



**TOWN OF LAKE PARK
 PLANNING & ZONING BOARD
 “SPECIAL CALL”
 MEETING MINUTES
 NOVEMBER 23, 2015**

CALL TO ORDER

The Special Call Planning & Zoning Board Meeting was called to order by Vice-Chair Von Unruh at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Judith Thomas, Chair	Excused
Erich Von Unruh, Vice-Chair	Present
Martin Schneider	Present
Michele Dubois	Present
Ludie Francois	Present
Anne Lynch, Alternate	Present

Also in attendance were Thomas J. Baird, Town Attorney; Nadia DiTommaso, Community Development Director; Scott Schultz, Town Planner, and Kimberly Rowley, Board Secretary.

APPROVAL OF AGENDA

The Community Development Director requested that Item “B” be heard first, since the Applicant for Item “A” was not yet present.

Vice-Chair Von Unruh requested a motion for the approval of the Agenda as amended. Board Member Schneider Lynch made the motion, and it was seconded by Board Member Francois. The vote was as follows:

	Aye	Nay
Erich Von Unruh	X	
Martin Schneider	X	
Michele Dubois	X	
Ludie Francois	X	
Anne Lynch	X	

The Motion carried 5-0, and the Agenda was approved as amended.

APPROVAL OF MINUTES

Vice-Chair Von Unruh asked for a motion for the approval of the October 5, 2015, Planning & Zoning Board Meeting Minutes as submitted. Board Member Schneider made a motion for approval, and it was seconded by Board Member Lynch. The vote was as follows:

	Aye	Nay
Erich Von Unruh	X	
Martin Schneider	X	
Michele Dubois	X	
Ludie Francois	X	
Anne Lynch	X	

The Motion carried 5-0, and the Minutes of the October 5, 2015, Planning & Zoning Board Meeting were approved as submitted.

PUBLIC COMMENTS

Vice-Chair Von Unruh reviewed the Public Comments procedure.

ORDER OF BUSINESS

Vice-Chair Von Unruh outlined the Order of Business.

NEW BUSINESS

B. REZONING OF TWENTY-ONE (21) PARCELS ON THE EAST SIDE OF 10TH STREET BETWEEN NORTHERN DRIVE AND SILVER BEACH ROAD FROM RESIDENTIAL-2 TO COMMERCIAL-1. (TOWN INITIATED REQUEST).

STAFF PRESENTATION

Nadia DiTommaso, Community Development Director, addressed the Board Members and explained that this is a Town initiated Application for the rezoning of twenty-one (21) parcels on the east side of 10th Street between Northern Drive and Silver Beach Road from Residential-2 to Commercial-1. Ms. DiTommaso stated this is a simple, housekeeping item and reviewed the history. In 2009, the Town underwent its evaluation and appraisal report of the Comprehensive Plan, and several sections (elements) of the Plan were modified, including the Future Land Use Element which identifies the various land use designations for parcels throughout the Town. The land use designations set a vision for the future development of these parcels, and at that time the vision for the subject (21) parcels translated into a commercial land use designation. Staff realized after initiating a GIS mapping project in recent months, that the zoning district designation had not been officially changed for the (21) subject parcels. Ms. DiTommaso stated the reason the zoning district designation needs to change is because the zoning district provides for the permitted uses and additional land development regulations for the parcels, and consequently, since the land use

designation changed to commercial in 2009, the zoning needs to change to Commercial-1 (C-1), so it will be consistent with the land use designation in place. This means that properties currently built as multi-family residential can only be significantly redeveloped as commercial, which would provide for a larger footprint for commercial redevelopment and potentially increase parcel values. Since some of the parcels lie adjacent to single-family residential, the C-1 Zoning designation is the most appropriate, since the more intense commercial uses in the District can only be approved by Special Exception. Ms. DiTommaso stated though the vision was set in 2009, Staff is now taking the step to formalize it with a zoning district designation which is consistent with the 10th Street corridor and the future Commercial land use designation on these parcels. Ms. DiTommaso stated that phone calls received by the Community Development Department on this item were positive.

