# OF LAKE PARK

#### TOWN OF LAKE PARK

# SPECIAL CALL PLANNING & ZONING BOARD MEETING AGENDA SEPTEMBER 12, 2022 7:00 P.M.

#### 535 PARK AVENUE LAKE PARK, FLORIDA

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

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### **ROLL CALL**

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

#### APPROVAL OF AGENDA

#### APPROVAL OF MINUTES

• PLANNING & ZONING BOARD MEETING; AUGUST 8, 2022

#### PUBLIC COMMENTS ON AGENDA ITEMS

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

#### **ORDER OF BUSINESS**

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

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

#### **NEW BUSINESS**

PZ-22-13 SPECIAL EXCEPTION APPLICATION; KASA Y KOCINA IMPORT LLC ("OWNER) IS SEEKING SPECIAL EXCEPTION APPROVAL FOR A 4,500 SQUARE FOOT MILLWORKING AND WOODWORKING USE AT 1343 S. KILLIAN DRIVE. THE SUBJECT PROPERTY IS LOCATED NORTH OF S. KILLIAN DRIVE IN THE C-4 BUSINESS DISTRICT AND CONSISTS OF THE FOLLOWING PARCEL, WHICH TOTALS 0.26 ACRES: 36-43-42-20-09-000-0700

PZ-22-14 REZONING – A TOWN INITIATED PUBLIC HEARING TO REZONE THE 1.24 ACRE "TRAIN STATION PARCEL" FROM PUBLIC DISTRICT TO PARK AVENUE DOWNTOWN DISTRICT (PADD) AND AMEND THE ZONING CODE, SECTION 78-70, FIGURE 1 PADD DISTRICT REGULATING PLAN BY ADDING THE PARCEL TO THE CORE SUB-DISTRICT

PLANNING & ZONING BOARD MEMBER COMMENTS

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS AND PROJECT UPDATES

**ADJOURNMENT** 

**FUTURE MEETING DATE: OCTOBER 3, 2022 @ 6:30P.M.** 



#### Town of Lake Park, Florida Special Call Planning & Zoning Board Meeting Minutes August 8, 2022, 7:00 P.M.

Town Hall Commission Chambers 535 Park Avenue, Lake Park, Florida 33403

#### **CALL TO ORDER**

The meeting was called to order at 7:00 P.M.

#### PLEDGE OF ALLEGIANCE

Chair Ahrens lead the Pledge of Allegiance.

#### **ROLL CALL**

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

Also in attendance were Town Planner Anders Viane, Town Planner Karen Golonka, Attorney Thomas Baird, and Assistant to the Community Development Director Kimberly Rowley.

#### APPROVAL OF AGENDA

Motion: Board Member Woolford moved to approve the Agenda; Vice-Chair Buechele seconded the motion.

#### Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

#### APPROVAL OF MINUTES

• Planning & Zoning Board Meeting Minutes of March 7, 2022.

Motion: Board Member Paxton moved to approve the Planning & Zoning Board Meeting Minutes of March 7, 2022; Vice-Chair Buechele seconded the motion.

#### Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

• Planning & Zoning Board Meeting Minutes of June 6, 2022

Motion: Board Member Woolford moved to approve the Planning & Zoning Board Meeting Minutes of June 6, 2022; Vice-Chair Buechele seconded the motion.

#### Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

#### **Public Comment**

Chair Ahrens explained the Public Comment procedure.

#### ORDER OF BUSINESS

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

- Staff presentation
- Applicant presentation (when applicable)
- Board Member questions of staff and applicant
- Public Comments limited to 3 minutes per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on floor
- Vote of Board

#### **NEW BUSINESS – SITE PLAN APPLICATIONS:**

#### 1. PZ-22-11 Nautilus 220 Site Plan Amendments.

Town Planner Viane explained the item (see Exhibit "A"). Mr. Brian Terry representing Insight Studio introduced the other members of the team. He presented to the Board.

Vice-Chair Buechele asked for clarification of where employees of the restaurant and shops would park. The design shows 100 public parking spaces, which do not seem to be enough for the amount of retail expected on the site. Mr. Terry explained that the 100 public parking spaces are above and beyond the parking spaces that are designed to accommodate the uses in and around the site. Vice-Chair Buechele asked if overflow parking would be on the side streets. Mr. Terry stated that they do not anticipate parking issues. He stated that the design team has projected that the 100 spaces would be more than ample parking for the entire site.

Board Member Paxton asked where the elementary school children would go to school, because Lake Park Elementary has zero capacity. He explained how the school district zones for schools and explained that the developer would pay to offset the expense for each child attending the school. He explained that the school would be compensated to provide space for any children living on site.

Chair Ahrens asked about the construction parking. Mr. Terry explained that there was no opportunity for staging parking on the property. He explained that Forest Development owns the property directly west of the site and the former Winn Dixie Plaza, so construction worker parking would not be an issue.

Chair Ahrens asked how the vibration impact was being handled with the single family home on the corner. Mr. Aloof, Architecture on the project, explained that the piling has been completed. They monitored for vibration and no impact was reported. He stated that future construction would have no vibration to the upper floors. Chair Ahrens asked if the pilings were already in place. Mr. Terry explained that they have been drilling pilings for the past three-months. Chair Ahrens asked if there were monitors surrounding the site. Mr. Terry explained that there have been no impacts to the adjacent properties.

Chair Ahrens expressed concerns and wanted to add conditions to the site plan. Attorney Baird explained that the Board can only take action on the Site Plan Amendments, which were for the addition of 10 units. The site plan conditions that were already in the site plan would remain. Mr. Terry stated that they would provide clarification on where the vibration sensors were placed and how long they were operable.

Public Comment open:

None

Public Comment closed:

## Motion: Vice-Chair Buechele moved to approve; Board Member Paxton seconded the motion.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens		X	

Motion passed 3-1.

#### 2. PZ-22-12 Presentation of the Parks Master Plan by WGI.

Ms. Angela Biagi and Mr. Aaron Elswick representing WGI, Inc. presented to the Board (see Exhibit "B"). Vice-Chair Buechele asked if the putting green was still in the plan. Mr. Elswick explained that it was removed from the plan. Vice-Chair Buechele asked if upgraded fitness equipment was in the budget. Board Member Paxton asked if they would upgrade the irrigation system. Town Planner Viane explained that upgrades were being done as grant funding becomes available. Vice-Chair Buechele asked if shade trees were expected. Mr. Elswick explained that shade trees were being planted throughout certain areas of the parks.

Chair Ahrens asked why they removed the restaurant. Mr. Elswick explained that the restaurant was part of one of the options and the Commissioners were in favor of moving the historical homes onto the park. They removed the restaurant and replaced it with the future option of relocating the historical homes to that area of the park. Chair Ahrens asked how the pickleball and tennis court issues were resolved. Mr. Elswick explained that the courts would remain until a final decision was made to the status of pickleball.

Town Planner Karen Golonka explained that the pickleball courts were remaining with a contractor running the courts in Lake Shore Park. The free tennis courts in Kelsey Park would remain. She explained that the most expensive upgrade would be the seawall and creating steps leading down to the water.

Board Member Woolford asked if the Town has considered the liability of having all the activities at the parks. She stated that a clean station at the fishing pier was needed. Ms. Biagi stated that there were two stations in the plan.

Vice-Chair Buechele commented that free pickleball courts would benefit the citizens.

Public Comment open:

None

Public Comment closed:

Motion: Board Member Paxton moved to move the park plans forward to the Town Commission as presented; Board Member Woolford seconded the motion.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Paxton	X		
Board Member Woolford	X		
Vice-Chair Buechele	X		
Chair Ahrens	X		

Motion passed 4-0.

#### **Planning & Zoning Board Member Comments**

Vice-Chair Buechele asked that a memorial plaque be funded for Joseph Rice in the parks.

Chair Ahrens thanked WGI for their presentation.

#### **Community Development Director Comments and Project Updates** None

#### **ADJOURNMENT**

There being no further business to come before the Planning & Zoning Board and after a motion to adjourn by Vice-Chair Buechele and seconded by Board Member Paxton, and by unanimous vote, the meeting adjourned at 8:07 P.M.

	, Chair	
Town of Lake Park Planni		
Town Clerk Vivian Mende	ez	
Town Seal		
Approved on this	of	, 2022



#### TOWN LAKE OF PARK Planning and Zoning Board MEETING DATE: August 8, 2022

# STAFF REPORT SITE PLAN AMENDMENT

#### NAUTILUS 220 MIXED-USE SITE PLAN <u>AMENDMENT</u> APPLICATION

The Site Plan for the Nautilus mixed-use project was originally approved by the Town Commission on December 18, 2019 pursuant to Resolution 97-12-19. All of the associated project details were reviewed at that time and a copy of the original staff report used is enclosed (Exhibit A).

As part of that approval, the Town Commission approved four conditions specifically related to items that required the developer to come back to the Commission for additional review. These conditions of approval required the applicant to come back to the Town Commission with a site plan amendment for:

- 8' landscape buffer on the southeast corner of property
- Final Bus Shelter Design
- Final Wind Mitigation Report
- Final Roadway Plans

On June 3, 2020, the applicant came back before the Town Commission to address these outstanding items through the site plan amendment process. These amendments were approved pursuant to Resolution 42-06-20. A copy of the first site plan amendment staff report is enclosed as Exhibit B.

Subsequent to the first site plan amendment, the developer has brought forward a second site plan amendment, which is the subject of this report.

On behalf of Forest Development LLC ("Property Owner" and "Applicant"), Insite Studios ("Agent") is requesting a <u>site plan amendment</u> approval for the Nautilus 220 mixed-use towers approved by Resolution 97-12-19 and amended by Resolution 42-06-20 by the Town Commission.

The purpose of this site plan amendment is primarily to implement 10 additional efficiency units and effectuate a variety of minor changes to the site plan and landscape plans, which are listed exhaustively in the Summary of Changes document provided by the applicant as Exhibit C.

The subject site is located on the southeast corner of Cypress Drive and Federal Highway in the Town. It is comprised of the following parcels and consists of 2.78 acres:

• Parcel 1 – PCN: 36-43-42-20-01-114-0391 (0.81 acres)

- Parcel 2 PCN: 36-43-42-20-01-114-0010 (0.8708 acres)
- Parcel 3 PCN: 36-43-42-20-01-114-0090 (0.2228 acres)
- Parcel 4 PCN: 36-43-42-20-01-114-0130 (0.2706 acres)
- Parcel 5 PCN: 36-43-42-20-01-114-0351 (0.1535 acres)
- Parcel 6 PCN: 36-43-42-20-01-114-0352 (0.4673 acres)



The site has a Federal Highway Mixed Use Future Land Use designation and is located within the Mixed-Use Zoning District and Federal Highway Mixed Use District Overlay.

## <u>Purpose and Vision</u>: <u>Remains the same.</u> The mixed use (MU) district is established and intended to:

- (1) Encourage transit use as an alternative to auto dependency by accommodating moderate- to high-intensity, compact, mixed-use, and pedestrian-oriented development within convenient walking distance of existing and planned rail stations, major transit corridors, major transit hubs, regional and neighborhood transit hubs, and high-priority corridors for bus rapid transit or high-performance transit. **Criteria Met.**
- (2) Bring together people, jobs, services, and public spaces and amenities in a way that allows people to safely and conveniently walk, bike, and/or take transit to meet their day-to-day housing, employment, shopping, service, and recreational needs. **Criteria Met.**
- (3) Improve walkability within the district, as well as to adjacent areas, by providing a critical mass of housing and non-residential within walking distance of the commercial core and transit routes and facilities. **Criteria Met.**
- (4) Enable the appropriate natural surveillance of the public realm to ensure safety and activity along district streets and create the sense of a vibrant and active urban center. **Criteria Met.**
- (5) Ensure a compatible transition between the district's commercial/mixed use areas and lower-intensity residential neighborhoods and between the district and adjacent residential neighborhoods, where applicable. **Criteria Met.**

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

→ Future Land Use Element, Policy 9.2 identifies that the intent of the FHMUDO is to create a walkable, transit oriented mixed use district. This classification also allows up to 3,049 dwelling units within the entire corridor and up to 11,400,000 square feet of nonresidential (uses) square footage. The Nautilus proposal will introduce a walkable mixed-use area with waterfront amenities, improved roadways, bus shelter, along with multi-modal amenities. The 342 dwelling units and over 35,000 square feet of non-residential square footage are within the allowable provisions of the Comprehensive Plan.

**Zoning:** All of the proposed uses <u>remain unchanged</u> and consistent the permitted uses in the FHMUDO.

**Building Site**: While the proposed uses remain unchanged, their share of floor area has been altered slightly for site plan amendment 2. The proposed changes are denoted below in sequential order from the ground level to the roof:

Site Plan Amendment 1	Site Plan Amendment 2
Level One (A)	• Level One (A)
o Retail –8,058 SF	o Retail –9,178 SF
o Restaurant – 14,550 SF	o Restaurant – 14,550 SF
o Residential – 15,197 SF	o Residential – 15,197 SF
o Parking & Utilities – 59,455 SF,	o Parking & Utilities – 59,455 SF,
125 Spaces *	111 Spaces *
*100 of these spaces are being provided for	*100 of these spaces are being provided for
public use	public use
Level Two (B)	• Level Two (B)
o Parking – 59,731 SF, 156 Spaces	o Parking – 59,731 SF, 161 Spaces
• Level Three (C)	• Level Three (C)
o Residential – 15,375 SF	o Residential – 15,375 SF
o Office – 13,000	o Office – 12,111
o Parking & Utilities – 74,083 SF,	o Parking & Utilities – 74,083 SF,
193 Spaces	199 Spaces
• Level Four (D)	• Level Four (D)
o Residential – 15,375 SF	o Residential – 15,375 SF
o Parking & Utilities – 73,505 SF,	o Parking & Utilities – 73,505 SF,
194 Spaces	201 Spaces
• Level Five (E)	• Level Five (E)
o Residential – 33,112 SF	o Residential – 33,112 SF
o Parking & Utilities – 69,241 SF,	o Parking & Utilities – 69,241 SF,
196 Spaces	191 Spaces
Level Six (Residential Amenity Level)	Level Six (Residential Amenity Level)
o Residential – 54,491 SF	o Residential – 54,491 SF
Levels Seven thru Twenty-three	Levels Seven thru Twenty-three
o Residential	o Residential
■ North Tower – Each	■ North Tower – Each
floor is 22,964 SF	floor is 23,114 SF
South Tower – Each	■ South Tower – Each
floor is 14,968 SF	floor is 15,157 SF
Roof Top (Total) – 1,200	Roof Top (North) –
SF	2,960 SF
	■ Roof Top (South) –
	2,462 SF

<u>Site Access and Roadways</u>: The Site access points <u>remain unchanged</u> and include two main access points/entrances into the proposed ground level parking podium – one from the existing Cypress Drive (north side) and another from the proposed Bayberry Drive (south side).

<u>Traffic Concurrency and School Concurrency</u>: The Applicant is working on receiving an updated Traffic Performance Standard (TPS) concurrency letter from Palm Beach County's Traffic Division which confirms that there is adequate capacity on the roadways to serve the Site. This letter will be provided prior to Town Commission. For Palm Beach County School Concurrency, the most current SCAD letter is enclosed.

<u>Landscaping</u>: The proposed landscape alterations have been reviewed by the Town's contracted landscape architect (JMorton) and have been found to be in compliance with the Code.

Paving, Grading and Drainage: As per the original approval, the Town's consulting Engineers (Engenuity) have reviewed the plans to ensure the site will provide adequate drainage infrastructure and that the incorporation of bioswales (a green infrastructure method), particularly along Lake Shore Drive, is proposed. The plans incorporate all recommendations. The Applicant's Paving and Grading also meets the requirements for Site Plan review.

Parking: The total parking provided has gained 10 additional spaces, going from 861 to 871. The Parking Code continues to be met per the original approval and the additional 100 free public parking spaces will continue to be provided as a public benefit, along with the provision of bicycle parking.

<u>Signage</u>: Generally, wayfinding and wall sign locations and details <u>remain unchanged</u> and they will be subject to permit review.

Water/Sewer: The applicant has worked closely with Seacoast Utility Authority to identify the final location of a lift station and associated utility easements. Per our discussions with Seacoast and the applicant, Seacoast will accept entering into a relocatable easement agreement with the applicant until a location can be finalized. Accordingly, staff is recommending the following condition of approval be included, which, in different forms, was also on previous development orders: "Prior to the issuance of the first building permit authorizing the construction of the first floor of the building, the temporary gravity sewer and lift station wet well must be permitted and constructed by the Owner. In addition, prior to issuance of the first building permit authorizing the construction of the first floor of the building, the Owner must provide written confirmation from Seacoast Utility Authority ("SUA") that SUA has reviewed and approved a construction plan and schedule and an easement for the installation of a permanent sanitary lift station and force main and any other capital facilities necessary to provide water and sewer services to the

Site. The Town may, it its discretion, suspend all work on the project if Owner fails to strictly comply with all provisions of the plan and schedule approved by SUA."

<u>Lighting</u>: Adequate lighting continues to be provided. Updated signed and sealed photometric plans were provided as part of this submittal.

**Fire**: No additional fire comments for this amendment.

**PBSO**: Remains unchanged. The Crime Prevention Through Environmental Design (CPTED) review was performed as part of the original review and remains in compliance.

**<u>Design and Shadow Studies</u>**: Shadow studies previously provided and accepted <u>**remain unchanged**</u>. Additionally, a new design has been proposed for wind mitigation screens in select locations around the perimeter of the project, which are identified on site plan sheet DP.1.

#### Public Benefits: REMAINS UNCHANGED AND ARE STILL RELEVANT.

- → Provision of 100 free public parking spaces within a parking garage that would otherwise cost in the range of \$2M to build ourselves
- → 1% construction value contribution to the Town into a Public Improvements Fund which can be used for the (decided on) improvements (streetscape improvements, park improvements, transit programs, historic preservation, landscape improvements, etc..., as determined by the Town Commission at a future date) \$180M construction value = \$1.8M cash contribution to the Town (already paid)
- → Surrounding roadway(s) improvements, including Lake Shore Drive (from Cypress to Bayberry) to include upgraded pavement details, landscaping, drainage (curbless approach), lighting, improved traffic circulation. Lake Shore Drive improvements are subject to change, but currently identify elements that will facilitate the initial transition to a promenade area and the future redevelopment of the additional marina parcels
- → A new bus shelter on Federal Highway
- → On February 8, 2022, Nautilus 220 submitted their master building permit for construction (permit 22-069). The net revenue on the permit application fee to the Town was \$2,187,600.
- → With the above, the ability (and commitment) from the Town to the property owners to lowering the millage rate
- → Increase in the tax base (on the very conservative end it is estimated the annual increase will be in the \$1M range) which will enable to Town to absorb recurring

expenses related to added services, programs, etc.. for the community and its residents

- → The incorporation of additional residents in the community to support the local economy and additional services and amenities, including waterfront restaurants, for the community and surrounding area (creating an added 'draw' to the Town)
- → Stimulus for future development which then creates more of everything outlined above as public benefits

#### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the Site Plan Amendment Application for the Nautilus Mixed-Use project subject to the following conditions of approval (*original conditions of approval still apply*):

1. The Applicant shall develop the Site consistent with the following Plans:

Name	Sheet	Sign and	Received
		Seal	on
Architecture Plan			
COVER SHEET	A0.00	3/16/2022	6/28/2022
CODE DATA	A0.01	1/24/2022	6/28/2022
DEVELOPMENT DATA	A0.02	1/24/2022	6/28/2022
PARKING LEVEL A GROUND FLOOR	A1.01	3/16/2022	6/28/2022
PARKING LEVEL B MEZZANINE	A1.02	3/16/2022	6/28/2022
PARKING LEVEL C	A1.03	1/24/2022	6/28/2022
PARKING LEVEL D	A1.04	1/24/2022	6/28/2022
PARKING LEVEL E	A1.05	1/24/2022	6/28/2022
AMENITY LEVEL	A1.06	1/24/2022	6/28/2022
FLOOR 1	A1.07	1/24/2022	6/28/2022
TYPICAL FLOOR	A1.08	1/24/2022	6/28/2022
FLOOR 16 LOWER PENTHOUSE	A1.08.1	1/24/2022	6/28/2022
FLOOR 17 PENTHOUSE	A1.09	1/24/2022	6/28/2022
ROOF LEVEL	A1.10	1/24/2022	6/28/2022
TOP ROOF PLAN	A1.11	1/24/2022	6/28/2022
WEST ELEVATION	A2.01	1/24/2022	6/28/2022
SOUTH ELEVATION	A2.02	1/24/2022	6/28/2022
EAST ELEVATION	A2.03	1/24/2022	6/28/2022
NORTH ELEVATION	A2.04	1/24/2022	6/28/2022

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LEVEL E GARAGE PHOTOMETRIC	L5	1/31/2022	6/28/2022
PLAN			
LEVEL E GARAGE PHOTOMETRIC	L5E	1/31/2022	6/28/2022
PLAN			
AMENITY DECK PHOTOMETRIC	L6	1/31/2022	6/28/2022
PLAN			
PORTE COCHERE PHOTOMETRIC	L7	1/31/2022	6/28/2022
PLAN			
STAIRWELLS PHOTOMETRIC PLAN	L8	1/31/2022	6/28/2022
ROOF POOL AREA PHOTOMETRIC	L9	1/31/2022	6/28/2022
PLAN			
Site Plan			
SITE PLAN	SP.1	6/3/2022	6/28/2022
AMENITY DECK SITE PLAN	SP.2	6/3/2022	6/28/2022
ROOFTOP SITE PLAN	SP.3	6/3/2022	6/28/2022
DETAILS PLAN	DP.1	6/3/2022	6/28/2022
DETAILS PLAN	DP.2	6/3/2022	6/28/2022

- 2. The grease traps for the proposed waterfront restaurants shall be located in the public right-of-way along Lake Shore Drive. The Town shall be provided with a copy of the Seacoast Utility Authority maintenance agreement for its records, which shall include liability and insurance requirements.
- 3. Prior to the issuance of the first building permit authorizing the construction of the first floor of the building, the temporary gravity sewer and lift station wet well must be permitted and constructed by the Owner. In addition, prior to issuance of the first building permit authorizing the construction of the first floor of the building, the Owner must provide written confirmation from Seacoast Utility Authority ("SUA") that SUA has reviewed and approved a construction plan and schedule and an easement for the installation of a permanent sanitary lift station and force main and any other capital facilities necessary to provide water and sewer services to the Site. The Town may, it its discretion, suspend all work on the project if Owner fails to strictly comply with all provisions of the plan and schedule approved by SUA.

<u>Section 3:</u> The Owner, Applicant and their successors and assigns shall remain subject to all of the conditions of Resolution Nos. 97-12-19 and 42-06-20 to the extent they are not modified herein.

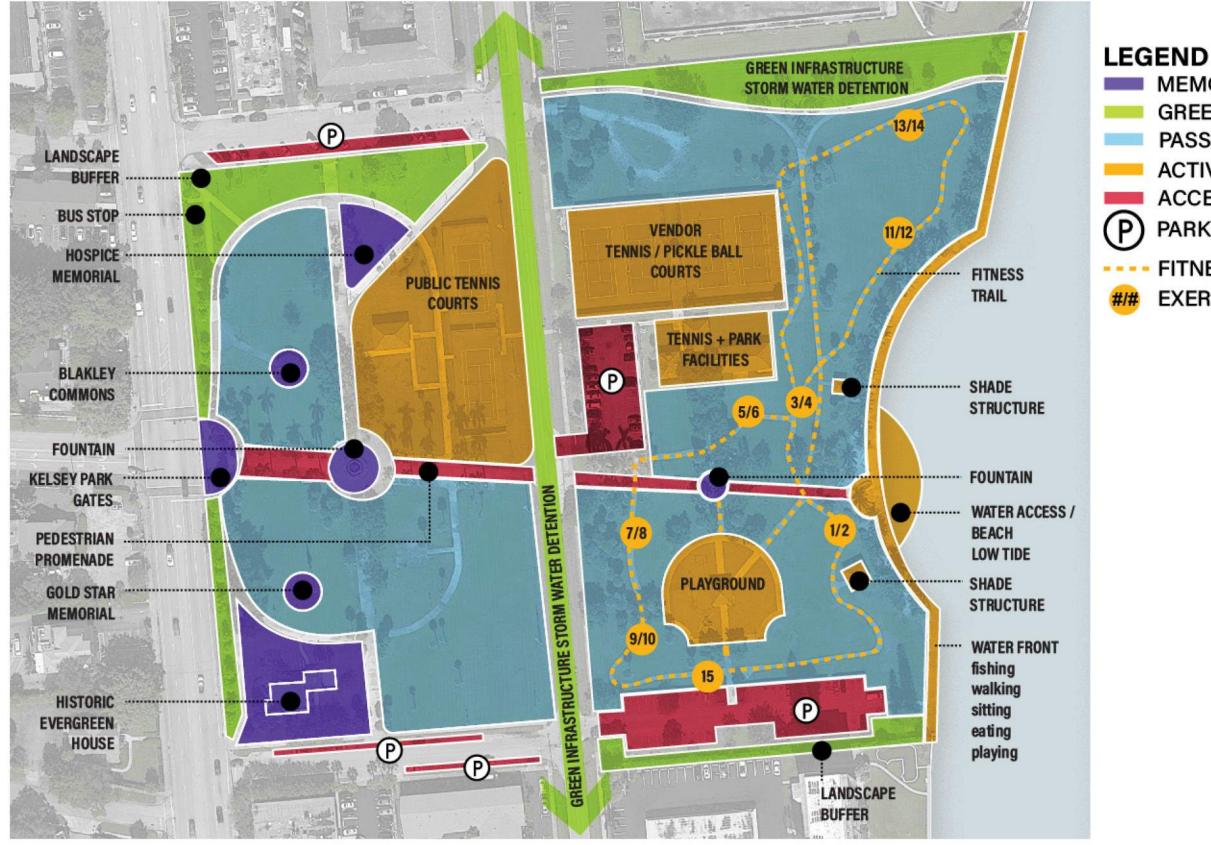
**Section 4.** This Resolution shall become effective upon execution.

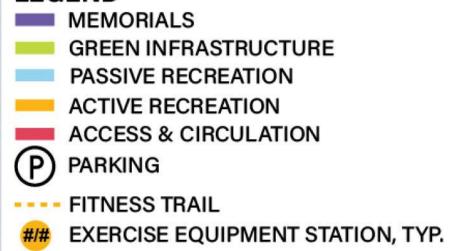


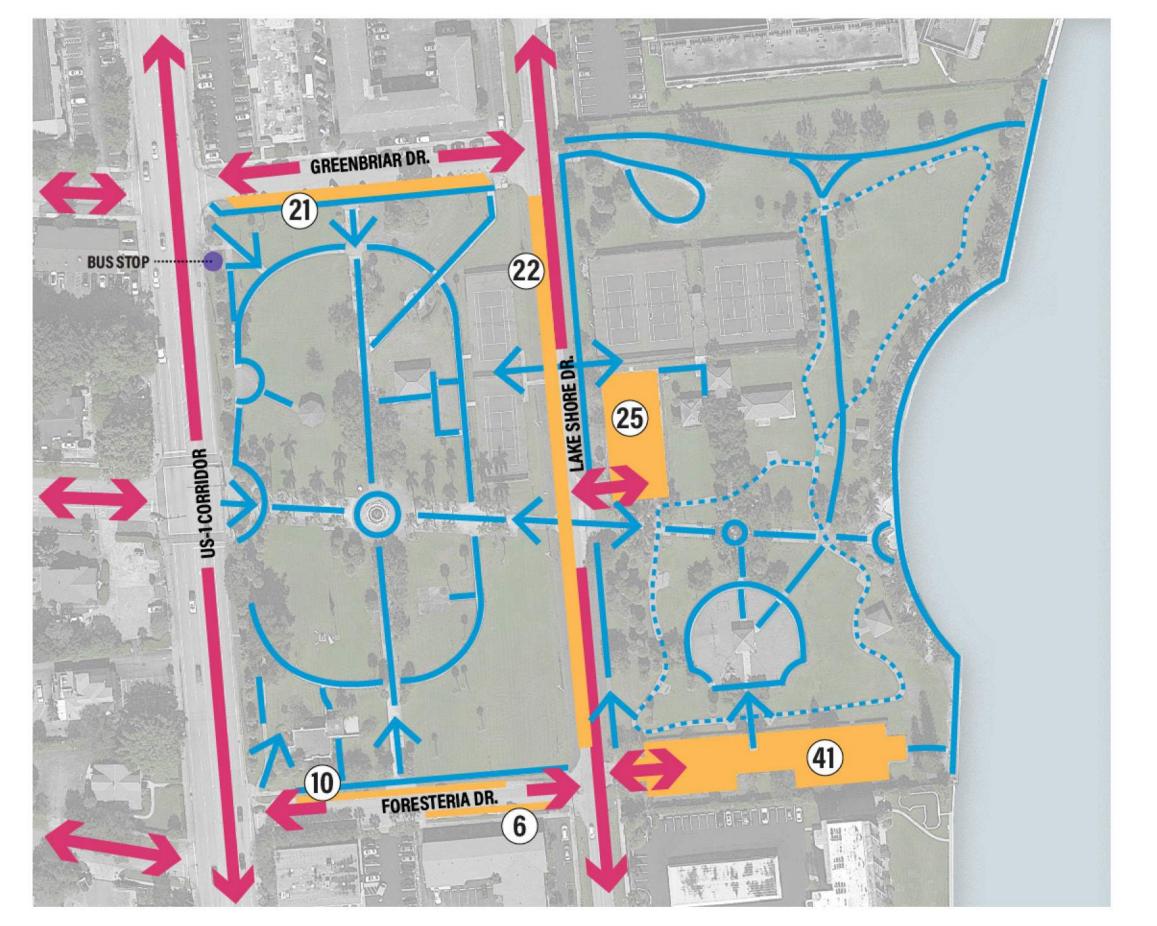




## **Work Completed To Date...**







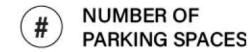




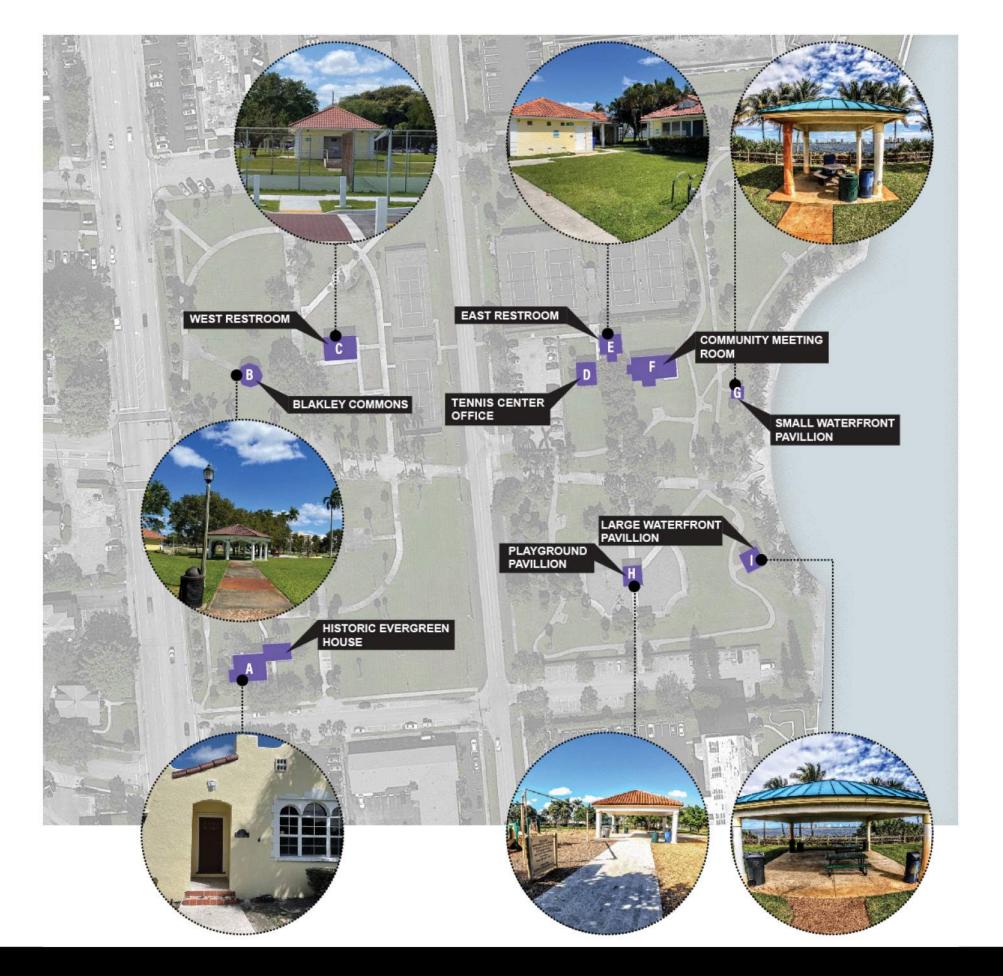






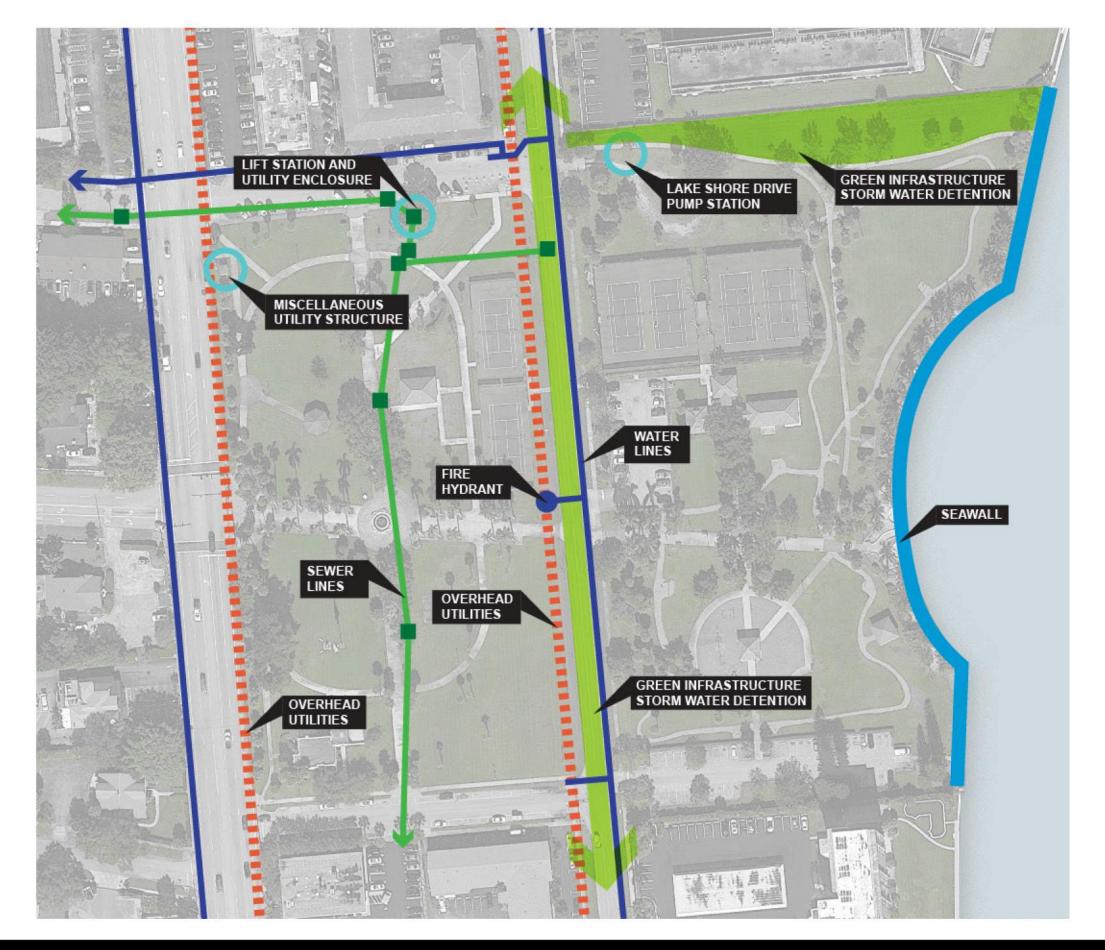














# SURVEY RESULTS

## **OPEN FOR A 3 WEEK PERIOD**

- Church outreach
- Private and public schools

288 survey results (English/Spanish/Creole)



## **Current Issues or Deficiencies**

- Large number of homeless at night
- Lack children's amenities
- Need better water access
- More shade, its too hot
- Not enough community events
- Dark at night





"We used to go to Kelsey Park much more often when there was still playground equipment there for the kids. We would visit more often if those amenities were restored."

## **Desires for the Future Park**

- Playground and splash pad
- More shade trees
- More community events
- Improve water access
- More arts and culture elements
- Improve safety







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# WORKSHOP RESULTS

# MAY 21st

- Visual Preference Survey
  - P.A.R.K. Exercise
  - Drawing Charrette



## **TOP CHOICES**

- Arts & Crafts and Farmers Market
- Picnic Gazebos
- Community Events and Gathering Areas
- Formal Amphitheater or Performance Space
- Informal Outdoor and Group Fitness
- Splash Pad
- Food Truck Court
- Picnic Area with BBQ Grills

# PROGRAM 1/2 PICK UP TO 8 TOTAL ON PROGRAM BOARDS

















# PROGRAM BOARD















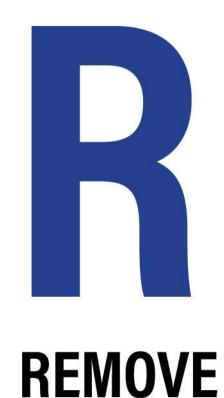


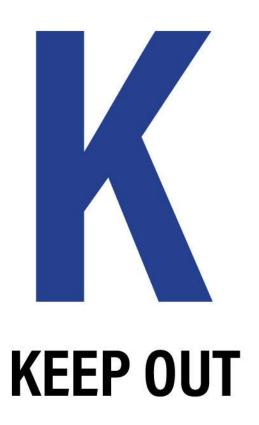




# PRESERVE







Greenery
Small-town Feel
Exercise Paths
Shade
Walking Paths
Water Access

Shade
Seating
Art
Community Events
Color

Homeless
Noise (Pickleball Courts)
Light Spillage onto
Condos
Private Clubs (no public access in a public park)

Loiterers
Loud Noises
Commercialization



## **Drawing Charrette Working Groups**

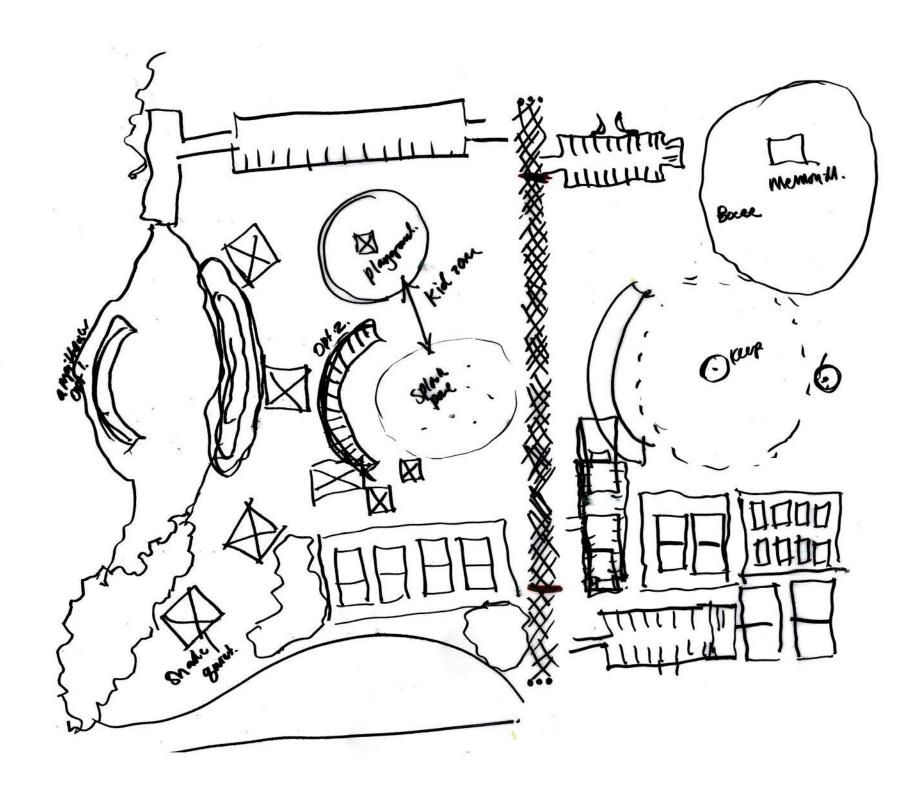






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- Reviewing Concept 1 and Concept 2
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# Discussion on 1 vs 2







# KELSEY PARK MASTER PLAN



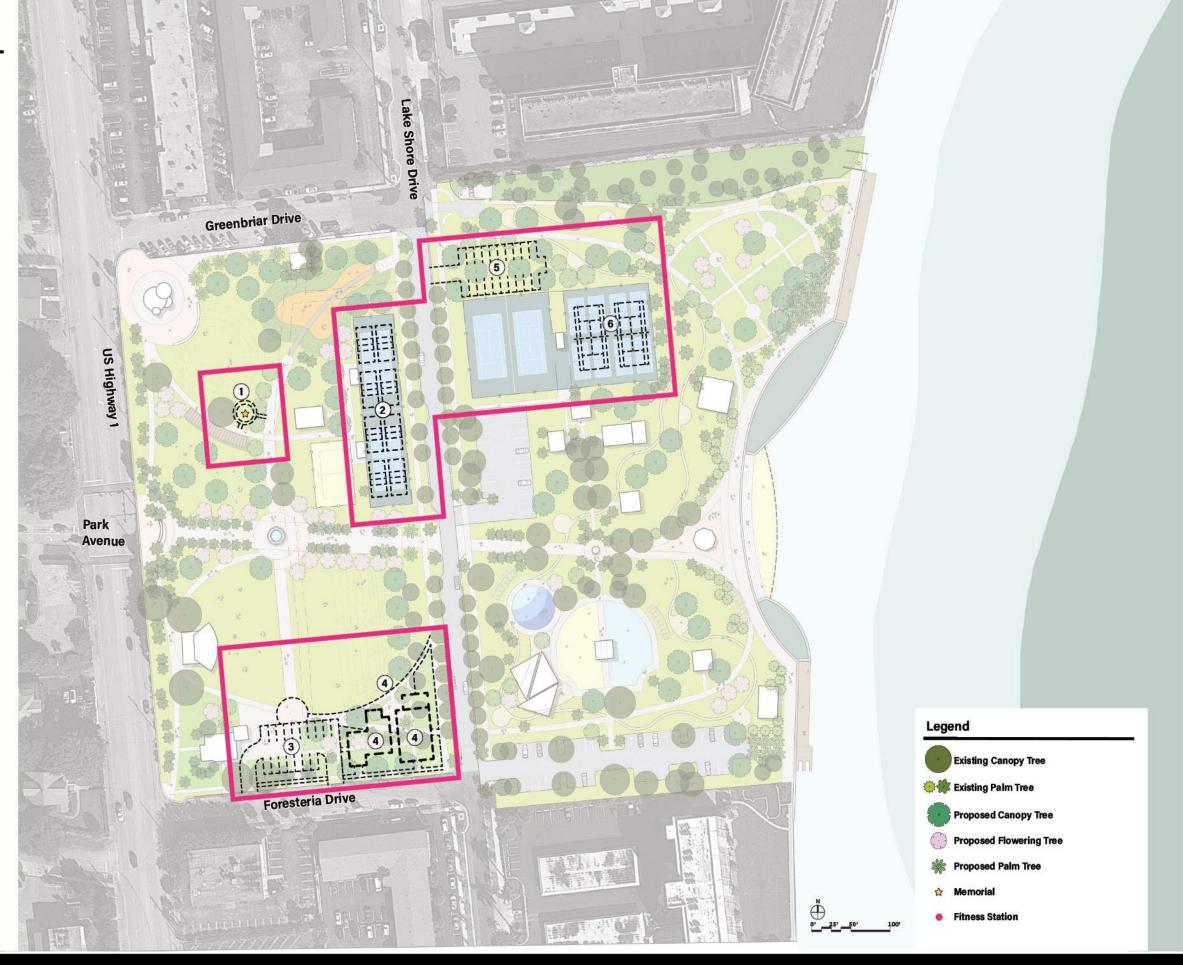
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- 1 Gateway Plaza w/ Public Art
- 2 Market/Event Space
- 3 Adult Seesaws
- 4) Historic Gateway Plaza + Gates
- (5) Preserved Historic E-W Axis
- 6 Band Shell
- 7 Great Lawn
- 8 Evergreen House + Memorial Gardens
- Covered Seating Area
- (10) Kayak Launch
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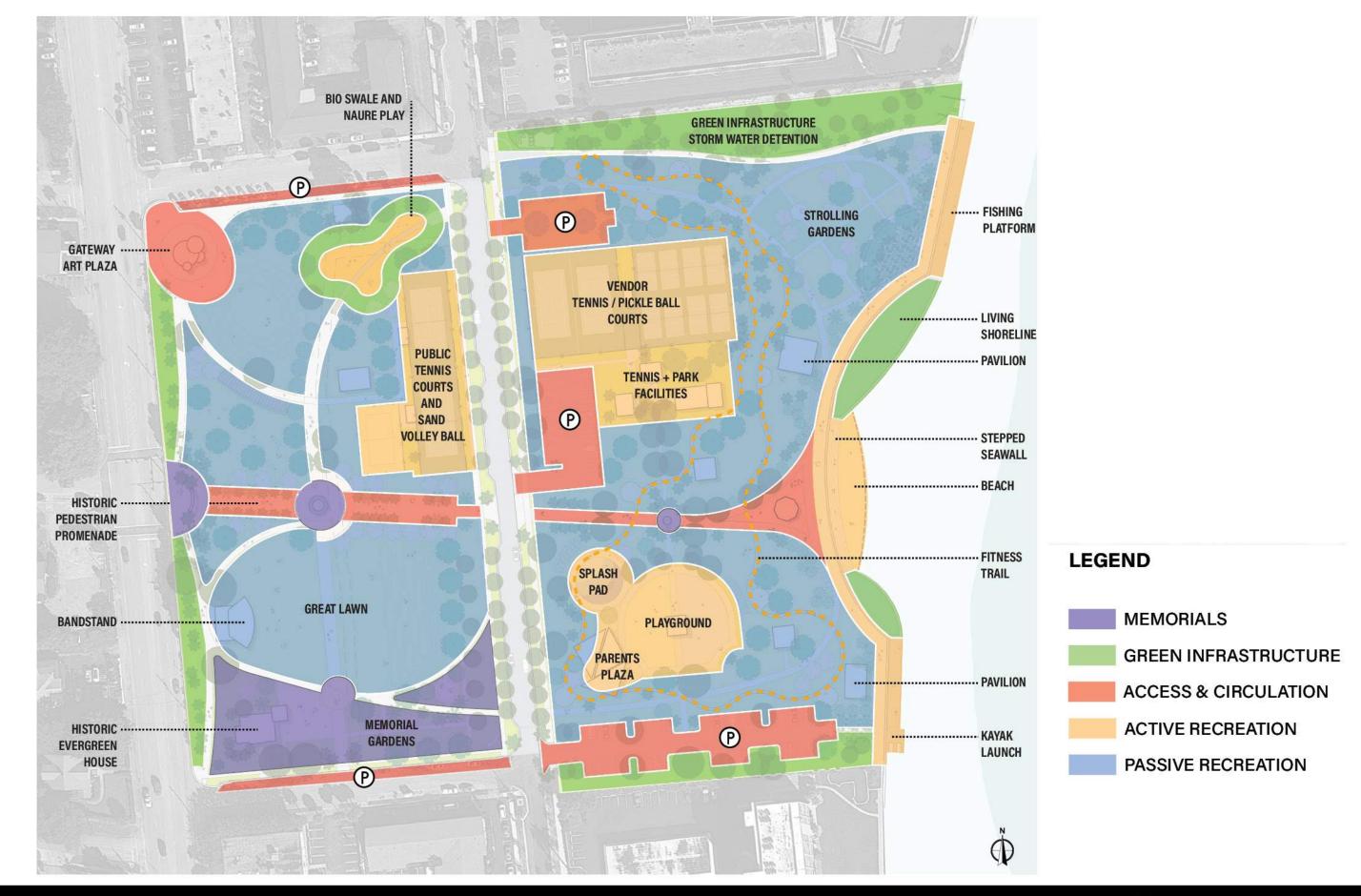
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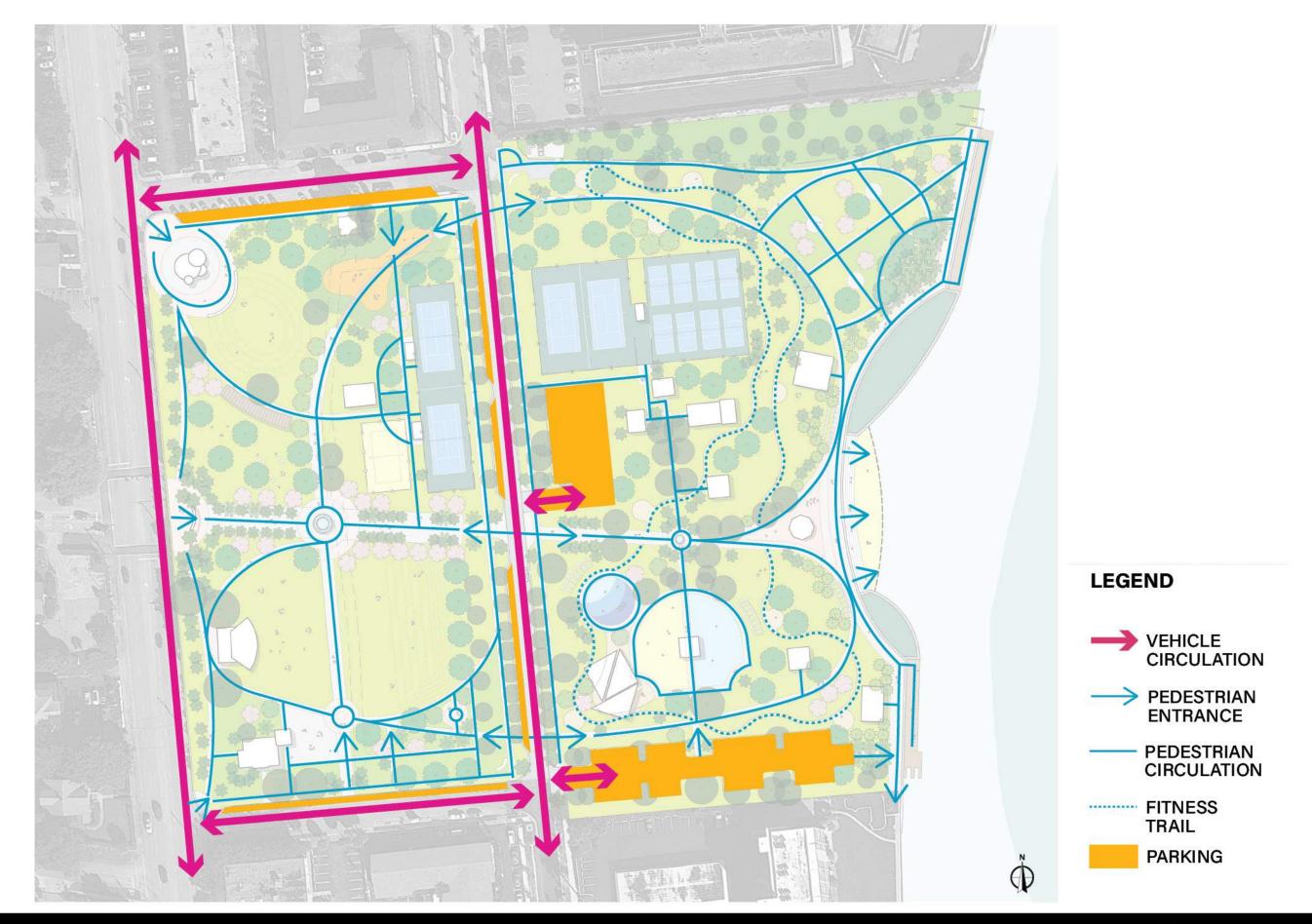


