### **RESOLUTION 2022-33**

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING A REPLAT OF OPEN SPACE TRACT #1, PERSIMMON BOULEVARD EAST-PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, AND A REPLAT OF OPEN SPACE TRACT #1, ILEX WAY-PHASE II, PLAT BOOK 128, PAGES 22 THROUGH 25, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA. PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Minto PBLH, LLC, a Florida Limited Liability Company, as the Owner has requested approval for the Replat of Open Space Tract #1, Persimmon Boulevard East – Plat 2, plat book 128, pages 16 through 19, inclusive, and a replat of Open Space Tract #1, Ilex Way – Phase II, plat book 128, pages 22 through 25, inclusive, public records of Palm Beach County, Florida. Lying in Section 12, Township 43 South, Range 40 East, City of Westlake, Palm Beach County, Florida, containing approximately 9.137 acres as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the plat and boundary survey pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final plat, attached hereto as "Exhibit B", and the boundary survey, attached hereto as "Exhibit C", and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the City's Land Development Regulations and Florida law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

- Section 1: **INCORPORATION.** The above recitals are true and correct and are incorporated herein by this reference.
- Section 2: CITY COUNCIL APPROVALS. The City Council for the City of Westlake hereby approves the final plat, "Exhibit B" and boundary survey, "Exhibit C" for the Pod PC-2 Plat, as described in the attached Exhibit "A", containing approximately 9.137 acres, which is located in the City of Westlake, and in Palm Beach County, Florida.

Section 3. **RECORDATION.** The applicant shall provide a certified copy of the recorded plat and the applicant shall cover the costs of recording the plat in the public records in and for Palm Beach County Florida.

Section 4: SCRIVENER'S ERRORS. This Resolution can be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent can be corrected with the authorization of the City Manager and City Attorney without the need for public hearing.

Section 5: **EFFECTIVE DATE.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by City Council for the City of Westlake, on this 6<sup>th</sup> day of December 2022.

PUBLISHED on this 24<sup>th</sup> day of November in the Palm Beach Post.

City of Westlake

John Raul O' Connor, Mayor

Zoie Burgess, City Clerk

Approved as to Form and Sufficiency

City Attorney

(PRINT NAME)



# CITY OF WESTLAKE

# **Engineering Department**

4001 Seminole Pratt Whitney Road Westlake, Florida 33470 Phone: (561) 530-5880 www.westlakegov.com

# **STAFF MEMORANDUM**

**DATE:** 11/22/2022 **PETITION NO.:** ENG-2022-16

DESCRIPTION: Review of Pod PC-2 Plat
APPLICANT: Cotleur and Hearing
OWNER: Minto PBLH, LLC

**REQUEST:** Owner is requesting approval of the Pod PC-2 Plat

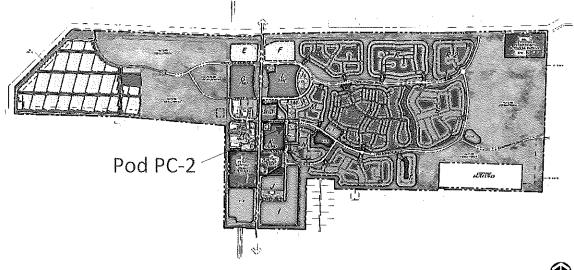
# Final Recommendation

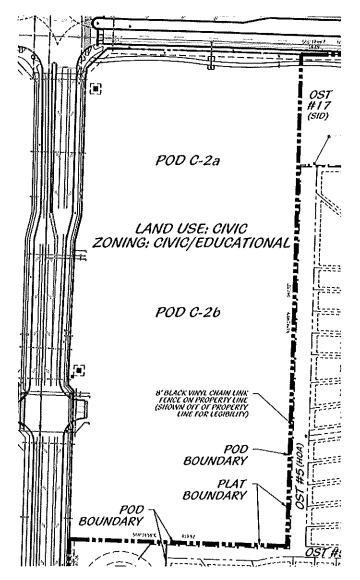
The Office of the City Engineer has reviewed the documents associated with the application referenced above and recommends approval by the Council. The Seminole Improvement District's Engineering Department approval is scheduled for December 5, 2022, and the approval by the Board of Supervisors for the subject referenced plat is scheduled for December 6, 2022.

