

**RESOLUTION 2021- 16**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE SITE PLAN MODIFICATION FOR AN APPROXIMATELY 49,610 SQUARE FOOT WINN-DIXIE GROCERY STORE AND AN APPROXIMATELY 2,535 SQUARE FOOT LIQUOR STORE LOCATED IN THE GROVE MARKET SHOPPING CENTER AT 5042 SEMINOLE PRATT WHITNEY ROAD 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 5060 Loxahatchee Retail LLC, submitted an application for a Site Plan Modification review and approval for the Winn-Dixie at Grove Market Shopping Center, located at 5042 Seminole Pratt Whitney Road , Westlake, Florida, 33470, legally described in the attached Exhibit "A", and

**WHEREAS**, the City staff have reviewed the proposed Site Plan Modification, SPM 2021-01, which consists of one (1) story approximately 49,610 square foot grocery store, and approximately 2,536 square foot liquor store as detailed in the attached Exhibit "B", (Site Plan); and

**WHEREAS**, the applicant will apply for a separate Master Sign Plan for the Winn-Dixie grocery store, therefore, this Site Plan Modification does not include approvals for any signage, however, the City staff have reviewed aesthetic modifications and other site related improvements for the Winn-Dixie grocery store and finds the application consistent with the City's Interim Land Development Regulations and the City's Codes;

**WHEREAS**, the Site Plan Modification is consistent with all of the requirements of the City of Westlake's Interim Land Development Regulations and the City's Codes, the city staff recommends approval of the Site Plan Modification;

**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.

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

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

**Section 2: Approval of Site Plan Modification:** The City Council for the City of Westlake hereby approves the Site Plan Modification SPM 2021-01, for Winn-Dixie, located at 5042 Seminole Pratt Whitney Road, Westlake, Florida, 33470, as described in the Site Plan Modification located in the City of Westlake, and in Palm Beach County, Florida.

**Section 4. Implementation:** The City Manager and the Interim 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 City Council for the City of Westlake, on this 14th day of June, 2021.

**PUBLISHED** on this 4<sup>th</sup> day of June, 2021 in the Palm Beach Post.

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City of Westlake  
Roger Manning, Mayor

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Zoie Burges, City Clerk

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Approved as to Form and Sufficiency  
Donald Doody, Interim City Attorney

## EXHIBIT A

### LEGAL DESCRIPTION

TRACT A, OF GROVE MARKET PLAT, A M.U.P.D. AS RECORDED IN PLAT BOOK 82, PAGES 67 AND 68 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT (MOBIL)

A PARCEL OF LAND IN "TRACT A" OF GROVE MARKET PLAT AS RECORDED IN PLAT BOOK 82, PAGES 67 AND 68 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID "TRACT A";

THENCE S 01°42'54" W FOR A DISTANCE OF 32.64 FEET TO THE POINT OF BEGINNING;

THENCE RUN S 87°47'40" E FOR A DISTANCE OF 139.77 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST;

THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 20.00 FEET, THRU A CENTRAL ANGLE OF 20°00'00", FOR AN ARC DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY;

THENCE RUN S 02°12'20" W FOR A DISTANCE OF 46.16 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE TO THE NORTHWEST;

THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 19.32 FEET, THRU A CENTRAL ANGLE OF 19°58'29" FOR AN ARC DISTANCE OF 6.73 FEET TO A POINT OF TANGENCY;

THENCE RUN S 22°10'54" WEST FOR A DISTANCE OF 11.61 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST;

THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 4.33 FEET, THRU A CENTRAL ANGLE OF 64°56'08", FOR AN ARC DISTANCE OF 4.91 FEET TO A POINT OF NON-TANGENCY;

THENCE RUN S 01°42'54" W FOR A DISTANCE OF 75.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST;

THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 64.69 FEET; THRU A CENTRAL ANGLE OF 23°17'02", FOR AN ARC DISTANCE OF 26.29 FEET TO A POINT OF NON-TANGENCY;

THENCE RUN S 88°17'44" E FOR A DISTANCE OF 5.17 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST, THE CENTER OF WHICH BEARS NORTH 66°29'52" E FROM SAID POINT;

THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 59.98 FEET, THRU A CENTRAL ANGLE OF 04°50'01", FOR AN ARC DISTANCE OF 5.06 FEET TO A POINT OF NON-TANGENCY;

THENCE RUN S 01°42'54" W FOR A DISTANCE OF 8.56 FEET TO A POINT;

THENCE RUN N 87°47'40" W FOR A DISTANCE OF 123.01 FEET TO A POINT;

THENCE RUN N 01°42'54" E FOR A DISTANCE OF 199.00 FEET TO THE POINT OF BEGINNING. (CONTAINING 30,742 SQUARE FEET)

LESS AND EXCEPT (OUTPARCEL)

A PARCEL OF LAND IN "TRACT A" OF GROVE MARKET PLAT AS RECORDED IN PLAT BOOK 82, PAGES 67 AND 68 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHERLY MOST SOUTHWEST CORNER OF SAID "TRACT A";

THENCE N 43°17'20" W ALONG THE SOUTHWESTERLY LINE OF SAID "TRACT A" A DISTANCE OF 113.13 FEET TO THE WEST LINE OF SAID "TRACT A";

THENCE N 01°42'54" E ALONG SAID WEST LINE A DISTANCE OF 116.75 FEET;

THENCE S 88°17'06" E A DISTANCE OF 27.05 FEET;

THENCE S 43°17'20" E A DISTANCE OF 184.95 FEET;

THENCE N 46°42'40" E A DISTANCE OF 18.48 FEET;

THENCE S 43°17'20" E A DISTANCE OF 50.30 FEET;

THENCE S 01°42'54" W A DISTANCE OF 43.47 FEET TO THE SOUTH LINE OF SAID "TRACT A";

THENCE N 88°17'06" W ALONG SAID SOUTH LINE A DISTANCE OF 126.47 FEET TO THE POINT OF BEGINNING.