



Town of Lake Park, Florida

Planning and Zoning Board Meeting Minutes

Monday, May 01, 2023 at 6:30 PM

535 Park Avenue Lake Park, Florida

Richard Ahrens	—	Chair
Jon Buechele	—	Vice-Chair
Lauren Paxton	—	Regular Member
Elizabeth Woolford	—	Regular Member

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Planning & Zoning Board, 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.

CALL TO ORDER

6:30 P.M.

PLEDGE OF ALLEGIANCE

Chair Ahrens led the pledge.

ROLL CALL

PRESENT

Richard Ahrens

Jon Buechele

Laura Paxton

Elizabeth Woolford

APPROVAL OF AGENDA:

Motion made to approve the agenda by Vice-Chair Buechele. Seconded by Board Member Paxton.

Vote: Chair Ahrens; Board Member Woolford.

APPROVAL OF MINUTES:

Motion made to approve the April 3, 2023 Planning & Zoning Board Meeting Minutes by Board Member Woolford. Second by Vice-Chair Buechele.

Vote: Chair Ahrens; Board Member Paxton.

PUBLIC COMMENTS ON AGENDA ITEMS:

Any person wishing to speak on an agenda item is asked to complete a Public Comment Card located on either side of the Commission Chambers, and provide it to the Recording Secretary. Cards must be submitted before the agenda item is discussed.

None

ORDER OF BUSINESS:

The normal order of business for Hearings on agenda items as follows:

- Staff Presentation
- Applicant Presentation (when applicable)
- Board Member questions of Staff and Applicant
- Public Comments -3 minute limit per speaker
- Rebuttal or closing arguments for quasi-judicial items
- Motion on the floor
- Vote of Board

NEW BUSINESS:

PZ-23-03: PUBLIC HEARING: REQUEST FOR SPECIAL EXCEPTION APPROVAL BY JS 1220 10TH STREET, LLC ("OWNER") FOR A 6,564 SQUARE FOOT MOTOR VEHICLE SALES USE AND A 13,448 SQUARE FOOT STORAGE WAREHOUSE USE FOR AN EXISTING BUILDING AT 1220 10TH STREET, LAKE PARK.

Town Planner Karen Golonka presented the item (see Exhibit "A"). Mr. George Gentile presenting the owner of the property presented (see Exhibit "B").

Vice-Chair Buechele asked if the location would be his corporate office specifically for his car collection. Mr. Gentile explained that it would be his corporate office for all his businesses. He explained that the maximum number of employees would be 10.

Chair Ahrens asked if the landscape would be brought back up to Code. Mr. Gentile explained that it would exceed what is required by Code.

Vice-Chair Buechele asked when the anticipated project would be completed. Mr. Gentile stated that they hope to have it complete by July.

Motion made to approve by Board Member Woolford. Seconded by Board Member Paxton.

Vote: Chair Ahrens; Vice-Chair Buechele

PLANNING & ZONING BOARD MEMBER COMMENTS:

None

COMMUNITY DEVELOPMENT DIRECTOR COMMENTS AND PROJECT UPDATES:

None

ADJOURNMENT:

6:56 P.M.

Motion made to adjourn by Board Member Woolford. Seconded by Board Member Paxton.

Vote: Chair Ahrens; Vice-Chair Buechele.

FUTURE MEETING DATE: Special Call Meeting – June 5, 2023 at 6:30 P.M.

Richard Ahrens, Chair
Town of Lake Park Planning & Zoning Board

Town Clerk, Vivian Mendez, MMC

Town Seal

Approved on this _____ of _____, _____



**TOWN LAKE OF PARK
PLANNING AND ZONING BOARD
MEETING DATE: May 1, 2023
AGENDA ITEM: PZ- 23-03**

AGENDA ITEM TITLE:

PUBLIC HEARING: REQUEST FOR SPECIAL EXCEPTION APPROVAL BY JS 1220 10TH STREET, LLC ("OWNER") FOR A 6,564 SQUARE FOOT MOTOR VEHICLE SALES USE AND A 13,488 SQUARE FOOT STORAGE WAREHOUSE USE FOR AN EXISTING BUILDING AT 1220 10TH STREET, LAKE PARK.

BACKGROUND:

Owner & Applicant(s):	JS 1220 10 th Street LLC
Location:	1220 10 th Street
Net Acreage (total):	2.77
Legal Description:	See survey enclosed in packet.
Existing Zoning:	C-2
Future Land Use:	Commercial

Request

Request for special exception under Town code, section 78-188 to permit the two special exception uses of motor vehicle sales and storage warehouse as provided in the C-2 zoning district, section 78-72 (2). (attachment A) Applicant proposes 6,564 square foot motor vehicle sales use (office) and a 13,488 square foot storage warehouse use for his business entity Cars From Dreams, LLC. within the existing 20,337 square foot building located 1220 10th Street.

The location is shown on the aerial, zoning map, and future land use maps that follow.

Figure 1: Aerial View of Site



Figure 2: Zoning Map

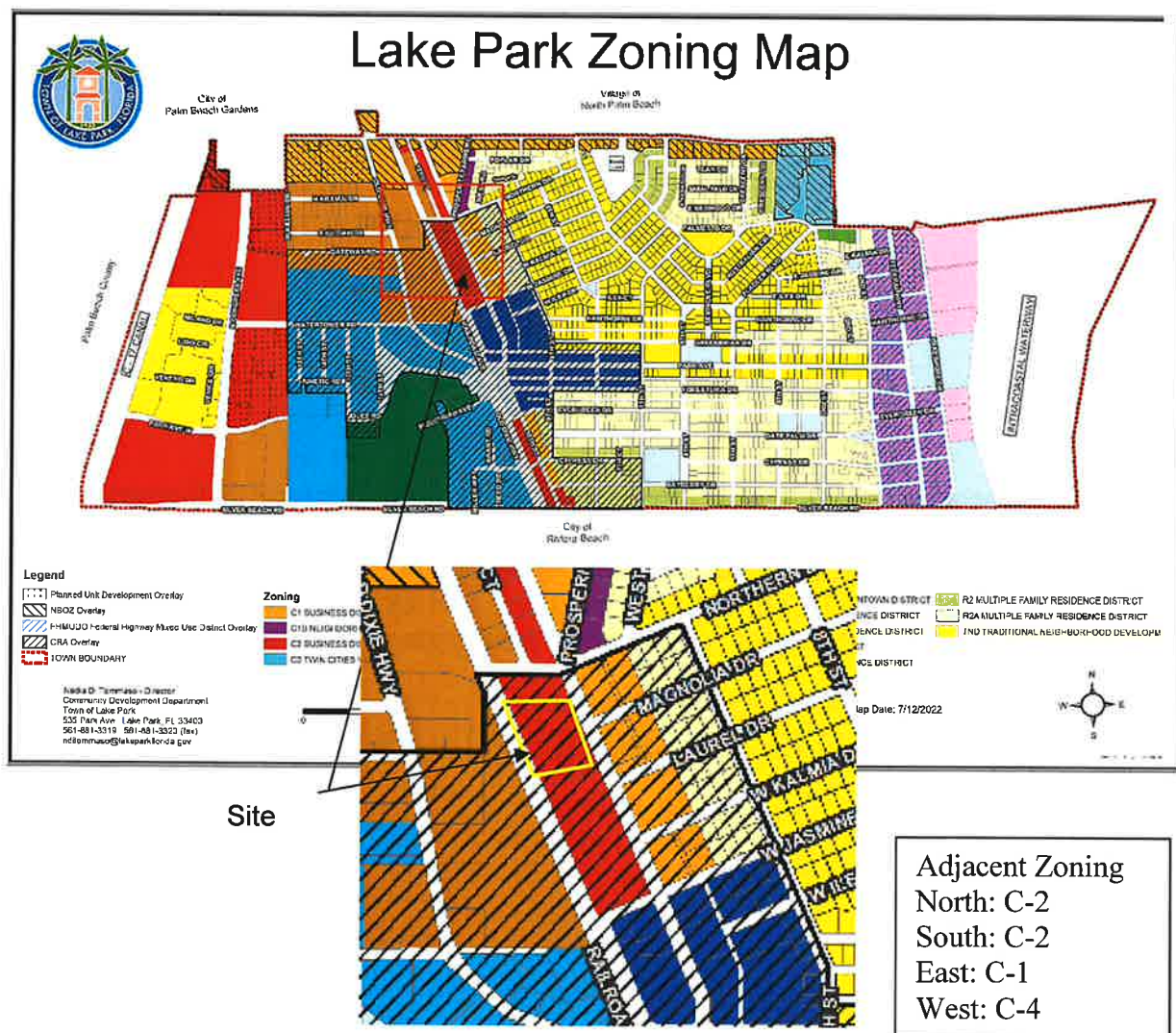
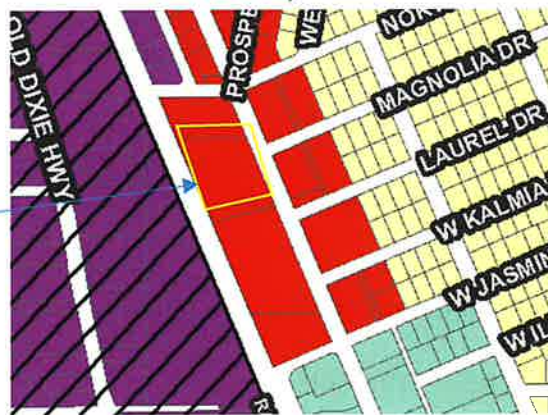
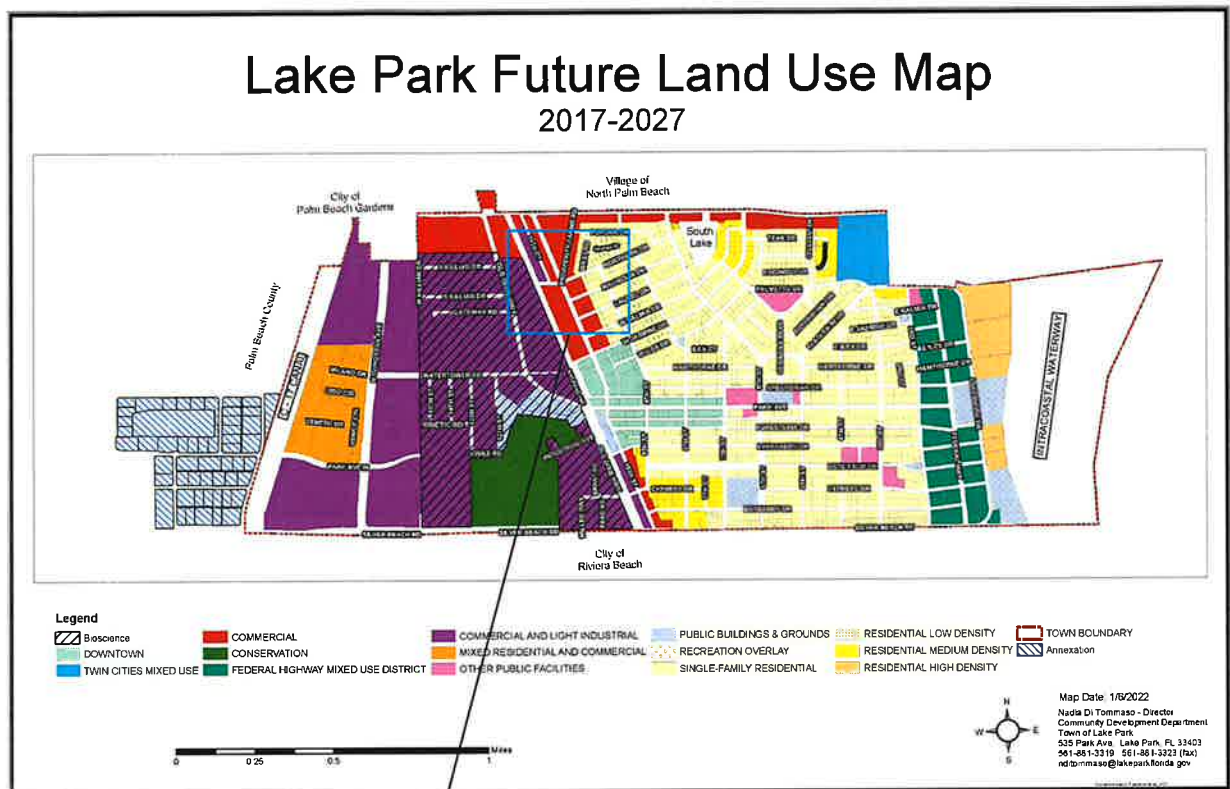


Figure 3: LAKE PARK FUTURE LAND USE MAP



Adjacent Existing Land Use

North: Commercial
South: Commercial
East: Commercial
West: Commercial

The building was last occupied by Palm Beach Academy of Health and Beauty. It was purchased in 2022 by the current owner and is undergoing renovation under an office use category. (See Figure 4 and photos in applicant package) Figure 5 shows a rendering of the façade improvements when completed. The applicant intends to make no changes to the site other than to bring the landscaping up to code. Therefore no site plan approval is required at this time.

The special exception request is somewhat unique. The property owner is a classic car collector, and the building would be used to house his collection and for his business office. The use will not be open to the public, but for select special events (with a temporary permit) and the site will not operate as a typical dealership. The two special exception uses requested, are explained below.

Motor vehicle sales special exception

In order for the owner to buy and sell at classic car auctions the Florida DMV requires that he have a dealer's license and comply with local regulations. Even though he will not be operating like a typical vehicle sales use (i.e. dealership), in order for the Town to sign off on the DMV license and because the property is located in the C-2 zoning district, he must receive special exception approval. **There will be no retail motor vehicles sales on site, no outside display of cars and no public customers coming to the site for motor vehicle purchases. No auto repair is proposed.**

Storage warehouse special exception

The owner will be storing and displaying his classic car collection, model train collection and several other items in his collection in the warehouse portion of the building. However, the majority of the space will be devoted to his classic car collection. This is classified as a storage use. **The classic car collection will be set up as a display in the warehouse and only invited guests will be permitted on site to view the collection.** As he did at his former location in North Palm Beach, the owner anticipates having 3-4 charity events per year

The other use of the building will be for a business office (a use permitted by right) for the Owner's company, as he is moving his staff of 6-10 employees to the Town of Lake Park from his small New York location and his current location in the Village of North Palm Beach, Florida.

Please see Figure 6 Floor Plan for location of uses within the building.

Please refer to applicant's submittal for more information.

Figure 4: Prior to renovation



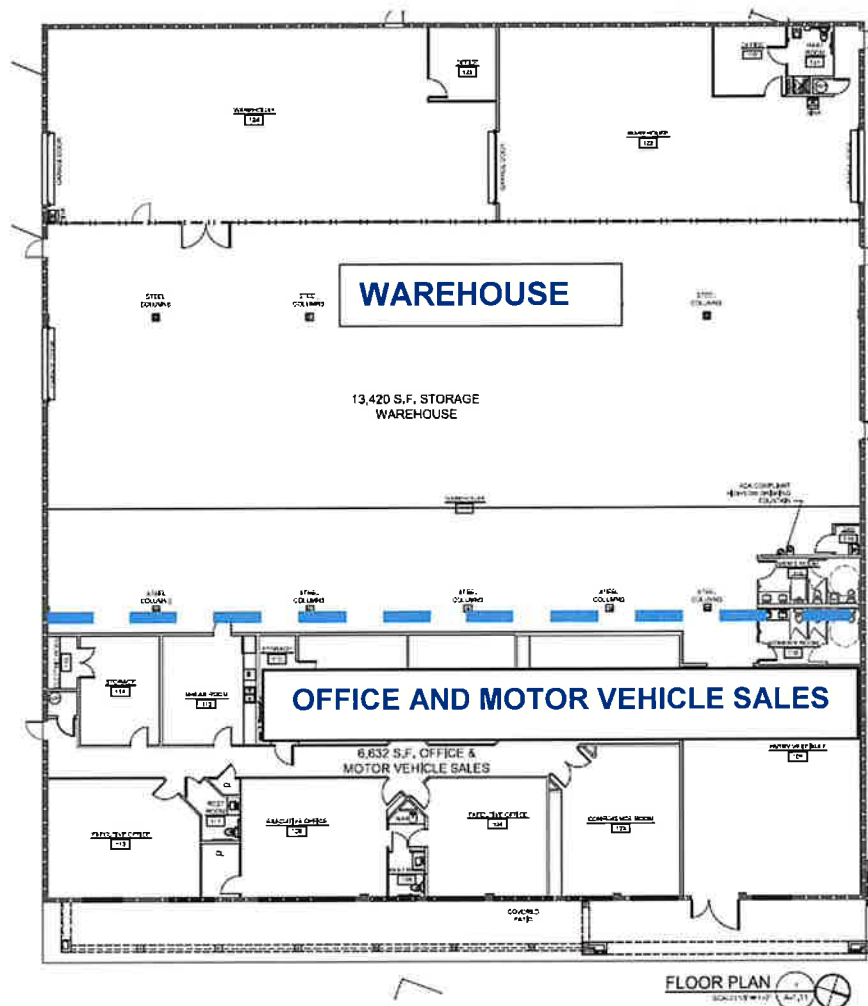
Figure 4a: Renovation in Process (current)



Figure 5: Rendering of new façade – permit 23-000055 (only improvements to the front façade are in progress - the owner may apply for an addition and additional exterior improvements in the future, warranting site plan amendment approval). The front façade was rotted and required repair)



Figure 6: New Floor Plan



Analysis

Following review and recommendation from the Planning and Zoning Board the Town Commission may permit special exception uses in the C-2 business district provided the proposal meets the 6 special exception zoning criteria established in Sec. 78-184. Staff's findings in their review for special exception compliance are detailed below.

1. Consistency with Comp Plan Goals, Objectives, and Policies:

Staff has reviewed the applicant's proposal to determine consistency with the Goals, Objectives, and Policies of the Comprehensive Plan per Sec. 78-184 (b) 1. Staff identified the following relevant policies:

3.4 Goal, Objectives and Policies, Town Goal Statement 3.4.1 (3) - The Town shall maintain and seek opportunities to improve its ability to provide... commercial, industrial and mixed-use development opportunities that will further the achievement of economic development goals.

3.4 Goal, Objectives and Policies, 3.4.2. Objectives and Policies, Objective 1, Policy 1.1 j. – encourage redevelopment, renewal or renovation, that maintains or improves existing neighborhoods and commercial areas;

3.4 Goal, Objectives and Policies, 3.4.2. Objectives and Policies, Objective 5 – The Town shall promote redevelopment and infill development in a manner that is consistent to existing neighborhoods and uses, the built and natural environments and adjacent jurisdictions.

Because JS 1220 10th Street LLC will adaptively re-use space in the Town's C-2 business district, improving the site and bringing new employees to the Town, staff finds that **criteria #1 has been met.**

2. Consistency with land development and zoning regulations:

Staff has reviewed this application for consistency with the Town's land development regulations per Sec. 78-184 (b) (2) and has determined this project complies with all applicable requirements. The project is not proposing any improvements that meet the threshold of 'redevelopment' and therefore they are only required to conform to the code to the greatest extent possible.

Staff finds that **criteria #2 has been met.**

3. Compatibility with surrounding uses, hours of operation, traffic generation, building location, massing, height, setbacks, and other relevant factors:

Staff has reviewed this project for consistency with Sec. 78-184 (b) (3) regarding compatibility with surrounding uses.

Compatibility with Surrounding Uses: To the north and south, identical zoning and future land use designations are in place. In the plaza to the north, neighboring uses include James & Sons Cooling Air Experts, O'Reilly Auto Parts, and AAMCO Transmissions & Total Car Care. To the south is an FPL Service Center. To the west is the C-4 District and the Commercial and Industrial future land use designation; the western user is the CEMEX Concrete Plant. To the east, the designation is C-1 Commercial and the occupants include Appliances 4 Less and Equinox Realty.

Given that unique niche of the private car collection and storage use being proposed by this special exception, we do not foresee any conflicts with other users in this area.

Hours of Operation: Typical business office hours are anticipated, with the exception of 3-4 evening special events per year.

Traffic Generation: The project is not expected to generate discernable traffic impacts. Viewing the cars held in storage will be by appointment only.

Massing, Height, Setbacks, etc: The 1220 10th Street building is pre-existing and thus the current conditions depicted on the applicant's survey are not proposed to significantly change. The structure has recently received a building permits for some exterior and interior improvements, which do not rise to the level of requiring a site plan amendment. These exterior changes include repainting the exterior of the structure as well as recreating the façade with a new entry feature.

Based on these reasons, staff finds that **criteria #3 has been met.**

4. Concentration of similar types of uses:

The owner is not proposing a traditional car sales venue. This use will be exclusively for the storage of the owner's car collection, which may be viewed by appointment. The site will not operate as a traditional auto-dealer and is in fact one-of-a-kind in its operations within the Town. Furthermore, the site will be approved with a condition that auto sales will not be conducted on the site.

Staff finds that **criteria # 4 has been satisfied.**

5. Detrimental Impacts Based on users, nuisances, and traffic flow:

Per Sec. 78-184 (5) a-c., a special exception use must not have detrimental impacts on surrounding properties based on the number of anticipated users, the degree or noise, odor, and other nuisance factors, and the effect on the amount and flow of traffic in the vicinity.

Applicant has indicated there will be 6-10 office employees. The proposed use is not anticipated to have noise, odors or other types of nuisances, therefore **criteria #5 has been met.**

6. Impacts on light, air, property values, redevelopment, and public facilities:

Finally, per Sec. 78-184 (b) (6) a-e., staff must take into account impacts to light and air flow to adjacent properties, adverse impacts to adjacent property values, potential deterrents to redevelopment of the surrounding area, negative impacts on natural systems and public facilities, and the provision of pedestrian amenities. Staff finds as follows:

- Given that no structural alterations (that would significantly impact overall size and height) are proposed to the existing building, there will be no reduction to light and air to adjacent properties.

- Regarding impacts to neighboring property values, staff does not anticipate this will be an issue given the proposed façade improvements and the benefits of having a tenant over an empty building. The proposed improvements should help increase values rather than lower them.
- As it pertains to impacts on improvement, development, or redevelopment potential, staff finds no evidence to suggest this project would have a negative effect. The project itself is an infill project and is in keeping with the land uses predominant in the surrounding area.
- As it pertains to impacts on natural systems or public facilities, staff finds no evidence to suggest any impacts.
- Finally, as it pertains to provisioning pedestrian amenities the applicant has only provided a bench in the front. However, as the business is not open to the general public this may be considered satisfactory.

Staff therefore finds special exception **criteria #6 to be satisfied.**

Legal Notice

Notice of the special exception was published in the April 23 Palm Beach Post and letters were sent by certified mail to all property owners within 300 feet, as required by the Town Code.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Special Exception Application for motor vehicle sales and storage warehouse at 1220 10th Street with the following conditions of approval:

1. The sale of vehicles will not be open to the general public.
2. Outside display of vehicles for sale is prohibited.
3. The storage warehouse use shall be exclusive to the storage of the owner's personal car collection and accessories.
4. This Special Exception approval is designated solely to the property owner /applicant JS 1220 10th Street, LLC and shall not carry forward if the property is sold and may not be carried forward on the basis of a continuation of use.
5. The Applicant shall utilize the site consistent with the following submitted documents: Special Exception Application signed 11/29/22, Narrative dated April 13, 2023(revision), site plan dated 4/24/23 and survey dated 5/10/22

Attachment A

Sec. 78-72. - C-2 business districts.

Within C-2 business districts, the following regulations shall apply:

(1) *Uses permitted.* Within C-2 business districts, no building, structure or land shall be used and no building shall be erected, structurally altered or enlarged, unless otherwise permitted by these regulations, except for the following uses:

- a. Appliance stores, including radio and television services.
- b. Bakeries having not more than five employees.
- c. Bakeries the products of which are sold at retail but not produced on the premises.
- d. Banks.
- e. Barbershops, beauty shops, chiropodists and masseurs.
- f. Grocery stores, specialty, at least 2,000 square feet and not more than 10,000 square feet with at least 50 percent of the sales area, including shelving, containing foods of a specialty or ethnic nature and otherwise subject to the requirements of [section 78-70\(r\)](#).
- g. Clubs for social, recreational, fraternal or benevolent purposes.
- h. Fertilizer, stored and sold at retail only.
- i. Ice delivery stations.
- j. Laundry pickup stations.
- k. Offices, business and professional.
- l. Outdoor miniature golf courses, all objects limited to eight feet in height and the building or premises is located not less than 500 feet from the premises of an existing nursery school, elementary school or high school.
- m. Restaurants.
- n. Shops, including shops for making articles without use of machinery, to be sold, at retail on the premises.
- o. Theatres.
- p. No residences, dwellings or living quarters shall be permitted in C-2 business districts.
- q. Transient residential use.

(2) *Special exception uses permitted.* Within the C-2 business district, no building, structure or land shall be used, and no building shall be erected, structurally altered or enlarged for the following uses unless a special exception has been approved by the town commission, pursuant to [section 78-184](#) and the standards set forth herein:

- a. Boats and marine engines. Sales, service and installation thereof in an enclosed building.
- b. Building supplies/garden center, retail and wholesale outlets.
- c. Bus stations.

- d. Electric substations.
- e. Garages.
- f. Gasoline and other motor-fuel stations.
- g. Hospitals, sanitariums and medical clinics.
- h. Laundries, dry cleaning and dyeing establishments.
- i. Mortuaries.

j. Motor vehicle sales on property on which a permanent building is erected, shall mean the area where buildings are used in connection with the sale or lease of motor vehicles and the areas where motor vehicles are displayed for lease or sale.

k. Printing and publishing plants.

l. Planned unit developments.

m. Railroad passenger station.

n. Storage warehouses.

The town commission may permit special exception uses in the C-2 zoning district provided the town commission determines that the proposed use meets the special exception zoning criteria established in this chapter and is consistent with the goals, objectives and policies of the town's comprehensive plan. In order to ensure that the special exception use is consistent with and implements good zoning practices and the goals, objectives and policies of the town's comprehensive plan. The town commission may impose conditions upon the approval of a special exception use, including, but not limited to, conditions which require an applicant to exceed standards which have been adopted pursuant to the town's land development regulations.

[illegible]

Application Request

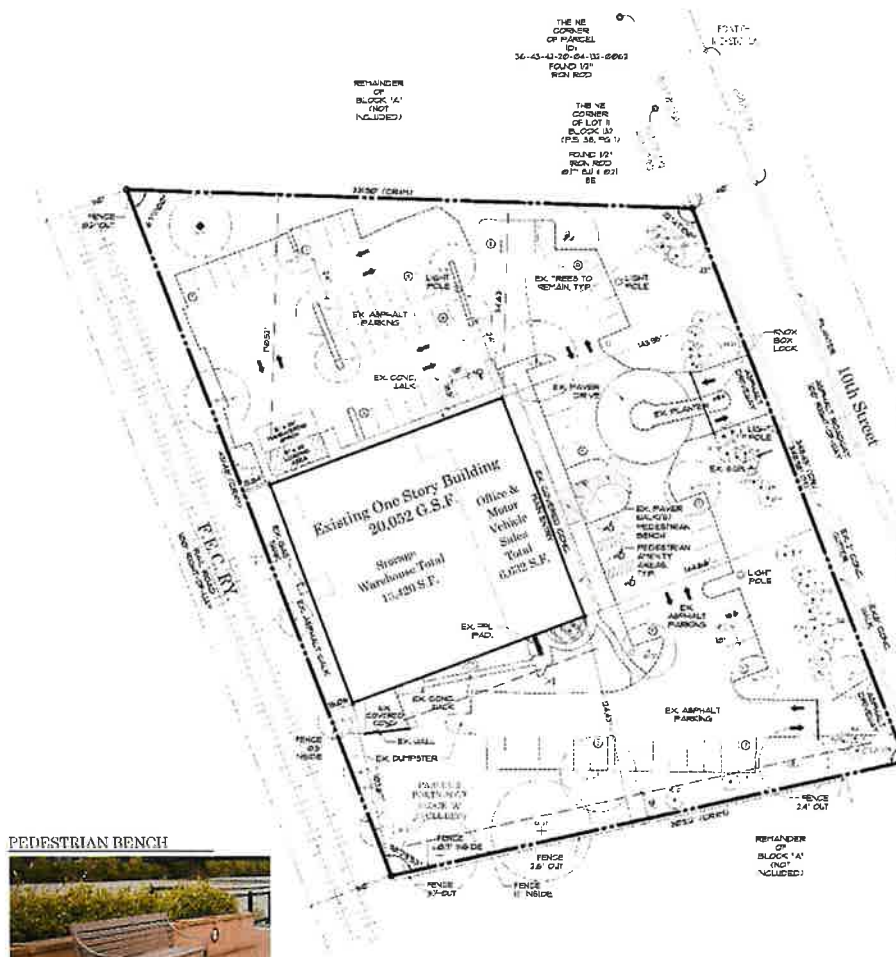
- ❖ Special Exception request to permit two (2) special exception uses of motor vehicle sales and storage warehouse;
- ❖ Property is approx. 2.77 acres; contains existing building which will contain the proposed uses.
- ❖ No motor vehicles sales will occur on this property



