



feet of the Northwest 1/4 of the Southwest 1/4 of Section 5, Township 44 South, Range 43 East, with the North right-of-way line of Summit Boulevard as shown on Road Plat Book 3, Page 165, thence North 88 degrees 08' 06" West along the said Northerly right-of-way line of Summit Boulevard, a distance of 377.65 feet, more or less, to a line parallel with and 183.00 feet Easterly from the West line of said Section 5; thence North 2 degrees 55' 04" East along said parallel line, a distance of 150.00 feet; thence North 88 degrees 08' 06" West parallel with the Northerly line of said Summit Boulevard, a distance of 150.00 feet to a line parallel with and 33.00 feet Easterly from the West line of said Section 5, also being the Eastern right-of-way line of Congress Avenue, the same as shown on Road Plat Book 3, Page 32 through 39; thence North 2 degrees 55' 04"; East along the Easterly right-of-way line of Congress Avenue, a distance of 201.12 feet, more or less to the North line of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of said section 5; thence South 88 degrees 07' 56" East along said North line of the south 1/2 of the Northwest 1/4 of the Southwest 1/4, a distance of 529.78 feet, more or less, to the said West line of the East 771.74 feet of the Northwest 1/4 of the Southwest 1/4 of Section 5; thence South 3 degrees 15' 14" West along the said West line of the East 771.74 feet, a distance of 351.14 feet, more or less, to the POINT OF BEGINNING.

Together with Lots 1 through 10, Block 1, PALM ACRES ESTATES, as recorded in Plat Book 20, Page 5 of the Public Records. located on the Southeast corner of the intersection of Congress Avenue (S.R.807) and Oklahoma Street bounded on the South by Summit Boulevard, in a CG-General Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. Developer shall comply with all conditions of previous approval unless expressly modified herein.
2. The petitioner shall redesign the site so that all lease buildings which provide drive up units shall meet minimum property development regulations, which includes providing uninterrupted flow of traffic within the parking lot.
3. Prior to certification, the site plan shall be amended to indicate the following:
  - a. Required by pass lane dimension.
  - b. Corrected minimum tree planting requirement.
  - c. Required terminal islands.
4. Simultaneously with site plan application, the petitioner shall submit a landscape calculation

breakdown indicating compliance with minimum landscape code requirements.

5. The developer shall incorporate the native vegetation on site into the project design.
6. Outdoor lighting used to illuminate the premises shall be low intensity and directed away from adjacent properties and streets, shining only on the subject site.
7. The rear facade of the shopping center shall be given architectural treatment consistent with the front of the center to avoid an incompatible industrial appearance impact upon future/nearby residential development.
8. All mechanical and air conditioning equipment shall be roof mounted and screened with parapets or be contained within the enclosed loading and service area.
9. The developer shall relocate the dumpster from the rear of the building, away from residentially zoned property. The dumpsters shall be enclosed by a solid architectural or landscape buffer.
10. No stock loading or dumpster pickup will be permitted between the hours of 8:00 P.M. and 8:00 A.M.
11. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the shopping center.
12. No parking of any vehicles shall be permitted along the rear of the shopping center except in designated spaces or unloading areas.
13. The developer shall install a solid six (6) foot wall or fence within the alternative number three (3) landscape buffer. This six (6) foot structure shall receive a finishing treatment on both sides and shall be continually maintained in good condition.
14. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the

event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.

15. If required by the County Engineer or the South Florida Water Management District the developer shall design the drainage system such that storm water runoff from the parking areas and paved surfaced shall be separate from those areas which may contain hazardous or undesirable waster from the proposed site.
16. The property owner shall convey for the ultimate right-of-way of in accordance with Palm Beach County's expanded intersection typical:
  - a) Congress Avenue, 64 feet from centerline
  - b) Summit Boulevard, 60.5 feet from centerline within 90 days of the approval of the Resolution approving this project or prior to issuance of the first Building Permit, whichever shall first occur.
17. The property owner shall construct:
  - a) left turn lane north approach and relocate the existing median opening along the project north property line to this project entrance. If permission from the Florida Department of Transportation is not received this developer shall permanently close this median opening.
  - b) left turn lane west approach and a right turn lane east approach on Summit Boulevard at the project entrance road concurrent with onsite paving and drainage improvements.
18. Developer shall pay Fair Share Fee in the amount and manner required by Fair Share Contribution for Road Improvements Ordinance as it presently exists or as it may from time to time be amended. Presently the Fair Share Fee for this project is \$69,306 (2,587 trips X \$26.79 per trip).
19. Generation and disposal of hazardous effluents into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents.

20. Since sewer service is available to the property, septic tank shall not be approved for use on said property.
21. Because water service is available to the property, a well shall not be approved for potable water use.
22. No off-premise signs shall be permitted on this site.
23. Prior to site plan certification, petitioner shall record a Unity of Title Agreement covering the entire site.

Commissioner Marcus, moved for approval of the petition. The motion was seconded by Commissioner Elmquist, and upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 25th day of October, 1988 confirming action of November 30, 1987.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY: \_\_\_\_\_

COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: \_\_\_\_\_

DEPUTY CLERK

