

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF LAKE PARK , FLORIDA REPEALING ORDINANCE # 20, 1995 WHICH APPROVED A PLANNED UNIT DEVELOPMENT FOR THE PROPERTY KNOWN AS THE TWIN CITIES MALL, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF NORTHLAKE BOULEVARD AND US HIGHWAY # 1.

WHEREAS, the site located at the southwest corner of Northlake Boulevard and US Highway # 1 which has historically been known as the “Twin Cities Mall” (the SITE) is located within the municipal jurisdictions of both the Town of Lake Park (Town) and the Village of North Palm Beach (Village); and

WHEREAS, in May 1993 The Town and Village entered into an Interlocal Agreement, the purpose of which was to jointly plan the SITE to coordinate its development; and

WHEREAS, as part of the Interlocal Agreement, the Town and the Village agreed to create a PUD for the SITE; and

WHEREAS, on November 15, 1995 the Town Commission of the Town adopted Ordinance 20, 1995 which approved a PUD for those certain parcels of the SITE which are located within its municipal jurisdiction; and

WHEREAS, Town Ordinance 20, 1995 established specific regulations for the development of the parcels of land within the Town’s municipal limits which were, in addition to the regulations in the Town’s underlying C-3 Zoning District; and

WHEREAS, the Village adopted Ordinance 33-95, which created a PUD for certain parcels of the SITE which are located within its municipal jurisdiction; and

WHEREAS, Village Ordinance 33-95 established specific regulations for the development of the parcels of land within the Village’s municipal limits, which were, in addition to the Village’s underlying C-3 Zoning District; and

WHEREAS, to encourage the redevelopment of the parcels with the SITE, both municipalities now desire to implement new regulations; and

WHEREAS, the Town and Village have exchanged their proposed regulations, including a new C-3 Zoning District which express their respective visions for the redevelopment of the SITE; and

WHEREAS, the Town Commission has repealed the “C-3 Regional Business District” and adopted a new zoning district for the titled “C-3 Twin Cities Mixed Use District” that includes regulations that will govern development of the parcels that are within the Town’s jurisdiction of the SITE; and

WHEREAS, the Town understands that the Village intends to adopt the “C-3 Twin Cities Mixed Use District” with regulations for the development of the SITE that is within its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA THAT:

Section 1. The whereas clauses are incorporated herein as the legislative findings of the Town Commission,

Section 2. Ordinance 20, 1995, which adopted the PUD attached as Exhibit A, is hereby repealed.

Section 3. The area included in the PUD within the jurisdiction of the Town of Lake Park is attached as Exhibit B.

Section 4. This Ordinance shall take effect upon execution.

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Bill 18

ORDINANCE NO. 20, 1995

AN ORDINANCE OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A PLANNED UNIT DEVELOPMENT ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NORTHLAKE BOULEVARD AND U.S. #1 (KNOWN AS THE TWIN CITY MALL), LOCATED IN THE C-3 BUSINESS DISTRICT; ESTABLISHING PROJECT SPECIFIC DEVELOPMENT STANDARDS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Lake Park, Florida (Town), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 of Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

WHEREAS, Ordinance No. 7-1995 as adopted by the Town Commission and subsequently codified as Section 32-52.1 of the Lake Park Code, established and rezoned the property described below and in Exhibit A attached hereto and made a part hereof ("Property"), to the C-3 zoning category allowing for the approval of a Planned Unit Development ("PUD") thereon to encourage economical, efficient and imaginative design; and

WHEREAS, application has been made for approval of a PUD on the Property; and

WHEREAS, notice and hearing requirements provided for in the Town Code have been satisfied; and

WHEREAS, joint hearings have been held with the Village Council of the Village of North Palm Beach as required by Sec. 32-52.1; and

WHEREAS, plans and other related development specifications for the PUD project on the Property have been presented to the Town Council and testimony has been presented by the Property owner and other interested parties; and

WHEREAS, the Town Commission has determined that the proposed PUD is consistent with the Town's Comprehensive Plan and conforms to the requirements of Sec. 32-52.1.