STAFF RECOMMENDATION

Ms. DiTommaso stated that Staff is recommending Approval of the rezoning of twenty-one (21) platted parcels, as legally described within the Staff Report, from a Residential-2 to Commercial-1 Zoning District designation.

PUBLIC COMMENTS

There were no public comments.

BOARD DISCUSSION

Board Member Schneider asked how the affected property owners were notified for this item. Ms. DiTommaso responded there were 2 sections of properties: 1) the properties north of Park Avenue, which are more than 10 contiguous acres and therefore were not required to receive individual notice; and 2) the properties located south of Park Avenue, which since the area is less than 10 contiguous acres, were required to receive individual notice per Florida Statute. Ms. DiTommaso stated that all of the impacted properties were advertised in the Palm Beach Post. Board Member Schneider expressed concern that the large property owners did not receive notice. Board Member Schneider questioned the noticing back in 2009 and asked if there was any opposition at that time. Ms. DiTommaso responded she was not certain, but that since the 2009 changes were part of an EAR Amendment, notification of property owners would have been a requirement. Board Member Schneider stated the apartments, townhouses, single-family homes and the day care center would all now become non-conforming. Ms. DiTommaso confirmed as correct, and stated that since the land use is already in place, there is existing non-conformity. Board Member Schneider asked that since there are (3) major day care centers in the subject area, if Staff has considered the possibility of adding day care as a special exception use in the C-1 Zoning District. Ms. DiTommaso stated there are several uses which will need to be tweaked in the C-1, and that Staff is currently undergoing a Code overhaul project and will consider the changes at that point. She stated there are certain uses that are existing that should be considered in the C-1 whether they are permitted or by special exception. Board Member Schneider asked if Staff received any feedback from single-family homeowners or landlords who are opposed. Board Member Schneider suggested Staff research the possibility of adding day care centers as a special exception use.

Vice-Chair Von Unruh asked the Community Development Director if consideration is being given to making 10th Street mixed-use rather than commercial. Ms. DiTommaso responded that 10th Street is not part of the mixed-use discussion at this time, but it could be an option in the future. Vice-Chair Von Unruh asked for clarification of the Florida Statute noticing procedure/requirement for this rezoning item and expressed concern that all of the property owners did not receive notification of the rezoning and the implications. Board Member Schneider suggested a courtesy notice be provided to the property owners north of Park Avenue, and Board Member Lynch agreed with his suggestion. Ms. DiTommaso stated a courtesy notice would be provided to the property owners prior to the Item going before the Town Commission.

Board Member Lynch asked the practical impact on homeowners with this change. Ms. DiTommaso responded that if significant redevelopment were to occur in the future, it could only be commercial.

Board Member Schneider asked for clarification of the northern boundary line.

PLANNING & ZONING BOARD RECOMMENDATION

Upon conclusion of the Board discussion, Vice-Chair Von Unruh asked for a motion from the Board. Board Member Schneider made the motion for approval of the Rezoning of twenty-one (21) parcels to include: a courtesy mailing notification to the affected property owners located north of Park Avenue, and also that Staff research including day care as a Special Exception Use within the C-1 District. The motion was seconded by Board Member Lynch, and the vote was as follows:

	Aye	Nay
Erich Von Unruh	X	
Martin Schneider	X	
Michele Dubois	X	
Ludie Francois	X	
Anne Lynch	X	

The vote was 5-0 and the Town initiated Rezoning Application was approved.

