



Minutes
Town of Lake Park, Florida
Hybrid Regular Commission Meeting
Wednesday, July 1, 2020, 6:30 PM
Via Zoom and the
Town Hall Commission Chamber
535 Park Avenue, Lake Park, Florida 33403

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, July 1, 2020 at 6:30 p.m. Present were Mayor Michael O'Rourke, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, John Linden, and Roger Michaud, Town Manager John O. D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call and Ms. Maria Marino led the pledge of allegiance.

Mayor O'Rourke asked the Commission to re-order the agenda to allow Public Comment to come before the Presentations.

PUBLIC COMMENT:

1. Maria Marino, City of Palm Beach Gardens Vice-Mayor announced her candidacy for the Palm Beach County Board of Commissioners (District 1).

2. Bill Reichel expressed an interest in a vacant property located at 572 Northlake Blvd, and asked for clarification of the property zoning. Mayor O'Rourke thanked Mr. Reichel for his comment and explained the Commission would not discuss zoning as related to the above-mentioned property. He explained the item might appear as a future agenda item.

SPECIAL PRESENTATION/REPORT:

1. Marina Public-Private (P3) Partnership Request for Qualifications - Presentations by Offerors.

- Fox Rothschild
- Marine Business Advisors
- Strategic Development Initiatives - SDI

Town Manager D'Agostino provided a summary of the Marina Public-Private Partnership Request for Qualifications process. He explained that the Evaluation Committee had provided a recommendation at a previous Regular Commission Meeting. He explained that the following presentations were scheduled per request of the Commission. Vice-Mayor Glas-Castro expressed concerns regarding Phases I-III as explained by Town Manager D'Agostino (see Exhibit "A"). Discussion ensued regarding the amount of \$375k. Town Manager D'Agostino welcomed Community Development Director Nadia DiTommaso to provide comment regarding the analysis for \$375k. Community Development Director DiTommaso (Virtual Attendee) announced that she

could hear other Virtual Attendees, but could not hear the In-Person discussion in the Commission Chamber and asked Town Manager D’Agostino to repeat the question. She explained the projected costs per phase as listed in Exhibit “A”.

Mr. John Herin of Fox Rothschild presented to the Commission via Zoom and Jim Bronstein of Marina Business Advisors presented In-Person to the Commission (see Exhibit “B”). Commissioner Linden expressed concern that the estimate does not include a “not to exceed” amount. He stated that the amount shown in the documentation was \$285,600.00 for 12 months. Mr. John Herin explained that it was an accurate figure as the maximum with a low range of \$230,000.00. He explained that they would negotiate with the Town should a contract be awarded to them. Commissioner Flaherty questioned if Fox Rothschild and Marina Business Advisors would work in unison if either firm were selected. Mr. Bronstein explained that Fox Rothschild and Marina Business Advisors could collaborate or work independently as desired by the Commission. Vice-Mayor Glas-Castro asked for clarification of the recent Public-Private Partnerships of Fox Rothschild. Mr. Steven Zelkowitz of Fox Rothschild clarified the most recent Public-Private Partnerships in Florida. Mayor O’Rourke asked Town Staff to clarify the reference scores awarded to Fox Rothschild and Marina Business Advisors. Town Manager D’Agostino explained that scores were based on recent marine partnerships and references. He explained that the Request for Qualifications was written to attract competitive submittals from experienced firms. He explained that each submittal was evaluated based on its own merit. Mr. Herin emphasized that Fox Rothschild would negotiate a not to exceed price for the project. Mayor O’Rourke thanked Mr. Herin, Mr. Zelkowitz and Mr. Bronstein for their presentations.

Mr. Don Delaney, President of Strategic Development Initiatives, (SDI) Inc., presented to the Commission. Mayor O’Rourke asked for clarification of the non-compete clause and questioned if Mr. Delaney currently worked with the City of Riviera Beach. Mr. Delaney explained that he work with the City of Riviera Beach, FL in prior years. Discussion ensued regarding Mr. Delaney’s ability to collaborate with Nautilus 220. Mr. Delaney explained that he viewed Nautilus 220 as an asset, and he looked forward to their partnership. He explained that if selected, he and his team would ensure fulfilment of the agreement with Town of Lake Park. Mayor O’Rourke thanked Mr. Delaney for his presentation.

Motion: Vice-Mayor Glas-Castro moved to add an agenda item tonight to approve a firm; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

Motion: Vice-Mayor Glas-Castro moved to approve the Evaluation Committees recommendation to move forward with a contract with SDI, Inc., including the discussion of the future phases that they have outlined; Commissioner Flaherty seconded the motion.

Commissioner Linden asked for clarification regarding pricing in which Fox Rothschild was lower than SDI. Community Development Director DiTommaso clarified that Fox Rothschild included in their submittal pricing that would cover the scope of work in the Request for Qualifications. She further explained that SDI included pricing that included the scope of work outlined in the Request for Qualifications as well as additional phases to the project, which was why their submittal cost was higher. She explained that phase I, which includes the scope of work in the Request for Qualifications from Fox Rothschild and Marina Business Advisors, would be \$285,600.00 and for SDI it was \$ 180,000.00. Commissioner Michaud asked how the scope of work would involve the residents in the City of Riviera Beach. Vice-Mayor Glas-Castro stated that as stakeholders the City of Riviera Beach would be brought into the discussion. Commissioner Flaherty thanked Mr. Herin, Mr. Zelkowitz, Mr. Bronstein, and Mr. Delaney for their presentations. Vice-Mayor Glas-Castro expressed her thoughts regarding each submittal and explained why she supported the recommendation of the Evaluation Committee. Mayor O'Rourke agreed with the comments of Vice-Mayor Glas-Castro.

Vote on Motion:

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

Motion passed 5-0.

Mayor O'Rourke thanked all the presenters. Mr. Herin thanked the Commission for the opportunity to present and wish the Town the best of luck.

CONSENT AGENDA:

- 2. June 17, 2020 Commission Workshop Minutes.**
- 3. June 17, 2020 Regular Commission Meeting Minutes.**
- 4. Resolution 46-07-20 Supporting the Development of a Commercial Kitchen and The Filing of an Application for Grant Funding to the U.S. Department of Commerce, Economic Development Administration.**

Motion: Vice-Mayor Glas-Castro moved to approve the Consent Agenda; Commissioner Flaherty seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		
Commissioner Michaud	X		

Vice-Mayor Glas-Castro	X		
Mayor O'Rourke	X		

Motion passed 5-0.

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

5. Ordinance No. 06-2020 Rezoning of Eight Properties Located on the East Side of Prosperity Farms Road.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA REZONING EIGHT PROPERTIES LOCATED ON THE EAST SIDE OF PROSPERITY FARMS ROAD, LEGALLY DESCRIBED IN EXHIBIT "A", AND SHOWN IN FIGURE 1 FROM R-3 RESIDENCE TO C-IB NEIGHBORHOOD COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE REZONING; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director DiTommaso explained the item (see Exhibit "C"). Commissioner Linden expressed concern with the zoning with commercial so close to residential. He asked if the Town was restricting itself as a result of this Ordinance. Community Development Director DiTommaso stated that the Town was not restricting ourselves because most of the uses currently on those parcels are office oriented uses and those uses would remain permitted.

Motion: Commissioner Flaherty moved to approve Ordinance No. 06-2020 on first reading; Commissioner Michaud seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

Town Attorney Baird read the Ordinance by title.

6. Ordinance No. 07-2020 Amending Section 70-103 of Chapter 70 Pertaining to Temporary Signs.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 70-103 OF CHAPTER 70 PERTAINING TO TEMPORARY SIGNS; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director DiTommaso explained the item (see Exhibit "D").

Motion: Commissioner Flaherty moved to approve Ordinance No. 07-2020 on first reading; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

Town Attorney Baird read the Ordinance by title.

NEW BUSINESS:

7. Resolution 45-07-20 Authorizing a Temporary Amendment to the Town's Section 125 Cafeteria Plan to Allow Employees to make a Mid-Year Election Change to their Flexible Spending Accounts.

Motion: Vice-Mayor Glas-Castro moved to approve Resolution No. 45-07-20; Commissioner Michaud seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

PUBLIC COMMENT: None

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager D'Agostino announced the following comments within Exhibit "E".

Vice-Mayor Glas-Castro moved to contribute the amount of \$1,440.00 to the Palm Beach North Campaign (I Love Local Campaign); Commissioner Flaherty seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		

Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O'Rourke	X		

Motion passed 5-0.

Commissioner Linden expressed concerns with the communication issues that need to be resolved. He stated that staff should educate residents before issuing citations for signage. He suggested providing a latitude with more than 14-days, waive the \$250.00 fee until the conclusion of the COVID-19 pandemic, and support Town business. He explained that he has been working with Operation Hope and the Florida League of Cities to read “The City That Talks” and provide children with the coloring book for the story.

Commissioner Michaud asked for an update on the Tennis Center Request for Proposal. Town Manager D’Agostino stated that a Request for Proposal would be finalized and the Commission would receive a copy of the advertisement. He stated that the award of that Request for Proposal would appear at a future agenda. He asked if a COVID-19 testing site was being opened at the Publix in Lake Park. Town Manager D’Agostino stated that he had not heard anything relating to the testing site and would follow-up. Commissioner Michaud stated that the Parent-to-Parent Group are providing free reusable facemasks to the public, one package of 5-masks per family while supplies last. He provided a contact number for Parent-to-Parent as 561-598-3067 as well as other social media accounts.

Commissioner Flaherty thanked newly retired Library Director Karen Mahnk for her years of service to the Town of Lake Park. Per Commission consensus, a proclamation in Honor of Karen Mahnk would be presented at a future meeting.

Vice-Mayor Glas-Castro requested an update regarding new speed limit signage. Town Manager D’Agostino explained that the signage would be funded via the Streets and Roads Fund. He explained that all signage should be posted during the next fiscal year. Vice-Mayor Glas-Castro questioned the requirements to change the signage from 25mph to 30 mph. Public Works Director Scherle explained the implantation meeting with the engineer, who has recommended placing four (4) message boards around Town notifying motorist that the speed limits are being reduced. He stated that according to the Florida State Statute if there was no speed limit sign at all then the default was 30-miles per hour. He agreed with the Vice-Mayor that removing the 30-mile an hour signs might look better during the transition. Captain Gendreau stated that they would not be allowed to enforce speed without the signage. Commissioner Linden asked what it would cost the Town to change all the speed signs in Town. Public Works Director Scherle stated that it would cost approximately \$9,000 for quality signs and posts. There would be an additional \$6,000.00 to upgrade the signs around schools. Vice-Mayor Glas-Castro requested an update of the LED Streetlight Improvements. Public Works Director Scherle explained that there were six (6) new poles and new lights have been installed and powered. Discussion ensued between Vice-Mayor Glas-Castro and Town Attorney Baird regarding an email received from Bill Reichel. Vice-Mayor Glas-Castro thanked Town Grants Writer/Public Information Officer Merrell Angstreich.

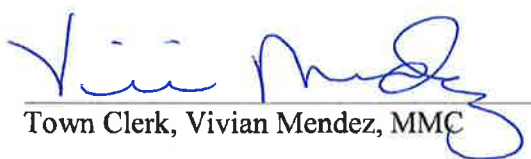
Mayor O’Rourke congratulated Vice-Mayor Glas-Castro as the President of the Palm Beach County League of Cities.

ADJOURNMENT

There being no further business to come before the Commission, the meeting adjourned at 9:36 p.m.



Mayor Michael O'Rourke



Town Clerk, Vivian Mendez, MMC



Deputy Town Clerk, Shaquita Edwards, MPA, CMC



Approved on this 15th of July, 2020



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

MEETING DATE: July 1 2020

Cards must be submitted before the item is discussed!!
*****Three (3) minute limitation on all comments**

Name: MARIA MARINO
Address: 3 CARRICK ROAD DBL FL 33418
If you are interested in receiving Town information through Email, please provide your E-mail address: _____

I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):
Just want to say hello

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

①



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

MEETING DATE: _____

Cards must be submitted before the item is discussed!!
*****Three (3) minute limitation on all comments**

Name: Bill Reichel
Address: 8845 N. MILITARY TRAIL
If you are interested in receiving Town information through Email, please provide your E-mail address: _____

I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):
572 Northshore Blvd zoning

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

②



Exhibit "A"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 1, 2020

Agenda Item No.

Agenda Title: Marina Public-Private (P3) Partnership Request for Qualifications – Presentations by Offerors.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING
- NEW BUSINESS**
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS
- ORDINANCE ON FIRST READING

Approved by Town Manager *J. Wright* **Date:** 6-24-2020

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

<p>Originating Department:</p> <p style="text-align: center;">Community Development</p>	<p>Costs: \$ RFQ Proposal Advertising Costs - Contract has not yet been awarded</p> <p>Funding Source: #106-48100 (Town Clerk Advertising)</p> <p>Acct. # _____</p> <p><input type="checkbox"/> Finance <u><i>L. Cause</i></u></p>	<p>Attachments:</p> <ul style="list-style-type: none"> → RFQ Packet; Addendum and Advertisement for RFQ #105-2020 → Three Offeror Packets - Fox Rothschild LLC; Marine Business Advisors; and Strategic Development Initiatives, Inc. (SDI) → Evaluation Committee Meeting Minutes and Scoring Tables → PBC Interlocal Agreement
<p>Advertised:</p> <p>Date: 02/02/2020 for re-Bid #105-2020</p> <p>Paper: Palm Beach Post</p> <p><input type="checkbox"/> Not Required</p>	<p>All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.</p>	<p>Yes I have notified everyone _____</p> <p>or</p> <p>Not applicable in this case <u>ND</u></p> <p>Please initial one.</p>

Summary Explanation/Background:

A brief discussion on the update of the RFQ process was provided to the Town Commission at the May 20, 2020 virtual public meeting. At that meeting, the Town Commission requested that the three Offerors provide individual presentations at the July 1, 2020 meeting. On May 22, 2020, the Town Clerk provided the Commission with copies of the three submittals along with the scoring charts used by the Evaluation Committee at their virtual evaluation meeting of April 20, 2020 for review prior to the presentations being provided this evening.

As the Town Commission may recall, throughout 2019, the Commission held discussions on the pending Interlocal Agreement with Palm Beach County for the parking lot areas located on the northeast corner of US-1 and Silver Beach Road. Visioning workshops were also held to discuss the overall vision for the entire Marina Area. The last workshop was held on August 28, 2019. The workshops discussed the need to proceed with a P3 solicitation process. In addition, the Palm Beach County Board of County Commissioners granted an extension to the Town in August 2019 so that the Town could pursue a solicitation process and hire a P3 consultant to provide professional guidance and expertise as it relates to the following consultant services: "*Advise, Prepare, Develop and Manage a P3 Agreement with a Developer for Marina-related Mixed-Use Development to be located within the Lake Park Harbor Marina Area, consisting of several parcels owned by the Town of Lake Park in Lake Park, FL*". Palm Beach County granted a 12-month extension to the Town to fulfill its obligations. The extension expires August 7, 2020.

Since the Town's purchasing policy was being revised in late-2019 and was only adopted on November 20, 2019, Staff was advised that we should wait for the final adoption of this Ordinance prior to pursuing the P3 RFQ. Consequently, the RFQ (#111-2019) was first advertised on December 10, 2019. The bid opening was held on January 13, 2020 and the evaluation committee meeting was held on January 21, 2020. Following this meeting, it was determined by the Town Manager that all responses would be rejected for the following reasons:

- ➔ in an effort to refine our RFQ packet to ensure the pricing expectations are made clear in that the costs should be all-inclusive pursuant to the services needed and being offered to complete the process; and
- ➔ to add some provisions in the solicitation packet to reinforce the need for portfolio examples to be highly descriptive; and
- ➔ to reinforce that publicly-owned Marina type P3 experience is preferred; and
- ➔ to include the Community Development Department in the RFQ document itself for communication purposes

Subsequently, a second RFQ (#105-2020) that included some additional details was advertised on February 2, 2020. Mandatory informational meetings were also held to provide additional emphasis and answer questions. The (virtual) Evaluation Committee meeting was held on Monday, April 20. The three offerors were evaluated: *Fox Rothschild LLC; Marine Business Advisors; and Strategic Development Initiatives, Inc. (SDI)*. The offerors were evaluated based on: *Experience & Portfolios of P's; Competency and Expertise of Staff; Reputation & References; and Competitive Pricing Schedule*. The offeror who received the highest score is Strategic Development Initiatives (SDI) with 275 points. **A copy of all proposals are enclosed (and were provided to the Commission electronically on May 22, 2020).** The Evaluation Committee collectively felt that SDI's proposal included the necessary portfolio examples; staff expertise; and evidence of knowledge of Florida's P3 process, local area knowledge and ability to recognize the importance of stakeholder involvement along with the need to partner with specialized entities in order to make Lake Park's

investment an attractive and viable one. SDI also provided a competitive comparison as part of its proposal. From a competitive pricing perspective, SDI also clearly outlined their anticipated costs as follows:

Phase I (covers the entire RFQ Scope) = \$180K (9 months to complete, *on the upper end*)

Additional Services (that can be incorporated in a contract and approved by change order pursuant to availability of future funds)

Phase II \$135K

Phase III \$60K (Town portion is capped at \$375K) – remaining portion would be paid by the developer as the developer's share and would need to be made part of the developer's agreement

It is the Evaluation Committee's opinion that SDI should be selected as the consultant and that contract negotiations should commence with the proposer so that a Contract can be brought forward to the Town Commission on August 5, 2020.

If the Commission agrees and the Town commences a portion of the project this fiscal year, funds will need to be identified in order to make this happen (*approximately \$40K for August and September combined would be needed should the contract be awarded to SDI using the terms provided*). The other option would be to include this as a budget item for Fiscal Year 21 so that the project commences on October 1, 2020. The concern with waiting is that the Town will lose the opportunity to have the selected P3 consultant initiate their analysis phase, which may be ideal during this period, so that they can position the Town well and get things ready for developer discussions come October 2020.

With all of the above being said, Town Staff also spoke to Palm Beach County regarding the extension of the Interlocal Agreement prior to the Commission's discussion on May 20, 2020. At that time, Ross Hering, Director of Property and Real Estate Management and Eric McClellan, Director of FD&O Strategic Planning, acknowledged that the Town has proceeded in good faith since the extension was granted last year (with delays that have been out of our control) and that the Town has a solid case to request an additional extension from the Palm Beach County Board of County Commissioners in July. Both Mr. Hering and Mr. McClellan joined the Evaluation Committee Meeting held by the Town for the RFQ on April 20, 2020 and indicated the Town did an excellent job in reviewing the proposals received. The discussions at that time also implied that in order to make the County meeting in July to request an extension, Town Staff would need to commit the schedule that had been presented to the Town Commission on May 20, 2020 that included presentations on June 3, 2020; awarding a contract on June 20, 2020 and submitting a copy of the contract to Palm Beach County on June 21. This has been communicated to the Town Commission on May 20, 2020 however, the Town Commission elected to take some additional time to review the proposals and have the Offerors present at the July 1, 2020 meeting instead. This was communicated to the County following the Commission's discussion on May 20, 2020. Since then, Staff has been in discussions with Ross Hering (Palm Beach County) who is a little hesitant to confirm an actual meeting date at this point before the Palm Beach County Board of County Commissioners in August (to extend the interlocal agreement), both due to the current climate and other matters the County is dealing with, but also because the Town is not yet able to provide their selection on a consultant who will be assisting the Town through the

P3 process. Ross Hering believes this commitment (by the Town) will go a long way in the justification for an extension and he is hopeful a decision can be made prior to a County meeting in August (which is still TBD).

Since the Offerors are presenting to the Town Commission this evening, the Town Commission has the opportunity to ask questions and decide whether it agrees with Staff's recommendations to select SDI, or desires to pursue a contract with another firm, but must present justifications as it relates to the RFQ process and the scoring criteria used. The Town Commission may also elect not to pursue a contract and provide similar justifications. If a selection is made, Staff is proposing the following next steps:

NEXT STEPS:

- (1) Between July 2 – July 17 – contract negotiations with selected Offeror
- (2) Resolution Awarding Contract – August 5, 2020 Commission meeting
- (3) Submit documentation to Palm Beach County on August 6, 2020 for a (August – TBD) PBC meeting to renew the Interlocal Agreement for another 8-12 months.

Recommended Motion: I move to APPROVE moving forward with contract negotiations with _____ (firm name).

Exhibit "B"



Town of Lake Park

RFQ# 105-2020 P3 CONSULTANT

MARINA RELATED MIXED USE DEVELOPMENT

PRESENTATION VIA ZOOM MEETING JULY 1, 2020

Summary of Proposal submitted March 18, 2020



Submitted by: Marine Business Advisors

Jim Bronstien, Managing Partner
Kevin Quirk, Associate Partner

Summary of Personal Qualifications



- ▶ Jim Bronstien, founder of Marine Business Advisors
 - ▶ 20-year resident of North Palm Beach
 - ▶ 20 years as owner of Rybovich (1984-2005) until sold to Huizenga Holdings
 - ▶ Hired dockmaster Mike Pisano prior to his tenure at Lake Park marina
 - ▶ 15 years as advisor and/or operator of numerous marina businesses
 - ▶ Extensive Knowledge of South Florida area and landscape
 - ▶ Founder of Marine Industry Ass'n Palm Beach County
 - ▶ Negotiated deal to bring Boat Show to West Palm Beach
 - ▶ Long term Board Member of Tourist Development council
 - ▶ Chairman of Finance committee

Summary of Personal Qualifications



- ▶ Kevin Quirk
 - ▶ Resident of Ft. Lauderdale
 - ▶ 10 years as senior VP of Bahia Mar Marina working for Huizenga Holdings including oversight of full transformation to internationally recognized yacht facility and home to Ft Lauderdale boat show.
 - ▶ 12 years as VP of LXR Marinas, owned by Blackstone Group, with full oversight of 8 marinas throughout Florida, including Pier 66 among others.
 - ▶ Extensive knowledge in marina design, layouts, function and land interface

Summary of Business Qualifications



- ▶ Marine Business Advisors (DBA US Marina Group)
 - ▶ Engaged since 2007 as operator or advisor in numerous marina development projects including some notable projects just during the past year:
 - ▶ Marina Pez Vela in Costa Rica
 - ▶ Marina Palms in Aventura, Fla.
 - ▶ Hilton Hotel Marina in Ft. Lauderdale
 - ▶ Buenaventura Marina, Panama
 - ▶ Hurricane Hole Marina, Bahamas
 - ▶ Bayside Marina, Miami
 - ▶ Town of Palm Beach Docks
 - ▶ Sunseeker Resorts, Punta Gorda, Fl
 - ▶ Saunders Yachtworks, Gulf Shores, Alabama
 - ▶ Fernandina Beach Town Marina, Fernandina Beach, Fla.

References



- ▶ AS STATED IN PROPOSAL

- ▶ *Any work done by Jim or Kevin in their prior roles or any project associated with MBA or US Marina Group may be contacted as a reference. No project or work is off limits for references. Additional personal or specific references that may be requested are available upon request.*

Specific References:

George Helmstetter, Plaza Equity Partners, Miami 786-629-9671

Dan Cowens, Oasis Marinas, Annapolis, Md 443-336-7007

Erica Graham, Brookfield Properties Asset Manager, Washington DC 443-510-6087

Carolyn Stone, Town Palm Beach, 561-227-6457

Project Qualifications



- ▶ MBA has extensive qualifications for the marina side of this project and understands all the issues required to develop that part of the project including both wet slips and potential dry storage and how to integrate with land side integration and permitting
- ▶ MBA believes that whoever is selected must have this background of knowledge to provide an effective P3 project.
- ▶ MBA is very familiar with numerous parties who would be potential partners for this P3 project, some from the past and some not yet exposed to this opportunity
- ▶ MBA does not claim full in-house expertise for the landside development requirements and, therefore, prefers to partner with a group that can integrate both parts into a seamless P3 project

Steps to Implement



- ▶ Site analysis
 - ▶ MBA would focus on the marine related components in this analysis
- ▶ P3 Agreement Development
 - ▶ MBA would focus on marina specific issues
- ▶ Market and Coordinate P3 Meetings with Interested Developers
 - ▶ MBA knows how to identify qualified marina developers and 3rd party operators
- ▶ Evaluate P3 Agreement responses with Town Staff
 - ▶ MBA is quite capable of evaluating responses
- ▶ Town Commission Presentation and Contract Negotiation
 - ▶ MBA is local and capable of coordination with other parties

SCHEDULE/ PRICING



- ▶ MBA would work as support for the town and P3 partners
- ▶ Expected timeline 9-12 months depending on permits, extent of project, etc.
- ▶ Pricing assumes \$220/hour rate and, based on final role for MBA, estimated at 30-40 hours/month
- ▶ Price range can be provided based on final scope

SUMMARY



- ▶ As written in opening part of written proposal.
- ▶ *MBA believes that a “marina specific group” should be partnered with the other RFQ qualified applicants to allow the Town to have the perfect combination of fire power to achieve the goal of creating a world class marina district. We have collaborated officially with Fox Rothschild, however, should the Town identify other scenarios better suited, MBA could be considered for direct engagement by the Town.*

Comments/Discussion/Questions



▶ Jim Bronstien

▶ jimb@marineba.com

▶ 561-346-9580

▶ Kevin Quirk

▶ kq@usmarinagroup.com

▶ 954-873-3157

www.marineba.com

Exhibit "C"



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 1, 2020 Agenda Item No. _____

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA REZONING EIGHT PROPERTIES LOCATED ON THE EAST SIDE OF PROSPERITY FARMS ROAD, LEGALLY DESCRIBED IN EXHIBIT "A", AND SHOWN IN FIGURE 1 FROM R-3 RESIDENCE TO C-1B NEIGHBORHOOD COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE REZONING; AND PROVIDING FOR AN EFFECTIVE DATE.

- Special presentation/reports, Board appointment, Public hearing ordinance on 1st reading, New business, Other, Consent agenda, Old business.

Approved by Town Manager [Signature] Date: 6-24-2020

Nadia Di Tommaso

Karen Golonka (Planner) for Nadia Di Tommaso (Community Development Director)

Table with 3 columns: Originating Department (Community Development), Costs (Legal Review and Legal Ad, Funding Source: Acct. # 108 & #500-34910), Attachments (Staff Report, Ordinance, Legal Notice, Certified Letter), Advertisment (Date: 6/21/20, Paper: Palm Beach Post), and notification details.

Summary Explanation/Background:

This is a staff initiated application to rezone eight (8) parcels located along the east side of Prosperity Farms Road, from the R-3 Residence District to the newly developed C-1B Neighborhood Commercial

District. The rezoning will bring the properties into conformance with their adopted Comprehensive Plan Land Use designation of Commercial, which is a statutory requirement.

The C-1B District was specifically developed in response to concerns that the Town did not have a viable “neighborhood scale” commercial district to apply to this subject area, and others, where intense commercial might negatively impact nearby residences. The District was adopted by The Town Commission by Ordinance 12-2019, on November 20, 2019. The new regulations are contained in exhibit #4.

Total land area for all parcels is 2.367 acres, with seven (7) lots already developed and one (1) lot remaining vacant.

Rezoning to the new C-1B District will provide advantages to both the properties that will be rezoned AND the residential homes that abut to the east.

The C-1B District allows for a greater variety of uses than the current R-3 zoning, such as personal services and retail shops. The uses should make it easier for current owners to lease their properties or sell, thus helping the Lake Park economy. The existing uses, primarily office, which have not been a problem to the residences, are permitted uses and can continue.

For the adjacent residences, noise impacts will be mitigated by the district requirement that restricts hours of business operation to 6 am through 11 pm. The allowable uses must also be located within an enclosed building, and no outdoor storage is permitted. The C-1B district also affords greater protection, should the properties redevelop in the future. This includes requiring greater setbacks than the current regulations do, for lots adjacent to the homes, and limiting maximum lot size.

The Planning and Zoning Board considered the application at a March 2, 2020 public hearing and unanimously recommended approval to the Town Commission. No public comments were received at the meeting.

RECOMMENDED MOTION: I MOVE TO APPROVE THE REZONING ORDINANCE 6 -2020.



TOWN LAKE OF PARK
Town Commission
Meeting Date: July 1, 2020

REQUEST: TOWN INITIATED REQUEST TO REZONE EIGHT (8) PARCELS, LOCATED ALONG THE EAST SIDE OF PROSPERITY FARMS ROAD, FROM THE R-3 RESIDENCE DISTRICT TO THE NEWLY DEVELOPED C-1B NEIGHBORHOOD BUSINESS DISTRICT.

DESCRIPTION

Total land area for all parcels is 2.367 acres, with seven (7) lots already developed and one (1) lot remaining vacant. This is a staff initiated application to rezone eight (8) parcels located along the east side of Prosperity Farms Road, from the R-3 Residence District to the newly developed C-1B Neighborhood Commercial District. The rezoning will bring the properties into conformance with their adopted comprehensive plan land use designation of commercial, which is a statutory requirement.

Rezoning to the C-1B District will allow greater flexibility of uses for the properties, and at the same time afford greater protection to the adjacent single family homes through stricter regulations for of hours of operation and outdoor use, as well as limiting the size and ontensity of commercial uses. The District was adopted by The Town Commission by Ordinance 12-2019, on November 20, 2019. The new regulations are contained in exhibit #4 of this report.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Board considered the rezoning at a March 2, 2020 public hearing and **unanimously recommended approval** to the Town Commission to rezone the eight parcels along the east side of Prosperity Farms Road from R-3 to C-1b Neighborhood Commercial

RECOMMENDATION TO THE TOWN COMMISSION:

APPROVAL OF THE ORDINANCE REZONING THE 8 PARCELS, FROM R-3 TO C-1B

BACKGROUND INFORMATION:

Applicant(s): Town of Lake Park

Parcel Information

Owner: See Exhibit 5

Address : 1509, 1511, 1525, 1535, 1541, 1547, and 1605 Prosperity Farms Rd., plus one vacant parcel mid-block

Lot Sizes: See Exhibit 5

Parcel Control Numbers: See Exhibit 5 for parcel control numbers for each parcel

Existing Zoning : R-3 Multiple Family District
Proposed Zoning C-1B Neighborhood Business District

Existing Land Use: Commercial
Current existing uses: Primarily office buildings

Adjacent Zoning

North: C-1 Business/Northlake Boulevard Overlay Zone(NBOZ)
South: C-1 Business
East: R-1 Residence District
West: C-1 Business

Adjacent Land Uses

North: Commercial
South: Commercial
East: Single Family Residential
West: Commercial

Legal Advertising

A legal display ad was published in the Palm Beach Post on June 21, 2020 in accordance with Town code, certified notices were also mailed to the property owners whose property is the subject of the rezoning.

Background Information

Last August 2019, Community Development Staff brought forward a Town-initiated request to rezone the eight parcels along Prosperity Farms Road from R-3 Residence to the separate (existing) C-1 Business District classification, consistent with the assigned Future Land Use of Commercial.

The Planning and Zoning Board expressed concerns regarding potential impacts of some of the intense uses that were permitted in the C-1 District and took no action on the request. Instead, the Board asked staff to look into creating a new commercial district that would be less intense and more compatible with the adjacent residential homes to the east. Thus, **the C-1B Neighborhood Commercial District was developed and subsequently recommended for approval by the Planning and Zoning Board at their October 7, 2019 meeting. The C-1B District was adopted by the Town Commission on November 20, 2019 by Ordinance No. 12-2019.** It was adopted with the intent of applying the new district to this area along Prosperity Farms Road. The new C-1B regulations are included as Exhibit 4 in this report.

This new C-1B District, which would allow for small scale, neighborhood type commercial uses that would have minimal impacts on adjoining residential areas, is now proposed to be applied to the eight parcels along the east side of Prosperity Farms Road. Once adopted, this will render the complete zoning district in compliance with the existing future land use designation of Commercial.

**VIEW OF SOME OF THE PROPERTIES CONSIDERED FOR REZONING-
EXISTING OFFICE USES. SINGLE FAMILY HOMES SHOWN TO THE EAST**

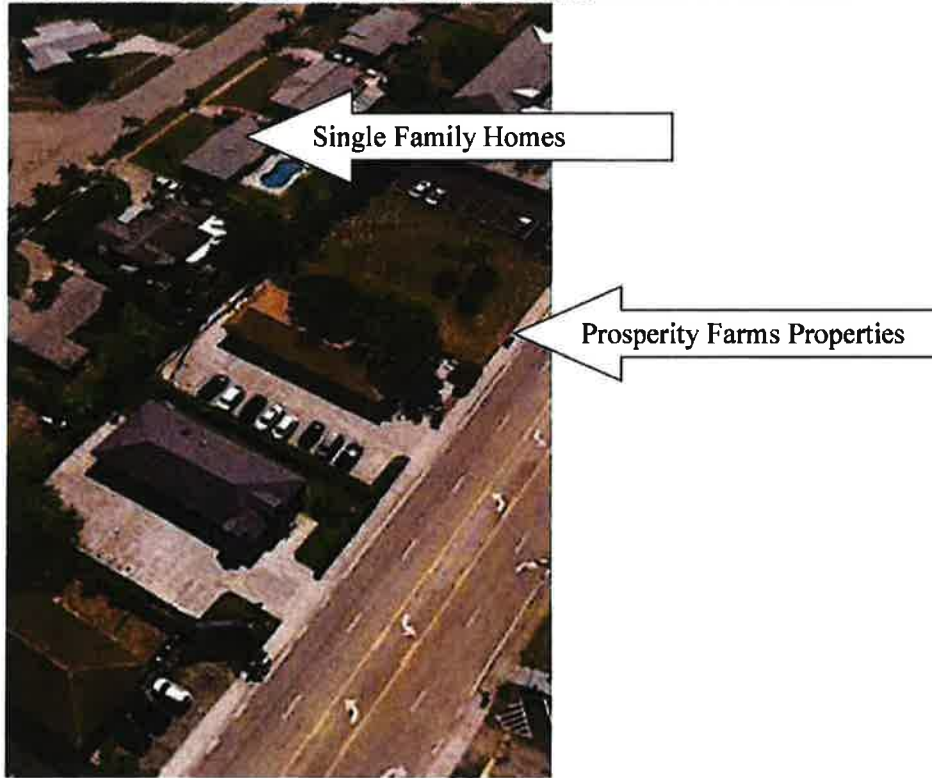
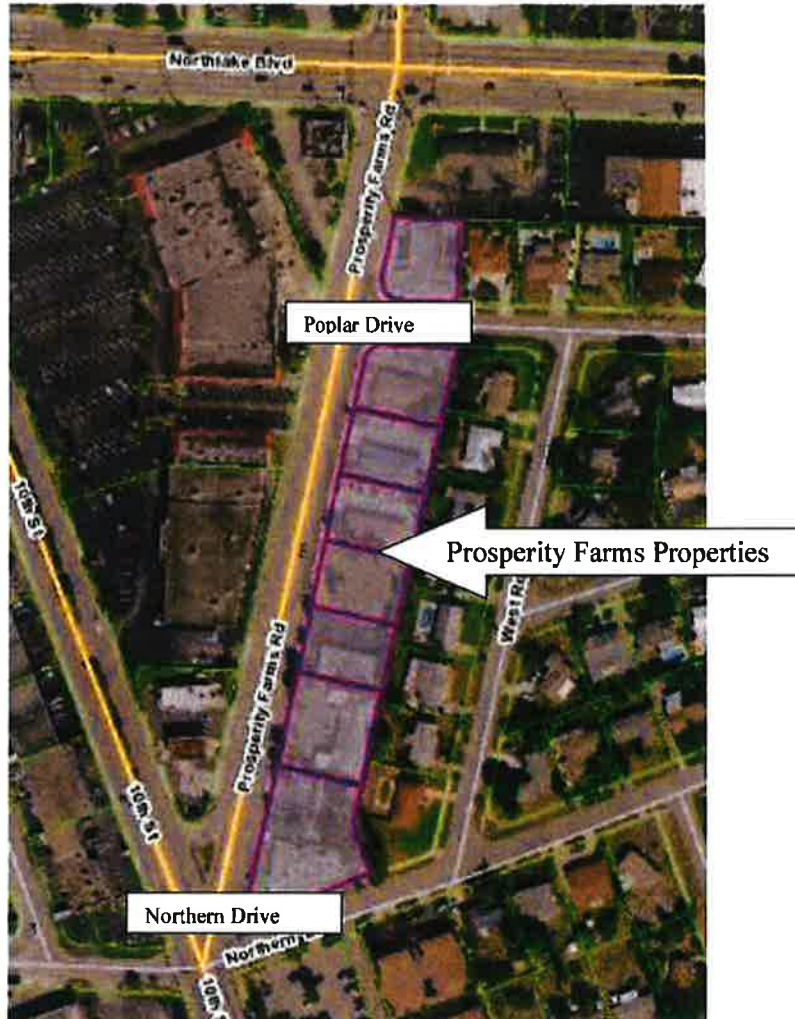


EXHIBIT 1

LOCATION MAP OF THE EIGHT (8) PROPERTIES TO BE REZONED



Note: Exhibits 2 through 5 are located following the Analysis section. Exhibits 2 and 3, are maps of the current the zoning and land use, respectively. Exhibit 4 identifies the uses permitted in the existing and proposed zoning districts. Exhibit 5 contains ownership and parcel information

ANALYSIS

1. CONSISTENCY WITH STATE STATUTE

The proposed rezoning is consistent with State Statute.

Florida Statute 163.3194 (1) (b) requires that "All land development regulations enacted or amended shall be consistent with the adopted comprehensive plan, or element or portion thereof, and any land development regulations existing at the time of adoption which are not consistent with the adopted comprehensive plan, or element or portion thereof, shall be amended so as to be consistent."

These eight (8) lots need to be brought into conformance with the Comprehensive Plan land use designation, as required by the above statute. The rezoning to a commercial district had always been intended, but had not occurred. Further, these are also the only remaining parcels in the R-3 District in the Town.

2. CONSISTENCY WITH THE COMPREHENSIVE PLAN

A) The proposed rezoning is consistent with Policy 1.1 of the Future Land Use Element of the Town's Comprehensive Plan, which reads (in part):

Policy 1.1: Land Development Regulations shall be amended as necessary to contain specific and detailed provisions required to implement the adopted Comprehensive Plan and which as a minimum:

- b. Regulate the use and intensity of land development consistent with this element to ensure the compatibility of adjacent land uses.***
- k. Eliminate and/or reduce use of land inconsistent with the Future Land Use Map and the community's character.***

Rezoning the subject parcels from R-3 Residence District to C-1B Neighborhood Business District would bring them into conformance with their adopted Future Land Use designation of Commercial, as shown on the Future Land Use Map of the Town's Comprehensive Plan. (see Exhibit 3)

Despite having a residential designation, there are no dwelling units on the parcels. There is a mix of one story commercial and office uses. Thus, these existing uses are consistent with the Comprehensive Plan's definition of commercial which reads:

Commercial – *Lands and structures devoted primarily to the delivery, sale or otherwise transfer of goods or services on a retail basis, with a maximum F.A.R. of 2.0. This category also includes personal and professional services. Public schools are a permitted use within this land use designation.*

B) The proposed rezoning is consistent with Policy 1.5 of the Future Land Use Element of the Town's Comprehensive Plan which reads:

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

The inconsistency between the zoning and land use has become problematic, as properties are sold and new uses are requested. The limited commercial uses allowed in R-3 often make it difficult for owners to find tenants. Thus, some buildings are vacant and non-productive. While, by State Statute, the underlying Land Use of commercial prevails, without a specific commercial zoning district to implement the designation, there is uncertainty as to which zoning development standards to apply for certain uses (and so on). The rezoning will resolve this problem and hopefully enable the occupancy of vacant buildings and an improved tax base from this area if it is more productive.

The C-1B district only allows small-scale development and low intensity commercial uses. Therefore, any redevelopment of existing parcels is not anticipated to impact Level of Service Standards, or create any nuisances to adjacent residential properties.

C) The proposed rezoning is consistent with Objective 5 of the Future Land Use Element of the Town's Comprehensive Plan, which reads:

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

Rezoning to C-1B will provide for redevelopment compatible with the existing residential neighborhood to the east, as the district was specifically developed for this purpose.

Last August 2019, staff brought forward a request to rezone the properties to the C-1 Business District. However, the Planning and Zoning Board expressed concerns regarding potential impacts of some of the intense uses that were permitted in that district. Thus, the C-1B Neighborhood Commercial District was developed and subsequently adopted, to allow small scale, neighborhood type commercial uses that would have minimal impacts on adjoining residential areas. The C-1B Neighborhood District zoning would also be compatible and consistent with the surrounding C-1 commercial district, which is located across the street (to the west) from the subject parcels (see Exhibit 2).

CONCLUSION: REZONING TO THE NEW C-1B DISTRICT WILL PROVIDE ADVANTAGES TO BOTH THE PROPERTIES THAT WILL BE REZONED AND THE RESIDENTIAL HOMES THAT ABUT TO THE EAST.

The C-1B District allows for a greater variety of uses than the current R-3 zoning, such as personal services and retail shops. The uses should make it easier for current owners to lease their properties or sell, thus helping the Lake Park economy. (See Exhibit 4 for a list of all permitted uses) The existing uses, primarily office, which have not been a problem to the residences, are permitted uses and can continue.

There are no existing (and legal) permitted uses that will be impacted by the rezoning. The increased rear setback will cause only one lot to go from conforming to non-conforming. (Another lot, at 1605 Prosperity Farms Road is already nonconforming, with a .5 foot rear setback.)

For the adjacent residences, noise impacts will be mitigated by the district requirement that restricts hours of business operation to 6 am through 11 pm. The allowable uses must also be located within an enclosed building, and no outdoor storage is permitted.

The C-1B district also affords greater protection, should the properties redevelop in the future. The building setbacks for structures abutting the residential district have been increased from seven (7) feet to fifteen (15) feet. Intensity of redevelopment will be limited by the maximum lot size that has been established.

STAFF RECOMMENDATION: APPROVAL.

EXHIBIT 2

TOWN OF LAKE PARK ZONING MAP: Existing Zoning of Parcels R-3

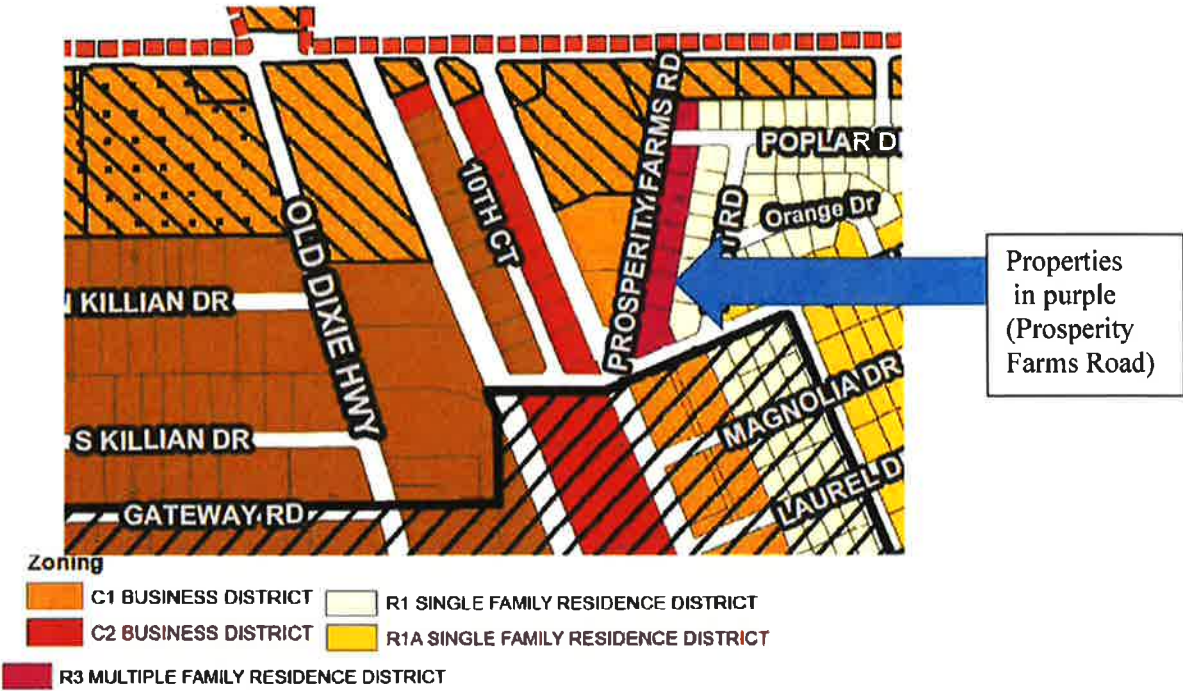


EXHIBIT 3

TOWN OF LAKE PARK FUTURE LAND USE MAP

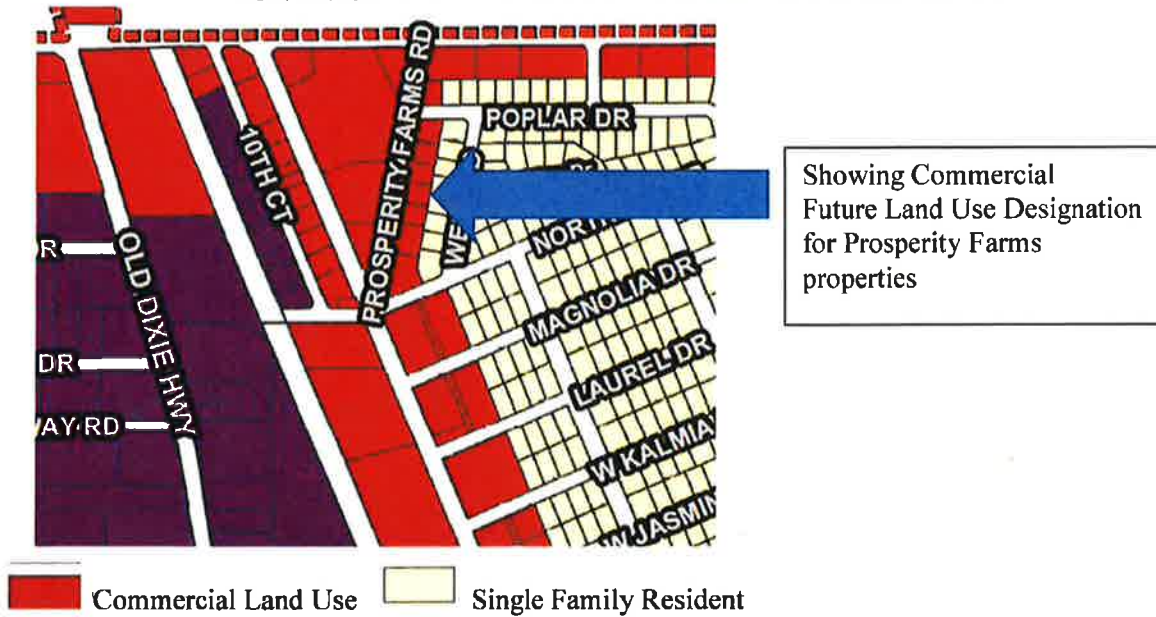


EXHIBIT 4

ZONING DISTRICT REGULATIONS: C1B and R-3

Proposed rezoning to: C-1B Neighborhood Commercial District

Section 78-69 C-1B Neighborhood Commercial District

Purpose. To allow small scale commercial uses that serve the immediate residential districts and which have minimal adverse impacts on adjacent residential districts. It is intended that the uses shall be primarily pedestrian oriented and scaled accordingly.

(1) Permitted uses:

- a. Animal grooming establishments;
- b. Bakeries, the products of which are sold but are not produced on site;
- c. Personal Services such as barbershops, beauty shops, nail salons, estheticians, and beauty spas. Massage and tattoo parlors or studios shall not be permitted as primary uses.
- d. Offices – business and professional;
- e. Retail Shops;
- f. Instructional studios, including but not limited to tutoring, yoga, exercise, painting, photography, voice, martial arts and other similar instructional studio uses which are deemed appropriate by the Community Development Director.
- g. Banks;
- h. Medical or Dental clinics or offices, or lab;
- i. Repair of small appliances, electronic or business equipment;
- j. Ice cream store, neighborhood café, or deli;

(2) *Uses permitted as special exceptions:*

- a. Uses similar to the special exception and permitted uses herein, but not explicitly listed, provided that the Community Development Department makes a recommendation to the Planning & Zoning Board and the Town Commission. The Town Commission will make a final determination on whether the use is compatible in character and scale with the uses listed in this district and the surrounding residential areas.

(3) *Building height limit.* No building or structure shall exceed 2 stories or 30 feet in height. The minimum height of any building or structure shall not be less than 13 feet.

(4) *Maximum lot size shall not exceed .5 acre*

(5) Setback regulations

Front yard. There shall be a front yard setback of not less than 25 feet, measured from the street right-of-way line adjacent to the property, to the front wall of a building or structure.

Side yard. There shall be a side yard setback of not less than 10 feet, unless the property to be developed abuts a residential district, in which case the setback shall be 15 feet. Provided however, that on a corner lot, there shall be a side yard setback of not less than 15 feet from the property line of the intersecting street.

Rear Yard. There shall be a rear yard setback of not less than fifteen feet measured from the rear lot line to the rear wall of the building. This setback shall also apply to any active outdoor uses such as playgrounds or play areas associated with the primary business.

(6) Special Regulations

- a. All primary uses shall be operated entirely within enclosed buildings
- b. Accessory uses are limited to thirty (30) percent of the gross floor area of the principal structure
- c. No outdoor storage of items, products, or materials of any kind is permitted
- d. Hours of operation are limited to 6am to 11pm

(7) Off-street parking. See section 78-142 for the off-street parking requirements

Current Zoning District

Sec. 78-67. - R-3 residence district

Within R-3 residence districts, the following regulations shall apply:

(1) Uses permitted. Within any R-3 residence district, no building, structure or land shall be used and no building shall be erected, structurally altered or enlarged unless otherwise permitted by these regulations, except for the following uses:

a. Accessory buildings must comply with the requirements of this Code and the Florida Building Code as amended. Accessory uses must be located on the same lot or parcel of land as the principal structure and the accessory use must be customarily incidental to the principal use. Permissible accessory uses for commercial and other permitted uses shall be determined in the site planning process or administratively on a case-by-case basis and subject to these standards.

1. A private garage for use by occupants of the principal building shall be considered an accessory use.

b. Schools, except correctional institutions.

c. Playgrounds operated in conjunction with schools or owned and operated by the town.

d. Civic buildings, libraries.

e. Nursing or convalescent homes.

f. Nursery schools or kindergartens.

g. Physicians or dentists, subject to the following provisions:

1. Physicians or dentists may operate an office in conjunction with a home so long as the front of such office shall be kept as a home.

2. No more than 35 percent of the ground floor area shall be used as an office.
3. Not more than one physician or dentist may practice, and there shall not be more than three persons employed.
4. Office hours shall be limited to daylight hours.

h. Banks, office buildings, medical clinics, dental offices.

i. No living quarters shall be permitted in any professional or commercial structure or upon a lot or parcel upon which a professional or commercial structure is situated.

j. Group home is a permitted use provided that any group home is not located within a radius of 1,000 feet of another existing group home.

(2) *Building height limit.* For residences, no building or structure shall exceed two stories or 30 feet in height. For all other uses permitted in R-3 residence districts, no building or structure shall exceed two stories or 30 feet in height and the minimum height shall not be less than 13 feet.

(3) *Building site area.* The minimum width and depth of any professional or commercial building shall be 25 feet.

(4) *Minimum floor area.*

a. The minimum required first floor area of a single-family dwelling structure shall be 1,000 square feet, exclusive of carport, garage, unenclosed terraces and porches. Where a carport or garage is attached to the structure, the required first floor area may be reduced to 900 square feet. The minimum required first floor area of a two-family dwelling structure (duplex) shall be 1,400 square feet, exclusive of carports, garages, unenclosed terraces and porches, with each unit comprising 700 square feet. A one-bedroom unit of not less than 580 square feet may be built together with a second unit of not less than 820 square feet.

b. Where a utility or storage room is constructed and finished in a like manner and type of construction as the balance of the living quarters and has direct entrance and access to the living quarters, such utility room may be considered a part of the living quarters.

c. For structures of more than two dwelling units, the minimum required floor area shall have an additional 580 square feet for each dwelling unit in excess of two, added to the base of 1,400 square feet.

(5) *Yard regulations.*

a. *Front yard.* There shall be a front yard of not less than 25 feet measured from the street or highway or highway right-of-way line to the front wall of the building or structure.

b. *Side yard.* There shall be a side yard on each side of the principal building having a width of not less than ten feet. On a corner lot, there shall be a side yard of not less than 15 feet from the property line of the intersecting street.

c. *Rear yard.* There shall be a rear yard of not less than seven feet measured from the rear lot line to the rear wall of the building, or to a permanent part of the building which projects from or over the rear wall of the building, if such projection occurs.

EXHIBIT 5

PROPERTIES TO BE REZONED

Location 1509 PROSPERITY FARMS RD

Parcel size: 0.5121 ACRES

Parcel No. 36434220031290090

Subdivision LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223

Book 26975

Page 218

Owner: LABORATORY SUITES LLC

Use Type 1900 - PROF OFFICES

Location 1511 PROSPERITY FARMS RD 100

Parcel size: 0.3526 ACRES

Parcel No. 36434220031290101

Subdivision LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223

Book 30139

Page 703

Owner: 1511 PROSPERITY LLC

Use Type 1700 - OFFICE ONE STORY
3996

Location 1525 PROSPERITY FARMS RD

Parcel size 0.2480 ACRES

Parcel No. 36434220031290120

Subdivision LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223

Book 11992

Page 905

Owner YAJALAJUA CORP

Use Type 1700 - OFFICE ONE STORY

Location vacant- PROSPERITY FARMS RD

Parcel size: 0.2480 ACRES

Parcel No. 36434220031290130

Subdivision LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223

Book 15775

Page 1976

Owner YAJALAJUA CORP

Use Type 1000 - VACANT COMMERCIAL

Location 1535 PROSPERITY FARMS RD

Parcel size 0.2480 ACRES

Parcel No. 36434220031290140

Subdivision LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223

Book 26483 Page 508

Owner DJ&G REALTY HOLDING COMPANY LLC

Use Type 1900 - PROF OFFICES

Location 1541 PROSPERITY FARMS RD

Parcel size .02480 ACRES

Parcel No. 36434220031290150

Subdivision LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223

Book 22133 Page 1762

Owner MCFARLIN USRY DC PA

Use Type 1900 - PROF OFFICES

Location 1547 PROSPERITY FARMS RD

Parcel size 0.2695 ACRES

Parcel No. 36434220031290160

Subdivision LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223

Book 27043 Page 144

Owner DAC FOOD INCORPORATED

Location 1605 PROSPERITY FARMS RD

Parcel size 01.2409 ACRES

Parcel No. 36434220031300150

Subdivision LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223

Book 22958 Page 1907

Owner SF PROPERTIES INC

Use Type 1100 - STORES

ORDINANCE NO. 06-2020

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA REZONING EIGHT PROPERTIES LOCATED ON THE EAST SIDE OF PROSPERITY FARMS ROAD, LEGALLY DESCRIBED IN EXHIBIT "A", AND SHOWN IN FIGURE 1 FROM R-3 RESIDENCE TO C-IB NEIGHBORHOOD COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE REZONING; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Town has adopted a Zoning Code which establishes zoning districts and an Official Zoning Map as codified and illustrated in Chapter 78 of the Town Code; and

WHEREAS, Town Code Section 78 182 (1) sets forth procedures for Town initiated rezoning of properties of less than ten (10) acres within the Town (the Properties); and

WHEREAS, The Town's Community Development Department initiated the rezoning of the Properties at the request of the owners, the total acreage of which is 2.367 acres; and

WHEREAS, the Properties are located on the east side of Prosperity Farms Road as shown in Figure 1, and legally described in Exhibit "A" both of which are attached hereto and incorporated herein; and

WHEREAS, Town's Community Development Department staff and the it's Planning and Zoning Board have reviewed the proposed Rezoning and have provided their respective recommendations to the Town Commission; and

WHEREAS, the Town Commission has conducted a duly noticed quasi-judicial public hearing on the proposed rezoning at which time the Commission considered the evidence presented by Town's Community Development Department's staff, including the recommendation of the Town's Planning and Zoning Board, and such testimony as presented by the property owners and any other interested parties and members of the public.

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

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

Section 2. The Town Commission hereby rezones the Properties and directs that the Town's Official Zoning Map be amended to reflect the change of the Properties' zoning from R-3 Residence to C-1B Neighborhood Commercial.

Section 3. This Ordinance shall take effect upon execution.

FIGURE 1
Subject Parcels



EXHIBIT "A"

LEGAL DESCRIPTION – 8 PROPERTIES

Parcel No. 36-43-42-20-03-129-0090

LT 9 & LT 10 (LESS N 38 FT) BLK 129, LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223, PALM BEACH COUNTY, FL.

Parcel No. 36-43-42-20-03-129-0101

North 38 FT OF LT 10, & LT 11 BLK 129, LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223, PALM BEACH COUNTY, FL.

Parcel No. 36-43-42-20-03-129-0120

LT 12 BLK 129 LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223, PALM BEACH COUNTY, FL.

Parcel No. 36-43-42-20-03-129-0130

LOT 13 BLK 129 LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223, PALM BEACH COUNTY, FL.

Parcel No. 36-43-42-20-03-129-0140

LOT 14 BLK 129, LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223, PALM BEACH COUNTY, FL.

Parcel No. 36-43-42-20-03-1290-150

LOT 15 BLK 129 LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223, PALM BEACH COUNTY, FL.

Parcel No. 36-43-42-20-03-129-0160

Subdivision Lot 26 BLK 129, LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223, PALM BEACH COUNTY, FL.

Parcel No. 36-43-42-20-03-130- 0150

LOT 15 BLK 130 LAKE PARK ADD NO 1 IN PB 25 PGS 222 & 223, PALM BEACH COUNTY, FL.

**LEGAL NOTICE OF PUBLIC
HEARINGS:
TOWN OF LAKE PARK, FLORIDA
TOWN-INITIATED REZONING
ALONG PROSPERITY FARMS
ROAD (R-3 TO C- 1B)**



Please take notice and be advised that the Town of Lake Park, Florida is proposing to rezone 8 properties, totaling 2.3671 acres, located on the east side of Prosperity Farms Road (south of Northlake Boulevard and north of Northern Drive), in the Town of Lake Park Florida. The properties are proposed to be rezoned from R-3 Residence District to C-1B Neighborhood Commercial District, to bring properties into conformance with their adopted Future Land Use designation of Commercial

The properties are identified with the following Property Control Numbers (PCN) and are also illustrated to the left: 36-43-42-20-03-129-0090; 36-43-42-20-03-129-0101; 36-43-42-20-03-129-0120; 36-43-42-20-03-129-0130; 36-43-42-20-03-129-0140; 36-43-42-20-03-129-0150; 36-43-42-20-03-129-0160; and 36-43-42-20-03-130-0150

The Town Commission will hold a quasi-judicial public hearing on the proposed rezoning on first reading on **Wednesday, July 1 at 6:30 p.m.**, or as soon thereafter as can be heard, and

The Town Commission will hold a quasi-judicial public hearing on the proposed rezoning on second reading for final adoption on **Wednesday, July 15 6:30 p.m.**, or as soon thereafter as can be heard.

All meetings will be held in the Town Hall Commission Chambers, located at 535 Park Avenue, Lake Park, Florida, 33403.

If a person decides to appeal any decision made by the Planning & Zoning Board, or Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Records related to the item may be inspected by visiting the Community Development Department at Town Hall (535 Park Avenue, Lake Park, FL 33403). For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Town Clerk: Vivian Mendez **PUB:** The Palm Beach Post – Sunday, June 21, 2020



Community
Development
Department

535 Park Avenue
Lake Park, FL 33403
Phone: (561) 881-3318
Fax: (561) 881-3323

www.lakeparkflorida.gov

Notification of Public Hearings

June 18, 2020

Dear Property Owner:

You are receiving this notice of public hearings because you are the legal owner of record for one of the subject properties being proposed for rezoning and a certified notice is required pursuant to Florida State Statute.

Should you wish to attend the meetings to comment on the application please take note of the date, time and location. If you do not wish to attend the meetings and do not have any comments, you may disregard this notice.

