P&Z Board Members

Roger Manning Katrina Long Robinson John Stanavitch Kara Crump Phillip Everett



City of Westlake

4001 Seminole Pratt Whitney Rd. Westlake, Florida 33470 Phone: 561-530-5880

Fax: 561-790-5466

Planning and Zoning Meeting Monday, July 8, 2019

Meeting Location
Westlake Council Chambers
4005 Seminole Pratt-Whitney Road
Westlake, FL 33470
6:00 PM

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings and for such purpose 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. The meeting/hearing may be continued to another date and time as may be found necessary during the aforesaid meeting. In accordance with the provisions of the Americans with Disabilities Act (ADA), any person requiring special accommodations at these meetings because of disability or physical impairment should contact the Interim City Manager at (954)753-5841 at least two (2) calendar days prior to the meeting.

Council Members

Roger Manning-Mayor Katrina Long Robinson–Vice Mayor John Stanavitch–Seat 1 Kara Crump–Seat 2 Phillip Everett–Seat 3



City of Westlake

Fax: 561-790-5466

Agenda Page 2

4001 Seminole Pratt Whitney Rd. Westlake, Florida 33470 Phone: 561-530-5880

Website: westlakegov.com

July 2, 2019

City Council City of Westlake

Dear Mayor and Council:

The Planning and Zoning Board of the City of Westlake will hold a meeting on Monday, July 8, 2019 at 6:00 p.m. at the Westlake Council Chambers, 4005 Seminole Pratt Whitney Road, Westlake, Florida. Following is the advance agenda for the meeting.

- 1. Call to Order/Roll Call
- 2. Pledge of Allegiance
- 3. Approval of the Minutes of the June 17, 2019 Planning and Zoning Meeting
- 4. Staff Reports and Presentations
 - A. Requested Use Presentation for 7-Eleven
 - B. Requested Use Staff Report for 7-Eleven
 - C. 7-Eleven Site Plan Presentation
 - D. 7-Eleven Site Plan Staff Report
- Consideration of Recommendation of Resolution 2019-16, Approving Requested Use for Gasoline Station and Convenience Store
- 6. Consideration of Recommendation of Resolution 2019-15, Approving Final Site Plan for 7-Eleven
- 7. Audience Comments
- 8. Adjournment

Any additional supporting material for the items listed above, not included in the agenda package, will be distributed at the meeting. Staff will present their reports at the meeting. I look forward to seeing you, but in the meantime if you have any questions, please contact me.

Sincerely,

Kenneth Cassel

Kenneth G. Cassel City Manager

cc: Pam E. Booker, Esq. Terry Lewis John Carter Kelley Burke

Third Order of Business

MINUTES OF PLANNING AND ZONING MEETING CITY OF WESTLAKE

A Planning and Zoning meeting of the City of Westlake was held on June 17, 2019 at 6:04 p.m. at the Westlake Community Center, 4005 Seminole-Pratt Whitney Road, Westlake, Florida.

Present and constituting a quorum were:

Roger Manning Mayor
Katrina Long Robinson Vice Mayor

John Stanavitch City Council Seat 1 Kara Crump City Council Seat 2

Also present were:

Kenneth Cassel City Manager
Pam E. Booker, Esq. City Attorney
Nilsa Zacarias NZ Consultants
Donaldson Hearing Cotleur & Hearing

Ross Claiborne Verdad Kevin Roberson Kimley-Horn

Tara W. Duhy Lewis, Longman and Walker

John Carter Minto PBLH, LLC

The following is a summary of the minutes and actions taken during the June 17, 2019 City of Westlake Planning and Zoning Meeting.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mayor Manning called the meeting to order and Mr. Cassel called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the May 13, 2019 Planning and Zoning Meeting

On MOTION by Councilman Stanavitch seconded by Councilwoman Crump and Vice Mayor Long Robinson with all in favor the minutes of the May 13, 2019 Planning and Zoning meeting were approved.

- Mr. Cassel made a statement to the Council regarding agenda items. One of the items was not properly advertised and other items were pulled from the agenda. These items will be re-advertised at Inframark's expense. He noted that going forward, any items not provided to the City Clerk ten days prior by the department heads will not be placed on the agenda.
- Ms. Booker stated the planning and zoning meeting was publicized and presentations will be made. Corrective advertising will be made so items can be voted on at the July 8, 2019 meeting.

FOURTH ORDER OF BUSINESS

7-Eleven Staff Reports and Presentations

A. Rezoning

Ms. Zacarias provided a presentation and overview of the application for the 7-Eleven convenience store and gas station application. She noted Palm Beach County Environmental Resource Management and the Department of Environmental Resources Management will review the application prior to the City issuing a permit to prevent environmental impacts of underground gas tanks.

B. Requested Use

Ms. Zacarias provided a presentation and overview of the requested use application, which must be approved by the City Council prior to the Site Plan. She also provided a summary of the review and approval process.

C. Site Plan Review

- Ms. Zacarias provided a brief overview of the site plan review process.
- Mr. Hearing addressed the Board and provided a presentation and overview of the site plan for the 7-Eleven. He also introduced Ross Claiborne, with Verdad, and Kevin Roberson, with Kimley-Horn, who are involved with the project.

FIFTH ORDER OF BUSINESS

Consideration of Recommendation of Resolution 2019-15, Approving Final Site Plan for 7-Eleven

This item was tabled until the July 8, 2019 meeting.

SIXTH ORDER OF BUSINESS

Consideration of Recommendation of Ordinance 2019-6, Establishing Mandatory Signage Design

- Ms. Booker stated this is part of the land development regulations the City is adopting. Proposed ordinances, to be adopted by the City, are required to come before the P&Z Board to consider, evaluate and make any comments or recommendations.
- Mr. Cassel stated the language in the ordinance will be fine-tuned prior to the second reading. Some of the definitions contained in the ordinance are duplicates from what is already in other sections of the ordinance.
- Ms. Duhy, attorney for Minto PBLH, LLC, addressed the Board and stated she is working with City staff to review and modify some of the language in the ordinance.

Mr. Cassel read Ordinance 2019-6 by title only.

On MOTION Vice Mayor Long Robinson seconded by Councilwomen Crump with all in favor Ordinance 2019-6 was approved for recommendation to the City Council with necessary corrections.

SEVENTH ORDER OF BUSINESS Audience Comments

Ms. Booker addressed the audience and stated the ordinances pulled for second reading from the agenda will be brought back for consideration at a future meeting.

There being no comments from the audience, the next item followed.

EIGHTH ORDER OF BUSINESS Adjournment

There being no further business, the meeting adjourned at 6:40 p.m.

Kenneth Cassel	Roger Manning
City Manager	Mayor

Fourth Order of Business

4A.



Council Meeting

7-Eleven Requested Use REQ-USE-2019-01

7-Eleven



PETITION DESCRIPTION

PETITION NUMBER: REQ-USE-2019-01

APPLCANT: Cotleur & Hearing

OWNER: Minto PBLH, LLC

REQUEST: The applicant is requesting approval for the proposed use of a gas station and convenience store within the City of Westlake.

SITE INFORMATION

Total Gross Site Acres: 1.89 acres

Concurrent Application:

4,500 sq. ft. convenience store and 16-position fueling station and car wash

Future Land Use: Downtown Mixed Use

Zoning: MUPD/EDC



Rezoning ORD 2019-5 Recommend by LPA 5.13.19 Rezoning First Reading ORD 2019-5 Heard by City Council

Rezoning Second Reading ORD 2019-5 City Council Requested Use City Council 7.8.19

Site Plan Review SPR-2018-08 Planning and Zoning Board 7.8.19

Site Plan Review SPR-2018-08 City Council 7.8.19

REQ-USE-2019-01

In 2018, the City Council adopted Ordinance 2018-04 amending the City's Interim Land Development Code to include the use, Gas and Fuel, Retail in the MUPD/EDC Zoning District, as a requested use that is permitted in the district only if approved by the City Council.

	PUD		Ļ	MUPD FLU						M)	MXPD PIPD			П		L	.cc					
Use Type		Pods									FLU		Use Zone		one			FLU				
		C O M	R E C	CA IG VR / P	C	188	CLO	CHO	CR	1 K D	E D C	NST	СН	СНО	I N D / L	COM	I N D G	MHPD	V	C L	СН	N O T E
			Com	merc	ial L	lses																
Adult Entertainment	T		П		Т	Г	П						Г		s	5		Г				2
Auction, Enclosed		R	П		Т	P			Р	D						Р		Г		P	Р	16
Auction, Outdoor				Т	Т	R	Г		R	R			Г		P	P	Р	Г			П	16
Auto Paint Or Body Shop		R		1	I	R				R	R				P	P	P				П	17
Gas and Fuel, Retail		R		Т	R	R					R	1	R		P	R	P	Г	П	R	R	18
Green Market					T					ī	Û									D	D	64
Hotel, Motel, SRO, Rooming And Boarding					Г	R		R	R		R		R	R		P					R	72
Kennel, Type II (Commercial)		R				R							R									74-1
Kennel, Type III (Commercial -Enclosed)		R	Ш		R	R							R				Ц		Ш	R	R	74-2
Kiosk	\perp			_	Р	P	P	P	P				P	P	P	P	P		Ц	P	P	75
Landscape Service		R		1		R				P	R		R		P	P	P		Ц		Ц	77
Laundry Services	\perp	R		_	P	-		P					P	P	P	P		P	P	P	-	78
[Ord. 2005-002] [Ord. 2004-051] [Ord. 2006-036] [0 003] [Ord. 2012-027] [Ord. 2013-001] [Ord. 2014-0 Notes:	Ord. 2 (25)	007	-001] [Ord	. 20	08-0	37]	Ord	. 20	09-	040)	[0	rd. i	2010	-00	5] [6	Ord	. 20	11-0	16]	[010	J. 2012
P Permitted by right D Permitted subject to approval by the DRO S Permitted in the district only if approved by 3p R Permitted in the district only if approved by the				r Cour	neil a	15.3	re-Ou	este	ed u	sel												

REQUESTED USE STANDARDS

REQUESTED USE STANDARDS OF COMPLIANCE PER ARTICLE 2.B.2.B

Consistency with the Plan: Future Land Use of Downtown Mixed Use. Policy FLU 1.1.15 lists commercial as an allowable use in this district.

Consistency with the Code: The City's Interim ULDC Code amended in 2018 by Ord. 2018-04 to include the use, Gas and Fuel, Retail, in the MUPD/EDC Zoning District as a requested used.

Compatibility with Surrounding Uses: The subject property is mostly surrounded by Downtown Mixed Use Future Land Use designation and Seminole Ridge High School (Civic Use)

Design Minimizes Adverse Impact: The subject application proposes a design consistent with the city's aesthetics in terms of colors, materials, and connectivity.

Design Minimizes Environment Impact: The site is currently vacant of structure and trees. There will be little to no environmental impact with the proposed development. All drainage is provided with legal positive outfall on Seminole Pratt Whitney Rd. which will include enhanced runoff for possible gasoline spills. Native plant material will be planted within the buffers and around the building, providing better natural habitat than exits today.

Development Patterns: The proposed Gas and Fuel, Retail use is most utilized when located on Seminole Pratt & Whitney (the city's main corridor) and will provide needed services to the current and future residents.

Adequate Public Facilities: Existing drainage, water, sewer and electricity. The subject application will require traffic concurrency.

Changed Conditions or Circumstances: The subject property will provide needed services to the new residents in the area since site has been vacant.

THANK YOU!



4B



City of Westlake

Planning and Zoning Department

Staff Report – 7/8/19

PETITION DESCRIPTION

PETITION NUMBER: REQ-USE-2019-01 <u>7-Eleven Requested Use</u>

APPLICANT: Cotleur & Hearing

OWNER: Minto PBLH, LLC

REQUEST: The applicant is requesting approval to for the proposed use of a gas

station and convenience store within the City of Westlake.

LOCATION: City of Westlake, East side of Seminole Pratt Whitney Road, across from

Seminole Ride High School and West of Packing House.

PROPERTY CONTROL NUMBERS: 77-40-43-12-00-000-1010



1. PETITION FACTS

a. Total Site Acres: 1.89

b. Concurrent Application: 4,500 square foot convenience store and 16 position fueling

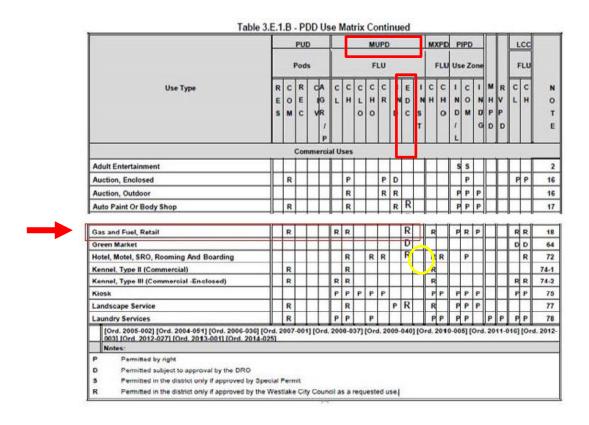
station and car wash

c. Future Land Use: Downtown Mixed Used. Zoning: Agricultural Residential (AR)



2. BACKGROUND

The City of Westlake received an application to develop a 7-Eleven Gas Station in the subject parcel. The subject property is currently zoned Agricultural (AR). In 2018, the City Council adopted Ordinance 2018-04 amending the City's Interim Land Development Code to include the use, Gas and Fuel, Retail in the MUPD/EDC Zoning District. See below table.



3. ANALYSIS

REQUESTED USE STANDARDS OF COMPLIANCE PER ARTICLE 2.B.2.B

A. Consistency with the Plan

Future Land Use of Downtown Mixed Use. Policy FLU 1.1.15 lists commercial as an allowable use in this district.

B. Consistency with the Code

City's Interim ULDC Code adopted in 2018 to include the use, Gas and Fuel, Retail, in the MUPD/EDC Zoning District.

C. Compatibility with Surrounding Uses

Subject property mostly surrounded by Downtown Mixed Use Future Land Use designation and Seminole Ridge High School (Civic Use)

	FUTURE LAND USE	ZONING
SUBJECT PROPERTY	Dowtown Mixed Use	(AR) Agricultural Residential
NORTH	Dowtown Mixed Use	MUPD/EDC
SOUTH	Dowtown Mixed Use	MUPD/EDC
EAST	Dowtown Mixed Use	MUPD/EDC
WEST	Civic (Seminole Ridge High School)	Civic

D. Design Minimizes Adverse Impact

Subject property will greatly enhance the area and continue the rural parkway feel along Seminole Pratt Whitney Rd with similar landscaping.

E. Design Minimizes Environment Impact

There will be little to no environmental impact. Native plant material will be planted within the buffers and around the building, providing better natural habitat than exits today.

F. Development Patterns

Gas and Fuel, Retail use is most utilized when located on a major road and will provide needed services to the current and future residents.

G. Adequate Public Facilities

Existing drainage, water, sewer and electricity. Traffic concurrency will be required.

H. Changed Conditions or Circumstances

Subject property will provide needed services to the new residents in the area since site has been vacant.

4. FINAL REMARKS

The subject requested use application will be heard by The City Council. The Planning and Zoning staff reviewed this application and find it in compliance with the above presented requested use standards.

4C.



