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**
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 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 SEVERABILTY; 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

New Business

TAB 1

Consent Agenda

TAB 2

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 17, 2015 **Agenda Item No.** Tab 2

Agenda Title: Regular Commission Meeting Minutes of June 3, 2015

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

Approved by Town Manager _____ **Date:** 6-8-15

Vivian Mendez – Town Clerk
Name/Title

Originating Department: **Town Clerk**	Costs: **$ 0.00** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Agenda** **meeting minutes** **Exhibits "A – C"**
Advertised: Date: _____ Paper: _____ **[X] 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 *VM* **Please initial one.**

Summary Explanation/Background:

Recommended Motion:

To approve the Regular Commission Meeting minutes of June 3, 2015.

AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, June 3, 2015,
Immediately Following the
CRA Board Meeting,
Lake Park Town Hall
535 Park Avenue

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

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

B. **PLEDGE OF ALLEGIANCE**

C. **SPECIAL PRESENTATIONS/REPORTS**
1. Proclamation of Appreciation to Bambi McKibbon-Turner for Serving as Interim Town Manager **Tab 1**

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

E. **CONSENT AGENDA: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of**

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

2. Regular Commission Meeting Minutes of May 20, 2015 **Tab 2**
3. Proclamation Honoring the Port of Palm Beach Centennial **Tab 3**

F. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

4. Ordinance No. 07-2015 20-Year Water Supply Facilities Work Plan Comprehensive Plan Amendments **Tab 4**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT AN UPDATED 20-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177, *FLORIDA STATUTES;* PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER SUPPLY PLAN; PROVIDING FOR ADOPTION OF UPDATED OBJECTIVES AND POLICIES WITHIN THE COMPREHENSIVE PLAN SANITARY SEWER/SOLID WASTE/DRAINAGE/POTABLE WATER/NATURAL GROUNDWATER AQUIFER RECHARGE, INTERGOVERNMENTAL COORDINATION, CONSERVATION AND CAPITAL IMPROVEMENTS ELEMENTS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

5. Ordinance No. 08-2015 Amending Article IV, Section 3 of the Town Charter Pertaining to the Date of Regular Town Elections **Tab 5**

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 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.

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

None

H. NEW BUSINESS:

6. Resolution No. 16-06-15 Budget Amendment **Tab 6**

7. Resolution No. 17-06-15 Revision of the Library Director, Recreation Manager, and Town Clerk/Deputy Town Manager Job Descriptions **Tab 7**

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, June 17, 2015

Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, June 3, 2015, 7:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, June 3, 2015 at 7:30 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, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

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

SPECIAL PRESENTATIONS/REPORTS

1. Proclamation of Appreciation to Bambi McKibbon-Turner for Serving as Interim Town Manager.

Mayor DuBois read the proclamation and presented it to Ms. Turner. Ms. Turner thanked the Commission and staff for their support during her tenure as Interim Town Manager.

PUBLIC COMMENT:

Diane Bernhard - 301 Lake Shore Drive, expressed concern that the Town Commission were unable to voice their personal opinions regarding the Earl Stewart projects at the May 20, 2015 Commission meeting because the meeting ended after 11:00 p.m. She suggested that a formal arrangement about what could be done in cases where subjects require more time than allotted. She suggested that in cases where the Commission does not have enough time to discuss the item, that it be automatically continued to the next meeting or another specific timeframe. She hopes that the next meeting be more comprehensive and less difficult on everyone.

Anne Lynch, 349 Bayberry Drive, gave an update on the upcoming programs of the Friends of the Library. She explained one program to generate funds for the Friends of the Library would be a car wash, set up at the Lake Park Library parking lot on the last Saturday of each month. She stated that they would advertising the events. She explained that the Summer Reading program has begun. She thanked Rick Goodsell for donating plants for the Library patio garden. She explained that the children would be painting the wall of the patio. She thanked the Community Watch program for their donation to the Friends of the Library. Mayor DuBois apologized for not attending the event held by the Library in appreciation of the Friends of the Library. Commissioner O'Rourke asked if the Friends of the Library offer community service hour programs. Ms. Lynch explained that they do have such programs.

CONSENT AGENDA:

2. Regular Commission meeting minutes of May 20, 2015.

3. Proclamation Honoring the Port of Palm Beach Centennial.

Motion: Commissioner Flaherty moved to approve the consent agenda; 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 HEARING(S) – ORDINANCE ON FIRST READING:

4. Ordinance No. 07-2015 20-Year Water Supply Facilities Work Plan Comprehensive Plan Amendments

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT AN UPDATED 20-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177, *FLORIDA STATUTES;* PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER SUPPLY PLAN; PROVIDING FOR ADOPTION OF UPDATED OBJECTIVES AND POLICIES WITHIN THE COMPREHENSIVE PLAN SANITARY SEWER/SOLID WASTE/DRAINAGE/POTABLE WATER/NATURAL GROUNDWATER AQUIFER RECHARGE, INTERGOVERNMENTAL COORDINATION, CONSERVATION AND CAPITAL IMPROVEMENTS ELEMENTS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Town Manager D'Agostino and Community Development Director Nadia DiTommaso presented the item (see Exhibit "A"). Vice-Mayor Glas-Castro asked if the plan had been shared with South Florida Water Management. Mr. Alex David of Bell David Planning Group explained that as part of the process they share the first draft of the plan with the water management district, which South Florida Water Management has done a courtesy review on the documents and the suggested changes were incorporated. Mr. David explained that a whole package would be transmitted to the different agencies and once all their comments are received back then the Ordinance would come back for second reading and adoption.

Public Comment Opened:

None

Public Comment Closed:

Motion: Commissioner Flaherty moved to approve Ordinance 07-2015; 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

Attorney Baird read the Ordinance by title only.

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

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 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.

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

Public Comment Opened:
None
Public Comment Closed:

Motion: Commissioner Rapoza moved to approve Ordinance 08-2015; 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

Attorney Baird read the Ordinance by title only.

PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:
None

NEW BUSINESS:
6. Resolution No. 16-06-15 Budget Amendment.

Town Manager D'Agostino and Finance Director Blake Rane presented the item (see Exhibit "C"). Commissioner O'Rourke expressed concern with the Lake Park Kiwanis Club 3-on-3 Basketball Tournament cancelation. Commissioner Flaherty asked for clarification on the two salary positions listed as item two on the agenda request form (see Exhibit "C"). Finance Director Rane explained that the second position listed was for the position of an Office Assistant, who would be trained to "fill in" in all Town Hall department when needed. He explained that the first position listed was to establish an Administrative Assistant position in the Town Managers office. He stated that the position of Administrative Assistant would be internally posted and the procedures for filling the positon in the employee manual would be followed. Commissioner O'Rourke expressed concern that the Administrative Assistant to the Town Manager had been transferred from the Town Manager's office to the Town Clerk's office last year. He suggested that the Town Manager strongly consider the employee that had served in that office prior to the transfer as a candidate for the Administrative Assistant position. Town Manager D'Agostino stated that it would be considered. Mayor DuBois stated that the last page of the documents within the backup pertaining to the Sanitation Fund was mislabeled. Finance Director Rane stated that he would change the clerical error. Mayor DuBois asked the estimated cost of the installation of a window in the Finance Department. Finance Director Rane explained that staff would follow the Town's purchasing policy and obtain bids and the Commission would be provided a recommendation for award of contract at a future agenda. He was not sure what the estimated cost would be for that project.

Motion: Commissioner Rapoza moved to approve Resolution 16-06-15; Commissioner O'Rourke seconded the motion.

Commissioner Flaherty expressed concern with the proposed Office Assistant position. He would prefer to have additional assistance hired in the Public Works Department. Mayor DuBois asked for clarification on the cost of each position. Finance Director Rane explained that the cost for the Administrative Assistant position would be approximately $13,000 for the remainder of this fiscal year or approximately $50,000 to $60,000 a year. The Office Assistant position would be less.

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 4-1.

7. Resolution No. 17-06-15 Revision of the Library Director, Recreation Manager, and Town Clerk/Deputy Town Manager Job Descriptions.

Town Manager D'Agostino presented the item (see Exhibit "D"). Commissioner O'Rourke expressed concern with the Recreation Director's performance, especially since the Lake Park Kiwanis Club 3-on-3 Basketball Tournament was canceled. He expressed concern that recreation programs do not exist for the youth in the Town. He stated that the only program currently in the Town was outsourced to a tennis professional. He expressed disappointment and has lost confidence with the way the recreation department was run. He does not object to the recreation department reporting to the Town Manager, but does not understand why programs are unsuccessful. Mayor DuBois stated that staff could not answer the question as to why the basketball tournament was canceled because it was a Kiwanis event in which the Town was assisting; it was not a Town event. Town Manager D'Agostino explained that the Town has very little funding for programs and services. He stated that he would be presenting an overview of what the tax rates are funding for programs with one person in the recreation department. He explained that the Lake Park Kiwanis Club came to the Commission requesting assistance with sponsoring a 3-on-3 basketball tournament, but there was a lack of outreach and participants, which lead to the cancellation of the event. He explained that the Town needs to be more fiduciary in what it could and could not do. He explained that the Town could not organize the event on our own because of a lack of personnel. He explained that the Town tried to facility the event when we were told that the event would be canceled. He stated that during the budget process we would need to build capacity into some of the department if the Commission expects different results. He stated that core values would need to be established in order to provide programs and services to the community. He stated that over the next few years the integration of programs and services would be included in the budget. Commissioner O'Rourke asked if the coordination and overview of the rentals facilities could be handled by someone other than the Recreation Department. Town Manager D'Agostino explained that another employee does handle the coordination of rental facilities. Commissioner O'Rourke asked if programs for the community are a priority. Town Manager D'Agostino agreed and stated that if it becomes a core value of the Commission, then over the next fiscal budget season the Town could work on providing the Recreation Department with the capacity it needs to deliver the programming desired by the community. Commissioner O'Rourke expressed concem that programming was not a priority to the Recreation Department. Mayor DuBois asked if it were a priority of the Town to put on events or is it a priority of the community to put on programs. Town Manager explained that most league type programs are coordinated by an outside group or parents that run the programs.

Motion: Commissioner O'Rourke moved to adopt Resolution No. 17-06-15; 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.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager D'Agostino asked if the amount of communication he has provided throughout the past month to the Commission has been adequate. He asked if the Palm Beach Sherriff's Office (PBSO) North End Rovers update was still necessary considering the statistical information was included in the Town Managers monthly report. The Commission came to consensus that they want the quarterly presentations to continue. He stated that several budget workshop would be scheduled in order to develop core values, vision and direction by the Commission for the next fiscal year.

Commissioner Rapoza had no comments.

Commissioner Flaherty stated that he was satisfied with the level of communication the Town Manager has developed with the Commission.

Commissioner O'Rourke asked for a status report on the Community Development Block Grant (CDBG) for the Kelsey and Lake Shore Park restrooms and tennis court lighting. Town Manager D'Agostino explained that the grant requires that the Town secure an architect or engineer to design the plans for the restrooms and tennis court lighting. Commissioner O'Rourke stated that his understanding of what the Commission wanted, concerning the design of the restrooms and tennis court lighting, was that the design plans would come back before the Commission for review. He stated that the Commission wants to review the plans before they were finalized. Town Manager D'Agostino agreed that the plans would come before the Commission before they were finalized. Commissioner O'Rourke committed to making the 3-on-3 basketball tournament happen by recruiting volunteers and meeting with the Lake Park Kiwanis Club next week. He reiterated that recreation programs are a priority to him.

Vice-Mayor Glas-Castro announced that the next Palm Beach County League of Cities meeting would be June 24, 2015 in Palm Springs. She announced that she has been re-appointed to the Florida League of Cities Urban Administration Legislative Policy Committee. She explained that during the Commission's visioning sessions she would like to include legislative priorities that would be communicated to the State through the Florida League of Cities. She thanked Town Manager D'Agostino for preparing a letter regarding the Lake Shore Drive infrastructure water project. She announced that for those families that have children that receive free meals through school there was an opportunity for them to receive free breakfast and lunch meals for those students through several organizations during the summer. She thanked the Library for their ice-cream social, which was to thank the Friends of the Library for all their efforts. She thanked Town Manager D'Agostino for following up on the double poles concerns she had. She thanked him for all the communications he has provided to the Commission. She asked that an agenda item be placed on a future agenda to discuss the increase of commercial

vehicles parking in residential neighborhoods. She expressed concern and disappointment that the Commission ran out of time to discuss the dealership project at the last meeting. She expressed concern with the compatibility for the area. The Commission expressed many concerns with the project.

Attorney Baird explained that the Commission could not discuss the Quasi-Judicial item at this meeting because it was inappropriate. He suggested that the next time the dealership project were placed on the agenda that the Commission structure the meeting in such a way that the Commission could begin by providing their concerns and comments to the applicant. He stated that from the discussion that has taken place at this meeting, it does not sound as though the Commission would be prepared to adopt the Ordinances on second reading at the next meeting. He suggested that the Town exercise its rights to seek a professional architecture they felt would assist to move forward.

Vice-Mayor Glas-Castro asked if the Medical Marijuana issue was on the next agenda. Community Development Director DiTommaso stated that the item was not ready to be heard by the Commission.

Mayor DuBois announced that the Northern Palm Beach Chamber of Commerce event had a great Lake Park turn out. He congratulated Surf Pro and Earl Stewart for their awards. He announced that in the Palm Beach Post he read that the Women-of-the-Year was awarded to a Lake Park Elementary school teacher. He announced that the Lake Park Kiwanis Club served the Lake Park Elementary school 5th grade graduation breakfast event last Friday. He stated that the Memorial Day ceremony was very well attended this year. He stated that one of his priorities would be to make the Memorial Day ceremony and the Veteran's Day events become part of the Town structure. He stated that the Planning Congress would be meeting in Town Hall on June 12, 2015 in the Mirror Ballroom. He stated that the Police Athletic League (PAL) and Club 100 Charities are trying to collaborate their efforts. He stated that the Sunset Celebration was great. He thanked the Town Manager for his presentation before the Planning and Zoning Board.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner O'Rourke, and by unanimous vote, the meeting adjourned at 9:27 p.m.

_____
Mayor James DuBois

_____
Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2015

Town of Lake Park Town Commission

Agenda Request Form

Exhibit "A"

Meeting Date: June 3, 2015 **Agenda Item No.**

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, PROVIDING FOR THE ADOPTION OF AN UPDATED 20-YEAR WATER SUPPLY FACILITIES WORK PLAN AND RELATED COMPREHENSIVE PLAN AMENDMENTS RELATED TO SANITARY SEWER/SOLID WASTE/DRAINAGE/POTABLE WATER/NATURAL GROUNDWATER AQUIFER RECHARGE; INTERGOVERNMENTAL COORDINATION; CONSERVATION; AND CAPITAL IMPROVEMENTS ELEMENTS.

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[X] PUBLIC HEARING – QUASI-JUDICIAL - ORDINANCE ON 1st READING
[ ] NEW BUSINESS
[ ] OTHER

Approved by Town Manager _____ **Date:** 5-20-15

Nadia Di Tommaso / Community Development Director
Name/Title

Originating Department: **Community Development**	Costs: **$ Consultant Fee** ***($2,000 as of 05-18-15 – not to exceed $6,000 for entire adoption process)*** Funding Source: **Community Development** Acct. **# 500-34000** [ ] Finance _____	**Attachments:** → **Ordinance 07-2015** → **Copy of Legal Ad for 1st reading** → **Updated Water Supply Facility Work Plan and Related Comprehensive Plan Amendments** (Exhibits "A" + "B"
Advertised: Date: **05-24-2015** Paper: **Palm Beach Post** [ ] 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__*ND* or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background:

STAFF REPORT

The updated 20–Year Water Supply Facilities Work Plan and related Comprehensive Plan Amendments were presented to the Local Planning Agency (LPA) as a properly advertised meeting on May 2, 2015. The May 2, 2015 LPA meeting was advertised in the Palm Beach Post on Friday, April 24, 2015. This 1st reading of the Ordinance being presented to the Town Commission was advertised in the Palm Beach Post on Sunday, May 24, 2015. Additionally, the meetings and agenda item contents were published on the Town website and sent to the intergovernmental agencies through the form of a clearinghouse notice.

SUMMARY

The updated 20-Year Water Supply Facilities Work Plan is required to be updated per Florida Statutes. The Lower East Coast Water Supply Plan Update (LEC) was approved by the South Florida Water Management District (SFWMD) on October 10, 2013, requiring amendments to all local municipal comprehensive plans. The Town

engaged the Bell David Planning Group, who previously worked on the Town's Evaluation and Appraisal Report and associated maps for the Comprehensive Plan, to work through the required changes. These required coordination with Palm Beach County, SFWMD and Seacoast Utilities (SUA) (as the designated regional supplier of potable water) in order to identify and plan for the water supply sources and facilities needed to serve existing and new development within the Town, much of which was not made available until the recent months which is why the Town was not able to update the Plan sooner. The related policies in the Comprehensive Plan are also being updated by adding Objectives and Policies to the Sanitary Sewer/Solid Waste/Drainage/Potable Water/Natural Groundwater Aquifer Recharge Element; Conservation Element; Intergovernmental Coordination Element; and Capital Improvements Element. These are required to address the development of traditional and alternative water supplies and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period. In order to ensure consistency with adopted regional and county planning efforts, the Work Plan will have the same planning time schedule as the Palm Beach County and SFWMD 20-Year Water Plan Updates. Some of the proposed changes include:

(1) Population projections
(2) Identification of existing conditions and identification of alternative water supply projects
(3) Current and projected water supply demand
(4) Updating the planning period
(5) Work in coordination with SUA for the per capita water usage
(6) Incorporate provisions that support climate change and sea level initiatives

At the LPA meeting, it was questioned why Seacoast decided to pursue their $88 million five-year capital improvement project to replace two lime softening treatment facilities. Mr. David who worked through these updates for staff reached out to Mr. Bishop, Executive Director of SUA in order to understand the purpose of these improvements and received the following reasoning:

1. *Improved drinking water quality*
2. *Replace two lime softening treatment plants, one built in 1957, and the other in 1976.*
3. *Eliminate the need to landfill tons of lime sludge produced by the previous process each day. Until the replacement program was approved, much of this was used in the construction of roads, driveways and parking areas. Those opportunities began diminishing after the year 2000, and landfilling became the only viable option – a highly undesirable one from both a cost and an environmental perspective.*

The conversion to membranes has resolved the lime sludge disposal issue. Lime sludge is a solid waste material that does not biodegrade well. Thus, it occupies considerable landfill space. The waste material generated by the nanofiltration membrane process is a liquid reject which can, and in Seacoast's case IS, blended with reclaimed water at Seacoast's PGA Wastewater Reclamation Facility, then beneficially used for irrigation or buffering wetland areas against the impacts of seasonally varying ground water levels.

Additionally, there was also some discussion at the LPA meeting regarding staff's future initiatives to promote water conservation and mitigation. Staff intends on adhering to the new objectives by supporting and participating in climate change-related and sea level rise-related meetings and workshops and will look into implementing water conservation ordinances such as a rain sensor ordinance, leak detection and repair ordinance and look to enhance the public outreach related to these initiatives. Currently, the Town already adopted the Florida-Friendly Landscape Ordinance.

LPA Board Recommendation: APPROVAL (4-0)

Recommended Motion: I move to **APPROVE Ordinance 07-2015** on 1st reading.

Town of Lake Park Town Commission

Agenda Request Form Exhibit "B"

Meeting Date: June 3, 2015 **Agenda Item No.**

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 FIRST READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 5-7-15

Vivian Mendez – Town Clerk
Name/Title

Originating Department: **Town Clerk**	Costs: **$ 0.00** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Ordinance**
Advertised: Date: _____ Paper: _____ **[X] 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 *VM* **Please initial one.**

Summary Explanation/Background: Prior to July 1, 1973, the Town Commission adopted a municipal Charter, which contains among other matters, provisions pertaining to the dates of regular elections and filing dates for candidates for the Town Commission. Amendments to municipal charter provisions which were adopted prior to July 1, 1973 may be made by Ordinance if the proposed changes do not affect the basic organizational and administrative structure of the municipal government, and if the proposed changes do not fall within any of the statutorily excluded areas which expressly require a referendum in order to adopt the proposed charter amendment.

Historically the Presidential Preference Primary had been conducted and it 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; fling 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.

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

Town of Lake Park Town Commission

Agenda Request Form Exhibit "C"

Meeting Date: June 3, 2015 **Agenda Item No.**

Agenda Title: Fiscal Year 2014/2015 Budget Adjustment

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

Approved by Town Manager _____ **Date:** 5-26-2015

_____
Name/Title

Originating Department: **Finance**	**Costs: See Attachment A** Funding Source: Acct. # [X] Finance _____	**Attachments:** **Resolution; and** **Budget Adjustment Itemization (Attachment A)**
Advertised: Date: _____ Paper: _____ **[x] 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:

At its April 15, 2015 meeting, the Commission approved mid-year budget adjustments which were limited in nature and which consisted of adjustments to the general fund, insurance fund, special projects fund and Marina fund. The purpose of this budget adjustment is to address four significant items which are being brought forward at the request of the Town Manager. Such items are discussed below.

General Fund

Item 1: Effective October 1, 2014, the position of Administrative Assistant was eliminated from the Town Manager's budget and was included in the budget for the office of the Town Clerk to replace the position of Deputy Town Clerk. The employee filling the position of Administrative Assistant in the Town Manager's office was transferred to the office of the Town Clerk. The purpose of this action is two-fold. First, it is to restore the position of Administrative Assistant to the Town Manager's budget to enable the Town Manager to fill this position. Secondly, it is to restore the position of Deputy Town Clerk to the Town Clerk's budget to enable the Town Clerk to fill this position.

Item 2: Over the past few fiscal years, the amount of staff has been significantly reduced due to budgetary constraints. At the same time, the amount of work has not diminished. In order to support each department in Town Hall, staff proposes to create the position of Office Assistant who would be trained to "fill in" in all Town Hall departments during vacations, sick leave and other approved staff absences, and during times of high workload. The purpose of this action is to budget for such position.

Item 3: Lately, there have been increased incidents of school children running through Town Hall unescorted by adults and having to be asked to leave the premises. In order to provide a more open and customer-friendly appearance and atmosphere to the Town Hall lobby, and increase the security of Town Hall, staff is recommending that a new customer service window be inserted into the east wall of the Town Hall lobby. This will require inserting a 6 foot wide section of bullet proof window and counter area, which will be the new location for the current Finance Department counter and window. A copy of the conceptual of this new customer service window is attached.

Item 4: At its May 6, 2015 meeting, the Commission approved the use of the Bert Bostrom Park basketball courts for the 1st Annual Lake Park Co-ed 3 on 3 Basketball Tournament which will take place on June 6, 2015. Preparatory to this basketball tournament, staff recommends that certain tasks be accomplished at the Bert Bostrom Park basketball courts. Staff and existing budget can accomplish all but the following two items, which are pressure cleaning the courts and restriping. The purpose of this item is to budget such contractual work to be accomplished.

Item 5. At its August 20, 2014 meeting, the Commission approved the execution by the Mayor of the Interlocal Agreement for the Final Termination and Dissolution of the South East Risk Management Association (SERMA). As a result of this action, on September 26, 2014 the Town received a check for a retained earnings allocation from Employers Mutual Inc. on behalf of SERMA in the amount of $125,861, which was deposited into the Town's insurance fund. These monies should be reallocated amongst the following Town funds before October 1, 2015:

- General
- Streets and Roads
- Marina
- Stormwater
- Sanitation

Recommended Motion: I move to adopt Resolution _____.

RESOLUTION NO. ___-06-15

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN BUDGET FOR FISCAL YEAR 2014-2015 AS PREVIOUSLY ADOPTED BY RESOLUTION NO. 29-09-14; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the Town Commission has previously established the budget for the Town of Lake Park for the fiscal year beginning October 1, 2014 and ending September 30, 2015; and

WHEREAS, at the time of its adoption, the budget properly reflected expected revenues and appropriations; and

WHEREAS, to implement this budget, the Town Commission adopted and levied by Resolution No. 29-09-14 a final millage rate for the Fiscal Year 2014-2015; and

WHEREAS, the Town Commission deems it necessary and advisable to amend the budget for the Town of Lake Park for Fiscal Year 2014-2015, which was adopted by Resolution No. 29-09-13.

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

Section 1. The whereas clauses are true and correct and are supported herein.

Section 2. An amended final budget of the Town of Lake Park General Fund is hereby approved and adopted as set forth in the attached Mid-Year Budget Adjustment Itemization (Attachment "A").

Section 3. The Town Manager is hereby authorized to amend/transfer between departmental accounts provided, however, that total appropriated expenditures by fund do not exceed Commission authorized amounts.

Section 4. If any section, subsection, sentence, clause, phase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This resolution shall take effect immediately upon adoption.

Budget Adjustment Itemization

June 3, 2015

ATTACHMENT "A"

General Fund

Item		Account Number	Proposed Change	Totals
	Total General Fund Budgeted Expense			$ 8,522,458
(1)	Regular Salaries	001-51-512-104-12000	11,859	
	FICA	001-51-512-104-21000	907	
	Retirement	001-51-512-104-22000	593	
(2)	Regular Salaries	001-51-512-150-12000	6,777	
	FICA	001-51-512-150-21000	518	
(3)	Capital - Buildings	001-51-512-150-62000	$ 40,000	
(4)	Contractual Services	001-52-524-406-34000	$ 2,000	
(5)	Worker's Compensation Refund	001-51-589-900-24001	$ (36,122)	
	Contingency	001-51-589-900-99901	(26,533)	
	Total of Expense Changes		$ -	-
	Proposed Budget			$ 8,522,458

Insurance Fund

Item		Account Number	Proposed Change	Totals
	Total Insurance Fund Budgeted Revenue			$ 227,116
(5)	Worker's Compensation Refund	150-369.300	$ (125,861)	
	Total Changes		$ (125,861)	(125,861)
	Proposed Budget			$ 101,255
	Total Insurance Fund Budgeted Expenses			$ 227,116
(5)	Fund Balance	150-271.000	$ (125,861)	
	Total Changes		$ (125,861)	(125,861)
	Proposed Budget			$ 101,255

Streets and Roads

Item		Account Number	Proposed Change	Totals
	Total Streets & Roads Fund Budgeted Expenses			$ 144,740
(5)	Worker's Compensation Refund	190-54-541-190-24001	$ (7,300)	
	Emergency Reserve	190-54-541-190-99900	$ 7,300	
	Total Expense Changes		$ -	-
	Proposed Budget			$ 144,740

Marina Fund

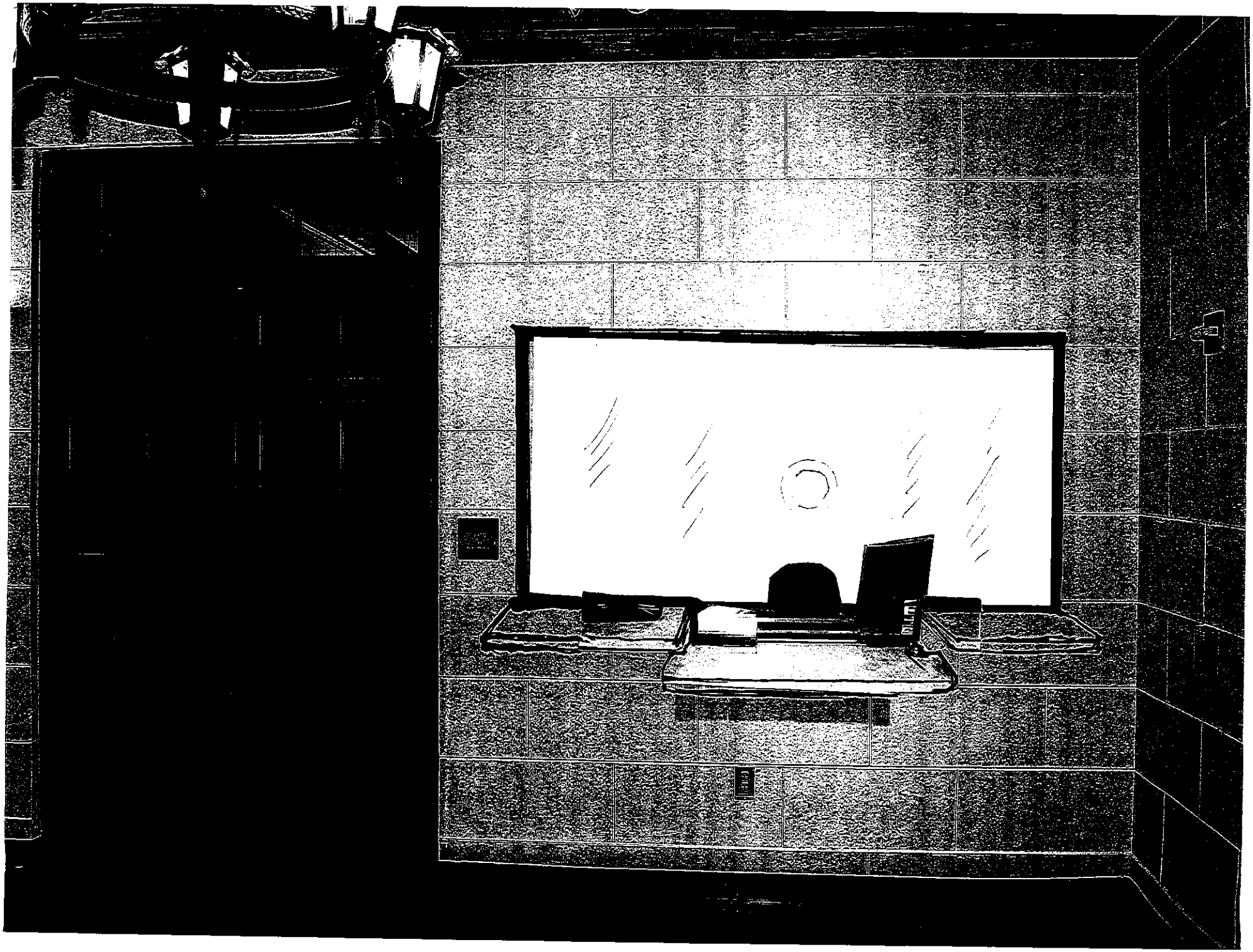
Item		Account Number	Proposed Change	Totals
	Total Marina Fund Budgeted Expense			$ 1,427,014
(5)	Worker's Compensation Refund	401-57-579-800-24001	$ (11,579)	
	Transfer to Fund Balance	401-57-579-800-99907	$ 11,579	
	Total of Expense Changes		$ -	-
	Proposed Budget			$ 1,427,014

Stormwater Fund

Item		Account Number	Proposed Change	Totals
	Total Stormwater Fund Budgeted Expense			$ 481,020
(5)	Worker's Compensation Refund	402-53-538-402-24001	$ (12,964)	
	Transfer to Capital Reserve	402-53-538-402-99002	$ 12,964	
	Total of Expense Changes		$ -	-
	Proposed Budget			$ 481,020

Sanitation Fund

Item		Account Number	Proposed Change	Totals
	Total Marina Fund Budgeted Expense			$ 1,427,014
(5)	Worker's Compensation Refund	404-53-534-404-24000	$ (57,896)	
	Transfer to Fund Balance	404-53-534-404-99907	$ 57,896	
	Total of Expense Changes		$ -	-
	Proposed Budget			$ 1,427,014



Ordinance on Second Reading

TAB 3

Town of Lake Park Town Commission

Agenda Request Form

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 _____ **Date:** 6-9-15

Vivian Mendez – Town Clerk
Name/Title

Originating Department: **Town Clerk**	Costs: **$ 101.14** Funding Source: **Advertisement** Acct. # **106-48100** **[X] Finance** _____	**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	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 *VM* **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; fling 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.

ORDINANCE NO. 08-2015

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 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.

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

WHEREAS, prior to July 1, 1973 the Town Commission adopted a municipal Charter, which contains among other matters, provisions pertaining to the operation of the Town under a Town Commission-Town Manager form of government; and

WHEREAS, Sections 166.021(4) and166.031, Fla. Stat., set forth the procedures to be followed in amending municipal charters adopted prior to July 1, 1973, and which charters have not been subsequently readopted; and

WHEREAS, pursuant to the provisions of Section 166.021(4), Fla. Stat., amendments to municipal charter provisions which were adopted prior to July 1, 1973, such as the Town's Charter, may be made by ordinance if the proposed changes do not affect the basic organizational and administrative structure of the municipal government, and if the proposed changes do not fall within any of the statutorily excluded areas as set forth in § 166.021(4), Fla. Stat. which expressly require a referendum in order to adopt the proposed charter amendment; and

WHEREAS, the amendment of the Town Charter ordinance as proposed by their ordinance

would not require a referendum; and

WHEREAS, the Supervisor of Elections has requested that the Town accommodate her office by changing the dates of the town's regular election and qualifying periods for same when a regular election is scheduled during a year wherein Florida will hold a Presidential Primary Preference Election; and

WHEREAS, in order to accommodate the Supervisor of Elections, the Town Clerk recommends that the Commission amend Article XVI, § 18 of the Charter so that its regular election, and the qualifying period for same can be held concurrent with a Presidential Primary Preference Election.

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 the legislative findings of the Town Commission.

Section 2. The municipal Charter for the Town of Lake Park, Article XVI, Section 18 is hereby amended as follows:

Section 18. Qualifications of candidates for town commission; notice of candidacy; filing dates.

1. Any bona fide resident of the Town of Lake Park and of the State of Florida and a citizen of the United States of America who is a registered voter of the Town of Lake Park and possesses the qualifications to vote at Town, State and National elections, and who is otherwise qualified to be a member of the Town Commission, as provided in this Charter, may be a candidate for the office of Town Commissioner by filing a verified notice of candidacy for Town Commissioner, stating the office he seeks, with the Town Clerk of said Town, in the manner hereinafter set out.

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.

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

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

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

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

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RECEIPT

Account:	G3573	Phone:	561-881-3300
Name:	TOWN OF LAKE PARK	E-mail:	VMENDEZ@LAKEPARKFLORIDA.GOV
Address:	535 PARK AVE LAKE PARK FL 33403-2603		

Order Name:	LEGAL NOTICE
Order Id:	431970
Original Order Id:	
Copy Line:	LEGAL NOTICE OF PROPOSED ORDINANCES AND
Sales Rep:	PB116 R Hindmarch (P)
Purchase Order:	
Pay Type:	Billed
Account Group:	
Caller:	VIVIAN MENDEZ
Section:	6205 Legal Notices
Reply Request:	
Tear Sheets:	0

Order Summary

Base:	$505.68
Other Charges:	$0.00
Discounts:	$0.00
Agency Commission:	$0.00
Sales Tax:	$0.00
Total Order	$505.68

Payment Summary
No payment information available.

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RECEIPT

Ad Name: 827778A

Ad Id: 827778

Original Ad Id:

Start: 06/07/2015
Stop: 06/07/2015
Issues: 1
Words: 668
Dimensions: 1 X 147
Color:

Editions
PB Post
PB Post Web

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RECEIPT

LEGAL NOTICE OF PROPOSED ORDINANCES AND RESOLUTION TOWN OF LAKE PARK

Please take notice that on Wednesday, June 17, 2015 at 6:30 p.m., or as soon thereafter as can be heard, the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE NO. 06-2015

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 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.

ORDINANCE NO. 02-2015

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.

ORDINANCE NO. 03-2015

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.

ORDINANCE NO. 06-2015

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.

At this same meeting, the Town Commission will also consider an application by Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner"), who is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (Property Control Number: 36-43-42-21-27-000-0000) onto the existing East Jasmine Drive right-of-way and onto 1017 Federal Highway (Property Control Number: 36-43-42-20-01-121-0010). For which a site plan for development, along with the special exception use of a vehicles sales establishment will be considered for approval under the following Resolution:

RESOLUTION NO. 14-05-15

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING RESOLUTION 14-01-03 THE DEVELOPMENT ORDER AND SITE PLAN FOR THE EARL STEWART TOYOTA PLANNED UNIT DEVELOPMENT; PROVIDING FOR THE EXPANSION OF THE EXISTING VEHICLE DEALERSHIP; PROVIDING FOR THE APPROVAL OF THE SPECIAL EXCEPTION USE OF A VEHICLE SALES ESTABLISHMENT; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida

PUB: The Palm Beach Post
6-7/2015 #431970

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RECEIPT

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Palm Beach County

240 SOUTH MILITARY TRAIL
WEST PALM BEACH, FL 33415
POST OFFICE BOX 22309
WEST PALM BEACH, FL 33416

SUSAN BUCHER
Supervisor of Elections

TELEPHONE: (561) 656-6200
FAX NUMBER: (561) 656-6287
WEBSITE: www.pbcelections.org

MEMORANDUM

TO: Municipal Clerks of Palm Beach County

FROM: Susan Bucher, Palm Beach County Supervisor of Elections

RE: 2016 Presidential Preference Primary and Municipal Elections
Date of March 15, 2016

DATE: APRIL 10, 2015

The Florida Legislature has changed the date of the Presidential Preference Primary to March 15, 2016.

I have been asked to provide documentation regarding the need to change Municipal Elections in 2016 to the Presidential Preference Primary Election date of March 15, 2016.

The voting equipment currently utilized by the Palm Beach County Supervisor of Elections Office only allows input of one election cycle at a time; from beginning of preparation of the ballot, through final election results. Therefore, the voting system will not be available to conduct Municipal Elections on the usual second Tuesday in March, known as the Uniform Municipal Election Date.

As a result of current state and federal laws that require overseas and military absentee ballots to be mailed 45 days prior to state or federal elections, we will need to prepare ballots and have our first large mailing of ballots preprinted as soon as the law requires the state to provide the names of the Presidential Preference Primary candidates. F.S. 103.101(3) requires the Department of State to certify to each supervisor the name of each candidate for political party nomination to be printed on the ballot no later than 12/15/15; therefore, the deadline for municipal candidate names will also be on 12/15/15. If your municipality intends to have ballot questions on the ballot, the deadline to provide the language for ballot questions to the supervisor will be 12/11/15, so that we may provide time for the ballot language to be interpreted, as required by law.

In accordance with F.S. 101.75, the law allows the governing body of a municipality, by ordinance, to move the date of any municipal election, to change the dates for candidate qualifying and the term of office for any elected municipal official to a date concurrent with any statewide or countywide election, as provided by relevant municipal charter or ordinance.

I have provided the attached calendar of dates and copies of the laws for your review. If I may provide any additional information, please do not hesitate to contact me.

PRESIDENTIAL PREFERENCE PRIMARY ELECTION MARCH 15, 2016
CALENDAR

FRIDAY, DECEMBER 11, 2015	Deadline for municipal ballot questions (time to get interpreted).
TUESDAY, DECEMBER 15, 2015	State to provide candidate names per F.S. 103.101 and deadline for municipal candidate names.
FRIDAY, JANUARY 29, 2016	Send UOCAVA absentee ballots (45 days is January 30, 2016).
TUESDAY, FEBRUARY 9, 2016	Send civil and domestic absentee ballots (35 days).
TUESDAY, MARCH 15, 2016	Presidential Preference Primary

2016 Municipal Election
Proposed Qualifying Period
March 2015

Municipality	Proposed Qualifying Period
Atlantis	November 20 - December 4, 2015
Belle Glade	No election
Boca Raton	No election
Bonyton Beach	November 3 - November 17, 2015 as first choice; and October 27 - November 10, 2015 as 2nd choice.
Briny Breezes	November 3 - November 17, 2015
Cloud Lake	Undecided
Golf	No election
Greenacres	November 3 - November 17, 2015
Highland Beach	Undecided
Juno Beach	November 24 - December 8, 2015
Lake Clarke Shores	November 24 – December 8, 2015
Lake Park	November 24 – December 8, 2015
Lake Worth	November 24 – December 8, 2015
Lantana	November 24 - December 8, 2015
Loxahatchee Groves	Undecided
Palm Beach	Stand alone election, 02/02/16
Palm Beach Gardens	Undecided
Palm Springs	November 10 - November 24, 2015
Riviera Beach	Undecided
Royal Palm Beach	November 24 - December 8, 2015
Tequesta	November 24 - December 8, 2015

TAB 4

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 17, 2015 **Agenda Item No.** Tab 4

Agenda Title: ORDINANCE TO ABANDON A 0.49-ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT-OF-WAY.

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[X] PUBLIC HEARING ORDINANCE ON 2nd READING
[ ] NEW BUSINESS
[ ] OTHER

Approved by Town Manager _____ **Date:** 6-10-15

Nadia Di Tommaso / Community Development Director ND
Name/Title

Originating Department: **Community Development**	Costs: **$ Application Fee & Certified Letter to Property Owners & Regular Mail Notice to Occupants (Ad will be placed prior to 2nd reading) – signs also posted around the property.** Funding Source: **Applicant** Acct. **# 4771** [ ] Finance _____	**Attachments:** ➔ **Ordinance 02-2015** ➔ **Town Engineer Response Letter** ➔ **Town Attorney Legal Letter** ➔ **Applicant's Application Packet (includes application form; justification statement; traffic analysis; utility company letters)** ➔ **FIRST Appraiser Email Opinion and Appraisal Report** ➔ **SECOND Appraisal Report and Opinion Letter** ➔ **Copy of Certified Letter; Regular Mail Notice; Sign Postings; and Legal Ad**
Advertised: Date: **June 7, 2015** Paper: **Palm Beach Post** [ ] 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__*ND* or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background:

STAFF REPORT

SEQUENCE OF APPLICATIONS RELATED TO THE EARL STEWART TOYOTA PROPOSED PLANNED UNIT DEVELOPMENT (PUD) EXPANSION:

(1) Abandonment Application for a 0.49-acre portion of East Jasmine Drive
(2) Future Land Use Map Amendment for a 0.49-acre portion of East Jasmine Drive for the assignment of a Commercial/Residential land use designation
(3) Rezoning of a 0.49-acre portion of East Jasmine Drive from a public right-of-way to a PUD with underlying Commercial-1 (C-1) and the Rezoning of 1017 Federal Highway from C-1 to PUD
(4) Site Plan application for the expansion of the existing dealership and the special exception use of a vehicle sales establishment

The above applications will be presented as a "package" however, they will require separate motions in the order listed above—All resident letters received have been included with the Site Plan item

TOWN COMMISSION MEETING - MAY 20, 2015: Town Commission approved Ordinance 02-2015 on first reading (5-0). Please refer the meeting minutes for a summary of the discussion.

The Town of Lake Park is the fee simple owner ("Owner") of approximately 0.49 acres of the public right-of-way known as East Jasmine Drive ("Subject Property"), which is generally located between North Federal Highway and Lakeshore Drive, within the municipal boundaries of the Town of Lake Park ("Town"). The Subject Property's legal description and its general location is identified in Exhibit A of the proposed Ordinance 02-2015, which is attached hereto. The Subject Property is listed as a "Roadway" for the purposes of the Town's Comprehensive Plan.

The Town received a request from Earl Stewart, LLC and Commercial Investments, LLC to purchase the subject site. Part of the abandonment application involves getting an appraisal, at the expense of the Applicant, for the roadway. The Town retained an appraisal company (Ted Brown Real Estate and Appraiser) that valued the roadway at $300,000 using certain sale comparables that have been guaranteed by the Appraiser as being suitable comparables (follow-up email between staff and the Appraiser is enclosed). Following the May 20, 2015 meeting, the Town Commission directed staff to engage a second appraisal company. The second appraisal company (Anderson & Carr) has done extensive work for Palm Beach County for decades. They used a similar approach and appraised the property at $320,000. The abandonment application (the "Application") was submitted by Mr. Brad Jankowski, P.A. attorney and agent for Earl Stewart, LLC and Commercial Investments, LLC ("Applicant"), requesting that the Town of Lake Park abandon East Jasmine Drive between North Federal Highway and Lakeshore Drive. In light of the two appraisals, the Town would request that if approved, the sale price is set at $320,000, as required by Town Code. With this abandonment, the Applicant proposes to expand the boundaries of the existing Earl Stewart Toyota Planned Unit Development (PUD) to include an additional sales car showroom with display spaces; additional interior service bays; administrative offices; an enclosed car wash location; as well as a 4 story parking garage structure for additional display spaces and additional landscaping around the entire property. The Master PUD Site Plan approval is contingent on the approval of this abandonment.

More specifically and in response to some resident concerns regarding the code criteria for the abandonment of rights-of-way, the code requires the following:

Sec. 72-4. - Criteria for abandoning public rights-of-way.

(a) All applications for the abandonment of public rights-of-way shall be reviewed and acted upon by the town commission. The burden of proof shall be upon the applicant to show that the application is consistent with the town's comprehensive plan and all of the standards listed in this section. (Application and all respective attachments are enclosed)

(b) The town commission may approve an abandonment application if the applicant demonstrates, by clear and convincing evidence, that a right-of-way is no longer required for a public use and convenience. Any proposed abandonment of a public right-of-way shall demonstrate that such action furthers the health, safety and welfare of the town's residents. In making this determination, the town commission shall consider whether:

(1) The abandonment deprives any business or individual of a reasonable means of ingress and egress to that business or individual's property; (the right-of-way is bordered by the Applicant's property)

(2) The abandonment adversely affects utility service efficiency, or precludes the future provision of public or private utility services; (does not adversely affect utility service – utility company letters of no objection are enclosed)

(3) The abandonment reduces adjacent property values; and (commented on by first appraiser in an email-also see determination letter on adjacent property values provided by Anderson and Carr appraisers)

(4) The abandonment eliminates the potential use of dedicated property for a public purpose, including, but not limited to, pedestrian or vehicular access, recreation, environmental preservation, or stormwater management. (will eliminate its public use by also eliminating the existing car dealership impacts, while promoting the overall perimeter of the property for pedestrian and recreational uses with additional benches)

(c) Generally abandonments for an entire right-of-way should be considered, unless there are extenuating circumstances for considering the partial abandonment of a right-of-way. (entire right-of-way is being considered)

(d) Each abandonment application shall include written statements from all public utilities serving the town, including water, sewer, electric or cable television utilities, stating whether or not the proposed abandonment would adversely affect that utility (enclosed with application)

(e) Prior to the commission's consideration of the abandonment application the community development director shall obtain an appraisal from a Florida licensed real estate appraiser of the subject property and the applicant shall reimburse the town for the cost of same. (This was done with the first appraisal. A second appraisal was also requested by the Town Commission and is enclosed)

(f) The abandonment of a public right-of-way shall not occur until the applicant has paid to the town the appraised value of the property to be abandoned, except as allowed by subsection (g) below. An abandonment approval shall be void if payment does not occur within 90 days from the date of approval by the town commission. (this is part of the proposed Ordinance)

(g) The town commission may abandon an unused alley, street, utility easement, located within a residential zoning district, without payment to the town, provided the abandonment is to the benefit of the town, and the right-of-way is currently not used, or is not contemplated for future use by the public entity, such as a water, sewer, electric or cable television utility. (this section is not applicable)

Town staff reviewed the Application, and determined that the proposed abandonment is for the most part, consistent with the Town's Code of Ordinances dealing with the abandonment of rights-of way in Chapter 72 of the Town Code. Please refer to the Applicant's Justification Statement.

It has been determined that the right-of-way is no longer required for the public use and convenience specifically due to the evidence provided by the Applicant's traffic engineer and verified by the Town's traffic engineering consultant. Given that the roadway currently serves to separate two separate areas that are functioning as vehicle sales establishments, both operated by Earl Stewart Toyota/Commercial Investments (the "Applicant"), the roadway is primarily being used by the operator of the dealership. Transferring its ownership would also eliminate the Town's responsibilities in maintaining the roadway. In essence, this roadway does not eliminate roadway access to any of the surrounding parcels and therefore it is not anticipated that it will negatively affect their property values based on this factor. More specifically, a traffic analysis rendered by Yvonne Ziel Traffic Consultants (which also references a previous analysis performed by Pinder Troutman Consulting, Inc.) concluded that the closure of East Jasmine Drive between North Federal Highway and Lakeshore Drive will not result in a deterioration of the operations on the adjacent East Ilex Drive.

Some of the public benefits with this abandonment which is needed pursuant to the proposal to expand the boundaries of the Earl Stewart Toyota PUD include:

(1) Furthers the aesthetics of the Subject 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.

(2) 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.

(3) 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.

(4) As part of the overall proposal, the Applicant proposed 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.

(5) 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).

(6) 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".

For those reasons listed above, the abandonment request (which is part of the overall site plan application request for the expansion of the dealership) is consistent with the Town's Comprehensive Plan and furthers the health, safety and welfare of the Town's residents. In addition, Policy 1.8 of the Town's Comprehensive Plan states that new development shall be permitted only when central water and wastewater systems are available or will be provided concurrent with the impacts of development. The proposed abandonment with the proposed development plan will not deviate from this requirement. The property is already developed with commercial uses, it is not anticipated that there will be any impacts on the existing water and sewer system.

Written confirmation from all public utility companies confirming that the proposed abandonment would not adversely affect the individual utilities have been received and these include, Comcast, American Telephone and Telegraph (AT&T), Seacoast Utility Authority, Florida Public Utilities (FPU), and Florida Power and Light (FPL). AT&T has included a requirement which is listed as condition of approval #6 below and FPL has also included a requirement listed as condition of approval #7 below (also included in the proposed Ordinance).

NOTICING REQUIREMENTS:

The proposed abandonment requires a public hearing and notice of the abandonment Ordinance to be published in a newspaper of general paid circulation in the Town and of general readership in the Town, 10 days prior to the adoption hearing. This notice will be placed in Palm Beach Post on or before June 7, 2015. Additionally, in follow-up to the concerns expressed at the April 1, 2015 Town Commission meeting, Town Code Section 72-5 is further described as the following:

Town Code Section 72-5. - Application for abandonment.

- *(5) The names and addresses of the owners, businesses or occupants of real property bounding and abutting the street, alley, or easement sought to be abandoned, AND the property owners located within 250 feet thereof.*

The Town had already satisfied the requirement of the Code prior to the Town Commission meeting of April 1. The code provision (above) is separated in two parts in order to provide some clarification. The first part, highlighted in green, requires a paper list of those *owners, businesses or occupants bounding or abutting the street to be abandoned.* The area sought to be abandoned is East Jasmine Drive, and the only two properties bounding or abutting East Jasmine Drive is the applicant themselves, Earl Stewart LLC and Commercial Investments LLC therefore, no additional parties are required to be on this list.

Secondly, the part highlighted in blue requires a paper list of property owners located within 250 feet. Actually, the Applicant had exceeded this requirement and provided a list of property owners within 300 feet and even though the Code does not require a certified notice to all these property owners, one was sent out prior to the Town Commission meeting of April 1, 2015.

Consequently, the applicant actually exceeded the Code requirement for notification prior to the Town Commission meeting of April 1, 2015. In addition, because there were several concerns expressed on the actual occupants of some the units that are being leased within the neighboring residential communities, following the April 1 meeting, staff asked the applicant to also send regular mail notices to all the occupants of Bay Reach; Marina Key and Cedar Crest, whether they are owner-occupied or renter-occupied. Since this was dependent on the receipt of a list of occupants by the individual residential properties, only Marina Key and Cedar Crest received these additional (regular mail) courtesy notices because the Bay Rach Condo Association opted out and did not provide a list of occupants to the Town. Again, this is not a Code requirement per the above Town Code Section 72-5(5), but rather something that was done as a courtesy based on the concerns that were expressed at the Town Commission meeting of April 1, 2015.

A copy of the Town's Engineer letter and Town Attorney Memo are also included with this agenda item. In addition to the information provided herein, the Town Commission must determine whether abandoning the right-of-way, with fair compensation, is to the benefit of the community as a whole based on the Applicant's application and both justifications provided by the Applicant and by Staff. The Town Commission may recommend additional conditions as appropriate for the requested abandonment.

Town staff recommends that the Town Commission recommend **ADOPTION** for the abandonment request of a 0.49-acre portion of East Jasmine Drive between North Federal Highway and Lakeshore Drive, subject to the following conditions which will be included with the Applicant's Resolution for the site plan application:

1. The Applicant shall pay to the Town the appraised value of the East Jasmine Drive right-of-way within 90 days of the effective date of this Resolution. Within five business days of the Applicant's payment to the Town for the Property, the Applicant shall cause to be removed the traffic signs along East Jasmine and Lakeshore Drive, and return these signs to the Town's Department of Public Works.

2. The Applicant shall be responsible for the cost of the reconstruction of the east and west sides of the East Jasmine Drive adjacent to Lakeshore Drive and North Federal Highway.

3. The drainage design for the Property shall be consistent with the future reconstruction plans for Lakeshore Drive.

4. Prior to initiating any development, the Applicant shall submit a copy of all permits from all appropriate permitting authorities to the Community Development Department.

5. The Applicant shall provide AT&T with a utility easement. AT&T requires a utility easement in lieu of the R/W occupancy to maintain the facilities as well as 2-4" PVC conduits crossing East Jasmine Drive within the utility easement. These conduits would allow AT&T to place cables through the East Jasmine Drive without interfering with the business and the Applicant is solely responsible for providing this easement and all its appurtenances and associated costs.

6. The Applicant shall be responsible for the costs of the removal of the FPL street lights, poles within, or adjacent to East Jasmine Drive.

Recommended Motion: I MOVE TO ADOPT ORDINANCE 02-2015 on 2nd READING.

ORDINANCE NO. 02-2015

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 SEVERABILTY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the right-of-way now known as East Jasmine Drive was originally dedicated as Avenue J pursuant to the Plat of Kelsey City; and

WHEREAS, the Plat of Kelsey City showing this right-of-way was recorded in Plat Book 8, Pages 15 and 35, of the public records of Palm Beach County, Florida; and

WHEREAS, the legal description and sketch of the right-of-way to be abandoned is attached hereto and incorporated herein as **Exhibit "A"** (the "Property"); and

WHEREAS, the Property is located east of Federal Highway and terminates at Lakeshore Drive in the Town of Lake Park, Florida (the "Town"); and

WHEREAS, as part of the expansion of the Earl Stewart Toyota vehicle sales dealership, the owner of the properties north and south of the Property, Earl Stewart LLC and Commercial Investments LLC (the "Applicant"), have submitted an application to request that the Property be abandoned so that the

properties can be aggregated and incorporated into the Earl Stewart Toyota Planned Unit Development; and

WHEREAS, the Applicant is required to pay the Town the fair market value of the Property within 90 days of the approval of this Ordinance; and

WHEREAS, the Applicant has provided the Town with "Letters of No Objection from AT&T, Florida Power & Light, Comcast Cable, Florida Public Utilities, and the Seacoast Utility Authority, indicating that the abandonment would not adversely affect utility service efficiency, or preclude the future provision of public or private utility services; and

WHEREAS, the Town Commission has determined that the proposed abandonment furthers the public health, safety and welfare of the Town's residents; and

WHEREAS, the Town Commission has determined that the application to abandon the Property meets the criteria for abandoning rights-of-way as set forth in Section 72-4 of the Town Code.

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

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

Section 2. Abandonment of right-of-way. The Town Commission hereby determines that the Applicant has demonstrated by clear and convincing evidence that the right-of-way is not required for the public's use and convenience. In making this determination the Commission specifically finds:

(a) The abandonment does not deprive any business or individual of a reasonable means of ingress and egress to that business' or individual's property;

(b) The abandonment will not adversely affect utility service efficiency, or preclude the future provision of public or private utility services;

(c) The abandonment will not reduce adjacent property values; and

(d) The abandonment will not eliminate the potential use of property which has been dedicated for a public purpose, including, but not limited to, pedestrian or vehicular access, recreation, environmental preservation, or stormwater management.

Section 3. Conditions. The proposed abandonment of the Property is subject to the Applicant meeting all of the conditions associated with the Development Order for the Property as set forth in Resolution 14-05-15.

Section 4. Recording. Upon compliance with the conditions of Section 3, above, the Applicant shall record the abandonment in the public records of Palm Beach County. After the recorded Ordinance has been returned to the Applicant, the Applicant shall forward a copy of the Ordinance with the recording information on to the Community Development Department.

Section 5. Failure to pay. In the event the Applicant does not make payment of the fair market value as appraised within 90 days of the effective date of this Ordinance, the abandonment shall be null and void.

Section 6. 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 7. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. Effective Date. This Ordinance shall take effect immediately upon adoption.

Attachments: Exhibit "A"- Legal description & sketch of the Property depicting its general location.

Exhibit "A"

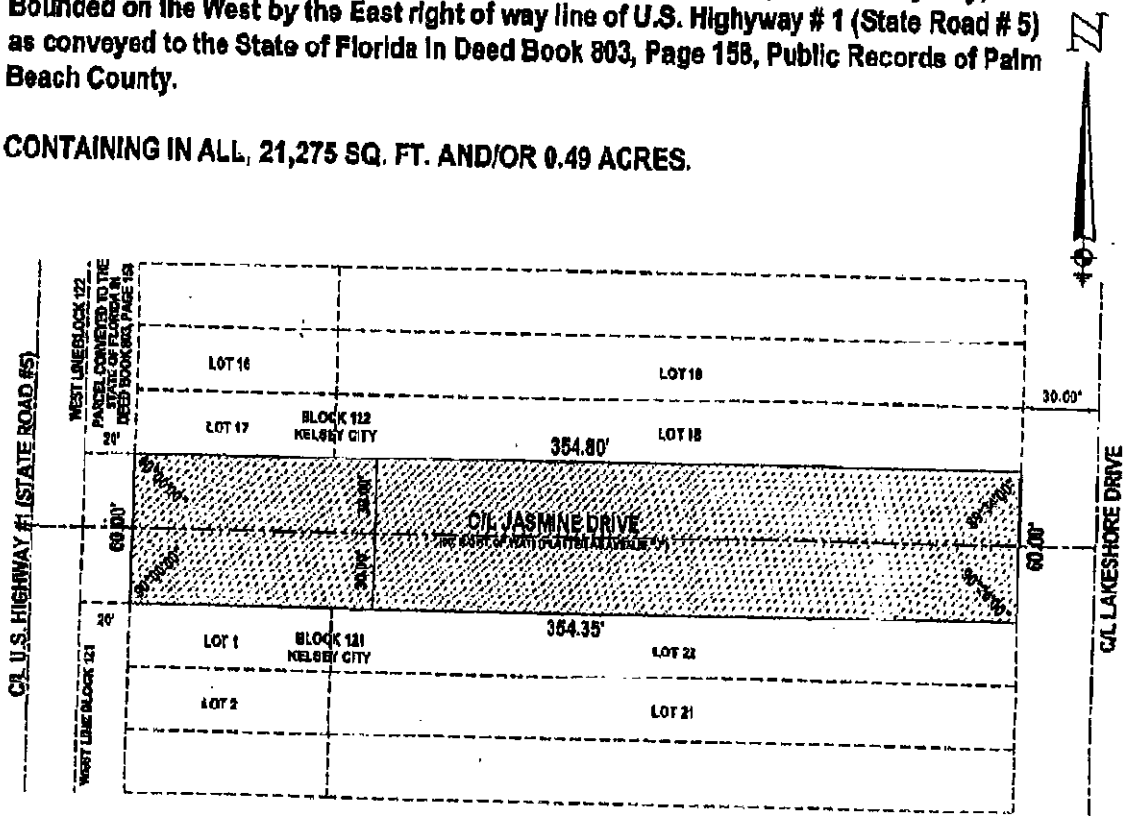
LEGAL DESCRIPTION & SKETCH

LEGAL DESCRIPTION (Proposed Jasmine Drive Abandonment)

A portion of the existing right of way known as Jasmine Drive and shown as Avenue "J", KELSEY CITY, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, at Plat Book 8, Pages 15 and 35, and more particularly described as follows:

Bounded on the South by the North line of Block 121, said KELSEY CITY; Bounded on the North by the South line of Block 122, said KELSEY CITY; Bounded on the East by the West right of way line of Lake Shore Drive (a 60 foot right of way), said Kelsey City; Bounded on the West by the East right of way line of U.S. Highway # 1 (State Road # 5) as conveyed to the State of Florida in Deed Book 803, Page 158, Public Records of Palm Beach County.

CONTAINING IN ALL, 21,275 SQ. FT. AND/OR 0.49 ACRES.



SIMMONS&WHITE

ENGINEERING | PLANNING | CONSULTING | SINCE 1982

April 28, 2015

Town of Lake Park
535 Park Avenue
Lake Park, Florida 33403

Attention: Ms. Nadia DiTommaso

Reference: Earl Stewart Toyota
Town of Lake Park, Florida

* Traffic response related to the abandonment submittal from the Town's consulting Engineer is enclosed *

Dear Ms. DiTommaso:

As requested, on April 23, 2015, Simmons & White, Inc. has completed a summary of the drainage and traffic issues that were expressed during the April 1, 2015 Town of Lake Park Commission meeting regarding the above referenced project.

I. DRAINAGE

The Earl Stewart Toyota site is located on US One and Lakeshore Drive. The existing topography generally slopes from the higher elevations along US One east to the lower elevations along Lakeshore Drive. Concerns were raised in the April 1, 2015 Commission meeting regarding the development of the Earl Stewart Toyota and the effect it will have on the drainage in the surrounding area, specifically on Lakeshore Drive. Simmons & White, Inc. performed the original drainage review for the project and found the plans and water management calculations performed by McLeod, McCarthy & Associates to be in order. The applicable drainage criteria for the site is to limit the post development stormwater discharge from the site to less than or equal to the predevelopment flow discharging from the site. It is also required to provide 1/2" dry pre-treatment in dry retention areas or exfiltration trench. Based on our review, the engineering plans and calculations meet the applicable drainage criteria for the 25-year, 3-day storm event. The engineer for the applicant also provided, at our request, the water management calculations comparing the predevelopment discharge to the post development discharge for the 5-year, 24-hour storm event as well as the 5-year, 1-hour storm event. As the following summary outlines, there is a significant decrease in post development discharge for the 5-year, 24-hour storm, and no discharge is anticipated to leave the site for the 5-year, 1-hour storm.

Simmons & White, Inc
2581 Metrocentre Boulevard Suite 3 West Palm Beach Florida 33407
T: 561.478.7848 F: 561.478.3738 www.simmonsandwhite.com
Certificate of Authorization Number 3452

PHASE ONE

STORM EVENT	PREDEVELOPMENT DISCHARGE (CFS)	POST DEVELOPMENT DISCHARGE (CFS)
25-Year, 3-Day	23.70	22.25
5-Year, 24-Hour	14.99	10.20
5-Year, 1-Hour	NOT CALCULATED	0*

PHASE THREE

5-Year, 24-Hour	2.32	2.13
5-Year, 1-Hour	NOT CALCULATED	0*

* 0 CFS discharge for the 5-year, 1-hour storm (i.e., all water is held onsite and treated in exfiltration trench)

In summary, the applicant meets the applicable stormwater management criteria and the design will actually result in a net reduction of stormwater leaving the site. It should be noted that the predevelopment condition (existing condition) for Jasmine Drive results in untreated sheet flow of stormwater runoff directly to Lakeshore Drive. With the abandonment of Jasmine Drive and the incorporation of the Jasmine Drive right-of-way into the project 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.

II. TRAFFIC

Simmons & White, Inc. performed a review of the Traffic Impact Study prepared by Yvonne Ziel Traffic Consultants dated March 13, 2014, latest revision April 23, 2014. Palm Beach County Traffic Division also reviewed the Traffic Impact Statement and issued a Traffic Performance Standards approval letter dated May 24, 2014. The proposed modifications and expansion of the Earl Stewart Toyota meets all applicable Palm Beach County Traffic Performance Standards and is expected to have an insignificant impact on the adjacent County thoroughfares.

An analysis of the effects of the abandonment of Jasmine Drive between US One and Lakeshore Drive was prepared in 2004 by Pinder Troutman Consulting, Inc. The results of the 2004 study concluded that the closure of Jasmine Drive between US One and Lakeshore Drive will not result in a deterioration of the operations on the adjacent link of Ilex Drive. Yvonne Ziel Traffic Consultants reviewed the previous analysis and compared the most recent traffic counts on US One and Park Avenue (2013 traffic counts) to those performed in 2004. Yvonne Ziel Traffic Consultants concluded that because the 2013 counts were substantially lower than the 2004 counts used in the Pinder Troutman analysis, that the results of the previous analysis were more conservative and the conclusions remained unchanged. Simmons & White, Inc. has reviewed the Yvonne Ziel Traffic Consultants analysis of the Jasmine Drive abandonment dated March 13, 2014 as well as the previously approved analysis prepared by Pinder Troutman Consultants dated July 9, 2004. Although the counts used in the Jasmine Drive abandonment analysis are over 10 years old, they do in fact remain conservative based on the decrease in traffic volumes on the surrounding thoroughfares over the last 10 years.

In summary, the abandonment of the Jasmine Road right-of-way is not anticipated to have any negative effects on the surrounding roadway network.

If you require any further analysis or professional opinion, please contact me directly.

Sincerely,

SIMMONS & WHITE, INC.

Robert F. Rennebaum, P.E.
President

RFR/sa x:/docs/misclt/Rennebaum/14042.ditommaso

JONESFOSTER
JOHNSTON & STUBBS, P.A.

Memo

To: Nadia DiTommaso, Community Development Director
From: Thomas J. Baird, Town Attorney
Date: January 28, 2015
Subject: Earl Stewart Toyota Right-of-Way Abandonment Application
Cc: Bambi McKibbon-Turner, Interim Town Manager

This memorandum addresses the law pertaining to the application submitted by Earl Stewart Toyota (EST) to abandon the public right-of-way (ROW) known as East Jasmine Drive. The ROW is located between the original EST property and the property EST purchased upon which the former Journey's Inn and Colonial restaurant were located.

The decision to abandon a right-of-way is a legislative function of the Commission, and therefore abandonments are at the discretion of the Commission. Sun Oil Co. v. Gerstein, 206 So.2d 439 (Fla. 3d DCA 1968). There is case law that explains that this discretion is not unbridled. The general rule of law regarding a public ROW is that the property upon which the ROW is located is held in trust by the Commission for the benefit of the public. Accordingly, the vacation of a public ROW is only legally permitted where the Commission finds that the abandonment would further the public health, safety and general welfare. See Loeffler v. Roe, 69 So.2d 331 (Fla. 1953); *Roney Invest. Co. v. Miami Beach*, 174 So. 26 (Fla. 1937); Florida Cent. & P.R. Co. v. Ocala Street & S.R. Co., 22 So 692 (Fla. 1897). Significantly, however, in the Roney Invest. Co. case, *the court held that a city has no power to sell the streets and alleys, which it holds for the benefit of the public, to benefit a purely private interest.* Roney *at 29.*

The abandonment application at issue here is to benefit a purely private interest, i.e. the expansion of EST. Thus, this would presumably preclude a finding by the Commission that the application for abandonment of East Jasmine Drive *benefits the pubic, or furthers the public health safety and general welfare.* Given that the Commission is charged with holding this ROW for the benefit of the public, the Commission should evaluate whether compensation for its abandonment of the ROW could be of benefit to the public. If the Commission believes that the public should be compensated for the ROW which EST intends to use for its private commercial interests, then the fair market value of the EST property could be used as a basis for the compensation for the square footage or acreage which comprises the ROW.

Cor unity

MAR 26 2014

Application Fee: $1,500
Escrow: $1,000
Total Due upon Submittal: **$2,500**

TOWN OF LAKE PARK COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION FOR ABANDONMENT

Applicant Name: Earl Stewart LLC and Commercial Investments, LLC (Earl Stewart Toyota)

Applicant Address: 1215 Federal Highway, Lake Park, FL 33403

(Brad Jankowski)

Phone: (561) 622-4521 Fax: (561) 656-0917 E-Mail: bjankowski@owenlaw.net

(1) Please provide a description of the Real Property, if any, owned by the Applicant, which would be affected by the abandonment request:

Applicant owns two parcels of real property to the north and south of the property sought to be abandoned by the Town of Lake Park (a portion of East Jasmine Drive). The addresses of these two parcels 1215 Federal Highway, Lake Park, 33403 (North parcel) and 1017 Federal Highway, Lake Park, 33403 (South parcel).

(2) Please provide a brief explanation for the abandonment request:

Applicant is the owner of two parcels of property that are divided solely by East Jasmine Drive (as described above), and is requesting that the Town of Lake Park abandon this portion of the Right-of-Way, amend the Land Use Map to Commercial Residential, and amend the Official Zoning Map to Planned Unit Development, in order to adjoin operations to form one contiguous car dealership with consistent land and zoning uses.

(3) Please provide a general description of the street, alleyway or easement, other non-fee interest of the Town in real estate, which is to be abandoned and its location (a legal description and a plat, survey, or engineering drawing of the area involved):

See property description and survey prepared in 2004 by the Offices of Donald D. Daniels, Inc.

Updated survey to be delivered separately

(4) Please provide a listing of the names and addresses of all property owners, business owners or occupants of real property bounding and abutting the street, alleyway or easement sought to be abandoned, located within 250' thereof. *(Three (3) sets of labels, as well as the property address list must be requested from the Palm Beach County Property Appraiser's Office, which will satisfy the Certified Mail requirement noted below).*

(5) Please provide the following additional requirements, as well as any other relevant information that may be required in order to fully present the full circumstances of the abandonment request:

I. **Justification Statement**, ***must justify the following***:

Revised 02/18/2014 – *previous versions obselete*

a. The abandonment does not deprive any business or individual of a reasonable means of ingress and egress to that business or individual's property;

b. The abandonment does not adversely affect utility service efficiency, or preclude the future provision of public or private utility services;

c. The abandonment does not reduce adjacent property values;

d. The abandonment does not eliminate the potential use of dedicated property for a public purpose, including, but not limited to, pedestrian or vehicular access, recreation, environmental preservation or stormwater management.

****

REQUIRED DOCUMENTATION:

Complete Application

Legal Description and Location Map

Justification Statement

Mailing labels and property address list for Certified Mail

Written statements from all public utility companies serving the Town of Lake Park, including water, sewer, electric and cable television utilities, stating whether or not the proposed abandonment would adversely affect that utility

Signed Cost Recovery Form

Authorized Agent Form, if applicable

**** PLEASE NOTE THAT ONCE AN APPLICATION IS SUBMITTED AND DEEMED COMPLETE, A TOWN APPRAISAL OF THE PROPOSED ABANDONMENT AREA WILL NEED TO BE PERFORMED AT THE EXPENSE OF THE APPLICANT. THE COSTS OF THE APPRAISAL ARE DUE IN ADVANCE AND WILL BE COMMUNICATED WITH THE APPLICANT FOLLOWING SUBMITTAL (*IF THE ESCROW FEES DO NOT SUFFICE*). IN ADDITION, THE COMMUNITY DEVELOPMENT DIRECTOR, PUBLIC WORKS DIRECTOR, TOWN ENGINEER, TOWN ATTORNEY AND OTHER STAFF ADVISORS AS APPROPRIATE, WILL REVIEW THE COMPLETED APPLICATION AND ISSUE COMMENTS. ONCE ALL COMMENTS ARE SATISFIED, A TOWN COMMISSION PUBLIC HEARING WILL BE SCHEDULED. THE APPLICANT WILL ALSO BE REQUIRED TO POST SIGNS (AT THE SITE) SETTING FORTH NOTICE OF THE PROPOSED ABANDONMENT, AND OF THE DATE OF THE HEARINGS TO BE HELD THEREON BY THE TOWN COMMISSION****

****FOLLOWING TOWN COMMISSION APPROVAL, IT WILL BE THE APPLICANT'S RESPONSIBILITY TO FILE A CERTIFIED COPY OF THE ABANDONMENT ORDINANCE IN THE OFFICIAL RECORDS OF THE CLERK OF THE CIRCUIT COURT FOR PALM BEACH COUNTY, AND TO FURNISH TWO COPIES OF THE RECORDED DOCUMENT TO THE COMMUNITY DEVELOPMENT DEPARTMENT, ONE FOR THE PROJECT RECORDS AND ONE FOR THE TOWN CLERK'S RECORDS****

PLEASE DO NOT DETACH FROM APPLICATION.

SIGNATURE REQUIRED BELOW.

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

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

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

I, EARL D. STEWART, have read and understand the regulations above regarding cost recovery.

Property Owner Signature

03/12/14
Date

REVISED: 10/29/2013, previous versions obsolete

Community

MAR 2 6 2014

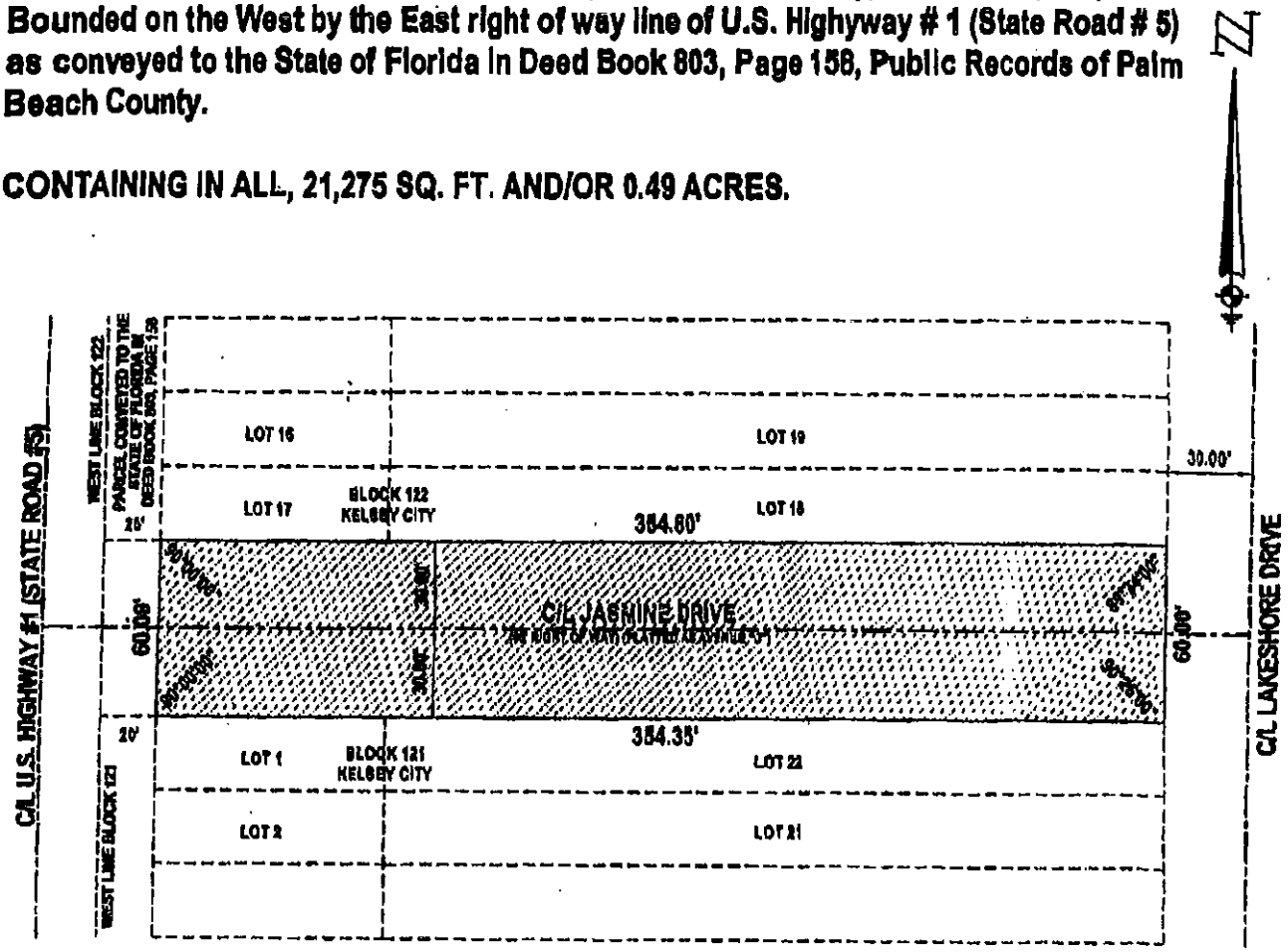
Development

LEGAL DESCRIPTION (Proposed Jasmine Drive Abandonment)

A portion of the existing right of way known as Jasmine Drive and shown as Avenue "J", KELSEY CITY, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, at Plat Book 8, Pages 15 and 35, and more particularly described as follows:

Bounded on the South by the North line of Block 121, said KELSEY CITY; Bounded on the North by the South line of Block 122, said KELSEY CITY; Bounded on the East by the West right of way line of Lake Shore Drive (a 60 foot right of way), said Kelsey City; Bounded on the West by the East right of way line of U.S. Highway # 1 (State Road # 5) as conveyed to the State of Florida in Deed Book 803, Page 158, Public Records of Palm Beach County.

CONTAINING IN ALL, 21,275 SQ. FT. AND/OR 0.49 ACRES.



THIS SKETCH IS NOT A SURVEY

SHEET 1 OF 1

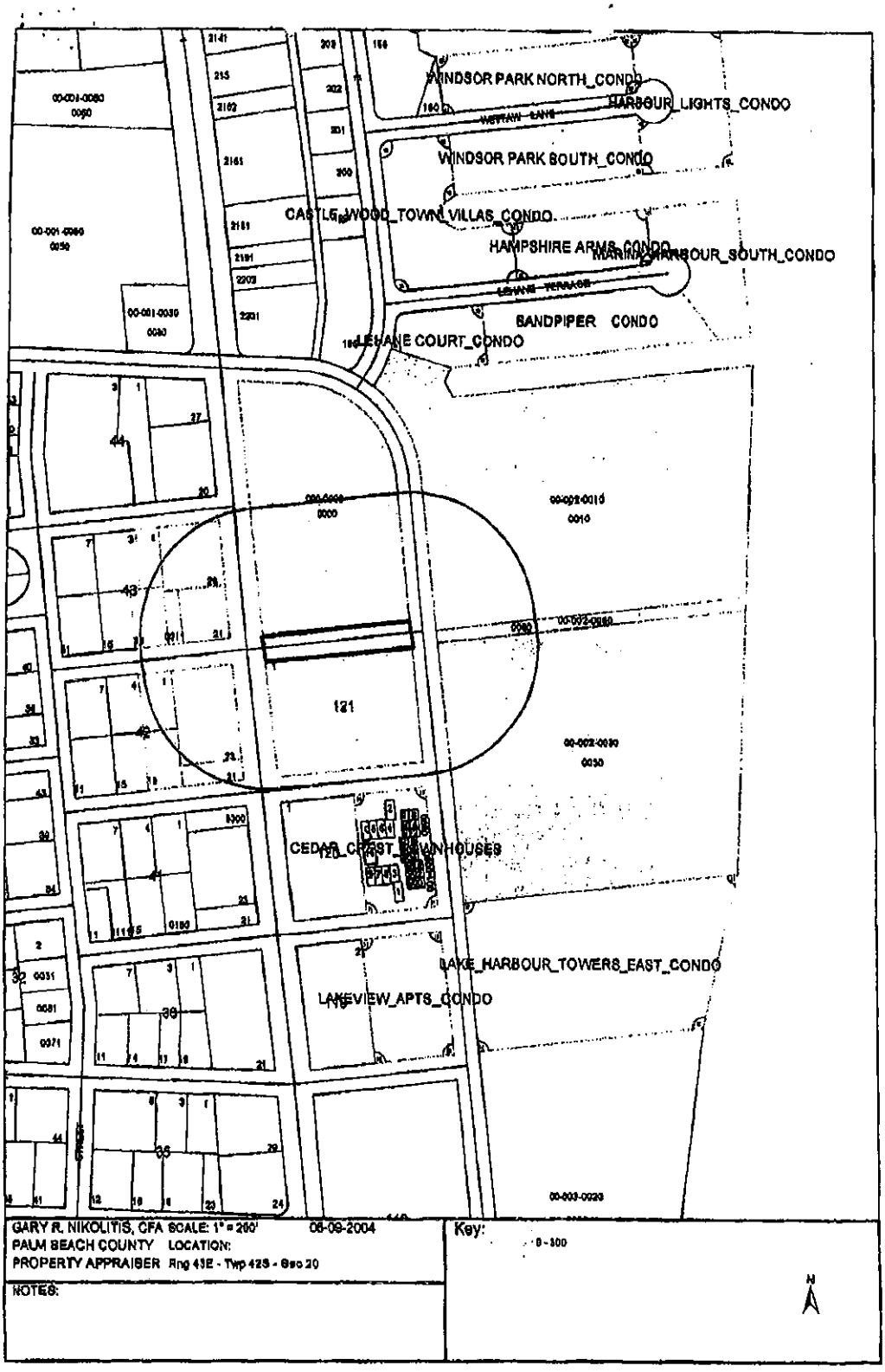
THIS INSTRUMENT WAS PREPARED BY:
IN THE OFFICES OF DONALD D. DANIELS, INC.
FLORIDA CERTIFICATE L.B. NO. 4165
725 NORTH A1A SUITE C111
JUPITER, FL 33477 PHONE (561) 747-9894

DONALD D. DANIELS
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 2608

SCALE: 1"=60'

DWG. NUMBER: 95-147.6

DATE: JUNE 18, 2004


WINDSOR PARK NORTH_CONDO
HARBOUR_LIGHTS_CONDO
WETAW LANE
WINDSOR PARK SOUTH_CONDO
CASTLEWOOD_TOWN_VILLAS_CONDO
HAMPSHIRE ARMS_CONDO
MARINA HARBOUR_SOUTH_CONDO
LEVANE TERRACE
SANDPIPER CONDO
LEVANE COURT_CONDO
121
CEDAR_CREST_TOWNHOUSES
LAKE_HARBOUR_TOWERS_EAST_CONDO
LAKEVIEW_APTS_CONDO
GARY R. NIKOLITIS, CFA SCALE: 1" = 200' 06-09-2004
PALM BEACH COUNTY LOCATION:
PROPERTY APPRAISER Rng 43E - Twp 42S - Sec 20
NOTES:
Key:
0 - 300
N

COPY

STATEMENT OF OWNERSHIP AND DESIGNATION OF AUTHORIZED AGENT

Before me, the undersigned authority, personally appeared **EARL STEWART**, who being sworn on oath, deposes and says:

That, he is the **AUTHORIZED SIGNATORY** of **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, which are the owner of certain properties and Developer of the Earl Stewart Toyota Development as described in the attached legal description: *(See attached Exhibit A)*

1. That he is authorized to act on behalf of **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, with regard to this application; and,

2. That, **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, is requesting that the Town of Lake Park abandon a certain portion of E. Jasmine Drive lying between two parcels owned by Earl Stewart Toyota and as more specifically described in the attached Exhibit A; and,

3. That, **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, has appointed **JACK B. OWEN, JR., ESQ., BRAD T. JANKOWSKI, ESQ. AND JACK B. OWEN, JR., P.A.** to act as Agent on its behalf to accomplish the above; and,

4. That, **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, and/or its successors or assigns, commits to proceed with the proposed development in accordance with the Ordinances and Resolutions of approval and such conditions and safeguards as may be set by the Town Commission in such Ordinances and Resolutions; and,

5. That **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, or its successors or assigns, commits to complete the development according to the plans approved by such Ordinances and Resolutions, and to continue operating and maintaining such area, functions, and facilities as are not to be provided, operated or maintained by the Town of Lake Park pursuant to written agreement; and,

6. That, **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, commits to bind any successors in title to any commitments made in the approval.

EARL STEWART, LLC

By: Earl Stewart
Its: Managing Member

COMMERCIAL INVESTMENTS, LLC

By: Earl Stewart
Its: Managing Member

Sworn to and subscribed before me this 26th day of March, 2014.

(Notary Seal)

Notary Public, State of Florida
Commission Number EE017164
My Commission Expires: 8/15/14

NOTARY PUBLIC-STATE OF FLORIDA
Brad T. Jankowski
Commission # EE017164
Expires: AUG. 15, 2014
BONDED THRU ATLANTIC BONDING CO, INC.

EXHIBIT A

LEGAL DESCRIPTION

Lot 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25, Block 122, less the West 20 feet for road right-of-way, Kelsey City, (now known as Lake Park), according to the map or plat thereof as recorded in Plat Book 8, Page 35, Public Records of Palm Beach County, Florida.

NOTE: Above Parcel 1 legal description is also included as being a part of STEWART TOYOTA, according to map or plat thereof as recorded in Plat Book 100, Page 148, Public Records of Palm Beach County, Florida.

AND

Lot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, inclusive less the West 20 feet conveyed to the State of Florida in Deed Book 803, at Page 158, and Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22 Block 12, Kelsey City, (now known as Lake Park), according to the map or plat thereof as recorded in Plat Book 8, Page 35, Public Records of Palm Beach County, Florida.

EARL STEWART TOYOTA JUSTIFICATION STATEMENT
FOR ABANDONMENT OF EAST JASMINE DRIVE

Mr. Mayor and Honorable Town Commissioners, Earl Stewart Toyota submits this application to request that the Town of Lake Park abandon a portion of Jasmine Drive (the "Abandonment"), to amend the Land Use Map to Commercial Residential, and amend the Official Zoning Map to Planned Unit Development (PUD) (collectively referred to herein as the "Amendments"). This justification statement for the proposed Abandonment and Amendments will address the concerns cited by the Town of Lake Park in its application process which are as follows:

- Ingress and egress to any business or individual's property;
- Adverse impact on utility service efficiency, or the future provision of utility services;
- Potential reduction of adjacent property values; and
- Potential elimination of the use of dedicated property for a public purpose, including pedestrian or vehicular access.

In addition, it should be noted that this portion of Jasmine Drive was previously abandoned on August 4, 2004 through Resolution No. 43-07-04 subject to a number of conditions which were previously satisfied.

The public traffic along Jasmine Drive will cease, without having any significantly negative impact on the Town's traffic. In 2004, an analysis prepared by Pinder Toutman Consulting stated that the total 24 hour two-way volume on Jasmine Drive was 540 and the total 24-hour two-way volume on Ilex Drive was 225. If Jasmine Drive were closed, a worst-case scenario would assume that all of the traffic from Jasmine Drive would divert to Ilex Drive. Under this scenario, the 24-hour two-way volume on Ilex Drive would be 765. The adopted Palm Beach County daily LOS D service volume for a two (2) lane undivided roadway was 12,300 vehicles per day. The projected daily volume on Ilex Drive is substantially below the adopted LOS D threshold. The adopted two-way peak hour LOS D service volume was 1,170 vehicles per hour. Also, the projected daily volume is substantially below the peak hour service volume. Recently, Yvonne Ziel Traffic Consultants performed an update of this study and found that the Pinder Toutman analysis should be more conservative based on her observations. In fact, the 2013 daily traffic counts on US1, south of Northlake Boulevard, and on Park Avenue, west of US1, are 25% and 24%, respectively, less than the 2004 daily traffic counts. Based on these figures, the closure of Jasmine Drive between US 1 and Lake Shore Drive will not result in a deterioration of the operations on the adjacent link of Ilex Drive, and it would remain a reasonable means of ingress and egress to any business or individual's property.

The requested Abandonment will not adversely affect utility service efficiency, or preclude the future provision of public or private utility services. Included in the application for abandonment are four (4) written statements from utility providers that could potentially be affected by this approval. Three (3) of the providers – Florida Public Utilities Company, Comcast, and Seacoast Utility Authority –

have reviewed this request, and have determined that the proposed modifications to the right of way will not interfere with their respective services, and are not objecting to the Abandonment. The fourth, Florida Power & Light, found that there are street lights on the south side of the road and the electric bill is being paid by the Town. The Town has agreed to allow these facilities to be removed on the condition that Earl Stewart covers the expenses associated with the removal process. Therefore, subject to the street light removal, the Abandonment of this right of way will not adversely impact the utility providers' service, or future potential services to be offered.

Our client's need for the Abandonment and Amendments is based on industry regulations. Put simply, the only way an auto dealer may expand without risk of objection from competitors is onto contiguous property. For Earl Stewart, there is nowhere else to go, and more importantly, the proposed Abandonment will result in a significant public benefit. When it occurs, the Town will receive an immediate cash payment for the fair market value of the property in the amount of Three Hundred Thousand Dollars ($300,000.00). Additionally, the Town's tax basis on the property will increase significantly, on an annual and continual basis for years to come, and the development of the property will provide jobs to 20 to 30 additional people. Residents along Lake Shore Drive and surrounding the property will realize improved aesthetics in the form of landscape buffers, and the refurbishing and installment of existing and new structures with new and top quality construction. Likewise, consolidating the two properties will allow additional open space to add said landscape buffers, and will result in Earl Stewart upgrading, updating, and improving the property to bring it into compliance with current codes and to reduce the existing non-conformities on the site. Earl Stewart is also proposing to provide additional streetscape planting, park sitting areas, and a bus shelter for the benefit of the public. Customers will experience a safer, more cohesive walking environment resulting from the formation of a contiguous property connecting the main show room and the used car show room. Whereas, currently customers are forced to be observant of traffic to cross Jasmine Drive to traverse to and from the new and used car showrooms. An additional safety benefit of consolidating the properties is that it will allow Earl Stewart to load and unload vehicles within the confines of the site rather than on Jasmine Drive. Earl Stewart Toyota has been serving the Lake Park and surrounding communities since 1975, and it has been home to one of the nation's most upscale and successful Toyota line dealerships, and by permitting this Abandonment and Amendments, it will provide an opportunity for Earl Stewart Toyota to remain in Lake Park as a known commodity with an outstanding track record as builder, developer, land and business manager and community leader.

Lastly, while the proposed Abandonment and Amendments will eliminate the potential use of dedicated property for pedestrian and vehicular access, it will allow Earl Stewart Toyota to run a first class car dealership, which provides employment to many Lake Park citizens, a significant tax base, and continue its reputation as a leader in the community. The reduced vehicular access will add minimal traffic and pedestrian burden to other streets surrounding the property, however, as the traffic report cited previously indicates, it will have a relatively minimal impact and is far outweighed by the benefits of upgraded facilities, a landscape buffer to surrounding property owners, a safer pedestrian environment, increased tax base for Lake Park and increased employment opportunities for Lake Park residents.

Thank you for your time and consideration of this application for Abandonment of the right of way at Jasmine Drive and the Amendments to the Land Use and Official Zoning Map. Earl Stewart Toyota is committed to continuing the great service and quality they have provided to the Lake Park community for the past 40 years, and the approval of these requests will only strengthen the commitment he has to improving upon that service and quality.

EARL STEWART TOYOTA
JUSTIFICATION STATEMENT AND
STATEMENT OF PUBLIC BENEFIT

Request(s): Applications for Rezoning, Future Land Use Map Amendment, Special Exception Review & Site Plan Review for PUD Amendment (Reviewed Concurrently with an application for Abandonment of Right-of-Way)
Application Number: 4771
Planning & Zoning Submittal: January 28, 2015
Amended May 11, 2015
Amended May 29. 2015

urban design kilday STUDIOS

Urban Planning and Design
Landscape Architecture
Communication Graphics

OVERVIEW OF REQUESTS & PROPERTY INTRODUCTION

On behalf of the applicant, Earl Stewart, LLC, and Commercial Investment, LLC, Urban Design Kilday Studios (UDKS) has prepared and hereby respectfully submits these applications for the approval of a Rezoning request, Future Land Use Map Amendment, Special Exception Review request and Site Plan Review for PUD Amendment request. These applications are being submitted concurrently with an Application for Abandonment (prepared by the Law Office of Jack B. Owen, Jr., P.A.) to abandon the Right-of-Way (R-O-W) of what is commonly referred to as East Jasmine Drive.

The subject 7.19-acre property is comprised of the following land areas:

- **Lots 1-22/Block 121 of Kelsey City Plat (PCN 36-43-42-20-01-121-0010):** 2.23 acres
- **Plat of Stewart Toyota (PCN 36-43-42-21-27-000-0000):** 4.47 acres
- **East Jasmine Drive R-O-W:** 0.49 acres

All of the land area described above is located within the municipal limits of the Town of Lake Park. The subject property is generally located at the southeast corner of the intersection of Federal Highway (aka U.S. 1) and Lake Shore Drive. The subject property has a Future Land Use (FLU) designation of Commercial Residential and is within the Planned Unit Development (PUD) Zoning District, in part (4.47 acres), and the C-1 Business District Zoning, in part (2.23 acres).

With the above applications the applicant is requesting to expand the boundaries of the existing Earl Stewart Toyota PUD to encompass the 2.23-acre parcel and the East Jasmine Drive R-O-W. Ultimately the applicant is proposing a 73,503 sf enclosed facility with 22,673 s.f. of outdoor sales area and 1,048 parking spaces broken down as follows:

- **Enclosed Floor Area:** 73,503 s.f.
  - **Sales/Administration:** 28,842 s.f.
    - **Existing Floor Area:** 19,195 s.f.
    - **Phase 1 Floor Area:** 2,195 s.f.
    - **Phase 2 Floor Area:** 7,452 s.f.

610 Clematis Street
Suite CU02
West Palm Beach, FL 33401
561.366.1100 561.366.1111 fax
www.udkstudios.com
LCC000035

- **Service Bays/Storage:** 44,661 s.f.
  - **Existing Floor Area:** 27,560 s.f.
  - **Phase 1 Floor Area:** 17,051 s.f.
  - **Phase 2 Floor Area:** 0 s.f.

- **Outdoor Sales Display Area:** 22,673 s.f.

- **Phase 3 Garage:** 142,452 s.f.
  - **1st Level:** 32,075 s.f.
  - **2nd Level:** 32,075 s.f.
  - **3rd Level:** 32,075 s.f.
  - **4th Level:** 32,075 s.f.
  - **5th Level:** 12,182 s.f.
  - **Bridge:** 1,970 s.f.

- **Parking Provided:** 1,267 spaces
  - **Customer/Employee Spaces:** 219 spaces
  - **Auto Storage/Display Spaces:** 1,048 spaces

The following applications are addressed within this narrative:

1. Abandonment of Jasmine Drive, located between US1 and Lake Shore Drive .49 acres;
2. Rezoning of the 2.23+/- acres from the C-1 Business District Zoning to the PUD Zoning District and the .49 acre ROW to PUD;
3. Future Land Use Plan Map Amendment for the 0.49-acre R-O-W to be designated Commercial Residential which is consistent with the adjacent properties and the requested PUD;
4. Special Exception request for the Commercial New & Used Auto Dealership (aka, Vehicle Sales and Rental); and
5. Site Plan Review for PUD Amendment (see details in the section below).

APPROVAL HISTORY

The auto dealership was constructed in the mid to late 1970's on the 4.47-acre parcel along with a 14,200 s.f. hardware store. The old dealership building and the Park Center Hardware store remained until 2003 when the 4.47-acre parcel was granted approval for a new site plan and PUD by the Town of Lake Park Commission through Resolution No. 14-05-03 to allow for the Earl Stewart Toyota dealership building as it exists today. That approval, granted on May 21, 2003, not only granted site plan approval but also granted the approval of waivers for (1) display parking setback, (2) spacing of trees along Federal Highway (U.S. 1), (3) elimination of wheel stops, (4) no planters on roof of the garage and (5) to allow two signs that exceeded the maximum height allowances. Please note that the applicant has consented to modify the existing 15' sign to bring it into conformance with the current code. The 40' foot sign is proposed to remain as previously approved to provide clear and effective communication with the public. At the time of the approval of the waivers and the PUD, the applicant demonstrated the public benefits of the requests which included; the development of a linear park along Lake Shore Drive together with enhanced landscape buffers and decorative lighting;

bringing existing non-conformities on the site into conformance with the current codes, and providing open space and landscaping in excess of what was required by code.

The 2.23-acre parcel was granted an approval in 1969 by the Town of Lake Park Commission to allow a 111-unit hotel (known as Journey's Inn) and a 2,150 s.f. restaurant (known as El Colonial). Following several years of decline and questionable activities, these structures were demolished in 2010 after the applicant was granted temporary approval to utilize the 2.23-acre parcel for auto sales. Removal of the structures was a public benefit to the entire community and also allowed the existing non-conformities to be brought into compliance.

The applicant had previously requested and been granted approval of the R-O-W abandonment on August 4, 2004 through Resolution No. 43-07-04; however, due to the economic downturn the applicant was not able to complete all of the required conditions of approval and the resolution expired. With the expiration of the resolution, the 0.49-acre land area reverted back to public R-O-W.

SURROUNDING USES

Below is a description of the uses on the adjacent developed properties to the north, south, east and west of the subject property. Note that the acreages and ownership information referenced in this section is per information obtained from the Property Appraiser of Palm Beach County's web site.

- **North:** To the north of the subject property, across the 60' R-O-W of Lake Shore Drive, are two (2) properties:
  - **PCN 68-43-42-16-01-000-2201:** This 0.7-acre property is currently owned by 100 North Federal Highway, LLC and is within the municipal limits of the Village of North Palm Beach (NPB). This property has a FLU designation of Commercial and is within the Village's C-1 Zoning District. The use of the site is a gas and convenience store along with a car wash (Sunoco);
  - **PCN 68-43-42-16-01-000-1960:** This 0.76-acre property is currently owned by First Church of Christ Scientists, Inc. and is within the municipal limits of the Village of NPB. This property has a FLU designation of High Density Residential and is within the Village's R-3 Zoning District. The use on the site is the Islamic Center of Palm Beach;
- **South:** To the south of the subject property , across the 60' R-O-W of Ilex Drive, are two (2) properties (details below):
  - **PCN 36-43-42-21-21-001-0000:** This 0.72-acre property is currently owned by the Cedar Crest Homeowners Association. This property has a FLU designation of Commercial Residential and is within the R2A Zoning District. The use of the site is residential apartments.;
  - **PCN 36-43-42-21-21-001-0000:** This 1.1-acre property is currently owned by Cromwell Properties. This property has a FLU designation of Commercial Residential and is within the C1 Zoning District and is developed with a commercial strip center;
- **East:** To the east of the subject property, across the 60' R-O-W of Lake Shore Drive, are three (3) residential properties (details below):

- **Various PCN's:** This is the Bay Reach condominium development owned by a variety of individuals, etc. that has a FLU designation of Condominium Residential and is within the R-1AA Zoning District;
- **PCN 36-43-42-21-00-002-0060:** This 0.52-acre property is a 25' wide vacant strip of land currently owned by Susan Cohen. This property has a FLU designation of Condominium Residential and is within the R-1AA Zoning District. The site is appears to be the south half of an abandoned East Jasmine ROW.;
- **PCN 36-43-42-21-00-002-0030:** This is the 208-unit Mariners Key apartment development owned by Mariners Key Owner, LLC. This property has a FLU designation of Condominium Residential and is within the R-1AA Zoning District;

- **West:** To the west of the subject property , across the 80' R-O-W of Federal Highway (U.S. 1), are nine (9) properties (details below):
  - **PCN's 36-43-42-20-01-044-0200/0270:** This 0.98-acre property is currently owned by the Chaves Lake Park Corporation. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is a Gas station and convenience store (7-11);
  - **PCN 36-43-42-20-01-043-0260:** This 0.52-acre property is currently owned by the Patricia/R W Silc & Sil Fir Corporation. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is a restaurant.;
  - **PCN 36-43-42-20-01-043-0210:** This 0.36-acre property is currently owned by the Warren B. Mosler Trust. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is auto sales;
  - **PCN 36-43-42-20-01-042-0230:** This 0.78-acre property is currently owned by New Rochelle Plaza. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is auto related;
  - **PCN 36-43-42-20-01-042-0210:** This 0.17-acre property is currently owned by Trim Endless Inc. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is an upholstery workshop;
  - **PCN 36-43-42-20-01-041-0300:** This 0.16-acre property is currently owned by Edward & Cynthia Wollstein. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is Boca Bargoons a fabric outlet store;
  - **PCN 36-43-42-20-01-041-0230:** This 0.62-acre property is currently owned by L P Fabrics, Inc. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is Boca Bargoons a fabric outlet store; and
  - **PCN 36-43-42-20-01-041-0210:** This 0.17-acre property is currently owned by Palms Building, LLC. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use mixed retail (900 Palms Building).

INTENSITY

Per the Future Land Use Classification System in the Town of Lake Park Comprehensive Plan the Commercial Residential FLU category calls for the following: "Lands and structures devoted to promoting a compatible mix of residential at up to 20 units per gross acre and commercial uses with a maximum F.A.R. of 2.4 along major thoroughfares..." At a total of 7.19 acres the maximum 2.4 F.A.R would equate to a total of 751,671 s.f. of commercial uses. As detailed above the applicant is only proposing a 73,503 sf commercial facility and a 142,452 sf garage which are well within the allowed F.A.R.

CONCURRENCY

Included with this application are the following documents related to the impact of the proposed project on public facilities:

- **Drainage:** Please see enclosed Preliminary Civil Plans prepared by McLeod McCarthy & Associates in which the details of the proposed drainage system are provided. It should be noted that the storm water from this site will be retained and pretreated before being discharged into the Town's storm sewer system. Drainage that previously was part of the Jasmine Road ROW will be incorporated into the on-site drainage control system.

- **Traffic:** Please see Traffic Impact Analysis prepared by Yvonne Ziel Traffic Consultants. dated March 13, 2014 in which the conclusion states that "the project meets the Palm Beach County Traffic Performance Standards Ordinance and may be approved." The agent for the applicant will be submitting the analysis and Traffic Performance Standards (TPS) review fee directly to the Palm Beach County (PBC) Traffic Division and requesting issuance of the TPS Review Approval Letter confirming traffic concurrency.

- **Water/Wastewater:** Please see enclosed Preliminary Civil Plans prepared by McLeod McCarthy & Associates in which the details of the proposed water/wastewater system are provided. It should be noted that the existing water lines will be updated and enlarged to better service the site and the surrounding properties.

PLATTING

The applicant intends to combine all three of the land areas previously described through the platting application.

PHASING

Pursuant to Town of Lake Park Code Section 78-77.2.(c) the applicant intends to develop the project in multiple phases as allowed by code. The construction of the garage in Phase 3 will be subject to and supported by the projected sales of autos. 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. Based on the standards set by Southeast Toyota, the site is 781 spaces short of where they should be. By 2020, the minimum

number of required parking spaces would be 1,256. With the construction of the garage the 1,267 parking spaces on the site will satisfy the minimum Southeast Toyota requirements as well as the Town parking requirements.

The enclosed plans provide details of each phase, and below is a phasing schedule:

- Phase 1
  - **Commencement of Development:** As soon as possible
  - **Completion:**
    - Parking lot and landscape improvements for south lot: 5 months, January 2016
    - Building Expansion (building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work): 14 months, November 2016
- Phase 2
  - **Commencement of Development:** November 2016
  - **Completion:** (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices) 8 months, July 2017
- Phase 3
  - **Commencement of Development:** December 2018 (18 months from completion of Phase 2)
  - **Completion:** (Garage and site improvements) 18 months from start of construction, June 2020

SPECIAL EXCEPTION AND WAIVER REVIEW STANDARDS

This application includes a request for Special Exception approval for vehicle sales. In accordance with the code, the PUD section also provides for waivers to deviate from the strict interpretation of the code to allow for innovative design, consistency with existing conditions, and improvements which would allow a better project. In accordance with Section 78-77(1)(2) the waivers may be approved provided the spirit and intent of the zoning regulations are complied with in the total development of the PUD and mitigation is provided where required by the code. The Town Commission approval in 2003 included approval of waivers to allow a 40' monument sign, a 15' monument sign, display parking setback of 15', 30' spacing of trees along Federal Highway (U.S. 1), the elimination of wheel stops, and the removal of roof top planters. The applicant has complied with the conditions of approval and mitigations that were imposed with the approval of the waivers and have relied upon the vesting of the previous approvals. The applicant understands that the previously approved waivers became the standards by which all future development within the PUD would be regulated, however, it should be noted that the applicant has consented to modify the existing 15' sign to bring it into conformance with the current code.

The review criteria are the same for the Special Exceptions and waivers. The waivers approved include the following:

Section 32-89 Supplemental Parking Requirements (g) Commercial New and Used (1) Parking (a) Display and 32-15 C-1 (1) j Sales, Service and Rental of Motor Vehicles - Waiver to allow less than the required 25' setback from street line for display parking.

The site has been improved to remove a use that was a nuisance to the Town, and the existing site conditions were improved to meet code. The expansion of the PUD and the continuation of the waiver will allow design consistency along the front of the property. As a redevelopment project, some relief in the current regulations allows for consideration of the development restrictions of older properties. In this case, the request is consistent with or better than other auto dealerships in the Town while still enhancing the corridor.

Section 32-146 (h) (2) - Waiver to allow an increase in the spacing of the trees.

The code requires a maximum spacing of planted trees along any perimeter buffer along a public street to be 20 linear feet on center. The nature of the planting of Royal Palms along the frontage of US 1 required additional spacing for them to proper growth. Additional plant materials have been provided along the frontage to further enhance the frontage and additional plant material has been provided along the other perimeters to exceed code requirements. The Royal Palms and the additional landscaping are intended to enhance the entrance to the Town.

Section 32-146 Minimum Landscape Requirements (c) Parking Areas (3.) - Waiver to not require wheel-stops or curbing in the parking area.

The removal of the wheel-stops allows for greater maneuverability on site for the parking and storage of cars and minimizes tripping hazards for customers in the parking areas. The landscape islands and buffers are protected by curbing which replace the need for wheel-stops along the perimeters.

Section 32-146 Minimum Landscape Requirements (c) Parking (5.) Multi-Level Garage: Require planters on roof for shade trees so no space more than 40 ft. from center - Waiver to not require planters on the roof.

The provision of planters on the garage has proven to be a maintenance issue in other structures. The existing garage would require substantial structural enhancements to support planters and would further impact the adjacent property owners. The proposed architecture is intended to provide architectural relief and landscape enhancements to compensate for the planters, which would only provide minimal relief to the surrounding community. Additionally, this structure is to serve business operations and is not for customer use. This garage will be primarily used for auto storage. Planters would not be a functional or valuable asset to the operation of the garage.

Section 32-53 Permitted Signage (o) Freestanding Sign (5) Maximum height - 30' - Waiver to allow a freestanding sign of 40'

Typically car dealerships like to locate at the most visible locations such as along I-95 and major intersections. Stewart Toyota has made significant investment to stay in their current location. The 40' sign allows customers to see the location of the dealership from Northlake Boulevard. The 40' sign waiver was approved with the condition of approval that requires the removal of the sign should the Stewart Toyota operation cease to exist on the site. The 40' foot sign is proposed to remain as previously approved to provide clear and effective communication with the public. The applicant has agreed to replace the 15' sign with a sign that meets the current code requirements.

The following criteria and list of public benefits addresses both the Special Exception and Existing Waivers:

1. Please discuss how the Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

   RESPONSE: First and foremost, it should be noted that the dealership has existed since the mid to late 1970's; however, the provisions in Town of Lake Park Code Section 78-71 and Comprehensive Plan have been updated since the most recent approval in 2003 which now require the approval of a Special Exception application for the use. The subject property is designated Commercial Residential which is consistent with the use of the property, and the zoning designation of the site. Although the dealership predates the current codes and regulations, the existing and proposed development is consistent with the policies and objectives of the Town's Comprehensive Plan.

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

   The redevelopment of both the 1017 Federal Highway parcel and the current dealership will increase the Town's overall tax base. In addition to adding land area to the tax role that was previously un-taxed, the proposed improvements will also increase the taxable value of the site. There are no known natural or historic resources on the property which would be adversely affected by the redevelopment. The proposed plan of development has been designed to minimize and reduce the noise and activity impacts of development to the surrounding residential communities. The proposed landscape buffers and open space far exceed code and will provide a buffer to the residents from the more active US Highway 1 corridor. Lastly, as detailed in the Concurrency section above, the proposed project is within the adopted LOS standards.

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.*

The proposed expansion of the special exception use promotes infill development in a manner that is consistent with the commercial uses of the Federal Highway corridor and does not negatively affecting the existing neighboring residential and commercial uses. The proposed development plan and concessions made by the applicant will reduce existing noise levels, improve parking and circulation, reduce access points, eliminate car truck deliveries from Lake Shore Drive and increase the landscaping and buffering provided to the adjacent properties.

Policy 5.2: *The Town shall foster the redevelopment of declining neighborhoods, underutilized parcels, and areas that demonstrate substandard and/or slum and blight conditions.*

The property at 1017 Federal Highway is currently underutilized as it has been used as a temporary surface parking lot supporting used vehicle sales for the dealership. The current temporary use cleaned up and replaced the Journey's Inn and restaurant uses on the site which were declining and had questionable activities.

The proposed use will enhance the overall esthetic qualities of the site by improving the landscape buffers, reduce the existing noise impacts and make drainage and utility improvements which will improve the neighborhood.

2. Please discuss how the proposed Special Exception is consistent with the land development and zoning regulations and all other portions of the Town of Lake Park Code of Ordinances.

RESPONSE: Beyond the waivers that were previously approved through Resolution No. 14-05-03 the proposed site design is consistent with the code in regard to use, layout, function and general development characteristics. Furthermore, the modified development plan will be in compliance with the PUD objectives and standards. The proposed plan of development will reduce the existing non-conformities by replacing one of the existing non-conforming signs and reduce the number of access points.

3. Please explain how the proposed Special Exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location; mass; height and setback; and other relevant factors peculiar to the proposed Special Exception use and the surrounding property.

RESPONSE: Per the Town of Lake Park Staff Report that detailed the requests eventually approved by Resolution No. 14-05-03 Staff had

concluded that, "Generally the proposal is compatible with the surrounding uses." While the applicant is requesting approval of the special exception use in response to updated codes, it has existed for nearly 40 years along the US Highway 1 corridor and is surrounded to the North, South and West by commercial development. The proposed development plan will continue to be compatible with the surrounding properties that support retail uses within the C-1 Business District along Federal Highway between Palmetto Drive and East Ilex Drive. Also, the proposed redevelopment will be architecturally compatible with the character and uses of the existing dealership as well as the Town's Architectural Guidelines.

4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.

RESPONSE: The use has been established for nearly 40 years. The applicant is requesting approval of a Special Exception Review application in response to a code change that occurred after the most recent approval was granted on May 21, 2003. This is a request to expand the dealership from the current square footage of 45,208 square feet to 73,503 square feet (plus a 142,452 sf garage). This additional square footage will be for sales/administration and service bays/storage, which are the same types of operations currently on the site. The proposal will add a car wash and a 5-story garage that don't currently exist; however, these are accessory structures and uses common to a dealership. The proposed improvements will update and modernize the dealership, enclose noise generating operations, provide parking that is needed to accommodate the current level of use as well as future growth for a dealership that has existed for nearly 40 years. The site is currently being used for the same functions and use therefore the result of the application approval will not be an expansion, change or proliferation of the same or similar types. The surrounding US Highway 1 corridor area is fully developed with a variety of commercial uses. The proposed improvements may help to motivate surrounding commercial developments to update or upgrade their development as has happened in other communities.

5. Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.

RESPONSE: The Special Exception will not have a detrimental impact on surrounding properties as (a) there will be a maximum shift of 75 employees

on site and customers (number will vary depending on day/time of the week), (b) the potential nuisance from the maintenance, repair and/or cleaning of vehicles will be mitigated by the fact that these uses will be done in enclosed areas and (c) as shown in the enclosed Traffic Impact Analysis prepared by Yvonne Ziel Traffic Consultants. dated March 13, 2014 the combined total of peak hour trips entering the property will be 53 cars (AM)/37 cars (PM) and leaving the property will be 10 (AM)/35 (PM). As such, this shows that the average will be 0.75 cars entering the property every minute during the peak hour and 0.38 cars leaving the property every minute during the peak hour, or an overall average of 0.57 cars per minute. Furthermore, the applicant is requesting to close one of the existing driveways in the northeast corner of the subject property which will lessen the impact on the neighboring residential properties. Lastly, and most important, the proposed redevelopment will improve the appearance of the dealership through architectural treatments and an increased landscape buffer.

6. Please explain how the proposed Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

RESPONSE: (a) The proposed garage in the southeast corner of the subject property will be similar in height to the surrounding residential structures it will be separated from those structures by approximately 106 feet (to the south) and 107 feet (to the east). A shadow study has been done that shows that the adjacent properties will not be impacted by the shadow of the building. The proposed garage is 34'6" in height on the east side which is 15'6" less than the 50' height allowed by the PUD sections of the Land Development Regulations. In addition the proposed plan provides for 25' buffers with significant landscaping along the Lake Shore Drive and East Ilex Drive ROW's. (b) The use has existed for nearly 40 years and the surrounding property values have been based on the fact that this use was in place. The applicant understands that the property values have increased as a result of previous improvements made. The proposed improvements will increase the taxable value and improve the esthetic quality of the site. The improvements will allow the dealership to thrive and grow which will maintain the health and vitality of the area. (c) The proposed development plan for the subject property should act as a catalyst for the improvement, development or redevelopment of surrounding properties. (d) There are no natural systems that will be negatively impacted by the proposed development. (e) As part of the approval granted through Resolution No. 14-05-13 the applicant provided an enhanced pedestrian area on the east side of the 4.47-acre parcel which will remain and be extended around the south side of the site. In addition, the applicant is proposing a public bus shelter along the US Highway 1 Corridor.

The site will include internal connections to the public sidewalk that runs around the entire site.

SITE PLAN REVIEW FOR PUD AMENDMENT STANDARDS

The nature of the request is for the following amendments to the site plan that was previously approved through Resolution No. 14-05-03:

a. Reconfigure the Site Plan;
b. Add land area (2.72+/- acres);
c. Reconfigure access points as follows:
    - Delete one (1) existing access point in northeast corner of existing PUD;
    - Remove access points to East Jasmine Drive;
    - Provide one (1) new access point to Lake Shore Drive (just south of current intersection of East Jasmine Drive and Lake Shore Drive);
    - Provide one (1) new access point to Federal Highway (U.S. 1) along west property line (just north of current intersection of East Jasmine Drive and Federal Highway [U.S. 1]); and
    - Maintain existing access point to Ilex Drive in southwest corner of 2.23-acre parcel.
d. Amend the enclosed floor area as follows:
    - **Sales/Administration:** +9,434 s.f. (from 19,408 s.f. to 28,842 s.f.) (note that while the square footages listed above show an existing s.f. of 19,297, Resolution No. 14-05-03 allowed up to 19,408 s.f.);
    - **Service Bays/Storage:** +7,580 s.f. (from 37,081 s.f. to 44,661 s.f.) (note that while the square footages listed above show an existing s.f. of 25,911, Resolution No. 14-05-03 allowed up to 37,081 s.f.) and +23 service bays (from 25 service bays to 48 service bays);
e. Increase the Outdoor Sales Display Area by 5,566 s.f. (from 17,107 s.f. to 22,673 s.f.);
f. Increase the number of employee/customer parking spaces by 68 spaces (from 151 spaces to 219 spaces).

Below are responses to the two questions referred to in the attached application:

1. *What will be the impact of the proposed change to the surrounding area?*

    RESPONSE: Allowing the applicant to redevelop the subject property should have a positive impact on the surrounding area in that it will combine two properties (along with the East Jasmine Drive R-O-W) currently utilized by the applicant for vehicle sales and rental into one unified development. This will not only create a unified architectural theme but will also create a consistent landscape theme that will enhance the view from surrounding properties. The height/mass of the proposed parking garage will be mitigated by architectural design and the additional landscaping provided. The proposed improvements will enclose noise producing activities, provide needed parking to eliminate the use of ROW areas, eliminate the use of Lake Shore Drive for transport truck deliveries, improve drainage and utility services to the surrounding

areas, reduce the hours of car deliveries, improve security, reduce noisy activities on the site, minimize development and increase open space in comparison to uses allowed by right on the site, provide a public bus shelter, expand the parkway treatment along the Lake Shore and Ilex Drive Rights-of-ways and reduce the existing non-conformities of the site.

2. *How does the proposed Project comply with the Town of Lake Park's zoning requirements?*

RESPONSE: Beyond the waivers that were previously approved through Resolution No. 14-05-03 the proposed site design is consistent with the code in regard to use, layout, function and general development characteristics. Furthermore, see table below that details compliance with the other sections of the code:

ZONING REQUIREMENTS COMPLIANCE CHART				
Standard	**Requirement**	**Existing**	**Proposed**	**Compliance**
Min. Site Area	80,000 s.f.	4.47 acres	7.19 acres (313,196 s.f.)	Yes
Max. Bldg. Ht.	4 stories or 50'	33'	45.5'	Yes
Min. Open Space	15%	Unknown	20%	Yes
Front Setback	25'	93'	93'	Yes
Side (facing street) Setback	15'	87'	25'	Yes
Rear Setback	15'	48'	25'	Yes
Display Parking Setback	25'	15'	15'	Approved Waiver
Employee/ Customer Parking	204 spaces	151 spaces	219 spaces	Yes
Standard Parking Space Dimensions	10' X 18.5'	10' X 18.5'	10' X 18.5'	Yes

PUBLIC BENEFIT

The expansion of the existing Earl Stewart PUD will promote and support continued success of this long standing business in the Town of Lake Park. The proposed redevelopment will address operational constraints of the existing dealership and the redevelopment of the site will address the temporary use of the 2.23-acre parcel. Approval of the requested applications will provide both tangible and intangible benefits. Benefits to the public will be provided in the form of improved land use, improved public safety, the logical and efficient development of the site and the opportunity for the Town to control and limit development intensities below what would be allowed by code. Following are a list of some of the proposed public benefits of this project if approved:

- Increased property values and tax base for Town. Increased taxable values will be based on taxing the additional land area from the right-of-way abandonment as well as the site improvements. By increasing the taxable income from commercial development, the burden of the residential taxpayer can be stabilized or reduced. The increase in taxable value has been estimated as follows:
    - Phases 1 and 2: Costs estimated at $12 million. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $289,643
    - Phase 3: Costs estimated at $8 million. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $203,297
    - Additional Land Area from Right-of-way: Cost $300,000. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $38,923
- Payment to Town for abandoned Right-of-Way ($300,000)
- Good planning principals encourage the development and redevelopment of areas in inner cities that have existing or aging infrastructure. The proposed development will allow:
    - Improvements to the drainage system of Lake Shore Drive which will result from of incorporation of Jasmine Drive drainage into the site drainage system. The proposed drainage plan will incorporate approximately 22,000 cubic feet of runoff onto the site which currently flows directly into Jasmine Drive during a 25 year storm. The redirection of this water is intended to reduce the flooding on Lake Shore Drive.
    - Improvements to the site utility system which will provide improvements to service for surrounding properties. The installation of an 8" water main across US Highway 1 will include connection to the existing 6" water main in Lake Shore Drive. This improvement is anticipated to improve water service to the entire system east of Lake Shore.
    - Abandonment of the Jasmine Drive right-of-way which will release the Town from maintenance responsibilities.
- New jobs. The applicant intends to hire 30-40 new employees as part of the proposed expansion.
- LEED Certification and educational opportunities for local students. The applicant intends to meet LEED Certification requirements which far exceed Town standards. In addition, there are anticipated to be opportunities for educational components to be added to the layout and design.
- Enclosure of noise producing activities. Existing service areas will be enclosed which will substantially reduce existing noise levels.
- Elimination of noise producing activities. Removal of outdoor speakers and replacement of car locating procedures.
- Additional parking to alleviate congestion and overflow parking which has historically been a concern to surrounding neighbors.
- Restriction on use of Lake Shore Drive by vehicle transport trucks. Proposed site design and reconfiguration of the entry design will allow all transport trucks to maneuver delivery and pick up within the site rather than using Lake Shore Drive.
- Closure of existing curb cut access point on Lake Shore Drive.
- Increased landscape buffers and open space in excess of code requirements
- Separation of active uses on the site from surrounding residential communities

- Reduction of height and lot coverage as allowed by code
- Reduction of existing signage non-conformity
- Increase in open space by .36 ac, 5% in excess of what is required by code.
- Additional streetscape park area
- Public bus shelter
- Improved public safety for customers and employees crossing East Jasmine
- East Ilex Drive traffic will be less than allowed by traffic performance standards
- Esthetic improvements to site including architecture and landscaping
- Greater control and conditions of approval through PUD approval

On behalf of the applicant, Earl Stewart, LLC, and Commercial Investment, LLC, UDKS respectfully requests favorable review and consideration of these Rezoning, Special Exception Review and Site Plan Review for PUD Amendment applications for the Earl Stewart Toyota. The agent at UDKS is Anne Booth who can be reached at the numbers above or via email at abooth@udkstudios.com. Please feel free to contact the agent with any questions or for additional information in support of the requested applications.

YVONNE ZIEL TRAFFIC CONSULTANTS

60 SE River Lights Court, Stuart, Florida 34996 Telephone (561) 624-7262

March 12, 2014

Ms. Nadia DiTomasso
Community Development Director
Town of Lake Park
535 Park Avenue
Lake Park, Florida 33403

RE: Earl Stewart Toyota - Jasmine Road Abandonment

Dear Ms. DiTomasso:

Yvonne Ziel Traffic Consultants was retained to determine if the count data from the abandonment analysis prepared by Pinder Troutman Consulting in 2004 for the abandonment of Jasmine Drive between US 1 and Lake Shore Drive (attached) should be updated.

I reviewed count data along US 1, Northlake Boulevard and Park Avenue and found the following as shown in Table 1 below:

Table 1
Traffic Count Comparison

	DAILY			AM			PM		
ROADWAY	2004	2013	CHANGE	2004	2013	CHANGE	2004	2013	CHANGE
US1 - S. OF NORTHLAKE BLV	30,316	22,811	-25%	2,286	1,458	-36%	2,669	1,845	-31%
PARK AVE - WEST OF US 1	6,335	4,817	-24%	459	351	-24%	578	422	-27%

As can be seen from Table 1, the 2004 counts were higher than those of 2013 (latest count database). The 2013 counts are at least 24% less than the 2004 counts and therefore the analysis prepared by Pinder Toutman Consulting should be more conservative. I have attached the Palm Beach County count data.

Please contact me with any questions.

Sincerely,

YVONNE ZIEL TRAFFIC CONSULTANTS

YVONNE ZIEL LICENSE No 42132 PROFESSIONAL ENGINEER STATE OF FLORIDA

3/12/14

Yvonne Ziel, P.E.
Enclosure

Input Data

ROAD NAME: Federal Hwy
CURRENT YEAR: 2004
ANALYSIS YEAR: 2010
GROWTH RATE: -0.83%

STATION: 2800
FROM: Park Ave
TO: MIDPOINT
COUNT DATE: 3/8/2004
PSF: 1

Report Created: 03/12/2014

Link Analysis

Time Period	AM			PM		
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB
Existing Volume	2286	1118	1168	2669	1315	1361
Peak Volume	2286	1118	1168	2669	1315	1361
Diversion(%)	0	0	0	0	0	0
Volume after Diversion	2286	1118	1168	2669	1315	1361

Input Data

ROAD NAME: Federal Hwy
CURRENT YEAR: 2013
ANALYSIS YEAR: 2015
GROWTH RATE: -3.60%

STATION: 2800
FROM: Park Ave
TO: MIDPOINT
COUNT DATE: 4/3/2013
PSF: 1

Report Created: 03/12/2014

Link Analysis

Time Period	AM			PM		
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB
Existing Volume	1458	631	827	1845	993	855
Peak Volume	1458	631	827	1845	993	855
Diversion(%)	0	0	0	0	0	0
Volume after Diversion	1458	631	827	1845	993	855

Input Data

ROAD NAME: Park Ave
CURRENT YEAR: 2004
ANALYSIS YEAR: 2010
GROWTH RATE: 5.27%

STATION: 2833
FROM: Midpoint
TO: Federal Hwy
COUNT DATE: 3/17/2004
PSF: 1

Report Created: 03/12/2014

Link Analysis

Time Period	AM			PM		
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB
Existing Volume	459	232	227	578	312	270
Peak Volume	459	232	227	578	312	270
Diversion(%)	0	0	0	0	0	0
Volume after Diversion	459	232	227	578	312	270

Input Data

ROAD NAME: Park Ave
CURRENT YEAR: 2013
ANALYSIS YEAR: 2018
GROWTH RATE: -4.94%

STATION: 2833
FROM: Midpoint
TO: Federal Hwy
COUNT DATE: 1/14/2013
PSF: 1

Report Created: 03/12/2014

Link Analysis

Time Period	AM			PM		
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB
Existing Volume	351	144	207	422	175	247
Peak Volume	351	144	207	422	175	247
Diversion(%)	0	0	0	0	0	0
Volume after Diversion	351	144	207	422	175	247

Palm Beach County 2004 Count Data

STATION	STATION	STREETNAME	LOCATION		PEAK 2,004	GROWTH RATE	AM SB/WB	AM NB/EB	AM 2WAY	PM SB/WB	PM NB/EB	PM 2WAY
2833	2833	PARK AV	100' E of 10th St	2	6,335	5.3%	227	232	459	270	312	578
2832	2832	US-1	500' N of Northlake Blvd	6								
2800	2800	US-1	N City Limit Lake Park	4	30,316	-0.8%	1168	1118	2,286	1361	1315	2,869
1802	1802	US-1	100' N of Jupiter Inlet Bridge	4	24,905	-0.8%	1042	922	1,864	920	1259	2,041

Palm Beach County 2013 Count Data

Roadway	From	To	2013	DATE	GR	AM2	AM_NE	AM_SW	PM_2	PM_NE	PM_SW
PARK AVE	Federal Hwy	10TH St	4817	14-Jan-13	-0.04942	351	144	207	422	175	247
US-1	Park Ave	Northlake Blvd	22811	03-Apr-13	-0.03602	1458	631	827	1845	993	855
US-1	Northlake Blvd	Lighthouse Dr	25413	14-Jan-13		1784	931	864	2313	1126	1187

PINDER TROUTMAN CONSULTING, INC.

Transportation Planners and Engineers

2324 South Congress Avenue, Suite 1H
West Palm Beach, FL 33406
(561) 434-1644 Fax 434-1663
www.pindertroutman.com

July 9, 2004

Mr. Jamie Gentile
Calvin, Giordano & Associates, Inc.
560 Village Boulevard, Suite 340
West Palm Beach, FL 33409

Re: Jasmine Drive Closure – #PTC04-179

Dear Mr. Gentile:

The purpose of this letter is to provide a traffic analysis of the potential impacts of the closure of Jasmine Drive between US 1 and Lake Shore Drive in the Town of Lake Park.

Twenty-four hour automatic machine counts were conducted on both Jasmine Drive and Ilex Drive east of US 1. These counts were completed on Wednesday July 7, 2004. Traffic counts are provided in Appendix A.

The total 24 hour two-way volume on Jasmine Drive was 540 and the total 24-hour two-way volume on Ilex Drive was 225. If Jasmine Drive were closed, a worst-case scenario would assume that all the traffic from Jasmine Drive would divert to Ilex Drive. Under this scenario, the 24-hour two-way volume on Ilex Drive would be 765. The adopted Palm Beach County daily LOS D service volume for a two (2) lane undivided roadway is 12,300 vehicles per day. The projected daily volume on Ilex Drive is substantially below the adopted LOS D threshold. The adopted two-way peak hour LOS D service volume is 1,170 vehicles per hour. Also, the projected daily volume is substantially below the peak hour service volume.

In conclusion, the closure of Jasmine Drive between US 1 and Lake Shore Drive will not result in a deterioration of the operations on the adjacent link of Ilex Drive.

Please contact this office if you have any questions regarding the contents of this letter.

Very truly yours,

Kabart M. Pinder, AICP
Principal

KMP/ldr

Attachments

cc: George Gentile

COPY

Letter Gentile 04-179 7-9-04

ata File : D0707001.PRN
tation : 000000070602
dentification : 000110252093
tart date : Jul 7, 04
top date : Jul 7, 04
ity/Town : Lake Park, FL
ocation : E Jasmine Drive East of US1
Interval : 15 minutes
Start time : 00:00
Stop time : 24:00
County : Palm Beach

ul 7 Eastbound Volume for Lane 1

nd Time	00	01	02	03	04	05	06	07	08	09	10	11
15	1	0	0	0	0	0	1	2	3	2	2	2
30	1	3	1	0	1	0	1	4	5	6	7	2
45	1	1	0	0	0	0	3	2	6	2	4	4
00	0	0	1	0	0	0	2	4	1	5	3	1
r Total	3	4	2	0	1	0	7	12	15	15	16	9

nd Time	12	13	14	15	16	17	18	19	20	21	22	23
15	4	7	5	1	7	2	2	4	3	4	0	0
30	5	7	6	3	4	7	1	3	4	2	0	0
45	5	6	4	3	6	2	2	2	3	6	1	1
00	2	9	6	3	3	5	4	6	4	2	2	0
r Total	16	29	21	10	20	16	9	15	14	14	3	1

4 Hour Total : 252
M peak hour begins : 07:45 AM peak volume : 18 Peak hour factor : 0.75
M peak hour begins : 13:00 PM peak volume : 29 Peak hour factor : 0.81

ul 7 Westbound Volume for Lane 2

nd Time	00	01	02	03	04	05	06	07	08	09	10	11
15	0	0	0	1	0	0	3	0	2	7	6	9
30	2	2	1	0	3	0	0	5	6	5	7	6
45	1	0	0	0	1	1	0	7	3	5	9	8
00	0	1	1	1	0	0	0	4	2	5	5	2
r Total	3	3	2	2	4	1	3	16	13	22	27	25

nd Time	12	13	14	15	16	17	18	19	20	21	22	23
15	7	5	4	2	4	8	6	4	3	1	1	2
30	6	7	4	3	6	2	0	1	8	1	1	2
45	5	2	5	4	4	5	3	5	2	4	0	0
00	3	3	9	5	3	3	6	3	4	1	0	0
r Total	21	17	22	14	17	18	15	13	17	7	2	4

4 Hour Total : 288
M peak hour begins : 10:15 AM peak volume : 30 Peak hour factor : 0.83
M peak hour begins : 14:00 PM peak volume : 22 Peak hour factor : 0.61

ata File : D0707001.PRN
tation : 000000070602
dentification : 000110252093
tart date : Jul 7, 04
top date : Jul 7, 04
ity/Town : Lake Park, FL
ocation : E Jasmine Drive East of US1

Interval : 15 minutes
Start time : 00:00
Stop time : 24:00
County : Palm Beach

ul 7 Total Volume for All Lanes

nd Time	00	01	02	03	04	05	06	07	08	09	10	11
15	1	0	0	1	0	0	4	2	5	9	8	11
30	3	5	2	0	4	0	1	9	11	11	14	8
45	2	1	0	0	1	1	3	9	9	7	13	12
00	0	1	2	1	0	0	2	8	3	10	8	3
r Total	6	7	4	2	5	1	10	28	28	37	43	34

nd Time	12	13	14	15	16	17	18	19	20	21	22	23
15	11	12	9	3	11	10	8	8	6	5	1	2
30	11	14	10	6	10	9	1	4	12	3	1	2
45	10	8	9	7	10	7	5	7	5	10	1	1
00	5	12	15	8	6	8	10	9	8	3	2	0
r Total	37	46	43	24	37	34	24	28	31	21	5	5

4 Hour Total : 540
M peak hour begins : 10:15 AM peak volume : 46 Peak hour factor : 0.82
M peak hour begins : 13:00 PM peak volume : 46 Peak hour factor : 0.82

Traffic Survey Specialists, Inc. 624 Gardenia Terrace
Delray Beach, Florida 33444 Phone (561) 272-3255
Volume Report with 24 Hour Totals

ata File : D0707002.PRN
tation : 000000070601
dentification : 000058410082
tart date : Jul 7, 04
top date : Jul 7, 04
ity/Town : Lake Park, FL
ocation : E Ilex Drive East of US1

Interval : 15 minutes
Start time : 00:00
Stop time : 24:00
County : Palm Beach

Eastbound Volume for Lane 1

il 7

nd. Time	00	01	02	03	04	05	06	07	08	09	10	11
15	0	0	0	0	0	0	1	1	0	1	2	0
30	2	1	0	0	0	1	0	0	1	1	1	3
45	0	0	0	0	0	0	1	1	0	2	2	1
00	1	0	0	0	0	0	1	0	0	2	2	2
r Total	3	1	0	0	0	1	3	2	1	6	7	6

nd Time	12	13	14	15	16	17	18	19	20	21	22	23
15	2	2	1	2	1	2	4	3	4	1	4	0
30	4	0	1	3	5	1	2	0	0	1	1	0
45	0	1	1	7	2	2	4	2	3	1	0	0
00	3	4	7	2	4	1	0	2	3	2	0	0
r. Total	9	7	10	14	12	6	10	7	10	5	5	0

Hour Total : 125
peak hour begins : 11:30 AM peak volume : 9 Peak hour factor : 0.56
peak hour begins : 14:45 PM peak volume : 19 Peak hour factor : 0.68

Westbound Volume for Lane 2

il 7

nd Time	00	01	02	03	04	05	06	07	08	09	10	11
15	1	0	0	0	0	0	1	1	1	1	1	2
30	1	0	0	0	0	0	2	1	1	2	1	1
45	1	0	0	0	0	0	1	0	2	1	3	1
00	1	1	0	0	1	1	1	2	1	1	2	2
r Total	4	1	0	0	1	1	5	4	5	5	7	6

nd Time	12	13	14	15	16	17	18	19	20	21	22	23
15	2	0	1	2	1	3	0	2	1	1	0	2
30	1	1	0	0	2	1	0	0	2	1	2	0
45	1	1	3	0	2	2	2	2	2	0	0	2
00	3	0	6	0	1	4	1	0	0	0	3	1
r Total	7	2	10	2	6	10	3	4	5	2	5	5

Hour Total : 100
peak hour begins : 10:15 AM peak volume : 8 Peak hour factor : 0.67
peak hour begins : 14:15 PM peak volume : 11 Peak hour factor : 0.46

ata File : D0707002.PRN
tation : 000000070601
dentification : 000058410082
tart date : Jul 7, 04
top date : Jul 7, 04
ity/Town : Lake Park, FL
ocation : E Ilex Drive East of US1

Interval : 15 minutes
Start time : 00:00
Stop time : 24:00
County : Palm Beach

ul 7 Total Volume for All Lanes

nd Time	00	01	02	03	04	05	06	07	08	09	10	11
15	1	0	0	0	0	0	2	2	1	2	3	2
30	3	1	0	0	0	1	2	1	2	3	2	4
45	1	0	0	0	0	0	2	1	2	3	5	2
00	2	1	0	0	1	1	2	2	1	3	4	4
r Total	7	2	0	0	1	2	8	6	6	11	14	12

nd Time	12	13	14	15	16	17	18	19	20	21	22	23
15	4	2	2	4	2	5	4	5	5	2	4	2
30	5	1	1	3	7	2	2	0	2	2	3	0
45	1	2	4	7	4	4	6	4	5	1	0	2
00	6	4	13	2	5	5	1	2	3	2	3	1
r Total	16	9	20	16	18	16	13	11	15	7	10	5

4 Hour Total : 225
M peak hour begins : 10:30 AM peak volume : 15 Peak hour factor : 0.75
M peak hour begins : 14:45 PM peak volume : 27 Peak hour factor : 0.52

Comcast

March 19, 2014

RE: PETITION TO ABANDON/VACATE SECTION OF RIGHT OF WAY OF EAST JASMINE DRIVE LAKE PARK

Dear Mr Jankowski,

Comcast has no conflict with the location of the above mentioned. If the scope of work or project limits should change on this project please let me know.

Please call 1-800-432-4770, 811 or www.callsunshine.com before you dig.

If you have any further questions, please feel free to contact us during normal business hours at 561-882-4310.

Sincerely,

Mark A. Milford

Comcast

FEC Regional Construction
561-882-4310
Mark_Milford@cable.comcast.com

AT&T Florida
2021 South Military Trail
West Palm Beach, Florida 33415
robert.lowen@att.com

T:561.357.6615
C:561.329.5451
F:561.964.3499

March 18, 2015

Mr. Brad T. Jankowski
Owen Law
4500 PGA Blvd. Suite 200
Palm Beach Gardens, Fl. 33418

Re: ATT Florida's Response for R/W Abandonment of East Jasmine Drive East of US-1 in the Vicinity of Earl Stewart Toyota

Mr. Jankowski:

A records investigation indicates that ATT Florida has a buried cable along the north side of the E. Jasmine Drive R/W. It feeds the aerial cable along the east side of US-1.

ATT will require a utility easement in lieu of the R/W occupancy to maintain the existing facilities as well as 2-4" PVC conduits crossing the property within the utility easement. These conduits would allow ATT to place cables for future communication needs through the property without interfering with the business. Contingent upon these items, the abandonment will not adversely affect AT&T.

Please contact Mr. Otis Keeve , (954)723-2540 to coordinate the above-referenced request, and please accept this as ATT Florida's response to your request for a written statement regarding this matter.

Sincerely,

Robert C. Lowen
Manager-Operations, ATT Florida

Attachment: aerial photo as provided to ATT

Cc: Otis Keeve

FLORIDA PUBLIC UTILITIES
— energy for life —

Community
MAR 26 2014
Development

002_ NO OBJECTION
March 18, 2014

RE: PETITION TO ABANDON/VACATE SECTION OF RIGHT OF WAY OF EAST JASMINE DRIVE LAKE PARK

Mr. Jankowski:

We have reviewed your request and have determined that the proposed modifications to the right of way will not interfere with any provisions of our services; therefore we have no objection to the abandonment of the easement described above.

If you have any additional questions or concerns please feel free to call me at 561-838-1817.

Sincerely,

IVAN GIBBS
ENG TECH

March 17, 2015

Ms. Nadia DiTommaso
Community Development Director
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403
NDiTommaso@lakeparkflorida.gov

Re: Petition to Abandon/Vacate Section of Right of Way of East Jasmine Drive, Lake Park

Dear Ms. DiTommaso:

Please be advised that Florida Power & Light ("FP&L") has no objection with the removal of the facilities at the location described in your letter dated March 16, 2015, and under the terms and conditions set forth in same. The removal of the facilities will not adversely affect FP&L. A formal letter that will need to be signed by the Engineer Lead or Area manager will be provided to abandon the right of way once payment has been made. An invoice for the full amount and the agreement to be signed by the Town of Lake Park will be provided within two weeks. Please call me with any questions or concerns.

Sincerely,

Greg Santander
Technical Specialist II
561-616-1610

Community
Development
Department

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

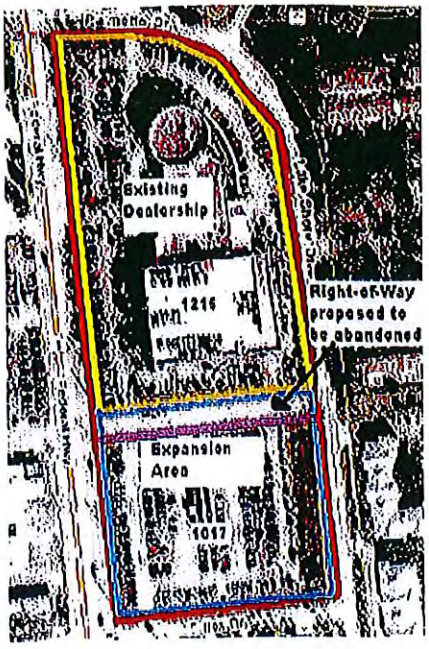
www.lakeparkflorida.gov

March 16, 2015

Mr. Greg Santander
Florida Power & Light

Re: Written Statement for Earl Stewart Toyota Abandonment Application

Dear Mr. Santander,



Per FPL's request, the purpose of this letter is to formally request that Florida, Power & Light remove the street lights, poles, and cables located in the right-of-way located on a 0.49-acre portion of East Jasmine Drive located between two lots owned by Earl Stewart Toyota as shown on the drawing.

On March 26, 2014, Earl Stewart Toyota ("Earl Stewart") submitted an application to request that the Town of Lake Park (the "Town") abandon a portion of East Jasmine Drive (the "Right-of-Way") located in between two lots owned by Earl Stewart. The application requires the various public utility companies serving the Town to issue written statements stating whether the proposed abandonment would adversely affect that utility. Florida Power & Light ("FPL") is one of the public utility companies the Town requires to provide this written statement. As part of the application's due diligence process, Earl Stewart learned FPL is responsible for the management and maintenance of street lights, poles, and cables located in the Right-of-Way, which will need to be removed pursuant to a written request from the Town.

Therefore, please consider this letter as the Town's formal request to remove the street lights, poles, and cables as part of abandoning this certain Right-of-Way, contingent upon the Right-of-Way and site plan approval by the Town Commission. The Town understands there will be a charge for the removal of these facilities, and arrangements have already been made with Earl Stewart for payment of the removal. **Earl Stewart Toyota will be responsible for ALL costs associated with the removal and restoration of the site. This removal is contingent upon the approval of the abandonment of the right-of-way and the site plan application for the expansion of the dealership.** Please acknowledge your acceptance of this request with a written statement stating that following the removal of the facilities mentioned herein, the abandonment will not adversely affect FP&L.

Thank you for your time and consideration of this request.

Sincerely,

Nadia DiTommaso
Community Development Director
Town of Lake Park

Seacoast Utility Authority

EXECUTIVE OFFICE

Mailing Address:
P.O. Box 109002
Palm Beach Gardens,
Florida 33410-9002

March 19, 2014

Mr. Brad T Jankowski
4500 PGA Boulevard, Suite 200
Palm Beach Gardens, FL 33418

Re: Letter of No Objection

Dear Mr. Jankowski:

This letter will confirm that Seacoast Utility Authority has no objection to the proposed abandonment of that portion of Jasmine Drive right-of-way lying between Federal Highway and Lakeshore Drive in the Town of Lake Park, Florida as set forth in your petition and dated March 18, 2014.

Should you have any questions, please feel free to contact me at (561) 627-2900 extension 314.

Sincerely,

SEACOAST UTILITY AUTHORITY

Rim Bishop
Executive Director

cc: B. Gregg

Appraiser Email Correspondence

From: Nadia DiTommaso
Sent: Monday, April 27, 2015 4:20 PM
To: 'Teddy Brown'
Subject: RE: East Jasmine Drive Appraisal

Thank you, much appreciated.

Nadia

From: Teddy Brown [mailto:ftedbrown3@gmail.com]
Sent: Monday, April 27, 2015 3:19 PM
To: Nadia DiTommaso
Subject: Re: East Jasmine Drive Appraisal

As of that date, I will check to see if better sales closed after the inspection date and see if they would affect the value.

On Thu, Apr 23, 2015 at 5:46 PM, Nadia DiTommaso <NDiTommaso@lakeparkflorida.gov> wrote:

Thanks. Therefore, the value in the appraisal is really the highest possible value per your analysis, correct?

Nadia

From: Teddy Brown [mailto:ftedbrown3@gmail.com]
Sent: Thursday, April 23, 2015 2:06 PM

To: Nadia DiTommaso
Subject: Re: East Jasmine Drive Appraisal

Correct, taking into account of the costs, time and contingencies of the abandonment process.

On Thu, Apr 23, 2015 at 8:02 AM, Nadia DiTommaso <NDiTommaso@lakeparkflorida.gov> wrote:

> Thank you kindly. I look forward to hearing back on the possible comps. Regarding the "as-is" value, this means it's an all-inclusive value, correct?

------ Original message------

From: Teddy Brown

Date: Wed, Apr 22, 2015 1:00 PM

To: Nadia DiTommaso;

Subject:Re: East Jasmine Drive Appraisal

I will be glad to attend, I charge $150. per hour for consulting, I will see if any sales have closed that may increase the market value. Please remember that value is "as is" and the costs of demolition and relocation of utilities is considered in the final value estimate.

On Tue, Apr 21, 2015 at 3:51 PM, Nadia DiTommaso <NDiTommaso@lakeparkflorida.gov<mailto:NDiTommaso@lakeparkflorida.gov>> wrote:
Good afternoon Ted-

Just following up on the conversation we had the other week following our Town Commission meeting when your appraisal was discussed. As you know, there were concerns with the appraisal amount being too low and the comparables used. Based on our discussion, I do understand that the comparables used are those that are available when the appraisal is done and that there would not be another appraisal method that would serve to increase the appraised value which you believe to be an accurate appraisal value. It would be important for you to attend the Town Commission meeting of May 20 because the Town Commission asked that the appraiser be in attendance to answer questions related to the appraisal. Your presence is extremely important and I hope you, or someone from your firm can attend. I will certainly compensate you for your time, simply let me know what the charge for this will be. The meeting starts at 6:30pm and the item will be presented as quickly as the Town Commission can get to it on the agenda.

I look forward to hearing back. Thank you!
Nadia

Nadia Di Tommaso, LEED Green Associate
Community Development Director
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403
Phone: (561) 881-3319<tel:%28561%29%20881-3319>
Fax: (561) 881-3323<tel:%28561%29%20881-3323>

Please note: Florida has a very broad public records law. Written communication regarding Town business are public records available to the public upon request. Your e-mail communications are therefore subject to public disclosure. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entry, instead contact this office by phone or in writing. Section 668.6076, F.S.

--
F TED (TEDDY) BROWN, III
561-371-2196 DL 561-222-2823
e-fax 561-839-1421
BROKER ASSOCIATE
RE/MAX ISLAND PROPERTIES
FL CERT. GENERAL RE APPRAISER
RZ 1992

--

F TED (TEDDY) BROWN, III

561-371-2196 DL 561-222-2823

e-fax 561-839-1421

BROKER ASSOCIATE

RE/MAX ISLAND PROPERTIES

FL CERT. GENERAL RE APPRAISER

RZ 1992

--
F TED (TEDDY) BROWN, III
561-371-2196 DL 561-222-2823
e-fax 561-839-1421
BROKER ASSOCIATE
RE/MAX ISLAND PROPERTIES
FL CERT. GENERAL RE APPRAISER
RZ 1992

Appraiser Realty Institute

Community

FEB 25 2015

Development

February 20, 2015

Town of Lake Park
Community Development Department
Via Email:nditommaso@lakepark.gov

Attn: Nadia Di Tommaso
Community Development Director

Dear Director Di Tommaso:

In accordance with your request I have updated the appraisal for the Road Right-away of East Jasmine, in Lake Park, Florida. I have utilized the Sales Comparison Approach to value in this Restricted report.

This is a Restricted report because of the format and reporting method chosen and agreed upon. This report is not so restricted as to lead to an impression that the Appraiser has not followed the Uniform Appraisal Practices as set forth by the Appraisal Institute. The report is an update to a previous assignment request by the Town of Lake Park and in the Town's possession.

The Appraiser does not have any present or contemplated interest in the Subject Property and will not receive any benefits or detriments as contingencies on the valuation found. The conclusion is based on five sales. Two were improved sales in the Town of Lake Park in which the land value is extracted from the overall sale price base on the percentage that the Palm Beach County Property Appraiser accesses the to the land, then multiplied by the sale price, and divided the extracted land value by the site's square footage. This give a price per square foot for the particular sales. The other three sales are vacant land, of similar size, in Riviera Beach on Broadway, West Palm Beach on South Dixie Highway and in Lake Worth on North Dixie Highway.

All sales occurred between April and December, 2014. No time adjustment is considered because, although residential real estate sales have increased in numbers and values, the commercial real estate market tends to lag behind home sales, and the stock market is doing well in case of the need for cash. The current world wide economy may be slowing, contracting, and the desire for liquid assets, as opposed to real estate, seems to be prevailing.

This assignment is somewhat unique in that the Subject Property, East Jasmine Drive, is a paved street connecting Federal Highway to Lakeshore Drive between located between the anticipated Buyers' retail car sales Businesses. The setbacks, easements, power lines, sewer and water lines could render a substantial portion of this property unbuildable and this property will have the most benefit to the Buyer for an increased density of automobile sales.

This fact may increase the value in use for the potential Buyer.

The Sales indicate a wide range of values with the vacant land sales in West Palm Beach and Lake Worth at approximately $17 to $18 per square foot. The Riviera Beach vacant land sale and extracted estimates of land values from the Lake Park improved sales range from $3 to $7 per square foot.

The weighted averages of all the sales indicate a Market Value is approximately the same as the previous report requested and supplied to the Town.

It is the opinion of the appraiser that the Fair Market Value of the Subject Property as of December 31, 2014 is:

THREE HUNDRED THOUSAND DOLLARS

(300,000)

F. Ted Brown, III
Florida State Certified General Appraiser
RZ 1992

Appraiser Realty Institute
3688 Cypress Street
Palm Beach Gardens, Florida 33410

Phone: 561-842-4600
Fax: 561-839-1421

Community

MAY - 9 2014

Development

May 8, 2014

Nadia Di Tommaso
C/O Town of Lake Park
535 Park Avenue
Lake Park, Fl 33403

Dear: Nadia Di Tommaso

In accordance with your request, I have prepared a Restricted Use Appraisal Report for the road right-a-way abandonment of East Jasmine Drive, Lake Park, Florida. The Sales Comparison Approach was the only valuation approach considered in preparing this report.

This is a restricted use appraisal report and is intended to comply with the reporting requirements set forth under standards rule 2 – 2C of the Uniform Standards of Professional Appraisal Practice for a Restricted Use Appraisal Report. As such, it does not present discussions of data, reasoning, and analysis that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analysis is retained in the appraiser work file.

The appraiser does not have any present or contemplated interest in the subject property. The appraiser will not receive any benefits or detriments as contingencies on the valuation found.

It is the opinion the value of the subject property as of May 7, 2014, is as follows:

THREE HUNDRED THOUSAND DOLLARS

($300,000)

Sincerely,

F. Ted Brown, III
State Certified General
Real Estate Appraiser
RZ 1992

3688 CYPRESS ST., Palm Beach Gardens, Florida 33410
561.842.4600 Fax: 561.839.1421 www.appraiserrealtyinstitute.com
Affiliated with Ted Brown Real Estate, Inc. – www.tbre.com

INVOICE

FROM:
F Ted Brown, III
Appraiser Realty Institute
3660 Cypress St

Palm Beach Gardens, FL 33410-5674
Telephone Number: (561) 842-4600 Fax Number: (561) 939-1421

TO:
Town Of Lake Park
C/O Nadia Di Tommaso
535 Park Avenue
Lake Park
Florida 33403
E-Mail: ndtommaso@lakeparkflorida.gov
Telephone Number: 561-881-3319 Fax Number: 561-882-3323
Alternate Number:

MAY 22 2014

INVOICE NUMBER
L1-2014
DATES
Invoice Date:
Due Date: 5/22/2014
REFERENCE
Internal Order #:
Lender Case #:
Client File #:
FHA/VA Case #:
Main File # on form:
Other File # on form:
Federal Tax ID:
Employer ID:

DESCRIPTION

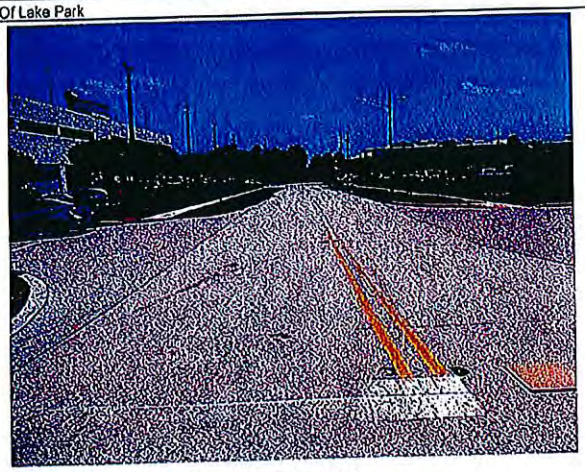
Lender: C/O Town Of Lake Park Client: Town Of Lake Park
Purchaser/Borrower:
Property Address: East Jasmine Drive
City: Lake Park State: Fl Zip: 33403
County: Palm Beach
Legal Description: East Jasmine Road-Right-of-Way

FEES	AMOUNT
	1,200.00
SUBTOTAL	1,200.00

PAYMENTS			AMOUNT
Check #:	Date:	Description:	
Check #:	Date:	Description:	
Check #:	Date:	Description:	
		SUBTOTAL	
		TOTAL DUE	$ 1,200.00

APPRAISAL OF REAL PROPERTY

Borrower				File No.	
Property Address	East Jasmine Drive				
City	Lake Park	County	Palm Beach	State FI	Zip Code 33403
Lender/Client	C/O Town Of Lake Park				



LOCATED AT
East Jasmine Drive
Lake Park, Fl 33403
East Jasmine Road-Right-of-Way

FOR
C/O Town Of Lake Park
535 Park Avenue, Lake Park, Florida 33403

OPINION OF VALUE
300,000

AS OF
May 7, 2014

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Survey Map 12
Plat Map 13
Location Map 14
Flood Map 15

Appraiser Realty Institute (561) 842-4600

DESKTOP RESTRICTED USE APPRAISAL REPORT

File #
Loan #

FOR INTERNAL RISK ANALYSIS
VALUE ESTIMATED FROM PUBLIC RECORD DATA ONLY, NO PROPERTY INSPECTION PERFORMED UNLESS OTHERWISE STATED.

Intended Purpose: ☐ Portfolio Evaluation ☐ QC/Audit ☐ Junior Lien ☐ REO/Foreclosure ☒ Other: Sale
Data Source(s) Used: ☐ Lender ☒ Public Records ☐ Owner ☒ Appraiser Files ☒ MLS ☒ Plans & Specs. ☐ Other:
Interest Appraised: ☒ Fee Simple ☐ Leasehold ☐ Leased Fee ☐ Other (describe)

CLIENT AND SUBJECT PROPERTY IDENTIFICATION

Lender/Client Name: C/O Town Of Lake Park — Lender/Client Contact: Nadia Di Tommaso
Lender/Client Address: 535 Park Avenue, Lake Park, Florida 33403
Borrower/Applicant: — Current Owner: Town Of Lake Park
Subject Property Address: East Jasmine Drive — City: Lake Park — State: Fl — ZIP: 33403
Census Tract: 0011.01 — Map Ref.: 48424 — County: Palm Beach
Legal Description: East Jasmine Road-Right-of-Way
Property Type: ☐ Tract SFR ☐ Custom ☐ Condo ☐ Coop ☐ Townhouse ☐ Multifamily ☒ Other: Paved Road

MARKET AREA AND COMPARABLES

Market Value Trend: ☐ Increasing ☒ Stable ☐ Declining
Market Area Name: Lake Park
Typical Market Price Range: $ 10. PSF to $ 18. PSF — Predominant: $ 15. Median PSF
Typical Market Age Range: N/A yrs. to N/A yrs. — Predominant: N/A yrs.

FEATURE	SUBJECT	COMPARABLE SALE # 1	COMPARABLE SALE # 2	COMPARABLE SALE # 3
Address	East Jasmine Drive Lake Park, Fl 33403	952 Northlake Blvd. Lake Park, Fl 33403	900 Federal Highway Lake Park, Fl 33403	Block 139 Lot 1 LP ADD 3 Lake Park, Fl 33403
Proximity to Subject		1.23 miles W	0.11 miles S	0.88 miles NW
Sales Price	$	$ 268,520	$ 61,750	$ 608,800
Price/Gross Living Area	$ /Sq. Ft.	$ 15.11 /Sq. Ft.	$ 14.79 /Sq. Ft.	$ 17.89 /Sq. Ft.
Date of Sale		9/2013	9/2012	8/2013
Location	Good	Good	Good	Good
Site Size	22,048. SF	17,773 SF	7,248 SF	33,916 SF
Site View	Average	Average	Average	Average
Design (Style)	Vacant	Retail Restaurants	Office	Vacant
Age (yrs.)	Unknown	N/A	N/A	N/A
Condition	Average	Average	Poor	Fair
Above Grade Room Count	Total Rooms: None / Bedrooms: None / Bath(s): None	Total Rooms: 3 / Bedrooms: N/A / Bath(s): 2	Total Rooms: Unknown / Bedrooms: Unknown / Bath(s): Unknown	Total Rooms: None / Bedrooms: None / Bath(s): None
Gross Living Area	None Sq. Ft.	17,773 Sq. Ft.	4,174 Sq. Ft.	33,916 Sq. Ft.
Basement	N/A	N/A	N/A	N/A
Heating/Cooling	N/A	Central	Unknown	N/A
Garage/Carport	N/A	None	None	N/A
Porch, Patio, Deck, etc.	N/A	None	No Added Value	N/A
Amenities/Upgrade	Asphl Pavement/ Sidewalks	Drive Thru	Improved	None
Overall Comparison to Subject Property		☒ Superior ☐ Similar ☐ Inferior	☒ Superior ☐ Similar ☐ Inferior	☐ Superior ☒ Similar ☐ Inferior

EVALUATION SUMMARY

Comments: The Comparables consist of two car lot sales properties, an improved commercial building across the street from the Subject Property, and a Fast Food retail building. The Land value is extracted from the sale prices by computing the land ratio to total value according to Palm Beach County Property Appraisers assessed values, multiplying that ratio by the comparable sale price for the estimated land value. This estimate is divided by the sites square footage for a price per square foot. The per square foot land values are evaluated, compared to the Subject and applied to the Subject Property's square footage. The approximate final values are reconciliated for an estimate of value of the Subject Property.

Opinion of Value: $ 300,000 as of May 7, 2014

CERTIFICATION AND LIMITING CONDITIONS

RESTRICTED USE APPRAISAL REPORT: The Restricted Use Appraisal Report option limits the use of this report to the named client. The appraiser's opinions and conclusions set forth in the report cannot be understood properly without additional information in the appraiser's work file.

PURPOSE OF APPRAISAL: The purpose of this appraisal is to estimate the market value of the real property that is the subject of this report based upon a qualitative sales comparison analysis for use in the mortgage finance transaction.

INTENDED USE: This appraisal is intended for use only by the client and/or its subsidiaries. The function of this appraisal is to help the client analyze the risk associated with making a loan on the subject property.

INTENDED USER(S): The intended user(s) of this appraisal report is the Lender/Client named herein, or it's successors and assigns.

HIGHEST AND BEST USE: The Highest and Best Use of the subject property is assumed to be its present use; that is, one-four (1-4) family residential use.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: 1) buyer and seller are typically motivated; 2) both parties are well informed or well advised, and acting in what they consider their best interests; 3) a reasonable time is allowed for exposure in the open market; 4) payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and 5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

DESKTOP RESTRICTED USE APPRAISAL REPORT

File #
Loan #

SCOPE OF WORK: The scope of this appraisal consists of identifying the characteristics of the subject property that are relevant to the purpose and intended use of the appraisal. This may be accomplished by reviewing public record data, prior appraisal or other documentation from a disinterested source and which is considered reliable from the appraiser's perspective. Unless otherwise noted in the appraisal, no interior or exterior inspection of the subject property has been made.

In developing this appraisal, the appraiser has incorporated only the Sales Comparison approach. The appraiser has excluded the Cost and Income approaches as not being relevant, given the agreed upon Scope of Work. The appraiser has determined that this appraisal process is not so limited that the results of the assignment are no longer credible, and the client agrees that the limited service is appropriate given the intended use. The data sources for the comparable sales may include public record data services, multiple listing services, automated valuation models and/or other data sources that become available. The confirmation of comparable sale data, i.e. closed sale documentation and property characteristics, is via public data sources only. The appraiser has not viewed the sales in the field. The data is collected, verified and analyzed, in accordance with the scope of work identified and the intended use of the appraisal. The appraiser acknowledges that an estimate of a reasonable time for the exposure in the open market is a condition in the definition of market value. The subject's marketing time is assumed to be typical for the subject's market area unless otherwise stated.

In the absence of an inspection, the appraiser has made some basic assumptions, including the following:
1. The subject property is assumed to be in average overall condition and generally conforms to the neighborhood in terms of style, condition and construction materials.
2. There are no adverse environmental conditions (hazardous wastes, toxic substances, etc.) present in the improvements, on the site, or in the immediate vicinity of the subject property.
3. There are no significant discrepancies between the public record information or other data sources and the existing site or improvements.

ANALYSIS OF ANY CURRENT AGREEMENT OF SALE, PRIOR SALE WITHIN THREE YEARS AND RECONCILIATION: Unless otherwise noted, the appraiser has no knowledge of any current agreement of sale nor any current or past listing agreement. Prior sales of the subject property within three years of the effective date of this appraisal have been researched and reported, if available from public record sources. The appraiser has reconciled the quality and quantity of data available into an Opinion of Market Value, in accordance with the intended use and scope of work.

STATEMENT OF CONTINGENT AND LIMITING CONDITIONS: The Appraiser's Certification that appears in this report is subject to the following conditions:
1. The appraiser will not be responsible for matters of a legal nature that affect the subject property.
2. The appraiser assumes the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
3. The appraiser will not give testimony or appear in court because he or she performed this appraisal unless specific arrangements to do so have been made beforehand.
4. Except as noted herein, the appraiser has not made an exterior or interior inspection of the subject property. The appraiser assumes that there are no adverse conditions associated with the improvements or the subject site. Unless otherwise stated in this report, the appraiser has no knowledge of any hidden or apparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) present in the improvements, on the site or in the immediate vicinity that would make property more or less valuable, and has assumed that there are no such conditions. The appraiser makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser assumes that the improvements are in average condition. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report may not be considered an environmental assessment of the property.
5. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers reliable and has no reason to believe them to be other than true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
6. The appraiser will not disclose the content of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.

APPRAISER'S CERTIFICATION: The appraiser certifies, to the best of my knowledge and belief:
1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. My engagement in this assignment was not contingent upon the development or reporting of predetermined results.
6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. My analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
8. I have not made a personal inspection of the property that is the subject of this report, nor did I make inspections of the comparable sales.
9. No one provided significant real property appraisal assistance to the person signing this report, unless otherwise noted and acknowledged within this report.

ADDRESS OF PROPERTY APPRAISED:
East Jasmine Drive
Lake Park, Fl 33403

OPINION OF VALUE OF THE SUBJECT PROPERTY: $ 300,000

EFFECTIVE DATE OF APPRAISAL: May 7, 2014

LENDER/CLIENT:
Contact: Nadia Di Tommaso
Company Name: C/O Town Of Lake Park
Company Address: 535 Park Avenue
Lake Park, Florida 33403

APPRAISER:
Signature:
Name: F. Ted Brown, III
Company Name: Appraiser Really Institute
Company Address: 3688 Cypress Street
Palm Beach Gardens, Fl 33410
Date of Report/Signature: 05/22/2014
License or Certification #: RZ 1992
Designation: Fl Certified General R. E. Appraiser ST: Fl
Expiration Date of Certification or License: 11/30/2014
Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None
Date of Inspection: May 7, 2014

SUPERVISORY or CO-APPRAISER (if applicable):
Signature:
Name:
Company Name:
Company Address:
Date of Report/Signature:
License or Certification #:
Designation: ST:
Expiration Date of Certification or License:
Inspection of Subject: ☐ Interior & Exterior ☐ Exterior Only ☐ None
Date of Inspection:

Subject Land Photo Page

Borrower				
Property Address	East Jasmine Drive			
City	Lake Park	County Palm Beach	State FI	Zip Code 33403
Lender/Client	C/O Town Of Lake Park			

Subject Front

East Jasmine Drive
Sales Price
Date of Sale
Location Good
Site/View Average
Amenities/Upgrades Aspht Pavement/ Sidewa

Subject Rear

Subject Street

Photograph Addendum

Borrower					
Property Address	East Jasmine Drive				
City	Lake Park	County Palm Beach	State FI	Zip Code 33403	
Lender/Client	C/O Town Of Lake Park				

View South

West View

Comparable Land Photo Page

Borrower					
Property Address	East Jasmine Drive				
City	Lake Park	County	Palm Beach	State FI	Zip Code 33403
Lender/Client	C/O Town Of Lake Park				

Comparable 1

952 Northlake Blvd.

Prox. to Subj.	1.23 miles W
Sales Price	268,520
Date of Sale	9/2013
Location	Good
Site/View	Average
Amenities/Upgrades	Drive Thru

Comparable 2

900 Federal Highway

Prox. to Subject	0.11 miles S
Sales Price	61,750
Date of Sale	9/2012
Location	Good
Site/View	Average
Amenities/Upgrades	Improved

Comparable 3

Block 139 Lot 1 LP ADD 3

Prox. to Subject	0.69 miles NW
Sales Price	606,800
Date of Sale	8/2013
Location	Good
Site/View	Average
Amenities/Upgrades	None

ADDITIONAL COMPARABLE SALES

File No.
Loan No.

SALES COMPARISON APPROACH

FEATURE	SUBJECT	COMPARABLE SALE # 4	COMPARABLE SALE # 5	COMPARABLE SALE # 6
Address	East Jasmine Drive Lake Park, Fl 33403	1208 Northlake Blvd. Lake Park, Fl 33403		
Proximity to Subject		1.60 miles W		
Sales Price	$	$ 748,011	$	$
Price/Gross Living Area	$ /Sq. Ft.	$ 10.10 /Sq. Ft.	$ /Sq. Ft.	$ /Sq. Ft.
Data of Sale		2/2008		
Location	Good	Good		
Site Size	22,048. SF	74,095		
Site View	Average	Average		
Design (Style)	Vacant	Sales Office		
Age (yrs.)	Unknown	Unknown		
Condition	Average	Average		
Above Grade Room Count	Total Rooms: None / Bedrooms: None / Bath(s): None	Total Rooms: 1 / Bedrooms: N/A / Bath(s): 1	Total Rooms: / Bedrooms: / Bath(s):	Total Rooms: / Bedrooms: / Bath(s):
Gross Living Area	None Sq. Ft.	74,095 Sq. Ft.	Sq. Ft.	Sq. Ft.
Basement	N/A	N/A		
Heating/Cooling	N/A	Yes		
Garage/Carport	N/A	None		
Porch, Patio, Deck, etc.	N/A	Yes Covered Walkway		
Amenities/Upgrades	Asphl Pavement/ Sidewalks	Paved Sales Lot		
Overall Comparison to Subject Property		☐ Superior ☒ Similar ☐ Inferior	☐ Superior ☐ Similar ☐ Inferior	☐ Superior ☐ Similar ☐ Inferior

Comments: **SCOPE OF APPRAISAL: The Appraiser inspected the Subject Property on May 7, 2014, the paved road-right-of-way was physically measured and photographed. Prior to the inspection comparable sales were choose, verified, when possible, externally inspected and photographed. Recorded sales are assumed to be arms length transactions when verification sources are unreachable. These properties were all in the city limits of Lake Park with a sale in 2008, a car dealership sale and anther in 2012 deemed to be comparable. The inflation climate and commercial property values have not appreciated significantly during this time frame and no appreciation factor is considered. The Appraiser has a Real Estate Bachelor of Science, has been selling, Rating and appraising Commercial real estate since 1983. The Market Approach to Valuation is the only approach considered in this estimate of value. The Cost and Income Approaches to Value are not applicable and were not implemented in this report. The Appraiser used previous assignments, education and expertise in reconciliation of the final valuation.**

Comparable Land Photo Page

Borrower					
Property Address	East Jasmine Drive				
City	Lake Park	County	Palm Beach	State FI	Zip Code 33403
Lender/Client	C/O Town Of Lake Park				

Comparable 4

1209 Northlake Blvd.

Prox. to Subj.	1.50 miles W
Sales Price	748,011
Date of Sale	2/2008
Location	Good
Site/View	Average
Amenities/Upgrades	Paved Sales Lot

Comparable 5

Prox. to Subject
Sales Price
Date of Sale
Location
Site/View
Amenities/Upgrades

Comparable 6

Prox. to Subject
Sales Price
Date of Sale
Location
Site/View
Amenities/Upgrades

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale. (Source: FDIC Interagency Appraisal and Evaluation Guidelines, October 27, 1994.)

* Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF LIMITING CONDITIONS AND CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is valued on the basis of it being under responsible ownership.

2. Any sketch provided in the appraisal report may show approximate dimensions of the improvements and is included only to assist the reader of the report in visualizing the property. The appraiser has made no survey of the property.

3. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.

4. Any distribution of valuation between land and improvements in the report applies only under the existing program of utilization. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.

5. The appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous waste, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. This appraisal report must not be considered an environmental assessment of the subject property.

6. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.

7. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.

8. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.

9. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

10. The appraiser is not an employee of the company or individual(s) ordering this report and compensation is not contingent upon the reporting of a predetermined value or direction of value or upon an action or event resulting from the analysis, opinions, conclusions, or the use of this report. This assignment is not based on a required minimum, specific valuation, or the approval of a loan.

Form ACR2 DEFD - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

File No.

CERTIFICATION: The appraiser certifies and agrees that:

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

3. Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

4. Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

5. I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.

6. My engagement in this assignment was not contingent upon developing or reporting predetermined results.

7. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

8. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.

9. Unless otherwise indicated, I have made a personal inspection of the interior and exterior areas of the property that is the subject of this report, and the exteriors of all properties listed as comparables.

10. Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

ADDRESS OF PROPERTY ANALYZED: East Jasmine Drive, Lake Park, Fl 33403

APPRAISER:

Signature:
Name: F. Ted Brown, III
Title: Fl Certified General R. E. Appraiser
State Certification #: RZ 1992
or State License #:
State: Fl Expiration Date of Certification or License: 11/30/2014
Date Signed: 05/22/2014

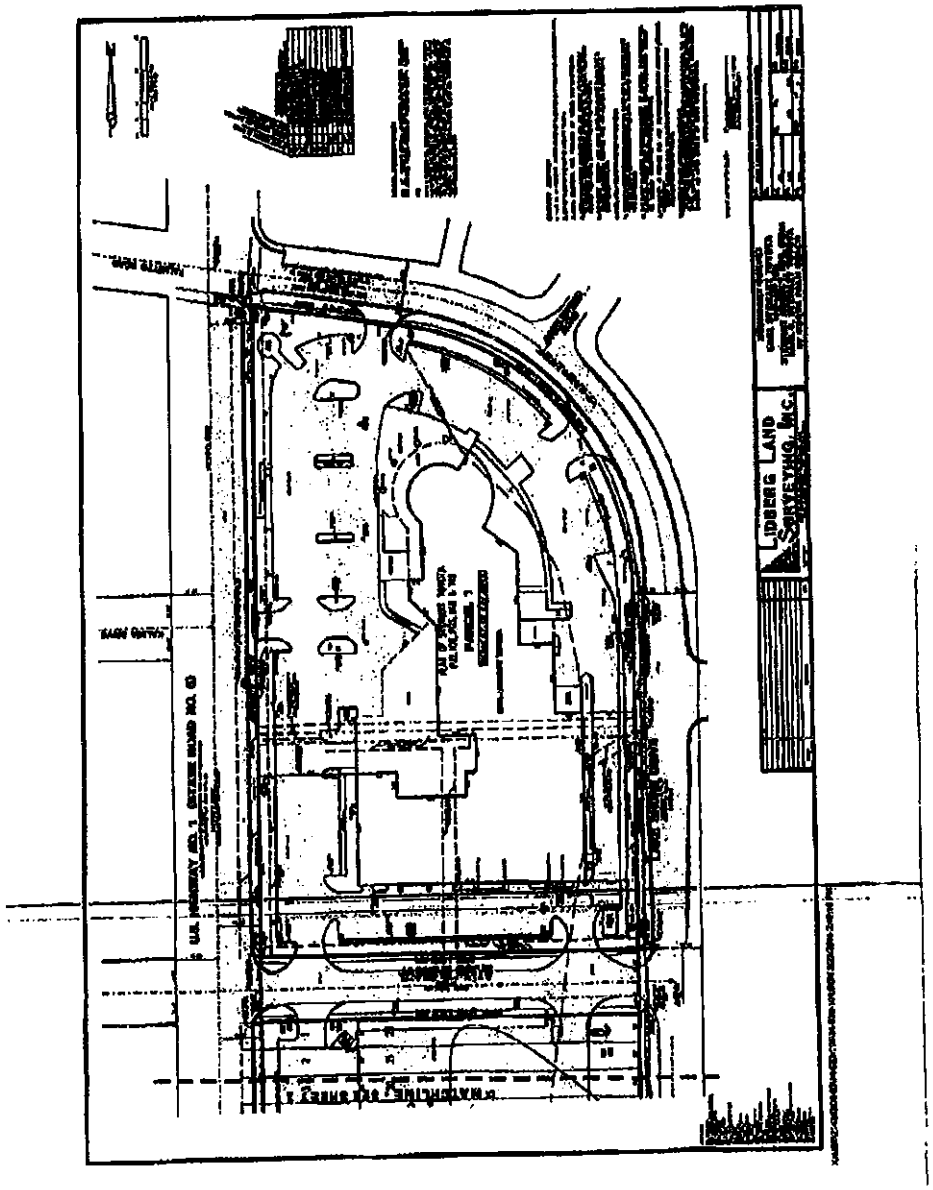
SUPERVISORY or CO-APPRAISER (if applicable):

Signature:
Name:
Title:
State Certification #:
or State License #:
State: Expiration Date of Certification or License:
Date Signed:
☐ Did ☐ Did Not Inspect Property

Form ACR2 0EFD - "TOTAL" appraisal software by a la mode, inc. - 1-800-ALAMODE

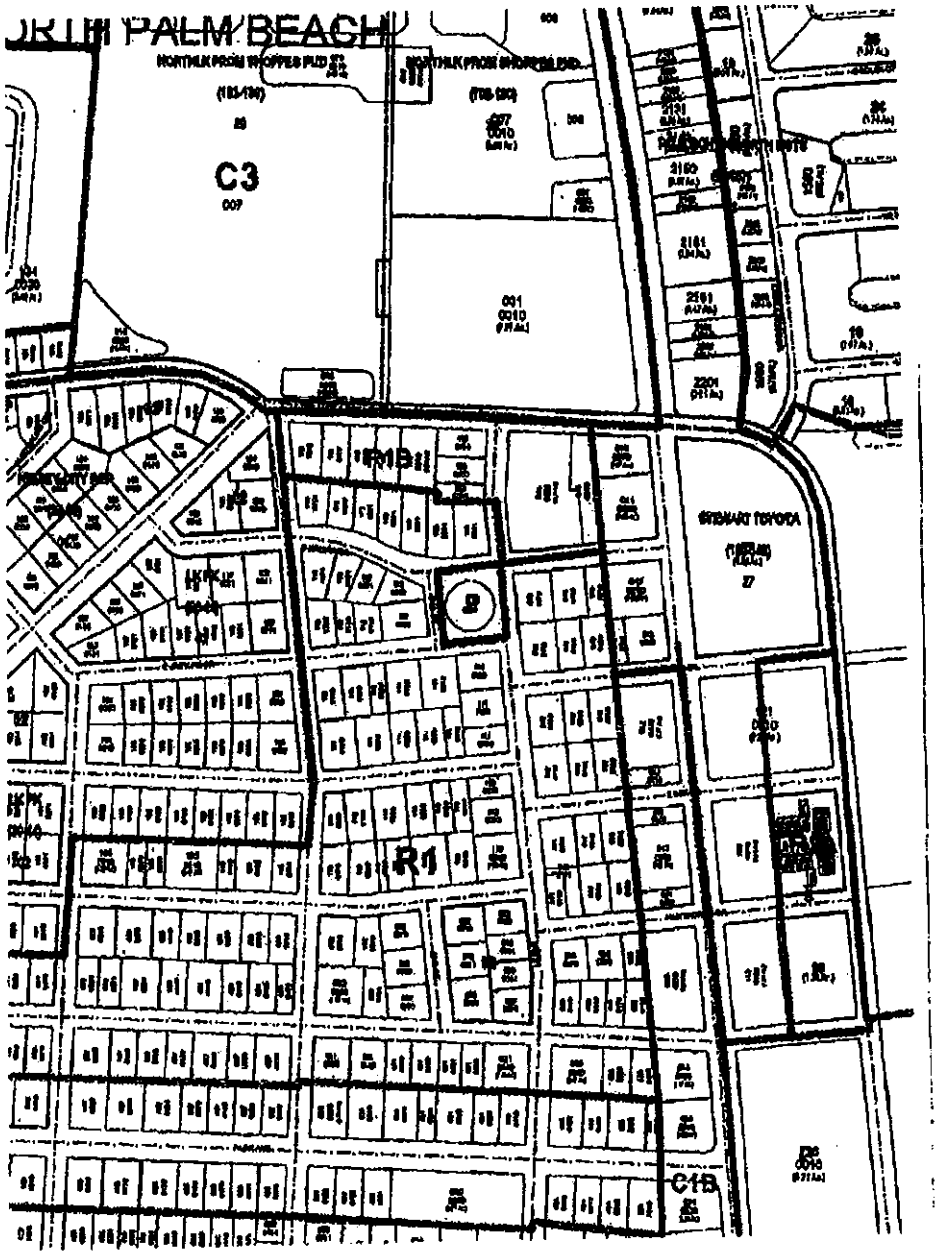
Survey Map

Borrower				
Property Address	East Jasmine Drive			
City	Lake Park	County Palm Beach	State Fl	Zip Code 33403
Lender/Client	C/O Town Of Lake Park			



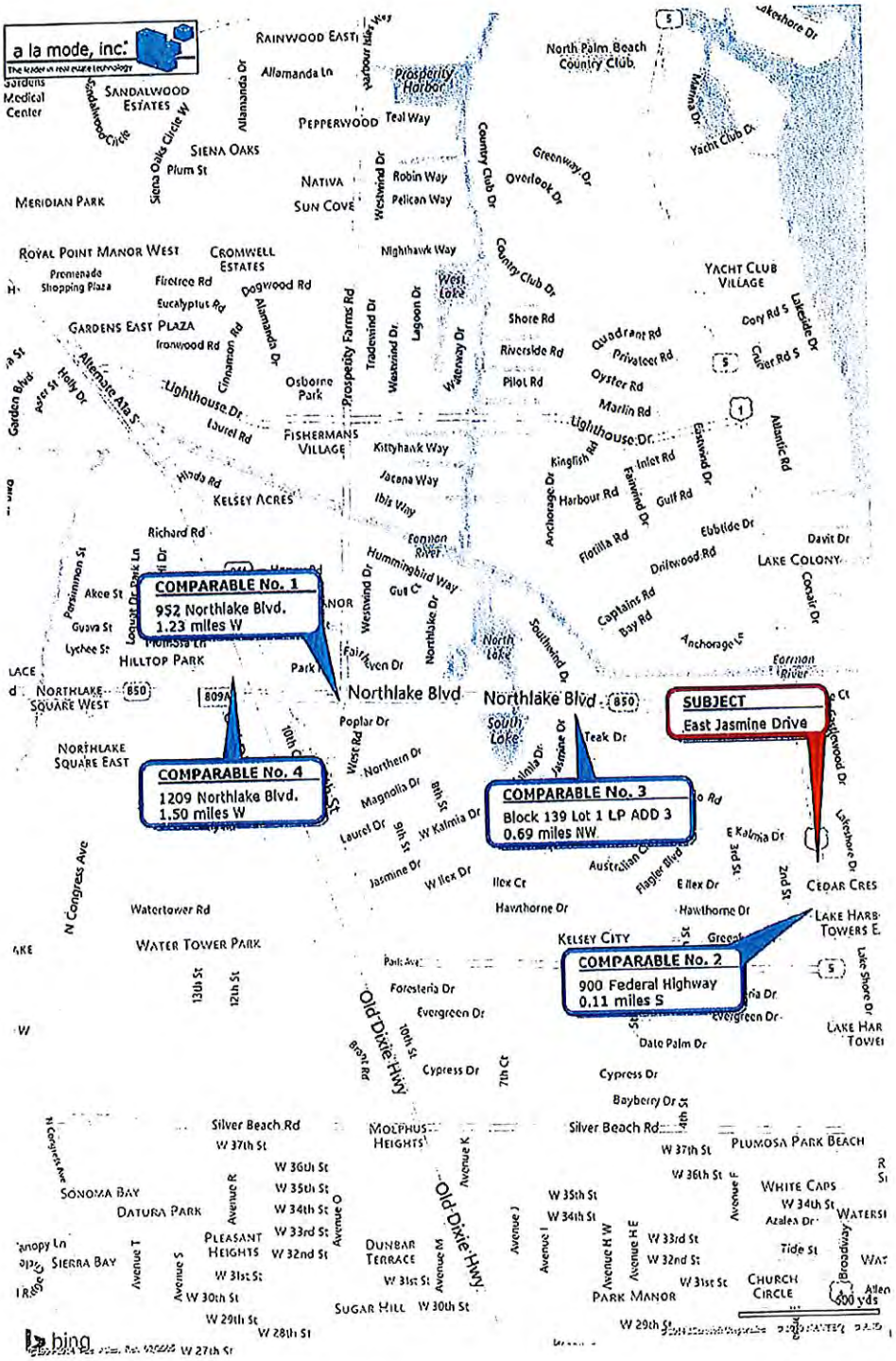
Plat Map

Borrower					
Property Address	East Jasmine Drive				
City	Lake Park	County Palm Beach	State FL	Zip Code 33403	
Lender/Client	C/O Town Of Lake Park				



Location Map

Borrower					
Property Address	East Jasmine Drive				
City	Lake Park	County	Palm Beach	State FL	Zip Code 33403
Lender/Client	C/O Town Of Lake Park				



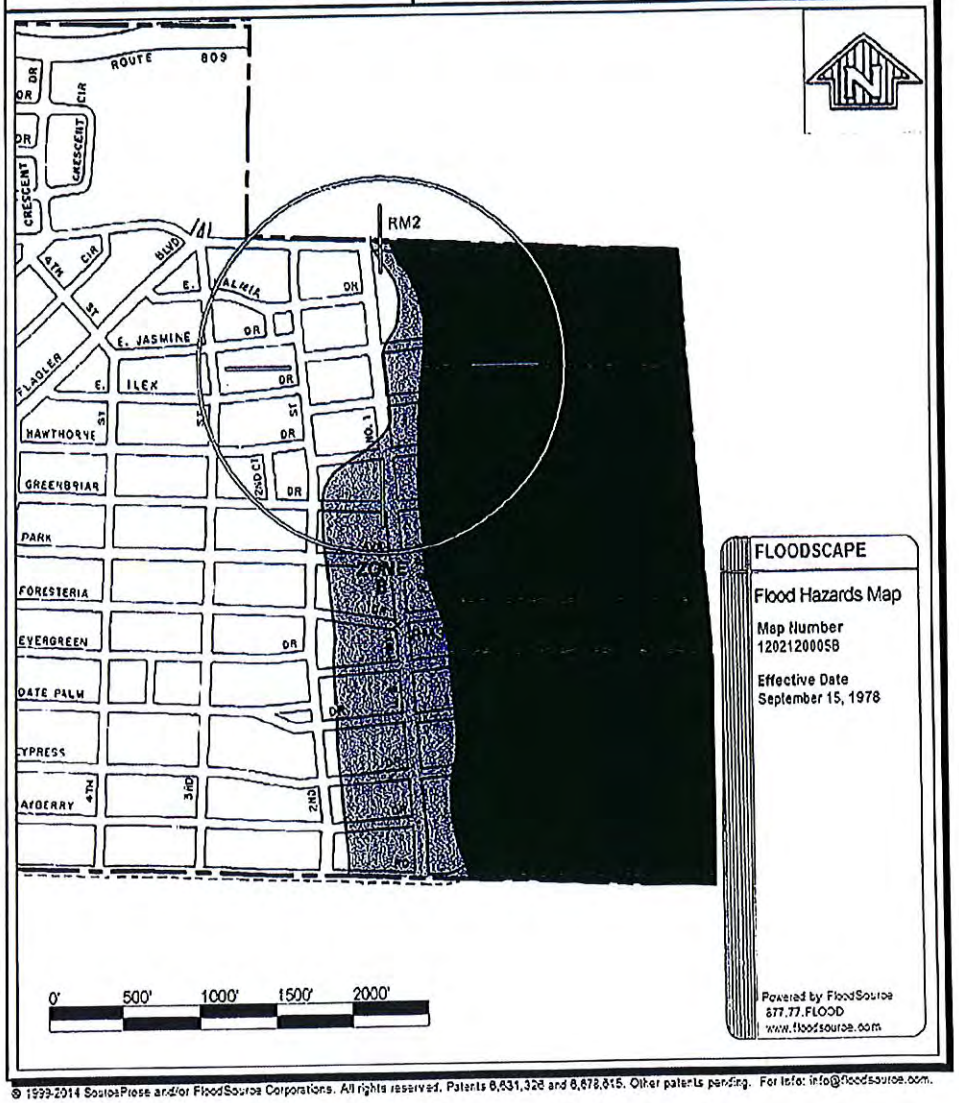
Flood Map

Borrower					
Property Address	East Jasmine Drive				
City	Lake Park	County	Palm Beach	State FI	Zip Code 33403
Lender/Client	C/O Town Of Lake Park				

InterFlood by a la mode
www.interflood.com • 1-800-252-6633

Prepared for:
Appraiser Realty Institute

East Jasmine Drive
Lake Park, Fl 33403



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ANDERSON & CARR, INC.

Appraisers • Realtors

521 South Olive Avenue
West Palm Beach, Florida 33401-5907
www.andersoncarr.com
Telephone (561) 833-1661
Fax (561) 833-0234

Quality Service Since 1947

May 29, 2015

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

Dear Ms. DiTommaso:

Under separate cover we have appraised the right of way of East Jasmine Drive as of May 26, 2015 associated with a proposed abandonment (our file 2150209). The abandonment would allow for the assemblage of the parcels to the north and south associated with an expansion of the existing Earl Stewart Toyota automobile dealership. You have requested that we review the proposed architectural drawings by Glidden Spina and Partners to render an opinion as to the effect that the abandonment and redevelopment of the site will have on adjacent residences.

It is our opinion that the abandonment will likely have a positive effect on adjacent properties. There is long standing evidence of enhanced property values for eastern communities blocked off from commuter traffic from the Federal Highway corridor. The West Palm Beach neighborhood of Northwood is the best example of this benefit. The neighborhood was enhanced both from a reduction in traffic and a perceived improvement in public safety and currently enjoys improved property values as a result.

The redevelopment of the site is likely to have limited if any net effect on the adjacent properties. The existing use of the southern site is a surface parking lot/used car lot. Proposed plans call for a four level parking structure with 25' side and rear yard setbacks with extensive landscaping. Any loss of value associated with the large size of the structure and its 45 foot height would likely be offset by the required landscaping and the fact that it will replace a less than attractive surface parking lot.

In summary, there will likely be neighborhood enhancement created by the road closure. Conversely, there is uncertainty regarding the ability of the planned landscaping to completely offset the impact of the scale of the redevelopment. Our opinion is that it is unlikely that the scale of the redevelopment will have a negative effect on adjacent values particularly in light of the replacement of a surface parking lot. The offsetting combination of the potential benefit of the closure and the uncertainty regarding the bulk of the project will likely result in no measurable impact on the value of the adjacent properties.

Respectfully submitted,

ANDERSON & CARR, INC.

Robert B. Banting, MAI, SRA
Cert Gen RZ4

Wayne B. Lewis
Cert Gen RZ2452

RBB/WBL:cmp

APPRAISAL OF
THE RIGHT-OF-WAY OF EAST JASMINE DRIVE
CONTAINING 21,275 SQUARE FEET
LOCATED AT
LAKE PARK, FLORIDA 33403

FOR

NADIA DITOMMASO, COMMUNITY DEVELOPMENT DIRECTOR
TOWN OF LAKE PARK

BY

ROBERT B. BANTING, MAI, SRA
CERT GEN RZ4

AND

WAYNE B. LEWIS, MAI
CERT GEN RZ2452

WITH

ANDERSON & CARR, INC.
521 SOUTH OLIVE AVENUE
WEST PALM BEACH, FLORIDA 33401

DATE OF INSPECTION: MAY 26, 2015
DATE OF REPORT: MAY 28, 2015
DATE OF VALUE: MAY 26, 2015

FILE NO.: 2150209.000
CLIENT REFERENCE: EAST JASMINE DRIVE ABANDONMENT

ANDERSON & CARR, INC.

Appraisers • Realtors

521 South Olive Avenue
West Palm Beach, Florida 33401-5907
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Quality Service Since 1947

May 28, 2015

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

Dear Ms. DiTommaso:

Pursuant to your request, we have personally appraised the real property being the 21,275 square foot right-of-way forming East Jasmine Drive which currently separates the northern and southern portions of the Earl Stewart Toyota Dealership. The subject property is located east of Federal Highway and west of Lake Shore Drive approximately one half mile south of Northlake Boulevard. The property address is East Jasmine Drive, West Palm Beach, Florida 33403.

The purpose of this narrative appraisal is to estimate the market value of the fee simple estate of the subject property as of May 26, 2015. The intended use of the report is to assist the client and intended user in establishing a purchase or selling price. This report has been prepared for no other purpose and for use by no other person or entity than for use by the client for the purpose stated herein. Any other use of this appraisal is considered a misuse and thus the appraisers will not be held responsible for any outcome associated with use by another entity or for another purpose.

We have utilized "across the fence" appraisal methodology which is a land valuation method often used in the appraisal of corridors. The across the fence method is used to develop a value opinion based on comparison to abutting land. The price or value of land adjacent to the corridor (i.e., across the fence) is considered for the valuation. (The Dictionary of Real Estate Appraisal, 5th ed., Chicago: Appraisal Institute, 2010).

Nadia DiTommaso
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May 28, 2015

We have utilized the sales comparison approach to value, the most common method used for valuing properties such as the subject property.

As a result of our analysis, we have developed an opinion that the market value of the fee simple estate (as defined in the report), subject to the definitions, certifications, and limiting conditions set forth in the attached report, as of May 26, 2015, was:

MARKET VALUE: **$320,000**

The following presents our analysis and conclusions in a narrative appraisal report. This letter must remain attached to the report, which contains 50 pages plus related exhibits, in order for the value opinion set forth to be considered valid. Your attention is directed to the Assumptions and Limiting Conditions contained within this report.

Respectfully submitted,

ANDERSON & CARR, INC.

Robert B. Banting, MAI, SRA
Cert Gen RZ4

Wayne B. Lewis, MAI
Cert Gen RZ2452

RBB/WBL: ssp

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Robert B. Banting, MAI, SRA, Cert Gen RZ4
Wayne B. Lewis, MAI, Cert Gen RZ2452

SUMMARY OF IMPORTANT FACTS AND CONCLUSIONS

Client:	Nadia DiTommaso Community Development Director Town of Lake Park
Intended User:	Town of Lake Park
Taxpayer of Record:	NA as road right-of-way. The subject is not subject to taxation.
Property Rights Appraised:	Fee Simple Estate
Special Assumptions Reference:	None
Unusual Market Externality:	None
Location:	Site is located east of Federal Highway and west of Lake Shore Drive approximately one half mile south of Northlake Boulevard.
Site/Land Area:	The subject site contains 21,275 square feet or 0.49 acres.
Improvements:	The site is improved with asphalt paving, concrete curbs and drainage (non-contributing)
Zoning:	As road right-of-way the subject does not have a zoning classification by Lake Park. We have assumed a C1 Business District zoning similar to abutting properties.
Land Use Plan:	As road right-of-way the subject does not have a future land use designation by Lake Park. We have assumed a Comm_Residential future land use designation similar to abutting properties.
Flood Zone & Map Reference	Zones B & A-5, Community Panel Number 1202120005B, effective date of September 15, 1978
Current Use:	Road right-of-way
Highest and Best Use:	Assemblage and Redevelopment

Exposure Time:	6 to 12 months
Marketing Time:	6 to 12 months
Estimated Property Values:	
Value via Cost Approach:	N/A
Value via Income Capitalization Approach:	N/A
Value via Sales Comparison Approach:	$320,000
MARKET VALUE:	**$320,000**
Date of Inspection:	May 26, 2015
Date of Report:	May 28, 2015
Date of Value:	May 26, 2015
Appraisers:	Robert B. Banting, MAI, SRA Cert Gen RZ4 Wayne B. Lewis, MAI Cert Gen RZ2452

CERTIFICATION

I certify that, to the best of my knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, conclusions, and recommendations.

I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.

I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved.

I have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results. This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

Wayne B. Lewis, MAI has made a personal interior and exterior inspection of the property that is the subject of this report. Robert B. Banting, MAI, SRA has not made a site specific inspection of the property. Mr. Banting is familiar with the area and has seen this property in the past.

As of the date of this report, Robert B. Banting, MAI, SRA and Wayne B. Lewis, MAI have completed the continuing education program of the Appraisal Institute.

No one provided significant real property appraisal or appraisal consulting assistance to the person signing this certification.

Robert B. Banting, MAI, SRA
Cert Gen RZ4

Wayne B. Lewis, MAI
Cert Gen RZ2452

ASSUMPTIONS AND LIMITING CONDITIONS

1. Unless otherwise stated, the value appearing in this appraisal represents our opinion of the market value or the value defined as of the date specified. Values of real estate are affected by national and local economic conditions and consequently will vary with future changes in such conditions.

2. Possession of this report or any copy thereof does not carry with it the right of publication nor may it be used for other than its intended use. The physical report(s) remains the property of the appraiser for the use of the client. The fee being for the analytical services only. The report may not be copied or used for any purpose by any person or corporation other than the client or the party to whom it is addressed, without the written consent of an officer of the appraisal firm of Anderson & Carr, Inc. and then only in its entirety.

3. Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations efforts, news, sales or other media without written consent and approval of an officer of Anderson & Carr, Inc. nor may any reference be made in such public communication to the Appraisal Institute or the MAI, SRA or SRPA designations.

4. The appraiser may not divulge the material contents of the report, analytical findings or conclusions, or give a copy of the report to anyone other than the client or his designee, as specified in writing except as may be required by the Appraisal Institute, as they may request in confidence for ethics enforcement or by a court of law or body with the power of subpoena.

5. Liability of Anderson & Carr, Inc. and its employees is limited to the fee collected for the appraisal. There is no accountability or liability to any third party.

6. It is assumed that there are no hidden or unapparent conditions of the property, sub-soil, or structures which make it more or less valuable. The appraiser assumes no responsibility for such conditions or the engineering which might be required to discover these facts.

7. This appraisal is to be used only in its entirety. All conclusions and opinions concerning the analysis which are set forth in the report were prepared by the appraisers whose signatures appear on the appraisal report. No change of any item in the report shall be made by anyone other than the appraiser and the appraiser and firm shall have no responsibility if any such unauthorized change is made.

8. No responsibility is assumed for the legal description provided or other matters legal in character or nature, or matters of survey, nor of any architectural, structural, mechanical, or engineering in nature. No opinion is rendered as to the title which is presumed to be good and merchantable. The property is valued as if free and clear of any and all liens and encumbrances and under responsible ownership and competent property management unless otherwise stated in particular parts of the report.

9. No responsibility is assumed for accuracy of information furnished by or from others, the clients, their designee, or public records. We are not liable for such information or the work of subcontractors. The comparable data relied upon in this report has been confirmed with one or more parties familiar with the transaction or from affidavit when possible. All are considered appropriate for inclusion to the best of our knowledge and belief.

10. The contract for appraisal, consultation or analytical service is fulfilled and the total fee payable upon completion of the report. The appraiser or those assisting the preparation of the report will not be asked or required to give testimony in court or hearing because of having made the appraisal in full or in part; nor engaged in post-appraisal consultation with client or third parties, except under separate and special arrangement and at an additional fee.

11. The sketches and maps in this report are included to assist the reader and are not necessarily to scale. Various photos, if any, are included for the same purpose and are not intended to represent the property in other than actual status as of the date of the photos.

12. Unless otherwise stated in this report, the appraisers have no reason to believe that there may be hazardous materials stored and used at the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

13. If applicable, the distribution of the total valuation of this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal, no matter how similar and are invalid if so used.

14. No environmental or impact studies, special market studies or analysis, highest and best use analysis study or feasibility study has been requested or made unless otherwise specified in an agreement for services or in the report. Anderson & Carr, Inc. reserves the unlimited right to alter, amend, revise or rescind any of the statements, findings, opinions, values, estimates or conclusions upon any previous or subsequent study or analysis becoming known to the appraiser.

15. It is assumed that the property is in full compliance with all applicable federal, state, and local environmental regulations and laws unless the lack of compliance is stated, described, and considered in this appraisal report.

16. The value estimated in this appraisal report is gross without consideration given to any encumbrance, lien, restriction, or question of title, unless specifically defined. The estimate of value in the appraisal report is not based in whole or in part upon the race, color, or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.

17. It is assumed that the property conforms to all applicable zoning, use regulations, and restrictions unless a nonconformity has been identified, described, and considered in this appraisal report.

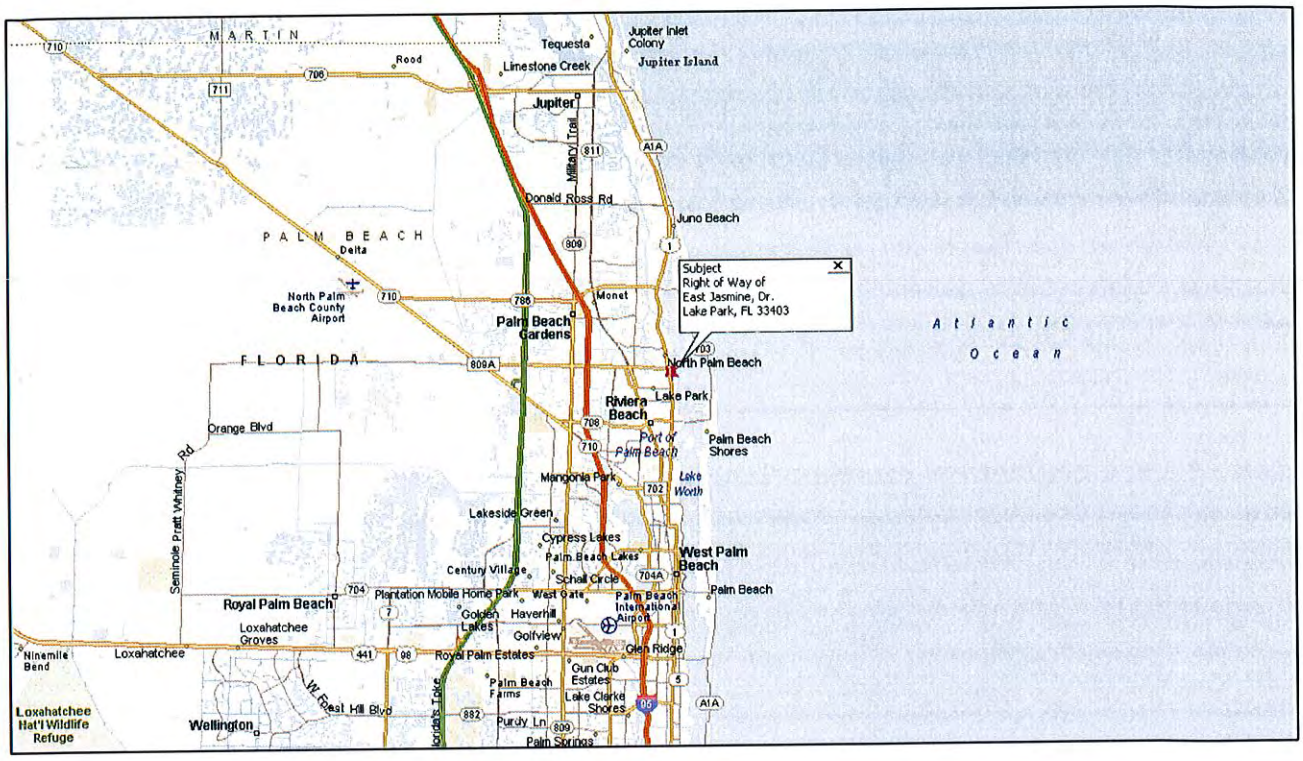
18. It is assumed that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in this report is based.

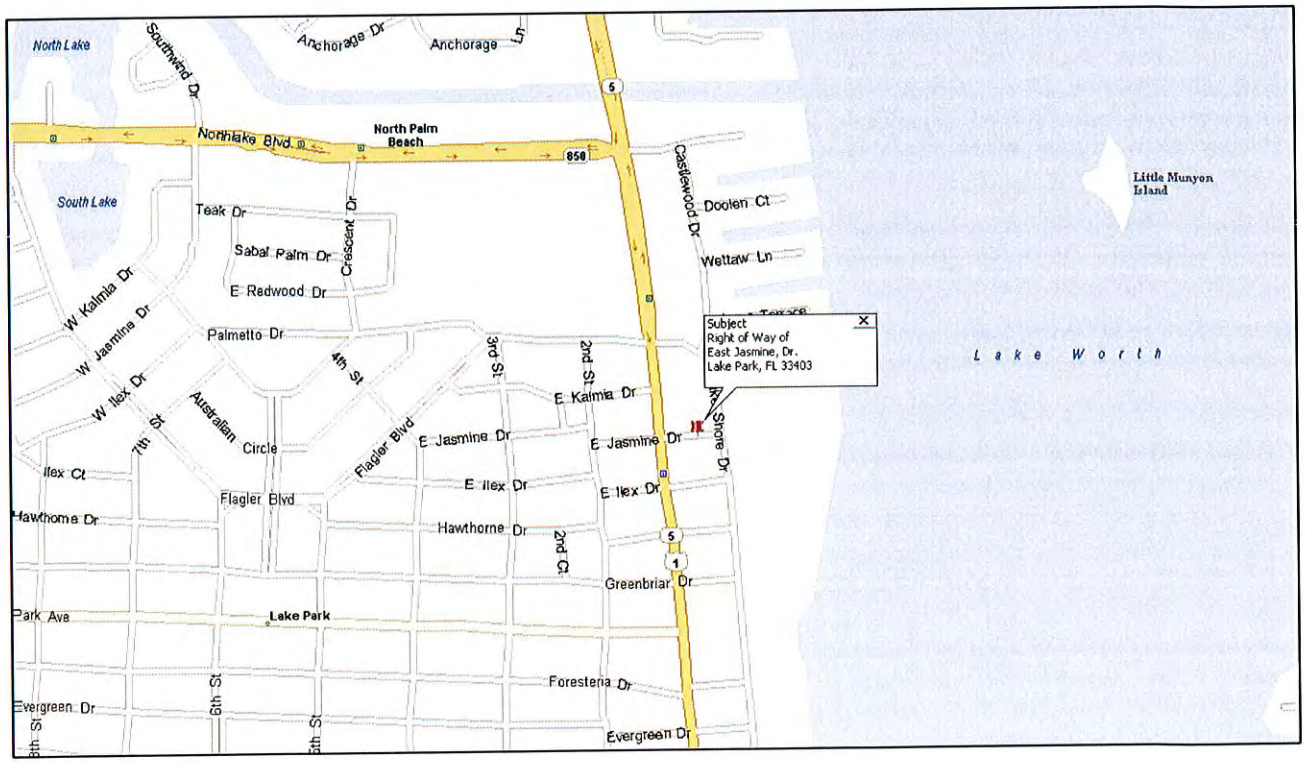
19. It is assumed that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

20. This appraisal report has been prepared for the exclusive benefit of the client and intended users, Town of Lake Park. This report has been prepared for no other purpose and for use by no other person or entity than for use by the client for the purpose stated herein. Any other use of this appraisal is considered a misuse and thus the appraisers will not be held responsible for any outcome associated with use by another entity or for another purpose.

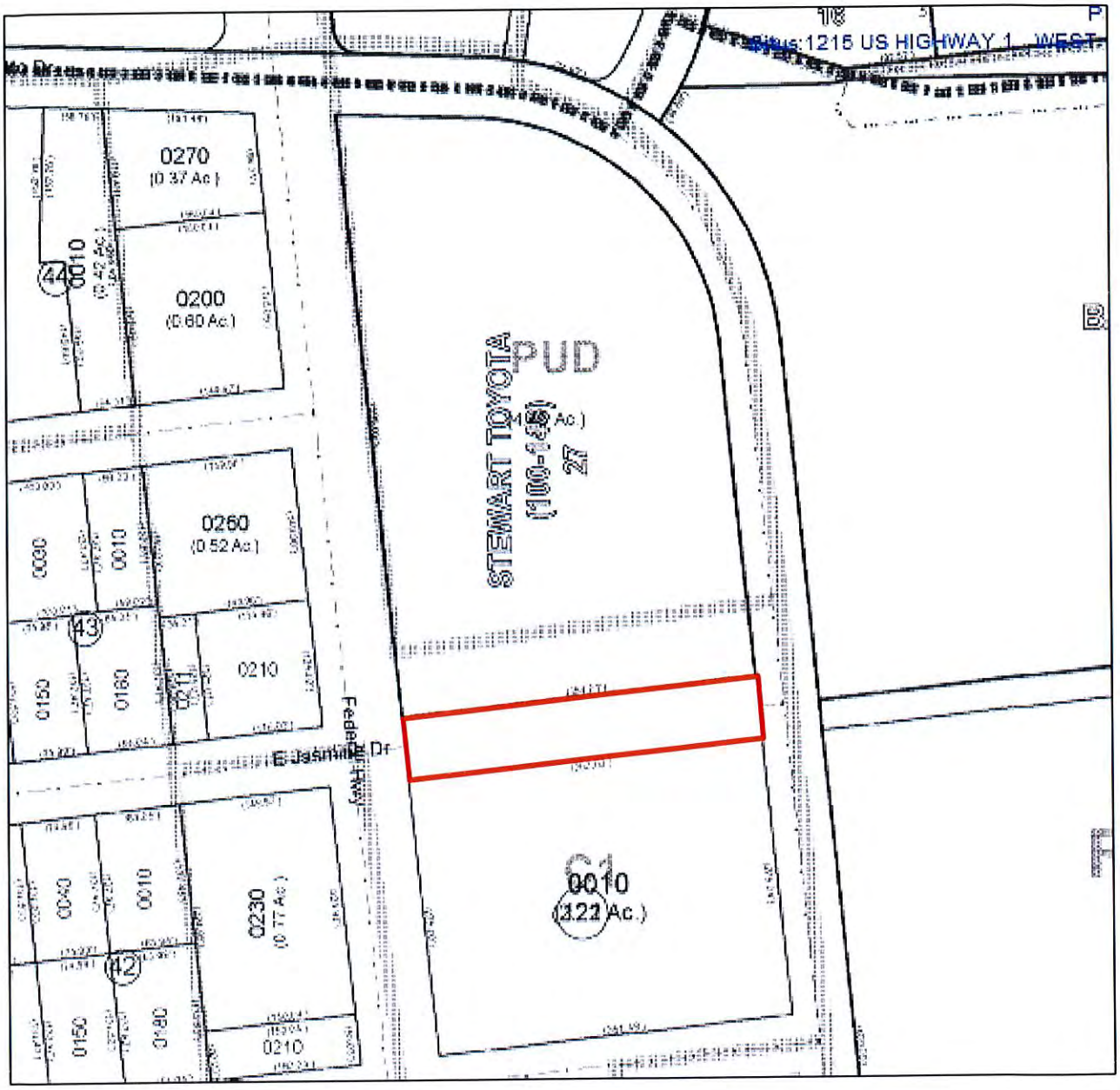
21. ACCEPTANCE OF, AND/OR USE OF THIS APPRAISAL REPORT CONSTITUTES ACCEPTANCE OF THE PRECEDING CONDITIONS.

AREA/LOCATION MAPS





PARCEL MAP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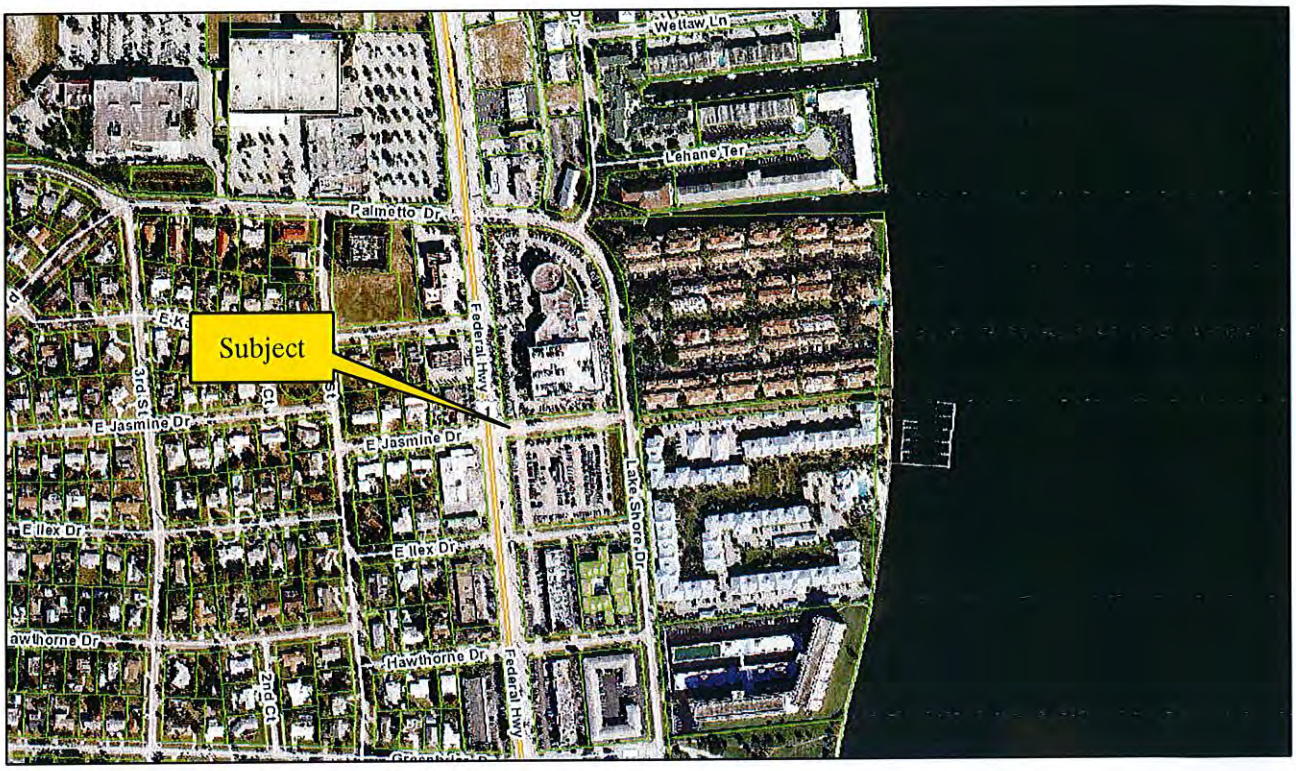
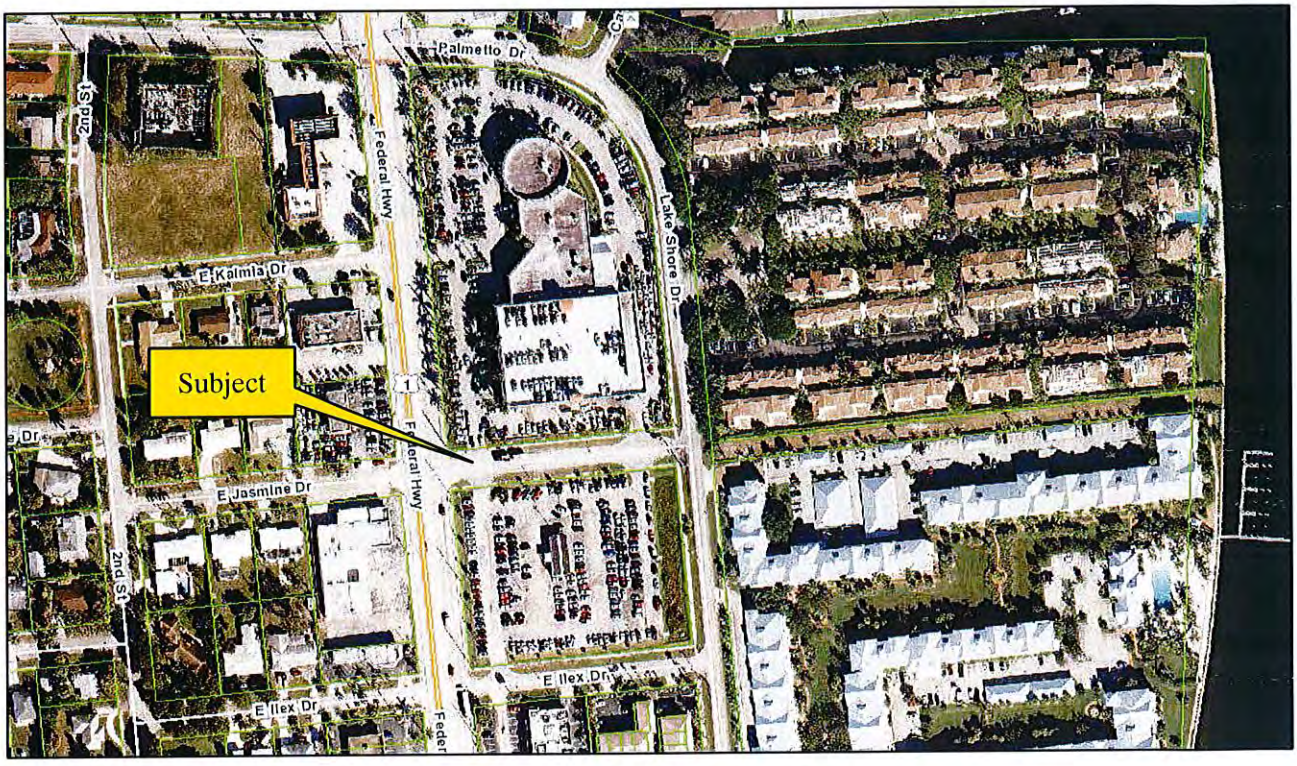
0270
(0.37 Ac.)
0200
(0.60 Ac.)
0260
(0.52 Ac.)
0210
0230
(0.77 Ac.)
0010
(3.22 Ac.)
PUD
STEWART TOYOTA
E Jasmine Dr
Federal Hwy

AERIAL PHOTOGRAPHS





SUBJECT PROPERTY PHOTOS (TAKEN MAY 26, 2015)

Viewing east from Federal Highway

Viewing northeast along Federal Highway

Adjacent car dealership to the north

Adjacent Used Car/parking lot to the south

Viewing west from Lake Shore Drive

Viewing south along Lake Shore Drive

PURPOSE AND DATE OF VALUE

The purpose of this appraisal is to estimate the market value, fee simple estate, of the subject property as of May 26, 2015.

PROPERTY APPRAISED

The subject property consists of 0.49 acres located east of Federal Highway and west of Lake Shore Drive approximately one half mile south of Northlake Boulevard. The subject is a road right-of-way and does not does not have a zoning classification by Lake Park. We have assumed a C1 Business District zoning similar to abutting properties.

The subject is the existing road right-of-way of East Jasmine Drive. The Earl Smith Toyota Dealership controls the parcels to the north and south of the subject. In order to facilitate a redevelopment of the overall site, the owners of the adjacent parcels have requested an abandonment of the subject road right-of-way so that the subject 21,275 square feet may be incorporated into their assemblage. The subject is a 60 foot wide strip which extends east west approximately 354 feet.

LEGAL DESCRIPTION

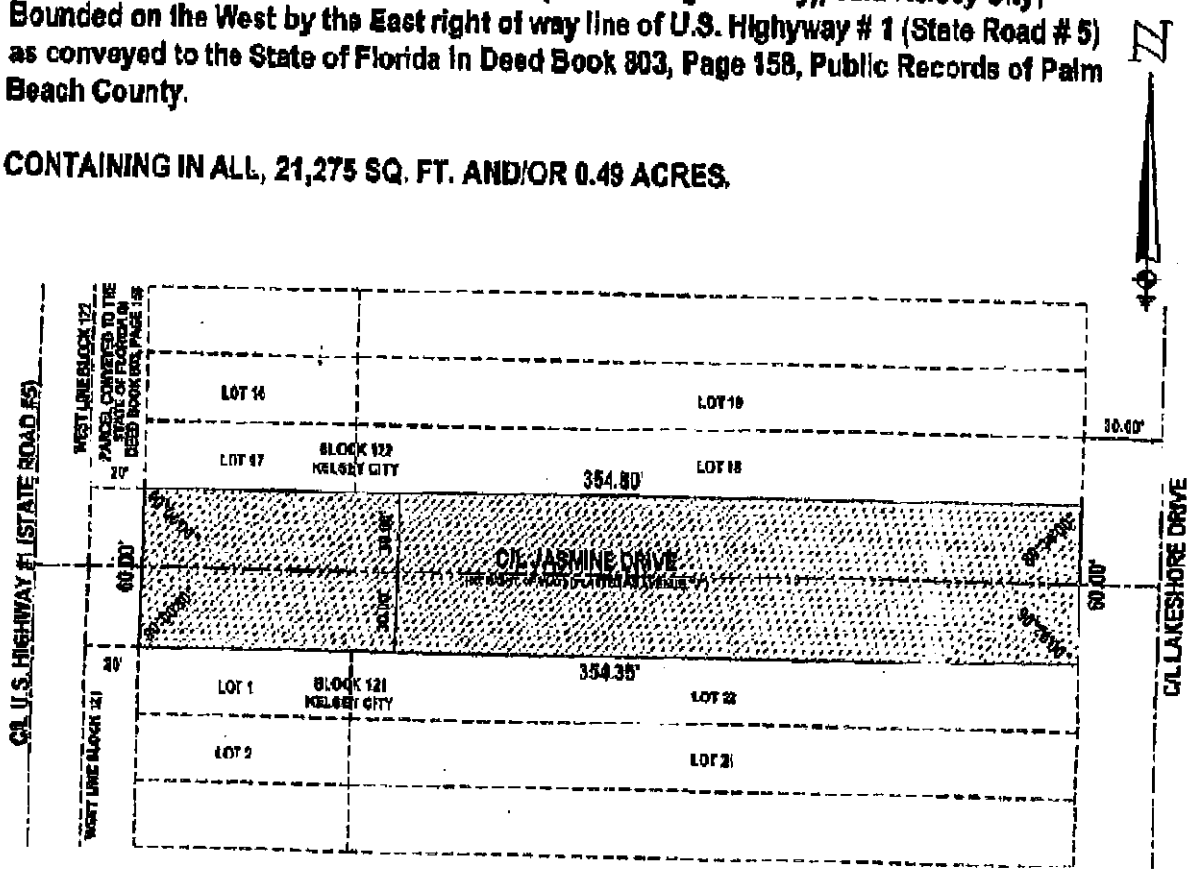
The legal description for the subject property was provided by the client.

LEGAL DESCRIPTION (Proposed Jasmine Drive Abandonment)

A portion of the existing right of way known as Jasmine Drive and shown as Avenue "J", KELSEY CITY, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, at Plat Book 8, Pages 15 and 35, and more particularly described as follows:

Bounded on the South by the North line of Block 121, said KELSEY CITY; Bounded on the North by the South line of Block 122, said KELSEY CITY; Bounded on the East by the West right of way line of Lake Shore Drive (a 60 foot right of way), said Kelsey City; Bounded on the West by the East right of way line of U.S. Highway # 1 (State Road # 5) as conveyed to the State of Florida in Deed Book 803, Page 158, Public Records of Palm Beach County.

CONTAINING IN ALL, 21,275 SQ. FT. AND/OR 0.49 ACRES.



DISCLOSURE OF COMPETENCY

Per the Competency Rule contained within the Uniform Standards of Professional Appraisal Practice, the appraisers hereby affirm that they are competent to complete the appraisal assignment for which they have been engaged by the client.

INTENDED USE AND USER

The intended use of this report is to assist the client and intended user in establishing a purchase or selling price. The intended user of the report is Town of Lake Park

This report has been prepared utilizing generally accepted appraisal guidelines, techniques, and methodologies as contained within the Uniform Standard of Professional Practice (USPAP), as promulgated by the Appraisal Foundation.

CLIENT

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

DEFINITIONS

Market Value

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) Buyer and seller are typically motivated; (2) Both parties are well informed or well advised, and acting in what they consider their own best interests; (3) A reasonable time is allowed for exposure in the open market; (4) Payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) The price represents normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. (Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) and the Interagency Appraisal and Evaluation Guidelines, Federal Register, Volume 75, No. 237, December 10, 2010).

Across The Fence Method

A land valuation method often used in the appraisal of corridors. The across the fence method is used to develop a value opinion based on comparison to abutting land. The price or value of land adjacent to the corridor (i.e., across the fence) is considered for the valuation. Other considerations include corridor factor and usage factor adjustments (The Dictionary of Real Estate Appraisal, 5th ed., Chicago: Appraisal Institute, 2010).

PROPERTY RIGHTS APPRAISED

The property rights appraised are those of the fee simple estate.

Fee simple estate is defined as absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat (The Dictionary of Real Estate Appraisal, 5th ed., Chicago: Appraisal Institute, 2010).

TYPICAL BUYER PROFILE

The typical purchaser of the subject would be either an owner user, like the current buyer or an investor that would purchase the site for development with a commercial use. The sales comparison approach to value reflects the actions of typical buyers within this market.

SCOPE OF ASSIGNMENT

The traditional appraisal approaches include the cost approach, the sales comparison approach, and the income capitalization approach. We have considered all three approaches in this assignment, and determined the sales comparison approach to be applicable in this assignment.

In the process of gathering data for the sales comparison approach to value, we conducted a search of our appraisal files and public information sources such as the Palm Beach County Property Appraiser's public access system and the Palm Beach County Clerk's Office, as well as subscription based information services such as CoStar.com and RealQuest.com for comparable sales in the relevant market area. We searched for the most similar sales to the subject property.

The sales ultimately selected for further analysis were the best comparable sales we were able to find in this market. We obtained and verified additional information on the comparable properties with a party to the transaction, or a broker or agent of the parties when possible.

We inspected the exterior of the subject property and the comparables. Physical data pertaining to the subject property was obtained from an inspection of the premises and public information sources such as the Palm Beach County Property Appraiser's records. Other data pertaining to the subject property was obtained from the Palm Beach County Clerk's and Tax Collector's offices and local planning and zoning departments.

The product of our research and analysis is formulated within this report for analysis of and direct comparison with the subject property being appraised. Additionally, we have used original research performed in preparation of other appraisals by this office, which is considered appropriate for the subject property.

We make no warranty as to the authenticity and reliability of representations made by those with whom we verified sales, rental, and other information. We have taken due care in attempting to verify the data utilized in this analysis. We based our analysis and conclusions on overall patterns rather than on specific representations. The analysis and conclusions of this appraisal assignment are presented in a narrative appraisal report.

PALM BEACH COUNTY SUMMARY

Geography

Palm Beach County is located along Florida's Southeast coast. It is bordered by Martin County to the north, Hendry and Glades Counties to the west, Broward County to the south and the Atlantic Ocean to the east. The northwestern portion of the county is made up of Lake Okeechobee, the largest freshwater lake in Florida. The county is located approximately 80 miles north of Miami and 260 miles south of Jacksonville.

Palm Beach County encompasses approximately 2,203 square miles with roughly 1,974 square miles of land area, 229 square miles of water, and 47 miles of coastline. The local weather features an average high temperature of 83 degrees and an average low temperature of 67 degrees. The average annual rainfall is 61 inches. According to the U.S. Census Bureau's 2014 estimate, Palm Beach County has a population of 1,397,710; an increase of 5.9 percent from the 2010 census statistics of 1,320,134. The vast majority of the county's growth has been a result of in-migration from the northern states as well as from Miami-Dade and Broward Counties to the south. Palm Beach County ranks as the third most populous county in Florida behind Miami-Dade and Broward Counties.

The county includes 38 incorporated municipalities; the largest of which is West Palm Beach, the county seat. Boca Raton, located at the south end of the county, is the second largest city and one of the highest income retail trade areas in the United States.

Palm Beach, Broward and Miami-Dade Counties make up the "Gold Coast", with 110 miles of coastline along the Atlantic Ocean. This is the second largest urbanized area in the United States behind the New York Metropolitan area.

Transportation

Interstate 95 is a major north/south thoroughfare that connects Palm Beach County to the southeastern and northeastern portions of the state, then continues along the Eastern Seaboard to Maine. Florida's Turnpike also passes through the county and provides connections to the north central area of the state and Miami to the south. Other north/south highways include A1A, U.S. Highway 1, Congress Avenue, Military Trail and U.S. 441. There are numerous local east/west roadways with Southern Boulevard providing access to the western portions of the county, as well as Florida's West Coast.

The expanded Palm Beach International Airport is conveniently located to provide air service to and from Palm Beach County. The airport's growth necessitated a direct access overpass interchange with I-95 which significantly improved ingress and egress for PBIA. Other transportation services in Palm Beach County include the Florida East Coast Railway for rail service and The Port of Palm Beach for the shipping and cruise industries. Tri-Rail provides commuter service through Miami-Dade, Broward, and Palm Beach Counties. Palm Beach County provides a bus service for transportation throughout the county and several of the local municipalities have various forms of local downtown transportation including trolley service and electric cars.

Economy

The unemployment rate in Palm Beach County reached a peak of 12 percent in July 2010. As of February 2015, the unemployment rate was 5.0 percent according to the U.S. Bureau of Labor Statistics. This is down -1.6 percent from the February 2014 unemployment rate. Tourism is the county's leading industry, employing over 70,000 people and generating about two billion dollars annually. The other multi-billion dollar industries are construction and agriculture. All three industries experienced some decline due to economic conditions from 2007 until the middle of 2011. The economy began to stabilize in mid-2011 and these industries continued to experience signs of recovery through the first quarter of 2015.

The largest employer in Palm Beach County is the Palm Beach County School Board, the fifth largest school district in Florida and the eleventh largest in the continental United States, with 21,449 employees and a $2.37 billion dollar budget for the 2014-2015 school year. The five largest private sector service producing employers according to the Business Development Board of Palm Beach County's PROFILE 2014 Business Annual are shown in the following table.

Palm Beach County's favorable economic profile is partially defined by its biotech sector; however, a growing educational sector has emerged to enhance the economic base. Colleges and universities in the county include Palm Beach State College, two Florida Atlantic University campuses, Palm Beach Atlantic University, and Lynn University.

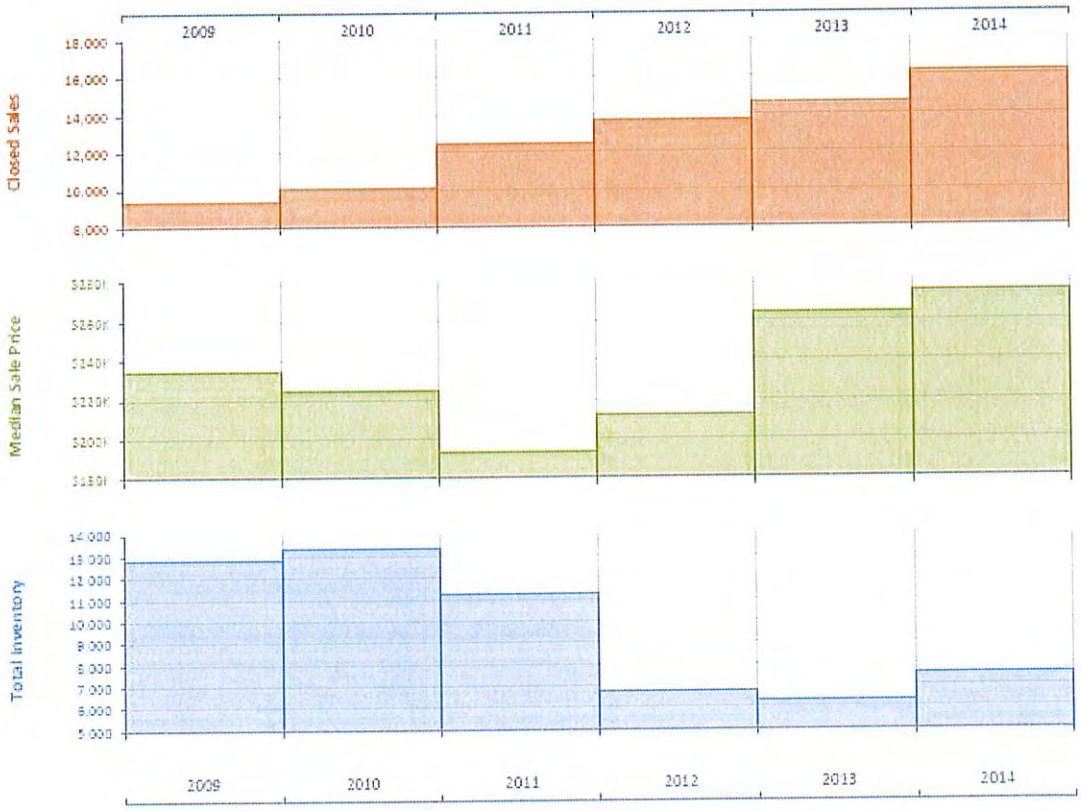
FIVE LARGEST PRIVATE SECTOR EMPLOYERS		
Employer	Type of Business	Employees
Tenet Healthcare Corporation	Healthcare	6,100
NextEra Energy, Inc. (FP&L parent co.)	Utilities	3,804
G4S Secure Solutions (USA) Inc.	Security Services	3,000
HCA, Inc.	Healthcare	2,714
Bethesda Hospital, Inc.	Healthcare	2,643

Residential Real Estate

Yearly Market Summary - 2014
Single Family Homes
Palm Beach County

FloridaRealtors

	2014	2013	Percent Change Year-over-Year
Closed Sales	16,207	14,620	10.9%
Cash Sales	7,422	7,098	4.6%
New Pending Sales	22,607	21,855	3.4%
New Listings	27,714	23,837	16.3%
Median Sale Price	$275,000	$264,000	4.2%
Average Sale Price	$477,387	$427,652	11.6%
Median Days on Market	55	61	-9.8%
Avg. Percent of Original List Price Received	93.2%	93.4%	-0.2%
Inventory of Homes for Sale	7,491	6,294	19.0%
Months Supply of Inventory	5.5	5.2	7.4%



Produced by Florida REALTORS® with data provided by Florida's multiple listing services. Statistics for each month compiled from MLS feeds on the 15th day of the following month.

Commercial Real Estate

According to the Marcus and Millichap 2015 Report, "Economic and investment conditions are the healthiest they have been in years." Challenges to be faced in 2015 are weaker economic growth in Europe and Asia which will weigh on the U.S. momentum as well as uncertainty in the Middle East.

Consistent job growth and a resumption of favorable demographic trends are converging to provide momentum in Palm Beach County growth. Payrolls are expected to finally surpass pre-recession highs during the year, triggering new space needs and a plunge in vacancy. In addition to a growing population of office workers due to job growth, improving housing affordability, expanding options for renters and strengthening job prospects are sparking a resurgence in relocations from outside the county. In all, the forecast for Palm Beach County in 2015 is positive. According to CoStar's First Quarter 2015 data, the Palm Beach County commercial real estate market has experienced little change from the end of 2014 with specifics of each property class as follows.

Industrial

The Palm Beach County industrial market ended the first quarter 2015 with a vacancy rate of 6.1 percent, up from the previous quarter. Rental rates ended the first quarter 2015 at $9.05 per square foot, an increase from the previous quarter. Net absorption was positive 328,550 square feet in the first quarter 2015. Vacant sublease space increased ending the quarter at 193,990 square feet. There were a total of three buildings delivered to the market totaling 745,634 square feet with no properties remaining under construction at the end of the quarter.

Total Industrial Market Statistics — First Quarter 2015

	Existing Inventory		Vacancy			Net	Deliveries		UC Inventory		Quoted
Period	# Blds	Total RBA	Direct SF	Total SF	Vac %	Absorption	# Blds	Total RBA	# Blds	Total RBA	Rates
2015 1q	3,208	59,327,764	3,441,448	3,635,438	6.1%	328,550	3	745,634	0	0	$9.05
2014 4q	3,205	58,582,130	3,026,082	3,218,354	5.5%	100,192	0	0	3	745,634	$8.90
2014 3q	3,205	58,582,130	3,111,334	3,318,546	5.7%	159,907	1	30,000	3	745,634	$8.93
2014 2q	3,204	58,552,130	3,210,241	3,448,453	5.9%	374,213	0	0	2	680,000	$8.78
2014 1q	3,204	58,552,130	3,673,763	3,822,666	6.5%	177,385	2	210,400	2	680,000	$8.63
2013	3,202	58,341,730	3,668,648	3,789,651	6.5%	916,316	2	29,960	3	860,400	$8.57
2012	3,200	58,311,770	4,535,500	4,676,007	8.0%	747,490	0	0	2	29,960	$8.35
2011	3,201	58,329,445	5,217,591	5,441,172	9.3%	825,784	5	272,261	0	0	$8.04
2010	3,198	58,066,420	5,666,669	6,003,931	10.3%	894,119	5	192,474	3	39,261	$8.14
2009	3,193	57,873,946	6,360,336	6,705,576	11.6%	(1,740,574)	4	42,355	4	181,974	$8.61
2008	3,190	57,835,543	4,757,570	4,926,599	8.5%	114,592	37	1,207,477	6	193,478	$9.61
2007	3,155	56,659,941	3,741,865	3,865,589	6.8%	(690,473)	41	903,050	29	1,079,190	$10.24
2006	3,114	55,756,891	2,270,361	2,272,066	4.1%	258,622	39	1,068,185	35	862,425	$9.74
2005	3,075	54,688,706	1,392,102	1,462,503	2.7%	1,982,361	43	1,112,775	39	1,007,093	$8.54
2004	3,033	53,603,627	2,355,635	2,359,785	4.4%	1,561,640	43	1,263,948	34	928,493	$7.60
2003	2,992	52,918,139	3,136,543	3,235,937	6.1%	900,055	51	1,428,187	32	894,223	$7.18

Source: CoStar Property®

Office

The total vacancy rate for the Palm Beach County office market first quarter 2015 decreased to 14.3 percent. Rental rates averaged $26.28 per square foot, a slight decrease from the previous quarter. Net absorption for the first quarter 2015 was positive 134,362 square feet. Vacant sublease space decreased in the quarter ending at 63,203 square feet. Two buildings delivered to the market totaling 23,200 square feet with 40,590 square feet still under construction.

Total Office Market Statistics

First Quarter 2015

	Existing Inventory		Vacancy			Net	Deliveries		UC Inventory		Quoted
Period	# Blds	Total RBA	Direct SF	Total SF	Vac %	Absorption	# Blds	Total RBA	# Blds	Total RBA	Rates
2015 1q	2,790	54,793,827	7,746,818	7,810,021	14.3%	134,362	2	23,200	3	40,590	$26.28
2014 4q	2,788	54,770,627	7,826,499	7,921,183	14.5%	401,120	5	147,691	4	59,531	$26.30
2014 3q	2,783	54,622,936	8,089,381	8,174,612	15.0%	204,930	2	18,442	9	207,222	$26.27
2014 2q	2,781	54,604,494	8,230,544	8,361,100	15.3%	252,816	1	7,500	11	225,664	$26.01
2014 1q	2,781	54,601,994	8,484,415	8,611,416	15.8%	130,474	4	71,390	9	176,964	$25.61
2013	2,777	54,530,604	8,586,618	8,670,500	15.9%	78,702	5	56,832	12	233,354	$25.69
2012	2,775	54,635,474	8,781,412	8,854,072	16.2%	614,959	4	128,391	4	64,582	$25.39
2011	2,774	54,598,430	9,260,104	9,431,987	17.3%	554,225	5	175,159	3	100,901	$25.73
2010	2,769	54,423,271	9,592,957	9,811,053	18.0%	250,922	8	169,703	4	166,840	$26.00
2009	2,762	54,259,568	9,482,626	9,898,272	18.2%	(271,237)	20	1,024,776	7	129,719	$26.36
2008	2,743	53,236,292	8,151,771	8,603,759	16.2%	361,504	49	2,626,095	21	1,064,776	$28.01
2007	2,694	50,610,197	6,016,033	6,339,168	12.5%	(898,340)	49	1,387,112	45	2,975,603	$28.40
2006	2,646	49,225,185	3,963,511	4,055,816	8.2%	822,220	63	1,521,095	56	3,021,742	$27.01
2005	2,585	47,863,690	3,355,261	3,516,541	7.3%	852,379	50	730,885	63	1,848,678	$24.12
2004	2,536	47,141,110	3,503,977	3,646,340	7.7%	1,997,745	65	1,028,657	60	1,313,593	$22.35
2003	2,472	46,240,619	4,473,060	4,743,594	10.3%	1,106,273	59	1,192,653	57	864,154	$22.87

Source: CoStar Property®

Retail

The Palm Beach County retail market did not experience much change in market conditions in the first quarter 2015, with the vacancy rate going from 6.1 percent to 6.2 percent. Average quoted rental rates increased from the previous quarter to $18.55 per square foot per year. Vacant sublease space increased by 17,155 square feet. The first quarter 2015 net absorption rate was a positive 19,809 square feet. A total of six retail buildings with 97,510 square feet were delivered with 131,377 square feet still under construction at the end of the year.

Total Retail Market Statistics

First Quarter 2015

	Existing Inventory		Vacancy			Net	Deliveries		UC Inventory		Quoted
Period	# Blds	Total GLA	Direct SF	Total SF	Vac %	Absorption	# Blds	Total GLA	# Blds	Total GLA	Rates
2015 1q	4,845	77,008,649	4,687,503	4,802,538	6.2%	19,809	6	97,510	9	131,377	$18.55
2014 4q	4,839	76,911,139	4,626,957	4,724,837	6.1%	487,660	4	319,790	13	131,287	$18.13
2014 3q	4,835	76,591,349	4,824,867	4,892,707	6.4%	12,106	6	58,653	14	422,673	$18.10
2014 2q	4,829	76,532,696	4,785,857	4,846,160	6.3%	624,566	5	504,407	18	461,016	$18.15
2014 1q	4,825	76,048,289	4,928,839	4,986,319	6.6%	(90,961)	8	48,648	21	951,623	$18.07
2013 4q	4,817	75,999,641	4,784,159	4,846,710	6.4%	241,994	4	37,566	16	860,832	$17.51
2013 3q	4,820	77,565,287	6,603,439	6,654,350	8.6%	(811,183)	1	26,066	14	522,214	$17.67
2013 2q	4,819	77,539,221	5,764,930	5,817,101	7.5%	(255,936)	5	15,185	8	508,732	$17.87
2013 1q	4,815	77,526,966	5,487,404	5,548,910	7.2%	484,829	17	304,507	8	480,451	$17.65
2012	4,799	77,223,959	5,516,254	5,730,732	7.4%	623,961	13	174,489	22	319,692	$17.43
2011	4,786	77,049,470	5,955,052	6,180,204	8.0%	625,936	13	349,114	2	14,039	$17.61
2010	4,776	76,711,053	6,404,278	6,467,723	8.4%	315,783	20	335,033	9	221,970	$18.50
2009	4,759	76,413,509	6,342,357	6,485,962	8.5%	(601,536)	40	884,670	14	266,301	$20.72
2008	4,719	75,528,839	4,721,943	4,999,756	6.6%	699,021	77	1,962,479	32	828,525	$20.79
2007	4,642	73,566,360	3,725,288	3,736,298	5.1%	847,751	64	1,802,737	58	1,548,283	$20.18
2006	4,579	71,767,545	2,770,392	2,785,234	3.9%	1,459,159	97	2,256,406	66	2,244,708	$18.74

Source: CoStar Property®

Rental Apartments

The most recent addition of *PwC Real Estate Investor Survey, Southeast Regional Apartment Market* indicated that select apartment markets in Tampa, Orlando, and Miami have experienced a slight increase in market rents. The publication stated that "a lack of new supply, positive demographic trends, and an unwillingness to purchase homes due to economic uncertainty resulted in increased demand and falling vacancy rates for many apartment areas".

According to Marcus & Millichap's 2015 *Apartment Research Market Report* for Palm Beach County vacancy rates for apartments have been holding in a tight range, including in Boynton Beach and Delray Beach where 1200 units came online last year. The West Palm Beach apartment market performance has been stable with a year of high completions offsetting a growing employment rate. It is projected that an additional 17,500 jobs will be created in 2015. The following is a snap shot from the report.

2015 Market Outlook

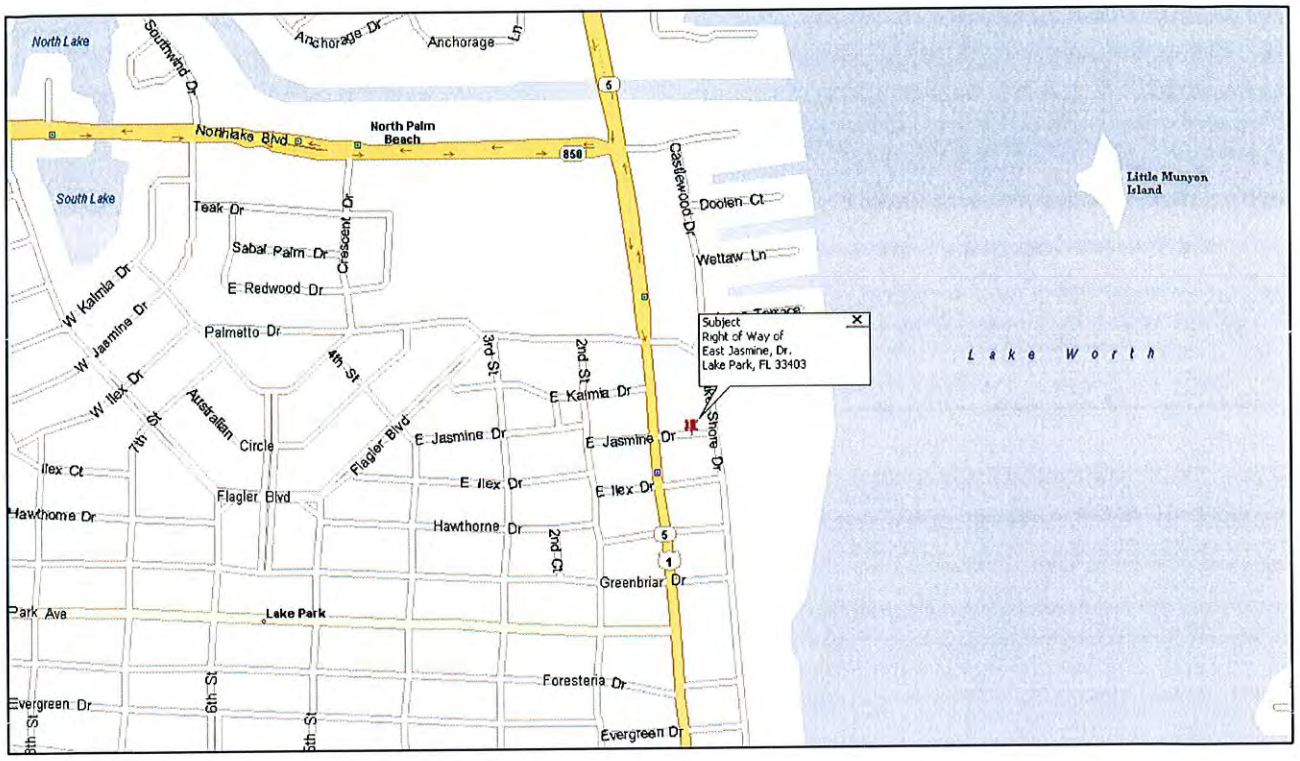
- 2015 NAI Rank: 38, No Change. Another year of high completions offset a healthy employment growth forecast, leaving West Palm Beach in the same position as last year's Index.
- Employment Forecast: This year, 17,500 jobs will be created, a 3.1 percent increase that tops the 2.6 percent bump during 2014.
- Construction Forecast: Rental stock will expand 3 percent through the completion of 2,500 apartments. In 2014, 2,300 units were delivered.
- Vacancy Forecast: Demand will grow nearly as fast as supply, resulting in a 10-basis point uptick in the countywide vacancy rate to 4.8 percent this year. A decrease of 30 basis points was logged in 2014.
- Rent Forecast: Tight vacancy will enable owners to lift the average rent 4.0 percent this year to $1,338 per month. The delivery of hundreds of luxury units supported a 5.4 percent jump last year.
- Investment Forecast: An expected rise in property taxes will affect underwriting, though a lack of hurricanes will hold the line on property insurance.

Conclusion

Some of the factors that fed Palm Beach County's past growth diminished in 2007 with a decline in the national economy which included reduced home prices and high unemployment. This trend continued until the middle of 2011 when signs of stabilization began to emerge. In the fourth quarter 2011, sales activity began to show signs of recovery. Since 2012 there has been a very slow but steady rebound in the economy. This trend of recovery has continued through the first quarter of 2015.

Despite the highest rate of foreclosures in the nation, unemployment rates have steadily decreased and home prices are trending upward. The market is experiencing a steady climb from the depths of the recession which has spurred investors into action. The long-term outlook for Palm Beach County is considered positive due to the broad employment base and desirability as a winter tourist destination. As population grows, more supporting commercial, industrial, and service development will be required. These factors, combined with a finite quantity of developable land, create a positive real estate outlook for the future.

NEIGHBORHOOD DESCRIPTION



The subject is located east of the Federal Highway Commercial Corridor of Lake Park. Federal Highway is the major north-south arterial serving the eastern mainland communities of Palm Beach County. East-west commercial arterials include primarily Northlake Boulevard with Park Avenue serving as a secondary neighborhood oriented roadway. Primary I-95 access is from Northlake Boulevard.

The Town of Lake Park is primarily a suburban bedroom community with the eastern fringe of the Town trending toward the second home market due to its advantageous views across the Intracoastal Waterway. The town is primarily residential with commercial uses along Federal Highway, Northlake Boulevard, Park Avenue and Tenth Street in the west. West of Tenth Street land uses transition to light industrial.

The subject's good location along the Federal Highway corridor affords a stable long term outlook for the subject

PROPERTY DATA

Taxpayer of Record

NA as road right-of-way the subject is not subject to taxation

Palm Beach County Property Control Number(s)

NA

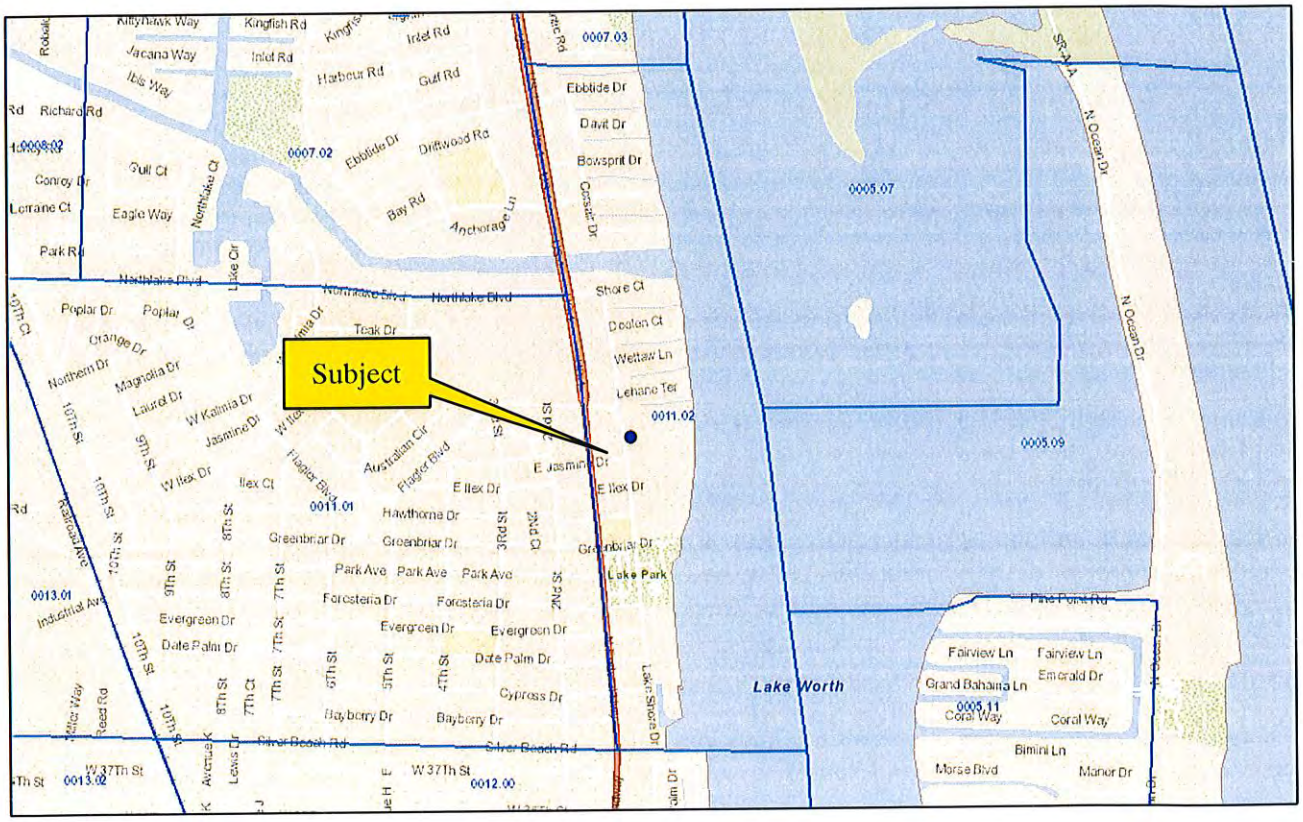
Assessed Value and Taxes for 2014

The subject is not assessed for ad valorem tax purposes. A typical informed buyer would recognize the probability of an assessment following a sale of the property and the probability that future real estate taxes result from a transition to private ownership.

Census Tract

The subject property is located in census tract 0011.02.

Census Tract Map



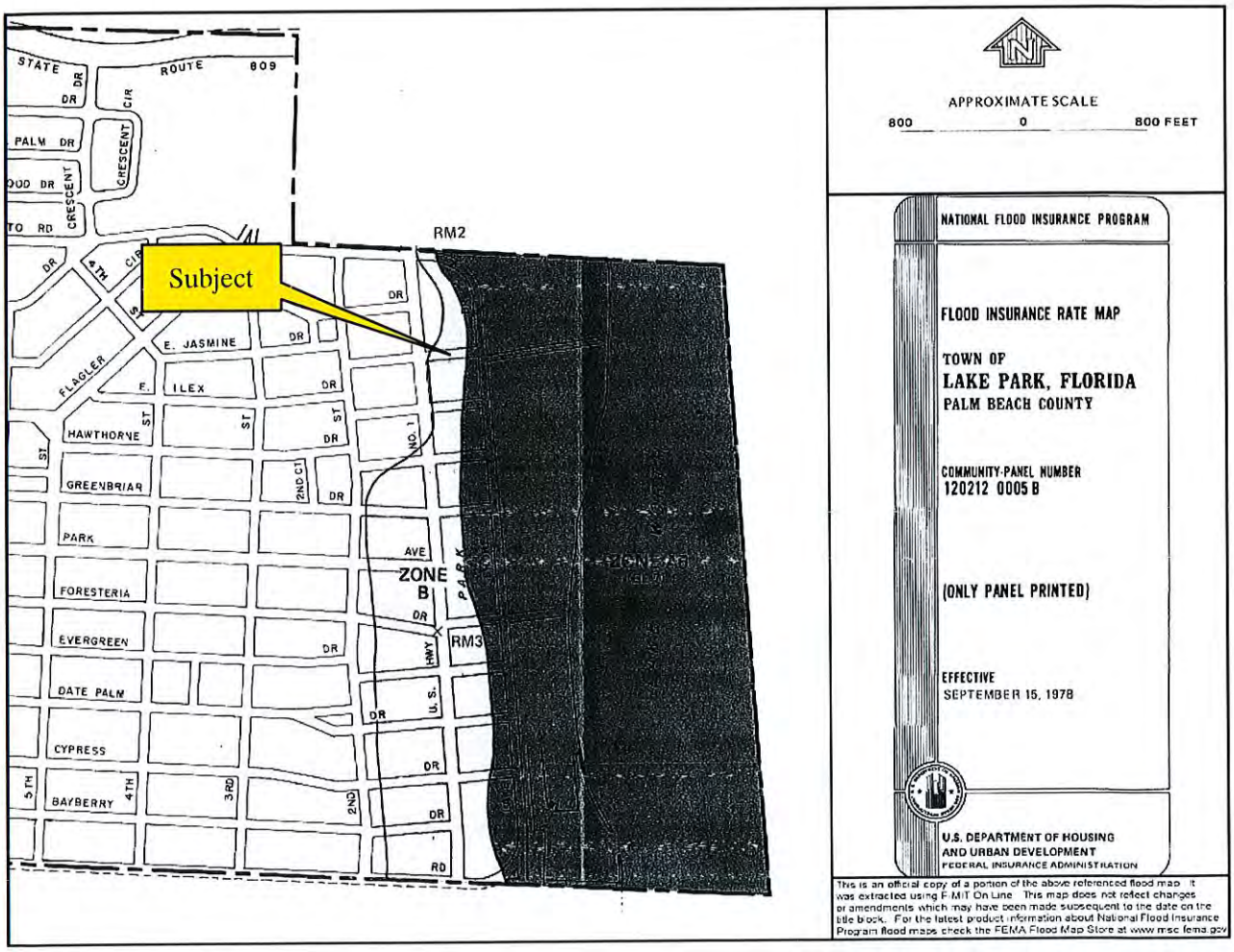
Flood Zone Designation

The subject property is located on the National Flood Insurance Program Map on Community Panel Number 1202120005B, effective date of September 15, 1978. The subject appears to lie in an area designated as zones B and A-5.

Flood Zone B is defined as "areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one (1) square mile; or areas protected by levees from the base flood".

Flood Zone A-5 is defined as "areas of flood hazard with base flood elevation determined".

Flood Map



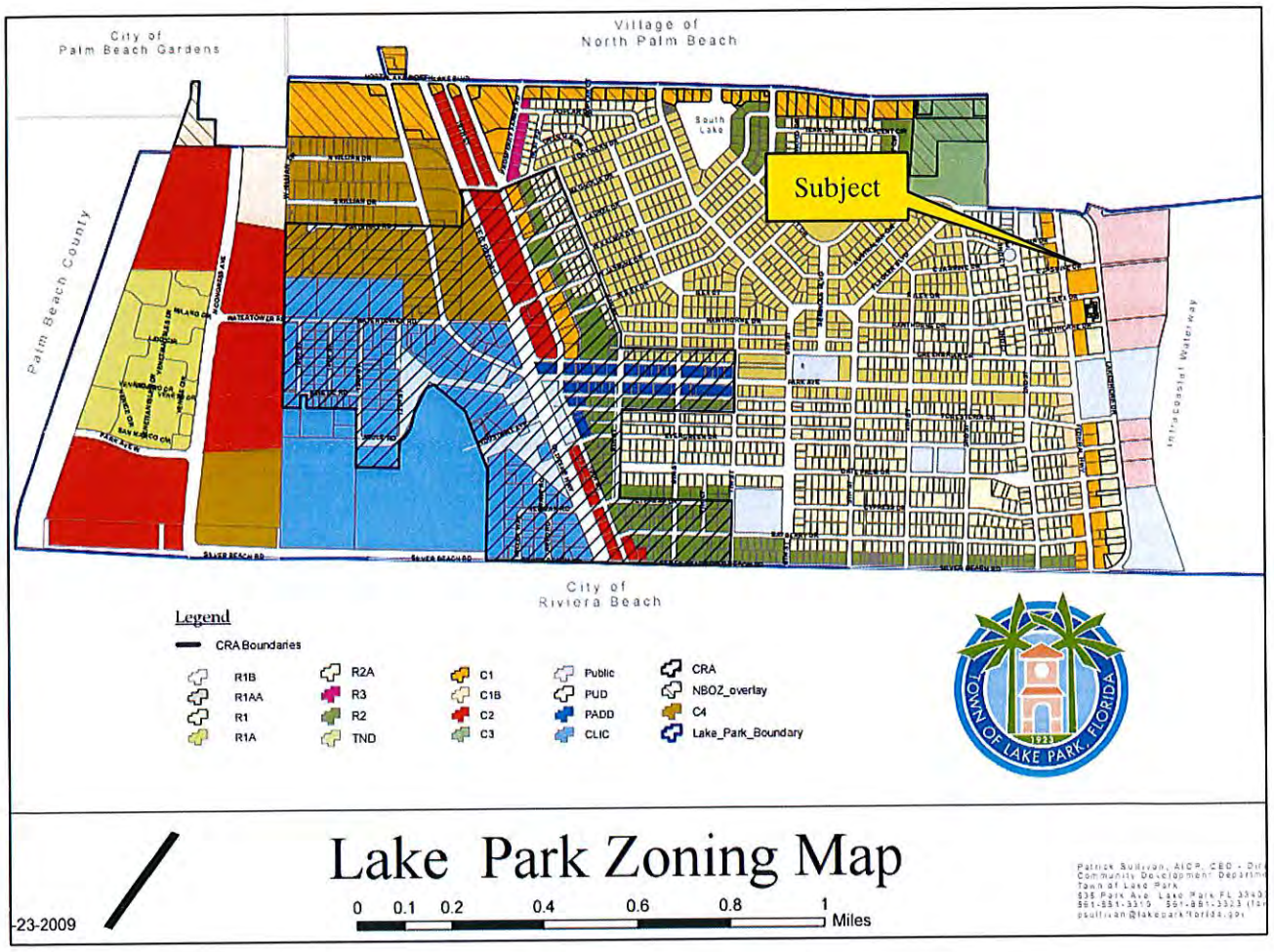
Zoning and Future Land Use

The subject property's use is dictated by the Lake Park Zoning Code and Comprehensive Plan. The Lake Park zoning and future land use maps indicate the subject property has no zoning designation.

We have assumed a C1 Business District zoning similar to abutting properties (the property to the north is zoned PUD based on an underlying C1 zoning). Permitted uses under this zoning category generally include, but are not limited to; a wide variety of commercial and office uses. The abutting property's current use as an automobile dealership is in line with the current zoning as a permitted use and the current zoning is in harmony with the future land use designation.

The appraisers have not independently verified that the subject complies with current site development regulations (setbacks, site coverage, etc.). It has been assumed that by virtue of the subject's on-going use, should there be any areas of non-compliance, a variance has been issued or some other form of special exception has been made.

Zoning Map



Concurrency

The strongest growth control measure ever imposed was passed by the Florida Legislature and became effective on February 1, 1990. This was mandated by Chapter 163, Florida Statutes, otherwise known as the Growth Management Law. One provision of this law is referred to as Concurrency which dramatically limits the ability to develop real property. It is basically the requirement that adequate infrastructure be available to serve new development. Eight types of infrastructure are affected including traffic, potable water, sewer, drainage, solid waste, recreation and open space, mass transit, and fire rescue.

In May of 2011, House Bill 7172 amended the Growth Management act in an effort to spur economic growth through streamlining and lessening growth management controls. Transportation concurrency requirements were exempted in dense urban land areas with populations of at least 1,000 people per square mile. Also, within dense urban land areas, the DRI process has been exempted. State review of local comprehensive plans was streamlined and zoning changes are now allowed to be considered concurrently with land use plan amendments.

It is the appraisers' understanding that the subject is not subject to any concurrency restrictions. Should the property be altered or redeveloped, the matter of concurrency would need to be revisited at that time.

Utilities

The following utilities are available to the subject property: Water, electricity, municipal sewer.

Subject Property Sales History

The appraisers have not been provided with a title abstract on the property appraised nor have they conducted a title search of their own. The Palm Beach County Property Appraiser's records indicate that the subject property has been in public ownership for decades.

To the appraisers' knowledge the subject property is not currently listed for sale or subject to a current purchase agreement.

Site Analysis

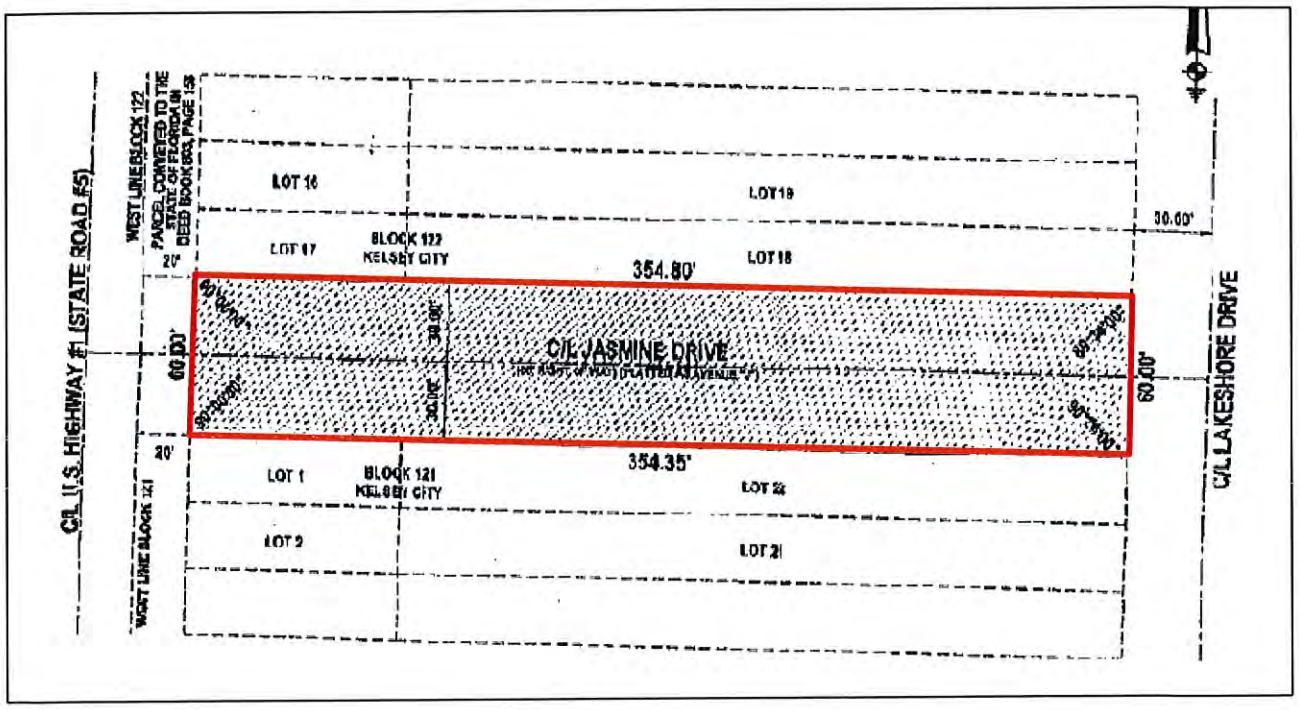
The following analysis is based upon a personal inspection of the site and Palm Beach County Public Records.

Location

The subject property is located east of Federal Highway and west of Lake Shore Drive approximately one half mile south of Northlake Boulevard. The property address is East Jasmine Drive, Lake Park, Florida 33403.

Size and Shape

We have relied on the site size for the property from survey. The site is a rectangular shaped parcel of land having roughly 60 feet of width (north-south) and approximately 354 feet of length (east-west). The subject site area is approximately 21,275 square feet or 0.488 acres.



Topography and Drainage

The site is level and at road grade. Drainage appears to be adequate for its current use. No apparent drainage problems were noted during the inspection. However, we have not had the opportunity to visit the site during a time of heavy rainfall. It is assumed that the subject does not suffer from any detrimental drainage problems.

Access

Access is via Federal Highway to the east and Lake Shore Drive to the west.

Easements or Encroachments

Typical utility easements are believed to exist. The survey that was provided did not delineate the boundaries of any potentially detrimental easements or encroachments. The appraisers did not note any such conditions nor did the property owner disclose any during our on-site inspection. We have no reason to believe that there are any easements or encroachments on the property that would affect its use in such a way as to have a negative impact on value.

Soil/Environmental Conditions

We have not been provided with nor have we commissioned a soil or sub-soil condition report. The subject's land appears to be composed of typical loose South Florida sand.

The appraisers have no reason to believe that there may be hazardous materials stored and used at the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

HIGHEST AND BEST USE

The Appraisal Institute defines highest and best use as follows:

The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. Alternatively, the probable use of land or improved property—specific with respect to the user and timing of the use—that is adequately supported and results in the highest present value. (Source: Appraisal Institute, The Dictionary of Real Estate Appraisal, 5th ed., Chicago: Appraisal Institute, 2010).

The analysis of highest and best use normally applies these considerations in a three step process, involving the analysis of the Highest and Best Use of the site as if vacant, determination of the ideal improvement, and a comparison of the existing improvement with the ideal improvement in order to estimate the highest and best use as improved. The subject is vacant land; therefore only the first two steps apply.

The subject site contains roughly 0.488 acres and could physically support a number of uses if not for its narrow shape. We have ignored the site shape in our analysis through the use of across the fence methodology. These physically possible uses must be legal, reasonable, probable, and a logical continuation of surrounding uses within the subject property's neighborhood. The subject is not currently zoned but we have assumed a C-1 zoning designation similar to the abutting properties. The surrounding area has been developed mainly with retail commercial uses in the past.

Given the preceding discussion, it is the appraisers' opinion that the highest and best use for the subject site would be development with a commercial use in accordance with the zoning and in keeping with the general development trends in the neighborhood.

The subject's irregular configuration makes it more or less useless for anything other than a roadway, parking lot, alley, driveway, utility, or railroad spur track. It could not readily be developed as a stand-alone parcel.

This parcel has little, if any, development potential to anyone other than the adjoining property owner. This type of property is almost exclusively purchased privately by the adjacent land owner for assemblage and almost never sold in the open market. Depending on the entities involved, the value of this type of property is sometimes discounted for size and width, configuration, and lack of development potential. In more and more cases, however, the selling parties demand full value with no discount based on an across the fence value.

The highest and best use of the subject property is for assemblage with the adjoining properties. This would result in the most utility, development potential and highest value. It should be noted that an "across the fence" value ignores the highest and best use of the property on a stand-alone basis (which would include a discount for configuration and utility).

The highest and best use of the subject property, as vacant, is for commercial development in keeping with current market trends.

EXPOSURE AND MARKETING TIME

Exposure time is: 1) The time a property remains on the market; 2) The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; 3) A retrospective estimate based on an analysis of past events assuming a competitive and open market.

Marketing time is an opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. Advisory Opinion 7 of the Appraisal Standards Board of The Appraisal Foundation and Statement on Appraisal Standards No. 6, Reasonable Exposure Time in Real Property and Personal Property Market Value Opinions address the determination of reasonable exposure and marketing time. (Source: Appraisal Institute, The Dictionary of Real Estate Appraisal, 5th ed., Chicago: Appraisal Institute, 2010).

Credit markets are now showing signs of easing and financing for commercial properties appears to be more readily available at this time. Most properties offered for sale have been exposed on the market for six to twelve months or longer.

The CoStar Group reported the sale of 36 commercial land properties in Palm Beach County from January 2014 through May 2015 with an indicated marketing time. The marketing time ranged from three months to over a year, with an average of 6 to 12 months.

Considering the preceding, as well as sales that have taken place in the local market, and assuming a prudent pricing strategy, we estimate an exposure time of 6 to 12 months. Looking forward, we feel this would be a reasonable estimate for marketing time as well.

SALES COMPARISON APPROACH

The sales comparison approach is the process of deriving a value indication for the subject property by comparing market information for similar properties with the property being appraised, identifying appropriate units of comparison, and making qualitative comparisons with or quantitative adjustments to the sale prices (or unit prices, as appropriate) of the comparable properties based on relevant, market-derived elements of comparison. (Appraisal Institute, The Dictionary of Real Estate Appraisal, 5th ed., Chicago: Appraisal Institute, 2010.)

The sales comparison approach requires that the appraiser locate recent sales of similar properties and through an adjustment process arrive at an indication of what these properties would have sold for if they possessed all of the salient characteristics of the subject property. These adjusted sales prices are then correlated into an estimate of the market value of the property via the sales comparison approach to value.

A search of the Palm Beach County official records, local multiple listing service records, discussions with local brokers and appraisers and a personal inspection of the subject area produced several sales of similar type properties. The sales used in the analysis were the best comparables that we were able to verify with public records and/or a party to the transaction.

The following pages feature a detailed write up of each comparable used in the analysis, a location map and summary of the selected comparable sales data, which is followed by a discussion of the pertinent adjustments and conclusion of value.

SALE NO. 1 - 200 Yacht Club Drive, North Palm Beach, FL 33408
AC File No.: 2150209 ID: 907995

OR Book/Page: 26094/1911 Type: Land
Sale Status: Sale Sub-Type: Commercial

Date:	May 28, 2013
Grantor:	SAB Real Estate, LLC
Grantee:	6827 Leland Way, LLC
Legal:	Lot 1, Marina Addition to the Village of North Palm Beach, recorded in Plat Book 27, Page 98, Public Records of Palm Beach County
Folio No.:	68-43-42-09-02-000-0010
Location:	Southeast corner of US Highway One and Yacht Club Drive directly across from the North Palm Beach Country Club
Zoning:	C1A - Limited Commercial by North Palm Beach
Land Use:	Commercial
Utilities:	Water, electricity, municipal sewer

Site Size:	Square Feet: 60,700 Acres: 1.39 Shape: Irregular Street Frontage (Ft.): 189 Topography/Elevation: Level, above road grade
Use:	Current Use: Vacant Intended Use: Hold for future development Highest and Best Use: Commercial
Verification:	Source: Lani Capote-Dull/Public Record Relationship: Closing Attorney Conditions of Sale: Arm's-length Verified By: W. Lewis Date: May 27, 2015
Sales History:	No transactions in the previous five years
Sales Price:	$730,000
Price/SF Land:	$12.03
Price/Acre:	$524,049
Financing:	Cash to seller

Comments:

Vacant commercial tract of land located at a signalized corner directly across from the North Palm Beach County Club. The site has been vacant for many years but was previously developed with a restaurant. The previous owner of the site had planned to develop the site with a residential townhome development but those plans failed during the recession. According to the Village of North Palm Beach no plans have been submitted for the development of the site. The buyer appears to be the Palm Beach Real Estate Investor, Jeff Greene.

SALE NO. 2 - 872 US Highway 1, North Palm Beach, FL 33408
AC File No.: 2150209 ID: 907994

OR Book/Page: 26594/1994
Sale Status: Sale

Type: Land
Sub-Type: Commercial

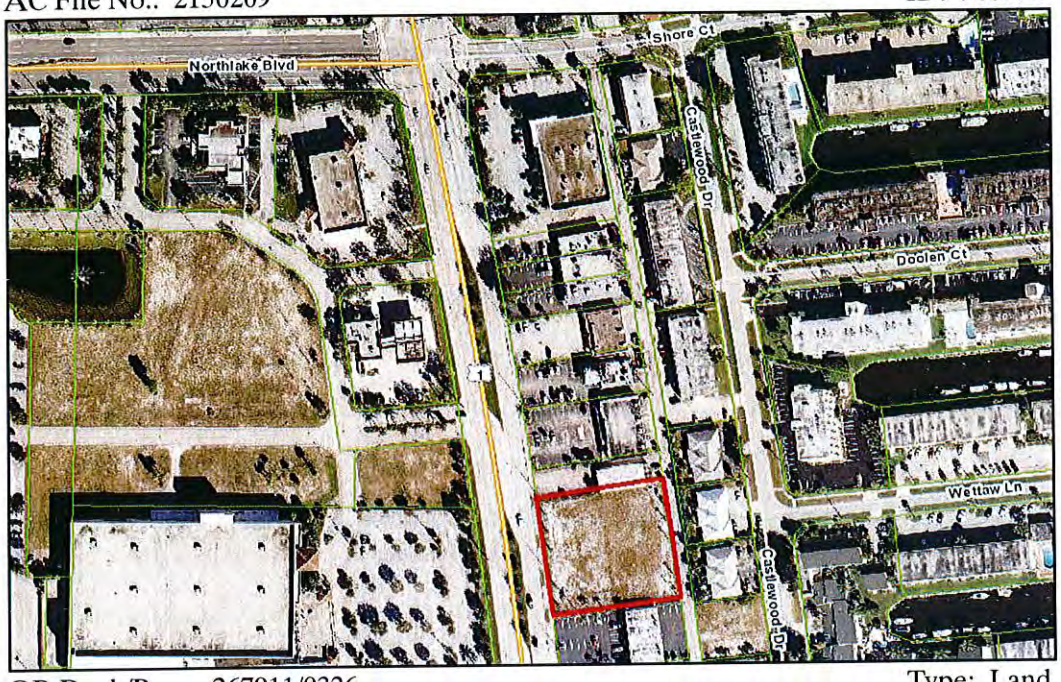
Date:	January 8, 2014
Grantor:	James A Gillis Trust
Grantee:	872 NPB Enterprises, LLC
Legal:	Lot 13 and the North 64 feet of Lot 12, Block 70, Yacht Club Addition to Village of North Palm Beach, according to the Plat thereof, recorded in Plat Book 26, Page 249 of the Public Records of Palm Beach County, Florida
Folio No.:	68-43-42-09-01-070-0121
Location:	East side of US Highway One three lots south of Yacht Club Drive across from the North Palm Beach Country Club
Zoning:	CA - Restricted Commercial Development by North Palm Beach
Land Use:	Commercial
Utilities:	Water, electricity, municipal sewer

Site Size:	Square Feet: 52,481 Acres: 1.21 Shape: Rectangular Street Frontage (Ft.): 170 Topography/Elevation: Level, above road grade
Use:	Current Use: Vacant Intended Use: Medical Office Highest and Best Use: Office commercial
Verification:	Source: Bruce Corn Relationship: Selling broker Conditions of Sale: Arm's-length Verified By: W. Lewis Date: May 27, 2015
Sales History:	No transactions in the previous five years
Sales Price:	$575,000
Price/SF Land:	$10.96
Price/Acre:	$477,178
Financing:	Cash to seller

Comments:

Sale of a long vacant commercial property on the US Highway One corridor in North Palm Beach located directly across from the North Palm Beach Country Club. The site is planned for development with medical office space to accommodate a spine institute/surgical center. The site was previously developed with a restaurant.

SALE NO. 3 - 124 US Highway 1, North Palm Beach, FL 33408
AC File No.: 2150209 ID: 907992



OR Book/Page: 267911/0326 Type: Land
Sale Status: Sale Sub-Type: Commercial

Date:	May 2, 2014
Grantor:	IP 124 US Highway One, LLC
Grantee:	Larry M. & Gina A. Melby
Legal:	Lot 216, less the North 50 feet thereof, All of Lot 217 and North 1/2 of 218, Palm Beach Lake Worth Estates, according to the plat thereof as recorded in Plat Book 25, Page 167, Public Records of Palm Beach County, Florida
Folio No.:	68-43-42-16-01-000-2161
Location:	East side of US Highway 1 one half block south of Northlake Boulevard
Zoning:	C-1 - Neighborhood Commercial by North Palm Beach
Land Use:	Commercial
Utilities:	Water, electricity, municipal sewer

Site Size:	Square Feet: 40,400 Acres: 0.93 Shape: Rectangular Street Frontage (Ft.): 200 Topography/Elevation: Level, above road grade
Use:	Current Use: Vacant Intended Use: Dairy Queen Restaurant Highest and Best Use: Commercial
Verification:	Source: Craig Mason Relationship: Listing Broker Conditions of Sale: Arm's-length Verified By: W. Lewis Date: May 27, 2015
Sales History:	No transactions in the previous five years
Sales Price:	$550,000
Price/SF Land:	$13.61
Price/Acre:	$593,312
Financing:	Cash to seller

Comments:

The site was on the market for a number of years and the list price eroded over time from $900,000 to $600,000 before selling for $550,000. The site is planned for development with a new design Dairy Queen restaurant called "Grill and Chill". The restaurant will be approximately 3,000 square feet and will have both sit down dining and a drive through.

SALE NO. 4 - 127 N Dixie Highway, Lake Worth, FL 33460
AC File No.: 2140446.000 ID: 907609

OR Book/Page: 26916/0973 Type: Land
Sale Status: Sale Sub-Type: Commercial

Date:	July 10, 2014
Grantor:	Jeffrey M. Liggio and Susan Liggio
Grantee:	Stateside Partners LLC
Legal:	Lots 13 through 19, Block 16, Townsite of Lucerne, Plat Book 2, Page 29, Palm Beach County, Florida
Folio No.:	38-43-44-21-15-016-0130
Location:	West side of North Dixie Highway, roughly 175 feet north of Lucerne Avenue, Lake Worth
Zoning:	DT - Downtown by Lake Worth
Land Use:	Downtown Mixed Use
Utilities:	Municipal water and sewer, electricity, and telephone

Site Size:	Square Feet: 19,613 Acres: 0.45 Shape: Rectangular Street Frontage (Ft.): 175 Topography/Elevation: Level, near road grade
Use:	Current Use: Vacant Intended Use: Commercial Highest and Best Use: Commercial
Verification:	Source: Norman Weinstein, public records Relationship: Buyer Conditions of Sale: Arm's-length Verified By: B. Arnold Date: November 12, 2014
Sales History:	No arm's-length market transactions in the previous five years.
Sales Price:	$335,000
Price/SF Land:	$17.08
Price/Acre:	$744,444
Financing:	None recorded

Comments:

Buyer verified the transaction to be arm's length and that the property would be developed with a retail building, but declined to comment further.

SALE NO. 5 - 545 Northlake Boulevard, North Palm Beach, FL 33408
AC File No.: 2150209 ID: 907993

OR Book/Page: 27252/613
Sale Status: Sale

Type: Land
Sub-Type: Commercial

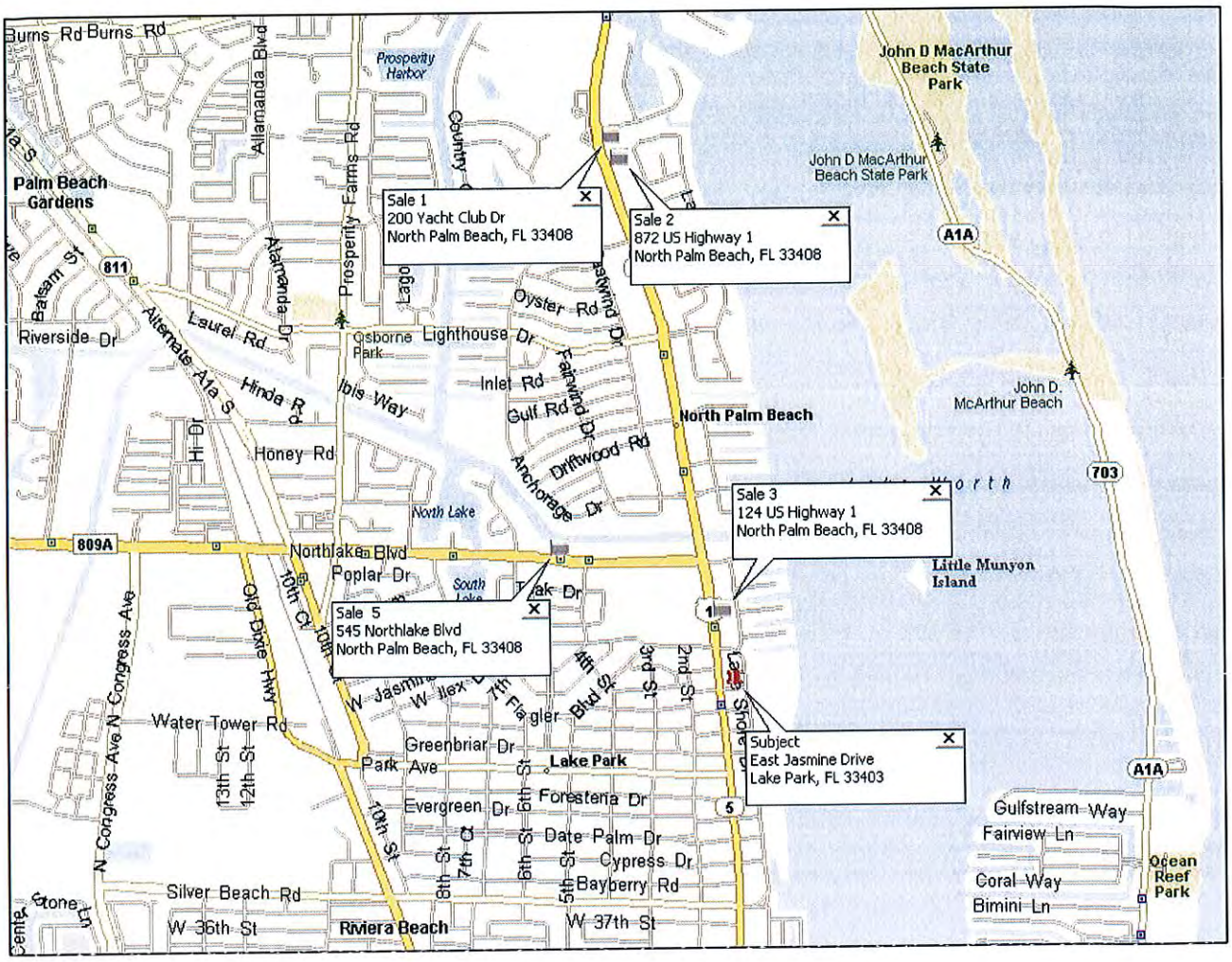
Date:	December 30, 2014
Grantor:	Flagler Bank
Grantee:	PSI Atlantic NPB FL, LLC
Legal:	A parcel of land, being a portion or Lot 10, a portion of Lot 11 and all of Lot 12, Block 55, as shown on the Plat of Village of North Palm Beach Plat No. 5, as recorded in Plat Book 26, Page 6, Public Records of Palm Beach County, Florida, lying in Section 16, Township 42 South, Range 43 East, Palm Beach County, Florida, being more particularly described as (long legal).
Folio No.:	68-43-42-16-05-055-0102
Location:	North side of Northlake Boulevard just east of Southwind Drive
Zoning:	C1 - Neighborhood Commercial by North Palm Beach
Land Use:	Commercial
Utilities:	Water, electricity, municipal sewer

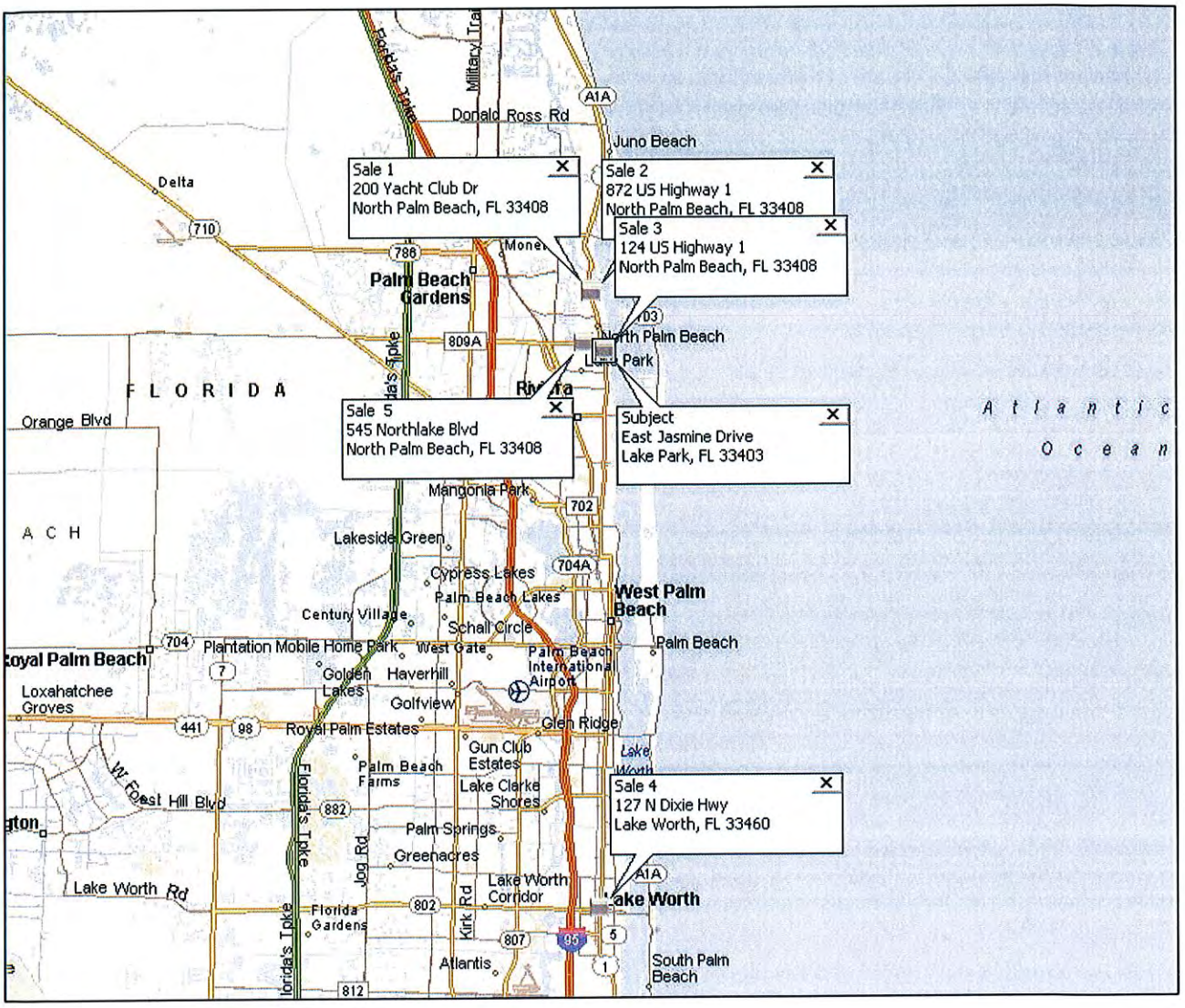
Site Size:	Square Feet: 61,664 Acres: 1.42 Shape: Irregular Street Frontage (Ft.): 175 Topography/Elevation: Level, above road grade
Use:	Current Use: Vacant Intended Use: Self storage facility Highest and Best Use: Commercial
Verification:	Source: Jim Sudary Relationship: Representative of the seller Conditions of Sale: Arm's-length Verified By: W. Lewis Date: May 27, 2015
Sales History:	No transactions in the previous five years
Sales Price:	$1,350,000
Price/SF Land:	$21.89
Price/Acre:	$954,064
Financing:	Cash to seller

Comments:

Vacant tract of land adjacent to an existing Flagler Bank branch. The site has been approved for development with a three story 61,203 square foot self-storage facility. The site backs up to the Ermine River but has no dockage. The grantor indicated that the sale involved a six month contingency period.

Comparable Sales Location Maps




Sale 1
200 Yacht Club Dr
North Palm Beach, FL 33408
Sale 2
872 US Highway 1
North Palm Beach, FL 33408
Sale 3
124 US Highway 1
North Palm Beach, FL 33408
Sale 5
545 Northlake Blvd
North Palm Beach, FL 33408
Subject
East Jasmine Drive
Lake Park, FL 33403
Sale 4
127 N Dixie Hwy
Lake Worth, FL 33460
Donald Ross Rd
Juno Beach
Delta
Palm Beach Gardens
North Palm Beach
Lake Park
FLORIDA
Orange Blvd
Atlantic Ocean
Mangonia Park
Lakeside Green
Cypress Lakes
Palm Beach Lakes
West Palm Beach
Century Village
Schall Circle
Palm Beach
Royal Palm Beach
Plantation Mobile Home Park
West Gate
Palm Beach International Airport
Golden Lakes
Haverhill
Loxahatchee Groves
Golfview
Glen Ridge
Royal Palm Estates
Gun Club Estates
Palm Beach Farms
Lake Clarke Shores
W Forest Hill Blvd
Palm Springs
Greenacres
Lake Worth Corridor
Lake Worth Rd
Florida Gardens
Atlantis
South Palm Beach
Florida's Tpke
Jog Rd
Kirk Rd
Military Trail
A1A
710
786
809A
702
704A
704
7
441
98
882
802
807
95
5
1
812

SALES SUMMARY TABLE					
Sale No. Date	OR Bk Page	Property Address	Land Area SF Acres	Sale Price	Price/SF of Land
1 May-13	26094 1911	200 Yacht Club Drive North Palm Beach	60,700 1.39	$730,000	$12.03
2 Jan-14	26594 1994	872 US Highway 1 North Palm Beach	52,481 1.20	$575,000	$10.96
3 May-14	267911 0326	124 US Highway 1 North Palm Beach	40,400 0.93	$550,000	$13.61
4 Jul-14	26916 0973	127 N Dixie Highway Lake Worth	19,613 0.45	$335,000	$17.08
5 Dec-14	27252 613	545 Northlake Boulevard North Palm Beach	61,664 1.42	$1,350,000	$21.89
Subj. May-15	N/A	East Jasmine Drive West Palm Beach	21,275 0.49	N/A	N/A

Sales Summary and Discussion

The subject is located in Lake Park along the Federal Highway corridor. Federal Highway has been completely built out since the 1960's and we were not able to observe any recent land sales of commercial tracts within the city limits of Lake Park.

We were able to observe four recent sales along both Federal Highway and Northlake Boulevard in the adjacent community of North Palm Beach. We have considered these sales in our analysis. We have also included a single commercial land sale located along Dixie Highway in Lake Worth. This is considered a similar location to the subject and helps to establish a value for the subject tract.

In this analysis, we considered differences between the sales and the subject in terms of property rights sold, conditions of sale, financing, market conditions (trend or time adjustment), location, building and lot size, and quality and condition of the improvements.

The appraisers based the comparisons on a standardized unit of measure, the sale price per square foot of land. The sale price per square foot of land correlates well among the comparable sales and is commonly used by buyers in this type of analysis.

Property Rights

The property rights transferred were believed to be those of the fee simple estate. No differences between the sales and the subject are reflected.

Conditions of Sale

All sales were reportedly market oriented. No adjustment consideration for conditions of sale was necessary.

Financing

We considered any indication of favorable financing. All sales were either on a cash basis or had market oriented financing, therefore, no differences were noted nor were adjustments made.

Market Conditions

The sales occurred over the period from May 28, 2013 to December 30, 2014. The date of value is May 26, 2015. The market has shown improving market conditions over this time period. We have made upward adjustment to the four older sales to account for improving market conditions.

Location

The subject property is located at East Jasmine Drive in West Palm Beach. Sale 1 is a corner location at a signaled intersection so downward adjustment is indicated. Sale 5 is located on Northlake Boulevard and has frontage along the Ermine River. Downward adjustment is made for water access. The remaining sales have similar locations along the Federal Highway and Dixie Highway corridors.

Size

Generally, larger properties will sell for a somewhat lower price per square foot of land than smaller ones, and vice versa, when all else is equal. Due to the across the fence methodology we have made no adjustment related to size.

Site Conditions

Properties of all different shapes can typically be developed. Some properties, however, allow for a more efficient development of the site providing for the maximum development intensity. Neither the subject nor the comparables appear be impacted by their shape in such a manner as to limit their development. Sale 5 involves a subdivision of a tract that was partially improved with a banking facility. Access drives and a small parking area at the rear of the tract require a small downward adjustment.

Zoning/Land Use

The subject property has been assumed to have a C1 zoning designation. Though they may vary by municipality, all of the comparables have similar commercial oriented designations that allow for similar uses as the subject. No adjustment is warranted for the majority of the sales. Sale 5 has been approved for development with a three story 61,203 square foot self-storage facility. This is a more intensive development than is standard in the area and downward adjustment is indicated.

QUANTITATIVE SALES ADJUSTMENT CHART - PRICE/LAND SF												
Sale Date	Property Address	Land SF	Price/ Land SF	Financing/ Adj. Price/ Land SF	Conditions of Sale/ Adj. Price/ Land SF	Market Conditions/ Adj. Price/ Land SF	Location	Land Size	Site Conditions	Zoning/ Land Use	Final Combined Adjustment	Overall Indication
1 May-13	200 Yacht Club Drive North Palm Beach	60,700	$12.03	0% $12.03	0% $12.03	15% $13.83	-10%	0%	0%	0%	-10%	$12.45
2 Jan-14	872 US Highway 1 North Palm Beach	52,481	$10.96	0% $10.96	0% $10.96	10% $12.05	0%	0%	0%	0%	0%	$12.05
3 May-14	124 US Highway 1 North Palm Beach	40,400	$13.61	0% $13.61	0% $13.61	10% $14.98	0%	0%	0%	0%	0%	$14.98
4 Jul-14	127 N Dixie Highway Lake Worth	19,613	$17.08	0% $17.08	0% $17.08	5% $17.93	0%	0%	0%	0%	0%	$17.93
5 Dec-14	545 Northlake Boulevard North Palm Beach	61,664	$21.89	0% $21.89	0% $21.89	0% $21.89	-10%	0%	-5%	-10%	-25%	$16.42
Subj. May-15	East Jasmine Drive West Palm Beach	21,275	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Conclusion

Considering all of these differences, we developed the preceding quantitative comparison chart listing the sales as they compare to the subject property, based on a price per square foot of land. Not all categories considered are depicted. Those omitted reflect no differences between the sales and the subject property.

The unadjusted range of value indicated by the sales is roughly $10.96 to $21.89 per square foot of land area. The preceding quantitative comparison chart shows the value range for the subject property after adjustment based on a price per square foot of land area to be from $12.05 to $17.93 with a mean of $14.77. Considering all of the salient factors discussed previously and prevailing market conditions, the appraisers feel a conclusion in the middle portion of the indicated range is most appropriate. Given the preceding data and discussions, it is concluded that the market reflects a value per square foot of land area for the subject property of $15.00 as of May 26, 2015. Total value is calculated as follows:

21,275 Square Feet @ $15.00 per Square Foot = $319,125

Rounded To:

MARKET VALUE VIA SALES COMPARISON APPROACH: $320,000

QUALIFICATIONS OF APPRAISER
ROBERT B. BANTING, MAI, SRA

PROFESSIONAL DESIGNATIONS - YEAR RECEIVED

MAI - Member Appraisal Institute - 1984
SRA - Senior Residential Appraiser, Appraisal Institute - 1977
SRPA - Senior Real Property Appraiser, Appraisal Institute - 1980
State-Certified General Real Estate Appraiser, State of Florida, License No. RZ4 - 1991

EDUCATION AND SPECIAL TRAINING

Licensed Real Estate Broker - #3748 - State of Florida
Graduate, University of Florida, College of Business Administration, BSBA (Major - Real Estate & Urban Land Studies) 1973
Successfully completed and passed the following Society of Real Estate Appraisers (SREA) and American Institute of Real Estate Appraisers (AIREA) courses and/or exams: Note: the SREA & AIREA merged in 1991 to form the Appraisal Institute.

SREA R2:	Case Study of Single Family Residence
SREA 201:	Principles of Income Property Appraising
SREA:	Single Family Residence Demonstration Report
SREA:	Income Property Demonstration Report
AIREA 1B:	Capitalization Theory and Techniques
SREA 101:	Introduction to Appraising Real Property
AIREA:	Case Studies in Real Estate Valuation
AIREA:	Standards of Professional Practice
AIREA:	Introduction to Real Estate Investment Analysis
AIREA 2-2:	Valuation Analysis and Report Writing
AIREA:	Comprehensive Examination
AIREA:	Litigation Valuation
AIREA:	Standards of Professional Practice Part C

ATTENDED VARIOUS APPRAISAL SEMINARS AND COURSES, INCLUDING:

The Internet and Appraising	Golf Course Valuation	Discounting Condominiums & Subdivisions
Narrative Report Writing	Appraising for Condemnation	Condemnation: Legal Rules & Appraisal Practices
Condominium Appraisal	Reviewing Appraisals	Analyzing Commercial Lease Clauses
Eminent Domain Trials	Tax Considerations in Real Estate	Testing Reasonableness/Discounted Cash Flow
Mortgage Equity Analysis	Partnerships & Syndications	Hotel and Motel Valuation
Advanced Appraisal Techniques	Federal Appraisal Requirements	Analytic Uses of Computer in the Appraisal Shop
Valuation of Leases and Leaseholds	Valuation Litigation Mock Trial	Residential Construction From The Inside Out
Rates, Ratios, and Reasonableness	Analyzing Income Producing Properties	Development of Major/Large Residential Projects
Standards of Professional Practice	Regression Analysis In Appraisal Practice	Federal Appraisal Requirements

Engaged in appraising and consulting assignments including market research, rental studies, feasibility analysis, expert witness testimony, cash flow analysis, settlement conferences, and brokerage covering all types of real estate since 1972.
President of Anderson & Carr, Inc., Realtors and Appraisers, established 1947
Past President Palm Beach County Chapter, Society of Real Estate Appraisers (SREA)
Realtor Member of Central Palm Beach County Association of Realtors
Special Master for Palm Beach County Property Appraisal Adjustment Board
Qualified as an Expert Witness providing testimony in matters of condemnation, property disputes, bankruptcy court, foreclosures, and other issues of real property valuation.
Member of Admissions Committee, Appraisal Institute - South Florida Chapter
Member of Review and Counseling Committee, Appraisal Institute - South Florida Chapter
Approved appraiser for State of Florida, Department of Transportation and Department Natural Resources.
Instructor of seminars, sponsored by the West Palm Beach Board of Realtors.
Authored articles for The Palm Beach Post and Realtor newsletter.
Real Estate Advisory Board Member, University of Florida.

TYPES OF PROPERTY APPRAISED - PARTIAL LISTING

Air Rights	Medical Buildings	Apartment Buildings	Churches
Amusement Parks	Department Stores	Hotels - Motels	Marinas
Condominiums	Industrial Buildings	Office Buildings	Residences - All Types
Mobile Home Parks	Service Stations	Special Purpose Buildings	Restaurants
Auto Dealerships	Vacant Lots - Acreage	Residential Projects	Golf Courses
Shopping Centers	Leasehold Interests	Financial Institutions	Easements

"I am currently certified under the continuing education program of the Appraisal Institute."

QUALIFICATIONS OF APPRAISER
WAYNE B. LEWIS, MAI

GENERAL INFORMATION
MAI - Member Appraisal Institute
State-Certified General Real Estate Appraiser, State of Florida, License No. RZ2452
American Institute of Real Estate Appraisers exams 410, 420, 500, 510, 520, 540, 550 & Capstone
Florida Licensed Real Estate Broker No. BK685197

EDUCATION AND SPECIAL TRAINING:

Master of Science in Real Estate and Urban Affairs (M.S.R.E.)
Georgia State University School of Business Administration; Appraisal major

Bachelor of Business Administration (B.B.A)
Emory University School of Business Administration; Economics major

EXPERIENCE:

Anderson & Carr, Inc., FL April 2000
Commercial and residential real estate valuation, highest and best use analysis, market studies and construction loan analysis. Real estate brokerage and leasing.

The Appraisal Group Atlanta, GA October 1999 – March 2000
Commercial and residential real estate valuation, highest and best use analysis, market studies and construction loan analysis.

PRIMIS, Inc. Atlanta, GA February 1998 – September 1999
Director of operations of the Atlanta office of PRIMIS, Inc. Successfully turned around an under performing office with annual run rate of $300,000 to a run rate of $1,000,000 in a twelve month period. Established capability to electronically deliver full appraisal reports via the internet resulting in 25% cost savings. Participated in the selection panel tasked with choosing a new computer appraisal software for the nationwide network of offices. Participated in the design of a partially automated residential appraisal software that is proprietary to PRIMIS, Inc. Regularly demonstrate proprietary appraisal ordering, tracking and delivery software for corporate targeted acquisition candidates. Recruited and trained the current staff of 25 appraisers and office assistants (original staff of seven). Engineered high growth while improving customer satisfaction in the appraisal, flood determination and limited title search industry. Served as marketing representative, senior review appraiser, reviewer of monthly income statements and performed all duties of the director of operations. The Atlanta office of PRIMIS, Inc. is currently servicing 400+ residential appraisals per month.

The Appraisal Group Atlanta, GA July 1994 – January 1998
Partner/Senior Appraiser - Commercial and residential real estate valuation, highest and best use analysis, market studies and construction loan analysis. Primary activity focused on acquisition and development loan analysis associated with multi-phased single family residential community developments. Additional areas of concentration ranged from industrial products such as carpet manufacture; trucking and warehouse distribution buildings; to golf courses; horse facilities; fast food restaurants; office and rental buildings; apartments and single family residences. Long range budget planning with particular attention on cost savings. Served as marketing representative focusing on new client development and retention. Utilized a wide range of computer skills in report writing, discounted cash flow analysis, and development and renovation cost estimation designed to attain effective communication with clients.

Appraiser Licenses

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

LICENSE NUMBER
RZ4

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2016

BANTING, ROBERT B
521 S OLIVE AVE
WEST PALM BEACH FL 33401

ISSUED: 10/27/2014 DISPLAY AS REQUIRED BY LAW SEQ # L1410270002609

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

LICENSE NUMBER
RZ2452

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2016

LEWIS, WAYNE BORDEN
521 SOUTH OLIVE AVE
WEST PALM BEACH FL 33401

ISSUED: 11/19/2014 DISPLAY AS REQUIRED BY LAW SEQ # L1411190001378

Town of Lake Park
Community Development Department

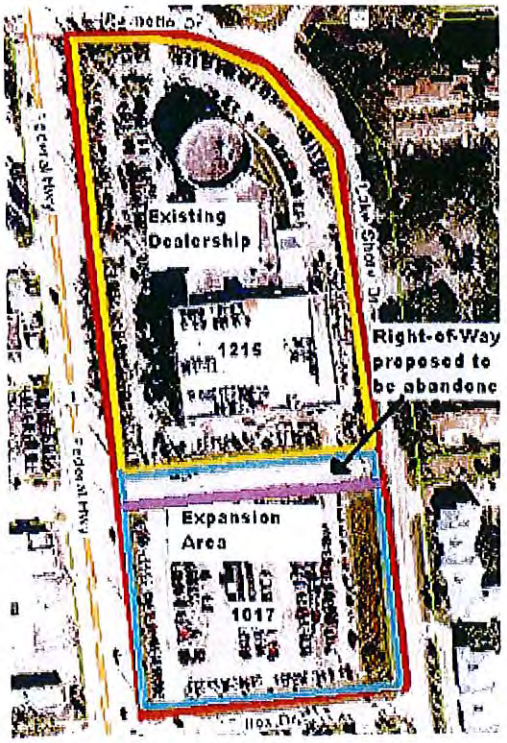
Certified Mail – ***You are receiving this notice because you are the legal owner of record for property that is located within 300 feet of the subject property.***

March 18, 2015

Re: **Earl Stewart LLC/Commercial Investments LLC - Planned Unit Development Amendment Application**
(1) Site Plan and Special Exception Use of a Vehicle Sales Establishment
(2) Abandonment of East Jasmine Drive
(3) Rezoning of 1017 North Federal Highway (C-1 to PUD)

Dear Property Owner:

Please be advised that Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner") is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (36-43-42-21-27-000-0000) onto the existing East Jasmine Drive right-of-way and 1017 Federal Highway (36-43-42-20-01-121-0010), which represents the overall site being considered for site plan approval. The proposed expansion requires an amendment to the existing boundaries of the Planned Unit Development (Rezoning from Commercial-1 (C-1) to Planned Unit Development (PUD) for the 1017 Federal Highway property) and the special exception use approval of a vehicles sales establishment (see illustration). A right-of-way abandonment application will also be considered separately for East Jasmine Drive.



The Town Commission will hold a public hearing on the Ordinance for the rezoning of the 1017 Federal Highway property, as well as the Ordinance for the abandonment of the East Jasmine Drive right-of-way on **Wednesday, April 1, 2015 on 1st reading** and **Wednesday, April 15, 2015 on 2nd reading** for adoption. The Resolution for the site plan and special exception use of a vehicle sales establishment will be heard by the Town Commission on **Wednesday, April 15, 2015**. All items will be presented at 6:30 p.m., or as soon thereafter as can be heard in the Town Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida.

Continued to May 20, 2015

If you have any questions, please do not hesitate to call the Community Development Department at (561) 881-3318.

Sincerely,

Nadia Di Tommaso, *Community Development Director*

535 Park Avenue, Lake Park, Florida 33403 – Phone: 561-881-3319 Fax: 561-881-3323
Web Site: www.lakeparkflorida.gov Email: NDiTommaso@lakeparkflorida.gov

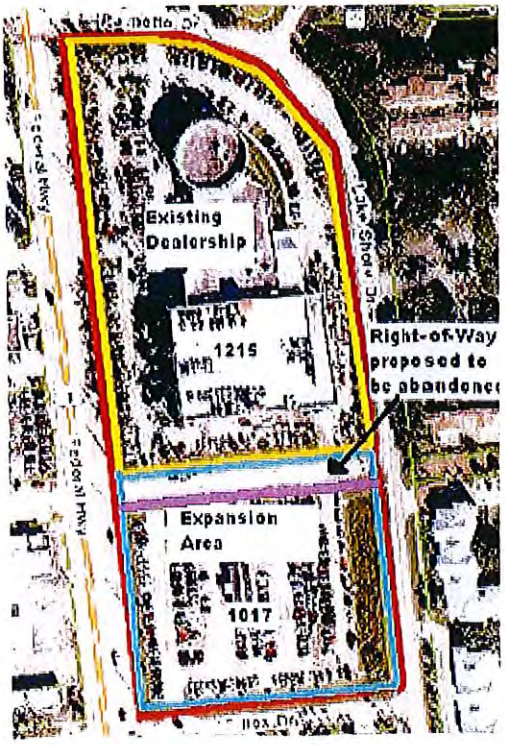
Town of Lake Park
Community Development Department

Regular Mail Notice – ***You are receiving this notice because on April 1, 2015 the Town Commission expressed interest in notifying the OCCUPANTS of the adjacent residential developments of the upcoming public hearings.***

May 8, 2015

Re: **Earl Stewart LLC/Commercial Investments LLC - Planned Unit Development Amendment (PUD) Application**
(1) Site Plan and Special Exception Use of a Vehicle Sales Establishment
(2) Abandonment of a 0.49 acre portion of East Jasmine Drive
(3) Land Use Amendment of East Jasmine Drive (Public Right-of-Way to Commercial/Residential)
(4) Rezoning of 1017 North Federal Highway (C-1 to PUD) and East Jasmine Drive (Public Right-of-Way to PUD)

Dear Occupant:



Please be advised that Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner") is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (36-43-42-21-27-000-0000) onto the existing East Jasmine Drive right-of-way and 1017 Federal Highway (36-43-42-20-01-121-0010), which represents the overall site being considered for site plan approval and special exception use approval of a vehicles sales establishment (see illustration). The proposed expansion requires an amendment to the existing boundaries of the Planned Unit Development and includes: (1) Land Use Amendment for East Jasmine Drive from a Public Right-of-Way to a Commercial/Residential land use designation; and (2) Rezoning from Commercial-1 to PUD for East Jasmine Drive and for the 1017 Federal Highway property. All of the above will be contingent on the approval of a right-of-way abandonment application which will also be considered separately for East Jasmine Drive.

The Town Commission will hold a public hearing on the various items approved by Ordinance (abandonment; land use; and rezoning) and by Resolution (site plan with special exception use) on **Wednesday, May 20, 2015** and **Wednesday, June 17, 2015**. All items will be presented at 6:30 p.m., or as soon thereafter as can be heard in the Town Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida.

If you have any questions, please do not hesitate to call the Community Development Department at (561) 881-3318.

Sincerely,

Nadia Di Tommaso, *Community Development Director*

535 Park Avenue, Lake Park, Florida 33403 – Phone: 561-881-3319 Fax: 561-881-3323
Web Site: www.lakeparkflorida.gov Email: NDiTommaso@lakeparkflorida.gov

From: Melissa Sturdivant
Sent: Monday, April 20, 2015 3:53 PM
To: Nadia DiTommaso; Kimberly Rowley
Subject: Bay Reach List of Tenants

John Hash with Bay Reach condominiums wanted to thank you for offering to let the tenants in the development be notifying of any news regarding the Earl Stewart project. Unfortunately, he said that they will not be providing the list of tenants, Bay Reach decided against giving out their personal information. He wanted to let you know he did appreciate the gesture though.

Thank you,

Melissa Sturdivant
Community Development Technician
TOWN OF LAKE PARK
535 Park Avenue
Lake Park, FL 33403
561-881-3318
561-881-3323 (fax)
www.lakeparkflorida.gov

* → lists for Maura Key + Cedon Crest have been provided *

***PLEASE NOTE:** The State of Florida has a very broad Public Records Law. Written communication regarding Town of Lake Park business is considered to be Public Record, and is available to the public upon request. Therefore, all e-mail communications are subject to public disclosure. If you do not wish for your e-mail address to be released in response to a Public Records Request, please do not send electronic mail to this entry, but instead contact this Office by telephone or in writing. Section 668.6076, F.S.

TOWN OF LAKE PARK, FLORIDA
AFFIDAVIT
of
Mailing of Public Notices
and Public Notice Sign Posting

STATE OF FLORIDA
COUNTY OF PALM BEACH

APPLICATION NUMBER: 4771 PETITION NAME: Earl Stewart Toyota

BEFORE ME, the undersigned authority, personally appeared Anne Booth, who, after having been first duly sworn and put upon oath, says as follows:

1. That she is authorized on the behalf of the owner of the property identified in the above referenced petition to be heard before the Town Commission on May 20, 2015 and June 17, 2015 and is authorized to execute and make this Affidavit, and is familiar with the matters as set forth herein and they are true to the best of his/her knowledge, information and belief.

2. That on or about April 27, 2015, the required public notice sign(s) was/were placed on the subject property stating, **"Site is being considered for a PUD Amendment which requires the Land Use Amendment, Rezoning and Site Plan with Special Exception Use approval and that it will be considered at the May 20, 2015 and June 17, 2015 Town Commission meetings."**

3. That on May 8, 2015, the required public notices were mailed to all occupants as identified in the lists provided by the Town of Lake Park.

Signature of agent for owner

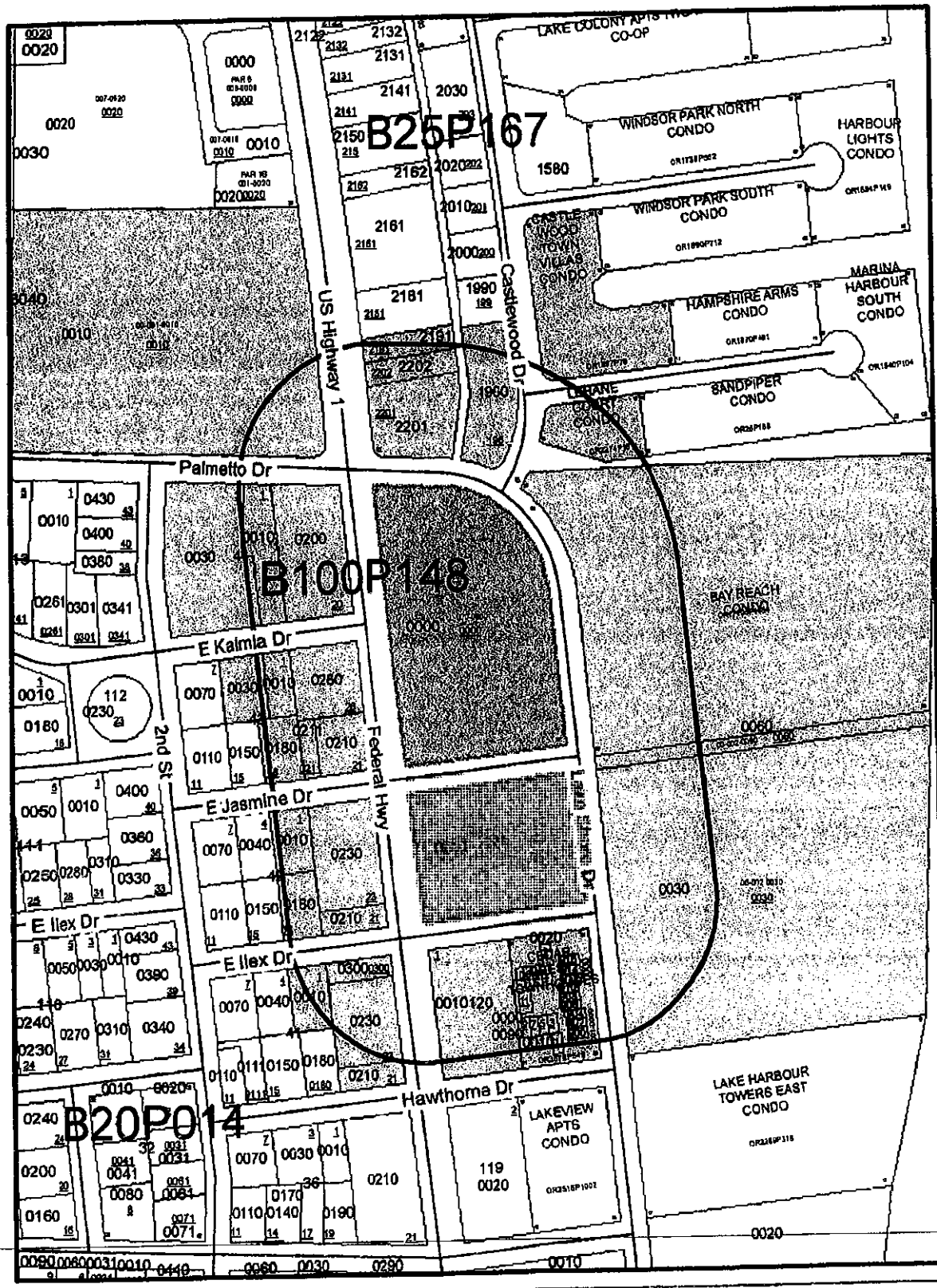
SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 11th DAY OF MAY, 2015.

Notary Public:

My Commission Expires: August 13, 2016

SANDRA J. MEGRUE
Notary Public - State of Florida
My Comm. Expires Aug 13, 2016
Commission # EE 192836
Bonded Through National Notary Assn.

300 ft Buffer Map



Gary R. Nikolits, CFA
Palm Beach County
Property Appraiser

Location: Downtown Service Center

0 60 120 240 360 480 Feet

Map Scale

Notes:

Produced on: 1/15/2015

Key

Selected Parcels 100 300 500

Others 200 400

36434220010410010 SMALL CEDRICK & 118 E ILEX DR LAKE PARK FL 33403 2822	300	**36434220010430180** WALLACE JASON M & 123 E JASMINE DR LAKE PARK FL 33403 2823	300	**36434221210000010** BAGHDADY SAMI J 1 HAWTHORNE DR LAKE PARK FL 33403 2853	300
36434220010410210 PALMS BUILDING LLC 4500 PGA BLVD STE 304A PALM BEACH GARDENS FL 33418 3995	300	**36434220010430210** MOSLER WARREN B TRUST 5000 ESTATE SOUTHGATE CHRISTIANSTED VI 00820 4532	300	**36434221210000020** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	
36434220010410230 L P FABRICS INC 1055 LEADENHALL ST ALPHARETTA GA 30022 8491	300	**36434220010430211** MOSLER WARREN B TRUST 5000 ESTATE SOUTHGATE CHRISTIANSTED VI 00820 4532	300	**36434221210000030** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	
36434220010410300 WOLLSTEIN EDWARD & 1055 LEADENHALL ST ALPHARETTA GA 30022 8491	300	**36434220010430260** SIL FIR CORP & 3017 EXCHANGE CT # C WEST PALM BEACH FL 33409 4032	300	**36434221210000040** BAGHDADY SAMI 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
36434220010420010 ERVIN JOSEPH & 2549 STEARNS DR MANASQUAN NJ 08736 2317	300	**36434220010440010** CHAVES LAKE PARK CORP PO BOX 711 DALLAS TX 75221 0711	300	**36434221210000050** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
3 1220010420180 DAVISON LAURA K 123 E ILEX DR LAKE PARK FL 33403 2821	300	**36434220010440030** FLORIDA POWER & LIGHT CO PO BOX 14000 NORTH PALM BEACH FL 33408 0420	300	**36434221210000060** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
36434220010420210 TRIM ENDLESS INC 1055 LEADENHALL ST ALPHARETTA GA 30022 8491	300	**36434220010440200** CHAVES LAKE PARK CORP PO BOX 711 DALLAS TX 75221 0711	300	**36434221210000070** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
36434220010420230 NEW ROCHELLE PLAZA 309 NORTH AVE NEW ROCHELLE NY 10801 4112	300	**36434220011200010** CROMWELL PROPERTIES PO BOX 60 JUPITER FL 33468 0060	300	**36434221210000080** ABOU ZEID NABIL 168 WHITE ST BELMONT MA 02478 4722	300
36434220010430010 WILSON KANLAYA 41 E KALMIA DR LAKE PARK FL 33403 2827	300	**36434221000020030** MARINERS KEY OWNER LLC 200 WEST ST FL 35 NEW YORK NY 10282 2102	300	**36434221210000090** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
36434220010430030 M' 'D CLAUDE 12. . KALMIA DR LAKE PARK FL 33403 2828	300	**36434221000020060** COHEN SUSAN 1415 N ASTOR ST CHICAGO IL 60610 1622	300	**36434221210000100** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300

36434221210000110 BAGHDADY SAMI J 382 MASSACHUSETTS AVE AR INGTON MA 02474 6728	300	**36434221210010000** CEDAR CREST HOMEOWNERS ASSN 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012050** BERGSTEIN RITA M 431 FAIRWOOD DR IRWIN PA 15642 2662	300
36434221210009000 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280011010** RANKER JOHN 308 GRAND CENTRAL AVE AMITYVILLE NY 11701 3709	300	**36434221280012060** HOFFMAN LINDA A 50 ADMIRALS CT PALM BEACH GARDENS FL 33418 7164	300
36434221210009020 GANIM LAWRENCE J 2429 NORTH AVE BRIDGEPORT CT 06604 2336	300	**36434221280011020** LEES ROBERT B & 110 WOOD LN DELRAY BEACH FL 33444 3965	300	**36434221280021010** WILLIAMS WELTON S 1500 CHEROKEE TRL SW ATLANTA GA 30331 6304	300
36434221210009040 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280011030** WINKEL JASON 1010 LAKE SHORE DR # 103 LAKE PARK FL 33403 2862	300	**36434221280021020** BARHORST GREGORY P * * CONFIDENTIAL RECORD * * * * * * FS SECTION 119.07 * * * *	300
36434221210009060 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280011040** MAYO ANGELA 1010 LAKE SHORE DR APT 104 LAKE PARK FL 33403 2862	300	**36434221280021030** SORIERO VINCENT A & 1988 S CLUB DR WELLINGTON FL 33414 9090	300
4221210009080 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280011050** SWEISFURTH BRIAN & 1315 LEE RD BLUE BELL PA 19422 1831	300	**36434221280021040** VANARSDALE KRISZTA H & 6115 W MILL RD FLOURTOWN PA 19031 1217	300
36434221210009100 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012010** NGUYEN CAT 772 S 5TH ST PHILADELPHIA PA 19147 3036	300	**36434221280021050** MORGAN ANDREW J & 713 NIGHTHAWK WAY NORTH PALM BEACH FL 33408 4201	300
36434221210009120 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012020** FERNANDEZ ANTONIO & 76 STAATS RD BLOOMSBURY NJ 08804 3300	300	**36434221280022010** GOEBEL CHELSEA C & 1015 LAKE SHORE DR APT 201 LAKE PARK FL 33403 2800	300
36434221210009140 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012030** FRAGA DEBORAH S 9061 DUPONT PL WELLINGTON FL 33414 6473	300	**36434221280022020** GERLO CARLO F & 1015 LAKE SHORE DR # 202 LAKE PARK FL 33403 2800	300
36434221210009160 DADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012040** RICHARZ SABINE 129 GREENLEES DR KINGSTON ON K7K 6R5 CANADA	300	**36434221280022030** CARLUCCI KENNETH C PO BOX 772 SHOREHAM NY 11786 0772	300

36434221280022040 300
WEEGE JAMES F TRUST
19 SABAL ISLAND DR
BOYNTON BEACH FL 33435 3321

36434221280022050 300
STRENG JENNA
14726 HORSESHOE TRCE
WELLINGTON FL 33414 7839

36434221280022060 300
CHAN MING
5643 SW 114TH AVE
COOPER CITY FL 33330 4567

36434221280031010 300
GARTLEY RUTHANN
PO BOX 6088
PITTSBURGH PA 15211 0088

36434221280031020 300
HALVORSON SUSAN P &
2685 JUILLIARD ST
BOULDER CO 80305 7030

3 4221280031030 300
STOIEFF STEPHEN &
3040 LAKE SHORE DR # 801
RIVIERA BEACH FL 33404 4634

36434221280031040 300
SHELLY ROAD LLC
14872 47TH RD
WELLBORN FL 32094 2322

36434221280031050 300
DESANTIS MARK A &
51 TECUMSEH AVE
OCEANPORT NJ 07757 1634

36434221280032010 300
APPOS NICHOLAS D &
156 STONE HOUSE LN
GUILFORD CT 06437 2853

36434221280032020 300
AN GREGORY R &
13 WESTON ST
CARVER MA 02330 1253

36434221280032030 300
PIZZO LUIGI &
49893 GOLDEN LAKE DR
UTICA MI 48315 3552

36434221280032040 300
PARK AVENUE REAL ESTATE INVSTMNTS LLC
142 CAT ROCK LN
JUPITER FL 33458 2876

36434221280032050 300
MCCARTHY KRASSIMIRA A
1551 N FLAGLER DR APT 1512
WEST PALM BEACH FL 33401 3450

36434221280032060 300
FORGIONE HELENA M
49 CHAPEL LN
LEVITTOWN NY 11756 2635

36434221280041010 300
STERLING REBECCA
1025 LAKE SHORE DR APT 101
WEST PALM BEACH FL 33403 2890

36434221280041020 300
SHIN JENNIE &
1025 LAKE SHORE DR # 102
403 2890

36434221280041030 300
GILLEY SYLVIA
3460 MERIDIAN WAY
WINSTON SALEM NC 27104 1835

36434221280041040 300
IP HERMAN &
10008 HOLMHURST RD
BETHESDA MD 20817 1642

36434221280041050 300
COSTA ANTHONY R
21660 TITUS PATH
SYOSSET NY 11791 9667

36434221280042010 300
CARPETA CONSULTING LLC
1025 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2890

36434221280042020 300
USMANOV MARSEL E
48058 WALNUT ST # 9204
WIXOM MI 48393 2760

36434221280042030 300
CHOY PATRICIA L
2635 BROWN ST
BROOKLYN NY 11235 1603

36434221280042040 300
BARTELS ROGER F
1025 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2890

36434221280042050 300
MORGAN ANDREW J &
713 NIGHTHAWK WAY
NORTH PALM BEACH FL 33408 4201

36434221280042060 300
RUEST NORMAN
7542 CAPE VERDE LN
LAKE WORTH FL 33467 6905

36434221280051010 300
APPEL EZRA M &
999 SW 38TH CT
PALM CITY FL 34990 3586

36434221280051020 300
IP HERMAN &
10008 HOLMHURST RD
BETHESDA MD 20817 1642

36434221280051030 300
WEZNER BRYAN
1030 LAKE SHORE DR # 103
LAKE PARK FL 33403 2899

36434221280051040 300
KLEIN TIBOR &
12 PRIORY CT
MELVILLE NY 11747 3929

36434221280051050 300
HARTLEY GARY
1030 SHORESHORE DR # 105
LAKE PARK FL 33403

36434221280052010 SOKOLOV IGOR 3942 HIGHLANDER WAY E ANN ARBOR MI 48108 9691	300	**36434221280061050** 312 MONTECITO LLC 222 LAKEVIEW AVE # 160 WEST PALM BEACH FL 33401 6101	300	**36434221280071040** WHITE CAROL 9428 GRANITE RIDGE LN WEST PALM BEACH FL 33411 6603	300
36434221280052020 SORRENTINO LOUIS & 307 XANADU PL JUPITER FL 33477 6453	300	**36434221280062010** MCLAUGHLIN TERRENCE JAMES 103S LAKE SHORE DR LAKE PARK FL 33403 2864	300	**36434221280071050** CARPETA CONSULTING LLC 1025 LAKE SHORE DR APT 201 LAKE PARK FL 33403 2890	300
36434221280052030 BELT JAMIE R 1030 LAKE SHORE DR # 203 LAKE PARK FL 33403 2899	300	**36434221280062020** POTTRATZ DONALD D 1035 LAKE SHORE DR APT 202 LAKE PARK FL 33403 2864	300	**36434221280072010** GUERCIA KENNETH A & 1040 LAKE SHORE DR LAKE PARK FL 33403 2876	300
36434221280052040 IMBESI JOSEPH A 1030 LAKE SHORE DR APT 204 LAKE PARK FL 33403 2899	300	**36434221280062030** IMBESI DENNIS M 1035 LAKE SHORE DR APT 203 LAKE PARK FL 33403 2864	300	**36434221280072020** CARLUCCI PHILIP & 34 HASKEL LN STONY BROOK NY 11790 2341	300
36434221280052050 FRANCAVILLA EUGENE F TR 27 N PENNOCK LN STE 205 JUPITER FL 33458 4083	300	**36434221280062040** WAYNE N KATZ REV TRUST 734 MARITIME WAY PALM BEACH GARDENS FL 33410 3424	300	**36434221280072030** BOTT DENNIS J & 1040 LAKE SHORE DR # 203 LAKE PARK FL 33403 2876	300
3_ _4221280052060 TWO CHEFS HOLDING LLC 205 BLUEBERRY RD EGG HARBOR TOWNSHIP NJ 08234 4904	300	**36434221280062050** RINE JAMES & 14808 66TH ST N LOXAHATCHEE FL 33470 4524	300	**36434221280072040** LJT ENTERPRISES LLC 54 BARBERRY DR BURLINGTON CT 06013 1508	300
36434221280061010 SMITH CLAUDIA PMB S001 PO BOX 8309 ST JOHN VI 00831 8309	300	**36434221280062060** BAY REACH CONDO ASSN INC 3900 WOODLAKE BLVD STE 309 GREENACRES FL 33463 3046	300	**36434221280072050** KOZAREVICH NICK & 55 KINGSBRIDGE GARDEN CIR #1602 MISSISSAUGA ON L5R 1Y1 CANADA	300
36434221280061020 BERG STEFAN & FRYEBO SE 33491 ANDERSTORP SWEDEN	300	**36434221280071010** ZAMBITO ROSALIE & 1001 LAKE SHORE DR UNIT 101 LAKE PARK FL 33403 2866	300	**36434221280072060** MCCARTHY KRASSIMIRA 1551 N FLAGLER DR APT 1512 WEST PALM BEACH FL 33401 3450	300
36434221280061030 BULGER FRANK P & 16112 E PRESTWICH DR LOXAHATCHEE FL 33470 4028	300	**36434221280071020** LY ANH & 772 5 5TH ST PHILADELPHIA PA 19147 3036	300	**36434221280081010** PETTI ANDREW & 1045 LAKE SHORE DR APT 101 LAKE PARK FL 33403 2877	300
36434221280061040 V JAMES F TRUST 9 SABAL ISLAND DR BOYNTON BEACH FL 33435 3321	300	**36434221280071030** BARLOTTA EDWARD 1040 LAKE SHORE DR APT 103 LAKE PARK FL 33403 2876	300	**36434221280081020** RIVERS & RIVERS INC 1882 BELLAIR BLVD ORANGE PARK FL 32073 4516	300

36434221280081030 300
CAMPBELL RICHARD N
73 HERITAE
IRVINE CA 92620

36434221280081040 300
BRANCO EUGENIO M &
820 SHERIDAN AVE
ELIZABETH NJ 07208 3523

36434221280081050 300
LEFTEROV YANAKI &
1045 LAKE SHORE DR APT 105
LAKE PARK FL 33403 2878

36434221280082010 300
VALLE BETH A &
1045 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2878

36434221280082020 300
MOUNTS GREGORY A
1045 LAKE SHORE DR # 202
LAKE PARK FL 33403 2878

3 4221280082030 300
CORDERO SUZANNE &
6153 WOOD LAKE RD
JUPITER FL 33458 2482

36434221280082040 300
LEAHY ROBERT &
40 WILLIAMS WAY
BRIDGEHAMPTON NY 11932

36434221280082050 300
LEON JOSE L
11683 49TH ST N
ROYAL PALM BEACH FL 33411 9158

36434221280082060 300
CECERE JOHN
1045 LAKE SHORE DR APT 206
LAKE PARK FL 33403 2878

364342212800910l0 300
T Y ROBERT
414 PARK AVE
LAKE PARK FL 33403 2861

36434221280091020 300
MITCHELL SCOTT A &
235 W CENTRAL AVE
BLACKWOOD NJ 08012 2904

36434221280091030 300
MERCIER RICHARD L &
1050 LAKE SHORE DR APT 103
LAKE PARK FL 33403 2861

36434221280091040 300
ROYALS GARY W &
100 W ROOSEVELT AVE APT 301
BENSENVILLE IL 60106 4108

36434221280091050 300
HEWITT JOHN W &
8 ALNWICK RD
PALM BEACH GARDENS FL 33418 6835

36434221280092010 300
RIENZO CHARLES A
8701 SE WATER OAK PL
JUPITER FL 33469 1811

36434221280092020 300
BAY REACH CONDOMINIUM ASSOCIATION INC
1001 LAKE SHORE DR
LAKE PARK FL 33403 2866

36434221280092030 300
DEGOUW MARILYN M
1050 LAKE SHORE DR APT 203
LAKE PARK FL 33403 2861

36434221280092040 300
SCHEER LORI ANN
10 MAPLE AVE
BRONX NY 10465 3819

36434221280092050 300
WRIGHT STEVEN &
680 SW 18TH ST
BOCA RATON FL 33486 7029

36434221280092060 300
MCCLOSKEY JOSEPH & GAIL TRUST
832 ANCHORAGE DR
NORTH PALM BEACH FL 33408 4337

36434221280101010 300
SISSON RODNEY C
1060 LAKE SHORE DR # 101
LAKE PARK FL 33403 2879

36434221280101020 300
MEIZEL ALEKSANDR &
76 REJANE CRES
THORNHILL ONTARIO
L4J 5A4 CANADA

36434221280101030 300
YODER TERESA D
1060 LAKESHORE DR # 103
LAKE PARK FL 33403 2879

36434221280101040 300
RIEKER RICHARD &
1060 LAKE SHORE DR # 104
LAKE PARK FL 33403 2879

36434221280101050 300
NEIMARLIJA MENSUR
153 GREENVILLE ST
WOODBRIDGE NJ 07095 1811

36434221280102010 300
MORRISON JOINT REVOCABLE TRUST
32801 HIGHWAY 441 N LOT 239
OKEECHOBEE FL 34972

36434221280102020 300
ORLANDO MICHAEL P
1060 LAKE SHORE DR APT 202
LAKE PARK FL 33403 2879

36434221280102030 300
TALLERIE PIERRE &
3826 PEBBLEBROOK CT
POMPANO BEACH FL 33073 2220

36434221280102040 300
PHAM TIEN MY
9024 RIMOUSKI
BROSSARD QC
J4X 2S2 CANADA

36434221280102050 300
FLESHER JAMES &
1060 LAKE SHORE DR APT 205
LAKE PARK FL 33403 2879

36434221280102060 300
PORTOCARRERO KARLA I
1060 LAKE SHORE DR # 206
LAKE PARK FL 33403 2879

36434221280111010 300
RODRIGUEZ JOSE G
1105 LAKE SHORE DR # 101
LAKE PARK FL 33403 2880

36434221280111020 300
FEDERAL NATIONAL MRTG ASSN
1800 NW 49TH ST # 120
FORT LAUDERDALE FL 33309 3092

36434221280111030 300
CARPETA CONSULTING LLC
1025 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2890

36434221280111040 300
MASTERS VALERIE
1105 LAKE SHORE DR APT 104
LAKE PARK FL 33403 2865

3643[illegible]4221280111050 300
CERQUEIRA MARIA
1105 LAKE SHORE DR APT 105
LAKE PARK FL 33403 2865

36434221280112010 300
LAKE SHORE HOLDINGS INC
848 N RAINBOW BLVD # 1611
LAS VEGAS NV 89107 1103

36434221280112020 300
RUSS DONALD
110S LAKE SHORE DR # 202
WEST PALM BEACH FL 33403 2865

36434221280112030 300
CARPETA CONSULTING LLC
1025 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2890

36434221280112040 300
FMAN ANGELA M
1105 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2865

36434221280112050 300
PUYOL EDUARDO
PO BOX 14307
NORTH PALM BEACH FL 33408 0307

36434221280112060 300
FRANCAVILLA EUGENE F TRUST
27 PENNOCK LN # 205
JUPITER FL 33458 4083

36434221280121010 300
NGUYEN CAN TRUST &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

36434221280121020 300
MORSI ALAA M
1110 LAKE SHORE DR APT 102
LAKE PARK FL 33403 2881

36434221280121030 300
FEDERAL HOME LOAN MRTG CORP
50000 PLANO PKWY
CARROLLTON TX 75010 4902

36434221280121040 300
DAUSILLIO FRANK
1110 LAKE SHORE DR APT 104
LAKE PARK FL 33403 2881

36434221280121050 300
BRILEY WILLIAM H &
425 CELEBRATION AVE
KISSIMMEE FL 34747 4685

36434221280122010 300
CLARK BETHANY J
1110 LAKE SHORE DR # 201
LAKE PARK FL 33403 2881

36434221280122020 300
CALVO GAIL
1110 LAKE SHORE DR # 202
LAKE PARK FL 33403 2881

36434221280122030 300
LAKE SHORE PROPERTY INVESTMENT LLC
1760 W COMMUNITY DR
JUPITER FL 33458 8211

36434221280122040 300
GRAHAM DEBORAH L EST
1110 LAKE SHORE DR # 204
LAKE PARK FL 33403 2881

36434221280122050 300
FLOHR MICHAEL
1110 LAKE SHORE DR APT 205
LAKE PARK FL 33403 2881

36434221280122060 300
KONTOGIANNIS KATHY &
1614 SHAUNA CRES
GREELY, ON
K4P1M8 CANADA

36434221280131010 300
RUDIN CHARLES P
424 EVERGREEN DR
WEST PALM BCH FL 33403 3304

36434221280131020 300
NGUYEN CAN TRUST &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

36434221280131030 300
LIXFIELD KEVIN J &
201 S HAVEN AVE
MEDFORD NY 11763

36434221280131040 300
NICHOLS JOHN S
1115 LAKE SHORE DR APT 104
LAKE PARK FL 33403 2882

36434221280131050 300
TURNER JERRY R
50 BRIGHT RD
NEW EGYPT NJ 08533 1204

36434221280132010 300
LAKE SHORE HOLDINGS INC
848 N RAINBOW BLVD APT 44
LAS VEGAS NV 89107 1103

36434221280132020 300
PHAM NGA THI THIEU &
2830 CHEMIN DES PRAIRIES
BROSSARD QC
J4Y 2X4 CANADA

36434221280132030 300
CLARK SHIRLEY A
111S LAKE SHORE DR # 203
LAKE PARK FL 33403 2883

36434221280132040 300
HASH JOHN A &
111S LAKE SHORE DR APT 204
LAKE PARK FL 33403 2883

36434221280132050 300
HART JACQUELINE &
189 EUPHRATES CIR
PALM BEACH GARDENS FL 33410 2185

36434221280132060 300
LUTEIN ROBERTO &
13219 S4TH ST
ROYAL PALM BEACH FL 33411 8349

36434221280141010 300
ALBAHAE ZACHARY TR &
10866 NW 14TH ST
POMPANO BEACH FL 33071 8213

3[illegible]4221280141020 300
LJT ENTERPRISES LLC
54 BARBERRY DR
BURLINGTON CT 06013 1508

36434221280141030 300
NGUYEN CAN TRUST &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

36434221280141040 300
SPANAKOS MARK
1120 LAKE SHORE DR # 104
LAKE PARK FL 33403 2849

36434221280141050 300
IVASHKEVICH EUGENI
1120 LAKE SHORE DR APT 105
LAKE PARK FL 33403 2849

36434221280142010 300
[illegible] UNG A
1120 LAKESHORE DR # 201
LAKE PARK FL 33403 2849

36434221280142020 300
BASILIO ALEJANDRA O &
3420 EMBASSY DR
WEST PALM BEACH FL 33401 1028

36434221280142030 300
ROBINSON KAREN &
2896 POMEROL DR APT 203
LAKE PARK FL 33403

36434221280142040 300
NGUYEN CAN TRUST &
S605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

36434221280142050 300
WHITE JENNIFER
637 NE 12TH TER # 2
BOYNTON BEACH FL 33435 3271

36434221280142060 300
SELIGER RUSSELL &
6541 WINDSOR DR
POMPANO BEACH FL 33067 1654

36434221280151010 300
NGUYEN CAT &
772 5 5TH ST
PHILADELPHIA PA 19147 3036

36434221280151020 300
SCHNEIDER BRADLEY M
112S LAKESHORE DR # 102
WEST PALM BEACH FL 33403 2884

36434221280151030 300
LIRA PROPERTY LLC
PO BOX 3852
LANTANA FL 33465 3852

36434221280151040 300
KAUFFMAN ANGELA M
1105 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2865

36434221280151050 300
KANO ABDOULAHAD
370 AVE LETHBRIDGE
MONTROYAL QC
H3P 2Y8 CANADA

36434221280152010 300
WHITE CAROL &
424 EVERGREEN DR
LAKE PARK FL 33403 3304

36434221280152020 300
PAWLASYK ELIZABETH
114 STAFFORDSHIRE CT
LONDON ONTARIO N6H 0B9 CANADA

36434221280152030 300
DELLAPINA STEPHEN &
287 FLAMINGO POINTE S
JUPITER FL 33458 8348

36434221280152040 300
PORTOCARRERO KARLA I
1125 LAKE SHORE DR # 204
LAKE PARK FL 33403 2884

36434221280152050 300
KONTOGIANNIS BILL &
1614 SHAUNA CRESCENT
GREELY ONTARIO
K4P 1M8 CANADA

36434221280152060 300
AZARMIPUR MALLY
21530 MARCHENA ST
WOODLAND HILLS CA 91364 4320

36434221280161010 300
MOORE PAUL W &
90 HAWES ST
WRENTHAM MA 02093 1650

36434221280161020 300
HERRERA SANDRO M
1130 LAKE SHORE DR APT 102
LAKE PARK FL 33403 2850

36434221280161030 300
ODEEN MARK
115 LAKESHORE DR APT 1948
NORTH PALM BEACH FL 33408 3645

36434221280161040 300
LEVATO ROY V
198 EAST 5T
WEST UPTON MA 01568 1212

36434221280161050 300
GAMBACORTO ALAN &
86 ALGONQUIN AVE
OCEANPORT NJ 07757 1612

36434221280162010 300
MTS INVESTMENTS LLC
PO BOX 3852
LANTANA FL 33465 3852

36434221280162020 300
KAMIENIAK CINDY DUNN TRUST
1130 LAKE SHORE DR APT 202
LAKE PARK FL 33403 2850

36434221280162030 300
CHAPMAN EILEEN
1130 LAKE SHORE DR APT 203
WEST PALM BCH FL 33403 2850

36434221280162040 300
BROUSSEAU ANNETTE M
1130 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2850

4221280162050 300
GRANT WALTER L
1130 LAKESHORE DR # 205
LAKE PARK FL 33403 2850

36434221280162060 300
DECKER WILLIAM
1130 LAKESHORE DR # 206
LAKE PARK FL 33403 2850

36434221280171010 300
MTS INVESTMENTS LLC
PO BOX 3852
LANTANA FL 33465 3852

36434221280171020 300
KEPACA LTD
2 S BISCAYNE BLVD STE 3400
MIAMI FL 33131 1807

36434221280171030 300
GS ZACHARY &
15782 73RD TER N
PALM BEACH GARDENS FL 33418 7408

36434221280171040 300
PHELPS MARK A &
13 YORKVIEW DR
LUTHVLE TIMON MD 21093 3222

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FOUGERON JEAN PAUL &
5568 SE HAMMOCK RESERVE TER
HOBE SOUND FL 33455 8308

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FERRAZ PAULO
801 LAKE SHORE DR APT 803
WEST PALM BCH FL 33403 2933

36434221280172020 300
PHAM TIEN LOC &
155 HARBORN RD
MISSISSAUGA ON
L5B 1A6 CANADA

36434221280172030 300
STAGGS ZACHARY &
15782 73RD TER N
PALM BEACH GARDENS FL 33418 7408

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SAUER ROBERT P JR
1135 LAKE SHORE DR # 204
LAKE PARK FL 33403 2885

36434221280172050 300
DAMBROSIO CHERYL
1135 LAKE SHORE DR APT 205
LAKE PARK FL 33403 2885

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KONTOGIANNIS KATHY &
1614 SHAUNA CRES GREELY
ON
K4P 1M8 CANADA

36434221280181010 300
DORSO MICHAEL J JR &
PO BOX 1262
BREWTON AL 36427 1262

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CARACCIOLO PIETRO
1140 LAKE SHORE DR APT 102
LAKE PARK FL 33403 2886

36434221280181030 300
BURNS OWEN F
1140 LAKE SHORE DR APT 103
LAKE PARK FL 33403 2886

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STREIGOLD HOWARD
13379 KINGSBURY DR
WELLINGTON FL 33414 3923

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BAY REACH 1140 105 LLC
3200 1ST AVE S STE 300
SEATTLE WA 98134 1860

36434221280182010 300
CAMPBELL JOSEPH P
422 GLEN ARBOR CT
KING OF PRUSSIA PA 19406 3190

36434221280182020 300
LAWSON JEFFREY P
1140 LAKE SHORE DR APT 202
LAKE PARK FL 33403 2887

36434221280182030 300
RANJ LJUBICA &
2120 WINGATE BND
WELLINGTON FL 33414 6245

36434221280182040 300
LASSEN KATHERINE M
19007 SE LOXAHATCHEE RIVER RD
JUPITER FL 33458 1079

36434221280182050 300
STANLEY JEFFREY
12932 CALAIS CIR
PALM BEACH GARDENS FL 33410 1420

36434221280182060 300
MCCARTHY KRASSIMIRA
1551 N FLAGLER DR APT 1512
WEST PALM BEACH FL 33401 3450

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DAVID HARLEY & MICHAEL E SPRAGUE TRUST
17439 JUDY CT
MACOMB MI 48044 2632

36434221280191020
WEEKS SUSAN A TRUST
635 RIVIERA DR
BOYNTON BEACH FL 33435 6152

300

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MALINCONICO FRANK
12291 73RD CT N
WEST PALM BEACH FL 33412 1420

300

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MORRISON JOINT REVOCABLE TRUST
32801 US HIGHWAY 441 N LOT 239
OKEECHOBEE FL 34972 0296

300

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LJT ENTERPRISES LLC
54 BARBERRY DR
BURLINGTON CT 06013 1508

300

36434221280192010
SOUCY FAMILY LIFE TRUST
2016 JUSTIN RD
LEWISVILLE TX 75077 7180

300

J4221280192020
COX JAMES M
1145 LAKE SHORE DR UNIT 202
LAKE PARK FL 33403 2851

300

36434221280192030
PATTERSON CURTIS RAY II
1145 LAKE SHORE DR # 203
LAKE PARK FL 33403 2851

300

36434221280192040
TRAN KHOI &
2830 CHEMIN DES PRAIRIES
BROSSARD QC
J4Y 2X4 CANADA

300

36434221280192050
BOYLE KAREN J
710 ROCK SPRING AVE
BEL AIR MD 21014 2945

300

36434221280192060
.RTY JOHN J &
1145 LAKE SHORE DR APT 206
LAKE PARK FL 33403 2851

300

36434221280201010
NGUYEN CAT &
772 S 5TH ST
PHILADELPHIA PA 19147 3036

300

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COLDREN SHANE &
4756 ROSEBROOK PL
SMYRNA GA 30080 6778

300

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DAMBROSIO CHERYL S
1155 LAKE SHORE DR APT 103
LAKE PARK FL 33403 2888

300

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DELAUS DANIEL C &
1155 LAKE SHORE DR # 104
LAKE PARK FL 33403 2888

300

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SILVEIRA FERRAZ PAULO R
5682 LAKE OSBORNE DR
LAKE WORTH FL 33461 6146

300

36434221280202010
NGUYEN CAN &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

300

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HANSON LINDA B
11900 JUBAL EARLY CT
POTOMAC MD 20854 3427

300

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ROY JOHN &
1155 LAKE SHORE DR # 203
LAKE PARK FL 33403 2888

300

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FRASER JOHN M &
104 RIVER RD
KENNEBUNKPORT ME 04046 7536

300

36434221280202050
NGUYEN CAT XUAN &
772 S 5TH ST
PHILADELPHIA PA 19147 3036

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36434221280202060
ORLANDO WILLIAM L
36 SPANISH BAY
N SIOUX CITY SD 57049 5447

300

68434216010001960
FIRST CHURCH OF CHRIST SCIENTIST INC
128 ASHLEY CT
JUPITER FL 33458 2933

300

68434216010002191
110 US ONE BUILDING LLC
730 SW SALERNO RD
STUART FL 34997 6256

300

68434216010002201
100 NORTH FEDERAL HIGHWAY LLC
2955 E 11TH AVE
HIALEAH FL 33013 3509

300

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PORCELLI JOMARIE F TRUST
11394 E TEACH RD
PALM BEACH GARDENS FL 33410 3438

300

68434221000010010
VILLAGE SHOPPES AT US 1 LLC
133 US HIGHWAY 1
N PALM BEACH FL 33408 5401

300

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HOCKTON JULIE &
2520 EMBASSY DR
WEST PALM BCH FL 33401 1015

300

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MASSENZIO JOHN &
230 BEECHWOOD DR
CRANSTON RI 02921 3309

300

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DUNLAP SANDRA E
132 WETTAW LN # 114
NORTH PALM BEACH FL 33408 5685

300

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BLAKEY DOUGLAS R &
10916 NW 12TH CT
PLANTATION FL 33322 6926

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MARTIN KYLE
132 WETTAW LN APT 116
NORTH PALM BEACH FL 33408 5685
300

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RUDZWICK RUSSELL A &
85-49 87TH ST
JAMAICA NY 11421 1304
300

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ROLAND JULIAN
132 WETTAW LN # 118
NORTH PALM BEACH FL 33408 5685
300

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MCCARTHY DIANE
118 CASTLEWOOD DR APT 119
NORTH PALM BEACH FL 33408 5687
300

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SURACI VIRGINIA
118 CASTLEWOOD DR # 120
NORTH PALM BEACH FL 33408 5687
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SOCCORSO MARGUERITE &
118 CASTLEWOOD DR # 121
NORTH PALM BEACH FL 33408 5687
300

68434221100001220
SHELLEY JAMES D TRUST
10541 SE LE PARC
TEQUESTA FL 33469 8147
300

68434221100001230
LAKE KAREN L &
118 CASTLEWOOD DR # 123
NORTH PALM BEACH FL 33408 5687
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RODRIGUEZ WILBERT &
118 CASTLEWOOD DR # 124
NORTH PALM BEACH FL 33408 5687
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11ɑ CASTLEWOOD DR # 125
NORTH PALM BEACH FL 33408 5687
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STEPHAN NANCY &
118 CASTLEWOOD DR APT 126
NORTH PALM BEACH FL 33408 5687
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TUMMINIA MELINDA M EST
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CHICKERING HENRY T
118 CASTLEWOOD DR APT 128
NORTH PALM BEACH FL 33408 5687
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BROWN DAVID M &
118 CASTLEWOOD DR APT 129
NORTH PALM BEACH FL 33408 5687
300

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FINKELSTEIN PAUL
129 LEHANE TER # 130
NORTH PALM BEACH FL 33408 5686
300

68434221100001310
U S BANK NATIONAL ASSOCIATION TR
3476 STATEVIEW BLVD
FORT MILL SC 29715 7203
300

68434221100001320
DZENUTIS PETER A JR
129 LEHANE TER # 132
NORTH PALM BEACH FL 33408 5686
300

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NEVINS JUDY
129 LEHANE TER # 133
NORTH PALM BEACH FL 33408 5686
300

68434221100001340
CARMICHAEL DAVID TRUST &
2420 NE 13TH CT
FORT LAUDERDALE FL 33304 1544
300

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LISCOMB AARON &
129 LEHANE TER APT 135
NORTH PALM BEACH FL 33408 5686
300

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CONWAY LARRY G &
129 LEHANE TER APT 136
NORTH PALM BEACH FL 33408 5686
300

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SMITH JASON C
129 LEHANE TER # 137
NORTH PALM BEACH FL 33408 5686
300

68434221100001380
EICHNER BARBARA
129 LEHANE TER # 138
NORTH PALM BEACH FL 33408 5686
300

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BENNETT WILLIAM P
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NORTH PALM BEACH FL 33408 5686
300

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HUBERTZ STEPHEN A
128 LAHANE TER # 101
NORTH PALM BEACH FL 33408 5614
300

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SKLAR EVAN G
969 LAUREL RD
NORTH PALM BEACH FL 3340B 4020
300

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POWELL SHARON L
128 LEHANE TER # 103
NORTH PALM BEACH FL 33408 5614
300

68434221160001040
MINER NOEL L &
328 LEEWARD DR
JUPITER FL 33477 9337
300

68434221160001050
SABIA PATRICIA W TRUST
201 E TALL OAKS CIR
PALM BEACH GARDENS FL 33410 4451
300

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MINER NOEL L &
328 LEEWARD DR
JUPITER FL 33477 9337
300

68434221160001070 300 **36434220011210010**
MINER NOEL L &
328 LEEWARD DR
JUPITER FL 33477 9337
COMMERCIAL INVESTMENTS LLC
1215 N FEDERAL HWY
LAKE PARK FL 33403 2895

68434221160001080 300 **36434221270000000**
OSTROWSKI TRACY E
616 LEXINGTON AVE
CROWN POINT IN 46307 4514
EARL STEWART LLC
1215 N FEDERAL HWY
LAKE PARK FL 33403 2895

68434221160002010 300
SKLAR EVAN G
969 LAUREL RD N
NORTH PALM BEACH FL 33408 4020

68434221160002020 300
DASILVA BRIAN E
TH 89-A-83 BOROUGH DR
TORONTO, ON
M1P SE4 CANADA

68434221160002030 300
KUBEK MICHAEL J &
214 2ND ST
LAKE PARK FL 33403 3541

4221160002040 300
GRUNWALD DONALD
PO BOX 14914
NORTH PALM BEACH FL 33408 0914

68434221160002050 300
STEINBACH CHRISTOPHER &
128 LEHANE TER # 205
NORTH PALM BEACH FL 33408 5617

68434221160002060 300
CARRIGAN MAUREEN A EST
140 CYPRESS CLUB DR APT 415
POMPANO BEACH FL 33060 4730

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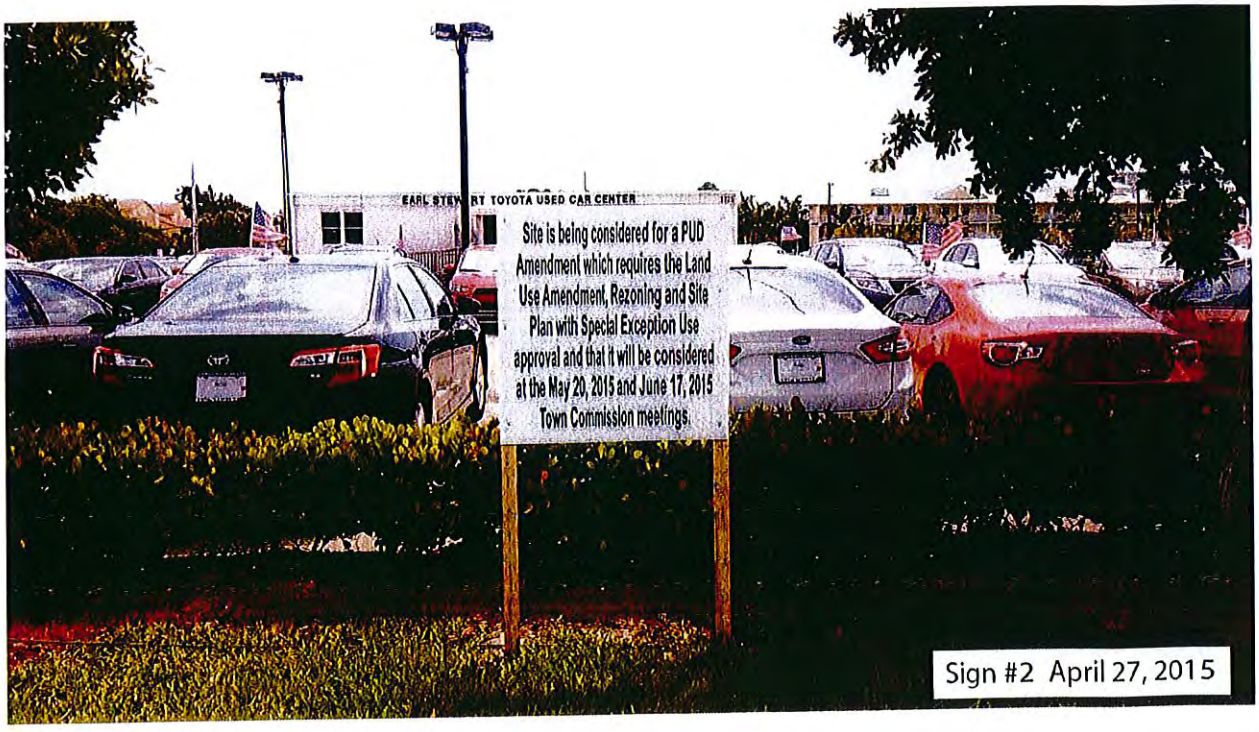
MINER NOEL L &
328 LEEWARD DR
JUPITER FL 33477 9337

68434221160002080 300
EVAN &
969 LAUREL RD
NORTH PALM BEACH FL 33408 4020

Site is being considered for a PUD Amendment which requires the Land Use Amendment, Rezoning and Site Plan with Special Exception Use approval and that it will be considered at the May 20, 2015 and June 17, 2015 Town Commission meetings.
Sign #1 April 27, 2015


Site is being considered for a PUD Amendment which requires the Land Use Amendment, Rezoning and Site Plan with Special Exception Use approval and that it will be considered at the May 20, 2015 and June 17, 2015 Town Commission meetings.
Sign #2 April 27, 2015

Sign #3 April 27, 2015

Sign #4 April 27, 2015

Sign #5 April 27, 2015

Sign #7 April 27, 2015

Sign #8 April 27, 2015

The Palm Beach Post
Real News Starts Here

RECEIPT

LEGAL NOTICE OF PROPOSED ORDINANCES AND RESOLUTION TOWN OF LAKE PARK

Please take notice that on Wednesday, June 17, 2015 at 6:30 p.m., or as soon thereafter as can be heard, the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE NO. 08-2015

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 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.

ORDINANCE NO. 02-2015

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 "I", ACCORDING TO THE PLAT OF KELSEY CITY RECORDED IN PLAT BOOK B, PAGES 15 AND 95; 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.

ORDINANCE NO. 03-2015

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 78-31 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.

ORDINANCE NO. 06-2015

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.

At this same meeting, the Town Commission will also consider an application by Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner"), who is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (Property Control Number: 36-43-42-21-27-000-0000) onto the existing East Jasmine Drive right-of-way and onto 1017 Federal Highway (Property Control Number: 36-43-42-26-01-127-0010), for which a site plan for development, along with the special exception use of a vehicles sales establishment will be considered for approval under the following Resolutions:

RESOLUTION NO. 14-06-15

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

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

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida

PUB: The Palm Beach Post
6-7-2015 #431970

TAB 5

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 17, 2015 **Agenda Item No.** Tab 5

Agenda Title: ORDINANCE FOR THE ASSIGNMENT OF A RESIDENTIAL/COMMERCIAL FUTURE LAND USE DESIGNATION TO THE 0.49-ACRE PORTION OF EAST JASMINE DRIVE, LOCATED BETWEEN FEDERAL HIGHWAY AND LAKESHORE DRIVE.

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[X] PUBLIC HEARING – QUASI-JUDICIAL - ORDINANCE ON 2nd READING
[ ] NEW BUSINESS
[ ] OTHER

Approved by Town Manager _____ **Date:** 6-10-15

Nadia Di Tommaso / Community Development Director ND
Name/Title

Originating Department: **Community Development**	Costs: **$ Application Fee, Notices and Legal Ad** Funding Source: **Applicant** Acct. **# 4771** [ ] Finance _____	**Attachments:** ➔ **Ordinance 06-2015** ➔ **Applicant Application** ➔ **Copy of Intergovernmental Plan Amendment Review Notice and Sign Postings** ➔ **Legal Ad**
Advertised: Date: **June 7, 2015** Paper: **Palm Beach Post** [ ] 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__*ND* or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background:

STAFF REPORT

SEQUENCE OF APPLICATIONS RELATED TO THE EARL STEWART TOYOTA PROPOSED PLANNED UNIT DEVELOPMENT (PUD) EXPANSION:

(1) Abandonment Application for a 0.49-acre portion of East Jasmine Drive
(2) Future Land Use Map Amendment for a 0.49-acre portion of East Jasmine Drive for the assignment of a Commercial/Residential land use designation
(3) Rezoning of a 0.49-acre portion of East Jasmine Drive from a public right-of-way to a PUD with underlying Commercial-1 (C-1) and the Rezoning of 1017 Federal Highway from C-1 to PUD
(4) Site Plan application for the expansion of the existing dealership and the special exception use of a vehicle sales establishment

The above applications will be presented as a "package" however, they will require separate motions in the order listed above—All resident letters received have been included with the Site Plan item

TOWN COMMISSION MEETING - MAY 20, 2015: Town Commission approved Ordinance 06-2015 on first reading (5-0). Please refer the meeting minutes for a summary of the discussion.

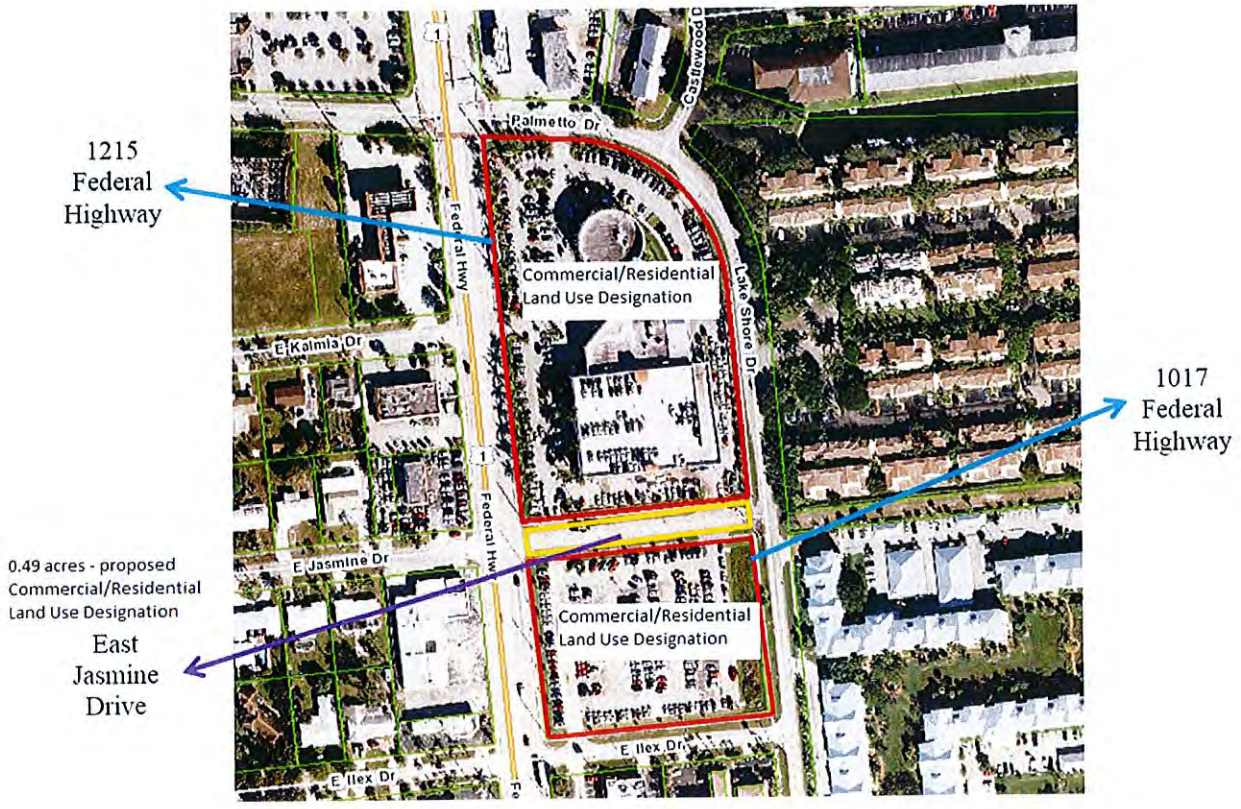
On February 2, 2015 and March 2, 2015, the Local Planning Agency members, sitting as the Planning & Zoning Board, considered several applications by Earl Stewart LLC and Commercial Investments LLC (the Applicant) related to the expansion of their existing dealership. These applications included a site plan and special exception use proposal to expand the dealership onto the East Jasmine Drive right-of-way and the 1017 Federal Highway lot, along with a rezoning application for both these areas to a Planned Unit Development (PUD), contingent upon the approval by the Town Commission of both the site plan application and the right-of-way abandonment application for East Jasmine Drive. These applications continued on to the April 1, 2015 Town Commission meeting. At this meeting, the Town Commission expressed their interest in having staff bring back all procedural items related to the proposed expansion as a "package". In other words, it was proposed that the:

(5) Abandonment Application for a 0.49-acre portion of East Jasmine Drive; *and the*
(6) Future Land Use Map Amendment for a 0.49-acre portion of East Jasmine Drive from a public Right-of-Way to a Commercial/Residential land use designation; *and the*
(7) Rezoning of a 0.49-acre portion of East Jasmine Drive from a public right-of-way to a PUD and the Rezoning of 1017 Federal Highway from Commercial-1 (C-1) to PUD; and the
(8) Site Plan application for the expansion of the existing dealership and the special exception use of a vehicles sales establishment.

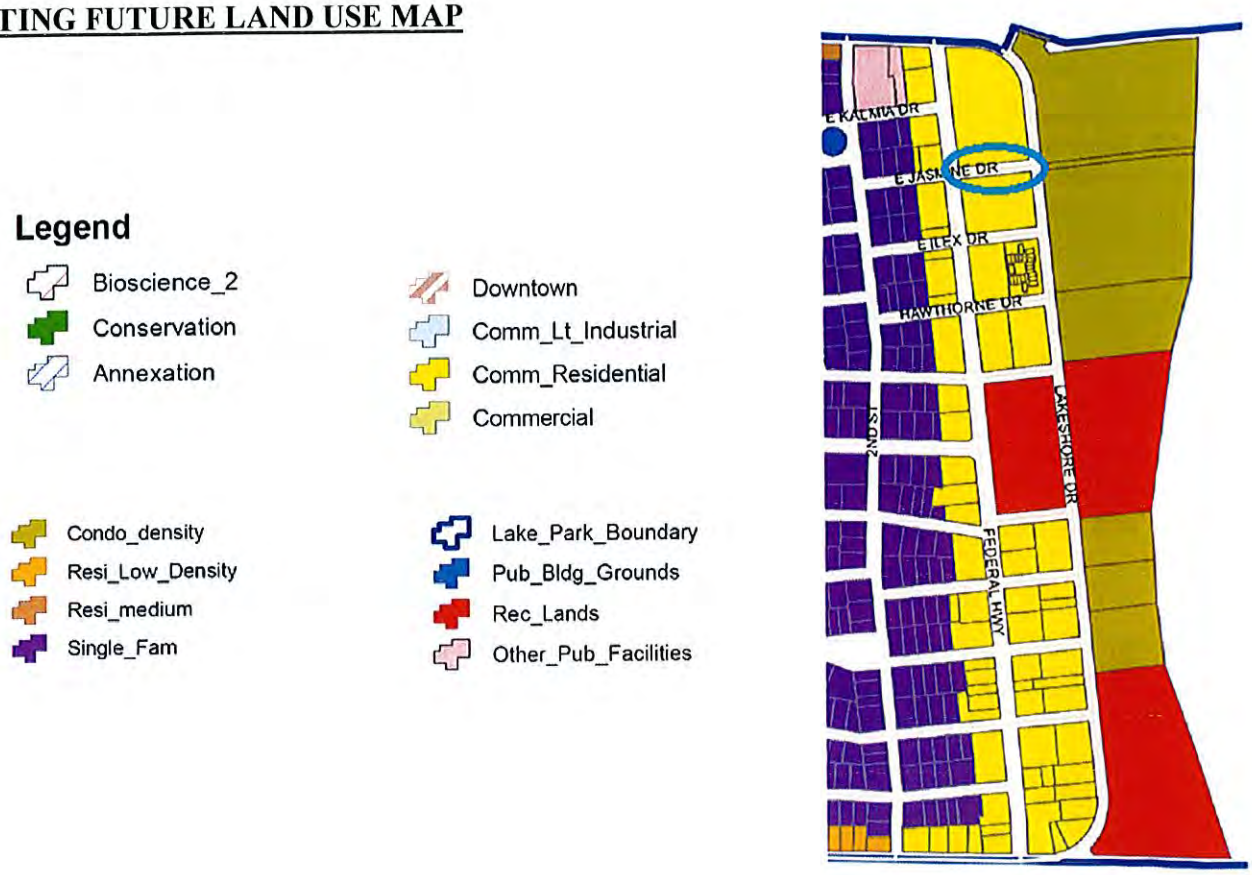
...**ALL** be presented at the same time before the Town Commission on May 20, 2015. In order to accomplish item #4 above, consideration by the Local Planning Agency was first required:

LOCAL PLANNING AGENCY RECOMMENDATION: The Local Planning Agency considered this application at their May 4, 2015 meeting. The overall sequence of the Earl Stewart Toyota PUD applications was discussed and has been provided above. Understanding that this land use map amendment is contingent upon the approval of the abandonment of the right-of-way, the Local Planning Agency recommended approval (3-1) to the Town Commission.

The Applicant is proposing a future land use map amendment for the designation of a Commercial/Residential land use designation to the existing East Jasmine Drive public right-of-way. This proposal is contingent upon the approval of the abandonment of the right-of-way and the site plan which proposes to expand the boundaries of the PUD.



EXISTING FUTURE LAND USE MAP



Since this request is contingent on the site plan approval for the PUD and the abandonment application for East Jasmine Drive, staff recommends ADOPTION of the small-scale land use map amendment, which would be required as a procedural matter contingent upon the above-referenced approvals. A copy of the Intergovernmental Plan Amendment Review Notice is enclosed with this agenda item. A copy of the Legal Ad placed in the June 7, 2015 edition of the Palm Beach Post is also enclosed.

According to the Future Land Use Element in the Town's Comprehensive Plan, areas designated as "Commercial/Residential" are:
"(3.4.3 Future Land Use Classification System)
Lands and structures devoted to promoting a compatible mix of residential at up to 20 units per gross acre and commercial uses with a maximum F.A.R. of 2.4 along major thoroughfares. Public schools are a permitted use within this land use designation. Residential uses shall comprise no less that 20 percent, or no more than 80 percent, of the floor area of any vertical mixed use building, and no less than 20 percent and no more than 80 percent of the buildings on a development site or block face.

*Policy 9.3: A commercial only mixed use project shall **only** be approved through a PUD process as defined and regulated in the zoning code."*

RECOMMENDED MOTION:

I move to **ADOPT** Ordinance 06-2015 for the future land use map designation of Residential/Commercial for a 0.49 acre portion of the East Jasmine Drive right-of-way, as legally described in the proposed Ordinance.

ORDINANCE NO. 06-2015

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.

WHEREAS, the Town Commission of the Town of Lake Park, Florida (the "Town") , has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, formerly known as the "Local Government Comprehensive Planning and Land Development Regulation Act" and now known as the Community Planning Act (the "Act"); and,

WHEREAS, the Town's Comprehensive Plan has been determined to be "in compliance" with the Act; and,

WHEREAS, Earl Stewart LLC and Commercial Investments LLC submitted an application to abandon the 0.49 acre portion of East Jasmine Drive owned by the Town as legally described in **Exhibit "A"** which is attached hereto and incorporated herein (the "Property") and to incorporate the Property into the Earl Stewart Toyota Planned Unit Development; and,

WHEREAS, the Town Commission has adopted an Ordinance abandoning the Property; and,

WHEREAS, the general location of the Property is as shown in **Exhibit "B"** which is also attached; and,

WHEREAS, the Town's Community Development Department has recommended that the Property be assigned a future land use designation of Residential/Commercial; and

WHEREAS, pursuant to the Act, the Town's Local Planning Agency (the LPA) has

conducted a public hearing, as required by Section 163.3174(4)(a), Florida Statutes, and has recommended that the Commission assign a future land use designation of Residential/Commercial to the subject property.

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

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

Section 2. The future land use designation of Residential/Commercial is hereby assigned to the Property.

Section 3. The Future Land Use Map of the Town's Comprehensive Plan is hereby amended to reflect the assignment of the future land use designation of Residential/Commercial to the Property.

Section 4. Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 5. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date. The provisions of this Ordinance shall become effective pursuant to Section 163.3184(3)(c), Florida Statutes.

Attachments: Exhibit "A" - Legal Description of the Subject Property
Exhibit "B" – General Location Map

Exhibit "A"
Legal Description of the Subject Property

A portion of the existing right of way known as Jasmine Drive and shown as Avenue "J", KELSEY CITY, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, at Plat Book 8, Pages 15 and 35, and more particularly described as follows:

Bounded on the South by the North line of Block 121, said KELSEY CITY; Bounded on the North by the South line of Block 122, said KELSEY CITY; Bounded on the East by the West right of way line of Lake Shore Drive (a 60 foot right of way), said Kelsey City; Bounded on the West by the East right of way line of U.S. Highway # 1 (State Road # 5) as conveyed to the State of Florida in Deed Book 803, Page 156, Public Records of Palm Beach County.

CONTAINING IN ALL, 21,275 SQ. FT. AND/OR 0.49 ACRES.

Exhibit "B"
General Location Map

Community

APR 17 2015

Development

TOWN OF LAKE PARK
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION FOR LAND USE AMENDMENT

Please note: The requirements for Land Use Amendment to the Comprehensive Plan are governed by S..163.3187(1)©, F.S. The process is governed by S.166.041(3)(c), F.S.

Date Received: 04-17-15

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

Applicant Name: **Earl Stewart LLC (Earl Stewart Toyota)** / Commercial Investments LLC
Agent Name (if applicable): **Anne Booth, Chris Barry and Urban Design Kilday Studios**
(Required to attach Town of Lake Park Agent Authorization Form)
Mailing Address: **610 Clematis Street, Suite CU02**
City **West Palm Beach** State **Florida** Zip Code **33401**
Telephone **(561) 366-1100** Fax **(561) 366-1111** E-Mail **Abooth@udkstudios.com**
Legal Description of property covered by petition: Lot **Street ROW for Jasmine Drive located between US Highway 1 and Lake Shore Drive**
Block **n/a** Plat **Kelsey City Plat** (Attach separate sheet if necessary)
Property I.D. Number **n/a**

GENERAL INFORMATION ABOUT PROPERTY AND REQUEST

1. Size of property (square feet or acreage): **.49 ac**
2. Highway and street boundaries or address: **Bound on the east by Lake Shore Drive and on the west by US Highway 1**
3. Existing Comprehensive Plan Use Classification: **ROW**
4. Requested Comprehensive Plan Land Use Classification: **Commercial**
5. Existing Zoning District Classification: **ROW**
6. Describe any structure or uses currently located on the property: **The property is currently a road right-of-way**

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

7. Specific information on requested zoning change.
   (X) Map showing property subject to this Application

(X) List of Names and mailing address of property owners located within 300 feet of the property subject to this Application

(X) Notarized affidavit of owner authorizing Applicant to act as his/her agent to submit Application for rezoning.

8. Applicant's statement of explanation, needs and reasons for the requested changes:
(Attach additional sheets if necessary)

___The applicant has requested that the right-of-way be abandoned. In accordance with the Land Development Regulations and the Future Land Use Plan, if abandoned, the ROW will need to be given a Land Use Plan designation. The adjacent properties are commercial therefore the proposed FLUP designation will be consistent with the adjacent properties.___

9. Applicant's response to the following:
(Attach additional sheets if necessary)

It is suggested that the Applicant schedule a meeting with the Community Development Director to discuss the information needed to satisfy these issues.

a. That the requested change would not have an adverse effect on the Comprehensive Plan.

_The proposed Land Use Plan Designation will be consistent with the adjacent land use designations and consistent with the Comprehensive Plan requirements for compatibility of adjacent designations.

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

__The existing land use pattern is commercial on either side of the right-of-way.

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

The proposed abandonment will allow for substantial improvements to the site and the public infrastructure. The applicant has submitted all supporting documentation as part of the applications for site plan and PUD applications concurrently being reviewed.

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

The proposed change will improve site circulation and the safety of the employees and the customers of the auto dealership. Further improvements to the access points and restrictions proposed on truck traffic will improve the safety of the public using Lake Shore Drive.

e. That the requested change will not adversely impact living conditions in the neighborhood or other surrounding areas:

The proposed ROW abandonment and FLUP designation will allow development of a proposed expansion project which will enclose existing facilities to reduce noise, improve circulation, add landscape buffers, and other public amenities.

f. That there are substantial reasons why the property cannot be used in accord with existing land use designation:

_The property is currently a road right-of-way. In accordance with the Land Development Regulations and the Comprehensive Plan, the abandonment of the ROW requires a FLUP designation be assigned to the site.

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

The proposed abandonment and improvements to the site will increase the tax revenue, allow for a safer site design and circulation, improve drainage quality, exceed the landscape and buffer requirements, limit the intensity of development and improve the overall esthetic quality of the site for the betterment of the community.

10. Provide an economic cost benefit analysis comparing present land use to proposed land use. Use maximum build out for present land use and proposed build out for proposed land use.

The current use of the land does not generate any cost benefit to the Town. Abandonment and incorporation of the ROW into the project site will allow the Town to collect additional tax revenue on the abandoned ROW as well as for the proposed improvements to the site. All expenses associated with the improvements to the infrastructure will be at the cost of the applicant. The applicant will also pay the Town for the abandonment of the ROW.

REQUIRED SIGNATURES

My signature on this document affirms that I understand and have complied with the provisions and regulations of the Code of Ordinances of the Town of Lake Park, Florida. I further certify that all of the information contained within this Application and all the documentation submitted herewith is true to the best of my knowledge. Furthermore, I understand that the Application, attachments and review fees become part of the Official Records of the Town of Lake Park and are not returnable.

APPLICANT Signature	Earl Stewart Print Name	4/15/15 Date
AGENT Signature	Anne Booth Print Name	4/15/15 Date
PROPERTY OWNER Signature *(If statement of authority is not attached)*	Earl Stewart Print Name	4/15/15 Date

Revised: October 30, 2013

PLEASE DO NOT DETACH FROM APPLICATION.

SIGNATURE REQUIRED BELOW.

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

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

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

I, Earl Stewart, have read and understand the regulations above regarding cost recovery.

Property Owner Signature

4/15/15
Date

EXHIBIT "A"

That portion of Jasmine Drive f/k/a Avenue "J", as shown on the Plat of Kelsey City (now known as Lake Park), as recorded in Plat Book 8, Page 15 and Plat Book 8, Page 35, Public Records of Palm Beach County, Florida, bounded on the North by the South line of the Plat of Stewart Toyota, according to the map or plat thereof as recorded in Plat Book 100, Page 148, Public Records of Palm Beach County, Florida, bounded on the South by the North line of Lots 1 and 22, Block 121, of Kelsey City, (now known as Lake Park) as recorded in Plat Book 8, Page 15 and Plat Book 8, Page 35, Public Records of Palm Beach County, Florida, bounded on the East by the Southerly extension of the East line of the Plat of Stewart Toyota, according to the map or plat thereof as recorded in Plat Book 100, Page 148, Public Records of Palm Beach County, Florida, bounded on the West by the Southerly extension of the West line of Stewart Toyota, according to the map or plat thereof as recorded in Plat Book 100, Page 148, Public Records of Palm Beach County, Florida.

STATEMENT OF OWNERSHIP AND DESIGNATION OF AUTHORIZED AGENT

Before me, the undersigned authority, personally appeared **EARL STEWART**, who being swom on oath, deposes and says:

That, he is the **AUTHORIZED SIGNATORY** of **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, which are the owner of certain properties and Developer of the Earl Stewart Toyota Development as described in the attached legal description: *(See attached Exhibit A)*

1. That he is authorized to act on behalf of **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, with regard to this application; and,

2. That, **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, is requesting modifications to the existing development approvals for Earl Stewart Toyota and as more specifically described in the attached Exhibit A; and,

3. That, **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, has appointed **ANNE BOOTH, CHRIS BARRY and URBAN DESIGN KILDAY STUDIOS** to act as Agent on its behalf to accomplish the above; and,

4. That, **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, and/or its successors or assigns, commits to proceed with the proposed development in accordance with the Ordinances and Resolutions of approval and such conditions and safeguards as may be set by the Town Commission in such Ordinances and Resolutions; and,

5. That **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, or its successors or assigns, commits to complete the development according to the plans approved by such Ordinances and Resolutions, and to continue operating and maintaining such area, functions, and facilities as are not to be provided, operated or maintained by the Town of Lake Park pursuant to written agreement; and,

6. That, **EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC**, commits to bind any successors in title to any commitments made in the approval.

EARL STEWART, LLC & COMMERCIAL INVESTMENTS, LLC

By: _____ Earl Stewart III / General Manager
Signature **Printed Name** **Title**

Sworn to and subscribed before me this 13th day of March, 2014.

_____
Notary Public, State of Florida
Commission Number _____
My Commission Expires: _____

(Notary Seal)

MARCY E. HOLDEN
MY COMMISSION # EE 162210
EXPIRES: March 1, 2016
Bonded Thru Notary Public Underwriters

Community

MAR 26 2014

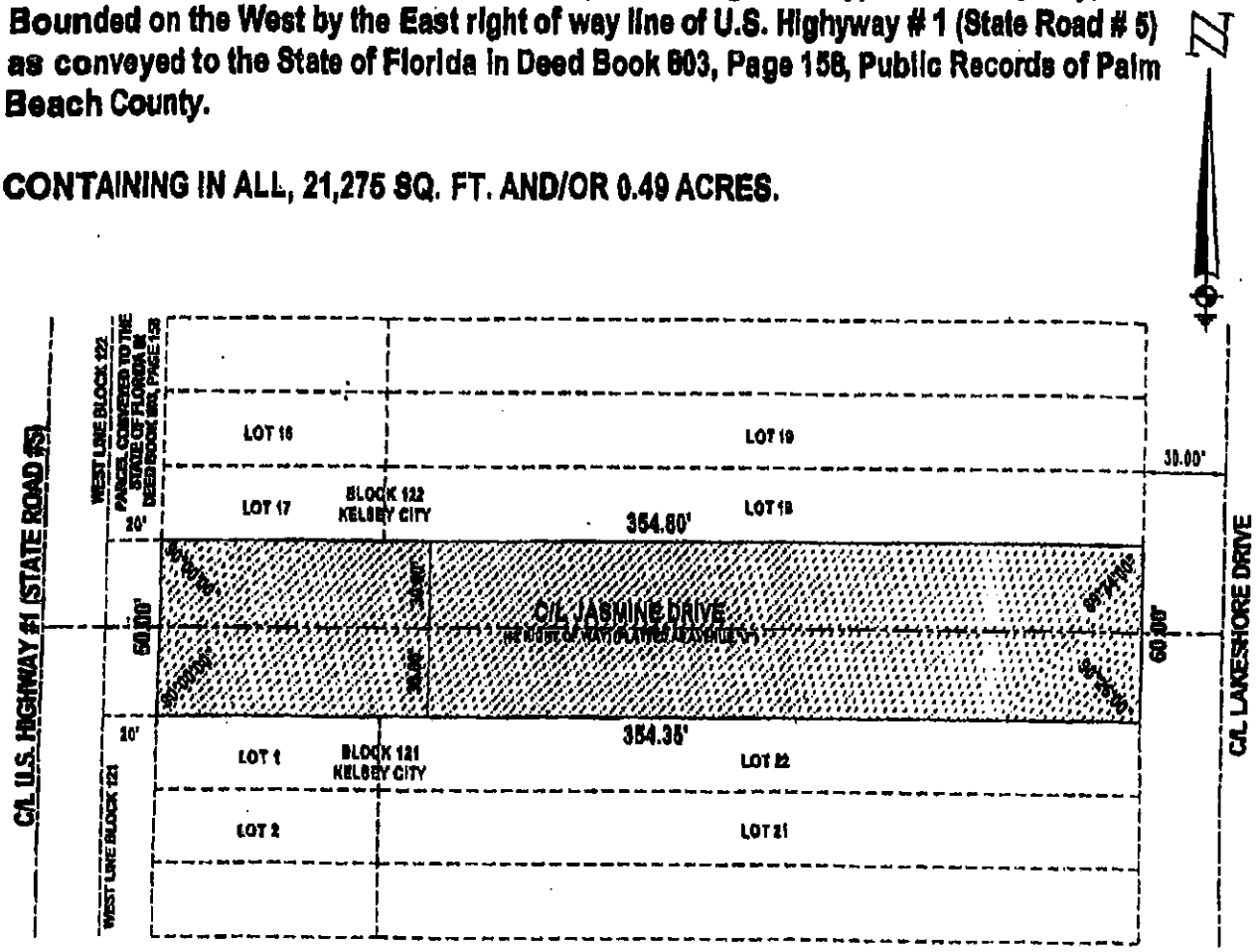
Development

LEGAL DESCRIPTION (Proposed Jasmine Drive Abandonment)

A portion of the existing right of way known as Jasmine Drive and shown as Avenue "J", KELSEY CITY, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, at Plat Book 6, Pages 15 and 35, and more particularly described as follows:

Bounded on the South by the North line of Block 121, said KELSEY CITY; Bounded on the North by the South line of Block 122, said KELSEY CITY; Bounded on the East by the West right of way line of Lake Shore Drive (a 60 foot right of way), said Kelsey City; Bounded on the West by the East right of way line of U.S. Highway # 1 (State Road # 5) as conveyed to the State of Florida in Deed Book 803, Page 158, Public Records of Palm Beach County.

CONTAINING IN ALL, 21,275 SQ. FT. AND/OR 0.49 ACRES.



THIS SKETCH IS NOT A SURVEY

SHEET 1 OF 1

THIS INSTRUMENT WAS PREPARED BY:
IN THE OFFICES OF DONALD D. DANIELS, INC.
FLORIDA CERTIFICATE L.B. NO. 4165
725 NORTH A1A SUITE C111
JUPITER, FL 33477 PHONE (561) 747-9894

DONALD D. DANIELS
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 2608

SCALE: 1"=60'

DWG. NUMBER: 95-147.6

DATE: JUNE 16, 2004

EARL STEWART TOYOTA
JUSTIFICATION STATEMENT AND
STATEMENT OF PUBLIC BENEFIT

Request(s): Applications for Rezoning, Future Land Use Map Amendment, Special Exception Review & Site Plan Review for PUD Amendment (Reviewed Concurrently with an application for Abandonment of Right-of-Way)
Application Number: 4771
Planning & Zoning Submittal: January 28, 2015
Amended May 11, 2015
Amended May 29. 2015

urban design kilday STUDIOS

Urban Planning and Design
Landscape Architecture
Communication Graphics

OVERVIEW OF REQUESTS & PROPERTY INTRODUCTION

On behalf of the applicant, Earl Stewart, LLC, and Commercial Investment, LLC, Urban Design Kilday Studios (UDKS) has prepared and hereby respectfully submits these applications for the approval of a Rezoning request, Future Land Use Map Amendment, Special Exception Review request and Site Plan Review for PUD Amendment request. These applications are being submitted concurrently with an Application for Abandonment (prepared by the Law Office of Jack B. Owen, Jr., P.A.) to abandon the Right-of-Way (R-O-W) of what is commonly referred to as East Jasmine Drive.

The subject 7.19-acre property is comprised of the following land areas:

- **Lots 1-22/Block 121 of Kelsey City Plat (PCN 36-43-42-20-01-121-0010):** 2.23 acres
- **Plat of Stewart Toyota (PCN 36-43-42-21-27-000-0000):** 4.47 acres
- **East Jasmine Drive R-O-W:** 0.49 acres

All of the land area described above is located within the municipal limits of the Town of Lake Park. The subject property is generally located at the southeast corner of the intersection of Federal Highway (aka U.S. 1) and Lake Shore Drive. The subject property has a Future Land Use (FLU) designation of Commercial Residential and is within the Planned Unit Development (PUD) Zoning District, in part (4.47 acres), and the C-1 Business District Zoning, in part (2.23 acres).

With the above applications the applicant is requesting to expand the boundaries of the existing Earl Stewart Toyota PUD to encompass the 2.23-acre parcel and the East Jasmine Drive R-O-W. Ultimately the applicant is proposing a 73,503 sf enclosed facility with 22,673 s.f. of outdoor sales area and 1,048 parking spaces broken down as follows:

- **Enclosed Floor Area:** 73,503 s.f.
  - **Sales/Administration:** 28,842 s.f.
    - **Existing Floor Area:** 19,195 s.f.
    - **Phase 1 Floor Area:** 2,195 s.f.
    - **Phase 2 Floor Area:** 7,452 s.f.

610 Clematis Street
Suite CU02
West Palm Beach, FL 33401
561.366.1100 561.366.1111 fax
www.udkstudios.com
LCC000035

- **Service Bays/Storage:** 44,661 s.f.
  - **Existing Floor Area:** 27,560 s.f.
  - **Phase 1 Floor Area:** 17,051 s.f.
  - **Phase 2 Floor Area:** 0 s.f.

- **Outdoor Sales Display Area:** 22,673 s.f.

- **Phase 3 Garage:** 142,452 s.f.
  - **1st Level:** 32,075 s.f.
  - **2nd Level:** 32,075 s.f.
  - **3rd Level:** 32,075 s.f.
  - **4th Level:** 32,075 s.f.
  - **5th Level:** 12,182 s.f.
  - **Bridge:** 1,970 s.f.

- **Parking Provided:** 1,267 spaces
  - **Customer/Employee Spaces:** 219 spaces
  - **Auto Storage/Display Spaces:** 1,048 spaces

The following applications are addressed within this narrative:

1. Abandonment of Jasmine Drive, located between US1 and Lake Shore Drive .49 acres;
2. Rezoning of the 2.23+/- acres from the C-1 Business District Zoning to the PUD Zoning District and the .49 acre ROW to PUD;
3. Future Land Use Plan Map Amendment for the 0.49-acre R-O-W to be designated Commercial Residential which is consistent with the adjacent properties and the requested PUD;
4. Special Exception request for the Commercial New & Used Auto Dealership (aka, Vehicle Sales and Rental); and
5. Site Plan Review for PUD Amendment (see details in the section below).

APPROVAL HISTORY

The auto dealership was constructed in the mid to late 1970's on the 4.47-acre parcel along with a 14,200 s.f. hardware store. The old dealership building and the Park Center Hardware store remained until 2003 when the 4.47-acre parcel was granted approval for a new site plan and PUD by the Town of Lake Park Commission through Resolution No. 14-05-03 to allow for the Earl Stewart Toyota dealership building as it exists today. That approval, granted on May 21, 2003, not only granted site plan approval but also granted the approval of waivers for (1) display parking setback, (2) spacing of trees along Federal Highway (U.S. 1), (3) elimination of wheel stops, (4) no planters on roof of the garage and (5) to allow two signs that exceeded the maximum height allowances. Please note that the applicant has consented to modify the existing 15' sign to bring it into conformance with the current code. The 40' foot sign is proposed to remain as previously approved to provide clear and effective communication with the public. At the time of the approval of the waivers and the PUD, the applicant demonstrated the public benefits of the requests which included; the development of a linear park along Lake Shore Drive together with enhanced landscape buffers and decorative lighting;

bringing existing non-conformities on the site into conformance with the current codes, and providing open space and landscaping in excess of what was required by code.

The 2.23-acre parcel was granted an approval in 1969 by the Town of Lake Park Commission to allow a 111-unit hotel (known as Journey's Inn) and a 2,150 s.f. restaurant (known as El Colonial). Following several years of decline and questionable activities, these structures were demolished in 2010 after the applicant was granted temporary approval to utilize the 2.23-acre parcel for auto sales. Removal of the structures was a public benefit to the entire community and also allowed the existing non-conformities to be brought into compliance.

The applicant had previously requested and been granted approval of the R-O-W abandonment on August 4, 2004 through Resolution No. 43-07-04; however, due to the economic downturn the applicant was not able to complete all of the required conditions of approval and the resolution expired. With the expiration of the resolution, the 0.49-acre land area reverted back to public R-O-W.

SURROUNDING USES

Below is a description of the uses on the adjacent developed properties to the north, south, east and west of the subject property. Note that the acreages and ownership information referenced in this section is per information obtained from the Property Appraiser of Palm Beach County's web site.

- **North:** To the north of the subject property, across the 60' R-O-W of Lake Shore Drive, are two (2) properties:
  - **PCN 68-43-42-16-01-000-2201:** This 0.7-acre property is currently owned by 100 North Federal Highway, LLC and is within the municipal limits of the Village of North Palm Beach (NPB). This property has a FLU designation of Commercial and is within the Village's C-1 Zoning District. The use of the site is a gas and convenience store along with a car wash (Sunoco);
  - **PCN 68-43-42-16-01-000-1960:** This 0.76-acre property is currently owned by First Church of Christ Scientists, Inc. and is within the municipal limits of the Village of NPB. This property has a FLU designation of High Density Residential and is within the Village's R-3 Zoning District. The use on the site is the Islamic Center of Palm Beach;
- **South:** To the south of the subject property , across the 60' R-O-W of Ilex Drive, are two (2) properties (details below):
  - **PCN 36-43-42-21-21-001-0000:** This 0.72-acre property is currently owned by the Cedar Crest Homeowners Association. This property has a FLU designation of Commercial Residential and is within the R2A Zoning District. The use of the site is residential apartments.;
  - **PCN 36-43-42-21-21-001-0000:** This 1.1-acre property is currently owned by Cromwell Properties. This property has a FLU designation of Commercial Residential and is within the C1 Zoning District and is developed with a commercial strip center;
- **East:** To the east of the subject property, across the 60' R-O-W of Lake Shore Drive, are three (3) residential properties (details below):

- **Various PCN's:** This is the Bay Reach condominium development owned by a variety of individuals, etc. that has a FLU designation of Condominium Residential and is within the R-1AA Zoning District;
- **PCN 36-43-42-21-00-002-0060:** This 0.52-acre property is a 25' wide vacant strip of land currently owned by Susan Cohen. This property has a FLU designation of Condominium Residential and is within the R-1AA Zoning District. The site is appears to be the south half of an abandoned East Jasmine ROW.;
- **PCN 36-43-42-21-00-002-0030:** This is the 208-unit Mariners Key apartment development owned by Mariners Key Owner, LLC. This property has a FLU designation of Condominium Residential and is within the R-1AA Zoning District;

- **West:** To the west of the subject property , across the 80' R-O-W of Federal Highway (U.S. 1), are nine (9) properties (details below):
  - **PCN's 36-43-42-20-01-044-0200/0270:** This 0.98-acre property is currently owned by the Chaves Lake Park Corporation. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is a Gas station and convenience store (7-11);
  - **PCN 36-43-42-20-01-043-0260:** This 0.52-acre property is currently owned by the Patricia/R W Silc & Sil Fir Corporation. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is a restaurant.;
  - **PCN 36-43-42-20-01-043-0210:** This 0.36-acre property is currently owned by the Warren B. Mosler Trust. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is auto sales;
  - **PCN 36-43-42-20-01-042-0230:** This 0.78-acre property is currently owned by New Rochelle Plaza. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is auto related;
  - **PCN 36-43-42-20-01-042-0210:** This 0.17-acre property is currently owned by Trim Endless Inc. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is an upholstery workshop;
  - **PCN 36-43-42-20-01-041-0300:** This 0.16-acre property is currently owned by Edward & Cynthia Wollstein. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is Boca Bargoons a fabric outlet store;
  - **PCN 36-43-42-20-01-041-0230:** This 0.62-acre property is currently owned by L P Fabrics, Inc. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is Boca Bargoons a fabric outlet store; and
  - **PCN 36-43-42-20-01-041-0210:** This 0.17-acre property is currently owned by Palms Building, LLC. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use mixed retail (900 Palms Building).

INTENSITY

Per the Future Land Use Classification System in the Town of Lake Park Comprehensive Plan the Commercial Residential FLU category calls for the following: "Lands and structures devoted to promoting a compatible mix of residential at up to 20 units per gross acre and commercial uses with a maximum F.A.R. of 2.4 along major thoroughfares..." At a total of 7.19 acres the maximum 2.4 F.A.R would equate to a total of 751,671 s.f. of commercial uses. As detailed above the applicant is only proposing a 73,503 sf commercial facility and a 142,452 sf garage which are well within the allowed F.A.R.

CONCURRENCY

Included with this application are the following documents related to the impact of the proposed project on public facilities:

- **Drainage:** Please see enclosed Preliminary Civil Plans prepared by McLeod McCarthy & Associates in which the details of the proposed drainage system are provided. It should be noted that the storm water from this site will be retained and pretreated before being discharged into the Town's storm sewer system. Drainage that previously was part of the Jasmine Road ROW will be incorporated into the on-site drainage control system.

- **Traffic:** Please see Traffic Impact Analysis prepared by Yvonne Ziel Traffic Consultants. dated March 13, 2014 in which the conclusion states that "the project meets the Palm Beach County Traffic Performance Standards Ordinance and may be approved." The agent for the applicant will be submitting the analysis and Traffic Performance Standards (TPS) review fee directly to the Palm Beach County (PBC) Traffic Division and requesting issuance of the TPS Review Approval Letter confirming traffic concurrency.

- **Water/Wastewater:** Please see enclosed Preliminary Civil Plans prepared by McLeod McCarthy & Associates in which the details of the proposed water/wastewater system are provided. It should be noted that the existing water lines will be updated and enlarged to better service the site and the surrounding properties.

PLATTING

The applicant intends to combine all three of the land areas previously described through the platting application.

PHASING

Pursuant to Town of Lake Park Code Section 78-77.2.(c) the applicant intends to develop the project in multiple phases as allowed by code. The construction of the garage in Phase 3 will be subject to and supported by the projected sales of autos. 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. Based on the standards set by Southeast Toyota, the site is 781 spaces short of where they should be. By 2020, the minimum

number of required parking spaces would be 1,256. With the construction of the garage the 1,267 parking spaces on the site will satisfy the minimum Southeast Toyota requirements as well as the Town parking requirements.

The enclosed plans provide details of each phase, and below is a phasing schedule:

- Phase 1
  - **Commencement of Development:** As soon as possible
  - **Completion:**
    - Parking lot and landscape improvements for south lot: 5 months, January 2016
    - Building Expansion (building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work): 14 months, November 2016
- Phase 2
  - **Commencement of Development:** November 2016
  - **Completion:** (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices) 8 months, July 2017
- Phase 3
  - **Commencement of Development:** December 2018 (18 months from completion of Phase 2)
  - **Completion:** (Garage and site improvements) 18 months from start of construction, June 2020

SPECIAL EXCEPTION AND WAIVER REVIEW STANDARDS

This application includes a request for Special Exception approval for vehicle sales. In accordance with the code, the PUD section also provides for waivers to deviate from the strict interpretation of the code to allow for innovative design, consistency with existing conditions, and improvements which would allow a better project. In accordance with Section 78-77(1)(2) the waivers may be approved provided the spirit and intent of the zoning regulations are complied with in the total development of the PUD and mitigation is provided where required by the code. The Town Commission approval in 2003 included approval of waivers to allow a 40' monument sign, a 15' monument sign, display parking setback of 15', 30' spacing of trees along Federal Highway (U.S. 1), the elimination of wheel stops, and the removal of roof top planters. The applicant has complied with the conditions of approval and mitigations that were imposed with the approval of the waivers and have relied upon the vesting of the previous approvals. The applicant understands that the previously approved waivers became the standards by which all future development within the PUD would be regulated, however, it should be noted that the applicant has consented to modify the existing 15' sign to bring it into conformance with the current code.

The review criteria are the same for the Special Exceptions and waivers. The waivers approved include the following:

Section 32-89 Supplemental Parking Requirements (g) Commercial New and Used (1) Parking (a) Display and 32-15 C-1 (1) j Sales, Service and Rental of Motor Vehicles - Waiver to allow less than the required 25' setback from street line for display parking.

The site has been improved to remove a use that was a nuisance to the Town, and the existing site conditions were improved to meet code. The expansion of the PUD and the continuation of the waiver will allow design consistency along the front of the property. As a redevelopment project, some relief in the current regulations allows for consideration of the development restrictions of older properties. In this case, the request is consistent with or better than other auto dealerships in the Town while still enhancing the corridor.

Section 32-146 (h) (2) - Waiver to allow an increase in the spacing of the trees.

The code requires a maximum spacing of planted trees along any perimeter buffer along a public street to be 20 linear feet on center. The nature of the planting of Royal Palms along the frontage of US 1 required additional spacing for them to proper growth. Additional plant materials have been provided along the frontage to further enhance the frontage and additional plant material has been provided along the other perimeters to exceed code requirements. The Royal Palms and the additional landscaping are intended to enhance the entrance to the Town.

Section 32-146 Minimum Landscape Requirements (c) Parking Areas (3.) - Waiver to not require wheel-stops or curbing in the parking area.

The removal of the wheel-stops allows for greater maneuverability on site for the parking and storage of cars and minimizes tripping hazards for customers in the parking areas. The landscape islands and buffers are protected by curbing which replace the need for wheel-stops along the perimeters.

Section 32-146 Minimum Landscape Requirements (c) Parking (5.) Multi-Level Garage: Require planters on roof for shade trees so no space more than 40 ft. from center - Waiver to not require planters on the roof.

The provision of planters on the garage has proven to be a maintenance issue in other structures. The existing garage would require substantial structural enhancements to support planters and would further impact the adjacent property owners. The proposed architecture is intended to provide architectural relief and landscape enhancements to compensate for the planters, which would only provide minimal relief to the surrounding community. Additionally, this structure is to serve business operations and is not for customer use. This garage will be primarily used for auto storage. Planters would not be a functional or valuable asset to the operation of the garage.

Section 32-53 Permitted Signage (o) Freestanding Sign (5) Maximum height - 30' - Waiver to allow a freestanding sign of 40'

Typically car dealerships like to locate at the most visible locations such as along I-95 and major intersections. Stewart Toyota has made significant investment to stay in their current location. The 40' sign allows customers to see the location of the dealership from Northlake Boulevard. The 40' sign waiver was approved with the condition of approval that requires the removal of the sign should the Stewart Toyota operation cease to exist on the site. The 40' foot sign is proposed to remain as previously approved to provide clear and effective communication with the public. The applicant has agreed to replace the 15' sign with a sign that meets the current code requirements.

The following criteria and list of public benefits addresses both the Special Exception and Existing Waivers:

1. Please discuss how the Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

   RESPONSE: First and foremost, it should be noted that the dealership has existed since the mid to late 1970's; however, the provisions in Town of Lake Park Code Section 78-71 and Comprehensive Plan have been updated since the most recent approval in 2003 which now require the approval of a Special Exception application for the use. The subject property is designated Commercial Residential which is consistent with the use of the property, and the zoning designation of the site. Although the dealership predates the current codes and regulations, the existing and proposed development is consistent with the policies and objectives of the Town's Comprehensive Plan.

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

   The redevelopment of both the 1017 Federal Highway parcel and the current dealership will increase the Town's overall tax base. In addition to adding land area to the tax role that was previously un-taxed, the proposed improvements will also increase the taxable value of the site. There are no known natural or historic resources on the property which would be adversely affected by the redevelopment. The proposed plan of development has been designed to minimize and reduce the noise and activity impacts of development to the surrounding residential communities. The proposed landscape buffers and open space far exceed code and will provide a buffer to the residents from the more active US Highway 1 corridor. Lastly, as detailed in the Concurrency section above, the proposed project is within the adopted LOS standards.

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.*

The proposed expansion of the special exception use promotes infill development in a manner that is consistent with the commercial uses of the Federal Highway corridor and does not negatively affecting the existing neighboring residential and commercial uses. The proposed development plan and concessions made by the applicant will reduce existing noise levels, improve parking and circulation, reduce access points, eliminate car truck deliveries from Lake Shore Drive and increase the landscaping and buffering provided to the adjacent properties.

Policy 5.2: *The Town shall foster the redevelopment of declining neighborhoods, underutilized parcels, and areas that demonstrate substandard and/or slum and blight conditions.*

The property at 1017 Federal Highway is currently underutilized as it has been used as a temporary surface parking lot supporting used vehicle sales for the dealership. The current temporary use cleaned up and replaced the Journey's Inn and restaurant uses on the site which were declining and had questionable activities.

The proposed use will enhance the overall esthetic qualities of the site by improving the landscape buffers, reduce the existing noise impacts and make drainage and utility improvements which will improve the neighborhood.

2. Please discuss how the proposed Special Exception is consistent with the land development and zoning regulations and all other portions of the Town of Lake Park Code of Ordinances.

RESPONSE: Beyond the waivers that were previously approved through Resolution No. 14-05-03 the proposed site design is consistent with the code in regard to use, layout, function and general development characteristics. Furthermore, the modified development plan will be in compliance with the PUD objectives and standards. The proposed plan of development will reduce the existing non-conformities by replacing one of the existing non-conforming signs and reduce the number of access points.

3. Please explain how the proposed Special Exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location; mass; height and setback; and other relevant factors peculiar to the proposed Special Exception use and the surrounding property.

RESPONSE: Per the Town of Lake Park Staff Report that detailed the requests eventually approved by Resolution No. 14-05-03 Staff had

concluded that, "Generally the proposal is compatible with the surrounding uses." While the applicant is requesting approval of the special exception use in response to updated codes, it has existed for nearly 40 years along the US Highway 1 corridor and is surrounded to the North, South and West by commercial development. The proposed development plan will continue to be compatible with the surrounding properties that support retail uses within the C-1 Business District along Federal Highway between Palmetto Drive and East Ilex Drive. Also, the proposed redevelopment will be architecturally compatible with the character and uses of the existing dealership as well as the Town's Architectural Guidelines.

4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.

   RESPONSE: The use has been established for nearly 40 years. The applicant is requesting approval of a Special Exception Review application in response to a code change that occurred after the most recent approval was granted on May 21, 2003. This is a request to expand the dealership from the current square footage of 45,208 square feet to 73,503 square feet (plus a 142,452 sf garage). This additional square footage will be for sales/administration and service bays/storage, which are the same types of operations currently on the site. The proposal will add a car wash and a 5-story garage that don't currently exist; however, these are accessory structures and uses common to a dealership. The proposed improvements will update and modernize the dealership, enclose noise generating operations, provide parking that is needed to accommodate the current level of use as well as future growth for a dealership that has existed for nearly 40 years. The site is currently being used for the same functions and use therefore the result of the application approval will not be an expansion, change or proliferation of the same or similar types. The surrounding US Highway 1 corridor area is fully developed with a variety of commercial uses. The proposed improvements may help to motivate surrounding commercial developments to update or upgrade their development as has happened in other communities.

5. Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.

   RESPONSE: The Special Exception will not have a detrimental impact on surrounding properties as (a) there will be a maximum shift of 75 employees

on site and customers (number will vary depending on day/time of the week), (b) the potential nuisance from the maintenance, repair and/or cleaning of vehicles will be mitigated by the fact that these uses will be done in enclosed areas and (c) as shown in the enclosed Traffic Impact Analysis prepared by Yvonne Ziel Traffic Consultants. dated March 13, 2014 the combined total of peak hour trips entering the property will be 53 cars (AM)/37 cars (PM) and leaving the property will be 10 (AM)/35 (PM). As such, this shows that the average will be 0.75 cars entering the property every minute during the peak hour and 0.38 cars leaving the property every minute during the peak hour, or an overall average of 0.57 cars per minute. Furthermore, the applicant is requesting to close one of the existing driveways in the northeast corner of the subject property which will lessen the impact on the neighboring residential properties. Lastly, and most important, the proposed redevelopment will improve the appearance of the dealership through architectural treatments and an increased landscape buffer.

6. Please explain how the proposed Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

RESPONSE: (a) The proposed garage in the southeast corner of the subject property will be similar in height to the surrounding residential structures it will be separated from those structures by approximately 106 feet (to the south) and 107 feet (to the east). A shadow study has been done that shows that the adjacent properties will not be impacted by the shadow of the building. The proposed garage is 34'6" in height on the east side which is 15'6" less than the 50' height allowed by the PUD sections of the Land Development Regulations. In addition the proposed plan provides for 25' buffers with significant landscaping along the Lake Shore Drive and East Ilex Drive ROW's. (b) The use has existed for nearly 40 years and the surrounding property values have been based on the fact that this use was in place. The applicant understands that the property values have increased as a result of previous improvements made. The proposed improvements will increase the taxable value and improve the esthetic quality of the site. The improvements will allow the dealership to thrive and grow which will maintain the health and vitality of the area. (c) The proposed development plan for the subject property should act as a catalyst for the improvement, development or redevelopment of surrounding properties. (d) There are no natural systems that will be negatively impacted by the proposed development. (e) As part of the approval granted through Resolution No. 14-05-13 the applicant provided an enhanced pedestrian area on the east side of the 4.47-acre parcel which will remain and be extended around the south side of the site. In addition, the applicant is proposing a public bus shelter along the US Highway 1 Corridor.

The site will include internal connections to the public sidewalk that runs around the entire site.

SITE PLAN REVIEW FOR PUD AMENDMENT STANDARDS

The nature of the request is for the following amendments to the site plan that was previously approved through Resolution No. 14-05-03:

a. Reconfigure the Site Plan;
b. Add land area (2.72+/- acres);
c. Reconfigure access points as follows:
    - Delete one (1) existing access point in northeast corner of existing PUD;
    - Remove access points to East Jasmine Drive;
    - Provide one (1) new access point to Lake Shore Drive (just south of current intersection of East Jasmine Drive and Lake Shore Drive);
    - Provide one (1) new access point to Federal Highway (U.S. 1) along west property line (just north of current intersection of East Jasmine Drive and Federal Highway [U.S. 1]); and
    - Maintain existing access point to Ilex Drive in southwest corner of 2.23-acre parcel.
d. Amend the enclosed floor area as follows:
    - **Sales/Administration:** +9,434 s.f. (from 19,408 s.f. to 28,842 s.f.) (note that while the square footages listed above show an existing s.f. of 19,297, Resolution No. 14-05-03 allowed up to 19,408 s.f.);
    - **Service Bays/Storage:** +7,580 s.f. (from 37,081 s.f. to 44,661 s.f.) (note that while the square footages listed above show an existing s.f. of 25,911, Resolution No. 14-05-03 allowed up to 37,081 s.f.) and +23 service bays (from 25 service bays to 48 service bays);
e. Increase the Outdoor Sales Display Area by 5,566 s.f. (from 17,107 s.f. to 22,673 s.f.);
f. Increase the number of employee/customer parking spaces by 68 spaces (from 151 spaces to 219 spaces).

Below are responses to the two questions referred to in the attached application:

1. *What will be the impact of the proposed change to the surrounding area?*

    RESPONSE: Allowing the applicant to redevelop the subject property should have a positive impact on the surrounding area in that it will combine two properties (along with the East Jasmine Drive R-O-W) currently utilized by the applicant for vehicle sales and rental into one unified development. This will not only create a unified architectural theme but will also create a consistent landscape theme that will enhance the view from surrounding properties. The height/mass of the proposed parking garage will be mitigated by architectural design and the additional landscaping provided. The proposed improvements will enclose noise producing activities, provide needed parking to eliminate the use of ROW areas, eliminate the use of Lake Shore Drive for transport truck deliveries, improve drainage and utility services to the surrounding

areas, reduce the hours of car deliveries, improve security, reduce noisy activities on the site, minimize development and increase open space in comparison to uses allowed by right on the site, provide a public bus shelter, expand the parkway treatment along the Lake Shore and Ilex Drive Rights-of-ways and reduce the existing non-conformities of the site.

2. *How does the proposed Project comply with the Town of Lake Park's zoning requirements?*

RESPONSE: Beyond the waivers that were previously approved through Resolution No. 14-05-03 the proposed site design is consistent with the code in regard to use, layout, function and general development characteristics. Furthermore, see table below that details compliance with the other sections of the code:

ZONING REQUIREMENTS COMPLIANCE CHART				
Standard	**Requirement**	**Existing**	**Proposed**	**Compliance**
Min. Site Area	80,000 s.f.	4.47 acres	7.19 acres (313,196 s.f.)	Yes
Max. Bldg. Ht.	4 stories or 50'	33'	45.5'	Yes
Min. Open Space	15%	Unknown	20%	Yes
Front Setback	25'	93'	93'	Yes
Side (facing street) Setback	15'	87'	25'	Yes
Rear Setback	15'	48'	25'	Yes
Display Parking Setback	25'	15'	15'	Approved Waiver
Employee/ Customer Parking	204 spaces	151 spaces	219 spaces	Yes
Standard Parking Space Dimensions	10' X 18.5'	10' X 18.5'	10' X 18.5'	Yes

PUBLIC BENEFIT

The expansion of the existing Earl Stewart PUD will promote and support continued success of this long standing business in the Town of Lake Park. The proposed redevelopment will address operational constraints of the existing dealership and the redevelopment of the site will address the temporary use of the 2.23-acre parcel. Approval of the requested applications will provide both tangible and intangible benefits. Benefits to the public will be provided in the form of improved land use, improved public safety, the logical and efficient development of the site and the opportunity for the Town to control and limit development intensities below what would be allowed by code. Following are a list of some of the proposed public benefits of this project if approved:

- Increased property values and tax base for Town. Increased taxable values will be based on taxing the additional land area from the right-of-way abandonment as well as the site improvements. By increasing the taxable income from commercial development, the burden of the residential taxpayer can be stabilized or reduced. The increase in taxable value has been estimated as follows:
    - Phases 1 and 2: Costs estimated at $12 million. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $289,643
    - Phase 3: Costs estimated at $8 million. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $203,297
    - Additional Land Area from Right-of-way: Cost $300,000. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $38,923
- Payment to Town for abandoned Right-of-Way ($300,000)
- Good planning principals encourage the development and redevelopment of areas in inner cities that have existing or aging infrastructure. The proposed development will allow:
    - Improvements to the drainage system of Lake Shore Drive which will result from of incorporation of Jasmine Drive drainage into the site drainage system. The proposed drainage plan will incorporate approximately 22,000 cubic feet of runoff onto the site which currently flows directly into Jasmine Drive during a 25 year storm. The redirection of this water is intended to reduce the flooding on Lake Shore Drive.
    - Improvements to the site utility system which will provide improvements to service for surrounding properties. The installation of an 8" water main across US Highway 1 will include connection to the existing 6" water main in Lake Shore Drive. This improvement is anticipated to improve water service to the entire system east of Lake Shore.
    - Abandonment of the Jasmine Drive right-of-way which will release the Town from maintenance responsibilities.
- New jobs. The applicant intends to hire 30-40 new employees as part of the proposed expansion.
- LEED Certification and educational opportunities for local students. The applicant intends to meet LEED Certification requirements which far exceed Town standards. In addition, there are anticipated to be opportunities for educational components to be added to the layout and design.
- Enclosure of noise producing activities. Existing service areas will be enclosed which will substantially reduce existing noise levels.
- Elimination of noise producing activities. Removal of outdoor speakers and replacement of car locating procedures.
- Additional parking to alleviate congestion and overflow parking which has historically been a concern to surrounding neighbors.
- Restriction on use of Lake Shore Drive by vehicle transport trucks. Proposed site design and reconfiguration of the entry design will allow all transport trucks to maneuver delivery and pick up within the site rather than using Lake Shore Drive.
- Closure of existing curb cut access point on Lake Shore Drive.
- Increased landscape buffers and open space in excess of code requirements
- Separation of active uses on the site from surrounding residential communities

- Reduction of height and lot coverage as allowed by code
- Reduction of existing signage non-conformity
- Increase in open space by .36 ac, 5% in excess of what is required by code.
- Additional streetscape park area
- Public bus shelter
- Improved public safety for customers and employees crossing East Jasmine
- East Ilex Drive traffic will be less than allowed by traffic performance standards
- Esthetic improvements to site including architecture and landscaping
- Greater control and conditions of approval through PUD approval

On behalf of the applicant, Earl Stewart, LLC, and Commercial Investment, LLC, UDKS respectfully requests favorable review and consideration of these Rezoning, Special Exception Review and Site Plan Review for PUD Amendment applications for the Earl Stewart Toyota. The agent at UDKS is Anne Booth who can be reached at the numbers above or via email at abooth@udkstudios.com. Please feel free to contact the agent with any questions or for additional information in support of the requested applications.

CLEARINGHOUSE NOTICE OF PROPOSED AMENDMENT

TO: North Palm Beach, Palm Beach Gardens, Riviera Beach, Palm Beach County, TCRPC, PBC School Board

FROM: Anna Yeskey, Clearinghouse Coordinator

DATE: April 22, 2015

As a participant local government, this memorandum serves as notice of the following comprehensive plan amendment(s):

Initiating Local Government: **Town of Lake Park**

Reference #: **LKP-7 (East Jasmine Dr)**

Date of local planning agency hearing for the proposed amendment: **May 4, 2015**

Date of public hearing at which the proposed amendment will be transmitted: **June 17, 2015**

Nature of plan amendments as you have indicated is desired for review:

- adjacent cities
- Palm Beach County
- amendments relating to traffic circulation or the roadway networks
- amendments relating to affordable housing
- Amendments related to the following elements:
- [x] land use
- traffic circulation
- mass transit
- ports and aviation
- housing
- infrastructure_____sub-elements
- coastal management
- conservation
- recreation and open space
- intergovernmental coordination
- capital improvements
- other_____

Instructions: Should you have any objections to these proposed amendments, please respond at least 15 days prior to the transmittal hearing as scheduled.

EXECUTIVE SUMMARY FOR COMPREHENSIVE PLAN AMENDMENTS

DATE: **April 20, 2015**

Reference Name: **East Jasmine Drive Right-of-Way**

General Information

Initiating Local Government: **Town of Lake Park, Florida – 535 Park Avenue 33403**
Nadia Di Tommaso, *Community Development Director-(561)881-3319*

Applicant/Agent: **Urban Design Kilday Studios (Agent) on behalf of Earl Stewart LLC and Commercial Investments LLC (Applicant)**
Telephone/Fax: **Anne Booth and Chris Barry – Phone (561)366-1100; Fax (561) 366-1111**

Proposed Comprehensive Plan MAP Amendments

General Summary of Amendments:

____ amendments relating to traffic circulation or the roadway networks
____ amendments relating to affordable housing
Amendments related to the following elements:
_X__ land use
____ traffic circulation
____ mass transit
____ ports and aviation
____ housing
____ infrastructure_____sub-elements
____ coastal management
____ conservation
____ recreation and open space
____ intergovernmental coordination
____ capital improvements
____ other_____

Summary of addition (s) to adopted comprehensive plan: **No Additions.**_____

Summary of proposed change (s) to adopted comprehensive plan: **Urban Design Kilday Studios is proposing the expansion of the Earl Stewart Toyota dealership located at 1215 Federal Highway in the Town of Lake Park. This expansion also includes an application to abandon a 0.49 acre portion of East Jasmine Drive. This Future Land Use Map amendment proposed to change the existing public right-of-way to "*Commercial and Residential*" land use designation so that the land use remains consistent with the remainder of the Federal Highway corridor.**

Proposed Amendments to the Future Land Use Map

Location of proposed map amendment (include a location map): **See above.**

Size of Area Proposed for Change (acres): **0.49 acres.**

Present Future Land Use Plan Designation (include a density/intensity definition):
Public Right-of-Way

Proposed Future Land Use Designation (include a density/intensity definition):

Commercial and Residential Land Use Designation: Lands and structures devoted to promoting a compatible mix of residential at up to 20 units per gross acre and commercial uses with a maximum F.A.R. of 2.4 along major thoroughfares. Public schools are a permitted use within this land use designation. Residential uses shall comprise no less that 20 percent, or no more than 80 percent, of the floor area of any vertical mixed use building, and no less than 20 percent and no more than 8-0 percent of the buildings on a development site or block face.

Present Zoning of Site (include a density/intensity definition):
Public Right-of-Way

Proposed Zoning of Site (include a density/intensity definition): **Planned Unit Development (PUD) with underlying Commercial-1 (C-1). Density is regulated by land use and is set at an FAR of 2.4. A maximum of 50 feet or 4 stories is permitted under the PUD designation. The underlying C-1 allows a maximum of two stories or 30 feet. Commercial-only developments are permitted as long as they are proposed as a PUD.**

Present Development of Site: **Vacant – Roadway.**

Proposed Development of the Site: **Commercial Dealership Expansion – to be incorporated with adjacent parcels as part of an overall Commercial Planned Unit Development.**

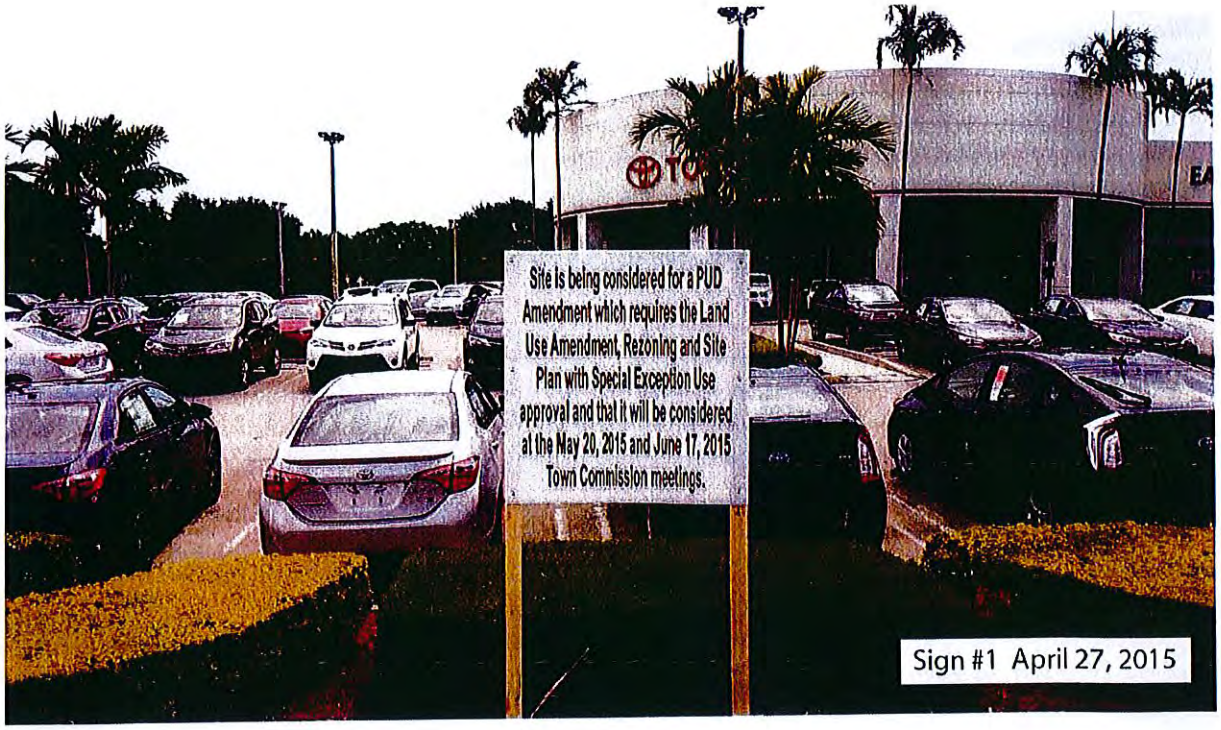
Is proposed change a Development of Regional Impact? **No.**

COMPREHENSIVE PLAN CHANGE PROCESSING

Date/Time/Location Scheduled for Local Planning Agency Public Hearing: **May 4, 2015**

Date/Time/Location Scheduled for Governing Body Public Hearing for Adoption:
(Tentative) June 17, 2015

Scheduled Date for Transmittal to Department of Economic Opportunity (Division of Community Development): **(Tentative) June 18, 2015**



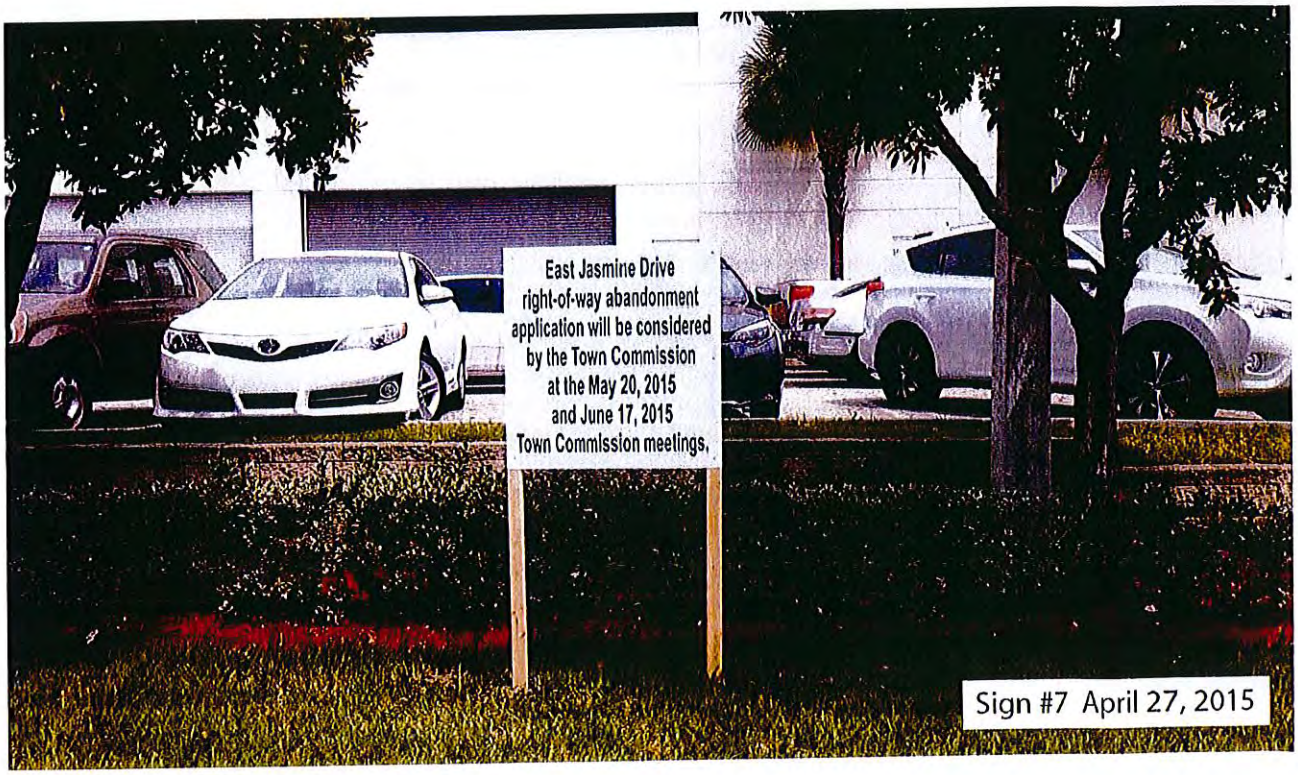
Sign #1 April 27, 2015

Sign #2 April 27, 2015

Sign #3 April 27, 2015

Sign #4 April 27, 2015

Sign #5 April 27, 2015



Sign #7 April 27, 2015

Sign #8 April 27, 2015

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RECEIPT

LEGAL NOTICE OF PROPOSED ORDINANCES AND RESOLUTION TOWN OF LAKE PARK

Please take notice that on Wednesday, June 17, 2015 at 6:30 p.m., or as soon thereafter as can be heard, the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE NO. 08-2015

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.

ORDINANCE NO. 02-2015

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 "I", 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.

ORDINANCE NO. 03-2015

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.

ORDINANCE NO. 06-2015

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.

At this same meeting, the Town Commission will also consider an application by Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner"), who is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (Property Control Number: 36-43-42-21-27-000-0000) onto the existing East Jasmine Drive right-of-way and onto 1017 Federal Highway (Property Control Number: 36-43-42-20-01-121-0010), for which a site plan for development, along with the special exception use of a vehicles sales establishment will be considered for approval under the following Resolution:

RESOLUTION NO. 14-05-15

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

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

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida

PUB: The Palm Beach Post
5-7/ 2015 #431970

TAB 6

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 17, 2015 **Agenda Item No.** Tab 6

Agenda Title: ORDINANCE TO REZONE 1017 FEDERAL HIGHWAY FROM COMMERCIAL-1 (C-1), TO PLANNED UNIT DEVELOPMENT (PUD) AND TO ASSIGN A PUD ZONING DISTRICT DESIGNTATION WITH AN UNDERLYING C-1 ZONING DISTRICT DESIGNATION TO A 0.49-ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT-OF-WAY.

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[X] PUBLIC HEARING – QUASI-JUDICIAL - ORDINANCE ON 2nd READING
[ ] NEW BUSINESS
[ ] OTHER

Approved by Town Manager _____ **Date:** 6-10-15

Nadia Di Tommaso / Community Development Director _____
Name/Title

Originating Department: **Community Development**	Costs: **$ Application Fee and Ad will be placed prior to 2nd reading - signs also posted around the property.** Funding Source: **Applicant** Acct. **# 4771** [ ] Finance _____	**Attachments:** ➔ **Ordinance 03-2015** ➔ **Applicant Application** ➔ **Regular Mail Notice; Sign Postings; and Legal Ad**
Advertised: Date: **June 7, 2015** Paper: **Palm Beach Post** [ ] 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__*ND* or Not applicable in this case ____. **Please initial one.**

Summary Explanation/Background:

STAFF REPORT

SEQUENCE OF APPLICATIONS RELATED TO THE EARL STEWART TOYOTA PROPOSED PLANNED UNIT DEVELOPMENT (PUD) EXPANSION:

(1) Abandonment Application for a 0.49-acre portion of East Jasmine Drive
(2) Future Land Use Map Amendment for a 0.49-acre portion of East Jasmine Drive for the assignment of a Commercial/Residential land use designation
(3) Rezoning of a 0.49-acre portion of East Jasmine Drive from a public right-of-way to a PUD with underlying Commercial-1 (C-1) and the Rezoning of 1017 Federal Highway from C-1 to PUD
(4) Site Plan application for the expansion of the existing dealership and the special exception use of a vehicle sales establishment

The above applications will be presented as a "package" however, they will require separate motions in the order listed above—All resident letters received have been included with the Site Plan item

TOWN COMMISSION MEETING - MAY 20, 2015: Town Commission approved Ordinance 03-2015 on first reading (4-1). Please refer the meeting minutes for a summary of the discussion.

OVERALL PROPOSAL: Urban Design Kilday Studios ("Applicant") as the authorized agent for Stewart Toyota LLC and Commercial Investments LLC (together referred to herein as "Owner") is proposing to expand the dealership onto the 0.49-acre portion of East Jasmine Drive and the 1017 Federal Highway property. The dealership currently operates out of 1215 Federal Highway, which is owned by Earl Stewart, LLC and 1017 Federal Highway (the former Journey's Inn/Colonial restaurant property), owned by Commercial Investments, LLC for the storage and display of vehicles.

APPLICATION FOR REZONING

The Application to expand the PUD boundaries to include the property at 1017 Federal Highway and the East Jasmine Drive right of way requires the rezoning of these two properties: (1) the rezoning of 1017 Federal highway from Commercial-1 (C-1) to a Planned Unit Development (PUD) District, and (2) the assignment of a Planned Unit Development District to the 0.49-acre portion of East Jasmine Drive.

Consistency with Town Zoning Code:

As part of the proposed development for the site, the Applicant has applied to rezone the right-of-way and the parcel immediately south of the right of way, which has an address of 1017 Federal Highway. The rezoning is necessary in order to incorporate this overall area into the PUD zoning district designation which has already been assigned to the Earl Stewart Toyota property located at 1215 Federal Highway. Additionally, this rezoning includes a separate Master Site Plan application whereby the Applicant proposes a 3-Phase development plan which is a requirement of the PUD and will be considered as a separate agenda item for approval.

Consistency with the Town's Comprehensive Plan:

1017 Federal Highway has a future land use designation of Commercial/Residential which allows for commercial-only PUD developments without a residential component. The proposed expansion of the vehicle sales dealership with a PUD designation is consistent with this future land use designation. The 0.49-acre portion of East Jasmine is also being considered for a future land use map designation of Commercial/Residential and this rezoning is contingent upon the approval of this land use assignment.

Figure 1: Aerial View of Existing Site
(image not to scale; for visual purposes only)

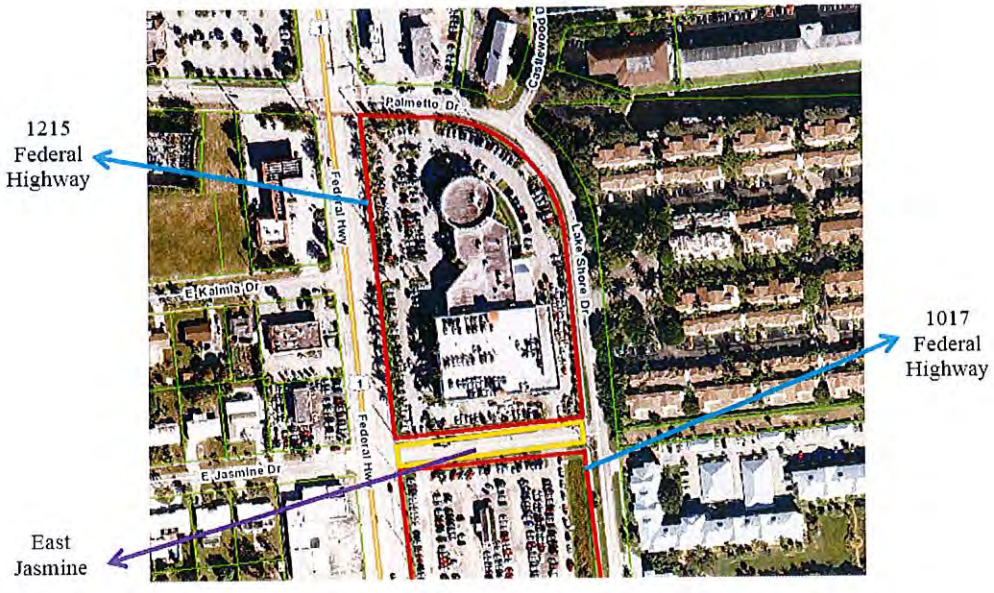
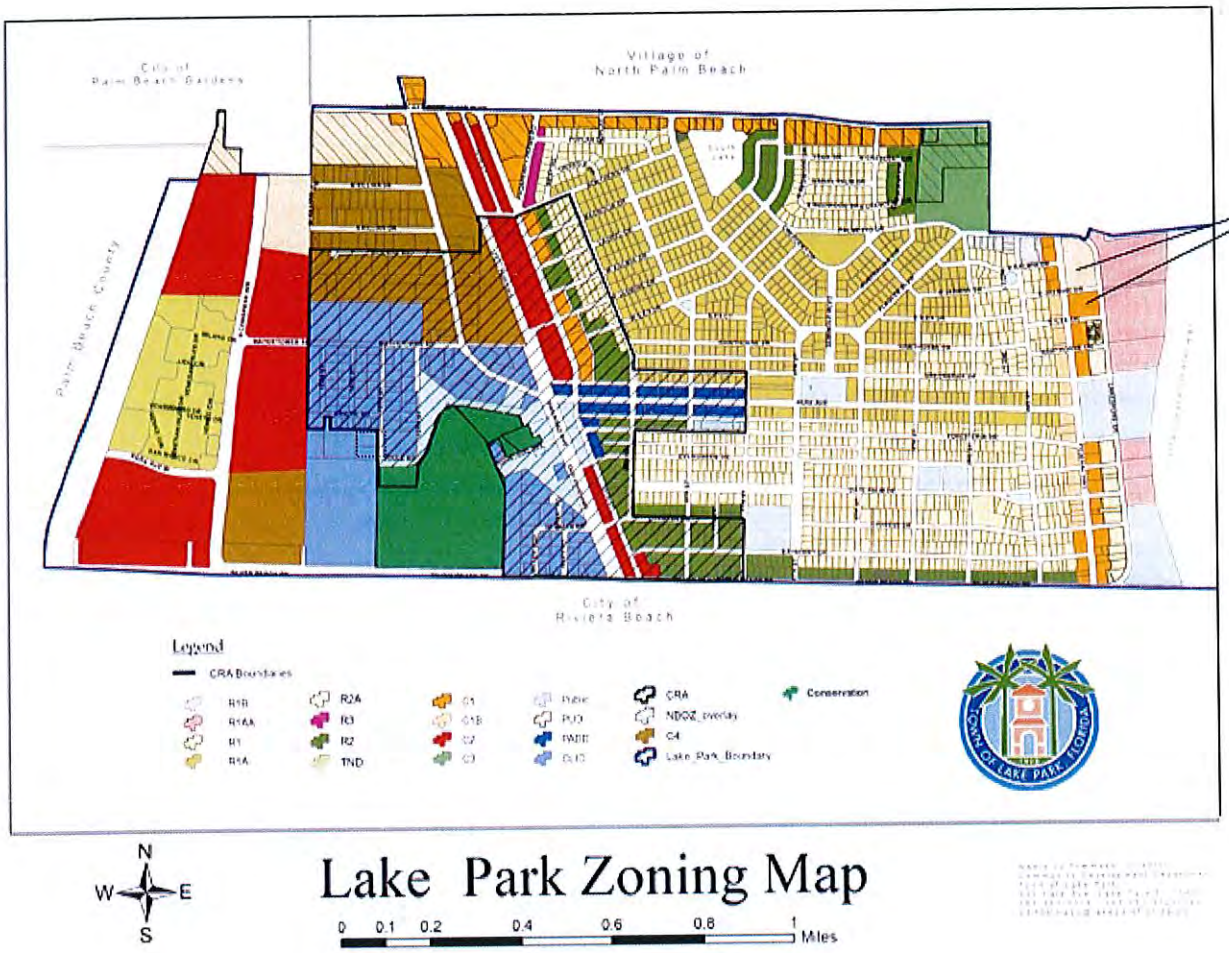


Figure 2: Aerial Image of Site with Proposed Boundaries

The East Jasmine Drive right-of-way is being considered separately for abandonment approval. If approved by the Town Commission, a future land use map amendment and rezoning of this area is required.

LAKE PARK ZONING MAP



Subject Site

N
W E
S

Lake Park Zoning Map

0 0.1 0.2 0.4 0.6 0.8 1 Miles

Adjacent Zoning *1215 AND 1017 Federal Highway:*

North:	Village of North Palm Beach
South:	Commercial 1 (C-1) Business District/Residential-2A
East:	Residential 1AA
West:	Commercial 1 (C-1)/Commercial 1B Business District

Existing Zoning:

1215 Federal Highway: Planned Unit Development (PUD) with underlying Commercial-1 Business District (C-1)

1017 Federal Highway: Commercial-1 Business District (C-1)

PUBLIC BENEFITS OF REDEVELOPMENT (*see Applicant justification/narrative*):

(1) 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.

(2) 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.

(3) 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.

(4) As part of the overall proposal, the Applicant proposed 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.

(5) 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).

(6) 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".

PLANNING & ZONING BOARD considered this application at their February 2, 2015 and March 2, 2015 meetings. The items was continued on February 2, 2015 and recommended for APPROVAL (3-1) to the Town Commission on March 2, 2015. Excerpts of the minutes from these meetings are included with the Site Plan agenda item.

Recommended Motion: I MOVE TO ADOPT ORDINANCE 03-2015 on 1st READING.

ORDINANCE NO. 03-2015

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.

WHEREAS, the Town of Lake Park is the owner of that 0.49 acre portion of East Jasmine Drive situated east of Federal Highway, as legally described in **Exhibit "A"** which is attached hereto and incorporated herein; and

WHEREAS, Commercial Investments LLC is the owner of the property located at 1017 Federal Highway; and,

WHEREAS, the Town Commission has adopted Ordinance No. 02-2015 abandoning it's 0.49 acre portion of East Jasmine Drive situated east of Federal Highway and conveying same to Commercial Investments LLC so that it can be incorporated into the Earl Stewart Toyota PUD; and

WHEREAS, the Town's and Commercial Investments LLC's properties (collectively referred to as the Property) are shown on **Exhibit "B"**, which is attached hereto and incorporated herein; and,

WHEREAS, the Town's existing Zoning Map has the 0.49-acre portion of the property identified as East Jasmine Drive and the property located at 1017 Federal Highway as having a Commercial-1 (C-1) zoning district designation; and,

WHEREAS, the Town Commission has determined that a rezoning of the Property to the PUD Zoning District, with an underlying designation of Residential-Commercial would be consistent with the Future Land Use designation which has been assigned to the Property by the Town's Comprehensive Plan.

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

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

Section 2. The Town Commission hereby assigns a Planned Unit Development zoning district designation with an underlying Commercial-1 (C-1) to the 0.49-acre portion of East Jasmine Drive and rezones 1017 Federal Highway from C-1, to Planned Unit Development while retaining the underlying C-1 per the Town Code requirements for a PUD.

Section 3. Town Code Section 78-32, which incorporates by reference the Town's Official Zoning Map and generally shows the assignment of the various zoning districts to the various properties in the Town, is hereby amended to reflect the assignment of the Planned Unit Development Zoning District to the Property.

Section 4. Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 5. Repeal of Laws in Conflict. All ordinances or part of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. The provisions of this Ordinance shall become effective upon adoption.

Attachment(s): Exhibit "A" – Legal Descriptions; Exhibit "B" - Location Map

Exhibit "A"
Legal Descriptions

East Jasmine Drive

A portion of the existing right of way known as Jasmine Drive and shown as Avenue "J", KELSEY CITY, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, at Plat Book 8, Pages 15 and 35, and more particularly described as follows:

Bounded on the South by the North line of Block 121, said KELSEY CITY; Bounded on the North by the South line of Block 122, said KELSEY CITY; Bounded on the East by the West right of way line of Lake Shore Drive (a 60 foot right of way), said Kelsey City; Bounded on the West by the East right of way line of U.S. Highway # 1 (State Road # 5) as conveyed to the State of Florida in Deed Book 803, Page 158, Public Records of Palm Beach County.

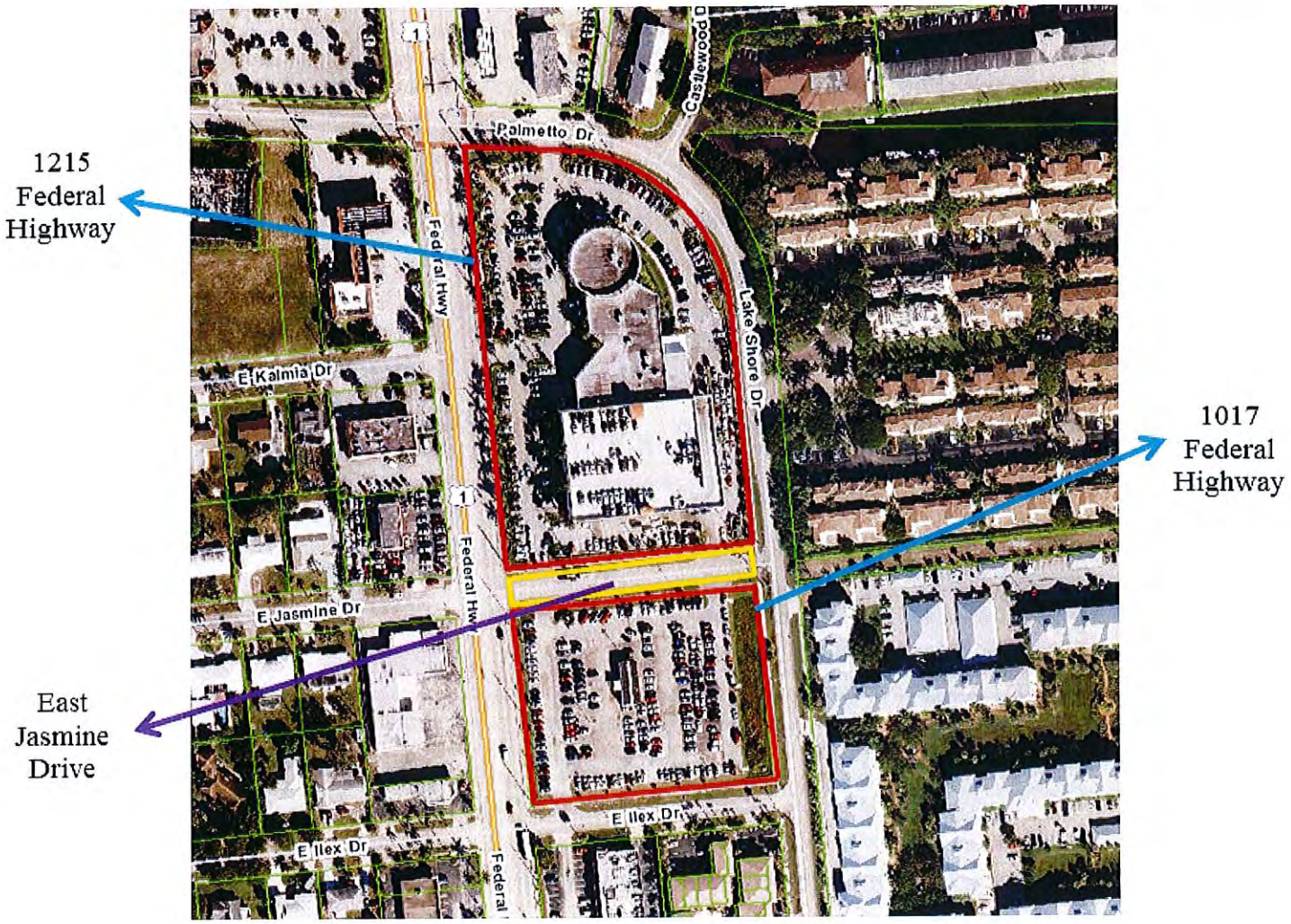
CONTAINING IN ALL, 21,275 SQ. FT. AND/OR 0.49 ACRES.

1017 Federal Highway

THOSE PORTIONS OF LOTS 1 TO 9 AND 26 TO 42 (INCLUSIVE) OF BLOCK 122, KELSEY CITY (NOW LAKE PARK), FLORIDA, AS PER PLAT BOOK 8, PAGE 35, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE NORTHERLY BOUNDARY OF LOT 42 OF BLOCK 122 OF KELSEY CITY (NOW LAKE PARK), FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 35, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, INTERSECTS THE PRESENT EASTERLY BOUNDARY LINE OF U.S. HIGHWAY NO. 1 AS NOW ESTABLISHED (WHICH EASTERLY BOUNDARY LINE IS FIXED AND ESTABLISHED BY CONVEYANCE TO THE STATE OF FLORIDA RECORDED IN DEED BOOK 803, PAGE 158, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA); THENCE RUNNING SOUTH ALONG THE SAID EASTERLY BOUNDARY LINE OF SAID U.S. HIGHWAY NO. 1 A DISTANCE OF 400 FEET; THENCE RUNNING EASTERLY PARALLEL WITH THE SOUTHERLY BOUNDARY LINES OF LOTS 17 AND 18 OF SAID BLOCK 122 TO THE WESTERLY RIGHT-OF-WAY LINE OF LAKE SHORE DRIVE; THENCE NORTHERLY AND WESTERLY FOLLOWING SAID BOUNDARY LINE OF LAKE SHORE DRIVE TO THE POINT OF BEGINNING.

Exhibit "B"
Location Map



TOWN OF LAKE PARK
COMMUNITY DEVELOPMENT DEPARTMENT

(1) Site plan with special exception use
(2) Rezoning

APPLICATION FOR SITE PLAN REVIEW OR AMENDMENT

* (Rezoning)

For Planned Unit Development (PUD) applications please refer to Section 78-77 of the Town Code of Ordinances for additional requirements

Project Name: Earl Stewart Toyota PUD

Project Address: 1017/1215 Federal Highway

Property Owner: Commercial Investment, LLC and Earl Stewart, LLC

APPLICANT INFORMATION:

Applicant Name: Anne Booth, Principal, Urban Design Kilday Studios

Applicant Address: 477 S. Rosemary Avenue, Suite 225, West Palm Beach, FL 33401

Phone: (561) 366-1100 **Fax:** (561) 366-1111 **E-Mail:** abooth@udkstudios.com

SITE INFORMATION:

General Location: Southeast corner of Federal Highway (U.S. 1) and Lake Shore Drive

Address: 1017/1215 Federal Highway

Zoning District: PUD/C-1 **Future Land Use:** Commercial Residential **Acreage:** 7.19

Property Control Number (PCN): 36-43-42-20-01-121-0010 & 36-43-42-21-27-000-0000

ADJACENT PROPERTY:

DIRECTION	ZONING	BUSINESS NAME	USE
North	R-3/C-1 (NPB)	Islamic Center of Palm Beach & Sunoco	House of Worship/C-Store w/Gas Sales
East	R-1AA	Bay Reach & Mariner's Key	Condominiums
South	R-2A/C1	Cedar Crest & Variety of Commercial Businesses	Condominiums & Variety of Commercial Businesses

Community

REVISED: 10/29/2013, previous versions obsolete

JAN 2 8 2015

West	C1B	Variety of Commercial Businesses	Variety of Commercial Businesses

JUSTIFICATION:

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

1. Please explain the nature of the request:

Please see attached justification statement.

