

	DEVELOPMENT & NEIGHBORHOOD SERVICES STAFF REPORT AND RECOMMENDATION
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I. Project Description:

Project: Murphys USA

Applicant: Amber Rebert of CPH, LLC
 500 W Fulton Street
 Sanford, FL 32771
 Authorized agent for the owners:
 ARL FHJ, LLC

Request: Special Exception, along with Site and Development Plans including a Master Sign Plan approval to allow for the construction of a Convenience Store with Fuel Sales.

Location: 6270 Forest Hill Boulevard, south side of Forest Hill Boulevard, approximately 1,100 feet east of Jog Road.

Project Manager: Gianni Gallier, Senior Planner



II. Site Data:

Existing Use: Retail

Proposed Use: Convenience Store with Fuel Sales

Parcel Control Number: 18-42-44-10-00-000-5020

Parcel Size: 51,111 square feet (1.17 acres)

Existing Future Land Use Designation: Commercial (CM)

Existing Zoning District: Commercial Intensive (CI)

Table 1: Surrounding Land Use, Future Land Use Designation, and Zoning District:			
Direction	Existing Land Use	Future Land Use Designation	Zoning District
North	Casa Del Monte MHP (Unincorporated PBC - Residential)	PBC - Residential High (PBC HR-12)	PBC – Agricultural Residential (PBC AR)
South	Walmart Supercenter	Commercial (CM)	Commercial Intensive (CI)
East	Palo Verde Apartments (Unincorporated PBC - Residential)	PBC - Residential High (PBC HR-18)	PBC - Residential High (PBC RH)
West	Walmart Supercenter	Commercial (CM)	Commercial Intensive (CI)

III. Annexation/Zoning History:

The subject property was annexed into the City of Greenacres on February 25, 1974, through Ordinance 176, at which time it was designated as General Commercial (GC) by the City Council. On July 14, 1986, the property was rezoned to Commercial Intensive (CI) through the City-wide rezoning of ZTA-86-24 by Ordinance 86-15. The existing commercial strip center was approved under Palm Beach County Building Permit #B-62096, issued on January 18, 1974, and subsequently underwent final inspection and closeout by the Palm Beach County Zoning and Building Department.

IV. Applicable Code Provisions:

- Sections 16-171 through 16-178** pertaining to Special Exceptions
- Sections 16-196 through 16-202** pertaining to Site and Development Plans
- Sections 16-496 through 16-520** pertaining to the Commercial Intensive (CI) zoning district
- Sections 16-931 through 16-997** pertaining to Sign Regulations
- Sections 16-1241 through 16-1312** pertaining to Landscaping
- Sections 16-1331 through 16-1340** pertaining to Off-Street Parking and Loading

V. Summary of Proposed Site and Development Plans Details:

The applicant’s Site and Development Plans date-stamped March 04, 2025, depict the following:

1. A total land area of 1.17 acres (51,111 square feet).
2. One (1) 2,824-sq. ft. convenience store and associated overhead canopy featuring six (6) dual-sided fuel dispensing pumps serving twelve (12) fueling stations.
3. A total of 15 parking spaces including one (1) Americans with Disabilities Act (ADA) accessible parking space.
4. A Floor Area Ratio (FAR) intensity of 0.065 based on the convenience store’s area.
5. Two (2) ingress and egress points for vehicles, one (1) onto Forest Hill Boulevard and one (1) on the adjacent Wal-Mart access drive to the west of the property. One (1) sidewalk connection to Forest Hill Boulevard.
6. A dumpster enclosure with dumpster elevations constructed of block, finished with stucco painted to match the building, and equipped with the required gates.
7. Landscape Plan.
8. Architectural Plans and Elevations.
9. Photometric Plan.
10. Preliminary Engineering Plan.
11. Master Sign Plan (MSP-24-06), depicting freestanding identification sign, fuel canopy signage, and building wall signage.
12. Boundary Survey.

