



**TOWN LAKE OF PARK
TOWN COMMISSION MEETING
MEETING DATE: June 17, 2026**

APPLICATION: Twiggs Academy Site Plan and Special Exception

AGENDA ITEM TITLE: On behalf of Michel Invest LLC (“Property Owner” and “Applicant”), Imtiaz Ahmed of Atlantic Engineering Services (“Agent”) is requesting site plan and special exception use approval for a one-story 7,424 SF educational facility. The proposed development is consistent with the Town of Lake Park’s adopted regulations for the C-2 commercial district.

Additionally: The Applicant is also requesting a rezoning of 0.25 acres from residence district (R-2) to business district (C-2) for parcel 36-43-42-20-01-048-0300. This application is presented under separate cover.

Note: This application was heard at the Planning and Zoning Board meeting on June 1, at which time the applicant received several items of feedback, including ensuring the bollards were placed outside the fence around the playground at the corner of Silver Beach and 10th Street and notation cleanup. These changes are reflected in the Town Commission packet. The item was approved 5-0.

Some additional discussion items by the Board included, in part:

- ➔ The fencing around the property to ensure there was adequate security, along with bollard on the outside of the fence facing Silver Beach Road
- ➔ Clarifications regarding the interior to ensure there is an adequate ‘safe room’ planned
- ➔ Signage requirements during peak hours when the Silver Beach gate is closed in order to ensure motorists know how to safely circulate back to 10th Street
- ➔ Clarifications on the intended new capacity which is 93 currently at the existing facility, with approximately 135-140 additional at the new facility
- ➔ There was discussion on whether the traffic study took into account the recently completed Nautilus 220 building, along with the new construction at Avalon and surrounding areas still underway, for which the applicant responded he thought so and would make sure their traffic engineer is present at the Town Commission meeting
- ➔ Fire sprinkler and fire hydrant requirements, for which the applicant explained the plans will meet all fire code requirements
- ➔ On whether the new security system will capture the entire exterior area, including the new facility exterior areas, for which the applicant responded that it would

Questions? Comments? Concerns? Please call 561-881-3320 (EXT 320) or email aviane@lakeparkflorida.gov for clarity and context ahead of the meeting, as needed.

BACKGROUND:

Owner & Applicant(s):

Michel Invest LLC

Agent and Consultant:

Atlantic Engineering Services

Location:

36-43-42-20-01-048-0170, 36-43-42-20-01-048-0270, 36-43-42-20-01-048-0300

Net Acreage (total):

1.385 acres

Legal Description:

See survey enclosed in packet.

Existing Zoning:

C-2 and R-2

Proposed Zoning:

C-2

Future Land Use:

Commercial

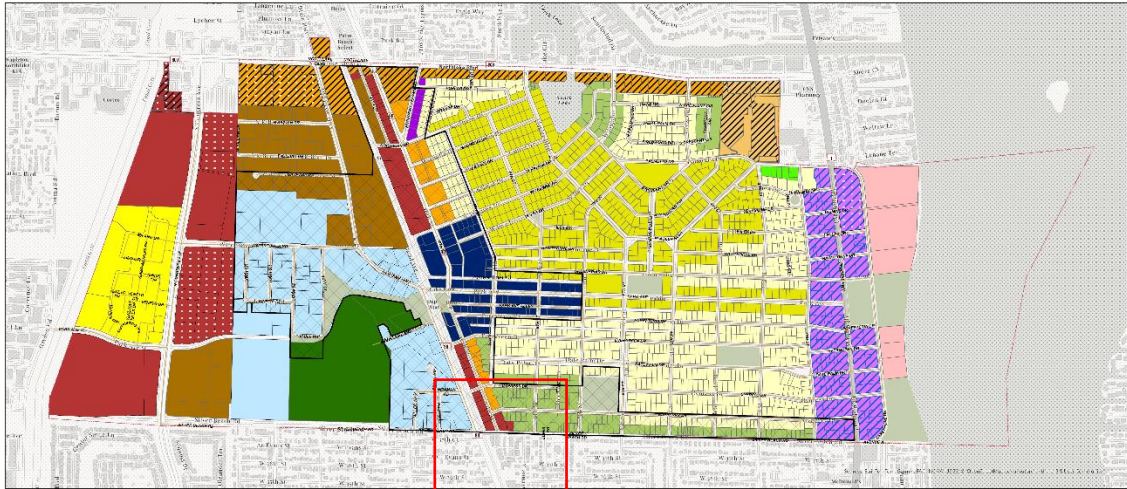
Figure 1: Aerial View of Site (image not to scale; for visual purposes only)



LAKE PARK ZONING MAP

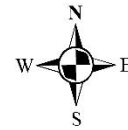
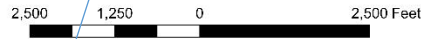


Town of Lake Park Zoning Map



	PLA/PLA Overlay		C-1 BUSINESS DISTRICT		C-2C CAMPUS/LEISURE INDUSTRIAL & COMMERCIAL CONVENTION		R-1A SINGLE FAMILY RESIDENCE DISTRICT
	PL-1 Overlay		C-1B BUSINESS/COMMERCIAL DISTRICT		IND RESIDENTIAL		R-1B RESIDENCE DISTRICT
	Town Boundary		C-2 B. BUSINESS DISTRICT		P-PUBLIC DISTRICT		R-2E TWO-FAMILY RESIDENCE DISTRICT
	Utility Overlay		C-3 TOUR CENTER RESIDENTIAL DISTRICT		IND-PARK/INDUSTRIAL/RECREATION DISTRICT		R-2F MULTIFAMILY RESIDENCE DISTRICT
			C-4 B. BUSINESS DISTRICT		R-3 SINGLE FAMILY RESIDENCE DISTRICT		T-2 TOURISMAL DEVELOPMENT
					R-3A SINGLE FAMILY RESIDENCE DISTRICT		UNASSIGNED

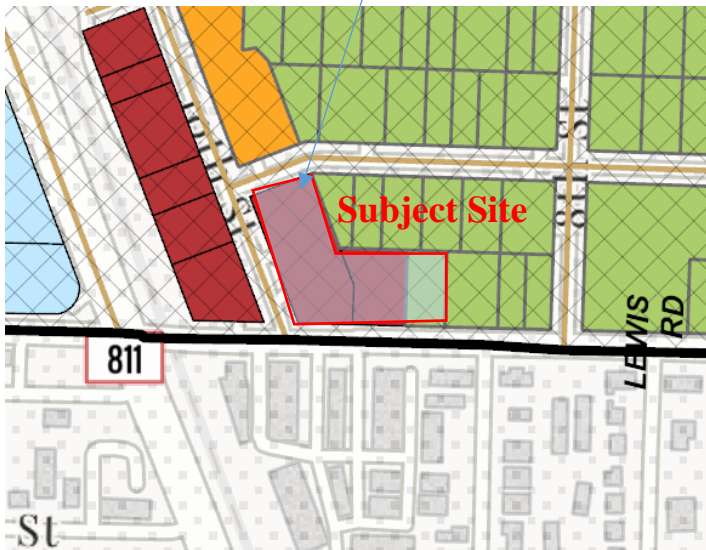
Anders Viane - Planner
 Community Development Department
 Town of Lake Park
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 561-881-3320 (ext 320)
 aviane@lakeparkflorida.gov



Date: 3/18/2026

Adjacent Zoning:

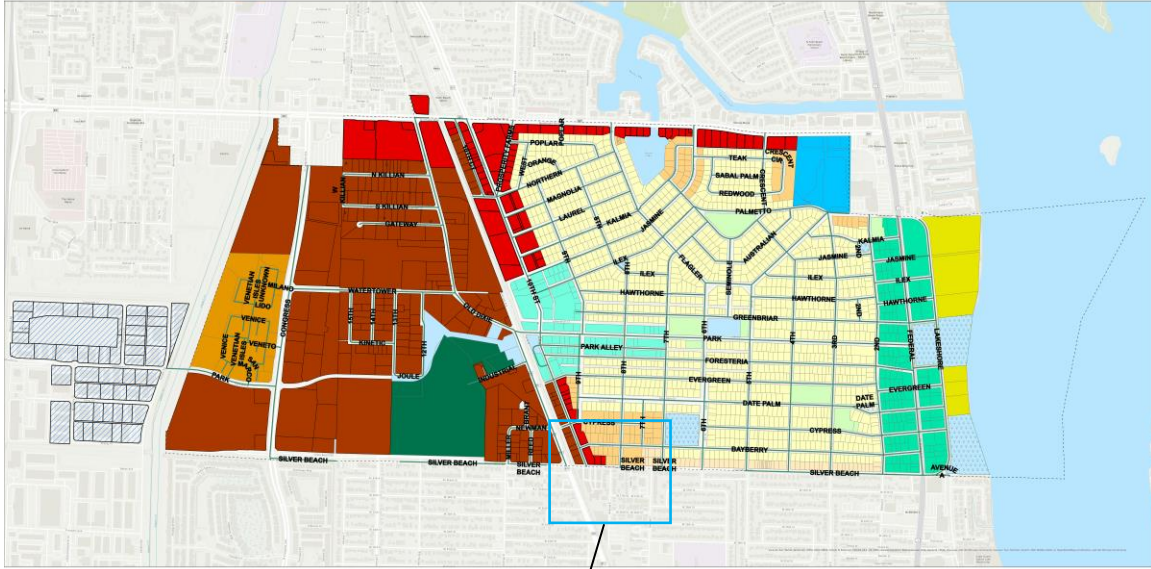
- North: R-2
- South: IL – Limited Industrial (Riviera Beach)
- East: R-2
- West: C-2



