



**TOWN OF LAKE PARK
PLANNING & ZONING BOARD
AGENDA
AUGUST 4, 2014
7:00 P.M.
535 PARK AVENUE
LAKE PARK, FLORIDA**

PLEASE TAKE NOTICE AND BE ADVISED: If any interested person desires to appeal any decision of the Planning & Zoning Board with respect to any matter considered at the 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 (561) 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Judith Thomas, Chair	<input type="checkbox"/>
Erich Von Unruh, Vice-Chair	<input type="checkbox"/>
Michele Dubois	<input type="checkbox"/>
Martin Schneider	<input type="checkbox"/>
Ludie Francois	<input type="checkbox"/>

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- Planning & Zoning Board Meeting Minutes of June 2, 2014

PUBLIC COMMENTS

Any person wishing to speak on an agenda item is asked to complete a Public Comment Card located in the rear of the Commission Chambers, and provide it to the Recording Secretary. Cards must be submitted before the agenda item is discussed.

ORDER OF BUSINESS

The normal order of business for Hearings on agenda items is as follows:

- Staff presentation
- Applicant presentation (when applicable)
- Board Member questions of Staff and Applicant
- Public Comments – 3 minute limit per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on floor
- Vote of Board

NEW BUSINESS

- A. A SITE PLAN APPLICATION SUBMITTED BY THE AHRENS COMPANIES ON BEHALF OF R&K 10th COURT, LLC (OWNER) FOR THE DEVELOPMENT OF A 3,203 SQUARE FOOT, ONE-STORY OFFICE/WAREHOUSE BUILDING ON A VACANT 0.3128 ACRE SITE LOCATED ON THE WEST SIDE OF 10TH COURT.**
- B. AN APPLICATION FOR SIX (6) VARIANCES SUBMITTED BY THE AHRENS COMPANIES ON BEHALF OF R&K 10th COURT, LLC (OWNER) PURSUANT TO THE SITE PLAN APPLICATION LISTED AS ITEM “A” ON THIS AGENDA.**

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

ADJOURNMENT



**TOWN OF LAKE PARK
PLANNING & ZONING BOARD
MEETING MINUTES
MONDAY, JUNE 2, 2014**

CALL TO ORDER

The Planning & Zoning Board Meeting was called to order by Chair Judith Thomas at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Judith Thomas, Chair	Present
Erich Von Unruh, Vice-Chair	Present
Michele Dubois	Excused
Martin Schneider	Excused (Arrived at 7:40)
Ludie Francois, Alternate	Present

Also in attendance were Thomas Baird, Town Attorney; Nadia DiTommaso, Community Development Director; Debbie Abraham, Town Planner, and Kimberly Rowley, Recording Secretary.

APPROVAL OF AGENDA

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

	Aye	Nay
Judith Thomas	X	
Erich Von Unruh	X	
Ludie Francois	X	

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

APPROVAL OF MINUTES

Chair Thomas requested a motion for approval of the May 5, 2014, Planning & Zoning Board Meeting Minutes as submitted. Vice-Chair Von Unruh made a motion to approve and the motion was seconded by Board Member Francois. The vote was as follows:

	Aye	Nay
Judith Thomas	X	
Erich Von Unruh	X	
Ludie Francois	X	

The Motion carried 3-0, and the Minutes of the May 5, 2014, Planning & Zoning Board Meeting were unanimously approved as submitted.

PUBLIC COMMENTS

Chair Thomas explained the Public Comment procedure.

ORDER OF BUSINESS

Chair Thomas outlined the Order of Business.

Board Member Schneider arrived at 7:40 p.m. (after having been previously excused).

NEW BUSINESS

- A. AN APPLICATION TO REZONE A VACANT 28.66 ACRE LOT ALONG CONGRESS AVENUE FROM THE COMMERCIAL C-2 BUSINESS DISTRICT TO A PLANNED UNIT DEVELOPMENT (PUD), AND THE APPROVAL OF A PUD MASTER SITE PLAN FOR THE PROPOSED CONGRESS BUSINESS PARK PLANNED UNIT DEVELOPMENT**

STAFF PRESENTATION

Town Planner Debbie Abraham addressed the P&Z Board and stated she will be presenting an application to rezone and an application for a PUD Master Site Plan approval which will require two separate motions by the Board. Ms. Abraham stated that Gentile, Glas, Holloway, O’Mahoney and Associates, Agent and Applicant for Congress Avenue Properties, the property owner, submitted an application to rezone a 28.66 acre vacant parcel located on the southeast corner of Watertower Road and North Congress Avenue from Commercial-2 (C-2) to a Planned Unit Development (PUD).

Ms. Abraham explained that a PUD is a development which promotes unity within certain aspects of the development, while incorporating a variety of compatible uses from the underlying zoning district, which in this case is the C-2 District. The objective of a PUD is to have certain elements develop in a uniform manner, even though the uses may vary. A PUD differs from a traditional zoning district because it allows for flexibility in development regulations, such as setbacks and buffer requirements; however, waivers from the Town Code must be beneficial to the community, as the PUD is intended to substantially benefit the public. Ms. Abraham further explained that according to Section 78-77 of the Town Code, whenever a site rezones to a PUD, the PUD absorbs the uses of the underlying district and any additional uses proposed must be brought forward as a special exception and determined to be compatible with the uses permitted in the PUD.

Ms. Abraham stated that Congress Avenue Properties is also proposing a PUD Master Site Plan as part of the rezoning request, entitled “Congress Business Park” as shown on Sheet M-1 of the agenda packet. The Master Site Plan proposes all of the uses permitted by right and special exception in the underlying C-2 District. Ms. Abraham further explained that like any other zoning district, special exception uses will be required to submit a special exception application when they are applied for and are subject to the public hearing process. The C-2 District currently fosters uses such as retail, business and professional offices, restaurants, and personal service establishments. The Site’s existing future land use designation is Commercial/Light Industrial, which is compatible with the proposed PUD zoning designation. The primary benefit for creating a PUD is the flexibility in development regulations.

Ms. Abraham explained that the proposed PUD Master Site Plan has a continuous internal road network which is to be complemented by pedestrian connections, a master perimeter landscaping plan along with guidelines for the interior landscape buffers; master signage guidelines for permanent signage along with a monument sign detail to provide uniformity; color palette, and architectural guidelines, while relying on the Town’s additional architectural guidelines and property development regulations for future development. 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 rezoning and the PUD Master Site Plan. The PUD Master Site Plan sets aside a parcel for the construction of the Park Avenue West Extension, a project which has been in the Town’s vision for years. The Applicant has received a permit to begin construction of the Park Avenue West Extension from Palm Beach County and upon completion will hand the Extension over to Palm Beach County, who will then dedicate the Extension to the Town. The construction of the Park Avenue Extension would not have moved forward had it not been for the intended PUD, and it provides a substantial public benefit to the Town as it initiates the construction of an additional east/west connection with the Town that has been discussed for years.

Ms. Abraham noted that discussions were held with the Applicant regarding the submittal of additional wall-mounted signage details and architectural elevation templates; however, Staff did not require the Applicant to submit the information due to the fact that the Town’s Architectural Guidelines are in place and will require compatibility in character with the overall Site.

STAFF RECOMMENDATION

Ms. Abraham stated that the Rezoning and PUD Master Site Plan proposals have been reviewed pursuant to the requirements of Town Code and Staff is recommending:

1. APPROVAL of the rezoning of the Site from the C-2 Business District to a PUD.
2. APPROVAL of the PUD Master Site Plan with Conditions 1 – 5 as outlined in the Staff Report, with the exception of Condition 2, which Staff is proposing to modify as follows:

Prior to the issuance of any development permits, a Unity of Control instrument subject to the approval of the Town Attorney shall be required of the Applicant,

and the instrument shall be recorded in the Public Records of Palm Beach County to ensure that the PUD is operated as a single entity.

APPLICANT PRESENTATION

George Gentile, Senior Partner of Gentile, Glas, Holloway, O'Mahoney & Associates, Inc., and Agent for the Applicant, addressed the P&Z Board and thanked Staff for their great presentation of the project. Mr. Gentile stated that they are requesting a PUD Master Plan and Rezoning to a PUD for the subject property. Mr. Gentile showed a visual of the location of the Master PUD Plan, *Congress Business Park*, and explained they are proposing to rezone from the C-2 to a PUD and will utilize the uses that are allowed in the underlying C-2 District on the Project. Mr. Gentile stated that there are several activities commencing that are in process at this time for the project, but this evening they are here only for the PUD Master Plan, which will set the trend and the criteria for everything that will happen with those developments as they come in for either special exception uses or permitted uses in the future. Mr. Gentile explained that the property is a Commercial Light Industrial land use parcel which was rezoned in 2008 to C-2 and is consistent with the current Light Industrial and Commercial land use already in place. The subject parcel is located at the southeast corner of Watertower Road and Congress Avenue, is surrounded by C-2 zoning to the north; C-4 to the south; CLIC to the east and Traditional Neighborhood District (TND) across Congress Avenue to the west. Mr. Gentile explained that the PUD Master Plan has design standards which permit for the site to develop in a unified way through architecture, signage and landscape and provides for coordinated access and circulation, as well as the alignment of the Park Avenue Extension, which is a major public benefit of the PUD. The architecture will have a unifying character to create a campus setting; the signage will facilitate a thematic approach for the entire PUD, and the landscaping will create a sense of place using similar materials with accents throughout the project. Mr. Gentile showed a visual example of the PUD Architecture and explained the specifics to be 4-sided; contemporary; natural color schemes, concrete; stucco with accent banding and accents of metal fixtures, awnings and colors for other accents. The signage format will relate to the architecture and match the theme, design size and materials, and will recognize branding and registered logos and colors but will use accent for interest and provide for project ID with tenants. Mr. Gentile stated the PUD landscape will establish a theme for the entire site to provide for a sense of place and arrival, and will utilize common landscape materials, including native sable palms and oaks as utilized in the perimeter and corridor. Shrubs, hedge and groundcover will be kept indigenous to the sandy ridge dune system that is in the project area.

