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**WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY**  
**Monday, April 13, 2020 Board Meeting**  
**Meeting Will Be Held via Zoom Platform**

**CONTACT CRA FOR ZOOM LINK**

**NOTE: Agenda Summary (Pages 3-10)**  
**Staff Report (Pages 11-16)**

**I. CALL TO ORDER / ROLL CALL**

**II. AGENDA APPROVAL**

- 1. Additions, Deletions, Substitutions to Agenda**
- 2. Adoption of Agenda**

**III. ADOPTION OF W/BH CRA MINUTES (Pages 17-19)**

**IV. PUBLIC COMMENTS**

**V. DISCLOSURES**

**VI. CONSENT AGENDA**

- 1. Approval of Agreement with Higgins Engineering to Provide Water Management Services to Investigate Compensating Storage Capacity (Pages 20-28)**
- 2. Approval of Release of Lien for Mi Pais Express, Inc. (Pages 29-36)**
- 3. Approval of Memorandum of Understanding with Palm Beach County Engineering Department for the Design and Construction of Westgate Ave. Transportation Planning Agency Grant (Pages 37-39)**
- 4. Approval of Funding for Belvedere Heights Phase II Transportation Planning Agency Grant (Pages 40-43)**

**VII. REGULAR AGENDA**

- 1. Approval of Development Order Amendment for Congress Auto Park: 1645 N. Congress Avenue (former SSA Building) Control No. 1987-00033 (Pages 44 – 54)**



2. Approval of Site Plan, TCEA Trips, Variances for Soapy Shark Car Wash: Okeechobee Blvd., (east of Congress Ave.) Control No. 1996-026 (Pages 55-82)
3. Creation of Small Business Assistance or Recovery Program

#### **VIII. REPORTS**

- A. Staff Reports  
Correspondence (Pages 20-36)
- B. Attorney's Report
- C. Committee Reports and Board Comments
  1. Administrative/Finance –
  2. Capital Improvements – Chair, Mr. Daniels
  3. Land Use –
  4. Real Estate – Chair, Mr. Kirby
  5. Marketing –
  6. Community Affairs –
  7. Special Events – Chair, Ms. Rufty

#### **IX. ADJOURNMENT**

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE BOARD WILL BE BARRED FROM FURTHER AUDIENCE BEFORE THE BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD AS GRANTED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, HE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ON JUNE 7, 1994, THE BOARD OF COUNTY COMMISSIONERS APPROVED RESOLUTION NO. 94-693, KNOWN AS THE CODE OF ETHICS. UNDER SECTION 11, IT IS REQUIRED THAT PAID AND UNPAID LOBBYISTS REGISTER. PLEASE REFER TO SECTIONS 11.01 AND 11.02 IN THE CODE OF ETHICS FOR REGISTRATION SPECIFICS. FOR YOUR USE, REGISTRATION FORMS ARE AVAILABLE FROM THE CRA'S ADMINISTRATIVE ASSISTANT.



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**AGENDA ITEMS**  
**Westgate/Belvedere Homes Community Redevelopment Agency**  
**Board Meeting**  
**April 13, 2020**

**CONSENT AGENDA:**

**1. Approval of Agreement with Higgins Engineering to Provide Water Management Services to Investigate Compensating Storage Capacity**

**A. Background and Summary:** Staff has asked Higgins Engineering to explore the possibility of recapturing storage created by the CRA for use as compensating storage for future redevelopment projects. The CRA has built seventeen ponds and lakes to provide flood mitigation and C-51 Canal Compensating Storage for other redevelopment projects; However, the South Florida Water Management District has included the benefits of these facilities in the C-51 Canal model without providing any consideration for future projects either developed or supported by the CRA.

Higgins Engineering, Inc. is hired to negotiate with SFWMD upper management to recapture storage that the District has included in the model without any consideration for CRA projects. The goal is to receive back compensating storage credits that can be used for future CRA sponsored projects.

Higgins Engineering, Inc., has proposed to complete this investigation for \$15,000.00



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**B. Recommendation:** Approve an agreement with Higgins Engineering to provide water management services to investigate compensating storage recapture for an amount not to exceed \$15,000.00.

## **2. Approval of Release of Lien for Mi Pais Express, Inc.**

**A. Background and Summary:** On July 29, 2016, the Westgate CRA sold a property, 2640 Cherokee Avenue to Mi Pais Express, Inc. for \$29,000.00 after properly completing a public Invitation to Bid with the stipulation that the new owner needed to develop the property within three years in accordance with the plans submitted to the CRA and the deed restriction allowing the CRA to buyback the property for the same amount if the project is not completed within three years.

Due to certain unforeseen delays related to conveyance of properties, permitting, easement approval, it took the developer longer than the three years stipulated in the deed restriction.

The Developer has done all his due diligence. He has obtained a construction permit from the Palm Beach County Building Department. He has an approval letter from the Bank for the construction loan. He has a builder ready to start the project as approved by the CRA; however, in order to close on the loan, the bank is asking that the deed restriction be removed.

Staff is very confident that the developer will complete the projects as approved and is asking the Board to release the purchase option with the buyback provision so that the developer can obtain the construction loan to start the project.



**B. Recommendation:** Staff recommends that the CRA release the purchase option with the buyback provision to allow the project to move forward.

**3. Approval of Memorandum of Understanding with Palm Beach County Engineering Department for the Design and Construction of Westgate Ave. Transportation Planning Agency Grant**

**A. Background and Summary:** The CRA was awarded a federalized Local Agency Program (LAP) grant, administered by the Florida Department of Transportation (FDOT) which will be paid directly to Palm Beach County Engineering Department (Engineering). As FDOT requests that Engineering oversee the design and construction of this project, the County has sought the execution of a memorandum to define the roles of each agency.

The CRA will be responsible to provide all grant requirements and conditions, perform all public coordination and address any public involvement, provide design phase funding, provide Construction Engineering and Inspection (CEI) funding, provide additional construction funds not provided by the DOT grant, and not oppose the future widening of Westgate Ave should the find it necessary to return Westgate Avenue to a five-lane section in the future.

The Engineering Department will be responsible to hire design consultant, coordinate with FCOT to meet grant requirements, prepare bid documents, hire CEI or use in-house staff to administer construction contract, and provide up to the grant amount in funding for the construction contract.



**B. Recommendation:** Approve the Memorandum of Understand with Palm Beach County Engineering Department for the design and construction of Westgate Ave.

**4. Approval of Funding for Belvedere Heights Phase II Transportation Planning Agency Grant**

**A. Background and Summary:** Palm Beach County Engineering Department is seeking advance funding for the design of the Belvedere Height Streetlight and Sidewalk Improvements Project Phase II. The total projected cost for the design of the project is \$185,500. The CRA has already provided \$104,000. The County would like to receive the \$81,500 balance to seek approval from the Board of County Commissioners for the project. It is scheduled to be heard by the Board on June 2, 2020.

This project will install streetlights and sidewalks for the following streets: Wellington Road, Longwood Road and Bridgeman Drive.

There is an MOU in place between the CRA and the County where the CRA agrees to pay for those design costs.

**B. Recommendation:** Approve a funding of \$81,500 to Engineering Department for the design of Belvedere Heights Phase II.

**REGULAR AGENDA:**



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## **1. Approval of Development Order Amendment for Congress Auto Park: 1645 N. Congress Avenue (former SSA Building) Control No. 1987-00033**

**A. Background and Summary:** The property is located on the west side of Congress Avenue at the intersection of Westgate Avenue, the total acreage of the subject site is 2.83 ac. It includes the unoccupied former Social Security Administration Building at 1645 Congress Ave., and the adjacent Chevron gas station/convenience store 1755 N. Congress Ave. The total square footage of the site is 24,640 sf; the vacant building located at 1645 N Congress Ave. is 21,500 sf and comprises 1.96 acres, and the Chevron gas station/convenience store is 3,180 sf.

### **New Request**

On behalf of the owners of the building at 1645 N. Congress Ave., the applicant is requesting BCC approval of an expedited Development Order Amendment (DOA/EAC) to modify conditions of approval, specifically those that restrict the use of the building to Government Office only. Other associated conditions, including landscape, engineering, and unity of title provisions are also included in the amendment request. Approval will permit the contract purchaser to utilize the building for business or professional office uses which is permitted by right in CG zoning districts per ULDC Table 4.B.2.A. Following a decision from the BCC, the approved site plan will be further amended to allow the general office use. The applicant has not provided an amended site plan for CRA review at this time.

### **Summary of Petition**

The subject application requests the following:



1. To allow a Development Order Amendment with Expedited Approval Consideration (DOA/EAC) to modify Conditions approved in July 2004 via #R-2004-1381) which limits the office building at 1645 N. Congress Avenue to government office use only, but also includes modifications to landscape, engineering and unity of title conditions; and,
2. A reduction of 214 trips per day, 22 am peak hour and 10 pm peak hour from *previously* vested development (government office and gas station/convenience store); and, a new allocation of 215 daily trips, 42 am and 22 pm peak, for the *currently* vested development (gas station/convenience store) and proposed business or professional office use at 1645 N. Congress Avenue from the CRA's Transportation Concurrency Exception Area (TCEA) pool.

**B. Recommendation:** Staff recommends approval of the applicant's requests. for the Development Order Amendment and the reduction of TCEA trips.

**2. Approval of Site Plan, Trips, Variances for Soapy Shark Car Wash: Okeechobee Blvd. (east of Congress Ave. ) Control No. 1996-026**

**A. Background and Summary:** The subject +/- 1.2 acre 52,080 sf parcel is located on Okeechobee Blvd., approx. 300 feet from the south east corner of Congress Avenue; per PAPA, there is no current municipal address. The property is within the Urban General (UG) sub-area of the WCRAO and zoned CG (commercial general). Manor Avenue, a private drive immediately adjacent to the site, serves as access to the Lakeside Mobile Home Park to the south zoned RH; a vehicle and boat storage lot serving the mobile home park is located immediately to south of the site. To the east of Manor Avenue is a Mobil gas station/Dunkin Donuts and to the west of the site is



511 Tactical, a sports clothing retailer; both are zoned CG with a CH/8 FLU. The site is currently vacant; a small dilapidated building has been recently demolished, and is almost completely impervious.

### **Board Update & New Request**

The CRA Board has previously recommended approval for the redevelopment of this site. In 2017, the agent representing the owner at that time, received a Class B Conditional Use approval for the KFC-Jacks project consisting of two Type I Restaurants with drive-thru lanes. In 2019 however, the owner changed direction entirely, formally discontinuing the use and site plan approval through a development order abandonment. New contract purchasers, identifying an opportunity to create an ancillary service to capture a portion of the large volume of Okeechobee Blvd daily trips, are proposing an automated, express Car Wash.

### **Summary of Petition**

The applicant requests a recommendation of approval for the project from the Westgate CRA to include the following:

1. DRO Site Plan Approval for a 4,176 sf Car Wash use;
2. An allocation of 166 net new daily trips, 12 new am peak hour trips and 14 new pm peak hour trips, from the CRA's Transportation Concurrency Exception Area (TCEA) pool; and,
3. To allow three (3) Type II variances:
  - a. A reduction of 5 ft. in the minimum lot depth requirement of 200 feet for CG zoning districts;
  - b. A reduction of 50 ft. from the 60% building frontage requirement in the UG Sub-area (Table 3.B.14.F. – WCRAO Non-Residential and Mixed Use Sub-Area PDRs); and,



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- c. To eliminate the requirement for all uses in the UG Sub-area to orient the first floor principal entrance towards the street used as the primary building frontage (Art.3.B.14.G.3.b – WCRAO – Architectural Guidelines).

**B. Recommendation:** Staff recommends approval of the applicant's requests for site plan approval, TCEA trips and the three Type II variances.

### **3. Creation of Small Business Assistance or Recovery Program**

**A. Background and Summary:** Many small businesses are going to need assistance after the COVID-19 crisis. Staff is seeking direction to develop a program to use CRA funds to help them recover.

**B. Recommendation:** Board input.

## **WESTGATE/BELVEDERE HOMES CRA BOARD MEETING**

### **Staff Update on In-House Projects**

**April 13, 2020**

#### **2020-01 ULDC Amendment Round (NEW)**

**Update:** CRA Staff has engaged planning consultants 2GHO to assist in the preparation of WCRAO amendments in the upcoming round. The 2020-01 ULDC amendment was initiated by Zoning at the BCC's January Zoning meeting. A draft of the amendment was submitted to Code Revision staff on February 27, 2020 for internal review. It is anticipated that the amendment will be placed on the April 2020 LDRAB meeting agenda. The amendment would be adopted by the BCC at their August 2020 meeting.

The CRA is seeking to make amendments to its overlay that are focused on the following: restrict or limit certain commercial and industrial uses that do not support the intent of the Sub-area or the Plan such as car wash, landscape service, commercial parking, self-storage and distribution facilities, manufacturing & processing, warehouse, and wholesaling; revise PDR's to reflect smaller lot sizes on Westgate Ave and Okeechobee Blvd allowing more flexibility in development without the need for variances; eliminate sky exposure planes; and revise the Density Bonus Program to be consistent with the County's WHP in design, compliance and enforcement, also revising the criteria for WCRA approval of bonus units to allow better access for smaller residential projects.

**Background:** Amendments to the County's Unified Land Development Code (ULDC) occur twice annually. The CRA regularly participates in this process to update areas of its WCRA Zoning Overlay to better achieve the goals and objectives of the agency and the amended Community Redevelopment Plan, respond to industry and market trends, simplify processes, and correct technical and language glitches.

#### **2019-02 ULDC Amendment Round (COMPLETED)**

**Update:** The BCC adopted amendments to the WCRAO at their January 27, 2020 Zoning meeting. These amounts adjusted exterior improvement criteria to obtain 100% renovation value and created new PDRs and supplementary standards for residential uses including cottage homes on 25 ft lots.

#### **Public Assistance Grant (ONGOING)**

FEMA has approved nearly \$100,000 to pay for debris removal, and clean up detention ponds as a result of Hurricane Irma. Staff is working with the Florida Department of Emergency Management to implement this project.

#### **Community Garden/Greenmarket (ONGOING)**

**Update:** Construction to install electricity, an irrigation pump and an irrigation system have been installed. Staff is working on securing a contractor for site improvements and installation of a pre-manufactured structure to act as a permanent greenmarket. Once the Plat is approval and recorded and the corner clip conveyed, building permits can be submitted.

**Background:** Staff engaged Schmidt-Nichols (SN) to prepare a site plan for the community garden and the green market. The CRA initiated new regulations to allow green markets to operate as an accessory to community gardens without having to buffer surrounding residential uses with an opaque

wall and 20 ft landscape buffer. The site plan includes an enclosed structure with a bathroom and a walk-in cooler. The community garden/greenmarket received site plan approval in March 2018.

CRA staff proposed amendment language, adopted in the 2018-02 Round, to eliminate the community garden use from landscaping requirements, and modified code language regarding hours of operation and building size and placement for the accessory greenmarket use. Schmidt Nichols submitted an administrative amendment (ZAR) to remove the landscape buffers and ROW utility easement. The ZAR was approved in April 2019. The permits have been approved to operate the community garden. The electrician and plumbing contractors are working with the utility companies. The CRA will begin to work with a contractor/architect to design the greenmarket structure and prepare plans to submit for building permit. Platting is a condition of approval and is underway.

### **PBC Solid Waste Authority (SWA) Blighted & Distressed Properties Grants**

#### **FY 2018 – Oswego Avenue Properties Clean-up (STARTED)**

Update: The CRA has paid a contractor to remove evasive trees, vegetation and debris on the sites. An additional time extension of the grant agreement has been provided by the SWA.

Staff worked with Schmidt Nichols on the dog park design. A site and landscape plan, along with cost estimate have been provided. The CRA is also working with County Purchasing to see if the agency can utilize the County's annual contract "piggyback" policy. The remaining lots will be cleared, sodded, and fence commensurate with the original scope.

Background: The CRA was awarded in the amount of \$92,700 to clean-up, clear, sod and fence 6 vacant CRA-owned properties on Oswego Avenue east of Seminole Blvd. previously earmarked for the L-2 Canal Expansion project. The CRA is proposing match funds in the amount of \$34,460. An Interlocal Agreement between the CRA & SWA was approved by the BCC in March 2018. The CRA received a 50% disbursement of total funds in April 2018.

SWA has approved an extension to the grant timeline and a change of scope to develop a dog park on three of the Oswego Avenue parcels targeted for the properties clean-up. The dog park will include areas and equipment for small and large dogs, fencing, landscaping, and benches. By the fall of 2018, the LWDD cleared a majority of the vegetation overgrowth along the L-2 canal leaving a window of opportunity in the budget to create a simple dog park and still maintain the overall budgeted amount.

#### **FY 2017 – Oswego Oaks Park (ONGOING)**

Update: DHES has allowed and agreement extension until the end of January 2020 to allow for grant close out. The park reached substantial construction completion at the end of August 2019. Final inspections began in September 2019 and punch list items have largely been addressed. The LWDD requires drainage permit as-builts, several sub-permits were required (pavilion roof, site electrical) and remain under review due to delays caused in part by contractor inaction and by an extremely slow County Building review process. Staff is working with the County and with West to expedite, however, contract close-out is delayed.

Delays in obtaining shop drawings for the pavilion structure, revisions to the structural drawings and permit review caused delays in meeting project substantial completion. The project is on schedule to be fully completed by end of June 2019. All the permits have been obtained and the contractor is working diligently to make up for lost time. The CRA Board approved a change order to the contract allowing substantial completion by May 2019 and final completion by June 2019.

Background: The CRA was awarded in the amount of \$151,000 to design and build a neighborhood park on Oswego Avenue at Seminole Blvd across from the Westgate Recreation Center. The park will utilize 3 vacant CRA owned lots formerly earmarked for the L-2 Canal expansion project. Staff worked

with PBC Parks & Recreation to design the project. In 2017, PBC HES originally approved a request for \$114,000 in CDBG funds to match the SWA grant. The SWA forwarded 50% of the grant amount to the CRA to start the project. Following completion of design and engineering drawings, it became clear that the project was underfunded. CRA Staff requested additional funding of \$231,000 in FY 2018 CDBG allocations from HES to cover a budget shortfall for the park project. Construction drawings were finalized and the project was advertised for bid in August 2018. The contract was awarded to the lowest bidder West Construction Inc. The contract has been executed and construction began in November 2018.

### **PBC Transportation Planning Agency (TPA) Transportation Alternatives (TAP) & Local Initiatives (LI) Grants**

#### **FY 2020 Cherry Road Pedestrian & Safety Improvements (NEW)**

Update: The CRA engaged consultants, WGI to refine the Cherry Rd. improvements project for TPA TAP grant application submittal in the 2020 cycle. CRA Staff and WGI worked with Engineering on improving the proposed typical sections. The project proposes reduced with travel lanes for traffic calming, new sidewalks on the south side of Cherry Rd east and west of the bridge to the intersection of Country Club Rd., a new 12' shared multi-use path on the north side of the corridor, new crosswalks, pedestrian scale lighting, and shade trees where allowed. The total project cost is \$1.96 million. The grant reimburses \$1 million. The application was submitted to the TPA on February 28, 2020.

#### **FY 2019 and Seminole Blvd. Complete Streets (FUNDED/ONGOING)**

Update: The Transportation Planning Agency Governing Board approved funding for the Seminole Blvd project at their July 18<sup>th</sup> meeting. The Seminole project was ranked #1. Staff and WGI presented the projects to FDOT and BTPAC in early April; Seminole was ranked #1 and Cherry Rd was #4. The Board recommended that the Seminole Blvd project should be prioritized since it ranked higher and is a larger project.

Background: The Board approved a two-fold work assignment with WGI in November 2018 to prepare a feasibility analysis to identify the best two projects to submit to the TPA for the 2019 Transportation Alternatives Program (TAP) cycle. Based on findings presented by WGI, the Board selected the following projects:

1. Seminole Blvd Complete Streets which expands existing sidewalks to 10-12 ft. multi-use paths on each side of the roadway, adds high visibility crosswalks at each intersection, adds pedestrian scale lighting, and shade trees. The project boundaries are from Okeechobee Blvd. to Oswego Ave. Total construction cost is \$1,622,979. The grant reimburses \$1 million.
2. Cherry Road Pedestrian Safety Improvements adds new sidewalks on the south side of Cherry Rd and expands existing sidewalks on the north side to 10-12 ft., adds HAWK signalization to intersection at Country Club Rd., and two new crosswalks along the corridor, new pedestrian scale lighting, and shade trees. The project boundaries are from Quail Drive to N. Military Trail. Total construction cost is \$911,142.

TAP grant projects are designed and constructed within 3 years of prioritized funding. Design will begin in 2020 with construction completion in 2022.

#### **FY18 – Westgate Avenue Corridor Complete Streets (DESIGN STARTED)**

Update: Design has begun on the Westgate Avenue project. CRA Staff met with County Roadway Production and the project consulting engineers in February to discuss the design, scope and timeline of the project. The CRA has been asked to provide input on lighting design and landscaping. The consulting engineers have included a roundabout at the intersection of Westgate Ave. and Seminole

Blvd. in their design. At their February meeting, the CRA Board, following discussion, expressed their disapproval of a roundabout at this location.

A County Selection Committee met in November 2019 and selected American Consulting Engineers of Florida (ACE) to design the project. CRA staff was in attendance for the presentations and scoring. The County Engineering Department had shortlisted three firms for the project, including CRA consultants WGI, however, volume of previous work was an overriding factor in selection.

**Background Information:** Staff engaged WGI to coordinate the preparation of travel demand forecast modelling to determine the impact of reducing Westgate Ave from 5 lanes to 3 lanes utilizing a road diet approach. WGI facilitated communication with PBC TPA and Engineering to determine the best design alternative, held a public input meeting, and drafted the final design for the project be used to obtain funding. WGI met with the Engineering Department to present the lane elimination plan. County staff is in support of the lane reduction from Wabasso to Congress, but they are not in support of the elevated landscape median. An alternative design, which allows for 3 lanes (2 thru lanes and one center turn lane), bike lanes, and floating landscape islands on both sides of the ROW alternating with on street parking was presented to County Engineering for approval and support. With assistance from WGI, the LI grant application was submitted on March 2, 2018. CRA staff is working with County Engineering and Administration to design and administer all 3 of the TPA grant projects.

The TPA Governing Board voted to adopt the TPA List of Priority Projects for the LRTP FY 2020-2024 at their September 20, 2018 meeting. Projects that met TPA and FDOT eligibility requirements were ranked by internal advisory boards, committees and TPA Staff to be forwarded the Governing Board. The Westgate Avenue Complete Streets project was ranked #1 of 6 entries to receive Local Initiatives Program funding. This project has been moved up the timeline due to the inability of other funded projects to proceed. Design can start in July 2019 for FY 2019/20. Construction funding will be approved after the design is completed.

#### **FY 2018 – Phase II Belvedere Heights Streetlights & Sidewalks (FUNDED/ONGOING)**

**Update:** The TPA Governing Board voted to adopt the TPA List of Priority Projects for the LRTP FY 2020-2024 at their September 20, 2018 meeting. Projects that met TPA and FDOT eligibility requirements were ranked by internal advisory boards, committees and TPA Staff to be forwarded the Governing Board. Phase II of the Belvedere Heights Streetlights and Sidewalks project was ranked #3 of 4. This project has been moved up the timeline due to the inability of other funded projects to proceed. Design can start in July 2019. Construction funding will be approved after the design is completed. The CRA needs to execute an MOU and provide upfront funding to the County for design.

**Background Information:** CRA staff prepared and submitted a Transportation Alternatives Program (TAP) grant application for Phase II – Wellington Road to Bridgeman Road, of the Belvedere Heights Neighborhood for sidewalks and streetlights to PBC TPA in March 2018.

#### **FY 2017 – Phase I Belvedere Heights Streetlights & Sidewalks (DESIGN NEARLY COMPLETE)**

**Update:** Engineers are preparing the second part of the design. The Engineering Department has engaged several consultants through a CRA/County MOU to implement the project. Design is almost completed. The County is currently reaching out to the residents.

**Background Information:** An application was submitted to the TPA Transportation Alternatives Grant to request almost \$1 Million to install sidewalks and streetlights in Belvedere Heights in 2017. The funds will not be available until 2019. The BCC approved Engineering Department sponsorship of the project via resolution in May 2018.

**CRA 5-year Strategic Plan (ONGOING)**

CRA staff has begun drafting a 5-year strategic plan that will implement the goals and objectives of the newly amended Redevelopment Plan. A strategic plan will outline the specific tasks, timeline and budget required for redevelopment activities over the next 5 years. It can also serve as a platform for the CRA to refine its vision and mission statement in a way that is current with its shifting priorities. Staff has received some initial input from Board members. Work on the Strategic Plan is ongoing.

**Streetlights for Belvedere Homes (ONGOING)**

The Engineering Department is partnering with Office and Community Revitalization to install streetlight in Belvedere Homes. An initial meeting has been held. Citizens are currently gathering signatures and easement authorization from residents and property owners.

### **Proposed Private Redevelopment Projects**

Below is list of private development projects in the Westgate CRA that are in the entitlements or permitting process:

<b>Projects</b>	<b>Address</b>	<b>Status</b>
Car Wash (potential project -- formerly KFC/Jack's Restaurant)	2200 Okeechobee Blvd.	DRO Approval required. Applicants to meet with Zoning staff
Cottage home project	2611 Saranac	1-acre site newly subdivided into 14 25 ft lots for cottage homes
New Country Motor Cars -- Mercedes-Ferrari	4000 Okeechobee	DOA/Concurrent Type II variance requests -- redistributing square footage, expanding/renovating maintenance area, roof top inventory parking
Gas Station (Circle K)	1799 Congress Ave at Westgate	Construction complete
Palm Beach Marketplace	Okeechobee Blvd	ZAR for redistribution of square footage, removing outdoor seating areas
Mercedes/Ferrari	Okeechobee Blvd	ZAR for changes to architectural elevations
Health Career Institute	1764 Congress Ave	In Zoning review for a DOA to a MUPD. Adding 680 students. Redistributing square footage. Increasing daily trips by 500 (CRA may not have TCEA trips remaining in pool)
Quick Lane (Ford/Lincoln Dealership)	1668 N. Military Trail	Not yet submitted. Requires rezoning to CG and BCC approval for a Class A conditional use
Congress Avenue - Greene Apartments	1600 N. Congress Ave	In Zoning for DRO approval. 198 units -- 138 density bonus units from WCRA pool; 55 income restricted. Issues with compensating storm water storage
Fern House	Church Street	In Zoning for DRO approval
MacDonald Industrial/McArthur Dairy	N. Florida Mango	Type 2 waiver for extended hours of operation. BCC approved January. Construction to begin mid 2019
Extraordinary Charities	2635 Old Okeechobee Rd	Nonconformities certification. Interior/exterior renovations complete
Opportunity Inc. Daycare	Donnell Rd at Westgate Ave.	Construction complete
Cumberland Farms	Okeechobee & Seminole Blvd.	Construction completed (access easement to be recorded for CRA parking area at rear)
Mi Pais Express (Fernandez) Mixed Use	2633 Westgate Ave	Platting process has begun. Permit submitted. Architectural review for mixed use required. CRA has prepared easement agreement. Architectural review underway
Connections Education School for Autism -- rezoning	Marine Drive	Rezoning approved BCC. On hold
Westgate Apartments	Westgate Ave (adjacent to Westgate Plaza)	Workforce housing project -- 48 units. On hold
Dos Hermanos Mixed Use	Westgate & Seminole Blvd	Rezoning & variances approved. DRO site plan approval. New architect
Speedy's Tires Auto Repair expansion	Congress Ave. & Cherry Rd.	Approved at Dec BCC/Final DRO. Admin amendment. Zoning complete. Platting & contractor selection
Westgate One	Westgate at Nokomis	Approved/ Extension. Potential residential project

**WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY  
1280 N. CONGRESS AVE., SUITE 215, WEST PALM BEACH, FL. 33409  
MINUTES OF THE MONTHLY MEETING**

**March 09, 2020**

**I. CALL TO ORDER**

Mr. Daniels, the Board Chair, called the meeting to order at 5:06p.m. The roll was called by Ms. Bui.

**Present:** Ronald Daniels  
Joanne Rufty  
Enol Gilles  
Yeraldi Benitez – arrived at 5:33p.m.  
Ruth Haggerty

**Absent:** Joseph Kirby  
Ralph Lewis

**Staff Present:** Elizée Michel, Executive Director  
Denise Pennell, Senior Planner  
Carmen Geraine, Bookkeeper  
Mai Bui, Administrative Assistant  
Thomas J. Baird, Esq., General Counsel

**II. AGENDA APPROVAL**

**1. Additions, Deletions, Substitutions to Agenda**

- No Additions, Deletions, Substitutions to Agenda

**2. Adoption of Agenda**

- It was moved by Ms. Rufty and seconded by Mr. Haggerty to adopt the Agenda. Motion carried (4-0)

**III. ADOPTION OF W/BH CRA MINUTES**

- It was moved by Ms. Haggerty and seconded by Mr. Gilles to adopt the minutes of the February 10, 2020 meeting. Motion carried (4-0)

#### **IV. PUBLIC COMMENT**

- PBSO Sgt. Hightower and Deputy Gomez gave a brief report to the Board about police activities in the Westgate CRA area for the previous month.
- Ms. Dorritt Miller, Assistant County Administrator introduced herself to the Board. Ms. Miller serves as the County Administration's liaison to the WCRA.

#### **V. DISCLOSURES**

- No disclosures

#### **VI. CONSENT AGENDA**

#### **VII. REGULAR AGENDA**

##### **1. Fiscal Year 2019 Audit Report Presentation**

Zenora Ward with Ward and Company, P.A. presented the 2019 audited financial reports.

**No Motion was needed**

##### **2. Approval of Use of Compensating Storage Mitigation Credits Concept from the Westgate Central Lake Improvements to the Greene Apartments**

The agenda item was introduced by Mr. Michel. The Green Apartments Project is approved by Palm Beach County Zoning Division for 198 housing units consisting of 16 townhomes and 182 garden style apartments on Congress Avenue. In order for the project to move forward it needs assistance meeting its compensating flood plain storage requirement. Compensatory storage is area needed to offset any loss of flood storage capacity when new buildings or fill disturb historical flood storage areas. He has acquired 2 acres of vacant land off of Troy Blvd to provide some of the credits needed. It is likely that the project is going to need additional compensatory storage beside the Troy credits. The developer is seeking assistance from the CRA to offset the deficit.

This is the first time the CRA has received an official request for compensating flood plain storage credits. The CRA has retained the services of Higgins Engineering to request South Florida Water Management District (SFWMD) to restore compensating storage credits for excavation works created by the CRA over the past few years. The engineer is using all the retention ponds, detention ponds and the lake built by the CRA to convince the District that the CRA had created an excess of storage that needs to be restored. If he is successful, the CRA will have a compensating storage bank of credits that could be assigned to different projects.

In the event the CRA is not successful in convincing the SFWMD to restore compensating storage credits, it is possible to excavate vacant land adjacent to the lake to create additional compensating storage. In this case, the CRA could provide the land and the developer could pay for the excavation.

The Green Apartments project could be a catalyst project for the CRA and the redevelopment of Congress Avenue. As such, the CRA should consider providing this assistance as an incentive to help the project move forward.

The developer is asking the Board to transfer compensating storage credits to the project or to allow the developer to excavate land near the lake to help meet the compensating storage requirement.

Staff recommended that the Board approve the use of compensating storage mitigation credits at the Westgate Lake in order to allow the Greene Apartments project to move forward, and to allow staff to work out the details.

3. **It was moved by Ms. Rufty and seconded by Ms. Haggerty to approve the use of compensating storage mitigation credits concept from the Westgate Central Lake Improvements to the Greene Apartments.**  
**The motion passed unanimously (4-0)**

#### **VIII. STAFF REPORTS**

Mr. Michel reported to the Board that Celebrate Westgate Festival will be on 04/11/20 and Mai will contact Board Members to man the WCRA table.

Mr. Michel reported to the Board that Rooney 5K Run will be on 04/11/20.

Mr. Michel reported to the Board that Bike Rodeo at the Westgate Recreation Center is on 03/14/20.

Mr. Michel reported to the Board that the Oswego Oaks Park project is still in close out due to delays caused by the contractor and the County Building Department.

Mr. Michel reported to the Board that Bridgeman Park is about to open and staff is working on maintenance details.

#### **IX. AJOURNMENT**

**It was moved by Ms. Rufty and seconded by Mr. Gilles to adjourn the meeting. The meeting adjourned at 5:36p.m.**

\_\_\_\_\_  
Mai Bui

Administrative Assistant, Westgate CRA

**CONTRACT BETWEEN THE WESTGATE/BELVEDERE HOMES  
COMMUNITY REDEVELOPMENT AGENCY  
AND  
HIGGINS ENGINEERING, INC.  
FOR CONSULTING SERVICES**

This Contract for Consulting Services (CONTRACT) made this \_\_\_\_ day of \_\_\_\_\_ 2020, by and between the WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY, a dependent special district created by Palm Beach County pursuant to Chapter 163, Part III, Florida Statutes hereinafter referred to as the "CRA", and Higgins Engineering, Inc, 4623 Forest Hill Blvd., West Palm Beach, FL 33415, hereinafter designated as the "CONSULTANT".

**WITNESSETH THAT:**

WHEREAS, the CRA is a dependent special district created by Palm Beach County pursuant to Chapter 163, Part III, Florida Statutes; and

WHEREAS, the CRA is empowered to enter into contractual arrangements with public agencies, private corporations or other persons, pursuant to Chapter 163, Part III, Florida Statutes; and

WHEREAS, the CRA wishes to investigate compensating benefits of the Denis Koehler Preserve and the other detention and retention ponds built by the CRA; and

WHEREAS, CONSULTANT is qualified to provide the services needed by the CRA and

WHEREAS, the CRA has budgeted funds to pay for such services;

NOW THEREFORE, the CRA and the CONSULTANT in consideration of the benefits flowing from each to the other do hereby agree as follows:

1. SCOPE OF SERVICE.

The CONSULTANT shall, to the satisfaction of the CRA, fully and timely provide services as set forth in the scope of services outlined in Exhibit A, which is attached hereto and incorporated herein.

2. TERM.

The term of this CONTRACT is for three years and shall commence on the date of the last party's execution of this CONTRACT.

3. CONSIDERATION.

As consideration for providing the services which shall be required by this CONTRACT, the CRA shall pay the CONSULTANT in accordance with the Fee

Schedule attached as "Exhibit B", and incorporated herein.

4. EQUAL OPPORTUNITY/MBE PARTICIPATION

The CONSULTANT hereby assures that its firm does not discriminate against anyone on the basis of race, color, national origin, religion, ancestry, sex, age, familial status, marital status, sexual orientation, gender identity and expression, disability, or genetic information in any activity under this CONTRACT. The CONSULTANT shall take all measures necessary to effectuate these assurances.

5. INVOICING.

The CONSULTANT'S invoices shall reference the CRA'S Contract Number and shall be sent to the following address:

Westgate/Belvedere Homes Community Redevelopment Agency  
Attention: Elizée Michel, AICP, Executive Director  
1280 N. Congress Avenue, Suite 215  
West Palm Beach, FL 33409

6. INDEMNIFICATION.

For \$10.00 consideration, the sufficiency of which is acknowledged, payable as part of and included in the first payment hereunder, the CONSULTANT shall indemnify, save, and hold the CRA, its officials, agents, and employees, harmless from claims or causes of action, including without limitation, all damages, losses, liabilities, expenses, costs, and reasonable attorney's fees related to such claims, to the extent caused by any negligent act or omission, or the violation of any federal, state, or local law or regulation, by the CONSULTANT.

7. TERMINATION/REMEDIES

The CRA may terminate this CONTRACT at any time for convenience upon 10 calendar days prior written notice to the CONSULTANT. The performance of work under this CONTRACT may be terminated by the CRA in accordance with this clause in whole, or from time to time in part, whenever the CRA shall determine that such termination is in the best interest of the CRA. Any such termination shall be effected by delivery to the CONSULTANT of a Notice of Termination, and the date upon which such termination becomes effective.

In the event of termination, the CRA shall compensate the CONSULTANT for all authorized and accepted work performed through the termination date. The CRA shall be relieved of any and all future obligations hereunder, including but not limited to lost profits and consequential damages, under this CONTRACT. The CRA shall pay the CONSULTANT for all work performed up to the date of termination plus reimbursable expenses and any reasonable and necessary termination costs.

In the event the CRA breaches the CONTRACT, the CONSULTANT may terminate it by providing 30 days advance written notice.

8. COMPLIANCE WITH LAWS.

The CONSULTANT shall comply with all applicable federal, state, and local laws and regulation relating to the performance of this CONTRACT. The CRA undertakes no duty to ensure such compliance, but will attempt to advise the CONSULTANT, upon request, as to any such laws of which it has present knowledge.

9. PUBLIC ENTITY CRIMES.

The CONSULTANT, by its execution of this CONTRACT, acknowledges and attests that, neither he nor any of his employees has been convicted of any public entity crime pursuant to Section 287.133, Florida Statutes, or, if he or any employee was convicted of a public entity crime, a period longer than 36 months has passed since he or his employee was placed on a convicted vendor list.

10. SALES TAX.

The CONSULTANT shall not be exempted from paying Florida Sales and Use taxes to the appropriate governmental agencies or for payment by the CONSULTANT to suppliers for taxes on materials used to fulfill his contractual obligations with the CRA.

11. RELATIONSHIP BETWEEN THE PARTIES

The CONSULTANT is an independent contractor and is not an employee or agent of the CRA. Nothing in this CONTRACT shall be interpreted to establish any relationship other than that of an independent contractor, between the CRA and the CONSULTANT. The CONSULTANT is free to provide similar services for others.

12. ASSIGNMENT.

The CONSULTANT shall not assign, delegate, or otherwise transfer its rights and obligations as set forth in this CONTRACT without the prior written consent of the CRA, which consent shall not be unreasonably withheld. Any attempted assignment in violation of this provision shall be void.

13. PUBLIC RECORDS.

With respect to public records, the CONSULTANT is required to:

1. Keep and maintain public records required by the CRA to perform the service.

2. Upon the request of the CRA's custodian of public records, provide the CRA with such public records within a reasonable time at a cost that does not exceed the costs provided for in Chapter 119, Florida Statutes.

3. Ensure that any public records that are exempt or confidential from public records disclosure are not disclosed except as authorized by law for the duration of the term of this CONTRACT, and following completion of this Contract if the Consultant does not transfer the records which are part of this Agreement to the CRA.

4. Upon the completion of the term of the CONTRACT, transfer, at no cost, to the CRA all public records in possession of the CONSULTANT; or keep and maintain the public records associated with the services provided for in the CONTRACT. If the CONSULTANT transfers all public records to the CRA upon completion of the term of the CONTRACT, the CONSULTANT shall destroy any duplicate public records that are exempt of confidential from public records disclosure. If the CONSULTANT keeps and maintains public records upon completion of the term of the CONTRACT, the CONSULTANT shall meet all applicable requirements pertaining to the retention of public records. All records stored electronically shall be provided to the CRA, upon request from the CRA's custodian of public records, in a format that is compatible with the information technology systems of the CRA.

5. If the CONSULTANT has questions regarding the application of Chapter 119, Florida Statutes, its duty to provide public records relating to this CONTRACT, the CONSULTANT should contract the custodian of Public Records at: Westgate/Belvedere Homes Community Redevelopment Agency, 1280 North Congress Avenue, Suite 215, West Palm Beach, FL 33409, 561-640-8181, emichel@pbcgov.org.

#### 14. INSPECTOR GENERAL.

Pursuant to Ordinance No. 2009-049, as amended, Palm Beach County's Office of Inspection General may be authorized to review past, present and proposed County contracts, transactions, accounts and records. The Inspector General's authority includes, but is not limited to, the power to audit, investigate, monitor, and inspect the activities of entities contracting with Agencies operating under the scrutiny of the Office of the Inspection General, or anyone acting on their behalf, in order to ensure compliance with contract requirements and to detect corruption and fraud.

#### 15. ATTORNEY FEES:

If either party initiates legal action, including appeals, to enforce this Contract, the prevailing party shall be entitled to recover reasonable attorney's fees.

#### 16. GOVERNING LAW/VENUE:

The laws of the State of Florida shall govern all aspects of this Contract. In the event it is necessary for either party to initiate legal action regarding this Contract, venue shall be in the Fifteenth Judicial Circuit for claims under state law and in the Southern District of Florida for any claims which are justifiable in federal court.

17. SEVERABILITY:

Should any term or provision of this Contract be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such invalidity shall not affect any other term or provision of this Contract, to the extent that the Contract shall remain operable, enforceable and in full force and effect to the extent permitted by law.

18. SEVERABILITY.

Should any term or provision of this CONTRACT be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such invalidity shall not affect any other term or provision of this CONTRACT, to the extent that the CONTRACT shall remain operable, enforceable and in full force and effect to the extent permitted by law.

19. AMENDMENT.

To the extent not inconsistent with other provisions herein, this CONTRACT may be amended, extended, or renewed only with the written approval of the parties.

20. INTEGRATION.

This CONTRACT states the entire understanding and agreement between the parties and supersedes any and all written or oral representations, statements, negotiations, or agreements previously existing between the parties with respect to the subject matter of this CONTRACT. The CONSULTANT recognizes that any representations, statements or negotiations made by CRA staff do not suffice to legally bind the CRA in a contractual relationship unless they have been reduced to writing and signed by an authorized CRA representative. This CONTRACT shall inure to the benefit of and shall be binding upon the parties, their respective assigns, and successors in interest.

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this CONTRACT on the date first written above.

WITNESS:

WESTGATE/BELVEDERE HOMES  
COMMUNITY REDEVELOPMENT AGENCY

\_\_\_\_\_  
Printed Name:

By \_\_\_\_\_  
Ronald L. Daniels, Chair

\_\_\_\_\_  
Printed Name:

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By \_\_\_\_\_  
Thomas J. Baird, General Counsel

WITNESSES:

CONSULTANT: HIGGINS ENGINEERING, INC.

\_\_\_\_\_  
Printed Name:

\_\_\_\_\_  
Robert W. Higgins P.E. President

\_\_\_\_\_  
Printed Name:

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by \_\_\_\_\_ (name of person acknowledging).

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:

## EXHIBIT A

Westgate/Belvedere Homes Community Redevelopment Agency  
1280 North Congress Avenue, Suite 215  
West Palm Beach, FL 33409

Attn: Elizée Michel

Re: CRA Compensating Storage Projects

Dear Sirs:

We are pleased to submit the following proposal for professional services concerning recapturing storage created by the Community Redevelopment Agency (CRA) for use as compensating storage. Higgins Engineering, Inc., Inc. hereinafter referred to as the Engineer, proposes to furnish professional services for Westgate/Belvedere Homes Community Redevelopment Agency, hereinafter referred to as the Client, using the scope outlined below for the fees stipulated herein.

### Scope of Services

1. Meet with the CRA staff to determine which storage areas (lakes) were dug to provide C-51 Canal Compensating Storage for other projects supported by the CRA. Determine which areas can no longer be used as C-51 Compensating Storage. Obtain estimated costs of construction for the storage areas that potentially qualify.
2. Prepare a summary of the C-51 Canal update model versus storage projects within the CRA funded by the CRA. Prepare appropriate exhibits for use at meetings.
3. Coordinate a meeting with upper South Florida Water Management District (SFWMD) Staff to present the argument on inappropriately using the CRA storage areas within the model without permission of the CRA. Following the meeting prepare and submit a meeting summary and ask for concurrence by SFWMD Staff.
4. Meet with CRA staff to discuss the next steps and appropriate course of action.
5. Additional services mutually agreed upon, in writing by both parties.

### Time of Performance

Items 1 through 5 of the scope of services will be completed as directed by the Client, and mutually agreed to by the engineer, except for delays beyond the control of the engineer.

## EXHIBIT B

### Compensation Agreement

We estimate the cost of this proposal (Items 1 through 4) to be Ten Thousand Dollars (\$10,000.00)/ The total estimated cost will not be exceeded without the prior written approval of the Client. It should be emphasized that this estimate is for budget purposes only. Invoices for services rendered are prepared monthly and are due and payable within thirty (30) days from the date of invoice.

For items 1 through 5 of the Scope of Services, the Engineer shall be paid a fee based on the following Rate Schedule:

Senior Engineer	\$200. Per Hour
Engineer	\$160. Per Hour
Jr. Engineer	\$120. Per Hour
Draftsman	\$ 90. Per Hour
Secretary	\$ 60. Per Hour

Plus, applicable sales taxes and reimbursement for direct non-salary expenses, including but not limited to, automobile travel at \$0.58 per mile, air travel at cost, long distance telephone, subsistence, printing and reproduction.

### Termination

This Agreement may be terminated by either party by giving thirty (30) days advance written notice. The Engineer shall be paid for services rendered to the date of termination on the basis of a reasonable estimate of the portion of services completed prior to termination and shall be paid for all reasonable expenses resulting from such termination and for any unpaid reimbursable expenses.

### Acceptance

Acceptance of this proposal may be indicated by the signature of a duly authorized official of the Client in the space provided below. One signed copy of this proposal returned to the Engineer will serve as an Agreement between the two parties and as a Notice to Proceed.

Should this proposal not be accepted within sixty (60) days, it shall become null and void.

Very truly yours, HIGGINS ENGINEERING,  
INC.

Robert W. Higgins, PE  
President

Accepted by:

Wetgate/Belvedere Homes Community Agency

By: \_\_\_\_\_

Date: \_\_\_\_\_

## **ANNEX 1**

### **SUMMARY OF TERMS AND CONDITIONS**

**Borrower:** Mi Pais Holdings Inc ("*Borrower*")

**Lender:** SunTrust Bank ("*Lender*")

**Guarantor(s):** Mi Pais Express Inc, Mickey Fernandez and Clara Fernandez (each a "*Guarantor*", and together with the Borrower, "*Obligors*").

**Facility:** A construction loan funded in multiple draws (the "*Loan*").

**Loan Amount:** \$733,000

**Purpose:** To refinance existing debt and construct a multiuse building located at 2633 Westgate Avenue and 2640 Cherokee Ave West Palm Beach FL 33409.

**Maturity Date:** 120 months from the closing date.

**Interest Rate:** A fixed rate equal to 5.30% p. a. (calculated on the basis of a 360-day year).

**Commitment Fee:** 0.5 % of the Loan Amount.

**Repayments:** A total of 9 payments of interest only must be paid on the disbursed principal balance beginning one month from the month this Note is dated. After the initial nine months of interest only payments, Fixed payments consisting of 111 consecutive monthly installments of principal and interest of approximately \$5,069 payable on the to be determined day of each month beginning to be determined, and a final payment equal to the unpaid balance of principal plus accrued and unpaid interest and any other amounts owed, due and payable on the Maturity Date. Repayments are based upon a 231 month amortization.

**Prepayment Penalty:** None.

**Treasury and Payment Services; Payments by Auto Debit:** Borrower agrees (i) to maintain its primary operating account and all cash management treasury business with SunTrust Bank, including, without limitation, all deposit accounts, disbursement accounts and lockbox accounts and (ii) to execute an agreement authorizing Lender to debit a deposit account maintained by Borrower with SunTrust Bank for all amounts due under the Loan.

**Collateral:** 1. Mortgage, Deed of Trust or Deed to Secure Debt (as applicable, the "Security Instrument") providing Bank with a first priority mortgage lien/security interest on the building that is being constructed on 2633 Westgate Avenue and 2640 Cherokee Ave

West Palm Beach FL 33409., (the "Property"). The true legal description of the Property to be acceptable to Bank or Bank's closing attorney.

2. Mortgage, Deed of Trust or Deed to Secure Debt (as applicable, the "Security Instrument") providing Bank with a first priority mortgage lien/security interest on the building located at 3301 Broadway, West Palm Beach FL 33407. The true legal description of the Property to be acceptable to Bank or Bank's closing attorney.

**Representations and Warranties:**

Usual and customary for Lender in transactions of this type.

**Affirmative Covenants:**

Usual and customary for Lender in transactions of this type, including without limitation: delivery of updated financial information, including but not limited to current financial statements in form satisfactory to Lender, tax returns and other additional information, reports or schedules (financial or otherwise), all as Lender may request.

**Negative Covenants:**

Usual and customary of Lender in transactions of this type, including without limitation restrictions on liens, additional indebtedness and dividend payments if an event of default exists.

**Events of Default:**

Usual and customary for transactions of this type (with customary notice and cure periods), including, without limitation, the following: payment default; breach of representations in any material respect; breach of covenants; cross default to other indebtedness; bankruptcy; judgments; change in control; material adverse change in financial condition, operations, business or prospects; termination or invalidity of guaranty or collateral documents; and defaults under other loan documents.

**Closing Conditions:**

The closing of the Loan shall be conditioned upon satisfaction (or valid waiver) of conditions precedent usual and customary for transactions of this type, including, without limitation, the following conditions (all of the items to be delivered in form and substance satisfactory to Lender): (1) receipt and review of (a) all financial, formation and other information required by Lender on Borrower, Guarantor(s) and their constituent entities and other entities specified by Lender, including all due diligence materials to verify authority, identity and background information for regulatory purposes under applicable "know your customer" and anti-money laundering laws, as deemed necessary by Lender in its sole and absolute discretion and (b) such other information and due diligence deliveries as are requested by and acceptable to Lender, including, but not limited to, legal documentation and attorney opinion letters; (2) authorization, execution and delivery of such documentation as is standard and customary for this type of transaction or otherwise deemed necessary or appropriate by Lender, including customary increased cost, withholding tax, capital adequacy and yield protection provisions, treating Basel III and Dodd Frank as changes in law in a manner similar to that proposed by the LSTA for such provisions, and cross-collateralization of all obligations owed to Lender by Borrower; and (3) there shall not have occurred, in the opinion of Lender, any material adverse change in the business or financial condition of Borrower or any Guarantor or in any other state of facts submitted to Lender in connection with the Loan, from that which existed at the time Lender initially considered the proposed Loan.

The funding of the Loan shall be subject to accuracy of representations and warranties as of the date of such Loan and no event of default or incipient default

under the Loan shall have occurred and be continuing as of the date of such Loan or would result from making the Loan.

**Expenses and  
Indemnification:**

Borrower will pay all costs and expenses of Lender [including, without limitation, the fees, charges and disbursements of Lender's counsel (including in-house counsel)] in connection with the preparation, administration and enforcement of all documentation executed in connection with the Loan.

**Governing Law and  
Jurisdiction:**

State of FL

**Swap Disclaimer:**

Nothing herein constitutes an offer or recommendation to enter into any "swap" or trading strategy involving a "swap" within the meaning of Section 1a(47) of the Commodity Exchange Act. Any such offer or recommendation, if any, will only occur after we have received appropriate documentation from you regarding whether you are qualified to enter into a swap under applicable law.

**This Summary of Terms and Conditions is intended as an outline of certain material terms and conditions applicable to the Loan and does not purport to describe all of the terms and conditions, representations and warranties, covenants and other provisions that could be contained in the definitive loan and collateral documentation relating to the Loan.**



**PALM BEACH COUNTY**  
**PLANNING, ZONING & BUILDING**  
 2300 N. Jog Road  
 West Palm Beach FL 33411  
 (561) 233-5000 or (888) 236-3809

Receipt No: 2020-0115-289

**Fee Details**

Tracking No	Fee Code	Fee Description	Amount
PR-2018-029279-0000	03390	Landscape Plan, Revisions (+ \$ per page)	195.00
	03395	Landscape Permit	168.00
	03400	Landscape Plan: Zoning Initial Review (+ \$ per page)	112.00
	03401	Landscape Annual Inspection	170.00
	03403	Landscape Final Inspection	170.00
	03640	Zoning: Permit Review Project with an Improved Value > \$75,000.00	1,685.00
	20020	IF: Law - Patrol	270.93
	20030	IF: Library	246.83
	20040	IF: Public Blds	1,035.99
	20050	IF: Roads	37,528.69
	20110	IF: Schools	2,393.06
	20120	IF: Parks	1,102.90
	50260	Permit: Building	3,875.00
	50740	Building Misc Fees	29.00
	51090	NOC Lien Law Notification	5.00
	55301	DBPR State Surcharge	77.50
	55302	BCAI State Surcharge	116.25
	<b>Total:</b>		<b>49,181.15</b>

**Payment Details**

Payment From	Description	Amount
MI Pais Express II	Check No: 4029	35,131.15
Winfree Contracting Inc	Check No: 5084	14,050.00
<b>Total:</b>		<b>49,181.15</b>

Date Received: 01/15/2020 11:09:40

Register No: 2

Cashier ID: VNICAR

General Info: [www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)

Permit & Inspection Info: [www.pbcgov.com/pzb/building](http://www.pbcgov.com/pzb/building)

Automated Inspections: (561) 355-2222 or (888) 236-3807      Building Division: (561) 233-5100  
 Contractors Certification: (561) 233-5525      Code Enforcement: (561) 233-5500  
 Planning: (561) 233-5300      Zoning: (561) 233-5200

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**AFTER RECORDING MAIL TO:**

First International Title, Inc.  
1801 Centrepark Drive East, Suite 175  
West Palm Beach, FL 33401

**RELEASE OF PURCHASE OPTION**

File No.: 159456-30

Date: 03/12/2020

KNOW ALL MEN BY THESE PRESENTS that the undersigned Claimant, under that certain Purchase option contained in a deed filed in the office of the County Recorder of **Palm Beach** County, State of **Florida**, on 08/01/2016 and recorded in Official Rrecords Book 28472 and Page 1971 wherein is Grantor, and is Grantee, affecting the real property legally described as follows:

**LEGAL DESCRIPTION:** Real property in the County of Palm Beach, State of Florida, described as follows:

**Lots 7, 8 and 9, Block 28, West Gate Estates (Northern Section) according to the Plat thereof recorded in Plat Book 8, Page 38, Public Records of Palm Beach County, Florida.**

APN: 00-43-43-30-03-028-0070

DOES HEREBY ACKNOWLEDGE that said Purchase Option has been FULLY SATISFIED, RELEASED AND DISCHARGED, and does hereby authorize and direct the County Recorder to enter Full Satisfaction / Release of the same on the record thereof.

Dated: \_\_\_\_\_, 2020

By: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, before me \_\_\_\_\_, a Notary Public in and for said State, personally appeared \_\_\_\_\_ by means of ( ☒ ) physical presence or ( ☐ ) online notarization, known or identified to me to be the \_\_\_\_\_ of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

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(1)

Prepared by and return to:

Scott L. McMullen, Attorney at Law  
 Jones, Foster, Johnston & Stubbs, P.A.  
 4741 Military Trail, Suite 200  
 Jupiter, FL 33458  
 561-659-3800  
 File Number 26504.13

Consideration: \$29,000.00

[Space Above This Line For Recording Data]

**Warranty Deed**

This Warranty Deed made this 29<sup>th</sup> day of July, 2016, between Westgate/Belvedere Homes Community Redevelopment Agency, whose post office address is 1280 N. Congress Avenue, Suite 215, West Palm Beach, FL 33409, grantor, and Mi Pais Express, Inc., a Florida corporation, whose post office address is 3301 Broadway Avenue, West Palm Beach, FL 33407, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Palm Beach County, Florida, to-wit:

Lots 7, 8 and 9, Block 28, West Gate Estates (Northern Section), according to the Plat thereof recorded in Plat Book 8, Page 38, Public Records of Palm Beach County, Florida.

Parcel Identification Number: 00-43-43-30-03-028-0070

**SUBJECT TO** restrictions, reservations, conditions, dedications, limitations and easements of record, and taxes for the current year and all subsequent years, and the restriction set forth on Exhibit "A" attached hereto and made a part hereof.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2015.

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**EXHIBIT "A"**

**DEED RESTRICTION**

In the event Grantee does not complete construction (as evidenced by a Certificate of Occupancy issued by Palm Beach County) of the proposed two story commercial/residential building as contemplated by those certain plans prepared by SPREM Services, LLC, dated April 24, 2015, or a substantially similar project, within three (3) years of the date of the recording of this Warranty Deed, at Grantor's option, which option shall be exercised by Grantor by delivering written notice thereof to Grantee within ninety (90) days of the expiration of said three (3) year period, Grantee shall convey, at Grantee's sole expense, good and marketable title to the Property to Grantor for the same consideration (\$29,000.00) as paid at the time hereof.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Westgate/Belvedere Homes Community Redevelopment  
Agency

By: Ronald Daniels  
Ronald Daniels, Chairman

Elise Michel  
Witness Name: Elise Michel

Mai Newton  
Witness Name: Mai Newton

State of Florida

County of Palm Beach

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of July, 2016 by Ronald Daniels, Chairman of Westgate/Belvedere Homes Community Redevelopment Agency, on behalf of said the agency. He ☒ is personally known or ☐ has produced a driver's license as identification.

[Notary Seal]



SHARON ROSE SHEPPARD  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF910983  
Expires 10/27/2019

Sharon Rose Sheppard  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

# MEMORANDUM OF UNDERSTANDING

**DATE:** xxx

**TO:** Omelio A. Fernandez, P.E., Director  
Roadway Production Division, Engineering Dept.

**FROM:** Elizee Michel, Executive Director  
Westgate Belvedere Homes CRA

**RE:** **Palm Beach County Project No. 2019601**  
**WESTGATE AVENUE FROM WABASSO DRIVE TO CONGRESS**  
**AVENUE**

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Dear Mr. Fernandez:

I am writing to formalize the understanding between our two departments with regard to the Westgate Avenue from Wabasso Drive to Congress Avenue project (Project). The Westgate Belvedere Homes CRA (CRA) was awarded a federalized Local Agency Program (LAP) grant, administered by the Florida Department of Transportation (FDOT) which will be paid directly to Palm Beach County Engineering Department (Engineering). As FDOT requests that Engineering oversee the design and construction of this project, this memorandum will define the roles of each agency.

## **Project Scope Overview**

Improvements will be provided at the following locations as described below:

- Reconstruction of Westgate Avenue between Wabasso Drive and Suwanee Drive from a five-lane urban section to a three-lane urban section, including the addition of bike lanes and wider sidewalks.
- No right-of-way acquisition is anticipated at this time.
- No mitigation requirements are anticipated at this time.

**WESTGATE AVENUE IMPROVEMENTS PROJECT  
LETTER OF UNDERSTANDING  
XXX**

**Page 2 of 3**

**Westgate Belvedere Homes CRA Commitments and Duties**

- Provide all grant requirements and conditions.
- Provide all background information for the project.
- Provide specific guidance and information regarding the project scope (including aesthetic requirements of the project).
- Perform all public coordination and address any public involvement.
- Design Phase Funding  
CRA will provide and transfer funds for all costs associated with design of the project to Engineering by BAS. This shall include costs for the design consultant, Engineering staff time, permitting, plus a 25% contingency, prior to Engineering acquiring a design consultant.
- Construction/CEI Phase Funding  
CRA will provide and transfer the funds for the costs in excess of the grant amount for the construction/CEI phase to Engineering by BAS (Local Matching Funds) prior to Engineering advertising the bid.
- Engineering will use funds received from FDOT for costs expended by Engineering for the Project including staff costs, as it receives grant reimbursement payments from FDOT (Grant Funds).
- If FDOT does not reimburse Engineering, CRA shall be responsible for reimbursing Engineering for all outstanding payments due to Engineering within one (1) year of construction conclusion of the Project.
- Provide copy of all LAP/project communications to Engineering.
- Should Palm Beach County desire to return Westgate Avenue to a five-lane section in the future, the CRA shall not oppose the widening, and shall refund any grant funding as required by the grant agreement with FDOT.

**Engineering Department Commitments and Duties**

- Hire design consultant to produce plans, acquire necessary permits, and prepare required LAP documentation for FDOT. Includes engineering coordination.
- Coordinate with FDOT to meet all design phase LAP and federal requirements.
- Prepare bid documents and construction contract. Includes bidding process, and contract finalization.

**WESTGATE AVENUE IMPROVEMENTS PROJECT  
LETTER OF UNDERSTANDING  
XXX**

**Page 3 of 3**

- Hire CEI or use in-house staff to administer construction contract as required by LAP. Includes engineering coordination.
- Provide up to the grant amount in funding for the construction contract to be reimbursed by CRA. This funding is for project costs not covered by the Local Matching Funds.

This Memorandum of Understanding shall be in effect as of the date it has been signed by both entities.

Executed by the undersigned Representative of  
the Westgate Belvedere Homes CRA this \_\_\_\_  
day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Print Name: Ronald Daniels

Title: Board Chair

Executed by the undersigned Representative of  
the County Engineering Department this \_\_\_\_  
day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Print Name: Tanya N. McConnell

Title: Deputy County Engineer

Sincerely,

\_\_\_\_\_  
Elizee Michel  
Executive Director, Westgate Belvedere Homes CRA

pc: Verdenia Baker, Deputy County Administrator  
Tanya N. McConnell, P.E., Deputy County Engineer  
Project file and reading file

ec: Omelio A. Fernandez, P.E., Director, Roadway Production  
Morton L. Rose, P.E., Assistant Director, Roadway Production  
David L Young, P.E., Special Projects Manager, Roadway Production  
Holly B. Knight, P.E., Project Engineer, Roadway Prod. Div.

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✉ Reply all | ▾ Delete Junk | ▾ ...

✕

RE: Belvedere Heights Phase II (PBC #2019024)



Holly Knight

Wed 3/25/2020 1:57 PM

To: Elizee Michel

Cc: Kristine Frazell-Smith; Sandra Ospina M.; Colleen Flanagan ✉

✉ Reply all | ▾

Inbox

You replied on 3/25/2020 1:58 PM.

MOU Belvedere Heights...  
1 MB

Belvedere Heights - Pha...  
2 MB

✉ Show all 2 attachments (4 MB) Download all

Elizee,

We have decided to send the entire design task to the BCC as a single board item rather than splitting the design into two parts as we had originally planned. You have already given us a check for \$104,000 for the first part of the design. We would now like to request an additional \$81,500 for the second part of the design.

Thank You,  
Holly

Previous Check for First Part of the Design

Design Fee from Consultant \$70,164

PBC Staff Costs \$13,000

Contingency \$21,000

Total \$104,000

Required funds for entire project (see attached board item)

Design Fee from Consultant \$123,703

PBC Staff Costs \$22,300

Contingency \$36,500

40

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

<b>Meeting Date:</b>	June 2, 2020	<input checked="" type="checkbox"/>	<b>Consent</b>	<input type="checkbox"/>	<b>Regular</b>
		<input type="checkbox"/>	<b>Workshop</b>	<input type="checkbox"/>	<b>Public Hearing</b>

<b>Department:</b>	Engineering & Public Works Department
<b>Submitted By:</b>	Roadway Production Division
<b>Submitted For:</b>	Roadway Production Division

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve:

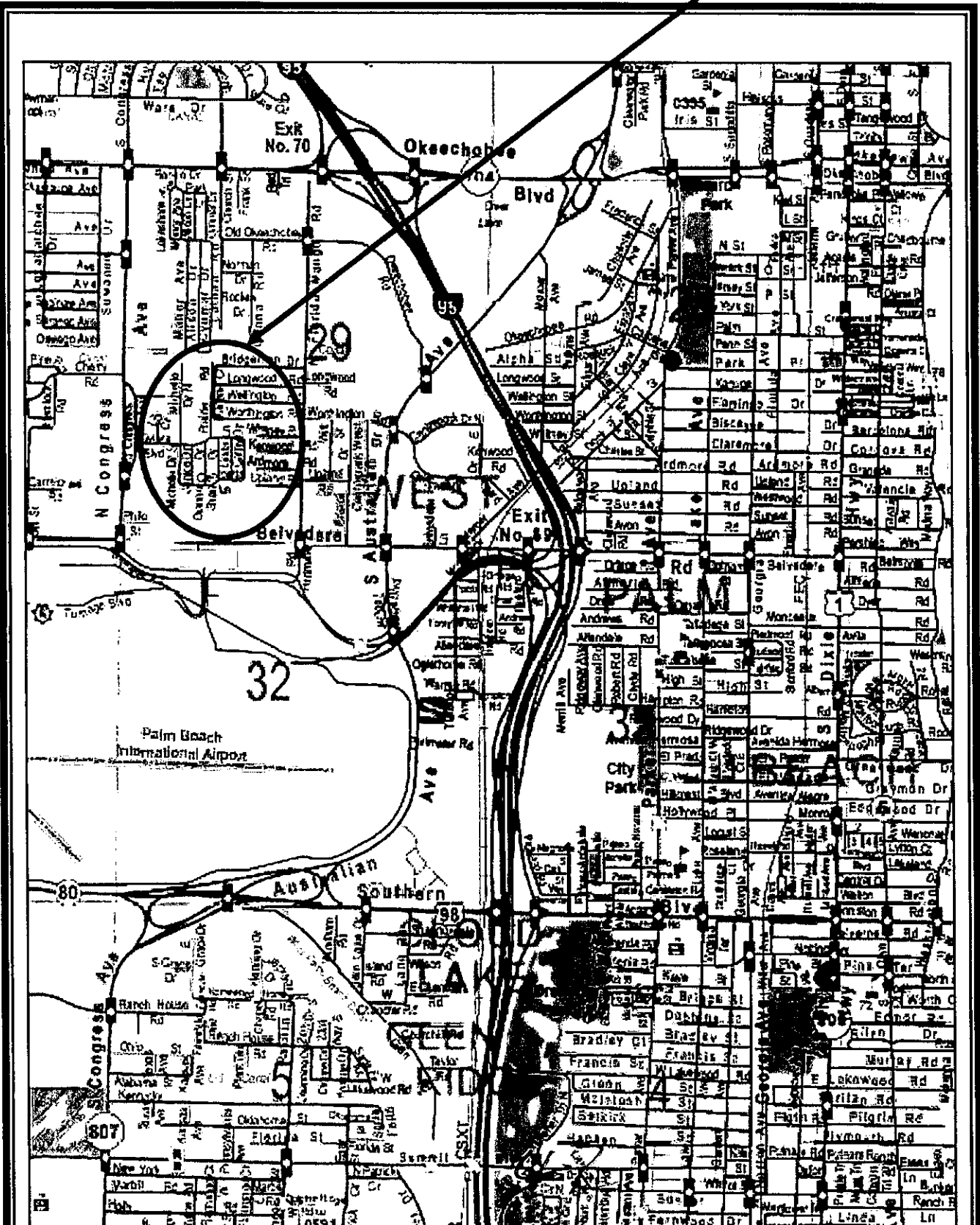
- A) a work task order to the Civil Engineering Services Annual Contract (R2019-0717) dated June 4, 2019 with Mock, Roos & Associates, Inc. (MRA) in the amount of \$123,702.45 for professional services for the Belvedere Heights II (Project);
- B) A budget amendment of \$ XXX.

**SUMMARY:** Approval of this work task order will provide the design services necessary for the Project. The Project will assist the Westgate/Belvedere Homes CRA in obtaining a FDOT LAP Funding for installing sidewalks and lighting along the three (3) following residential streets in unincorporated Palm Beach County. These residential streets include Wellington Road (1320 feet long), Longwood Road (1320 feet long) and Bridgeman Drive (1320 feet long). The Contract requires Mock, Roos & Associates, Inc. to adhere to 15% SBE subcontracting goal as the Affirmative Procurement Initiative. MRA proposed 82% SBE participation for the Contract. They propose 19.07% SBE participation for this work task order. Their cumulative SBE participation to date including this work task order is 19.07%. MRA is a Palm Beach County (County) based company. The Westgate CRA received a Local Agency Program (LAP) federally funded grant through the Florida Department of Transportation (FDOT) for the project. This grant requires that the County perform the design and construction as we are LAP certified. District 2 (YBH)

**Background and Justification:** On June 4, 2019, the Board of County Commissioners (BCC) approved the annual contract R2019-0717 with MRA to provide professional services required for design services throughout the county. The fee, as detailed in **Exhibit B** of the attached work task order, has been negotiated as just and reasonable compensation as follows:

Basic Services (Lump Sum)	\$ 84,559.28	(Project Team Management, FDOT & PBC submittals, prepare LAP Documents, queries from FDOT, Civil Engineering Construction Drawings, Utility Coordination and Prepare Cross Sections
Reimbursable Services (Not to Exceed)	\$ 30,970.87	(Permit Fees, Prints and Surveys)
Optional Services (Not to Exceed)	\$ <u>8,172.30</u>	(Post Design, Structural Post Design)
Total:	\$123,702.45	

**Belvedere Heights Phase II**  
**Palm Beach County Project No. 2019024**



**WORK TASK ORDER TO THE  
ANNUAL CIVIL PROFESSIONAL SERVICES CONTRACT  
BY AND BETWEEN PALM BEACH COUNTY  
AND MOCK, ROOS & ASSOCIATES, INC. FOR  
BEVELEDERE HEIGHTS II PROJECT # 2019024**

This Work Task Order to the Contract for Annual Civil Professional Services (R2019-0717), dated June 4, 2019 (ANNUAL CONTRACT), is made and entered into the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY) and Mock, Roos & Associates, Inc. (CONSULTANT) (individually Party and collectively Parties).

**WITNESSETH**

WHEREAS, the COUNTY and CONSULTANT entered into the ANNUAL CONTRACT on a work task order basis on June 4, 2019 (R2019-0717); and

WHEREAS, the COUNTY intends to install sidewalks and lighting along three (3) residential street for civil design improvements on Wellington Road, Longwood Road and Bridgeman Drive, No. 2019111 (PROJECT); and

WHEREAS, the COUNTY desires the CONSULTANT to perform design services for the PROJECT; and

WHEREAS, the CONSULTANT agrees to prepare the design plans and construction bid documents, including related documents required for the PROJECT; and

WHEREAS, the following fee has been negotiated and found to be reasonable compensation for these professional services to be performed by the CONSULTANT:

Basic Services in a lump sum fee of \$84,559.28  
Reimbursable Expenses capped at \$30,970.87  
Optional Services capped at \$8,172.30  
Totaling **\$123,702.45**

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That for and in consideration of the mutual benefits to flow from each to the other, the Parties hereto agree as follows:

The above recitals are true and correct and are incorporated herein.



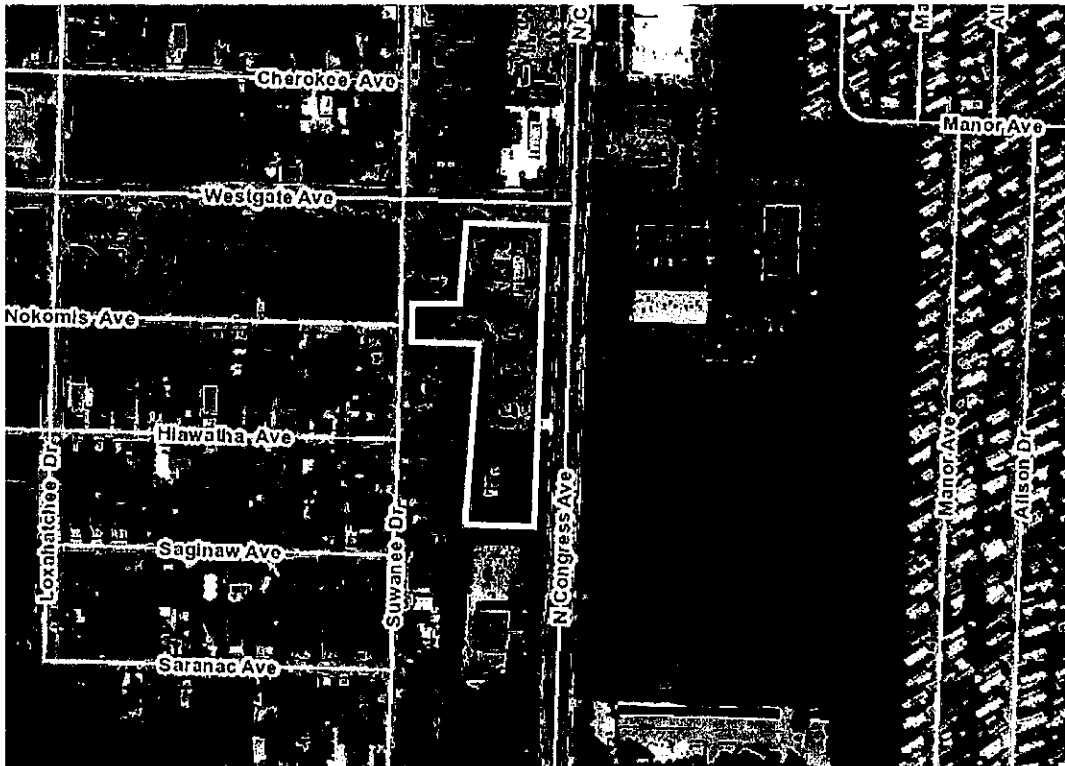
## Westgate CRA Board Meeting July 8, 2019

### AGENDA ITEM REVIEW

#### Congress Auto Park

1645 N. Congress Avenue (former SSA Building)  
Control No. 1987-00033

Development Order Amendment as an Expedited Application Consideration (DOA/EAC)  
to Modify Conditions of Approval for Use Limitations



#### Project Background

Located on the west side of Congress Avenue at the intersection of Westgate Avenue, the total acreage of the subject site is 2.83 ac., including the unoccupied former Social Security Administration Building at 1645 Congress Ave., and the adjacent Chevron gas station/convenience store 1755 N. Congress Ave.



Also referred to as the Congress Auto Park, the total square footage of the site is 24,640 sf; the vacant building located at 1645 N Congress Ave. is 21,500 sf and comprises 1.96 acres, and the Chevron gas station/convenience store is 3,180 sf. The site is in the RRIO (Revitalization, Redevelopment and Infill Overlay), URAO (Urban Redevelopment Area Overlay), the U/S (Urban/Suburban) Tier, and in a CCRT area and is within the Urban General (UG) sub-area of the WCRAO. The site is zoned as CG (Commercial General) with a Future Land Use designation (FLU) of CH/8 (commercial high with an underlying residential land use of 8 du's/acre).

A portion of the property was rezoned from RH to CG in 1987 via R-1987-1122. A 1987 Special Exception petition (R-87-1122A) approved the use of vehicle sales and rental as well as repair facilities. Approvals in 1991 amended the site plan to reconfigure and expand the site and building square footage to include the existing gas station and a car wash via R-91-247. In 2004, R-2004-1381 approved a new 21,500 SF building limited exclusively, through conditions of approval, to Government Office Use. While the gas station use has remained operational since 2004, the 21,500 sf former SSA Building has been vacant for several years. Internal environmental issues forced the former government users to cease operations and move services to a new location. The building has since been remediated. While the subject application must consider the entire site plan in the DOA, the request to modify Conditions specific to use limitations apply only to the office building at 1645 N. Congress Ave.

### New Request

On behalf of the owners of the building at 1645 N. Congress Ave., the applicant is requesting BCC approval of an expedited Development Order Amendment (DOA/EAC) to modify conditions of approval, specifically those that restrict the use of the building to Government Office only. Other associated conditions, including landscape, engineering, and unity of title provisions are also included in the amendment request. Approval will permit the contract purchaser to utilize the building for business or professional office uses which is permitted by right in CG zoning districts per ULDC Table 4.B.2.A. Following a decision from the BCC, the approved site plan will be further amended to allow the general office use. The applicant has not provided an amended site plan for CRA review at this time.

### Summary of Petition

The subject application requests the following:

1. To allow a Development Order Amendment with Expedited Approval Consideration (DOA/EAC) to modify Conditions approved in July 2004 via #R-2004-1381) which limits the office building at



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1645 N. Congress Avenue to government office use only, but also includes modifications to landscape, engineering and unity of title conditions; and,

2. A reduction of 214 trips per day, 22 am peak hour and 10 pm peak hour from *previously* vested development (government office and gas station/convenience store); and, a new allocation of 215 daily trips, 42 am and 22 pm peak, for the *currently* vested development (gas station/convenience store) and proposed business or professional office use at 1645 N. Congress Avenue from the CRA's Transportation Concurrency Exception Area (TCEA) pool.

#### Compliance with Article 2. Standards for Consideration of a DOA

A development order granted by the BCC must be modified by the same approving body so the application is seeking BCC approval. The application is compatible with the standards for Conditional Uses, Requested Uses, and Development Order Amendments outlined in Art. 2: consistency with the Comp Plan, the Code, compatibility with surrounding uses, design, development patterns, and adequate public facilities. The application received approval from the Zoning Division to be reviewed through an expedited process.

The following is a summary of the Conditions of Approval in #R-2004-1381 which are to be amended:

- Amend language pertaining to the existing 21,500 sf office building that stipulates that the building be used exclusively for Government Office use;
- Remove signage limitations that are specific to government uses;
- Remove language prohibiting a 50% easement overlap into a landscape buffer;
- Clean up language regarding a northern access gate from the Chevron gas station/convenience store to the office building to clarify that the gate will remain open during office use hours; and,
- Revise language to require recordation of a Unity of Control agreement prior to DRO site plan approval for shared common site improvements between the gas station/convenience property and the subject property.

There is no increase in building square footage contemplated, and no substantial modifications to the site or structures are proposed, beyond new signage. There are no new drainage impacts since no new impervious area is being added. The CRA's TCEA pool is minimally affected with 214 net trips returning



to the pool and 215 net new trips reallocated for the proposed general office use; there are small increases in am and pm peak hour trips.

#### Consistency with the CRA Community Redevelopment Plan

The UG Sub-area of the WCRAO was intended for "mixed use development with more intense commercial and residential uses, including multi-story towers where feasible". The proposed Development Order Amendment will allow new Business and Professional Office uses to occupy a vacant space in a contemporary building on one of the CRA's important corridors; re-activating the site, and creating complementary uses to the businesses, charter schools, and colleges which are located in the MUPD on the east side of Congress Ave. Given the proximity of the site to Westgate Avenue, additional daytime activity expands opportunities to capture passer-by attention along the CRA's principal redevelopment corridor. When the project was originally approved in 2004, the WCRA Zoning Overlay, as it exists today was not yet incorporated in to the ULDC, however, given the site's narrow depth and other site constraints, the office building maintains good massing and street presence with well-maintained landscaping.

#### Staff Recommendation

Staff recommends **approval** of applicant's request for the following:

1. To allow a Development Order Amendment with Expedited Approval Consideration (DOA/EAC) to modify Conditions approved in July 2004 via #R-2004-1381) which limits the office building at 1645 N. Congress Avenue to government office use only, but also includes modifications to landscape, engineering and unity of title conditions; and,
2. A reduction of 214 trips per day, 22 am peak hour and 10 pm peak hour from *previously* vested development (government office and gas station/convenience store); and, a new allocation of 215 daily trips, 42 am and 22 pm peak, for the *currently* vested development (gas station/convenience store) and proposed business or professional office use at 1645 N. Congress Avenue from the CRA's Transportation Concurrency Exception Area (TCEA) pool.



## Palm Beach County Zoning Division

2300 N. Jog

Road

West Palm Beach, Florida 33411

Phone: (561) 233-5200

FAX: (561) 233-5165

# GENERAL APPLICATION PUBLIC HEARING AND DRO ADMINISTRATIVE PROCESSES

## 1. REQUEST

## ✓ CHECK TYPE OF APPLICATION:

## PUBLIC HEARING PROCESSES:

- ☐ To allow an **Official Zoning Map Amendment** from \_\_\_\_\_ Zoning District to \_\_\_\_\_ Zoning District  
☐ With a **Concurrent Land Use Amendment** from \_\_\_\_\_ Land Use to \_\_\_\_\_ Land Use  
☐ To allow a **Class A Conditional Use (CA)** for a \_\_\_\_\_  
☐ To allow a **Class B Conditional Use (CB)** for a \_\_\_\_\_  
☐ To allow a **Development Order Abandonment** of Resolution No: \_\_\_\_\_ which allowed \_\_\_\_\_  
☒ To allow a **Development Order Amendment** to a previously approved:  
☐ **COZ** ☐ **PDD** ☐ **Class A** ☐ **Class B** ☐ \_\_\_\_\_  
☒ to modify and/or delete Conditions of Approval ☐ to add and/or delete land area  
☐ to reconfigure the ☐ Master ☐ Site ☐ Subdivision ☐ to add and/or delete units  
☐ Landscape ☐ Regulating Plans ☐ Sign ☐ to add, delete, or modify uses  
☐ to add and/or delete square footage ☐ to add access points  
☐ to restart the commencement clock  
☐ to \_\_\_\_\_  
☐ To allow a **Type 2 Variance**: (Submit Form #43 Variance Supplemental) ☐ **Concurrent** ☐ **Standalone**  
☐ To allow a **Subdivision Variance**: (Submit Form #43 Variance Supplemental) ☐ **Concurrent** ☐ **Standalone**  
☐ To allow a **PO Deviations** (Submit Form #92 PO Deviation) from Article(s) \_\_\_\_\_  
☐ To allow a **Type 2 Waiver**: (Submit Form #19 Waiver Supplemental) ☐ **Concurrent** ☐ **Standalone**  
☐ To allow a **Unique Structure** in the \_\_\_\_\_ Zoning District  
☒ Other Expedited Application Consideration (EAC)

## DRO ADMINISTRATIVE PROCESSES:

- ☐ To allow an **Expedited Development Review Officer** approval (DROE) (within 2 months of BCC/ZC approval)  
☐ To allow a Use subject to **Development Review Officer (DRO)** approval for a \_\_\_\_\_  
☐ To allow a **Type 2 Concurrent Review** (Zoning and Land Development)  
☐ To allow a **Type 2 Concurrent Review** (Zoning and Building)  
☐ To allow a **Type 3 Concurrent Review** (Zoning, Land Development and Building)  
☐ Subdivision with Required Improvement ☐ Subdivision without Required Improvement  
☐ Projects that do not require platting  
☐ To allow an **Administrative Modification** of a Plan approved by the ZC / BCC / DRO for \_\_\_\_\_  
☐ To allow a **Subdivision** \_\_\_\_\_  
☐ To allow a **Transfer of Development Rights** (Submit Form #16 TDR Supplemental): \_\_\_\_\_  
☐ To allow a **Type 1 Waiver** (Submit Form #19 Waiver Supplemental) from Article \_\_\_\_\_ for \_\_\_\_\_  
☐ To allow an **Administrative Abandonment** of \_\_\_\_\_  
☐ Other \_\_\_\_\_

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2. PROPERTY INFORMATION (* Required Fields)	
A. *Property Control Number (PCN): (List additional PCN(s) on separate sheet)	00434330120000160;00434330020000190; 00434330020000210
B. *Control Number:	1987-00033
C. *Control Name :	Congress Auto Park
D. Application Number:	
E. Application Name:	Congress Auto Park
F. Project Number:	
G. *Gross Acreage:	1.96
H. Gross Acreage of affected area:	1.96
I. *Location of subject property: (proximity to closest major intersection/ road)	350 feet Southwest of the intersection of N Congress Ave and Westgate Ave.
J. *Address:	1645 N Congress Ave.
K. Subdivision Name:	n/a
L. Plat Name and Number:	n/a
M. *BCC District:	7

### 3. APPLICANT INFORMATION

Current Property Owner(s) Name: SSAB FLORIDA COMPANY LLC

Address: 27500 DETROIT RD # 300 City: WESTLAKE State: OH Zip: 44145

Phone: 440-892-6800 FAX: 440-892-6804

Cell Phone: Email: JKHOURI@CARNEGIECORP.COM

Applicant's Name (if other than property owner(s) :

Address: City: State: Zip:

Phone: FAX:

Cell Phone: Email:

☐ Check ( ) here if Applicant is a contract purchaser. Consent is required from the contract purchaser if a contract is pending to purchase the subject property. Home Owners Association (HOA) or Property Owners Association (POA) consent will be required if subject property is under common ownership or request is to modify any aspect of the project which applies to the entire development (i.e. condition of approval, internal roadway, etc.).

Agent: \* Josh Nichols Name of Firm: Schmidt Nichols

Address: 1551 N. Flagler Drive Suite 102 City: West Palm Beach State: FL Zip: 33401

Phone: 561-684-6141 FAX:

Cell Phone: Email: JNICHOLS@SNLANDPLAN.COM

Agent: \* Christen Hutton Name of Firm:

Address: 1551 N. Flagler Drive Suite 102 City: West Palm Beach State: FL Zip: 33401

Phone: 561-684-6141 FAX:

Cell Phone: Email: CHUTTON@SNLANDPLAN.COM;

\* All correspondence will be sent to the Agent(s) unless otherwise specified.

4. ARCHITECTURAL REVIEW
This application is subject to the requirements of Article 5.C, Design Standards and request review of the proposed elevations concurrent with:

- ☐ Type 1 Projects Requiring BCC Approval
- ☐ Type 2 Projects Requiring ZC Approval
- ☐ Type 3 Projects Requiring DRO or Site Plan Approval
- ☐ Type 4 Projects Requiring Building Permit Approval
- ☐ Revise previously approved elevations
- ☐ Non-conforming structures that are subject to Article 5.C, Percentage of renovations
- ☐ Approval for a Green Architecture (Type 1 Waiver, Art5.C.1.E.3)
- ☐ Approval for Unique Structure, Art5.C.1.E.2

**Note:** All application documents shall be consistent with the current Technical Manual, refer to the Zoning Web Page.

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5. ZONING AND FUTURE LAND USE			
Current Zoning District:	CG	Proposed Zoning District:	N/A
Current Future Land Use:	CH-8 with underlying HR-8	Proposed Future Land Use:	N/A
Tier: <input checked="" type="checkbox"/> U/S <input type="checkbox"/> R/EX <input type="checkbox"/> AGR <input type="checkbox"/> GLADES		Overlay (Special Study Area): Westgate CRA	

6. USE / DENSITY / INTENSITY			
Existing Use:	Vacant	Proposed Use:	Office, Business or Professional
Existing Square Footage:	21,500 SF	Proposed Square Footage:	N/A
Existing Number of Units:	N/A	Proposed Number of Units:	N/A

7. ADJACENT PROPERTIES						
Identify surrounding Future Land Use and Zoning District. Include existing/approved square footage or number of dwelling units, type of units and density.						
Adjacent Property	FLU Designation	Zoning District	Existing Use	Approved Use	Control No.	Resolution No
N O R T H	CH-8 with underlying HR-8	CG	Gas Station	Gas Station	1980-00008	R-2014-0378
S O U T H	CH-8 with underlying HR-8	CG	Tool Rental Facility	Tool Rental Facility	1997-00003	R-2001-0596
E A S T	CH-8 with underlying HR-8	CG/RM/MUPD	Office	Office	1988-00005	R-2019-1950
W E S T	CH-8 with underlying HR-8	RH	Multi-Family	Multi-Family	1994-00094	R-2013-00094

8. ENVIRONMENTAL ANALYSIS	
General Vegetation Statement:	The site is built out.
Current Grade/Elevation:	n/a
Proposed Grade/Elevations:	n/a
Is removal of vegetation required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes; submit <b>Approval to Protect Native Vegetation Application</b> to ERM. Application available from the ERM Permit Center-PZB
Is site in a Wellfield protection zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes; submit <b>Wellfield Protection Affidavit</b> available from PZB-ERM.
Is removal or relocation of trees required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes; submit a <b>Tree Survey</b> , Analysis and Justification, also submit a Site Plan with the Tree Survey overlaid for approval by PZB - ERM
<b>Health Department:</b> In Justification Statement, under heading "Hazardous Material", address type and amount of: 1) all industrial, manufacturing, special or hazardous waste that may be generated; 2) airborne pollutants that may be generated (i.e. dust or other unconfined particulates such as NOx, SOx, CO, VOC's, heavy metals, etc.); and, 3) any special handling of solid waste that may be required.	

9. COMPLIANCE	
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Is property in compliance with all previous conditions of approval and applicable Code Requirements? If no, please explain in the Justification Statement
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Is the property currently the subject of Code Enforcement action? If yes, provide Code Enforcement Case Number:
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Will the request require modification to a recorded plat or plat with Technical Compliance? If yes, explain in the Justification Statement
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Is the subject property an existing legal lot of record? If no, submit Legal Lot Review application to the Zoning Division
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Do proposed improvements exceed 35% of the improved value of existing structure? If yes, comply with Article 1.F - Nonconformities

10. CONCURRENT APPLICATION SUBMITTAL INFORMATION	
LD Drainage Review #: <u>n/a</u>	Plat Name / No: <u>n/a</u>
R/W Construction #: <u>n/a</u>	BUILDING Permit #: <u>n/a</u>

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11. PROPOSED USE DETAILS					
Building Name	Use		Number of Units	Phase Name	Outparcel
OFFICE	OFFICE		N/A	N/A	N/A

12. CONCURRENCY			
Concurrency Reservation <input checked="" type="checkbox"/>		Concurrency Equivalency <input type="checkbox"/>	
		Concurrency Exemption <input type="checkbox"/>	
A. Concurrency Case Number:	n/a		
B. Water Provider:	PBC		
C. Waste Water Provider:	PBC		
D. Drainage District:	LWDD		
E. Traffic:	PBC	Traffic Trips Existing:	0
F. Mass Transit:	Palm Tran	Traffic Trips Proposed:	215
G. Traffic Capacity:	Number of Gross Peak Hour Trips: (If greater than 30; a traffic study will be required)		47
H. Public School:	n/a		
I. Land Development:	PBC		
J. Public Health Provider:	PBC	Well /Septic tank : N/A	
K. Parks	PBC		
L. Fire Rescue	PBC		
M. Solid Waste:	Private Carrier		
N. Check the proposed means of achieving access from the development site to a point of legal positive outfall for storm water discharged from the site: <input type="checkbox"/> Property is contiguous to a natural waterway, or a canal owned and operated by a water control district. <input type="checkbox"/> Property owner has legally established drainage rights to convey storm water through all intervening properties between the development site and natural waterway or water control district canal. <input checked="" type="checkbox"/> Property abuts a road with a functioning drainage system, and property owner has obtained written confirmation from the entity responsible for maintaining the road that the proposed development is eligible to utilize the road drainage system, subject to meeting all permit requirements for drainage connection. <input type="checkbox"/> Other (specify): _____			

**This application is not complete without the following documents as attachments:**

- Justification Statement:** to address the purpose, project history, intent and design objectives of this request, refer to Art.2.A.6.A.1 for the required information.
- Status of Conditions of Approval (COA):**
  - Provide a letter, which includes the status of all current Conditions of Approval.
  - Include the exact language of any modification(s) to any condition(s).
  - If the application request requires a time extension for commencement of development or recording a plat, then provide further explanation. (The explanation may be added to the Justification Statement.)

**Note:** Please refer to PZB Zoning Website <http://discover.pbcgov.org/pzb/zoning/ULDC/Articles.aspx> for all ULDC Articles referenced in this document and for helpful information in the Technical Manual.

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**Justification Statement  
Congress Auto Park  
Westgate CRA Application  
Development Application Submittal (EAC/DOA)  
Original Submittal: March, 30, 2020**

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**Introduction**

Schmidt Nichols ("Agent"), on behalf of the Property Owner, SSAB FLORIDA COMPANY LLC ("Owner") respectfully requests your approval of this Development Order Amendment Expedited Application Consideration (DOA/EAC) to amend Conditions approved in R-2004-1381 on July 13, 2004, which was an amendment to DOA 1987-033C, to permit 21,500 SF of Government Office. The control number for the subject property is 1987-00033.

**Project History**

In 1987, a portion of the property was rezoned from RH to CG via approval R-1987-1122. Through a Special Exception petition in 1987, the use of Commercial, New and Used Automobiles, Truck, Boat, Motorcycle, Mobile Home, Recreational Vehicle Sales and Rental and Repair Facilities and Lots were approved via R-87-1122A. In 1991, petition amended and approved for site expansion, building area SF increase, and redesigned to include an existing auto service station and car wash via R-91-247. In 2004, R-2004-1381 approved a new 21,500 SF building for Government Office Use. Additionally, there was a concurrent variance application approved in 2004 for a buffer reduction via application BA-2004-00149. The approved plan, Exhibit 80, is submitted in this petition for reference.

Unfortunately, the existing 21,500 SF building experienced internal environmental issues and ceased operations. The structure has since been renovated and ready for new office tenants.

**Petition Request**

For the subject property to permit Office, Business or Professional uses, existing Conditions in R-2004-1381 must be modified to remove exclusive language pertaining to the existing 21,500 SF building permitted specifically for Government Office uses only in Conditions: F, G, I, K, M, N, and O. The applicant proposes to remove language in Conditions G.1.a that prohibits a 50% code compliant easement overlap into a buffer. Additionally, this application seeks to clean up Condition E.8 language in regarding a gate used for northern access on property from adjacent fuel station property to the "Social Security office", to clarify the gate shall remain open during office use hours that are in compliance with applicable PBC ULDC standards. Finally, Condition N will be







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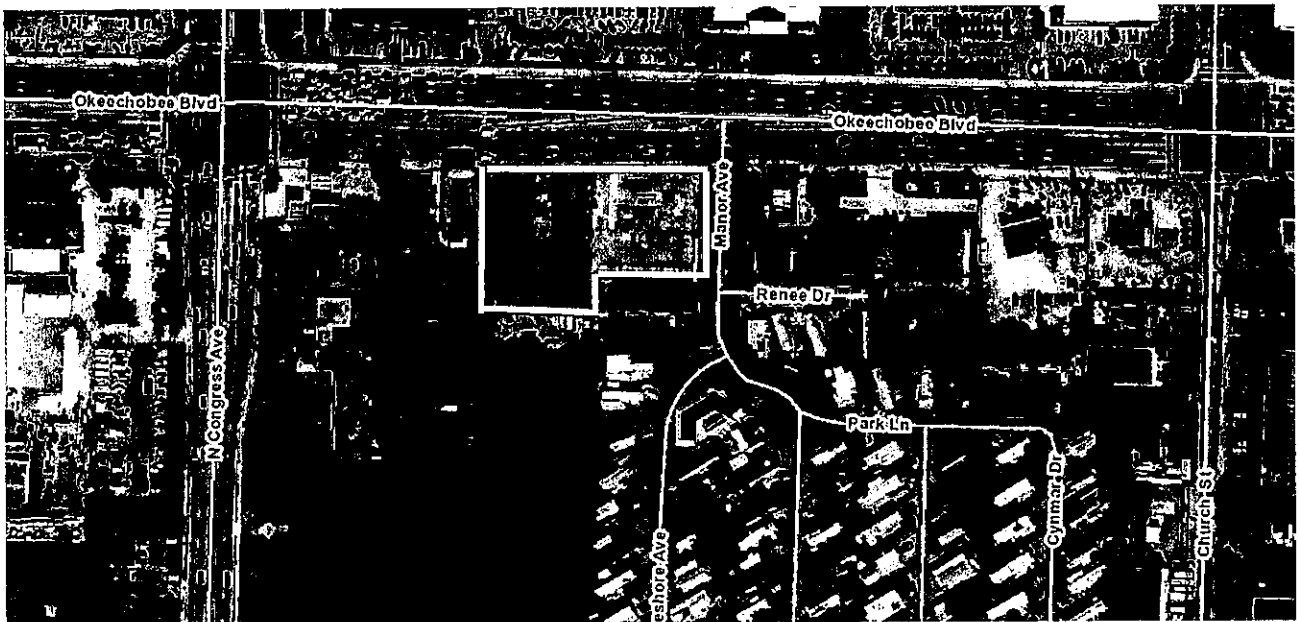
Westgate CRA Board Meeting  
April 13, 2020

AGENDA ITEM REVIEW

Soapy Shark Car Wash

Okeechobee Blvd. (east of Congress Ave.)  
Control No. 1996-026

Standalone Type II Variance Requests  
DRO Approval for a Car Wash



Location Map

Site Background

The subject +/- 1.2 acre 52,080 sf parcel is located on Okeechobee Blvd., approx. 300 feet from the south east corner of Congress Avenue; per PAPA, there is no current municipal address. The property is within the Urban General (UG) sub-area of the WCRAO and zoned CG (commercial general). The Future Land Use designation of the parcel is CH-8 (commercial high with an underlying residential land use of 8 du per acre). The site is in the U/S Tier, RRIO (Revitalization, Redevelopment & Infill Overlay), as well as

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Westgate CRA Board Meeting  
April 13, 2020



in the URAO (Urban Redevelopment Area Overlay), and in a CCRT area. Manor Avenue, a private drive immediately adjacent to the site, serves as access to the Lakeside Mobile Home Park to the south zoned RH; a vehicle and boat storage lot serving the mobile home park is located immediately to south of the site. To the east of Manor Avenue is a Mobil gas station/Dunkin Donuts and to the west of the site is 511 Tactical, a sports clothing retailer; both are zoned CG with a CH/8 FLU. The site is currently vacant; a small dilapidated building has been recently demolished, and is almost completely impervious.

### Board Update & New Request

The CRA Board has previously recommended approval for the redevelopment of this site. In 2017, the agent representing the owner at that time, received a Class B Conditional Use approval for the KFC-Jacks project consisting of two Type I Restaurants with drive-thru lanes. In 2019 however, the owner changed direction entirely, formally discontinuing the use and site plan approval through a development order abandonment. New contract purchasers, identifying an opportunity to create an ancillary service to capture a portion of the large volume of Okeechobee Blvd daily trips, are proposing an automated, express Car Wash.

### Summary of Petition

The applicant requests a recommendation of approval for the project from the Westgate CRA to include the following:

1. DRO Site Plan Approval for a 4,176 sf Car Wash use;
2. An allocation of 166 net new daily trips, 12 new am peak hour trips and 14 new pm peak hour trips, from the CRA's Transportation Concurrency Exception Area (TCEA) pool; and,
3. To allow three (3) Type II variances:
  - a. A reduction of 5 ft. in the minimum lot depth requirement of 200 feet for CG zoning districts;
  - b. A reduction of 50 ft. from the 60% building frontage requirement in the UG Sub-area (Table 3.B.14.F. – WCRAO Non-Residential and Mixed Use Sub-Area PDRs); and,
  - c. To eliminate the requirement for all uses in the UG Sub-area to orient the first floor principal entrance towards the street used as the primary building frontage (Art.3.B.14.G.3.b – WCRAO – Architectural Guidelines).



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### Staff Analysis & Review

WCRAO property development regulations were established to encourage a pedestrian friendly environment, street presence, and mixed use developments to reinforce the smart growth principles of the Westgate CRA Redevelopment Plan and the County's Comprehensive Plan. Within the Urban General (UG) Sub-area of the WCRAO, mixed use development with more intense commercial and residential uses, including multi-story towers is encouraged; however, the location of this site and its size are not conducive to mixed use development. While a car wash may not be considered among the best and highest uses that could be achieved in the UG Sub-area, many of the parcels along Okeechobee Blvd. have a narrow lot depth with no rear access and pose a particular kind of challenge to redevelopment in that area. CRA Staff generally support this project, since the minimal building size and parking requirements of a car wash offer a good alternative to preferred mixed or office uses. ULDC Art. 4.B.2.C.4 provides for standalone car washes to be permitted by DRO approval, or by right if collocated with a gas station.

### Type II Standalone Variance Requests

1. ULDC Property Development Regulations – CG Zoning districts minimum lot depth of 200 ft.

The site is zoned Commercial General (CG) which requires a minimum lot depth of 200 ft. The lot is 195 ft. in depth along the western property line and 150 ft. along the eastern property line, neither of which comply with the minimum width; the variance requests a reduction of 5 ft. from the minimum lot depth requirement. The reduction of the lot width was a result of the right-of-way takings that occurred on Okeechobee Boulevard. The KFC-Jacks development order requested and obtained approval of this exact variance; however, the variance is applicable only to that specific development approval and becomes null and void if the project is not built, or in the case of a development order abandonment. Since the proposed car wash project is a new development proposal, it must again seek and obtain the same variance.

2. WCRAO UG Sub-area 60% Minimum Building Frontage

The structure is set back 15 ft. from the front property line. Whereas the front setback for is 50 ft. in the CG zoning district, the range for the build to line in the UG Sub-area is 10-25 ft. for commercial and mixed use projects. Since Manor Ave. is considered a private access drive, the required corner building placement and side street build to line of 10-25 ft. does not need to be met. Art. 3.B.14.F of the WCRAO requires a minimum 60% building frontage in the UG Sub-area. Further, the portion of the structure required to meet the building frontage shall be located on the build to line.



In order to comply with the minimum frontage standard, the building must be at least 180 ft. wide. The proposed building is 130 ft. in width (50 ft. less than required). As a result of the ingress/egress off Okeechobee Blvd., the entrance/exit minimum turning radii to the car wash tunnel, and required landscaping buffers, setbacks and the sidewalk, the building is unable to meet a minimum frontage of 180 ft. However, an exception through Art. 3.B.14.F.2.b.a) is available to projects unable to fully meet the requirement. Although clarification is needed from the Zoning Division on how to apply the provision to the specific design of this site plan in the UG Sub-area, CRA Staff believes that the variance request should not be requested as a reduction of 50 ft. from the 60% minimum frontage requirement. If side setbacks (incl. landscape buffers), the access drive and building foundation plantings which total 75 ft. collectively, are necessary to meet minimum ULDC requirements, then the variance request, as a percentage is much less.

3. WCRAO UG Sub-area Principal Entrance Orientation

WCRAO Sub-area supplementary standards require that all uses have the principal entrance on the first floor oriented towards the street used as the primary frontage of the building. Since this is car wash use, the placement of the principal entrance on Okeechobee Boulevard will force patrons/pedestrians to have to traverse the car wash tunnel which is unsafe and hazardous. Principal access is provided at the rear of the building.

**Architectural Standards**

Preliminary greyscale architectural elevations for the Soapy Shark Car Wash have been provided. The architect, Studio 407 based in Orlando, FL, has experience designing both full service and express car washes. Although a color scheme has not yet been chosen, a modern design aesthetic has been achieved utilizing ample fenestration on the front street-facing elevation, a sloped roof line, dual tower, and awning details. Unlike the many architectural requirements for projects in the NC, NG or NRM Sub-areas, very few exist for projects in the UG beyond the requirement to orient the first floor principal entrance towards the street used as the primary building frontage. The functional operation of the use will not allow for full compliance with this standard, however, the architect has included a faux entrance on the front elevation to address the intent of the provision. The car wash tunnel occupies the front of the building along its full length; equipment, offices, and lobby are located at the rear. Any additional requirements per ULDC Article 5, DRO Type 3 projects, will be addressed at the time of permitting.



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## Traffic & Drainage

1, 018 daily trips and 82 pm peak hour trips will be returned to the CRA's Traffic Concurrency Exception Area (TCEA) pool as a result of the abandonment of the KFC-Jacks development order. WCRA Staff had expressed concern regarding the increase in traffic volume and the impact of traffic flow on an already constrained Okeechobee Blvd. The proposed car wash use proposes 166 net new daily trips, 12 new am peak hour trips and 14 new pm peak-hour trips.

The existing site is completely paved. Storm water will be managed through exfiltration trench and interconnected culvert pipes to accomplish legal positive outfall to Okeechobee Blvd. Some dry retention will be provided on site with a bubble up structure in the driveway to Okeechobee Blvd. Due to its location in the C-51 basin, this project, including site grading, will be reviewed for compensating floodplain storage and permitted through the SFWMD.

## Staff Recommendation

Staff recommends **approval** of applicant's petition to include the following:

1. DRO Site Plan Approval for a 4,176 sf Car Wash use;
2. An allocation of 166 net new daily trips, 12 new am peak hour trips and 14 new pm peak hour trips, from the CRA's Transportation Concurrency Exception Area (TCEA) pool; and,
3. To allow three (3) Type II variances:
  - a. A reduction of 5 ft. in the minimum lot depth requirement of 200 feet for CG zoning districts;
  - b. A reduction of 50 ft. from the 60% building frontage requirement in the UG Sub-area (Table 3.B.14.F. – WCRAO Non-Residential and Mixed Use Sub-Area PDRs); and,
  - c. To eliminate the requirement for all uses in the UG Sub-area to orient the first floor principal entrance towards the street used as the primary building frontage (Art.3.B.14.G.3.b – WCRAO – Architectural Guidelines).

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Palm Beach County Zoning Division

2300 N. Jog

Road

West Palm Beach, Florida 33411

Phone: (561) 233-5200

FAX: (561) 233-5165

# **GENERAL APPLICATION** **PUBLIC HEARING AND DRO ADMINISTRATIVE PROCESSES**

## **1. REQUEST**

### ✓ **CHECK TYPE OF APPLICATION:**

#### **PUBLIC HEARING PROCESSES:**

- ☐ To allow an **Official Zoning Map Amendment** from \_\_\_\_\_ Zoning District to \_\_\_\_\_ Zoning District
- ☐ With a **Concurrent Land Use Amendment** from \_\_\_\_\_ Land Use to \_\_\_\_\_ Land Use
- ☐ To allow a **Class A Conditional Use (CA)** for a \_\_\_\_\_
- ☐ To allow a **Class B Conditional Use (CB)** for a \_\_\_\_\_
- ☐ To allow a Development Order **Abandonment** of Resolution No: \_\_\_\_\_ which allowed \_\_\_\_\_
- ☐ To allow a **Development Order Amendment** to a previously approved:
- ☐ **COZ** ☐ **PDD** ☐ **Class A** ☐ **Class B** ☐ \_\_\_\_\_
- ☐ to modify and/or delete Conditions of Approval ☐ to add and/or delete land area
- ☐ to reconfigure the ☐ Master ☐ Site ☐ Subdivision ☐ to add and/or delete units
- ☐ Landscape ☐ Regulating Plans ☐ Sign ☐ to add, delete, or modify uses
- ☐ to add and/or delete square footage ☐ to add access points
- ☐ to restart the commencement clock
- ☐ to \_\_\_\_\_
- ☒ To allow a **Type 2 Variance**: (Submit Form #43 Variance Supplemental) ☐ **Concurrent** ☒ **Standalone**
- ☐ To allow a **Subdivision Variance**: (Submit Form #43 Variance Supplemental) ☐ **Concurrent** ☐ **Standalone**
- ☐ To allow a **PO Deviations** (Submit Form #92 PO Deviation) from Article(s) \_\_\_\_\_
- ☐ To allow a **Type 2 Waiver**: (Submit Form #19 Waiver Supplemental) ☐ **Concurrent** ☐ **Standalone**
- ☐ To allow a **Unique Structure** in the \_\_\_\_\_ Zoning District
- ☐ Other \_\_\_\_\_

#### **DRO ADMINISTRATIVE PROCESSES:**

- ☐ To allow an **Expedited Development Review Officer** approval (DROE) (within 2 months of BCC/ZC approval)
- ☒ To allow a **Use** subject to **Development Review Officer (DRO)** approval for a car wash
- ☐ To allow a **Type 2 Concurrent Review** (Zoning and Land Development)
- ☐ To allow a **Type 2 Concurrent Review** (Zoning and Building)
- ☐ To allow a **Type 3 Concurrent Review** (Zoning, Land Development and Building)
- ☐ Subdivision with Required Improvement ☐ Subdivision without Required Improvement
- ☐ Projects that do not require platting
- ☐ To allow an **Administrative Modification** of a Plan approved by the ZC / BCC / DRO for \_\_\_\_\_
- ☐ To allow a **Subdivision** \_\_\_\_\_
- ☐ To allow a **Transfer of Development Rights** (Submit Form #16 TDR Supplemental): \_\_\_\_\_
- ☐ To allow a **Type 1 Waiver** (Submit Form #19 Waiver Supplemental) from Article \_\_\_\_\_ for \_\_\_\_\_
- ☐ To allow an **Administrative Abandonment** of \_\_\_\_\_
- ☐ Other \_\_\_\_\_

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2. PROPERTY INFORMATION (* Required Fields)	
A. *Property Control Number (PCN): (List additional PCN(s) on separate sheet)	00434329270010000
B. *Control Number:	1996-00026
C. *Control Name :	Bagels-to-go
D. Application Number:	TBD
E. Application Name:	Soapy Shark
F. Project Number:	05658-000
G. *Gross Acreage:	1.20
H. Gross Acreage of affected area:	1.20
I. *Location of subject property: (proximity to closest major intersection/ road)	On the south side of Okeechobee Blvd. and approx. 300 ft. east of Congress Ave.
J. *Address:	No address assigned. Previous address: 2158 & 2200 Okeechobee Blvd.
K. Subdivision Name:	KFC & Jack's Restaurant
L. Plat Name and Number:	KFC & Jack's Restaurant PB 127 Pg 135
M. *BCC District:	7

### 3. APPLICANT INFORMATION

Current Property Owner(s) Name: JAHA BOCA LLC  
 Address: 980 N MILITARY TRL City: WEST PALM BEACH State: FL Zip: 33401  
 Phone: See Agent info FAX: See Agent info  
 Cell Phone: See Agent info Email: See Agent info

Applicant's Name (if other than property owner(s)) : Todd F. Peter / Soapy Shark Car Wash, LLC  
 Address: See Agent info City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: See Agent info FAX: See Agent info  
 Cell Phone: See Agent info Email: See Agent info

☒ Check ( ) here if Applicant is a contract purchaser. Consent is required from the contract purchaser if a contract is pending to purchase the subject property. Home Owners Association (HOA) or Property Owners Association (POA) consent will be required if subject property is under common ownership or request is to modify any aspect of the project which applies to the entire development (i.e. condition of approval, internal roadway, etc.).

Agent: \* Harvey E. Oyer, III Name of Firm: Shutts & Bowen, LLP  
 Address: 525 Okeechobee Blvd. Suite 1100 City: West Palm Beach, State: FL Zip: 33401  
 Phone: (561) 650-8517 FAX: (561) 822-5522  
 Cell Phone: N/A Email: HOyer@shutts.com

Agent: \* Roger Ramdeen Name of Firm: Shutts & Bowen, LLP  
 Address: Same as above City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ FAX: \_\_\_\_\_  
 Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

\* All correspondence will be sent to the Agent(s) unless otherwise specified.

4. ARCHITECTURAL REVIEW
This application is subject to the requirements of Article 5.C, Design Standards and request review of the proposed elevations concurrent with:

- ☐ Type 1 Projects Requiring BCC Approval
- ☐ Type 2 Projects Requiring ZC Approval
- ☒ Type 3 Projects Requiring DRO or Site Plan Approval
- ☐ Type 4 Projects Requiring Building Permit Approval
- ☐ Revise previously approved elevations
- ☐ Non-conforming structures that are subject to Article 5.C, Percentage of renovations
- ☐ Approval for a Green Architecture (Type 1 Waiver, Art5.C.1.E.3)
- ☐ Approval for Unique Structure, Art.5.C.1.E.2

**Note:** All application documents shall be consistent with the current Technical Manual, refer to the Zoning Web Page.

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5. ZONING AND FUTURE LAND USE			
Current Zoning District:	CG	Proposed Zoning District:	N/A
Current Future Land Use:	CH/8	Proposed Future Land Use:	N/A
Tier: <input checked="" type="checkbox"/> U/S <input type="checkbox"/> R/EX <input type="checkbox"/> AGR <input type="checkbox"/> GLADES		Overlay (Special Study Area): WCRAO	

6. USE / DENSITY / INTENSITY			
Existing Use:	Vacant	Proposed Use:	Car Wash
Existing Square Footage:	Vacant	Proposed Square Footage:	4,290
Existing Number of Units:	Vacant	Proposed Number of Units:	N/A

7. ADJACENT PROPERTIES						
Identify surrounding Future Land Use and Zoning District. Include existing/approved square footage or number of dwelling units, type of units and density.						
Adjacent Property	FLU Designation	Zoning District	Existing Use	Approved Use	Control No.	Resolution No
NORTH	City of WPB (Commercial)	City CG	Auto Dealership	Same	N/A	N/A
SOUTH	HR-8	CG	Mobile Home Park	Same	N/A	N/A
EAST	CH/8	CG	Commercial/Retail	Same	N/A	N/A
WEST	CH/8	CG	Commercial/Gas station	Same	N/A	N/A

8. ENVIRONMENTAL ANALYSIS	
Vacant site, previously developed with all structures demolished	
<b>General Vegetation Statement:</b>	
Current Grade/Elevation:	17.8
Proposed Grade/Elevations:	TBD
Is removal of vegetation required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes; submit <b>Approval to Protect Native Vegetation Application</b> to ERM. Application available from the ERM Permit Center-PZB
Is site in a Wellfield protection zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes; submit <b>Wellfield Protection Affidavit</b> available from PZB-ERM.
Is removal or relocation of trees required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes; submit a <b>Tree Survey</b> , Analysis and Justification, also submit a Site Plan with the Tree Survey overlaid for approval by PZB - ERM
<b>Health Department:</b> In Justification Statement, under heading "Hazardous Material", address type and amount of: 1) all industrial, manufacturing, special or hazardous waste that may be generated; 2) airborne pollutants that may be generated (i.e. dust or other unconfined particulates such as NOx, SOx, CO, VOC's, heavy metals, etc.); and, 3) any special handling of solid waste that may be required.	

9. COMPLIANCE	
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Is property in compliance with all previous conditions of approval and applicable Code Requirements? If no, please explain in the Justification Statement
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Is the property currently the subject of Code Enforcement action? If yes, provide Code Enforcement Case Number:
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Will the request require modification to a recorded plat or plat with Technical Compliance? If yes, explain in the Justification Statement
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Is the subject property an existing legal lot of record? If no, submit Legal Lot Review application to the Zoning Division
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Do proposed improvements exceed 35% of the improved value of existing structure? If yes, comply with Article 1.F - Nonconformities

10. CONCURRENT APPLICATION SUBMITTAL INFORMATION	
LD Drainage Review #: N/A	Plat Name / No: N/A
R/W Construction #: N/A	BUILDING Permit #: N/A

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11. PROPOSED USE DETAILS					
Building Name	Use		Number of Units	Phase Name	Outparcel
Soapy Shark	Car Wash	4,290 sq. ft.	N/A	N/A	N/A

12. CONCURRENCY			
Concurrency Reservation <input checked="" type="checkbox"/>		Concurrency Equivalency <input type="checkbox"/>	
		Concurrency Exemption <input type="checkbox"/>	
A. Concurrency Case Number:	TBD		
B. Water Provider:	PBC Water Utilities		
C. Waste Water Provider:	PBC Water Utilities		
D. Drainage District:	Lake Worth Drainage District		
E. Traffic:		Traffic Trips Existing:	Vacant
F. Mass Transit:	Palm Tran	Traffic Trips Proposed:	166 daily trips
G. Traffic Capacity:	Number of Gross Peak Hour Trips: (If greater than 30; a traffic study will be required)		
H. Public School:	PBCSD		
I. Land Development:	PBC		
J. Public Health Provider:	PBC	Well /Septic tank:	N/A
K. Parks	PBC		
L. Fire Rescue	PBC		
M. Solid Waste:	PBC		
N. Check the proposed means of achieving access from the development site to a point of legal positive outfall for storm water discharged from the site:	<input type="checkbox"/> Property is contiguous to a natural waterway, or a canal owned and operated by a water control district. <input type="checkbox"/> Property owner has legally established drainage rights to convey storm water through all intervening properties between the development site and natural waterway or water control district canal. <input checked="" type="checkbox"/> Property abuts a road with a functioning drainage system, and property owner has obtained written confirmation from the entity responsible for maintaining the road that the proposed development is eligible to utilize the road drainage system, subject to meeting all permit requirements for drainage connection. <input checked="" type="checkbox"/> Other (specify): <u>Property abuts a road with a functioning drainage system.</u>		

**This application is not complete without the following documents as attachments:**

- Justification Statement:** to address the purpose, project history, intent and design objectives of this request, refer to Art.2.A.6.A.1 for the required information.
- Status of Conditions of Approval (COA):**
  - Provide a letter, which includes the status of all current Conditions of Approval.
  - Include the exact language of any modification(s) to any condition(s).
  - If the application request requires a time extension for commencement of development or recording a plat, then provide further explanation. (The explanation may be added to the Justification Statement.)

**Note:** Please refer to PZB Zoning Website <http://discover.pbcgov.org/pzb/zoning/ULDC/Articles.aspx> for all ULDC Articles referenced in this document and for helpful information in the Technical Manual.

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Palm Beach County Zoning Division

2300 N. Jog Road

West Palm Beach, Florida 33411

Phone: (561) 233-5200

FAX: (561) 233-5165

### TYPE 2 VARIANCE SUPPLEMENTAL APPLICATION

Variance applications may be submitted separately or concurrently with a request for a Development Order (DO) unless determined by the DRO that the variance is subject to a Standalone Application, and must be approved prior to the submittal of the DO application.

- ☒ To allow **TYPE 2 VARIANCE**: ☐ Concurrent ☒ Standalone  
☒ for the reduction or increase in the minimum lot depth and building frontage  
☒ for the elimination of principal entrance on primary street  
☐ for \_\_\_\_\_  
☐ To allow **SUBDIVISION VARIANCE**: ☐ Concurrent ☐ Standalone  
for \_\_\_\_\_

Applicant must complete the chart below with the information requested for each variance. If there are more than five (5) variances requested, please provide the information on a separate sheet of paper.

ULDC CODE SECTION	REQUIRED	PROPOSED	VARIANCE
Article 3 Table 3.B.14.F	Minimum Building Frontage of 60%	43%	reduction of 17%
Article 3 Table 3.D.1.A	CG zoning district minimum lot depth of 200 ft.	150 ft.	reduction of 50 ft.
Article 3.B.14.G.3.b	Architectural Guideline – Building Entrance Orientation	Principal entrance on the first floor oriented towards the street used as the primary frontage of the building.	Principal entrance on the first floor oriented towards the parking lot.

Building Permit # (If applicable): N/A Code Violation Notice # (If applicable): N/A

### TYPE 2 VARIANCE STANDARDS (Art.2.B.7.E.6)

The Palm Beach County Unified Land Development Code (ULDC) Article 2.B.7.E.6, requires a statement of special reason or the basis for the variance(s) required. Article 2.B.7.E states that in order to authorize a variance, the Zoning Commission shall and must find that all seven criteria listed in Art.2.B.7.E.6 have been satisfied by the Applicant prior to making a motion for approval of a Zoning or Subdivision Variance. These seven Standards are one of the factors staff uses in formulating their recommendations and opinions. **The Applicant must address each standard separately and completely in the Justification Statement and submit as an attachment.** (Refer to Art.2.B.7.E.6, Standards for Zoning or Subdivision Variance).

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## **JUSTIFICATION STATEMENT**

Soapy Shark Car Wash  
Control No. 1996-00026

**Application No.:** TBD  
**Application Name:** Soapy Shark Car Wash  
**Control No.:** 1996-00026  
**Applicant:** Soapy Shark Car Wash, LLC / Todd F. Peter  
**Owners:** Jaha Boca, LLC  
**Agent:** Harvey E. Oyer, III / Shutts & Bowen LLP  
**Telephone No.:** (561) 671-5853

**TITLE:** a Type II Variance **REQUEST:** to allow a reduction in the minimum building frontage and lot depth; and to eliminate the principal entrance on the primary street.

**TITLE:** DRO Site Plan **REQUEST:** to allow a Car Wash.

### **SITE CHARACTERISTICS**

The subject property is 1.20 acres and has direct frontage on Okeechobee Boulevard. The property is currently vacant and undeveloped and currently maintains existing curb cuts onto Okeechobee Boulevard. The Future Land Use (FLU) designation is Commercial High with an underlying 8 units per acre (CH/8) and is zoned General Commercial (CG). The property lies within the Westgate Community Redevelopment Area Overlay (WCRAO) and more specifically within the Urban General (UG) sub-area.



## **REQUEST**

On behalf of the Applicant, Shutts & Bowen, LLP is requesting three Type II Variances and a Development Review Officer (DRO) Site Plan approval.

### **1. Type II Variances (Standalone)**

<b>CODE SECTION</b>	<b>CODE REQUIREMENT</b>	
(V1) Article 3 Table 3.B.14.F	Minimum Building Frontage of 60%	The Code requires that the building must be a minimum of 60% of the total street frontage width. The lot is approximately 300 ft. in width. In order to comply with this requirement, the building must be at least 180 ft. wide. The proposed building is 130 ft. in width (50 ft. less than required). As a result of the ingress/egress off Okeechobee Blvd., the entrance/exit minimum turning radii to the car wash tunnel, and required landscaping buffers; the building would not be able to meet the minimum width of 180 ft. Hence the need for the Variance request to reduce the building width from 180 ft. to 130 ft.
(V2) Article 3 Table 3.D.1.A	Property Development Regulations – CG zoning district minimum lot depth of 200 ft.	The site is zoned Commercial General (CG) which requires a minimum lot depth of 200 ft. The lot is 195 ft. in depth along the western property line and 150 ft. along the eastern property line, neither of which comply with the minimum width. The reduction of the lot width was a result of the right-of-way takings that occurred for Okeechobee Boulevard. It should be noted that the prior development approvals requested and obtained approval of this exact variance; however, the prior variances are only applicable to that specific development approval and becomes null and void if the project is not built. Since the proposed car wash project is a new development proposal, it must again seek and obtain the same variance.
(V3) Article 3.B.14.G.3.b	Architectural Guideline – Building Entrance Orientation	The Code requires the car wash to have a principal entrance on the first floor oriented towards the street used as the primary frontage of the building. In other words, the main entrance must be on Okeechobee Boulevard. Since this is car wash use, the placement of the principal entrance on Okeechobee Boulevard will force patrons/pedestrians to have to traverse the car wash tunnel which is unsafe and hazardous. It must be noted that the although the project is not proposing its principal entrance on Okeechobee Boulevard, there will be a door which will be designed to appear like a primary entrance, but will serve as access to the car wash equipment.

### **2. DRO Site Plan**

The proposed project includes the development of a 4,290 square foot (sq. ft.) full service Car Wash. The primary point of access will be from Okeechobee Boulevard. Previously access was gained from Manor, Avenue; however, this has been replaced with a gate with a Knox box for emergency services access.

The Car Wash building is 4,290 sq. ft. which includes a 900 sq. ft. lobby (600 sq. ft.) and administrative space (300 sq. ft.). As shown on the site plan and as a result of the design constraints of the use, the car wash tunnel is oriented along Okeechobee Boulevard which permits for the safe vehicular access as well as safe pedestrian walkways to access the building. During the open hours of the full service Car Wash, the point of purchase kiosk will be manned to maintain control on the inbound vehicles utilizing the car wash tunnel, should a patron opt to not utilize the tunnel, the person controlling the flow of the traffic can easily allow bypassing the tunnel. In addition, the entrance and exit turning radii's of the car wash tunnel has been designed to meet the minimum safe vehicular to allow for the safe maneuvering of the vehicles in and out of the car wash tunnel. A total of five parking spaces are required and 24 are provided. The extra spaces are provided to allow patrons to utilize the vacuums and other car wash amenities provided on the site should they want to further clean their vehicle.

**SITE DATA:**

Location:	South side of Okeechobee Boulevard, approximately 365 feet east of Congress Avenue.
Property Control Number(s)	00434329270010000
Existing Land Use Designation:	Commercial High with an underlying HR-8 (CH/8)
Proposed Land Use Designation:	No proposed change
Existing Zoning District:	General Commercial District (CG)
Proposed Zoning District:	No proposed change
Acreage:	1.20 acres
Tier:	Urban/Suburban
Overlay District:	Westgate/Belvedere Homes Overlay
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile	City of West Palm Beach
Future Annexation Area	City of West Palm Beach

**PROJECT HISTORY:**

Control No.	Request	Resolution	Approval Date
No Control Number	Building Permit for a Gas Station use (Permit #B70451099)	N/A	November 14, 1958
	Building Permit for Auto Sales use (Permit #B70720199)	N/A	February 29, 1968
1996-00026	A Class A Conditional Use (CA) to allow a Fast Food Restaurant in the General Commercial (CG) Zoning District within the WCRAO.	R-1996-0816	June 24, 1996
	A CA to allow a Fast Food Restaurant in the CG Zoning District within the WCRAO	R-1996-1015 (Corrective)	July 25, 1996
	To revoke a Class A Conditional Use to allow a Fast Food Restaurant pursuant to Resolution R-1996-0816	R-2011-0958	June 27, 2011
	Approval of two Class B Conditional Uses to allow two Type 1 Restaurants with Drive-through.	ZR-2017-0032 and ZR-2017-0033	August 3, 2017
	To revoke two Class B Conditional Uses to allow two Type 1 Restaurants with Drive-through.	ZR-2018-0026 and ZR-2018-0027	November 11, 2018

# Kimley»Horn

March 26, 2020

Brian Cheguis  
iPlan & Design  
901 N Olive Avenue, Suite D  
West Palm Beach, FL 33401

**RE: SoapyShark Carwash – Traffic Statement**  
**Palm Beach County, Florida**  
**Kimley-Horn #140753000**

Dear Mr. Cheguis:

Kimley-Horn and Associates, Inc. has prepared a traffic statement of the above-referenced project. The site is located on the south side of Okeechobee Boulevard, east of Congress Avenue in Unincorporated Palm Beach County, Florida (shown in *Figure 1*). The parcel control number for the site is 00-43-43-29-27-001-0000.

The existing site is vacant. The site is proposed to be developed as single lane car wash.

The foregoing analysis will determine the number of AM and PM peak hour trips that will be generated from the proposed development in comparison to the existing development

## TRIP GENERATION

The trip generation rates and equations published by Palm Beach County Traffic Division were used to calculate the trip generation of the proposed development. *Table 1* summarizes the trip generation potential of the site. The proposed site is anticipated to generate, 166 net new external daily trips, 12 net new AM peak hour trips (6 in, 6 out), and 14 net new PM peak hour trips (7 in, 7 out). The radius of development is the directly accessed links.

TABLE 1: TRIP GENERATION COMPARISON								
SOAPYSHARK CARWASH								
Land Use	Intensity	Daily	AM Peak Hour			PM Peak Hour		
		Trips	Total	In	Out	Total	In	Out
Proposed Scenario								
Carwash (Automated)	1 Lane	166	12	6	6	14	7	7
	Subtotal	166	12	6	6	14	7	7
Driveway Volumes		166	12	6	6	14	7	7
Net New External Trips		166	12	6	6	14	7	7
Proposed Net External Trips-Existing Net New External Trips		166	12	6	6	14	7	7
Radius of Development Influence:		Directly Accessed Links						
Land Use	Daily	AM Peak Hour			PM Peak Hour		Pass By	
Carwash (Automated)	166 trips/Lane	11.97 trips/Lane (50% in, 50% out)			13.65 trips/1,000 sf (50% in, 50% out)			

## TEST 1 SIGNIFICANCE ANALYSIS

Per Article 12 – Traffic Performance Standards of the Unified Land Development Code (ULDC), the links on which project traffic is greater than 1% of the level of service (LOS) D generalized service volume are considered to be significantly impacted. As shown in Table 2 none of the links are significantly impacted by the project traffic. Therefore, no further analysis is required for the AM and PM peak hours.

TABLE 2: TEST 1 AM AND PM PEAK HOUR SIGNIFICANCE ANALYSIS												
SOAPYSHARK CARWASH												
ROADWAY	FROM	TO	COMMITTED	LOS D	PROJECT %	NB/EB	PROJECT TRIPS			% IMPACT		
			NUMBER	GEN. SVC.			TRIPS					
			OF	VOLUME	ASSIGNMENT	IN/OUT?	NB/EB	SB/WB	NB/EB	Sig?	SB/WB	Sig?
AM Peak Hour												
Okeechobee Blvd	Congress Ave	Project Driveway	8LD	3,590	100%	i	6	6	0.17%	No	0.17%	No
Okeechobee Blvd	Project Driveway	Chillingworth Dr	8LD	3,590	100%	o	6	6	0.17%	No	0.17%	No
PM Peak Hour												
Okeechobee Blvd	Congress Ave	Project Driveway	6LD	3,590	100%	i	7	7	0.19%	No	0.19%	No
Okeechobee Blvd	Project Driveway	Chillingworth Dr	6LD	3,590	100%	o	7	7	0.19%	No	0.19%	No

## SITE CIRCULATION AND TURN LANE REQUIREMENTS

Access to the site is provided via a right-in/right-out driveway located on Okeechobee Boulevard. Figure 2 illustrates the driveway volumes. There is a proposed driveway on Manor Avenue that will be gated and only be accessed by emergency vehicles and garage vehicles. The projected right-turn volumes at the driveway are minimal.

## CONCLUSION

The foregoing analysis demonstrates that the traffic generated by the proposed redevelopment will meet the requirements of the Palm Beach County Traffic Performance Standards Ordinance. No mitigation measures are anticipated to be required.

Please contact me via telephone at (561) 840-0874 or via e-mail at [adam.kerr@kimley-horn.com](mailto:adam.kerr@kimley-horn.com) should you have any questions regarding this evaluation.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Digitally signed  
by Adam B Kerr  
Date: 2020.03.26  
14:01:39 -04'00'

Adam B. Kerr, P.E.  
Transportation Engineer

Florida Registration  
Number 64773  
Certificate of Authorization  
Number 696


k:\wpb\_tpto\gormley\soapyshark\2020-03-26 soapyshark statement.docx

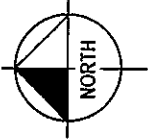


**FIGURE 1**  
**PROJECT SITE**  
**SOAPYSHARK CARWASH**

**Kimley»Horn**

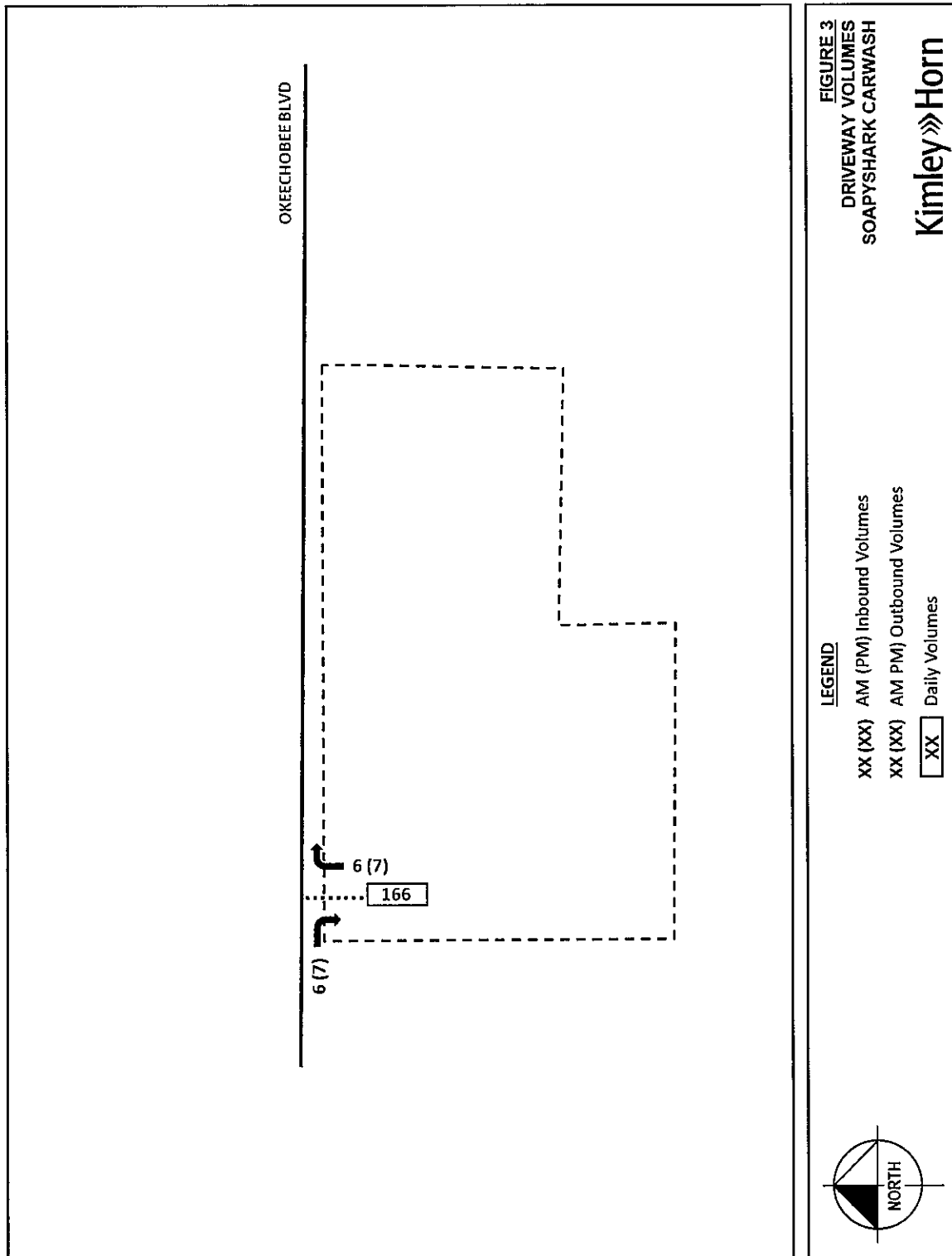
**LEGEND**

 Project Location



NORTH

70



**SITE PLAN AND PCN INFORMATION**

<b>Owner:</b>	<b>Architect:</b>	<b>Planner:</b>	<b>Engineer:</b>	<b>Owner:</b>
9601 N. Highway 101, Suite 100 West Palm Beach, FL 33411	Studio 400, LLC 1000 S. University Blvd., Suite 150 Orlando, FL 32819	JAM Design, LLC 501 N. Ocean Avenue, Suite D West Palm Beach, FL 33411	Refurres & Associates, LLC 2745 SW 12th Avenue, Suite 100 Miami, FL 33135	Shaw Sonny & Nappier, Inc. 4021 Westgate Avenue, Suite A3 West Palm Beach, FL 33409
TEL 561-838-1300 FAX 561-838-1301 E-MAIL info@jamdesign.com	TEL 407-323-1305 FAX 407-323-1306 E-MAIL info@studio400.com	TEL 561-877-4117 FAX 561-877-4118 E-MAIL jamdesign@jamdesign.com	TEL 561-831-8381 FAX 561-831-8382 E-MAIL info@refurres.com	TEL 561-852-8748 FAX 561-852-8749 E-MAIL shawsonny@aol.com
<b>Contract N/A</b>	<b>Contract: Not Known, N/A</b>	<b>Contract: Not Known, N/A</b>	<b>Contract: Not Known, N/A</b>	<b>Contract: Not Known, N/A</b>

Application Date	Solaris Street Carwash
Application Name	2158 & 2260 Glenridge Blvd.
Property Address	DD-43-13-26-27-01-0000
PCN	1992-00026
Control Number	Nov 01, 2018/12R-2018-0026 & -0027
Last LC Approval Date and Resolution Number	Urban5/Jurban
Tier	

<b>Application Date</b>	06/29/2018
<b>Applicant Name</b>	Sagey Clark, Cawett
<b>Application Address</b>	2014 S. 27th Ave.
<b>City/Town/Village</b>	Portland, OR
<b>PIN</b>	00-43-41-28-27-001-0002
<b>Cenfil Number</b>	1995-00055
<b>Last ZC Approval Date and Resolution Numbers</b>	Nov. 91 / 2019 / ZC-2019-0026 & .0027
<b>Tier</b>	Urban/Suburban
<b>Land Use Designation</b>	GHS
<b>Zoning District</b>	CG
<b>Overlay(s)</b>	WCRAQ
<b>Existing Uses</b>	Vacant
<b>Proposed Uses</b>	Gas Station

1 1/2"

1 1/4"

1 1/2"

1 1/4"

SYMBOL

ESQUINE

U.S. 23-11

TOP TEXT & BORDER = WHITE  
BOTTOM TEXT & BORDER = BLACK  
TOP BACKGROUND = BLUE  
BOTTOM BACKGROUND = WHITE

TOP TEXT & BORDER = WHITE  
BOTTOM TEXT & BORDER = BLACK  
TOP BACKGROUND = BLACK  
BOTTOM BACKGROUND = WHITE

PRINTED BY  
DATE 10  
PRINTED  
ONLY

TYPE: PARK BENCH  
 COLOR: GREEN  
 DIMENSIONS: 10' x 4' x 18"

10' 18" 4' 18"

Direction from site	Zoning	Land Use	Future Land Use
N	GC (WFR)	Commercial	GC (WFR)
E	CG	Commercial	CHUR
S	CG	Commercial	CHUR
SE	CG	Commercial	CHUR
SW	CG	Commercial	CHUR
W	CG	Commercial	CHUR

USDC Code Reference		2013 F-35 Variance Chart		Agreement Date/Revision No.
Article/Section	Required	Provided	Variances or Waivers	
AC 3.1 Table 3.8.1.A.2	Minimum storage in the USO subject to any USO storage capacity limitation	130T. Storage provided	DSR: from the main train storage requirement	T143
AC 3.1 Table 3.8.1.A.3	Minimum of 1000 sq ft of storage in the CS Zoning District	190T.	95.	T130
AC 3.1 Table 3.8.1.A.4	Architectural Guidelines (Building Entrance Orientation) Principal entrance on first floor	Principal entrance located on first floor	Exterior principal entrance located on first floor	T13
AC 3.8.1.A.G.2.b	Principal entrance on first floor	Exterior principal entrance located on first floor	Exterior principal entrance located on first floor	T13

[illegible]

3.C.1 Palm Elite Canvess Tree Tabular								
Tag #	Species	Size	EPH	Zoning	Proposed Composition	ETRM Mitigation Calculated per Table 7.0.2.E - Tree Crotch and Replacement	Gravel	Notes
N/A	N/A	N/A	N/A	R7A	N/A	N/A	N/A	N/A

**Location Address**

Municipality UNINCORPORATED

Parcel Control Number 00-43-43-29-27-001-0000

Subdivision KFC &amp; JACKS RESTAURANT

Official Records Book

Page

Sale Date

Legal Description KFC &amp; JACKS RESTAURANT TR A K/A ALL OF PLAT

**Owners**

JAHA BOCA LLC

**Mailing address**

980 N MILITARY TRL

WEST PALM BEACH FL 33415 1320

No Sales Information Available.

No Exemption Information Available.

Number of Units

\*Total Square Feet 0

Acres 1.1952

Use Code 1000 - VACANT COMMERCIAL

Zoning -

Tax Year	2019	2018	2017
Improvement Value	\$0	\$0	\$0
Land Value	\$0	\$0	\$0
Total Market Value	\$0	\$0	\$0

All values are as of January 1st each year

Tax Year	2019	2018	2017
Assessed Value	\$0	\$0	\$0
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0

Tax Year	2019	2018	2017
Ad Valorem	\$0	\$0	\$0
Non Ad Valorem	\$0	\$0	\$0
Total tax	\$0	\$0	\$0

# PROJECT TEAM

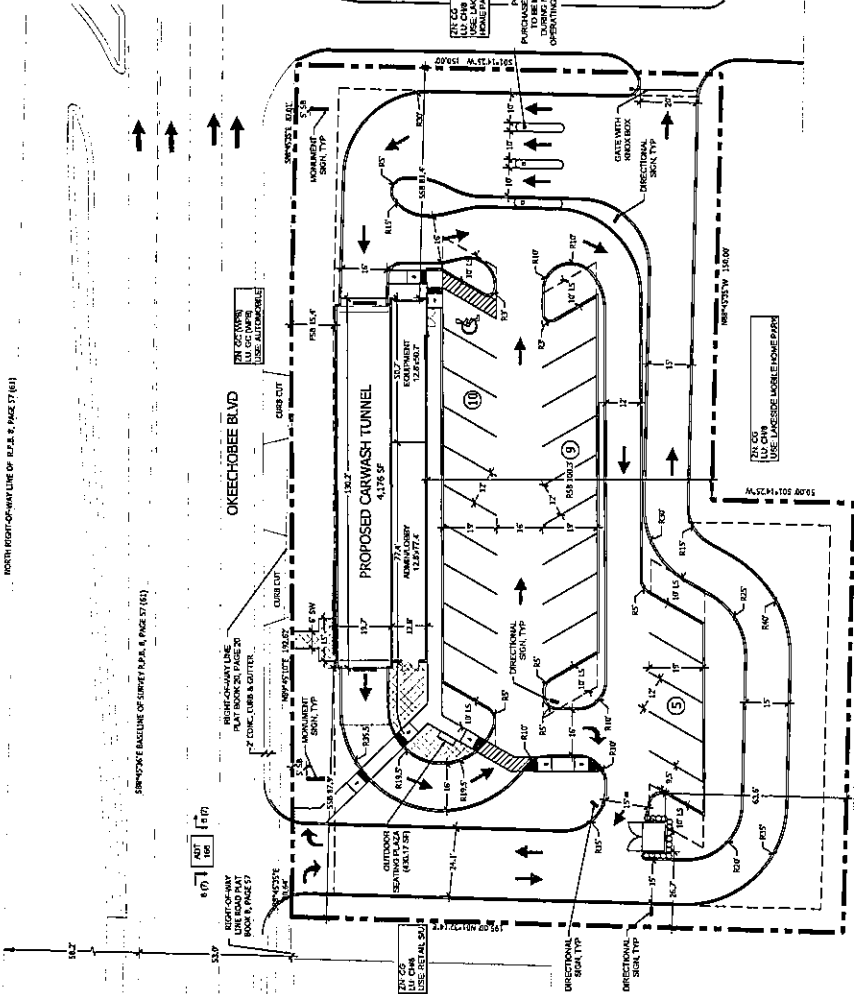
**Owner:** JAVIA BOCAL LLC  
7080 University Blvd., Suite 150  
Palm Beach, FL 33414  
Tel: 561.937.1355  
Email: info@javiabocal.com  
Contact: Jeff Giesler, AIA

**Planner:** Park & Design, LLC  
901 N. Olive Avenue, Suite D  
West Palm Beach, FL 33411  
Tel: 561.937.1355  
Email: info@parkanddesign.com  
Contact: Brian Chagala

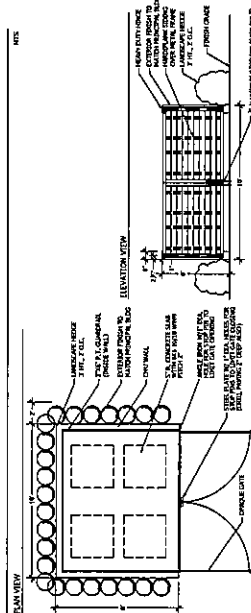
**Landscape Architect:** Lierck Landscape Architects  
2740 SW Marco Drive, Suite 105  
West Palm Beach, FL 33411  
Tel: 561.937.1355  
Email: info@lierckla.com  
Contact: Jason Lierck, LSA

**Engineer:** Rebeck & Associates, LLC  
4301 Westgate Avenue, Suite A3  
West Palm Beach, FL 33409  
Tel: 561.937.1355  
Email: info@rebeckandassociates.com  
Contact: Richard Owen

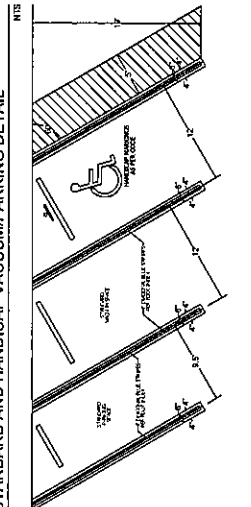
**Surveyor:** Deen Surveying & Mapping, Inc.  
4301 Westgate Avenue, Suite A3  
West Palm Beach, FL 33409  
Tel: 561.937.1355  
Email: info@deenmapping.com  
Contact: Richard Owen



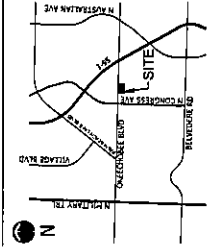
## DUMPSTER DETAIL



## STANDARD AND HANDICAP VACUUMPARKING DETAIL



# LOCATION MAP



# SITE DATA

**Application Data**  
Application Name: Soapys Shark Carwash  
Project Address: 1515 S. 2200 Okeechobee Blvd.  
Project City: West Palm Beach, FL 33411  
Project State: FL 33411  
Project Zip: 33411  
Control Number: 1964-00026  
Last ZCD Approval Date and Resolution Numbers: Nov. 01, 2018 / 23-3014-0028 & 0027  
Tier: Urban/Suburban

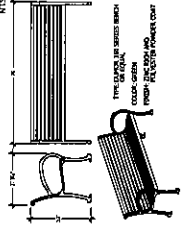
**Land Use Designation**  
Zoning District: CH-8  
Zoning District: CH-8  
Existing Uses: Vacant  
Proposed Uses: Car Wash

**Site Data**  
Site Area: 1.155 AC  
Net Site Area: 1.155 AC  
Usable Open Space Required (5%): 2,028 SF  
Usable Open Space Provided (TBD): 433.17 SF  
Intensity (Gross Floor Area): 430 SF  
Covered Area on Site: 330 SF  
Car Wash Intensity: 860 SF  
Car Wash Tunnel: 2437 SF  
Vacuum Estate Room: 748 SF  
Canopy: 4178 SF  
Cooking Area: 603 SF  
Baking Canopy (Not including canopy): 4178 SF  
Baking Frontage: 120 FT  
Parking: 3 PS  
Parking - Total Spaces: 3 PS  
Parking Provided - Total Spaces: 24 PS  
Standard Parking Spaces: 23 PS  
Handicapped Parking (Included in total): 1 PS  
Loading: Not required per Article 5  
Building Height and Number of Stories (in feet): 35 ft (13.5 min. clearance for canopy)  
Traffic Analysis Zone (TAZ): 1293

## HANDICAP SIGN DETAIL



## BENCH DETAIL



## SURROUNDING USES

Direction	Use	Distance (ft)
N	Highway 1	100
E	Highway 1	100
S	Highway 1	100
W	Highway 1	100

## PROPERTY DEVELOPMENT VARIANCE CHART

ULUC Code	Required	Provided	Violations or Waivers	Approved Detail Resolution No.
As 3 Table 3.1.1.4.F	Maximum Frontage in the LUC subject to 60% (100%)	130% Frontage provided	50% from the minimum Frontage requirement	TBD
As 3 Table 3.1.1.4.A	Minimum Lot Dimensions - Depth (FOA) in 60% (100%)	195'	50'	TBD
As 3.1.1.4.C.3.b	Architectural Guidelines (Building Entrance Orientation) Principal entrance on first floor (oriented towards street used as the primary frontage for the building north)	Principal entrance (Orientation) Principal entrance on first floor (oriented towards street used as the primary frontage for the building north)	Exterior principal entrance on primary frontage	TBD

## PROPERTY DEVELOPMENT TABLE

Zoning District or Precinct	Minimum Lot Dimensions	Depth	Front	Side	Rear	Setback of Separation
CH-8	1.155 AC	NA	NA	NA	NA	NA
Proposed	1.155 AC	NA	10-25'	15'	15'	15'

## TREE TABULAR

Tag #	Species	Size	Est. Zoning	Proposed Disposition	Calculated per Table 7.0.2.E - Tree Credit and Replacement	Credit	Notes
NA	NA	NA	NA	NA	NA	NA	NA

NOTE: Values Specified

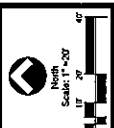
\*\* Probabilistic Specimen

# SOAPYSHARK CARWASH

## Site Plan

### Palm Beach County, Florida

iPLAN & DESIGN  
801 N. Olive Avenue, Suite D  
West Palm Beach, FL 33411  
Tel: 561.937.1355  
Email: info@iplananddesign.com



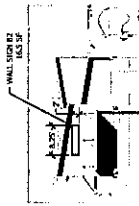
SP1 of 1

NORTH ELEVATION (WALL SIGN B1)

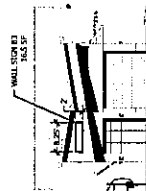
NORTH ELEVATION (WALL SIGN B1)



EAST ELEVATION (WALL SIGN B2)



WEST ELEVATION (WALL SIGN B3)



## SIGN DATA TABLE

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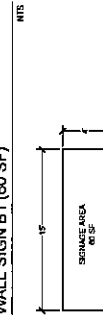
### SIGN DESIGN AND MATERIAL DETAIL (ALL SIGNS)

[illegible]

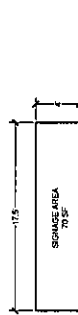
## GROUND MONUMENT &amp; DIRECTIONAL SIGN DATA TABLE

LOCALIZATION	NAME, No. of BORE (2)	CHOLESTEROL & CHOLESTANOL ESTER DATA				CHOLESTEROL & CHOLESTANOL ESTER DATA			
		CHOLESTEROL	CHOLESTANOL	CHOLESTEROL	CHOLESTANOL	CHOLESTEROL	CHOLESTANOL	CHOLESTEROL	CHOLESTANOL
1	10007	10007-1775 (1.5808)	10007-2775 (1.5808)	5005-5	10007-2775 (1.5808)	5005-5	10007-2775 (1.5808)	5005-5	10007-2775 (1.5808)
2	10008	10008-1775 (1.5808)	10008-2775 (1.5808)	5005-5	10008-2775 (1.5808)	5005-5	10008-2775 (1.5808)	5005-5	10008-2775 (1.5808)
3	10009	10009-1775 (1.5808)	10009-2775 (1.5808)	5005-5	10009-2775 (1.5808)	5005-5	10009-2775 (1.5808)	5005-5	10009-2775 (1.5808)
4	10010	10010-1775 (1.5808)	10010-2775 (1.5808)	5005-5	10010-2775 (1.5808)	5005-5	10010-2775 (1.5808)	5005-5	10010-2775 (1.5808)
5	10011	10011-1775 (1.5808)	10011-2775 (1.5808)	5005-5	10011-2775 (1.5808)	5005-5	10011-2775 (1.5808)	5005-5	10011-2775 (1.5808)
6	10012	10012-1775 (1.5808)	10012-2775 (1.5808)	5005-5	10012-2775 (1.5808)	5005-5	10012-2775 (1.5808)	5005-5	10012-2775 (1.5808)
7	10013	10013-1775 (1.5808)	10013-2775 (1.5808)	5005-5	10013-2775 (1.5808)	5005-5	10013-2775 (1.5808)	5005-5	10013-2775 (1.5808)
8	10014	10014-1775 (1.5808)	10014-2775 (1.5808)	5005-5	10014-2775 (1.5808)	5005-5	10014-2775 (1.5808)	5005-5	10014-2775 (1.5808)
9	10015	10015-1775 (1.5808)	10015-2775 (1.5808)	5005-5	10015-2775 (1.5808)	5005-5	10015-2775 (1.5808)	5005-5	10015-2775 (1.5808)
10	10016	10016-1775 (1.5808)	10016-2775 (1.5808)	5005-5	10016-2775 (1.5808)	5005-5	10016-2775 (1.5808)	5005-5	10016-2775 (1.5808)
11	10017	10017-1775 (1.5808)	10017-2775 (1.5808)	5005-5	10017-2775 (1.5808)	5005-5	10017-2775 (1.5808)	5005-5	10017-2775 (1.5808)
12	10018	10018-1775 (1.5808)	10018-2775 (1.5808)	5005-5	10018-2775 (1.5808)	5005-5	10018-2775 (1.5808)	5005-5	10018-2775 (1.5808)
13	10019	10019-1775 (1.5808)	10019-2775 (1.5808)	5005-5	10019-2775 (1.5808)	5005-5	10019-2775 (1.5808)	5005-5	10019-2775 (1.5808)
14	10020	10020-1775 (1.5808)	10020-2775 (1.5808)	5005-5	10020-2775 (1.5808)	5005-5	10020-2775 (1.5808)	5005-5	10020-2775 (1.5808)
15	10021	10021-1775 (1.5808)	10021-2775 (1.5808)	5005-5	10021-2775 (1.5808)	5005-5	10021-2775 (1.5808)	5005-5	10021-2775 (1.5808)
16	10022	10022-1775 (1.5808)	10022-2775 (1.5808)	5005-5	10022-2775 (1.5808)	5005-5	10022-2775 (1.5808)	5005-5	10022-2775 (1.5808)
17	10023	10023-1775 (1.5808)	10023-2775 (1.5808)	5005-5	10023-2775 (1.5808)	5005-5	10023-2775 (1.5808)	5005-5	10023-2775 (1.5808)
18	10024	10024-1775 (1.5808)	10024-2775 (1.5808)	5005-5	10024-2775 (1.5808)	5005-5	10024-2775 (1.5808)	5005-5	10024-2775 (1.5808)
19	10025	10025-1775 (1.5808)	10025-2775 (1.5808)	5005-5	10025-2775 (1.5808)	5005-5	10025-2775 (1.5808)	5005-5	10025-2775 (1.5808)
20	10026	10026-1775 (1.5808)	10026-2775 (1.5808)	5005-5	10026-2775 (1.5808)	5005-5	10026-2775 (1.5808)	5005-5	10026-2775 (1.5808)
21	10027	10027-1775 (1.5808)	10027-2775 (1.5808)	5005-5	10027-2775 (1.5808)	5005-5	10027-2775 (1.5808)	5005-5	10027-2775 (1.5808)
22	10028	10028-1775 (1.5808)	10028-2775 (1.5808)	5005-5	10028-2775 (1.5808)	5005-5	10028-2775 (1.5808)	5005-5	10028-2775 (1.5808)
23	10029	10029-1775 (1.5808)	10029-2775 (1.5808)	5005-5	10029-2775 (1.5808)	5005-5	10029-2775 (1.5808)	5005-5	10029-2775 (1.5808)
24	10030	10030-1775 (1.5808)	10030-2775 (1.5808)	5005-5	10030-2775 (1.5808)	5005-5	10030-2775 (1.5808)	5005-5	10030-2775 (1.5808)
25	10031	10031-1775 (1.5808)	10031-2775 (1.5808)	5005-5	10031-2775 (1.5808)	5005-5	10031-2775 (1.5808)	5005-5	10031-2775 (1.5808)
26	10032	10032-1775 (1.5808)	10032-2775 (1.5808)	5005-5	10032-2775 (1.5808)	5005-5	10032-2775 (1.5808)	5005-5	10032-2775 (1.5808)
27	10033	10033-1775 (1.5808)	10033-2775 (1.5808)	5005-5	10033-2775 (1.5808)	5005-5	10033-2775 (1.5808)	5005-5	10033-2775 (1.5808)
28	10034	10034-1775 (1.5808)	10034-2775 (1.5808)	5005-5	10034-2775 (1.5808)	5005-5	10034-2775 (1.5808)	5005-5	10034-2775 (1.5808)
29	10035	10035-1775 (1.5808)	10035-2775 (1.5808)	5005-5	10035-2775 (1.5808)	5005-5	10035-2775 (1.5808)	5005-5	10035-2775 (1.5808)
30	10036	10036-1775 (1.5808)	10036-2775 (1.5808)	5005-5	10036-2775 (1.5808)	5005-5	10036-2775 (1.5808)	5005-5	10036-2775 (1.5808)
31	10037	10037-1775 (1.5808)	10037-2775 (1.5808)	5005-5	10037-2775 (1.5808)	5005-5	10037-2775 (1.5808)	5005-5	10037-2775 (1.5808)
32	10038	10038-1775 (1.5808)	10038-2775 (1.5808)	5005-5	10038-2775 (1.5808)	5005-5	10038-2775 (1.5808)	5005-5	10038-2775 (1.5808)
33	10039	10039-1775 (1.5808)	10039-2775 (1.5808)	5005-5	10039-2775 (1.5808)	5005-5	10039-2775 (1.5808)	5005-5	10039-2775 (1.5808)
34	10040	10040-1775 (1.5808)	10040-2775 (1.5808)	5005-5	10040-2775 (1.5808)	5005-5	10040-2775 (1.5808)	5005-5	10040-2775 (1.5808)
35	10041	10041-1775 (1.5808)	10041-2775 (1.5808)	5005-5	10041-2775 (1.5808)	5005-5	10041-2775 (1.5808)	5005-5	10041-2775 (1.5808)
36	10042	10042-1775 (1.5808)	10042-2775 (1.5808)	5005-5	10042-2775 (1.5808)	5005-5	10042-2775 (1.5808)	5005-5	10042-2775 (1.5808)
37	10043	10043-1775 (1.5808)	10043-2775 (1.5808)	5005-5	10043-2775 (1.5808)	5005-5	10043-2775 (1.5808)	5005-5	10043-2775 (1.5808)
38	10044	10044-1775 (1.5808)	10044-2775 (1.5808)	5005-5	10044-2775 (1.5808)	5005-5	10044-2775 (1.5808)	5005-5	10044-2775 (1.5808)
39	10045	10045-1775 (1.5808)	10045-2775 (1.5808)	5005-5	10045-2775 (1.5808)	5005-5	10045-2775 (1.5808)	5005-5	10045-2775 (1.5808)
40	10046	10046-1775 (1.5808)	10046-2775 (1.5808)	5005-5	10046-2775 (1.5808)	5005-5	10046-2775 (1.5808)	5005-5	10046-2775 (1.5808)
41	10047	10047-1775 (1.5808)	10047-2775 (1.5808)	5005-5	10047-2775 (1.5808)	5005-5	10047-2775 (1.5808)	5005-5	10047-2775 (1.5808)
42	10048	10048-1775 (1.5808)	10048-2775 (1.5808)	5005-5	10048-2775 (1.5808)	5005-5	10048-2775 (1.5808)	5005-5	10048-2775 (1.5808)
43	10049	10049-1775 (1.5808)	10049-2775 (1.5808)	5005-5	10049-2775 (1.5808)	5005-5	10049-2775 (1.5808)	5005-5	10049-2775 (1.5808)
44	10050	10050-1775 (1.5808)	10050-2775 (1.5808)	5005-5	10050-2775 (1.5808)	5005-5	10050-2775 (1.5808)	5005-5	10050-2775 (1.5808)
45	10051	10051-1775 (1.5808)	10051-2775 (1.5808)	5005-5	10051-2775 (1.5808)	5005-5	10051-2775 (1.5808)	5005-5	10051-2775 (1.5808)
46	10052	10052-1775 (1.5808)	10052-2775 (1.5808)	5005-5	10052-2775 (1.5808)	5005-5	10052-2775 (1.5808)	5005-5	10052-2775 (1.5808)
47	10053	10053-1775 (1.5808)	10053-2775 (1.5808)	5005-5	10053-2775 (1.5808)	5005-5	10053-2775 (1.5808)	5005-5	10053-2775 (1.5808)
48	10054	10054-1775 (1.5808)	10054-2775 (1.5808)	5005-5	10054-2775 (1.5808)	5005-5	10054-2775 (1.5808)	5005-5	10054-2775 (1.5808)
49	10055	10055-1775 (1.5808)	10055-2775 (1.5808)	5005-5	10055-2775 (1.5808)	5005-5	10055-2775 (1.5808)	5005-5	10055-2775 (1.5808)
50	10056	10056-1775 (1.5808)	10056-2775 (1.5808)	5005-5	10056-2775 (1.5808)	5005-5	10056-2775 (1.5808)	5005-5	10056-2775 (1.5808)
51	10057	10057-1775 (1.5808)	10057-2775 (1.5808)	5005-5	10057-2775 (1.5808)	5005-5	10057-2775 (1.5808)	5005-5	10057-2775 (1.5808)
52	10058	10058-1775 (1.5808)	10058-2775 (1.5808)	5005-5	10058-2775 (1.5808)	5005-5	10058-2775 (1.5808)	5005-5	10058-2775 (1.5808)
53	10059	10059-1775 (1.5808)	10059-2775 (1.5808)	5005-5	10059-2775 (1.5808)	5005-5	10059-2775 (1.5808)	5005-5	10059-2775 (1.5808)
54	10060	10060-1775 (1.5808)	10060-2775 (1.5808)	5005-5	10060-2775 (1.5808)	5005-5	10060-2775 (1.5808)	5005-5	10060-2775 (1.5808)
55	10061	10061-1775 (1.5808)	10061-2775 (1.5808)	5005-5	10061-2775 (1.5808)	5005-5	10061-2775 (1.5808)	5005-5	10061-2775 (1.5808)
56	10062	10062-1775 (1.5808)	10062-2775 (1.5808)	5005-5	10062-2775 (1.5808)	5005-5	10062-2775 (1.5808)	5005-5	10062-2775 (1.5808)
57	10063	10063-1775 (1.5808)	10063-2775 (1.5808)	5005-5	10063-2775 (1.5808)	5005-5	10063-2775 (1.5808)	5005-5	10063-2775 (1.5808)
58	10064	10064-1775 (1.5808)	10064-2775 (1.5808)	5005-5	10064-2775 (1.5808)	5005-5	10064-2775 (1.5808)	5005-5	10064-2775 (1.5808)
59	10065	10065-1775 (1.5808)	10065-2775 (1.5808)	5005-5	10065-2775 (1.5808)	5005-5	10065-2775 (1.5808)	5005-5	10065-2775 (1.5808)
60	10066	10066-1775 (1.5808)	10066-2775 (1.5808)	5005-5	10066-2775 (1.5808)	5005-5	10066-2775 (1.5808)	5005-5	10066-2775 (1.5808)
61	10067	10067-1775 (1.5808)	10067-2775 (1.5808)	5005-5	10067-2775 (1.5808)	5005-5	10067-2775 (1.5808)	5005-5	10067-2775 (1.5808)
62	10068	10068-1775 (1.5808)	10068-2775 (1.5808)	5005-5	10068-2775 (1.5808)	5005-5	10068-2775 (1.5808)	5005-5	10068-2775 (1.5808)
63	10069	10069-1775 (1.5808)	10069-2775 (1.5808)	5005-5	10069-2775 (1.5808)	5005-5	10069-2775 (1.5808)	5005-5	10069-2775 (1.5808)
64	10070	10070-1775 (1.5808)	10070-2775 (1.5808)	5005-5	10070-2775 (1.5808)	5005-5	10070-2775 (1.5808)	5005-5	10070-2775 (1.5808)
65	10071	10071-1775 (1.5808)	10071-2775 (1.5808)	5005-5	10071-2775 (1.5808)	5005-5	10071-2775 (1.5808)	5005-5	10071-2775 (1.5808)
66	10072	10072-1775 (1.5808)	10072-2775 (1.5808)	5005-5	10072-2775 (1.5808)	5005-5	10072-2775 (1.5808)	5005-5	10072-2775 (1.5808)
67	10073	10073-1775 (1.5808)	10073-2775 (1.5808)	5005-5	10073-2775 (1.5808)	5005-5	10073-2775 (1.5808)	5005-5	10073-2775 (1.5808)
68	10074	10074-1775 (1.5808)	10074-2775 (1.5808)	5005-5	10074-2775 (1.5808)	5005-5	10074-2775 (1.5808)	5005-5	10074-2775 (1.5808)
69	10075	10075-1775 (1.5808)	10075-2775 (1.5808)	5005-5	10075-2775 (1.5808)	5005-5	10075-2775 (1.5808)	5005-5	10075-2775 (1.5808)
70	10076	10076-1775 (1.5808)	10076-2775 (1.5808)	5005-5	10076-2775 (1.5808)	5005-5	10076-2775 (1.5808)	5005-5	10076-2775 (1.5808)
71	10077	10077-1775 (1.5808)	10077-2775 (1.5808)	5005-5	10077-2775 (1.5808)	5005-5	10077-2775 (1.5808)	5005-5	10077-2775 (1.5808)
72	10078	10078-1775 (1.5808)	10078-2775 (1.5808)	5005-5	10078-2775 (1.5808)	5005-5	10078-2775 (1.5808)	5005-5	10078-2775 (1.5808)
73	10079	10079-1775 (1.5808)	10079-2775 (1.5808)	5005-5	10079-2775 (1.5808)	5005-5	10079-2775 (1.5808)	5005-5	10079-2775 (1.5808)
74	10080	10080-1775 (1.5808)	10080-2775 (1.5808)	5005-5	10080-2775 (1.5808)	5005-5	10080-2775 (1.5808)	5005-5	10080-2775 (1.5808)
75	10081	10081-1775 (1.5808)	10081-2775 (1.5808)	5005-5	10081-2775 (1.5808)				

