

**RESOLUTION NO. 05-03-03**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING AN APPLICATION BY TBH LAND TRUST FOR CONCEPTUAL PLAN FOR AN OFFICE/WAREHOUSE COMPLEX.**

**WHEREAS**, TBH Land Trust (the Applicant) has submitted an application seeking rezoning to C-4 Business District and conceptual plan approval for a 14.73 acre site (“subject property”) located at the northeast corner of Watertower Road and Congress Avenue, Lake Park, Florida; and

**WHEREAS**, the Applicant proposes to construct a 187,000 square foot office/warehouse complex; and

**WHEREAS**, the Applicant desires to proceed with site utilities and permitting through SFWMD and other agencies in preparation of site development for the subject property; and

**WHEREAS**, the proposed concept plan for the subject property generally complies with the requirements of the Town Code; and

**WHEREAS**, the Planning and Zoning Board has reviewed the Applicant’s application, and has presented its recommendations to the Town Commission; and

**WHEREAS**, the Town Commission has considered the Applicant’s concept plan as presented to it by the Town Staff, the Applicant, and other interested parties and members of the public, and has received substantial competent evidence regarding the consistency of the concept plan with the Town’s Comprehensive Plan

and the Town's Code of Ordinances, and whether the application furthers the health, safety and general welfare of the community;

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

**Section 1.** The whereas clauses are hereby incorporated as true and correct as the findings of fact and conclusions of law of the Town Commission.

**Section 2.** The Town Commission hereby approves the application for concept plan approval submitted by TBH Land Trust of a 187,000 square foot office/warehouse complex on the 14.73 acre site located at the northeast corner of Watertower Road and Congress Avenue. The plan sheets numbered as 1 of 2 Conceptual Master Plan and 2 of 2 Architectural Guidelines prepared by Urban Design Studio dated February 24, 2003, are incorporated herein by reference.

**Section 3.** The approval of the concept plan for the subject property shall be subject to the following conditions, to which the Applicant has agreed, in addition to all applicable requirements of the Code of Ordinances:

1. Following the determination of jurisdictional wetlands by South Florida Water Management District and preparation of conceptual drainage plans that refine as necessary the land use allocations displayed on the conceptual plans for the entire site for review by staff, the Planning and Zoning Board and approval by the Town Commission, and prior to or in conjunction with any approved site plan application for the property, the Applicant shall provide a revised conceptual site plan to the Town. If the square footages are reduced, the conceptual plan shall be modified administratively to reflect the reduction.
2. Applicant shall submit final plans for the handling of storm water for the 14.73-acre parcel for review to the Town's Public Works Department and Town's Consulting Engineer, prior to submitting any final site plans.
3. Applicant shall submit landscape plans for all perimeter buffers for the subject property (entire property) as well as for any adjacent median along Congress Avenue prior to or as a part of the first site plan application. Such plans should create and/or encourage a common landscaping theme for the Congress Avenue corridor, if the Town has not adopted such theme prior to submittal of the Applicant's plans. Installation of the median landscaping shall occur prior to the issuance of a certificate of occupancy for any parcel within the subject property.

4. The Applicant shall install perimeter buffers prior to seeking issuance of a certificate of occupancy for any parcel within the subject property.
5. The Applicant shall follow the Development and Architecture Guidelines as revised and approved by the Town Commission in preparing all final site plans for review. The guidelines are included as a part of the approved conceptual plans and are attached hereto as **Exhibit A**.
6. Applicant shall submit plats for all areas to be developed, including delineation of environmental preserves, wetlands and retention areas, which staff and the Planning and Zoning Board shall review, and for which approval by the Town Commission is required prior to the issuance of any building permits for the subject property.
7. Development shall commence prior to the expiration of the traffic concurrency unless otherwise extended or revoked by the Town Commission. Any unused trips remaining beyond the project's build out shall be released from the Palm Beach County Concurrency Inventory by the applicant.
8. A boundary plat and a unity of control for the subject property shall be recorded for the entire property by the Applicant to ensure that all property owners within the subject property share common facilities, such as but not limited, to perimeter landscape buffers, irrigation, drainage and roads and those facilities that are maintained in perpetuity for the benefit of the property owners within the subject property. The boundary plat shall include, but is not limited to, lake tracts, common points of ingress and egress with the public rights of way, landscape buffer tracts including areas recommended by the Applicant's environmentalist for preservation.
9. Prior to recordation of the boundary plat, the Applicant shall adjust the road alignments to include right of way dedications as recommended in the traffic engineer's correspondence dated February 6, 2003 to Scott Mosolf, which is attached hereto as **Exhibit B**.
10. Parcels created within the subject property shall be a minimum of one acre in size.
11. Prior to issuance of a clearing permit, the Applicant shall provide to the Town of Lake Park, a vegetation plan to relocate, where possible, existing vegetation into the perimeter buffer.

**Section 4.** This Resolution shall take effect upon adoption.

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