

ORIGINAL

RESOLUTION NO. R-92- 1833

RESOLUTION APPROVING ZONING PETITION NO. 80-215(F)  
SPECIAL EXCEPTION PETITION OF THE UPJOHN COMPANY

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, have been satisfied; and

WHEREAS, Petition No. 80-215(F) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on April 23, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 the 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, sitting as the Zoning Authority, made the following findings of fact:

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

WHEREAS, Chapter 402.5 of the Zoning Code, requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 80-215(F), the petition of THE UPJOHN COMPANY, BY RUSSELL C. SCOTT, AGENT, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR THE GLENEAGLES PUD TO DELETE ACREAGE on a parcel of land situated in all of GLENEAGLES Plat One, as recorded in Plat Book 50, Pages 63 through 65, as in Section 21, 27, and 28, Township 46, Range 42, and being located ON THE S SIDE OF W. ATLANTIC AVE., BOUND ON THE W BY LWDD E-2E CANAL, IN THE RTS ZONING DISTRICT, was approved on April 23, 1992, as advertised, subject to the following conditions:

A. STANDARD CONDITIONS

1. Condition No. A.1., Resolution No. R-92-182, Zoning Petition No. 80-215(E), which currently states:

The petitioner shall comply with all previous conditions of approval, including original deadlines for Zoning Code Section 402.9 compliance, unless expressly modified herein.

Is hereby amended to state:

All previous conditions of approval applicable to the subject property have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval, including original deadlines for Zoning Code Section 402.9 compliance, unless expressly modified. (ZONING-Monitoring)

2. Development of the site is limited to the uses and site design shown on the certified master plan (Exhibit No. 115). Any modifications must be approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Zoning Code Section 402.7 (E)2(b) (Site Plan Review Committee Powers and Standards of Review) or required by the conditions of approval contained herein. Previously Condition No. A.2., Resolution No. R-92-182, Zoning Petition No. 80-215(E). (ZONING)
3. Condition No. A.3., Resolution No. R-92-182, Zoning Petition No. 80-215(E), which currently states:

The petitioner shall submit an application to the Site Plan Review Committee for the certification of the master plan for this site prior to March 1, 1992 to bring the plan in conformance with the current Landscape Code.

Is hereby amended to state:

The petitioner shall receive certification of the Master Plan approved by the Board of County Commissioners for the subject property, as amended as required by the conditions of approval, by the Site Plan Review Committee on or before July 27, 1992. (MONITORING)

4. Prior to site plan certification, the site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements of Palm Beach County. (ZONING)

B. CIVIC SITE

1. The petitioner shall:
  - a. Dedicate by fee simple title deed to Palm Beach County 2% of the gross area of the Planned Unit Development (24.72 acres). This land shall be located in the southeast corner of the intersection of Linton Boulevard and the E-2 1/2 Canal; or,
  - b. The petitioner may exchange the required on-site dedication of land for civic uses either for a parcel of land off-site equal in acreage or cash of equal value. In addition, in the event that the off-site land dedication is of less cash value than the on-site dedication, petitioner shall also contribute an amount in cash equal to the difference between the value of the on-site and off-site land dedications. The value of the on-site land dedication shall be based upon its value as a civic site. This contribution shall be used to offset the identifiable impacts directly attributable to this project. If an off-site land

or cash contribution is accepted by Palm Beach County, the petitioner shall be deemed to have satisfied the intent of Zoning Code Section 500.21. H. (Land Development) Previously Condition No. 2, Resolution No. R-90-837, Petition No. 80-215(C). (PREM)

2. Prior to master plan certification, the petitioner shall submit:
  - a. A master plan showing the location of a 24.72 acre civic site within the Planned Unit Development; or
  - b. Documentation, subject to approval by the County Attorney, indicating compliance with and acceptance of this contribution, as described in Condition B.1.b., by the Board of County Commissioners.

If the civic site contribution is approved and accepted, the petitioner shall submit a revised master plan to the Site Plan Review Committee to redesignate the are labeled as Civic Site to a Residential land Use for Category A or B units." (PREM)

3. Petitioner must dedicate the civic site to Palm Beach County, without cost, within ninety (90) days of the filing of the first plat. Previously Condition No. 17, Resolution No. R-81-202, Zoning Petition No. 80-215. (MONITORING-PREM)

C. HEALTH

1. Condition No. 3, Resolution No. R-90-837, Zoning Petition No. 80-215(C), which currently states:

Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.

Is hereby deleted.

REASON: Duplicate of Condition No. 7, Resolution No. R-89-1156, Zoning Petition No. 80-215(B).

2. Condition No. 4, Resolution No. R-90-837, Zoning Petition No. 80-215(C), which currently states:

Water service is available to the property. Therefore, no septic tank shall be permitted on the site.

Is hereby deleted.

REASON: Duplicate of Condition 8, Resolution R-89-1156, Zoning Petition No. 80-215(B).

3. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. (Previously Condition No. 7, Resolution No. R-89-1156, Zoning Petition No. 80-215(B). (HEALTH)
4. Water service is available to the property. Therefore, no well shall be permitted on the site. (Previously Condition No. 8, Resolution No. R-89-1156, Zoning Petition No. 80-215(B). (HEALTH)

D. LANDSCAPE

1. Condition No. 14, Resolution No. R-84-164, Zoning Petition No. 80-215(A), which currently states:

Petitioner shall install landscape screens along the east boundary of the project to buffer the site from the farm; Petitioner shall provide a detailed planting plan as part of the Master Plan approval and the landscape screen must be installed prior to the building occupancy.

Is hereby deleted.

REASON: Duplicate of Condition No. 18, Resolution No. R-81-202, Zoning Petition No. 80-215.

2. The project and site plan shall be amended, as necessary, to be in compliance with the current "Palm Beach County Landscape Code" (Section 500.35 P.B.C. Zoning Code, as amended July 24, 1990). Previously Condition No. B.7., Resolution No. R-91-182, Zoning Petition No. 80-215(E). (ZONING)

3. Condition No. D.1, Resolution No. R-92-182, Zoning Petition No. 80-215(E), which currently states:

Petitioner shall install landscape screens along the east boundary of the project to buffer the site from the farm; petitioner shall provide a detailed planting plan as part of the Master Plan approval and the landscape screen must be installed prior to building occupancy.

Is hereby deleted.

REASON: Duplicate of Condition No. 18, Resolution No. R-81-202, Petition 80-215.

4. Petitioner shall install landscape screens along the east boundary of the project to buffer the site from the farm. Petitioner shall provide a detailed planting plan as part of the Master Plan approval, and the landscape screen must be installed prior to the building occupancy. (Previously Condition No. 18, Resolution No. R-81-202, Petition 80-215). (ZONING)

E. ENGINEERING

1. ENGINEERING: FAIR SHARE FEE

- a. Condition No. 8, Resolution No. R-90-837, Zoning Petition No. 80-215(C) which currently states:

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. (Previously Condition No. 12, Resolution No. R-89-1156, Zoning Petition No. 80-215(B)).

Is hereby deleted.

REASON: Duplicate of Condition No. 12, Resolution No. R-89-1156, Zoning Petition No. 80-215(B).

2. ENGINEERING: LAKE WORTH DRAINAGE DISTRICT

a. The Lake Worth Drainage District will require the rights-of-way for Lateral Canals No. 34, 35, 36, 37 and 38 and Equalizing Canal No. 2E as shown in the petition. We will accept a Quit Claim Deed or an Easement (on our form), which ever the owner prefers. Previously Condition No. 16, Resolution No. R-81-202, Zoning Petition No. 80-215. (ENGINEERING)

b. Condition No. 12, Resolution No. R-84-164, Zoning Petition No. 80-215(A), which currently states:

The rights-of-way for Lateral Canals Nos. 34, 35, 36, 37, and 38 and equalizing Canal No. 2E as shown in the Petition shall be conveyed to the Lake Worth Drainage District by either Quit Claim Deed or an Easement, on the Lake Worth Drainage District Form, whichever the owner prefers.

Is hereby deleted.

REASON: Duplicate of Condition No. 16, Resolution No. R-81-202, Zoning Petition No. 80-215. (Engineering)

c. The petitioner shall convey to the Lake Worth Drainage District the:

North 75 feet of the west 1,338 feet of Section 27 Township 46 South Range 42 East and the north 75 feet of the east 1,360 feet of Section 28, Township 46 South, Range 42 East for the required right-of-way for Lateral Canal No. 36; and,

All by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of the approval of the Resolution approving this project. Previously Condition No. 13, Resolution No. R-89-1156, Zoning Petition No. 80-215(B). (MONITORING-Engineering)

d. The petitioner shall convey to the Lake Worth Drainage District the:

1) Ninety (90) feet of right-of-way across the Northeast 1/4 of the Northeast 1/4 of Section 21, Township 46 South, Range 42 East for the required right-of-way for Lateral Canal No. 34.

2) Ninety (90) feet of right-of-way from the East 2 1/2 to Kings Point for the required right-of-way for Lateral Canal No. 35.

All by Quit Claim Deed or an Easement Deed in the form provided by said District prior to March 1, 1990. Previously Condition No. 9, Resolution No. R-90-837, Zoning Petition No. 80-215(C). (MONITORING-Engineering)

3. ENGINEERING: PHASING

- a. Petitioner shall be limited to two hundred (200) dwelling units for the first phase of development. Previously Condition No. 2, Resolution No. R-81-202, Zoning Petition No. 80-215. (BUILDING-Engineering)

4. ENGINEERING: PLATTING

- a. Condition No. 21, Resolution No. R-89-1156, Zoning Petition No. 80-215(B), which currently states:

The petitioner shall plat the subject property in accordance with provisions of Palm Beach County's Subdivision Platting Ordinance 73-4 as amended. (Previously Condition No. 10, Resolution No. R-90-837, Zoning Petition No. 80-215(C)).

Is hereby deleted.

REASON: Duplicate of Condition No. 10, Resolution No. R-90-837, Zoning Petition No. 80-215(C).

5. ENGINEERING: RIGHTS-OF-WAY

- a. Petitioner shall abandon all existing road rights-of-way which will not be incorporated into the overall master plan of this PUD. Previously Condition No. 13, Resolution No. R-81-202, Zoning Petition No. 80-215. (ENGINEERING)
- b. The developer shall construct a third lane on Delray West Road from the project's east property line west to Hagen Ranch Road. Previously Condition No. 17, Resolution No. R-84-164, Zoning Petition No. 80-215(A). NOTE: The requirements of this condition have been satisfied per the Engineering Department.
- c. Within 30 days, the developer shall post a surety with the County Engineer to guarantee completed construction to Military Trail. Previously Condition No. 18, Resolution No. R-84-164, Zoning Petition No. 80-215(A). (ENGINEERING-MONITORING)

(JOG ROAD)

- d. The petitioner shall fund the installation of traffic signalization at the intersection of Jog Road and the project's entrance road within 60 days after receiving notice that the County Engineer has determined signalization is warranted. Previously Condition No. B.4., Resolution No. R-92-182, Zoning Petition No. 80-215(E). (ENGINEERING)
- e. The property owner shall fund the construction of Jog Road from the north right-of-way of Linton Boulevard to a point south thereof where the northbound left turn storage ends plus appropriate tapers as defined in plans prepared by Mock, Roos, and Associates. Surety (which may be in the form of a bond or letter of credit) for this construction shall be posted prior to August 1,

1992 in the amount of three hundred fifty thousand dollars (\$350,000), and this amount shall be the maximum for which the property owner is responsible in relation to the construction which is the subject of this paragraph. It is the intent; that intersection be constructed as an integral part of Palm Beach County's construction of Jog Road from Linton Boulevard to West Atlantic Avenue, currently scheduled as part of the Five-Year Road construction Program in FY 1992/1993. These funds shall be made available upon request by the County Engineer as required to fund the construction. If this project is delayed by Palm Beach County then the timing of the posting of surety shall be delayed a like time. (MONITORING-Engineering)