BOARD MEMBER DISCUSSION

Vice-Chair Von Unruh asked the Applicant with respect to the Park Avenue Extension how much would be their responsibility. Mr. Nadir Salour, Representative for the property owner, responded that they will be building Park Avenue from Congress Avenue to the property line which is the west side of the canal. Vice-Chair Von Unruh asked if there is a connector road on the west side of the canal at the moment. Mr. Salour stated there is not a connector road but the County and Town are working together on the alignment. Vice-Chair Von Unruh asked if RaceTrac Petroleum, Inc. will be a part of the project. Mr. Salour stated that RaceTrac Petroleum, Inc. and Aldi Florida, LLC. have submitted plans to the Town which are currently in

the review process. Vice-Chair Von Unruh questioned Staff's reason for requesting to modify Condition #2 as written in the Staff Report. Ms. DiTommaso stated that the request is to modify Condition #2 to read "prior to the issuance of any development permits, a Unity of Control instrument subject to the approval of the Town Attorney shall be required of the Applicant, and the instrument shall be recorded in the Public Records of Palm Beach County to ensure that the PUD is operated as a single entity". Ms. DiTommaso stated that she met with the P&Z Board Chair prior to tonight's meeting and the Unity of Control instrument was discussed. It was agreed that it was in the best interest of the Town to require a Unity of Control instrument prior to the development permit, even though there is only one owner on the property at this time, in order to ensure the responsibility is clearly written for when other owners come onto the property. Ms. DiTommaso explained that the Unity of Control document would be submitted by the Applicant to the Town and reviewed by the Town Attorney. Chair Thomas clarified her concern that since there were internal roads being proposed in the PUD that it is typical that the Plat would include maintenance requirements for the common areas, as well as cross access agreements for the roadways. Therefore, she had requested Staff to look at a Unity of Control instrument so as individual owners come in there would not be a concern for which property owner is responsible for the maintenance of the internal roads and the cross access agreements with the commercial entities. Vice-Chair Von Unruh asked about a cross access agreement with the corner property (currently the Army Reserve Center). Ms. DiTommaso stated that Staff does not see it as a concern because the Army Reserve Center will be separated by the Park Avenue Extension, which is currently being constructed. Mr. Gentile stated that the Applicant does not have a problem with the modification of Condition #2 regarding a Unity of Control instrument. Mr. Gentile stated that there will be multiple owners and there may be further subdivision of the property and all of the issues of concern will be covered within the Unity of Control document. Vice-Chair Von Unruh asked the Town Attorney if he foresees any negative impacts to adding a Condition for if there are multiple parties that cross access agreements would be required. The Town Attorney stated that it will be unnecessary to add such a condition requiring cross access, as it will be addressed within the Unity of Control. Board Member Schneider asked if there will be driveway access to Watertower Road. Mr. Salour stated that upon completion of the infrastructure the intent is to extend the road from the north end of the parcel to Watertower Road. Board Member Schneider asked how cross connectivity will be ensured at this time even though the PUD is preliminary. Mr. Salour said that he would be fine with adding a *Condition of Approval* to extend the road and connect with Watertower Road at the appropriate time. The Town Attorney asked for clarification in order to articulate the Condition. Mr. Salour stated that the *Condition of Approval* would be tied to the approval of the site plan which abuts Watertower Road and at that time the property owner would be required to connect to Watertower Road and provide access.

Board Member Schneider requested background information on the future road connection of Park Avenue. Ms. DiTommaso showed an aerial view of the area and explained that in approximately 2008-2009 an original alignment plan was discussed between the Town and Palm Beach County, which aligned Park Avenue West and Congress Avenue through the industrial areas, back up behind the conservation area and then connecting to Old Dixie Highway. The originally proposed alignment plan came back from the County to the Town in late-2011, due to some connection issues. Ms. DiTommaso stated that the alignment plan has since been reworked over the past 12-18 months, and now there is a drafted alignment plan that can potentially work.

The Town is currently working with the County to draft language for an Interlocal Agreement which will be brought to the Palm Beach County Board of County Commissioners (PBCBCC) for approval. Upon PBCBCC approval, the Park Avenue Extension will be placed on the County's 5-Year Road Plan. Board Member Schneider asked if the right-of-way exists. Ms. DiTommaso stated that the majority of the alignment lies within public land; however, there are certain portions which will need to be attained from private property owners. Board Member Schneider asked if there will be any change to the existing lakes on the site, and said he noticed there was no lake maintenance easements mentioned on the project plans. Mr. Gentile responded that there is no anticipated change to the lakes. Mr. Salour stated that the northern lake tract has been dedicated to the Northern Palm Beach County Improvement District. Board Member Schneider asked if a landscape buffer will be required on the east side, and which site will be the Aldi grocery store. Mr. Salour stated that the Aldi grocery store will be a part of Parcel A. *(Board Member Schneider noted a discrepancy on Sheet M-1 Site Data that Parcel A, B & C doesn't match Parcel A, B & C on the map. Mr. Gentile stated that this is a typo which will be corrected).* Board Member Schneider asked if the location of the entry/monument sign should be shown to ensure that it won't interfere with the perimeter landscape buffer or site triangles. Ms. DiTommaso stated that upon submittal of the site plan Staff will verify that the sign is not within a site visibility triangle. Board Member Schneider asked if there is currently anyone in mind for the light industrial uses, and would the use be one-story. Mr. Salour stated that there is no one at this time for the light industrial uses, and Mr. Gentile stated that there is a height limitation in the PUD of four-stories. Board Member Schneider commented that he feels Condition #4 which requires a landscape buffer at Watertower Road and Congress Avenue within 36-months of approval of the PUD should be considered to be shortened. There were no comments/questions from Board Member Francois.

Chair Thomas asked Staff about the standard process for platting. Ms. DiTommaso stated that platting goes to the Town Commission for approval. Ms. DiTommaso stated that the project site has been platted and there is a minor re-plat to subdivide which is being done administratively. Chair Thomas asked if there is anything on the plat regarding maintenance and cross access or master development controls. Mr. Gentile stated the plat was actually done a couple of years ago and it was not a PUD at that time. Chair Thomas asked if it would be difficult to re-do the plat to include cross access agreement issues and maintenance requirements in order to simplify the process. Mr. Gentile stated that rather than having to go through the entire re-plat process, since there is a time issue and there are 2 pending applications, all of these items of concern would be addressed within the Unity of Control. Mr. Gentile stated they are certain that the conditions and concerns discussed this evening with Staff and the Town Attorney can be incorporated into the Unity of Control. Mr. Salour stated that there will be numerous levels of protection, as there will also be a property owners association which will outline all of these areas of concern and which will be reviewed by the Town Attorney. The Town Attorney suggested adding a Condition stating ... *"before a building/development permit is issued, the owner shall amend the plat such that it is consistent with the Unity of Control"*, which would give sufficient time to bring the plat up-to-speed consistent with the Unity of Control. Chair Thomas stated there is a driveway cut being proposed off of Congress Avenue and there is a concern regarding the on-street parking adjacent to the property along Congress Avenue, and will it be utilized as a deceleration lane going onto the property off of Congress Avenue. Mr. Salour responded that he is not certain at this time but he believes that upon construction of the turn lane, the on-street parking may

become part of the turn lane. Chair Thomas asked that since this is a PUD will the P&Z Board be reviewing the site plans and special exceptions uses and what is the purpose of doing a PUD. Mr. Gentile responded the purpose of the PUD is to create a campus type-setting which will have unified themes for such things as architecture, landscape & signage and yes, the Board would review the individual site plans and special exception applications. Vice-Chair Von Unruh asked when ground breaking is anticipated. Mr. Salour stated that the next step is the infrastructure and he hopes that it will be on the next up-coming agenda. Chair Thomas asked if the Town has received any feedback/comments from the Army Reserve since there is a Federal Army Reserve facility being constructed adjacent to the subject parcel. Ms. DiTommaso stated she has not heard received any feedback from the Federal agency regarding the project. Mr. Salour stated that they are in close touch on a daily basis and the Federal agency is very well aware of the project since they are working together regarding the Park Avenue Extension construction and utilities.

PLANNING & ZONING BOARD RECOMMENDATIONS

1. Chair Thomas asked for a motion to re-zone a 28.66 acre vacant lot located on Congress Avenue between Park Avenue and Watertower Road from the C-2 Business District to a Planned Unit Development (PUD). Board Member Schneider made a motion to approve, and the motion was seconded by Vice-Mayor Von Unruh. The vote was as follows:

	Aye	Nay
Judith Thomas	X	
Martin Schneider	X	
Erich Von Unruh	X	
Ludie Francois (voting alternate member)	X	

The Motion carried 4-0, and the rezoning was unanimously approved.

2. Chair Thomas asked for a motion to approve Staff's recommendation to approve the PUD Master Site Plan for the proposed Congress Business Park Planned Unit Development with Conditions, as amended and read by the Town Attorney:

➔ **Condition #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.

➔ **Condition #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.

→ **Condition #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.

Vice-Mayor Von Unruh made a motion for the approval of the conceptual PUD Master Plan, subject to the five (5) Conditions as stated in Staff Recommendations, with *amended* Condition #2 as read by the Town Attorney, as well additional Conditions #6 and #7. The motion was seconded by Board Member Schneider. The vote was as follows:

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

The Motion carried 4-0 and was unanimously approved.

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

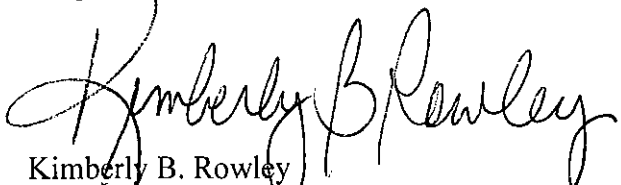
There were no further comments by the Community Development Director.

ADJOURNMENT

Chair Thomas asked if there would be a Planning & Zoning Board Meeting in July. Ms. DiTommaso stated there will be an item for the Historic Preservation Board, and there may be other items for the Planning & Zoning Board. Ms DiTommaso stated there are several projects pending at this time and therefore P&Z Meetings will most likely be scheduled throughout the summer months.

There being no further business before the Board, the Meeting was adjourned by Chair Thomas at 8:26 p.m.

Respectfully Submitted,



Kimberly B. Rowley
Planning & Zoning Board Recording Secretary

PLANNING & ZONING BOARD APPROVAL:

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

DATE:



**TOWN LAKE OF PARK
PLANNING & ZONING BOARD
MEETING DATE: AUGUST 4, 2014**

Staff Report

PLAN DESCRIPTION: Site Plan Application by the Ahrens Companies to develop a one story office/warehouse building on a vacant 0.3128 acre site located on the west side of 10th Court.

APPLICANT'S REQUEST: Ahrens Companies ("Applicant") has submitted an application for a site plan on behalf of R&K 10th Court, LLC (the Owner) for the development of a 3,203 square foot office/warehouse building (the Application) on a vacant 0.3128 acre site located on the west side of 10th Court (the Site). The Site, legally described and shown in **Exhibit "A"** is within the Commercial-4 Zoning District (C-4) and has a Commercial/Light Industrial future land use designation pursuant to the Town's Comprehensive Plan. The Applicant is also requesting six variances that are being reviewed as a separate agenda item.

