopted Comprehensive Plan.

The proposed amendments are the result of Community Redevelopment Agency workshops and discussions held over the past two years regarding the need to expand the PADD/Downtown boundaries to allow for greater redevelopment potential. The Agency also expressed a desire to allow for increases in height and density in that area to reflect market realities.

The proposed amendments to the Comprehensive Plan reflect this strategic approach, and set the stage for the amendments to the Park Avenue Downtown District (PADD) zoning district that will follow.

The Comprehensive Plan amendments, contained in the attached proposed ordinance, are summarized below:

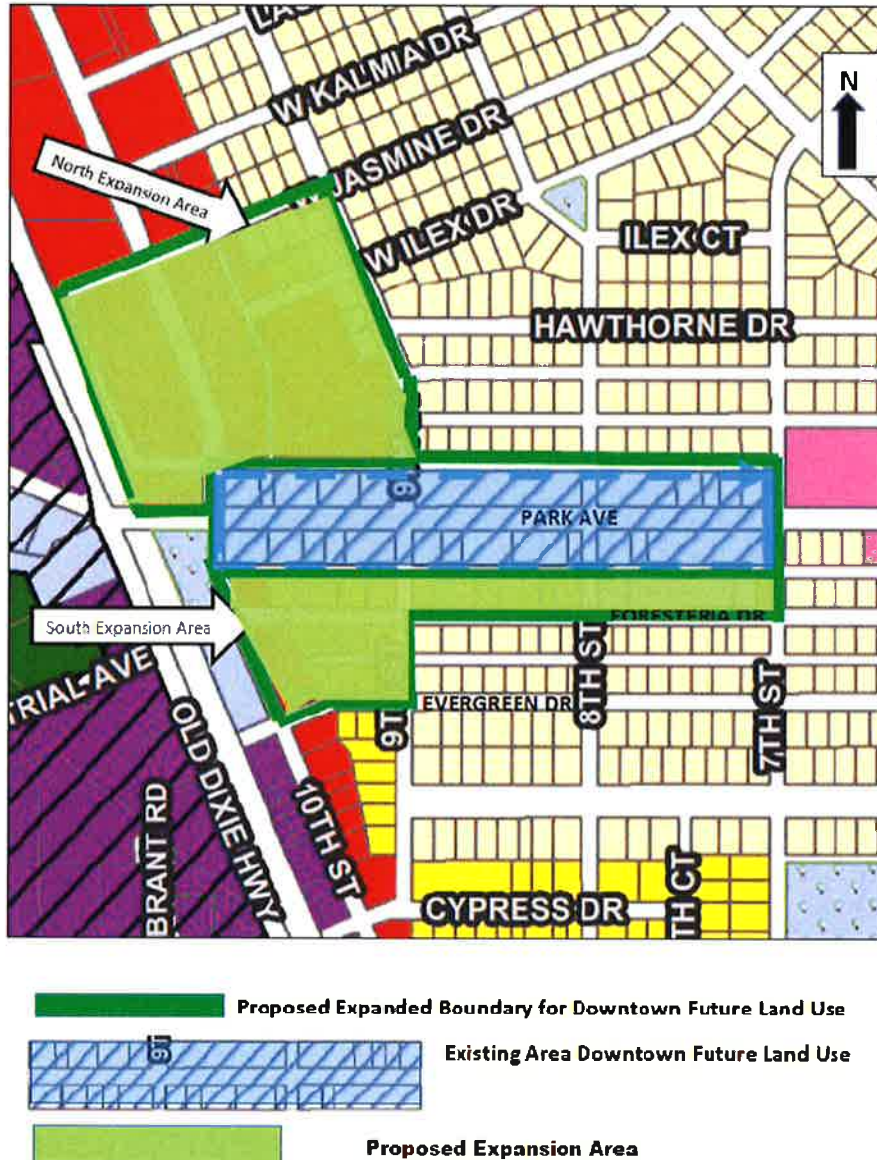
1. **Text Amendment: Downtown Future Land Use Category-** Increase the density from 27 du/acre to 48 du/acre and reduce the floor area ratio (FAR) from 5.0 to 3.0. Rather than applying the measures on a parcel by parcel basis, the measures will be applied as a maximum average across the Downtown area. (This approach was recently adopted for the Twin Cities Mixed Use future land use.) Thus, individual projects may exceed the listed density and intensity, which allows for greater flexibility. While the FAR is being decreased, due to the expansion of the Downtown area the overall available capacity for non-residential uses will increase.
2. **Text Amendment: Objectives and policies for the Downtown Future Land Use -** Add Objective 12 and related policies to the Future Land Use Element to provide general guidance on the future land use category. Currently there are no objectives or policies for this Future Land Use Category.
3. **Map Amendment: Expand the Downtown Future Land Use area-** Increase the area on both the north and south of the current Downtown area by adding 21.6 acres of real property as shown on the map below and changing the Future Land Use designation accordingly to Downtown. Currently the area has Future Land Use categories of Commercial, Residential Medium Density, Single Family, and Public Use.

Under the current Future Downtown Land Use designation the current Downtown Land Use Area provides for a maximum of **278 dwelling units and 2.24 million square feet of non-residential**. With the expanded boundary and change to the density and intensity within the designation, this **will increase to 1,530 dwelling units and 4.17 million square feet of available non-residential square footage.**

The following map shows the area for proposed land use change, within the green boundaries.

Future Land Use Map

Downtown Future Land Use: Existing and Expansion area



Background

Park Avenue, west of 7th Street, is the historic downtown of Lake Park and currently contains a mix of uses ranging from older, small strip centers to one story office buildings and the newer mixed use three story building “One Park Place”. The office for Dedicated IT is under construction. The Downtown Future Land Use (FLU) was created in 2008 to

encourage mixed use redevelopment at a pedestrian scale, linked to the Park Avenue Downtown District (PADD zoning district).

Currently the Downtown Future Land Use runs from 7th Street to 10th St., one block deep as shown on the map below. The area contains 10.3 acres of real property. The CRA/Commission at workshops discussed potential boundary changes, and the proposed amendment reflects the consensus expansion area. Adding the 21.6 acres in the expansion area will bring the total acreage of real property in the Downtown Future Land Use to approximately 32 acres.

Through discussions with potential investors and developers it has become clear that the Town needs to consider increasing the allowable density and height in the Downtown area. Changes in density and intensity will be established through this Comprehensive Plan amendment, while regulations for height increases will be included in the amendments to the PADD zoning district.



DESCRIPTION AND ANALYSIS OF PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN

TEXT AMENDMENTS

The proposed text amendments to the Future Land Use Element are shown below, with underlined verbiage indicating the proposed new language, and ~~strike-thru~~ for any deletions.

3.0 FUTURE LAND USE ELEMENT

Objective 12: Redevelopment of the Historical Downtown Area

A Downtown Future Land Use Classification is established to facilitate the redevelopment of the historical Park Avenue downtown and the immediate surrounding area. This land use category encourages a dense, vibrant, walkable mixed-use downtown that combines residences, businesses, and civic spaces, and that is well-integrated into the surrounding neighborhoods. This land use classification is also intended to facilitate development that complements a future tri-rail station.

Policy 12.1: The Downtown Land Use classification is implemented by the Park Avenue Downtown District (PADD) zoning district. The Downtown Land Use shall provide for the development or redevelopment of compact residential and non-residential or mixed use buildings to complement the existing buildings.

Policy 21.2: Within section 3.4.3 "Future Land Use Classification System" the Downtown Land Use provides for a density of 48 du/acre and a FAR of 3.0 across the entire contiguous area.

The Commission may approve a project greater than 48 du/acres so long as the average density of development within the entire contiguous Downtown Land Use area does not exceed 48 du/acre. The land development regulations shall provide for a maximum FAR of 3.0 for non-residential uses. Development of sites within the Downtown Land Use may exceed the maximum 3.0 FAR, so long as the average FAR for the entire Downtown Land Use area does not exceed 3.0, is consistent with the policies contained herein and as provided in the land development regulations.

Policy 12.3: The land development regulations developed to implement the Downtown Land Use shall provide for compatibility of adjacent land uses by establishing criteria to address buffering and to control the height and intensity of structures to mitigate the impacts of development on adjacent zoning districts, particularly single-family districts

Policy 12.4 Development and redevelopment shall be supported by publicly accessible civic spaces, walkable and bikeable streets and served by varied forms of public and private transportation.

Policy 12.5

Development shall provide for and accommodate various alternative mobility and micro -mobility options, consistent with policies of the Transportation Element, to achieve the safe interconnectivity of vehicular, pedestrian, and other non-motorized movement, and promote sustainability.

Policy 12.6

The Town shall continue to pursue a proposed train station location immediately adjacent to the Downtown future land use area, in support of its redevelopment and mobility goals.

3.4.3 Future Land Use Classification System

Land use categories listed as follows are hereby adopted as the “Future Land Use Classification System.”, consistent with and as a means to implement the objectives and policies of this element. Please note that the ability to achieve the maximum residential density and/or Floor Area Ratio (F.A.R.) is contingent upon, and shall be limited by, the ability to meet adopted Level of Service Standards in the short term planning horizon.

Downtown – Mixed Use development with a maximum F.A.R. of 5.0 which shall not exceed 3.0 per gross acre, as calculated for the entire contiguous Downtown Land Use area. and a maximum residential density of 27 units per gross acre. The maximum density shall not exceed an average of 48 dwelling units per gross acre, as calculated for the entire contiguous Downtown Land Use area.

Residential uses shall comprise no less than 20 percent, or no more than 80 percent, of the floor area of any vertical mixed-use building, and no less than 20 percent and no more than 80 percent of the buildings on a development site or block face. Horizontal mixed use is possible and bonus units may be granted in excess of 48 units per acre on one site, so long as the average density for the entire contiguous Downtown Land Use area does not exceed 48 units per acre.

Analysis

New Objective 12 and related policies for the Downtown Future Land Use.

Currently there is no objective in the Future Land Use Element relating to the Downtown Future Land Use. The proposed objective summarizes the purpose of the Downtown Future Land Use category, “to facilitate the redevelopment of the historical Park Avenue downtown and the immediate surrounding area. This land use category

encourages a dense, vibrant, walkable mixed-use downtown that combines residences, businesses, and civic spaces, and that is well-integrated into the surrounding neighborhoods. This category is also intended to facilitate development that complements a future tri-rail station.”

The policies then further define the vision for the Downtown classification, and provide general direction in formulating more specific land development regulations. Additionally they serve as guidance to developers, and to staff when reviewing projects.

Section 3.43 Downtown Future Land Use. Change in the density and intensity for the classification.

The proposed amendment will increase the current density **from 27 du/acre to 48 du/acre**. The proposed FAR will decrease **from 5.0 to 3.0**, a more realistic FAR. This figure represents a higher FAR for the expansion area, as Commercial Land use has an FAR of 2.0 While the FAR is being decreased, due to the expansion of the Downtown area the overall available capacity for non-residential uses will increase.

The overall goal of the text changes are to create the opportunity for a balanced mix of land uses that makes sense from a market perspective and will thus encourage redevelopment. For example, the current Downtown Land Use area creates the potential for 2.24 million square feet of non-residential, but only 278 dwelling units. Increasing the number of units in the immediate area will serve to improve the economic viability of the downtown. Additionally, the increase helps to support the Town's justification for a tri-rail station in the Downtown.

The impacts of the proposed text change, combined with the increase in the Downtown Future Land Use area are shown below:

| | Maximum Allowable: | |
|--|-----------------------|------------------------------------|
| | <u>Dwelling Units</u> | <u>Non-residential Square feet</u> |
| Current Downtown category and area | 278 | 2.24 million |
| Current Downtown area with text change | 494 | 1.35 million |
| Expanded, total Downtown area | 1,530 | 4.17 million |

Consistency with Comprehensive Plan

The Town is required to review the proposed amendments for consistency with its adopted Comprehensive Plan. Staff has determined that the proposed text amendments are not in conflict with any identified policies or objectives in the Comprehensive Plan.

The proposed text changes are consistent with and further several policies and objectives of the adopted comprehensive plan, which are listed below.

Future Land Use Element

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

Policy 5.3: The Town shall foster the redevelopment of key corridors and target areas. Compact mixed-use development, defined as a mixture of at least two different land uses in a design-unified, vertically and or horizontally integrated, pedestrian-friendly environment, should be the preferred form of development and redevelopment.

Policy 5.3: The Town shall foster the redevelopment of key corridors and target areas. Compact mixed-use development, defined as a mixture of at least two different land uses in a design-unified, vertically and or horizontally integrated, pedestrian-friendly environment, should be the preferred form of development and redevelopment.

Policy 5.4: Utilize such techniques as distance requirements, buffering, landscaping, lower-intensity development, and scale-down requirements to provide appropriate transitions between uses and districts of different intensities, densities, and functions.

Objective 7: The Town recognizes the benefits of unified architectural and design standards. The Town shall continue to develop, maintain, revise and enforce these standards as appropriate.

Policy 7.1: The Town shall continue to elicit community participation in the development of community design standards for specific neighborhoods and areas as a key component of its redevelopment and planning efforts.

Transportation Element

Objective 2: Ensure the provision of a full range of multi-modal transportation options, including pedestrianism, bicycles, automobiles, and transit for existing and future residents, businesses and visitors.

Policy 2.2: The Town shall encourage mixed-use development and/or Transit Oriented Development in appropriate locations in order to reduce the need for vehicular trips.

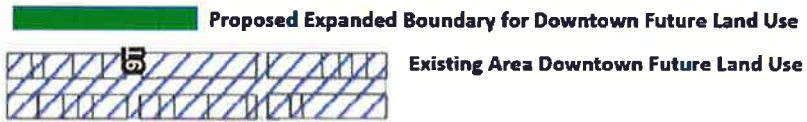
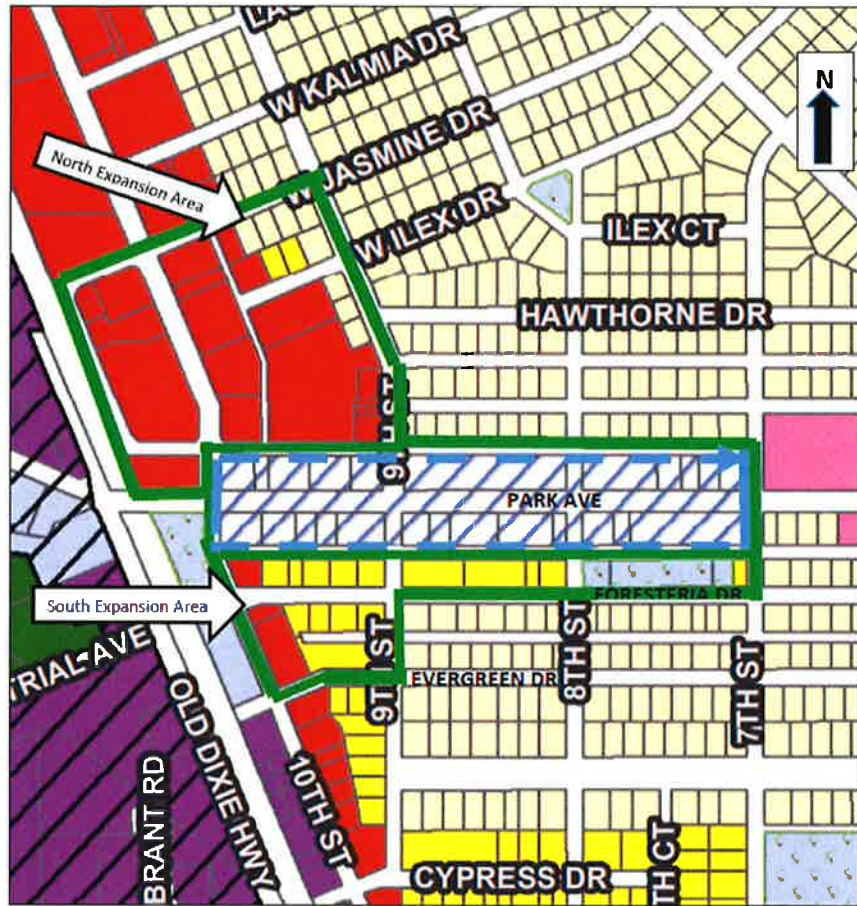
Housing Element

Policy 3.5: Allow for a broad range of housing densities and types in residential environments consistent with the FUTURE LAND USE element.

MAP AMENDMENT/LAND USE CHANGE

Description and Analysis

The existing properties proposed to be added to the Downtown Future Land Use area and their current future land use designations are shown on the map below.