AGENDA ITEM

Please take notice and be advised that the Town of Lake Park, Florida is proposing to rezone 8 properties, totaling 2.3671 acres, located on the east side of Prosperity Farms Road (south of Northlake Boulevard and north of Northern Drive), in the Town of Lake Park Florida. The properties are proposed to be rezoned from R-3 Residence District to C-1B Neighborhood Commercial District, to bring properties into conformance with their adopted Future Land Use designation of Commercial. The Planning and Zoning Board held its Hearing on March 2, 2020 and has recommended approval to the Town Commission.

PUBLIC HEARINGS

MEETINGS: LAKE PARK TOWN COMMISSION **(QUASI-JUDICIAL)**

DATE: WEDNESDAY, JULY 1, 2020 FIRST READING
TIME: 6:30 P.M. (OR AS SOON THEREAFTER AS CAN BE HEARD)

DATE: WEDNESDAY, JULY 15, 2020 – SECOND
READING FOR ADOPTION

TIME: 6:30 P.M.
(OR AS SOON THEREAFTER AS CAN BE HEARD)

ALL MEETINGS WILL BE HELD IN THE TOWN HALL COMMISSION CHAMBERS, LOCATED AT 535 PARK AVENUE, LAKE PARK, FLORIDA, 33403.



Community
Development
Department



LOCATION MAP

If a person decides to appeal any decision made by the Planning & Zoning Board or Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, or to review any documents related to the proposal described herein, please visit the Community Development Department at 535 Park Avenue, Lake Park, FL 33403, or contact the Planner, Karen Golonka at 561-881-3320 or kgolonka@lakeparkflorida.gov.

535 Park Avenue
Lake Park, FL 33403
Phone: (561) 881-3318
Fax: (561) 881-3323

www.lakeparkflorida.gov



Exhibit "D"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 1, 2020

Agenda Item No.

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 70-103 OF CHAPTER 70 PERTAINING TO TEMPORARY SIGNS; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Approved by Town Manager *J. McCarty* **Date:** 10-24-2020

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

Originating Department: Community Development	Costs: \$ Legal Fee / Advertisement (on 2 nd reading) Funding Source: Legal Budget and Town Clerk Acct. #GF 108 and #106-48100 <input type="checkbox"/> Finance <u><i>R. Caruso</i></u>	Attachments: → Ordinance __-2020
Advertised: Date: <i>N/A on 1st reading</i> Paper: <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case __ <i>ND</i> Please initial one.

Summary Explanation/Background:

This Ordinance is fairly simple. In an effort to accommodate promotional signage for some of our larger developments currently in the pipeline such as the Nautilus 220 project and others that may be forthcoming, Staff had discussions with applicants regarding the ability to add additional signage promoting developments as 'fence wraps' surrounding project sites. The Town Code currently

provides for development signage however, the square footage included is more appropriate to smaller site developments and does not accommodate some typical larger development site signage wraps similar to the following:



The proposal is to allow development signage to be placed on construction fences; increase the allowable square footage from 200 square feet per face to 300 square feet per face; and in the case of fence wraps, to allow the total square footage for all street fronts to be combined and distributed around the site as needed, while still adhering to the required visibility triangles at street corners and driveway entrances.

Recommended Motion: I move to APPROVE Ordinance 7-2020 on first reading.

ORDINANCE NO. 07-2020

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 70-103 OF CHAPTER 70 PERTAINING TO TEMPORARY SIGNS; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapters 163, Florida Statutes; and

WHEREAS, the Town Commission has adopted sign regulations which have been codified in Chapter 70 of the Town Code; and

WHEREAS, the Town's Community Development Department has recommended an amendment to Section 70-103(3) of the Code of Ordinances pertaining to temporary signs; and

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

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

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

Section 2. Chapter 70, Article IV, Section 70-103.-3.(a) is hereby amended as follows:

70-103

3. *Temporary signage.*

(a) *Temporary signs erected during the development stage of residential and nonresidential uses.* Signs with one or two faces and wall-mounted signs with one face shall be are permitted subject to the following restrictions:

- (1) ~~Permitted content~~Identification: Identification of homes or home sites, condominiums, apartments, for sale, rent, or lease in a residential development under construction, and/or identification of nonresidential development under construction. Signs may include identification of developers, contractors, architects, engineers, real estate agents and other related information.
- (2) Maximum area: ~~Two~~Three hundred square feet per face is permitted for approved wall-mounted, ~~and~~ freestanding signs, or signs on development fences (fence wrap). If the temporary sign is in the form of a fence wrap and the property is located on more than one street frontage, the total per street frontage may be combined into selected frontages that propose signage.
- (3) Maximum number: One per 500 feet or fraction thereof of each street frontage for wall-mounted or freestanding signs. For fence wraps, this is regulated by maximum area above.
- (4) Location: On walls, freestanding, or as a fence wrap. Within 100 feet of the entrance to the development, which it identifies, or in another suitable location as determined by the community development director.
- (5) ~~Minimum setbacks: Twenty feet from the lot line of any property located outside the development.~~ Pursuant to the visibility triangles set forth in section 78-253(c)(9).
- (6) Maximum height: Twelve feet if freestanding or wall-mounted. Eight feet if used as a fence wrap.
- (7) Prior to the issuance of ~~a~~the first certificate of occupancy or completion of a completed residential or nonresidential structure, all such signs shall be removed.
- (8) Illegally placed temporary signs shall be removed by the town at the sole expense of the property owner, and/or sign owner, and/or the individual responsible for the illegal placement. Failure to remove such signs shall result in the imposition of a fine in an amount established by resolution of the town commission but not to exceed \$250.00 for the first violation, together with an assessment of the town's administrative costs; repeat violations are subject to the imposition of a \$500.00 fine, together with an assessment of the town's administrative costs.
- (9) Maximum height of 12 feet and minimum of 20 feet from the public right-of-way. Such distance and height may be altered if unique physical conditions exist as determined by the community development director.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and

independent provision and such holding shall not affect the validity of the remaining portions thereof.

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

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

Section 6. Effective Date. This Ordinance shall take effect upon execution.

Exhibit "E"

TOWN MANAGER COMMENTS JULY 1, 2020 – TOWN COMMISSION MEETING

COVID-19 UPDATE

This is to let you know that according to the Florida Department of Health website there are 48 cases of COVID-19 for the Town of Lake Park according to data through 6/30/2020 and as verified as of today at 9:25 a.m.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT GRANT

The FDLE grant application through which we will receive the allocated \$59,317 in coronavirus reimbursement funds was submitted yesterday.

BACK TO SCHOOL EXTRAVAGANZA

The Town of Lake Park will host its annual Back to School Extravaganza on Saturday, August 8th from 10:00 am to 1:00 pm at Town Hall. This year's event will be a drive-up event only. All participants must pre-register to receive a backpack filled with school supplies. For more information on registration, sponsorship, donating supplies or becoming an event volunteer please contact the Special Events Department at 561-840-0160.

LIBRARY NEWS

Karen Mahnk has retired as Library Director after 17 years of service and Judie Cooper is now Acting Library Director.

The Library has reopened with limited capacity of 15 people plus staff in the building. Patrons are allowed in for one hour and we are allowing computer use.

Children under 14 must be accompanied by an adult. Everyone over two years must wear a mask. Curbside service is still ongoing.

We have started the Summer Reading and Discovery Program and will be using a platform called READSquared to administer it. Through this program, patrons can sign up and log books virtually. We will also use it to announce the virtual programming for this summer. The theme this year is Imagine Your Story and will run until the end of August. We have planned virtual programs such as escape rooms, story times, trivia quizzes, and take and make crafts.

All programming for the foreseeable future will be virtual and we will be trying to provide the same level of programming that we did when held in the library. We also will be getting more online resources and exploring ways to help our patrons online as much as possible.



TOWN OF LAKE PARK
BACK 2 SCHOOL
EXTRAVAGANZA



SATURDAY, AUGUST 8TH
 10:00 AM - 1:00 PM
 TOWN HALL PARKING LOT
 535 PARK AVENUE
 LAKE PARK, FL 33403



DONATIONS NEEDED:

- BACKPACKS
- NOTEBOOKS
- RULERS
- SCISSORS
- PENCILS
- FOLDERS
- PAPER
- GLUE
- PENS
- CRAYONS



SERVING
 K-12 GRADE



PRE-REGISTRATION
 REQUIRED
 MUST PROVIDE
 PHOTO ID FOR
 PARENT/GUARDIAN
 & STUDENT

DRIVE-UP
 EVENT
 ONLY



FOR MORE INFORMATION REGARDING
 REGISTRATION • DONATIONS
 SPONSORSHIP • VENDORS
 CONTACT: SPECIAL EVENTS DEPARTMENT
 561-840-0160
 SPECIALEVENTS@LAKEPARKFLORIDA.GOV
 WWW.LAKEPARKFLORIDA.GOV