

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2020-44**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT FOR GUILLERMO TORRES, PURSUANT TO CHAPTER 102, ARTICLE 13 OF THE CITY OF MARATHON LAND DEVELOPMENT REGULATIONS (CODE) ENTITLED “CONDITIONAL USE PERMITS” FOR THE DEVELOPMENT OF A PROPERTY INTO MULTIFAMILY HOUSING, OFFICE AND RETAIL; LOCATED AT 10155 OVERSEAS HWY; WHICH IS LEGALLY DESCRIBED AS PART OF GOVERNMENT LOT 2 AND BAY BOTTOM SOUTH OF AND ADJACENT PART GOVERNMENT LOT 2, KEY VACA, HAVING REAL ESTATE NUMBER 00104460-000000, NEAREST MILE MARKER 52.5.**

**WHEREAS**, Guillermo Torres, d/b/a La Palma 101 Inc. (the “Applicant”) is the owner of the Property in question (RE No 00104460-000000) and applied for a Conditional Use Permit to construct a mixed use development on the subject property, including 32,369 square feet of commercial space, eight (8) residential units of affordable housing, and four (4) residential units of market rate housing on property located in the Mixed Use (MU) land use district (the “Application”); and

**WHEREAS**, on the 18<sup>th</sup> day of November, 2019, the City of Marathon (the “City”) Planning Commission (the “Commission”) and on the 10<sup>th</sup> day of December, 2019, the City Council (the “Council”) conducted properly advertised public hearings (the “Public Hearings”) regarding the request submitted by Guillermo Torres, d/b/a La Palma 101 Inc. (the “Applicant”), for a conditional use permit pursuant to Chapter 102, Article 13 of the City Code (the “Code”); and

**WHEREAS**, the Planning Commission (Commission) met on November 18, 2019, in accordance with the provisions of Sections 101.02 and 102.75 of the City of Marathon Land Development Regulations, met to review the Application to determine its compliance with the applicable regulations; and

**WHEREAS**, at its meeting of November 18, 2019, three members were present. Mike Leonard was absent. Pam Dobson resigned officially prior to the meeting on November 12, 2019; and

**WHEREAS**, the Commission listened to the staff and applicant presentations, took public input and deliberated concerning the project with respect to its net benefits and negative impacts in light of the Goals, Objectives, and Policies (GOPs) of the City’s Comprehensive Plan and its Land Development Regulations; and

**WHEREAS**, in all respects, the City Staff indicated that the project met the requirements of the GOPS in the Comprehensive Plan; and

**WHEREAS**, four individuals spoke in opposition to the project as follows:

- Armand Messina spoke against the item indicating that the project would generate increased traffic.
- Dave Daniels spoke against the item indicating that the proposed densities and intensities were too high and that the project impinged on homeowner rights.
- Dan Schick spoke against the item indicating that he believed that the project would become add to the current negative impact of vacation rentals on the street.
- Bill Shaw spoke against the item regarding improper signage, the traffic study, piecemeal zoning, and illegal fill in wetland areas; and

**WHEREAS**, through discussion of the information presented and the testimony provided, the Planning Commission voted 2 to 1 to recommend denial of the project to the City Council; and

**WHEREAS**, it is a rare case, but City Staff continues to support the project and believes that the vote of the Planning Commission is not supported by the information provided by the applicant and the analysis made by City Staff; and

**WHEREAS**, Staff has further supported this assertion in the revised analysis provided to the city Council; and

**WHEREAS**, the Applicant has also addressed several of the concerns raised by the project's antagonists. Particularly,

- the Applicant has reduced the number of residential buildings (not the number of residential units) to accommodate additional parking for all proposed uses,
- the Applicant has reduced the effective area of the roof top portion of the project,
- further, the Applicant has added an additional point of ingress and egress from the roof top located at approximately the center of the south side of the building,
- the Applicant has provided an easement and will pave it providing for the widening of 101<sup>st</sup> Street for approximately 220 feet of 101<sup>st</sup> Street leading from U. S. 1, and

**WHEREAS**, the Council of the City of Marathon, Florida, in accordance with the provisions of Sections 101.01 and 102.76 of the City of Marathon Land Development Regulations, met to review the Application to determine its compliance with the City's Comprehensive Plan and Land Development Regulations on July 14, 2020; and

**WHEREAS**, the Council has duly considered the recommendation of the Commission, Staff's dissent concerning their recommendation, taken all public testimony into account, and the information and documentary evidence submitted by Guillermo Torres, d/b/a La Palma 101 Inc., the comments of the general public present, and does hereby find and determine as provided below:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The City Council hereby approves Development Order 2020-03, a copy of which is attached hereto as Exhibit "A", granting a Conditional Use to Guillermo Torres, d/b/a La Palma 101 Inc. for the proposed use. The Director of Planning is authorized to sign the development order on behalf of the City.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 11<sup>TH</sup> DAY OF AUGUST, 2020.**

**THE CITY OF MARATHON, FLORIDA**

  
\_\_\_\_\_  
**Steve Cook, Mayor**

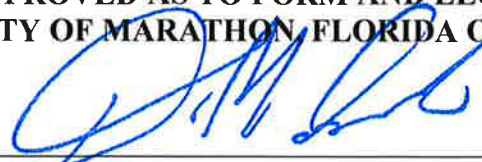
AYES: Zieg, Bartus, Senmartin, Gonzalez, Cook  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
\_\_\_\_\_  
Diane Clavier  
City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

  
\_\_\_\_\_  
Dirk Smits, City Attorney



**CITY OF MARATHON, FLORIDA  
CONDITIONAL USE  
DEVELOPMENT ORDER # 2020-03**

**A DEVELOPMENT ORDER OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT FOR GUILLERMO TORRES, PURSUANT TO CHAPTER 102, ARTICLE 13 OF THE CITY OF MARATHON LAND DEVELOPMENT REGULATIONS (CODE) ENTITLED “CONDITIONAL USE PERMITS” FOR THE DEVELOPMENT OF A PROPERTY INTO MULTIFAMILY HOUSING, OFFICE AND RETAIL; LOCATED AT 10155 OVERSEAS HWY; WHICH IS LEGALLY DESCRIBED AS PART OF GOVERNMENT LOT 2 AND BAY BOTTOM SOUTH OF AND ADJACENT PART GOVERNMENT LOT 2, KEY VACA, HAVING REAL ESTATE NUMBER 00104460-000000, NEAREST MILE MARKER 52.5.**

**WHEREAS**, Guillermo Torres, d/b/a La Palma 101 Inc. (the “Applicant”) is the owner of the Property in question (RE No 00104460-000000) and applied for a Conditional Use Permit to construct a mixed use development on the subject property, including 32,369 square feet of commercial space, eight (8) residential units of affordable housing, and four (4) residential units of market rate housing on property located in the Mixed Use (MU) land use district (the “Application”); and

**WHEREAS**, on the 18<sup>th</sup> day of November, 2019, the City of Marathon (the “City”) Planning Commission (the “Commission”) and on the 10<sup>th</sup> day of December, 2019, the City Council (the “Council”) conducted properly advertised public hearings (the “Public Hearings”) regarding the request submitted by Guillermo Torres, d/b/a La Palma 101 Inc. (the “Applicant”), for a conditional use permit pursuant to Chapter 102, Article 13 of the City Code (the “Code”); and

**WHEREAS**, the Planning Commission (Commission) met on November 18, 2019, in accordance with the provisions of Sections 101.02 and 102.75 of the City of Marathon Land Development Regulations, met to review the Application to determine its compliance with the applicable regulations; and

**WHEREAS**, at its meeting of November 18, 2019, three member were present. Mike Leonard was absent. Pam Dobson resigned officially prior to the meeting on November 12, 2019; and

**WHEREAS**, the Commission listened to the staff and applicant presentations, took public input and deliberated concerning the project with respect to its net benefits and negative impacts in light of the Goals , Objectives, and Policies (GOPs) of the City’s Comprehensive Plan and its Land Development Regulations; and

**WHEREAS**, in all respects, the City Staff indicated that the project met the requirements of the GOPS in the Comprehensive Plan; and

**WHEREAS**, four individuals spoke in opposition to the project as follows:

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**WHEREAS**, through discussion of the information presented and the testimony provided, the Planning Commission voted 2 to 1 to recommend denial of the project to the City Council; and

**WHEREAS**, it is a rare case, but City Staff continues to support the project and believes that the vote of the Planning Commission is not supported by the information provided by the applicant and the analysis made by City Staff; and

**WHEREAS**, Staff has further supported this assertion in the revised analysis provided to the city Council; and

**WHEREAS**, the Applicant has also addressed several of the concerns raised by the project's antagonists. Particularly,

- the Applicant has reduced the number of residential buildings (not the number of residential units) to accommodate additional parking for all proposed uses,
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**WHEREAS**, the Council of the City of Marathon, Florida, in accordance with the provisions of Sections 101.01 and 102.76 of the City of Marathon Land Development Regulations, met to review the Application to determine its compliance with the City's Comprehensive Plan and Land Development Regulations on July 14, 2020; and

**WHEREAS**, the Council has duly considered the recommendation of the Commission, Staff's dissent concerning their recommendation, taken all public testimony into account, and the information and documentary evidence submitted by Guillermo Torres, d/b/a La Palma 101 Inc., the comments of the general public present, and does hereby find and determine as provided below:

