

**Village of Royal Palm Beach  
Village Council  
Agenda Item Summary**

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER APPLICATION 22-29 (SPM, SE, AAR) AN APPLICATION BY DUNAY, MISKEY AND BACKMAN, LLP ON BEHALF OF BISCAYNE FRIENDLY, LLC. THE APPLICANT IS REQUESTING SITE PLAN AND ARCHITECTURAL APPROVAL TO DEVELOP A 7,822 SQUARE FOOT STANDALONE ENCLOSED CAR WASH FACILITY, AND SPECIAL EXCEPTION APPROVAL TO ALLOW FOR A “CAR WASH, SELF-SERVICE OR OTHER” IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT, FOR A PROPERTY LOCATED AT 1001 N. STATE ROAD 7.**

**ISSUE:**

The applicant is seeking a Site Plan Modification, Special Exception Use (Car wash, self-service or other), and Architectural approval for a 1.724 acre site located at 1001 N. State Road 7 and situated within the Regal Center Planned Commercial Development (PCD). The intent of the petition is to develop the site as a 7,822 square foot car wash facility. The site is zoned General Commercial (GC) and a car wash is listed as a Special Exception Use in the General Commercial (CG) Zoning District at Sec 26-89 (3). The Applicant is also requesting architectural approval for the buildings, signage, and Landscape Plan.

Overall, the proposed site plan is in conformance with the Village’s requirements for the General Commercial (CG) Zoning District.

The Planning and Zoning Commission considered the Application on August 23, 2022, and recommended Approval by a vote of 5–0.

**Recommended Action:**

Staff recommends Approval of Application 22-29 (SPM, SE, AAR) and Resolution 22-22.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	9-15-2022	Action

## Village of Royal Palm Beach - Staff Report

### I. General Data:

Project Name: Dirty Dogs Car Wash

Application: 22-29 (SPM, SE, AAR) (Res. 22-22)

Owner: Biscayne Friendly, LLC  
2901 Clint Moore Road, Suite 2  
Boca Raton, FL 33496

Applicant: Dunay, Miskel and Backman, LLP  
14 SE 4<sup>th</sup> Street, Suite 36  
Boca Raton, FL 33432

Request: Site Plan Modification, Special Exception Use, and Architectural approval for a 7,822 square foot "Car wash, self-service or other" located at 1001 N. State Road 7.

Recommendation: Approval

Hearings: Planning & Zoning Commission  
Village Council

August 23, 2022  
September 15, 2022

### II. Site Data:

Site Area: 1.724 acres

Property Control Numbers: 72-41-43-25-18-001-0000

Existing Land Use: Restaurant

Proposed Land Use: "Car wash, self-service or other"

Existing FLUM Designation: Commercial (COM)

Existing Zoning District: Neighborhood Commercial (CN)

**Table 1: Adjacent Existing, Future Land Uses, and Zoning**

Dir.	Existing:	FLUM:	Zoning:
North	Regal Center	Commercial (COM)	General Commercial (CG)
South	Business Parkway	Industrial (IND)	Industrial General (IG)
East	The Breakers	Residential	Residential
West	Regal Center	Commercial (COM)	General Commercial (CG)
West	Victoria Groves	Residential Mixed Use (RMU)	Residential Mixed Use (RMU)

Directly below is an illustration showing the location of the site:



### **III. Intent of Petition:**

The applicant is seeking a Site Plan Modification, Special Exception Use (Car wash, self-service or other), and Architectural approval for a 1.724 acres site located at 1001 N. State Road 7 and situated within the Regal Center Planned Commercial Development (PCD). The intent of the petition is to develop the site as a 7,822 square foot car wash facility. The site is zoned General Commercial (GC) and a car wash is listed as a Special Exception Use in the General Commercial (CG) Zoning District at Sec 26-89 (3). The Applicant is also requesting architectural approval for the buildings, signage, and Landscape Plan.

### **IV. History:**

The subject property is part of a larger Planned Commercial Development and originally received Site Plan approval for a 5,000 square foot restaurant through the adoption of Resolution 98-51 on November 5, 1998.

### **V. Analysis:**

The applicant is seeking a Site Plan Modification, Special Exception Use (Car wash, self-service or other), and Architectural approval for a 1.724 acres site located at 1001 N. State Road 7 and situated within the Regal Center Planned Commercial Development (PCD). The

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intent of the petition is to develop the site as a 7,822 square foot car wash facility. The site is zoned General Commercial (GC) and a car wash is listed as a Special Exception Use in the General Commercial (CG) Zoning District at Sec 26-89 (3). The Applicant is also requesting architectural approval for the buildings, signage, and Landscape Plan.

In reviewing this petition, Village Staff considered conformity with the Village of Royal Palm Beach's Zoning Code pertaining to the General Commercial (CG) Zoning District. Specifically, the proposed project meets the requirements for the Multifamily Residential (RM-9) Zoning District as follows:

- |    |                          |  |
|----|--------------------------|--|
| 1. | Parcel Size:             | The 75,097 square foot site meets the minimum parcel size requirements of 40,000 square feet for the General Commercial (CG) Zoning District.                                    |
| 2. | Parcel width:            | The total site has a frontage of 280 feet along Southern Boulevard, thus, exceeds the required minimum frontage of 150 feet along a major roadway.                               |
| 3. | Setbacks:                | The proposed buildings meet the required setbacks for this zoning district.  |
| 4. | Pervious Area:           | The site provides 40% pervious area and thus, exceeds the minimum pervious area of 25%.  |
| 5. | Parking Requirements:    | The site has provided parking that is consistent with the requirements of Chapter 23 (Traffic and Vehicles).   |
| 6. | Landscape Areas:         | This project complies with all applicable landscape code requirements.   |
| 7. | Maximum Building Height: | The applicant is proposing construction of a single-story building with a maximum height of 32, which falls within the height limitation of 32 feet within this Zoning District. |
| 8. | Stacking/Bypass:         | The applicant has provided stacking and bypass lanes that meet code requirements.  |

Overall, the proposed site plan meets all of the Village's requirements for these types of uses in the General Commercial (CG) Zoning District.

**VI. Staff Recommendation:**

Staff recommends Approval of Application 22-29 (SPM, SE, AAR) and Resolution 22-22.

**VII. Hearing History:**

*Planning and Zoning Commission*

This item was considered by the Planning and Zoning Commission at its regular meeting on August 23, 2022 and was recommended for Approval by a vote of 5-0.

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**Attachment A  
Legal Description  
Dirty Dogs Car Wash  
Application No. 22-29 (SPM, SE, AAR)  
Resolution No. 22-22**

**LEGAL DESCRIPTION:**

All of Tract 5, "The Groves at Royal Palm", according to the plat thereof, as recorded in Plat Book 100 at pages 158 through 160, of the Public Records of Palm Beach County, Florida.

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**Attachment B**  
**Conditions of Approval**  
**Dirty Dogs Car Wash**  
**Application No. 22-29 (SPM, SE, AAR)**  
**Resolution No. 22-22**

**1. Development Order:**

This development order constitutes approval for:

Site Plan Modification approval; Special Exception (Car wash, self-service or other) approval; and Architectural approval for the building, Landscape Plan, and signage for a 7,822 square foot car wash facility.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All other conditions imposed by previous approvals shall remain in full force and effect unless specifically modified herein.

**2. Site Specific Conditions:**

- A. All landscape improvement shall be installed or relocated prior to the issuance of the Certificate of Occupancy and completion of the development infrastructure.
- B. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- C. No outdoor storage of any materials shall be permitted on site.
- D. All dead, missing or substandard landscape material shall be brought back into compliance with the approved Landscape Plan prior to the issuance of a certificate of occupancy.

**3. Standard Conditions:**

- A. This site plan approval shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66 of the Village Code of Ordinances. In no case shall the approval be extended beyond code-established time frames.
  - B. Failure of the developer to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village issued permits or approvals. Failure to commence development in a timely manner may also result in the revocation of development approval.
  - C. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction-permitting phase of the final approvals. Thus, except where specifically noted herein, the specific Village Code provisions governing design standards will apply.
  - D. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
  - E. At the time of application for a building permit, four (4) sets of engineering plans shall be submitted to the Engineering Department for review and approval. A certified cost estimate for paving, and drainage shall be included in the
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engineering submittal. An engineering plan review and inspection fee of three percent (3%) of the cost estimate shall be paid to the Engineering Department at the time engineering drawings are submitted. A copy of the receipt shall be provided to the Building Department upon submittal of a permit. Approval of site civil engineering elements will be required prior to the issuance of a building permit. Site plan approval shall not be construed as final engineering department approval.

- F. All public improvements associated with the project shall be complete prior to the issuance of any certificate of occupancy.
- G. Prior to the issuance of any building permit or conditional building permit the following must be completed:
  - 1. No building permits shall be issued until the construction drawings have been approved.
  - 2. Property owner's documents acceptable to the Village Engineer and Attorney must be submitted and recorded which include provisions for cross-access and cross-parking for the outparcels.
  - 3. The site plan, plat and engineering drawings must be submitted in electronic format compatible with AutoCAD 14 or AutoCAD 2000 prior to the issuance of a building permit.
- H. All advertising, legal documents, and correspondence shall refer to this location as being located within the Village of Royal Palm Beach.

