ORDINANCE NO. 18-2003

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF LAKE PARK, REZONING APPROXIMATELY 3.78 ACRES OF LAND, OWNED BY CONGRESS PLAZA WEST, JOINT VENTURE PARTNERSHIP WHICH IS GENERALLY LOCATED ON THE SOUTHWEST CORNER OF NORTHLAKE BOULEVARD AND CONGRESS AVENUE WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF LAKE PARK AS DESCRIBED MORE PARTICULARLY HEREIN, FROM A ZONING DESIGNATION OF TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) DISTRICT TO COMMERCIAL-1 (C-1) BUSINESS DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Congress Plaza West, Joint Venture Partnership is the owner (the owner) of approximately 3.78 acres of land (the subject property) in the Town of Lake Park; and

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

WHEREAS, the owner has consented to and authorized the filing of an application by Urban Design Studio (the Applicant) to rezone the subject property; and

WHEREAS, the Applicant proposes to rezone the subject property from the Traditional Neighborhood Development (TND) district to the C-1 Business District; and,

WHEREAS, the proposed C-1 Business District allows for a variety of commercial uses, including the use of a Fitness Center, Restaurant, Pharmacy; and

WHEREAS, the Planning and Zoning for the Town of Lake Park has reviewed the Applicant's application and has made its recommendation to the Town Commission regarding the appropriate zoning district for the subject property; and,

WHEREAS, the classification of the property as C-1 Commercial is consistent with the subject property_s future land use designation under the Town's Comprehensive Plan.

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.

Section 2. The Town Council hereby assigns the zoning classification of C-1 Business District to the subject property.

Section 3. The Town's official zoning map, is hereby amended to reflect the assignment of the C-1 Business District zoning classification to the subject property.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall take effect immediately upon adoption.

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Upon First Reading this 16th day of October, 2003, the foregoing ORDINANCE was offered by Commissioner Otterson, who moved its adoption. The motion was seconded by Vice Mayor Balius, and upon being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	Absent	
COMMISSIONER JEANINE LONGTIN	X	
COMMISSION BILL OTTERSON	X	

PUBLISHED IN THE PALM BEACH POST THIS 21st DAY OF OCTOBER, 2003.

Upon Second Reading, this 5th day of November, 2003, the foregoing ORDINANCE was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO		
VICE MAYOR CHUCK BALIUS		
COMMISSION PAUL GARRETSON		
COMMISSIONER JEANIE LONGTIN		
COMMISSIONER BILL OTTERSON		

The Mayor thereupon declared Ordinance duly passed and adopted this 5th day of November, 2003.

TOWN OF LAKE PARK, FLORIDA

By: _____

Paul Castro, Mayor

ATTEST:

_____

Carol Simpkins
Town Clerk

_____

Thomas J. Baird, Town Attorney
Approved as to form and legal sufficiency

Exhibit A

LEGAL DESCRIPTION: **NORTHLAKE SQUARE LAKE PARK**

A PARCEL OF LAND SITUATE IN THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARILY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 19; THENCE NORTH 88°26'21"WEST, ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, A DISTANCE OF 1030.01 FEET; THENCE SOUTH 01°19'36" WEST, A DISTANCE OF 75.00 FEET TO A POINT ON THE SOUTH LINE OF THAT CERTAIN 75.00 FOOT RIGHT-OF-WAY FOR NORTHLAKE BOULEVARD AS RECORDED IN DEED BOOK 915, PAGE 194, AND DEED BOOK 916, PAGE 453, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND SAID POINT ALSO BEING ON THE MUNICIPAL LINE DIVIDING THE TOWN OF LAKE PARK AND THE CITY OF PALM BEACH GARDENS, FLORIDA, AND THE POINT OF BEGINNING; THENCE ALONG SAID MUNICIPAL LINE FOR THE FOLLOWING FOUR COURSES; THENCE SOUTH 01°19'36" WEST A DISTANCE OF 425.00 FEET; THENCE NORTH 88°26'21" WEST A DISTANCE OF 200.00 FEET; THENCE SOUTH 01°19'36" WEST A DISTANCE OF 300.00 FEET; THENCE NORTH 88°26'21" WEST A DISTANCE OF 185.86 FEET TO A POINT ON THE WEST LINE OF CONGRESS AVENUE AS RECORDED IN OFFICIAL RECORDS BOOK 10739, AT PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°20'19" WEST ALONG SAID WEST LINE A DISTANCE OF 7.00 FEET; THENCE NORTH 88°26'21" WEST, DEPARTING SAID WEST LINE, A DISTANCE OF 638.51 FEET TO A POINT ON A LINE 2.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST RIGHT-OF-WAY LINE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT C-17 CANAL, A 340 F00T RIGHT-OF-WAY, AS RECORDED IN DEED BOOK 1164, PAGE 572, AND DEED BOOK 1089, PAGE 390, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 19°22'14" EAST ALONG A LINE PARALLEL WITH, AND 2.00' EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE SAID EAST LINE OF THE C-17 CANAL A DISTANCE OF 588.27 FEET; THENCE NORTH 01°31'19" EAST, CONTINUING ALONG SAID PARALLEL LINE A DISTANCE OF 146.92 FEET TO A POINT 25.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH RIGHT OF WAY LINE OF SAID NORTHLAKE BOULEVARD; THENCE SOUTH 88°26'21" EAST, ALONG A LINE PARALLEL WITH, AND 25.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, THE SAID SOUTH RIGHT-OF-WAY OF NORTHLAKE BOULEVARD A DISTANCE OF 18.00 FEET TO A POINT ON A LINE 20.00 EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF THE C-17 CANAL; THENCE NORTH 01°31'19" EAST ALONG A LINE PARALLEL WITH AND 20.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE SAID EAST LINE OF THE C-17 CANAL A DISTANCE OF 25.00 FEET TO A POINT ON THE SAID SOUTH RIGHT OF WAY LINE FOR NORTHLAKE BOULEVARD; THENCE SOUTH 88°26'21" WEST ALONG SAID SOUTH RIGHT OF WAY A DISTANCE OF 51.86 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 164,792 SQUARE FEET, 3.78 ACRES, MORE OR LESS.

EXHIBIT "B"

Northlake Boulevard
Congress Avenue
Restaurant
City of
Palm Beach
Gardens
5.09 Ac.
LA Fitness
Town of
Lake Park
3.71 Ac.
Dry
Detention
0.24 A.C.
LWDD C-17 Canal
Palm Beach Gardens
Lake Park