Current Future Land Use Classifications that will be changed to Downtown

- Red = Commercial
- Deep Yellow = Residential Medium Density
- Light Yellow = Single Family Residential
- Light Blue/green dots = Public

The table below provides the total acreage proposed for change by its current Future Land Use Category.

| Area Proposed for Land Use Change | | |
|---|--------------------|--|
| Current Future Land Use Classification | | Current Uses |
| Commercial: | 13.36 acres | Older commercial, vacant, older multifamily (Humani Courts) |
| Residential Medium | 4.90 acres | Older apartments |
| Single Family: | 2.08 acres | Homes within mixed land use blocks. |
| Public: | 1.26 acres | CRA Parking lot |
| TOTAL ACRES | 21.6 acres | |

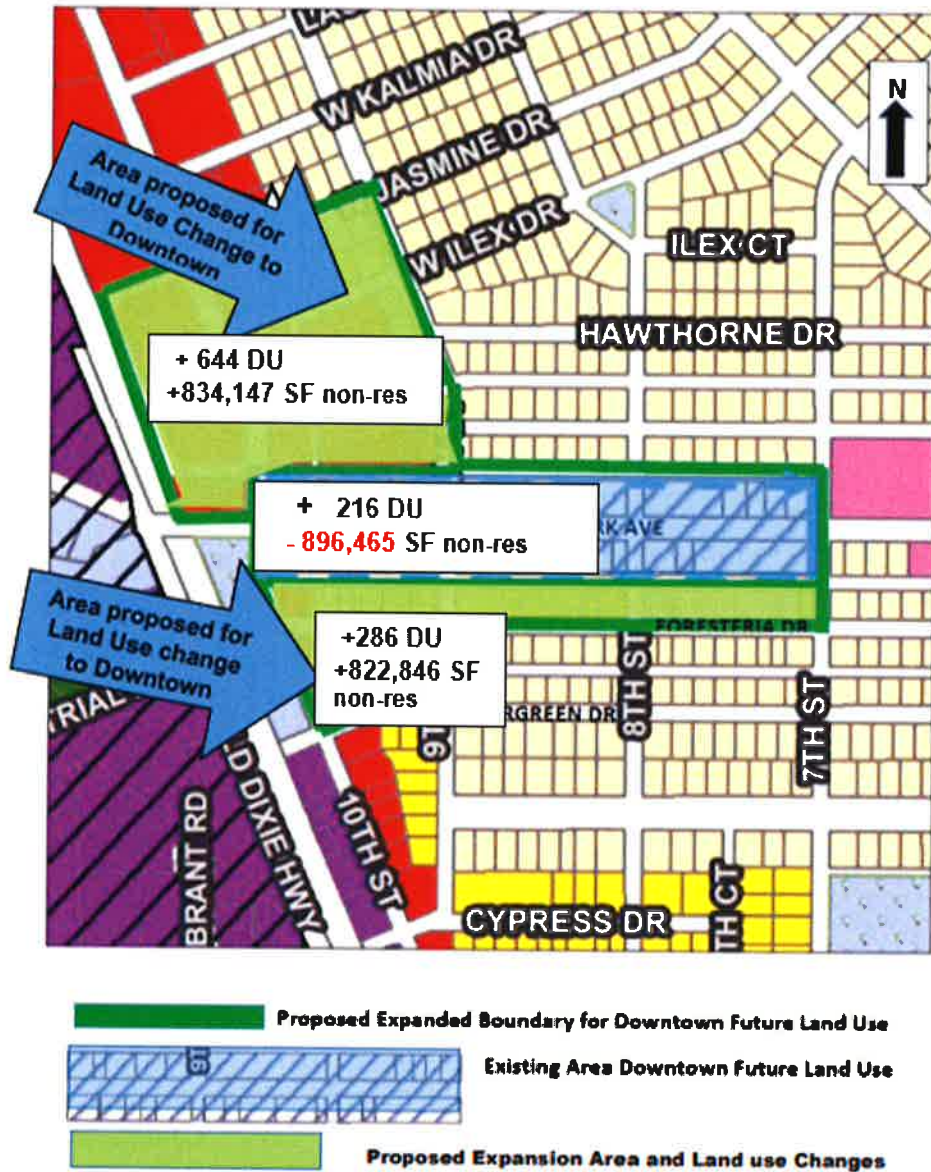
As the Commercial Future Land Use classification does not include residential use, the change to Downtown will produce the opportunity for a significant number of dwelling units, 641. The potential for additional units also occurs with an increase to 48 du/acre compared to the Residential Medium and Single-family densities which only allow a maximum density of 19 du/acre and 9 du/acre respectively.

Conversely, 6.98 additional acres of residential will now be available for mixed use or non-residential uses.

The proposed expansion also includes the CRA's new public parking lot. The proposed future land use change from "Buildings and Grounds" to Downtown Land Use will allow for future public-private development opportunities. Staff reviewed whether to include the Town-owned property adjacent to the railroad tracks within the Downtown Future Land Use Category. Currently staff recommends that it remain in the Public category, to reflect the Town's commitment to utilize the parcel for public purpose as a tri-rail station.

The following map shows the incremental increases that will occur, with the Comprehensive Plan amendments, in density and intensity in the two expansion areas and the existing Downtown area.

PROPOSED AMENDMENTS: INCREMENTAL CHANGES TO DENSITY AND INTENSITY BY AREA



Incremental Increase (total) |

Additional dwelling units 1,146 (presume multi-family >2 stories)

Additional square footage non-residential = 760,555 SF

The proposed increase in area for the Downtown Future Land Use will substantially increase opportunities for packaging land for development and redevelopment. Development/redevelopment sites in the expansion area include:

- 2.86 currently vacant acres on 10th St., just north of Park Ave.
- Humani Courts – 3.06 acres
- “Barbie’s parcel” combined with adjacent lots (previously marketed)
- Town parking lot
- 10th St. shopping center (Coastal Karma Brewery site)– 2.88 acres



Existing Downtown Future Land Use (blue) – Proposed text change for density and intensity. 10.29 acres (real property)

Proposed Downtown Future Land Use (red) - Change from Commercial, Residential Medium, or Residential Single Family to Downtown Future Land Use. 21.56 acres (real property)

Impacts of Land Use Change

Impact on adjacent properties:

The proposed northern expansion area abuts a stable single-family neighborhood to the east, and commercial and single-family to the north. The southern expansion would mainly impact single family to the south

While the Downtown Land Use Category would allow a fairly intense maximum density of 48 du/acre, the proposed Comprehensive text Policy 12.3 (discussed earlier) was specifically written to insure protection of the Town's adjacent residential uses as follows:

Policy 12.3: The land development regulations developed to implement the Downtown Land Use shall provide for compatibility of adjacent land uses by establishing criteria to address buffering and to control the height and intensity of structures to mitigate the impacts of development on adjacent zoning districts, particularly single-family districts.

The zoning regulations must be consistent with the above policy; therefore the Town, as part of the update of the PADD district will be creating new regulations to be carry out this policy. The proposed changes to the PADD being considered include a sub-district for areas adjacent to single family neighborhoods/uses, which has lower maximum heights than allowed in the Core of the district and greater buffers. The protection and stability of the adjacent single-family areas is considered essential. The intent is to insure the protection of the single family uses, while introducing the opportunity for those households to take advantage of a walkable downtown and associated amenities.

Impacts on Levels of Service: Five and Ten Year Planning Periods

For concurrency purposes, per Chapter 163.3180 Florida Statutes the Town is required to look at a minimum 5 year planning period to insure adequate services for that period. The Town's Comprehensive Plan also requires that the Town analyze the impact on levels of service (LOS) caused by a change in Land Use to ensure that there will be adequate capacity to serve the new uses as well as maintain adopted levels of service for a five year period. The results are shown for both a 5 and a 10 year planning time frame in the tables that follow.

The services/public facilities to be reviewed are sanitary sewer, potable water, solid waste, parks, schools, and transportation. This analysis looks at the **incremental difference** (+ or -) between the approved capacity based on the current future land use designation, and the impact created by the proposed future land use designation.

Currently there are no pending major projects in the expanded Downtown area, although interest has been expressed by various investors and developers.

Development /redevelopment assumptions for the next ten years are:

- Initially, new business will occur in existing buildings, as more sustainable businesses replace others.
- Post Covid development of new office and retail will be limited.
- Interest will be in residential, multi-family development, mixed use development. A recent Market Study conducted for the Town by WTL +Associates indicated there was sufficient demand for up to 820 units town-wide by 2030. Subtracting approved projects and those in the approval process, this would conservatively leave a demand for 230-240 units over the next 10 years.
- The decision to locate a tri-rail station in Lake Park would spur development. This has not been included in the assumptions for the initial planning periods at this time.

Development projections and impact on service levels is shown in the two following tables.

| | 5-year planning period 2022 -2026 | 10-year planning period 2022-2031 |
|--|--|--|
| Residential Growth | | |
| Multi-family | 150 dwelling units | 350 dwelling units |
| Non- residential Growth – square feet | | |
| Office /med office | 3,000 | 6,000 |
| Fitness, entertainment | 1,000 | 2,000 |
| Restaurant, food related | 2,000 | 3,000 |
| Personal services, commercial | 2,000 | 4,000 |
| Total non-res. | 8,000 | 15,000 |

| IMPACT ON SERVICES DUE TO FUTURE LAND USE CHANGES: | | | |
|--|---|---|------------------------|
| a. FIVE (5) YEAR PLANNING PERIOD 2022-2026 | | | |
| b. TEN (10) YEAR PLANNING PERIOD 2022 - 2031 | | | |
| | CURRENT Future Land Use Designations | Proposed Future Land Use: Estimated Development | INCREMENTAL DIFFERENCE |
| Dwelling Units | Max. 384 DU allowed. Approx. 150 DU existing = approved available capacity for 234 DU | a. 150 DU | - 84 dwelling units |
| | | b. 350 DU | +116 DU |
| Non-residential Square Feet | 3,406,800 SF | a. 8,000 SF. | - 3,398,800 sq. ft. |
| | | b.15,000 SF | - 3,3391,800 sq. ft. |

Five Year Planning Period: Based on the above projections it is anticipated that **growth impacts for the next 5 year planning period will not exceed those that have already been recognized under the current adopted Future Land Use.** The impact on capacity is therefore anticipated to be minimal, and **ALL LEVELS OF SERVICE WILL CONTINUE TO BE MET.**

Ten Year Planning Period: Based on the above projections non-residential development will still be below the previously approved capacity. With the new future land use, the projected number of residential units would exceed the current future land use by 116 dwelling units. However, the only LOS that might be exceeded in this 10 year time frame would be for the Lake Park Elementary school. However, given that the anticipated residential units will be primarily multi-family apartments, the actual number of school students per dwelling unit is expected to be lower. Any proposed development is required to submit an application to the School District regarding anticipated capacity, which must be approved by the District.

Impacts on specific services can be found in Appendix A, Table 1A and Table 1B.

Build-out

At a hypothetical maximum, buildout, the proposed Future Land Use amendments would generate 1,530 dwelling units and 4.167 million square feet of non-residential in the Downtown area

In reality, this is tempered by site realities such as the ability to provide parking, height restrictions, setbacks, etc. Additionally, trends and markets change over time, with outcomes difficult to predict.

The Pandemic has demonstrated how rapidly land use can be impacted, as the demand for office space has decreased in many communities. Due to changes in

lifestyle and work due to Covid, as well as changes in purchasing habits, new office and commercial will be limited in the immediate future. Any major office development would likely be tied to the construction of a tri-rail station.

