

WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

**Monday, May 10, 2021
1280 N. Congress Avenue, Suite 215
West Palm Beach, Florida 33409**

NOMINATION SESSION

**A NOMINATION SESSION WILL CONVENE AT 5:30 P.M. TO NOMINATE
COMMISSIONERS FOR SEAT 1, SEAT 2, SEAT 3, SEAT 7. THE REGULAR MEETING
WILL RESUME AFTER THE NOMINATION SESSION.**

**NOTE: Agenda Summary (Pages 3-8)
Staff Report (Pages 9-14)**

- I. CALL TO ORDER / ROLL CALL**
- II. AGENDA APPROVAL**
 - 1. Additions, Deletions, Substitutions to Agenda**
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- III. ADOPTION OF W/BH CRA MINUTES (Pages 15-18)**
- IV. PUBLIC COMMENTS**
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- VI. CONSENT AGENDA**
- VII. REGULAR AGENDA**
 - 1. Development Order Amendment for Broward Motorsports of Palm Beach: 2300 Okeechobee Blvd (Pages 19-53)**
 - 2. 21-01 Round of ULDC Amendments (Pages 54-67)**
- VIII. REPORTS**
 - A. Staff Reports**
 - Correspondence (Pages 68-69)**
 - 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. Ruffy

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.



AGENDA ITEMS
Westgate/Belvedere Homes CRA Board Meeting
May 10, 2021

REGULAR AGENDA

1. Development Order Amendment for Broward Motorsports of Palm Beach: 2300 Okeechobee Blvd.

A. Background and Summary: The subject site is located on the southwest corner of Okeechobee Blvd. and Congress Ave. Broward Motorsports of Palm Beach, formerly known as Lexus of Palm Beach, is 3.87 acres in total and consists of a 24,805 sf., one and two story building. The site is approved for and operates a Vehicle Sales and Rental, Light as the principal use, however, some repair and maintenance services are also provided on site. The approval also includes a phased plan to allow a one story 45,496 sf. inventory storage structure. The subject application requests the addition of two new vehicle showroom areas on the east (at 2,949 sf.) and west (at 2,231 sf.) sides of the building totaling 5,180 sf. The site was originally approved in 1987 as a Special Exception to allow vehicles sales and rental as well as repairs via BCC Res #R-87-1099. The site was expanded, improved and operated this way for 20 years before Broward Motorsports acquired the site, and processed amendments to the site plan and development order to allow the use to operate specific to the sale and rental of recreation vehicles. #R-2003-939, and most recently #R-2009-1046 further clarified, via conditions of approval, the types of and number of vehicles that could be sold, rented or leased, and cited repairs and service as an accessory use.

The entire site is within the UG (Urban General) Sub-area of the WCRAO, and is zoned 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). The site is in the URA (Urban Redevelopment Area), the U/S (Urban/Suburban) Tier, and in the Westgate CCRT area. There are vehicle sales & rental uses to the north across Okeechobee Blvd. in the City of West Palm Beach. To the west, is a small auto repair shop, Mr. Mack's Island Grill restaurant, as well as residential (zoned CG and RH with a



CH/8 and CL/8 FLU), to the south, multifamily and commercial (zoned CG and RH with a CH/8 and CL/8 FLU), and to the east is a Chevron Gas Station and an adult entertainment business (Monroe's) zoned CG with a CH/8 FLU.

Both Vehicle Sales and Rental, Light and Repair and Maintenance, Light, are Class A conditional uses requiring BCC approval, and continue to be permitted in the UG Sub-area. The use is vested. The expansion exceeds the threshold to allow the additional square footage by administrative approval, and the WCRAO provides that all projects requiring Development Order Amendment approval by the BCC must be reviewed and provided a recommendation by the CRA.

The application requests a Development Order Amendment to amend the site plan, last approved via #R-2009-1046, to add 5,180 sf. of new vehicle showroom and reconfigure the site plan to remove the previously approved Phase 2 inventory storage building from the overall square footage; parking spaces will now be shown at this location, and to make minor adjustments to the site parking areas and circulation to accommodate new vehicle showroom space. The application is necessary to bring the site into compliance. The site has been the subject of two code enforcement cases: for enclosing areas without permit not pursuant to the approved site plan, and for using Suwanee Dr. to the west for loading and unloading, as well as utilizing parking spaces for vehicle storage.

The application requests the following amendments associated with the development order approved via #R-2009-1046:

1. A Development Order Amendment to modify the approved site plan, including associated conditions of approval as necessary, to add 5,180 sf. of vehicle showroom, remove a planned 15,496 sf. inventory storage structure, and reconfigure parking and site circulation;
2. An increase of 123 net new trips per day and 11 pm peak hour trips, from the existing vested use to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.
3. Any variances necessary to bring the site into compliance with current ULDC and WCRAO regulations; and,
4. Final DRO site plan approval.



B. Recommendation: Staff recommends the approval of

1. A Development Order Amendment to modify the approved site plan, including associated conditions of approval as necessary, to add 5,180 sf. of vehicle showroom, remove a planned 15,496 sf. inventory storage structure, and reconfigure parking and site circulation;
2. An increase of 123 net new trips per day and 11 pm peak hour trips, from the existing vested use to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.
3. Any variances necessary to bring the site into compliance with current ULDC and WCRAO regulations; and,
4. Final DRO site plan approval.

2. 21-01 Round of ULDC Amendments

A. Background and Summary: This round will introduce an alternative single family housing type to allow smaller dwelling on 25' wide lots and clarifies a few other regulations as outlined below.

Amendment Timeline

BCC Initiation & draft due to Zoning	November 25, 2020
Zoning & Agencies Round Tables	April 15 & 16, 2021
Land Development Regulations Advisory Board (LDRB) Meeting	April 28, 2021
BCC Request for Permission to Advertise	June 24, 2021
BCC 1 st Reading	July 22, 2021
BCC 2nd Reading & Adoption	August 26, 2021



Summary of Proposed WCRAO Amendments

Part 1 amends Art. 3.B.14.E, WCRAO Use Regulations and Table

- Renames Table 3.B.14.E to “Min/Max Residential and Non-Residential Uses” instead of “Mixed Use” to clarify that the function of the table is to determine where residential or non-residential development, specific to Sub-area and by required percentage of GFA, is allowed.
- Relocates Table 3.B.14.E, footnote #4 which references where multifamily is permitted by number of units and Sub-area to the WCRAO Sub-area use regulations table where it is better suited.
- Amends Table 3.B.14.E, WCRAO Sub-area Use Regulations by introducing an alternative SF housing type to allow smaller dwellings that can be built on 25' wide lots. This new SF model, named “South Westgate Estates Single Family Alternative” will only be allowed in the NRM Sub-area, an area of the overlay which generally corresponds to original South Westgate Estates subdivision plat. This alternative housing type differs from cottage homes in that there is no 1,000 sf size cap; unit size is determined by setbacks and building coverage. Also differs from the standard SF model which is allowed in the NR and NRM Sub-areas on 50' wide lots.
- Correct scrivener's error in Table 3.B.14.E, WCRAO Sub-area Use Regulations, to clarify that Gas and Fuel Sales in the UI Sub-area is subject to the use regulations of the zoning district since the corresponding cell is now blank forcing the code to remain silent.

Part 2 amends Art. 3.B.14.F, WCRAO Property Development Regulations and Tables

- Most amendments in Part 2 are clarify intent, are corrective, or are for consistency with other sections of the overlay.
- Restate intent and applicability of the section by adding clarifying language: Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs applies to all non-residential and mixed use development according to Sub-area; and, Table 3.B.14.F, WCRAO Residential Sub-area PDRs applies to residential-only uses across sub-areas as permitted.
- Within Table 3.B.14.F – WCRAO Non-Residential and Mixed Use PDRS:
 - Reiterate that PDRs for SF development in the NR Sub-area do not apply (N/A) in this table. PDRs for SF development area found the Residential PDR table
 - Strike out “build to line” in the row header since not all Sub-areas require a build to line but instead minimum front setback



- Clarify that build to line standards apply to all development in the UG Sub-area not only commercial or mixed use projects
- Delete “build to line 10-25” in the UH Sub-area and instead add a “min. 10” front setback to better allow for front and side setback flexibility for existing smaller, sub-standard sites along Okeechobee Blvd. between Shawnee and Indian, while ensuring existing larger development setback a minimum of 50’ on Okeechobee Blvd. and Military Trail remains conforming
- Add an applicability and clarification note to maximum allowable stories/height to exempt buildings over 35’ from the requirements of 3.D.1.E.2 in standard code which states that a structure must be set back an additional foot for every foot of height over 35’. Applying this provision would conflict with form based code requirements for build to line and frontage.
- Within Table 3.B.14.F – WCRAO Residential Sub-area PDRs:
 - Remove “Sub-area” from the table title since residential PDRs are by residential use type not be Sub-area specifically
 - Add “Build to Line” alongside setbacks in the table row heading as well as within cells where the BTL is required for consistency with the Non-Residential and Mixed Use PDR table
 - Include PDRs for the South Westgate Estates Single Family Alternative housing type. PDRs closely mirror Cottage Home provisions by providing reduced front and side setbacks, but differs in allowing for a larger dwelling unit by building coverage maximum
 - Amend Cottage Home PDRs to better conform to the Cottage Homes use type in Art. 4. Adds a note to reiterate that Cottage Homes in the WCRAO must conform to the 1,000 sf. size limitation
 - Clarify that accessory structures are no permitted to exceed 2 stories in height
 - Add a note to South Westgate Estates Single Family Alternative which allows the building coverage to increase by up to 10% to accommodate covered front porches and rear patios, as well as a provision maximizing the size of attached garages to 15% of building coverage

Part 3 amends Art. 3.B.14.G, WCRAO Supplementary Standards Table

Part 3 corrects a few more minor scriveners’ errors where table cells have been left blank or note numbers have been incorrectly referenced



B. Recommendation: Authorize staff to collaborate with the Palm Beach County Zoning Division to process the above amendment.

WESTGATE/BELVEDERE HOMES CRA BOARD MEETING

May 10, 2021

Staff Update on In-House Projects

CDBG Funding for Demolition of CRA-Properties (STARTED)

In April 2021 the Board approved a request to authorize PBC DHES to demolish 4 vacant homes on CRA-owned properties on Cherokee and Westgate Avenues. The CRA purchased the properties in 2018 with the optic of holding the land for private redevelopment. The homes are severely dilapidated, structurally unsafe, and have become a magnet for criminal activity, contributing to slum and blight in the community, particularly on Westgate Avenue. Staff applied to a DHES program to access CDBG funding for the demolition of the homes. The process is to be administered and managed by DHES staff who will be responsible for procuring contractors, administering the mitigation of asbestos and lead based paint, and ensuring that the demolition process follows all federal guidelines. The DHES contractor will acquire all necessary permits and complete the work. The CRA will likely plant grass following site clearance. The demolition is anticipated to cost \$60-80,000.

2021-01 ULDC Amendment Round (INITIATED)

The CRA is seeking to make amendments to the WCRAO in the first round of 2021. The following are highlights: corrective and clarifying amendments to overlay language and tables generally; introducing a new housing type called "South Westgate Estates Single Family Alternative" which allows smaller single family homes, limited to 45% building coverage, to be constructed on 25' wide lots; creating a 10' minimum front and side street setback in the UH Sub-area; and, exempting all development in the WCRAO to the provisions of Art. 3.D.1.E.2 which states that a structure must be set back one foot for each foot of height over 35' – applying this provision conflicts with build to line and frontage requirements.

This round of ULDC amendments was initiated by the Zoning Division at the January 28th BCC meeting. A draft of the amendment language was presented to the LDRAB on April 28th with a unanimous recommendation and no changes requested by the LDRAB. The 1st reading of the amendments is scheduled for July 22nd with adoption by the BCC on August 26th, 2021.

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.

2021 Comprehensive Plan Amendments (STARTED)

The Planning Division is initiating amendments to the WCRAO in the Future Land Use and Transportation Elements of the Comp Plan. FLUE amendments will address an outdated policy allowing a 20% commercial bonus increase without amendments to the FLUA, and TE amendments will update policies related to WDRAO Density Bonus Program income categories following the adoption of the 2020-02 amendments to the DBP in the ULDC. Amendments may also include updates to the WCRAO narratives in both elements. Planning will take the lead in drafting amendment language.

COVID-19 Small Business Emergency Relief Forgivable Loan Program (ONGOING)

The Board approved the Program at their June meeting. The program is advertised on our website as well as Facebook page. Staff completed a direct mail out promoting the availability of the program to

Westgate businesses at the end of August. Business types are screened by uses permitted in certain WCRAO sub-areas. Interest in the program has been robust. Five (5) applications were approved by the Board at their September 2020 meeting; four (4) more were approved by the Board at their October 2020 meeting; 1 application was approved at the November 2020 meeting; and one application was approved at the January 2021 meeting. The program budget spans two budget years: \$50,000 was allocated to FY 19/20 and \$100,000 is allocated to FY 20/21. The program has budget capacity for four more applications. Two businesses applied for and received loan forgiveness by the Board in February 2021.

Background: Small businesses have suffered financial loss and hardship due to the COVID-19 crisis. Small businesses in the CRA district with less than 25 employees can apply for up to \$10,000 in financial assistance in the form of a forgivable loan for eligible expenses associated with rent, payroll support, inventory purchases, utilities, expenses associated with technology upgrades to facilitate remote working, and/or expenses associated with the reconfiguration of interior spaces to accommodate a 6' physical separation. First come, first served basis. \$150,000 from the CRA's FY 19/20 and 20/21 budgets has been allocated to the program.

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: The Plat has been granted technical compliance. Following the completion of corner clip dedications, the project can move into the permitting phase. 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.

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 18/19 – Oswego Avenue Properties Clean-up (STARTED)

Update: The CRA has paid a contractor to remove invasive 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.

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

FY20 Cherry Road Pedestrian & Safety Improvements (NEW)

Update: The Cherry Road project received approval for funding by the TPA Governing Board in July, 2020.

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 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.

FY19 and Seminole Blvd. Complete Streets (FUNDED/ONGOING)

Update: The Transportation Planning Agency Governing Board approved funding for the Seminole Blvd project at their July 18th 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.

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 50% COMPLETE)

11

Update: Design has begun on the Westgate Avenue project and must be completed by July 2021. Design is moving forward without a roundabout. 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.

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 to 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.

FY18 – Phase II Belvedere Heights Streetlights & Sidewalks (DESIGN STARTED)

Update: The BCC is considering an agenda item on June 16th for the design of this second phase. 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.

FY17 – Phase I Belvedere Heights Streetlights & Sidewalks (DESIGN COMPLETE)

Update: The neighborhood has experienced chronic poor drainage and the water mains have reached the end of their useable life and must be replaced. Mock Roos, the contractor for the sidewalks/streetlights project requested that PBC Water Utilities do the water main work prior to the installation of sidewalks and they have agreed; Mock Roos will also do this work. Engenuity Group has been working on a drainage design for the area and a request has been made for Water Utilities in collaboration with Engineering to do this work ahead of sidewalk installation as well. Water main replacement will occur January thru March, 2021 with drainage in March thru July, 2021. Construction

on the sidewalks project is set to begin in August 2021.

