



**TOWN OF LAKE PARK
PLANNING & ZONING BOARD
MEETING MINUTES
FEBRUARY 2, 2015**

CALL TO ORDER

The Planning & Zoning Board Meeting was called to order by Chair Judith Thomas at 7:06 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Judith Thomas, Chair	Present
Erich Von Unruh, Vice-Chair	Absent
Michele Dubois	Excused
Martin Schneider	Present
Ludie Francois	Present

Also in attendance were Thomas Baird, Town Attorney; Nadia DiTommaso, Community Development Director and Vivian Mendez, Town Clerk/Recording Secretary.

Chair Thomas requested a motion for approval of the Agenda as submitted. Board Member Schneider made the motion and it was seconded by Board Member Francois. The vote was as follows:

	Aye	Nay
Judith Thomas	X	
Erich Von Unruh		
Michele Dubois		
Martin Schneider	X	
Ludie Francois	X	

The Motion carried 3-0 and the Agenda was approved as submitted.

APPROVAL OF MINUTES

Chair Thomas requested a motion for the approval of the November 17, 2014, Planning & Zoning Board Meeting Minutes as submitted. Board Member Schneider made a motion for approval (with noted grammatical changes which were provided to the Community Development Director) and it was seconded by Board Member Francois. The vote was as follows:

	Aye	Nay
Judith Thomas	X	
Erich Von Unruh		
Michele Dubois		
Martin Schneider	X	
Ludie Francois	X	

The Motion carried 3-0, and the Minutes of the November 17, 2014, Planning & Zoning Board Meeting were approved with noted grammatical changes.

PUBLIC COMMENTS

Chair Thomas reviewed the Public Comments procedure.

ORDER OF BUSINESS

Chair Thomas outlined the Order of Business.

NEW BUSINESS

- A. A SITE PLAN APPLICATION FOR THE SPECIAL EXCEPTION USE OF A RACETRAC GAS STATION WITH A 5,928 SQUARE FOOT CONVENIENCE STORE WITHIN THE CONGRESS BUSINESS PARK PLANNED UNIT DEVELOPMENT**

STAFF PRESENTATION

The Recording Secretary swore in all witnesses speaking on behalf of Racetrac.

Nadia DiTommaso, Community Development Director, addressed the Board and stated that this Application is for the RaceTrac gas station and convenience store, and read into the record: *A Site Plan Application for the Special Exception Use of a RaceTrac Gas Station with a 5,928 square foot convenience store within the Congress Business Park Planned Unit Development*, which she will refer to as the PUD. The Applicant is RaceTrac Petroleum LLC, and the owner is Congress Avenue Properties. The general location of the proposed site is on the northeast corner of the Park Avenue Roadway Extension and Congress Avenue and is within “Tract B” of the Congress Business Park PUD. Ms. DiTommaso reminded the Board that the PUD was recently approved along with the ALDI grocery store within the PUD. The Site has a PUD Designation with an underlying C-2 Zoning District designation which allows for gasoline and other motor fuel stations as a special exception use, and is within the Commercial/Light Industrial Future Land Use Designation.

Ms. DiTommaso stated that Staff has reviewed the Application for certain criteria, as outlined within the Staff Report: consistency with the Town Comprehensive Plan; consistency with the six (6) Special Exception Use Criteria; and consistency with the Building Land Development Regulations, all of which have been met.

Ms. DiTommaso presented a visual and reviewed the following project detail categories:

Building Site: The Site is within “Tract B” of the Congress Business Park PUD, with a 20-pump gas station.

Site Access: The Site has two entrances and exits - one is on the east side of the Site at the southeast corner of the Park Avenue West extension and the PUD’s internal road network. The other is on the north side of the Site where vehicles will access the PUD’s internal road network between the Site and Tract F (the recently approved as an ALDI grocery store).

Traffic: The Applicant has received a letter from Palm Beach County’s Traffic Division which confirms that there is adequate capacity on the roadways to serve the Site.

Landscaping: The Site Plan meets the Town’s Landscaping Code regulations per the Town’s consulting landscape architect review, and is consistent with the Congress Avenue PUD’s Landscaping Master Plan.

Drainage: The Town’s Engineer has reviewed the Applicant’s Paving and Drainage Plan and has determined that it meets the engineering requirements for drainage.

Parking: Code requires 4 spaces per 1,000 square feet of the pump area, plus an additional 5 spaces per 1,000 square feet for the convenience store, which totals 31 spaces. The Applicant is proposing 34 spaces, inclusive of 2 ADA spaces, which exceeds the minimum number of parking spaces required by the Code.

Signage: The Applicant’s proposed Master Signage Plan is consistent with the Town’s Sign Code and the previously approved PUD Master Signage Plan. The Applicant is proposing a wall sign above the main entrance on the front wall facing Congress Avenue, and an additional wall sign along the side entrance on the south side, facing the Park Avenue Extension Road. One canopy and one monument sign are proposed for the purpose of displaying gas prices. Awning signage is not being proposed. All of the proposed signs are consistent with the PUD Signage Regulations and Code, and will be subject to the Town’s Signage Permit Regulations.

Zoning: Gas stations are Special Exception Uses in the C-2 Zoning District, and the Application does meet the six (6) special exception use criteria as outlined within the Staff Report.

Water/Sewer: Seacoast Utilities Authority (SUA) has determined that the Applicant has reserved sufficient water capacity to serve the Site. Drainage permits are required prior to the issuance of building permits per SUA.

Design/Architecture: The proposed Elevations for the convenience store building and gasoline pump canopy meet the Town’s Architectural Guidelines as well as the architectural guidelines established by the PUD. The Applicant has incorporated design features for the building which

are consistent with the intent of the Code and the previously approved PUD. Ms. DiTommaso pointed out the various architectural elevations of the site.

Fire: Palm Beach County Fire Rescue has completed its preliminary review of the proposed Site Plan and has no comments at this time. PBC Fire will be reviewing the plans in greater detail as part of the building permit review process.

Lighting: The Photometric Plan does meet Town Code requirements as proposed.

PBSO: The Crime Prevention Through Environmental Design (CPTED) review was done by the CPTED Certified Town Planner, rather than the Palm Beach Sheriff's Office (PBSO). The Applicant incorporated many of the recommendations and there are no additional concerns at this time.

STAFF RECOMMENDATION

Ms. DiTommaso stated that Staff is recommending approval of the Site Plan and Special Exception Use of a gas station with a 5,928 square foot convenience store to be located on Tract "B" of the Congress Business Park PUD, subject to Conditions 1-18, most of which are standard conditions for the PUD. Ms. DiTommaso read Condition No. 3 into the record as follows: *The site shall incorporate stamped concrete ground treatment around active entrances to the building so as to be consistent with the entrance design of the previously approved ALDI grocery store within the PUD.* Ms. DiTommaso stated she is open for questions and/or comments and the Applicant is present.

APPLICANT PRESENTATION

Mr. Gary Brandenburg addressed the Board and stated that he is representing RaceTrac LLC. Mr. Brandenburg stated that RaceTrac is very pleased to present to the Town the RaceTrac gas station and convenience store which will be an excellent addition to the Town. Mr. Brandenburg stated that RaceTrac agrees with all of Staff's recommendations and Conditions, including Condition No. 3 which was read into the record. He introduced Mr. Dan Brown who is present representing RaceTrac and is available to answer any questions of the Board.

Dan Brown of RaceTrac Petroleum addressed the Board and stated he will give a very brief presentation and provide background on RaceTrac. Mr. Brown stated that Staff reviewed the site plan very thoroughly, and pointed out a standard rendering of the building and canopy, and stated that the signage and towers would be slightly different than shown on the rendering. Mr. Brown stated that the landscaping would actually be much more extensive than depicted on the rendering. Mr. Brown stated that RaceTrac has been family-owned for 75 years with 450 stores in the Southeast and 150 stores in Florida. Each store is owned and maintained by RaceTrac and are not leased. The interior and exterior will be maintained by RaceTrac, including landscaping. Mr. Brown showed a site specific rendering which has been customized to meet the Town's Architectural Guidelines. He showed an interior rendering and explained offerings of foods and coffee, etc. in a family-welcoming atmosphere, with outdoor seating available.

Chair Thomas asked if there is a need for two separate motions, one for the site plan and one for the special exception use. Ms. DiTommaso explained that if the recommendation is the same, the site plan and special exception can be approved with one motion.

BOARD MEMBER DISCUSSION

There were no comments from Board Member Francois.

Board Member Schneider asked the Community Development Director about public notification for this Application. Ms. DiTommaso responded that public notification was given for a 300' radius of the site and she had not received any replies from residents. He noted that the site plan did not have a good context map as it does not show the Army Complex to the south and suggested that it might be helpful to have an improved map before moving forward to the Town Commission. Board Member Schneider questioned the minimum open space and green space requirements for the site. The Community Development Director responded that Town Code does not delineate a percentage, but that all of the landscaping requirements for the site have been verified and met. He also noted that there appears to be a lot of pavement on the site, specifically the area behind the building which is not designated, but could possibly be for loading, and asked if it might be redesigned to provide for more green space and less pavement in the back, as well as to indicate where the loading area will be located. Mr. Brown responded the area is for truck turn/auto turn movement on the site and that it is the minimum size for moving trucks in and out. Board Member Schneider stated there is a lot of sod in the dry retention areas and asked if additional groundcover could be added around the dry retention areas in order to reduce the amount of sod on site. He noted that the building looks like a two story building though it is a one-story building and asked if this is the standard design and how the height compares to the ALDI grocery store. Ms. DiTommaso stated that the building sizes are comparable. Board Member Schneider verified the monument sign is set back 5' from the right-of-way and is 10' in height which is the maximum allowed for the area. He stated that surrounding signs in the area don't appear to be as large and do not have LED letters. He questioned the size of the LED letters on the sign and recommended that the size of the LED letters for the gas price be brought down from 28". Board Member Schneider recommended that the base of the monument sign be increased from 1' to 2' and bring the LED price size letters down. Board Member Schneider questioned the material of the yellow awnings. The Applicant stated that the awnings are vinyl with metal framing. Board Member Schneider pointed out the Code does not allow for backlit awnings and Ms. DiTommaso responded that the final signage packet addressed this issue and that the awnings will not be backlit. Board Member Schneider noted there is a blue LED strip across the entire canopy and stated that since the site is across from a residential area it might be too bright and is not needed. He recommended that the proposed LED striping not be allowed on the awning, as well as a condition for no awning signage in the future since there is adequate signage on the building.

Chair Thomas asked the height of the canopy to which the Applicant responded 18'. She questioned where the refueling trucks will enter the site and where the refueling tanks are located on the site. The Applicant stated that the refueling trucks will most likely enter off of Congress Avenue due to the location of the tanks.

PLANNING & ZONING BOARD RECOMMENDATION

Chair Thomas noted that there were no Public Comment Cards for the RaceTrac Project and upon verifying the format of the motion with the Town Attorney, Chair Thomas asked for a motion from the Board.

Board Member Schneider made a motion for the approval of the Site Plan and Special Exception Use of a RaceTrac Gas Station with Conditions 1-18 as recommended by Staff, as well as the following additional Conditions: 1) no awning signs be allowed 2) the blue stripe on the canopy will not be LED; 3) the LED gas price letter height shall be reduced to 20" from 28"; 4) the stone base of the monument sign shall be increased to a minimum of 2', and 5) additional groundcover shall be added around the dry retention areas to reduce the sod. The motion was seconded by Board Member Francois, and the vote was as follows:

	Aye	Nay
Judith Thomas	X	
Erich Von Unruh		
Michele Dubois		
Ludie Francois	X	
Martin Schneider	X	

The Motion carried 3-0, and the Site Plan and Special Exception Use of a RaceTrac Gas Station with a 5,928 square foot convenience store within the Congress Business Park Planned Development were approved with Conditions 1-18 as recommended by Staff, as well as five (5) additional recommended Conditions.

B. SITE PLAN APPLICATION PROPOSING THE AMENDMENT OF THE EARL STEWART TOYOTA PLANNED UNIT DEVELOPMENT (PUD) TO EXPAND ITS BOUNDARIES IN ORDER TO ACCOMMODATE A 3-PHASE EXPANSION FOR THE SPECIAL EXCEPTION USE OF A VEHICLE SALES ESTABLISHMENT

STAFF PRESENTATION

Chair Thomas noted that there are actually three items being requested by the Applicant: an Amendment to the PUD to expand its boundaries; a site plan approval and a special exception. Ms. Di Tommaso clarified that the Site Plan is being presented with a Special Exception Use of a vehicle sales establishment therefore, these two items could be motioned together. While the boundary change (rezoning) is treated as an Ordinance at the Town Commission level, it has been incorporated into the staff report and will be presented concurrently for the Planning & Zoning Board.

