

**RESOLUTION NO. 13-06-13**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SPECIAL EXCEPTION USE FOR BUILDING SUPPLIES OFFICE AND RETAIL SPACE WITH A STORAGE WAREHOUSE TO BE LOCATED AT 900 10<sup>th</sup> STREET IN THE C-2 ZONING DISTRICT; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE USE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, H&L Planning and Development, (“Applicant” and “Agent”) for Waterfront Properties, Inc. who will be the owner of a building supplies, office, retail and storage warehouse business to be located at 900 10<sup>th</sup> Street (“Subject Property”) in the Town of Lake Park, Florida; and

**WHEREAS**, the property is currently owned by PO LLC (“Property Owner”); and

**WHEREAS**, the subject property is within the C-2 zoning district, and

**WHEREAS**, the Applicant has submitted an application for approval of a special exception use to allow a building supplies, office, retail and storage warehouse establishment (“Application”) to be operated at 900 10<sup>th</sup> Street; and

**WHEREAS**, the Town of Lake Park’s Planning and Zoning Board has reviewed the Application and has made its recommendation to the Town Commission; and

**WHEREAS**, the Town Commission has conducted a quasi-judicial public hearing to consider the Application; and

**WHEREAS**, at this hearing, the Town Commission considered the evidence presented by the Town Staff, the Applicant, and other interested parties and members of the public, regarding the Application’s consistency with the Town’s Comprehensive Plan, the special exception criteria as set forth in Section 78-184, and other provisions of the Town’s Land Development Regulations which are applicable, and

**WHEREAS**, at the hearing the Town Commission determined that certain conditions are necessary in order for the Application to meet the special exception criteria of Section 78-184 and the Town’s Land Development Regulations; and

**WHEREAS**, the Applicant, the Property Owner, and their successors and assigns shall be subject to the conditions contained in Section 2.

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

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

**Section 2.** The Town Commission hereby approves the request for a special exception use of a building supplies, office, retail, and storage warehouse establishment on the subject property subject to the following condition:

- (1) The Owner shall develop the Property consistent with the following Plan submitted by H&L Planning and Development Consultants:**
  - a) Site and Landscape Plan referenced as Sheet 1, and prepared by Tony Grimaldi Landscape Architecture, signed and sealed 05/21/2013 and received and dated by the Department of Community Development on 05/24/2013.**
- (2) The Owner shall submit a Cross Access Easement Agreement, executed by the Owner and the legal owners of the properties, north and south, prior to the issuance of any development permits. The Cross Access Easement Agreement shall be subject to the review and approval of the Town Attorney.**

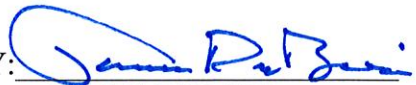
**Section 3:** This Resolution shall become effective upon adoption.

The foregoing Resolution was offered by Commissioner O'Rourke who moved its adoption. The motion was seconded by Commissioner Flaherty and upon being put to a roll call vote, the vote was as follows:


	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	<u>—</u>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>Absent</u>	<u>—</u>
COMMISSIONER ERIN FLAHERTY	<u>/</u>	<u>—</u>
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	<u>—</u>
COMMISSIONER KATHLEEN RAPOZA	<u>/</u>	<u>—</u>

The Town Commission thereupon declared the foregoing Resolution NO. 13-06-13 duly passed and adopted this 19 day of June, 2013.

TOWN OF LAKE PARK, FLORIDA

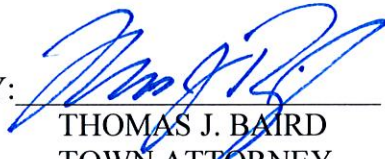
BY:   
JAMES DUBOIS  
MAYOR

ATTEST:

  
VIVIAN MENDEZ  
TOWN CLERK



Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY



Community  
 Development  
 MAR 12 2013  
 561.383.3167

THE TOWN OF LAKE PARK  
 Community Development Department

APPLICATION FOR SPECIAL EXCEPTION REVIEW

Name of Applicant/Agent: James G. Hackett, H&L Planning and Development

Address: 612 N. Orange Ave., Suite 14A, Jupiter, FL 33458

Telephone: 561.222.9284 Fax: 561.383.3167

E-mail address: james@hplanning.net

\_\_\_\_ Owner  Agent (Attach Agent Authorization Form)

Owner's Name (if not applicant): 561.222.9284

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail address: \_\_\_\_\_

Property Location: 901 10th Street

Legal Description: See attached legal description

Property Control Number: 36-43-42-20-06-001-0020

Future Land Use: Commercial Zoning: C-2

Acres: 0.70 Acres Square Footage of Use: 3,961 sf.

Proposed Use: Retail, showroom, and accessory warehouse for local pool company

Adjacent Property

Direction	Zoning	Business Name	Use
North	C-2	C-2	Retail
East	C-1	N/A - Vacant	Vacant
South	C-2	Mixed Use Retail Stores	Retail
West	N/A	N/A	Railroad Tracks

**APPLICATION REQUIREMENTS:**

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

Please see attached statement of use

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2. 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.

Please see attached statement of use

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

Please see attached statement of use

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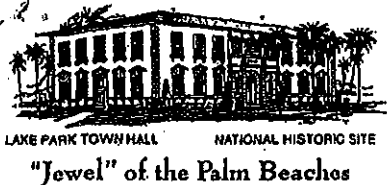
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4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development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

Please see attached statement of use

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# The Town of Lake Park

## Community Development Department

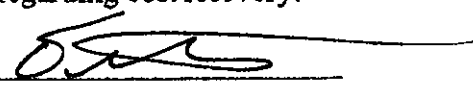
**PLEASE DO NOT DETACH FROM APPLICATION.**

**SIGNATURE REQUIRED BELOW.**

Please be advised that the Town of Lake Park Code of Ordinances under Section 51-6 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 can 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, all engineering fees 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 561-881-3318.

I, <u>Orlando S. Spado</u> , have read and understand the regulations above regarding cost recovery.	
	<u>3/6/13</u>
Signature of Property Owner	Date
<u>Contract purchaser/applicant</u>	

Community

MAR 12 2013

Development

February 25, 2013

Town of Lake Park, Community Development Department  
535 Park Avenue  
Lake Park, FL 33403

Attention: Nadia DiTommaso

With this letter, I authorize you to recognize James G Hackett with H&L Planning and Development as my Agent, and acting in my behalf may sign for special exception application at 900 10<sup>th</sup> Street, Lake Park, Florida.

By my signature, I recognize and approve the submittal of a special exception application for this property.

*Mary D Lafuente*  
Signature

*Mary D. Lafuente*  
Name

*Managing Member of*  
Title

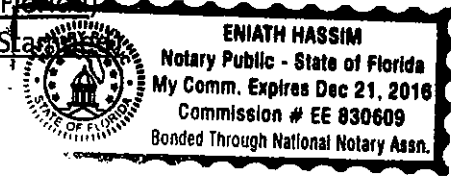
*FD, LLC*  
*2/26/2013*  
Date

STATE OF FLORIDA  
COUNTY OF *PALM BEACH*

The foregoing instrument was acknowledged before me this *26* day of *FEB*, 2013, by  
(name of person acknowledging).  
*MARY D LAFUENTE*

*Eniath Hassim*  
(Signature of Notary Public-State of Florida)

(NOTARY SEAL) (Name of Notary Typed, Printed, or Stamped)



Personally Known \_\_\_\_\_ OR Produced Identification

Type of Identification Produced  
*FLORIDA DRIVERS License*



**Waterfront Services Inc.  
Special Exception Review Application  
900 10<sup>th</sup> Street  
Town of Lake Park  
March 6, 2013  
Revised May 3, 2013**

**Introduction**

Waterfront Services Inc. ("the Applicant") is seeking a Special Exception Review approval to occupy the existing building located at 900 10<sup>th</sup> Street in the Town of Lake Park. The applicant is an existing and established general contractor company which is relocating from Palm Beach Gardens to Lake Park. Waterfront Services, a state licensed contractor, specializes in concrete restoration, waterproofing, caulking and coatings for both residential and commercial properties.

Located in the C-2 Zoning District, the existing site is approximately 0.61 acres in size with an existing 3,961 square foot building. The applicant is seeking approval to allow the existing commercial building to be renovated to allow for a proposed office with warehousing and showroom. The applicant is proposing to modify the existing internal building to have a 1,184 square foot storage area and a 2,777 square foot office/showroom. This keeps the storage area at approximately 70% of the overall square footage of the existing building.

**Storage Area Breakdown**

Below is a list of vehicles to be stored in the outdoor storage area:

1998 Ford F-650 5 Yard Dump Truck  
Kaufmann 26' Foot Trailer with Kubota KX-80 Excavator on it  
Anderson 24' Trailer with Bobcat Skid Steer on it  
2000 F-550 Flat Bed Pickup Truck  
2001 F-250 utility body work truck  
2007 Dodge 2500 Utility body work truck  
2001 GMC Work Van  
2003 Ford E-250 Work Van  
24' White enclosed trailer – Left on job most of the year not in yard but occasionally in yard  
12' Black enclosed job trailer – same as above not always in yard  
14' Black enclosed job trailer – same as above not always in yard  
16' white enclosed job trailer – same as above not always in yard  
2012 Kubota kx-35 mini excavator

Trucks leave yard at 7:30-8:00 in morning and don't come back until 4:00-4:30 or later. Specific equipment for each job gets delivered to the site and does not come back to this facility. Additionally, the total number of employees are 8, however 4 of them come and go during the day.



## Application Requirements

1. The Special Exception request is consistent with the goals, objectives and policies of the Town's Comprehensive Plan. The subject site has an underlying Commercial Land Use designation with a C-2 Zoning District. Office with warehouse/showroom is consistent with the uses allowed in this land use designation as well as the used within the surrounding area. Waterfront Services provides clients the opportunity to view product samples, such as water features, pool tiles, etc. such as a typical commercial use would provide.
2. The proposed special exception is consistent with the land development and zoning regulations and all other portions of the Town's Code of Ordinance. At this time, the applicant is requesting to allow a portion of the rear of the site to be fenced in for security of vehicles, material etc. The site meets or exceeds landscape requirements in the front of the existing building. The applicant is proposing additional landscaping, where applicable in the rear to screen the proposed fence. All other code requirements have been met, including but not limited to, required parking spaces.
3. Waterfront Services is a compatible use and is consistent with the surrounding uses and area. As mentioned above, the business will provide clients the opportunity to preview product material within a proposed showroom. The outdoor storage is consistent with the existing FP&L facility down the street and with the adjacent delivery area. This type of use is consistent with other uses within the C-1 and C-2 Zoning Districts which surrounding the subject site.
4. The proposed use does not create a concentration or proliferation of the same or similar type of uses. At this time, there are no other similar uses within the immediate area. Additionally, this type of business will provide the residents of Lake Park a service which is in high demand. Both residential and commercial development and/or redevelopment are increasing and this use will be beneficial to the Town.
5. The proposed special exception will not be a detrimental impact on the surrounding area. There is no significant increase in traffic due to the proposed use. The business has approximately ten (10) employees which are not all there at the same time. All external storage is proposed to be screened and meet all Town code requirements to the greatest extent possible. All significant deliveries happen at individual job sites and will not happen at this facility. Therefore, existing conditions on site will actually be improved from its current state.
6. The existing site has been vacant for an extended period of time. The front of the building has been kept up to Town requirements, however the rear is in need of additional landscaping and improvements. With the approval of this request, the applicant is proposing to provide additional landscaping and will clean up the rear of the building. Additionally, the applicant will be modifying the external building façade at a later date. These modifications will be submitted to the Town for approval once designed. All of which will increase the value of the existing property as well as surrounding properties. There are no negative impacts to parks and open space as part of the approval.

## **Conclusion**

The Applicant is requesting site plan approval from the Town of Lake Park to allow Waterfront Services to occupy the existing building and provide a service to the local community. On behalf of the Applicant, H&L Planning and Development Consultants request approval of the Special Exception Review request. We look forward to working with Staff to bring this application before Town Council for final approval as quickly as possible. We are available to answer any questions Staff might have and/or provide necessary information to supplement the information provided in the submittal. Please do not hesitate to contact James Hackett of H&L Consultants should you require additional information.

## STORAGE AREA VEHICLE IMAGES

**Kubota kx-35 mini excavator**



**24' White Enclosed Trailer (16' trailer similar, but smaller) – *Occasionally in the storage yard only***



**16' Black Enclosed Trailer (14' & 12' trailer similar, but smaller) - *Occasionally in the storage yard only***





**Kaufmann 26' Trailer**



**Kubota KX-80 Excavator**



**2000 F-550 Flat Bed Pickup Truck**



**2001 F-250 utility body work truck**



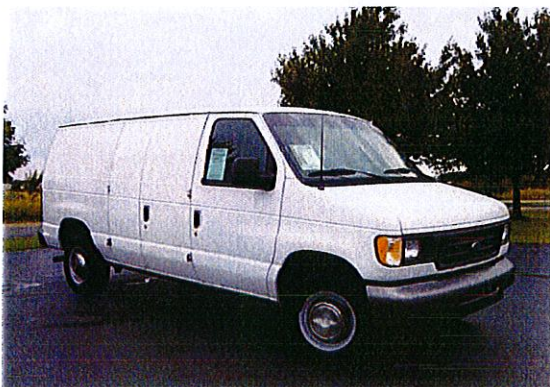
**2007 Dodge 2500 Utility body work truck**



**2001 GMC Work Van**

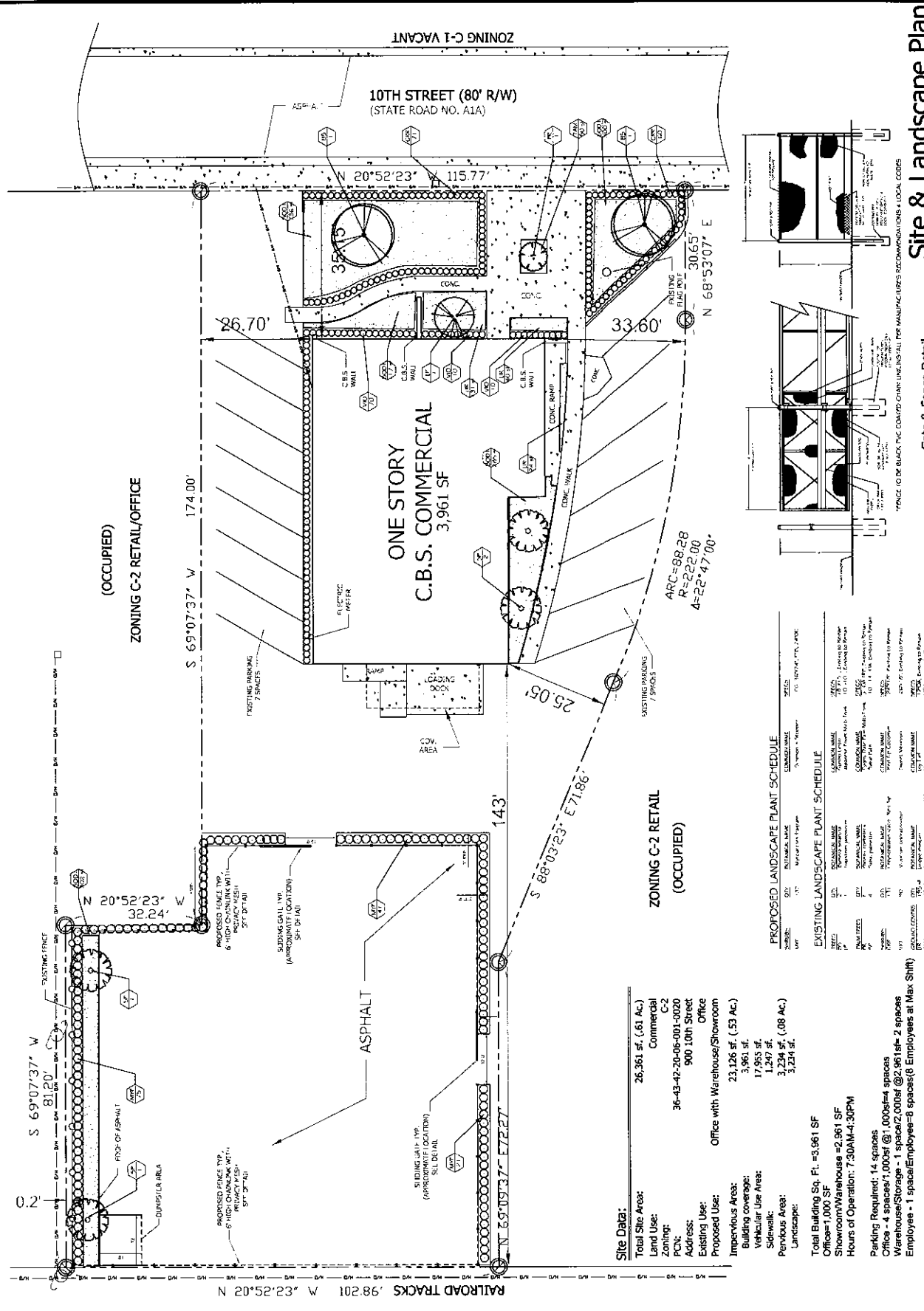


**2003 Ford E-250 Work Van**





DATE:	10/15/2011
DESIGNED BY:	PG
APPROVED BY:	PG
CHECKED BY:	PG
DRAWN BY:	PG
DATE:	10/15/2011
PROJECT:	LAKE PARK
SHEET:	1 of 1



**Site & Landscape Plan**  
 Scale: 1"=10'

**Gate & Fence Detail**  
 NOT TO SCALE

