



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, June 17, 2015, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, June 17, 2015 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager John O. D'Agostino, Assistant Town Attorney Matt Ramenda and Town Clerk Vivian Mendez.

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

SPECIAL PRESENTATIONS/REPORTS

None

NEW BUSINESS:

1. Annual Kids Fishing Days program at Lake Park Marina.

Town Manager D'Agostino presented the item (see Exhibit "A). Mr. Tom Twyford, President of the West Palm Beach Kids Fishing Club, explained the West Palm Beach Kids Fishing Days program and the waivers being requested for the event. Commissioner Rapoza asked what dates the event would take place. Mr. Twyford stated that the event would be from Tuesday, July 28 through Thursday, July 30, 2015.

Motion: Commissioner Rapoza moved to approve the waivers requested by the West Palm Beach Kids Fishing Days Club; Commissioner O'Rourke seconded the motion.

Vote on Motion:

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

Motion passed 5-0

PUBLIC COMMENT:

1. Anne Lynch, President of the Friends of the Library reminded everyone that the Friends of the Library would be holding their monthly car wash event on Saturday, June 27, 2015 from 8:00 a.m. until 6:00 p.m. in the parking lot of the Lake Park Public Library. She can be reached at 561-951-5676 with any questions regarding the monthly event.

2. James Sullivan asked the Commission to be more business friendly. He stated that other businesses see how the Town treats its current businesses and make decisions on bringing their businesses to Lake Park.

3. Roselyn Saunders explained that she met with the Town Manager regarding a grant to assist in fixing the roof of her house. She asked the Commission to consider a Rainbow Parade on July 4, 2015. She announced that she would be running for Lake Park Commissioner.

CONSENT AGENDA:

2. Regular Commission meeting minutes of June 3, 2015.

Motion: Commissioner O'Rourke moved to approve the consent agenda; Commissioner Rapoza seconded the motion.

Vice-Mayor Glas-Castro stated that she had found some typo in the minutes and would contact the Town Clerk with the corrections.

Vote on Motion:

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

Motion passed 5-0.

PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:

None

PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:

3. Ordinance No. 08-2015 Amending Article IV, Section 3 of the Town Charter Pertaining to the Date of Regular Town Elections.

Town Manager D'Agostino explained the item (see Exhibit "B").

Public Comment Opened:

None

Public Comment Closed:

Motion: Commissioner O'Rourke moved to approve Ordinance 08-2015; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

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

Motion passed 5-0.

Assistant Town Attorney Ramenda read the Ordinance by title only.

Mayor DuBois explained that the presentations for the remaining items on the agenda regarding the Earl Stewart Toyota projects would be combined, but action would be taken separately for each item. He stated that the Commission would hear staff's presentation, applicant presentation, and then the Commission would ask questions, give comments, followed by public comment.

Town Clerk Mendez swore in all witnesses.

Ex-parte Communication Disclosure:

Commissioner O'Rourke disclosed that he had spoken with Sam Baghdady, Diane Bernhard, Patricia O'Rourke and members of the Stewart family at a function he attended.

Vice-Mayor Glas-Castro disclosed that she has received multiple emails that she has forwarded to staff for the record. She disclosed that the emails were from Penny Broda, Can Nguyen, Janet Hash, Samir Baghdady, and Diane Bernhard. She disclosed that she had spoken with Samir Baghdady and Diane Bernhard, Town Attorney, and the Town Manager. She disclosed that she has driven by the site. She disclosed that she had spoken with members of the Northern Palm Beach County Chamber of Commerce, as well as residents and other interested parties.

Commissioner Flaherty disclosed that he has received multiple emails, but has not had any communication with Earl Stewart or any residents recently.

Commissioner Rapoza disclosed that she had received and responded to emails. She disclosed that she has communicated with the Town Attorney and the Town Manager seeking advice and clarification regarding several questions she had. She disclosed that she had casual conversations with residents. She disclosed that she has not had communication with Earl Stewart since the last Commission meeting. She disclosed that she had spoken with Jerry Rapoza on certain items.

Mayor DuBois disclosed that he had spoken with members of the Earl Stewart family and Earl Stewart at the Northern Palm Beach County Chamber of Commerce event. He disclosed that he spoke with Anne Booth. He disclosed that he had received and responded to emails with Anne Booth, Can Nguyen, Janet Hash, Penny Broda, Sam Baghdady, and Heather Kirkendow. He disclosed that most of the emails were opposed to the item and that he did respond to about two emails.

Community Development Director Nadia DiTommaso explained that the items (see Exhibits "C").

Anne Booth with Urban Design Kilday Studios, representing the applicant gave a presentation on the project (see Exhibit "D").

Vice-Mayor Glas-Castro thanked the applicant for addressing the sound concerns regarding the blowers in the car wash. She expressed concern with the placement of the car wash on the lot. She asked staff how the Noise Ordinance would be investigated. Community Development Director Nadia DiTommaso explained that if a complaint were received the Code Officer would investigate the complaint and if the noise were "plainly audible" in 10 minute intervals then it would be a violation of the Town Code. Vice-Mayor Glas-Castro asked what screen enclosure was proposed for the compactor. Ms. Booth explained that a concrete wall was proposed for the compactor enclosure. Vice-Mayor Glas-Castro asked what was being proposed for the gate for the compactor. Ms. Booth stated that it was an aluminum gate. Vice-Mayor Glas-Castro asked what the frequency schedule of the garbage compactor. Ms. Booth stated that the garbage was picked up once a week to once every other week. Vice-Mayor Glas-Castro asked how the truck drivers would be prevented from using Lake Shore Drive and what the penalty would be if they did use it. Community Development Director DiTommaso explained that the penalty would be in using the condition of approval. The applicant had submitted their truck routing plan and based upon the width of that access point it could potentially limit them from using the access point. However, if the access point to Lake Shore Drive were used and the signage ignored, then it would be a violation of that condition of approval and it would be enforced through the notice of violation and general Town Code procedure. Ms. Booth assured the Commission that the trucking company that Southeast Toyota uses would comply with the regulations. Vice-Mayor Glas-Castro asked if the lights on the roof were dimmed at night. Ms. Booth explained that the lights were not currently dimmed on the roof at night. Vice-Mayor Glas-Castro asked if the bus shelters would contain advertisements. Ms. Booth stated that the bus shelters are designed to tie into their project and not have advertisements. Vice-Mayor Glas-Castro stated that the Town was at a crossroads between the current configuration of the Federal Highway Corridor and the redevelopment scenario. She stated that the vision for that area includes taller buildings, more intensity, and mix of uses than what are currently there. She states that it is important that the design of buildings appropriately respond with what was compatible with the surrounding area. She stated that this would be the development over the next 50 years. She stated that the project does not need to be scaled down, but it could incorporate better modulations that would fit better into the existing context. She expressed concern with different aspects of the parking garage. She stated that the building could have some elements that would make it look softer with more residential characteristics. She gave a few examples of changes that would assist the building to have residential characteristics. Some variations in the building articulations would create diversity, greater depth in offsets, vertical modulation, changes in the ventilations and openings, and in addition to the exterior to create setbacks or faux terraces, overhangs to create shadow lines, public art on the blank elevations, with the main concern with the roofline modulations and articulation. She suggested planters on the roof to help break up the flat monotony. She stated that these are her concerns with continuing the wavier of no planting on the roofline.

Commissioner O'Rourke expressed concern with what was being defined as a public benefit for the closing E. Jasmine Drive, and that the only benefit would be the increase

in taxes to the Town. He expressed concern with the phase III landscaping of the western elevation. He addressed the noise reduction steps proposed of the car wash. Ms. Booth explained that the car wash were not the only noise reduction steps proposed as the existing noise of the car alarms, and the outdoor speakers have been limited because the facility would be now be enclosed. Commissioner O'Rourke stated that one of his conditions would be that the applicant pay the appraised value of the abandonment of E. Jasmine Drive that was appraised.

Mr. Wayne Lewis representing Anderson & Carr (the appraiser) explained his credentials and answered questions from the Commission. Commissioner O'Rourke asked how the building of phase III would increase the property values of the residential properties in the area. Mr. Lewis explained that there were strong indications from closing streets in the Northwood District in West Palm Beach to increasing those property values. Commissioner O'Rourke disagreed. Mr. Lewis explained that closing E. Jasmine Drive would likely have a beneficial buffering effect of further separation of traffic from the eastern community. Furthermore, a surface parking lot was not highly attractive, but a four-story building would be highly buffered by trees and would likely be a benefit to the area. Commissioner O'Rourke asked what the "across the fence" appraisal meant. Mr. Lewis explained that Anderson & Carr were asked to use "across the fence" methodology. He explained that the E. Jasmine Drive strip of land between Lake Shore Drive and Federal Highway has limited individual independent development capability. He stated that Anderson & Carr looked at what land similar to this section of E. Jasmine Drive would be worth. He stated that they looked at the closest five market sales they could find in the area and used those figures to appraise the site. The Commission thanked Mr. Lewis for answering their questions.

Commissioner O'Rourke asked if the Town had an enforcement process to ensure that the conditions were met. Community Development Director DiTommaso stated that the Town does not have any other violation process than what was currently in the Town Code. Commissioner Rapoza asked if residents were to take pictures and submit them to the Town showing that a violation had occurred would the Town then move forward with the violation process. Community Development Director DiTommaso explained that it would have to fall within the guidelines of the Town Code, so if there were an ability for a Code Officer to evidence that a violation had occurred then the Code Officer could enforce the Town Code.

Commissioner O'Rourke asked if the designs could be modified to include living walls. Ms. Booth explained that alternatives concepts were shown (see Exhibit "D").

