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RESOLUTION 03-01-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING THE SITE PLAN FOR NORTHLAKE SQUARE WEST OWNED BY CONGRESS PLAZA WEST, JOINT VENTURE PARTNERSHIP FOR THE 3.78-ACRE PORTION OF AN 8.80-ACRE PARCEL OF LAND LOCATED ON THE SOUTHWEST CORNER OF NORTHLAKE BOULEVARD AND CONGRESS AVENUE WHICH LIES WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF LAKE PARK, AS DESCRIBED MORE PARTICULARLY HEREIN, TO ALLOW FOR A 41,000 SQUARE-FOOT FITNESS CENTER, A 12,389 SQUARE-FOOT PHARMACY WITH A TWO-LANE DRIVE-THROUGH, AND A 11,902 SQUARE-FOOT RESTAURANT/ RETAIL BUILDING WITH AN OUTDOOR SEATING AREA; PROVIDING FOR WAIVERS; PROVIDING CONDITIONS OF APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Commission, as the governing body of the Town of Lake Park, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Town's Land Development Regulations, is authorized and empowered to consider petitions related to zoning and land development orders; and

WHEREAS, the Town of Lake Park received an application ("Application") from Urban Design Studio as agent for Congress Plaza West, Joint Venture Partnership ("Applicant"), for site plan approval for a 41,000 square-foot fitness center, a 12,389 square-foot pharmacy with a two-lane drive-through, and a 11,902 square-foot restaurant/retail building including an outdoor seating area on a 8.80-acre site ("Site Plan"), generally located at the southwest corner of the intersection of Northlake Boulevard and Congress Avenue ("Site"), within the municipal boundaries of the City of Palm Beach Gardens and the Town of Lake Park, as more particularly described herein; and

WHEREAS, the subject site has been zoned to Commercial -1 (C-1); and

WHEREAS, an Interlocal Agreement was executed between the City of Palm Beach Gardens and the Town of Lake Park in August 2002 for a joint development review of the subject site; and

WHEREAS, the Planning and Zoning Commission reviewed the Site Plan at a public hearing conducted on July 14, 2003, and has recommended its approval; and

WHEREAS, the Town Commission has considered the evidence presented to it by the Town 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, and

WHEREAS, the Town Commission has determined that certain conditions as set forth

1 herein, are necessary for the Application to be consistent with the Town's Comprehensive Plan and to
2 meet the Town's Land Development Regulations; and

3
4 **WHEREAS**, the Applicant, its successors and assigns shall be subject to the conditions
5 contained in Section 3.

6
7 **NOW THEREFORE**, be it ordained by the Town Commission of the Town of Lake Park;

8
9 **Section 1:** The whereas clauses are incorporated herein as true and correct findings of fact
10 and conclusions of law of the Town Commission.

11
12 **Section 2.** The Town Commission hereby approves the Site Plan application for Congress
13 Plaza West, Joint Venture Partnership, to permit the development of a 41,000 square-foot fitness
14 center, a 12,389 square-foot pharmacy with a two-lane drive-through, and a 11,902 square-foot
15 restaurant/retail building including an outdoor seating area on a 3.78-acre portion of an 8.80-acre site
16 located at the southwest corner of the intersection of Northlake Boulevard and Congress Avenue
17 within the municipal boundaries of the City of Palm Beach Gardens and the Town of Lake Park,
18 including the list of uses attached hereto as **Exhibit "A"** attached hereto and incorporated herein, and
19 subject to the conditions of approval contained in Section 3, which are in addition to the general
20 requirements otherwise provided by local ordinances:

21
22 **Section 3.** Approval of the Site Plan for the subject property by the Town Commission
23 shall be subject to the following conditions:

- 24
25 1. Prior to the issuance of the first building permit the Applicant shall plat the property.
26
27 2. All tenant signage on the restaurant/retail building shall be limited to one typeface and one
28 color, except for nationally registered tenants, who will be permitted their registered color and
29 font. All letters shall be limited to a maximum of 18" in size, except for the central tower
30 sign, which shall be permitted 24" letters. The first tenant sign permit to be issued by the
31 Growth Management Department shall provide for the color and typeface allowed for the
32 restaurant/retail building, and with which subsequent signage shall conform. No signs shall
33 be permitted on the eastern and western elevations of the restaurant/retail building.
34
35 3. The maximum height of the letters on any tenant identification wall sign on the CVS building
36 shall be limited to 30" on the northern wall facing Northlake Boulevard, and 24" on the
37 eastern wall facing Congress Avenue. The maximum height of the letters on any tenant
38 identification wall sign on the LA Fitness Building shall be limited to 36".
39
40 4. The monument sign shall be limited to two tenant names. The background of the monument
41 sign shall be one color, and the letters of both tenant signs on the monument sign shall be one
42 color.
43
44 5. Any proposed future use that is listed in the Town's Land Development Regulations as a
45 Special Exception Use, except for the conditional uses listed in the official list of permitted
46 uses for the Site (See **Exhibit A**), shall be reviewed and approved by the Growth Management
47 Department and the Town Commission.

- 1
- 2 6. All mechanical equipment shall be screened from view.
- 3
- 4 7. Within twelve (12) months of the effective date of this Resolution, the Applicant shall
- 5 construct and maintain the proposed Town Entryway monument sign, subject to the approval
- 6 of Palm Beach County, in the location as indicated on the Site Plan and in accordance with the
- 7 design as presented by the Applicant, which incorporates the City of Palm Beach Gardens. In
- 8 the event that the proposed location is not permitted by Palm Beach County, the Applicant
- 9 shall submit to the City and the Town an application for an administrative amendment for an
- 10 alternative sign location on a site acceptable to the Town.
- 11
- 12 8. A minor change of up to 5% to the approved allocation of uses for the commercial buildings
- 13 shall require administrative review and approval of a parking and traffic equivalency analysis
- 14 by the Growth Management Department. Any major modifications (greater than 5%) to the
- 15 allocated uses shall require review and approval by Town Commission.
- 16
- 17 9. No assigned parking shall be permitted on site.
- 18
- 19 10. No medical or dental office use shall be allowed on the site unless the Applicant can
- 20 demonstrate compliance with traffic and parking requirements
- 21
- 22 11. Within four (4) months of the issuance of any land alteration permit, the Applicant shall submit
- 23 to the Town an on-site and off-site irrigation plan based on the Michael Redd and Associates
- 24 landscape plans to be reviewed and approved by the Community Development Department.
- 25
- 26 12. Within six (6) months of the issuance of the clearing/land alteration permit, the Applicant shall
- 27 install and maintain the landscaping and irrigation, as permitted by Palm Beach County, within
- 28 the Congress Avenue right-of-way median and westerly road shoulder from Northlake
- 29 Boulevard to the southern terminus of its property. A one-time six-month extension to complete
- 30 buffer and right of way improvements may be granted by the City of Palm Beach Garden's
- 31 Growth Management Director and the Town of Lake Park's Community Development
- 32 Department upon review of sufficient justification.
- 33
- 34 13. The Applicant, successors, or assigns shall be responsible for its fair share of landscaping and
- 35 irrigation maintenance with the Congress Avenue right-of-way median and road shoulder
- 36 from Northlake Boulevard to the southern terminus of its property.
- 37
- 38 14. Prior to construction plan approval, the Applicant shall provide a letter of consent from the
- 39 utility easement owner(s) allowing light fixture poles and/or landscaping within their utility
- 40 easements.
- 41
- 42 15. Prior to issuance of the first building permit, the Applicant shall resubmit sheet C10 showing
- 43 a parking space detail consistent with the plan view.
- 44
- 45 16. Prior to issuance of the first building permit, the Applicant shall show pedestrian crossing
- 46 signs for non-controlled intersection locations, such as mid-block.
- 47

- 1 17. Prior to the issuance of the first building permit, the applicant shall submit revised
2 landscaping plans to include silver buttonwood trees along the north landscape buffer to be
3 reviewed and approved by Staff.
4
- 5 18. Prior to issuance of the first building permit, the Applicant shall show the signage and striping
6 for the loading zone areas.
7
- 8 19. Entry signage shall be lighted.
9
- 10 20. Numerical addresses for the buildings shall:
11
 - 12 a. Be illuminated for nighttime visibility and be unobstructed;
 - 13 b. Have bi-directional visibility from the roadway; and
 - 14 c. Be placed at the front and rear of each business.
15
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17
- 18 21. Prior to issuance of the first building permit, the applicant shall revise Note #1 on the Signing
19 and Marking Plans for the Sign Base Detail to set the poles behind the sidewalk.
20
- 21 22. Prior to issuance of the first building permit, the applicant shall provide a stop sign/stop bar
22 and "do not enter" signage for the exit from the pharmacy drive- through. The signage shall
23 be on both sides and the stop bar shall extend across all lanes.
24
- 25 23. Prior to issuance of the first building permit, the details 8 and 9 on the Hardscape Details,
26 sheet LA6, shall be revised to meet the City of Palm Beach Gardens LDR Section 78-499
27 table 41 specifications or shall be removed from the plans.
28
- 29 24. All lighting for parking lots and pedestrian walkways shall be metal halide.
30
- 31 25. Landscaping shall not conflict with lighting, including long-term canopy tree growth.
32
- 33 26. Building lighting shall be around the perimeter on all sides and on pedestrian walkways. No
34 glare lighting shall be used.
35
- 36 27. Timer clock or photocell lighting shall be provided for nighttime use above or near entryways
37 and all exits including emergency exits.
38
- 39 28. All structures shall use the following target hardening techniques:
40
 - 41 a. Buildings shall be pre-wired for an alarm system.
 - 42 b. Doors shall be equipped with metal plates over the threshold of the locking
43 mechanism.
 - 44 c. Glass perimeter doors shall be equipped with case hardened guard rings to protect the
45 mortise lock cylinder.
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- d. Rear doors shall have 180-degree peephole viewers.
- e. All perimeter doors shall be equipped with hinges that utilize non-removable hinge pins.
- f. Exterior roll-up doors shall be target hardened.

Section 4. The Town Commission hereby approves the following waivers:

1. Article V, Table 5-6 of the NBOZ, Permitted Business Signs, to allow for a monument sign to be located 13' away from a non right-of-way property line; the Code requires a minimum of 50'.
2. Article V, Table 5-6 of the NBOZ, to allow for two tenant names on a monument sign; the Code allows one name.

Section 5. This Resolution shall become effective immediately upon adoption of Resolution 176 by the City of Palm Beach Gardens.

(This space has been intentionally left blank.)

1 The foregoing RESOLUTION was offered by Commissioner Balius, who moved its approval.
2 The motion was seconded by Commissioner Longtin, and being put to a vote, the result was
3 as follows:

	AYE	NAY
7 MAYOR PAUL CASTRO	X	
8 VICE MAYOR CHUCK BALIUS	X	
9 COMMISSIONER PAUL GARRETSON		Absent
10 COMMISSIONER JEANINE LONGTIN	X	
11 COMMISSIONER BILL OTTERSON	X	

14 The Mayor thereupon declared Resolution No. 03-01-04 duly passed and adopted this 8th day of
15 January, 2004.

18 TOWN OF LAKE PARK, FLORIDA

20 BY: *Paul Castro*
21 Mayor Paul Castro

23 ATTEST:

28 *Carol Simpkins*
30 Carol Simpkins
31 Town Clerk

27 Approved as to form and legal sufficiency

32 *Thomas J. Baird*
33 Thomas J. Baird, Town Attorney
(Town Seal)