The incremental changes from the current Future Land Use categories of the expanded area and change to Downtown definition would be an increment of 1,146 new units and an additional 760,550 square feet of non-residential. An analysis of impacts on level of service at “buildout” is included in Appendix A, Table 3.

Regardless of allowable densities and intensities, at the time of approval all new development must demonstrate the ability to meet concurrency requirements.

The Comprehensive Plan states “... the ability to achieve the maximum residential density and/or Floor Area Ratio (F.A.R.) is contingent upon, and shall be limited by, the ability to meet adopted Level of Service Standards in the short-term planning horizon.”

Should the Town replace traffic concurrency, the Town would establish new measures for level of service such as areawide road level of service (LOS) and multimodal quality of service (QOS), which all projects would be required to meet.

Impacts on important state resources or facilities

The change in Land Use is not anticipated to impact any “important state resources and facilities” per FS (163.3184(3) (b) 4.

Interlocal Notice and Legal Notice Requirements

Legal notice requirements have been met, as the Town published a display ad in the November 26, 2021 Palm Beach Post.

The proposed amendments were also sent to IPARC, which is an Interlocal clearinghouse to distribute the amendments to adjacent jurisdictions, the School District and the Treasure Coast Regional Planning Council. Jurisdictions are asked to send comments prior to the transmittal hearing before the Town Commission. Any notice of intent to object is to be sent to IPARC at least 15 days prior to the Commission's transmittal hearing.

LOCAL PLANNING AGENCY ACTION AND RECOMMENDATION

The Planning and Zoning Board, sitting as the Local Planning Agency (LPA), held a public hearing on December 6, 2021. **The Board voted unanimously 5-0 to recommend approval to the Town Commission of the proposed Ordinance containing the Comprehensive Plan amendments.**

Board members comments included concerns regarding potential impacts on adjacent single-family areas particularly along Foresteria, the need to cap the building height, and the importance of open space as building height increased. Staff explained that these items would be addressed in the revised Land Development Regulations (LDRs) for the PADD. Also, the proposed Land Use Element policy 12.3 requires that LDRs be created to protect the adjacent single family districts.

Local Planning Agency Findings

- The proposed text amendments and land use map amendment are consistent with the goals, objectives, and policies of the Town of Lake Park Comprehensive Plan.
- The proposed amendment is necessary to reflect changing conditions and trends which encourage mixed use.
- The proposed map amendment is compatible with the surrounding properties and land use patterns.
- The proposed amendment will further the establishment of a transit hub in the Park Avenue/FEC RR area.
- Adopted levels of service (LOS) will continue to be met, within the next 5 year planning period, with the land use change

RECOMMENDED MOTION :

I MOVE TO APPROVE THE ORDINANCE AMENDING THE COMPREHENSIVE PLAN ON FIRST READING, AND TO TRANSMIT THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS TO THE STATE.

Appendix A

TABLE 1A: IMPACT ON SERVICES DUE TO FUTURE LAND USE CHANGES: FIVE YEAR PLANNING PERIOD (2022-2026)

TABLE 1B: IMPACT ON SERVICES DUE TO FUTURE LAND USE CHANGES: TEN YEAR PLANNING PERIOD (2022-2031)

TABLE 2: CURRENT CAPACITY AND LOS OF SERVICES

TABLE 3: "BUILD-OUT": IMPACT ON SERVICES DUE TO FUTURE LAND USE CHANGES

TABLE 4: IMPACT OF PROPOSED CHANGE ON DENSITY AND INTENSITY BY AREA

**TABLE 1A
IMPACT ON SERVICES DUE TO FUTURE LAND USE CHANGES:
FIVE (5) YEAR PLANNING PERIOD 2022-2026**

| | CURRENT Future Land Use Designations | Proposed Land Use: Estimated Development | INCREMENTAL DIFFERENCE |
|---|--|---|--|
| Dwelling Units | 384 DU allowed. Approx. 150 DU existing = approved available capacity for 234 DU | 150 DU | - 84 dwelling units |
| Population | 918 persons Approx. 300 persons currently in area. Remaining approved capacity approx. 600 persons | 358 persons | -242 |
| Non-residential Square Feet | 3,406,800 SF | 8,000 SF. (est. 3 acres) | - est.3,396,800 sq. ft. |
| Potable water <i>Res.= 97 GPD/capita</i> <i>Non- Res: 1,777 GPD /Acre</i> | 116,835 GPD (R 89,046 NR 27,789) | 40,050 GPD | Less than current Comprehensive Plan, therefore sufficient capacity |
| Sanitary Sewer <i>Res: 66 GPD/capita</i> <i>Non-res: 1,089 GPD/acre</i> | 86,343 GPD (R 60,58 NR 25,755) | 26,895 GPD | Less than current Comprehensive Plan, therefore sufficient capacity |
| Solid Waste <i>Res: MF=3.43 lbs/capita/day</i> <i>Non-res: 112.56 lbs/acre/day</i> | 5,770 lbs./day R 3,148 <u>C 2,622</u> | 1,556 lbs./day | Less than current Comprehensive Plan, therefore sufficient capacity |
| Recreation <i>2.5 acres/1,000 population</i> | 2.5 acres | 1 acre | Less than current Comprehensive Plan, therefore sufficient capacity |
| Schools | 384 du 234 du capacity remaining | 150 du | Less than current Comprehensive Plan, therefore sufficient capacity |
| Trips <i>MF>2 stories =5.44 ADT/DU; see non-residential table</i> | 2,088 est. res. trips non-res. = trips based on 3,406,827 sq. ft. | Approx. 1400 ADT | Less than current Comprehensive Plan, therefore sufficient capacity |

Pop = 2.39 pph, based on Palm Beach County figures.