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 Strategic Plan (ONGOING)

CRA staff is continuing to work on a 5-year strategic plan that will implement the goals and objectives of the 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:

Projects	Address	Status
Broward Motorsports	2300 Okeechobee Blvd	<ul style="list-style-type: none"> DOA to address phased plan, additional square footage for storage & retail, access
Murphy Express Gas Station/C-store	1010 Military Trail (Walmart MUPD)	<ul style="list-style-type: none"> In Zoning Demolish vacant Walgreens & relocate and expand existing Murphy Express and add c-store
Palm Key Apartments	Cherokee Ave	<ul style="list-style-type: none"> In Zoning 7 townhome-style multifamily units on .46 ac – utilizing CRA density bonus units
1713 Quail (former Opportunity Inc.)	1713 Quail Drive	<ul style="list-style-type: none"> In Zoning Repurposing existing building for new medical office use Rezoning to CG, multiple variances
Museo Vault self-service storage	4200 Westgate Ave	<ul style="list-style-type: none"> In Zoning proposing a 4-story, 50,000 sf fine art and antique storage facility
Autumn Ridge LITC mixed use	Congress Ave	<ul style="list-style-type: none"> In Zoning 106 units by Landmark Construction, 90% of units at or below 60% of AMI – 77 DBP units, TCEA and rezoning from RM to CG
Soapy Shark Car Wash (formerly KFC/Jack's)	2200 Okeechobee Blvd.	<ul style="list-style-type: none"> In Zoning DRO Approval & 6 variances required
Duplex development	1115 Osceola	<ul style="list-style-type: none"> Utilizing 1 WCRA density bonus unit, non-conforming lot
Small Home project	2611 Saranac	<ul style="list-style-type: none"> Construction on first 7 units has begun in early 2021 1-acre site newly subdivided into 14 25 ft. lots for small homes
Congress Avenue - Greene Apartments	1600 N. Congress Ave	<ul style="list-style-type: none"> DRO approved – project now in permitting 198 units (138 density bonus units from WCRA pool; 55 income restricted) Issues with compensating storm water storage – SFWMD permit received at end of July utilizing available acre feet from the Preserve
MacDonald Industrial/McArthur Dairy	N. Florida Mango	<ul style="list-style-type: none"> On hold Type 2 waiver for extended hours of operation. BCC approved January. Construction to begin mid 2019
Mi Pais Express (Fernandez) Mixed Use	2633 Westgate Ave	<ul style="list-style-type: none"> IN CONSTRUCTION!
Dos Hermanos Mixed Use	Westgate & Seminole Blvd	<ul style="list-style-type: none"> In permitting Rezoning & variances approved. DRO site plan approval. New architect
Westgate One	Westgate at Nokomis	<ul style="list-style-type: none"> On hold 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

April 12, 2021

I. CALL TO ORDER (IN PERSON MEETING BROADCASTED ON ZOOM PLATFORM)

Mr. Daniels, the Board Chair, called the meeting to order at 5:05 p.m. The roll was called by Ms. Bui.

Present: Ronald Daniels
Joanne Rufty
Ruth Haggerty
Joseph Kirby

Absent: Ralph Lewis
Enol Gilles
Yeraldi Benitez

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

Others Present: Dorritt Miller, Assistant County Administrator, Deputy George Gomez, Deputy Adam Robinson, Keith Jackson, PE, Engenuity Group, CRA Engineer (All Virtually Via Zoom)

II. AGENDA APPROVAL

1. Additions, Deletions, Substitutions to Agenda

- Mr. Michel asks to delete item #2 from Regular Agenda.

2. Adoption of Agenda

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

III. ADOPTION OF W/BH CRA MINUTES

- It was moved by Ms. Haggerty and seconded by Mr. Kirby to adopt the minutes of the March 08, 2021 meeting. Motion carried (4-0)

IV. PUBLIC COMMENT

- PBSO Deputy Robinson and Deputy Gomez gave a brief report to the Board about police activities in the Westgate CRA area for the previous month.
- Mr. Chuck Westnick with Danza Group gave an update on the project in Westgate CRA.

V. DISCLOSURES

- No disclosures

VI. CONSENT AGENDA

- 1. Authorization for Palm Beach County Department of Housing Economic Sustainability to Demolish CRA Owned Property 2426 Cherokee Avenue and 2423 Westgate Ave.**

It was moved by Ms. Rufty and seconded by Mr. Kirby to approve consent agenda. The motion passed unanimously (4-0)

VII. REGULAR AGENDA

- 1. Approval agreement to Convey Land to Palm Beach County for the Development of Fire Station 24**

Purvi Bhogaita, the Director of the Property and Real Estate Management Division of Palm Beach County made a presentation to the Board. She introduced Ms. Isami Ayala-Collazo, Director of the Facilities Development, Fire Rescue Chief Reginald K. Duren, Chief Woodside, and Assistant Chief Kennedy.

Ms. Purvi reminded the Board they had made an initial presentation on December 14, 2021. Since then, County and the CRA staff has been working on a mutually agreeable Interlocal Agreement (ILA). The presentation covers the term of the (ILA).

The Fire Rescue Station #24 is currently located on Seminole Boulevard and provide services to the residents of the Westgate CRA. There is a need for a newer more modern station. The Fire Station was built in the 1960s. The delivery of Fire Rescue services has gone through significant changes since then. There are newer designs standards to accommodate todays equipment, safety regulations, and a growing and diverse staff. In 2007, the County acquired property from Mr. Pitts diagonally across the existing Fire Station to build a new FS, however, the location is not ideal since it is tucked inside the neighborhood and will have a significant impact on Fire Rescue response time to emergencies within the CRA neighborhood. The County desired to relocate Fire Rescue Sation #24 to Westgate and Seminole as a potential site to build the new Fire Station and

is requesting the donation of the CRA owned land for the relocation. The site is approximately 1.3 acre.

The County has been working with CRA staff and had developed the following terms: Conveyance will be subject to a deed restriction limiting the use of the property for the development and operation of a fire station. The building will include a 500 square foot office space for the PBSO community policing officers. However, there will be no public use space within the Station for security purposes. The County will work with CRA staff to provide a consistent aesthetic presentation aligned with the CRA's vision for Westgate Ave. A 45-day due diligence period which allows the County to conduct due diligence review, such as title review, survey and environmental assessment.

Ms. Purvi also shared a conceptual plan with the Board that incorporates some comment from CRA staff such as building presence on Westgate Avenue, drainage facilities placement in the rear of the property, the space for PBSO community officers along Westgate and landscape throughout. A more detailed site plan will be developed as the County engages with its design consultants and moves through the regulatory process of site plan approval.

Mr. Daniel stated that the Westgate location will be better for Fire Rescue as it will help them with better response time.

It was moved by Ms. Rufty and seconded by Mr. Kirby to convey the property as described to Palm Beach County for the development of a Fire Rescue facility. The motion passed unanimously (4-0)

2. Approval of Acquisition of Cherokee Property from Elite Capital & Development Inc.

Mr. Michel indicated that Staff has negotiated the acquisition of a property on Cherokee Avenue between Loxahatchee and Osceola. The property is located near two other lots that the CRA owns on Westgate Ave. This land assembly will allow the CRA to entice a developer to build a commercial or a mixed use project with rear access in accordance with the Westgate CRA Zoning Overlay. The property is a 100'X115' vacant lot. It is zoned commercial. It is appraised for \$100,000. It is being bought for \$100,000.

Staff recommends that the Board authorizes the Chair to execute a purchase agreement to acquire the Cherokee property as described in the attached appraisal.

It was moved by Ms. Rufty and seconded by Ms. Haggerty to execute a purchase agreement to acquire the Cherokee property. The motion passed unanimously (4-0)

VIII. STAFF REPORTS


Ms. Liliana and Mr. Keith Jackson from Engenuity Group presented to the Board the Phase 1 and Phase 2 of the Belvedere Heights Projects for 2021-2022.

Mr. Michel reported that the Rooney 5K Run was a success. Next year, the Rooney 5K run will be the Saturday before Easter of 2022.

There was no other report.

IX. AJOURNMENT

It was moved by Ms. Rufty and seconded by Ms. Haggerty to adjourn the meeting. The meeting adjourned at 5:53p.m.



Mai Bui

Administrative Assistant, Westgate CRA



Westgate CRA Board Meeting
May 10, 2021

AGENDA ITEM SUMMARY

Broward Motorsports of Palm Beach

2300 Okeechobee Blvd.

Development Order Amendment

Control No. 1987-00006



Location Map

19



Site Background

The subject site is located on the southwest corner of Okeechobee Blvd. and Congress Ave. Broward Motorsports of Palm Beach, formerly known as Lexus of Palm Beach, is 3.87 acres in total and consists of a 24,805 sf., one and two story building. The site is approved for and operates a Vehicle Sales and Rental, Light as the principal use, however, some repair and maintenance services are also provided on site. The approval also includes a phased plan to allow a one story 45,496 sf. inventory storage structure. The subject application requests the addition of two new vehicle showroom areas on the east (at 2,949 sf.) and west (at 2,231 sf.) sides of the building totaling 5,180 sf. The site was originally approved in 1987 as a Special Exception to allow vehicles sales and rental as well as repairs via BCC Res #R-87-1099. The site was expanded, improved and operated this way for 20 years before Broward Motorsports acquired the site, and processed amendments to the site plan and development order to allow the use to operate specific to the sale and rental of recreation vehicles. #R-2003-939, and most recently #R-2009-1046 further clarified, via conditions of approval, the types of and number of vehicles that could be sold, rented or leased, and cited repairs and service as an accessory use.

The entire site is within the UG (Urban General) Sub-area of the WCRAO, and is zoned 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). The site is in the URA (Urban Redevelopment Area), the U/S (Urban/Suburban) Tier, and in the Westgate CCRT area. There are vehicle sales & rental uses to the north across Okeechobee Blvd. in the City of West Palm Beach. To the west, is a small auto repair shop, Mr. Mack's Island Grill restaurant, as well as residential (zoned CG and RH with a CH/8 and CL/8 FLU), to the south, multifamily and commercial (zoned CG and RH with a CH/8 and CL/8 FLU), and to the east is a Chevron Gas Station and an adult entertainment business (Monroe's) zoned CG with a CH/8 FLU.

Development Order Amendment to Reconfigure the Site Plan & Add Square Footage

Both Vehicle Sales and Rental, Light and Repair and Maintenance, Light, are Class A conditional uses requiring BCC approval, and continue to be permitted in the UG Sub-area. The use is vested. The expansion exceeds the threshold to allow the additional square footage by administrative approval, and the WCRAO provides that all projects requiring Development Order Amendment approval by the BCC must be reviewed and provided a recommendation by the CRA.

The application requests a Development Order Amendment to amend the site plan, last approved via #R-2009-1046, to add 5,180 sf. of new vehicle showroom and reconfigure the site plan to remove the previously approved Phase 2 inventory storage building from the overall square footage; parking spaces



will now be shown at this location, and to make minor adjustments to the site parking areas and circulation to accommodate new vehicle showroom space. The application is necessary to bring the site into compliance. The site has been the subject of two code enforcement cases: for enclosing areas without permit not pursuant to the approved site plan, and for using Suwannee Dr. to the west for loading and unloading, as well as utilizing parking spaces for vehicle storage.

Summary of Petition

The application requests the following amendments associated with the development order approved via #R-2009-1046:

1. A Development Order Amendment to modify the approved site plan, including associated conditions of approval as necessary, to add 5,180 sf. of vehicle showroom, remove a planned 15,496 sf. inventory storage structure, and reconfigure parking and site circulation;
2. An increase of 123 net new trips per day and 11 pm peak hour trips, from the existing vested use, to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.
3. Any variances necessary to bring the site into compliance with current ULDC and WCRAO regulations; and,
4. Final DRO site plan approval.



Existing Conditions – view from Congress Avenue at Okeechobee Blvd. looking west



Staff Analysis & Review

Consistency with the CRA Community Redevelopment Plan

Vehicle sales and rental uses have proliferated in the redevelopment district over time, and to curb this, the WCRAO now prohibits auto-related uses in the NC, NG and NRM Sub-areas, preserving these Sub-areas for mixed use, housing, and more neighborhood commercial redevelopment. Although auto-related uses are rarely catalysts for far-reaching community revitalization, when appropriately located, such as in the commercially intense corridors in the UH and UG Sub-areas, they do stimulate economic interest and create additional passer-by trips for other area uses. Broward Motorsports has been an active use at the corner of Okeechobee Blvd. and Congress Avenue since the late 1980's. Given its visibility on the high traffic Okeechobee corridor, the business, which offers a unique range of recreational vehicle products and services, will continue to enjoy popularity and success.

Consistency with WCRAO Standards

The UG Sub-area is recognized as an "additional redevelopment area allowing for mixed use development with more intense commercial and residential uses, including multi-story towers where feasible". The site was developed largely to CG zoning district standards, so the site does not fully conform to current WCRAO code. The building entrance is oriented towards the corner of Congress Ave. and Okeechobee Blvd. Primary access is from Okeechobee Blvd., and there are also access points on Congress Avenue and on Suwanee Drive. Minimum lot width, depth and building coverage PDRs for the UG Sub-area have been met. Maximum building length is 300' and approximately +/- 260' is existing. Although minimum rear and west side setbacks are met, the structure does not meet the current WCRAO front and side street build to line requirement of 10'-25' or the minimum building frontage requirement of 60%; the building is set back 133' from the side street property line (Congress Ave.) and +/-35' from the front property line (Okeechobee Blvd.), and building frontage is approximately +/- 40% of property width.

To address these shortfalls to form-based code compliance, the WCRAO does provide some relief: ROW/easement exceptions from the build to line to accommodate utility easements and buffers may be possible, as well as frontage exceptions to allow for access driveways, sidewalks, and other code requirements. Further, WCRAO landscape modifications allow deviations for ROW or incompatibility landscape buffers which may be reduced up to 50% in the UG Sub-area for commercial projects, and required foundation planting along any façade with a required build to line may be deleted.



The site is oddly configured with a notched out area at southeast corner, and this is further compounded by several underlying LWDD and PBC Water Utilities easements that crisscross the property. In 2009, the site was granted, among other variances, a variance from the WCRAO UG Sub-area requirement of a "10-25' build to line for side street building frontage" for the Phase 2 inventory storage building, but since the inventory structure is proposed to be removed from the controlling site plan, this variance becomes null. With the removal of the inventory storage building from the site plan, extra parking spaces have been added; the site is now over parked with 170 parking spaces provided and 121 spaces required.

Even though the 'affected' area in the DOA application is minimal and the building placement on the site is vested, for those items that cannot be addressed by WCRAO deviations and exceptions, Zoning may require corrective variances to bring the site into compliance with current WCRAO PDRs, and ULDC standards.

Compliance with Standards for Development Order Amendments

The applicant has provided adequate justification for the Development Order Amendment pursuant to the Standards of Art. 2.B. The proposed project must be consistent with the Comprehensive Plan and the ULDC; be compatible with surrounding uses and development patterns; incorporate a design that minimizes adverse and environmental impact; and has adequate available public facilities (concurrency).

Traffic & Drainage Considerations

The project generates less than 21 net new peak hour trips, and therefore has an insignificant impact on roadways, and will meet PBC TPS and concurrency. An increase of 123 net new trips per day; 11 pm peak hour trips and 9 am peak hour trips, from the existing vested use to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool.

The site is located within the C-51 basin and discharges into the LWDD E-3-1/2 canal. The existing storm drainage system consists of a network of interconnected pipes and catch basins leading to an existing dry detention area at the south west corner of the site, prior to discharging through the existing control structure for legal positive outfall to the LWDD canal. 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 request for the following amendments associated with the development order approved via #R-2009-1046:

1. A Development Order Amendment to modify the approved site plan, including associated conditions of approval as necessary, to add 5,180 sf. of vehicle showroom, remove a planned 15,496 sf. inventory storage structure, and reconfigure parking and site circulation;
2. An increase of 123 net new trips per day and 11 pm peak hour trips, from the existing vested use to be allocated from the WCRA Transportation Concurrency Exception Area (TCEA) pool;
3. Any variances necessary to bring the site into compliance with current ULDC and WCRAO regulations; and,
4. Final DRO site plan approval.



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(S)

✓ Check Type(s) of Application Request(s) and complete as applicable:

PUBLIC HEARING REQUESTS:

- ☐ Official Zoning Map Amendment from _____ Zoning District to _____ Zoning District
- ☐ With a Concurrent Land Use Amendment from _____ Land Use to _____ Land Use
- ☐ Class A Conditional Use (CA) for _____
- ☐ Class B Conditional Use (CB) for: _____
- ☐ Development Order Abandonment (ABN) of Resolution No: _____ which allowed _____
- ☐ Expedited Application Consideration (EAC) for: _____
- ☒ Development Order Amendment (DOA) to a previously approved:
- ☐ COZ ☐ PDD/TDD ☐ Class A ☐ Class B ☐ Other: _____
- ☐ To modify and/or delete Conditions of Approval; ☐ To add and/or delete land area;
- ☒ To reconfigure Plan(s) ☐ Master ☒ Site ☐ Subdivision ☐ To add and/or delete units;
- ☐ Landscape ☐ Regulating ☐ Sign Plan ☐ To add, delete, or modify Uses;
- ☒ To add and/or delete square footage; ☐ To add access points;
- ☐ Other: _____
- ☐ Type 2 Variance: (Submit Form #43 Variance Supplemental) Concurrent ☐ Standalone ☐
- ☐ Subdivision Variance: (Submit Form #43 Variance Supplemental) Concurrent ☐ Standalone ☐
- ☐ PO Deviations: (Submit Form #92 PO Deviation) from Article(s) _____
- ☐ Pre-Application Conference (PAC) IRO or PRA: With Questions? ☐ Yes ☐ No
- ☐ Type 2 Waiver: (Submit Form #19 Waiver Supplemental) Concurrent ☐ Standalone ☐
- ☐ Unique Structure: _____
- ☐ Other: _____

DRO ADMINISTRATIVE REQUESTS:

- ☐ Expedited Development Review Officer approval (DROE) (within 2 months of BCC/ZC approval)
- ☐ Use subject to Development Review Officer (DRO) approval for _____
- ☐ Pre-Application Conference (PAC) - Concurrent Review: With Questions? ☐ Yes ☐ No
- ☐ Type 2 Concurrent Review: ☐ with Building Permit # _____ or ☐ with Plat, Name/No. _____
- ☐ Type 3 Concurrent Review (Zoning, Land Development and Building)
- ☐ Administrative Modification to a Plan approved by the ZC / BCC / DRO for _____
- ☐ Administrative Abandonment (ABN) of a DRO Approval _____
- ☐ Subdivision _____
- ☐ Transfer of Development Rights (TDR) (Submit Form #16 TDR Supplemental) _____
- ☐ Type 1 Waiver (Submit Form #19 Waiver Supplemental) from Article _____ for _____
- ☐ Other _____

2. APPLICANT INFORMATION

Current Property Owner(s) Name: Broward Motorsports of Palm Beach LLC

Address: 16400 NW 2nd Avenue, Suite 203

City: North Miami

State: FL

Zip: 33169

Phone: _____

Cell Phone: _____

Email Address: _____

Applicant's name (if other than property owner(s)): Same

Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

Cell Phone: _____

Email Address: _____

☐ 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*: George G. Gentile

Name of Firm: 2GHO

Address: 1907 Commerce Lane Suite 101

City: Jupiter

State: FL

Zip: 33458

Phone: 561-575-9557

Cell Phone #: 561-718-4320

Email Address: george@2gho.com

Agent*: Patricia Lentini/Ben Dolan

Name of Firm: 2GHO

Address: 1907 Commerce Lane Suite 101

City: Jupiter

State: FL

Zip: 33458

Phone: 561-575-9557

Cell Phone #: 561-348-0696

Email Address: pat@2gho.com and ben@2gho.com

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

3. PROPERTY INFORMATION (Required Fields)

A. *Property Control Number (PCN): (List additional PCN(s) on separate sheet)	00-43-43-30-23-001-0000
B. *Control Number:	1987-06
C. *Control Name :	Broward Motorsports of Palm Beach
D. Application Number:	TBD
E. *Application Name:	Broward Motorsports of Palm Beach
F. Project Number:	5724-001
G. *Gross Acreage:	3.87 acres
H. Gross Acreage of affected area:	same
I. *Location of subject property: (proximity to closest major intersection/ road)	southwest corner of Okeechobee Boulevard and Congress Avenue
J. *Address:	2300 Okeechobee Boulevard
K. *BCC District:	7
L. Overlay (Special Study Area):	WCRA
M. Tier	<input checked="" type="checkbox"/> U/S <input type="checkbox"/> R/EX <input type="checkbox"/> AGR <input type="checkbox"/> GLADES

4. LAND USE AND ZONING INFORMATION

Current Future Land Use designation:	CH/8	Proposed Future Land Use designation:	same
Current Zoning District:	CG	Proposed Zoning District:	same
Existing Use(s):	dealership/service	Proposed Use(s):	same
Existing Square Footage:	24,805	Proposed Square Footage:	29,985 s.f.
Existing Number of Units:	N/A	Proposed Number of Units:	N/S

5. 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 3 Projects Requiring DRO or Site Plan Approval
☐ Type 2 Projects Requiring ZC Approval
 ☒ Type 4 Projects Requiring Building Permit Approval

This application also includes request(s) for Elevation review and consideration, as indicated below:

- ☐ Revise previously approved Elevations;
☐ Non-conforming structures that are subject to Article 5.C, Percentage of Renovations;
☐ Approval for Green Architecture (Type 1 Waiver, Art.5.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.

6. ADJACENT PROPERTIES

Complete the chart below to identify the Use and Zoning information for the surrounding properties to the project.

Adjacent Property	FLU	Zoning District	Existing Use (Res, Comm, Ind, etc.)	Approved Use (Res, Comm, Ind, etc.)	Existing Sq. ft. or DU/AC	Approved Sq. ft. or DU/AC	Control # (FKA Petition #)	Resolution # R _
EAST	CH/8	CG	commercial plaza	same			85.24	R5-807B
NORTH	COMMERCIAL	COMMERCIAL	CAR DEALERSHIP	same			CWPB	
SOUTH	CH/8	CG	CAR DEALERSHIP	same			91-018	
WEST	CH/8	CG	multiple uses	See SP			See SP	See SP

7. COMPLIANCE

YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Is the property in compliance with all previous Conditions of Approval and applicable Code Requirements? If no, please explain in the Justification Statement.
YES <input checked="" type="checkbox"/> NO <input 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(s) 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 Land Development Division.
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Does the proposed improvements exceed the allowable improvement value of the existing structure as identified in ULDC, Article 1? If yes, comply with Article 1.F – Nonconformities.

8. PROPOSED USE DETAILS

Building Name	Use(s) (as per ULDC)	Square Footage	Number of Units	Phase Name	Outparcel
Existing	Vehicle dealership	24,805			
	additions to existing building	5,180 s.f.			

9. CONCURRENCY			
Concurrency Reservation <input checked="" type="checkbox"/>		Concurrency Equivalency <input type="checkbox"/>	
Concurrency Exemption <input type="checkbox"/>			
A. Water Provider:	PBCWUD		
B. Waste Water Provider:	PBCWUD		
C. Drainage District:	LWDD		
D. Traffic Provider:	PBC	Traffic Trips Existing:	
E. Mass Transit Provider:	PALM TRAN	Traffic Trips Proposed:	
F. Traffic Capacity:	Number of Gross Peak Hour Trips = (If greater than 30; a traffic study will be required)		
G. Public School:	N/A		
H. Public Health Provider:	PBC	Well /Septic tank : NO	
I. Parks	PBC		
J. Fire Rescue	STATION 24- 1734 SEMINOLE BOULEVARD		
K. Solid Waste:	WASTE PRO		
L. 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): _____		

10. ENVIRONMENTAL ANALYSIS	
ENVIRONMENTAL RESOURCE MANAGEMENT (ERM) – Art. 14.B.8.C	
Is there Native Vegetation on Site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes; a Pre-Application Appointment with ERM is required; Enter date of PAA meeting with ERM _____;
General Vegetation Statement: Developed site	
Existing and Proposed Grade/Elevation where existing Native Vegetation is to be preserved:	
Is site in a Wellfield protection zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes; submit Wellfield Protection Affidavit, available from ERM
HEALTH DEPARTMENT – Art.15	
In Justification Statement, under heading "Hazardous Material", address type(s) 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.	

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 letter/document which includes the status of all current Conditions of Approval;
 - Include the exact language for any modification(s) to any Condition of Approval;
 - If the application request requires time extension for Commencement of Development or recording a Plat, then provide further explanation. (This explanation may be added to the Justification Statement.)

Note: Please refer to PZB Zoning Website for all ULDC Articles <http://www.pbcgov.com/uldc/index.htm> referenced in this document and the Technical Manual for helpful information <http://www.pbcgov.com/techmanual/index.htm>



Landscape Architects Planners Environmental Consultants

GENTILE GLAS HOLLOWAY O'MAHONEY & Associates, Inc.

George G. Gentile FASLA
 M. Troy Holloway ASLA
 Emily M. O'Mahoney ASLA
 Duili Buckmaster Glas AICP

**BROWARD MOTORSPORTS OF PALM BEACH
 JUSTIFICATION STATEMENT
 DEVELOPMENT ORDER AMENDMENT
 ORIGINAL SUBMITTAL: APRIL 26, 2021**

Request/Location:

2GHO, Inc. as agent for the applicant, Broward Motorsports of Palm Beach, LLC, respectfully requests approval of the following request:

1. Development Order Amendment (DOA) for a redesign of the site including two (2) additional showroom square footage;

The subject site is located on the southwest corner of the intersection of Okeechobee Boulevard and Congress Avenue in Palm Beach County, Florida. The Property has a Future Land Use designation of CH/8 – Commercial High/Residential 8 and Zoning designation of CG – Commercial General District. The property is also located within the boundaries of the Westgate/Belvedere Homes Community Redevelopment Plan and covered by the Westgate Community Redevelopment Area Overlay. The subject site is located within Palm Beach County Urban/Suburban Tier. Below are the surrounding land use, zoning and approvals:

Subject Site	CH/8	CG	Dealership	Dealership	1987-0006	R-2009-1046
North	WPB – C	WPB-C	Dealership	Dealership	WPB	WPB
South	CL/8 and CH/8	RH and CG	MF residential & commercial	MF residential & commercial	N/A 1991-018	N/A
East	CH/8	CG	Gas station Retail plaza Self-storage	Gas station Retail plaza Self-storage	1989-126 1985-24 1999-090	R91-1074 R85-6078 R00-0572
West	CH/8 and CL8	CG and RH	Restaurant, Auto repair and residential	Restaurant Auto repair and Residential	N/A 1985-154 N/A	N/A R86-240 N/A

History on the subject site:

In 1987, the site was approved with a Special Exception to allow a commercial new and used automobile, truck, boat, motorcycle, mobile home, recreational vehicle, sales, rental and repair facility (R-87-1099). This approved used was reconfirmed by R-89-1635 when additional land was added to the site. The site was improved as an automobile dealership in 1987 and was utilized as such for approximately 20 years

before Broward Motorsports acquired the property and processed amendments to the zoning approval to accommodate its particular operation.

In 2009, Broward Motorsports reconfigured the site plan relative to, among other things, its display areas, employee parking and designated public parking areas; however, the general site configuration remained the same as that of the prior auto dealership. While the existing Special Exception included the types of vehicles proposed to be sold and repaired by Broward Motorsports, zoning records reflect that staff concluded there was a need to modify and clarify existing conditions of approval to better describe Broward Motorsports' specific use. Therefore, where the prior use limitation condition specifically referred to the sale, leasing and repair of new or used *automobiles* and customary accessory uses (R2003-939), this condition was amended in R2009-1046 (use Limitation Condition No. 2) to provide as follows:

"Use of the site shall include commercial retail sales/leasing and/or vehicle sales/leasing and/or repair/service and customary accessory uses."

Complete List of Approvals:

1987-00006/ ZAR 2019-00805	Relocation of square footage	Withdrawn	10/30/2019	
CDTE 2019-83500	Time extension for COA	Approved	07/09/2019	
ZAR 2017-00303	Relocation of square footage	Withdrawn	08/15/2017	
ZAR 2016-0567	Allow bull-pen parking	Approved	06/02/2017	2016-00567-1
CDTE 2016-73193	Time extension on commencement	Approved	05/04/2016	
DRO 2015-01939	AA modification of site plan	Approved	04/18/2015	
ZZR 2014-01767	Removal of 40 s.f. signage	Approved	10/27/2014	
CDTE 2014-66805	Time extension for COA	Approved	07/28/2014	
CDTE 2011-51273	Time extension on commencement	Approval	10/03/2011	
CDTE 2010-40327	Time extension for COA	Approval	07/02/2010	
CDTE 2010-35285	Time extension for COA	Approval	01/7/2010	
CDTE 2009-34954	Time extension for COA	Approval	01/07/2010	
1987-0006 ZV/DOA-00219	Re-designate land uses and site changes	Approved	06/04/2009	ZR-2009-0021 / R-2009-1046
AVE-2007-01498	Time Extension	Approved	10/18/2007	
SR-1987-6D	Time Extension	Approved	9/27/2007	---
AVE-2007-1071	Time Extension	Approved	8/16/2007	
BA2006-1561	Width of Landscape Buffer and Landscape Easement Overlap	Approved	11/16/2006	
BA2006-1165	Width of Landscape Buffers and Building Setback due to ROW dedication	Approved	9/21/2006	
1987-006D	Add Land	Approved	7/22/2003	R-2003-939
BA2003-005	Buffer, Setback and Pervious Area Reductions	Approved	3/20/2003	

1987-006C	Car Sales	Approved	12/3/1998	R-1998-2038
1987-06(B)	Add S.F.	Approved	10/23/1997	R-1997-1573
BA1997-53	Orientation of Bay doors (vehicle service)	Approved	6/19/1997	
1987-0006		Approved	1991	DRC-1991-00018
1987-061(A)	SE Add Land Rezone	Approved	09/12/1989	R-1989-1635 / R-1989-1634
1987-06	SE	Approved	07/28/1987	R-1987-1099

Request – Development Order Amendment Application:

The request for DOA application will allow two (2) additional showrooms proposed on the east and west side of the existing building for a total of 5,180 square feet. The proposed changes are as follows:

- Removal of the previously approved inventory storage building from the overall square footage, parking spaces are now shown in this location;
- Minor adjustments to the overall site to accommodate the two (2) additions;

The subject site has been cited by the Palm Beach County Code Enforcement Division (Case Number C-2013-09200041) for the following violation of the ULDC:

- Article 2.A.1.G.3.e. Plan Requirements – Site plan – the site is not operating per the controlling site plan;
- Article 6.A.1.D.3 and Article 6.B.1.G.1 – using streets/driveways for loading and unloading and using required parking spaces for display or storage.

Traffic Statement:

A Traffic Statement has been included to identify the addition of 5,180 square feet of showroom and is being prepared by PTC Traffic Consultants.

Standards for Development Review Officer:

Development Order Amendment and Conditional Use Standards:

Based on Article 2.B.7.C.2 for a Development Order Amendment (DOA) refers the Applicant to address the Standards under Article 2.B.7.B.2 of the Palm Beach County Unified Land Development Code (ULDC) establishes standards by which these requests shall be considered.

a. Consistency with the Plan:

Response: The proposed DOA is consistent with the purposes, goals, objectives and policies of the Plan. The subject site has a Future Land Use Designation of CH/8. Additionally, the subject property is located within the Urban/Suburban Tier. Based on Policy 2.2.2.-a – intersection location – Commercial High future land use designations shall have frontage on two built roadway segments. The subject site is located at the southwest corner of the intersection of Okeechobee Boulevard and Congress Avenue and is contiguous with other Commercial High Land Use Designations.

b. Consistency with the Code:

Response: The proposed DOA complies with all applicable standards and provisions of this Code for use, layout, function and general development characteristics. The additional showroom complies with the vehicle sales and rental, light in the ULDC.

c. Compatibility with Surrounding Uses:

Response: The subject site is surrounded on all four (4) sides with commercial land use and zoning.

Subject Site	CH/8	CG	Dealership	Dealership	1987-0006	R-2009-1046
North	WPB – C	WPB-C	Dealership	Dealership	WPB	WPB
South	CL/8 and CH/8	RH and CG	MF residential & commercial	MF residential & commercial	N/A 1991-018	N/A
East	CH/8	CG	Gas station Retail plaza Self-storage	Gas station Retail plaza Self-storage	1989-126 1985-24 1999-090	R91-1074 R85-6078 R00-0572
West	CH/8 and CL8	CG and RH	Restaurant, Auto repair and residential	Restaurant Auto repair and Residential	N/A 1985-154 N/A	N/A R86-240 N/A

d. Design Minimizes Adverse Impact:

Response: The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands. The proposed showroom are additions to the existing vehicle sales facility and do not provide any adverse impacts to the surrounding properties.

e. Design Minimizes Environmental Impact:

Response: The proposed amendment and design minimizes environmental impacts, including, but not limited to water, air stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment. With the proposed increase in square footage there is an increase of XX daily trips.

f. Development Patterns:

Response: The proposed DOA will result in a logical, orderly and timely development pattern. The existing configuration of the site will the existing building and existing driveway curb cuts does not affect the surrounding properties.

g. Adequate Public Facilities:

Response: The proposed DOA complies with Article 2.F, Concurrency. The property currently has an existing building with services for public facilities. With the proposed

development the existing services will be reviewed upgraded as necessary. Currently the site is connected to water and sewer services.

h. Changed Conditions or Circumstances:

Response: There are demonstrated changed conditions or circumstances. This project has been a staple of the community for quite a long time and adding additional square footage will facilitate a continued service to the area.

On behalf of the applicant, 2GHO, Inc. respectfully request approval of this application. The Project Managers at 2GHO, Inc. are George G. Gentile, Ben Dolan and Pat Lentini along with Susan Taylor, attorney.

EXHIBIT C

STATUS OF CONDITIONS OF APPROVAL RESOLUTION 2009-1046

COMMENCEMENT OF DEVELOPMENT TIME EXTENSION (DORIAN AND COVID) – OCTOBER 8, 2025.

ALL PETITIONS

1. Condition A.1 of Resolution R-2003-939, Petition DOA87-006(D), which currently states:
All previous conditions of approval applicable to the subject property, as contained in Resolution R-1998-2038 (Petition DOA1987-006(C)), have been consolidated as contained herein. The petition shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING Zoning)

Is here by amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2003-0939 (Petition DOA1987-006(D)), have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING Zoning). ONGOING

2. Condition A.2 of Resolution R-2003-0939, Petition DOA87-006(C), which currently states:
Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated April 14, 2003. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING Zoning)

Is hereby amended to read:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated April 13, 2009. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING Zoning). ONGOING

3. Prior to approval by the Site Plan Review Committee the property owner shall record a Unity of Title on the subject property subject to approval by the County Attorney. (DRC: ZONING – Co ATTY) Previous condition R.1 of Resolution R03-939, Petition DOA87-006(D))

ARCHITECTURAL REVIEW

1. At the time of submittal for Building Permits, the architectural elevations for all proposed structures shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval and all ULDC requirements. (Building Permit: ARCH REVIEW – Zoning)

ENGINEERING

1. Prior to site plan certification, all drainage and road right-of-ways within the project shall be properly abandoned as determined by the County Attorney. (DRO: ENGINEERING Eng) (Previous Condition E1 of Resolution R-2003-939, Control No. 1987-006(D)) [Note: Completed]

2. The property owner shall pipe the existing drainage ditch along the project's east property line concurrent with onsite paving and drainage improvements. (ONGOING: ENGINEERING Eng) (Previous Condition E2 of Resolution R-2003-939, Control No. 1987-006(D)) [Note: Completed]
3. Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement along Congress Avenue to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County standards and codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDG PRMT: MONITORING Eng) (Previous Condition E3 of Resolution R-2003-939, Control No. 1987-006(D)) [Note: Completed]
4. Prior to June 1, 1999 the property owner shall convey a temporary roadway construction easement to Palm Beach County for that portion of the additional property added to the car dealership along Congress Avenue. Construction by the applicant within sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (DATE/BLDG PRMT: MONITORING Eng) (Previous Condition E5 of Resolution R-2003-939, Control No. 1987-006(D)) [Note: Completed]
5. Prior to January 15, 2004, the developer shall replat the entire Lexus Car Dealership in accordance with provisions of Article 8 of the Unified Land Development Code. (DATE: MONITORING Eng) (Previous Condition E6 of Resolution R-2003-939, Control No. 1987-006(D)) [Note: Completed]
6. Prior to May 1, 2004, the property owner shall convey a temporary roadway construction easement along Okeechobee Boulevard (entire frontage) and Congress Avenue (entire frontage) to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (DATE: MONITORING Eng) (Previous Condition E7 of Resolution R-2003-939, Control No. 1987-006(D)) [Note: Completed]
7. The property owner shall convey to Palm Beach County Land Development by warranty deed for:
 - a. Okeechobee Boulevard, 97 feet from centerline from Congress Avenue to Suwanee Drive; and,
 - b. Congress Avenue 64 feet from centerline for the parcel of property being added into the Auto Dealership as part of this application.

This additional right of way shall be conveyed on or before October 1, 2003, or prior to the issuance of the first Building Permit whichever shall first occur. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Thoroughfare Plan Road right-of-way conveyances shall be consistent with Palm Beach

County's Thoroughfare Right of Way Identification Map and shall "corner clips" (Previous Condition E8 of Resolution R2003-939, Control No. 1987-006(D)) (BLDG PERMIT: MONITORING – Eng [Note: Completed]

8. The concurrency approval is subject to the project aggregation rule set forth in the Traffic Performance Standards Ordinance. (ONGOING: ENGINEERING Eng) (Previous Condition E9 of Resolution R-2003-939, Control No. 1987-006(D)) ONGOING
9. The property owner shall provide by warranty deed submitted to Palm Beach County Land Development Division for a 25 foot corner clip at the intersection of Okeechobee Boulevard and Suwanee Drive prior to December 29, 2009. Right of way conveyance shall be free and clear of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (DATE: MONITORING-Eng) TIME EXTENSION TO FEBRUARY 28 2022
10. In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule:
 - a. No building permits for the site shall be issued after December 31, 2012. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2.E

of the Unified Land Development Code. (DATE: MONITORING Eng) TIME EXTENSION TO JULY 1, 2022

11. No Building Permits for the site shall be issued until the Property Owner provides documentation to the Traffic Division that the applicable maximum allowable limits for the Westgate TCEA development identified in Table TE-6 of the Comprehensive Plan will not be exceeded. (BLDG PERMIT: MONITORING – Eng)

ENVIRONMENTAL

1. All existing native vegetation, including understory, depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation have been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. (ONGOING: ERM ERM) (Previous Condition No. F.1.of Resolution No. R2003-0939 Control No. 1987-006 [NOTE: COMPLETED])

HEALTH

1. Previous condition G. 1 of Resolution R-2003-939; Control 1987-006 which reads:
Generation and disposal of hazardous effluents into sanitary sewer system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents. (ONGOING: HEALTH-Health)

Is hereby amended to read:

Owners and operators of facilities generating hazardous, industrial, or toxic wastes shall not deposit or cause to be deposited any such wastes into the sanitary sewer system unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection (FDEP), the Palm Beach County Health Department and the agency responsible for sewage works are used. (ONGOING: CODE ENF-Health)

2. Sewer service is available to the property. Therefore, no septic tank shall be permitted for the site. (ONGOING: HEALTH-Health) (Previous condition G. 2 of Resolution R-2003-939; Control 1987- 006)
3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (ONGOING:HEALTH-Health) (Previous condition G. 3. of Resolution R-2003- 939; Control 1987-006)
4. The developer shall design the drainage system such that drainage from those areas which may contain hazardous or undesirable waste shall be separate from stormwater runoff from the remainder of the site.(ONGOING:HEALTH-Health) (Previous condition G. 4 of Resolution R-2003- 939;Control 1987-006)
5. The owner, occupant, or tenant of the facility shall participate in an oil recycling program which insures proper re-use or disposal of waste oil. (ONGOING:HEALTH-Health) (Previous condition G. 5 of Resolution R-2003-939; Control 1987-006)

LANDSCAPING – GENERAL

1. All canopy trees required to be planted on site by this approval shall meet the following minimum standards at installation:
 - a. Tree height: fourteen (14)feet.
 - b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
 - c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length.
 - d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previous Condition I.1 of Resolution R-03-939, Petition DOA87-006(D))
2. All palms required to be planted on site by this approval shall meet the following minimum standards at installation:
 - a. Palm heights: twelve (12) feet clear trunk or grey wood, whichever is greater;

- b. Clusters: staggered heights twelve (12) to eighteen (18) feet; and
 - c. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previous Condition I.2 of Resolution R-03-939, Petition DOA87-006(D))
3. All new shrub or hedge materials required by condition of approval shall be planted in continuous masses and in a meandering and naturalistic pattern, consisting of a minimum of two (2) to three (3) varying heights. Shrub materials shall be continuously maintained to achieve the following heights and hierarchical effect:
- a. Eighteen (18) to twenty-four (24) inches – groundcover and small shrub;
 - b. Twenty-four (24) to thirty-six (36) inches – medium shrub;
 - c. Forty-eight (48) to seventy-two (72) inches – large shrub; and,
 - d. This condition does not apply where a single row of shrubs is required. (CO: LANDSCAPE – Zoning) (Previous Condition I.3 of Resolution R-03-939, Petition DOA87-006(D))
4. All canopy trees to be planted within overhead utilities easement shall be consistent with FP&L's tree list suggested in the "Plant the Right Tree in the Right Place" guidelines and pursuant to Section 7.3.E.12.a of the ULDC. (CO: LANDSCAPE – Zoning) (Previous Condition I.4 of Resolution R-03-939, Petition DOA87-006(D))

LANDSCAPING – INTERIOR

- 1. One landscape island shall be provided for every ten (10) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred (100) linear feet. (DRC: ZONING – Zoning) (Previous Condition J.1 of Resolution R-03-939, Petition DOA87-006(D))
- 2. Foundation planter strips shall be provided along the north, east and west facades of the sales/showroom building. The minimum width of the required planter strip shall be five (5) feet. The combined length of the required planter strip shall be no less than 40% of the accumulative length of the applicable side of the structure. All required planter strips shall be planted with appropriate trees, shrubs and ground cover. (DRC/CO: ZONING/LANDSCAPE – Zoning) (Previous Condition J.2 of Resolution R-03-939, Petition DOA87-006(D))
- 3. Prior to final Development Review Committee (DRC) approval, the site plan shall be revised to provide terminal landscape islands along the north side of each row of vehicle storage area added in the 0.4 acre addition, to include:
 - a. A minimum width of eight (8) feet excluding curb;
 - b. Four (4) canopy trees or specimen palms, subject to approval by the Zoning Division;
 - c. One (1) small shrub for each ten (10) linear feet of landscape island. Shrub shall be planted at a minimum height of eighteen (18) inches at installation;
 - d. One (1) medium shrub for each five (5) linear feet of landscape island. Shrub shall be planted at a minimum height of twenty-four (24) inches at installation;
 - e. One (1) large shrub for each two (2) linear feet of landscape island, planted twenty-four inches on center. Shrub shall be planted at a minimum height of thirty (30) inches at installation; and,
 - f. A continuous row of Paurotis palms, maintained to provide a screening effect may be used in lieu of required shrubs and canopy trees. (LANDSCAPE/DRC: ZONING – Zoning) (Previous Condition J.3 of Resolution R-03-939, Petition DOA87-006(D))
- 4. Prior to final Development Review Committee (DRC) approval, the site plan shall be revised to indicate a barrier separating the proposed vehicle storage area addition from other use areas on the site plan. Barriers may be in the form of a landscape strip, curbing, decorative gates, removable bollards or other suitable barriers subject to approval by the Zoning Division. (DRC: ZONING – Zoning) (Previous Condition J.4 of Resolution R-03-939, Petition DOA87-006(D))

LANDSCAPING – PERIMETER

- 1. Landscaping and buffering along the north property line fronting on Okeechobee Boulevard, shall be upgraded to include:
 - a. A minimum twenty (20) foot wide landscape buffer strip. Buffer may be reduced to seven and one-half (7.5) feet in width in accordance with Board of Adjustment variance BA 2003-005;

- b. One (1) canopy tree for each thirty (30) linear feet of the property line. Where applicable, all existing Geiger or Silver Buttonwood trees shall be relocated;
 - c. One (1) small shrub for each five (5) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation; and,
 - d. One (1) medium shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation. (CO: LANDSCAPE – Zoning) (Previous Condition K.1 of Resolution R-03-939, Petition DOA87-006(D))
- 2. Landscaping and buffering along the north 230 feet of the east property line fronting on Congress Avenue, shall be upgraded to include:
 - a. A minimum twenty (20) foot wide landscape buffer strip. Buffer may be reduced to five (5) feet in width in accordance with Board of Adjustment variance BA 2003-005;
 - b. One (1) canopy tree for each thirty (30) linear feet of the property line. Where applicable, all existing Geiger or Silver Buttonwood trees shall be relocated; and;
 - c. One (1) medium shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation. (CO: LANDSCAPE – Zoning) (Previous Condition L.1 of Resolution R-03-939, Petition DOA87-006(D))
- 3. Landscaping and buffering along the south 250 feet of the east property line fronting on Congress Avenue, shall be upgraded to include:
 - a. A minimum twenty (20) foot wide landscape buffer strip. Buffer may be reduced to five (5) feet in width in accordance with Board of Adjustment variance BA 2003-005;
 - b. One (1) canopy tree for each thirty (30) linear feet of the property line. Where applicable, all existing Geiger or Silver Buttonwood trees shall be relocated;
 - c. One (1) medium shrub for each five (5) linear feet of the property line. Shrub shall be planted at a minimum height of twenty-four (24) inches at installation;
 - d. One (1) large shrub for each two (2) linear feet of the property line, planted twenty-four inches on center. Shrub shall be planted at a minimum height of thirty (30) inches at installation, to be maintained at a minimum height of seventy-two (72) inches; and,
 - e. A continuous row of Paurotis palms, maintained to provide a screening effect may be used in lieu of required shrubs and canopy trees. (CO: LANDSCAPE – Zoning) (Previous Condition L.2 of Resolution R-03-939, Petition DOA87-006(D))
- 4. Landscaping along (SUWANEE DRIVE) property line shall include:
 - a. A ten (10) foot wide landscape buffer strip;
 - b. One fourteen (14) foot high native, canopy tree planted at twenty (20) feet on center; and
 - c. Thirty six (36) inches high shrub or hedge material spaced no more than twenty four (24) inches on center and maintained at a minimum height of forty eight (48) inches. (CO: LANDSCAPE: ZONING – Zoning) (Previous Condition M.1 of Resolution R-03-939, Petition DOA87-006(D))
- 5. Landscaping and buffering along the south 83 feet of the east property line, and east 107 feet of the south property line abutting commercial, shall be upgraded to include:
 - a. A minimum five (5) foot wide landscape buffer strip;
 - b. One (1) canopy tree planted every twenty (20) feet on center;
 - c. One (1) palm or pine tree for each thirty (30) linear feet of frontage; and
 - d. Thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (LANDSCAPE: ZONING – Zoning) (Previous Condition O.1 of Resolution R-03-939, Petition DOA87-006(D))

LIGHTING

- 1. All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BLDG/CODE ENF – Zoning) (Previous Condition P.1 of Resolution R-03-939, Petition DOA87-006(D))

2. All new outdoor lighting fixtures shall not exceed twenty five (25) feet in height, measured from finished grade to highest point. (CO: BLDG – Zoning) (Previous Condition P.2 of Resolution R-03-939, Petition DOA87-006(D))
3. All outdoor lighting shall be extinguished no later than 10:00 p.m., excluding security lighting only. (ONGOING: CODE ENF – Zoning) (Previous Condition P.3 of Resolution R-03-939, Petition DOA87-006(D))

SIGNS

1. No advertising flags, foreign flags, pennants, banners, streamers, balloons, objects, gimmicks or similar signs designed to attract the attention of the general public shall be permitted outdoors on any building, vehicle or wall. (ONGOING: CODE ENF – Zoning) (Previous Condition Q.1 of Resolution R-03-939, Petition DOA87-006(D))
2. Any wall signs shall be limited to the north and east facades of the showroom/sales building. (CO: BLDG PRMT – Zoning) (Previous Condition Q.3 of Resolution R-03-939, Petition DOA87-006(D))
3. No additional freestanding signs except for directional signs shall be permitted on site. (ONGOING: CODE ENF – Zoning) (Previous Condition Q.4 of Resolution R-03-939, Petition DOA87-006(D))
4. Replacement or relocation of existing freestanding point of purchase signs on Okeechobee Boulevard shall be limited as follows:
 - a. Maximum sign height, measured from finished grade to highest point: fifteen (15) feet;
 - b. Maximum sign face area: seventy-five (75) square feet per side;
 - c. Maximum number of signs: one (1),
 - d. Style: Monument style only;
 - e. Location within fifty (50) feet of the Okeechobee Boulevard entrance;
 - f. Exceptions: The existing metal pylon sign (excluding the portion housing the electronic message board) may be relocated one (1) time to accommodate the addition of a right turn lane on Okeechobee Boulevard; and,
 - g. Signs shall be limited to identification of tenants only. (CO/DRC: BLDG/ZONING – Zoning) (Previous Condition Q5 of Resolution R 03-939, Petition DOA87-006(D))

Is hereby deleted: [REASON: Variance condition only allows one (1) sign.]

5. Replacement or relocation of existing freestanding point of purchase signs fronting on Congress Avenue shall be limited as follows:
 - a. Maximum sign height, measured from finished grade to highest point: fifteen (15) feet;
 - b. Maximum sign face area: fifty (50) square feet per side;
 - c. Maximum number of signs: one (1),
 - d. Style: Monument style only;
 - e. Location; Congress Avenue frontage; and,
 - f. Signs shall be limited to identification of tenants only. (CO/DRC: BLDG/ZONING – Zoning) (Previous Condition Q5 of Resolution R 03-939, Petition DOA87-006(D))

Is hereby deleted: [REASON: Variance condition only allows one (1) sign.]

6. Replacement or relocation of existing freestanding point of purchase signs fronting on Okeechobee Boulevard and Congress Avenue shall be limited as follows:
 - a. Maximum sign height, measured from finished grade to highest point: fifteen (15) feet;
 - b. Maximum sign face area: fifty (50) square feet per side;
 - c. Maximum number of signs: one (1),
 - d. Style: Monument style only;
 - e. Location; Congress Avenue frontage; and,
 - f. Signs shall be limited to identification of tenants only. (CO/DRC: BLDG/ZONING – Zoning) (Previous Condition Q5 of Resolution R 03-939, Petition DOA87-006(D))

BUILDING AND SITE DESIGN

1. The maximum height for all structures, measured from finished grade to highest point, shall not exceed thirty-five (35) feet. (BLDG PERMIT: BLDG – Zoning) (Previous Condition C.2 of Resolution R-03-939, Petition DOA87-006(D))
2. All air conditioning and mechanical equipment shall be roof mounted and screened from view on all sides in a manner consistent with the color, character and architectural style of the principle structure. (BLDG PERMIT: BLDG – Zoning) (Previous Condition C.3 of Resolution R-03-939, Petition DOA87-006(D)).
3. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall not be located within twenty-five (25) feet of a residential property line, nor be located in a Lake Worth Drainage District Easement (LWDD: ONGOING: ZONING/CODE ENF – Zoning) (Previous Condition D.1 of Resolution R-03-939, Petition DOA87-006(D)).
4. Prior to final Development Review Committee (DRC) approval, the site plan shall be revised to delete the Congress Avenue access point located in the 0.4 acre addition. (DRC: ZONING – Zoning) (Previous Condition D.2 of Resolution R-03-939, Petition DOA87-006(D))
5. Building permits for the additional 2,533 square foot vehicular sales use shall be issued prior to June 29, 2012. Failure to comply with this condition shall result in the reallocation of the 64 daily trips for the increased building area of the vehicle sales use back to Westgate TCEA development pool. The reallocation shall be subject to Art. 2.E. (Monitoring) of the ULDC, as amended. (DATE: MONITORING-WCRA)

USE LIMITATIONS

1. There shall be no outdoor loud speaker system installed upon the site. (ONGOING: ZONING/CODE ENF – Zoning) (Previous Condition S.1 of Resolution R-03-939, Petition DOA87- 006(D))

USE LIMITATIONS – AUTO (VEHICLE) STORAGE AND DISPLAY AREAS

1. Condition B.5 of Resolution R-2003-939, Petition DOA87-006(D), which currently states:
A maximum of one hundred and twenty four (124) vehicles shall be allowed on site as inventory storage at any time. A maximum of seventy-eight (78) vehicles may be displayed on site at any time. (ONGOING: CONDE ENF – Zoning)

Is here deleted. [REASON: The condition is no longer relevant as the vehicle type changed].

2. Condition S.2 of Resolution R-03-939, Petition DOA87-006(D), which currently states:
Use of the site shall be limited to the commercial sales, leasing and repair of new or used automobile and customary accessory use. (ONGOING: ZONING/CODE ENF – Zoning)

Is hereby amended to read:

Use of the site shall include commercial retail sales/leasing and/or vehicle sales/leasing and/or repair/service and customary accessory uses. (ONGOING:ZONING/CODE ENF – Zoning)

3. All loading/unloading activities shall be limited to designated areas within the interior of the site. (ONGOING: CODE ENF – Zoning) (Previous Condition S.3 of Resolution R-03-939, Petition DOA87-006(D))
4. There shall be no outside storage of disassembled vehicles or parts thereof, nor outdoor repair of vehicles on site. (ONGOING: CODE ENF – Zoning) (Previous Condition B.1 of Resolution R-03-939, Petition DOA87-006(D))
5. The parking of vehicles shall be limited to areas designated for storage, display, customer and employee parking as indicated on the site plan dated April 14, 2003, unless modifications are required to address conditions of approval. No parking of vehicles within public rights-of-way or required landscape buffers shall be permitted. (ONGOING: CODE ENF – Zoning) (Previous Condition B.2 of Resolution R-03-939, Petition DOA87-006(D))
6. When this facility is not open, the parking area shall be locked and gated. (ONGOING: CODE ENF

Zoning) ((Previous Condition B.4 of Resolution R-03-939, Petition DOA87-006(D))

VARIANCE – TIME EXTENSION TO AUGUST 28, 2022

1. Prior to the submittal for final approval by the Development Review Officer (DRO), the approved variance(s) and any associated conditions of approval shall be reflected on the site plan. (DRO: ZONING-Zoning)
2. Prior to July 1, 2010 all construction shall be initiated for the proposed improvements affected by the variance or the site plan will become null and void. The applicant may either obtain a variance extension or amend the site plan to comply with Code. (DATE: MONITORING-Zoning/BofA)
3. The development order for this particular variance shall lapse on July 1, 2010, one (1) year from the approval date. The applicant may apply for an extension provided they complete the time extension application, prior to the original Development Order (DO) expiring. (DATE: MONITORING- ZONING)
4. The Development Order for this non-concurrent variance shall be valid till July 1, 2009, a period of one (1) year from the date of the Zoning Hearing. The property owner must secure a building permit or commence development to vest the variance pursuant to ULDC Table 2.E.3-B-1. (DATE: MONITORING – Zoning)

ZONING COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING – Zoning)
2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
 - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
 - b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
 - c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
 - d. Referral to code enforcement; and/or
 - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Conditional Use, Type II Variance, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval (ONGOING: MONITORING – Zoning)

AUTO (VEHICLE) STORAGE AND DISPLAY AREAS

7. Condition B.5 of Resolution R-2003-939, Petition DOA87-006(D), which currently states:
A maximum of one hundred and twenty four (124) vehicles shall be allowed on site as inventory storage at any time. A maximum of seventy-eight (78) vehicles may be displayed on site at any time.
(ONGOING: CONDE ENF – Zoning)

Is here deleted. [REASON: The condition is no longer relevant as the vehicle type changed].

BUILDING AND SITE DESIGN

6. The maximum height for all structures, measured from finished grade to highest point, shall not exceed thirty-five (35) feet. (BLDG PERMIT: BLDG – Zoning) (Previous Condition C.2 of Resolution R-03-939, Petition DOA87-006(D))
7. All air conditioning and mechanical equipment shall be roof mounted and screened from view on all sides in a manner consistent with the color, character and architectural style of the principle structure. (BLDG PERMIT: BLDG – Zoning) (Previous Condition C.3 of Resolution R-03-939, Petition DOA87-006(D)).
8. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall not be located within twenty-five (25) feet of a residential property line, nor be located in a Lake Worth Drainage District Easement (LWDD: ONGOING: ZONING/CODE ENF – Zoning) (Previous Condition D.1 of Resolution R-03-939, Petition DOA87-006(D)).
9. Prior to final Development Review Committee (DRC) approval, the site plan shall be revised to delete the Congress Avenue access point located in the 0.4 acre addition. (DRC: ZONING – Zoning) (Previous Condition D.2 of Resolution R-03-939, Petition DOA87-006(D))

UNITY OF TITLE

1. Prior to approval by the Site Plan Review Committee the property owner shall record a Unity of Title on the subject property subject to approval by the County Attorney. (DRC: ZONING- Co Atty) (Previous Condition R.1 of Resolution R-03-939, Petition DOA87-006(D))

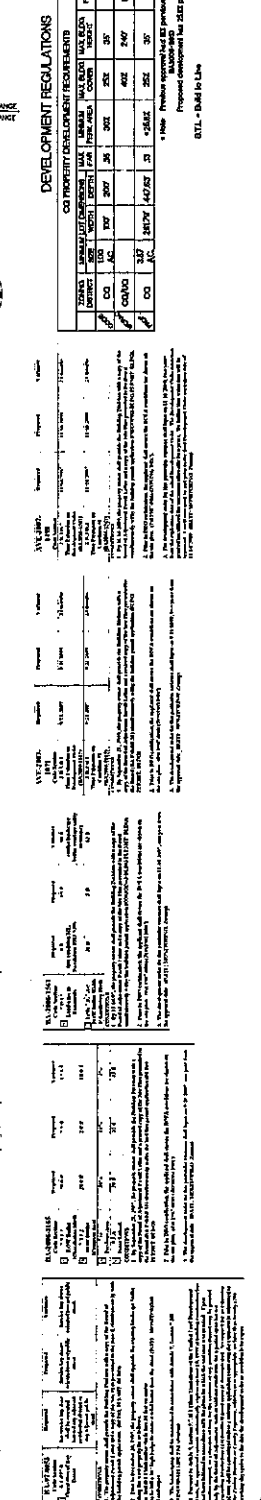
DATE APPROVED _____
PROJECT MANAGER
D. McGuire

* Note: Previous approved RFP pertains to the RFP 34-000-0005
Proposed development and RFP pertains to the RFP 34-000-0006

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The authors wish to thank the publisher's review staff for a critical and helpful appraisal of the MS. (Received 11 September 1990)

1. **THEORY** (15%)
 2. **PROBLEM SOLVING** (15%)
 3. **DESIGN** (15%)
 4. **REPORTING** (15%)
 5. **PRESENTATION** (15%)
 6. **GROUP WORK** (15%)

[illegible]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

April 22, 2021

Mr. Quazi Bari, P.E.
Palm Beach County Traffic Division
2300 North Jog Road, 3rd Floor
West Palm Beach, Florida 33411-3745

**Re: Broward Motorsports - #PTC21-042
Concurrency Traffic Statement**

Dear Mr. Bari:

The purpose of this letter is to provide a traffic statement for the above referenced project to determine if the proposed development meets the requirements of Article 12, Traffic Performance Standards, of the Palm Beach County (PBC) Unified Land Development Code (ULDC). The site is located in the southwest quadrant of the Okeechobee Boulevard and Congress Avenue intersection as shown on Attachment 1. It is proposed to expand an existing 24,805 SF vehicle dealership by adding 5,180 SF. The existing access points will remain. The Property Control Number is 00-43-43-30-23-001-0000.

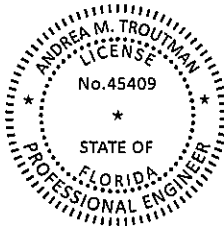
Buildout of this project is estimated to be 2023.

Attachments 2A through 2C provide the Daily and Peak Hour trip generation comparison for the existing and proposed use. The maximum net peak hour trip generation is 11 trips. Because the project generates fewer than 21 peak hour trips, a traffic study is not required. The project traffic has an insignificant impact on area roadways. Therefore the proposed project is in compliance with Palm Beach County Traffic Performance Standards.

Driveway volumes for the proposed project are provided on Attachment 3.

Please contact me by phone or at atroutman@pindertroutman.com if you need any additional information or have any questions.

Sincerely,



Digitally signed by
Andrea M Troutman
Date: 2021.04.22
09:33:41 -04'00'

Andrea M. Troutman, P.E.
President

Attachments

This item has been electronically signed and sealed by Andrea M. Troutman, P.E. on 4/22/21 using a Digital Signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

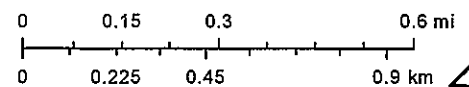
Attachment 1 Project Location



April 20, 2021

Broward Motorsports

1:18,056



**Attachment 2A
 Broward Motorsports
 Daily Trip Generation Comparison**

Existing

Land Use	Intensity	ITE Code	Trip Generation Rate (1)	Total Trips	Pass-by Trips (1)		New Trips
Vehicle Sales & Service	24,805 SF	840	27.84 /1,000 SF	691	104	15.0%	587
TOTALS				691	104		587

Proposed

Land Use	Intensity	ITE Code	Trip Generation Rate (1)	Total Trips	Pass-by Trips (1)		New Trips
Vehicle Sales & Service	29,985 SF	840	27.84 /1,000 SF	835	125	15.0%	710
TOTALS				835	125		710

Net New Trips	123
----------------------	------------

(1) Source: Palm Beach County and ITE, Trip Generation, 10th Edition.

Attachment 2B
Broward Motorsports
AM Peak Hour Trip Generation Comparison

Existing

Land Use	Intensity	ITE Code	Trip Generation Rate (1)	Total Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total			In	Out	Total
Vehicle Sales & Service	24,805 SF	840	1.87 /1,000 SF (73/27)	34	12	46	7	15%	29	10	39
TOTALS				34	12	46	7		29	10	39

Proposed

Land Use	Intensity	ITE Code	Trip Generation Rate (1)	Total Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total			In	Out	Total
Vehicle Sales & Service	29,985 SF	840	1.87 /1,000 SF (73/27)	41	15	56	8	15%	35	13	48
TOTALS				41	15	56	8		35	13	48

Net New Trips	6	3	9
----------------------	----------	----------	----------

(1) Source: Palm Beach County and ITE, Trip Generation, 10th Edition.

