

PALM BEACH COUNTY

STATUS REPORT SR 85-122(A).2
(For Zoning Petition 85-122(A))

Staff Recommendation

Staff recommends the approval of a twelve month time extension from June 6 1992 to June 6 1993 This recommendation is based on the following

- 1 The project meets the Countywide Traffic Performance Standard
- 2 The property owner has complied with time certain conditions of approval (conveyance of right-of-way and approval of new site plan)
- 3 The property owner has documented approximately \$7 500 00 in expenditures for this project during the last year

Development Approval Being Reviewed Zoning Petition 85-122(A) was approved by the adoption of Resolution R-89-1045 on June 6 1989 The resolution approved a Special Exception to amend the site plan for a Planned Commercial Development (PCD) to permit an auto service station in a CG-General Commercial District zoning district The zoning action is now being reviewed pursuant to Section 5 8 of the Palm Beach County Land Development Code Compliance with Time Limitations as development has not commenced

Property Description The subject property is approximately 0 5 of an acre in size and is on the south side of Hypoluxo Road approximately 150 feet east of High Ridge Road

Property Owner(s) Francalby Corporation

Required Action Unified Land Development Code Section 5 8 requires that the Board of County Commissioners take one or more of the following actions grant a time extension of up to twelve months rezone the property and/or revoke the Special Exception impose entitlement density/intensity add or modify conditions of approval permit the property owner to file a petition to add or modify conditions of approval

REVIEW FACTORS

Consistency with Land Use Plan

The Land Use Plan category for the subject property is Commercial Low with an underlying designation of Medium Residential 5 based on Criteria 3 and 6 - site is contiguous to lands possessing a designation of CL-Commercial Low

When a zoning and special exception become subject to review pursuant to the requirements of Section 5 8 staff evaluates the project as though it were a request for a new zoning and special exception Staff determines whether as a new project it would meet all development regulations currently in effect The current approval is not consistent with the Comprehensive Plan because service stations cannot be located in areas designated Commercial Low unless at a major intersection This parcel is not at a major intersection

Performance Standards

The current approval can meet the Countywide Traffic Performance Standard by meeting Alternate Test #1 for Hypoluxo Road (Seacrest to I-95)

Supplemental Information

Condition number 16 required the conveyance of right-of-way for Hypoluxo Road by September 6 1989 This has been done

In 1992 the BCC added an additional condition which required the certification of a new site plan which complied with the 1990 Landscape Code A site plan was certified on February 26 1992

On April 22 1986 the Board of County Commissioners adopted Resolutions R-86-573-6 and R-86-573-7 which rezoned the property from RS-Single Family Residential District to CG-General Commercial District and approved a Special Exception to permit a Planned Commercial Development

On June 6 1989 the Board of County Commissioners adopted Resolution R-89-1045 which approved a Special Exception to amend the site plan for a Planned Commercial Development to permit an auto service station The zoning and special exception then became subject to review based on the date the last resolution was adopted

The property owner has documented expenditures of approximately \$7 500 00 during the last year These expenditures were primarily related to the application for a concurrency reservation certificate They included water reservation (\$215 44) vegetation removal permit (\$150 00) septic tank permit fee (\$100 00) site plan application fee (\$150 00) engineering work including traffic study and drainage report (\$4 775 00) concurrency reservation fee (\$100 00) and agent's fees (\$3 186 00)

August 1992
Revised October 1992
Revised November 1992