**TABLE 1-B
IMPACT ON SERVICES DUE TO FUTURE LAND USE CHANGES: TEN (10) YEAR
PLANNING PERIOD 2022-2031**

| | CURRENT Future Land Use Designations | Proposed Land Use: Estimated Development | INCREMENTAL DIFFERENCE |
|---|--|---|--|
| Dwelling Units | 384 DU allowed. Approx. 150 DU existing = approved available capacity for 234 DU | 350 DU | + 116 DU |
| Population | 918 persons Approx. 300 persons currently in area. Remaining approved capacity approx. 600 persons | 836 persons | |
| Non-residential Square Feet | 3,406,800 SF | 15,000 SF. (est. 6 acres) | - est.3,391,800 sq. ft. |
| Potable water <i>Res.= 97 GPD/capita</i> <i>Non- Res: 1,777 GPD /Acre</i> | 116,835 GPD (R 89,046 NR 27,789) | 91,754 GPD | Less than current Future Land Use impact. Sufficient capacity |
| Sanitary Sewer <i>Res: 66 GPD/capita</i> <i>Non-res: 1,089 GPD/acre</i> | 86,343 GPD (R 60,58 NR 25,755) | 61,710 GPD | Less than current Future Land Use impact. Sufficient capacity |
| Solid Waste <i>Res: MF=3.43 lbs/capita/day</i> <i>Non-res: 112.56 lbs/acre/day</i> | 5,770 lbs./day R 3,148 <u>C 2,622</u> | 3,542 lbs./day | Less than current Future Land Use impact. Sufficient capacity |
| Recreation <i>2.5 acres/1,000 population</i> | 2.5 acres | 1 acre | Sufficient capacity |
| Schools | 384 du 234 du capacity remaining | 350 du | Slightly greater than current Future Land Use impact. |
| Trips <i>MF>2 stories =5.44 ADT/DU; see non-residential table</i> | Residential trips estimated at 2,088 ADT, 1,275 capacity remaining Non-residential trips would be based on <u>3,406,827 sq. ft.</u> | Residential trips- 1904 ADT Non-residential trips based on <u>15,000 sq. ft.</u> | Less than current Future Land Use impact. Sufficient capacity |

- Reflects Changes Future land use categories in Expansion area, and Changes in the Existing Downtown FLU area due to proposed changes in density and intensity.

TABLE 2: Available Capacity

Potable Water

Available Capacity 2020: 12,500,000 GPD (12.5 MGD)

Source: Seacoast Utility web site- Water Dept., Lake Park Comprehensive Plan

Sanitary Sewer

Seacoast Available Capacity: 2,000,000 GPD (2MGD)

Source: Seacoast Utility Web site – Wastewater Dept.

Solid Waste

SWA Available Capacity: “sufficient to all convert waste for next 20 years”

Source: Solid Waste Authority of Palm Beach County

Parks and Recreation

Available Capacity 2020: 10.4 acres

Source: Lake Park Comprehensive Plan, BEBR University of FL.

Schools

LOS Standard: Enrollment not to exceed 110%capacity (measured in Concurrency Service Areas)

Available Capacity – likely schools

Lake Park Elementary (2020) = 79 FTE (excluding additional 10% allowable capacity)

Howell Watkins Middle School (2020) = 371 FTE (excluding additional 10% allowable capacity)

Palm Beach Gardens High (2020) = 227 FTE (excluding additional 10% allowable capacity)

Source: February FTE Enrollment Report SY2020-2021, Joyce Chai – Palm Beach County School District Sr. Planner

Roads

Town LOS Standard: D (all roads)

Park Avenue- US #1 to 10th St (2L - 5,522 ADT) LOS E =16,200

Silver Beach – Old Dixie to US #1 (2L – 13,150 ADT) LOS E = 16,200

Old Dixie to Congress Ave. (4LD -16,800 ADT) LOS E = 35,100

Old Dixie Hwy.

Northlake Blvd.

US #1

Congress Ave.

TABLE 3**"BUILD-OUT": IMPACT ON SERVICES DUE TO FUTURE LAND USE CHANGES AT BUID-LOUT**

| | CURRENT Future Land Use Designations | PROPOSED Future Land Use Designation* 48 DU/Ac and 3.0 FAR | INCREMENTAL DIFFERENCE |
|---|--|---|---|
| Dwelling Units | 384 DU | 1530 DU | + 1,146 DU |
| Population | 918 persons | 3,657 persons | + 2,738 persons |
| Non-residential Square Feet | 3,406,827 SF | 4,167,382 SF | + 760,555 SF |
| Potable water <i>Residential: 97 GPD/capita Non- Res: 1,77 GPD /Acre</i> | 116,835 GPD (R 89,046 NR 27,789) | 392,216 GPD (R= 354,729 NR =37,487) | + 275,381 GPD |
| Sanitary Sewer <i>Res: 66 GPD/capita Non-res: 1,089 GPD/acre</i> | 86,343 GPD (R 60,58 NR 25,755) | 276,316 GPD R= NR= | +189,973GPD |
| Solid Waste <i>Res: MF=3.43 lbs/capita/day Non-res: 112.56 lbs/acre/day</i> | 5,770 lbs./day R 3,148 <u>C 2,622</u> | 16,091 lbs/day | +10,321 lbs./day |
| Recreation <i>2.5 acres/1,000 population</i> | 2.5 acres | 9.14 acres | +6.6 acres of parks |
| Schools | 384 du | 1530 du | +255 FTE students 122 elementary 56 middle school 77 high school |
| Trips <i>MF>2 stories =5.44 ADT/DU; see non- residential table</i> | | | + 17,078 trips |