Nadia DiTommaso, Community Development Director, addressed the Board and stated this Application is for the existing Earl Stewart Toyota dealership located at 1215 South Federal

Highway and the south property located at 1017 Federal Highway. Ms. DiTommaso provided a visual and reviewed the history of the overall site as contained within the Staff Report:

The Earl Stewart Toyota vehicle sales dealership was constructed in the mid to late 1970's on 4.47 acres of property with the address of 1215 North Federal Highway. The original development of the Site also included a 14,200 square foot Park Center Hardware store. The old dealership and Park Center Hardware remained until 2003 when the Property was approved as a PUD by the Commission's adoption of Ordinance 14-05-03. This resulted in the redevelopment of the Site as it exists today. The Ordinance creating the PUD included waivers to the Land Development Regulations of the Code: (1) a display parking setback of 15' instead of 25'; (2) to allow for the spacing of shade trees along Federal Highway to be 30' instead of 20 feet; (3) the elimination of wheel stops; (4) no planters on the roof of the garage; (5) to allow a 40' freestanding monument sign to replace the then conforming 15' freestanding monument sign. Town Code currently allows a maximum 10' height for monument signs; therefore, the Applicant proposes to remove this second existing monument sign and replace it with a 10' compliant sign by July 5, 2016, which is prior to the Phase 1 construction as proposed and consistent with the Town's compliance schedule for non-conforming signage.

Ms. DiTommaso provided a history of the south lot located at 1017 North Federal Highway, and stated that in 1969 it was developed as a 111-unit hotel known as The Journey's Inn, which had a 2,150 square foot restaurant known as The El Colonial. In 2004 an Application to expand the dealership and abandon the East Jasmine Drive right-of-way was submitted and approved by Resolution 43-07-04, but the expansion never occurred, and therefore abandonment approval became null and void. In 2010 the current owner requested permission to demolish the structures and pave and landscape the lot and temporarily utilize the lot for storage of vehicles with a temporary office trailer. These temporary uses are still on-going with a January 2016 expiration date pursuant to Resolution 03-01-15 approved by the Town Commission. Ms. DiTommaso showed a visual presentation of the overall site and pointed out details and existing conditions on the site.

Ms. DiTommaso explained that the request is being made by the Applicant, Urban Design Kilday Studios, for the owners Earl Stewart Toyota & Commercial Investments, LLC. The proposal is to expand the dealership which requires an Amendment to the existing PUD boundaries, which is being referenced as a re-zoning because the existing PUD boundaries encompass the north lot which is the 1215 North Federal Highway lot, and by proposing the expansion of the PUD it needs to incorporate the East Jasmine Drive right-of-way and the south lot located at 1017 North Federal Highway. Ms. DiTommaso stated it is important to note that these approvals are contingent upon the approval of the right-of-way abandonment of East Jasmine Drive by the Town Commission.

Ms. DiTommaso stated that Staff reviewed the Application with a series of review criteria, as outlined within the Staff Report, for consistency with the Town Comprehensive Plan; consistency with the six (6) Special Exception Use Criteria; as well as consistency with all Zoning and Land Development Regulations, all of which have been met.

Ms. DiTommaso presented a visual and reviewed the following project detail categories:

Building Site: The Site is proposing to expand onto the East Jasmine Drive right-of-way and onto the 1017 Federal Highway lot, in three (3) Phases. Phase 1 of the plan is proposing additional showroom space for used-car vehicular sales, with additional accessory service bays and car wash area, as well as a 3rd story shell for future office space use, which slightly encroaches onto the existing East Jasmine Drive right-of-way. Phase 2 proposes the interior build-out of the 3rd story shell for office space proposed in Phase 1. Phase 3 proposes a 5-story parking garage located on the 1017 North Federal lot with a height of 47.5' and a total square footage of 96,225 sq. ft.

Site Access: The amendment to the Master Plan shows 5 access points: two off of Federal Highway; one off East Ilex Drive; one off of Lake Shore Drive; and one off of Palmetto Drive.

Traffic: The Applicant has received confirmation from the County's Traffic Engineering Division which confirms that there is adequate capacity on the roadways to serve the Site.

Landscaping: All three phases of the proposed Site Plan meet the Town's Landscaping Code Regulations. The Applicant's Landscaping Plan has been determined to be "satisfactory for Site Plan Approval" by the Town's consulting Landscape Architect. This finding is predicated on the Applicant having been previously given 3 waivers to the Town's minimum landscaping requirements: 1) To allow for an increase of spacing between trees to 30' along Federal Highway; 2) To waive the requirement for planters on the roof; 3) To waive the requirement for wheel stops or curbs for parking areas.

Drainage: The Town's Engineer has reviewed the Applicant's Paving and Drainage Plan for all Phases and has determined that it meets the engineering requirements for Site Plan review.

Lighting: The Photometric Plan does meet Town Code requirements as proposed.

Parking: Section 78-145(g)(3) of the Town Code requires the following breakdown of parking spaces for the use of vehicle sales establishments: 1 space for every 500 square feet of gross floor area (76 spaces); 1 space for every 4,500 square feet of outdoor storage (5 spaces); 1 space per service bay (48 spaces); 1 space per employee at maximum shift (75 spaces) which totals 204 spaces. American Disability Association (ADA) requires 1 space for every 25 spaces (9 spaces). The number of ADA spaces can be inclusive of the number of spaces provided. Therefore, the Applicant is proposing 204 spaces, inclusive of 9 ADA spaces. The Applicant's site plan meets the Town's minimum parking requirements.

Signage: The Applicant has submitted a proposed Master Signage Plan that is consistent with the Town's Sign Code. The Applicant is proposing a total of 4 monument signs, 3 of which currently exist and 1 sign is new. The existing monument sign, on the corner of Palmetto Drive and Federal Highway, is 40 feet tall and previously received a waiver from the Town's Sign Regulations. The existing directional monument sign inside the parcel meets the Town's Sign Code. The existing 15' directional monument sign located off of the main entrance from Federal Highway exceeds the maximum permitted height currently allowed for monument signs. The Applicant has agreed to make the sign compliant by decreasing the height to 10' and therefore

the approval requiring a reduction of this sign will be included in the Development Order. The Applicant is proposing an additional monument sign along Federal Highway. This sign is permitted by the Town Code.

The Applicant's Master Sign Plan indicates a wall sign of 728 square feet. This is within their 1074.75 square feet maximum permitted signage allowance per Code. Signage permits will be required.

Zoning: The proposed Site Plan is within a PUD Zoning District and has an underlying C-1 zoning designation. The Site currently consists of two different parcels and a right of way; one parcel (1215 Federal Highway) is already within the PUD zoning district and the second parcel (1017 Federal Highway), as well as the East Jasmine Drive right-of-way must be rezoned as part of the PUD Site Plan Amendment to "PUD" with an underlying C-1 zoning designation. The abandonment approval will run through the Town Commission approval process.

Water/Sewer: Staff has received confirmation from Seacoast Utilities Authority (SUA) that the Applicant's Site Plan is satisfactory for site plan approval subject to conditions it is requesting to be reflected on the building permits.

Design/Architecture: The Applicant's proposed Elevation Plans for all three Phases meets the Town's Architectural Guidelines.

Fire: The Palm Beach County Fire Rescue Department completed a preliminary site plan review of the proposed Site Plan and has no comments pertaining to the Site Plan at time.

PBSO: A Crime Prevention Through Environmental Design (CPTED) review was conducted and there are no outstanding comments.

Ms. DiTommaso pointed out that she received one (1) resident letter, which was included in the Agenda Packet, which expresses a concern related to the Phase 3 proposed parking garage within 25' of the East Ilex right-of-way. The concern is with the entry/exit point off of East Ilex Drive and the loading and unloading that might occur based on the entry/exit point.

STAFF RECOMMENDATION

Ms. DiTommaso stated Staff is recommending approval as follows:

1. **APPROVAL** of the rezoning of the East Jasmine Drive right-of-way and the property with a street address of 1017 Federal Highway to a PUD with an underlying C-1 zoning designation - contingent upon the abandonment of the East Jasmine Drive right-of-way by the Town Commission.
2. **APPROVAL** of the proposed Special Exception Use of a vehicle sales establishment for the PUD.

3. **APPROVAL** of the Amendment to the PUD Site Plan with Conditions 1-20, some of which are standard conditions.

Ms. DiTommaso requested that Condition No. 7 and Condition No. 15, as listed in the Staff Report, should be deleted, as Condition No. 7 is a repetition of Condition No. 6. Condition No. 15 which requires a Unity of Control should be deleted since Condition No. 16 is requiring the site to be replatted.