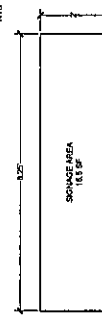
MONUMENT SIGN A1& A2  
(100 SF PER SIDE)



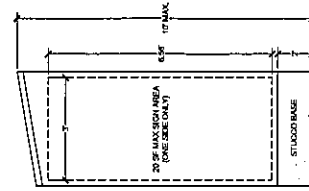
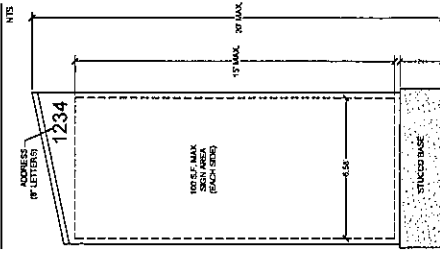
WALL SIGN B4 (70 SF)

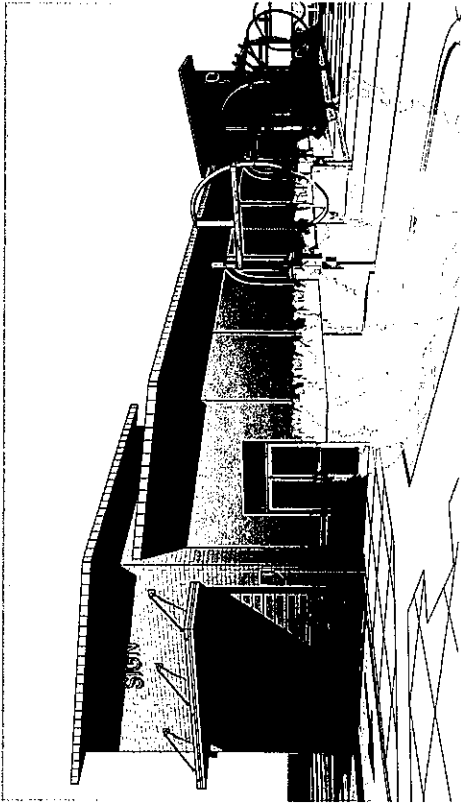


WALL SIGN B2 & B3 (16.5 SF)

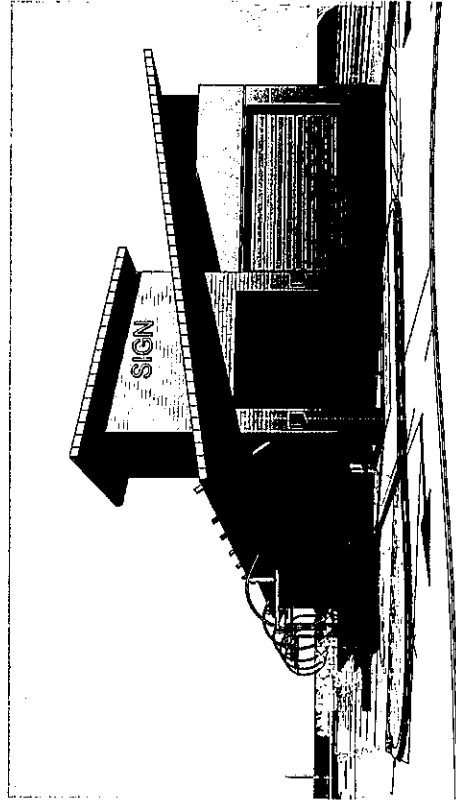


**DIRECTIONAL SIGN C1, C2, C3 & C4  
(20 SF, ONE SIDE ONLY)**

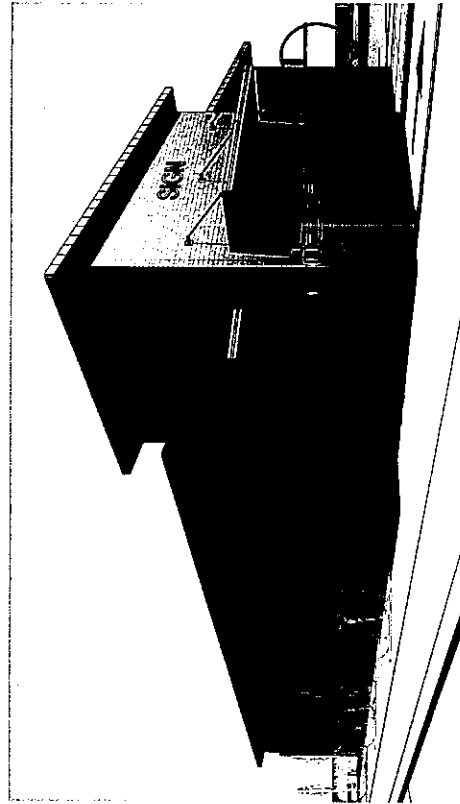




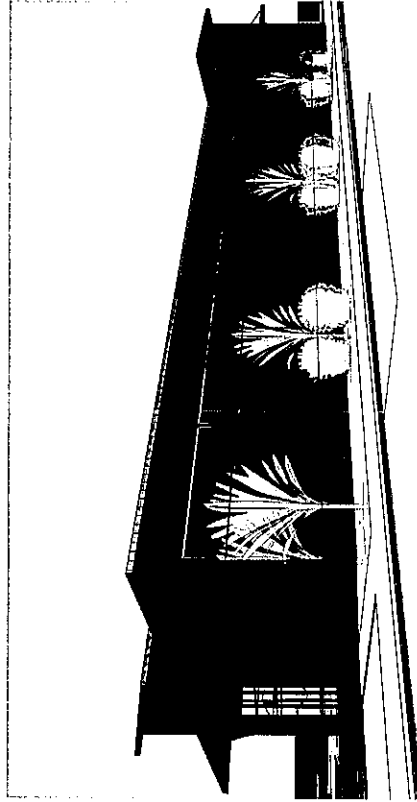
3D View 03



3D View 01



3D View 04



3D View 02

**STUDIO 87**  
Jett Calver, AIA  
2158/2200 Okeechobee Blvd  
Ocala, FL 34481  
(352) 342-5990

Revision Schedule	
Revision Number	Revision Description

2158/2200 Okeechobee Blvd  
Soapy Shark Carwash  
3D VIEWS

Project Number	
Date	April 12, 2020
Drawn By	
Checked By	

A002

Scale

1.2

200' 0" SITE BASELINE OF SLRM  
(64)

ST 6 40' 1" 100' 0" 0'  
RIGHT OF WAY  
PLAT BOOK 14  
PAGE 57

RIGHT OF WAY  
PLAT BOOK 14  
PAGE 57

OKEECHOBEE  
BLVD

200' 0" (W-3)  
US-1  
US-1

200' 0" SITE 204' 6"

OUTDOOR  
SEATING PLAZA

CANAL

GATE W/  
RINOCER

POINT OF  
VIEW  
TO BE MAINTAINED  
DURING NORMAL  
OPERATING HOURS

1 ARCHITECTURAL SITE PLAN  
1/16" = 1'-0"

0 1' 2' 3' 4' 5' 6' 7' 8' 9' 10' 11' 12' 13' 14' 15' 16' 17' 18' 19' 20' 21' 22' 23' 24' 25' 26' 27' 28' 29' 30' 31' 32' 33' 34' 35' 36' 37' 38' 39' 40' 41' 42' 43' 44' 45' 46' 47' 48' 49' 50' 51' 52' 53' 54' 55' 56' 57' 58' 59' 60' 61' 62' 63' 64' 65' 66' 67' 68' 69' 70' 71' 72' 73' 74' 75' 76' 77' 78' 79' 80' 81' 82' 83' 84' 85' 86' 87' 88' 89' 90' 91' 92' 93' 94' 95' 96' 97' 98' 99' 100'

SCALE 1/16" = 1'-0"

STUDIO 107

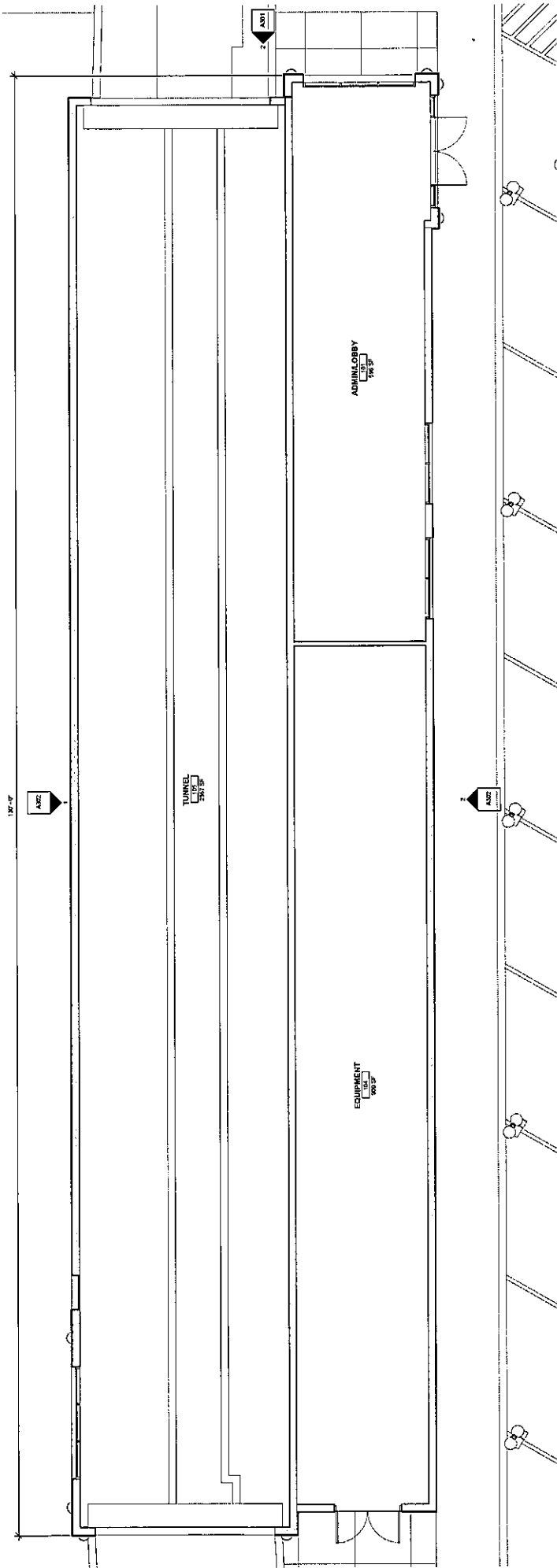
107 Collier Ave  
Fort Myers, FL 33901  
Phone: 941.337.1077  
Fax: 941.337.1078  
www.studio107.com

Revision Schedule	
Revision Number	Revision Description
1	Initial Design
2	Final Design
3	Final Design
4	Final Design
5	Final Design
6	Final Design
7	Final Design
8	Final Design
9	Final Design
10	Final Design
11	Final Design
12	Final Design
13	Final Design
14	Final Design
15	Final Design
16	Final Design
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92	Final Design
93	Final Design
94	Final Design
95	Final Design
96	Final Design
97	Final Design
98	Final Design
99	Final Design
100	Final Design

2158/2200 Okeechobee Blvd  
Soapy Shark Carwash  
SITE PLAN

Project Number	2158/2200
Date	April 2, 2023
Drawn by	Author
Checked by	Checker
Scale	1/16" = 1'-0"

A100



**INSULATION NOTES**  
 1. ALL INSULATION SHALL BE 2" MINIMUM THICKNESS.  
 2. ALL INSULATION SHALL BE 1/2" MINIMUM THICKNESS.  
 3. ALL INSULATION SHALL BE 1/2" MINIMUM THICKNESS.

**FINISH NOTES**  
 1. ALL FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL FINISHES SHALL BE SELECTED BY OWNER.

**PLAN NOTES**  
 1. ALL NOTES SHALL BE SELECTED BY OWNER.  
 2. ALL NOTES SHALL BE SELECTED BY OWNER.  
 3. ALL NOTES SHALL BE SELECTED BY OWNER.

**FLOOR NOTES**  
 1. ALL FLOOR FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL FLOOR FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL FLOOR FINISHES SHALL BE SELECTED BY OWNER.

**CEILING NOTES**  
 1. ALL CEILING FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL CEILING FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL CEILING FINISHES SHALL BE SELECTED BY OWNER.

**WALL NOTES**  
 1. ALL WALL FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL WALL FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL WALL FINISHES SHALL BE SELECTED BY OWNER.

**DOOR NOTES**  
 1. ALL DOOR FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL DOOR FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL DOOR FINISHES SHALL BE SELECTED BY OWNER.

**WINDOW NOTES**  
 1. ALL WINDOW FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL WINDOW FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL WINDOW FINISHES SHALL BE SELECTED BY OWNER.

**STAIRCASE NOTES**  
 1. ALL STAIRCASE FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL STAIRCASE FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL STAIRCASE FINISHES SHALL BE SELECTED BY OWNER.

**CEILING NOTES**  
 1. ALL CEILING FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL CEILING FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL CEILING FINISHES SHALL BE SELECTED BY OWNER.

**WALL NOTES**  
 1. ALL WALL FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL WALL FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL WALL FINISHES SHALL BE SELECTED BY OWNER.

**DOOR NOTES**  
 1. ALL DOOR FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL DOOR FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL DOOR FINISHES SHALL BE SELECTED BY OWNER.

**WINDOW NOTES**  
 1. ALL WINDOW FINISHES SHALL BE SELECTED BY OWNER.  
 2. ALL WINDOW FINISHES SHALL BE SELECTED BY OWNER.  
 3. ALL WINDOW FINISHES SHALL BE SELECTED BY OWNER.

**1 FLOOR PLAN**  
 1/4" = 1'-0"

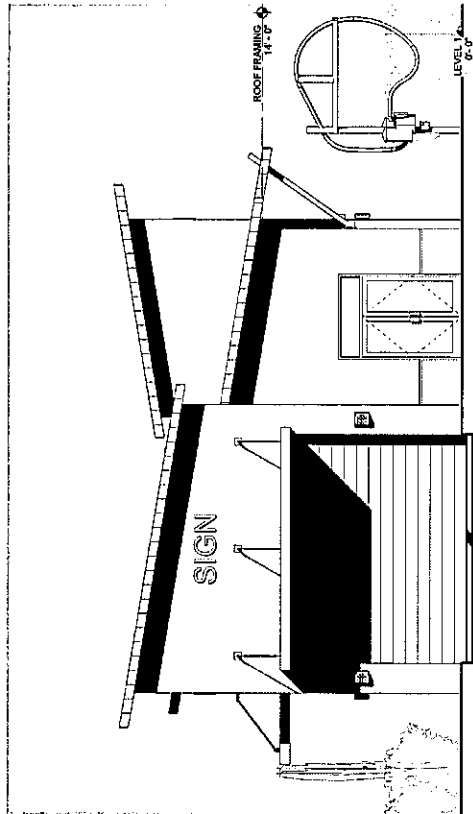
**STUD 187**  
 JAC GARDNER, AIA  
 1000 S. GARDNER AVE.  
 GAITHERSBURG, MD 20878  
 301-320-1000  
 JAC GARDNER ARCHITECT

Revision Schedule		
Revision Number	Revision Description	Revision Date

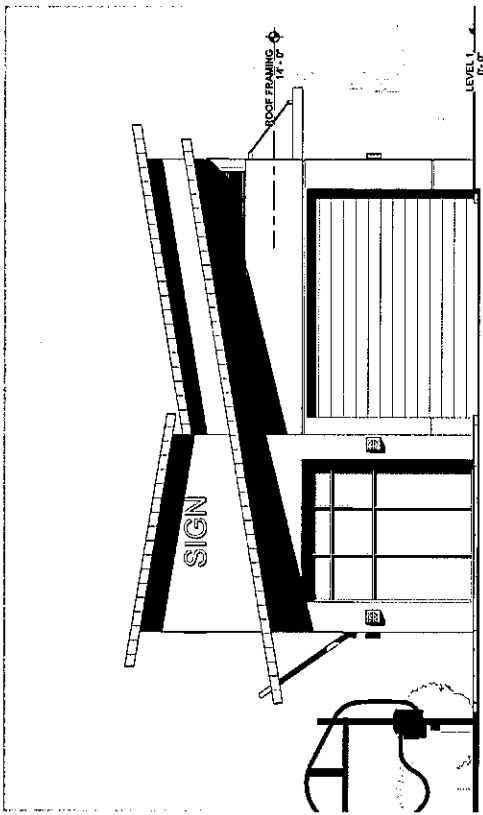
**2158/2200 Okeechobee Blvd**  
**Soapy Shark Carwash**  
**FLOOR PLAN**

Project Number: \_\_\_\_\_  
 Date: April 2, 2020  
 Drawn by: Architect  
 Checked by: Checker  
**A201**  
 Scale: 1/4" = 1'-0"

79



1 WEST ELEVATION  
1/4" = 1'-0"



2 EAST ELEVATION  
1/4" = 1'-0"

**STUDIO 37**  
Jill Carter, AIA  
3000 West 10th Street  
Ocala, FL 32110  
(352) 343-8995

Revision Schedule		
Revision Number	Revision Description	Revision Date

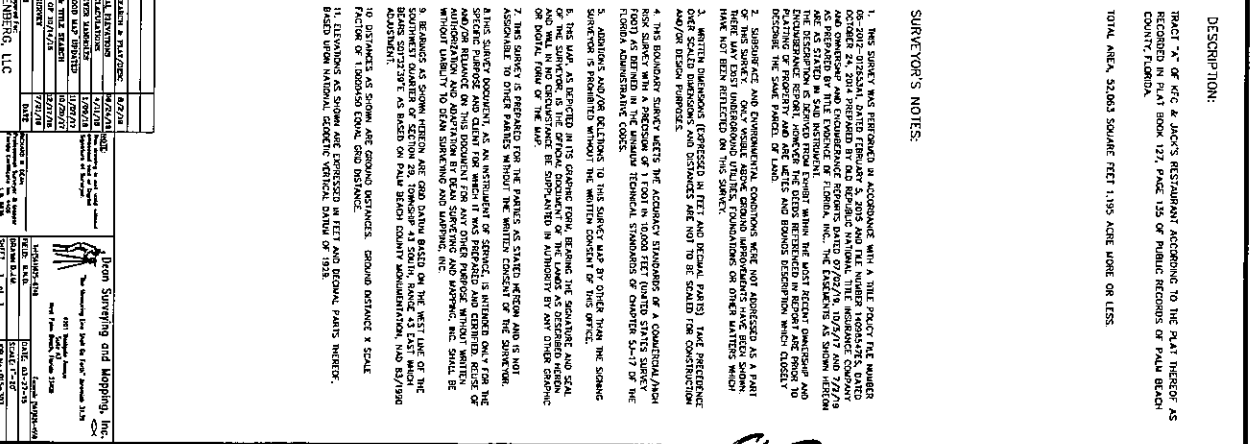
215812200 Okeechobee Blvd  
Soapy Shark Carwash

BUILDING ELEVATIONS		
Project Number	215812200	Sheet
Date	April 17, 2020	Project
Drawn by	J. Carter	Checked by

**A301**

Scale: 1/4" = 1'-0"





TOTAL AREA, 52,063 SQUARE FEET 1.195 ACRE MORE OR LESS

**SURVEYOR'S NOTES:**

- [illegible]