TABLE 4: IMPACT OF PROPOSED CHANGE ON DENSITY AND INTENSITY BY AREA

Existing Downtown Future Land Use Area -Maximum Allowable

| Acres 10.29 | CURRENT Downtown Future Land Use | PROPOSED – text change to Downtown Land Use | INCREMENTAL CHANGE |
|--------------------------------------|---|--|---------------------------|
| Density and Intensity | 27 du/acre FAR 5.0 | 48 du/acre FAR 3.0 | |
| Max. Dwelling Units | 278 dwelling units | 494 dwelling units | +216 dwelling units |
| Population | 942 persons | 1,675 persons | + 733 persons |
| Max. Non-commercial square ft. (FAR) | 2,241,162 sq. ft. | 1,344,697 sq. ft. | -896,465 sq. ft. |

Downtown Expansion Area

| CURRENT Future Land Use – Comprehensive Plan | | | | | PROPOSED Downtown Future Land Use | | | INCREMENTAL CHANGE |
|---|-------------|---------|---------|--------------------------|--|----------|------------------------|---------------------------|
| FLU | Total Acres | Max. DU | Max Pop | Max. non-res. SF@2.0 FAR | Max. DU @48 | Max Pop. | Max non-res @ 3.0 FAR. | |
| NORTH | 13.9 | | | | | | | |
| Commercial | 11.3 | 0 | | 986,198 | 542 du | | 1,476,684 | |
| Res. Medium 19 DU/Acre | .55 | 11 DU | | 0 | 26 du | | 71,874 | |
| Single Family 6 DU/Acre | 2.08 | 13 DU | | 0 | 100 du | | 271,814 | |
| North total | | 24 | | | 668 | | T=1,820,372 | +834,147sf + 644 DU |
| SOUTH | 5.38 | | | | | | | |
| Res. Medium 19 DU/acre | 4.12 | 78 DU | | | 198 du | | 538,401 | |
| P-Public | 1.26 | na | | na | 60 du | | 164,656 | |
| PADD w/o LU | 2.29 | | | | | | | |
| Commercial | 2.06 | | | 179,467 SF | 99 du | | 269,200 | |
| Res. Med 19 DU | .23 | 4 | | | 11 du | | 30,056 | |
| South + PADD T | | + 82 | | | +368 | | | +286 |
| TOTAL – Expansion Area | 21.57 | 106 du | | 1,165,665 sq. ft. | 1036 du | | 2,822,685 | +1,657,020 |

TOTAL INCREMENTAL CHANGE FOR ENTIRE DOWNTOWN AREA =

$$1,657,020 - 896,465 = + 760,555 \text{ sq. ft. non-residential}$$

$$216 + 930 = + 1, 146 \text{ dwelling units}$$



**TOWN MANAGER COMMENTS
TOWN COMMISSION MEETING**

Wednesday, December 15, 2021

TOWN OFFICES CLOSED

Friday, December 17th Town Offices will be closed for early dismissal from 2 p.m. – 5 p.m.

With the exception of the Lake Park Harbor Marina, Town Offices will be closed Wednesday, December 22, 2021 – Monday, December 27, 2021 in observance of the Christmas Holiday. The Lake Park Public Library will also be closed on Saturday, December 25, 2021.

COMMUNITY DEVELOPMENT

The following is information regarding the outreach timeline for the CRA Master Plan update:

- Mobility Plan and Fee Ordinance RFQ process has been completed. One proposal was received. An agenda item will be brought forward in January to the Town Commission for the award of contract to the consultant.
- Three proposals were received for the Parks Master Plan RFQ and they have all been evaluated. A selection has been made and this contract is being drafted and is scheduled to come forward to the Commission the 2nd meeting in January.
- CRA Master Plan work has begun. Business Flare held their kick-off meeting with staff and a schedule of workshops/meetings has been created. Business Flare also has copies of all of the prior feedback received. The schedule includes (flyers will be mailed also):

Saturday, January 22, 2022 – Public Workshop Series – (3 sessions, as needed) 9am, 11am, 1pm (which will be publicly noticed)

Wednesday, February 16, 2022 (regular TOWN COMMISSION meeting night) – Special Call CRA Workshop to commence at 6pm (for additional input and presentation of some draft materials)

Wednesday, March 16, 2022 (regular TOWN COMMISSION meeting night) – Special Call CRA Workshop to commence at 6pm (for review of

draft that includes input from public workshop series and workshop of Feb. 16)

Monday, April 4, 2022 (regular PLANNING AND ZONING/LOCAL PLANNING AGENCY meeting night) – Local Planning Agency at 6:30pm (action meeting on proposal or courtesy presentation – TBD depending on changes proposed by Business Flare)

Wednesday, April 20, 2022 (regular TOWN COMMISSION meeting night) – Special Call CRA Meeting to Adopt the Final Revised CRA Plan

- The land development regulations for the C-3 area will now be revisited between Lake Park and North Palm Beach so that they can move forward in early 2022. The Market Analysis and Financial Feasibility Study prepared by the Treasure Coast Regional Planning Council and WT-L will be presented to the Town Commission at the January 5th meeting. The separate land development regulations for the Park Avenue Downtown District will move forward in January to the Planning & Zoning Board and then in February to the Town Commission. The proposal continues to include increased heights and streamlined provisions that provide for more flexible development options in the existing and proposed expanded downtown area.

Additional Project updates will be provided in the new year. Call Community Development at any time with any questions, 561-881-3318.

PUBLIC WORKS DEPARTMENT

The department's storm water division recently completed repairs on 625 feet of 54-inch main line, along the 300 and 400 blocks of Date Palm Drive. The new main line section has a 50-year expected service life and will provide more effective drainage for our storm sewer network.