

RESOLUTION NO. R-83-1098

RESOLUTION APPROVING ZONING PETITION 83-56(A), Special Exception

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. 83-56(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28th July 1983, 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 proposed Phase 1 would be consistent with the Land Use Plan designation and Zoning Code requirements.
2. In order to meet the Mandatory Traffic Performance Standard, significant improvement of impacted thoroughfares is required.
3. The proposed design is compatible with adjoining properties and with the intent of applicable zoning code requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day July 1983, that Petition No. 83-56(A) the petition of PALMETTO 441 DEVELOPMENT CORPORATION By Richard Siemens, Agent, for a SPECIAL EXCEPTION TO ALLOW A MEDICAL CENTER INCLUDING A HOSPITAL, OFFICE, LABORATORY AND CLINIC FACILITIES, AND CUSTOMARY RETAIL USE, RESTAURANT AND LOUNGE, AND FINANCIAL USES, INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on a parcel of land lying in Block 78, Palm Beach Farms Company Plat No. 3, in Section 19, Township 47 South, Range 42 East, as recorded in Plat Book 2, Pages 45 thru 54; more particularly described as follows: BOOK 308 096

From a point of reference being the Northwest corner of Tract 42, Block 78 of said Palm Beach Farms Company Plat No. 3; thence South $00^{\circ}53'32''$ East a distance of 1131.14 feet to the Point of Beginning; thence North $89^{\circ}37'02''$ East a distance of 415.00 feet to a point of Curvature; thence 195.86 feet along the arc of a curve to the left having a radius of 393.81 feet, and a central angle of $28^{\circ}29'44''$, thence North $61^{\circ}07'18''$ East a distance of 198.25 feet to a point of curvature, thence 195.86 feet along the arc of a curve to the right having a radius of 393.81 feet, and a central angle of $28^{\circ}29'44''$ to a point of tangency; thence North $89^{\circ}37'02''$ East a distance of 223.09 feet to a point of curvature; thence 549.78 feet along the arc of a curve to the right having a radius of 350.00 feet, and a central angle of $90^{\circ}00'00''$ to a point of tangency; thence South $00^{\circ}22'58''$ East a distance of 355.92 feet to a point of curvature; thence 284.42 feet along the arc of a curve to the right having a radius of 362.13 feet and a central angle of $45^{\circ}00'00''$ to a point of tangency; thence South $44^{\circ}37'02''$ West a distance of 178.00 feet to a point of curvature, thence 284.42 feet along the arc of a curve to the right having a radius of 362.13 feet and a central angle of $45^{\circ}00'00''$ to a point of tangency; thence South $89^{\circ}37'02''$ West a distance of 1041.16 feet; thence North $00^{\circ}53'32''$ West a distance of 1003.96 feet to the Point of Beginning. Said property located on the east side of U.S. 441 (S.R. 7), approximately 2 miles north of the Broward County Line in an AR-Agricultural Residential District was approved as advertised subject to the following conditions

1. This development must retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.
2. Petitioner shall provide the construction plans for S.R. 7 as a four-lane median divided section, compatible with the Department of Transportation typical section from north of Glades Road through Palmetto Park Road to include the appropriate tapers, per the County Engineer's approval. These plans shall be completed within 6 months of Special Exception approval or prior to the issuance of a Certificate of Occupancy, whichever first occurs.
3. The Developer shall acquire 200 feet of right-of-way for S.R. 7, West of the West right-of-way line for Lake Worth Drainage District E-1 Canal, from North of Glades Road through Palmetto Park Road, including the additional tapers which will be required for the road construction of S.R. 7 as outlined in Condition No. 2 above. This right-of-way shall be acquired within 12 months of Special Exception approval, or prior to the issuance of a Certificate of Occupancy, whichever first occurs

4. Developer shall construct S.R. 7 as a 4-lane median divided section from north of Glades Road through Palmetto Park Road to include the appropriate papers, per the County Engineer's approval. This road construction shall be complete within two (2) years of Special Exception approval or prior to the acceptance by Palm Beach County, of the improvements within the residential P.U.D., pod, whichever first occurs. The construction shall include an asphalt overlay of the two existing lanes on S.R. 7, if required by the County Engineer.
5. Developer shall construct at the project's north and south entrance onto S.R. 7, concurrent with the 4-laning of S.R. 7,
 - a) left turn lane, north approach
 - b) right turn lane, south approach
6. Developer shall install signalization at the intersection of S.R. 7 at both the north and south entrance when warranted as determined by the County Engineer, but shall be no later than five (5) years after the issuance of the final Certificate of Occupancy.
7. The developer shall take reasonable precautions during the development of this property of this to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
8. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
9. This property owner shall convey to the Lake Worth Drainage District within six months of this approval, the West 45 feet of that portion of Tracts 43, 70 and 71, Block 78, according to the Plat of the Palm Beach Farms Co., Plat No. 3, as recorded in Plat Book 2, Pages 45 to 54 inclusive for the right-of-way for Equalizing Canal No. 1 and we will require the South 25 feet of that portion of Tracts 43, 44, and 45 of said Block 78 and the North 25 feet of that portion of Tracts 68, 69 and 70 of said Block 78 for the right-of-way for Lateral Canal No. 47 by either a Quit Claim Deed or an Easement (on our form), whichever the owner prefers.
10. The proposed site plan shall be amended to clarify the tabular information as required by the Zoning Code and specifically to separate all Phase 1 and 2 references.
11. This approval is limited to Phase 1 which consists of only the following:

Hospital - 350 beds in a maximum 220,000 sq. ft. of total floor area.

Ancillary Office/Commercial Uses - a maximum of 110,500 sq. ft. of total floor area which may include no more than 103,539 sq. ft. of Medical Offices nor more than 16,575 sq. ft. of retail, restaurant/lounge and financial uses.

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Commissioner Wilken, moved for approval

of the petition. The motion was seconded by Commissioner Koehler

and upon being put to a vote, the vote was

as follows:

Peggy E. Evatt, Chairman	---	AYE
Ken Spillias, Vice Chairman	---	AYE
Dennis P. Koehler, Member	---	AYE
Dorothy Wilken, Member	---	AYE
Bill Bailey, Member	---	AYE

The foregoing resolution was declared duly passed and adopted this day of SEP 13 1983, confirming action of 28th July 1983.

FILED THIS 13 DAY OF SEP 1983 AT PALM BEACH COUNTY, FLORIDA
 AND RECORDED IN RESOLUTION BY ITS BOARD OF COUNTY COMMISSIONERS
 MINUTE BOOK NO. AT JOHN B. DUNKLE, CLERK
 PAGE RECORD VERIFIED
 BY JOHN B DUNKLE, CLERK d.c. BY: Trudy Mat... Deputy Clerk



APPROVE AS TO FORM AND LEGAL SUFFICIENCY

John Carter
County Attorney

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