CITY COUNCIL

7-Eleven Site Plan Review SPR-2019-01



7.8.19

Rezoning ORD 2019-5 Recommend by LPA 5.13.19 Rezoning First Reading ORD 2019-5 Heard by City Council

Rezoning Second Reading ORD 2019-5 City Council Requested Use City Council 7.8.19 Site Plan Review SPR-2018-08 Planning and Zoning Board 7.8.19

Site Plan Review SPR-2018-08 City Council 7.8.19

SITE INFORMATION

Total Gross Site Acres
1.89 acres

Application

4,500 sq. ft. convenience store and 16-position fueling station and car wash

Future Land Use
Downtown Mixed Use

ZoningMUPD/EDC

Multiple Use Planned Development / Economic Development Center



7-Eleven

- ☐ FUTURE LAND USE: DOWNTOWN MIXED USE
- □ ZONING: AGRICULTURAL RESIDENTIAL (AR)
- □ TOTAL SITE ACRES: 1.89
- CONCURRENT APPLICATION: 4,500 SQUARE FOOT CONVENIENCE STORE AND 16 POSITION FUELING STATION AND CAR WASH



SPR-2019-01

Per the current City's Interim ULDC

Code:

The subject application SPR-2019-01

<u>Site Plan Review for 7-Eleven Gas</u>

<u>Station and Retail,</u> was reviewed and approved Administratively by the Development Review Officers (DRO)

The City of Westlake DRO includes the City's Planning and Zoning and Engineering Departments; and, other applicable agencies.

MUPD Property Development Regulations 3.E.3.D	REQUIRED BY CODE	PROPOSED F	genda PowidENTS
Setbacks			
Front Yard	Main Structure: 25'	161.5′	In compliance
Rear Yard	Main Structure: 20'	53.5′	In compliance
Side Yard - North	Main Structure: 15'	109.8′	In compliance
Side Yard - South	Main Structure: 15'	55.9'	In compliance
Lot Coverage	Max Lot Coverage: 25%	11.6%	In compliance
Building Height	45ft max	20'	In compliance
Parking	One space per 250 square feet Required parking: 18 spaces	20 standard 1 Accessible Per ADA	In compliance
Sidewalks	Pedestrian walkways must be a minimum of 5 ft. wide	6'	In compliance

SITE DESIGN AND CONNECTIVITY

- ACCESS INTO THE SITE FROM A 30'
 ACCESS EASEMENT RUNNING EAST
 TO WEST ALONG THE SOUTHERN
 BOUNDARY OF THE PROPERTY.
- IT IS INTENDED THAT THE PARCELS
 BE INTERCONNECTED THROUGH
 EASEMENTS FOR GREATER
 MOBILITY.
- NEW, RIGHT IN, RIGHT OUT ACCESS ONTO SEMINOLE PRATT WHITNEY ROAD ON THE NORTH END OF THE 7-ELEVEN PROPERTY.





THANK YOU!



4D.



City of Westlake Planning and Zoning Department Staff Report – 7/8/19

PETITION DESCRIPTION

PETITION NUMBER: SPR-2019-01 <u>7-Eleven Site Plan Review</u>

APPLICANT: Cotleur & Hearing

OWNER: Minto PBLH, LLC

REQUEST: The applicant is requesting approval of the Site Plan for a 7-Eleven

facility including a 4,500 sq. ft. convenience store, a 16-position fueling

station and a car wash.

LOCATION: The subject parcel is located West of the Packing House, on the

East side of Seminole Pratt Whitney Road and across from

Seminole Ride High School (South of Pod K).

PCN: 77-40-43-12-00-000-1010

LOCATION MAP



1. PETITION FACTS

- a. Total Site Acres: 1.89 acres
- **b. Subject Application:** 4,500 sq. ft. convenience store, a 16 position fueling station and a car wash.
- c. Future Land Use: Downtown Mixed Use
- **d. Zoning:** Multiple Use Planned Development/Economic Development Center (MUPD/EDC)

	FUTURE LAND USE	ZONING
SUBJECT PROPERTY	Downtown Mixed Use	MUPD/EDC
NORTH	Downtown Mixed Use	MUPD/EDC
SOUTH	Downtown Mixed Use	MUPD/EDC
EAST	Downtown Mixed Use	MUPD/EDC
WEST	Civic (Seminole Ridge High School)	Civic

2. BACKGROUND

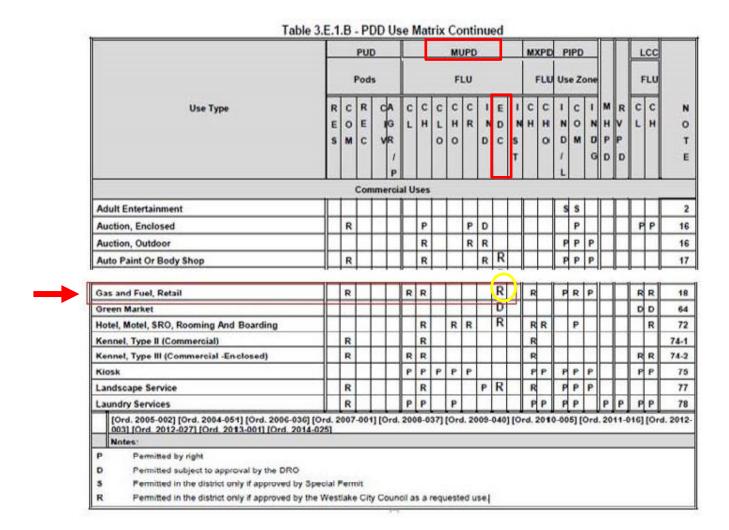
The City of Westlake received an application to develop a 7-Eleven Gas facility including a 4,500 sq. ft. convenience store, a 16 position fueling station and a car wash. The subject parcel is located in the central portion of the City, east of Seminole Pratt Whitney Road, and south of Pod K. The entrance (also known as Saddle Bay Drive) to the Packing House is north of the site separated by an existing storm water lake.

In 2018, the City Council adopted Ordinance 2018-04 amending the City's Interim Land Development Code to include the use, *Gas and Fuel, Retail* in the MUPD/EDC Zoning District, as a Requested Use. The subject property was zoned Agricultural (AR) and it required a rezoning to accommodate the proposed use; it was also reviewed for compliance with Requested Use standards.

The below graphic depicts the review and approval process of the subject application:



See below Table 3.E.1.B amended by Ordinance 2018-04 to include the use, *Gas and Fuel, Retail* in the MUPD/EDC Zoning District, as a Requested Use.



3. SITE PLAN REVIEW

The proposed application to develop a 7-Eleven Gas facility (including a 4,500 sq. ft. convenience store, a 16 position fueling station and a car wash) was reviewed by the City's staff to ensure compliance with codes including zoning, engineering, traffic, and landscaping. The application was also reviewed by the Seminole Improvement District (SID) professional engineering staff.

In terms of zoning, the proposed application was reviewed for compliance with the interim City's ULDC code; MUPD/EDC zoning standards as follows:

	REQUIRED BY CODE	PROPOSED	COMMENTS
Setbacks			
Front Yard	Main Structure: 25'	161.5'	In compliance
Rear Yard	Main Structure: 20'	53.5'	In compliance
Side Yard - North	Main Structure: 15'	109.8'	In compliance
Side Yard - South	Main Structure: 15'	55.9'	In compliance
Lot Coverage	Max Lot Coverage: 25%	11.6%	In compliance
Building Height	45 ft. max	20'	In compliance
Parking	One space per 250 square feet Required parking: 18 spaces	20 standard 1 Accessible Per ADA	In compliance
Sidewalks	Pedestrian walkways must be a minimum of 5 ft. wide	6'	In compliance

Site Design and Connectivity

The Site Plan proposes access into the site from a 30' access easement running east to west along the southern boundary of the property. This will provide access to the remainder of the undeveloped parcels outside of the Westlake TTD. It is intended that the parcels be interconnected through easements for greater mobility.

In addition, there will be a new, right in, right out access onto Seminole Pratt Whitney Road on the north end of the 7-Eleven property. This new access is halfway between the signalized intersection of Seminole Ridge High School and the signalized intersection at Saddle Bay Drive, which currently provides access to the Packing House on the east, and school bus drop off to the West.



Landscape Review

The proposed landscape was reviewed and find it in compliance with the City's Interim ULDC Code.

Drainage

All drainage and water management systems within the City of Westlake will be owned and operated by Seminole Improvement District (SID). It is proposed that 7-Eleven runoff be directed to on-site inlets and storm sewer and then connected to the Master Drainage System for water quality treatment and attenuation. Legal positive outfall is available via connection to the Master Drainage System which discharges to the S.I.D. canal system.

Traffic

The Palm Beach County Traffic Division has determined that the propose development meets the Traffic Performance Standard (TPS) of Palm Beach County (Article 12 of the Unified Land Development Code). Please see attached letter.

4. FINAL REMARKS

Application SPR-2019-01 <u>7-Eleven Site Plan</u> will be heard by the City Council on July 8, 2019. The subject application was advertised per the City's Interim ULDC code.

Since the purpose of the applicant is to install a 7-Eleven gas station, environmental agencies at the Palm Beach County (Department of Environmental Resources Management -DERM) and State Level (Department of Environmental Protection DEP) will conduct further reviews prior to the City issuing a building permit. These measures will prevent environmental impacts that could be originated as a result of the underground gas tanks.

The City's Planning and Zoning staff reviewed this application and find it in compliance with the City's Interim ULDC Code.

EXISTING SITE CONDITIONS









Department of Engineering and Public Works

P.O. Box 21229

West Palm Beach, FL 33416-1229

(561) 684-4000

FAX: (561) 684-4050

www.pbcgov.com

Palm Beach County Board of County Commissioners

Mack Bernard, Mayor

Dave Kerner, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Robert S. Weinroth

Mary Lou Berger

Melissa McKinlay

County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer" May 28, 2019

Adam B. Kerr, P.E. Kimley-Horn and Associates, Inc. 1920 Wekiva Way West Palm Beach, FL 33411

RE: 7-Eleven Westlake

Project #: 190304

Traffic Performance Standards Review

Dear Mr. Kerr:

The Palm Beach County Traffic Division has reviewed the **7-Eleven Westlake** Traffic Impact Statement, revised May 22, 2019, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality: City of Westlake

Location: East side of Seminole Pratt Whitney Road, about ½

miles north of Sycamore Drive (not part of Minto

West)

PCN: 77-40-43-12-00-000-1010

Access: One full and one right-in/right-out access driveway

connections onto Seminole Pratt Whitney Road

(As used in the study and is NOT an approval by the

County through this letter)

Existing Uses: Vacant

Proposed Uses: Gas Station = 16 FP

Convenience Store = 4,500 SF

Car Wash = 1 Lane

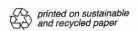
New Daily Trips: 1,655

New Peak Hour Trips: 117 (59/58) AM; 119 (60/59) PM

Build-out: December 31, 2021

Based on the review, the Traffic Division has determined that the proposed development <u>meets</u> the Traffic Performance Standards of Palm Beach County.

Please note the receipt of a Traffic Performance Standards (TPS) approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.





Adam B. Kerr, P.E. May 28, 2019 Page 2

No building permits are to be issued by the City after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email QBari@pbcgov.org.

Sincerely,

Quazi Bari, P.E.

Senior Professional Engineer

Guay Anna Enri

Traffic Division

QB:HA:jc

ec:

Suzanne Dombrowski, City Engineer, City of Westlake Hanane Akif, E.I., Project Coordinator II, Traffic Division Steve Bohovsky, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
F:\TRAFFIC\HA\MUNICIPALITIES\APPROVALS\2019\190304 - 7-ELEVEN WESTLAKE.DOCX

Fifth Order of Business

RESOLUTION 2019-16

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE REQUESTED USE OF A GAS STATION AND CONVENIENCE STORE WITHIN THE MULTIPLE USE PLANNED DEVELOPMENT/ECONOMIC DEVELOPMENT CENTER (MUPD/EDC), LOCATED AT 4670 SEMINOLE PRATT WHITNEY ROAD, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Interim Land Development Regulations provides procedures for the review and adoption of requested uses by the City Council; and

WHEREAS, the developer VRE Westlake, LLC, submitted an application for review and approval of a "requested use" for utilization of the site as a gas station with a convenience store, located at, 4670 Seminole Pratt Whitney Road, Westlake, Florida, 33470, legally described in the attached Exhibit "A"; and

WHEREAS, staff has reviewed and recommends approval of the requested use of the site for a gas station and a convenience store, as indicated in the proposed site plan, attached hereto as Exhibit "B", (site plan); and

WHEREAS, the proposed use is consistent with the City's Interim Land Development regulations, the proposed use is compatible with the surrounding uses and the project minimizes any adverse impacts related to the proposed uses as a gas station and a convenience store; and

WHEREAS, pursuant to law, notice has been given by publication in a paper of general circulation in Palm Beach County, notifying the public of this proposed resolution and of the public hearing; and

WHEREAS, the City Council for the City of Westlake finds that the adoption an implementation of this resolution is in the best interest and welfare of the residents of the City of Westlake.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1: Recitals: The above recitals are true and correct and are incorporated herein by this reference.

Section 2: Approval of Requested Use: The City Council for the City of Westlake hereby approves the requested use of a gas station and a convenience store, containing approximately two acres (1.89), located at 4670 Seminole Pratt Whitney Road, Westlake,

Florida, 33470, as described in the attached Exhibit "A", which is located in the City of Westlake, and in Palm Beach County, Florida.

Section 3. <u>Implementation:</u> The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of the Resolution.

Section 4: Effective Date: This resolution shall take effect immediately upon its adoption.

	PASSED AND APPROVED by City C	Council for the City of Westlake, on this day
of July	2019.	
		City of Westlake Roger Manning, Mayor
Sandr	a Demarco, City Clerk	
		Approved as to Form and Sufficiency Pam E. Booker, City Attorney

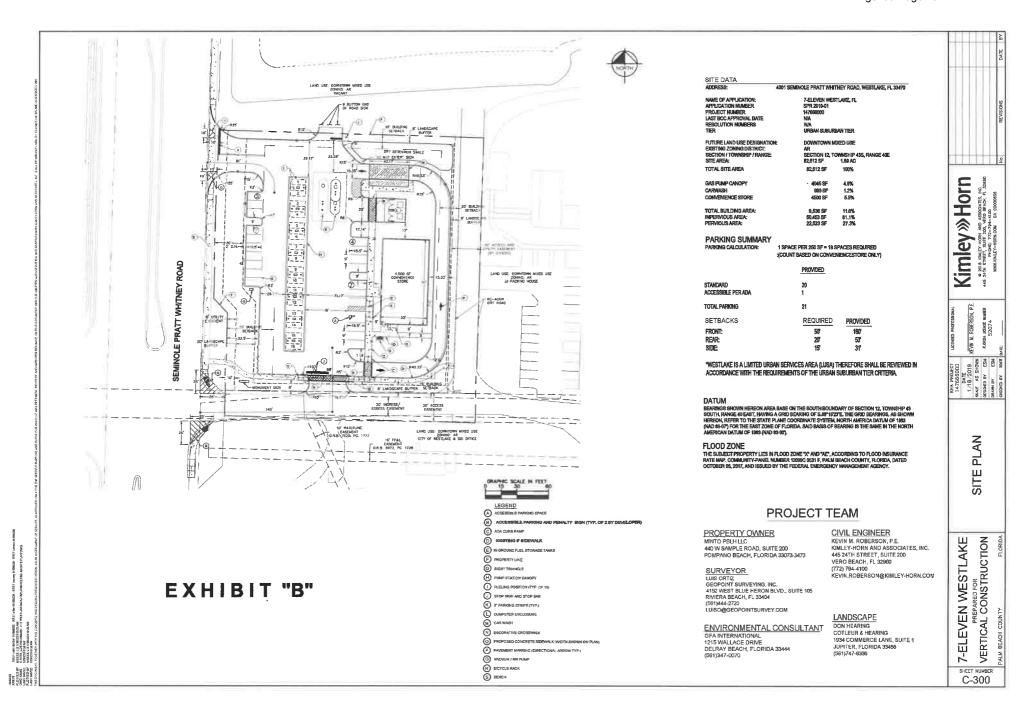
Exhibit 'A' Legal Description Westlake Gas Station

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST: THENCE S.88'15123'1E. ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 1763.62 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 1544, PAGE 378 AND ROAD PLAT BOOK 4, PAGE 34, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA: THENCE N.01°42'52"E. ALONG SAID EAST RIGHT-OF-WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD, A DISTANCE OF 3281.45 FEET TO THE SOUTHERNMOST POINT OF PARCEL 102. AN ADDITIONAL PUBLIC RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORD BOOK 28479, PAGE 822, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA: THENCE N.46°42'53"E., ALONG THE EAST RIGHT-OF-WAY LINE OF THE ADDITIONAL PUBLIC RIGHT-OF-WAY, A DISTANCE OF 35.36 FEET; THENCE N.01°42'52"E., ALONG SAID EAST RIGHT-OF-WAY LINE OF THE ADDITIONAL PUBLIC RIGHT-OF-WAY, A DISTANCE OF 53.27 FEET TO THE POINT OF BEGINNING: THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF THE ADDITIONAL PUBLIC RIGHT-OF-WAY FOR THE FOLLOWING THREE COURSES; (1) N.01°42'52"E., A DISTANCE OF 108.09 FEET: (2) N.43°17'08"W., A DISTANCE OF 21.21 FEET; (3) N.01°42'52"E., A DISTANCE OF 177.05 FEET; THENCE S.88°17¹08'¹E., A DISTANCE OF 280.00 FEET; THENCE 5.01'42¹52"W., A DISTANCE OF 300.14 FEET; THENCE N.88°17¹08"W., A DISTANCE OF 265.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 82,305 SQUARE FEET OR 1.890 ACRES, MORE OR LESS.



Sixth Order of Business

RESOLUTION 2019-15

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE SITE PLAN FOR 7-ELEVEN, A GAS STATION, CAR WASH AND CONVENIENCE STORE, LOCATED 4670 SEMINOLE PRATT WHITNEY ROAD, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Interim Land Development Regulations provides procedures for the review and adoption of site plans by the City Council; and

WHEREAS, the developer Minto PBLH, LLC, submitted an application for site plan review and approval for 7-Eleven, a gas station, car wash and convenience store, located at 4670 Seminole Pratt Whitney Road, Westlake, Florida, 33470, containing approximately 1.89 acres, legally described in the attached Exhibit "A", ("Gas Station"); and

WHEREAS, staff has reviewed and recommends approval of the proposed site plan provided in the attached Exhibit "B", (site plan); and

WHEREAS, the site plan is consistent with the previously approved conceptual site plan and all the requirements of the Unified Land Development Regulations; and

WHEREAS, pursuant to law, notice has been given by publication in a paper of general circulation in Palm Beach County, notifying the public of this proposed resolution and of the public hearing; and

WHEREAS, the City Council for the City of Westlake finds that the adoption an implementation of this resolution is in the best interest and welfare of the residents of the City of Westlake.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1: Recitals: The above recitals are true and correct and are incorporated herein by this reference.

Section 2: <u>Approval of Site Plan:</u> The City Council for the City of Westlake hereby approves the 7-Eleven, a gas station, car wash and convenience store containing approximately 1.89 acres, located at 4670 Seminole Pratt Whitney Road, Westlake, Florida, 33470, as described

Agenda Page 46

in the attached Exhibit "A", which is located in the City of Westlake, and in Palm Beach County,

Florida. The site plan approval is subject to the applicant meeting all of the conditions set

forth in the development approval, as attached hereto as Exhibit "C", which is incorporated

herein and made a part hereof.

Section 3. <u>Implementation:</u> The City Manager and the City Attorney are hereby

authorized to take such further action as may be necessary to implement the purpose and

provisions of the Resolution.

Section 4: Effective Date: This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this 8th day of July, 2019.

	City of Westlake	
	Roger Manning, Mayor	
Sandra Demarco, City Clerk		
	Approved as to Form and Sufficiency	

Pam E. Booker, City Attorney

Exhibit 'A' Legal Description 7-Eleven - a gas station, car wash and convenience store

Description:

A PARCEL OF LAND LYING IN SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.88'15123'1E. ALONG THE SOUTH LINE OF SAID SECTION 12. A DISTANCE OF 1763.62 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 1544, PAGE 378 AND ROAD PLAT BOOK 4, PAGE 34, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA: THENCE N.01°42'52"E. ALONG SAID EAST RIGHT-OF-WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD, A DISTANCE OF 3281.45 FEET TO THE SOUTHERNMOST POINT OF PARCEL 102. AN ADDITIONAL PUBLIC RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORD BOOK 28479, PAGE 822, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA: THENCE N.46°42'53"E., ALONG THE EAST RIGHT-OF-WAY LINE OF THE ADDITIONAL PUBLIC RIGHT-OF-WAY, A DISTANCE OF 35.36 FEET: THENCE N.01°42'52"E., ALONG SAID EAST RIGHT-OF-WAY LINE OF THE ADDITIONAL PUBLIC RIGHT-OF-WAY, A DISTANCE OF 53.27 FEET TO THE POINT OF BEGINNING; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF THE ADDITIONAL PUBLIC RIGHT-OF-WAY FOR THE FOLLOWING THREE COURSES; (1) N.01°42'52"E., A DISTANCE OF 108.09 FEET; (2) N.43°17'08"W., A DISTANCE OF 21.21 FEET; (3) N.01°42'52"E., A DISTANCE OF 177.05 FEET; THENCE S.88°17¹08'¹E., A DISTANCE OF 280.00 FEET; THENCE 5.01'42¹52"W., A DISTANCE OF 300.14 FEET; THENCE N.88°17¹08"W., A DISTANCE OF 265.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 82,305 SQUARE FEET OR 1.890 ACRES, MORE OR LESS.

SITE DATA

ADDRESS:

4001 SEMINOLE PRATT WHITNEY ROAD, WESTLAKE, FL 33470

7-ELEVEN WESTLAKE, FL NAME OF APPLICATION: APPLICATION NUMBER LAST BCC APPROVAL DATE RESOLUTION NUMBERS#

ÁMÜÓ CEÐÁUMÓ MÜÓ CEÐÁ Ó ÖÐÜ

DOWNTOWN MIXED USE FUTURE LAND USE DESIGNATION

EXISTING ZONING DISTRICT: SECTION / TOWNSHIP / RANGE

SECTION 12, TOWNSHIP 43S, RANGE 40E 82.512 SF 1.89 AC

SITE AREA:

82,512 SF//////////////F€€Ã **TOTAL SITE AREA**

ÕŒÙÁÚWT ÚÁÔŒÐUÚŸÁ ÔUÞXÒÞ**Ò**ÞÔÒÁÙVUÜÒÁ

VUVOŠÁÓUILDING AREA: **IMPERVIOUS AREA:** 5€IÍHSF 22,523 SF PERVIOUS AREA:

PARKING SUMMARY

1 SPACE PER 250 SF = 18 SPACES REQUIRED PARKING CALCULATION: ÇÔUWÞVÁÓŒÙÒÖÁJÞÁÔUÞXÒÞŒÞÔÒÙVUÜÒÁJÞŠŸD

PROVIDED STANDARD ACCESSIBLE PER ADA

REQUIRED SETBACKS FRONT: REAR: SIDE:

*WESTLAKE IS A LIMITED URBAN SERVICES AREA (LUSA) THEREFORE SHALL BE REVIEWED IN ACCORDANCE WITH THE REQUIREMENTS OF THE URBAN SUBURBAN TIER CRITERIA.

DATUM

TOTAL PARKING

BEARINGS SHOWN HEREON AREA BASE ON THE SOUTH BOUNDARY OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, HAVING A GRID BEARING OF S.88°15'23"E. THE GRID BEARINGS, AS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICA DATUM OF 1983 (NAD 83-07') FOR THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83-90').

FLOOD ZONE

THE SUBJECT PROPERTY LIES IN FLOOD ZONE "X" AND "AE", ACCORDING TO FLOOD INSURANCE RATE MAP. COMMUNITY-PANEL NUMBER 12099C 0531 F, PALM BEACH COUNTY, FLORIDA, DATED OCTOBER 05, 2017, AND ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

PROJECT TEAM

PROPERTY OWNER MINTO PBLH LLC

440 W SAMPLE ROAD, SUITE 200 POMPANO BEACH, FLORIDA 33073-3473

SURVEYOR LUIS ORTIZ GEOPOINT SURVEYING, INC. 4152 WEST BLUE HERON BLVD., SUITE 105 RIVIERA BEACH, FL 33404 (561)444-2720 LUISO@GEOPOINTSURVEY.COM

ENVIRONMENTAL CONSULTANT GFA INTERNATIONAL 1215 WALLACE DRIVE DELRAY BEACH, FLORIDA 33444 (561)347-0070

CIVIL ENGINEER KEVIN M. ROBERSON, P.E. KIMLEY-HORN AND ASSOCIATES, INC. 445 24TH STREET, SUITE 200 VERO BEACH, FL 32960 (772) 794-4100

KEVIN.ROBERSON@KIMLEY-HORN.COM

LANDSCAPE DON HEARING

COTLEUR & HEARING 1934 COMMERCE LANE, SUITE 1 JUPITER, FLORIDA 33458 (561)747-6336

C-300

SHEET NUMBER

NOL