

RESOLUTION NO. 10-02-06

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR THE CONSTRUCTION OF AN OFFICE/WAREHOUSE FACILITY, SUBJECT TO CONDITIONS OF APPROVAL, TO BE LOCATED ON 1.23 ACRES OF PROPERTY, OWNED BY AMC REALTY LLC AND LOCATED AT THE SOUTHWEST CORNER OF WATERTOWER ROAD AND 12TH STREET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, AMC Realty LLC, owner of the subject property, has filed an application seeking site plan approval for the construction of a 15,729 square foot office/warehouse facility located on 1.23 acres of property located at the southwest corner of Watertower Road and 12th Street 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 a 15,729 square foot office/warehouse facility; 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, LP-1, LP-2, IR-1: Site Plan and Landscape Plans, prepared by Gentile, Holloway, O'Mahoney & Associates, Inc, last revised on November 30, 2005, and received and stamped by the Town on January 18, 2006.

Sheets 1 thru 6: Engineering Plans, prepared by Jonathan T. Ricketts, Inc, last revised on September 12, 2005, and received and stamped by the Town on January 18, 2006.

Sheet EP-1: Photometric Plan prepared by Brannon & Gillespie LLC, last revised on November 28, 2005, and received and stamped by the Town on January 18, 2006.

Sheet 3.1: Building Elevations, prepared by Alan Strassler, Architect, last revised November 28, 2005 and received and stamped by the Town on January 18, 2006.

- 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) The applicant shall remove the foundation planting along the western side of the building and plant a mature hedge along the western property line.
- 6) The applicant shall sod and irrigate to the road edge.
- 7) 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.

Section 3: This Resolution shall become effective upon adoption.

The foregoing RESOLUTION was offered by Vice Mayor Garretson, who moved its adoption. The motion was seconded by Commissioner Balius, and upon being put to roll call vote, the vote was as follows:

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

The Mayor thereupon declared Resolution No. 10-02-06 duly passed and adopted this 1st day of February, 2006.

TOWN OF LAKE PARK, FLORIDA

BY: *Paul Castro*
Mayor Paul Castro

ATTEST:

Stephanie Thomas
Stephanie Thomas Town Clerk

Approved as to form and legal sufficiency

Thomas J. Baird
Thomas J. Baird, Town Attorney



EXHIBIT "A"

The South 330 feet of the NW 1/4 of the SW 1/4 and the East 220 feet of the North 1020.33 feet of the NW 1/4 of the SW 1/4 of Section 20, Township 42 South, Range 43 East, Palm Beach County, Florida.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

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

From the quarter corner on the West line of said Section 20, thence South 88 degrees, 03 minutes, 54 seconds East along the East-West quarter section line a distance of 1110.50 feet to the POINT OF BEGINNING; thence South 01 degrees, 46 minutes, 29 seconds West a distance of 60.00 feet; thence South 88 degrees, 03 minutes, 54 seconds East a distance of 220.00 feet; thence North 01 degrees, 46 minutes, 29 seconds East a distance of 60.00 feet; thence North 88 degrees, 03 minutes, 54 seconds West a distance of 220.00 feet to the POINT OF BEGINNING.

AND LESS AND EXCEPT those Rights-of-Way set forth in that certain Special Warranty Deed recorded in Official Records Book 7150, Page 1152, Public Records of Palm Beach County, Florida.

EXHIBIT "B"

Location Map

