



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, May 1, 2019, 6:30 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, May 1, 2019 at 6:30 p.m. Present were Mayor Michael O'Rourke, Vice-Mayor Kimberly Glas-Castro (arrived at 6:40 p.m.), Commissioners Erin Flaherty, and John Linden, Town Manager John O. D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Commissioner Roger Michaud was absent.

Town Clerk Mendez performed the roll call and Mayor O'Rourke led the pledge of allegiance.

Mayor O'Rourke requested that the agenda be reordered to have item J. 6 – Old Business Review of Applications Submitted to the Town Grant Making Program by the BrewHouse Gallery, JETSETV F.C., Inc. and Kelsey Cares placed after Special Presentations/Reports.

**Motion: Commissioner Flaherty moved to reorder the agenda; Commissioner Linden seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		
Commissioner Michaud			Absent
Vice-Mayor Glas-Castro			Absent at time of vote
Mayor O'Rourke	X		

Motion passed 3-0.

**SPECIAL PRESENTATIONS/REPORTS:**

**1. 1909 Accelerator Program Presentation**

Mr. Joseph Russo presented to the Commission (see Exhibit "A"). Commissioner Linden asked what the relationship with the Kelsey Theatre would be. Mr. Russo explained that the programs would be held at the Kelsey Theatre. He stated that they are creating a space for art entrepreneurs to gather in a roundtable setting. Commissioner Linden asked if they would still be utilizing the space in West Palm Beach. Mr. Russo explained that they would still be utilizing the space in West Palm Beach and are attempting to centralize all of the activity here in Town. He stated that they tentatively have scheduled to begin the program June 18, 2019.

Vice-Mayor Glas Castro questioned if this item should go to the Community Redevelopment Board (CRA) instead of the Town Commission. Town Manager

D’Agostino explained that the funds were already in the CRA Budget and that the purpose of the presentation was to advise the Commission of this program.

**Motion: Vice-Mayor Glas-Castro moved to give consent for this program; Commissioner Linden seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		
Commissioner Michaud			Absent
Vice-Mayor Glas-Castro	X		
Mayor O’Rourke	X		

Motion passed 4-0.

**OLD BUSINESS:**

**6. Review of Applications Submitted to the Town Grant Making Program by the Brewhouse Gallery, JETSETV F.C., Inc. and Kelsey Cares.**

Mayor O’Rourke recused himself from voting on the item (see Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers attached). He passed the gavel to Vice-Mayor Glas-Castro.

Vice-Mayor Glas-Castro asked for an update. Town Manager D’Agostino explained that staff met with the applicants and received supplemental information. After a lengthy discussion and realigning of the Grant funds, the Town Commission motioned and voted was as follows:

**Motion: Commissioner Flaherty moved to fund all three projects in the amounts of \$1,000 for the bike rack; \$14,000 for JETSETV F.C., Inc; \$5,000 for the murals; and direct staff to purchase the equipment that JETSETV F.C., Inc will use but be owned by the Town for \$3,000; Commissioner Linden seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		
Commissioner Michaud			Absent
Vice-Mayor Glas-Castro	X		
Mayor O’Rourke	X		

Motion passed 4-0.

**PUBLIC COMMENT:      None**

**CONSENT AGENDA:**

2. Proclamation for Water Conservation and Reuse Week.

**Motion: Commissioner Flaherty moved to approve the consent agenda; Commissioner Linden seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		
Commissioner Michaud			Absent
Vice-Mayor Glas-Castro	X		
Mayor O'Rourke	X		

Motion passed 4-0.

**BOARD MEMBERSHIP:**

**3. Nomination for the Appointment of Eddy Viera as a Regular Member to the Tree Board.**

**Motion: Commissioner Linden moved to nominate Eddy Viera as a regular member to the Tree Board; Commissioner Flaherty seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		
Commissioner Michaud			Absent
Vice-Mayor Glas-Castro	X		
Mayor O'Rourke	X		

Motion passed 4-0.

**4. Nomination for the Appointment of Cynthia Grey as a regular member to the Tree Board.**

**Motion: Commissioner Linden moved to nominate Cynthia Grey as a regular member to the Tree Board; Commissioner Flaherty seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		
Commissioner Michaud			Absent
Vice-Mayor Glas-Castro	X		
Mayor O'Rourke	X		

Motion passed 4-0.

**PUBLIC HEARING(S) – ORDINANCE ON FIRST READING: None**

**PUBLIC HEARING(S) – ORDINANCE ON SECOND READING: None**

**QUASI-JUDICIAL – PUBLIC HEARING(S) – RESOLUTION(S):**

**5. Resolution No. 40-05-19 Approving a Site Plan Amendment for a 2,374 Square Foot Building Addition to the Previously Approved Special Exception Use of an Aldi Grocery Store within the Congress Business Park Planned Unit Development.**

**The Mayor opened the Public Hearing.**

Disclosure of Exparte Communication:

Mayor O'Rourke had no Ex-parte communication to disclose.

Vice-Mayor Glas-Castro had no Ex-parte communication to disclose.

Commissioner Flaherty had no Ex-parte communication to disclose.

Commissioner Linden had no Ex-parte communication to disclose.

Commissioner Michaud was absent.

Attorney Baird Swore-in all witnesses.

Community Development Director DiTommaso explained the item (see Exhibit "C"). Mr. Brandon Ulmer of the Thomas Engineering Group ("Agent") gave a presentation (see Exhibit "D").

**Motion: Commissioner Flaherty moved to approve Resolution No. 40-05-19 with the standard conditions of approval numbers 1-16 including a crosswalk to the new handicap parking spaces; Commissioner Linden seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		
Commissioner Michaud			Absent
Vice-Mayor Glas-Castro	X		
Mayor O'Rourke	X		

Motion passed 4-0.

**The Mayor closed the Public Hearing.**

**NEW BUSINESS:**

**7. Review of the Town Manager's Annual Performance Evaluation for the Period of May 1, 2018 to May 1, 2019.**

Assistant Town Manager/Human Resources Director Turner presented the item. Commissioner Flaherty commended Town Manager D'Agostino. Mayor O'Rourke stated that the Commission was pleased to have him as a Town Manager. Town Manager

D'Agostino stated that he would not be successful if it were not for the support of the Town Commission and staff.

