

**RESOLUTION 12-02-04**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A SITE PLAN FOR A MEDICAL OFFICE OWNED BY JORGE SALLEN, M.D., KNOWN AS THE PEDIATRIC RESPIRATORY CENTER TO ADD APPROXIMATELY 653 SQUARE FEET TO AN EXSITING 6,993 SQUARE FEET BUILDING LOCATED AT 500 FEDERAL HIGHWAY, ON 0.75 ACRES BETWEEN FORESTERIA DRIVE AND EVERGREEN DRIVE, WITHIN THE COMMERCIAL-1 ZONING DISTRICT (C-1); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS AND CONFLICT; 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 Comprehensive Plan and Land Development Regulations, is authorized and empowered to approve or deny, in whole or in part, petitions for development orders; and

**WHEREAS**, the Town of Lake Park received a site plan application ("Application") from MSM Construction, Inc., ("Agent") for Jorge Sallent, M.D. ("Owner/Applicant"), for approval of a site plan adding approximately 653 square feet to an existing 6,993 square foot building, on 0.75 acres ("Site Plan"), generally located along the west side of Federal Highway, between Foresteria Drive and Evergreen Drive, ("Site"), within the municipal boundaries of the Town of Lake Park, as more particularly described herein; and

**WHEREAS**, the Site has been zoned to Commercial-1 (C-1); and

**WHEREAS**, the Planning and Zoning Commission has reviewed the Site Plan at a public hearing conducted on February 2, 2004, and presented its recommendation; 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 herein, are necessary for the Application to be consistent with the Town's Comprehensive Plan and to meet the Town's Land Development Regulations; and

**WHEREAS**, the Owner, its successors and assigns shall be subject to the conditions contained herein.

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

**Section 1:** The whereas clauses are incorporated herein as true and correct findings of fact

**Section 2.** The Town Commission hereby approves the Application for the Pediatric Respiratory Center, authorizing the addition of 653 square-feet for a medical office, subject to the conditions of approval contained in Section 3:

**Section 3.** The Site Plan for the Site shall be subject to the following conditions:

1. The Owner shall install all improvements in compliance with the attached plans/drawings:
  - (a) Site Plan by Oscar Familia Associates dated 1/29/2004; Sheets SP-1 to SP-5
  - (b) Landscape Plan by Parker-Yannette Design Group dated 1/28/2004; Sheets L1 & L2 Architectural Elevations by J.R.F. Architect (Jose R. Figueroa) dated 1/29/2004
  - (c) Survey by Horizon Surveyors, Inc. dated 1/29/2004
  - (d) Civil Engineering Plans by JCM Consultants (Juan Muniz) dated 1/28/2004; Sheets C-1 to C-
2. No signs shall be permitted on the northern, eastern and western elevations of the building.
3. All mechanical equipment shall be screened from view.
4. Any revisions to the site plan, landscape plan, architectural elevations, signs, statement of use, or other details submitted as part of this application, including but not limited to the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department of Community Development and shall be subject to its review and approval.
5. Prior to issuance of the first building permit, the Owner and/or Applicant shall provide a letter of consent from all utility easement owner(s) allowing light fixture poles and/or landscaping within their utility easements.
6. Prior to issuance of the first building permit, the Owner and/or Applicant shall provide a Site lighting plan with light standards, details, specifications, locations and photometrics, which shall be subject to the review and approval of the Community Development Department.
7. Prior to the first building permit, the Owner and/or Applicant shall provide certification by landscape architect of record that the landscape installation complies with approved landscape plans.
8. Prior to the issuance of any development permit, the Site Plan shall incorporate thereon all conditions of approval, and this information will be available on the Site during construction. A reduced copy shall be provided to the Town Clerk's office for attachment to the respective ordinance or resolution document.
9. Prior to issuance of the first building permit the Owner and/or Applicant shall submit a Signing and Pavement Marking Plan, which shall be signed and sealed by a registered professional

10. Prior to issuance of the first building permit the Owner and/or Applicant shall submit a detailed drainage plan to be approved by Staff.
11. Owner and/or Applicant will preserve and restore the existing horse sculptures to the original condition. The applicant shall provide a cost estimate for the repair and preservation to Staff for consideration of façade improvements funds.
12. The proposed dumpster shall be screened on three sides by a wall and landscaping. The dumpster opening shall be constructed with a door and/or gate that can be secured.
13. All proposed lighting must be directed away from the residential areas to prevent light pollution into the adjacent neighborhood.

**Section 5.** This Resolution shall become effective upon adoption.

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

	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	X	
COMMISSIONER JEANINE LONGTIN	X	
COMMISSIONER BILL OTTERSON	X	

The Mayor thereupon declared Resolution No. 12-02-04 duly passed and adopted this 18<sup>th</sup> day of February, 2004.

TOWN OF LAKE PARK, FLORIDA

BY: *Paul Castro*  
Mayor Paul Castro

ATTEST:

*Carol Simpkins*  
Carol Simpkins  
Town Clerk



Approved as to form and legal sufficiency

*Thomas J. Baird*  
Thomas J. Baird, Town Attorney