



36 members of the public regarding whether the Application meets the Town's Land  
37 Development Regulations, including specifically Section 67-38 of the Town Code; and

38 **WHEREAS**, the Town Commission has determined that the conditions  
39 incorporated herein, are necessary in order for the Application to be consistent with the  
40 Town's Comprehensive Plan and to meet the Town's Land Development Regulations;  
41 and

42 **WHEREAS**, the conditions as set forth below shall apply to the Owner, the  
43 Owner's tenants, and the Owner's successors and/or assigns.

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

46 **Section 1.** The whereas clauses are hereby incorporated as true and correct as the  
47 findings of fact and conclusions of law of the Town Commission.

48 **Section 2.** The Town Commission hereby approves a Site Plan for a 123,100  
49 square foot office/warehouse business park consisting of 24,620 square feet of office  
50 space, and 98,480 square feet of warehouse space to be located in six buildings on the  
51 subject property, subject to the conditions described below.

52 1) The Owner shall install all improvements in compliance with the attached  
53 plans/drawings, which are also on file with the Town's Community Development  
54 Department and/or the authorized revisions as noted below:

55 a) Site Plan & Architectural Elevations referenced as sheet S1, S2, S3 and  
56 A1, A2, A5, A6 respectively, dated 10-10-07 and 10-09-07 respectively  
57 prepared by Environmental Design Group, who is the planner of record for  
58 the Project, and Architectural Design Associates who is the architect of  
59 record for the Project, received and dated by the Department of  
60 Community Development on 10-12-07.

61 b) Engineering Plans, referenced as sheets 1-10 dated 10-10-07 prepared by  
62 Schaefer and Fagan & Associates, Inc., received and dated by the  
63 Department of Community Development on 10-12-07.

64 c) Landscape plans referenced as sheets L-1 through L-4 and L-8 dated 10-  
65 10-07 and prepared by Environment Design Group, who is the landscape

66 architect of record for the Project, received and dated by the Department  
67 of Community Development on 10-12-07.

68 d) Irrigation plan referenced as sheet L-6 and L-7 dated 10-10-07, prepared  
69 by Environment Design Group, who is the landscape architect of record  
70 for the Project, received and dated by the Department of Community  
71 Development on 10-10-07.

72 2) Any revisions to the approved Site Plan, Engineering Plan, Landscape and  
73 Irrigation Plans, elevations, signs, statement of use or other details submitted as  
74 part of this Application, including but not limited to, the location of the proposed  
75 improvements or additional, revised or deleted colors, materials, or structures,  
76 shall be submitted to the Town's Community Development Department  
77 (hereinafter the "Department") and be subject to its review and approval, unless  
78 the Town Code requires Town Commission approval.

79 3) Upon re-submittal of final plans, the Department shall review all conditions of  
80 approval for compliance by the Owner. Furthermore, any condition, which is  
81 established by, or is associated with the resubmittal of final plans, shall be subject  
82 to the Department's review and approval.

83 4) Upon submittal of final plans and prior to the issuance of any development  
84 permits, the Owner shall revise the Site Plan to:

85 a) Indicate planting rings and ground cover around entry way of tree and  
86 palm plantings.

87 b) Include a diversity of at least 5 different trees.

88 c) Eliminate the Cordia ssp. (a/k/a Geiger Tree) or Cassia  
89 Bearianna/Surrentensis and replace with Quercus Laurifolius (a/k/a Laurel  
90 Oak).

91 d) Show the required maintenance height of all landscape hedges as five (5)  
92 feet.

93 e) Extend the sidewalk along the frontage of the property facing Old Dixie  
94 Highway.

95 f) Add interior signage to regulate large truck flow as required by Town  
96 staff.

- 97 g) Define the phasing schedule as outlined in **Exhibit "B"** which is hereby  
98 incorporated by reference herein.
- 99 h) Include the street/address number of the main site on the monument sign.
- 100 i) Increase the height of the Live/Laurel Oaks to 14-16' x 8-10' at the time  
101 of planting at the entry off of Old Dixie Highway.
- 102 5) Construction shall be allowed only between the hours of 7:00 a.m. and 7:00 p.m.  
103 unless otherwise approved in writing by the Community Development Director.
- 104 6) Any disturbance of the public right of way along Watertower Road shall require  
105 review and written approval from the Town's Public Works and Community  
106 Development directors prior to any construction.
- 107 7) Any disruption to any of the nearby entrance/exit and parking areas along Old  
108 Dixie Highway shall require prior written approval by the Community  
109 Development Director.
- 110 5) Any disruption beyond the boundaries of the Site shall require the Owner's  
111 contractor(s) to employ commonly accepted practices that ensures the safety and  
112 well being of the general public.
- 113 6) All approved landscaping shall be properly maintained by the Owner. The Owner  
114 shall guarantee all new landscape material installed on the Site as required by the  
115 approved Site Plan and Town Code for a minimum of three months from the date  
116 of the issuance of the Certificate of Occupancy by the Town. It shall be the  
117 responsibility of the Owner to replace any and all dead or dying landscape  
118 material at any time the Site is not in compliance with the landscape requirements  
119 of the approved Site Plan and/or the Town Code, and also to comply with all  
120 property maintenance standards and requirements of the Town Code applicable to  
121 the Site.
- 122 7) All trees planted under FP&L power lines are required to comply with the FP&L  
123 Right Tree Right Place guidelines.
- 124 8) Safe and adequate pedestrian passage shall be maintained in front of the  
125 construction site along Old Dixie Highway shall be maintained at all times.
- 126 9) The Owner shall ensure that any and all contractors use commonly accepted  
127 practices to reduce airborne dust and particulates during the construction phase.

- 128 10) All dumpsters shall be enclosed as noted on the Site Plan and enclosure doors  
129 kept shut at all times. All dumpsters shall be acquired from the approved  
130 franchise supplier for the Town of Lake Park.
- 131 11) Prior to issuance of the Certificate of Occupancy, the Owner or the Applicant  
132 shall provide certification from the Landscape Architect of record that the plant  
133 installations on site are in accordance with the Site Plan, including the landscape  
134 plans approved by the Town Commission.
- 135 12) Prior to the issuance of any building permit, copies of all other required permits  
136 from other agencies including but not limited to Palm Beach County Health  
137 Department, Palm Beach County Land Development Division, South Florida  
138 Water Management Division and the State of Florida Department of  
139 Environmental Protection shall be provided to the Town by the Applicant and/or  
140 the Owner.
- 141 13) The Applicant must provide the Town with documentation from Palm Beach  
142 County that the proposed 123,100 square foot office/warehouse business park has  
143 satisfied the County's Traffic Performance Standards ("TPS") and meets all  
144 traffic concurrency requirements.
- 145 14) All signage for the Project must comply with the requirements of the Town's Sign  
146 Code.
- 147 15) The following items/uses are prohibited outside the confines of the buildings or  
148 on the exterior portions of the subject property:
- 149 a) Food service/drink/vending or other similar food dispensing  
150 units/machines.
- 151 b) Other vending machines dispensing all types of merchandise, products,  
152 goods, handbills, advertising magazines, etc.
- 153 c) Public telephones shall be exempt from these provisions.
- 154 16) The Owner or the Owner's authorized agent shall initiate the bona fide and  
155 continuous development of the property within 18 months from the effective date  
156 of development approval. Such development shall be completed within 18  
157 months from the effective date of initiation of development as defined herein;  
158 unless there is a grant of extension as otherwise provided for in the Town of Lake

159 Park Code of Ordinances Chapter 67, Section 67-42 "*Expiration of development*  
160 *approvals*".

161 17) Cost Recovery. All fees and costs, including professional fees and legal fees at  
162 the rate of \$195.00 per hour, incurred by the Town in reviewing the Project and  
163 billed to the Owner shall be paid to the Town within 10 days of receipt of an  
164 invoice from the Town, and in no case later than 15 days from the date of the  
165 issuance of the invoice by the Town. The Owner's failure to reimburse the Town  
166 within the 10 day time period, may result in the automatic revocation of any and  
167 all land development approvals by the Town, and any other appropriate measures  
168 that the Town deems necessary and appropriate to secure payment.

169

170 **Section 3.** This Resolution shall take effect upon adoption.