STAFF RECOMMENDATION: Staff recommends that the Planning and Zoning Board make a motion of **DENIAL** because the Site Plan is not consistent with the Comprehensive Plan. Specifically, the Application is not consistent with Objective 7 of the Future Land Use Element which requires the enforcement and application of the Town's Architectural Guidelines. Because the Application fails to comply with the Town's Architectural Guidelines, it also fails to comply with the Town's Land Development Regulations given that the building elevations submitted as part of this Site Plan Application do not incorporate all of the design standards which must be met pursuant to the Town Code.

BACKGROUND:

Applicant(s): Ahrens Companies

Owner(s): R&K 10th Court, LLC

Address/Location: 10th Court (TBD)

Net Acreage: 0.3128 acres

Legal Description: Lot 13, Block 132, ADDITION 2, LAKE PARK, FLORIDA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 25, Page 214

Existing Zoning: Commercial 4 (C-4)

Future Land Use: Commercial/Light Industrial

Adjacent Zoning

North: Commercial 4 (C-4)
South: Commercial 4 (C-4)
East: Commercial 2 (C-2)
West: Commercial 4 (C-4)/FEC Railway

Adjacent Existing Land Use

North: Commercial/Light Industrial
South: Commercial/Light Industrial
East: Commercial
West: Commercial/Light Industrial/FEC Railway

CONSISTENCY WITH THE COMPREHENSIVE PLAN

While the Site Plan is consistent with several objectives and policies of the Comprehensive Plan, the proposed Site Plan is **NOT CONSISTENT** with Objective 7 of the Future Land Use Element of the Comprehensive Plan:

OBJECTIVE 7: The Town recognizes the benefits of unified architectural and design standards. The Town shall continue to develop, maintain, revise and **enforce** these standards as appropriate.

Although the Applicant has applied for certain architectural variances, Staff has determined that these variances are inconsistent with Objective 7 and Staff is recommending denial of these variances. Objective 7 is clear that it is the Commission's policy that owners of property should incorporate unified design standards into the buildings which are the subject of a new development project. Further, pursuant to this Objective, it is the Commission's policy that new developments meet the design standards contained within the Town's Land Development Regulations. The Applicant's failure to comply with this Objective and the Town's Land Development Regulations should not be rewarded by allowing it to avoid the Commission's policy through variance relief. Therefore, it is Staff's opinion that the Applicant should incorporate additional architectural features into the building's design and change the roofing material so that it meets the Town Code's adopted architectural guidelines.

PROJECT DETAILS

Building Site: The Property is an undeveloped lot located in the C-4 Zoning District with a future land use designation of Commercial and Light Industrial. The use of a 3,203 square foot office/warehouse building is a use permitted within the C-4 Zoning District and is consistent with the future land use designation of Commercial/Light Industrial.

Site Access: The Property is located on the west side of 10th Court and is accessible using the 10th Court corridor.

Traffic: Palm Beach County’s Traffic Engineering Division has approved the Applicant’s vehicular circulation and accessibility layout in its letter dated March 26, 2014, a copy of which is enclosed as **Exhibit “B”**.

Landscaping & Irrigation: The Applicant is requesting one (1) variance from Section 78-253(h)(1) of the Town’s Landscaping Code. The Request for Variance Application is being considered as a separate agenda item and requires a separate motion. The Applicant is requesting the following landscaping variances:

Code Section	Code Requirement	Proposal
78-253 (h)(1)	A landscaped buffer shall be a minimum of eight feet in depth around the perimeter of a parcel; provided, however, a landscaped buffer of 15 feet in depth shall be required on lands located adjacent to public street rights-of-way	<p>North: partially satisfied; non-continuous buffer varies in size to incorporate proposed building configuration</p> <p>South: partially satisfied; non-continuous buffer varies in size to incorporate proposed drive aisle width</p> <p>East: No buffer proposed; Applicant has incorporated additional foundational landscaping at the front of the building facing 10th Court to partially mitigate the 15-foot perimeter landscape buffer</p> <p>West: Satisfied; additional landscaping included to mitigate requested variances</p>

The Applicant has met the remainder of the requirements in the Town’s Landscaping Code. **Staff is recommending approval of this variance request being presented under separate cover and will be recommending that the Applicant is responsible to maintain the landscaping, including the hedge material at a specified height incorporated as a condition of approval when and if the project gets approved. Both the landscaping and irrigation plans have been reviewed and approved by the Town’s contracted landscape architect.**

Drainage: The Applicant has provided the Conceptual Engineering Plans as well as a Drainage Statement and preliminary drainage calculations to the Town. The Town’s Engineer has determined the plans are satisfactory for Site Plan approval but is requiring the Applicant obtain final engineering approval prior to the issuance of any development permits.

Parking: The parking spaces proposed meet the 7 required parking spaces per Town Code: 4 spaces per 1000 square feet of office space (for a total of 3 spaces); 1 space per 2000 square feet of warehouse space (for a total of 1 space); and 2 spaces per employee during the maximum shift of employment (for a total of 2 spaces). This total number of parking spaces is inclusive of the one (1) required ADA space which is being proposed at the front of the property.

Signage: The Applicant is not proposing any monument signs; however, the Applicant has designated an area above the entrance for a future wall sign which will be subject to the Town’s permitting requirements.

Zoning: The Property is in the C-4 Zoning District. The use of an office/warehouse is a use permitted within this zoning district. The Applicant is requesting a variance from Section 78-74(5)(b) of the C-4 Zoning District setback requirements, as indicated below. This request is being presented under separate cover and requires a separate motion; however, Staff is recommending approval of this variance request due to the unique site conditions and accessibility requirements of the Town’s Public Works Department.

Code Section	Code Requirement	Proposal
78-74 (5)(b)	No building or structure shall be located closer than 12 feet from one side yard line.	North: 0’4” setback to incorporate proposed building configuration South: 1’0” setback to accommodate proposed dumpster enclosure location

Water/Sewer: The Town’s Engineer has reviewed the Application and determined there is sufficient available capacity for potable water and for wastewater treatment set forth in the Town’s Comprehensive Plan. A letter from Seacoast Utilities Authority (SUA) indicating the required capacity has been reserved is forthcoming; meanwhile, a verbal acknowledgement from SUA has been given to Staff to verify that the required capacity is available.

Design: The Applicant is requesting four (4) variances from the Town’s Architectural Design Guidelines, as seen below. These variance requests are also being presented under separate cover. Given the variance criteria that must be met per the Town Code, Staff is recommending **DENIAL** of these variance requests given that the Applicant is proposing a NEW development which is able to meet the Town’s architectural standards established by Code. In addition, the Applicant’s proposed building consists of metal siding material with the use of stucco and flat style metal panel systems, which are discouraged under Section 78-333(2) of the Town Code. Because the Code does not “prohibit” metal siding material, a variance has not been requested for this Code section. However, Staff believes that this very metal siding prevents the incorporation of additional architectural features as required under the Code and for which variances are being requested.

Code Section	Code Requirement	Proposal
78-333(3)	<p>Facades greater than fifty (50) feet in length shall incorporate recesses and projections a minimum of twelve (12) inches in depth along a minimum of twenty percent (20%) of the total length of the façade. The recesses or projections shall be distributed along the façade with a maximum spacing of one hundred (100) feet between each recess or projection.</p>	<p>No recesses and projections are being proposed.</p>
78-333(6) and 78-332(7)	<p>78-333(6): Blank walls shall not exceed ten (10) feet in height or twenty (20) feet in length. Control and expansion joints shall constitute a blank wall, unless used in a decorative pattern with varied materials or textures and spaced a maximum of ten (10) feet on center. Relief and reveal depth shall be a minimum of three-quarter inch. Building wall offsets, including projections, recesses and changes in floor level, shall be used to add architectural interest and variety.</p> <p>78-332(7): <i>Incompatible architectural elements.</i> Unarticulated, flat, or blank facades are not permitted.</p>	<p>The Applicant has included texturized and colored stucco bands and reliefs, but there are areas greater than 10' x 20' that do not include these combinations, or the minimum three-quarter inch relief and reveal depth, along with architectural variety, as required by Code.</p>
78-337(1)(e)	<p>Standing seam metal roofs made of copper, stainless steel or galvanized steel are acceptable. Other metals including industrial rib roofs are prohibited.</p>	<p>Industrial rib roofs are proposed and prohibited by Code.</p>
78-337(3)	<p>A minimum of two locations, the roof edge and/or parapet, shall have a vertical change from the dominant roof condition at a minimum of four feet.</p>	<p>No changes at a minimum of four feet are proposed at roof edge.</p>

Fire: Palm Beach County Fire reviewed the proposed Site Plan and has no comments.

Lighting and PBSO/CPTED: The Crime Prevention through Environmental Design (CPTED) review was done by the Town Planner who is CPTED certified. The Applicant

has provided a plan with sufficient lighting (per the Code requirements) and access control. Recommendations were made to include surveillance, access control devices, and secure access to electrical equipment to deter tampering and these can be included as Conditions of Approval if and when the application is approved.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Board make a motion of DENIAL of the Site Plan Application because it is not consistent with the Town's Comprehensive Plan and does not meet the Town's Land Development Regulations, specifically with respect to the Town's Architectural Guidelines.

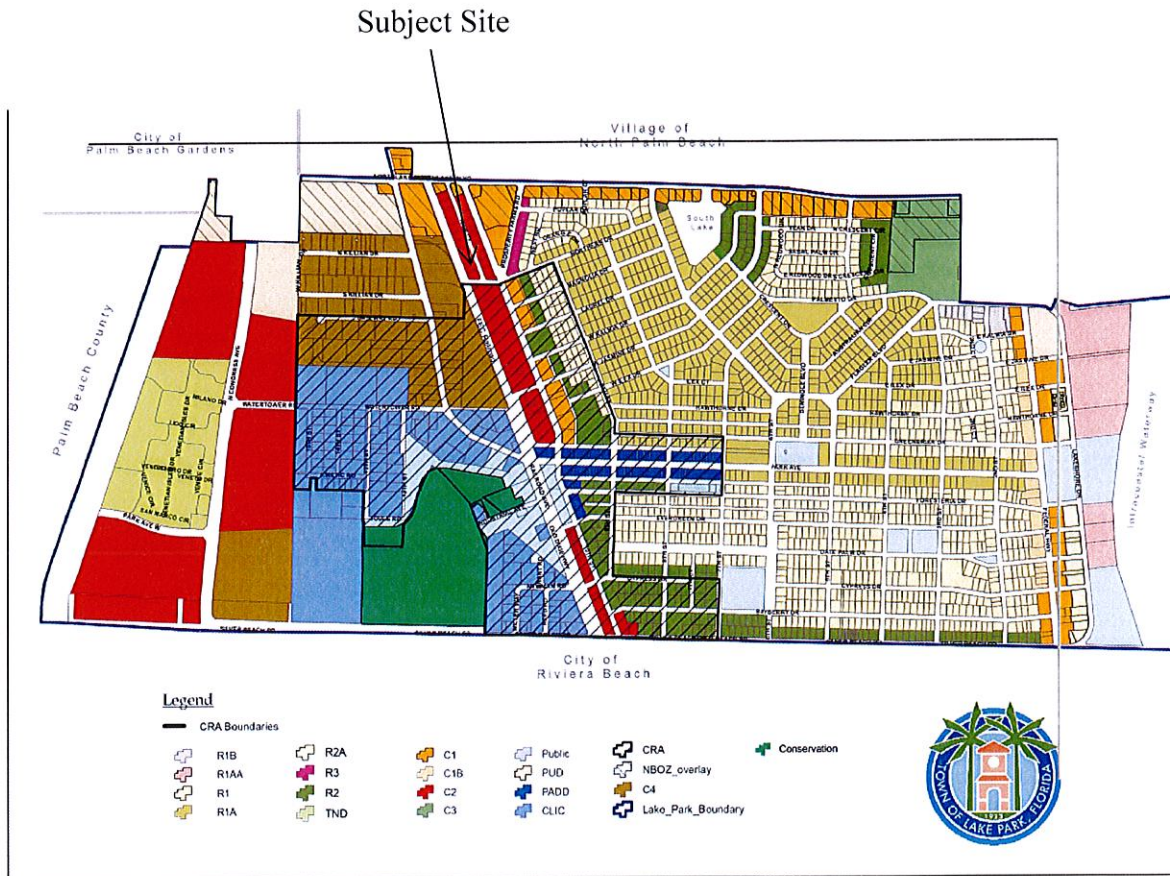
Closing Remarks

While Staff is recommending *denial* of this application due to certain architectural standard deficiencies, Staff is in favor of redeveloping the 10th Court corridor. Buildings along this corridor have not been redeveloped or significantly renovated for decades and while the area will likely remain commercial/light industrial for years to come, redevelopment and new development efforts are a win-win for all. They serve to improve the aesthetic of the corridor, increase the tax base, and provide a valuable piece of real-estate for individual property owners. Had it not been for the architectural deficiencies, Staff would be recommending approval of this application.

EXHIBIT "A"

Legal Description: Lot 13, Block 132, ADDITION 2, LAKE PARK, FLORIDA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 25, Page 214

Lake Park Zoning Map



Lake Park Zoning Map



Nadia Di Tommaso, Director
 Community Development Department
 Town of Lake Park
 950 Park Ave., Lake Park, FL 32903
 888-321-2318 888-321-2323 (TDD)
 nadia@lcp.com

Aerial Image of Existing Site

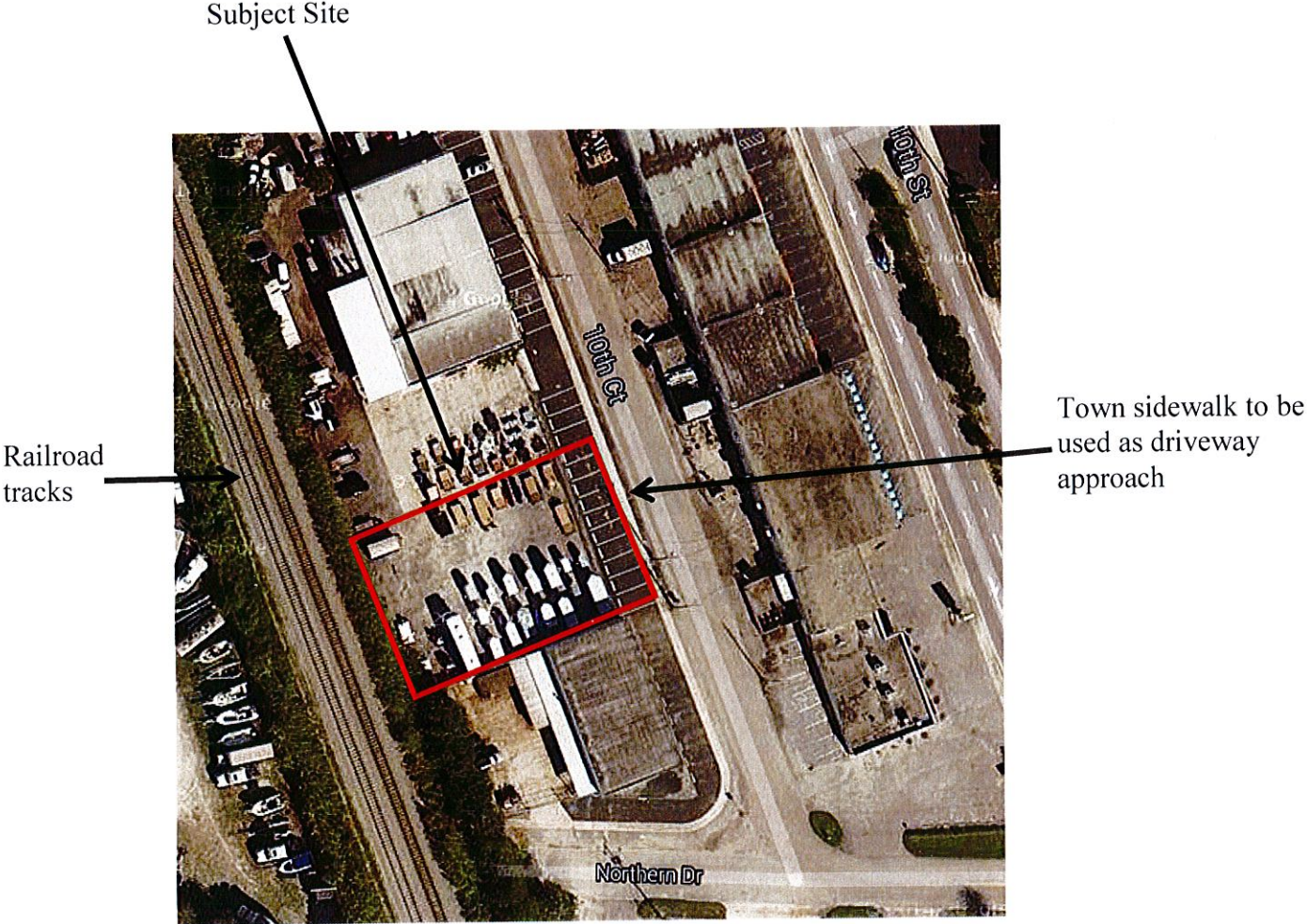
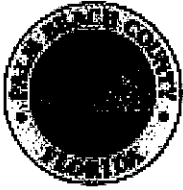


EXHIBIT "B"

Palm Beach County Traffic Concurrency Letter



Department of Engineering and Public Works
PO Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

Palm Beach County Board of County Commissioners

- Terrell A. Taylor, Mayor
- Faulett Burchick, Vice Mayor
- Hal B. Veleche
- Shelley Wynn
- Steven L. Abrams
- Mary Lou Berger
- Joe H. Santamaria

County Administrator

Robert Waterman

"An Equal Opportunity Affirmative Action Employer"

Community

MAR 31 2014

Development

March 28, 2014

Ms. Nadia Di Tommaso
Director of Community Development
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

RE: 10th Court Office/Warehouse
Project #: 140304
TRAFFIC PERFORMANCE STANDARDS REVIEW

Dear Nadia:

The Palm Beach County Traffic Division has reviewed the traffic study for the proposed office/warehouse project entitled; 10th Court Office/Warehouse; pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Land Development Code. The project is summarized as follows:

Location: West side of 10th Court, north of Northern Drive, east of FECRR Railroad tracks
Municipality: Lake Park
PCN #: 36-43-42-20-04-132-0130
Existing Uses: Vacant
Proposed Uses: 815 SF General Office and 2,368 SF Warehouse.
New Daily Trips: 38
New Daily Trips: 5 AM and 2 PM
Build-out: End of Year 2017

Based on our review, the Traffic Division has determined the proposed office/warehouse project constitutes insignificant impact on the roadway network and therefore meets the TPS requirements of Palm Beach County. No building permits are to be issued by the Town after the extended build-out date listed above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

If you have any questions regarding this determination, please contact me at 684-4030 or e-mail me at malefi@pbcgov.org.

Sincerely,

Masoud Alfi, MSCE
TPS Administrator, Municipalities - Traffic Engineering Division

MA:sa
cc: Linda Riccardi PE, - PTC

File: General - TPS - Misc - Traffic Study Review
F:\TRAF\ICmaAdmin\Approvals\2014\11-00304.doc



**TOWN LAKE OF PARK
PLANNING AND ZONING BOARD
MEETING DATE: AUGUST 4, 2014**

Staff Report

VARIANCE APPLICATION REQUEST

APPLICANT'S REQUEST: R&K 10th Court, LLC, is the Property Owner (the Owner) of a vacant lot located on the west side of 10th Court as legally described in the attached Exhibit A (the Property). On behalf of the Owner, Ahrens Companies (the Applicant) submitted applications for Site Plan Approval and 6 variances to develop the Property. The Owner proposes to develop a one story office/warehouse building on the Property and this site plan application is being presented under separate cover. The variances are: (1) from the Town's Landscaping Code; (2) from the setback regulations established by the Commercial-4 (C-4) C-4 Zoning District, and (3-6) from the Town's Architectural Guidelines.

THE REQUESTED VARIANCES

Variance #1: A variance from **Section 78-253(h)(1)** of the Town's Landscaping Code which requires a landscaped buffer of 8 feet along the perimeter of the Property and 15 feet adjacent to a public right of way. These variances are necessary due to the Property's lot size which is smaller than other commercial lots in the C-4 District, although not necessarily smaller than the other developed properties along 10th Court. Without these variances, the Owner believes that the development of the Property is not economically and physically feasible.

Variance #2: A variance from **Section 78-74(5)(b)**. This Code section establishes a side yard setback requirement of 12 feet for all structures within the C-4 Zoning District.

