



**Justification Statement  
The Grove Market MUPD  
Zoning Review – Site Plan Modifications**

Original Submittal: July 12, 2021  
1<sup>st</sup> Resubmittal: August 11, 2021  
2<sup>nd</sup> Resubmittal: September 10, 2021  
3<sup>rd</sup> Resubmittal: September 22, 2021  
4<sup>TH</sup> Resubmittal: September 24, 2021

Gentile Holloway O'Mahoney & Associates, Inc. (2GHO) as agent for the owner, 5060 Loxahatchee Retail, LLC. is requesting a Zoning Review – Site Plan Modification to include changes to the site plan and landscape plan to address and minimize site non-conformities, address changes requested from the City and pull together the façade improvement approval and the master sign plan approval. Overall, the site and landscape modifications will complete the package for an updated shopping center. Additional changes have been made based on meetings and site visit with staff and city council member. The Grove Market is located on the northeast corner of the intersection of Seminole Pratt Whitney Road and Persimmon Boulevard East on a 9.98-acre parcel of land.

**Project History:**

The subject project was originally approved in unincorporated Palm Beach County in 1995 and received multiple approvals listed below. Below is a list of the approvals including the annexation on June 20, 2016.

The project was originally approved as a Multiple Use Planned Development (MUPD) in Palm Beach County. As an MUPD, the site is developed as an overall unified project with potential for outparcels to be developed using the access and parking as one development. There are two (2) outparcels that were approved at the Grove Market:

- Building D (southwest corner) – 3,675 s.f. to allow a permitted use (vacant); and
- Building E (northwest corner) – 2,500 s.f. of convenience store with 4 islands with 8 pumps (existing).

THE GROVE MARKET APPROVALS		
PETITION NO.	APPLICATION REQUEST	DATE OF APPROVAL
	PALM BEACH COUNTY	
LGA 96-024	Land Use Amendment	August 22, 1996

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THE GROVE MARKET APPROVALS		
PETITION NO.	APPLICATION REQUEST	DATE OF APPROVAL
1995-106	REZONING	August 22, 1996/R96-1355
1995-106	Development Order Amendment (DOA)/ Expedited Application	April 24, 1997/R97-623
1995-106	DOA To Add Medical Office And Vet Clinic	October 22, 1998/R98-1794
1996-106	DOA To Add C-Store With Gas Sales	June 27, 2011/R2011-0961
	Landscape changes to the overall site	August 2016
	<b>ANNEXED INTO THE CITY OF WESTLAKE</b>	<b>June 20, 2016</b>
Resolution No. 2021-17	Modifications to the facade	June 14, 2021
Resolution No. 2021-25	Master Sign Package	August 9, 2021

Below is a list of the surrounding land use, zoning, property control numbers and existing uses:

	EXISTING FLU	EXISTING ZONING	PCN	EXISTING USE
<b>Subject Site</b>	Downtown Mixed Use	Mixed Use	77-40-43-01-01-001-0010	Shopping Center
<b>North</b>	Civic	Mixed Use	77-40-43-01-02-001-0000	Fire Station
<b>South</b>	Downtown Mixed Use	Mixed Use	Persimmon Blvd. E 77-40-43-12-01-001-0000	Wellington Regional Medical Center
<b>East</b>	Downtown Mixed Use	Mixed Use	77-40-43-01-07-023-0011	Seminole Improvement District – water tract
<b>West</b>	Downtown Mixed Use	Mixed Use	77-40-43-01-00-000-1010	Publix Center

**Requested Application:**

The proposed application is for modifications to the site plan and landscape plans as part of a major refurbishment to the Grove Market property which includes parking reconfiguration and a different landscape philosophy for the main parking area. This application is part of the recent approvals for façade improvements and new signage for the site and building. This application deals with the site plan and landscape plan specifically, identifying non-conformities, reducing non-conformities and generally improving the aesthetics and safety of the property. As noted above, the site was recently annexed into the City of Westlake from unincorporated Palm Beach County which means that the project was built under another code.

This application will be reviewed following the submitted Master Sign Plan modification for the overall site which has been approved on August 9, 2021 by the City Council.

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5060 Loxahatchee Retail, LLC has taken a good look at the shopping center and determined that the circulation is difficult at points and visibility is poor. While the foundation planting and the entry ways have been updated in recent year and are healthy, the parking lot landscape is tired and was planted at a time when small spaces were provided for large trees. The quality of the trees is poor in both tree canopy and structure with major root damage. The root systems are tearing up paving and will, in turn, be torn up if just repaving is done (making it hard to keep the trees alive). The main parking is getting a major refurbishment which will refresh and make the area more aesthetically pleasing. Most importantly, the refurbishment will improve circulation and allow existing light fixtures to function better for a safer center. The current parking lot tree planting is over code since it was originally approved through Palm Beach County. The new plan calls for just under 4,000 square feet less in green space in this main parking lot but the planting areas are better suited to sustain landscape material due to the configuration and increase in the minimum planting area. Many of the Oaks need to come out to make modifications to terminal island turning radii. Many of the trees in the 5-foot islands have never thrived and will be removed. This opens the opportunity to carry the Royal Palm theme of the entry along the front of the building. It will be easier to see signage and therefor improve wayfinding.

The landscape refurbishment will complement the building improvements to make a successful plaza fitting into the image of Westlake. Underlying this is the change to the hardscape that makes this possible. The median strips (4-6 feet wide) are being removed which allows deeper parking spaces and a wider bay of parking. The result is easier and safer circulation (which exceeds code). This new configuration also provides for low-speed vehicles in smaller parking space sizes supporting alternative transportation modes and fulfilling a desire of the City Council. To get this new parking lot executed, we need to remove over 60 trees which are not thriving and not an asset to the community. We are requesting that these trees be removed without mitigation consideration:

REMOVAL:

22 Mahogany Trees	5-14" Caliper
20 Live Oak Trees	6-16" Caliper
19 Satin Leaf Trees	2-3" Caliper

PROPOSED:

- 6 Triple Alexander Palms
- 3 Live Oak Trees
- 9 Royal Palms
- 44 Sabal Palms

About 2000 shrubs

**RELOCATION:**

The following will be relocated to areas around the site from along the front of the building:

2 Adonedia Palms

2 Tree Ligustrum

**TREE DISPOSITION**

The condition of the parking lot trees is poor in general. They have been over pruned to lift out of the traffic lanes and are growing in areas that are too small and cannot support a healthy root system for the type of trees that are there. The medians are uncurbed leading to a messy look. The tree roots, particularly in the medians, have lifted the asphalt. Part of the refurbishment plan is to repave the parking lot. The existing trees would be stressed, if not killed, by the activity which would necessitate grinding the top of roots which are lifting the asphalt and the base material.

In addition, there are conflicts with many of the 20' site lighting poles. The lamp fixtures are being replaced with LED fixtures which will provide better light, but for the safety of the visitors, those light sources cannot be blocked by large trees. Several trees are proposed to be removed for just that reason. Palms will be planted in these terminal islands (required) specified with a tall clear trunk to minimize the conflict.

At this time, the main parking area will be getting a full overhaul and a fresh new look. Please find the following pictures of existing conditions to understand why we are proposing to remove over 60 trees:



Example of tree | light conflict & leaning Oak tree. Supervised pruning will occur.



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Example of 15" DBH Mahogany tree in median (proposed for removal) with co-dominant trunks. Note the root damage.



Example of 8" DBH Mahogany in very narrow median breaking up pavement.



Example of 7" DBH Mahogany in narrow median with surface root damage to asphalt.

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Example of 8-10" DBH Live Oaks in terminal island noting poor pruning activities. The majority will be saved.



Example of 9" DBH Live Oak in narrow terminal island with insufficient curb radii. Radii will be fixed and trees saved in most cases.

**KEY POINTS**

The following are the key points which this site plan modification application is proposing:

1. Site Plan – changing PBC Site Data Requirements to the City of Westlake requirements;
2. Site Plan – Providing for a completely compliant ADA site as to size, slope and location of ADA parking spaces and aisles;
3. Site Plan – Add diversity in parking space types;
  - o Add 24 Low Speed Electric Vehicle parking spaces;



- Add 12 motorcycle or compact car spaces;
- 4. Site Plan - Increase parking space width – 10' width (9.5' is required for 60-degree angled parking) and aisles at 15' with added aisle width between parking spaces (not islands) to 20-22' within the main parking area to increase circulation, parking ease; and safety; (See Exhibits #2&3)
- 5. Site Plan - Increase turning radii, where needed, going into the parking aisles at the terminal islands to aide circulation and safety;
- 6. Site Plan - Provide parking landscape-diamonds (squares due to the angled parking) to assure that all cars are no further than 50' away from a tree per code. The spaces on either side are shorter and appropriate for compact cars or motorcycles. They will have wheel stops to protect the planting;
- 7. Modify radius for truck turning ease just in from the south entry going to the service area.
- 8. Site Plan – add dumpster enclosure to the service area on the east side of the site including landscape screening and removing of 2 parking spaces;
- 9. Site Plan – indicate the newly approved sign locations and configuration changes to the Winn Dixie anchor store as principal use;
- 10. Site Plan - Updating the square footage of the existing buildings based upon survey information;
- 11. Site Plan - The existing walkway will be refinished with a Winn-Dixie complementary color of 'Pewter' for the Stardek Concrete coating at <https://www.stardek.com/star1color.php>. An example has been submitted to the City.



