

RESOLUTION NO. 03-01-06

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR AN OFFICE/WAREHOUSE FACILITY, SUBJECT TO CONDITIONS OF APPROVAL, TO BE LOCATED ON 2.8 ACRES OF PROPERTY, OWNED BY KELSEY PROPERTIES, LLC AND LOCATED ON THE EAST SIDE OF OLD DIXIE HIGHWAY SOUTH OF NORTHLAKE BOULEVARD AND EAST OF SOUTH KILLIAN DRIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Kelsey Properties LLC owner of the subject property has filed an application seeking site plan approval to construct an approximately 41,000 square foot office/warehouse facility on 2.8 acres of property located on the east side of Old Dixie Highway south of Northlake Blvd. and east of South Killian Drive, in the Town of Lake Park, Florida; and

WHEREAS, the subject property's legal description is contained in **Exhibit "A"** and its general location is shown on **Exhibit "B"** both of which are attached hereto and incorporated herein; and

WHEREAS, the Application proposes to construct an approximately 41,000 square foot office/warehouse facility on a 2.8 acre site; and

WHEREAS, the Lake Park Planning and Zoning Commission has reviewed the Application and has made its recommendation to the Town Commission; and

WHEREAS, the Town Commission has considered the evidence presented to it by the Town Staff, the Owner 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, and

WHEREAS, the Town Commission has determined that certain conditions as set forth herein, are necessary for the Application to be consistent with the Town's Comprehensive Plan and to meet the Town's Land Development Regulations; and

WHEREAS, the Owner, its successors and assigns shall be subject to the conditions contained in Section 2.

NOW THEREFORE, be it ordained by the Town Commission of the Town of Lake Park;

Section 1: The whereas clauses are incorporated herein 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 site plan for an office/warehouse facility including, but not limited to, the submitted architectural elevations for the subject property, subject to the following conditions:

- 1) The landscape architect of record shall provide the Town of Lake Park with certification that all landscaping proposed has been installed according to the landscape plans prior to issuance of a Certificate of Occupancy.
- 2) Within 90 days of the effective date of this Resolution, the applicant shall submit revised development plans to include the items listed as conditions. Said development plans shall be approved administratively by staff as long as: (1) all conditions are included on the development plans to the satisfaction of the Community Development Director, and (2) any exterior building modification(s) is architecturally consistent with the approved buildings. Should any of the aforesaid not be adequately satisfied, the revised development plans shall be reviewed and approved by the Town Commission by way of an amendment to the site plan. No building or land clearing permits shall be issued until revised plans have been approved.
- 3) Said Development shall be constructed in compliance with the following plans on file with the Town's Community Development Department:

Sheets SP-1, L-1, L-2, IR-1; Site Plan and Landscape Plans, prepared by Gentile, Holloway, O'Mahoney & Associates, Inc, last revised on November 7, 2005, and received and stamped by the Town on December 27, 2005.

Sheets C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10; Engineering Plans, prepared by Jeff H. Iravani, Inc, last revised on August 10, 2005, and received and stamped by the Town on December 27, 2005.

Sheet EP-1: Photometric Plan prepared by Brannon & Gillespie LLC, last revised on August 9, 2005, and received and stamped by the Town on December 27, 2005.

- 4) Any revisions to the site plan, landscape plan, architectural elevations, signs, statement of use, or other detail submitted as part of the Application, including, but not limited to, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be

submitted to the Community Development Department and shall be subject to its review and approval.

- 5) When the Town Commission has granted approval for a site plan, such grant shall become null and void unless the appropriate building or other permit or license is applied for within 18 months of the date of such decision by the Town Commission.
- 6) The plans, as approved by the Town Commission shall accommodate the future expansion of Old Dixie Highway inclusive of sidewalk and apron modifications.
- 7) All air conditioning units will be screened from the public view.
- 8) The Owner shall submit revised Building Elevations, which shall be subject to the Community Development Department's review and the Commission's approval.

