

Resolution No. 48-08-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR A 1.40-ACRE PARCEL OF LAND, OWNED BY WASHINGTON MUTUAL, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF US-1 AND NORTHLAKE BOULEVARD, FOR A FINANCIAL INSTITUTION TOTALING APPROXIMATELY 4,000 SQUARE FEET WITH THREE DRIVE-THRU LANES, PROVIDING FOR CONDITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, H & T Consultants, Inc., agent for property owner, Washington Mutual, ("the Owner") has filed an application, ("Application") seeking site plan approval for the property generally located at the southwest corner of the intersection of US-1 and Northlake Boulevard, in the Town of Lake Park, Florida, ("the Subject Property"); and

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

WHEREAS, the Applicant proposes to construct a 4,000 square foot financial institution with three drive-thru lanes on a 1.40-acre site (the application); and

WHEREAS, an Interlocal Agreement was executed between the Village of North Palm Beach and the Town of Lake Park in 1995 for a joint development review of the subject site; and

WHEREAS, the Town's Planning and Zoning Commission has reviewed the Application and has made it's recommendation to the Town Commission; and

WHEREAS, the Town Commission has considered the evidence presented to it by the Town Staff, the Applicant, 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, it's successors and assigns shall be subject to the conditions contained in Section 3.

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 and architectural elevations submitted by the Applicant for a 4,000 square foot financial institution with three drive-thru lanes, subject to the conditions contained in Section 3.

Section 3. Approval of the site plan for the subject property shall be subject to the following conditions, in addition to all applicable requirements of the Town's Code of Ordinances:

- 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) Owner shall install all improvements consistent with the site plan and architectural elevations submitted to the Town of Lake Park dated July 23, 2004.
- 3) Any revisions to the site plan, landscape plan, architectural elevations, signs, statement of use, or other details submitted as part of this 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 ("Department") and shall be subject to its review and approval.
- 4) The Owner shall paint the monument sign so that its color(s) match and are compatible with the proposed color of the buildings as shown on the architectural elevations.
- 5) Any revisions that constitute a minor revision (less than a 25% modification) to the site plan, landscape plans, elevations, signs, statement of use, or other details submitted as part of this Application, including but not limited to the drainage of the site, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be requested in

writing to the Department and shall be subject to it's review and approval. The Town Commission must approve any major modifications.

Section 4. If any section, paragraph, sentence, clause, phrase, or word of this Resolution is for any reason held by court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Resolution.

Section 5. This Resolution shall be effective upon adoption.

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

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

The Mayor thereupon declared Resolution No. 48-08-04 duly passed and adopted this 18th day of August, 2004.

TOWN OF LAKE PARK, FLORIDA

BY: Paul Castro
Mayor Paul Castro

ATTEST:

Stephanie Thomas
Stephanie Thomas
Interim Town Clerk



Approved as to form and legal sufficiency

Thomas J. Baird
Thomas J. Baird, Town Attorney