AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, August 19, 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**

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. 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.

1. Regular Commission Meeting minutes of August 5, 2015 **Tab 1**
2. Hunger Action Month Proclamation **Tab 2**
3. Authorizing the Mayor to sign a letter of support to Palm Beach County for the Allocation of $100,000 for a Law Enforcement Grant **Tab 3**

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

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

H. 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.

I. NEW BUSINESS:

8. Resolution No. 21-08-15 A request from Commercial Investments, LLC to Modify Condition #4 of Exhibit "A" of Resolution 03-01-15 Related to the Temporary use of Their Property which includes the Temporary Storage of Vehicle and an Office Trailer. **Tab 8**

J. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

K. ADJOURNMENT:

Next Scheduled Regular Commission Meeting will be held on Wednesday, September 2, 2015

Consent Agenda

TAB 1

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **August 19, 2015** **Agenda Item No.** Tab 1

Agenda Title: Regular Commission Meeting Minutes of August 5, 2015

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

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

Vivian Mendez – Town Clerk
Name/Title

Originating Department: **Town Clerk**	Costs: **$ 0.00** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Agenda** **meeting minutes** **Exhibits "A and B"**
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 August 5, 2015.

AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, August 5, 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. 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.

1. Commission Budget Meeting Minutes of July 13, 2015 **Tab 1**
2. Regular Commission Meeting Minutes of July 15, 2015 **Tab 2**

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

G. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:
3. Ordinance No. 09-2015 Updating Chapter 54 of the Code of Ordinances to Include the Updated Language to the Florida Building Code 2014. **Tab 3**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-8 OF THE TOWN CODE PERTAINING TO THE TOWN'S LOCAL AMENDMENTS TO CHAPTER ONE OF THE FLORIDA BUILDING CODE; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONDIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

H. NEW BUSINESS:
4. Request Commission Approval to Negotiate a Contract with CPZ Architects, Inc. for Architectural/Engineering Services in Response to RFP No.104-2015, Kelsey & Lake Shore Park Restrooms and Tennis Court Lighting **Tah 4**

5. Award of Flooring Contract for Town Hall **Tah 5**

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, August 19, 2015

Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, August 5, 2015, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, August 5, 2015 at 6:30 p.m. Present were Mayor James DuBois, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager John O. D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Vice-Mayor Kimberly Glas-Castro was absent.

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

SPECIAL PRESENTATIONS/REPORTS
None

PUBLIC COMMENT:
None

CONSENT AGENDA:

1. **Commission Budget meeting minutes of July 13, 2015.**
2. **Regular Commission meeting minutes of July 15, 2015.**

Motion: Commissioner Flaherty moved to approve the consent agenda; 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			Absent
Mayor DuBois	X		

Motion passed 4-0.

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

PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:
3. Ordinance No. 09-2015 Updating Chapter 54 of the Code of Ordinances to include the Updated Language to the Florida Building Code 2014.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-8 OF THE TOWN CODE PERTAINING TO THE TOWN'S LOCAL AMENDMENTS TO CHAPTER ONE OF THE FLORIDA BUILDING CODE; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Opened:
None
Public Comment Closed:

Motion: Commissioner Rapoza moved to approve Ordinance 09-2015; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

Attorney Baird read the Ordinance by title only.

NEW BUSINESS:
4. Request Commission Approval to Negotiate a Contract with CPZ Architects, Inc. for Architectural/Engineering Services in Response to RFP No. 104-2015, Kelsey & Lake Shore Park Restrooms and Tennis Court Lighting.

Town Manager D'Agostino explained the item (see Exhibit "A"). He explained that a workshop has been scheduled for Wednesday, September 16, 2015 immediately following the Regular Commission meeting to discuss the project. He asked that the Commission appoint one member to be a representative on a committee that has been formed for this project.

Motion: Commissioner Flaherty moved to appoint Commissioner O'Rourke as a representative on the project committee; 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			Absent
Mayor DuBois	X		

Motion passed 4-0.

Commissioner O'Rourke asked how CPZ Architects, Inc. was ranked higher than the other bidders. Public Works Director Dave Hunt explained that the Town followed its purchasing procedure and had a former bid advertised for this project. An evaluation committee was created to evaluate all the submittals for the bid. CPZ Architects, Inc. ranked highest among all the committee members. He explained that CPZ Architects, Inc. seemed to match the needs of the Town and were the most experienced in public restroom design. He stated that based on their presentation the evaluation committee ranked them the highest. Commissioner O'Rourke asked if CPZ Architects, Inc. had any Tennis facility experience. Public Works Director Hunt explained that they did not have Tennis facility experience per say, but they brought in consultants that had experience in sports field lighting. Town Manager D'Agostino explained the ranking points system used. Public Works Director Hunt explained that the Town was challenged about a question in the bid relating to Florida State Statue's Consultants Competitive Negotiation Act. He explained that the last item on the point rating system was not taken into consideration.

Motion: Commissioner O'Rourke moved to approve to negotiate a contract with CPZ Architects, Inc. for Architectural/Engineering Services in Response to RFP No. 104-2015, Kelsey & Lake Shore Park Restrooms and Tennis Court Lighting; 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			Absent
Mayor DuBois	X		

Motion passed 4-0

5. Award of Flooring Contract for Town Hall

Town Manager D'Agostino explained that several samples had been made available to show the Commission what had been chosen for the west entrance of Town Hall and the Commission Chamber. Mayor DuBois asked how long the existing carpet has been in the Commission Chamber. Human Resources Director Bambi Turner explained that the carpet was installed during the Town Hall renovations in 2000/2001. The Commission discussed the recommendations chosen by the Beautification Committee.

Motion: Commissioner Rapoza moved to award a flooring contract for Town Hall; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

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

Motion passed 4-0.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird provided a quarterly report (see Exhibit "B").

Town Manager D'Agostino explained that staff worked diligently on preparing a balanced budget. He stated that individual meetings had been scheduled with the Commission to discuss the budget in advance of the August 12, 2015 Budget Workshop. He announced that the Back-to-School Explosion was a success on Saturday, August 1, 2015 with over 400 children and families attending the event. He stated that Bridges at Lake Park, the Town, and civic organizations in the Town sponsored the event.

Commissioner O'Rourke thanked Lt. Vassalotti, Cindy Castle of Bridges at Lake Park, and staff for their assistance with the Back-to-School event.

Commissioner Rapoza had no comments.

Commissioner Flaherty asked when the Commission should expect to receive a copy of the proposed budget. Finance Director Blake Rane explained that staff was in the process of producing the Town Manager's recommended budget in time for the Commissioners individual budget meetings. Commissioner Flaherty apologized for his absence at the last Commission meeting. He explained excitedly that the arrival of his newborn son Dillion Skyler Flaherty on July 12, 2015 caused his absence.

Vice-Mayor Glas-Castro was absent.

Mayor DuBois thanked Lt. Vassalotti and everyone involved with the Back-to-School Explosion. He reminded everyone that school begins on August 17, 2015. He stated that the Kids Fishing Tournament was a huge success. He stated that St. George Church in Riviera Beach and the Lake Park Kiwanis sponsored a Feed the Homeless event, which was a success. He thanked staff for entertaining his niece who was visiting. He explained that she accompanied him to the Palm Beach County League of Cities meeting.

Town Manager D'Agostino asked Library Director Karen Mahnk if there would be an event on Friday, August 7, 2015. Library Director Karen Mahnk explained that the Summer Reading Program was concluding with a mock Commission meeting and several other activities on Friday, August 7, 2015 beginning at 1:30 p.m. in the Commission Chamber.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 7:08 p.m.

_____
Mayor James DuBois

_____
Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2015

Exhibit "A"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 5, 2015 **Agenda Item No.** Tab 4

Agenda Title: Request Commission Approval to Negotiate a Contract with CPZ Architects, Inc. for Architectural/Engineering Services in Response to RFP No.104-2015, Kelsey & Lake Shore Park Restrooms and Tennis Court Lighting

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

Approved by Town Manager _____ **Date:** 7-17-15

David Hunt/ Director of Public Works
Name/Title

Originating Department: Public Works	**Costs: $ To be determined** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Advertisement** **RFP 104-2015** **Response submitted by:** **CPZ Architects** **West Architecture + Design** **Architects Design Collaborative** **Evaluation Martrix** **Minutes of Evaluation Committee Meeting**
Advertised: **Date: May 31, 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** JDH or Not applicable in this case __ **Please initial one.**

Summary Explanation/Background:

The Town is the recipient of Community Development Block Grant in the amount of $403,591.00 for the design and construction of two restrooms and replacement of tennis

court lighting at the Kelsey and Lake Shore Parks. As part of the agreement the Town is to procure a consultant to prepare the design drawings and specifications. The Town prepared the Request for Proposal and on May 31, 2015 advertised RFP 104-2015. Nineteen professional firms requested the RFP packet thru the Town Clerks' office.
The deadline for receipt of the responses to the RFP was June 30. Three proposals were received and copies of each firm's proposal were distributed to members of an evaluation committee selected by the Town Manager. The Evaluation Committee consisted of David Hunt, Director of Public Works; Brandon Selle, Seacoast Utility Authority Capital Projects Administrator; Hoa Hoang, Information Technology Officer; Kathleen Carroll, Recreation Manager; Richard Pittman, Project Manager. The Evaluation Committee met on July 16 and ranked the three firms proposals based on the attached mtetrics.

The three firms and their rankings are as follows:

CPZ Architects, Inc.	14 points
West Architectural + Design	9 points
Architect Design Collaborative	7 points

The selection process is to follow the Consultants Competitive Negotiation Act (CCNA). CCNA requires that professional consulting services selection be based on qualifications. CPZ Architects, Inc. is the highest ranked firm and therefore negotiation of a contract should proceed with CPZ Architects, Inc.. In the event negotiation of a contract with CPZ Architects is not successful, the negotiation would proceed with West Architecture + Design.

CPZ Architects, Inc. has been in business since 2002. Their primary office is located in Plantation, Fl. and they have a satellite office in Jensen Beach.

Recommended Motion: To approve authorization for the Town Manager to negotiate a **contract with CPZ Architects, Inc. for Architectural/Engineering services associated with RFP 104-2015**

Town of
LAKE PARK

Department of
PUBLIC WORKS

ADDENDUM NO. 1 June 22, 2015

REQUEST FOR PROPOSAL RFP No. 104-2015

ARCHITECTURAL / ENGINEERING SERVICES KELSEY AND LAKE SHORE PARK RESTROOMS & TENNIS COURT LIGHTING IMPROVEMENTS

Each recipient of the Addendum No.1 to the RFP No. 104-2015 who responds to the RFP, acknowledges all of the provisions set forth in the RFP document *"REQUEST FOR PROPOSAL-ARCHITECTURAL/ENGINEERING SERVICES KELSEY AND LAKE SHORE PARK RESTROOMS & TENNNIS COURT LIGHTING IMPROVEMENTS" a*grees to be bound by the terms thereof. This addendum shall add information and clarification and become part of the RFP document.

QUESTIONS RECEIVED (As of 11:00 A.M. June 19) **& RESPONSE**

Question: Would a pre-engineered Easi-Set precast concrete restroom, that is fully-fitted and built to the specification as outlined in the Town of Lake Park RFP drawing, be considered?
Response: This project is Federally Funded. The RFP is requesting Architectural and Engineering Services for the design of two restroom buildings, design an interior renovation and design tennis court lighting improvements. The plans associated with the RFP have limited specifications. The architectural features of the new restroom buildings are intended to match adjacent park buildings. The buildings are in a location which requires buildings to have the highest wind load capabilities. If the architect that is associated with a pre-engineered building responds to the RFP, the submittal will be reviewed the same as other firms responding.

Question: Please clarify Section 5-COMPENSATION?
Response: Submission Criteria, Page 19, Section 5 COMPENSATION, **DISREGARD** Section 5. On page 9, Evaluation Criteria Score Sheet, **DELETE** criteria #6 "Estimated design fee as described in Section 5." The five (5) points on the Evaluation Criteria Score Sheet will be redirected to Criteria #4. Criteria #4 "Overall project workload...." will be weighted as 10.

Question: Must the firms be located in Palm Beach, Broward or Martin County areas to be considered for award?
Response: No.

Question: Can a firm from Miami-Dade County submit their qualifications for consideration.
Response: Yes.

*650 Old Dixie Highway, Lake Park, Florida 33403 * (561) 881-3345 * Fax: (561) 881-3349*

E-mail: publicworks@lakeparkflorida.gov

EXHIBIT "A" SCOPE OF WORK:

A pre-demolition pre-renovation inspection of two buildings in Kelsey Park to be demolished and one building in Lake Shore Park to be renovated has been performed. A report prepared by Morse Associates, Inc. has been prepared and no asbestos containing materials were identified within the three buildings. The report did not test for the presence of lead based paint.
On page 20 second paragraph—**DISREGARD** reference to asbestos flooring

.....

Proposers must acknowledge receipt of this Addendum Number 1 in the space provided below. This Addendum forms an integral part of the RFP document and therefore must be executed and submitted with the proposal.

Issued By: Town of Lake Park
Office of the Town Clerk
June 22, 2015

By: _____
Vivian Mendez, CMC,
Town Clerk

Proposer:_____

Signed By: _____
Print Name:_____
Title: _____
Date: _____

End of Addendum #1

Exhibit "B"

JONES FOSTER
JOHNSTON & STUBBS, P.A.

Memo

To: Mayor & Commissioners
From: Thomas J. Baird, Town Attorney
Date: August 4, 2015
Subject: Litigation Status Report
Cc: John D'Agostino, Town Manager

TOWN OF LAKE PARK V. PALM BEACH COUNTY / IG FUNDING LAWSUIT

The Town and 13 other municipalities are Plaintiffs in a lawsuit against Palm Beach County challenging the County's authority to assess a fee against the municipalities for the Inspector General's services. The municipalities allege that the fee the County has assessed is illegal and that the County is solely responsible for funding the Office of the Inspector General. Judge Brunson entered a final judgement in favor of the County. The City of West Palm Beach retained appellate attorney Jane Kreusler-Walsh to file an appeal on behalf of the municipalities. A Notice of Appeal with the 4th DCA was filed on May 5, 2015

CITIZENS AWARENESS FOUNDATION, INC. v. TOWN OF LAKE PARK

Citizens Awareness Foundation filed a Complaint for Declaratory and Injunctive Relief on July 24, 2014 and an Amended Complaint on August 12, 2014. The suit claims that the Town's Employee Complaint Review Committee violated the State's Sunshine Law when it failed to post public notices when it met to review Ms. Canada's appeal of the Town Manager's termination of her employment. An Answer to the Plaintiffs Amended Complaint was filed by the Town on August 22, 2014 and this matter is pending in the Circuit Court. Both parties have served and responded to Interrogatories and Requests to Produce. There has been no activity in this file since approximately October of 2014.

A. FORECLOSURES INITIATED BY LENDERS

BANK OF NEW YORK MELLON V. ROSELYN MICKELYN SAUNDERS, ET AL.

The Town was named a Defendant in a refilling of a foreclosure action against the Roselyn Saunders as a result of Code Enforcement Liens the Town has against the subject property located at 211 E. Ilex Drive. An Answer to the Plaintiff's Complaint was filed with the Court on March 25, 2015 to secure the Town's Lien rights. This matter has been set for trial on September 10, 2015.

DEUTSCHE BANK V. THE UNKNOWN HEIRS, DEVISEES, GRANTEES, ASSIGNEES, LIENORS, CREDITORS, TRUSTEES AGAINST CLAIRE E. ROSS, ET AL.

The Town was named a Defendant in a refilling of a foreclosure action against the Estate of Claire E. Ross as a result of a Code Enforcement Lien the Town has against the subject property located at 539 E. Redwood Drive. An Answer to the Plaintiff's Complaint was filed with the Court on April 16, 2014 to secure the Town's Lien rights. A Final Judgment of Foreclosure in the amount of $439,282 was entered on April 22, 2015 and a sale date has been set for Aug. 20, 2015.

GDBT 1 TRUST 2011-1 v. HOPE MARTIN, ET AL.

The Town was named a Defendant in a refilling of a foreclosure action against the Hope Martin as a result of a Code Enforcement Lien the Town has against the subject property located at 724 Northern Drive. An Answer to the Plaintiff's Complaint is was filed with the Court on May 4, 2015 to secure the Town's Lien rights. The case remains pending.

NATIONSTAR MORTGAGE LLC V. HUBERT RICHARDSON, ET AL.

The Town was named as a Defendant in a foreclosure action brought against Hubert Richardson to foreclose on a property located at 12975 169th Court in Jupiter, FL. The Town was named as a defendant as a result of a Code Enforcement Lien the Town had against property the Defendant owns at 403 Silver Beach Road. An Answer to the Plaintiff's Complaint was filed on April 8, 2014 to secure the Town's lien rights. The case remains pending.

PHH MORTGAGE CORPORATION V. DONALD D. JACOBOVITZ, ET AL.

The Town was named as a Defendant in a foreclosure action brought against Donald D. Jacobovitz as a result of a Code Enforcement Lien the Town has against the subject property located at 253 E. Kalmia Drive. An Answer to the Plaintiff's Complaint was filed on July 24, 2012 to secure the Town's lien rights. A Final Judgment of Foreclosure for $286,649.97 was entered on Feb. 17, 2015 and the property was sold to Federal Nation Mortgage Association for $132,600 on July 1, 2015.

U.S. BANK NATIONAL ASSOCIATION V. WENDY HOCKMAN ET. AL

The Town was named as a Defendant in a foreclosure action brought against Wendy Hockman as a result of a Code Enforcement Lien the Town has against the subject property located at 638 Flagler Blvd. An Answer to the Plaintiff's Complaint was filed on June 5, 2015 to secure the Town's lien rights. This case remains pending.

U.S. BANK, N.A. V. WILLIAM ORTLIP, ET AL.

The Town was named as a Defendant in a foreclosure action brought against William Ortlip as a result of a Code Enforcement Lien the Town has against the subject

property located at 521 Teak Drive. An Answer to the Plaintiff's Complaint was filed on March 18, 2015 to secure the Town's lien rights. A Final Judgment of Foreclosure for $285,363.88 was entered on June 17th. The property was sold to T & J Property Association, LLC for $103,300 on July 23, 2015. I am expecting a certificate of title to be issued soon. Once I receive a copy of that certificate the Community Development Department will file the Order finding a violation from a hearing before the Magistrate on June 4, 2015. This will then be a lien against the new property owner.

U.S. BANK, N.A. V. ENIQUE BELFORT, ET AL.

The Town was named as a Defendant in a foreclosure action brought against Enique Belfort as a result of Code Enforcement Liens the Town has against the subject property located at 544 Evergreen Drive. An Answer to the Plaintiff's Complaint was filed on July 6, 2015 to secure the Town's lien rights.

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TAB 2

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **August 19, 2015** **Agenda Item No.** Tab 2

Agenda Title: **Hunger Action Month Proclamation**

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

Approved by Town Manager _____ **Date:** 8-3-15

Vivian Mendez – Town Clerk
Name/Title

Originating Department: Town Clerk	Costs: **$ 0.00** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Email from the Town of Juno Beach Proclamation**
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:

The Town of Lake Park will participate in bringing awareness to a grave concern in the United States and South Florida that affects an estimated 800,000 individuals in South Florida. The Feeding South Florida is asking municipalities in Florida to proclaim September as Hunger Action Month. If approved, the proclamation would be sent to the Feeding South Florida Government Affairs & Advocacy Manager.

Recommended Motion: I move to approve the Hunger Action Month proclamation.

Vivian Mendez

From: Vanessa Mutchnik <vMutchnik@juno-beach.fl.us>
Sent: Wednesday, July 29, 2015 2:38 PM
To: 'kpuhalainen@atlantisfl.gov'; 'dbuff@belleglade-fl.com'; 'ssaxton@myboca.us'; 'dking@myboca.us'; 'prainitoj@bbfl.us'; 'pylej@bbfl.us'; 'brinytownclerk@yahoo.com'; 'townofcloudlake@msn.com'; 'nubin@mydelraybeach.com'; 'wynn@mydelraybeach.com'; 'glenridgetownof@bellsouth.net'; 'dlynn@villageofgolf.org'; 'DMcGrew@ci.greenacres.fl.us'; 'mlarson@ci.greenacres.fl.us'; 'rtaylor@gulf-stream.org'; 'kavery@gulf-stream.org'; 'jrutan@townofhaverhill-fl.gov'; 'desplin@townofhaverhill-fl.gov'; 'voakes@ci.highland-beach.fl.us'; 'probinson@ci.highland-beach.fl.us'; 'bsearls@hypoluxo.org'; 'dgualtieri@hypoluxo.org'; 'sallyb@jupiter.fl.us'; 'quintellaj@jupiter.fl.us'; 'Goudreauj@jupiterinletcolony.org'; 'pruittj@jupiterinletcolony.org'; 'mpinkerman@lakeclarke.org'; 'thouse@lakeclarke.org'; Vivian Mendez; 'plopez@lakeworth.org'; 'cgibson@lantana.org'; 'rtrent@lantana.org'; 'jwhipple@loxahatcheegrovesfl.gov'; 'tbonyak@loxahatcheegrovesfl.gov'; 'lpetersen@manalapan.org'; 'salbury@townofmangoniapark.com'; 'kmartin@townofmangoniapark.com'; 'cjsimmons@townofmangoniapark.com'; 'npbclerk@village-npb.org'; 'jgreen@village-npb.org'; 'khancsak@oceanridgeflorida.com'; 'rwarren@cityofpahokee.com'; 'eredmon@cityofpahokee.com'; 'sowens@townofpalmbeach.com'; 'psnider@pbgfl.com'; 'rellis@pbgfl.com'; 'ebrowning@pbstownhall.org'; 'vwalton@vpsfl.org'; 'jworth@vpsfl.org'; 'mdejesus@vpsfl.org'; 'crobinson@rivierabch.com'; 'ddisanto@royalpalmbeach.com'; 'jdavy@royalpalmbeach.com'; 'sbcityclerk@southbaycity.com'; 'yalvarez@southpalmbeach.com'; 'lmcwilliams@tequesta.org'; 'dmayo@tequesta.org'; 'awildar@wellingtonfl.gov'; 'rachelc@wellingtonfl.gov'; 'hcarson@wpb.org'; 'vpcobb@wpb.org'; 'kmaxwell@myboca.us'; 'msiddons@myboca.us'; 'bbrown@ci.highland-beach.fl.us'; 'gcarlisle@tji.martin.fl.us'; 'dagibbs@ci.miramar.fl.us'; 'nnbarrettforbes@ci.miramar.fl.us'; 'dhatcher@rbcra.com'; 'lburch@sewallspoint.org'; 'joplyler@att.net'; 'cwardrivierabch@bellsouth.net'; 'kruse4447@yahoo.com'; 'circle92@juno.com'; 'd_fick@att.net'; 'murray0975@bellsouth.net'; 'md958@bellsouth.net'; 'hmjr9999 @bellsouth.net'; 'jean.l.rowland@gmail.com'; 'chebatch@aol.com'; 'cjgangwer@comcast.net'; 'rbertandbill@gmail.com'; 'cwardrivierabch@bellsouth.net'; 'walkerv35@gmail.com'; 'ronagnes123@hotmail.com'
Subject: FW: Hunger Action Month
Attachments: Hunger Action Month Proclamation - Town of Juno Beach.docx

Can you please let me know if your city is planning to pass this proclamation.

Thanks,

Vanessa M. Mutchnik, MMC

Town Clerk
Town of Juno Beach
340 Ocean Drive
Juno Beach, FL 33408
Direct Line (561) 656-0316 Fax (561) 775-0812
www.juno-beach.fl.us

Please note. Florida has a very broad public records law. Most written communications to or from local officials regarding town business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Ted Hutchinson [mailto:thutchinson@feedingsouthflorida.org]
Sent: Tuesday, July 28, 2015 11:24 AM
To: Mort Levine <mlevine@juno-beach.fl.us>
Subject: Hunger Action Month

Mayor Levine,

Good morning, my name is Ted Hutchinson, and I am the Government Affairs & Advocacy Manger for Feeding South Florida ("FSF"), the region's largest food bank, servicing Palm Beach, Broward, Miami-Dade, and Monroe counties.

As you may know September is Hunger Action Month, and we at FSF are planning to "paint the town orange," in order to raise awareness about food insecurity issues. It's a campaign similar to the "go pink" breast cancer awareness initiative. As part of our "paint the town orange" initiative we are asking all of the municipalities in South Florida to declare September as Hunger Action Month.

At your convenience I would love to meet with you to share all of the wonderful things that we do to service the South Florida community, and to provide you with a sample proclamation that other municipalities have issued in the past.

