

RESOLUTION 2020-23

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE SITE PLAN FOR 7-ELEVEN 1.0, WHICH INCLUDES A GAS STATION, CAR WASH AND CONVENIENCE STORE, THE AMENDMENT INCLUDES A TACO FOOD SERVICE WITH OUTSIDE DINING AREA, AN UPDATE TO THE BUILDING FAÇADE, AND OTHER SITE PLAN MODIFICATIONS 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 site plans by the City Council; and

WHEREAS, the developer Westlake Fueling, LLC, previously submitted a site plan for 7-Eleven 1.0, a gas station, car wash and convenience store, located at 4670 Seminole Pratt Whitney Road, Westlake, Florida, 33470, that was approved by the City Council on June 8, 2019, (Resolution 2019-15); and

WHEREAS, the developer Westlake Fueling, LLC, has submitted an application for an amended site plan review and approval for 7-Eleven 1.0, to include a taco food service within the previously approved convenience store facility, to expand the outdoor dumpster area, and to provide a modern building façade, including landscape modifications. The property is 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 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 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 Site Plan: The City Council for the City of Westlake hereby approves the Amended Site Plan for 7-Eleven 1.0, which contains approximately 1.89 acres, 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.

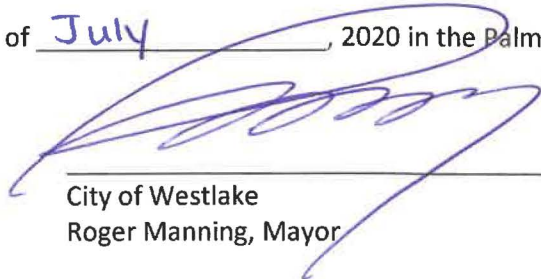
Section 3: The Amended Site Plan approval is subject to the applicant meeting all of the conditions set forth in the development approval, as attached hereto as Exhibit "C", which is incorporated herein and made a part hereof. The site plan attached is not subject to conditions.

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



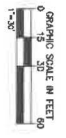
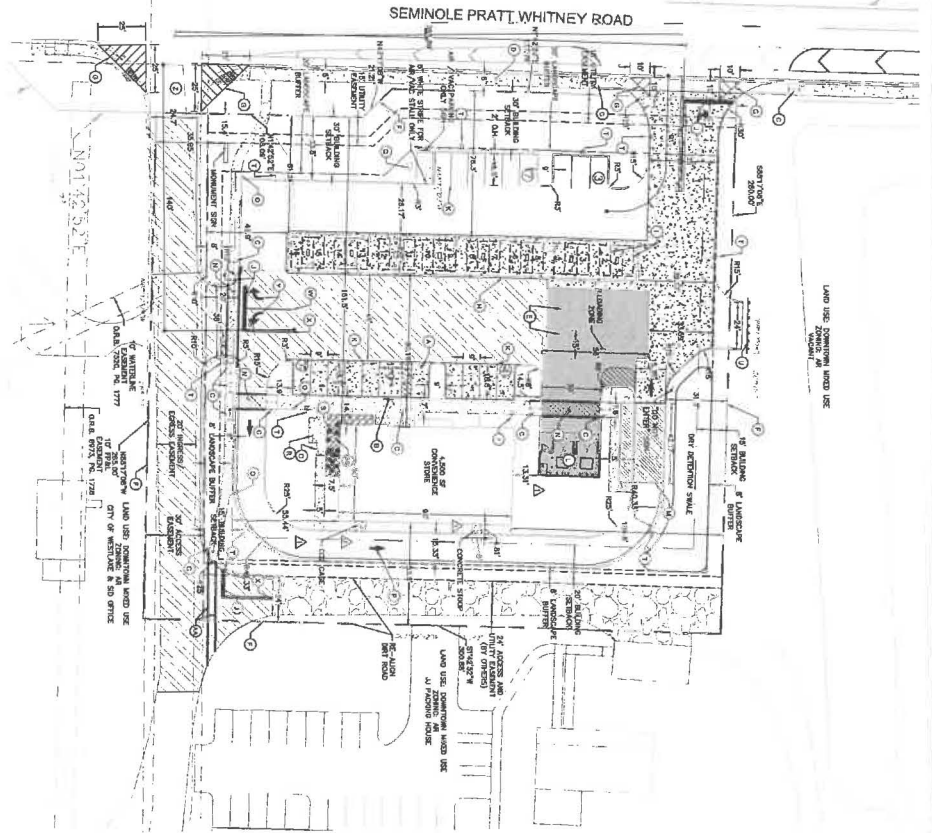
Approved as to Form and Sufficiency
Pam E. Booker, City Attorney

Exhibit 'A'
Legal Description
7-Eleven 1.0

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°15'12.3"E. 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°17'08"E., A DISTANCE OF 280.00 FEET; THENCE 5.01'42'52"W., A DISTANCE OF 300.14 FEET; THENCE N.88°17'08"W., A DISTANCE OF 265.00 FEET TO THE POINT OF BEGINNING.

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



- LEGEND**
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SITE DATA
 7-ELEVEN WESTLAKE
 147666000
 DATE: 05/05/2019
 SCALE: AS SHOWN
 DESIGNED BY: ESM
 DRAWN BY: ESM
 CHECKED BY: KMR

PROJ. DATA
 7-ELEVEN WESTLAKE
 147666000
 DATE: 05/05/2019
 SCALE: AS SHOWN
 DESIGNED BY: ESM
 DRAWN BY: ESM
 CHECKED BY: KMR

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 SCALE: AS SHOWN
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 DRAWN BY: ESM
 CHECKED BY: KMR

7-ELEVEN WESTLAKE
 PREPARED FOR
VERDAD REAL ESTATE & CONSTRUCTION SERVICES
 PALM BEACH COUNTY FLORIDA

SITE PLAN

KHA PROJECT
 147666000
 DATE
 05/05/2019
 SCALE
 AS SHOWN
 DESIGNED BY
 ESM
 DRAWN BY
 ESM
 CHECKED BY
 KMR



Kimley-Horn
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 445 24TH STREET, SUITE 200, VERO BEACH, FL 32960
 PHONE: 772-794-4100
 WWW.KIMLEY-HORN.COM CA 00000696

NO.	REVISIONS	DATE	BY
1	REVISION #2 - PER SITE PLAN COMMENTS	07/26/2019	AND
2	REVISION #2 - PER OWNER CHANGES	06/26/2019	AND

Exhibit "C"
Conditions of Approval for 7-11 Site Plan
Located at 4670 Seminole Pratt Whitney Road

Planning & Zoning Conditions:

1. The Planning and Zoning Department recommendation does not include recommendations for approval for Monument Sign, and Wall Signs since they will be reviewed and approved as part of a Master Sign Plan.
2. Applicant is required to apply for a Master Sign Plan that will be heard and approved by the City Council. The Master Sign Plan will include all proposed signs including monument sign, wall signs, window signs and other type of signs.

Engineering Conditions: The Site Power Plan and Photometrics Plan are not consistent with site plan and light poles may be in conflict with other site elements. However, power and photometrics plan appear to be code compliant. Engineering Department recommends approval with the condition that the power and photometrics plan be revised to eliminate site conflict and while remaining compliant with the code requirements.



City of Westlake
Planning and Zoning Department
Staff Report – 8/10/2020

PETITION DESCRIPTION

PETITION NUMBER: SPR-2020-06 7-Eleven 1.0 Site Plan Review Modification

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 an update to the building façade, a covered patio for outside dining, a taco food service and modifications to the dumpster and landscaping.

LOCATION: 4670 Seminole Pratt Whitney Road

PCN: 77-40-43-12-06-00-10-000

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, a car wash, a covered patio for outside dining, a taco food service and modifications to the dumpster 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 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 West of the Packing House, on the East side of Seminole Pratt Whitney Road and across from the Seminole Ridge High School (South of Pod K).