**FINDINGS OF FACT:**

1. The applicant is proposing to develop 32,369 square feet of mixed use commercial, including

professional offices, retail space, exercise facilities, and meeting areas for weddings and other gatherings; four (4) market rate residential units; and eight (8) workforce housing residential units. See Attachment 1

2. In accordance with Section 102.77 of the Code, the Commission and Council considered and determined the Applicant met the following criteria:
  - a. The proposed use is consistent with the Comprehensive Plan and LDRs;
  - b. The proposed use is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan;
  - c. The proposed use shall not adversely affect the health, safety, and welfare of the public; and
  - d. The proposed conditional use minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
  - e. Satisfactory provisions and arrangements have been made concerning the following matters, where applicable:
    1. Ingress and egress to the property and proposed structures thereon with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;
    2. Off-street parking and loading areas where required, with particular attention to item 1 above;
    3. The noise, glare or odor effects of the conditional use on surrounding properties;
    4. Refuse and service areas, with particular reference to location, screening and Items 1 and 2 above;
    5. Utilities, with reference to location and availability;
    6. Screening and buffering with reference to type, dimensions and character;
    7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility with surrounding properties;
    8. Required yards and other open space;
    9. General compatibility with surrounding properties; and
    10. Any special requirements set forth in the LDRs for the particular use involved.

**CONDITIONS IMPOSED:**

Granting approval of the Application is subject to the following conditions:

### Conditions of Approval

- 1) The applicant will obtain approval of final landscaping, bufferyard, parking landscaping, and mitigation plans (as needed) and lighting plans in coordination with the City Biologist prior to building permit issuance;
- 2) The applicant will provide fire protection plans in accordance with fire protection requirements as outlined by the City Fire Marshal;
- 3) Plans submitted with the project are suitable for the Conditional Use Approval as they relate to Chapter 107, Article 12, 100 Year Floodplain. Full and final review of floodplain compliance will occur as part of building permit issuance. The Applicant has been advised about the adoption of the new FEMA flood maps and the potential impacts of the changes in flood maps on their project.
- 4) The applicant will obtain City approval of the stormwater management system prior to Building Permit issuance;
- 5) The applicant will provide on-site plans for the collection and disposal of wastewater via a connection to the City's sewer system. All engineering and wastewater flow calculations must be approved by the City Utility Department prior to final permitting and all wastewater fees must be paid prior to the issuance of construction permits.
- 6) The applicant will provide fully enclosed and screened dumpster areas for both the residential and commercial components of the project pursuant to Section 107.39;
- 7) The applicant will obtain any required permits from SFWMD, FDOT, ACOE, and DEP prior to building permit issuance;
- 8) The applicant will obtain sign permits for any signs erected on the property, as required under the Code;
- 9) The Conditional Use Development Order will constitute the Certificate of Concurrency for the project. The determination will be valid for one year.
- 10) The Applicant will provide an approximately 5' X 220' easement adjacent to the 101st Street Right-Of-Way (or the southernmost point of ingress/egress from the property) in order to assist in traffic flow in and out of the property on that street. The developer will be responsible for paving this area with engineering and design approvals from the City.
- 11) A Final Site Plan must be submitted showing the buildings meeting the required setbacks, parking locations, and access drives.
- 12) The Applicant will provide at a minimum 123 parking spaces, inclusive of commercial and residential uses. City approval is required for all general parking and ADA compliant parking spaces prior to Building Permit Approval.
- 13) Bike racks must be shown on the final site plan and approved prior to Building Permit Approval.
- 14) A Final Landscape Plan must be submitted showing the proper treatments and buffers, including the appropriate treatment types and trees. Since additional buffering was required and agreed to by the applicant, this additional buffering must also be reviewed and approved by the City prior to final project approval.
- 15) A Transplantation / Mitigation plan must be approved for any native trees destroyed as part of proposed construction. This Plan must be provided and approved prior to the initiation of site development.
- 16) Conservation easement for the site mangrove area, subject to City approval;
- 17) If the development is found to have any effect on the Eastern Indigo Snake, then the

prescribed protection measures must be undertaken, and the information poster posted on site.

- 18) Affordable Housing Deed Restrictions must be filed prior to building permit issuance. Said deed restrictions shall be provided in a form acceptable to the City and shall be filed with the Monroe County Clerk of Court and shall run with the land for a period of ninety-nine (99) years.
- 19) The Applicant must obtain a minimum of six (6) market rate and sixty (60) affordable residential allocations to be transferred via the Transfer of Building Rights (TBR's), BPAS process, or any other legally established process prior to building permit issuance. THE APPROVAL OF THE REQUESTED CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT AMENDMENTS DO NOT CONVEY OR GRANT A VESTED RIGHT OR ENTITLEMENT TO FUTURE ALLOCATIONS BY THE CITY OF ANY AFFORDABLE RESIDENTIAL UNITS NOT CURRENTLY IN POSSESSION BY THE APPLICANT AS REFERENCED IN THE PROPOSED CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT.
- 20) The Conditional Use Development Order will constitute the Certificate of Concurrency for the project. The determination will be valid for one year.

#### **VIOLATION OF CONDITIONS:**

The applicant understands and acknowledges that it must comply with all of the terms and conditions herein, and all other applicable requirements of the City or other governmental agencies applicable to the use of the Property. In accordance with the Code, the Council may revoke this approval upon a determination that the Applicant or its successor or designee is in non-compliance with this Resolution or Code. Failure to adhere to the terms and conditions of approval contained herein is a violation of the Code and persons found violating the conditions shall be subject to the penalties prescribed therein.

#### **CONCLUSIONS OF LAW:**

Based upon the above Findings of Fact, the Council does hereby make the following Conclusions of Law:

1. The Application has been processed in accordance with the applicable provisions of the City Code, and will not be detrimental to the community as a whole; and
2. In rendering its decision, as reflected in this Resolution, the Council has:
  - (a) Accorded procedural due process;
  - (b) Observed the essential requirements of the law;
  - (c) Supported its decision by substantial competent evidence of record; and
3. The Application for a conditional use is hereby GRANTED subject to the conditions specified herein.



**EFFECTIVE DATE:**

This development order shall not take effect for thirty (30) days following the date it is filed with the City Clerk, and during that time, the conditional use approval granted herein shall be subject to appeal as provided in the City Code. An appeal shall stay the effectiveness of this development order until said appeal is resolved.

8/12/20

Date

George Garrett  
George Garrett, Director of Planning

This Development Order was filed in the Office of the City Clerk of this 12<sup>th</sup> day of Aug, 2020.

Diane Clavier  
Diane Clavier, City Clerk

**NOTICE**

Under the authority of Section 102.79(c) of the City of Marathon Land Development Regulations, this development order shall become null and void with no further notice required by the City, unless a business license has been issued for the use or a complete building permit application for site preparation and building construction with revised plans as required herein is submitted to the City of Marathon Building Official within one (1) year from the date of conditional use approval, or the date when the Department of Economic Opportunity waives its appeal and all required certificates of occupancy are procured with three (3) years of the date of this development order is approved by the City Council.

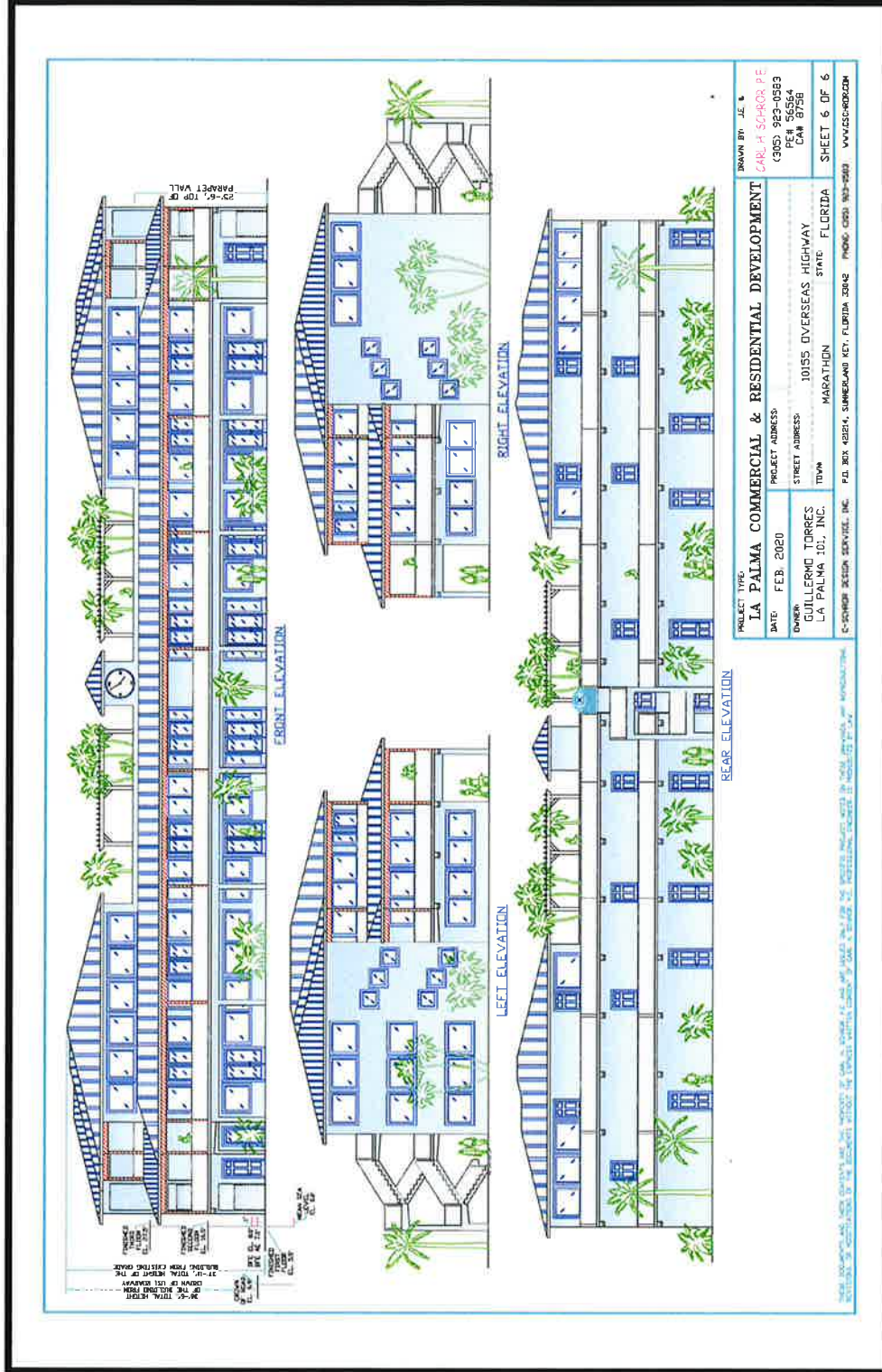
In addition, please be advised that pursuant to Chapter 9J-1, Florida Administrative Code, this instrument shall not take effect for forty-five (45) days following the rendition to the Florida Department of Economic Opportunity. During that forty-five days, the Florida Department of Economic Opportunity may appeal this instrument to the Florida Land and Water Adjudicatory Commission, and that such an appeal stays the effectiveness of this instrument until the appeal is resolved by agreement or order.

**CERTIFICATE OF SERVICE**

A true and correct copy of the above and foregoing Resolution was furnished, via U.S. certified mail, return receipt requested, addressed to Agent L. Steven Hurley 11400 Overseas Hwy #208, Marathon, FL 33050 this 12<sup>th</sup> day of Aug, 2020.

Diane Clavier  
Diane Clavier City Clerk

# Attachment 1 Elevation Views



# Site Plan / Plan View

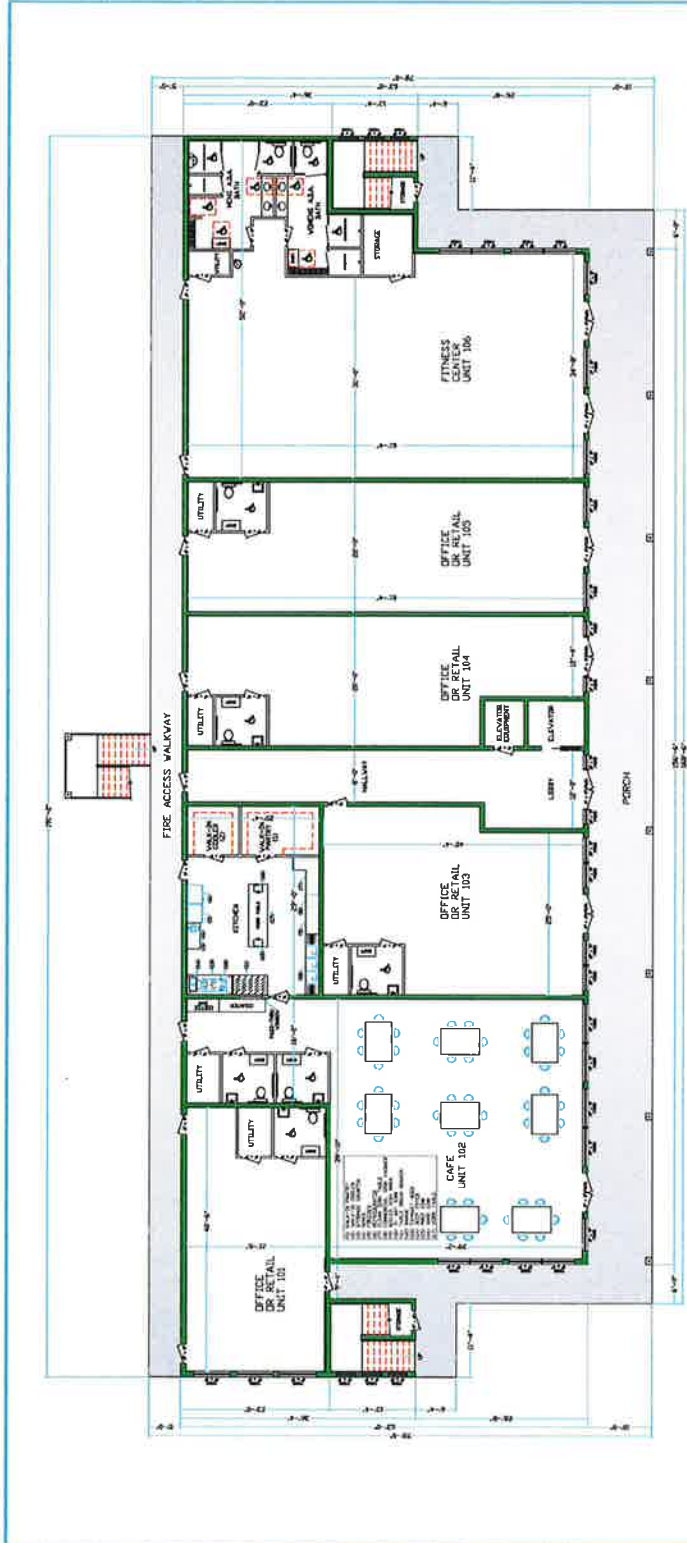


## AERIAL SITE PLAN

PROJECT TYPE: <b>LA PALMA COMMERCIAL &amp; RESIDENTIAL DEVELOPMENT</b>	DRAWN BY: <b>JE &amp;</b>
DATE: <b>FEB 2020</b>	<b>CARL H. SCHOR, P.E.</b>
OWNER: <b>COUTLERMO TORRES LA PALMA 101, INC.</b>	(305) 923-0583 PE# 56564 CA# 8758
PROJECT ADDRESS: <b>10155 DVERSEAS HIGHWAY</b>	TOWN: <b>MARATHON</b> STATE: <b>FLORIDA</b>
STREET ADDRESS: <b>10155 DVERSEAS HIGHWAY</b>	PHONE: (305) 923-0583
TOWN: <b>MARATHON</b>	WWW.CSIPRO.COM
STATE: <b>FLORIDA</b>	SHEET 2 OF 6
POSTAL CODE: <b>33042</b>	

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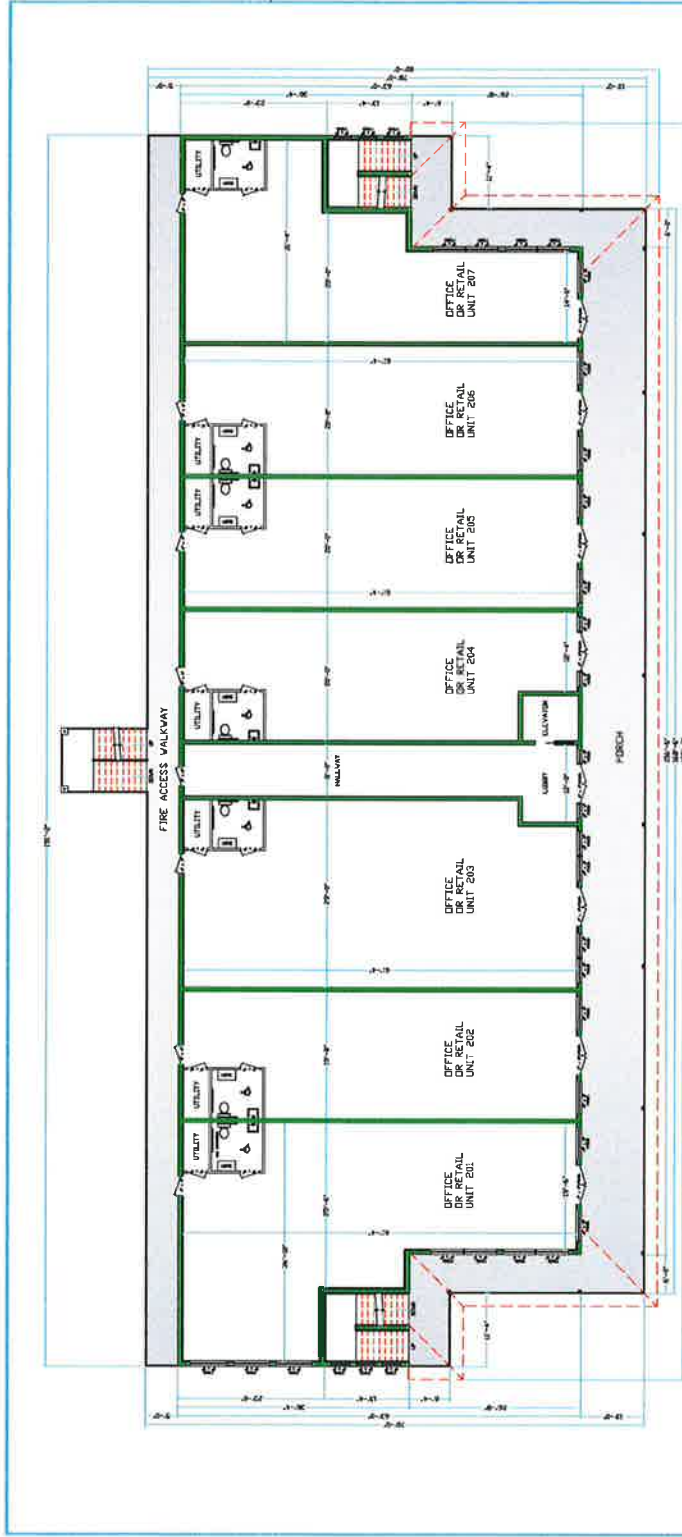
# Floor Plan / 1<sup>st</sup> Floor



FIRST FLOOR DIMENSION PLAN 1276' SUIT.

<b>SITE AREA</b> 0004460-00000 FUTURE LAND USE ZONING DISTRICT PROPOSED USE DENSITY DENSITY USED PAR. 015-061		<b>BUILDING INDEX #1</b> 2 STORY MULTI USE COMMERCIAL SPACE FIRST FLOOR SECOND FLOOR TOTAL COMMERCIAL 2007 ASSEMBLY AREA TOTAL USABLE AREA BUILDING INDEX #2 2 STORY OVER PARKING QUAPLEX UNITS SECOND FLOOR PARKING BUILDING INDEX #3 2 STORY AND 1 STORY OVER PARKING SECOND FLOOR PARKING		<b>DESIGNER LAND USE</b> 8 MULTIFAMILY UNITS IN QUAPLEX 4 SINGLE FAMILY UNITS WITH 1 CAFE & COMMERCIAL SPACE MIN. OPEN SPACE TOTAL SITE TOTAL LAND AREA DEVELOPMENTAL LAND AREA RESIDENTIAL LAND AREA ACCESSIBLE * MINIMUM REQUIRED FRONT VET-LAND MAX. BUILDING HEIGHT * 37 FEET	
PROJECT INFO <b>LA PALMA COMMERCIAL &amp; RESIDENTIAL DEVELOPMENT</b> DATE: FEB. 2020 OWNER: GUILLERMO TORRES LA PALMA 101, INC.		PROJECT ADDRESS: 10155 OVERSEAS HIGHWAY TOWN: MARATHON STATE: FLORIDA PHONE: 888-983-0883 WWW.SCHORR.COM		DRAWN BY: JE & CARL H. SCHORR, P.E. (305) 923-0583 PE# 56564 CA# 8758 SHEET 3 OF 6	

# Floor Plan / 2<sup>nd</sup> Floor



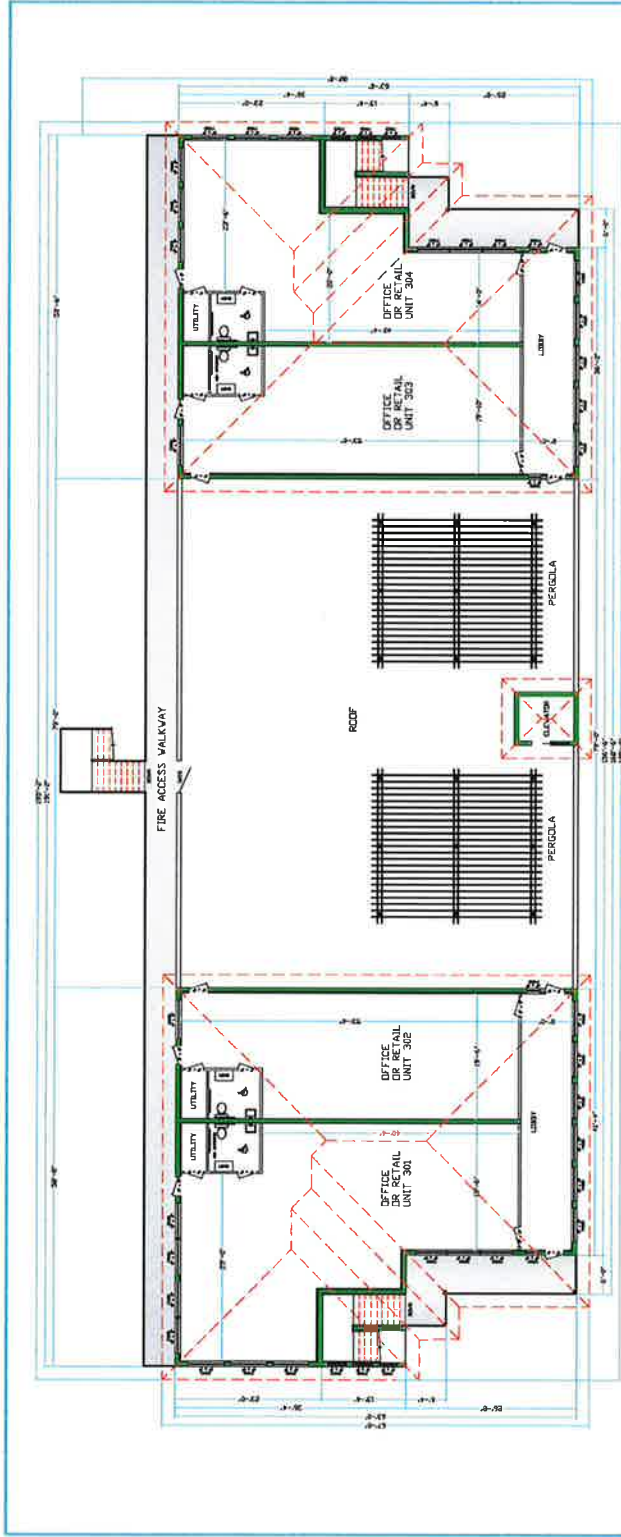
SECOND FLOOR DIMENSION PLAN (SEE 201)

PROJECT TYPE:	LA PALMA COMMERCIAL & RESIDENTIAL DEVELOPMENT		
DATE:	FEB. 2020	PROJECT ADDRESS:	10155 DIVERSEAS HIGHWAY
OWNER:	GUILLERMO TORRES	TOWN:	MARATHON
	LA PALMA 101, INC.	STATE:	FLORIDA
		PHONE:	(850) 933-9583
			WWW.CSCHROR.COM

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DRAWN BY: JE E  
 CAD: H. SCHOR, PE  
 (850) 933-0583  
 FAX: 933-0584  
 CDM 9758  
 SHEET 4 OF 6

# Floor Plan / Roof Top



THIRD FLOOR DIMENSION PLAN

Specific Use Category	Minimum Required	Size	Parking Distance	Required Spaces	Total Spaces
Office	1 per 3 seats	50 Sq Ft	50	167	167
Office	1 per 3 seats	20 Seats Outside	20	67	67
Office	1 per 2 employees	8 Employees	8	40	40
Office	3 per 1000 Sq Ft GFA	2,736 Sq Ft	2,736	82	82
Office	3 per 1000 Sq Ft	21,987 Sq Ft	21,987	440	440
Office	15 Units, 1 Employee each	15 Units, 1 Employee each	15	440	440
Office	1 per 4 people	4,977 Sq Ft	4,977	125	125
Office	1 per 4 people	740 Max. People per unit	740	125	125
<b>Total</b>		<b>32,305 Sq Ft</b>		<b>945</b>	<b>945</b>

Specific Use Category	Minimum Required	Size	Parking Distance	Required Spaces	Total Spaces
Office	1 per 3 seats	50 Sq Ft	50	167	167
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Office	1 per 2 employees	8 Employees	8	40	40
Office	3 per 1000 Sq Ft GFA	2,736 Sq Ft	2,736	82	82
Office	3 per 1000 Sq Ft	21,987 Sq Ft	21,987	440	440
Office	15 Units, 1 Employee each	15 Units, 1 Employee each	15	440	440
Office	1 per 4 people	4,977 Sq Ft	4,977	125	125
Office	1 per 4 people	740 Max. People per unit	740	125	125
<b>Total</b>		<b>32,305 Sq Ft</b>		<b>945</b>	<b>945</b>

**PROJECT TYPE:** LA PALMA COMMERCIAL & RESIDENTIAL DEVELOPMENT  
**DATE:** FEB 2020  
**OWNER:** GUILLERMO TORRES LA PALMA 101, INC.  
**PROJECT ADDRESS:** 10155 OVERSEAS HIGHWAY  
**STREET ADDRESS:** LA PALMA 101, INC.  
**TOWN:** MARATHON  
**STATE:** FLORIDA

**DRAWN BY:** J.E. & CAROL SCHROEDER P.E.  
**CDP:** 983-0563  
**FLA REG. NO.:** 12454  
**CA#:** 8758  
**SHEET 5 OF 6**

THESE DRAWINGS AND THESE CONTRACTS ARE THE PROPERTY OF J.E. & CAROL SCHROEDER P.E. AND WILL BE LOANED TO YOU FOR THE PROJECT ONLY. YOU WILL BE RESPONSIBLE FOR THE PROTECTION AND SECURITY OF THESE DRAWINGS. NO PART OF THESE DRAWINGS OR CONTRACTS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF J.E. & CAROL SCHROEDER P.E.