LAKE PARK FUTURE LAND USE MAP

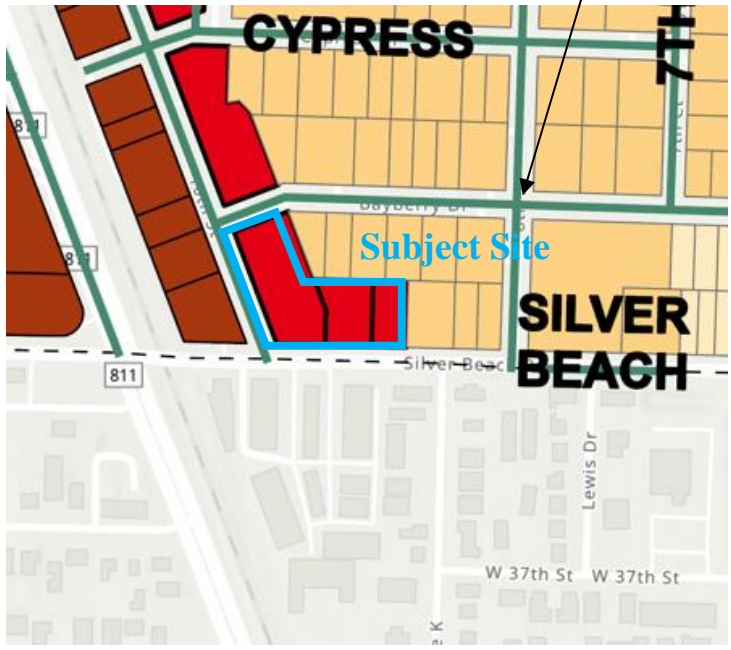


**Town of Lake Park Future Land Use (FLU) Map
2017-2027**



- Legend**
- Town Boundary
 - Town Parks
 - FLU Categories**
 - COMMERCIAL
 - CONSERVATION
 - DOWNTOWN
 - FEDERAL HIGHWAY MIXED USE DISTRICT
 - MIXED COMMERCIAL AND LIGHT INDUSTRIAL
 - MIXED RESIDENTIAL AND COMMERCIAL
 - OTHER PUBLIC FACILITIES
 - PUBLIC BUILDINGS & GROUNDS
 - RESIDENTIAL HIGH DENSITY
 - RESIDENTIAL LOW DENSITY
 - RESIDENTIAL MEDIUM DENSITY
 - SINGLE-FAMILY RESIDENTIAL
 - TWIN CITIES MIXED USE
 - Future Annexation Area
 - Lake Park Streets

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Adjacent Existing Land Use
 North: Commercial / Residential Medium Intensity
 South: Single Family Residential: Up to 6 dwelling units per acre (Riviera Beach)
 East: Residential Medium Intensity
 West: Mixed Commercial and Light Industrial

PART I: SITE PLAN APPLICATION

The Site Plan for Twiggs Academy has been reviewed by the Town's consulting Engineers, Landscape Architect, along with the Palm Beach County Traffic Division, Palm Beach County Fire Rescue, Seacoast Utility Authority, Palm Beach County Sheriff's Office (PBSO) for Crime Prevention Through Environmental Design (CPTED), Lake Park Public Works Staff, Lake Park Community Development Department Staff, and the Palm Beach County Department of Housing and Economic Development. Based upon this exhaustive review, Town Staff finds that the Site Plan meets the Town's Comprehensive Plan and the Land Development Regulations of the Town Code.

****This project has been noticed by certified mail to property owners within 300 feet and with an advertisement in the Palm Beach Post – all completed on May 22, 2026****

SITE PLAN PROJECT DETAILS

Comprehensive Plan: The proposal is consistent with the goals, objectives and policies of the Town's Comprehensive Plan. Most importantly:

- ➔ **Objective 5:** *As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.*
- ➔ **Future Land Use Element, Policy 5.2:** *The Town shall foster the redevelopment of declining neighborhoods, underutilized parcels, and areas that demonstrate substandard and/or slum and blight conditions.*
- ➔ **Policy 5.6:** *The Town, through its Land Development Regulations, shall require mitigation for landscaping off-site if development or redevelopment is unable to meet landscaping requirements on-site.*
- ➔ **Future Land Use Classification 3.4.3 – Commercial:** *Lands and structures devoted primarily to the delivery, sale or otherwise transfer of goods or services on a retail basis, with a maximum F.A.R. of 2.0. This category also includes personal and professional services. Public schools are a permitted use within this land use designation.*

Zoning: As noted in the introduction, the Applicant has concurrently requested a rezoning of 1 of the 3 subject parcels within their development site from R-2 to C-2, which is briefly summarized under Part III of this report and more fully detailed in the Rezoning Staff Report. Staff supports the Applicant's rezoning request and accordingly the proposed project has been reviewed based on

standards of the C-2 District, including purpose and intent, setbacks, maximum lot coverage, and use. Please note the use of “educational facility” under which the applicant is classified is subject to special exception, which is detailed under Part II of this report. Additionally, this project was reviewed for consistency with all applicable supplemental zoning regulations for parking, loading, screening, and site design. Staff found that the development proposal meets both the standards of the proposed C-2 zoning as well as our supplemental zoning standards.

Architecture: The project’s architecture complies with the Town’s standards for nonresidential architectural design detailed under Chapter 78, Article XII. Reviews by Town Staff find the proposal to comply with the standards set forth for building articulation, façade paint colors, material variation, and decorative features. Of note with this project, the existing Twiggs Daycare facility will be repainted to match the color scheme of the new building.

Building Site: The total impervious area for the project is 41,743 SF (69.2%) and the pervious area is 18,596 SF (30.8%). The development proposal consists of a one-story building with 7,424 SF of ground floor area; this will be in addition to the existing Twiggs Academy building, which will remain and totals 5,134 SF. In sum, both buildings will result in 12,558 SF of built coverage.

Site Access and Roadways: Staff has worked with the applicant extensively on matters of site circulation and access points. The applicant has undertaken several redesigns to ensure consistent traffic flows into and within the site. These included: consolidating drop-off parking in front of the new building, constructing a pedestrian pathway connecting the parking area to the north to the entrance of the new building, and a channelized curb cut on Silver Beach. Additionally, the Silver Beach driveway will be access-restricted by time of day during peak hours to minimize impacts on Silver Beach Road. The entry and exit gates will be closed from 7AM to 9AM and 4PM to 6PM and a parking space will be reserved during that time exclusively for the purposes of a turnaround space so drivers may circulate through the site and exit on 10th Street or Bayberry Drive. This will need to be included as a condition of approval.

Traffic Concurrency: See above site access and roadways section. The Applicant has received Traffic Performance Standard (TPS) concurrency approval from Palm Beach County’s Traffic Division on April 18.

The project was also reviewed for traffic impacts by the Town’s consulting engineer at Traffic Mobility Consultants (TMC). Staff discussed traffic and the aforementioned site circulation considerations with TMC consultants. TMC provided their approval April 28. A copy of their approval has been included in the packet.

Landscaping: The proposed landscaping plans have been deemed code compliant by the Town’s consulting Landscape Architect (JMorton). Of note, this redevelopment project is utilizing the provisions of 78-253 (a) (4), which reads: “Where redevelopment projects are unable to meet the landscape or open space requirements as stated in this section, required landscaping may be transferred to other lands (i.e., public lands, parks, road rights-of-way) **or an assessment can be levied by the town commission.** The assessment shall be based on the share of the landscape budget that cannot be installed on the site. The assessment shall be calculated at a rate equal to two times the total caliper of plants required. Monies collected shall be used for landscaping public lands.”

The Town's consultant, J Morton Landscape Architects, performed this calculation based on the required landscaping that the applicant is proposing to mitigate. The mitigation calculation from the LA provided is:

“The proposed landscape plan is deficient in providing trees for the north perimeter buffer, a portion of the Silver Reach Road right-of-way, and a portion of the interior parking area shade tree requirements. The number of deficient trees is 15 at the minimum required caliper at DBH of 3”.

Total caliper calculation is $(2(15)(3\text{” Cal.})) = 90\text{”}$, or 30 trees at the minimum 3” caliper.

The total assessment is $(30(\$813)) = \$24,390.00$

The unit tree price is based on a current local market average price as found in the Plant Finder data base, multiplied by a constant of 2.5 to determine the installed cost for one tree.”

Based on preliminary discussions with the Public Works Department, it is recommended the Commission request mitigation Funds. The Finance Director has confirmed we have an account set up to receive and disperse these monies for landscape project purposes throughout the Town. The expenditure of these monies may also be a subject for a future Tree Board meeting. This will be included as a condition of approval.

Paving, Grading and Drainage: The Town's consulting Engineers and the Public Works Department have reviewed paving, grading, and drainage for this project and approved on April 28 and April 20, respectively.

Parking and Loading: This project meets the required parking based on the applicable parking code assignment of daycare (closest educational facility category based on proposal). The required parking for this category is: one space per 250 of ground floor area $12,558 / 250 (50)$ and five drop-off parking spaces (5) for a combined total of 55 required spaces. While this parking demand was the subject of much discussion throughout the site plan review, as the applicant struggled to meet it without being deficient in landscape buffers and minimum queuing onto the site, a solution was finally arrived at by utilizing the provisions for 78-253 (a) (4) for landscape mitigation as detailed above.

Signage: The applicant is proposing a new monument sign on Silver Beach Road. A full review of this project's signage will be conducted during the signage permitting review of the building permitting phase.

Water/Sewer: Seacoast Utility Authority reviewed these plans for compliance with their best practices and provided conditional approval on April 22, 2026.

Fire: PBC Fire Rescue reviewed the site plan and found it to be in compliance with PBC Fire Rescue best practices on April 22, 2026. An additional round of fire review will be conducted during the building permit phase per the typical permitting process.

Public Works: Provided approval for storm water on March 18th and sanitation location on April 20th.

CRA: Outgoing CRA Administrator Allison Justice provided comment on building colors and traffic prior to her resignation. No CRA funding is being considered for this project. The project, once completed, is intended to be tax exempt.

Palm Beach County Department of Housing and Economic Development(PBC DHED): Palm Beach County DHED staff and County administrative staff requested several meetings with the Community Development Department in an attempt to help facilitate the resolution of pending site plan comments. Community Development understands PBC DHED has monies obligated to assist in funding the Twiggs Daycare expansion.

PBSO: The Crime Prevention Through Environmental Design (CPTED) review was performed by D/S Adam Pozsonyi and D/S Eric Van Hoosier at the Palm Beach County Sheriff's Office. CPTED review produced several recommendations, including:

- Increased lighting levels recommended in parking areas.
- Revising the landscape plan to favor lighting,
- Installing anti-vehicle bollards at the 10th and Silver Beach intersection.
- Security lighting in the playgrounds (though these will not operate after hours).

A high-definition security camera surveillance condition of approval (which is standard) is also being recommended.

PART II: SPECIAL EXCEPTION REQUEST

As it pertains to the special exception request, these are evaluated using the criteria of 78-184 (b). The evaluation criteria are identified below along with the applicant's responses.

(1) The proposed special exception use is consistent with the goals, objectives, and policies of the town's comprehensive plan.

Applicant Response: "The proposed special exception is consistent with the Commercial FLU and comprehensive plan."

Staff Evaluation: We are in agreement. Relevant comprehensive plan objectives are identified under Part I, Site Plan Project Details. The underlying Commercial FLU aligns with the proposal and the application is consistent with comprehensive plan objectives related to redevelopment and mitigation.

(2) The proposed special exception is consistent with the land development and zoning regulations and all other portions of this Code.

Applicant Response: "The project has been designed to meet all applicable zoning and land development standards, including setbacks, parking, circulation, landscaping, and buffering. The use is compatible with the residential character of the district by providing a community-serving function with minimum impact on surrounding properties, and all operational elements such as

traffic, noise, and outdoor play areas, will comply with the Town's performance and safety requirements."

