



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, July 2, 2014,
Immediately Following the
CRA Board Meeting,
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Michael O'Rourke	—	Commissioner
Kathleen Rapoza	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez, CMC	—	Town Clerk

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

A. **CALL TO ORDER/ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

C. **SPECIAL PRESENTATIONS/REPORTS**

None

D. **PUBLIC COMMENT:**

This time is provided for addressing items that **do not** appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a **TOTAL** of three minutes.

E. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by **one** motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item

will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

1. Regular Commission Meeting Minutes of June 18, 2014 Tab 1
2. Resolution No. 18-07-14 Authorizing and Directing the Mayor to Execute an Interlocal Agreement with Palm Beach County for Participation in the Urban County Program for FY 2015-2017 Tab 2

F. PUBLIC HEARINGS - ORDINANCE ON FIRST READING:

3. Ordinance No. 08-2014 Amending Chapter 2, Article II, Division 1, Section 2-32, Entitled "Mayor and Vice-Mayor" Pertaining to the Declaration of a State of Emergency Tab 3

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE II, DIVISION 1, SECTION 2-32, ENTITLED "MAYOR AND VICE MAYOR" PERTAINING TO THE DECLARATION OF A STATE OF EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinance No. 09-2014 Repealing Chapter 78, Appendix A, Article I, Division 4, Section 4-3(D) of the Town Code of Ordinances Thereby Eliminating the Compliance Date of July 5, 2014 for Nonconforming Landscape Parcels that Do Not Meet the Definition of a Substantial Modification or New Development Tab 4

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, APPENDIX A, ARTICLE I, DIVISION 4, SECTION 4-3 OF THE TOWN'S CODE OF ORDINANCES TO ELIMINATE SUBSECTION 'D' THEREOF REQUIRING LANDSCAPING COMPLIANCE WITHIN A PRESCRIBED TIMEFRAME; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**G. PUBLIC HEARINGS – ORDINANCE ON SECOND READING:
QUASI-JUDICIAL HEARINGS**

5. Ordinance No. 07-2014 An Application to Rezone a Vacant 28.66± Acre Lot Along Congress Avenue from a Commercial-2 (C-2) Business District to a Planned Unit Development (PUD). Tab 5

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA REZONING THE PROPERTY OWNED BY CONGRESS AVENUE PROPERTIES LTD TO BE KNOWN AS THE CONGRESS BUSINESS PARK, LEGALLY DESCRIBED IN EXHIBIT "A", FROM COMMERCIAL-2

(“C-2”) TO PLANNED UNIT DEVELOPMENT (“PUD”) AND AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE REZONING; AND PROVIDING FOR AN EFFECTIVE DATE.

H. QUASI-JUDICIAL HEARINGS - RESOLUTIONS:

6. Resolution No. 16-06-14 Requested by Gentile, Glas, Holloway, O’Mahoney and Associates, as the Agent for the Applicant, Congress Avenue Properties LTD., for the Approval of a Planned Unit Development (PUD) Master Site Plan, “Congress Business Park PUD”, for a Property Located on the Southeast Corner of North Congress Avenue and Watertower Road.

Tab 6

I. NEW BUSINESS:

None

J. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

K. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, July 16, 2014

Consent Agenda

TAB 1



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 2, 2014

Agenda Item No. *Tab 1*

Agenda Title: Regular Commission Meeting Minutes of June 18, 2014

- SPECIAL PRESENTATION/REPORTS **CONSENT AGENDA**
- BOARD APPOINTMENT OLD BUSINESS
- PUBLIC HEARING ORDINANCE ON ____ READING
- NEW BUSINESS
- OTHER: _____

Approved by Town Manager *[Signature]* **Date:** *6/23/14*

Vivian Mendez - Town Clerk
Name/Title

Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Agenda Meeting Minutes Exhibit "A" Exhibit "B" Exhibit "C" Exhibit "D" Exhibit "E"
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>VM</i> Please initial one.

Summary Explanation/Background:

Recommended Motion:

To approve the Regular Commission Meeting Minutes of June 18, 2014.



REVISED AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, June 18, 2014, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Michael O'Rourke	—	Commissioner
Kathleen Rapoza	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
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A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATIONS/REPORTS

1. Presentation to Commissioner Kathleen Rapoza for Winning the Commissioners' Cookoff Held During the 1st Annual Lake Park Chili Cookoff.

Tab 1

2. 2014 Legislative Lobbyist Update by Fausto Gomez

Tab 2

D. PUBLIC COMMENT:

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

E. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

- 3. Regular Commission Meeting Minutes of May 21, 2014 Tab 3
- 4. Regular Commission Meeting Minutes of June 4, 2014 Tab 4
- 5. Approval of the Repair of the Residential Sanitation Collection Truck (Vehicle No. 48) to the Initial Low Bidder in the New Amount Not to Exceed \$12,530.00 Tab 5

F. **PUBLIC HEARINGS - ORDINANCE ON FIRST READING:**

- 6. Ordinance No. 07-2014 An Application to Rezone a Vacant 28.66± Acre Lot Along Congress Avenue from Commercial-2 (C-2) Business District to a Planned Unit Development (PUD). Tab 6

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA REZONING THE PROPERTY OWNED BY CONGRESS AVENUE PROPERTIES LTD TO BE KNOWN AS THE CONGRESS BUSINESS PARK, LEGALLY DESCRIBED IN EXHIBIT "A", FROM COMMERCIAL-2 ("C-2") TO PLANNED UNIT DEVELOPMENT ("PUD") AND AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE REZONING; AND PROVIDING FOR AN EFFECTIVE DATE.

G. **PUBLIC HEARINGS – ORDINANCE ON SECOND READING:**

None

H. **QUASI-JUDICIAL HEARINGS - RESOLUTIONS:**

- 7. Resolution No. 16-06-14 Requested by Gentile, Glas, Holloway, O'Mahoney and Associates, as the Agent for the Applicant, Congress Avenue Properties LTD., for the Approval of a Planned Unit Development (PUD) Master Site Plan, "Congress Business Park PUD", for a Property Located on the Southeast Corner of North Congress Avenue and Watertower Road.

Tab 7

I. **BOARD MEMBERSHIP NOMINATIONS:**

- 8. Nomination of Christine Francois to the CRA Board Tab 8

J. **NEW BUSINESS:**

- 9. Review of the Town Manager Annual Performance Evaluation for the Evaluation Period of June 29, 2013 to June 29, 2014 Tab 9

- 10. Resolution No. 17-06-14 to Rescind Resolution 04-02-14 Authorizing and Directing the Town Manager to Execute the Administrative Services Agreements between the International City/County Management Association – Retirement Corporation and the Town of Lake Park to Change the Employee Pension Plan and

Deferred Compensation Plan Administrator from the Variable Annuity Life Insurance Company to the International City/County Management Association – Retirement Corporation

Tab 10

K. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

L. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, July 2, 2014



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, June 18, 2014, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, June 18, 2014 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, and Kathleen Rapoza, Town Manager Dale S. Sugerman, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Commissioner Michael O'Rourke was absent.

Town Clerk Mendez performed the roll call and Mayor DuBois led the pledge of allegiance.

SPECIAL PRESENTATIONS/REPORTS

1. Presentation to Commissioner Kathleen Rapoza for Winning the Commissioners' Cookoff Held During the 1st Annual Lake Park Chili Cookoff.

Town Manager Sugerman introduced Robert Trepp the event organizer of the Chili Cookoff.

Robert Trepp presented Commissioner Rapoza with a plaque for winning the 1st Annual Lake Park Commissioners' Chili Cookoff.

Commissioner Rapoza joked that now she could say, "she cooked for the Town"!

Mayor DuBois thanked Mr. Trepp for bringing this event to the Town. He stated that it raised \$3,000 for the Lake Park Kiwanis.

2. 2014 Legislative Lobbyist Update by Fausto Gomez

Town Manager Sugerman introduced the Town's lobbyist Fausto Gomez and he further mentioned that Mr. Gomez' written report was in the Commission packet.

Mr. Gomez presented the 2014 Legislative update report to the Commission (see exhibit "A"). He thanked Commissioner O'Rourke and Mayor DuBois for traveling to Tallahassee to meet with House Representative Gayle Harrell (R83) regarding the Sober Home issue being heard by her Committee.

Mayor DuBois stated that a legislative workshop date for the Town Commission has not been set yet, because staff was in the information gathering stage of which legislative priorities would be discussed.

Vice-Mayor Glas-Castro asked if there were anything that could be done now to try to speak to the legislators regarding the Sober Home issue for the next legislative session.

Mr. Gomez stated that the Sober House legislation was derailed in the Senate as a result of politics not policy.

PUBLIC COMMENT:

None

CONSENT AGENDA:

- 3. Regular Commission Meeting Minutes of May 21, 2014**
- 4. Regular Commission Meeting Minutes of June 4, 2014**
- 5. Approval of the Repair of the Residential Sanitation Collection Truck (Vehicle No. 48) to the Initial Low Bidder in the New Amount Not to Exceed \$12,530.00**

Mayor DuBois pulled the Regular Commission Meeting Minutes of May 21, 2014 from the Consent Agenda.

Motion: A motion was made by Commissioner Flaherty to approve Consent Agenda items #4 and #5; Commissioner Rapoza made the second.

Vote on Motion:

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

Motion passed 4-0.

Mayor DuBois stated that the Regular Commission meeting minutes of May 21, 2014 indicated that he voted against Resolution 13-04-14 for Barkley's Dog Grooming. He wanted the minutes to reflect that he voted in favor of the Resolution.

Motion: A motion was made by Commissioner Flaherty to approve item #3, as amended, on the Consent Agenda; Commissioner Rapoza made the second.

Vote on Motion:

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

Motion passed 4-0.

PUBLIC HEARINGS - ORDINANCES ON FIRST READING:

6. Ordinance No. 07-2014 An Application to Rezone a Vacant 28.66± Acre Lot Along Congress Avenue from Commercial-2 (C-2) Business District to a Planned Unit Development (PUD).

Town Manager Sugerman introduced Community Development Director Nadia DiTommaso who explained the item (see attached Exhibit "B").

Attorney Baird swore in all witnesses.

Ex-parte Communication Disclosures:

Vice-Mayor Glas-Castro asked the Town Clerk if a conflict existed, since her sister-in-law is the owner's agent for the project.

Town Clerk Mendez deferred the question to Town Attorney Baird.

Attorney Baird stated that there were no conflicts.

Mayor DuBois stated that he has spoken to the owner's representative, the owner's property management agent, and the planner agent.

Commissioner Flaherty has had no communication with the parties.

Commissioner Rapoza has had no communication with the parties.

Dodi Glas, representative for Congress Avenue Business Park, explained that since this Ordinance and the follow Resolution were intertwined she would present the item per the Commission's direction.

Attorney Baird explained that as a matter of procedure, the Commission would not be able to adopt the Resolution on the master plan until after the Ordinance was adopted upon second reading. He explained that the Commission could hear the presentation on the site plan, but they would not be able to take action at this meeting.

Ms. Glas presented a power point presentation explaining the project (see exhibit "B").

Public Comment Open:

None

Public Comment Closed:

Motion: A motion was made by Vice-Mayor Glas-Castro to approve Ordinance 07-2014 on First Reading; Commissioner Rapoza made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		

Commissioner O'Rourke			Absent
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 4-0.

Attorney Baird read the Ordinance into the record by title only.

PUBLIC HEARINGS - ORDINANCE ON SECOND READING:

None

QUASI-JUDICIAL HEARING - RESOLUTION:

7. Resolution No. 16-06-14 Requested by Gentile, Glas, Holloway, O'Mahoney and Associates, as the Agent for the Applicant, Congress Avenue Properties LTD., for the Approval of a Planned Unit Development (PUD) Master Site Plan, "Congress Business Park PUD", for a Property Located on the Southeast Corner of North Congress Avenue and Watertower Road.

Motion: A motion was made by Vice-Mayor Glas-Castro to continue Resolution No. 16-06-14 to the July 2, 2014 Regular Commission Meeting; Commissioner Rapoza made the second.

Vote on Motion:

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

Motion passed 4-0.

BOARD MEMBERSHIP NOMINATIONS:

8. Nomination of Christiane Francois to the CRA Board

Vice-Mayor Glas-Castro nominated Christina Francois to be reappointed to the CRA Board. Commissioner Flaherty seconded the nomination and by unanimous vote, Ms. Francois was reappointed to the CRA Board.

NEW BUSINESS:

9. Review of the Town Manager Annual Performance for the Evaluation Period of June 29, 2013 to June 29, 2014

Town Manager Sugerman explained the item (see attached Exhibit "C").

Commissioner Rapoza stated that she is pleased with his performance.

Commissioner Flaherty stated that he is a very effective Town Manager and does a great job.

Vice-Mayor Glas-Castro stated that she would prefer additional communication from the Town Manager with the elected official than just during the manager's monthly report.

Mayor DuBois stated that he communicates with the Town Manager a few days before the Commission meeting.

Town Manager Sugerman thanked the elected officials for their comments. He explained that his communication style is to communicate with the entire Commissioner via his monthly newsletter, at the two Town Commission meetings held each month, or by group emails as warranted by issues and circumstances. He chooses not to communicate outwardly with individual Commissioners because that may be seen as a potential violation of the Sunshine Law, but will always be fully responsive to each inward communication from individual members of the Town Commission. He stated that it has been an honor serving as the Town Manager and looks forward to the next year.

10. Resolution No. 17-06-14 to Rescind Resolution 04-02-14 Authorizing and Directing the Town Manager to Execute the Administrative Services Agreements between the International City/County Management Association – Retirement Corporation and the Town of Lake Park to Change the Employee Pension Plan and Deferred Compensation Plan Administrator from the Variable Annuity Life Insurance Company to the International City/County Management Association – Retirement Corporation.

Town Manager Sugerman introduced Human Resources Director Bambi Turner who explained the item (see attached Exhibit "D").

Vice-Mayor Glas-Castro asked if the surrender fee was applicable only this year and then next year we could consider another provider.

Town Manager Sugerman explained that it is a onetime surrender fee regardless of when a changeover to a different provider would take place.

Mayor DuBois asked if the Town would be subject to the VALIC surrender fee regardless of a new contractor.

Human Resources Turner explained that he was correct, but employees would be made aware of the surrender fee upfront.

Motion: A motion was made by Commissioner Rapoza to approve Resolution No. 17-06-14; Vice-Mayor Glas-Castro made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke			Absent

Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 4-0.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird none

Town Manager Sugerman announced that the Sunset Celebration will be held on Friday, June 27th from 6:00 p.m. until 9:00 p.m. at the Lake Park Harbor Marina.

Commissioner Rapoza congratulated Senator Bobby Powell for receiving the Home Rule Award from the Florida League of Cities. Thanked the Town Manager for being available and doing a great job for the Town.

Commissioner Flaherty stated that the Historical Society would have their meeting on Monday, June 23rd at the Evergreen House at 7:00 p.m. He stated that he did not recall hearing an announcement that the 4th of July in June event had been canceled. He stated that the event website link still appears on the Town's main website. He asked that the marquee in front of Town Hall be updated as soon as possible to notify residents of Commission meetings taking place.

Vice-Mayor Glas-Castro stated that the Florida League of Cities has sent out an email with a signup sheet for anyone interested in being a part of one of the legislative committees, which will coincide with the Florida League of Cities Annual Conference in Hollywood. She stated that registration for the conference has begun. She thanked senior staff for the ideas shared with the Eagle Scout for their project.

Mayor DuBois stated that he received information that the condition of Gateway Road has deteriorated and suggested that this and several others roads throughout the Town be discussed during the budget meetings. He has advised a business owner on Gateway road to write a letter to Town management asking that the condition of Gateway Road be looked at. He stated that during a Community Watch meeting the subject of Community Watch signs were discussed. He asked if it were possible to get an inventory of how many of these signs are still up and if consensus were given by the Commission, and it were cost effective, that the Town have additional signs made and placed around Town. He asked that a status report be made at the next Commission meeting. He explained that the Palm Beach County Sheriff's Office gave a presentation regarding a product call Smart Water (see exhibit "E"). Burt Reynolds Institute of Film and Theater (BRIFT) had a production called "The Life of Judy Garland", with an attendance of standing room only. He stated that the Lake Park Kiwanis was having a social on June 25th from 5:30 to 7:30 p.m. at the Pirates Well. He thanked the Town Manager for all his hard work this past year.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Vice-Mayor Glas-Castro, and by unanimous vote, the meeting adjourned at 8:00 p.m.

Mayor James DuBois

Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2014

Exhibit "A"

2350 Coral Way, Suite 301
Miami, Florida 33145
(305) 860-0780 (Telephone)
(305) 860-0580 (Facsimile)
(305) 905-9801 (Mobile)

200 West College Avenue, Suite 204
Tallahassee, Florida 32301
(850) 222-9911 (Telephone)
(850) 807-2539 (Facsimile)

fgomez@gomezbarker.com

**Gomez Barker
Associates, Inc.**

Memorandum

To: Hon. James DuBois, Mayor
Hon. Kimberly Glas-Castro, Vice Mayor
Hon. Erin Flaherty, Commissioner
Hon. Michael O'Rourke, Commissioner
Hon. Kathleen Rapoza, Commissioner

From: Fausto B. Gomez

CC: Dale S. Sugerman, Town Manager

Date: May 22, 2014

Re: End-of-Session Legislative Report

I am pleased to report on the activities of this firm on behalf of the Town of Lake Park during the 2014 legislative session. This was a relatively smooth year, with more money available than in the recent past and fewer policy initiatives introduced. Lawmakers approved a \$77.1 billion state budget –the largest in history- and sponsored 1,812 bills although only 264 passed; the smallest number since 2001.

Although calm prevailed, tensions began to rise near the end with a slower than anticipated budget conference and the normal crush of amendments. The last day(s) became rather chaotic as some significant issues that were dying were approved, placing them on "must pass" legislation. This left many wondering what had passed and what did not and it is just now been sorted.

In the midst of this, Lake Park did well. Along with Senator Jeff Clemens, this firm worked to secure \$108,992 in legislatively appropriated funds and preserved the revenues currently received by the Town for the Communications Services Tax and the local Business Tax.

Equally important were the policy successes in defeating or amending legislation to inoculate Lake Park from any harmful impacts. These ranged from preserving the current statutes relating to pension plans to clarifying that new developments of less than 6,000 square feet have to pay local transportation concurrency or impact fees. And from providing authority to the Florida Department of Transportation to fund interconnected multiuse trails

(bicycles and pedestrian) to preventing prohibitions on local governments from regulating the sale of e-cigarettes.

Following is a detailed list of key issues that my associates and I lobbied on behalf of the Town. As always, please do not hesitate to contact us if you have any questions or desire additional information.

APPROPRIATIONS

- Small Business Development Center at Florida International University (FIU)

The 2014 state budget, HB5001, includes \$100,000 worth of economic development services for Lake Park. FIU recently became the host of the SBDC in Southeast Florida and has developed a new program to assist small municipalities to effectuate sound economic development policies and/or market their communities. The services will include an analysis of current economic conditions in each jurisdiction, identification of local strengths and weaknesses, policy suggestions to enhance economic development, development of marketing materials and support, and access to businesses meeting the preferred profile.

Coupled with this effort, the legislature passed a Microlending Loan program that is scheduled to begin on January 1st of next year. Both the economic development services and the microloans are key vehicles to enhance the Town's small business community.

- Library

The 2014 state budget, HB5001, included \$8,992 in financial support for the Lake Park library.

- Communications Services Tax

Lake Park's receipts from the Communications Services Tax (CST) were preserved as SB266, which would have reduced the CST rate, died in committee. The CST is levied on the sales of communications services including telephone (landline, mobile, and voice over internet), cable television and other video services, and direct-to-home satellite television. The only legislation relating to the CST that passed was CS/HB803 which simply clarified that certain data processing services by electronic transmission are not subject to the CST. Said legislation had no fiscal impact.

- Railroad Quite Zones

The 2014 state budget, HB5001, includes \$10 million for the development of "Quite Zones" on the proposed All Aboard Florida rail lines. Additionally, during the course of legislative session I spoke to my friend, Rusty Roberts, who is in Government Relations with All Aboard Florida about a potential station in Lake Park. The company is interested in Lake Park because of its location and will proffer different financing vehicles for the construction and operation of a rail station.

Rusty just retired from serving as Chief of Staff to Congressman John Mica, who in the previous Congress served as Chairman of the House Transportation and Infrastructure Committee and remains a member of that panel. Please let me know if you would like to pursue a meeting with him.

LEGISLATION

- **Sober Homes**
HB479 by Representative Bill Hager, a priority for the Town of Lake Park as well as many communities around the State of Florida, overwhelmingly passed the House of Representatives but it did not succeed in the Senate. Initially, the resistance to the legislation was in the House since leadership did not want to craft legislation that was unconstitutional on the basis of the American with Disabilities Act. After that issue was resolved, with the key being that the Chair of the Healthy Families Subcommittee asked to meet with Mayor DuBois, Commissioner O'Rourke, and myself to outline her legislative plan and solicit comments and suggestions, the bill was scheduled and passed.

The House version of the legislation would have created a volunteer registry for Sober Homes and required that treatment centers only refer their patients to registered facilities. The registration would consist of three components; first the introduction of eviction policies, second Level 2 Background checks for operators and employees of Sober Homes, and third authority to the Department of Children and Families to inspect Sober Homes to ensure their compliance with all appropriate regulations and to ensure that residents are being cared for safely.

The Senate version, SB582 by Senator Jeff Clemens, would have mandated that Sober Homes register with the Department of Children and Families and provided a criminal penalty for operating without a valid certificate of registration. The bill authorized DCF to conduct inspections and issue, deny, suspend, or revoke a certificate. Operators and employees of Sober Homes would have to undergo a Level 2 Background check and a requirement for advertising a Sober Home was included in the legislation. Notwithstanding the support of Senate leadership, the Chair of the Senate Appropriations Committee refused to hear the bill unless it was amended to be a study.

The coalition supporting Sober Home regulation including the Town of Lake Park, the Cities of Boca Raton, Delray Beach, Palm Beach County, the Florida League of Cities and the Florida Association of Counties looks forward to again bringing this common sense issue to the 2015 Legislative Session.

- **Pension Reform**
Neither CS/SB246 relating to Police and Fire local pensions nor HB7181 relating to the Florida Retirement System pass. The former was voted on favorably by the Senate but was not considered in the House. The latter was voted on favorably by the House but was not considered in the Senate.
- **Public Records**
SB1648 and CS/HB1151 did not pass the legislature. These bills would have made changes to the public records law, including requiring training of employees, restricting cost recovery for production of public record searches, and broadening attorney fees.
- **Flood Insurance**
SB542 has the intent of encouraging private insurance companies to write more flood insurance in Florida. Under this bill, private companies would have expedited rate reviews. These policies would be as broad as those of the National Flood Insurance Program (NFIP) and over the full replacement cost of a home. The definition of "flood" is expanded to cover damage due to erosion. The Senate had wanted to allow policies at less than full value but the House amended the legislation to its current form and the Senate relented.

- **Citizens Property Insurance**
SB1672 would bar Citizens Property Insurance from writing new multi-peril policies for condominiums near the coast as well as delaying for one year the prohibition to provide coverage for new structures on the coast. Some more controversial provisions were removed; including allowing surplus line companies to participate in the clearinghouse that markets policies to consumers and shifting part of the assessment for catastrophic storms from coastal policies to personal lines.
- **Leaving the Scene of a Crash**
CS/CS/SB102, the "Aaron Cohen Life Protection Act," addresses a potential incentive in current law to leave the scene of a crash. Named after Aaron Cohen, who was an experienced cyclist and runner who on February 15, 2012, was struck and killed in a hit-and-run accident on the Rickenbacker Causeway, the legislation imposes a mandatory minimum sentence of four years for leaving the scene of a crash with a death, increases the mandatory minimum sentence for leaving the scene of a crash with a death while DUI from two to four years, and provides for ranking one level higher than specified in the code offenses for leaving the scene of a crash if the victim was a "vulnerable road user."
- **Ethics**
CS/CS/CS/SB846 requires municipal officers to obtain four hours of ethics and sunshine law training annually beginning on January 1, 2015. The bill also allows local officials from abstain from voting if there is a conflict under locally adopted ethics standards and in specified quasi-judicial proceedings.
- **Vacation Rentals**
SB356 authorizes local governments to regulate vacation rentals with regard to parking, noise, and other issues associated with these properties. Counties and municipalities, however, can't prohibit vacation rentals or dictate the duration that a vacation rental can be rented. Those local governments that enacted local ordinances are grandfathered.
- **Derelict Vessels**
CS/CS/HB1363 allows the Florida Fish and Wildlife Conservation Commission (FWC) and its officers, or any law enforcement agency, to remove derelict vessels if they are a safety hazard to other boats. Furthermore, the bill allows the FWC or other law enforcement agencies to recover the cost of a relocation or removal.
- **Fish and Wildlife Conservation Commission (FWC)**
CS/CS/HB955 extends the date by which the FWC is required to submit a report regarding the anchoring and mooring pilot program in which five local governments are currently participating from January 1, 2014 to January 1, 2017. Begun in 2009, the pilot program is intended to explore options for regulating the anchoring or mooring of vessels outside the marked boundaries of a public mooring field. The cities of St. Augustine, Stuart, St. Petersburg, Sarasota, and Key West were selected by the FWC to serve as the pilot sites.

Of particular interest to many local cities with waterfront access, is that vessels are anchoring behind private residences for extended periods of time. As such, Representative Eddy Gonzalez filed an amendment to this legislation allowing municipalities in Miami-Dade to regulate the overnight anchoring, establishing distances from which a boat may anchor from a residence. That was defeated on the floor of the House of Representatives by a vote of 67 to 50. Senator Chris Smith filed a similar amendment on the floor of the Senate but it was withdrawn after significant opposition.

- **Commercial Parasailing**
SB320 requires that the operator of a vessel being used for commercial parasailing have licensure from the United States Coast Guard and established minimum requirements for liability insurance.
- **Parking Meters**
HB7175 requires local governments to provide to the Florida Transportation Commission (FTC) by August 31st, an inventory of all parking meters located on state rights-of-way that were installed prior to July 1, 2014. The bill also prohibits cities from installing any new parking meters on state rights-of-way from July 1, 2014 to June 30, 2015. The FTC is directed to perform a study on parking meters to determine the amount of revenue generated from the meters and develop recommendations for future revenue-sharing options with the state.

The Department of Transportation began the legislative session by seeking 100% of the revenues from parking meters on the state rights-of-way and this provision was included in the comprehensive transportation package. That was amended later to outlaw any parking meters on state rights-of-way and subsequently the study option emerged.

A Planned Unit Development (PUD) zoning district is a unique type of zoning which is intended to promote a general theme of unity with certain aspects of development for a parcel of land which can have a variety of different types of developments within its boundaries. The objective of a PUD is to have certain elements develop in a uniform manner and under unified control, throughout the larger parcel, even when portions of the larger parcel are subsequently subdivided into different uses. While similar to conventional zoning districts, the PUD concept is designed to incorporate a variety of compatible uses from the underlying zoning district; which in this case is the C-2 business district.

The uniform elements imposed within the boundaries of a PUD are regulated and controlled via a PUD Master Site Plan which, if this recommended rezoning is approved by the Commission, will be the next item presented to the Commission for consideration. Given that a PUD Master Site Plan cannot be considered until a rezoning is approved by Ordinance first, staff is requesting that the Town Commission approve the rezoning from C-2 to a PUD for the subject parcel on first reading, with the understanding that the final adoption of this Ordinance is contingent upon the successful approval of a PUD Master Site Plan, which will be presented as a separate item next. If the PUD Master Site Plan is approved, then a second reading of this rezoning Ordinance would be scheduled for the July 2 Town Commission meeting. Given that the rezoning approval and the PUD Master Site Plan approval go hand-in-hand, the materials supporting this agenda item include the staff report which serves to fully outline both the rezoning and the PUD Master Site Plan approval in an attempt to provide the Commission with advanced familiarity of the details of the Site Plan which will be presented next on the agenda, following consideration of this rezoning item.

Recommended Motion: I move to APPROVE Ordinance 07-2014 on first reading.



**TOWN LAKE OF PARK
TOWN COMMISSION
MEETING DATE: June 18, 2014**

Staff Report

****THIS STAFF REPORT ECOMPASSES THE REZONING AND THE PUD MASTER SITE PLAN APPROVAL WHICH ARE LISTED AS SEPARATE AGENDA ITEMS ON THE TOWN COMMISSION AGENDA SOLELY BECAUSE THEY REQUIRE SEPARATE MOTIONS****

APPLICATION:

An application to rezone a vacant 28.66± acre lot along Congress Avenue from the Commercial-2 Business District to a Planned Unit Development, and the approval of a PUD Master Site Plan for the proposed Congress Business Park Planned Unit Development.

APPLICANT'S REQUEST AND PROJECT DETAILS: Gentile Glas Holloway O'Mahoney & Associates as the Agent for the applicant, Congress Avenue Properties Ltd ("Applicant"), has submitted an application to rezone a vacant 28.66± acre lot located on the southeast corner of Watertower Road and Congress Avenue ("Site") from the Commercial-2 (C-2) Business District to a Planned Unit Development (PUD). The Site currently has a future land use designation of Commercial/Light Industrial. The rezoning would be consistent with the future land use designation. The Site is located south of Watertower Road and north of the property where the Army Reserve facility has been constructed along Congress Avenue.

Additionally, the Applicant has submitted and is requesting the approval of a PUD Master Plan. The PUD Master Plan shows the boundaries of the PUD and a proposed interior roadway network. The uses within the PUD would include those permitted and special exception uses which are listed in the underlying C-2 Zoning District. The PUD Master Plan applies the C-2 Zoning District boundary setbacks and land development regulations. The PUD Master Plan also depicts the details for monument signs, perimeter and interior landscape buffers, and pedestrian connections for the Site. The Applicant's Project Summary and Master Plan Sheet M-1 presents architectural styles and colors for the buildings to be developed within the Site, to provide some uniformity within the PUD.

The Applicant has also submitted a Minor Replat application for certain parcels within the Site, a procedure which will be completed administratively assuming the PUD Master Plan is approved. While this rezoning application does not include the development of any specific uses, the Property Owner, or Agent, is required to submit applications for individual site plans for the development of

uses within the subdivided parcels. The site plan applications (and any applications for special exception uses) are subject to the review of the Planning & Zoning Board and the approval of the Town Commission.

One of the proposed parcels depicted in the Minor Replat is the roadway extension of Park Avenue. The Palm Beach County Traffic Engineering Department has already issued a Right-of-Way construction permit for the construction of this extension. Palm Beach County will retain ownership of this roadway after which it will be conveyed to the Town through a Special Warranty Deed and Bill of Sale listing the improvements being turned over to the Town. The Town Engineer is also responsible for ensuring the roadway is being built to engineering standards and the Applicant is responsible for these review costs. The extension of Park Avenue provides access on the south side of the Site. Additional access to the PUD from Congress Avenue will also be provided through the creation of two curb cuts, as indicated on the proposed plans, both of which have already received permit approval through Palm Beach County.

