



CITY OF GREENACRES AGENDA

PLANNING COMMISSION

GREENACRES CITY HALL - COUNCIL CHAMBERS

WEDNESDAY, August 16, 2017

7:00 P.M.

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT, THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST.

NOTICE: If any person decides to appeal any decision of the City of Greenacres Planning Commission at this meeting, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such record. **FOR HEARING ASSISTANCE:** If any person wishes to use a Listen Aid hearing device, please contact the Planning and Engineering Department prior to any meeting held in the Council Chambers.

1. Call to Order and Roll Call for Planning Commission.
2. Agenda Approval - Additions, deletions, or other revisions to the agenda.
3. Approval of Minutes: February 1, 2017, February 15, 2017, March 15, 2017 and April 19, 2017
4. Cases

**PUBLIC
HEARING**

**SE-17-02
Res. 2017-33**

Quantum Diagnostics, LLC

A request by the owner, for a special exception request to allow a laboratory (clinical) in a Mixed Use Development – Original Section zoning district. The site is located at 5199 10th Avenue North.

**PUBLIC
HEARING**

Ord. 2017-03

ZTA-16-05

The zoning text amendment proposes to revise Chapter 16, Article I In General, Section 16-1, Definitions, Article III District Regulations, Division 11 Commercial Intensive, Section 16-505, Division 17 Lake Worth Road Urban Corridor (UC) Overlay District, Section 16-593, and Article IV Supplementary District Regulations, Division 2 Area and Height Limitations, Section 16-628; to provide regulations for increased building height for specific uses within the Lake Worth Road Urban Corridor (UC) Overlay District.

5. Discussion Items:
6. Concluding Remarks:
7. Adjournment of the Planning Commission Meeting.



CITY OF GREENACRES, FLORIDA

**OFFICIAL MINUTES
PLANNING COMMISSION**

Wednesday, February 1, 2017

1. Call to Order and Roll Call.

The Planning Commission meeting was called to order on Wednesday, February 1, 2017 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
Estelle Friedman
Robert Clements
Tacara Chambers
Jack Buzek
Joel Flores

Staff Present:

Kara Irwin-Ferris, Acting Plng. & Eng. Director
Osniel Leon, Senior Planner
Melody Larson, Assistant to the City Clerk

Public Attendance: 4

Press Attendance: 0

Absent:

Wilneeda Emmanuel, Vice Chair
Larry Tronco

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: September 21, 2016.

Chairwoman Edmundson asked if there were any additions, deletions, or revisions to the minutes of September 21, 2016; hearing none, she called for a motion.

MOTION: Commissioner Clements made a motion to approve the Planning Commission minutes of September 21, 2016. Commissioner Chambers seconded the motion.

**VOTE ON
THE MOTION:**

Motion: 6 – 0.

4. Cases:

- A. SE-16-03 Res. 2017-04 RaceTrac Market** - A request by the petitioner for a Special Exception approval to allow for a full service fuel station in a Commercial Intensive (CI) zoning district. The site is located at the northwest corner of Lake Worth Road and Sherwood Forest Boulevard at 6025 Lake Worth Road (fka Walgreens Pharmacy).

Senior Planner Osniel Leon described the former Walgreens Pharmacy site located on the northwest corner of Sherwood Forest Boulevard and Lake Worth Road. The site was originally approved for a pharmacy (fka Walgreens) and public storage/mini warehouse facility. The proposed special exception request is to redevelop the vacant pharmacy portion of the site into a 24-hour, 7-day a week convenience store with fuel sales. A variance for the separation distance requirements was granted in November 2016 and a site plan application is being processed concurrently with this request. The proposal meets the twelve (12) special exception criteria and staff recommends approval of SE-16-03 subject to staff’s four (4) conditions of approval.

Chairwoman Edmundson called on board members for comments; hearing none, She called on the petitioner for acknowledgement of staff’s conditions of approval.

Kristen Hutton of the Wantman Group, Inc., agent for the owner, stated she was looking forward to redeveloping the site as proposed. Ms. Hutton noted that the applicant is not requesting a future land use amendment or a rezoning since the requested use is permitted in Commercial Intensive (CI) zoning districts with a special exception. She stated that her client was in agreement with staff’s four (4) conditions of approval.

Chairwoman Edmundson opened the meeting to the public. She asked if anyone was in favor of, or opposed to, Resolution 2017-04 to come forward. Seeing no one come forward, she closed the meeting to the public and called for a motion.

MOTION: Commissioner Clements made a motion to recommend approval of SE-16-03, subject to staff’s four (4) conditions of approval. Commissioner Buzek seconded the motion.

VOTE ON THE MOTION: **In favor:** Chairwoman Edmundson, Commissioners Friedman, Clements, Chambers, Buzek and Flores.

Motion: 6 – 0.

- B. SP-16-02 RaceTrac Market** - A request by the petitioner for site and development plan approval to construct a 5,589 sq. ft. convenience store with an 8,773 sq. ft. gas canopy and 16 fuel dispensing points, 36 parking spaces and two access points, one from Lake Worth Road and one from Sherwood Forest Boulevard. The site is located at the northwest corner of Lake Worth Road and Sherwood Forest Boulevard at 6025 Lake Worth Road (fka Walgreen’s Pharmacy).

Senior Planner Leon presented the request for site plan approval for a convenience store with fuel sales to be located at the northwest corner of Lake Worth Road and Sherwood Forest Boulevard. The proposed site plan consists of a 5,589 sq. ft. convenience store with an outdoor seating area, 8 fuel pumps with 16 fueling stations, 33 parking spaces including 2 handicap spaces, two existing access points from Lake Worth Road and Sherwood Forest Boulevard, a 15 ft. landscaped buffer along Lake Worth Road and a 6 ft. masonry wall adjacent to residential zoning. Drainage, water and sanitary sewer systems are adequate and subject to final permitting. Staff recommends approval of SP-16-02 subject to staff's twenty (20) conditions of approval.

Chairwoman Edmundson called on board members for comments.

Commissioner Friedman and Acting Planning and Engineering Director Kara Irwin-Ferris discussed unified developments and existing businesses granting approval to amend master plans to allow for new development.

Chairwoman Edmundson called on the petitioner to acknowledge staff's conditions of approval.

Ms. Hutton of the Wantman Group, Inc., agent for the owner, accepted staff's twenty (20) conditions of approval.

Chairwoman Edmundson asked if the western exit out of Woodlake Plaza along the Tire Kingdom would be modified and asked where the proposed outdoor seating would be located.

Acting Director Ferris stated that the existing peanut would remain. As for the outdoor seating, it will be facing Sherwood Forest Boulevard.

Chairwoman Edmundson called for a motion.

MOTION: Commissioner Clements made a motion to recommend approval of SP-16-02 subject to staff's twenty (20) conditions of approval. Commissioner Chambers seconded the motion.

VOTE ON THE MOTION: **In favor:** Chairwoman Edmundson, Commissioners Friedman, Clements, Chambers, Buzek and Flores.

Motion: 6 – 0.

4. Discussion Items:

Acting Director Ferris explained that the proposed amendments to the City's sign code and building height regulations resulted from Council direction at a Council Workshop held on October 24, 2016. She was seeking input from Commissioners at this time and their comments would be incorporated into the proposed text amendments at a future public hearing.

A. ZTA-16-04 - A City-initiated request for a text amendment to revise the Sign Code.

Acting Director Ferris stated that changes to the LED changeable copy signs are being proposed to allow them for government use only and public purposes only; no commercial messages would be permitted e.g. soccer sign-ups, City events, hurricane/roadway safety. A line item has been added to the 2017 budget for the purchase of two (2) LED signs. In order for these items to be permitted this amendment is required.

Current exceptions include time/temperature signs, gas station price signs and menu board signs. Increased logo areas, multiple colors and trademark designs are also being proposed with an approved master signage program. This will provide architectural consistency and allow for free speech and branding while maintaining aesthetic uniformity.

Proposed language increasing the logo area from 25% to 50% for building wall signs is being added with logos not to exceed the total height of the sign and shall meet distance requirements from the premise area.

New language is being added to Sec. 16-985 Identification Signs to allow LED changeable copy signs for government uses limited to messages that serve a public purpose (only non-commercial messages are permitted).

Identification sign height limitations and permitted zoning districts:

- Time and temperature signs: Not to exceed 2 feet in height, permitted at banks and financial institutions with drive-thru's. and are permitted in Commercial General (CG) and Commercial Intensive (CI) districts.
- Gas station signs: Not to exceed 12 feet in height in CG and CI districts.

Acting Director Ferris asked for recommendations from Commissioners.

Commissioner Flores asked how the proposed changes are similar to signage in neighboring cities and unincorporated Palm Beach County.

Acting Director Ferris explained that signs are tied to the size of the building and gave the example of a 15 sq. ft. sign having 25% (up to 50%) of the total square footage is the allowable size of the logo. She noted that outparcels have completely different requirements than inline stores.

B. ZTA-16-05 - A City-initiated request for a text amendment to revise Building heights.

Acting Director Ferris reported on Council's desire to increase the current building height of three stories (35 feet maximum) to boost economic development opportunities for offices, employment centers, adult congregate living facilities, retailers, etc. One of the main issues is the number of residential units citywide and compatibility with higher buildings.

She reviewed existing types of structures e.g. church spires, flag poles, monuments, antennae noting that there were some exceptions granted. Increasing the height impacts fire rescue demands and requires additional equipment (ladder truck) to meet Level of Service (LOS) demands for taller buildings. Higher buildings impact adjacent residential structures and can create shade/shadow and privacy concerns. Items to consider are preserving land use patterns and the character of the City when integrating new higher development into existing neighborhoods. Greenacres is characterized as a bedroom community.

Acting Director Ferris suggested creating a new zoning category or an overlay zone with established building height requirements, design standards, architectural styles, terracing or step-back techniques, additional landscape buffering, with a maximum building height of 6-stories. Anything higher would be considered a high-rise. Development would be permitted in Residential High (RH), Commercial Intensive (CI), or Mixed Use Development-Office (MXD-O) zoning districts.

Commissioner Friedman recalled that the outcome of the 2001 Joint Planning Charrette for the 10th Avenue North Corridor, was to create vernacular style architecture and parking in the rear. By changing the height requirements, existing development would be impacted even along Lake Worth Road. Varying building heights would change the City's character; she suggested better aesthetics.

Commissioner Flores explained that if done as an overlay it would have a favorable economic impact. By restricting building height, the City cannot be competitive with other municipalities. With the passing of the one cent infrastructure surtax, he believed it was a perfect time to modify the Code to allow for development/redevelopment.

Acting Director Ferris agreed noting that there are ways to provide added height while respecting existing structures without creating an eyesore.

Chairwoman Edmundson noted that construction of a 7-story apartment building is being proposed near the Fountains; this type of development is surrounding the City.

Acting Director Ferris pointed out that North Palm Beach has successfully integrated tall buildings along the US 1 Corridor with residential behind them. The goal is integration.

Commissioner Chambers left the meeting at 8:02 pm.

6. **Concluding Remarks:** None.

7. **Adjournment of Planning Commission.**

Chairwoman Edmundson declared there was no further business to discuss and adjourned the Planning Commission meeting at 8:04 p.m.

Planning Commission

Respectfully submitted:

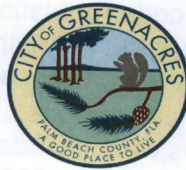
Ann Edmundson, Chairwoman

Kara Irwin-Ferris
Acting Planning & Engineering Director

Joanna Cunningham, MMC
City Clerk

Date of Approval: _____

/mel



CITY OF GREENACRES, FLORIDA

**OFFICIAL MINUTES
PLANNING COMMISSION**

Wednesday, February 15, 2017

1. Call to Order and Roll Call.

The Planning Commission meeting was called to order on Wednesday, February 15, 2017 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
Tacara Chambers, Vice Chair
Estelle Friedman
Robert Clements
Joel Flores

Staff Present:

Kara Irwin-Ferris, Zoning Administrator
Melody Larson, Assistant to the City Clerk

Public Attendance: 0

Press Attendance: 0

Absent:

Jack Buzek
Larry Tronco

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: None.

4. Cases:

**A. ZTA-16-04
Ord. 2017-02**

This zoning text amendment proposes to revise Chapter 16, Article VI relating to signage; to provide regulations for LED changeable copy signs for public purposes in the City's Government Use (GU) zoning district and provide updates to the regulations for permitted identification signage. This is a City-initiated request for a text amendment to revise the Sign Code.

Kara Ferris, Acting Planning and Engineering Director, presented the proposed changes to the City's sign code regulations allowing LED changeable copy signs for government use, public purposes only with non-commercial messages in Government Use (GU) zoning districts, increasing the logo areas from 25% to 50%, allowing multiple colors and trademark designs. She explained that the purchase of two (2) LED changeable copy signs were included in the FY 2017 Budget to be located at the Fire Department (fka Station #1) at 2995 South Jog Road and at Station 2, 5095 South Haverhill Road. These changes are intended to meet the demand for public information while keeping up with technology standards.

Acting Director Ferris noted that exceptions to prohibited signs are time/temperature, gas station and ground signs for government use and that language was being added to prohibit advertising for off-site businesses in any form. She stated staff recommends approval of ZTA-16-04.

Commissioners and staff discussed schools generating funding by using off-site advertising and its legal ramifications.

Chairwoman Edmundson opened the floor to the public. She asked if anyone was in favor of, or opposed to, Ordinance 2017-02 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 ZTA-16-04 as presented by staff. Vice Chairwoman Chambers seconded the motion.

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

Motion: 5 – 0.

5. Discussion Items:

Building Height Ordinance

Acting Director Ferris announced that an ordinance addressing building height and providing for a maximum number of stories with specific height criteria would be forthcoming. Upcoming petitions for consideration include a couple of churches and Target outparcels following a variance approval scheduled for March 7, 2017.

Current Development Projects Underway

Acting Director Ferris reported on four (4) ongoing projects: 1) the widening of South Haverhill Road that began in January, 2) site clearing of the Whitney Park (aka Bowman Pine) project consisting of 24, 2-story, single-family homes; 3) Las Rambas, fourteen (14) single-family homes north of Lake Worth Road, west of South Jog Road, and 4) Santa Catalina, a project consisting of 29 townhomes and 14,000 sq. ft. of office space. She noted that the City is 99% built out.

Chairwoman Edmundson noted that a park analysis would be forthcoming based on Council's request to conduct a survey of City park amenities that resulted from the recent Community

Meeting held at Rambo Park. She explained that Rambo Park currently has unused tennis courts that were being used to play soccer.

Acting Director Ferris confirmed that Council requested a survey of City amenities, e.g. tennis courts, pools, parks, basketball courts, etc. The recent Community Meeting held at Rambo Park resulted in requests for improved lighting for basketball courts and additional parking. The meeting was to gauge residents' needs since demands have changed.

Commissioner Flores explained that he coaches at the Community Center, where the City runs a youth basketball league. The public users are prevented from using the courts which forces them to look elsewhere for the nearest park to play. He asked if historical data comparing park levels of service was available.

6. Concluding Remarks:

RV's & Trucks Parked in Driveways

Commissioner Friedman asked if large RV's parked in driveways was the only criteria to meet Code requirements.

Acting Director Ferris reviewed some of the new weight, height and size requirements for RV's recently adopted by Council.

Sidewalks

Commissioner Friedman asked if sidewalks along 38th Street were being proposed for both sides of the street. Acting Director Ferris noted that the Public Works Department had included a CIP project for sidewalks using surtax funds.

7. Adjournment of Planning Commission.

Chairwoman Edmundson declared there was no further business to discuss and adjourned the Planning Commission meeting at 7:38 p.m.

Planning Commission

Respectfully submitted:

Ann Edmundson, Chairwoman

Kara L. Irwin Ferris
Zoning Administrator

Joanna Cunningham, MMC
City Clerk

Date of Approval: _____

/mel



CITY OF GREENACRES, FLORIDA

OFFICIAL MINUTES PLANNING COMMISSION

Wednesday, March 15, 2017

1. Call to Order and Roll Call.

The Planning Commission meeting was called to order on Wednesday, March 15, 2017 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
Tacara Chambers, Vice Chair
Estelle Friedman (*Late*)
Robert Clements
Larry Tronco

Staff Present:

Kara Irwin-Ferris, Planning & Engineering Director
Melody Larson, Assistant to the City Clerk

Public Attendance: 5

Press Attendance: 0

Absent:

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: None.

4. Cases:

- A. **SE-16-04** **Target (outparcel – Zaxby's)** - A special exception request
Res. 2017-11 for a fast food restaurant with drive-thru approval to allow
construction of a 3,847 square foot fast food restaurant with a
drive-thru at the northeast corner of the Target site.

Planning and Engineering Director Kara Irwin-Ferris described the special exception request to allow a Zaxby's fast food drive-thru restaurant in a Commercial Intensive

(CI) zoning district. The Target site was approved in 1996 for 143,000+ sq. ft. of commercial retail space with 2 outparcels. The outparcels were approved at the time for two restaurants, one sit-down and the other with a drive-thru. Neither outparcel was developed. The current proposal is to allow a 3,847 sq. ft. fast food drive-in restaurant. Designated access is one way and around the site and a separate access point for the drive-thru with a bypass will be provided..

Commissioner Estelle Friedman arrived at 7:05 pm.

Director Ferris noted that the proposal meets the twelve (12) special exception criteria therefore, staff recommends approval of SE-16-04 including staff's seven (7) conditions of approval.

Chairwoman Edmundson called on board members for comments.

Commissioner Clements asked if the traffic and parking requirements had been met.

Director Ferris explained that those items are taken into consideration as part of the site plan approval process.

Chairwoman Edmundson called on the applicant for their acceptance of staff's conditions of approval.

Angelina Rosenberg of Thomas Engineering, agent for the owners, read and accepted staff's six (6) conditions of approval.

Chairwoman Edmundson opened the floor to the public. She asked if anyone was in favor of, or opposed to Resolution 2017-11 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 SE-16-04 (Target-Zaxby's), subject to staff's six (6) conditions of approval as presented by staff. Commissioner Tronco seconded the motion.

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

Motion: 5 – 0.

- B. SE-16-05 Target (outparcel –Discount Tires) - A special exception request for a retail tire store approval to allow construction of a 7,373 square foot retail tire store at the northwest corner of the Target site.**
- Res. 2017-12**

Director Ferris presented the special exception request to allow a tire store in the City's Commercial Intensive (CI) zoning district. Director Ferris noted that tire stores must meet five specific criteria relative to the type of work allowed, outside displays, etc. which have been included as part of staff's conditions of approval. The proposal is to construct a 7,373 sq. ft. tire store, known as Discount Tire to be located in the northwest corner of the existing Target site. Director Ferris noted that the existing

Target ingress/egress points will be used to access the site. She stated the twelve (12) special exception criteria have been met; therefore, staff recommends approval of SE-16-05, subject to staff's six (6) conditions of approval.

Chairwoman Edmundson called on board members for comments.

Commissioner Tronco asked if staff considers noise (decibel) levels in relation to nearby residential areas.

Director Ferris explained that mitigating nuisances are part of the special exception criteria. The residential development to the south is buffered by the Target Store that has an existing wall and buffer landscaping that provides adequate separation between the existing residential and commercial development.

Chairwoman Edmundson called on the applicant and asked if she agrees with staff's six (6) conditions of approval.

Angelina Rosenburg of Thomas Engineering, agent for the owners, stated she was in agreement with staff's six (6) conditions of approval.

Chairwoman Edmundson opened the floor to the public. She asked if anyone was in favor of, or opposed to Resolution 2017-12 to come forward. Seeing no one come forward, she closed the floor to the public and called for a motion.

MOTION: Commissioner Tronco made a motion to recommend approval of SE-16-05 (Target-Discount Tires), subject to staff's six (6) conditions of approval. Commissioner Clements seconded the motion.

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

Motion: 5 – 0.

- C. SP-96-01C Target** - A site and development plan (SP-96-01C) approval to construct a fast food restaurant and a tire retail store at the northwest and northeast corners of the Target site.

Director Ferris described the site plan amendment details to develop the two (2) outparcels of the existing Target Store located on Lake Worth Road. A 3,847 sq. ft. Zaxby's fast food drive-in restaurant with capacity for 90 seats is proposed for the northeast corner. The second proposal is for a 7,373 sq. ft. tire store to be located on the northwest corner of site. Both sites will provide 43 parking spaces including two handicapped spaces.

Director Ferris reported that the site was granted a variance for parking demand for the Target store. The Code requires 605 spaces; however, the variance granted approval for 508 spaces based on demand of 2.7 spaces per 1,000 sq. ft. of retail space during peak times. There will be unlimited cross-parking and cross-easement access. She reviewed the elevations, showed samples of exterior materials and described the lighting requirements, and water and sewer connections. Overall

landscape restoration will be provided for the entire Target site. The easement for the bus shelter remains under review. Director Ferris stated staff recommends approval of SP-96-01C subject to staff's thirty (30) conditions of approval.

Chairwoman Edmundson called on board members for comments.

Commissioner Friedman asked if the proposed sites will have their own ingress/egress points from Lake Worth Road or will they be internal

Director Ferris explained both sites will use the existing ingress and egress points of the Target site.

Vice Chairwoman Chambers wanted to know why the previously approved restaurant approvals expired. Director Ferris explained the site plan approval process, time extensions and time limits on those approvals.

Chairwoman Edmundson called on the applicant for acceptance of staff's conditions of approval.

Angelina Rosenburg of Thomas Engineering, agent for the owner, requested two changes to staff Conditions #4 and #13. Condition #4 should read, "Palm Beach County Water Utilities Department" (not the Health Department) since they will be conducting service connections. Condition #13, last sentence should not read, "convenience store with fuel sales", it should read, "to the existing Target Store". All other conditions were accepted.

Chairwoman Edmundson called for a motion.

MOTION: Vice Chairwoman Chambers made a motion to recommend approval of SP-96-01C (Target Outparcels), including staff's thirty (30) conditions of approval as amended. Commissioner Clements seconded the motion.

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

Motion: 5 – 0.

5. **Discussion Items:** None.
6. **Concluding Remarks:** Director Ferris reported that the April 5th meeting will be cancelled.
7. **Adjournment of Planning Commission.**

Commissioner Clements moved to adjourn the meeting, seconded by Commissioner Tronco. The meeting adjourned at 7:32 p.m.

Planning Commission

Respectfully submitted:

Ann Edmundson, Chairwoman

Kara L. Irwin-Ferris
Director of Planning & Engineering

Joanna Cunningham
City Clerk

Date of Approval: _____

/mel



CITY OF GREENACRES, FLORIDA

OFFICIAL MINUTES PLANNING COMMISSION

Wednesday, April 19, 2017

1. Call to Order and Roll Call.

The Planning Commission meeting was called to order on Wednesday, April 19, 2017 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
Estelle Friedman
Robert Clements
Larry Tronco

Staff Present:

Kara Irwin-Ferris, Director/Planning & Engineering
Osniel Leon, Senior Planner
Melody Larson, Assistant to the City Clerk

Public Attendance: 4

Press Attendance: 0

Absent:

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: None.

4. Cases:

A. SE-17-01 Res. 2017-18

Peter Piper Pizza (Greenacres Plaza) - A special exception request for an Indoor Recreational Amusement facility in a Commercial Intensive (CI) zoning district. On the northwest corner of South Jog Road and Lake Worth Road (Greenacres Plaza) at 3887 S. Jog Road

Senior Planner Osniel Leon described the request to allow an indoor recreational amusement facility in Greenacres Plaza. He explained the facility would be located within a 10,000 sq. ft. in-line bay of the plaza and would consist of 50% restaurant

service area and 20% indoor computerized games together with a kitchen, restrooms and counter area. Prizes would be in the form of tickets redeemable for prizes (no cash). The proposed hours of operation would be consistent with those of the plaza. Senior Planner Leon stated that the proposal meets the twelve (12) special exception criteria; therefore, staff recommends approval of SE-17-01, subject to staff's fourteen (14) conditions of approval.

Commissioner Friedman confirmed reading about this new business and confirmed that it is primarily a family restaurant where kids will play games while the parents dine. She noted that additional food choices other than pizza will also be made available.

Senior Planner Leon agreed, comparing it to a Chuckie Cheese business.

Walter Boyd, Design Manager for Peter Piper Pizza, explained that 60% of their revenue is derived from the restaurant and 40% from the games. Mr. Boyd confirmed that pasta, mozzarella sticks, chicken wings and other made-to-order side items will be offered.

Mr. Boyd and commissioners discussed private parties, family dining and looking to start work in May with a July/August opening.

Chairwoman Edmundson opened the floor to the public. She asked if anyone was in favor of, or opposed to Resolution 2017-18 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 SE-17-01 (Peter Piper Pizza), subject to staff's fourteen (14) conditions of approval. Commissioner Tronco seconded the motion.

VOTE ON THE MOTION: **In favor:** Chairwoman Edmundson, Commissioners Friedman, Clements, and Tronco.

Motion: 4 -0 .

4. **Election of Vice Chair:**

Commissioner Friedman nominated Bob Clements as Vice Chairman. Bob Clements declined. Chairwoman Edmundson nominated Larry Tronco as Vice Chairman. Mr. Tronco accepted the nomination. No other names were put forth and Mr. Tronco was nominated unanimously.

5. **Concluding Remarks:**

Planning and Engineering Director Kara Irwin-Ferris provided updates on several ongoing projects: Las Ramblas, Santa Catalina, Dunkin Donuts, road widening construction and staging area on South Haverhill Road, Bowman Pines, and the site formerly known as Lynora's Italian Restaurant.

Director Ferris noted there were no meetings scheduled for May.

7. **Adjournment of Planning Commission.**

Commissioner Clements moved to adjourn the meeting, seconded by Commissioner Friedman. The Planning Commission meeting adjourned at 7:25 p.m.

Planning Commission

Respectfully submitted:

Ann Edmundson, Chairwoman

Kara Irwin-Ferris
Director of Planning & Engineering

Joanna Cunningham, MMC
City Clerk

Date of Approval: _____

/mel

 **LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION**

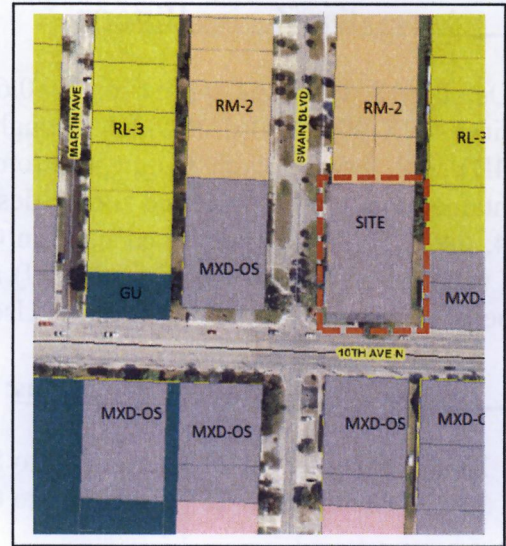
I. Project Description:

Project: Quantum Diagnostics, LLC
at Commons at Swain

Petitioner: Quantum Diagnostics, LLC
5199 10th Avenue North, Suite 105
Greenacres, FL 33463
Agent for the owner:
Situ Group, LLC
5199 10th Avenue North
Greenacres, FL 33463

Request: Special Exception approval
for a Laboratory (clinical)

Location: The northeast corner of Swain Blvd.
and 10th Avenue North at
5199 10th Avenue North



II. Site Data:

Existing Use: Office Building

Proposed Use: Laboratory (clinical)

Parcel Control Numbers: 18-42-44-23-23-000-1000, -1050, -1100,
-1150, -2000, -2050, -2100, and -2150

Parcel Size: 0.60 acres (26,000 square feet)

Future Land Use Designation: Mixed Use (MU)

Zoning District: Mixed Use Development – Original Section
(MXD-OS)

Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:			
Direction	Existing Land Use	Future Land Use	Zoning District
North	Duplex	Residential-Medium Density (RS-MD)	Residential Medium-2 (RM-2)
South	Retail Building	Commercial (CM)	Commercial Neighborhood (CN)
East	Single Family Residence and Island Center Building	Residential-Low Density (RS-LD) & Commercial (CM)	Residential Low-3 (RL-3) & Commercial Neighborhood (CN)
West	Cumberland Farms	Commercial (CM)	Commercial Neighborhood (CN)

III. Annexation/Zoning History:

On October 18, 1999, the approximately 0.60 acre site was annexed into the City of Greenacres as petition ANX-99-05 (Ord. #99-36) through an Interlocal Agreement (County Resolution #R99-2414D) with Palm Beach County. From 1999 through 2004 the site remained vacant and maintained a future land use and zoning designation of Study Area Zone (SAZ). On November 1, 2004, the City Council approved petition CPA-04-07 (Ord. #2004-29) assigning the property a land use designation of Mixed Use (MU) and petition ZC-04-07 (Ord. #2004-30) assigning the property a zoning designation of Mixed Use Development – Original Section (MXD-OS).

IV. Applicable City Code Provisions:

Sec. 16-171 through 16-178 pertaining to Special Exceptions
 Sec. 16-573 through 16-588 pertaining to the MXD-OS zoning district

V. Staff Analysis:

Background:

The Site and Development Plan approval to construct a two-story 7,080 square foot professional office building was approved by City Council on March 16, 2009. The professional office building was given a Certificate of Occupancy on May 27, 2014. The existing building is oriented parallel to 10th Avenue North. The site has 29 parking spaces including two (2) handicap spaces and has a single access point from Swain Boulevard. The existing development utilized Florida Vernacular elements in keeping with the MXD-OS architectural theme and the proposed landscape plan is also in keeping with the theme for 10th Avenue North.

On June 324, 2014, the Zoning Board of Adjustments and Appeals (ZBAA) approved a petition (BA-14-01) to waive the north buffer wall requirement with replacement of a 6' high opaque wood fence, at the time, it had not yet been installed. City staff determined that the east wall was not required since the site abuts a platted alley and recommended approval of the variance. A site plan amendment (SP-07-02A) to address the removal of the wall was approved on June 30, 2017.

The proposed Special Exception is to allow a Laboratory (Clinical) in the existing Commons at Swain Office Building. A Laboratory (clinical) is a Special exception use within the Mixed Use Development – Original Section zoning district that is required to meet the special exception criteria. There are no additional criteria to meet for the proposed special exception use.

On August 10, 2017, the Land Development Staff reviewed this petition and recommended approval subject to the conditions contained in this staff report.

Land Development Staff Comments:

Planning and Engineering Dept.:	Incorporated into the staff report.
Building Department:	No objections.
Fire-Rescue Department:	No objections.
PBSO District 16:	No objections.
Public Works Department:	No objections.

Other Agencies:

PBC Traffic Division:	Project meets traffic performance standards.
PBC Water Utilities:	Water and sewer service is from the Palm Beach County Water Utilities Department.
MPO / Palm Tran:	No objections.
LWDD:	No objections.

Plan Details:

There are no amendments proposed to the existing approved site and development plan.

VI. Special Exception Criteria and Findings of Fact:

1. The proposed use complies with all relevant elements of the Comprehensive Plan;

Finding: The proposed Laboratory (Clinical) complies with Goal 1 of the Future Land Use Element, Goal 1 of the Transportation Element, and Objective 1 of the Infrastructure Element within the City of Greenacres' Comprehensive Plan directing growth, development, and redevelopment activities to appropriate areas. Per Section 16-575, a Laboratory (clinical and testing) is subject to a Special Exception approval in the Mixed Use Development – Original Section (MXD-OS) zoning district.

2. Ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe will not be adversely affected by the proposed special exception;

Finding: The one (1) vehicular access point from Swain Boulevard via 10th Avenue North as well as sidewalk connections to 10th Avenue North provide adequate access. The existing plan has been reviewed by staff for automobile, pedestrian and fire safety and meets all applicable Code requirements. The proposed special exception use does not require any additional site improvements, nor are there any additional criteria for the requested use. The use will generate less traffic due to the nature of the business versus the permitted professional and business office uses.

- 3. Off-street parking and loading is provided where required, with particular attention to the items in (2) above will not adversely affect public health and safety;**

Finding: The off-street parking provided on the site meets the minimum parking requirements. Specifically, in accordance with the off-street parking provisions listed in Section 16-1336, the required parking for Laboratories is 1 space per 200 square feet of GFA (Gross Floor Area), which is consistent with the existing use approved for the site. A loading zone has also been provided as required by Code.

- 4. Refuse and service areas provided with particular reference to items (2) & (3) above will not adversely affect public health and safety;**

Finding: The City's franchise hauler will serve the site for all refuse collection. A dumpster enclosure, including recycling facilities, is located to the rear of the building at the northeast corner of the site. It will provide an adequate storage area for refuse; and will not adversely affect public health and safety. Any medical refuse will be handled by a separate contractor through the user, as required.

- 5. The proposed use will not create a nuisance factor detrimental to adjacent and nearby properties and the City as a whole;**

Finding: The subject site has commercial uses on three sides and residential to one side (North). The use will be completely enclosed in the building. No odor, smoke, electrical interference or mechanical vibrations will be produced from this proposed user. The proposed development as conditioned below will not create a nuisance that is detrimental to adjacent and nearby properties.

- 6. The location, availability and compatibility of utilities for the requested use will not adversely affect public health and safety;**

Finding: All utilities are provided to the site. The applicant requires no additional approvals; therefore, the proposed use meets the Level of Service (LOS) as established in the Comprehensive Plan.

- 7. The screening and buffering of the requested use are consistent with the applicable zoning requirements relative to type, dimension and character;**

Finding: The proposed development includes perimeter buffers consistent with the MXD-OS zoning district, Section 16-1286 of the landscape code.

- 8. Signs and proposed exterior lighting are provided with reference to glare, traffic safety and economic effect, and compatibility and harmony with properties in the district;**

Finding: All proposed signs shall meet the requirements of the City's Zoning Code. All

the exterior lighting meets City code requirements for limiting spill onto adjacent neighboring residential areas and onto major roads. The applicant is not proposing any improvements that will conflict with the approved plan.

9. The requested use appears to meet the required yards and other open space;

Finding: The project complies with the interior and perimeter landscaping, open space, and yard requirements of the Zoning Code.

10. Proposed general use is compatible with adjoining properties and other property in the district;

Finding: The proposed use is compatible with the existing non-residential nature of the 10th Avenue North corridor, and with adjacent uses. To the south, west, and east are commercial uses consistent with the Mixed Use Development – Original Section (MXD-OS) zoning district.

11. The change suggested is not out-of-scale with the needs of the neighborhood or the City;

Finding: The proposed Laboratory (clinical) is in scale with the needs of the surrounding community.

12. The requested use and structure is consistent with any special requirements set out in the Schedule of District Regulations for the particular use and structure involved;

Finding: The proposed use, as conditioned below, complies with the special exception criteria outlined above, and there are no additional requirements for this specific use.

VII. Staff Recommendation:

Approval of SE-17-02 through adoption of Resolution 2017-33 with the following conditions:

1. A Business Tax Receipt (BTR) is required for the use. (Planning and Building)
2. The Special Exception is limited to a Laboratory (clinical) as defined in the City's Code. Expansion or changes to another use will require new Special Exception and Site and Development Plan approvals. (Planning)
3. The applicant shall be required to meet all State and Local requirements for medical waste disposal for the use. (Building)

PLANNING COMMISSION RECOMMENDATION – August 16, 2017

CITY COUNCIL ACTION

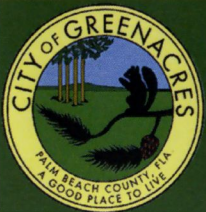
Joel Flores, Mayor

Attest:

Joanna Cunningham, City Clerk

Attachments:

1. Resolution 2017-33
2. Concept Plan (Approved Plan SP-07-02A)
3. Aerial Location Map



Quantum Diagnostics at Commons at Swain

SE-07-02

Prepared By:
Planning and Engineering Dept
City of Greenacres
5800 Melaleuca Lane
Greenacres, FL 33463



North

CITY OF GREENACRES

Interoffice Memorandum
2017.08KF03.001

TO: Ann Edmundson, Chair
Larry Tronco, Vice Chair
Claudia Bennis, Planning Commissioner
John Buzek, Planning Commissioner
Robert Clements, Planning Commissioner
Estelle Friedman, Planning Commissioner (Alternate)
Hanny Garcia, Planning Commissioner
Emily Robarts, Planning Commissioner

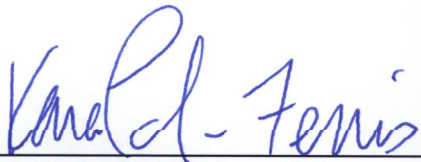
FROM: Kara L. Irwin-Ferris, Planning & Engineering Director

SUBJECT: Planning Commission – 8/16/17

DATE: August 11, 2017

Please be advised that the City Council has requested that staff bring item ZTA-16-05, a Code amendment relating to building height regulations back to them for discussion at the next City Council meeting on September 7, 2017. Since the item has been duly noticed and advertised, staff is requesting that the Planning Commission postpone the item to a date certain of September 20, 2017. This will allow the City staff to address any questions or concerns of the City Council and return the item to the Planning Commission for recommendation at a date certain without re-advertising the petition.

Should you have any questions prior to the meeting, please contact our office at 642-2054.



Kara L. Irwin-Ferris, AICP
Planning and Engineering Director