Attachment 2C
Broward Motorsports
PM Peak Hour Trip Generation Comparison

Existing

Land Use	Intensity	ITE Code	Trip Generation Rate (1)	Total Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total			In	Out	Total
Vehicle Sales & Service	24,805 SF	840	2.43 /1,000 SF (40/60)	24	36	60	9	15%	20	31	51
TOTALS				24	36	60	9		20	31	51

Proposed

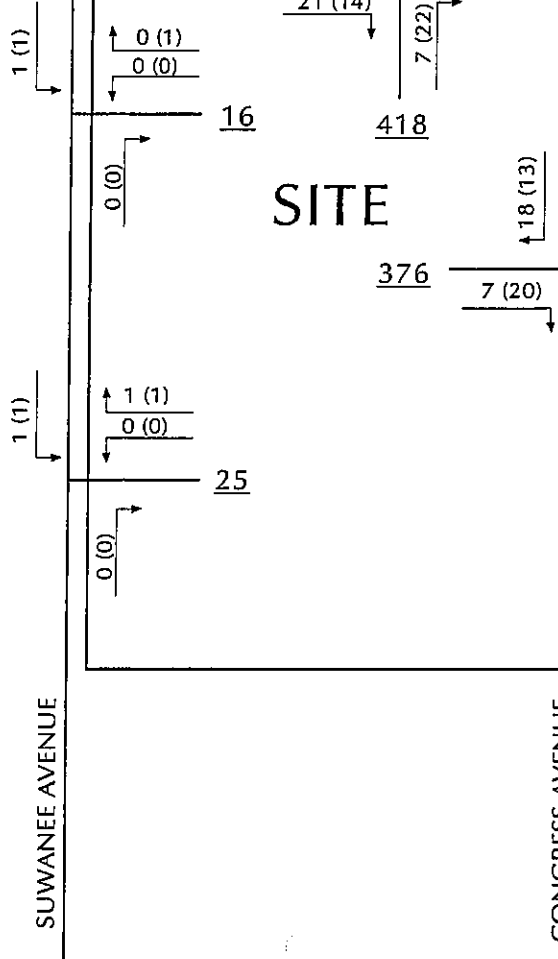
Land Use	Intensity	ITE Code	Trip Generation Rate (1)	Total Trips			Pass-by Trips (1)		New Trips		
				In	Out	Total			In	Out	Total
Vehicle Sales & Service	29,985 SF	840	2.43 /1,000 SF (40/60)	29	44	73	11	15%	25	37	62
TOTALS				29	44	73	11		25	37	62

Net New Trips	5	6	11
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(1) Source: Palm Beach County and ITE, Trip Generation, 10th Edition.



OKEECHOBEE BOULEVARD



LEGEND

XX - AM PEAK HOUR
(XX) - PM PEAK HOUR
XXX - ADT

4/20/21
21-042

BROWARD MOTORSPORTS

ATTACHMENT 3
PROJECT DRIVEWAY VOLUMES

PTC



DRAINAGE STATEMENT
for
Proposed Building Modifications for Broward Motorsports
Palm Beach County, FL
Engenuity Group, Inc. Project No. 20079.01

Existing Conditions:

The existing site is approximately 3.87 acres located at the southwest corner of Okeechobee Blvd. and Congress Ave. in Palm Beach County within Section 30, Township 43 South, and Range 43 East, with Parcel Number 00-43-43-30-03-067-0011, in Palm Beach County, FL.

The site is currently developed with existing commercial buildings, several associated buildings and parking areas. The existing topography of the site is reasonably flat and the survey indicates elevations ranging from approximately 14.8 ft NAVD to 18.56 ft NAVD. The site is located with the C-51 Basin and ultimately discharges into the Lake Worth Drainage District (LWDD) E-3-1/2 Canal. The property is within the boundary of the existing South Florida Water Management District (SFWMD) permit No. 50-06559-P. There is no offsite historical drainage flow through the site. Portions of the site are within the FEMA Flood hazard area AE, BFE=11.9 ft NAVD.

Proposed Improvements:

The proposed site improvements consist of new dealership showrooms. The existing showroom/sales/office building is 24,805 s.f with new showroom areas of 2,949 s.f. and 2,251 s.f. The existing storm drainage system consists of a network of interconnected drainage pipes and catch basins, all leading to an existing dry detention area on the south side of the property, prior to discharging through the existing control structure for legal positive outfall into the LWDD E-3-1/2 Canal. The subject site is included in the existing SFWMD permit #50-06559-P, and any proposed improvements will be in compliance with the originally permitted system. The drainage system design will include some impervious area grading to match the building expansion and meet the requirements of all appropriate permitting agencies, and the SFWMD C-51 Basin.

Keith B. Jackson, P.E. State of Florida, Professional Engineer, License No. 37289

This item has been electronically signed and sealed by Keith B. Jackson, PE, on 04/20/2021 using a SHA authentication code.

Printed copies of this document are not considered signed and sealed and the SHA authentication Code must be verified on any electronic copies.

Digitally signed by
Keith B. Jackson, P.E.
P.E. (Fla Reg # 37289)
Date: 2021.04.20 19:00:30 -04'00'

Keith B. Jackson, P.E.
FL License #37289
Certificate of Authorization #7095

2021 04-20 DRAINAGE STMT
Project No. 20079.01

1280 North Congress Avenue, Suite 101
West Palm Beach, Florida 33409

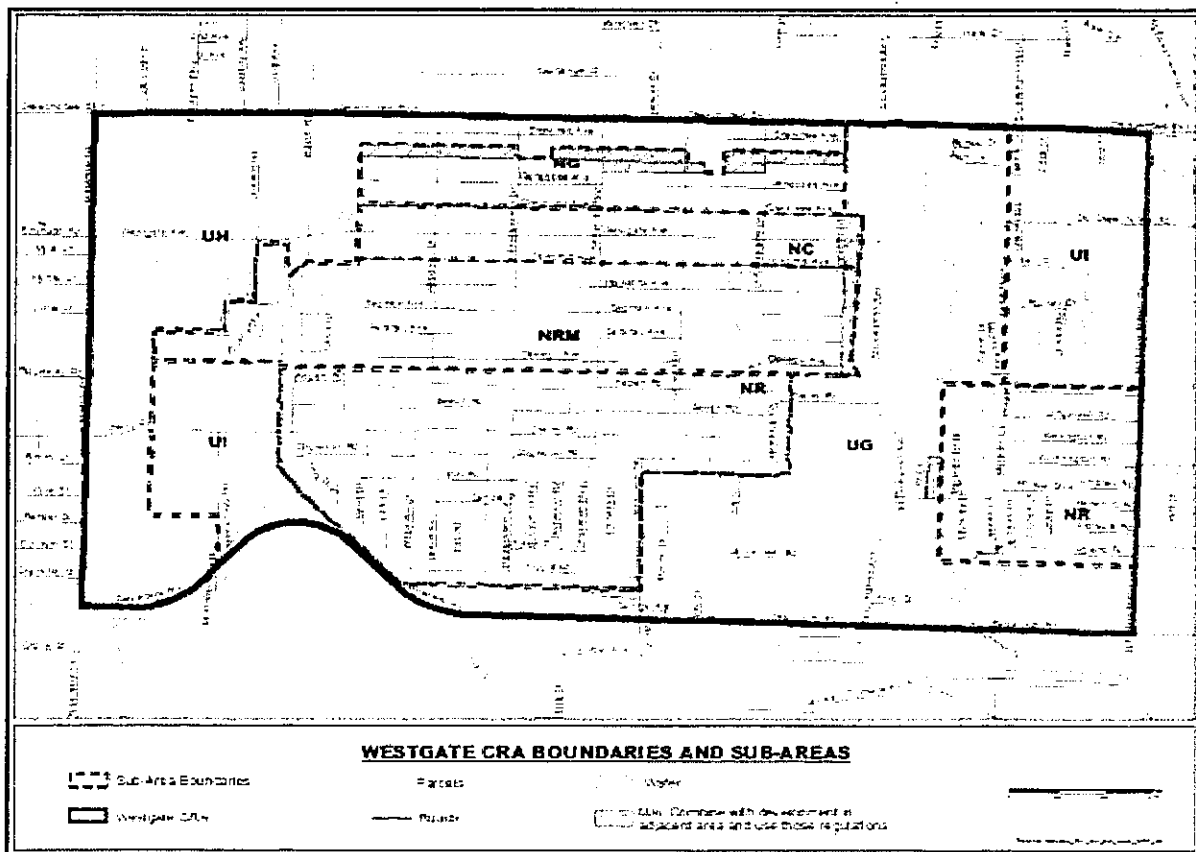


21-01 Round of ULDC Amendments

Amendment Timeline

BCC Initiation & draft due to Zoning	November 25, 2020
Zoning & Agencies Round Tables	April 15 & 16, 2021
Land Development Regulations Advisory Board (LDRB) Meeting	April 28, 2021
BCC Request for Permission to Advertise	June 24, 2021
BCC 1 st Reading	July 22, 2021
BCC 2 nd Reading & Adoption	August 26, 2021

Figure 3.B.14.C – Map of WCRAO Boundaries and Sub-areas



Westgate CRA Board Meeting
May 10, 2021



Summary of Proposed WCRAO Amendments

Part 1 amends Art. 3.B.14.E, WCRAO Use Regulations and Table

- Renames Table 3.B.14.E to “Min/Max Residential and Non-Residential Uses” instead of “Mixed Use” to clarify that the function of the table is to determine where residential or non-residential development, specific to Sub-area and by required percentage of GFA, is allowed.
- Relocates Table 3.B.14.E, footnote #4 which references where multifamily is permitted by number of units and Sub-area to the WCRAO Sub-area use regulations table where it is better suited.
- Amends Table 3.B.14.E, WCRAO Sub-area Use Regulations by introducing an alternative SF housing type to allow smaller dwellings that can be built on 25’ wide lots. This new SF model, named “South Westgate Estates Single Family Alternative” will only be allowed in the NRM Sub-area, an area of the overlay which generally corresponds to original South Westgate Estates subdivision plat. This alternative housing type differs from cottage homes in that there is no 1,000 sf size cap; unit size is determined by setbacks and building coverage. Also differs from the standard SF model which is allowed in the NR and NRM Sub-areas on 50’ wide lots.
- Correct scrivener’s error in Table 3.B.14.E, WCRAO Sub-area Use Regulations, to clarify that Gas and Fuel Sales in the UI Sub-area is subject to the use regulations of the zoning district since the corresponding cell is now blank forcing the code to remain silent.

Part 2 amends Art. 3.B.14.F, WCRAO Property Development Regulations and Tables

- Most amendments in Part 2 are clarify intent, are corrective, or are for consistency with other sections of the overlay.
- Restate intent and applicability of the section by adding clarifying language: Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs applies to all non-residential and mixed use development according to Sub-area; and, Table 3.B.14.F, WCRAO Residential Sub-area PDRs applies to residential-only uses across sub-areas as permitted.
- Within Table 3.B.14.F – WCRAO Non-Residential and Mixed Use PDRs:
 - Reiterate that PDRs for SF development in the NR Sub-area do not apply (N/A) in this table. PDRs for SF development area found the Residential PDR table
 - Strike out “build to line” in the row header since not all Sub-areas require a build to line but instead minimum front setback
 - Clarify that build to line standards apply to all development in the UG Sub-area not only commercial or mixed use projects
 - Delete “build to line 10-25” in the UH Sub-area and instead add a “min. 10” front setback to better allow for front and side setback flexibility for existing smaller, sub-standard sites

| 2



along Okeechobee Blvd. between Shawnee and Indian, while ensuring existing larger development setback a minimum of 50' on Okeechobee Blvd. and Military Trail remains conforming

- Add an applicability and clarification note to maximum allowable stories/height to exempt buildings over 35' from the requirements of 3.D.1.E.2 in standard code which states that a structure must be set back an additional foot for every foot of height over 35'. Applying this provision would conflict with form based code requirements for build to line and frontage.
- Within Table 3.B.14.F – WCRAO Residential Sub-area PDRs:
 - Remove “Sub-area” from the table title since residential PDRs are by residential use type not be Sub-area specifically
 - Add “Build to Line” alongside setbacks in the table row heading as well as within cells where the BTL is required for consistency with the Non-Residential and Mixed Use PDR table
 - Include PDRs for the South Westgate Estates Single Family Alternative housing type. PDRs closely mirror Cottage Home provisions by providing reduced front and side setbacks, but differs in allowing for a larger dwelling unit by building coverage maximum
 - Amend Cottage Home PDRs to better conform to the Cottage Homes use type in Art. 4. Adds a note to reiterate that Cottage Homes in the WCRAO must conform to the 1,000 sf. size limitation
 - Clarify that accessory structures are no permitted to exceed 2 stories in height
 - Add a note to South Westgate Estates Single Family Alternative which allows the building coverage to increase by up to 10% to accommodate covered front porches and rear patios, as well as a provision maximizing the size of attached garages to 15% of building coverage

Part 3 amends Art. 3.B.14.G, WCRAO Supplementary Standards Table

- Part 3 corrects a few more minor scriveners’ errors where table cells have been left blank or note numbers have been incorrectly referenced

EXHIBIT B

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, AND SUPPLEMENTARY STANDARDS

CR-2021-0026
(Updated 04/16/2021)

Part 1. ULDC Art 3.B.14.E, Overlays and Zoning Districts, Overlays, WCRAO, Westgate Community Redevelopment Area Overlay, Use Regulations (pages 45 and 46 of 213, Supplement 29), is hereby amended as follows:

Reason for amendments: [Westgate Community Redevelopment Agency]
1. Rename and update references of Table 3.B.14.E, WCRAO Mixed Use to Table 3.B.14.E, Minimum/Maximum Residential and Non-Residential Uses, to clarify that the function of the Table is to determine, specific to Sub-areas, where mixed use is generally permitted or prohibited. The current name of the Table is somewhat misleading since it does serve a broader purpose, which is also to make clear where and by required percentage of gross floor area, residential-only and/or non-residential projects are allowed across WCRAO Sub-areas.
2. Relocate Note #4 in Table 3.B.14.E, WCRAO Mixed Use to Table 3.B.14.E, WCRAO Sub-area Use Regulations. Language specific to where Multifamily and Townhome housing types are permitted by number of units by Sub-area is better suited to be located within the Sub-area use regulations table rather than Table 3.B.14.E, Mixed Use.
3. Amend Table 3.B.14.E, WCRAO Sub-area Use Regulations to introduce an alternative Single Family housing type which allows smaller Single Family dwellings to be built on lots with a 25-foot width or frontage. This alternative Single Family model will only be allowed in the NRM Sub-area which encompasses South Westgate Estates; an area of the Overlay that historically platted on 25-foot-wide by 115-foot-deep lots. The NRM Sub-area is intended to encourage low intensity neighborhood mixed use, Single Family, Townhouse, and low density Multifamily. By allowing Single Family dwellings on 25-foot-wide lots, workforce housing unit production is anticipated to increase by providing developers with a viable "for-sale" alternative, while also stabilizing the community through home ownership, and de-incentivizing the proliferation of duplex and triplex rental development.
4. Amend Table 3.B.14.E, WCRAO Sub-area Use Regulations to clarify that the Gas and Fuel Sales, Retail use in the UI Sub-area is subject to the use regulations of the zoning district, correcting a scrivener's error as the corresponding cell is currently left blank, therefore forcing the Code to remain silent.

CHAPTER B OVERLAYS

....

Section 14 WCRAO, Westgate Community Redevelopment Area Overlay

....

E. Use Regulations

1. Mixed Use

In the WCRAO, mixed use means the combination of residential and one or more non-residential uses that are functionally integrated. Mixed use may be required or permitted in commercial districts that have a commercial with underlying residential FLU designation, as indicated in Table 3.B.14.E, WCRAO ~~Mixed Use~~ Minimum/Maximum Residential and Non-Residential Uses. [Ord. 2006-004]

G:\Westgate CRA\ULDC Amendments\21-01\Exh. B - CR-2021-0026 Art. 3, WCRAO Use Regulations, Property Development Regulations, and Supplementary Standards_final LDRAB.docx

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated.

If being relocated destination is noted in bolded brackets [Relocated to:].

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT B

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, AND SUPPLEMENTARY STANDARDS

CR-2021-0026
(Updated 04/16/2021)

Table 3.B.14.E – WCRAO Mixed Use Minimum/Maximum Residential and Non-Residential Uses

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Mixed Use (2)	Prohibited	Permitted (1)(3)	Permitted (1)(3)	Permitted (3)(4)	Permitted (4)	Permitted (4)	Prohibited
Min. Residential Use	N/A	50%	50%	0%	0%	0%	N/A
Max. Residential Use	N/A	100%	100%	100%	100%	100%	N/A
Min. Non-Residential Use	N/A	0%	0%	0%	0%	0%	N/A
Max. Non-Residential Use	N/A	50%	50%	100%	100%	100%	N/A
[Ord. 2006-004] [Ord. 2011-001] [Ord. 2015-031] [Ord. 2018-002] [Ord. 2020-001]							
Notes:							
1.	Non-residential uses on parcels that have a commercial FLU with underlying residential designation, approved as part of Plan Amendment Round 2005-01, Ord. No. 2005-032, shall be permitted in the NRM and NG Sub-areas. Non-residential uses shall only be permitted if all permitted residential density is utilized, but in no case shall it be less than one unit. Density shall be calculated meeting the requirements of FLUE Table 2.2.1-g.1, and other related Policies of the Plan. [Ord. 2006-004] [Ord. 2015-031] [Ord. 2018-002] [Ord. 2019-005] [Ord. 2020-001]						
2.	Minimum and maximum percentages for residential and non-residential uses are calculated by dividing the total GFA for either use (residential OR non-residential) type by the total GFA (residential AND non-residential). Projects that vertically integrate a minimum of 20 percent of the site's approved (includes allowed density and any density bonus units) residential density with commercial uses may be allowed to utilize up to 100 percent of both the site's commercial intensity and residential density. [Ord. 2006-004] [Ord. 2020-001]						
3.	Residential-only developments are permitted within the NC, NRM, and NG Sub-areas. [Ord. 2015-031] [Ord. 2018-002] [Ord. 2020-001]						
4.	Within the NC, UG, and UH Sub-areas, residential-only Multifamily and Townhouse developments with five dwelling units or more shall be permitted. Residential-only developments with under five units shall not be permitted. [Ord. 2020-001] [Relocated to: Table 3.B.14.E, WCRAO Sub-area Use Regulations]						

2. Sub-area Use Regulations

a. Use Regulations

In addition to the requirements of Art. 4.B, Use Classification, the following uses shall be prohibited or permitted in the WCRAO Sub-areas: [Ord. 2006-004]

- Table 3.B.14.E – WCRAO Sub-area Use Regulations

Sub-areas	NR	NRM	NG	NC	UG	UH	UI	Supplementary Use Standards # (2)
Residential Uses								
Single Family	P	P	X	X	X	X	X	4.B.1.C.5
South Westgate Estates Single Family Alternative	X	P	X	X	X	X	X	4.B.1.C.5
Cottage Home – Single Unit on a Single Lot	X	P	X	X	X	X	X	4.B.1.C.2
Cottage Home – Multiple Units on a Single Lot or Site	X	P	P	X	X	X	X	4.B.1.C.2
Zero Lot Line (ZLL)	X	X	X	X	X	X	X	4.B.1.C.7
Multifamily (MF)	X	P (5)	P (5)	P (5)	P (5)	P (5)	X	4.B.1.C.4

G:\Westgate CRA\ULDC Amendments\21-01\Exh. B - CR-2021-0026 Art. 3, WCRAO Use Regulations, Property Development Regulations, and Supplementary Standards_final LDRAB.docx

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EXHIBIT B

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, AND SUPPLEMENTARY STANDARDS

CR-2021-0026
(Updated 04/16/2021)

Townhouse	X	P (5)	P (5)	P (5)	P (5)	P (5)	X	4.B.1.C.6
Commercial Uses								
Adult Entertainment (3)	X	X	X	X	X	X	X	4.B.2.C.1
Car Wash	X	X	X	X	- (7)	-	-	4.B.2.C.4
Convenience Store	X	X	X	X	X	-	-	4.B.2.C.7
Electric Vehicle Charging Station Facility	X	- (8)	- (8)	- (8)	- (8)	- (8)	-	4.B.2.C.10
Employment Agencies (6)	X	X	X	X	X	-	-	4.B.2.C.26
Gas and Fuel Sales, Retail	X	X	X	X	X	-	-	4.B.2.C.16
Landscape Service	X	X	X	X	X	X	-	4.B.2.C.21
Parking, Commercial (9)	X	X	X	X	X	X	X	4.B.2.C.27
Repair and Maintenance, Heavy	X	X	X	X	-	-	-	4.B.2.C.30
Repair and Maintenance, Light	X	X	X	X	-	-	-	4.B.2.C.31
Self-Service Storage, Limited Access	X	X	X	X	-	-	-	4.B.2.C.37
Self-Service Storage, Multi-Access	X	X	X	X	X	X	-	4.B.2.C.37
Vehicle Sales and Rental, Light	X	X	X	X	-	-	-	4.B.2.C.41
Vehicle or Equipment Sales and Rental, Heavy	X	X	X	X	-	-	-	4.B.2.C.40
Work/Live Space	X	(4)	(4)	(4)	(4)	(4)	X	4.B.2.C.44
Industrial Uses								
Office Warehouse	X	X	X	X	A (1)	A (1)	-	4.B.5.C.17
Contractor Storage Yard	-	-	-	-	-	-	A	4.B.5.C.1
Distribution Facility	X	X	X	X	X	A	D	4.B.5.C.3
Manufacturing and Processing	X	X	X	X	X	A	D	4.B.5.C.8
Warehouse	X	X	X	X	X	A	D	4.B.5.C.17
Wholesaling	X	X	X	X	X	A	D	4.B.5.C.18
Notes: [Ord. 2006-004] [Ord. 2007-013] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-007] [Ord. 2017-002] [Ord. 2017-007] [Ord. 2018-002] [Ord. 2018-018] [Ord. 2020-001] [Ord. 2021-006]								
Notes: 1. Limited to lots with a CH FLU designation and corresponding zoning district. [Ord. 2006-004] [Ord. 2018-002] 2. A number in the Supplementary Use Standards # column refers to Art. 4.B, Use Classification, which are applicable to the use. [Ord. 2006-004] [Ord. 2020-001] 3. Adult Entertainment shall also be prohibited as an accessory use to other principal uses within the Sub-areas. [Ord. 2007-013] 4. Limited to lots with a CH or CL FLU designation and corresponding zoning district. Work/Live Space shall be Permitted by Right in all Sub-areas except the NR and UI. [Ord. 2007-013] [Ord. 2020-001] 5. Multifamily and Townhouse units may be Permitted by Right in non-residential districts where mixed use is permitted in accordance with Table 3.B.14.E, WCRAO Mixed-Use Minimum/Maximum Residential and Non-Residential Uses. Within the NC, UG, and UH Sub-areas, residential-only Multifamily and Townhouse developments with five dwelling units or more shall be permitted; residential-only developments with under five units shall not be permitted. [Relocated from: Table 3.B.14.E, WCRAO Mixed Use] [Ord. 2017-002] [Ord. 2020-001] 6. Employment Agencies as contained in Art. 4, Use Regulations under Office, Business or Professional. [Ord. 2017-007] 7. Limited to lots which front Okeechobee Boulevard and consistent with Art. 11.E.2.A.4.b, Non-Residential Lots. [Ord. 2021-006] 8. Permitted in the NRM, NG, NC, UG, and UH Sub-areas as an accessory use. [Ord. 2021-006] 9. Commercial Parking use on surface lots is prohibited in all Sub-areas. Commercial Parking use in structured parking garages is permitted in the UG, UH, and UI Sub-areas subject to Class A Conditional Use approval. [Ord. 2021-006]								
Key:								
X	Prohibited in Sub-area							
-	Subject to Use Regulations of zoning district							
P	Permitted by Right in Sub-area [Ord. 2007-013] [Ord. 2009-040] [Ord. 2020-001]							
D	Permitted by DRO approval [Ord. 2021-006]							
A	Class A Conditional Use [Ord. 2017-007]							

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EXHIBIT B

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, AND SUPPLEMENTARY STANDARDS

CR-2021-0026
(Updated 04/16/2021)

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Part 2. Art 3.B.14.F, Overlays and Zoning Districts, Overlays, WCRAO, Westgate Community Redevelopment Area Overlay, Property Development Regulations (PDRs) (pages 47-55 of 213, Supplement 29), is hereby amended as follows:

Reason for amendments: [Westgate Community Redevelopment Agency]
1. Restate the intent and applicability of Art. 3.B.14.F, Property Development Regulations (PDRs), where development in the WCRAO shall be in compliance with the Standard Zoning District, unless otherwise stated in Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs which applies to all non-residential uses and mixed use developments according Sub-area, and/or Table 3.B.14.F, WCRAO Residential Sub-area PDRs which applies to residential-only uses across Sub-areas, as permitted.
2. Clarify in Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs that PDRs for Single Family development in the NR Sub-area do not apply in this Table, rather to reiterate Note #1, PDRs for Single Family in the NR Sub-area are located in and must comply with Table 3.B.14.F, WCRAO Residential Sub-area PDRs.
3. Amend Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs by striking out "Build-to-Line" in the row Header for front setbacks/build-to-line for internal consistency since not all Sub-areas require a front or side street build-to-line.
4. Amend Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs for the UG Sub-area for front or side street build-to-line standards by striking out applicability to only commercial and mixed use projects. The provision is intended to be applied to all development in the UG Sub-area including residential or industrial, where allowed.
5. Amend Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs for the UH Sub-area front or side street build-to-line. ULDC Amendment Round 2020-02 introduced a 10 to 25-foot front/side street build-to-line in the UH Sub-area where previously the cell contents defaulted by way of a "-" to standard Code for the zoning district. The provision was meant to alleviate non-conformities on sub-standard shallow sites along Okeechobee Boulevard between Suwanee Drive and Indian Road that back on to Shawnee Avenue, and to allow those sites to redevelop without the need for multiple Variances. The unintended consequence is that the provision now creates non-conformities on sites that were developed to CG Zoning District PDRs with a minimum 50-foot front setback. This amendment deletes "Build-to-Line" and includes "Min. 10'" to allow better front and side street setback flexibility for those sub-standard Okeechobee Blvd. sites, while ensuring existing larger scale development in the Sub-area remains conforming.
6. Clarify in Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs that minimum frontage/lot width, minimum lot depth, minimum rear setback, and minimum building frontage for the NR Sub-area are not applicable, as this Table is to be utilized for non-residential and mixed use development. PDRs for Single Family dwellings are found in Table 3.B.14.F, WCRAO Residential Sub-area PDRs.

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ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, AND SUPPLEMENTARY STANDARDS

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Reason for amendments: [Westgate Community Redevelopment Agency]
7. Amend Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs to add an applicability and clarification Note to maximum allowable stories/height. Provisions allowing for added height were adopted into the WCRAO in 2006, along with other form-based code standards, with the intent of encouraging an urban built form, building presence and massing where the building footprint remains on the front build-to-line, as well as on side and rear setback lines. Building heights are permitted to reach up to 240 feet in the UG Sub-area, and up to 120 feet in the UH Sub-area. Functionally and practically, most sites in the WCRAO could not accommodate utilizing the ULDC over 35 feet one foot to one foot height standard due to a typical lot size that is smaller, especially if applied alongside provisions allowing greater intensities and densities. The utilization of this height standard would conflict with and confound applicability of WCRAO requirements for front and side street build lines and frontage.
8. Rename and update references of Table 3.B.14.F, WCRAO Residential Sub-area PDRs to Table 3.B.14.F, WCRAO Residential PDRs, removing "Sub-area" from the Title, since the former is confusing and implicates residential PDRs are by Sub-area when in fact they are by residential use type.
9. Amend Table 3.B.14.F, WCRAO Residential Sub-area PDRs by adding "Build-to-Line" to the Table Sub-Heading and within the Table cells where a build-to-line applies to Townhouse, MF less than five units, and MF more than five units, for consistency with Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs.
10. Amend Table 3.B.14.F, WCRAO Residential Sub-area PDRs to add property development regulations for the South Westgate Estates Single Family Alternative housing type. The intent is to allow a smaller Single Family Home to be built on 25-foot-wide lots in the NRM Sub-area of the WCRAO which otherwise could not be achieved utilizing the minimum lot width standard for Single Family in the WCRAO or the provisions for Cottage Homes – Single Unit on a Single Lot since the Cottage Home use type is restricted to a dwelling size of 1,000 square feet. PDRs closely mirror those for Cottage Homes – Single Unit on a Single Lot by providing for reduced front, side street, and side setbacks, but differ in minimum lot depth and a larger building coverage maximum.
11. Amend Table 3.B.14.F, WCRAO Residential Sub-area PDRs Cottage Home – Single Unit on a Single Lot residential use type PDRs for maximum building coverage, minimum side, and rear setbacks to better conform to the intent of cottage homes defined by the Article 4 use type. Add a Table Note to reiterate that Cottage Homes must conform to the maximum size limitation of 1,000 square feet per Art. 4.B.1.C.2, Cottage Home.
12. Clarify in Table 3.B.14.F, WCRAO Residential Sub-area PDRs that accessory structures are not permitted to exceed two stories in height by adding "Max.", not be two stories in height.
13. Amend Table 3.B.14.F, WCRAO Residential Sub-area PDRs for South Westgate Estates Single Family Alternative to add a Note allowing maximum building coverage to increase up to 10 percent for the construction of covered or solid roof porches and patios consistent with other provisions in the Planned Development District (PDD) Code allowing a 10 percent increase in building coverage for SF and ZLL homes, and, to allow single car attached garages to be constructed within the maximum building coverage, not to exceed 15 percent of the maximum.