STAFF RECOMMENDATION

REZONING: Staff recommends that the Planning & Zoning Board **APPROVE** the Rezoning of the Site from the C-2 Business District to a PUD.

PUD MASTER SITE PLAN:

Staff recommends that the Planning & Zoning Board **APPROVE** the PUD Master Plan with Conditions 1 through 7.

PLANNING & ZONING BOARD RECOMMENDATION (June 2, 2014):

Approved 4-0 with additional conditions 6 and 7 and modification to condition 2 to require the Applicant to submit the Unity of Control document prior to any building permit being issued.

BACKGROUND:

Agent:	Gentile Glas Holloway O'Mahoney & Associates
Applicant/Owner(s):	Congress Avenue Properties LTD
Address/Location:	Congress Avenue (not yet assigned)
Net Acreage:	28.66 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:	Commercial-2 (C-2) Business District
Future Land Use:	Commercial/Light Industrial

Adjacent Zoning

North:	Commercial-2 (C-2) Business District
South:	Commercial-4 (C-4) Business District
East:	Campus Light Industrial/Commercial (CLIC)
West:	Traditional Neighborhood District (TND)

Adjacent Existing Land Use

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

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed rezoning and PUD Master Plan is consistent with the goals, objectives and policies of the Town’s Comprehensive Plan. The proposed PUD furthers the following Objective and Policies of the Town’s Comprehensive Plan:

Future Land Use Element

Policy 1.5: *The Town shall encourage development and redevelopment activities which will substantially increase the tax base while minimizing negative impacts on natural and historic resources, existing neighborhoods and development, and adopted Levels of Service standards.*

Staff Response: The Property Owner has submitted the PUD Master Plan to promote development of the Site pursuant to individual site plan applications for particular uses. The approval of the PUD may only increase the Site’s assessed value marginally; however, as individual parcels are developed the assessed values of those properties will increase.

Policy 1.6: *Land development regulations shall contain performance standards which:*

- a. Address buffering and open space requirements; and*
- b. Landscaping requirements.*

Staff Response: The proposed PUD Master Plan includes a Perimeter Landscape Buffer that meets and in some areas exceeds the minimum landscaping requirements of Code Section 78-253. The approval of the PUD will also establish criteria for the interior landscape buffers to provide some uniformity for the development of individual parcels within the Site.

Policy 1.8: *New development shall be permitted only when central water and wastewater systems are available or will be provided concurrent with the impacts of development.*

Staff Response: The Applicant is securing the necessary commitments from the Seacoast Utility Authority to provide central water and wastewater systems to serve the Site.

Policy 2.1: *The developer/owner of any site shall be responsible for the on-site management of storm water runoff in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed those prescribed by the South Florida Water Management District (SFWMD).*

Staff Response: The Applicant, on behalf of the Property Owner, has submitted permits which have been received from the SFWMD pertaining to the management of stormwater on the Site. The Town's Engineer has confirmed that the application is consistent with Policy 2.1.

Objective 3: *All development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet level of service standards are available concurrent with the impacts of the development. Further, require that all on-site lands for rights-of-way, easements, etc., be conveyed to the proper authority prior to final project approval.*

Staff Response: The Applicant has demonstrated that the public facilities which are necessary to meet the level of service standards of the Town's Comprehensive Plan are, or will be available concurrent with the impacts of the development of the Site.

Objective 5. *As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.*

Staff Response: The PUD Master Plan is likely to promote infill development along the Congress Avenue corridor which is consistent with existing developed properties.

CONSISTENCY WITH SECTION 78-77 PLANNED UNIT DEVELOPMENT (PUD)

1.

[General provisions.]

(a)

Purpose and intent. The achievement of innovative use and site design in the development of land is often difficult or impossible within the context of conventional zoning regulations. In order to permit design flexibility and to facilitate the use of contemporary land development techniques, it is often advantageous to establish planned unit developments in which development is in harmony

with the general purpose and intent of the town's land use regulations, general planning program and comprehensive plans, but which may differ in one or more respects from the provisions of specific zoning regulations.

Staff Response: It is the intent of the Applicant to create the PUD to facilitate the development of a variety of uses that are integrated with the interior roadway improvements. In addition, the creation of a PUD promotes uniformity in the development of the Site by incorporating regulations related to permanent signage, perimeter and interior landscape buffers, pedestrian connections and architectural styles and color.

(b)

[Additional intentions.] The planned unit development regulations are intended to:

(1)

Provide the method by which property may be developed or redeveloped as a unit rather than on a lot-by-lot basis as provided for in the town's other zoning regulations.

(2)

Provide a maximum of design freedom by permitting the planned unit development applicant an opportunity to more fully utilize the physical characteristics of the site through the reduction or waiver of certain development regulations and the planned mixing of uses.

(3)

Require that property approved by the town commission for a planned unit development will be developed through a unified design providing continuity among the various elements causing a better environment.

Staff Response: While the Property may be subject to several individual Site Plan applications in the future, the Applicant is proposing a unified design for the PUD. Uniformity will be achieved because the approval of the creation of the PUD would adopt specific standards for the architecture and colors of the buildings, the location of signage throughout the Site, the perimeter and interior landscape buffers, and the creation of pedestrian connections between individual parcels within the Site.

(c)

[Applicability.] A planned unit development, by definition, may depart from the strict application of use and property development regulations for the zoning district in which the planned unit development is proposed to be located. However, these regulations should not be used as a means of evading the ordinances of the town and should be employed only when there are mutual benefits to both the planned unit development applicant and the community. It is intended that a planned unit development provide substantial public benefit.

(d)

[Benefits.] The benefits of a planned unit development are intended to include the ability of the planned unit development applicant and the town to: utilize a variety of architectural solutions; provide for the preservation of natural features and scenic areas; reduce land utilization for roads, separate vehicular and pedestrian circulations systems; allow for the meaningful integration of open space and recreation areas; and establish neighborhood identity and focus.

Staff Response: The PUD promotes architectural variety by including at least three articulation techniques on all building walls and promoting a uniform architectural style and colors, and uniform signage throughout the Site. The PUD also includes both Perimeter and Interior Landscape Buffer details to ensure that the Site's landscaping is integrated with the areas of open space planned for the Site. The proposed internal vehicular roadway network will also allow for a pedestrian circulation system to be incorporated within future site plan applications and it creates connections internal to the site which the PUD requires.

(5)

Planned unit development (PUD). A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved final master site plan which does not necessarily correspond to the development and use regulations of the zoning district in which the property is located.

Staff Response: The Applicant has provided evidence that the land area is under unified control with only one current owner, however a Unity of Control document will be required should this change and this document, which includes maintenance responsibilities, will be conditioned. The application is proposing a PUD Master Plan which conceptually outlines the boundary of the PUD; an internal roadway system; signage, landscaping and architectural details. The PUD Master Plan is proposing to provide the general development framework by which specific site plan applications will need to follow, and is proposing the installation of an interior roadway network to creatively divide the site into marketable areas. While the Applicant is relying on the individual site plan applications for the installation of proposed perimeter landscape buffers, if within 36 months the site is not fully developed via these site plan applications, the Applicant will be required to install the perimeter landscape buffers as proposed in the PUD as a condition of approval. The overall site has been reviewed for a potential of 90,000 square feet of retail capacity, 126,000 square feet of light industrial capacity; gasoline station and 5,928 square feet of convenience store capacity, with an overall site built-out traffic concurrency date of December 31, 2018, as reviewed and approved by Palm Beach County's Traffic Engineering Division through a letter issued February 20, 2014. Final site plan approvals will be required for each use within the PUD. The Applicant has demonstrated that the public facilities which are necessary to meet the level of service standards of the Town's Comprehensive Plan are or will be available concurrent with the impacts of the development of the site. SFWMD permit for the management of storm water and commitments from Seacoast Utility Authority to provide central water and wastewater have been received.

→PUBLIC BENEFIT: The Applicant is proposing a PUD to incorporate uniform standards throughout the Site, including the signage, architecture, and landscaping. The creation of the PUD will facilitate the construction of the Park Avenue extension sooner, rather than later. The Town and Palm Beach County have been working together for more than 8 years to provide an east-west connection from Congress Avenue to the existing Park Avenue.

STAFF RECOMMENDATIONS

- ✚ **REZONING**: Staff recommends **APPROVAL** of the Rezoning from C-2 to PUD.
- ✚ **PUD MASTER SITE PLAN**: Staff recommends **APPROVAL** of the PUD Master Site Plan subject to the following conditions:
1. The Owner shall improve the Property such that it is consistent with the following Plans:
 - a. Master PUD Development Plan referenced as sheet M-1 prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed May 14, 2014 and received and dated by the Department of Community Development on May 15, 2014.
 - b. Master PUD Landscape Plan, referenced as sheet LP-1 and prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April 22, 2014 and received and dated by the Department of Community Development on April 23, 2014.
 - c. PUD Landscape Plan, referenced as sheets LP-2 through LP-10 and prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April 22, 2014 and received and dated by the Department of Community Development on April 23, 2014.
 - d. Landscape Specification Plan referenced as sheet LP-11 and prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April 22, 2014 and received and dated by the Department of Community Development on April 23, 2014.
 - e. Engineering Plans for interior roadway network referenced as Sheets C-1 through C-16, prepared by Smiley & Associates, signed and sealed May 16, 2014 and received and dated by the Department of Community Development on May 16, 2014.
 2. Prior to the issuance of any building permit, the Owner shall submit a unity of control instrument. This instrument shall be subject to the review and approval of the Town Attorney, following which the Owner shall record it in the Public Records of Palm Beach County. The Owner shall return a copy of the instrument with the recording information contained thereon to the Department of Community Development.
 3. The Owner's successors and assigns shall be subject to the approved PUD Master Plan.
 4. The Applicant is required to install the proposed perimeter landscape buffers within 18 months of approval of the PUD if the Property is not fully developed with these buffers by this expiration.
 5. Cost Recovery. The Owner shall reimburse the Town for all fees and costs, including legal fees incurred by the Town in reviewing the Ordinance approving the rezoning and the Resolution approving the PUD Master Plan within 10 days of receipt of an invoice from the Town. The Owner's failure to pay the Town within the 10 days of receipt of the invoice shall result in the automatic suspension of the approval and the processing of any permits or other applications which are in progress, and may be cause for the revocation of any approvals by the Town.
 6. At such time as the Owner proposes a Site Plan to develop the parcel within the PUD which abuts Watertower Road, the Owner shall provide an easement and incorporate the same in the Plat to ensure cross access between this parcel and the other Parcels within the PUD. Additional interior roadways and curb cuts that are incorporated within the Property to accommodate future parcel development shall require the submission of individual applications for a site plan.
 7. Prior to the issuance of the first building permit, the Owner shall amend the Plat such that it is consistent with the Unity of Control instrument.

1
2 **ORDINANCE NO. 07-2014**
3

4 **AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN**
5 **OF LAKE PARK, FLORIDA REZONING THE PROPERTY**
6 **OWNED BY CONGRESS AVENUE PROPERTIES LTD TO BE**
7 **KNOWN AS THE CONGRESS BUSINESS PARK, LEGALLY**
8 **DESCRIBED IN EXHIBIT "A", FROM COMMERCIAL-2 ("C-2")**
9 **TO PLANNED UNIT DEVELOPMENT ("PUD") AND AMENDING**
10 **THE OFFICIAL ZONING MAP TO REFLECT THE REZONING;**
11 **AND PROVIDING FOR AN EFFECTIVE DATE.**
12

13 **WHEREAS**, the Town of Lake Park, Florida ("Town") is a duly constituted
14 municipality having such power and authority conferred upon it by the Florida
15 Constitution and Chapter 166, Florida Statutes; and

16 **WHEREAS**, the Town has adopted zoning regulations which have been codified
17 in Chapter 78 of the Town Code; and

18 **WHEREAS**, Town Code Section 78-77 allows for the creation of Planned Unit
19 Development (PUD) and the assignment of a PUD Zoning District to properties in the
20 Town which are to be developed as a PUD; and

21 **WHEREAS**, Gentile Glas Holloway O'Mahoney & Associates, Inc., as the agent
22 ("Applicant") for the owner, Congress Avenue Properties Ltd ("Owner"), has submitted
23 an application proposing to rezone approximately 28.66 acres of vacant land ("Property")
24 located on the southeast corner of Watertower Road and Congress Avenue from its
25 current C-2 Business Zoning District to a PUD Zoning District ("Application").

26 **WHEREAS**, Town staff and the Town's Planning and Zoning Board have
27 reviewed the Application, and have provided their respective recommendations to the
28 Town Commission; and

1 **WHEREAS**, the Town Commission has conducted a duly noticed quasi-judicial
2 public hearing on the Application at which time the Commission considered the evidence
3 presented by Town staff, the Town's Planning and Zoning Board, and other interested
4 parties and members of the public, and has determined that the Application should be
5 approved:

6 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION**
7 **OF THE TOWN OF LAKE PARK, FLORIDA THAT:**

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

10 **Section 2.** The Town Commission hereby approves the amendment of the
11 Town's Official Zoning Map for the Property, changing the Property's zoning from C-2
12 to PUD.

13 **Section 3.** This Ordinance shall take effect upon adoption.

14

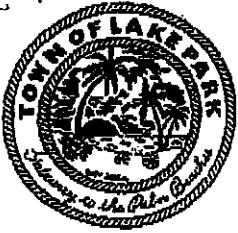
EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, SOUTH $01^{\circ} 21' 11''$ WEST, A DISTANCE OF 80.01 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WATER TOWER ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 10739, PAGE 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, SOUTH $01^{\circ} 21' 11''$ WEST, A DISTANCE OF 1755.32 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 25373, PAGE 1246, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EAST SECTION LINE, NORTH $87^{\circ} 18' 48''$ WEST, ALONG THE NORTH LINE OF SAID PARCEL TO THE NORTHWEST CORNER THEREOF, SAID POINT LYING ON THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 24672, PAGE 1293, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 314.11 FEET; THENCE NORTH $06^{\circ} 16' 10''$ EAST, ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 24672, PAGE 1293, A DISTANCE OF 32.81 FEET; THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL, NORTH $03^{\circ} 36' 05''$ WEST, A DISTANCE OF 181.35 FEET; THENCE SOUTH $83^{\circ} 43' 50''$ EAST, A DISTANCE OF 0.19 FEET; THENCE NORTH $03^{\circ} 36' 05''$ WEST, A DISTANCE OF 130.35 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 805.00 FEET, A CHORD BEARING OF SOUTH $65^{\circ} 15' 23''$ WEST AND A CENTRAL ANGLE OF $02^{\circ} 35' 59''$; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 36.52 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 865.00 FEET AND A CENTRAL ANGLE OF $28^{\circ} 35' 52''$; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 431.74 FEET TO A POINT OF TANGENCY; THENCE NORTH $87^{\circ} 26' 44''$ WEST, A DISTANCE OF 64.40 FEET; THENCE SOUTH $49^{\circ} 23' 14''$ WEST, A DISTANCE OF 54.73 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF CONGRESS AVENUE AS DESCRIBED IN OFFICIAL RECORD BOOK 10739, PAGE 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH $06^{\circ} 13' 12''$ EAST, A DISTANCE OF 334.94 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH $04^{\circ} 48' 20''$ EAST, A DISTANCE OF 202.56 FEET; THENCE NORTH $06^{\circ} 13' 12''$ EAST, A DISTANCE OF 585.93 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 8430.00 FEET AND A CENTRAL ANGLE OF $00^{\circ} 18' 53''$; THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE AND ARC OF SAID CURVE, A DISTANCE OF 46.31 FEET TO A POINT ON A NON-TANGENT LINE; THENCE NORTH $19^{\circ} 07' 33''$ EAST, A DISTANCE OF 51.14 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 8419.00 FEET AND A CHORD BEARING OF NORTH $07^{\circ} 56' 42''$ EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $02^{\circ} 08' 28''$, A DISTANCE OF 314.61 FEET TO A POINT ON A NON-TANGENT LINE AND A POINT ON AFORESAID SOUTH RIGHT OF WAY LINE OF WATER TOWER ROAD; THENCE NORTH $50^{\circ} 32' 44''$ EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 53.17 FEET; THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH $87^{\circ} 55' 28''$ EAST, A DISTANCE OF 705.69 FEET TO THE POINT OF BEGINNING.





The Town of
Lake Park

COMMUNITY
NOV 14 2013
COMMUNITY

TOWN OF LAKE PARK
APPLICATION FOR REZONING

Please note: The process to rezone property and associated informational requirements are governed by the Town of Lake Park Code of Ordinances, Chapter 32 - Rezoning and Chapter 33 - Land Development Regulations and provisions of other chapters in the Code. It is suggested that applicants schedule a meeting with the Town of Lake Park Community Development Director to discuss the information needed.

DATE Received by Town of Lake Park: _____

This application must be completed and returned with all required enclosures to be accepted by the Town Commission of the Town of Lake Park. The application will then be referred to the Town Planning and Zoning Board and the Town Staff for study and recommendations.

(Please Print)

Name of Applicant Congress Development Co.

Name of Agent (if applicable): Gentile Glas Holloway O'Mahoney & Associates, Inc.
(Required to attach Town of Lake Park Agent Authorization Form)

Mailing Address 1907 Commerce Lane #101
(This is the address to which all letters, agendas and other materials will be sent)

City Jupiter State FL Zip Code 33458

Telephone (561) 575-9557 Fax (561) 575-5260

Legal description of property covered by petition

Lot 504 Block 0 Plat N/A (Attach separate sheet if necessary)

Property I. D. No. 36-43-42-19-00-000-5040

GENERAL INFORMATION ABOUT PROPERTY AND REQUEST

1. Size of property (square feet or acreage): 28.66 acres
2. Highway and street boundaries or address: Southeast Corner of Congress Avenue and Watertower Road
3. Existing Comprehensive Plan Land Use classification: Commercial/Light Industrial
4. Existing Zoning District classification: C-2 Commercial
5. Requested Zoning District classification: PUD/C-2 Commercial
6. Describe any structures or uses currently located on the property:
N/A

THE INFORMATION/ENCLOSURES LISTED ON THE FOLLOWING PAGE(S) MUST BE SUBMITTED IN CONJUNCTION WITH THIS APPLICATION.

7. Specific Information on Requested Zoning Change:

neighborhood or other surrounding areas;

Please see attached Justification Statement

- f. That there are substantial reasons why the property cannot be used in accord with existing zoning (explain the reasons);

Please see attached Justification Statement

- g. Whether or not the requested change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Please see attached Justification Statement



Landscape Architects · Planners · Environmental Consultants

GENTILE GLAS HOLLOWAY O'MAHONEY & Associates, Inc.

LC 0000177

George G. Gentile FASLA
M. Troy Holloway ASLA
Emily M. O'Mahoney ASLA
Dodi Buckmaster Glas AICP

Congress Business Park PUD

(Congress Avenue Parcel D)

Town of Lake Park, Florida

REZONING & PUD MASTER PLAN APPLICATION (SCOMMUNITY)

Project Summary

November 11, 2013

~~REVISED February 27, 2014~~

~~REVISED April 4, 2014~~

~~REVISED April 22, 2014~~

REVISED May 14, 2014

MAY 15 2014

Development

REQUEST/LOCATION:

Gentile Glas Holloway O'Mahoney & Associates, Inc. as agent for the applicant is requesting a Rezoning from C-2 Commercial to PUD with an underlying C-2 Commercial Zoning Designation and a for approval of a PUD Master Plan. It is the intent of the developer to create the PUD to outline the development area and the minimum land development regulations; to permit a variety of uses that would be appropriate for this area and create economic diversity that will generally include; 90,000 SF of retail uses, 126,000 SF of light industrial uses; and a gas station with 20 fueling positions and 5,928 SF of convenience store and to allow internal subdivision within the PUD for occupants on the site an ownership option. Specific Site Plans and architectural controls will be developed once specific uses are further defined. The subject site is approximately 30.13 acres and located at the southeast corner of Water Tower Road and Congress Avenue. As mentioned above the site is currently zoned C-2 Business District and has a Future Land Designation of Commercial/Light Industrial. The requested rezoning to PUD/C-2 and the associated PUD Master Plan are consistent with the site's existing Future Land Designation and surrounding development pattern along the Congress Avenue Corridor.

PROJECT HISTORY

The subject site has had multiple approvals since its annexation into the Town of Lake Park. Initially, the Town of Lake Park had zoned the entire Congress Avenue corridor, as Traditional Neighbor Development (TND). The Town's desire for a TND in this area of the Town changed and the subject site was rezoned to the C-4 Business District (Ord. 06-03-03). Concurrent with rezoning from TND to C-4, the applicant/owner submitted a Master Plan for approximately 511,000 SF for future office/warehouse. In 2008, another rezoning was approved on this site from C-4 to C-2, and the site has remained vacant.

REZONING APPLICATION REQUIRED INFORMATION:

- 1) **That the requested change would be consistent with the land use plan and would not have an adverse effect on the comprehensive plan?**

The Comprehensive Plan encourages infill development and economic diversity. This is one of the last parcels to develop along this portion of the Congress Avenue Corridor. The proposed rezoning will allow the applicant to market to a wider variety of businesses and services.

- 2) **That the requested change is consistent with the land use pattern?**

As stated the surrounding area has a mix of commercial uses (mid-sized and large box retailers), industrial use and one residential neighborhood. Adjacent to the site is a federal government installation. The request will be consistent with the dominate non-residential land use pattern. The rezoning and proposed flexibility in terms of uses permitted within the PUD, will hopefully provide a wider variety of goods and services that will not only cater to the larger community, but service the needs of the adjacent residential community and the residents visiting the site has part of their training weeks and weekends.

- 3) **That the requested change will not result in increase or overtaxing of public facilities (schools, streets, utilities, etc...). Acceptable documentation may include, but not be limited to, traffic impact studies, concurrency reviews, letters from service providers indicating the availability of capacity, etc.**

Included with the request is an updated traffic analysis, that indicates a reduction in the number of previously approved trips and that the project is consistent with Palm Beach County's Traffic Performance Standards. In addition, the project is proposing to build a portion of the required Park Avenue Extension, which will provide additional traffic relief on Northlake Boulevard and Congress Avenue. As part of the review of this application it is anticipated that North Palm Beach County Improvement District, Seacoast Utilities, PBCFR and PBSO Utilities will provide their comments and indicate if the project will exceed their availability of capacity. No overtaxing of the existing public services is expected with development of this site.

- 4) **That the requested change will not adversely impact public safety.**

As stated above, the rezoning is not anticipated to adversely impact public safety. The development of the site, will provide more activity along Congress Avenue and Watertower Road which will create more eyes watching the area as a further deterrent to criminal activity.

- 5) **That the requested change will not adversely impact living conditions in the neighborhood or surrounding areas?**

Again the addition of this PUD will provide a greater variety of services to the area. This should increase opportunities for goods and employment for the adjacent neighborhood and community as a whole.

3) How does the proposed project comply with Lake Park's Zoning requirements.

The development will meet all requirements of the code. Each project proposed for the site, will submit a specific site plan to provide greater oversight in terms of consistency with the Town's Code.

	Code
<i>Max Building Height</i>	50 feet/4 stories Max.
<i>Setbacks</i>	
<i>Congress Avenue</i>	25 feet
<i>Watertower Road</i>	15 feet
<i>Park Avenue Extension</i>	15 feet
<i>Landscaping</i>	
<i>Buffers</i>	R/W Buffer – 15' min.

PUBLIC BENEFIT

As a PUD, this site provides for a better continuum of development with a higher level of design consideration for the corridor. There is common architecture, signage, landscaping and access for this larger tract of land. It has been designed with the existing character of the Congress area to better define the sense of place.

Additionally, and most significantly, this project provides the Town with the dedication of the Park Avenue extension which is also being constructed.

Approval of this requested rezoning to PUD/C-2 and master plan will allow the applicant to increase the activity and marketability of the site in order to develop it with a mix of uses that will be consistent with the development pattern along Congress Avenue and provide a greater range of goods, services, and employment opportunities to the community. Therefore, on behalf of our client, Gentile Glas Holloway O'Mahoney & Associates, Inc. respectfully request approval of the proposed Rezoning and Master Plan applications.

MAY 15 2014

Development

CONGRESS AVE BUSINESS PARK PUD – DEVELOPMENT REGULATIONS**Architectural Guidelines**

To create interest and encourage economic stability and innovative design, these guidelines encourage flexibility and a variety of architectural styles and uses. The desire is to maintain unity through compatible style while maintaining a more town like campus character. The Congress Ave Business Park intent is not to limit the architectural theme to just one style within the boundaries of the PUD. The following standards shall be applied to any structure to be developed within this specific PUD.

A. **GENERAL STANDARDS** - Within the PUD, all buildings, signage and landscaping are to be designed to provide a sense of arrival and common character while permitting variety of uses and individual architecture. Consistent materials, design elements and colors shall be incorporated in the architecture and signage. Common areas shall maintain a similar landscape pallet. Town Commission may permit alternatives in individual approvals as the site may warrant but generally the standards are described below.

B. **SPECIFIC STANDARDS** –

1. Colors and Materials

- Colors and materials shall be selected for consistency and compatibility to provide a common sense of arrival and place for any building within the PUD.
- Colors shall be predominantly earth tone with warm browns, beiges and tones of white. Accents shall be more aesthetically lively and provide for market branding and recognition of national businesses. Trademarked colors, logos and features may be incorporated into the building design.

2. Architectural Character

- Style of building shall be similar and compatible within the PUD and to provide some sense of continuity for the Congress Avenue corridor. The established style shall remain contemporary in character and all buildings shall share some common architectural features, materials and colors. However each building within the PUD is permitted to provide its own unique accent color and branding as may be appropriate for its use.
- Materials shall include concrete and stucco finishes that are accented with banding, split face block and stone character elements in more natural color schemes. The use of black and silver or metal accents is encouraged.

3. Building Façade

- All buildings shall provide articulation on all 4 sides of any proposed structures.
- Articulation should be aesthetically pleasing and should include at least three (3) of the following:

Varied roof lines – i.e. hip roof, parapet walls, tower features;
Well identified building entry;
Building banding, scoring, trim;
Building embellishment (ie. awnings, trellis, medallions, etc.)
Façade recesses;
Façade projections;
Varied use of color and or materials; and
Use of windows and faux windows.

4. Building Height

- Maximum building height shall not exceed 50 feet as measured from the finished floor. Decorative appurtenances, towers or spires may exceed the maximum height subject to the approval of the Town Commission.

5. Signage

- Similar materials and styles for ground signs shall be provided to give a sense of place and arrival to the Congress Business Park. Signage base materials should be consistent with the individual businesses but provide for use of earth tone color schemes and stone character materials as to be found in the buildings architecture. Lettering and background colors of signs should be provided to provide more interest in bright yellow, reds, orange, blue, green or white.

6. Screening

- All roof top equipment shall be screened consistent with Mechanical Equipment Screening Section 78-335(4) of the Town's Code
- All dumpster/compactors, loading areas, mechanical equipment and utilities shall be screened from public view. Screening shall include a combination of an opaque fence or wall with landscaping and may also utilize building orientation, as long as it is fully screened from public

view consistent with landscape requirements Section 24-76(e) and 78—253 (a)(2) of the Town's Code.

7. Pedestrian Circulation

- All lots within the PUD shall provide for pedestrian circulation to the public right-of-way either directly or to an adjacent lot which provides for direct access.

8. Color Renderings

- All Site Plan application shall include color renderings and a color board including color manufacturer's name and identification and sample materials as appropriate to match the submitted architectural plans which should include the same information including exterior materials to be used along the façade and roof material.

Permanent Signage

The intent of the signage is to facilitate customers and their traffic to and within the PUD. To create unified signage, while not limiting company identification and branding, each free standing monument sign should utilize complimentary and consistent colors, and materials.

Temporary signage (1) shall be as provided in the code and permanent signage shall be addressed below:

Sign Type	Design Standards (2)	Max. Number of Sign Faces	Maximum Number of Signs	Maximum Sign Structure Dimensions
PUD/Project Identification Monument Signs (3)	May include multiple tenants and the name of the PUD or a single tenant	2	1 sign for up to the first 300 feet of linear R.O.W. frontage. A second sign may be permitted with an additional 300 feet linear R.O.W. frontage/.	Height: 12 feet Width: 16 feet

			Additional signs, up to 4, may be permitted with each additional 500 feet of R.O.W. frontage when the parcel fronts on multiple roadways.	
Tenant Monument Signs (3)	<p>1 per each out parcel or each individual building</p> <p><u>Maximum surface area:</u> One square foot for every one and one-half feet of building frontage.</p> <p>For the purposes of Gas Stations, an additional 32 square feet may be permitted to monument signs area for pricing identification.</p>	2	1 per street frontage	<p>Height: 10 feet</p> <p>Width: 8 feet</p>
Wall Signs and Canopy signs	The total square footage of all wall signs on any front wall shall not exceed in surface area or sign area one and one-half times the length of the exterior wall of the individual business establishment to which it is attached.	N/A	<p>1 wall and 1 canopy sign per tenant in multi-tenant buildings</p> <p>Additionally, tenants with frontage onto multiple R.O.W.s or parking lots may have one additional sign per R.O.W. or parking lot side.</p>	<p>Letters shall not exceed 48 inches</p> <p>Side wall/canopy or rear wall/canopy signage shall not exceed 50 percent of the maximum front wall/canopy allowable square footage.</p>
Directional Signage	Signs are permitted at entry access points to the site or to	2	1 per entry	<p>Height: 3 feet</p> <p>Width: 2 feet</p>

	an outparcel within the site			
--	------------------------------	--	--	--

- (1) Temporary signs shall be consistent with Section 70-103(3) of the Town's Code; Signage posted on Gasoline Service Station Pumps shall be consistent with Section 70-103 (5)(d)(2); Any proposed Window Signage shall be consistent with Section 70-103.(5)(e)
- (2) All signs must not obstruct any clear visibility triangle consistent with Section 78-253 (c) (9) of the Town Code.
- (3) Monument sign placement and materials are subject to standard requirements of the Town Code.

Landscaping

- All site plans submitted to the Town of Lake Park within this PUD shall meet the minimum interior non-residential landscape requirements of Section 78-253 of the Town Code. .
- Minor modifications to the PUD Perimeter Buffer Plan illustrated below on the plans are permitted subject to approval of the Town of Lake Park's Community Development Department and written approval of the Master Developer of the site.
- Landscaping materials within the PUD shall be designed to provide for a continuity of presence within the Congress Business Park. Common landscape materials that should be included on all lots to maintain a common theme for the PUD but each site may have alternative accent plants and design as approved by their site plans. The perimeter buffers will generally follow the PUD buffer plan. Common landscape materials shall include a combination of natives such as but not limited to:
 1. Trees and palms – Florida Royals Sabals, Thatch, Pigeon Plum, Silver/Green Buttonwoods, Bald Cypress, East Palatka Holly, Seagrape, Pines, Ilex Species; and
 2. Hedge, Shrubs and Ground Cover –Cocoplum, Firebush, Clusia, Ilex Species, Green Island Ficus, Saw Palmetto, Myrsine, Beach Sunflower and Native Grasses.

