

RESOLUTION NO. R-88-1625

RESOLUTION APPROVING ZONING PETITION NO. 83-137(C)
SPECIAL EXCEPTION PETITION OF HAISFIELD PARTNERSHIP
AND ROBERT B. COOK, TRUSTEE

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. 83-137(C) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 28, 1987; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 83-137(C), the petition of HAISFIELD PARTNERSHIP AND ROBERT B. COOK, TRUSTEE, by Conrad J. DeSantis, Agent, for a SPECIAL EXCEPTION TO AMEND AND EXPAND SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF FLOOR AREA AND MINI-WAREHOUSES PREVIOUSLY APPROVED UNDER ZONING PETITION 83-137 ON OCTOBER 27, 1983, (R-84-171 ADOPTED JANUARY 31, 1984) AND ZONING PETITION 83-137(B) ON APRIL 24, 1987, TO 1) INCREASE THE LAND AREA BY 1.28 ACRES AND 2) TO INCREASE THE SQUARE FOOTAGE on a parcel of land lying in the East 1/2 of Section 3, Township 41 South, Range 43 East, and being more particularly described as follows:

Commencing at the Southwest corner of the Southeast 1/4 of said

Section 3, thence North 1 degrees 54' 20" East along the West line of the Southeast 1/4 of said Section 3 a distance of 2431.77 feet thence South 89 degrees 24' 50" East along the Southline of the North 259.87 feet of the Northwest 1/4 of the Southeast 1/4 of said Section 3 a distance of 70.02 feet the Point of Beginning of the herein described parcel, thence North 1 degrees 54' 20" East along a line parallel to and 70.00 feet Easterly of as measured at right angles from the aforementioned West line of the Southeast 1/4 of said Section 3, a distance of 227.63 feet thence North 45 degrees 08' 23" East a distance of 34.25 feet, thence North 88 degrees 22' 25" East along a line parallel to and 30.00 feet Southerly of the Southerly Right-of-Way line of State Road 706 (Indiantown Road) as shown on Road Plat Book 1, Page 163 thru 165 a distance of 1016.06 feet, thence South 0 degrees 46' 10" West along the East line of Lot 5 Plat of Cinquez Park as shown in Plat Book 20, Page 81 a distance of 31.33 feet to the Southeast corner of Lot 5, thence South 89 degrees 24' 50" East along the South line of said Plat of Cinquez Park (said South line also being the North line of the Northwest 1/4 of the Southeast 1/4 of said Section 3) a distance of 200.01 feet to the Northwest corner of Lot 1, Will Bush's Addition recorded in Plat Book 23, Page 233; thence South 1 degrees 49' 32" West along the West line of said Will Bush's Addition a distance of 835.19 feet; thence North 89 degrees 24' 50" West along the North line of the Plat of Chasewood North as recorded in Plat Book 7, Page 170, a distance of 551.48 feet, thence North 1 degrees 54' 20" East along a line parallel to and 758.00 feet Easterly of as measured at right angle from the aforementioned West line of the Southeast 1/4 of Section 3 a distance of 575.28 feet, thence North 89 degrees 24' 50" West a distance of 688.18 feet to the Point of Beginning.

TOGETHER WITH: All of Lot 3, and the West 1/2 of Lots 1 and 2 Will Bush's Addition as recorded in Plat Book 23, Page 233;

AND: Lots 1 thru 4, Cinquez Park as recorded in Plat Book 20, Page 81 less the Right-of-Way of State Road 706.

AND: A parcel of real property located in the Southwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 41 South, Range 42 East, more particularly described as:

The West 125.00 feet of the East 1308.11 feet of the North 1/2 of said Section lying South of the Right of Way for State Road S-706, located in the Southeast corner of the intersection of Indiantown Road and Central Boulevard and is bounded on the East by Bush Road, in a CG-General Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.

2. Prior to site plan certification, the site plan shall be amended to indicate the following:
 - a. Required landscaping between off-street parking areas and right-of-way.
 - b. Required perimeter landscape buffers south and east of the warehouse buildings and around the exterior boundaries of the additions on the east side of the site.
 - c. Required 25 foot buffers along Bush Road and the easternmost 122 feet along Indiantown Road.
 - d. Required handicap parking.
 - e. Floor area/lot area ratio
 - f. Bypass lane adjacent to the drive through use.
 - g. Petitioner shall install a six (6) foot high CBS wall in the 25 foot landscape buffer along the Bush Road frontage. This buffer shall be supplemented with 10 foot high native canopy trees planted 30 feet on center on the exterior side of the wall. This buffer shall be constantly maintained in a viable condition.
3. Condition number 2(a) of Petition No. 83-137(B) which states:

"2. Prior to site plan certification, the site plan shall be amended to include the following:

 - a) Indication in the site data tabular that the use for Buildings A and B (southernmost buildings) shall remain exclusively as enclosed moving and storage."

is hereby amended to state:

"2. Prior to site plan certification, the site plan shall be amended to include the following:

 - a) Indication on the site plan that Building A shall be used exclusively for warehousing and Building B shall be used for indoor parking."
4. Use of the building adjacent to Warehouse Building "A" (which was originally labelled "B") shall be used exclusively for indoor parking for customers and employees of the Office/Warehouse and Warehouse buildings.

5. Since sewer service is available to the property, septic tank shall not be approved for use on said property.
6. Since water service is available to the property, a potable water well shall not be approved for use on said property.
7. 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 85% of the stormwater runoff generated by a three (3) year-one hour storm (3.0 inches) per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer.
8. 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 waste from the proposed site.
9. The property owner shall convey for the ultimate right-of-way of Indiantown Road, 80 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.
10. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$7,340.00 (274 additional trips X \$26.79 per trip).
11. The property owner shall install signalization if warranted as determined by the County Engineer at Indiantown Road and the project's entrance road.
12. Building permits for no more than 125,824 square feet of retail space and 28,400 square feet of warehouse space shall be permitted until the construction contract of Indiantown Road as a four lane median divided section from I-95 to Maplewood Road has been let. The developer shall be permitted to construct an additional 10,550 square feet of retail space once this improvement of Indiantown Road has been let.


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

The foregoing resolution was declared duly passed and adopted this 4th day of October, 1988 confirming action of September 28, 1987

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

FALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

