



Town of Lake Park, Florida
Special Call
Planning & Zoning Board
Meeting Minutes
Monday, September 12, 2022 7:00 P.M.
 Town Hall Commission Chamber
 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 led 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 Community Development Director Nadia DiTommaso, Attorney Thomas Baird, and Town Planner Anders Viane.

APPROVAL OF AGENDA

Motion: Vice-Chair Buechele moved to approve the Agenda; 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 4-0.

APPROVAL OF MINUTES

- Planning & Zoning Board Meeting minutes of August 8, 2022.

Motion: Vice-Chair Buechele moved to approve the Planning & Zoning Board Meeting Minutes of August 8, 2022; 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.

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-22-13 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.

Town Planner Anders Viane explained the item (see Exhibit “A”). Board Member Paxton asked for clarification regarding the business hours of operation. Town Planner Viane stated they would operate Monday through Friday.

Public Comment open:

None

Public Comment closed:

Ms. Lisandra Pulido representing Kasa Y Kocina LLC gave a brief presentation to the Board. The Board commended the Applicant on how well they filled out their application.

Motion: Vice-Chair Buechele moved to approve PZ-22-13; 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.

2. 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 REGULATION PLAN BY ADDING THE PARCEL TO THE CORE SUB-DISTRICT.

Community Development Director DiTommaso explained the item (see Exhibit “B”). Chair Ahrens asked if it would allow increase of up to 12-stories. Community Development Director DiTommaso stated yes because it would be in the Core Sub-District.

Public Comment open:

None

Public Comment closed:

Motion: Vice-Chair Buechele moved to approve PZ-22-014; 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 4-0.

Planning & Zoning Board Member Comments

The Board Members had no comments.

Community Development Director Comments and Project Updates

Community Development Director DiTommaso gave the following updates:


She explained that Nautilus 220 was slowly moving vertically. She explained that Dalfen Industrial has received their permit and have begun construction this week. She explained that the new office warehouse building was almost complete along the Congress Avenue Business Park. She explained that the Lake Park Innovation Center was moving forward. Finally, Silver Beach Industrial was moving forward. She announced that 754 Park Avenue was moving forward with their construction. Chair Ahrens asked for an update on the property on the corner of Watertower Road and Congress Avenue. Community Development Director DiTommaso explained that the Town has not received any applications for that parcel. Vice-Chair Buechele asked what happened to Clean Sweep. Community Development Director DiTommaso explained that they were still in the permitting process. They need to resolve some permitting issues and look to begin construction in November. Board Member Woolford asked for an update on Oceana Coffee. Community Development Director DiTommaso explained that they were still moving forward to the permitting phase. Board Member Woolford asked who was doing the construction at 754 Park Avenue now. Community Development Director DiTommaso explained that the same contractor was working on the site. Chair Ahrens asked if Oceana Coffee had received a grant. Community Development Director DiTommaso explained that they were pursuing a Redevelopment Grant, but it had not been presented to the CRA Board. She explained that the Town hopes to keep the existing design, but will work with them to prepare the presentation.

ADJOURNMENT


There being no further business to come before the Planning & Zoning Board, the meeting adjourned at 7:37 p.m.