NO. original
given to
Clerk
this is copy
of the fact
from Jim
which was
signed by
the Mayor.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

SECTION I

That the application of Twin Cities Investors, Inc. and Developers of North Lake, Inc. for approval of a Planned Unit Development on a parcel of land more particularly described as follows:

SEE ATTACHED LEGAL DESCRIPTION, EXHIBIT A

is hereby approved, subject to compliance with the maps, plans, drawings and other documents ("Documents") submitted therewith and reviewed by the Town's Building Department, the Planning and Zoning Board, and the Town Commission (the "Town") and any recommendations and modifications approved thereto by the Town and subject to the provisions of 32-52.1 and other applicable sections of the Town Code and law, with the additional land uses permitted herein, and the special conditions, and modified development standards as provided herein and in Section 32-52.1(10).

SECTION II

The uses permitted on the Property shall be those described in Sec. 32-52.1(1) of the Town Code, with the acknowledgment that supermarkets and convenience stores are recognized as permitted retail uses and fast food restaurants are not differentiated from other types of restaurants.

SECTION III

The off-street parking, loading and circulation requirements specified in Sec. 32-52.1(2), OFF-STREET PARKING, and Sec. 32-52.1(3), OFF-STREET LOADING AND INTERNAL CIRCULATION, shall govern development on the Property, except for the following:

Off-street parking spaces shall be a minimum size of 9 feet wide by eighteen (18) feet deep. Parking spaces that abut landscaped perimeter buffers or median strips

may overhang said landscaped areas by up to two (2) feet, reducing the required paved depth of the parking stall to sixteen (16) feet, as per Exhibit B, prepared by Ocampo and Associates and consisting of one (1) sheet undated and entitled "parking over-hang at interior landscape islands", attached hereto and made a part hereof.

SECTION IV

The landscaping requirements specified in Sec. 32-52.1(4), LANDSCAPING, shall apply to this PUD, with the following modifications:

a. Required landscaping adjacent to public rights-of-way: The required landscaped strip between a public right-of-way and an off-street parking area shall be at least fifteen (15) feet wide and shall contain at least five (5) trees and forty (40) shrubs for each one hundred (100) lineal feet.

b. Parking area interior landscaping for unroofed parking areas: At least ten percent (10%) of the total paved surface area shall be devoted to landscaped areas. Each area counting toward the required ten percent (10%) total shall have an average minimum dimension of six (6) feet, as per Exhibit B, attached hereto and made a part hereof. At least one (1) tree shall be planted for every two hundred fifty (250) square feet of required internal planting area. No parking space shall be more than one hundred (100) feet from a tree planted in a permeable island, peninsula, or median having a six (6) foot minimum width.

SECTION V

The building setback requirements specified in Sec. 32-52.1(5), SETBACKS AND HEIGHT, shall apply to this PUD, with the following modifications:

a. Perimeter setbacks: All buildings and structures shall be set back a minimum of thirty (30) feet from the outer boundary of the C-3 zoning district, except on an interior common municipal boundary, and/or where the adjacent property is zoned for retail

commercial development, provided that greater setbacks shall be required where shown on the approved concept site plan, Exhibit CL-1, consisting of one (1) sheet with a revised date of October 20, 1995, attached hereto and made a part hereof. This PUD may develop buildings with no setback from such interior common municipal boundary and/or adjacent property zoned for retail land use, in accordance with the approved development plan. Existing buildings may be renovated and occupied without regard to setback requirements. For buildings in excess of two (2) stories or thirty (30) feet in height, one (1) foot shall be added to the required perimeter setback for each foot of height in excess of thirty (30) feet.

