

RESOLUTION NO. 32-06-06

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING RESOLUTION 05-03-06 EXTENDING THE TRAFFIC CONCURRENCY EXPIRATION DATE FOR A DEVELOPMENT PROJECT PROPOSED BY TBH LAND TRUST TO DECEMBER 31, 2009.

WHEREAS, TBH Land Trust (the Owner) has previously received site plan approval to develop a 14.73 acre site located at the northeast corner of Watertower Road and Congress Avenue, Lake Park, Florida; and

WHEREAS, the Owner as a condition of that approval is required to commence development prior to the expiration of the traffic concurrency unless otherwise extended by the Town Commission; and

WHEREAS, the traffic concurrency expires December 31, 2006; and

WHEREAS, the Owner has submitted an application to amend a condition of Resolution 05-03-03 establishing a traffic concurrency expiration date; and

WHEREAS, commencement of the original development proposal has been delayed due to the substantial amount of time needed to finalize stormwater system development and permitting; and

WHEREAS, further project planning and development are not expected to commence before the traffic concurrency expiration date;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA;

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 request for the extension of the traffic concurrency expiration dated by TBH Land Trust to December 31, 2009.

Section 3. The approval of the extension request shall be subject to the following conditions to which the Applicant has agreed, in addition to all other applicable requirements for traffic concurrency;

1. Development shall commence prior to the expiration of the traffic concurrency which has been extended to December 31, 2009 unless otherwise extended or revoked by the Town Commission.
2. Any unused trips remaining beyond the project's build out shall be released from the Palm Beach County Concurrency Inventory by the project's developer.
3. A development plan for the project shall be submitted to the building department prior to December 31, 2007 unless otherwise extended for just and reasonable cause by the building department.
4. These conditions shall be binding upon the Owner, its successors and assigns.

The foregoing Resolution was offered by Commissioner Balius, who moved its adoption. The motion was seconded by Commissioner Carey, and upon being put to a roll call vote, the vote was as follows:

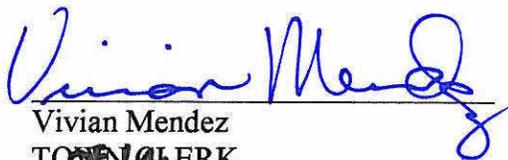
	AYE	NAY
MAYOR PAUL W. CASTRO	<u>X</u>	_____
VICE-MAYOR ED DALY	<u>X</u>	_____
COMMISSIONER CHUCK BALIUS	<u>X</u>	_____
COMMISSIONER JEFF CAREY	<u>X</u>	_____
COMMISSIONER PATRICIA OSTERMAN	<u>X</u>	_____

The Town Commission thereupon declared the foregoing Resolution NO. 32-06-06 duly passed and adopted this 21 day of June, 2006.

TOWN OF LAKE PARK, FLORIDA

BY: 
PAUL W. CASTRO
MAYOR

ATTEST:


Vivian Mendez
TOWN CLERK

TOWN OF LAKE PARK
SEAL
(TOWN SEAL)
FLORIDA

Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY