

RESOLUTION 2024-02

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING RESOLUTION 2020-33 AND APPROVING THE MASTER PLAN AMENDMENT FOR THE PUBLIX AT WESTLAKE PLAZA, CONTAINING RETAIL ON PARCEL A; A FAST FOOD RESTAURANT WITH DRIVE THROUGH ON PARCEL B; A BANK WITH DRIVE THROUGH, ON PARCEL C; PHYSICAL FITNESS, MASSAGE THERAPY & SPA, INLINE RETAIL, OFFICE, MEDICAL, AND FAST FOOD RESTAURANT WITH DRIVE THROUGH ON PARCEL D; AND A PUBLIX GROCERY STORE WITH A DRIVE THROUGH PHARMACY, A LIQUOR STORE, AND INLINE RETAIL ON PARCEL E, LOCATED AT 16841 PERSIMMON BOULEVARD SOUTH, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Land Development Regulations provides procedures for the review and adoption of site plans by the City Council; and

WHEREAS, the developer Publix Super Markets, Inc, submitted an application for a Master Plan Amendment review and approval for the Publix at Westlake Plaza, located at 16841 Persimmon Boulevard West, Westlake, Florida, 33470, containing approximately 20.321 acres, legally described in the attached Exhibit "A", and WHEREAS, the City staff have reviewed the proposed Master Plan, MPA 2023-03, which consists of an 1.88 acre of Rural Parkway Easement; Parcel A, which is 1.11 acres with a 5,750 square feet, retail; Parcel B, which is 1.05 acres, with 4,000 square feet for a fast food restaurant with drive through; Parcel C, is 1.12 acres with a 5,500 square feet bank with drive through; Parcel D, Phase Two, which is 6.45 acres with a 25,000 square feet physical fitness, massage therapy & spa, 6,000 inline retail, office, medical and 3,024 square feet fast food restaurant with drive through; and Parcel E, Phase One, is on 8.72 acres with a one (1) story approximately 48,367 square foot grocery store, with a drive through pharmacy, an approximately 1,400 square foot liquor store and 9,600 square feet inline retail, office, medical, all as provided in the attached Exhibit "B", (Master Site Plan); and

WHEREAS, the applicant received approval for a separate Master Sign Plan for the Westlake Plaza project, therefore, this Master Site Plan does not include approvals for any signage, however, the City staff have reviewed the parking requirements, the drainage requirements, the landscape plans and other site related improvements for the Publix at Westlake Plaza Master Plan Amendment, and finds the application

consistent with the City's Land Development Regulations and the City's Codes; and **WHEREAS**, the Master Plan is consistent with all of the requirements of the City of Westlake's Land Development Regulations and the City's Codes, the city staff recommends approval of the Master Plan with conditions as set forth in Exhibit "C"; and

WHEREAS, pursuant to law, notice has been given by publication in a paper of general circulation in Palm Beach County, notifying the public of this proposed resolution and of the public hearing; and

WHEREAS, the City Council for the City of Westlake finds that the adoption and implementation of this resolution is in the best interest and welfare of the residents of the City of Westlake and the adoption serves to Amend Resolution 2020-33.

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

THAT

: **Section 1: Recitals:** The above recitals-Whereas clauses are true and correct and are incorporated herein by this reference.

Section 2: Approval of Master Plan: The City Council for the City of Westlake hereby approves and adopts this Resolution to provide for the Master Plan Amendment MPA 2023-03, for Publix at Westlake Plaza, consisting of an 1.88 acre of Rural Parkway Easement; Parcel A, which is 1.11 acres with a 5,750 square feet, retail; Parcel B, which is 1.05 acres, with 4,000 square feet for a fast food restaurant with drive through; Parcel C, is 1.12 acres with a 5,500 square feet bank with drive through; Parcel D, Phase Two, which is 6.45 acres with a 25,000 square feet physical fitness, massage therapy & spa, 6,000 inline retail, office, medical and 3,024 square feet fast food restaurant with drive through; and Parcel E, Phase One, is on 8.72 acres with a one (1) story approximately 48,367 square foot grocery store, with a drive through pharmacy, an approximately 1,400 square foot liquor store and 9,600 square feet inline retail, office, medical, located at 16841 Persimmon Boulevard South, Westlake, Florida, 33470, as described in the Master Plan, attached hereto as Exhibit "B", located on approximately 20.3205 acres, in the City of Westlake, and in Palm Beach County, Florida.