**PUBLIC COMMENT:**      **None**

**FUTURE AGENDA ITEMS:**      **None**

**TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

**Town Attorney Baird** had no comments.

**Town Manager D'Agostino** provided an updated on the US Highway One Corridor project indicating that the Town could expect to receive site plans later this month. He announced that the 93<sup>rd</sup> Florida League of Cities Annual Conference was scheduled for August 15 – 17, 2019 at the World Center Marriot in Orlando Florida. He announced that the Lake Park Memorial Day Celebration would take place on May 27, 2019 at 11:00 a.m. at Kelsey Park and the Town has collaborated with Gold Star Group. The Town has a Gold Star Marker near the Memorial Stone, which would be supported by the West Palm Beach Garden Club. He encouraged those that have Facebook to “Like” the Town’s page to receive information regarding Town events. He announced the Sunset Celebration would take place on Friday, May 31, 2019 at the Lake Park Harbor Marina from 6-9:00 p.m. featuring Wonderama Band. He announced that there have been very few that have RSVP’d for the Volunteer Recognition Reception. He asked the Commission if they wanted to support the Proclamation for National Gun Violence Awareness Day, which would take place on June 1, 2019. After some discussion, the Commission came to consensus not to support the proclamation. He asked the Commission if they wished to support an outside organization to develop a community garden in Town. The Commission came to consensus not to support a community garden. He asked for the Commission to consider dates to conduct a Street Light Program Workshop. The Commission choose to conduct the Workshop before the June 19, 2019 meeting, which would begin at 6:00 p.m. immediately following would be the Regular Commission Meeting. He stated that the Lake Shore Drive Drainage Workshop was successful.

**Commissioner Linden** commended the Town Manager and the Town Engineer for the success of the Lake Shore Drive Drainage Workshop. He announced that the Palm Beach Gardens High School student’s artwork was featured at the Art on Park Gallery. He asked if the Town Manager performance evaluations could be conducted in a private setting. He stated he would be uncomfortable for the Town Manager for the evaluation to be in the public. Mayor O'Rourke explained that as a government agency the Town Manager’s performance evaluations are conducted in the public, open to the public, and transparent. Town Manager D'Agostino explained that under Florida State Statute the information was available upon request.

**Commissioner Michaud** was absent.

**Commissioner Flaherty** apologized for not attending the last Commission meeting.

**Vice-Mayor Glas-Castro** apologized for arriving late to this meeting. She explained that she was attending the Palm Beach County School Board meeting where they were recognizing Mott Fort Lee for her contributions to Palm Beach County. She thanked staff for the Marina Workshop on Saturday. She stated that the Workshop was very informative and the tour showed much more than just the pictures, which helped them understand what was happening to the building. She attended the Transportation Planning Agency Technical Advisory Committee meeting and received an update to the US 1 transportation improvement plan, which includes bike lanes from the City of Riviera Beach through the Town of Lake Park and up to Northlake Boulevard. She asked if the Town Manager had met with Mr. Nick Uron with the Town's US 1 vision. Town Manager D'Agostino stated that he would be collaborating with the Village of North Palm Beach to create a presentation of the vision before meeting with Mr. Uron for additional funding. She gave an update on Bright Line. She explained that Bright Line would begin working on the train tracks in June (extending from West Palm Beach through the Village of Tequesta) and completing the project by the end of this year. She explained that the intersections with railroad crossings would be closed for extended amounts of time. Those railroad crossing include Old Dixie Highways/Park Avenue and Northlake Boulevard. She stated that the Town would need to apply for Quiet Zones to the Agency. She wanted everyone to know that Bright Line would not be placing pedestrian connectivity. The Agency has funds to assist municipalities to place crosswalk connectivity, but the municipalities must reach out to the Agency for the funding.

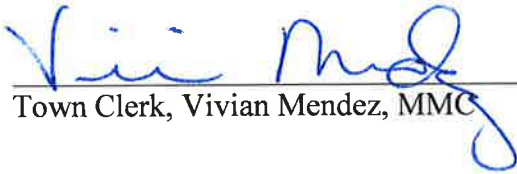
**Mayor O'Rourke** asked when the group photo would be taken. Town Clerk Mendez stated it would be taken before the June 5, 2019 CRA and Town Commission meeting. He stated that there are events that take place in Town that are monumental, especially two that are coming up. He stated that Mr. Harry Kelsey purchased the land that was now known as the Town of Lake Park in 1919 marking this as the 100-Year of the Town. He asked that we recognize this in some way. He announced that The Brockman Family would be celebrating five-years as owners of the 700 block of Park Avenue. He stated that they would be celebrating the anniversary with a block party.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Flaherty and seconded by Vice-Mayor Glas-Castro, and by unanimous vote, the meeting adjourned at 8:44 p.m.



\_\_\_\_\_  
Mayor Michael O'Rourke



\_\_\_\_\_  
Town Clerk, Vivian Mendez, MMC



Approved on this 15 of May, 2019

Exhibit "A"

1909

START NOW.



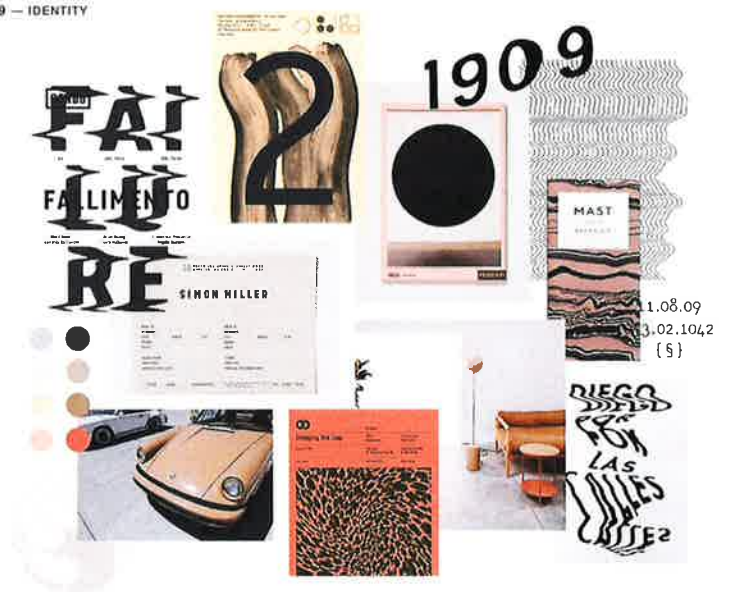
Palm Beach County was founded in the year 1909.

...and we believe that right now everyone can be the founder of something great. Of a new business...or art project...or social initiative...or way of life for yourself or your community.

Presenting 1909...the non-profit dedicated to Palm Beach County's exponential growth in startup businesses, the creative industries and our own cultural significance. Whatever you want to start... now is the time, and we are here to help you turn your ideas into reality.

We offer a community space for creation and collaboration; a mentorship platform to connect you with advisors and expanders; a startup accelerator open to any and all industries; and a series of community gatherings for art, technology, wellness, and music innovators.

1909 — IDENTITY





## Program Pillars & Gaps

*These **program pillars** serve as our primary operational capacities, but also our organization's pillars where all activities are oriented to serve.*

- **Coworking**
- **Mentorship**
- **Acceleration**

The Kauffman Foundation has named South Florida the #1 for Startup Activity for three consecutive years. Nonetheless, there's still **gaps** to startup growth in our community:

- **Affordable Workspace**
- **Consistent Mentorship**
- **Business Education**
- **Access to Capital**



## Our Team



**Joe Russo**  
*Executive Director*



**Danielle Casey**  
*Creative Director*



**Shana Ostrovitz**  
*Accelerator Director*



**Ryan Walden**  
*Education Director*



**Jared Fishman**  
*Happiness Director*



## Our Partners



**1909**

Coworking.

# Coworking

Our downtown space is three blocks from the waterfront on the 2nd floor of the historic Halsey Place.

All members have 24/7 access to the space, and whether you choose to grind 12 hours a day, meet with clients twice a week, or brainstorm once a month, if you're here, you're family.

- **Total Members:** 176
- **Hosted Events:** 100+

## OUR GOAL:

*Palm Beach Tech Space will expand membership & will be rebranded as 1909.*



# Our Network

We've identified current partners and potential local government interest to expand...

## Current Partnerships:

- Delray Beach | The KTCHN
- Lake Worth | Social House
- Boca Raton | Flamingo House
- WPB | Smpl.Co Studio
- WPB | Elizabeth Ave Station

## Potential Expansion Partnerships:

- Town of Lake Park
- City of Boynton Beach
- City of Riviera Beach
- City of Delray Beach / Delray Chamber



**1909**

MENTORSHIP.



# Mentorship

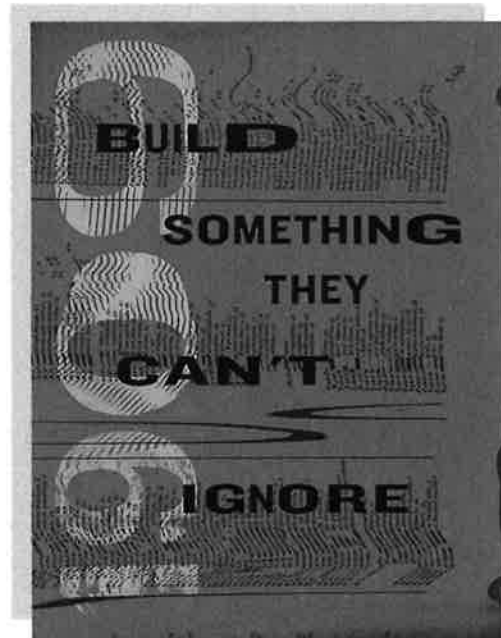
The **1909 Mentorship** is accessible to any member, at anytime.

We intend to assemble a complete countywide, with collaborative partners, including Florida Atlantic University.

- **Business Plans**
- **Team Building**
- **Marketing**
- **Raising Capital**
- **Software Development**
- **and more...**

## OUR GOAL:

Have **100+ mentors** provide everyone in need a brain to pick, an ear to listen & a push to turn **their idea into a reality**. One hour minimum each month.



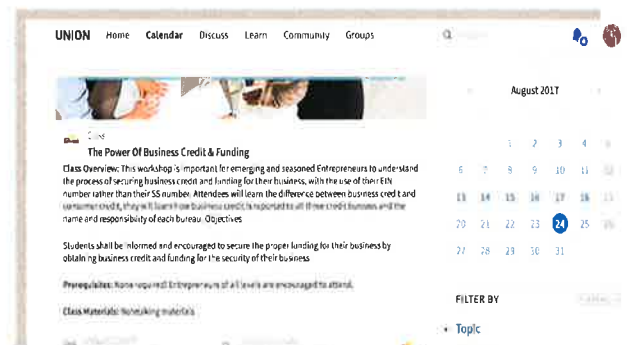
## Software Platform

# Union *by* 1776

UNION by 1776 streamlines startup program operations for incubators, accelerators, and investment groups while simultaneously connecting them to the startups, mentors, resources, and events.

### Companies Receive:

- Platform Access, Mentor Scheduling, Event Update, & Metric Tracking



**1909**

ACCELERATOR.

# Accelerator

A six (6) month idea stage program, partnering with the FAU Adams Center for Entrepreneurship

This is a precursor to FAU Tech Runway and other later stage accelerators, providing three core resources:

- **Curriculum** | 2 Months
- **Mentorship** | 4 Months
- **Coworking** | 6 Months

## OUR GOAL:

Support the launch of **100 companies** in 5 cohorts Annually.



# Curriculum

## CO.STARTERS™

**CO.STARTERS** is a nine-week cohort based program that equips aspiring entrepreneurs with the insights, relationships, and tools needed to turn ideas into action and turn a passion into a sustainable and thriving endeavor.

### Companies Receive:

- Weekly Classes for 2 Months
- All Study and Work Materials



# Micro Grant Fund

Supporting existing and accelerator graduation pitch events, providing cash & services to needing local startups.

By leveraging community engagement from banks and service providers:

- **Cash Grants**
- **Professional Services**
- **Coworking Workspace**

## OUR GOAL:

Create a community **sustained nonprofit** fund for startup support.



**1909**

Funding + Partnerships.

# Potential Funding Partners



## Partnership Requests

- \$25,000 per 25 person cohort
- Focused on Economic Development
- Job & Business Facilitation KPI's
- Specific Tracks (*Arts, Social Impact, etc*)

## Key Performance Indicators (*selected*)

- Total Paying Customers
- Total FTE's (*Full Time Equivalent*)
- Total Revenue Generated
- Capital Raised to Date
- Cash on Hand

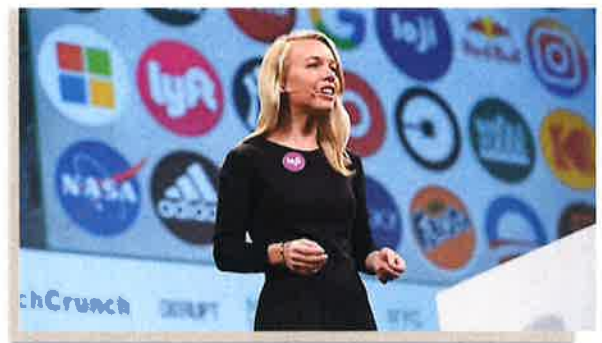
*\*Disclaimer: Not all confirmed*

*Based on conversations, budgetary requests and potential organizational formalities*



# Next Stage Partners

## Accelerators:



## Venture Funding:



## Business Expansion:

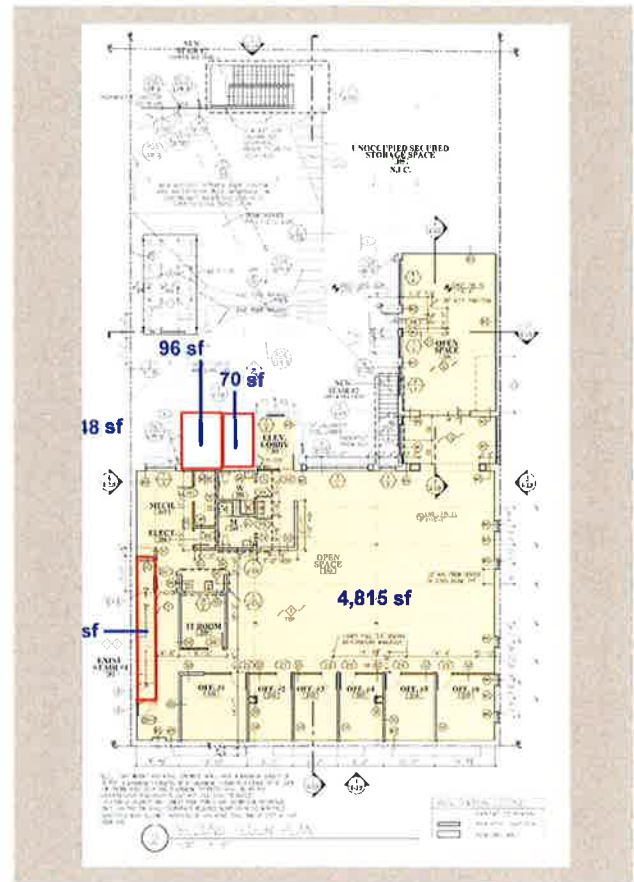


Follow along  
@weare1909

# Our Space

Through this expansion, we will provide new benefits and additional space to entrepreneurs and self-motivators in need in West Palm Beach.