Variance #3 - #6: Four variances from **Article XI**, which establishes architectural guidelines and mandates that all new Non-residential Buildings incorporate certain architectural guidelines into the design of the new buildings, pursuant to Code Section 78-330(2)(a) which states: "*New nonresidential buildings or structures must comply with all of the provisions of this article*".

The Owner proposes to construct a building with a metal material that is specifically discouraged in the Town's Architectural Guidelines. Additionally, to the extent the Applicant has incorporated any architectural features into the proposed new building, these design features are not consistent with the Architectural Guidelines set forth in the Code. Assuming new buildings are

eligible for the requested variances to the architectural requirements of the Code, none of the four requested variances can be considered to be a legal hardship as legally defined by the Code and the law. Accordingly, Staff is recommending the denial of the four architectural variances (#3 - #6) because they do not present a legal hardship.

Section 78-330(4) of the Town Code allows the Town Commission to approve an alternative architectural style provided *"the Commission determines the alternative design is consistent with the surrounding architectural character and design intent of the district in which the property is located"*. The Applicant's building design is reminiscent of the industrial, rectangular buildings which were developed in the 1960's and 1970's, which were devoid of any architectural character, and unattractive. Although Staff acknowledges that the surrounding area is comprised of buildings which are equally devoid of any architectural character, the Town Code's architectural requirements for new buildings were adopted long after these buildings were constructed. The intention of adopting these architectural requirements was to improve the appearance of non-residential buildings in the Town as new development or re-development occurs. Instead of following the Commission's intent to improve the appearance of the Town, the Applicant proposes an alternative design which reinforces and continues the unattractive architectural character of 50 years ago. It is the opinion of the Staff that the alternative design does not meet the intent of the Code with respect to alternative designs. Because the building does not meet the Code's criteria to establish a legal hardship, the Staff recommends denial of the four variances and of the proposed alternative design.

BACKGROUND:

Applicant: Ahrens Companies

Owner: R&K 10th Court, LLC

Address/Location: 10th Court

Net Acreage: 0.3128 acres

Legal Description: Lot 13, Block 132, ADDITION 2, LAKE PARK, FLORIDA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 25, Page 214

Existing Zoning: Commercial 4 (C-4)

Future Land Use: Commercial/Light Industrial

Adjacent Zoning

North: Commercial 4 (C-4)

South: Commercial 4 (C-4)

East: Commercial 2 (C-2)

West: Commercial 4 (C-4)

Adjacent Existing Land Use

North: Commercial/Light Industrial

South: Commercial/Light Industrial

East: Commercial

West: Commercial/Light Industrial

I. LAW ON VARIANCES.

Section 55-63 (2) of the Town Code vests the Planning and Zoning Board with final authority regarding variances. Section 78-185 of the Town Code establishes criteria which must be met to entitle an applicant to a variance. The Board must find that each of the 7 criteria have been met to entitle an applicant to the requested variance relief. The 7 criteria are that:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building;
- (2) The special conditions or circumstances are not a result of actions by the Owner/Applicant;
- (3) Granting the variance will not confer on the Owner any special privilege that is denied to others;
- (4) A literal interpretation of the land development regulations would deprive the Owner of rights commonly enjoyed by other properties in the same zoning district;
- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (6) The granting of the variance will be in harmony with the general intent and purpose of the land development regulations and will not be injurious to the area involved or otherwise detrimental to the public welfare and;
- (7) Granting the variance would not be contrary to the comprehensive plan.

In evaluating these criteria, Courts have placed emphasis on criteria # 4 above, by holding the Owner/Applicants for variance relief and the governing board evaluating the application, to the rigorous standard of whether the denial of the variance would render the Property virtually unusable. See Bernard v. Town of Palm Beach, 569 So. 2d 853 (Fla. 4th DCA 1990).

II. APPLICANT'S VARIANCE REQUEST

PART I: LANDSCAPING & SETBACKS

Variance #	Code Section	Code Requirement	Proposal
1	78-253 (h)(1)	A landscaped buffer shall be a minimum of eight feet in depth around the perimeter of a parcel; provided, however, a landscaped buffer of 15 feet in depth shall be required on lands located adjacent to public street rights-of-way	<p>North: partially satisfied; non-continuous buffer varies in size to incorporate proposed building configuration</p> <p>South: partially satisfied; non-continuous buffer varies in size to incorporate proposed drive aisle width</p> <p>East: No buffer proposed; Applicant has incorporated additional foundational landscaping at the front of the building facing 10th Court to partially mitigate the 15-foot perimeter landscape buffer</p> <p>West: Satisfied; additional landscaping included to mitigate requested variances</p>

2	78-74 (5)(b)	No building or structure shall be located closer than 12 feet from one side yard line.	North: 0'4" setback to incorporate proposed building configuration South: 1'0" setback to accommodate proposed dumpster enclosure location
---	-----------------	--	---

ANALYSIS OF CRITERIA AND FINDINGS FOR VARIANCE

EACH of the 7 variance criteria must be satisfied for a variance to be granted:

CRITERIA 1: ***That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.***

The parcels along 10th Court, including the Property, are smaller in size than other commercial/industrial parcels in the Town. A typical commercial/industrial parcel in the Town is at least one acre. The Property is approximately 1/3 acre. Therefore, Staff finds that the Property's size which is atypical of commercial/industrial parcels in the Town is a special condition or circumstance.

Criteria met.

CRITERIA 2: ***That the special conditions and circumstances do not result from the actions of the Applicant.***

The properties along 10th Court were subdivided many years ago. Staff has determined that all of the buildings along 10th Court were constructed with a zero side yard setback, resulting in smaller lot sizes unique to commercial/industrial properties in the Town. Accordingly, these conditions and circumstances did not result from actions by the Owner. Additionally, the Code also has a provision that allows parking in the front yard, but not within five feet of the right-of-way and this is how the entire corridor has been configured over the years.

78-79 (1) (g) In the CLIC-1 and C districts, required off-street parking space may be located in the front yard except that no parking shall be permitted within five feet of the front lot line

Criteria met.

CRITERIA 3: ***That granting the variance requested will not confer on the Applicant any special privilege that is denied by the Town Zoning Code to other lands, buildings or structures in the same zoning district.***

The Property is the only undeveloped parcel along 10th Court. Granting these two variances so that the Owner may develop the Property would not confer a special privilege on the Owner that has been denied to other Property Owners along 10th Court.

Criteria Met.

CRITERIA 4:

That literal interpretation of the provisions of the Code would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the Applicant.

The Property is a vacant parcel of property on 10th Court. The other properties along 10th Court, which are similarly sized, have been developed as commercial/industrial uses. A literal interpretation of the landscaping requirements as applied to the Property would deprive the Owner of the rights which have been enjoyed by the other Property Owners along 10th Court, i.e. the development of their properties.

Criteria met.

CRITERIA 5:

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The variance request for the north (side yard) setback and the landscape buffers are the minimum variances that would make possible the reasonable use of land. The Applicant proposes to increase the rear landscaping buffer to compensate for the size of the proposed side yard buffers and has also included trees to the front of the Property to offset the required front yard 15-foot landscaped buffer. Accordingly, the Applicant has proposed some mitigation for the reduction of the setback and landscape buffers.

Criteria met.

CRITERIA 6:

That the grant of the variance will be in harmony with the general intent and purpose of the land development regulations of the Code, and the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The requested landscaping and setback variances will not be injurious to the area or detrimental to the public welfare. The Applicant's mitigation methods for the landscaping variances, which include increasing the landscaping buffer plantings in the rear and incorporating additional trees to the front of the Property, is in harmony with the Landscaping Code which encourages mitigation to compensate for a loss of landscaping buffers in other areas of a site.

Criteria met.

CRITERIA 7: *That the variance would not be contrary to the comprehensive plan of the town.*

Variances #1 and #2 are not contrary to any Goals, Objectives or Policies of the Town's Comprehensive Plan.

Criteria met.

.....

Part II: Applicant is requesting four (4) variances from the Town's Architectural Guidelines, as follows:

Variance #	Code Section	Code Requirement	Proposal
3	78-333(3)	<p>Facades greater than fifty (50) feet in length shall incorporate recesses and projections a minimum of twelve (12) inches in depth along a minimum of twenty percent (20%) of the total length of the façade. The recesses or projections shall be distributed along the façade with a maximum spacing of one hundred (100) feet between each recess or projection.</p>	<p>No recesses and projections are being proposed.</p>
4	78-333(6) and 78-332(7)	<p>78-333(6): Blank walls shall not exceed ten (10) feet in height or twenty (20) feet in length. Control and expansion joints shall constitute a blank wall, unless used in a decorative pattern with varied materials or textures and spaced a maximum of ten (10) feet on center. Relief and reveal depth shall be a</p>	<p>The Applicant has included texturized and colored stucco bands and reliefs, but there are areas greater than 10' x 20' that do not include these combinations, or the minimum three-quarter inch relief and reveal depth, along with architectural variety, as</p>

		<p>minimum of three-quarter inch. Building wall offsets, including projections, recesses and changes in floor level, shall be used to add architectural interest and variety.</p> <p>78-332(7): Incompatible architectural elements. Unarticulated, flat, or blank facades are not permitted.</p>	required by Code.
5	78-337(1)(e)	<p>Standing seam metal roofs made of copper, stainless steel or galvanized steel are acceptable. Other metals including industrial rib roofs are prohibited.</p>	Industrial rib roofs are proposed and prohibited by Code.
6	78-337(3)	<p>A minimum of two locations, the roof edge and/or parapet, shall have a vertical change from the dominant roof condition at a minimum of four feet.</p>	No changes at a minimum of four feet are proposed at roof edge.

ANALYSIS OF CRITERIA AND FINDINGS FOR VARIANCE

EACH of the 7 variance criteria must be satisfied for a variance to be granted:

CRITERIA 1: *That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.*

The Site does not have any special conditions or circumstances that are peculiar to the land. The Owner proposes to develop a new building on the Site. Because a building has not yet been constructed there is no reason why the Owner cannot construct a building which complies with the Town's Architectural Guidelines. There is no relationship between the "small" size of the lot, as compared to other lots in the C-4 Zoning District, or the style of the building to be constructed on the lot. Therefore, there is nothing to preclude the Applicant from designing a building for the Site which meets the Town's Architectural Guidelines.

Criteria NOT met.

CRITERIA 2: *That the special conditions and circumstances do not result from the actions of the Applicant.*

There are no special conditions or circumstances to the lot that would create a legal hardship to meeting the Town's Architectural Guidelines. The need for variances is directly the result of the actions of the Applicant. The Code discourages the use of the metal siding; however, the Applicant chose a metal siding material to construct the proposed building that further perpetuated the inability to incorporate certain design features for which variances are being requested. The Code's Architectural Guidelines require certain design features that are made suitable to other building material types. Additionally, rather than meet the Code, the Applicant proposes a "rib roof" style design. A rib roof is explicitly prohibited by the Code. The Applicant's actions also resulted in its failure to include any of the architectural features prescribed by the Code such as recesses and projections, edged roofs, parapets and blank wall areas larger than 10' x 20'.

Criteria NOT met.

CRITERIA 3: *That granting the variance requested will not confer on the Applicant any special privilege that is denied by the Town Zoning Code to other lands, buildings or structures in the same zoning district.*

Granting the four variances **would confer** a special privilege on the Applicant which is denied by the Code to other developers of new construction. All developers of new commercial sites must meet the Town's Architectural Guidelines for Non-Residential Buildings, codified at Article XI of the Town's Code. Granting the four variances will indeed confer a special privilege upon the Applicant to which other developers of new non-residential buildings would not be entitled.

Criteria NOT Met.

CRITERIA 4: *That literal interpretation of the provisions of the Code would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district*

and would work unnecessary and undue hardship on the Applicant.

A literal interpretation of the Code would not impose any undue hardship, nor deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district. The Applicant is proposing new construction. All new non-residential buildings must meet the Town's Architectural Guidelines. While Code Section 78-330(4) entitles an Applicant to construct a new non-residential building with an alternative architectural style that is consistent with the existing buildings along 10th Court...the overall intent of the Code is to improve the appearance of the Town, and not to perpetuate an existing architecture which is, at best, unattractive. There is no unnecessary or undue hardship being imposed upon the Applicant by requiring it to meet the same Code requirements that other developers of new non-residential development are required to meet.

Criteria NOT met.

CRITERIA 5:

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The four variances requested would not be the minimum variances which could be granted. On the contrary, the variances, if granted, would be the **maximum** variances which could be granted because the Applicant is requesting that it be relieved of meeting **all** of the architectural guidelines of the Code.

Criteria NOT met.

CRITERIA 6:

That the grant of the variance will be in harmony with the general intent and purpose of Code Section and the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The requested variances would not be in harmony with the general intent and purpose of the Code. Just the contrary, granting the variances eviscerates the Code. Therefore, granting the variances would be injurious and detrimental to the public welfare.

Criteria NOT met.

CRITERIA 7: *That the variance would not be contrary to the comprehensive plan of the town.*

OBJECTIVE 7: The Town recognizes the benefits of unified architectural and design standards. The Town shall continue to develop, maintain, revise and enforce these standards as appropriate.

The requested variances are contrary to Objective 7 of the Future Land Use Element of the Town's Comprehensive Plan. The intent of this Objective is to uniformly apply the Town's Architectural Guidelines to all new non-residential development. Granting variances to the Town's Architectural Guidelines would be inconsistent with the Town's Comprehensive Plan.

Criteria NOT met.

V. STAFF'S RECOMMENDATION

Staff recommends **APPROVAL** of variance request #1 from **Section 78-253(h)(1)** for the perimeter landscape buffer requirements along the north, south, and east sides of the Property, as requested by the Applicant.

Staff recommends **APPROVAL** of variance request #2 from **Section 78-74(5)(b)** to allow for a decrease side yard setback for the north building wall and dumpster location, as requested by the Applicant for the north and south sides of the Property.

Staff recommends **DENIAL** for variance requests #3-#6 from the Town's Architectural Guidelines.

Exhibit "A"

Legal Description

Lot 13, Block 132, ADDITION 2, LAKE PARK, FLORIDA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 25, Page 214



Community

JUN 26 2014

Development

THE TOWN OF LAKE PARK

APPLICATION FOR SITE PLAN REVIEW

Project Name: R & K 10th Court

Property Address: Lot 13, 10th Court Lake Park, FL 33403

Owner: R&K 10th Ct LLC Richard & Karol Kauff Address: 301 52nd St. WPB, FL 33407

Applicant (if not owner): AHRENS COMPANIES

Applicant's Address: 1461 KINETIC RD. LAKE PARK, FL Phone: 561-863-9004

Fax: 561-863-9007 Cell Phone: _____ E-Mail: ryan@ahrenscompanies.com

Property Control Number (PNC): 36-43-42-20-04-132-0130

Site Information:

General Location: Between Northlake Blvd. and Northern Drive on west side of 10th Court

Address: _____

Zoning District: C4 Future Land Use: COMM. LT. IND. Acreage: 0.312 AC

Adjacent Property:

Direction	Zoning	Business Name	Use
North	C4	VACANT	
East	C4	Gold Coast Flooring & Interiors	
South	C4	Lake Park Machine Shop	
West	N/A		Railroad

Justification:

Information concerning all requests (attach additional sheets if needed.)

1. Explain the nature of the request. _____
This project will consist of a office/warehouse facility, parking areas, and new landscaping. The building will have a total of 3,203 s.f. which consist of 2,388 s.f. of warehouse area and 815 s.f. of office space, these spaces will be divided into (2) different areas for the owner and one tenant. The building will be 18'-8" h. at its highest point.

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

The proposed development of this site will be a substantial improvement and great example for any future development in the C-2 or C-4 zoning districts. It will be one of if not the only site developed on 10th Court that will have a complete drainage, landscape, and exterior lighting packages.

3 How does the proposed project comply with Town of Lake Park's zoning requirements?

The proposed project complies with the overall intent of zoning code including, the building use (pending a C-4 re-zoning approval), the building design meets the majority of the Architectural Design guidelines, while trying to be in harmony of its adjacent surroundings.

The proposed project has made a diligent effort to comply with Zoning requirements as allowable based on project and site specific limitations.

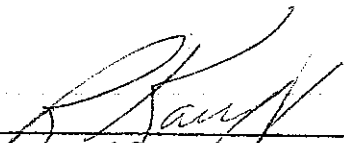
Legal Description:

The subject property is located approximately 0.2 mile(s) from the intersection of Northlake Blvd. & 10th Court, on the _____ north, _____ east, _____ south, X west side of 10th Court (street/road).

Legal Description

LOT 13, BLOCK 132, ADDITION 2, LAKE PARK, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 25, PAGE 214.

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.


Signature of Owner/Applicant

3-31-14
Date



Site Plan Approval and Variance Request Letter

July 17, 2014

Nadia Di Tommaso
 Debbie Abraham
 Community Development
 Town of Lake Park

Application No.: 4773
 Project Name: R&K 10th Court
 Lot 13 10th Court
 Lake Park, FL 33403

Project Summary:

This project will consist of a office/warehouse facility, parking area, and new landscaping. The building will have a total of 3,203 s.f. which consist of 2,388 s.f. of warehouse area and 815 s.f. of office space, these spaces will be divided into (2) different areas for the owner and one tenant. The building will be 18'-8" h. at its highest point.

Specific Element Variance Request Chart and Justification Statements

Building Side Yard Setback Variance			
SECTION	REQUIRED/PERMITTED	PROPOSED	JUSTIFICATION
78-74.5.b C-4 Business	Min. 12' setback from any one side yard line.	1) 0'-4" North setback 2) 1'-0" Dumpster setback.	1) The proposed setback of 0'-4" is consistent with the surrounding properties, it is required due to the narrow width of the lot. Due to the existing power pole at the south side of the property limiting access to the building, there was no physical way to shift the building further south. 2) Per Development Staff and Public Works recommendation the dumpster enclosure was located to the back of the property. Due to the narrow lot width this is the only orientation that works and still provides landscape screening.

Landscape Elements / Buffer Variances			
SECTION	REQUIRED/PERMITTED	PROPOSED	JUSTIFICATION
78-253.h.1	15' w. buffer - East	No buffer proposed	Property has a narrow width and is already partially obstructed by existing FPL power poles, when in combination with a buffer there is no way to provide proper access to the property.
	8' w. buffer - West	15'-0" w. buffer	Additional buffer width provided to minimize the impact of adjacent decreases in buffers widths.
	8' w. buffer - North	1) 8'-0" @ 23% of length 2) 5'-0" @ 30% of length 3) 0'-4" @ 47% of length	1) Compliant 2) 5'-0" width proposed to allow proper use & access of the site, parking spaces, and driveway. 3) No buffer proposed at the building. Building proposed at 0'-4" offset from property line, this is required to allow driveway to access rear of property.
	8' w. buffer - South	1) 8'-0" @ 37% of length 2) 5'-0" @ 35% of length 3) <5'-0" @ 18% of length	1) Compliant 2) 5'-0" width proposed to allow proper use & access of the site, parking spaces, and driveway. 3) The buffer had to be minimized to allow the dumpster to be located in a accessible area. The The existing 6' h. site screen wall also provides the required screening.
	1) Buffer trees 40' o.c. West 100' = 2.5 trees North 136' = 3.4 trees South 136' = 3.4 trees 2) Min. 2 trees any street frontage	3 trees provided 4 trees provided 4 trees provided 1 tree provided 2 palm clusters (4 trees provided in the side buffers are in the front of the site)	1) Required number of trees provided with proposed alternative spacing. Alternate spacing required to avoid planting trees to close to the existing building in the South buffer and the proposed building in the North buffer. 2) No buffer is proposed at street frontage, a total of 5 trees and 2 palm clusters are provided at the front of the property.