Thank you in advance for your time and consideration

FEEDING SOUTH FLORIDA™

FEEDING AMERICA

TED HUTCHINSON
Government Affairs & Advocacy Manager
O: 954.518.1834

Main Warehouse
2501 SW 32 Terrace | Pembroke Park, FL 33023

Palm Beach County Warehouse
426 Claremore Drive | West Palm Beach, FL 33401

www.feedingsouthflorida.org

Hunger Action Month

Proclamation

***Whereas*;** Hunger and poverty are issues of grave concern in the United States and South Florida, thus it is vital to raise awareness about the need to combat hunger in every part of the country, and to provide additional resources that citizens may need; and

Whereas; The Town of Lake Park is committed to working with Feeding South Florida, which educates people about the role and importance of food banks, and raising awareness of the need to devote more resources and attention to hunger issues; and

Whereas; Almost 800,000 individuals in South Florida rely on food provided by Feeding South Florida and its network of hundreds of nonprofit partner agencies annually; and

Whereas; Feeding South Florida distributed more than 40 million pounds of food and grocery products in 2015 through its numerous food pantries, soup kitchens, shelters, and other community organizations; and

Whereas; Food banks across the country including Feeding South Florida, will host several events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community;

Now, therefore, I do hereby proclaim September 2015 as

Hunger Action Month™

***IN WITNESS THEREOF,** I, **James DuBois, Mayor** of the Town of Lake Park, have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 19th day of August, 2015.*

BY: ATTEST:

_____ _____

Mayor James DuBois *Town Clerk Vivian Mendez*

TAB 3

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **August 19, 2015** **Agenda Item No.** Tab 3

Agenda Title: **Support Letter for Justice Assistant Grant Funds (JAG)**

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

Approved by Town Manager _____ **Date:** 8-10-15

John O. D'Agostino
Name/Title

Originating Department: **Town Manager**	Costs: $ 0.00 Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Palm Beach County Criminal Justice Commission Letter.** **Sample Letter of Support for Mayor James DuBois to sign.**
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 _JOD___ **Please initial one.**

Summary Explanation/Background:

The Palm Beach County Criminal Justice Commission is requesting area communities to complete a support letter for a Justice Assistance Grant (JAG) in the amount of $295,183.00 for FTY 15. The JAG grant funds allow agencies the flexibility to prioritize and place justice grant funds where they are needed most. The Palm Beach County Criminal Justice Commission voted to support continuation of the existing programs. The Florida Department of Law Enforcement requires at least fifty-one percent of local units of government representing at least 51 percent of the county's population to agree on the allocation of these funds.

Staff has contacted the appropriate county department to indicate that the Commission will meet on the 19th and if the Commission votes to permit Mayor James DuBois to sign the support letter, Lake Park will become one of the fifty-one percent of local governments and Fifty-one percent of the

county population to agree upon the use and allocation of these funds. The allocation of funds will be used for the following initiatives:

Sub-Grantee	Project Title	Federal Funds Recommend
Palm Beach County	County Wide Reentry Services	$195,183
Palm Beach County	Law Enforcement Exchange	$100,000
Total		**$295,183**

Recommended Motion: Move to support the Justice Assistance Grant (JAG) as proposed by the Criminal Justice Commission for Palm Beach County for Federal Fiscal Year 2015 in the amount of $295,183 and to allow Mayor James DuBois to sign such support letter on behalf of the Town of Lake Park.

Criminal Justice Commission
301 North Olive Avenue, Suite 1001
West Palm Beach, FL 33401-4705
(561) 355-4943
FAX: (561) 355-4941
www.pbcgov.com/criminaljustice

Palm Beach County Board of County Commissioners

Shelley Vana, Mayor
Mary Lou Berger, Vice Mayor
Hal R. Valeche
Paulette Burdick
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator

Robert Weisman

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RECEIVED
AUG - 3 2015
Town Clerk's Office
TOWN OF LAKE PARK

RECEIVED
AUG 0 3 2015
Office of Town Manager
TOWN OF LAKE PARK

July 30, 2015

Mayor James DuBois
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

To All Palm Beach County Mayors:

The Criminal Justice Commission (CJC) seeks your approval in the allocation of FY2015 (Federal Fiscal Year 2015) Justice Assistance Grant (JAG) funds. The total FY2015 allocation to Palm Beach County is **$295,183.00**.

The JAG funds provide agencies with the flexibility to prioritize and place justice funds where they are needed most. The CJC voted to support continuation of existing programs. The recommendation for the FY2015 allocation is as follows:

SUBGRANTEE	PROJECT TITLE	FEDERAL FUNDS RECOMMENDED
Palm Beach County	County-wide Reentry Services	195,183
Palm Beach County	Law Enforcement Exchange	100,000
TOTAL		**$295,183**

The Florida Department of Law Enforcement (FDLE) requires that fifty-one percent (51%) of the local units of government representing at least fifty-one percent (51%) of the county's population agree on the allocation of these funds.

For your convenience, we have prepared the attached sample letter for your use. Due to the application deadline, we ask that this letter be received at the Criminal Justice Commission Office, **no later than August 12, 2015.**

Please send the letter to:

Palm Beach County Criminal Justice Commission
Attn: Allison Orr
301 North Olive Avenue, Suite 1001
West Palm Beach, FL 33401

If you should require additional information or have any questions, please contact Michael Rodriguez at (561) 355-4943. Your immediate attention to this matter is greatly appreciated.

Sincerely,

Michael L. Rodriguez
Executive Director

Cc: Mr. William Kramer, CJC Chairman
All Palm Beach County Police Chiefs

Criminal Justice Commission
301 North Olive Avenue, Suite 1001
West Palm Beach, FL 33401-4705
(561) 355-4943
FAX: (561) 355-4941
www.pbcgov.com/criminaljustice

Palm Beach County Board of County Commissioners

Shelley Vana, Mayor

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Priscilla A. Taylor

County Administrator

Robert Weisman

CERTIFICATE OF PARTICIPATION

Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Date: July 29 , 2015

Ms. Petrina Herring, Administrator
Florida Department of Law Enforcement
Office of Criminal Justice Grants
2331 Phillips Road
Tallahassee, Florida 32308

Dear Ms. Herring:

This is to inform you that the Board of County Commissioners accepts the invitation to serve as the coordinating unit of government in the Florida Department of Law Enforcement's Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

For purposes of coordinating the preparation of our application(s) for grant funds with the Office of Criminal Justice Grants, we have designated the following person:

Name:	Mr. Michael L. Rodriguez
Title:	Executive Director
E-mail Address:	mlrodrig@pbcgov.org
Agency:	Criminal Justice Commission
Address:	301 North Olive Avenue, Suite 1001
Telephone:	(561) 355-2314
County:	Palm Beach

Sincerely,

Shelley Vana
Mayor, Board of County Commissioners

Reviewed and Approved:

for Stephanie Sejnoha
Assistant County Administrator

James Brako
County Attorney's Office

Executive Director

"An Equal Opportunity Affirmative Action Employer"

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Office of the Mayor
James DuBois

August 19, 2015

Ms. Petrina Herring, Administrator
Florida Department of Law Enforcement
Office of Criminal Justice Grants
2331 Phillips Road
Tallahassee, FL 32308

Dear Ms. Herring:

In compliance with the State of Florida *Rule 11D-9, F.A.C.*, the Town of Lake Park approves the distribution of $295,183 of Federal Fiscal Year 2015 (FY2015) Edward Byrne Memorial Justice Assistance Grant (JAG) for the following projects within Palm Beach County.

SUBGRANTEE	PROJECT TITLE	FEDERAL FUNDS RECOMMENDED
Palm Beach County	**County-wide Re-entry Services**	**195,183**
Palm Beach County	**Law Enforcement Exchange**	**100,000**
TOTAL		**$295,183**

Sincerely,

James DuBois, Mayor
Town of Lake Park

535 Park Avenue
Lake Park, FL 33403
Phone: (561) 881-3300
Fax: (561) 881-3314

www.lakeparkflorida.gov

Ordinance on Second Reading

TAB 4

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 19, 2015 **Agenda Item No.** Tab 4

Agenda Title: ORDINANCE TO ABANDON A 0.49-ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT-OF-WAY. ***(CONTINUED FROM JUNE 17, 2015 MEETING)***

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

Approved by Town Manager _____ **Date:** 8-11-15

Nadia Di Tommaso / Community Development Director _____
Name/Title

Originating Department: **Community Development**	Costs: **$ Application Fee & Certified Letter to Property Owners & Regular Mail Notice to Occupants– Legal Ad and 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 – JUNE 17, 2015: Town Commission continued Ordinance 02-2015 on second reading (5-0 vote) to the August 19, 2015. Please refer the meeting minutes for a summary of the discussion.

TOWN COMMISSION MEETING - MAY 20, 2015: Town Commission APPROVED Ordinance 02-2015 on first reading (5-0 vote). 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"

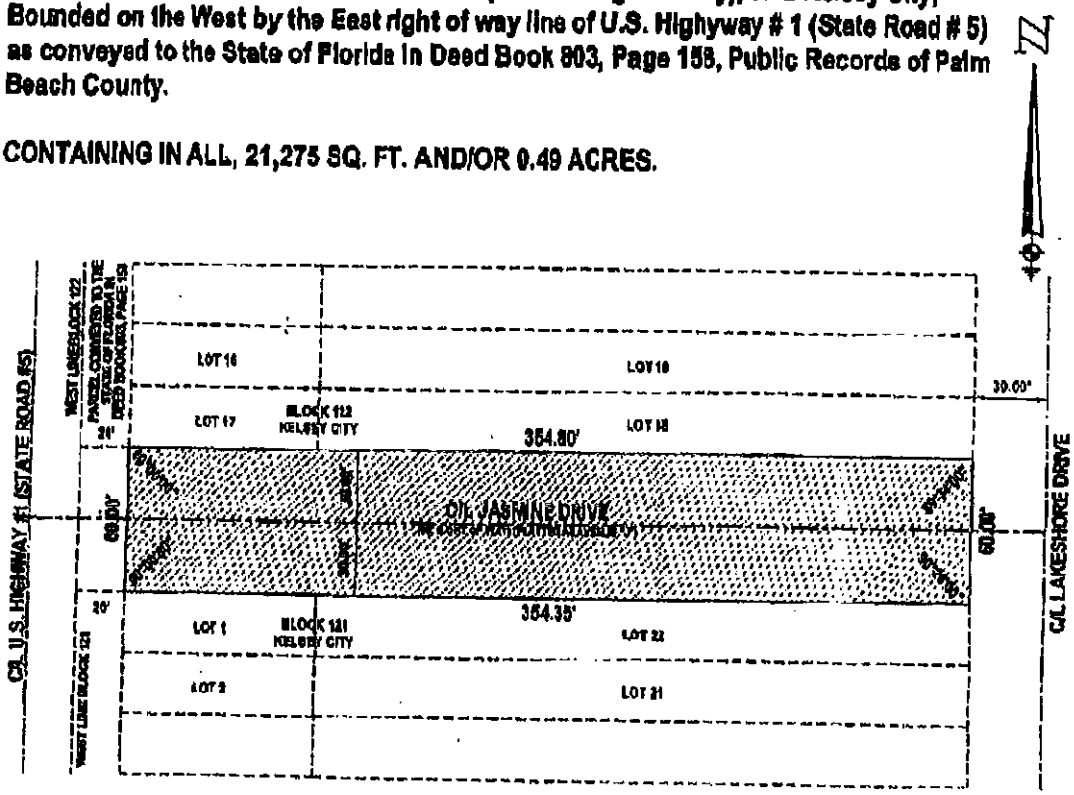
LEGAL DESCRIPTION & SKETCH

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/miscltr/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 public, 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.

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:*

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

Date 03/12/14

REVISED: 10/29/2013, previous versions obsolete

Community

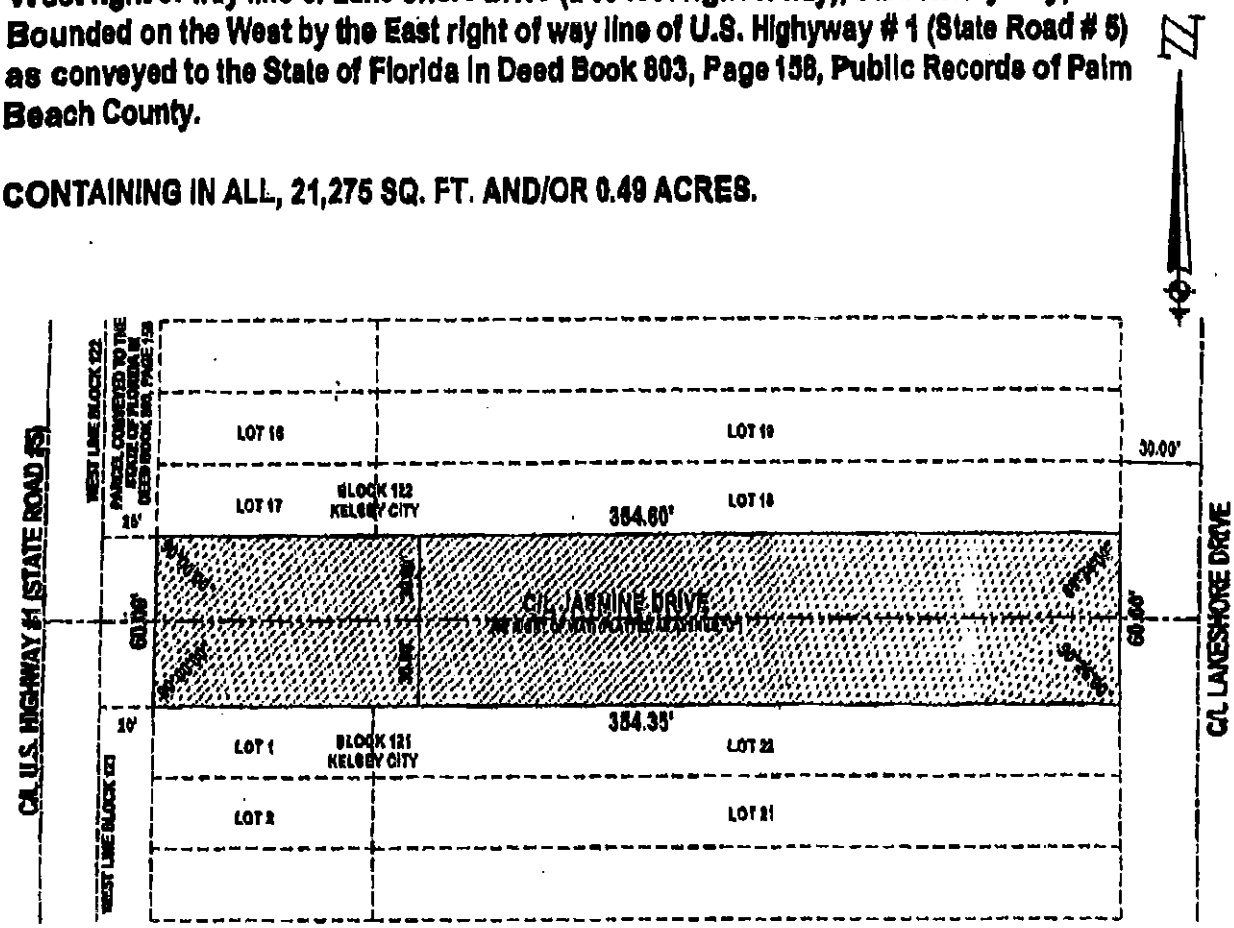
MAR 26 2014

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

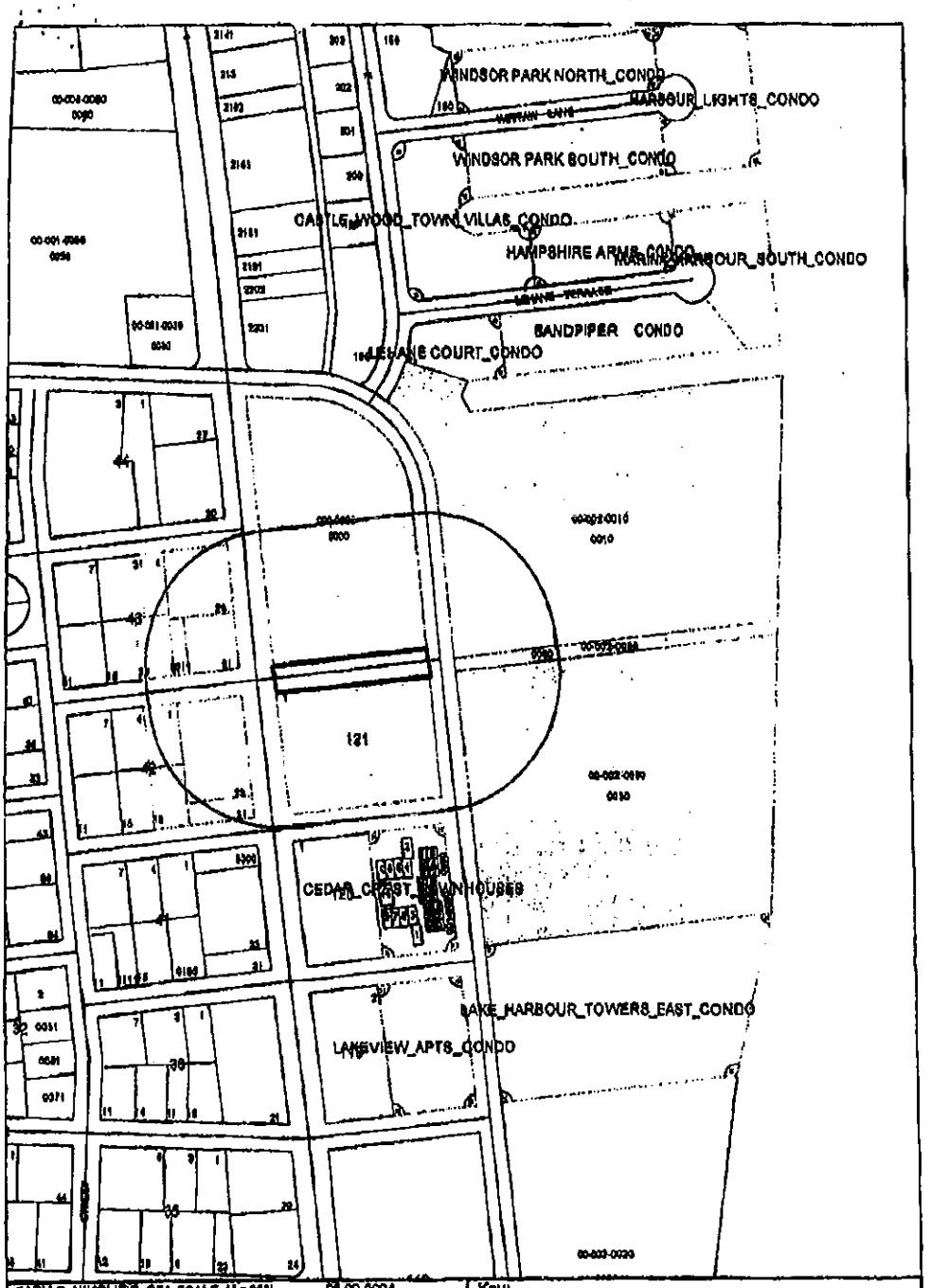
THIS INSTRUMENT WAS PREPARED BY:
IN THE OFFICES OF DONALD D. DANIELS, INC.
FLORIDA CERTIFICATE L.B. NO. 4165
726 NORTH A1A SUITE C111
JUPITER, FL 33477 PHONE (561) 747-9894

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

SCALE: 1"=60'

DWG. NUMBER: 95-147.8

DATE: JUNE 18, 2004



GARY R. NIKOLITIS, CFA SCALE: 1" = 200' 08-09-2004
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

urban design kilday STUDIOS

Urban Planning and Design
Landscape Architecture
Communication Graphics

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: March 13, 2014
Amended October 29, 2014
Amended January, 7, 2015
Amended February 9, 2015
Amended February 18, 2015
Amended March 11, 2015
Amended April 24, 2015
Amended May 11, 2015
Amended May 29. 2015
Amended July 31, 2015
Amended August 7, 2015

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 sf of outdoor sales area and 1,267 parking spaces broken down as follows:

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LCC000035

- **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.

  - **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 original auto dealership was constructed in the mid to late 1970's on the 4.47-acre parcel along with a 14,200 sf 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 sf 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's intended use of the 2.23 acre parcel for future expansion of the dealership has long been established and was previously approved with 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 sf 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:** January 2016
  - **Completion: (1)** Removal of Used Car trailer from South parking lot - 5 months from commencement of Phase 1 ; **(2)** Building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work, landscaping and parking lot improvements – 14 months from the commencement of Phase 1

- Phase 2
  - **Commencement of Development:** February 2017
  - **Completion:** 8 months following commencement of Phase 2 (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices)
- Phase 3
  - **Commencement of Development:** 18 months from completion of Phase 2
  - **Completion:** (Garage and site improvements) 18 months from start of construction but no later than October 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, a car dealership has existed in this location 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 is consistent with a previous approval and 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 sf (from 19,408 sf to 28,842 sf) (note that while the square footages listed above show an existing sf of 19,297, Resolution No. 14-05-03 allowed up to 19,408 sf);
    - **Service Bays/Storage:** +7,580 sf (from 37,081 sf to 44,661 sf) (note that while the square footages listed above show an existing sf of 25,911, Resolution No. 14-05-03 allowed up to 37,081 sf) and +23 service bays (from 25 service bays to 48 service bays);
e. Increase the Outdoor Sales Display Area by 5,566 sf (from 17,107 sf to 22,673 sf);
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.

- The unified development will not only create an architectural theme but will also create a consistent landscape theme that will enhance the view from surrounding properties;
- The height/mass of the existing building as well as the proposed parking garage will be mitigated by architectural design and the additional landscaping provided;
- The proposed improvements to the existing operations will enclose noise producing activities by having all service bays, maintenance and repair operations completely inside the building;
- The proposed site plan and building redesign will allow vehicle deliveries to be relocated to the south side of the main structure with access and circulation completely within the site, thereby eliminating the need to use Lake Shore Drive and parking within the ROW;
- The proposed site plan changes and future garage will provide needed parking to eliminate the use of ROW areas and drive aisles within the site;
- The entrance reconfigurations will eliminate the use of Lake Shore Drive for transport vehicle deliveries;
- The incorporation of Jasmine Drive into the site will improve drainage and utility services to the surrounding areas;
- Conditions of approval will limit and reduce the hours of car deliveries;
- The consolidation of uses and construction of the garage will improve security and provide a screen to reduce noisy activities on the site from the adjacent residents;
- The proposed development is a much less intense development than could otherwise be constructed and the reduced building footprint maximizes the open space on the site;
- The plan provides for a public bus shelter and expands the parkway treatment along the Lake Shore and Ilex Drive Rights-of-ways; and
- The proposed plan reduces the existing non-conformities of the site.

The applicant proposes to make several modifications to the current project design which will reduce and eliminate much of the noise producing activity. All service bays will now be enclosed, repairs and mechanical equipment will now be enclosed. The existing outdoor car wash operation will be relocated and enclosed within walls that are intended to reduce noise levels as well as improve the waste water treatment. The hours of operation will be limited from 8:00 AM to 7:00 PM Monday through Saturday. The blower is proposed to have a 30HP motor which is anticipated to reduce noise levels to the level of a house vacuum cleaner or lawnmower within 30' of the operation. The time frame for the blower is anticipated to be no more frequent than 5 minutes apart and run for only a 60 second interval. With the closest residential building being approximately 150 feet away, the noise levels are expected to be reduced to the level of a normal speaking voice. The applicant feels the location of the car wash is preferred both from an esthetic perspective but also as the most appropriate location to minimize any potential impacts to the adjacent neighborhoods.

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 STATE OF FLORIDA PROFESSIONAL ENGINEER

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	2,669
1802	1802	US-1	100' N of Jupiter Inlet Bridge	4	24,905	-0.6%	1042	922	1,964	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,

Robert M. Pinder, AICP
Principal

KMP/ldr

Attachments

cc: George Gentile

COPY

Letter Gentile 04-179 7-9-04

PTC

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

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

Traffic Survey Specialists, Inc. 624 Gardenia Terrace
Delray Beach, Florida 33444 Phone (561) 272-3255

Volume Report with 24 Hour Totals

****

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

****

Total Volume for All Lanes

ul 7

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	Interval	: 15 minutes
dentification	: 000058410082	Start time	: 00:00
tart date	: Jul 7, 04	Stop time	: 24:00
top date	: Jul 7, 04	County	: Palm Beach
ity/Town	: Lake Park, FL		
ocation	: E Ilex Drive East of US1		

Eastbound Volume for Lane 1

il 7

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

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

****

Total Volume for All Lanes

ul 7

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

****

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

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

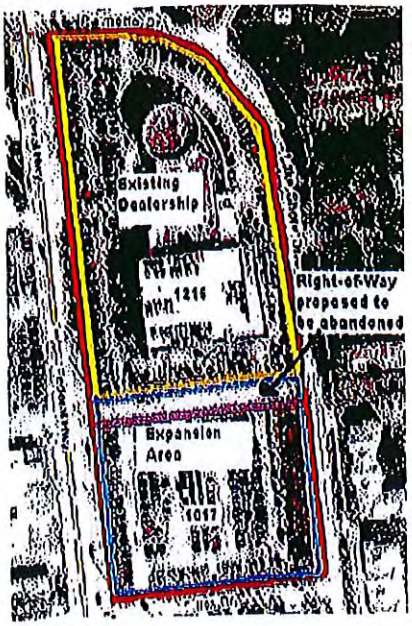
Community
Development
Department

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

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

www.lakeparkflorida.gov

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

--
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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

Appraiser Realty Institute

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 Tad Brown, III
Appraiser Realty Institute
3888 Cypress St

Palm Beach Gardens, FL 33410-5874
Telephone Number: (561) 842-4600 Fax Number: (561) 630-1421

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:

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

MAY 22 2014

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

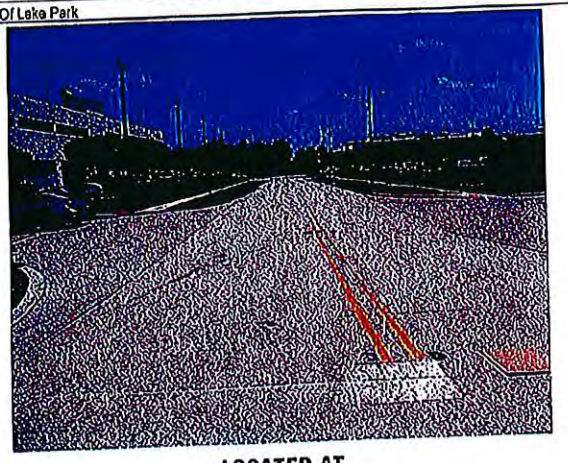
FEES	AMOUNT
	1,200.00
SUBTOTAL	1,200.00

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

APPRAISAL OF REAL PROPERTY

File No.

