

RESOLUTION NO. R-78-1140

RESOLUTION APPROVING ZONING PETITION

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. 78-197 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 August 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 24th day of August, 1978, that petition No. 78-197 the petition of FLORIDA REALTY BUILDING COMPANY by ~~William~~ R. Boose, 111, Attorney, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO IL-LIGHT INDUSTRIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED INDUSTRIAL DEVELOPMENT on a parcel of land more particularly described as follows: All that part of the East 1/2 of the Southeast 1/4 of Section 15, Township 42 South, Range 42 East, less the North 1456.9 feet thereof, lying Westerly and Northerly of the West line of Florida's Turnpike as described in Deed Book 1120, pages 342 and 343; containing 27.0 acres, more or less. Said property located at the northwest corner of the intersection of Lake Park West Road (S.R. 809A) and Florida's Turnpike, was approved as advertised subject to the following conditions:

1. The PGA Application for Development Approval (ADA), plus the additional information submitted by the developer, identified below, shall be made an express condition of this approval:

- a. Additional information provided on June 6, 1978 to Treasure Coast Regional Planning Council, including responses to questions 4, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, and 31, as requested by Treasure Coast Regional Planning Council on June 6, 1978;
 - b. Additional information provided on June 9, 1978, to the South Florida Water Management District, including responses to environmental impact, water supply, and water quality; and, a computer printout of monthly routings from 1947-1977 for surface water storage on the PGA Resort Community, as requested by South Florida Water Management District on June 7, 1978;
 - c. Additional information provided on June 12, 1978, to Treasure Coast Regional Planning Council, including responses to questions 13, 14, 15, 20, 22, and 24, as requested by Treasure Coast Regional Planning Council on June 6, 1978;
 - d. "Supplemental Data, PGA Transportation Analysis", dated June 8, 1978;
 - e. Exhibit from Kimley-Horn entitled "Comparison of Year 2000 APB Volumes and Estimated PGA Project Total Volumes at Build Out", received by Treasure Coast Regional Planning Council on June 13, 1978;
 - f. "Application Information Surface Water Management Permit PGA Resort Community Palm Beach County", dated June 7, 1978, revised July 25, 1978 and provided to Treasure Coast Regional Planning Council on July 26, 1978.
2. In the event the developer fails to commence significant physical development within three (3) years from the date of rendition of the Development Order, development approval shall terminate and the development shall be subject to further consideration. Significant physical development shall mean site preparation work for a golf course, internal drainage, and the final retention marsh. In addition, the developer shall annually provide the City of Palm Beach Gardens, Palm Beach County, and Treasure Coast Regional Planning Council with a summary of completed construction.
 3. A bicycle and pedestrian circulation system shall be provided within the project, designed so as to provide convenient access to all recreational and commercial areas. The proposed pedestrian and bicycle pathways shall connect the residential areas of the project with commercial, employment and recreational centers to reduce the need for internal automobile trips. An acceptable plan shall be submitted to the Site Plan Review Committee simultaneously with the overall Master Plan submission.
 4. In the event that an archaeological site or sites are found by the planned archaeological survey, proper protection to the satisfaction of the State of Florida Division of Archives, History and Records Management, shall be provided by the developer. In the event of discovery of archaeological artifacts during project construction, the developer shall stop construction in that area and notify the Division of Archives, History and Records Management. Proper protection, to the satisfaction of the Division of Archives, History and Records Management, shall be provided by the developer.

5. The developer shall provide the **Palm** Beach County Transportation Authority, on a yearly basis, the number of project employees by city of residence. This **will** enable the Authority to provide better public transportation opportunities to low-income employees.
6. With the filing of the initial **plat** of Phase I:
 - a. Developer shall construct PGA Boulevard as a four-lane roadway with median **from** existing four-lane terminus at the Turnpike entrance to the project's main entrance.
 - b. Developer shall construct at the intersection of PGA Boulevard and the project's main entrance:
 - 1) Dual left turn lane, east approach.
 - 2) Right turn lane, west approach,
 - 3) Left turn lane and right turn lane, south **approach**.
 - 4) Install signal when warranted, as determined by the **County** Engineer.
7. The following improvements **shall** be made when the project roadway is connected to the major public roadway:
 - a, PGA Boulevard and entrance to office park opposite Turnpike entrance:
 - 1) Left turn lane, east approach.
 - 2) Right turn lane, west approach.
 - 3) Left turn lane **and** right turn lane, south approach.
 - 4) Modify existing signalization,
 - h. Developer shall construct at the intersection of PGA Boulevard and the second entrance:
 - 1) Left turn lane, east approach.
 - 2) Left turn lane and right turn lane, south **approach**.
 - 3) Install signal when warranted, as determined by the County Engineer.
 - c. Developer shall construct at the intersection of PGA Boulevard and the third entrance:
 - 1) Left turn lane, east approach.
 - d. Developer shall construct at the intersection of PGA Boulevard and the fourth entrance:
 - 1) Left turn lane, east approach.
 - e. Developer shall construct at the intersection of **Northlake** Boulevard and the entrance to the industrial park:
 - 1) Left turn lane, west approach.
 - 2) Left turn lane and right turn lane, north approach.
 - 3) Install signal when warranted, as determined by the County Engineer.
 - f. Developer shall construct at the intersection of **Northlake** Boulevard and the main entrance:
 - 1) Left turn lane, west approach.
 - 2) Right turn lane, east approach.
 - 3) **Double** left turn lane, north approach.
 - 4) Right turn lane, north approach.
 - 5) Install signal when warranted, as determined by the County Engineer.
 - g. Developer shall construct at the intersection of **Northlake** Boulevard and the second entrance:
 - 1) **Left** turn lane, west approach.

- h. Developer **shall** construct at the intersection of Beeline Highway and the development entrance:
 - 1) Left turn lane, west approach.
 - 2) Right turn lane, east approach.
 - 3) Left turn lane and right turn lane, north approach.
 - 4) Install signal when warranted, as determined by the County Engineer.
8. With the filing of the initial plat of Phase 111:
 - a. Developer shall construct Northlake Boulevard as a four-lane roadway with median from west of Turnpike overpass through the project's main entrance **road**.
9. The following conditions shall apply throughout the project:
 - a. Developer shall contribute Seven Hundred Fifty Thousand Dollars (\$750,000.00) (\$110.00 per dwelling unit) toward the cost of meeting this project's traffic **impact**, to be paid on a per unit basis at the time of issuance of building permits **for** use on Northlake Boulevard. However, if a "Fair Share Contribution **for** Road Improvements Ordinance" is adopted, this condition **will** be superseded by that Ordinance; except that regardless of the form or status of any ordinance this development shall be required to provide as a minimum the above \$750,000.00.
 - b. Developer shall convey to Palm Beach County a total of sixty (60) feet from the centerline for additional right-of-way for Northlake Boulevard, as determined by the County Engineer.
 - c. Developer shall convey to Palm Beach County the additional right-of-way on Northlake Boulevard necessary for overpass over the Turnpike, as determined by the County Engineer.
 - d. Developer shall reserve a right-of-way corridor of a total of one hundred twenty (120) feet for Jog Road from Northlake Boulevard to PGA Boulevard, the alignment of said right-of-way to be approved by the County Engineer. When Palm Beach County determines that this link will connect with another section of Jog Road, the Northern Palm Beach County Water Control District **will** convey this one hundred twenty (120) feet of right-of-way to the County without compensation.
10. The developer shall comply with local school impact legislation adopted **by** Palm Beach County **or** pay an impact fee of four-tenths (4/10) of one percent (1%) of the selling price of each residential dwelling unit on a one time initial sale basis. The 4/10ths of 1% impact fee shall be paid until such time as the Palm Beach County School Impact Ordinance is adopted, **it** being understood that the funds generated will be used for school plant construction within the attendance districts to which school age children residing in the PGA Resort Community project shall attend.
11. The developer shall enforce the use of water saving fixtures throughout the development, as this measure could reduce potable water and wastewater loads generated by the project by twenty-six percent (26%).

12. A water quality monitoring **program** acceptable to the Department of Environmental Regulation and South Florida Water Management District shall be implemented by the developer with specific measurement **for** pesticide, herbicide, fungicide, and nutrient used on the project site. Results shall be regularly submitted to the Department of Environmental Regulation and South Florida Water Management District. Should these results indicate degradation of waters discharged from the site, the developer shall take immediate remedial action.
13. Surface water management permit shall not be attained at the expense of reducing either the quantity or quality of the presently **proposed** marsh areas,
14. In order to mitigate the energy demands of the PGA project, the developer shall require that the energy saving device³ on Pages 25-3 and 25-4 of the **ADA** shall be included on all residential development within the project. The **suggested** means for enforcement is to award the responsibility to either the Architectural Review Board or the Palm Beach Gardens Building Official.
15. The developer shall provide internal access from the project's road system to the office park and light manufacturing area.
16. In order to assure that the environmental planning proposals of the PGA Resort Community are adhered to in the field, the Palm Beach County Urban Forester **will** make a report to the City **of** Palm Beach Gardens and to the developer. In turn, the developer shall comply with the recommendations in the report which **will** bring the project into compliance with the adopted planning proposals.
17. **The** developer shall covenant thirty-two (32) of the total thirty-six (36) acre governmental site dedication on Northlake Boulevard to the City of Palm Beach Gardens for use **as** a community park. The developer **may** credit the fourteen (14) acre recreation park site at the southwest corner of the subject project against the second thirty-two (32) acre neighborhood active recreation area minimum requirement. The remaining neighborhood active recreation areas shall be comprised of a three (3) acre neighborhood park in the northwest single family residential area **and** by the establishment **of** twenty (20) additional recreational areas of **a** minimum of one (1) acre in size, each to be located within residential neighborhoods and to be owned, operated and maintained by property owners' or condominium associations. The fourteen (14) acre governmental dedication shall be conveyed at the time of recording of the initial plat of Phase III of the development, as provided for in ADA Map **H-2**. The thirty-six (36) acre governmental site shall be dedicated and conveyed within five (5) years of the date of recording of the initial plat of Phase I of the development. All neighborhood recreational areas shall be developed and shall be conveyed to the appropriate ownership entity at the time of platting of each neighborhood development pod.

18. Developer shall amend the subject Planned Unit Development relative to that portion within the unincorporated County to include a government service site in the amount of two percent (2%) (37 acres) in the event:
- The area within the unincorporated County **is** not subsequently annexed into the City of Palm Beach Gardens.
 - The **City** of Palm Beach Gardens does not take title to the government site as stated in Condition No. 17 above.

Commissioner **Lytal** moved **for** approval of the petition, The motion **was** seconded by Commissioner **Medlen**, and upon being put to a vote, the vote was **as** follows:

Peggy Evatt, Chairman	-	Aye
Bill Bailey, Vice Chairman	-	Aye
Lake Lytal	-	Aye
William Medlen	-	Aye
Dennis Koehler	-	Absent

The foregoing resolution was declared duly passed and adopted this 12th day of September, 1978, confirming action of 24 August 1978.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Marjorie B. Jennings
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