Architectural Design Guidelines Variances			
SECTION	REQUIRED/PERMITTED	PROPOSED	JUSTIFICATION
78-332(7)	Incompatible Architectural Elements- Unarticulated, flat, or blank facades are not permitted.	No articulation is façade is proposed.	Articulation cannot be added to the building façade because the building layout is driven by the site dimensional constraints and by the Owners min. building s.f. area.
78-333(3)	12" min. depth recess or projection in facades greater than 50' L. (20% building façade) 20% of 68.67'w. façade = 13'-9" w.	No recess or projection is proposed.	A recess or projection cannot be added to the building façade because the building layout is driven by the site dimensional constraints and by the Owner's minimum building s.f. area.
78-333(6)	Blank walls shall not exceed 10' H. x 20' L.	The design incorporates awnings, doors, louvers, stucco bands, decorative score lines, faux window, varying textures.	This design is consistent with the surrounding architectural character and design intent of the district in which the property is located.
78-337(1.e)	Standing seam metal roofs are acceptable, industrial rib roofs are prohibited.	Structural galvanized "ribbed" R-panel roof is proposed.	<p>The proposed structural roof panel is a superior product when compared to a std. structural standing seam panel. The use of a superior product is in the best interest of the Owner & the Town. If the code is based on visual appeal, the roof panel is not visible from the street, neighbors, and will not be visible to the public.</p> <p><u>Standing Seam Panel #1</u> 24 ga. Superlok-NOA 11-0810.06 60" max. span = +/- 48.36 psf 24" max. span = +/- 66.00 psf 12" max. span = +/- 83.84 psf</p> <p><u>Standing Seam Panel #2</u> 24 ga. LokSeam-FL 1189.3 48" max. span = +/- 30.0 psf 12" max. span = +/- 40.0 psf</p> <p><u>Proposed Ribbed 'R' Panel</u> 24 ga. "R-Panel"-NOA 11-0810.07 48" max. span = +/- 49.40 psf 24" max. span = +/- 147.00 psf 12" max. span = +/- 212.00 psf</p>
78-337(3)	Edge and parapet treatment. Min. (2) locations the roof edge and/or parapet shall have a vertical change of 4' minimum.	No vertical change is proposed.	A 4' vertical change in parapet height is architecturally out of scale for the overall mass of the building. This preferred design feature will not be in harmony with the surrounding properties.

General Justification Statements:

The following justifications and explanations are felt to be best answered with regard to the project as a whole versus responses to each variance element individually with repetitiveness and at length.

a. Explain the special conditions or circumstances that exist that are peculiar to the land, structure, or building involved and which are not applicable to other land, structure, or buildings in the zoning district.

Explanation:

This subject property has many unique conditions that impact the development of this project. First the lot has restricted access due to an existing FPL power pole and a fire hydrant located in the SE corner of the property. The property also backs up to the railroad which has factored into the overall layout of the site. The proposed site layout was also affected by an existing building on the lot to south; that was built only inches off of the south property line. With the existing building so close to the south property line it was determined to build the proposed building as far north as possible, to avoid potential conflicts and/or damage of the building to the south. When combined with a driveway to allow access to the back of the building, the property has even greater limitations. Additional drainage engineering challenges also affected this site development. Upon completing a soil percolation test; the poor findings resulted in having to add a substantial amount to exfiltration trench in order to meet the storm water requirements. This project is also located on a unique street & block of Lake Park, the uniqueness of the 10th Court block was set in place years ago in the early stages of development of the area. At this time the rest of the entire block is considered built-out to its maximum, leaving only the subject Lot 13 vacant. The remainder of the block was developed with little regulation, which resulted in the existing developed properties consisting of plain non-architecturally appealing buildings, no landscaping, no buffers, no street planting, unscreened storage areas, and unscreened equipment this is consistent on the entire street. All properties on 10th Court utilize parking directly off the street with no curbing, screening, or landscape islands. The majority of the buildings have flat roofs with straight parapets, no façade projections, no architectural appeal, and no consistency. All of these unique, challenging, and existing conditions have affected this proposed development.

b. Explain how the special conditions or circumstances that exist do not result from the actions of the Applicant.

Explanation:

These challenging conditions are based on limited lot dimensions, limited property access, environmental conditions, existing utilities locations, and existing neighboring developed properties, the Applicant has no control or influence on any of these existing conditions.

c. Explain how the literal interpretation of the provisions of the Zoning Code would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the Applicant.

Explanation:

The existing properties in the zoning district have already enjoyed each of the variances requested for the development of this property. The existing properties have set in place a standard and precedence for acceptable variances and a model for reasonable use of the land. It's also believed if these existing properties were renovated in a future effort to rejuvenate the properties they will not be able to come into any greater compliance with the current zoning code, without major building and site modifications if not a complete demolition. If major modifications were to be required with the denial of variances that are currently in place, it's unlikely the owners would follow thru with improvements of that magnitude. It's our opinion that a proposal for this would be deemed cost prohibitive. Based on the past allowable development and the unlikely future ability to bring them into compliance with code, these properties will require the same variances to be left in place. So the denial of these same requested variances would cause unnecessary and undue hardship on the Applicant. These same variances have been enjoyed by others and will have to continue to remain in effect for proposed future rejuvenation of the surrounding properties.

d. Explain how the requested variance requested is the minimum variance that will make possible a reasonable use of the land, building or structure.

Explanation:

When you consider each variance individually, the denial of the requested variances would not only deprive the Applicant of variances already granted to other developments, it would cause multiple changes that would negatively impact the overall use and development of the property. The uncompliant elements of this proposal were attempted to be met in preliminary design concepts with no positive results. Efforts were then made to partially meet code elements, while providing alternative solutions or other compensating elements were provide beyond the code minimum to offset any negative impacts. If each specific element is evaluated using a percentage method the portion of that specific element requiring a variance is a smaller percentage with the larger percentage in compliance. These variances requested are the minimum variances possible to develop the property with a reasonable use of the land while still meeting the general intent of the code, and following the same model in use by the neighboring properties.

e. Explain how the granting of the requested variances will not confer on the Applicant any special privilege that is denied by the Zoning Code to other properties in the same zoning district.

Explanation:

The approval of the variances requested confer no special privileges that have not already been granted in the 10th Court block of this zoning district. Any future applicants will require many of same variances and will also have the opportunity to request variances to overcome similar challenges with further development or rejuvenation in this district. If a study was done on the existing developed properties in the 10th Court block, the findings would conclude that these properties have many of the same challenges and would require the same variances requested if they were developed under the current zoning code.

f. Explain how the grant of the requested variance will be in harmony with the general intent and purpose of the zoning code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare:

Explanation:

It's believed that this proposed development will set a new ideal precedence for future projects and rejuvenation of the surrounding 10th Court block, there is no injurious or detriment to the public. The project has been developed with the use of landscaping, buffering and screening, a proper storm water system, architectural design elements, architectural appeal, and site lighting packages. It's our opinion that this is the best reasonable and appropriate proposal to be in harmony with the intent of the code, and in harmony with its surroundings.

On behalf of the Owners Richard and Karol Kauff, thank you for your understanding and consideration in each of these variance requests. We look forward to the approval of this project and hope it will be seen as a positive impact and another step in the right direction for the rejuvenation of the 10th Court block and surrounding areas.

Sincerely,



Richard C. Ahrens, CEO
Ahrens Companies
1461 Kinetic Road
Lake Park, Florida 33403



The Town of
Lake Park

TOWN OF LAKE PARK
APPLICATION FOR ZONING VARIANCE

Please note: The process to consider a variance of the Town's zoning code is 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 Zoning Board of Adjustment and the Town Staff for study and recommendations.

(Please Print)

Name of Applicant (property owner): RICHARD KAUFF
Name of Agent (if applicable): AHRENS COMPANIES
(Required to attach Town of Lake Park Agent Authorization Form)
Mailing Address 1461 KINETIC ROAD LAKE PARK, FL 33403
(This is the address to which all letters, agendas and other materials will be sent)
City LAKE PARK State FL Zip Code 33403
Telephone (561) 863-9004 Fax (561) 863-9007
Legal description of property covered by petition
Lot 13 Block 132 Plat 25 (Attach separate sheet if necessary)
Property I. D. No. 36-43-42-20-04-132-0130

GENERAL INFORMATION ABOUT PROPERTY AND REQUEST

1. Size of property (square feet or acreage): .313 ACRES
2. Highway and street boundaries or address: _____
3. Existing Zoning District classification: C-4
4. Variance Requested SEE VARIANCE REQUEST LETTER
5. Describe any structures or uses currently located on the property:
VACANT

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

6. Specific Information on Requested Variance

7. Map showing property subject to this application.
 Ten (10) copies of Site Plan(s), if necessary
 Building plans of structures to be erected
 Certified survey of property
 Notarized Town of Lake Park Agent Authorization Form signed by property owner authorizing Agent to act on behalf of owner to submit application for Variance, if applicable

8. Applicant's statement of explanation, needs and reasons for the requested changes, which addresses the following items (Attach additional sheets as necessary):

- a. Explain the special conditions or circumstances that exist that are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the zoning district:

PLEASE REFER TO VARIANCE REQUEST LETTER

- b. Explain how the special conditions or circumstances that exist do not result from the actions of the Applicant:

PLEASE REFER TO VARIANCE REQUEST LETTER

- c. Explain how the literal interpretation of the provisions of the Zoning Code would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the Applicant:

PLEASE REFER TO VARIANCE REQUEST LETTER

- d. Explain how the variance requested is the minimum variance that will make possible a reasonable use of the land, building or structure:

PLEASE REFER TO VARIANCE REQUEST LETTER

- e. Explain how the granting of the requested variance will not confer on the Applicant any special privilege that is denied by the Zoning Code to other properties in the same zoning district :

PLEASE REFER TO VARIANCE REQUEST LETTER.

- f. Explain how the grant of the requested variance will be in harmony with the general intent and purpose of the Zoning code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare:

PLEASE REFER TO VARIANCE REQUEST LETTER.

*The Town of Lake Park
Community Development Department*



PLEASE DO NOT DETACH FROM APPLICATION.

SIGNATURE REQUIRED BELOW.

Please be advised that the Town of Lake Park Code of Ordinances under Section 51-6 provides for the Town to be reimbursed, in addition to any application or administrative fees, for any supplementary fees and costs the Town incurs in processing development review requests.

These costs can include, but are not limited to, advertising and public notice costs, legal fees, consultant fees, additional staff time, cost of reports and studies, NPDES stormwater review and inspection costs, all engineering fees and inspection costs, and any additional costs associated with the building permit and the development review process.

For further information and questions please contact the Community Development Department at 561-881-3318.

I, <u>RICHARD KAUFF</u> , have read and understand the regulations above regarding cost recovery.	
<u>[Signature]</u> Signature of Property Owner	<u>3-31-14</u> Date

535 Park Avenue, Lake Park, Florida 33403
Phone: (561) 881-3318 Fax: (561) 881-3323
Web Site: www.lakeparkflorida.gov

Consent Form from Owner and Designation of Authorized Agent:

Before me, the undersigned authority, personally appeared Richard Kauff 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.
2. That he/she is requesting _____ in the Town of Lark Park, Florida.
3. That he/she has appointed Richard C. Ahrens, and Ahrens Companies to act as authorized on his/her behalf to accomplish the above project.

Name of Owner: R&K 10th Ct LLC - Richard & Karol Kauff

Richard Kauff
Signature of Owner

RICHARD KAUFF
By Name/Title

301 52nd Street
Street Address

West Palm Beach, FL 33407
City, State, Zip code

P O. Box

City, State, Zip code

561-379-874
Telephone Number

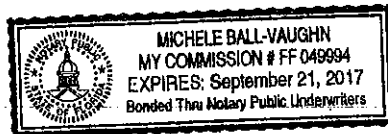
Fax Number

richardkauff@aol.com
Email Address

Sworn and subscribed before me this 31st day of March, 2014.

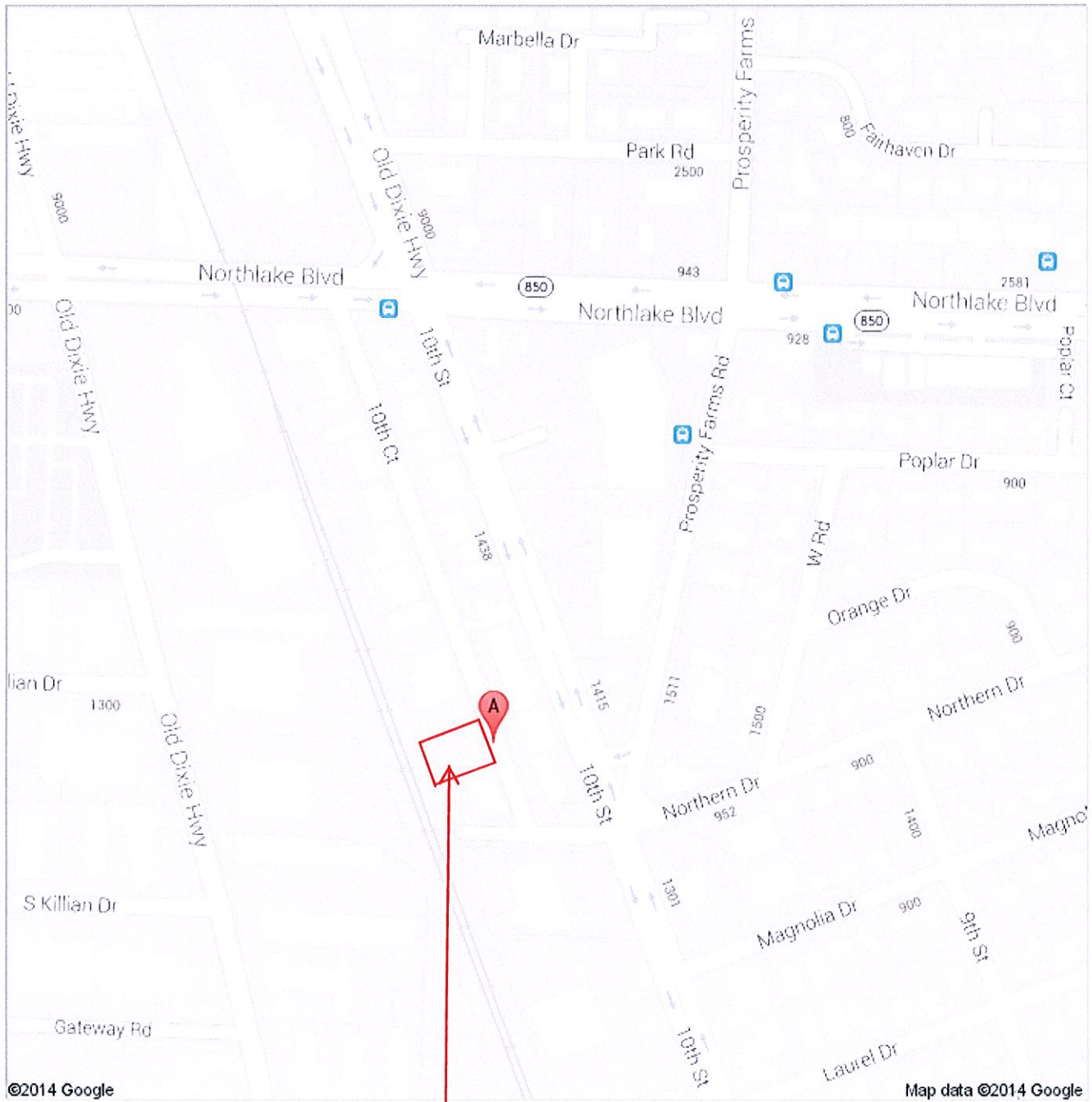
Michele Ball-Vaughn
Notary Public

My Commission expires:
9/21/17





Address **R & K 10th Ct**
Lake Park, FL 33403



Subject Property
R & K 10th Court

March 5, 2014

Mr. Masoud Atefi
Palm Beach County Traffic Division
2300 North Jog Road, 3rd Floor
West Palm Beach, FL 33411-3745

Re: 10th Court Office/Warehouse - #PTC14-011

Dear Mr. Atefi:

Pinder Troutman Consulting, Inc. (PTC) has been retained to conduct a traffic impact analysis for the 10th Court Office/Warehouse project, located at 1406 10th Court in the Town of Lake Park. The project consists of a 2,388 SF warehouse and an 815 SF general office use. The proposed project will have an access driveway on 10th Court. The anticipated project buildout year is 2017. The Property Control Number is:

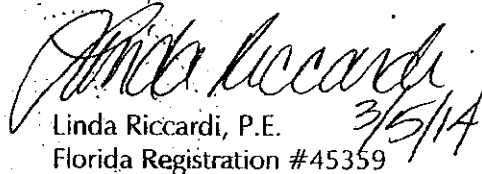
◆ 36-43-42-20-04-132-0130

A trip generation analysis is provided on Attachments 1A and 1B for Daily, AM Peak Hour and the PM Peak Hour. There is a minor increase in Daily, AM and PM Peak Hour trips.

Based on the total increase in trip generation of 5 AM Peak Hour trips, a traffic study is not required. The project has an insignificant impact on the directly accessed link, 10th Street. Therefore, the proposed project is in compliance with Palm Beach County Traffic Performance Standards.

Your review and approval of this analysis is appreciated.

Sincerely,


Linda Riccardi, P.E. 3/5/14
Florida Registration #45359

Attachments

cc: Ryan Slattery

Attachment 1A
 10th Court Office/Warehouse
 Daily Trip Generation

3/4/2014
 Trip Gen 14-011 3-5-14

Proposed

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips	Internal Trips	External Trips	Pass-by Trips(1)	New Trips
Warehouse	150	2,388 SF	3.56 / 1,000 SF	9	1 10%	8	1 10%	7
General Office	710	815 SF	$\ln(T) = 0.77\ln(X) + 3.65$	33	1 2%	32	3 10%	29
TOTAL		3,203 SF		42	2 4.8%	40	4	36

(1) Source: Palm Beach County and ITE Trip Generation, 9th Edition.

Attachment 1B
10th Court Office/Warehouse
Peak Hour Trip Generation

3/4/2014
 Trip Gen 14-011 3-5-14

Proposed AM Peak

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips			External Trips			Pass-by Trips (1)			New Trips		
				In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Warehouse	150	2,388 SF	0.3 /1,000 SF (79/21)	1	-	1	-	10%	1	-	1	-	10%	1	-	1	-	1
General Office	710	815 SF	Ln (T) = 0.80Ln (X)+1.57 (88/72)	4	-	4	-	10%	4	-	4	-	10%	4	-	4	-	4
TOTAL		3,203 SF		5	-	5	-	0.0%	5	-	5	-	-	5	-	5	-	5

Proposed PM Peak

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	Total Trips			Internal Trips			External Trips			Pass-by Trips (1)			New Trips		
				In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Warehouse	150	2,388 SF	0.32 /1,000 SF (25/75)	-	1	1	-	10%	-	1	1	-	10%	-	1	1	-	1
General Office	710	815 SF	1.49 /1,000 SF (17/83)	-	1	1	-	10%	-	1	1	-	10%	-	1	1	-	1
TOTAL		3,203 SF		-	2	2	-	0.0%	-	2	2	-	-	2	-	2	-	2

(1) Source: Palm Beach County and ITF Trip Generation, 9th Edition.



March 26, 2014

**Department of Engineering
and Public Works**

P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com



**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

Ms. Nadia Di Tommaso
Director of Community Development
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

**RE: 10th Court Office/Warehouse
Project #: 140304
TRAFFIC PERFORMANCE STANDARDS REVIEW**

Dear Nadia:

The Palm Beach County Traffic Division has reviewed the traffic study for the proposed office/warehouse project entitled; **10th Court Office/Warehouse**; pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Land Development Code. The project is summarized as follows:

Location: West side of 10th Court, north of Northern Drive, east of FECRR Railroad tracks.
Municipality: Lake Park
PCN #: 36-43-42-20-04-132-0130.
Existing Uses: Vacant
Proposed Uses: 815 SF General Office and 2,388 SF Warehouse.
New Daily Trips: 36
New Daily Trips: 5 AM and 2 PM
Build-out: End of Year 2017

Based on our review, the Traffic Division has determined the proposed office/warehouse project constitutes insignificant impact on the roadway network and therefore meets the TPS requirements of Palm Beach County. No building permits are to be issued by the Town after the extended build-out date listed above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

If you have any questions regarding this determination, please contact me at 684-4030 or e-mail me at matefi@pbcgov.org.

Sincerely,

Masoud Atefi, MSCE
TPS Administrator, Municipalities - Traffic Engineering Division

MA:saf
ec: Linda Riccardi PE., - PTC

File: General - TPS - Mun - Traffic Study Review
F:\TRAFFIC\ma\Admin\Approvals\2014\140304.doc

"An Equal Opportunity
Affirmative Action Employer"



Seacoast Utility Authority

Mailing Address:
P.O. Box 109602
Palm Beach Gardens,
Florida 33410-9602

EXECUTIVE OFFICE:

July 18, 2014

Ryan Slattery
Ahrens Companies
1461 Kinetic Road
Lake Park, FL 33403

Comm
JUL 18 2014
Development

**Re: R & K 10th Court
Capacity Availability**

Dear Mr. Slattery:

The referenced project lies within the water and sewer service area of Seacoast Utility Authority.

This will confirm the current status of water and wastewater capacity and commitments for Seacoast Utility Authority (Million Gallons Per Day).

	<u>Capacity</u>	<u>Committed and In Use</u>	<u>Available</u>
Water	21.09	16.470	4.535
Sewer	12.00	8.237	3.678

Please note that this statement reflects conditions as of this date; no guarantee of capacity availability in the future is expressed or implied, and **no capacity has been reserved for the referenced project.**

Should you have any questions, please feel free to call.

Sincerely,

SEACOAST UTILITY AUTHORITY


Jennifer Millette
Engineering Clerk

cc: J. Lance
J. Callaghan