Staff Evaluation: Again, staff is in agreement. Landscaping is as detailed in the Landscape Architect's comments under Part I due to site constraints, but mitigation is proposed consistent with the methodology prescribed in the landscape code, the comprehensive plan, and evaluated by the Town's Landscape Architect.

(3) The proposed special exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property.

Applicant Response: "The proposed daycare special exception is compatible with the surrounding residential properties because it provides a low-intensity, neighborhood-serving use that fits the character of the [adjacent] R-2 district. The facility will operate during typical daytime hours (6:30 AM to 7PM) and traffic will be limited to short, staggered drop-off and pick-up periods that will not impact nearby streets. The buildings location, mass, height and setbacks comply with the C-2 requirements and the site layout including parking, circulation, and outdoor play areas has been designed to ensure safety minimize noise and maintain appropriate buffering. Together, these elements ensure the use integrates smoothly with both existing and future surrounding development."

Staff Evaluation: We are generally in agreement. Staff and consultants worked with the applicant to minimize impacts by proposing restricted access on Silver Beach, staggered pick-up and drop-off times, the safe and logical placement of drop-off spaces adjacent to the new building, the installation of concrete walls and landscaping to buffer the property to the north and east. Just short of a complete redesign, which we were informed is not possible, accommodated options are being proposed.

(4) The establishment of the proposed special exception use in the identified location does not create a concentration or proliferation of the same or similar type of special exception use, which may be deemed detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.

Applicant Response: We have assessed the concentration of similar daycare centers in the vicinity of the subject property and determined that granting this special exception will not result in an over-saturation of clustering that would be detrimental to area character or development potential. A review of the Lake Park zoning map and a survey of existing daycare facilities shows few, if any, comparable day cares within a reasonable walk/driving radius. This project fills a local need for community-serving childcare without duplicating an existing concentration of such uses. Furthermore, the site and design have been carefully laid out to minimize neighborhood impacts, including thoughtful buffering, limited traffic peak overlap and adherence to all Town development standards.

Staff Evaluation: We are generally in agreement. Staff notes there does exist several other facilities within a half-mile radius including First Learning Academy, Every Little Step Academy, and Bright Futures Child Development Center, though the applicant maintains their curriculum and educational offerings are sufficiently different from these other similar businesses. These facilities are spaced at about one per block along 10th Street going north to Park Avenue. The expansion of the Twiggs Daycare facility will mean some additional competition for these businesses, but this will be balanced against the new service demand added by residents from the Nautilus 220 development and the Northlake Promenade Apartments. The Applicant also received funding agreements based on the need in the area.

(5) The proposed special exception use does not have a detrimental impact on surrounding properties based on:

- a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;
- b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and
- c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.

Applicant Response: “The daycare will accommodate a limited number of children and staff consistent with the scale of the building and site, ensuring that the number of persons on the property will not overwhelm the surrounding neighborhood. Any noise, visual, or other potential nuisance factors are minimized by the building’s orientation, landscaping buffers and the location of outdoor play areas, which are set back from adjacent properties. The use does not generate odors or other disruptive effects, and all operations are designed to be compatible with the residential character of the surrounding area.”

Staff Evaluation: We are in agreement. The applicant anticipates a total of 135 students with the new addition buildout and 12 employees. Operationally, the majority of these students will be dropped-off in the parking area and escorted into the building through the site.

Noise specifically was addressed during review and the applicant states outdoor noise will be monitored by supervisory staff; the applicant further stated: “THE BUILDING IS A CBS BUILDING WITH 1/2 INCH DRYWALL. ALL THE WINDOWS ARE FIXED IMPACT WINDOWS AND ACCOUSTICAL CEILINGS THROUGHOUT. THIS WILL MINIMIZE THE NOISE FROM INDOORS.” Additionally, the 6’ concrete wall and landscape buffers should help reduce noise to the north and eastern residential properties.

Traffic flow will be controlled by restricting entrance and exit access along Silver Beach Road during peak hours, staggered pick-up and drop-off times for students to avoid an overconcentration of traffic on site at one time, and the promotion of carpooling in educational materials to parents.

(6) That the proposed special exception use:

- a. Does not significantly reduce light and air to adjacent properties.

- b. Does not adversely affect property values in adjacent areas.
- c. Would not be a deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations.
- d. Does not negatively impact adjacent natural systems or public facilities, including parks and open spaces.
- e. Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

Applicant Response: (a) the proposed daycare is a single-story building with appropriate setbacks, ensuring it does not significantly reduce light or air to adjacent properties. (b) The use is compatible with the surrounding residential neighborhood and is designed to maintain the aesthetic and functional character of the area so it is not expect to adversely affect property values. (c) The project supports neighborhood-serving uses without creating conflicts and its scale and design would not deter improvement, development, or redevelopment of surrounding properties in accordance with existing regulations. (d) the site design preserves existing landscaping and storm water systems and does not impact natural systems or public facilities including nearby parks and open spaces. (e) The project provides pedestrian amenities consistent with the Town standards, including designated walkways, trash receptacles and bicycle parking to support safe and convenient pedestrian access.”

Staff Evaluation: The proposal, by virtue of its proposed northern wall and eastern wall and new structure, will result in some reduction of airflow to adjacent properties, but not at a level we would deem significant given the wall will be 6’, which is a permitted wall height in residential districts, and the structure will not exceed one story and complies with setbacks. It is staff’s intent that this wall will buffer adjacent properties and not have adverse impacts as described under (b). We find no evidence to suggest a conflict with criteria (c) or (d), given the project will create new playgrounds for Twiggs Academy students. The project does provide required pedestrian facilities per (e) and provides an adequate internal site circulation sidewalk network. However, staff believes it would be beneficial to increase safe pedestrian connections and permeability through the site from Bayberry and 10th Street and asks this be examined, though it may require further reducing landscape buffers.

PART III: REZONING REQUEST

(under separate cover – details provided here for context)

On behalf of Michel Invest LLC (“Property Owner” and “Applicant”), Imtiaz Ahmed of Atlantic Engineering Services (“Agent”) is requesting a rezoning of 0.25 acres from residence district (R-2) to business district (C-2) as depicted on Map 1 below. The proposed rezoning is consistent with the Town of Lake Park’s adopted regulations for rezonings and is actually required in order to render the zoning district consistent with the land use designation of commercial that is already in place. Currently, the zoning is inconsistent with the land use and requires updating.

This proposed rezoning accompanies the request for site plan and special exception approval for the Twiggs one-story, 7,424 SF childcare/educational facility. The overall development site is again depicted in Map 2 and Figure 1 above and consists of 3 parcels in total. The rezoning would serve to expand the C-2 from along 10th Street to incorporate one additional

parcel along Silver Beach, allowing for the unified redevelopment of the site as a childcare/educational facility under the regulations of the C-2 district.

The Zoning Map above contextualizes the rezoning relative to our other zoning districts. As proposed, the rezoning would not create “spot” zoning, with the C-2 district remaining contiguous. Additionally, as depicted in the FLU Map, the underlying future land use designation for the proposed rezoning parcel is already Commercial. Hence the rezoning request is consistent with the underlying FLU and is required despite the outcome of the site plan and special exception use application under separate cover.

In our review of the rezoning, staff found the proposal to meet our administrative review criteria for rezoning and is recommending **approval**. More information on the rezoning is available in the full rezoning staff report.

Map 1: Proposed Rezoning Area.



Map 2: Overall Redevelopment Site



PART IV: STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Site Plan and Special Exception requests with the following conditions of approval:

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

Name	Sheet	Revision Date	Received on
General			
Cover Sheet	CS	N/A	6/4/2026
Demolition Plan	D1	July 2025	6/4/2026
Site Plan			
Site Plan	SP1	July 2025	6/4/2026
Site Plan Details	SP2	July 2025	6/4/2026
Architectural			
Floor Plan	A1	11/19/2025	6/4/2026
Front and Rear Elevations	A2	11/19/2025	6/4/2026
Side Elevations	A3	11/19/2025	6/4/2026
Civil Plans			
Paving, Grading and Drainage Plan	CE1	July 2025	6/4/2026
Sections	CE2	July 2025	6/4/2026

Paving, Grading, and Drainage Details	CE3	July 2025	6/4/2026
Water and Sewer Plan	CE4	July 2025	6/4/2026
Water and Sewer Details	CE5-CE6	March 2026	6/4/2026
Emergency Vehicle Tracking	CE7a	October 2025	6/4/2026
Garbage Vehicle Tracking	CE7b	October 2025	6/4/2026
Landscape			
Tree Disposition	L0.0	5/12/2026	6/4/2026
Landscape Plan	L1.0	5/12/2026	6/4/2026
Landscape Details and Quantities	L1.1	5/12/2026	6/4/2026
Irrigation Plan	I1.0	5/12/2026	6/4/2026
Irrigation Details and Quantities	I1.1	5/12/2026	6/4/2026
Photometric			
Photometric Plan	PH1	July 2025	6/4/2026
Photometric Details	PH2	July 2025	6/4/2026

