

**RESOLUTION 23-04-22**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR A FOUR-STORY 99,990 SQUARE FOOT SELF-STORAGE USE; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE APPROVAL OF THE SITE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on behalf of DXD Capital (the Owner), Brian Cheguis of iPlan & Design, LLC (the Applicant) is requesting the approval of a site plan for a four-story, 99,990 SF self-storage facility use located on the southeast corner of Water Tower Road and 14<sup>th</sup> Street and as legally described in the attached **Exhibit “A”**, which is incorporated herein (the Site); and

**WHEREAS**, the Applicant submitted an application for a Site Plan (the Application); and

**WHEREAS**, the Site has a future land use designation of “Commercial and Light Industrial”; and the development of a self-storage use would be consistent with this future land use designation; and

**WHEREAS**, the zoning assigned to the Site is Campus Light Industrial and Commercial (CLIC-1); and a self-storage use is one of the uses permitted in the CLIC-1 District; and

**WHEREAS**, the Town’s Planning and Zoning Board has reviewed the Application and has recommended its approval to the Town Commission; and

**WHEREAS**, the Town Commission has conducted a quasi-judicial hearing to consider the Application; and

**WHEREAS**, at the hearing, the Town Commission considered the evidence presented by the Town’s Community Development staff, the Applicant, and other interested parties and members of the public, regarding the Application’s consistency with the Town’s Comprehensive Plan and whether it meets the Town’s Land Development Regulations.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:**

**Section 1:** The whereas clauses are incorporated herein as the findings of fact and conclusions of law of the Town Commission.

**Section 2.** The Town Commission hereby approves a Site Plan for a self-storage use (the Project) subject to the following conditions:

(1) The Applicant shall develop the Site consistent with the following Plans and the title sheet shall be updated to reflect the following list of plans and their sign and seal dates:

Name	Sheet	Revision Date	Received on
Cover Sheet	CS1	12-24-21	2-28-22
Survey	1	2-7-22	2-28-22
Site Plan	SP1	2-4-22	2-28-22
Site Details	SP2	12-24-21	2-28-22

Color Site Plan Context	CSP1	2-28-22	2-28-22
Color Site Plan	CSP2	2-28-22	2-28-22
Architectural Plan (Floor Plan)	A2.01	11-22-21	2-28-22
Architectural Plan (Floor Plan – 2 <sup>nd</sup> Floor)	A2.02	11-22-21	2-28-22
Architectural Plan (Floor Plan – 3 <sup>rd</sup> and 4 <sup>th</sup> Floor)	A2.03	11-22-21	2-28-22
Architectural Plan (Roof Plan)	A2.05	11-22-21	2-28-22
Architectural Plan (Elevations)	A3.01	11-22-21	2-28-22
Architectural Plan (Elevations)	A3.02	11-22-21	2-28-22
Architectural Plan (Elevations – Color)	A3.01C	11-22-21	2-28-22
Architectural Plan (Elevations – Color)	A3.02C	11-22-21	2-28-22
Architectural Plan (Color Elevations / Materials)	A-6	2-28-22	2-28-22
Landscape Plan	LP1	2-4-22	2-28-22
Landscape Details	LP2	12-16-21	2-28-22
Irrigation Plan	IR1	2-4-22	2-28-22
Irrigation Details	IR2	2-4-22	2-28-22
Irrigation Details	IR3	2-4-22	2-28-22
Irrigation Specifications	IR4	2-4-22	2-28-22
Preliminary Civil Engineering (Index of Sheets)	--	2-7-22	2-28-22
Preliminary Civil Engineering (Boundary and Topographic Survey)	SUR1	12-11-21	2-28-22
Preliminary Civil Engineering (General Notes)	GN	2-7-22	2-28-22
Preliminary Civil Engineering (Existing Conditions)	D1	2-7-22	2-28-22
Preliminary Civil Engineering (Grading & Drainage Plan)	C1	2-7-22	2-28-22
Preliminary Civil Engineering (Water & Sewer Plan)	C2	2-7-22	2-28-22
Preliminary Civil Engineering (Signage & Striping Plan)	C3	2-7-22	2-28-22
Preliminary Civil Engineering (Pollution Control Plan)	C4	2-7-22	2-28-22
Preliminary Civil Engineering (Paving, Grading & Drainage Details)	C5	2-7-22	2-28-22
Preliminary Civil Engineering (Paving, Grading & Drainage Details)	C6	2-7-22	2-28-22
Preliminary Civil Engineering (Pollution Control Details)	C7	2-7-22	2-28-22
Preliminary Civil Engineering (Sections)	C8	2-7-22	2-28-22
Preliminary Civil Engineering (Water & Sewer Details)	C9	2-7-22	2-28-22
Preliminary Civil Engineering (Water & Sewer Details)	C10	2-7-22	2-28-22
Electrical Site Plan	LDE1	12-24-21	2-28-22
Lighting Photometric Plan	LDE2	12-24-21	2-28-22
Master Sign Plan	MSP1	2-4-22	2-28-22
Autoturn Analysis (Civil Engineer)	SV	2-7-22	2-28-22

- (2) Construction associated with the Project is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except holidays, unless an exception is approved in writing by the Community Development Director (the Director).
- (3) Any proposed disruption to neighboring street access, surrounding parking areas, or the normal flow of traffic within the rights of way of Watertower Road, 13<sup>th</sup> Street, 14<sup>th</sup> Street, or any other

right-of-way during the construction of the Site shall be subject to the review and approval of the Director of the Community Development Department (the Director) and any of the agencies responsible for maintaining these roadways. Should any disruption to the normal flow of traffic occur during construction of the Project without prior authorization, upon written notice from the Director, all construction shall cease until the Director has provided the Owner with a written notice to proceed.

- (4) All landscaping shown on the approved Site Plan and the Landscaping Plan shall be continuously maintained from the date of its installation and the issuance of the Certificate of Occupancy by the Town. The Owner shall replace any and all dead or dying landscaping materials so as to maintain the quantity and quality of the landscaping shown on the approved Site Plan and Landscaping Plan.
- (5) The Owner shall ensure that all contractors use best management practices to reduce airborne dust and particulates during the construction of the Site.
- (6) All onsite dumpsters and dumpster screening shall be kept closed at all times. Owner is not responsible for waste haulers leaving doors open temporarily on pick-up day. All required dumpsters shall be acquired from the approved franchise supplier for the Town.
- (7) Prior to issuance of the Certificate of Occupancy, the Applicant shall provide certification from the Landscape Architect of record that the plant installations for the Project are in accordance with the approved Site Plan (and any minor modifications that are approved through permitting) and the Landscaping Plan or are deemed to be equivalent by the Town's consulting landscape architect.
- (8) Prior to the issuance of any construction permits, the Applicant shall submit copies of all permits that are required by other agencies and have been obtained from those agencies, including but not limited to the Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management District and the State of Florida Department of Environmental Protection.
- (9) Any revisions to any approved plans associated with the Project, shall be submitted to the Department of Community Development (Department), and shall be subject to its review and approval. The Department shall determine whether or not the changes are material enough to require further review by the Town Commission.
- (10) During the building permit phase, signage permitting (window, wall, freestanding, or other) for the Project shall be submitted through the Town's permitting process with a master sign plan that ensures signage consistency in design and color scheme of the signs to be located on the Site. A sign package illustrating all signs and their colors shall be submitted to the Department through the regular signage permitting process and shall be subject to its review and approval prior to their placement on the Site.
- (11) Within 18 months of the effective date of this Resolution, the Owner shall initiate bona fide development and shall continue with the development of the Site through completion. Failure to do so shall render the Development Order null and void. Once initiated, the development of the Site shall be completed within 18 months.

- (12) Prior to the issuance of a Certificate of Occupancy or Completion, the Owner shall install High-definition surveillance cameras, which capture clear facial features throughout the parking areas of the Project and along the exterior façades of the buildings on the Site. The location of the camera(s) shall be subject to the review and approval of the Department and PBSO.
  
- (13) **Cost Recovery.** All professional consulting fees and costs, including legal fees incurred by the Town in reviewing the Application and in the preparation of this Resolution billed to the Owner shall be paid to the Town within 10 days of receipt of an invoice from the Town. The failure of the Applicant to reimburse the Town within the 10 days from the town's mailing of its invoice will result in the suspension of any further review of plans or building activities, and may result in the revocation of the approved Development Order. A certificate of occupancy will not be issued if invoices are outstanding.

**Section 3.** This Resolution shall become effective upon execution.

**Exhibit "A"**

**LEGAL DESCRIPTION**

LOTS 39 AND 40, PLAT OF WATER TOWER INDUSTRIAL PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 81, PAGE 27, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND

LOTS 51 AND 52, WATER TOWER INDUSTRIAL PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 81, PAGE 27, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**SURVEYORS' NOTES:**


1. I HEREBY CERTIFY this survey meets Florida Standards of Practice pursuant to Section 472.027, Florida Statutes. Chapter 5J 17.050.
2. Underground or obscured improvements were not located.
3. Dimensions are record and field unless otherwise noted.
4. Stated dimensions take precedence over scaled dimensions.
5. This firm's Certificate of Authorization Number is LB 6813.
6. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
7. Survey subject to reservations, restrictions, easements and rights-of-way of record. (Unless a Title Review, Commitment Review, or Ownership and Encumbrance Review is present on the face of this document, this survey has been completed in the absence of a title insurance policy).
8. Location map is gleaned from online mapping sites and and is only approximate.
9. Fence ownership is not determined.
10. The maximum liability incurred by R.B.Brennan Surveying, Inc. shall be limited to (2) TWO times the amount of the fee paid for the applicable survey as a result of settlement.
11. The property forms a mathematically closed figure and the parcels are contiguous without any gaps, gores and overlaps.
12. The property depicted hereon is the same property legally described in that certain title commitment from first american title insurance company as file no. ncs-1099105-chi2
13. The property has direct, physical access to 13th street and 14 street, both which are public right of ways.
14. There is no evidence of recent earth moving work, building construction or building additions observed in the process of conducting the fieldwork.
15. Containing 55,100 sq. ft. or 1.26 acres, gross.
16. Elevation datum is NAVD '88.

The foregoing Resolution was offered by Commissioner Michaud, who moved its adoption. The motion was seconded by Commissioner Taylor and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	<u>  </u>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>Absent</u>	<u>  </u>
COMMISSIONER JOHN LINDEN	<u>/</u>	<u>  </u>
COMMISSIONER ROGER MICHAUD	<u>/</u>	<u>  </u>
COMMISSIONER MARY BETH TAYLOR	<u>/</u>	<u>  </u>

The Town Commission thereupon declared the foregoing Resolution No. 23-04-22 duly passed and adopted this 6 day of April, 2022.

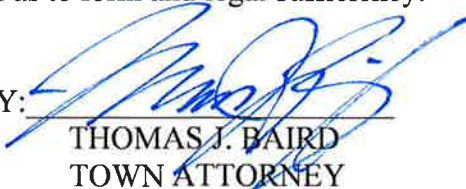
TOWN OF LAKE PARK, FLORIDA

BY:   
MICHAEL O'ROURKE  
MAYOR

ATTEST:

  
VIVIAN MENDEZ  
TOWN CLERK

Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY



# **PUBLIC NOTICE**

## **TOWN OF LAKE PARK**

### **NOTICE OF PUBLIC HEARINGS**

**BE ADVISED THE PLANNING & ZONING BOARD OF THE TOWN OF LAKE PARK, FLORIDA WILL CONDUCT A PUBLIC MEETING AT 535 PARK AVENUE TO CONSIDER THE AGENDA ITEM LISTED BELOW ON MONDAY, MARCH 7, 2022 AT 6:30 PM, OR AS SOON THEREAFTER AS CAN BE HEARD. A QUORUM OF THE PLANNING & ZONING BOARD OF THE TOWN OF LAKE PARK, FLORIDA WILL CONVENE AND PUBLIC PARTICIPATION WILL OCCUR IN-PERSON AT TOWN HALL.**

**THE TOWN COMMISSION WILL ALSO CONDUCT A QUASI-JUDICIAL MEETING AT 535 PARK AVENUE, LAKE PARK, TO CONSIDER THE AGENDA ITEM LISTED BELOW WEDNESDAY, APRIL 6, 2022 AT 6:30PM, OR AS SOON THEREAFTER AS CAN BE HEARD. (TENTATIVE DATE, PLEASE MONITOR WWW.LAKEPARKFLORIDA.GOV FOR ANY CHANGES). A QUORUM OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA WILL CONVENE AND PUBLIC PARTICIPATION WILL OCCUR IN-PERSON AT TOWN HALL**

On behalf of DXD Capital (“Property Owner” and “Applicant”), Brian Cheguis of iPlan & Design, LLC (“Agent”) is requesting site plan approval for a four-story, 99,990 SF self-storage building. The proposed development is consistent with the Town of Lake Park’s adopted regulations for the CLIC-1 business district.

The Subject Property is located south of Watertower Road, west of 13th Street, and east of 14th Street in the Town of Lake Park as denoted in the location map. It is comprised of the following parcels, which total 1.26 acres:

- Parcel 1 – PCN: 36434220220000390
- Parcel 2 – PCN: 36434220220000400
- Parcel 3 – PCN: 36434220220000510
- Parcel 4 – PCN: 36434220220000520

Records related to these items may be inspected by contacting the Community Development Department at 561-881-3320, or by emailing Anders Viane at [aviane@lakeparkflorida.gov](mailto:aviane@lakeparkflorida.gov). If a person decides to appeal any decision made by the Planning and Zoning Board or 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.

**Town Clerk:** Vivian Mendez

**PUB:** The Palm Beach Post – Friday, February 25, 2022