Richard Ahrens, Chair
Town of Lake Park Planning & Zoning Board



Town Clerk, Vivian Mendez



Approved on this 7 of November, 2022





**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

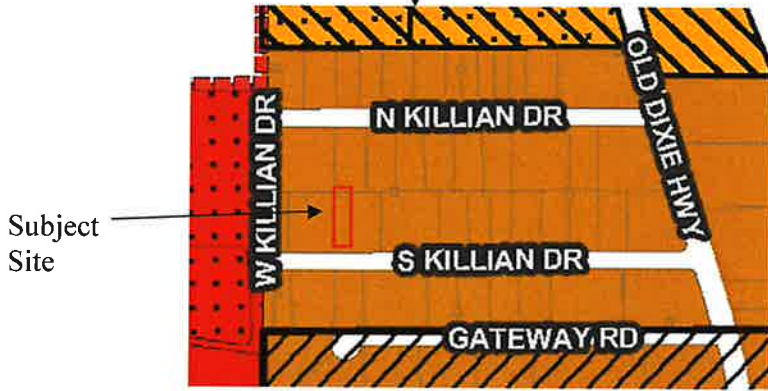
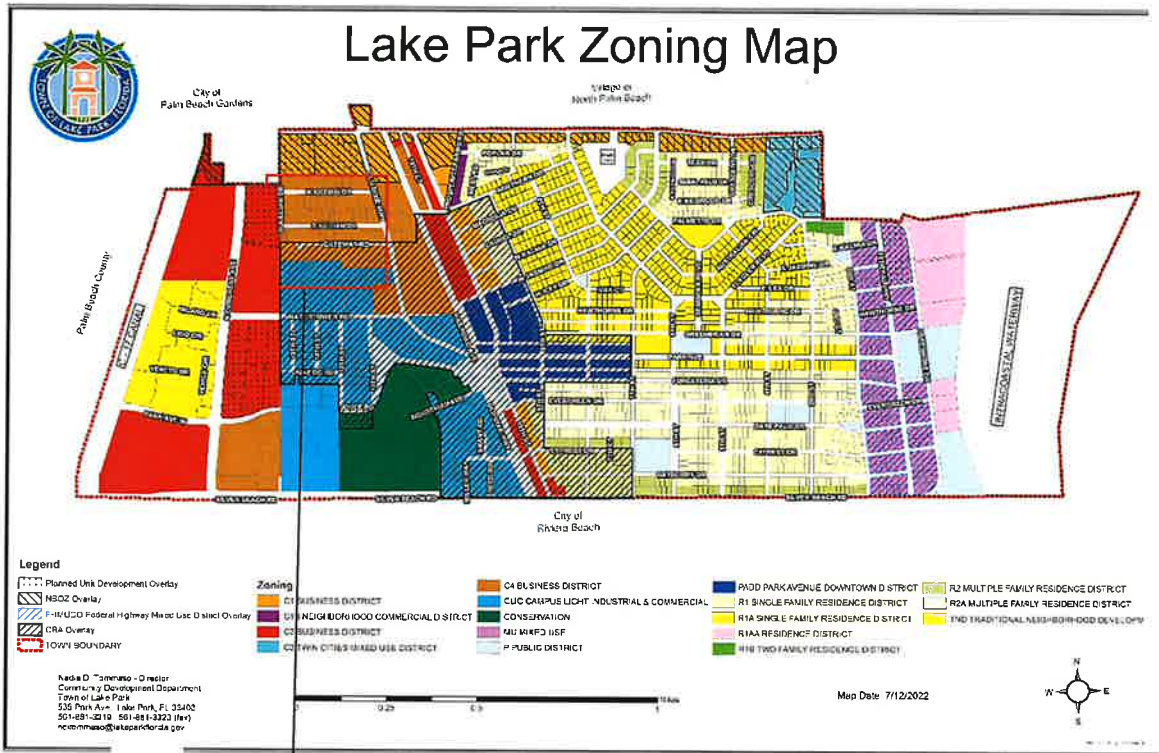


Figure 1: Aerial View of Site (image not to scale; for visual purposes only)





LAKE PARK ZONING MAP

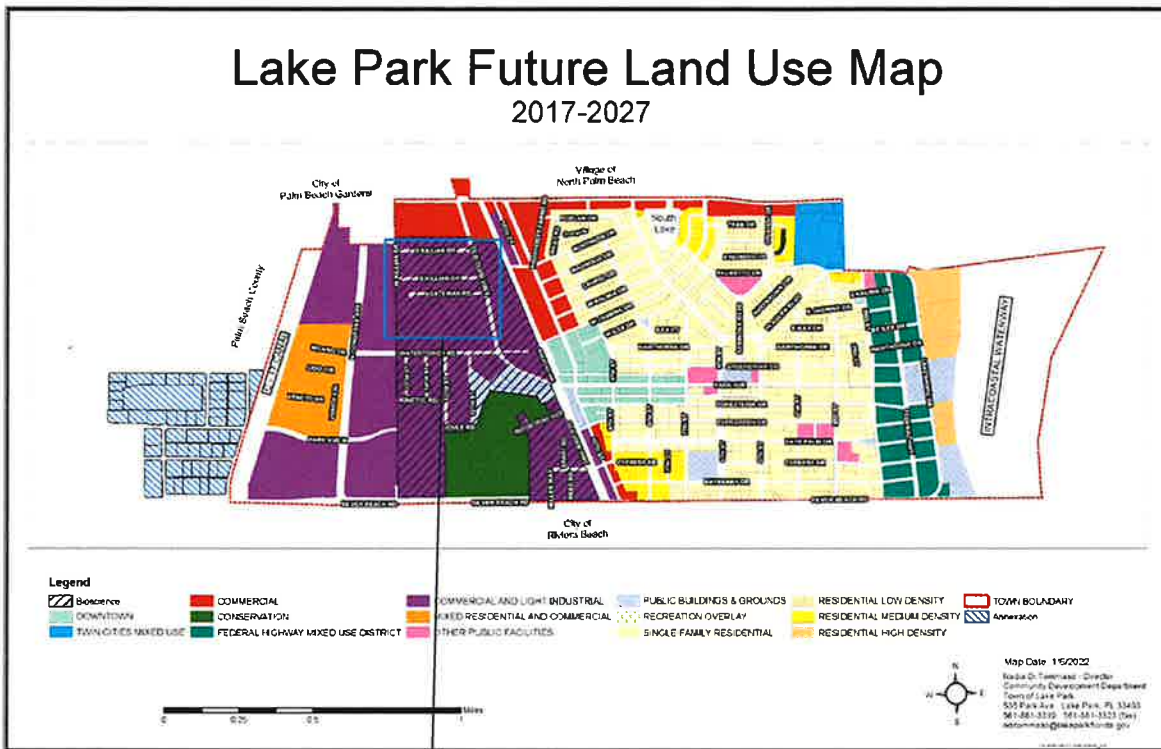


Adjacent Zoning:

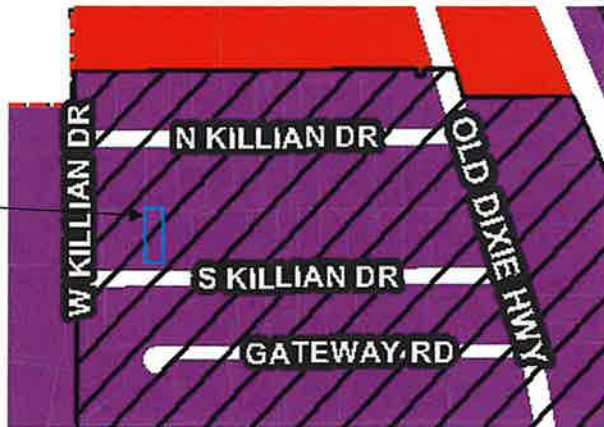
- North: C-4
- South: C-4
- East: C-4
- West: C-4



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 1 - Repainted 1343 S Killian Building



Figure 4 - Repainted 1343 S Killian Building Detail



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, east, 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.
- Parking is insufficient to meet the code requirement, however, the applicant has attempted to remedy this to the greatest extent possible given site constraints.
- 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 have detrimental impacts on surrounding properties based on the number of anticipated users, the degree of 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



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 is to change the zoning from Public to 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 transit hub connecting various types of micro-mobility options like electric scooters and bikes to buses.



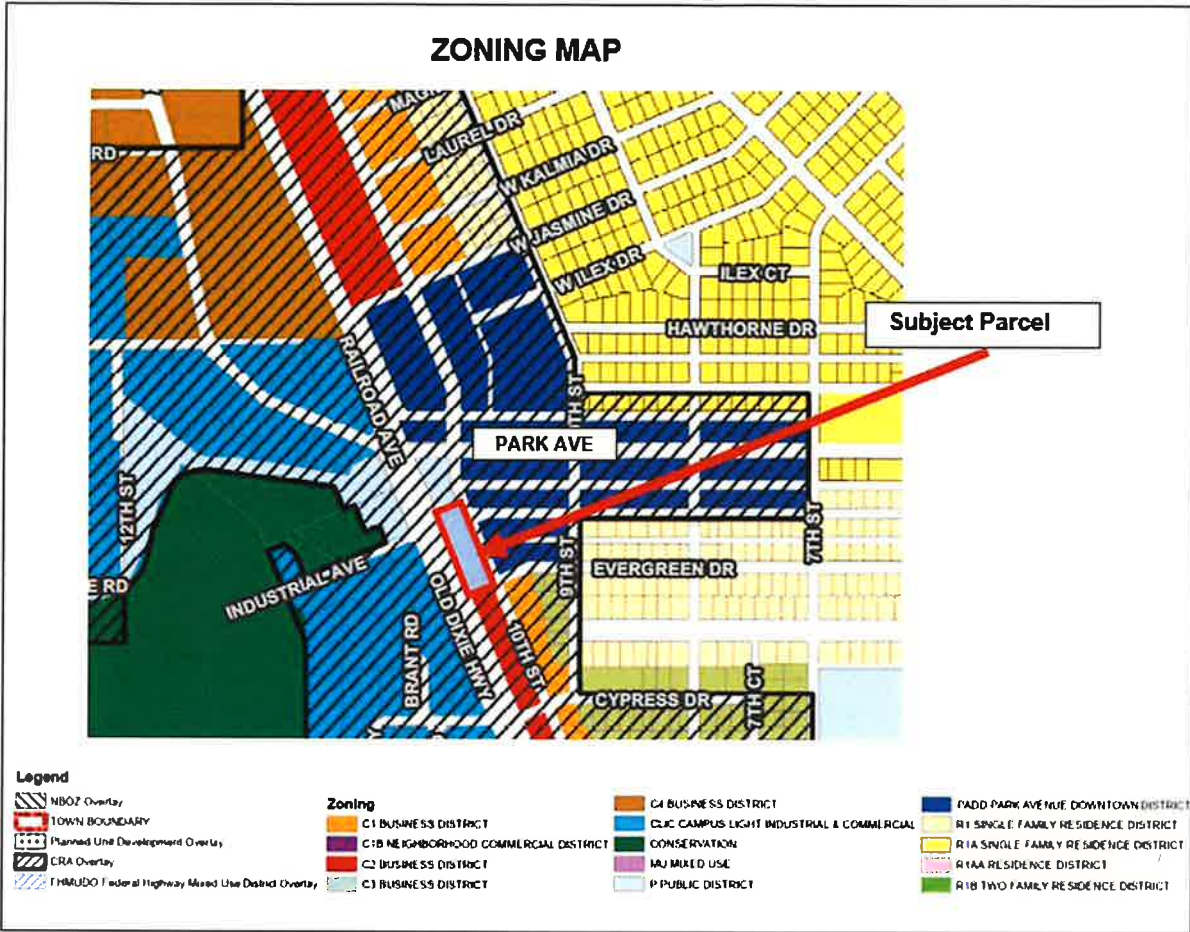
Analysis

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 pro-active position 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 10th St. on the east.

