

RESOLUTION 2020-24

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE SITE PLAN FOR 7-ELEVEN 2.0 WHICH INCLUDES A GAS STATION, CAR WASH AND CONVENIENCE STORE, THE AMENDMENT INCLUDES A 4500 SQUARE FOOT TACO FOOD SERVICE, LOCATED AT 4965 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 VRE Westlake 2.0, LLC, previously submitted a site plan for 7-Eleven 2.0, a gas station, car wash and convenience store, located at 4965 Seminole Pratt Whitney Road, Westlake, Florida, 33470, that was approved by the City Council on October 28, 2019, (Resolution 2019-34); and

WHEREAS, the developer VRE Westlake 2.0, LLC, has submitted an application for an amended site plan review and approval for 7-Eleven 2.0, to include a 4500 square foot taco food takeout service within the previously approved convenience store which requires a larger dumpster, changes to the sidewalk and interior changes for a grease waste tank, located at 4965 Seminole Pratt Whitney Road, Westlake, Florida, 33470, containing approximately 2.477 acres, legally described in the attached Exhibit "A", ("Gas Station"); and

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

WHEREAS, the Amended Site Plan is consistent with the previously approved conceptual site plan and all the requirements of the City's Interim Land Development Regulations and adopted 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 and 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 Site Plan: The City Council for the City of Westlake hereby approves the Amended Site Plan for 7-Eleven 2.0, which contains approximately 2.477 acres, located at 4965 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. The Amended Site Plan shall include the 4500 square foot taco food takeout service in addition to the previously approved site plan details.


Section 3. Conditions of Approval: The Amended 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 4. Implementation: 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 5: Effective Date: This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this 10th day of August, 2020.

PUBLISHED on this 30th day of July, 2020 in the Palm Beach Post.



City of Westlake
Roger Manning, Mayor



Zoie Burgess, City Clerk



Approved as to Form and Sufficiency
Pam E. Booker, City Attorney

EXHIBIT 'A'
Legal Description
7-Eleven 2.0

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

COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.00°59'07"W., ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 349.11 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF M-CANAL, A 250 FOOT WIDE CITY OF WEST PALM BEACH RIGHT-OF-WAY, DESCRIBED IN DEED BOOK 1156, PAGE 58, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE S.87°46'28"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY OF M-CANAL, AS FOUND MONUMENTED, A DISTANCE OF 370.84 FEET; THENCE N.88°36'57"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY OF M-CANAL, AS FOUND MONUMENTED, A DISTANCE OF 1,406.04 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD, A 100 FOOT WIDE RIGHT-OF-WAY, DESCRIBED IN OFFICIAL RECORD BOOK 1544, PAGE 378, AND ROAD PLAT BOOK 4, PAGE 34, BOTH OF SAID PUBLIC RECORDS; THENCE S.01°42'52"W., ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 3,416.52 FEET TO THE NORTHERLY MOST CORNER OF ADDITIONAL RIGHT-OF-WAY FOR SEMINOLE-PRATT WHITNEY ROAD, DESCRIBED IN OFFICIAL RECORD BOOK 10289, PAGE 488, OF SAID PUBLIC RECORDS; THENCE ALONG THE WEST LINE OF SAID ADDITIONAL RIGHT-OF-WAY OF SEMINOLE-PRATT WHITNEY ROAD FOR THE FOLLOWING THREE (3) COURSES: 1) S.02°59'15"W., A DISTANCE OF 540.13 FEET; 2) THENCE S.01°42'52"W., A DISTANCE OF 280.00 FEET; 3) THENCE S.00°26'29"W., A DISTANCE OF 193.91 FEET; THENCE N.89°33'31"W., A DISTANCE OF 62.32 FEET TO A POINT ON THE WEST LINE OF PARCEL 101, AN EXISTING RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 28479, PAGE 822, OF SAID PUBLIC RECORDS AND THE **POINT OF BEGINNING**; THENCE ALONG THE WEST LINE OF SAID PARCEL 101 FOR THE FOLLOWING TWO (2) COURSES: 1) S.43°17'06"E., A DISTANCE OF 56.57 FEET; 2) S.01°42'52"W., A DISTANCE OF 242.50 FEET; THENCE N.88°17'15"W., A DISTANCE OF 384.78 FEET; THENCE N.01°42'45"E., A DISTANCE OF 282.50 FEET; THENCE S.88°17'17"E., A DISTANCE OF 292.79 FEET; THENCE S.88°17'04"E., A DISTANCE OF 52.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 107,901.51 SQUARE FEET OR 2.477 ACRES MORE OR LESS.

PROJECT TEAM

PROPERTY OWNER
MINTO PRL LLC
463 SHARPE ROAD, SUITE 200
COCONUT CREEK, FLORIDA 33073
PHONE: 954-747-3449

SITE PLANNER
COTLEUR & HEARING
1834 COMMERCIAL LANE, SUITE 1
JUPITER, FLORIDA 33408
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GEOPOINT SURVEYING P.C.
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PHONE: 561-286-0811
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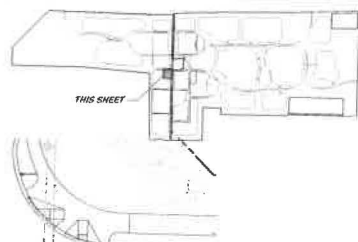
ENVIRONMENTAL CONSULTANT
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1900 SE MONTEREY COMMONS BLVD, SUITE 200
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PHONE: 772-461-4771
MOBILE: 772-461-7708

CIVIL ENGINEER
SAMMONS & WHITE
840 CORPORATE WAY, SUITE 300
WEST PALM BEACH, FLORIDA 33407
PHONE: 561-976-7548
FAX: 561-478-8118

LEGEND

- SID: SEMINOLE IMPROVEMENT DISTRICT
- ROW: RIGHT OF WAY
- AC: ACRES
- UE: UTILITY EASEMENT
- DE: DRAINAGE EASEMENT
- LAE: LIMITED ACCESS EASEMENT
- TTD: TRADITIONAL TOWN DEVELOPMENT
- ESMT: EASEMENT
- CL: CENTER LINE
- SW: SIDEWALK
- FRG: PALM BEACH COUNTY
- LME: LAKE MAINTENANCE EASEMENT
- WMT: WATER MANAGEMENT TRACT

KEY MAP



LOCATION MAP



SITE DATA

NAME OF APPLICATION: WESTLAKE - 7-ELEVEN 2.0
 APPLICATION NUMBER: SP-2020-07
 PROJECT NUMBER: CH 18-0703
 LAST REC APPROVAL DATE: 10/20/2014
 LAST CITY OF WL APPROVAL DATE: 04/09/2020 (MFA 2020-01)
 RESOLUTION NUMBERS: TDR-2014-196, R-2014-1947, R-2014-1948, ORDINANCE 2014-020
 FUTURE LAND USE DESIGNATION: COMMUNITY MIXED USE
 EXISTING ZONING DISTRICT: MIXED USE
 SECTION/TOWNSHIP/RANGE: 1 43 40
 PROPERTY CONTROL NUMBER(S): 77-40-43-12-00-000-1010
 EXISTING USE: VACANT AGRICULTURE/UTILITY
 APPROVED USE: GASOLINE FILLING STATION AND CONVENIENCE STORE
 PROPOSED USE: GASOLINE FILLING STATION AND CONVENIENCE STORE

SUBDIVISION PLAN ACREAGE BREAKDOWN

| POD ACREAGE | SF | AC |
|-----------------------|-----------|--------|
| AFFECTED AREA (LOT 1) | 2,513,897 | 50.628 |
| TOTAL | 107,803 | 2.477 |

BUILDING DATA

| BUILDING DATA | SF |
|---------------------|-------|
| GAS PUMP CANOPY | 3,840 |
| CANVASE | 902 |
| CONVENIENCE STORE | 4,500 |
| TOTAL BUILDING DATA | 9,242 |

PARKING DATA

| TYPE | REQ | PROV |
|--|-----|------|
| VEHICULAR INCLUDED IN TOTAL SPACES FOR CONVENIENCE STORE | 18 | 26 |
| TEMP. PARKING (NOT INCLUDED IN TOTAL) | 1 | 1 |
| BIKE PARKING (1 PER 20 REG. PARKING SPACES) | 1 | 1 |

FLOOR AREA RATIO

| FLOOR AREA RATIO | 0.08 |
|------------------|------|
|------------------|------|

AREA CALCULATIONS

| TYPE | SF | AC | % |
|-----------------------|---------|------|------|
| BUILDING FT. COVERAGE | 9,242 | 0.21 | 8% |
| VEHICULAR USE AREA | 47,390 | 1.08 | 44% |
| BIDWALKS & PLAZAS | 5,987 | 0.12 | 5% |
| OPEN SPACE | 44,413 | 1.02 | 41% |
| TOTAL | 107,803 | 2.48 | 100% |

SETBACKS

| TYPE | FEET |
|--------------|------|
| FRONT (EAST) | 309 |
| REAR (WEST) | 30 |
| SIDE (NORTH) | 100 |
| SIDE (SOUTH) | 87 |

NOTE: SITE PLAN BASED ON SURVEY PROPOSED BY GEOPOINT SURVEYING, INC. SIGNED AND SEALED BY GARY BAGAARD ON 08-19-19

PROPERTY SITE PLAN

DRO AMENDMENTS

ZONING STAMP



Cotleur & Hearing

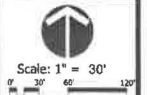
Landscape Architects
Land Planners
Environmental Consultants
1934 Commerce Lane
Suite 1
Jupiter, Florida 33458
561-747-8338 • Fax: 747-1377
www.cotleurandhearing.com
Lic# LC-C000239

MINTO WESTLAKE
7-ELEVEN 2.0

SITE PLAN

City of Westlake, Florida

| | |
|------------|----------|
| DESIGNED | DEH |
| DRAWN | MCR |
| APPROVED | DEH |
| JOB NUMBER | 18-0703 |
| DATE | 08-23-19 |
| REVISIONS | 05-11-19 |
| | 05-30-19 |
| | 03-20-20 |
| | 06-15-20 |
| | 07-05-20 |



July 10, 2020 10:55:56 a.m.
Drawing: 19-0101-01.dwg

SHEET SP1 of 2

COTLEUR & HEARING, INC.
1834 COMMERCIAL LANE, SUITE 1
JUPITER, FLORIDA 33408
561-747-8338 • FAX: 747-1377
WWW.COTLEURANDHEARING.COM
LIC# LC-C000239

PROJECT TEAM

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449 SAMPLE ROAD, SUITE 200
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SITE PLANNER
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FAX: 561-745-1337

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FAX: 813-248-8888

TRAFFIC ENGINEER
PROFFER TRULIUM CONSULTING, INC.
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WEST PALM BEACH, FLORIDA
PHONE: 561-238-8888
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ENVIRONMENTAL CONSULTANT
EVI CONSULTANTS, INC.
1948 S.W. MONTEREY COMMONS BLVD, SUITE 205
STUART, FLORIDA 34995
PHONE: 772-381-8711
PHONE: 772-381-8718

CIVIL ENGINEER
SIMMONS & WHITE
5951 CORPORATE WAY, SUITE 200
WEST PALM BEACH, FLORIDA 33407
PHONE: 561-276-7349
FAX: 561-276-7328

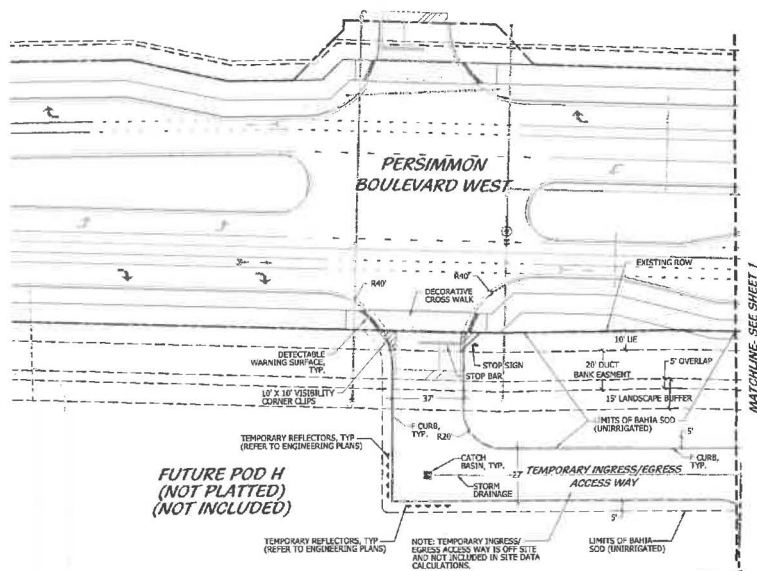
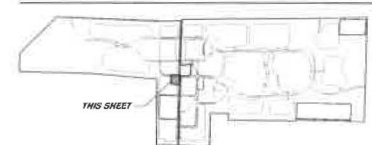
LEGEND

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LOCATION MAP



KEY MAP



TEMPORARY INGRESS/EGRESS ACCESS SITE PLAN

DRO AMENDMENTS

ZONING STAMP

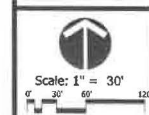
Blank area for DRO amendments.

Blank area for zoning stamp.

Cotleur & Hearing
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Lic# LC-C000239

**MINTO WESTLAKE
7-ELEVEN 2.0
SITE PLAN**
City of Westlake, Florida

| | |
|------------|----------|
| DESIGNED | DEH |
| DRAWN | MCE |
| APPROVED | DEH |
| JOB NUMBER | 18-0703 |
| DATE | 08-23-19 |
| REVISIONS | 09-11-19 |
| | 09-20-19 |
| | 09-20-20 |
| | 08-15-20 |
| | 07-13-20 |



June 13, 2005 10:00:00 a.m.
Drawing: 19-0703 SP2.dwg

SHEET **SP2** of 1
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City of Westlake
Planning and Zoning Department
Staff Report – 8/10/2020

PETITION DESCRIPTION

PETITION NUMBER: SPR-2020-07 7-Eleven 2.0 Site Plan Review Amendment

APPLICANT: Cotleur & Hearing

OWNER: Minto PBLH, LLC

REQUEST: The applicant is requesting an amendment to the previously approved site plan for a 4,500 square foot 7-Eleven to include a taco food takeout service and modifications to the dumpster, sidewalk and landscaping.

LOCATION: 4965 Seminole Pratt Whitney Road

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

LOCATION MAP



1. PETITION FACTS

- a. **Total Site Acres:** 2.477 acres
- b. **Subject Application:** 4,500 sq. ft. convenience store, a 16-position fueling station, a car wash, taco food takeout service and modifications to the dumpster, sidewalk and landscaping.
- c. **Future Land Use:** Downtown Mixed Use
- d. **Zoning:** Mixed Use

| | FUTURE LAND USE | ZONING |
|-------------------------|--------------------|-----------|
| SUBJECT PROPERTY | Downtown Mixed Use | Mixed Use |
| NORTH | Downtown Mixed Use | Mixed Use |
| SOUTH | Downtown Mixed Use | Mixed Use |
| EAST | Downtown Mixed Use | Mixed Use |
| WEST | Downtown Mixed Use | Mixed Use |

2. BACKGROUND

In 2019, the City of Westlake received an application to develop a second 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, west of Seminole Pratt Whitney Road, and south of Persimmon Boulevard West. The entrance to the proposed 7-Eleven 2.0 will be from Persimmon Boulevard West.

The subject application was reviewed by the City of Westlake staff (Planning and Zoning, Landscaping and Engineering), Palm Beach County Fire Rescue and the Seminole Improvement District (SID). The City Council approved the subject application on October 28, 2019.

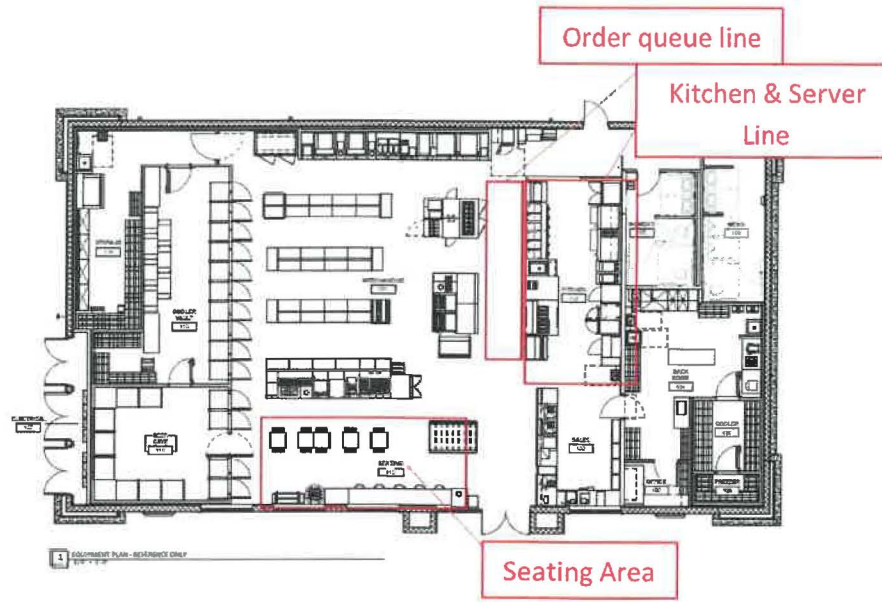
3. SITE PLAN REVIEW

The applicant is requesting an amendment to the previously approved site plan for 7-Eleven 2.0. The footprint of the 4,500 square foot convenience store building is not modified. However, the subject application includes the following modifications:

- 1. **Addition of a Taco Food Take Out Service.** The proposed accessor/ancillary use is about ten percent (10%) of the store operations. Per the applicant statement, *“the food services is less than 450 square feet. Some of this space is integrated/shared with the convenience store uses”*. Neither indoor or outdoor alcohol consumption is proposed.
- 2. **Enlargement to Dumpster** to accommodate the food service and to include space for a grease waste tank.
- 3. **Changes to the landscaping and sidewalk** network around the building to facilitate the food service operation. The landscape plan has been modified to reflect the changes in the site plan and related hardscape.



Graphic provided by applicant



The amended site plan application was reviewed for compliance with the City Code; Mixed Use zoning standards as follows:

| | REQUIRED BY CODE | PROPOSED | COMMENTS |
|-------------------|--|---------------------------------|---------------|
| Setbacks | | | |
| Front Yard | Main Structure: 20' | 305' | In compliance |
| Rear Yard | Main Structure: 10' | 30' | In compliance |
| Side Yard - North | Main Structure: 10' | 105' | In compliance |
| Side Yard - South | Main Structure: 10' | 87' | In compliance |
| Lot Coverage | Max Lot Coverage: 45% | 8% | In compliance |
| Building Height | 120 ft. max | 23' | In compliance |
| Parking | One space per 250 square feet Required parking: 18 spaces | 27 standard 1 ADA Accessible | In compliance |
| Sidewalks | Pedestrian walkways must be a minimum of 5 ft. wide | 5' and 8' wide | In compliance |
| Pervious | 25% Minimum | 41% | In compliance |

Architecture

The architectural elevations remain consistent with the previous approval, with the exception of relocating the egress doors, adding a double door to the electrical room and an adjustment to the dumpster enclosure footprint to include space for a grease waste tank. Previously approved building colors and materials remain unchanged.

Landscape Standards

The Site Plan has substantial green space in the interior of the site and along the perimeter of the subject parcel. The landscape has been designed to be Westlake centric. The 7-Eleven parcel is part of the Westlake rural parkway and includes the existing rural parking buffer that is already installed. The foundation planting and visual aesthetic have been thoughtfully designed to complement the more modern design of the building. The landscape plan has been modified to reflect the changes in the site plan and related hardscape.

Drainage

It is proposed that runoff be directed to on-site inlets and storm sewer with discharge to a temporary dry detention area for ½” dry pre-treatment. The stormwater then discharges to a temporary retention area within Pod H. Easements have been executed between the property owners for this temporary drainage. This temporary retention area discharges to an existing SID canal to the west of the site. Legal positive outfall is available via the SID canal with connection to the Master Drainage System. When Pod H is developed further the temporary retention area will be removed and the stormwater from this site will be incorporated into the master system for Pod H.

Fire Safety

The initial site plan application that was approved by the City Council October 28, 2019 was reviewed by Mr. Pedro Segovia from Palm Beach County. The current site plan amendment is not proposing modifications that will affect the site plan in terms of Fire Safety.

4. FINAL REMARKS

Application SPR-2020-07 will be heard by the City Council on August 10, 2020. The subject application was advertised on the Palm Beach Post.

As stated previously, the subject application was reviewed by the City of Westlake staff (Planning and Zoning, Landscaping and Engineering) and the Seminole Improvement District (SID).

Planning and Zoning Department recommends approval of SPR-2020-07. The reviewers find the application in compliance with applicable codes and requirements. Based on the subject review, see enclosed conditions of approval from the Engineering Department.



CITY OF WESTLAKE
Engineering Department
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: (561) 530-5880
www.westlakegov.com

-
1. **DATE:** 7/23/2020
2. **APPLICATION NUMBER:** SPR-2020-07
3. **DESCRIPTION:** 7-Eleven Gas Station 2.0 Site Plan Amendment
- APPLICANT:** Cotleur & Hearing
- OWNER:** VRE Westlake 2.0 LLC
- REQUEST:** Site Plan Approval
- LOCATION:** Seminole Pratt Whitney Rd. & Persimmon Blvd. W
4. **STAFF REVIEW:** **RECOMMENDED APPROVAL**

The Engineering Department recommends approval of the site plan with the following conditions, which can be addressed within the land development permit modification:

1. This amendment is to add commercial food preparation to the proposed structure. Commercial food preparation will most likely require a grease trap between the structure and wastewater pump station. Confirm if grease trap is required and if so, where it will be located on the site.
2. Connect car washing plumbing to sanitary sewer system. Per FDEP NPDES program no plumbing connection shall be allowed to enter stormwater system.
3. The application number within the site data table still reads "SP-2019-02". Please revise to state this site plan amendment review application number, "SPR-2020-07".
4. Within the site data table, the area calculations for the sidewalks and plazas remains the same as the original site plan application. However, there have been changes to the sidewalks and general hardscape. Please ensure that the area calculations are correct.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

Suzanne Dombrowski, P.E.
Chen Moore and Associates
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Email: sdombrowski@chenmoore.com