Commissioner O'Rourke questioned the number of parking spaces proposed versus what National Toyota requires. Ms. Booth stated that the difference were ten (10) spaces.

Commissioner O'Rourke expressed concern with the public benefit of surrendering E. Jasmine Drive and phase III and felt it would have a negative impact on the property values.

Commissioner Flaherty asked if the Town's Sanitation Division collects the cardboard at the site. Ms. Booth explained that a private company collects the cardboard at the site.

Commissioner Flaherty expressed concern with the truck collecting the cardboard and not using the Lake Shore Drive exit. He asked if signs were in the interior of the property to stop the driver from using that exit. He questioned if Code Officers could follow up with a complaint using a picture taken of the violation. Community Development Director DiTommaso stated that it would be possible for the complaint to be addressed as long as the picture were date and time stamped. She explained that if the violation continues then it would be a legal determination if the picture would be sufficient evidence. Town Manager D'Agostino explained that staff have begun discussions of budgeting for another staff person that would cover the evening and weekend shift. Commissioner Flaherty stated that he agrees with the new proposed design of phase III and would prefer that something be proposed for the flat roofline.

Commissioner Rapoza stated that she was in favor of abandoning E. Jasmine Drive because it would relieve the drainage issue on Lake Shore Drive, and it would calm traffic. She expressed concerned with the safety issue of the auto turn analysis. She stated that as a result of the projects the property values would increase over time.

Mayor DuBois stated that he now understands why the western evaluations were proposed. He explained that he had heard many comments by the Commissioners regarding the roofline, but could not see a solution to improve the block building. Ms. Booth asked if there were specific concerns that the Commission would like them to address. Mayor DuBois stated that the horizontal run of the roofline and the awnings. He recapped that the Commission are in agreement with the south elevations. He stated that the north elevations would only be interior with a bridge that connects the two buildings; the west elevation could have a design treatment if there were a horizontal run that could go from the east elevation to the west that has a significant breakup, in a way that the south elevation does. He was in favor of cutting off traffic to that specific portion of E. Jasmine Drive. Ms. Booth explained that the project would not work without the road.

Commissioner Rapoza commented in favor of the project.

Mayor DuBois asked if there were any complaints with the hydraulics that operate the dumpsters and compactors. Community Development Director DiTommaso stated "no". Mayor DuBois asked the applicant if there were anything that could be done about the roofline. Ms. Booth stated that the Commission's comments would be taken into consideration and they would be willing to do whatever they could possibly do to make the suggested changes. She stated that they would like to move forward with the project, but each delay affects the project. Mayor DuBois asked for clarification regarding the \$30,000 in escrow. Community Development Director DiTommaso stated that the existing agreement calls for the removal of the temporary vehicular storage office trailer. Ms. Booth explained that they would need time to build the area in which the temporary vehicular storage employees would then operate. Community Development Director DiTommaso explained that phase I was already in the process, which calls for additional parking and a display area on the 1017 lot. Mayor DuBois asked if the applicant would be coming back at a future date with illustrations. Ms. Booth stated "yes".

Commissioner O'Rourke stated that he could not see delaying the project because the only concerns are with phase III. Ms. Booth explained that there had been an additional

condition of approval, which was the elevations for the parking garage. She stated that there are other concerns that have been raised, for example, the appraisal and some language in the conditions that need clarification and modifications. Mayor DuBois explained that staff prefers that all the Ordinances and the Resolution be adopted at the same meeting. Community Development Director DiTommaso explained that if the Commission agrees with condition number 28, which reads: “prior to September 2015 the owner shall submit architectural plans, which include additional design elements on all facades of the parking garage structure. The design elements shall include the ‘faux’ ground floor detail/accents; wall accents; graduated facades with architectural breaks’ outward projecting trellis’; and other elements all of which are intended to ‘soften’ the appearance of the garage and mitigate its appearance, mass and bulk on surrounding residential uses and from both Lake Shore Drive and Federal Highway. The revised architectural plans shall be subject to the review and approval of the Department of Community Development, its consultants, and the Town Commission”, then the applicant could come back with the phase III elevation modification at a later time. She stated that if the Commission does not want to utilize condition number 28 and keep all the phases together then all the items need to come back for adoption at the same time. Mayor DuBois asked what the applicant’s objection was to the conditions. Ms. Booth explained that one of the concerns was the interruption, what was appropriate, and what the elements mean. She expressed concern about agreeing to all these things as a requirement and having them as a condition of approval. She stated that she would be willing to propose alternative language if the Commission were prepared to move forward or work with staff to draft language and come back. Mayor DuBois asked the Commission of what their desire would be. The Commission came to consensus to have the items brought back at a future meeting.

Town Manager D’Agostino asked if condition number 28 gave the applicant the flexible to come back with a design at a future date. Ms. Booth stated that he was correct. She proposed that the language be modified to say that the design elements “may” include all of those things instead of the word “shall”. Town Manager D’Agostino explained that the Town loses its position of making the applicant do certain things that have not been done so far.

Public Comment:

- 1) Diane Bernhard, Lake Shore Drive, expressed concern with the project and the encroachment on the residential properties.
- 2) Patricia O’Rourke, Lake Shore Drive, expressed concern with the project, the amount the Town would receive for abandoning E. Jasmine Drive, and the parking lot.
- 3) Philip Bathon, Lake Shore Drive, expressed concern with the project and the purchase of the property on the corner of Silver Beach Road and Federal Highway.
- 4) Eileen Chapman, Lake Shore Drive, asked if the Town had an architect on staff. Mayor DuBois explained that the Town does not. Ms. Chapman asked if the Town would consider discussion on hiring an architect. She expressed concern with the bus shelter and

the entrance and exits on Lake Shore Drive. Mayor DuBois offered some explanation to the entrance and exits.

5) Jerry Rapoza, Lake Shore Drive, expressed concern that the Commission has questioned the architect.

6) Penny Broda, Lake Shore Drive, provided her comments for the record (see Exhibit "E").

7) Sam Baghdady, Lake Shore Drive, provided his comments for the record (see Exhibit "F and G").

8) Iris Sullivan, Flagler Blvd., spoke in favor of the project.

9) James Sullivan, Flagler Blvd., express concern with the noise levels that the project would produce. He spoke in favor of the project.

Commissioner O'Rourke commented that the Commission was business friendly and they must do what was right for the Town. He stated that the Commission needs to decide on an appraisal amount. Mayor DuBois stated that he was confident that the Commission could reach an appropriate amount. Commissioner O'Rourke asked that the spacing between the trees be moved closer together along the south elevations. Ms. Booth explained that the south elevations does not have the restriction; the restrictions only apply to Federal Highway.

A discussion ensued with the Commission regarding what dates all the Commissioners would be available to continue the items.

4. Ordinance No. 02-2015 to Abandon a 0.49-Acre Portion of the East Jasmine Drive Right-of-Way.

Motion: Commissioner O'Rourke moved to continue Ordinance 02-2015 to the August 19, 2015 Commission meeting; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

5. Ordinance No. 06-2015 the Assignment of a Residential/Commercial Future Land Use Designation to the 0.49-Acre Portion of E. Jasmine Drive, located between Federal Highway and Lake Shore Drive.

Motion: Commissioner O'Rourke moved to continue Ordinance 06-2015 to the August 19, 2015 Commission meeting; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

6. Ordinance No. 03-2015 to Rezone 1017 Federal Highway from Commercial-1 (C-1), to Planned Unit Development (PUD) and to Assign a PUD Zoning District Designation with an Underlying C-1 Zoning District Designation to a 0.49-Acre Portion of the East Jasmine Drive Right-of-Way.

Motion: Commissioner O'Rourke moved to continue Ordinance 03-2015 to the August 19, 2015 Commission meeting; Commissioner Rapoza seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

PUBLIC HEARING (S) – QUASI-JUDICIAL HEARING:

7. Resolution No. 14-05-15 Amending Resolution No. 14-05-03 - the Site Plan for the Earl Stewart Toyota Planned Unit Development (PUD) for the Expansion of the Dealership and with Special Exception Use of a Motor Vehicle Sales Establishment.

Motion: Commissioner O'Rourke moved to continue Resolution No. 14-05-15 to the August 19, 2015 Commission meeting; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Assistant Town Attorney Ramenda had no comments.

Town Manager D'Agostino announced the Sunset Celebration on Friday, June 26, 2015 from 6:00 – 9:00 p.m. at the Lake Park Harbor Marina. He announced that a civic leadership group was being formed and would meet once to twice a month. He stated that on Saturday, August 1, 2015 from 10:00 a.m. – 2:00 p.m. a back to school health fair was being scheduled at Town Hall and the Lake Park Public Library.

Commissioner O'Rourke had no comments.

Commissioner Rapoza had no comments.

Commissioner Flaherty had no comments.

Vice-Mayor Glas-Castro explained that she visited the Library and spoke with the children participating in the Summer Reading Program and gained good feedback. She announced and encouraged the Commission to attend the Florida League of Cities Annual Conference in August. She announced that the Palm Beach County League of Cities monthly meeting would be taking place next week. She announced that next week she would be attending the Florida League of Cities Urban Administration Legislative Policy Committee to discuss the priorities for the next legislative session.

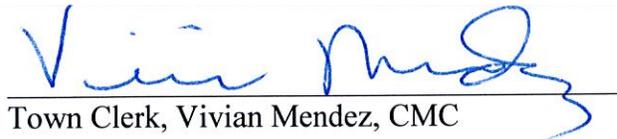
Mayor DuBois announced that the Governor had signed the Sober Homes bill. He stated that the Community Watch meeting was a great success. He also visited with the children that are participating in the Summer Reading Program at the Libray. He stated that the Palm Beach County Planning Congress met in the Mirror Ballroom last week and it was a great meeting. He stated that he met the new Palm Beach County School District Administrator yesterday and it was a good meeting. He wished father's a Happy Father's Day! He congratulated his parents (Dr. and Mrs. DuBois) on their 65-wedding anniversary on June 21, 2015. He announced that the next Sister Cities Joint meeting would be taking place in Lake Worth on June 23, 2015 at 4:00 p.m.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner O'Rourke and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 10:00 p.m.



Mayor James DuBois Vice Mayor



Town Clerk, Vivian Mendez, CMC



Approved on this 1 of July , 2015



Town of Lake Park Town Commission

Agenda Request Form *Exhibit "A"*

Meeting Date: June 17, 2015

Agenda Item No. *Tab 1*

Agenda Title: Annual Kids Fishing Days program at Lake Park Marina

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

Approved by Town Manager *[Signature]* **Date:** *6-12-15*

Name/Title

Originating Department: <p style="text-align: center;">Mayor</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: <ul style="list-style-type: none"> • Email from Tom Twyford, President of West Palm Beach Fishing Club • Special Event Permit
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case ___ Please initial one.

Summary Explanation/Background:

This will be the 28th year conducting Kids Fishing Days. West Palm Beach Fishing Club provides this fishing introduction and marine education program free of charge to selected youth groups from throughout the community, some of which are from the Town of Lake Park (Lake Park Recreation Department and Lake Park Elementary). The Florida Fish & Wildlife Conservation Commission (FWC) is the event co-host and will be assisting with the land-based kids fishing clinics. They have chartered the OLiving on Island Time¹ drift boat for the three day program and will be rotating various youth groups through two-hour fishing trips and two-hour fishing clinic programs each day.

Monday, July 27th will be the set up day. A 40' X 40' tent will be used for the check-in and dining area. They will be setting up multiple 10' X 10' tents to accommodate the clinic portion of the event. Knot tying, casting lessons, angler ethics, Lake Worth Lagoon habitat and boating safety are some of the featured program topics. FWC biologists teach the kids all about local marine animals. They use a 'Marine Touch Tank' that has various marine animals in it like sea urchins, crabs, fish, etc. to help

teach the kids about the marine environment. The tank gives the kids a unique opportunity to directly interact with some animals they likely have never seen before. Each youth group consists of approximately 40 people and no more than two groups will be participating at any one time. Most of the groups will arrive by vans or buses (large vehicles are parked in the overflow lot across Lake Shore Drive from the marina). They will cook hot dogs for the kids at the end of the program. Each child receives a t-shirt, certificate of participation and goes home with a new fishing rod and reel...hopefully a fish story too!

Kids Fishing Days has been hosted by the West Palm Beach Fishing Club's charitable foundation, the Palm Beach County Fishing Foundation, since 1988. To date, nearly 13,000 kids have participated. The program has been very successful and extremely well received by the community.

They have an excellent group of volunteers and FWC staff members who assist with all aspects of this event. They also utilize volunteer paramedics/EMT's on site as well.

Please know that they are thrilled to once again host this program at the Lake Park Harbor Marina. The Town Commission has been very welcoming. The Town staff have been wonderful to work with. We greatly appreciate the Town's generous support in the past and look forward to producing another meaningful Kids Fishing Days program this year.

The Special Event paper work has been submitted and the certificate of insurance naming the Town of Lake Park as additional insured is currently being processed. The following is being asked for the Commission's approval:

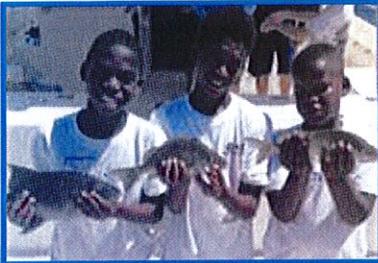
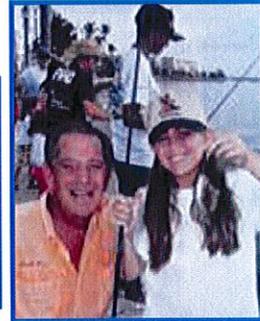
1. Use of the various areas indicated on our site map (included with our Special Event Permit application, see attached) for our educational programs and use of the marina conference room for storage of program equipment during the event. Items will be moved into the conference room on Monday, July 27th and moved out of the conference room on Friday, July 31st.
2. A waiver on the daily parking fees for the Kids Fishing Days participants and volunteers. They request 50 parking passes (7am to 7pm) for the three days of the event (7/28 - 7/30). They will distribute the passes to the youth groups and volunteers when they arrive on site. They turn in the passes when they leave so we can use them the following day. In the past, the parking passes have been supplied by the Town of Lake Park Community Development Department. The parking passes can be picked up prior to the event.
3. A waiver on the boat slip space, electric and water fees required for the 60' charter boat they use during the program. The vessel arrives on Monday evening July, 28th and will depart after the final session on Thursday, July 30th.

Recommended Motion: I move to permit the West Palm Beach Fishing Club to host a day five (5) event in the Lake Park Harbor Marina from Monday, July 27, 2015 through Friday, July 31, 2015 for the Kids Fishing Day Program. To waive the Special Event Fees as well as parking fees for the event and to grant 50 parking passes to the West Palm Beach Fishing Club and to waive the 60 foot boat slip fee for the duration of the event at the Marina.

Support the Palm Beach County Fishing Foundation's

27th Annual

Kid's Fishing Day



Kid's Fishing Day is a community outreach program designed to introduce disadvantaged children to fishing and the marine environment.

The Palm Beach County Fishing Foundation

invites you to

Take A Kid Fishing



It's all about introducing kids to fishing and our marine environment! The **Palm Beach County Fishing Foundation** (the charitable affiliate of the West Palm Beach Fishing Club) along with the assistance of WPBFC members and other community volunteers will conduct its annual *Kid's Fishing Day*, now in its 27th year, on **July 29, 30 & 31, 2014**. Hundreds of



disadvantaged children from throughout Palm Beach County will experience what most of us take for granted, a day of boating and fishing on the ocean. With the support of our event partner, the **Florida Fish & Wildlife Conservation Commission**, the kids will also learn all about our marine environment, why we need to protect it, and why it's important to be an ethical angler.

Since 1988, over 11,000 special kids have participated in this heartwarming community outreach event. Foster children, mentally and physically challenged kids and at-risk children have benefited from previous *Kid's Fishing Day* events. The program is free of charge to those who participate and is made possible each year through the generosity of many community volunteers and sponsors.

You or your business can help **Take a Kid Fishing** by sponsoring one or more children. A **tax-deductible donation of \$35.00** will help cover the cost of one child's participation. Larger donations are greatly appreciated and will help cover significant expenses such as charter fees, t-shirts and rental expenses. Each child will receive a t-shirt, lunch, drinks, dessert, an official certificate of participation and a brand new fishing rod and reel. Of course, each child walks away with special memories of a fun day on the water and a better understanding of our unique marine environment. We believe programs like *Kid's Fishing Day* help build better citizens and environmental stewards for the future. We hope you feel the same way. If you have helped in the past, we thank you for your previous support and hope you can continue your assistance again this year. All donors will be recognized in the WPBFC's *Tight Lines* bulletin after the event.



ALL CONTRIBUTIONS ARE TAX DEDUCTIBLE & ACCEPTED YEAR AROUND

The PBCFF gratefully acknowledges the generosity and support of these major Kid's Fishing Days sponsors:



Marine Industries Association
OF PALM BEACH COUNTY, INC



Sandie &
Ethan Weitz



The Fleming Family
Foundation



TAYLOR FOUNDATION

Rybovich Endowment
Memorial Funds
benefiting Kid's Fishing Day



The Walter & Adi Blum Foundation, Inc.



Cut and mail with your donation today

Yes, I/we would like to help the Palm Beach County Fishing Foundation

Take A Kid Fishing

Donor's Name: _____

(Please print name as you would like it to appear in *Tight Lines*)

Email: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Donation amount: Check (payable to the Palm Beach County Fishing Foundation)

\$35 \$70 \$125 \$250 Other \$ _____

VISA MC AMEX

Exp. Date

 SIGNATURE: _____

ALL CONTRIBUTIONS ARE TAX DEDUCTIBLE & ACCEPTED YEAR AROUND

Presented by:



Marine Industries Association
OF PALM BEACH COUNTY, INC

Return completed form with check or fax donations to:

Palm Beach County Fishing Foundation,
P.O. Box 468, West Palm Beach, FL 33402
(561) 832-6780 • Fax (561) 832-2137



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "B"

Meeting Date: June 17, 2015

Agenda Item No. Tab 3

Agenda Title: Ordinance Amending Article XVI, Section 18 of the Town Charter Pertaining to the Filing Dates For the Elections during a Presidential Primary Preference Election Years.

- [] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [] OLD BUSINESS
[X] PUBLIC HEARING ORDINANCE ON SECOND READING
[] NEW BUSINESS
[] OTHER:

Approved by Town Manager [Signature] Date: 6-9-15
Vivian Mendez - Town Clerk

Table with 3 columns: Originating Department (Town Clerk), Costs (\$101.14, Funding Source: Advertisement, Acct. # 106-48100, [X] Finance DK2), Attachments (Ordinance, Legal Advertisement, Palm Beach County Supervisor of Elections letter, 2016 Proposed Municipal Qualifying Dates), Advertised (Date: June 7, 2015, Paper: Palm Beach Post, [] Not Required), and a notification section (Yes I have notified everyone, or Not applicable in this case V.M., Please initial one).

Summary Explanation/Background: Historically the Presidential Preference Primary had been conducted on dates that did not interfere with the municipal elections. However, in 2016 that will not be the case. The 2016 Presidential Preference Primary, by the Legislation, will be conducted on the third Tuesday in March. Since the municipal elections are typically scheduled for the second Tuesday in March, the Palm Beach County Supervisor of Elections (SOE) has requested that the Town

accommodate their office by changing the date of the Town’s regular election and qualifying period to be concurrent with those of the Presidential Primary Preference.

In Section 18 entitled “Qualification of candidates for town commission; notice of candidacy; filing dates” the following language is being proposed to be changed in this Ordinance:

2. Notice of candidacy for a general election shall be filed no earlier than NOON on the last Tuesday in January nor later than NOON on the second Tuesday in February of the calendar year in which the election is to be held. Provided, however, when a regular election for either the offices of commission or mayor is to be held in March of a year when the state holds a presidential primary, a notice of candidacy for the town’s regular election shall begin at NOON of the last Tuesday in November and end at NOON on the second Tuesday of December in the calendar year preceding the presidential preference primary.

At the Town Commission meeting of June 3, 2015 the foregoing Ordinance passed by unanimous decision on first reading.

Included in this packet is a letter received from the Palm Beach County Supervisor of Elections Office explaining the deadlines for conducting an election on the third Tuesday in March. Also included is a list of the proposed qualifying dates for other Palm Beach County municipalities.

Dates to remember for the March 15, 2016 Municipal Election:

As soon as possible	Appointment of a Campaign Treasurer – this will allow a resident to be a candidate for the 2016 election.
October 27, 2015	Alternate method of qualifying – Candidate Petition – due to the Town Clerk’s Office. The petitions would then be forwarded to the Palm Beach County Supervisor of Election for verification of signatures.
November 18, 2015	If the Commission chooses to have a ballot question on the 2016 municipal ballot, first reading of the Ordinance language must appear no later than this date.
December 2, 2015	Second reading of the ballot question Ordinance, if applicable.
November 24, 2015 Noon	Qualifying for Commissioner of the Town of Lake Park begins.
December 8, 2015 Noon	Qualifying for Commissioner of the Town of Lake Park ends.
March 1, 2016	List of Poll Watchers due to the Town Clerk’s Office. The list would then be forwarded to the Palm Beach County Supervisor of Elections for verification.

2015 Calendar of Campaign Treasurer's Report reporting dates: These reports begin as soon as a person becomes a candidate for the 2016 election.

Covered Period	Report Code	Due Date
June 1, 2015 – June 30, 2015	M 6	July 10, 2015
July 1, 2015 – July 30, 2015	M 7	August 10, 2015
August 1, 2015 – August 31, 2015	M 8	September 10, 2015
September 1, 2015 – September 30, 2015	M 9	October 13, 2015
October 1, 2015 – October 31, 2015	M 10	November 10, 2015
November 1, 2015 – November 30, 2015	M 11	December 10, 2015
December 1, 2015 – December 31, 2015	M 12	January 11, 2016
January 1, 2016 – January 31, 2016	M 1	February 10, 2016
February 1, 2016 – February 29, 2016	M 2	March 10, 2016

Recommended Motion: I move to adopted Ordinance No. 08-2015 on second reading.

Exhibit "C"

These Ordinances, along with the Resolution for the site plan and special exception use of a motor vehicle sales establishment was presented to the Town Commission at the May 20, 2015 meeting. The Applicant is Urban Design Kilday Studios, who is acting on behalf of the owner, Earl Stewart LLC and Commercial Investments LLC and will provide more of an illustrative presentation following staff's presentation/summary of the updates. At the May 20 meeting, the general location of the area was presented, the project's public benefits, along with some of the site history for both the 1215 Federal Highway parcel that houses the existing dealership, along with the 1017 Federal Highway parcel, which currently houses the temporary vehicular storage and office trailer. Additionally, an explanation on how the noticing requirements were met was included in the packets as well and consistency with the code requirement related to the abandonment request in Section 72-4 of the Code. The Ordinances for the abandonment, the future land use change and the rezoning were approved on 1st reading however, additional information was requested. The first Ordinance proposing the abandonment of East Jasmine Drive was presented with a traffic study and a first appraisal report. The Town's consulting engineer spoke on the traffic study at the May 20 meeting and a member of the engineering firm is here as well this evening should the Town Commission have any additional questions. Following the discussion with the first appraiser on May 20, 2015, staff was directed to hire a second appraisal company. Anderson & Carr was hired and a second appraisal was performed and came back with a fair market value of \$320,000. This second appraiser was also asked to look at the impact on the neighboring property values (also included in the agenda packets) for which in their professional opinion is that the abandonment, which is required for the proposed expansion, will likely have no measurable negative impact on adjacent properties since there will be a neighborhood enhancement and since there is long standing evidence of enhanced property values for eastern communities blocked off from commuter traffic from the Federal Highway corridor. Mr. Wayne Lewis, of the Anderson & Carr appraisal company is here this evening to answer any questions the Commission may have.

The future land use and rezoning Ordinances were also approved on 1st reading. Naturally, these Ordinances are dependent on a PUD Master Site Plan which is presented under the proposed Resolution for the site plan and special exception use. Some of the discussion at the May 20 meeting required the Applicant to address the following:

(1) Light poles on top of the parking garage → these light poles have been reduced to 10 feet and will be centrally located on the center island wall to pull them away from the perimeter of the garage, making them less visible. The lights will also be dimmed after hours.

(2) Phasing Schedule Timeframes and Phase 3 needs analysis and projected increases in taxable values → The Applicant provided an updated phasing schedule which would decrease the construction timeframe for the overall project to Phase 1 commencement as soon as possible and completion within 14 (correction) months of commencement, but no later November 2016 (correction). As a recap, Phase 1 includes the expansion of the existing building to incorporate a 3rd floor administrative office shell; used car sales offices and showroom, additional service-related department interiors; and all the proposed landscaping. The Phase 2 timeframe would be for the build-out of the 3rd floor administrative offices and this is listed as commencement in November 2016 and completion within 8 months, but no later than July 2017. Phase 3 proposes the parking garage with some landscaping relocations to accommodate construction and is proposed 18 months AFTER the completion of Phase 2 in December 2018 with completion within 18 months, but no later than June 2020. In summary, it is anticipated that Phase 1 will take 8 months to complete, Phase 2 another 8 months and Phase 3, 18 months. With regards to the increase in property values, the Applicant has indicated that Phases 1 and 2 will cost approximately \$12 million and that according to the PBC Property Appraiser would increase the taxable value by \$289, 643. The Applicant also indicated that Phase 3 will cost approximately \$8 million dollars and would generate an approximate tax increase of \$203,297. The 0.49 acre portion of East Jasmine Drive, as proposed to be improved following abandonment, is estimated to generate approximately \$38,923 in taxable value according to the Applicant's research. Finally, the Applicant also provided a justification as to why the parking garage is being proposed at the size, with the number of interior spaces, that is it. The Applicant justified that the current annual sales volume of 3,190 vehicles is expected to increase by 18% to 3,737 by 2019. An additional 15% increase is projected for 2020 which will increase the annual sales volume to 4,297 vehicles because essentially, the more successful they are (which is calculated

by their sales), the more inventory they receive. According to Southeast Toyota, the Applicant indicates that the site is currently 781 spaces short of where they should be and that by the year 2020, the minimum number of required spaces would be 1,256. With the construction of the Phase 3 garage at 1,267 spaces, the site will satisfy the minimum Southeast Toyota requirements as well as the parking requirements onsite, as justified by the Applicant.

(3) At the May 20 meeting, there was also some discussion modifying **condition of approval #3** of the Resolution so that the delivery hour limitations are specific to the delivery of “vehicles” since these types of deliveries require large delivery trucks. **Condition of approval #4** of the Resolution was also discussed whereby the car wash operation cutoff time should be brought down to 7pm instead of 8pm and this was done.

(4) **Waivers** → The Applicant is not asking for any additional waivers however, there were some waivers originally approved as part of the PUD’s land development regulations therefore, once these PUD boundaries are extended, they would carry on with the land area under the new PUD umbrella. These (2004) originally approved waivers and public benefit justifications included:

(a) **A display parking setback of 15 feet instead of 25 feet** → At the time and according to the available documentation, the justification/benefit behind this waiver is explained in that the project would enhance the corridor at the time and provide a benefit to the community in doing so. Carrying on this same waiver to the new area will provide for design consistency.

(b) **To allow for the spacing of shade trees along Federal Highway to be 30 feet instead of 20 feet** → At the time and according to the available documentation, the justification/benefit behind this waiver, is explained, in that in order to provide the best aesthetic for the corridor, Royal Palms were proposed to enhance the entrance to the Town, and these required additional spacing for proper growth. Even though the plans were reviewed by the Town’s landscape architect and the 1017 Federal Highway property was approved per the requirements with this spacing and includes green

buttonwood trees, the Town Commission may also consider extending the same Florida Royal Palm to the 1017 landscape buffer facing Federal Highway for consistency and original public benefit intent.

(c) **The elimination of wheel stops** → At the time and according to the available documentation, the justification/benefit behind this waiver is explained, and related to better maneuverability and safety to those accessing the site. Most standard auto dealerships provide for a clear area internal to the property for proper circulation given the nature of their operation AND the perimeters are generally protected by curbing around the landscape buffer areas similar to what is being proposed.

(d) **No planters on the roof of the garage** → At the time and according to the available documentation, the justification/benefit behind this waiver is explained primarily as a maintenance issue whereby the community would better benefit from a modern building aesthetic with structural enhancements that are durable, rather than from planters that would require a lot of maintenance and would provide very minimal relief to the building façade.