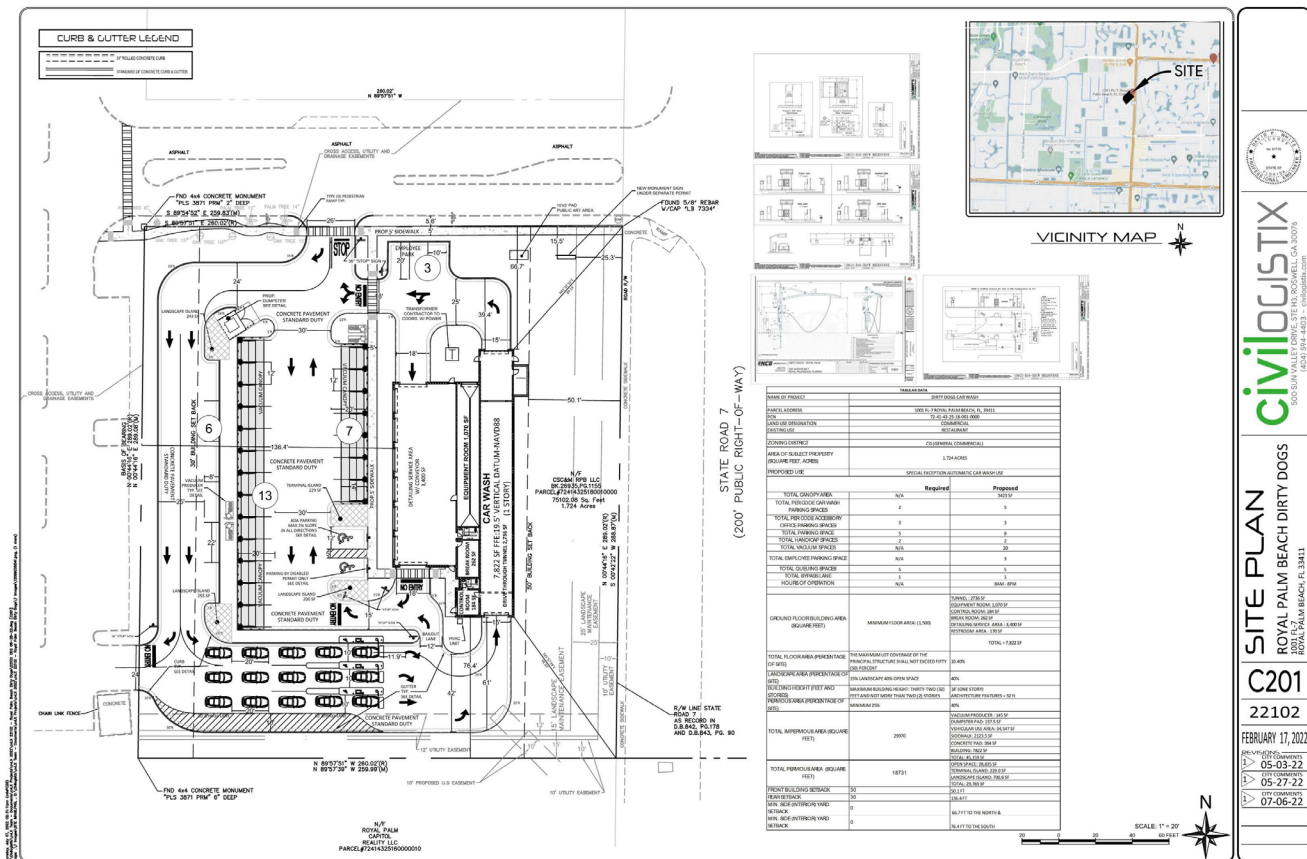
#### **4. Landscaping Conditions:**

- A. Prior to the issuance of a Certificate of Occupancy, the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.
- B. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.
- C. The property owner/s or association shall be responsible for the maintenance of landscaping in adjacent public and private roads up to the edge of pavement and waters edge.
- D. The developer shall submit a landscape maintenance plan to the Village Landscape Inspector prior to the issuance of a Certificate of Occupancy.
- E. The landscape plan shall be revised and resubmitted to the Village to ensure that all landscaping is located outside of all easements prior to the issuance of a building permit.
- F. All shrub materials shown on the approved landscape plan shall be installed at no less than twenty-four (24) inches in height, but must be maintained at no less than thirty-six inches (36) in height.
- G. The practice of "hatracking" defined as the severe cutting back of branches, making internodal cuts to lateral limbs, leaves branch stubs larger than 1 inch in diameter within the tree's crown, is strictly prohibited for all trees listed in the approved landscape plan for installation. Trees shall be allowed to grow in a shape natural to their species, and shall only be pruned to remove limbs or foliage which presents a hazard to power lines or structures, or to remove dead, damaged or diseased limbs. In no case shall pruning result in trees which are smaller than the minimum requirements for spread or height, or are unnaturally shaped.