Background

- Property is a Commercial Light Industrial Land Use parcel that was rezoned in 2008 to C-2.
- Surrounded by C-2 zoning to the north; C-4 south; CLIC to the east; and TND across Congress to the west.



Proposal

- PUD Master Plan with design standards which permits for the site to develop in a unified way through architecture, signage and landscape
- It also provides for coordinated access and circulation as well as the alignment of Park Avenue Extension



PUD Standards

- Internal access and circulation for vehicular and pedestrians
- Architecture – unifying character to create campus setting
- Signage- to facilitate thematic approach for the entire PUD
- Landscape- to create a sense of place using similar materials with accents



PUD Architecture

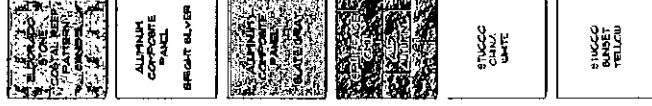
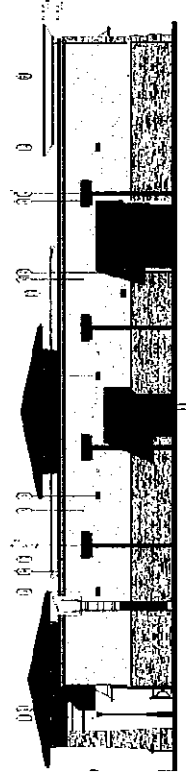
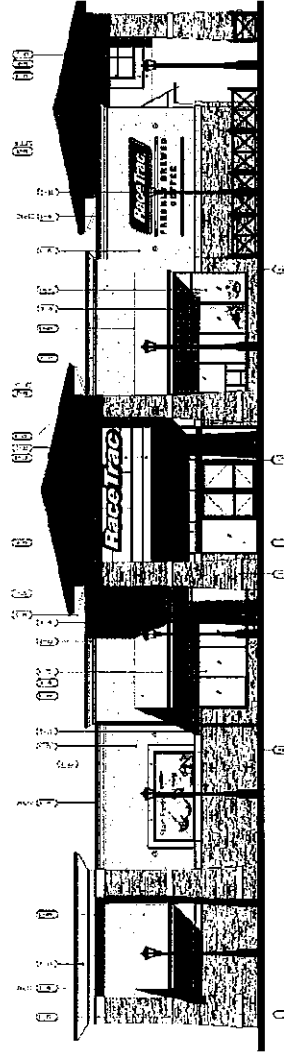
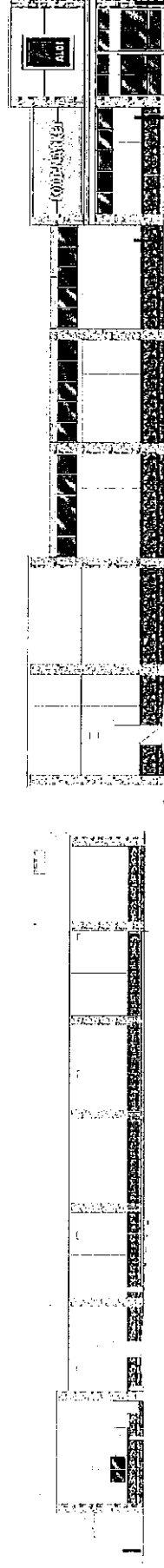
Building Articulation and design including:

- Architectural Style
- Colors
- Materials
- With opportunities for individual accent and interest of parcels



GENTLE GLAS
HOLLOWAY
C/MATONEY

PUD Architecture- Example



Specifics

- Architecture to be 4 sided
- Contemporary
- Natural color schemes
- Concrete, Stucco finishes, with banding, split face block/ stone character elements.
- Accents of metal fixtures, awnings and colors for pop.



GENTLE GLAS
HOLLOWAY
TOMSTONE



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "C"

Meeting Date: June 18, 2014

Agenda Item No. Tab 8

Agenda Title: Review of the Town Manager Annual Performance Evaluation for the Evaluation Period of June 29, 2013 to June 29, 2014

- SPECIAL PRESENTATION/REPORTS
 - BOARD APPOINTMENT
 - PUBLIC HEARING ORDINANCE ON _____ READING
 - NEW BUSINESS**
 - OTHER: _____
- CONSENT AGENDA
 - OLD BUSINESS

Approved by Town Manager  Date: 6/11/14

Name/Title Paulie McKittrick-Surmer
HUMAN RESOURCES DIRECTOR

Originating Department: Human Resources	Costs: \$ -0- Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Copies of four (4) Completed Evaluation Forms
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone: BMT OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

Pursuant to Section 7 of the June 29, 2012 Employment Agreement between the Town of Lake Park and Town Manager Dale S. Sugerman, the Commission is required to conduct an annual review to evaluate the performance of the Town Manager. Attached are copies of the four completed evaluation forms for the period of June 29, 2013 to June 29, 2014 which have been received from the Commission.



Copy

Town of Lake Park

PERFORMANCE EVALUATION FORM

TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

Ken Glas-Castro

Evaluator 's Name

EVALUATION PERIOD

6/29/2013 to 6/29/2014

EVALUATION SCALE

- | | | |
|---|----------------------|---|
| 5 | Outstanding | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective | Regularly meets and frequently exceeds standards of work performance. |
| 3 | Effective | Regularly meets standards of work performance. |
| 2 | Marginally Effective | Often fails to meet standards of work performance. |
| 1 | Ineffective | Clearly and consistently fails to meet standards of work performance. |

Received

MAY

Town of Lake Park
Dept. of Administration

1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 3 Maintains open and informative communications with the Town Commission
- 5 Knowledgeable of current developments affecting the local government management field.
- 4 Effectively implements and enforces Town policies and procedures
- 3 Demonstrates a capacity for innovation and creativity
- 3 Anticipates problems and develops effective approaches for solving them.
- 3 Maintains a work atmosphere conducive to productivity and efficiency
- 3 Takes responsibility for staff actions.
- Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 3 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 3 Effectively recruits professional staff

COMMENTS:

2. FISCAL MANAGEMENT

- 4 Possesses knowledge of governmental accounting/budget procedures
- 5 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 5 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 4 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 4 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 4 Expenditures are made within budget limitations according to established policy

COMMENTS:

3. PERSONAL SKILLS/COMMUNICATIONS

- 3 Willing to commit time necessary to complete required tasks
- 4 Demonstrates high concern for ethical behavior
- 3 Skillful in verbal communication
- 3 Skillful in written communication
- 3 Informs the Commission of current issues and administrative developments
- 3 Encourages a positive attitude regarding the Town
- 3 Receptive to constructive criticism and advice
- 3 Manages stress effectively

COMMENTS:

*Communication outside formal agenda
Items & reports, feels 1-way & only
responsive to my inquiries*

4. RELATIONS WITH THE TOWN COMMISSION

- 3 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 3 Carries out the directives of the Commission as a whole, rather than those of any one member
- 3 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 3 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 4 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

While we started discussing effort, discussions have not continued despite short agenda that could have accommodated additional workshops

5. COMMUNITY RELATIONS

- 3 Effectively addresses and accommodates citizen complaints
- 3 Shows a sensitivity to and appreciation of diversity of the Town's population
- 3 Responsive to issues of both commercial and residential populations
- 4 Takes a "hands-on" approach when necessary
- 3 Maintains an effective working relationship with other local governments
- 3 Takes a diplomatic approach to problem solving
- 3 Projects a positive image on behalf of the Town of Lake Park
- 3 Provides management support to Town Boards
- 2 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

Residents continue to ask for better communication.

ADDITIONAL SUMMARY COMMENTS:

OVERALL RATING:

- 5- Outstanding
- 4- Very Effective
- 3- Effective
- 2- Marginally Effective
- 1- Ineffective

K. DeLoe
EVALUATOR'S SIGNATURE

5-29-14
DATE



Copy

Town of Lake Park
PERFORMANCE EVALUATION FORM
TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

Erin Flaherty

Evaluator's Name

6/29/2013 to 6/29/2014

EVALUATION PERIOD

EVALUATION SCALE

- | | | |
|---|----------------------|---|
| 5 | Outstanding | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective | Regularly meets and frequently exceeds standards of work performance. |
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Received

MAY 3 2014

*Town of Lake Park
Dept. of Administration*

1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

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- 3 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 3 Effectively recruits professional staff

COMMENTS:

2. FISCAL MANAGEMENT

- 5 Possesses knowledge of governmental accounting/budget procedures
- 5 Prepares a balanced budget to provide services at a level directed by the Town Commission
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- 5 Expenditures are made within budget limitations according to established policy

COMMENTS:

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- 5 Encourages a positive attitude regarding the Town
- 3 Receptive to constructive criticism and advice
- 3 Manages stress effectively

COMMENTS:

4. RELATIONS WITH THE TOWN COMMISSION

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- 5 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 4 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

5. COMMUNITY RELATIONS

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- 4 Maintains an effective working relationship with other local governments
- 4 Takes a diplomatic approach to problem solving
- 5 Projects a positive image on behalf of the Town of Lake Park
- 4 Provides management support to Town Boards
- 3 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

ADDITIONAL SUMMARY COMMENTS:

OVERALL RATING:

- 5 - Outstanding
- 4 - Very Effective
- 3 - Effective

- 2 - Marginally Effective
- 1 - Ineffective


EVALUATOR'S SIGNATURE

5/30/2014
DATE



Cay

Town of Lake Park

PERFORMANCE EVALUATION FORM

TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

Kathleen Pappalardo-Commissioner

Evaluator's Name

EVALUATION PERIOD

6/29/2013 to 6/29/2014

EVALUATION SCALE

- | | | |
|---|----------------------|---|
| 5 | Outstanding | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective | Regularly meets and frequently exceeds standards of work performance. |
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| 2 | Marginally Effective | Often fails to meet standards of work performance. |
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Received

JUN 4

*Town of Lake Park
Dept. of Administration*

1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 4 Maintains open and informative communications with the Town Commission
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- 5 Effectively implements and enforces Town policies and procedures
- 4 Demonstrates a capacity for innovation and creativity
- 5 Anticipates problems and develops effective approaches for solving them.
- 5 Maintains a work atmosphere conducive to productivity and efficiency
- 5 Takes responsibility for staff actions.
- 4 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 5 Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 5 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- Effectively recruits professional staff

COMMENTS:

Town Man effectively meets issues head on and has demonstrated his professional problem solving skills in a positive way.

2. FISCAL MANAGEMENT

- 5 Possesses knowledge of governmental accounting/budget procedures
- 5 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 5 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 5 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 5 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 5 Expenditures are made within budget limitations according to established policy

COMMENTS:

Town manager has established trust of the Commission and keeps us current of town matters through his monthly reports and personal open communication

3. PERSONAL SKILLS/COMMUNICATIONS

- 5 Willing to commit time necessary to complete required tasks
- 5 Demonstrates high concern for ethical behavior
- 5 Skillful in verbal communication
- 5 Skillful in written communication
- 5 Informs the Commission of current issues and administrative developments
- 5 Encourages a positive attitude regarding the Town
- 5 Receptive to constructive criticism and advice
- 4 Manages stress effectively

COMMENTS:

Cannot comment on how he manages his stress, but always seems to be in a pleasant mood

4. RELATIONS WITH THE TOWN COMMISSION

- 5 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
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COMMENTS:

5. COMMUNITY RELATIONS

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- 5 Takes a diplomatic approach to problem solving
- 5 Projects a positive image on behalf of the Town of Lake Park
- 5 Provides management support to Town Boards
- 5 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

We are fortunate to have Dale Sugerman as a leader and supportive employee of this town. He deals with respect and discipline.

ADDITIONAL SUMMARY COMMENTS:

OVERALL RATING:

- 5 - Outstanding
- 4 - Very Effective
- 3 - Effective
- 2 - Marginally Effective
- 1 - Ineffective

Kathleen Farber
EVALUATOR'S SIGNATURE

6-3-14
DATE



Copy

Town of Lake Park

PERFORMANCE EVALUATION FORM

TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

James DuBois
Evaluator's Name
6/29/2013 to 6/29/2014

EVALUATION PERIOD

EVALUATION SCALE

- | | | |
|---|----------------------|---|
| 5 | Outstanding | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective | Regularly meets and frequently exceeds standards of work performance. |
| 3 | Effective | Regularly meets standards of work performance. |
| 2 | Marginally Effective | Often fails to meet standards of work performance. |
| 1 | Ineffective | Clearly and consistently fails to meet standards of work performance. |

Received

JUN 4 2014

*Town of Lake Park
Dept. of Administration*

1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 4 Maintains open and informative communications with the Town Commission
- 4+ Knowledgeable of current developments affecting the local government management field.
- 4 Effectively implements and enforces Town policies and procedures
- 4 Demonstrates a capacity for innovation and creativity
- 4 Anticipates problems and develops effective approaches for solving them.
- 4 Maintains a work atmosphere conducive to productivity and efficiency
- 4 Takes responsibility for staff actions.
- 4 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 4+ Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 4+ Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 4 Effectively recruits professional staff

COMMENTS:

Excellent

2. FISCAL MANAGEMENT

- 4 Possesses knowledge of governmental accounting/budget procedures
- 4+ Prepares a balanced budget to provide services at a level directed by the Town Commission
- 4+ Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 4+ Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 4 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 4 Expenditures are made within budget limitations according to established policy

COMMENTS:

Excellent

3. PERSONAL SKILLS/COMMUNICATIONS

- 4 Willing to commit time necessary to complete required tasks
- 4++ Demonstrates high concern for ethical behavior
- 4 Skillful in verbal communication
- 4 Skillful in written communication
- 4 Informs the Commission of current issues and administrative developments
- 4 Encourages a positive attitude regarding the Town
- 4 Receptive to constructive criticism and advice
- 4 Manages stress effectively

COMMENTS:

Excellent

4. RELATIONS WITH THE TOWN COMMISSION

- 4 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 4 Carries out the directives of the Commission as a whole, rather than those of any one member
- 4 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 4 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 4 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

Excellent

5. COMMUNITY RELATIONS

- 4 Effectively addresses and accommodates citizen complaints
- 4 Shows a sensitivity to and appreciation of diversity of the Town's population
- 4 Responsive to issues of both commercial and residential populations
- 4 Takes a "hands-on" approach when necessary
- 4 Maintains an effective working relationship with other local governments
- 4 Takes a diplomatic approach to problem solving
- 4+ Projects a positive image on behalf of the Town of Lake Park
- 4 Provides management support to Town Boards
- 4 Effectively informs residents of Town news through Town produced media. i.e. Newsletter. Website

COMMENTS:

Excellent.

ADDITIONAL SUMMARY COMMENTS:

"4" is my highest AVAILABLE rating. However
 Plus (+) signs have been assigned to fields
 that have demonstrated exceptional performance.
 "5" = "Outstanding" creates a qualitative assumption where
 "4" may be proven by quantitative examples.

OVERALL RATING:

- | | |
|-----------------------------|--------------------------|
| 5 - Outstanding | 2 - Marginally Effective |
| <u>4 - Very Effective +</u> | 1 - Ineffective |
| 3 - Effective | |

James Rudovic
 EVALUATOR'S SIGNATURE

6-4-14
 DATE



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "D"

Meeting Date: June 18, 2014

Agenda Item No. Tab 9

Agenda Title: Resolution to Rescind Resolution 04-02-14 Authorizing and Directing the Town Manager to Execute the Administrative Services Agreements between the International City/County Management Association – Retirement Corporation and the Town of Lake Park to Change the Employee Pension Plan and Deferred Compensation Plan Administrator from the Variable Annuity Life Insurance Company to the International City/County Management Association – Retirement Corporation

- Special Presentation/Reports, Board Appointment, Public Hearing Ordinance, New Business, Other, Consent Agenda, Old Business.

Approved by Town Manager [Signature] Date: 6/2/14
Name/Title: HUMAN RESOURCES DIRECTOR

Table with 3 columns: Originating Department (Finance and Human Resources), Costs/Funding Source, Attachments (Resolution 04-02-14), Advertised status, and notification requirements.

Summary Explanation/Background:

At its February 19, 2014 meeting, the Commission approved Resolution 04-02-14 authorizing and directing the Town Manager to execute the Administrative Services Agreements between the International City/County Management Association – Retirement Corporation (“ICMA-RC”) and the Town to change over the Town-sponsored 401(a) pension plan and 457(b) deferred compensation plan from the current administrator, the Variable Annuity Life Insurance Company (“VALIC”), to ICMA-RC. Such change-over was recommended by staff based upon several representations made to the Town by ICMA-RC, the most important of which was the representation that the change-over would take place at no cost to Town employees who are participants in the VALIC plans. There were other issues which led to the consideration to change, including poor customer service and lack of responsiveness by VALIC. Plus, ICMA-RC offered greater options.

Just recently, staff has been advised by VALIC that there will be \$14,154.28 in surrender fees which ICMA-RC has agreed to pay, but which ICMA-RC will recover by assessing this amount against the accounts of current VALIC participants at the rate of \$1.52 per month for the first five years following the change-over. Staff advised Town employees of this development and conducted a survey to determine if employees want to proceed with the change-over despite such fee. Employees voted overwhelmingly to not proceed with the change-over.

Staff is therefore recommending approval of this Resolution rescinding Resolution 04-02-2014 authorizing and directing the Town Manager to execute the Administrative Services Agreements between ICMA-RC and the Town. With this action, the employee pension plan will remain with VALIC and will not be switched over to ICMA-RC.

Recommended Motion: I move to approve Resolution _____ - 14.

RESOLUTION NO. 04-02-14

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK AUTHORIZING THE TOWN MANAGER TO EXECUTE THE ADMINISTRATIVE SERVICES AGREEMENTS WITH THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION – RETIREMENT CORPORATION TO APPOINT THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION – RETIREMENT CORPORATION AS THE ADMINISTRATOR OF THE TOWN-SPONSORED 401(A) DEFINED CONTRIBUTION PENSION PLAN AND 457(B) DEFERRED COMPENSATION PLAN FOR THE BENEFIT OF TOWN EMPLOYEES AND THEIR BENEFICIARIES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town of Lake Park (“Town”) is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has employees who render valuable services; and

WHEREAS, the Town currently contributes to and sponsors a 401(a) defined contribution pension plan and a 457(b) deferred compensation plan for its employees through the Variable Annuity Life Insurance Company (“VALIC”); and

WHEREAS, the Town Commission of the Town of Lake Park has reviewed the Administrative Services Agreements between the International City/County Management Association – Retirement Corporation (“ICMA-RC”) and the Town for the administration of the Town-sponsored 401(a) defined contribution pension plan and 457(b) deferred compensation plan, copies of which are attached hereto and incorporated herein as **Exhibit A** and **Exhibit B** respectively, and has determined that it is in the best interest of the Town and its employees to change the administrator of the Town-sponsored 401(a) pension plan and 457(b) deferred compensation from VALIC to ICMA-RC.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PAK, FLORIDA AS FOLLOWS:

Section 1. The whereas clauses are incorporated herein as true and correct and are hereby made a specific part of this Resolution.

Certification
I, Vivian Morales, Clerk of the Town of Lake Park Florida, do hereby certify that the foregoing is a true and correct copy of the original instrument as contained in the files of the Town. Witness my hand and the Official Seal of the Town of Lake Park This 022 day of May, 2014
Town Seal
[Signature]
Town Clerk

Section 2. The Town hereby authorizes and directs the Town Manager to execute the Administrative Services Agreements between ICMA-RC and the Town attached hereto as **Exhibit A** and **Exhibit B** respectively for the administration of the Town-sponsored 401(a) defined contribution pension plan and 457(b) deferred compensation plan for its employees.

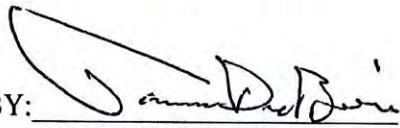
Section 3. This Resolution shall become effective immediately upon adoption.

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

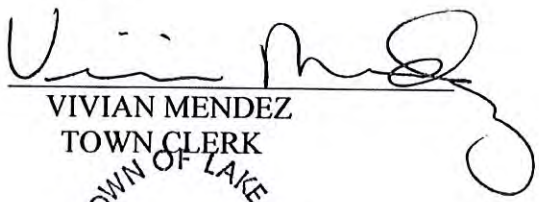
	AYE	NAY
MAYOR JAMES DUBOIS	<u> / </u>	<u> — </u>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u> / </u>	<u> — </u>
COMMISSIONER ERIN FLAHERTY	<u> / </u>	<u> — </u>
COMMISSIONER MICHAEL O'ROURKE	<u> / </u>	<u> — </u>
COMMISSIONER KATHLEEN RAPOZA	<u> / </u>	<u> — </u>

The Town Commission thereupon declared the foregoing Resolution NO. 04-02-14 duly passed and adopted this 19 day of February, 2014.

TOWN OF LAKE PARK, FLORIDA

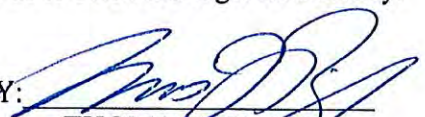
BY: 
 JAMES DUBOIS
 MAYOR

ATTEST:


 VIVIAN MENDEZ
 TOWN CLERK



Approved as to form and legal sufficiency:

BY: 
 THOMAS J. BAIRD
 TOWN ATTORNEY

Certification
 I, Vivian Mendez Clerk of the Town of Lake Park Florida, do hereby certify that the foregoing is a true and correct copy of the original instrument as contained in the official records of the Town. Witness my hand and the Official Seal of the Town of Lake Park This 22 day of May, 2014

 Town Clerk
 FLORIDA

EXHIBIT A



ADMINISTRATIVE SERVICES AGREEMENT

Between

ICMA Retirement Corporation

and

Town of Lake Park

Type: 401

Account #: 107889

BS

ADMINISTRATIVE SERVICES AGREEMENT

This Administrative Services Agreement (“Agreement”), made as of the day of , 2014 (herein referred to as the “Inception Date”), between the International City Management Association Retirement Corporation (“ICMA-RC”), a nonprofit corporation organized and existing under the laws of the State of Delaware, and the Town of Lake Park (“Employer”), a Town organized and existing under the laws of the State of Florida with an office at 535 Park Avenue, Lake Park, Florida 33403.

RECITALS

Employer acts as public plan sponsor of a retirement plan (“Plan”), and in that capacity, has responsibility to obtain administrative services and investment alternatives for the Plan;

VantageTrust (the “Trust”) is a group trust established and maintained in accordance with Florida Revised Statutes Annotated section 391:1 and Internal Revenue Service Revenue Ruling 81-100, 1981-1 C.B. 326, which provides for the commingled investment of retirement funds held by various state and local governmental units for their employees;

ICMA-RC acts as investment adviser to VantageTrust Company, the Trustee of the Trust;

ICMA-RC has designed, and the Trust offers, a series of separate funds (the “Funds”) for the investment of plan assets as referenced in the Trust’s principal disclosure document, “Making Sound Investment Decisions: A Retirement Investment Guide” and the accompanying VantageTrust Fund Fees and Expenses document (“Retirement Investment Guide”).

The Funds are available only to public employers and only through the Trust and ICMA-RC.

In addition to serving as investment adviser to the Trust, ICMA-RC provides a range of services to public employers for the operation of employee retirement plans including, but not limited to, communications concerning investment alternatives, account maintenance, account recordkeeping, investment and tax reporting, transaction processing, benefit disbursement, and asset management.

AGREEMENTS

1. Appointment of ICMA-RC

Employer hereby appoints ICMA-RC as Administrator of the Plan to perform all nondiscretionary functions necessary for the administration of the Plan. The functions to be performed by ICMA-RC shall be those set forth in Exhibit A to this Agreement.

2. Adoption of Trust

Employer has adopted the Declaration of Trust of VantageTrust Company and agrees to the commingled investment of assets of the Plan within the Trust. Employer agrees that operation of the Plan and the investment, management, and distribution of amounts deposited in the Trust shall be subject to the Declaration of Trust, as it may be amended from time to time and shall also be subject to terms and conditions set forth in disclosure documents (such as the Retirement Investment Guide or Employer Bulletins) as those terms and conditions may be adjusted from time to time.

3. Employer Duty to Furnish Information

Employer agrees to furnish to ICMA-RC on a timely basis such information as is necessary for ICMA-RC to carry out its responsibilities as Administrator of the Plan, including information needed to allocate individual participant accounts to Funds in the Trust, and information as to the employment status of participants, and participant ages, addresses, and other identifying information (including tax identification numbers). Employer also agrees that it will notify ICMA-RC in a timely manner regarding changes in staff as it relates to various roles. This is to be completed through the online EZLink employer contact options. ICMA-RC shall be entitled to rely upon the accuracy of any information that is furnished to it by a responsible official of the Employer or any information relating to an individual participant or beneficiary that is furnished by such participant or beneficiary, and ICMA-RC shall not be responsible for any error arising from its reliance on such information. ICMA-RC will provide reports, statements and account information to the Employer through EZLink, the online plan administrative tool.

Employer is required to send in contributions through EZLink, the online plan administration tool provided by ICMA-RC. Alternative electronic methods may be allowed, but must be approved by ICMA-RC for use. Contributions may not be sent through paper submittal documents.

To the extent Employer selects third-party funds that do not have fund profile information provided to ICMA-RC through our electronic data feeds from external sources (such as Morningstar) or third party fund providers, the Employer is responsible for providing to ICMA-RC timely fund investment updates for disclosure to Plan participants. Such updates may be provided to ICMA-RC through the Employer's investment consultant or other designated representative.

Failure to provide timely fund profile update information, including the source of the information, may result in a lack of fund information for participants, as ICMA-RC will remove outdated fund profile information from the systems that provide fund information to Plan participants.

4. Certain Representations and Warranties

ICMA-RC represents and warrants to Employer that:

- (a) ICMA-RC is a non-profit corporation with full power and authority to enter into this Agreement and to perform its obligations under this Agreement. The ability of ICMA-RC to serve as investment adviser to the Trust is dependent upon the continued willingness of the Trust for ICMA-RC to serve in that capacity.
- (b) ICMA-RC is an investment adviser registered as such with the U.S. Securities and Exchange Commission under the Investment Advisers Act of 1940, as amended. ICMA-RC Services, LLC (a wholly owned subsidiary of ICMA-RC) is registered as a broker-dealer with the U.S. Securities and Exchange Commission ("SEC") and is a member in good standing with Financial Industry Regulatory Authority ("FINRA") and the Securities Investor Protection Corporation ("SIPC").
- (c) ICMA-RC shall maintain and administer the Plan in compliance with the requirements for plans which satisfy the qualification requirements of Section 401 of the Internal Revenue Code and other applicable federal law; provided, however, ICMA-RC shall not be responsible for the qualified status of the Plan in the event that the Employer directs ICMA-RC to administer the Plan or disburse assets in a manner inconsistent with the requirements of Section 401 or otherwise causes the Plan not to be carried out in accordance with its terms; provided, further, that if the plan document used by the Employer contains terms that differ from the terms of ICMA-RC's standardized plan document, ICMA-RC shall not be responsible for the qualified status of the Plan to the extent affected by the differing terms in the Employer's plan document. ICMA-RC shall not be responsible for monitoring state or local law or for administering the Plan in compliance with local or state requirements unless Employer notifies ICMA-RC of any such local or state requirements.

Employer represents and warrants to ICMA-RC that:

- (d) Employer is organized in the form and manner recited in the opening paragraph of this Agreement with full power and authority to enter into and perform its obligations under this Agreement and to act for the Plan and participants in the manner contemplated in this Agreement. Execution, delivery, and performance of this Agreement will not conflict with any

law, rule, regulation or contract by which the Employer is bound or to which it is a party.

- (e) Employer understands and agrees that ICMA-RC's sole function under this Agreement is to act as recordkeeper and to provide administrative, investment or other services at the direction of Plan participants, the Employer, its agents or designees in accordance with the terms of this Agreement. Under the terms of this Agreement, ICMA-RC does not render investment advice, is not the Plan Administrator or Plan Sponsor as those terms are defined under applicable federal, state, or local law, and does not provide legal, tax or accounting advice with respect to the creation, adoption or operation of the Plan and the Trust. ICMA-RC does not perform any service under this Agreement that might cause ICMA-RC to be treated as a "fiduciary" of the Plan under applicable law.
- (f) Employer acknowledges and agrees that ICMA-RC does not assume any responsibility with respect to the selection or retention of the Plan's investment options. Employer shall have exclusive responsibility for the Plan's investment options, including the selection of the applicable mutual fund share class. Where applicable, Employer understands that the VT Retirement Income Advantage Fund is an investment option for the Plan and that the fund invests in a separate account available through a group variable annuity contract. By entering into this Agreement, Employer acknowledges that it has received the Important Considerations document and the Retirement Investment Guide and that it has read the information therein concerning the VT Retirement Income Advantage Fund.
- (g) Employer acknowledges that certain such services to be performed by ICMA-RC under this Agreement may be performed by an affiliate or agent of ICMA-RC pursuant to one or more other contractual arrangements or relationships, and that ICMA-RC reserves the right to change vendors with which it has contracted to provide services in connection with this Agreement without prior notice to Employer.
- (h) Employer acknowledges that it has received ICMA-RC's Fee Disclosure Statement, prepared in substantial conformance with ERISA regulations regarding the disclosure of fees to plan sponsors.
- (i) Employer approves the use of its Plan in ICMA-RC external media, publications and materials. Examples include press releases announcements and inclusion of the general plan information in request for proposal responses.

5. Participation in Certain Proceedings

The Employer hereby authorizes ICMA-RC to act as agent, to appear on its behalf, and to join the Employer as a necessary party in all legal proceedings involving the garnishment of benefits or the transfer of benefits pursuant to the divorce or separation of participants in the Plan. Unless Employer notifies ICMA-RC otherwise, Employer consents to the disbursement by ICMA-RC of benefits that have been garnished or transferred to a former spouse, current spouse, or child pursuant to a domestic relations order or child support order.

6. Compensation and Payment

- (a) **Plan Administration Fee.** The amount to be paid for plan administration services under this Agreement shall be 0.55% per annum of the amount of Plan assets invested in the Trust. Such fee shall be computed based on average daily net Plan assets in the Trust.
- (b) **Mutual Fund Services Fee.** There is an annual charge of 0.15% assessed against average daily net Plan assets invested in the Trust's non-proprietary Trust Series funds.
- (c) **Compensation for Management Services to the Trust, Compensation for Advisory and other Services to The Vantagepoint Funds and Payments from Third-Party Mutual Funds.** Employer acknowledges that in addition to amounts payable under this Agreement, ICMA-RC receives fees from the Trust for investment advisory services and plan and participant services furnished to the Trust. Employer further acknowledges that certain wholly owned subsidiaries of ICMA-RC receive compensation for advisory and other services furnished to The Vantagepoint Funds, which serve as the underlying portfolios of a number of Funds offered through the Trust. For a Trust fund that invests substantially all of its assets in a third-party mutual fund not affiliated with ICMA-RC, ICMA-RC or its wholly owned subsidiary receives payments from the third-party mutual fund families or their service providers in the form of 12b-1 fees, service fees, compensation for sub-accounting and other services provided based on assets in the underlying third-party mutual fund. These fees are described in the Retirement Investment Guide and ICMA-RC's Fee Disclosure Statement. In addition, to the extent that third party mutual funds are included in the investment line-up for the Plan, ICMA-RC receives administrative fees from its third party mutual fund settlement and clearing agent for providing administrative and other services based on assets invested in third party mutual funds; such administrative fees come from payments made by third party mutual funds to the settlement and clearing agent.
- (d) **Redemption Fees.** Redemption fees imposed by outside mutual funds in which Plan assets are invested are collected and paid to the mutual fund by

ICMA-RC. ICMA-RC remits 100% of redemption fees back to the specific mutual fund to which redemption fees apply. These redemption fees and the individual mutual fund's policy with respect to redemption fees are specified in the prospectus for the individual mutual fund and referenced in the Retirement Investment Guide.

- (e) **Payment Procedures.** All payments to ICMA-RC pursuant to this Section 6 shall be made from Plan assets held by the Trust or received from third party mutual funds or their service providers in connection with Plan assets invested in such third party mutual funds, to the extent not paid by the Employer. The amount of Plan assets held through the Trust shall be adjusted by the Trust as required to reflect any such payments as are made from Plan assets invested in the Trust. In the event that the Employer agrees to pay amounts owed pursuant to this section 6 directly, any amounts unpaid and outstanding after 30 days of invoice to the Employer shall be withdrawn from Plan assets held by the Trust.

The compensation and payment set forth in this section 6 is contingent upon the Employer's use of ICMA-RC's EZLink system for contribution processing and submitting contribution funds by ACH or wire transfer on a consistent basis over the term of this Agreement.

7. Contribution Remittance

Employer understands that amounts invested through the Trust are to be remitted directly to the Trust in accordance with instructions provided to Employer by ICMA-RC and are not to be remitted to ICMA-RC. In the event that any check or wire transfer is incorrectly labeled or transferred to ICMA-RC, ICMA-RC may return it to Employer with proper instructions.

8. Indemnification

ICMA-RC shall not be responsible for any acts or omissions of any person with respect to the Plan or related Trust, other than ICMA-RC in connection with the administration or operation of the Plan. Employer shall indemnify ICMA-RC against, and hold ICMA-RC harmless from, any and all loss, damage, penalty, liability, cost, and expense, including without limitation, reasonable attorney's fees, that may be incurred by, imposed upon, or asserted against ICMA-RC by reason of any claim, regulatory proceeding, or litigation arising from any act done or omitted to be done by any individual or person with respect to the Plan or related Trust, excepting only any and all loss, damage, penalty, liability, cost or expense resulting from ICMA-RC's negligence, bad faith, or willful misconduct.

9. Term

This Agreement shall be in effect and commence on the date all parties have signed and executed this Agreement ("Inception Date"). This Agreement may be terminated without

penalty by either party on sixty days advance notice in writing to the other; provided however, that the Employer understands and agrees that, in the event the Employer terminates this Agreement (or replaces the VT PLUS Fund as an investment option in its investment line-up), ICMA-RC retains full discretion to release Plan assets invested in the VT PLUS Fund in an orderly manner over a period of up to 12 months from the date ICMA-RC receives written notification from the Employer that it has made a final and binding selection of a replacement for ICMA-RC as administrator of the Plan (or a replacement investment option for the VT PLUS Fund).

10. Amendments and Adjustments

- (a) This Agreement may be amended by written instrument signed by the parties.
- (b) ICMA-RC may amend this agreement by providing 60 days' advance written notice to the Employer prior to the effective date of such proposed amendment. Such amendment shall become effective unless, within the 60-day notice period, the Employer notifies ICMA-RC in writing that it objects to such amendment.
- (c) The parties agree that enhancements may be made to administrative and operations services under this Agreement. The Employer will be notified of enhancements through the Employer Bulletin, quarterly statements, electronic messages or special mailings. Likewise, if there are any reductions in fees, these will be announced through the Employer Bulletin, quarterly statement, electronic or special mailing.

11. Notices

All notices required to be delivered under this Agreement shall be in writing and shall be delivered, mailed, e-mailed or faxed to the location of the relevant party set forth below or to such other address or to the attention of such other persons as such party may hereafter specify by notice to the other party.

ICMA-RC: Legal Department, ICMA Retirement Corporation, 777 North Capitol Street, N.E., Suite 600, Washington, D.C., 20002-4240
Facsimile; (202) 962-4601

Employer: at the office set forth in the first paragraph hereof, or to any other address, facsimile number or e-mail address designated by the Employer to receive the same by written notice similarly given.

Each such notice, request or other communication shall be effective: (i) if given by facsimile, when transmitted to the applicable facsimile number and there is appropriate confirmation of receipt; (ii) if given by mail or e-mail, upon transmission to the designated address with no indication that such address is invalid or incorrect; or (iii) if given by any other means, when actually delivered at the aforesaid address.

12. Complete Agreement

This Agreement shall constitute the complete and full understanding and sole agreement between ICMA-RC and Employer relating to the object of this Agreement and correctly sets forth the complete rights, duties and obligations of each party to the other as of its date. This Agreement supersedes all written and oral agreements, communications or negotiations among the parties. Any prior agreements, promises, negotiations or representations, verbal or otherwise, not expressly set forth in this Agreement are of no force and effect.

13. Titles

The headings of Sections of this Agreement and the headings for each of the attached schedules are for convenience only and do not define or limit the contents thereof.

14. Incorporation of Schedules

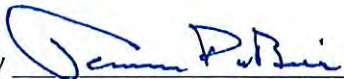
All Schedules (and any subsequent amendments thereto), attached hereto, and referenced herein, are hereby incorporated within this Agreement as if set forth fully herein.

15. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, applicable to contracts made in that jurisdiction without reference to its conflicts of laws provisions.

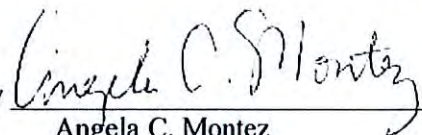
In Witness Whereof, the parties hereto certify that they have read and understand this Agreement and all Schedules attached hereto and have caused this Agreement to be executed by their duly authorized officers as of the Inception Date first above written.

TOWN OF LAKE PARK

By  Date 2/19/14
Signature

James Du Bois - Mayor
Name and Title (Please Print)

INTERNATIONAL CITY MANAGEMENT ASSOCIATION
RETIREMENT CORPORATION

By 
Angela C. Montez
Assistant Corporate Secretary

Please return fully executed contract to: New Business Unit
ICMA-RC
777 North Capitol Street NE
Suite 600
Washington DC 20002-4240

Exhibit A

Administrative Services

The administrative services to be performed by ICMA-RC under this Agreement shall be as follows:

- (a) Participant enrollment services, including providing a welcome package and enrollment kit containing instructions and notices necessary to implement the Plan's administration. Employees will enroll online or through form. ICMA-RC will provide an enrollment link through the general ICMA-RC web site. Plan sponsor will also make available the online enrollment link in their Intranet site or via email to new employees. Employer can also enroll employees through EZLink.
- (b) Establishment of participant accounts for each employee participating in the Plan for whom ICMA-RC receives appropriate enrollment instructions. ICMA-RC is not responsible for determining if such Plan participants are eligible under the terms of the Plan.
- (c) Allocation in accordance with participant directions received in good order of individual participant accounts to investment funds offered under the Plan. Participants can complete allocations through Investor Services, Voice Response System or through Account Access, the secure participant online system provided by ICMA-RC.
- (d) Maintenance of individual accounts for participants reflecting amounts deferred, income, gain or loss credited, and amounts distributed as benefits.
- (e) Maintenance of records for all participants for whom participant accounts have been established. These files shall include enrollment instructions (provided to ICMA-RC through Account Access, EZLink or form), beneficiary designation instructions and all other documents concerning each participant's account, and if applicable, records of any transaction conducted through the Voice Response Unit ("VRU"), Account Access or other electronic means.
- (f) Provision of periodic reports to the Employer through EZLink. Participants will have access to account information through Investor Services, Voice Response System, Account Access and through quarterly statements that can be delivered electronically through Account Access or by postal service.
- (g) Communication to participants of information regarding their rights and elections under the Plan.
- (h) Making available Investor Services Representatives through a toll-free telephone number from 8:30 a.m. to 9:00 p.m. Eastern Time, Monday through Friday (excluding holidays and days on which the securities

markets or ICMA-RC are closed for business (including emergency closings), to assist participants.

- (i) Making available a toll-free number and access to VantageLine, ICMA-RC's interactive VRU, and ICMA-RC's web site, to allow participants to access certain account information and initiate plan transactions at any time. Account access and VantageLine are normally available 24 hours a day, seven days a week except during scheduled maintenance periods designed to ensure high-quality performance. The scheduled maintenance window is outlined at <https://harper1.icmarc.org/login.jsp>
- (j) Distribution of benefits as agent for the Employer in accordance with terms of the Plan. Participants who have separated from service can request distributions through Account Access or via form.
- (k) Upon approval by the Employer that a domestic relations order is an acceptable qualified domestic relations order under the terms of the Plan, ICMA-RC will establish a separate account record for the alternate payee and provide for the investment and distribution of assets held thereunder.
- (l) Loans may be made available on the terms specified in the Loan Guidelines, if loans are adopted by the Employer. Participants can request loans through Investor Services or Account Access.
- (m) Guided Pathways – Participant Advice and Guidance may be made available through a third party vendor on the terms specified on ICMA-RC's website.
- (n) ICMA-RC will determine appropriate delivery method (electronic and/or print) for plan sponsor/participant communications and education based on a number of factors (audience, effectiveness, etc.)

ADMINISTRATIVE SERVICES AGREEMENT

Between

ICMA Retirement Corporation

and

Town of Lake Park

Type: 457

Account #: 307143

ADMINISTRATIVE SERVICES AGREEMENT

This Administrative Services Agreement (“Agreement”), made as of the day of , 2014 (herein referred to as the “Inception Date”), between the International City Management Association Retirement Corporation (“ICMA-RC”), a nonprofit corporation organized and existing under the laws of the State of Delaware, and the Town of Lake Park (“Employer”), a Town organized and existing under the laws of the State of Florida with an office at 535 Park Avenue, Lake Park, Florida 33403.

RECITALS

Employer acts as public plan sponsor of a retirement plan (“Plan”), and in that capacity, has responsibility to obtain administrative services and investment alternatives for the Plan;

VantageTrust (the “Trust”) is a group trust established and maintained in accordance with Florida Revised Statutes Annotated section 391:1 and Internal Revenue Service Revenue Ruling 81-100, 1981-1 C.B. 326, which provides for the commingled investment of retirement funds held by various state and local governmental units for their employees;

ICMA-RC acts as investment adviser to VantageTrust Company, the Trustee of the Trust;

ICMA-RC has designed, and the Trust offers, a series of separate funds (the “Funds”) for the investment of plan assets as referenced in the Trust’s principal disclosure document, “Making Sound Investment Decisions: A Retirement Investment Guide” and the accompanying VantageTrust Fund Fees and Expenses document (“Retirement Investment Guide”).

The Funds are available only to public employers and only through the Trust and ICMA-RC.

In addition to serving as investment adviser to the Trust, ICMA-RC provides a range of services to public employers for the operation of employee retirement plans including, but not limited to, communications concerning investment alternatives, account maintenance, account recordkeeping, investment and tax reporting, transaction processing, benefit disbursement, and asset management.

AGREEMENTS

1. Appointment of ICMA-RC

Employer hereby appoints ICMA-RC as Administrator of the Plan to perform all nondiscretionary functions necessary for the administration of the Plan. The functions to be performed by ICMA-RC shall be those set forth in Exhibit A to this Agreement.

2. Adoption of Trust

Employer has adopted the Declaration of Trust of VantageTrust Company and agrees to the commingled investment of assets of the Plan within the Trust. Employer agrees that operation of the Plan and the investment, management, and distribution of amounts deposited in the Trust shall be subject to the Declaration of Trust, as it may be amended from time to time and shall also be subject to terms and conditions set forth in disclosure documents (such as the Retirement Investment Guide or Employer Bulletins) as those terms and conditions may be adjusted from time to time.

3. Employer Duty to Furnish Information

Employer agrees to furnish to ICMA-RC on a timely basis such information as is necessary for ICMA-RC to carry out its responsibilities as Administrator of the Plan, including information needed to allocate individual participant accounts to Funds in the Trust, and information as to the employment status of participants, and participant ages, addresses, and other identifying information (including tax identification numbers). Employer also agrees that it will notify ICMA-RC in a timely manner regarding changes in staff as it relates to various roles. This is to be completed through the online EZLink employer contact options. ICMA-RC shall be entitled to rely upon the accuracy of any information that is furnished to it by a responsible official of the Employer or any information relating to an individual participant or beneficiary that is furnished by such participant or beneficiary, and ICMA-RC shall not be responsible for any error arising from its reliance on such information. ICMA-RC will provide reports, statements and account information to the Employer through EZLink, the online plan administrative tool.

Employer is required to send in contributions through EZLink, the online plan administration tool provided by ICMA-RC. Alternative electronic methods may be allowed, but must be approved by ICMA-RC for use. Contributions may not be sent through paper submittal documents.

To the extent Employer selects third-party funds that do not have fund profile information provided to ICMA-RC through our electronic data feeds from external sources (such as Morningstar) or third party fund providers, the Employer is responsible for providing to ICMA-RC timely fund investment updates for disclosure to Plan participants. Such updates may be provided to ICMA-RC through the Employer's investment consultant or other designated representative.

Failure to provide timely fund profile update information, including the source of the information, may result in a lack of fund information for participants, as ICMA-RC will remove outdated fund profile information from the systems that provide fund information to Plan participants.

4. Certain Representations and Warranties

ICMA-RC represents and warrants to Employer that:

- (a) ICMA-RC is a non-profit corporation with full power and authority to enter into this Agreement and to perform its obligations under this Agreement. The ability of ICMA-RC to serve as investment adviser to the Trust is dependent upon the continued willingness of the Trust for ICMA-RC to serve in that capacity.
- (b) ICMA-RC is an investment adviser registered as such with the U.S. Securities and Exchange Commission under the Investment Advisers Act of 1940, as amended. ICMA-RC Services, LLC (a wholly owned subsidiary of ICMA-RC) is registered as a broker-dealer with the U.S. Securities and Exchange Commission ("SEC") and is a member in good standing with Financial Industry Regulatory Authority ("FINRA") and the Securities Investor Protection Corporation ("SIPC").
- (c) ICMA-RC shall maintain and administer the Plan in compliance with the requirements for eligible deferred compensation plans under Section 457 of the Internal Revenue Code and other applicable federal law; provided, however, that ICMA-RC shall not be responsible for the eligible status of the Plan in the event that the Employer directs ICMA-RC to administer the Plan or disburse assets in a manner inconsistent with the requirements of Section 457 or otherwise causes the Plan not to be carried out in accordance with its terms. Further, in the event that the Employer uses its own customized plan document, ICMA-RC shall not be responsible for the eligible status of the Plan to the extent affected by terms in the Employer's plan document that differ from those in ICMA-RC's standard plan document. ICMA-RC shall not be responsible for monitoring state or local law or for administering the Plan in compliance with local or state requirements unless Employer notifies ICMA-RC of any such local or state requirements.

Employer represents and warrants to ICMA-RC that:

- (d) Employer is organized in the form and manner recited in the opening paragraph of this Agreement with full power and authority to enter into and perform its obligations under this Agreement and to act for the Plan and participants in the manner contemplated in this Agreement. Execution, delivery, and performance of this Agreement will not conflict with any

law, rule, regulation or contract by which the Employer is bound or to which it is a party.

- (e) Employer understands and agrees that ICMA-RC's sole function under this Agreement is to act as recordkeeper and to provide administrative, investment or other services at the direction of Plan participants, the Employer, its agents or designees in accordance with the terms of this Agreement. Under the terms of this Agreement, ICMA-RC does not render investment advice, is not the Plan Administrator or Plan Sponsor as those terms are defined under applicable federal, state, or local law, and does not provide legal, tax or accounting advice with respect to the creation, adoption or operation of the Plan and the Trust. ICMA-RC does not perform any service under this Agreement that might cause ICMA-RC to be treated as a "fiduciary" of the Plan under applicable law.
- (f) Employer acknowledges and agrees that ICMA-RC does not assume any responsibility with respect to the selection or retention of the Plan's investment options. Employer shall have exclusive responsibility for the Plan's investment options, including the selection of the applicable mutual fund share class. Where applicable, Employer understands that the VT Retirement Income Advantage Fund is an investment option for the Plan and that the fund invests in a separate account available through a group variable annuity contract. By entering into this Agreement, Employer acknowledges that it has received the Important Considerations document and the Retirement Investment Guide and that it has read the information therein concerning the VT Retirement Income Advantage Fund.
- (g) Employer acknowledges that certain such services to be performed by ICMA-RC under this Agreement may be performed by an affiliate or agent of ICMA-RC pursuant to one or more other contractual arrangements or relationships, and that ICMA-RC reserves the right to change vendors with which it has contracted to provide services in connection with this Agreement without prior notice to Employer.
- (h) Employer acknowledges that it has received ICMA-RC's Fee Disclosure Statement, prepared in substantial conformance with ERISA regulations regarding the disclosure of fees to plan sponsors.
- (i) Employer approves the use of its Plan in ICMA-RC external media, publications and materials. Examples include press releases announcements and inclusion of the general plan information in request for proposal responses.

5. Participation in Certain Proceedings

The Employer hereby authorizes ICMA-RC to act as agent, to appear on its behalf, and to join the Employer as a necessary party in all legal proceedings involving the garnishment of benefits or the transfer of benefits pursuant to the divorce or separation of participants in the Plan. Unless Employer notifies ICMA-RC otherwise, Employer consents to the disbursement by ICMA-RC of benefits that have been garnished or transferred to a former spouse, current spouse, or child pursuant to a domestic relations order or child support order.

6. Compensation and Payment

- (a) **Plan Administration Fee.** The amount to be paid for plan administration services under this Agreement shall be 0.55% per annum of the amount of Plan assets invested in the Trust. Such fee shall be computed based on average daily net Plan assets in the Trust.
- (b) **Mutual Fund Services Fee.** There is an annual charge of 0.15% assessed against average daily net Plan assets invested in the Trust's non-proprietary Trust Series funds.
- (c) **Compensation for Management Services to the Trust, Compensation for Advisory and other Services to The Vantagepoint Funds and Payments from Third-Party Mutual Funds.** Employer acknowledges that in addition to amounts payable under this Agreement, ICMA-RC receives fees from the Trust for investment advisory services and plan and participant services furnished to the Trust. Employer further acknowledges that certain wholly owned subsidiaries of ICMA-RC receive compensation for advisory and other services furnished to The Vantagepoint Funds, which serve as the underlying portfolios of a number of Funds offered through the Trust. For a Trust fund that invests substantially all of its assets in a third-party mutual fund not affiliated with ICMA-RC, ICMA-RC or its wholly owned subsidiary receives payments from the third-party mutual fund families or their service providers in the form of 12b-1 fees, service fees, compensation for sub-accounting and other services provided based on assets in the underlying third-party mutual fund. These fees are described in the Retirement Investment Guide and ICMA-RC's Fee Disclosure Statement. In addition, to the extent that third party mutual funds are included in the investment line-up for the Plan, ICMA-RC receives administrative fees from its third party mutual fund settlement and clearing agent for providing administrative and other services based on assets invested in third party mutual funds; such administrative fees come from payments made by third party mutual funds to the settlement and clearing agent.
- (d) **Redemption Fees.** Redemption fees imposed by outside mutual funds in which Plan assets are invested are collected and paid to the mutual fund by

ICMA-RC. ICMA-RC remits 100% of redemption fees back to the specific mutual fund to which redemption fees apply. These redemption fees and the individual mutual fund's policy with respect to redemption fees are specified in the prospectus for the individual mutual fund and referenced in the Retirement Investment Guide.

- (e) **Payment Procedures.** All payments to ICMA-RC pursuant to this Section 6 shall be made from Plan assets held by the Trust or received from third party mutual funds or their service providers in connection with Plan assets invested in such third party mutual funds, to the extent not paid by the Employer. The amount of Plan assets held through the Trust shall be adjusted by the Trust as required to reflect any such payments as are made from Plan assets invested in the Trust. In the event that the Employer agrees to pay amounts owed pursuant to this section 6 directly, any amounts unpaid and outstanding after 30 days of invoice to the Employer shall be withdrawn from Plan assets held by the Trust.

The compensation and payment set forth in this section 6 is contingent upon the Employer's use of ICMA-RC's EZLink system for contribution processing and submitting contribution funds by ACH or wire transfer on a consistent basis over the term of this Agreement.

7. Contribution Remittance

Employer understands that amounts invested through the Trust are to be remitted directly to the Trust in accordance with instructions provided to Employer by ICMA-RC and are not to be remitted to ICMA-RC. In the event that any check or wire transfer is incorrectly labeled or transferred to ICMA-RC, ICMA-RC may return it to Employer with proper instructions.

8. Indemnification

ICMA-RC shall not be responsible for any acts or omissions of any person with respect to the Plan or related Trust, other than ICMA-RC in connection with the administration or operation of the Plan. Employer shall indemnify ICMA-RC against, and hold ICMA-RC harmless from, any and all loss, damage, penalty, liability, cost, and expense, including without limitation, reasonable attorney's fees, that may be incurred by, imposed upon, or asserted against ICMA-RC by reason of any claim, regulatory proceeding, or litigation arising from any act done or omitted to be done by any individual or person with respect to the Plan or related Trust, excepting only any and all loss, damage, penalty, liability, cost or expense resulting from ICMA-RC's negligence, bad faith, or willful misconduct.

9. Term

This Agreement shall be in effect and commence on the date all parties have signed and executed this Agreement ("Inception Date"). This Agreement may be terminated without

penalty by either party on sixty days advance notice in writing to the other; provided however, that the Employer understands and agrees that, in the event the Employer terminates this Agreement (or replaces the VT PLUS Fund as an investment option in its investment line-up), ICMA-RC retains full discretion to release Plan assets invested in the VT PLUS Fund in an orderly manner over a period of up to 12 months from the date ICMA-RC receives written notification from the Employer that it has made a final and binding selection of a replacement for ICMA-RC as administrator of the Plan (or a replacement investment option for the VT PLUS Fund).

10. Amendments and Adjustments

- (a) This Agreement may be amended by written instrument signed by the parties.
- (b) ICMA-RC may amend this agreement by providing 60 days' advance written notice to the Employer prior to the effective date of such proposed amendment. Such amendment shall become effective unless, within the 60-day notice period, the Employer notifies ICMA-RC in writing that it objects to such amendment.
- (c) The parties agree that enhancements may be made to administrative and operations services under this Agreement. The Employer will be notified of enhancements through the Employer Bulletin, quarterly statements, electronic messages or special mailings. Likewise, if there are any reductions in fees, these will be announced through the Employer Bulletin, quarterly statement, electronic or special mailing.

11. Notices

All notices required to be delivered under this Agreement shall be in writing and shall be delivered, mailed, e-mailed or faxed to the location of the relevant party set forth below or to such other address or to the attention of such other persons as such party may hereafter specify by notice to the other party.

ICMA-RC: Legal Department, ICMA Retirement Corporation, 777
North Capitol Street, N.E., Suite 600, Washington, D.C., 20002-4240
Facsimile; (202) 962-4601

Employer: at the office set forth in the first paragraph hereof, or to any other address, facsimile number or e-mail address designated by the Employer to receive the same by written notice similarly given.

Each such notice, request or other communication shall be effective: (i) if given by facsimile, when transmitted to the applicable facsimile number and there is appropriate confirmation of receipt; (ii) if given by mail or e-mail, upon transmission to the designated address with no indication that such address is invalid or incorrect; or (iii) if given by any other means, when actually delivered at the aforesaid address.

12. Complete Agreement

This Agreement shall constitute the complete and full understanding and sole agreement between ICMA-RC and Employer relating to the object of this Agreement and correctly sets forth the complete rights, duties and obligations of each party to the other as of its date. This Agreement supersedes all written and oral agreements, communications or negotiations among the parties. Any prior agreements, promises, negotiations or representations, verbal or otherwise, not expressly set forth in this Agreement are of no force and effect.

13. Titles

The headings of Sections of this Agreement and the headings for each of the attached schedules are for convenience only and do not define or limit the contents thereof.

14. Incorporation of Schedules

All Schedules (and any subsequent amendments thereto), attached hereto, and referenced herein, are hereby incorporated within this Agreement as if set forth fully herein.

15. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, applicable to contracts made in that jurisdiction without reference to its conflicts of laws provisions.

Exhibit A

Administrative Services

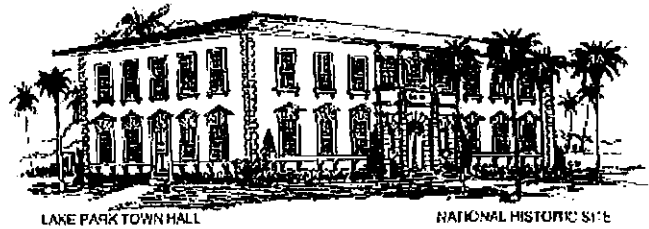
The administrative services to be performed by ICMA-RC under this Agreement shall be as follows:

- (a) Participant enrollment services, including providing a welcome package and enrollment kit containing instructions and notices necessary to implement the Plan's administration. Employees will enroll online or through form. ICMA-RC will provide an enrollment link through the general ICMA-RC web site. Plan sponsor will also make available the online enrollment link in their Intranet site or via email to new employees. Employer can also enroll employees through EZLink.
- (b) Establishment of participant accounts for each employee participating in the Plan for whom ICMA-RC receives appropriate enrollment instructions. ICMA-RC is not responsible for determining if such Plan participants are eligible under the terms of the Plan.
- (c) Allocation in accordance with participant directions received in good order of individual participant accounts to investment funds offered under the Plan. Participants can complete allocations through Investor Services, Voice Response System or through Account Access, the secure participant online system provided by ICMA-RC.
- (d) Maintenance of individual accounts for participants reflecting amounts deferred, income, gain or loss credited, and amounts distributed as benefits.
- (e) Maintenance of records for all participants for whom participant accounts have been established. These files shall include enrollment instructions (provided to ICMA-RC through Account Access, EZLink or form), beneficiary designation instructions and all other documents concerning each participant's account, and if applicable, records of any transaction conducted through the Voice Response Unit ("VRU"), Account Access or other electronic means.
- (f) Provision of periodic reports to the Employer through EZLink. Participants will have access to account information through Investor Services, Voice Response System, Account Access and through quarterly statements that can be delivered electronically through Account Access or by postal service.
- (g) Communication to participants of information regarding their rights and elections under the Plan.
- (h) Making available Investor Services Representatives through a toll-free telephone number from 8:30 a.m. to 9:00 p.m. Eastern Time, Monday through Friday (excluding holidays and days on which the securities

markets or ICMA-RC are closed for business (including emergency closings), to assist participants.

- (i) Making available a toll-free number and access to VantageLine, ICMA-RC's interactive VRU, and ICMA-RC's web site, to allow participants to access certain account information and initiate plan transactions at any time. Account access and VantageLine are normally available 24 hours a day, seven days a week except during scheduled maintenance periods designed to ensure high-quality performance. The scheduled maintenance window is outlined at <https://harper1.icmarc.org/login.jsp>
- (j) Distribution of benefits as agent for the Employer in accordance with terms of the Plan. Participants who have separated from service can request distributions through Account Access or via form.
- (k) Upon approval by the Employer that a domestic relations order is an acceptable qualified domestic relations order under the terms of the Plan, ICMA-RC will establish a separate account record for the alternate payee and provide for the investment and distribution of assets held thereunder.
- (l) Loans may be made available on the terms specified in the Loan Guidelines, if loans are adopted by the Employer. Participants can request loans through Investor Services or Account Access.
- (m) Guided Pathways – Participant Advice and Guidance may be made available through a third party vendor on the terms specified on ICMA-RC's website.
- (n) ICMA-RC will determine appropriate delivery method (electronic and/or print) for plan sponsor/participant communications and education based on a number of factors (audience, effectiveness, etc.)

*The Town of
Lake Park
Office of the Town Manager*



"Jewel" of the Palm Beaches

CJA

June 17, 2010

Mr. Guy Masters
Business Representative
Federation of Public Employees
1700 NW 66th Avenue
Suite 100-A
Plantation, Florida 33313

Subject: Adoption of International City/County Management Association Pension Plan
and Deferred Compensation Plan

Dear Mr. Masters:

On August 31, 2009, we met with you and Attorney Kathleen Phillips for the purpose of negotiating with the Federation of Public Employees the adoption of the International City/County Management Association (ICMA) pension plan and deferred compensation plan to replace the Town's current pension plan and deferred compensation through VALIC. Subsequent to this meeting, we provided documentation to Ms. Phillips that she had requested.

In follow-up to such meeting, a conference call took place on June 9, 2010 between you, Attorney Kathleen Phillips, Finance Director Anne Costello, and Human Resources Director Bambi McKibben-Turner, during which we confirmed that upon adoption of the ICMA Retirement Corporation Governmental Money-Purchase Plan and Trust:

- The provider of the 401(a) pension plan and the 457(b) deferred compensation plan offered to the employees of the Town of Lake Park will change from the current provider VALIC to the ICMA Retirement Corporation Governmental Money-Purchase Plan and Trust administered by the International City/County Management Association Retirement Corporation (ICMA-RC);
- The contribution rate and vesting schedule for the pension plan and deferred compensation plan will remain unchanged;
- The distribution and pay-out provisions will remain unchanged;

- Town employees will be able to participate through payroll deduction in a Roth IRA as part ICMA Retirement Corporation Governmental Money-Purchase Plan; and
- The administrative fees will be reduced from the current 90-100 basis points with VALIC to around 55 basis points for the administration of the ICMA Retirement Corporation Governmental Money-Purchase Plan and Trust.

It is understood and agreed by both the Town of Lake Park and the Federation of Public Employees that the adoption of the ICMA pension plan and deferred compensation to replace the Town's current VALIC pension plan and deferred compensation plan is contingent upon approval by the Commission of the Town of Lake Park of the Resolution implementing such change.

Enclosed are three originals of this letter which have been executed by the Town of Lake Park. Please indicate your approval of the adoption of the International City/County Management Association (ICMA) pension plan and deferred compensation plan to replace the Town's current pension plan and deferred compensation through VALIC by having all three originals of this letter executed and dated on behalf of the Union, and by returning two fully executed originals to us for our files.

ON BEHALF OF THE
TOWN OF LAKE PARK

W. Davis
TOWN MANAGER

6/17/10
DATE

ON BEHALF OF THE UNION
Federation of Public Employees, A
Division of the National Federation Of
Public and Private Employees (AFL-

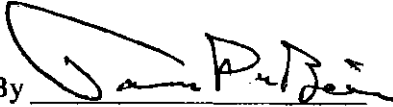
910)
[Signature]
BUSINESS REPRESENTATIVE

[Signature]
DIVISION PRESIDENT

6/23/10
DATE

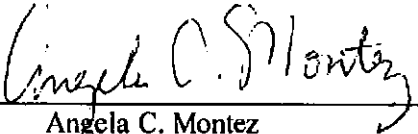
In Witness Whereof, the parties hereto certify that they have read and understand this Agreement and all Schedules attached hereto and have caused this Agreement to be executed by their duly authorized officers as of the Inception Date first above written.

