

	<b>DEVELOPMENT REVIEW COMMITTEE REPORT AND RECOMMENDATION</b>
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**Subject/Agenda Item:**

**Resolution 2023-07: SP-22-04 Mint Eco Car Wash**

**Consideration of Approval:** A request from Josh Nichols, agent for Mint Eco Car Wash Acquisition Co., LLC, for Site Plan approval of the proposed Mint Eco Car Wash project which is located approximately 200 feet west of the intersection of Empire Way and Lake Worth Road on the south side of Lake Worth Road at 4840 Lake Worth Road.

Recommendation to APPROVE

Recommendation to DENY

Quasi-Judicial

Legislative

Public Hearing

<b>Originating Department:</b>  <b>Planning &amp; Engineering</b>  Project Manager  _____ Caryn Gardner-Young, AICP	<b>Reviewed By:</b>  Development and Neighborhood Services Director  _____ Denise Malone
<b>Approved By:</b>  <b>City Manager</b>  _____ <b>Andrea McCue</b>	<b>Public Notice:</b> <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Dates: Paper: Mailing <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Notice Distance:

<b>Attachments:</b> <ul style="list-style-type: none"><li>• Survey</li><li>• Development and Site Plans</li><li>• Aerial Map</li></ul>	<b>City Council Action:</b> <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____
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**I. Executive Summary**

The applicant is proposing to demolish a vacant restaurant facility and replace it with a standalone car wash. A Special Exception to allow a standalone car wash, a Zoning Text Amendment to allow outside car detailing and a Zoning Change from Commercial General to Commercial Intensive are being processed concurrently,

Ingress and egress to the site will be provided from a driveway location on Lake Worth Road and Empire Way. The petitioner is proposing to provide fifty-five parking spaces which is forty-one 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, air pumps and car detailing activities. However, there will be considerable screening of the outside facilities and equipment to address any potential nuisances.

**II. Site Data**

**Existing Use:** Vacant Restaurant  
**Proposed Use:** Standalone Car Wash  
**Parcel Control Numbers:** 18-42-44-25-00-000-3260, 3080 and 3081  
**Parcel Size:** 3.62 acres  
**Existing Future Land Use Designation:** Commercial (CM)  
**Existing Zoning District:** In process - Commercial Intensive (CI)

<b>Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:</b>			
<b>Direction</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>	<b>Zoning District</b>
<i>North</i>	Medical Offices	Commercial (CM)	Commercial General (CG)
<i>South</i>	Palm Beach Villas II	Residential Low Density (RS-LD)	Residential Low (RL-3)
<i>East</i>	Dairy Queen	Commercial (CM)	Commercial General (CG)
	Palm Beach Villas II	Residential Low Density (RS-LD)	Residential Low (RL-3)
<i>West</i>	Dahl Park	Residential Low Density (RS-LD)	Residential Low (RL-3)
	Office Building	Commercial (CM)	Commercial General (CG)

**III. Annexation/Zoning History**

The subject parcel site is located on the south side of Lake Worth Road, approximately 200 feet west of Empire Way. The subject site has a future land use designation of Commercial (CM) and

is proposing a zoning designation of Commercial Intensive (CI). The subject site was originally developed as a “Bud’s Chicken” through SE-80-02, but the company vacated this site for another site to the east in 1991. In 1995, the site was issued a building permit for an auto parts store (Kirby’s), which was subsequently renamed to Whitey’s Auto Parts. The building became vacant during the late 1990s and the new owner Aruba Foods obtained approval for a site plan amendment to construct a sit-down restaurant. The subject site was developed as a “La Granja” restaurant through SP 00-03(A) which was approved on September 8, 2000. The La Granja restaurant closed and the site has remained vacant since. The current owner is now requesting a site and development plan amendment to refurbish this site for use as a standalone car wash.