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EXHIBIT B

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, AND SUPPLEMENTARY STANDARDS

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CHAPTER B OVERLAYS

Section 14 WCRAO, Westgate Community Redevelopment Area Overlay

F. Property Development Regulations (PDRs)

1. Sub-area PDRs

In order to implement the form based code outlined in the WCRA Plan, additional PDRs are established for the seven Sub-areas. Development in the WCRAO shall be in compliance with all Standard Zoning District, PDD, or TDD PDRs, unless specified otherwise in Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs and, Residential-only development in the WCRAO shall comply with Table 3.B.14.F, WCRAO Residential Sub-area PDRs for the applicable residential use type. Accessory uses and structures shall be in accordance with Art. 5.B.1, Accessory Uses and Structures, unless stated otherwise. [Ord. 2006-004] [Ord. 2008-003] [Ord. 2017-007] [Ord. 2019-005] [Ord. 2020-001]

Table 3.B.14.F – WCRAO Non-Residential and Mixed Use Sub-area PDRs

Sub-areas	NR (1)	NRM	NG	NC	UG	UH	UI
Lot Dimensions (2)							
Min. Frontage/Lot Width	-	-	75' (4)	75' (4)	100'	100' (5)	-
Min. Lot Depth	-	-	100'	100'	100'	100'	-
Max. Building Coverage	N/A	40%	40%	40% (3)	40% (3)	40% (3)	45% (3)
Build-to-Line/Setbacks							
Front or Side Street Build-to-Line (10)	N/A	Build-to-Line – 15'	Build-to-Line – 15'	Build-to-Line – 10'	Build-to-Line – C/MU 10-25'	Build-to-LineMin. 10-25'	Build-to-Line – C/IND: 10-25'
Min. Side	N/A	10' (6)	10' (6)	10' (6)	15'	15'	15'
Min. Rear		25'	25'	25'	25'	25'	25'
Min. Building Frontage							
Min. Frontage (10)	-N/A	60%	60%	80%	60%	-	C/IND: 60%
Optional Plazas and Squares							
Build-to-Line Exception	N/A	Max. 50% of Building Frontage, min. width of 20', and max. depth of 25'				-	-
Max. Stories/Height (8)							
Max. Stories	N/A	3	4	6	20	10	15
Max. Height (8)	N/A	36'	48'	72'	240'	120'	180'
Other							
Max. Building Length (7)(9)	N/A	300'	300'	300'	300'	-	-
[Ord.2006-004] [Ord. 2010-022] [Ord. 2015-031] [Ord. 2017-002] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2019-005] [Ord. 2020-001] [Ord. 2021-006]							
Key:							

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EXHIBIT B

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, AND SUPPLEMENTARY STANDARDS

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-	PDRs not specified in this Table shall be subject to the PDRs of the lot's zoning district.
C	For commercial uses.
MU	For mixed uses.
Notes:	
1.	PDRs for Single Family dwellings in the NR Sub-area shall be in accordance with Table 3.B.14.F, WCRAO Residential-Sub-area PDRs. [Ord. 2020-001]
2.	Minimum lot size per Table 3.D.1.A, Property Development Regulations shall not apply. [Ord. 2021-006]
3.	Building coverage may be increased to 60 percent if all parking is provided curbside or in a parking structure. [Ord. 2006-004] [Ord. 2020-001] [Ord. 2021-006]
4.	May be reduced to 50 feet if rear or cross access is provided. If cross access is provided, evidence of reciprocal agreement to allow vehicular cross access between the subject and adjacent property must be obtained prior to Final DRO approval or issuance of a Building Permit, whichever occurs first. [Ord. 2021-006]
5.	May be reduced to 75 feet for lots fronting Okeechobee Boulevard with vehicular access limited only to the rear or via cross access from the adjacent property. [Ord. 2021-006]
6.	Side setbacks may be reduced to zero in accordance with Art. 3.B.14.F.1.a, NRM, NG, and NC Side Setback Reduction. [Ord. 2006-004]
7.	Mid-block separation a minimum of 20 feet in width is required at the first floor level for building length in exceeding 200 feet, and must be 50 feet or more from either end of the building. [Ord. 2006-004]
8.	Minor increases in the maximum height, <u>allowed by this Table</u> may be permitted subject to all of the standards of Art. 5.C.1.E.4.a-c and as exempted by Art. 3.D.1.E.4, Height Exceptions, and as defined by Art. 1, General Provisions. Buildings over 35 feet shall not be subject to the requirements of Art. 3.D.1.E.2, Multifamily, Non-Residential Districts, and PDDs. [Ord. 2010-022]
9.	Buildings shall be articulated so that the longest side faces the front build-to-line. Where a parcel is located at the intersection of two or more streets, at least one building shall be placed at a corner in accordance with Art. 3.B.14.F.2.b.2), R-O-W/Easement Exception, and comply with the build-to-line for both streets. [Ord. 2015-031]
10.	Minimum frontage shall only apply to the front build-to-line, and may be reduced in accordance with Art. 3.B.14.F.2.b.1)(a), Minimum Building Frontage Exception. [Ord. 2015-031] [Ord. 2017-025]

Table 3.B.14.F– WCRAO Residential-Sub-area PDRs

Residential Use Type	Single Family	South Westgate Estates Single Family Alternative	Cottage Homes – Single Unit on a Single Lot (8)	Cottage Homes – Multiple Units on a Single Lot or Site (8)	Townhouse (1)	Multifamily (≤ 4 Units)	Multifamily (≥ 5 Units)
Lot Dimensions							
Min. Frontage/Lot Width	50'	25'	25'	75'	16'	75'	100'
Min. Lot Depth	90'	90'	70'	100'	50'	100'	100'
Max. Building Coverage	50%	45% (9)	50/40%	80%	80%	40% (2)	40% (2)
Build-to-Line/Setbacks							
Front/Build-to-Line	25' min.	20' min.	20' min.	10' min.	Build-to-Line – 10-25'	Build-to-Line – 10-25'	Build-to-Line – 10-25'
Min. Side (3)	5'	3'	2-53'	5'	5' – End unit; 0' – Interior unit	5'	10'
Min. Side Street	7.5'	7.5'	7.5'	7.5'	10' – End unit	10'	10'
Min. Rear	10'	10'	5/10'	15'	7.5'	10'	25'
Height/Stories							

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Max. Stories	2	2	2	2	3	3	2 min. (6)
Max. Height (4)	N/A	N/A	N/A	N/A	36'	36'	(5)
Accessory Structures	Max. 2 stories						
Building Frontage							
Min. Building Frontage	N/A	N/A	N/A	N/A	60% (7)	60% (7)	60% (7)
[Ord. 2020-001]							
Notes:							
1.	Unless provided for herein, Townhouse developments shall comply with Table. 3.D.2.A, Townhouse Property Development Regulations.						
2.	Building coverage may be increased to 60 percent if all parking is provided curbside or in a parking structure.						
3.	Side setbacks may be reduced to zero in accordance with Art. 3.B.14.F.1.a, NRM, NG, and NC Side Setback Reduction.						
4.	Minor increases in maximum height may be permitted subject to all of the standards of Art. 5.C.1.E.4.a-c and as exempted by Art. 3.D.1.E.4, Height Exceptions, and as defined by Art. 1, General Provisions.						
5.	Maximum height of Multifamily projects of five units or more shall be in accordance with Maximum Stories and Height by Sub-area in Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Development Sub-area PDRs.						
6.	Multifamily developments with five units or more shall be required to be a minimum of two stories in the NC, UG, and UH Sub-areas.						
7.	Minimum building frontage of 80 percent is required for all Townhome and all Multifamily developments in the NC Sub-area.						
8.	Per Art. 4.B.1.C.2, Cottage Home, the maximum size for Cottage Homes is limited to 1,000 square feet per dwelling unit.						
9.	Maximum building coverage may be allowed to increase by up to ten percent to accommodate solid roof porches and/or patios. Attached garages shall not exceed 15 percent of the maximum building coverage.						

2. Build-to-Line and Frontages

b. Minimum Building Frontage

- 1) The minimum building frontage shall be in accordance with the requirements of Table 3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs or Table 3.B.14.F, WCRAO Residential Sub-area PDRs. The portion of the structure required to meet the building frontage shall be located on the build-to-line unless otherwise stated. [Ord. 2006-004] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2015-031] [Ord. 2017-025] [Ord. 2020-001]

H. Density Bonus Programs

1. Density Bonus Pool

a. WCRA Recommendation

In accordance with Plan FLUE Sub-Objective 1.2.3 and Policy 1.2.3-b, any proposed project that includes a request from the Density Bonus Pool must obtain a recommendation of approval from the WCRA in accordance with the standards of Art. 3.B.14.D, Development Review Procedures consistent with the provisions below: [Ord. 2021-006]

- 2) Meets the requirements of Table 3.B.14.E, WCRAO Minimum/Maximum Residential and Non-Residential Uses, Table 3.B.14.E, WCRAO Sub-area Use Regulations, Table

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3.B.14.F, WCRAO Non-Residential and Mixed Use Sub-area PDRs, and Table
3.B.14.F, WCRAO Residential Sub-area PDRs, as applicable; [Ord. 2021-006]

....

Part 3. ULDC Art 3.B.14.G, Overlays and Zoning Districts, Overlays, WCRAO, Westgate Community Redevelopment Area Overlay, Supplementary Standards (page 52 of 213, Supplement 29), is hereby amended as follows:

Reason for amendments: [Westgate Community Redevelopment Agency]	
1.	Correct scrivener's error to revert back to standard Code for minimum 1st floor height in the NR Sub-area as the corresponding cells are currently left blank, therefore forcing the Code to remain silent.
2.	Correct scrivener's error to revert back to standard Code for minimum number of floors in the NR, NRM, and NG Sub-areas as the corresponding cells are currently left blank, therefore forcing the Code to remain silent.
3.	Correct scrivener's error to include the same minimum/maximum balcony depth and length dimensions in the UG and UH Sub-areas as is required in the NR, NRM, NG, and NC Sub-areas, as the corresponding cells are currently left blank, therefore forcing the Code to remain silent. Correct a typographical error: "Mini" should read "Min."
4.	Amend reference to Note #10 in Porches, Balconies, and Entryways Row to be #9. Note #10 references applicability of required Arcades and Galleries in the NC Sub-area when a lot is 100 feet in width or less. Note #9 appropriately and accurately references applicability of Porches, Balconies, and Entryways standards to residential development with five units or more.

CHAPTER B OVERLAYS

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Section 14 WCRAO, Westgate Community Redevelopment Area Overlay

G. Supplementary Standards

In addition to the requirements of Art. 5, Supplementary Standards, and Table 3.B.14.G, WCRAO Supplementary Standards by Sub-area, the following shall apply: [Ord. 2006-004]

Table 3.B.14.G – WCRAO Supplementary Standards by Sub-area

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Minimum Enclosed Living Area							
Single Family Dwelling Unit	1,000 sq. ft.	1,000 sq. ft.	-	-	-	-	-
Accessory Quarters	300 sq. ft.	300 sq. ft.	300 sq. ft.	-	-	-	-
Fences and Walls							
Prohibited Materials (6)	Chain link, wire mesh, barbed wire, wood basket weave, or corrugated metal panels						
Architectural Features							

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ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, AND SUPPLEMENTARY STANDARDS

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Arcades and Galleries (1)	-	-	-	Required – Westgate Avenue (10)	-	-	-
Min. Building Depth	-	20'	20'	20'	30'	-	30'
Min. 1st Floor Height	-	-	-	12'	-	-	-
Min. Number of Floors	-	-	-	2 (2)	-	-	-
Windows and Doors							
Min. Glazing of Frontage (3)	-	(3)	(3)	(3)	-	-	-
Porches, Balconies, and Entryways (8)(409)							
Front Setback Max. Encroachment (7)	8'	6'	6'	-	-	-	-
Min./Max. Porch Depth (4)	6'/10'				-	-	-
Min./Max. Porch Length (4)	8'/50% of building façade				-	-	-
Min./Max. Balcony Depth (4)	3'/3'				-	-	-
Min./Max. Balcony Length (4)	6'/50% total of building façade				-	-	-
Parking:							
Location of Surface Parking (9)	-	Rear	Rear	Rear	-	-	-
Driveways (5)(9)	-	Rear	Rear	Rear	-	-	-
Location of Accessory Quarters and Garages:							
Detached	Back of rear façade of primary structures			-	-	-	-
Landscaping							
See Art. 3.B.14.J, WCRAO Landscape Modifications allowing for reduction in Perimeter and foundation planting requirements.							
Min. Pervious Surface	-	20%	20%	20%	-	-	-
Key:							
- Subject to the supplementary standards of the lot's zoning district							
[Ord. 2006-004] [Ord. 2009-040] [Ord. 2015-031] [Ord. 2017-002] [Ord. 2017-007] [Ord. 2018-002] [Ord. 2020-001]							
Notes:							
1.	See Art. 3.B.14.G.3.d, Arcades and Galleries, Figure 3.B.14.G, WCRAO Arcade and Gallery Standards. [Ord. 2006-004]						
2.	Required second floor shall meet minimum frontage and depth requirements. [Ord. 2006-004]						
3.	See Art. 3.B.14.G.3.c, Fenestration Details – Windows and Doors. Residential-only development in the NG and NRM Sub-areas shall be exempt from Art. 3.b.14.G.3.c, Fenestration Details – Windows and Doors. [Ord. 2006-004] [Ord. 2020-001]						
4.	Excludes stoops. [Ord. 2006-004]						
5.	Access from the front or side may be permitted for lots with no rear street frontage. [Ord. 2006-004]						
6.	Chain link fences may be installed for the following: [Ord. 2009-040] Single Family residential use provided a continuous native hedge is planted along the exterior side of the fence and adequate room for maintenance is provided along the property lines adjacent to public R-O-W. The hedge shall be maintained at the same height as the chain link fence. Black or green vinyl-coated chain link fence may be installed along remaining perimeter property lines not adjacent to a public R-O-W; [Ord. 2009-040] a. Non-residential uses within the UI Sub-area if the chain link fence is black or green vinyl coated; or, c. When a landscape barrier is required pursuant to Art. 4.B.2.C.17.d, Accessory Uses – Green Market. [Ord. 2019-005]						
7.	The maximum encroachment for porches, balconies, and entryways located in NC Sub-area shall only apply to permitted residential or hotel uses. These ground floor improvements shall not conflict with the placement of street trees. [Ord. 2011-001]						
8.	Single Family dwellings and Cottage Homes – Single Unit on a Single Lot are not required to provide porches, balconies, and entryways, but may elect to utilize setback exceptions provided encroachment complies with other applicable maximum dimensions. [Ord. 2015-031] [Ord. 2020-001]						
9.	Shall not apply to residential uses, except Multifamily developments with five units or more. [Ord. 2015-031] [Ord. 2020-001]						

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Notes:

Underlined indicates new text.

Stricken indicates text to be deleted. *Stricken and italicized* means text to be totally or partially relocated.

If being relocated destination is noted in bolded brackets [Relocated to:].

Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].

.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT B

ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS WCRAO USE REGULATIONS, PROPERTY DEVELOPMENT REGULATIONS, AND SUPPLEMENTARY STANDARDS

CR-2021-0026
(Updated 04/16/2021)

10.	Lots with 100 feet or less of frontage and residential development may be exempt. [Ord. 2017-002] [Ord. 2020-001]
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Memo

To: Chairman Ron Daniels & Commissioners
From: Thomas J. Baird, General Counsel
Date: May 6, 2021
Subject: Danza Option Contract
Cc: Elizee Michel

Approximately, two business days prior to the Board's April 12, 2021, meeting, I was advised by the Executive Director that Danza was seeking to pre-lease commercial space to assist it with the financing of its potential project. No details were provided with respect to this proposal. Subsequently, I learned that this pre-leasing pertains to 5,000 square feet of the 1st floor commercial space; and that Danza is requesting that the WCRA enter into a "Lease Option Agreement" (the Lease Option) with it.

Danza has proposed that the WCRA enter into the Lease Option to occupy 50% of the commercial center which it contemplates as part of its mixed use project. The Lease Option proposed a 20 year Triple Net Lease with two, 10-year renewal options. Upon execution of the Lease Option, the WCRA would make a security deposit of \$10,000.

The WCRA and Danza entered into an Option Agreement and the effective date of which was February 2, 2021. Pursuant to the Option Agreement, Danza may exercise the option to purchase the WCRA property anytime up to February 24, 2022. Thirty days prior to that date, Danza can request to extend the option period for an additional 12 months. Prior to exercising the option, Danza must:

1. Demonstrate to the reasonable satisfaction of the WCRA that it has "cash" in hand sufficient to acquire **and redevelop** the property, or provide WCRA with proof of a financing commitment from one or more institutional lenders or other financial sources and;
2. Obtain all approvals from PBC, including amendments to the Comprehensive Plan and zoning district, including 5,000 s.f. of commercial space on the ground floor.

The decisions of whether to enter into the Lease Option is certainly within the purview of the Board. However, the following should be taken into consideration. The proposed mixed use project totals 15,000 – 60,000 square feet; 5,000 of which is to be ground floor commercial. It is not clear that there would be any other "commercial" uses developed as part of Danza's mixed use project. While the CRA offices could qualify as a "commercial" use, to the extent it is an office use, this does not seem to be consistent with the mixed use concept set forth in the WCRA's Master Plan.

This Lease Option proposal precedes the provision in the Option Agreement that Danza obtain all approvals from the county. As set forth in the Option Agreement, one of the approvals to be obtained from the County is for 5,000 s. f. of commercial space on the ground floor. Aside from the fact that all of the commercial space would potentially have no taxable value, the County, may or may not classify the WCRA offices as a "commercial use."

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Based upon what I know, it is not clear whether the only pre-leasing being proposed by Danza is it's proposal for the WCRA to lease 1st floor commercial space in its proposed project. This should be clarified so that the WCRA Board understands exactly what is being prosed. In addition, if the Board is inclide to pre-lease space to Danza, then I would request that the Board direct my real estate partner to review the proposed Lease Option and provide the Board with comments and identify any concerns before the Board takes action with respect to it.

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