(5) **To allow a 40-foot freestanding monument sign to replace the then conforming 15-foot freestanding monument sign.** The code currently allows a maximum 10-foot height for monument signs; therefore, the application proposes to remove this second existing monument sign and replace it with a 10-foot compliant sign by July 5, 2016 which is prior to the Phase 1 construction completion (as proposed) and is consistent with the Town's compliance schedule for nonconforming signage → the 40-foot sign is existing on the 1215 Federal Highway property and was approved with the original waiver approval and the Applicant is not requesting any additional 40 foot sign.

(5) OVERALL PUBLIC BENEFITS OF THE PROJECT as proposed under a PUD Master Plan were discussed on May 20 → These include:

- (a) Furthers the aesthetics of the property by providing additional landscaping around the property and specifically on those sides adjacent to residential communities. The result will further insulate the residents living along Lake Shore Drive from the commercial uses, noise, and traffic along North Federal Highway, without limiting their access from Palmetto Road and East Ilex Drive.
- (b) Large commercial carriers would no longer be allowed to use Lake Shore Drive to enter or exit the dealership through conditions of approval on the site plan application, further minimizing commercial impacts along the residential corridor. By combining the lots, the number of access points into the dealership would also be minimized.
- (c) While financial considerations should not be the basis of a public benefit justification, this expansion WILL foster the redevelopment of an area that is being underutilized and will inherently increase the Town's tax base which is an objective of the Town's Comprehensive Plan and which is a step forward in trying to create a sustainable economic base for the Town for the future.
- (d) As part of the overall proposal, the Applicant proposes to add additional bench seating around the perimeter of the site to promote the area's recreation and public use as well proposes a bus stop shelter for the community on the corner of Federal Highway and Palmetto Road.
- (e) The Applicant proposes to pursue Leadership in Energy and Environmental Design (LEED) certification in their redevelopment efforts in an attempt to promote green initiatives and sustainability and have it serve as the Town 's second LEED certified showcase building in the community (first was Kohl's on Congress Avenue).
- (f) The Town's contracted Engineer also confirms: "With the abandonment of Jasmine Drive right-of-way into the projected area, the stormwater runoff from the Jasmine Drive right-of-way will be incorporated into the onsite exfiltration trench system and will undergo water quality treatment prior to discharge resulting in a net improvement in water quality".

(6) Finally, **DESIGN** was also discussed on May 20. The design of the overall site was considered by staff, the Planning & Zoning Board and through a limited discussion due to time constraints at the May 20 meeting. The Applicant's architect and design team are here to address the various design components. While elements have been added along the way pursuant to the

information provided, since May 20, the Applicant updated the Phase 3 Parking Garage elevations to reflect the landscaping at time of construction and after 5 years of growth. The south (facing E. Ilex) and east (facing Lakeshore Drive) facades have also been accentuated with solar panels; louvers; trellis'; textured stucco; clad panels and enhanced perimeter landscaping. Understanding the concerns by the Town Commission, **IF** the Town Commission considers approving the site plan this evening, staff has also included condition of approval #28 requiring the Owner to add additional design elements on all facades of the parking garage structure so as to incorporate "faux" ground floor details/accents(fenestration); wall accents; graduated facades with architectural breaks; outward projecting trellis', and so on, AND that these revised architectural plans for the Phase 3 parking garage structure are brought back to the Town Commission prior to the commencement of Phase 3, for review and approval of the Town Commission....again, this was placed as an alternative on the Resolution in the event that the Town Commission is prepared to approve the application this evening.

While staff has included its recommendations in the various staff reports, staff also understands that it will be important for the Town Commission to further discuss the various components of these items this evening, more importantly as it relates to the design (building height-which the PUD allows up to 50 feet; building mass-related to the projections, roof offsets and details to soften the facades; and the overall character and compatibility-which the applicant is proposing to combine with the existing architecture facing Federal Highway, while adding additional façade details facing Lakeshore and E. Ilex Drives). The Applicant is here to provide their presentation at this time and it is my understanding that they will be providing a visual review of the various design components and as mentioned, their design team is here as well to explain their review responses detailing how they meet the various design elements of the code and provide for alternatives on how these can be enhanced, per the Town Commission's desire this evening. Should the Commission have any additional engineering or appraisal related questions on the project, these professionals are here as well.

GENERAL LOCATION



1215
Federal
Highway

1017
Federal
Highway

East
Jasmine
Drive

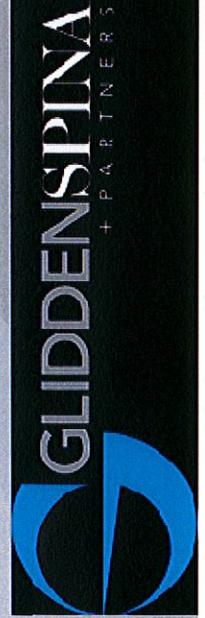
Exhibit "D"

EARL STEWART TOYOTA OF LAKE PARK

Lake Park Town Commission

June 17, 2015

Earl Stewart Toyota 



Requests

- ▣ Ord. 02-2015 – Abandonment of .49 acre portion of Jasmine Drive
- ▣ Ord. 06-2015 - Small Scale Future Land Use Map Amendment for Jasmine Drive – Commercial/Residential
- ▣ Ord. 03-2015 – Rezoning 1017 Federal Highway from C-1 to PUD and Assign PUD designation to abandoned ROW
- ▣ Res. 14-05-15 – Amending Res 14-05-03 Site Plan Approval, and Special Exception for Motor Vehicle Sales Establishment

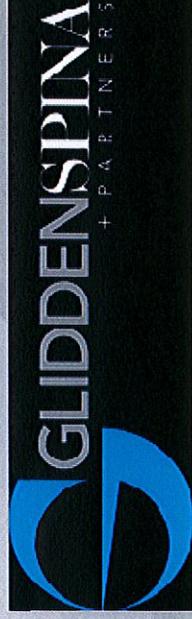
Earl Stewart Toyota 



Comments from May 20th Hearing

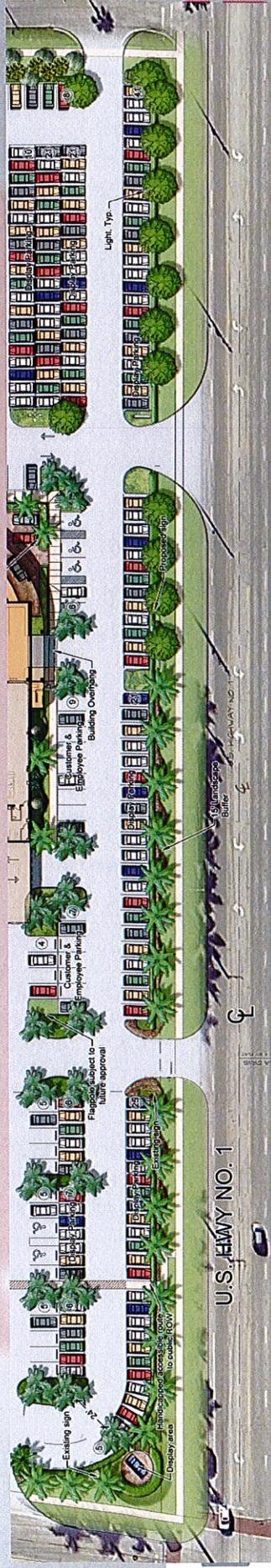
- ▣ Address the previously approved Waivers
- ▣ Lighting on the garage
- ▣ Phasing Schedule
- ▣ Projected Sales and demand for parking
- ▣ Taxable Values
- ▣ Car Wash Hours of Operation
- ▣ 2nd Appraisal for ROW
- ▣ Garage Architecture

Earl Stewart Toyota 



Previously Approved Waivers

- ▣ Section 32-89 Supplemental Parking Requirements:
 - To allow a 15-Setback from the street line for the display of vehicles
 - Design consistency in the width of the existing buffers
 - Allows improved visibility of display cars
 - Allowed an improvement from existing site conditions
 - Exceeds conditions of other similar uses in the Town



Previously Approved Waivers

- ▣ Section 32-146 Minimum Landscape Requirements:
To allow an increase in the spacing of trees to 30' on center along US Highway 1
 - Allowed for the appropriate spacing of trees (Royals 25' spd - 40'-50' oc - Buttonwood 15' spd - 30' oc)
 - Allows for increased visibility
 - Modified by TC - limited to US Highway 1 frontage only
 - Proposed design consistency
 - Additional plant material has been added elsewhere to offset difference
 - Increased open space from 15% to 20%



Previously Approved Waivers

- ▣ Section 32-146 Minimum Landscape Requirements:
To allow the elimination of wheel stops
 - Landscape areas are protected by curbing
 - Wheel stops are a liability, maintenance issue and trip hazard
 - Improved mobility and efficiency for placement of vehicles

Earl Stewart Toyota 



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Previously Approved Waivers

- ▣ Section 32-146 Minimum Landscape Requirements:
To allow the elimination of roof top planters
 - Roof top planters are a maintenance concern
 - Substantial structural and support requirements add significant costs
 - Additional height will bring more attention to garage
 - Additional planting has been provided at ground level
 - Garage is intended for storage of vehicles, not as a typical parking area requiring shade

Earl Stewart Toyota 



Previously Approved Waivers

- ▣ Section 32-53 Permitted Signage: To allow one 40-foot freestanding sign and one 15' freestanding sign
 - Sign design was dictated by Corporate Toyota
 - Original request was for one 45' sign and one 15' sign OR two 30' signs
 - TC approved one 40' sign and one 15' sign
 - Condition of approval limits 40' sign to Earl Stewart use only
 - Current application replaces the 15' sign to meet code
 - Signs provide visibility from Northlake Boulevard to compensate for location