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				



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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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 ☒ Maps & Aerials ☐ Other:
Interest Appraised: ☒ Fee Simple ☐ Leasehold ☐ Leased Fee ☐ Other (specify)

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.: 48426 — County: Palm Beach
Legal Description: East Jasmine Road-Right-of-Way
Property Type: ☐ Tract SFR ☐ Condom ☐ 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 — Indicated: $ 15. Median PSF
Typical Market Age Range: N/A yrs. to N/A yrs. — Indicated: 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	0.58 miles NW
Sales Price	$	$ 268,520	$ 61,750	$ 608,800
Price/Gross Living Area	$ /Sq. Ft.	$ 15.11 /Sq. Ft.	$ 14.79 /Sq. Ft.	$ 17.99 /Sq. Ft.
Date of Sale		9/2013	9/2012	8/2013
Location	Good	Good	Good	Good
Site Size	22,048. SF	17,773 SF	7,246 SF	33,918 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	3	Unknown	None
Above Grade Room Count: Bedrooms	None	N/A	Unknown	None
Above Grade Room Count: Bath(s)	None	2	Unknown	None
Gross Living Area	None Sq. Ft.	17,773 Sq. Ft.	4,174 Sq. Ft.	33,918 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	None
Amenities/Upgrades	Asphalt Pavement/ Sidewalks	Drive Thru	Improved	
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 sales 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 qualifying 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.

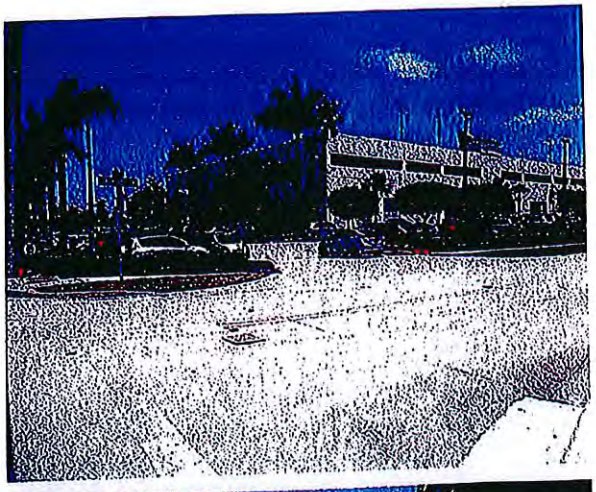
STATEMENT OF CONTINGENT AND LIMITING CONDITIONS: The Appraiser's Certification that appears in this report is subject to the following conditions:
1. The appraiser will not be responsible for matters of a legal nature that affect the subject property.
2. The appraiser assumes the title is good and marketable 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:	LENDER/CLIENT:
East Jasmine Drive Lake Park, Fl 33403	Contact: Nadia Di Tommaso Company Name: C/O Town Of Lake Park Company Address: 535 Park Avenue Lake Park, Florida 33403
OPINION OF VALUE OF THE SUBJECT PROPERTY: $ 300,000 EFFECTIVE DATE OF APPRAISAL: May 7, 2014	
APPRAISER:	**SUPERVISORY or CO-APPRAISER (if applicable):**
Signature:	Signature:
Name: F. Ted Brown, III Company Name: Appraiser Reality Institute Company Address: 3688 Cypress Street Palm Beach Gardens, Fl 33410 Date of Report Signature: 05/22/2014 License or Certification #: RZ 1092 St: Fl Designation: Fl Certified General R. E. Appraiser Expiration Date of Certification or License: 11/30/2014 Inspection of Subject: ☐ Interior & Exterior ☒ Exterior Only ☐ None Date of Inspection: May 7, 2014	Name: Company Name: Company Address: Date of Report Signature: License or Certification #: St: Designation: 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

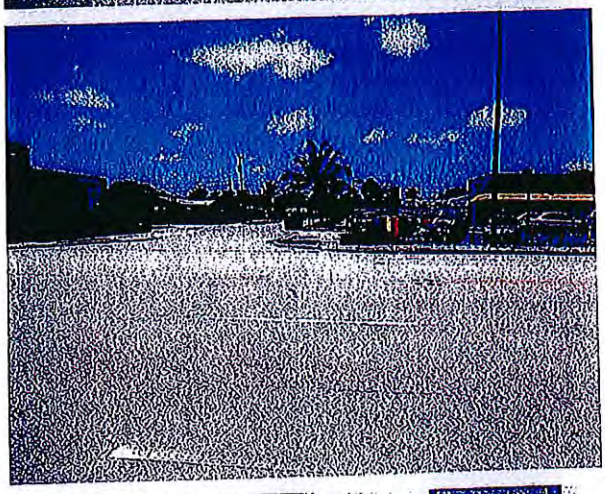
Subject Rear

Subject Street

Photograph Addendum

Borrower				
Property Address	East Jasmine Drive			
City	Lake Park	County Palm Beach	State Fl	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	County	Palm Beach	State FI	Zip Code 33403
City	Lake Park				
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.

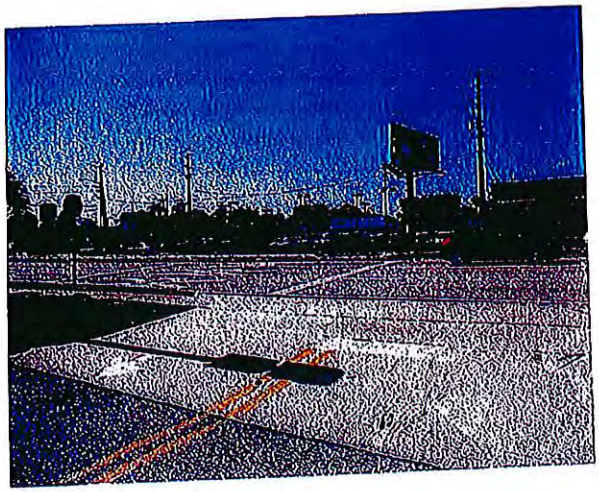
SALES COMPARISON APPROACH

FEATURE	SUBJECT	COMPARABLE SALE # 4	COMPARABLE SALE # 5	COMPARABLE SALE # 3
Address	East Jasmine Drive Lake Park, FL33403	1209 Northlake Blvd. Lake Park, FL33403		
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.
Date of Sale		2/2008		
Location	Good	Good		
Site Size	22,049. SF	74,085		
Site View	Average	Average		
Design (Style)	Vacant	Sales Office		
Age (yrs.)	Unknown	Unknown		
Condition	Average	Average		
Above Grade Room Count	Total Rooms / Bedrooms / Bath(s) None / None / None	Total Rooms / Bedrooms / Bath(s) 1 / N/A / 1	Total Rooms / Bedrooms / Bath(s)	Total Rooms / Bedrooms / Bath(s)
Gross Living Area	None Sq. Ft.	74,085 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 the 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 either 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, listing 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 the 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	County	Palm Beach	State FI	Zip Code 33403
City	Lake Park				
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

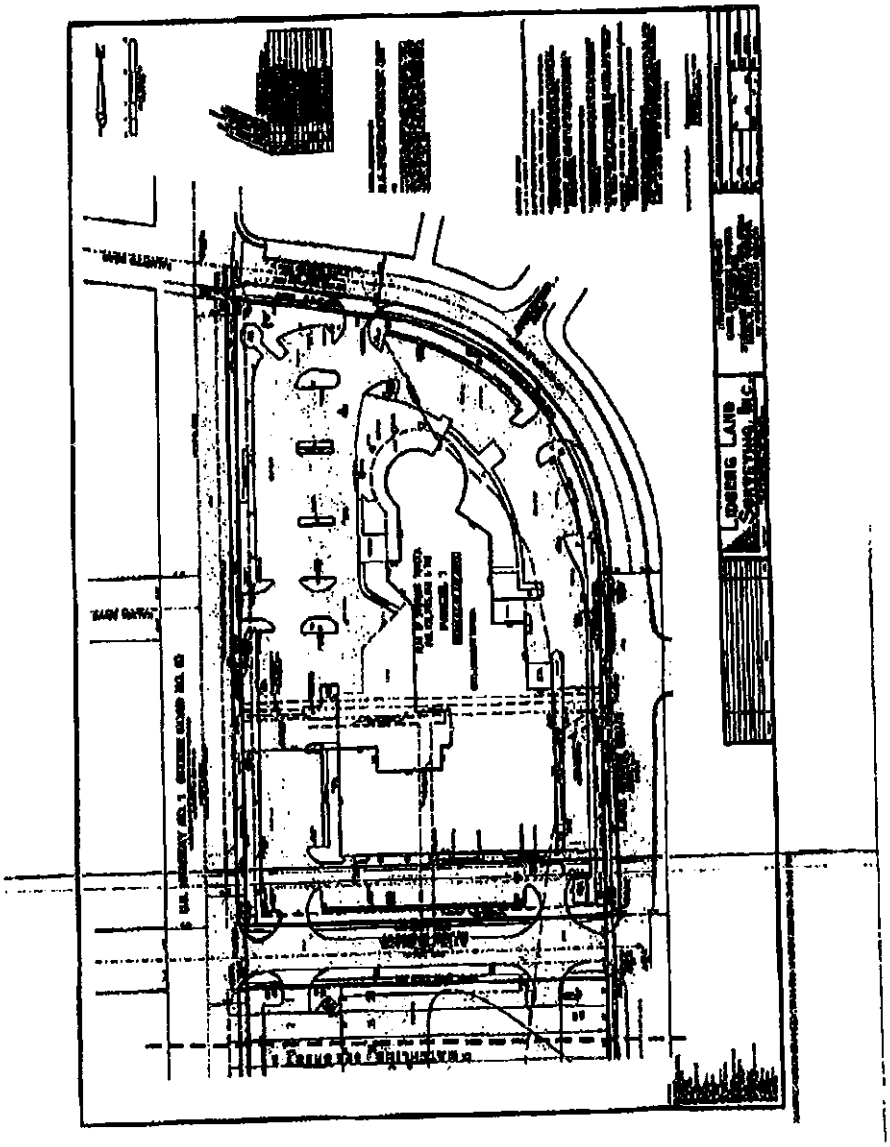
SUPERVISORY or CO-APPRAISER (if applicable):

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

Form ACR2 9EFD - "TOTAL" appraisal software by a la mode, Inc. - 1-800-ALAMODE

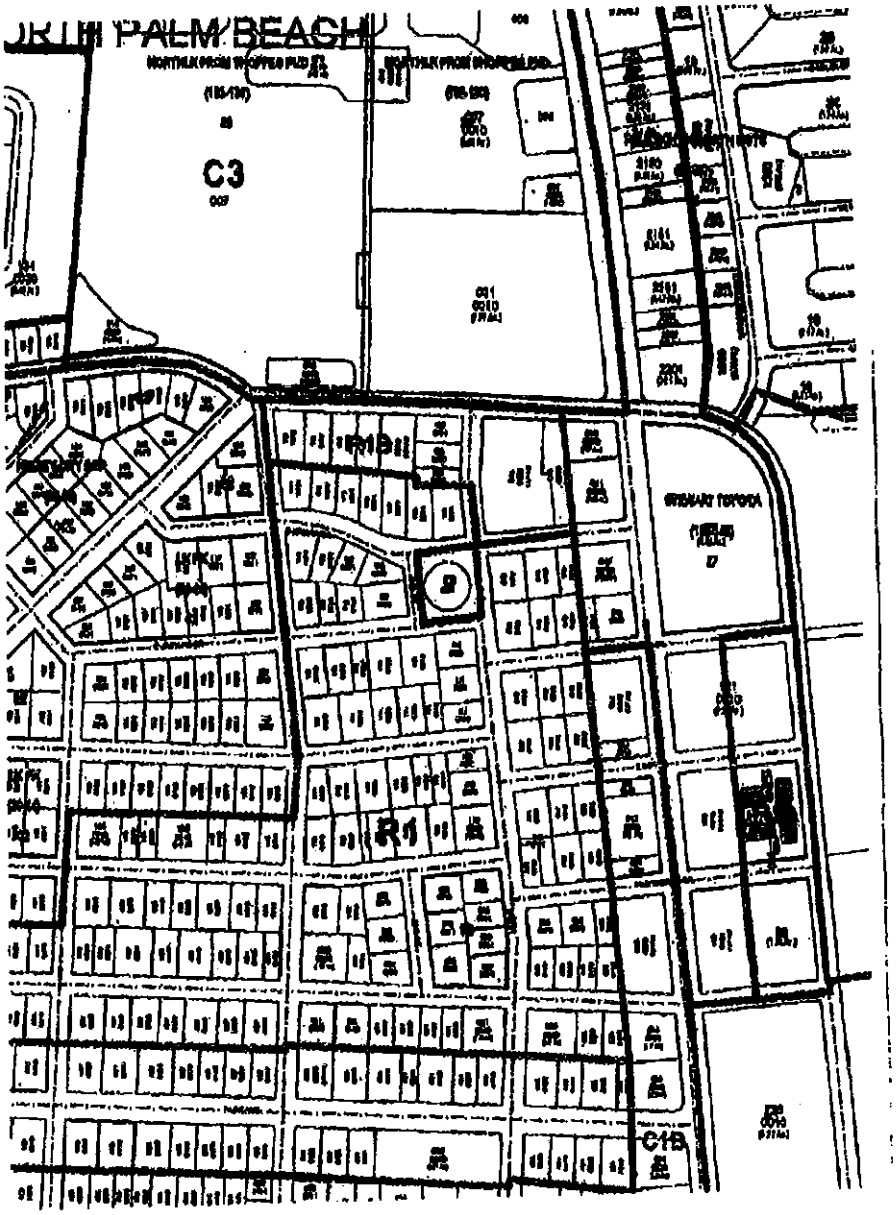
Survey Map

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



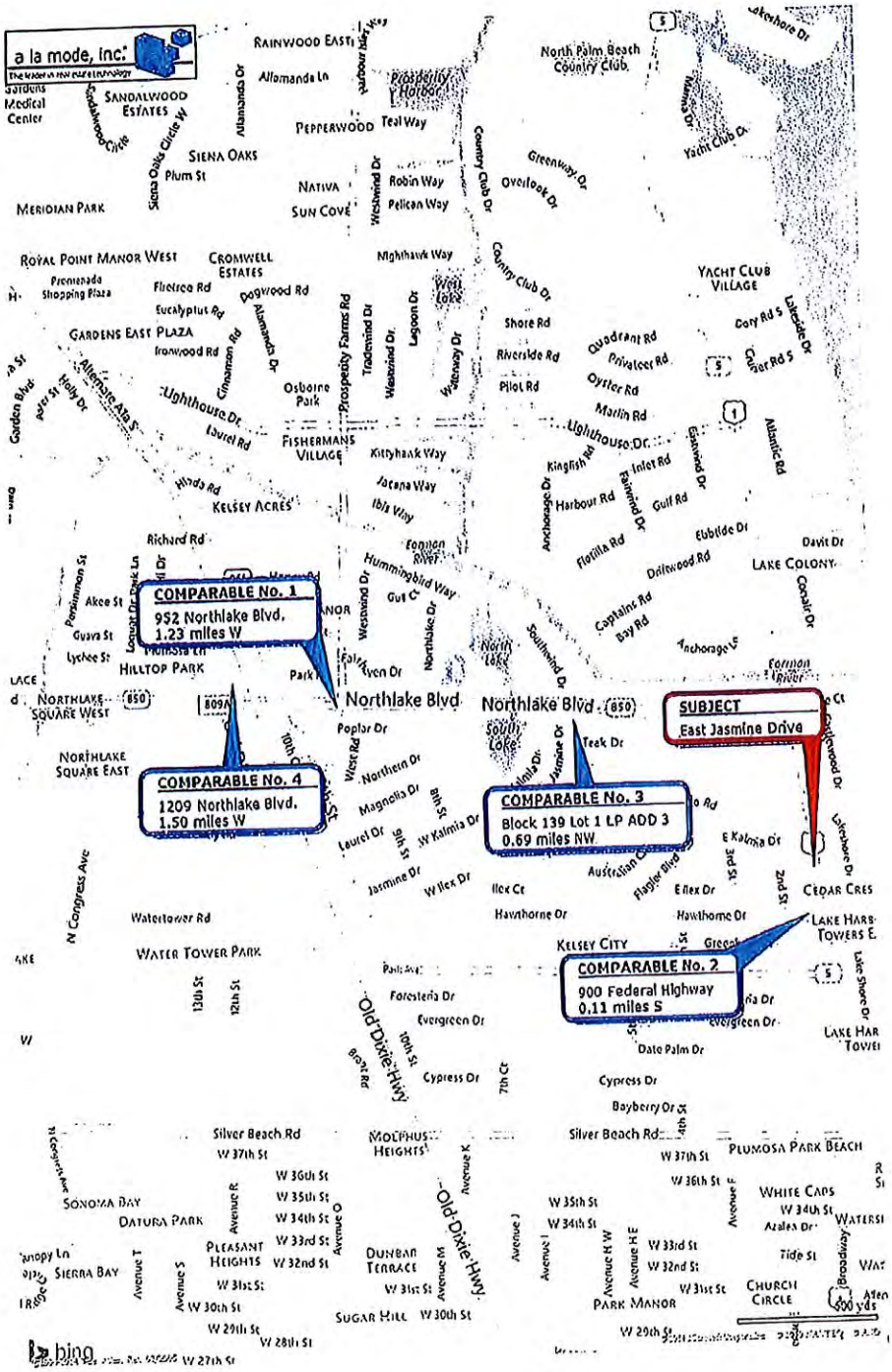
Plat Map

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	County	Palm Beach	State FI	Zip Code 33403
City	Lake Park				
Lender/Client	C/O Town Of Lake Park				



Flood Map

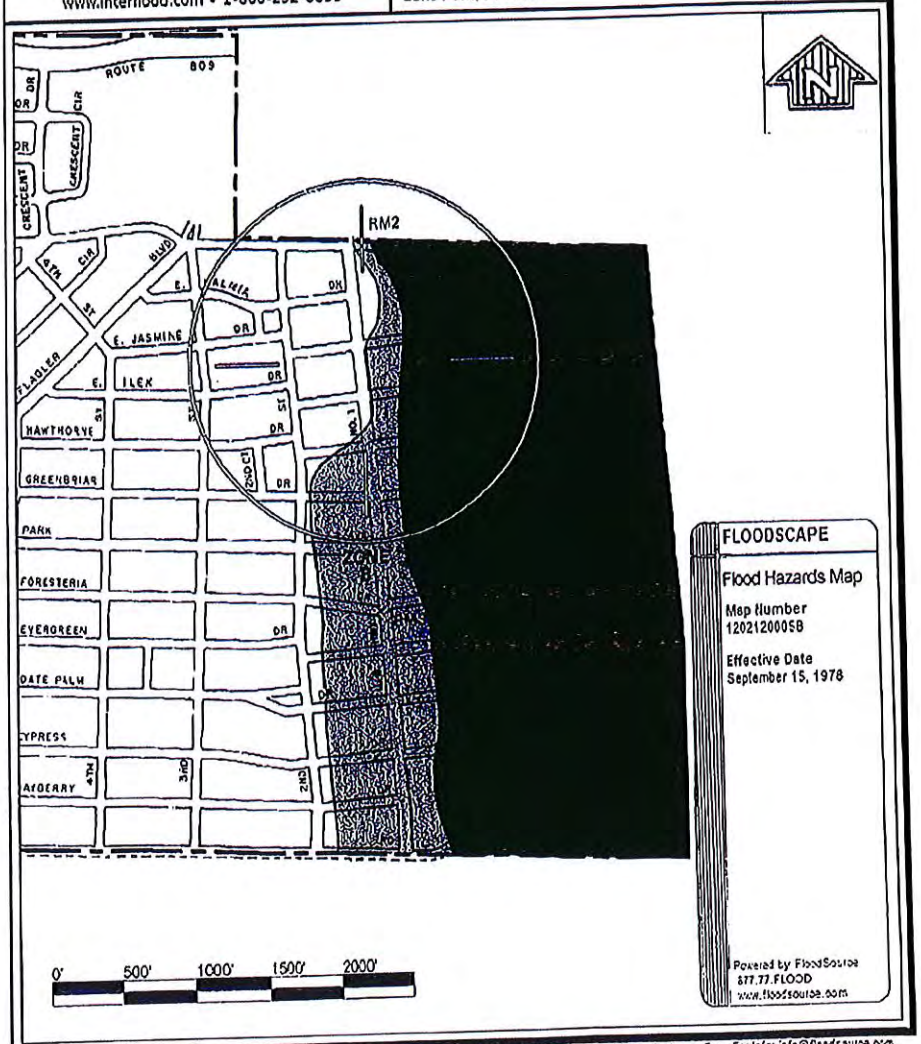
Borrower							
Property Address	East Jasmine Drive						
City	Lake Park	County	Palm Beach	State	Fl	Zip Code	33403
Lender/Client	C/O Town Of Lake Park						

InterFlood by a la mode

www.interflood.com • 1-800-252-6633

Prepared for:
Appraiser Realty Institute

East Jasmine Drive
Lake Park, Fl 33403



FLOODSCAPE

Flood Hazards Map

Map Number
12021200058

Effective Date
September 15, 1978

Powered by FloodSource
877.77.FLOOD
www.floodsource.com

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ANDERSON & CARR, INC.

Appraisers • Realtors

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West Palm Beach, Florida 33401-5907
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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.

Ms. Nadia DiTommaso
Page 2
May 29, 2015

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.

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

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
Page 2
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.

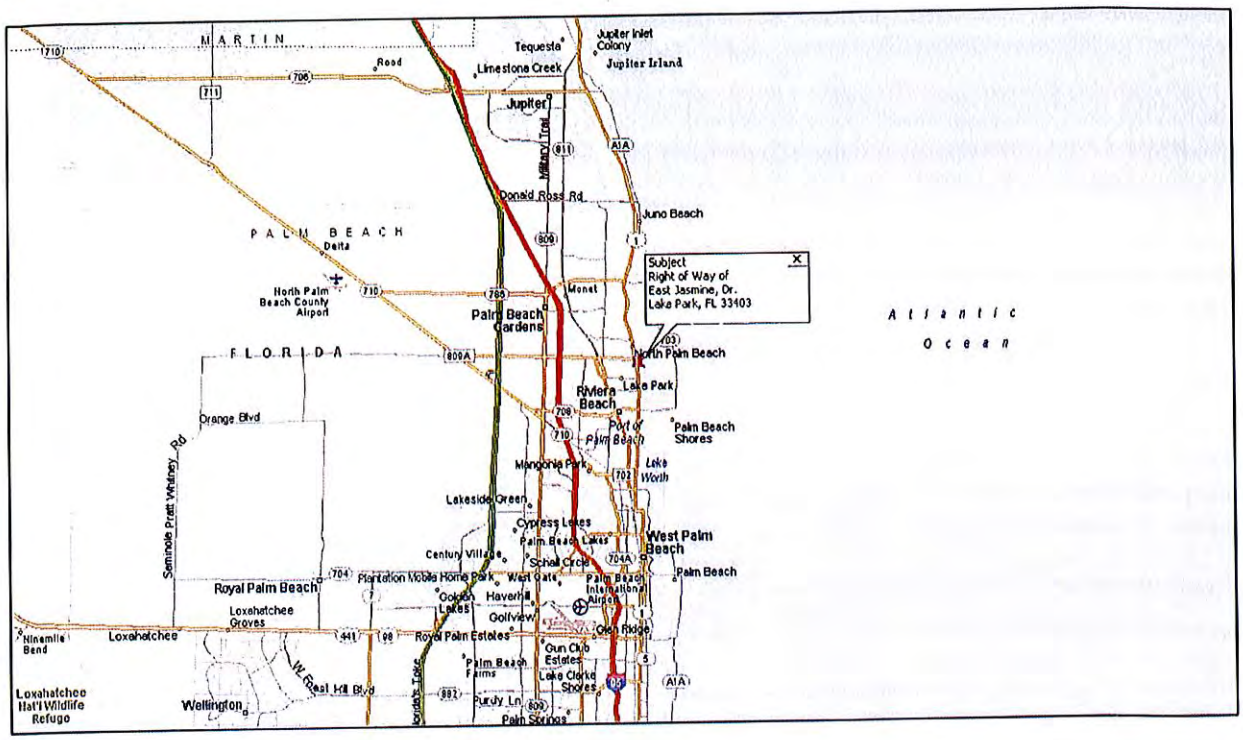
18. It is assumed that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained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

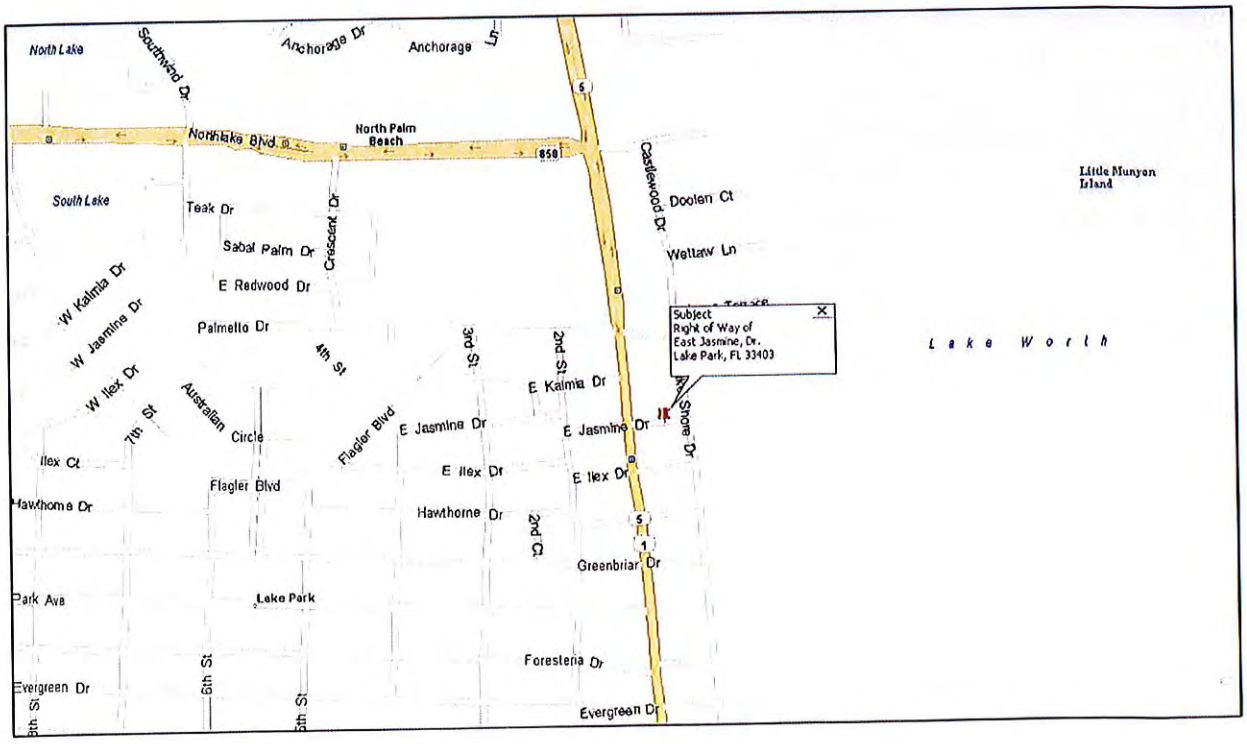
19. It is assumed that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

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.

