

## **RESOLUTION NO. 29-04-23**

### **A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING RESOLUTION NO. 82-12-21 TO APPROVE AN AMENDED SITE PLAN FOR THE SPECIAL EXCEPTION USE OF A SMALL SCALE FOOD AND BEVERAGE PRODUCTION USE ON THE PROPERTY LOCATED AT 1301 10<sup>th</sup> STREET; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, CIDC Lake Park, LLC (“Owner”), is the owner of a property located at 1301 10<sup>th</sup> St. at the southeast corner of 10<sup>th</sup> Street and Northern Drive, the legal description of which is attached hereto and incorporated herein as Exhibit “A” (the Site); and

**WHEREAS**, in 2021, the Town Commission previously approved resolution 82-12-21 constituting a Development Order for a site plan authorizing the development of 28,075 square feet of a special exception use of “Small Scale Food and Beverage Production” for a commercial project known as Oceana Coffee; and

**WHEREAS**, Emilio Lebolo of One A Architecture, acting as the Owner’s authorized agent (“Applicant”), is proposing amendments to the development order approving a special exception use and a site plan for Oceana Coffee; and

**WHEREAS**, the Applicant has submitted amended plans for the development of a Small Scale Food and Beverage special exception uses on the Site to authorize the development of a commercial project; and

**WHEREAS**, the Site will eventually be owned/operated by three distinct entities for which Oceana Coffee is a partner in all three entities: Kiss Kitchens, Florida Canning Company and Oceana Coffee(Oceana Logistics International); and

**WHEREAS**, the Applicant’s application to amend the development order for the special exception use and site plan proposes a reduction from a 28,075 square foot to a 17,215 square foot Small Scale Food and Beverage special exception use to be developed on the Site (the Project) ; and

**WHEREAS**, the Applicant’s amendment of the previously approved site plan reduces the square feet previously allocated for the Project’s uses on the Site as follows: beverage production from 7,696 square feet to 7,022 square feet; for food production from 14,384 square feet to 7,990 square feet, which includes a reduction in the number of leasable “ghost kitchens” from 14 plus 1 common area kitchen prep space, to 10 plus 3 common area prep kitchen spaces, and a corresponding reduction of the square footage of the ghost kitchens; and a reduction of maintain the previously approved 1,073 square feet of retail uses to 833 square feet; and

**WHEREAS**, the Applicant proposes to reduce the associated event space and to relocate it from a previously proposed third floor rooftop deck to a second floor deck accessible from the area where the ghost kitchens are located; and

**WHEREAS**, the Applicant proposes to eliminate the previously approved standalone office use by incorporating this office space into the first floor roasting/canning/shipping and receiving area of Oceana Coffee's business; and

**WHEREAS**, the Applicant proposes to reduce the height of the building from 40 feet to 36 feet, and adjust the exterior building façade(s) design features accordingly; and

**WHEREAS**, the Applicant proposes to add an exterior ground floor patio on the north side of the Site, inclusive of green space and additional architectural and pavement design features; and

**WHEREAS**, the Applicant proposes minor modifications to the landscaping; and

**WHEREAS**, the Planning and Zoning Board has conducted a public hearing and made its recommendation to the Town Commission; and

**WHEREAS**, the Town Commission has considered the evidence presented by the Town's Community Development Department, the Applicant, Owner, and other interested parties and members of the public, ~~regarding whether~~ and determined that 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 for the Project subject to the following conditions:

1. The Applicant shall develop the Site consistent with the following documents and plans:

Name	Sheet	Revision Date	Received on
<b>GENERAL</b>			
Cover Sheet	T-001	3/27/23	4/11/23
Survey	Job #12154	11/28/22	4/11/23
<b>CIVIL</b>			
Cover Sheet	PCS-1	01/18/23	4/11/23
Paving, Grading, and Drainage Plan	PD-1	3/14/23	4/11/23
Paving, Grading, and Drainage Details	PD-2	1/18/22	4/11/23

Paving, Grading, and Drainage Details	PD-3	1/18/22	4/11/23
Signage and Pavement Marking Plan	SM-1	3/14/23	4/11/23
Storm water Pollution Prevention Plan	SWPP-1	3/14/23	4/11/23
NPDES Notes	SWPP-2	1/18/22	4/11/23
Erosion Control Details	SWPP-3	1/18/22	4/11/23
Water and Sewer Plans	WCS-1	1/18/22	4/11/23
Water and Sewer Plan	WS-1	3/14/23	4/11/23
Water Details	WS-2	1/18/22	4/11/23
Sewer Details	WS-3	1/18/22	4/11/23
<b>LANDSCAPE</b>			
Tree Disposition Plan and Table	L-200	3/15/23	4/11/23
Landscape Plan	L-210	3/15/23	4/11/23
Landscape Schedule and Details	L-211	3/15/23	4/11/23
Irrigation Plan	L-300	3/15/23	4/11/23
Irrigation Details	L-301	3/15/23	4/11/23
Irrigation Notes	L-302	3/15/23	4/11/23
<b>ARCHITECTURE</b>			
Architectural Demolition Site Plan	AS-001	11/02/21	4/11/23
Site Plan	AS-100	4/06/23	4/11/23
Site Plan	AS-200	3/27/23	4/11/23
First and Second Floor Plan	A-101	3/27/23	4/11/23
First Floor and Site Plan	A-101.1	3/14/23	4/11/23
Roof Plan	A-102	4/06/23	4/11/23
Exterior Elevations	A-201	3/14/23	4/11/23
Exterior Color Elevations	A-202	3/14/23	4/11/23
Rendering 1	Rendering 1	3/26/23	4/11/23
Rendering 2	Rendering 2	3/26/23	4/11/23
<b>ELECTRICAL</b>			
Electrical Site Plan – Photometric Plan	E-3	3/27/23	4/11/23

2. Prior to the issuance of the first building permit for vertical construction, a copy of the updated Traffic Performance Standards (TPS) letter from Palm Beach County shall be submitted to the Town's Community Development Department.

**Section 3:** The Owner, Applicant and their successors and assigns shall remain subject to all of the conditions of Resolution No 82-12-21 to the extent it is not modified herein, **including commencement of construction within 18 months of December 15, 2021. The Project shall be completed within 18 months of the date of the issuance of the building permit commencing the Project.**

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

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## **ATTACHMENT A**

### **Legal Description:**

Lots 19 through 30, inclusive, Block 79, KELSEY CITY A/K/A LAKE PARK, a subdivision, according to the Plat thereof at Plat Book 8, Page 34, in the Public Records of Palm Beach County, Florida.

Said lands situate in Lake Park, Palm Beach County, Florida and containing 41,250 square feet more or less.