Earl Stewart Toyota 



Public Benefits

- ▣ No additional waivers are being requested
- ▣ Increased width of Landscape Buffers on east and south to screen development from neighbors
- ▣ Screening and buffering of residents from site activities through design and placement of buildings
- ▣ Extension of linear park seating and bus stop shelter
- ▣ Project exceeds open space and landscape areas required by code
- ▣ Reduction of curb cuts/access points and access to Lake Shore Drive

Earl Stewart Toyota 



Public Benefits

- ▣ Reduction of height allowed by PUD
- ▣ Reduction of existing non-conformities
- ▣ Improved Public Safety
- ▣ Enclosure and elimination of noise producing activities
- ▣ LEED Certified construction
- ▣ Improved parking and circulation
- ▣ Restrictions on use of Lake Shore Drive
- ▣ Improved drainage, water quality and utility connections

Earl Stewart Toyota 



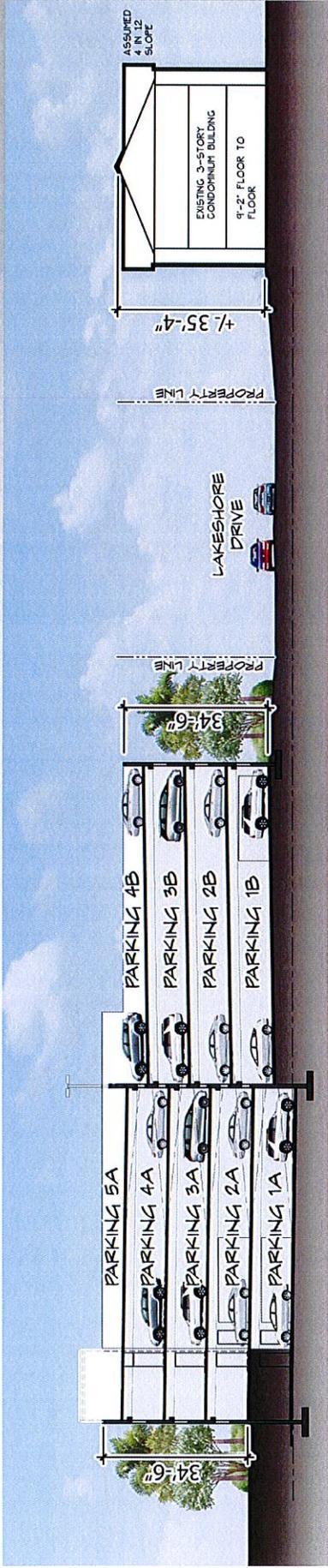
Public Benefits

- ▣ Improvements to commercial development will hopefully serve as a catalyst for other commercial development improvements
- ▣ Increased property value – stabilized economic base for the Town
- ▣ Additional jobs
- ▣ Town is paid for ROW abandonment
- ▣ Successful business equals economic support for families and businesses in Lake Park

Earl Stewart Toyota 



Garage Lighting

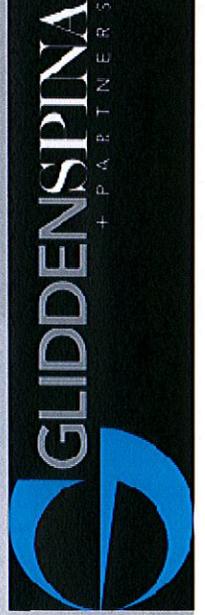


Poles relocated to center of garage and heights reduced to 10'



LOOKING WEST
3 EAST ELEVATION OF PARKING GARAGE
 SCALE 1/8" = 1'-0"

Earl Stewart Toyota 



Phasing Schedule

- Phase 1:
 - Commencement : As soon as possible
 - Completion: Parking lot and landscape improvements on South lot
 - Estimated Time Frame: 5 months, January 2016 +/-
 - Completion of: Building shell, 3rd floor administration, office interiors, used car sales office interiors, service department, site work
 - Estimated Time Frame: 14 months, November 2016

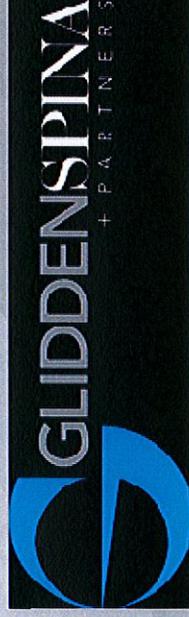
Earl Stewart Toyota 



Phasing Schedule

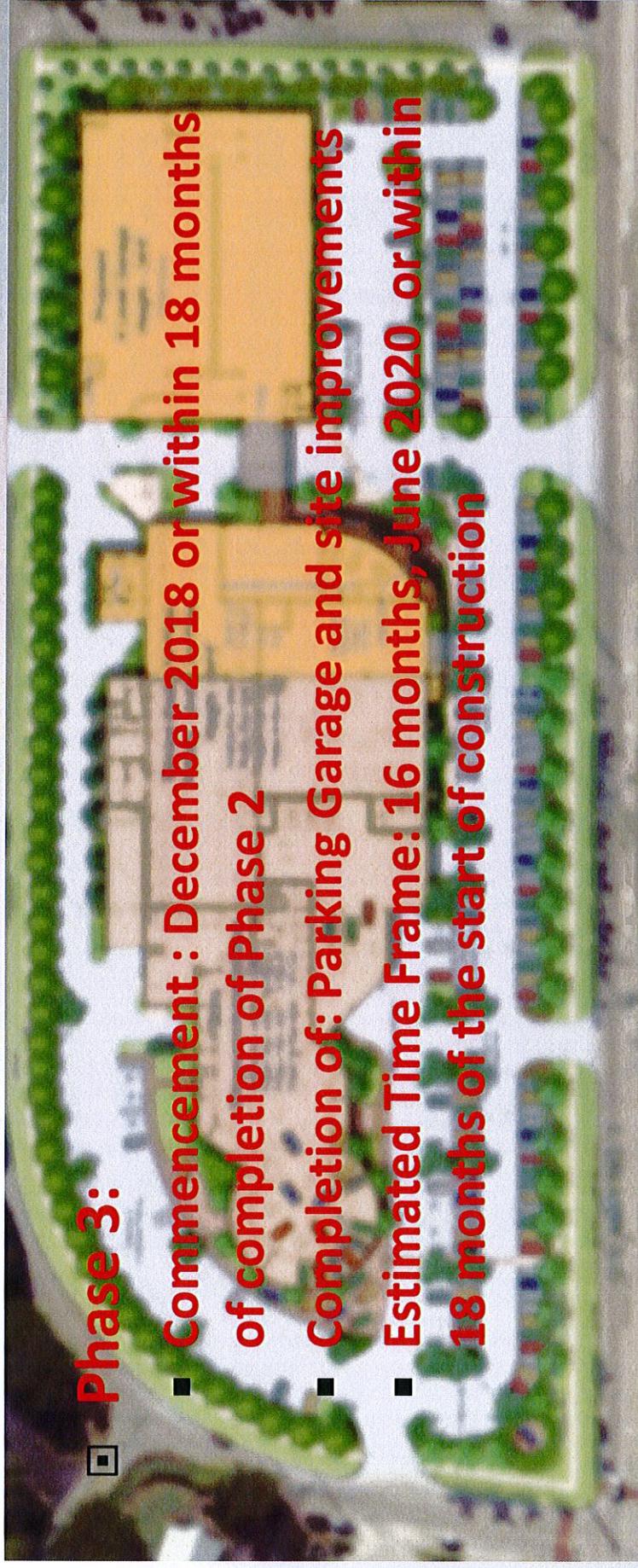
- Phase 2:
 - Commencement : November 2016 or immediately following completion of Phase 1
 - Completion of: Interior demolition of showrooms and offices, construction of new showroom and offices
 - Estimated Time Frame: 8 months, July 2017 +/-

Earl Stewart Toyota 



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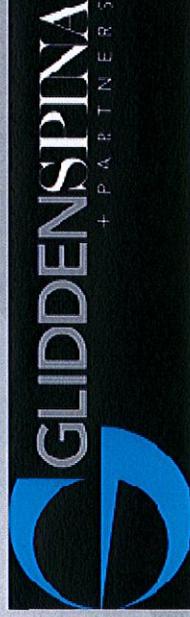
Phasing Schedule



Phase 3:

- **Commencement : December 2018 or within 18 months of completion of Phase 2**
- **Completion of: Parking Garage and site improvements**
- **Estimated Time Frame: 16 months, June 2020 or within 18 months of the start of construction**

Earl Stewart Toyota 



Projected Sales/Storage Demand

- ▣ Current Annual Sales Volume
 - 3,190 vehicles
- Projected Sales Volume Increase:
 - 18% by 2019 to 3,737 vehicles
 - Additional 15% by 2020 to 4,297 vehicles
- Parking Space Standards Established by SET:
 - 2020 minimum required 1,256
 - Additional spaces in garage will allow 1,267 spaces

Earl Stewart Toyota 



Estimated Tax Revenue

- ▣ Estimated Cost of Improvements
 - Phases 1 and 2: \$12 million

Estimated tax increase \$289,643

 - Phase 3: \$8 million

Estimated tax increase - additional \$203,297

 - Additional Land Area from ROW: \$300,000

Estimated tax increase – additional \$38,923

Earl Stewart Toyota 



Car Wash

- ▣ Hours of Operation
 - Condition limitation to 8:00 AM to 7:00 PM, Monday through Saturday
- ▣ Noise Levels
 - 30 HP Blower reduces noise within 30' to level of house vacuum cleaner or lawnmower
 - Time frame for blower: 60 second intervals, no more frequent than 5 minutes apart
 - Closest residential building is approx. 150 feet away. Distance reduces the noise level to a speaking voice
- ▣ Re-Location
 - Circulation and parking would be impacted
 - Noise levels would have increased impact on Ilex with relocation or re-orientation