171

172 **Exhibit "A" - Legal Description**

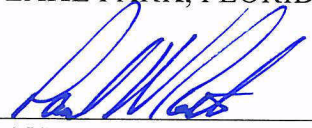
173 **Exhibit "B" - Phasing Schedule**

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

	AYE	NAY
MAYOR PAUL W. CASTRO	<u>X</u>	___
VICE-MAYOR ED DALY	<u>Absent</u>	___
COMMISSIONER CHUCK BALIUS	<u>X</u>	___
COMMISSIONER JEFF CAREY	<u>X</u>	___
COMMISSIONER PATRICIA OSTERMAN	<u>X</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 92-12-07 duly passed and adopted this 19 day of December, 2007.

TOWN OF LAKE PARK, FLORIDA

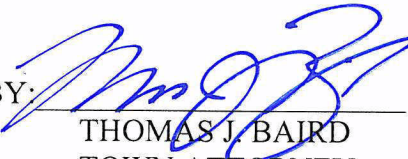
BY:   
PAUL W. CASTRO  
MAYOR

ATTEST:

  
VIVIAN MENDEZ  
TOWN CLERK



Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY





This document is a copy of the original recorded in the Public Records of Palm Beach County, Florida.

Beginning at the Southwest corner of the plat of 1100 Commerce Park as recorded in Plat Book 98 at Pages 60 and 61, in and for the Public Records of Palm Beach County, Florida; thence N. 01°42'12" E., along the West line of said plat, a distance of 325.02 feet to the Northwest corner of said plat; thence S. 88°05'52" E., along the North line of said plat, a distance of 199.28 feet to the Northwest corner of Lot 5, according to the said plat of 1100 Commerce Park; thence S. 01°54'08" W., along the West line of said Lot 5, a distance of 213.80 feet; thence S. 31°01'09" E., along a radial line, a distance of 12.00 feet to a point lying on the arc of a curve concave to the East, having a central angle of 144°40'56", a radius of 55 feet and a radial bearing to the radius point of S. 31°01'09" E.; thence Southwesterly, Southerly and Southeasterly along the arc of said curve, a distance of 138.89 feet to a point lying on the South line of said plat of 1100 Commerce Park; thence N. 88°06'15" W., along said South line, a distance of 232.26 feet to the Point of Beginning.

SUBJECT to easements, restrictions, reservations, limitations of record and taxes subsequent to December 31, 2005.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that, except as above noted, said land is free from all encumbrances.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

George W. Baldwin  
George W. Baldwin  
Nancy Rodth  
Nancy Rodth

PALM CORPORATION OF  
PALM BEACH COUNTY

By: Joseph D. Uvanile (SEAL)  
JOSEPH D. UVANILE  
Vice President



STATE OF FLORIDA  
COUNTY OF PALM BEACH

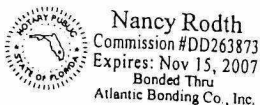
Before me, the undersigned authority, personally appeared JOSEPH D. UVANILE as Vice President of PALM CORPORATION OF PALM BEACH COUNTY, a Florida corporation, on behalf of the corporation, who is personally known to me or who produced \_\_\_\_\_ as identification

DATED this 7th day of August, 2006.

Nancy Rodth  
Notary Public, State of Florida at Large

My Commission expires:

7676 Warranty Deed 7.28.06



Land Planning  
Landscape Architecture  
Landscape Management

December 6, 2007

The Town of Lake Park  
535 Park Avenue  
Lake Park , Florida 33408

Attn: Linda

RE: Lake Park Business Center – "Site Plan Review-Town Council"  
Town Application No: SP 07-04.... OUR REF # 26014.01 SP/LA

Dear Linda,

Attached please find our revised plans reflecting the last comments made at the PZB meeting (NOV 5, 2007). Items are lines 127-137 from the minutes as follows:

- 127. define phasing schedule.
- 128. street number of the main site on the monument sign.
- 129 & 130. increase height of Live Oaks at Old Dixie to 14'16'-x 8-10'ft.
- 131. planting rings and ground cover around entry way tree & palm plantings.
- 132. diversity of at least 5 trees/palms.
- 133 & 134. eliminate cordial ssp. (Geiger tree) or cassia bearianna and replace with quercus laurifolia (laurel Oak).
- 135. maintenance height of all landscape hedges at 5'ft.
- 136. extend sidewalk to meet Old Dixie sidewalk.
- 137. interior signage for large truck flow.

Thank you, we look forward to meeting with The Town Council on the 19<sup>th</sup>.  
Sincerely,

Environment Design Group

S. Frank Meroney, ASLA-RLA #691  
Principal

Ps. We also studied & added a right turn exit lane to our entrance drive. This was discussed at our meeting but not reflected in the line item minutes.

Comeau Building  
319 Clematis Street, Suite 1002  
West Palm Beach, FL 33401  
561.832.4600 phone  
561.832.4626 fax  
meroney@environmentdesigngroup.com

ENVIRONMENT  
DESIGN  
GROUP

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Land Planning  
Landscape Architecture  
Landscape Management

December 6, 2007

COMMUNITY  
DEC - 6 2007

The Town of Lake Park  
535 Park Avenue  
Lake Park , Florida 33408

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RECEIVED  
APR 2 2007  
BY:

THE TOWN OF LAKE PARK  
APPLICATION FOR SITE PLAN REVIEW

Project Name: LAKE PARK BUSINESS CENTER

Property Address: 1100 OLD DIXIE HIGHWAY

Owner: WATERTOWER BUSINESS PARK, LLC Address: 5601 CORPORATE WAY, SUITE 404 WPB FL 3340

Applicant (if not owner): ENVIRONMENT DESIGN GROUP - FRANK MERONEY

Applicant's Address: 319 CLEMATIS ST. SUITE 1002 Phone: 561 832-4600

Fax: 561 832-4626 Cell Phone: 561 346-0741 E-Mail: \_\_\_\_\_

MERONEY@ENVIRONMENTDESIGNGROUP.COM

Property Control Number (PNC): (SEE ATTACHED)

**Site Information:**

General Location: OLD DIXIE HIGHWAY NORTH OF WATERTOWER ROAD

Address: 1100 OLD DIXIE HIGHWAY

Zoning District: CLIC 1 Future Land Use: IL Acreage: 10.55

**Adjacent Property:**

Direction	Zoning	Business Name	Use
North		NW MUTUAL	OFFICE PARK
East	C4	GAUERY ONE	RETAIL/INDUSTRIAL
South	CLIC 1		INDUSTRIAL
West	C4	UNDEVELOPED	

**Justification:**

Information concerning all requests (attach additional sheets if needed.)

1. Explain the nature of the request: DEVELOPMENT OF AN OFFICE / WAREHOUSE BUSINESS PARK

2. What will be the impact of the proposed change on the surrounding area?

PROVIDE ADDITIONAL TOWNHOMES AND BE A COMPLIMENT TO THE SURROUNDING USES.

3. How does the proposed project comply with Town of Lake Park's zoning requirements?

MEETS THE TOWN REQUIREMENTS

**Legal Description:**

The subject property is located approximately 1/4 mile(s) from the intersection of WATER TOWER & DIXIE, on the        north,        east,        south,        west side of OLD DIXIE HIGHWAY (street/road).

Legal Description: (SEE SURVEY)

I hereby certify that I am (we are) owner(s) of record of the above described property or that I (we) have written permission from the owner(s) of record to request this action.

  
Signature of Owner/Applciant

7.20.08  
Date

owner →

**Consent Form from Owner and Designation of Authorized Agent:**

Before me, the undersigned authority, personally appeared Brian K. Waxman who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting \_\_\_\_\_ in the Town of Lark Park, Florida.
3. That he/she has appointed FRANK McRONCY (Engineering Design Group) to act as authorized on his/her behalf to accomplish the above project.

Name of Owner: Watertown Business Park, LLC

[Signature]  
Signature of Owner

Brian K. Waxman, Manager  
By: Name/Title

5601 Corporate Way # 404  
Street Address

West Palm Beach, FL 33472  
City, State, Zip code

\_\_\_\_\_  
P.O. Box

\_\_\_\_\_  
City, State, Zip code

(561) 687-5800  
Telephone Number

(561) 689-1255  
Fax Number

\_\_\_\_\_  
Email Address

Sworn and subscribed before me this 15th day of March

[Signature]  
Notary Public

My Commission expires:

6/26/09



Mali Liberty  
Commission # DD444777  
Expires: JUNE 26, 2009  
WWW.AARONNOTARY.COM