

Agenda Item #   R- 4  

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

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER APPLICATION 21-97 (SPM), AN APPLICATION BY MMCW WELLINGTON, LLC, FOR THE CONSIDERATION OF A SITE PLAN MODIFICATION 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, 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.**

**Issue:**

The Applicant is seeking approval for a Site Plan Modification in order 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, for an existing car wash located within the Anthony Groves Planned Commercial Development (PCD) located at 135 S. State Road 7.

In reviewing this petition, Village Staff considered conformity with the Village of Royal Palm Beach Zoning Code of Ordinances pertaining to the Neighborhood Commercial (CN) Zoning District. Staff has reviewed the application and, aside from the Landscape Waiver request, found the proposed Site Plan Modification consistent with Village Code requirements for the Neighborhood Commercial (CN) Zoning District.

The Planning and Zoning Commission considered the Application for site plan modification on August 23, 2022, and recommended Approval by a vote of 4–0, with Alternate 1 McClellan recusing herself because of a voting conflict.

**Recommended Action:**

Staff recommends Approval of Application No. 21-97 (SPM) and Resolution 22-21. This recommendation is contingent upon the approval of the requested Landscape Waiver.

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

Z:\Project Files 12-11-02\Anthony Groves Commercial\21-97 (SPM) Motor City Car Wash\Board Documents\AIS & Staff Report\Agenda Item Summary\21-97 (SPM) Motor City Car Wash Agenda Item VC.docx

# Village of Royal Palm Beach - Staff Report

## I. General Data:

Project Name: El Motor City Car Wash

Application: 21-97 (SPM) (Res. 22-21)

Applicant/Owner: MMCW Wellington, LLC  
5201 SW 8<sup>th</sup> Street  
Coral Gables, FL 33134

Agent: Brian Chegus  
iPlan & Design, LLC  
825 N. Olive Avenue  
West Palm Beach, FL 33401

Request: Site Plan Modification 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 situated within the Anthony Groves Shopping Center, for a property located at 135 S. State Road 7.

Recommendation: Approval

Hearings: Planning & Zoning Commission  
Village Council

August 23, 2022  
September 15, 2022

## II. Site Data:

Site Area: 1.335 acres

Property Control Numbers: 72-41-44-01-10-005-0000

Existing Land Use: Car Wash Self Service

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	Lowe's Center	Commercial (COM)	General commercial (CG/SE)
South	Victoria Groves	Residential Mixed Use (RMU)	Residential Mixed Use (RMU)
East	Westwood PBC	Low Residential (LR-2)	Agriculture Residential (AR)
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 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 situated within the Anthony Groves Shopping Center, for a property located at 135 S. State Road 7. Please refer to **Attachment C** for an illustration of the Site Plan and **Attachment D** for an illustration of the Landscape Plan.

### **IV. History:**

The subject property is part of a larger Planned Commercial Development (PCD) known as Anthony Groves PCD. This site received a Site Plan and Special Exception Use approval to allow for a 4,998 square foot "Car Wash, Self-Service or Other" on June 21, 2007 through the approval of Application 07-03 and adoption of Resolution 07-24.

### **V. Analysis:**

The applicant is seeking a Site Plan Modification 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 situated within the Anthony Groves Shopping Center, for a property located at 135 S. State Road 7.

Through a separate application, the Applicant is requesting a Landscape Waiver from Sec. 15-133 (b) (1) & (2) to allow for a perpendicular divider strip with a width of three (3) feet

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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.

In reviewing this petition, Village Staff considered conformity with the Village of Royal Palm Beach Zoning Code of Ordinances pertaining to the Neighborhood Commercial (CN) zoning district. Staff has reviewed the application and found it consistent with Village Code requirements.

Specifically, the proposed site meets the requirements as follows:

1. Parcel Size: The 58,174 sq. ft. (1.335 acre) site meets the minimum parcel size requirements of 24,000 square feet for the Neighborhood Commercial (CN) Zoning District.
2. Parcel Frontage: The total site has a frontage of 297 feet along Southern Boulevard, thus, exceeds the required minimum frontage of 80 feet along a major roadway.
3. Setbacks: No changes are proposed that would affect setbacks.
4. Pervious Area: Due to the parking reconfigurations, there was a slight increase of 267 square feet in the pervious area provided which exceeds the required 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: The project complies with all applicable landscape code requirements with the exception of the Landscape Waiver request to allow for the elimination and narrowing of portions of the Village Code required Perpendicular Divider Strip situated between the carwash queuing spaces and parking stalls.
7. Maximum Building Height: No changes are proposed that would affect the building height.
8. Stacking/Bypass: The applicant has provided stacking and bypass lanes that meet code requirements. The five (5) stacking spaces begin at the carwash tunnel considered the “*ultimate point of service*” as required by code.

Overall, the proposed site plan meets all of the Village’s requirements for these types of uses in the Neighborhood Commercial (CN) Zoning District.

## **VII. Staff Recommendation:**

Staff recommends Approval of Application No. 21-97 (SPM) and Resolution 22-21. This recommendation is contingent upon the approval of the requested Landscape Waiver.

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## **VIII. Hearing History:**

### *Planning and Zoning Commission*

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

**Exhibit A**  
**Legal Description**  
**El Motor City Car Wash**  
**Application No. 21-97 (SPM)**  
**Resolution No. 22-21**

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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**Exhibit B**  
**Conditions of Approval**  
**El Motor City Car Wash**  
**Application No. 21-97 (SPM)**  
**Resolution No. 22-21**

**1. Development Order:**

This development order constitutes approval for:

Site Plan 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.

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:**

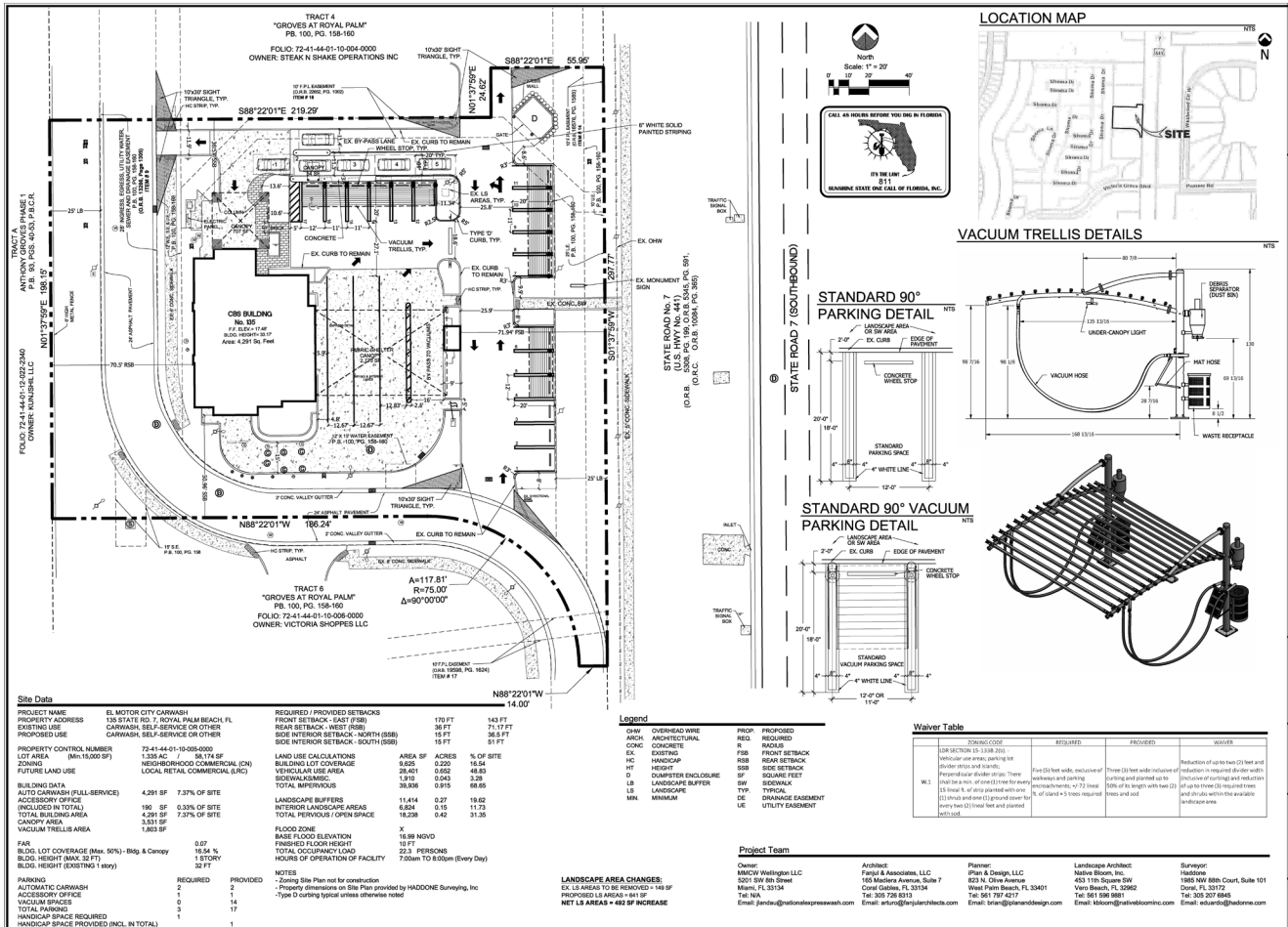
- A. Prior to the issuance of a Certificate of Occupancy, the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.
- B. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.
- 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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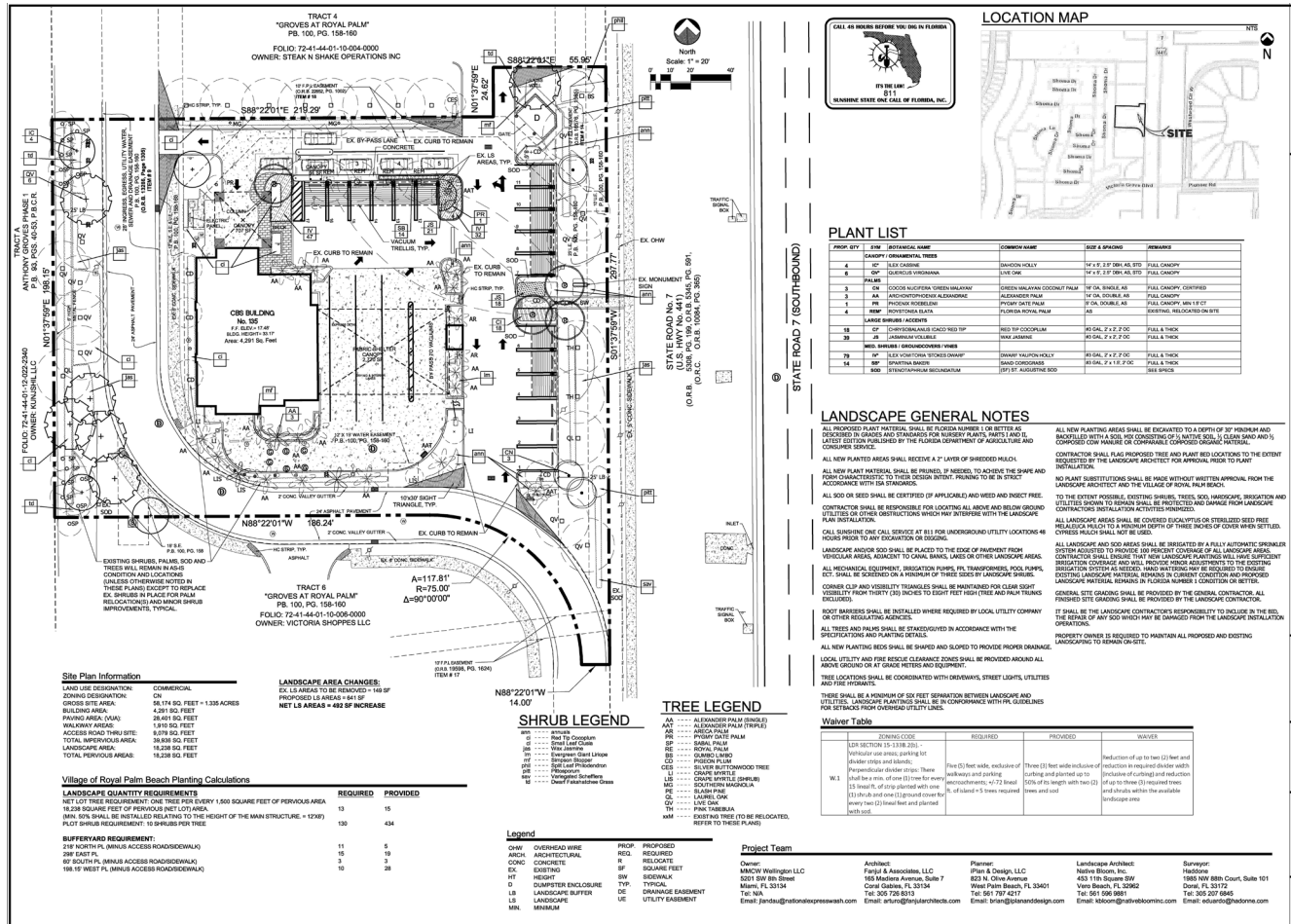


Directly Below is an illustration of the Site Plan:



Attachment D  
Landscape Plan  
El Motor City Car Wash  
Application No. 21-97 (SPM)  
Resolution No. 22-21

Directly below is an illustration of the Landscape Plan:



**RESOLUTION NO. 22-21**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 21-97 (SPM) – THE APPLICATION OF MMCW WELLINGTON, LLC, BY AGENT BRIAN CHEGUIS OF IPLAN & DESIGN, LLC - PERTAINING TO A SITE PLAN MODIFICATION TO AMEND THE APPROVED SITE PLAN AND LANDSCAPE PLAN FOR AN EXISTING FULL-SERVICE CARWASH LOCATED AT 135 S. 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. 21-97 (SPM) 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. 21-97 (SPM), THE APPLICATION MMCW WELLINGTON, LLC, BY BRIAN CHEGUIS OF IPLAN & DESIGN, 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:

PLEASE SEE EXHIBIT ‘B’ 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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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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**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.

**3. Standard Conditions:**

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**5. Planning and Zoning Commission:**