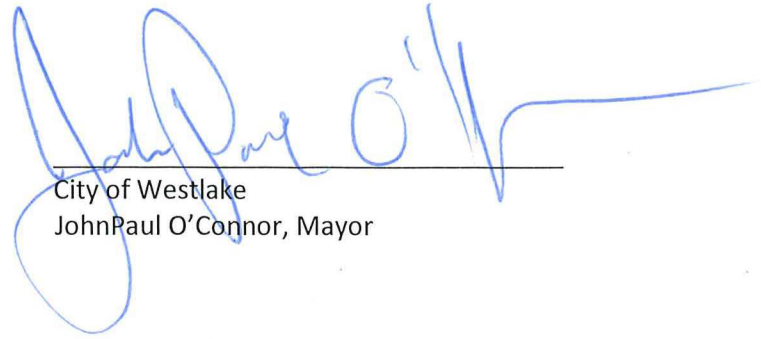
Section 3: Conditions of Approval: The Master Plan approval is subject to the applicant meeting all of the conditions set forth in the development approval, as attached hereto as Exhibit "C", which is incorporated herein and made a part hereof.

Section 4. Implementation: The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of the Resolution.

Section 5: Effective Date: This resolution shall take effect immediately upon its adoption.


PASSED AND APPROVED by the City Council for the City of Westlake, on this 8th day of January, 2024.

PUBLISHED on this 23rd day of December of 2023 in the Sun Sentinel



City of Westlake
JohnPaul O'Connor, Mayor

ATTEST:



Zoie Burgess, City Clerk

Exhibit 'A'
Legal Description
Westlake Plaza (Publix)

A PORTION TRACT M-3, PERSIMMON BOULEVARD WEST - REPLAT, RECORDED IN PLAT BOOK 129, PAGES 129 AND 130, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.00°59'07"W. ALONG THE WEST BOUNDARY OF SAID SECTION 1, A DISTANCE OF 349.11 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF M-CANAL, A 250 FOOT WIDE CITY OF WEST PALM BEACH RIGHT-OF-WAY, DESCRIBED IN DEED BOOK 1156, PAGE 58, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE S.87°46'28"E. ALONG SAID SOUTHERLY BOUNDARY OF M-CANAL, AS FOUND MONUMENTED, A DISTANCE OF 370.84 FEET; THENCE N.88°36'57"E. ALONG SAID SOUTHERLY BOUNDARY OF M-CANAL, AS FOUND MONUMENTED, A DISTANCE OF 1406.04 FEET TO THE WEST RIGHT-OF-WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD, A 100 FOOT WIDE RIGHT-OF-WAY, DESCRIBED IN OFFICIAL RECORDS BOOK 1544, PAGE 378, AND ROAD PLAT BOOK 4, PAGE 34, BOTH OF SAID PUBLIC RECORDS; THENCE S.01°42'52"W. ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 3323.29 FEET; THENCE N.88°17'08"W., A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF RIGHT-OF-WAY PARCEL 101, AS RECORDED IN OFFICIAL RECORDS BOOK 28479, PAGE 822, OF SAID PUBLIC RECORDS, SAID POINT BEING THE POINT OF BEGINNING.

THENCE THE FOLLOWING COURSES BEING ALONG SAID WEST LINE OF RIGHT-OF-WAY PARCEL 101; THENCE S.01°42'52"W., A DISTANCE OF 13.97 FEET; THENCE S.04°59'06"W., A DISTANCE OF 210.34 FEET; THENCE S.01°42'52"W., A DISTANCE OF 50.63 FEET; THENCE S.01°33'22"E., A DISTANCE OF 210.34 FEET; THENCE S.01°42'52"W., A DISTANCE OF 123.26 FEET; THENCE S.14°59'41"W., A DISTANCE OF 52.24 FEET; THENCE S.01°42'52"W., A DISTANCE OF 290.78 FEET; THENCE S.46°42'49"W., A DISTANCE OF 56.57 FEET; THENCE N.88°17'15"W., A DISTANCE OF 33.03 FEET; THENCE N.75°52'48"W., ALONG THE NORTH RIGHT-OF-WAY LINE OF PERSIMMON BOULEVARD, AS SHOWN ON PERSIMMON BOULEVARD WEST - REPLAT, RECORDED IN PLAT BOOK 129, PAGES 129 AND 130, OF SAID PUBLIC RECORDS, AND ITS EASTERLY EXTENSION, A DISTANCE OF 69.82 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE OF PERSIMMON BOULEVARD, FOR THE FOLLOWING SEVEN (7) COURSES:

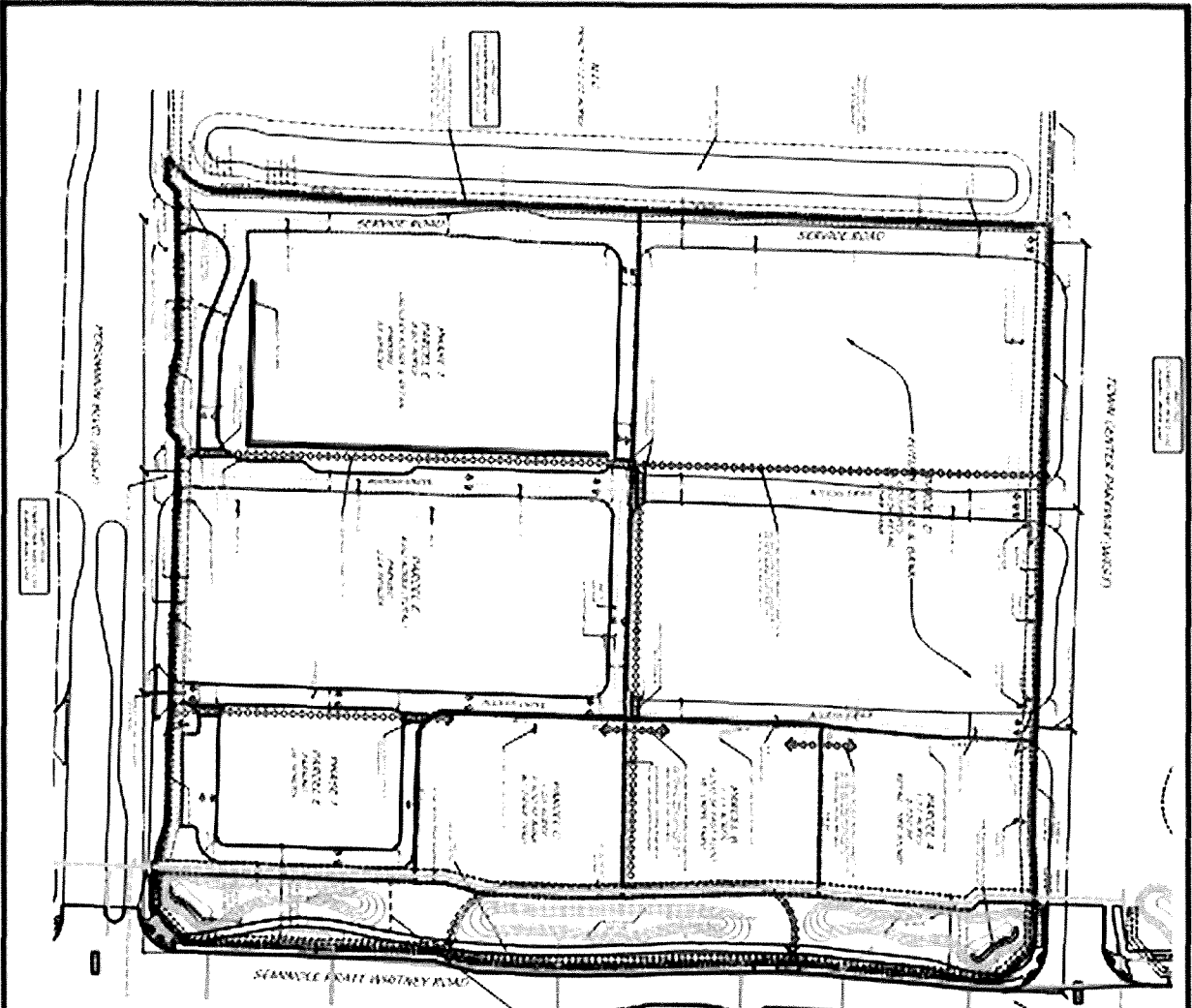
1) N.88°17'15"W., A DISTANCE OF 440.37 FEET;
2) THENCE S.46°42'45"W., A DISTANCE OF 14.54 FEET; 3) THENCE S.89°29'36"W., A DISTANCE OF 48.11 FEET; 4) THENCE N.78°05'58"W., A DISTANCE OF 51.20 FEET; 5) THENCE S.89°29'36"W., A DISTANCE OF 179.16 FEET; 6) THENCE S.44°29'36"W., A DISTANCE OF 16.30 FEET; 7) THENCE N.88°17'15"W., A DISTANCE OF 27.23 FEET.

THENCE N.44°29'36"E., A DISTANCE OF 29.47 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 50.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°29'36", A DISTANCE OF 37.08 FEET TO A POINT OF TANGENCY; THENCE N.02°00'00"E., A DISTANCE OF 50.84 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 1000.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF A SAID CURVE THROUGH A CENTRAL ANGLE OF 02°00'00", A DISTANCE OF 34.91 FEET; THENCE N.04°00'00"E., A DISTANCE OF 90.00 FEET; THENCE N.02°00'00"E., A DISTANCE OF 800.00 FEET; THENCE S.88°17'08"E., A

DISTANCE OF 681.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, WITH A RADIUS OF 500.00 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°00'43", A DISTANCE OF 52.46 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTH, WITH A RADIUS OF 500.00 FEET; THENCE EASTERLY, ALONG THE ARC SAID CURVE THROUGH A CENTRAL ANGLE OF 06°00'43", A DISTANCE OF 52.46 FEET TO A POINT

ON THE WEST LINE OF RIGHT-OF-WAY PARCEL 101, AS RECORDED IN OFFICIAL RECORDS BOOK 28479, PAGE 822, OF SAID PUBLIC RECORDS; THENCE S.88°17'08"E., ALONG SAID WEST LINE OF RIGHT-OF-WAY PARCEL 101, A DISTANCE OF 52.00 FEET; THENCE S.43°17'08"E., ALONG SAID WEST LINE OF RIGHT-OF-WAY PARCEL 101, A DISTANCE OF 56.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.3205 ACRES, 885,162 SQ FT. MORE OR LESS.



LEGAL DESCRIPTION

TRACT 1, PUBLIC LANDS, ST. JOHNS COUNTY, FLORIDA, BEING A CERTAIN PORTION OF SECTION 25, TOWNSHIP 28 NORTH, RANGE 25 WEST, 6TH PRINCIPAL MERIDIAN, FLORIDA, AS SHOWN ON PLAT 12,900, ST. JOHNS COUNTY, FLORIDA, AND BEING ALSO A CERTAIN PORTION OF SECTION 25, TOWNSHIP 28 NORTH, RANGE 25 WEST, 6TH PRINCIPAL MERIDIAN, FLORIDA, AS SHOWN ON PLAT 12,900, ST. JOHNS COUNTY, FLORIDA, THE WHOLE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: [REMAINDER OF LEGAL DESCRIPTION]

LEGEND

- Easement
- Right-of-Way
- Boundary
- Proposed Building Footprint
- Proposed Parking Area
- Proposed Driveway
- Proposed Street Right-of-Way
- Proposed Roadway Right-of-Way
- Proposed Sidewalk
- Proposed Utility Right-of-Way
- Proposed Utility Line
- Proposed Accessway
- Proposed Accessway Right-of-Way
- Proposed Accessway Right-of-Way
- Proposed Accessway Right-of-Way
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- Proposed Accessway Right-of-Way
- Proposed Accessway Right-of-Way
- Proposed Accessway Right-of-Way

SITE DATA

1. PROJECT: PUBLIX at WESTLAKE PLAZA

2. OWNER: [Name]

3. ADDRESS: [Address]

4. CITY: Westlake, Florida

5. COUNTY: St. Johns County, Florida

6. ZONING: [Zoning Code]

PROPERTY DEVELOPMENT REGULATIONS

1. Max Building Height: [Height]

2. Max Lot Coverage: [Percentage]

3. Max Floor Area Ratio (FAR): [Ratio]

4. Setbacks: [Front, Side, Rear]

PROJECT TEAM

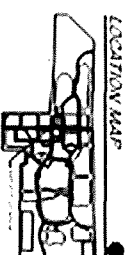
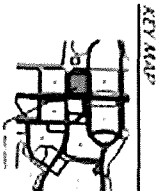
OWNER: [Name]

ARCHITECT: [Name]

ENGINEER: [Name]

PLANNING: [Name]

LANDSCAPE ARCHITECT: [Name]



PUBLIX at WESTLAKE PLAZA

MASTER SITE PLAN
City of Westlake, Florida

COURT & HEERING
ARCHITECTS
2500 WESTLAKE BLVD, SUITE 100
WESTLAKE, FLORIDA 32909
TEL: 888-244-8277

Scale: 1" = 60'-0"

1" = 1' = 30"

Exhibit 'C'
Conditions of Approval
Publix Westlake Plaza Master Site Plan

1. Maintain vacant parcels (A, B, C) to keep a visual appearance. The subject parcels will be stabilized, seeded, mulched, regular mowed and receive temporary watering by way of traditional water trucks.
2. Applicant shall revise the Land Development Permit for Publix (ENG-2021-05) or submit new Land Development permit for Publix Phase II.
3. Applicant shall contribute one percent (1%) of the building's construction costs of Phase Two to the City of Westlake Art Acquisition Fund prior to building permit issuance.
4. Downspouts shall be the same color as building wall color.
5. LSEV parking signs shall state and be installed as Golf Cart parking.