

# CITY OF GREENACRES

## OFFICIAL MINUTES TRACKING

Council/Board: Planning Commission

Meeting Date: 1-20-16

Transcribed by: mf No. of Pages: 7 Transcription Time: 3.0

### REVIEW OF MINUTES

Reviewed By:

Name/Initials	Date	Revisions	
<u>Dmc</u>	<u>2-10-16</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>KF</u>	<u>2-10-16</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

### APPROVAL OF MINUTES

Meeting Date: 2-17-16

Motion By: Clements Seconded By: Chambers

Check One: ☒ Approved ☐ Tabled ☐ Denied Vote: 5/0

Changes requested by Council or Board? ☐ Yes ☐ No

If yes, note changes: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Scanned and Filed: \_\_\_\_\_ By: \_\_\_\_\_



## CITY OF GREENACRES, FLORIDA

### OFFICIAL MINUTES PLANNING COMMISSION

Wednesday, January 20, 2016

**1. Call to Order and Roll Call.**

The Planning Commission meeting was called to order on Wednesday, January 20, 2016 at 7:00 p.m., with Chairwoman Edmundson presiding. Melody Larson, Assistant to the City Clerk called the Roll.

**ROLL CALL:**

Commissioners Present:

Ann Edmundson, Chair  
Wilneeda Emmanuel, Vice Chair  
Robert Clements  
John Robarts  
Tacara Chambers

Staff Present:

Thomas J. Lanahan, Acting City Manager  
Kara Irwin-Ferris, Zoning Administrator  
Melody Larson, Assistant to the City Clerk

Public Attendance: 6

Press Attendance: 0

Absent:

Estelle Friedman  
Jack Buzek

**2. Agenda Approval: Additions, deletions, or other revisions to the agenda.**

Chairwoman Edmundson asked if there were any additions, deletions, or revisions to the agenda; hearing none, the agenda was approved.

**3. Approval of Minutes: December 16, 2015 and January 6, 2016.**

Chairwoman Edmundson asked if there were any additions, deletions, or revisions to the minutes of December 16, 2015 and January 6, 2016; hearing none, she called for a motion.

**MOTION:** Commissioner Clements made a motion to approve the Planning Commission minutes of December 16, 2015 and January 6, 2016. Commissioner Chambers seconded the motion.



**VOTE ON** In favor: Chairwoman Edmundson, Vice Chairwoman  
**THE MOTION:** Emmanuel, Commissioners Clements, Robarts and Chambers.

**Motion: 5 – 0.**

**4. Cases:**

- A. ANX-15-02 (Lake Worth Road/S. Jog Road) - A City-initiated**  
**Ord. 2016-03** annexation of eight (8) parcels of land totaling approximately 7.27 acres in accordance with Chapter 171.0413(6) of the Florida Statutes. The parcels are located at 6530, 6535, 6548, 6566, 6584, 6602, and 6620 Lake Worth Road and at 3810 S. Jog Road.

Zoning Administrator Kara Ferris described the City-initiated request to annex eight (8) parcels of land, of which six (6) parcels are located on the southwest corner of Lake Worth Road and South Jog Road consisting of a Boston Market, a 9,000 sq. ft. Marathon Gas Station, a car wash and a 7,500 sq. ft. office building known as the Crossroads Shopping Center. On the northwest corner of the same intersection, the proposal includes two (2) outparcels adjacent to the Greenacres Plaza that include a Firestone Auto Repair Center and a PNC Bank. Mrs. Ferris noted that Chapter 171.0413.6, F.S. allows parcels with no registered electors to be annexed as long as over 50% of the property owners consent to annexation. Parcels 4,5,6,7 and 8 represent 56.4% of the total number of property owners required for annexation. Mrs. Ferris noted that the parcels are contiguous to City boundaries on the north and will fill in a corner enclave and facilitate emergency services to the site. The proposal meets the statute requirements for annexation; therefore, staff recommends approval of ANX15-02.

Chairwoman Edmundson asked board members for comments.

Commissioner Clements asked about the uses that were approved in the County.

Mrs. Ferris explained that the City will adopt the older County approvals for the proposed parcels and noted that if any property owner wishes to make any changes to their site, the City will then ensure that the changes being proposed will meet City Code.

Chairwoman Edmundson pointed out that the Palm Beach County Sheriff's Office (PBSO) will be responding to those areas.

Mrs. Ferris agreed, noting that no additional PBSO personnel will be required and the added benefit of annexation is to lessen confusion when responding to calls as well as increase the City's tax base.

Chairwoman Edmundson opened the floor to the public. She asked if anyone was in favor of, or opposed to Ordinance No 2016-03 to come forward. Seeing no one come forward, she closed the floor to the public and called for a motion.

**MOTION:** Commissioner Robarts made a motion to recommend approval of ANX-15-02 (Lake Worth Road/South Jog Road) as presented by staff. Commissioner Clements seconded the motion.

**VOTE ON THE MOTION:** **In favor:** Chairwoman Edmundson, Vice Chairwoman Emmanuel, Commissioners Clements, Robarts and Chambers.

**Motion: 5 – 0.**

- B. ZC-15-06 (Lake Worth Road/S. Jog Road) - A City initiated zoning designation change of eight (8) parcels of land from Palm Beach County General Commercial (CG) to City Commercial Intensive (CI). The parcels are located at 6530, 6535, 6548, 6566, 6584, 6602, and 6620 Lake Worth Road and at 3810 S. Jog Road.**  
**Ord. 2016-05**

Mrs. Ferris noted this is a companion item to the annexation request just reviewed and the City is requesting to rezone the same eight (8) parcels to a Commercial Intensive (CI) zoning designation. She noted that the proposal is compatible and consistent with surrounding properties and the existing uses are permitted uses and special exception use within the CI district. Mrs. Ferris stated that the proposal meets the ten (10) zoning change criteria; therefore, staff recommends approval of ZC-15-06.

Chairwoman Edmundson asked board members for comments; hearing none she opened the floor to the public. She asked if anyone was in favor of, or opposed to ZC-15-06 to come forward. Seeing no one come forward, she closed the floor to the public and called for a motion.

**MOTION:** Commissioner Clements made a motion to recommend approval of ZC-15-06 (Lake Worth Road/South Jog Road) as presented by staff. Commissioner Robarts seconded the motion.

**VOTE ON THE MOTION:** **In favor:** Chairwoman Edmundson, Vice Chairwoman Emmanuel, Commissioners Clements, Robarts and Chambers.

**Motion: 5 – 0.**

- C. SE-15-04 Wawa Convenience Store & Gas Station - A request by the owner for a special exception to allow for a Convenience Store with Fuel Sales in a Commercial Intensive (CI) zoning district. The sites are located at 6548, 6566, and 6584 Lake Worth Road**  
**Res. 2016-02**

Mrs. Ferris described the special exception request to allow a Wawa Convenience Store with fuel sales on a 2.26 acres site to be located on the southwest corner of Lake Worth Road and South Jog Road. The concept plan consists of a 5,946 sq. ft. convenience store with 8 pumps, 16 fueling stations and outdoor seating. The



exception criteria; therefore, staff recommends approval of SE-15-04, subject to staff's eight (8) conditions of approval.

Chairwoman Edmundson asked board members for comments.

Commissioner Clements asked if additional cut-through entries from the existing median on Lake Worth Road will be required.

Mrs. Ferris explained that the existing access points would remain with no additional changes.

Chairwoman Edmundson called on the applicant for comment.

Attorney Dwayne Dickerson of Dunay, Miskel and Backman, L.P. in Boca Raton, FL, agent for the owner, thanked staff for their time on this project and stated that he was in agreement with staff's eight (8) conditions of approval with the exception of Condition No. 7 relating to outdoor speakers. The American with Disabilities Act (ADA) requires a speaker system at the pumps. Another area where speakers will be used is for outdoor seating. He explained that Wawa prepares freshly made food and the speakers are used to notify customers that their orders are ready while playing soft music. Mr. Dickerson explained there would be no negative impacts to residents since the closest home is located 200 ft. away with a 6 ft. landscaped privacy wall. He therefore requested that Condition No.7 be modified.

