

RESOLUTION NO. 80-09-17

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR A 7,440 SQUARE FOOT OFFICE WAREHOUSE TO BE LOCATED ON THE SOUTHEAST CORNER OF WATER TOWER ROAD AND 14TH STREET; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE APPROVAL OF THE SITE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Johnston Group Development and Design, Inc., (the Applicant), on behalf of Youngfish, LLC (the Owner) is proposing to develop a 7,440 square foot office warehouse along the southeast corner of Water Tower Road and 14th Street as legally described in Exhibit "A" attached hereto and incorporated herein (the Site); and

WHEREAS, Applicant has submitted Application for a Site Plan for the use of an office warehouse (the Application); and

WHEREAS, the Site has a future land use designation of "Commercial/Light Industrial"; and

WHEREAS, the zoning district designation of the Site is Campus Light Industrial and Commercial; and

WHEREAS, the office warehouse use is a permitted use in the Campus Light Industrial zoning district; and

WHEREAS, the Town's Planning and Zoning Board has reviewed the Application and has recommended to the Town Commission that it approve the Application with certain conditions; and

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

WHEREAS, at these hearings, the Town Commission considered the evidence presented by the Town Staff, the Applicant, and other interested parties and members of the public, regarding the Application.

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 subject to the following conditions:

1. The Applicant shall develop the Site consistent with the following Plans:
 - a. Site Plan, Architectural Plan, Landscape Plan, Irrigation Plans, Civil Plans and Photometric Plan referenced as Sheets SP1, SP2, A-1, A-2, A-3, A203, LP-1, LP-2, IR-1, IR-2, C1-10, and ESP-1 received and dated by the Department of Community Development on 8/2/17 and signed and sealed on 8/1/17 and 8/2/17.
 - b. Survey signed and sealed 3-30-2017 and prepared by Brennan Surveying received and dated by the Department of Community Development on 8/2/17.
2. The site plan includes the following administrative waivers pursuant to Town Code Section 78-325(a) & (c):

WAIVER REQUEST	CODE SECTION	REQUIREMENT	PROPOSED	DEVIATION
Front Yard Setback	78-75(4)	25'	20'	5 feet per 20% reduction pursuant to Section 78-325(a)
Landscape Buffer Width	[Hatched Area]			
East	78-253(h)(1)	8 feet	6.4 feet	1.6 feet per 20% reduction pursuant to Section 78-325(c)
South	78-253(h)(1)	8 feet	6.4 feet	1.6 feet per 20% reduction pursuant to Section 78-325(c)
West	78-253(h)(1)	15 feet	12 feet	3 feet per 20% reduction pursuant to Section 78-325(c)

3. The Owner, the Applicant and their successors and assigns shall be subject to the Development Order and all conditions.
4. Construction on the Site is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except holidays, unless otherwise approved in writing by the Community Development Director. Any proposed disruption to the normal flow of traffic within the right of way of Watertown Road and 14th Street, or surrounding street and parking areas as part of the construction of the Site, shall also be subject to the review and approval of the Community Development Director and Public Works Director.
5. All landscaping as shown on the Site Plan and the Landscaping Plan shall be continuously maintained from the date of the issuance of the Certificate of Occupancy by the Town. The Owner/Applicant shall replace any and all dead or dying landscape material so as to maintain the quantity and quality of the landscaping shown on the approved Site Plan and Landscaping Plan.
6. The hedge material proposed for the perimeter of the Site which serves to align the parking areas, shall be maintained at a minimum four foot height.
7. The Owner shall ensure that any and all contractors use commonly accepted practices to reduce airborne dust and particulates during construction on the Site.
8. The dumpster shall be screened as noted on the Site Plan and kept closed at all times. All dumpsters shall be acquired from the approved franchise supplier for the Town of Lake Park.

9. The applicant is required to submit a copy of the recorded Unity of Title document to the issuance of a development permit.
10. Prior to issuance of the Certificate of Occupancy, the Owner or Applicant shall provide certification from the Landscape Architect of record that the plant installations on the Site are in accordance with the approved Site and Landscaping Plans.
11. Prior to the issuance of any development permits, the Owner or Applicant shall submit copies of any other permits required by other agencies, including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management Division and the State of Florida Department of Environmental Protection.
12. Any revisions to the approved Site Plan, Landscape Plan, architectural elevations, signs, Statement of Use, photometric plan, or other detail submitted as part of the 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 Community Development Department and shall be subject to its review and approval and any additional approvals pursuant to the Town Code.
13. The Owner or Applicant shall initiate bona fide and continuous development of the Site within 18 months from the effective date of this Development Order. Once initiated, the development of the Site shall be completed within 18 months. Failure to do so shall render the Development Order void.
14. Cost Recovery. All professional consulting fees and costs, including legal fees incurred by the Town in reviewing the Application and 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.
15. Outdoor storage is prohibited on the property.

Section 3: The Owner, Applicant and their successors and assigns shall be subject to the conditions of approval.

Section 4. This Resolution shall become effective upon adoption.

EXHIBIT "A"

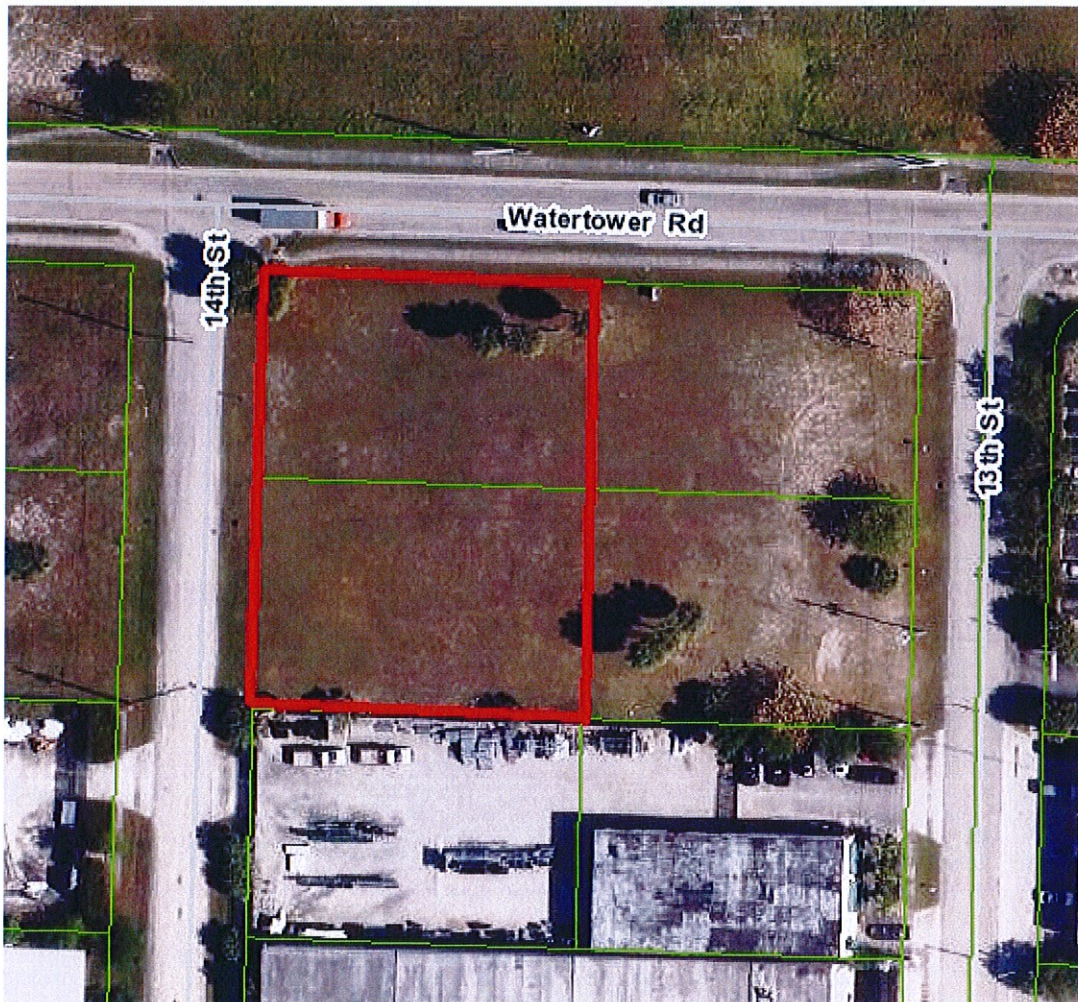
LEGAL DESCRIPTION

Property Control Number: 36434220220000390

WATER TOWER INDUSTRIAL PARK LT 39

Property Control Number: 36434220220000400

WATER TOWER INDUSTRIAL PARK LT 39



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

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	—
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	—
COMMISSIONER ERIN FLAHERTY	<u>/</u>	—
COMMISSIONER ANNE LYNCH	<u>/</u>	—
COMMISSIONER ROGER MICHAUD	<u>/</u>	—

The Town Commission thereupon declared the foregoing Resolution NO. 80-09-17 duly passed and adopted this 20 day of September, 2017.

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

EXHIBIT "A"

LEGAL DESCRIPTION

Property Control Number: 36434220220000390

WATER TOWER INDUSTRIAL PARK LT 39

Property Control Number: 36434220220000400

WATER TOWER INDUSTRIAL PARK LT 40