Table 2: Proposed Site Data:			
Area:	Square Footage:	Acreage:	Percentage:
Building Lot Coverage (including covered canopies)	6,680	0.155	13.1%
Site Impervious Area (excluding building lot coverage)	27,726	0.636	54.2%
Site Landscape Area	16,705	0.383	32.7%
<i>Total</i>	<i>51,111</i>	<i>1.17</i>	<i>100%</i>
<i>Total Floor Area</i>	<i>2,824</i>	<i>0.065</i>	<i>5.53%</i>

(SE-23-05 / Resolution 2025-15)

(SP-23-07 and MSP-24-06 / Resolution 2025-16)

VI. Staff Analysis:

Background:

The applicant is requesting approval for a Special Exception (SE-23-05) and Site and Development Plans (SP-23-07) including a Master Sign Plan (MSP-24-06) to redevelop the existing 1.17-acre commercial strip center site into a 2,824-square-foot convenience store with an associated overhead canopy and six (6) dual sided fuel dispensing pumps serving twelve (12) fueling stations. The Site Plan includes a total of 15 parking spaces, including one (1) designated Americans with Disabilities Act (ADA) accessible parking space. The design includes two (2) vehicle ingress and egress points – one (1) onto Forest Hill Boulevard and one (1) onto the adjacent Wal-Mart access drive located west of the subject site. Additionally, a sidewalk with paver crossings from Forest Hill Boulevard to the convenience store has been incorporated to guide pedestrian traffic and enhance the provided pedestrian- and bike-friendly amenities. The subject site is also proposing landscaping that exceeds the minimum code requirements. The proposed facility is requesting to operate 24 hours a day, 7 days a week. The subject site currently functions as a multi-tenant commercial strip center, which has neither any historic nor architecturally significant characteristics, and currently includes check cashing services, a pizza restaurant, a barbershop, a cell phone store, and a convenience store.

Concurrently, a Special Exception application (SE-23-05) for a Convenience Store with Fuel Sales is being processed alongside the Site and Development Plans. An application for a Master Sign Plan (MSP-24-06) is also being processed together with the Site and Development Plans and complies with all applicable City Code requirements. The proposed signage package, including its number, design, size, illumination, and location, aligns with the overall architectural intent and meets the required standards. A Variance request (BA-23-08), addressing the separation distance requirements specified in Sec. 16-499(17)(f) and Sec. 16-499(19)(a), was approved by the Planning and Zoning Board on March 13, 2025, allowing a reduction to 768 feet from the required 1,500-foot separation between any two (2) convenience stores and between any two (2) fuel stations.

The site will be landscaped in accordance with the submitted Landscape Plan and City Code. A variety of landscaping materials have been provided, and the design strategically integrates the landscaping to screen and soften the appearance of surface parking areas. This approach meets the provision requiring that convenience stores meet or exceed the landscaping standards of the City Code. Staff and the applicant have collaborated to incorporate additional Crape Myrtle, Christmas Palm, extensive shrubs, and groundcover to enhance the landscaping beyond the minimum requirements. It is important to note that the existing site is currently nonconforming with respect to landscaping, given the limited presence of plantings aside from a few shrubs and nine (9) palm trees, of which eight (8) will be preserved.

The architectural elevations are well-suited to the proposed use and will not significantly detract from the surrounding environment. The canopy has been designed to blend with the façade of the proposed structure, utilizing a palette of complementary colors, materials, and textures. The earth tones and wall material of the proposed structure are also consistent with the existing context and surrounding structures.

The development is required to pay the City's impact fee of \$2.80 per square foot of gross non-residential floor area per Section 16-201. Therefore, an amount of **\$7,907.20** shall be paid prior to the issuance of Building Permits based on the building square footage of 2,824 square feet.

(SE-23-05 / Resolution 2025-15)

(SP-23-07 and MSP-24-06 / Resolution 2025-16)

Murphy USA

On February 15, 2024, the Development Review Committee (DRC) reviewed this application and recommended approval subject to the comments noted herein and the conditions of approval listed below.

