

RESOLUTION No. R-~~81~~-926

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS; Petition No. 81-115 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 June 1981; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of JULY, 1981, that Petition No. 81-115 the petition of T-21 ASSOCIATES LIMITED by William R. Boose, III, Attorney, for a SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF TOTAL FLOOR AREA AND A MOTEL on a parcel of land being all of Tract 21, Planned Unit Development, Boca Del Mar No. 6, in Section 28, Township 47 South, Range 42 East, as recorded in

Plat Book 30, pages 142 and 143. Said property located on the northwest corner of the intersection of Boca Del Mar Drive and Powerline Road (70th Avenue South) in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Petitioner shall align the project's east entrance onto Palmetto Park Road with the east entrance of Del Mar Shopping Village.
2. Petitioner shall construct at the intersection of Palmetto Park Road and the project's east entrance:
 - a. left turn lane east approach
3. Petitioner shall construct at the intersection of Palmetto Park Road and the project's west entrance:
 - a. left turn lane east approach
4. Petitioner shall construct at the intersection of Palmetto Park Road and Boca Del Mar Drive:
 - a. left turn lane north approach
 - b. right turn lane south approach
 - c. left turn lane east approach
5. Petitioner shall align the project's west entrance onto Boca Del Mar Drive with Montoya Circle South.
6. Petitioner shall construct at the intersection of Montoya Circle South and Boca Del Mar Drive:
 - a. left turn lane west approach
7. Petitioner shall construct at the project's east entrance and Boca Del Mar Drive:
 - a. left turn lane west approach
8. Petitioner shall align the project's north entrance onto Boca Del Mar Drive. with Montoya Circle South.
9. Petitioner shall construct at the project's north entrance and Boca Del Mar Drive:
 - a. left turn lane north approach
10. Petitioner shall construct at the intersection of Boca Del Mar Drive and Powerline Road:
 - a. left turn lane north approach
 - b. left turn lane south approach
 - c. right turn lane east approach
 - d. left turn lane west approach
 - e. right turn lane west approach
11. Petitioner shall construct at the intersection of Powerline Road and the project's entrance road:
 - a. right turn lane north approach
 - b. left turn lane south approach

12. Petitioner shall construct at the intersection of Palmetto Park Road and Powerline Road:
 - a. right turn lane north approach
 - b. dual left turn lanes north approach
 - c. dual left turn lanes south approach
 - d. dual left turn lanes east approach
 - e. dual left turn lanes west approach
 - f. modification of the existing signal when warranted as determined by the County Engineer
13. Prior to the issuance of a certificate of occupancy for either Phase B (the shopping center) or Phase C (office complex) provide an additional two lane bridge over the Lake Worth Drainage District L-47 Canal on Powerline Road. Construction of this bridge shall commence 30 days after written notification by the County should the 4-laning of Powerline Road require it.
14. Petitioner shall not be issued building permits for Phases A (the financial plaza), Phase D (an office complex), or Phase E (the hotel/motel) until Powerline Road is four laned from the Hillsboro Canal north to the Lake Worth Drainage District L-47 Canal.,
15. Petitioner shall contribute Two Hundred Thousand Dollars (\$200,000) to be paid at the time of the issuance of building permits on a square footage basis for Phases A, D and E as indicated on Exhibit No. 3 for this petition. This fee to be used in the implementation for Phase.11 of the areawide major thoroughfare road improvement program adopted by the County, OR for the four-laning of the Hillsboro Canal bridge on Powerline Road, at the County Engineer's discretion.
16. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.
17. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
18. Petitioner shall provide for a pedestrian/bikeway system integrated with the surrounding development.
19. Within thirty (30) days of this approval, the applicant shall enter into an agreement with Palm Beach County for the design and construction of roadway improvements as specified by the Board of County Commissioners. This resolution will become invalid unless said agreement is executed. as specified above.

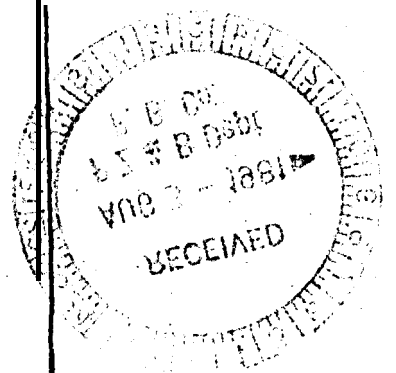
Commissioner Koehler , moved for approval of the petition.

The motion was seconded by Commissioner Evatt, , and upon being put to a vote, the vote was as follows:

ZONING PETITIONS - VOTING SUMMARY

OF, 25th June, 1981 MEETING

Petition No.	Petitioner and Request	Vote
81-115	<p><u>APPROVAL</u></p> <p>ASSOCIATES LIMITED FOR SE to allow a Planned Commercial Development, Including a Large-scale Shopping Center in Excess of 50,000 Square Feet Total Floor Area and a Motel.</p>	5-0



Frank Foster, Chairman	AYE
Norman Gregory, Vice Chairman -	AYE
Bill Bailey, Member	AYE
Dennis Koehler, Member	AYE
Peggy B. Evatt, Member	AYE

The foregoing resolution was declared duly passed and adopted
this 28th day of JULY, 1981 , confirming action of
25 June 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Reith Van Otter*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