2. 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 an exception is approved in writing by the Community Development Director (the Director).
3. Any proposed disruption to neighboring street access, surrounding parking areas, or the normal flow of traffic within the rights of way of Silver Beach Road, 10th Street, Bayberry Drive, or any other right-of-way during the construction on the Site shall be subject to the review and approval of the Director and/or any other agencies responsible for maintaining these roadways. Should any disruption to the normal flow of traffic occur during construction on the Site shall cease until the Director has provided the Owner with a written notice to proceed.
4. All landscaping shown on the approved Site Plan and the Landscaping Plan shall be continuously maintained from the date of its installation and the issuance of the Certificate of Occupancy by the Town. The Owner shall replace any and all dead or dying landscaping materials so as to maintain the quantity and quality of the landscaping shown on the approved Site Plan and Landscaping Plan.
5. The Owner shall ensure that all contractors use best management practices to reduce airborne dust and particulates during the construction on the Site.
6. All onsite dumpsters and dumpster screening shall be kept closed at all times. Owner is not responsible for waste haulers leaving doors open temporarily on pick-up day. All required dumpsters shall be acquired from the approved franchise supplier for the Town.
7. Prior to issuance of the Certificate of Occupancy, the Agent shall provide certification from the Landscape Architect of record that the plant installations for the Site are in accordance with the approved Site Plan (and any minor modifications

that are approved through permitting) and the Landscaping Plan or have been determined to be equivalent to those shown on the approved Site Plan by the Town's consulting landscape architect.

8. Prior to the issuance of any construction permits, the Agent shall submit copies of all permits that are required and have been obtained from any agencies having jurisdiction over the Site, including but not limited to the Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management District and the State of Florida Department of Environmental Protection.
9. Any revisions to any approved plans associated with the development of the Site, shall be submitted to the Department, and shall be subject to its review and approval.
10. During the building permit phase, signage permitting (window, wall, freestanding, or other) for the Project shall be submitted through the Town's permitting process with a master sign plan that ensures signage consistency in design and color scheme of the signs to be located on the Site. A sign package illustrating all signs and their colors shall be submitted to the Department through the regular signage permitting process and shall be subject to its review and approval prior to their placement on the Site. Signage will be subject to final review at permitting and approval pursuant to the Codes in place when permits are applied for and reviewed.
11. Within 18 months of the effective date of this Resolution, the Owner shall initiate bona fide development and shall continue with the development of the Site until completed. Failure to do so shall during the 18 month time frame shall render the Development Order null and void.
12. Prior to the issuance of a Certificate of Occupancy or Completion, the Owner shall install high-definition surveillance cameras, which capture clear facial features throughout the parking areas of the Site and along the exterior façades of the buildings on the Site. The location of the camera(s) shall be subject to the review and approval of the Department and the Palm Beach Sherriff's Office.
13. **Cost Recovery.** All professional consulting fees and costs, including legal fees incurred by the Town in reviewing the Application and in the preparation of this Resolution 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 Owner to reimburse the Town within the 10 days from the Department'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.

14. A condition for a tree fund contribution of \$24,390 as mitigation for Town Code required landscaping that cannot be accommodated onsite [enabled by Town Code Section 78-253(a)(4)] shall be paid to the Town prior to the issuance of the first construction permit for the Project.

15. Traffic condition: The Silver Beach driveway will be access-restricted by time of day during peak hours to minimize impacts on Silver Beach Road. The entry and exit gates will be closed from 7AM to 9AM and 4PM to 6PM and a parking space will be reserved during that time exclusively for the purposes of a turnaround space so drivers may circulate through the site and exit on 10th Street or Bayberry Drive.

16. Additional CPTED conditions based on recommendations:
 - Increased lighting levels recommended in parking areas.
 - Revising the landscape plan to favor lighting,
 - Installing anti-vehicle bollards at the 10th and Silver Beach intersection.
 - Security lighting in the playgrounds (though these will not operate after hours).

**** Staff and Town consultants have worked extensively with the applicant on matters of site circulation, access points, design, parking, architecture, outdoor areas, pedestrian connections, and so on. Additional recommendations that may lead to conditions of approval will be added at the discretion of the Town Commission pursuant to the public hearing process****