



**DEVELOPMENT REVIEW COMMITTEE REPORT AND RECOMMENDATION**

**Subject/Agenda Item:**

**Resolution 2022-40: SP-22-02 Pink Bird Car Wash**

**Consideration of Approval:** A request from Dwayne Dickerson, agent for Vybe Investments, LLC, for Site Plan approval of the proposed Pink Bird Car Wash project. The project consists of a standalone car wash on a 1.48-acre site located on the south side of Lake Worth Road, approximately 1241 feet east of Jog Road.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☐ Legislative

☐ Public Hearing

**Originating Department:**

**Planning & Engineering**

Project Manager

\_\_\_\_\_  
Caryn Gardner-Young, AICP

**Reviewed By:**

Interim Development and Neighborhood Services Director

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Denise Malone

**Approved By:**

**City Manager**

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Andrea McCue

**Public Notice:**

☐ Required  
☒ Not Required

Dates:

Paper:

Mailing

☐ Required  
☒ Not Required

Notice Distance:

**Attachments:**

- Survey
- Development and Site Plans
- Aerial Map

**City Council Action:**

☐ Approval

☒ Approve with conditions

☐ Denial

☐ Continued to: \_\_\_\_\_

## **I. Executive Summary**

The applicant is proposing to demolish a vacant fast food restaurant facility and replace it with a standalone car wash. Ingress and egress to the site will be provided from a driveway location on Lake Worth Road which will provide access to the subject property as well as the neighboring properties to the west. The petitioner is proposing to provide twenty-three parking spaces which is sixteen parking spaces above the required number of parking spaces. All car washing facilities and equipment will be located within the enclosed building except for the vacuuming facilities and air pumps. However, there will be considerable screening of the outside facilities and equipment to address ant potential nuisances.

## **II. Site Data**

<b>Existing Use:</b>	Vacant Restaurant
<b>Proposed Use:</b>	Standalone Car Wash
<b>Parcel Control Numbers:</b>	18-42-44-27-26-000-0010
<b>Parcel Size:</b>	1.48 acres
<b>Existing Future Land Use Designation:</b>	Commercial (CM)
<b>Existing Zoning District:</b>	Commercial Intensive (CI)

Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:			
Direction	Existing Land Use	Future Land Use	Zoning District
North	Soma	Commercial (CM)	Commercial General (CG)
South	Seminole Palms Residential Development	Residential High Density (RS-HD)	Residential High (RH)
East	Seminole Palms Residential Development	Residential High Density (RS-HD)	Residential High (RH)
West	Sonic Fast-Food Restaurant	Commercial (CM)	Commercial Intensive (CI)

## **III. Annexation/Zoning History**

The subject parcel was annexed into the City of Greenacres on September 24, 1984, through the adoption of Ordinance No. 84-25. Upon annexation, the parcel was assigned the zoning designation of Commercial Intensive (CI) with a Planned Shopping Center (PSC) overlay. On September 1, 1999, a Site Plan and Special Exception was approved by the City Council for a fast-food restaurant with drive-thru facilities. On February 3, 2022, the City Council approved a Site Plan and Special Exception for a house of worship with a seating capacity of 189 fixed seats and

1,546 square feet of assembly. However, the change of use from a fast-food restaurant to a house of worship was never finalized. The site has remained unoccupied since the fast-food restaurant closed.

#### **IV. Applicable Code Provisions:**

**Sec. 16-196 through 16-202** Site and Development Plans

**Sec. 16-496 through 16-507** pertaining to the CI district

**Sec. 16-931 through 16-994** pertaining to sign regulations

**Sec. 16-1241 through 16-1312** pertaining to landscaping

**Sec. 16-1331 through 16-1340** pertaining to off-street parking

#### **V. Summary of Proposed Site and Development Plan Details:**

The petitioner's site and development plan documents (Architectural Plans prepared by Oliveri Architects (AS1, A1-A3) stamp-dated September 23, 2022, Photometric Plan prepared by Oliveri Architects (EP1 – EP2) stamp-dated September 23, 2022, Site Plan prepared by Bowman Consulting (C1.0) and Landscape Plans prepared by Bowman Consulting (L-1-L-6) depict the following:

1. A total land area of 64,398 square feet
2. One (1) proposed 3,945 sq. ft. building
3. A total of 23 parking spaces including two (2) handicapped spaces.
4. Egress and Ingress point on Lake Worth Road
5. Location for dumpster enclosure
6. Perimeter and Interior landscaping
7. Paving, Grading and Drainage Plans
8. Boundary and Topography Survey
9. Floor Plans and Elevations

Table 2: Proposed Site Data			
Area:	Square Footage:	Acreage:	Percentage:
Impervious area	30,439	.69	47.27%
Water Surface Area	5,732	.13	8.9%
Landscape Area	24,815	.57	37.74%
Building Area	3,945	.09	6.13%
<i>Total</i>	<i>64,398</i>	<i>1.48</i>	<i>100%</i>

## **VI. Staff Analysis:**

### ***Background:***

The petition is for Site and Development Plan approval for a 3,945 square foot standalone car wash building and parking to be constructed on the subject 1.48-acre site. Landscape buffers will be included on all perimeters of the site, as well as internal within the site. A 6-foot masonry wall along the south and east portion of site will provide extra buffer between the proposed use and the abutting residential parcel to the east and south. Access will be provided through one vehicle access point on Lake Worth Road in addition to a pedestrian connection to Lake Worth Road. The applicant has provided architectural elevations, which show a maximum building height of 34' 8", and provided exterior materials that presents a high-quality appearance, designed with the same architectural style and decorative elements on all sides, the colors are compatible with the general character of the area and the opening to the car wash facility is screened from Lake Worth Road view by substantial landscaping.

Although the proposed site plan does not meet the stated requirements of the Transitional area regulations, it meets the intent of the requirements. Transitional areas are provided in all CI and CG zoned areas which are contiguous to residentially zoned areas in order to adequately screen, buffer, and separate objectionable commercial uses from residential uses. The transitional area is not intended to preclude the use of commercial intensive (CI) and commercial general (CG) zoned lands, but to provide reasonable alternatives to commercial development next to residentially zoned areas. The proposed standalone car wash building does not meet the setbacks and height limitations as outlined in the Transitional area regulations. But the immediately adjacent property to the subject property, although zoned residential, does not contain any residential dwellings. As a matter of fact, the closest home to the standalone car wash is approximately 161 feet. Further, the petitioner has proposed a 6' masonry wall and a 10' landscape buffer bordering Seminole Palms to address affects from the development. Thus, any impacts from the proposed development are not expected to affect Seminole Palms residents.

The petition was reviewed by the Development Review Committee (DRC) on March 10 and 17, 2022 and recommended approval.

### ***Development Review Committee Comments:***

Planning and Engineering Dept.:	Incorporated into the staff report.
Traffic Engineering	Incorporated into the staff report
Civil Engineering	Incorporated into the staff report
Building Division:	No comments.
Fire Rescue Department:	No comments
Public Works Department:	No comments.
PBSO District 16:	No comments.
Community and Recreation Division	No comments.

***Other Agencies:***

PBC Traffic Division:  
PBC Water Utilities:

Project meets traffic performance standards.  
Service is available. The applicant must enter into a Standard Developers Agreement with Palm Beach County.

MPO / Palm Tran:

Sufficient mass transit capacity exists to serve the project.

LWDD:

No objections.

***Standards and Staff Findings:***

1. Minimum Lot Requirements:

Project lot area of 1.48 acre **does not meet** the minimum lot area of 2 acres. However, the site was previously part of the acreage currently occupied by Seminole Palms Drive and was greater than 2 acres when developed as commercial, a plat was recorded and the petitioner is not reducing the size of the subject parcel so per the lot area is considered grandfathered in.

2. Maximum Floor Area Ratio:

Floor Area ratio of .0613 does **not exceed** the maximum .35.

3. Minimum Yard Requirements:

Building setbacks **meet** all CI yard requirements of 50' front, 30' rear, 20' side corner, and 20' side interior.

4. Height Restrictions:

The maximum building height of 34.8' **does not exceed** the maximum allowable height of 35'-0".

5. Off-Street Parking and Loading:

The 23 parking spaces provided **exceed** the minimum Code requirement of 6 spaces.

6. Landscaping:

The landscaping plan **complies** with the landscape requirements of the Code.

7. Sign Regulations:

Permits **shall be obtained** prior to installation of any signs; however, a sign plan will be provided.

8. Utilities:

The proposed water, sanitary sewer, and drainage systems **will meet** Code requirements subject to final permitting.

9. Concurrency Considerations: Project traffic **meets** traffic concurrency. Water and sewer service and capacities **are available** to serve the site.
10. Comprehensive Plan Considerations: The proposed use **is consistent** with the Commercial Intensive Zoning District.
11. Color Scheme: The color of the buildings **shall be** in accord with the site and development plans submitted.

## **VII. Staff Recommendation:**

*Approval* of SP-22-02 with the following conditions:

1. The most stringent requirements of Exhibit “A” Development Review Committee Report and Recommendation dated September 27, 2022, and strict compliance with the Exhibits listed below, which are attached hereto and made part hereof as Exhibit “B”
  - a. Architectural Plans prepared by Oliveri Architects (AS1, A1-A3) stamp-dated September 23, 2022,
  - b. Photometric Plan prepared by Oliveri Architects (EP1 – EP2) stamp-dated September 23, 2022,
  - c. Site Plan prepared by Bowman Consulting (C1.0) stamped-dated September 23, 2022
  - d. Detail Sheets prepared by Bowman Consulting (D1.0-D4.0) stamp-dated September 23, 2022
  - e. Landscape Plans prepared by Bowman Consulting (L-1-L-6) stamp-dated September 23, 2022
2. The site shall be developed in accordance with the approved Special Exception (SE 22-01). (Planning)
3. The project shall be subject to the City’s Public Arts Program. All new development, except city projects, where total construction costs of all buildings on a project site are equal to or greater than \$250,000.00 shall provide art valued in an amount of 70% of the one percent of the total construction costs, 30% of the one percent shall be deposited in the city’s Public art fee at time of issuance of building permits. The art fee for redevelopment of an existing building shall be calculated based on the construction costs of the new development, excluding the assessed value of the existing buildings that are replaced or redeveloped. (Planning)

4. The project shall participate in the City Tree Dedication Program per Section 16-1293; at the time of issuance of building permits one (1) tree to be donated per 1,000 sq. ft. of building area or fraction thereof, therefore four Live Oaks or equivalent cash payment shall be donated to the City subject to the following specification: Live Oak, Florida Grade #1 Container Grown; minimum 12 ft. high; 2-inch diameter trunk at 4 ft.; and 5 ft. spread. (Planning)
5. Permits from the South Florida Water Management District, the Lake Worth Drainage District, Palm Beach County Land Development, and the City of Greenacres, as required, for the storm water management system must be obtained prior to issuance of building permits. (Engineering)
6. A driveway connection and/or right-of-way construction permit from Palm Beach County Land Development and/or Florida Department of Transportation must be obtained prior to issuance of a building permit if applicable. (Engineering)
7. Prior to the issuance of building permits, drainage calculations must be provided demonstrating that the required water quality and quantity volumes needed for the site can be met. Standard exfiltration trench calculation, drainage pipe sizing calculations, and flood routing calculations for the appropriate storm events must also be included. (Engineering)
8. Permits from the Health Department for the water and sewer system must be obtained prior to approval of issuance of building permits. (Engineering)
9. An Indemnification Agreement, as approved by the City Attorney, shall be executed, and recorded against the property prior to issuance of any building permit. (Planning)
10. The site plan shall be revised as necessary to reflect all conditions of approval and resubmitted prior to the issuance of building permits. (Planning)
11. All roof top equipment shall be screened on all four sides consistent with the architecture of the building; no equipment shall be taller than the proposed screening. All ground mounted mechanical equipment (air conditioning, backflow preventer, etc.) shall be screened on all four sides; no equipment shall be taller than the proposed screening. (Planning)
12. In accord with the requirements of the National Pollution Discharge Elimination System (NPDES), a Storm Water Pollution Prevention Plan, Owner/Operator Certification, and Notice of Intent shall be submitted and accepted by the City prior to the issuance of building permits. (Building and Public Works)

13. A site clearing and tree removal permit shall be required prior to any clearing activities on site. This permit shall demonstrate protection of existing trees to remain. Additions to the landscaping plan may be necessary to meet Code requirements if existing material to remain is unsuitable for buffer purposes. (Planning)
14. All new utilities shall be provided underground. Appurtenances to these systems which require above-ground installation must be effectively screened from view. All utilities and services to the site shall be provided by entities holding valid franchise agreements with the City. (Engineering and Planning)
15. The required masonry wall along the south and east property line shall be finished with stucco on both sides and landscaping shall be installed in front of the wall in accordance with the City's Zoning Code. The stucco shall be painted to harmonize with the building walls. The wall shall be a minimum of 6 feet tall measured from the highest adjacent grade. Maintenance of the wall is the responsibility of the property owner. (Planning)
16. All existing trees shown to remain on the approved landscape plans shall be maintained in perpetuity. In the event they should die, they shall be replaced with like species of a size and quantity in accord with the tree credits in Table 16-1271 of the City of Greenacres Code. (Planning)
17. In accord with the determination of compliance with the Traffic Performance Standards by Palm Beach County Engineering, no building permits shall be issued after the build-out date of December 31, 2023, unless a revised traffic study with a later build-out date has been approved by the County and a copy of the approval provided to the City of Greenacres. (Planning)
18. The project shall be required to pay the City's impact fee of \$2.80 per square foot of building area per Section 16-201. The amount of \$ 11,046.00 shall be paid at the time of issuance of building permits. (Building)
19. All conditions as outlined in the Florida Department of Transportation Pre-Application Letter shall be met prior to issuance of building permits.(Planning)
20. The maximum hours of operation shall be 7:00 am to 9:00 pm. No garbage pickup shall be during non-peak hours between 8:00am-11:00am and 6:00pm- 9:00pm. (Planning)



21. The dumpster enclosure walls shall match the finish, color and design elements of the building walls and trim. At a minimum, the dumpster enclosure gates shall be solid 3/4" deep galvanized corrugated 22-gauge steel matching the building color. (Planning)
22. A bicycle rack accommodating a minimum of 4 bikes shall be provided. (Planning)
23. No outdoor speakers shall be permitted. (Planning)
24. No vehicle detailing and waxing shall be permitted outside of the building. (Planning)
25. The site plan shall be revised as necessary to reflect all conditions of approval and re-submitted prior to the issuance of building permits. (Planning)
26. Non-compliance with any of the conditions of approval will result in withholding of the issuance of building permits or a Certificate of Occupancy. (Planning and Building)
27. All advertisements and legal addresses on insurance policies and business correspondence shall clearly state that the project is located within the "City of Greenacres". (Planning)

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**PZBA RECOMMENDATION – November 10, 2022**

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The Planning Zoning Board of Appeals meeting was cancelled due to impacts from Hurricane Nicole.

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**PZBA RECOMMENDATION – December 8, 2022**

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The Planning and Zoning Board of Appeals on a motion made by Board Member Jacobs-Robarts and seconded by Board Member Litowsky, voting four (4) to zero (0), *recommended approval* of Site Plan **SP-22-02**, as presented by staff.

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**CITY COUNCIL ACTION First Reading – December 19, 2022**

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**CITY COUNCIL ACTION Adoption Hearing – February 6, 2023**

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