

RESOLUTION R-2011- 0003

RESOLUTION CORRECTING RESOLUTION R-2010-1766
(CONTROL NO. 1995-00063)
RESOLUTION APPROVING ZONING APPLICATION OF Costco Wholesale Corp
Boca Congress Center/ Costco Gas
APPLICATION DOA/R-2010-00144

WHEREAS, Costco Wholesale Corp, petitioned the Palm Beach County Board of County Commissioners on October 28, 2010 for a Development Order Amendment to modify/delete Conditions of Approval (Building and Site Design, MUPD, Signs, and Use Limitations), to reconfigure the site plan and add square footage; and

WHEREAS, Resolution R-2010-1766, adopted on October 28, 2010 confirming the action of the Board of County Commissioners inadvertently contained errors in Exhibit C; and

WHEREAS, Zoning Condition-PLANNED DEVELOPMENT 2 and USE LIMITATIONS 2, 23 and 3 4 of Exhibit C of Resolution R-2010-1776 should have read as follows:

PLANNED DEVELOPMENT

2. Previous MUPD Condition I.2 of Resolution R-2001-1359, Control 95-063

Total gross floor area shall be limited to a maximum of 156,523 square foot retail center and 5,860 square foot bank, with two (2) drive-thru lanes and one (1) ATM lane, as delineated on the Boca Congress Center Master Plan and Site Plan, as last revised by Kilday and Associates on May 29, 2001. The Site Plan shall expire pursuant to the provisions of Article 5, Section 5.8 of the ULDC. (DRC: ZONING)

Is hereby amended to read:

Total gross floor area shall be limited to a maximum of 156,523 square foot wholesale retail center; 112 square foot auto service station with ~~16~~ 12 fueling stations; and 5,860 square foot bank, with two (2) drive-thru lanes and one (1) ATM lane. (DRO: ZONING-Zoning)

USE LIMITATIONS

2. Previous condition Use Limitations K.2 of Resolution R-2001-0980, Control 95-063

No other uses shall be allowed on site except a wholesale discount club with general repair (tire center) and a separate financial institution. (ONGOING: CODE ENF-Zoning)

Is hereby amended to read:

No other uses shall be allowed on site except a wholesale discount club with general repair (tire center) and an 112 square foot auto service station with ~~16~~ 12 fueling stations and a separate financial institution. (ONGOING: CODE ENF-Zoning)

~~2~~ 3. Hours of operation for the auto service station shall be limited from 6:00 a.m. to 9:30 p.m. Monday through Friday, 6:00 a.m. to 8:00 p.m. on Saturday and 6:00 a.m. to 7:00 p.m. on Sunday. (ONGOING: CODE ENF - ZONING)

~~3~~ 4. Previous condition Use Limitations K.3 of Resolution R-2001-1359, Control 95-063

Prior to final site plan approval, the Petitioner shall record a deed restriction on the subject property, as approved by the Zoning Division and The County Attorney's office. The deed restriction shall be enforceable by the Boca Golf and Tennis Property Owners Association and shall not be amended without their written consent. The deed restriction

shall limit the uses and vertical structure to the plan approved by the Board of County Commissioners, as amended by the final approved site plan. The deed restriction shall provide that no gas station shall be permitted on the property, nor shall there be cross access of any existing or future adjacent gas stations. (DRC: Zoning/Co Att)

Is hereby deleted. [Reason: No longer applicable]

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. Zoning Condition-PLANNED DEVELOPMENT 2 and USE LIMITATIONS 2, 23 and 3 4 of Exhibit C of Resolution R-2010-1776 are hereby corrected.

Commissioner Aaronson moved for the approval of the Resolution.

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

Commissioner Karen T. Marcus, Chair	-	Aye
Commissioner Shelley Vana, Vice Chair	-	Aye
Commissioner Paulette Burdick	-	Absent
Commissioner Steven L. Abrams	-	Aye
Commissioner Burt Aaronson	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chairperson thereupon declared the resolution was duly passed and adopted on January 6, 2011.

Filed with the Clerk of the Board of County Commissioners on January 11th, 2011


This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK 