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September 26, 2023

Zoning Board of Appeals
City of Pompano Beach
100 West Atlantic Boulevard, Dept. 1510
Pompano Beach, Florida 33060

Via Electronic Mail: scott.reale@copbfl.com

RE: Request for Rehearing- Special Exception PZ# 23-17000007

Dear Chairman Yaffe and Members of the Zoning Board of Appeals:

On behalf of KAJA PROPERTIES INC (“Owner”) and National Express Wash Parent Intermediate Holdco LLC (“Applicant”), PlanW3st LLC (“Agent”) is seeking a rehearing request for the special exception referenced, which was considered by the Zoning Board of Appeals (“ZBA” or the “Board”) on September 21st, 2023 and was denied.

Applicant is requesting a rehearing in light of new evidence which the Owner and Applicant believe is material to the special exception request and which was not readily available prior to the consideration of this item by the ZBA. The new evidence includes but is not limited to Florida Department of Transportation (FDOT) meeting summary, and an additional queuing study pertaining to the proposed development, a Traffic Impact Statement with exhibit, and an updated site plan. This new evidence is material to the discussions of the Board on the special exception application and is not merely cumulative. The Owner, Applicant, and Agent believe that the new evidence meet the threshold criteria for granting a rehearing which is outlined below:

- 1) That there is new evidence which could not have been discovered before the hearing by the exercise of due diligence;
- 2) That the evidence is material and not merely cumulative and
- 3) There is a strong likelihood that the new evidence will affect the results if a new hearing is granted.

Based on the foregoing, the Owner, Applicant, and Agent respectfully request consideration by the Board of a rehearing on this matter. If you have any questions or require any additional information, please do not hesitate to contact me. Thank you.

Sincerely

Paola A. West, AICP, ISA-CA
Principal, Senior Land Planner

Cc: David L. Recor, Development Services Director
James Saunders, Assistant City Attorney
Martha Lawson, Development Services Department Head Secretary