# Discussion

This submittal is for Pod PC-2 Plat, which will contain 9.137 acres. Pod PC-2 is located in the central portion of Westlake, south of Persimmon Boulevard, west of Ilex Way, and northwest of Pod N (Sky Cove South) of Westlake, as shown in the graphics below.

## **Location Maps**





The Owner (Minto PBLH, LLC) is requesting the approval of Pod PC-2 Plat, which entails the replat of Open Space Tract #1, Persimmon Boulevard East – Plat 2, Plat Book 128, pages 16 through 19, inclusive, and a replat of Open Space Tract #1, Ilex Way – Phase II, Plat Book 128, pages 22 through 25, inclusive, public records of Palm Beach County, Florida. Pod PC-2 has a Civic land use designation with its categorization of plat being a commercial or industrial subdivision.

The Legal Description of the Plat can be found in Exhibit A, and replications of the plat topographical survey and plat can be found in Exhibits B and C.

# Review Criteria

Plats shall be prepared in accordance with the provisions of Chapter 177 F.S., as amended, and the City of Westlake Land Development Regulations. The plat was reviewed for clarity, legibility, and conformance with this statute and City requirements. The plat provides a graphic depiction of the legal description through geometric data. The data includes but is not limited to parcel, block, tract, right-of-way, street and associated names, easement, permanent reference monuments and permanent control points, and interior excepted parcels. Other requirements such as paper size, line work, layout of sheet and required content including the subdivision name, title, legal description, key map, vicinity map, north arrow, scale, and legend are verified in the Engineering Department review.

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# Conclusion

Two (2) reviews of the revised plat occurred, which resulted in an acceptable plat. The review was done for compliance with Chapters 177, 5J-17, Florida Statutes, and the City of Westlake's codes and ordinances. All comments have been adequately addressed and the plat is in compliance. We therefore recommend that the plat be approved for recording.