12. Landscape Plan – Bring the property up to code by:
  - addressing missing shrubs and groundcover within existing buffers and planting areas;
  - Adding vegetation to the base of the new signs;
13. Landscape Plan - Remove most of the trees in the medians and three in terminal and regular islands of the main angled parking area to:
  - Provide better and safer circulation by reconfiguration of islands with greater radii curbs,
  - Allow the site lights to function better, and
  - All expanded width parking spaces (larger) and better back up scenarios;
14. Landscape Plan - Trees being removed are Mahoganies, Satin Leafs and Oaks. All have been growing in poor conditions which are in too small of a space. None of these trees are suitable for relocation.
15. Landscape Plan - proposed additions:
  - a. End islands on the north – the existing Oaks with a few Royal Palms added in to carry the entry theme along the front of the center’s drive;
  - b. One center planting area based upon the existing islands. The use of Low-Speed Vehicle parking allows more green space in this area with width to support shade trees.
  - c. Landscape diamonds are placed between terminal islands and the intermediate island and planted with a triple palm so that the 50’ distance is met.
  - d. The existing south terminal island trees will remain with additional shrubs unless the curbing to the terminal islands cannot be met;
  - e. All existing trees shall be pruned by a certified arborist under the direction of the landscape architect to address the general health of the trees and specifically minimizing conflicts with site lighting, and;
  - f. All proposed landscape areas to be curbed.

**Parking Justification:**

Since the original plan was approved through the County using different criteria than has been adopted by the City, this application addresses the differences in parking rates based upon use.

- MUPD PBC: Rate: 4 spaces per 1000 square feet up to 6 spaces per 1000 square feet. This equates to 1 space per 250 square feet up to 1 space per 167 square feet. The project was approved with a minimum of 352 spaces and a maximum of 448 spaces; provided are 412 parking spaces.
- Proposed change: Rate for parking the Grocery Store and associated in-line retail to be 1 space per 240 square feet. The out parcels are to be parked based upon their use. Both of these are consistent with the approval of the new Publix Plaza across the street to the west of this property.



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The Center has sufficient parking to handle the uses including the previous approved future uses. There is additional parking available for future changes.

Non-Conformities Chart:

Included on the site plan is a list of the parking non-conformities based on Westlake’s Code. Non-conformities have been reduced with the major refurbishment of the primary parking area. See the Exhibits which show where the non-conformities still remain and the areas that are over code:

The Grove Market at Westlake Non-Conformities Chart		
Westlake Code	Required	Provided
Ordinance No. 2019-10 Off-Street Parking Table 8-1 Min. Dimensions	60° Parking - Retail Width: 9.5’ Depth: 19.0’ Module Width: 53’	60° Parking - Retail Width: 9.0’ Depth: 16.8’ Module Width: 50.8’
Ordinance No. 2019-10 Off-Street Parking Table 8-1 Min. Dimensions	90° Parking - Retail Depth: 18.5’ Aisle Width: 25’ Module Width: 62’	90° Parking - Retail Depth: 18.3’ Aisle Width: 21.5’ Module Width: 59.1’
Ordinance No. 2019-7 Article III – Section 4.26 A) Interior Planting Areas	2) Parking in a Row – 10 spaces Alt. parking – increased to 15 if divider median 4) min. width landscape divider – 5’ excluding curb 8) terminal island – 8’ excluding curb	2) Parking in a Row – increased to (3)11 spaces, (1) 12 space runs 8) terminal island – 4.8’ excluding curb

The primary parking area exceeds the standards in width of parking spaces and in aisle area not defined by landscape islands with the refurbishment. The non-conformities are reduced to a few in the outlying areas which will not change.

ADDITION OF ELECTRIC CART PARKING: While not in the code, we understand that the City is interested in 5% of the required parking to be in electric/golf cart spaces. We have exceeded that amount and worked these spaces into the parking lot, clustered around tree islands.

ADDITION OF SHORTER PARKING SPACES: To do a modified version of parking diamonds in angled parking, the parking spaces became shorter, about 16’ long. Since Westlake does not acknowledge compact parking spaces, these spaces could be for

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motorcycles. The Applicant will sign as necessary. These spaces, as with the electric cart parking, will have wheel stops to allow the curbs to protect the planting material.

PRINCIPAL ANCHOR: Winn Dixie has special requests. When possible, the parking spaces have been restriped to be 10-feet wide which is above the City's requirements. Shopping cart corals have also been added meeting their specifications. So while some of the angled parking is non-compliant, many now exceed the code, lessening the non-conformity.

On behalf of the applicant, 2GHO, Inc. respectfully request approval of this application. The Project Managers at 2GHO are Emily O'Mahoney, Pat Lentini and Dylan Roden.