



City of Westlake

Planning and Zoning Department – Staff Report

City Council Meeting 7/13/2020

PETITION DESCRIPTION

PETITION NUMBER: SPEC-2017-03 Florida Public Utilities (FPU) Temporary Gas Facility (Pod F) – SIXTH TIME EXTENSION

APPLICANT: Florida Public Utilities

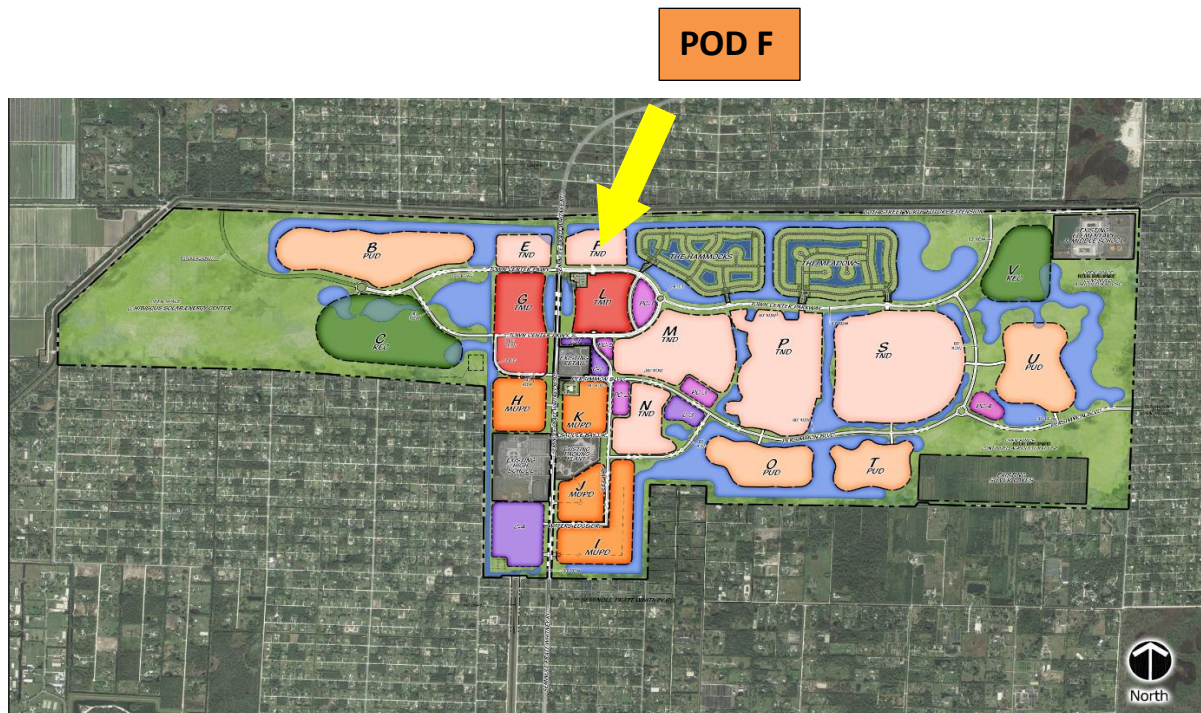
OWNER: Minto PBLH, LLC

REQUEST: The Applicant is requesting approval of a **sixth time extension** for a special permit application of a temporary gas utility use within Pod F of Westlake TTD.
The applicant is requesting a twelve (12) month extension to July 31, 2021.

LOCATION: City of Westlake, Pod F / FPU Temporary Gas Facility

PARCEL NUMBER: 77-40-43-01-00-000-1010

LOCATION MAP



PETITION FACTS - Temporary Gas Facility - SIXTH TIME EXTENSION

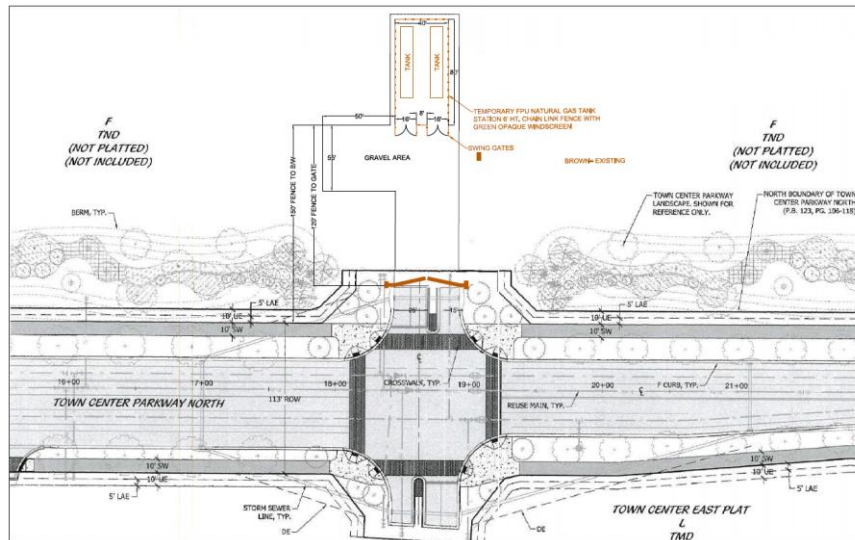
- a. Total Gross Site Area: 358.5 acres
- b. Total Affected Area: 0.28 acres
- c. Land Use and Zoning
 - Existing Land Use: Vacant / Agricultural / Utility
 - Land Use: R2. City's adopted Future Land Use Map, March 12, 2018.
 - Zoning: R2

BACKGROUND

On December 19, 2017 Florida Public Utility (FPU) requested an approval of a special permit application to allow a temporary gas utility use within Pod F of Westlake TTD. The subject application was approved by the City Council on January 11, 2018.

The proposed temporary gas utility is needed to provide gas service to the City residents of Hammocks, Meadows, Sky Cove and Cresswind. **Currently, the City has issued a total of 678 single home permits from which 338 have received a Certificate of Occupancy.** Also, on June 8, 2020, City Council approved Pod O Phase 1 plat (The Grove) to build 277 single homes.

The temporary facility includes two (2) gas tanks, perimeter fencing, and a screening fence, see below Site Plan.



The following Time Extensions were granted to the applicant:

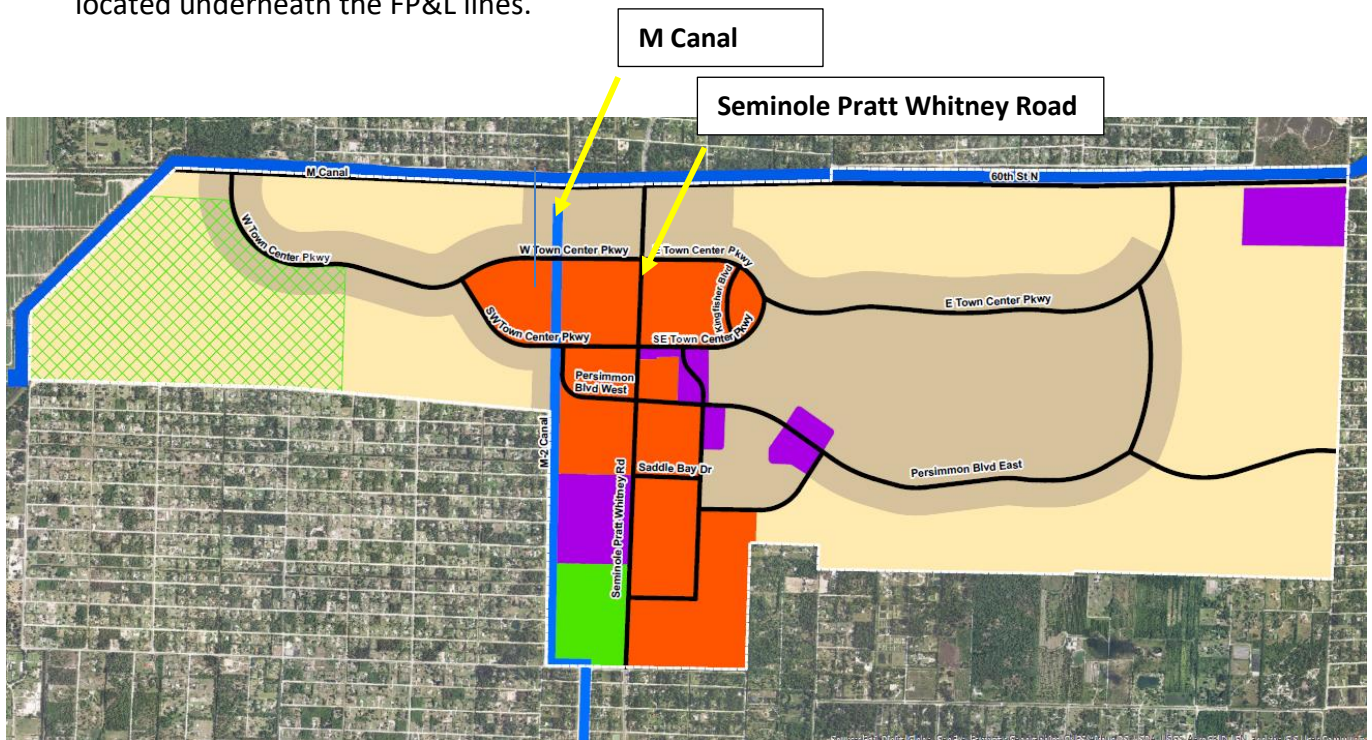
- 1. On January 11, 2018, the **first** application (SPEC-2017-03) was approved for six (6) months with one three (3) month time extension.
- 2. On July 11, 2018 the applicant was granted a **second** Time Extension for an additional three (3) months
- 3. On October 29, 2018 the applicant was granted a **third** Time Extension for an additional nine (9) months that expires .n July 31, 2019.
- 4. On July 8, 2019 the applicant was granted a **fourth** Time Extension for an additional six (6) months that expires on January 31, 2020.
- 5. On January 13, 2020 the applicant was granted a **fifth** Time Extension for an additional six (6) months that expires on July 31, 2020.

STAFF ANALYSIS

The applicant is requesting a Sixth Time Extension to allow a temporary gas facility to provide service to City's residents. The applicant is requesting an additional **twelve (12) months extension to July 31, 2021**.

With regard to the location of the permanent gas line, since 2017 the applicant discussed with the City, SID and the Developer the following locations:

- A. **East Side of the M Canal:** This was the first proposed location for the permanent gas line.
- B. **West Side of the M Canal:** As a second proposal, the permanent gas line was considered to be located underneath the FP&L lines.



- C. **Current Proposed location of the permanent gas line: West of Seminole Pratt Whitney Right of Way.** Per the applicant statement, *“Florida Public Utilities Company is submitting this Administrative Review General Application to extend the temporary CNG Tanker installation thru 7/31/2021 in the City of Westlake. The company determined it necessary to locate an alternate route to supply a permanent natural gas pipeline to the City of Westlake. **The route selected and in the permitting process is located on the west side of Seminole Pratt Whitney Road, in the Palm Beach County right-of-way.** The pipeline would run from south to north on Seminole Pratt Whitney Road from our gate station located near Southern Blvd (State Road 80). Florida Public Utilities Company is working with but not limited to the following agencies to obtain the necessary permits for the installation of the natural gas pipeline. In addition to the City of Westlake, SID and Palm Beach County, FPUC is working with the Florida Department of Environmental Protection, U.S. Army Corps of Engineers, and Indian Trail Improvement District. Florida Public Utilities is in position to start construction when the permits*

are obtained. **The gate station necessary to supply this pipeline has already been installed on Seminole Prat Whitney Road near Southern Blvd (State Road 80).** The anticipated timeline to have the pipeline to the City of Westlake completed is on or before the 7/31/2021 date requested in this application.”

FINAL REMARKS

The subject application will be heard by the City Council per the City’ LDR Code, Chapter 2, Article 2.2, Section 1 (C)(3), “Applications for extensions of more than 90 days require the same type of approval as the original application”.

Florida Public Utility (FPU) is requesting a Sixth Time Extension to allow a temporary gas facility to provide service to City’s residents. The applicant is requesting an additional **twelve (12) months extension to July 31, 2021.** Once the permanent lines are installed, the temporary gas utility will be removed from the property.

The proposed temporary gas utility is needed to provide gas service to the City residents of Hammocks, Meadows, Sky Cove and Cresswind. Currently, the City has issued a total of 678 single home permits from which 338 have received a Certificate of Occupancy. Also, on June 8, 2020, City Council approved Pod O Phase 1 plat (The Grove) to build 277 single homes.

Staff is recommending the applicant submits a written Progress Report every three (3) months to communicate the status of the project to the City Council.



Existing Temporary Gas Utility Facility



City of Westlake Zoning Division
4001 Seminole Pratt Whitney Road
Loxahatchee, FL 33470
Phone: (561) 530-5880
www.Westlakegov.com

ADMINISTRATIVE REVIEW GENERAL APPLICATION

Check (✓) type of application:

- [] Zoning Review [] Agency Review [X] Special Permit; Event Date: Thru 7/31/2021
[] Type IA Variance [] Type IB Variance [] Concurrency Determination
[] Potentially Buildable Lot [] Legal Lot of Record [] Concurrency Equivalency
[] Reasonable Accommodation [] Unity of Title Release [] Concurrency Administrative Exemption
[] Congregate Living Facility (CLF) Type I & Type II (RM District only)

In the box below, please provide a brief description of the Zoning Administration Review / Request:

Temporary gas utility to provide gas within the Westlake community. Florida Public Utilities is in the process of installing a permanent pipeline to supply the City. After the permanent lines are installed, the temporary tankers will be removed from the property. The temporary facility will include two gas tankers, perimeter fencing & screen.

I. PROPERTY LOCATION

- A. Control No. 77-40-43-01-00-000-1010 Control Name: MINTO PBLH. LLC Application Name: N/A
B. Property Control Number (PCN): List additional PCN(s) on separate sheet and attach to application. PCN: 77-40-43-01-00-000-1010
C. Section/Township/Range: 01/43/40 Gross Acreage of Subject Property: 358.5 Gross Acreage of Affected Area: 0.28
D. Location of Subject Property (proximity to closest major intersection or road): Town Center Parkway North, Approx. 1850' east of Seminole Pratt Whitney Road
E. Address: N/A Project No: N/A
F. Subdivision Name: N/A Plat Name: N/A
G. Water/Sewer Provider: PBCWUD Drainage District: Seminole Improvement District
H. Is Subject Property located in an Overlay District or Zone? If yes, provide the District or Zone: SID
I. What is the Use/Type of Development Temporary Gas Utility Square Footage/Number of Units N/A

II. FUTURE LAND USE (FLU) AND ZONING

- A. Current Zoning District: TND Future Land Use Designation: TND
B. Existing Use(s) on Subject Property: Not Developed yet Proposed Use(s): Temporary Gas Utility

III. PLAT INFORMATION FOR AGENCY REVIEW ONLY

- A. Has Subject Property been platted? [] Yes [X] No If Yes, OR Book & Page Number:
B. Will existing plat be affected by request? [] Yes [X] No If Yes, explain in Justification Statement

IV. APPLICANT INFORMATION

Applicant's Name: Florida Public Utilities Company
Address: 1635 Meathe Drive City West Palm Beach State FL Zip 33411
Phone: 561-838-1827 Fax: (use email) Email: dmoreland@fpuc.com

Current Property Owner(s): John Carter
Address: 4400 W Sample Rd. Suite 200 City Coconut Creek State FL Zip 33073
Phone: 954-973-4490 Fax: 954-978-5330 Email: jcarter@mintofla.com

[] Check (X) here if applicant is a contract purchaser. Consent is required from the contract purchaser if a contract is pending to purchase the subject property. HOA or POA consent will be required if subject property is under common ownership or request is to modify any aspect of the project which applies to the entire development (i.e. condition of approval, internal roadway, etc.).

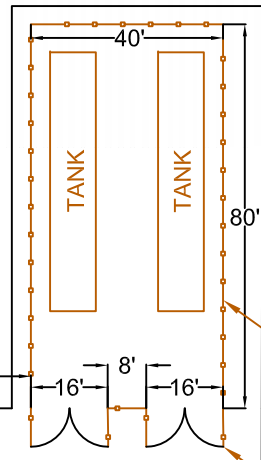
Agent*: Doug Moreland Name of Firm: Florida Public Utilities Company
Address: 1635 Meathe Drive City West Palm Beach State FL Zip 33411
Phone: 561-838-1827 Fax: Cell: 561-723-3522 Email: dmoreland@fpuc.com

*All correspondence will be sent to agent unless otherwise specified.

Florida Public Utilities Company is submitting this Administrative Review General Application to extend the temporary CNG Tanker installation thru 7/31/2021 in the City of Westlake. The company determined it necessary to locate an alternate route to supply a permanent natural gas pipeline to the City of Westlake. The route selected and in the permitting process is located on the west side of Seminole Pratt Whitney Road, in the Palm Beach County right-of-way. The pipeline would run from south to north on Seminole Pratt Whitney Road from our gate station located near Southern Blvd (State Road 80). Florida Public Utilities Company is working with but not limited to the following agencies to obtain the necessary permits for the installation of the natural gas pipeline. In addition to the City of Westlake, SID and Palm Beach County, FPUC is working with the Florida Department of Environmental Protection, U.S. Army Corps of Engineers, and Indian Trail Improvement District. Florida Public Utilities is in position to start construction when the permits are obtained. The gate station necessary to supply this pipeline has already been installed on Seminole Prats Whitney Road near Southern Blvd (State Road 80). The anticipated timeline to have the pipeline to the City of Westlake completed is on or before the 7/31/2021 date requested in this application.

F
TND
(NOT PLATTED)
(NOT INCLUDED)

F
TND
(NOT PLATTED)
(NOT INCLUDED)



TEMPORARY FPU NATURAL GAS TANK
STATION 6' HT. CHAIN LINK FENCE WITH
GREEN OPAQUE WINDSCREEN

SWING GATES

BROWN= EXISTING

GRAVEL AREA

150' FENCE TO SW
120' FENCE TO GATE

50'

55'

16'

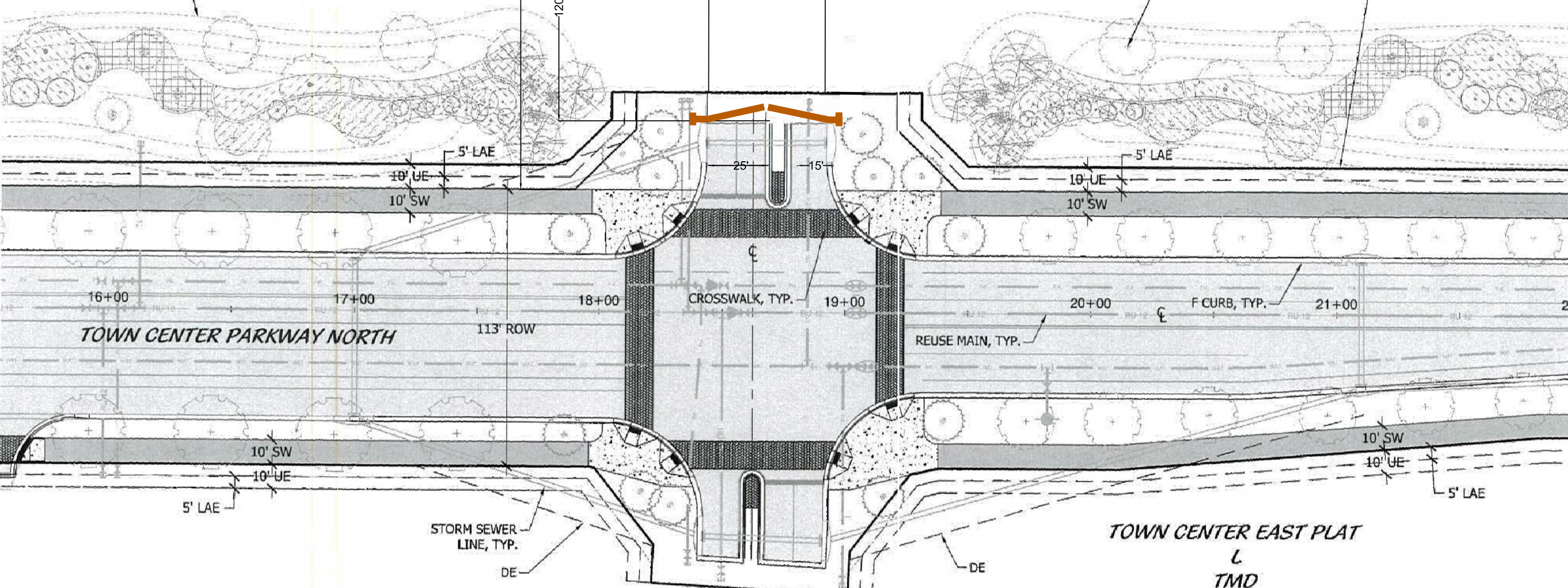
8'

16'

BERM, TYP.

TOWN CENTER PARKWAY
LANDSCAPE. SHOWN FOR
REFERENCE ONLY.

NORTH BOUNDARY OF TOWN
CENTER PARKWAY NORTH
(P.B. 123, PG. 106-118)



TOWN CENTER PARKWAY NORTH

TOWN CENTER EAST PLAT
L
TMD

STORM SEWER
LINE, TYP.

REUSE MAIN, TYP.

CROSSWALK, TYP.

F CURB, TYP.

5' LAE

10' SW

10' UE

10' UE

10' SW

5' LAE

10' UE

10' SW

5' LAE

10' SW

10' UE

5' LAE

25'

15'