#### **5. Planning and Zoning Commission:**

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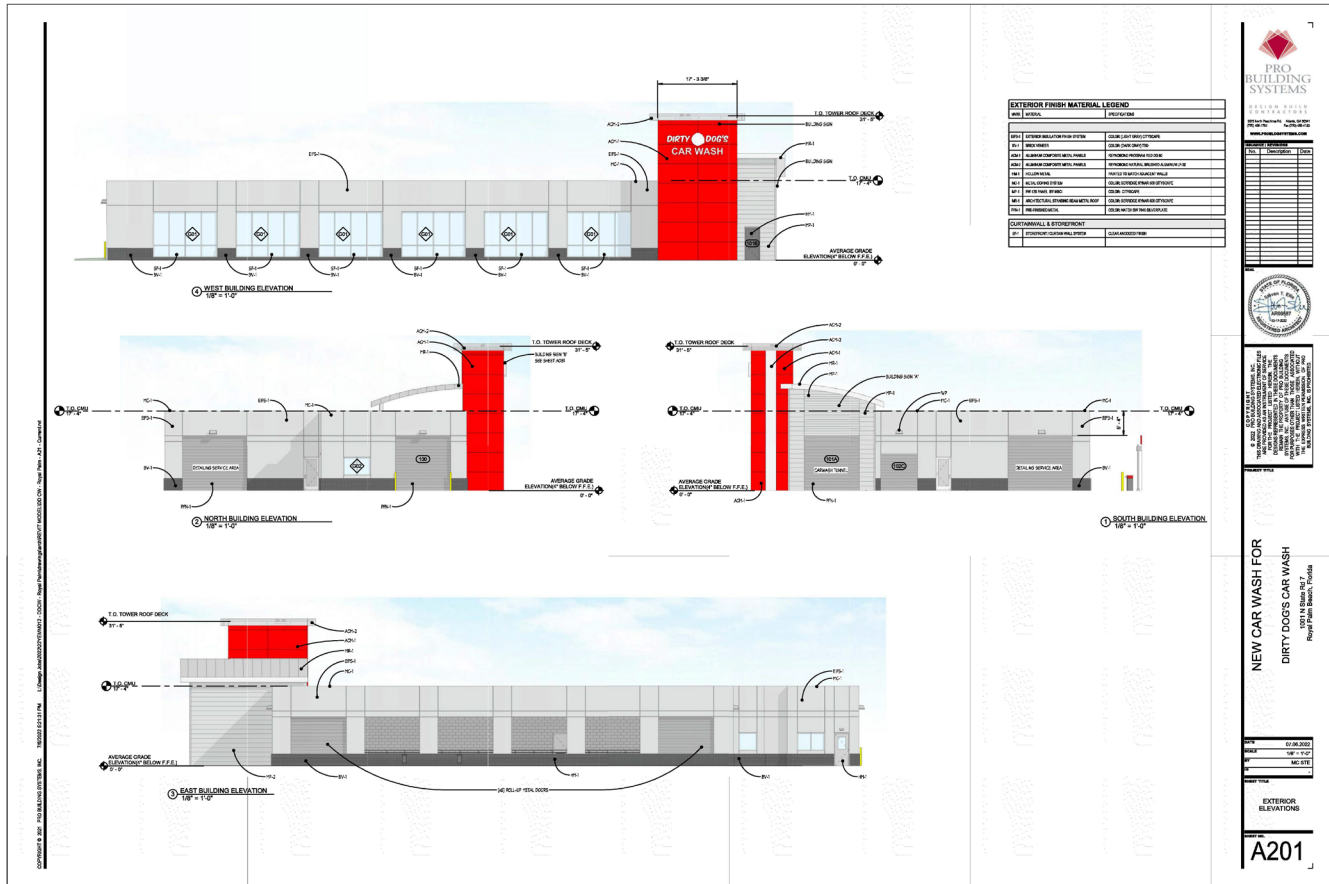
**Directly below is an illustration of the Site Plan:**





# Attachment E Architecture Dirty Dogs Car Wash Application No. 22-29 (SPM, SE, AAR) Resolution No. 22-22

Directly below is an illustration of the propose Architecture:





**RESOLUTION NO. 22-22**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 22-29 (SPM, SE, AAR) – THE APPLICATION OF DUNAY, MISKEL AND BACKMAN, LLP ON BEHALF OF BISCAYNE FRIENDLY, LLC - PERTAINING TO A SITE PLAN MODIFICATION, SPECIAL EXCEPTION, AND ARCHITECTURAL APPROVAL FOR A 7,822 SQUARE FOOT “CAR WASH, SELF-SERVICE OR OTHER” LOCATED ON A 1.724± ACRE PARCEL OF LAND LOCATED AT 1001 N. STATE ROAD 7, IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Village Council of the Village of Royal Palm Beach, Florida (“Village”), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

**WHEREAS**, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

**WHEREAS**, Application No. 22-29 (SPM, SE, AAR) was presented to the Village Council at its public hearing conducted on September 15, 2022; and

**WHEREAS**, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

**WHEREAS**, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

**NOW THEREFORE**, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT APPLICATION NO. 22-29 (SPM, SE, AAR), THE APPLICATION OF DUNAY, MISKEL AND BACKMAN, LLP ON BEHALF OF BISCAYNE FRIENDLY, LLC, ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved, subject to the following conditions and site plan depiction:

PLEASE SEE EXHIBIT “B” and “C” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 15th day of September, 2022.

VILLAGE OF ROYAL PALM BEACH

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MAYOR FRED PINTO

ATTEST:

(SEAL)

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DIANE DISANTO, VILLAGE CLERK

**Exhibit A**  
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**5. Planning and Zoning Commission:**



Directly below is an illustration of the Site Plan:

