



**MINUTES  
PLANNING & ZONING BOARD  
MONDAY, APRIL 2, 2007  
535 PARK AVENUE  
LAKE PARK, FLORIDA**

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**Call to Order:** 7:00 p.m.

**Roll Call**

Chairman Jeff Blakely	Present
Vice Chairman James Dubois	Present
Jeanine Longtin	Present
Diane Munroe	Present
Todd Dry	Present
Tim Stevens, 1 <sup>st</sup> Alt.	Present

**Approval of Agenda**

Ms. Munroe made a motion to approve the agenda. Seconded by Vice Chairman Dubois.

	Aye	Nay
Jeff Blakely	X	
James Dubois	X	
Jeanine Longtin	X	
Diane Munroe	X	
Todd Dry	X	

**Motion passed 5-0**

**Approval of Minutes**

Ms. Longtin made a motion to approve the minutes of the Planning & Zoning Board Meeting of Monday, April 2, 2007, with minor changes. Seconded by Vice Chairman Dubois.

	Aye	Nay
Jeff Blakely	X	
James Dubois	X	
Jeanine Longtin	X	
Diane Munroe	X	
Todd Dry	X	

32 **Motion passed 5-0**

33

34 **Public Comment**

35

36 Chairman Blakely stated that any person wishing to speak on an agenda item that they  
37 complete a public comment card located in the rear of the chambers, and give it to the  
38 Recording Secretary.

39

40 **A. New Business**

41

42 Preliminary review of Earl Stewart Toyota PUD by Gentile, Holloway, O'Mahoney &  
43 Associates, Inc.

44

45 Mr. Patrick Sullivan, Community Development Director, identified himself for the record and  
46 stated to the board members that this was only a preliminary review of the site plan to give the  
47 board an idea what they would be reviewing.

48

49 Mr. Jamie Gentile, of Gentile, Holloway & O'Mahoney & Associates, agent for Earl Stewart  
50 Toyota, identified himself for the record and stated that in 2003 the automotive dealership  
51 north of the subject site was granted a Rezoning and Site Plan Approval in order to redevelop  
52 the automotive dealership that was constructed in 1979. Mr. Gentile also stated that shortly  
53 after that approval an opportunity to purchase the subject site was presented to Mr. Stewart,  
54 and Mr. Stewart submitted a request to the Town of Lake Park to abandon a portion of  
55 Jasmine Drive, which separates the subject site from the adjacent dealership. The Town  
56 granted approval of the requested abandonment on August 4, 2004, with conditions  
57 (Resolution 43-07-04). Condition of Approval 2 from the approved resolution required Mr.  
58 Stewart to obtain any and all appropriate amendments to the Town's Comprehensive Plan and  
59 Land Development Regulations, such as Jasmine Drive and Journey's Inn can be operated as  
60 a automotive dealership within three (3) years.

61

62 Mr. Gentile presented a powerpoint presentation which is marked Exhibit "A" and made a  
63 part of these minutes. Mr. Gentile stated the following request:

64 Amend the existing PUD to encompass the Journey's Inn Property, Jasmine Drive;

65 Site Plan Approval;

66 Concurrent with a Small Scale Land Use Amendment for a portion of the property from  
67 Medium Residential to Commercial.

68

69 Mr. Gentile stated that what they are proposing is 97,322 square feet of new dealerships,  
70 which includes sales, offices, parts department, and service areas. Mr. Gentile also stated that  
71 they were requesting three (3) additional waivers:

72

73 1. Section 78-77(d)(1) Building Height -- Maximum allowed height in non-residential  
74 districts is four stories or 50 feet. Waiver to increase the number of stories to 5.

75 2. Section 78-77(f)(2) Open Space Requirements in a PUD are 35%. Waiver to decrease the  
76 required open space.

77

78

79 3. Section 78-253(h)(1) Planting – A Landscape Buffer of 15 feet in depth is required on  
80 lands located adjacent to a public street right-of-way. Waiver to reduce the landscape buffer  
81 to 10 feet along the southwest buffer adjacent to Ilex Drive.  
82

83 Ms. Munroe asked if waiver 1 was for phase 2, and Mr. Gentile responded that it was for  
84 phase 2. Chairman Jeff Blakely asked each member for comments.  
85

86 Mr. Stevens asked about the change in Phase 2 to five (5) stories. Mr. Gentile responded that  
87 the actual roof deck is at 50 ft., but there is a parapet wall above that for screening purposes.  
88

89 Ms. Munroe asked about waiver 3 regarding the landscape buffer. Mr. Gentile responded that  
90 in a certain area there is additional parking for customers and display purposes, and there is a  
91 10 foot strip where they can not meet the landscape requirements. Ms. Munroe also asked if  
92 phase 2 will have cars on top of the building, and Mr. Gentile responded with a yes.  
93

94 Ms. Longtin asked for the ultimate height. Mr. Gentile responded that the ultimate height to  
95 the top of the deck is 50 feet, and then there is an additional parapet wall that comes up to  
96 about 54.6 feet and there are some tower features which have the stairwells and elevator  
97 equipment which brings the height to 61 feet. Ms. Longtin asked about giving up the road,  
98 and Mr. Sullivan responded that it would be forever.  
99

100 Mr. Dubois asked Mr. Gentile to review what the original waivers were as he needed  
101 clarification because of the new waivers. Mr. Gentile stated that they were basically  
102 amending the PUD to encompass a certain area so the waivers that were included as part of  
103 this PUD would continue to extend across the property. Waivers that were granted with the  
104 original PUD:  
105

106 1. Waiver from the minimum acreage for a commercial PUD which was 4 acres. This waiver  
107 is no longer needed as the acreage is 7 acres.

108 2. 78-145 supplemental parking requirements.

109 3. Waiver to allow less than a required 25 foot setback.

110 4. Waiver to allow less than a required 25 foot setback from the street line for display parking.

111 Mr. Gentile stated that they are keeping it in line with what is existing.

112 5. Allow increase of the spacing of the perimeter trees to allow more visibility into the site;  
113 code calls for 25 feet and they had asked for 30 feet.

114 6. Waiver for permitted sign from a maximum of 30 feet to 45 feet.

115 7. Waiver from plantings on garage tops; new site will have plantings.

116 8. Waiver for wall mounted signs; asked for increase in the amount of square footage from  
117 the existing development.

118 9. A request was made for 6" for the parapet wall; from 40 feet to 40 feet 6 inches.

119 10. A 10 foot buffer was requested along Jasmine Drive.  
120

121 Mr. Dry asked about the timeframe for Phase 2 through Phase 5. Mr. Earl Stewart identified  
122 himself for the record and stated that as soon as they have site plan approval they will raise  
123 the Journey's Inn and begin construction of the parking garage within six months. Phase 2  
124 would be the extension of the service/parts department across Jasmine Drive, and that would  
125 be another 1 ½ years. Mr. Stewart stated the entire project would take about 2 to 2 ½ year  
126 timeframe.

127 Mr. Dry asked how high the concrete wall was on the east side, and Mr. Gentile stated that it  
128 was a retaining wall that was about 3 to 4 feet high.  
129  
130 Chairman Blakely confirmed with Mr. Gentile that in the areas that are adjacent to  
131 residential, that they would do an extra special job of buffering and heavy landscaping, and a  
132 park like setting with pedestrian areas for seating. Chairman Blakely asked that the bridge  
133 connection be shown in greater detail, and Mr. Gentile said they would work on it and provide  
134 the rendering when they come back. Chairman Blakely stated that he would now open the  
135 meeting for public comment.  
136  
137 Diane Weibert from Palm Beach County Fire Rescue Fire Safety Specialist identified herself  
138 for the record and stated that Palm Beach County Code requires that all new buildings be  
139 sprinkled and because of this and the water problem in that area they wanted to put it on  
140 record that there is not adequate water for the sprinkler system without Mr. Stewart extending  
141 the 10" main across U.S. #1.  
142  
143 Mr. Sami Baghdady of 11 E. Ilex Drive, Lake Park, identified himself for the record as  
144 President of the Cedar Crest Homeowners Association. Mr. Baghdady stated that they are  
145 very concerned and have voiced their opposition as to what is being proposed in a letter dated  
146 March 5, 2007. Mr. Baghdady stated that what is being proposed is a very ambitious plan,  
147 and it does not consider Cedar Crest as they are located very close to the site. Mr. Baghdady  
148 stated he met with Mr. Earl Stewart; however, he does not feel that there has been enough  
149 investigation or studies done on the proposed site. He asked that the Town not rush into  
150 conclusions.  
151  
152 Ms. Penny Broda, 8 E. Ilex Drive, Lake Park, identified herself for the record and stated that  
153 she does not believe that this massive structure is consistent with the current development  
154 along Lakeshore Drive and Ilex Drive. Ms. Broda further stated that she felt the structure is  
155 overwhelming and will take away from the Town. Ms. Broda stated the problem of vehicles  
156 loading and unloading and blocking Ilex, and with closing Jasmine Drive it will create a  
157 traffic nightmare on Ilex Drive.  
158  
159 Mr. Sullivan stated to the board and homeowners that this was a preliminary hearing, and that  
160 this is their opportunity to ask the applicant for any further studies, information or whatever  
161 you feel is appropriate. Mr. Sullivan stated that nowhere in the code is there a process for  
162 amending a PUD. Mr. Sullivan further stated that this is a PUD on a new parcel of land, and  
163 it has to be reviewed on that type of review where you have to consider what is in front of you  
164 and not an extension or amendment of an existing PUD.  
165  
166 Ms. Longtin stated that she had one more question of Mr. Gentile relating to the 272 customer  
167 and employee parking, and wondered if it truly was that as she had an occasion to stop by the  
168 dealership to buy a part, and could not find a parking spot. Mr. Gentile responded that they  
169 have truly allocated 272 parking spaces to customer and employee parking; however, some of  
170 the spaces will be contained in the garage for service vehicles. Mr. Gentile also stated that  
171 based on the code requirements, taking the floor area of the entire dealership 89 ½ spaces are  
172 required and for the outdoor display area another 5 ½ spaces are required and for every  
173 service bay, 1 space is required, which is 67 spaces, and for every employee, 1 space is  
174 required.

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Mr. Dubois wondered if the applicant had given any thought to relocating the garage from the corner to another location so that it would not impact the residential area. Also, Mr. Dubois asked about the 35% open space; how they would propose to mitigate that.

Ms. Dodi Glass of Gentile, Holloway & O'Mahoney, identified herself for the record and stated that one of the reasons the project was designed that way is because of how they would like the operation of the business to function in the future; and it would not be feasible to pull that operation internally into the site. Ms. Glass further stated that the open space issue of 35% is a PUD requirement that was missed the first time, and the applicant is asking that this apply to the overall site or design, and they ask for that waiver in order to address that oversight. Mr. Dubois stated that if he accepted this as a new, separate and distinct application for PUD from your original existing PUD, that you can accommodate the 35% from Jasmine Drive to Ilex Drive. Ms. Glas stated that they were under the impression that this would be an expansion of the overall PUD as the operation has unified control and has single ownership and has an overall operation on the entire site; the fact that the code does not address it exactly, they are having conversations with the Town's attorney to figure out how to process this.

Ms. Roselli, Town Attorney, stated that the problem with the code right now is that it does not address an amendment to a PUD; they have to go through the whole process as they did when they first formed the PUD. Ms. Roselli stated that there will not be two PUD's, just one. Ms. Roselli further stated that this code is old, and for now we are just stuck with it.

Mr. Dubois stated his concern about tire storage, and Ms. Glas said that when they return to P & Z, she will make sure that any outdoor storage is addressed.

Ms. Munroe wondered if they could get any assurances that E. Ilex and other roads surrounding the dealership does not become a racetrack or E. Ilex be used for loading and unloading, and turnaround for cars. Mr. Earl Stewart stated that this issue came up Thursday at their meeting, and that was the primary concern of the residents. Mr. Stewart said that representatives from Toyota will allow, because they will have the capacity, to have night deliveries.

Chairman Blakely asked about traffic on U.S. #1, and Mr. Gentile said they have done a traffic analysis that was also submitted to Palm Beach County and that they were at a level that was insignificant for concurrency based on the existing use of the hotel.

Chairman Blakely stated that the applicant has heard statements from the residents and questions from the Planning & Zoning members and hoped that they would go back and work out issues and bring it back before Planning & Zoning Board.

**B. Old Business**

A Site Plan Application filed by H & T Consultants, as agent and applicant for Bank of America, to erect a 4,540 square foot bank building on the southwest outparcel of the Wal\*Mart property.

222 Nadia DiTommaso, planner for the Town of Lake Park, identified herself for the record. Ms.  
223 DiTommaso stated that she was here tonight to present the up-dated architecture for the Bank  
224 of America as several suggestions were made in terms of the architecture; H & T Consultants  
225 provided the town with a new rendering which includes a covered porch, barrel tiles, a tower  
226 feature in the northwest corner, decorative arches, and removed the lollypop sign and replaced  
227 it with a monument sign. Ms. DiTommaso also stated that the town received response from  
228 Palm Beach County Traffic; the project does meet TPS standards although they do require a  
229 condition to add a second east bound turn lane at the intersection of Park Avenue and  
230 Congress.

231  
232 Ms. Munroe asked about the pedestrian walkway and Ms. DiTommaso stated that the  
233 applicant was not able to provide it due to the berm. Ms. Munroe stated that she was  
234 disappointed about the walkway, but felt the architecture looked better.

235  
236 Ms. Longtin had no comment at this time.

237  
238 Vice Chairman Dubois stated that the architecture had significantly improved, but felt the side  
239 of the building still needed improvement especially the elevation to the west maybe adding  
240 windows or awnings. Vice Chairman Dubois also stated the southside facing the drive-thru  
241 had the same situation. Vice Chairman Dubois suggested that the barrel tile peak roof be  
242 extended across the entire structure. Vice Chairman Dubois asked that the applicant not use  
243 orange jasmine because of the citrus. Vice Chairman Dubois stated that he thought there was  
244 still a way to create some kind of access from Wal\*Mart to the Bank of America, and felt that  
245 an access could be created from Congress to the Bank of America. Vice Chairman Dubois  
246 stated that he thought originally he had requested striping at the corner near Park Avenue, but  
247 upon further review he would like to see brick pavers.

248  
249 Mr. Todd Dry stated that he thought the bank showed a definite improvement.

250  
251 Mr. Stevens stated that he also thought it was a big improvement.

252  
253 Chairman Blakely stated that the building had improved, but not much has been done about  
254 the landscaping. Chairman Blakely stated that there were still 2,000 wiregrass plants, and that  
255 he had specifically pointed it out that it was an inappropriate use of that material. Chairman  
256 Blakely stated that he wanted the landscape architect to take a look at what was out there now  
257 and incorporate that palette into some sort of correspondence with these other properties.

258  
259 Ms. Diane Weibert, Palm Beach County Fire Resuce, Fire Safety Specialist, identified herself  
260 for the record and stated that because of recent problems that they have had she wanted it on  
261 record that Palm Beach Fire Code says that all new construction must be sprinkled, and that  
262 there are few exceptions. Ms. Weibert stated that it depended on how they looked at the  
263 plans, it is either 4,500 or 6,000 plus, so they are requesting that the applicant meet with the  
264 chief plan reviewer to go over if the building does have to be sprinkled, and at the least, it will  
265 require a monitored fire alarm system. Ms. Weibert stated that the applicant needs to meet  
266 with fire so it can be determined whether the building has to be sprinkled.

267  
268 Mr. Harry Hinds with H & T Consultants, identified himself for the record, and stated that he  
269 was there representing the engineers and that he had Mr. Howard Linderman from ADC, the

270 architectural firm and Chris Reed, Landscape Architect from A & K Land Planning & Design,  
 271 and that corrections had been made to the landscape plans, but somehow the old plans were  
 272 included instead of the new. Mr. Hinds stated that he would send us the new plans. Mr.  
 273 Hinds stated that he had a few questions for Mr. Dubois, and stated that there is a pedestrian  
 274 walk coming off Congress that runs south of the back property and cuts across the pavement  
 275 and into the Wal\*Mart parking lot. Mr. Hinds and Vice Chairman Dubois had a discussion  
 276 about the walkway. After much discussion, it was decided that a pedestrian walkway just was  
 277 not feasible.

278  
 279 Ms. Roselli, Town Attorney, told the applicant that they could go forward to Commission or  
 280 come back to Planning & Zoning. Mr. Hinds expressed his desire for a conditional approval;  
 281 Chairman Blakely stated that he was not prepared for that as he had not seen the revised  
 282 landscape plan. Ms. Roselli, Town Attorney, stated that there was not a basis to continue as  
 283 the plans met minimum code. The landscape architect assured the Board all the wiregrass  
 284 was gone and that everything had been redone.

285  
 286 Ms. Longtin made a motion to **deny** the application for Bank America. Seconded by Vice  
 287 Chairman Dubois for discussion. Mr. Stevens stated that he agreed approving the plan with  
 288 conditions. Vice Chairman Dubois stated that his plans were stamped received March 8,  
 289 2007, but none of the printed dates on the plans matched. Ms. Munroe stated that her concern  
 290 was that the commission does not always get their comments in full, and she did not feel the  
 291 board has done their due diligences and she is in favor of denial. Chairman Blakely called the  
 292 question.

293

	Aye	Nay
Jeff Blakely	X	
James Dubois	X	
Jeanine Longtin	X	
Diane Munroe	X	
Todd Dry	X	

294 **Motion passed 5-0**

295  
 296 **C. Quasi Judicial Hearing**

297  
 298 A variance application submitted by Jean Presler, 311 9<sup>th</sup> Street, Lake Park, for a Variance to  
 299 allow a reduction in the rear set back requirements of Section 78-64(4) from 7 feet to 6.7 feet  
 300 for the east property line for the real property located at 311 9<sup>th</sup> Street in the R-1 zoning  
 301 district.

302  
 303 Chairman Jeff Blakely asked the board members if anyone had any contact with the  
 304 petitioner. All boards members responded that they did not have any ex parte communication.  
 305 Ms. Nadia DiTommaso, planner for the Community Development Department, identified  
 306 herself for the record. Ms. DiTommaso stated that this was a request by Mr. Presler for his  
 307 property at 311 9<sup>th</sup> Street, and that he was requesting a variance in the rear set back from 7  
 308 feet to 6.7 feet, which is 5 inches. Ms. DiTommaso stated that Mr. Presler bought his  
 309 property in 1999, and the originally survey in his property file was from 1989. The survey  
 310 from 1989 does not show any rear structure. Ms. DiTommaso further stated that when  
 311 Mr.Presler bought his property in 1999, the survey does show a structure that encroaches the

312 setback by 5 inches, and that the structure was built without any permits. Ms. DiTommaso  
313 further stated that Mr. Presler pulled a permit in January, 2007 to apply for a permit to replace  
314 a wooden wall of the back patio, and the permit was processed as a regular maintenance  
315 permit; however, our Code Officer cited Mr. Presler for going beyond the scope of work on  
316 the permit by enclosing the structure with 3 cement walls and a window.

317  
318 Ms. Munroe stated that she felt it was his responsibility when purchasing the property even  
319 though no permits were pulled.

320  
321 Ms. Longtin stated that just because a permit can not be found, does not mean one was not  
322 issued. Ms. DiTommaso stated that the 1989 survey does not show the structure, but the 1999  
323 survey does show it. Ms. Longtin asked what the remedy was for this situation. Ms.  
324 DiTommaso stated that the structure had to be torn down or Mr. Presler had to apply for a  
325 variance. Ms. Longtin stated that she was going to side with staff, but wanted to hear what  
326 the other board members had to say.

327  
328 Mr. Stevens stated that criteria 5 and 6 are the most important, and considering the fact that  
329 the neighbor to east side does not object, he felt he would go along with granting the variance.

330  
331 Mr. Dry stated that it sounded like two problems, one being a title problem, and the other that  
332 he went beyond the scope of the work.

333  
334 Vice Chairman Dubois asked what department was handling the issue, and Ms. DiTommaso  
335 responded that Code Compliance had cited him for going beyond the scope of work. Vice  
336 Chairman Dubois felt that 5 inches was not an unreasonable encroachment.

337  
338 Chairman Blakely felt this hardship is self-imposed. Chairman Blakely felt if the board  
339 granted the variance we would be rewarding the avoidance of applying for a permit.

340  
341 Ms. Longtin made a motion that the variance be **denied**. Seconded by Mr. Dry. Mr. Stevens  
342 asked if there was any way that a fine could be imposed, and Ms. Roselli, Town Attorney  
343 responded that he was cited and fined, and if he does not correct the violation, then the fine  
344 will run until the violation is corrected and will be recorded in the public records and a lien  
345 will be filed against the property.

346

	Aye	Nay
Jeff Blakely	X	
James Dubois	X	
Jeanine Longtin	X	
Diane Munroe	X	
Todd Dry	X	

347 **Motion passed 5-0**

348  
349  
350 **Comments by Chairman Jeff Blakely**

351  
352 Chairman Blakely stated that in front of each board member there should be a paper based  
353 upon the last meeting "Leaf Blower and Lawn Equipment Regulations", and that he had



354 talked to several members of the commission and if they liked it, they would adopt it.  
355 Chairman Blakely asked for comments. Chairman Blakely asked that it be read into the  
356 record:

357  
358 Leaf blowers (and all other lawn and power equipment) shall be prohibited  
359 from use between the hours of 6 p.m. and 8 a.m. (9 a.m. Sundays). All leaf  
360 blowers shall not exceed a decibel level of 65 dba as measured at 50 ft. It  
361 shall be unlawful to blow yard trash, clippings or leaf debris into the public  
362 street or onto adjacent property. It shall be unlawful to operate leaf blowers,  
363 lawn mowers, edgers or similar equipment on Christmas, New Years or such  
364 other holidays or special occasions as directed by the Town Council or Town  
365 Manager.

366  
367 Ms. Longtin stated that she would like to change the hours from 8 p.m. to 7 a.m. and 8 a.m. on  
368 Sundays and that we need to list the holidays instead of leaving it open-ended for the Town  
369 Council or Town Manager. Mr. Stevens stated that he did not have a problem with this, but  
370 wondered who was going to enforce it. Vice Chairman Dubois stated that he did mind it, but  
371 also wondered if it was enforceable.

372  
373 Mr. Patrick Sullivan stated that we do not have a meter and it would be difficult for Code  
374 Compliance to enforce the level of 65 decibel. Chairman Blakely stated that the new  
375 equipment has it listed on the machinery and that 65 is the standard. Ms. Roselli stated that  
376 this is like a nuisance ordinance and did they want to state not over 65 decibel for 10 minutes  
377 or not at all. Mr. Sullivan stated that we now have a provision in our code for nuisances for  
378 noises like a lawnmower running at 2 a.m. in the morning. Mr. Sullivan said that he felt we  
379 needed to spend sometime looking at this issue.

380  
381 Ms. Roselli stated that the Town Commission has directed us not to come up with legislation.  
382 Mr. Sullivan stated that these types of issues should go through the Town Manager, and  
383 Chairman Blakely stated that whatever the protocol is, the P & Z will follow it. Mr. Sullivan  
384 said that he would review this with the Town Manager, and then the Town Manager will  
385 speak to the commissioners.

386  
387 Chairman Blakely stated that he is trying to find some speakers from out of the area, and that  
388 we should invite the commissioners to our Planning & Zoning Meeting when we have  
389 speakers and open it to the public and commissioners at the same time as we will be  
390 reviewing our Comprehensive Plan, and reviewing major zoning changes in the commercial  
391 districts so we need to get better educated as to what the why's and wherefore's are of some  
392 successful zoning across South Florida. The Chairman further stated that he was hopeful that  
393 the board joined with him in inviting the commission as well because it will ultimately be  
394 their decision.

395  
396 Mr. Sullivan stated that he and the Town Manager have been working on finding such a  
397 person that can spend a couple of hours working with you as a group and the consultant that  
398 the Town Manager has in mind has been doing this for some 30 odd years. This person would  
399 go over board protocol, variances and other issues that the board may have. Mr. Sullivan  
400 stated that they would like to set it up for May and it would require an extra meeting. Mr.  
401 Sullivan recommended the 3<sup>rd</sup> Monday in May. Chairman Blakely said he was not sure that

402 they were talking about the same thing. Chairman Blakely stated he was hopeful to have  
403 multiple speakers and wanted different points of view, pros and cons of different zoning  
404 applications, etc. Chairman Blakely stated that he did not want to be lectured as much as he  
405 would like the board to be exposed to a range of zoning topics. Mr. Sullivan said he would  
406 work something out, and e-mail the board.

407  
408 Mr. Stevens stated they he thought the board does a good job providing their expertise on  
409 various matters; however, as an instance of today, if you are going to make a denial or  
410 approval that the board should put on the record why they are denying based on a, b and c.

411  
412 **Adjournment**

413  
414 Ms. Munroe made a motion to adjourn. Seconded by Vice Chairman Dubois. The motion  
415 passed 5-0.

416  
417 Approved: 5-7-07

418  
419 Attest: Sandra Otto

420  
421  
422  
423

  
Jeff Blakely, Chairman

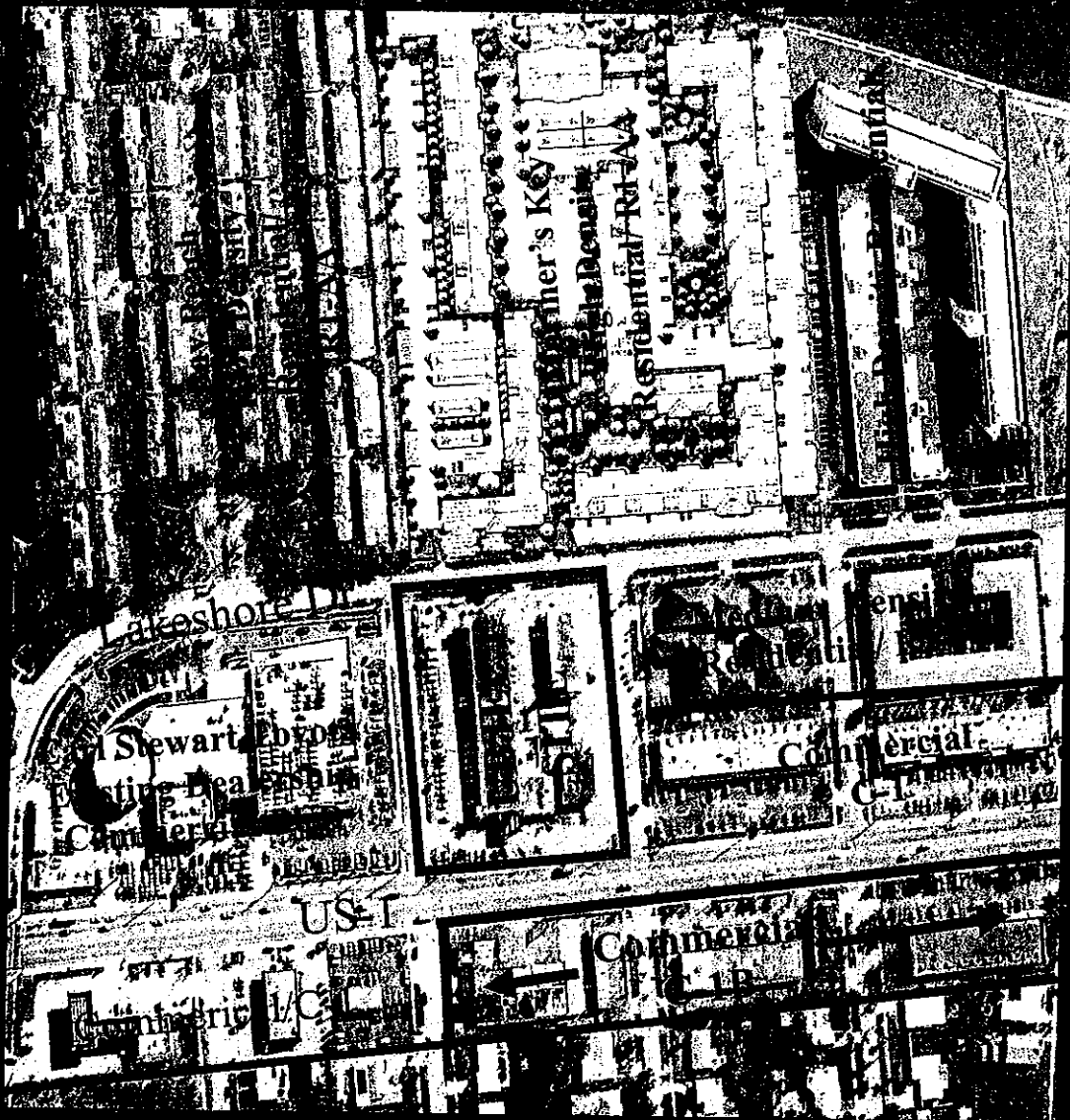
Earl Stewart Toyota  
PUD Amendment & Site  
Plan Review

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Planning and Zoning Commission  
Meeting

April 2, 2007

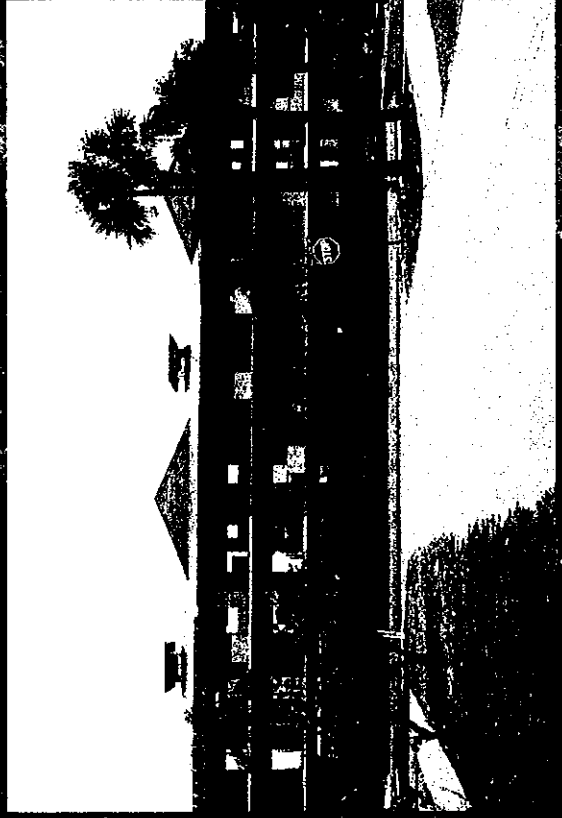
# Site Location/Surrounding Properties



# Surrounding Properties

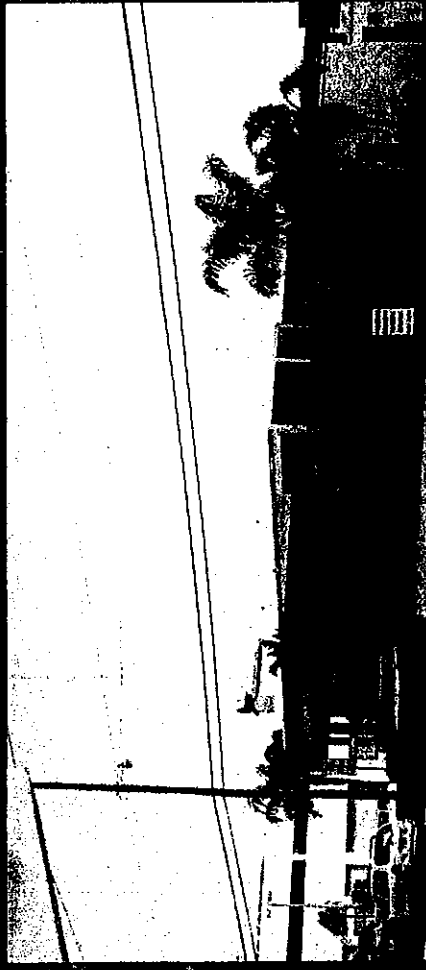
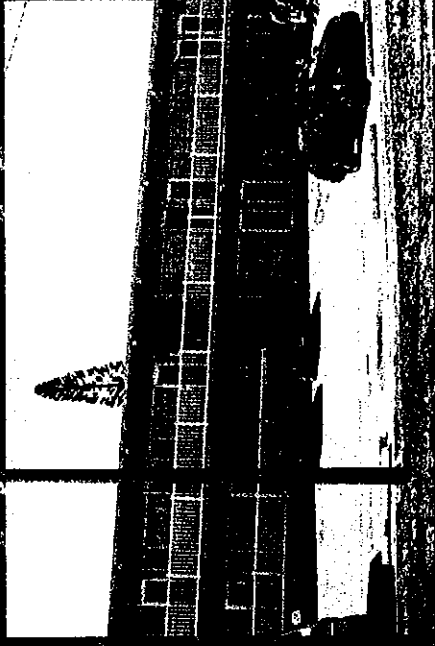


North -Existing Automotive  
Dealership



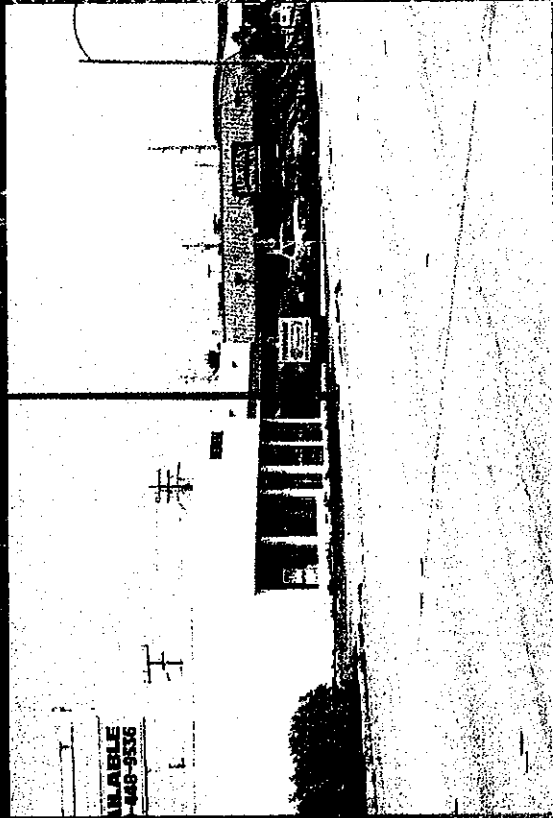
East - Mariner's Key  
Condominium

# Site



# Surrounding Properties

West – Vacant/Existing  
Commercial Uses



# Surrounding Properties



South - Cedar Crest/  
Commercial Plaza (905 US-1)



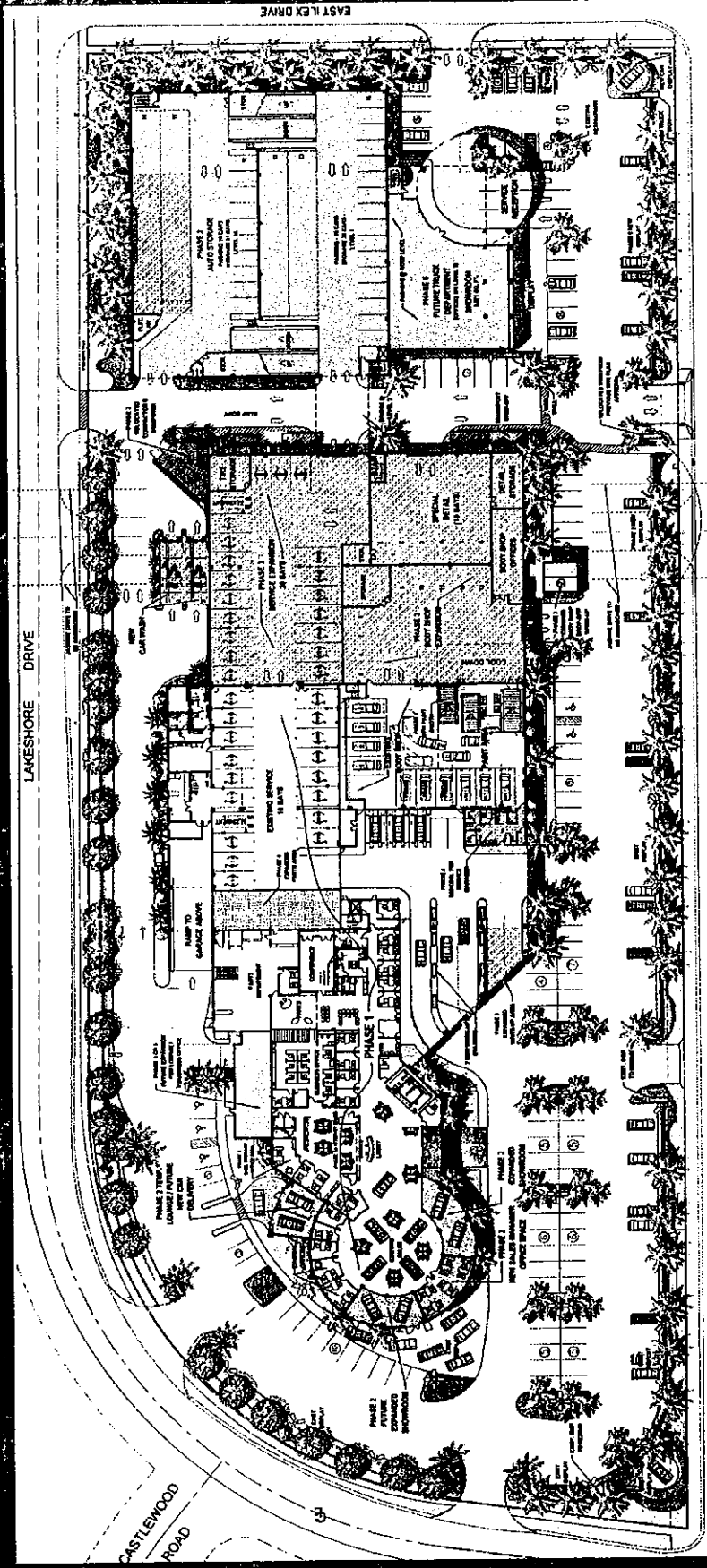
# Project Background

- 2003 Phase I Expansion Approved by Town.
- 2004 Town Approves Abandonment of Jasmine Drive to address future expansion with Conditions.

# Request

- Amend the existing PUD to encompass the Journey's Inn Property, Jasmine Drive;
- Site Plan Approval;
- Concurrent with a Small Scale Land Use Amendment for a portion of the property from Medium Residential to Commercial.

# Proposed Automotive Dealership



U.S. HIGHWAY NO. 1 (Federal Highway)

STATE ROAD NO. 5

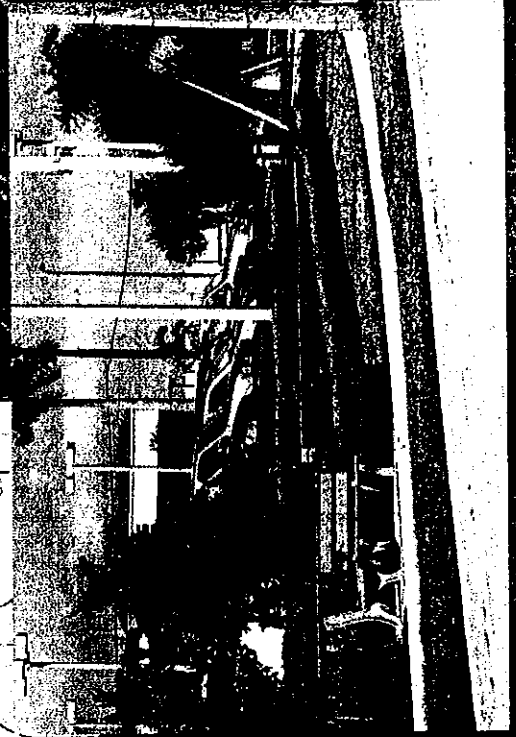
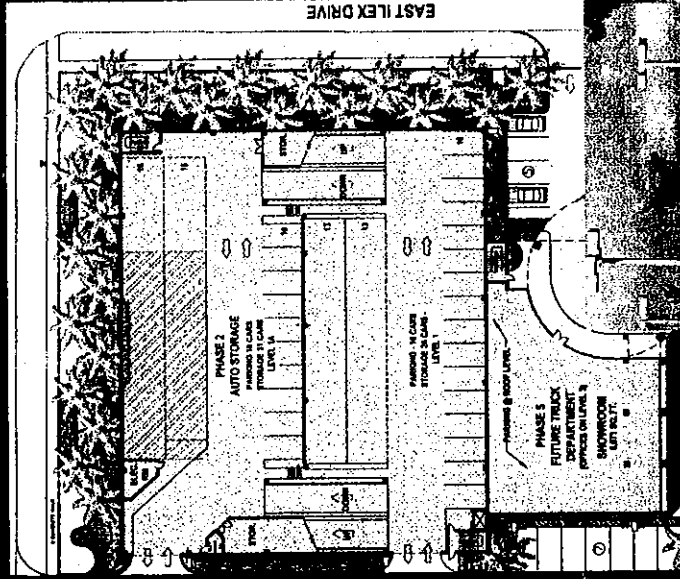
# Resolution 43-07-04

- Approval of Abandonment of Jasmine Drive by the Town shall be subject to following conditions:

“Shall obtain any and all appropriate amendments to the Town’s Comprehensive Plan and LDR’s such that Jasmine Drive and the Journey’s Inn Property can be operated as an automotive dealership....”