TOWN OF LAKE PARK

By  Date 2/19/14
Signature

James DuBois - Mayor
Name and Title (Please Print)

INTERNATIONAL CITY MANAGEMENT ASSOCIATION
RETIREMENT CORPORATION

By 
Angela C. Montez
Assistant Corporate Secretary

Please return fully executed contract to: New Business Unit
ICMA-RC
777 North Capitol Street NE
Suite 600
Washington DC 20002-4240

Exhibit "E"

SmartWater CSI, LLC™ is a high technology company with an established track record of crime deterrence and theft reduction.

SmartWater is an asset protection system in the form of a clear liquid which contains a unique forensic code that is extremely robust and guaranteed to last a minimum of 5 years within all weather conditions. It is applied to items of value – personal, commercial, and industrial – which are frequently the target of theft.

The non-hazardous patented liquid leaves a long-lasting identifying mark that is invisible except under ultraviolet black light. Law enforcement officials take the smallest micro-fragment of SmartWater from stolen property and send it to SmartWater's forensic laboratories, where it is scientifically analyzed to identify the owner.

As a result, thieves who make the mistake of targeting SmartWater marked-assets face a far greater risk of successful prosecution. Ultimately, as the statistics over the past 15 years exhibit, crime is reduced and the public enjoys a safer environment.

SmartWater CSI's offices are located at 110 East Broward Boulevard, Suite 1700, Fort Lauderdale, Florida.

TAB 2



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 2, 2014

Agenda Item No. 2

Agenda Title: Authorizing and Directing the Mayor to Execute an Interlocal Agreement with Palm Beach County for Participation in the Urban County Program for FY 2015-2017.

- SPECIAL PRESENTATION/REPORTS **CONSENT AGENDA**
- BOARD APPOINTMENT OLD BUSINESS
- PUBLIC HEARING ORDINANCE ON _____ READING
- NEW BUSINESS
- OTHER: _____

Approved by Town Manager *DSS* Date: 6/10/14

Dale S. Sugerman, Ph.D./Town Manager
Name/Title

Originating Department: <p style="text-align: center;">Town Manager</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: <ul style="list-style-type: none"> • Interlocal Agreement • Resolution • Letter of Introduction from Palm Beach County
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u>DSS</u> Please initial one.

Summary Explanation/Background:

The Town of Lake Park participates cooperatively with Palm Beach County in the administration of the Community Development Block Grant (CDBG) program, the Home Investment Partnership (HOME) program and the Emergency Solutions Grant (ESG) program, rather than working directly with the State of Florida or the federal government. In essence, we are a sub-recipient to the County for all of these programs (which the County identifies as the Urban County Program). In order to participate as a sub-recipient, the Town must enter into an Interlocal Agreement with Palm Beach County. This agenda item

is to authorize and direct the Mayor to sign the Interlocal Agreement so that the Town of Lake Park can participate directly with Palm Beach County as a sub recipient under their Urban County Program for the three year period of 2015 to 2017.

Recommended Motion: I move to approve Resolution No. 18-07-14

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN PALM BEACH COUNTY
AND
TOWN OF LAKE PARK**

THIS AGREEMENT made and entered into on _____, by and between **Palm Beach County**, a political subdivision of the State of Florida, hereinafter referred to as the "County", and **Town of Lake Park**, a municipality duly organized and existing by virtue of the laws of the State of Florida, hereinafter referred to as the "Municipality".

WHEREAS, the parties hereto have the common power to perform Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program and Home Investment Partnerships (HOME) Program activities within their jurisdictions, said common powers being pursuant to Section 125.01, Florida Statutes, and Chapter 163, Part III, Florida Statutes; and

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, mandates that a county must enter into interlocal cooperation agreements with municipalities in its jurisdiction for the purposes of implementing CDBG activities within said municipalities; and

WHEREAS, such interlocal cooperation agreements are also required to implement the HOME Program under Title II of the National Affordable Housing Act of 1990, as amended, and the ESG Program under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act); and

WHEREAS, the County desires to join with the Municipality in order to carry out the planning and professional services necessary to implement the CDBG, ESG and HOME Programs during Federal Fiscal Years 2015, 2016 and 2017, and during subsequent Federal Fiscal Years; and

WHEREAS, the County and the Municipality agree to cooperate to undertake or assist in undertaking community renewal and lower income housing assistance activities; and

WHEREAS, the County and Municipality wish to cooperate in the implementation of the goals and objectives of the County's Consolidated Plan, as approved by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Municipality desires to cooperate with the County for the purpose of implementing the CDBG, ESG and HOME Programs; and

WHEREAS, the governing bodies of the County and the Municipality have each authorized this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed as follows:

1. This Agreement covers the CDBG, ESG and HOME Programs and pertains to funds that the County is qualified to receive from HUD under said Programs for Federal Fiscal Years 2015, 2016 and 2017 which cover the three-year urban county qualification period beginning on October 1, 2015, and ending on September 30, 2018 (hereinafter the "Qualification Period"). This Agreement shall remain in effect until the CDBG, ESG and HOME funds and program income received (with respect to activities carried out during the Qualification Period and during any subsequent three-year qualification periods covered by any renewal of this Agreement) are expended and the funded activities are completed. Neither the Municipality nor the County may terminate, or withdraw from, this Agreement while it remains in effect.
2. This Agreement shall be automatically renewed for a three-year qualification period at the end of the Qualification Period and at the end of each subsequent qualification period unless either party provides the other party a written notice in which it elects not to participate in a new qualification period. If such notice be given, the party electing not to participate shall also send a copy of the written notice to the HUD field office with jurisdiction over the County.

The County shall, by the date specified in HUD's Urban County Qualification Notice for the next qualification period, notify the Municipality in writing of its right not to participate, and the County shall provide a copy of such written notice to the HUD field office with jurisdiction over the County by the date specified in the Urban County Qualification Notice.

3. While this Agreement is in full force and effect, during the Qualification Period and during any subsequent three-year qualification periods covered by any renewal of this Agreement, the County and the Municipality agree to amend this Agreement to incorporate any changes necessary to meet the requirements for cooperation agreements as set forth by HUD in its Urban County Qualification Notices applicable to all subsequent three-year qualification periods, and to provide HUD such amendments as provided in the Urban County Qualification Notices. Failure to comply with the aforesaid shall void the automatic renewal of this Agreement.

4. The Municipality, by executing this Agreement, understands that:
 - (a) It may not apply for any grants from appropriations under the State of Florida CDBG Program for fiscal years during the period in which it participates in the County's CDBG Program.
 - (b) It may receive a formula allocation under the HOME Program only through the County. Even if the County does not receive a HOME formula allocation, the Municipality understands that it may not receive HOME Program funds from a HOME consortium with other local governments. This, however, does not preclude the County or the Municipality from applying to the State of Florida for HOME Program funds if the State of Florida so allows.
 - (c) It may receive a formula allocation under the ESG Program only through the County. This, however, does not preclude the County or the Municipality from applying to the State of Florida for ESG Program funds if the State of Florida so allows.
5. This Agreement is contingent upon the County's qualification as an "urban county" under the CDBG Program as determined by HUD, as well as HUD's award of funds under the CDBG, ESG and HOME Programs.
6. The County and the Municipality agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities. The County and the Municipality also agree to cooperate to enable the County to expend CDBG, ESG and HOME Program funds on eligible activities within the Municipality's jurisdiction during the Qualification Period and during any subsequent qualification periods covered by the renewal of this Agreement.
7. The Municipality shall assist and cooperate with the County in the preparation of the HUD required Consolidated Plan for the use of CDBG, ESG, and HOME Program funds. The County shall prepare the Consolidated Plan application and other necessary documents, and shall take full responsibility and assume all obligations as the applicant. The County and the Municipality agree to comply with said Consolidated Plan and implement activities as outlined in the Action Plan approved by HUD for the use of CDBG, ESG, and HOME Program funds. The County and the Municipality agree that the County is hereby permitted to undertake or assist in undertaking essential community development and housing assistance activities within the Municipality's jurisdiction.
8. The County, through its Department of Economic Sustainability, shall assist the Municipality in undertaking all professional and administrative services necessary for the purposes of implementing activities of the CDBG, ESG and HOME Programs, including preparation of all applications and other necessary documents, planning and other administrative activities, as required.

9. Pursuant to 24 CFR 570.501(b), the Municipality is subject to the same requirements applicable to subrecipients, including the requirements of a written agreement as described in 24 CFR 570.503.
10. The Municipality may not sell, trade, or otherwise transfer all or any portion of CDBG Program funds to another metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG Program funds in exchange for any other funds, credits or non-Federal considerations, but must use such CDBG Program funds for activities under Title I of the Housing and Community Development Act of 1974, as amended.
11. The Municipality and the County shall take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The Municipality and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975), the Americans with Disabilities Act of 1990 and other applicable laws. The County shall not fund any activities in, or in support of, the Municipality should the Municipality not affirmatively further fair housing within its jurisdiction or should the Municipality impede the County's actions to comply with the County's fair housing certification.
12. The Municipality agrees that no person shall on the grounds of race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity or expression, or genetic information, be excluded from the benefits of, or be subjected to discrimination under, any activity carried out by the performance of this Agreement. Upon receipt of evidence of such discrimination, the County shall have the right to terminate this Agreement.
13. The Municipality has adopted, and is enforcing, a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and the Municipality has adopted, and is enforcing, a policy of enforcing applicable State and local laws against physically barring entrance to, or exit from, a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.
14. Palm Beach County has established the Office of Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes, but is not limited to, the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of the Municipality, its officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud. Failure to

Town of Lake Park

cooperate with the Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 to 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

15. No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employees of the County and/or the Municipality.
16. Nothing contained herein shall be deemed to authorize the delegation of the constitutional or statutory duties of the state, county or municipal officers.
17. A copy of this Agreement shall be filed with the Clerk and Comptroller in and for Palm Beach County.

(THIS SPACE INTENTIONALLY LEFT BLANK)

18. Any prior agreements or contracts regarding the duties and obligations of the parties enumerated herein are hereby declared to be null and void.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officials.

(MUNICIPAL SEAL BELOW)

**TOWN OF LAKE PARK, a
municipality duly organized and existing by
virtue of the laws of the State of Florida**

ATTEST:

By: _____
James Dubois, Mayor

By: _____
Vivian Mendez, Town Clerk

By: _____
Dale S. Sugerman, Ph.D., Town Manager

(COUNTY SEAL BELOW)

**PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS**

ATTEST: SHARON R. BOCK,
Clerk & Comptroller

By: _____
Priscilla A. Taylor, Mayor

By: _____
Deputy Clerk

Document No.: _____

Approved as to Form and
Legal Sufficiency

Approved as to Terms and Conditions
Department of Economic Sustainability

By: _____
Tammy K. Fields,
Chief Assistant County Attorney

By: _____
Sherry Howard
Deputy Director

LEGAL CERTIFICATION BY PALM BEACH COUNTY

As Legal Counsel for Palm Beach County, Florida, I hereby state that the terms and provisions of this Agreement entered into on _____ by and between **Palm Beach County** and **Town of Lake Park** are fully authorized under State and local law, and that the Agreement provides full legal authority for Palm Beach County to undertake, or assist in undertaking, community renewal and lower income housing assistance activities.

Tammy K. Fields, Chief Assistant County Attorney
Palm Beach County, Florida

RESOLUTION NO. 18-07-14

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO PERFORM COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), EMERGENCY SOLUTIONS GRANT (ESG), AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ACTIVITIES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town of Lake Park (Town) is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Section 163.01, F.S. permits local governments to make the most efficient use of their powers by enabling them to cooperate with one another on a basis of mutual advantage by providing services and facilities that will be mutually beneficial to the local communities; and

WHEREAS, the parties hereto have the common power to perform Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) Programs, and Home Investment Partnerships (HOME) Program activities within their jurisdictions, said common powers being pursuant to Section 125.01, Florida Statutes, and Chapter 166 Florida Statutes; and

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, mandates that a county must enter into interlocal agreements with those eligible municipalities in its jurisdiction for the purposes of implementing CDBG activities within said municipalities; and

WHEREAS, such interlocal agreements are also required to implement the HOME Program under Title II of the National Affordable Housing Act of 1990, as amended, and the ESG Program under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act); and

WHEREAS, the Town is entering into this Interlocal agreement with the County to carry out the planning and professional services necessary to implement the CDBG, ESG and HOME Programs during Federal Fiscal Years 2015, 2016 and 2017, and during subsequent Federal Fiscal Years; and

WHEREAS, the Town and the County agree to cooperate to undertake or assist in undertaking community renewal and lower income housing assistance activities; and

WHEREAS, the County and the Town wish to cooperate in the implementation of the goals and objectives of the County's Consolidated Plan, as approved by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Town desires to cooperate with the County for the purpose of implementing the CDBG, ESG and HOME Programs; and

WHEREAS, the governing bodies of the Town and the County have each authorized this Agreement.

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

Section 1. The Whereas clauses are incorporated herein as true and correct and as the findings of the Town Commission.

Section 2. The Town Commission hereby authorizes and directs the Mayor to execute the Interlocal Agreement with Palm Beach County, a copy of which is attached hereto and incorporated herein.

Section 3. This Resolution shall take effect upon adoption.



May 27, 2014

Mr. Dale Sugerman, Town Manager
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

Re: Participation in the Urban County Program for FY 2015-2017

Dear Mr. Sugerman:

The current cooperation agreement between the Town of Lake Park and Palm Beach County through which the Town of Lake Park participates in the Palm Beach County Urban County Jurisdiction is expiring. The Town of Lake Park is therefore invited to execute a new agreement to participate in the Palm Beach County Urban County Program for FYs 2015, 2016 and 2017 and which will automatically renew every three years upon the Town's concurrence. The agreement will enable your municipality and its residents to continue to access funds under the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME) Program, and Emergency Solutions Grant (ESG) Programs as a part of the Palm Beach County Entitlement Jurisdiction. In addition, by participating with the County, your municipality will be eligible to receive economic stimulus or disaster recovery funding which is distributed to the County by the U.S. Department of Housing and Urban Development (HUD).

The Department of Economic Sustainability (DES) will provide to you the unsigned agreement within 10 days of the date of this letter. HUD has established a very short deadline to receive the executed agreement, therefore, DES is requesting that the agreements be placed on the agenda of your earliest Town Commission meeting. DES will be in touch with you to ascertain the name of a Town staff contact and provide them any required assistance. We will also be available to attend your Town Commission's meeting to give a presentation and answer questions

Be advised that participation in the County's Program will preclude your application for State CDBG funds, but you may still apply for State HOME and ESG funds if the state allows. If you choose not to renew this agreement, by June 20, 2014, you must notify DES and HUD in writing of your decision not to participate in the County's Urban Entitlement Jurisdiction. Please address such notification to DES's address listed above and to HUD as follows:

**Department of
Economic Sustainability
Strategic Planning & Operations**

100 Australian Avenue, Suite 500
West Palm Beach, FL 33406
(561) 233-3600
www.pbcgov.com/des



**Palm Beach County
Board of County
Commissioners**

Priscilla A. Taylor, Mayor
Paulette Burdick, Vice Mayor
Hal R. Valeche
Shelley Vana
Steven L. Abrams
Mary Lou Berger
Jess R. Santamaria

County Administrator

Robert Weisman

*"An Equal Opportunity
Affirmative Action Employer"*



Ann D. Chavis, CPD Director
U.S. Department of Housing & Urban Development
Florida State Office, Brickell Plaza Federal Building
909 Southeast First Avenue, Room 500
Miami, FL 33131

If you have any questions, please contact Carlos Serrano, Director, Strategic Planning and Operations at 561-233-3608 or Clement Clarke, Principal Planner at 561-233-3622.

Sincerely,

A handwritten signature in blue ink, which appears to read "Edward W. Lowery, J.D.", is written over a blue ink stamp of the same name.

Edward W. Lowery, J.D., Director
Department of Economic Sustainability

cc: Vivian Mendez, Town Clerk
Sherry Howard, Deputy Director, DES
Betsy Barr, Director of Contracts and Quality Control, DES
Carlos Serrano, Director, Strategic Planning, DES
Clement C. Clarke, Principal Planner, DES

**Ordinance
on
First
Reading**

TAB 3



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 2, 2014

Agenda Item No. *Tab 3*

Agenda Title: An Ordinance of the Town Commission of the Town of Lake Park, Florida, Amending Chapter 2, Article II, Division 1, Section 2-32, Entitled "Mayor and Vice Mayor" Pertaining to the Declaration of a State of Emergency

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON 1st READING
- NEW BUSINESS
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *DSS* Date: 6/20/14

Bonnie McKeethon-Penner
Name/Title HUMAN RESOURCES DIRECTOR

Originating Department: Human Resources	Costs: \$ -0- Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Ordinance ^{***} - 2014 <i>08</i>
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u>BMT</u> Please initial one.

Summary Explanation/Background:

Currently, the Town of Lake Park Code of Ordinances does not contain any language authorizing the Mayor or any other local official to declare a state of local emergency. The purpose of this agenda item is to amend the Town Code of Ordinances to empower the Mayor, the Vice Mayor, or in their absence the first available Commissioner of the Town under specific circumstances to declare that a state of emergency exists within the boundaries of the Town should such emergency or disaster situation exist, and to exercise the emergency powers authorized by Florida Statute.

The Town Manager believes that this Ordinance is in the best interest of the Town and necessary to further the public health, safety and welfare of its citizens, and recommends approval.

Recommended Motion: I move to approve Ordinance ^{***}08 -2014 on first reading.

ORDINANCE NO. 08-2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE II, DIVISION 1, SECTION 2-32, ENTITLED "MAYOR AND VICE MAYOR" PERTAINING TO THE DECLARATION OF A STATE OF EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Fla. Stat.; and

WHEREAS, § 870.042, Fla. Stat. authorizes the governing body of any municipality within the State of Florida to designate, by duly adopted Ordinance, a city official who shall be empowered to declare that a state of emergency exists within the boundaries of a municipality and to exercise the powers set forth in § 252.32, Fla. Stat. and § 870.042(2), Fla. Stat.; and

WHEREAS, the town manager has recommended to the Town Commission that it amend Chapter 2, Article II, Division 1, Section 2-32 of the Town Code of Ordinances (Code) entitled "Mayor and Vice Mayor" to authorize the Mayor, Vice Mayor, or Commissioners of the Town, under specific circumstances, with the power to declare a state of emergency in the Town, and to exercise the emergency powers set forth in § 252.32, Fla. Stat. and § 870.042(2), Fla. Stat.; and

WHEREAS, the Town Commission has reviewed the recommendations of the town manager and has determined that the amendment of the Town Code would further the public's health, safety and general welfare of the Town.

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

Section 1. The whereas clauses are incorporated herein as true and correct, and are the legislative findings of the Town Commission.

Section 2. Chapter 2, Article II, Division I, Section 2-32(a) of the Town Code of Ordinances entitled “Mayor and vice mayor” is hereby amended as follows:

(a) *Powers and duties.* The mayor shall preside at meetings of the town commission, shall be recognized as head of city government for all ceremonial purposes, by the governor for purposes of military law, for service of process, execution of contracts, deeds and other documents, and as the town official designated to represent the town in all agreements with other governmental entities or certifications to other governmental entities, but shall have no administrative duties except as required to carry out the responsibilities herein.

(b) *Vice mayor.* The vice mayor shall act as mayor during the absence or disability of the mayor.

(c) *Voting.* The mayor shall be entitled to vote on all matters properly coming before the commission.

(d) *State of emergency.* The Mayor, or in the absence of the Mayor and the vice mayor the first available member of the Town Commission is authorized to take the following actions:

(1). To declare that a state of emergency exists within the boundaries of the Town of Lake Park, and to exercise the emergency powers conferred in F.S. Sections 252.32 and 870.042(2); and

(2). If the Mayor, or in the absence of the Mayor and the vice mayor of the Town the first available member of the Town Commission believes that there is a clear and present

danger of a riot or other general public disorder, widespread disobedience of the law, substantial injury to persons or property due to the exigent circumstances of an emergency event within the geographical limits of the Town, to declare a state of emergency within the boundaries of the Town to expedite access to local resources needed to cope with the incident; and

(3). To take temporary emergency measures in matters of extreme necessity involving matters of public health or safety; and

(4). To issue an evacuation order of the Town should the circumstances call for such an order.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or any other appropriate word.

Section 6. Effective Date. This Ordinance shall take effect immediately upon adoption.

TAB 4



Town of Lake Park Town Commission
Agenda Request Form

Meeting Date: July 2, 2014

Agenda Item No. *Tab 4*

Agenda Title: AN ORDINANCE REPEALING CHAPTER 78, APPENDIX A, ARTICLE I, DIVISION 4, SECTION 4-3(D) OF THE TOWN CODE OF ORDINANCES THEREBY ELIMINATING THE COMPLIANCE DATE OF JULY 5, 2014 FOR NONCONFORMING LANDSCAPE PARCELS THAT DO NOT MEET THE DEFINITION OF A SUBSTANTIAL MODIFICATION OR NEW DEVELOPMENT.

- SPECIAL PRESENTATION/REPORTS
 - BOARD APPOINTMENT
 - PUBLIC HEARING ORDINANCE ON 1st READING
 - NEW BUSINESS
 - OTHER: _____
- CONSENT AGENDA
 - OLD BUSINESS

Approved by Town Manager *[Signature]* **Date:** *6/23/14*

Nadia Di Tommaso / Community Development Director *[Signature]*
 Name/Title

Originating Department: Community Development	Costs: \$0 Funding Source: Acct. <input type="checkbox"/> Finance _____	Attachments: →ORDINANCE ^{<i>09</i>} __-2014 →Inventory of parcels
Advertised: Date: <i>N/A on 1st reading</i> Paper: <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <i>ND</i> OR Not applicable in this case ____ Please initial one.

Summary Explanation/Background:

As the Commission is no doubt aware, Northlake Boulevard has been designated to exist as a special zoning district. In particular, it is referred to as the Northlake Boulevard Overlay Zone (NBOZ) and all of the parcels of land fronting the south side of Northlake Boulevard must comply with any special regulations assigned to this zoning district.

The history on these parcels goes back approximately 30-50 years in time. Northlake Boulevard is the only corridor in the Town that *requires additional landscaping AND compliance within a specified timeframe* because it is part of the NBOZ, an overlay zone which has its own set of Code requirements in addition to the Town's general Code. For example, the NBOZ requires increased buffer widths of 20 feet for properties having at least 150 feet of frontage (instead of the general Code requirement of 15 feet which is still strenuous for these uniquely-sized parcels) and one tree per 30 feet for interior buffers instead of one tree per 40 feet which is the general code for interior lot lines. Therefore, let alone the fact that these uniquely-sized properties were, for the most part, built prior to the Town's GENERAL landscaping Code which was adopted in 1978 and modified over time, they naturally do not meet the NBOZ landscaping Code which also IMPOSES a compliance date. This Overlay is shared by Palm Beach County (PBC), the City of North Palm Beach (NPB) and the City of Palm Beach Gardens (PBG), who along with Lake Park, jointly represent the Northlake Boulevard TaskForce (NBTF). While PBC, PBG and NPB adopted the NBOZ guidelines in 1998, Lake Park only joined the NBTF and adopted the regulations on July 5, 2006.

The NBOZ landscaping regulations are very similar to the Town Code landscaping requirements, however, they do differ in certain areas, as briefly mentioned above.. All other parcels in Town DO NOT have a set compliance date for landscaping, but rather this compliance is prompted by certain site modifications, which include substantial renovations.

Attached to this agenda item is an inventory of all 39 parcels located in the Town along the south side of Northlake Boulevard. Of these 39 parcels, only the new developments since the adoption date of the regulations namely, Target, L.A. Fitness and Chick Fil-A, were able to fully meet the NBOZ requirements. Even though Target and L.A. Fitness were built prior to 2006, these parcels were developed in such a way that the actual buildings are located in the Town however, the parking areas and perimeter landscape buffers are located in the City of Palm Beach Gardens, which already had the NBOZ in place when these sites were developed. The remaining parcels along Northlake Boulevard have been addressed over the years and the various property owners have worked with staff to incorporate additional plantings as was feasible, however, they are physically unable to meet all of the NBOZ landscape requirements due to lot size, parking requirements and circulation limitations, and may actually never be able to fully meet the NBOZ requirements until they are substantially redeveloped, or without waivers currently being granted.

As a business-friendly initiative, which is also considered a practical one given that almost all of the Town's properties located on the south side of Northlake Boulevard do not meet, and as currently configured, are unable to meet, all of the NBOZ landscaping requirements, staff is requesting that the Town Commission consider eliminating the compliance date of July 5, 2014 (i.e. 8 years from July 5, 2006), with the following understanding:

- (1) While the Code allows for administrative waivers for code sections that would otherwise interfere with the parking, or overall operation of the subject property's business, this will eliminate the need to administratively waive every single section of the NBOZ code for every single parcel that cannot meet the requirements at this point in time; and

- (2) Staff is continuing to work with 8 properties along the corridor regarding landscape maintenance and compliance issues according to the landscape plans we have on file and will continue to do so should any issues arise in the future with any additional parcels.
- (3) Eliminating the compliance date for parcels *now* does not eliminate the requirement for compliance (*or future waivers being granted*) if a parcel is *substantially renovated*:

Sec. 4-3. Nonconforming landscape areas.

A. *Nonconformities established.* All development constructed prior to the effective date of these regulations that do not conform with the provisions of this division shall be considered nonconforming.



1. If nonconforming landscaping is damaged or destroyed by any means to the extent of 50 percent or more of its replacement value at the time of the damage, the replacement landscaping and elements must conform to all of the provisions of this division.

B.

Maintenance. Nonconforming landscape areas are not exempt from minimum maintenance standards.

C.

Amendments to the approved plan. The following types of amendments to a previously approved development plan shall require the review of the landscape plan for the entire site using the minimum landscape standards in this division:



1. Increase in the total square footage of any building by more than 20 percent;
2. Increase in the number of structures; or
3. Increase in the building height of any building.

Staff intends on notifying the NBTF members of this proposed elimination if approved by the Town Commission.

Recommended Motion: I move to APPROVE Ordinance ⁰⁹-2014 on first reading.

ORDINANCE NO. 09-2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, APPENDIX A, ARTICLE I, DIVISION 4, SECTION 4-3 OF THE TOWN'S CODE OF ORDINANCES TO ELIMINATE SUBSECTION 'D' THEREOF REQUIRING LANDSCAPING COMPLIANCE WITHIN A PRESCRIBED TIMEFRAME; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to land development, including additional landscaping requirements along Northlake Boulevard in conjunction with Palm Beach County, the City of Palm Beach Gardens, the Village of North Palm Beach, jointly serving as the Northlake Boulevard Overlay Taskforce (NBOZ), which have been codified in Chapter 78, Appendix A of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, the Town's Community Development Department has recommended amendments to Appendix A, Article 1, Division 4, Section 4-3(D) of the Code of Ordinances pertaining to the compliance date for nonconforming landscape parcels; and

WHEREAS, the Town Commission has determined that the recommended amendments would further the public's health, safety and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. Chapter 78, Appendix A, Article 1, Division 4, Section 4-3(D) is hereby amended as follows:

Sec. 4-3. Nonconforming landscape areas.

A. *Nonconformities established.* All development constructed prior to the effective date of these regulations that do not conform with the provisions of this division shall be considered nonconforming.

1. If nonconforming landscaping is damaged or destroyed by any means to the extent of 50 percent or more of its replacement value at the time of the damage, the replacement landscaping and elements must conform to all of the provisions of this division.

B. *Maintenance.* Nonconforming landscape areas are not exempt from minimum maintenance standards.

C. *Amendments to the approved plan.* The following types of amendments to a previously approved development plan shall require the review of the landscape plan for the entire site using the minimum landscape standards in this division:

1. Increase in the total square footage of any building by more than 20 percent;
2. Increase in the number of structures; or
3. Increase in the building height of any building.

~~D. *Notice of nonconforming status.* Upon the effective date of this article or upon the future annexation of properties, the jurisdiction shall contact the owners of all properties developed for nonresidential purposes that do not comply with the provisions of this division. The notice shall inform the property owners that the property is being placed in a nonconforming and that the owner of nonconforming property shall have eight years from the date of the nonconforming notice to comply with the requirements set forth in this division. Written notice to the property shall be provided by certified mail.~~

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. **Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word “ordinance” may be changed to “section,” “article,” or any other appropriate word.

Section 6. **Effective Date.** This Ordinance shall take effect immediately upon adoption.

INVENTORY OF PARCELS



PUBLIX PLAZA (*parking and vacant area only*) AND OUTPARCELS

320 (Wendy's), 328 (Chase) and 370 (Publix - building excluded from NBOZ) Northlake Boulevard

Publix landscaped according to plans on file (in NPB); meets NBOZ requirements. Wendy's approved pursuant to 2002 plans and meets most NBOZ requirements with the exception of a 20 foot buffer width for which a waiver was granted.



HARBOR FREIGHT TOOLS

440 Northlake Boulevard

Meets NBOZ as best as possible. Landscaped according to plans on file. Full buffer widths not possible due to property size and structure being built in 1988, however additional plantings were incorporated in 2010 and 2013 due to minor renovation work.



VARIOUS BUSINESSES

450 Northlake Boulevard

Meets NBOZ as best as possible. Landscaped according to plans on file. Full buffer widths not possible due to property size and structure being built in 1962. Additional improvements made in 2010 and perimeter trees were added. Code is monitoring for maintenance based on the 2010 plans on file.



ENTERPRISE RENT-A-CAR

500 Northlake Boulevard

Meets NBOZ as best as possible. Landscaped according to plans on file dated the year 1995. Full buffer widths not possible due to property size and structure being originally built in 1968.

CASH AMERICA

516 Northlake Boulevard

Meets NBOZ as best as possible. Full buffer widths and trees not possible due to property size; parking/drive-aisle interferences and structure being originally built in 1973. Being monitored by Code for maintenance of existing landscaping.



VARIOUS BUSINESSES

524 Northlake Boulevard

Meets NBOZ as best as possible. Full buffer widths and trees not possible due to property size; interferences and structure being built in 1973.



GOODYEAR

532 Northlake Boulevard

Minimal landscaping onsite however, building was built in 1970 for a Goodyear auto repair use and operationally cannot incorporate any additional landscaping at this time





PROFESSIONAL OFFICES

550 Northlake Boulevard

Meets NBOZ as best as possible. Landscaped according to plans on file dated the year 1998. Full buffer widths not possible due to property size; circulation/parking requirements and structure being built in 1977.



FURNITURE STORE (MARIE-ANTOINETTE)

556 Northlake Boulevard

Meets NBOZ as best as possible. Landscaped according to plans on file. Full buffer widths not possible due to property size and structure being built in 1977.

