

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 84-99F.2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-95-1467
WHICH APPROVED THE SPECIAL EXCEPTION OF
MISSION BAY PLAZA ASSOCIATES
PETITION NO. 84-99(F)

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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied: and

WHEREAS, pursuant to Section 5.8, Status Report SR 84-99F.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on May 24, 2001; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 84-99F.2 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

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

1. State Road 7 south of Glades Road is overcapacity and fails the intersection portion (Glades/S.R.7 in P.M peak hour) of Alternate Test #1 of the Traffic Performance Standards with additional project traffic.
2. The project therefore does not meet the Countywide Traffic Performance Standards.
3. With the amendment of conditions of approval, the project will meet the Countywide Traffic Performance Standards.
4. The property owner has not commenced development since the development order was approved five years ago (10-26-95).
5. Approval of a development order amendment is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. SR 84-99F.2, to amend Conditions of Approval of Resolution No. R-95-1467, the Development Order of Mission Bay Plaza Associates, Petition No. 84-99(F), which approved a Development Order Amendment to amend condition number 9 (square footage limitation) on property legally described in Exhibit "A", being located on the NW comer of Glades Road and S.R.

#7 in the General Commercial Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of the next building permit, a new site plan shall be certified which converts the use of the existing theater building to general retail. (BLDG PERMIT: MONITORING-Zoning)

Commissioner Marcus moved for approval of the Resolution.

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

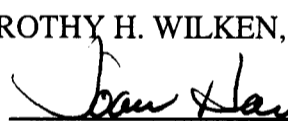
WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Absent
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 24 day of May, 2001.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK

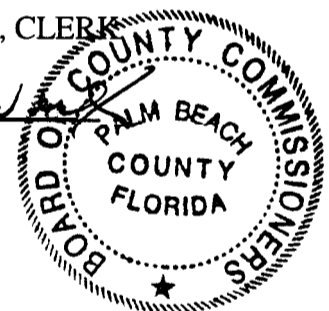


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION OF MISSION BAY PLAZA:

MISSION BAY PLAZA, being a portion of tracts 7, 8, 9, 49, 50, 51 and 52 of Florida Fruit Lands Company's Subdivision No. 2 as recorded in Plat Book 1, Page 102 of the public records of Palm Beach County, Florida, and located in Section 13, Township 47 South, Range 41 East, being more particularly described as follows:"

Commencing at the Southeast Corner of said Section 13; Thence North 00° 54' 39" West, along the East line of said Section 13, a distance of 1644.81 feet; Thence South 89° 08' 17" West, a distance of 86.69 feet to the existing West Right-of-Way line of State Road 7 and the POINT-OF-BEGINNING; Thence continue South 89° 08' 17" West, a distance of 259.50 feet; Thence North 00° 51' 43" West, a distance of 560.64 feet; Thence South 89° 08' 17" West, a distance of 100.00 feet; Thence South 37° 08' 17" West, a distance of 100.00 feet; Thence South 00° 51' 43" East, a distance of 180.00 feet; Thence South 89° 08' 17" West, a distance of 140.00 feet; Thence South 37° 08' 17" West, a distance of 180.00 feet; Thence South 89° 08' 17" West, a distance of 375.00 feet; Thence North 12° 51' 43" West, a distance of 1100.00 feet; Thence North 39° 14' 42" East, a distance of 489.88 feet; Thence North 89° 08' 17" East, a distance of 960.00 feet to the said Right-of-Way line of State Road 7; Thence South 00° 51' 43" East, along said Right-of-Way a distance of 1610.64 feet to the Point-of-Beginning less and except Rights-of-Way Record.

Said lands situate, lying and being in Palm Beach County, Florida
Containing 36.4501 acres more or less.

84-99 F