Ms. DiTommaso restated that most of the Conditions are standard, but read the following two (2) Conditions into the record:

Condition No. 2: The driveway entrance along East Ilex Drive, including the entire East Ilex Drive right-of-way must not be used for loading/unloading or parking of vehicles at any time.

Condition No. 19: The Phasing schedule includes the following:

- | | |
|---------------------------------------|-------------------|
| • Phase 1 Commencement of Development | September 2016 |
| • Phase 1 Completion of Development | September 2017 |
| • Phase 2 Commencement of Development | December 2017 |
| • Phase 2 Completion of Development | December 2018 |
| • Phase 3 Commencement of Development | June 2020 |
| • Phase 3 Completion of Development | December 30, 2021 |

Ms. DiTommaso stated she is open for questions and comments at any time and the Applicant is present.

APPLICANT PRESENTATION

The Town Attorney swore in witnesses for the Earl Stewart Toyota agenda item.

Mr. Chris Barry, Land Planner with Urban Design Kilday Studios, addressed the Board on behalf of Earl Stewart Toyota and Commercial Investments, LLC. Mr. Barry stated they appreciate Staff's recommendation for approval and they are in agreement with the Conditions of Approval as amended. Mr. Barry gave a detail of the site acreage and provided a breakdown of the 7.19 acre site: 1215 North Federal Highway is 4.47 acres; the proposed abandoned right-of-way is less than .5 acre; and 1017 North Federal Highway is 2.23 acres. Mr. Barry stated the temporary use approval for the used car lot (2.23 acres) went before the Town Commission on January 21, 2015, requesting an extension, which was approved. He stated that his client is allowed to utilize the lot for temporary uses for up to 30 days from the issuance of the C.O. for Phase 1, but no later than January 31, 2016. Mr. Barry gave a visual presentation of the site and pointed out details of the proposed application request, including footprints, elevations, and timelines and landscaping. Mr. Barry pointed out that existing vegetation along the site has died and Staff is requiring that the landscaping be restored to the originally approved landscaping, and the interior landscaping will be put in place as part of the Phase 1 development. A significant amount of landscaping will be installed as a part of Phase 3. Mr. Barry reviewed the factors considered for placement of the 5-story garage. Mr. Barry pointed out a reduction in the number of access

points onto public rights-of-way and stated the Ilex Drive right-of-way will not be utilized for storage or loading/unloading of vehicles. Mr. Barry stated that his client has agreed to replace the 15' non-conforming sign on Federal Highway with a 10' conforming sign by no later than the deadline in July of 2016. The expansion of the facility will increase the number of employees by 30-40 people.

PUBLIC COMMENTS

Harry Moisel: Mr. Moisel stated that he represents Cedar Crest Apartments (south of Stewart Toyota). Mr. Moisel commented that he respects the Staff recommendations but expressed strong concerns with certain items - particularly the 5-story massive building which will take away from the whole area; that upon the acquisition of Jasmine Drive, East Ilex Drive will become like a highway with excess traffic and they would appreciate no access to Earl Stewart Toyota from East Ilex Drive; and car carriers unloading vehicles during the early morning and late night hours. Mr. Moisel stated that Cedar Crest Apartments has been there for 35 years and they are very proud of their well-manicured property.

Janet Hash: Ms. Hash addressed the Board and stated that she is happy to have the opportunity to express her opinion on the Earl Stewart presentation. Ms. Hash commented that she is a resident of the Town of Lake Park for 3 years and her concerns are the 5-story garage across the road from the condominiums. She stated that the present structure is a nice structure, not too high, but the parking garage would be too high and the Board should consider lowering the height and moving the garage closer to Federal Highway. She questioned where the car wash would be situated and expressed concern regarding noise from the car wash.

Cat Nguyen: Mr. Nguyen stated that he lives in Bay Reach Condominium and expressed concern of the height of the parking garage. He also expressed concern regarding consistency of the building with the surrounding structures, obstruction of view and security.

John Hash: Mr. Hash expressed concern regarding the size and height of the parking garage and asked if there are currently any restrictions on the height of the building in that area (C-1 Zoning District).

Jay Kroul: Ms. Kroul stated she is the Property Manager for Marina Key, and their concerns are that a 5-story parking garage structure would be so large that it would tower over the 3-story Marina Key. Ms. Kroul stated that they have received many complaints regarding noise, safety and obstruction of the view.

BOARD DISCUSSION

Board Member Schneider asked if the facility would be open during construction, to which Mr. Brown responded the facility would be open. Board Member Schneider questioned if the right-of-way abandonment was a purchase from the Town or was the land given to the Applicant and what the procedure is for moving forward to the Town Commission. Ms. DiTommaso responded that it has not moved forward to the Town Commission, but it will move forward pending the

outcome of this P&Z Meeting. If it were to move forward concurrently, it would be as a separate application and the Code requires that public benefit and fair market value be reviewed and considered as part of the application. Board Member Schneider asked what the public benefit would be and Ms. DiTommaso responded the public benefit for abandoning the right-of-way would be to allow for the economic redevelopment of the parcel and increase in property value (*applicant will have to prove public benefit as part of the application process*). Board Member Schneider stated a concern regarding connectivity being given up and suggested that a public cross-access easement connecting Lake Shore Drive and Federal Highway be considered. Board Member Schneider suggested moving the building forward 10' - 20' toward the customer/employee parking and bringing the height down. Board Member Schneider asked if any new waivers are being requested and Ms. DiTommaso responded there are no new waivers, although the previously approved PUD Waivers would apply if the expansion of the PUD is approved. Board Member Schneider pointed out there appears to be more than one wall sign on the same elevation, resulting in too many signs when looking from one direction, and that consideration should be given to reducing signage. Board Member Schneider verified that all vehicle maintenance repair work will be conducted only inside the enclosed facility and asked that it be a condition of approval.

Board Member Francois stated her concern regarding the building height has already been addressed, and that by moving the building forward and closer to the parking lot would help with the concerns of the neighboring residents. Board Member Schneider commented that moving the building would not help the residents to the south.

Chair Thomas thanked Earl Stewart for coming forth with this project, which has been a long and arduous journey, probably 10 years in the making. Chair Thomas acknowledged the comments made by the residents on the east side of the proposed development, and commented that residents to the west of the proposed development would also be affected, and stated that she is one of the residents living on the west of the development. Chair Thomas stated she has had numerous concerns over the years with Earl Stewart Toyota, including the noise of the P.A. System on the site. She stated that she has major concerns with Earl Stewart regarding this project, including the loading/unloading of vehicles. Chair Thomas stated that the loading & unloading of vehicles on Jasmine Drive has currently torn up the landscaping and asked Mr. Barry to explain what is being proposed for the loading/unloading into the 5-story garage. There was discussion regarding the truck routing plan and possible areas for loading/unloading and whether there will be internal unloading. Mr. Shiner stated that no transport trucks will be allowed on Lake Shore Drive and the access point from Lake Shore Drive will be closed. The Town Attorney stated that there is a Special Exception and therefore delivery times and site access can be made conditions if deemed as in the best interest of the Town. The Town Attorney stated that the southernmost entrance lines up with the current right-of-way, and if it were open the trucks could go directly into the facility to unload the vehicles, and close the access point on Lake Shore Drive.

Chair Thomas expressed another concern is the height of the parking garage, regardless of whether it is moved to the east or to the west, it would still be 50' in height, and she fears that the Town would be setting a precedent if it were to be allowed. She strongly feels that the development needs to consider changing the height of the parking garage. Chair Thomas stated

she does want to see development, but not if it is to the detriment of the lifestyle and quality of life of the residents of the Town. She commented that the impact to the residents in order for Earl Stewart Toyota to double their inventory is huge. Chair Thomas stated that as the development moves forward it should be considered to notify the residents living to the west. Chair Thomas expressed other concerns including abandoning the right-of-way and the public benefit; preserving historic resources in the Town and the potential of increased traffic. Chair Thomas stated she does not support the proposed Earl Stewart project in its current form and does not support it moving forward in the current manner. Chair Thomas wanted to go on record that she was contacted by a property owner prior the Meeting who asked her to share her concerns about the project. Chair Thomas suggested a 25' setback from East Ilex Drive, possibly with a passive park, decrease the 5-story building height and increase the landscaping so you don't feel the mass.

Board Member Schneider questioned the height of the existing building and the height allowance in the C-1 Zoning District without the PUD. The Community Development Director stated that the maximum height allowance in the C-1 Zoning District is 2 stories or 30', and within the PUD it is 4 stories or 50'. Mr. Barry stated that the height of the existing garage building is 33'. Mr. Danny Brown with Glidden Spina Architects addressed the Board and stated that the highest portion of the existing building is the roof of the elevator which is approximately 43' - 44' from the U.S. One side, but which is about 5' lower than the Lake Shore Drive side of the property. The perception from the Lake Shore Drive side is about 50' and the perception from the U.S. Highway One side is approximately 43'. Mr. Barry stated the proposed garage building height will not be drastically different from the garage that is currently there. Mr. Barry informed the Board that Earl Stewart Toyota attempted to host a community meeting and several Public Notices were posted, but unfortunately no one attended the meeting. He also mentioned that several signs were posted throughout the community regarding the PUD and the abandonment of the right-of-way meeting. Mr. Barry stated his client is open and amenable to mitigating the concerns of the Board, including the garage height. He stated the reason for the 5-story garage is because the Toyota Corporation requires a minimum number of inventory spaces based on the size of the property, which is currently not being met.

Mr. Barry asked the Board how to proceed and there was discussion regarding how to move forward considering all of the concerns mentioned during the meeting. Chair Thomas recommended that they hold a public meeting with the residents living west of Federal Highway before the end of February and before it proceeds to the Town Commission. The Town Attorney stated that the right-of-way abandonment needs to move forward at the same time as the Site Plan and PUD, so therefore the Board can either make a recommendation to the Town Commission at this time, or consider continuing the meeting. Board Member Schneider stated that he cannot see making a motion for approval with the numerous conditions discussed throughout the meeting, as there are too many unknowns. There was discussion regarding whether to make a motion for denial or to continue the meeting. Mr. Barry stated that his client would be willing to reduce the height of the proposed garage to the height of the current garage if it would allow for the project to move forward today. Mr. Barry emphasized the project needs to continue moving forward in order to meet phasing deadlines. Mr. Barry asked Staff about deadlines for submittal for the upcoming March Planning & Zoning Board Meeting and asked if they could postpone the matter until next month.

PLANNING & ZONING BOARD RECOMMENDATION

Board Member Schneider made a motion to continue the matter to the March 2, 2015, Planning & Zoning Board Meeting. The motion was seconded by Board Member Francois, and the vote was as follows:

	Aye	Nay
Judith Thomas	X	
Erich Von Unruh		
Michele Dubois		
Ludie Francois	X	
Martin Schneider	X	

The Motion carried 3-0, and the matter was continued to the March 2, 2015, Planning & Zoning Board Meeting.

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

Ms. DiTommaso announced that the Town Planner position is now vacant and the hiring process is moving forward.

ADJOURNMENT

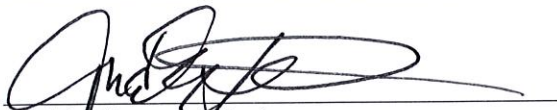
There being no further business before the Board, the Meeting was adjourned by Chair Thomas at 9:16 p.m.

Respectfully Submitted,



Kimberly B. Rowley
Planning & Zoning Board Recording Secretary

PLANNING & ZONING BOARD APPROVAL:



Judith Thomas, Chair
Town of Lake Park Planning & Zoning Board

DATE: 3/2/2015

To: Town of Lake Park

Attn: Nadia DiTommaso

From: Sami Baghdady, Abutter

Date: January 23, 2015

Re: Earl Stewart Toyota/Commercial Investments LLC

In response to the notice dated January 15, 2015 regarding Earl Stewart Toyota, I have several serious concerns regarding their proposal.

To begin with, Toyota had presented this proposal back in 2007. It was debated in a hearing and was denied.

The issues of concern are as follows:

1. Health problems emerging from the toxic fumes from the car storage facility.
2. The acquisition of Jasimin Drive by Toyota diverts the traffic to E. Ilex Drive thus, adding congestion to E. Ilex Drive.
3. The access to the Toyota Facility to E. Ilex Drive is dangerous and causes inconvenience to the residents of E. Ilex Drive.
4. The acquisition of Jasmine Drive and the conversion of residential real estate into commercial real estate alters the character of the town of which we invested.
5. Mr. Stewart has several other properties in the area that can accommodate the type of service he is seeking for E. Ilex. The annexation of Jasmine Drive would cause the traffic to move to E. Ilex.
6. The Town of Lake Park reversed itself. It caused the restaurant that was located on U. S. 1 (Baker) to leave the area because they would not grant him permission to use the lot he purchased on Lake Shore Drive for parking for his customers.

I would like to have my concerns considered before any approval is made.

A concerned citizen (and property owner)

Sami J. Baghdady