Standards for Site and Development Plans and Staff Findings:

1. Minimum Lot Requirement: Since the subject lot was legally created and approved by the City prior to the applicability of the City's Zoning Code, in accordance with Section 16-1360(a), the 1.17-acre site meets the minimum area requirement of 2.0 acres for the CI zoning district.
2. Maximum Lot Coverage: Building coverage of **13.1%** does not exceed the maximum of **30%**.
3. Minimum Yard Requirements: Setbacks **meet** all requirements of 50' front, 25' side corner, 20' side interior and 30' rear.
4. Height Restrictions: The 1-story building height of 18.5' for the Murphy's convenience store building and the canopy height of 18.75' **does not exceed** the allowable height of 35'.
5. Off-Street Parking & Loading: The 15 parking spaces provided **exceeds** the minimum required 14 parking spaces, based on the code requirement of 1 space per 200 square feet of the convenience store.
6. Landscaping: The landscaping plan **complies** with the Landscape Code requirements. (See Landscaping Plans)
7. Lighting: The photometric plan **complies** with the applicable City Code requirements for lighting. (See Photometric Plans)
8. Sign Regulations: Signs on-site, as detailed in Master Sign Plan MSP-24-06, **meet** the required applicable City Code requirements. (Refer to Sign Plan on Sheet MSP-1)
9. Utilities: The proposed water, sanitary sewer, and drainage systems **meet** preliminary engineering and City Code requirements, subject to final approval of an Engineering Permit and prior to the issuance of a Building Permit.
10. Concurrency: Project **meets** traffic concurrency. Water and Sewer service and capacity **are available** to serve the site.
11. Comprehensive Plan: The proposed development **is consistent** with the Commercial (CM) future land use category, and the

proposed intensity of 0.065 FAR **does not exceed** the maximum allowable intensity of 0.35 FAR.

12. Color Scheme: The color of the building **shall be** in accordance with the approved Site and Development Plans.
13. Site and Building Design: The project layout and architectural design **comply** with the site and building design requirements of the Code and are appropriately scaled for this development type. The canopy and façade treatments are compatible with and complement the adjacent developments. In addition, the Landscape Plan enhanced plantings that exceed the minimum City Code landscaping standards.
14. Hours of Operation: The proposed hours of operation, 24 hours a day, 7 days a week, **are compatible** with the surrounding land uses, given the adjacent commercial context to the west and south, the sites location along Forest Hill Boulevard — a major arterial thoroughfare, and the adequate buffer provided to neighboring residential area to the east. The establishment shall otherwise comply with Sec. 8-27. - Hours of Sale, as amended, which prohibits the sale or dispensing of alcoholic beverages between the hours of 2:00 a.m. and 7:00 a.m. of each day.

VII. Special Exception Criteria and Findings of Fact:

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

Finding: The proposed Convenience Store with Fuel Sales complies with all the relevant elements of the City of Greenacres' Comprehensive Plan and aligns with the goals, objectives, and policies outlined in the Comprehensive Plan, which is designed to direct growth and development towards suitable areas within the City. A Convenience Store with Fuel requires Special Exception approval within the Commercial Intensive (CI) Zoning District to ensure that any potential impacts arising from the use and operation are thoroughly addressed and adequately mitigated.

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 site provides adequate ingress and egress through two (2) access points—one (1) on Forest Hill Boulevard and one (1) on the adjacent Walmart access drive to the west. The site also includes a sidewalk connection to Forest Hill Boulevard for pedestrian access. Staff, including the City's traffic engineering consultant, have reviewed the plan regarding automobile, pedestrian, fire safety, traffic flow, and control, and have confirmed compliance with all applicable City Code requirements.

- 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. The site also includes designated loading areas to ensure efficient deliveries and operations.

- 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. The dumpster and recycling provisions meets all City Code requirements of screening and access and will provide an adequate storage area for refuse and will not adversely affect public health and safety.

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

Finding: The proposal is adjacent to existing commercial uses to the west and south and is consistent with the established commercial nature along Forest Hill Boulevard, which includes a mix of high-intensity retail and service uses. The project incorporates landscape buffers exceeding minimum code requirements, minimizing potential adverse impacts. The building setbacks comply with zoning regulations, and all site elements have been designed to prevent any nuisance or adverse effects.

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

Finding: The project will be fully served by underground utilities, including water and sewer services provided by the Palm Beach County Water Utilities Department. All required utility connections are available on-site, and the project meets the Level of Service (LOS) standards established in the City's 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's landscaping complies with CI zoning district requirements, with additional plantings provided beyond the required amount and includes buffer areas that meet or exceed minimum width requirements. These landscape buffers will enhance compatibility with adjacent properties while ensuring a visually appealing and well-screened development.

- 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: The Master Sign Plan (MSP-24-06) includes a signage package which meets the requirements of the City's Code. The provided Photometric Plan shows all exterior lighting meets the City Code requirements for limiting spill onto adjacent neighboring property and onto major roads.

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

Finding: The project complies with all landscaping and setback requirements of the Zoning Code. The proposed lot coverage of 13.1% is below the maximum allowable 30%, ensuring that adequate open space and landscaped areas are maintained. All building setbacks comply with the Commercial Intensive (CI) Zoning District’s requirements.

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

Finding: The proposed commercial use is compatible with the existing high-intensity commercial nature along this corridor and adjacent uses. The subject site is surrounded by commercial uses and the residential community to the east is buffered by additional setbacks and enhanced landscaping. A six (6)-foot-high concrete wall currently exists on the residential property, and the applicant is proposing to construct a new concrete buffer wall on the commercial site, as required by City Code, to further mitigate potential impacts.

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

Finding: The proposed Convenience Store with Fuel Sales is appropriately scaled for its location and is consistent with the size and intensity of surrounding commercial developments. The project aligns with the existing retail and service-oriented uses along this segment of Forest Hill Boulevard, ensuring that it meets the needs of the local community without creating an excessive burden on infrastructure or traffic.

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 complies with the special requirements as outlined in the Special Exception criteria for a Convenience Store with Fuel Sales within the Commercial Intensive (CI) zoning district. The separation distance requirements are satisfied via the approval of Variance (BA-23-08), which was approved by the Planning and Zoning Board on March 13, 2025.

VIII. Staff Recommendation:

Approval of SE-23-05, SP-23-07, and MSP-24-06 with the following conditions:

1. The most stringent requirements of this DNS Staff Report and Recommendation dated March 26, 2025, and strict compliance with the Site and Development Plans exhibits stamped approved by the City of Greenacres on April 21, 2025, and listed below, which are attached hereto and made part hereof as Exhibit “A”
 - A. SP-23-07 Murphy’s (Forest Hill Blvd) **Site Plan**, Sheets SP-0 through SP-14, received by DNS on April 10, 2025, and prepared by Todd Harland Hendrix of CPH, LLC
 - B. SP-23-07 Murphy’s (Forest Hill Blvd) **Landscape Plan**, Sheets LP-1 through LP-4, received by DNS on April 10, 2025, and prepared by Danita Roberts Bryant of CPH, LLC

- C. SP-23-07 Murphy's (Forest Hill Blvd) **Tree Removal Plan**, Sheet TR-1, received by DNS on April 10, 2025, and prepared by Danita Roberts Bryant of CPH, LLC
 - D. SP-23-07 Murphy's (Forest Hill Blvd) **Irrigation Plan**, Sheets IR-1 through IR-3, received by DNS on April 10, 2025, and prepared by Danita Roberts Bryant of CPH, LLC
 - E. SP-23-07 Murphy's (Forest Hill Blvd) **Photometric Plan**, Sheet L-1.0, received by DNS on April 10, 2025, and prepared by JWG of Galloway
 - F. SP-23-07 Murphy's (Forest Hill Blvd) **Architectural Plan**, Sheets 1 through 4, received by DNS on April 10, 2025, and prepared by Scott Loikits of GreenbergFarrow
 - G. SP-23-07 Murphy's (Forest Hill Blvd) **Master Sign Plan**, Sheets MSP-1, received by DNS on April 10, 2025, and prepared by Todd Harland Hendrix of CPH, LLC
 - H. SP-23-07 Murphy's (Forest Hill Blvd) **Civil/Engineering Plan**, Sheets C-2 through C-13, received by DNS on April 10, 2025, and prepared by Todd Harland Hendrix of CPH, LLC
2. The project shall be required to pay the City's impact fee of \$2.80 per square foot of gross non-residential floor area per Section 16-201. The amount of **\$7,907.20** shall be paid prior to the issuance of any Building Permits. (Planning, Engineering, and Building)
 3. The project shall be required to pay the City's Arts in Public Places (AIPP) public art fee if the total construction costs is two hundred fifty thousand dollars (\$250,000) or greater, in accordance with Section 16-661. If applicable, the public art fee shall be equal to one (1) percent of the total construction costs of the project. The contribution shall be placed in the city's public art fee fund and the contributor shall have no input in the use of such funds. The contribution shall be divided into two (2) payments as follows:
 - A. **Prior to Building Permit Issuance:** The developer shall submit to the building division/finance department a preliminary certification of the total construction costs. This preliminary certification shall be used to calculate the developer's initial payment of thirty (30) percent of the contribution. The developer shall make this initial payment to the building division/finance department prior to the issuance of any building permit.
 - B. **Prior to Issuance of the Final Certificate of Occupancy:** The developer shall submit to the building division/finance department a final certification of the total construction costs. This final certification shall be used to calculate the outstanding portion of the contribution. The developer shall pay the outstanding portion of the contribution prior to the issuance of the final certificate of occupancy for the project.
 4. The project shall participate in the City Tree Dedication Program per Section 16-1293; prior to the issuance of any Building Permits, one (1) tree to be donated per 1,000 sq. ft. of building area or fraction thereof, therefore **seven (7) 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 and Building)
 5. Any site permits required and/or obtained shall be maintained in an active status with the respective permitting agency until all the work covered by the permit is satisfactorily completed, any applicable inspections passed, and officially closed out with the City. (Building, Planning, Engineering and Public Works)

(SE-23-05 / Resolution 2025-15)

(SP-23-07 and MSP-24-06 / Resolution 2025-16)

Murphy USA

6. Permits from the South Florida Water Management District (SFWMD), Lake Worth Drainage District (LWDD), and Palm Beach County Land Development, as required, for the stormwater management system must be obtained prior to the issuance of an Engineering Permit. (Engineering)
7. Permits from the Health Department for modifications to the water and sewer system must be obtained prior to the issuance of an Engineering Permit. (Engineering)
8. The required masonry wall along the east property line shall be a minimum of 8 feet in height, measured from the highest adjacent grade, and shall be finished with stucco on both sides. The following shall also apply:
 - A. The stucco shall be painted to match and harmonize with the building's exterior walls.
 - B. Landscaping shall be installed in front of the wall in accordance with the City's Zoning Code.
 - C. The property owner shall continue to coordinate with the owner of the adjacent residential property to the east regarding the existing 6-foot wall, with the objective of either constructing a continuous 8-foot-tall wall or ensuring that no gap exists between the existing wall and the proposed wall that could present safety or maintenance concerns.
 - D. The wall design, including all relevant details, shall be reflected on all applicable plan sheets and submitted for review and approval as part of the Engineering Permit submission.
 - E. The property owner shall obtain and submit for review and approval a written legal authorization or easement agreement from the owner of the adjacent residential property to the east, confirming the coordination and consent for any work to be conducted on the adjacent property as part of the Engineering Permit submission.
 - F. The property owner shall remain solely responsible for the maintenance of the wall. (Planning, Engineering, and Building)
9. An Engineering Permit, issued by the City of Greenacres, is required prior to any sitework or construction activities outside of the proposed structures and work related to subdivision and/or development improvements taking place. The Engineering Permit must be closed out before any Certificates of Occupancy (CO) are issued for any buildings or structures. No Engineering Permit shall be issued for construction or work until an approved cost estimate and a bond for all sitework has been posted. Once site work is complete, a maintenance bond will be required prior to the close out of the engineering permit. (Engineering)
10. Upon completion of all required improvements, the developer/property owner shall direct the civil engineer of record to prepare as-built drawings for all project plans and submit the project baseline data for all relevant layers to the Development & Neighborhood Services Department. The data must be provided in one of the following formats: (a) AutoCAD DXF, (b) GIS shapefile (comprising the ESRI extensions .shp, .shx, and .dbf), or (c) Geodatabase (with the ESRI .gdb extension). The timeline for submitting the as-built plans will be determined by the City Engineer, and submission must occur prior to the acceptance of improvements and the release of the bond for sitework. (Planning and Engineering)

11. Complete drainage calculations addressing water quality and quantity in accordance with the requirements of SFWMD and City of Greenacres must be submitted for review along with complete paving and drainage construction plans and subsurface investigation with percolation test. Additionally, documentation detailing the maximum impervious surface allowances for the overall project, as acceptable to the City Engineer, must be provided. All required documents must be submitted with the application for Engineering Permits. (Engineering)
12. The establishment may operate 24 hours a day, 7 days a week. Should any issues arise regarding the operation hours, the City Manager or their designee reserves the right to modify the hours of operation. The establishment shall otherwise comply with Sec. 8-27. - Hours of Sale, as amended, which prohibits the sale or dispensing of alcoholic beverages between the hours of 2:00 a.m. and 7:00 a.m. of each day. (Planning)
13. No outdoor speakers shall be permitted. (Planning and Building)
14. 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 later build-out date has been approved by the County and a copy of the approval provided to the City of Greenacres. (Planning and Building)
15. Any unused existing easements and rights-of-way on the subject property shall be abandoned prior to the issuance of Engineering Permits. (Engineering)
16. Driveway connection and/or right-of-way construction permits from Palm Beach County Land Development and/or FDOT must be obtained prior to the issuance of Engineering Permits. Any existing driveway connections on site which will become redundant shall be removed and replaced with curbing, etc. to match adjacent conditions. (Engineering)
17. In accordance with the requirements of the National Pollution Discharge Elimination System (NPDES), best management practices shall be used to control runoff from construction activities. An NPDES Permit shall be provided to the City, prior to any site activity, as part of the Engineering Permit. (Planning, Engineering, Building and Public Works)
18. Utilities shall be provided underground and sufficient in size to properly serve the site. Appurtenances to these systems which require above-ground installation must be effectively screened from view. If it is determined by the City that the screening does not effectively mitigate the impact, additional screening may be required. (Planning, Engineering and Building)
19. All utilities and services to the site shall be provided by entities holding valid franchise agreements with the City. (Engineering and Building)
20. All ground mounted mechanical equipment (air conditioning, backflow preventer, etc.) shall be screened from view. No equipment shall be taller than the proposed screening. If it is determined by the City that the screening does not effectively mitigate the impact, additional screening may be required. (Planning and Building)

21. Landscaping shall be maintained in perpetuity in accordance with the City's Landscaping Regulations and the approved Landscaping Plan, including specifications for plant size, number, location, and type of landscaping material. All plant life shown on an approved landscape plan shall be replaced if it dies, is seriously damaged, or removed. All plant material shall be kept reasonably free of visible signs of pests, infestation, or disease. (Planning)
22. A certified cost estimate by a FL Registered Landscape Architect or Engineer, for the project's landscape materials, installation, irrigation and labor to establish a 1-year maintenance financial guarantee or financial security in a form acceptable to the City Attorney in the amount of 110% of the estimate shall be posted for the project's landscaping, in addition to the other bonds required for site improvements. The owner shall provide this financial guarantee or financial security before the City performs any landscape inspection or issues a Certificate of Occupancy. If project's landscaping is not maintained, the City may use the financial guarantee or financial security to maintain or replace dead or unacceptable landscape materials and irrigation components after providing written notice to the property owner. (Planning and Engineering)
 - A. The project Landscape Architect shall conduct a field inspection at substantial completion of the project to verify that the landscape and irrigation installation complies with the approved plans and is healthy and flourishing before the project's 1-year maintenance financial guarantee/security period begins. The project Landscape Architect shall then submit a Certificate of Compliance letter to the City of Greenacres and request a final City inspection of the landscape installation.
 - B. The project Landscape Architect shall conduct an interim field inspection near the 6-month mark of the project's 1-year maintenance period to verify that the landscape and irrigation installation continues to comply with the approved plans and is healthy and flourishing. The project Landscape Architect shall then submit a Certificate of Compliance letter to the City of Greenacres and request an interim City re-inspection of the maintained landscaping at the 6-month mark of the maintenance financial guarantee/security period.
 - C. The project Landscape Architect shall conduct a field inspection near the completion of the project's 1-year maintenance period to verify that the landscape and irrigation installation continues to comply with the approved plans and is healthy and flourishing. The project Landscape Architect shall then submit a Certificate of Compliance letter to the City of Greenacres and request a final City re-inspection of the maintained landscaping 30 days prior to the end of the maintenance financial guarantee/security period.
 - D. Upon passing the final re-inspection, the property owner may request in writing the release and return of any remaining financial guarantee/security. If the location fails the final re-inspection, the financial guarantee/security shall not be released to the property owner. Once the property owner completes the required improvements, the financial guarantee/security shall be released. If these necessary improvements do not occur, the City may use the financial guarantee/security to maintain or replace landscape items as necessary.
23. 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. Landscaping Plan additions

may be necessary to meet Code requirements if existing material is unsuitable to remain. (Planning)

24. By the initial landscape inspection, all existing invasive non-native plants shall be removed from the property. It shall be the responsibility of the property owner to maintain the site free from invasive plants in perpetuity. (Planning)
25. For roofing materials, all exterior roof surfaces shall be either rated by the Cool Roof Rating Council or labeled as an Energy Star qualified roof product and be in accordance with the Florida Building Code. This excludes portions of the roof acting as a rooftop deck, green roof, or any area of a roof utilized by photovoltaic and solar equipment. Product specifications for roofing materials must be submitted and approved as part of the roofing-related Building Permit submittals.
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)
27. The Site and Development Plan shall be revised as necessary and as otherwise noted herein to reflect all conditions of approval and re-submitted, prior to the issuance of Engineering Permits. (Planning, Building, Engineering and Public Works)
28. Non-compliance with any of the conditions of approval will result in withholding of the issuance of building permits and a Certificate of Occupancy. (Planning, Engineering, and Building)
29. The conditions of approval herein shall apply to the Owner, Applicant, and their successors and assigns. Deviation from any portion of the approved Site and Development Plans, Special Exception, or failure to comply with any requirement, condition or safeguard imposed by the City during the approval procedure shall render the Site and Development Plans and Special Exception approval null, void, and of no further effect upon determination by the City Council. (Planning)
30. **CITY ADVISORY NOTICES:**
 - (1) **Development permits and orders.** As provided by subsection 166.033(6), Florida Statutes, issuance of a development permit by a municipality does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
 - (2) **No Guarantee by City.** It is specifically understood that the City is not guaranteeing the appropriateness, efficiency, quality or legality of the use or development of the Property, including but not limited to, drainage or water/sewer plans, fire safety, or quality of construction, whether or not inspected, approved, or permitted by the City.
 - (3) **Indemnification.** The Owner/Developer shall indemnify and hold the City harmless from any and all claims, demands, disputes, costs, expenses, (to include attorney’s fees whether or not litigation is necessary and if necessary, both at trial and on appeal), incurred by the City as a result, directly or indirectly, of the use or development of the Property, except

those claims or liabilities by or arising from gross negligence or intentional acts of the City, or its employees, contractors or agents.

PLANNING & ZONING BOARD ACTION – March 13, 2025

POSTPONED TO NEXT MEETING APRIL 10, 2025

PLANNING & ZONING BOARD ACTION – April 10, 2025

(SE-23-05)

The Planning and Zoning Board on a motion made by Board Member Litowsky and seconded by Board Member Robarts, by a vote of five (5) to zero (0) *recommended approval* of the Special Exception for *Murphy USA (SE-23-05)* as presented by staff.

(SP-23-07 and MSP-24-06)

The Planning and Zoning Board on a motion made by Board Member Robarts and seconded by Board Member Edmundson, by a vote of five (5) to zero (0) *recommended approval* of the Site & Development Plans including the Master Sign Plan for *Murphy USA (SP-23-07 and MSP-24-06)* as presented by staff.

CITY COUNCIL ACTION – April 21, 2025

Attachments:

1. Proposed Site and Development Plans (SP-23-07)
2. Proposed Master Sign Plan (MSP-24-06)