

**RESOLUTION NO. 34-04-19**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AUTHORIZING THE REDEVELOPMENT AND EXPANSION OF AN EXISTING 4,250 SQUARE FOOT BUILDING TO 7,511 SQUARE FEET FOR MEDICAL OFFICES WITHIN PARCELS 1 AND 2 OF THE NORTHLAKE PROMENADE SHOPPES PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE APPROVAL OF THE SITE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Cotleur & Hearing as the authorized agent (the Applicant) for OPCH Northlake Promenade LLC (the Owner) is proposing to develop 7,511 square feet of medical offices on Parcels 1 and 2 of the Northlake Promenade Shoppes Planned Unit Development; and

**WHEREAS**, Parcels 1 and 2 of the Northlake Promenade Shoppes are located at 328 Northlake Boulevard (the Site); and

**WHEREAS**, the Applicant has submitted an application for a Site Plan for the redevelopment of Parcels 1 and 2 of the Site which was previously occupied by a 4,250 square foot bank, to develop a Helix Urgent Care and additional medical office within an overall 7,511 square foot building(the Application); and

**WHEREAS**, the Site has a future land use designation of "Commercial"; and

**WHEREAS**, the Site is within the Northlake Promenade Shoppes Planned Unit Development (PUD); and

**WHEREAS**, the zoning assigned to the Site is PUD with an underlying zoning designation of Commercial-3 Business District (C-3); and

**WHEREAS**, the uses permitted in the PUD include those uses permitted in the C-3 Zoning District, for which retail uses are permitted; and

**WHEREAS**, on October 24, 1991 the Village of North Palm Beach and Town of Lake Park entered into an Interlocal Agreement creating the Twin City Mall Task Force for the purposes of facilitating renovations and/or redevelopment of the Twin City Mall area located within both jurisdictions; and

**WHEREAS**, On May 13, 1993 the Village of North Palm Beach and the Town of Lake Park entered into an Interlocal Agreement to facilitate development of the real property known as the Twin City Mall; and

**WHEREAS**, in November 1995, the Town of Lake Park approved the Northlake Promenade Shoppes PUD for those parcels located within the jurisdictions boundaries of the Town of Lake Park; and

**WHEREAS**, the 74,622 square foot Northlake Promenade PUD contains 67,434 square feet of retail/commercial (Publix grocery store and additional retail/commercial spaces); a 4,250 square foot bank parcel which is vacant; 2,938 square feet for a fast-food restaurant, for a total of approximately 74,622 square feet of development; and

**WHEREAS**, the Town of Lake Park Planning and Zoning Board, jointly with the Village of North Palm Beach Planning Commission, have reviewed the Application and the Lake Park Planning and Zoning Board has recommended that the Town Commission approve the Application subject to conditions; 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 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 7,511 square feet of medical offices, subject to the following conditions:

- (1) The Applicant shall develop the Site consistent with the following Plans:

<b>Sheet Titles</b>	<b>Sheet(s)</b>	<b>Sign and Sealed Date (official file copy will include seal)</b>	<b>Received by Community Development Date</b>
Site Plan, Site Details	PSP, PRP	03/15/2019	03/15/2019
Landscape Plan, Landscape Details, Tree Disposition Plan, Irrigation Plan, Irrigation Details	PLP (Sheet 1 of 2 and 2 of 2), TDP, Irrigation Plan (Sheet 1 of 2), Irrigation Details (Sheet 2 of 2)	03/15/2019	03/15/2019

Civil Site Development Plans and Details (Paving, Grading and Drainage)	Simmons & White Sheets 1 through 6	03/14/2019	03/15/2019
Survey	Job No. 16-1594.2	08/24/2018	03/15/2019

Floor Plan, Elevations, Color Renderings, Signage Plan	A1.1, A2.0, A2.1, A2.4	03/11/2019	03/15/2019
Photometric/Site Lighting Plan	PHM-1, PHM-2	03/13/2019	03/15/2019

- (2) Future development shall comply with and be reviewed for consistency with the Master Plan in place at that time, which is currently conceptualized as the Dover Kohl plans dated 07/25/2018.
- (3) Prior to the issuance of any building permit, copies of all other required permits from other agencies including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, Northern Palm Beach County Improvement District, the Florida Department of Transportation, South Florida Water Management Division, the NOI for the Generic Permit for Stormwater Discharge from Large and Small Construction Activities (GCP) and the State of Florida Department of Environmental Protection will be required.
- (4) No building permits shall be issued for any development after the County's buildout date of December 31, 2022.
- (5) The Owner shall provide lighting as deemed appropriate by the Town from dawn to 30 minutes after the termination of business for all access points to buildings or open parking areas. All active entrances to buildings shall provide minimum-maintained lighting from dusk until dawn.
- (6) The Owner shall install High-definition surveillance cameras, which can capture clear facial features in the parking areas as well as along the exterior façade of the building. The camera(s) shall be placed at eye level in order to capture as much detail as possible in these areas.
- (7) The Owner, the Applicant and their successors and assigns shall be subject to the Development Order and all conditions.

- (8) Construction on the Site shall be 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 Northlake Boulevard, Palmetto Drive, or US-1, or surrounding street and parking areas as part of the construction of the Site, shall be subject to the review and approval of the Community Development Director in consultation with the Town's Director of Public Works and any other applicable roadway governing agencies.
- (9) The Owner shall maintain all landscaping as shown on the Site Plan and the Landscaping Plan from the date of the Town's issuance of the first Certificate of Occupancy for the Site. The Owner 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.
- (10) The Owner shall ensure that any and all contractors use commonly accepted practices to reduce airborne dust and particulates during construction on the Site.
- (11) The dumpsters 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.
- (12) 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.
- (13) 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.
- (14) The Owner 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. The failure to completed development within 18 months shall render the Development Order void.
- (15) Cost Recovery. All professional consulting fees and legal fees incurred by the Town in reviewing the Application 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 shall 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:** The Owner, Applicant and their successors and assigns shall be subject to the conditions of approval.

**Section 4.** This Resolution shall become effective upon execution.


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The foregoing Resolution was offered by Commissioner Flaherty, who moved its adoption. The motion was seconded by Vice-Mayor Glas-Castro 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 JOHN LINDEN	<u>/</u>	—
COMMISSIONER ROGER MICHAUD	<u>/</u>	—

The Town Commission thereupon declared the foregoing Resolution 34-04-19 duly passed and adopted this 3 day of April, 2019.

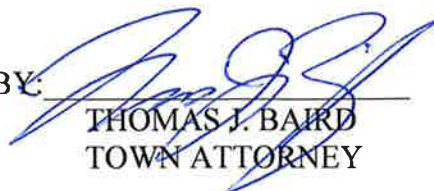
TOWN OF LAKE PARK, FLORIDA

BY:   
MICHAEL O'ROURKE  
MAYOR

ATTEST:

  
VIVIAN MENDEZ  
TOWN CLERK

Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY

