

RESOLUTION NO. 42-06-20

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING AN AMENDMENT TO RESOLUTION NO. 97-12-19, WHICH APPROVED THE SITE PLAN FOR A MIXED-USE DEVELOPMENT KNOWN AS NAUTILUS 211 CONSISTING OF 23 STORIES, INCLUSIVE OF 5 PARKING LEVELS; PROVIDING FOR THE AUTHORIZATION TO DEVELOP 332 RESIDENTIAL UNITS, 13,000 SQUARE FEET OF OFFICE, 8,058 SQUARE FEET OF RETAIL, 14,550 SQUARE FEET OF RESTAURANT USES AND ROOFTOP AMENITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Forest Development, LLC (“Owner”) and Insite Studio as the Owner’s authorized agent (“Applicant”) is proposing amendments to its mixed-use development;

WHEREAS, the Owner intends to develop the property located on the southeast corner of Cypress Drive and North Federal Highway(US-1), the legal description of which is attached as Exhibit ‘A’ (the Site); and

WHEREAS the Commission approved Resolution 97-12-19, constituting a Development Order authorizing the Owner to develop a 23-story mixed-use project known as the Nautilus 211 consisting of 23 stories, inclusive of a parking garage of 5 parking levels, 332 residential units, *approximately* 13,000 square feet of office, 8,058 square feet of retail and 14,550 square feet of restaurant uses, and rooftop amenities (“the Project”); and

WHEREAS, pursuant to a condition of the Development Order approving the Project, the Applicant has submitted an application to amend the Site Plan to address the interior landscape buffers; bus shelter design; final roadway designs; wind tunnel mitigation plan; and all associated details (“Application”); and

WHEREAS, the Town Commission considered the evidence presented by the Town Staff, the Applicant, and other interested parties and members of the public, regarding whether the Application is consistent with the Town’s Comprehensive Plan and 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 an amendment to the Development Order and Site Plan for the Project subject to the following conditions:

1. The Applicant shall develop the Site consistent with the following Plans:

Name	Sheet	Sign and Seal	Received on
Architecture Plan			
COVER SHEET	A0.00	02/23/2020	05/22/20
CODE DATA	A0.01	02/24/2020	05/22/20
DEVELOPMENT DATA	A0.02	02/24/2020	05/22/20
PARKING LEVEL A GROUND FLOOR	A1.01	04/06/2020	05/22/20
PARKING LEVEL B MEZZANINE	A1.02	04/06/2020	05/22/20
PARKING LEVEL C	A1.03	04/06/2020	05/22/20
PARKING LEVEL D	A1.04	04/06/2020	05/22/20
PARKING LEVEL E	A1.05	04/06/2020	05/22/20
AMENITY LEVEL	A1.06	04/06/2020	05/22/20
FLOOR 1	A1.07	04/06/2020	05/22/20
TYPICAL FLOOR	A1.08	02/24/2020	05/22/20
FLOOR 17 PENTHOUSE	A1.09	02/24/2020	05/22/20
ROOF LEVEL	A1.10	02/24/2020	05/22/20
TOP ROOF PLAN	A1.11	02/24/2020	05/22/20
WEST ELEVATION	A2.01	02/24/2020	05/22/20
SOUTH ELEVATION	A2.02	02/24/2020	05/22/20
EAST ELEVATION	A2.03	02/24/2020	05/22/20
NORTH ELEVATION	A2.04	02/24/2020	05/22/20
COLOR ELEVATION WEST	A2.11	02/24/2020	05/22/20
COLOR ELEVATION SOUTH	A2.12	02/24/2020	05/22/20
COLOR ELEVATION EAST	A2.13	02/24/2020	05/22/20
COLOR ELEVATION NORTH	A2.14	02/24/2020	05/22/20
COLOR RENDERINGS	A2.21	02/24/2020	05/22/20
COLOR ELEVATION DETAILS	A2.31	02/24/2020	05/22/20
BUILDING SECTION - A	A3.01	02/24/2020	05/22/20
BUILDING SECTION - B	A3.02	02/24/2020	05/22/20
SUN STUDY	A4.01	02/24/2020	05/22/20
SUN STUDY	A4.02	02/24/2020	05/22/20
SITE & BUILDING DETAILS	A5.01	02/24/2020	05/22/20
SITE & BUILDING DETAILS	A5.02	02/24/2020	05/22/20
Civil Plan			
TITLE SHEET	1	05/13/2020	05/22/20
DEMOLITION PLAN	2	05/13/2020	05/22/20
SITE DEVELOPMENT PLAN	3	05/13/2020	05/22/20
SITE DEVELOPMENT DETAILS	4 TO 5	05/13/2020	05/22/20

Landscape Plan			
TREE DISPOSITION PLAN	TD.1	05/13/2020	05/22/20
GROUND LEVEL LANDSCAPE PLAN	LP.1	05/13/2020	05/22/20
AMENITY DECK LANDSCAPE PLAN	LP.2	05/13/2020	05/22/20
ROOFTOP LANDSCAPE PLAN	LP.3	05/13/2020	05/22/20
LANDSCAPE DETAILS	LP.4	05/13/2020	05/22/20
LANDSCAPE SPECIFICATIONS	LP.5	05/13/2020	05/22/20
LANDSCAPE SPECIFICATIONS	LP.6	05/13/2020	05/22/20
Photometric Plan			
GROUND LEVEL GARAGE PHOTOMETRIC	L1	05/12/2020	05/22/20
GROUND LEVEL GARAGE EMERG PHOTOMETRIC	L1E	05/12/2020	05/22/20
MEZZ GARAGE LEVEL PHOTOMETRIC PLAN	L2	05/12/2020	05/22/20
MEZZ LEVEL GARAGE PHOTOMETRIC PLAN	L2E	05/12/2020	05/22/20
LEVEL C GARAGE PHOTOMETRIC PLAN	L3	05/12/2020	05/22/20
LEVEL C GARAGE PHOTOMETRIC PLAN	L3E	05/12/2020	05/22/20
LEVEL D GARAGE PHOTOMETRIC PLAN	L4	05/12/2020	05/22/20
LEVEL D GARAGE PHOTOMETRIC PLAN	L4E	05/12/2020	05/22/20
LEVEL E GARAGE PHOTOMETRIC PLAN	L5	05/12/2020 ⁹	05/22/20
LEVEL E GARAGE PHOTOMETRIC PLAN	L5E	05/12/2020	05/22/20
AMENITY DECK PHOTOMETRIC PLAN	L6	05/12/2020	05/22/20
PORTE COCHERE PHOTOMETRIC PLAN	L7	05/12/2020	05/22/20
STAIRWELLS PHOTOMETRIC PLAN	L8	05/12/2020	05/22/20
ROOF POOL AREA PHOTOMETRIC PLAN	L9	05/12/2020	05/22/20
Site Plan			
SITE PLAN	SP.1	02/24/2020	05/22/20
AMENITY DECK SITE PLAN	SP.2	02/24/2020	05/22/20
ROOFTOP SITE PLAN	SP.3	02/24/2020	05/22/20
DETAILS PLAN	DP.1	02/24/2020	05/22/20
Survey			
SURVEY (Job No. 18-05-032)	1 of 1	06/04/2019	05/22/20

2. The grease traps for the proposed waterfront restaurants shall be located in the public right-of-way along Lake Shore Drive. The Town shall be provided with a copy of the Seacoast Utility Authority maintenance agreement for its records, which shall include liability and insurance requirements.
3. Prior to the issuance of the first certificate of occupancy or completion, the Owner shall obtain all permits from the Seacoast Utility Authority and any other applicable governmental agencies which are necessary to construct and provide water and sewer services, and complete the installation of a sanitary lift station and force main, and any other capital facilities necessary to provide water and sewer services to the Site.
4. Prior to the issuance of the first Certificate of Occupancy (CO), the owner shall install wind screens along the new Bayberry Drive (north side around the driveway access point) and along Cypress Drive (northwest corner of project site and northeast corner of project site) and two along Lake Shore Drive around the outdoor dining areas. Thereafter, the Owner shall submit quarterly Wind Reports (a total of 4) to the Community Development Department, the first of which shall be due three months from the date of the issuance of the first Certificate of Occupancy. The reports shall demonstrate that the wind screens are producing 'comfortable' conditions around the project site not warranting additional mitigation.

Section 3: The Owner, Applicant and their successors and assigns remain subject to Resolution No. 97-12-19 and all of the conditions contained therein which are not modified herein and to the conditions herein.

Section 4. This Resolution shall become effective upon execution.

EXHIBIT 'A'
LEGAL DESCRIPTION

PARCEL 1:

LOTS 13, 14 AND 15, LESS COUNTY ROAD RIGHT-OF-WAY; AND THE WEST 70 FEET OF LOTS 32, 33 AND 34, ALL IN BLOCK 114, KELSEY CITY (NOW KNOWN AS LAKE PARK), ACCORDING TO THE PLAT THEREOF, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PAGE BOOK 8, PAGE 15 AND 23.

PARCEL 2:

LOTS 9, 10, 11 AND 12, AND THE WEST 76.70 FEET OF LOTS 35, 36, 37 AND 38, ALL IN BLOCK 114, KELSEY CITY (N/K/A LAKE PARK), ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 23, LESS THAT PORTION CONVEYED FOR ROAD RIGHT-OF-WAY DESCRIBED IN DEED BOOK 803, PAGE 223, AND DEED BOOK 803, PAGE 305, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 3:

THE EAST 210 FEET OF LOTS 35, 36, 37 & 38, BLOCK 114, LAKE PARK (FORMERLY KELSEY CITY), ACCORDING TO THE PLAT THEREOF, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 8, PAGES 15 AND 23.

PARCEL 4:

LOTS 1 TO 8, BOTH INCLUSIVE, BLOCK 114, LESS THE WEST 20 FEET THEREOF FOR ROAD RIGHT-OF-WAY, AND THE WEST 108 FEET OF LOTS 39 TO 46, BOTH INCLUSIVE, BLOCK 114, KELSEY CITY (NOW KNOWN AS LAKE PARK), ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 8, PAGES 15 AND 23.

PARCEL 5:


LOTS 39, 40, 41, 42, 43, 44, 45 AND 46, BLOCK 114, LESS THE WEST 108 FEET THEREOF KELSEY CITY, ACCORDING TO THE PLAT THEREOF, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 8, PAGE 23.

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


	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	<u> </u>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	<u> </u>
COMMISSIONER ERIN FLAHERTY	<u>Absent</u>	<u> </u>
COMMISSIONER JOHN LINDEN	<u>/</u>	<u> </u>
COMMISSIONER ROGER MICHAUD	<u>/</u>	<u> </u>

The Town Commission thereupon declared the foregoing Resolution No. 42-06-20 duly passed and adopted this 3 day of June, 2020.

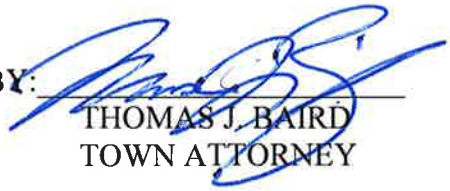
TOWN OF LAKE PARK, FLORIDA

BY: 
MICHAEL O'ROURKE
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK

Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY

