

## RESOLUTION 82-12-21

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AND SPECIAL EXCEPTION USE AUTHORIZING THE DEVELOPMENT OF A TWO-STORY 28,075 SQUARE FOOT SMALL-SCALE FOOD AND BEVERAGE PRODUCTION USE WITH A THIRD-STORY ROOFTOP AT 1301 10<sup>TH</sup> STREET; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE APPROVAL OF THE SITE PLAN AND SPECIAL EXCEPTION USE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, On behalf of Lake Park O3, LLC (the Owner), Emilio Lebolo of One A Architecture (the Applicant) is requesting site plan approval for a three-story (*two stories under air plus a third story rooftop*), 28,075 SF small-scale food and beverage production special exception use, consisting of office, retail, warehousing, and commercial kitchen components; and

**WHEREAS**, the Applicant has submitted application for a Site Plan and the Special Exception Use of and Office Warehouse building (the Application); and

**WHEREAS**, the Site has a future land use designation of "Commercial"; and the development of the Special Exception Use of Small-Scale Food and Beverage Production would be consistent with this future land use designation; and

**WHEREAS**, the zoning assigned to the Site is Commercial-1 Business District (C-1); and

**WHEREAS**, the Community Development Department has determined that the special exception use of Small-Scale Food and Beverage Production meets the necessary criteria and is consistent with the uses permitted in the C-1 district; and

**WHEREAS**, the Town's Planning and Zoning Board has reviewed the Application and 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 and the Special Exception Use of “Small-Scale Food and Beverage Production” subject to the following conditions:

- (1) The Applicant shall develop the Site consistent with the following Plans and the title sheet shall be updated to reflect the following list of plans and their sign and seal dates:

Name	Sheet	Revision Date	Received on
<b>GENERAL</b>			
Cover Sheet	T-001	12/07/2021	12/07/2021
Survey	N/A	8/6/2021	12/01/2021
<b>CIVIL</b>			
Conceptual Paving, Grading, & Drainage	PD-1	10/14/2021	12/01/2021
Garbage Truck Maneuvering Plan	AT-1	10/14/2021	12/01/2021
<b>LANDSCAPE</b>			
Tree Disposition Plan and Table	L-200	12/07/2021	12/07/2021
Landscape Plan	L-210	11/18/2021	12/01/2021
Roof Deck Landscape Plan	L-210A	11/29/2021	12/01/2021
Landscape Plan and Details	L-211	11/29/2021	12/01/2021
Irrigation	L-300	11/18/2021	12/01/2021
Roof Deck Irrigation Plan	L-300A	11/29/2021	12/01/2021
Irrigation Details	L-301	11/29/2021	12/01/2021
Irrigation Notes	L-302	12/07/2021	12/07/2021
<b>ARCHITECTURE</b>			
Architectural Demolition Site Plan	AS-001	12/07/2021	12/07/2021
Architectural Site Plan	AS-100	12/07/2021	12/07/2021
First and Second Floor Plan	A-101	12/07/2021	12/07/2021
Roof Plan	A-102	12/07/2021	12/07/2021
Exterior Elevations	A-201	12/07/2021	12/07/2021
Color Elevations	A-202	12/07/2021	12/07/2021
Site Aerial Photograph	Exhibit B1A	N/A	12/07/2021
3D Rendering	Exhibit B1	N/A	12/07/2021
Color Elevations	Exhibit B2	N/A	12/07/2021
Color Site Plan	Exhibit B3	N/A	12/07/2021
<b>ELECTRICAL</b>			
Electrical Site Plan	ES-1	11/30/2021	12/01/2021

- (2) Construction associated with the Project 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 Northern Drive, Magnolia Drive, 10<sup>th</sup> Street, or any other right-of-way during the construction of the Site shall be subject to the review and approval of the Community Development Director and any of the agencies responsible for maintaining these roadways. Should any disruption to the normal flow of traffic occur

during construction of the Project without prior authorization, upon written notice from the Director, all construction 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 of 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 Applicant shall provide certification from the Landscape Architect of record that the plant installations for the Project are in accordance with the approved Site Plan (and any minor modifications that are approved through permitting) and the Landscaping Plan or are deemed to be equivalent by the Town's Landscape Architect.
- (8) Prior to the issuance of any construction permits, the Applicant shall submit copies of all permits that are required by other agencies and have been obtained from those agencies, 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, as applicable.
- (9) Any revisions to the approved Site Plan, or any approved plans associated with the Project, shall be submitted to the Department of Community Development (Department), and shall be subject to its review and approval. The Department shall determine whether or not the changes are material enough to require further review by the Town Commission.
- (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. 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.
- (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 through completion. Failure to do so shall render the Development Order null and void. Once initiated, the development of the Site shall be completed within 18 months.
- (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 Project and along the exterior façades of the buildings on the Site. The location of the camera(s) shall be subject to the Department's and PBSO's review and approval to ensure that they capture the required components.
- (13) **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.
- (14) Prior to the issuance of a development permit, the site circulation shall be redesigned to accommodate a primary drive-thru entrance from Magnolia Drive.


**Section 3.** This Resolution shall become effective upon execution.

The foregoing Resolution was offered by Vice-Mayor Glas-Castro who moved its adoption. The motion was seconded by Commissioner Flaherty 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>/</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. 82-12-21 duly passed and adopted this 15 day of December, 2021.

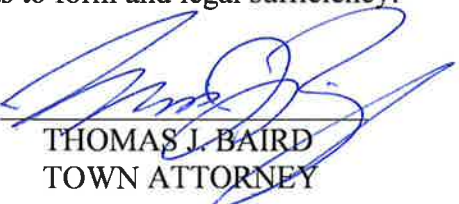
TOWN OF LAKE PARK, FLORIDA

BY:   
MICHAEL O'ROURKE  
MAYOR

ATTEST:

  
VIVIAN MENDEZ  
TOWN CLERK

Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY





# **PUBLIC NOTICE**

## **TOWN OF LAKE PARK**

### **NOTICE OF PUBLIC HEARINGS**

BE ADVISED THE PLANNING & ZONING BOARD OF THE TOWN OF LAKE PARK, FLORIDA WILL CONDUCT A PUBLIC MEETING AT 535 PARK AVENUE TO CONSIDER THE AGENDA ITEM LISTED BELOW ON MONDAY, DECEMBER 6, 2021 AT 6:30 PM, OR AS SOON THEREAFTER AS CAN BE HEARD. A QUORUM OF THE PLANNING & ZONING BOARD OF THE TOWN OF LAKE PARK, FLORIDA WILL CONVENE AND PUBLIC PARTICIPATION WILL OCCUR IN-PERSON AT TOWN HALL.

IMMEDIATELY FOLLOWING THE LOCAL PLANNING AGENCY MEETING AT MONDAY December 6, 2021 AT 6:30, THE TOWN COMMISSION WILL ALSO CONDUCT A QUASI-JUDICIAL MEETING AT 535 PARK AVENUE, LAKE PARK, TO CONSIDER THE AGENDA ITEM LISTED BELOW WEDNESDAY, DECEMBER 15, 2021 AT 6:30PM, OR AS SOON THEREAFTER AS CAN BE HEARD. (TENTATIVE DATE, PLEASE MONITOR [WWW.LAKEPARKFLORIDA.GOV](http://WWW.LAKEPARKFLORIDA.GOV) FOR ANY CHANGES). A QUORUM OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA WILL CONVENE AND PUBLIC PARTICIPATION WILL OCCUR IN-PERSON AT TOWN HALL.

On behalf of Lake Park O3, LLC (“Property Owner” and “Applicant”), Emilio Lebolo of One A Architecture (“Agent”) is requesting site plan approval for a three-story, 24,434 SF building consisting office, retail, warehousing, and commercial kitchen space for a new headquarters for Oceana Coffee Roasters. Additionally, the Agent will be requesting special exception approval for a small-scale beverage production use for the Applicant’s coffee roasting operation. The proposed development is consistent with the Town of Lake Park’s adopted regulations for the C-1 business district.

The Subject Property is located east of 10<sup>th</sup> Street and south of Northern Drive in the Town of Lake Park. It is comprised of the following parcel, which totals 0.946 acres:

- Parcel 1 – PCN: 36434220010790190

Records related to these items may be inspected by contacting the Community Development Department at 561-881-3320, or by emailing Anders Viane at [aviane@lakeparkflorida.gov](mailto:aviane@lakeparkflorida.gov). If a person decides to appeal any decision made by the Planning and Zoning Board or Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

**Town Clerk:** Vivian Mendez

**PUB:** The Palm Beach Post – Friday, November 26, 2021



#### Notification of Public Meetings

11/22/2021

Dear Property Owner:

You are receiving this notice of public meetings because you are the legal owner of record for property that is located within 300 feet of the subject properties discussed in this correspondence. The public meetings listed herein are being held to hear the application described below the AGENDA ITEM portion of this letter.

Should you wish to attend the meetings or comment on the application please take note of the date, time, and the instructions for attending and commenting detailed below. If you do not wish to attend the meetings and do not have any comments, you may disregard this notice.

#### PUBLIC NOTICE TOWN OF LAKE PARK NOTICE OF PUBLIC HEARING AND QUASI-JUDICIAL PUBLIC HEARING

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## AGENDA ITEM

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The Subject Property is located east of 10<sup>th</sup> Street and south of Northern Drive in the Town of Lake Park as denoted in the location map. It is comprised of the following parcel, which totals 0.946 acres:

- Parcel 1 – PCN: 36434220010790190

### PUBLIC HEARINGS

MEETING: PLANNING AND ZONING BOARD  
LOCATION: 535 PARK AVENUE, LAKE PARK, FL. 33403.  
DATE: MONDAY, DECEMBER 6, 2021  
TIME: 6:30 P.M.

MEETING: TOWN COMMISSION (QUASI-JUDICIAL) – TENTATIVE, MAY  
CHANGE (SEE TOWN WEBSITE)

LOCATION: 535 PARK AVENUE, LAKE PARK, FL. 33403.  
DATE: WEDNESDAY, DECEMBER 15, 2021  
TIME: 6:30 P.M.

Should you wish to review any of the documents associated with the application, or if you have further questions about the application please contact Anders Viane at 561 881 3320 or [aviane@lakeparkflorida.gov](mailto:aviane@lakeparkflorida.gov).

## LOCATION MAP







**OCEANA  
COFFEE™**  
NE VIEW  
LAKE PARK, FL

