

RESOLUTION NO. R- 83-193

RESOLUTION APPROVING ZONING PETITION 82-110, REZONING (PIPD)

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. 82-110 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 October 1982; 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, the Board of County Commissioners made the following findings of fact:

1. The proposal is consistent with the purpose and intent of the PIPD Section.
2. The proposal is consistent with the various elements of the Comprehensive Plan including mandatory performance standards.
3. The proposed Master Plan provides an adequate primary vehicular traffic system.
4. The proposed development is located such that accessibility by fire equipment and service vehicles both to and within the site is facilitated.
5. The proposed Master Plan provides for adequate surface water management and soil conservation.
- G. The proposed Master Plan provides appropriate relationship between land uses.

7. The proposal is not detrimental to the established land use patterns in the surrounding area.
8. The proposal meets all provisions of Subsection F (General Requirements and Special Regulations) of Section 615 of the Palm Beach County Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of October, 1982, that Petition No. 82-110, the petition of ARVIDA CORPORATION By William R. Boose, III, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO PIPD-PLANNED INDUSTRIAL PARK DISTRICT a portion of Section 22, Township 43 South, Range 42 East, more particularly described as follows: on the South 1/4 corner of the said Section 22, thence North  $01^{\circ}27'12''$  East, along a portion of the North-South 1/4 Section line, a distance of 90.00 feet to the Point of Beginning of this description, thence continue North  $01^{\circ}27'12''$  east, along the said North-South 1/4 Section line, a distance of 10.00 feet; thence North  $88^{\circ}45'24''$  West, along a line 100.00 feet North of and parallel with, as measured at Right Angles to the South Line of the Southwest 1/4, of the said Section 22, a distance of 689.69 feet; thence North  $01^{\circ}14'36''$  East, as measured at Right Angles to the last described course, a distance of 600.00 feet; thence South  $88^{\circ}45'24''$  East, as measured at Right Angles to the last described Course, a distance of 745.00 feet; thence North  $01^{\circ}14'36''$  East as measured at Right Angles to the last described course, a distance of 465.00 feet; thence North  $36^{\circ}40'53''$  East, a distance of 1761.98 feet, to a Point of the Arc of a Circular Curve Concave Northwesterly, whose Radius Point Bears North  $69^{\circ}51'02''$  West, from the last described Point; thence Northeasterly along the Arc of Said Curve having a Radius of 7354.37 feet, a Central Angle of  $18^{\circ}16'40''$  and an Arc length of 2346.10 feet, thence South  $88^{\circ}07'42''$  East, Radial to the last described Curve, a distance of 275.00 feet, thence North  $01^{\circ}52'18''$  East, as measured at Right Angles to the last described Course, a distance of 342.81 feet, to a Point on the North line of the Said Section 22; thence South  $88^{\circ}58'05''$  East, along a Portion of the North line of the Said Section

a distance of 725.08 feet, thence South  $01^{\circ}52'18''$  East, a distance of 3.44 feet, to the Point of Curvature of a Circular Curve Concave **North-**westerly, thence Southwesterly along the Arc of Said Curve having a Radius of 8354.37 feet, a Central Angle of  $18^{\circ}16'40''$  And an Arc Length of 2665.11 feet, to the Point of Compound Curvature of a Circular Curve Concave Northweste**ly** thence Southwesterly along the Arc of said Curve having a Radius of 416.54 feet, a Central Angle of  $60^{\circ}20'03''$  and an Arc length of 438.63 feet to the Point of Tangency, thence South  $80^{\circ}29'01''$  West, a distance of 131.73 feet, to the Point of Curvature of a Circular Curve Concave **Southeasterly**, thence Southwesterly, Southerly and Southeasterly, along the Arc of Said Curve having a Radius of 461.00 feet, a Central Angle of  $111^{\circ}56'06''$  and an Arc of 900.63 feet; thence South  $01^{\circ}27'12''$  East, a distance of 577.96 feet, to a Point of the Arc of a Circular Curve Concave  $49'55''$  West, From the last described Point; thence Southwesterly along the Arc of said Curve having a Radius of 8339.37 feet, a Central Angle of  $03^{\circ}42'08''$  and an Arc length of 538.86 feet, thence South  $01^{\circ}27'12''$  East, a distance of 96.64 feet, to a Point on the Arc of a Circular Curve Concave Northweste**ly**, whose Radius Point Bears North  $53^{\circ}35'08''$  West from the last described Point; thence Southwesterly along the Arc of said Curve having a Radius of 8394.37 feet, a Central Angle of  $01^{\circ}19'47''$  and an Arc length of 194.81 feet (The Last Nine described Courses being Coincident with the Westerly Right-of-Way Line of the Florida Sunshine State Parkway); Thence North  $88^{\circ}41'31''$  West, along a Line 90.00 feet North of, and Parallel with, as measured at Right Angle to, the South Line of the Southeast  $1/4$  of Said Section 22, a distance of 711.53 feet, to the Point of Beginning. Said property located on the Northwest corner of the intersection of Florida's Turnpike and Okeechobee Road (S.R. 704), was approved as advertised subject to the following conditions:

1. Developer shall convey to Palm Beach County, within ninety (90) days of Special Exception approval, the ultimate right of way for Okeechobee Boulevard, 200 feet north of the north right of way line of the Lake Worth Drainage District L-1 Canal through the project's limits. (approximately an additional 82 feet).
2. Developer shall, within twenty-four (24) months from Special Exception approval, acquire the 200 foot ultimate right of way for Okeechobee Boulevard from the west end of the subject property to Jog Road per the County Engineer's approval. (approximately an additional 2,000 feet).

3. Developer shall convey to Palm Beach County, either at the time of platting the phase of the project which abuts or incorporates the ultimate right of way for 12th Street, 54 feet south of the north line of Section 22, or upon the request of the County Engineer as part of a 12th Street Construction Project whichever shall first occur.
4. Developer shall reserve the additional right of way for 12th Street and Okeechobee Boulevard for the Turnpike overpasses per the County Engineer's approval.
5. Developer shall complete, within eighteen (18) months, or upon the request of the County Engineer, as part of the Okeechobee Boulevard-Turnpike overpass construction program, whichever shall first occur, the engineering plans for a 3-lane bridge on Okeechobee Boulevard over the Florida Turnpike. Surety is to be submitted to the County Engineer for the design cost within ninety (90) days from the date of Special Exception approval.
6. Developer shall ensure that access for the entire site onto Okeechobee Boulevard shall be limited to one 80 foot road right of way street connection plus one ingress/egress into the commercial site.
7. Developer shall construct the internal 80 foot right of way access road as a 3-lane section from a point 300 feet north of Okeechobee Boulevard to the project's north property line on a plat by plat basis in accordance with the project's approved Master Plan.
  - a. Developer shall construct the internal 80 foot right of way access road as a 4-lane section from Okeechobee Blvd. at the south to a point 300 feet north of Okeechobee Boulevard concurrent with the construction of the first plat.
9. Developer shall construct, concurrent with the construction of the project's entrance road at its intersection with Okeechobee Boulevard,
  - a) Right turn lane north approach
  - b) Dual. left turn lanes north approach
  - c) Left turn lane west approach
  - d) Signalization, per the County Engineers approval, when warranted.
10. Developer shall construct, concurrent with the construction of the project's access road to the commercial parcel at Okeechobee Boulevard,
  - a) Right turn lane north approach
  - b) Left turn lane north approach
  - c) Left turn lane west approach
11. The Developer shall, based upon traffic generation data submitted by the applicant's traffic engineer, limit the project development to "Phase One" consisting of 15 acres of light industrial or other combination of approved land uses with equivalent traffic generation, as determined by the County Engineer to limit the project's traffic to less than a significant impact.
12. Developer shall, if required by the County Engineer, provide a temporary east-west access easement in favor of the property adjacent to this project's north property line to permit the connection of an existing easement along the Petitioner's east property line previously granted 'by the Turnpike Authority to connect to the Petitioner's east access road as provided in condition No. 9 above. The location, dimension and duration of this temporary access easement is to be mutually approved by the Petitioner and the County Engineer ~~or to be able to~~ provide an alternative access easement to the affected property at a new location approved by the County Engineer.

13. Developer shall not proceed with the second phase of construction until the Developer 4-lanes Okeechobee Boulevard from Skees Road east to the existing 4-lane section east of the Florida Turnpike including a new 3-lane bridge on Okeechobee Boulevard across the Florida Turnpike. In the event the road improvements above are completed or are under construction by other than the Petitioner prior to platting phase two, then the Petitioner shall make a cash contribution of Three Hundred Thousand Dollars (\$300,000.00) to Palm Beach County representing the Petitioners fair share of road improvements. The Petitioner shall receive credit for the plan preparation required by Condition No. 5 above. This payment shall satisfy the Petitioners road construction requirements provided for in this condition.
14. Petitioner shall incorporate significant native vegetation into the Master Plan wherever possible.
15. Developer shall adhere to best management practices (BMP) to enhance water quality incorporated into the surface water management system as per South Florida Water Management District System (SFWMD) requirements.
16. The following uses shall be prohibited within the park:
  - CHEMICALS (MANUFACTURING AND WAREHOUSING)
  - FERTILIZER MANUFACTURING
  - LARGE-SCALE REPAIR AND HEAVY EQUIPMENT REPAIR AND SERVICE FACILITIES
  - PAPER PRODUCTS, Manufacturing
  - PETROLEUM AND COAL DERIVATIONS, manufacturing and storage
17. Developer shall take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
18. Developer shall take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
- 13 The total number of parking spaces For the site shall not exceed 1,490; which is less than the presumed threshold for a Development of Regional Impact.

Commissioner Bailey , moved for approval of the petition.

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

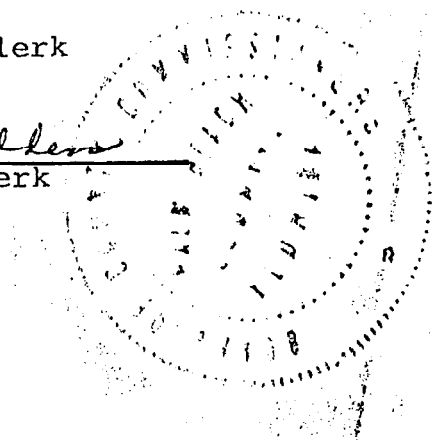
Bill Bailey, Member		Aye
Dennis Koehler, Member		Aye
Peggy B. Evatt, Vice Chairman	-	Aye
Frank H. Foster, Member		Aye
Norman R. Gregory, Chairman	-	Aye

The foregoing resolution was declared duly passed and adopted this 8th day of February 1983 , confirming action of 28 October 1982.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Judy Madhess  
Deputy Clerk



APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

Alm Cortlett  
County Attorney