



Memorandum

To: Hans Ottinot, *City Attorney*
Via: Kennie Hobbs, Jr., *City Manager*
From: Daniel T. Keester-O'Mills, AICP, *Development Services Director*
RE: Aqua Wonderland, LLC (DBA: Bubbles Carwash) – 1431 NW 31 Avenue
Date: January 16, 2025

The City Commission adopted by Ordinance (210-03-107), which took effect March 29, 2021, an amortization schedule for certain automotive uses operating along Broward Blvd and Martin Luther King Jr Avenue./ NW 31 Avenue that allowed existing uses to continue until March 2026, but thereafter the uses would be prohibited. The property is currently zoned CG (General Commercial) with a land use designation of "Commercial". The property was annexed from Broward County in 2005 following the executed agreement between the City & County. The operator of the business described themselves as a "Car Wash."

The record keeping of previous Planning & Zoning Staff members wasn't managed well 2019-2022. Letters were sent out regarding the amortization; I found a copy of a letter signed by Chris Torres (City Planner) regarding the proposed amortization dated November 14, 2019, but there isn't a comprehensive mailing list associated with the letter. Thus, I can't confirm all the recipients. Additionally, the date of the letter is before the ordinance was adopted.

The first letter that was dated with a mailing list was January 30, 2023, signed by Molly Howson. Molly advised that other letters were sent out, but it's my assumption the same draft letter was sent out & each time the date was updated, so copies weren't saved documenting that the letters went out. The two businesses identified on this list (from 2023) was McIntosh Auto Group, LLC & Martin's Auto Repair. After I started (October 2023), we re-evaluated uses on 31st and added the other 4 and have been sending letters out twice a year.

The first documented letter that Bubbles received was August 2024. I met with the property owners (Grishams) in 2024. They claimed that the letter was the first that they'd heard of the amortization, and they wanted to confirm that it was intended for their business/property. I confirmed, and they retained council (John McCray, Jr., Esquire) who sent a letter March 8, 2025 to dispute the amortization.

We are requesting a resolution to provide the property owner with additional time to have 5 years from the date that they received the first letter (August 2029).