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**Premier Aviation of Boca Raton, LLC**  
**Summary of Activities from Sept. 2021-Dec. 2021; Proposed Entitlement Schedule**

Dear Boca Raton Airport Authority Board:

As you know, Premier Aviation of Boca Raton, LLC (“Premier”) is the lessee of certain property (“Property”) located within the Airport’s jurisdiction. Per the Boca Raton Airport Authority Board (“Board”) meeting on March 16, 2022, the Board has requested a summary of activities and steps taken toward entitling the Property since September 2021.

As background, Premier filed for a building permit with the City on August 18, 2021, to construct the Phase III development on the Property (“Project”). While that building permit application was pending with the City, the City determined on August 26, 2021, that the original site plan approval had expired and needed to be re-entitled.<sup>1</sup> Once Premier was notified of the site plan approval expiration, Premier initiated the process to re-entitle the Property for the Project. While Premier began actively pursuing a re-entitlement, the Project’s plans were reviewed and approved by the BRAA Board on September 8, 2021.

The following summarizes steps taken by Premier after August 26<sup>th</sup> to obtain a site plan approval for this property.

Premier immediately engaged Bonnie Miskel of Dunay Miskel and Backman to assist in the process. Counsel reviewed potential extensions to determine if any extensions would retroactively apply to the original site plan approval. After it was confirmed that no extensions applied, Premier initiated the site plan application process. On September 24, 2022, Premier requested a pre-application meeting with the City to discuss the process to re-entitle the Project. The pre-application meeting was scheduled for and occurred on September 28, 2022. After the pre-application meeting, Premier engaged multiple engineers and consultants including surveyors, landscape architects, traffic engineers to prepare the required plans, reports and studies and had its architect prepare the required plans for submittal. Simultaneously during this time, while the plans were being updated, DMB, the land use counsel processing the Applications, conducted public records requests to obtain the previously approved plans and reviewed the prior approvals, drafted a narrative, and coordinated with the City on required forms, applications, fees and process. There was also ongoing coordination with other consultants to initiate the title search for the updated survey, as well as initiate work related to the landscape plans, civil plans, and traffic related documents. This Project is particularly complicated due to a portion of the site having vested rights pursuant to construction of Phase I; through thorough analysis, Premier and DMB determined which portions of the site were vested and which portions were subject to the Applications to shorten the

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<sup>1</sup> No extension for the site plan approval was submitted before the expiration.

process and the requirements. Premier, DMB and the consultants worked diligently to prepare the application for submittal in December 2021 which is a very short time for a project of this magnitude.

Additionally, for context on the development industry, due to Covid, consultants involved in the real estate development industry are backlogged on work, further exacerbating an already complicated and lengthy application process. Compiling an application for submittal generally can take as much as 6 to 9 months to prepare. In this case, the City's Site Plan Application checklist is attached to illustrate the application requirements for a site plan application. Initiating and submitting an application under three months is faster than the norm in the current environment.

Below please find a timeline of project updates since the Applications were submitted:

- Dec, 7, 2021 – Submittal of Formal Compliance Application to the City.
- Dec. 28, 2021 – Comments provided by the City.
- February 28, 2022 – Resubmittal of Applications. \*\*\*While resubmittals typically take +/- 1 month, the additional month required in this case was due to a title search delay from the title company. The current title search is required for the ALTA survey. Once the title search was provided, the surveyor updated the survey with same – and due to the size of this property, required an additional 3 weeks.
- March 15, 2022 – Comments provided by the City on resubmittal.

Additionally, the next steps and estimated approval schedule is as follows:<sup>2,3</sup>

*April 2022 – Resubmittal of Applications.*

*April 2022 – Community Appearance Board review of Applications.*

*April 2022 – Comments provided by City on resubmittal.*

*May 2022 – Resubmittal of Applications.*

*May 2022 – Comments provided by City on resubmittal.*

*June 2022 – Applications are routed for hearing.*

*September 2022 – With City approval, Premier can submit the Public Works Review application (“PWR Application”) and the Building Permit Application (“BP Application”) while the entitlements are still pending approval at public hearing. If the City agrees to do so, all work is at risk.*

*September 2022 – Planning and Zoning Board hearing – Advisory Recommendation Hearing.<sup>4</sup>*

*October 2022 – City Council Hearing – Final hearing.*

*February - March 2023 – Issuance of PWR permit and BP permit.*

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<sup>2</sup> Entitlement-related events are in blue; PWR and BP-related events are in green.

<sup>3</sup> This is a tentative schedule drafted based on experience working in the City; no dates are guaranteed but are a conservative estimate of the approval process. All dates are subject to change pursuant to the City's process.

<sup>4</sup> While the City's Planning and Zoning Calendar reflects a two-month routing process to hearing once plans are deemed final, since Covid began, the City has not followed this schedule. Applications have taken up to 6 months to be routed to hearing after being deemed final. Additionally, the City will operate on a summer schedule from June – August, with only one Planning and Zoning meeting and one City Council meeting per month, further delaying applications. The summer meeting schedule will be finalized in May 2022.

Finally, per discussion at the March 16, 2022 Board meeting, Premier will provide the Board updates on the Project as same occur.<sup>5</sup> Please advise if you require any additional information. Thank you.

Thank you,

A handwritten signature in blue ink that reads "Bonnie Miskel". The signature is written in a cursive, flowing style.

Bonnie Miskel, Esq.

cc: Hamid Hashemi, Premier Aviation of Boca Raton, LLC  
Howard DuBosar, Esq.  
Lauren Odom, Esq.

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<sup>5</sup> Monthly updates as well as updates within 5 days of an event's occurrence in the entitlement process.

# SPA

## SITE PLAN APPLICATION ELECTRONIC SUBMITTAL CHECKLIST

### TO ALL APPLICANTS:

Each item included in the submission should be checked-off below. Items that are not submitted may delay the project by making it impossible to fully review the project and may require submission of additional materials.

**The following items and information must be submitted electronically for ALL projects.**

SUBMITTED (Please check box)		ELECTRONIC SUBMITTAL ITEMS/INFORMATION
YES	NO	
		Signed and sealed copies of the legal description in WORD format, and signed and sealed surveys prepared by a registered land surveyor of the entire property encompassing the site plan, including the centerline grades of the roadways abutting the property.
		Entire application submittal, including, but not limited to, the application, project narrative, site/landscape/architectural plans, survey, and any other information requested by the City.
		Signed and sealed traffic study and/or parking accumulation study if required by the City's Traffic Engineer.
		Unity of title fully executed by all property owners and their respective mortgagees using the City's standard unity of title form for those projects having multiple parcel control numbers or comprised of more than one (1) platted lot. If the executed unity of title is not submitted with the site plan, the application will not be scheduled for any public hearing until such time as the executed form is submitted.
		Tree survey depicting all existing trees having a diameter of two (2) inches or greater as measured 4.5 feet above grade, together with delineation as to which trees will be preserved and/or removed.
		Applicant's response letter demonstrating that all comments provided by Planning Advisory (PA) review have been addressed or satisfied.
		Proposed architectural elevations and floor plans.
		Notice to FAA, if applicable.
		Site plans drawn in engineering scale, including north arrow and general location map. Site plans shall depict or describe each of the following, if applicable:
		A Name and address of the owner(s), applicant(s) and professionals responsible for preparing the site plan.
		B Title and/or name of the project, project address and developer/builder.
		C Date, location map, north arrow and graphic scale. The location map and site plan should be oriented in the same direction.
		D Property lines and existing and proposed (with dimensions, sizes, grades, slopes and details where applicable): <ul style="list-style-type: none"><li>• buildings with all building entrances identified;</li><li>• building setbacks and distances between buildings;</li><li>• parking areas and structures, regular and handicapped parking</li></ul>

			<p>spaces, loading spaces and drives (must be fully dimensioned with typical space sizes identified and intersection radii) together with details regarding width and depth of pavement material and sub-base;</p> <ul style="list-style-type: none"> <li>• vertical clearance above any travelways for vehicles or pedestrians or utility easements;</li> <li>• watercourses and bodies;</li> <li>• public rights-of-way and private streets (including r/w or parcel width and existing and/or proposed grades);</li> <li>• water service lines, fire hydrants, sanitary sewer lines, lift stations, manholes, inlets, underground conduits, storm drains, stormwater pipes, swales, utility poles and boxes, wells, and all other improvements related to the provision of public and private utilities;</li> <li>• sidewalks, curbs, gutters, traffic control devices and signage, bike paths, trails and other mobility or roadway improvements;</li> <li>• seawalls;</li> <li>• open and green space;</li> <li>• landscape buffers;</li> <li>• furnishings, including bicycle racks, benches, trash receptacles and decorative lighting;</li> <li>• walls, fences and berms;</li> <li>• dumpster enclosures and details/elevations;</li> <li>• recreational amenities;</li> <li>• site and building lighting;</li> <li>• location and size, in acres and square feet, of areas to be conveyed, dedicated or reserved as open space, public park, recreational area, or other public or private use; and</li> <li>• any other additional information as may be requested by the Development Services Department to allow for review of the site plan.</li> </ul>
		E	<p>Site data for adjoining properties, including:</p> <ul style="list-style-type: none"> <li>• project or property owner's name;</li> <li>• existing land use;</li> <li>• zoning;</li> <li>• density;</li> <li>• circulation system and curb/median cuts;</li> <li>• public facilities; and</li> <li>• natural features.</li> </ul>
		F	Master phasing plan, if applicable.
		G	<p>Site data addressing existing and proposed conditions, including:</p> <ul style="list-style-type: none"> <li>• zoning and future land use designation;</li> <li>• acreage and square footage of the each proposed lot and the lands encompassed by the entire site plan;</li> <li>• square footage of each structure;</li> <li>• floor area ratio for site plans including non-residential development;</li> <li>• density, number and type (number of bedrooms) of proposed dwelling units, minimum unit size and average unit size for site plans including residential development;</li> <li>• proposed and maximum allowable height of all structures;</li> <li>• parking calculations, including bicycle parking (required and proposed);</li> <li>• open space;</li> <li>• water and sewer usage;</li> <li>• proposed and required building setbacks; and</li> <li>• any other additional information as may be requested by the Development Services Department to allow for review of the site</li> </ul>

			plan.
		H	Preliminary design of bridges or culverts.
		I	Functional analysis for proposed parking structures.

I hereby state that I have reviewed the site plan and other information and exhibits submitted with the application and have determined, as evidenced by the checked boxes above, that all required information set forth herein has been provided, if applicable, for the proposed project. I further state to the best of my knowledge that the information provided is accurate, complete and correct.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_