Earl Stewart Toyota 



ROW Appraisal

- ▣ Original Appraisal
 - \$300,000
- ▣ New Appraisal
 - \$320,000
- ▣ New appraisal validates the original appraisal
 - Less than a 7% increase
 - Commitment to original agreement – high or low

Earl Stewart Toyota 



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History of Application

- ▣ **March 13, 2014:** Original Submittal
- ▣ **March 26, 2014:** Submittal of Abandonment Doc's
- ▣ **March 28, 2014:** Submittal of Irrigation Plans
- ▣ **March 31, 2014:** Submittal of revised Drainage Calculations
- ▣ **April 29, 2014:** Submittal of revised Traffic Analysis
- ▣ **June 3, 2014:** 1st Round of Staff Comments Issued
- ▣ **August 8, 2014:** Submittal of revised Traffic Analysis

Earl Stewart Toyota 

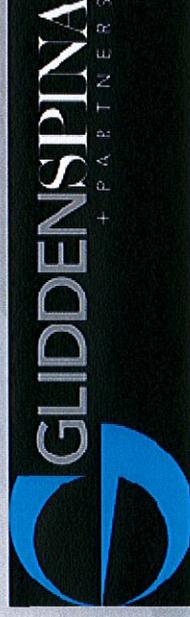


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History of Application (cont'd)

- ▣ **October 29, 2014: Re-Submittal to Address 1st Round of Staff Comments**
 - Reduced height of proposed sign from 15' to 10'
 - Elevations revised to incorporate design treatments
- ▣ **January 7, 2015: Re-Submittal to Address 2nd Round of Staff Comments**
 - Elevations/plans revised to enhance design treatments and address Town's Architectural Guidelines
 - Address Seacoast Utility Authority comments

Earl Stewart Toyota 



History of Application(cont'd)

- ▣ **February 2, 2015:** 1st P & Z Board hearing
 - **Postponement of vote to address comments**
- ▣ **February 9, 2015:** Re-Submittal to Address P & Z Board comments
- ▣ **February 14, 2015:** 3rd Round of Staff Comment Issued
- ▣ **February 18, 2015:** Re-Submittal to Address 3rd Round of Staff Comments
 - **Height of garage was reduced by 10' and overall parking was reduced by 64 spaces**
 - **Additional rooftop trellis structures were added (cont'd)**

Earl Stewart Toyota 



History of Application(cont'd)

- ▣ **February 18, 2015:** Re-Submittal to Address 3rd Round of staff & P&Z Comments (cont'd)
 - Addition of two bench seating areas
 - Clarified parking demand, operating hours and traffic trips
 - Provided truck turning plan and shade study
 - Expanded on “public benefit” reasoning for abandonment
 - Addressed concerns raised in resident letter
- ▣ **March 2, 2015:** 2nd P & Z Board hearing
- ▣ **March 11, 2015:** Re-Submittal to Address P & Z Board comments
 - Added aluminum banding to new curved portion
 - Affirmed compliance with adopted sound levels (cont'd)

Earl Stewart Toyota 



History of Application (cont'd)

- ▣ **March 11, 2015:** Re-Submittal to Address P & Z Board comments
 - Committed to another community meeting
 - Provided locations of signage for trucks
 - Clarified position on bus shelter design
- ▣ **March 28, 2015:** Community Meeting
- ▣ **April 1, 2015:** Town Commission hearing
 - Agreed to postponement for LPA Hearing

Earl Stewart Toyota 



History of Application(cont'd)

- ▣ **April 24, 2015:** Re-Submittal for Town Commission hearing
 - Increased density/height of landscaping
 - Added green wall on building and modified plantings
 - Amended elevations to provide residential scale articulation
 - Wing wall added to car wash
- ▣ **May 4, 2015:** LPA Hearing
- ▣ **May 11, 2015:** Re-Submittal for Town Commission hearing
 - Amended elevations to increase articulation of the building façade
 - Modified length of canopies
 - Provided building projections
 - Curved barrel roofs were added at the corner tower elements

Earl Stewart Toyota 



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History of Application(cont'd)

- ▣ **May 29, 2015: Re-Submittal for Town Commission hearing**
 - **Modified elevations to relocate parking garage lights and reduce height to 10'**
 - **Modified Narrative to include Waivers, taxable value estimates, phasing schedule, sales projections**

Earl Stewart Toyota 



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Exhibit "E"

Good Evening

My name is Penny Broda, a voting resident of Lake Park for 13 years. I reside at 8 E. Ilex Drive.

Tonite is a very important nite for the residents of Lake Park. Decisions made tonite could change the lives of many.

I realize last month's meeting did not give commission enough time to discuss the site plan. I believe the site plan needs a lot of time and attention if we truly want a building that will fit into our residential neighborhood.

I encourage ES and GliddenSpina Architects to use their imagination and come up with a design for a 20' maximum height residential friendly building. A building that they would like to see when they look out their kitchen window each day. A building that residents of Lake Park can view each day and say **"WOW" I didn't even realize that was a parking garage. What a beautiful building.**

I know for a fact that Glidden Spina Architects can design such a building. I've seen their website.

I think the Commission should put the vote on HOLD for ordinance 3 – parking garage until ES and GliddenSpina Architects step up to the challenge.

- Build on NW corner of property vs. SE corner
- Make the building look residential vs. commercial so it blends in with surrounding neighborhood bldgs
- Keep height of garage to a minimum (20') so it does not look out of place

Remember

PLEASE TAKE THE TIME TO MAKE THIS RIGHT FOR THE RESIDENTS OF LAKE PARK. ^ Decisions made tonite will set the precedence for future construction on US1 and the Town of Lake Park.

Chapter 112, Part III of the Florida Code of Ethics
for Public Officers and Employees

112.3143 Voting conflicts.—

Exhibit "F"

(1) As used in this section:

(a) "Principal by whom retained" means an individual or entity, other than an agency as defined in s. 112.312(2), that for compensation, salary, pay, consideration, or similar thing of value, has permitted or directed another to act for the individual or entity, and includes, but is not limited to, one's client, employer, or the parent, subsidiary, or sibling organization of one's client or employer.

(b) "Public officer" includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

(c) "Relative" means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

(d) "Special private gain or loss" means an economic benefit or harm that would inure to the officer, his or her relative, business associate, or principal, unless the measure affects a class that includes the officer, his or her relative, business associate, or principal, in which case, at least the following factors must be considered when determining whether a special private gain or loss exists:

1. The size of the class affected by the vote.
2. The nature of the interests involved.
3. The degree to which the interests of all members of the class are affected by the vote.
4. The degree to which the officer, his or her relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class. The degree to which there is uncertainty at the time of the vote as to whether there would be any economic benefit or harm to the public officer, his or her relative, business associate, or principal and, if so, the nature or degree of the economic benefit or harm must also be considered.

(2)(a) A state public officer may not vote on any matter that the officer knows would inure to his or her special private gain or loss. Any state public officer who abstains from voting in an official capacity upon any measure

that the officer knows would inure to the officer's special private gain or loss, or who votes in an official capacity on a measure that he or she knows would inure to the special private gain or loss of any principal by whom the officer is retained or to the parent organization or subsidiary of a corporate principal by which the officer is retained other than an agency as defined in s. 112.312(2); or which the officer knows would inure to the special private gain or loss of a relative or business associate of the public officer, shall make every reasonable effort to disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for the state public officer to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

(b) A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection.

(3)(a) No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Such public officer shall, prior to the vote being taken, publicly state to the assembly the nature of the officer's interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(1) DEFINITION.—As used in this section, unless the context otherwise requires, the term "public officer" includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

(2) SOLICITATION OR ACCEPTANCE OF GIFTS.—No public officer, employee of an agency, local government attorney, or candidate for nomination or election shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer, employee, local government attorney, or candidate would be influenced thereby.

(3) DOING BUSINESS WITH ONE'S AGENCY.—No employee of an agency acting in his or her official capacity as a purchasing agent, or public officer acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his or her own agency from any business entity of which the officer or employee or the officer's or employee's spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or the officer's or employee's spouse or child, or any combination of them, has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the officer's or employee's own agency, if he or she is a state officer or employee, or to any political subdivision or any agency thereof, if he or she is serving as an officer or employee of that political subdivision. The foregoing shall not apply to district offices maintained by legislators when such offices are located in the legislator's place of business or when such offices are on property wholly or partially owned by the legislator. This subsection shall not affect or be construed to prohibit contracts entered into prior to:

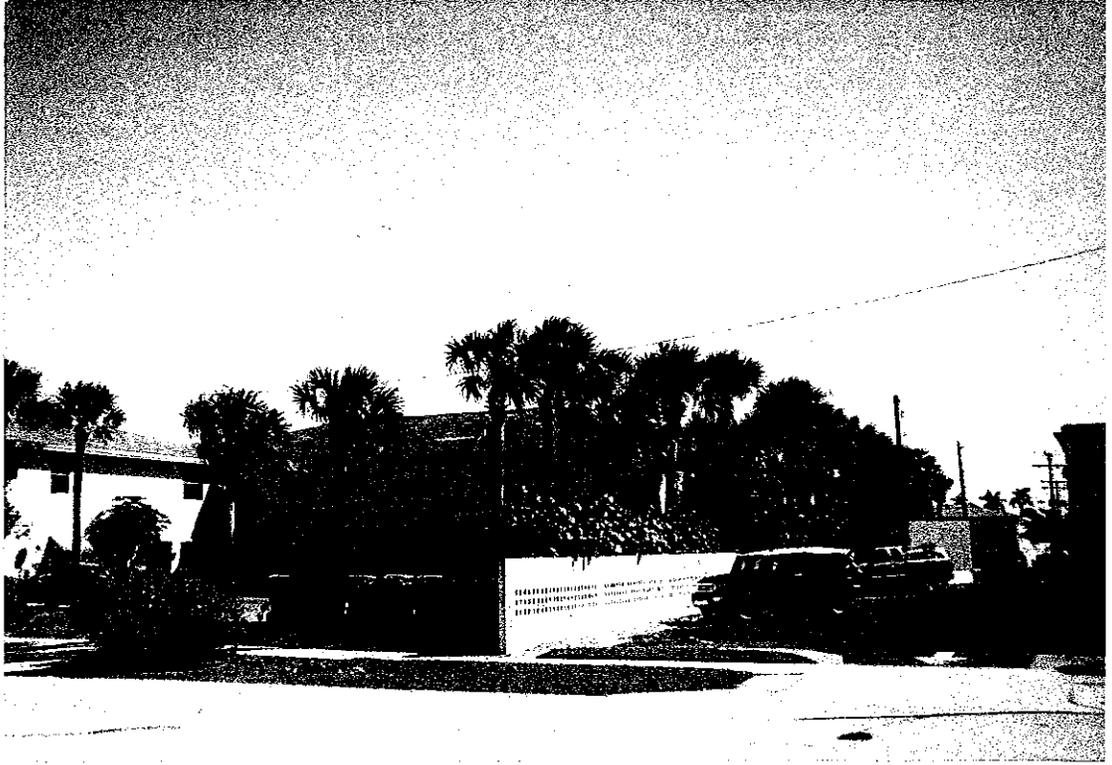
- (a) October 1, 1975.
- (b) Qualification for elective office.
- (c) Appointment to public office.
- (d) Beginning public employment.

* (4) UNAUTHORIZED COMPENSATION.—No public officer, employee of an agency, or local government attorney or his or her spouse or minor child shall, at any time, accept any compensation, payment, or thing of value when such public officer, employee, or local government attorney knows, or, with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the officer, employee, or local government attorney was expected to participate in his or her official capacity. *

(5) SALARY AND EXPENSES.—No public officer shall be prohibited from voting on a matter affecting his or her salary, expenses, or other compensation as a public officer, as provided by law. No local government attorney shall be prevented from considering any matter affecting his or her salary, expenses, or other compensation as the local government attorney, as provided by law.

(6) MISUSE OF PUBLIC POSITION.—No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others. This section shall not be construed to conflict with s. 104.31.

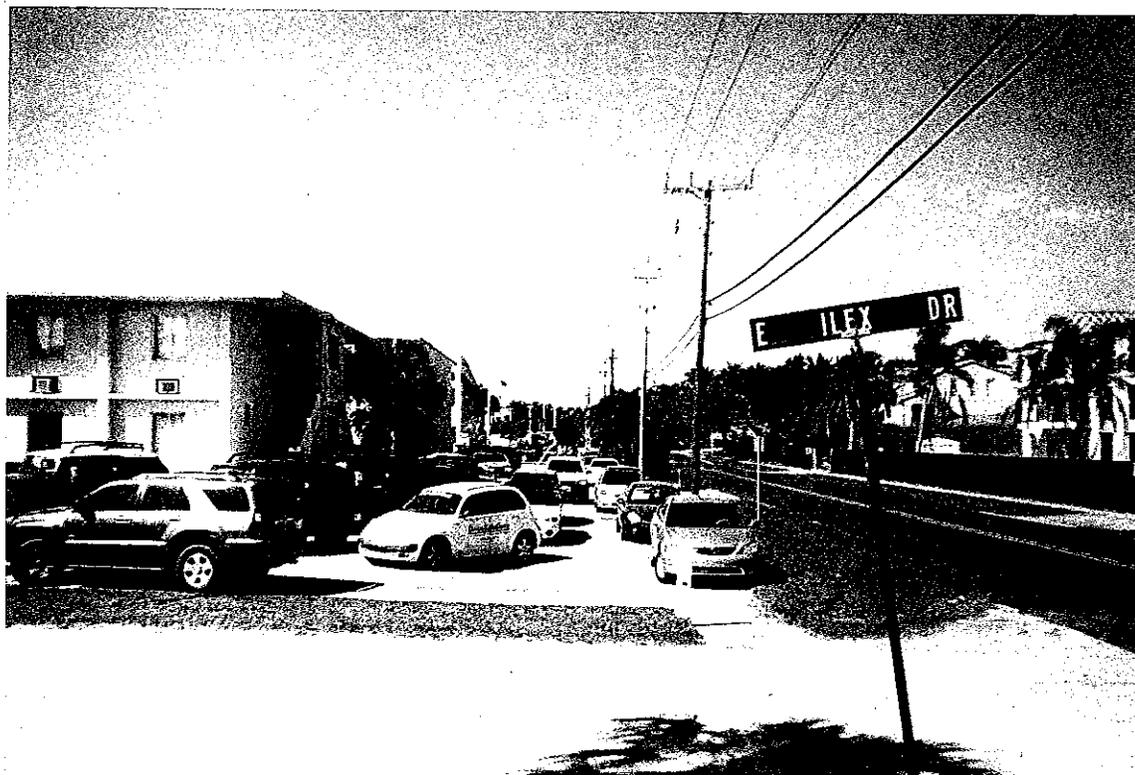
"G"













AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, June 17, 2015, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Michael O'Rourke	—	Commissioner
Kathleen Rapoza	—	Commissioner
<hr/>		
John O. D'Agostino	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez, CMC	—	Town Clerk

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

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATIONS/REPORTS

None

D. NEW BUSINESS:

1. Annual Kids Fishing Days program at Lake Park Marina

Tab 1

E. PUBLIC COMMENT:

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

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

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

2. Regular Commission Meeting Minutes of June 3, 2015

Tab 2

**G. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:
None**

H. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:

**3. Ordinance No. 08-2015 Amending Article IV, Section 3 of the Town Charter
Pertaining to the Date of Regular Town Elections**

Tab 3

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ARTICLE XVI, SECTION 18 OF THE TOWN OF LAKE PARK'S CHARTER PERTAINING TO FILING DATES FOR THE ELECTION OF THE OFFICES OF MAYOR OR TOWN COMMISSIONER WHEN A REGULAR ELECTION IS TO BE HELD DURING A YEAR IN WHICH THERE IS A PRESIDENTIAL PRIMARY PREFERENCE ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**4. Ordinance No. 02-2015 to Abandon a 0.49-Acre Portion of the East Jasmine Drive
Right-of-Way**

Tab 4

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ABANDONING THAT 0.49 ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT OF WAY LOCATED EAST OF FEDERAL HIGHWAY AND TERMINATING AT LAKESHORE DRIVE, DESCRIBED AS AVENUE "J", ACCORDING TO THE PLAT OF KELSEY CITY RECORDED IN PLAT BOOK 8, PAGES 15 AND 35; PROVIDING FOR THE RECORDING OF THE ORDINANCE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

**5. Ordinance No. 06-2015 the Assignment of a Residential/Commercial Future Land
Use Designation to the 0.49-Acre Portion of E. Jasmine Drive, located between Federal
Highway and Lake Shore Drive.**

Tab 5

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ASSIGNING A FUTURE LAND USE DESIGNATION OF "RESIDENTIAL/COMMERCIAL" TO THAT 0.49 ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT OF WAY, LOCATED EAST OF FEDERAL

HIGHWAY AND TERMINATING AT LAKESHORE DRIVE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

6. Ordinance No. 03-2015 to Rezone 1017 Federal Highway from Commercial-1 (C-1), to Planned Unit Development (PUD) and to Assign a PUD Zoning District Designation with an Underlying C-1 Zoning District Designation to a 0.49-Acre Portion of the East Jasmine Drive Right-of-Way. Tab 6

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ASSIGNING THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT WITH AN UNDERLYING COMMERCIAL-1 ZONING DISTRICT TO THAT 0.49 ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT OF WAY, LOCATED EAST OF FEDERAL HIGHWAY AND TERMINATING AT LAKESHORE DRIVE; PROVIDING FOR THE ASSIGNMENT OF THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT TO THE PROPERTY AT 1017 FEDERAL HIGHWAY; PROVIDING FOR THE AMENDMENT OF SECTION 78-32 OF THE TOWN CODE TO REFLECT THE REZONING OF THESE TWO PROPERTIES ON THE TOWN'S OFFICIAL ZONING MAP; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

I. PUBLIC HEARING(S) – QUASI-JUDICIAL HEARING:

7. Resolution No. 14-05-15 Amending Resolution No. 14-05-03 - the Site Plan for the Earl Stewart Toyota Planned Unit Development (PUD) for the Expansion of the Dealership and with Special Exception Use of a Vehicle Sales Establishment Tab 7

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING RESOLUTION 14-05-03 THE SITE PLAN FOR THE EARL STEWART TOYOTA PLANNED UNIT DEVELOPMENT; PROVIDING FOR THE EXPANSION OF THE EXISTING DEALERSHIP; PROVIDING FOR THE SPECIAL EXCEPTION USE APPROVAL OF A VEHICLES SALES ESTABLISHMENT; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

J. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

K. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, July 1, 2015