

RESOLUTION NO. R- 84-767

RESOLUTION APPROVING **ZONING** PETITION 81-163(A), **Special** Exception

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, Pet it ion No. 81-163(A) **was** presented to the Board of County Commissioners of Palm Beach County at **its public hearing** conducted on 26th **January 1984**; 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 proposed development **is consistent with the Comprehensive Plan Land Use designation for this property**; however, **the development will have an unacceptable traffic impact upon seven roadway links in the project's vicinity**. Road improvements necessary to offset **this project's impact** and to provide **the necessary level of service will be required concurrent with the development in order to meet the Mandatory Traffic Performance Standard (Ord. 81-6)**.
2. The proposed development **is consistent with the CG district property development regulations**.

NOW, THEREFORE, BE **IT** RESOLVED BY THE BOARD OF COUNTY **COMMISSIONERS** OF PALM BEACH COUNTY, FLORIDA, assembled in regular **session this 26th day January 1984**, that Pet it ion No. 81-163(A) the **pet it ion** of ARVIDA CORPORATION By William R. Boose, III, Attorney, for a **SPECIAL EXCEPTION TO EXPAND AND AMEND THE SITE PLAN FOR A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET PREVIOUSLY,** APPROVED UNDER **ZONING PETITION** NO. 81-163 on **all of Arvida Auto Marine**

Plaza, in Section 23, Township 47 South, Range 42 East as recorded in Plat Book 38, Pages 165 and 166. Said property located on the east side of Military Trail (S. R. 809), approximately .2 mile south of Boca Raton West Road (S. R. 808) in a CG-General Commercial District was approved as advertised subject to the following conditions:

1. The developer shall construct at Military Trail and the north access road left turn lanes on both the north and south approaches.
2. Prior to the issuance of a Certificate of Occupancy, the developer, shall:
 - a. Construct at Military Trail and Town Center Road
 1. Left and right turn lanes, north approach
 2. Left turn lane, east approach.
 3. Dual left turn lanes and separate right turn lane, south approach, and
 4. Left and right turn lanes, west approach, and,
 - b. Construct at Military Trail and the south access road a left turn lane on the north and south approaches.
3. The developer will 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.
4. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or near-by surface waters.
5. Prior to site plan certification, the developer and property owner shall amend the plat to remove interior property lines and unnecessary easement 5.
6. Prior to site plan certification, utility releases will be required for paving and berming in any remaining easement running through this property.
7. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
8. Developer shall construct signalization at the intersection of Military Trail and a.) Town Center Road, b.) Town Center Circle, and c.) Bethel Boulevard when warranted by the County Engineer. Funds for this signalization shall be held by Palm Beach County in the form of a Letter of Credit or Cash prior to the issuance of a Building Permit.
9. The developer shall install a combination berm, wall, shrub, and tree landscape buffer treatment along the entire southern boundary of this site to provide an immediate opaque buffer of six feet in height and trees the equivalent of one per twenty feet of property boundary. Loading areas must also be effectively screened from view from the residential property to the south. These buffers shall be installed prior to the issuance of any Certificate of Occupancy.
10. The developer shall be given credit for the entire Fair-Share Traffic Impact Fee for monies already collected and construction, already completed pursuant to Resolution R81-1369.

Commissioner Koehler , moved for approval of the petition.

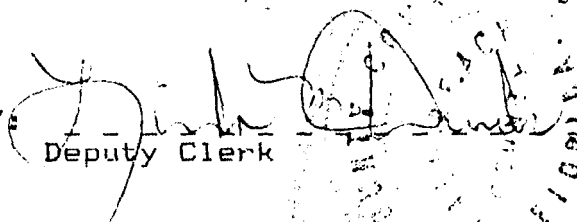
The motion was seconded by Commissioner Bailey ,
and upon being put to a vote, the vote was as follows:

Ken Spillias, Chairman	--	AYE
Dorothy H. Wilken, Vice Chairman	--	NAY
Peggy B. Evatt	--	ABSENT
Dennis P. Koehler	---	AYE
Bill Bailey	--	AYE

The foregoing resolution was declared duly passed and
adopted this 12th day of June , 1984 , confirming action of
26th January 1'334.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney