

RESOLUTION NO. R-83-739

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY OF BOYNTON BEACH TO REZONE RECENTLY ANNEXED PROPERTY PURSUANT TO SECTION 171.062, FLORIDA STATUTES.

WHEREAS, pursuant to its Ordinance No. 83-2, the City of Boynton Beach annexed property lying in the unincorporated area of Palm Beach County as described in Exhibit "A" attached hereto and made a part hereof upon the Petition of Southern Senior Group; and

WHEREAS, pursuant to its Ordinances 83-6 and 83-7, the City of Boynton Beach amended the Land Use Element of its Comprehensive Plan and rezoned the property as a Planned Unit Development; and

WHEREAS, the property is currently zoned RS (Residential-Single Family) and is subject to the Palm Beach County Comprehensive Land Use Plan; and

WHEREAS, Ordinance 83-7 rezoned the property to Planned Unit Development with a land use intensity equal to 5.00 which the owner was to develop as a large-scale Convalescent Center and Adult Congregate Living Facility known as Stanford Park PUD; and

WHEREAS, the Comprehensive Land Use Plan classification is low to medium with a density range not to exceed 5 units per acre in a PUD; and

WHEREAS, after consideration of the request, this Board finds that the uses and densities in the City's Plan for the property will have a significant impact (as defined in the Comprehensive Plan or other adopted ordinances) on County systems; and

WHEREAS, the City's Ordinance No. 83-7 approved the rezoning in accordance with staff comments, which comments were based on the Traffic Study submitted by K. S. Rogers, P.E., on December 6 and amended on December 22, 1982; and

WHEREAS, said traffic study recommends certain road improvements, which are specifically set out on Pages 7 and 8 of the December 6, 1982 report and Page 2 of the December 22, 1982 revision; and

WHEREAS, based on the representation of the owner's agent that these recommended improvements will be made, this Board finds the proposed rezoning compatible with the Comprehensive Land Use Plan; and

WHEREAS, Florida Statutes 171.062, requires that when a City desires to rezone property which was previously subject to County land

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use control, that the City must request and receive permission for such change from the Board of County Commissioners of their respective Counties;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the rezoning of the City of Boynton Beach, pursuant to its Ordinance No. 83-7, is hereby approved subject to the following conditions being fulfilled by the owner/developer and concurrent with the development of the project known as Stanford Park PUD;

1. A left turn lane, East approach, should be constructed on Hypoluxo Road at the project's Easterly entrance.
2. A left turn lane, East approach and West approach, should be constructed on Hypoluxo Road at the intersection with High Ridge Road.
3. The intersection of Hypoluxo Road and High Ridge Road should be signalized when warranted by the City Engineer.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the City of Boynton Beach as a request of this Board to impose the above conditions upon the owner/developer at the time of development.

The foregoing Resolution was offered by Commissioner _____ who moved for its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

PEGGY B. EVATT
KENNETH G. SPILLIAS
DENNIS P. KOEHLER
DOROTHY H. WILKEN
BILL BAILEY

The Chairman thereupon declared the Resolution duly passed and adopted this _____ day of July, 1983.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

JOHN B. DUNKLE, Clerk

By: _____

County Attorney

By: _____

Deputy Clerk

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