



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: September 2, 2026

Originating Department: Community Development Department

Agenda Title: Resolution 72-09-26 - Special Exception - Berlin Autotech (Auto Painting & Body Shop) & 1335 Old Dixie Highway LLC (Property Owner) – 1335 Old Dixie Highway Units 18 & 19

Agenda Category (i.e., Consent, New Business, etc.): New Business

Approved by Town Manager: _____ **Date:** _____

Cost of Item: Legal Ads and Legal Review **Funding Source:** Applicant Escrow

Account Number: 03-00194-00 **Finance Signature:** Barbara A. Gould

Advertised:

Date: July 24, 2025 **Newspaper:** Palm Beach Post (certified notice also mailed July 15)

Attachments: Staff Report, Final Resolution, Legal Notice, Certified Letter, All Plans and Apps Binder

Please initial one:

AV Yes I have notified everyone

_____ Not applicable in this case

Summary Explanation/Background:

On behalf of 1335 Old Dixie Highway LLC (Property Owner), Berlin Autotech LLC (Agent and Applicant) is requesting special exception approval for a 2,790 square foot auto paint and body use for the property located east of Old Dixie Highway in the Town of Lake Park at 1335 Old Dixie Highway Unit 18 and 19 (along the east side of Old Dixie Highway, across from South Killian Drive). The property is not located within the Community Redevelopment Area (CRA).

The proposed development is consistent with the Town of Lake Park's adopted regulations for the C-4 District.

The proposed auto paint and body shop is compatible with both the existing and future character of surrounding commercial and industrial properties and will include:

- Low-volume operation specializing in high-end vehicles and restoration work rather than a high-production collision center
- Hours of operation are anticipated to be Monday through Friday from 8:00 AM to 6:00 PM and Saturday from 9:00 AM to 2:00 PM by appointment
- Traffic generation will be minimal, with customers generally dropping off and picking up vehicles by appointment, planning around 8 to 12 cars a month maximum
 - The business is expected to generate fewer vehicle trips than many traditional automotive repair facilities
- The proposed use will operate entirely within the existing building and will not alter the building's mass, height, setbacks, or general appearance

Note: The Town's Land Development Regulations (LDR's) currently requires that an auto paint and body shop use obtain special exception approval by the Town Commission. This type of approval would require additional, specific review and approval by the Town to ensure compatibility due to potential impacts to the surrounding neighborhood (even if the proposed use fits within the Zone's general purpose).

Additionally, to permit this type of special exception, the LDR's requires that the proposed use meet six (6) general criteria, which the Community Development Department has determined to be met.

The Planning and Zoning Board held a public hearing and considered the proposed use during their August 3, 2026 Regular Meeting and recommended unanimous approval with conditions to the Town Commission. The final proposed conditions of approval include:

1. The Applicant shall occupy and only use the Site as set forth in the Special Exception application, justification statement, and the floor plans submitted to the Department.
2. Prior to receiving a Business Tax Receipt, from the Town, the Owner shall obtain a building permit, including the approval of Palm Beach County Fire Rescue for the paint booth.
3. All work associated with the Project's business operations shall be conducted indoors.
4. Vehicles cannot be stored outside of the building on the Site.
5. The approval for this special exception use is limited to and only granted because of the business' representation that it will be operating a low volume luxury repair service, consisting of no more than 3 to 5 customer visits per week. In the event, the Department is advised or determines that the intensity of the use has increased beyond 5 customers per week, the use shall be subject to further review.
6. Cost Recovery. All professional consulting fees and costs, and legal fees incurred by the Town in reviewing the Application and its and the preparation of this resolution shall be paid to the Town within 10 days of the mailing of the invoice from the Town. The failure to reimburse the Town within the 10 days from the date of the invoice shall result in the suspension of any further review

of plans or building activities pursuant to the building permit, and may result in the revocation of the this approval.

Note: The Applicant clarified that the proposed use will incorporate water-based paints and that contaminates will be captured on site and disposed of periodically.

Additionally, the proposed Berlin Autotech special exception use application has been reviewed by the Town's consulting engineers, Landscape Architect, Palm Beach County Fire Rescue, Seacoast Utility Authority, Palm Beach County Sheriff's Office (PBSO) for Crime Prevention Through Environmental Design (CPTED), Building Official, Public Works, Community Development Department and the Town Attorney.

The proposed special exception use request substantially complies with the Town's Land Development Regulations and Comprehensive Plan.

As a result, the proposed special exception (Auto Paint & Body Shop) use is being presented to the Town Commission for consideration. If approved, the special exception use will be effective immediately and the proposed auto paint and body shop will be able to proceed forward with operations.

Note: The proposed special exception request has been properly advertised and noticed in accordance with Town Code and State law (copy of legal ad and certified letter is enclosed).

Recommended Motion:

I move to approve Resolution 72-09-26 to authorize the proposed Berlin Autotech special exception use, located at 1335 Old Dixie Highway Units 18 and 19, Lake Park (along the east side of Old Dixie Highway, across from South Killian Drive).