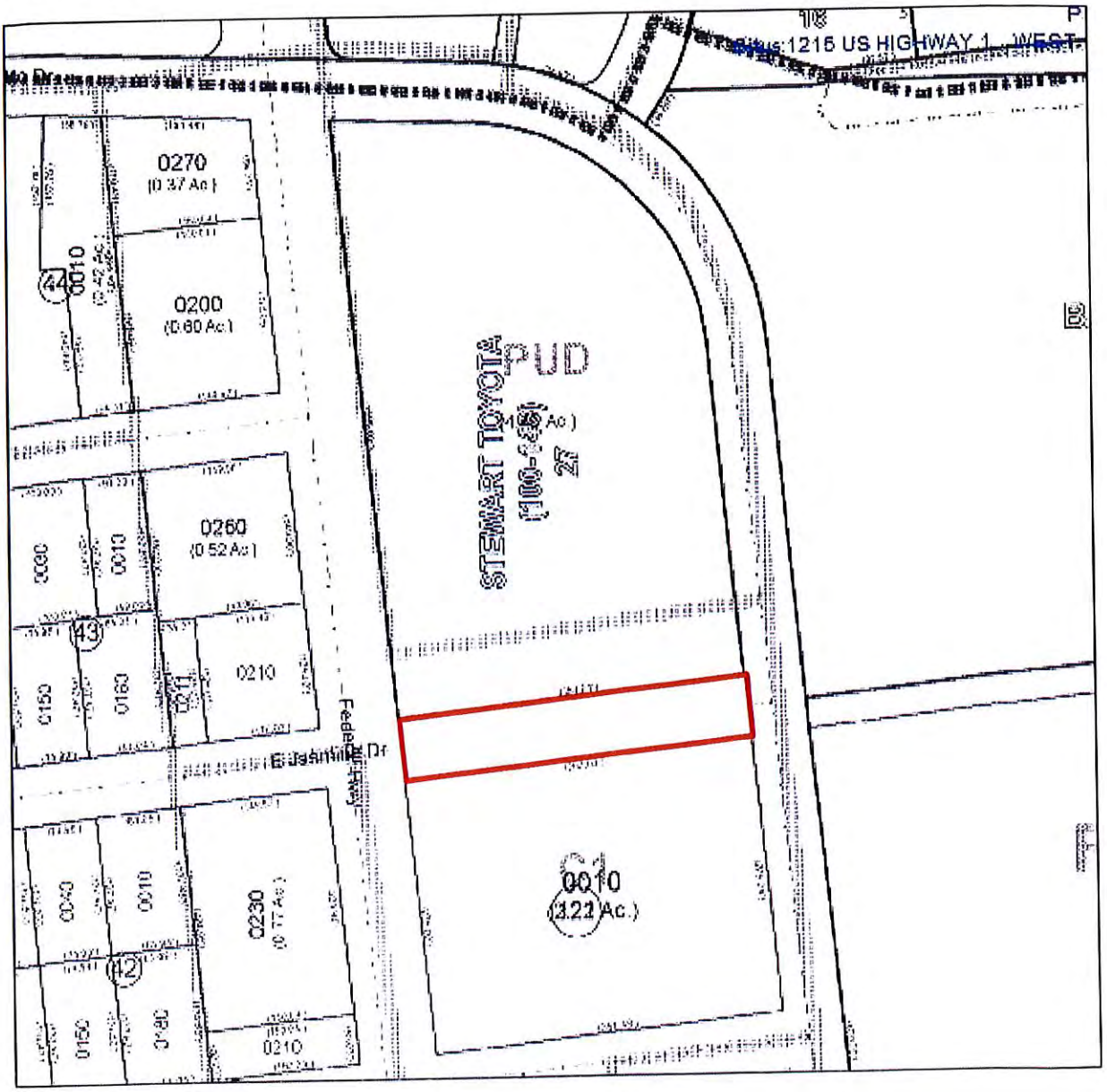
21. ACCEPTANCE OF, AND/OR USE OF THIS APPRAISAL REPORT CONSTITUTES ACCEPTANCE OF THE PRECEDING CONDITIONS.

AREA/LOCATION MAPS

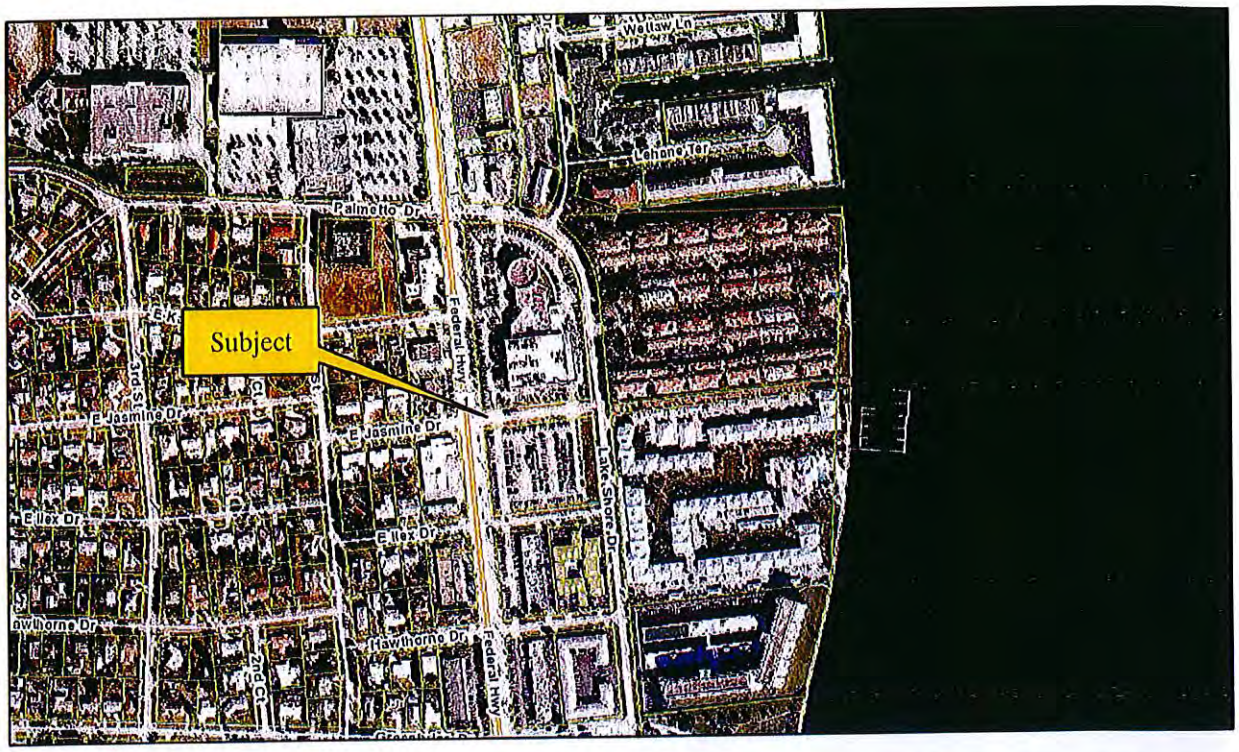


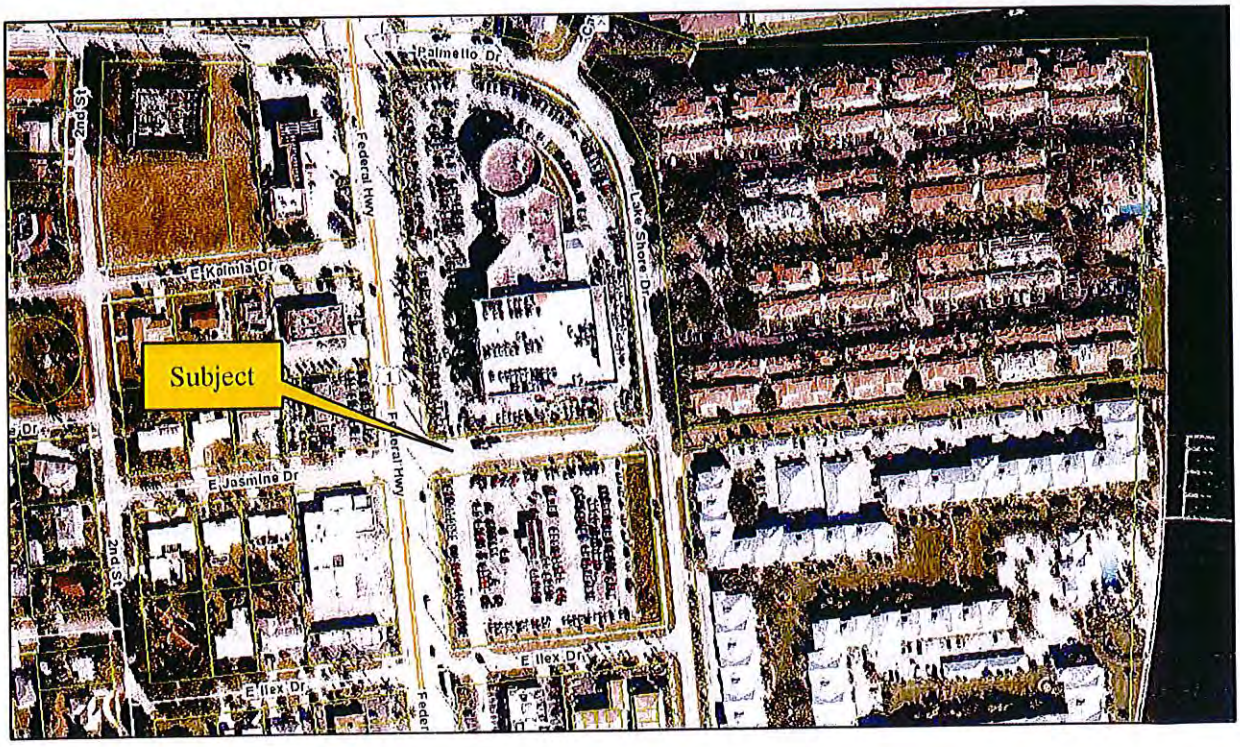


PARCEL MAP

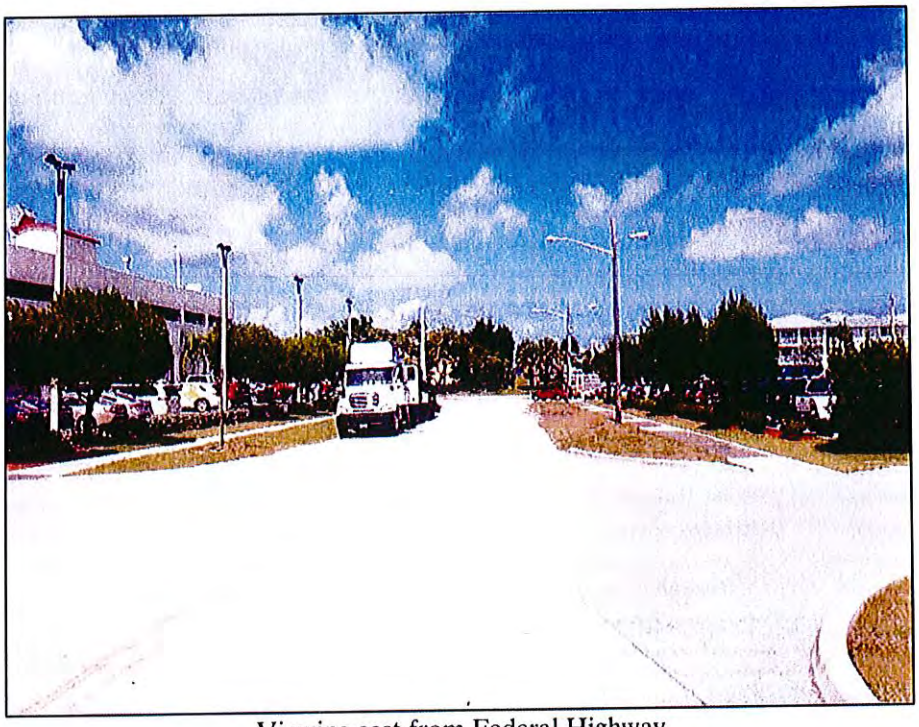

1215 US HIGHWAY 1 WEST
0270
(0.37 Ac.)
0200
(0.60 Ac.)
0260
(0.52 Ac.)
0210
0230
(0.77 Ac.)
0010
(1.21 Ac.)
E Jasmine Dr
Federal Hwy
STEWART TOYOTA
PUD
(1.66 Ac.)

AERIAL PHOTOGRAPHS





SUBJECT PROPERTY PHOTOS (TAKEN MAY 26, 2015)

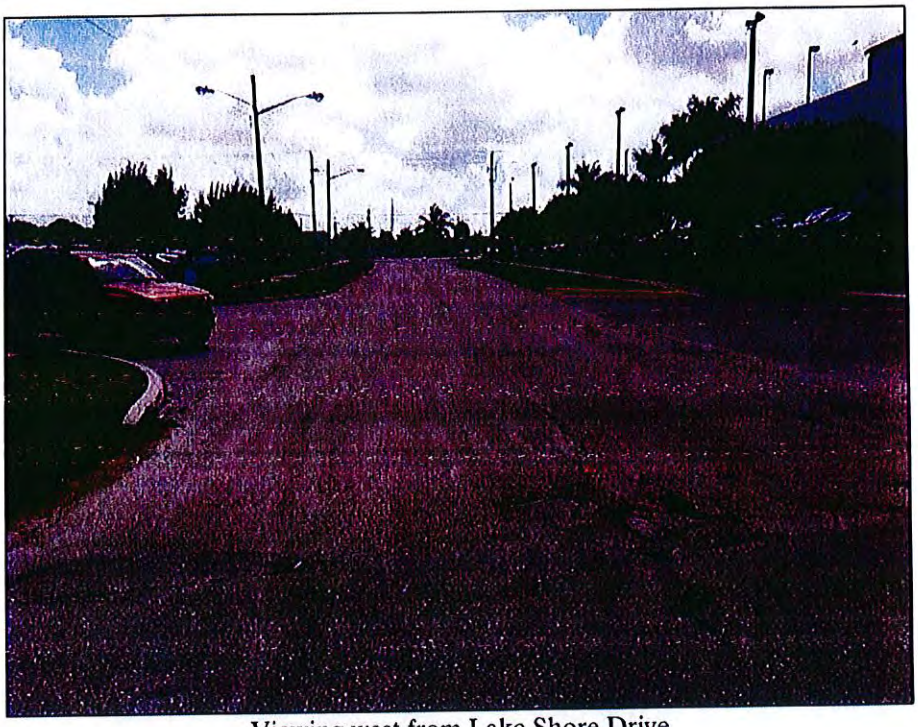


Viewing east from Federal Highway

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

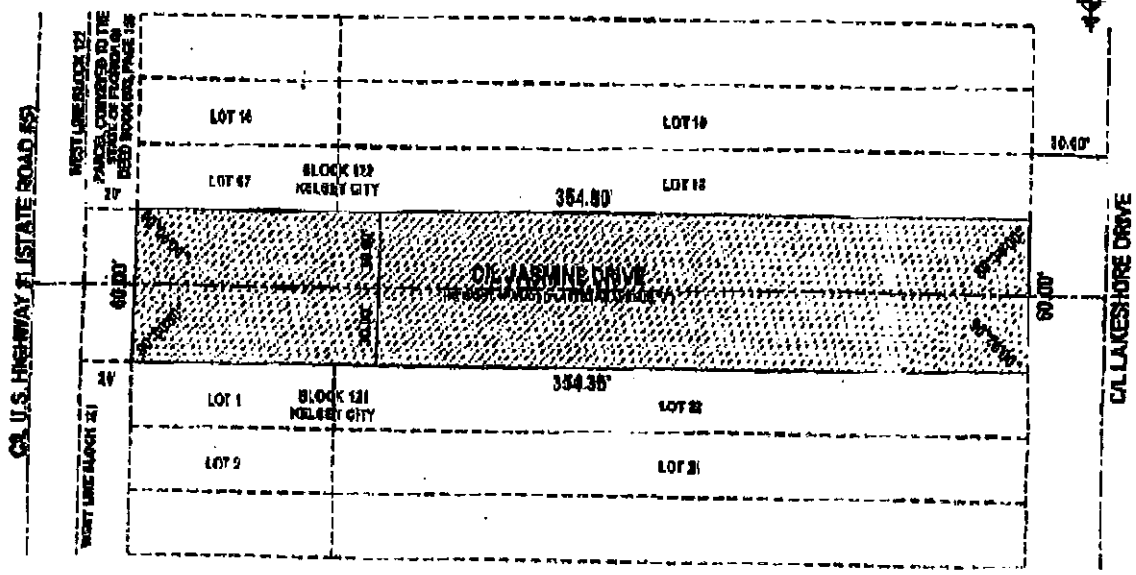
The legal description for the subject property was provided by the client.

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.

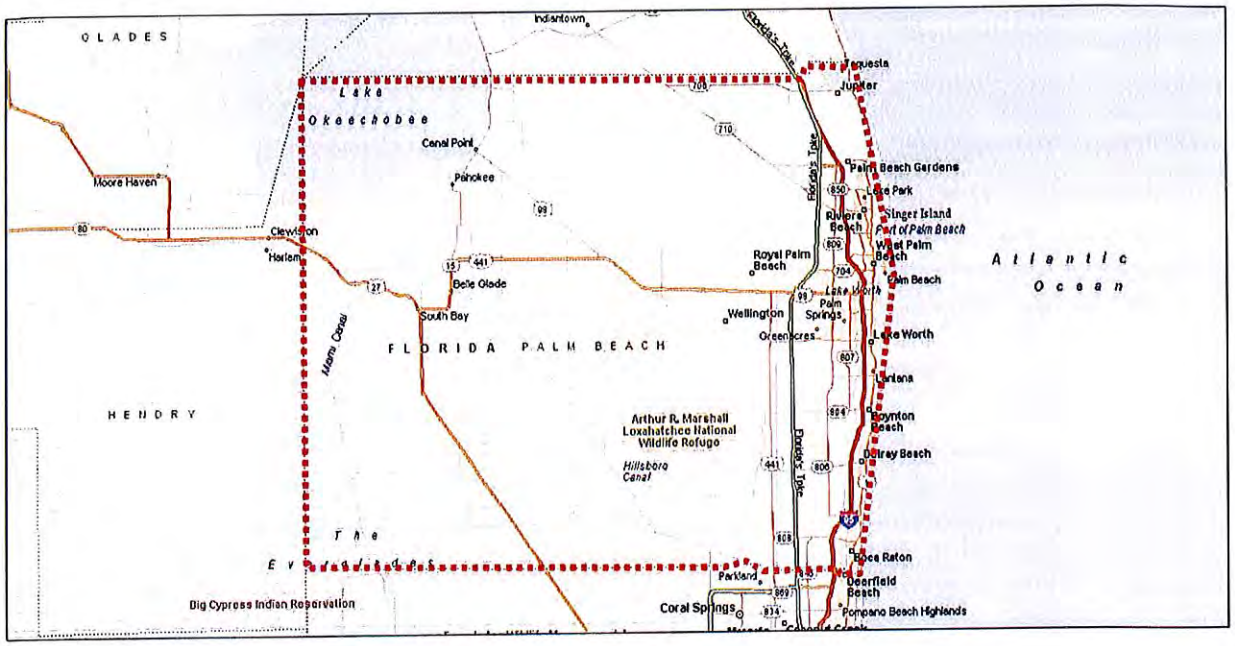
The sales ultimately selected for further analysis were the best comparable sales we were able to find in this market. We obtained and verified additional information on the comparable properties with a party to the transaction, or a broker or agent of the parties when possible.

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.

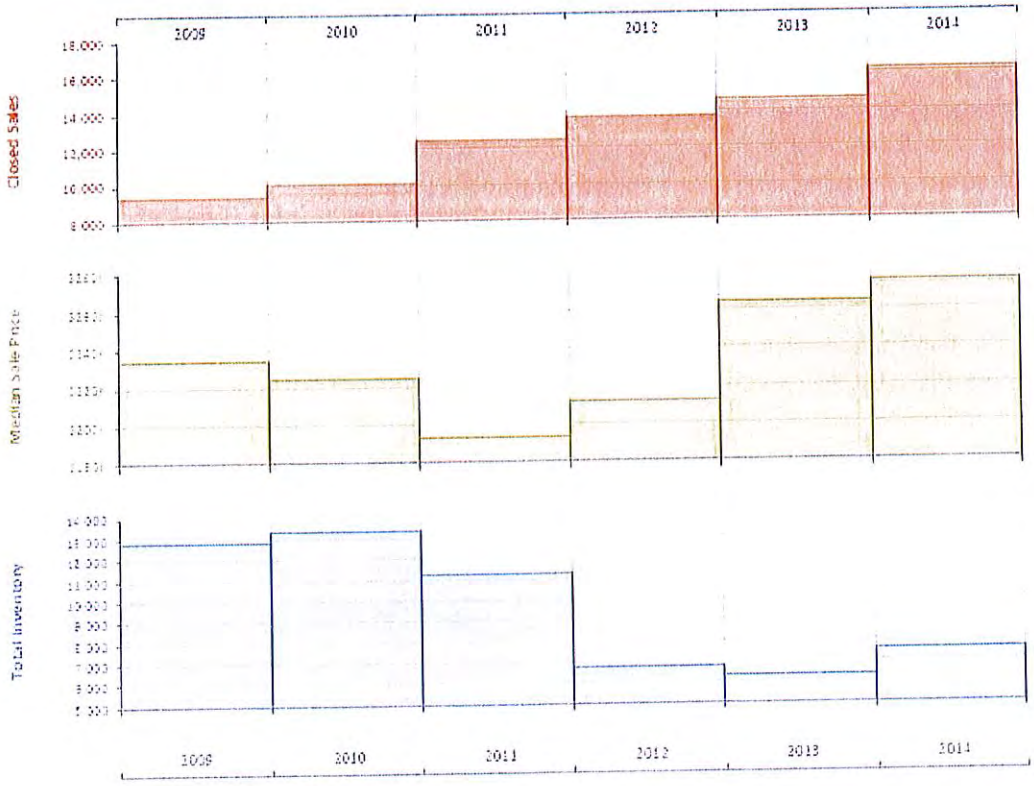
FIVE LARGEST PRIVATE SECTOR EMPLOYERS		
Employer	Type of Business	Employees
Tenet Healthcare Corporation	Healthcare	6,100
NextEra Energy, Inc. (FP&L parent co.)	Utilities	3,804
G4S Secure Solutions (USA) Inc.	Security Services	3,000
HCA, Inc.	Healthcare	2,714
Bethesda Hospital, Inc.	Healthcare	2,643

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	21,655	3.4%
New Listings	27,714	23,837	16.3%
Median Sale Price	$275,000	$264,000	4.2%
Average Sale Price	$477,307	$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® using 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

