

RESOLUTION NO. R-84- 1173

RESOLUTION APPROVING ZONING PETITION NO. 84-54, 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, as amended, have been satisfied; and

WHEREAS, Petition 84-54 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th of April, 1984; 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 Special Exception would be consistent with the intent of the Comprehensive Plan, provided that roadway improvements necessary to offset the project's impact are constructed concurrent with the development.
2. With minor site plan revisions, the proposed use shall be accommodated to this site in conformity with all property development regulations.
3. The proposed development would have an overall beneficial impact upon this part of the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of April, 1984, that the petition of HOSPITAL CORPORATION OF AMERICA, A TENNESSEE CORPORATION, by David Pressly, Agent, for a SPECIAL EXCEPTION TO ALLOW A MEDICAL CENTER on the West 100.00 feet of Lot 2 and all of Lot 3, Block R of the replat of Loxahatchee District Subdivision, Loxahatchee Groves, in Section 33, Township 43 South, Range 41 East, as recorded in Plat Book 12, Page 29; Less that portion of State Road No. 80 (U.S. 98) and State Road No. 7 (U.S. 441) lying within said

Lots 2 and 3 as per right-of-way map Section 93120-2521, Sheet 10 of 15, State of Florida Department of Transportation, November, 1983. Said property located on the north side of Southern Boulevard (S.R. 80) approximately .3 miles east of "F" Road in an AR-Agricultural Residential District was approved subject to the following conditions:

1. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
2. Reasonable precautions shall be exercised during site development to insure that unconfined **particulates** (dust particles) from this property do not become a nuisance to neighboring properties.
3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
4. The development shall retain **onsite** 85% of the stormwater runoff generated by a three (3) year storm, per requirements of the Permit Section, Land Development Division.
5. The property owner shall convey for the ultimate right-of-way of Southern Boulevard, 220 feet north of the north right-of-way line of the C-51 Canal, approximately an additional 160 feet within 90 days of this approval. Conveyance must be accepted by Palm Beach County prior to the issuance of the first building permit.
6. The developer shall construct, concurrent with **onsite** paving and drainage improvements, pursuant to a paving and drainage permit issued from the office of the County Engineer, at the intersection of S.R. 80 and the Hospital entrance road:
  - a.) Two (2) outbound lanes and two (2) inbound lanes, north approach, at a minimum.
  - b.) Left turn lane, west approach, with a minimum taper length of **600'**, plus 200' length of left turn lane.
  - c.) Right turn lane, west approach, with a minimum taper length of **200'**, plus a minimum 200' length of right turn lane.
  - d.) Signalization as determined by the County Engineer.
7. Concurrent with the development of this project, the developer shall design and construct an additional lane on the bridge crossing the C-51 Canal at the intersection of Forest Hill Boulevard and S.R. 80, and, in addition, construct a 200 foot (200') long left turn lane on the south approach. These bridge plans shall include sidewalks and drainage, and must be approved by the County Engineer prior to the letting of the contract for the bridge construction. Design of the bridge construction shall include the proper turning radius for right turn movements.

In the event! the cost of constructjjon of the improvements described above and in Condition #10 are less that **\$250,000.00**, Hospital Corporation of America will pay the difference in cash to Palm Beach County toward the cost of meeting this project's direct and identifiable traffic impact upon S.R. 80. If the cost of construction exceeds **\$250,000.00**, Hospital Corporation of America shall be obligated to complete the above-mentioned improvements, notwithstanding the amount of construction costs. costs of construction shall include actual costs of construction as well as necessary engineering services for preparation of plans and specifications for the said improvements.

The improvements set forth above are to be in place at the time of the completion of the subject Hospital, however, in no event later than 2 years after the date of this approval. Any cash payment as set forth above shall be made to the County prior to the issuance of the Certificate of Occupancy for the subject Hospital.

8. Prior to site plan certification, the site plan shall be amended to reflect required loading zones, handicapped parking, ultimate rights-of-way, required landscape areas, and required entrance road **laneage**.
9. The Hospital structure shall be limited to no more than four (4) stories. The office buildings, as presented on the site plan, shall be limited to one story.
10. The Petitioner shall construct S.R. 80 as a four-lane facility from Forest Hill Boulevard west to the Hospital's west property line, including the appropriate tapers, per the County Engineer's approval. This construction shall be completed prior to the issuance of a Certificate of Occupancy.
11. This approval is specifically limited to Phase I, which includes all uses shown, including a 117 bed Hospital facility. Expansion of the Hospital beyond the 117 beds shall require reconsideration by the Board of County Commissioners.

Commissioner Bailey 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:

Ken Spillias, Chairman	-- AYE
Dorothy H. Wilken, Vice-Chairman	-- AYE'
Peggy B. Evatt, Member	-- AYE
Dennis P. Koehler, Member	-- ABSENT
Bill Bailey, Member	-- AYE

The foregoing Resolution was declared duly passed and adopted this *21st* day of *August*, 1984, confirming action of 27th of April, 1984.

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

JOHN B. DUNKLE, CLERK

BY: *Judy N. [Signature]*  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

*[Signature]*  
County Attorney