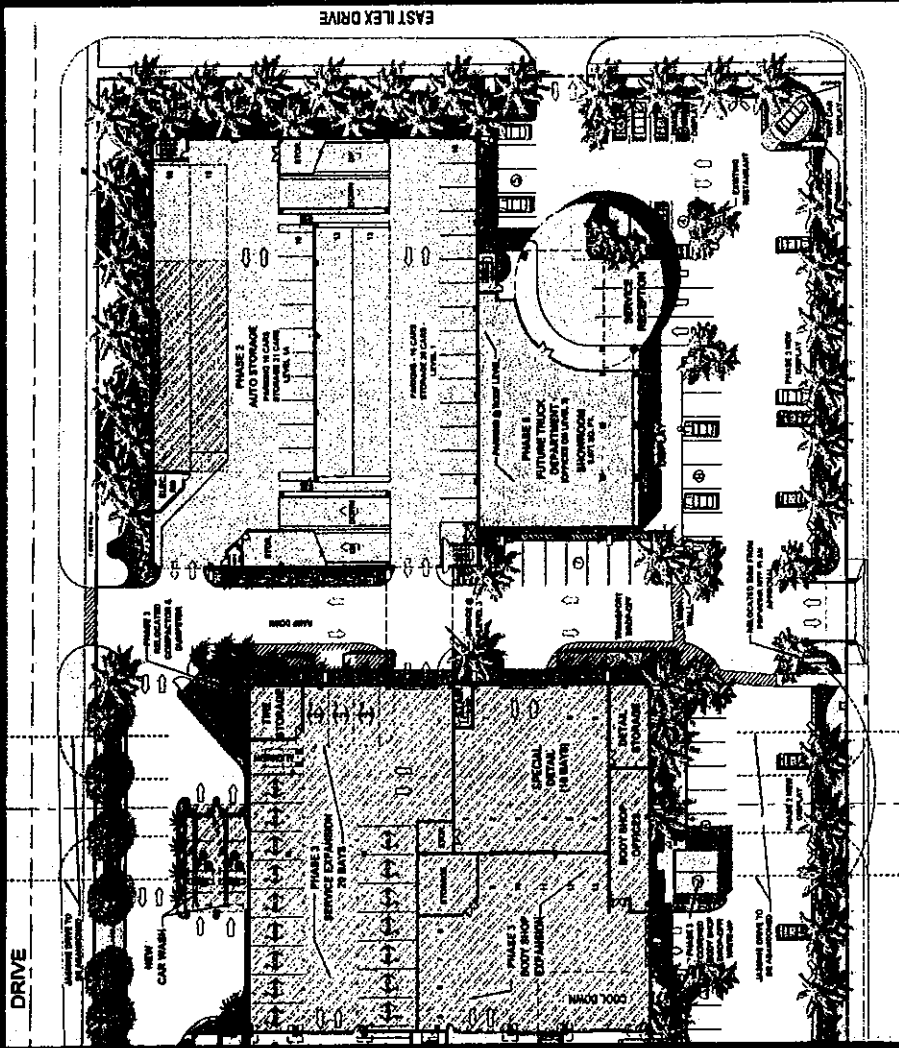
# Proposed Landscape Plan

- Continuation of approved planting design.
- Enhancement of Landscape Areas along Lakeshore Dr.
- 25' landscape buffer around proposed garage, which will contain larger specimen trees

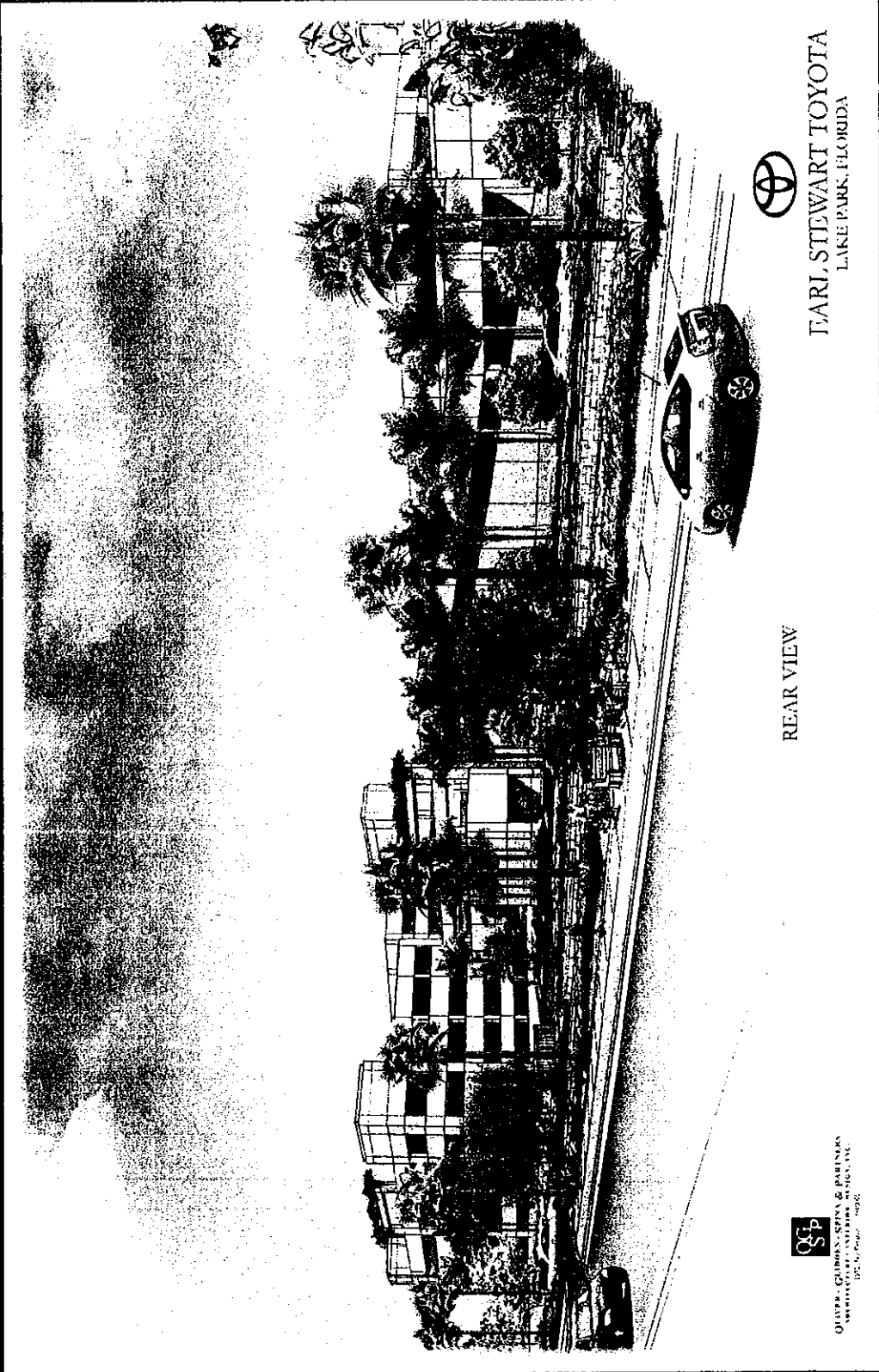


# Site Plan

- 97, 322 SF of New Car Dealership (sales, offices, parts dept., service areas;
- 272 customer and employee parking spaces;
- Approximately 828 spaces for inventory storage;
- Loading/Off-Loading Area
- Increase in Opens Space/Pervious Area.



# Proposed Elevations



REAR VIEW

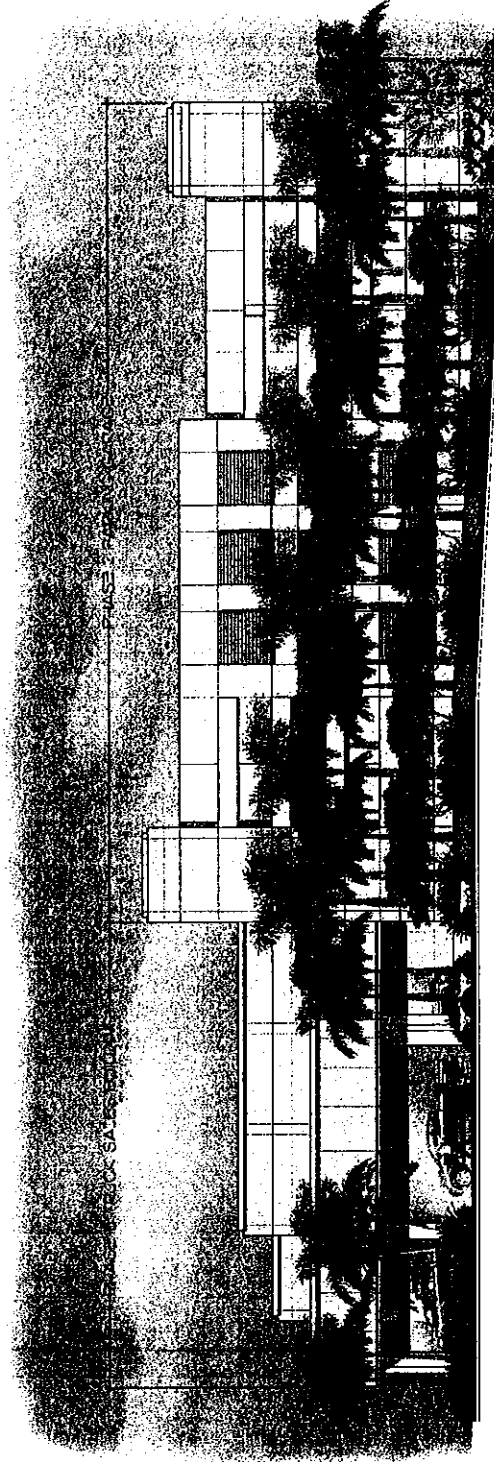


EARL STEWART TOYOTA  
LAKE PARK, FLORIDA



OLIVER, OSBORN, SPINA & PARTNERS  
ARCHITECTS, INTERIORS AND SCULPTORS  
100 N. W. 10th Street, Suite 1000  
Miami, Florida 33136

# South Elevation



NEW TOYOTA TRUCK SALES AND PARKING GARAGE  
② SOUTH ELEVATION  
SCALE 1/8" = 1'-0"

Earl Stewart Toyota  
Lake Park, Florida

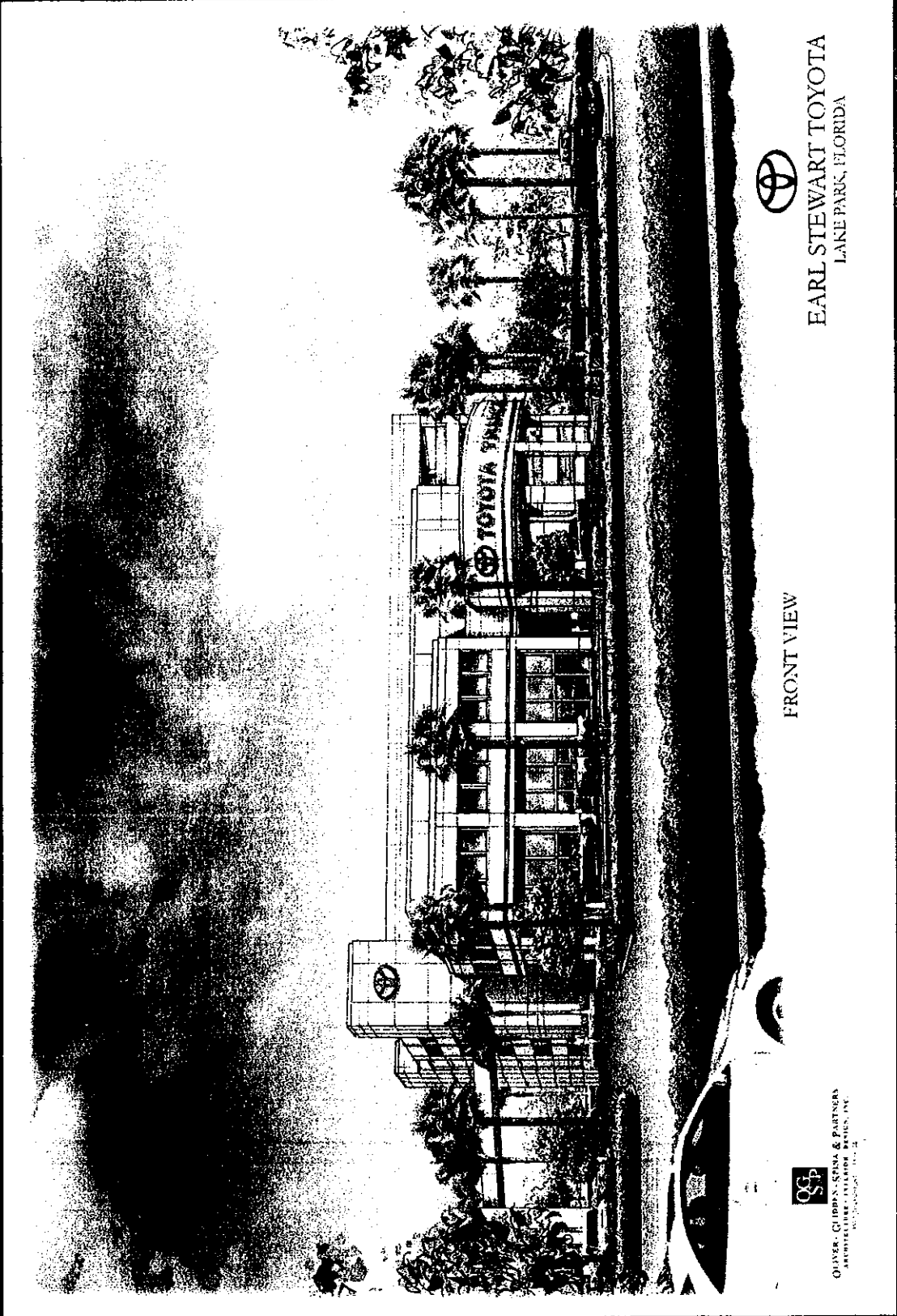


# Proposed Waivers

The PUD Zoning District permits design flexibility which is in harmony with the general purpose and intent of the Town's LDR's. The following are the new waivers proposed by the development:

1. Section 78-77(d)(1) Building Height – Maximum allowable height in non-residential districts is four stories or 50 feet. Waiver to increase the number of stories to 5.
2. Section 78-77(f)(2) Open Space Requirements in a PUD are 35%. Waiver to decrease the required open space.
3. Section 78-253 (h)(1) Planting – A Landscape Buffer of 15 feet in depth is required on lands located adjacent to a public street right-of-way – Waiver to reduce the landscape buffer to 10 feet along the southwest buffer adjacent to Ilex Dr.

# Proposed Elevations



FRONT VIEW

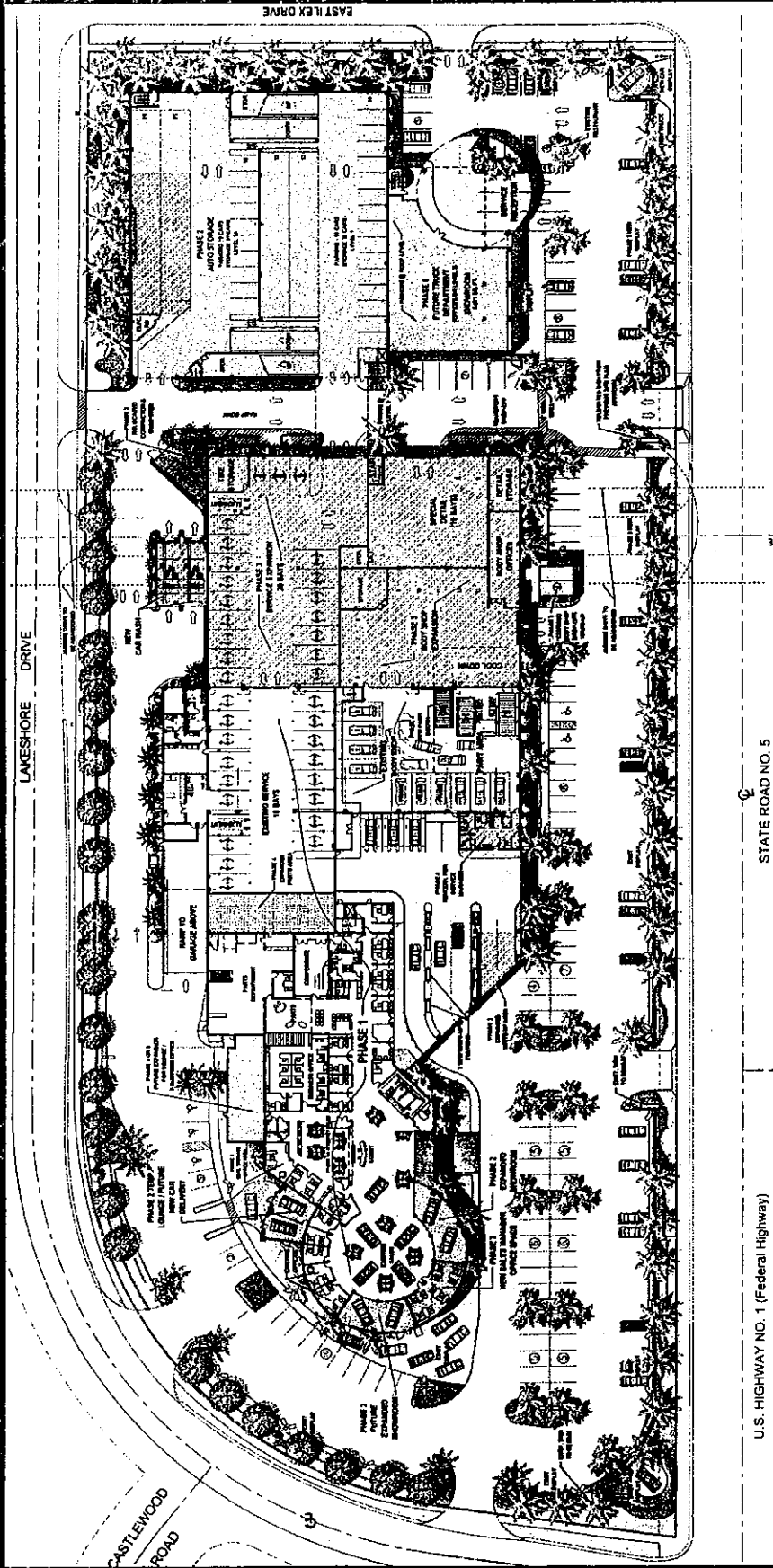


EARL STEWART TOYOTA  
LAKE PARK, FLORIDA



OLIVER, CLIBBEN, SERNA & PARTNERS  
ARCHITECTURE, INTERIOR DESIGN, INC.  
1000 UNIVERSITY AVENUE, SUITE 200  
LAKE PARK, FLORIDA 32909

# Earl Stewart Toyota



# Earl Stewart Toyota

- Proposed development consistent with intent of the Resolution 43-07-04
- Site Design creates better compatibility with adjacent uses. (Enhanced Buffer; Off-Loading Area; More Parking)

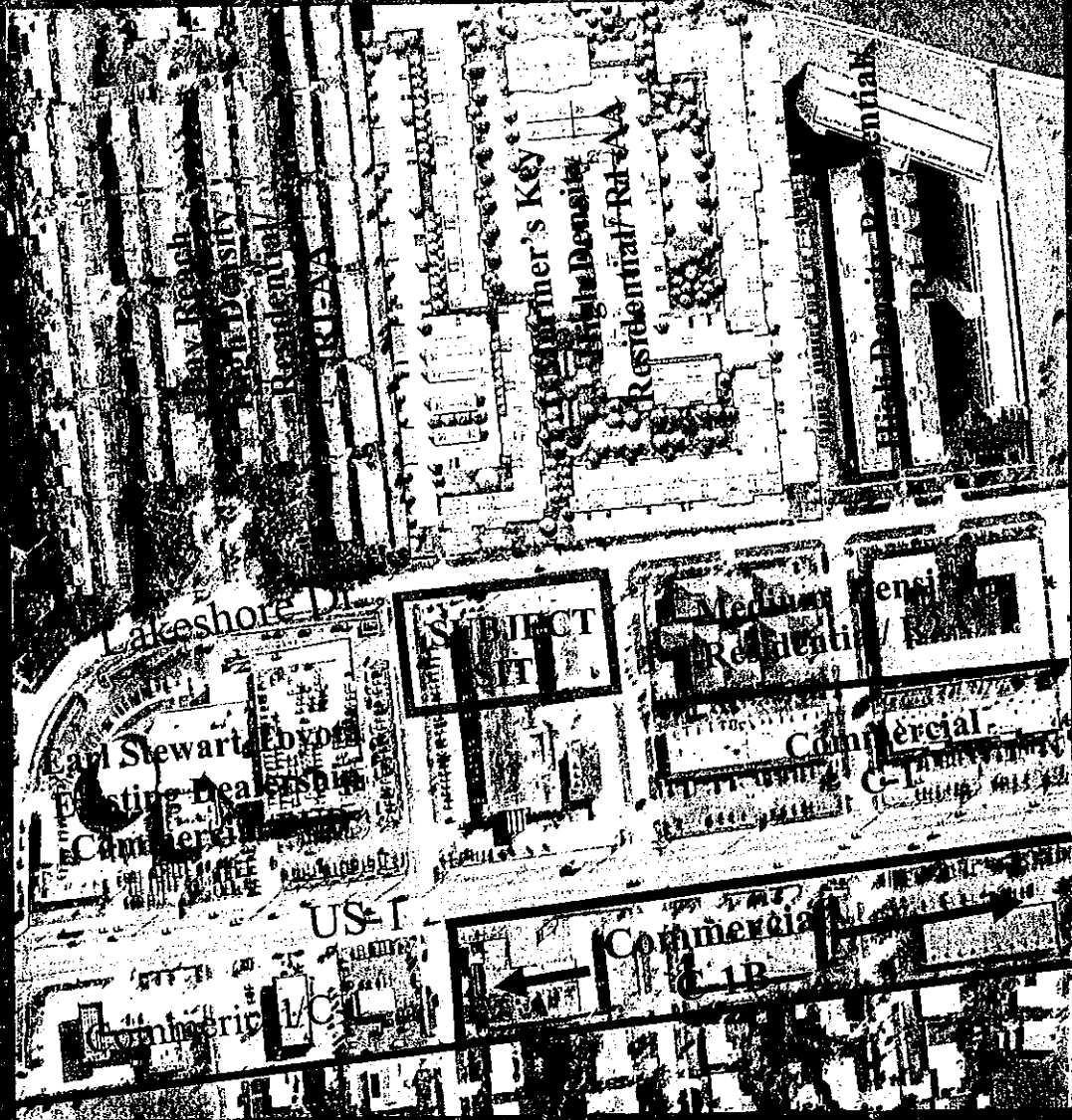
Journey's Inn  
Small Scale Land Use  
Amendment

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Planning and Zoning Commission  
Meeting

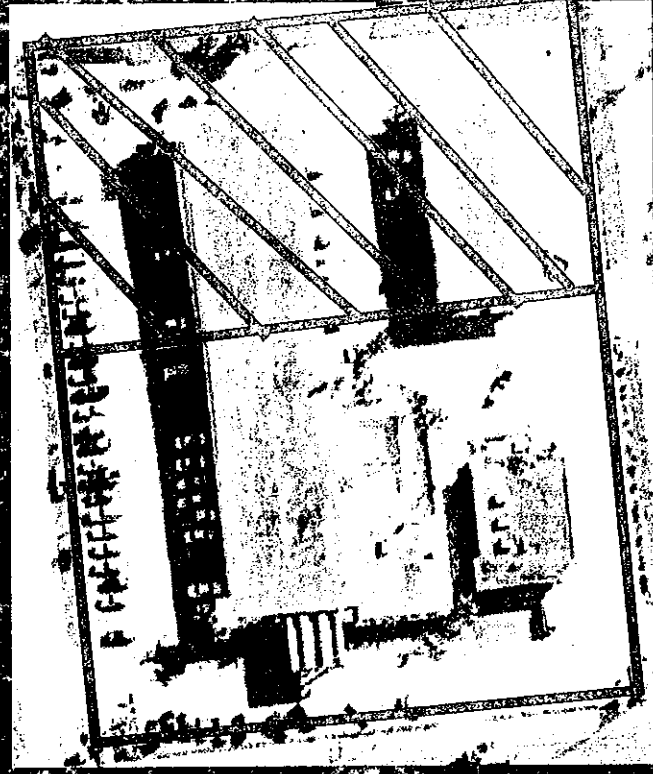
April 2, 2007

# Site Location/Surrounding Properties



# Request

Small Scale Land Use  
Amendment for a  
0.59 acre portion of a 2.09  
acre site from  
Medium Residential to  
Commercial



1. Request is consistent with existing Commercial Land Use – Journey's Inn Hotel
2. Permits redevelopment of Site.

# Small Scale Land Use Amendment

## Background

- Journey's Inn Constructed in 1969 -Hotel /Commercial Use;
- Comprehensive Plan adopted in 1990, Land Use Map designates small portion of site as residential;
- Comprehensive Plan Policy 1.4(a) states: Commercial Uses shall not be permitted within areas designated for residential on the FLUM.
- Town adopts Resolution 43-07-04, which encourages development of site as Automotive Dealership



# Small Scale Land Use Amendment Application Requirements

1. The requested change would not have an adverse effect on the Comp Plan.
  - The requested amendment does not create an adverse effect on the Comprehensive Plan; request corrects inconsistency created by the adoption of the Comp. Plan

# Small Scale Land Use Amendment

## Application Requirements

2. The requested change is consistent with the existing land use pattern.

  - *Existing Commercial Use on the site is consistent with the requested amendment. The request is also consistent with the land use pattern just north of the subject site.*

# Small Scale Land Use Amendment

## Application Requirements

- 3. The requested change will not result in the overtaxing of public facilities
  - *The proposed request reduces impact schools.*
  - *Traffic Study indicates an insignificant impact on adjacent roadways*
  - *Water & Sewer is currently available to the site.*

# Small Scale Land Use Amendment

## Application Requirements

4. The proposed request will not adversely impact public safety.
  - *Proposed request will permit redevelopment of the site, which will eliminate a use that is widely considered a nuisance*

# Small Scale Land Use Amendment

## Application Requirements

5. That the requested change will not adversely impact living conditions in the neighborhood or other surrounding areas.
  - *The requested change will not adversely impact the living conditions in the neighborhood. The current use of the site is a commercial use, any proposed redevelopment would also be of a commercial nature. Any perceived impacts could be addressed by the site design and proper buffering.*

# Small Scale Land Use Amendment

## Application Requirements

6. Are there substantial reasons why the property cannot be used in accord with the land use designation.
  - *The Comp Plan prohibits commercial uses within residentially designated areas.*
  - The current use and any proposed redevelopment of the site would be inconsistent with this policy.*

# Small Scale Land Use Amendment

## Application Requirements

7. Will the requested change constitute a grant of special privilege to an individual owner as contrasted with the public welfare
  - *The requested use corrects the current inconsistency on the site.*

# Small Scale Land Use Amendment

## Application Requirements

8. Provide an economic cost benefit analysis comparing present land use and proposed build out for the proposed build out for the proposed land use.
  - *A comparison of property taxes based on commercial land use versus residential land use on .59 acres creates an increase of approx \$3,623.10.*



## Small Scale Land Use Amendment

- The proposed request is consistent with the Town's Comprehensive Plan
- Enables the site to redevelop in a unified manner
- Does not impact existing services or the surrounding area.

# Site Location/Surrounding Properties