**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 consists of Architectural Plans prepared by GCP Architecture LLC (A1-A2) stamp-dated August 19, 2022, Site Plan prepared by Schmidt Nichols (PSP-1) stamped-dated January 24, 2023, Landscape Plans prepared by Schmidt Nichols (LI-1, LP 1-3, and TD-1) stamp-dated January 24, 2023, and Conceptual Engineering Plans prepared by Simmons & White stamp-dated January 24, 2023, which depict the following:

1. A total land area of 3.62 acres
2. One (1) proposed 4,414 sq. ft. building
3. A total of 55 parking spaces including one (1) handicapped space.
4. Access to Lake Worth Road and Empire Way
5. Location for dumpster enclosure
6. Perimeter and Interior landscaping
7. Phasing of the project - Northern portion (Phase 1) and Southern portion (Phase 2)

<b>Table 2: Proposed Site Data</b>			
<b>Area:</b>	<b>Square Footage:</b>	<b>Acreage:</b>	<b>Percentage:</b>
Impervious area	51,111	1.17	33%
Water Surface Area	16,056	.37	10%
Landscape Area	85,092	1.96	54%
Building Area	5,511	.12	3%
<i>Total</i>	<i>157,770</i>	<i>3.62</i>	<i>100%</i>

**VI. Staff Analysis:**

***Background:***

The petition is for Site and Development Plan approval for a 4,414 square foot standalone car wash building and parking to be constructed on the subject 3.62-acre site in two phases with the first phase being the development of the standalone car wash on the northern portion of the site and Phase 2 in the southern portion of the site where no use has been proposed. Landscape buffers will be included on all perimeters of the site, as well as the internal phase line within the site. An 8-foot masonry wall along the western portion of site will provide extra buffer between the proposed use and the abutting residential parcels. The petitioner obtained support letters from two of the parcels that abut the property on the west side. Access will be provided through Lake Worth Road and Empire Way. The applicant has provided architectural elevations, which show a maximum building height of 27' 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.

On September 9 and 16, 2022, the Development Review Committee reviewed this petition 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:	Project meets traffic performance standards.
PBC Water Utilities:	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 3.62 acres <b>meets</b> the minimum lot area of 2 acres. The lot width of 140 linear square feet <b>does not meet</b> the
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minimum lot width of 200 linear feet but a variance was approved by the PZAB on January 12, 2023.

2. Maximum Floor Area Ratio: Floor Area ratio of .02 does **not exceed** the maximum .35.
3. Minimum Yard Requirements: Building setbacks **meet** all CI and Transitional Zone yard requirements of 50' front, 30' rear, 20' side corner, and 20' side interior.
4. Height Restrictions: The maximum building height of 27.8'' **does not exceed** the maximum allowable height of 35'-0''.
5. Off-Street Parking and Loading: The 55 parking spaces provided **exceeds** the minimum Code requirement of 41 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 master 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-22-03 with the following conditions:*

1. The most stringent requirements of Exhibit “A” Development Review Committee Report and Recommendation dated January 27, 2023, and strict compliance with the Exhibits listed below, which are attached hereto and made part hereof as Exhibit “B”
  - a. Architectural Plans prepared by GCP Architecture LLC (A1-A2) stamp-dated August 19, 2022,
  - b. Site Plan prepared by Schmidt Nichols (PSP-1) stamped-dated January 24, 2023
  - c. Landscape Plans prepared by Schmidt Nichols (LI-1, LP 1-3 and TD-1) stamp-dated January 24, 2023
  - d. Conceptual Engineering Plans prepared by Simmons & White (Sheets 1-5) stamp-dated February 3, 2023
  - e. Lighting and Photometrics Plan prepared by Commercial Lighting Industries (LDE-1) stamp-dated February 15, 2023
2. The site shall be developed in accordance with the approved Special Exception (SE 22-03). (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 five 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 west 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 8 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, 2025, 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 \$ 12,359.20 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. 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)
25. 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)
26. 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 – February 16, 2023**

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The Planning and Zoning Board of Appeals on a motion made by Board Member Edmundson and seconded by Board Member Fitzgerald, voting Five (5) to zero (0), *recommended approval* of the Site Plan for Mint Eco Standalone Car Wash (**SP-22-04**), as presented by staff.

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**CITY COUNCIL ACTION– March 6, 2023**

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