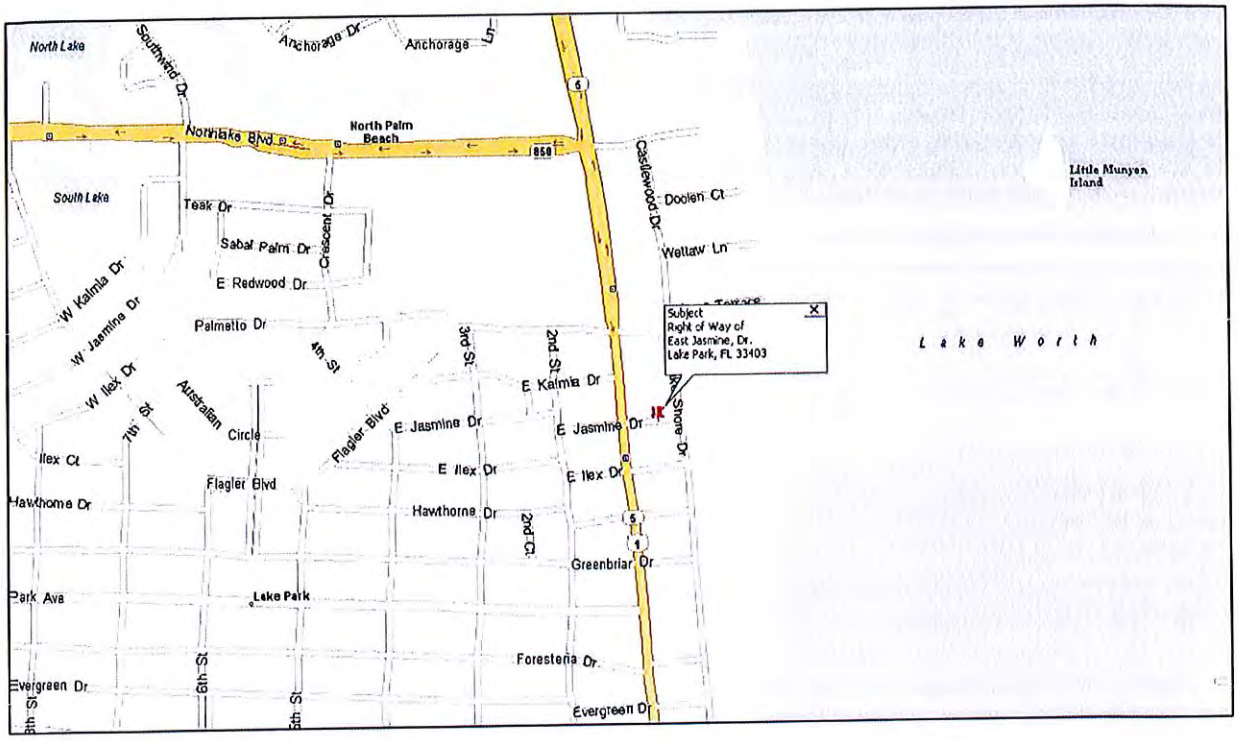
- 2015 NAI Rank: 38, No Change. Another year of high completions offset a healthy employment growth forecast, leaving West Palm Beach in the same position as last year's Index.
- Employment Forecast: This year, 17,500 jobs will be created, a 3.1 percent increase that tops the 2.6 percent bump during 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

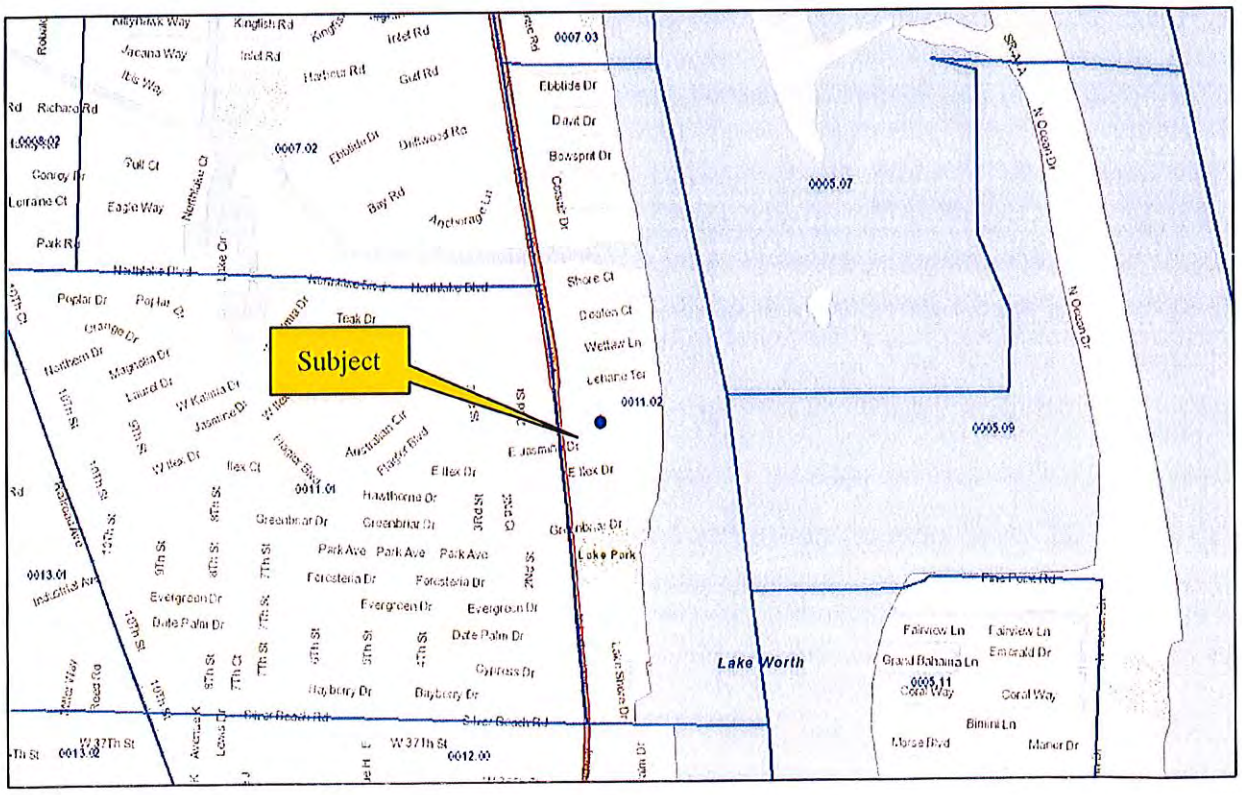
Assessed Value and Taxes for 2014

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



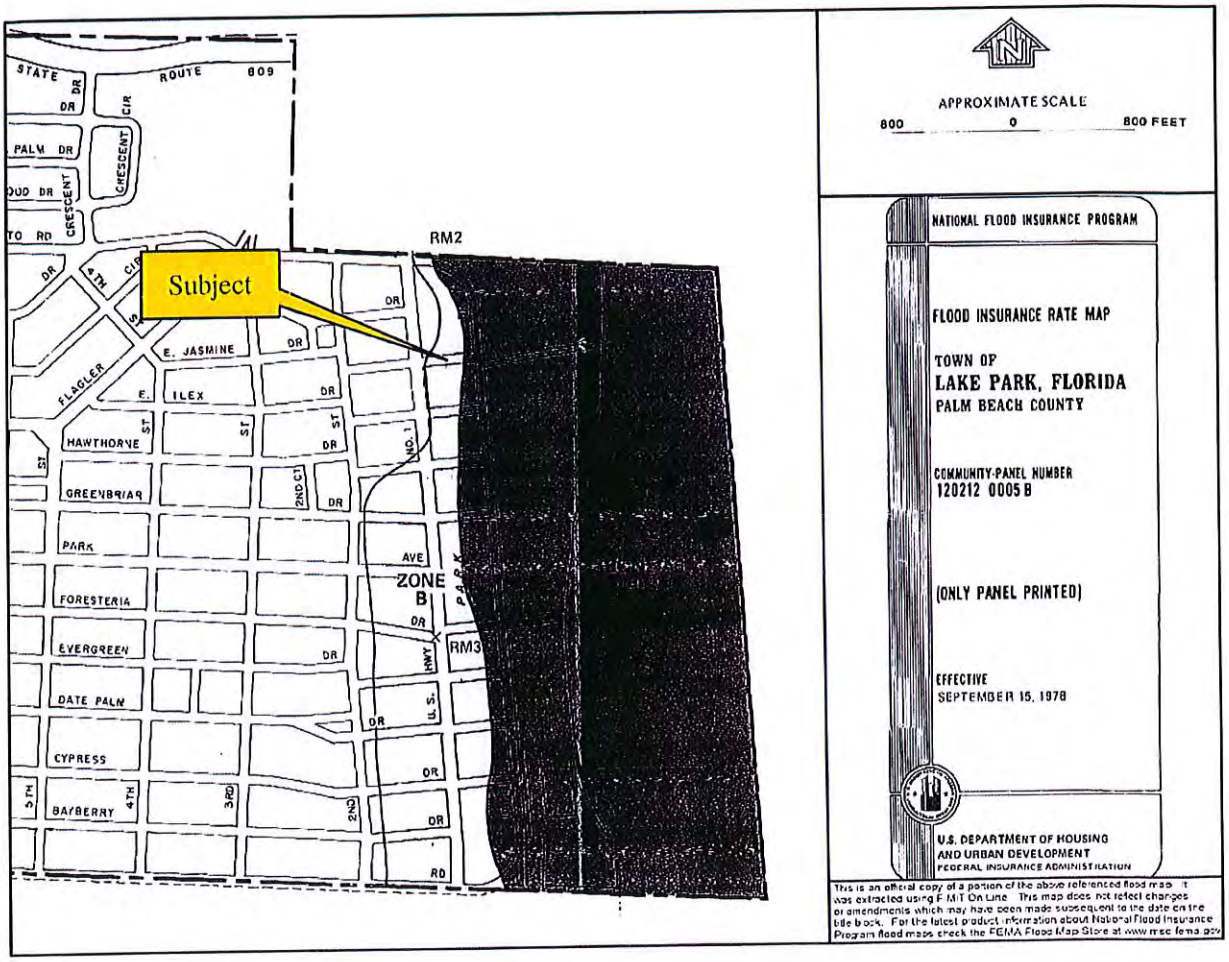
Flood Zone Designation

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



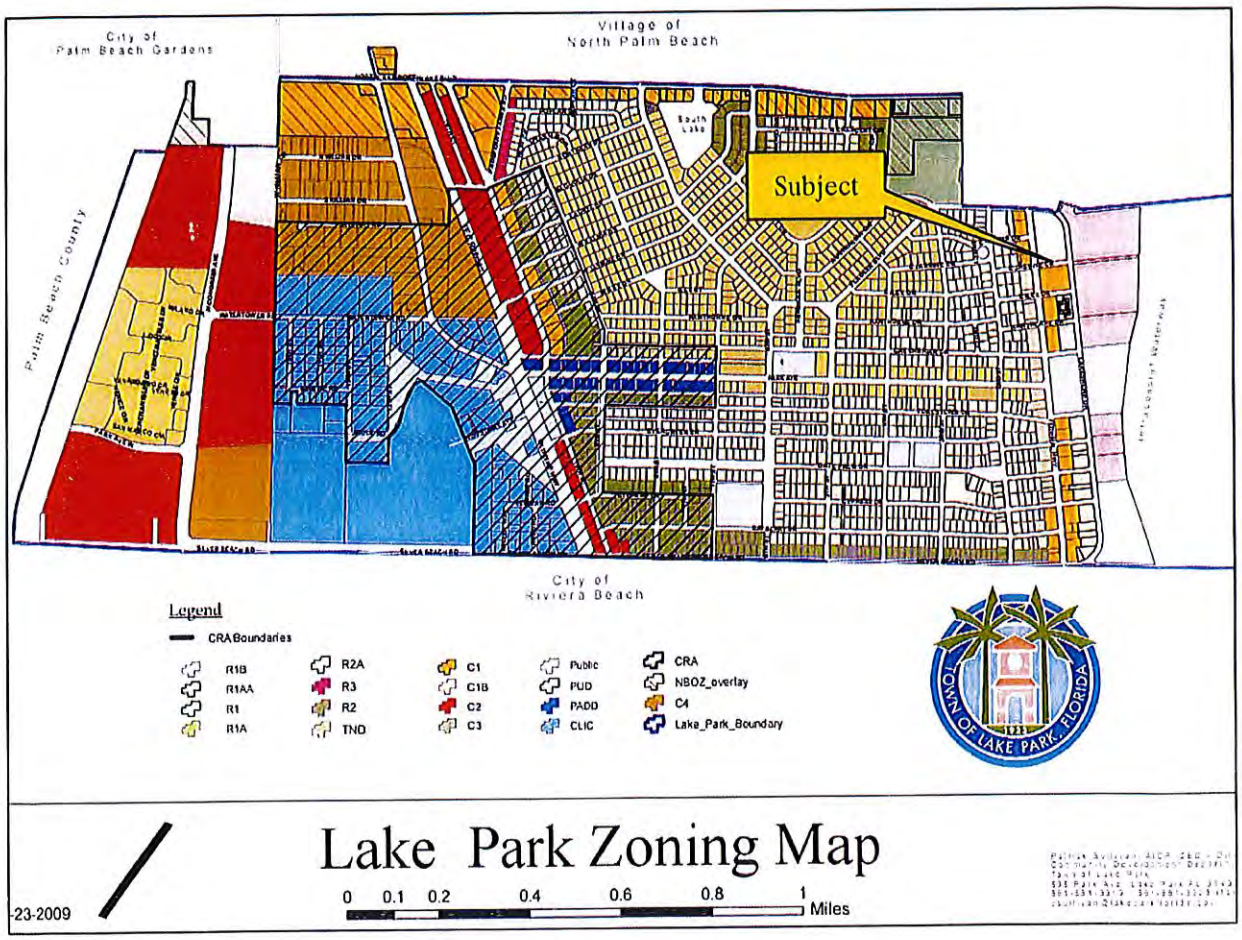
Zoning and Future Land Use

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

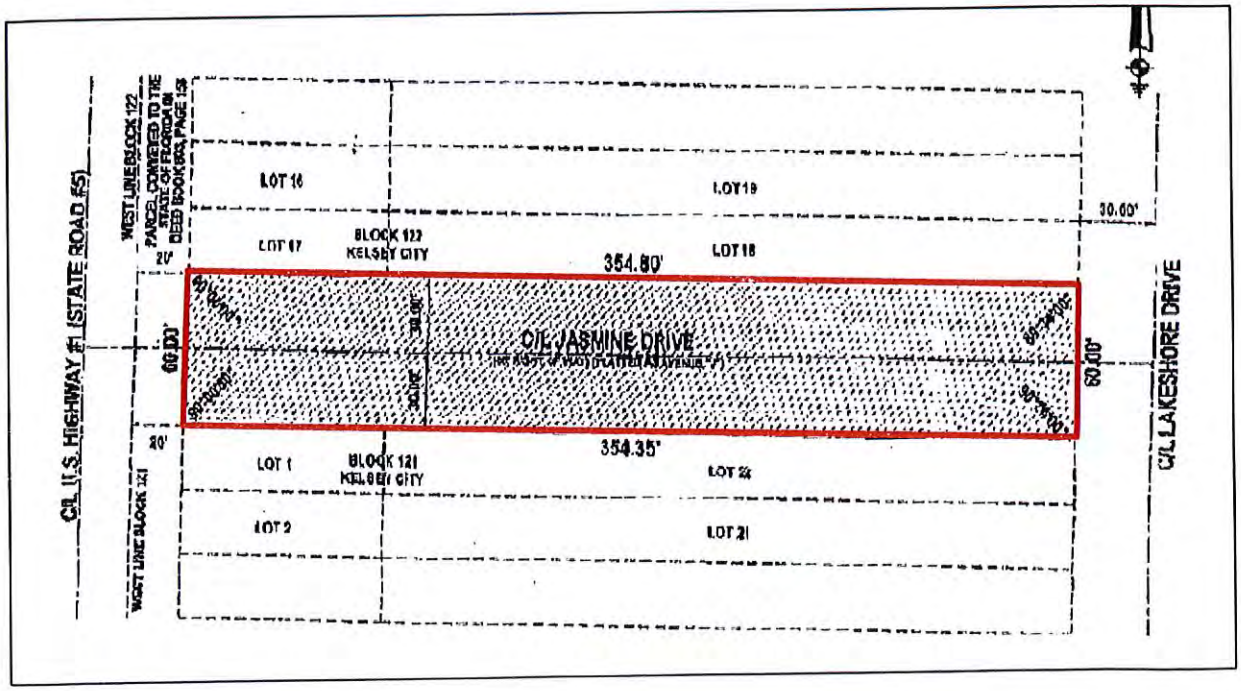
The following analysis is based upon a personal inspection of the site and Palm Beach County Public Records.

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

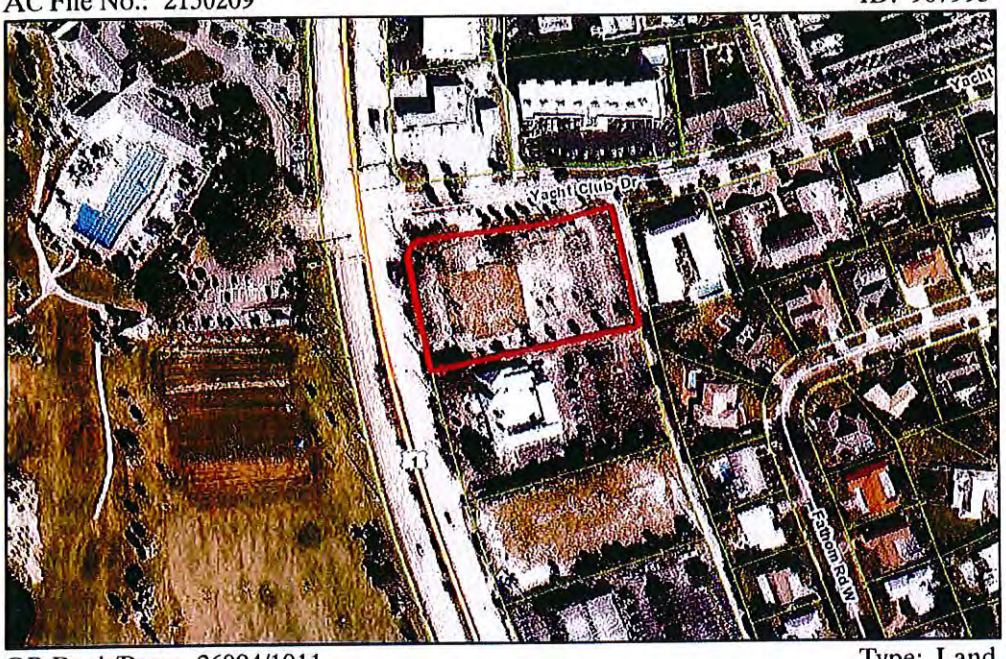
The sales comparison approach is the process of deriving a value indication for the subject property by comparing market information for similar properties with the property being appraised, identifying appropriate units of comparison, and making qualitative comparisons with or quantitative adjustments 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

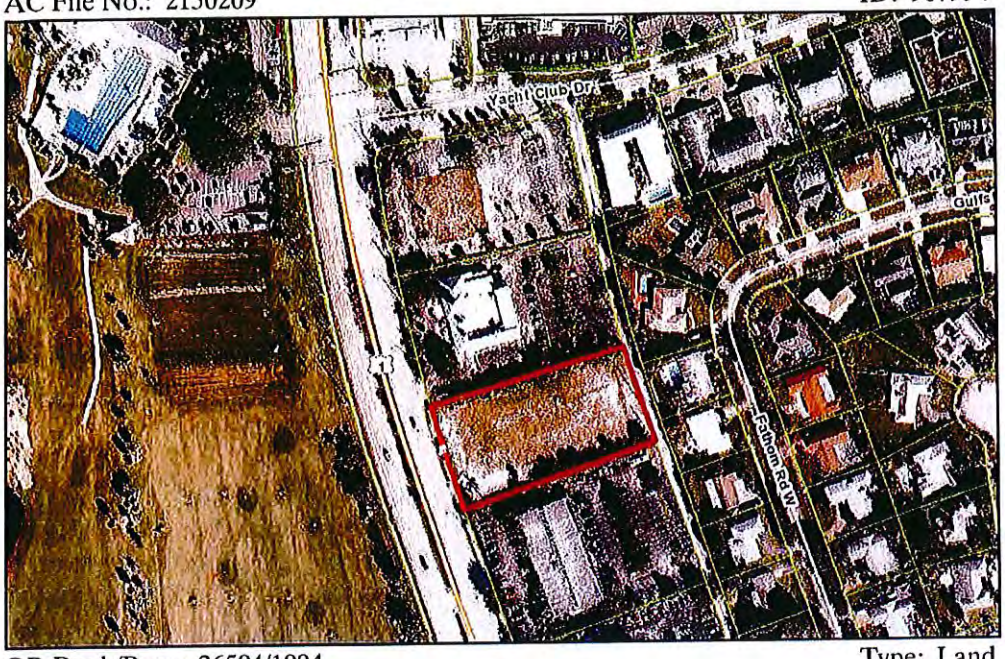
Date:	May 28, 2013
Grantor:	SAB Real Estate, LLC
Grantee:	6827 Leland Way, LLC
Legal:	Lot 1, Marina Addition to the Village of North Palm Beach, recorded in Plat Book 27, Page 98, Public Records of Palm Beach County
Folio No.:	68-43-42-09-02-000-0010
Location:	Southeast corner of US Highway One and Yacht 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 Type: Land
Sale Status: Sale Sub-Type: Commercial

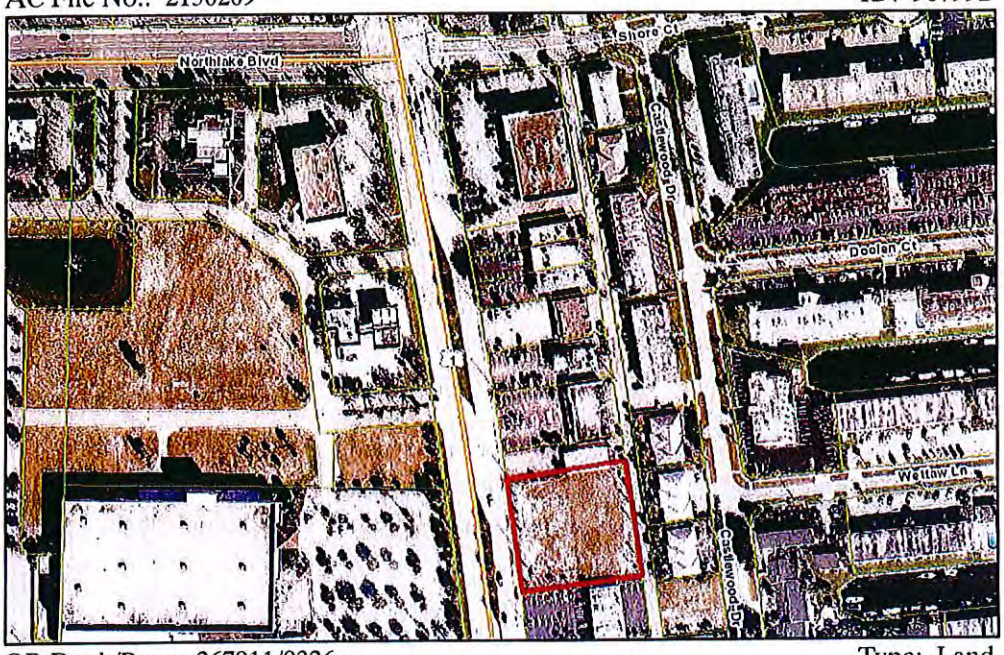
Date:	January 8, 2014
Grantor:	James A Gillis Trust
Grantee:	872 NPB Enterprises, LLC
Legal:	Lot 13 and the North 64 feet of Lot 12, Block 70, Yacht Club Addition to Village of North Palm Beach, according to the Plat thereof, recorded in Plat Book 26, Page 249 of the Public Records of Palm Beach County, 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

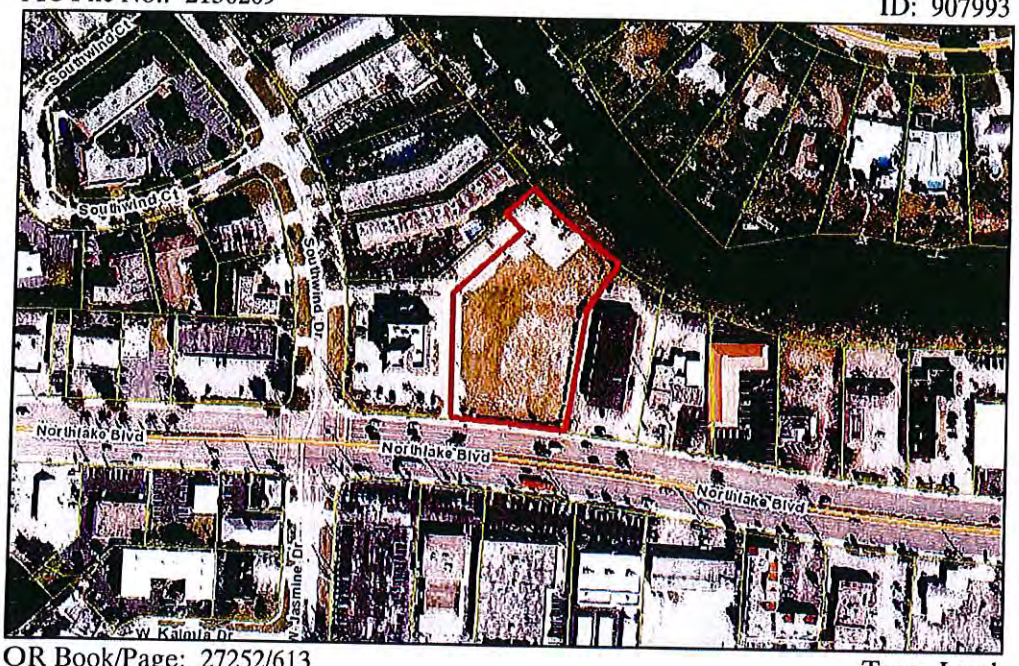
Date:	July 10, 2014
Grantor:	Jeffrey M. Liggio and Susan Liggio
Grantee:	Stateside Partners LLC
Legal:	Lots 13 through 19, Block 16, Townsite of Lucerne, Plat Book 2, Page 29, Palm Beach County, Florida
Folio No.:	38-43-44-21-15-016-0130
Location:	West side of North Dixie Highway, roughly 175 feet north 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