Acting City Manager Thomas J. Lanahan explained that the issue relates to outside impacts. A condition of this nature is added to minimize outside impacts to neighboring properties and the way to do that is to not allow a speaker system at all or allow one but have a requirement to control audibility beyond the property line. The City would be willing to modify Condition No. 7 to allow the outdoor speakers to cover the outdoor seating area, as long as the sound is not audible beyond the property line.

Mr. Dickerson was in agreement with the proposed modification as stated.

Chairwoman Edmundson asked if the existing underground fuel tanks would be replaced.

Mr. Dickerson stated that new tanks will be installed.

Vice Chairwoman Emmanuel asked for an overview of Wawa.

Mark Hamilton of Wawa Corporation, reported that they currently have 85 stores in Florida primarily in Orlando, Tampa, Sarasota and Ft. Myers. Wawa is a Pennsylvania based business and has been in existence for over 200 years. Wawa started as a fresh food market and has since expanded. He noted Wawa is a Panera Bread-type atmosphere with the same quality as a one-stop shop. Wawa has received an incredible reception in Florida and they looked forward to opening in Greenacres.

Vice Chairwoman Emmanuel asked if they would have servers.

Mr. Hamilton explained that customers will customize their orders using touch

screens, they will pay for their order and then pick it up and sit indoors or outdoors.

Chairwoman Edmundson asked how many employees will be working.

Mr. Hamilton reported approximately 40 employees with peak hours consisting of 10-12 employees, with a minimum of 3 overnight.

Commissioner Chambers asked if the food items would be available 24 hours.

Mr. Hamilton explained that most sandwich items will be available.

Chairwoman Edmundson opened the floor to the public. She asked if anyone was in favor of, or opposed to SE-15-04 to come forward.

Cathy and Mike Stravelli, current owners of an apartment building to the south of the proposed site at 4021 South Jog Road, stated how excited they are about Wawa locating in Greenacres, but were concerned about how it will affect their business, Casa Hermosa, a 6-unit apartment building consisting of 2 townhouses, and (4) 1-bedroom villas. Their concern is over how the outdoor music and lighting may affect their tenants. Their units were the original models for the Turnberry townhome development. Mrs. Stavelli explained that when the existing wall was built, it was supposed to be landscaped, but never was, and then it attracted graffiti artists.

Mr. Lanahan explained that the existing wall is set directly on the property line, preventing the ability to plant anything on the south side of the wall due to the canal right-of-way. The conditions of approval require the wall to be repaired and repainted and it will be the property owners' responsibility to maintain the wall. He reported that new tree plantings will take place on the north side of the wall to provide additional screening. He explained that due to overhead powerlines, they will be limited in the type of 12-ft. tree species that can be planted there. As for the lighting, there will be enhancements to the property that will meet City Code with a spill of 1/3 ft. candle (full moon) at the property line preventing any lighting impacts to the Stravelli's property. Mr. Lanahan noted that impacts to the adjacent properties should be positive – this is an older center without a vibrant business. This is a redevelopment of the site that is attempting to provide a positive impact in the community.

Chairwoman Edmundson closed the floor to the public and called for a motion.

**MOTION:** Commissioner Clements made a motion to recommend approval of SE-15-04 (Wawa Convenience Store and Gas Station) as presented by staff including modification to Condition No. 7 as follows:

*7. No outdoor speakers shall be permitted, except as necessary to comply with safety or handicap accessibility requirements*



for the gas pumps on site and adjacent to the outdoor seating area on the northeast corner of the building. No music or announcements shall be audible beyond the property lines. (Building)

Commissioner Robarts seconded the motion.

**VOTE ON  
THE MOTION:**

**In favor:** Chairwoman Edmundson, Vice Chairwoman Emmanuel, Commissioners Clements, Robarts and Chambers.

**Motion: 5 – 0.**

- D. SP-15-06 Wawa Convenience Store & Gas Station** - A request by the owner for site and development plan approval to construct a new 5,943 sq. ft. convenience store building with 8 fuel pumps under a 6,090 sq. ft. canopy. The sites are located at 6548, 6566, 6584, 6602, and 6620 Lake Worth Road.

Mrs. Ferris described the request for site plan approval to construct a Wawa Convenience Store and Gas Station on a 2.26 acre site located on the southwest corner of Lake Worth Road and South Jog Road. The original master plan for the entire 6.27-acre site known as Crossroads Shopping Center was approved by the County and included 4 access points, cross-access and shared parking. The existing Marathon Gas Station, the car wash and the Mattress Firm building will be demolished. In its place, a 5,943 sq. ft. convenience store and gas station with 8 pumps, 16 fuel stations under a 6,090 sq. ft. canopy, 46 parking spaces (3 handicap) with outdoor seating is being proposed. Architectural features include stone veneer with metal roofing in muted tones. The dumpster area will be enclosed with galvanized steel gates placed against the rear of the building. Lighting will be shielded to minimize impacts on neighboring sites; the landscape plan received a 2-part variance to reduce the south and north perimeter landscape buffers. Circulation for fuel truck and food deliveries meets Code requirements; drainage consists of trenches for stormwater that will discharge into the L-12 Canal. Mrs. Ferris stated staff recommends approval of SP-15-06, subject to staff's thirty-two (32) conditions of approval including modification to Condition No. 29 relating to outdoor speakers to match the special exception as mentioned above.

Chairwoman Edmundson asked board members for comments; hearing none, she called on the applicant for his acceptance of staff's conditions of approval with modification to Condition No. 29.

Mr. Dickerson accepted staff's conditions of approval with the exception of two (2) conditions. Condition No. 29 as discussed and modified is one of those conditions; the second one is Condition No. 22 regarding the dumpster enclosure which calls for 22-gauge galvanized corrugated steel. Mr. Dickerson noted that the applicant will be upgrading that feature by providing a door with steel-frame siding and hardy-board planks which is more decorative and more durable. He therefore asked staff to amend Condition No. 22.

Mr. Lanahan pointed out that Condition No. 22 states "at a minimum", therefore, if the applicant exceeds that minimum that is acceptable.

Chairwoman Edmundson called for a motion.

**MOTION:** Commissioner Clements made a motion to recommend approval of SP-15-06 (Wawa Convenience Store and Gas Station), subject to staff's thirty-two (32) conditions of approval and modification to Condition No. 29 as modified:

29. *No outdoor speakers shall be permitted, except as necessary to comply with safety or handicap accessibility requirements for the gas pumps on site and adjacent to the outdoor seating area on the northeast corner of the building. No music or announcements shall be audible beyond the property lines. (Building)*

Commissioner Chambers seconded the motion.

**VOTE ON  
THE MOTION:**

**In favor:** Chairwoman Edmundson, Vice Chairwoman Emmanuel, Commissioners Clements, Roberts and Chambers.

**Motion: 5 – 0.**

5. **Discussion Items:** None.
6. **Concluding Remarks:** None.
7. **Adjournment of Planning Commission.**

Chairwoman Edmundson declared there was no further business to discuss and adjourned the Planning Commission at 7:48 p.m.

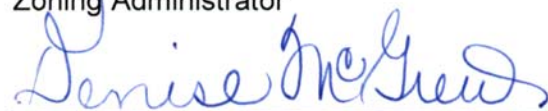
**Planning Commission**

  
Ann Edmundson, Chairwoman



Respectfully submitted:

  
Kara Irwin-Ferris  
Zoning Administrator

  
Denise McGrew,  
City Clerk/Director of Administrative Services

Date of Approval: 2-18-16