

RESOLUTION NO. R-88- 1802

RESOLUTION APPROVING ZONING PETITION NO. 87-134  
SPECIAL EXCEPTION PETITION OF G AND H BOWLING CORPORATION

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. 87-134 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on November 30, 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. This proposal is 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. 87-134, the petition of G AND H BOWLING CORPORATION, for a SPECIAL EXCEPTION TO PERMIT A PLANNED COMMERCIAL DEVELOPMENT INCLUDING A RECREATIONAL FACILITY, AMUSEMENTS, ATTRACTIONS AND EXHIBITS (FOR A BOWLING CENTER), IN THE COURSE OF WHICH EXTINGUISHING A SPECIAL EXCEPTION FOR A PLANNED COMMERCIAL DEVELOPMENT APPROVED UNDER ZONING PETITION 85-32 (ADOPTED UNDER RESOLUTION R-85-954) AND A SPECIAL EXCEPTION FOR A RECREATIONAL FACILITY, AMUSEMENTS,

ATTRACTIONS AND EXHIBITS (FOR A BOWLING CENTER) APPROVED UNDER ZONING PETITION 84-198(A), on a parcel of land lying on the South 200.00 feet of the North 621.00 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, and the South 328.00 feet of the North 949.00 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 67.00 feet thereof for the Right-of-Way for Military Trail, located on the west side of Military Trail (S.R. 809), approximately .3 mile north of Hypoluxo Road, in a CG-General Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to indicate the following:
  - a. Redesign of the four (4) parking aisles in the northwest portion of the site to provide continuous vehicular traffic circulation.
  - b. Existing vegetation and proposed landscaping as per Condition Nos. 6, 8, 9, and 10, below.
2. Use of the site shall be limited to a bowling center with an accessory snack bar and lounge.
3. Access to the lounge, other than for emergencies, shall be entirely interior to the bowling center.
4. Lighting used to illuminate the premises shall be directed away from streets and neighboring properties. Lighting within the western 100 feet of the site shall be limited to fixtures that are a maximum of twelve (12) feet in height.
5. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted on the exterior of the bowling center.
6. The dumpsters shall be located on the eastern half of the site and shall be screened by a six (6) foot high wing wall.
7. There shall be no stock loading or dumpster pickup between the hours of 8:00 p.m. and 7:00 a.m.
8. Existing Slash Pines within all perimeter landscape strips and interior landscape islands and medians shall be preserved. Petitioner shall submit an Alternative Landscape Betterment Plan at the time of Site Plan Review Committee submittal to be allowed to manipulate the spacing of the required interior landscape islands in order to preserve more Slash Pines.

9. The two existing, mature Royal Palms shall be preserved or re-located on site.
10. Petitioner shall maintain a ten (10) foot wide landscape strip along the western property line. Within this strip a six (6) foot high CBS wall shall be installed, existing slash pines shall be preserved, and additional native canopy trees a minimum of twelve (12) feet in height shall be planted to establish a vegetative buffer with trees no more than twenty-five (25) feet apart (on center). The six (6) foot high wall shall receive architectural treatment on both sides and shall be maintained in a good condition and appearance.
11. Prior to the issuance of building permits, petitioner shall record a Unity of Title covering the entire 7.32 acre site. Two (2) copies of the properly executed assignment of the Unity of Title documents shall be submitted to the Zoning Division simultaneously with the approval for a building permit.
12. The bowling alley shall be limited to 53 lanes until Military Trail has been four-laned from Hypoluxo Road to Lantana Road. After the four-laning has been completed, the applicant may construct the remaining bowling lanes.
13. Because water service is available to the property, a well shall not be approved for potable water use.
14. Since sewer service is available to the property, septic tank shall not be approved for use on the property.
15. 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.
16. The property owner shall convey for the ultimate right-of-way of: a) Military Trail 67 feet from centerline, and; b) the construction of a right turn lane, north approach on Military Trail at the project's south entrance. This right-of-way shall be 12 feet in width,

100 feet in length, with a taper length of 180 feet, within 90 days of the approval of the Resolution approving this project, or prior to the issuance of the first building permit, whichever shall first occur.

17. The property owner shall construct a right turn lane, north approach, and a left turn lane south approach on Military Trail at the project's entrance road, concurrent with onsite paving and drainage improvements.
18. 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 \$47,418.00 (1770 trips x \$26.79 per trip).

Commissioner Marcus moved for approval of the petition. The motion was seconded by Commissioner Elmquist and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 25th day of October, 1988 confirming action of November 30, 1987.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:

  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
DEPUTY CLERK