- A. A SITE PLAN APPLICATION FOR AN OFFICE WAREHOUSE TO BE LOCATED ON A VACANT LOT ON THE WEST SIDE OF 10TH COURT, TWO PARCELS NORTH OF NORTHERN DRIVE. APPLICANT: AHRENS COMPANIES FOR R&K 10TH COURT, LLC, PROPERTY OWNER.**

STAFF PRESENTATION

Scott Schultz, Town Planner, addressed the P&Z Board and stated this is a Site Plan Application for an office warehouse to be located on a .3221 acre vacant lot on the west side of 10th Court, two parcels north of Northern Drive. Mr. Schultz explained that the Applicant, Ahrens Companies, is proposing to develop a 3,430 square foot office warehouse on behalf of property owner R&K 10th Court, LLC. The Site has a “Commercial/Light Industrial” Future Land Use Designation and a C-4 Zoning Designation, which allows “office/warehouse” as a permitted use. Mr. Schultz stated that the Site Plan has been reviewed by the Town’s Consulting Engineer and Landscape Architect, as well as the Community Development Department and Public Works Department, and based upon the review, Staff finds the Site Plan meets the Land Development Regulations of the Town Code and Site Plan details, as follows:

Building Site: The site is located on the west side of 10th Court and is the second parcel just north of Northern Drive.

Site Access: The Site has one street access and is proposing one entrance and exit via a driveway to be located on the parcel’s east side that fronts 10th Court.

Traffic: The Applicant received a letter from Palm Beach County’s Traffic Division confirming that there is adequate capacity on the roadways to serve the project.

Landscaping: The Site Plan meets the Town’s Landscaping Code Regulations per the Town’s consulting landscape architect review and pursuant to Administrative Waivers of Section 78-325(c). Administrative Landscape Waivers are allowed for lots smaller than 1 acre and allow for a 20% reduction to the minimum width of a landscape buffer. This reduction is applied to the buffers on this parcel along the north, south and west sides of the property, which results in a new landscape buffer width of 6.4’ on the north and west, and along the south the buffer varies from 6.7’ to 10.7’.

Drainage: The Town’s Engineer has reviewed the Applicant’s Paving, Grading and Drainage plans and has determined that it meets the engineering requirements for drainage.

Parking: The Applicant is proposing 8 parking stalls inclusive of 1 ADA space, which exceeds the minimum number of required parking spaces. *Per Town Code Section 78-145(h)*, 7 spaces are required for this development.

Signage: The Applicant is proposing one wall sign to be located on the west (front) elevation above the warehouse entry door that will be visible from 10th Court and will be subject to the Town’s permitting requirements.

Photometric Plan: Meets the minimum requirements of Town Code Section 54-34 through Section 54-36.

Zoning: An Office/Warehouse use is a permitted use within the C-4 Zoning District in which the Site is located.

Water/Sewer: The Applicant has not submitted Seacoast Utility Authority's (SUA) determination of compliance, however, it is the Town's understanding that Seacoast's review is ongoing and that the Applicant has responded to some of their preliminary comments which did not warrant any significant changes to the plans. Final Seacoast approval will be required prior to the issuance of any building permits for development.

Design: The proposed Elevations meet the Town's minimum Architectural Guidelines in Sections 78-330 through Section 78-337, some of which were met at a bare minimum by the Applicant as follows:

- canopies or porticos
- overhangs proportional in size to mass of building
- arcades
- pedestrian amenities
- peaked roofs with minimum 12 inch overhangs
- ornamental and structural architectural details
- and architectural treatments on all four façade elevations, including:
 - articulation of facades
 - window and door treatments
 - uniform design

Fire: Palm Beach County Fire-Rescue is currently in the process of performing a preliminary site plan review and will be reviewing the plans in greater detail as part of the building permit review process.

PBSO: PBSO is currently in the process of performing a preliminary site plan review.

STAFF RECOMMENDATION

Staff is recommending approval of the Site Plan for a 3,430 square foot office/warehouse located along the west side of 10th Court, subject to Conditions 1-18, as identified within the Staff Report.

Mr. Schultz stated the Applicant and the property owner are present.

PUBLIC COMMENTS

There were no public comments.