# Exhibit 'A' LEGAL DESCRIPTION Pod PC-2 Plat

DESCRIPTION: POD PC-2

BEING A REPLAT OF OPEN SPACE TRACT #1, PERSIMMON BOULEVARD EAST-PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, AND A REPLAT OF OPEN SPACE TRACT #1, ILEX WAY-PHASE II, PLAT BOOK 128, PAGES 22 THROUGH 25, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.01°33'05"W. ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 250.33 FEET TO A POINT ON THE NORTH LINE OF THE 80 FOOT M-CANAL ROAD EASEMENT AS RECORDED IN DEED BOOK 1156, PAGE 58 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND AS SHOWN IN ROAD PLAT BOOK 6, PAGE 136 OF SAID PUBLIC RECORDS, AND AS MONUMENTED: THENCE S.88°36'57"W. ALONG SAID NORTH LINE OF THE 80 FOOT M-CANAL ROAD EASEMENT, A DISTANCE OF 3776.52 FEET TO A POINT ON THE ORIGINAL EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 1544, PAGE 378 AND OFFICIAL RECORD BOOK 1640, PAGE 1626 BOTH OF SAID PUBLIC RECORDS; THENCE S.01°42'52"W. ALONG SAID ORIGINAL EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 4364.18 FEET TO THE NORTHWEST CORNER OF THE EXISTING RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 28479, PAGE 822 OF SAID PUBLIC RECORDS, ALSO A POINT ON THE SOUTH LINE OF PERSIMMON BOULEVARD AS RECORDED IN OFFICIAL RECORD BOOK 10202, PAGE 430, OF SAID PUBLIC RECORDS; THENCE S.88°17'08"E., ALONG SAID SOUTH LINE OF PERSIMMON BOULEVARD, A DISTANCE OF 646.56 FEET TO A POINT ON THE EAST LINE OF SAID EXISTING RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD; THENCE S.01°42'52"W., ALONG SAID EAST LINE OF EXISTING RIGHT-OF-WAY, A DISTANCE OF 77.00 FEET TO THE SOUTHEAST CORNER OF SAID EXISTING RIGHT-OF-WAY: THENCE CONTINUE S.01°42'52"W., ALONG THE SOUTHERLY EXTENSION OF SAID EAST LINE OF EXISTING RIGHT-OF-WAY, A DISTANCE OF 3.00 FEET TO A POINT ON THE ADDITIONAL RIGHT-OF-WAY LINE OF PERSIMMON BOULEVARD, AS SHOWN ON PERSIMMON BOULEVARD EAST-PLAT 1, AS RECORDED IN PLAT BOOK 125, PAGES 106 AND 107, OF SAID PUBLIC RECORDS; THENCE BY THE FOLLOWING THREE (3) COURSES BEING ALONG SAID ADDITIONAL SOUTHERLY RIGHT-OF-WAY LINE: 1) S.88°17'08"E., A DISTANCE OF 573.95 FEET; 2) THENCE S.43°17'08"E., A DISTANCE OF 53.74 FEET; 3) THENCE S.88°17'08"E., A DISTANCE OF 114.00 FEET TO THE SOUTHEAST CORNER OF PERSIMMON BOULEVARD EAST, AS SHOWN ON PERSIMMON BOULEVARD EAST - PLAT 1, RECORDED IN PLAT BOOK 125, PAGES 106 AND 107, OF SAID PUBLIC RECORDS, ALSO THE POINT OF BEGINNING; THENCE N.01°42'52"E,, ALONG THE EAST BOUNDARY OF SAID PERSIMMON BOULEVARD EAST - PLAT 1, A DISTANCE OF 12.00 FEET; THENCE N,46°42'53"E., ALONG SAID EAST BOUNDARY, A DISTANCE OF 56.57 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF PERSIMMON BOULEVARD EAST, AS SHOWN ON PERSIMMON BOULEVARD EAST - PLAT 2. RECORDED IN PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE S.88°17'08"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 373.13 FEET TO THE NORTHWEST CORNER OF OPEN SPACE TRACT #17, AS SHOWN ON SKY COVE SOUTH -PHASE 1A PLAT, RECORDED IN PLAT BOOK 131, PAGES 170 THROUGH 178, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE S.01°41'49"W., ALONG THE WESTERLY LINE OF SAID OPEN SPACE

TRACT #17 AND THE WESTERLY LINE OF OPEN SPACE TRACT #5, BOTH OF SAID PLAT, A DISTANCE OF 947.92 FEET; THENCE N.88°18'58"W., ALONG THE NORTHERLY LINE OF SAID OPEN SPACE TRACT #5 AND THE NORTHERLY LINE OF WATER MANAGEMENT TRACT #4, OF SAID PLAT, A DISTANCE OF 419.92 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ILEX WAY, AS SHOWN ON ILEX WAY - PHASE II, RECORDED IN PLAT BOOK 128, PAGES 22 THROUGH 25, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE BY THE FOLLOWING SIX (6) COURSES BEING ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF ILEX WAY: 1) THENCE N.01°42'52"E., A DISTANCE OF 286.41 FEET; 2) THENCE N.43°17'08"W., A DISTANCE OF 15.56 FEET; 3) THENCE N.01°42'52"E., A DISTANCE OF 38.40 FEET; 4) THENCE N.02°54'08"E., A DISTANCE OF 239.24 FEET; 5) THENCE N.14°07'19"E., A DISTANCE OF 51.38 FEET; 6) THENCE N.01°42'52"E., A DISTANCE OF 270.96 FEET TO A POINT ON THE SAID ADDITIONAL RIGHT-OF-WAY LINE OF PERSIMMON BOULEVARD, AS SHOWN ON SAID PLAT OF PERSIMMON BOULEVARD EAST-PLAT 1; THENCE S.88°17'08"E., ALONG SAID ADDITIONAL RIGHT-OF-WAY LINE, A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING.

CONTAINING: 398,017 SQUARE FEET OR 9.137 ACRES, MORE OR LESS.

# Exhibit 'B' TOPOGRAPHICAL SURVEY Pod PC-2 Plat

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JOSEPH ASRUZZO. GLEK AND COMPTROLLER

LOCATION MAP

STATE OF FLORIDA | COUNTY OF PALM BEACH | S.S.

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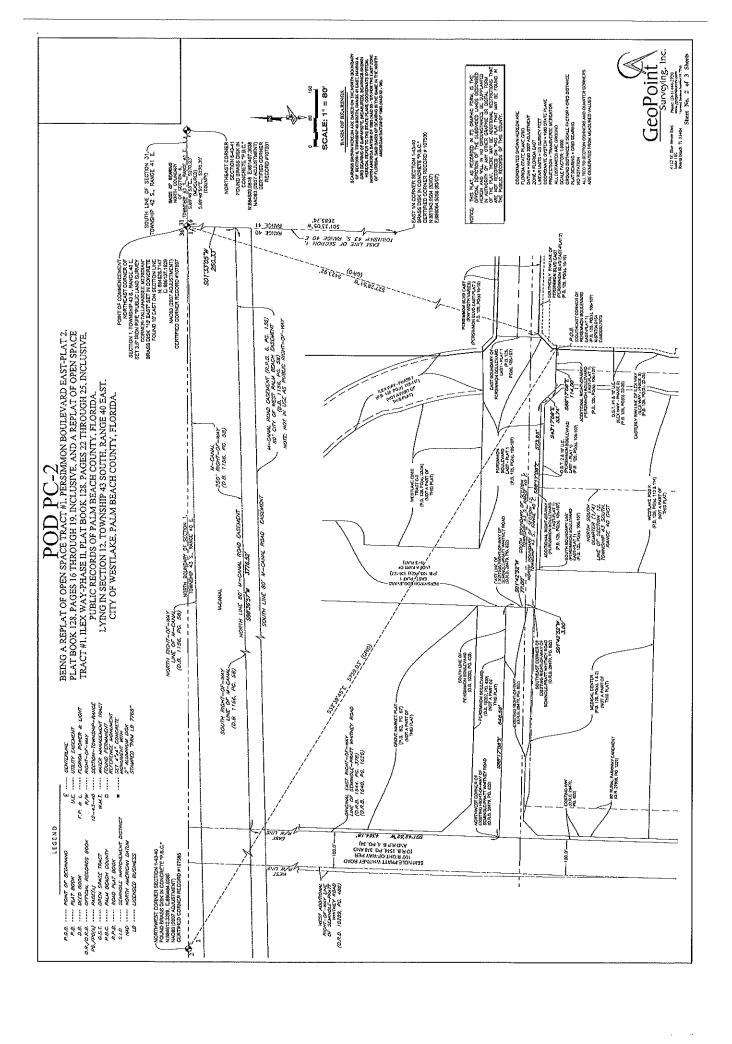
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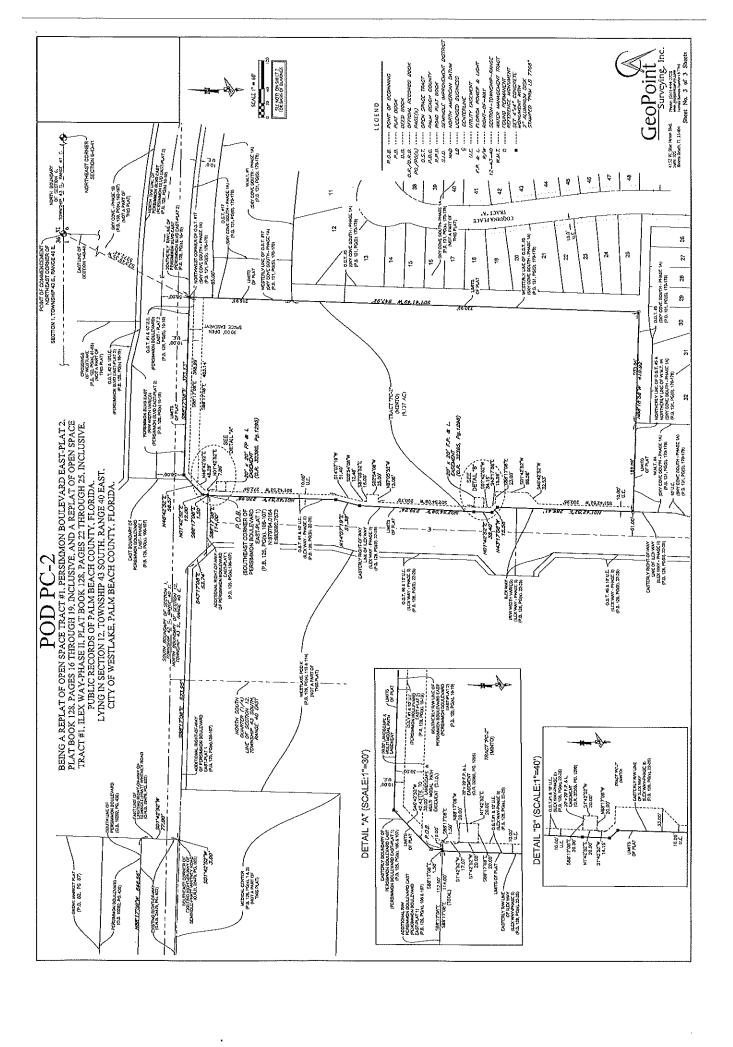
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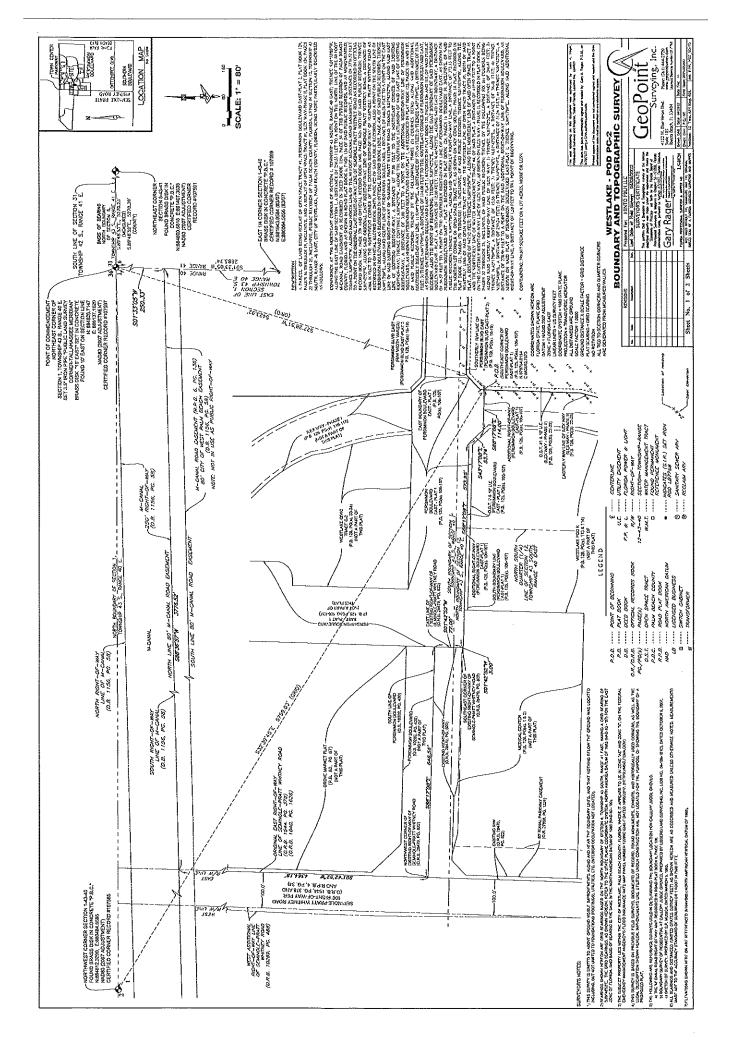
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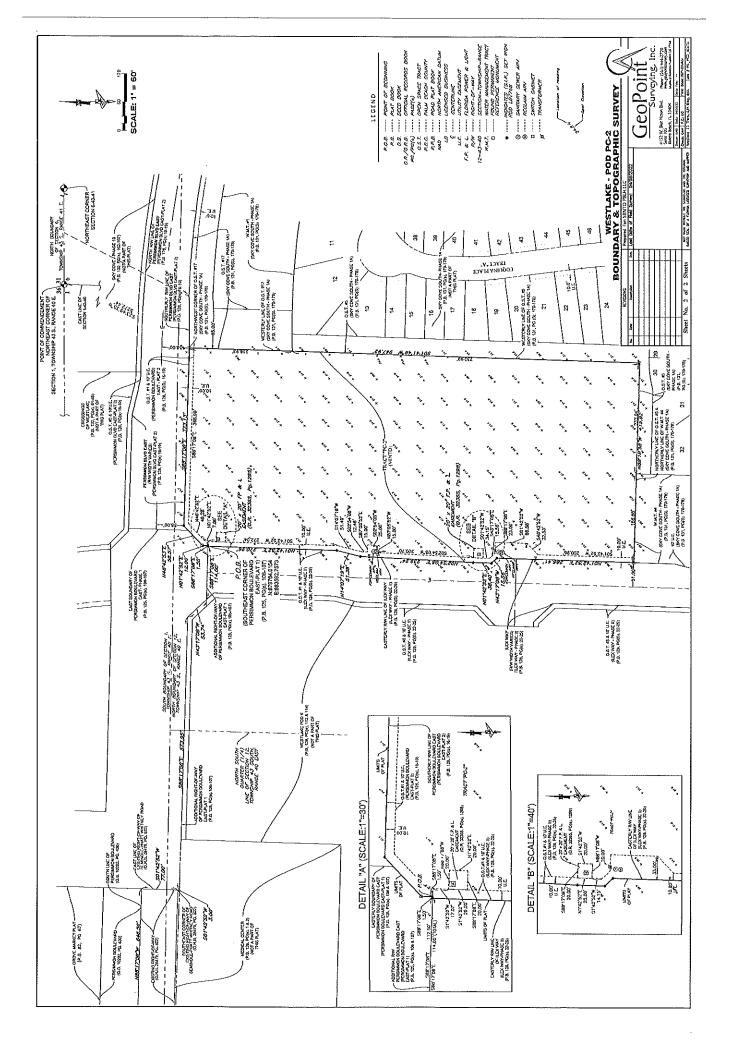




# Exhibit 'B' TOPOGRAPHICAL SURVEY Pod PC-2 Plat

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## CITY OF WESTLAKE

# **Engineering Department**

4001 Seminole Pratt Whitney Road Westlake, Florida 33470

Phone: (561) 530-5880 www.westlakegov.com

DATE:

11/14/2022

**PETITION NUMBER:** 

ENG-2022-16

**DESCRIPTION:** 

Pod PC-2 Plat

APPLICANT:

Cotleur & Hearing

OWNER:

Minto PBLH, LLC

**REQUEST:** 

Plat & Boundary Survey Review

LOCATION:

Westlake, Florida

**STAFF REVIEW:** 

RECOMMENDED APPROVAL

This is the second review of this plat. This review is done for compliance with Chapters 177, Florida Statutes, and the City of Westlake's codes and ordinances. All previous comments have been adequately addressed. This plat is now in compliance with Chapter 177 Florida Statutes. We therefore recommend that the plat be approved by City Council.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

Suzanne Dombrowski, P.E.

Chen Moore and Associates

Tel: 561.746.6900 x 1035

Email: sdombrowski@chenmoore.com