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

Please see attached justification statement

3. How does the proposed Project comply with the Town of Lake Park's zoning requirements? LD and comprehensive plan.

Please see attached justification statement

LEGAL DESCRIPTION:

The subject property is located approximately 0 mile(s) from the intersection of Federal Highway (U.S.1) and Lake Shore Drive, on the ___ north, X east, ___ south, ___ west side of the Federal Highway (U.S.1) (street/road).

Legal Description: See attached Survey.

I hereby certify that I am the owner(s) of record of the above described property or that I/we have written permission from the owner(s) of record to request this action.

see attached — March 14, 2014

OWNER/APPLICANT Signature — Date

EARL STEWART TOYOTA
JUSTIFICATION STATEMENT AND STATEMENT OF PUBLIC BENEFIT

Request(s): Applications for Rezoning, Future Land Use Map Amendment, Special Exception Review & Site Plan Review for PUD Amendment (Reviewed Concurrently with an application for Abandonment of Right-of-Way)
Application Number: 4771
Planning & Zoning Submittal: January 28, 2015
Amended May 11, 2015
Amended May 29. 2015

urban design kilday STUDIOS

Urban Planning and Design
Landscape Architecture
Communication Graphics

OVERVIEW OF REQUESTS & PROPERTY INTRODUCTION

On behalf of the applicant, Earl Stewart, LLC, and Commercial Investment, LLC, Urban Design Kilday Studios (UDKS) has prepared and hereby respectfully submits these applications for the approval of a Rezoning request, Future Land Use Map Amendment, Special Exception Review request and Site Plan Review for PUD Amendment request. These applications are being submitted concurrently with an Application for Abandonment (prepared by the Law Office of Jack B. Owen, Jr., P.A.) to abandon the Right-of-Way (R-O-W) of what is commonly referred to as East Jasmine Drive.

The subject 7.19-acre property is comprised of the following land areas:

- **Lots 1-22/Block 121 of Kelsey City Plat (PCN 36-43-42-20-01-121-0010):** 2.23 acres
- **Plat of Stewart Toyota (PCN 36-43-42-21-27-000-0000):** 4.47 acres
- **East Jasmine Drive R-O-W:** 0.49 acres

All of the land area described above is located within the municipal limits of the Town of Lake Park. The subject property is generally located at the southeast corner of the intersection of Federal Highway (aka U.S. 1) and Lake Shore Drive. The subject property has a Future Land Use (FLU) designation of Commercial Residential and is within the Planned Unit Development (PUD) Zoning District, in part (4.47 acres), and the C-1 Business District Zoning, in part (2.23 acres).

With the above applications the applicant is requesting to expand the boundaries of the existing Earl Stewart Toyota PUD to encompass the 2.23-acre parcel and the East Jasmine Drive R-O-W. Ultimately the applicant is proposing a 73,503 sf enclosed facility with 22,673 s.f. of outdoor sales area and 1,048 parking spaces broken down as follows:

- **Enclosed Floor Area:** 73,503 s.f.
  - **Sales/Administration:** 28,842 s.f.
    - **Existing Floor Area:** 19,195 s.f.
    - **Phase 1 Floor Area:** 2,195 s.f.
    - **Phase 2 Floor Area:** 7,452 s.f.

610 Clematis Street
Suite CU02
West Palm Beach, FL 33401
561.366.1100 561.366.1111 fax
www.udkstudios.com
LCC000035

- **Service Bays/Storage:** 44,661 s.f.
  - **Existing Floor Area:** 27,560 s.f.
  - **Phase 1 Floor Area:** 17,051 s.f.
  - **Phase 2 Floor Area:** 0 s.f.

- **Outdoor Sales Display Area:** 22,673 s.f.

- **Phase 3 Garage:** 142,452 s.f.
  - **1st Level:** 32,075 s.f.
  - **2nd Level:** 32,075 s.f.
  - **3rd Level:** 32,075 s.f.
  - **4th Level:** 32,075 s.f.
  - **5th Level:** 12,182 s.f.
  - **Bridge:** 1,970 s.f.

- **Parking Provided:** 1,267 spaces
  - **Customer/Employee Spaces:** 219 spaces
  - **Auto Storage/Display Spaces:** 1,048 spaces

The following applications are addressed within this narrative:

1. Abandonment of Jasmine Drive, located between US1 and Lake Shore Drive .49 acres;
2. Rezoning of the 2.23+/- acres from the C-1 Business District Zoning to the PUD Zoning District and the .49 acre ROW to PUD;
3. Future Land Use Plan Map Amendment for the 0.49-acre R-O-W to be designated Commercial Residential which is consistent with the adjacent properties and the requested PUD;
4. Special Exception request for the Commercial New & Used Auto Dealership (aka, Vehicle Sales and Rental); and
5. Site Plan Review for PUD Amendment (see details in the section below).

APPROVAL HISTORY

The auto dealership was constructed in the mid to late 1970's on the 4.47-acre parcel along with a 14,200 s.f. hardware store. The old dealership building and the Park Center Hardware store remained until 2003 when the 4.47-acre parcel was granted approval for a new site plan and PUD by the Town of Lake Park Commission through Resolution No. 14-05-03 to allow for the Earl Stewart Toyota dealership building as it exists today. That approval, granted on May 21, 2003, not only granted site plan approval but also granted the approval of waivers for (1) display parking setback, (2) spacing of trees along Federal Highway (U.S. 1), (3) elimination of wheel stops, (4) no planters on roof of the garage and (5) to allow two signs that exceeded the maximum height allowances. Please note that the applicant has consented to modify the existing 15' sign to bring it into conformance with the current code. The 40' foot sign is proposed to remain as previously approved to provide clear and effective communication with the public. At the time of the approval of the waivers and the PUD, the applicant demonstrated the public benefits of the requests which included; the development of a linear park along Lake Shore Drive together with enhanced landscape buffers and decorative lighting;

bringing existing non-conformities on the site into conformance with the current codes, and providing open space and landscaping in excess of what was required by code.

The 2.23-acre parcel was granted an approval in 1969 by the Town of Lake Park Commission to allow a 111-unit hotel (known as Journey's Inn) and a 2,150 s.f. restaurant (known as El Colonial). Following several years of decline and questionable activities, these structures were demolished in 2010 after the applicant was granted temporary approval to utilize the 2.23-acre parcel for auto sales. Removal of the structures was a public benefit to the entire community and also allowed the existing non-conformities to be brought into compliance.

The applicant had previously requested and been granted approval of the R-O-W abandonment on August 4, 2004 through Resolution No. 43-07-04; however, due to the economic downturn the applicant was not able to complete all of the required conditions of approval and the resolution expired. With the expiration of the resolution, the 0.49-acre land area reverted back to public R-O-W.

SURROUNDING USES

Below is a description of the uses on the adjacent developed properties to the north, south, east and west of the subject property. Note that the acreages and ownership information referenced in this section is per information obtained from the Property Appraiser of Palm Beach County's web site.

- **North:** To the north of the subject property, across the 60' R-O-W of Lake Shore Drive, are two (2) properties:
    - **PCN 68-43-42-16-01-000-2201:** This 0.7-acre property is currently owned by 100 North Federal Highway, LLC and is within the municipal limits of the Village of North Palm Beach (NPB). This property has a FLU designation of Commercial and is within the Village's C-1 Zoning District. The use of the site is a gas and convenience store along with a car wash (Sunoco);
    - **PCN 68-43-42-16-01-000-1960:** This 0.76-acre property is currently owned by First Church of Christ Scientists, Inc. and is within the municipal limits of the Village of NPB. This property has a FLU designation of High Density Residential and is within the Village's R-3 Zoning District. The use on the site is the Islamic Center of Palm Beach;
- **South:** To the south of the subject property , across the 60' R-O-W of Ilex Drive, are two (2) properties (details below):
    - **PCN 36-43-42-21-21-001-0000:** This 0.72-acre property is currently owned by the Cedar Crest Homeowners Association. This property has a FLU designation of Commercial Residential and is within the R2A Zoning District. The use of the site is residential apartments.;
    - **PCN 36-43-42-21-21-001-0000:** This 1.1-acre property is currently owned by Cromwell Properties. This property has a FLU designation of Commercial Residential and is within the C1 Zoning District and is developed with a commercial strip center;
- **East:** To the east of the subject property, across the 60' R-O-W of Lake Shore Drive, are three (3) residential properties (details below):

- **Various PCN's:** This is the Bay Reach condominium development owned by a variety of individuals, etc. that has a FLU designation of Condominium Residential and is within the R-1AA Zoning District;
- **PCN 36-43-42-21-00-002-0060:** This 0.52-acre property is a 25' wide vacant strip of land currently owned by Susan Cohen. This property has a FLU designation of Condominium Residential and is within the R-1AA Zoning District. The site is appears to be the south half of an abandoned East Jasmine ROW.;
- **PCN 36-43-42-21-00-002-0030:** This is the 208-unit Mariners Key apartment development owned by Mariners Key Owner, LLC. This property has a FLU designation of Condominium Residential and is within the R-1AA Zoning District;

- **West:** To the west of the subject property , across the 80' R-O-W of Federal Highway (U.S. 1), are nine (9) properties (details below):
  - **PCN's 36-43-42-20-01-044-0200/0270:** This 0.98-acre property is currently owned by the Chaves Lake Park Corporation. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is a Gas station and convenience store (7-11);
  - **PCN 36-43-42-20-01-043-0260:** This 0.52-acre property is currently owned by the Patricia/R W Silc & Sil Fir Corporation. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is a restaurant.;
  - **PCN 36-43-42-20-01-043-0210:** This 0.36-acre property is currently owned by the Warren B. Mosler Trust. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is auto sales;
  - **PCN 36-43-42-20-01-042-0230:** This 0.78-acre property is currently owned by New Rochelle Plaza. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is auto related;
  - **PCN 36-43-42-20-01-042-0210:** This 0.17-acre property is currently owned by Trim Endless Inc. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is an upholstery workshop;
  - **PCN 36-43-42-20-01-041-0300:** This 0.16-acre property is currently owned by Edward & Cynthia Wollstein. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is Boca Bargoons a fabric outlet store;
  - **PCN 36-43-42-20-01-041-0230:** This 0.62-acre property is currently owned by L P Fabrics, Inc. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is Boca Bargoons a fabric outlet store; and
  - **PCN 36-43-42-20-01-041-0210:** This 0.17-acre property is currently owned by Palms Building, LLC. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use mixed retail (900 Palms Building).

INTENSITY

Per the Future Land Use Classification System in the Town of Lake Park Comprehensive Plan the Commercial Residential FLU category calls for the following: "Lands and structures devoted to promoting a compatible mix of residential at up to 20 units per gross acre and commercial uses with a maximum F.A.R. of 2.4 along major thoroughfares..." At a total of 7.19 acres the maximum 2.4 F.A.R would equate to a total of 751,671 s.f. of commercial uses. As detailed above the applicant is only proposing a 73,503 sf commercial facility and a 142,452 sf garage which are well within the allowed F.A.R.

CONCURRENCY

Included with this application are the following documents related to the impact of the proposed project on public facilities:

- **Drainage:** Please see enclosed Preliminary Civil Plans prepared by McLeod McCarthy & Associates in which the details of the proposed drainage system are provided. It should be noted that the storm water from this site will be retained and pretreated before being discharged into the Town's storm sewer system. Drainage that previously was part of the Jasmine Road ROW will be incorporated into the on-site drainage control system.

- **Traffic:** Please see Traffic Impact Analysis prepared by Yvonne Ziel Traffic Consultants. dated March 13, 2014 in which the conclusion states that "the project meets the Palm Beach County Traffic Performance Standards Ordinance and may be approved." The agent for the applicant will be submitting the analysis and Traffic Performance Standards (TPS) review fee directly to the Palm Beach County (PBC) Traffic Division and requesting issuance of the TPS Review Approval Letter confirming traffic concurrency.

- **Water/Wastewater:** Please see enclosed Preliminary Civil Plans prepared by McLeod McCarthy & Associates in which the details of the proposed water/wastewater system are provided. It should be noted that the existing water lines will be updated and enlarged to better service the site and the surrounding properties.

PLATTING

The applicant intends to combine all three of the land areas previously described through the platting application.

PHASING

Pursuant to Town of Lake Park Code Section 78-77.2.(c) the applicant intends to develop the project in multiple phases as allowed by code. The construction of the garage in Phase 3 will be subject to and supported by the projected sales of autos. 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. Based on the standards set by Southeast Toyota, the site is 781 spaces short of where they should be. By 2020, the minimum

number of required parking spaces would be 1,256. With the construction of the garage the 1,267 parking spaces on the site will satisfy the minimum Southeast Toyota requirements as well as the Town parking requirements.

The enclosed plans provide details of each phase, and below is a phasing schedule:

- Phase 1
  - **Commencement of Development:** As soon as possible
  - **Completion:**
    - Parking lot and landscape improvements for south lot: 5 months, January 2016
    - Building Expansion (building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work): 14 months, November 2016
- Phase 2
  - **Commencement of Development:** November 2016
  - **Completion:** (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices) 8 months, July 2017
- Phase 3
  - **Commencement of Development:** December 2018 (18 months from completion of Phase 2)
  - **Completion:** (Garage and site improvements) 18 months from start of construction, June 2020

SPECIAL EXCEPTION AND WAIVER REVIEW STANDARDS

This application includes a request for Special Exception approval for vehicle sales. In accordance with the code, the PUD section also provides for waivers to deviate from the strict interpretation of the code to allow for innovative design, consistency with existing conditions, and improvements which would allow a better project. In accordance with Section 78-77(1)(2) the waivers may be approved provided the spirit and intent of the zoning regulations are complied with in the total development of the PUD and mitigation is provided where required by the code. The Town Commission approval in 2003 included approval of waivers to allow a 40' monument sign, a 15' monument sign, display parking setback of 15', 30' spacing of trees along Federal Highway (U.S. 1), the elimination of wheel stops, and the removal of roof top planters. The applicant has complied with the conditions of approval and mitigations that were imposed with the approval of the waivers and have relied upon the vesting of the previous approvals. The applicant understands that the previously approved waivers became the standards by which all future development within the PUD would be regulated, however, it should be noted that the applicant has consented to modify the existing 15' sign to bring it into conformance with the current code.

The review criteria are the same for the Special Exceptions and waivers. The waivers approved include the following:

Section 32-89 Supplemental Parking Requirements (g) Commercial New and Used (1) Parking (a) Display and 32-15 C-1 (1) j Sales, Service and Rental of Motor Vehicles - Waiver to allow less than the required 25' setback from street line for display parking.

The site has been improved to remove a use that was a nuisance to the Town, and the existing site conditions were improved to meet code. The expansion of the PUD and the continuation of the waiver will allow design consistency along the front of the property. As a redevelopment project, some relief in the current regulations allows for consideration of the development restrictions of older properties. In this case, the request is consistent with or better than other auto dealerships in the Town while still enhancing the corridor.

Section 32-146 (h) (2) - Waiver to allow an increase in the spacing of the trees.

The code requires a maximum spacing of planted trees along any perimeter buffer along a public street to be 20 linear feet on center. The nature of the planting of Royal Palms along the frontage of US 1 required additional spacing for them to proper growth. Additional plant materials have been provided along the frontage to further enhance the frontage and additional plant material has been provided along the other perimeters to exceed code requirements. The Royal Palms and the additional landscaping are intended to enhance the entrance to the Town.

Section 32-146 Minimum Landscape Requirements (c) Parking Areas (3.) - Waiver to not require wheel-stops or curbing in the parking area.

The removal of the wheel-stops allows for greater maneuverability on site for the parking and storage of cars and minimizes tripping hazards for customers in the parking areas. The landscape islands and buffers are protected by curbing which replace the need for wheel-stops along the perimeters.

Section 32-146 Minimum Landscape Requirements (c) Parking (5.) Multi-Level Garage: Require planters on roof for shade trees so no space more than 40 ft. from center - Waiver to not require planters on the roof.

The provision of planters on the garage has proven to be a maintenance issue in other structures. The existing garage would require substantial structural enhancements to support planters and would further impact the adjacent property owners. The proposed architecture is intended to provide architectural relief and landscape enhancements to compensate for the planters, which would only provide minimal relief to the surrounding community. Additionally, this structure is to serve business operations and is not for customer use. This garage will be primarily used for auto storage. Planters would not be a functional or valuable asset to the operation of the garage.

Section 32-53 Permitted Signage (o) Freestanding Sign (5) Maximum height - 30' - Waiver to allow a freestanding sign of 40'

Typically car dealerships like to locate at the most visible locations such as along I-95 and major intersections. Stewart Toyota has made significant investment to stay in their current location. The 40' sign allows customers to see the location of the dealership from Northlake Boulevard. The 40' sign waiver was approved with the condition of approval that requires the removal of the sign should the Stewart Toyota operation cease to exist on the site. The 40' foot sign is proposed to remain as previously approved to provide clear and effective communication with the public. The applicant has agreed to replace the 15' sign with a sign that meets the current code requirements.

The following criteria and list of public benefits addresses both the Special Exception and Existing Waivers:

1. Please discuss how the Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

   RESPONSE: First and foremost, it should be noted that the dealership has existed since the mid to late 1970's; however, the provisions in Town of Lake Park Code Section 78-71 and Comprehensive Plan have been updated since the most recent approval in 2003 which now require the approval of a Special Exception application for the use. The subject property is designated Commercial Residential which is consistent with the use of the property, and the zoning designation of the site. Although the dealership predates the current codes and regulations, the existing and proposed development is consistent with the policies and objectives of the Town's Comprehensive Plan.

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

   The redevelopment of both the 1017 Federal Highway parcel and the current dealership will increase the Town's overall tax base. In addition to adding land area to the tax role that was previously un-taxed, the proposed improvements will also increase the taxable value of the site. There are no known natural or historic resources on the property which would be adversely affected by the redevelopment. The proposed plan of development has been designed to minimize and reduce the noise and activity impacts of development to the surrounding residential communities. The proposed landscape buffers and open space far exceed code and will provide a buffer to the residents from the more active US Highway 1 corridor. Lastly, as detailed in the Concurrency section above, the proposed project is within the adopted LOS standards.

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.*

The proposed expansion of the special exception use promotes infill development in a manner that is consistent with the commercial uses of the Federal Highway corridor and does not negatively affecting the existing neighboring residential and commercial uses. The proposed development plan and concessions made by the applicant will reduce existing noise levels, improve parking and circulation, reduce access points, eliminate car truck deliveries from Lake Shore Drive and increase the landscaping and buffering provided to the adjacent properties.

Policy 5.2: *The Town shall foster the redevelopment of declining neighborhoods, underutilized parcels, and areas that demonstrate substandard and/or slum and blight conditions.*

The property at 1017 Federal Highway is currently underutilized as it has been used as a temporary surface parking lot supporting used vehicle sales for the dealership. The current temporary use cleaned up and replaced the Journey's Inn and restaurant uses on the site which were declining and had questionable activities.

The proposed use will enhance the overall esthetic qualities of the site by improving the landscape buffers, reduce the existing noise impacts and make drainage and utility improvements which will improve the neighborhood.

2. Please discuss how the proposed Special Exception is consistent with the land development and zoning regulations and all other portions of the Town of Lake Park Code of Ordinances.

RESPONSE: Beyond the waivers that were previously approved through Resolution No. 14-05-03 the proposed site design is consistent with the code in regard to use, layout, function and general development characteristics. Furthermore, the modified development plan will be in compliance with the PUD objectives and standards. The proposed plan of development will reduce the existing non-conformities by replacing one of the existing non-conforming signs and reduce the number of access points.

3. Please explain how the proposed Special Exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location; mass; height and setback; and other relevant factors peculiar to the proposed Special Exception use and the surrounding property.

RESPONSE: Per the Town of Lake Park Staff Report that detailed the requests eventually approved by Resolution No. 14-05-03 Staff had

concluded that, "Generally the proposal is compatible with the surrounding uses." While the applicant is requesting approval of the special exception use in response to updated codes, it has existed for nearly 40 years along the US Highway 1 corridor and is surrounded to the North, South and West by commercial development. The proposed development plan will continue to be compatible with the surrounding properties that support retail uses within the C-1 Business District along Federal Highway between Palmetto Drive and East Ilex Drive. Also, the proposed redevelopment will be architecturally compatible with the character and uses of the existing dealership as well as the Town's Architectural Guidelines.

4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.

RESPONSE: The use has been established for nearly 40 years. The applicant is requesting approval of a Special Exception Review application in response to a code change that occurred after the most recent approval was granted on May 21, 2003. This is a request to expand the dealership from the current square footage of 45,208 square feet to 73,503 square feet (plus a 142,452 sf garage). This additional square footage will be for sales/administration and service bays/storage, which are the same types of operations currently on the site. The proposal will add a car wash and a 5-story garage that don't currently exist; however, these are accessory structures and uses common to a dealership. The proposed improvements will update and modernize the dealership, enclose noise generating operations, provide parking that is needed to accommodate the current level of use as well as future growth for a dealership that has existed for nearly 40 years. The site is currently being used for the same functions and use therefore the result of the application approval will not be an expansion, change or proliferation of the same or similar types. The surrounding US Highway 1 corridor area is fully developed with a variety of commercial uses. The proposed improvements may help to motivate surrounding commercial developments to update or upgrade their development as has happened in other communities.

5. Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.

RESPONSE: The Special Exception will not have a detrimental impact on surrounding properties as (a) there will be a maximum shift of 75 employees

on site and customers (number will vary depending on day/time of the week), (b) the potential nuisance from the maintenance, repair and/or cleaning of vehicles will be mitigated by the fact that these uses will be done in enclosed areas and (c) as shown in the enclosed Traffic Impact Analysis prepared by Yvonne Ziel Traffic Consultants. dated March 13, 2014 the combined total of peak hour trips entering the property will be 53 cars (AM)/37 cars (PM) and leaving the property will be 10 (AM)/35 (PM). As such, this shows that the average will be 0.75 cars entering the property every minute during the peak hour and 0.38 cars leaving the property every minute during the peak hour, or an overall average of 0.57 cars per minute. Furthermore, the applicant is requesting to close one of the existing driveways in the northeast corner of the subject property which will lessen the impact on the neighboring residential properties. Lastly, and most important, the proposed redevelopment will improve the appearance of the dealership through architectural treatments and an increased landscape buffer.

6. Please explain how the proposed Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

RESPONSE: (a) The proposed garage in the southeast corner of the subject property will be similar in height to the surrounding residential structures it will be separated from those structures by approximately 106 feet (to the south) and 107 feet (to the east). A shadow study has been done that shows that the adjacent properties will not be impacted by the shadow of the building. The proposed garage is 34'6" in height on the east side which is 15'6" less than the 50' height allowed by the PUD sections of the Land Development Regulations. In addition the proposed plan provides for 25' buffers with significant landscaping along the Lake Shore Drive and East Ilex Drive ROW's. (b) The use has existed for nearly 40 years and the surrounding property values have been based on the fact that this use was in place. The applicant understands that the property values have increased as a result of previous improvements made. The proposed improvements will increase the taxable value and improve the esthetic quality of the site. The improvements will allow the dealership to thrive and grow which will maintain the health and vitality of the area. (c) The proposed development plan for the subject property should act as a catalyst for the improvement, development or redevelopment of surrounding properties. (d) There are no natural systems that will be negatively impacted by the proposed development. (e) As part of the approval granted through Resolution No. 14-05-13 the applicant provided an enhanced pedestrian area on the east side of the 4.47-acre parcel which will remain and be extended around the south side of the site. In addition, the applicant is proposing a public bus shelter along the US Highway 1 Corridor.

The site will include internal connections to the public sidewalk that runs around the entire site.

SITE PLAN REVIEW FOR PUD AMENDMENT STANDARDS

The nature of the request is for the following amendments to the site plan that was previously approved through Resolution No. 14-05-03:

a. Reconfigure the Site Plan;
b. Add land area (2.72+/- acres);
c. Reconfigure access points as follows:
    - Delete one (1) existing access point in northeast corner of existing PUD;
    - Remove access points to East Jasmine Drive;
    - Provide one (1) new access point to Lake Shore Drive (just south of current intersection of East Jasmine Drive and Lake Shore Drive);
    - Provide one (1) new access point to Federal Highway (U.S. 1) along west property line (just north of current intersection of East Jasmine Drive and Federal Highway [U.S. 1]); and
    - Maintain existing access point to Ilex Drive in southwest corner of 2.23-acre parcel.
d. Amend the enclosed floor area as follows:
    - **Sales/Administration:** +9,434 s.f. (from 19,408 s.f. to 28,842 s.f.) (note that while the square footages listed above show an existing s.f. of 19,297, Resolution No. 14-05-03 allowed up to 19,408 s.f.);
    - **Service Bays/Storage:** +7,580 s.f. (from 37,081 s.f. to 44,661 s.f.) (note that while the square footages listed above show an existing s.f. of 25,911, Resolution No. 14-05-03 allowed up to 37,081 s.f.) and +23 service bays (from 25 service bays to 48 service bays);
e. Increase the Outdoor Sales Display Area by 5,566 s.f. (from 17,107 s.f. to 22,673 s.f.);
f. Increase the number of employee/customer parking spaces by 68 spaces (from 151 spaces to 219 spaces).

Below are responses to the two questions referred to in the attached application:

1. *What will be the impact of the proposed change to the surrounding area?*

    RESPONSE: Allowing the applicant to redevelop the subject property should have a positive impact on the surrounding area in that it will combine two properties (along with the East Jasmine Drive R-O-W) currently utilized by the applicant for vehicle sales and rental into one unified development. This will not only create a unified architectural theme but will also create a consistent landscape theme that will enhance the view from surrounding properties. The height/mass of the proposed parking garage will be mitigated by architectural design and the additional landscaping provided. The proposed improvements will enclose noise producing activities, provide needed parking to eliminate the use of ROW areas, eliminate the use of Lake Shore Drive for transport truck deliveries, improve drainage and utility services to the surrounding

areas, reduce the hours of car deliveries, improve security, reduce noisy activities on the site, minimize development and increase open space in comparison to uses allowed by right on the site, provide a public bus shelter, expand the parkway treatment along the Lake Shore and Ilex Drive Rights-of-ways and reduce the existing non-conformities of the site.

2. *How does the proposed Project comply with the Town of Lake Park's zoning requirements?*

RESPONSE: Beyond the waivers that were previously approved through Resolution No. 14-05-03 the proposed site design is consistent with the code in regard to use, layout, function and general development characteristics. Furthermore, see table below that details compliance with the other sections of the code:

ZONING REQUIREMENTS COMPLIANCE CHART				
Standard	**Requirement**	**Existing**	**Proposed**	**Compliance**
Min. Site Area	80,000 s.f.	4.47 acres	7.19 acres (313,196 s.f.)	Yes
Max. Bldg. Ht.	4 stories or 50'	33'	45.5'	Yes
Min. Open Space	15%	Unknown	20%	Yes
Front Setback	25'	93'	93'	Yes
Side (facing street) Setback	15'	87'	25'	Yes
Rear Setback	15'	48'	25'	Yes
Display Parking Setback	25'	15'	15'	Approved Waiver
Employee/ Customer Parking	204 spaces	151 spaces	219 spaces	Yes
Standard Parking Space Dimensions	10' X 18.5'	10' X 18.5'	10' X 18.5'	Yes

PUBLIC BENEFIT

The expansion of the existing Earl Stewart PUD will promote and support continued success of this long standing business in the Town of Lake Park. The proposed redevelopment will address operational constraints of the existing dealership and the redevelopment of the site will address the temporary use of the 2.23-acre parcel. Approval of the requested applications will provide both tangible and intangible benefits. Benefits to the public will be provided in the form of improved land use, improved public safety, the logical and efficient development of the site and the opportunity for the Town to control and limit development intensities below what would be allowed by code. Following are a list of some of the proposed public benefits of this project if approved:

- Increased property values and tax base for Town. Increased taxable values will be based on taxing the additional land area from the right-of-way abandonment as well as the site improvements. By increasing the taxable income from commercial development, the burden of the residential taxpayer can be stabilized or reduced. The increase in taxable value has been estimated as follows:
    - Phases 1 and 2: Costs estimated at $12 million. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $289,643
    - Phase 3: Costs estimated at $8 million. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $203,297
    - Additional Land Area from Right-of-way: Cost $300,000. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $38,923
- Payment to Town for abandoned Right-of-Way ($300,000)
- Good planning principals encourage the development and redevelopment of areas in inner cities that have existing or aging infrastructure. The proposed development will allow:
    - Improvements to the drainage system of Lake Shore Drive which will result from of incorporation of Jasmine Drive drainage into the site drainage system. The proposed drainage plan will incorporate approximately 22,000 cubic feet of runoff onto the site which currently flows directly into Jasmine Drive during a 25 year storm. The redirection of this water is intended to reduce the flooding on Lake Shore Drive.
    - Improvements to the site utility system which will provide improvements to service for surrounding properties. The installation of an 8" water main across US Highway 1 will include connection to the existing 6" water main in Lake Shore Drive. This improvement is anticipated to improve water service to the entire system east of Lake Shore.
    - Abandonment of the Jasmine Drive right-of-way which will release the Town from maintenance responsibilities.
- New jobs. The applicant intends to hire 30-40 new employees as part of the proposed expansion.
- LEED Certification and educational opportunities for local students. The applicant intends to meet LEED Certification requirements which far exceed Town standards. In addition, there are anticipated to be opportunities for educational components to be added to the layout and design.
- Enclosure of noise producing activities. Existing service areas will be enclosed which will substantially reduce existing noise levels.
- Elimination of noise producing activities. Removal of outdoor speakers and replacement of car locating procedures.
- Additional parking to alleviate congestion and overflow parking which has historically been a concern to surrounding neighbors.
- Restriction on use of Lake Shore Drive by vehicle transport trucks. Proposed site design and reconfiguration of the entry design will allow all transport trucks to maneuver delivery and pick up within the site rather than using Lake Shore Drive.
- Closure of existing curb cut access point on Lake Shore Drive.
- Increased landscape buffers and open space in excess of code requirements
- Separation of active uses on the site from surrounding residential communities

- Reduction of height and lot coverage as allowed by code
- Reduction of existing signage non-conformity
- Increase in open space by .36 ac, 5% in excess of what is required by code.
- Additional streetscape park area
- Public bus shelter
- Improved public safety for customers and employees crossing East Jasmine
- East Ilex Drive traffic will be less than allowed by traffic performance standards
- Esthetic improvements to site including architecture and landscaping
- Greater control and conditions of approval through PUD approval

On behalf of the applicant, Earl Stewart, LLC, and Commercial Investment, LLC, UDKS respectfully requests favorable review and consideration of these Rezoning, Special Exception Review and Site Plan Review for PUD Amendment applications for the Earl Stewart Toyota. The agent at UDKS is Anne Booth who can be reached at the numbers above or via email at abooth@udkstudios.com. Please feel free to contact the agent with any questions or for additional information in support of the requested applications.

* in addition to the previous certified mail notice which was sent out prior to the PZ meetings *

Town of Lake Park
Community Development Department

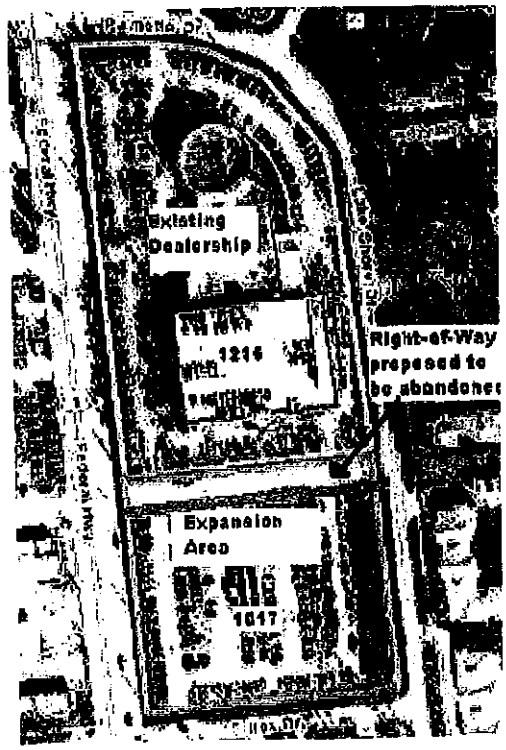
Regular Mail Notice – *You are receiving this notice because on April 1, 2015 the Town Commission expressed interest in notifying the OCCUPANTS of the adjacent residential developments of the upcoming public hearings.*

May 8, 2015

Re: **Earl Stewart LLC/Commercial Investments LLC - Planned Unit Development Amendment (PUD) Application**
(1) Site Plan and Special Exception Use of a Vehicle Sales Establishment
(2) Abandonment of a 0.49 acre portion of East Jasmine Drive
(3) Land Use Amendment of East Jasmine Drive (Public Right-of-Way to Commercial/Residential)
(4) Rezoning of 1017 North Federal Highway (C-1 to PUD) and East Jasmine Drive (Public Right-of-Way to PUD)

Dear Occupant:

Please be advised that Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner") is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (36-43-42-21-27-000-0000) onto the existing East Jasmine Drive right-of-way and 1017 Federal Highway (36-43-42-20-01-121-0010), which represents the overall site being considered for site plan approval and special exception use approval of a vehicles sales establishment (see illustration). The proposed expansion requires an amendment to the existing boundaries of the Planned Unit Development and includes: (1) Land Use Amendment for East Jasmine Drive from a Public Right-of-Way to a Commercial/Residential land use designation; and (2) Rezoning from Commercial-1 to PUD for East Jasmine Drive and for the 1017 Federal Highway property. All of the above will be contingent on the approval of a right-of-way abandonment application which will also be considered separately for East Jasmine Drive.



The Town Commission will hold a public hearing on the various items approved by Ordinance (abandonment; land use; and rezoning) and by Resolution (site plan with special exception use) on **Wednesday, May 20, 2015** and **Wednesday, June 17, 2015**. All items will be presented at 6:30 p.m., or as soon thereafter as can be heard in the Town Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida.

If you have any questions, please do not hesitate to call the Community Development Department at (561) 881-3318.

Sincerely,

Nadia Di Tommaso, *Community Development Director*

535 Park Avenue, Lake Park, Florida 33403 – Phone: 561-881-3319 Fax: 561-881-3323
Web Site: www.lakeparkflorida.gov Email: NDiTommaso@lakeparkflorida.gov

From: Melissa Sturdivant
Sent: Monday, April 20, 2015 3:53 PM
To: Nadia DiTommaso; Kimberly Rowley
Subject: Bay Reach List of Tenants

John Hash with Bay Reach condominiums wanted to thank you for offering to let the tenants in the development be notifying of any news regarding the Earl Stewart project. Unfortunately, he said that they will not be providing the list of tenants, Bay Reach decided against giving out their personal information. He wanted to let you know he did appreciate the gesture though.

Thank you,
Melissa Sturdivant
Community Development Technician
TOWN OF LAKE PARK
535 Park Avenue
Lake Park, FL 33403
561-881-3318
561-881-3323 (fax)
www.lakeparkflorida.gov

* → lists for Maura Key + Ceder Crest have been provided. *

***PLEASE NOTE:** The State of Florida has a very broad Public Records Law. Written communication regarding Town of Lake Park business is considered to be Public Record, and is available to the public upon request. Therefore, all e-mail communications are subject to public disclosure. If you do not wish for your e-mail address to be released in response to a Public Records Request, please do not send electronic mail to this entry, but instead contact this Office by telephone or in writing. Section 668.6076, F.S.

TOWN OF LAKE PARK, FLORIDA
AFFIDAVIT
of
Mailing of Public Notices
and Public Notice Sign Posting

STATE OF FLORIDA
COUNTY OF PALM BEACH

APPLICATION NUMBER: 4771 PETITION NAME: **Earl Stewart Toyota**

BEFORE ME, the undersigned authority, personally appeared Anne Booth, who, after having been first duly sworn and put upon oath, says as follows:

1. That she is authorized on the behalf of the owner of the property identified in the above referenced petition to be heard before the Town Commission on May 20, 2015 and June 17, 2015 and is authorized to execute and make this Affidavit, and is familiar with the matters as set forth herein and they are true to the best of his/her knowledge, information and belief.

2. That on or about April 27, 2015, the required public notice sign(s) was/were placed on the subject property stating, **"Site is being considered for a PUD Amendment which requires the Land Use Amendment, Rezoning and Site Plan with Special Exception Use approval and that it will be considered at the May 20, 2015 and June 17, 2015 Town Commission meetings."**

3. That on May 8, 2015, the required public notices were mailed to all occupants as identified in the lists provided by the Town of Lake Park.

Signature of agent for owner

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 11th DAY OF MAY, 2015.

Notary Public:

My Commission Expires: August 13, 2016

SANDRA J. MEGRUE
Notary Public - State of Florida
My Comm. Expires Aug 13, 2016
Commission # EE 192636
Bonded Through National Notary Assn.

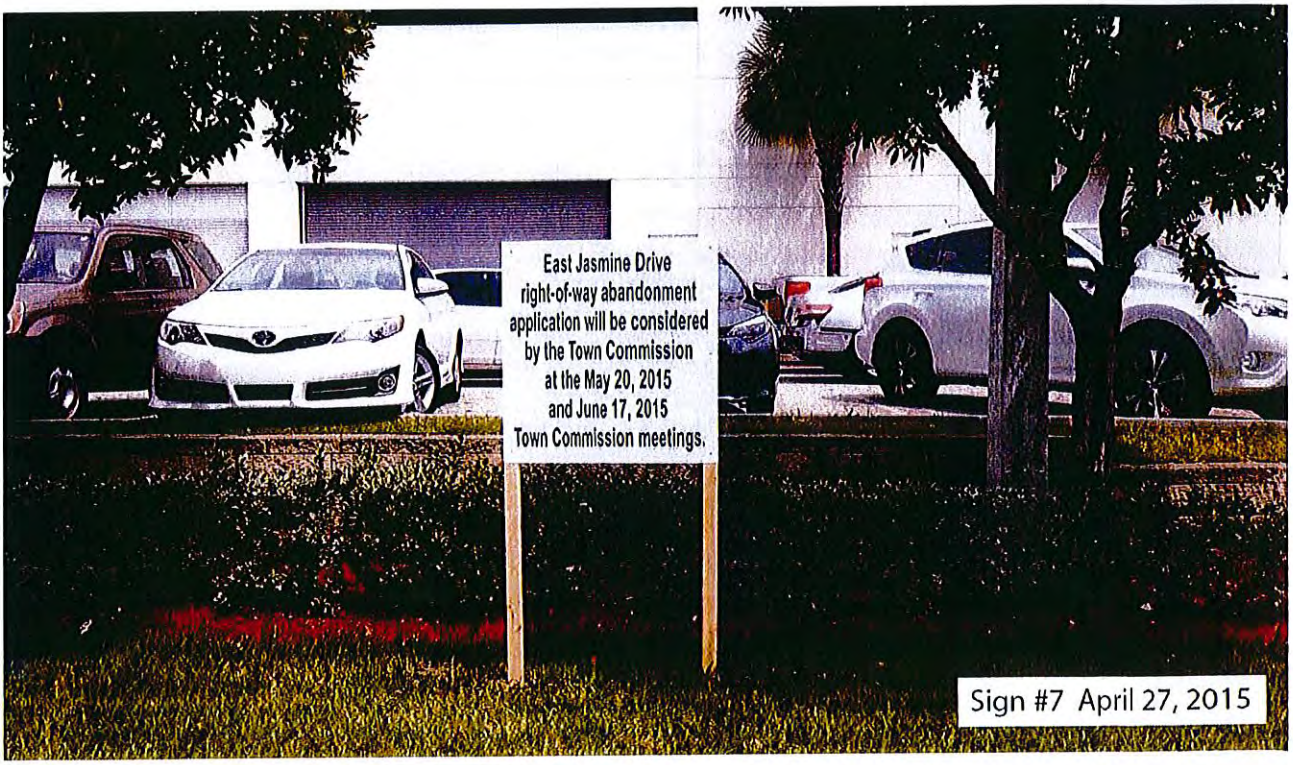
Sign #1 April 27, 2015

Sign #2 April 27, 2015

Sign #3 April 27, 2015

Sign #4 April 27, 2015

Sign #5 April 27, 2015



Sign #7 April 27, 2015

East Jasmine Drive
right-of-way abandonment
application will be considered
by the Town Commission
at the May 20, 2015
and June 17, 2015
Town Commission meetings.
Sign #8 April 27, 2015

The Palm Beach Post
Real News Starts Here

RECEIPT

LEGAL NOTICE OF PROPOSED ORDINANCES AND RESOLUTION TOWN OF LAKE PARK

Please take notice that on Wednesday, June 17, 2015 at 6:30 p.m., or as soon thereafter as can be heard, the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE NO. 08-2015

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 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.

ORDINANCE NO. 02-2015

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 "I", 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.

ORDINANCE NO. 03-2015

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ASSIGNING THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT WITH AN UNDERLYING COMMERCIAL-12 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 78-33 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.

ORDINANCE NO. 06-2015

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

At this same meeting, the Town Commission will also consider an application by Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner"), who is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (Property Control Number: 36-43-42-21-27-006-0000) onto the existing East Jasmine Drive right-of-way and onto 1017 Federal Highway (Property Control Number: 36-43-42-20-01-121-0010); for which a site plan for development, along with the special exception use of a vehicles sales establishment will be considered for approval under the following Resolution:

RESOLUTION NO. 14-05-15

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

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

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida

PUB: The Palm Beach Post
6-7/2015 #431970

Public Hearing Quasi-Judicial

TAB 7

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 17, 2015 **Agenda Item No.** Tab 7

Agenda Title: A RESOLUTION AMENDING RESOLUTION 14-05-03 – THE SITE PLAN FOR THE EARL STEWART TOYOTA PLANNED UNIT DEVELOPMENT (PUD) FOR THE EXPANSION OF THE DEALERSHIP AND THE SPECIAL EXCEPTION USE OF A VEHICLE SALES ESTABLISHMENT.

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON __ READING
[X] NEW BUSINESS – QUASI-JUDICIAL - RESOLUTION
[ ] OTHER

Approved by Town Manager _____ **Date:** 6-10-15
Nadia Di Tommaso / Community Development Director ND
Name/Title

Originating Department: **Community Development**	Costs: **$ Legal Ad, Application Fee and Certified Letter to Property Owners & Regular Mail Notice to Occupants (signs also posted around the property).** Funding Source: **Applicant** Acct. **# 4771** [ ] Finance _____	**Attachments:** → **Staff Report** → **Applicant Justification Narrative** → **Resolution 14-05-15** → **Resolution 14-05-03 & original report** → **Applicant's Application** → **Copy of Certified Letter; Regular Mail Notice; Sign Postings, Legal Ad** → **Resident Letters** → **P&Z Board Minutes 02/02/15 &03/02/15** ***site plan package available in the DropBox and on the website****
Advertised: Date: **June 7, 2015** Paper: **Palm Beach Post** [ ] 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__***ND*** or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background:

PLEASE REFER TO THE ENCLOSED STAFF REPORT

SEQUENCE OF APPLICATIONS RELATED TO THE EARL STEWART TOYOTA PROPOSED PLANNED UNIT DEVELOPMENT (PUD) EXPANSION:

(1) Abandonment Application for a 0.49-acre portion of East Jasmine Drive
(2) Future Land Use Map Amendment for a 0.49-acre portion of East Jasmine Drive for the assignment of a Commercial/Residential land use designation
(3) Rezoning of a 0.49-acre portion of East Jasmine Drive from a public right-of-way to a PUD with underlying Commercial-1 (C-1) and the Rezoning of 1017 Federal Highway from C-1 to PUD
(4) Site Plan application for the expansion of the existing dealership and the special exception use of a vehicle sales establishment

The above applications will be presented as a "package" however, they will require separate motions in the order listed above—All resident letters received have been included with the Site Plan item

Recommended Motion: I move to APPROVE Resolution 14-05-15 with conditions.

TOWN LAKE OF PARK
TOWN COMMISSION
MEETING DATE: JUNE 17, 2015

STAFF REPORT

APPLICATION: AN AMENDMENT TO THE EARL STEWART TOYOTA PLANNED UNIT DEVELOPMENT (PUD) TO EXPAND ITS BOUNDARIES WHICH INCLUDES A SITE PLAN FOR THE EXPANSION OF THE DEALERSHIP AND THE SPECIAL EXCEPTION USE OF A MOTOR VEHICLE SALES ESTABLISHMENT. ADDITIONAL PUD WAIVERS ARE NOT BEING REQUESTED.

HISTORY: The Earl Stewart Toyota motor vehicle sales establishment was constructed in the mid to late 1970's on 4.47 acres of property with the address of 1215 North Federal Highway. The original development of this area also included a 14,200 square foot Park Center hardware store. The old dealership and Park Center Hardware remained until 2003 when the Property was approved as a PUD by the Commission's adoption on May 21, 2003 via Resolution 14-05-03. This resulted in the redevelopment of the site as it exists today. The Resolution adopting the PUD included these waivers to the land development regulations of the Code: (1) a display parking setback of 15 feet instead of 25 feet; (2) to allow for the spacing of shade trees along Federal Highway to be 30 feet instead of 20 feet; (3) the elimination of wheel stops; (4) no planters on the roof of the garage; (5) to allow a 40-foot freestanding monument sign to replace the then conforming 15-foot freestanding monument sign. The Code allows a maximum 10-foot height for monument signs; therefore, the application proposes to remove a second monument sign currently in existence and facing Federal Highway and replace it with a 10-foot compliant sign as is required by Code by July 5, 2016.

History on previously approved waivers: **The originally approved site was presented with waivers. Those waivers aforementioned in the above paragraph were approved with the original PUD and remain governing regulations of the PUD. A copy of the original report used is enclosed with Resolution 14-05-03 and was presented by Dodi Glas, Agent for Urban Design Studio at the time. In addition, the Applicant currently summarizes the previously approved waivers as follows:**

Section 32-89 Supplemental Parking Requirements (g) Commercial New and Used (1) Parking (a) Display and 32-15 C-1 (1) j Sales, Service and Rental of Motor Vehicles - Waiver to allow less than the required 25' setback from street line for display parking.

The site has been improved to remove a use that was a nuisance to the Town, and the existing site conditions were improved to meet code. The expansion of the PUD and the continuation of the waiver will allow design consistency along the front of the property. As a redevelopment project, some relief in the current regulations allows for consideration of the development restrictions of older properties. In this case, the request is consistent with or better than other auto dealerships in the Town while still enhancing the corridor.

Section 32-146 (h) (2) - Waiver to allow an increase in the spacing of the trees.

The code requires a maximum spacing of planted trees along any perimeter buffer along a public street to be 20 linear feet on center. The nature of the planting of Royal Palms along the frontage of US 1 required additional spacing for them to proper growth. Additional plant materials have been provided along the frontage to further enhance the frontage and additional plant material has been provided along the other perimeters to exceed code requirements. The Royal Palms and the additional landscaping are intended to enhance the entrance to the Town.

Section 32-146 Minimum Landscape Requirements (c) Parking Areas (3.) - Waiver to not require wheel-stops or curbing in the parking area.

The removal of the wheel-stops allows for greater maneuverability on site for the parking and storage of cars and minimizes tripping hazards for customers in the parking areas. The landscape islands and buffers are protected by curbing which replace the need for wheel-stops along the perimeters.

Section 32-146 Minimum Landscape Requirements (c) Parking (5.) Multi-Level Garage: Require planters on roof for shade trees so no space more than 40 ft. from center - Waiver to not require planters on the roof.

The provision of planters on the garage has proven to be a maintenance issue in other structures. The existing garage would require substantial structural enhancements to support planters and would further impact the adjacent property owners. The proposed architecture is intended to provide architectural relief and landscape enhancements to compensate for the planters, which would only provide minimal relief to the surrounding community. Additionally, this structure is to serve business operations and is not for customer use. This garage will be primarily used for auto storage. Planters would not be a functional or valuable asset to the operation of the garage.

Section 32-53 Permitted Signage (o) Freestanding Sign (5) Maximum height - 30' - Waiver to allow a freestanding sign of 40'

Typically car dealerships like to locate at the most visible locations such as along I-95 and major intersections. Stewart Toyota has made significant investment to stay in their current location. The 40' sign allows customers to see the location of the dealership from Northlake Boulevard. The 40' sign waiver was approved with the condition of approval that requires the removal of the sign should the Stewart Toyota operation cease to exist on the site. The 40' foot sign is proposed to remain as previously approved to provide clear and effective communication with the public.

The applicant has agreed to replace the additional 15' sign with a sign that meets the current code requirements.

Applicant's narrative/justification statement of additional public benefits is enclosed. Staff's list of public benefits can be found on page 17 of this report

In 1969 the Commission approved the development of a 2.23 acre parcel with an address of 1017 Federal Highway. This property is located immediately to the south of the Earl Stewart Toyota dealership. The Commission's approval authorized the development of a 111-unit hotel known as the Journey's Inn, and a 2,150 square foot restaurant known as the El Colonial. Over time, this site became abandonment and an eyesore to the community. In 2004, Earl Stewart LLC decided to purchase 1017 Federal Highway under Commercial Investments LLC (together referred to herein as "Owner"). The Town's records indicate that the initial intent was to incorporate this area in to the dealership expansion plans, however, even though a site plan application was submitted in 2004, it was put on hold for a few years and in 2007, the Owner agreed to demolish the Journey's Inn and El Colonial restaurant; pave and grade the site; as well as install some perimeter landscape buffers, in exchange for the "temporary" use of the 2.23-acre parcel for vehicular storage and the placement of an office trailer thereon while the Applicant worked on finalizing plans for the expansion of the dealership. Since then, this "temporary" use has been extended several times by the Town Commission, each time predicated on the Applicant's preparation of a site plan for the expansion of the dealership. The very last extension approved in January 2015 included a cash security in the amount of $30,000 in order to ensure that the Applicant's March 2014 site plan application submitted moves forward.

Together with the Applicant's application to expand the dealership, an application to abandon East Jasmine Drive as a public right-of-way has also been submitted. The purpose of the abandonment application is to acquire the right of way to allow for the expansion of the dealership on to the property which was formerly occupied by Journey's Inn and the Colonial restaurant. A similar sequence of applications were submitted in 2004 (site plan and abandonment request) and the abandonment request in 2004 was approved via Resolution 43-07-04 with conditions. However, the Applicant did not meet the conditions associated with the abandonment (which specifically requires payment for the right-of-way and a site plan application approval for the expansion of the dealership) and as a result the abandonment became null and void. Accordingly, East Jasmine Drive remains a public right-of-way.

SUMMARY OF APPLICANT'S REQUEST: Urban Design Kilday Studios ("Applicant") as the authorized agent for Earl Stewart LLC and Commercial Investments LLC (together referred to herein as "Owner") is again proposing to expand the dealership onto the East Jasmine Drive right-of-way and 1017 Federal Highway property.

The Applicant is requesting to amend the existing boundaries of the PUD to include the East Jasmine right-of-way (once abandoned) and the 1017 Federal Highway property. This boundary amendment requires the rezoning of these areas which will need to be approved through a PUD Ordinance. A PUD by definition allows for a unique use and site design that is considered as part of a site plan application for the area being considered for a PUD.

Consequently, in addition to the PUD Ordinance for the proposed expanded site boundaries, the Applicant also proposes to develop the amended PUD in three development phases. The first phase includes a 3 story extension of the existing dealership building onto part of East Jasmine Drive. The extension will create space for an interior car wash, interior preparation area, interior service bays, interior offices, and vehicle display and parking areas. The second phase is focused on the creation of interior office spaces from the shell area of the 3 story extension to be developed in phase 1. Phase 3 proposes the development of a new parking garage on the existing 1017 Federal Highway parcel with additional parking and display areas for a total proposed height on the southeast side of 34.5 feet with additional rooftop elements.

As discussed above, the Applicant has submitted an Abandonment Application for East Jasmine Drive. Prior to the motion for the PUD Ordinance for the rezoning and the site plan and special exception use for the PUD, the abandonment of East Jasmine Drive together with its fair market value compensation and public benefit justification will have to be reviewed and approved by the Town Commission. If this abandonment application is approved, a future land use map designation (approved by Ordinance) of Commercial/Residential is also required to be assigned to East Jasmine Drive. If these applications are approved, and the PUD Ordinance for the rezoning and the Resolution for the site plan and special exception use of a motor vehicle sales establishment is also approved, the site will then be platted which will specifically dedicate the interior access and overall maintenance responsibilities of the PUD.

MAY 20, 2015 TOWN COMMISSION MEETING: This item was presented to the Town Commission in May for discussion purposes only since the site plan proposing the expansion of the dealership, along with the special exception use approval of a vehicle sales establishment is integral to the respective right-of-way abandonment; future land use map amendment; and rezoning applications. In response to the meeting discussion, the original waiver request report utilized when the PUD was first approved is enclosed and has been detailed above, as well as in the Applicant's updated narrative/justification statement. Furthermore, since May 20, the Applicant has addressed the following as well:

- ➔ The light poles on the top of the parking garage 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 much less visible and the lights will be dimmed after hours
- ➔ The Applicant updated the proposed Phasing schedule to a reduced timeframe and explained in the Narrative and in proposed condition of approval #21. The Applicant also addresses the projection of sales and the need for the parking garage structure in the future in their Narrative. A breakdown of the projected taxable values increase for each proposed Phase has also been included in the Applicant's narrative.
- ➔ The proposed condition of approval #3 has been modified to address the delivery of "vehicles" specifically
- ➔ The proposed conditions of approval #4 has been modified with a car wash cutoff time of 7pm instead of 8pm
- ➔ Updated Phase 3 Parking Garage elevations have been submitted to reflect the landscaping at time of construction and after 5 years of growth. The south and east facades have also been accentuated with solar panels; louvers; trellis'; textured

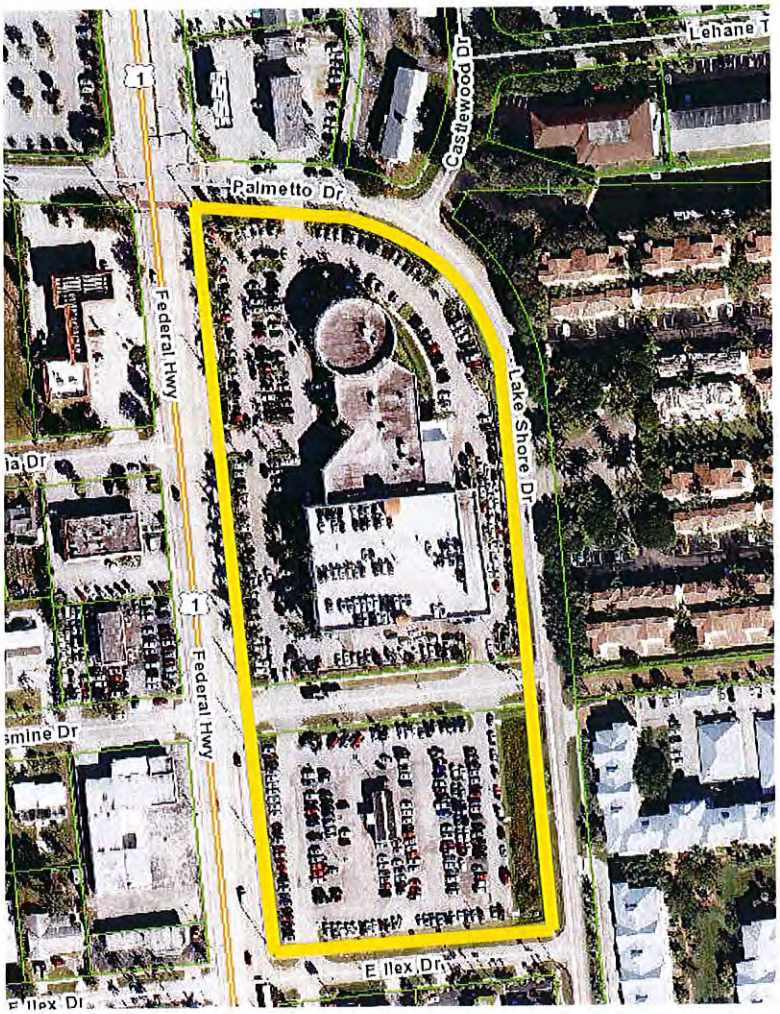
stucco; clad panels and enhanced perimeter landscaping. Understanding the concerns by the Town Commission, staff has also included condition of approval #28 requiring the Owner to add additional design elements on all facades of the parking garage structure so as to incorporate "faux" ground floor details/accents; wall accents; graduated facades with architectural breaks; outward projecting trellis', etc. and that the revised architectural plans for 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.

BACKGROUND:

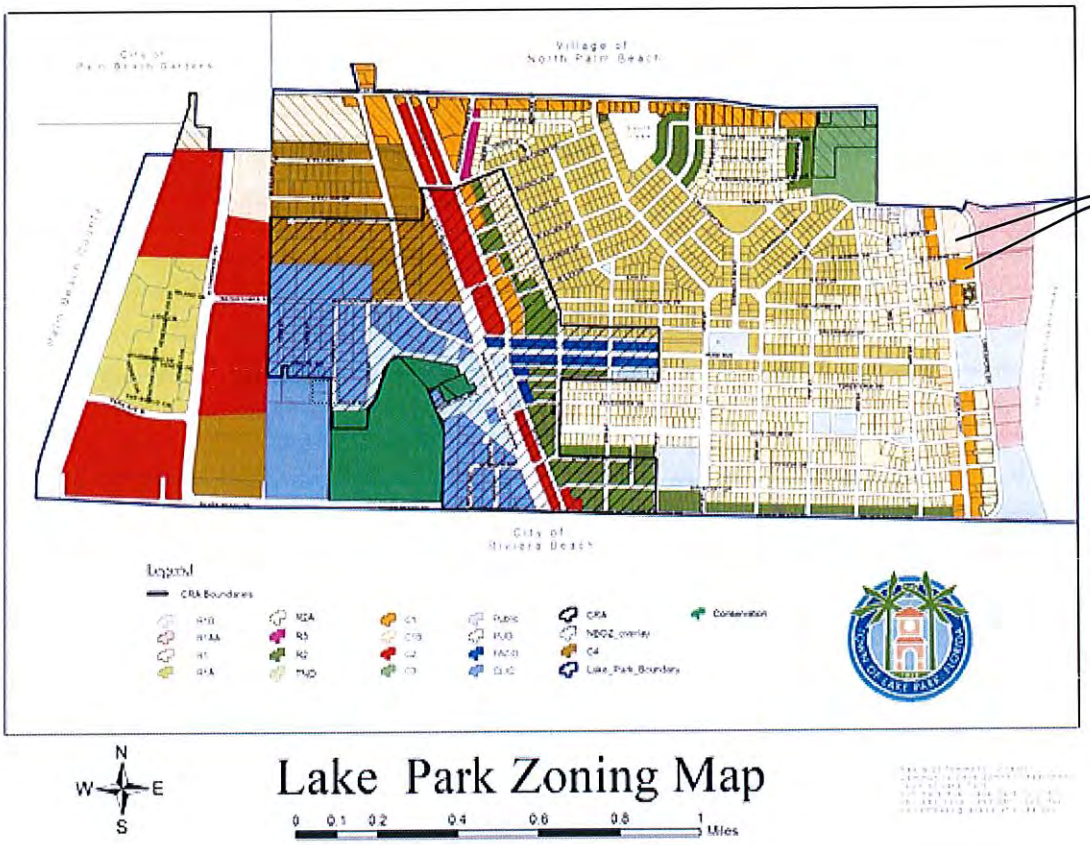
Applicant:	Urban Design Kilday Studios on behalf of Earl Stewart LLC/Commercial Investments LLC
Address/Location:	1215 Federal Highway / 0.49 acre portion of East Jasmine Drive / 1017 Federal Highway
Owner(s):	1215 Federal Highway: Earl Stewart, LLC 0.49 acre portion of East Jasmine Drive:Town of Lake Park 1017 Federal Highway: Commercial Investments, LLC
Net Acreage:	1215 Federal Highway: 4.4652 acres East Jasmine Drive: 0.49 acres 1017 Federal Highway: 2.2256 acres
Legal Description:	See Survey
Existing Zoning:	1215 Federal Highway: Planned Unit Development (PUD) East Jasmine Drive: None assigned – Public Right-of-Way 1017 Federal Highway: Commercial-1 Business District (C-1)
Future Land Use:	1215 Federal Highway: Commercial/Residential East Jasmine Drive: None Assigned – Public Right-of-Way 1017 Federal Highway: Commercial/Residential

Figure 1: Aerial View of Existing Site
(image not to scale; for visual purposes only)

Figure 2: Aerial Image of Site with Proposed Boundaries



LAKE PARK ZONING MAP

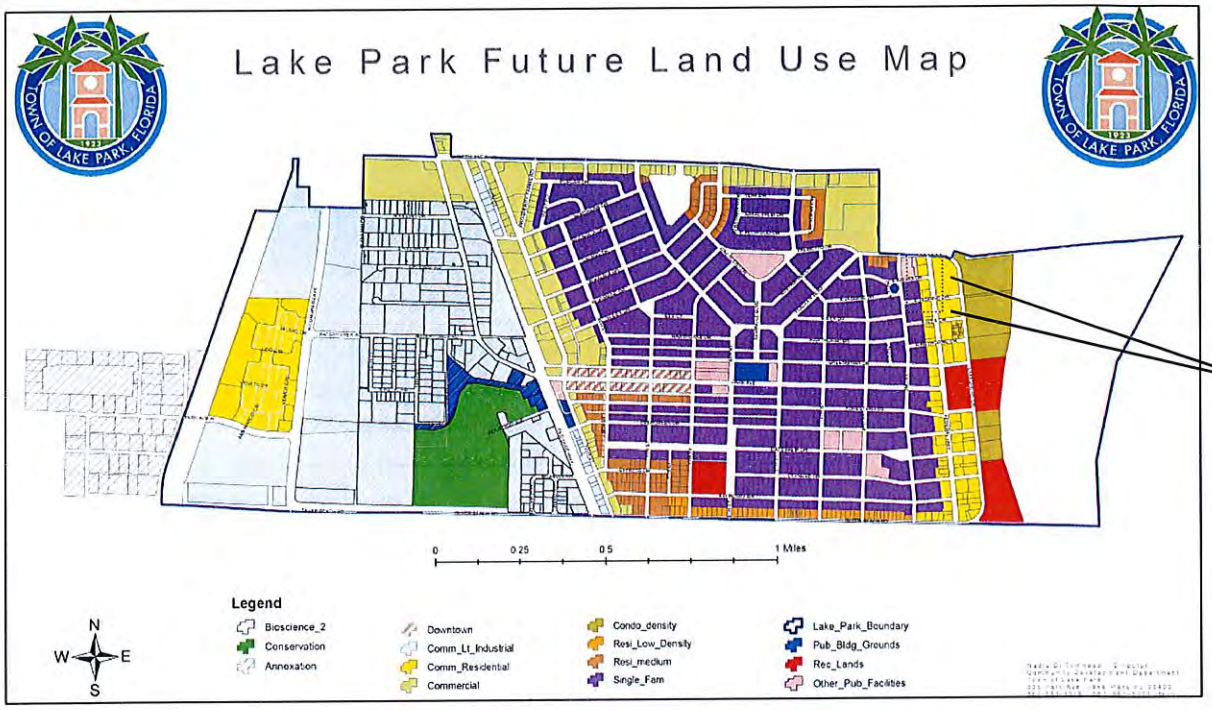


Adjacent Zoning

Proposed Boundaries in Figure 2 (incorporates all three areas):

North:	Village of North Palm Beach
South:	Commercial 1 (C-1) Business District/Residential-2A
East:	Residential 1AA
West:	Commercial 1 (C-1)/Commercial 1B Business District

LAKE PARK FUTURE LAND USE MAP



Adjacent Existing Land Use

Proposed Boundaries in Figure 2 (incorporates all three areas):

North: Village of North Palm Beach

South: Commercial/Residential

East: Condo Density

West: Commercial/Residential

PART I: APPLICATION FOR A SPECIAL EXCEPTION USE

ANALYSIS OF SPECIAL EXCEPTION CRITERIA

Section 78-184 of the Code sets forth the criteria which must be met to entitle an applicant to a Special Exception use. There are six criteria, all of which must be met. **Note: Staff's analysis of the criterion are in bold.**

1. Is the proposed Special Exception Use consistent with the goals, objectives, and policies of the Town's Comprehensive Plan?

   Staff has determined that the proposed use is consistent with the following Objectives and Policies of the Future Land Use Element of the Town's Comprehensive Plan:

   Policy 1.5:

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

   The redevelopment of 1017 Federal Highway (and East Jasmine Drive) as part of the expansion of the Earl Stewart Toyota dealership will increase the value of this now underutilized property and add to the Town's overall tax base. There are no natural or historic resources which would be adversely affected by the redevelopment. The expansion of the dealership at this location would not adversely affect the surrounding neighborhood given the improvements to the perimeter landscape buffers, including the conversion of a temporary lot with a current office trailer view to a permanent structure that is being proposed. Palm Beach County's Traffic Division has confirmed that the expansion of the vehicle sales use, including the redevelopment of 1017 Federal Highway meets the County's Traffic Performance Standards, and is within the adopted Level of Service Standard (LOS).

   "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."

   The proposed expansion of the special exception use promotes infill development in a manner that is consistent with the commercial uses

of the Federal Highway corridor and does not negatively affect the existing neighboring uses as it provides adequate buffering and increased aesthetics to what is currently onsite.

Policy 5.2:

The Town shall foster the redevelopment of declining neighborhoods, underutilized parcels, and areas that demonstrate substandard and/or slum and blight conditions."

The property at 1017 Federal Highway is currently underutilized and is being operated with a trailer. In the past, it was also subject to an abandoned motel and restaurant which created an eyesore to the area. The redevelopment of this lot will provide a positive improvement to the area.

CRITERIA MET

2. Is the proposed Special Exception Use consistent with the Town's land development regulations and all other portions of this Code?

Phases 1-3 of the proposed Site Plan meet the Land Development Regulations of the Town Code both for the PUD and underlying C-1 district requirements.

CRITERIA MET

3. Is the proposed Special Exception Use compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property?

The special exception use of motor vehicle sales is consistent with the character of the other retail uses within the C-1 Business District along the Federal Highway between Palmetto Drive and East Ilex Drive. The overall area is zoned for commercial uses and is located along the Federal Highway corridor which retains ground-floor commercial uses not only in Lake Park, but in neighboring jurisdictions as well. The proposed building mass, height and setbacks are consistent with the C-1 setback requirements and the PUD height restrictions. Palm Beach County's (PBC) Traffic Division has issued a Traffic Performance Standards (TPS) letter verifying that the amount of traffic expected to be generated from Phases 1-3 is within the LOS. The redeveloped dealership buildings and the new building to be constructed on the 1017 Federal Highway lot will be compatible with the character and uses of the surrounding properties as well as the Town's Architectural Guidelines.

CRITERIA MET

4. Will the proposed Special Exception Use on the Site create a concentration or proliferation of the same or similar type of use, which may be detrimental to the development or redevelopment of the area?

The expansion of the existing vehicular dealership use is not likely to cause a concentration or proliferation such uses in this area of the Town because of the acreage required for such uses when having to incorporate the necessary circulation, parking, landscaping and display requirements. The relatively small lot sizes along this area of Federal Highway would require someone to purchase multiple lots and aggregate them so as to make the development of another vehicular dealership economically viable.

CRITERIA MET

5. Will the proposed Special Exception Use have a detrimental impact on surrounding properties based on:

a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;

Once redeveloped there will be a modest increase of employees. It might also be anticipated that the Applicant will have more inventory for sale. This may result in more customers visiting the dealership, and more purchases of vehicles. This may also result in an increase in activity at the repair facility however, there will be a larger land area to accommodate these increases therefore, detrimental impacts are not anticipated. Actually, the redevelopment of the site, will allow for the better operation of the existing uses.

CRITERIA MET

b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use.

All uses, including the car wash and service bays provided in Phase 1, will be operated within an enclosed building. These uses are not expected to produce excessive noise, odors, or other types of nuisances. The compactor location on the southeast corner of East Jasmine and Lakeshore Drive will remain and has been in existence for many years without any known nuisances.

CRITERIA MET

c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.

Palm Beach County's Traffic Engineering Division has verified that the projected traffic upon the affected roadways of the redevelopment meets the County's Traffic Performance Standards. Additionally, the redevelopment of

the site will eliminate the existing traffic/parking disturbances on East Jasmine Drive and allow for a Palmetto Drive and Federal Highway access for trucks, as well as better circulation interior to the site rather than creating impacts on the adjacent roadways.

CRITERIA MET

6. Does the proposed Special Exception Use:

   a. *Significantly* reduce light and air to adjacent properties?

   The proposed Phase 1 Site Plan proposes the development of a 3 story building while Phase 3 proposes the construction of a parking garage with an overall height averaging 34.5 feet on the southeast side, with additional rooftop elements. A variety of heights are also incorporated on the additional phased elevations. The PUD allows a maximum 50 feet in height and the application does not exceed this height on any proposed elevation. Since the current property has a one story building and interior storage parking structure on one lot and no permanent structure on the other, there will be a significant increase in the massing and height of the structures on these properties as compared to what currently exists however, the redevelopment of an area by increasing intensity is an economically viable option for the Town that brings with it a sustainable tax base for the future. The increased height can be expected to result in a reduction of light and air to the adjacent properties however, a shadow study has been submitted to evidence the shadow overspills which will be limited to the right-of-way for the most part. The condominiums directly east of the Site are three stories. The one story buildings on the west side of Federal Highway are separated from the Site by 77 feet of public right of way. The Town's PUD regulations allow for a PUD to build up to 4 stories or 50 feet. The Applicant incorporated the necessary architectural features per the code's minimum requirements.

   CRITERIA MET

   b. Adversely affect property values in adjacent areas.

   The proposed development is not expected to adversely affect property values in the adjacent areas.

   CRITERIA MET

   c. Deter the improvement, development or redevelopment of surrounding properties in accord with existing regulations.

   The proposed Special Exception Use would not be a deterrent to the improvement, development or redevelopment of surrounding properties. It may promote the redevelopment of other sites.

   CRITERIA MET

d. Negatively impact adjacent natural systems or public facilities, including parks and open spaces.

The proposed site is not immediately adjacent to any natural systems or public facilities that would be impacted and is not expected to negatively impact any natural systems.

CRITERIA MET

e. Provide pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

The Site Plan shows a continuation of the interior pedestrian walkways and proposes trash receptacles, bike racks, as well as additional benches at appropriate locations on the Site.

CRITERIA MET

PART II: APPLICATION FOR THE AMENDMENT OF THE PUD

Section 78-77(2)(f) outlines the types of PUD amendments that require Town Commission's approval:

- *an increase in the square footage of any building more than ten percent*
- *an increase in the number of structures*
- *an increase in the building height by more than five feet*
- *any boundary changes*
- *any increase in traffic impacts that exceed 5% or 100 trips*
- *changes in architecture*
- *changes to a PUD phasing plan*

The Applicant's request to amend the PUD requires Commission approval.

Section 78-77(2)(c) of the Town Code requires a phasing schedule for all PUD's. The Applicant proposes (the amended) 3 phases of development, as follows:

Phase 1

- ➔ **Commencement of Development:** As soon as possible
- ➔ **Completion:**
  - Parking lot and landscape improvements for south lot: 5 months from site plan approval or January 2016, whichever is later.
  - Building Expansion (building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work): 14 months from site plan approval or November 2016, whichever is later.

Phase 2

- ➔ **Commencement of Development:** November 2016
- ➔ **Completion:** (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices) 8 months from commencement of Phase 2 or July 2017, whichever is later.

Phase 3

- ➔ **Commencement of Development:** December 2018 (18 months from completion of Phase 2)
- ➔ **Completion:** (Garage and site improvements) 18 months from start of construction or June 2020, whichever is later.

Section 67-42 of the Town Code requires the commencement of development within 18 months of development approval and the completion of the development within 18 months of the commencement. The Applicant's proposed phasing plan of development, if followed would meet the requirement of Section 67-42.

The Applicant proposes to expand the boundaries of the PUD to include East Jasmine Drive and 1017 Federal Highway.

The Applicant's amended PUD Master Plan has been reviewed by the Town's Consulting Engineer and Landscape Architect. Based upon their review and the review of the Community Development Department, the Staff finds that the amendments to the PUD Master Plan meet the Town's Land Development Regulations, and is consistent with the PUD's established Signage, Architectural Guidelines, and its Landscaping Plan.

PUD SITE PLAN PROJECT DETAILS:

Building Site: The Applicant is proposing to expand onto the East Jasmine Drive right-of-way and onto the 1017 Federal Highway lot, in three (3) Phases. Phase 1 of the plan is proposing additional showroom space for used-car vehicular sales, with additional accessory service bays and a car wash area, as well as a 3rd story shell for future office space use. The proposed Phase 1 slightly encroaches onto the existing East Jasmine Drive right-of-way. Phase 2 proposes the interior build-out of the 3rd story shell for office space proposed in Phase 1. Phase 3 proposes a parking garage located on the 1017 North Federal lot with an overall height of 34.5 feet on the southeast side (plus additional rooftop elements) and a total square footage of 142,452 square feet (even though this structure is open-air and for storage only, when calculated into the Floor Area Ratio of 2.4, is still does not exceed this requirement).

Site Access: The amendment to the PUD Master Plan shows 5 entry/exit access points: two off of Federal Highway; one off East Ilex Drive; one off of Lake Shore Drive; and one off of Palmetto Drive. *(The Applicant's recent transmittal descriptions related to the proposed Site Plan are enclosed with this report).*

Traffic: The Applicant has received confirmation from the County's Traffic Engineering Division which confirms that there is adequate capacity on the roadways to serve the Site.

Landscaping: The development plan proposes 20% open space. The commercial PUD requirement is 15%. All three phases of the proposed Site Plan meet the Town's Landscaping Code Regulations. The Applicant's Landscaping Plan has been determined to be "satisfactory for Site Plan Approval" by the Town's consulting Landscape Architect and actually exceeds the minimum landscape requirements in certain areas, particularly the south buffer by providing 25 feet instead of the code required 15 foot width. This finding is predicated on the Applicant having been previously given 3 waivers to the Town's minimum landscaping requirements: 1) To allow for an increase of spacing between trees to 30' along Federal Highway; 2) To waive the requirement for planters on the roof; 3) To waive the requirement for wheel stops or curbs for parking areas. *(The Applicant's recent transmittal descriptions related to the proposed Landscaping Plans are enclosed with this report).*

Paving/Grading/Drainage: The Town's Engineer has reviewed the Applicant's conceptual Paving/Grading/Drainage Plans for all Phases and has determined that it meets the engineering requirements for Site Plan review (*Engineer letter enclosed with this report*).

Lighting: The Photometric Plan does meet Town Code requirements as proposed. The rooftop (parking garage) light poles have also been reduced to 10 feet in height and centralized so as to minimize their appearance (they will also be dimmed at night).

Architecture: The proposal incorporates the Town's minimum design standards. Additional features have also been incorporated. (The Applicant's transmittal descriptions related to the Architectural Elevations are enclosed with this report).

Parking: Section 78-145(g)(3) of the Town Code requires the following breakdown of parking spaces for the use of vehicle sales establishments: 1 space for every 500 square

feet of gross floor area (76 spaces); 1 space for every 4,500 square feet of outdoor storage (5 spaces); 1 space per service bay (48 spaces); 1 space per employee at maximum shift (75 spaces) which totals 204 spaces. American Disability Association (ADA) requires 1 space for every 25 spaces (9 spaces). The number of ADA spaces can be inclusive of the number of spaces provided. Therefore, the Applicant is proposing 204 spaces, inclusive of 9 ADA spaces. The Applicant's site plan meets the Town's minimum parking requirements.

Signage: The Applicant has submitted a proposed Master Signage Plan that is consistent with the Town's Sign Code. The Applicant is proposing a total of 4 monument signs, 3 of which currently exist and 1 sign is new. The existing monument sign located on the southeast corner of Palmetto Drive and Federal Highway is 40 feet
tall and previously received a waiver from the Town's Sign Regulations. The existing directional monument sign inside the parcel meets the Town's Sign Code. The existing 15' directional monument sign located off of the main entrance from Federal Highway exceeds the maximum permitted height currently allowed for monument signs. The Applicant has agreed to make the sign compliant by decreasing the height to 10' and therefore the approval requiring a reduction of this sign will be included in the Development Order. The Applicant is proposing an additional monument sign along Federal Highway. This sign is permitted by the Town Code.

The Applicant's Master Sign Plan indicates a wall sign of 728 square feet. This is within their 1074.75 square feet maximum permitted signage allowance per Code. Signage permits will be required.

Zoning: The proposed Site Plan is within a PUD zoning district (contingent upon the approval of the PUD Ordinance for the rezoning of East Jasmine Drive and 1017 Federal Highway) and has an underlying C-1 zoning designation. The site currently consists of two different parcels and a right of way; one parcel (1215 Federal Highway) is already within the PUD zoning district and the second parcel (1017 Federal Highway) as well as the East Jasmine Drive right-of-way must be rezoned as part of the PUD Site Plan Amendment to "PUD" with an underlying C-1 zoning designation. Abandonment approval of the public right-of-way is also required.

Water/Sewer: Staff has received confirmation from Seacoast Utilities Authority (SUA) that the Applicant's site plan is satisfactory for site plan approval and will be reviewing the proposal in further detail at the building permit stage.

Design: The Applicant's proposed Elevation Plans for all three phases meets the Town's Architectural Guidelines.

Fire: Palm Beach County Fire Rescue completed a preliminary site plan review of the proposed Site Plan and has no comments pertaining to the Site Plan. Palm Beach County Fire Rescue has indicated that it will be reviewing the plans in greater detail as part of the building permit review process at that time and will apply the most current codes available at the time of review.

PBSO: A Crime Prevention through Environmental Design (CPTED) review was conducted by the (then) Town Planner who was CPTED Certified. There were no outstanding comments.

PUBLIC BENEFITS OF REDEVELOPMENT (*also refer to Applicant justification/narrative*):

(1) 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.

(2) 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.

(3) 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.

(4) As part of the overall proposal, the Applicant proposed 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.

(5) 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).

(6) 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".

waivers previously approved with the original PUD were subject to a public benefit justification and the original staff report/justification statement used for these waivers and approved at the time is enclosed. Pages 1 and 2 of this report also summarizes the previously approved waivers.*

PART III: PLANNING & ZONING BOARD MEETINGS AND PUBLIC COMMENTS

Enclosed with this agenda item are the Planning & Zoning Board minutes of February 2, 2015 and March 2, 2015 related to the public comments and Board discussion. These minutes include the discussion that ensued by the Board and the recommendations made by the Board members, including any public comments that were made at this meeting. The Board **CONTINUED** the application from February 2, 2015 to March 2, 2015, and recommended **APPROVAL (3-1) with conditions** at this meeting. Additional public comments were also received via mail and via email and these have been included as back-up to this agenda item. Some of the main concerns (not otherwise already discussed in this report or in the associated agenda items) included the following:

- ➔ Truck access on Lakeshore Drive: The Applicant is agreeing to a condition of approval that would prohibit the use of the Lakeshore Drive entrance to trucks. Based on the required truck turning radius', only those entrances on Federal Highway and Palmetto Drive have been designed to accommodate large trucks.

- ➔ Overall Height of the proposed parking garage structure: The Applicant initially proposed a 50 foot structure and is now proposing a height of 34.5 feet with additional rooftop elements on the southeast corner of East Ilex Drive and Lakeshore Drive.

- ➔ Buffering from East Ilex Drive: The Code requires a 15 foot landscape buffer along sides adjacent to streets. The Applicant is proposing a 25 foot landscape buffer with additional plantings. With the East Ilex Drive roadway (60 foot width), this provides an 85+ foot separation from the existing Cedar Crest condo building on the south side the south wall of the proposed parking garage structure.

- ➔ Architectural compatibility with neighboring residential parcels: While a parking garage structure will never be able to fully mirror a residential structure, the Applicant incorporated a variety of architectural details including a variety in colors; precast panels; rooftop trellis'; and aluminum louvre solar shades.

PART IV: STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the amendment to the PUD Master Plan along with the special exception use of a motor vehicle sales establishment with the following conditions:

CONDITIONS

1. The Owner shall develop the Site consistent with the following Plans:
    a. Site Plan, Landscape Plans and Irrigation Plans referenced as sheets SP-1, LP-1 through LP-7, and IR-1 through IR-4; signed and sealed 04-24-15,

prepared by Urban Design Kilday Studios; received and dated by the Department of Community Development on 04-24-15.

b. Survey referenced as drawing #D14-032; signed and sealed 3-26-14 and prepared by Lidberg Land Surveying; received and dated by the Department of Community Development on 04-24-15.
c. Phasing Plans referenced as sheets PH-1 (SP-1, A-2.0, A3.0, A4.0), PH-2 (SP-1, A-2.0, A3.0, A4.0), and PH-3 (SP-1, A-2.0, A3.0, A4.0, A4.1, A5.0; signed and sealed 04-24-15 for all plan sheets except PH-3, A4.1 and A5.0 signed and sealed 05-11-15 and prepared by Glidden Spina & Partners; received and dated by the Department of Community Development on 04-24-15 and 05-29-15 for sheet PH-3, A4.1 (3 sheets: parking garage exterior elevations; elevations at time of constructions; elevations after 5 years growth) and sheet A5.0.
d. Shadow Study referenced as sheet A-6; signed and sealed 04-24-15 prepared by Glidden Spina & Partners; received and dated by the Department of Community Development on 04-24-15.
e. Sign Plan referenced as sheet PH-3-SIGN; signed and sealed 04-24-15 and prepared by Glidden Spina & Partners; received and dated by the Department of Community Development on 04-24-15.
f. Photometric Plans referenced as sheets PH-1 (E-1 through E-3); signed and sealed 4-24-15 and prepared by Glidden Spina & Partners; received and dated by the Department of Community Development on 04-24-15.
g. Conceptual Engineering Plans referenced as drawings #1443PRE (sheets 1 of 2, and 2 of 2); signed and sealed 04-24-15 and prepared by McLeod, McCarthy &Associates; received and dated by the Department of Community Development on 04-24-15.
h. Auto-Turn Analysis referenced as sheet ATA-1 prepared by Urban Design Kilday Studios and received and dated by the Department of Community Development on 04-24-15.

2. Construction on the Site is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and 8am to 6pm on Saturday, except holidays, unless otherwise approved in writing by the Community Development Director.

3. Delivery of vehicles to the Site shall not be made before 7am or after 7pm.

4. The hours of operation of the *customer-only* car wash component are limited to 8am-7pm, Monday through Saturday.

5. The servicing of vehicles shall be conducted completely indoors and is limited to Monday through Saturday.

6. The use of a public address or outdoor speaker system is prohibited.

7. Any proposed disruption to the normal flow of traffic, entry/exit streets or parking areas within the rights of way of North Federal Highway, East Ilex Drive, Palmetto Drive, or Lakeshore Drive during the construction of the Site, shall be subject to the review and approval of the Community Development Department (the Department).

8. The Owner shall maintain all landscaping on the Site from the date of the issuance of the Certificate of Occupancy by the Town for so long as the Site is operated pursuant to this Resolution or subsequent Resolutions amending same. The Owner shall be responsible for replacing any and all expired or dying landscaping shown on the approved Site Plan and Landscaping Plan.

9. The hedge material for the Site shall be maintained at a minimum height of five feet.

10. The Owner shall maintain safe pedestrian passages at each of the Site's entrances.

11. The Owner shall ensure that any and all contractors working on the Site use commonly accepted practices to reduce airborne dust and particulates during construction.

12. The dumpster/trash compactor areas shall be screened as noted on the Site Plan and kept closed at all times. All dumpsters shall be acquired from the approved franchise supplier for the Town.

13. Prior to the issuance of a Certificate of Occupancy for Phase 1, the Owner shall provide certification from the Landscape Architect of record that the plant installations on the Site are in accordance with the approved Site Plan and the Landscaping Plan.

14. Prior to the issuance of a building permit, the Owner shall have received approval of the Plat for the Site for the overall maintenance and ownership of the Site.

15. Prior to the commencement of Phase 1, the Owner shall submit to the Department copies of any permits it has obtained from other governmental agencies, including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management Division, the State of Florida Department of Environmental Protection, and the Florida Department of Transportation (FDOT).

16. Any revisions to the approved Site Plan, Landscape Plan, architectural elevations, signs, Statement of Use, photometric plan, or other details submitted as part of the Application, including, but not limited to, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department of Community Development, and shall be subject to its review and approval.

17. All drainage construction work shall comply with FDOT standards for North Federal Highway and the Town's future reconstruction design plans for Lakeshore Drive. The drainage construction work and reconstruction of Lakeshore Drive shall be subject to the review and approval of the Town Engineer and the Director of the Department of Public Works.

18. Prior to the commencement of Phase 1, the Owner shall submit a letter and report demonstrating that the car wash's mechanical system has been designed such that it is within the code prescribed sound levels.

19. The Owner shall install signs around the Site, specifically at the Palmetto Drive/Federal Highway, East Ilex Drive/Federal Highway intersections, and interior to the property with proximity to the Lakeshore Drive driveway entrance, indicating that "Transport truck traffic is prohibited along Lakeshore Drive".

20. Prior to September 2015, the Owner shall submit its proposed design for a bus shelter on Federal Highway. The bus shelter design shall be subject to the review and approval of the Town Commission. The Owner shall secure all necessary FDOT permits. Prior to September 2015, the Owner shall submit an access easement granting the Town access. The easement shall be subject to the review and approval of the Town Attorney.

21. The Site shall be developed in three Phases pursuant to the Plans described in condition of approval #1, as follows:

Phase 1

- ➔ **Commencement of Development:** As soon as possible
- ➔ **Completion:**
  - Parking lot and landscape improvements for south lot: 5 months from site plan approval or January 2016, whichever is later.
  - Building Expansion (building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work): 14 months from site plan approval or November 2016, whichever is later.

Phase 2

- ➔ **Commencement of Development:** November 2016
- ➔ **Completion:** (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices) 8 months from commencement of Phase 2 or July 2017, whichever is later.

Phase 3

- ➔ **Commencement of Development:** December 2018 (18 months from completion of Phase 2)
- ➔ **Completion:** (Garage and site improvements) 18 months from start of construction or June 2020, whichever is later.

22. The Owner shall pay to the Town the appraised value of the East Jasmine Drive right-of-way within 90 days of the effective date of Ordinance No._20-15, which abandons that portion of East Jasmine Drive which is to be incorporated into the Earl Stewart Toyota PUD. Within five business days of the Applicant's payment to the Town for the Property, the Applicant shall cause to be removed the traffic signs

along East Jasmine and Lakeshore Drive, and return these signs to the Town's Department of Public Works.

23. The Owner is financially responsible for the complete cost of the reconstruction of the east and west sides of the East Jasmine Drive adjacent to Lakeshore Drive and North Federal Highway.

24. The drainage design for the Property shall be consistent with the future reconstruction plans for Lakeshore Drive.

25. Prior to the issuance of the first building permit, the Owner shall submit a copy of all permits from all appropriate permitting authorities to the Community Development Department.

26. The Owner shall provide AT&T with a utility easement. AT&T requires a utility easement in lieu of the R/W occupancy to maintain the facilities as well as 2-4" PVC conduits crossing East Jasmine Drive within the utility easement. These conduits would allow AT&T to place cables through the East Jasmine Drive without interfering with the business and the Owner is solely responsible for providing this easement and all its appurtenances and associated costs.

27. The Owner shall be responsible for the costs of the removal of the FPL street lights, poles within, or adjacent to East Jasmine Drive.

28. 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 "faux" ground floor details/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 Lakeshore 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.

29. **Cost Recovery.** All fees and costs, including legal fees incurred by the Town in reviewing the Application shall be paid to the Town within 10 days of receipt of an invoice from the Town. The Owner's failure to reimburse the Town these fees and costs within 10 days of the Town's delivery of an invoice to the Owner may result in the suspension of any further review of plans or construction activities, and may result in the revocation of any approved Development Orders.

RESOLUTION NO. 14-05-15

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

WHEREAS, Urban Design Kilday Studios, is the authorized agent ("Applicant") for Earl Stewart LLC and Commercial Investments LLC, (collectively referred to herein as "Owner"); and

WHEREAS, the Owner owns the property legally described in Exhibit "A" which is attached hereto and incorporated herein; and

WHEREAS, the Owner has proposed a three phased expansion and redevelopment of its vehicle dealership, known as Earl Stewart Toyota; and

WHEREAS, on behalf of the Owner, the Applicant has submitted applications for a Site Plan and the Special Exception Use of "motor vehicle sales", an Abandonment of the 0.49 acre portion of East Jasmine Drive, a Future Land Use Map designation assignment for East Jasmine Drive and a Rezoning of 1017 Federal Highway as well as the assignment of zoning for East Jasmine Drive (collectively referred to as the Application); and

WHEREAS, the Site has a future land use designation of "Commercial/Residential"; and

WHEREAS, the Owner proposes to expand the previously approved Earl Stewart Toyota Planned Unit Development (PUD), originally approved by Resolution 14-05-03 by adding property it previously acquired from a neighboring property owner, and by purchasing a 0.49 acre portion of the East Jasmine Drive right-of-way, which has been abandoned by the Town (the Site); and

WHEREAS, the Town Commission has assigned future land use and the consistent zoning designation of PUD District with an underlying zoning designation of Commercial-1 Business District (C-1) to the Site;

WHEREAS, the Town's Planning and Zoning Board has reviewed the Application and has recommended to the Town Commission that it approve it subject to certain conditions; and

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

WHEREAS, at this hearing, the Town Council considered the evidence presented by the Town Staff, the Applicant, the Owner, and other interested parties and members of the public, regarding the Application.

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

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 approves a site plan and special exception use of "Motor Vehicle Sales" authorizing the expansion of the Earl Stewart Toyota PUD subject to the following conditions:

1. The Owner shall develop the Site consistent with the following Plans:
    a. Site Plan, Landscape Plans and Irrigation Plans referenced as sheets SP-1, LP-1 through LP-7, and IR-1 through IR-4; signed and sealed 04-24-15, prepared by Urban Design Kilday Studios; received and dated by the Department of Community Development on 04-24-15.
    b. Survey referenced as drawing #D14-032; signed and sealed 3-26-14 and prepared by Lidberg Land Surveying; received and dated by the Department of Community Development on 04-24-15.
    c. Phasing Plans referenced as sheets PH-1 (SP-1, A-2.0, A3.0, A4.0), PH-2 (SP-1, A-2.0, A3.0, A4.0), and PH-3 (SP-1, A-2.0, A3.0, A4.0, A4.1, A5.0; signed and sealed 04-24-15 for all plan sheets except PH-3, A4.1 and A5.0 signed and sealed 05-11-15 and prepared by Glidden Spina & Partners; received and dated by the Department of Community Development on 04-24-15 and 05-29-15 for sheet PH-3, A4.1 (3 sheets: parking garage exterior elevations; elevations at time of constructions; elevations after 5 years growth) and sheet A5.0.
    d. Shadow Study referenced as sheet A-6; signed and sealed 04-24-15 prepared by Glidden Spina & Partners; received and dated by the Department of Community Development on 04-24-15.
    e. Sign Plan referenced as sheet PH-3-SIGN; signed and sealed 04-24-15 and prepared by Glidden Spina & Partners; received and dated by the Department of Community Development on 04-24-15.
    f. Photometric Plans referenced as sheets PH-1 (E-1 through E-3); signed and sealed 4-24-15 and prepared by Glidden Spina & Partners; received and dated by the Department of Community Development on 04-24-15.
    g. Conceptual Engineering Plans referenced as drawings #1443PRE (sheets 1 of 2, and 2 of 2); signed and sealed 04-24-15 and prepared by McLeod, McCarthy &Associates; received and dated by the Department of Community Development on 04-24-15.
    h. Auto-Turn Analysis referenced as sheet ATA-1 prepared by Urban Design Kilday Studios and received and dated by the Department of Community Development on 04-24-15.

2. Construction on the Site is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and 8am to 6pm on Saturday, except holidays, unless otherwise approved in writing by the Community Development Director.

3. Delivery of vehicles to the Site shall not be made before 7am or after 7pm.

4. The hours of operation of the *customer-only* car wash component are limited to 8am-7pm, Monday through Saturday.

5. The servicing of vehicles shall be conducted completely indoors and is limited to Monday through Saturday.

6. The use of a public address or outdoor speaker system is prohibited.

7. Any proposed disruption to the normal flow of traffic, entry/exit streets or parking areas within the rights of way of North Federal Highway, East Ilex Drive, Palmetto Drive, or Lakeshore Drive during the construction of the Site, shall be subject to the review and approval of the Community Development Department (the Department).

8. The Owner shall maintain all landscaping on the Site from the date of the issuance of the Certificate of Occupancy by the Town for so long as the Site is operated pursuant to this Resolution or subsequent Resolutions amending same. The Owner shall be responsible for replacing any and all expired or dying landscaping shown on the approved Site Plan and Landscaping Plan.

9. The hedge material for the Site shall be maintained at a minimum height of five feet.

10. The Owner shall maintain safe pedestrian passages at each of the Site's entrances.

11. The Owner shall ensure that any and all contractors working on the Site use commonly accepted practices to reduce airborne dust and particulates during construction.

12. The dumpster/trash compactor areas shall be screened as noted on the Site Plan and kept closed at all times. All dumpsters shall be acquired from the approved franchise supplier for the Town.

13. Prior to the issuance of a Certificate of Occupancy for Phase 1, the Owner shall provide certification from the Landscape Architect of record that the plant installations on the Site are in accordance with the approved Site Plan and the Landscaping Plan.

14. Prior to the issuance of a building permit, the Owner shall have received approval of the Plat for the Site for the overall maintenance and ownership of the Site.

15. Prior to the commencement of Phase 1, the Owner shall submit to the Department copies of any permits it has obtained from other governmental agencies, including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management Division, the State of Florida Department of Environmental Protection, and the Florida Department of Transportation (FDOT).

16. Any revisions to the approved Site Plan, Landscape Plan, architectural elevations, signs, Statement of Use, photometric plan, or other details submitted as part of the Application, including, but not limited to, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department of Community Development, and shall be subject to its review and approval.

17. All drainage construction work shall comply with FDOT standards for North Federal Highway and the Town's future reconstruction design plans for Lakeshore Drive. The drainage construction work and reconstruction of Lakeshore Drive shall be subject to the review and approval of the Town Engineer and the Director of the Department of Public Works.

18. Prior to the commencement of Phase 1, the Owner shall submit a letter and report demonstrating that the car wash's mechanical system has been designed such that it is within the code prescribed sound levels.

19. The Owner shall install signs around the Site, specifically at the Palmetto Drive/Federal Highway, East Ilex Drive/Federal Highway intersections, and interior to the property with proximity to the Lakeshore Drive driveway entrance, indicating that "Transport truck traffic is prohibited along Lakeshore Drive".

20. Prior to September 2015, the Owner shall submit its proposed design for a bus shelter on Federal Highway. The bus shelter design shall be subject to the review and approval of the Town Commission. The Owner shall secure all necessary FDOT permits. Prior to September 2015, the Owner shall submit an access easement granting the Town access. The easement shall be subject to the review and approval of the Town Attorney.

21. The Site shall be developed in three Phases pursuant to the Plans described in condition of approval #1, as follows:

Phase 1

- ➔ **Commencement of Development:** As soon as possible
- ➔ **Completion:**
  - Parking lot and landscape improvements for south lot: 5 months from site plan approval or January 2016, whichever is later.
  - Building Expansion (building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work): 14 months from site plan approval or November 2016, whichever is later.

Phase 2

- ➔ **Commencement of Development:** November 2016
- ➔ **Completion:** (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices) 8 months from commencement of Phase 2 or July 2017, whichever is later.

Phase 3

- ➔ **Commencement of Development:** December 2018 (18 months from completion of Phase 2)
- ➔ **Completion:** (Garage and site improvements) 18 months from start of construction or June 2020, whichever is later.

22. The Owner shall pay to the Town the appraised value of the East Jasmine Drive right-of-way within 90 days of the effective date of Ordinance No._20-15, which abandons that portion of East Jasmine Drive which is to be incorporated into the Earl Stewart Toyota PUD. Within five business days of the Applicant's payment to the Town for the Property, the Applicant shall cause to be removed the traffic signs along East Jasmine and Lakeshore Drive, and return these signs to the Town's Department of Public Works.

23. The Owner is financially responsible for the complete cost of the reconstruction of the east and west sides of the East Jasmine Drive adjacent to Lakeshore Drive and North Federal Highway.

24. The drainage design for the Property shall be consistent with the future reconstruction plans for Lakeshore Drive.

25. Prior to the issuance of the first building permit, the Owner shall submit a copy of all permits from all appropriate permitting authorities to the Community Development Department.

26. The Owner shall provide AT&T with a utility easement. AT&T requires a utility easement in lieu of the R/W occupancy to maintain the facilities as well as 2-4" PVC conduits crossing East Jasmine Drive within the utility easement. These conduits would allow AT&T to place cables through the East Jasmine Drive without interfering with the business and the Owner is solely responsible for providing this easement and all its appurtenances and associated costs.

27. The Owner shall be responsible for the costs of the removal of the FPL street lights, poles within, or adjacent to East Jasmine Drive.

28. 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 "faux" ground floor details/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 Lakeshore 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.

29. **Cost Recovery.** All fees and costs, including legal fees incurred by the Town in reviewing the Application shall be paid to the Town within 10 days of receipt of an invoice from the Town. The Owner's failure to reimburse the Town these fees and costs within 10 days of the Town's delivery of an invoice to the Owner may result in the suspension of any further review of plans or construction activities, and may result in the revocation of any approved Development Orders.

Section 3: The Owner, the Applicant and their successors and assigns shall be subject to the conditions of approval.

Section 4. This Resolution shall become effective upon adoption.

DISTRIBUTED 2003

DISTRIBUTED 2003

RESOLUTION NO. 14-05-03

A RESOLUTION OF THE TOWN OF COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING AN APPLICATION FOR A SITE PLAN SUBJECT TO CONDITIONS AND WAIVERS ON 4.47 ACRES OF LAND, OWNED BY EARL STEWART, LLC, LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF LAKESHORE DRIVE AND JASMINE DRIVE.

WHEREAS, Earl Stewart, LLC (the owner) has consented to and authorized the filing of an application by Urban Design Studio, (the applicant) seeking to rezone the subject property from C-1, business district, to Planned Unit Development (PUD) for the property located at the Northwest quadrant of Lakeshore Drive and Jasmine Drive, (the subject property) in the town of Lake Park; and

DISTRIBUTED 2003

DISTRIBUTED 2003

WHEREAS, Earl Stewart, LLC (the owner) has consented to and authorized the filing of an application by Urban Design Studio, (the applicant) seeking site plan approval for the property located at the Northwest quadrant of Lakeshore Drive and Jasmine Drive, (the subject property) in the town of Lake Park; and

WHEREAS, the subject property's legal description is contained in Exhibit A and it's general location is shown in Exhibit B, both of which are attached hereto and incorporated herein; and

WHEREAS, the Applicant proposes to construct 19,408 square feet for automotive sales and body shop offices, 9,241 square feet for an automotive body repair shop, 27, 840 square feet for automotive service, which includes 25 service bays, an 8,566 square foot covered drop off area and an area specializing in automotive parts, 17, 107 square feet for outdoor vehicle display, and 65,124 square feet for vehicle storage; and,

DISTRIBUTED 2003

DISTRIBUTED 2003

WHEREAS, the Applicant has proposed several waivers of the Town Code so as to provide an innovative site design; and,

WHEREAS, the planned unit development district allows the Town Commission, at its discretion to waive certain zoning requirements and use restrictions provided that the spirit and intent of the zoning regulations are met; and,

WHEREAS, the Town Commission, upon the recommendation of the Town Planning and Zoning Commission, may by ordinance authorize the location and development of a Planned Unit Development which may

differ from the specific requirements of the Zoning Code of the Town of Lake Park, provided the PUD is in keeping with the general purpose and intent of the Town's land development regulations and Comprehensive Plan; and,

WHEREAS, the Lake Park Planning and Zoning Commission has reviewed the Applicant's site plan application and has made its recommendation to the Town Commission; and

DISTRIBUTED 2003

WHEREAS, the Town Commission has considered the evidence presented to it by the Town Staff, the Applicant, and other interested parties and members of the public, and has determined that the application is consistent with the Town's Comprehensive Plan and Town's Land Development Regulations provided the conditions and waivers are accepted by the applicant and commission, respectively ; and,

NOW THEREFORE, be it ordained by the Town Commission of the Town of Lake Park;

Section1: The whereas clauses are incorporated herein as true and correct as the findings of fact and conclusions of Law of the Town Commmision.

Section 2: The Town Commission hereby approves the site plan, including the architectural elevations submitted for 19,408 square feet for automotive sales and body shop offices, 9,241 square feet for an automotive body repair shop, 27, 840 square feet for automotive service, which includes 25 service bays, an 8,566 square foot covered drop off area and an area specializing in automotive parts, 17, 107 square feet for outdoor vehicle display, and 65,124 square feet for vehicle storage which include waivers of the following sections of the Town Code.

DISTRIBUTED 2003

1. Section 32-89 Supplemental Parking Requirements (g) Commercial New and Used (1) Parking (a) Display and 32-15 C-1 (1) j Sales, Service and Rental of Motor Vehicles - Waiver to allow a 15-foot setback from the street line for display parking.

2. Section 32-146 (h) (2) - Waiver to allow an increase in the spacing of the trees to 30 feet on center along western boundary of the property, which faces US Highway 1 only.

3. Section 32-146 Minimum Landscape Requirements (c) Parking Areas (3.) Waiver to not require wheel-stops in the parking area, except for curbing along all landscape islands and buffers within the parking area or where said parking areas are adjacent to a public right of way.

DISTRIBUTED 2003

4. Section 32-146 Minimum Landscape Requirements (c) Parking (5.) Multi-Level Garage: Require planters on roof for shade trees so no space more than 40 ft. from center - Waiver to not require planters on the roof. Applicant will provide enhanced landscape area along Lakeshore Drive, including park benches and decorative lighting as shown on the site plan.

DISTRIBUTED 2003

5. Section 32-53 Permitted Signage (o) Freestanding Sign (5) Maximum height – 30' – Waiver to allow one 40-foot freestanding sign and one 15-foot freestanding sign on the subject site.

Section 3: The Town Commission hereby approves the Site Plan, for the subject property subject to the Applicant, its successors and assigns' compliance with the following conditions:

1. The Landscape Architect of Record shall provide the Town of Lake Park with certification that all landscaping proposed is installed according to the landscape plans prior to issuance of a Certificate of Occupancy.

2. At the time of Permit Review the applicant shall provide the Community Development Department a photometric plan and lighting schematic for review, prior to the issuance of a building permit.

3. The Applicant shall provide an enhanced landscape buffer with decorative lighting and seating along Lakeshore Drive as shown on the Site Plan.

DISTRIBUTED 2003

4. In lieu of meeting the Open Space Recreational Area requirements of the Town's PUD regulations the Applicant shall provide a linear park on the east side of the subject property. The specifications and design of the linear park shall reflect the representations made by the Applicant's authorized representatives at the April 7th, 2003 Planning and Zoning Commission Hearing.

5. All electric power lines located within the boundary of the subject property shall be located or relocated under ground.

6. The applicant's operation of its Public Address (PA) System shall be subject to monitoring for one year following the adoption of this Resolution. In the event the PA is deemed by the Commission to be adverse to the surrounding residential areas, then the applicant shall eliminate outdoor speakers.

DISTRIBUTED 2003

7. The vehicle display signage and the 40-foot freestanding sign associated with the applicant's site plan shall not run with the land and shall not be permitted should there be a subsequent user of the site other than Stewart Toyota.

Section 4: This Resolution shall take effect immediately upon passage.

DISTRIBUTED
2003

The foregoing Resolution was offered this 21st day of May, 2003, by Commissioner Balius, who moved its approval. The motion was seconded by Commissioner Otterson, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	ABSENT	
COMMISSIONER JEANINE LONGTIN	X	
COMMISSIONER BILL OTTERSON	X	

The Mayor thereupon declared Resolution No. 14-05-03 duly passed this 21st day of May, 2003.

DISTRIBUTED 2003

TOWN OF LAKE PARK, FLORIDA

BY: _____
Mayor Paul Castro

ATTEST:

Carol Simpkins
Town Clerk

Approved as to form and legal sufficiency

Thomas J. Baird, Town Attorney

(Town Seal)

TOWN OF LAKE PARK SEAL FLORIDA

DISTRIBUTED 2003

Exhibit "A"

WARRANTY DEED

THIS WARRANTY DEED made and executed the 6th day of October, 1980, by LAKE PARK MOTOR PLAZA, INC., a Florida corporation, and having its principal place of business at 160 Reef Road, Palm Beach, Florida 33480, hereinafter called the Grantor, to DOUGLAS B. STEWART and BARL D. STEWART, JR., as tenants in common each owning an undivided one-half interest, whose post office is 1908 South Dixie Highway, West Palm Beach, Florida - 33401, hereinafter called the Grantee:

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situate in Palm Beach County, Florida, to-wit:

Beginning at a point where the Northerly boundary line of Lot 42 of Block 122, KELSEY CITY (now Lake Park, Florida), according to the Plat thereof recorded in Plat Book 8, Page 35, of the Public Records of Palm Beach County, Florida, intersects the present Easterly boundary line of U. S. Highway No. 1 as now established (which Easterly boundary line is fixed and established by conveyance to the State of Florida recorded in Deed Book 803, Page 158, of the Public Records of Palm Beach County, Florida); thence running South along the said Easterly boundary line of said U. S. Highway No. 1 a distance of 400 feet; thence running Easterly parallel with the Southerly boundary line of Lots 17 and 18 of said Block 122 to the Westerly right-of-way line of Lakeshore Drive; thence Northerly and Westerly following said boundary line of Lakeshore Drive to the Point of Beginning.

SUBJECT TO Dedication of Easement for Public Utilities by Bev Smith Ford, Inc. to Town of Lake Park, Florida, by instrument dated December 26, 1962, recorded in Official Records Book 1036, Page 1634, Public Records of Palm Beach County, Florida.

SUBJECT TO Easement granted by Bev Smith Ford, Inc. to Florida Power & Light Company and Southern Bell Telephone & Telegraph Company by instrument recorded in Official Records Book 861, Page 410, Public Records of Palm Beach County, Florida.

SUBJECT TO Easement granted by Bev Smith Ford, Inc. to Palm Beach County Utilities Company by instrument recorded in Official Records Book 864, Page 167, Public Records of Palm Beach County, Florida.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said

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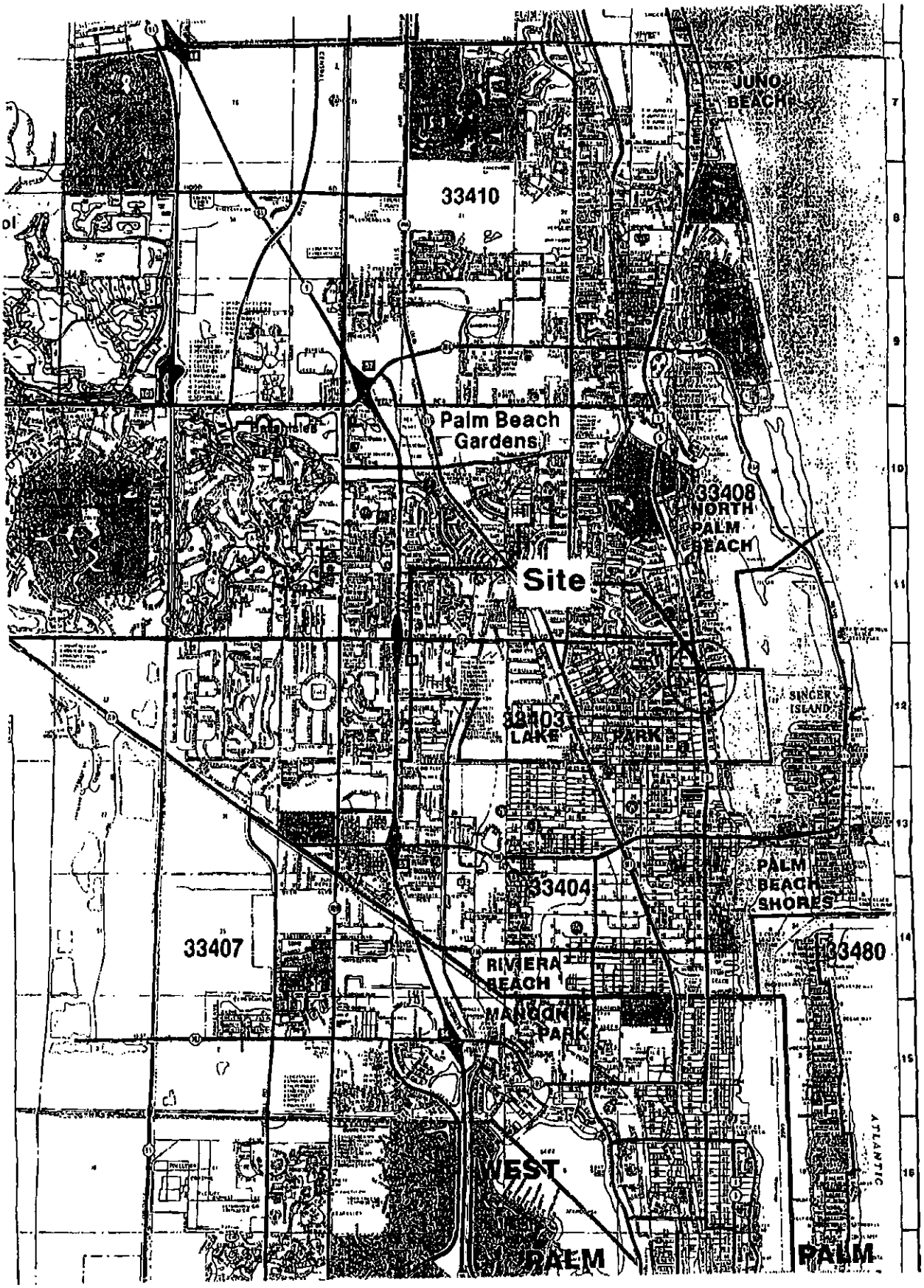
B3381 P1825
10.00
3000.00
INSTRUMENT PREPARED BY JOHN FORSTER CHARTERED
Rd. by STEEL HECTOR DAVIS BURNS & MIDDLETON 205 WEST OLDHAM PALM BEACH, FLORIDA 33480



TWP 42
RNG 43
SEC 21

Stewart Toyota

Town of Lake Park, FL

Location Map

Exhibit "B"

Scale: NTS

UDS Job #: 03-002.00

Date: 02.28.03

THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Tracey Diglio, who on oath says that she is Telephone Sales Supervisor of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being Notice in the matter of Public Meeting was published in said newspaper in the issues of May 14, 2003. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Tracey D. Diglio

Sworn to and subscribed before this 14th day of May, A.D. 2003

Personally known XX or Produced Identification _____

Type of Identification Produced _____

NOTARY PUBLIC STATE OF FLORIDA
KAREN M McLINTON
MY COMMISSION # CC 979689
EXPIRES: Nov 15, 2004
1-800-3-NOTARY FL Notary Service & Bonding, Inc

NO. 7263573
NOTICE OF PUBLIC MEETING BY THE TOWN COMMISSION TOWN OF LAKE PARK, FLORIDA

PLEASE TAKE NOTICE AND BE ADVISED that the Town Commission will hold a Public Hearing on May 21, 2003, at 7:30 p.m. or as soon thereafter as can be heard, in the Town Chambers at Town Hall, 535 Park Avenue, Florida, for the approval of a Site Plan for Stewart Toyota, located at the southeast corner of US #1 and Lake Shore Drive, bounded to the south by Jasmine Drive, Lake Park, Florida. The site is a Planned Unit Development consisting of 4.47 acre.

All documents pertaining to said petition are on file in the Community Development Department located at Town Hall, 535 Park Avenue, Lake Park, Florida 33403 (561) 881-3318 and may be reviewed by members of the public during normal business hours, 8:30 a.m. to 5:00 p.m. Monday through Friday. All members of the public are invited to attend and participate in the meeting.

In accordance with the American Disabilities Act and Florida Statute 86.26, persons with disabilities needing special accommodations to participate in this process should contact the Town Clerk's Department, no later than 5 days prior to the proceeding at telephone number (561) 881-3318 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers (800) 955-8771 (TDD) or (800) 955-8700 (VOICE) for assistance. If a person decides to appeal any decision made by the Commission, with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings, and for such purpose, they 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. One or more Town Commissioners may be present at this meeting.

PUB: The Palm Beach Post
May 14, 2003

STEWART TOYOTA
02013
14-05-03

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- TOTAL 1ST. FLOOR → 58,945 S.F.
- TOTAL ENCLOSED → 46,164 S.F.
  W/SERVICE/PARTS
- TOTAL ENCLOSED → 29,024
  W/O SERVICE/PARTS

TOWN OF LAKE PARK
REZONING/SITE PLAN STAFF REPORT

1st
Rooo 14-05-03

Petitioner: Earl Stewart, LLC
Owner: Earl Stewart
Agent: Dodi Glas, Urban Design Studio
Telephone No.: 561-689-0066
Project Manager: Jamie A. Gentile, Planner

Location: On the southeast corner of US-1 and Lakeshore Drive, bounded to the south by Jasmine Drive (Stewart Toyota).

Request: Site Plan Approval for the Stewart Toyota Automotive Facility

PETITION SUMMARY: Proposed is a Site Plan for the Stewart Toyota Automotive Facility. The subject property is approximately 4.47 acres in size

Use	Square Footage
Automotive Sales/Body Shop Offices	19,408 sq. ft.
Automotive Body Shop	9,241 sq. ft.
Automotive Service	27,840 sq. ft. (25 bays, drop off area, parts dept.)
Outdoor Automotive Display Area	17,107 sq. ft.
Vehicle Storage	65,124 sq. ft. (Parking Deck Level 2 & 3)
Total	138,720 sq. ft.

A total of 138 parking spaces will be provided and access is shown on the proposed plan from US-1, Lakeshore Dr. and Jasmine Dr.

ISSUES SUMMARY:

- Consistency with Comprehensive Plan

This petition is concurrent with a Future Land Use Map amendment request for a 0.55-acre portion of the overall site from Residential Medium Density (RES-MED) to Commercial (COMM). The request for PUD is consistent with the COMM land use designation.

- Compatibility with Surrounding Land Uses

The development pattern surrounding the subject consists of a mix of commercial

and residential uses. To the north south and west of the subject site commercial uses with a C-1 zoning district designation. To the east of the site across Lakeshore Drive is a multi-family apartment complex with an R-1AA zoning district. Generally the proposal is compatible with the surrounding uses. Staff does have reservations regarding several requested waivers and the impact they may have on the residential uses to the east and recommends conditions to address those concerns.

- Traffic

A traffic report was submitted to Palm Beach County for concurrency review. Palm Beach County Traffic has no issues with the development of this project.

- Landscape/Buffering

The applicant has agreed to provide a 15 foot wide landscape along the north, south, east & west property lines. The petitioner is also asking for a waiver on several landscaping requirements. Please see the waiver section below for a complete analysis on all the waiver requests.

- Signs

The applicant is requesting 10 signs for the proposed project some of which will require a waiver. The petitioner would like to construct one 45 foot high freestanding monolithic sign with a double-sided, illuminated sign face area, and another free-standing monolithic sign, double sided and internally illuminated that would be 15 foot high. The Town's sign code does permit 2 freestanding signs on one property if there is 48 feet separation between the signs. The Town's signage code only permits a maximum height of 30 feet for freestanding signs. It should be noted that the proposed information on the freestanding signs are duplicated on the proposed wall mounted signs. The applicant's request would require a waiver to the sign code. Staff does not recommend permitting a 45-foot tall sign, as this could be precedent setting. Please see Staff Comments below for more details on the waiver requests.

TABULAR DATA

	PROPOSED
Property Control Number(s)	36-43-42-20-01-122-00010; 36-43-42-20-01-122-0100
Land Use Designation:	COMM
Zoning District:	PUD
Use:	Automotive Sales and Maintenance
Acreage:	4.47 Acres
Floor Area:	93,773 sq. ft.
Building Coverage:	48%
FAR:	0.62 FAR

Parking:	138 spaces
Access:	US-1, Lakeshore Drive, Jasmine Drive

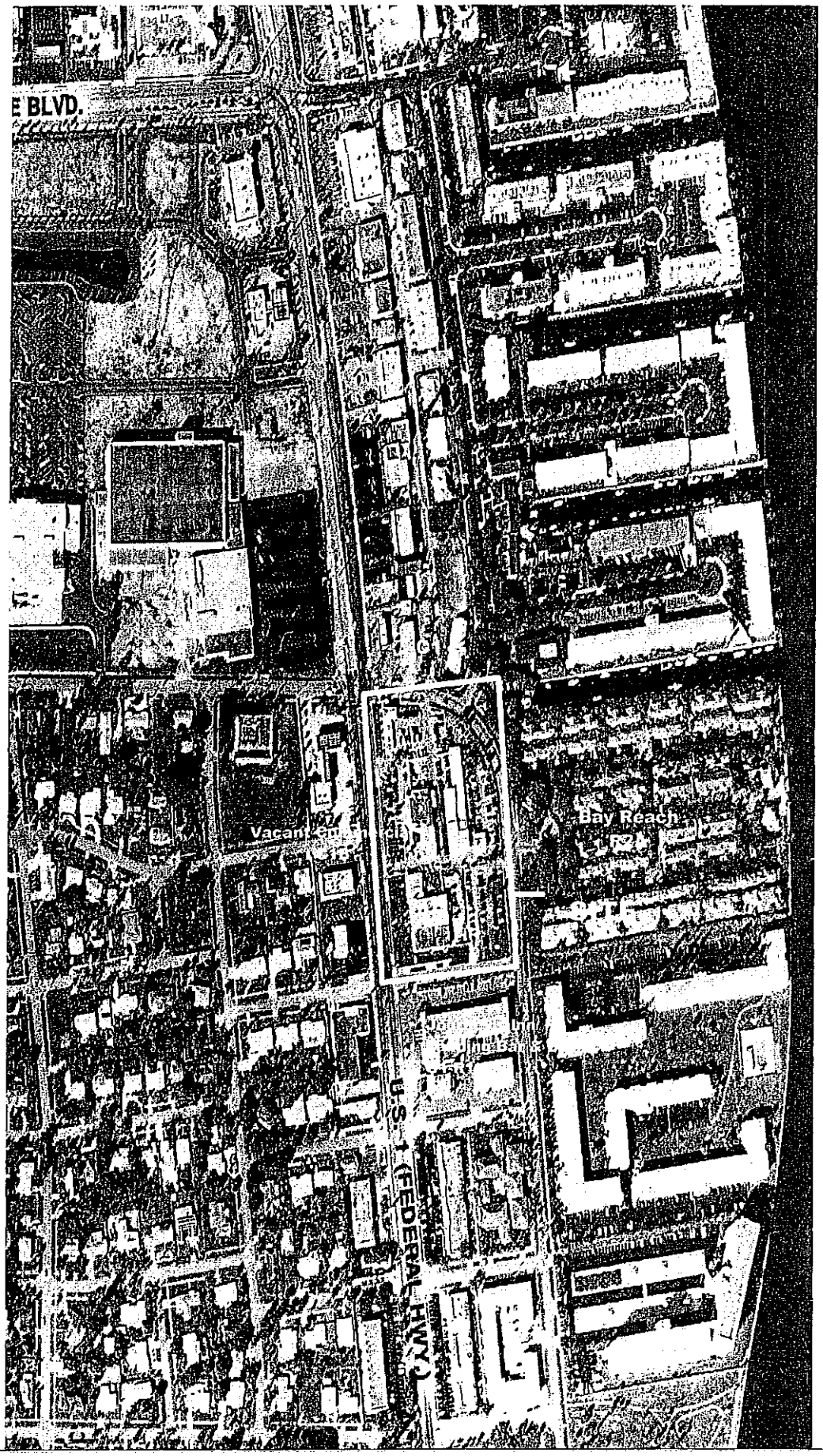
PUBLIC COMMENT SUMMARY: At time of publication, staff had received no letters in support and no letters in opposition to the request.

STAFF RECOMMENDATION: Staff recommends ***approval*** of the request, subject to conditions and waivers as indicated below.

P&Z RECOMMENDATION: At the April 7, 2003 P&Z Hearing the, the Planning & Zoning Commission approved the Site Plan in a 3-2 vote with a alternative recommendation regarding the sign height. The P&Z after much discussion recommended a 40-foot freestanding sign and a 15-foot freestanding sign for the property in lieu of the proposed 45 and 30 foot signs.

MOTION: To adopt a resolution approving the proposed Site Plan for Stewart Toyota, subject to conditions

MOTION: To recommend approval of waivers to the Planned Unit Development District as recommended by staff.


E BLVD.
Bay Reach
U.S. 1 (FEDERAL HWY.)

STAFF REVIEW AND ANALYSIS

COMMUNITY DEVELOPMENT COMMENTS:

1. The Planned Unit Development (PUD) minimum site area is 5 acres in the business district; the proposed request is to rezone the property from the Commercial Business District (C-1) to PUD for a 4.47-acre parcel. Sec. 32-57.g Authority of Town Commission in creation of a planned unit development states: "The Town Commission, upon the recommendation of the Planning and Zoning Advisory Board, may by ordinance adopted by not less than 3 affirmative votes, authorize the location and development of a Planned Unit Development which may differ in more or respects from the provisions of specific requirements of the Zoning Code of the Town of Lake Park, but which must be in keeping with the general purpose and intent of the Town of Lake Park's land use regulations, comprehensive plan and Code of Ordinances. The intent of this section is to provide standards by which flexibility may be accomplished while maintaining and protecting the public interest." Sec. 32-57.f.3 of the Land Development Code within PUD Zoning District also permits the Town Commission, at its discretion, to waive zoning requirements and use restrictions provided the spirit and intent of the zoning regulations is complied with in the total development of the PUD. The Town Commission, may however, require adherence to minimum zone requirements within certain portions of the site if deemed necessary in order to maintain the spirit and intent of the zoning regulations. Staff, based on provisions of the code, recommends that the minimum site area be reduced in order to redevelop this property consistent with the spirit and intent of the PUD zoning regulations.

2. The PUD regulations were primarily written for Residential Planned Unit Developments and the Town's Code does not adequately differentiate between requirements for Residential Planned Unit Developments and Commercial Planned Unit Developments. It is not the intent of Staff to hold Stewart Toyota to providing an Open Space Recreational Area if approved for a PUD.

3. All PUDS shall provide for underground installation of utilities within the property area.

Waiver Requests to the Land Development Code:

The following is a list of zoning regulations that the applicant would like have waived by the Town Commission; staff analysis and recommendations are also provided:

Section 32-89 Supplemental Parking Requirements (g) Commercial New and Used (1) Parking (a) Display and 32-15 C-1 (1) j Sales, Service and Rental of Motor Vehicles - Waiver to allow less than the required 25 foot setback from street line for display parking.

The applicant states: "We are proposing to improve the existing condition and redevelop the site to be more consistent with the current development regulations. As a redevelopment project, some relief in the current regulations allows for

consideration of the development restrictions of older properties. In this case, the request is consistent with or better than other Town operations of the same use and still enhances the corridor."

Staff Analysis: *As stated the code requires a 25-foot setback from the street line for display parking. The applicant is primarily proposing a 15-foot setback of the display parking along US-1 and parts of Lakeshore Drive. Staff would recommend permitting a 15-foot setback from the street line for display parking.*

Section 32-146 (h) (2) - Waiver to allow an increase in the spacing of the trees.

The code requires a maximum spacing of planted trees along any perimeter buffer along a public street to be 20 linear feet on center. The applicant is proposing to install Royal Palms along the frontage (U.S. Highway One). According to the applicant the nature of Royal Palms require additional spacing for them to grow straight and is requesting the trees to be placed 30' on center. Green Buttonwood hedge and annuals along U.S. Highway One are also proposed. The Royal Palms and the intermediary landscaping will make the northern entrance into the Town aesthetically pleasing. The Royal Palms are consistent with the Kelsey City Guidelines for U.S. Highway One.

Staff Analysis: *The code requires that trees planted along a public street shall be 20 foot on center. The applicant's justification that the nature of a Royal Palm requires additional spacing is not accurate. Staff recommends that if it is the determination of the Board is to permit the waiver that the increased tree spacing only be permitted along the frontage of US-1.*

Section 32-146 Minimum Landscape Requirements (c) Parking Areas (3.) - Waiver to not require wheel-stops or curbing in the parking area.

We are not proposing wheel-stops in order to allow greater maneuverability on site for the cars. The landscape islands and buffers are protected by curbing. This request also facilitates the redevelopment of this older property and helps to make up for the lack of space.

Staff Analysis: *Curbing should be required to protect the landscaped areas along the vehicle display areas. Staff does not object to removing the required wheel stops.*

Section 32-53 Permitted Signage (o) Freestanding Sign (5) Maximum height - 30' - **Waiver to allow a freestanding sign of 45'**

The applicant states: "Typically car dealerships like to locate at the most visible locations such as I-95 and major intersections. Stewart Toyota is making an investment to stay in their current location but would like to maximize their visibility with a sign that can be seen from Northlake to assist customers in finding the dealership."

Staff Analysis: *A 45-foot sign is not consistent with the Town's Code regarding freestanding signs. The information contained on the sign face areas is also*

duplicated on several wall-mounted signs. Staff recommends Staff recommends denial of the waiver Stewart Toyota is a long-standing business established many years at this site and is somewhat of a known landmark.

Section 32-146 Minimum Landscape Requirements (c) Parking (5.) Multi-Level Garage: Require planters on roof for shade trees so no space more than 40 ft. from center - Waiver to not require planters on the roof.

The petitioner is requesting the waiver to minimize the impact of the parking structure on the surrounding community. The applicant states that this structure is to serve business operations and is not for customer use. This garage will be primarily used for auto storage. According to the applicant planters would not be a functional or valuable asset to the operation of the garage.

Staff Analysis: *Staff is recommending that the applicant provide for a linear park along the eastern boundary of the site with an enhanced landscape buffer to mitigate the landscaping atop the parking deck. If the applicant is unable to reasonable mitigate the trees and plants on site, Staff would recommend that the applicant provide a dollar amount equal to or greater than the amount of the required trees that are required along the roof-top planters to the Town's Tree Fund.*

CONDITIONS

1. Landscape Architect of Record will provide the Town of Lake Park with certification that all landscaping proposed is installed according to the landscape plans prior to issuance of a Certificate of Occupancy

2. At the time of Permit Review the applicant shall provide the Community Development Department a photometric plan and lighting schematic for review, prior to the issuance of a building permit.

3. The applicant shall provide an enhanced landscape buffer with decorative lighting and seating along Lakeshore Drive as shown on the Landscape Plans.

4. In lieu of providing an Open Space Recreational Area or subsequent cash equivalent as is required by a PUD, the applicant shall provide a linear park on the east side of the subject property. The specifications and design of the linear park shall reflect the representations made at the April 7th 2003 Planning and Zoning Commission Hearing.

5. All power lines located within the boundary of the subject property shall be buried in accordance with the provisions of the PUD district.

6. Staff will have administrative authority to approve minor modifications that do not exceed 10% of the square footage depicted on the approved Site Plan.

WAVIER RECOMMENDATIONS

1. Section 32-89 Supplemental Parking Requirements (g) Commercial New and Used (1) Parking (a) Display and 32-15 C-1 (1) j Sales, Service and Rental of Motor Vehicles - Staff recommends **approval** of a waiver to allow a 15 foot setback from the street line for display parking.

2. Section 32-146 (h) (2) - Staff recommends **approval** of a waiver to allow an increase in the spacing of the trees to 30 feet on center along western boundary of the property, which faces US Highway 1 only.

3. Section 32-146 Minimum Landscape Requirements (c) Parking Areas (3.) Staff recommends **approval** of a waiver to not require wheel-stops in the parking area, except for curbing along all landscape islands and buffers within the parking area or where said parking areas are adjacent to a public right of way.

4. Section 32-146 Minimum Landscape Requirements (c) Parking (5.) Multi-Level Garage: Require planters on roof for shade trees so no space more than 40 ft. from center – Staff recommends **approval** of a waiver to not require planters on the roof. Applicant will provide enhanced landscape area along Lakeshore Drive, including park benches and decorative lighting as shown on the site plan.

5. Section 32-53 Permitted Signage (o) Freestanding Sign (5) Maximum height - 30' - Waiver to allow a freestanding sign of 45'. Staff recommends **denial** of the 45-foot sign waiver request. If the Town Commission does approve the waiver request for a 45-foot sign on the property Staff would like to reserve the right the request that a time

* see plan sheets for site details & additional studies *

TOWN OF LAKE PARK
COMMUNITY DEVELOPMENT DEPARTMENT

(1) Site plan with special exception use
(2) Rezoning

APPLICATION FOR SITE PLAN REVIEW OR AMENDMENT

* for (Rezoning)

For Planned Unit Development (PUD) applications, please refer to Section 78-77 of the Town Code of Ordinances for additional requirements

Project Name: Earl Stewart Toyota PUD

Project Address: 1017/1215 Federal Highway

Property Owner: Commercial Investment, LLC and Earl Stewart, LLC

APPLICANT INFORMATION:

Applicant Name: Anne Booth, Principal, Urban Design Kilday Studios

Applicant Address: 477 S. Rosemary Avenue, Suite 225, West Palm Beach, FL 33401

Phone: (561) 366-1100 **Fax:** (561) 366-1111 **E-Mail:** abooth@udkstudios.com

SITE INFORMATION:

General Location: Southeast corner of Federal Highway (U.S. 1) and Lake Shore Drive

Address: 1017/1215 Federal Highway

Zoning District: PUD/C-1 **Future Land Use:** Commercial Residential **Acreage:** 7.19

Property Control Number (PCN): 36-43-42-20-01-121-0010 & 36-43-42-21-27-000-0000

ADJACENT PROPERTY:

DIRECTION	ZONING	BUSINESS NAME	USE
North	R-3/C-1 (NPB)	Islamic Center of Palm Beach & Sunoco	House of Worship/C-Store w/Gas Sales
East	R-1AA	Bay Reach & Mariner's Key	Condominiums
South	R-2A/C1	Cedar Crest & Variety of Commercial Businesses	Condominiums & Variety of Commercial Businesses

Community

JAN 2 8 2015

REVISED: 10/29/2013, previous versions obsolete

West	C1B	Variety of Commercial Businesses	Variety of Commercial Businesses

JUSTIFICATION:

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

1. Please explain the nature of the request:

Please see attached justification statement.

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

Please see attached justification statement

3. How does the proposed Project comply with the Town of Lake Park's zoning requirements? LD and Comprehensive plan.

Please see attached justification statement

LEGAL DESCRIPTION:

The subject property is located approximately 0 mile(s) from the intersection of Federal Highway (U.S.1) and Lake Shore Drive, on the ____ north, X east, _____south, _____ west side of the Federal Highway (U.S.1) (street/road).

Legal Description: See attached Survey.

I hereby certify that I am the owner(s) of record of the above described property or that I/we have written permission from the owner(s) of record to request this action.

see attached — March 14, 2014

OWNER/APPLICANT Signature — Date

PLEASE DO NOT DETACH FROM APPLICATION.

SIGNATURE REQUIRED BELOW.

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

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

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

I, Anne Booth, have read and understand the regulations above regarding cost recovery.

file copy

Property Owner/Agent Signature

March 14, 2014
Date

REVISED: 10/29/2013, previous versions obsolete

TOWN OF LAKE PARK
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION FOR SPECIAL EXCEPTION REVIEW

Project Name: Earl Stewart Toyota

Project Address: 1017/1215 Federal Highway

Property Owner: Commercial Investment, LLC and Earl Stewart, LLC

APPLICANT INFORMATION:

Applicant Name: Anne Booth, Principal, Urban Design Kilday Studios

Applicant Address: 477 S. Rosemary Avenue, Suite 225, West Palm Beach, FL 33401

Phone: (561) 366-1100 **Fax:** (561) 366-1111 **E-Mail:** abooth@udkstudios.com

SITE INFORMATION:

General Location: Southeast corner of Federal Highway (U.S. 1) and Lake Shore Drive

Address: 1017/1215 Federal Highway

Zoning District: PUD/C-1 **Future Land Use:** Commercial Residential **Acreage:** 7.19

Property Control Number (PCN): 36-43-42-20-01-121-0010 & 36-43-42-21-27-000-0000

ADJACENT PROPERTY:

DIRECTION	ZONING	BUSINESS NAME	USE
North	R-3/C-1 (NPB)	Islamic Center of Palm Beach & Sunoco	House of Worship/C-Store w/Gas Sales
East	R-1AA	Bay Reach & Mariner's Key	Condominiums
South	R-2A/C1	Cedar Crest & Variety of Commercial Businesses	Condominiums & Variety of Commercial Businesses
West	C1B	Variety of Commercial Businesses	Variety of Commercial Businesses

APPLICATION REQUIREMENTS

1. Please discuss how the Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

   Please see attached justification statement.

2. Please discuss how the proposed Special Exception is consistent with the land development and zoning regulations and all other portions of the Town of Lake Park Code of Ordinances.

   Please see attached justification statement.

3. Please explain how the proposed Special Exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location; mass; height and setback; and other relevant factors peculiar to the proposed Special Exception use and the surrounding property.

   Please see attached justification statement.

4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.

   Please see attached justification statement.

5. Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.

   Please see attached justification statement.

6. Please explain how the proposed Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

   Please see attached justification statement.

7. Please provide the following:

   a. Special Exception fee plus escrow of $800.00.

      Please see enclosed check.

   b. Advertising costs: The petitioner shall pay all costs of publication of public healing required in a newspaper of general circulation within the Town. This cost will be deducted from the escrow.

      Please see enclosed check.

   c. Courtesy Notice Property Owners List. A complete list of property owners and mailing addresses of all property owners within 300 feet of the subject parcel as recorded in the latest official tax role in the Comity Court House. Certified Mail will be sent to all owners within 300 feet; postage will be deducted from escrow.

      This will be provided by the agent once the project is scheduled for public hearings.

   d. The applicant must place a 3'x 3' sign on the propelty to be readily visible to vehicular and pedestrian traffic stating "THIS SITE IS BEING CONSIDERED FOR A CONDITIONAL USE- TOWN OF LAKE PARK". The applicant shall remove sign from subject property within ten (10) days of final action.

      This will be posted once the project is scheduled for public hearings.

   e. Location Map

      Please see enclosed Site Plan prepared by Urban Design Kilday Studios dated March 14, 2014 that includes a location map.

   f. Provide a site plan drawn to scale indicating the size of the buildings, the intended floor area ratios, the quantity of parking spaces proposed to be provided, the intended access road(s), the general type of construction in accordance with the Florida Building Code and the codes of the Town of Lake Park, and the availability and approximate location of utilities.

      Please see enclosed Site Plan prepared by Urban Design Kilday Studios dated March 14, 2014.

   g. Provide a certified boundary survey by a surveyor registered in the State of Florida containing an accurate legal description of the property and a computation of the total acreage of the parcel.

      Please see enclosed Preliminary Survey prepared by Lidberg Land Surveying dated March 2014.

DOCUMENTS:

1. A statement of the applicant's interest in the property.

   Please see attached justification statement.

2. A warranty deed with an affidavit from the applicant that the deed represents the current ownership.

   Please see enclosed warranty deeds.

REPORTS:

1. A traffic impact analysis, if required by the Town Engineer or staff, on the project generated Traffic impact on the external street serving the site.

   Please see enclosed Traffic Impact Analysis prepared by Yvonne Ziel Traffic Consultants dated March 13, 2014.

2. For the final review, 13 complete sets of all final required documents, after approval of all other governing agencies, must be submitted.

   Please see attached justification statement.

PLEASE DO NOT DETACH FROM APPLICATION.

SIGNATURE REQUIRED BELOW.

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

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

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

I, Anne Booth, have read and understand the regulations above regarding cost recovery.

Property Owner/Agent Signature

March 14, 2014
Date

11/21/2003 09:16:51 20030725658
OR BK 16222 PG 0240
Palm Beach County, Florida
AMT 10.00
Doc Stamp 0.70

Prepared by:
M. Richard Sapir, P.A.
712 U.S. Highway One, Ste. 400
North Palm Beach, FL 33408
561-844-3600
File Number: 10065.000
Property Identification No.: 36-43-42-20-01-122-0010

Warranty Deed

THIS WARRANTY DEED, made as of this 17th day of November, 2003, between **Earl D. Stewart, Jr.**, a married man, whose post office address is **900 Ocean Drive, Unit 401, Juno Beach**, of the County of **Palm Beach**, in the State of **Florida**, Grantor, and **Earl Stewart, LLC**, whose post office address is **1215 N. Federal Highway, Lake Park**, of the County of **Palm Beach**, in the State of **Florida**, Grantee.

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of Ten and no/100 Dollars ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Palm Beach County, Florida**, to wit:

THOSE PORTIONS OF LOTS 1 TO 9 AND 26 TO 42 (INCLUSIVE) OF BLOCK 122, KELSEY CITY (NOW LAKE PARK), FLORIDA, AS PER PLAT BOOK 8, PAGE 35, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE NORTHERLY BOUNDARY OF LOT 42 OF BLOCK 122 OF KELSEY CITY (NOW LAKEPARK), FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 35, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, INTERSECTS THE PRESENT EASTERLY BOUNDARY LINE OF U.S. HIGHWAY NO. 1 AS NOW ESTABLISHED (WHICH EASTERLY BOUNDARY LINE IS FIXED AND ESTABLISHED BY CONVEYANCE TO THE STATE OF FLORIDA RECORDED IN DEED BOOK 803, PAGE 158, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA); THENCE RUNNING SOUTH ALONG THE SAID EASTERLY BOUNDARY LINE OF SAID U.S. HIGHWAY NO. 1 A DISTANCE OF 400 FEET; THENCE RUNNING EASTERLY PARALLEL WITH THE SOUTHERLY BOUNDARY LINES OF LOTS 17 AND 18 OF SAID BLOCK 122 TO THE WESTERLY RIGHT-OF-WAY LINE OF LAKE SHORE DRIVE; THENCE NORTHERLY AND WESTERLY FOLLOWING SAID BOUNDARY LINE OF LAKE SHORE DRIVE TO THE POINT OF BEGINNING.

Parcel Identification Number: **36-43-42-20-01-122-0010**

Subject to restrictions, reservations, easements, limitations and matters of record, which are not hereby reimposed, and taxes accruing subsequent to 12/31/03.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2003.**

EXHIBIT "B"

The property conveyed hereby is not the homestead of Grantor, who maintains a homestead at 900 Ocean Drive, Unit 401, Juno Beach, Florida.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

THIS TRANSFER IS FROM AN INDIVIDUAL TO HIS PRE-EXISTING WHOLLY-OWNED LIMITED LIABILITY COMPANY AND IS THEREFORE EXEMPT FROM DOCUMENTARY STAMPS PURSUANT TO KURO, INC. V. STATE OF FLORIDA, DEPARTMENT OF REVENUE, 713 So.2nd 1021.

Signed, sealed and delivered in our presence:

Witness Name: [illegible]

Witness Name: Lee Miller

EARL D. STEWART, JR.

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me this 18th day of November, 2003, by EARL D. STEWART, JR., who is personally known to me or [ ] has produced _____ as identification.

[Notary Seal]

Notary Public
Printed Name: M. Richard Seifer

My Commission Expires: _____

F:\WPDOCS\SAP\R\Stewart Agencies & Earl Stewart\Warranty Deed.wpd

Not an Official Copy

CFN 20040499939
OR BK 17453 PG 1869
RECORDED 08/26/2004 16:33:23
Palm Beach County, Florida
ANT 2,450,000.00
Doc Stamp 17,150.00
Dorothy H Wilken, Clerk of Court

Prepared By and Return To:
J. Richard Harris, Esquire
Scott, Harris, Bryan, Barra
& Jorgensen, P.A.
4400 PGA Blvd., Suite 800
Palm Beach Gardens, FL 33410
W/C #32 - File No. 40958

Property Control No. 36-43-42-20-01-121-0010

WARRANTY DEED

THIS WARRANTY DEED, made this 25th day of August, 2004

between **Journey's Inn Lake Park, LLC, a Florida limited liability company**

hereinafter called the Grantor,

whose mailing address is 1025 U.S. Highway One
Lake Park, Florida 33403

to **Commercial Investments, LLC, a Florida limited liability company**

hereinafter called the Grantee,

whose mailing address is 1215 North Federal Highway
Lake Park, FL 33403

(Wherever used herein the terms "Grantor" and "Grantee" are used for singular or plural, as context requires and include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirm unto the Grantee, all that certain land situate in the County of Palm Beach, State of Florida, to-wit:

Lots 1 through 11, inclusive, less the West 20 feet thereof, conveyed to the State of Florida in Deed Book 803, at Page 158, and Lots 12 through 22, inclusive, Block 121, KELSEY CITY, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, at Plat Book 8, Pages 15 and 35. (KELSEY CITY IS NOW KNOWN AS LAKE PARK.)

PUBLIC RECORDS

SUBJECT TO restrictions, reservations, covenants, conditions and easements of record; taxes for the year 2004 and the years subsequent thereto which are not reimposed hereby; and all applicable laws, ordinances, and governmental regulations, including without limitation, zoning and building codes and ordinances.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the said Grantor does hereby fully warrant title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

J. Richard Harris

(print name of witness)

Witness

M. Richard Sapu

(print name of witness)

Journey's Inn Lake Park, LLC, a Florida limited liability company

By: _____

Douglas A. Holder, Jr., Managing Member

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 25th day of August, 2004, by **Douglas A. Holder, Jr., as Managing Member of Journey's Inn Lake Park, LLC, a Florida limited liability company**, on behalf of the company.

NOTARY PUBLIC

(SEAL)

J. Richard Harris

(Print Name)

My Commission Expires: _____

Commission No.: _____

Personally Known ✓ OR Produced Identification _____.

Type of Identification Produced _____.

J. RICHARD HARRIS
MY COMMISSION # CC 936680
EXPIRES: September 19, 2004
Bonded Thru Notary Public Underwriters

This is not a certified copy

EARL STEWART TOYOTA
JUSTIFICATION STATEMENT AND
STATEMENT OF PUBLIC BENEFIT

urban design kilday STUDIOS

Request(s): Applications for Rezoning, Future Land Use Map Amendment, Special Exception Review & Site Plan Review for PUD Amendment (Reviewed Concurrently with an application for Abandonment of Right-of-Way)
Application Number: 4771
Planning & Zoning Submittal: January 28, 2015
Amended May 11, 2015
Amended May 29. 2015

Urban Planning and Design
Landscape Architecture
Communication Graphics

OVERVIEW OF REQUESTS & PROPERTY INTRODUCTION

On behalf of the applicant, Earl Stewart, LLC, and Commercial Investment, LLC, Urban Design Kilday Studios (UDKS) has prepared and hereby respectfully submits these applications for the approval of a Rezoning request, Future Land Use Map Amendment, Special Exception Review request and Site Plan Review for PUD Amendment request. These applications are being submitted concurrently with an Application for Abandonment (prepared by the Law Office of Jack B. Owen, Jr., P.A.) to abandon the Right-of-Way (R-O-W) of what is commonly referred to as East Jasmine Drive.

The subject 7.19-acre property is comprised of the following land areas:

- **Lots 1-22/Block 121 of Kelsey City Plat (PCN 36-43-42-20-01-121-0010):** 2.23 acres
- **Plat of Stewart Toyota (PCN 36-43-42-21-27-000-0000):** 4.47 acres
- **East Jasmine Drive R-O-W:** 0.49 acres

All of the land area described above is located within the municipal limits of the Town of Lake Park. The subject property is generally located at the southeast corner of the intersection of Federal Highway (aka U.S. 1) and Lake Shore Drive. The subject property has a Future Land Use (FLU) designation of Commercial Residential and is within the Planned Unit Development (PUD) Zoning District, in part (4.47 acres), and the C-1 Business District Zoning, in part (2.23 acres).

With the above applications the applicant is requesting to expand the boundaries of the existing Earl Stewart Toyota PUD to encompass the 2.23-acre parcel and the East Jasmine Drive R-O-W. Ultimately the applicant is proposing a 73,503 sf enclosed facility with 22,673 s.f. of outdoor sales area and 1,048 parking spaces broken down as follows:

- **Enclosed Floor Area:** 73,503 s.f.
  - **Sales/Administration:** 28,842 s.f.
    - **Existing Floor Area:** 19,195 s.f.
    - **Phase 1 Floor Area:** 2,195 s.f.
    - **Phase 2 Floor Area:** 7,452 s.f.

610 Clematis Street
Suite CU02
West Palm Beach, FL 33401
561.366.1100 561.366.1111 fax
www.udkstudios.com
LCC000035

- **Service Bays/Storage:** 44,661 s.f.
  - **Existing Floor Area:** 27,560 s.f.
  - **Phase 1 Floor Area:** 17,051 s.f.
  - **Phase 2 Floor Area:** 0 s.f.

- **Outdoor Sales Display Area:** 22,673 s.f.

- **Phase 3 Garage:** 142,452 s.f.
  - **1st Level:** 32,075 s.f.
  - **2nd Level:** 32,075 s.f.
  - **3rd Level:** 32,075 s.f.
  - **4th Level:** 32,075 s.f.
  - **5th Level:** 12,182 s.f.
  - **Bridge:** 1,970 s.f.

- **Parking Provided:** 1,267 spaces
  - **Customer/Employee Spaces:** 219 spaces
  - **Auto Storage/Display Spaces:** 1,048 spaces

The following applications are addressed within this narrative:

1. Abandonment of Jasmine Drive, located between US1 and Lake Shore Drive .49 acres;
2. Rezoning of the 2.23+/- acres from the C-1 Business District Zoning to the PUD Zoning District and the .49 acre ROW to PUD;
3. Future Land Use Plan Map Amendment for the 0.49-acre R-O-W to be designated Commercial Residential which is consistent with the adjacent properties and the requested PUD;
4. Special Exception request for the Commercial New & Used Auto Dealership (aka, Vehicle Sales and Rental); and
5. Site Plan Review for PUD Amendment (see details in the section below).

APPROVAL HISTORY

The auto dealership was constructed in the mid to late 1970's on the 4.47-acre parcel along with a 14,200 s.f. hardware store. The old dealership building and the Park Center Hardware store remained until 2003 when the 4.47-acre parcel was granted approval for a new site plan and PUD by the Town of Lake Park Commission through Resolution No. 14-05-03 to allow for the Earl Stewart Toyota dealership building as it exists today. That approval, granted on May 21, 2003, not only granted site plan approval but also granted the approval of waivers for (1) display parking setback, (2) spacing of trees along Federal Highway (U.S. 1), (3) elimination of wheel stops, (4) no planters on roof of the garage and (5) to allow two signs that exceeded the maximum height allowances. Please note that the applicant has consented to modify the existing 15' sign to bring it into conformance with the current code. The 40' foot sign is proposed to remain as previously approved to provide clear and effective communication with the public. At the time of the approval of the waivers and the PUD, the applicant demonstrated the public benefits of the requests which included; the development of a linear park along Lake Shore Drive together with enhanced landscape buffers and decorative lighting;

bringing existing non-conformities on the site into conformance with the current codes, and providing open space and landscaping in excess of what was required by code.

The 2.23-acre parcel was granted an approval in 1969 by the Town of Lake Park Commission to allow a 111-unit hotel (known as Journey's Inn) and a 2,150 s.f. restaurant (known as El Colonial). Following several years of decline and questionable activities, these structures were demolished in 2010 after the applicant was granted temporary approval to utilize the 2.23-acre parcel for auto sales. Removal of the structures was a public benefit to the entire community and also allowed the existing non-conformities to be brought into compliance.

The applicant had previously requested and been granted approval of the R-O-W abandonment on August 4, 2004 through Resolution No. 43-07-04; however, due to the economic downturn the applicant was not able to complete all of the required conditions of approval and the resolution expired. With the expiration of the resolution, the 0.49-acre land area reverted back to public R-O-W.

SURROUNDING USES

Below is a description of the uses on the adjacent developed properties to the north, south, east and west of the subject property. Note that the acreages and ownership information referenced in this section is per information obtained from the Property Appraiser of Palm Beach County's web site.

- **North:** To the north of the subject property, across the 60' R-O-W of Lake Shore Drive, are two (2) properties:
  - **PCN 68-43-42-16-01-000-2201:** This 0.7-acre property is currently owned by 100 North Federal Highway, LLC and is within the municipal limits of the Village of North Palm Beach (NPB). This property has a FLU designation of Commercial and is within the Village's C-1 Zoning District. The use of the site is a gas and convenience store along with a car wash (Sunoco);
  - **PCN 68-43-42-16-01-000-1960:** This 0.76-acre property is currently owned by First Church of Christ Scientists, Inc. and is within the municipal limits of the Village of NPB. This property has a FLU designation of High Density Residential and is within the Village's R-3 Zoning District. The use on the site is the Islamic Center of Palm Beach;
- **South:** To the south of the subject property , across the 60' R-O-W of Ilex Drive, are two (2) properties (details below):
  - **PCN 36-43-42-21-21-001-0000:** This 0.72-acre property is currently owned by the Cedar Crest Homeowners Association. This property has a FLU designation of Commercial Residential and is within the R2A Zoning District. The use of the site is residential apartments.;
  - **PCN 36-43-42-21-21-001-0000:** This 1.1-acre property is currently owned by Cromwell Properties. This property has a FLU designation of Commercial Residential and is within the C1 Zoning District and is developed with a commercial strip center;
- **East:** To the east of the subject property, across the 60' R-O-W of Lake Shore Drive, are three (3) residential properties (details below):

- **Various PCN's:** This is the Bay Reach condominium development owned by a variety of individuals, etc. that has a FLU designation of Condominium Residential and is within the R-1AA Zoning District;
- **PCN 36-43-42-21-00-002-0060:** This 0.52-acre property is a 25' wide vacant strip of land currently owned by Susan Cohen. This property has a FLU designation of Condominium Residential and is within the R-1AA Zoning District. The site is appears to be the south half of an abandoned East Jasmine ROW.;
- **PCN 36-43-42-21-00-002-0030:** This is the 208-unit Mariners Key apartment development owned by Mariners Key Owner, LLC. This property has a FLU designation of Condominium Residential and is within the R-1AA Zoning District;

- **West:** To the west of the subject property , across the 80' R-O-W of Federal Highway (U.S. 1), are nine (9) properties (details below):
  - **PCN's 36-43-42-20-01-044-0200/0270:** This 0.98-acre property is currently owned by the Chaves Lake Park Corporation. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is a Gas station and convenience store (7-11);
  - **PCN 36-43-42-20-01-043-0260:** This 0.52-acre property is currently owned by the Patricia/R W Silc & Sil Fir Corporation. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is a restaurant.;
  - **PCN 36-43-42-20-01-043-0210:** This 0.36-acre property is currently owned by the Warren B. Mosler Trust. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is auto sales;
  - **PCN 36-43-42-20-01-042-0230:** This 0.78-acre property is currently owned by New Rochelle Plaza. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is auto related;
  - **PCN 36-43-42-20-01-042-0210:** This 0.17-acre property is currently owned by Trim Endless Inc. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is an upholstery workshop;
  - **PCN 36-43-42-20-01-041-0300:** This 0.16-acre property is currently owned by Edward & Cynthia Wollstein. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is Boca Bargoons a fabric outlet store;
  - **PCN 36-43-42-20-01-041-0230:** This 0.62-acre property is currently owned by L P Fabrics, Inc. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use is Boca Bargoons a fabric outlet store; and
  - **PCN 36-43-42-20-01-041-0210:** This 0.17-acre property is currently owned by Palms Building, LLC. This property has a FLU designation of Commercial Residential and is within the C1B Zoning District. Current use mixed retail (900 Palms Building).

INTENSITY

Per the Future Land Use Classification System in the Town of Lake Park Comprehensive Plan the Commercial Residential FLU category calls for the following: "Lands and structures devoted to promoting a compatible mix of residential at up to 20 units per gross acre and commercial uses with a maximum F.A.R. of 2.4 along major thoroughfares..." At a total of 7.19 acres the maximum 2.4 F.A.R would equate to a total of 751,671 s.f. of commercial uses. As detailed above the applicant is only proposing a 73,503 sf commercial facility and a 142,452 sf garage which are well within the allowed F.A.R.

CONCURRENCY

Included with this application are the following documents related to the impact of the proposed project on public facilities:

- **Drainage:** Please see enclosed Preliminary Civil Plans prepared by McLeod McCarthy & Associates in which the details of the proposed drainage system are provided. It should be noted that the storm water from this site will be retained and pretreated before being discharged into the Town's storm sewer system. Drainage that previously was part of the Jasmine Road ROW will be incorporated into the on-site drainage control system.

- **Traffic:** Please see Traffic Impact Analysis prepared by Yvonne Ziel Traffic Consultants. dated March 13, 2014 in which the conclusion states that "the project meets the Palm Beach County Traffic Performance Standards Ordinance and may be approved." The agent for the applicant will be submitting the analysis and Traffic Performance Standards (TPS) review fee directly to the Palm Beach County (PBC) Traffic Division and requesting issuance of the TPS Review Approval Letter confirming traffic concurrency.

- **Water/Wastewater:** Please see enclosed Preliminary Civil Plans prepared by McLeod McCarthy & Associates in which the details of the proposed water/wastewater system are provided. it should be noted that the existing water lines will be updated and enlarged to better service the site and the surrounding properties.

PLATTING

The applicant intends to combine all three of the land areas previously described through the platting application.

PHASING

Pursuant to Town of Lake Park Code Section 78-77.2.(c) the applicant intends to develop the project in multiple phases as allowed by code. The construction of the garage in Phase 3 will be subject to and supported by the projected sales of autos. 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. Based on the standards set by Southeast Toyota, the site is 781 spaces short of where they should be. By 2020, the minimum

number of required parking spaces would be 1,256. With the construction of the garage the 1,267 parking spaces on the site will satisfy the minimum Southeast Toyota requirements as well as the Town parking requirements.

The enclosed plans provide details of each phase, and below is a phasing schedule:

- Phase 1
  - **Commencement of Development:** As soon as possible
  - **Completion:**
    - Parking lot and landscape improvements for south lot: 5 months, January 2016
    - Building Expansion (building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work): 14 months, November 2016
- Phase 2
  - **Commencement of Development:** November 2016
  - **Completion:** (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices) 8 months, July 2017
- Phase 3
  - **Commencement of Development:** December 2018 (18 months from completion of Phase 2)
  - **Completion:** (Garage and site improvements) 18 months from start of construction, June 2020

SPECIAL EXCEPTION AND WAIVER REVIEW STANDARDS

This application includes a request for Special Exception approval for vehicle sales. In accordance with the code, the PUD section also provides for waivers to deviate from the strict interpretation of the code to allow for innovative design, consistency with existing conditions, and improvements which would allow a better project. In accordance with Section 78-77(1)(2) the waivers may be approved provided the spirit and intent of the zoning regulations are complied with in the total development of the PUD and mitigation is provided where required by the code. The Town Commission approval in 2003 included approval of waivers to allow a 40' monument sign, a 15' monument sign, display parking setback of 15', 30' spacing of trees along Federal Highway (U.S. 1), the elimination of wheel stops, and the removal of roof top planters. The applicant has complied with the conditions of approval and mitigations that were imposed with the approval of the waivers and have relied upon the vesting of the previous approvals. The applicant understands that the previously approved waivers became the standards by which all future development within the PUD would be regulated, however, it should be noted that the applicant has consented to modify the existing 15' sign to bring it into conformance with the current code.

The review criteria are the same for the Special Exceptions and waivers. The waivers approved include the following:

Section 32-89 Supplemental Parking Requirements (g) Commercial New and Used (1) Parking (a) Display and 32-15 C-1 (1) j Sales, Service and Rental of Motor Vehicles - Waiver to allow less than the required 25' setback from street line for display parking.

The site has been improved to remove a use that was a nuisance to the Town, and the existing site conditions were improved to meet code. The expansion of the PUD and the continuation of the waiver will allow design consistency along the front of the property. As a redevelopment project, some relief in the current regulations allows for consideration of the development restrictions of older properties. In this case, the request is consistent with or better than other auto dealerships in the Town while still enhancing the corridor.

Section 32-146 (h) (2) - Waiver to allow an increase in the spacing of the trees.

The code requires a maximum spacing of planted trees along any perimeter buffer along a public street to be 20 linear feet on center. The nature of the planting of Royal Palms along the frontage of US 1 required additional spacing for them to proper growth. Additional plant materials have been provided along the frontage to further enhance the frontage and additional plant material has been provided along the other perimeters to exceed code requirements. The Royal Palms and the additional landscaping are intended to enhance the entrance to the Town.

Section 32-146 Minimum Landscape Requirements (c) Parking Areas (3.) - Waiver to not require wheel-stops or curbing in the parking area.

The removal of the wheel-stops allows for greater maneuverability on site for the parking and storage of cars and minimizes tripping hazards for customers in the parking areas. The landscape islands and buffers are protected by curbing which replace the need for wheel-stops along the perimeters.

Section 32-146 Minimum Landscape Requirements (c) Parking (5.) Multi-Level Garage: Require planters on roof for shade trees so no space more than 40 ft. from center - Waiver to not require planters on the roof.

The provision of planters on the garage has proven to be a maintenance issue in other structures. The existing garage would require substantial structural enhancements to support planters and would further impact the adjacent property owners. The proposed architecture is intended to provide architectural relief and landscape enhancements to compensate for the planters, which would only provide minimal relief to the surrounding community. Additionally, this structure is to serve business operations and is not for customer use. This garage will be primarily used for auto storage. Planters would not be a functional or valuable asset to the operation of the garage.

Section 32-53 Permitted Signage (o) Freestanding Sign (5) Maximum height - 30' - Waiver to allow a freestanding sign of 40'

Typically car dealerships like to locate at the most visible locations such as along I-95 and major intersections. Stewart Toyota has made significant investment to stay in their current location. The 40' sign allows customers to see the location of the dealership from Northlake Boulevard. The 40' sign waiver was approved with the condition of approval that requires the removal of the sign should the Stewart Toyota operation cease to exist on the site. The 40' foot sign is proposed to remain as previously approved to provide clear and effective communication with the public. The applicant has agreed to replace the 15' sign with a sign that meets the current code requirements.

The following criteria and list of public benefits addresses both the Special Exception and Existing Waivers:

1. Please discuss how the Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

   RESPONSE: First and foremost, it should be noted that the dealership has existed since the mid to late 1970's; however, the provisions in Town of Lake Park Code Section 78-71 and Comprehensive Plan have been updated since the most recent approval in 2003 which now require the approval of a Special Exception application for the use. The subject property is designated Commercial Residential which is consistent with the use of the property, and the zoning designation of the site. Although the dealership predates the current codes and regulations, the existing and proposed development is consistent with the policies and objectives of the Town's Comprehensive Plan.

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

   The redevelopment of both the 1017 Federal Highway parcel and the current dealership will increase the Town's overall tax base. In addition to adding land area to the tax role that was previously un-taxed, the proposed improvements will also increase the taxable value of the site. There are no known natural or historic resources on the property which would be adversely affected by the redevelopment. The proposed plan of development has been designed to minimize and reduce the noise and activity impacts of development to the surrounding residential communities. The proposed landscape buffers and open space far exceed code and will provide a buffer to the residents from the more active US Highway 1 corridor. Lastly, as detailed in the Concurrency section above, the proposed project is within the adopted LOS standards.

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.*

The proposed expansion of the special exception use promotes infill development in a manner that is consistent with the commercial uses of the Federal Highway corridor and does not negatively affecting the existing neighboring residential and commercial uses. The proposed development plan and concessions made by the applicant will reduce existing noise levels, improve parking and circulation, reduce access points, eliminate car truck deliveries from Lake Shore Drive and increase the landscaping and buffering provided to the adjacent properties.

Policy 5.2: *The Town shall foster the redevelopment of declining neighborhoods, underutilized parcels, and areas that demonstrate substandard and/or slum and blight conditions.*

The property at 1017 Federal Highway is currently underutilized as it has been used as a temporary surface parking lot supporting used vehicle sales for the dealership. The current temporary use cleaned up and replaced the Journey's Inn and restaurant uses on the site which were declining and had questionable activities.

The proposed use will enhance the overall esthetic qualities of the site by improving the landscape buffers, reduce the existing noise impacts and make drainage and utility improvements which will improve the neighborhood.

2. Please discuss how the proposed Special Exception is consistent with the land development and zoning regulations and all other portions of the Town of Lake Park Code of Ordinances.

RESPONSE: Beyond the waivers that were previously approved through Resolution No. 14-05-03 the proposed site design is consistent with the code in regard to use, layout, function and general development characteristics. Furthermore, the modified development plan will be in compliance with the PUD objectives and standards. The proposed plan of development will reduce the existing non-conformities by replacing one of the existing non-conforming signs and reduce the number of access points.

3. Please explain how the proposed Special Exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location; mass; height and setback; and other relevant factors peculiar to the proposed Special Exception use and the surrounding property.

RESPONSE: Per the Town of Lake Park Staff Report that detailed the requests eventually approved by Resolution No. 14-05-03 Staff had

concluded that, "Generally the proposal is compatible with the surrounding uses." While the applicant is requesting approval of the special exception use in response to updated codes, it has existed for nearly 40 years along the US Highway 1 corridor and is surrounded to the North, South and West by commercial development. The proposed development plan will continue to be compatible with the surrounding properties that support retail uses within the C-1 Business District along Federal Highway between Palmetto Drive and East Ilex Drive. Also, the proposed redevelopment will be architecturally compatible with the character and uses of the existing dealership as well as the Town's Architectural Guidelines.

4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.

RESPONSE: The use has been established for nearly 40 years. The applicant is requesting approval of a Special Exception Review application in response to a code change that occurred after the most recent approval was granted on May 21, 2003. This is a request to expand the dealership from the current square footage of 45,208 square feet to 73,503 square feet (plus a 142,452 sf garage). This additional square footage will be for sales/administration and service bays/storage, which are the same types of operations currently on the site. The proposal will add a car wash and a 5-story garage that don't currently exist; however, these are accessory structures and uses common to a dealership. The proposed improvements will update and modernize the dealership, enclose noise generating operations, provide parking that is needed to accommodate the current level of use as well as future growth for a dealership that has existed for nearly 40 years. The site is currently being used for the same functions and use therefore the result of the application approval will not be an expansion, change or proliferation of the same or similar types. The surrounding US Highway 1 corridor area is fully developed with a variety of commercial uses. The proposed improvements may help to motivate surrounding commercial developments to update or upgrade their development as has happened in other communities.

5. Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.

RESPONSE: The Special Exception will not have a detrimental impact on surrounding properties as (a) there will be a maximum shift of 75 employees

on site and customers (number will vary depending on day/time of the week), (b) the potential nuisance from the maintenance, repair and/or cleaning of vehicles will be mitigated by the fact that these uses will be done in enclosed areas and (c) as shown in the enclosed Traffic Impact Analysis prepared by Yvonne Ziel Traffic Consultants. dated March 13, 2014 the combined total of peak hour trips entering the property will be 53 cars (AM)/37 cars (PM) and leaving the property will be 10 (AM)/35 (PM). As such, this shows that the average will be 0.75 cars entering the property every minute during the peak hour and 0.38 cars leaving the property every minute during the peak hour, or an overall average of 0.57 cars per minute. Furthermore, the applicant is requesting to close one of the existing driveways in the northeast corner of the subject property which will lessen the impact on the neighboring residential properties. Lastly, and most important, the proposed redevelopment will improve the appearance of the dealership through architectural treatments and an increased landscape buffer.

6. Please explain how the proposed Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

RESPONSE: (a) The proposed garage in the southeast corner of the subject property will be similar in height to the surrounding residential structures it will be separated from those structures by approximately 106 feet (to the south) and 107 feet (to the east). A shadow study has been done that shows that the adjacent properties will not be impacted by the shadow of the building. The proposed garage is 34'6" in height on the east side which is 15'6" less than the 50' height allowed by the PUD sections of the Land Development Regulations. In addition the proposed plan provides for 25' buffers with significant landscaping along the Lake Shore Drive and East Ilex Drive ROW's. (b) The use has existed for nearly 40 years and the surrounding property values have been based on the fact that this use was in place. The applicant understands that the property values have increased as a result of previous improvements made. The proposed improvements will increase the taxable value and improve the esthetic quality of the site. The improvements will allow the dealership to thrive and grow which will maintain the health and vitality of the area. (c) The proposed development plan for the subject property should act as a catalyst for the improvement, development or redevelopment of surrounding properties. (d) There are no natural systems that will be negatively impacted by the proposed development. (e) As part of the approval granted through Resolution No. 14-05-13 the applicant provided an enhanced pedestrian area on the east side of the 4.47-acre parcel which will remain and be extended around the south side of the site. In addition, the applicant is proposing a public bus shelter along the US Highway 1 Corridor.

The site will include internal connections to the public sidewalk that runs around the entire site.

SITE PLAN REVIEW FOR PUD AMENDMENT STANDARDS

The nature of the request is for the following amendments to the site plan that was previously approved through Resolution No. 14-05-03:

a. Reconfigure the Site Plan;
b. Add land area (2.72+/- acres);
c. Reconfigure access points as follows:
    - Delete one (1) existing access point in northeast corner of existing PUD;
    - Remove access points to East Jasmine Drive;
    - Provide one (1) new access point to Lake Shore Drive (just south of current intersection of East Jasmine Drive and Lake Shore Drive);
    - Provide one (1) new access point to Federal Highway (U.S. 1) along west property line (just north of current intersection of East Jasmine Drive and Federal Highway [U.S. 1]); and
    - Maintain existing access point to Ilex Drive in southwest corner of 2.23-acre parcel.
d. Amend the enclosed floor area as follows:
    - **Sales/Administration:** +9,434 s.f. (from 19,408 s.f. to 28,842 s.f.) (note that while the square footages listed above show an existing s.f. of 19,297, Resolution No. 14-05-03 allowed up to 19,408 s.f.);
    - **Service Bays/Storage:** +7,580 s.f. (from 37,081 s.f. to 44,661 s.f.) (note that while the square footages listed above show an existing s.f. of 25,911, Resolution No. 14-05-03 allowed up to 37,081 s.f.) and +23 service bays (from 25 service bays to 48 service bays);
e. Increase the Outdoor Sales Display Area by 5,566 s.f. (from 17,107 s.f. to 22,673 s.f.);
f. Increase the number of employee/customer parking spaces by 68 spaces (from 151 spaces to 219 spaces).

Below are responses to the two questions referred to in the attached application:

1. *What will be the impact of the proposed change to the surrounding area?*

    RESPONSE: Allowing the applicant to redevelop the subject property should have a positive impact on the surrounding area in that it will combine two properties (along with the East Jasmine Drive R-O-W) currently utilized by the applicant for vehicle sales and rental into one unified development. This will not only create a unified architectural theme but will also create a consistent landscape theme that will enhance the view from surrounding properties. The height/mass of the proposed parking garage will be mitigated by architectural design and the additional landscaping provided. The proposed improvements will enclose noise producing activities, provide needed parking to eliminate the use of ROW areas, eliminate the use of Lake Shore Drive for transport truck deliveries, improve drainage and utility services to the surrounding

areas, reduce the hours of car deliveries, improve security, reduce noisy activities on the site, minimize development and increase open space in comparison to uses allowed by right on the site, provide a public bus shelter, expand the parkway treatment along the Lake Shore and Ilex Drive Rights-of-ways and reduce the existing non-conformities of the site.

2. *How does the proposed Project comply with the Town of Lake Park's zoning requirements?*

RESPONSE: Beyond the waivers that were previously approved through Resolution No. 14-05-03 the proposed site design is consistent with the code in regard to use, layout, function and general development characteristics. Furthermore, see table below that details compliance with the other sections of the code:

ZONING REQUIREMENTS COMPLIANCE CHART				
Standard	**Requirement**	**Existing**	**Proposed**	**Compliance**
Min. Site Area	80,000 s.f.	4.47 acres	7.19 acres (313,196 s.f.)	Yes
Max. Bldg. Ht.	4 stories or 50'	33'	45.5'	Yes
Min. Open Space	15%	Unknown	20%	Yes
Front Setback	25'	93'	93'	Yes
Side (facing street) Setback	15'	87'	25'	Yes
Rear Setback	15'	48'	25'	Yes
Display Parking Setback	25'	15'	15'	Approved Waiver
Employee/ Customer Parking	204 spaces	151 spaces	219 spaces	Yes
Standard Parking Space Dimensions	10' X 18.5'	10' X 18.5'	10' X 18.5'	Yes

PUBLIC BENEFIT

The expansion of the existing Earl Stewart PUD will promote and support continued success of this long standing business in the Town of Lake Park. The proposed redevelopment will address operational constraints of the existing dealership and the redevelopment of the site will address the temporary use of the 2.23-acre parcel. Approval of the requested applications will provide both tangible and intangible benefits. Benefits to the public will be provided in the form of improved land use, improved public safety, the logical and efficient development of the site and the opportunity for the Town to control and limit development intensities below what would be allowed by code. Following are a list of some of the proposed public benefits of this project if approved:

- Increased property values and tax base for Town. Increased taxable values will be based on taxing the additional land area from the right-of-way abandonment as well as the site improvements. By increasing the taxable income from commercial development, the burden of the residential taxpayer can be stabilized or reduced. The increase in taxable value has been estimated as follows:
    - Phases 1 and 2: Costs estimated at $12 million. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $289,643
    - Phase 3: Costs estimated at $8 million. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $203,297
    - Additional Land Area from Right-of-way: Cost $300,000. Approximate tax increase per the Palm Beach County Property Appraiser Tax Calculator: $38,923
- Payment to Town for abandoned Right-of-Way ($300,000)
- Good planning principals encourage the development and redevelopment of areas in inner cities that have existing or aging infrastructure. The proposed development will allow:
    - Improvements to the drainage system of Lake Shore Drive which will result from of incorporation of Jasmine Drive drainage into the site drainage system. The proposed drainage plan will incorporate approximately 22,000 cubic feet of runoff onto the site which currently flows directly into Jasmine Drive during a 25 year storm. The redirection of this water is intended to reduce the flooding on Lake Shore Drive.
    - Improvements to the site utility system which will provide improvements to service for surrounding properties. The installation of an 8" water main across US Highway 1 will include connection to the existing 6" water main in Lake Shore Drive. This improvement is anticipated to improve water service to the entire system east of Lake Shore.
    - Abandonment of the Jasmine Drive right-of-way which will release the Town from maintenance responsibilities.
- New jobs. The applicant intends to hire 30-40 new employees as part of the proposed expansion.
- LEED Certification and educational opportunities for local students. The applicant intends to meet LEED Certification requirements which far exceed Town standards. In addition, there are anticipated to be opportunities for educational components to be added to the layout and design.
- Enclosure of noise producing activities. Existing service areas will be enclosed which will substantially reduce existing noise levels.
- Elimination of noise producing activities. Removal of outdoor speakers and replacement of car locating procedures.
- Additional parking to alleviate congestion and overflow parking which has historically been a concern to surrounding neighbors.
- Restriction on use of Lake Shore Drive by vehicle transport trucks. Proposed site design and reconfiguration of the entry design will allow all transport trucks to maneuver delivery and pick up within the site rather than using Lake Shore Drive.
- Closure of existing curb cut access point on Lake Shore Drive.
- Increased landscape buffers and open space in excess of code requirements
- Separation of active uses on the site from surrounding residential communities

- Reduction of height and lot coverage as allowed by code
- Reduction of existing signage non-conformity
- Increase in open space by .36 ac, 5% in excess of what is required by code.
- Additional streetscape park area
- Public bus shelter
- Improved public safety for customers and employees crossing East Jasmine
- East Ilex Drive traffic will be less than allowed by traffic performance standards
- Esthetic improvements to site including architecture and landscaping
- Greater control and conditions of approval through PUD approval

On behalf of the applicant, Earl Stewart, LLC, and Commercial Investment, LLC, UDKS respectfully requests favorable review and consideration of these Rezoning, Special Exception Review and Site Plan Review for PUD Amendment applications for the Earl Stewart Toyota. The agent at UDKS is Anne Booth who can be reached at the numbers above or via email at abooth@udkstudios.com. Please feel free to contact the agent with any questions or for additional information in support of the requested applications.

Department of Engineering and Public Works

P.O. Box 21229

West Palm Beach, FL 33416-1229

(561) 684-4000

FAX: (561) 684-4050

www.pbcgov.com

Palm Beach County Board of County Commissioners

Priscilla A. Taylor, Mayor

Paulette Burdick, Vice Mayor

Hal R. Valeche

Shelley Vana

Steven L. Abrams

Mary Lou Berger

Jess R. Santamaria

County Administrator

Robert Weisman

September 3, 2014

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

RE: Earl Stewart Toyota Expansion – Revised Plan
Project #: 140307
TRAFFIC PERFORMANCE STANDARDS REVIEW

Dear Nadia:

The Palm Beach County Traffic Division has reviewed the traffic statement for the revised development plan of the previously approved auto dealership expansion project entitled; **Earl Stewart Toyota Expansion,** pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Land Development Code. The project is summarized as follows:

Location:	East side of US Highway 1, south of Palmetto Drive.
Municipality:	Lake Park
PCN #:	36-43-42-21-27-000-0000, 36-43-42-20-01-121-0010.
Existing Uses:	22,318 SF Auto Dealership and 26,785 SF Auto Care Center (Total 48,103 SF).
Approved Uses:	41,522 SF Auto Dealership and 35,454 SF Auto Care (Total 76,976 SF).
Proposed Uses:	40,117 SF Auto Dealership and 36,917 SF Auto Care (Total 76,034 SF).
New Daily Trips:	2,085 – Vested not included.
New PH Trips:	118 AM and 153 PM – Vested not included.
Build-Out:	End of Year 2018

Based on our review, the Traffic Division has determined the revised development plan generates less daily and peak hour trips than previously approved, and therefore meets the TPS requirements of Palm Beach County. No building permits are to be issued by the Town, after the build-out date, specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

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

Sincerely,

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

MA:saf
ec: Yvonne Ziel Traffic Consultants
Steve Bohovsky, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
F:\TRAFFIC\ma\Admin\Approvals\2014\140307.doc

"An Equal Opportunity Affirmative Action Employer"

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YVONNE ZIEL TRAFFIC CONSULTANTS

60 SE River Lights Court, Stuart, Florida 34996 Telephone (561) 624-7262

August 6, 2014

Mr. Masoud Atefi, MSCE
TPS Administrator, Municipalities
Palm Beach County Traffic Division
2300 North Jog Road
3rd Floor
West Palm Beach, Florida 33411

RE: Earl Stewart Toyota
PCN 36-43-42-20-01-121-0010
36-43-42-21-27-000-0000

Dear Masoud:

Yvonne Ziel Traffic Consultants, Inc. was retained to prepare a traffic equivalancy for a proposed change for the recently approved traffic study for the Earl Stewart Toyota dealership located along the east side of Federal Highway south of Northlake Boulevard in the Town of Lake Park. The approved traffic study was for 37,474 SF of showroom, 35,454 SF of service bay area, no change in parts/storage (3,543 SF) and 505 SF of miscellaneous areas; for a total of 76,976 SF under air

The proposed change is 36,574 SF of showroom, 35,917 SF of service bay area, no change in parts/storage (3,543 SF) for a total of 76,034 SF under air.

Based on the ITE Trip Generation Rates, 9th Edition, the approved traffic study generates, 120 AM peak hour trips and 156 PM peak hour trips. The proposed changes will generate 118 AM peak hour trips and 153 PM peak hour trips. Please refer to Tables 1 through 5 for traffic generation information used to develop these data.

Since trip generation results in a reduction of trips, a new traffic study is not required and project meets concurrency. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

YVONNE ZIEL TRAFFIC CONSULTANTS

YVONNE ZIEL
No. 42132
STATE OF FLORIDA
PROFESSIONAL ENGINEER

Yvonne Ziel, P.E.
President

ENCLOSURES

TABLE 1
EARL STEWART TOYOTA
TRIP GENERATION RATES

22-Jul-14
10:31:39 AM

LAND USE	ITE CODE	ADT TRIP RATES	AM PEAK TRIP RATES TOTAL	AM PEAK PERCENT ENTER	AM PEAK PERCENT EXIT	PM PEAK TRIP RATES TOTAL	PM PEAK PERCENT ENTER	PM PEAK PERCENT EXIT
NEW CAR SALES	841	32.3	1.92	75	25	2.62	40	60
AUTOMOBILE CARE CENTER	942	42.1	2.25	66	34	2.41(X)+11.79	48	52

SOURCE: INSTITUTE OF TRANSPORTATION ENGINEERS, TRIP GENERATION, 9TH EDITION, PBC

TABLE 2
EARL STEWART TOYOTA
TRIP GENERATION - APPROVED PLAN

LAND USE	SIZE	ADT TRIPS	AM PEAK TRIPS TOTAL	AM PEAK TRIPS ENTER	AM PEAK TRIPS EXIT	PM PEAK TRIPS TOTAL	PM PEAK TRIPS ENTER	PM PEAK TRIPS EXIT
NEW CAR SALES	41,522	1,341	80	60	20	109	44	65
AUTOMOBILE CARE CENTER	35,454	1,493	80	53	27	97	47	51

TABLE 3
EARL STEWART TOYOTA
PASS-BY AND NEW TRIPS - APPROVED PLAN

LAND USE	PASS-BY PERCENT	ADT PASS-BY	ADT NEW	ADT TOTAL	AM PEAK PASS-BY ENTER	AM PEAK PASS-BY EXIT	AM PEAK NEW TOTAL	AM PEAK NEW ENTER	AM PEAK NEW EXIT	AM PEAK TOTAL	PM PEAK PASS-BY ENTER	PM PEAK PASS-BY EXIT	PM PEAK NEW TOTAL	PM PEAK NEW ENTER	PM PEAK NEW EXIT
NEW CAR SALES	15	201	1,140	12	9	3	68	51	17	16	7	10	93	37	55
AUTOMOBILE CARE CENTER	35	523	970	28	18	10	52	35	17	34	16	18	63	31	33
TOTAL:			2,110				120	86	34				156	68	88

TABLE 4
EARL STEWART TOYOTA
TRIP GENERATION - PROPOSED PROJECT

LAND USE	SIZE	ADT TRIPS	AM PEAK TRIPS TOTAL	ENTER	EXIT	PM PEAK TRIPS TOTAL	ENTER	EXIT
NEW CAR SALES	40,117	1,296	77	58	19	105	42	63
AUTOMOBILE CARE CENTER	35,917	1,512	81	53	28	98	47	51
TOTAL TRIPS:	76,034	2,808	158	111	47	203	89	114

TABLE 5
EARL STEWART TOYOTA
PASS-BY AND NEW TRIPS - PROPOSED PROJECT

LAND USE	PASS-BY PERCENT	ADT PASS-BY	ADT NEW	AM PEAK TOTAL	AM PEAK PASS-BY ENTER	AM PEAK PASS-BY EXIT	AM PEAK NEW TOTAL	AM PEAK NEW ENTER	AM PEAK NEW EXIT	PM PEAK TOTAL	PM PEAK PASS-BY ENTER	PM PEAK PASS-BY EXIT	PM PEAK NEW TOTAL	PM PEAK NEW ENTER	PM PEAK NEW EXIT
NEW CAR SALES	15	194	1,102	12	9	3	65	49	16	16	6	9	89	36	54
AUTOMOBILE CARE CENTER	35	529	983	28	19	10	53	34	18	34	17	18	64	30	33
TOTAL:			2,085				118	83	34				153	66	87
APPROVED TRIPS:			2,110				120	86	34				156	68	88
INCREASE/(DECREASE):			(25)				(2)	(3)	0				(3)	(2)	(1)

Ardaman & Associates, Inc.

Geotechnical, Environmental and
Materials Consultants

AAI File No. 03-2077
June 30, 2014

GliddenSpina + Partners
1401 Forum Way, Suite 100
West Palm Beach, FL 33401

Attention: Danny Brown

FIELD PERMEABILITY TEST REPORT
EARL STEWART TOYOTA
LAKE PARK, FLORIDA

Our Firm previously completed a subsurface exploration and geotechnical engineering evaluation for the above referenced project and presented our findings and recommendations in a report dated July 17, 2003 (Ardaman Project No. 03-2077). As part of that evaluation, we completed two (2) field permeability tests at the above referenced project site. The tests were performed on July 1, 2003 at the approximate locations depicted on the attached Figure 2 – Boring Location Plan. The field tests were conducted in general accordance with the usual open-hole exfiltration test method described in the South Florida Water Management District (SFWMD) Permit Information Manual, Volume IV. Descriptions of the soils observed in the test boreholes and the test results are presented in the attached field permeability test logs. In brief, the exfiltration test yielded a hydraulic conductivity values of 2.27×10^{-4} cfs/sqf - ft head (EX-1) and 3.03×10^{-4} cfs/sqf - ft head (EX-2).

It has been a pleasure to assist you in this phase of your project. Please do not hesitate to contact our office should you have any questions concerning this report or require further assistance.

ARDAMAN & ASSOCIATES, INC.
FL. Certificate of Authorization No. 5950

6/30/14

Andrew Nixon, P.E.
Project Engineer
FL Reg. No. 71458

Attachments: Figure 2 – Boring Location Plan
Field Permeability Test Logs

[illegible] Suite 101 West Palm Beach, Florida 33409 [illegible] FAX [illegible]
[illegible] Alexandria [illegible] New Orleans [illegible]
[illegible] Fort Myers [illegible] Tampa [illegible]

Ardaman & Associates, Inc.

SFWMD USUAL OPEN-HOLE TEST
EX-1

PROJECT: Stewart Toyota
North Palm Beach, Florida

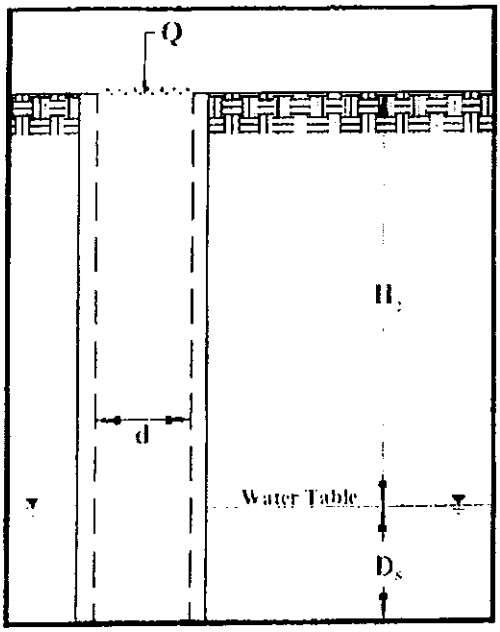
FILE No.: 03-2077

TEST LOCATION: As per plan

DRILL CREW: DG/JH

GROUNDWATER OBSERVED AT DEPTH N.E.

TEST DATE: 07/01/03



$$K = \frac{4Q}{\pi d(2H_2^2 + 4H_2D_s + H_2 d)}$$

Q ["Stabilized" Flow Rate (cfs)] = 6.68×10^{-3}

K [Hydraulic Conductivity (cfs/sqf - ft head)] = 2.27 x 10^{-4}

d [Diameter of Test Hole (ft)] = 0.5

H_2 [Depth to Water Table (ft)] = 6+

* D_s [Saturated Hole Depth (ft)] = 0

* By Groundwater

DEPTH	SYMBOLS	SOIL DESCRIPTION	SAMPLE No.
0		Brown fine sand w. shell and limestone fragments	
1			
2			
3			
4		Light brown fine sand w. shell fragments	
5		Brown to gray silty fine sand	
6			

NOTES: - GWT Not Encountered (deeper than test borehole)

Ardaman & Associates, Inc.

SFWMD USUAL OPEN-HOLE TEST
EX-2

PROJECT: Stewart Toyota
North Palm Beach, Florida

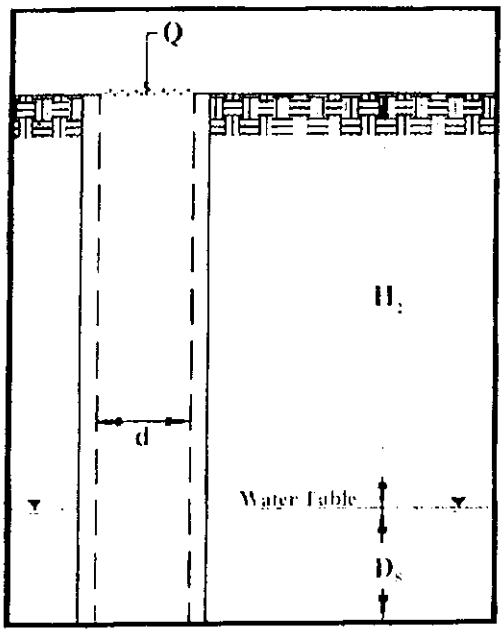
FILE No.: 03-2077

TEST LOCATION: As per plan

DRILL CREW: DG/JH

GROUNDWATER OBSERVED AT DEPTH N.E.

TEST DATE: 07/01/03



$$K = \frac{4Q}{\pi d(2H_s + 4H_s D_s + H_s d)}$$

Q ["Stabilized" Flow Rate (cfs)] = 8.91×10^{-3}

K [Hydraulic Conductivity (cfs/sqf - ft head)] = 3.03 x 10^{-4}

d [Diameter of Test Hole (ft)] = 0.5

H_s [Depth to Water Table (ft)] = 6+

* D_s [Saturated Hole Depth (ft)] = 0

* By Groundwater

DEPTH	SYMBOLS	SOIL DESCRIPTION	SAMPLE No.
0 1 2 3 4 5 6		Brown fine sand w. shell and limestone fragments Brown fine sand w. shell fragments	

NOTES: - GWT Not Encountered (deeper than test borehole)

CONCEPTUAL/PRELIMINARY
STORM WATER MANAGEMENT CALCULATIONS
FOR

EARL STEWART TOYOTA

LAKE PARK, FL
MMA #14-43

March 31, 2014
Revised:
October 21, 2014

McLeod • McCarthy & Associates
1655 Palm Beach Lakes Blvd, Suite 712
West Palm Beach, FL 33401
p 561.689.9500 | f 561.689.8080
www.mcleodmccarthy.com
CA No. 30535

McLEOD • McCARTHY
& Associates, P.A.
CIVIL ENGINEERS

TODD N. MCLEOD, P.E.
Florida License No. 69188
10/21/2014
Date

McLeod • McCarthy & Associates, P.A.
Civil Engineers

October 21, 2014

Re: Drainage Summary/Statement for Earl Stewart Toyota
1215 Federal Hwy (PCN: 36-43-42-21-27-000-0000) Lake Park, Florida (MMA #14-43)

Site Description

Earl Stewart Toyota is an existing automotive dealership located on the north and south sides of Jasmine Drive, east of US Highway 1 in the Town of Lake Park, Florida. The northern portion of the dealership was permitted with the South Florida Water Management (SFWMD) under ERP #50-06148-P in 2003. It is served by approximately 1,238 LF of 8' wide by 4' deep exfiltration trench with two outfalls to the Town system within Lakeshore Drive. The southern portion of the dealership is an asphalt parking lot with dry retention which was constructed in 2009 and appears to have been eligible for a "No-Notice" ERP at time of construction.

Proposed Drainage

Phase I of the proposed Earl Stewart Expansion will include site modifications to support the addition of new service bays, used car sales, body shop, and staging areas along the side side of the original dealership building. The Jasmine Drive right-of-way will be abandoned and incorporated into the on-site draingae system. Portions of the existing exfiltration trench beneath the proposed expansion will be relocated south and new exfiltration trench will be added to bring the total length of trench to approximately 1,320 LF. During Phase I, the southern portion of the site will continue to drain to the existing dry retention area with controlled outfall to Lakeshore Drive. Conceptual drainage calculations indicate that the proposed modifications will result in a net decrease for the 25 year – 3 day offsite discharge rate of approximately 1.45 cfs.

During Phase III (Phase II will include no exterior/site improvements), the existing southern surface parking lot will be replaced with a multi-story parking garage. The dry retention area will be filled to create additional landscape buffer area and underground retention will be provided west of the parking structure. The existing dry retention area has been calculated to store approximately 15,400 cubic feet of storage prior to discharging via the control structure weir. The proposed parking garage construction will include installing 252 SC-740 Stormtech chambers in the western portion of the existing surface parking lot for a total retention volume of 18,875 cubic feet within the Phase III portion of the project. The existing control structure will be converted to provide outfall to the Lakeshore Drive system, and a new control structure with bleeder and weir will be installed on the southwest corner of the parking garage. The modifications will result in a net decrease for the 25 year – 3 day offsite discharge rate of approximately 2.18 cfs.

All drainage improvements will be permitted with the SFWMD, Town of Lake Park, and Florida Department of Transportation. If you have any questions regarding this application, feel free to contact me at 561.689.9500 or todd@mcleodmccarthy.com.

Sincerely,

10/21/14

Todd N. McLeod, P.E., Vice-President
FL License No. 69188 | CA No. 30535

PHASE I CALCULATIONS

STORM WATER MANAGEMENT CALCULATIONS

Engineer: TNM
Date: 03/31/14
Revised: 10/21/14

Project Name: EARL STEWART TOYOTA
Project #: MMA #14-43

LAND USE BREAKDOWN

EXISTING

Site Area =	4.46 ac	
Non-Contributing Area =	0.00 ac	
Offsite Area =	0.85 ac	Jasmine Dr. R/W
Basin Area =	5.31 ac	

	Acres	%	Grading From	Grading To
Impervious Area				
Building	1.32 ac	(25%)	10.70	
Pavement	2.27 ac	(43%)	6.00	10.50
Jasmine Dr.	0.85 ac	(16%)	5.00	10.00
Pervious Area				
Green Space	0.87 ac	(16%)	6.00	10.50
Exfil Trench (1238 LF)	0.00 ac	(%)	3.00	5.00
Subtotal Impervious Areas	4.44 ac	(84%)		
Subtotal Pervious Areas	0.87 ac	(16%)		

Find Curve Number:

Avg. Pervious Ground El. =	8.25	
Control Elevation =	3.00	(Per SFWMD ERP No. 50-08148-P)
Depth to Water Table =	5.25	
Soil Type =	Coastal	

Soil Storage Table

(SFWMD's Vol. IV, Basis of Review, page E-2)

Depth to W.T. (ft)	Coastal Storage (in)	Flatwoods Storage (in)	Depression Storage (in)
1.0	0.8	0.8	0.6
2.0	2.5	2.5	2.1
3.0	6.6	5.4	4.4
4.0	10.9	9.0	6.8

Pervious Area =	0.87 ac	
Storage from Table =	8.16 in	(w/ 25% compaction)
Available Soil Storage =	0.59 af	
Soil Moisture Storage (S) =	1.34 in	
Curve Number =	88	

STORM WATER MANAGEMENT CALCULATIONS

Engineer: TNM
Date: 03/31/14
Revised: 10/21/14

Project Name: EARL STEWART TOYOTA
Project #: MMA #14-43

LAND USE BREAKDOWN

PROPOSED

Site Area = 5.31 ac
Basin Area = 5.31 ac

	Acres	%	Grading From	Grading To
Impervious Area				
Building	1.80 ac	(34%)	10.70	
Pavement	2.61 ac	(49%)	5.00	10.50
Pervious Area				
Green Space	0.90 ac	(17%)	6.00	10.50
Subtotal Impervious Areas	4.41 ac	(83%)		
Subtotal Pervious Areas	0.90 ac	(17%)		

Find Curve Number:

Avg. Pervious Ground El. = 8.25
Control EL. = 3.00 (Per SFWMD ERP No. 50-06148-P)
Depth to Water Table = 5.25
Soil Type = Coastal

Soil Storage Table

(SFWMD's Vol. IV, Basis of Review, page E-2)

Depth to W.T. (ft)	Coastal Storage (in)	Flatwoods Storage (in)	Depression Storage (in)
1.0	0.6	0.6	0.6
2.0	2.5	2.5	2.1
3.0	6.6	5.4	4.4
4.0	10.9	9.0	6.8

Pervious Area = 0.90 ac
Storage from Table = 8.18 in (w/ 25% compaction)
Avail Soil Storage = 0.61 af
Soil Moisture Storage (S) = 1.39 in
Curve Number = 88

STORM WATER MANAGEMENT CALCULATIONS

Engineer: TNM
Project Name: EARL STEWART TOYOTA
Date: 03/31/14
Project #: MMA #14-43
Revised: 10/21/14

STAGE -STORAGE CALCULATIONS

EXISTING

Starting Stage	3.00
Ending Stage	11.00
Stage Increment	1.00

Name	Pavement	Jasmine Dr.	Green Space	Exfil Trench (1238 LF)	
Area	2.27	0.85	0.87	0.99	
Start Elev	6.00	5.00	6.00	3.00	
End Elev	10.50	10.00	10.50	5.00	
Stage Feet NGVD	Linear Storage Ac-ft	Linear Storage Ac-ft	Linear Storage Ac-ft	Linear Storage Ac-ft	Total Storage Ac-ft
3.00	0.00	0.00	0.00	0.00	0.00
4.00	0.00	0.00	0.00	0.25	0.25
5.00	0.00	0.00	0.00	0.99	0.99
6.00	0.00	0.09	0.00	0.99	1.08
7.00	0.25	0.34	0.10	0.99	1.68
8.00	1.01	0.77	0.39	0.99	3.15
9.00	2.27	1.36	0.87	0.99	5.49
10.00	4.04	2.13	1.55	0.99	8.70
11.00	6.31	2.98	2.42	0.99	12.69

STORM WATER MANAGEMENT CALCULATIONS

Engineer: TNM

Project Name: EARL STEWART TOYOTA
Project #: MMA #14-43

Date: 03/31/14
Revised: 10/21/14

STAGE -STORAGE CALCULATIONS

PROPOSED

Starting Stage	**3.00**
Ending Stage	**11.00**
Stage Increment	**1.00**

Name	**Pavement**	**Green Space**	**Trench**
Area	2.61	0.90	1.06 (AF)
Start Elev	5.00	6.00	3.00
End Elev	10.50	10.50	5.00

Stage Feet NGVD	Linear Storage Ac-ft	Linear Storage Ac-ft	Linear Storage Ac-ft	Total Storage Ac-ft
3.00	0.00	0.00	0.00	0.00
4.00	0.00	0.00	0.53	0.53
5.00	0.00	0.00	1.06	1.06
6.00	0.24	0.00	1.06	1.30
7.00	0.95	0.10	1.06	2.11
8.00	2.14	0.40	1.06	3.60
9.00	3.80	0.90	1.06	5.76
10.00	5.93	1.60	1.06	8.59
11.00	8.54	2.50	1.06	12.10

STORM WATER MANAGEMENT CALCULATIONS

Engineer: TNM
Date: 03/31/14
Revised: 10/21/14

Project Name: EARL STEWART TOYOTA
Project #: MMA #14-43

POST-DEVELOPMENT RUNOFF (ZERO DISCHARGE CALCULATIONS)

Soil Moisture Storage (S_{exist})	1.34 in
Soil Moisture Storage (S_{prop})	1.39 in

25 Year, 3 Day Rainfall Amount (P): 13.0 in Figure C-8

CITY LOS: 25-YEAR, 3-DAY RUNOFF CALCULATIONS:

Existing:

Q = (P-(0.2XS))2 / (P+(0.8*S))
= 11.5 in

Volume = Q x Site Area x 1'/12"
= 11.5 in X 5.31 X 1'/12" = **5.10 AF**

Proposed:

Q = (P-(0.2XS))2 / (P+(0.8*S))
= 11.5 in

Volume = Q x Site Area x 1'/12"
= 11.5 in X 5.31 X 1'/12" = **5.08 AF**

ALLOWABLE DISCHARGE:

SFWMD Drainage Basin:	Intracoastal	
Allowable Discharge (cfs):	23.70	(Calculated Pre-Dev. Discharge)
Proposed Peak Discharge (cfs):	22.25	**(Calculated Post-Dev Discharge)**

Storm Event	Rainfall (in)	Peak Stage (ft-NGVD)	Peak Discharge (cfs)	Design Criteria	Prop Stage (ft-NGVD)
25-yr, 3-day =	13.0	6.36	22.25	Town and SFWMD LOS (Pre vs. Post)	n/a

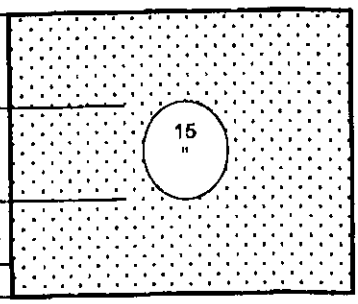
STORM WATER MANAGEMENT CALCULATIONS

Project Name: EARL STEWART TOYOTA
Project #: MMA #14-43

Engineer: TNM
Date: 03/31/14
Revised: 10/21/14

EXFILTRATION TRENCH DESIGN

Minimum Ground Elevation = 7.00
Weir Elevation = 5.00
Trench Top Elevation = 5.00
Pipe Overt Elevation = 4.25
Pipe Invert Elevation = 3.00
CWE (Per SFWMD File) = 3.00
Trench Bottom Elevation = 1.00



Standard Formula

$V = L*(K(H_2*W+2*H_2*Du-Du^{\wedge}2+2*H_2*Ds)+(1.39*10^{\wedge}-4)*W*Du)$

<=== INPUT ONLY IN GRAY CELLS

L	Length of Trench Provided	1320
W	Trench Width (feet)	8
K	Hydraulic Conductivity (cfs/ft^2-ft.head)	2.65E-04
H_2	Depth to Water Table (feet)	2
Du	Non Saturated Trench Depth (feet)	2
Ds	Saturated Trench Depth (feet)	2

V Volume Treated (acre-in) 12.73
Volume Treated (acre-ft) 1.06

PRE-DEVELOPMENT ICPR ROUTINGS

Project Name: Earl Stewart Toyota
Reviewer: McLeod
Project Number: 1443
Period Begin: Jan 01, 2000;0000 hr End: Jan 04, 2000;0300 hr Duration: 75 hr
Time Step: 0.2 hr, Iterations: 20

Basin 1: Earl Stewart Site

Method: Santa Barbara Unit Hydrograph
Rainfall Distribution: SFWMD - 3day
Design Frequency: 25 year
3 Day Rainfall: 13 inches
Area: 5.31 acres
Ground Storage: 1.34 inches
Time of Concentration: 0.17 hours
Initial Stage: 3 ft NGVD

Stage (ft NGVD)	Storage (acre-ft)
3.00	0.00
4.00	0.25
5.00	0.99
6.00	1.08
7.00	1.68
8.00	3.15
9.00	5.49
10.00	8.70
11.00	12.69

Offsite Receiving Body: Offsite1

Time (hr)	Stage (ft NGVD)
0.00	3.00
73.00	3.00
90.00	3.00

Structure: 1

From Basin: Earl Stewart Site
To Basin: Offsite1
Structure Type: Gravity
Weir: Sharp Crested, Crest Elev = 5 ft NGVD, Length = 4.5 ft
Bleeder: None
Pipe: None

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
0.00	0.00	0.00	0.00	0.00	3.00	3.00
1.00	0.06	0.00	0.00	0.00	3.00	3.00
2.00	0.12	0.00	0.00	0.00	3.00	3.00
3.00	0.17	0.00	0.00	0.00	3.00	3.00
4.00	0.23	0.00	0.00	0.00	3.00	3.00
5.00	0.29	0.01	0.00	0.00	3.00	3.00
6.00	0.35	0.03	0.00	0.00	3.01	3.00
7.00	0.41	0.05	0.00	0.00	3.02	3.00
8.00	0.47	0.07	0.00	0.00	3.04	3.00
9.00	0.52	0.09	0.00	0.00	3.07	3.00
10.00	0.58	0.10	0.00	0.00	3.10	3.00
11.00	0.64	0.12	0.00	0.00	3.14	3.00
12.00	0.70	0.13	0.00	0.00	3.18	3.00
13.00	0.76	0.14	0.00	0.00	3.22	3.00
14.00	0.81	0.15	0.00	0.00	3.27	3.00
15.00	0.87	0.16	0.00	0.00	3.32	3.00
16.00	0.93	0.17	0.00	0.00	3.38	3.00
17.00	0.99	0.18	0.00	0.00	3.44	3.00
18.00	1.05	0.19	0.00	0.00	3.50	3.00

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
19.00	1.11	0.19	0.00	0.00	3.56	3.00
20.00	1.16	0.20	0.00	0.00	3.62	3.00
21.00	1.22	0.20	0.00	0.00	3.69	3.00
22.00	1.28	0.21	0.00	0.00	3.76	3.00
23.00	1.34	0.21	0.00	0.00	3.83	3.00
24.00	1.40	0.22	0.00	0.00	3.90	3.00
25.00	1.48	0.33	0.00	0.00	4.00	3.00
26.00	1.57	0.34	0.00	0.00	4.04	3.00
27.00	1.65	0.34	0.00	0.00	4.07	3.00
28.00	1.74	0.35	0.00	0.00	4.11	3.00
29.00	1.82	0.36	0.00	0.00	4.15	3.00
30.00	1.91	0.36	0.00	0.00	4.19	3.00
31.00	1.99	0.37	0.00	0.00	4.23	3.00
32.00	2.08	0.37	0.00	0.00	4.27	3.00
33.00	2.16	0.38	0.00	0.00	4.32	3.00
34.00	2.25	0.38	0.00	0.00	4.36	3.00
35.00	2.33	0.38	0.00	0.00	4.40	3.00
36.00	2.42	0.39	0.00	0.00	4.44	3.00
37.00	2.50	0.39	0.00	0.00	4.49	3.00
38.00	2.59	0.39	0.00	0.00	4.53	3.00
39.00	2.67	0.40	0.00	0.00	4.58	3.00
40.00	2.75	0.40	0.00	0.00	4.62	3.00
41.00	2.84	0.40	0.00	0.00	4.66	3.00
42.00	2.92	0.40	0.00	0.00	4.71	3.00
43.00	3.01	0.41	0.00	0.00	4.75	3.00
44.00	3.09	0.41	0.00	0.00	4.80	3.00
45.00	3.18	0.41	0.00	0.00	4.85	3.00
46.00	3.26	0.41	0.00	0.00	4.89	3.00
47.00	3.35	0.41	0.00	0.00	4.94	3.00
48.00	3.43	0.41	0.00	0.00	4.98	3.00
49.00	3.53	0.47	0.46	0.02	5.10	3.00
50.00	3.63	0.47	0.47	0.06	5.10	3.00
51.00	3.74	0.57	0.56	0.10	5.12	3.00
52.00	3.86	0.66	0.64	0.15	5.13	3.00
53.00	4.03	0.85	0.84	0.22	5.15	3.00
54.00	4.23	1.05	1.03	0.29	5.18	3.00
55.00	4.47	1.25	1.20	0.39	5.22	3.00
56.00	4.74	1.45	0.12	0.46	5.53	3.00
57.00	5.07	1.74	1.99	0.52	6.08	3.00
58.00	5.47	2.14	1.87	0.68	6.08	3.00
59.00	6.01	3.11	4.17	0.92	6.08	3.00
60.00	9.71	32.04	23.70	2.02	6.41	3.00
61.00	10.77	4.13	9.16	3.03	6.04	3.00
62.00	11.26	2.36	4.40	3.21	6.07	3.00
63.00	11.57	1.53	1.00	3.32	6.08	3.00
64.00	11.85	1.52	1.67	3.45	6.08	3.00
65.00	12.02	0.91	0.91	3.53	6.08	3.00
66.00	12.20	0.91	0.91	3.61	6.08	3.00
67.00	12.37	0.91	0.91	3.69	6.08	3.00
68.00	12.54	0.91	0.91	3.76	6.08	3.00
69.00	12.66	0.61	0.61	3.81	6.08	3.00
70.00	12.77	0.61	0.61	3.87	6.08	3.00
71.00	12.89	0.61	0.61	3.92	6.08	3.00
72.00	13.00	0.61	0.61	3.97	6.08	3.00
73.00	13.00	0.00	0.03	3.98	6.07	3.00
74.00	13.00	0.00	0.01	3.98	6.06	3.00
75.00	13.00	0.00	0.00	3.98	6.06	3.00

STRUCTURE MAXIMUM AND MINIMUM DISCHARGES

Struc	Max (cfs)	Time (hr)	Min (cfs)	Time (hr)
1	23.70	60.00	0.00	0.00

BASIN MAXIMUM AND MINIMUM STAGES

Basin	Max (ft)	Time (hr)	Min (ft)	Time (hr)

Earl Stewart S	6.41	60.00	3.00	0.00

BASIN WATER BUDGETS (all units in acre-ft)

Basin	Total Runoff	Structure Inflow	Structure Outflow	Initial Storage	Final Storage	Residual
Earl Stewart S	5.10	0.00	3.98	0.00	1.12	0.00

POST-DEVELOPMENT CASCADE ROUTINGS

Project Name: Earl Stewart Toyota
Reviewer: McLeod
Project Number: 1443
Period Begin: Jan 01, 2000;0000 hr End: Jan 04, 2000;0300 hr Duration: 75 hr
Time Step: 0.2 hr, Iterations: 20

Basin 1: Earl Stewart Site

Method: Santa Barbara Unit Hydrograph
Rainfall Distribution: SFWMD - 3day
Design Frequency: 25 year
3 Day Rainfall: 13 inches
Area: 5.31 acres
Ground Storage: 1.39 inches
Time of Concentration: 0.17 hours
Initial Stage: 3 ft NGVD

Stage (ft NGVD)	Storage (acre-ft)
3.00	0.00
4.00	0.53
5.00	1.06
6.00	1.30
7.00	2.11
8.00	3.60
9.00	5.76
10.00	8.59
11.00	12.10

Offsite Receiving Body: Offsite1

Time (hr)	Stage (ft NGVD)
0.00	3.00
73.00	3.00
90.00	3.00

Structure: 1

From Basin: Earl Stewart Site
To Basin: Offsite1
Structure Type: Gravity
Weir: Sharp Crested, Crest Elev = 5 ft NGVD, Length = 4.5 ft
Bleeder: None
Pipe: None

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
0.00	0.00	0.00	0.00	0.00	3.00	3.00
1.00	0.06	0.00	0.00	0.00	3.00	3.00
2.00	0.12	0.00	0.00	0.00	3.00	3.00
3.00	0.17	0.00	0.00	0.00	3.00	3.00
4.00	0.23	0.00	0.00	0.00	3.00	3.00
5.00	0.29	0.00	0.00	0.00	3.00	3.00
6.00	0.35	0.03	0.00	0.00	3.00	3.00
7.00	0.41	0.05	0.00	0.00	3.01	3.00
8.00	0.47	0.07	0.00	0.00	3.02	3.00
9.00	0.52	0.08	0.00	0.00	3.03	3.00
10.00	0.58	0.10	0.00	0.00	3.04	3.00
11.00	0.64	0.11	0.00	0.00	3.06	3.00
12.00	0.70	0.13	0.00	0.00	3.08	3.00
13.00	0.76	0.14	0.00	0.00	3.10	3.00
14.00	0.81	0.15	0.00	0.00	3.12	3.00
15.00	0.87	0.16	0.00	0.00	3.14	3.00
16.00	0.93	0.17	0.00	0.00	3.17	3.00
17.00	0.99	0.17	0.00	0.00	3.20	3.00
18.00	1.05	0.18	0.00	0.00	3.22	3.00

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
19.00	1.11	0.19	0.00	0.00	3.25	3.00
20.00	1.16	0.19	0.00	0.00	3.28	3.00
21.00	1.22	0.20	0.00	0.00	3.31	3.00
22.00	1.28	0.21	0.00	0.00	3.34	3.00
23.00	1.34	0.21	0.00	0.00	3.38	3.00
24.00	1.40	0.21	0.00	0.00	3.41	3.00
25.00	1.48	0.32	0.00	0.00	3.46	3.00
26.00	1.57	0.33	0.00	0.00	3.51	3.00
27.00	1.65	0.34	0.00	0.00	3.56	3.00
28.00	1.74	0.34	0.00	0.00	3.61	3.00
29.00	1.82	0.35	0.00	0.00	3.67	3.00
30.00	1.91	0.36	0.00	0.00	3.72	3.00
31.00	1.99	0.36	0.00	0.00	3.78	3.00
32.00	2.08	0.37	0.00	0.00	3.84	3.00
33.00	2.16	0.37	0.00	0.00	3.89	3.00
34.00	2.25	0.38	0.00	0.00	3.95	3.00
35.00	2.33	0.38	0.00	0.00	4.01	3.00
36.00	2.42	0.38	0.00	0.00	4.07	3.00
37.00	2.50	0.39	0.00	0.00	4.13	3.00
38.00	2.59	0.39	0.00	0.00	4.19	3.00
39.00	2.67	0.39	0.00	0.00	4.25	3.00
40.00	2.75	0.40	0.00	0.00	4.31	3.00
41.00	2.84	0.40	0.00	0.00	4.37	3.00
42.00	2.92	0.40	0.00	0.00	4.44	3.00
43.00	3.01	0.40	0.00	0.00	4.50	3.00
44.00	3.09	0.40	0.00	0.00	4.56	3.00
45.00	3.18	0.41	0.00	0.00	4.63	3.00
46.00	3.26	0.41	0.00	0.00	4.69	3.00
47.00	3.35	0.41	0.00	0.00	4.75	3.00
48.00	3.43	0.41	0.00	0.00	4.82	3.00
49.00	3.53	0.47	0.00	0.00	4.89	3.00
50.00	3.63	0.47	0.00	0.00	4.96	3.00
51.00	3.74	0.56	0.29	0.01	5.08	3.00
52.00	3.86	0.65	0.59	0.05	5.12	3.00
53.00	4.03	0.85	0.79	0.11	5.15	3.00
54.00	4.23	1.04	0.99	0.18	5.17	3.00
55.00	4.47	1.24	1.19	0.28	5.19	3.00
56.00	4.74	1.44	1.40	0.38	5.21	3.00
57.00	5.07	1.74	1.66	0.51	5.24	3.00
58.00	5.47	2.14	2.06	0.67	5.28	3.00
59.00	6.01	3.10	2.87	0.87	5.35	3.00
60.00	9.71	32.00	21.43	1.75	6.32	3.00
61.00	10.77	4.13	5.49	2.89	5.53	3.00
62.00	11.26	2.36	2.55	3.16	5.32	3.00
63.00	11.57	1.53	1.64	3.32	5.24	3.00
64.00	11.85	1.52	1.52	3.45	5.23	3.00
65.00	12.02	0.91	0.97	3.54	5.17	3.00
66.00	12.20	0.91	0.91	3.62	5.16	3.00
67.00	12.37	0.91	0.91	3.69	5.16	3.00
68.00	12.54	0.91	0.91	3.77	5.16	3.00
69.00	12.66	0.61	0.65	3.83	5.13	3.00
70.00	12.77	0.61	0.61	3.88	5.12	3.00
71.00	12.89	0.61	0.61	3.93	5.12	3.00
72.00	13.00	0.61	0.61	3.98	5.12	3.00
73.00	13.00	0.00	0.13	4.00	5.04	3.00
74.00	13.00	0.00	0.04	4.01	5.02	3.00
75.00	13.00	0.00	0.02	4.01	5.01	3.00

STRUCTURE MAXIMUM AND MINIMUM DISCHARGES

Struc	Max (cfs)	Time (hr)	Min (cfs)	Time (hr)
1	22.25	60.20	0.00	0.00

BASIN MAXIMUM AND MINIMUM STAGES

Basin	Max (ft)	Time (hr)	Min (ft)	Time (hr)

Earl Stewart S	6.36	60.20	3.00	0.00

BASIN WATER BUDGETS (all units in acre-ft)

Basin	Total Runoff	Structure Inflow	Structure Outflow	Initial Storage	Final Storage	Residual
Earl Stewart S	5.07	0.00	4.01	0.00	1.06	0.00

PHASE III CALCULATIONS

STORM WATER MANAGEMENT CALCULATIONS

Engineer: TNM
Date: 03/31/14
Revised: n/a

Project Name: EARL STEWART TOYOTA
Project #: MMA #14-43

LAND USE BREAKDOWN

EXISTING

Site Area = 1.88 ac
Basin Area = 1.88 ac

	Acres	%	Grading From	Grading To
Impervious Area				
Building	0.00 ac	(%)		
Pavement	1.30 ac	(69%)	5.00	10.30
Pervious Area				
Green Space	0.38 ac	(20%)	5.00	10.30
Dry Detention Bottom	0.11 ac	(6%)	3.00	
Dry Detention Banks	0.09 ac	(5%)	3.00	5.00
Subtotal Impervious Areas	1.30 ac	(69%)		
Subtotal Pervious Areas	0.58 ac	(31%)		

Find Curve Number:

Avg. Pervious Ground El. = 6.20
Control Elevation = 3.00 (Per SFWMD ERP No. 50-06148-P)
Depth to Water Table = 3.20
Soil Type = Coastal

Soil Storage Table

(SFWMD's Vol. IV, Basis of Review, page E-2)

Depth to W.T. (ft)	Coastal Storage (in)	Flatwoods Storage (in)	Depression Storage (in)
1.0	0.6	0.6	0.6
2.0	2.5	2.5	2.1
3.0	6.6	5.4	4.4
4.0	10.9	9.0	6.8

Pervious Area = 0.58 ac
Storage from Table = 5.60 in (w/ 25% compaction)
Available Soil Storage = 0.27 af
Soil Moisture Storage (S) = 1.73 in
Curve Number = 85

STORMWATER MANAGEMENT CALCULATIONS

Engineer: TNM
Date: 03/31/14
Revised: n/a

Project Name: EARL STEWART TOYOTA
Project #: MMA #14-43

LAND USE BREAKDOWN

PROPOSED

Site Area = 1.88 ac
Basin Area = 1.88 ac

	Acres	%	Grading From	Grading To
Impervious Area				
Building	0.72 ac	(38%)	5.70	
Pavement	0.68 ac	(36%)	8.50	10.30
Pervious Area				
Green Space	0.48 ac	(28%)	5.00	10.30
Subtotal Impervious Areas	1.40 ac	(74%)		
Subtotal Pervious Areas	0.48 ac	(26%)		

Find Curve Number:

Avg. Pervious Ground El. = 7.65
Control EL. = 3.00 (Per SFWMD ERP No. 50-06148-P)
Depth to Water Table = 4.65
Soil Type = Coastal

Soil Storage Table

(SFWMD's Vol. IV, Basis of Review, page E-2)

Depth to W.T. (ft)	Coastal Storage (in)	Flatwoods Storage (in)	Depression Storage (in)
1.0	0.6	0.6	0.6
2.0	2.5	2.5	2.1
3.0	6.6	5.4	4.4
4.0	10.9	9.0	6.8

Pervious Area = 0.48 ac
Storage from Table = 8.18 in (w/ 25% compaction)
Avail Soil Storage = 0.33 af
Soil Moisture Storage (S) = 2.09 in
Curve Number = 83

STORM WATER MANAGEMENT CALCULATIONS

Engineer: TNM

Project Name: EARL STEWART TOYOTA
Date: 03/31/14

Project #: MMA #14-43
Revised: n/a

STAGE -STORAGE CALCULATIONS

EXISTING

Starting Stage	3.00
Ending Stage	11.00
Stage Increment	1.00

Name	Pavement	Green Space	Dry Detention Bottom	Dry Detention Banks	
Area	1.30	0.38	0.11	0.09	
Start Elev	5.00	5.00	3.00	3.00	
End Elev	10.30	10.30	0.00	5.00	
Stage Feet NGVD	Linear Storage Ac-ft	Linear Storage Ac-ft	Vert Storage Ac-ft	Linear Storage Ac-ft	Total Storage Ac-ft
3.00	0.00	0.00	0.00	0.00	0.00
4.00	0.00	0.00	0.11	0.02	0.13
5.00	0.00	0.00	0.22	0.09	0.31
6.00	0.12	0.04	0.33	0.18	0.67
7.00	0.49	0.14	0.44	0.27	1.34
8.00	1.10	0.32	0.55	0.36	2.34
9.00	1.96	0.57	0.66	0.45	3.65
10.00	3.07	0.90	0.77	0.54	5.27
11.00	4.37	1.28	0.88	0.63	7.15

STORM WATER MANAGEMENT CALCULATIONS

Engineer: TNM

Project Name: EARL STEWART TOYOTA
Date: 03/31/14

Project #: MMA #14-43
Revised: n/a

STAGE -STORAGE CALCULATIONS

PROPOSED

Starting Stage	**3.00**
Ending Stage	**11.00**
Stage Increment	**1.00**

Name	Pavement	Green Space	StormTech (252 SC-740 Chambers)	
Area	0.68	0.48	0.43 (AF)	
Start Elev	8.50	5.00	3.00	
End Elev	10.30	10.30	6.50	
Stage Feet NGVD	Linear Storage Ac-ft	Linear Storage Ac-ft	Linear Storage Ac-ft	Total Storage Ac-ft
3.00	0.00	0.00	0.00	0.00
4.00	0.00	0.00	0.12	0.12
5.00	0.00	0.00	0.25	0.25
6.00	0.00	0.05	0.37	0.41
7.00	0.00	0.18	0.43	0.61
8.00	0.00	0.41	0.43	0.84
9.00	0.05	0.72	0.43	1.20
10.00	0.43	1.13	0.43	1.99
11.00	1.11	1.61	0.43	3.15

STORM WATER MANAGEMENT CALCULATIONS

Project Name: EARL STEWART TOYOTA
Project #: MMA #14-43

Engineer: TNM
Date: 03/31/14
Revised: n/a

POST-DEVELOPMENT RUNOFF (ZERO DISCHARGE CALCULATIONS)

Soil Moisture Storage (S_{exist})	1.73 in
Soil Moisture Storage (S_{prop})	2.09 in

25 Year, 3 Day Rainfall Amount (P): 13.0 in Figure C-8

CITY LOS: 25-YEAR, 3-DAY RUNOFF CALCULATIONS:

Existing:

Q = (P-(0.2XS))2 / (P+(0.8*S))
= 11.1 in

Volume = Q x Site Area x 1'/12"
= 11.1 in X 1.88 X 1'/12" = **1.74 AF**

Proposed:

Q = (P-(0.2XS))2 / (P+(0.8*S))
= 10.8 in

Volume = Q x Site Area x 1'/12"
= 10.8 in X 1.88 X 1'/12" = **1.69 AF**

ALLOWABLE DISCHARGE:

SFWMD Drainage Basin:	Intracoastal	
Allowable Discharge (cfs):	7.51	(Calculated Pre-Dev. Discharge)
Proposed Peak Discharge (cfs):	5.33	(Calculated Post-Dev Discharge)

Storm Event	Rainfall (in)	Peak Stage (ft-NGVD)	Peak Discharge (cfs)	Design Criteria	Prop Stage (ft-NGVD)
25-yr, 3-day =	13.0	5.48	5.33	Town and SFWMD LOS (Pre vs. Post)	n/a

PRE-DEVELOPMENT ICPR ROUTINGS

Project Name: Earl Stewart Toyota_Phase II
Reviewer: McLeod
Project Number: 1443
Period Begin: Jan 01, 2000;0000 hr End: Jan 04, 2000;0300 hr Duration: 75 hr
Time Step: 0.2 hr, Iterations: 20

Basin 1: Earl Stewart Site (North)

Method: Santa Barbara Unit Hydrograph
Rainfall Distribution: SFWMD - 3day
Design Frequency: 25 year
3 Day Rainfall: 13 inches
Area: 1.88 acres
Ground Storage: 1.73 inches
Time of Concentration: 0.17 hours
Initial Stage: 3 ft NGVD

Stage (ft NGVD)	Storage (acre-ft)
3.00	0.00
4.00	0.13
5.00	0.31
6.00	0.67
7.00	1.34
8.00	2.34
9.00	3.65
10.00	5.27
11.00	7.15

Offsite Receiving Body: Offsite1

Time (hr)	Stage (ft NGVD)
0.00	3.00
73.00	3.00
90.00	3.00

Structure: 1

From Basin: Earl Stewart Site (North)
To Basin: Offsite1
Structure Type: Gravity
Weir: Sharp Crested, Crest Elev = 5 ft NGVD, Length = 4.5 ft
Bleeder: Circular, Invert Elev = 3 ft NGVD, Diameter = 0.25 ft
Default Coefs: Weir Coef = 0.6, Orifice Coef = 0.6
Pipe: None

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
0.00	0.00	0.00	0.00	0.00	3.00	3.00
1.00	0.06	0.00	0.00	0.00	3.00	3.00
2.00	0.12	0.00	0.00	0.00	3.00	3.00
3.00	0.17	0.00	0.00	0.00	3.00	3.00
4.00	0.23	0.00	0.00	0.00	3.00	3.00
5.00	0.29	0.00	0.00	0.00	3.00	3.00
6.00	0.35	0.00	0.00	0.00	3.00	3.00
7.00	0.41	0.01	0.00	0.00	3.00	3.00
8.00	0.47	0.01	0.00	0.00	3.01	3.00
9.00	0.52	0.02	0.00	0.00	3.02	3.00
10.00	0.58	0.02	0.00	0.00	3.03	3.00
11.00	0.64	0.03	0.00	0.00	3.05	3.00
12.00	0.70	0.03	0.01	0.00	3.06	3.00
13.00	0.76	0.04	0.01	0.00	3.08	3.00
14.00	0.81	0.04	0.02	0.00	3.10	3.00
15.00	0.87	0.04	0.02	0.00	3.11	3.00
16.00	0.93	0.05	0.03	0.01	3.13	3.00
17.00	0.99	0.05	0.03	0.01	3.14	3.00

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
18.00	1.05	0.05	0.04	0.01	3.15	3.00
19.00	1.11	0.06	0.04	0.01	3.16	3.00
20.00	1.16	0.06	0.04	0.02	3.17	3.00
21.00	1.22	0.06	0.05	0.02	3.18	3.00
22.00	1.28	0.06	0.05	0.03	3.19	3.00
23.00	1.34	0.07	0.06	0.03	3.19	3.00
24.00	1.40	0.07	0.06	0.04	3.20	3.00
25.00	1.48	0.10	0.07	0.04	3.22	3.00
26.00	1.57	0.10	0.08	0.05	3.24	3.00
27.00	1.65	0.11	0.09	0.05	3.26	3.00
28.00	1.74	0.11	0.09	0.06	3.27	3.00
29.00	1.82	0.11	0.09	0.07	3.28	3.00
30.00	1.91	0.12	0.10	0.08	3.30	3.00
31.00	1.99	0.12	0.10	0.08	3.31	3.00
32.00	2.08	0.12	0.10	0.09	3.32	3.00
33.00	2.16	0.12	0.11	0.10	3.33	3.00
34.00	2.25	0.12	0.11	0.11	3.34	3.00
35.00	2.33	0.13	0.11	0.12	3.35	3.00
36.00	2.42	0.13	0.11	0.13	3.36	3.00
37.00	2.50	0.13	0.12	0.14	3.36	3.00
38.00	2.59	0.13	0.12	0.15	3.37	3.00
39.00	2.67	0.13	0.12	0.16	3.38	3.00
40.00	2.75	0.13	0.12	0.17	3.39	3.00
41.00	2.84	0.13	0.12	0.18	3.39	3.00
42.00	2.92	0.13	0.12	0.19	3.40	3.00
43.00	3.01	0.14	0.13	0.20	3.41	3.00
44.00	3.09	0.14	0.13	0.21	3.41	3.00
45.00	3.18	0.14	0.13	0.22	3.42	3.00
46.00	3.26	0.14	0.13	0.23	3.43	3.00
47.00	3.35	0.14	0.13	0.24	3.43	3.00
48.00	3.43	0.14	0.13	0.25	3.44	3.00
49.00	3.53	0.16	0.13	0.26	3.45	3.00
50.00	3.63	0.16	0.14	0.27	3.46	3.00
51.00	3.74	0.19	0.14	0.29	3.49	3.00
52.00	3.86	0.22	0.15	0.30	3.53	3.00
53.00	4.03	0.29	0.16	0.31	3.60	3.00
54.00	4.23	0.36	0.18	0.33	3.70	3.00
55.00	4.47	0.43	0.20	0.34	3.83	3.00
56.00	4.74	0.50	0.22	0.36	4.00	3.00
57.00	5.07	0.60	0.24	0.38	4.15	3.00
58.00	5.47	0.74	0.26	0.40	4.34	3.00
59.00	6.01	1.08	0.29	0.42	4.63	3.00
60.00	9.71	11.22	6.62	0.60	5.58	3.00
61.00	10.77	1.45	2.53	0.98	5.29	3.00
62.00	11.26	0.83	1.12	1.11	5.15	3.00
63.00	11.57	0.54	0.70	1.18	5.09	3.00
64.00	11.85	0.53	0.58	1.23	5.07	3.00
65.00	12.02	0.32	0.42	1.27	5.04	3.00
66.00	12.20	0.32	0.37	1.30	5.02	3.00
67.00	12.37	0.32	0.35	1.33	5.01	3.00
68.00	12.54	0.32	0.34	1.36	5.01	3.00
69.00	12.66	0.21	0.32	1.38	4.97	3.00
70.00	12.77	0.21	0.32	1.41	4.93	3.00
71.00	12.89	0.21	0.31	1.44	4.88	3.00
72.00	13.00	0.21	0.31	1.46	4.84	3.00
73.00	13.00	0.00	0.30	1.49	4.71	3.00
74.00	13.00	0.00	0.29	1.51	4.58	3.00
75.00	13.00	0.00	0.27	1.53	4.45	3.00

STRUCTURE MAXIMUM AND MINIMUM DISCHARGES

Struc	Max (cfs)	Time (hr)	Min (cfs)	Time (hr)
1	7.51	60.20	0.00	0.00

BASIN MAXIMUM AND MINIMUM STAGES

Basin	Max (ft)	Time (hr)	Min (ft)	Time (hr)

Earl Stewart S	5.64	60.20	3.00	0.00

BASIN WATER BUDGETS (all units in acre-ft)

Basin	Total Runoff	Structure Inflow	Structure Outflow	Initial Storage	Final Storage	Residual
Earl Stewart S	1.74	0.00	1.53	0.00	0.21	0.00

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
18.00	1.05	0.04	0.04	0.01	3.10	3.00
19.00	1.11	0.05	0.04	0.01	3.10	3.00
20.00	1.16	0.05	0.04	0.02	3.11	3.00
21.00	1.22	0.05	0.05	0.02	3.11	3.00
22.00	1.28	0.05	0.05	0.03	3.12	3.00
23.00	1.34	0.06	0.05	0.03	3.12	3.00
24.00	1.40	0.06	0.05	0.03	3.12	3.00
25.00	1.48	0.09	0.07	0.04	3.14	3.00
26.00	1.57	0.09	0.08	0.05	3.15	3.00
27.00	1.65	0.10	0.09	0.05	3.16	3.00
28.00	1.74	0.10	0.09	0.06	3.16	3.00
29.00	1.82	0.10	0.10	0.07	3.16	3.00
30.00	1.91	0.11	0.10	0.08	3.17	3.00
31.00	1.99	0.11	0.10	0.08	3.17	3.00
32.00	2.08	0.11	0.11	0.09	3.17	3.00
33.00	2.16	0.11	0.11	0.10	3.17	3.00
34.00	2.25	0.11	0.11	0.11	3.18	3.00
35.00	2.33	0.12	0.11	0.12	3.18	3.00
36.00	2.42	0.12	0.12	0.13	3.18	3.00
37.00	2.50	0.12	0.12	0.14	3.18	3.00
38.00	2.59	0.12	0.12	0.15	3.18	3.00
39.00	2.67	0.12	0.12	0.16	3.18	3.00
40.00	2.75	0.12	0.12	0.17	3.18	3.00
41.00	2.84	0.13	0.12	0.18	3.19	3.00
42.00	2.92	0.13	0.13	0.19	3.19	3.00
43.00	3.01	0.13	0.13	0.20	3.19	3.00
44.00	3.09	0.13	0.13	0.21	3.19	3.00
45.00	3.18	0.13	0.13	0.22	3.19	3.00
46.00	3.26	0.13	0.13	0.23	3.19	3.00
47.00	3.35	0.13	0.13	0.24	3.19	3.00
48.00	3.43	0.13	0.13	0.26	3.19	3.00
49.00	3.53	0.15	0.14	0.27	3.20	3.00
50.00	3.63	0.15	0.15	0.28	3.20	3.00
51.00	3.74	0.18	0.17	0.29	3.22	3.00
52.00	3.86	0.22	0.19	0.31	3.23	3.00
53.00	4.03	0.28	0.24	0.32	3.26	3.00
54.00	4.23	0.35	0.30	0.35	3.29	3.00
55.00	4.47	0.41	0.37	0.38	3.33	3.00
56.00	4.74	0.48	0.44	0.41	3.36	3.00
57.00	5.07	0.58	0.53	0.45	3.40	3.00
58.00	5.47	0.72	0.66	0.50	3.45	3.00
59.00	6.01	1.05	0.90	0.56	3.53	3.00
60.00	9.71	11.09	4.89	0.78	5.17	3.00
61.00	10.77	1.44	3.85	1.17	4.54	3.00
62.00	11.26	0.82	1.25	1.34	3.63	3.00
63.00	11.57	0.54	0.66	1.41	3.45	3.00
64.00	11.85	0.53	0.55	1.46	3.41	3.00
65.00	12.02	0.32	0.38	1.50	3.33	3.00
66.00	12.20	0.32	0.33	1.53	3.31	3.00
67.00	12.37	0.32	0.32	1.55	3.30	3.00
68.00	12.54	0.32	0.32	1.58	3.30	3.00
69.00	12.66	0.21	0.25	1.60	3.27	3.00
70.00	12.77	0.21	0.22	1.62	3.25	3.00
71.00	12.89	0.21	0.22	1.64	3.25	3.00
72.00	13.00	0.21	0.21	1.66	3.25	3.00
73.00	13.00	0.00	0.10	1.67	3.17	3.00
74.00	13.00	0.00	0.05	1.68	3.12	3.00
75.00	13.00	0.00	0.03	1.68	3.09	3.00

STRUCTURE MAXIMUM AND MINIMUM DISCHARGES

Struc	Max (cfs)	Time (hr)	Min (cfs)	Time (hr)
1	5.33	60.20	0.00	0.00

BASIN MAXIMUM AND MINIMUM STAGES

Basin	Max (ft)	Time (hr)	Min (ft)	Time (hr)

Earl Stewart S	5.48	60.20	3.00	0.00

BASIN WATER BUDGETS (all units in acre-ft)

Basin	Total Runoff	Structure Inflow	Structure Outflow	Initial Storage	Final Storage	Residual
Earl Stewart S	1.69	0.00	1.68	0.00	0.01	0.00

Town of Lake Park
Community Development Department

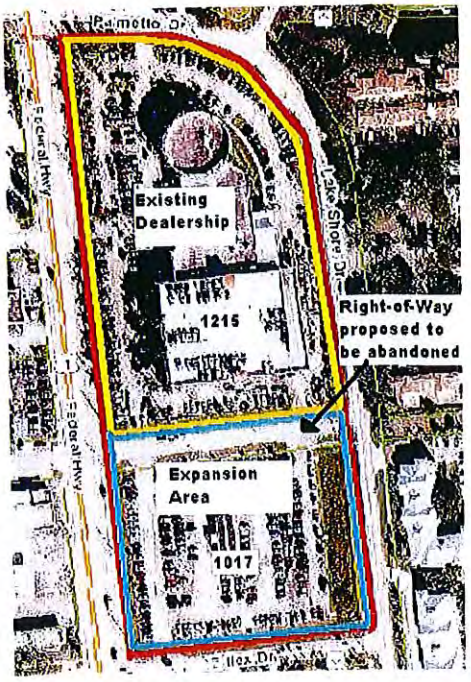
Certified Mail – *You are receiving this notice because you are the legal owner of record for property that is located within 300 feet of the subject property.*

January 15, 2015

Re: Earl Stewart Toyota/Commercial Investments LLC – Planned Unit Development Amendment (Site Plan and Rezoning) and Special Exception Use Approval

Dear Property Owner:

Please be advised that Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart Toyota and Commercial Investments LLC ("Owner") is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (36-43-42-21-27-000-0000) onto the existing East Jasmine right-of-way and 1017 Federal Highway (36-43-42-20-01-121-0010), which represents the overall site being considered for site plan approval. The proposed expansion requires an amendment to the existing boundaries of the Planned Unit Development (Rezoning from Commercial-I to PUD) and the special exception use approval of a vehicles sales establishment (see illustration). A right-of way abandonment application will also be considered separately and is tentatively scheduled for the March 4, 2015 Town Commission meeting.



7 continued

The Planning & Zoning Board will hold a public hearing on these matters on **Monday, February 2, 2015, at 7:00 p.m.,** or as soon thereafter as can be heard, in the Town Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida. The **Town Commission** will *tentatively* hold their public hearing on **Wednesday, March 4, 2015 at 6:30 p.m**., or as soon thereafter as can be heard, in the Town Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida.

If you have any questions, please do not hesitate to call the Community Development Department at (561) 881-3318.

Sincerely,

Nadia Di Tommaso, *Community Development Director*

535 Park Avenue, Lake Park, Florida 33403 – Phone: 561-881-3319 Fax: 561-881-3323
Web Site: www.lakeparkflorida.gov Email: NDiTommaso@lakeparkflorida.gov

Town of Lake Park
Community Development Department

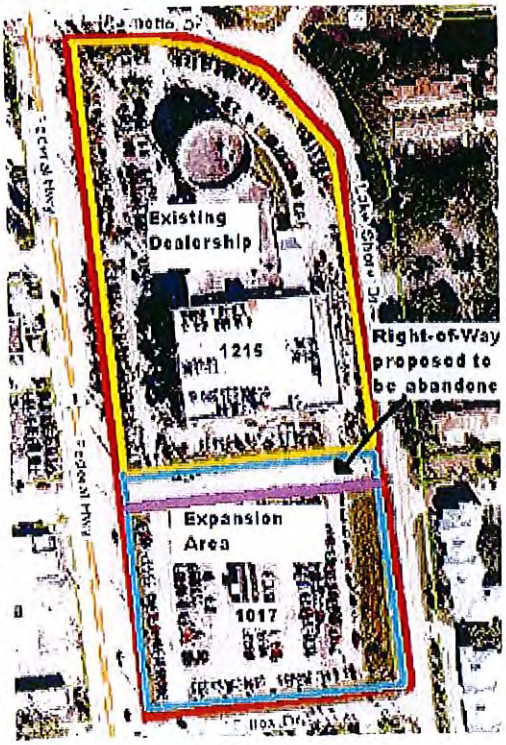
Certified Mail – ***You are receiving this notice because you are the legal owner of record for property that is located within 300 feet of the subject property.***

March 18, 2015

Re: **Earl Stewart LLC/Commercial Investments LLC - Planned Unit Development Amendment Application**
(1) Site Plan and Special Exception Use of a Vehicle Sales Establishment
(2) Abandonment of East Jasmine Drive
(3) Rezoning of 1017 North Federal Highway (C-1 to PUD)

Dear Property Owner:

Please be advised that Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner") is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (36-43-42-21-27-000-0000) onto the existing East Jasmine Drive right-of-way and 1017 Federal Highway (36-43-42-20-01-121-0010), which represents the overall site being considered for site plan approval. The proposed expansion requires an amendment to the existing boundaries of the Planned Unit Development (Rezoning from Commercial-1 (C-1) to Planned Unit Development (PUD) for the 1017 Federal Highway property) and the special exception use approval of a vehicles sales establishment (see illustration). A right-of-way abandonment application will also be considered separately for East Jasmine Drive.



The Town Commission will hold a public hearing on the Ordinance for the rezoning of the 1017 Federal Highway property, as well as the Ordinance for the abandonment of the East Jasmine Drive right-of-way on **Wednesday, April 1, 2015 on 1st reading** and **Wednesday, April 15, 2015 on 2nd reading** for adoption. The Resolution for the site plan and special exception use of a vehicle sales establishment will be heard by the Town Commission on **Wednesday, April 15, 2015**. All items will be presented at 6:30 p.m., or as soon thereafter as can be heard in the Town Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida.

If you have any questions, please do not hesitate to call the Community Development Department at (561) 881-3318.

Sincerely,

Nadia Di Tommaso, *Community Development Director*

535 Park Avenue, Lake Park, Florida 33403 – Phone: 561-881-3319 Fax: 561-881-3323
Web Site: www.lakeparkflorida.gov Email: NDiTommaso@lakeparkflorida.gov

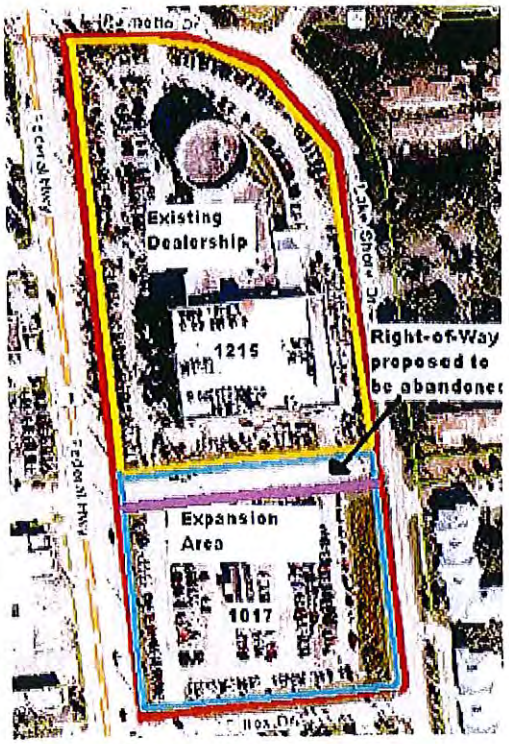
Town of Lake Park
Community Development Department

Regular Mail Notice – ***You are receiving this notice because on April 1, 2015 the Town Commission expressed interest in notifying the OCCUPANTS of the adjacent residential developments of the upcoming public hearings.***

May 8, 2015

Re: Earl Stewart LLC/Commercial Investments LLC - Planned Unit Development Amendment (PUD) Application
(1) Site Plan and Special Exception Use of a Vehicle Sales Establishment
(2) Abandonment of a 0.49 acre portion of East Jasmine Drive
(3) Land Use Amendment of East Jasmine Drive (Public Right-of-Way to Commercial/Residential)
(4) Rezoning of 1017 North Federal Highway (C-1 to PUD) and East Jasmine Drive (Public Right-of-Way to PUD)

Dear Occupant:



Please be advised that Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner") is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (36-43-42-21-27-000-0000) onto the existing East Jasmine Drive right-of-way and 1017 Federal Highway (36-43-42-20-01-121-0010), which represents the overall site being considered for site plan approval and special exception use approval of a vehicles sales establishment (see illustration). The proposed expansion requires an amendment to the existing boundaries of the Planned Unit Development and includes: (1) Land Use Amendment for East Jasmine Drive from a Public Right-of-Way to a Commercial/Residential land use designation; and (2) Rezoning from Commercial-1 to PUD for East Jasmine Drive and for the 1017 Federal Highway property. All of the above will be contingent on the approval of a right-of-way abandonment application which will also be considered separately for East Jasmine Drive.

The Town Commission will hold a public hearing on the various items approved by Ordinance (abandonment; land use; and rezoning) and by Resolution (site plan with special exception use) on **Wednesday, May 20, 2015** and **Wednesday, June 17, 2015**. All items will be presented at 6:30 p.m., or as soon thereafter as can be heard in the Town Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida.

If you have any questions, please do not hesitate to call the Community Development Department at (561) 881-3318.

Sincerely,

Nadia Di Tommaso, *Community Development Director*

535 Park Avenue, Lake Park, Florida 33403 – Phone: 561-881-3319 Fax: 561-881-3323
Web Site: www.lakeparkflorida.gov Email: NDiTommaso@lakeparkflorida.gov

TOWN OF LAKE PARK, FLORIDA
AFFIDAVIT
of
Mailing of Public Notices
and Public Notice Sign Posting

STATE OF FLORIDA
COUNTY OF PALM BEACH

APPLICATION NUMBER: **4771** PETITION NAME: **Earl Stewart Toyota**

BEFORE ME, the undersigned authority, personally appeared Anne Booth, who, after having been first duly sworn and put upon oath, says as follows:

1. That she is authorized on the behalf of the owner of the property identified in the above referenced petition to be heard before the Town Commission on May 20, 2015 and June 17, 2015 and is authorized to execute and make this Affidavit, and is familiar with the matters as set forth herein and they are true to the best of his/her knowledge, information and belief.

2. That on or about April 27, 2015, the required public notice sign(s) was/were placed on the subject property stating, **"Site is being considered for a PUD Amendment which requires the Land Use Amendment, Rezoning and Site Plan with Special Exception Use approval and that it will be considered at the May 20, 2015 and June 17, 2015 Town Commission meetings."**

3. That on May 8, 2015, the required public notices were mailed to all occupants as identified in the lists provided by the Town of Lake Park.

Signature of agent for owner

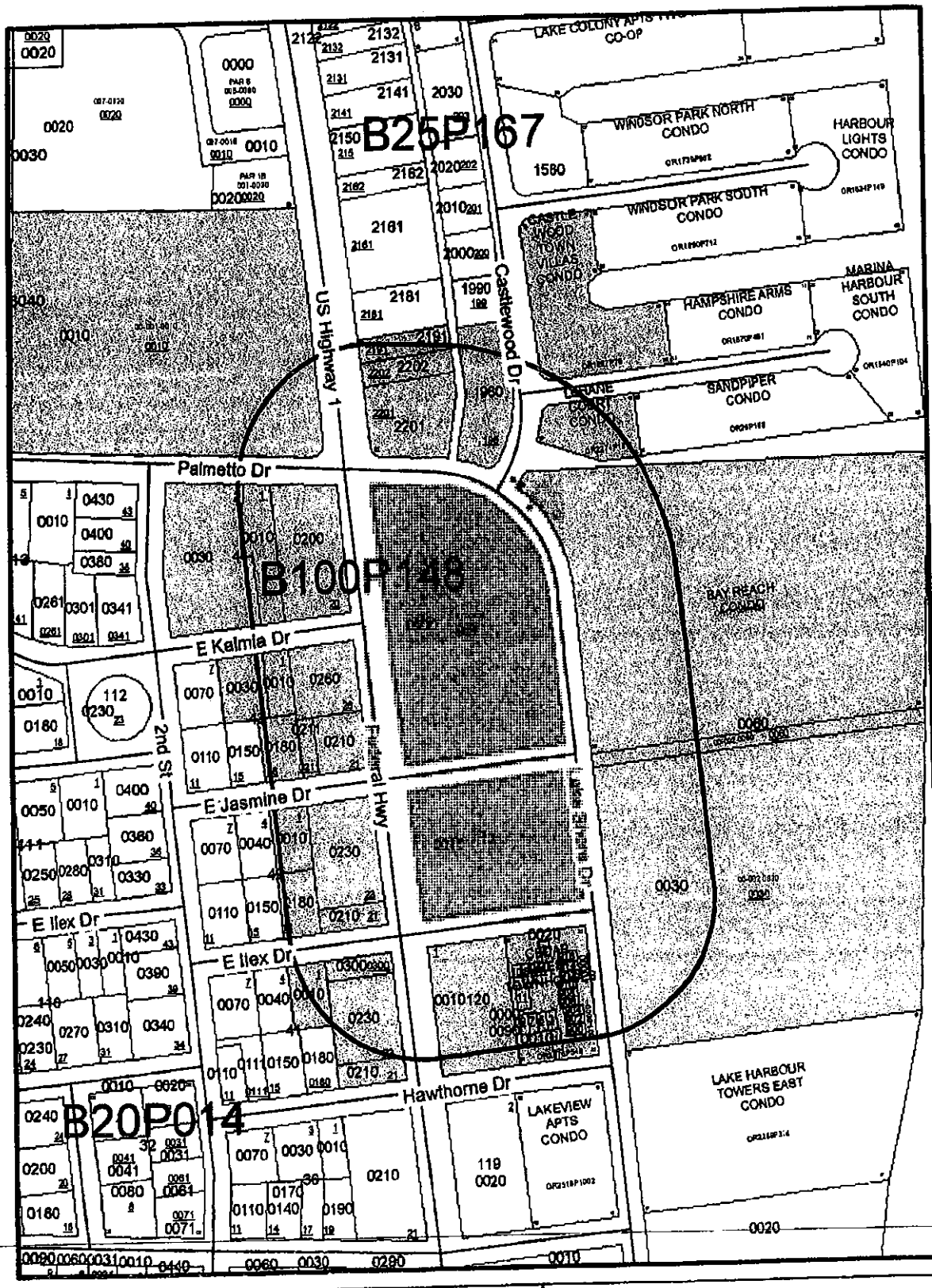
SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 11th DAY OF MAY, 2015.

Notary Public:

My Commission Expires: August 13, 2016

SANDRA J. MEGRUE
Notary Public - State of Florida
My Comm. Expires Aug 13, 2016
Commission # EE 192836
Bonded Through National Notary Assn.

300 ft Buffer Map



36434220010410010 SMALL CEDRICK & 118 E ILEX DR LAKE PARK FL 33403 2822	300	**36434220010430180** WALLACE JASON M & 123 E JASMINE DR LAKE PARK FL 33403 2823	300	**36434221210000010** BAGHDADY SAMI J 1 HAWTHORNE DR LAKE PARK FL 33403 2853	300
36434220010410210 PALMS BUILDING LLC 4500 PGA BLVD STE 304A PALM BEACH GARDENS FL 33418 3995	300	**36434220010430210** MOSLER WARREN B TRUST 5000 ESTATE SOUTHGATE CHRISTIANSTED VI 00820 4532	300	**36434221210000020** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	
36434220010410230 L P FABRICS INC 1055 LEADENHALL ST ALPHARETTA GA 30022 8491	300	**36434220010430211** MOSLER WARREN B TRUST 5000 ESTATE SOUTHGATE CHRISTIANSTED VI 00820 4532	300	**36434221210000030** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	
36434220010410300 WOLLSTEIN EDWARD & 1055 LEADENHALL ST ALPHARETTA GA 30022 8491	300	**36434220010430260** SIL FIR CORP & 3017 EXCHANGE CT # C WEST PALM BEACH FL 33409 4032	300	**36434221210000040** BAGHDADY SAMI 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
36434220010420010 ERVIN JOSEPH & 2549 STEARNS DR MANASQUAN NJ 08736 2317	300	**36434220010440010** CHAVES LAKE PARK CORP PO BOX 711 DALLAS TX 75221 0711	300	**36434221210000050** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
3 1220010420180 DAVISON LAURA K 123 E ILEX DR LAKE PARK FL 33403 2821	300	**36434220010440030** FLORIDA POWER & LIGHT CO PO BOX 14000 NORTH PALM BEACH FL 33408 0420	300	**36434221210000060** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
36434220010420210 TRIM ENDLESS INC 1055 LEADENHALL ST ALPHARETTA GA 30022 8491	300	**36434220010440200** CHAVES LAKE PARK CORP PO BOX 711 DALLAS TX 75221 0711	300	**36434221210000070** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
36434220010420230 NEW ROCHELLE PLAZA 309 NORTH AVE NEW ROCHELLE NY 10801 4112	300	**36434220011200010** CROMWELL PROPERTIES PO BOX 60 JUPITER FL 33468 0060	300	**36434221210000080** ABOU ZEID NABIL 168 WHITE ST BELMONT MA 02478 4722	300
36434220010430010 WILSON KANLAYA 41 E KALMIA DR LAKE PARK FL 33403 2827	300	**36434221000020030** MARINERS KEY OWNER LLC 200 WEST ST FL 35 NEW YORK NY 10282 2102	300	**36434221210000090** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300
36434220010430030 M' 'D CLAUDE 12. _ KALMIA DR _AKE PARK FL 33403 2828	300	**36434221000020060** COHEN SUSAN 1415 N ASTOR ST CHICAGO IL 60610 1622	300	**36434221210000100** BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300

36434221210000110 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221210010000** CEDAR CREST HOMEOWNERS ASSN 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012050** BERGSTEIN RITA M 431 FAIRWOOD DR IRWIN PA 15642 2662	300
36434221210009000 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280011010** RANKER JOHN 308 GRAND CENTRAL AVE AMITYVILLE NY 11701 3709	300	**36434221280012060** HOFFMAN LINDA A 50 ADMIRALS CT PALM BEACH GARDENS FL 33418 7164	300
36434221210009020 GANIM LAWRENCE J 2429 NORTH AVE BRIDGEPORT CT 06604 2336	300	**36434221280011020** LEES ROBERT B & 110 WOOD LN DELRAY BEACH FL 33444 3965	300	**36434221280021010** WILLIAMS WELTON S 1S00 CHEROKEE TRL SW ATLANTA GA 30331 6304	300
36434221210009040 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280011030** WINKEL JASON 1010 LAKE SHORE DR # 103 LAKE PARK FL 33403 2862	300	**36434221280021020** BARHORST GREGORY P * * CONFIDENTIAL RECORD * * * * * * FS SECTION 119.07 * * * *	300
36434221210009060 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280011040** MAYO ANGELA 1010 LAKE SHORE DR APT 104 LAKE PARK FL 33403 2862	300	**36434221280021030** SORIERO VINCENT A & 1988 S CLUB DR WELLINGTON FL 33414 9090	300
[illegible]4221210009080 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280011050** SWEISFURTH BRIAN & 1315 LEE RD BLUE BELL PA 19422 1831	300	**36434221280021040** VANARSDALE KRISZTA H & 6115 W MILL RD FLOURTOWN PA 19031 1217	300
36434221210009100 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012010** NGUYEN CAT 772 5 5TH ST PHILADELPHIA PA 19147 3036	300	**36434221280021050** MORGAN ANDREW J & 713 NIGHTHAWK WAY NORTH PALM BEACH FL 33408 4201	300
36434221210009120 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012020** FERNANDEZ ANTONIO & 76 STAATS RD BLOOMSBURY NJ 08804 3300	300	**36434221280022010** GOEBEL CHELSEA C & 1015 LAKE SHORE DR APT 201 LAKE PARK FL 33403 2800	300
36434221210009140 BAGHDADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012030** FRAGA DEBORAH S 9061 DUPONT PL WELLINGTON FL 33414 6473	300	**36434221280022020** GERLO CARLO F & 1015 LAKE SHORE DR # 202 LAKE PARK FL 33403 2800	300
36434221210009160 . DADY SAMI J 382 MASSACHUSETTS AVE ARLINGTON MA 02474 6728	300	**36434221280012040** RICHARZ SABINE 129 GREENLEES DR KINGSTON ON K7K 6R5 CANADA	300	**36434221280022030** CARLUCCI KENNETH C PO BOX 772 SHOREHAM NY 11786 0772	300

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WEEGE JAMES F TRUST
19 SABAL ISLAND DR
BOYNTON BEACH FL 33435 3321

36434221280022050 300
STRENG JENNA
14726 HORSESHOE TRCE
WELLINGTON FL 33414 7839

36434221280022060 300
CHAN MING
5643 SW 114TH AVE
COOPER CITY FL 33330 4567

36434221280031010 300
GARTLEY RUTHANN
PO BOX 6088
PITTSBURGH PA 15211 0088

36434221280031020 300
HALVORSON SUSAN P &
2685 JUILLIARD ST
BOULDER CO 80305 7030

3 4221280031030 300
STOIEFF STEPHEN &
3040 LAKE SHORE DR # 801
RIVIERA BEACH FL 33404 4634

36434221280031040 300
SHELLY ROAD LLC
14872 47TH RD
WELLBORN FL 32094 2322

36434221280031050 300
DESANTIS MARK A &
51 TECUMSEH AVE
OCEANPORT NJ 07757 1634

36434221280032010 300
LAPPOS NICHOLAS D &
156 STONE HOUSE LN
GUILFORD CT 06437 2853

36434221280032020 300
AN GREGORY R &
13 WESTON ST
CARVER MA 02330 1253

36434221280032030 300
PIZZO LUIGI &
49893 GOLDEN LAKE DR
UTICA MI 48315 3552

36434221280032040 300
PARK AVENUE REAL ESTATE INVSTMNTS LLC
142 CAT ROCK LN
JUPITER FL 33458 2876

36434221280032050 300
MCCARTHY KRASSIMIRA A
1551 N FLAGLER DR APT 1512
WEST PALM BEACH FL 33401 3450

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FORGIONE HELENA M
49 CHAPEL LN
LEVITTOWN NY 11756 2635

36434221280041010 300
STERLING REBECCA
1025 LAKE SHORE DR APT 101
WEST PALM BEACH FL 33403 2890

36434221280041020 300
SHIN JENNIE &
1025 LAKE SHORE DR # 102
403 2890

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GILLEY SYLVIA
3460 MERIDIAN WAY
WINSTON SALEM NC 27104 1835

36434221280041040 300
IP HERMAN &
10008 HOLMHURST RD
BETHESDA MD 20817 1642

36434221280041050 300
COSTA ANTHONY R
21660 TITUS PATH
SYOSSET NY 11791 9667

36434221280042010 300
CARPETA CONSULTING LLC
1025 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2890

36434221280042020 300
USMANOV MARSEL E
48058 WALNUT ST # 9204
WIXOM MI 48393 2760

36434221280042030 300
CHOY PATRICIA L
263S BROWN ST
BROOKLYN NY 11235 1603

36434221280042040 300
BARTELS ROGER F
1025 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2890

36434221280042050 300
MORGAN ANDREW J &
713 NIGHTHAWK WAY
NORTH PALM BEACH FL 33408 4201

36434221280042060 300
RUEST NORMAN
7542 CAPE VERDE LN
LAKE WORTH FL 33467 6905

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APPEL EZRA M &
999 SW 38TH CT
PALM CITY FL 34990 3586

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IP HERMAN &
10008 HOLMHURST RD
BETHESDA MD 20817 1642

36434221280051030 300
WEZNER BRYAN
1030 LAKE SHORE DR # 103
LAKE PARK FL 33403 2899

36434221280051040 300
KLEIN TIBOR &
12 PRIORY CT
MELVILLE NY 11747 3929

36434221280051050 300
HARTLEY GARY
1030 SHORESHORE DR # 105
LAKE PARK FL 33403

36434221280052010 SOKOLOV IGOR 3942 HIGHLANDER WAY E ANN ARBOR MI 48108 9691	300	**36434221280061050** 312 MONTECITO LLC 222 LAKEVIEW AVE # 160 WEST PALM BEACH FL 33401 6101	300	**36434221280071040** WHITE CAROL 9428 GRANITE RIDGE LN WEST PALM BEACH FL 33411 6603	300
36434221280052020 SORRENTINO LOUIS & 307 XANADU PL JUPITER FL 33477 6453	300	**36434221280062010** MCLAUGHLIN TERRENCE JAMES 1035 LAKE SHORE DR LAKE PARK FL 33403 2864	300	**36434221280071050** CARPETA CONSULTING LLC 1025 LAKE SHORE DR APT 201 LAKE PARK FL 33403 2890	300
36434221280052030 BELT JAMIE R 1030 LAKE SHORE DR # 203 LAKE PARK FL 33403 2899	300	**36434221280062020** POTTRATZ DONALD D 1035 LAKE SHORE DR APT 202 LAKE PARK FL 33403 2864	300	**36434221280072010** GUERCIA KENNETH A & 1040 LAKE SHORE DR LAKE PARK FL 33403 2876	300
36434221280052040 IMBESI JOSEPH A 1030 LAKE SHORE DR APT 204 LAKE PARK FL 33403 2899	300	**36434221280062030** IMBESI DENNIS M 1035 LAKE SHORE DR APT 203 LAKE PARK FL 33403 2864	300	**36434221280072020** CARLUCCI PHILIP & 34 HASKEL LN STONY BROOK NY 11790 2341	300
36434221280052050 FRANCAVILLA EUGENE F TR 27 N PENNOCK LN STE 205 JUPITER FL 33458 4083	300	**36434221280062040** WAYNE N KATZ REV TRUST 734 MARITIME WAY PALM BEACH GARDENS FL 33410 3424	300	**36434221280072030** BOTT DENNIS J & 1040 LAKE SHORE DR # 203 LAKE PARK FL 33403 2876	300
3. 1221280052060 TWO CHEFS HOLDING LLC 205 BLUEBERRY RD EGG HARBOR TOWNSHIP NJ 08234 4904	300	**36434221280062050** RINE JAMES & 14808 66TH ST N LOXAHATCHEE FL 33470 4524	300	**36434221280072040** LJT ENTERPRISES LLC 54 BARBERRY DR BURLINGTON CT 06013 1508	300
36434221280061010 SMITH CLAUDIA PMB 5001 PO BOX 8309 ST JOHN VI 00831 8309	300	**36434221280062060** BAY REACH CONDO ASSN INC 3900 WOODLAKE BLVD STE 309 GREENACRES FL 33463 3046	300	**36434221280072050** KOZAREVICH NICK & 55 KINGSBRIDGE GARDEN CIR #1602 MISSISSAUGA ON L5R 1Y1 CANADA	300
36434221280061020 BERG STEFAN & FRYEBO SE 33491 ANDERSTORP SWEDEN	300	**36434221280071010** ZAMBITO ROSALIE & 1001 LAKE SHORE DR UNIT 101 LAKE PARK FL 33403 2866	300	**36434221280072060** MCCARTHY KRASSIMIRA 1551 N FLAGLER DR APT 1512 WEST PALM BEACH FL 33401 3450	300
36434221280061030 BULGER FRANK P & 16112 E PRESTWICH DR LOXAHATCHEE FL 33470 4028	300	**36434221280071020** LY ANH & 772 S 5TH ST PHILADELPHIA PA 19147 3036	300	**36434221280081010** PETTI ANDREW & 104S LAKE SHORE DR APT 101 LAKE PARK FL 33403 2877	300
36434221280061040 V JAMES F TRUST 9 SABAL ISLAND DR BOYNTON BEACH FL 33435 3321	300	**36434221280071030** BARLOTTA EDWARD 1040 LAKE SHORE DR APT 103 LAKE PARK FL 33403 2876	300	**36434221280081020** RIVERS & RIVERS INC 1882 BELLAIR BLVD ORANGE PARK FL 32073 4516	300

36434221280081030 300
CAMPBELL RICHARD N
73 HERITAE
IRVINE CA 92620

36434221280081040 300
BRANCO EUGENIO M &
820 SHERIDAN AVE
ELIZABETH NJ 07208 3523

36434221280081050 300
LEFTEROV YANAKI &
1045 LAKE SHORE DR APT 105
LAKE PARK FL 33403 2878

36434221280082010 300
VALLE BETH A &
1045 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2878

36434221280082020 300
MOUNTS GREGORY A
1045 LAKE SHORE DR # 202
LAKE PARK FL 33403 2878

3 4221280082030 300
CORDERO SUZANNE &
6153 WOOD LAKE RD
JUPITER FL 33458 2482

36434221280082040 300
LEAHY ROBERT &
40 WILLIAMS WAY
BRIDGEHAMPTON NY 11932

36434221280082050 300
LEON JOSE L
11683 49TH ST N
ROYAL PALM BEACH FL 33411 9158

36434221280082060 300
CECERE JOHN
1045 LAKE SHORE DR APT 206
LAKE PARK FL 33403 2878

3643422128009101O 300
T Y ROBERT
414 PARK AVE
LAKE PARK FL 33403 2861

36434221280091020 300
MITCHELL SCOTT A &
235 W CENTRAL AVE
BLACKWOOD NJ 08012 2904

36434221280091030 300
MERCIER RICHARD L &
1050 LAKE SHORE DR APT 103
LAKE PARK FL 33403 2861

36434221280091040 300
ROYALS GARY W &
100 W ROOSEVELT AVE APT 301
BENSENVILLE IL 60106 4108

36434221280091050 300
HEWITT JOHN W &
8 ALNWICK RD
PALM BEACH GARDENS FL 33418 6835

36434221280092010 300
RIENZO CHARLES A
8701 SE WATER OAK PL
JUPITER FL 33469 1811

36434221280092020 300
BAY REACH CONDOMINIUM ASSOCIATION INC
1001 LAKE SHORE DR
LAKE PARK FL 33403 2866

36434221280092030 300
DEGOUW MARILYN M
1050 LAKE SHORE DR APT 203
LAKE PARK FL 33403 2861

36434221280092040 300
SCHEER LORI ANN
10 MAPLE AVE
BRONX NY 10465 3819

36434221280092050 300
WRIGHT STEVEN &
680 SW 18TH ST
BOCA RATON FL 33486 7029

36434221280092060 300
MCCLOSKEY JOSEPH & GAIL TRUST
832 ANCHORAGE DR
NORTH PALM BEACH FL 33408 4337

36434221280101010 300
SISSON RODNEY C
1060 LAKE SHORE DR # 101
LAKE PARK FL 33403 2879

36434221280101020 300
MEIZEL ALEKSANDR &
76 REJANE CRES
THORNHILL ONTARIO
L4J 5A4 CANADA

36434221280101030 300
YODER TERESA D
1060 LAKESHORE DR # 103
LAKE PARK FL 33403 2879

36434221280101040 300
RIEKER RICHARD &
1060 LAKE SHORE DR # 104
LAKE PARK FL 33403 2879

36434221280101050 300
NEIMARLIJA MENSUR
153 GREENVILLE ST
WOODBRIDGE NJ 07095 1811

36434221280102010 300
MORRISON JOINT REVOCABLE TRUST
32801 HIGHWAY 441 N LOT 239
OKEECHOBEE FL 34972

36434221280102020 300
ORLANDO MICHAEL P
1060 LAKE SHORE DR APT 202
LAKE PARK FL 33403 2879

36434221280102030 300
TALLERIE PIERRE &
3826 PEBBLEBROOK CT
POMPANO BEACH FL 33073 2220

36434221280102040 300
PHAM TIEN MY
9024 RIMOUSKI
BROSSARD QC
J4X 2S2 CANADA

36434221280102050 300
FLESHER JAMES &
1060 LAKE SHORE DR APT 205
LAKE PARK FL 33403 2879

36434221280102060
PORTOCARRERO KARLA I
1060 LAKE SHORE DR # 206
LAKE PARK FL 33403 2879
300

36434221280111010
RODRIGUEZ JOSE G
1105 LAKE SHORE DR # 101
LAKE PARK FL 33403 2880
300

36434221280111020
FEDERAL NATIONAL MRTG ASSN
1800 NW 49TH ST # 120
FORT LAUDERDALE FL 33309 3092
300

36434221280111030
CARPETA CONSULTING LLC
1025 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2890
300

36434221280111040
MASTERS VALERIE
1105 LAKE SHORE DR APT 104
LAKE PARK FL 33403 2865
300

36434221280111050
CERQUEIRA MARIA
1105 LAKE SHORE DR APT 105
LAKE PARK FL 33403 2865
300

36434221280112010
LAKE SHORE HOLDINGS INC
848 N RAINBOW BLVD # 1611
LAS VEGAS NV 89107 1103
300

36434221280112020
RUSS DONALD
1105 LAKE SHORE DR # 202
WEST PALM BEACH FL 33403 2865
300

36434221280112030
CARPETA CONSULTING LLC
1025 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2890
300

36434221280112040
FMAN ANGELA M
1105 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2865
300

36434221280112050
PUYOL EDUARDO
PO BOX 14307
NORTH PALM BEACH FL 33408 0307
300

36434221280112060
FRANCAVILLA EUGENE F TRUST
27 PENNOCK LN # 205
JUPITER FL 33458 4083
300

36434221280121010
NGUYEN CAN TRUST &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705
300

36434221280121020
MORSI ALAA M
1110 LAKE SHORE DR APT 102
LAKE PARK FL 33403 2881
300

36434221280121030
FEDERAL HOME LOAN MRTG CORP
50000 PLANO PKWY
CARROLLTON TX 75010 4902
300

36434221280121040
DAUSILLIO FRANK
1110 LAKE SHORE DR APT 104
LAKE PARK FL 33403 2881
300

36434221280121050
BRILEY WILLIAM H &
425 CELEBRATION AVE
KISSIMMEE FL 34747 4685
300

36434221280122010
CLARK BETHANY J
1110 LAKE SHORE DR # 201
LAKE PARK FL 33403 2881
300

36434221280122020
CALVO GAIL
1110 LAKE SHORE DR # 202
LAKE PARK FL 33403 2881
300

36434221280122030
LAKE SHORE PROPERTY INVESTMENT LLC
1760 W COMMUNITY DR
JUPITER FL 33458 8211
300

36434221280122040
GRAHAM DEBORAH L EST
1110 LAKE SHORE DR # 204
LAKE PARK FL 33403 2881
300

36434221280122050
FLOHR MICHAEL
1110 LAKE SHORE DR APT 205
LAKE PARK FL 33403 2881
300

36434221280122060
KONTOGIANNIS KATHY &
1614 SHAUNA CRES
GREELY, ON
K4P1M8 CANADA
300

36434221280131010
RUDIN CHARLES P
424 EVERGREEN DR
WEST PALM BCH FL 33403 3304
300

36434221280131020
NGUYEN CAN TRUST &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705
300

36434221280131030
LIXFIELD KEVIN J &
201 S HAVEN AVE
MEDFORD NY 11763
300

36434221280131040
NICHOLS JOHN S
1115 LAKE SHORE DR APT 104
LAKE PARK FL 33403 2882
300

36434221280131050
TURNER JERRY R
50 BRIGHT RD
NEW EGYPT NJ 08533 1204
300

36434221280132010
LAKE SHORE HOLDINGS INC
848 N RAINBOW BLVD APT 44
LAS VEGAS NV 89107 1103
300

36434221280132020
PHAM NGA THI THIEU &
2830 CHEMIN DES PRAIRIES
BROSSARD QC
J4Y 2X4 CANADA
300

36434221280132030 300
CLARK SHIRLEY A
1115 LAKE SHORE DR # 203
LAKE PARK FL 33403 2883

36434221280132040 300
HASH JOHN A &
1115 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2883

36434221280132050 300
HART JACQUELINE &
189 EUPHRATES CIR
PALM BEACH GARDENS FL 33410 2185

36434221280132060 300
LUTEIN ROBERTO &
13219 S4TH ST
ROYAL PALM BEACH FL 33411 8349

36434221280141010 300
ALBAHAE ZACHARY TR &
10866 NW 14TH ST
POMPANO BEACH FL 33071 8213

3[illegible]4221280141020 300
LJT ENTERPRISES LLC
54 BARBERRY DR
BURLINGTON CT 06013 1508

36434221280141030 300
NGUYEN CAN TRUST &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

36434221280141040 300
SPANAKOS MARK
1120 LAKE SHORE DR # 104
LAKE PARK FL 33403 2849

36434221280141050 300
IVASHKEVICH EUGENI
1120 LAKE SHORE DR APT 105
LAKE PARK FL 33403 2849

3643[illegible]4221280142010 300
I UNG A
1120 LAKESHORE DR # 201
LAKE PARK FL 33403 2849

36434221280142020 300
BASILIO ALEJANDRA O &
3420 EMBASSY DR
WEST PALM BEACH FL 33401 1028

36434221280142030 300
ROBINSON KAREN &
2896 POMEROL DR APT 203
LAKE PARK FL 33403

36434221280142040 300
NGUYEN CAN TRUST &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

36434221280142050 300
WHITE JENNIFER
637 NE 12TH TER # 2
BOYNTON BEACH FL 33435 3271

36434221280142060 300
SELIGER RUSSELL &
6541 WINDSOR DR
POMPANO BEACH FL 33067 1654

36434221280151010 300
NGUYEN CAT &
772 S 5TH ST
PHILADELPHIA PA 19147 3036

36434221280151020 300
SCHNEIDER BRADLEY M
1125 LAKESHORE DR # 102
WEST PALM BEACH FL 33403 2884

36434221280151030 300
LIRA PROPERTY LLC
PO BOX 3852
LANTANA FL 33465 3852

36434221280151040 300
KAUFFMAN ANGELA M
1105 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2865

36434221280151050 300
KANO ABDOULAHAD
370 AVE LETHBRIDGE
MONTROYAL QC
H3P 2Y8 CANADA

36434221280152010 300
WHITE CAROL &
424 EVERGREEN DR
LAKE PARK FL 33403 3304

36434221280152020 300
PAWLASYK ELIZABETH
114 STAFFORDSHIRE CT
LONDON ONTARIO N6H 0B9 CANADA

36434221280152030 300
DELLAPINA STEPHEN &
287 FLAMINGO POINTE S
JUPITER FL 33458 8348

36434221280152040 300
PORTOCARRERO KARLA I
1125 LAKE SHORE DR # 204
LAKE PARK FL 33403 2884

36434221280152050 300
KONTOGIANNIS BILL &
1614 SHAUNA CRESCENT
GREELY ONTARIO
K4P 1M8 CANADA

36434221280152060 300
AZARMIPUR MALLY
21530 MARCHENA ST
WOODLAND HILLS CA 91364 4320

36434221280161010 300
MOORE PAUL W &
90 HAWES ST
WRENTHAM MA 02093 1650

36434221280161020 300
HERRERA SANDRO M
1130 LAKE SHORE DR APT 102
LAKE PARK FL 33403 2850

36434221280161030 300
ODEEN MARK
115 LAKESHORE DR APT 1948
NORTH PALM BEACH FL 33408 3645

36434221280161040 300
LEVATO ROY V
198 EAST ST
WEST UPTON MA 01568 1212

36434221280161050 300
GAMBACORTO ALAN &
86 ALGONQUIN AVE
OCEANPORT NJ 07757 1612

36434221280162010 300
MTS INVESTMENTS LLC
PO BOX 3852
LANTANA FL 33465 3852

36434221280162020 300
KAMIENIAK CINDY DUNN TRUST
1130 LAKE SHORE DR APT 202
LAKE PARK FL 33403 2850

36434221280162030 300
CHAPMAN EILEEN
1130 LAKE SHORE DR APT 203
WEST PALM BCH FL 33403 2850

36434221280162040 300
BROUSSEAU ANNETTE M
1130 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2850

/4221280162050 300
GRANT WALTER L
1130 LAKESHORE DR # 205
LAKE PARK FL 33403 2850

36434221280162060 300
DECKER WILLIAM
1130 LAKESHORE DR # 206
LAKE PARK FL 33403 2850

36434221280171010 300
MTS INVESTMENTS LLC
PO BOX 3852
LANTANA FL 33465 3852

36434221280171020 300
KEPACA LTD
2 S BISCAYNE BLVD STE 3400
MIAMI FL 33131 1807

36434221280171030 300
GS ZACHARY &
15782 73RD TER N
PALM BEACH GARDENS FL 33418 7408

36434221280171040 300
PHELPS MARK A &
13 YORKVIEW DR
LUTHVLE TIMON MD 21093 3222

36434221280171050 300
FOUGERON JEAN PAUL &
S568 SE HAMMOCK RESERVE TER
HOBE SOUND FL 33455 8308

36434221280172010 300
FERRAZ PAULO
801 LAKE SHORE DR APT 803
WEST PALM BCH FL 33403 2933

36434221280172020 300
PHAM TIEN LOC &
155 HARBORN RD
MISSISSAUGA ON
L5B 1A6 CANADA

36434221280172030 300
STAGGS ZACHARY &
15782 73RD TER N
PALM BEACH GARDENS FL 33418 7408

36434221280172040 300
SAUER ROBERT P JR
1135 LAKE SHORE DR # 204
LAKE PARK FL 33403 2885

36434221280172050 300
DAMBROSIO CHERYL
1135 LAKE SHORE DR APT 205
LAKE PARK FL 33403 2885

36434221280172060 300
KONTOGIANNIS KATHY &
1614 SHAUNA CRES GREELY
ON
K4P 1M8 CANADA

36434221280181010 300
DORSO MICHAEL J JR &
PO BOX 1262
BREWTON AL 36427 1262

36434221280181020 300
CARACCIOLO PIETRO
1140 LAKE SHORE DR APT 102
LAKE PARK FL 33403 2886

36434221280181030 300
BURNS OWEN F
1140 LAKE SHORE DR APT 103
LAKE PARK FL 33403 2886

36434221280181040 300
STREIGOLD HOWARD
13379 KINGSBURY DR
WELLINGTON FL 33414 3923

36434221280181050 300
BAY REACH 1140 105 LLC
3200 1ST AVE S STE 300
SEATTLE WA 98134 1860

36434221280182010 300
CAMPBELL JOSEPH P
422 GLEN ARBOR CT
KING OF PRUSSIA PA 19406 3190

36434221280182020 300
LAWSON JEFFREY P
1140 LAKE SHORE DR APT 202
LAKE PARK FL 33403 2887

36434221280182030 300
RANJ LJUBICA &
2120 WINGATE BND
WELLINGTON FL 33414 6245

36434221280182040 300
LASSEN KATHERINE M
19007 SE LOXAHATCHEE RIVER RD
JUPITER FL 33458 1079

36434221280182050 300
STANLEY JEFFREY
12932 CALAIS CIR
PALM BEACH GARDENS FL 33410 1420

36434221280182060 300
MCCARTHY KRASSIMIRA
1551 N FLAGLER DR APT 1512
WEST PALM BEACH FL 33401 3450

36434221280191010 300
DAVID HARLEY & MICHAEL E SPRAGUE TRUST
17439 JUDY CT
MACOMB MI 48044 2632

36434221280191020 WEEKS SUSAN A TRUST 635 RIVIERA DR BOYNTON BEACH FL 33435 6152	300	**36434221280201010** NGUYEN CAT & 772 S 5TH ST PHILADELPHIA PA 19147 3036	300	**36434221280202060** ORLANDO WILLIAM L 36 SPANISH BAY N SIOUX CITY SD 57049 5447	300
36434221280191030 MALINCONICO FRANK 12291 73RD CT N WEST PALM BEACH FL 33412 1420	300	**36434221280201020** COLDREN SHANE & 4756 ROSEBROOK PL SMYRNA GA 30080 6778	300	**68434216010001960** FIRST CHURCH OF CHRIST SCIENTIST INC 128 ASHLEY CT JUPITER FL 33458 2933	300
36434221280191040 MORRISON JOINT REVOCABLE TRUST 32801 US HIGHWAY 441 N LOT 239 OKEECHOBEE FL 34972 0296	300	**36434221280201030** DAMBROSIO CHERYL S 1155 LAKE SHORE DR APT 103 LAKE PARK FL 33403 2888	300	**68434216010002191** 110 US ONE BUILDING LLC 730 SW SALERNO RD STUART FL 34997 6256	300
36434221280191050 LJT ENTERPRISES LLC 54 BARBERRY DR BURLINGTON CT 06013 1508	300	**36434221280201040** DELAUS DANIEL C & 1155 LAKE SHORE DR # 104 LAKE PARK FL 33403 2888	300	**68434216010002201** 100 NORTH FEDERAL HIGHWAY LLC 2955 E 11TH AVE HIALEAH FL 33013 3509	300
36434221280192010 SOUCY FAMILY LIFE TRUST 2016 JUSTIN RD LEWISVILLE TX 75077 7180	300	**36434221280201050** SILVEIRA FERRAZ PAULO R 5682 LAKE OSBORNE DR LAKE WORTH FL 33461 6146	300	**68434216010002202** PORCELLI JOMARIE F TRUST 11394 E TEACH RD PALM BEACH GARDENS FL 33410 3438	300
J4221280192020 COX JAMES M 1145 LAKE SHORE DR UNIT 202 LAKE PARK FL 33403 2851	300	**36434221280202010** NGUYEN CAN & 5605 BOUFFANT BLVD ALEXANDRIA VA 22311 3705	300	**68434221000010010** VILLAGE SHOPPES AT US 1 LLC 133 US HIGHWAY 1 N PALM BEACH FL 33408 5401	300
36434221280192030 PATTERSON CURTIS RAY II 1145 LAKE SHORE DR # 203 LAKE PARK FL 33403 2851	300	**36434221280202020** HANSON LINDA B 11900 JUBAL EARLY CT POTOMAC MD 20854 3427	300	**68434221100001110** HOCKTON JULIE & 2520 EMBASSY DR WEST PALM BCH FL 33401 1015	300
36434221280192040 TRAN KHOI & 2830 CHEMIN DES PRAIRIES BROSSARD QC J4Y 2X4 CANADA	300	**36434221280202030** ROY JOHN & 1155 LAKE SHORE DR # 203 LAKE PARK FL 33403 2888	300	**68434221100001120** MASSENZIO JOHN & 230 BEECHWOOD DR CRANSTON RI 02921 3309	300
36434221280192050 BOYLE KAREN J 710 ROCK SPRING AVE BEL AIR MD 21014 2945	300	**36434221280202040** FRASER JOHN M & 104 RIVER RD KENNEBUNKPORT ME 04046 7536	300	**68434221100001140** DUNLAP SANDRA E 132 WETTAW LN # 114 NORTH PALM BEACH FL 33408 5685	300
36434221280192060 ,RTY JOHN J & 1145 LAKE SHORE DR APT 206 LAKE PARK FL 33403 2851	300	**36434221280202050** NGUYEN CAT XUAN & 772 S 5TH ST PHILADELPHIA PA 19147 3036	300	**68434221100001150** BLAKEY DOUGLAS R & 10916 NW 12TH CT PLANTATION FL 33322 6926	300

68434221100001160 300
MARTIN KYLE
132 WETTAW LN APT 116
NORTH PALM BEACH FL 33408 5685

68434221100001170 300
RUDZWICK RUSSELL A &
85-49 87TH ST
JAMAICA NY 11421 1304

68434221100001180 300
ROLAND JULIAN
132 WETTAW LN # 118
NORTH PALM BEACH FL 33408 5685

68434221100001190 300
MCCARTHY DIANE
118 CASTLEWOOD DR APT 119
NORTH PALM BEACH FL 33408 5687

68434221100001200 300
SURACI VIRGINIA
118 CASTLEWOOD DR # 120
NORTH PALM BEACH FL 33408 5687

[illegible]4221100001210 300
SOCCORSO MARGUERITE &
118 CASTLEWOOD DR # 121
NORTH PALM BEACH FL 33408 5687

68434221100001220 300
SHELLEY JAMES D TRUST
10541 SE LE PARC
TEQUESTA FL 33469 8147

68434221100001230 300
LAKE KAREN L &
118 CASTLEWOOD DR # 123
NORTH PALM BEACH FL 33408 5687

68434221100001240 300
RODRIGUEZ WILBERT &
118 CASTLEWOOD DR # 124
NORTH PALM BEACH FL 33408 5687

68434221100001250 300
:RMAIN CONSTANCE B
11ɔ CASTLEWOOD DR # 125
NORTH PALM BEACH FL 33408 5687

68434221100001260 300
STEPHAN NANCY &
118 CASTLEWOOD DR APT 126
NORTH PALM BEACH FL 33408 5687

68434221100001270 300
TUMMINIA MELINDA M EST
118 CASTLEWOOD DR APT 127
NORTH PALM BEACH FL 33408 5687

68434221100001280 300
CHICKERING HENRY T
118 CASTLEWOOD OR APT 128
NORTH PALM BEACH FL 33408 5687

68434221100001290 300
BROWN DAVID M &
118 CASTLEWOOD DR APT 129
NORTH PALM BEACH FL 33408 5687

68434221100001300 300
FINKELSTEIN PAUL
129 LEHANE TER # 130
NORTH PALM BEACH FL 33408 5686

68434221100001310 300
U S BANK NATIONAL ASSOCIATION TR
3476 STATEVIEW BLVD
FORT MILL SC 29715 7203

68434221100001320 300
DZENUTIS PETER A JR
129 LEHANE TER # 132
NORTH PALM BEACH FL 33408 5686

68434221100001330 300
NEVINS JUDY
129 LEHANE TER # 133
NORTH PALM BEACH FL 33408 5686

68434221100001340 300
CARMICHAEL DAVID TRUST &
2420 NE 13TH CT
FORT LAUDERDALE FL 33304 1544

68434221100001350 300
LISCOMB AARON &
129 LEHANE TER APT 135
NORTH PALM BEACH FL 33408 5686

68434221100001360 300
CONWAY LARRY G &
129 LEHANE TER APT 136
NORTH PALM BEACH FL 33408 5686

68434221100001370 300
SMITH JASON C
129 LEHANE TER # 137
NORTH PALM BEACH FL 33408 5686

68434221100001380 300
EICHNER BARBARA
129 LEHANE TER # 138
NORTH PALM BEACH FL 33408 5686

68434221100001390 300
BENNETT WILLIAM P
129 LEHANE TER # 139
NORTH PALM BEACH FL 33408 5686

68434221160001010 300
HUBERTZ STEPHEN A
128 LAHANE TER # 101
NORTH PALM BEACH FL 33408 5614

68434221160001020 300
SKLAR EVAN G
969 LAUREL RD
NORTH PALM BEACH FL 33408 4020

68434221160001030 300
POWELL SHARON L
128 LEHANE TER # 103
NORTH PALM BEACH FL 33408 5614

68434221160001040 300
MINER NOEL L &
328 LEEWARD DR
JUPITER FL 33477 9337

68434221160001050 300
SABIA PATRICIA W TRUST
201 E TALL OAKS CIR
PALM BEACH GARDENS FL 33410 4451

68434221160001060 300
MINER NOEL L &
328 LEEWARD DR
JUPITER FL 33477 9337

68434221160001070
MINER NOEL L &
328 LEEWARD DR
JUPITER FL 33477 9337

300

36434220011210010
COMMERCIAL INVESTMENTS LLC
1215 N FEDERAL HWY
LAKE PARK FL 33403 2895

68434221160001080
OSTROWSKI TRACY E
616 LEXINGTON AVE
CROWN POINT IN 46307 4514

300

36434221270000000
EARL STEWART LLC
1215 N FEDERAL HWY
LAKE PARK FL 33403 2895

68434221160002010
SKLAR EVAN G
969 LAUREL RD N
NORTH PALM BEACH FL 33408 4020

300

68434221160002020
DASILVA BRIAN E
TH 89-A-83 BOROUGH DR
TORONTO, ON
M1P 5E4 CANADA

300

68434221160002030
KUBEK MICHAEL J &
214 2ND ST
LAKE PARK FL 33403 3541

300

4221160002040
GRUNWALD DONALD
PO BOX 14914
NORTH PALM BEACH FL 33408 0914

300

68434221160002050
STEINBACH CHRISTOPHER &
128 LEHANE TER # 205
NORTH PALM BEACH FL 33408 5617

300

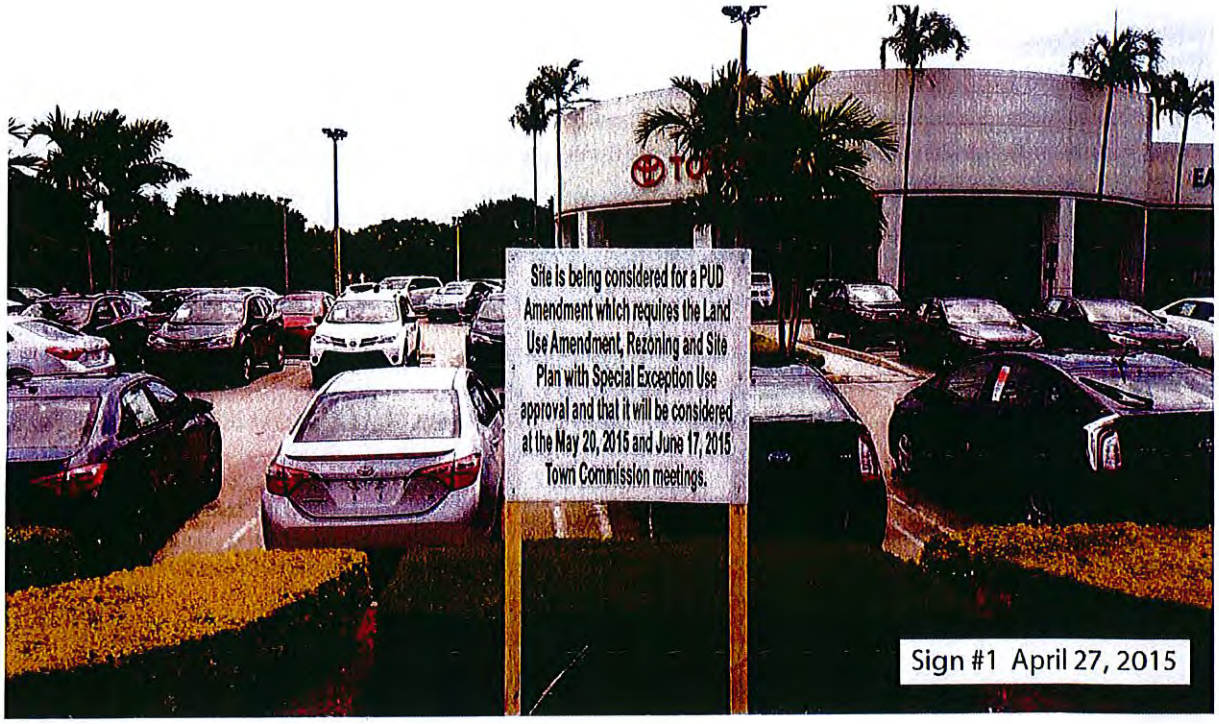
68434221160002060
CARRIGAN MAUREEN A EST
140 CYPRESS CLUB DR APT 415
POMPANO BEACH FL 33060 4730

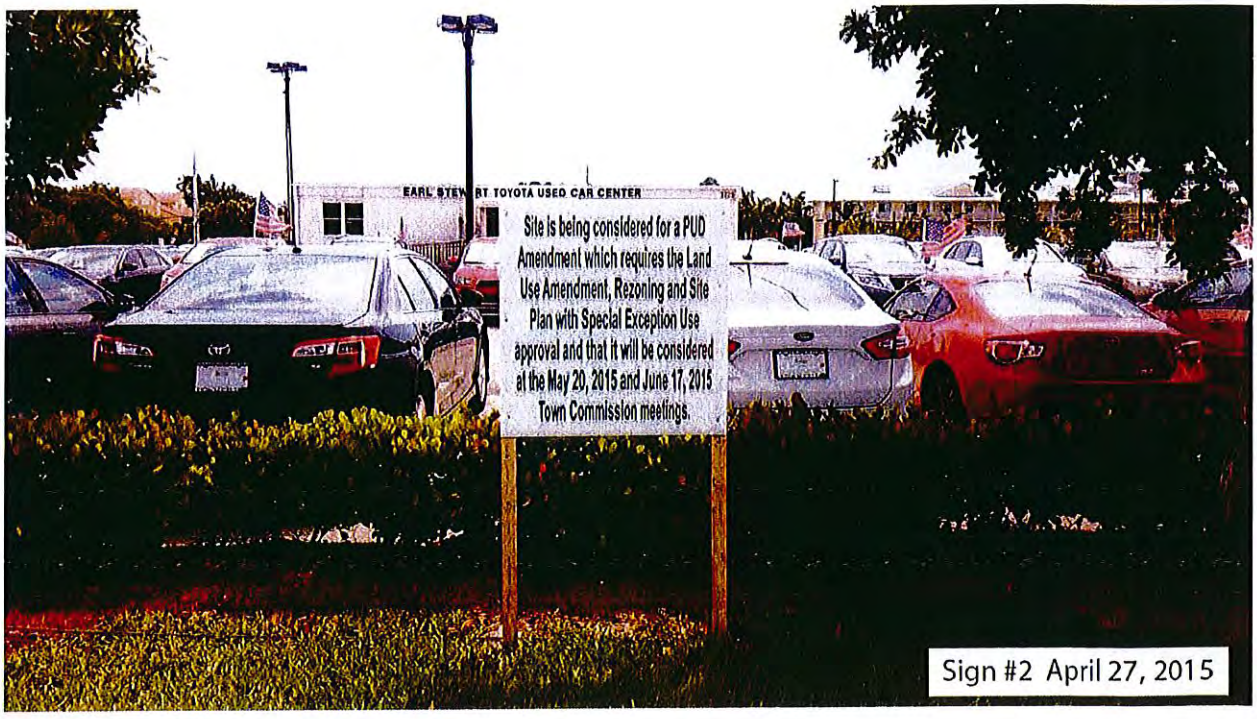
300

68434221160002070
MINER NOEL L &
328 LEEWARD DR
JUPITER FL 33477 9337

300

68434221160002080
R EVAN &
969 LAUREL RD
NORTH PALM BEACH FL 33408 4020


Site is being considered for a PUD Amendment which requires the Land Use Amendment, Rezoning and Site Plan with Special Exception Use approval and that it will be considered at the May 20, 2015 and June 17, 2015 Town Commission meetings.
Sign #1 April 27, 2015


Site is being considered for a PUD Amendment which requires the Land Use Amendment, Rezoning and Site Plan with Special Exception Use approval and that it will be considered at the May 20, 2015 and June 17, 2015 Town Commission meetings.
Sign #2 April 27, 2015

Sign #3 April 27, 2015

Sign #4 April 27, 2015

Sign #5 April 27, 2015

Sign #7 April 27, 2015

East Jasmine Drive
right-of-way abandonment
application will be considered
by the Town Commission
at the May 20, 2015
and June 17, 2015
Town Commission meetings.
Sign #8 April 27, 2015

The Palm Beach Post
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RECEIPT

LEGAL NOTICE OF PROPOSED ORDINANCES AND RESOLUTION TOWN OF LAKE PARK

Please take notice that on Wednesday, June 17, 2015 at 6:30 p.m. or as soon thereafter as can be heard, the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE NO. 08-2015

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 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.

ORDINANCE NO. 02-2015

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.

ORDINANCE NO. 03-2015

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.

ORDINANCE NO. 06-2015

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.

At this same meeting, the Town Commission will also consider an application by Urban Design Kilday Studios ("Applicant") on behalf of Earl Stewart LLC and Commercial Investments LLC ("Owner"), who is requesting to expand the Owner's existing car dealership currently located at 1215 Federal Highway (Property Control Number: 36-43-42-21-27-000-0000) onto the existing East Jasmine Drive right-of-way and onto 1017 Federal Highway (Property Control Number: 36-43-42-20-01-121-0010), for which a site plan for development, along with the special exception use of a vehicles sales establishment will be considered for approval under the following Resolution:

RESOLUTION NO. 14-05-15

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

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

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida

PUB: The Palm Beach Post
6-7-2015 #431970

Community
JAN 26 2015
Development

To: Town of Lake Park

Attn: Nadia DiTommaso

From: Sami Baghdady, Abutter

Date: January 23, 2015

Re: Earl Stewart Toyota/Commercial Investments LLC

In response to the notice dated January 15, 2015 regarding Earl Stewart Toyota, I have several serious concerns regarding their proposal.

To begin with, Toyota had presented this proposal back in 2007. It was debated in a hearing and was denied.

The issues of concern are as follows:

1. Health problems emerging from the toxic fumes from the car storage facility.

2. The acquisition of Jasimin Drive by Toyota diverts the traffic to E. Ilex Drive thus, adding congestion to E. Ilex Drive.

3. The access to the Toyota Facility to E. Ilex Drive is dangerous and causes inconvenience to the residents of E. Ilex Drive.

4. The acquisition of Jasmine Drive and the conversion of residential real estate into commercial real estate alters the character of the town of which we invested.

5. Mr. Stewart has several other properties in the area that can accommodate the type of service he is seeking for E. Ilex. The annexation of Jasmine Drive would cause the traffic to move to E. Ilex.

6. The Town of Lake Park reversed itself. It caused the restaurant that was located on U. S. 1 (Baker) to leave the area because they would not grant him permission to use the lot he purchased on Lake Shore Drive for parking for his customers.

I would like to have my concerns considered before any approval is made.

A concerned citizen (and property owner)

Sami J. Baghdady

Earl Stewart Toyota North Palm Beach
Application for Rezoning/Special Exception to Expand auto dealership/ROW – submitted Jan 28, 2015
abandonment of East Jasmine Dr
Meeting with Lake Park Township to review applicants plans
2/11/15

Zoning Designations for 2.23 acres
FLU: Commercial Residential
Present: C-1 Business District Zoning
What is the applicant able to build on this site in this current zoning?

East Jasmine Drive: Public ROW
August 4 2004 ROW abandonment Resolution No. 43-07-04
Null and void since all of required conditions of approval were not met:
What were the conditions attached to this Resolution?

Environmental Impact:
Does the Lake Park Township acknowledge that it has an historical and environmental body of water and its tributaries known as Lake Worth to protect and preserve for present and future use by the residents of the Township?

Does the Lake Park Township acknowledge that an endangered species known as the manatee frequents the canals bordering the applicants commercial property to feed, drink the water coming out of the run-off pipes from Lake shore Drive, mate, and give birth?

Does the Lake Park Township support the Palm Beach County Manatee Protection Plan of 2007?

Why does the applicant request a Special Exception to Expand the auto dealership?

The applicant is expanding the number of service bays and adding a carwash?
How does the applicant presently handle:

1. Waste Water

2. Run-off from hard surfaces?

3. What chemicals are contained in the waste water and run-off?

4. Has an environmental study been done by either the township or the applicant to evaluate the environmental impact of present waste water and run-off and future waste water and run-off?

5. In the applicant's plan, run-off is directed to Lake Shore Drive. Existing run-off presently collects in large puddles at the corner of East Jasmine and Lake Shore Drive.
   Is the applicant financing infrastructure to handle increased hard surface run-off?

6. Is the run-off from Lake Shore Drive diverted to the outflow pipes of the canal east of Lake Shore Drive and Palmetto?

Historical Impact:
The Town of Lake Park was developed in the early 1900's as a seaside community and its plans at that time were for residential growth. The famous landscapers, the Olmstead Brothers planned the landscaping of Kelsey City.
Houses within Lake Park are of historical design and the new main street is an effort by Lake Park to maintain the small community concept.
The beautiful township park bordering Lake Worth is a gem for our Township.

There is space within the Lake Park Township for the type and size of growth that the applicant is requesting the Township to consider to increase its bottom fiscal numbers without regard for the original town concept.

This alternate space within the light industrial park bordering Dixie Highway and Congress Avenue is better used for the applicant's design. It is within minutes of the already existing Earl Stewart complex.

Traffic Impacts:
Lake Shore Drive is a small street. Traffic studies done by the applicant reference the Federal Highway corridor to form its conclusions that there is little traffic impact caused by the applicants proposed request for rezoning and expansion.

Lake Shore Drive is a quiet street and is designed to handle the residential traffic from the currently zoned R-1 AA high density condominiums on Lake Shore Drive. It is not designed to handle increased traffic from the proposed applicant design.

At the February Planning and Zoning meeting, February 2, 2015, the Township's solicitor recommended the closing and replacing of the Lake shore Drive entrance and exit to Federal Highway in line with the proposed storage facility.
That was an excellent Township proposal in keeping with the Federal Highway Corridor concept of the traffic study. In otherwords, keep the traffic confined to the Federal Highway Corridor.

Community
FEB 12 2015
Development

To: Town of Lake Park

Attn: Nadia Di Tommaso, Community Development Director

From: Nick and Karen Kozarevich, owners at Bay Reach Condominiums

Date: February 12, 2015

Re: Earl Stewart Toyota/Commercial Investments LLC, notice dated January 15, 2015

In response to the notice dated January 15, 2015 regarding the proposed expansion of Earl Stewart Toyota with a tall unsightly building, on the lot they currently use to store vehicles, we have several concerns that we would like to bring to your attention for additional review of what we consider to be probable impacts to the local community. Specifically, we have concerns as follows:

1. Noise pollution from multiple trucks and vehicles going in and out of the proposed structure. Trucks that transport vehicles are large and noisy. Remember that people work all hours of the day and therefore some need to sleep during daylight hours, and thus need a quiet surrounding.
2. Air pollution from multiple trucks and vehicles going in and out of the proposed structure.
3. Congestion on the streets from multiple trucks and vehicles going in and out of the proposed structure. Closing down Jasmine Drive will add to the congestion. Working residents need easy access in and out during rush hours. Limiting access routes could also negatively impact emergency evacuation.
4. Possible water pollution to nearby canals and Intracoastal Waterway (ICW) where manatees live with other marine life and are supposed to be protected. We see manatees everyday living and swimming in the canals and ICW.
5. Inconsistent use of land that was supposed to remain as R – residentially zoned on Lake Shore Drive.
6. Loss of sunlight to neighboring condominiums, thus detracting from homeowners' pleasure. We and other homeowners specifically bought here to enjoy the tranquil surroundings and sunlight along Lake Shore Drive and the ICW.
7. Loss of property values due to all of the above impacts.

Please have our concerns researched and considered before any approval is made.

Regards,

Nick and Karen Kozarevich

Bay Reach Condominium owners since 2006

To: Town of Lake Park
Planning and Zoning/Town Commission
ATTN: Nadia DiTommaso, Community Development Director

Date: 2/18/15

Community
FEB 18 2015
Development

From: Bay Reach Condominium Owner:
Beth and Benny Valle, 1045 Lake Shore Drive, #201, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15

In response to the referenced expansion of Earl Stewart Toyota, I have strong concern that the original Vision of the town developers of Lake Park as a coastal community of great beauty (the Marina, Kelsey Park, landscaping, low buildings, etc.) is getting lost in this rapid Application Process. The land in question is directly across from Lake Worth and Lake Shore Drive, and is very valuable and strategic in its location and importance to the Town. The question is whether this flagship project is truly in the best interests of the future vision of Lake Park. The answer requires time for a broad and honest analysis.

The project conflicts with the existing architecture, style, mass, height, and use of the Lake Shore Drive area. It is directly across Lake Shore from Bay Reach, and results in a building wall nearly 50 feet high that runs 3 city blocks and is about 1000 feet long. It will be as if a cruise ship has docked 100 feet from our home. Our western view, light, breezes, and open ambience will be greatly impacted by this sterile, unnatural feature.

Safety -The project will introduce a dangerous increase of commercial truck, van, and car traffic onto Lake Shore Drive, which was designed for residential use in a residential neighborhood and is only 2 lanes wide. The resulting traffic congestion, inconvenience, and safety hazards will strongly impact the resident population who regularly use Lake Shore Drive as drivers, bicyclists, and pedestrians. Earl Stewart car carrier trucks currently park illegally in the center of Lake Shore Drive while they await offloading.

E. Jasmine ROW The project proposes a new access along Lake Shore Drive. Therefore, the project will potentially have 3 access points on Lake Shore Drive (existing one just south of Castlewood intersection, the proposed abandonment of E. Jasmine, and the new one). Lake Shore Drive is a residential street in its origins and nature, and is not a commercial highway, as is Federal Highway. US 1 should have all the traffic. Because of the Safety concerns of Item (2) above, I request that the Township evaluate: Conditioning the E. Jasmine Drive ROW Abandonment Agreement to require:

A. Project will have NO Lake Shore Drive access points, and will close existing ones.
B. Allow no vehicle parking, standing, loading or unloading related to the Earl Stewart commercial establishment to take place on Lake Shore Drive.

Please have these concerns researched and considered before any Approval is made, and include this letter as part of the Public Record of the Earl Stewart Application.

Sincerely,

Beth and Benny Valle
Bay Reach Resident and Homeowner

To: Town of Lake Park Date: _2/18/2015_____ Community
Planning and Zoning/Town Commission
ATTN: Nadia DiTommaso, Community Development Director FEB 18 2015

From: Bay Reach Condominium Owner (abutter) Development Bay Reach_____,
_1015_____ Lake Shore Drive, #__104_____, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15
Note: Please include my Letter in the Public Record of this Application

As a homeowner whose property is directly across Lake Shore Drive from the Earl Stewart project, I have strong concerns regarding the projects local and general impact:

1. The **historic origins of Lake Park** included designing a community to emphasize its beautiful coastline. The buildings, landscaping, zoning, and development promoted this concept. This particular Application seems to ignore the very essence of Lake Park. The land in question is directly across from Lake Worth and Lake Shore Drive, and is very historic, valuable, and strategic in its location and importance to the Town. The project represents an intrusion into our residential area, bringing heavy traffic and a huge commercial footprint of concentrated car dealership activity. It sets a precedent for further large projects in the area between Federal Highway and Lake Shore Drive that will overcome the intended residential component of that area. It will negatively affect the Safety, Quality of Life, Property Values, and Health of the Residents.

2. The Applicant directly states that there are **NO Historic Resources** that would be affected by the proposed development. This is a completely erroneous statement, and shows a disregard for the Lake Park community that they are part of and will affect:
To paraphrase Lake Park's own website: (lakeparkflorida.gov)
Lake Park Historic Structures – Lake Park retains the original layout planned by the Olmstead Brothers. Lake Park was called "The Jewel of the Palm Beaches" and reflects the desirable quality of life envisioned by the town founders in 1923.

It emphasizes the historic Lush Landscaping, Sails in the Marina, and town atmosphere. The site was Kelsey's favorite spot on Lake Worth. Kelsey brought in the famous Olmstead Brothers, premier architects of the time. Other notable Olmstead firm projects include White House grounds, National Mall, Jefferson Memorial, and New York's Central Park, Chicago 1893 Worlds Fair, and the Bok Tower in Lake Wales, Florida.

In 1939, the street names were changed to names of flowers and trees. The original zoning was residential from Lake Worth to 5th St. (4 blocks West of Federal Highway). I ask that the nearby Historic community of Lake Park be given more consideration in relation to the project. Even the abandonment of E. Jasmine has historical significance.
No Historic Resources indeed!! The Applicant appears to be quite blind!

Sincerely, _Krista and Don Van Arsdale_____, Bay Reach Homeowner

Right-of-Way

From: jhash2@comcast.net <jhash2@comcast.net>
Sent: Thursday, February 19, 2015 10:59 AM
To: James Dubois; Kim Glas-Castro; Kathleen Rapoza; Erin Flaherty; Michael O'Rourke
Cc: Hash, Janet
Subject: Kilday Urban Design Application 1215 and 1017 Fed. Hwy

Re: 1215 1017 Federal H'wy
Special Exception use approval of vehicle sales establishment
ROW Abandonment, Variance
Earl Stewart Toyota and Commercial Investments LLC's have a team of experts, under the direction of the applicant, to pursue the development of the property they own. The Residents of Lake Park also have a team of experts: our Mayor, Vice-Mayor, Commissioners and town solicitor, whose sworn duty is to do what is best for the people they serve by balancing the growth of our tiny village. The Kilday Urban Design application tests the metal of our representatives to balance the quality of life of residents with business expansion within the small footprint that comprises Lake Park.
The applicant's project proposes to build a 45 foot high structure for the increased storage and distribution of goods acquired by the car dealership, in essence creating a hub for the car dealership on property owned by Commercial Inverstments LLC that has a broad objective of distribution to dealerships other than specific sales at the 1215 Federal Hwy site. At the Feb 2, 2015 planning zoning meeting the reps for Earl Stewart said that to acquire the volume discount from Toyota, a larger volume of cars needed to be bought. Thus the sticky wicket of where to store this increased volume???
Defining the structure as a parking garage is a slight of hand definition that packages the structure neatly into zoning/rezoning.
However, the structure is more accurately defined as a "warehouse" which stores and distributes goods.
This begs the question of the Township turning a Blind Eye to this expansion by using the applicants definition or defining the applicants expansion as to its true nature??
There are many concerns from residents along Lake Shore Dr. who have to view a 45 foot concrete wall extending for 3 blocks blocking out sunsets, sky, openness, light, enjoyment of the quiet of a small town village atmosphere that is tiny Lake Park.

- ROW abandonment of East Jasmine Dr
- Lake Shore Drive uses as entrance/exit for 18 wheelers and other tractor trailers that supply the dealership
- the current parking and unloading of vehicles off Lake Shore Dr creating driving hazards for residential vehicles
- waste water management from a car wash that doesn't seem to be addressed in the application
- noise abatement controls for blowers and dryers in a car wash facility and hours of use for this new part of dealership
- commercial use of car wash/ body shop/ to service fleets

Community
FEB 19 2015
Development

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Sent: Thursday, February 19, 2015 10:59 AM
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- noise abatement controls for blowers and dryers in a car wash facility and hours of use for this new part of dealership
- commercial use of car wash/ body shop/ to service fleets

- the concentration of commercial versus residential from Palmeto to Greenbriar under current zoning
- setbacks to Lake Shore Dr on 1017 property owned by Commercial Investments LLC seem to favor aesthetics for dealership and not residents

This application before the Town of Lake Park needs careful consideration by our team of experts. What has been lacking is public input, not because the public affected on both sides of US 1 is not interested and has no opinion, but because the information supplied to residents about the extensive nature of this expansion has been minimized or lacking even in bullet form, details of the 3 Phases of expansion.
The Mayor and Commissioners need to take the deliberate time to sort through and balance the rights of its residents and its businesses regardless of the pressures put upon it by the applicant due to time restrictions.
Respectfully,
Janet Hash Resident Lake Park

Community
FEB 2 1 2015
Development

From: John Ranker [mailto:witchy1629@aol.com]
Sent: Saturday, February 21, 2015 3:55 PM
To: James Dubois; Kim Glas-Castro; eflahertty@lakeparkflorida.gov; Michael O'Rourke; Kathleen Rapoza; Nadia DiTommaso; jthomas@lakeparkflorida.gov
Subject: Earl Stewart expansion project

After attending the February 2, 2015 meeting of the Planning Board regarding the proposed Earl Stewart Expansion Plan, I must say that I was very impressed with the genuine concern and understanding the board showed for the area residents. Judith Thomas spoke eloquently and from the heart as she explained the detrimental impact a five story garage would have on our tiny Village of Lake Park and the residents both to the west and the east.

There are a few comments that I,as a resident of Bay Reach, would like to make:

The letter I received from Earl Stewart said nothing nor inferred about a five story garage- rather it concerned the acquisition of East Jasmine Drive. I find this to be quite disturbing and deceptive- and I believe it is the reason the room was not packed with residents at the meeting on Feb. 2nd.

I also find that the requirements that Earl Stewart had to meet had been met "to the minimum" most disturbing. Why allow a project of this magnitude fly with the MINIMUM???

Earl Stewart did not want to impact Federal Hwy, so he saw fit to push the behemoth garage into the faces of the residents to the east? This is unconscionable!

I find it hard to believe that the project will have " no environmental impact" All the runoff goes into the storm drain that empties into our canal which is notably absent from some maps. We have a family of manatees that reside there. So runoff from the facility's carwash, repair bays, etc. may very well impact the environment. Lake Shore Drive floods during heavy rains and high tides!

The Village of Lake Park is tiny- only two square miles. We presently are zoned for three stories which should be enough for Earl Stewart's expansion if they are truly only doubling their inventory. Or is it the fact that we are so tiny and "no one knows where Lake Park is" that we just don't matter to Earl Stewart?

Of the five blocks between Kelsey Park and Palmetto Drive, which constitutes the North half of Lake Park, Earl Stewart occupies three- that is a large concentration of one business.

As I stood out in the afternoon sun, I realized that if this five story monstrosity is allowed, i won't see any afternoon sun!

I realize that Earl Stewart has been a good neighbor, but I don't think this project has taken into consideration the impact on the local residents, both to the east and the west. There are other viable locations that are already zoned for projects of this height which I'm sure would be satisfactory and welcomed.

I implore the Board to maintain the integrity of our tiny Village of Lake Park. I would also request that Nadia DiTommaso, Community Development Director, include this correspondence with the development application as part of the public record .
Thank you for your consideration in this matter.

Sincerely,
Elizabeth Ranker
1010 Lake Shore Drive Apt 101
Lake Park, FL 33403

RECEIVED

Development

To: Town of Lake Park
Planning and Zoning/Town Commission
ATTN: Nadia DiTommaso, Community Development Director

Date: 2.20.2015

From: Bay Reach Condominium Owner (abutter) Eileen Chapman
1130 Lake Shore Drive, # 203, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15

In response to the referenced expansion of Earl Stewart Toyota, I have strong concerns:

Lake Park Future- The original Vision of the town developers of Lake Park as a coastal community of great beauty (the Marina, Kelsey Park, landscaping, low buildings, etc.) has been lost in this rapid Application Process. The land in question is directly across from Lake Worth and Lake Shore Drive. It is valuable and strategic in its location and importance to the Town's future. Is this flagship project in the best interests of the future vision of Lake Park? The answer requires time for a broad and honest analysis.

Incompatibility - The project conflicts with the existing architecture, mass, height, and use of the Lake Shore Drive area. It is directly across Lake Shore from Bay Reach, and results in a building wall nearly 50 feet high that runs 3 city blocks (about 1000 feet). It will be as if a cruise ship has docked 100 feet from my home. The western view, light, breeze, and open ambience will be greatly impacted by this sterile, unnatural feature.

Safety -The project will introduce a dangerous increase of commercial truck, van, and car traffic onto Lake Shore Drive, which was designed for residential use in a residential neighborhood and is only 2 lanes wide. The resulting traffic congestion, inconvenience, and safety hazards will strongly impact the resident population who regularly use Lake Shore Drive as drivers, bicyclists, and pedestrians. Earl Stewart car carrier trucks currently park illegally in the center of Lake Shore Drive while they await offloading.

E. Jasmine ROW- The project proposes a new access along Lake Shore Drive. Therefore, the project will potentially have 3 access points on Lake Shore Drive (existing one just south of Castlewood intersection, the proposed abandonment of E. Jasmine, and the new one). Lake Shore Drive is a residential street in its origins and nature, and is not a commercial highway, as is Federal Highway. US 1 should have all the traffic. Because of the Safety concerns of Item (2) above, I request that the Township evaluate: Conditioning the E. Jasmine Drive ROW Abandonment Agreement to require:

A. Project will have NO Lake Shore Drive access points, and will close existing ones.

B. Allow no vehicle parking, standing, loading, or unloading related to the Earl Stewart commercial establishment to take place on Lake Shore Drive.

Please have these concerns researched and considered before any Approval is made, and include this letter as part of the Public Record of the Earl Stewart Application.

Sincerely,

Bay Reach Resident and Homeowner

Eileen Chapman

1130 Lakeshore Dr
Unit 203

RECEIVED

FEB 23 2015

To: Town of Lake Park Community Development Date: 2/19/2015
Planning and Zoning/Town Commission
ATTN: Nadia DiTommaso, Community Development Director

From: Bay Reach Condominium Owner (abutter) BAY REACH,
1050 Lake Shore Drive, #104, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15

In response to the referenced expansion of Earl Stewart Toyota, I have strong concerns:

Lake Park Future- The original Vision of the town developers of Lake Park as a coastal community of great beauty (the Marina, Kelsey Park, landscaping, low buildings, etc.) has been lost in this rapid Application Process. The land in question is directly across from Lake Worth and Lake Shore Drive. It is valuable and strategic in its location and importance to the Town's future. Is this flagship project in the best interests of the future vision of Lake Park? The answer requires time for a broad and honest analysis.

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Please have these concerns researched and considered before any Approval is made, and include this letter as part of the Public Record of the Earl Stewart Application.

Sincerely,

Bay Reach Resident and Homeowner

Community

FEB 23 2015

Development

To: Town of Lake Park Date: 2-20-15
Planning and Zoning/Town Commission
ATTN: Nadia DiTommaso, Community Development Director

From: Bay Reach Condominium Owner (abutter) 1045 Lakeshore Dr
_____ Lake Shore Drive, # 101, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15

In response to the referenced expansion of Earl Stewart Toyota, I have strong concern that the original Vision of the town developers of Lake Park as a coastal community of great beauty (the Marina, Kelsey Park, landscaping, low buildings, etc.) is getting lost in this rapid Application Process. The land in question is directly across from Lake Worth and Lake Shore Drive, and is very valuable and strategic in its location and importance to the Town.

The project conflicts with the existing residential surroundings and use of the Lake Shore Drive area. It is directly across Lake Shore from Bay Reach, and results in a building wall nearly 50 feet high that runs 3 city blocks and is about 1000 feet long. It will be as if a cruise ship has docked 100 feet from our home. Our western view, light, breezes, and open ambience will be greatly impacted by this sterile, unnatural feature.

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Please have these concerns researched and considered before any Approval is made, and include this letter as part of the Public Record of the Earl Stewart Application.

Sincerely,

Jeanne M. Pietro

Bay Reach Homeowner

Community

FEB 23 2015

development

To: Town of Lake Park Date: 2-20-15

ATTN: Nadia DiTommaso, Community Development Director

From: Bay Reach Condominium Owner (abutter) John V GEORGE

1045 Lake Shore Drive, # 206, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15
and Planning and Zoning Commission Meeting of 2/2/15

In response to the Earl Stewart Expansion, I have real concern that the original concept of Lake Park as a seaside community is being pushed aside by commercial interests along Federal Highway, to the future detriment of the Township. Specific concerns are:

1. Future Land Use -My home is in Bay Reach, across Lake Shore Drive from Earl Stewart Toyota and the proposed expansion. Bay Reach is in an historically residential zoned area bordering Lake Worth. Approval of this project sets a precedent for expanding the Federal Highway commercial corridor through to the western side of Lake Shore Drive. It will diminish the Residential part of the intended Future Land Use (FLU) designation of this Commercial/Residential strip between Lake Shore Drive and Federal Highway. In this area between Palmetto Drive and Greenbriar Drive (N side of Kelsey Park), the Earl Stewart expansion will itself occupy about 60% of the real estate, and will bring the total Commercial component in this area to about 80%. Residential component will be 20%. This does not appear to be a healthy, balanced approach to mixed land use.

2. Earl Stewart Toyota has grown dramatically at this location in Lake Park, and he is now the top dealer in the County. The Application requests to expand a car dealership and seeks approval for special exception use of a vehicle sales establishment. The description of a 5 story garage, 1400 parking spaces, 48 service bays, paint shop and car wash indicates a business that has grown beyond local retail sales into the areas of a car distributorship to other dealers, and fleet servicing and repair. Lake Park should expect large increases in volume of traffic, activity, noise, waste, and pollution with this project, which seems more suitable for a Light Industrial zone, rather than a residential one.

3. The project will greatly increase commercial Traffic on Lake Shore Drive (which is a residential street), and will result in unsafe conditions. I ask that the Township condition the E. Jasmine ROW Abandonment so as to prevent any new project access from Lake Shore Drive, to close all existing access from Lake Shore Drive, and to prevent any commercial use of Lake Shore Drive by the Earl Stewart Applicant for parking, etc.

Please evaluate and consider these specific concerns before any Approval decision.
Please include this letter as part of the Public Record of the Earl Stewart Application.

Sincerely, John V. George, Lake Park Resident and Homeowner

Community

FEB 23 2015

Development

To: Town of Lake Park Date: 2/20/15
Planning and Zoning/Town Commission
ATTN: Nadia DiTommaso, Community Development Director

From: Bay Reach Condominium Owner (abutter) LORI A. SCHEER
1050 Lake Shore Drive, # 204, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15
Note: Please include my Letter in the Public Record of this Application

As a homeowner whose property is directly across Lake Shore Drive from the Earl Stewart project, I have strong concerns regarding the projects local and general impact:

1. The **historic origins of Lake Park** included designing a community to emphasize its beautiful coastline. The buildings, landscaping, zoning, and development promoted this concept. This particular Application seems to ignore the very essence of Lake Park. The land in question is directly across from Lake Worth and Lake Shore Drive, and is very historic, valuable, and strategic in its location and importance to the Town. The project represents an intrusion into our residential area, bringing heavy traffic and a huge commercial footprint of concentrated car dealership activity. It sets a precedent for further large projects in the area between Federal Highway and Lake Shore Drive that will overcome the intended residential component of that area. It will negatively affect the Safety, Quality of Life, Property Values, and Health of the Residents.

2. The Applicant directly states that there are **NO Historic Resources** that would be affected by the proposed development. This is a completely erroneous statement, and shows a disregard for the Lake Park community that they are part of and will affect:
To paraphrase Lake Park's own website: (lakeparkflorida.gov)
Lake Park Historic Structures – Lake Park retains the original layout planned by the Olmstead Brothers. Lake Park was called "The Jewel of the Palm Beaches" and reflects the desirable quality of life envisioned by the town founders in 1923.

It emphasizes the historic Lush Landscaping, Sails in the Marina, and town atmosphere. The site was Kelsey's favorite spot on Lake Worth. Kelsey brought in the famous Olmstead Brothers, premier architects of the time. Other notable Olmstead firm projects include White House grounds, National Mall, Jefferson Memorial, and New York's Central Park, Chicago 1893 Worlds Fair, and the Bok Tower in Lake Wales, Florida.

In 1939, the street names were changed to names of flowers and trees. The original zoning was residential from Lake Worth to 5th St. (4 blocks West of Federal Highway). I ask that the nearby Historic community of Lake Park be given more consideration in relation to the project. Even the abandonment of E. Jasmine has historical significance.
No Historic Resources indeed!! The Applicant appears to be quite blind!

Sincerely, Lori Scheer, Bay Reach Homeowner

COMMUNITY

FEB 2 5

To: Town of Lake Park Date: 2/18/2015
Planning and Zoning/Town Commission
ATTN: Nadia DiTommaso, Community Development Director

From: Bay Reach Condominium Owner (abutter) 1214 REACH
1015 Lake Shore Drive, # 107, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15
and Planning and Zoning Commission Meeting of 2/2/15

In response to the Earl Stewart Expansion, I have real concern that the original concept of Lake Park as a seaside community is being pushed aside by commercial interests along Federal Highway, to the future detriment of the Township. Specific concerns are:

1. Future Land Use -My home is in Bay Reach, across Lake Shore Drive from Earl Stewart Toyota and the proposed expansion. Bay Reach is in an historically residential zoned area bordering Lake Worth. Approval of this project sets a precedent for expanding the Federal Highway commercial corridor through to the western side of Lake Shore Drive. It will diminish the Residential part of the intended Future Land Use (FLU) designation of this Commercial/Residential strip between Lake Shore Drive and Federal Highway. In this area between Palmetto Drive and Greenbriar Drive (N side of Kelsey Park), the Earl Stewart expansion will itself occupy about 60% of the real estate, and will bring the total Commercial component in this area to about 80%. Residential component will be 20%. This does not seem to be a healthy, balanced approach to mixed land use.

2. Zoning - Earl Stewart Toyota has grown dramatically at this location in Lake Park, and he is now the top dealer in the County. The Application requests to expand a car dealership and seeks approval for special exception use of a vehicle sales establishment. The description of a 5 story garage, 1400 parking spaces, 48 service bays, paint shop and car wash indicates a business that has grown beyond local retail sales into the areas of a car distributorship to other dealers, and fleet servicing and repair. Lake Park should expect large increases in volume of traffic, activity, noise, waste, and pollution with this project, which seems more suitable for Light Industrial zoning, rather than Residential.

3. Safety - The project will greatly increase commercial Traffic on Lake Shore Drive (which is a residential street), and will result in unsafe conditions. I ask that the Township condition the E. Jasmine ROW Abandonment so as to prevent any new project access from Lake Shore Drive, to close all existing access from Lake Shore Drive, and to prevent any commercial use of Lake Shore Drive by the Earl Stewart Applicant for parking, etc.

Please evaluate and consider these specific concerns before any Approval decision.
Please include this letter as part of the Public Record of the Earl Stewart Application.

Sincerely, [signature], Lake Park Resident and Homeowner

Community

FEB 26 2015

Development

To: Town of Lake Park Date: 2-23-15
Planning and Zoning/Town Commission
ATTN: Nadia DiTommaso, Community Development Director

From: Bay Reach Condominium Owner (abutter) Annette Brousseau
1130 Lake Shore Drive, # 204 , Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15
Note: Please include my Letter in the Public Record of this Application

As a homeowner whose property is directly across Lake Shore Drive from the Earl Stewart project, I have strong concerns regarding the projects local and general impact:

1. The **historic origins of Lake Park** included designing a community to emphasize its beautiful coastline. The buildings, landscaping, zoning, and development promoted this concept. This particular Application seems to ignore the very essence of Lake Park. The land in question is directly across from Lake Worth and Lake Shore Drive, and is very historic, valuable, and strategic in its location and importance to the Town. The project represents an intrusion into our residential area, bringing heavy traffic and a huge commercial footprint of concentrated car dealership activity. It sets a precedent for further large projects in the area between Federal Highway and Lake Shore Drive that will overcome the intended residential component of that area. It will negatively affect the Safety, Quality of Life, Property Values, and Health of the Residents.

2. The Applicant directly states that there are **NO Historic Resources** that would be affected by the proposed development. This is a completely erroneous statement, and shows a disregard for the Lake Park community that they are part of and will affect:

To paraphrase Lake Park's own website: (lakeparkflorida.gov)
Lake Park Historic Structures – Lake Park retains the original layout planned by the Olmstead Brothers. Lake Park was called "The Jewel of the Palm Beaches" and reflects the desirable quality of life envisioned by the town founders in 1923.

It emphasizes the historic Lush Landscaping, Sails in the Marina, and town atmosphere. The site was Kelsey's favorite spot on Lake Worth. Kelsey brought in the famous Olmstead Brothers, premier architects of the time. Other notable Olmstead firm projects include White House grounds, National Mall, Jefferson Memorial, and New York's Central Park, Chicago 1893 Worlds Fair, and the Bok Tower in Lake Wales, Florida.

In 1939, the street names were changed to names of flowers and trees. The original zoning was residential from Lake Worth to 5th St. (4 blocks West of Federal Highway). I ask that the nearby Historic community of Lake Park be given more consideration in relation to the project. Even the abandonment of E. Jasmine has historical significance.

No Historic Resources indeed!! The Applicant appears to be quite blind!

Sincerely, A.M. Brousseau , Bay Reach Homeowner

Community

FEB 26 2015

Development

To: Town of Lake Park Date: 2/21/2015

ATTN: Nadia DiTommaso, Community Development Director

From: BayReach Owner (abutter) John & Victoria Bulger
1035 Lake Shore Drive, #103, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and related notice dated 1/15/15

In response to the Earl Stewart Expansion Application, I have great concern that the original Vision of the town developers of Lake Park as a coastal community of great beauty (the Marina, Kelsey Park, Park Ave buildings, landscaping, etc.) is getting lost in this rapid Application Process. The land in question is very valuable and strategic in its location and importance to the Town. The question is whether this flagship project as presented is truly in the best interest for the future of Lake Park Township. Specifically, my related concerns are:

1. The project is inconsistent with the existing architecture, style, height, and use of Lake Shore Drive. The proposed project is directly across Lake Shore Drive from us, and results in a building wall nearly 50 foot high that runs 3 city blocks from Palmetto to Ilex, with an approximate length of 1000 feet. The effect will be as if a cruise ship docked less than 100 feet from our property. The Western view, light, and breezes will be greatly impacted by this sterile, unnatural feature.

2. The project will increase truck and car traffic along Lake Shore Drive, resulting in traffic congestion, inconvenience, and safety hazards to the residents along Lake Shore Drive. This is only a 2 lane road that was designed for residential use in a residential neighborhood. The Earl Stewart car carrier trucks already frequently use the center of the road for parking , which is illegal and currently creates a hazard near the BayReach entrance. The residential uses of this road need more protection for the many neighborhood drivers, pedestrians, bicyclists, and joggers.

3. The project proposes a new access point along Lake Shore Drive, just south of East Jasmine Drive . Therefore this project will potentially have 3 access points along Lake Shore Drive (existing one just south of Castlewood/Lake Shore Drive Intersection, the abandoned E. Jasmine Dr ROW, and the new access just mentioned). Lake Shore Drive is a residential street, appropriately named for its residential origins and nature – it is not a commercial highway, as is Federal Highway. Consequently, and because of the safety concerns identified in Item 2 above, I request that the Township consider the **E. Jasmine Dr ROW abandonment agreement to be conditioned** so as to close all Lake Shore Drive access points and allow no other access points on Lake Shore Drive. Additionally, there should be no vehicle parking, standing, loading, or unloading related to the Earl Stewart business allowed on Lake Shore Drive.

Please include this letter as part of the public record of the Earl Stewart Expansion.
Sincerely, Victoria Bulger, Lake Park Resident and Homeowner

To: Town of Lake Park Date: 2/27/2015

ATTN: Nadia DiTommaso, Community Development Director

Community

From: Home Owner (abutter) _John Hash_____,
_1115__ Lake Shore Drive, #_204____ , Lake Park, FL 33403

FEB 27 2015

Development

Re: Earl Stewart Toyota Expansion Application and Certified Notice of 1/15/15

I have the following strong concerns that I request be reviewed and considered by the Planning and Zoning Board before any approval is granted.

I. Concentration (Criterion #4 of Code Section 78-184). The very basis of the project represents a questionable and large increase in concentration on at least 5 levels:

1. Two separate corporations are merging into one. Earl Stewart, LLC and Commercial Investment, LLC are combining. This is an act of concentration.
2. The acquisition of E. Jasmine Dr. from Lake Park increases the business size.
3. Three are 5 blocks of land on Federal Highway's east side between Palmetto and Ilex. The project seeks to take 3 of them. That is 60% of the Lake Park area in that corridor that will be owned by one car dealership.
4. The 5 story garage in itself represents a vertical type of concentration, a multiplier of sorts over what was originally in place.
5. The 1400 parking places, 48 service bays, car wash, paint shop, and increased office space indicate that the business has grown from serving just the local community with retail sales into a statewide operation that extends throughout Palm Beach County, nearby counties, and beyond. Add in fleet sales and service, and the modernization of sales methods (internet, for example), and the increased office space that is intended to support this concentration, and the business becomes oversized for the location they have chosen.

II. Future Land Use (FUL) for the area between Federal Highway and Lake Shore Drive (Criteria #1, #2, #3, #5 of Code Section 78-134)

1. If approved as presented, the project literally gets set in concrete for 80 years, or the expected life of such a building. The site is iconic, historic, and strategic in its location at the northern boundary of Lake Park. It sets the tone for Future Land Use in this area, and represents an unequal balance between commercial and residential use, particularly on the Lake Shore Drive side. Once approved, the project becomes a Legacy for the Planning and Zoning Board, the Town Commission, and the Town of Lake Park.

Please include this letter as part of the Public Record of the Earl Stewart Application.

Sincerely, John Hash, Lake Park Resident and Homeowner

Community

MAR 0 2 2015

Development

To: Town of Lake Park Date: FEB 25, 2015

ATTN: Nadia DiTommaso, Community Development Director

From: BayReach Owner (abutter) BRIAN SWEISFORTH,
1010 Lake Shore Drive, # 105, Lake Park, FL 33403

Re: Earl Stewart Toyota Expansion Application and Certified Letter of 1/15/15

In response to the Earl Stewart Expansion, I have real concern that the original concept of Lake Park as a seaside community is being pushed aside by commercial interests along Federal Highway, to the future detriment of the Township. My concerns are itemized:

1. Future Land Use -My home is in Bay Reach, across Lake Shore Drive from Earl Stewart Toyota and the proposed expansion. Bay Reach is in an historically residential zoned area bordering Lake Worth. Approval of this project sets a precedent for expanding the Federal Highway commercial corridor through to the western side of Lake Shore Drive. It will diminish the Residential part of the intended Future Land Use (FLU) designation of this Commercial/Residential strip between Lake Shore Drive and Federal Highway. In this area between Palmetto Drive and Greenbriar Drive (N side of Kelsey Park), the Earl Stewart expansion will itself occupy about 60% of the real estate, and will bring the total Commercial component in this area to about 80%. Residential component will be 20%. This does not appear to be a healthy, balanced approach to mixed land use.

2. Earl Stewart Toyota has grown dramatically at this location in Lake Park, and he is now the top dealer in the County. The Application requests to expand a car dealership and seeks approval for special exception use of a vehicle sales establishment. The description of a 5 story garage, 1400 parking spaces, 48 service bays, paint shop and car wash indicates a business that has grown beyond local retail sales into the areas of a car distributorship to other dealers, and fleet servicing and repair. Lake Park should expect large increases in volume of traffic, activity, noise, waste, and pollution with this project, which seems more suitable for a Light Industrial zone, rather than a residential one.

3. The project will greatly increase commercial Traffic on Lake Shore Drive (which is a residential street), and will result in unsafe conditions. I ask that the Township condition the E. Jasmine ROW Abandonment so as to prevent any new project access from Lake Shore Drive, to close all existing access from Lake Shore Drive, and to prevent any commercial use of Lake Shore Drive by the Earl Stewart Applicant for parking, etc.

Please include this letter as part of the Public Record of the Earl Stewart Application.

Sincerely, Brian Sweisfurth, Lake Park Resident and Homeowner

Rezoning

Dear Kim,

03.24.15

Please HELP me and my neighbors stop the re-zoning of the Earl Stewart Toyota used car parking lot.

My name is Penny Broda. I have been a resident of Lake Park for 13+ years and live at 8 E. Ilex Drive. If the re-zoning is approved that means I will walk out my front door to look at a 4 story concrete parking garage with cars parked on the roof. I truly do not want that to be the first thing I see when I walk out my front door each day. With a parking garage of 40+Ft high that means anyone on those upper levels will be able to see right in my bedroom and bathroom windows, along with the bedroom and bathroom windows of my neighbors. **This is an invasion of my privacy.**

The current noise pollution (constant beeping car horns, up loading and off loading of vehicles at unacceptable hours of the day etc.) is at a maximum of what local residents should have to put up with.
The re-zoning of this property will only increase the noise pollution by double or even triple.

I realize Toyota needs more parking spaces and I am willing to compromise, but a 4 story with parking on the roof is not a compromise between both parties. A 2 story parking garage would be more of a compromise. This parking garage needs to be similar in height as the surrounding buildings vs. an over powering structure.

My question to you and all the commissioners is this:

WOULD YOU LIKE TO LIVE ACROSS THE STREET FROM A 4 STORY PARKING GARAGE WITH PARKING ON THE ROOF ?

Thank you Kim in advance for your help to stop the re-zoning.

If you have any questions, please contact me at 561.827.4688.
Penny.mb@gmail.com

Penny Broda

Penny Broda
8 E. Ilex Drive
Lake Park FL 33403

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Tuesday, March 24, 2015 5:52 PM
To: Nadia DiTommaso
Subject: Fwd: Architectural design garage
Attachments: photo.JPG

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Janet Hash <jhash2@comcast.net>
Date: March 24, 2015 at 12:12:10 PM EDT
To: "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>
Subject: Architectural design garage

This is a 4 story parking garage in Jupiter. Harborside.
Recent architectural design trends have moved from the Big Box design concept to what you see pictured which happens to remind me of our own design concept on Park Avenue.
What is our township settling for??
Respectfully submitted
Janet Hash Resident Lake Park

Site Plan

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Tuesday, March 24, 2015 5:53 PM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Project
Attachments: Example 1.jpg; Example 2.jpg; Example 3.jpg

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: "Samir" <ssbaghdady@aol.com>
To: "James Dubois" <jdubois@lakeparkflorida.gov>, "Erin Flaherty" <eflaherty@lakeparkflorida.gov>, "Kim Glas-Castro" <kglas-castro@lakeparkflorida.gov>, "Michael O'Rourke" <mo'rourke@lakeparkflorida.gov>, "Kathleen Rapoza" <krapoza@lakeparkflorida.gov>
Subject: Earl Stewart Project

Dear Mayor, Vice-Mayor, and Commissioners,

My name is Sam Baghdady and I am the Manager of the Cedar Crest Homeowners Association in Lake Park. I am asking you to please prevent the re-zoning of the Earl Stewart lot to a PUD. Lake Park is a beautiful community and I feel that a four story structure will ready change the character of the town and our area. The Cedar Crest Town Houses are 25 feet in height. To have this monsterous structure next to us will not only overshadow us and the neighboring buildings, but will bring down our values and make our area less desirable to live in. There has to be a compromise so we can all co-exist with one another.

I have been doing some research on Toyota dealerships and their parking garages. I am including some pictures of a garage I found that is 30 feet in height. Also, please pay attention to the height of the structure with respect to the residential structures across the street. They are the same height. Also, the sides of the structure that are facing the residential properties, they try and make them as residential looking as possible. The use of the louvers and growing ivy help to hide the cars.

Also, our petition is growing daily against this project.

Thank you for your time and consideration.

HARBOURSIDE PLACE

Site Plan

From: Kim Glas-Castro
Sent: Tuesday, March 24, 2015 5:52 PM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Toyota

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: lupe lawrence <lupelawrence@yahoo.com>
Date: March 23, 2015 at 7:11:05 AM EDT
Cc: Kimberly Glas Castro <kglas-castro@lakeparkflorida.gov>, Erin Flaherty <eflaherty@lakeparkflorida.gov>, Michael O'rouke <orourkelaw@earthlink.net>, Kathy Rapoza <krapoza@lakeparkflorida.gov>
Subject: Earl Stewart Toyota
Reply-To: lupe lawrence <lupelawrence@yahoo.com>

Dear Elected Officials,

It has come to my attention that Earl Stewart Toyota desires to build a five story parking garage on Ilex Drive and Northlake Blvd, and by this email I am requesting that the Town of Lake Park does allow this to take place.

I live at 128 E. Ilex Drive, and I love that Lake Park has a old town feeling, although there are commercial buildings on Northlake Blvd they are not intrusive. A five story parking garage would look out of place and I believe will not add to the image that Lake Park is trying to portray.

Sincerely

Guadalupe Lawrence
Arts by Lupe
lupe lawrence
Artist
(561) 452-1737
www.lupelawrence.com

Site - Plan

From: Kim Glas-Castro
Sent: Wednesday, March 25, 2015 8:05 PM
To: Nadia DiTommaso
Subject: Fwd: Toyota expansion

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Janet Hash <jhash2@comcast.net>
Date: March 25, 2015 at 7:10:59 PM EDT
To: "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>
Subject: Toyota expansion

This morning I went to town hall to review the site plans for the Toyota expansion.

I am asking the Town Council to ask for design changes which distribute a design element around the said properties providing a physical structure that is in keeping with the neighboring residential designs and with current design trends in architecture. (Look at the new buildings going up along Congress. They have more appeal than this design.)

It seems that the design element is all up front off of Federal Hwy. The view from lakeshore drive is sterile, more akin to the loading zones of a Publix or Home Depot with some landscaping thrown in to camouflage a three city block of 45 foot concrete wall along the drive. Easy and cheap to build without conscience for those who get to live with that view and who do not have homes in Juno Beach or Yachts to take us away.

The carwash is also placed conveniently at the rear of property. Another industrial use that the applicant wants for expansion.

Please consider asking applicant to locate carwash in service Bay Area. Applicant has increased bays to 48 from 25. There is also some staging area adjacent to this that can be utilized.

Trash Compactor is also located towards rear and open to Lake Shore Drive. 1. Is this a dumpster?? 2. If a compactor, then what is noise level and why is it not enclosed on east side??

Thank you for your time and consideration
Janet Hash Resident

Re-Zoning & Site Plan.

From: Diane Munroe <DMunroe@fandicorp.com>
Sent: Wednesday, March 25, 2015 2:14 PM
To: James Dubois; Kim Glas-Castro
Cc: Nadia DiTommaso
Subject: Earl Stewart Dealership Expansion

Dear Mayor Dubois:
Dear Vice-Mayor Castro:
Dear Ms. DiTommaso:

I am very concerned about the re-zoning and expansion of The Toyota Dealership on US One, Lakeshore Dr., E Ilex & E. Jasmine.

I believe the re-zoning needs to be looked at very carefully. It *MUST* be residential friendly. There are quite a few individuals and families living near the proposed parking garage. Hopefully the dealership and the residents can meet in between and keep it to a maximum of two stories with a lot of landscaping.
I don't believe that Mr. Stewart is concerned about the residents of Lake Park. This is measured by his unkept promises, extension after over-extension of his plans, and wanting the most for himself. This has been witnessed over the last 10+ years.

There is constant beeping noise, car horns and those car fobs trying to locate cars. And that loud speaker over and over again.
It continues all day long, including weekends. The noise is very disrupting. The loading off and on of the cars is also a big issue, as he does not keep to his promised schedule. The swales are eaten up by the loaders. With such a large dealership, the traffic will increase on the three smaller roads, regardless of what the traffic study shows.

Please help us to keep the height down to a satisfactory level by not re-zoning the C-1 portion to a PUD.

Your help and expertise as our community leader is greatly appreciated.

Sincerely,

Diane S. Munroe
Lake Park, FL 33403
24 Year Resident Lake Park

John - Please Include these Public Comments in the Project Record.

To: Town of Lake Park, Town Commission Meeting of April 1, 2015
Fm: John Hash, 1115 Lake Shore Drive (#204), Lake Park, FL 33403

Re: [redacted] - Agenda Item – Future Land Use of Lake Park Area between Lake Shore Drive and Federal Highway (US 1)

I wish to express concern regarding the future land use of the Lake Park area bounded by Federal Highway (US1) and Lake Shore Drive. There are only 5 square blocks North of Kelsey Park and 5 square blocks South of the park. This area is zoned for Future Land Use as a mixed use Residential/Commercial.
On the North portion, 3 out of the 5 blocks are all one business, and the other 2 are split evenly between Residential and Commercial. Therefore, this area designated for mixed use is already 80% Commercial and 20% Residential. How does this represent a mixed use balance?

Also, the C-1 zoning is meant as the lightest of commercial uses, as a buffer to residential areas.

I am concerned that the Historic seacoast and small town nature of Lake Park is becoming lost in the contest between the commercial, residential, and town revenue needs.

The Town of Lake Park 2008 Comprehensive Plan Introduction and Executive Summary reads "The Town of Lake Park's Comprehensive Plan is its blueprint for existing and future development. The Plan's Goals, Objectives, and Policies reflect the Town's Vision for its future and how it will meet the needs of existing and future residents, visitor, and businesses." I will read some of these Goals, Objectives, and Policies that seem relevant.

Sec. 3.4.1 – Town Goal Statement – "Ensure that the historic small town character of Lake Park is maintained while fostering development and redevelopment that is compatible with and improves existing neighborhoods and commercial areas."

Also, part of Town Goal … (3) Commercial , industrial, and mixed use development …will be located to maximize the potential for economic benefit .. while minimizing potential threats to health, safety, and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation."

Policy 1.1 (b) – regulate the use and intensity of land development consistent with this element to ensure the compatibility with adjacent land use.
(c) regulate areas subject ot seasonal and periodic flooding by requiring adequate drainage and stormwater management.

Objective (7) – The town recognizes the benefits of unified architectural and design standards. The Town shall continue to develop, maintain, revise, and enforce these standards as appropriate..
There are many more, but I am short of time here.

John Hash

Town Council Mtg April 1, 2015
Lake Park, Florida

A. Non- Agenda Comments:

1. Architectural and Landscape Design:

I reviewed the site plans for the Toyota expansion last week and went to the Earl Stewart Meet and Greet.

>I am focusing my comments on the existing building owned by Earl Stewart LLC and the 1017 lot owned by Commercial Investments, LLC and asking that the Town adds some conditons to any agreement:

>1. I am asking the Town Council to add a condition for design changes which distribute a landscaping design element around the existing car dealership and its proposed expansion of that building that is in keeping with the neighboring residential designs and with current design trends in architecture and landscaping.

>

> The view from Lake Shore Drive is sterile, more akin to the loading zones of a Publix or Home Depot. At the Meet and Greet session on March 28th, Mr. Stewart agreed that the building needed more landscaping and discussed trellising along the back of the building and a system to maintain the plantings.>

>

2. I am asking the Town Council to add a condition that the applicant redesign placement of the new carwash within the proposed building expansion utilizing space from service bays and staging areas. .is also placed conveniently at the rear of property.

>

> Applicant's design has increased service bays to 48 from 25 and has designed several areas within the new expansion that can be utilized. At the Meet and Greet, Mr. Stewart was not adverse to considering this even suggesting that hiring more employees to hand wash the cars would be more cost effective not to mention the creation of more employment for our township.

>

3. I am asking the Town Council to ask the Applicant to redesign the opening to the Trash Compactor located towards rear of the new expanded section of current building and open to Lake Shore Drive.

Both the Car Wash and Trash Compactor are not compatible to a densely populated residential area These are industrial uses. These are things that the dealership may want but they need to be located within their building.

4. I am asking the Town Council to add a condition that the current 1017 property construct their exfiltration trenches during Phase I of construction. At present there are 7 storm drains that empty into Lake Shore Drive. I asked Todd about this at the Meet and Greet session. After 12 years of existence as a car lot, we cannot wait another 5 years for storm water management corrections. There is no certainty that in another 5 years a parking garage will be built.

Submitted by Janet Hash

I appreciated the Earl Stewart outreach to the community. There are some questions I have as a result of the discussions that I hope be can answered tonight:

A. ROW Abandonment:

1. There is no guarantee that applicant 5 years out will build a garage yet the township is considering selling a ROW, granting a special exception use for a car dealership, and changing the zoning on a third contiguous city block to PUD on supposition. Can the township condition these tied to completion of entire project?

2. Can the ROW be leased to applicant AND upon completion of the entire project, which includes 1017 property, sale would be completed and ownership transferred?

3. Can the township condition the special use exception requiring that the buildings on each property be held at the planned heights in perpetuity not allowing any amendments to PUD by present or future owners.

4. If the PUD is granted does this allow the car lot to remain a car lot if Earl Stewart decides 5 years down the road that it will not need a garage?

5. Conditioning that all traffic circulation plans as outlined in site plan remain in effect and that applicant guarantees that this circulation plan meets any and all safety considerations on and off site

B. Public Benefit: conditioning that the applicant provide for the Public Benefit if ROW abandonment is approved by

1. financially partnering with township to improve the drainage along Lake Shore Dr.
2. partnerning with local high schools to create an internship program for Juniors and Seniors that train them with real life vocational experiences or business experiences including the real possibility of jobs upon completion.

> Respectfully submitted
> Janet Hash Resident

CAT NGUYEN
1155-101 Lake Shore Drive
Lake Park, Fl 33403

March 31st, 2015

To Ms Nadia DiTommaso, Community Development Director
535 Park Ave
Lake Park, FL 33403
Re: Stewart Toyota Commercial PUD application - 1017 US Highway No1

Dear Ms DiTommaso,

I am writing this letter concerning the approval of the PUD application from Stewart Toyota that will not meet ALL the Goals, Objectives and Policies of The Town of Lake Park's Comprehensive plan which reflects The Town's vision for its future.

With the Town's Goal to ensure ***the historic small town character*** of Lake Park is maintained, while fostering development that is ***compatible with existing neighborhoods*** of residentials, small commercials and green spaces, I requested that you reconsider your recommendation for the PUD application to move forward.

Besides failing the Town's Comprehensive Plan Goals, Objectives and Policies, the application was also not met several key items of The Town's Code of Ordinances per the attached list.

With a history of delay from several resolutions 20-05-10, 40-11-11, 09-0812 through 41-10-13 and so on, I also wondered about the future of this development or just another promise.

Thank you for your consideration.

Sincerely yours,

Cat Nguyen

Attachment

Cc: Mayor James DuBois

Vice-Mayor Kimberly Glas-Castro

Commissioner Erin Flaherty

Commissioner Michael O'Rourke

Commissioner Kathleen Rapoza

Zoning Boards

Scanned by CamScanner

ARTICLE VI Sec. 78-124. - Application requirements and criteria for the evaluation of special exception uses.

(a)

(b) Criteria for the evaluation of special exception uses. A special exception use shall NOT be approved due to the applicant establishes that the following criteria are NOT met:

(1) The proposed special exception use is NOT consistent with the objective 5, and policy 5.1 of the town's comprehensive plan.

(2) The proposed special exception is NOT consistent with the land development and zoning regulations and all other portions of this Code and township comprehensive plan.

(3) The proposed special exception use is NOT compatible with :

a) the character and use (existing and future) of the surrounding properties in its function;

b) hours of operation;

c) type and amount of traffic to be generated;

d) building location, mass, height and setback;

e) and other relevant factors peculiar to the proposed special exception use and the surrounding residential and commercial properties.

f) Environmental impact :

- Air pollution
- Paint odor
- Petroleum
- Chemicals
- Vibration
- Noise
- Storm water managements
- Traffic flow
- Light

(4) The establishment of the proposed special exception use in the identified location create a major contrast of zoning uses , which may be deemed detrimental to the development or redevelopment of the area 1 per township's comprehensive plan in which the special exception use is proposed to be developed and will impact property values and indirect impact on township's tax revenue.

(5) The proposed special exception use have a detrimental impact on surrounding properties based on:

a.

b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and

c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.

(6) That the proposed special exception use:

a. Does significantly reduce light and air to adjacent properties.

b. Does adversely affect property values in adjacent areas.

c. Would be a deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations and township's comprehensive plan.

d. Does negatively impact adjacent natural systems, strom water managements and public facilities, including parks and open spaces.

e. NOT Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

Scanned by CamScanner

From: Janet Hash <jhash2@comcast.net>
Sent: Monday, March 30, 2015 3:25 PM
To: James Dubois; Kim Glas-Castro; Michael O'Rourke; Kathleen Rapoza; Erin Flaherty; Nadia DiTommaso; Janet/John Hash
Subject: Questions after Meet and Greet

Good afternoon
I appreciated the Earl Stewart outreach to the community. There are some questions I have as a result of the discussions that I hope you can answer:
1. There is no guarantee that applicant 5 years out will build a garage yet the township is considering selling a ROW, granting a special exception use for a car dealership, and changing the zoning on a third contiguous city block to PUD on supposition. Can the township condition these tied to completion of entire project?
2. Can the ROW be leased to applicant and upon completion of the entire project, which includes 1017 property, sale would be completed and ownership transferred?
3. Can the township condition the special use exception requiring that the buildings on each property be held at the planned heights in perpetuity not allowing any amendments to PUD by present or future owners 4. Amending the PUD of existing site:
A. Conditioning landscaping of rear of existing building including green trellises to cover the sterile facade facing Lake Shore Drive - Stu Stewart said that this was something they could certainly do that was of little cost to them. Adding this as a condition would cement that statement.
B. conditioning the new concept of a carwash to be placed inside the proposed new addition utilizing space within the proposed expanded area of existing building to eliminate the noise and industrial use within a residential area. This concept can be adapted by applicant. Applicant even suggested that they could hire more people to hand wash cars. An employment bonus in an age of man vs machine for our township.
C. Conditioning that all traffic circulation plans as outlined in site plan remain in effect and that applicant guarantees that this circulation plan meets any and all safety considerations on and off site D. Conditioning that the 1017 property correct its storm water and surface run-off during Phase 1 of construction plan.
The present 1017 site has at least 7 storm drains emptying into Lake Shore Dr. And into a clogged exfiltration trench parallel to Lake Shore Dr.
E. Public Benefit: conditioning that the applicant provide for the Public Benefit if ROW abandonment is approved by financially partnering with township to improve the drainage along Lake Shore Dr.
Respectfully submitted
Janet Hash Resident

Sent from my iPhone

From: Kim Glas-Castro
Sent: Wednesday, April 01, 2015 9:23 PM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Parking Garage

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** Lera <lera0102@hotmail.com>
> **Date:** April 1, 2015 at 7:19:59 AM EDT
> **To:** "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>
> **Subject: Earl Stewart Parking Garage**
>
> Dear Mayor, Vice Mayor and Commissioners
>
> I am sending this email to express that I am not in favor of the expansion of Earl Stewart Toyota.
>
> I have been a resident of Lake Park for the past 15 years and have seen the improvements made to this town. I do not believe the expansion will be an improvement. Please consider the all of the residents who are not in favor of this expansion and vote NO.
>
> Thank you.
> Lera Bradford.

From: KVA721@aol.com
Sent: Wednesday, April 01, 2015 11:59 AM
To: James Dubois; Kim Glas-Castro; mo'rouke@lakeparkflorida.gov; Kathleen Rapoza; Erin Flaherty; Nadia DiTommaso
Subject: Earl Stewart Expansion Project

Dear Lake Park Town Commission,
As you deliberate upon the merits of the Earl Stewart expansion project, please consider these concerns of mine:

1) Earl Stewart Toyota is a financial, legal, and political giant compared to the other businesses along Federal Highway in Lake Park.
The approximate 1000 car parking that they claim is needed to house their expanded future monthly inventory equates to a 12,000 car per year auto business, which at $20,000 per car amounts to a revenue stream of $240,000,000 per year. It is probably half of that currently. Without the proper restraints built into the project at this time, the future Earl Stewart Toyota will probably be powerful enough in all aspects to get whatever it wants from the Town of Lake Park. (I. E., More concessions, more land, less taxes, less interference and more favorable treatment from town ordinances, etc.)

2) Even the present sized Earl Stewart Toyota is aggressively pressing its case for expansion with all legal and political means, using arguments such as their prior existence in place before the current zoning codes, stretching the boundaries and meaning of the FLU mixed zoning R1/C1 to exclude the residential component, focusing on the C1 commercial aspect of the Federal Highway corridor at the expense of the residential component of Lake Shore Drive directly across from them, ignoring the Historic and Natural resources around them, ignoring the fact that they will be oversized for the C1 zoning that is supposed to be a buffer between the heavy commercial (C2 through C4 zones) and the Residential areas, etc., etc. How will it be to deal with a future expanded Earl Stewart Toyota? (Time will tell).

3) At the end of the day, what increased revenues will actually flow to the Town from allowing this expansion into troubled waters? Already the Earl Stewart application describes the 1017 Federal property as essentially vacant and worthless, since it has no permanent structure on it anymore after the old structures were demolished. (I have no idea what the Town's revenue is from this property being held by Commercial Investments, LLC actually is, but I think it is probably very low, especially compared to the revenue flow coming to Earl Stewart from its use. And, the Earl Stewart application states that there may not be a building on this property for 5 years! (Is this 5 MORE years of no revenue from 1017 Federal?) To further complicate this issue, the plans for the garage seem very fluid, with possibilities out there for going higher, lower, or not building it at all! My thoughts are to beware of verbal good intentions and non-binding promises with a powerful corporation!

4) A further item on revenues to the Town: Earl Stewart Toyota LLC (1215 Federal Hwy), and Commercial Investments LLC (1017 Federal Hwy) are 2 separate corporations (that work together). How does this affect the tax revenue to the Town? And, what happens to these corporate entities moving forward in the expansion? (and the tax revenues to the Town?) Do you know of the triple-lease concept that Walgreens uses to cut back on local taxes to their stores? It is like a New York street corner shell game, where the local township gets the empty shell, and lower than expected tax revenues.

Regards,
Kriszta Van Arsdale

From: Kim Glas-Castro
Sent: Monday, April 06, 2015 6:06 PM
To: Nadia DiTommaso
Subject: Fwd: "NO" to 4 story parking garage for Earl Stewart Toyota, in Lake Park FL

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Chad Hill <hillyinspects@gmail.com>
Date: April 6, 2015 at 5:50:52 PM EDT
To: jdubois@lakeparkflorida.gov
Cc: kglas-castro@lakeparkflorida.gov, eflaherty@lakeparkfl.gov, mo'rourke@lakeparkfloroda.gov, krapoza@lakeparkflorida.gov
Subject: "NO" to 4 story parking garage for Earl Stewart Toyota, in Lake Park FL

To whom it may concern,

We vote "NO" to 4 story parking garage for Earl Stewart Toyota, in Lake Park FL, as residents of Marina Key apartments directly behind the dealership. We absolutely love this small close knit quiet community and area and would like to reserve that type of environment. Your kind consideration of the feedback on this matter from the residents and business owners in that area would be greatly appreciated as we are the ones that would be directly affected by this huge change. Thank you!

Respectfully
Chad & Arlen Hill
Marina Key residents in Lake Park FL 33403

--
Hilly Inspects, Inc.
Off: (561) 285-8677
Chad-Cell: (561) 247-2577
Arlen-Cell: (561) 262-6399
Hillyinspects@gmail.com

From: Kim Glas-Castro
Sent: Monday, April 20, 2015 5:15 AM
To: Nadia DiTommaso
Subject: Fwd: Toyota Project

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** Joan Gerson <gdive5@aol.com>
> **Date:** April 19, 2015 at 12:10:27 AM EDT
> **To:** kglas-castro@lakeparkflorida.gov
> **Subject: Toyota Project**
>
> Dear Commissioner,
>
> As a resident of Lake Park, I fully support the Toyota project.
> I hope that you will vote to support Stewart Toyota's project.
>
> Thank You,
>
> George Gerson
> 801 Lake Shore Dr.
> Lake Park, Fl. 33403

From: Kim Glas-Castro
Sent: Monday, April 20, 2015 7:47 PM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** David Semadeni <amcalcorp@earthlink.net>
> **Date:** April 20, 2015 at 10:24:04 AM EDT
> **To:** <kglas-castro@lakeparkflorida.gov>, <eflaherty@lakeparkflorida.gov>, <krapoza@lakeparkflorida.gov>, <jdubois@lakeparkflorida.gov>
> **Cc:** <earlstewarttoyota@eleadtrack.net>
> **Subject: FW: Earl Stewart**
>
> As a taxpayer in Lake Park and an owner of a Toyota from Earl Stewart, I am totally in favor of the development that they propose on Highway One, and would appreciate your support for this..
>
> Thank you.
>
> *David Semadeni*
>
> David Semadeni, CHA, FHCIMA
> President, Amcal Management Corp.
> 1392 North Killian Drive, Suite 201
> Lake Park, FL 33403
> Tel: (561) 882-9813 Fax: (561) 882-9819

From: Kim Glas-Castro
Sent: Friday, April 24, 2015 8:57 PM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** Herb Lozott <conchchowder@att.net>
> **Date:** April 24, 2015 at 9:42:29 AM EDT
> **To:** "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>
> **Subject: Earl Stewart**
> **Reply-To:** Herb Lozott <conchchowder@att.net>
>
> Today at 9:39 AM
> It would appear that Mr. Stewart has plans to expand his dealership. Apparently there is a movement within the Town to attempt to prevent Mr. Stewart from expanding.
>
> In my mind, the easiest argument to consider is, against closing the road that splits his car lot. I would submit that the vast majority of the citizens of our town will be totally unencumbered by this action. Additionally, Mr. Stewart's dealership would then be paying taxes on the additional property, thus, turning a liability to the Town, into an asset.
>
> As to the increased size of the building: This question is more thought provoking. I would again say, the vast majority of the Town's citizens will be totally unencumbered. While I sympathize somewhat, with the residence on Lake Shore Drive, I have to believe that it would not be as near of a catastrophe as they think it will be.
>
> It will not block the sea breeze to their residences, as obviously, the sea breeze is from the opposite direction. It will block road noise, however minimal it might be currently, which I would consider a positive result. It would have to be no less than equally esthetic to staring upon a lot full of Automobiles, which I would judge as a neutral result.
>
> As a possible mitigation to whatever view four stories might create, I might suggest that Mr. Stewart be requested to paint a tropical mural on the eastern side of his building. A stipulation might also be included that he abandon for ever more, the intention to place

an oversized flag on his Dealership. (A request that I personally considered to be more for advertising purposes than a serious request.)

All in all, as sixty plus year resident of Lake Park, I would suggest that the Town Council grant Mr. Stewart his petition to close the road and to take over owner ship of the land splitting his two lots, and to be allowed to build his building.

With best regards,
Herb Lozott
522 Evergreen Drive

To: Mayor James DuBois and Town Council Members

From: Abutters and residents to the Earl Stewart Toyota Expansion

Subject: Earl Stewart Toyota Expansion Project

Date: April 27, 2015

To All Concerned:

The Town of Lake Park is not a parking lot! The Town of Lake Park is a residential community of approximately 9,000 people with a modest commercial activity on U.S. Route 1, primarily to accommodate the residents of the town.

The Toyota – Stewart expansion plan calls for a change in his current operation, the acquisition of Jasmine Drive, the diversion of traffic to East Ilex Drive, and the allowance of parking for 1,000 cars, plus a car wash facility.

This plan:

1. Is nonconforming to the Town's rules and codes
2. Changes the residential character of the Town
3. Establishes a precedent
4. Places a burden on the Town's sewers and drainage systems
5. Generates toxic fumes that are hazardous to health
6. Shifts the commercial service of Toyota to the residential side of Lake Shore Drive
7. Converts U.S. Route 1 Highway to a huge parking lot accommodating 1,000 spaces for car storage

8. Obstructs the view of nearby homes who will be forced to look at a 32 foot concrete wall

9. Has a negative impact on property values of nearby residences

10. Is unrealistic and excessive and should not be allowed

Thank you for your time and consideration in this matter.

Very Truly Yours,

Concerned Residents and Owners

From: Kim Glas-Castro
Sent: Tuesday, May 05, 2015 5:13 AM
To: Nadia DiTommaso
Subject: Fwd: East Jasmine ROW Abandonment

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** Janet Hash <jhash2@comcast.net>
> **Date:** May 4, 2015 at 11:04:18 AM EDT
> **To:** "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>, "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>
> **Subject: East Jasmine ROW Abandonment**
>
> Dear Mayor, Vice Mayor, Commissioners,
> All justifications for applicant Earl Stewart need to meet all Lake Park Town codes regarding the ROW abandonment of East Jasmine Drive showing clear and substantiating evidence that this abandonment is in the Public's best interest.
> Complete documentation of such evidence needs to meet with Lake Park Town codes.
> Up to this point in time, this has not been done. As you are our representatives, I am asking that this matter take priority and that the previous submission of applicants justification for ROW abandonment be resubmitted clearly stating all justifications with evidence that meet current Lake Park Town codes.
> I would like my comments to be part of record at the next meeting scheduled on May 20 2015 or if this meeting is rescheduled at this meeting.
> Respectfully submitted,
> Janet Hash resident
>
> Sent from my iPhone

May 2, 2015

Community

To: Lake Park Township

MAY 06 2015

Attn: Ms Nadia Di Tommaso, Community Development Director

Development

Re: Request for information - Application to abandon E. Jasmine street by Stewart Toyota.

Dear Ms. Tommaso,

I am writing this letter concerning the Planning and Zoning division and Zoning board decision to approve and recommend to Town Commission the E. Jasmine Street abandonment application that may clearly violate several criteria for abandoning public rights-of-way per Ordinance section 72.4

According to Constitution of the State of Florida section 24, I hereby request a copy of ALL back up documentation, clear and convince evidences from Stewart Toyota's application and ALL reports, studies, documentation from Lake Park township used to review and determine that:

1. The E. Jasmine Street proposed abandonment is consistent with the town's comprehensive plan and all of the standards of Township Ordinance per requirement of Ordinance section 72.4-a
2. E. Jasmine Street right-of-way is no longer required for a public use and convenience per Ordinance section 72.4-b
3. The E. Jasmine Street proposed abandonment of a public right-of-way shall demonstrate that such action furthers deprives any individual of a convenience means of ingress and egress to that individual's property per Ordinance section 72.4-b.1
4. The E. Jasmine Street proposed abandonment will not reduce adjacent property values per Ordinance section 72.4-b.3 requirement
5. The E. Jasmine Street proposed abandonment eliminates the potential use of dedicated property for a public purpose, especially, the storm water management on surrounding streets per Ordinance section 72.4-b.4

6. Per Lake Park city council hearing (4/01/15) on this matter, not all townspeople that are impacted by this re-zoning such as renters and adjacent route 1 residential were notify therefore due process has not been served

I hope the Town Commission recognized these basis issues of the application and request the same on the next hearing. Thank you for your consideration.

Very Truly Yours,

Can Nguyen and Tuyen Le
Concerns Resident and Owners
1155 Lake Shore Drive, Unit 201
Lake Park, FL 33403

cc: Mayor James DuBois.

Vice-Mayor Kimberly Glas-Castro.

Commissioner Erin Flaherty.

Commissioner Michael O'Rourke.

Commissioner Kathleen Rapoza .

From: Kim Glas-Castro
Sent: Friday, May 08, 2015 5:15 AM
To: Nadia DiTommaso
Subject: Fwd: E. Jasmine Street Abandonment Application and Re-zoning of E. Stewart Toyota

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Can Nguyen <canxnguyen@yahoo.com>
Date: May 7, 2015 at 11:31:00 PM EDT
To: "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>
Subject: E. Jasmine Street Abandonment Application and Re-zoning of E. Stewart Toyota
Reply-To: Can Nguyen <canxnguyen@yahoo.com>

To: Lake Park Township
Attn: Vice-Major Kimberly Glas-Castro
Ref: E. Jasmine Street Abandonment Application and Re-zoning of E. Stewart Toyota.

Dear Ms. Glas-Castro,

The Town of Lake Park is not a parking lot! The Town of Lake Park is a residential community of approximately 9,000 people with a modest commercial activity on U.S. Route 1, primarily to accommodate the residents of the town. Below are the long term effects to the Lake Park community and its residents if Earl Stewart Corporation project gets approve by you:

1) This will be an eye sore mega-structure parking garage/warehouse/carwash (5 story high, 1000 ft long and spanning in 3 blocks) with huge and dangerous increase of day and night truck and car traffic on both U.S. Route 1 and Lake Shore Drive

2) Significant drop in property value and will never be able to recover

3) Significant increase of noise, air/water pollution, bright night time lighting. Industrial atmosphere and activity introduced into residential coastal area of Lake Shore Drive

4) Day and night garbage compaction & handling and Car Wash operation on Lake Shore Drive

5) Five years of construction chaos & traffic, noise, street blockages, etc. right next to all Lake Shore Drive residential

Do you want all of the above bestow on you and your family?

I guess not, please, please do not approve the Earl Stewart re-zoning and abandonment of E. Jasmine Drive. We, the community and hard working resident of Lake Park do not wish to turn our town into a giant parking lot. Thank you for your consideration.

Best Regards,

Can Nguyen
Concerns Resident and Tax Payer

From: Kim Glas-Castro
Sent: Sunday, May 10, 2015 11:53 AM
To: Nadia DiTommaso
Subject: Fwd: Stewart Dealership rezoning and Street abandonment resolutions

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: cat nguyen <catphila@yahoo.com>
Date: May 9, 2015 at 11:00:11 AM EDT
To: "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>
Cc: "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, Kathleen Rapoza <krapoza@lakeparkflorida.gov>
Subject: Stewart Dealership rezoning and Street abandonment resolutions
Reply-To: cat nguyen <catphila@yahoo.com>

Good morning Mayor Dubois,

First, we would like to thank you who gave us an opportunity to voice our concerns about maintaining the historic small town character that the Town of Lake Park always stands for. This goal is clearly expressed in the Town Goal statement of the Comprehensive Plan:

"Ensure that the Historic Small Town Character of Lake Park is maintained, while fostering development that is compatible with and improves existing neighborhoods."

We are taxpayer at Bayreach, a small community right behind the dealership, who will have a potential suffering to this parking fortress that is clearly NOT compatible nor improve the residential neighborhoods and totally do not fit in a historic section of the Town of Lake Park.

We are not professional planner, therefore we counted on the Town's staffs and zoning board to enforce the ordinance, to comply with Township's Comprehensive Plan and to protect public interests, but this is obviousl a big failure.
It is acceptable to Mr. Stewart to put thousands of parking spaces in a three-block-long parking garage right here in this small residential neighborhoods of Lake Park but it is not acceptable for parking couple cars in front of his mansion in Jupiter. And this is also normal and acceptable with Lake Park Community Development Staffs, their Director and some zoning board members.

Second, We trusted you and other commissioners made the right decision to enforce the Town's Comprehensive Plan by rejecting the rezoning from C-1 to PUD and E. Jasmine street abandonment resolutions.

Thank you so much.

Cat Nguyen
A taxpayer of Lake Park, FL

cc: Town of Lake Park's Commissioners

From: Kim Glas-Castro
Sent: Monday, May 11, 2015 5:20 AM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Expansion
Attachments: Earl Stewart Letter.pdf; ATT00001.htm

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** Samir <ssbaghdady@aol.com>
> **Date:** May 11, 2015 at 12:06:45 AM EDT
> **To:** James Dubois <jdubois@lakeparkflorida.gov>, Erin Flaherty <eflaherty@lakeparkflorida.gov>, kglas-castro@lakeparkflorida.gov, Michael O'Rourke <mo'rourke@lakeparkflorida.gov>, krapoza@lakeparkflorida.gov
> **Cc:** Nadia DiTommaso <nditommaso@lakeparkflorida.gov>
> **Subject: Earl Stewart Expansion**
>
> Please see attached. If this letter can be included in the packet.
>
> Thank you so much for your time and consideration.
>
> Sam

Earl Stewart Expansion Is Coming at Our Expense!!!!!!!!!!

Currently we have over 150 signatures on our petition. This petition represents the people of Lake Park's opinion.

The original intent of Lake Shore Drive was always residential and now to replace it with a 4 story parking garage building is completely going against what this neighborhood and area was suppose to look like and be. Please remember, we are dealing with neighbors who have been in Lake Park for over 40 years.

The new structure is going to be 36-37 feet tall with roof parking and 45-46 foot tall elevator shaft towers at the ends. The Cedar Crest Townhouse complex across the street only stands 24-25 feet in height. Also, the new dealership is very commercial and industrial looking in the middle of a residential neighborhood. Roof top parking makes the structure look very commercial.

This development will completely overshadow our properties, bringing down our values and make our area less desirable to live in.

The other negative effects include restricting our light and breeze. Noise and bright spotlights at all hours of the day and night. The constant loading and unloading of cars and all the noises associated with it. A car wash constantly running right near the residential properties. Also, heavy traffic and congestion to a residential area.

That being said, I am asking the Mayor and Commissioners to please limit the height of the structure by keeping the zoning at C-1 and do not sell Jasmine Drive to Earl Stewart. By keeping Jasmine Drive, it will protect us from the loading and unloading of cars on E. Ilex and Lake Shore Drive. Selling Jasmine Drive will not be for the good of the Citizens of Lake Park!!!!

Also, the setbacks are greater and the heights are less on the older portions of the dealership, where there is less residential. Why are we maximizing the heights and setbacks on the portion of the dealership closest to the residential properties.

The Mayor and the Commission need to put themselves in our position. There has to be a compromise so that we can all be happy. All we are doing is accommodating Earl Stewart and Toyota, what about the people. Please remember, it is the people that make a community, not the businesses. This project is coming at the expense of the citizens. All of the people who support the Earl Stewart expansion are outsiders to the community, we are the stakeholders of this project.

Please do not ruin our paradise!!

Thank you for your attention to this matter.

From: Janet/John Hash <janetjohnhash@icloud.com>
Sent: Monday, May 11, 2015 1:23 PM
To: Nadia DiTommaso
Subject: Fwd: Interview with Earl Stewart, Owner of Earl Stewart Toyota | Dealer Communications

Sent from my iPad

Begin forwarded message:

From: Janet/John Hash <janetjohnhash@icloud.com>
Date: May 11, 2015 at 1:18:01 PM EDT
To: "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>, "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, nditomasso@lakeparkflorida.gov
Cc: "jhash2@comcast.net" <jhash2@comcast.net>
Subject: Interview with Earl Stewart, Owner of Earl Stewart Toyota | Dealer Communications

Dear Mayor Dubois, Vice Mayor Glas-Castro, and Commissioners,

The following is an excerpt from the interview by Dealer Magazine with Earl Stewart June 2013 Vol.23 No.6. It demonstrates how successful the dealership is and its goal for "continuous improvement". The full online address is below excerpt
But improvement at whose expense? Business comes first and beware the people who try to rein in this ambitious goal of "Kaizen".

Excerpt:
I'm going to guess that your dealership performed well in the survey. (Interviewer)
So when they did this national survey, JD Power and Toyota told us they wanted to talk with us because we had such outstanding results. Of all the dealers, our closing ratio was higher than just about every other dealer. And our sales satisfaction was second only to Longo Toyota.They wanted to know our system. I felt kind of silly when all I could tell them, "My system is, I'm really, really nice to my customers." Really, it sounds, it sounds simplistic and stupid, but it's the execution that works.
How do you execute it? (Interviewer)
Well, we truly, truly live it. It's a religion with us. We're the largest volume car dealer in the market. We outsell all the other dealers, including all the other brands.And we're in the smallest part of the market.
We're in a little town call Lake Park. We say we're in North Palm Beach because nobody's heard of Lake Park. We're right next to North Palm Beach. But the town of Lake Park has only got 9,000 people. So we pump out many cars north, south and west — we can't pump them out east because we're on the coast.

But we dominate Palm Beach County, and for that matter, the counties north of me, Martin County and Saint Lucie.

http://dealer-communications.com/profiles-of-success/interview-with-earl-stewart-owner-of-earl--toyota/

This was 2 years ago! The current goal is to warehouse and distribute an inventory of cars that is twice the present amount. This goal is not a public benefit for residents of Historic Lake Park whose beauty and value on the Intracoastal Waterway will be marred by this industrial expansion.

Is this the future planning that our representatives are willing to agree to?

Please include in the public record for the May 20th Lake Park Town meeting.

Respectfully submitted

Janet Hash, Resident

Sent from my iPad

From: Earl Stewart Toyota [mailto:earlstewarttoyota@eleadtrack.net]
Sent: Wednesday, May 13, 2015 4:39 AM
Subject: one week to go...

We need your support. As a resident of Lake Park, your voice - *or just your presence* at the May 20th Town Commission meeting will be a huge factor in the future of Earl Stewart Toyota. On that night, the commissioners will vote on whether to approve the re-zoning of our property and on the abandonment of Jasmine Drive... "yea" votes on these items are necessary for us to proceed with our renovation/beautification project.

There has been a lot of misinformation about this project being spread around lately, but we want to assure all the residents of our community that our efforts will only improve the appearance, the property values, the environmental committments, and the tax revenues of Lake Park. We have also committed to accomodate ALL of the objections that been voiced to us. To learn more, please visit www.earlstewarttoyota.com/renovation.

can we count on you to show up to support us at the Town Commission meeting on May 20th? It would mean the world to us! Also, please email the Town commissioners to let them know that you support the Earl Stewart Toyota project:

- Commissioner Michael O'Rourke mo'rourke@lakeparkflorida.gov
- Vice Mayor Kimberly Glas-Castro kglas-castro@lakeparkflorida.gov
- Commissioner Erin Flaherty eflaherty@lakeparkflorida.gov
- Commissioner Kathleen Rapoza krapoza@lakeparkflorida.gov

- Mayor James DuBois jdubois@lakeparkflorida.gov

Thank you so much for your support! See you then!

When? May 20th at 6 PM. The meeting starts at 6:30, but space will be limited, so show up early!

Where? 535 Park Avenue, Lake Park, FL 33403

Contact: PH: (561) 881-3300 | FAX: (561) 881-3314 email: information@lakeparkflorida.gov

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Thursday, May 14, 2015 5:40 AM
To: Nadia DiTommaso
Subject: Fwd: I reject Earl Stewart's proposal to build

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Heather <hkirkendall@gmail.com>
Date: May 13, 2015 at 10:49:45 AM EDT
To: "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>, "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>
Subject: I reject Earl Stewart's proposal to build

Dear Lake Park Leaders,

I'm writing you today to tell you that I reject Earl Stewart's proposal to build another huge building on our small stretch of US1. We simply do not need our little town to become a parking lot for a big automotive dealer. Our space is already so limited. We can't let our history go by the wayside and just become another pass-through town along US1. Please don't let our quaint qualities go just for tax reasons. We are a comfortable, happy, neighborly, small town community. We do not want to have to see this monstrosity along US1 and also behind it on Lake Shore Drive – where many of us and our children ride their bikes, walk and play. Don't let our homes become a back alley. Please stand up for what's right for our town and it's residents. We're the ones to plan to be here long after a shiny new car dealership has lost its luster.

Thank you!

Heather Kirkendall

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Thursday, May 14, 2015 5:40 AM
To: Nadia DiTommaso
Subject: Fwd:

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** Ellen McCormack <ellenkmc@gmail.com>
> **Date:** May 13, 2015 at 10:30:37 AM EDT
> **To:** "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>
>
> I REJECT the Earl Stewart Toyota project!
>
> Ellen McCormack
> resident at Lake Harbour Towers South
>
> --
> Cheers,
>
> Ellen
>
> Ellen K. McCormack, B.S., M.A., PhD
>
> 561-310-8263

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Thursday, May 14, 2015 5:42 AM
To: Nadia DiTommaso
Subject: Fwd: I support Earl Steward

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** Linda Diane Bollbach <genedenison@bellsouth.net>
> **Date:** May 13, 2015 at 12:07:04 PM EDT
> **To:** "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>
> **Subject: I support Earl Steward**
>
> We are residents of Lake Park
> Linda Bollbach
> Gene Denison
> 723 Magnolia Drive Lake Park 33403
>
> Sent from my iPhone

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Thursday, May 14, 2015 5:42 AM
To: Nadia DiTommaso
Subject: Fwd: NO TO 4 STORY PARKING GARAGE !!!!!

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: miked99 <miked99@bellsouth.net>
Date: May 13, 2015 at 12:04:39 PM EDT
To: "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>, "kathyrapola@lakeparkflorida.gov" <kathyrapola@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>
Subject: NO TO 4 STORY PARKING GARAGE !!!!!
Reply-To: miked99 <miked99@bellsouth.net>

PLEASE DO NOT APPROVE THIS PROJECT.I LIVE AT 301 LAKE SHORE DRIVE FOR 21 YEARS.I ALONG WITH MANY,MANY OTHERS DO NOT WANT A HUGE BUILDING WHICH WOULD TAKE A LONG TIME TO BUILD,NOISE,BLOCKED TRAFFIC OBSTRUCTNG THE VIEW FOR MANY HOME OWNERS , DECREASING THE VALUE OF OUR HOMES AND MUCH MORE. WHERE DO YOU LIVE ? WITH ALL DUE RESPECT WE VOTED FOR YOU THINKING THAT YOU WOULD REPRESENT US.PLEASE DON'T MAKE US THINK OTHERWISE.

PLEASE STOP THIS FROM HAPPENING.

MICHAEL DESOUZA
301 LAKE SHORE DRIVE
LAKE PARK,FL. 33403

561-842-8882
MIKED99@BELLSOUTH.NET

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Thursday, May 14, 2015 5:43 AM
To: Nadia DiTommaso
Subject: Fwd:

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** jpmoney90@aol.com
> **Date:** May 13, 2015 at 1:07:42 PM EDT
> **To:** dubois@lakeparkflorida.gov, kglas-castro@lakeparkflorida.gov, eflaherty@lakeparkflorida.gov, mo'rourke@lakeparkflorida.gov, krapoza@lakeparkflorida.gov
>
> I support the expansion of Earl Stewart Toyota. It will be a great addition to the community of Lake Park. They will be able to employ more people which means more jobs.
>
> Best regards and Thank you for your support

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Thursday, May 14, 2015 5:43 AM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Expansion
Attachments: image001.gif

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** Barry Heisler <bheisler@injurylawyers.com>
> **Date:** May 13, 2015 at 4:21:34 PM EDT
> **To:** "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>, "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>
> **Subject: Earl Stewart Expansion**
>
> Ladies and Gentlemen,
>
> As a resident of Lake Park, specifically a resident of Lake Harbor Towers South, I would like to share my strong opposition to the expansion of Earl's dealership. Despite the fact that he has not lived up to prior commitments, the expansion is not only an eye sore, it diminishes already slumping property values.
>
> Of obviously greater concern to me, given where I live on Lake Shore Drive, the proposed cellular tower placement at the marina will be opposed with unparalleled vigor.
>
> Thank you for your time and thank you for your service.
>
> Very truly yours,
>
> BARRY N. HEISLER II, ESQ.
>
> Steinger, Iscoe & Greene, P.A.
>
> CONFIDENTIALITY NOTICE: This e-mail message including attachments, if any, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient,

please contact the sender by reply e-mail, destroy all copies of the original message, and do not disseminate it further. If you are the intended recipient but do not wish to receive communications through this medium, please advise the sender immediately.

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Thursday, May 14, 2015 10:54 PM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Expansion/Renovation

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** "Jeffery/Donna." <jlddsj@bellsouth.net>
> **Date:** May 14, 2015 at 10:38:31 AM EDT
> **To:** dubois@lakeparkflorida.gov, kglas-castro@lakeparkflorida.gov, eflaherty@lakeparkflorida.gov, mo'rourke@lakeparkflorida.gov
> **Subject: Earl Stewart Expansion/Renovation**
>
> I would like to thank the Town Commissioner's that support the Earl Stewart expansion and encourage the ones that oppose to reconsider, the renovation expansion is a Great thing for the Town and the surrounding area, not to mention all the small businesses that will see benefits from this vital project. Thank you once again and I hope that in the very near future we will see a New and more Beautiful Earl Stewart Toyota, One that the Town of Lake Park and all the residents will be proud of.
>
> Best Regards,
> Jeffery and Donna

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Thursday, May 14, 2015 10:55 PM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Toyota

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** Vanessa Perez <VanessaP@estoyota.com>
> **Date:** May 14, 2015 at 11:01:01 AM EDT
> **To:** "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>
> **Cc:** Martin Bruno <MartinB@estoyota.com>
> **Subject: Earl Stewart Toyota**
>
> I support the expansion ☺
> Vanessa Perez

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Thursday, May 14, 2015 10:55 PM
To: Nadia DiTommaso
Subject: Fwd: EARL STEWART TOYOTA EXPANSION

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: jpmoney90@aol.com
Date: May 14, 2015 at 11:19:45 AM EDT
To: kglas-castro@lakeparkflorida.gov
Subject: Fwd: EARL STEWART TOYOTA EXPANSION

I support the expansion of Earl Stewart Toyota. It will be a great addition to the community of Lake Park. They will be able to employ more people which means more jobs.

Best regards and Thank you for your support

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Sunday, May 17, 2015 7:58 AM
To: Nadia DiTommaso
Subject: Fwd: A Yes Vote For The Earl Stewart Exspansion

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Rex Andrews <RexA@estoyota.com>
Date: May 16, 2015 at 10:14:31 PM EDT
To: "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>
Cc: Stewart Automotive Group <StewartAutoGroup@estoyota.com>
Subject: A Yes Vote For The Earl Stewart Exspansion

To All Concerned,

I would like to express my support for the Earl Stewart expansion proposal.

For the past eight years I have lived and worked in Lake Park. I live on Lake Shore Drive within short walking distance (which I do often) of the dealership. Living so close has allowed me to see how much pride the Stewart family has both in their business and the community. I feel that lost in the debate over the proposal is the good that has already has been realized to the area. I wish to remind everyone that Mr. Stewart was instrumental in the removal of a dated hotel along with the negative element that accompanied it--a definite improvement in our community.

I also see the rezoning of Jasmine Dr. as a positive.

Countless times, during my walks, I have witnessed cars cut across US 1, in front of on coming traffic, only to continue to speed down Jasmine. I personally have been victim to these aggressive drivers having had one crash into my own vehicle.

This puts Stewart Toyotas employees, its customers and our local citizens in danger.

For safety alone, closure of Jasmine Dr. will also be another improvement to our area.

There are plenty of avenues to use. Even some with traffic lights near by.

The fatality marker on the corner of US 1 and Jasmine Dr. is one too many and proof to my concerns.

The positive effects of this expansion on our community far outweighs any preconceived negatives that a few may have.

Please vote YES for the Earl Stewart Expansion

Thank you,

Rex Andrews

Lake Park Resident

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Sunday, May 17, 2015 7:58 AM
To: Nadia DiTommaso
Subject: Fwd: Midnight deliveries to Earl Stewart Toyota
Attachments: IMG_6662.MOV; ATT00001.htm; IMG_6665.MOV; ATT00002.htm

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: "jhash2@comcast.net" <jhash2@comcast.net>
To: "James Dubois" <jdubois@lakeparkflorida.gov>, "Kim Glas-Castro" <kglas-castro@lakeparkflorida.gov>, "Erin Flaherty" <eflaherty@lakeparkflorida.gov>, "Kathleen Rapoza" <krapoza@lakeparkflorida.gov>, "Michael O'Rourke" <mo'rourke@lakeparkflorida.gov>
Cc: "Hash, Janet" <jhash2@comcast.net>
Subject: Midnight deliveries to Earl Stewart Toyota

Dear Mayor, Vice-Mayor, and Commissioners,
Midnight deliveries by tractor trailor trucks at Earl Stewart Toyota dealership is a continuour problem that has existed for a long time and residents are at a breaking point.

These are 2 short videos taken by a Bay Reach resident awakened on a regular basis by midnight deliveries to Earl Stewart Toyota.
The resident who got up and filmed this states that these deliveries can happen several times per week.
These are not 18 wheeler car carrier deliveries but major supply deliveries.

Part 1 videotakes place after midnight at the back of the dealership with the tractor trailor truck unloading its cargo.
Part 2 video shows the truck leaving and driving down Lake Shore Dr.and taking a right turn onto East Jasmine Dr.
This is just one of the times that this has been filmed.

The noise produced for 45 minutes includes lights, backup beeps, air brakes, unloading of cargo, conversations, continuous diesel motors running, chains rattling, etc.
You get the picture.

This is happening now. When the dealership inventory is doubled there will be an increase in these types of deliveries. Residents are very concerned.

Please open the attachments.

Respectfully submitted
The Bay Reach Earl Stewart Response Committee

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Monday, May 18, 2015 6:09 PM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Toyota Expansion

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Jeffrey Dallin <JeffreyD@estoyota.com>
Date: May 18, 2015 at 8:33:03 AM EDT
To: "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>, "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>
Subject: Earl Stewart Toyota Expansion

Dear Mayor Dubois, Vice Mayor Glas Castro, Commissioner Flaherty, Commissioner O'Rourke and Commissioner Rapoza,

I am writing this letter in support of the proposed expansion of Earl Stewart Toyota. I am proud of the fact that I have worked for the dealership as used car manager for 9 years. Despite that fact that I am not a resident I view Earl Stewart Toyota and Lake Park as my second home. I have seen many positive changes in the dealership over the years and I am of course excited for this much needed expansion.

The new state of the art facility will:

- Allow the dealership to better serve the local community. Frankly we need more room in all departments and an actual building to operate our used car department. I don't know of any other Car dealership that takes such pride in providing excellent customer

service for their customers and a new state of the art facility would allow us to hit new levels of customer satisfaction. Mr. Stewart is such a customer advocate that he has even written a customer service code of conduct for all of his employees to refer to http://www.earlstewarttoyota.com/about-us/the-earl-stewart-code/.

- Increase the number of people from other communities that will visit Lake Park to conduct business and shop. The increased efficiency in the dealership as a whole will attract new customers to Earl Stewart Toyota and the City of Lake Park.
- Increase the number of people from the local community employed by the dealership.
- Beautify the parcel of land where the Used Car trailer currently sits. I am sure that we can all agree that the removal of the Journey's Inn and the nefarious element that resided there was a tremendous improvement to the community. Please allow Earl Stewart Toyota to complete the improvement of this Commercial property as was intended when the Hotel was removed.

Please Vote to approve the Expansion Project.

Sincerely,

Jeff Dallin

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Monday, May 18, 2015 6:10 PM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Expansion

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Bruce Taylor <toyodad66@yahoo.com>
Date: May 18, 2015 at 1:31:16 PM EDT
To: "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>
Subject: Earl Stewart Expansion
Reply-To: Bruce Taylor <toyodad66@yahoo.com>

Good afternoon
Thank you for taking the time to read my letter.
I wanted to speak about the expansion of Earl Stewart Toyota .
I have been a resident of Lake Park as well as part of my family for many years going back all the way to the Twin City Mall times so I have seen a lot of changes.
There have been many changes as you know and the most positive one in this area was the removal of the hotel and expansion of our building into a more modern appealing facility.
Maybe you do not realize the amount of additional traffic that is created to the town that helps to contribute to the economy here not only in just our taxes bit to the local business near by.
With the bigger building meant more employee some coming from right here in Lake park our other close by areas.
We have to eat and shop and purchase gas and usually the most convenient time is after work so most will shop near by.
We go to lunch or buy lunch at near by restaurants so as you can see without a lot of revenue would not be spent here.
Not only that but that does not include the additional revenue in taxes that you are collecting from Mr Stewart alone.
If you are apposed to the expansion I would hope that you would reconsider and remember what was here before and everything that has changed and what this expansion will mean for the town in additional income that it could get from the additional personnel that will be needed to run it as well as the customers that come and eat and shop at the restaurants and stores as they wait for there vehicles to be repaired.

Thank you for your time and I hope that you vote yes.
Bruce Taylor
561-262-4847

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Monday, May 18, 2015 6:17 PM
To: Nadia DiTommaso
Subject: Fwd: Semi loaded with cars parked in turn lane
Attachments: ATT00001.htm

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: "Penny Broda" <penny.mb@gmail.com>
To: "James Dubois" <jdubois@lakeparkflorida.gov>, "Kim Glas-Castro" <kglas-castro@lakeparkflorida.gov>, "Erin Flaherty" <eflaherty@lakeparkflorida.gov>, "Michael O'Rourke" <mo'rourke@lakeparkflorida.gov>, "Kathleen Rapoza" <krapoza@lakeparkflorida.gov>
Subject: Fwd: Semi loaded with cars parked in turn lane

Something I would like to make you aware of.
I took the attached pics showing a semi truck loaded with cars parked in the turn lane on US 1 between Ilex and Hawthorne last Thurs. nite with no driver sitting in the drivers seat.
I'm hoping this was an isolated incident and will not become a regular parking spot due to these semi trucks not allowed to park on Ilex, US 1, Lakeshore, etc.
This was very unsafe for traffic and pedestrians.

Penny Broda
8 E. Ilex Drive

This email is intended to be a privileged or confidential communication.

If you have received it by mistake please delete it and notify the sender.

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Monday, May 18, 2015 7:46 PM
To: Nadia DiTommaso
Subject: Fwd: Support for the Earl Stewart Toyota expansion

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: GLEN BALLARD <megcara@bellsouth.net>
Date: May 18, 2015 at 6:52:52 PM EDT
To: "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>
Cc: "stu@estoyota.com" <stu@estoyota.com>
Subject: Support for the Earl Stewart Toyota expansion
Reply-To: GLEN BALLARD <megcara@bellsouth.net>

I have never written a letter to any government official in my life. But after hearing about all the controversy around the expansion of Earl Stewart Toyota, I felt I needed to voice my opinion.

I have been an employee of Earl Stewart Toyota for 36 years. In all that time I have realized there is no better place to work. The standards that they hold their employees to is higher then any business that I know of. They treat every customer as if they are part of their family.

Our business has grown considerably over the years. Bringing more people to visit the town of Lake Park. With a newer larger facility, I am sure more customers will be visiting Earl Stewart Toyota. There is also a good chance these people will be shopping and dining in the local businesses. As a local politician, I would think bringing in more people to visit your wonderful town would be high on your to do list.

I understand that a lot of people are not comfortable with change. But the upgrades at Earl Stewart Toyota, have made a positive impact on the local community. If the property to the south of Jasmine Drive was never purchased and converted into a used car lot, then there would still be a run down motel with drug dealers and prostitution. Change can be a good thing.

I say yes to the expansion and look forward to the future at Earl Stewart Toyota.

Sincerely,

Glenn

Ballard

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Tuesday, May 19, 2015 5:10 AM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart
Attachments: Earl Stewart Petition.pdf; ATT00001.htm

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

> **From:** "Samir" <ssbaghdady@aol.com>
> **To:** "James Dubois" <jdubois@lakeparkflorida.gov>, "Erin Flaherty" <eflaherty@lakeparkflorida.gov>, "Kim Glas-Castro" <kglas-castro@lakeparkflorida.gov>, "Michael O'Rourke" <mo'rourke@lakeparkflorida.gov>, "Kathleen Rapoza" <krapoza@lakeparkflorida.gov>
> **Subject: Earl Stewart**
>
> Please see the attached petition. This represents people that live in Lake Park, that would be most effected by this development, not people that live in a neighboring town. Please help us.
>
> Thank you for your time.

February 10, 2015

To: Lake Park Planning Board

From: Neighbors & Abutters of Earl Stewart/Commercial Investments LLC Property

Subject: Petition Against Planned Unit Development Amendment (Site Plan and Rezoning) and Special Exception Use Approval

Petition

The following is being submitted on behalf of the neighbors and abutters located within 300 feet of the subject property in Lake Park, Florida. Mr. Earl Stewart, the distributer of the Toyota products in South Florida, is currently pushing a plan to annex Town property to his own and convert residential property to commercial in order to erect a five story car storage building adjacent to residences that have existed for a long time. Some of many concerns include: changing the character of the town, the increase in traffic, health problems that can arise from toxic fumes, and possible wind and light issues.

Therefore, we the undersigned, object strongly to the plan and ask the planning board to turn it down due to the nonconformance nature of his request that changes the character of the Town and a total disregard to the people living in the area.

Name	Address
William Hawkes	910 Lake Shore Dr. 33403
Melissa Fickert	4 E Ilex Dr. 33403

✓ Mimi Venable 301 Lake Shore Rd. 33403
✓ GARY VENABLE 301 LAKE SHORE DR

Name	Address
Gary Sipple	910 Lake Shore Dr. 33403
[illegible]	4 E. ILEX DR 33403
[illegible]	4 E. Ilex Dr. 33403
[illegible]	5 Hawthorne Dr 33403
Vicky Butts	5 Hawthorne Dr.
[illegible]	6 E Ilex Dr, Lake Park, FL 33403
Matt Erskine	6 E. Ilex Dr, Lake Park, FL 334
Mechelle Brackens	2 E Ilex Dr, Lake Park, Fl 33403
[illegible]	908 LAKESHORE DR, LAKE PARK, FL
[illegible] Webb	912 Lake Shore Dr, Lake Park, Fl
[illegible] Swenson	10 E. ILEX DR 33403
[illegible]	904 LAKE SHORE 33403
Penny Broda	8 E. Ilex Dr. Lake Park
[illegible]	904 Lakeshore Dr. L.P. 33403
Martha M. Christie Patrick	914 Lake Shore Dr Lake Park 334 3340
[illegible] Bathon	916 Lk Shr Dr Lk Pk Fl. 33403
Laura [illegible]	123 E ILEX DR Lake Park Fl 33403
[illegible]	908 Lakeshore Dr, Lake Park, Fl
Claudia Rosa	7 Hawthorne Dr. 33403
Ana Maria Caneschi	7 Hawthorne Dr. 33403
TUDOR CRISTEA	7 HAWTHORNE D 33403
Sam Baghdady	12 E. ILex Drive
Mara McLaslin	5 Hawthorne Dr.
✓ Mary Ann Socolosky	301 Lake Shore Dr.
✓ Robert W Socolosky	301 Lake Shore Dr

February 10, 2015

To: Lake Park Planning Board

From: Neighbors & Abutters of Earl Stewart/Commercial Investments LLC Property

Subject: Petition Against Planned Unit Development Amendment (Site Plan and Rezoning) and Special Exception Use Approval

Petition

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Therefore, we the undersigned, object strongly to the plan and ask the planning board to turn it down due to the nonconformance nature of his request that changes the character of the Town and a total disregard to the people living in the area.

Name	Address
	903 Lake Shore Dr
	913 Lake Shore Dr.

Name	Address
Erica Torres	913 Lake Shore Dr, Lake Park
Ray Westfield	901 Lake Shore Dr. 33403
Antonio Restrepo	909 Lake Shore Dr 33403
Scott Watson	903 Lake Shore Dr 33403
Mary Long	909 Lake Shore Dr 214/33403
Gary Sam	909 Lake Shore Dr. 33403
Eric Gomez	905 Lake Shore Dr 33403
Greg O'Toole	913 Lake Shore Lake
Melissa Gomez	913 Lake Shore Lake.
Lauren Walsh	909 Lakeshore dr #105 33403
Lisa Rahn	905 Lakeshore Dr. #304
[illegible]	901 Lake Shore dr. #210
[illegible]	909 Lake Shore Dr #308
Robin Hoffman	909 Lake Shore Dr #308
Louise Smart	909 Lake Shore Dr. apt 103
Thomas Smart	909 Lake Shore Dr. apt 103
Barbara Jo Webster	903 Lake Shore Dr. #315
Patti Hinds	907 Lake Shore Dr #111
Laura Thompson	903 Lake Shore Dr #111
Allie Thompson	903 Lake Shore Dr #111
Scott Thompson	903 Lake Shore Dr #111
[illegible]	909 Lake Shore #307

Name	Address
Courtney Equi	903 Lake Shore Dr. #306
Rick Coulter	903 Lake Shore #101
Alexander E. Turner	903 Lake Shore #314
Yoanice Diaz	" " "
Peter Shrader	909 Lakeshore #105
SYLVIA FRANCIS	907 LAKESHORE DR #305
BRUCE FRANCIS	"
Marvin Bolodino	901-107
ERDAL KOSEY	901/104
Michael S Tomeo	301 Lake Shore #705
Susan Gaylor	" " " #705
[illegible]	301 Lake Shore #403
Michael DeSouza	301 LAKE Shore Dr #601
Diana & Al Anderson	301 LAKE Shore DR #507
Julie Sarkozy	301 Lake Shore Dr. #405

301 Lake Shore DR

Name	Address
Hanna Spears	301 Lake Park, 202
Samuel Kowalakis	301 Lake Shore Dr - 705
Al Anderson	301 LAKE Shore Dr #507
Diane Burnhard	301 Lake Shore Dr. # 203
[illegible]	301 Lake Shore Dr 33403
Michael S Tomas	301 LS DR # 33403 #708
Joseph A. Talafous Jr	
JOSEPH A. TALAFOUS SR.	301 LShore Drive, #508
Bill [illegible]	301 L S DR # 301
Sandy Feils	301 Lake Shore DR # 301
Bob SOCOLOSKY	301 LAKE SHORE DR
MARY ANN SOCOLOSKY	301 LAKE SHORE DR
ROGER WOLGAST	301 LAKE SHORE DR.
Noriko Okada	301 Lake Shore Dr #206
Jorge Quintero	301 LAKE SHORE DR #501, #211
Amy Clyman	301 Lake Shore Dr. #706
Donna [illegible]	301 Lake Shore Dr #404
Carol Gilden	301 Lake Shore Dr #208
Harvey Gilden	301 Lake Shore Dr #208

301 Lake Shore Drive

Name	ADDRESS
Kenia M. Lockhart	231 Hawthorne Drive Lake Park, Fl 33403
Bob Munroe	990 Old dixie D+B Automotive
Ona Wipperman	716 Hawthorne Dr Lake Park
[illegible]	708 Hawthorne
Ellen Wrynn	731 Hawthorne Dr.
[illegible]	430 E. Ilex Dr Lake Park Fl.
Alfred Francois	424 E. Ilex Dr.
[illegible]	905 4th Lake Park Fl
ALVARO GUTIERREZ	344 E ILEX DR. LAKE PARK.
Antoinette Sorrells	315 E. ILEX DR. L.P. FL. 33403
Sheena Wehr	323 E. Ilex Dr.
Erin Dowling	323 E Ilex Dr
Charity Michael	355 East Ilex Dr.

Name	ADDRESS
Diane S. Munroe	222 Hawthorne Dr. Lake Park FL 33403
Guadalupe Lawrence	128 E. Olex Dr Lake Park 33403
Anthony Lawrence	128 E. Olex Dr Lake Park FL 33403
Joyce Brown	129 E Ilex Dr L.P 33403
Erin Diaz	136 E. Jasmine Dr. Lake Park FL 33403
Mike Albanese	135 E. JASMINE DR. 33403
Cierick McLeod	128 E KALMIA DR FT 33403
Nick Mayo	916 2nd St 33403
Roselyn Saunders	211 EAST ILEX DR. 33403
Michael Brady	216 E ILEX DR 33403
Andre Arellano	246 east ilex Dr lake park 33403
GLEN ROBINSON	235 E. JASMINE DRIVE LAKE PARK 33403
Sharon Brancato	132 E Jasmine Dr.

Name	ADDRESS
Willie Shelton	306 E. Kalmia Dr. L.P. Fl. 33403
Carl Perkins	221 E. Kalmia Dr.
MERilla	110 Hawthorne
Gabrielle Forman	9 Hawthorne
Dina Brown	131 Hawthorne Drive
Jenna Schach	815 2nd Street
Shakara Rozier	306 Hawthorne Drive
Kevin McMahon	318 Hawthorne Dr.
	347 Flagler Blvd.
Joshua Njoo	347 Flagler Blvd
	313 Hawthorne dr.
Mark Arthur	307 HAWTHORNE DR
Dale G. Joffs	259 Hawthorne Dr.

Name	ADDRESS
Ross M. Michaud	405 E Ilex Dr Lake Park Fl. 33403
Chinerva Cooper	415 E. Ilex Dr. Lake Park Fl. 33403
Mr & Mrs Musso	354 E Jasmine Dr. WPB 33403
[illegible]	336 E. Jasmine Dr Lake Park
Barry Price	314 E. Jasmine Dr. 33403
Gwen Nalls	306 E Jasmine Dr 33403
[illegible]	337 E Jasmine Dr 33403

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Tuesday, May 19, 2015 5:11 AM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Toyota Expansion.

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Rick Kearney <RickK@estoyota.com>
Date: May 18, 2015 at 6:39:16 PM EDT
To: "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>, "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>
Subject: Re: Earl Stewart Toyota Expansion.

Gentlemen,

I am employed at Earl Stewart Toyota and have been for the past twenty years. I would like to speak to you now from the heart.

Many years ago, a mechanic sat in his bay in the old Earl Stewart Toyota building eating his lunch and amusing himself by throwing the seeds of his orange high into a crevice at the top of a concrete wall. His aim was true and many seeds landed in the crevice, one of them finding a small bit of soil

and as nature goes, it took root. For many years, all of us watched this tiny plant growing from a concrete block wall. When the old building was demolished to make way for the past expansion, I chiseled that little twig free and potted it at my home. It grows there now, several feet tall, as hardy and sound as any tree has a right to be.

Many, many years ago, some of my fondest memories are of my parents buying caramel corn from a vendor at the old Twin City Mall. One of their favorite restaurants was the Holiday House, where I often was treated to a second spoonful of the mint jelly, even though I had chosen roast beef and not lamb.

My fellow mechanics and I have eaten perhaps hundreds of breakfasts and lunches at the Southern Kitchen and at Barbies Place. We spent hours enjoying our break times at the Park Avenue BBQ, back when it really was on Park Avenue.

Orange trees and children, businesses and communities. They have a tendency to grow. For if they do not, they stagnate and die.

Our growth here has changed the face of Lake Park in some ways, from the appearance of our building to the removal of the Journey's Inn motel.

Being both a son and a parent, I know that growth is not always painless but it is sometimes necessary. I am sure you also understand this basic tenet of life. You, too, have seen this community grow and change over the years. I like to think it has been for the better and that Lake Park is a stronger, safer place for it.

Now, you face a decision which will once again change the face of Lake Park. Please consider that your decision will affect hundreds of people, both residents and employees and make a choice which will be best for all of Lake Park.

Thank you,

Frederick "Rick" Kearney

561-389-0036

rickk@ESToyota.com

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Wednesday, May 20, 2015 5:24 AM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Toyota

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

Begin forwarded message:

From: Jason Norris <jayno2525@gmail.com>
Date: May 19, 2015 at 10:04:30 AM EDT
To: kglas-castro@lakeparkflorida.gov, jdubois@lakeparkflorida.gov, eflaherty@lakeparkflorida.gov, mo'rourke@lakeparkflorida.gov, krapoza@lakeparkflorida.gov
Subject: Earl Stewart Toyota

Dear Mayor Dubois, Vice Mayor Glas-Castro, Commissioner Flaherty, Commissioner O'Rourke and Commissioner Rapoza,

I am writing this letter in support of the proposed expansion of Earl Stewart Toyota.

As an employee of Earl Stewart Toyota, I am aware of the benefits that the expansion would provide to the dealership and also to the Town in terms of potential revenue for both parties.

Here's a fact that you may not know. You have the number one volume single-point car dealership between Fort Lauderdale and Orlando right here in your very town!

Mr. Stewart's successful business model brings scores of people to Lake Park year-round. I routinely speak to our customers and they come not only to purchase vehicles, but to have them serviced on a regular basis, many from as far away as Key West and Melbourne.

These customers bring their repeat business to the Town, bypassing many other options along the way.

Another fact that may have been overlooked is the ancillary business that Earl Stewart Toyota provides to other automotive vendors located within Lake Park.
We source many of our needs to local businesses like tow companies, window-tinters, painters, etc.

The growth and prosperity of many hinges upon the success of this already world-class dealership.

I have worked for some influential and inspirational business leaders in my time, but none that have made me as proud to have my name associated with them as Mr. Earl Stewart.

This is coming from a nearly 20-year firefighter-paramedic who knows a little about pride in the workplace.

For the continued betterment of Lark Park, I strongly urge you to vote YES for the expansion of Earl Stewart Toyota.

Sincerely,

Jason Norris

Nadia DiTommaso

From: Kim Glas-Castro
Sent: Wednesday, May 20, 2015 5:25 AM
To: Nadia DiTommaso
Subject: Fwd: Car Wash Back to the Drawing Boards
Attachments: IMG_0031.PNG; IMG_0032.PNG

For file

Kim Glas-Castro
Vice Mayor
Town of Lake Park

Sent from my iPad

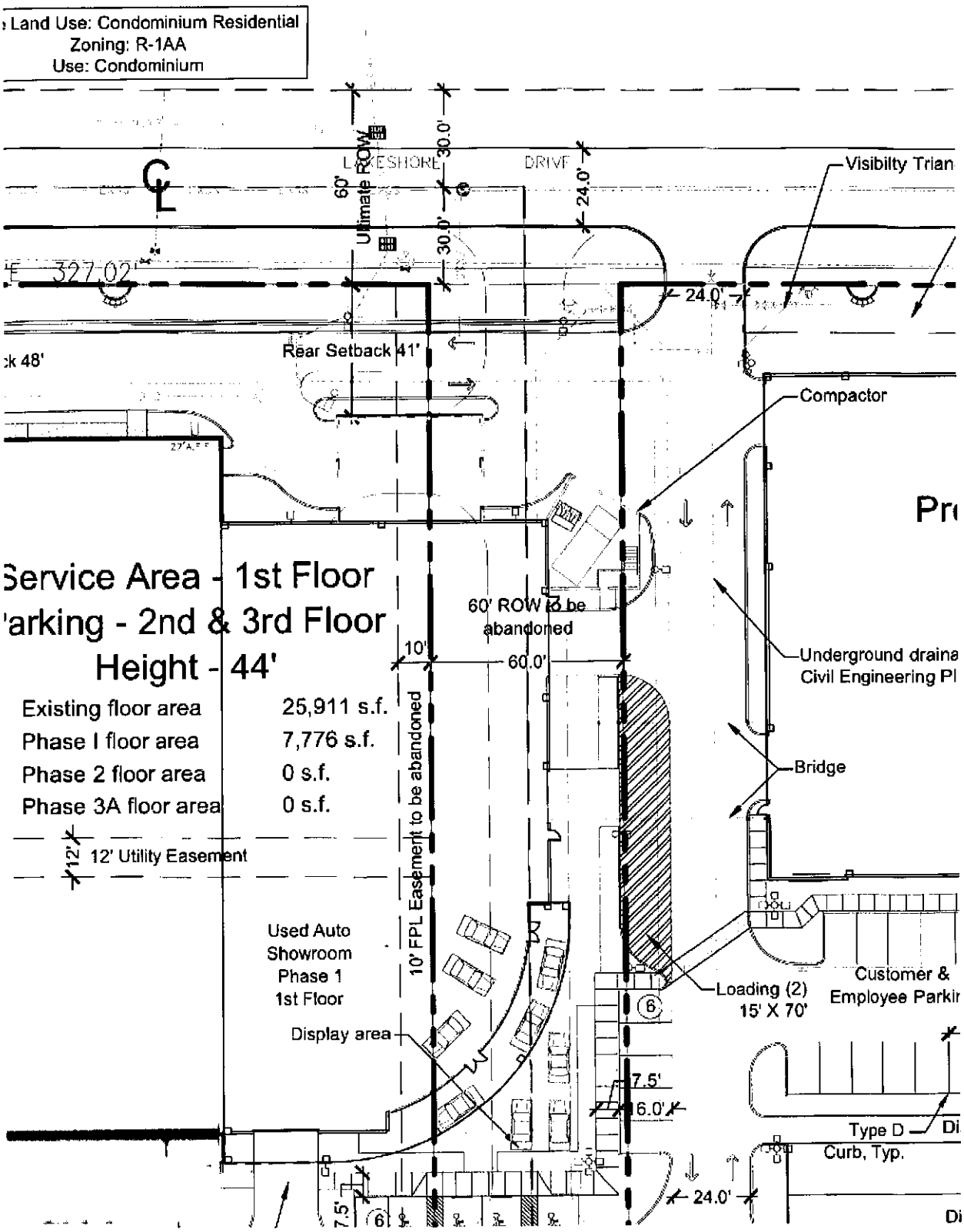
Begin forwarded message:

> **From:** Janet/John Hash <janetjohnhash@icloud.com>
> **Date:** May 19, 2015 at 12:28:28 PM EDT
> **To:** "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>, "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>, "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>, "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>, "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>
> **Subject: Car Wash Back to the Drawing Boards**
>
> Dear Mayor, Vice-Mayor, and Commissioners,
>
> It is unacceptable to place a car wash opposite a high density residential area along Lake shore Dr! (Photo 1)
> The revised site plan still includes this.
> Please notice that there is plenty of setback(93ft) along industrial corridor Fed Hwy 1 on south west corner to place a car wash. (Photo 2 below from revised site plan)
> Why hide a benefit to clients! Let clients see how well the dealership will take care of client needs. Surely the architectural firm representing the dealership is capable of this redesign. It is a fair compromise.
> Or
> Just say "NO" to a Carwash. ☺
>
> The peaceful enjoyment of residents outweighs the "wants" of the dealership!
> Respectfully submitted,
> Janet Hash Resident
>
> Photo 1 Carwash facing Lake Shore Dr High Density Residential Area

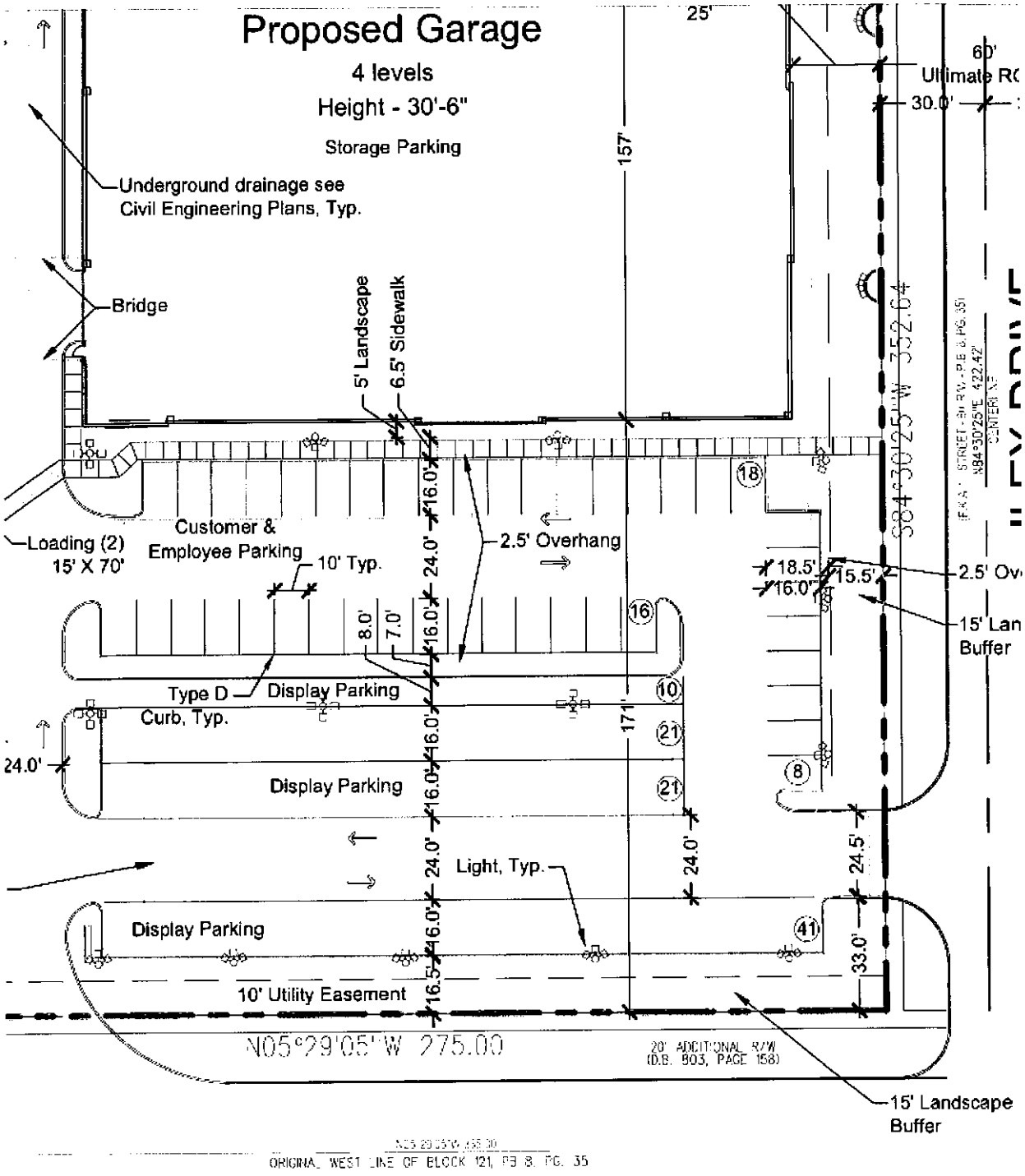
If car wash is something the dealership wants then reposition it to Fed Hwy side along industrial corridor and not opposite a high density residential area. There is a 93 foot setback on this side. Trade off parking spaces on south west corner of parking garage to put the car wash.

Photo 2 SW corner of parking garage

●●●○○ Verizon 11:40 AM 85%
lakeparkflorida.gov



●●●oo Verizon 11:46 AM 83%
lakeparkflorida.gov



Nadia DiTommaso

From: John D'Agostino
Sent: Wednesday, May 20, 2015 7:23 AM
To: Nadia DiTommaso
Subject: Fwd: Earl Stewart Toyota Expansion.

FYI

Sent from Outlook

---------- Forwarded message ----------
From: "**Kathleen Rapoza**" <krapoza@lakeparkflorida.gov>
Date: Tue, May 19, 2015 at 6:22 PM -0700
Subject: Fwd: Earl Stewart Toyota Expansion.
To: "John D'Agostino" <jD'Agostino@lakeparkflorida.gov>

John, this touched me, so true.

Best regards,

Kathy Rapoza,
Commissioner, Lake Park

Begin forwarded message:

> **From:** Rick Kearney <RickK@estoyota.com>
> **Date:** May 18, 2015 at 6:39:16 PM EDT
> **To:** "kglas-castro@lakeparkflorida.gov" <kglas-castro@lakeparkflorida.gov>,
> "eflaherty@lakeparkflorida.gov" <eflaherty@lakeparkflorida.gov>,
> "mo'rourke@lakeparkflorida.gov" <mo'rourke@lakeparkflorida.gov>,
> "krapoza@lakeparkflorida.gov" <krapoza@lakeparkflorida.gov>,
> "jdubois@lakeparkflorida.gov" <jdubois@lakeparkflorida.gov>
> **Subject: Re: Earl Stewart Toyota Expansion.**
>
> Gentlemen,
>
> I am employed at Earl Stewart Toyota and have been for the past twenty years. I would like to speak to you now from the heart.

Council members off to poor start

I have lived in Greenacres for 18 years and have been to many City Council meetings. I am mortified by the behavior of the three newest members. They don't know Robert's Rules of Order; they have no decorum; they insult other members and the mayor.

Yes, the audience does boo and hiss at those members ("Council newcomer clashing with the mayor," Thursday).

Jonathan Pearce is constantly telling everyone about his skills and how he runs his company.

Lisa Rivera, elected in March, said, "Wait and see about your taxes; they will go up." Our Greenacres taxes have not gone up in years, and we even had them lowered. Why would a woman who is working for us say something like that?

Some people are calling for term limits. But what about the longtime people who are doing a great job? We don't want them gone.

SANDRA BERNSTEIN,
GREENACRES

Golf courses need more young players

Re: Thursday's "'No walking' rule hinders young golfer" letter: Golf clubs have embraced motorized carts for two principal reasons: 1. as a profit center; 2. to speed up play. For liability reasons, younger people are not allowed to drive golf carts

Stewart trying to be good neighbor

Did the writer of Tuesday's "Dealership's expansion plan disastrous" attend the informational meeting about the proposed Earl Stewart Toyota expansion?

At the meeting, the Stewarts shared shade studies showing that the new building will not cast shadows onto nearby properties.

Earl Stewart also razed a dilapidated motel that had been on the site and was the center of much crime. As for reducing property values, it seems unrealistic to think that replacing the view of the motel – or the current view of a gravel lot filled with used cars and an office trailer – with a new, landscaped, environmentally friendly building will be anything other than a vast improvement.

We were shown plans that show vehicles and business activity will be concealed from residences on Lake Shore and Ilex drives. The Stewarts also committed to restricting the times that deliveries will be made.

I live on Lake Shore Drive and have been president of my condo association for 16 years. My neighbors and I welcome the improvements.

JO-ANN DOLL, LAKE PARK

Give both sides of sentencing debate

The Post's Wednesday

of a law was established: to help eliminate vastly inconsistent sentencing results among judges across this country.

Yes, it was a political reaction by Congress to satisfy the public outcry that criminals convicted of serious crimes should face serious sentences. Judges at the time (the 1980s) were being ridiculed for being far too lenient when they had the ultimate sentencing power.

For The Post to state the costs simply in terms of the dollars it takes to confine someone – and not to mention the cost savings that society reaps from crime prevention for incarceration of individuals – is one-sided.

RICHARD SANTO,
BOYNTON BEACH

Preserve, improve Lake Worth Beach

This is in response to "Lake Worth considers big casino expansion," May 3: When I moved here from Connecticut, I thought that the first time someone took me to Lake Worth Beach, I had found heaven. The sunshine, the sand and the few steps to the ocean – Lake Worth Beach had it all.

Then a revision mucked up the works; it added shops, places to eat and a little shopping. I could hear the sand, sunshine and the ocean, all crying.

Now a developer is proposing a private club, including a pool for members, and give us back a little part of paradise? Perhaps take the money from the investors and fix our streets and bridges, which are far more in need of help. After all, the beach is Mother Nature at her best, and no one wants to mess with Mother Nature.

SUZI LYNCH,
ATLANTIS

Tech schools, not prisons, needed

The ongoing problem in some U.S. cities – rioting and protesting – highlights the poverty and joblessness prevalent in those areas.

The question is, "How can someone get a job without any job skills?" Until the U.S. education system is willing to address the tremendous need for providing more tech schools for those who will not be attending college – thus providing our country with a skilled workforce – we are heading toward oblivion.

A high school diploma guarantees nothing if one has no job skills.

Do the wealthy businesspeople in America, some of whom are responsible for putting factories in foreign countries, want to put America back on track? If not, is that because they would lose their fortunes due to cheap labor?

Instead of more prisons, build more tech schools.

CLAIRE FASS,
WEST PALM BEACH

Sally Swartz at opinionzone.blog.palmbeachpost.com
Martin County residents know the beaches belong to them. They will

Nadia DiTommaso

From: John D'Agostino
Sent: Thursday, May 21, 2015 4:39 PM
To: Nadia DiTommaso
Subject: Re: voice mail message in support of the Stewart Project

FYI We do not have the gentleman's name.

John O. D'Agostino
Town Manager, Town of Lake Park

Please note: Florida has a very broad public records law. Written communication regarding Town business are public records available to the public upon request. Your e-mail communications are therefore subject to public disclosure. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entry, instead contact this office by phone or in writing. Section 668.6076, F.S

Sent from Outlook

On Wed, May 20, 2015 at 7:03 AM -0700, "Janet Miller" <jmiller@lakeparkflorida.gov> wrote:

Good Morning,

I just received a voice mail from a gentleman stating that he votes "yes" for the Earl Stewart expansion.

Janet R. Miller
Administrative Assistant
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

Nadia DiTommaso

From: Janet Hash <jhash2@comcast.net>
Sent: Monday, June 01, 2015 2:26 PM
To: Michael O'Rourke; Kathleen Rapoza; Kim Glas-Castro; James Dubois; Erin Flaherty; Nadia DiTommaso
Subject: Car Wash

Good day to all
The car wash on the ES Toyota site plan is not an appropriate facility facing our residential communities. The site plan needs to be modified again to reflect a site plan change.
Under PUD zoning which gives the town of Lake Park more influence over the project, please have the applicant move the car wash to Federal Hwy SW corner of 1017 property replacing employee parking spaces which can be moved to back and moving client parking spaces into the former employee spaces.
This is a compromise that benefits the residential communities along Lake Shore Dr ensuring residents peaceful enjoyment of their homes, giving the dealership a convenience they want, fitting this industrial facility along the Federal Hwy Corridor. Cars can move from inside the garage through car wash and out into lot or out onto FH 1 or Ilex Dr.

Please discuss this at the second reading on June 17th and add this as a condition of approval.
Please include in agenda packet.
Respectfully submitted
Janet Hash

Sent from my iPad

Nadia DiTommaso

From: Janet Hash <jhash2@comcast.net>
Sent: Wednesday, June 03, 2015 10:54 AM
To: Michael O'Rourke; Kathleen Rapoza; Kim Glas-Castro; James Dubois; Erin Flaherty; Nadia DiTommaso
Subject: Clear Convincing Evidence Sec 72-4

Good morning
Upon reviewing the sec 72-4 of Lake Park muni code where burden of proof rest upon applicant:

A market study was not done by applicant to show clear convincing evidence about real estate values of adjacent properties affected by abandonment of ROW and consequences from that abandonment namely the industrial development of the site. This needs to be done before approval to meet all standards of Sec 72-4 showing clear and convincing evidence as required in Municipal code 72-4.

An updated traffic study has not been included. Since residents will be using Palmetto Dr. in morning exodus to work, how does traffic study show this in regards to timing of school busses picking up students, timing of delivery of car transport schedules that may coincide with morning traffic patterns on Palmetto and evening patterns. The timing of the traffic light on corner of Palmetto Dr is long on the RED light. How does the traffic study investigate this new pattern of traffic affected by expansion?
Does the traffic study poll residents along Lakeshore Dr with a simple questionnaire "if East Jasmine Dr is closed off to public traffic which street will you use to access Federal Hwy 1 in the morning rush hour? Same for evening return from work?" The Town has the names and addresses of owners and occupants along Lake Shore Dr. This poll can be done to provide clear and convincing evidence for a real traffic study.
There has been no hard statistical input from residents who use these streets.
This needs to be done to provide clear, convincing evidence according to Sec 72-4 Municipal Code.

Storm water management has been referred to in site plan diagrams and attachment documentation. Has the applicant submitted a concise written document explaining how the storm water management is or will be handled and how much will be entering the intracoastal from this new industrial site? Has this document provided clear, convincing evidence that the storm water management provides for the health, safety, and welfare of residents some of whom have wells adjacent to applicants site? Has the applicant provided clear and convincing evidence that provides for the health and safety of marine life in the Intracoastal coastal waterway which has a canal adjacent to industrial site?

Upon review of application documents this information is fragmented at best. It needs to be organized into one document clearly stating all impacts and documentation and environmental studies done to date. The applicant needs to show clear, convincing evidence.
This is in keeping with our own municipal codes Sec 72-4.

Please include this letter in agenda packet for June 17 2015 second reading.
Respectfully submitted
Janet Hash

FROM THE LAKE PARK MUNICIPAL CODE

Sec. 72-4. - Criteria for abandoning public rights-of-way.

(a)

All applications for the abandonment of public rights-of-way shall be reviewed and acted upon by the town commission. The burden of proof shall be upon the applicant to show that the application is consistent with the town's comprehensive plan and all of the standards listed in this section.

(b)

The town commission may approve an abandonment application if the applicant demonstrates, by clear and convincing evidence, that a right-of-way is no longer required for a public use and convenience. Any proposed abandonment of a public right-of-way shall demonstrate that such action furthers the health, safety and welfare of the town's residents. In making this determination, the town commission shall consider whether:

(1)

The abandonment deprives any business or individual of a reasonable means of ingress and egress to that business or individual's property;

(2)

The abandonment adversely affects utility service efficiency, or precludes the future provision of public or private utility services;

(3)

The abandonment reduces adjacent property values; and

(4)

The abandonment eliminates the potential use of dedicated property for a public purpose, including, but not limited to, pedestrian or vehicular access, recreation, environmental preservation, or **stormwater management**.

Sent from my iPad

* Feb. 2, 2015 P&Z Board Minutes (excerpt) *

points onto public rights-of-way and stated the Ilex Drive right-of-way will not be utilized for storage or loading/unloading of vehicles. Mr. Barry stated that his client has agreed to replace the 15' non-conforming sign on Federal Highway with a 10' conforming sign by no later than the deadline in July of 2016. The expansion of the facility will increase the number of employees by 30-40 people.

PUBLIC COMMENTS

Harry Moisel: Mr. Moisel stated that he represents Cedar Crest Apartments (south of Stewart Toyota). Mr. Moisel commented that he respects the Staff recommendations but expressed strong concerns with certain items - particularly the 5-story massive building which will take away from the whole area; that upon the acquisition of Jasmine Drive, East Ilex Drive will become like a highway with excess traffic and they would appreciate no access to Earl Stewart Toyota from East Ilex Drive; and car carriers unloading vehicles during the early morning and late night hours. Mr. Moisel stated that Cedar Crest Apartments has been there for 35 years and they are very proud of their well-manicured property.

Janet Hash: Ms. Hash addressed the Board and stated that she is happy to have the opportunity to express her opinion on the Earl Stewart presentation. Ms. Hash commented that she is a resident of the Town of Lake Park for 3 years and her concerns are the 5-story garage across the road from the condominiums. She stated that the present structure is a nice structure, not too high, but the parking garage would be too high and the Board should consider lowering the height and moving the garage closer to Federal Highway. She questioned where the car wash would be situated and expressed concern regarding noise from the car wash.

Cat Nguyen: Mr. Nguyen stated that he lives in Bay Reach Condominium and expressed concern of the height of the parking garage. He also expressed concern regarding consistency of the building with the surrounding structures, obstruction of view and security.

John Hash: Mr. Hash expressed concern regarding the size and height of the parking garage and asked if there are currently any restrictions on the height of the building in that area (C-1 Zoning District).

Jay Kroul: Ms. Kroul stated she is the Property Manager for Marina Key, and their concerns are that a 5-story parking garage structure would be so large that it would tower over the 3-story Marina Key. Ms. Kroul stated that they have received many complaints regarding noise, safety and obstruction of the view.

BOARD DISCUSSION

Board Member Schneider asked if the facility would be open during construction, to which Mr. Brown responded the facility would be open. Board Member Schneider questioned if the right-of-way abandonment was a purchase from the Town or was the land given to the Applicant and what the procedure is for moving forward to the Town Commission. Ms. DiTommaso responded that it has not moved forward to the Town Commission, but it will move forward pending the

outcome of this P&Z Meeting. If it were to move forward concurrently, it would be as a separate application and the Code requires that public benefit and fair market value be reviewed and considered as part of the application. Board Member Schneider asked what the public benefit would be and Ms. DiTommaso responded the public benefit for abandoning the right-of-way would be to allow for the economic redevelopment of the parcel and increase in property value (*applicant will have to prove public benefit as part of the application process*). Board Member Schneider stated a concern regarding connectivity being given up and suggested that a public cross-access easement connecting Lake Shore Drive and Federal Highway be considered. Board Member Schneider suggested moving the building forward 10' - 20' toward the customer/employee parking and bringing the height down. Board Member Schneider asked if any new waivers are being requested and Ms. DiTommaso responded there are no new waivers, although the previously approved PUD Waivers would apply if the expansion of the PUD is approved. Board Member Schneider pointed out there appears to be more than one wall sign on the same elevation, resulting in too many signs when looking from one direction, and that consideration should be given to reducing signage. Board Member Schneider verified that all vehicle maintenance repair work will be conducted only inside the enclosed facility and asked that it be a condition of approval.

Board Member Francois stated her concern regarding the building height has already been addressed, and that by moving the building forward and closer to the parking lot would help with the concerns of the neighboring residents. Board Member Schneider commented that moving the building would not help the residents to the south.

Chair Thomas thanked Earl Stewart for coming forth with this project, which has been a long and arduous journey, probably 10 years in the making. Chair Thomas acknowledged the comments made by the residents on the east side of the proposed development, and commented that residents to the west of the proposed development would also be affected, and stated that she is one of the residents living on the west of the development. Chair Thomas stated she has had numerous concerns over the years with Earl Stewart Toyota, including the noise of the P.A. System on the site. She stated that she has major concerns with Earl Stewart regarding this project, including the loading/unloading of vehicles. Chair Thomas stated that the loading & unloading of vehicles on Jasmine Drive has currently torn up the landscaping and asked Mr. Barry to explain what is being proposed for the loading/unloading into the 5-story garage. There was discussion regarding the truck routing plan and possible areas for loading/unloading and whether there will be internal unloading. Mr. Shiner stated that no transport trucks will be allowed on Lake Shore Drive and the access point from Lake Shore Drive will be closed. The Town Attorney stated that there is a Special Exception and therefore delivery times and site access can be made conditions if deemed as in the best interest of the Town. The Town Attorney stated that the southernmost entrance lines up with the current right-of-way, and if it were open the trucks could go directly into the facility to unload the vehicles, and close the access point on Lake Shore Drive.

Chair Thomas expressed another concern is the height of the parking garage, regardless of whether it is moved to the east or to the west, it would still be 50' in height, and she fears that the Town would be setting a precedent if it were to be allowed. She strongly feels that the development needs to consider changing the height of the parking garage. Chair Thomas stated

she does want to see development, but not if it is to the detriment of the lifestyle and quality of life of the residents of the Town. She commented that the impact to the residents in order for Earl Stewart Toyota to double their inventory is huge. Chair Thomas stated that as the development moves forward it should be considered to notify the residents living to the west. Chair Thomas expressed other concerns including abandoning the right-of-way and the public benefit; preserving historic resources in the Town and the potential of increased traffic. Chair Thomas stated she does not support the proposed Earl Stewart project in its current form and does not support it moving forward in the current manner. Chair Thomas wanted to go on record that she was contacted by a property owner prior the Meeting who asked her to share her concerns about the project. Chair Thomas suggested a 25' setback from East Ilex Drive, possibly with a passive park, decrease the 5-story building height and increase the landscaping so you don't feel the mass.

Board Member Schneider questioned the height of the existing building and the height allowance in the C-1 Zoning District without the PUD. The Community Development Director stated that the maximum height allowance in the C-1 Zoning District is 2 stories or 30', and within the PUD it is 4 stories or 50'. Mr. Barry stated that the height of the existing garage building is 33'. Mr. Danny Brown with Glidden Spina Architects addressed the Board and stated that the highest portion of the existing building is the roof of the elevator which is approximately 43' - 44' from the U.S. One side, but which is about 5' lower than the Lake Shore Drive side of the property. The perception from the Lake Shore Drive side is about 50' and the perception from the U.S. Highway One side is approximately 43'. Mr. Barry stated the proposed garage building height will not be drastically different from the garage that is currently there. Mr. Barry informed the Board that Earl Stewart Toyota attempted to host a community meeting and several Public Notices were posted, but unfortunately no one attended the meeting. He also mentioned that several signs were posted throughout the community regarding the PUD and the abandonment of the right-of-way meeting. Mr. Barry stated his client is open and amenable to mitigating the concerns of the Board, including the garage height. He stated the reason for the 5-story garage is because the Toyota Corporation requires a minimum number of inventory spaces based on the size of the property, which is currently not being met.

Mr. Barry asked the Board how to proceed and there was discussion regarding how to move forward considering all of the concerns mentioned during the meeting. Chair Thomas recommended that they hold a public meeting with the residents living west of Federal Highway before the end of February and before it proceeds to the Town Commission. The Town Attorney stated that the right-of-way abandonment needs to move forward at the same time as the Site Plan and PUD, so therefore the Board can either make a recommendation to the Town Commission at this time, or consider continuing the meeting. Board Member Schneider stated that he cannot see making a motion for approval with the numerous conditions discussed throughout the meeting, as there are too many unknowns. There was discussion regarding whether to make a motion for denial or to continue the meeting. Mr. Barry stated that his client would be willing to reduce the height of the proposed garage to the height of the current garage if it would allow for the project to move forward today. Mr. Barry emphasized the project needs to continue moving forward in order to meet phasing deadlines. Mr. Barry asked Staff about deadlines for submittal for the upcoming March Planning & Zoning Board Meeting and asked if they could postpone the matter until next month.

PLANNING & ZONING BOARD RECOMMENDATION

Board Member Schneider made a motion to continue the matter to the March 2, 2015, Planning & Zoning Board Meeting. The motion was seconded by Board Member Francois, and the vote was as follows:

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

The Motion carried 3-0, and the matter was continued to the March 2, 2015, Planning & Zoning Board Meeting.

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

Ms. DiTommaso announced that the Town Planner position is now vacant and the hiring process is moving forward.

ADJOURNMENT

There being no further business before the Board, the Meeting was adjourned by Chair Thomas at 9:16 p.m.

Respectfully Submitted,

Kimberly B. Rowley
Planning & Zoning Board Recording Secretary

PLANNING & ZONING BOARD APPROVAL:

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

DATE: 3/2/2015

* March 2, 2015 PTZ Minutes (excerpt) *

requirements will be exceeded. Ms. Booth further stated this will be a substantial improvement to the commercial site, allowing for increased property value and thereby stabilizing the economic base of the Town; jobs will be created, and the Town will be paid for the abandoned right-of-way. Ms. Booth stated that additionally the project will be going for Toyota Certification, which will be one of two in the State with this Toyota distinction.

Ms. Booth stated there are several representatives of the project in attendance, including engineers and architects, to answer any questions of the Board. Chair Thomas noted that there are several Public Comment Cards and they will be heard at this time.

PUBLIC COMMENTS

Philip Bathor - Lake Shore Drive Resident
Concerns: the height will reduce the view; noise emanating from the development, and property values will be diminished.

Brittany Pulitzer - Lake Shore Drive Resident
Concerns: view; height and noise.

Bethany Clark – Lake Shore Drive Resident
Concerns: wind effect during hurricane; water contamination; damage to surrounding properties; negative impact to marine life; is there a Hurricane Plan for Earl Stewart Toyota to prevent collateral damage to surrounding properties; poor drainage/storm surge during a hurricane.

John Hash – Lake Shore Drive Resident
Concerns: size, concentration and political influence. The location is not best suited for this neighborhood; Lake Worth Canal and stormwater run-off; noisy carwash; wastewater going into the canal; historic resources are affected; neighborhood property values; potential for a lasting conflict between the expanded corporate entity and its residential neighbors. Mr. Hash requested use of the approval process to negotiate conditions to mitigate foreseen problems and to achieve compromise.

Krista Van Arsdale – Lake Shore Drive Resident
Concerns: the scope of Earl Stewart expansion into the residential area will be a huge liability issue sheltered by residents and the Town of Lake Park; stormwater runoff; traffic injuries; fire; maintenance issues and health problems; who will pay to mitigate and remedy; Lake Shore Drive flooding; request a bond from the applicant; request a review of the liability and a risk vs. benefit analysis and negotiate accordingly.

Janet Hash – Lake Shore Drive Resident
Concerns: height; setbacks; chemicals utilized in carwash and runoff; more consistent design; noise from carwash.

Sam Baghdady – Lake Shore Drive Property Owner – ***Has petition signed by residents of Cedar Crest and neighbors***
Concerns: disagreed with the stated height of Cedar Crest; the massive development will dwarf neighboring condos; high density commercial is a sudden change from the residential neighborhood; blocking of sunlight; noise and light at all hours of the day and night; possible hazard to children on East Ilex Drive; the project will overshadow the properties; decrease in the property values of surrounding residential properties; shaping a community to accommodate Earl Stewart Toyota; suggested no exit areas on East Ilex or Lake Shore Drive; suggested a 50' landscape buffer to shelter the residential properties; suggested palm trees on top of structure; consider downsizing the dealership. Mr. Baghdady provided photos of other dealerships and a Petition signed by 60 people.

Lori Scheer – Lake Shore Drive Resident
Concerns: property values will go down; increased traffic; pedestrian concerns; pedestrian/traffic study needed; security issues & lighting in unoccupied commercial area; increased crime.

Beth Valle – Lake Shore Drive Resident
Concerns: environment concem and impact; a nice project but in the wrong location.

Benjamin Valle – Lake Shore Drive Resident
Concerns: remove all access points from Lake Shore Drive and East Ilex Drive – use Federal Highway only; no vehicles to use Lake Shore Drive for any use including parking, loading/unloading, etc.; noise impact.

Chair Thomas thanked the public for their comments.

Anne Booth responded to the comments/concerns presented. Ms. Booth mentioned the proposed building is located on property which is already zoned commercial, which allows for a height of 50'. The Applicant has already voluntarily reduced the building height, in consideration of the concerns of the citizens, and they are well below what they are technically entitled. In terms of the environmental concerns of the carwash, it will be located on the east side of the building and is enclosed by walls on two (2) sides. As part of the LEED Certification, there will be a recirculating system which recirculates 90% of the water and the additional 0% will be filtered and go into the sewage system, not into the drainage system. Ms. Booth stated regarding the noise concerns for the carwash, the proposed carwash is environmentally friendly and meets all standards for carwashes and is within the decibel levels in place in the Town Code. Board Member Schneider questioned if the carwash will have a roof. Ms. Booth stated that there will be a roof on the carwash and it will enclosed by concrete walls on two (2) sides.

Ms. Booth addressed the concerns regarding hurricane standards. She stated the building is designed to meet a wind load capacity of 170+ mph, and that all elements of the building will meet all hurricane standards and Code requirements and will be sprinkled. Some elements of the building will actually be improved from the existing conditions and will probably be in a safer condition than some of the surrounding residential units. Board Member Von Unruh stated he believes the citizen concern is regarding how the proposed building might affect the surrounding buildings in the event of a hurricane, and does Earl Stewart have a hurricane plan. Ms. Booth

stated the building has been designed to withstand 170+ mph winds. The architect briefly discussed wind load effect and explained that they typically don't do wind load effect unless it is a high rise building; the height of the building is the key. Mr. Brown also stated that there would most likely be no wind impact because of the distance between the neighboring buildings. Mr. Brown stated that the building would not create any additional water runoff, and as a matter of fact the water would be retained on site and filtered through exfiltration trenches. The building meets all the standards set forth by the South Florida Management System and LEED Certification requirements. Mr. Brown further stated that everything on the proposed building, as well as the existing building, meets all of the wind load requirements of the Code. All of the windows in the existing building and the proposed building are impact glass; the building is precast concrete, and the aluminum panels will meet wind load requirements. Mr. Brown stated that standards have been actually increased in the past 4 years, so buildings built prior to that time have a lesser requirements. Mr. Brown also stated that all vehicles would be removed from the outside in the event of a hurricane.

Ms. Booth addressed concerns regarding rezoning on the site, and explained that the rezoning is for the road right-of-way only, the existing uses are not changing, as the commercial zoning is already in place for the property. Ms. Booth stated that the property was in disrepair prior to Earl Stewart developing the site. The development has been an overall improvement of the site and has enhanced the standards along Federal Highway.

Chair Thomas asked for clarification of the zoning of 1017 Federal Highway site. Ms. DiTommaso verified that the site is located entirely within the C-1 District and clarified the maximum height allowance.

BOARD DISCUSSION

Chair Thomas asked for comments from the Board.

Board Member Von Unruh's comments/concerns were as follows:

- Clarification of the timeframe of when the car wash would be in operation. Ms. Booth stated the hours of operation will be 7:00 a.m. – 9:00 p.m. Monday through Friday; and Saturday and Sunday from 7:00 a.m. – 6:00 p.m.

- Could there be potential runoff into the Intracoastal Waterway. Ms. Booth responded there will not be any runoff going into the Intracoastal Waterway.

- What was the maximum height of the Journey's Inn and Park Center Hardware before they were demolished? Staff did not know and was unable to verify.

- Asked about fines/tickets issued by the Town in the past for trucks coming in & out of the property. Mr. Earl Stewart III (Stu) Stewart stated that they had received tickets in the past for parking on the swale when the old Journey's Inn existed, but that no tickets have been issued in the last 8-9 years.

- Timeline for completion. Ms. Booth stated there are specific guidelines which were approved by the Town Commission and the completion date for Phase I & II is January 31, 2016, and Phase III will be constructed in 2019 or 2020.

- Asked property owner to address litigation concerns by the public. Mr. Stewart stated that the dealership currently has a very high dollar amount umbrella protection policy and has complete coverage should anything occur.

- Is the carwash for Earl Stewart customers only and not open to the public? Ms. Booth confirmed that the carwash will be utilized by Earl Stewart customers only.

- Clarification that trucks will not be allowed on Lake Shore Drive. Ms. Booth verified that trucks will not be allowed on Lake Shore Drive and that the access point on Lake Shore Drive will be closed off. Board Member Von Unruh asked if there is a stipulation on the revised plans stating that no trucks will park or drive or unload on Lake Shore Drive. Ms. Booth verified that it is stated in the revised plans and is also a Condition of Approval.

- Clarification of the Public Notice Requirement met by Town Staff. Ms. DiTommaso verified that all residents within a 300' radius of the project were notified by the Town via Certified Mail. Mr. Stewart mentioned that on two (2) separate occasions the dealership mailed invitations with pictures to an informational meeting to all residents within a 300' radius, but unfortunately no one attended either meeting.

- Asked if there was a noise study for the car wash. Ms. Booth responded that the noise decibels/ranges will be determined when the carwash equipment is selected, which will be done between now and the Town Commission Meeting. Mr. Stewart stated the car wash will be brand new and is designed to be extremely quiet. Mr. Stewart also stated that the vehicle clean-up area is going to be relocated away from Lake Shore Drive and into the interior area, and that the body shop will be completely enclosed by concrete walls. Mr. Stewart added that the dealership will remove all of the outside loud speakers of the P.A. System. Board Member Schneider asked the property owner to confirm that all service activity will take place inside. Mr. Stewart responded that all vehicle service activity will take place inside.

- What was the basis for determination of payment for the right-of-way abandonment? Ms. DiTommaso stated that Town Code requires the Community Development Department to get an appraisal of the property at the cost of the Applicant. The appraisal for the right-of-way abandonment was done last year by the Town and was recently up-dated.

Board Member Dubois' question was as follows:

- Clarification of the building height and if the building would be three (3) or four (4) stories. Ms. DiTommaso stated that the building heights will vary; the parking garage will be four (4) internal levels, and the expansion of Phase I and Phase II will go up to three (3) stories.

Board Member Schneider's comments/concerns were as follows:

- Requested an explanation of the building height reduction of the parking garage from the architect. Mr. Brown provided an explanation of the height reduction of the parking garage from the original submittal and summarized that the net result is 10' lower than the original height. Board Member Thomas questioned the elevator shaft height upon the height reduction. Mr. Brown provided a detailed visual explanation of the various heights throughout the entire property and confirmed the elevator shaft height on the garage will be 45'.

- Clarification of delivery times, the process for delivering vehicles, and why the delivery time needs to go until 10:00 p.m.? Mr. Stewart stated that Southern Transport Service delivers the vehicles and the dealership simply uses the 10:00 p.m. time as a window since someone needs to be at the dealership to receive the keys upon delivery.

- Where are the vehicles taken for test drives? Mr. Stewart responded that test drives are left up to the discretion of the customer.

- Were resident meetings set-up after the February 2, 2015, Planning & Zoning Board Meeting? Ms. Booth responded that there was not have enough time between the last P&Z Meeting and resubmittal for this P&Z Meeting.

- In response to concerns from the public, asked Ms. DiTommaso if she is aware of any flooding issues on Lake Shore Drive. Ms. DiTommaso responded that she is aware of flooding issues on Lake Shore Drive and that possibly the Town Manager and Public Works Director could work with Earl Stewart to mitigate flooding issues in the immediate area. Ms. DiTommaso stated that the flooding issue is throughout the entire Lake Shore Drive area and for years the Town has been attempting to receive funding from a Grant to remedy the issue.

- Clarification of signage restricting truck delivery/no access at the Lake Shore Drive entrance. Mr. Stewart agreed that signage would be a good idea on the back of the building. Board Member Schneider recommended that it be added as a Condition.

Chair Thomas' comments/concerns were as follows:

- How will an 18-wheeler heading north on Federal Highway maneuver within the property with display vehicles. Ms. Booth stated that the current condition is part of the problem which is part of the reason the expansion is needed. Mr. Stewart explained the present situation is unmanageable and they have outgrown the site. Upon expansion and every vehicle has a spot, there will be plenty of room on the site. There was discussion regarding interior circulation of trucks and the parking of vehicles upon the expansion of the dealership.

- What is the overall public benefit for right-of-way abandonment on East Jasmine Drive? What is the type of benches and bus shelter, and where will they be located. Ms. Booth

stated the architect is currently working with designers to create a bus shelter which will be more aesthetically pleasing than a standard Palm Tran bus shelter, and elevations will be submitted. The benches will be consistent with the other benches already installed along Lake Shore Drive and will continue the same theme on Ilex Drive. The bus shelter will be consistent with the development.

- Questioned the possibility of a larger buffer along Ilex Drive which would provide for an aesthetic benefit. Ms. Booth stated the current landscape requirement along Lake Shore Drive and East Ilex Drive is 15' and they have increased the buffer to 25', and it will be heavily landscaped so that the building will basically disappear behind the landscaping. If the building were to be relocated they would not be able to accomplish the intensity and depth of the landscaping.

- What is the right-of way width that is being abandoned? Ms. Booth stated that it is a 60' abandonment.

- Expressed concerns with how stormwater drainage and Lake Shore Drive drainage will be addressed during the building construction. Is there some sort of an agreement that the Town could enter into with Earl Stewart to address the drainage issue because it is a low-lying area. Ms. Booth explained that with the Phasing plan during the time the parking garage is constructed all of the exfiltration will be below the garage, and it will retain all of the water below the garage. During Phase I and Phase II the retention area that is currently there will remain and function as it does today in terms of the pavement and runoff. Tom McCloud, Civil Engineer, stated that an exfiltration trench will be added during Phase I of construction, as part of the permit requirement through the SFWMD, and be required to discharge less water after the project is complete than what is being discharged currently. During Phase III of parking garage construction, the retention area will be filled in and the will be an underground retention vault system under the west side of the parking garage.

- What is the number of employees that will be added? Ms. Booth stated approximately 30-40 additional employees.

- Will there be parking on the roof? Ms. Booth responded that parking will be on the roof.

- If the project moves forward for approval, what mitigation will be in effect for the hours of construction, noise levels, etc. Ms. DiTommaso stated that the Code regulates construction and the hours allowed are 7:00 a.m. – 7:00 p.m. Monday through Saturday, and construction on Sunday is prohibited. Board Member Schneider verified there is a Condition for the hours of construction.

Prior to making a recommendation, Vice-Chair Von Unruh asked Mr. Stewart his opinion on potentially changing the hours of the car wash; hours of truck loading/unloading; and the hours of construction, particularly on the weekend, and what would be ideal for the operation of the dealership. Mr. Stewart responded the hours of the car wash as submitted are 7:00- 9:00 p.m, but could easily be adjusted to 6:00 p.m. -7:00 p.m. Mr. Stewart stated that regarding the hours of

construction, he would like to discuss with the Community Development Director as they are in a time crunch and working under a deadline. Mr. Stewart verified that truck loading/unloading would occur from 7:00 a.m. – 7:00 p.m.

Chair Thomas asked Mr. Stewart if they are planning to have a community meeting prior to the Town Commission Meeting. Mr. Stewart responded that they would like to have a community meeting prior to the Town Commission Meeting. The Town Attorney suggested contacting the persons who filled out Public Comment Cards and send them an invitation in order to address their concerns.

PLANNING & ZONING BOARD RECOMMENDATION

There was discussion between the Chair and the Town Attorney regarding how to properly motion the approvals of the Rezoning, the Site Plan and Special Exception.

Board Member Schneider made a motion to recommend the approval of the Rezoning to the Town Commission. The motion was seconded by Vice-Chair Von Unruh, and the vote was as follows:

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

The Motion carried 3-1 and the recommendation of approval to the Town Commission for Rezoning was approved.

Board Member Schneider made a motion to approve the Site Plan with Staff Conditions, and the following additional Conditions: All service activities take place indoors; Signage be placed at the rear exit on Lake Shore Drive to restrict no truck access; Delivery times be no later than 7:00 p.m.; Car wash hours be no earlier than 8:00 a.m. and no later than 8:00 p.m.; Construction hours on Saturday be limited to later than 8:00 a.m.; a meeting be set-up with the residential community, noticing property owners within 300' feet, as well as those filling out Public Comment Cards; and that Earl Stewart create an access easement for the parking benches and bus stop; and the Site Plan approval also encompasses the Special Exception Use. The motion was seconded by Vice-Chair Von Unruh, and the vote was as follows:

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

The Motion carried 3-1 and the Site Plan was approved with Staff Conditions and Additional Conditions, and the Site Plan approval encompasses the Special Exception Use.