

RESOLUTION NO. R- 85-248

RESOLUTION APPROVING ZONING PETITION 84-54(A), Modification

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. 84-54(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th of September 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 proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 27th of September 1984, that Petition No. 84-54(A) the petition of HCA HEALTH SERVICES OF FLORIDA, INC., By David S. Pressly, Agent, to MODIFY AND DELETE THE FOLLOWING SPECIAL CONDITIONS PLACED ON ZONING PETITION NO. 84-54 APPROVED APRIL 27, 1984:

CONDITION NO. 6 STATES:

6) The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer, at the intersection of S.R. 80 and the Hospital entrance road:

- a. Two (2) outbound lanes, two (2) inbound lanes, north approach; at a minimum.
- b. Left turn lane, west approach with minimum taper length of 600 feet, plus 200 feet length of left turn lane.
- c. Right turn lane, east approach with minimum

taper length of 200 feet plus 200 feet of right turn lane length.

- d. Signalization as determined by the County Engineer.

REQUEST: MODIFY SPECIAL CONDITION NO. 6 TO READ:

6. The developer shall construct concurrent with onsite paving and drainage improvements **pursuant to a paving and drainage permit issued from the office of the County Engineer, at the intersection of S.R. 80 and the Hospital entrance road:**

- a. Two (2) outbound lanes, two (2) inbound lanes, north approach, at a minimum.
- b. Left turn lane, west approach, with minimum taper length.
- c. Right turn lane, east approach, with minimum taper length.
- d. Signalization as determined by the County Engineer.

CONDITION NO. 7 STATES:

7. Concurrent with the development of this project, the developer shall design and construct an additional lane on the bridge crossing the C-51 Canal at the intersection of Forest Hill Boulevard and **S.R. 80**, and in addition, construct a **200** foot long left turn lane on the south approach. These bridge plans shall include sidewalks and drainage and must be approved by the County Engineer prior to the letting of the contract for the bridge construction. Design of the bridge construction shall include proper turning radius for right turn movements.

In the event the cost of construction of the improvements described above and in Condition No. **10** are less than \$250,000.00, Hospital Corporation of America will pay the difference in cash to Palm Beach County toward the cost **of** meeting this project's direct and identifiable traffic impact upon **S.R. 80**. If the cost of construction exceeds \$250,000.00, Hospital Corporation of America shall be obligated to complete the above improvements notwithstanding the amount of construction costs. Costs of construction shall include actual costs of construction as well as necessary engineering services for preparation of plans and specifications for the said improvements.

The improvements set forth above are to be in place at the time of the completion of the subject hospital, however, in no event later than **2** years after the approval. Any cash payment as set forth above shall be made to the County prior to the issuance of the Certificate of Occupancy for the subject hospital.

REQUEST: MODIFY CONDITION NO. 7 TO READ:

7. Concurrent with the development **of** this project, the developer shall design and construct an additional three lane bridge crossing the C-51 Canal at the intersection **of** Forest Hill Boulevard and **S.R. 80**, and in addition, construct **a 200 foot long** left turn lane on the south approach. These bridge plans shall include, but not be limited to, a

sidewalk and drainage, and must be approved by the County Engineer prior to the letting of the contract for the bridge construction. Design of the bridge construction shall include proper turning radius for right turn truck movements.

In the event the cost of construction of the improvements described above are less than \$250,000.00, Hospital Corporation of America will pay the difference in cash to Palm Beach County toward the cost of meeting this project's direct and identifiable traffic impact upon S.R. 80. If the cost of construction exceeds \$250,000.00, Hospital Corporation of America shall be obligated to complete the above improvements notwithstanding the amount of construction costs. Costs of construction shall include actual costs of construction as well as necessary engineering services for preparation of plans and specifications for the said improvements.

The improvements set forth above are to be in place at the time of the completion of the subject hospital, however, in no event later than two (2) years after the approval. Any cash payment as set forth above shall be made to the County prior to the issuance of the Certificate of Occupancy for the subject hospital.

CONDITION NO. 10 STATES:

10. The petitioner shall construct S.R. 80 as a four lane facility from Forest Hill Boulevard west to the hospital's west property line, per the County Engineer's approval, including the appropriate tapers. This construction shall be completed prior to the issuance of a Certificate of Occupancy.

REQUEST: TO DELETE CONDITION NO. 10.

Said property located on the north side of Southern Boulevard (S.R. 80), approximately .3 miles east of "F" Road in an AR-Agricultural Residential District was approved as advertised, subject to the following conditions:

1. Condition No. 7 shall be reworded as follows:

7. Concurrent with the development of this project, the developer shall design and construct an additional three (3) lane bridge crossing the C-51 Canal at the intersection of Forest Hill Boulevard and S.R. 80; and in addition, construct a 200 foot long left turn lane on the south approach. These bridge plans shall include, but not be limited to, a sidewalk and drainage, and must be approved by the County Engineer prior to the letting of the contract for the bridge construction. This bridge construction shall meet proper turning radius for right turn truck movements.

In the event the cost of construction of the improvements described above are less than \$250,000.00, Hospital Corporation of America will pay the difference in cash to Palm Beach County toward the cost of meeting this project's direct and identifiable traffic impact upon S.R. 80. If the cost of construction exceeds \$250,000.00, Hospital Corporation of America shall be obligated to complete the above improvements notwithstanding the amount of construction costs. Costs of construction shall include actual costs of construction as well as necessary engineering services for preparation of plans and specifications for the said improvements.

The improvements set forth above are to be in place at the time of the completion of the subject hospital; however, in no event later than **two (2)** years after the approval. Any cash payment as set forth above shall be made to the County prior to the issuance of the Certificate of Occupancy for the subject hospital.

2. Condition **No. 10**, which states the following, shall be deleted.

10. The petitioner shall construct **S.R. 80** as a four lane facility from Forest Hill Boulevard west to the hospital's west property line, per the County Engineer's approval, including the appropriate tapers. **This** construction shall be completed prior to the issuance of a Certificate of Occupancy.

3. Condition **No. 6** shall be reworded as follows:

6. The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer, at the intersection of **S.R. 80** and the hospital entrance road:

- a. Two **(2)** outbound lanes and two **(2)** inbound lanes, at a minimum.
- b. Left turn lane, west approach, with minimum taper length, per Florida Department of Transportation approval.
- c. Right turn lane, east approach, with minimum taper length, per Florida Department of Transportation approval.
- d. Signalization as determined by the County Engineer.

Commissioner Bailey moved for approval of the Petition. The motion was seconded by Commissioner Koehler, and, upon being put to a vote, the vote was as follows:

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

The foregoing Resolution was declared duly passed and adopted this day of **FEB 19 1985**, 1985, confirming action of the 27th of September, 1984.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS.

JOHN B. DUNKLE, CLERK

BY: *Patricia S. Weaver*
Deputy Clerk

