

R-87-1206

JOHN B. DUNKLE, CLERK

Board of County Commissioners
Palm Beach County, Florida

301 NORTH OLIVE • P O BOX 4036 • WEST PALM BEACH, FL 33402 • (305) 837-2959

MEMORANDUM

TO : SUSAN HAGERTY,
ADMINISTRATIVE SECRETARY

FROM : LISA E. DORSEY, *LED*
DEPUTY CLERK PALM BEACH COUNTY COMMISSION

DATE : AUGUST 27, 1987

RE : ZONING PETITIONS OF JUNE 25 & 26, 1987

Zoning Petitions numbered 76-18(E); **84-112(B)**; 87-61; 87-59; 87-19; 79-110(A); **79-244(A)**; 80-211(A); 84-198(A); **85-165(A)**; 86-81(A); 86-81(A); 87-62; 87-66; **75-68(C)**; and **77-13(E)** were approved as Resolutions in the August 11, 1987 Board of County Commissioners Meeting.

When affixing the Resolution numbers to the Petitions, a few numbers were incorrectly printed. The corrections are as follows:

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|--|---|
| R-87-1199 should be R-87-1200
(Pet. # 76-18(E)) | R-87-1207 should be R-87-1206
(Pet. # 84-198(A)) |
| R-87-1200 should be R-87-1205
(Pet. # 84-112(B)) | R-87-1208 should be R-87-1207
(Pet. # 85-165(A)) |
| R-87-1201 should be R-87-1212
(Pet. # 87-61) | R-87-1209 should be R-87-1208
(Pet. # 86-81(A)) |
| R-87-1202 should be R-87-1211
(Pet. # 87-59) | R-87-1210 should be R-87-1209
(Pet. # 86-81(A)) |
| R-87-1203 should be R-87-1210
(Pet. # 87-19) | R-87-1211 should be R-87-1213
(Pet. # 87-62) |
| R-87-1204 should be R-87-1202
(Pet. # 79-110(A)) | R-87-1212 should be R-87-1214
(Pet. # 87-66) |
| R-87-1205 should be R-87-1203
(Pet. # 79-244(A)) | R-87-1213 should be R-87-1199
(Pet. # 75-68(C)) |
| R-87-1206 should be R-87-1204
(Pet. # 80-211(A)) | R-87-1214 should be R-87-1201
(Pet. # 77-13(E)) |

Please compare resolution and petition numbers as I have done above. The petition numbers are printed directly below the resolution number in which they are recorded **under** in the Official Record Book for the County. Enclosed are corrected copies of the resolutions. Please discard the incorrect ones that were originally sent to you.

The Minutes Department hope that this error did not cause too much of an inconvenience for your department or clients.

If you have any questions in reference to this, contact me at 820-2955.

Thank you.

COUNTY AUDITOR

CUSTODIAN OF COUNTY FUNDS

RESOLUTION NO. R- 87-1206

RESOLUTION APPROVING ZONING PETITION 84-198(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, Petition No. 84-198(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on June 25, 1987; 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, this approval is subject to 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 made the following findings of fact:

1. With required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 84-198(A), the petition of C & N CENTER INVESTMENTS, INC. by Paul Parker, Agent, for a SPECIAL EXCEPTION to AMEND THE SITE PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT INCLUDING AN OFFICE/ WAREHOUSE COMBINATION PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-198 ON

JANUARY 4, 1965 TO (1) REVOKE THE SPECIFIC EXCEPTION FOR A PLANNED COMMERCIAL DEVELOPMENT, (2) ABANDON THE SPECIFIC EXCEPTION FOR FIN OFFICE/WAREHOUSE COMBINATION, FIND (3) TO ALLOW RECREATION FACILITIES, FIMUSEMENTS FIND ATTRACTIONS AND EXHIBITS (FOR A BOWLING CENTER) on the South 328 feet of the North 949 feet of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 1, Township 45 South, Range 42 East. Less the East 67 feet thereof. The property is located on the west side of Military Trail (SR 809) approximately .3 miles north of Hypoluxo Road in a CG-General Commercial Zoning District and was approved as advertised subject to the following conditions:

1. The petitioner shall comply with conditions of previous approvals unless expressly modified herein.
2. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a. The required handicap spaces.
 - b. Required access dimensions.
3. The developer shall preserve existing vegetation, particularly along perimeter of site, and shall incorporate said vegetation into the project design. Areas of existing vegetation to be preserved shall be shown upon the approved development plan prior to master plan and/or site plan certification.
4. Two (2) copies of properly executed cross-access documents shall be submitted to the Zoning Division simultaneously with the Site Plan Review Committee submittal.
5. The developer shall retain 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 three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by the Permit Section, Land Development Division. 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.
6. The property owner shall convey for the ultimate right-of-way of Military Trail, 67 feet from centerline within 90 days of the approval of the Resolution approving this project or prior to site plan certification whichever shall first occur.
7. 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. The Fair Share Fee for this project presently is \$35,524.00 (1,326 trips X \$26.79 per trip).

8. Based on the Traffic Performance Standards (Category "A"), the developer shall contribute an additional \$17,762.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$53,286.00 to be paid prior to the issuance of the first building permit or prior to December 1, 1987 whichever shall first occur.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$17,762.00 shall be credited toward the increased Fair Share Fee.

9. In order to comply with the mandatory traffic performance standards the property owner shall be restricted to the following phasing schedule:

a) No more than 34,430 square feet of gross leasable floor area shall be issued until Military Trail has been constructed as a 4 lane section from Hypoluxo Road to Lantana Road plus the appropriate paved tapers.

10. Because sewer service is available at the site, no septic tank shall be installed on the site.

11. Because public water service is available at the site, no well shall be installed to provide potable water on site.

12. No off-premises signs shall be erected on the site.

13. Site plan shall be revised to minimize impact on adjacent residential neighborhoods.

14. Use of the site shall be limited to a bowling center with an accessory snack bar and lounge.

15. Access to the lounge, other than for emergencies, shall be entirely interior to the bowling facility.

16. Condition No. 1 a) of Zoning Petition No. 84-198 (Resolution R-85-586) which states:

"1. Prior to site plan certification, the site plan shall be amended to reflect the following:

a) Provision of 12' to 14' canopy trees planted at twenty feet on center along the north and west property boundaries. Also a 6' CBS wall shall be constructed within a five (5) foot landscape strip at the property's rear."

is hereby amended to state:

"1. Prior to site plan certification, the site plan shall be amended to reflect the following:

a) Provision of twelve (12) foot to fourteen (14) foot canopy trees planted at twenty feet on center along the west property boundary. Also a six (6) foot high CBS wall shall be constructed within a minimum five (5) foot wide landscape strip along the west property boundary.

19. Condition No. 5 of Zoning Petition No. 84-198 (Resolution R-85-586) which states:

"5. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the shopping center."

is hereby amended to state:

"5. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the bowling center."

20. Condition No. 6 of Zoning Petition No. 84-198 (Resclution 85-586) which states:

"6. No parking of any vehicles shall be permitted along the rear of the shopping center except in designated spaces or unloading areas."

is hereby amended to state:

"6. No parking of any vehicles shall be permitted along the rear of the bowling center except in designated spaces or unloading areas."

Commissioner Adams, moved for approval of the petition.

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

Carol A. Roberts	--	Aye
Kenneth M. Adams	--	Bye
Karen T. Marcus	--	Absent
Carol J. Elmquist	--	Absent
Dorothy Wilken	--	Aye

The foregoing resolution was declared duly passed and adopted this 11th day of August, 1987 confirming action of June 25, 1987.

PALM BEFICH COUNTY, FLORIDA
BY ITS BOFIRD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK.

BY: Lisa E. Dorsey
Deputy Clerk

APPROVED AS TO FORM
FIND LEGESL SUFFICIENCY

[Signature]
County Attorney