#### RESOLUTION NO. 70-10-22

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SPECIAL EXCEPTION USE FOR A MILLWORK AND WOODWORK SPECIAL EXCEPTION USE FOR KASA Y KOCINA IMPORT LLC; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE APPROVAL OF THE SPECIAL EXCEPTION USE; AND PROVIDING FOR AN EFFECTIVE DATE.

- WHEREAS, Kasa Y Kocina Import LLC ("Owner") is the owner of the property legally described in Exhibit "A", which is attached hereto and incorporated herein; and
  - WHEREAS, the property is generally located at 1343 S. Killian Drive (the Site); and
- WHEREAS, Fabiola Granado, as the Owner's agent ("Applicant") has submitted an application seeking authorization to develop the special exception use of millwork and woodwork and for the approval of a site plan on the Site ("the Project"); and
- WHEREAS, the Site has a future land use designation of Commercial and Light Industrial; and
- WHEREAS, the Site is located within C-4 Business District, which includes millwork and woodwork as a special exception use; and
- WHEREAS, at a public hearing on September 12, 2022, the Town's Planning and Zoning Board reviewed the proposed Project and recommended its approval to the Town Commission, subject to the Owner's compliance with certain conditions; and
- **WHEREAS**, the Town Commission conducted a quasi-judicial hearing on October 5, 2022 to consider the Project; and
- **WHEREAS**, at this quasi-judicial hearing, the Town Commission considered the evidence presented by the Town Staff, the Applicant, and other interested parties and members of the public, regarding whether the Project meets the criteria for approval of a special exception use; and
- WHEREAS, the Town Commission considered whether the Project would be consistent with the Town's Comprehensive Plan and would meet the Town's Land Development Regulations; and
- WHEREAS, the Town Commission has determined that the Project is consistent with the Town's Comprehensive Plan and meets the special exception use criteria, and other Land Development Regulations of the Town Code; and
- WHEREAS, certain conditions are necessary in order to ensure that the Project is developed in a timely manner following approval.

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

<u>Section 1</u>: The whereas clauses are incorporated herein as the findings of fact and conclusions of law of the Town Commission.

<u>Section 2</u>. The Town Commission hereby approves a Millwork and Woodwork Special Exception Use on the Site, subject to 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.

<u>Section 3:</u> The Owner, Applicant and their successors and assigns shall be subject to the conditions of approval.

Section 4. This Resolution shall become effective upon execution.

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#### EXHIBIT A – LEGAL DESCRIPTION

LOT 70, NORTHLAKE BUSINESS PARK, ACCORIDNG TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 30, PAGE 93, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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The foregoing Resolution was offered by		_ 0
who moved its adoption. The motion was second		of Taylor,
and upon being put to a roll call vote, the vote was as follows:		
	AYE	NAY
MAYOR MICHAEL O'ROURKE		
VICE-MAYOR KIMBERLY GLAS-CASTRO	_	-
COMMISSIONER JOHN LINDEN	_	
COMMISSIONER ROGER MICHAUD		
COMMISSIONER MARY BETH TAYLOR	_	
The Town Commission thereupon declared the foregoing Resolution No. 10-10-22		
duly passed and adopted this		
TOWN OF LAKE PARK, FLORIDA  BY:		
	MICHAEL O'R	OURKE
ATTEST:	MAYOR	
VIVIAN MENDEZ TOWN CLERK		
Appr	oved as to form and legal su	ıfficiency:
OF LAKEP	BY: THOMAS J. BAY TOWN ATTORN	
Lund		

OF LAKE STANDEAL PORTOR



## TOWN LAKE OF PARK Town Commission MEETING DATE: October 5, 2022

**APPLICATION:** 

Kasa Y Kocina

AGENDA ITEM TITLE: Kasa Y Kocina Import LLC ("Owner") is seeking special exception approval for a 4,500 square foot millwork and woodwork 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 and Nestor J Guevara / 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:

Future Land Use: Commercial and Light Industrial



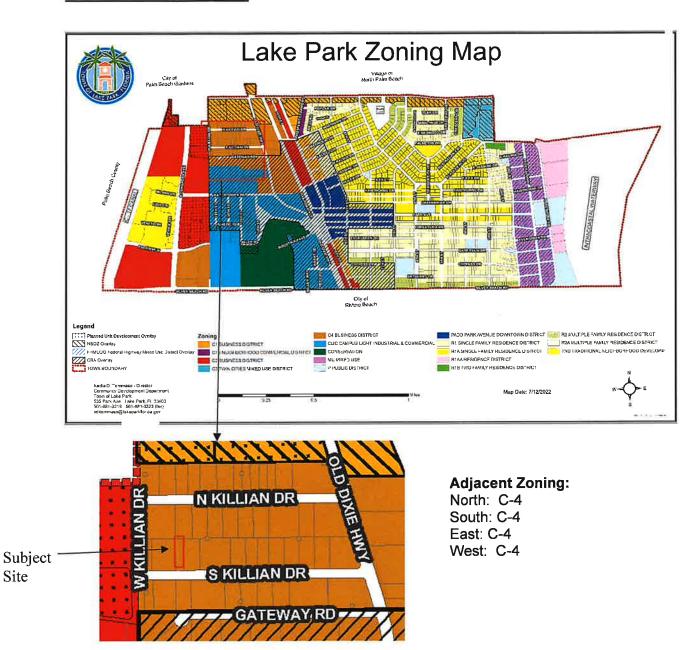
<u>Figure 1</u>: Aerial View of Site (image not to scale; for visual purposes only)





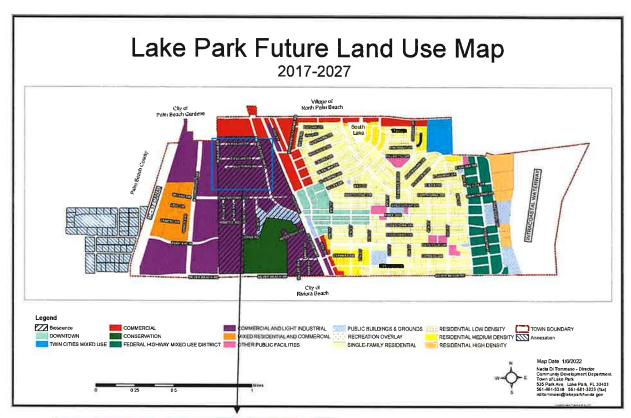
Site

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

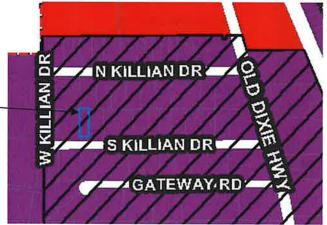




#### LAKE PARK FUTURE LAND USE MAP







#### **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 1 - 1343 S Killian (Prior Owner)

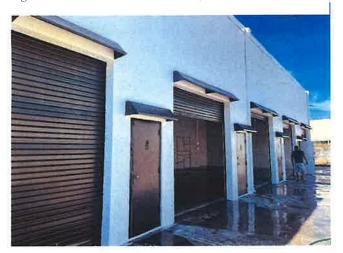


Figure 3 - 1343 S Killian Painting Detail



Figure 4 - 1343 S Killian Front Facade



Figure 2 - 1343 S Killian 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. 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:

- 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 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.

#### Planning and Zoning Board Recommendation:

This application was presented to the Planning and Zoning Board on September 12, 2022. At the meeting, staff provided a presentation detailing the Applicant's compliance with the 6 special exception criteria. The Applicant also presented to the Board, briefly detailing their business, its daily operations, and their intended improvements to the site. Finding the 6 Special Exception criteria satisfied, the Planning and Zoning Board moved to recommend approval of the staff motion.





### 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.



#### **Notification of Public Hearings**

#### Dear Property Owner:

You are receiving this Notice of Public Hearings because you are the legal owner of record for a parcel that is within three hundred (300) feet of the property for which a Special Exception has been requested and a certified notice is required pursuant to Town Code.

Should you wish to attend the meetings to comment on the application, please take note of the date, time, and location. If you do not wish to attend the meetings and do not have any comments you may disregard this notice.

#### SPECIAL EXCEPTION – AGENDA ITEM

Please be advised that the Town of Lake Park has received a request for Special Exception submitted by Kasa Y Kocina Import LLC ("Property Owner" and "Applicant") for a millwork and woodwork use to be located at 1343 S Killian Drive, Lake Park, Florida (PCN: 36-43-42-20-09-000-0700). This use will sell, fabricate, assemble, and install kitchen cabinets, closets, and vanities. This use falls under the millwork and woodwork category of the Town Code and requires special exception approval in the C-4 Business District.

#### **PUBLIC HEARINGS**

MEETING: SPECIAL CALL PLANNING AND ZONING BOARD LOCATION: 535 PARK AVENUE, LAKE PARK, FL. 33403

DATE: MONDAY, SEPTEMBER 12, 2022

TIME: 7:00 P.M. (OR AS SOON THEREAFTER AS CAN BE HEARD)

MEETING: TOWN COMMISSION (QUASI-JUDICIAL)

LOCATION: 535 PARK AVENUE, LAKE PARK, FL. 33403

DATE: WEDNESDAY, OCTOBER 5, 2022

TIME: 6:30 P.M. (OR AS SOON THEREAFTER AS CAN BE HEARD)

535 Park Avenue Lake Park, FL 33403 Phone: (561) 881-3318 Fax: (561) 881-3323

www.lakeparkflorida.gov



#### **LOCATION MAP**



If a person decides to appeal any decision made by the Planning & Zoning Board or Town Commission with respect to any hearing, they 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.

For additional information, or to review any documents related to the proposal described herein, please visit the Community Development Department at 535 Park Avenue, Lake Park, FL 33403, or contact the Planner, Anders Viane at 561-881-3320 or aviane@lakeparkflorida.gov.

535 Park Avenue Lake Park, FL 33403 Phone: (561) 881-3318 Fax: (561) 881-3323

www.lakeparkflorida.gov

# PUBLIC NOTICE TOWN OF LAKE PARK NOTICE OF PUBLIC HEARINGS

BE ADVISED THE PLANNING & ZONING BOARD OF THE TOWN OF LAKE PARK, FLORIDA WILL CONDUCT A SPECIAL CALL PUBLIC MEETING AT 535 PARK AVENUE TO CONSIDER THE AGENDA ITEM LISTED BELOW ON MONDAY, SEPTEMBER 12, 2022 AT 7:00 PM, OR AS SOON THEREAFTER AS CAN BE HEARD. A QUORUM OF THE PLANNING & ZONING BOARD OF THE TOWN OF LAKE PARK, FLORIDA WILL CONVENE AND PUBLIC PARTICIPATION WILL OCCUR IN-PERSON AT TOWN HALL.

THE TOWN COMMISSION WILL ALSO CONDUCT A QUASI-JUDICIAL MEETING AT 535 PARK AVENUE, LAKE PARK, TO CONSIDER THE AGENDA ITEM LISTED BELOW ON WEDNESDAY, OCTOBER 5, 2022 AT 6:30PM, OR AS SOON THEREAFTER AS CAN BE HEARD. (DATES SUBJECT TO CHANGE, PLEASE MONITOR WWW.LAKEPARKFLORIDA.GOV FOR ANY CHANGES, OR CALL 561-881-3320). A QUORUM OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA WILL CONVENE AND PUBLIC PARTICIPATION WILL OCCUR IN-PERSON AT TOWN HALL

#### Agenda Item:

Please be advised that the Town of Lake Park has received a request for Special Exception submitted by Kasa Y Kocina Import LLC ("Property Owner" and "Applicant") for a millwork and woodwork use to be located at 1343 S Killian Drive, Lake Park, Florida (PCN: 36-43-42-20-09-000-0700). This use will sell, fabricate, assemble, and install kitchen cabinets, closets, and vanities. This use falls under the millwork and woodwork category of the Town Code and requires special exception approval in the C-4 Business District.

Records related to these items may be inspected by contacting the Community Development Department at 561-881-3320, or by emailing Anders Viane at <a href="mailto:aviane@lakeparkflorida.gov">aviane@lakeparkflorida.gov</a>. If a person decides to appeal any decision made by the Planning and Zoning Board or Town Commission with respect to any hearing, they 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. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Town Clerk: Vivian Mendez

**PUB**: The Palm Beach Post – Friday, August 26, 2022