- 5,000 Sq Feet (Appx)
- 9 Offices & 2 Conference Rooms
- Ample Sunlight & Noise Reduction
- Mentorship Platform Access
- Accelerator Program Option
- Access to events (classes, workshops, social gatherings, etc.)



# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME O'Rourke Michael Joseph	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Town of Lake Park Commission
MAILING ADDRESS 501 Lake Shore Dr # 701	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Lake Park, FL 33403 Palm Beach	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 5-1-19	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTEE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Michael O'Rourke, hereby disclose that on May 1, 2019, 20 19:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, and Brewhouse Gallery Kelsey Cares, as a board member;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*I am a board member of Kelsey Cares and the item that came before the commission on a grant application. I am ~~not~~ employed on a part time basis to book bands at the Brewhouse Gallery.*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

5-1-19

Date Filed



Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



**TOWN LAKE OF PARK  
TOWN COMMISSION  
MEETING DATE: May 1, 2019**

**APPLICATION:** SITE PLAN AMENDMENT PROPOSING AN ADDITIONAL 2,374 SQUARE FEET FOR THE PREVIOUSLY APPROVED SPECIAL EXCEPTION USE OF AN ALDI GROCERY STORE

**SUMMARY OF APPLICANT’S REQUEST:** On behalf of AI Fund III, LLC (“Property Owner”), Jordan Ford (“Applicant”) and Brandon Ulmer of the Thomas Engineering Group (“Agent”) are requesting site plan approval for a 2,374 square foot building expansion (for a total building size of 19,392 SF), with minor parking and landscaping reconfigurations and additional site elements, to the existing ALDI grocery store (previously approved special exception use) located at 220 North Congress Avenue. The site is approximately 2.38 acres (PCN: 36-43-42-19-25-006-0000), and is generally located on the northeast corner of Park Avenue West and Congress Avenue within the Congress Business Park PUD (“Subject Property”). The Site has a “Commercial/Light Industrial” land use designation and is within the previously approved Congress Business Park Planned Unit Development (PUD) Zoning District with an underlying Commercial-2 Business District (C-2) zoning designation.

The site plan and special exception use were previously approved pursuant to Resolution 33-10-14 (copy is enclosed).

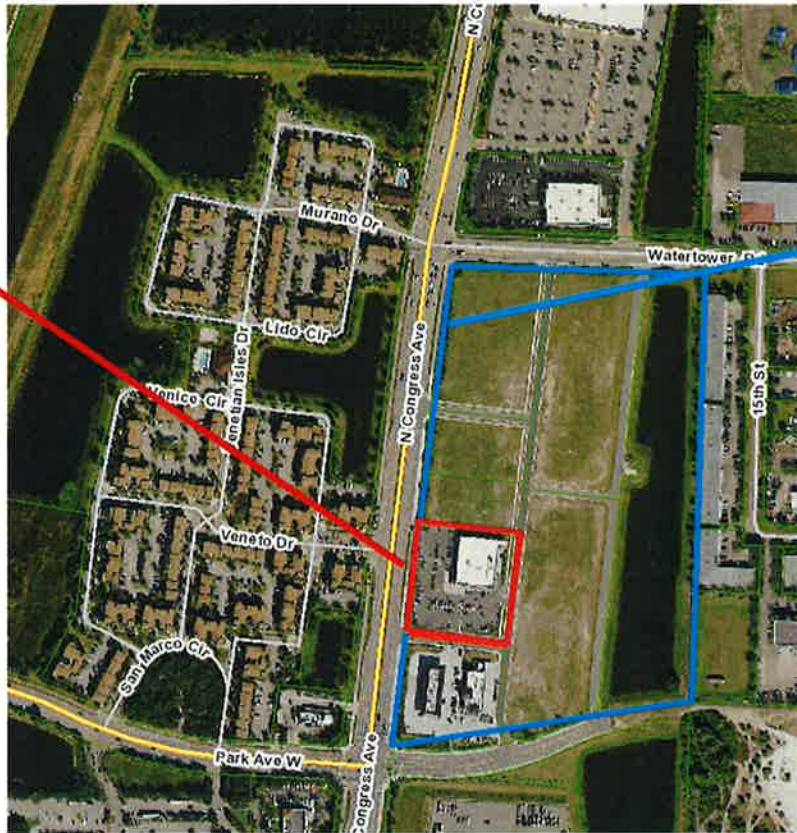
**Planning & Zoning Board Meeting (April 1, 2019):** The Board recommended approval with staff’s proposed conditions of approval and an added condition that prior to the Town Commission meeting, the Site Plan (Plan Sheet C-3) is updated to include an additional crosswalk on the south side to connect the ADA spaces to the main entrance. The site plan has been updated and included with the Town Commission’s agenda packet.

**BACKGROUND:**

Applicant(s):	Jordan Ford
Agent:	Brandon Ulmer of the Thomas Engineering Group
Owner(s):	AI Fund III, LLC
Address/Location:	North Congress Avenue
Net Acreage:	2.38 acres
Legal Description:	19-42-43, PT OF SE 1/4 LYG BET WATER TOWER RD R/W & PB21P3 & E OF & ADJ TO CONGRESS AVE R/W (LESS SLY 728.69 FT & PT K/A
Existing Zoning:	Planned Unit Development (PUD) Commercial 2 (C-2) Business District
Future Land Use:	Commercial/Light Industrial