- 1) If said surety has already been provided, then it shall be immediately released and deferred for a period of time corresponding to the County's delay of the project. This surety deferral shall apply to single or repeated delays in relation to the County going forward with funding for the aforesaid project. Developer shall not be responsible for any increases in construction costs as a result of such delays in the County funding and going forward with the project. (ENGINEERING)
  - 2) Prior to the issuance of the 151st residential dwelling unit building permit, the developer shall fund the construction of Jog Road as a six lane section from the southern terminus of the construction completed under the County's project as discussed in 16a. above, to a point 150 feet south of the project's entrance on Jog Road (plus appropriate tapers). It is the intent that Palm Beach County will let and administer this project funded by the developer. Palm Beach County shall participate in this construction to the extent of \$50,000. Credit for this construction shall be provided against the "Fair Share Contribution for Road Improvements Ordinance". In no case shall funding be provided later than January 1, 1995. Surety for this construction shall be posted prior to August 1, 1992. Previously Condition No. B.1., Resolution No. 92-182, Zoning Petition No. 80-215(E). (MONITORING-Building-Impact Fee Coordinator)
- f. The petitioner shall provide construction plans for Jog Road as a 4/6 lane median divided section as determined by the County Engineer, from a point 250 feet north of Atlantic Avenue, to a point 150 feet south of the project's entrance road, plus the appropriate paved tapers. These construction plans shall be approved by the County Engineer based upon Palm Beach County's minimum Construction Plan Standards as they presently exist or as they may from time to time be amended. These construction plans shall be completed prior to December 1, 1989.

Plan costs shall be approved by the County Engineer. Previously Condition No. 14, Resolution No. R-89-1156, Zoning Petition No. 80-215(B). (MONITORING-Engineering)

- g. The petitioner shall prepare and provide to the County all necessary right-of-way acquisition documents including but not limited to surveys, property owners maps, legal descriptions for acquisition, and parcelled right-of-way maps required for the construction of Jog Road and for the Linton Boulevard and Jog Road Intersection as referenced above and subject to the approval of the County Engineer including expanded intersections. These documents shall include a title search for a minimum of 25 years. Previously Condition No. 15, Resolution No. R-89-1156, Zoning Petition No. 80-215(B). (ENGINEERING)

(LINTON BOULEVARD)

- h. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County one hundred twenty (120) feet for the ultimate right-of-way for Linton Blvd. through the projects' limits, as determined by the County Engineer. Previously Condition No. 5, Resolution No. R-81-202, Zoning Petition No. 80-215. (MONITORING-Engineering)
- i. Petitioner shall convey to Palm Beach County the North 60 feet of the South 80 feet of Section 21, Township 46 South, Range 42 East for the right of way for Linton Blvd. from the project's east property line east to the existing ultimate right of way for Linton Blvd. to satisfy condition No. 7. Previously Condition No. 6, Resolution No. R-81-202, Zoning Petition No. 80-215. (ENGINEERING)
- j. Petitioner shall construct Linton Blvd. from Jog/Carter Road to the project's east entrance, per the County Engineer's approval, before the completion of 1,230 dwelling units (50% of the total 2460 dwelling units). Previously Condition No. 7, Resolution No. R-81-202, Zoning Petition No. 80-215. NOTE: Requirements of this condition have been satisfied per the Engineering Department.
- k. Petitioner shall construct Linton Blvd. from the project's east entrance to the projects' west property line before the completion of 1,845 dwelling units (75% of the total 2460 dwelling units). Previously Condition No. 8, Resolution No. R-81-202, Zoning Petition No. 80-215. NOTE: Requirements of this condition have been satisfied per the Engineering Department.
- l. Petitioner shall complete the construction of Linton Boulevard from Jog/Carter Road to a point 150 feet west of Legends Way per the County Engineer's approval (2/3 Lane Section). This construction shall have been commenced within twenty one (21) days after Board approval on February 12, 1991 of the Amendment to the Agreement between Seagrass Properties, Inc. and Palm Beach



County and completed prior to September 30, 1991. The initial segment of this construction shall be the 600' from Jog/Carter Road west to the gate entrance of Saxony; construction shall begin no later than February 22, 1991; and this initial segment shall be completed by April 8, 1991, and will be a paved surface consisting of the bottom layer of asphalt, adjacent curbs and necessary drainage. It is understood that this does not include sidewalks, grassing, and other ancillary features which are to be provided with completion of this project. Previously Condition No. B.5., Resolution No. 92-182, Zoning Petition No. 80-215 (E). (MONITORING-Engineering)

- m. All right of way and drainage easements required of this construction shall be provided by or at the expense of the petitioners. However, the foregoing requirement is not to suggest that said right-of-way and/or drainage easements are to be provided as per any specific or particular plan or design, so long as the plan or design ultimately utilized has been approved by the County Engineer. Credit for this construction shall be provided against the Palm Beach County roadway impact fee (Fair Share Contribution for Road Improvements Ordinance), for the construction cost only, for the construction east of section corner 21/27. Previously condition No. B.6., Resolution No. R-92-182, Zoning Petition No. 80-215 (E). (ENGINEERING-Impact Fee Coordinator)
- n. Prior to July 1, 1990 the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Linton Boulevard, 120 feet of right-of-way plus sufficient right-of-way required for the Linton Boulevard Overpass (over the internal roadway as shown on the master plan) as required by the County Engineer free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the County Engineer. Previously Condition No. 6, Resolution No. R-90-837, Zoning Petition No. 80-215 (C). (MONITORING-Engineering)
- o. Petitioner shall complete the construction of Linton Boulevard from Jog/Carter Road to a point 150 feet west of Legends Way per the County Engineer's approval (2/3 Lane Section). All construction shall be commenced within two (2) months of right-of-way acquisition or prior to July 1, 1990, whichever shall first occur and shall be completed within one (1) year of commencement, This construction shall be concurrent with Jog Road construction. Condition No. 25, Resolution No. R-89-1156, Zoning Petition No. 80-215 (B). NOTE: Requirements of this condition have been satisfied per the Engineering Department.

- p. Concurrent with filing of the first contiguous plat or within ninety (90) days of notification by the County Engineer, Petitioner shall convey to Palm Beach County one hundred twenty (120) feet for the ultimate right-of-way for Linton Boulevard through the project's limits, as determined by the County Engineer. Previously Condition No. 2, Resolution No. R-84-164, Zoning Petition No. 80-215(A). (ENGINEERING)
- q. Petitioner shall obtain a minimum of 60 feet right of-way for Linton Boulevard from the project's east property line east to the west property line of Kings Point on an alignment approved by the County Engineer necessary to satisfy Condition No. 5. Previously Condition No. 3, Resolution No. R-84-164, Zoning Petition No. 80-215(A). (ENGINEERING)

(MILITARY TRAIL)

- r. Within ninety (90) days of Special Exception approval, petitioner shall contribute One Hundred Fifty Thousand Dollars (\$150,000) for the acquisition of right of way for Military Trail from Delray West to Linton Blvd. Previously Condition No. 1, Resolution No. R-81-202, Zoning Petition No. 80-215. (MONITORING-Engineering)
- s. Within two hundred seventy (270) days of Special Exception approval, petitioner shall provide to Palm Beach County construction plans for Military Trail from Delray West Road to Linton Blvd., including intersections. Said plans shall be approved by the County Engineer's office and be coordinated with all other developers having a construction obligation in this area. Upon approval of the construction plans for Military Trail by the County Engineer's office and the acquisition of the required right-of-way, an additional 100 units may be platted. Previously Condition No. 3, Resolution No. R-81-202, Zoning Petition No. 80-215. (MONITORING-Engineering)
- t. Upon the acquisition of the necessary right of way for Military Trail, from Delray West Road to Linton Blvd. , or in no event greater than one (1) year from Special Exception approval, the developer shall let a contract for the four-laning of Military Trail with the necessary inspections by Palm Beach County. Previously Condition No. 4, Resolution No. R-81-202, Zoning Petition No. 80-215. (MONITORING-Engineering)

6. ENGINEERING: STORMWATER RUNOFF

- a. Condition No. 7, Resolution No. R-90-837, Zoning Petition No. 80-215(C), which currently states;

The petitioner shall convey to Palm Beach County within ninety (90) days of the approval of this project adequate road drainage easements through the project's internal surface water management system to provide legal positive outfall for all runoff from those segments of Jog Road, Linton Boulevard and West Atlantic Avenue along the

property frontage and for a maximum four hundred feet (400') distance each side of the property boundary lines along Jog Road, Linton Boulevard and West Atlantic Avenue. Said easements shall be no less than twenty feet (20') in width. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the applicable County Water Control District and South Florida Water Management for the combined runoff from the project and District the ultimate Thoroughfare Plan Road Section(s) of the included segment.

Is hereby amended to read as follows:

The petitioner shall convey to Palm Beach County within ninety (90) days of the approval of this project adequate road drainage easements through the project's internal surface water management system to provide legal positive outfall for all runoff from those segments of Jog Road and West Atlantic Avenue along the property frontage and for a maximum four hundred feet (400') distance each side of the property boundary lines along Jog Road and West Atlantic Avenue. Said easements shall be no less than twenty feet (20') in width. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the applicable County Water Control District and South Florida Water Management for the combined runoff from the project and District the ultimate Thoroughfare Plan Road Section(s) of the included segment. (MONITORING-Engineering)

REASON: Requirements of this condition pertaining to Linton Boulevard have been satisfied per the Engineering Department.

- b. The petitioner shall provide discharge control and treatment for 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 the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer, In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement. Previously Condition No. 5, Resolution No. R-90-837, Zoning Petition No. 80-215(C). (ENGINEERING)

- c. Condition No. 11, Resolution No. R-89-1156, Zoning Petition No. 80-215(B), which currently states:

The petitioner shall convey to Palm Beach County within 90 days of the approval of this project adequate road drainage easements through the project's internal surface water management system to provide legal positive outfall for all runoff from those segments of Jog Road, Linton Boulevard along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Jog Road and Linton Boulevard. Said easements shall be no less than 20 feet in width. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the applicable County Water Control District and South Florida Water Management for the combined runoff from the project and District the ultimate Thoroughfare Plan Road Section(s) of the included segment.

Is hereby amended to read as follows:

The petitioner shall convey to Palm Beach County within 90 days of the approval of this project adequate road drainage easements through the project's internal surface water management system to provide legal positive outfall for all runoff from those segments of Jog Road along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Jog Road. Said easements shall be no less than 20 feet in width. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the applicable County Water Control District and South Florida Water Management for the combined runoff from the project and District the ultimate Thoroughfare Plan Road Section(s) of the included segment. (MONITORING-Engineering)

REASON: Requirements of this condition pertaining to Linton Boulevard have been satisfied per the Engineering Department.

- d. Condition No. 9, Resolution No. R-89-1156, Zoning Petition No. 80-215(B), which currently states:

"The petitioner shall provide discharge control and treatment for 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 the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. The drainage

system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement."

Is hereby deleted.

REASON: Duplicate of condition 5, Petition No. 80-215(C), Resolution No. R-90-837.

7. ENGINEERING: TURN LANES

a. Petitioner shall construct at the intersection of Jog Road (Carter Road) and Linton Boulevard, per the County Engineer's approval concurrent with the construction of Linton Boulevard, as outlined in Condition No. 4:

1. left turn lane, east approach
2. left turn lane, west approach
3. signalization when warranted as determined by the County Engineer.

Previously Condition No. 6, Resolution No. R-84-164, Zoning Petition No. 80-215(A). (ENGINEERING)

b. Petitioner shall construct at the intersection of Linton Boulevard and projects' east entrance road onto Linton Boulevard:

1. left turn lane, south approach
2. left turn lane, east approach
3. right turn lane, west approach
4. signalization when warranted as determined by the County Engineer.

Previously Condition No. 7, Resolution No. R-84-164, Zoning Petition No. 80-215(A). (ENGINEERING)

c. Petitioner shall construct at the intersection of Delray West Road and project's entrance concurrent with the construction the project's entrance:

1. left turn lane, south approach
2. right turn lane, south approach
3. left turn lane, east approach
4. right turn lane, west approach
5. signalization when warranted, as determined by the County Engineer with the appropriate interconnection to Hagen Ranch Road.