SECTION VI

The sign requirements specified in Sec.32-52.1(7), SIGNS, shall apply to this PUD, with the following modifications:

a. Center Identification ground signs shall be mounted on a monolithic base and shall be independent of any building for support. Ground signs shall be permitted only when the sign and base are monolithic. Ground signs that meet the following requirements are permitted in the PUD along both Northlake Boulevard and U.S. Highway #1:

1. Maximum number of center identification ground signs: A maximum of one (1) center identification ground sign shall be permitted along Northlake Boulevard and a maximum of one (1) center identification ground sign shall be permitted along U.S. Highway #1, and one additional center identification ground sign shall be permitted at the intersection of Northlake Boulevard and U.S. Highway One, as shown on Exhibit SSL, consisting of one (1) sheet with revision date of October 26, 1995, attached hereto and made a part hereof, regardless of jurisdiction, Lake Park or North Palm Beach.

2. Specifications for Center Identification Ground Signs: A center identification ground sign shall not exceed fifteen (15) feet in height, including the base, measured from the

finished grade nearest to the base (excluding berms) to the tallest point of the sign structure, and shall be designed to conform to Exhibit C, prepared by Ocampo and Associates, consisting of one (1) page (undated), entitled "center identification ground sign" and "out-parcel identification ground sign", attached hereto and made a part hereof. Minimum setback for center identification ground signs shall be ten (10) feet from a public right-of-way.

3. Maximum size of center identification ground signs: A center identification ground sign shall not exceed eight (8) feet x fifteen (15) feet with a maximum of four (4) tenant identification signs plus one logo for the Center Identification Ground Signs, with the logo being included within the one hundred (100) square feet copy area on each side; and to require three (3) feet landscaping around the base; applicant to return for final sign approval regarding content.

b. Outparcel Identification ground signs shall be mounted on a monolithic base and shall be independent of any building for support. Outparcel identification ground signs shall be permitted only when the sign and base are monolithic. Signs that meet the following requirements are permitted in the PUD along the rear of all outparcels along the interior loop road:

1. Maximum number of outparcel identification ground signs: A maximum of one (1) outparcel identification ground sign shall be permitted along the interior loop road for each outparcel building.

2. Maximum height of outparcel identification ground signs: An outparcel identification ground sign shall not exceed five (5) feet in height by four (4) feet in width, including the base, measured from the finished grade nearest to the base (excluding berms) to the tallest point of the sign structure, and shall be designed to conform to Exhibit C, attached hereto and made a part hereof.

SECTION VII

Notwithstanding the fire sprinkler requirements specified in Sec. 32-52.1(10), AUTOMATIC FIRE SPRINKLER SYSTEMS, the fire

sprinkler requirements mandated by Chapter 9, FIRE PREVENTION AND PROTECTION, of the Lake Park Code shall apply to this PUD.

SECTION VIII

The application procedures and requirements specified in Sec. 32-52.1(10), APPLICATION PROCEDURES, shall apply to this PUD, except that the following requirements shall apply to this PUD in lieu of subsection (d) (2) thereof:

a. The PUD application shall include a conceptual site plan showing the entrance locations, traffic flow, parking layout, and general building placement and general landscape and drainage retention areas. Detailed building elevations and site dimensional plans must be in conformance with the approved conceptual plan and must be submitted to the joint planning and zoning commissions when plan review is applied for, subsequent to this PUD approval. The standards and conditions approved by this PUD ordinance shall control with regard to future phases of this development unless the applicant requests addition modifications to the requirements of Sec. 32-52.1 or this Ordinance.

SECTION IX

The approved conceptual site plan for this PUD is attached hereto as Exhibit CL-1, consisting of one (1) sheet with revision date of October 20, 1995, which said Exhibit is made a part hereof, with the following conditions:

a. Developer must maintain distance between the building immediately west of Outparcel 8 and the existing Builders Square, and show open connections between the building immediately west of Parcel 8 (shown immediately north of former Builder's Square entrance) so that a single large alley will not be created at this location.

b. Entry drives shall have accent pavement.

c. Developer shall accentuate pedestrian access from Palmetto Drive.

d. Developer shall come up with a conceptual centerpiece for the PUD, i.e. water feature, landscape focal point, etc.

- e. Developer shall provide exterior seating.
- f. Developer shall present a demolition schedule upon his submission of specific plans for Phase I(b).
- g. Phase II buildings shall be connected with covered porticos to enable shoppers to walk from one shop to another without getting wet during a rain storm.
- h. The conceptual site plan, Exhibit CL-1, does not include the landscaping but only the concept of the out-parcel layout and the building layout.

The approved detailed site plans for Phase 1 of this PUD are attached hereto as Exhibits A-1, consisting of one (1) sheet with revision date of October 23, 1995; Exhibit A-2, consisting of one (1) sheet, with revision date of October 23, 1995; Exhibit A-3, consisting of one (1) sheet and dated July 27, 1995; Exhibit A-4, consisting of one (1) sheet and dated January 27, 1995; Exhibit L-1, consisting of one (1) sheet, and carrying a revision date of September 29, 1995; Exhibit L-2, consisting of one (1) sheet, and carrying a revision date of October 20, 1995; Exhibit L-3, consisting of one (1) sheet, with revision date of October 20, 1995, all of which exhibits are made a part hereof, with the following conditions:

- a. Eliminate the 1-hour photo sign.
- b. The drive-thru pharmacy sign will be shown on the elevation drawing, not as shown the rendering; allowed only on the facade and delete the drive-thru pharmacy sign from the canopy of the drive thru.
- c. Change aluminum overhang canopy on the south side to a canvas canopy, color to match the accent color of the tile.
- d. Provide pedestrian sidewalk connection from Northlake Boulevard and one from Federal Highway.
- e. Landscaping shall be as shown on Exhibits L-1, L-2, and L-3 attached hereto and made a part hereof, which said Exhibits provide for a three (3) foot wide strip of landscaping along the south side and a four to five (4-5) foot strip of landscaping on

the east side of the building. Said Exhibits also show a fifteen (15) foot landscape buffer along Federal Highway.

f. Trees shall have a minimum height of fifteen (15) feet at planting.

g. Words "Drive-thru Pharmacy" may be used on the out-parcel sign.

h. Colors shall conform to the plans as submitted for review.

i. Color of Drive-thru pharmacy sign shall match the Eckerd sign as shown on the rendering provided by the developer (off-white).

PLACED ON FIRST READING THIS 15th DAY OF November, 1995.
PUBLISHED IN THE PALM BEACH POST THIS 5th DAY OF
November, 1995.

PLACED ON SECOND, FINAL READING AND ADOPTED THIS 15th DAY OF
November, 1995.

(TOWN SEAL)

William H. Hogen
MAYOR

ATTEST:

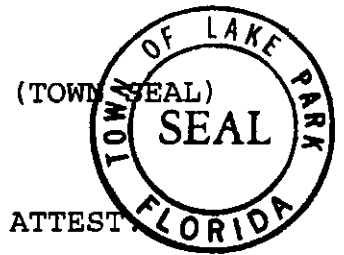
Barbara A. Scheiding
Town Clerk ~~(Signature)~~

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Town Attorney

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PLACED ON SECOND, FINAL READING AND ADOPTED THIS 15th DAY OF November, 1995.



William Hibgen
MAYOR

Barbara A. Scheiding
Town Clerk ~~(Deputy)~~

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Town Attorney

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Legal Description

Portions of Section 21, Township 42 South, Range 43 East, lying within the Town of Lake Park, Palm Beach County, Florida, more particularly described as:

- Those portions of Parcels 1, 2, 3, 4, R-1, R-2, R-3, and 7 lying within the Town of Lake Park as shown on the Northlake Promenade Shoppes PUD plat as recorded at Plat Book 102, Pages 130 and 131; and
- A parcel of land bounded on the east by the Town of Lake Park municipal boundary, on the north by Parcel 7, and on the west and south by Parcel 8, and
- Those portions of Parcels 8, 9, and 10 lying within the Town of Lake Park as shown on the Northlake Promenade Shoppes PUD Replat No. 1 as recorded at Plat Book 124, Pages 51 to 53;