Aerial



Site Plan



PEDESTRIAN BENCH



6 ALUMINUM BENCH BY FORMS & SURFACES OR EQUAL
COSTA MODEL WITH ALUMINUM SLATS
COLOR TO MATCH ARCHITECTURE
WWW.COSTA-BENCH.COM
800-451-0419

Site Plan



Site Plan

- ❖ Land Use: C – Commercial
- ❖ Zoning: C-2; Business District

Proposed Uses:

Existing Building – 20,052 sf

Office/Motor Vehicle Sales:

6,632 sf

Storage Warehouse: 13,420 sf

Parking:

Existing site provides 80 spaces.

Provides 36% open space (15% require



Site Operation

- ❖ Business office for 6-10 staff;
- ❖ Existing building will have no retail motor vehicle sales, no outdoor display of vehicles, and no public customers.
- ❖ Warehouse use will be utilized to Store and Display Classic Car Collection (not open to the public);
- ❖ The Owner has 3-4 Charity Events a Year (by invite only)



Existing Conditions



North Facing Building Façade



Northeast Facing Building Façade



East Facing Building Façade

Existing Conditions

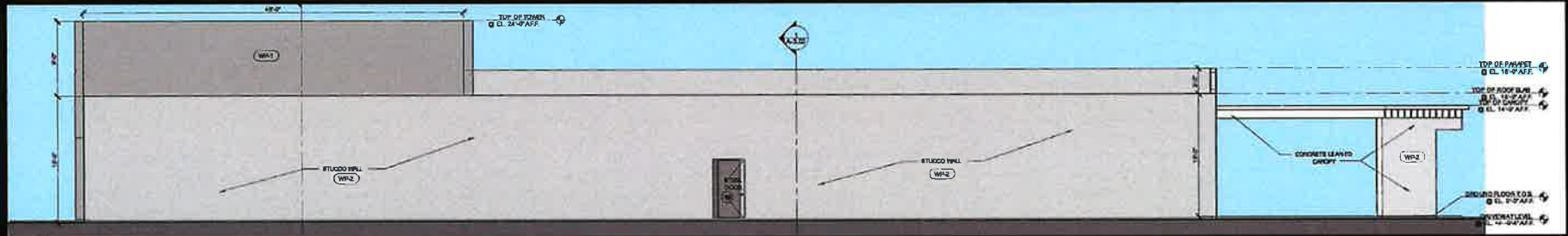


Northeast Facing
Building Façade

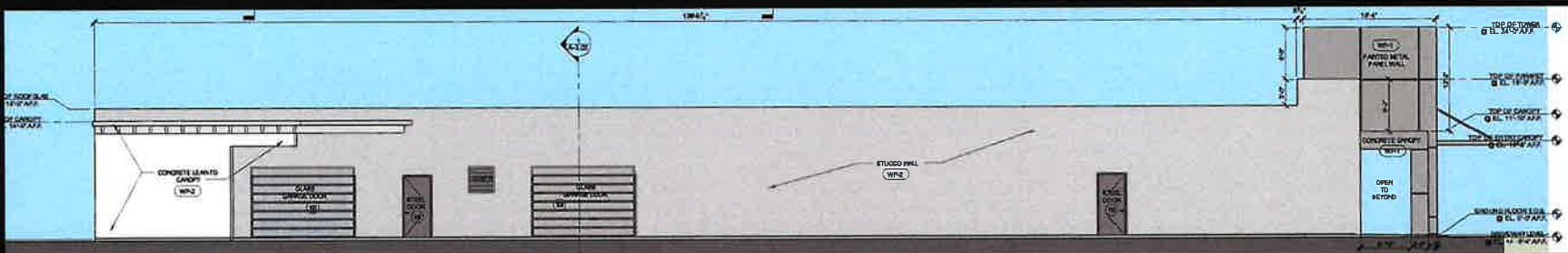


West Facing Building
Façade

Updated Architecture

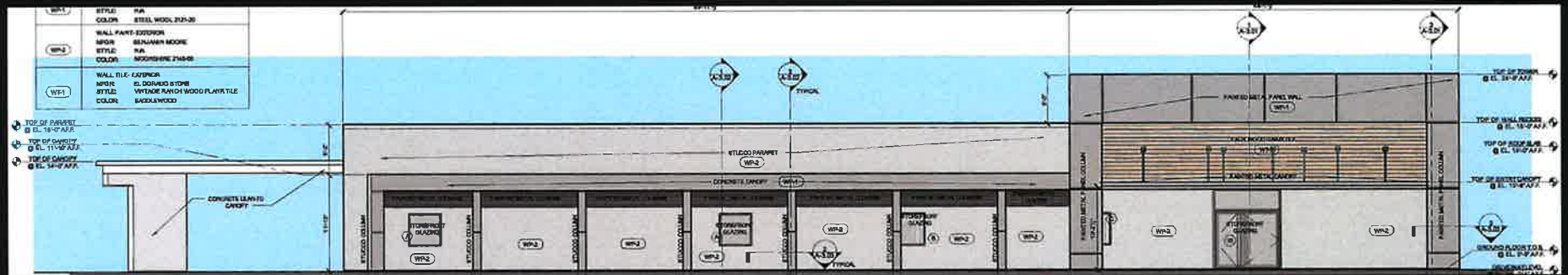


West Building Elevation

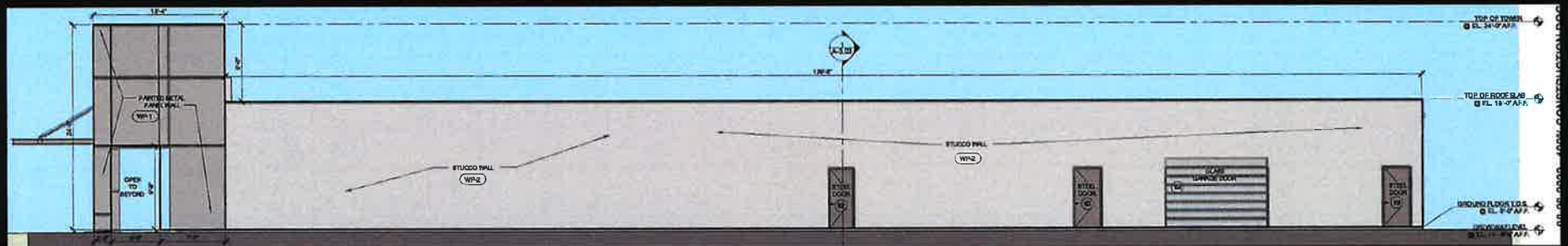


South Building Elevation

Updated Architecture



East Building Elevation



North Building Elevation

Justification for Request

Special Exception Criteria

Consistent with Town's Comprehensive Plan

- ❖ Proposed uses are directly aligned with the Town's description of Commercial Land Use
- ❖ Promotes redevelopment by repurposing an existing building within a commercial core of Lake Park

Consistent with Town's zoning regulations

- ❖ Building already exists; interior has been modified through the building permit process
- ❖ Requested Uses can be permitted with Town Council approval

Compatibility with surrounding properties

- ❖ Located on major arterial roadway, near several commercial and industrial uses
- ❖ Proposed uses are compatible with the existing area



Justification for Request

Special Exception Criteria

Does not create a proliferation of the same use

- ❖ Proposed uses are specific to the Owner's business unique business operation;

Presents no adverse impact to surrounding properties

- ❖ Proposed use is not a high traffic generator;
- ❖ Any loading/unloading of vehicles occur internal to the site
- ❖ Existing building (does not block light/air)
- ❖ Will not adversely affect surrounding property values
- ❖ Provides pedestrian amenity (seating bench)



Conclusion

- ❖ Request **special exception approval** for motor vehicle sales and storage warehouse at an existing 20,052 sf building;
- ❖ **No motor vehicle sales** to occur on property;
- ❖ Consistent with **all Special Exception criteria** in the Town of Lake Park's zoning code;
- ❖ Provides for **refreshed building**, furthering visual aesthetics in the corridor
- ❖ Staff recommends **approval**