LAKE PARK MITSUBISHI

572 Northlake Boulevard

Landscape permit on file with additional landscape improvements required by Sept. 2014 in order to better meet NBOZ requirements. Property originally built in 1971. Full 20 foot buffer widths and number of plantings not possible - impedes parking/circulation requirements.



FREEMAN AND SUPRAN LAWYERS

600 Northlake Boulevard

Meets NBOZ as best as possible. Full buffer widths not possible due to property size and structure being built in 1972.



CURRENTLY VACANT BUILDING (previously Northlake Optical)

610 Northlake Boulevard

Cited for foundational and perimeter plantings, however will not be able to meet full NBOZ code. Structure originally built in 1965.



VARIOUS BUSINESSES

620 Northlake Boulevard

Due to site parking and drive aisle configuration/requirements, site cannot be landscaped at this time, but landscaping can be considered when site substantially redevelops. Structure originally built in 1967.



LABOR READY EMPLOYMENT OFFICE

630 Northlake Boulevard

Landscaped per plan on file with additional plantings added in 2009. Will be monitored by Code for maintenance. Structure originally built in 1966. Full compliance not physically possible.





MEDICAL HOMECARE SUPPLY

640 Northlake Boulevard

Meets NBOZ as best as possible.
Full buffer widths not possible
due to property size and
structure being built in 1971.



TROPICAL AUTO SALES

742 Northlake Boulevard

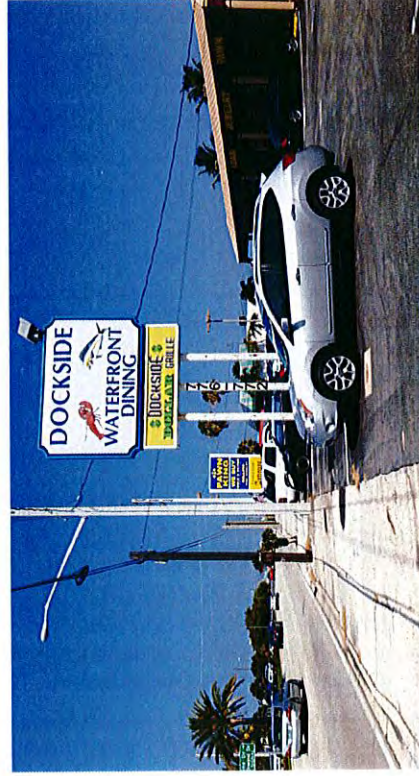
Meets NBOZ as best as possible.
Full buffer widths not possible
due to property size and
structure being built in 1974.



VARIOUS BUSINESSES

750 Northlake Boulevard

Due to site parking and drive aisle configuration/requirements, site cannot be landscaped at this time, but landscaping can be considered when site redevelops. Structure built in 1967.



DOCKSIDE WATERFRONT DINING

766 Northlake Boulevard

Due to site parking and drive aisle configuration/requirements, site cannot be landscaped at this time, but landscaping can be considered when site redevelops. Structure built in 1963.



SUNOCO GAS STATION

774 Northlake Boulevard

Landscape plan including some additional plantings and maintenance has been submitted. Work to be completed by the end of 2014 however, site will still be unable to meet full buffer widths and # of plantings due to lot size and parking/circulation requirements. Structure originally built in 1982.



CONVENIENCE STORE AND INDIAN MARKET

800 Northlake Boulevard

Plans on file currently being enforced by Code for maintenance and replacement of dead trees. Structure originally built in 1972 and upgraded with landscaping in 2010, however full buffer widths and number of plantings not possible due to lot size and parking/circulation requirements.



MEINEKE MUFFLER

806 Northlake Boulevard

Meets NBOZ as best as possible according to plans on file. Full buffer widths not possible due to property size and structure being originally built in 1977. Upgraded with landscaping in 2010.



CURRENTLY VACANT

814 Northlake Boulevard

Meets NBOZ as best as possible according to plans on file. Full buffer widths not possible due to property size and structure being originally built in 1966.



IMPERIAL FRAME GALLERY

818 Northlake Boulevard

Meets NBOZ as best as possible according to plans on file. Full buffer widths not possible due to property size/parking/circulation and structure being originally built in 1962. Upgraded with landscaping in 2009.



ALPHA PRINTING SERVICES

838 Northlake Boulevard

Meets NBOZ as best as possible according to plans on file. Full buffer widths not possible due to property size and structure being built in 1966.



COLONIAL VILLAGE

900 Northlake Boulevard

Due to site parking and drive aisle configuration/requirements, site cannot be landscaped at this time, but landscaping can be considered when site redevelops. Structure built in 1966.

PNC BANK

950 Northlake Boulevard

Meets NBOZ as best as possible according to plans on file. Full compliance not possible due to property size/parking/circulation and structure being originally built in 1965.



MIAMI SUBS GRILL

952 Northlake Boulevard

Meets NBOZ as best as possible. Full buffer widths and # of plantings not possible due to property size/parking/circulation and structure being originally built in 1966; renovated in 1975 and again in 1989 when the drive-thru was added and landscaping islands were removed.



CARDELLO'S PLAZA

1415 10th Street (10th/Northlake)

Property landscaped per approved plans. Structure built in 4 phases: 1962, 1971 and 1972 and landscaping upgraded throughout the years. Meets NBOZ as best as possible.



BP STATION



980 Northlake Boulevard

Property cited for landscape maintenance and additional plantings per approved plans. Additional landscape areas not possible as it would impede with overall parking and site operations. Structure built in 1983 with a car wash addition in 1990.



NORTHLAKE AUTO CARE

1000 Northlake Boulevard



Landscaping not possible due to small site size and parking/operation requirements. Will be reviewed when site is redeveloped. Structure built in 1965.



GREEN GARDEN SUPPLY

1100 Northlake Boulevard

Landsaped per approved plans on file.
Meets NBOZ as best as possible except for full buffer widths due to lot size. Structure originally built in 1984 and renovated in 1993.



MULLINAX FORD

1210 Northlake Boulevard (outparcel across street)

Landsaped per the approved plans.
Original structure built in 1976 and renovated thereafter which prompted landscaping requirements.



HESS GAS STATION

1216 Northlake Boulevard



Landsaped per plans. Cited for maintenance and missing plantings per the approved plans. Structure built in 2001.



K-MART PLAZA

1220 (K-Mart) & 1224 (Staples) Northlake Boulevard

Originally built in 1974. Landsaped per the approved plans on file with upgrades performed throughout the years & wiaers granted for not being able to meet full buffer widths; total # of required trees; and landscape islands within parking areas due to the site being underparked according to the parking code requirements and a variance being granted for the reduced parking count.

CHICK FIL-A

1262 Northlake Boulevard

Built in 2007 using NBOZ code. Landscaping meets code per the approved plans.



TARGET

500 N. Congress Avenue
(building only - in Lake Park);
3010 Northlake (in PBG - parking area and landscape buffers)



Structure built in 2005 however, PBG was already subject to the NBOZ code at the time and site is landscaped per approved plans which are NBOZ compliant.



L.A. FITNESS (building located in Lake Park;
parking areas and perimeter landscape
buffers in PBG)

3176 Northlake Boulevard

Structure built in 2005 however, PBG was already subject
to the NBOZ code at the time and site is landscaped per
approved plans which are NBOZ compliant (including
foundational plantings located around the actual building
which IS located in Lake Park).



Ordinance
on
Second
Reading

TAB 5



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 2, 2014

Agenda Item No. *Tab 5*

AGENDA TITLE: AN APPLICATION TO REZONE A VACANT 28.66± ACRE LOT ALONG CONGRESS AVENUE FROM A COMMERCIAL-2 (C-2) BUSINESS DISTRICT TO A PLANNED UNIT DEVELOPMENT (PUD).

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- QUASI-JUDICIAL PUBLIC HEARING ORDINANCE ON 2nd READING**
- NEW BUSINESS
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager _____

Date: 6/19/14

Nadia Di Tommaso / Community Development Director
Name/Title

Originating Department: <p style="text-align: center;">Community Development</p>	Costs: \$ Legal Ad Funding Source: Town Clerk Acct. # 106-48100 <input type="checkbox"/> Finance _____	Attachments: → Ordinance 07-2014 → Staff Report → Applicant's application → Legal Ad
Advertised: Date: Palm Beach Post Paper: 06-22-2014 <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u>ND</u> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

This is a request from Gentile, Glas, Holloway, O'Mahoney and Associates as the Agent for the applicant, Congress Avenue Properties Ltd., who is also the current owner of the property, to rezone a vacant 28.66± acre parcel of land located on the southeast corner of Watertower Road and North Congress Avenue, as illustrated from its present zoning of Commercial-2 (C-2), to a zoning designation of Planned Unit Development (PUD).



A Planned Unit Development (PUD) zoning district is a unique type of zoning which is intended to promote a general theme of unity with certain aspects of development for a parcel of land which can have a variety of different types of developments within its boundaries. The objective of a PUD is to have certain elements develop in a uniform manner and under unified control, throughout the larger parcel, even when portions of the larger parcel are subsequently subdivided into different uses. While similar to conventional zoning districts, the PUD concept is designed to incorporate a variety of compatible uses from the underlying zoning district; which in this case is the C-2 business district.

The uniform elements imposed within the boundaries of a PUD are regulated and controlled via a PUD Master Site Plan which, if this recommended rezoning is **ADOPTED** by the Commission, will be the next item presented to the Commission for consideration. Given that a PUD Master Site Plan cannot be considered until a rezoning is **adopted** by Ordinance first, staff is requesting that the Town Commission ADOPT the rezoning from C-2 to a PUD for the subject parcel on **second reading**. Given that the rezoning approval and the PUD Master Site Plan approval go hand-in-hand, the materials supporting this agenda item include the staff report which serves to fully outline both the rezoning and the PUD Master Site Plan approval in an attempt to provide the Commission with advanced familiarity of the details of the Site Plan which will be presented next on the agenda, following consideration of this rezoning item.

Town Commission 1st reading (June 18, 2014): **Approved 4-0.**

Recommended Motion: I move to ADOPT Ordinance 07-2014 on second reading.

1 **WHEREAS**, the Town Commission has conducted a duly noticed quasi-judicial
2 public hearing on the Application at which time the Commission considered the evidence
3 presented by Town staff, the Town's Planning and Zoning Board, and other interested
4 parties and members of the public, and has determined that the Application should be
5 approved:

6 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION**
7 **OF THE TOWN OF LAKE PARK, FLORIDA THAT:**

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

10 **Section 2.** The Town Commission hereby approves the amendment of the
11 Town's Official Zoning Map for the Property, changing the Property's zoning from C-2
12 to PUD.

13 **Section 3.** This Ordinance shall take effect upon adoption.
14

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, SOUTH $01^{\circ} 21' 11''$ WEST, A DISTANCE OF 80.01 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WATER TOWER ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 10739, PAGE 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, SOUTH $01^{\circ} 21' 11''$ WEST, A DISTANCE OF 1755.32 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 25373, PAGE 1246, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EAST SECTION LINE, NORTH $87^{\circ} 18' 48''$ WEST, ALONG THE NORTH LINE OF SAID PARCEL TO THE NORTHWEST CORNER THEREOF, SAID POINT LYING ON THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 24672, PAGE 1293, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 314.11 FEET; THENCE NORTH $06^{\circ} 16' 10''$ EAST, ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 24672, PAGE 1293, A DISTANCE OF 32.81 FEET; THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL, NORTH $03^{\circ} 36' 05''$ WEST, A DISTANCE OF 181.35 FEET; THENCE SOUTH $83^{\circ} 43' 50''$ EAST, A DISTANCE OF 0.19 FEET; THENCE NORTH $03^{\circ} 36' 05''$ WEST, A DISTANCE OF 130.35 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 805.00 FEET, A CHORD BEARING OF SOUTH $65^{\circ} 15' 23''$ WEST AND A CENTRAL ANGLE OF $02^{\circ} 35' 59''$; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 36.52 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 865.00 FEET AND A CENTRAL ANGLE OF $28^{\circ} 35' 52''$; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 431.74 FEET TO A POINT OF TANGENCY; THENCE NORTH $87^{\circ} 26' 44''$ WEST, A DISTANCE OF 64.40 FEET; THENCE SOUTH $49^{\circ} 23' 14''$ WEST, A DISTANCE OF 54.73 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF CONGRESS AVENUE AS DESCRIBED IN OFFICIAL RECORD BOOK 10739, PAGE 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH $06^{\circ} 13' 12''$ EAST, A DISTANCE OF 334.94 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH $04^{\circ} 48' 20''$ EAST, A DISTANCE OF 202.56 FEET; THENCE NORTH $06^{\circ} 13' 12''$ EAST, A DISTANCE OF 585.93 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 8430.00 FEET AND A CENTRAL ANGLE OF $00^{\circ} 18' 53''$; THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE AND ARC OF SAID CURVE, A DISTANCE OF 46.31 FEET TO A POINT ON A NON-TANGENT LINE; THENCE NORTH $19^{\circ} 07' 33''$ EAST, A DISTANCE OF 51.14 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 8419.00 FEET AND A CHORD BEARING OF NORTH $07^{\circ} 56' 42''$ EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $02^{\circ} 08' 28''$, A DISTANCE OF 314.61 FEET TO A POINT ON A NON-TANGENT LINE AND A POINT ON AFORESAID SOUTH RIGHT OF WAY LINE OF WATER TOWER ROAD; THENCE NORTH $50^{\circ} 32' 44''$ EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 53.17 FEET; THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH $87^{\circ} 55' 28''$ EAST, A DISTANCE OF 705.69 FEET TO THE POINT OF BEGINNING.





**TOWN LAKE OF PARK
TOWN COMMISSION
MEETING DATE: July 2, 2014**

(2nd Reading of Rezoning ORDINANCE only)

Staff Report

****THIS STAFF REPORT ECOMPASSES THE REZONING AND THE PUD MASTER SITE PLAN APPROVAL WHICH ARE LISTED AS SEPARATE AGENDA ITEMS ON THE TOWN COMMISSION AGENDA SOLELY BECAUSE THEY REQUIRE SEPARATE MOTIONS****

APPLICATION:

An application to rezone a vacant 28.66± acre lot along Congress Avenue from the Commercial-2 Business District to a Planned Unit Development, and the approval of a PUD Master Site Plan for the proposed Congress Business Park Planned Unit Development.

APPLICANT'S REQUEST AND PROJECT DETAILS: Gentile Glas Holloway O'Mahoney & Associates as the Agent for the applicant, Congress Avenue Properties Ltd ("Applicant"), has submitted an application to rezone a vacant 28.66± acre lot located on the southeast corner of Watertower Road and Congress Avenue ("Site") from the Commercial-2 (C-2) Business District to a Planned Unit Development (PUD). The Site currently has a future land use designation of Commercial/Light Industrial. The rezoning would be consistent with the future land use designation. The Site is located south of Watertower Road and north of the property where the Army Reserve facility has been constructed along Congress Avenue.

Additionally, the Applicant has submitted and is requesting the approval of a PUD Master Plan. The PUD Master Plan shows the boundaries of the PUD and a proposed interior roadway network. The uses within the PUD would include those permitted and special exception uses which are listed in the underlying C-2 Zoning District. The PUD Master Plan applies the C-2 Zoning District boundary setbacks and land development regulations. The PUD Master Plan also depicts the details for monument signs, perimeter and interior landscape buffers, and pedestrian connections for the Site. The Applicant's Project Summary and Master Plan Sheet M-1 presents architectural styles and colors for the buildings to be developed within the Site, to provide some uniformity within the PUD.

The Applicant has also submitted a Minor Replat application for certain parcels within the Site, a procedure which will be completed administratively assuming the PUD Master Plan is approved. While this rezoning application does not include the development of any specific uses, the Property Owner, or Agent, is required to submit applications for individual site plans for the development of

uses within the subdivided parcels. The site plan applications (and any applications for special exception uses) are subject to the review of the Planning & Zoning Board and the approval of the Town Commission.

One of the proposed parcels depicted in the Minor Replat is the roadway extension of Park Avenue. The Palm Beach County Traffic Engineering Department has already issued a Right-of-Way construction permit for the construction of this extension. Palm Beach County will retain ownership of this roadway after which it will be conveyed to the Town through a Special Warranty Deed and Bill of Sale listing the improvements being turned over to the Town. The Town Engineer is also responsible for ensuring the roadway is being built to engineering standards and the Applicant is responsible for these review costs. The extension of Park Avenue provides access on the south side of the Site. Additional access to the PUD from Congress Avenue will also be provided through the creation of two curb cuts, as indicated on the proposed plans, both of which have already received permit approval through Palm Beach County.

STAFF RECOMMENDATION

REZONING: Staff recommends that the Planning & Zoning Board **APPROVE** the Rezoning of the Site from the C-2 Business District to a PUD.

PUD MASTER SITE PLAN:

Staff recommends that the Planning & Zoning Board **APPROVE** the PUD Master Plan with Conditions 1 through 7.

PLANNING & ZONING BOARD RECOMMENDATION (June 2, 2014):

Approved 4-0 with additional conditions 6 and 7 and modification to condition 2 to require the Applicant to submit the Unity of Control document prior to any building permit being issued.

TOWN COMMISSION (June 18, 2014 Meeting): APPROVED the 1st reading of the Rezoning Ordinance.

BACKGROUND:

Agent:	Gentile Glas Holloway O'Mahoney & Associates
Applicant/Owner(s):	Congress Avenue Properties LTD
Address/Location:	Congress Avenue (not yet assigned)
Net Acreage:	28.66 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:	Commercial-2 (C-2) Business District
Future Land Use:	Commercial/Light Industrial

Adjacent Zoning

North:	Commercial-2 (C-2) Business District
South:	Commercial-4 (C-4) Business District
East:	Campus Light Industrial/Commercial (CLIC)
West:	Traditional Neighborhood District (TND)

Adjacent Existing Land Use

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

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed rezoning and PUD Master Plan is consistent with the goals, objectives and policies of the Town’s Comprehensive Plan. The proposed PUD furthers the following Objective and Policies of the Town’s Comprehensive Plan:

Future Land Use Element

Policy 1.5: *The Town shall encourage development and redevelopment activities which will substantially increase the tax base while minimizing negative impacts on natural and historic resources, existing neighborhoods and development, and adopted Levels of Service standards.*

Staff Response: The Property Owner has submitted the PUD Master Plan to promote development of the Site pursuant to individual site plan applications for particular uses. The approval of the PUD may only increase the Site’s assessed value marginally; however, as individual parcels are developed the assessed values of those properties will increase.

Policy 1.6: *Land development regulations shall contain performance standards which:*
a. Address buffering and open space requirements; and
b. Landscaping requirements.

Staff Response: The proposed PUD Master Plan includes a Perimeter Landscape Buffer that meets and in some areas exceeds the minimum landscaping requirements of Code Section 78-253. The approval of the PUD will also establish criteria for the interior landscape buffers to provide some uniformity for the development of individual parcels within the Site.

Policy 1.8: *New development shall be permitted only when central water and wastewater systems are available or will be provided concurrent with the impacts of development.*

Staff Response: The Applicant is securing the necessary commitments from the Seacoast Utility Authority to provide central water and wastewater systems to serve the Site.

Policy 2.1: *The developer/owner of any site shall be responsible for the on-site management of storm water runoff in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed those prescribed by the South Florida Water Management District (SFWMD).*

Staff Response: The Applicant, on behalf of the Property Owner, has submitted permits which have been received from the SFWMD pertaining to the management of stormwater on the Site. The Town's Engineer has confirmed that the application is consistent with Policy 2.1.

Objective 3: *All development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet level of service standards are available concurrent with the impacts of the development. Further, require that all on-site lands for rights-of-way, easements, etc., be conveyed to the proper authority prior to final project approval.*

Staff Response: The Applicant has demonstrated that the public facilities which are necessary to meet the level of service standards of the Town's Comprehensive Plan are, or will be available concurrent with the impacts of the development of the Site.

Objective 5. *As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.*

Staff Response: The PUD Master Plan is likely to promote infill development along the Congress Avenue corridor which is consistent with existing developed properties.

CONSISTENCY WITH SECTION 78-77 PLANNED UNIT DEVELOPMENT (PUD)

1.

[General provisions.]

(a)

Purpose and intent. The achievement of innovative use and site design in the development of land is often difficult or impossible within the context of conventional zoning regulations. In order to permit design flexibility and to facilitate the use of contemporary land development techniques, it is often advantageous to establish planned unit developments in which development is in harmony

with the general purpose and intent of the town's land use regulations, general planning program and comprehensive plans, but which may differ in one or more respects from the provisions of specific zoning regulations.

Staff Response: It is the intent of the Applicant to create the PUD to facilitate the development of a variety of uses that are integrated with the interior roadway improvements. In addition, the creation of a PUD promotes uniformity in the development of the Site by incorporating regulations related to permanent signage, perimeter and interior landscape buffers, pedestrian connections and architectural styles and color.

(b)

[Additional intentions.] The planned unit development regulations are intended to:

(1)

Provide the method by which property may be developed or redeveloped as a unit rather than on a lot-by-lot basis as provided for in the town's other zoning regulations.

(2)

Provide a maximum of design freedom by permitting the planned unit development applicant an opportunity to more fully utilize the physical characteristics of the site through the reduction or waiver of certain development regulations and the planned mixing of uses.

(3)

Require that property approved by the town commission for a planned unit development will be developed through a unified design providing continuity among the various elements causing a better environment.

Staff Response: While the Property may be subject to several individual Site Plan applications in the future, the Applicant is proposing a unified design for the PUD. Uniformity will be achieved because the approval of the creation of the PUD would adopt specific standards for the architecture and colors of the buildings, the location of signage throughout the Site, the perimeter and interior landscape buffers, and the creation of pedestrian connections between individual parcels within the Site.

(c)

[Applicability.] A planned unit development, by definition, may depart from the strict application of use and property development regulations for the zoning district in which the planned unit development is proposed to be located. However, these regulations should not be used as a means of evading the ordinances of the town and should be employed only when there are mutual benefits to both the planned unit development applicant and the community. It is intended that a planned unit development provide substantial public benefit.

(d)

[Benefits.] The benefits of a planned unit development are intended to include the ability of the planned unit development applicant and the town to: utilize a variety of architectural solutions; provide for the preservation of natural features and scenic areas; reduce land utilization for roads, separate vehicular and pedestrian circulations systems; allow for the meaningful integration of open space and recreation areas; and establish neighborhood identity and focus.

Staff Response: The PUD promotes architectural variety by including at least three articulation techniques on all building walls and promoting a uniform architectural style and colors, and uniform signage throughout the Site. The PUD also includes both Perimeter and Interior Landscape Buffer details to ensure that the Site's landscaping is integrated with the areas of open space planned for the Site. The proposed internal vehicular roadway network will also allow for a pedestrian circulation system to be incorporated within future site plan applications and it creates connections internal to the site which the PUD requires.

(5)

Planned unit development (PUD). A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved final master site plan which does not necessarily correspond to the development and use regulations of the zoning district in which the property is located.

Staff Response: The Applicant has provided evidence that the land area is under unified control with only one current owner, however a Unity of Control document will be required should this change and this document, which includes maintenance responsibilities, will be conditioned. The application is proposing a PUD Master Plan which conceptually outlines the boundary of the PUD; an internal roadway system; signage, landscaping and architectural details. The PUD Master Plan is proposing to provide the general development framework by which specific site plan applications will need to follow, and is proposing the installation of an interior roadway network to creatively divide the site into marketable areas. While the Applicant is relying on the individual site plan applications for the installation of proposed perimeter landscape buffers, if within 36 months the site is not fully developed via these site plan applications, the Applicant will be required to install the perimeter landscape buffers as proposed in the PUD as a condition of approval. The overall site has been reviewed for a potential of 90,000 square feet of retail capacity, 126,000 square feet of light industrial capacity; gasoline station and 5,928 square feet of convenience store capacity, with an overall site built-out traffic concurrency date of December 31, 2018, as reviewed and approved by Palm Beach County's Traffic Engineering Division through a letter issued February 20, 2014. Final site plan approvals will be required for each use within the PUD. The Applicant has demonstrated that the public facilities which are necessary to meet the level of service standards of the Town's Comprehensive Plan are or will be available concurrent with the impacts of the development of the site. SFWMD permit for the management of storm water and commitments from Seacoast Utility Authority to provide central water and wastewater have been received.

→PUBLIC BENEFIT: The Applicant is proposing a PUD to incorporate uniform standards throughout the Site, including the signage, architecture, and landscaping. The creation of the PUD will facilitate the construction of the Park Avenue extension sooner, rather than later. The Town and Palm Beach County have been working together for more than 8 years to provide an east-west connection from Congress Avenue to the existing Park Avenue.

STAFF RECOMMENDATIONS

- ✚ **REZONING:** Staff recommends that the Town Commission ADOPT the Ordinance, rezoning the parcel from C-2 to PUD.
- ✚ **PUD MASTER SITE PLAN:** Staff recommends **APPROVAL** of the PUD Master Site Plan subject to the following conditions:
1. The Owner shall improve the Property such that it is consistent with the following Plans:
 - a. Master PUD Development Plan referenced as sheet M-1 prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed May 14, 2014 and received and dated by the Department of Community Development on May 15, 2014.
 - b. Master PUD Landscape Plan, referenced as sheet LP-1 and prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April 22, 2014 and received and dated by the Department of Community Development on April 23, 2014.
 - c. PUD Landscape Plan, referenced as sheets LP-2 through LP-10 and prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April 22, 2014 and received and dated by the Department of Community Development on April 23, 2014.
 - d. Landscape Specification Plan referenced as sheet LP-11 and prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April 22, 2014 and received and dated by the Department of Community Development on April 23, 2014.
 - e. Engineering Plans for interior roadway network referenced as Sheets C-1 through C-16, prepared by Smiley & Associates, signed and sealed May 16, 2014 and received and dated by the Department of Community Development on May 16, 2014.
 2. Prior to the issuance of any building permit, the Owner shall submit a unity of control instrument. This instrument shall be subject to the review and approval of the Town Attorney, following which the Owner shall record it in the Public Records of Palm Beach County. The Owner shall return a copy of the instrument with the recording information contained thereon to the Department of Community Development.
 3. The Owner's successors and assigns shall be subject to the approved PUD Master Plan.
 4. The Applicant is required to install the proposed perimeter landscape buffers within 18 months of approval of the PUD if the Property is not fully developed with these buffers by this expiration.
 5. Cost Recovery. The Owner shall reimburse the Town for all fees and costs, including legal fees incurred by the Town in reviewing the Ordinance approving the rezoning and the Resolution approving the PUD Master Plan within 10 days of receipt of an invoice from the Town. The Owner's failure to pay the Town within the 10 days of receipt of the invoice shall result in the automatic suspension of the approval and the processing of any permits or other applications which are in progress, and may be cause for the revocation of any approvals by the Town.
 6. At such time as the Owner proposes a Site Plan to develop the parcel within the PUD which abuts Watertower Road, the Owner shall provide an easement and incorporate the same in the Plat to ensure cross access between this parcel and the other Parcels within the PUD. Additional interior roadways and curb cuts that are incorporated within the Property to accommodate future parcel development shall require the submission of individual applications for a site plan.
 7. Prior to the issuance of the first building permit, the Owner shall amend the Plat such that it is consistent with the Unity of Control instrument.



The Town of
Lake Park

COMMUNITY
NOV 14 2013
COMMUNITY

TOWN OF LAKE PARK
APPLICATION FOR REZONING

Please note: The process to rezone property and associated informational requirements are governed by the Town of Lake Park Code of Ordinances, Chapter 32 - Rezoning and Chapter 33 - Land Development Regulations and provisions of other chapters in the Code. It is suggested that applicants schedule a meeting with the Town of Lake Park Community Development Director to discuss the information needed.

DATE Received by Town of Lake Park: _____

This application must be completed and returned with all required enclosures to be accepted by the Town Commission of the Town of Lake Park. The application will then be referred to the Town Planning and Zoning Board and the Town Staff for study and recommendations.

(Please Print)

Name of Applicant Congress Development Co.

Name of Agent (if applicable): Gentile Glas Holloway O'Mahoney & Associates, Inc.

(Required to attach Town of Lake Park Agent Authorization Form)

Mailing Address 1907 Commerce Lane #101

(This is the address to which all letters, agendas and other materials will be sent)

City Jupiter State FL Zip Code 33458

Telephone (681) 575-9557 Fax (681) 576-6280

Legal description of property covered by petition

Lot 604 Block 0 Plat N/A (Attach separate sheet if necessary)

Property I. D. No. 36-43-42-19-00-000-5040

GENERAL INFORMATION ABOUT PROPERTY AND REQUEST

1. Size of property (square feet or acreage): 28.66 acres
2. Highway and street boundaries or address: Southeast Corner of Congress Avenue and Watertower Road
3. Existing Comprehensive Plan Land Use classification: Commercial/Light Industrial
4. Existing Zoning District classification: C-2 Commercial
5. Requested Zoning District classification: PUD/C-2 Commercial
6. Describe any structures or uses currently located on the property:
N/A

THE INFORMATION/ENCLOSURES LISTED ON THE FOLLOWING PAGE(S) MUST BE SUBMITTED IN CONJUNCTION WITH THIS APPLICATION.

7. Specific Information on Requested Zoning Change:

- Map showing property subject to this application.
- List of names and mailing addresses of property owners within 300 feet of the property subject to this application
- Notarized affidavit of owner authorizing applicant to act as his/her agent to submit application for Rezoning
- Ten (10) copies of Site Plan(s), if applicable
- Building plans of structures to be erected
- Certified survey of property
- Tentative Sub-Division Plat

8. Applicant's statement of explanation, needs and reasons for the requested rezoning:
 Please see attached Justification Statement

9. Applicant's Response to the Following: (Attach additional sheets as necessary.)

a. That the requested change would be consistent with the land use plan and would not have an adverse effect on the comprehensive plan;

Please see attached Justification Statement

b. That the requested change is consistent with the existing land use pattern;

Please see attached Justification Statement

c. That the requested change will not result in increase or overtaxing of public facilities (schools, streets, utilities, etc.). Acceptable documentation may include, but not be limited to, traffic impact studies, concurrency reviews, letters from service providers indicating the availability of capacity, etc.

Please see attached Justification Statement

d. That the requested change will not adversely impact public safety:

Please see attached Justification Statement

e. That the requested change will not adversely impact living conditions in the

neighborhood or other surrounding areas;

Please see attached Justification Statement

- f. That there are substantial reasons why the property cannot be used in accord with existing zoning (explain the reasons);

Please see attached Justification Statement

- g. Whether or not the requested change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Please see attached Justification Statement



Landscape Architects · Planners · Environmental Consultants

GENTILE GLAS HOLLOWAY O'MAHONEY & Associates, Inc.

LC 000117
George G. Gentile FASLA
M. Troy Holloway ASLA
Emily M. O'Mahoney ASLA
Dodi Buchmaster Glas AICP

Congress Business Park PUD

(Congress Avenue Parcel D)

Town of Lake Park, Florida

REZONING & PUD MASTER PLAN APPLICATION (Special Use)

Project Summary

~~November 11, 2013~~

~~REVISED February 27, 2014~~

~~REVISED April 4, 2014~~

~~REVISED April 22, 2014~~

REVISED May 14, 2014

MAY 15 2014

Development

REQUEST/LOCATION:

Gentile Glas Holloway O'Mahoney & Associates, Inc. as agent for the applicant is requesting a Rezoning from C-2 Commercial to PUD with an underlying C-2 Commercial Zoning Designation and a for approval of a PUD Master Plan. It is the intent of the developer to create the PUD to outline the development area and the minimum land development regulations; to permit a variety of uses that would be appropriate for this area and create economic diversity that will generally include; 90,000 SF of retail uses, 126,000 SF of light industrial uses; and a gas station with 20 fueling positions and 5,928 SF of convenience store and to allow internal subdivision within the PUD for occupants on the site an ownership option. Specific Site Plans and architectural controls will be developed once specific uses are further defined. The subject site is approximately 30.13 acres and located at the southeast corner of Water Tower Road and Congress Avenue. As mentioned above the site is currently zoned C-2 Business District and has a Future Land Designation of Commercial/Light Industrial. The requested rezoning to PUD/C-2 and the associated PUD Master Plan are consistent with the site's existing Future Land Designation and surrounding development pattern along the Congress Avenue Corridor.

PROJECT HISTORY

The subject site has had multiple approvals since its annexation into the Town of Lake Park. Initially, the Town of Lake Park had zoned the entire Congress Avenue corridor, as Traditional Neighbor Development (TND). The Town's desire for a TND in this area of the Town changed and the subject site was rezoned to the C-4 Business District (Ord. 06-03-03). Concurrent with rezoning from TND to C-4, the applicant/owner submitted a Master Plan for approximately 511,000 SF for future office/warehouse. In 2008, another rezoning was approved on this site from C-4 to C-2, and the site has remained vacant.

CONSISTENCY WITH COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE:

The subject site contains a Future Land Use Designation of Commercial/Light Industrial and is Zoned C-2. The Commercial/Light Industrial District is compatible with the C-2 Zoning District, which permits a variety of non-residential uses. The proposed rezoning to PUD/C-2 will allow the applicant to market the site to a variety of users creating a more diverse project and an ability to offer businesses ownership opportunities within the PUD boundary.

The PUD also allows the applicant to include uses that would be specific to this site that would not necessarily be appropriate for other locations within the Town. These uses included both permitted and special exception use and uses similar in character to such uses.

COMPATIBILITY WITH SURROUNDING AREA:

The site is surrounded by a mix of non-residential uses, and one residential apartment community west of Congress Avenue. To the north there is the existing Kohl's Department Store and Petsmart. Further north is the Target Department Store. Kohl's and Petsmart have a Future Land Use Designation of Commercial/Light Industrial and a C-2 zoning district designation. The Target is zoned PUD with an underlying C-1 Commercial designation. East of the subject site is flex space (office/warehouse). The Future Land Use Designation on all the properties is Commercial/Light Industrial with a CLIC zoning designation. South of the property is Army Corp of Engineers Reserve Training Facility. The property is Zoned C-4 with a Future Land Use Designation of Commercial/Light Industrial. West of the site is the San Marco Villas, which has a Commercial/Residential Land Use Designation and is Zoned TND. Further north of San Marco Villas, is the Lowe's property with has a Commercial/Light Industrial Future Land Use Designation and is Zoned C-2 Commercial. The proposed PUD, Master Plan, and uses outlined in this project summary are consistent with the development pattern along Congress Avenue and Watertower Road.

SURROUNDING ZONING AND LAND USE DESIGNATIONS

	EXISTING ZONING	EXISTING FLU
SUBJECT PROPERTY (Proposed)	PUD/C-2	Commercial/Light Industrial
NORTH	C-2	Commercial/Light Industrial
EAST	CLIC	Commercial/Light Industrial
SOUTH	C-2	Commercial/Light Industrial
WEST	TND	Residential/ Commercial

REZONING APPLICATION REQUIRED INFORMATION:

- 1) That the requested change would be consistent with the land use plan and would not have an adverse effect on the comprehensive plan?**

The Comprehensive Plan encourages infill development and economic diversity. This is one of the last parcels to develop along this portion of the Congress Avenue Corridor. The proposed rezoning will allow the applicant to market to a wider variety of businesses and services.

- 2) That the requested change is consistent with the land use pattern?**

As stated the surrounding area has a mix of commercial uses (mid-sized and large box retailers), industrial use and one residential neighborhood. Adjacent to the site is a federal government installation. The request will be consistent with the dominate non-residential land use pattern. The rezoning and proposed flexibility in terms of uses permitted within the PUD, will hopefully provide a wider variety of goods and services that will not only cater to the larger community, but service the needs of the adjacent residential community and the reservists visiting the site has part of their training weeks and weekends.

- 3) That the requested change will not result in increase or overtaxing of public facilities (schools, streets, utilities, etc...). Acceptable documentation may include, but not be limited to, traffic impact studies, concurrency reviews, letters from service providers indicating the availability of capacity, etc.**

Included with the request is an updated traffic analysis, that indicates a reduction in the number of previously approved trips and that the project is consistent with Palm Beach County's Traffic Performance Standards. In addition, the project is proposing to build a portion of the required Park Avenue Extension, which will provide additional traffic relief on Northlake Boulevard and Congress Avenue. As part of the review of this application it is anticipated that North Palm Beach County Improvement District, Seacoast Utilities, PBCFR and PBSO Utilities will provide their comments and indicate if the project will exceed their availability of capacity. No overtaxing of the existing public services is expected with development of this site.

- 4) That the requested change will not adversely impact public safety.**

As stated above, the rezoning is not anticipated to adversely impact public safety. The development of the site, will provide more activity along Congress Avenue and Watertower Road which will create more eyes watching the area as a further deterrent to criminal activity.

- 5) That the requested change will not adversely impact living conditions in the neighborhood or surrounding areas?**

Again the addition of this PUD will provide a greater variety of services to the area. This should increase opportunities for goods and employment for the adjacent neighborhood and community as a whole.

6) That there are substantial reasons why the property cannot be used in accordance with the existing zoning?

The property can be used with the existing zoning. The existing zoning designation however has a very limited number of uses which does not allow the applicant to market to a variety of end-users. The existing zoning also does not permit the applicant to subdivide within the site and offer potential businesses ownership of their own property. It was also discussed that the Town desires uses along this corridor that will provide services to help retain many of the soldiers that are visiting Reservists facility. Several of those uses are not listed as permitted or as special exceptions in the standard zoning district. The PUD provides a mechanism that allow the applicant to request those uses as part of the PUD agreement, which they have done.

7) Whether or not the requested change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

There are two other non-residential PUD's just to the north of this site (Target Plaza and K-Mart Plaza). Granting of approval of this requested rezoning will not constitute a yielding of a special privilege.

MASTER PLAN (Site Plan) APPLICATION REQUIRED INFORMATION:

1) What is the nature of the request?

As stated above the applicant is requesting a rezoning to PUD and approval of a master plan. The rezoning and master plan create greater development opportunities for the applicant and for business owners looking to develop on the site. Through the use of the PUD the applicant can offer businesses property ownership within the boundary of the development. The applicant is also proposing to develop a portion of the Park Ave Extension and an internal road network with utilities, to encourage more interest in the site which has remained vacant.

2) What will be the proposed impact to the surrounding area?

The established Congress corridor is primarily commercial with the surrounding land use pattern having a mix of commercial/industrial uses, with one multi-family residential development. The requested uses as part of the PUD request are consistent with the current development approvals along the Congress corridor. Traffic impacts on the adjacent roadway have been addressed for a much larger and more intense uses than what is proposed by this request. Once approved, development on this piece will complete the development opportunities along Congress Avenue.

3) How does the proposed project comply with Lake Park's Zoning requirements.

The development will meet all requirements of the code. Each project proposed for the site, will submit a specific site plan to provide greater oversight in terms of consistency with the Town's Code.

	Code
<i>Max Building Height</i>	50 feet/4 stories Max.
<i>Setbacks</i>	
<i>Congress Avenue</i>	25 feet
<i>Watertower Road</i>	15 feet
<i>Park Avenue Extension</i>	15 feet
<i>Landscaping</i>	
<i>Buffers</i>	R/W Buffer – 15' min.

PUBLIC BENEFIT

As a PUD, this site provides for a better continuum of development with a higher level of design consideration for the corridor. There is common architecture, signage, landscaping and access for this larger tract of land. It has been designed with the existing character of the Congress area to better define the sense of place.

Additionally, and most significantly, this project provides the Town with the dedication of the Park Avenue extension which is also being constructed.

Approval of this requested rezoning to PUD/C-2 and master plan will allow the applicant to increase the activity and marketability of the site in order to develop it with a mix of uses that will be consistent with the development pattern along Congress Avenue and provide a greater range of goods, services, and employment opportunities to the community. Therefore, on behalf of our client, Gentile Glas Holloway O'Mahoney & Associates, Inc. respectfully request approval of the proposed Rezoning and Master Plan applications.

MAY 15 2014

Development

CONGRESS AVE BUSINESS PARK PUD – DEVELOPMENT REGULATIONS**Architectural Guidelines**

To create interest and encourage economic stability and innovative design, these guidelines encourage flexibility and a variety of architectural styles and uses. The desire is to maintain unity through compatible style while maintaining a more town like campus character. The Congress Ave Business Park intent is not to limit the architectural theme to just one style within the boundaries of the PUD. The following standards shall be applied to any structure to be developed within this specific PUD.

- A. **GENERAL STANDARDS** - Within the PUD, all buildings, signage and landscaping are to be designed to provide a sense of arrival and common character while permitting variety of uses and individual architecture. Consistent materials, design elements and colors shall be incorporated in the architecture and signage. Common areas shall maintain a similar landscape pallet. Town Commission may permit alternatives in individual approvals as the site may warrant but generally the standards are described below.
- B. **SPECIFIC STANDARDS** –
1. **Colors and Materials**
 - Colors and materials shall be selected for consistency and compatibility to provide a common sense of arrival and place for any building within the PUD.
 - Colors shall be predominantly earth tone with warm browns, beiges and tones of white. Accents shall be more aesthetically lively and provide for market branding and recognition of national businesses. Trademarked colors, logos and features may be incorporated into the building design.
 2. **Architectural Character**
 - Style of building shall be similar and compatible within the PUD and to provide some sense of continuity for the Congress Avenue corridor. The established style shall remain contemporary in character and all buildings shall share some common architectural features, materials and colors. However each building within the PUD is permitted to provide its own unique accent color and branding as may be appropriate for its use.
 - Materials shall include concrete and stucco finishes that are accented with banding, split face block and stone character elements in more natural color schemes. The use of black and silver or metal accents is encouraged.

3. Building Façade

- All buildings shall provide articulation on all 4 sides of any proposed structures.
- Articulation should be aesthetically pleasing and should include at least three (3) of the following:

Varied roof lines – i.e. hip roof, parapet walls, tower features;
Well identified building entry;
Building banding, scoring, trim;
Building embellishment (ie. awnings, trellis, medallions, etc.)
Façade recesses;
Façade projections;
Varied use of color and or materials; and
Use of windows and faux windows.

4. Building Height

- Maximum building height shall not exceed 50 feet as measured from the finished floor. Decorative appurtenances, towers or spires may exceed the maximum height subject to the approval of the Town Commission.

5. Signage

- Similar materials and styles for ground signs shall be provided to give a sense of place and arrival to the Congress Business Park. Signage base materials should be consistent with the individual businesses but provide for use of earth tone color schemes and stone character materials as to be found in the buildings architecture. Lettering and background colors of signs should be provided to provide more interest in bright yellow, reds, orange, blue, green or white.

6. Screening

- All roof top equipment shall be screened consistent with Mechanical Equipment Screening Section 78-335(4) of the Town's Code
- All dumpster/compactors, loading areas, mechanical equipment and utilities shall be screened from public view. Screening shall include a combination of an opaque fence or wall with landscaping and may also utilize building orientation, as long as it is fully screened from public

view consistent with landscape requirements Section 24-76(e) and 78—253 (a)(2) of the Town's Code.

7. Pedestrian Circulation

- All lots within the PUD shall provide for pedestrian circulation to the public right-of-way either directly or to an adjacent lot which provides for direct access.

8. Color Renderings

- All Site Plan application shall include color renderings and a color board including color manufacturer's name and identification and sample materials as appropriate to match the submitted architectural plans which should include the same information including exterior materials to be used along the façade and roof material.

Permanent Signage

The intent of the signage is to facilitate customers and their traffic to and within the PUD. To create unified signage, while not limiting company identification and branding, each free standing monument sign should utilize complimentary and consistent colors, and materials.

Temporary signage (1) shall be as provided in the code and permanent signage shall be addressed below:

Sign Type	Design Standards (2)	Max. Number of Sign Faces	Maximum Number of Signs	Maximum Sign Structure Dimensions
PUD/Project Identification Monument Signs (3)	May include multiple tenants and the name of the PUD or a single tenant	2	1 sign for up to the first 300 feet of linear R.O.W. frontage. A second sign may be permitted with an additional 300 feet linear R.O.W. frontage/.	Height: 12 feet Width: 16 feet

			Additional signs, up to 4, may be permitted with each additional 500 feet of R.O.W. frontage when the parcel fronts on multiple roadways.	
Tenant Monument Signs (3)	<p>1 per each out parcel or each individual building</p> <p><u>Maximum surface area:</u> One square foot for every one and one-half feet of building frontage.</p> <p>For the purposes of Gas Stations, an additional 32 square feet may be permitted to monument signs area for pricing identification.</p>	2	1 per street frontage	<p>Height: 10 feet</p> <p>Width: 8 feet</p>
Wall Signs and Canopy signs	The total square footage of all wall signs on any front wall shall not exceed in surface area or sign area one and one-half times the length of the exterior wall of the individual business establishment to which it is attached.	N/A	<p>1 wall and 1 canopy sign per tenant in multi-tenant buildings</p> <p>Additionally, tenants with frontage onto multiple R.O.W.s or parking lots may have one additional sign per R.O.W. or parking lot side.</p>	<p>Letters shall not exceed 48 inches</p> <p>Side wall/canopy or rear wall/canopy signage shall not exceed 50 percent of the maximum front wall/canopy allowable square footage.</p>
Directional Signage	Signs are permitted at entry access points to the site or to	2	1 per entry	<p>Height: 3 feet</p> <p>Width: 2 feet</p>

	an outparcel within the site			
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- (1) Temporary signs shall be consistent with Section 70-103(3) of the Town's Code; Signage posted on Gasoline Service Station Pumps shall be consistent with Section 70-103 (5)(d)(2); Any proposed Window Signage shall be consistent with Section 70-103.(5)(e)
- (2) All signs must not obstruct any clear visibility triangle consistent with Section 78-253 (c) (9) of the Town Code.
- (3) Monument sign placement and materials are subject to standard requirements of the Town Code.

Landscaping

- All site plans submitted to the Town of Lake Park within this PUD shall meet the minimum interior non-residential landscape requirements of Section 78-253 of the Town Code. .
- Minor modifications to the PUD Perimeter Buffer Plan illustrated below on the plans are permitted subject to approval of the Town of Lake Park's Community Development Department and written approval of the Master Developer of the site.
- Landscaping materials within the PUD shall be designed to provide for a continuity of presence within the Congress Business Park. Common landscape materials that should be included on all lots to maintain a common theme for the PUD but each site may have alternative accent plants and design as approved by their site plans. The perimeter buffers will generally follow the PUD buffer plan. Common landscape materials shall include a combination of natives such as but not limited to:
 1. Trees and palms – Florida Royals Sabals, Thatch, Pigeon Plum, Silver/Green Buttonwoods, Bald Cypress, East Palatka Holly, Seagrape, Pines, Ilex Species; and
 2. Hedge, Shrubs and Ground Cover –Cocoplum, Firebush, Clusia, Ilex Species, Green Island Ficus, Saw Palmetto, Myrsine, Beach Sunflower and Native Grasses.

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The Palm Beach Post

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Order: 264,786
Page: 2 of 2

RECEIPT

Ad Name: 532129A

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Words: 214
Dimension.. 1 X 54
Color:

Editions:
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**LEGAL NOTICE OF
PROPOSED ORDINANCE
TOWN OF LAKE PARK**

Please take notice that on Wednesday, July 2, 2014 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE NO. 07-2014
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA REZONING THE PROPERTY OWNED BY CONGRESS AVENUE PROPERTIES LTD TO BE KNOWN AS THE CONGRESS BUSINESS PARK, LEGALLY DESCRIBED IN EXHIBIT "A", FROM COMMERCIAL-2 ("C-2") TO PLANNED UNIT DEVELOPMENT ("PUD") AND AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE REZONING; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.
Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida
PUB: The Palm Beach Post
6-22/2014 #264786

Ad shown is not actual print size.

**QUASI-
JUDICIAL/
RESOLUTION**

TAB 6



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 2, 2014

Agenda Item No. *Tab 6*

AGENDA TITLE: REQUEST BY GENTILE, GLAS, HOLLOWAY, O'MAHONEY AND ASSOCIATES, AS THE AGENT FOR THE APPLICANT, CONGRESS AVENUE PROPERTIES LTD., FOR THE APPROVAL OF A PLANNED UNIT DEVELOPMENT (PUD) MASTER SITE PLAN, "CONGRESS BUSINESS PARK PUD", FOR A PROPERTY LOCATED ON THE SOUTHEAST CORNER OF NORTH CONGRESS AVENUE AND WATERTOWER ROAD.

- | | |
|--|---|
| <input type="checkbox"/> SPECIAL PRESENTATION/REPORTS | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> BOARD APPOINTMENT | <input type="checkbox"/> OLD BUSINESS |
| <input checked="" type="checkbox"/> QUASI-JUDICIAL PUBLIC HEARING - RESOLUTION | |
| <input type="checkbox"/> NEW BUSINESS | |
| <input type="checkbox"/> OTHER: _____ | |

Approved by Town Manager *[Signature]* Date: 6/19/14

Nadia Di Tommaso / Community Development Director
Name/Title *ND*

Originating Department: <p style="text-align: center;">Community Development</p>	Costs: \$ 350 (P&Z Legal Ad); \$174.96 (Certified Mail); plus TC Legal Ad & Certified Mail Funding Source: Applicant Acct. Project #4750 <input type="checkbox"/> Finance _____	Attachments: → Resolution 16-06-14 → Staff Report → Legal Ad → Applicant's application <i>**Proposed Plans available in the DropBox, or in the Community Development Department**</i>
Advertised: <u>TC</u> Date: 06-08-2014 Paper: Palm Beach Post <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u>ND</u> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

*****This item was continued from the June 18, 2014 Town Commission meeting*****

Gentile, Glas, Holloway, O'Mahoney and Associates as the agent for the applicant, Congress Avenue Properties Ltd., who is also the current owner of the property, has submitted an application for a PUD Master Site Plan referred to as "Congress Business Park PUD" for a property which is located on the southeast corner of North Congress Avenue and Watertower Road. This property, which will be referred to as the "Site",

currently has a Future Land Use designation of Commercial/Light Industrial and a zoning designation of Commercial-2 (C-2). The applicant has also proposed the rezoning of the Site from C-2 to PUD under separate cover.

A PUD is a zoning district which intends to promote unity within certain aspects of development. Similar to conventional zoning districts, it incorporates a variety of compatible uses from the underlying zoning district, which in this case would be C-2 with the approval of a PUD rezoning. The objective of a PUD is to have certain elements developed in a uniform manner and under unified control. These elements are regulated and controlled via a PUD Master Site Plan. The applicant's PUD Master Site Plan will pick up all of the uses permitted by right and special exception in the underlying C-2 District. Like any other zoning district, special exception uses will be required to submit their own special exception application when they are applied for and they are subject to the public hearing process and any special conditions recommended by the Planning and Zoning Board and imposed by the Town Commission. The C-2 District currently fosters uses such as retail, business and professional offices, restaurants, and personal service establishments, as well as certain light industrial uses by special exception approval. The primary benefit for creating a PUD is the flexibility in development regulations coupled with unified control throughout the entire parcel designated as the PUD.

The proposed PUD Master Site Plan proposes a continuous internal road network, which is subject to modification when additional development is proposed within the Site. This internal roadway network will also further be complemented by pedestrian connections as the Site gets developed. The Site Plan also proposes a master perimeter landscaping plan along with guidelines for the interior landscape buffers, as well as master signage guidelines for permanent signage along with a monument sign detail to provide uniformity. Finally, color palette and architectural guidelines are also being proposed as part of the PUD Master Site Plan, while still relying on the Town's additional architectural guidelines and property development regulations in the general Code for all future development within the Site. The applicant also submitted a minor replat application in order to further subdivide the site, which is an administrative process that will be processed by staff following the approval of the PUD Master Site Plan.

The PUD Master Site Plan also sets aside a parcel for the construction of the Park Avenue West extension, a project that has been in the Town's vision for years. The applicant has received a permit from Palm Beach County to start construction and will transfer it over to Palm Beach County once complete, who will then dedicate it to the Town. This construction, which would not have moved forward had it not been for the intended PUD, provides a substantial public benefit to the Town as it initiates the construction of an additional east/west connection within the Town that has been discussed for years.

It is important to also note that discussions were undertaken with the applicant regarding the submittal of additional wall-mounted signage details and architectural elevation templates. However, in order to provide some design freedom for future end-users of the Site, with the understanding that both the Town's general architectural guidelines and the applicant's added guidelines listed on their PUD Master Site Plan require compatibility and consistency in architectural style, these additional considerations have not been recommended as a condition of approval.

The Planning & Zoning Board reviewed this application at their June 2, 2014 meeting and considered the various elements proposed for the PUD Master Site Plan and did not recommend any additional design-related guidelines. However, the P & Z Board did recommend additional conditions. The Board agreed with staff's proposal to modify condition #2 so that a Unity of Control instrument is provided prior to any building permits being issued. Additionally, the Board recommended that at such time as the Owner proposes a site plan to develop the parcel abutting Watertower Road, the Owner shall provide an easement and incorporate the same in the plat to ensure cross access between the parcel which is subject to the Site Plan application, and the other parcels within the PUD (listed as condition #6). Lastly, the Board also recommended that before a building permit is issued, the owner shall amend the plat such that it is consistent with the Unity of Control instrument (listed as condition #7).

By a vote of 4-0, the Planning & Zoning Board approved the PUD Master Site Plan with the additional conditions aforementioned.

Staff is also recommending APPROVAL of the PUD Master Site Plan with conditions 1 through 7 as listed in the proposed Resolution.

Recommended Motion: I move to APPROVE Resolution 16-06-14 with the conditions of approval numbers 1 though 7 as listed in the staff report.

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RESOLUTION NO. 16-06-14

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A PUD MASTER PLAN FOR A VACANT 28.66 ACRE SITE LOCATED ON THE SOUTHEAST CORNER OF WATERTOWER ROAD AND CONGRESS AVENUE AND WHICH IS LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

12 **WHEREAS**, Congress Avenue Properties Ltd, is the owner ("Owner") of a vacant
13 28.66± acre parcel of real property, the legal description of which is attached hereto and
14 incorporated herein as **Exhibit "A"** ("Subject Property"); and

15 **WHEREAS**, the Subject Property is generally located at the southeast corner of
16 Congress Avenue and Watertower Road in the Town of Lake Park, Florida ("Town"); and

17 **WHEREAS**, Gentile Glas Holloway O'Mahoney & Associates, Inc., as Agent
18 ("Applicant") for the Owner has submitted a PUD Master Plan for the Subject Property
19 showing an outline of the areas within the Subject Property which are to be developed
20 and details for monument signs, perimeter and interior landscape buffers, the
21 architectural style and/or elements of the buildings to be constructed within the PUD,
22 including color guidelines and an interior roadway network ("Application"); and

23 **WHEREAS**, the Town of Lake Park's Planning and Zoning Board has reviewed
24 the Application and has presented its recommendations to the Town Commission; and

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

27 **WHEREAS**, at this hearing the Town Commission considered the evidence
28 presented by the Town Staff, the Applicant, the Owner, and other interested parties and
29 members of the public as to the Application's consistency with the Town's
30 Comprehensive Plan and whether it meets the Land Development Regulations; and

31 **WHEREAS**, the Town Commission has determined that the conditions
32 incorporated herein, are necessary in order for the Application to be consistent with the
33 Town's Comprehensive Plan and to meet the Town's Land Development Regulations;
34 and

35 **WHEREAS**, the conditions as set forth below shall apply to the Owner, the
36 Owner's tenants, and the Owner's successors and/or assigns.
37

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

40
41 Section 1. The whereas clauses are hereby incorporated as true and correct as
42 the findings of fact and conclusions of law of the Town Commission.

43 Section 2. The Town Commission hereby approves a PUD Master Plan for the
44 Subject Property, subject to the conditions described below.

- 45 1. The Owner shall improve the Property such that it is consistent with the following
46 Plans:
- 47 a. Master PUD Development Plan referenced as sheet M-1 prepared by
48 Gentile Glas Holloway O'Mahoney & Associates, signed and sealed May
49 14, 2014 and received and dated by the Department of Community
50 Development on May 15, 2014.
 - 51 b. Master PUD Landscape Plan, referenced as sheet LP-1 and prepared by
52 Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April
53 22, 2014 and received and dated by the Department of Community
54 Development on April 23, 2014.
 - 55 c. PUD Landscape Plan, referenced as sheets LP-2 through LP-10 and
56 prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and
57 sealed April 22, 2014 and received and dated by the Department of
58 Community Development on April 23, 2014.
 - 59 d. Landscape Specification Plan referenced as sheet LP-11 and prepared
60 by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed
61 April 22, 2014 and received and dated by the Department of Community
62 Development on April 23, 2014.
 - 63 e. Engineering Plans for interior roadway network referenced as Sheets C-1
64 through C-16, prepared by Smiley & Associates, signed and sealed May
65 16, 2014 and received and dated by the Department of Community
66 Development on May 16, 2014.
- 67
- 68 2. Prior to the issuance of any building permit, the Owner shall submit a unity of
69 control instrument. This instrument shall be subject to the review and approval of
70 the Town Attorney, following which the Owner shall record it in the Public
71 Records of Palm Beach County. The Owner shall return a copy of the instrument
72 with the recording information contained thereon to the Department of
73 Community Development.
- 74
- 75 3. The Owner's successors and assigns shall be subject to the approved PUD
76 Master Plan.
- 77
- 78 4. The Applicant is required to install the proposed perimeter landscape buffers
79 within 18 months of approval of the PUD if the Property is not fully developed
80 with these buffers by this expiration.
- 81
- 82 5. Cost Recovery. The Owner shall reimburse the Town for all fees and costs,
83 including legal fees incurred by the Town in reviewing the Ordinance approving
84 the rezoning and the Resolution approving the PUD Master Plan within 10 days

85 of receipt of an invoice from the Town. The Owner's failure to pay the Town
86 within the 10 days of receipt of the invoice shall result in the automatic
87 suspension of the approval and the processing of any permits or other
88 applications which are in progress, and may be cause for the revocation of any
89 approvals by the Town.
90

- 91 6. At such time as the Owner proposes a Site Plan to develop the parcel within the
92 PUD which abuts Watertower Road, the Owner shall provide an easement and
93 incorporate the same in the Plat to ensure cross access between this parcel and
94 the other Parcels within the PUD. Additional interior roadways and curb cuts that
95 are incorporated within the Property to accommodate future parcel development
96 shall require the submission of individual applications for a site plan.
97
- 98 7. Prior to the issuance of the first building permit, the Owner shall amend the Plat
99 such that it is consistent with the Unity of Control instrument.
100
101

102 **Section 3.** This Resolution shall take effect immediately upon adoption.
103
104
105

106 The foregoing RESOLUTION was offered by Commissioner _____, who
107 moved its adoption. The Motion was seconded by Commissioner _____
108 and upon being put to roll call vote, the vote was as follows:

	AYE	NAY
109		
110		
111	_____	_____
112	_____	_____
113	_____	_____
114	_____	_____
115	_____	_____

116
117 **PUBLISHED IN THE PALM BEACH POST THE 08th DAY OF JUNE, 2014**
118

119 The Mayor thereupon declared Resolution No. 16-04-14 duly passed and
120 adopted this 2nd day of July, 2014.
121

122
123 TOWN OF LAKE PARK,
124 FLORIDA

125
126
127 BY: _____
128 Mayor James DuBois

129
130 ATTEST:
131
132 Approved as to form and legal
133 sufficiency

134
135 _____
136 Vivian Mendez, Town Clerk

137
138 _____
139 Thomas J. Baird, Town Attorney

140
141 (Town Seal)
142

143

EXHIBIT "A"

144

LEGAL DESCRIPTION

145

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

146

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, SOUTH 01° 21'11" WEST, A DISTANCE OF 80.01 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WATER TOWER ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 10739, PAGE 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, SOUTH 01° 21'11" WEST, A DISTANCE OF 1755.32 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 25373, PAGE 1246, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EAST SECTION LINE, NORTH 87°18'48" WEST, ALONG THE NORTH LINE OF SAID PARCEL TO THE NORTHWEST CORNER THEREOF, SAID POINT LYING ON THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 24672, PAGE 1293, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 314.11 FEET; THENCE NORTH 06°16'10" EAST, ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 24672, PAGE 1293, A DISTANCE OF 32.81 FEET; THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL, NORTH 03° 36'05" WEST, A DISTANCE OF 181.35 FEET; THENCE SOUTH 83° 43'50" EAST, A DISTANCE OF 0.19 FEET; THENCE NORTH 03°36'05" WEST, A DISTANCE OF 130.35 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 805.00 FEET, A CHORD BEARING OF SOUTH 65°15'23" WEST AND A CENTRAL ANGLE OF 02°35'59"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 36.52 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 865.00 FEET AND A CENTRAL ANGLE OF 28°35'52"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 431.74 FEET TO A POINT OF TANGENCY; THENCE NORTH 87° 26'44" WEST, A DISTANCE OF 64.40 FEET; THENCE SOUTH 49° 23'14" WEST, A DISTANCE OF 54.73 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF CONGRESS AVENUE AS DESCRIBED IN OFFICIAL RECORD BOOK 10739, PAGE 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 06°13'12" EAST, A DISTANCE OF 334.94 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 04°48'20" EAST, A DISTANCE OF 202.56 FEET; THENCE NORTH 06°13'12" EAST, A DISTANCE OF 585.93 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 8430.00 FEET AND A CENTRAL ANGLE OF 00°18'53"; THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE AND ARC OF SAID CURVE, A DISTANCE OF 46.31 FEET TO A POINT ON A NON-TANGENT LINE; THENCE NORTH 19°07'33" EAST, A DISTANCE OF 51.14 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 8419.00 FEET AND A CHORD BEARING OF NORTH 07°56'42" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°08'28", A DISTANCE OF 314.61 FEET TO A POINT ON A NON-TANGENT LINE AND A POINT ON AFORESAID SOUTH RIGHT OF WAY LINE OF WATER TOWER ROAD; THENCE NORTH 50°32'44" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 53.17 FEET; THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 87°55'28" EAST, A DISTANCE OF 705.69 FEET TO THE POINT OF BEGINNING.





**TOWN LAKE OF PARK
TOWN COMMISSION
MEETING DATE: July 2, 2014**

Staff Report

****THIS STAFF REPORT ECOMPASSES THE REZONING AND THE PUD MASTER SITE PLAN APPROVAL WHICH ARE LISTED AS SEPARATE AGENDA ITEMS ON THE TOWN COMMISSION AGENDA SOLELY BECAUSE THEY REQUIRE SEPARATE MOTIONS****

APPLICATION:

An application to rezone a vacant 28.66± acre lot along Congress Avenue from the Commercial-2 Business District to a Planned Unit Development, and the approval of a PUD Master Site Plan for the proposed Congress Business Park Planned Unit Development.

APPLICANT'S REQUEST AND PROJECT DETAILS: Gentile Glas Holloway O'Mahoney & Associates as the Agent for the applicant, Congress Avenue Properties Ltd ("Applicant"), has submitted an application to rezone a vacant 28.66± acre lot located on the southeast corner of Watertower Road and Congress Avenue ("Site") from the Commercial-2 (C-2) Business District to a Planned Unit Development (PUD). The Site currently has a future land use designation of Commercial/Light Industrial. The rezoning would be consistent with the future land use designation. The Site is located south of Watertower Road and north of the property where the Army Reserve facility has been constructed along Congress Avenue.

Additionally, the Applicant has submitted and is requesting the approval of a PUD Master Plan. The PUD Master Plan shows the boundaries of the PUD and a proposed interior roadway network. The uses within the PUD would include those permitted and special exception uses which are listed in the underlying C-2 Zoning District. The PUD Master Plan applies the C-2 Zoning District boundary setbacks and land development regulations. The PUD Master Plan also depicts the details for monument signs, perimeter and interior landscape buffers, and pedestrian connections for the Site. The Applicant's Project Summary and Master Plan Sheet M-1 presents architectural styles and colors for the buildings to be developed within the Site, to provide some uniformity within the PUD.

The Applicant has also submitted a Minor Replat application for certain parcels within the Site, a procedure which will be completed administratively assuming the PUD Master Plan is approved. While this rezoning application does not include the development of any specific uses, the Property Owner, or Agent, is required to submit applications for individual site plans for the development of

uses within the subdivided parcels. The site plan applications (and any applications for special exception uses) are subject to the review of the Planning & Zoning Board and the approval of the Town Commission.

One of the proposed parcels depicted in the Minor Replat is the roadway extension of Park Avenue. The Palm Beach County Traffic Engineering Department has already issued a Right-of-Way construction permit for the construction of this extension. Palm Beach County will retain ownership of this roadway after which it will be conveyed to the Town through a Special Warranty Deed and Bill of Sale listing the improvements being turned over to the Town. The Town Engineer is also responsible for ensuring the roadway is being built to engineering standards and the Applicant is responsible for these review costs. The extension of Park Avenue provides access on the south side of the Site. Additional access to the PUD from Congress Avenue will also be provided through the creation of two curb cuts, as indicated on the proposed plans, both of which have already received permit approval through Palm Beach County.

STAFF RECOMMENDATION

REZONING: Staff recommends that the Planning & Zoning Board **APPROVE** the Rezoning of the Site from the C-2 Business District to a PUD.

PUD MASTER SITE PLAN:

Staff recommends that the Planning & Zoning Board **APPROVE** the PUD Master Plan with Conditions 1 through 7.

PLANNING & ZONING BOARD RECOMMENDATION (June 2, 2014):

Approved 4-0 with additional conditions 6 and 7 and modification to condition 2 to require the Applicant to submit the Unity of Control document prior to any building permit being issued.

TOWN COMMISSION (June 18, 2014 Meeting): APPROVED the 1st reading of the Rezoning Ordinance.

BACKGROUND:

Agent: Gentile Glas Holloway O'Mahoney & Associates
Applicant/Owner(s): Congress Avenue Properties LTD
Address/Location: Congress Avenue (not yet assigned)
Net Acreage: 28.66 acres
Legal Description: 19-42-43, PT OF SE 1/4 LYG BET WATER TOWER RD RW & PB21P3 & E OF & ADJ TO CONGRESS AVE RW (LESS SLY 728.69 FT & PT K/A
Existing Zoning: Commercial-2 (C-2) Business District
Future Land Use: Commercial/Light Industrial

Adjacent Zoning

North: Commercial-2 (C-2) Business District
South: Commercial-4 (C-4) Business District
East: Campus Light Industrial/Commercial (CLIC)
West: Traditional Neighborhood District (TND)

Adjacent Existing Land Use

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

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed rezoning and PUD Master Plan is consistent with the goals, objectives and policies of the Town’s Comprehensive Plan. The proposed PUD furthers the following Objective and Policies of the Town’s Comprehensive Plan:

Future Land Use Element

Policy 1.5: *The Town shall encourage development and redevelopment activities which will substantially increase the tax base while minimizing negative impacts on natural and historic resources, existing neighborhoods and development, and adopted Levels of Service standards.*

Staff Response: The Property Owner has submitted the PUD Master Plan to promote development of the Site pursuant to individual site plan applications for particular uses. The approval of the PUD may only increase the Site’s assessed value marginally; however, as individual parcels are developed the assessed values of those properties will increase.

Policy 1.6: *Land development regulations shall contain performance standards which:*

- a. Address buffering and open space requirements; and*
- b. Landscaping requirements.*

Staff Response: The proposed PUD Master Plan includes a Perimeter Landscape Buffer that meets and in some areas exceeds the minimum landscaping requirements of Code Section 78-253. The approval of the PUD will also establish criteria for the interior landscape buffers to provide some uniformity for the development of individual parcels within the Site.

Policy 1.8: *New development shall be permitted only when central water and wastewater systems are available or will be provided concurrent with the impacts of development.*

Staff Response: The Applicant is securing the necessary commitments from the Seacoast Utility Authority to provide central water and wastewater systems to serve the Site.

Policy 2.1: *The developer/owner of any site shall be responsible for the on-site management of storm water runoff in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed those prescribed by the South Florida Water Management District (SFWMD).*

Staff Response: The Applicant, on behalf of the Property Owner, has submitted permits which have been received from the SFWMD pertaining to the management of stormwater on the Site. The Town's Engineer has confirmed that the application is consistent with Policy 2.1.

Objective 3: *All development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet level of service standards are available concurrent with the impacts of the development. Further, require that all on-site lands for rights-of-way, easements, etc., be conveyed to the proper authority prior to final project approval.*

Staff Response: The Applicant has demonstrated that the public facilities which are necessary to meet the level of service standards of the Town's Comprehensive Plan are, or will be available concurrent with the impacts of the development of the Site.

Objective 5. *As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.*

Staff Response: The PUD Master Plan is likely to promote infill development along the Congress Avenue corridor which is consistent with existing developed properties.

CONSISTENCY WITH SECTION 78-77 PLANNED UNIT DEVELOPMENT (PUD)

1.

[General provisions.]

(a)

Purpose and intent. The achievement of innovative use and site design in the development of land is often difficult or impossible within the context of conventional zoning regulations. In order to permit design flexibility and to facilitate the use of contemporary land development techniques, it is often advantageous to establish planned unit developments in which development is in harmony

with the general purpose and intent of the town's land use regulations, general planning program and comprehensive plans, but which may differ in one or more respects from the provisions of specific zoning regulations.

Staff Response: It is the intent of the Applicant to create the PUD to facilitate the development of a variety of uses that are integrated with the interior roadway improvements. In addition, the creation of a PUD promotes uniformity in the development of the Site by incorporating regulations related to permanent signage, perimeter and interior landscape buffers, pedestrian connections and architectural styles and color.

(b)

[Additional intentions.] The planned unit development regulations are intended to:

(1)

Provide the method by which property may be developed or redeveloped as a unit rather than on a lot-by-lot basis as provided for in the town's other zoning regulations.

(2)

Provide a maximum of design freedom by permitting the planned unit development applicant an opportunity to more fully utilize the physical characteristics of the site through the reduction or waiver of certain development regulations and the planned mixing of uses.

(3)

Require that property approved by the town commission for a planned unit development will be developed through a unified design providing continuity among the various elements causing a better environment.

Staff Response: While the Property may be subject to several individual Site Plan applications in the future, the Applicant is proposing a unified design for the PUD. Uniformity will be achieved because the approval of the creation of the PUD would adopt specific standards for the architecture and colors of the buildings, the location of signage throughout the Site, the perimeter and interior landscape buffers, and the creation of pedestrian connections between individual parcels within the Site.

(c)

[Applicability.] A planned unit development, by definition, may depart from the strict application of use and property development regulations for the zoning district in which the planned unit development is proposed to be located. However, these regulations should not be used as a means of evading the ordinances of the town and should be employed only when there are mutual benefits to both the planned unit development applicant and the community. It is intended that a planned unit development provide substantial public benefit.

(d)

[Benefits.] The benefits of a planned unit development are intended to include the ability of the planned unit development applicant and the town to: utilize a variety of architectural solutions; provide for the preservation of natural features and scenic areas; reduce land utilization for roads, separate vehicular and pedestrian circulations systems; allow for the meaningful integration of open space and recreation areas; and establish neighborhood identity and focus.

Staff Response: The PUD promotes architectural variety by including at least three articulation techniques on all building walls and promoting a uniform architectural style and colors, and uniform signage throughout the Site. The PUD also includes both Perimeter and Interior Landscape Buffer details to ensure that the Site's landscaping is integrated with the areas of open space planned for the Site. The proposed internal vehicular roadway network will also allow for a pedestrian circulation system to be incorporated within future site plan applications and it creates connections internal to the site which the PUD requires.

(5)

Planned unit development (PUD). A land area under unified control designed and planned to be developed in a single operation or by a series of prescheduled development phases according to an officially approved final master site plan which does not necessarily correspond to the development and use regulations of the zoning district in which the property is located.

Staff Response: The Applicant has provided evidence that the land area is under unified control with only one current owner, however a Unity of Control document will be required should this change and this document, which includes maintenance responsibilities, will be conditioned. The application is proposing a PUD Master Plan which conceptually outlines the boundary of the PUD; an internal roadway system; signage, landscaping and architectural details. The PUD Master Plan is proposing to provide the general development framework by which specific site plan applications will need to follow, and is proposing the installation of an interior roadway network to creatively divide the site into marketable areas. While the Applicant is relying on the individual site plan applications for the installation of proposed perimeter landscape buffers, if within 36 months the site is not fully developed via these site plan applications, the Applicant will be required to install the perimeter landscape buffers as proposed in the PUD as a condition of approval. The overall site has been reviewed for a potential of 90,000 square feet of retail capacity, 126,000 square feet of light industrial capacity; gasoline station and 5,928 square feet of convenience store capacity, with an overall site built-out traffic concurrency date of December 31, 2018, as reviewed and approved by Palm Beach County's Traffic Engineering Division through a letter issued February 20, 2014. Final site plan approvals will be required for each use within the PUD. The Applicant has demonstrated that the public facilities which are necessary to meet the level of service standards of the Town's Comprehensive Plan are or will be available concurrent with the impacts of the development of the site. SFWMD permit for the management of storm water and commitments from Seacoast Utility Authority to provide central water and wastewater have been received.

→PUBLIC BENEFIT: The Applicant is proposing a PUD to incorporate uniform standards throughout the Site, including the signage, architecture, and landscaping. The creation of the PUD will facilitate the construction of the Park Avenue extension sooner, rather than later. The Town and Palm Beach County have been working together for more than 8 years to provide an east-west connection from Congress Avenue to the existing Park Avenue.

STAFF RECOMMENDATIONS

- ✚ **REZONING:** Staff recommends **ADOPTION** of the Rezoning Ordinance which would change the zoning designation from C-2 to PUD.
- ✚ **PUD MASTER SITE PLAN:** Staff recommends **APPROVAL** of the PUD Master Site Plan subject to the following conditions, and any additional conditions of the Town Commission:
 1. The Owner shall improve the Property such that it is consistent with the following Plans:
 - a. Master PUD Development Plan referenced as sheet M-1 prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed May 14, 2014 and received and dated by the Department of Community Development on May 15, 2014.
 - b. Master PUD Landscape Plan, referenced as sheet LP-1 and prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April 22, 2014 and received and dated by the Department of Community Development on April 23, 2014.
 - c. PUD Landscape Plan, referenced as sheets LP-2 through LP-10 and prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April 22, 2014 and received and dated by the Department of Community Development on April 23, 2014.
 - d. Landscape Specification Plan referenced as sheet LP-11 and prepared by Gentile Glas Holloway O'Mahoney & Associates, signed and sealed April 22, 2014 and received and dated by the Department of Community Development on April 23, 2014.
 - e. Engineering Plans for interior roadway network referenced as Sheets C-1 through C-16, prepared by Smiley & Associates, signed and sealed May 16, 2014 and received and dated by the Department of Community Development on May 16, 2014.
 2. Prior to the issuance of any building permit, the Owner shall submit a unity of control instrument. This instrument shall be subject to the review and approval of the Town Attorney, following which the Owner shall record it in the Public Records of Palm Beach County. The Owner shall return a copy of the instrument with the recording information contained thereon to the Department of Community Development.
 3. The Owner's successors and assigns shall be subject to the approved PUD Master Plan.
 4. The Applicant is required to install the proposed perimeter landscape buffers within 18 months of approval of the PUD if the Property is not fully developed with these buffers by this expiration.
 5. Cost Recovery. The Owner shall reimburse the Town for all fees and costs, including legal fees incurred by the Town in reviewing the Ordinance approving the rezoning and the Resolution approving the PUD Master Plan within 10 days of receipt of an invoice from the Town. The Owner's failure to pay the Town within the 10 days of receipt of the invoice shall result in the automatic suspension of the approval and the processing of any permits or other applications which are in progress, and may be cause for the revocation of any approvals by the Town.
 6. At such time as the Owner proposes a Site Plan to develop the parcel within the PUD which abuts Watertower Road, the Owner shall provide an easement and incorporate the same in the Plat to ensure cross access between this parcel and the other Parcels within the PUD. Additional interior roadways and curb cuts that are incorporated within the Property to accommodate future parcel development shall require the submission of individual applications for a site plan.
 7. Prior to the issuance of the first building permit, the Owner shall amend the Plat such that it is consistent with the Unity of Control instrument.

6/9/2014

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Palm Beach Post, The
 06/08/2014
 Miscellaneous Notices

LEGAL NOTICE OF PUBLIC HEARING FOR PUD MASTER SITE PLAN APPROVAL - TOWN OF LAKE PARK

Please take notice and be advised that Gentile Glas Holloway O'Mahoney & Associates, Inc., acting as agent for the applicant, Congress Avenue Properties Ltd., is requesting the approval of a PUD Master Plan for a property located on the southeast corner of North Congress Avenue and Waterlower Road in the Town of Lake Park, FL. The Town Commission will hold a public hearing on this matter on Wednesday, June 18, 2014, at 6:30 p.m., or as soon thereafter as can be heard, in the Town Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311

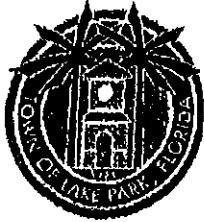
Town Clerk: Vivian Mendez
 PUB The Palm Beach Post
 6-8/2014 #259287

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NOV 14 2013
Development

THE TOWN OF LAKE PARK
APPLICATION FOR SITE PLAN REVIEW

Project Name: Congress Business Park (Congress Ave. Parcel D)

Property Address: Not Assigned

Owner: Congress Avenue Properties LTD Address: 4500 PGA Blvd. #207 PBG, FL 33418

Applicant (if not owner): Congress Development Co.

Applicant's Address: 4500 PGA Blvd # 207 Phone: 561-691-9050

Fax: 561-622-1851 Cell Phone: _____ E-Mail: _____

Property Control Number (PNC) 36-43-42-19-00-000-5040

Site Information:

General Location Southeast corner of Congress Avenue and Watertower Road

Address: Not Assigned

Zoning District C-2 Future Land Use: Comm Lt -IND Acreage: 28.66

Adjacent Property:

Direction	Zoning	Business Name	Use
North	C-2	Kohl's & Petsmart	Retail Commercial
East	CLIC	Keller Trust	Office/Warehouse
South	C-4	Army Corp of Engineers Reserve Training Center	Government Facility
West	TND	San Marco Villas	Residential

Justification:

Information concerning all requests (attach additional sheets if needed)

1. Explain the nature of the request Please see attached Justification Statement

2 What will be the impact of the proposed change on the surrounding area?

Please see attached Justification Statement

3 How does the proposed project comply with Town of Lake Park's zoning requirements?

Please see attached Justification Statement

Legal Description:

The subject property is located approximately _____ mile(s) from the intersection of _____, on the _____ north, _____ east, _____ south, _____ west side of _____ (street/road)

Legal Description See Attached Legal Description

I hereby certify that I am (we are) owner(s) of record of the above described property or that I (we) have written permission from the owner(s) of record to request this action

Ray Bell, Jr.
Signature of Owner/Applicant

11/5/13
Date

Consent Form from Owner and Designation of Authorized Agent:

Before me, the undersigned authority, personally appeared Phillip Brandt
who, being by me first duly sworn, on oath deposed and says

1. That he/she is the fee simple title owner of the property described in the attached
Legal Description _____
Res zoning to PUD and Approval of PUD Master Plan
2. That he/she is requesting _____
in the Town of Lark Park, Florida
3. That he/she has appointed Congress Development Co. and Gentile Glas Holloway O'Mahoney & Associates, Inc.
to act as authorized on his/her behalf to accomplish the above project.

Name of Owner: Congress Avenue Properties, Ltd.

Phillip Brandt, Jr.
Signature of Owner

Phillip Brandt, Authorized Agent
By Name/Title

4500 PGA Blvd Suite 207
Street Address

Palm Beach Gardens, FL 33418
City, State, Zip code

P O Box

City, State, Zip code

561-691-9050
Telephone Number

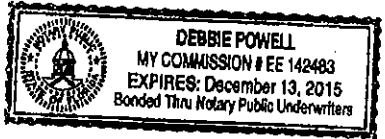
561-622-1851
Fax Number

philbrandt@divostainvestments.com
Email Address

Sworn and subscribed before me this 5th day of November, 2013

Debbie Powell
Notary Public

My Commission expires
12-13-15





Landscape Architects • Planners • Environmental Consultants

GENTILE | GLAS | HOLLOWAY | O'MAHONEY & Associates, Inc.

LE 000119
George G. Gentile FASLA
M. Troy Holloway ASLA
Emily M. O'Mahoney ASLA
Dodi Buckmaster Glas AICP

Congress Business Park PUD
(Congress Avenue Parcel D)
Town of Lake Park, Florida
REZONING & PUD MASTER PLAN APPLICATION (Special Use Permit)

Project Summary

November 11, 2013

~~REVISED February 27, 2014~~

~~REVISED April 4, 2014~~

~~REVISED April 22, 2014~~

REVISED May 14, 2014

MAY 15 2014

Development

REQUEST/LOCATION:

Gentile Glas Holloway O'Mahoney & Associates, Inc. as agent for the applicant is requesting a Rezoning from C-2 Commercial to PUD with an underlying C-2 Commercial Zoning Designation and a for approval of a PUD Master Plan. It is the intent of the developer to create the PUD to outline the development area and the minimum land development regulations; to permit a variety of uses that would be appropriate for this area and create economic diversity that will generally include; 90,000 SF of retail uses, 126,000 SF of light industrial uses; and a gas station with 20 fueling positions and 5,928 SF of convenience store and to allow internal subdivision within the PUD for occupants on the site an ownership option. Specific Site Plans and architectural controls will be developed once specific uses are further defined. The subject site is approximately 30.13 acres and located at the southeast corner of Water Tower Road and Congress Avenue. As mentioned above the site is currently zoned C-2 Business District and has a Future Land Designation of Commercial/Light Industrial. The requested rezoning to PUD/C-2 and the associated PUD Master Plan are consistent with the site's existing Future Land Designation and surrounding development pattern along the Congress Avenue Corridor.

PROJECT HISTORY

The subject site has had multiple approvals since its annexation into the Town of Lake Park. Initially, the Town of Lake Park had zoned the entire Congress Avenue corridor, as Traditional Neighbor Development (TND). The Town's desire for a TND in this area of the Town changed and the subject site was rezoned to the C-4 Business District (Ord. 06-03-03). Concurrent with rezoning from TND to C-4, the applicant/owner submitted a Master Plan for approximately 511,000 SF for future office/warehouse. In 2008, another rezoning was approved on this site from C-4 to C-2, and the site has remained vacant.

REZONING APPLICATION REQUIRED INFORMATION:

- 1) That the requested change would be consistent with the land use plan and would not have an adverse effect on the comprehensive plan?**

The Comprehensive Plan encourages infill development and economic diversity. This is one of the last parcels to develop along this portion of the Congress Avenue Corridor. The proposed rezoning will allow the applicant to market to a wider variety of businesses and services.

- 2) That the requested change is consistent with the land use pattern?**

As stated the surrounding area has a mix of commercial uses (mid-sized and large box retailers), industrial use and one residential neighborhood. Adjacent to the site is a federal government installation. The request will be consistent with the dominate non-residential land use pattern. The rezoning and proposed flexibility in terms of uses permitted within the PUD, will hopefully provide a wider variety of goods and services that will not only cater to the larger community, but service the needs of the adjacent residential community and the reservists visiting the site has part of their training weeks and weekends.

- 3) That the requested change will not result in increase or overtaxing of public facilities (schools, streets, utilities, etc...). Acceptable documentation may include, but not be limited to, traffic impact studies, concurrency reviews, letters from service providers indicating the availability of capacity, etc.**

Included with the request is an updated traffic analysis, that indicates a reduction in the number of previously approved trips and that the project is consistent with Palm Beach County's Traffic Performance Standards. In addition, the project is proposing to build a portion of the required Park Avenue Extension, which will provide additional traffic relief on Northlake Boulevard and Congress Avenue. As part of the review of this application it is anticipated that North Palm Beach County Improvement District, Seacoast Utilities, PBCFR and PBSO Utilities will provide their comments and indicate if the project will exceed their availability of capacity. No overtaxing of the existing public services is expected with development of this site.

- 4) That the requested change will not adversely impact public safety.**

As stated above, the rezoning is not anticipated to adversely impact public safety. The development of the site, will provide more activity along Congress Avenue and Watertower Road which will create more eyes watching the area as a further deterrent to criminal activity.

- 5) That the requested change will not adversely impact living conditions in the neighborhood or surrounding areas?**

Again the addition of this PUD will provide a greater variety of services to the area. This should increase opportunities for goods and employment for the adjacent neighborhood and community as a whole.

3) How does the proposed project comply with Lake Park's Zoning requirements.

The development will meet all requirements of the code. Each project proposed for the site, will submit a specific site plan to provide greater oversight in terms of consistency with the Town's Code.

	Code
<i>Max Building Height</i>	50 feet/4 stories Max.
<i>Signage</i>	
<i>Congress Avenue</i>	25 feet
<i>Watertower Road</i>	15 feet
<i>Park Avenue Extension</i>	15 feet
<i>Landscaping</i>	
<i>Buffers</i>	R/W Buffer – 15' min.

PUBLIC BENEFIT

As a PUD, this site provides for a better continuum of development with a higher level of design consideration for the corridor. There is common architecture, signage, landscaping and access for this larger tract of land. It has been designed with the existing character of the Congress area to better define the sense of place.

Additionally, and most significantly, this project provides the Town with the dedication of the Park Avenue extension which is also being constructed.

Approval of this requested rezoning to PUD/C-2 and master plan will allow the applicant to increase the activity and marketability of the site in order to develop it with a mix of uses that will be consistent with the development pattern along Congress Avenue and provide a greater range of goods, services, and employment opportunities to the community. Therefore, on behalf of our client, Gentile Glas Holloway O'Mahoney & Associates, Inc. respectfully request approval of the proposed Rezoning and Master Plan applications.

MAY 15 2014

CONGRESS AVE BUSINESS PARK PUD – DEVELOPMENT REGULATIONS**Architectural Guidelines**

To create interest and encourage economic stability and innovative design, these guidelines encourage flexibility and a variety of architectural styles and uses. The desire is to maintain unity through compatible style while maintaining a more town like campus character. The Congress Ave Business Park intent is not to limit the architectural theme to just one style within the boundaries of the PUD. The following standards shall be applied to any structure to be developed within this specific PUD.

A. **GENERAL STANDARDS** - Within the PUD, all buildings, signage and landscaping are to be designed to provide a sense of arrival and common character while permitting variety of uses and individual architecture. Consistent materials, design elements and colors shall be incorporated in the architecture and signage. Common areas shall maintain a similar landscape pallet. Town Commission may permit alternatives in individual approvals as the site may warrant but generally the standards are described below.

B. **SPECIFIC STANDARDS** –

1. **Colors and Materials**

- Colors and materials shall be selected for consistency and compatibility to provide a common sense of arrival and place for any building within the PUD.
- Colors shall be predominantly earth tone with warm browns, beiges and tones of white. Accents shall be more aesthetically lively and provide for market branding and recognition of national businesses. Trademarked colors, logos and features may be incorporated into the building design.

2. **Architectural Character**

- Style of building shall be similar and compatible within the PUD and to provide some sense of continuity for the Congress Avenue corridor. The established style shall remain contemporary in character and all buildings shall share some common architectural features, materials and colors. However each building within the PUD is permitted to provide its own unique accent color and branding as may be appropriate for its use.
- Materials shall include concrete and stucco finishes that are accented with banding, split face block and stone character elements in more natural color schemes. The use of black and silver or metal accents is encouraged.

3. Building Façade

- All buildings shall provide articulation on all 4 sides of any proposed structures.
- Articulation should be aesthetically pleasing and should include at least three (3) of the following:

Varied roof lines – i.e. hip roof, parapet walls, tower features;
Well identified building entry;
Building banding, scoring, trim;
Building embellishment (ie. awnings, trellis, medallions, etc.)
Façade recesses;
Façade projections;
Varied use of color and or materials; and
Use of windows and faux windows.

4. Building Height

- Maximum building height shall not exceed 50 feet as measured from the finished floor. Decorative appurtenances, towers or spires may exceed the maximum height subject to the approval of the Town Commission.

5. Signage

- Similar materials and styles for ground signs shall be provided to give a sense of place and arrival to the Congress Business Park. Signage base materials should be consistent with the individual businesses but provide for use of earth tone color schemes and stone character materials as to be found in the buildings architecture. Lettering and background colors of signs should be provided to provide more interest in bright yellow, reds, orange, blue, green or white.

6. Screening

- All roof top equipment shall be screened consistent with Mechanical Equipment Screening Section 78-335(4) of the Town's Code
- All dumpster/compactors, loading areas, mechanical equipment and utilities shall be screened from public view. Screening shall include a combination of an opaque fence or wall with landscaping and may also utilize building orientation, as long as it is fully screened from public

view consistent with landscape requirements Section 24-76(e) and 78—253 (a)(2) of the Town's Code.

7. Pedestrian Circulation

- All lots within the PUD shall provide for pedestrian circulation to the public right-of-way either directly or to an adjacent lot which provides for direct access.

8. Color Renderings

- All Site Plan application shall include color renderings and a color board including color manufacturer's name and identification and sample materials as appropriate to match the submitted architectural plans which should include the same information including exterior materials to be used along the façade and roof material.

Permanent Signage

The intent of the signage is to facilitate customers and their traffic to and within the PUD. To create unified signage, while not limiting company identification and branding, each free standing monument sign should utilize complimentary and consistent colors, and materials.

Temporary signage (1) shall be as provided in the code and permanent signage shall be addressed below:

Sign Type	Design Standards (2)	Max. Number of Sign Faces	Maximum Number of Signs	Maximum Sign Structure Dimensions
PUD/Project Identification Monument Signs (3)	May include multiple tenants and the name of the PUD or a single tenant	2	1 sign for up to the first 300 feet of linear R.O.W. frontage. A second sign may be permitted with an additional 300 feet linear R.O.W. frontage/.	Height: 12 feet Width: 16 feet

			Additional signs, up to 4, may be permitted with each additional 500 feet of R.O.W. frontage when the parcel fronts on multiple roadways.	
Tenant Monument Signs (3)	<p>1 per each out parcel or each individual building</p> <p><u>Maximum surface area:</u> One square foot for every one and one-half feet of building frontage.</p> <p>For the purposes of Gas Stations, an additional 32 square feet may be permitted to monument signs area for pricing identification.</p>	2	1 per street frontage	<p>Height: 10 feet</p> <p>Width: 8 feet</p>
Wall Signs and Canopy signs	The total square footage of all wall signs on any front wall shall not exceed in surface area or sign area one and one-half times the length of the exterior wall of the individual business establishment to which it is attached.	N/A	<p>1 wall and 1 canopy sign per tenant in multi-tenant buildings</p> <p>Additionally, tenants with frontage onto multiple R.O.W.s or parking lots may have one additional sign per R.O.W. or parking lot side.</p>	<p>Letters shall not exceed 48 inches</p> <p>Side wall/canopy or rear wall/canopy signage shall not exceed 50 percent of the maximum front wall/canopy allowable square footage.</p>
Directional Signage	Signs are permitted at entry access points to the site or to	2	1 per entry	<p>Height: 3 feet</p> <p>Width: 2 feet</p>

	an outparcel within the site			
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- (1) Temporary signs shall be consistent with Section 70-103(3) of the Town's Code; Signage posted on Gasoline Service Station Pumps shall be consistent with Section 70-103 (5)(d)(2); Any proposed Window Signage shall be consistent with Section 70-103.(5)(e)
- (2) All signs must not obstruct any clear visibility triangle consistent with Section 78-253 (c) (9) of the Town Code.
- (3) Monument sign placement and materials are subject to standard requirements of the Town Code.

Landscaping

- All site plans submitted to the Town of Lake Park within this PUD shall meet the minimum interior non-residential landscape requirements of Section 78-253 of the Town Code. .
- Minor modifications to the PUD Perimeter Buffer Plan illustrated below on the plans are permitted subject to approval of the Town of Lake Park's Community Development Department and written approval of the Master Developer of the site.
- Landscaping materials within the PUD shall be designed to provide for a continuity of presence within the Congress Business Park. Common landscape materials that should be included on all lots to maintain a common theme for the PUD but each site may have alternative accent plants and design as approved by their site plans. The perimeter buffers will generally follow the PUD buffer plan. Common landscape materials shall include a combination of natives such as but not limited to:
 1. Trees and palms – Florida Royals Sabals, Thatch, Pigeon Plum, Silver/Green Buttonwoods, Bald Cypress, East Palatka Holly, Seagrape, Pines, Ilex Species; and
 2. Hedge, Shrubs and Ground Cover –Cocoplum, Firebush, Clusia, Ilex Species, Green Island Ficus, Saw Palmetto, Myrsine, Beach Sunflower and Native Grasses.