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

Proposed  
ALDI  
location



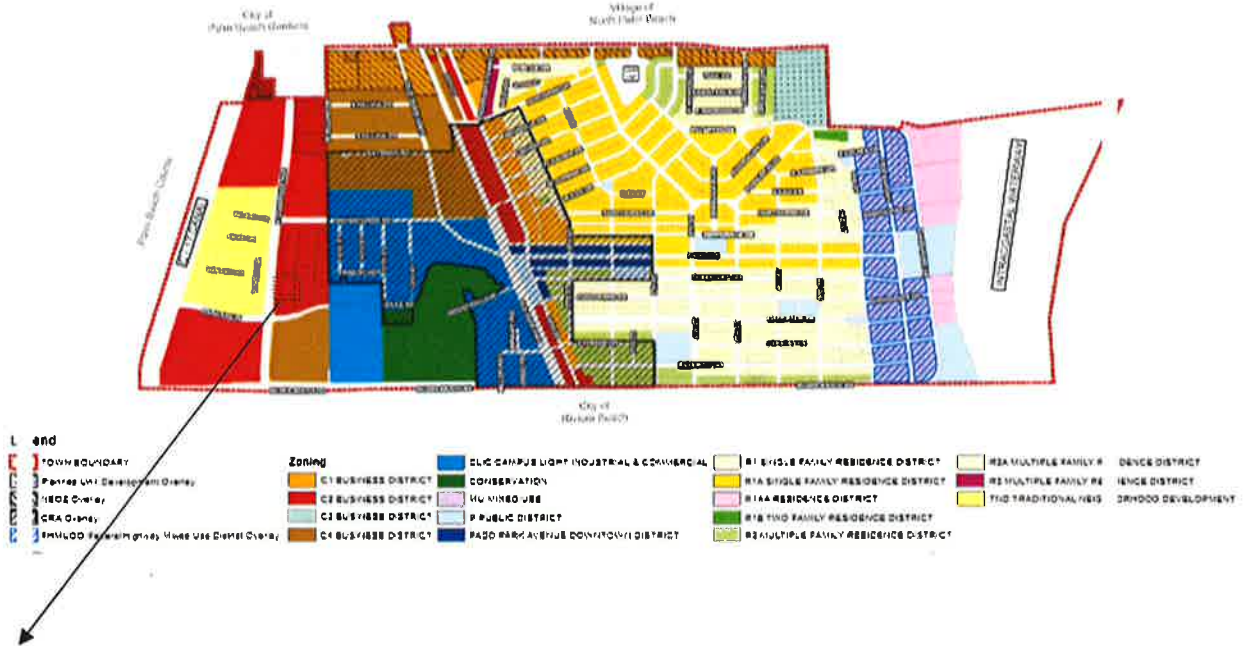
Boundary of  
Congress  
Business Park  
PUD  
(additional lots  
have since  
been  
developed)



# LAKE PARK ZONING MAP



## Lake Park Zoning Map



Subject Site

### Adjacent Zoning

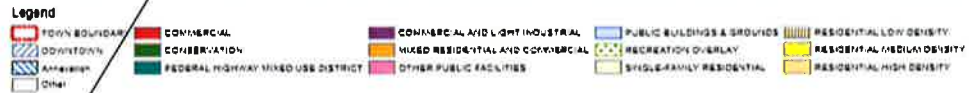
North: Planned Unit Development (PUD) / Commercial 2 (C-2)  
 South: Planned Unit Development (PUD) / Commercial 2 (C-2)  
 East: Planned Unit Development (PUD) / Commercial 2 (C-2)  
 West: Traditional Neighborhood District (TND)



# LAKE PARK FUTURE LAND USE MAP



## Lake Park Future Land Use Map



Subject Site

### Adjacent Existing Land Use

North: Commercial Light Industrial  
 South: Commercial Light Industrial  
 East: Commercial Light Industrial  
 West: Commercial/Residential

## PART I: SITE PLAN AMENDMENT APPLICATION

The Site Plan has been reviewed by the Town's Engineer, Landscape Architect, and Community Development Department. Based upon this review, the Staff finds that the Site Plan meets the Land Development Regulations of the Town Code, and is consistent with the PUD's established Signage Guidelines, Architectural Guidelines, and Landscaping Plan.

### SITE PLAN PROJECT DETAILS:

**Building Site:** The Site is a parcel within a Master Plan associated with a PUD. The PUD's underlying zoning designation is C-2. The Site was previously developed as a general grocery store with a building size of 17,098 square feet. The special exception use of a grocery store was also previously approved. **This application proposes an additional 2,374 square feet of interior floor area and certain parking and foundation landscaping modifications to accommodate the additional building footprint.**

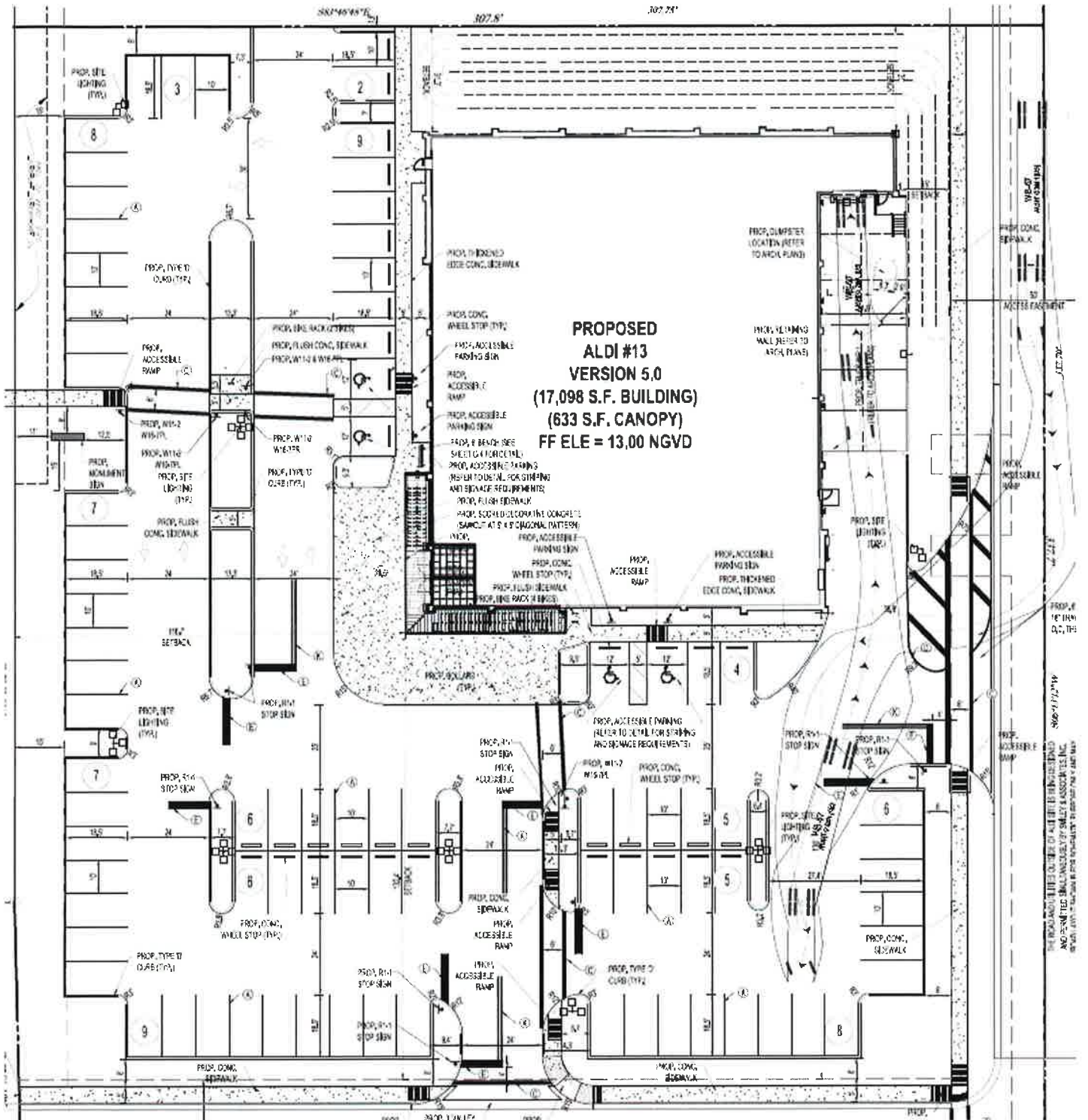
**Site Access:** The Site has two entrances. One entrance is on the west side of the Site and the other is on the south side, both of which are accessible by the PUD's interior roads. The interior roads can be accessed by using the Park Avenue West Extension road which is currently under construction. **The site access remains unchanged from the original approval and development of the site.**

**Traffic:** The Applicant received a Traffic Performance Standard (TPS) concurrency letter from Palm Beach County's Traffic Division which confirms that there is adequate capacity on the roadways which serve the Site.

**Landscaping:** The Landscaping modifications have been deemed satisfactory by the Town's consulting Landscape Architect. The modifications are minimal and are simply required to accommodate the revised foundation plantings around the main facades and the parking island landscaping given the proposed addition that will extend the building footprint to the south.

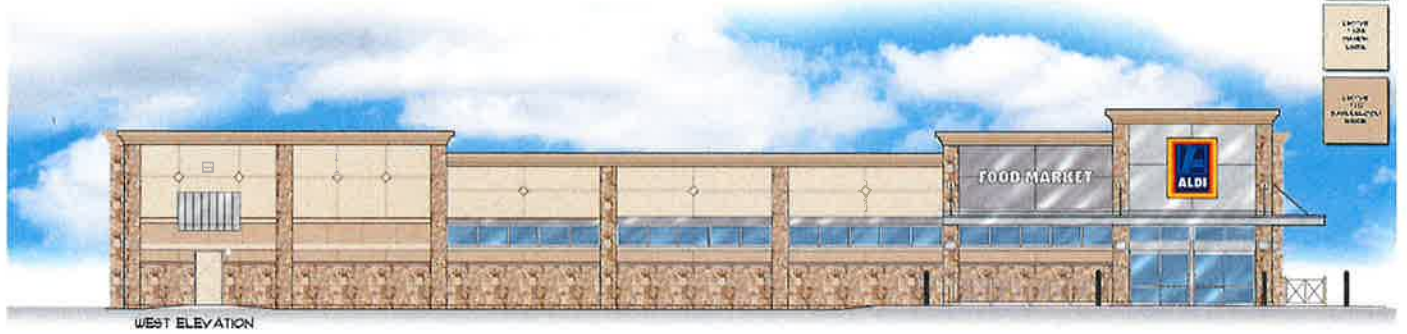
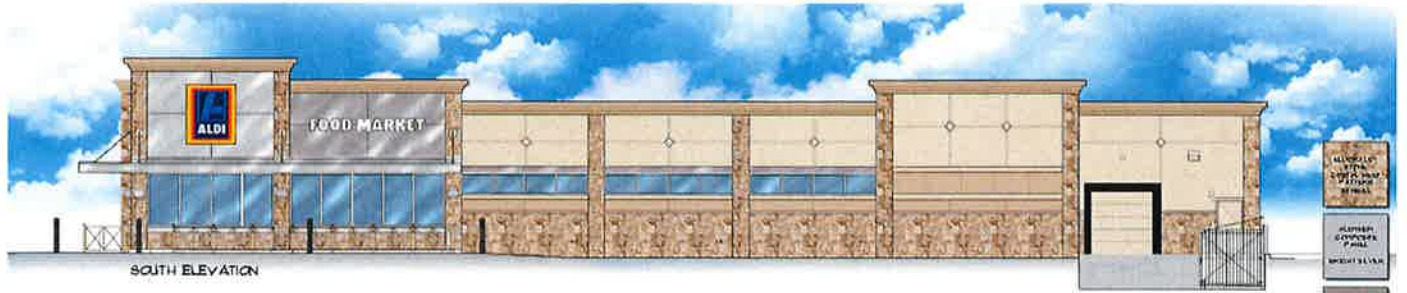
*(COMPARISON PLANS ON THE FOLLOWING PAGES)*

**ORIGINALLY APPROVED SITE PLAN (full version also enclosed):**



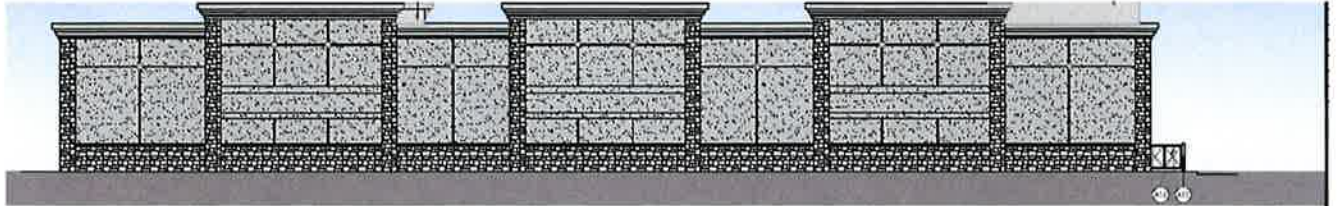


**ORIGINALLY APPROVED ELEVATIONS (full versions also enclosed):**

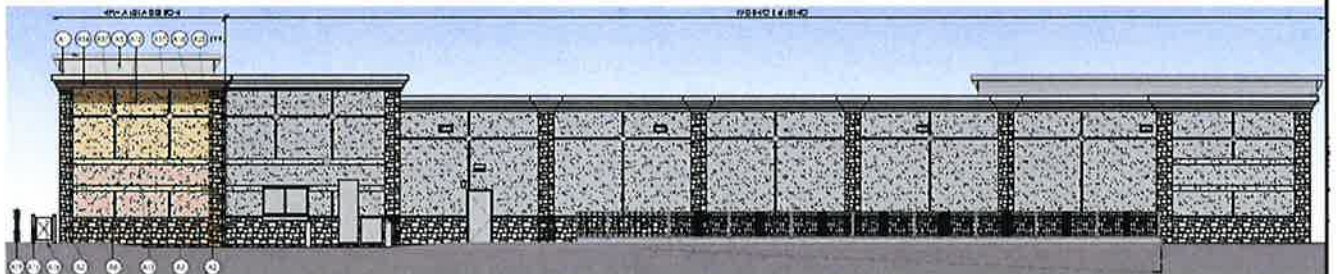


**PROPOSED ELEVATIONS (full versions also enclosed):**

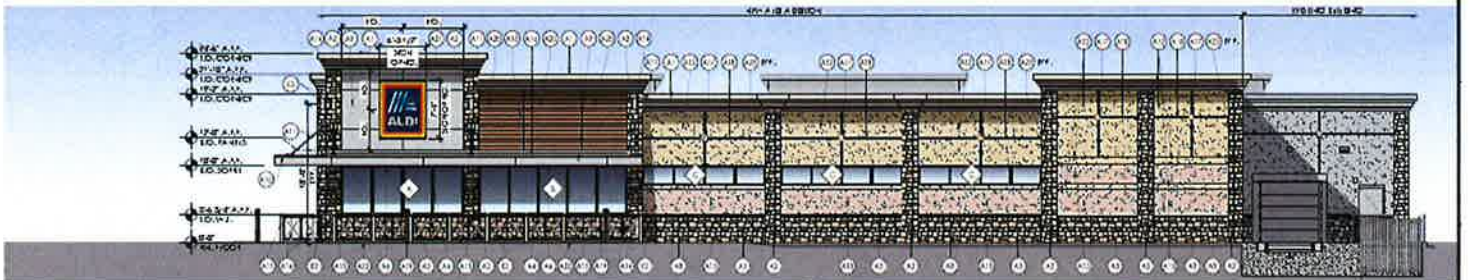
**(areas in Gray are not being altered – the wall colors are NOT changing, they are simply shaded to highlight the addition area)**



4 North Elevation  
Scale: 1/8" = 1'-0"



3 East Elevation  
Scale: 1/8" = 1'-0"

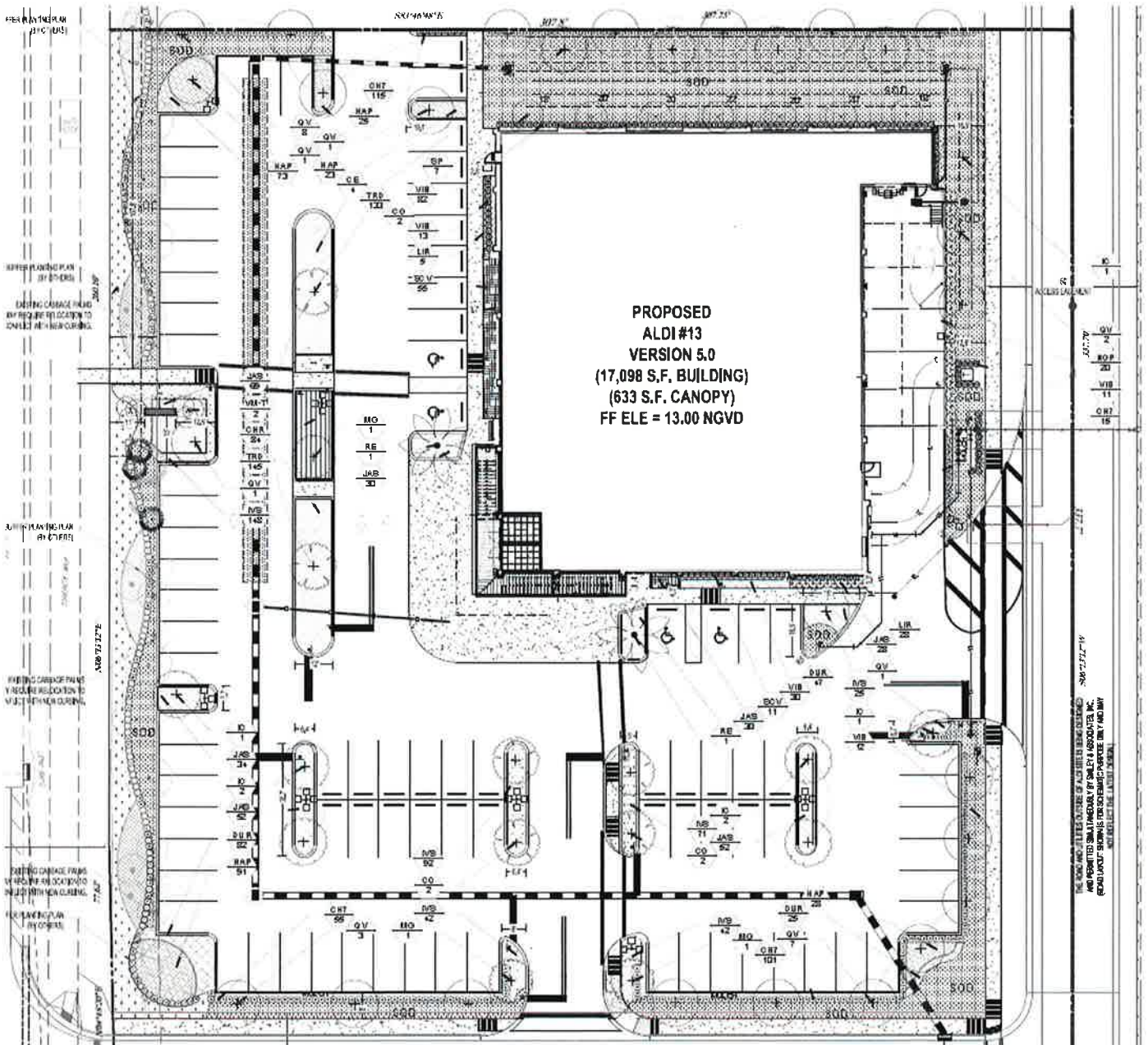


2 South Elevation  
Scale: 1/8" = 1'-0"

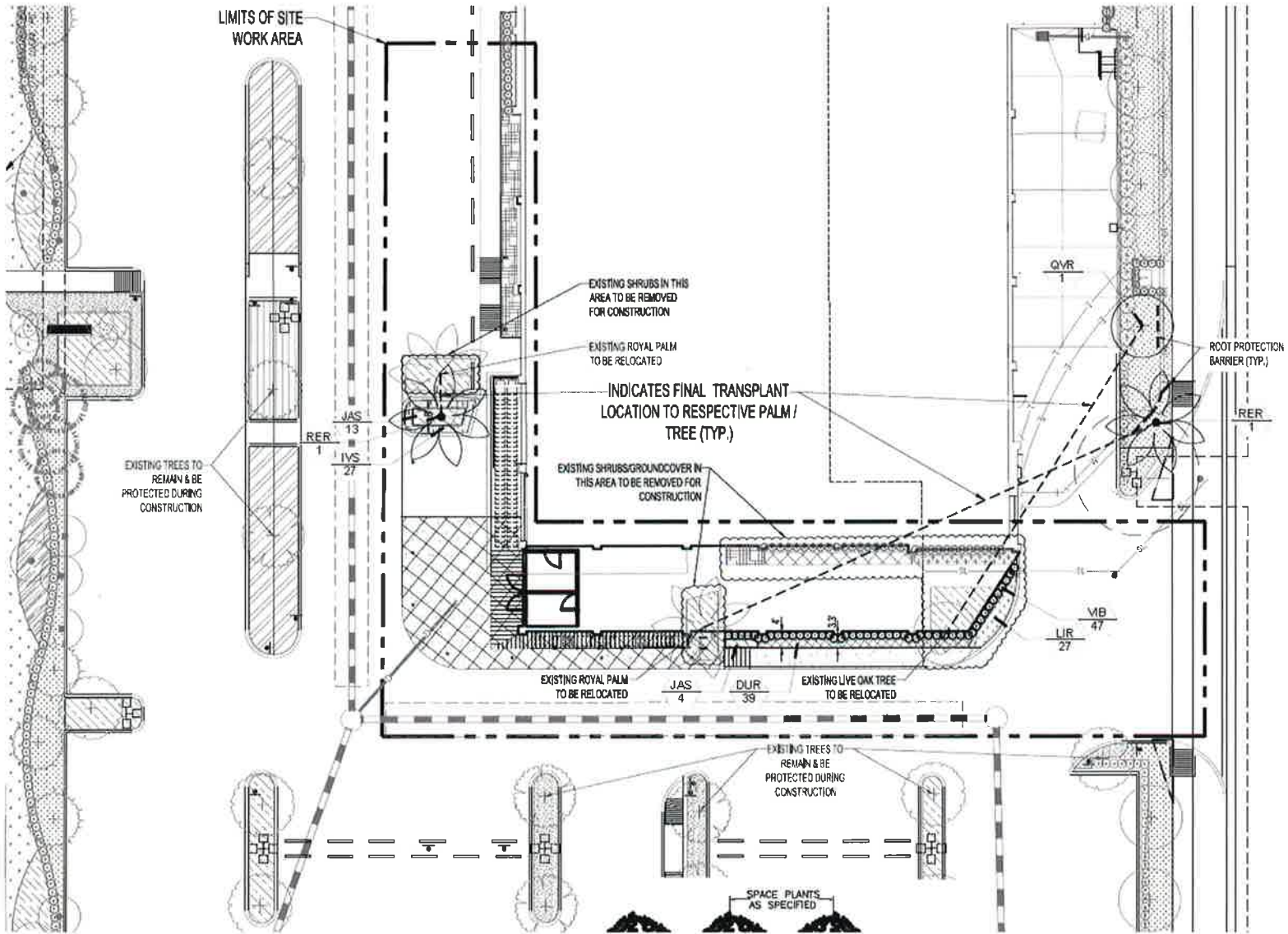


1 West Elevation  
Scale: 1/8" = 1'-0"

**ORIGINALLY APPROVED LANDSCAPE PLAN (full version also enclosed):**



**PROPOSED LANDSCAPE PLAN (full version also enclosed):**





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

**Parking:** The Town's Parking Code requires 5 spaces per 1,000 square feet of gross floor customer service area. For a newly proposed building footprint of 19,392 with 13,444 square feet of customer service area and 5,948 square feet of storage area, a total of 75 parking spaces are required (67 for the retail component, plus 8 for employees at maximum shift). The Applicant is proposing 81 parking spaces, which keeps the 4 required handicap parking spaces. The parking requirement is exceeded.

**Signage:** The signage exists today and will remain unchanged. It will need to be removed during construction and then reinstalled.

**Zoning:** The special exception use of a grocery store was previously granted special exception approval. The nature and overall operation of the use that is analyzed as part of the special exception review process remains unchanged.

**Water/Sewer:** Previously reviewed and is already in place. Seacoast will review the renovation plans at the building permit stage.

**Design:** The Applicant's proposed Elevations are in line with the originally approved elevations. All design features will remain the same.

**Fire:** Given the simplistic nature of this application, PBC Fire did not have any comments at this time, but will review at the building permit stage.

**PBSO:** The Crime Prevention Through Environmental Design (CPTED) review was performed with the original site plan approval. PBSO does not have any additional comments for this review.

## **PART II: STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the Site Plan Amendment for a 2,374 square foot building expansion (for a total building size of 19,392 SF), with minor parking and landscaping reconfigurations and additional site elements, to the existing ALDI grocery store (previously approved special exception use) located at 220 North Congress Avenue, subject to the following conditions:

1. The Applicant shall develop the Site consistent with the following Plans:
  - a. Site Plan, Site Plan Details, Demolition Plan, Construction Plans, Photometric Plans and Landscape Plans, referenced as Sheets C-01, C-02 and C-04 through C-08, L-01 and L-02; signed and sealed February 19, 2019 and for C-03 on March 20, 2019 (and received on March 21, 2019); and Sheet C-03 signed and sealed April 2, 2019 (and received on April 23, 2019). All plans sheets are prepared by Thomas Engineering Group.
  - b. Operations Plan and Exterior Elevations, referenced as Sheets CFP-5 and CEE-1, dated May 10, 2018 and received and dated by the Community Development Department on March 26, 2019.
2. Construction is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except holidays, unless otherwise approved in writing by the Community Development Director.
3. Any proposed disruption to the normal flow of traffic within the rights of way of North Congress Avenue or the Park Avenue West Extension during the construction of the Site, shall be subject to the review and approval of the Community Development Director (the Director).
4. Should any disruption to the normal flow of traffic occur during construction of the Site, the construction shall immediately cease until the Directors of the Town's Public Works Department and Community Development Departments have reviewed the situation and given the Applicant written approval to proceed.
5. Should any disruption to the surrounding entrance/exit streets and parking areas along North Congress Avenue or the Park Avenue West Extension occur such that the daily operation of nearby businesses is adversely impacted, the construction activities shall cease until the Applicant has secured the written approval of the Director.
6. All landscaping shown on the Site Plan and the Landscaping Plan shall be continuously maintained from the date of the issuance of the Certificate of Occupancy by the Town. The Owner/Applicant 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 and Landscaping Plan.

7. The hedge material for the Site shall be maintained at five feet unless otherwise noted on the approved plans for the Site or the PUD.
8. Safe and adequate pedestrian passage shall be maintained along the Site's entrances.
9. The Applicant shall ensure that any and all contractors use commonly accepted practices to reduce airborne dust and particulates during construction of the Site.
10. The dumpster shall be screened as noted on the Site Plan and kept closed at all times. All dumpsters shall be acquired from the approved franchise supplier for the Town.
11. Prior to issuance of the Certificate of Completion, the Applicant shall provide certification from the Landscape Architect of record that the plant installations on the Site are in accordance with the approved Site Plan and the Landscaping Plan.
12. Prior to the issuance of any building permits, the Applicant shall submit copies of any permits required by other agencies, including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management Division and the State of Florida Department of Environmental Protection.
13. Any revisions to the approved Site Plan, Landscape Plan, architectural elevations, signs, statement of use, photometric plan, or other detail submitted as part of the Application, including, but not limited to, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department, and shall be subject to its review and approval.
14. Continuous access shall be maintained between all parcels in accordance with the PUD Master Plan and Section 78-144 of the Town Code.
15. The Owner or Applicant shall initiate bona fide and continuous development of the Site within 18 months from the effective date of this Development Order. Failure to do so shall render the Development Order void. Once initiated, the development of the Site shall be completed within 18 months.
16. **Cost Recovery.** All fees and costs, including legal fees incurred by the Town in reviewing the Application and billed to the Owner shall be paid to the Town within 10 days of receipt of an invoice from the Town. Failure by an Owner or an Applicant to reimburse the Town within the 10 day time period may result in the suspension of any further review of plans or building activities, and may result in the revocation of the approved Development Order.