APPLICANT PRESENTATION

Richard Ahrens of the Ahrens Companies addressed the Board and stated that Richard Kauff, the property owner is present. Mr. Ahrens showed a Power Point presentation of the site plan design and layout and pointed out the specifics of the proposed development. Mr. Ahrens stated that one office/warehouse space will be utilized by Mr. Kauff, and the other office/warehouse space will be for an auto wrap-around business which is owned by Mr. Kauff's nephew.

BOARD DISCUSSION

Board Member Francois asked for an explanation of business type which will occupy the building. Mr. Schultz stated there will be two (2) offices and two (2) warehouses. R&K 10th Court, LLC will have an office in the building, as well as a tenant to be determined.

Board Member Schneider stated he likes the architecture and the general layout of the project, but he has questions regarding the parking area and the light pole. He asked what will be the use of the paved area in front of the warehouse since it is not a parking space. Mr. Ahrens responded the paved area will be used to accommodate larger vehicle into the space. Board Member Schneider expressed concern with the guide wires that come down on an angle from the pole which will make it difficult to back out of the south parking space. Mr. Ahrens responded that Board Member Schneider's concern had been addressed with a Representative of Florida Power and Light Representative and FPL did not have an issue with it and provided a confirmation letter. Mr. Ahrens stated the power pole has a transformer on it and it would be very costly to move. Board Member Schneider inquired about the parking at the vacant lot and what is it being used for. Mr. Ahrens responded that it is being temporarily utilized by Mr. Kauff's brother for his trailer business.

Board Member Dubois asked about the vinyl auto wrap business. Mr. Ahrens stated that the auto wraps will be done on-site.

Board Member Lynch asked if jobs will be created by the auto wrap business and if they will advertise this location. Mr. Ahrens was uncertain.

Vice-Chair Von Unruh asked Mr. Ahrens if they have any problems with Staff's Conditions 1-18. Mr. Ahrens responded that the Conditions are standard and they have no problem with the Conditions.

Mr. Ahrens stated that Scott Schultz did a great job with his presentation.

PLANNING & ZONING BOARD RECOMMENDATION

Upon conclusion of the Board discussion, Vice-Chair Von Unruh asked for a motion from the Board. Board Member Schneider made a motion for the approval of the Site Plan Application, with Staff's Conditions 1-18. The motion was seconded by Board Member Lynch, and the vote was as follows:

	Aye	Nay
Erich Von Unruh	X	
Martin Schneider	X	
Michele Dubois	X	
Ludie Francois	X	
Anne Lynch	X	

The vote was 5-0, and the Site Plan Application for an Office Warehouse to be located on a vacant lot on the west side of 10th Court was unanimously approved with Conditions 1-18.

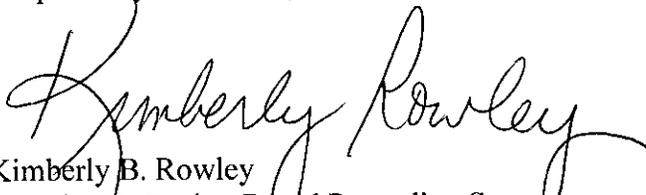
COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

Ms. DiTommaso announced the 2nd Mixed-Use Community Workshop is going to be held on Wednesday, December 9th at 6:00 p.m. in the Town Commission Chambers, and she wished everyone a Happy Thanksgiving.

ADJOURNMENT

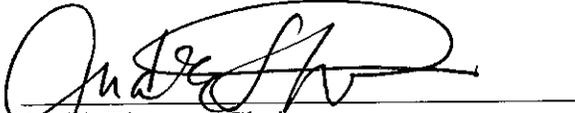
There being no further business before the Board, the Meeting was adjourned by Vice-Chair Von Unruh at 6:40 p.m.

Respectfully Submitted,



Kimberly B. Rowley
 Planning & Zoning Board Recording Secretary

PLANNING & ZONING BOARD APPROVAL:



Judith Thomas, Chair
 Town of Lake Park Planning & Zoning Board

DATE: 1/4/16