

Agenda Item #   R - 2  

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

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER APPLICATION 22-73 (LW), AN APPLICATION BY MMCW WELLINGTON, LLC, FOR THE CONSIDERATION OF A LANDSCAPE WAIVER FROM VILLAGE CODE SECTION 15-133 (B)(1) & (2), TO ALLOW FOR A PERPENDICULAR DIVIDER STRIP WITH A WIDTH OF THREE (3) FEET WHERE VILLAGE CODE REQUIRES FIVE (5) FEET AND THE INSTALLATION OF TWO (2) TREES WHERE VILLAGE CODE REQUIRES FIVE (5) TREES, FOR AN EXISTING CAR WASH LOCATED WITHIN THE ANTHONY GROVES PLANNED COMMERCIAL DEVELOPMENT (PCD) LOCATED AT 135 S. STATE ROAD 7: BY AGENT: BRIAN CHEGUIS, IPLAN & DESIGN, LLC.**

The Applicant is requesting a Landscape Waiver from Village Code Section 15-133 (b)(1) and (2) *Perpendicular Divider Strips*. This Code section requires a landscape divider strip to run perpendicular to the long dimension of the parking space which shall be five (5) feet in width and contain one (1) tree for every 15 lineal feet. The Applicant is requesting a landscape waiver from this section to allow three (3) trees to count toward the required five (5) trees and a reduction of two (2) feet to the required five (5) foot wide Perpendicular Divider Strip that occurs between the vacuum parking stalls and the queuing spaces for the carwash.

This Landscape Waiver request is a companion application to a Site Plan Modification that occurs later on the agenda (Application No. 21-97 (SPM)). The Site Plan Modification application is a request to allow for modifications to the existing canopy, parking and parking lot landscape islands, introduction of a new pay station and self-service vacuum stations, and other various modifications to the existing full-service carwash.

The Applicant contends that the Landscape Waiver is need to accommodate the site improvements.

Staff is recommending Approval of this Landscape Waiver request and generally concurs with the Applicant's assessment and Staff believes that this is the minimum waiver necessary to allow reasonable use of the property. Please refer to **Attachment A** for an illustration of the Landscape Plan showing the area affected by the Landscape Waiver.

The Planning and Zoning Commission considered this Application on August 23, 2022, and recommended Approval by a vote of 4–0, with Alternate #1 McClellan recusing herself due to a voting conflict.

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

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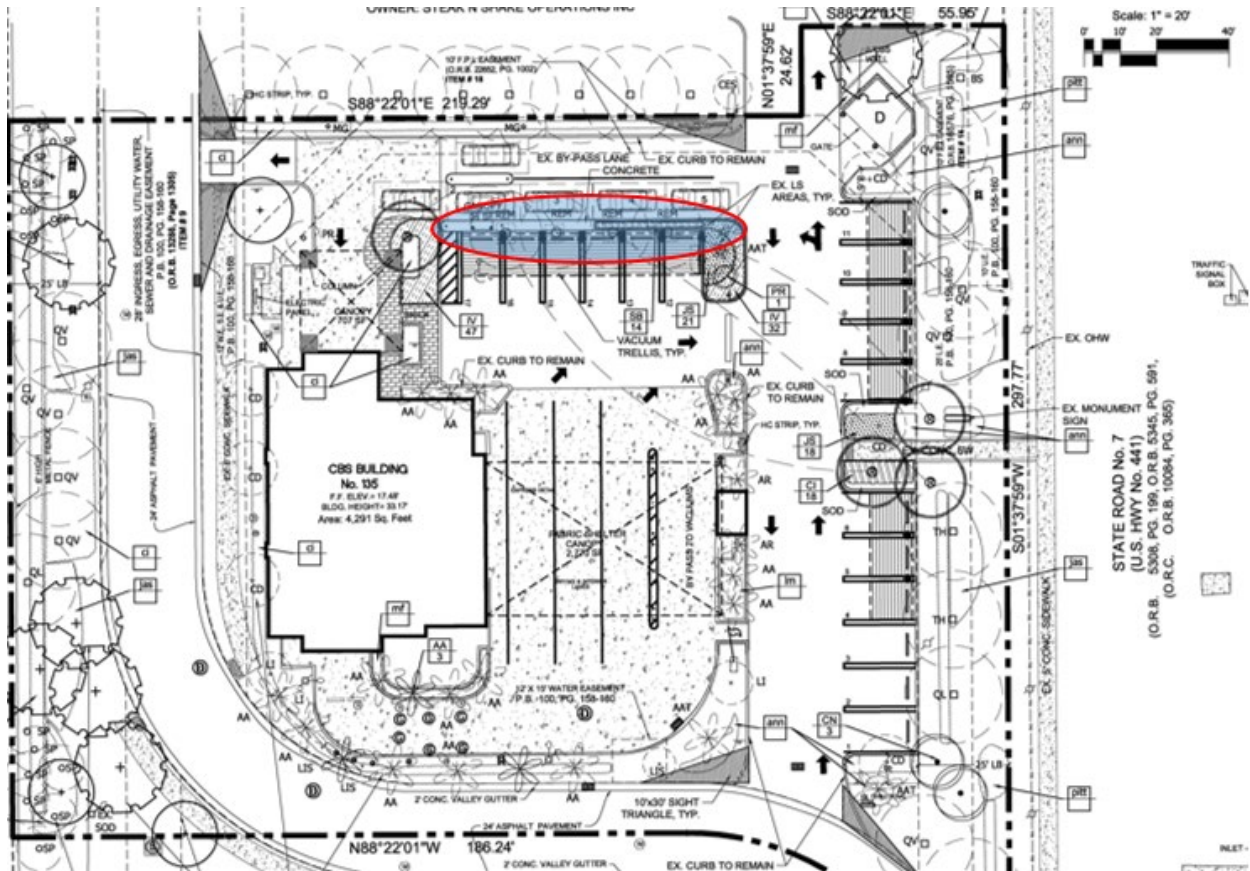
**Recommended Action:**

Staff is recommending Approval of Application 22-73 (LW) and Landscape Waiver No. 22-04.

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|-------------------|-----------------|-------------|-----------------|
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Directly below is an illustration of the plantings and coverage within the divider strip.



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|-------------------|-----------------|-------------|-----------------|
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| Director   | Staff | City & E | Approval | Date | Action |
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**ORDER OF THE VILLAGE COUNCIL  
VILLAGE OF ROYAL PALM BEACH  
Chapter 15. Landscape Waiver**

**CASE NO. LW-22-04**

**IN RE:     Application No. 22-73(LW) – El Motor City Car Wash @ 135  
              S. State Road 7**

**Legal Description:**

Attached as Exhibit “A”

**ORDER APPROVING APPLICATION**

This cause came to be heard upon the above application and the Royal Palm Beach Village Council having considered the evidence presented by the applicant and other interested persons at a hearing called and properly noticed on September 15, 2022, and the Royal Palm Beach Village Council being otherwise advised.

**THEREUPON**, the Village Council of the Village of Royal Palm Beach finds as follows:

1.     The property which is the subject of said application is classified and zoned within the Neighborhood Commercial (CN) District by the Zoning Code of the Village of Royal Palm Beach and the zoning map made a part thereof by reference.
2.     The applicant is seeking a landscape waiver from the Village of Royal Palm Beach Code of Ordinances at Sec. 15-133 (b) (1) & (2) to allow for a perpendicular divider strip with a width of three (3) feet where Village Code requires five (5) feet and the installation of two (2) trees where Village Code requires five (5) trees for the length of the divider strip in order to accommodate relocated parking spaces and a pay station.

3. Under the provisions of Sec. 15-37 of the Village Code of Ordinances, the Village Council has the right, power and authority to act upon the application herein made.
4. In accordance with the requirement of Section 15-37 to specify the duration of the waiver, the Village Council holds that this grant of Landscape Waiver shall continue as long as the Project exists on this site.
5. **IT IS THEREUPON CONSIDERED, ORDERED AND ADJUDGED** by the Royal Palm Beach Village Council as follows:  
The application in connection with **Landscape Waiver Order, LW-22-04**, with reference to the El Motor City Car Wash project in the Village of Royal Palm Beach, Florida is hereby **Approved** in accordance with the Village Code of Ordinances for the following reasons:

**The applicant meets the landscape objectives as allowed by Section 15-37 of the Village Code of Ordinances.**

**Done and ordered this 15th day of September, 2022.**

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Mayor Fred Pinto  
Village of Royal Palm Beach

Attest:

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Diane DiSanto, Village Clerk

**Exhibit A**  
**Legal Description**  
**El Motor City Car Wash @ 135 S. State Road 7**  
**Application No. 22-73 (LW)**  
**LW-22-04**

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.