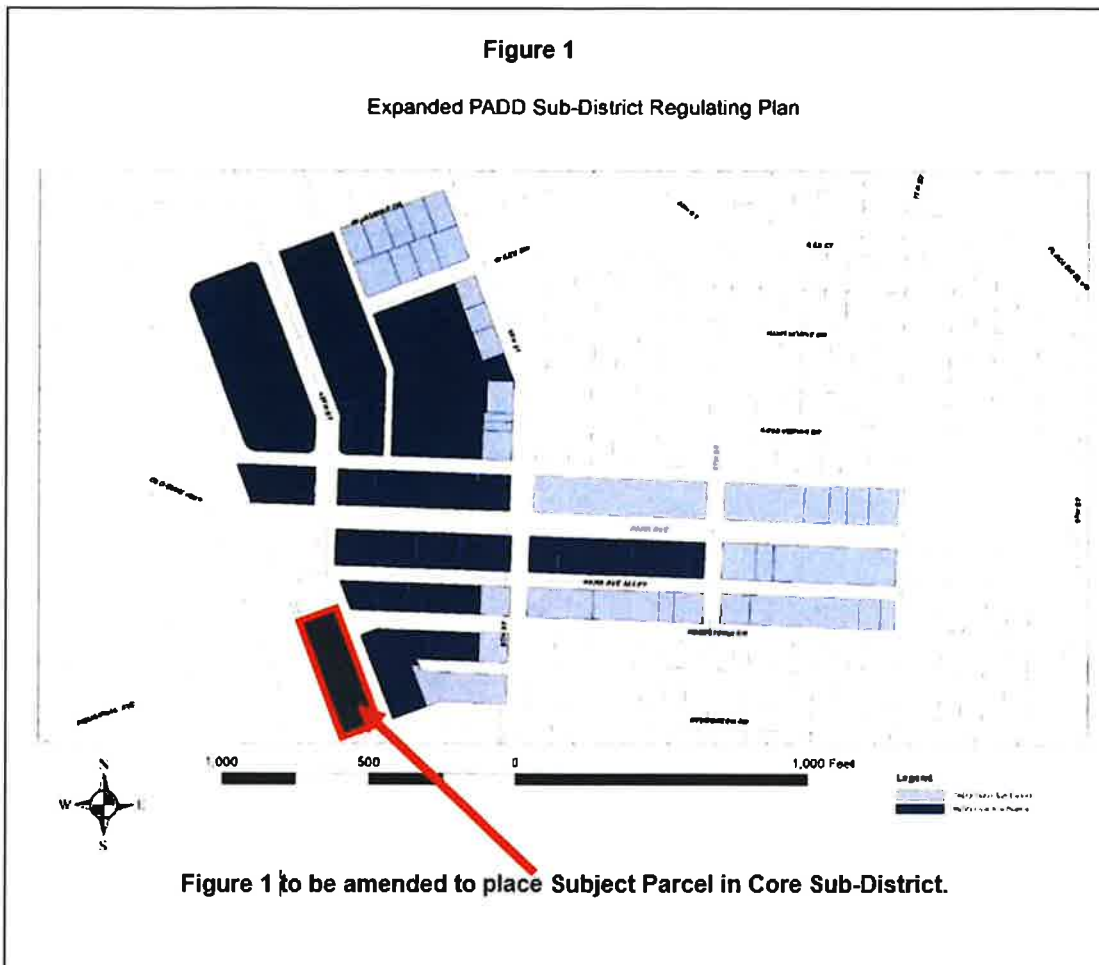


Adjacent Zoning Districts and Uses

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

Text Amendment: Amendment to Chapter 78, Article III, Section 78-70 Park Avenue Downtown District, Figure 1

The rezoning also requires an amendment to the text 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:

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

Impacts on Surrounding Properties: 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 r-o-w 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.

Impacts of Public Facilities: 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 sub-district.

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:

Section 1. The whereas clauses are incorporated herein.

Section 2. 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.

Section 4. **Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. **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.

Section 6. **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