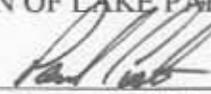
Section 3: This Resolution shall become effective upon adoption.

The foregoing RESOLUTION was offered by Commissioner Daly, who moved its approval. The motion was seconded by Commissioner Balius, and being put to a vote, the result was as follows:

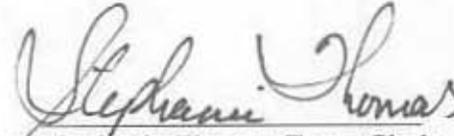
	AYE	NAY
MAYOR PAUL CASTRO	<u>Absent</u>	_____
VICE MAYOR PAUL GARRETSON	X	_____
COMMISSIONER CHUCK BALIUS	X	_____
COMMISSIONER ED DALY	X	_____
COMMISSIONER JEFF CAREY	X	_____

The Mayor thereupon declared Resolution No. 03-01-06 duly passed and adopted this 4 day of January, 2005.

TOWN OF LAKE PARK, FLORIDA

BY: 
Mayor Paul Castro

ATTEST:


Stephanie Thomas Town Clerk
(Town Seal)



Approved as to form and legal sufficiency

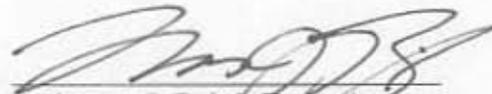

Thomas J. Baird, Town Attorney

EXHIBIT "A"

A parcel of land in Section 20, Township 42 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

Beginning at a point in the South line of the Northwest 1/4 of Section 20, Township 42 South, Range 43 East, said point being 168.59 feet Easterly from the intersection of the said South line of the Northwest 1/4 of Section 20, with the Easterly Right-of-Way line of the Old Dixie Highway; thence Northerly along the East line of the West 1/2 of the East 1/2 of the Northwest 1/4 of said Section 20, a distance of 1,050 feet to the Point of Beginning of the parcel of land herein described; thence Westerly along a line parallel to the South line of the Northwest 1/4 of said Section 20, said line being the North line of land conveyed by East Coast Finance Company to James C. Downey, Trustee, by Deed dated July 8, 1959, and recorded in Official Record Book 372, Page 442, Public Records of Palm Beach County, Florida, a distance of 366.82 feet, more or less, to a point in the Easterly Right-of-Way line of said Old Dixie Highway; thence Northerly along said Easterly Right-of-Way line, a distance of 445.65 feet, more or less, to a point in a line parallel to and 547.5 feet Southerly from, measured at right angle to the North line of the South 1/2 of the North 1/2 of the Northwest 1/4 of said Section 20; thence Easterly along said parallel line a distance of 230.34 feet to the beginning of a curve concave to the South and having a radius of 408.06 feet; thence Easterly along the arc of said curve a distance of 278.79 feet, more or less; to a point in the Westerly Right-of-Way line of the Florida East Coast Railway; thence Southerly along said Westerly Right-of-Way line a distance of 36.86 feet, more or less, to a point in the North line of the Southeast 1/4 of the Northwest 1/4 of said Section 20; thence Westerly along said North line a distance of 13.86 feet, more or less, to a point in the East line of the West 1/2 of the East 1/2 of the Northwest 1/4 of said Section 20; thence Southerly along said East line, a distance of 301.4 feet, more or less, to the Point of Beginning.

LESS the following two (2) parcels of land labeled Parcel A and Parcel B as follows:

Parcel A:

Beginning at a point located on the Easterly right-of-way line of Old Dixie Highway and lying 1120 feet North of the South line of the Northwest 1/4 of Section 20, Township 42 South, Range 43 East; thence East (Assumed bearing) and parallel to said South Line of said Northwest 1/4, for 173.33 feet; thence South for 70 feet; thence East for 140 feet; thence North for 170 feet; thence West for 342.83 feet to the Easterly right-of-way line of Old Dixie Highway; thence Southerly along said right-of-way line for 104.26 feet to the Point of Beginning.

AND

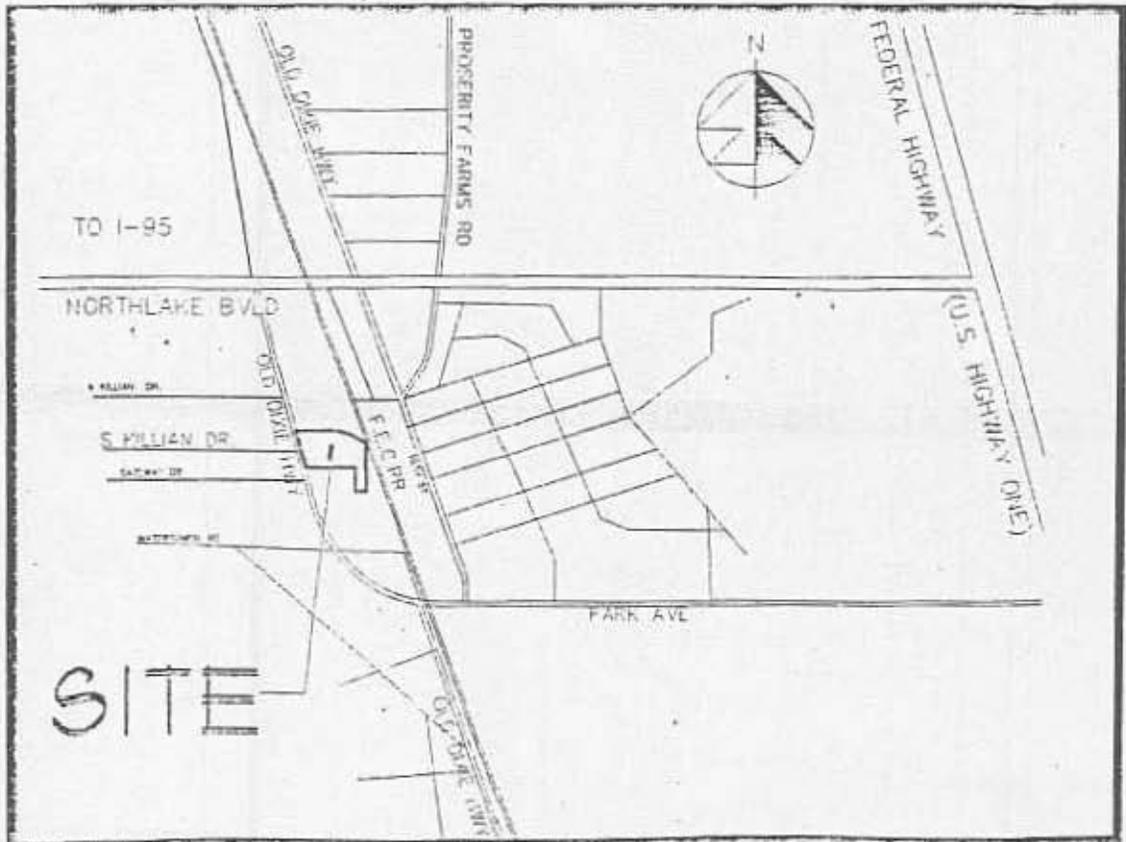
Parcel B

Beginning at a Point on the Easterly right-of-way line of Old Dixie Highway; thence running parallel to and 1050 ft. North of the South line of the NW 1/4 of Section 20, Township 42 South, Range 43 East, for a distance of 152.68 feet; thence Northerly a distance of 70.0 feet; thence Westerly a distance of 173.33 ft. to the Easterly right-of-way line of Old Dixie Highway, thence Southerly along said right-of-way line, a distance of 72.98 ft. to the Point of Beginning. Said property containing 11,410 sq. ft. plus or minus.

EXHIBIT "A"

EXHIBIT "B"

Location Map



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FIN

SCALE 1" = 1/4 MILE