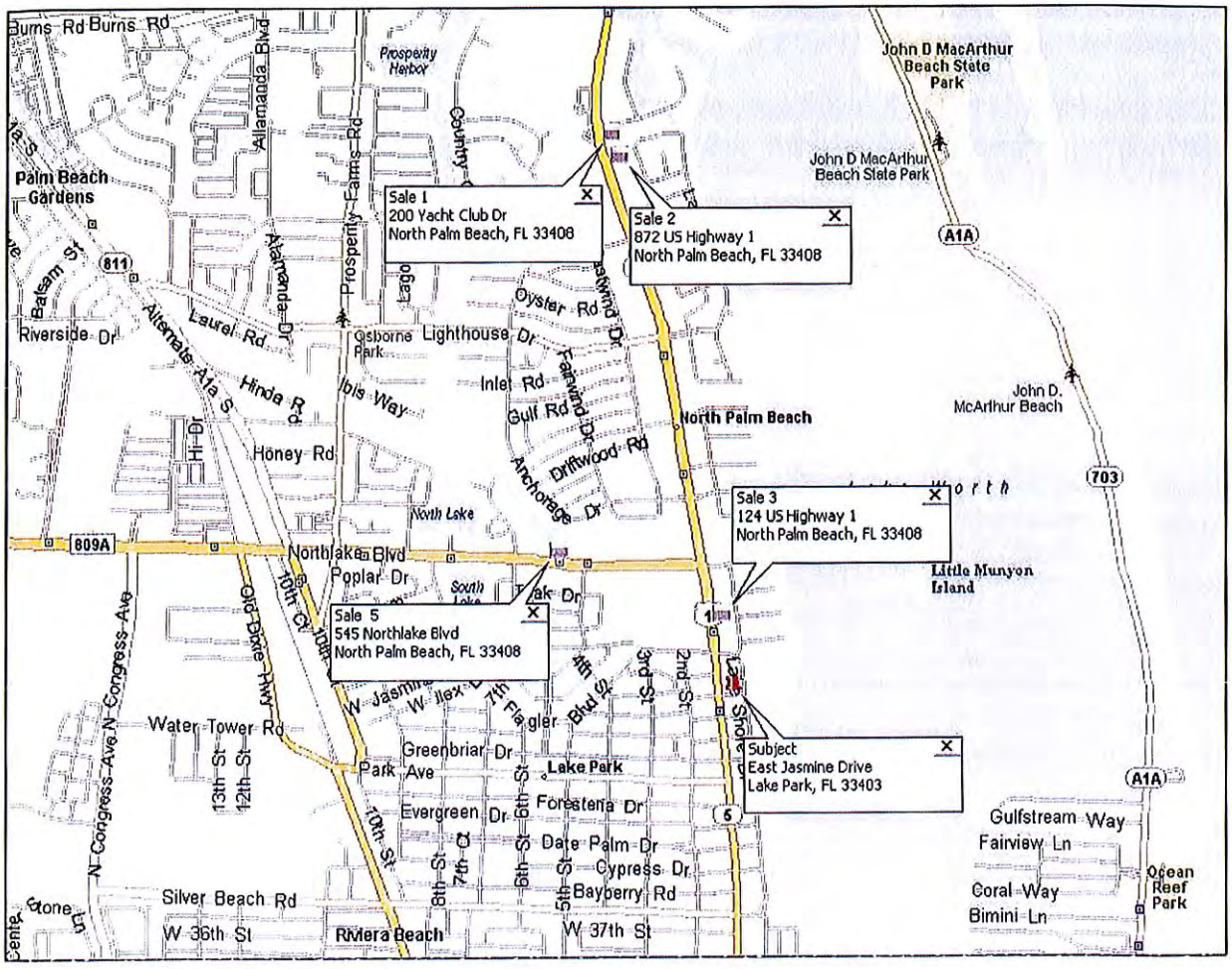
Date:	December 30, 2014
Grantor:	Flagler Bank
Grantee:	PSI Atlantic NPB FL, LLC
Legal:	A parcel of land, being a portion or Lot 10, a portion of Lot 11 and all of Lot 12, Block 55, as shown on the Plat of Village of North Palm Beach Plat No. 5, as recorded in Plat Book 26, Page 6, Public Records of Palm 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:	CI - Neighborhood Commercial by North Palm Beach
Land Use:	Commercial
Utilities:	Water, electricity, municipal sewer

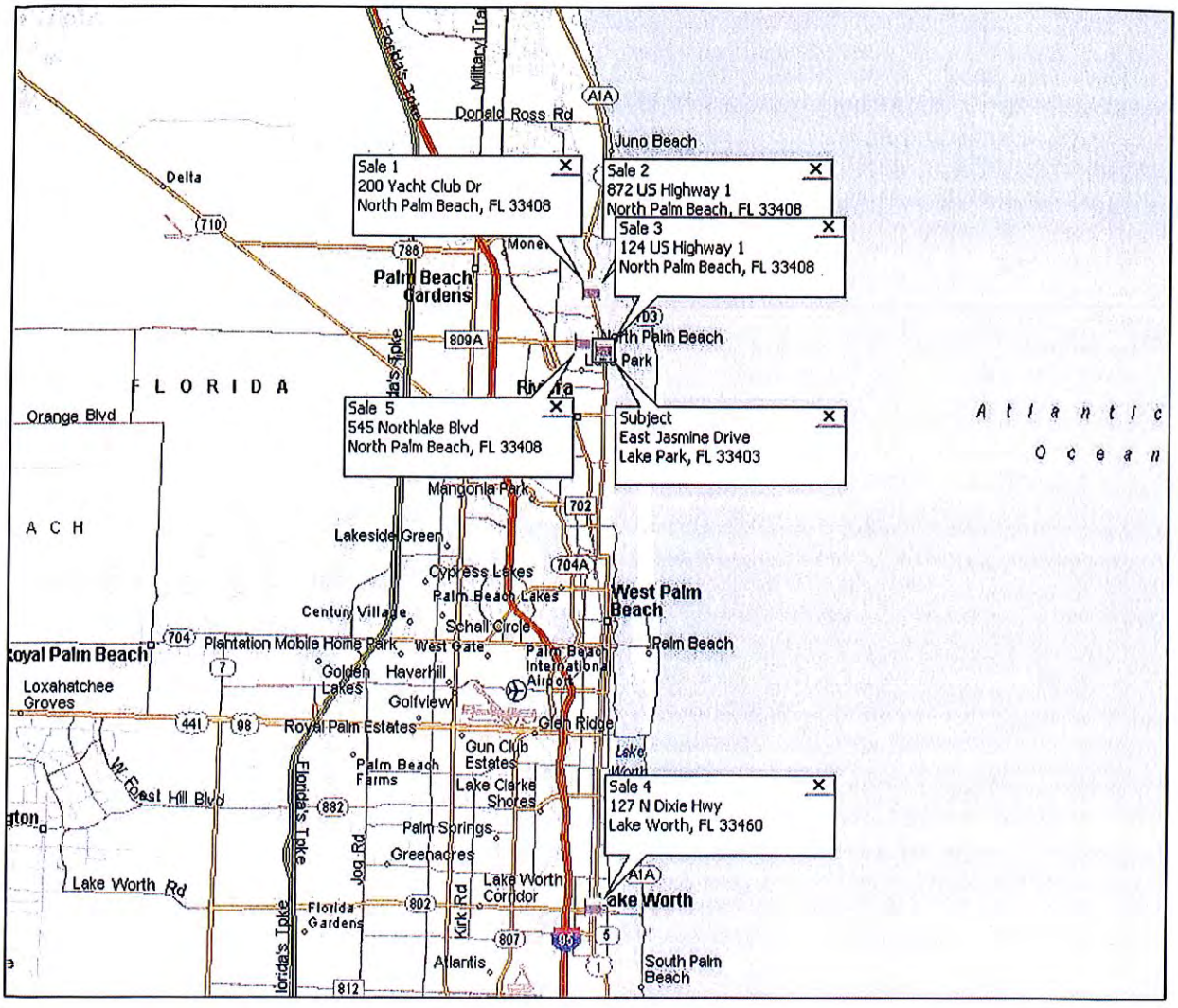
Site Size:	Square Feet: 61,664 Acres: 1.42 Shape: Irregular Street Frontage (Ft.): 175 Topography/Elevation: Level, above road grade
Use:	Current Use: Vacant Intended Use: Self storage facility Highest and Best Use: Commercial
Verification:	Source: Jim Sudary Relationship: Representative of the seller 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
Park
FLORIDA
Orange Blvd
Atlantic Ocean
Mangonia Park
Lakeside Green
Cypress Lakes
Palm Beach Lakes
West Palm Beach
Century Village
Schall Circle
Palm Beach
Plantation Mobile Home Park
West Gate
Palm Beach International Airport
Royal Palm Beach
Loxahatchee Groves
Golden Lakes
Haverhill
Golfview
Royal Palm Estates
Glen Ridge
Gun Club Estates
Palm Beach Farms
Lake Clarke Shores
Palm Springs
Greenacres
Lake Worth Corridor
Lake Worth
Florida Gardens
Atlantis
South Palm Beach
Lake Worth Rd
W. Forest Hill Blvd
Florida's Turnpike
Jog Rd
Kirk Rd
Military Trail
A1A

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 Qualitative 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

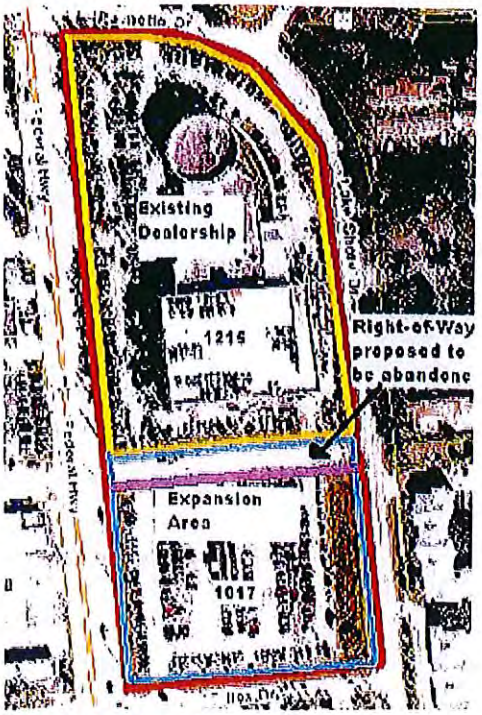
Certified Mail – *You are receiving this notice because you are the legal owner of record for property that is located within 300 feet of the subject property.*

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

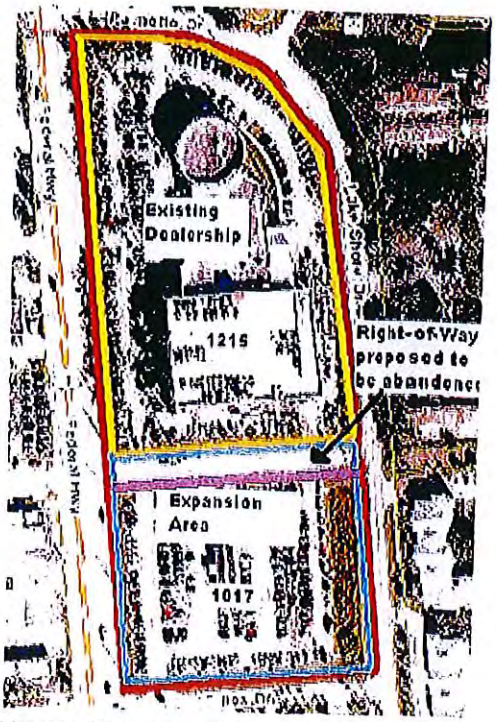
Town of Lake Park
Community Development Department

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 + Cedar 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

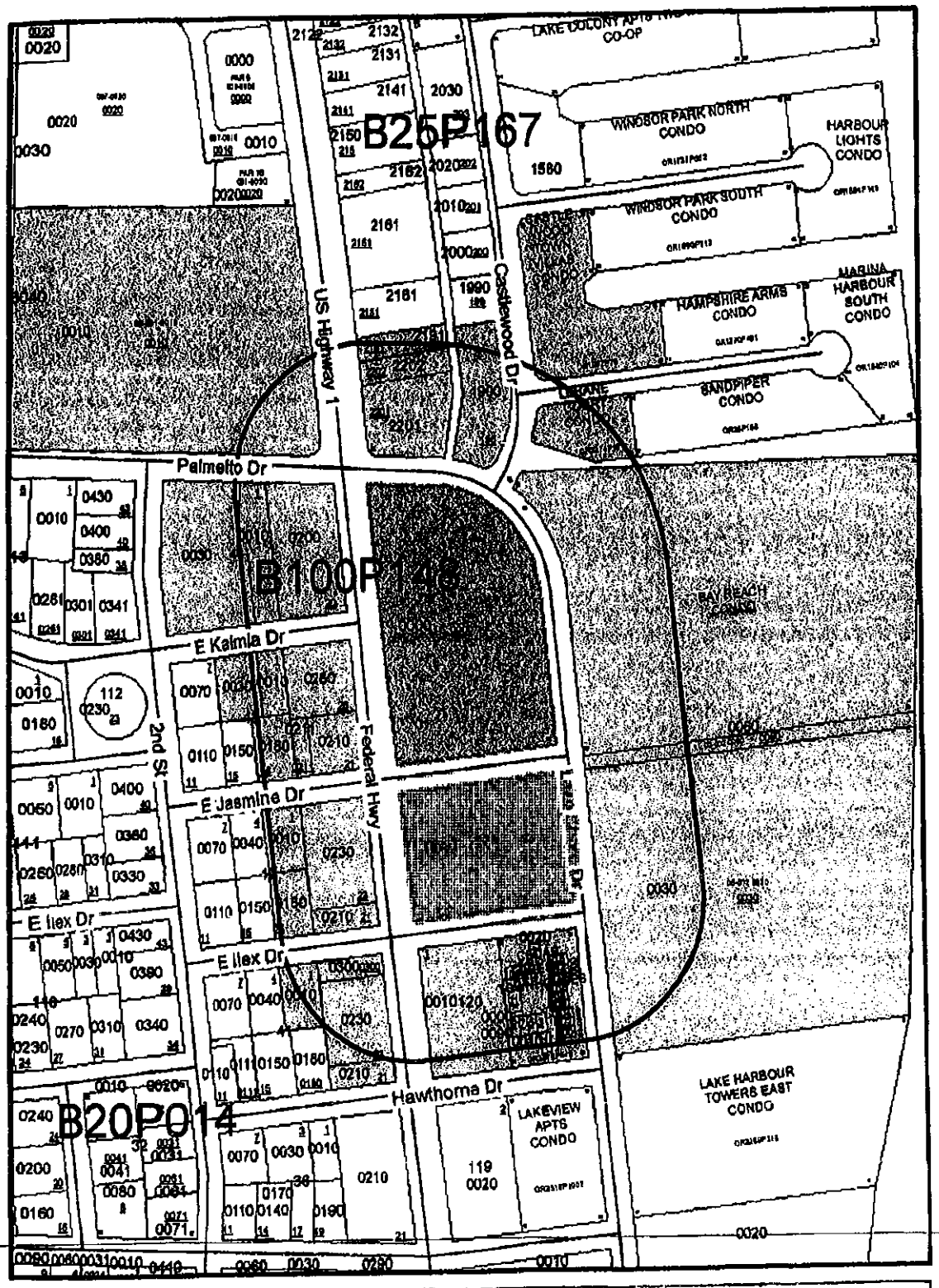
SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 11th DAY OF MAY, 2015.

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

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

36434220010410210
PALMS BUILDING LLC
4500 PGA BLVD STE 304A
PALM BEACH GARDENS FL 33418 3995
300

36434220010410230
L P FABRICS INC
105S LEADENHALL ST
ALPHARETTA GA 30022 8491
300

36434220010410300
WOLLSTEIN EDWARD &
10SS LEADENHALL ST
ALPHARETTA GA 30022 8491
300

36434220010420010
ERVIN JOSEPH &
2549 STEARNS DR
MANASQUAN NJ 08736 2317
300

3 1220010420180
DAVISON LAURA K
123 E ILEX DR
LAKE PARK FL 33403 2821
300

36434220010420210
TRIM ENDLESS INC
1055 LEADENHALL ST
ALPHARETTA GA 30022 8491
300

36434220010420230
NEW ROCHELLE PLAZA
309 NORTH AVE
NEW ROCHELLE NY 10801 4112
300

36434220010430010
WILSON KANLAYA
41 E KALMIA DR
LAKE PARK FL 33403 2827
300

36434220010430030
M' 'D CLAUDE
12 KALMIA DR
AKE PARK FL 33403 2828
300

36434220010430180
WALLACE JASON M &
123 E JASMINE DR
LAKE PARK FL 33403 2823
300

36434220010430210
MOSLER WARREN B TRUST
5000 ESTATE SOUTHGATE
CHRISTIANSTED VI 00820 4532
300

36434220010430211
MOSLER WARREN B TRUST
5000 ESTATE SOUTHGATE
CHRISTIANSTED VI 00820 4532
300

36434220010430260
SIL FIR CORP &
3017 EXCHANGE CT # C
WEST PALM BEACH FL 33409 4032
300

36434220010440010
CHAVES LAKE PARK CORP
PO BOX 711
DALLAS TX 75221 0711
300

36434220010440030
FLORIDA POWER & LIGHT CO
PO BOX 14000
NORTH PALM BEACH FL 33408 0420
300

36434220010440200
CHAVES LAKE PARK CORP
PO BOX 711
DALLAS TX 75221 0711
300

36434220011200010
CROMWELL PROPERTIES
PO BOX 60
JUPITER FL 33468 0060
300

36434221000020030
MARINERS KEY OWNER LLC
200 WEST ST FL 3S
NEW YORK NY 10282 2102
300

36434221000020060
COHEN SUSAN
1415 N ASTOR ST
CHICAGO IL 60610 1622
300

36434221210000010
BAGHDADY SAMI J
1 HAWTHORNE DR
LAKE PARK FL 33403 28S3
300

36434221210000020
BAGHDADY SAMI J
382 MASSACHUSETTS AVE
ARLINGTON MA 02474 6728

36434221210000030
BAGHDADY SAMI J
382 MASSACHUSETTS AVE
ARLINGTON MA 02474 6728

36434221210000040
BAGHDADY SAMI
382 MASSACHUSETTS AVE
ARLINGTON MA 02474 6728
300

36434221210000050
BAGHDADY SAMI J
382 MASSACHUSETTS AVE
ARLINGTON MA 02474 6728
300

36434221210000060
BAGHDADY SAMI J
382 MASSACHUSETTS AVE
ARLINGTON MA 02474 6728
300

36434221210000070
BAGHDADY SAMI J
382 MASSACHUSETTS AVE
ARLINGTON MA 02474 6728
300

36434221210000080
ABOU ZEID NABIL
168 WHITE ST
BELMONT MA 02478 4722
300

36434221210000090
BAGHDADY SAMI J
382 MASSACHUSETTS AVE
ARLINGTON MA 02474 6728
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
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

[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 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 STAAT5 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
[illegible] 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

364342212800520 10 300
SOKOLOV IGOR
3942 HIGHLANDER WAY E
ANM ARBOR MI 48108 9691

364342212800520 20 300
SORRENTINO LOUIS &
307 XANADU PL
JUPITER FL 33477 6453

364342212800520 30 300
BELT JAMIE R
1030 LAKE SHORE DR # 203
LAKE PARK FL 33403 2899

364342212800520 40 300
IMBESI JOSEPH A
1030 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2899

364342212800520 50 300
FRANCAVILLA EUGENE F TR
27 N PENNOCK LN STE 205
JUPITER FL 33458 4083

3. 4221280052060 300
TWO CHEFS HOLDING LLC
205 BLUEBERRY RD
EGG HARBOR TOWNSHIP NJ 08234 4904

364342212800610 10 300
SMITH CLAUDIA
PMB S001 PO BOX 8309
ST JOHN VI 00831 8309

364342212800610 20 300
3ERG STEFAN &
FRYEBO SE 33491
ANDERSTORP
SWEDEN

364342212800610 30 300
3ULGER FRANK P &
16112 E PRESTWICH DR
.OXAHATCHEE FL 33470 4028

364342212800610 40 300
V JAMES F TRUST
.9 SABAL ISLAND DR
IOYNTON BEACH FL 33435 3321

364342212800610 50 300
312 MONTECITO LLC
222 LAKEVIEW AVE # 160
WEST PALM BEACH FL 33401 6101

364342212800620 10 300
MCLAUGHLIN TERRENCE JAMES
1035 LAKE SHORE DR
LAKE PARK FL 33403 2864

364342212800620 20 300
POTTRATZ DONALD D
1035 LAKE SHORE DR APT 202
LAKE PARK FL 33403 2864

364342212800620 30 300
IMBESI DENNIS M
1035 LAKE SHORE DR APT 203
LAKE PARK FL 33403 2864

364342212800620 40 300
WAYNE N KATZ REV TRUST
734 MARITIME WAY
PALM BEACH GARDENS FL 33410 3424

364342212800620 50 300
RINE JAMES &
14808 66TH ST N
LOXAHATCHEE FL 33470 4524

364342212800620 60 300
BAY REACH CONDO ASSN INC
3900 WOODLAKE BLVD STE 309
GREENACRES FL 33463 3046

364342212800710 10 300
ZAMBITO ROSALIE &
1001 LAKE SHORE DR UNIT 101
LAKE PARK FL 33403 2866

364342212800710 20 300
LY ANH &
772 S 5TH ST
PHILADELPHIA PA 19147 3036

364342212800710 30 300
BARLOTTA EDWARD
1040 LAKE SHORE DR APT 103
LAKE PARK FL 33403 2876

364342212800710 40 300
WHITE CAROL
9428 GRANITE RIDGE LN
WEST PALM BEACH FL 33411 6603

364342212800710 50 300
CARPETA CONSULTING LLC
1025 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2890

364342212800720 10 300
GUERCIA KENNETH A &
1040 LAKE SHORE DR
LAKE PARK FL 33403 2876

364342212800720 20 300
CARLUCCI PHILIP &
34 HASKEL LN
STONY BROOK NY 11790 2341

364342212800720 30 300
BOTT DENNIS J &
1040 LAKE SHORE DR # 203
LAKE PARK FL 33403 2876

364342212800720 40 300
LJT ENTERPRISES LLC
54 BARBERRY DR
BURLINGTON CT 06013 1508

364342212800720 50 300
KOZAREVICH NICK &
55 KINGSBRIDGE GARDEN CIR
#1602
MISSISSAUGA ON L5R 1Y1 CANADA

364342212800720 60 300
MCCARTHY KRASSIMIRA
1551 N FLAGLER DR APT 1512
WEST PALM BEACH FL 33401 3450

364342212800810 10 300
PETTI ANDREW &
1045 LAKE SHORE DR APT 101
LAKE PARK FL 33403 2877

364342212800810 20 300
RIVERS & RIVERS INC
1882 BELLAIR BLVD
ORANGE PARK FL 32073 4516

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

36434221280091010 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
NEIMARLDA 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

364342212801020 60 300
PORTO CARRERO KARLA I
1060 LAKE SHORE DR # 206
LAKE PARK FL 33403 2879

364342212801110 10 300
RODRIGUEZ JOSE G
1105 LAKE SHORE DR # 101
LAKE PARK FL 33403 2880

364342212801110 20 300
FEDERAL NATIONAL MRTG ASSN
1800 NW 49TH ST # 120
FORT LAUDERDALE FL 33309 3092

364342212801110 30 300
CARPETA CONSULTING LLC
1025 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2890

364342212801110 40 300
MASTERS VALERIE
1105 LAKE SHORE DR APT 104
LAKE PARK FL 33403 2865

3[illegible]4221280111050 300
CERQUEIRA MARIA
1105 LAKE SHORE DR APT 105
LAKE PARK FL 33403 2865

364342212801120 10 300
LAKE SHORE HOLDINGS INC
848 N RAINBOW BLVD # 1611
LAS VEGAS NV 89107 1103

364342212801120 20 300
RUSS DONALD
1105 LAKE SHORE DR # 202
WEST PALM BEACH FL 33403 2865

364342212801120 30 300
CARPETA CONSULTING LLC
1025 LAKE SHORE DR APT 201
LAKE PARK FL 33403 2890

364342212801120 40 300
FMAN ANGELA M
1105 LAKE SHORE DR APT 204
LAKE PARK FL 33403 2865

364342212801120 50 300
PUYOL EDUARDO
PO BOX 14307
NORTH PALM BEACH FL 33408 0307

364342212801120 60 300
FRANCAVILLA EUGENE F TRUST
27 PENNOCK LN # 205
JUPITER FL 33458 4083

364342212801210 10 300
NGUYEN CAN TRUST &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

364342212801210 20 300
MORSI ALAA M
1110 LAKE SHORE DR APT 102
LAKE PARK FL 33403 2881

364342212801210 30 300
FEDERAL HOME LOAN MRTG CORP
50000 PLANO PKWY
CARROLLTON TX 75010 4902

364342212801210 40 300
DAUSILLIO FRANK
1110 LAKE SHORE DR APT 104
LAKE PARK FL 33403 2881

364342212801210 50 300
BRILEY WILLIAM H &
425 CELEBRATION AVE
KISSIMMEE FL 34747 4685

364342212801220 10 300
CLARK BETHANY J
1110 LAKE SHORE DR # 201
LAKE PARK FL 33403 2881

364342212801220 20 300
CALVO GAIL
1110 LAKE SHORE DR # 202
LAKE PARK FL 33403 2881

364342212801220 30 300
LAKE SHORE PROPERTY INVESTMENT LLC
1760 W COMMUNITY DR
JUPITER FL 33458 8211

364342212801220 40 300
GRAHAM DEBORAH L EST
1110 LAKE SHORE DR # 204
LAKE PARK FL 33403 2881

364342212801220 50 300
FLOHR MICHAEL
1110 LAKE SHORE DR APT 205
LAKE PARK FL 33403 2881

364342212801220 60 300
KONTOGIANNIS KATHY &
1614 SHAUNA CRES
GREELY, ON
K4P1M8 CANADA

364342212801310 10 300
RUDIN CHARLES P
424 EVERGREEN DR
WEST PALM BCH FL 33403 3304

364342212801310 20 300
NGUYEN CAN TRUST &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

364342212801310 30 300
LIXFIELD KEVIN J &
201 S HAVEN AVE
MEDFORD NY 11763

364342212801310 40 300
NICHOLS JOHN S
1115 LAKE SHORE DR APT 104
LAKE PARK FL 33403 2882

364342212801310 50 300
TURNER JERRY R
50 BRIGHT RD
NEW EGYPT NJ 08533 1204

364342212801320 10 300
LAKE SHORE HOLDINGS INC
848 N RAINBOW BLVD APT 44
LAS VEGAS NV 89107 1103

364342212801320 20 300
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

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LJT ENTERPRISES LLC
54 BARBERRY DR
BURLINGTON CT 06013 1508

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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 &
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 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 OR # 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

[illegible]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
[illegible]3S 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 &
5568 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
LSB 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 300
WEEKS SUSAN A TRUST
635 RIVIERA DR
BOYNTON BEACH FL 33435 6152

36434221280191030 300
MALINCONICO FRANK
12291 73RD CT N
WEST PALM BEACH FL 33412 1420

36434221280191040 300
MORRISON JOINT REVOCABLE TRUST
32801 US HIGHWAY 441 N LOT 239
OKEECHOBEE FL 34972 0296

36434221280191050 300
LJT ENTERPRISES LLC
54 BARBERRY DR
BURLINGTON CT 06013 1508

36434221280192010 300
SOUCY FAMILY LIFE TRUST
2016 JUSTIN RD
LEWISVILLE TX 75077 7180

.4221280192020 300
COX JAMES M
1145 LAKE SHORE DR UNIT 202
LAKE PARK FL 33403 2851

36434221280192030 300
PATTERSON CURTIS RAY II
1145 LAKE SHORE DR # 203
LAKE PARK FL 33403 2851

36434221280192040 300
TRAN KHOI &
2830 CHEMIN DES PRAIRIES
BROSSARD QC
J4Y 2X4 CANADA

36434221280192050 300
BOYLE KAREN J
710 ROCK SPRING AVE
BEL AIR MD 21014 2945

36434221280192060 300
.RTY JOHN J &
1145 LAKE SHORE DR APT 206
LAKE PARK FL 33403 2851

36434221280201010 300
NGUYEN CAT &
772 S 5TH ST
PHILADELPHIA PA 19147 3036

36434221280201020 300
COLDREN SHANE &
4756 ROSEBROOK PL
SMYRNA GA 30080 6778

36434221280201030 300
DAMBROSIO CHERYL S
1155 LAKE SHORE DR APT 103
LAKE PARK FL 33403 2888

36434221280201040 300
DELAUS DANIEL C &
1155 LAKE SHORE DR # 104
LAKE PARK FL 33403 2888

36434221280201050 300
SILVEIRA FERRAZ PAULO R
5682 LAKE OSBORNE DR
LAKE WORTH FL 33461 6146

36434221280202010 300
NGUYEN CAN &
5605 BOUFFANT BLVD
ALEXANDRIA VA 22311 3705

36434221280202020 300
HANSON LINDA B
11900 JUBAL EARLY CT
POTOMAC MD 20854 3427

36434221280202030 300
ROY JOHN &
1155 LAKE SHORE DR # 203
LAKE PARK FL 33403 2888

36434221280202040 300
FRASER JOHN M &
104 RIVER RD
KENNEBUNKPORT ME 04046 7536

36434221280202050 300
NGUYEN CAT XUAN &
772 S 5TH ST
PHILADELPHIA PA 19147 3036

36434221280202060 300
ORLANDO WILLIAM L
36 SPANISH BAY
N SIOUX CITY SD 57049 5447

68434216010001960 300
FIRST CHURCH OF CHRIST SCIENTIST INC
128 ASHLEY CT
JUPITER FL 33458 2933

68434216010002191 300
110 US ONE BUILDING LLC
730 SW SALERNO RD
STUART FL 34997 6256

68434216010002201 300
100 NORTH FEDERAL HIGHWAY LLC
2955 E 11TH AVE
HIALEAH FL 33013 3509

68434216010002202 300
PORCELLI JOMARIE F TRUST
11394 E TEACH RD
PALM BEACH GARDENS FL 33410 3438

68434221000010010 300
VILLAGE SHOPPES AT US 1 LLC
133 US HIGHWAY 1
N PALM BEACH FL 33408 5401

68434221100001110 300
HOCKTON JULIE &
2570 EMBASSY DR
WEST PALM BCH FL 33401 1015

68434221100001120 300
MASSENZIO JOHN &
230 BEECHWOOD DR
CRANSTON RI 02921 3309

68434221100001140 300
DUNLAP SANDRA E
132 WETTAW LN # 114
NORTH PALM BEACH FL 33408 5685

68434221100001150 300
BLAKEY DOUGLAS R &
10916 NW 12TH CT
PLANTATION FL 33322 6926

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
[illegible]RMAIN CONSTANCE B
118 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 DR 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

[illegible]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
[illegible] EVAN &
969 LAUREL RD
NORTH PALM BEACH FL 33408 4020

East Jasmine Drive
right-of-way abandonment
application will be considered
by the Town Commission
at the August 19, 2015
Town Commission meeting.
Sign 1
July 10, 2015

East Jasmine Drive
right-of-way abandonment
application will be considered
by the Town Commission
at the August 19, 2015
Town Commission meeting.

Sign 7

East Jasmine Drive
right-of-way abandonment
application will be considered
by the Town Commission
at the August 19, 2015
Town Commission meeting.
USED
CAR
CENTER

Sign 4

TAB 5

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 19, 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. ***(CONTINUED FROM JUNE 17, 2015 MEETING)***

[ ] 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:** 8-11-15

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 – JUNE 17, 2015: Town Commission continued Ordinance 06-2015 on second reading (5-0 vote) to the August 19, 2015. Please refer the meeting minutes for a summary of the discussion.

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.

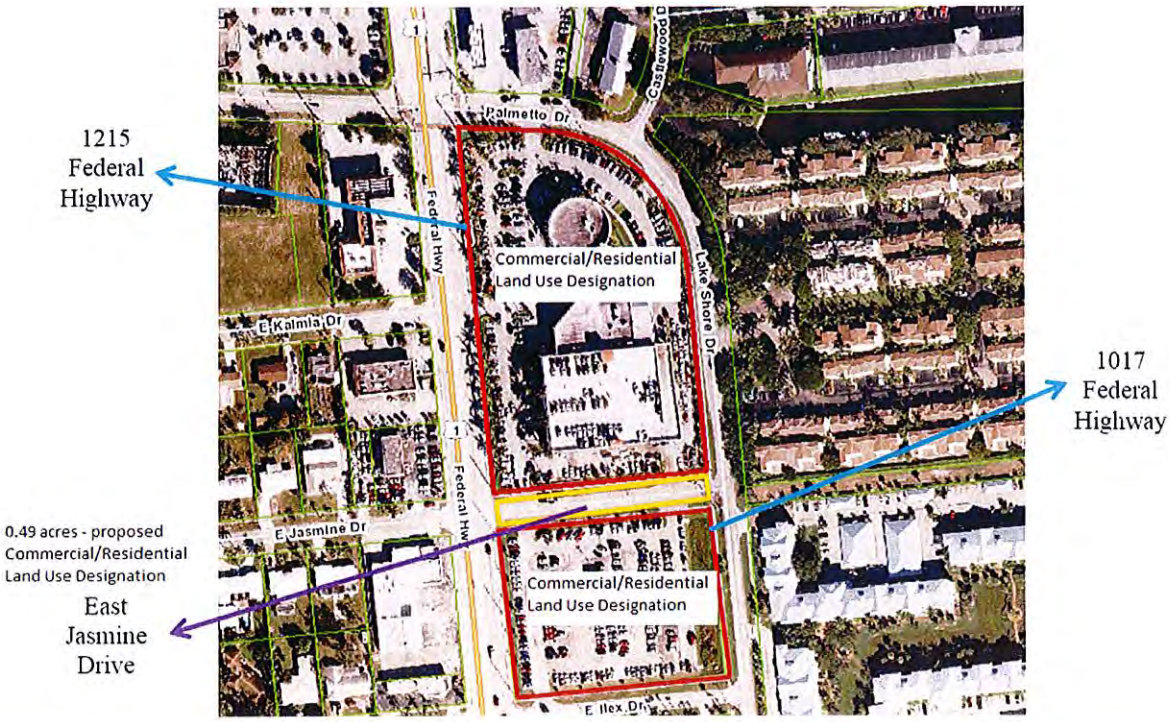
On February 2, 2015 and March 2, 2015, the Local Planning Agency members, sitting as the Planning & Zoning Board, considered several applications by Earl Stewart LLC and Commercial Investments LLC (the Applicant) related to the expansion of their existing dealership. These applications included a site 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.

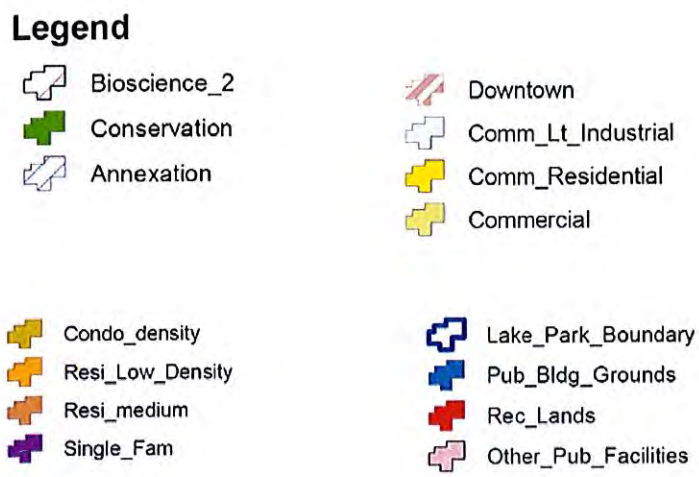
...**ALL** be presented at the same time before the Town Commission on May 20, 2015. In order to accomplish item #4 above, consideration by the Local Planning Agency was first required:

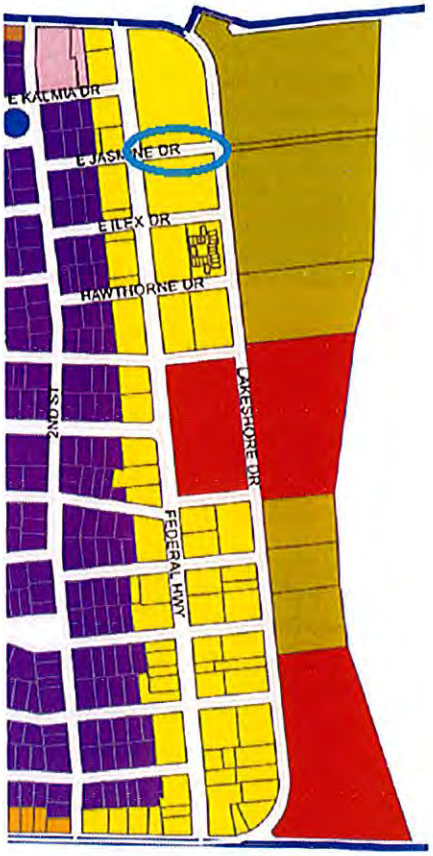
LOCAL PLANNING AGENCY RECOMMENDATION: The Local Planning Agency considered this application at their May 4, 2015 meeting. The overall sequence of the Earl Stewart Toyota PUD applications was discussed and has been provided above. Understanding that this land use map amendment is contingent upon the approval 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 159, 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 1 7 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 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 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 Seal) Notary Public, State of Florida
Commission Number _____
My Commission Expires: _____

MARCY E. HOLDER
MY COMMISSION # EE 181210
EXPIRES: March 1, 2016
Bonded Thru Notary Public Underwriters

Community

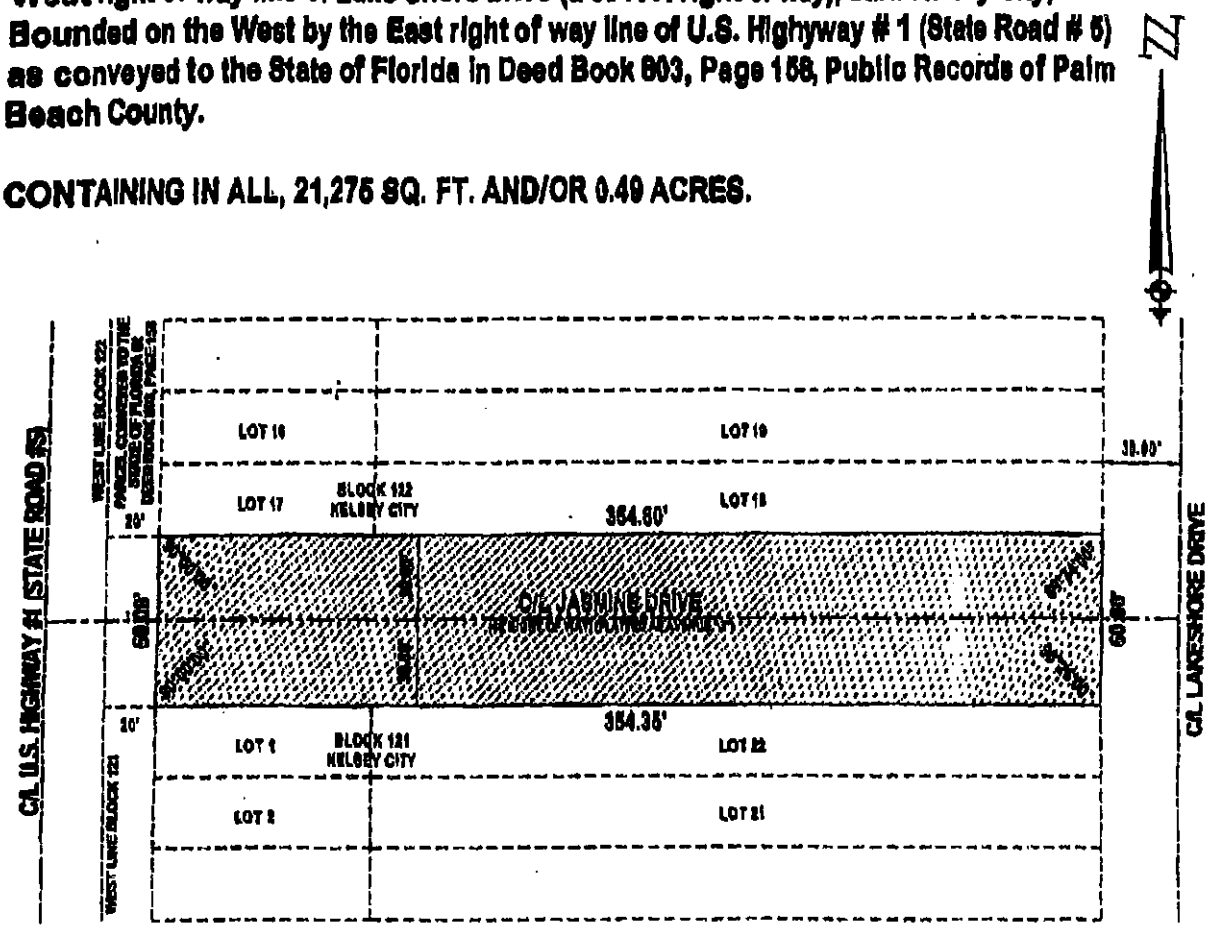
MAR 26 2014

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"=50'

DWG. NUMBER: 95-147.8

DATE: JUNE 16, 2004

EARL STEWART TOYOTA
JUSTIFICATION STATEMENT AND
STATEMENT OF PUBLIC BENEFIT

urban design kilday STUDIOS

Urban Planning and Design
Landscape Architecture
Communication Graphics

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: March 13, 2014
Amended October 29, 2014
Amended January, 7, 2015
Amended February 9, 2015
Amended February 18, 2015
Amended March 11, 2015
Amended April 24, 2015
Amended May 11, 2015
Amended May 29. 2015
Amended July 31, 2015
Amended August 7, 2015

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 sf of outdoor sales area and 1,267 parking spaces broken down as follows:

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Suite CU02
West Palm Beach, FL 33401
561.366.1100 561.366.1111 fax
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LCC000035

- **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.

  - **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 original auto dealership was constructed in the mid to late 1970's on the 4.47-acre parcel along with a 14,200 sf 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 sf 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's intended use of the 2.23 acre parcel for future expansion of the dealership has long been established and was previously approved with 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 sf 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:** January 2016
  - **Completion: (1)** Removal of Used Car trailer from South parking lot - 5 months from commencement of Phase 1 ; **(2)** Building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work, landscaping and parking lot improvements – 14 months from the commencement of Phase 1

- Phase 2
  - **Commencement of Development:** February 2017
  - **Completion:** 8 months following commencement of Phase 2 (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices)
- Phase 3
  - **Commencement of Development:** 18 months from completion of Phase 2
  - **Completion:** (Garage and site improvements) 18 months from start of construction but no later than October 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, a car dealership has existed in this location 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 is consistent with a previous approval and 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 sf (from 19,408 sf to 28,842 sf) (note that while the square footages listed above show an existing sf of 19,297, Resolution No. 14-05-03 allowed up to 19,408 sf);
    - **Service Bays/Storage:** +7,580 sf (from 37,081 sf to 44,661 sf) (note that while the square footages listed above show an existing sf of 25,911, Resolution No. 14-05-03 allowed up to 37,081 sf) and +23 service bays (from 25 service bays to 48 service bays);
e. Increase the Outdoor Sales Display Area by 5,566 sf (from 17,107 sf to 22,673 sf);
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.

- The unified development will not only create an architectural theme but will also create a consistent landscape theme that will enhance the view from surrounding properties;
- The height/mass of the existing building as well as the proposed parking garage will be mitigated by architectural design and the additional landscaping provided;
- The proposed improvements to the existing operations will enclose noise producing activities by having all service bays, maintenance and repair operations completely inside the building;
- The proposed site plan and building redesign will allow vehicle deliveries to be relocated to the south side of the main structure with access and circulation completely within the site, thereby eliminating the need to use Lake Shore Drive and parking within the ROW;
- The proposed site plan changes and future garage will provide needed parking to eliminate the use of ROW areas and drive aisles within the site;
- The entrance reconfigurations will eliminate the use of Lake Shore Drive for transport vehicle deliveries;
- The incorporation of Jasmine Drive into the site will improve drainage and utility services to the surrounding areas;
- Conditions of approval will limit and reduce the hours of car deliveries;
- The consolidation of uses and construction of the garage will improve security and provide a screen to reduce noisy activities on the site from the adjacent residents;
- The proposed development is a much less intense development than could otherwise be constructed and the reduced building footprint maximizes the open space on the site;
- The plan provides for a public bus shelter and expands the parkway treatment along the Lake Shore and Ilex Drive Rights-of-ways; and
- The proposed plan reduces the existing non-conformities of the site.

The applicant proposes to make several modifications to the current project design which will reduce and eliminate much of the noise producing activity. All service bays will now be enclosed, repairs and mechanical equipment will now be enclosed. The existing outdoor car wash operation will be relocated and enclosed within walls that are intended to reduce noise levels as well as improve the waste water treatment. The hours of operation will be limited from 8:00 AM to 7:00 PM Monday through Saturday. The blower is proposed to have a 30HP motor which is anticipated to reduce noise levels to the level of a house vacuum cleaner or lawnmower within 30' of the operation. The time frame for the blower is anticipated to be no more frequent than 5 minutes apart and run for only a 60 second interval. With the closest residential building being approximately 150 feet away, the noise levels are expected to be reduced to the level of a normal speaking voice. The applicant feels the location of the car wash is preferred both from an esthetic perspective but also as the most appropriate location to minimize any potential impacts to the adjacent neighborhoods.

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**

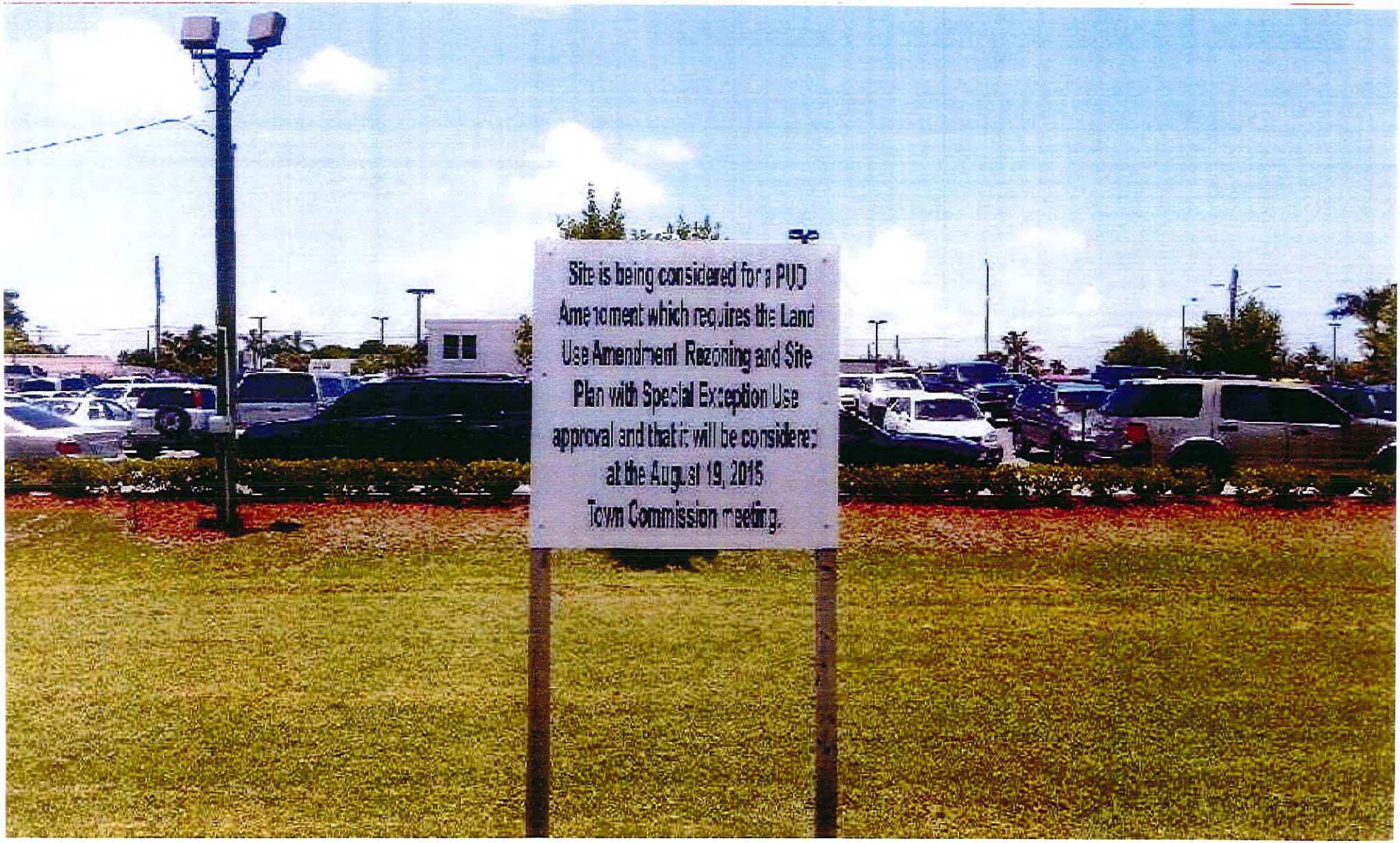
Date/Time/Location Scheduled for Governing Body Public Hearing for Adoption:
(Tentative) June 17, 2015

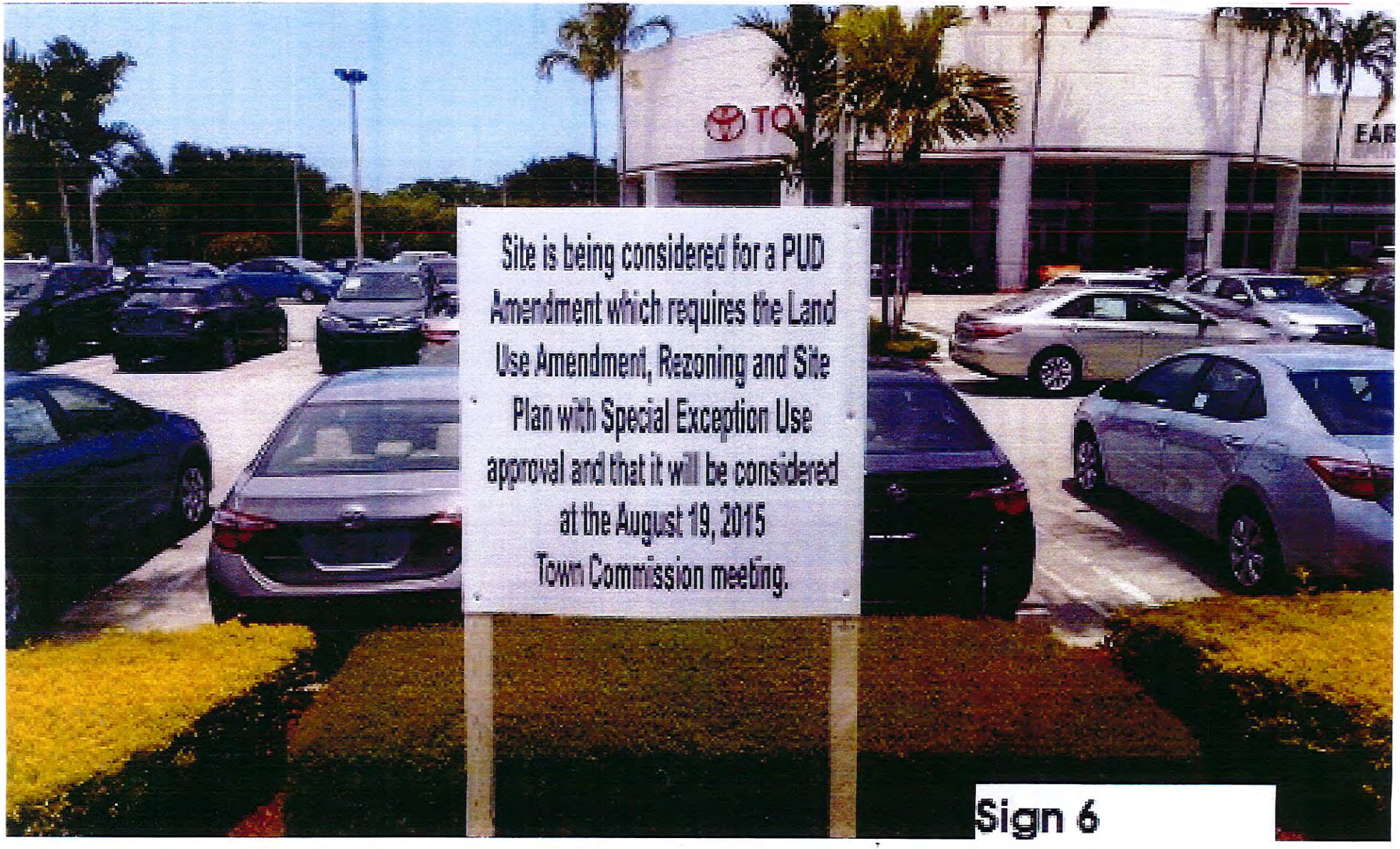
Scheduled Date for Transmittal to Department of Economic Opportunity (Division of Community Development): **(Tentative) June 18, 2015**

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 August 19, 2015
Town Commission meeting.

EARL STEWART TOYOTA USED CAR CENTER
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 August 13, 2015
Town Commission meeting

Sign 3


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 August 19, 2015
Town Commission meeting.


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 August 19, 2015 Town Commission meeting.

Sign 6

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 August 19, 2015
Town Commission meeting

Sign 8

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 IV, SECTION 18 OF THE TOWN OF LAKE PARK'S CHARTER PERTAINING TO THE 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 0.40 ACRE PORTION OF THE EAST LAKESHORE DRIVE RIGHT OF WAY LOCATED EAST OF FEDERAL HIGHWAY AND TERMINATING AT LAKESHORE DRIVE, DESCRIBED AS AVENUE "F", ACCORDING TO THE PLAT OF REALTY CITY RECORDED IN PLAT BOOK 8, PAGE 10 AND 10; 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 (PUD) OVERLAY DISTRICT WITH AN UNDERLYING COMMERCIAL-1 ZONING DISTRICT TO THE 0.49 ACRE PORTION OF THE EAST LAKESHORE DRIVE RIGHT OF WAY, LOCATED EAST OF FEDERAL HIGHWAY AND TERMINATING AT LAKESHORE DRIVE, PROVIDING FOR THE AMENDMENT OF THE PLANNED UNIT DEVELOPMENT (PUD) 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. 04-2015

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 LAKESHORE 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"), which 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 Jersey Drive right-of-way and onto 1017 Federal Highway (Property Control Number: 36-43-42-21-27-000-0100), for which a site plan for development, along with the special exception use of a vehicle sales establishment will be considered for approval under the following Resolution:

RESOLUTION NO. 16-05-15

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

TAB 6

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 19, 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. ***(CONTINUED FROM JUNE 17, 2015 MEETING)***

[ ] 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:** 8-11-15

Nadia Di Tommaso / Community Development Director ND
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 – JUNE 17, 2015: Town Commission continued Ordinance 03-2015 on second reading (5-0 vote) to the August 19, 2015. Please refer the meeting minutes for a summary of the discussion.

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:

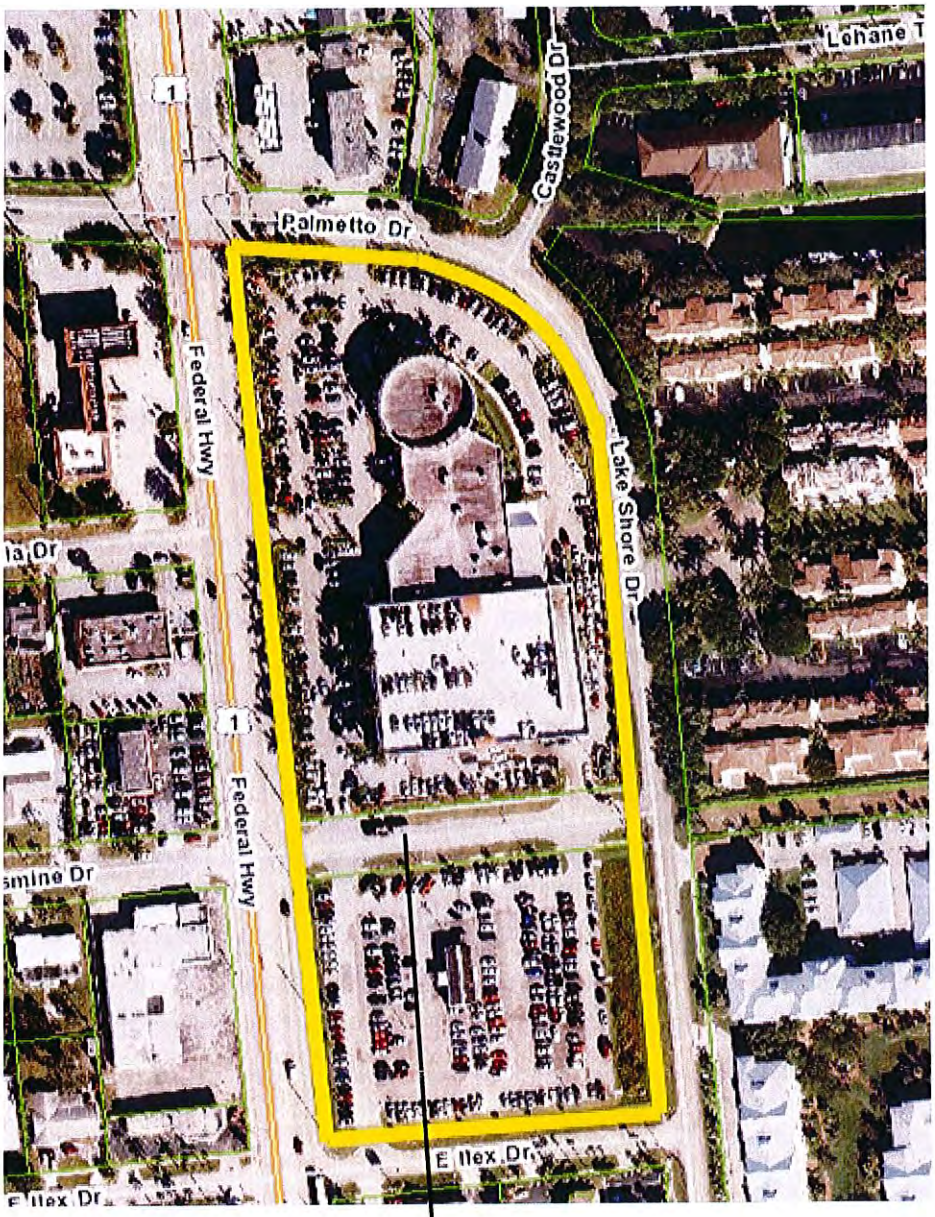
As part of the proposed development for the site, the Applicant has applied to rezone the right-of-way and the parcel immediately south of the right of way, which has an address of 1017 Federal Highway. The rezoning is necessary in order to incorporate this overall area into the PUD zoning district designation 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.

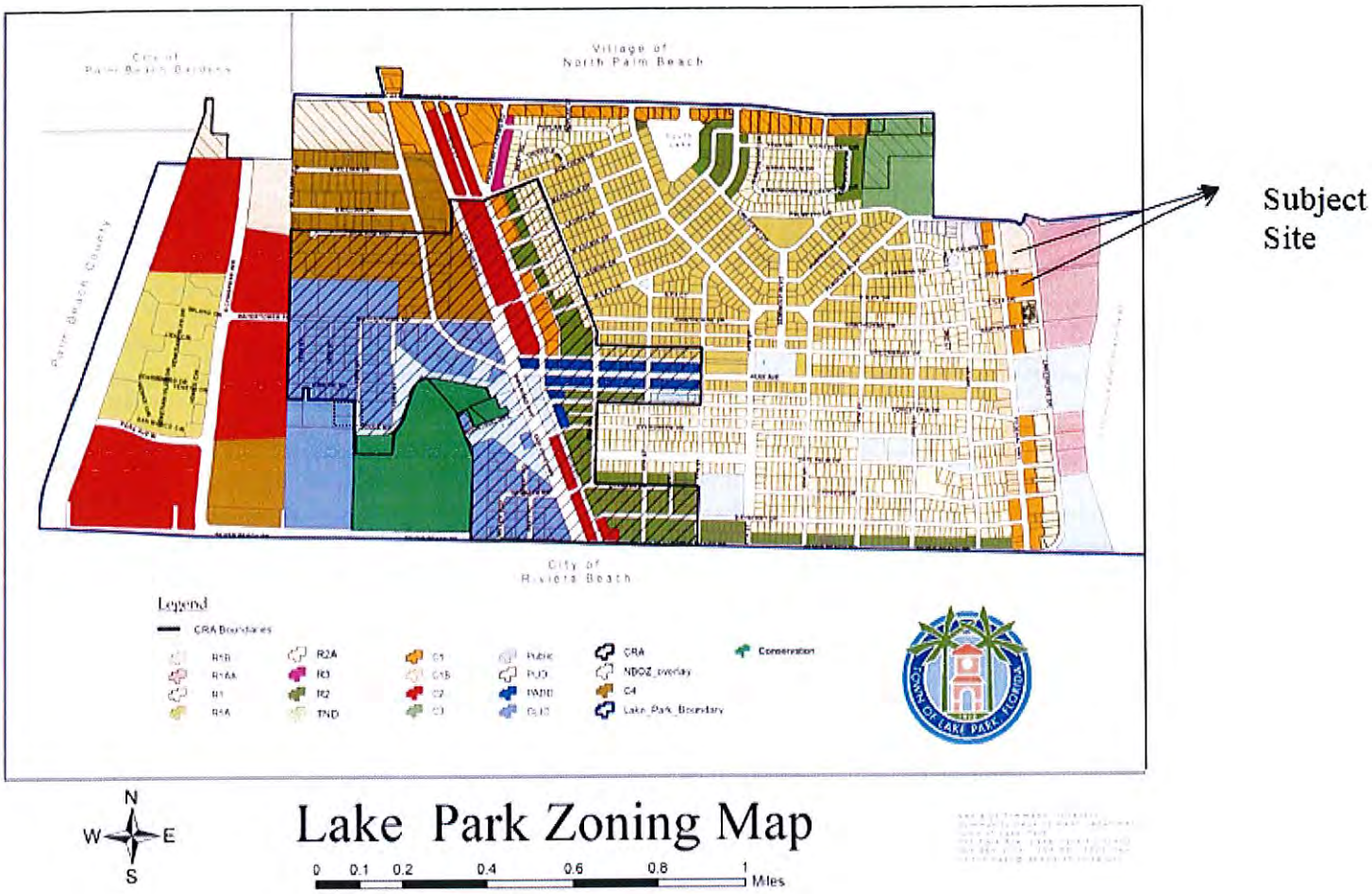
Figure 1: Aerial View of Existing Site ***(image not to scale; for visual purposes only)***

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



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 2nd 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. Highyway # 1 (State Road # 5) as conveyed to the State of Florida in Deed Book 803, Page 158, Public Records of Palm Beach County.

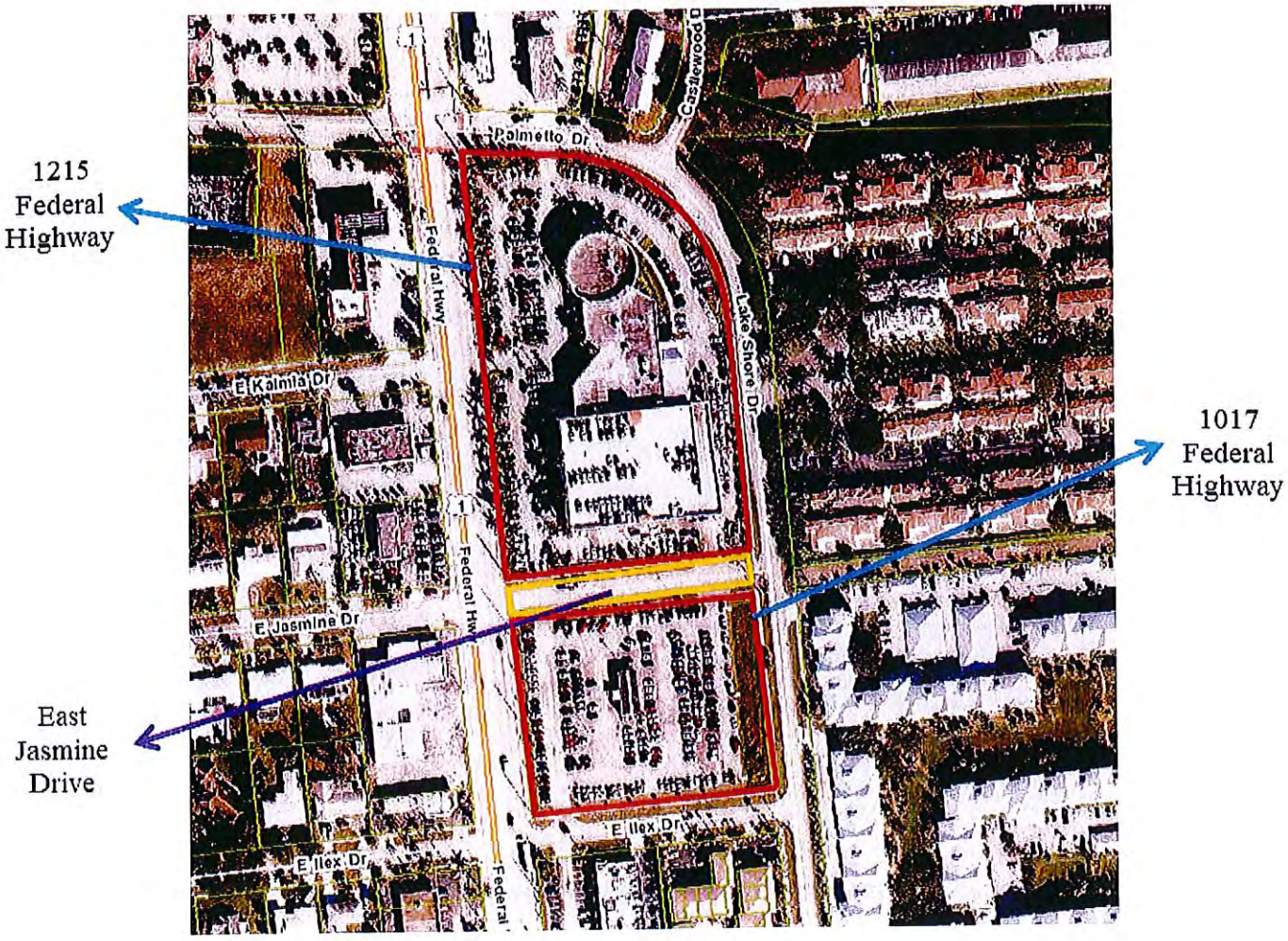
CONTAINING IN ALL, 21,275 SQ. FT. AND/OR 0.49 ACRES.

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 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-WA Y 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

For Planned Unit Development (PUD) applications (rezoning) 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

EARL STEWART TOYOTA
JUSTIFICATION STATEMENT AND
STATEMENT OF PUBLIC BENEFIT

urban design kilday STUDIOS

Urban Planning and Design
Landscape Architecture
Communication Graphics

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: March 13, 2014
Amended October 29, 2014
Amended January, 7, 2015
Amended February 9, 2015
Amended February 18, 2015
Amended March 11, 2015
Amended April 24, 2015
Amended May 11, 2015
Amended May 29. 2015
Amended July 31, 2015
Amended August 7, 2015

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 sf of outdoor sales area and 1,267 parking spaces broken down as follows:

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

- **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.

    - **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 original auto dealership was constructed in the mid to late 1970's on the 4.47-acre parcel along with a 14,200 sf 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 sf 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's intended use of the 2.23 acre parcel for future expansion of the dealership has long been established and was previously approved with 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 sf 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:** January 2016
  - **Completion: (1)** Removal of Used Car trailer from South parking lot - 5 months from commencement of Phase 1 ; **(2)** Building shell, 3rd floor administration, office interiors, uses car sales office interiors, service department interiors, site work, landscaping and parking lot improvements – 14 months from the commencement of Phase 1

- Phase 2
  - **Commencement of Development:** February 2017
  - **Completion:** 8 months following commencement of Phase 2 (Interior demolition of existing showroom and administrative offices, construction of new showroom and sales offices)
- Phase 3
  - **Commencement of Development:** 18 months from completion of Phase 2
  - **Completion:** (Garage and site improvements) 18 months from start of construction but no later than October 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, a car dealership has existed in this location 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 is consistent with a previous approval and 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 sf (from 19,408 sf to 28,842 sf) (note that while the square footages listed above show an existing sf of 19,297, Resolution No. 14-05-03 allowed up to 19,408 sf);
    - **Service Bays/Storage:** +7,580 sf (from 37,081 sf to 44,661 sf) (note that while the square footages listed above show an existing sf of 25,911, Resolution No. 14-05-03 allowed up to 37,081 sf) and +23 service bays (from 25 service bays to 48 service bays);
e. Increase the Outdoor Sales Display Area by 5,566 sf (from 17,107 sf to 22,673 sf);
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.

- The unified development will not only create an architectural theme but will also create a consistent landscape theme that will enhance the view from surrounding properties;
- The height/mass of the existing building as well as the proposed parking garage will be mitigated by architectural design and the additional landscaping provided;
- The proposed improvements to the existing operations will enclose noise producing activities by having all service bays, maintenance and repair operations completely inside the building;
- The proposed site plan and building redesign will allow vehicle deliveries to be relocated to the south side of the main structure with access and circulation completely within the site, thereby eliminating the need to use Lake Shore Drive and parking within the ROW;
- The proposed site plan changes and future garage will provide needed parking to eliminate the use of ROW areas and drive aisles within the site;
- The entrance reconfigurations will eliminate the use of Lake Shore Drive for transport vehicle deliveries;
- The incorporation of Jasmine Drive into the site will improve drainage and utility services to the surrounding areas;
- Conditions of approval will limit and reduce the hours of car deliveries;
- The consolidation of uses and construction of the garage will improve security and provide a screen to reduce noisy activities on the site from the adjacent residents;
- The proposed development is a much less intense development than could otherwise be constructed and the reduced building footprint maximizes the open space on the site;
- The plan provides for a public bus shelter and expands the parkway treatment along the Lake Shore and Ilex Drive Rights-of-ways; and
- The proposed plan reduces the existing non-conformities of the site.

The applicant proposes to make several modifications to the current project design which will reduce and eliminate much of the noise producing activity. All service bays will now be enclosed, repairs and mechanical equipment will now be enclosed. The existing outdoor car wash operation will be relocated and enclosed within walls that are intended to reduce noise levels as well as improve the waste water treatment. The hours of operation will be limited from 8:00 AM to 7:00 PM Monday through Saturday. The blower is proposed to have a 30HP motor which is anticipated to reduce noise levels to the level of a house vacuum cleaner or lawnmower within 30' of the operation. The time frame for the blower is anticipated to be no more frequent than 5 minutes apart and run for only a 60 second interval. With the closest residential building being approximately 150 feet away, the noise levels are expected to be reduced to the level of a normal speaking voice. The applicant feels the location of the car wash is preferred both from an esthetic perspective but also as the most appropriate location to minimize any potential impacts to the adjacent neighborhoods.

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 + Cedar 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

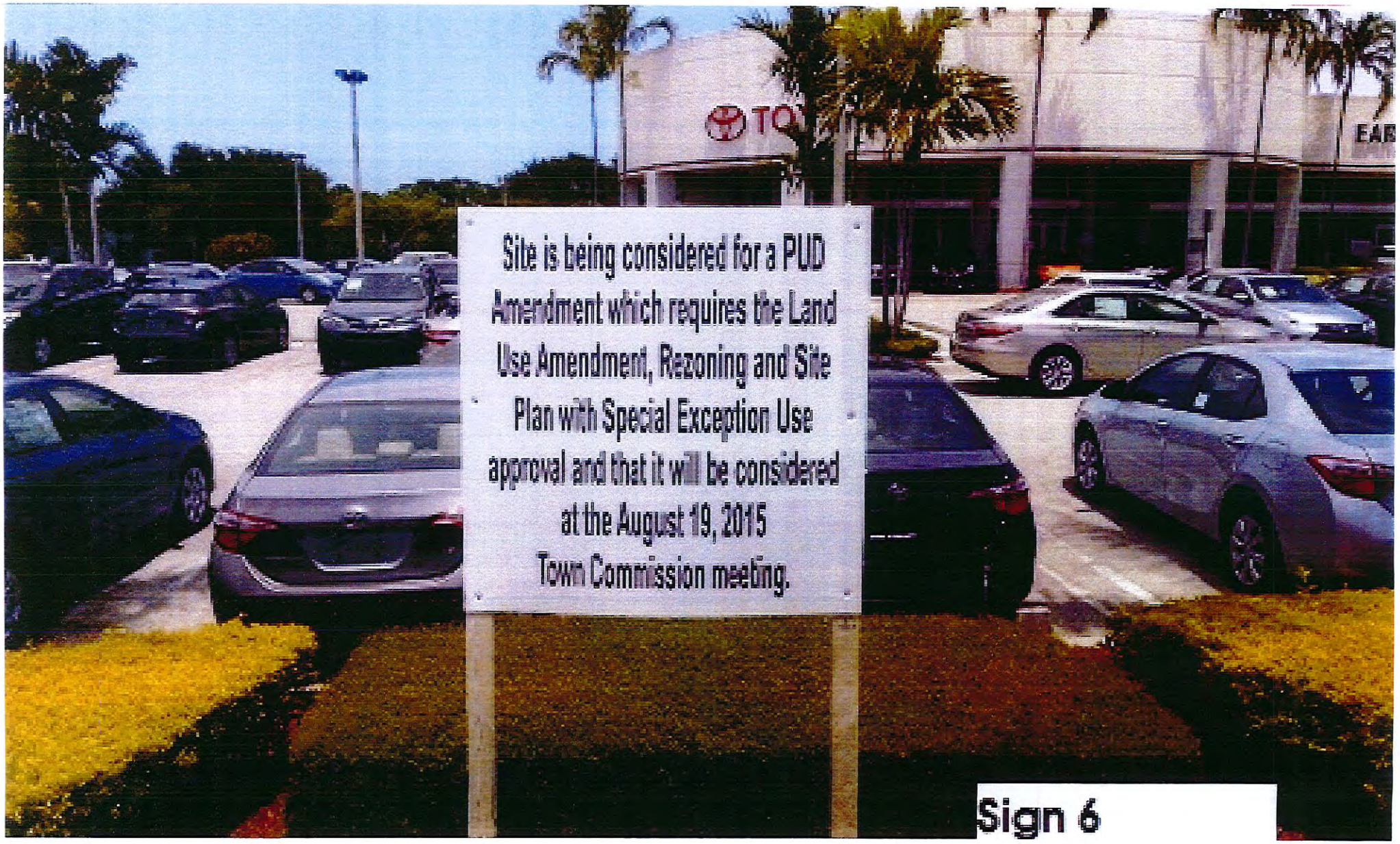
SANDRA J. MEGRUE
Notary Public - State of Florida
My Comm. Expires Aug 13, 2016
Commission # EE 192836
Bonded Through National Notary Assn.

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 August 19, 2015
Town Commission meeting.

EARL STEWART TOYOTA USED CAR CENTER
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 August 19, 2015 Town Commission meeting.

Sign 3

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 August 19, 2015
Town Commission meeting.


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 August 19, 2015
Town Commission meeting.

Sign 6

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 August 19, 2015
Town Commission meeting

Sign 8

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 6:05 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 XIV, 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 HOLD QUORUM A YEAR IN WHICH THERE IS A PRESIDENTIAL PRIMARY PRESIDENCE 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 1.49 ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT OF WAY LOCATED EAST OF FEDERAL HIGHWAY AND TERMINATING AT LAKEMORE DRIVE, DESCRIBED AS AVENUE "I", ACCORDING TO THE PLAT OF KELSEY CITY RECORDED IN PLAT BOOK 8, PAGES 15 AND 16; 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-TO-WIN DISTRICT TO THAT 1.49 ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT OF WAY, LOCATED EAST OF FEDERAL HIGHWAY AND TERMINATING AT LAKEMORE DRIVE; PROVIDING FOR THE ASSIGNMENT OF THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT TO THE PROPERTY AT 1011 FEDERAL HIGHWAY; PROVIDING FOR THE AMENDMENT OF SECTION 78-35 OF THE TOWN CODE TO REFLECT THE REZONING OF THESE TWO PROPERTIES ON THE TOWNES OFFICIAL ZONING MAP; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 08-2015

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ASSIGNING A FUTURE LAND USE DESIGNATION OF "MIXED USE/LIGHT COMMERCIAL" TO THAT 0.43 ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT OF WAY, LOCATED EAST OF FEDERAL HIGHWAY AND TERMINATING AT LAKEMORE 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 TH-1 Stewart, LLC and Cosmordo Investments LLC (Owner), who is requesting to rezone the Owner's existing car dealership currently located at 1315 Federal Highway (Property Control Number: 36-43-42-15-27-009-0000) and the existing East Jasmine Drive right-of-way and 1011 Federal Highway (Property Control Number: 36-43-42-20-05-121-0010), for inclusion into a site plan for development, along with the special exception use of a vehicle sales establishment, will be considered for approval under the following Resolution:

RESOLUTION NO. 16-05-15

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING RESOLUTION 14-01-99 THE DEVELOPMENT ORDER AND SITE PLAN FOR THE FAIL 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, may 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
6/3/2015 431970