

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. 78-196 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. 78-196 the petition of FLORIDA REALTY BUILDING COMPANY by ~~William~~ R. Boose, III, Attorney, for the REZONING, FROM AG-AGRICULTURAL DISTRICT, IN PART, AND RS-RESIDENTIAL SINGLE FAMILY DISTRICT, IN PART, TO RT-RESIDENTIAL TRANSITIONAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on lands in Sections 8, 9, 10, 15 and 16, Township 42 South, Range 42 East, described as follows: All that part of said Sections 8 and 9, less the North 50 feet thereof, lying Easterly of the Easterly right-of-way line of the 260 foot wide C-18 Canal; AND all that part of said Section 16 lying Easterly of the said C-18 Canal and lying Northerly of the right-of-way of State Road 710; AND all that part of said Section 10, less the North 50 feet thereof, AND all that part of the Northwest 1/4 of said Section 15 lying Westerly of the following described line: From the center of said Section 15 run North 88°30'01" West along the East-West Quarter Section line of

said Section 15, 113.74 feet; thence North 02°04'39" East, 2624.78 feet, more or less, to a point in the South line of said Section 10; thence North 87°49'37" West, along the said South line of Section 10, 129.05 feet; thence North 01°06'41" East, 5293.69 feet, more or less, to a point in the South line of the North 50 feet of said Section 10, said point being 245.14 feet (as measured along the said South line of the North 50 feet) Westerly of the North-South Quarter Section line of said Section 10; AND all that part of the North 1456.9 feet of the East 1/2 of the Southeast 1/4 of said Section 15 lying Westerly of the West line of Florida's Turnpike as described in Deed Book 1120, pages 342 and 343, AND the Northwest 1/4 of the Southeast 1/4 of said Section 15, AND the Southwest 1/4 of said Section 15; containing 1809.2 acres, more or less. Said property located on the north side of Lake Park West Road (S.R. 809A), being bound on the east by Florida's Turnpike, on the north by P.G.A. Boulevard, and on the west by the C-18 Canal, 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.
  - b. 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 devices 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

Walter J. Hill  
County Attorney