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 June 17, 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 Service.** The proposed accessor/ancillary use is about ten percent (10%) of the store operations. Neither indoor or outdoor alcohol consumption is proposed.
- 2. **Addition of an Outside Covered Dining Area** on the west and south side to accommodate tables and chairs for dining (210 sq. ft.).
- 3. **Expanded Dumpster** by six (6) feet to include a grease trap.
- 4. **Minor Changes to Landscape** to reflect the building’s new proposed elevation.
- 5. **Updates to the Building Façade.** Applicant proposes revision to color and materials as shown on attached application.



Proposed Outside Covered Dining Area

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'	161.5'	In compliance
Rear Yard	Main Structure: 10'	53.5'	In compliance
Side Yard - North	Main Structure: 10'	109.8'	In compliance
Side Yard - South	Main Structure: 10'	55.9'	In compliance
Lot Coverage	Max Lot Coverage: 45%	11.6%	In compliance
Building Height	120 ft max	20'	In compliance
Parking	One space per 250 square feet Required parking: 18 spaces	20 standard 1 ADA Accessible	In compliance
Sidewalks	Pedestrian walkways must be a minimum of 5 ft. wide	6'	In compliance
Pervious	25% Minimum	26.9%	In compliance

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 not part of the Westlake rural parkway, but the design is similar in palette and consistent in flowing design. The foundation planting and visual aesthetic have been thoughtfully designed due to its location in front of the City of Westlake Council Chambers. With this propose amendment the site's landscape plan has been amended to accommodate the enlarged outdoor dumpster area. There have been no changes to the perimeter buffers. The only changes occurred along the building foundation, to conform more consistently with the building's new proposed elevation.

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.

Fire Safety

The initial site plan application that was approved by the City Council on June 17, 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-2020-06 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).

Engineering Department recommends approval of SPR-2020-06 with the following condition:

- 1. The Site Power Plan and Photometrics Plan are not consistent with site plan and light poles may be in conflict with other site elements. However, power and photometrics plan appear to be code compliant. Engineering Department recommends approval with the condition that the power and photometrics plan be revised to eliminate site conflict and while remaining compliant with the code requirements.**

Planning and Zoning Department recommends approval of SPR-2020-06 with the following condition:

- 2. Applicant is required to apply for a Master Sign Plan that will be heard and approved by the City Council. The Master Sign Plan will include all proposed signs including monument sign, wall signs, window signs and other type of signs.**

The Planning and Zoning Department recommendation does NOT include recommendation for approval for Monument Sign, and Wall Signs since they will be reviewed and approved as part of a Master Sign Plan.

The July 27, 2020, 711-1.0 Site Plan Modification resubmittal package included a number of changes to previously approved signs and NEW signs that can not be reviewed based on straight code. The proposed signs requires a Master Sign Plan application that will be heard and approved by the City Council.



CITY OF WESTLAKE

Engineering Department

4001 Seminole Pratt Whitney Road

Westlake, Florida 33470

Phone: (561) 530-5880

www.westlakegov.com

-
1. **DATE:** 8/3/2020
2. **APPLICATION NUMBER:** SPR-2020-06
3. **DESCRIPTION:** 7-Eleven Gas Station 1.0 Site Plan Amendment
- APPLICANT:** Cotleur & Hearing
- OWNER:** Westlake Fueling, LLC
- REQUEST:** Site Plan Approval
- LOCATION:** 4670 Seminole Pratt Whitney Rd., Westlake, FL
4. **STAFF REVIEW:** **RECOMMENDED APPROVAL- revised**

The Engineering Department has the following comments:

The Site Power Plan and Photometrics Plan are not consistent with site plan and light poles may be in conflict with other site elements. However, power and photometrics plan appear to be code compliant. Engineering Department recommends approval with the condition that the power and photometrics plan be revised to eliminate site conflict and while remaining compliant with the code requirements.

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

A handwritten signature in blue ink, appearing to read "S. Dombrowski".

Suzanne Dombrowski, P.E.
Chen Moore and Associates
Tel: 561.746.6900 x 1035
Email: sdombrowski@chenmoore.com