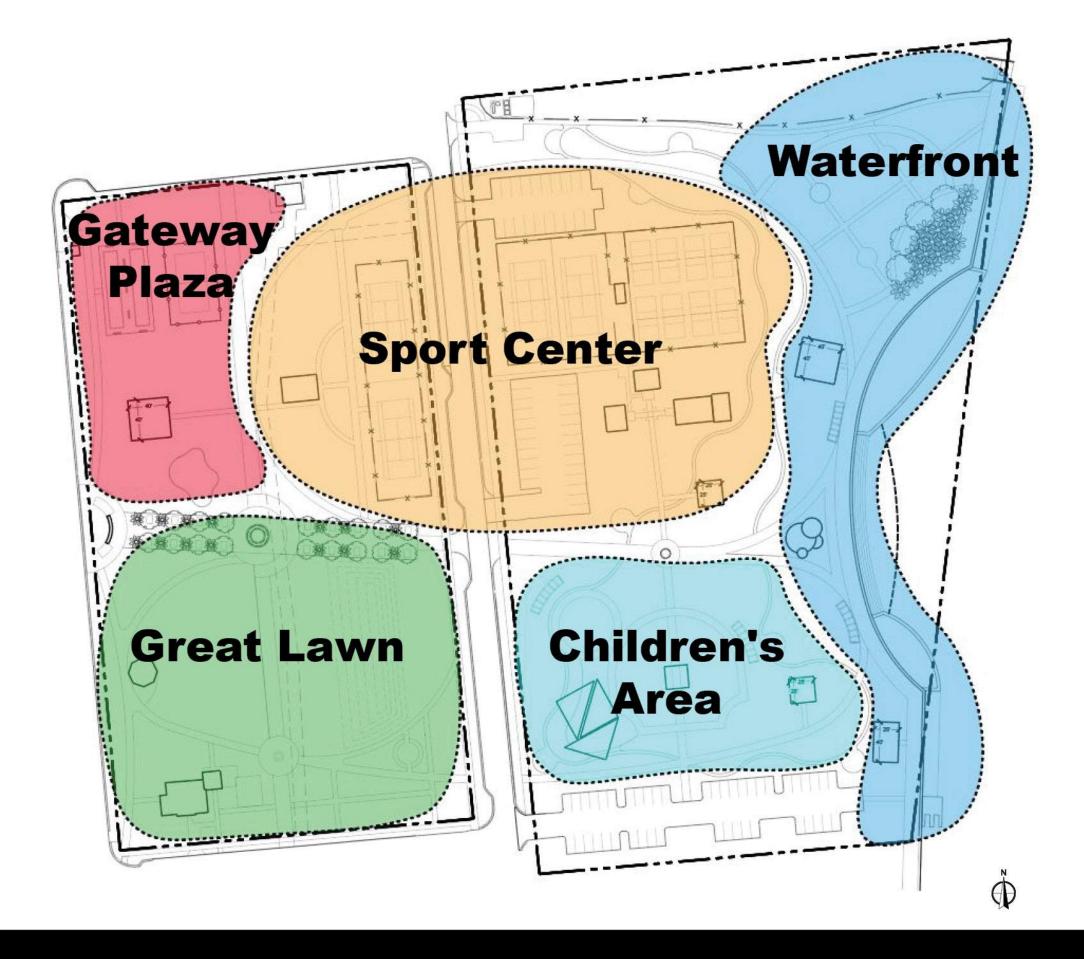
















**Open Lawn Space** 





**Living Shoreline** 



**Palm Court** 



**Strolling Gardens** 







**Stepped Seawall to Beach** 





























**Pavilion with Grills** 



ADA Accessible Fitness Trail





Historic East/West Axis and Festival Area



**Great Lawn** 



Hillside or Amphitheater Seating



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MEMORIAL

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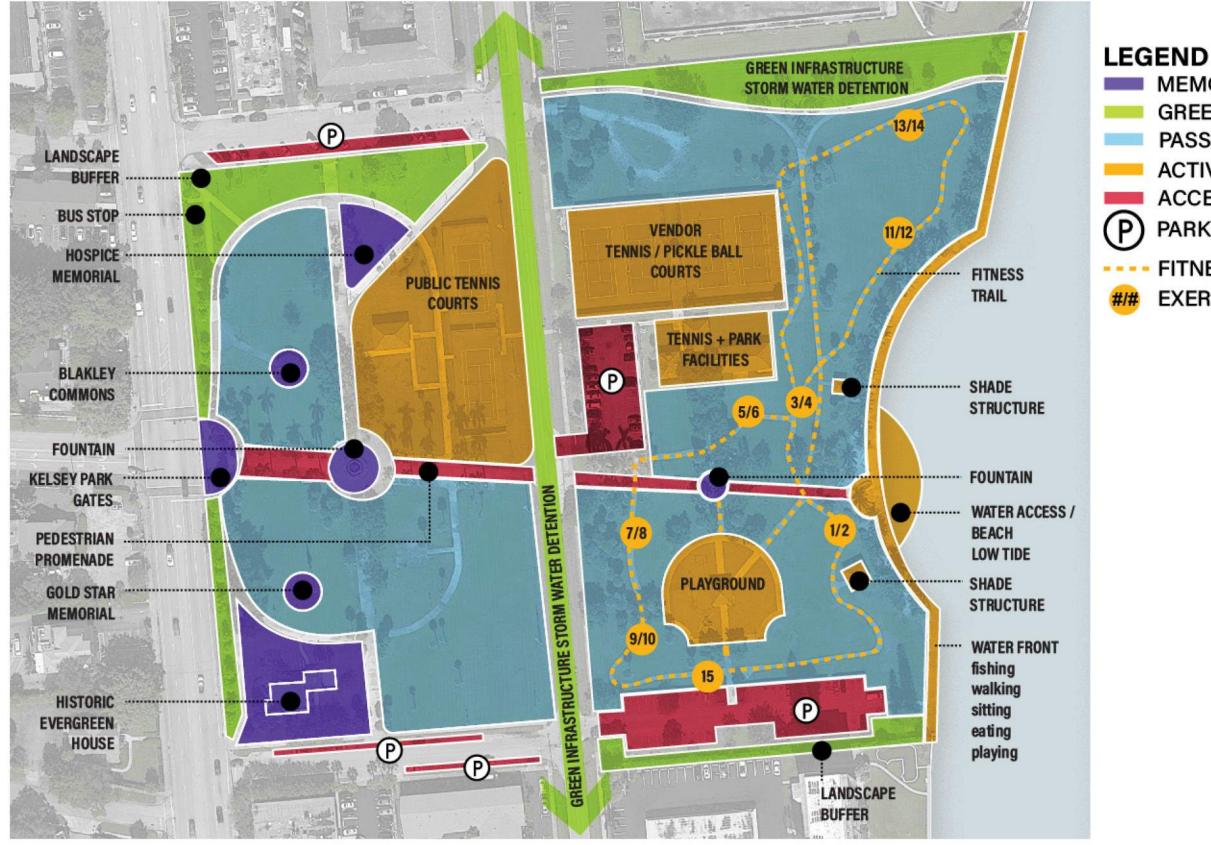


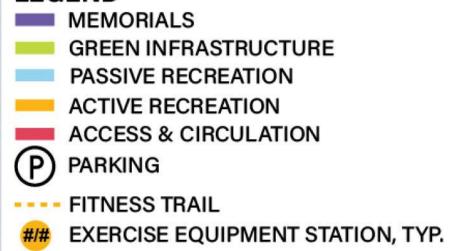


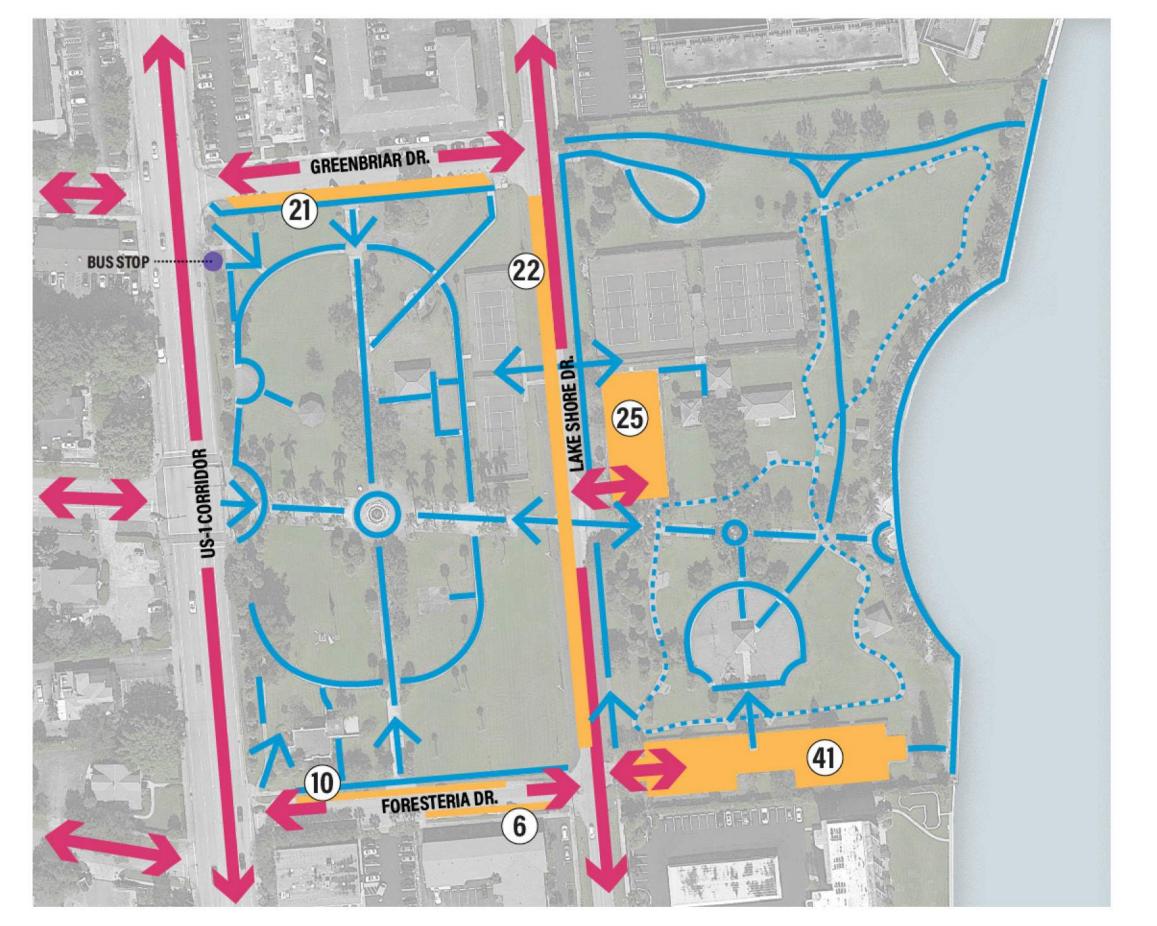




#### **Work Completed To Date...**







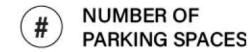




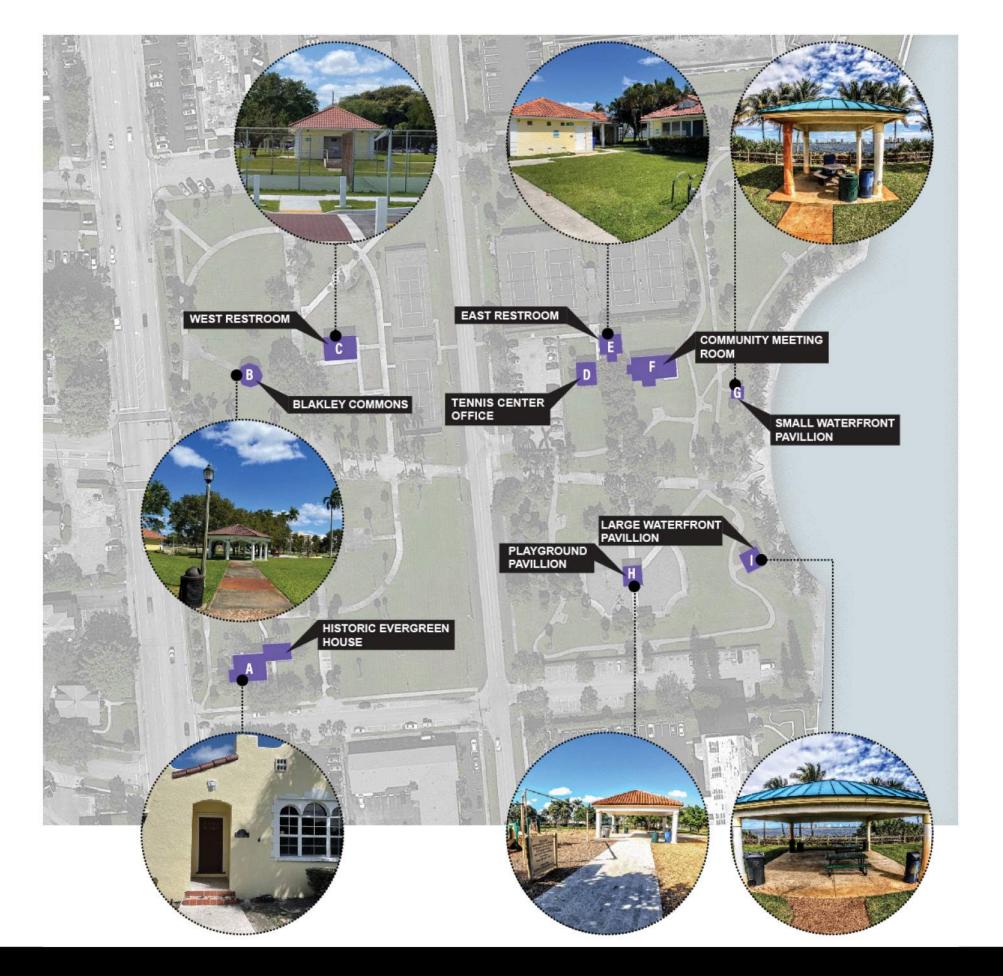






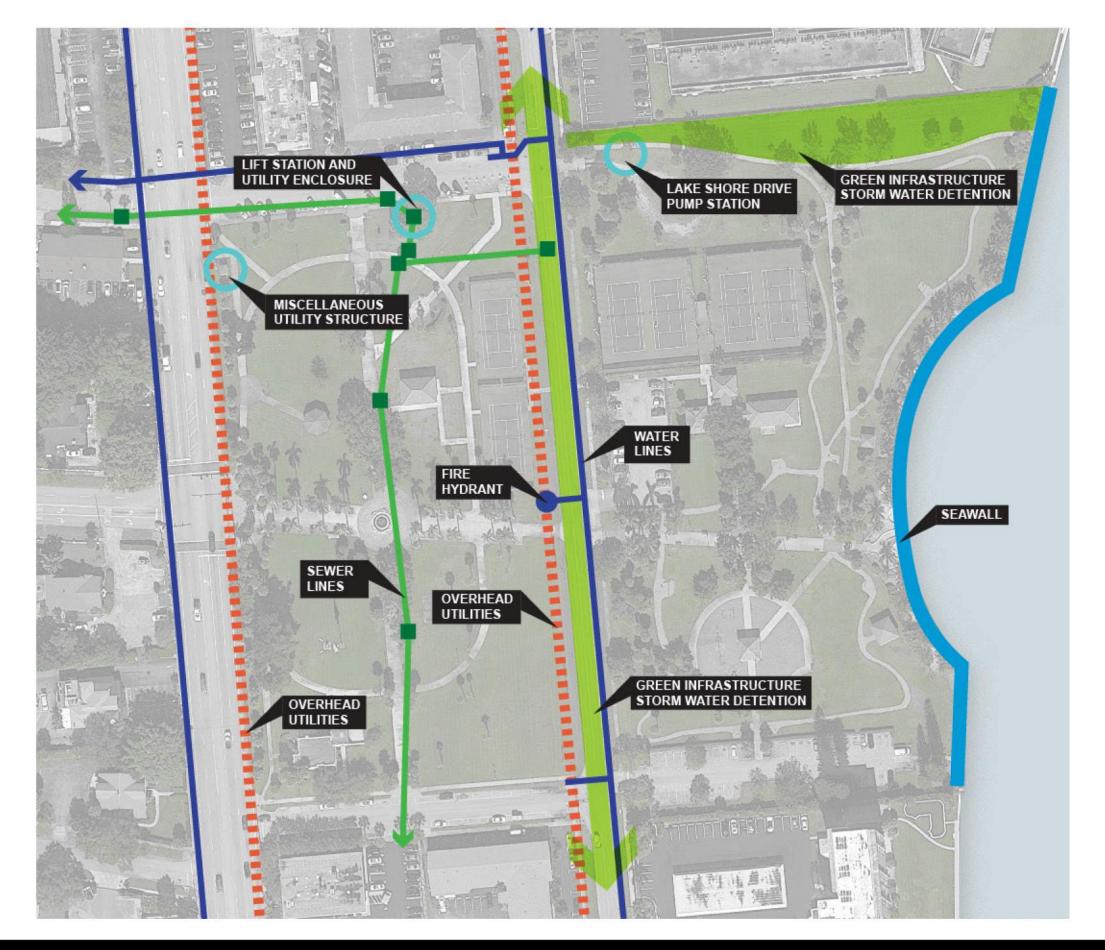














# SURVEY RESULTS

### **OPEN FOR A 3 WEEK PERIOD**

- Church outreach
- Private and public schools

288 survey results (English/Spanish/Creole)



#### **Current Issues or Deficiencies**

- Large number of homeless at night
- Lack children's amenities
- Need better water access
- More shade, its too hot
- Not enough community events
- Dark at night





"We used to go to Kelsey Park much more often when there was still playground equipment there for the kids. We would visit more often if those amenities were restored."

#### **Desires for the Future Park**

- Playground and splash pad
- More shade trees
- More community events
- Improve water access
- More arts and culture elements
- Improve safety







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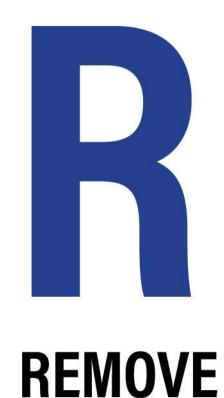


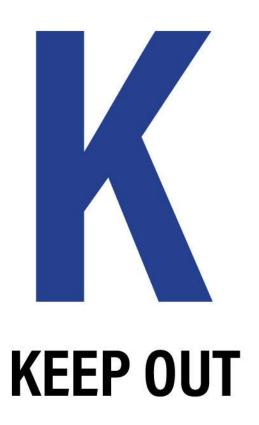




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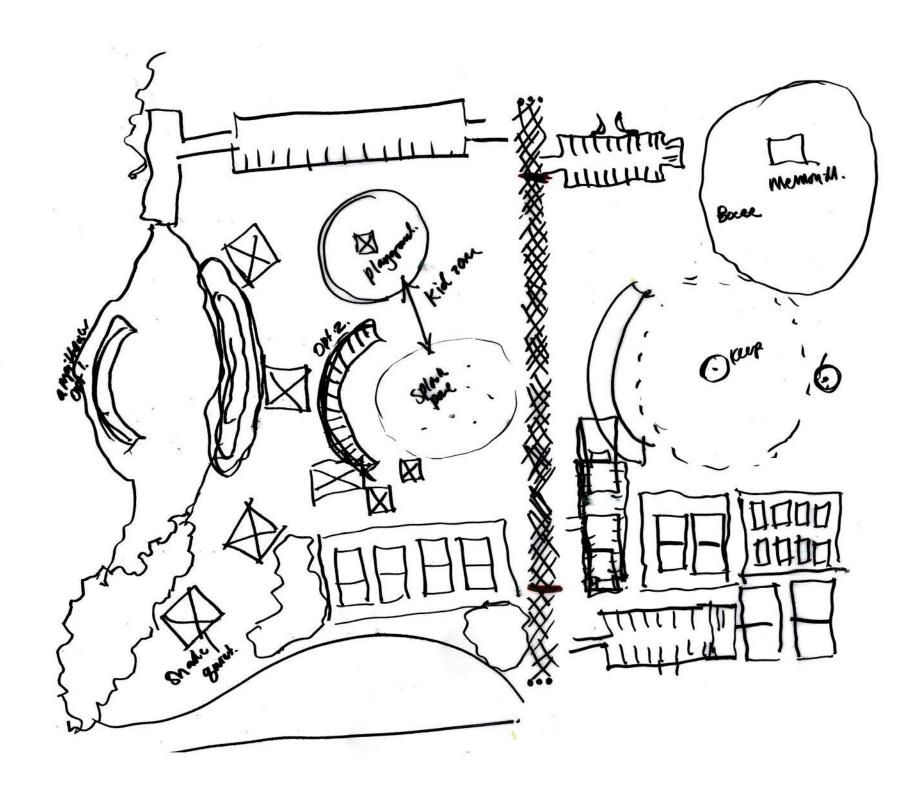






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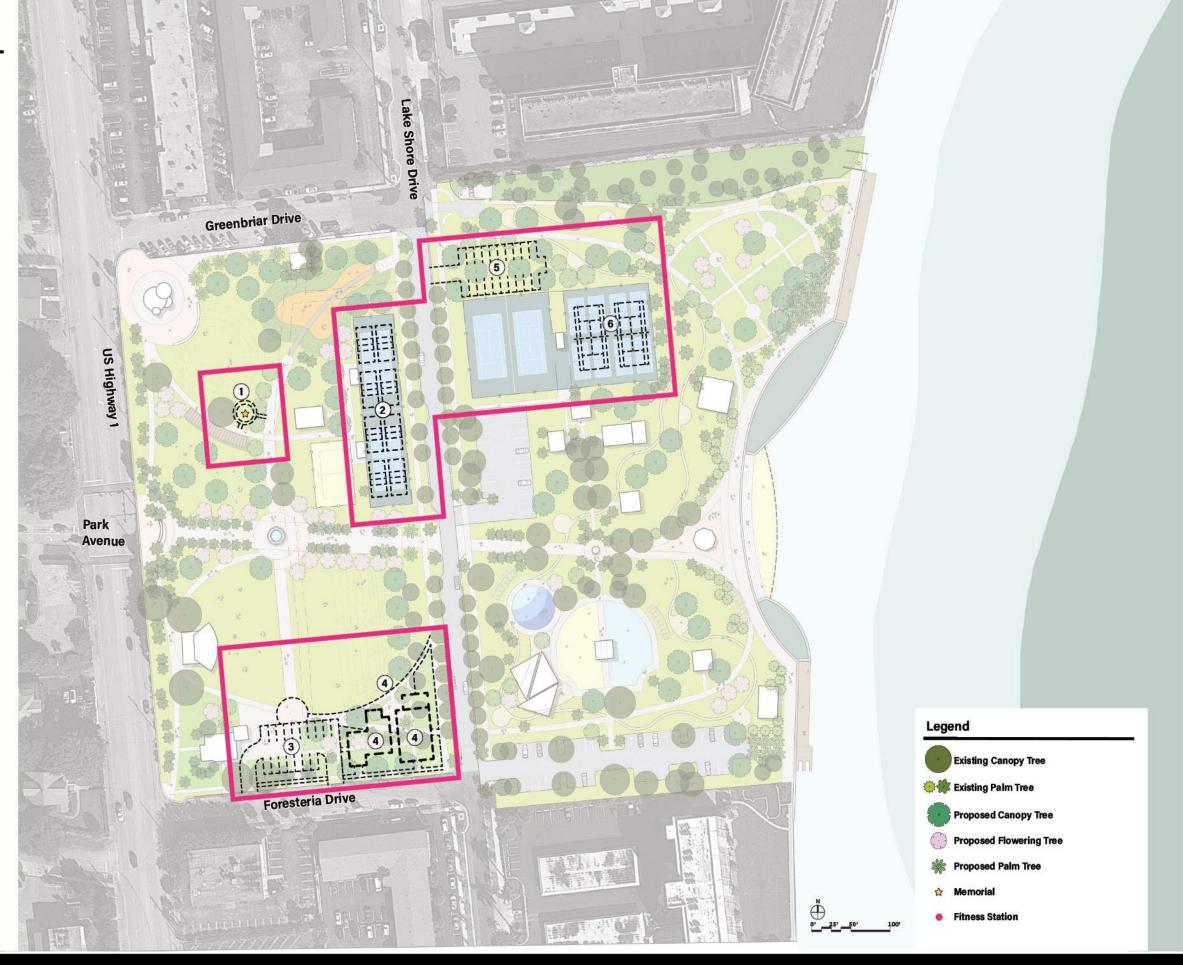


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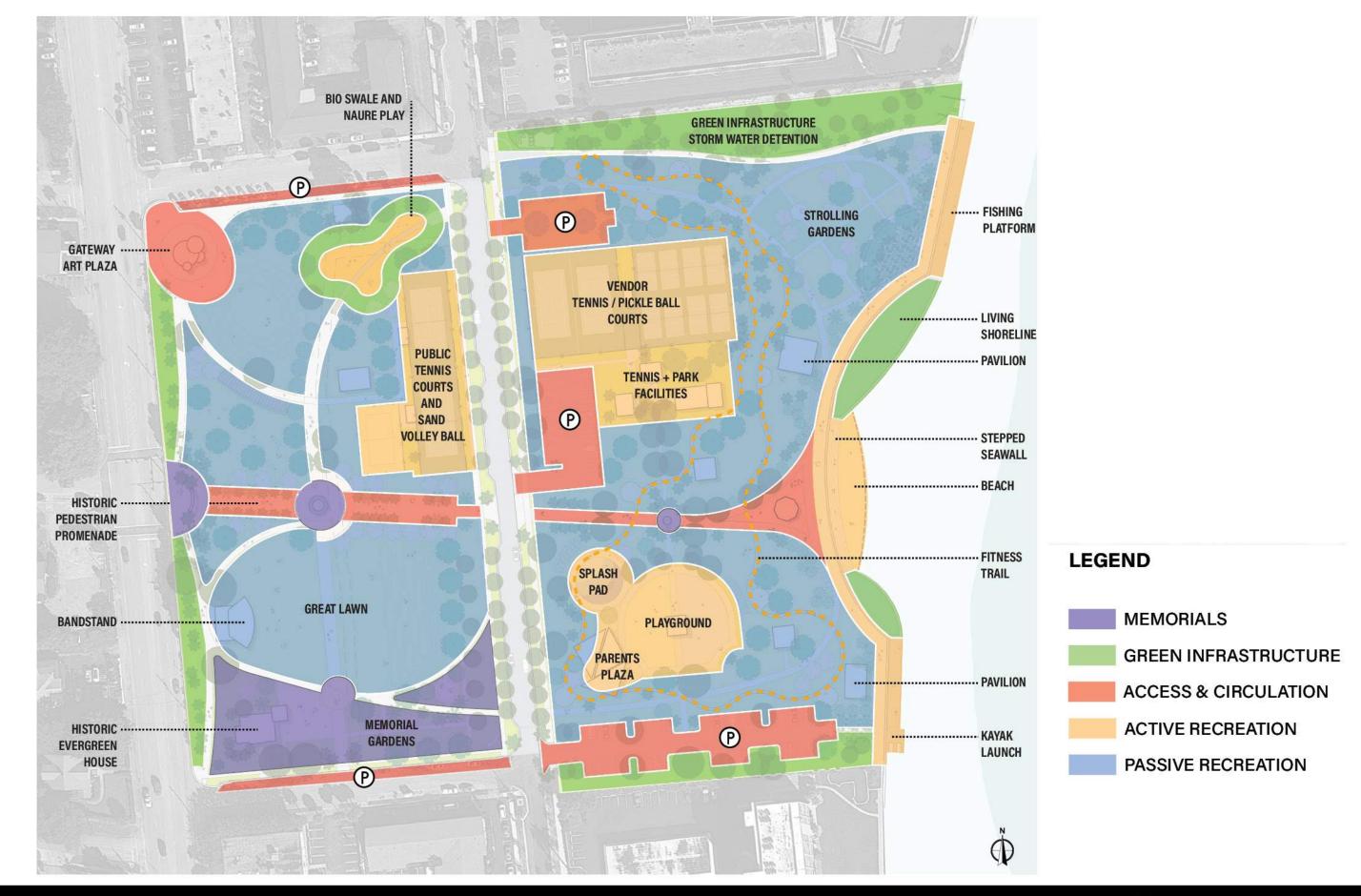
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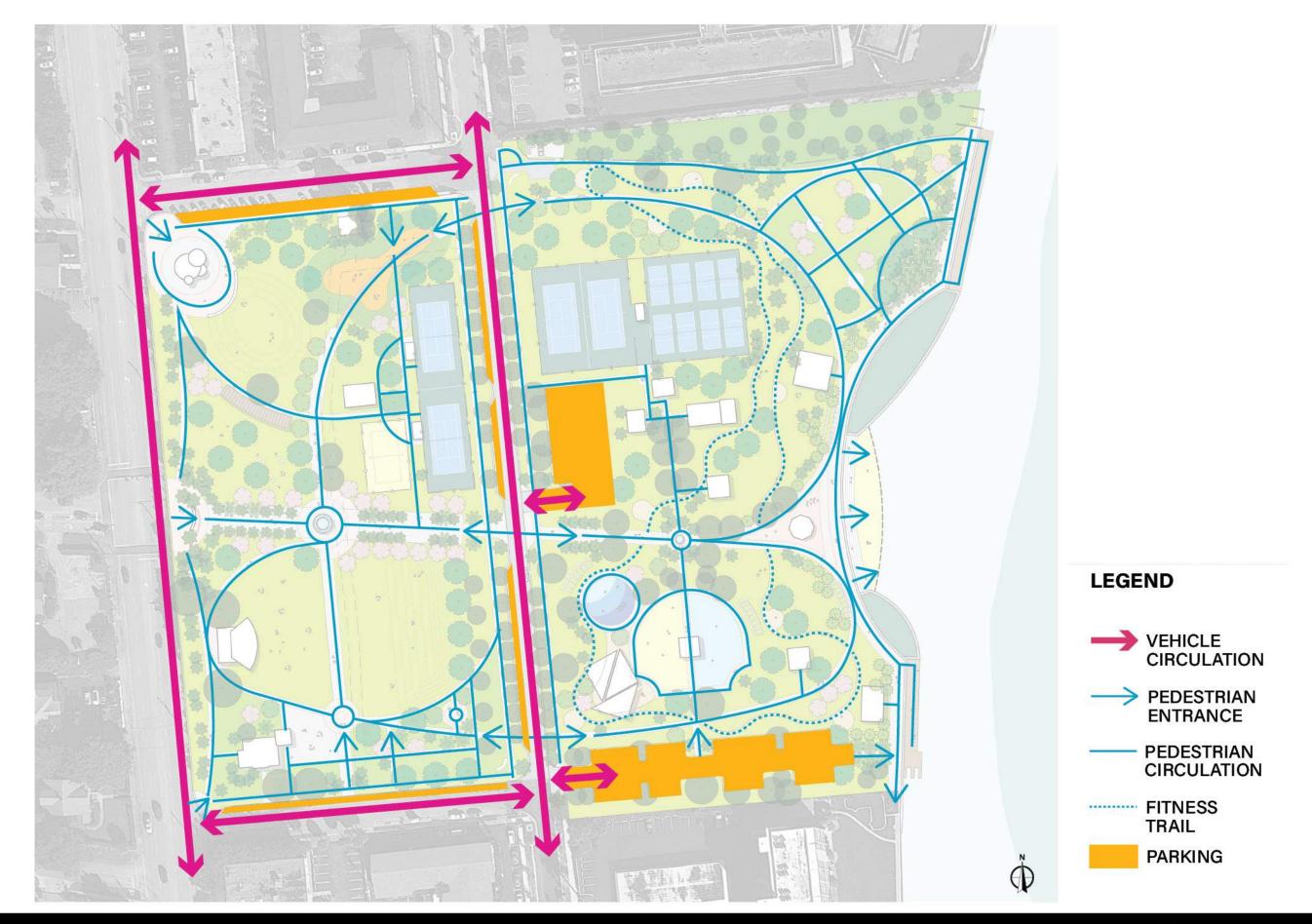


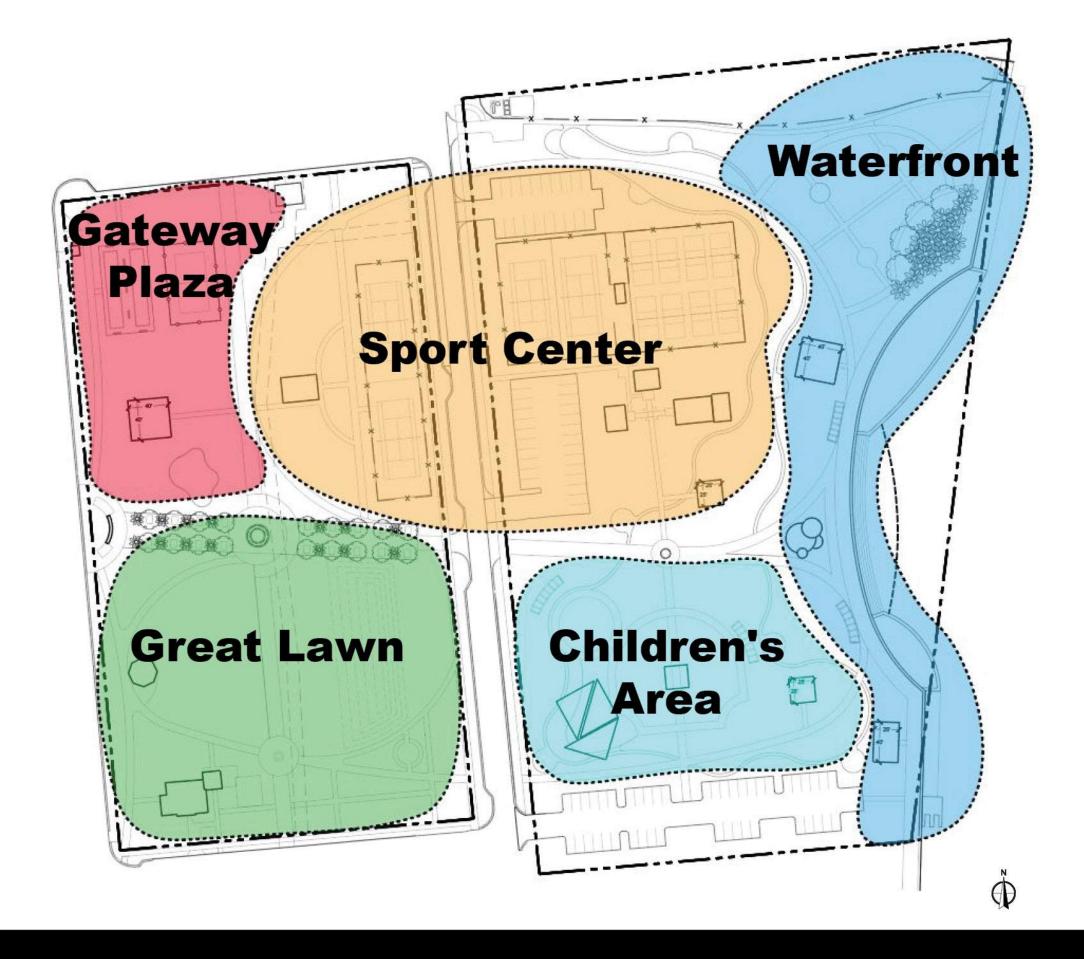
















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# TOWN LAKE OF PARK PLANNING AND ZONING BOARD MEETING DATE: September 12, 2022

PZ-22-13

**APPLICATION:** Kasa Y Kocina

AGENDA ITEM TITLE: Kasa Y Kocina Import LLC ("Owner") is seeking special exception approval for a 4,500 square foot millworking and woodworking use at 1343 S. Killian Drive. The subject property is located north of S Killian Drive in the C-4 business district and consists of the following parcel, which totals 0.26 acres:

Parcel 1 - 36434220090000700

## STAFF REPORT

#### **BACKGROUND:**

Owner & Applicant(s): Fabiola Granado / Kasa Y Kocina Import LLC

Location: 1343 S Killian Drive

Net Acreage (total): 0.2652 Acres

Legal Description: See survey enclosed in packet.

Existing Zoning: C-4

Future Land Use: Commercial and Light Industrial



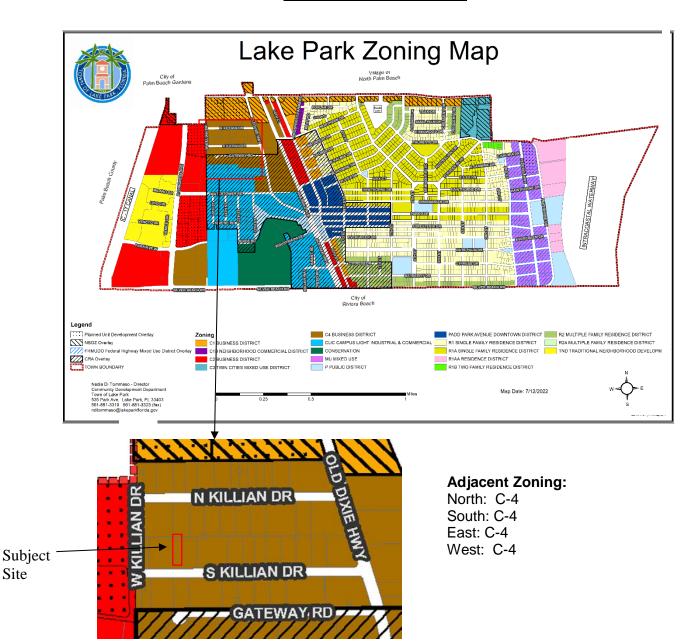
Figure 1: Aerial View of Site (image not to scale; for visual purposes only)





Site

#### **LAKE PARK ZONING MAP**

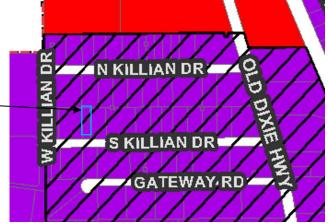




#### **LAKE PARK FUTURE LAND USE MAP**



Subject Site



#### **Adjacent Existing Land Use**

North: Commercial and Light Industrial South: Commercial and Light Industrial East: Commercial and Light Industrial West: Commercial and Light Industrial





Figure 2 - 1343 S Killian Before Repainting



Figure 4 - Repainted 1343 S Killian Building Detail



Figure 1 - Repainted 1343 S Killian Building



Figure 3 - 1343 S Killian Building Conceptual Rendering



#### **Introduction:**

The Town Commission may permit special exception uses in the C-4 business district provided the proposal meets the 6 special exception zoning criteria established in Sec. 78-184. The Applicant is seeking special exception approval for a 4,500 SF milling and woodworking use at 1343 S Killian Drive. Staff's findings in their review for special exception compliance are detailed below.

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

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

- 3.4 Goal, Objectives and Policies, Town Goal Statement 3.4.1 (3) The Town shall maintain and seek opportunities to improve its ability to provide... commercial, industrial and mixed-use development opportunities that will further the achievement of economic development goals.
- 3.4 Goal, Objectives and Policies, 3.4.2. Objectives and Policies, Objective 1, Policy 1.1 j. encourage redevelopment, renewal or renovation, that Maintains or improves existing neighborhoods and commercial areas;
- 3.4 Goal, Objectives and Policies, 3.4.2. Objectives and Policies, Objective 5 The Town shall promote redevelopment and infill development in a manner that is consistent to existing neighborhoods and uses, the built and natural environments and adjacent jurisdictions.

Because Kasa Y Kocina will adaptively re-use space in the Town's C-4 business district, improving the site and bringing new services to the Town, 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 per Sec. 78-184 (b) (2) and has determined this project complies with all applicable requirements. The project is not proposing any improvements that meet the threshold of 'redevelopment' and therefore they are only required to conform to the code to the greatest extent possible. Accordingly, the applicant is proposing several improvements where feasible to increase code compliance, including:

- Striping 2 additional parking spaces at the north end of the site in an effort to meet the required parking (18 spaces) despite the inherent limitations of the site.
- Landscaping improvements consisting of the installation of Japanese Boxwood Shrubs and a ficus benjamina as noted on Site Plan sheet A1.

A new bench and garbage can by the south parking lot.

Additionally, the applicant worked diligently with staff to identify the location of an updated dumpster pad and more parking spaces. Unfortunately, due to the inherent limitations of the site, the applicant was not able to relocate the dumpster and create more parking without creating issues with dumpster accessibility for Public Works and increasing nonconformity by shrinking drive-aisle width. Given the constraints of the existing site, staff feels the applicant has addressed existing nonconforming conditions to a great extent, however we note that roof projections should be installed to break-up the roofline, but these are not possible since they would require a special structural load that the building cannot support at this time.

Additionally, we are recommending a condition of approval, which is as follows: "As part of the permit submittal, the applicant shall paint all protruding trim areas on the building a contrasting color, paint the outstanding western wall consistently with the rest of the building, and add additional details to the façade above the front doors facing S. Killian Drive."

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

Compatibility with Surrounding Uses: To the north, south, ease, and west, identical zoning and future land use designations ensure adequate buffering between the proposed use and zones of lower intensity such as light commercial and residential. The character of the C-4 business district is overwhelmingly industrial and Kasa Y Kocina is consistent and compatible with those uses in its vicinity.

**Hours of Operation:** The proposed hours of operation from 8:00 AM to 5:00 PM are in keeping with the standard hours of operation of most businesses in the area and do not pose a conflict.

#### **Traffic Generation:**

The project's end-users are not anticipated to generate disproportionate traffic based on the low frequency of anticipated drop-offs, deliveries, and customer consultations as detailed in the applicant's Round 2 comment responses. Specifically, the Applicant notes that materials will typically be received twice a week on Tuesdays and Thursdays between 11AM and 3PM. Deliveries are typically done twice a week on Wednesdays and Fridays between 10AM and noon. Customer service consultations are by appointment and an average of 3 to 5 clients a week are received between 9:30 AM and 3PM. This operational description does not suggest Kasa Y Kocina will generate any disproportionate or unusual traffic impacts.

#### Massing, Height, Setbacks, etc:

As previously noted, the building at 1343 S Killian Drive is pre-existing and thus the current conditions depicted on the applicant's survey are not proposed to significantly change.

TOWN TO THE PARK HIS

The structure will be adaptively re-used through internal reconfiguration and the existing exterior conditions are proposed to remain with select improvements noted on the site plan. Those existing nonconforming aspects .

include the following:

- o The east side setback does not meet the required 12 foot setback.
- o Parking is insufficient to meet the code requirement, however, the applicant has attempted to remedy this to the greatest extent possible given site constraints.
- O There are currently clusia bushes and a ficus tree existing on the site. However the applicant has proposed the installation of Japanese Boxwood Shrubs and a ficus benjamina in the front yard to buffer the parking lot from S. Killian Drive.

Based on these reasons, staff finds Kasa Y Kocina to meet the criteria of Sec. 78-184 (b) (3).

#### 4. Concentration of similar types of uses:

Per Sec. 78-184 (b) (4), staff must identify whether the proposed special exception use creates a concentration of similar uses which may be detrimental to development or redevelopment in the area. Staff has identified two similar operations, though these are specialized in different ways than Kasa Y Kocina. These include the following:

- White House Stone 1346 S Killian Drive.
- Kodiak Custom Cabinetry and Fine Woodworking 1334 S Killian Drive Ste. 5

In response to our inquiries into how these operations differ from Kasa Y Kocina, the applicant has provided the following:

"Similarities and differences between our business and White House Stone and Kodiak Custom Cabinetry.

- A) White House: Based on the information we have they use a CNC machine similar to ours for their manufacturing process that generates the same amount of noise, but the difference is that they cut marble, granite and quartz sheets and we cut plywood and melamine sheets.
- B) Kodiak Custom Cabinetry: Based on the information we have they use a dust collector similar to ours in its non-pollution specifications, and its activity is to manufacture cabinets, but the difference with us is that Kodiak does not manufacture doors by themselves, but they make them in conjunction with the cabinets and uses traditional saws to cut the plywood sheets that are not as efficient as a CNC."

In summary, Kasa Y Kocina caters to a special woodworking niche not provided by White House Stone and that Kasa Y Kocina utilizes different tools to create unique outputs like doors unlike these similar operations. Staff believes these uses can co-exist along S. Killian Drive and



that their concentration is not detrimental to development or redevelopment. Staff finds the criteria 4 requirements satisfied.

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

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

- Based on Kasa Y Kocina's narrative responses, they will only have 4 employees at their 4,500 SF building. Staff believes the anticipated number of users here are not above-average for similar uses in the district and no unique nuisance would be created.
- As previously noted by the applicant's description of daily operations, traffic generation is not anticipated to be disproportionate for this use. Furthermore, there is space allocated within the building for deliveries and Kasa Y Kocina believes there is adequate formally-designated and informal parking space on site for customers and employees.
- Regarding other aspects of the operation that would negatively impact surrounding properties, it must be noted that the millworking use proposed will generate noise and dust during normal business hours. To counteract this, Kasa Y Kocina will conduct all their operations within their enclosed building and use a dust collector located at the rear (north) of the site to sequester dust from their woodworking.

Based on the abovementioned factors, staff identified no other relevant factors peculiar to the proposed special exception project that would negatively impact surrounding properties.

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

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

- Given that no structural alterations are proposed to the existing, one-story 18-foot building, there will be no reduction to light and air to adjacent properties.
- Regarding impacts to neighboring property values, staff does not anticipate this will be an
  issue given the industrial character of surrounding land uses. Kasa Y Kocina's use is in
  keeping with the anticipated uses and character of an industrial district. Furthermore,
  Kasa Y Kocina has already applied for and received a painting permit for repainting their
  building and is proposing landscape improvements that should help increase values rather
  than lower them.
- As it pertains to impacts on improvement, development, or redevelopment potential, staff finds no evidence to suggest this project would have a negative effect. The project itself is an infill project and is in keeping with the land uses predominant in the surrounding area.
- As it pertains to impacts on natural systems or public facilities, staff finds no evidence to suggest any impacts.



• Finally, as it pertains to provisioning pedestrian amenities like benches, trash cans, and bike parking, the applicant is proposing a 50" bench and 30 gallon trash receptacle in their front yard to address this requirement.

Staff therefore finds special exception criteria 6 to be satisfied.

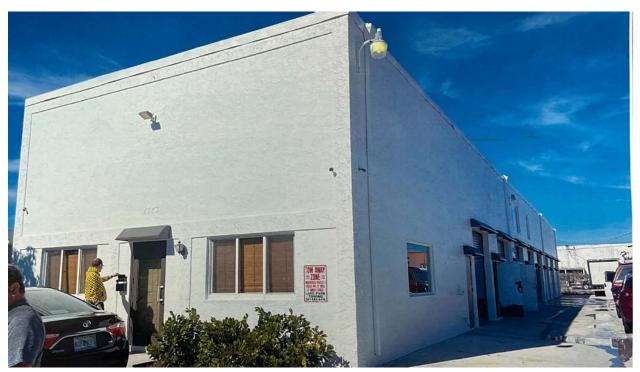


Figure 5 - Kasa Y Kocina Import LLC



## STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Special Exception Application for Kasa Y Kocina with the following conditions:

- 1. The applicant shall apply for a building permit to install the improvements identified on A-1 and A-3 (dated 8/22/22) within 90 days of their special exception approval.
- 2. All landscaping shown on the Site Plan shall be maintained by the Owner in perpetuity from the date of its installation. 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.
- 3. As part of the permit submittal, the applicant shall paint all protruding trim areas on the building a contrasting color, paint the outstanding western wall consistently with the rest of the building, and add additional details to the façade above the front doors facing S. Killian Drive.



# TOWN OF LAKE PARK COMMUNITY DEVELOPMENT DEPARTMENT

## APPLICATION FOR SPECIAL EXCEPTION REVIEW

Applicant/Agent: Fabiola Granado/Kasay kocina Import LLC
Address: 800 Scotia Dr Apt 203 Hypoluxo FL 33462
Telephone: 780-660-9440 Fax:
E-mail: Kasay kocina @gmail.eom
L-man. Masay Koaria agrillati. Corre
Owner
☐ Agent (Attach Agent Authorization Form)
Owner's Name (if not Applicant): Fablola Granado and Nestoe J Guevara
Address: 800 Scotia Dr Apt 203 Hypoliuxo FL 33462
Telephone: 786-660-9440/561-631-4555 Fax:
E-Mail: kasay kocina @gmail.com
Property Location: 1343 S Killian Dr Lake Park
Legal Description: NORTHLAKE Business Park LT 70
Property Control Number: 36-43-42-20-09-000-07-00
Future Land Use: Zoning: C4 Business Clistei Ct 36-
Acreage: 0.2652 Square Footage of Use: 4,500
Proposed Use: Sale, fabrication, assemble and installation
of Kitchen cohinate alosots vanities

#### **Zoning/Existing Use of Adjacent Properties:**

North:

<u>Window installation, wuntertop</u> West: <u>utility, commercial, industrial,</u> fabrication, wutorn cabinetry communication, solar products. East:

#### **APPLICATION REQUIREMENTS:**

Please discuss how the Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

The special exception use is consistent with the goals, objectives and policies of the town because we are increasing and generating expansion, employment and development while staying consistent with the goals to wrate a sustainable city that keeps growing and encourages more investments.

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

yes, the proposed special exception is consistent with the land development and zoning of the town of lake Park because we are not in violation of the code, and we are following the regulations established by the city.

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

This special exception does not alter the area. The business hours are from 8:00 am to 5:00 pm and the traffic, volume will not change. The actual order of the neighbor businesses not the city dinamics.

4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.

This exception will not generate concentration in the area because these types of companies are distributed throughout various parts of the county.

5. Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.

a) The number of people that will work is a total of 4. The building has 4,500 sq et which is big enough to develop the activities.
b) We have the latest machine technology that do not generate noise that disturbs the neighbors or pollution.
c) The effect of the flow will not have a significative impact because there will be 4 people working and reception of material and delivery will be scheduled once a week with the company's own vehicles.

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

a) No because all the business activity will take place inside the established building.

b) all the besiness development and activity will take place inside.

c) it will not be an impediment because it is an existing building.

d) Does not affect apply.

e) does not affect apply, all the activity takes place inside the building.

#### Please provide the following:

1. Fees:

1. Special Exception Fees:

Structure Size:

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

2. Minimum Initial Escrow Fee: \$1,500.00

Advertising costs:

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

2. Property Owners List:

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

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

A. Site plan drawn to scale indicating:

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

5. Site Survey:

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

6. Applicants statement:

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

7. Warranty Deed:

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

8. Traffic Analysis:

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

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

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

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

# PLEASE DO NOT DETACH FROM APPLICATION. SIGNATURE REQUIRED BELOW.

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

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

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

9/13/21

I, Fabiola Granado	, have read and understand the
regulations above regarding cost recovery.	
Property Owner Signature	6   15   2022 Date

I, Fabiola Granado Motta, owner of Kasa and Kocina Import LLC, together with my husband and business partner Nestor Guevara, decided to purchase the property at 1343 S Killian Dr., Lake Park, FL, 33403, with the intention of establishing our manufactory of kitchen, closets and bathroom cabinets, with the aim of promoting local and family businesses and contributing to the development of the economy of the City, the State and the Country.

We, as small local businessmen, wish to obtain the support of the city for the development of our commercial activities, guaranteeing good business practices, care for the environment, order, and our contribution to the progress of the city. We are a small family business that, in addition to supporting our family, generates direct and indirect employment. We have 20 years old of experience in this business.

We hope to have your approval and help in this process and in strengthening our business, we believe that Lake Park is a very promising and growing City and we want to be part of it, thank you in advance for all your help.

Sincerely

Fabiola Granado

Nestor Guevara

CFN 20210558552 OR BK 33117 PG 894 RECORDED 12/08/2021 09:16:30 Palm Beach County, Florida AMT 985,000.00 DEED DOC 6,895.00 Joseph Abruzzo Clerk Pgs 0894-0895; (2Pgs)

Prepared by and return to:
Barry B. Byrd, Esq.
Attorney at Law
Pineiro Byrd PLLC
4600 Military Trail Suite 212
Jupiter, FL 33458
561-799-9280

File Number: 21-09-5936 GMHo

Will Call No.:

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### **Warranty Deed**

This Warranty Deed made this 29th day of November, 2021 between G.M. Holdings NPB, LLC, a Florida limited liability company whose post office address is 764 Lagoon Drive, North Palm Beach, FL 33408, grantor, and Kasa Y Kocina Import, LLC, a Florida limited liability company whose post office address is 800 Scotia Drive, #G, Hypoluxo, FL 33462, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Palm Beach County, Florida to-wit:

Lot 70, Northlake Business Park, according to the map or plat thereof as recorded in Plat Book 30, Page 93, Public Records of Palm Beach County, Florida.

Parcel Identification Number: 36-43-42-20-09-000-0700

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

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2021**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name:	Jody Marino
Witness Name:	Barry B. Byrd

G.M. Holdings NPB, LLC

Vincent Mercurio, Manager

State of Florida County of Palm Beach

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this 29th day of November, 2021 by Vincent Mercurio, Manager of G.M. Holdings NPB, LLC, on behalf of the company, who [] is personally known to me or [X] has produced a driver's license as identification.

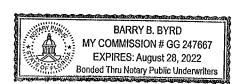
[Notary Seal]

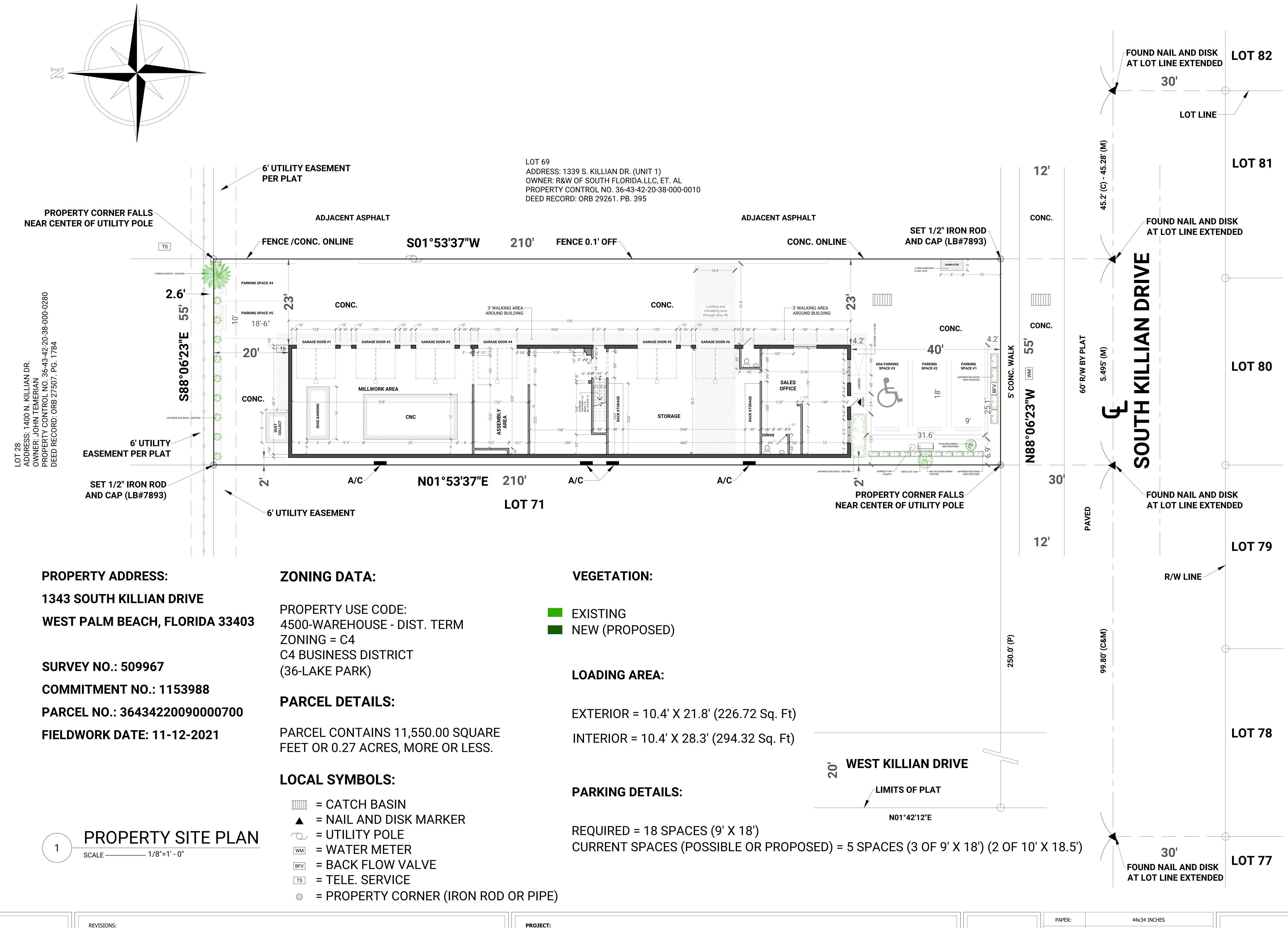
Notary Public

Printed Name:

Barry B. Byrd

My Commission Expires:





PROPERTY SURVEY PLAN

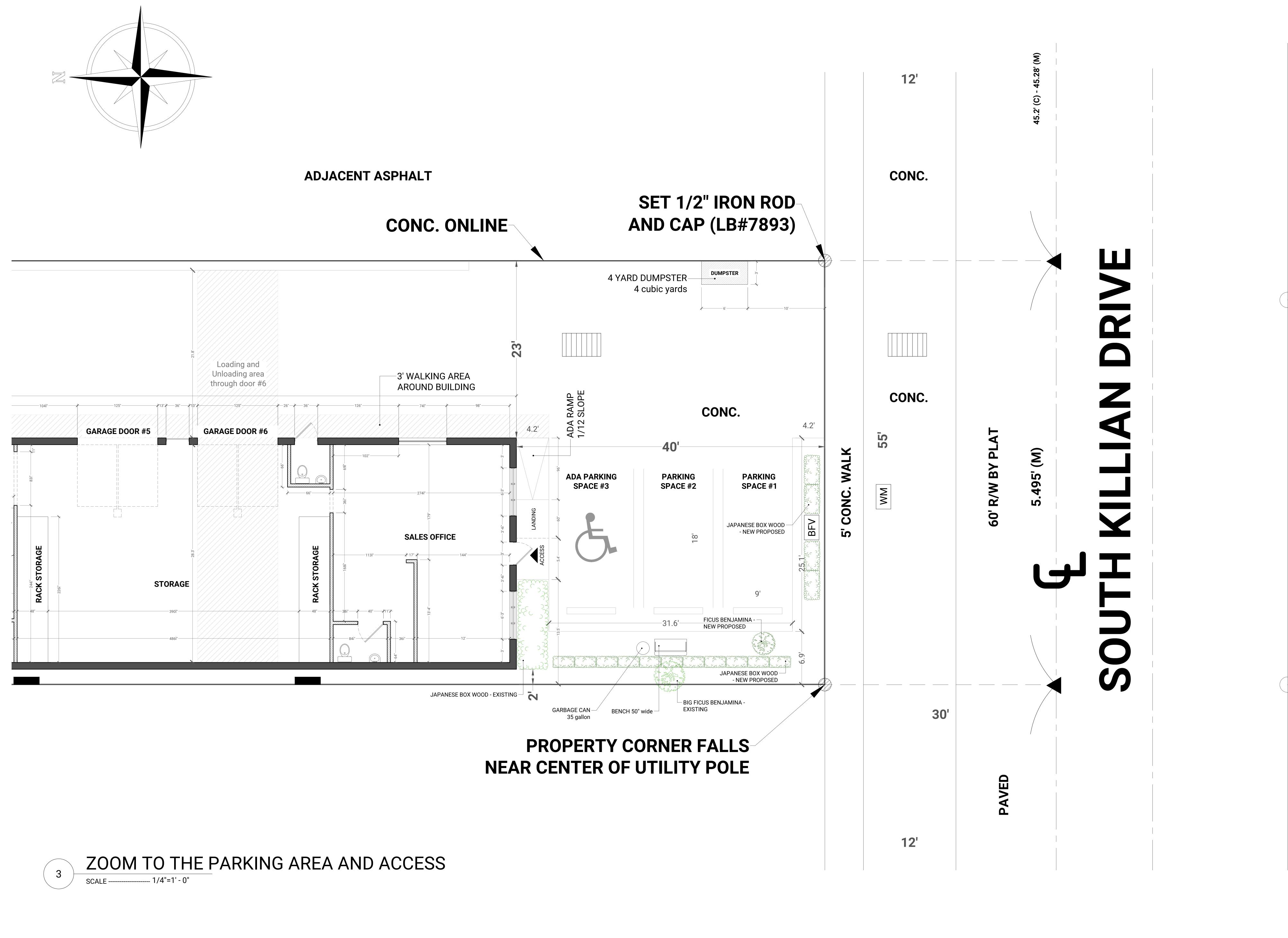
1343 SOUTH KILLIAN DRIVE WEST PALM BEACH, FLORIDA 33403

PROPERTY SURVEY PLAN

1343 SOUTH KILLIAN DRIVE WEST PALM BEACH, FLORIDA 33403

TITLE: SURVEY PLAN

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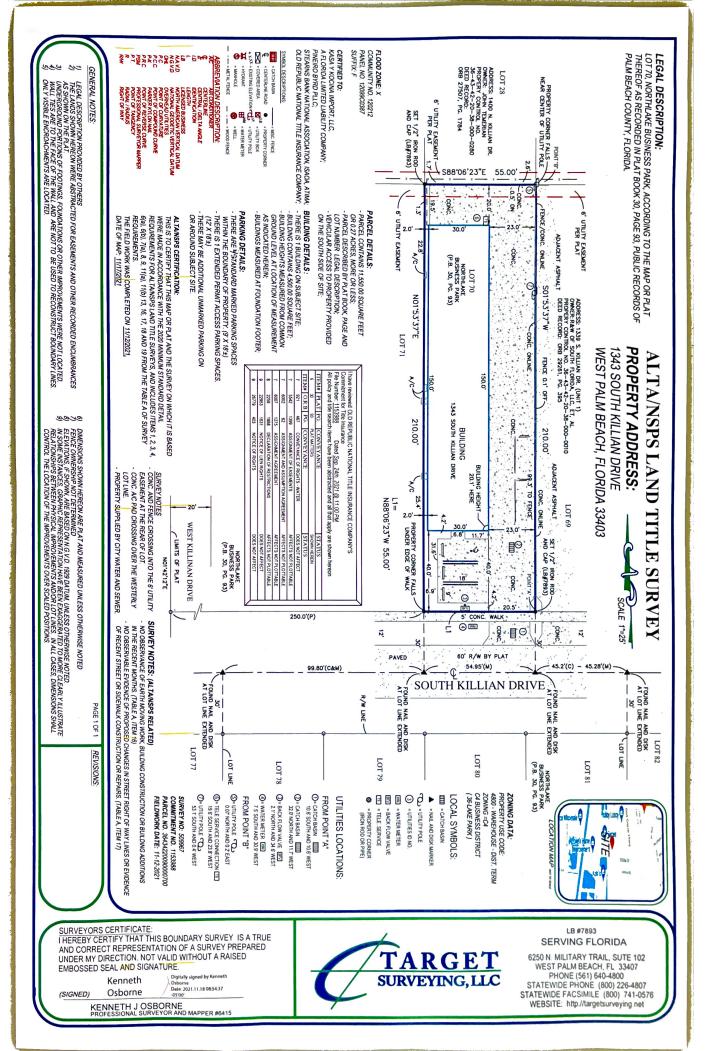
PROJECT:

**REVISIONS:** 

PROPERTY SURVEY PLAN

1343 SOUTH KILLIAN DRIVE WEST PALM BEACH, FLORIDA 33403

_		
PAPER:	44x34 INCHES	
DATE:	08/22/2022	
SCALE:	SURVEY PLAN	
DRAWN BY:	ТМ	
TITLE:	ZOOM TO EXTERIOR AREAS	







PLANNING AND ZONING BOARD Meeting Date: September 12, 2022 Agenda Item # PZ-22-14

#### DESCRIPTION:

TOWN INITIATED PUBLIC HEARING TO REZONE THE 1.24 ACRE "TRAIN STATION PARCEL" FROM PUBLIC DISTRICT TO PARK AVENUE DOWNTOWN DISTRICT (PADD) AND AMEND THE ZONING CODE, SECTION 78-70, FIGURE 1 PADD DISTRICT REGULATING PLAN BY ADDING THE PARCEL TO THE CORE SUB-DISTRICT.

#### **Background**

On August 14, the Planning and Zoning Board sitting as the Local Planning Agency voted to recommend approval to the Town Commission to change the Future Land Use of the "train station parcel" from Public Buildings and Facilities to "Downtown". The Town Commission is anticipated to approve the change on first reading, on September 7.

The next step is to change the zoning to be consistent with the future land use designation. Therefore this request it to change the zoning from Public to Park Avenue Downtown District, which is consistent with the Downtown future land use classification and will allow the parcel to be developed with the new PADD regulations recently adopted by the Town. In addition to a tri-rail station, the regulations allow for mixed used development.

As discussed at the last Board meeting, the 1.24 acre site has long been identified by the Town as a future Tri- Rail Station. With the new emphasis on transit oriented development and new forms of mobility, the Town also desires the site to act as a <u>transit hub</u> connecting various types of micro-mobility options like electric scooters and bikes to buses.



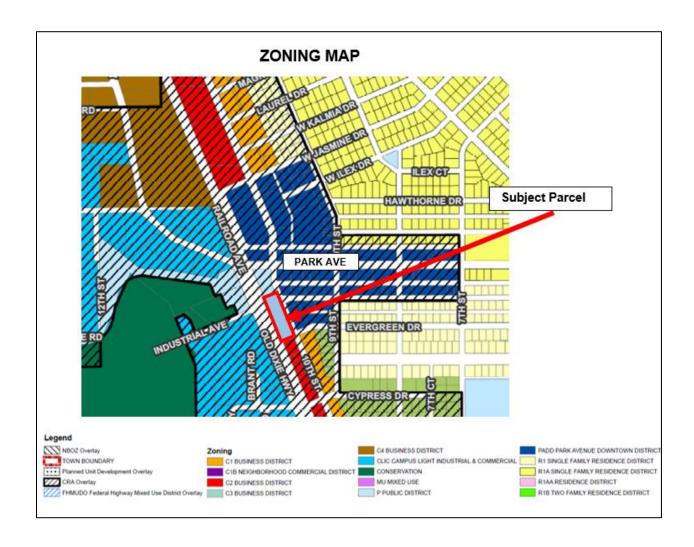
#### **Analysis**

#### Rezoning

As previously reported to the Board, the timeline for tri-rail expanding north has not been established, nor any northern station locations officially approved by Tri-Rail. However the recent double-tracking by Brightline is a critical initial step. The next action that must occur is an agreement between Tri-Rail and the FEC for Tri-Rail's use of the tracks, and then selection of tri-rail station locations. While the outcome is not anticipated in the immediate future, the Town desires to take a <u>pro-active position</u> and is interested in moving forward with construction of a station and thus place itself in a position to insure a station in Lake Park. Should it not become a tri-rail station, it could still serve as a transit hub for various forms of transit.

The proposed rezoning will enable the Town to pursue a public –private partnership for development of the station, and the possibility of incorporating a mixed use project on the site as well, which would not be possible under the current zoning.

As seen on the map below, the parcel would be an extension of the PADD which abuts the site, across 10<sup>th</sup> St. on the east.

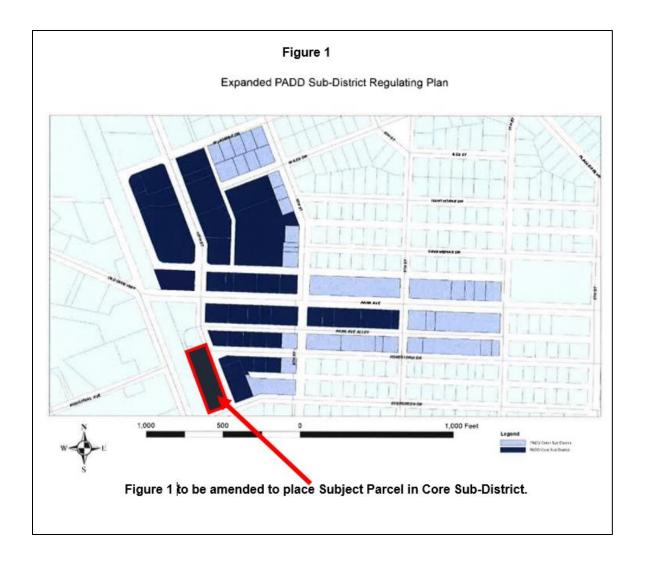


#### Adjacent Zoning Districts and Uses

North	Public District (Palm Beach County Fire-Rescue Station)
South	C-2 Business District
East	PADD (Core District)
West	FEC RR

# <u>Text Amendment: Amendment to Chapter 78, Article III, Section 78-70 Park Avenue</u> <u>Downtown District, Figure 1</u>

The rezoning also requires an amendment to the <u>text</u> of the PADD District so that the parcel may be included as part of the Core sub-district on the regulating map within section 78-70. The proposed change is shown on the map below.



#### **Analysis /Conclusions:**

<u>Consistency with Comprehensive Plan</u> The requested zoning change is consistent with the Comprehensive Plan and CRA Plan, and furthers their implementation.

<u>Impacts on Surrounding Properties:</u> The requested change is consistent with the existing zoning pattern as seen on the zoning map. As the site is primarily adjacent to the FEC railroad row and the PADD core, it is not anticipated to have a negative impact on the immediate surrounding properties. Single family neighborhoods are located approximately 500 – 600 feet east of the parcel. At the time a project is submitted for site plan approval,

At such time as a project is submitted for site plan reviewed, impacts will be reviewed and conditions recommended as appropriate for the actual use. Development of the site will require site plan approval, with Planning and Zoning Board review and Commission approval.

<u>Impacts of Public Facilities:</u> The impacts of any development will be reviewed at the time of site plan approval to insure that the development will not negatively impact public facilities such as streets, schools, utilities etc.

#### Legal Notice

Legal notice has been provided in accordance with section 78-182 (1)( c) of the Town Code as follows:

- 1. Notice to real property owners whose land the town will redesignate 30 days prior to Commission meeting. Town only property owner requiring notice
- 2. Legal ad. Notice of the hearing on the proposed ordinance was published in the Post on September 2.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the proposed rezoning from Public District to the Park Avenue Downtown District, AND the amendment to Figure 1 in Chapter 78, Article III, Section 78-70 Park Avenue Downtown District, to show the parcel in the Core subdistrict.

Attachments:

Ordinance - Rezoning and Text Amendment

#### ORDINANCE NO. \_\_\_-2022

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA REZONING A 1.24 ACRE PARCEL OF REAL PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A" FROM "PUBLIC DISTRICT" TO "PARK AVENUE DOWNTOWN DISTRICT"; PROVIDING FOR AN AMENDMENT TO THE OFFICIAL ZONING MAP WHICH IS INCORPORATED BY REFERENCE IN SECTION 78-32 OF THE TOWN CODE TO INCLUDE THE REZONING OF THE 1.24 ACRE PARCEL AS PART OF THE OFFICIAL ZONING MAP AS PADD; PROVIDING FOR THE AMENDMENT OF CHAPTER 78, ARTICLE III, SECTION 78-70, TO ADD THE 1.24 ACRE PARCEL TO FIGURE 1 TO SHOW THE PARCEL AS BEING INCLUDED WITHIN THE EXPANDED PADD SUB-DISTRICT REGULATION PLAN AND IDENTIFYING THE PARCEL AS BEING WITHIN THE CORE SUB-DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Town of Lake Park, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, pursuant to Chapter 78 of the Town's Code of Ordinances (Code), the Town has adopted a Zoning Code which establishes zoning districts and an Official Zoning Map; and

**WHEREAS**, Code Section 78-182 (1) sets forth procedures for Town initiated rezoning of properties of less than 10 contiguous acres within the Town; and

**WHEREAS** the Town's Community Development Department staff initiated an amendment to the Official Zoning Map to rezone the properties that are legally described in the attached **Exhibit "A"** (the Properties), which is incorporated herein; and

WHEREAS, the Town will also amend Chapter 78, Article III, Section 78-70 entitled "Park Avenue Downtown District" by adding the 1.24 acre parcel to Figure 1 "expanded PADD sub-district regulation plan" with a core sub-district identification; and

**WHEREAS**, the Town's Planning and Zoning Board conducted a public hearing and has provided a recommendation to the Commission on the proposed rezoning of the

Properties and related addition of the subject property to Figure 1 of Chapter 78, Article III, Section 78-70; and

WHEREAS, the Town Commission has determined that there are changed circumstances which warrant a rezoning of the Properties and related addition of the subject property to Figure 1 of Chapter 78, Article III, Section 78-70; and

**WHEREAS**, the Town Commission has conducted a duly noticed public hearing on the proposed rezoning of the Properties legally described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA THAT:

<u>Section 1.</u> The whereas clauses are incorporated herein.

<u>Section 2.</u> The Town Commission hereby rezones the Properties legally described in "Exhibit A" from "Public District" to Park Avenue Downtown District and directs that the Town's Official Zoning Map be amended to reflect the rezoning of the Properties to PADD.

**Section 3.** Chapter 78, Article III, section 78-70 entitled "Park Avenue Downtown District" is hereby amended to add 1.24 acres as shown in Figure 1, and legally described in Exhibit "A" to the "Expanded PADD sub-district Regulation Plan" and identifying it as being within the core sub-district.

<u>Section 4.</u> Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

<u>Section 5.</u> Severability. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

<u>Section 6.</u> Effective Date. This Ordinance shall take effect upon execution.

#### Exhibit A

### **Legal Description:**

All of Block 46a (Less northerly 284.80 Ft), Plat of Kelsey City in Plat Book 8, Pages 15 To 18, 23, 27 & 34 To 37 inclusive.

#### **Location Map**

